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PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—*Friday, June 14, 2013*

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

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

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

Bless the Members of the people's House as they gather at the end of another week in the Capitol. Endow each with the graces needed to attend to the issues of the day with wisdom, that the results of their efforts might benefit the citizens of our Nation and the world.

On this Flag Day, may we be reminded of the greatness of the democratic experiment that is the Republic of the United States and diligent in our responsibilities as citizens to guarantee the freedoms enumerated in the Constitution for all who claim this country as their home.

We also ask Your blessing leading into this weekend upon fathers throughout our country. May they be their best selves, and may their children appreciate fully the blessing their fathers have been to them.

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

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from California (Ms. MATSUI) come forward and lead the House in the Pledge of Allegiance.

Ms. MATSUI led the Pledge of Allegiance as follows:

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

ANNOUNCEMENT BY THE SPEAKER

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

AL QAEDA TERRORIST THREAT GROWS

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

Mr. WILSON of South Carolina. Mr. Speaker, last Monday, I attended a briefing by the American Enterprise Institute concerning foreign policy issues. I particularly appreciated a presentation by Dr. Fred Kagan, an internationally recognized authority on terrorist threats to American families.

He provided a map, which I believe should be known by the American people, of the al Qaeda and associated movement areas of operation and safe havens. It is sad Somalia is ruled by warlords, Libya is controlled by militias, and in Mali, there are new reports of terrorists training with surface-to-air missiles. This war began with safe havens in Afghanistan on September 11, 2001.

I believe we should be proactive in working with our allies to stop terrorists overseas. We cannot wish the threat away because, in fact, threats are growing. We should support peace through strength by stopping terrorism overseas or face more attacks on the streets of America.

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

STUDENT LOANS

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

Mr. MATHESON. Mr. Speaker, I rise today in support of access to higher education.

Satin Tashnizi is a freshman at the University of Utah, with aspirations of becoming a heart surgeon. As a first-generation American, Satin grew up watching both of her parents struggle to provide for her, working multiple jobs while going to school, continually reminding Satin that America is the land of opportunity.

Recently, I had the privilege of sitting down with Satin and several other college students to talk about their experiences paying for college and why it is critical that Congress come together to solve the current student loan debate.

As a high school student, Satin enrolled in several AP classes and graduated near the top of her class. She was accepted at her first college choice out of State; however, due to finances, Satin opted to stay in-State for school, hoping her family would have enough money to pay for medical school later on. But with interest rates on subsidized student loans set to double July 1, the chances that Satin's family can afford medical school are getting smaller.

We have 16 days to reach a compromise on this matter here in Congress to help ensure that all Americans have the opportunity to reach their educational dreams.

MENTAL HEALTH ASSESSMENTS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today the House will be voting on the National Defense Authorization Act, known as the NDAA. The NDAA's purpose is to ensure that our brave sons and daughters who serve this country will have what they need to be trained and resourced to do their jobs effectively and safely.

This authorization is one of the few policy matters in Washington not viewed through a partisan lens. As a father of a son and daughter-in-law currently serving our country in Afghanistan, I'm proud to say that that is the case.

Today's NDAA includes an amendment I added that would mandate the

Department of Defense implement a preliminary mental health assessment before individuals join the military. The goal is to assure mental health resiliency for those who will be facing the combat realities of war. The suicide rate among our military is unacceptable, and this amendment will help reduce it.

The Department of Defense has done medical assessments for many years. It is time we bring mental health to parity in preliminary assessments. We must focus on the overall well-being of the force.

CLIMATE CHANGE

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

Ms. MATSUI. Mr. Speaker, I rise today as a member of the Safe Climate Caucus to highlight the four-part plan released last Monday by the International Energy Agency about the importance of reducing greenhouse gas emissions. It is yet one more report sounding the alarm that we are not on track to meet the agreed-upon target of limiting the rise of average global temperatures to 2 degrees Celsius.

Mr. Speaker, how many more reports must be released before we act? Every day that Congress continues down this self-destructive path of ignoring climate change is a missed opportunity to bring immense benefits to our country. By failing to enact responsible climate change policies, we are missing the opportunity to simultaneously create good paying jobs, protect our environment, and leave a sustainable planet for our future generations.

The time to act is now.

REINTRODUCTION OF THE JOBS ACT

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

Mr. BROUN of Georgia. Mr. Speaker, there's a lot going on in our country right now, but we here in Congress need to remember that the number one priority remains getting our economy back on track. That's why, today, I reintroduced the original JOBS Act.

My JOBS Act would reduce the corporate tax rate and capital gains tax to zero. It would totally eliminate them. It would also extend for 3 years bonus depreciation and would allow 100 percent expensing for business assets. Finally, the JOBS Act would permanently repeal the estate and gift taxes—the death taxes.

My bill would give businesses the boost that they need to create more jobs. It would stimulate our economy and would bring manufacturing jobs back to America.

I urge my colleagues to support my JOBS Act.

THE BLACK FOREST FIRE

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

Mr. LAMBORN. Mr. Speaker, I rise to recognize the many dedicated firefighters, first responders, and military personnel who are battling the ongoing Black Forest fire to save countless homes and lives in my congressional district. I would also like to recognize the coordinated response of all the Federal, State, and local resources that have come together to contain the fire.

Since erupting Tuesday afternoon, the Black Forest fire has, at this time, claimed two lives, destroyed 379 homes, and displaced over 41,000 people, making it the most destructive fire in Colorado history.

I will continue to do all I can to help the thousands of families displaced by this fire and ensure that our brave firefighters and first responders have all the Federal resources they need.

I ask all of you to keep the people of the Black Forest and the family of the two who have died in your thoughts and prayers during this tragedy.

ALBANIAN PRIME MINISTER BERISHA, AMERICA'S LOYAL FRIEND

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

Mr. ROHRABACHER. Mr. Speaker, 20 years ago, Albania was struggling to leave behind its years of repression, dependence, and deprivation, a period when it was a North Korea clone. Now, Albania is a democracy with elected representatives who engage in open debates within a vigorous civil society.

Albania is a member of NATO that continues to contribute troops to the International Security Force in Afghanistan and participated in the U.S.-led liberation of Iraq, and it now aspires to have membership in the European Union.

In contrast to the atheist dictatorship it left behind, today, Albanian churches and mosques are full. Similarly, Marxist economics has been replaced with an expanding market economy. America needs to be especially grateful to the Government of Albania and to the Albanian Prime Minister, Sali Berisha, who has been a steadfast and courageous ally of the United States.

Recently, when the U.S. needed countries willing to provide asylum to members of the MEK now stranded in Iraq, Prime Minister Berisha agreed to accept 210 members of that group—far more than any other country. That was a sign of good faith and friendship for America. It will not soon be forgotten, and it took real courage on the part of President Berisha to make this generous offer. We will not forget his friendship.

□ 0910

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

The SPEAKER pro tempore (Mr. FORBES). Pursuant to House Resolution 260 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1960.

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

□ 0912

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose Thursday, June 13, 2013, the seventh set of en bloc amendments offered by the gentleman from California (Mr. MCKEON) had been disposed of.

The Chair understands that amendment No. 18 will not be offered.

AMENDMENT NO. 19 OFFERED BY MRS. WALORSKI

The Acting CHAIR. Pursuant to the order of the House of June 13, 2013, it is now in order to consider amendment No. 19 printed in part B of House Report 113–108.

Mrs. WALORSKI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 405, after line 9, insert the following:

SEC. 1040B. PROHIBITION ON TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT GUANTANAMO TO YEMEN.

None of the amounts authorized to be available to the Department of Defense may be used to transfer, release, or assist in the transfer or release, during the period beginning on the date of enactment of this Act and ending on December 31, 2014, any individual detained at Guantanamo (as such term is defined in section 1033(f)(2)) to the custody or control of the Republic of Yemen or any entity within Yemen.

The Acting CHAIR. Pursuant to House Resolution 260, the gentlewoman from Indiana (Mrs. WALORSKI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Indiana.

Mrs. WALORSKI. Mr. Chairman, in May, the President declared a renewed

intention to transfer detainees from Guantanamo ''to the greatest extent possible.'' He also announced he was lifting his self-imposed suspension on the transfers of detainees to Yemen.

This, I believe, is a dangerous policy. It is dangerous for our troops fighting overseas. It is also dangerous for citizens living in the homeland.

The amendment I am offering prohibits the Department of Defense from transferring Gitmo detainees to Yemen for one year. In other words, this amendment simply puts into the law the President's previous judgment that transfers to Yemen should be suspended.

Those listening to the debate today might be asking: ''Why is this prohibition needed?'' For starters, the Defense Department should not transfer detainees to Yemen because they represent some of the most dangerous terrorists known in the world.

It is important to note that these individuals are still in Gitmo because even the Obama administration believes they are being legally held. The Bush administration didn't feel comfortable transferring these terrorists. After Yemen was the starting point for the foiled airline bombing over Detroit, the Obama administration correctly decided not to transfer these terrorists back to that troubled nation.

These individuals pose a real threat to the United States. Detainees at Gitmo pose a real threat to our national security. Transfers to Yemen should be prohibited because Yemen has become a hotbed for terrorist activity. In fact, al Qaeda in the Arabian Peninsula—which is widely believed to be the most lethal of all al Qaeda affiliates—is based in Yemen.

Director of National Intelligence James Clapper testified in 2011 that AQAP remains the affiliate most likely to conduct a transnational attack. This is an organization with which we are at war, an organization that is resolute on killing as many Americans as they can if we don't stop them first.

It makes no sense to send terrorists to a country where there is an active al Qaeda network that we know has been engaged in targeting the U.S. The Christmas Day Detroit bombing attempt, the ink cartridge bomb plot, and the radicalization of the Fort Hood shooter all can be traced back to Yemen.

Let's look at the facts. We should not be in the business of sending Gitmo detainees to Yemen because, one, they represent some of the most dangerous terrorists in the world and, two, Yemen is home of the most active al Qaeda affiliate, and lastly, because Yemen has a poor track record of securing its prisons.

A Yemen citizen, the convicted mastermind of the USS *Cole* bombing who took the lives of 17 American sailors, was being held by Yemeni authorities when he escaped from prison in 2003. Luckily, he was recaptured, but he was able to escape again from Yemeni custody in 2006 along with 22 other terrorists.

Why risk another jailbreak by people who intend to do us harm? This is a commonsense amendment with the purpose of protecting Americans.

My amendment does not say the President can't transfer detainees elsewhere. My amendment is only in effect for 1 year to give Yemen time to demonstrate it can safely and securely handle Gitmo transfers.

Before taking additional steps, I also believe it is prudent that Congress receive the Department of Defense's report on factors that contribute to reengagement so that informed choices about future transfers can be made. This report is mandated by law, and it is currently overdue.

In closing, I want to share a statistic from the Office of the Director of National Intelligence. In 2012, ODNI reported that the combined suspected and confirmed reengagement rate of former Gitmo detainees has risen to an alarming 27.9 percent. When I speak with constituents—moms and dads—back home who ask me how safe we really are, this rate of reengagement comes to mind.

I ask my colleagues to consider the national security implications of transferring detainees to Yemen, and join me in support of my amendment.

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

Mr. SMITH of Washington. Mr. Chairman, I claim time in opposition to the amendment.

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

Mr. SMITH of Washington. Mr. Chairman, I yield myself 2 minutes.

The 56 inmates that we are talking about at Guantanamo are not the most dangerous terrorists in the world. In fact, the intel community and the Department of Defense determined they were acceptable risks for release back to Yemen, back to their home country. Not everybody that we rounded up and took to Guantanamo, unfortunately, turned out to be the very, very dangerous terrorists that we thought they were.

The problem we confront with these 56 that we've determined are not a grave threat to the country, determining that if there is any minimal threat whatsoever we are simply going to hold them forever is, well, quite frankly, un-American. That is contrary to our values, to say that we are going to hold somebody indefinitely—I gather forever—because we think there might possibly be some risk. That's not the way the Constitution is supposed to work.

More than anything, this amendment restricts the President's flexibility. If the President determines that this is safe, if the intelligence community determines this is safe, if the Defense Department determines this is safe, they ought to have that option. This amendment takes that option away and, once again, makes Gitmo the classic Hotel California: ''You can check in any time you want, but you can never leave.''

We cannot warehouse people forever. We need to give the President options, not restrict them.

There are certification requirements that will always be in place to make sure that the Secretary of Defense, before releasing these people, certifies that he believes it is an acceptable risk. We will have to have that. But I think an absolute prohibition ties the hands of the President in an unhelpful way.

With that, I reserve the balance of my time.

Mrs. WALORSKI. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. COTTON).

Mr. COTTON. Mr. Chairman, I want to thank the gentlelady from Indiana for her effort on this very important amendment. For 4-plus years, the Obama administration has declined to transfer these terrorists at Guantanamo to Yemen. I would suggest that nothing has changed, if you look at the facts of the matter.

□ 0920

Yemen remains a partner in our war on terror, but it still has weak capabilities. It still has not yet demonstrated the ability to house such terrorists or to deter terrorist activity in its own quarters as we've seen from things like the underwear bombing plot or the Fort Hood massacre. If we transfer these terrorists to Yemen, we cannot know for sure that it will not mean more attacks on our soldiers in Afghanistan, on our Ambassadors at our Embassies around the world, on our citizens around the world, here in the United States, or in allied countries.

I urge my colleagues on both sides of the aisle to support this temporary and restrained amendment to ensure that terrorists at Guantanamo Bay do not escape back onto the battlefronts of the war on terror.

Mr. SMITH of Washington. I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I thank my friend for yielding.

There is more agreement here than meets the eye. I think everyone in this Chamber agrees that no person who is a dangerous threat to the people of the United States should be released. I think most people in this Chamber agree that, if the Government of Yemen is unprepared to effectuate adequate security means, then no person should be released to Yemen.

The question here is who gets to make that decision. In this instance, the people who know the most about

this—the leaders of our intelligence community, of our military, of our law enforcement community—have reviewed the specific details of 56 cases, and they have concluded based upon their review of those details that the right thing to do is to release these detainees to Yemen if and when they are satisfied that Yemen's security measures are appropriate.

The question here really comes down to whether this judgment should be made by the Members of this body, who have varying degrees of knowledge about this issue—including the gentlelady, who has very diligently learned a lot about this issue and cares a lot about it—or whether the decision should be made by people whom we have entrusted with the defense of our country, who have developed specific, granular, factual expertise about this question. I believe this is a case where the proper decision belongs with those experts, where the proper decision belongs with those who know the most about this matter. Rigidly limiting the options of those experts is a mistake.

So, although I believe we share the same intentions here, we don't share the same view of this amendment. I believe that the decision should be made by those best positioned to make it. If and when they determine that security conditions in Yemen are appropriate, then the decision to release should be made. In my view, that's the right process. I urge a ''no'' vote on this amendment.

Mr. SMITH of Washington. I yield myself the balance of my time just to say that I completely agree with the arguments of the gentleman from New Jersey.

It's not a question of whether or not these people should be released. It's a question of who should make that decision. Should Congress make that decision and restrict the President? Restrict the intelligence community? Restrict the Department of Defense? As the gentleman from Arkansas pointed out, Yemen has been a very capable and helpful partner in the war against al Qaeda in the Arabian Peninsula.

I believe these decisions are best left to the experts and not to have Congress restrict them and limit their options. With that, I urge opposition to the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Indiana (Mrs. WALORSKI).

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

Mr. SMITH of Washington. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 20 OFFERED BY MR. SMITH OF WASHINGTON

The Acting CHAIR. Pursuant to the order of the House of June 13, 2013, it is now in order to consider amendment No. 20 printed in part B of House Report 113–108.

Mr. SMITH of Washington. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 1032, 1033, and 1034.

Page 399, line 9, strike ''120 days'' and insert ''60 days''.

Page 402, lines 6 through 7, strike ''90 days after the date of the enactment of this Act, the Secretary of Defense'' and insert ''30 days after the date of the enactment of this Act, the President''.

Page 402, lines 8 through 9, strike ''of the Department of Defense''.

Page 402, line 10, after ''principal responsibility'' insert the following: '', in consultation with the Secretary of Defense, the Attorney General, and the intelligence community (under the meaning given such term section 3(4) of the National Security 18 Act of 1947 (50 U.S.C. 3003(4)),''.

Page 402, line 12, after ''Cuba'' insert the following: '', and the closure of the detention facility at such Naval Station''.

Page 402, line 14, after ''transfers'' insert the following: ''and such closure''.

Page 403, line 5, strike ''120 days'' and insert ''60 days''.

Page 403, line 20, strike ''120 days'' and insert ''60 days''.

Page 404, line 24, strike ''90 days'' and insert ''60 days''.

Page 405, after line 9, insert the following:

SEC. 1040B. GUANTANAMO BAY DETENTION FACILITY CLOSURE ACT OF 2013.

(a) SHORT TITLE.—This section may be cited as the ''Guantanamo Bay Detention Facility Closure Act of 2013''.

(b) USE OF FUNDS.—Notwithstanding any other provision of law, amounts authorized to be appropriated by this Act or otherwise made available to the Department of Defense may be used to—

(1) construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment;

(2) transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions an individual detained at Guantanamo; or

(3) transfer an individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity.

(c) NOTICE TO CONGRESS.—Not later than 30 days before transferring any individual detained at Guantanamo to the United States, its territories, or possessions, or to a foreign country or entity, the President shall submit to Congress a report about such individual that includes—

(1) notice of the proposed transfer; and

(2) the assessment of the Secretary of Defense and the intelligence community (under the meaning given such term section 3(4) of the National Security 18 Act of 1947 (50 U.S.C. 3003(4)) of available evidence relating to the threat posed by the individual, any security concerns about the individual, the likelihood that the individual will engage in recidivism, and humanitarian concerns about the individual, including—

(A) the likelihood the detainee will resume terrorist activity if transferred or released;

(B) the likelihood the detainee will reestablish ties with al-Qaeda, the Taliban, or associated forces that are engaged in hostilities against the United States or its coalition partners if transferred or released;

(C) the likelihood of family, tribal, or government rehabilitation or support for the detainee if transferred or released;

(D) the likelihood the detainee may be subject to trial by military commission; and

(E) any law enforcement interest in the detainee.

(d) PROHIBITION ON USE OF FUNDS.—No amounts authorized to be appropriated or otherwise made available to the Department of Defense may be used after December 31, 2014, for the detention facility or detention operations at United States Naval Station, Guantanamo Bay, Cuba.

(e) PERIODIC REVIEW BOARDS.—The Secretary of Defense shall ensure that each periodic review board established pursuant to Executive Order No. 13567 or section 1023 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1564; 10 U.S.C. 801 note) is completed by not later than 60 days after the date of the enactment of this Act.

(f) INDIVIDUAL DETAINED AT GUANTANAMO.—In this section, the term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

In section 2901, strike subsections (a), (b), and (c).

Page 646, lines 11 and 12, strike ''120 days'' and insert ''60 days''.

Page 648, after line 5, insert the following:

(F) The estimated security costs associated with trying such individuals in courts established under Article III of the Constitution or in military commissions conducted in the United States, including the costs of military personnel, civilian personnel, and contractors associated with the prosecution at such location, including any costs likely to be incurred by other Federal departments or agencies, or State or local governments.

(G) A plan developed by the Attorney General, in consultation with the Secretary of Defense, the Secretary of State, the Director of National Intelligence, and the heads of other relevant departments and agencies, identifying a disposition, other than continued detention at United States Naval Station, Guantanamo Bay, Cuba, for each individual detained at such Naval Station as of the date of the enactment of this Act who is designated for prosecution. Such a disposition may include transfer to the United States for trial or detention pursuant to the law of war, transfer to a foreign country for prosecution, or release.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Washington (Mr. SMITH) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Washington.

Mr. SMITH of Washington. I yield myself 3 minutes.

This is a very straightforward amendment that simply asks the President to put together a plan to close Guantanamo Bay.

One of the complaints in recent weeks is that we've seen Guantanamo become more and more untenable. It continues to be an international eyesore. Way back in 2007, President George W. Bush said it should be closed. Then-candidate JOHN MCCAIN said it should be closed. As recently as last week, Senator MCCAIN and some other Senators went down and reached that conclusion as well. I think a justifiable criticism of that has come from the other side of the aisle that said, well, you can't close it unless you've got a plan for what to do with the inmates and a plan for how to close it, and that is exactly what this amendment does.

It requires the President within 60 days to come up with a plan for closing Guantanamo Bay prison, and then it also removes all of the restrictions that are in this bill that would stop him from generating that plan.

The bottom line is that we do not need Guantanamo. Guantanamo was set up in the first place in the hopes that, because it wasn't actually on American soil, we could somehow hold people outside the normal bounds of due process and the Constitution, but the Court ruled otherwise. The Court ruled that habeas does apply because Guantanamo is effectively under the control of the United States. So there is no benefit there. There are no greater rights in the U.S. than there are in Guantanamo. We just continue to have this prison that has been set up in a way that the international community cannot stand, and it makes a problem for us in terms of being able to cooperate with our allies and to have the ability to get that cooperation to properly prosecute the war on terror.

So I am simply asking that we put a plan in place so that we can close Guantanamo Bay once and for all—something that Republicans and Democrats alike have said that they've wanted to do. We simply haven't taken the steps necessary.

The prison is becoming very, very expensive. There is $250 million in MilCon contained in this bill just to keep it at a somewhat temporary status. Beyond that, the prospect of the United States' simply warehousing 166 people forever with no end in sight is contrary, again, I think, to our values and to our process.

I really want to emphasize the fact that we have here in the United States well over 300 terrorists incarcerated. There is a notion that somehow we couldn't possibly accommodate them here because of the threat, but we have Ramzi Yousef, and we have the Blind Sheikh. We have some of the most notorious terrorists in the world housed here already safely and securely. That is simply not an argument against doing this. The temporary facilities down at Guantanamo are not sustainable.

Now, I'm not going to rush this and say we've got to close it tomorrow if we don't have a plan. I'm simply requiring the President to come up with that plan, and then am giving him the legislative freedom to develop that plan as what we've done in this bill far too often is to have restricted that.

I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I rise to claim the time in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 10 minutes.

Mr. MCKEON. I yield 2 minutes to my friend and colleague, the chairman of the Seapower Subcommittee on the Armed Services Committee, the gentleman from Virginia (Mr. FORBES).

Mr. FORBES. Mr. Chairman, on May 28, 2010, I stood on this floor and made a motion that effectively stopped some of the worst terrorists in the world at Guantanamo Bay from being transferred to the soil in the United States. At that particular point in time, the then-chairman of the Armed Services Committee, Democrat Ike Skelton, stood on the floor and said this:

> We are in a position to accept this motion. I just wish to point out that there is no difference between the Democrats and Republicans when it comes to fighting terrorism.

Today, we step on a course with this amendment to change that as the highest ranking Democrat on the Armed Services Committee seeks to overturn, essentially, that motion.

Mr. Chairman, if the gentleman were asking that these terrorists be brought to his district, that would be one thing, but he knows that's very unlikely. What you're having with this motion is very generously saying that they could be brought to any of our districts. We are hearing a uniform chorus stand up from North Carolina, Virginia, Guam, and every other place, saying, Don't bring them to my district.

The reason is they know two things: they know the moment they touch U.S. soil they will receive additional constitutional rights that no one in this room can argue what they are exactly; secondly, they have placed a target on every elementary school, on every shopping mall, on every small business in that district by other terrorists.

□ 0930

That's why, Mr. Chairman, it's important that we come together unified and send a message to the President that we might not be able to stop every terrorist from coming to U.S. soil, but we can stop these terrorists by defeating this amendment.

Mr. SMITH of Washington. I yield 2 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentleman.

Mr. Chairman, I rise in support of the Smith-Moran-Nadler amendment, which provides a six-part plan for closing Gitmo.

The amendment will remove the existing limitations on transfers, strike the current requests for construction at Gitmo, and end funding for the facility on December 31, 2014.

The time to close Guantanamo is now. It is a stain on our national honor. We are holding 166 people at Gitmo, 86 of whom have been cleared for release, that is to say they have been found guilty of nothing and judged not to pose any danger. There is no reason and no right for us to hold them further.

Mr. Chairman, I wonder which of our colleagues doesn't believe in the American system of justice. I wonder which one of us does not trust our own American court. I wonder who among us does not believe in the Bill of Rights, who does not believe in the right to counsel or that people should be presumed innocent until proven guilty. What we have at Gitmo is a system that is an affront to those beliefs and to America.

In the last decade, we have begun to let go of our freedoms bit by bit with each new executive order, each new court decision and, yes, each new act of Congress. We have begun giving away our rights to privacy, a right to our day in court when the government harms us; and with this legislation, we are continuing down the path of destroying the right to be free from imprisonment without due process of law.

I want to commend the gentleman from Washington and the gentleman from Virginia for fighting to close the detention facility at Guantanamo.

The language in this bill without our amendment prohibits moving any detainees into the United States and guarantees that we will continue holding people indefinitely, people who are not necessarily terrorists and who we only suspect to be terrorists and have not had a day in court to prove they are or are not terrorists. We will continue to hold them indefinitely without charge, contrary to every tradition this country stands for, contrary to due process and civil rights.

Because of this momentous challenge to the founding principles of the United States, that no person may be deprived of liberty without due process of law—and certainly not indefinitely without due process of law—we must close the detention facility at Gitmo now in order to restore our national honor.

They will have no additional constitutional rights. The Supreme Court ruled that they have the same constitutional rights at Guantanamo as they do here.

We must close this facility and restore our national honor. Support this amendment.

Mr. MCKEON. Mr. Chairman, I yield 2 minutes to my friend and colleague, the gentleman from Ohio, Dr. WENSTRUP.

Mr. WENSTRUP. Mr. Chairman, the Guantanamo Bay detention facility was established to hold unlawful enemy combatants captured during the war on terror.

Any proposal to close the Guantanamo detention facility must first clearly address the transfer of remaining prisoners detained there. Many of the remaining detainees are the most hardened terrorists, including those responsible for the 9/11 mass murders of many Americans.

There are three primary options: transfer to another country or transfer to the United States or stay put.

Transferring these terrorists to another country comes with a substantial risk of reengaging as an American threat. The current reengagement rate of former Guantanamo detainees is nearly 28 percent.

I served for 1 year in Iraq with the Army as a medical officer at one of the largest detention facilities there. Often after prison release deals made by entrusted decisionmakers, we saw the same people return for new offenses. Additionally, there were multiple escapes and attempted escapes, as well as attacks trying to free the detainees.

I've been to Guantanamo, and the facilities there are a safe and secure location away from our soldiers on the battlefield. I don't think there are many people in Cuba that are trying to free the people that are held at Guantanamo, and this was not the case in Iraq, and it may not be the case should they be transferred to the United States.

I believe the prisoners at Guantanamo Bay are being treated appropriately and in a way that we can be proud of as a Nation. The hunger strike policy is carried out humanely with the detainees treated as patients. The access to caregivers and medical facilities is the same for our troops as it is for those detained.

Additionally, transfers to the United States would be very expensive. We've already built a courtroom there that cost us in the millions of dollars.

These terrorist detainees pose a very real danger to our security in America. They mean us real harm. The President has the ability to certify transfers of detainees to other countries, but he has yet to do so. And until the President leads with a better solution, I firmly believe that keeping Guantanamo open is our best option, our safest option, and our most logical option.

Mr. SMITH of Washington. I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Chairman, I thank my friend for yielding.

First, let me say that I think we all agree that our servicemembers who served us at Guantanamo have done a tremendous job and have brought great honor to our country. We thank and respect all of them.

I also believe that there is unanimity here that if someone is a credible threat to the United States, they should be detained, tried, and brought to justice. The question is where to do that.

Why should it be Guantanamo? Do defendants have greater rights if they are transferred from Guantanamo to a place in the United States? The Supreme Court has said, no, they don't. So there's no tactical advantage in a trial.

Are they more likely to escape if they're transferred to the United States? History says ''no.'' The number of escapes from maximum prisons, the supermax prisons, in the United States has been zero.

Is it less expensive to hold them at Guantanamo? Most certainly not. The average cost of incarcerating someone in a Federal maximum security supermax prison is $34,000 a year. The cost to the taxpayer of incarcerating someone at Guantanamo is over $1.6 million a year.

Is there some strategic advantage globally to holding these detainees at Guantanamo? The opposite is true. General Petraeus, Admiral Mullen, other leaders of our intelligence and military forces have said that Guantanamo is the best recruiting device against the United States, around the world for those who are trying to sell the lie that the United States is an inhumane and unjust place.

There is simply no rationale for an indefinite extension of the problem at Guantanamo. For reasons of security, for reasons of law, for reasons of cost, for reasons of strategic advantage, we should close Guantanamo Bay. That's why I support the Smith amendment.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Arkansas (Mr. COTTON).

Mr. COTTON. I oppose this amendment. I oppose the closure of Guantanamo and the transfer of detainees to the United States.

Guantanamo is a state-of-the-art detention facility in which we've invested millions of dollars in which our troops handle themselves with utmost professionalism.

The detainees there have access to military tribunals and habeas corpus proceedings here in Washington, D.C.

Who are these detainees? They're not innocent goat herders swept up by a marauding United States military of which I was a part in which I detained numerous potential terrorists. They are people like Khalid Sheikh Mohammed, the mastermind of 9/11; Mohammed al-Qahtani, one of the would-be participants in 9/11; terrorists who are closely associated with Osama bin Laden who have received explosives training, who are recruiters, who are poison experts, who are suicide bombers or who are commanders of al Qaeda training camps. I do not think we should bring them to the United States, give them their Miranda warnings, give them an attorney at taxpayer-provided expense and if acquitted and not accepted by their home countries be released back onto the streets of the United States.

If that is what the advocates of this amendment would like, I suggest they should write their amendment in a fashion that would bring these detainees to their own congressional districts.

Mr. SMITH of Washington. I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Chairman, you can pretty much win any battle you want to fight with superior military might. But for wars of consequence, you have to be fighting from the high ground consistently. That's what this amendment is all about.

We will win this war against violent extremism; but in order to do so, we have to win over the hearts and the minds of hundreds of millions of Muslims around the world who want what we have. They want equal justice under the law. They want fairness and truth and transparency and democracy.

The vast majority are young, idealistic, and very impressionable; and, unfortunately, too many of them are misled and manipulated.

□ 0940

We have a superior set of values and principles. It's what defines us as a Nation. But we have to hold steadfast to those values and principles. We have to show that even when we are challenged, even when it's politically difficult, we believe in equal justice under the law. We believe that people are innocent until proven guilty. We believe that every life matters. We believe in human rights, we don't believe in torture. But we do believe in our justice system. It's not our justice system that's operational at Guantanamo. It was set up there to be outside our justice system so we could detain people indefinitely.

The Acting CHAIR. The time of the gentleman has expired.

Mr. SMITH of Washington. I yield an additional 30 seconds to the gentleman.

Mr. MORAN. At this time in our history when we're furloughing 650,000 Department of Defense employees, how can we justify spending $1.5 million per detainee at Guantanamo when half of them have been cleared for release? It doesn't make sense. And now in this bill we're authorizing another quarter of a billion dollars to be spent at Guantanamo. Those are misguided priorities. It costs $34,000 to jail very dangerous terrorists in this country, but in this country, we can convict them.

Mr. MCKEON. Mr. Chairman, I yield 1 minute to my friend and colleague, the gentleman from Kansas (Mr. POMPEO).

Mr. POMPEO. Mr. Chairman, I thank you.

There are a few facts that I think are appropriate to bring to this debate. I oppose this amendment vigorously. Just 2 weeks ago I was down at Guantanamo Bay on a trip that was part of the House Select Committee on Intelligence. I will tell you that the soldiers and marines and airmen of Joint Task Force Gitmo are taking tremendous care of the facilities, our assets and the detainees.

Those who suggest that this facility should go away will create a problem that is worse than the one that we have today. This amendment is simply a pattern of appeasement that does not comport with the fact that radical Islamic terrorists will not cease to attack us simply because we wish they would go away.

A few more facts. If we close Guantanamo Bay, we try to release them to countries that will accept them, we know that at least a quarter of them will return to the battlefield. We could bring them back to the United States, where they'd go to civilian courts, and undoubtedly some of them would end up walking the streets of the United States.

One of the final facts, and one that I've heard said in support of this amendment, is that if we simply close this facility that recruiting for radical extremists will diminish. This seems illogical. There's no support for such a statement. They will continue to attack us whether we keep this open or closed. This facility is legal, it's just, and it is an important national asset.

Mr. SMITH of Washington. Mr. Chairman, I yield myself the balance of my time.

A whole bunch of false arguments are being laid out here. As has been clear, no greater constitutional rights come to people in the United States than at Guantanamo. So that's just a phony argument.

The second phony argument is that somehow they can't be held safely. I have a Federal prison in my district. I have an INS detention facility in my district. Frankly, if there was a supermax facility in my district, I would not have a problem with them coming to that district. They should be held. I would hope that all of our supermax facilities, which are holding very, very dangerous people, they better be holding them securely right now.

It's $1.5 million a year versus $34,000. It is an absolute recruitment tool for al Qaeda. Our military leaders—General Petraeus—have all said that this is something that is harmful to U.S. security.

I yield back the balance of my time.

Mr. MCKEON. I yield 2 minutes to my friend, the gentleman from Texas (Mr. THORNBERRY), the vice chairman of the HASC Committee.

Mr. THORNBERRY. Mr. Chairman, cost is a red herring argument here. Does it cost more to keep a detainee in Guantanamo than a Federal prisoner here? Probably, but nothing like the figures that have been repeatedly cited on the other side. For example, if you look back at the fiscal year '11 Department of Justice budget request for moving the detainees to the U.S., it ends up in the first year being about $1.9 million per detainee, and about $500,000 per detainee in recurring costs.

On the other side of it, even the President, in a speech at the National Defense University, said it is less than a million dollars per prisoner now on detainee. Is there a difference? Sure. Is it anything like what we've been hearing? No.

And the rest of the story is: under the Geneva Convention, if you're holding somebody under the laws of war, you cannot put them with Federal prisoners even in a supermax prison. They have to be segregated. So those costs of bringing them here are higher.

But that's not really the issue here. The issue is what is the best thing to do to secure the country and to deal with the terrorist threat. And I just remind everybody, the ban on closing Guantanamo is not permanent. We have to reapprove it every year. So if the President actually comes up with a real plan, not just a speech, but a real plan to close Guantanamo and then deal with the detainees, then that ban can go away. But you can't say okay, we're going to remove all of the restrictions and we're going to close Guantanamo, and then we're going to figure out what we're going to do with these people, and that's exactly what this amendment does. The gentleman from Washington says it just asks for a plan. The underlying bill just asks for a plan. His amendment, in addition to asking for a plan, removes all of the existing restrictions. And on page 4, subsection (D), says specifically:

No funds shall be used there to detain people after December 31, 2014.

We've got to get the plan first before it closes. I think this amendment should be rejected.

Mr. MCKEON. How much time do I have remaining?

The Acting CHAIR. The gentleman from California has 2¼ minutes remaining.

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

I strongly oppose this amendment. Two-and-a-half years ago I sent the President a letter about these important issues. I said in that letter:

I fully recognize the importance of crafting a careful and comprehensive framework for the detention of terrorists who wish to harm the United States. I also recognize the challenges and legal complexities related to such an endeavor. This appreciation is why this issue is simply too important for the administration to address on its own.

The President did not take up my offer at that time. Nearly a year later in another unanswered letter, I wrote:

While I remain open to working together, I am very disappointed that the administration has frequently shown a greater willingness to engage with international institutions, foreign governments, and the media on issues relating to our national security than it has with the U.S. House of Representatives.

Those are excerpts from two of the five letters that I've written to the President on this issue, which he has not answered. Yet, he still has not come forward with a proposal of oversight or any plan. What to do with Guantanamo is secondary to the President coming forward with a comprehensive plan. Such a plan must include what he proposes to do with those terrorist detainees who are too dangerous to release but cannot be tried.

Number two, how he will ensure terrorists transferred overseas do not return to the fight?

Three, what he will do with the terrorists we capture in the future; specifically, how will he prioritize intelligence questioning?

Finally, what he will do with the high-value terrorists still held in Afghanistan? This is a particularly critical priority for me. There are several extremely dangerous individuals still in custody in Afghanistan. The only option that I see, as completely unacceptable for those detainees, is to allow their release. We've already seen the outcome of making this tragic mistake in Iraq.

While I appreciate the proposed efficiency of my friend and colleague, Ranking Member SMITH's amendment, we cannot strike all prohibitions on transfers of Gitmo detainees, agree to bring them to the United States, release them overseas, and end all funding for Gitmo with absolutely any confidence that any of this will be handled in a way that best protects our national security.

Lastly, and this is important, I want to say that I'm proud of the men and women in uniform who serve our Nation every day at Guantanamo. It's not an easy duty. We owe them a debt of gratitude for their critical service to this Nation.

I yield back the balance of my time.

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

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

Mr. SMITH of Washington. Mr. Chairman, I demand a recorded vote.

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

□ 0950

AMENDMENT NO. 14 OFFERED BY MR. POLIS

The Acting CHAIR. Pursuant to the order of the House of June 13, 2013, it is now in order to consider amendment No. 14 printed in part B of House Report 113–108.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title V, add the following new section:

SEC. 502. EXPANSION OF CHAPLAIN CORPS.

The Secretary of Defense shall provide for the appointment, as officers in the Chaplain Corps of the Armed Forces, of persons who are certified or ordained by non-theistic organizations and institutions, such as humanist, ethical culturalist, or atheist.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, it's a very simple amendment. We, through our Chaplaincy Corps, need to support, and do support, various faith and philosophical beliefs among the men and women who bravely serve our country.

We already support some nontheistic beliefs. For instance, we have Buddhist chaplains. Buddhism is a nontheistic faith tradition.

And what my amendment would simply do is allow chaplains who are certified or ordained as secular humanists and ethical culturists or atheists to also be able to support the brave American men and women who serve in our military.

Roughly 23 percent of the men and women in our Armed Forces either have no religion, or are atheists; but there are no chaplains that currently are able to represent this important and growing demographic.

Under current law, the Armed Forces only allow chaplains who are granted an endorsement by an approved religious organization and have received a graduate degree in theological or religious studies, precluding many of the seminaries and other institutions that can provide certification to nonreligious chaplains that could provide much-needed services, particularly to the roughly quarter of our servicemembers who have stated that they have no religious beliefs or are atheists.

There's no reason why the only faith tradition and philosophical tradition in our military without chaplains does not have any kind of support to address their health concerns.

Now, I've heard some say that, well, all members of our military, even those who are non-observers, are able to see psychiatrists or counselors for support. But that's a very different need than the spiritual needs and the philosophical needs that people have.

First of all, when someone sees a psychiatrist or counselor, it has a certain stigma that can be attached to it that doesn't exist when you're seeing a chaplain. It also doesn't enjoy the same confidentiality that a chaplain visit does, and the information discussed with a therapist can actually have an impact on the chain of command in terms of negatively impacting the servicemember's future military career.

So, again, the groundwork has already been laid with regard to nontheistic faiths like Buddhism, where we have active chaplains in our military. Many universities already have secular humanist chaplains, these including American University here in Washington, D.C. Other militaries have this as well. Our allied militaries in Belgium and the Netherlands have humanist chaplaincies.

And, again, it's a very simple concept and, I think, something that is long overdue to ensure that all members of the military, regardless of their faith background, whether they're believers or not, whatever their philosophy is in life, they have access to the chaplaincy to support their spiritual needs. And, of course, nonbelievers have spiritual needs just as believers do.

I reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I rise to claim the time in opposition to the gentleman's amendment.

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

Mr. MCKEON. At this time, Mr. Chairman, I yield 3 minutes to my friend and colleague, the gentleman from Louisiana (Dr. FLEMING).

Mr. FLEMING. I thank the chairman for the opportunity to speak on this important issue.

Mr. Chairman, let's examine what a chaplain really is. A chaplain is a person who is a minister of the faith, someone who ministers on the basis of a belief in a deity, a higher power, who is associated with or attached to a secular organization.

An example, right here in this House, each morning begins, each legislative day, begins with a prayer from our chaplain.

Back home, the hospital that I'm associated with, Mennen Medical Center, my good friend, a Baptist pastor, is chaplain of our hospital. And so this goes to the core of the discussion.

A chaplain is a person who is a man or woman of the faith, of conscience, of spirituality, who ministers to those with respect to a secular organization.

I just heard the gentleman say that, well, we need atheist chaplains—which, to me, is an oxymoron—we need atheist chaplains to minister to the spiritual needs of soldiers.

Well, by definition, as an atheist, he doesn't or she doesn't believe in a spiritual world. Makes no sense whatsoever.

Mr. Chairman, the courts have affirmed that chaplains are mandated by the Constitution to enable military personnel to exercise faith according to their conscience. Nontheistic chaplains, by definition, cannot assist others in worship.

For any concerns my colleague from Colorado may have as to the nonspiritual needs of servicemen and -women who do not hold any sort of faith, I would submit that the military has resources readily available. Counselors, psychologists, and social workers are happy to meet those needs.

I would also note that current chaplains will serve with respect to any servicemember, religious, nonreligious, nontheistic, atheistic or agnostic alike who comes to them, providing these brave men and women with any resources they might need in their service to the Nation. So we have chaplains and secular advisers who can help anybody who claims to be or wants to be an atheist.

Chaplains come to the military via the Department of Defense-recognized faith groups, very important. Faith groups. It would be impossible for an individual who does not belong to any faith group to receive an endorsement, much in the same way that atheists have long insisted that they are not, in fact, a faith group and would thus be implausible that they would serve as a chaplain in the military.

Mr. Chairman, General George Washington founded our Chaplain Corps on July 29, 1775, to make sure that the Continental Army could have worship services.

The Acting CHAIR. The time of the gentleman has expired.

Mr. MCKEON. I yield the gentleman an additional 15 seconds.

Mr. FLEMING. Just in summary, I would like to say this, Mr. Chairman. The saddest thing I could ever imagine is someone standing over a dying man or woman from combat and saying to them, there is no hope. If you die, there is no world, there is no life thereafter. That is the saddest thing I could ever imagine.

Mr. POLIS. Before further yielding, I yield myself 15 seconds just to say I think we're seeing a double standard here where, if it's a person of particular faith, as perhaps the gentleman approves of, then you say, oh, you go see a chaplain for your needs. However, if you're of no faith, you have to see a psychiatrist.

All of our men and women who bravely serve us deserve the same support.

I yield the remaining time to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I thank my friend for yielding.

Nothing in this amendment in any way impairs the relationship between a

Christian or Jewish or other soldier or servicemember and his or her faith leader. Nothing. Nothing in this amendment impairs the operation of the Chaplain Corps.

What this amendment does is to show respect for the choices made by our servicemembers. My Christianity is an important part of who I am and how I see my life. I don't think that that same right should be denied to a servicemember who does not share my beliefs.

What this amendment says is that, for the thousands of servicemembers who choose a humanist or atheistic philosophy system of life, that they should be able to confide in an adviser who is not a mental health professional.

Going to a mental health professional is a choice that's laden with risk and some controversy for a member of the service. Going to a faith adviser is not.

Depriving those who share the views that Mr. POLIS outlined of the chance to go to such an adviser is unequal treatment. It's unworthy of the way we operate.

Nothing in this amendment disrupts the Chaplain Corps, but everything in this amendment respects the rights of our servicemembers. I would urge a ''yes'' vote.

The Acting CHAIR. The gentleman's time has expired.

Mr. MCKEON. Mr. Chairman, how much time do we have remaining?

The Acting CHAIR. The gentleman from California has 1¾ minutes remaining.

Mr. MCKEON. I yield the balance of my time to the gentleman from Kansas (Mr. HUELSKAMP), my good friend.

□ 1000

Mr. HUELSKAMP. I thank the chairman. I appreciate the opportunity to visit here today.

First, I'd like to visit about two heroes in the history of our country. One would be Father Emil Kapaun. I had the honor of being at the White House a couple of months ago where he was awarded the Congressional Medal of Honor for his bravery in action of ministering to the needs of not only men and women of faith, but those who claim to have no faith.

In addition, I have the honor of being the nephew of a 95-year-old Army chaplain who also has been honored for serving, ministering to the needs of men and women in uniform.

One thing I will want to note is, instead of being dismissive of those types of sacrifices, I will read a little bit from the duties of the Chaplain Corps: ''Each chaplain shall hold appropriate religious services at least once on each Sunday.'' Or the Navy and Marines say: ''An officer in the Chaplain Corps may conduct public worship according to the manner and forms of the church of which he is a member'' and ''shall cause divine service to be performed on Sunday.'' It goes on and on. Obviously, that's our understanding of the chaplaincy.

Madam Chair, how is it that one can hold a religious service for an organization, as the amendment puts it, that does not consider itself to be a religion? It's completely contrary to the directions, instructions, and the very definition of the Chaplain Corps, represented by Father Emil Kapaun and numerous others, to extend appointments to groups in manners suggested by this amendment.

When you take away the worship, the prayer, everything that makes a religious service religious, you are left with counselors, as has been indicated. There are humanist, atheist, and ethical culturalist counselors available to folks that serve our country. In addition, I'm certain every chaplain that serves our brave men and women are available for those who do not share their faith, and that's the case.

I urge my colleagues to vote against this amendment and be very supportive of our current brave men and women who serve alongside our members of the Armed Forces.

Mr. MCKEON. I yield back the balance of my time.

The Acting CHAIR (Ms. FOXX). The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

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

Mr. POLIS. Madam Chair, I demand a recorded vote.

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

AMENDMENT NO. 23 OFFERED BY MR. POLIS

The Acting CHAIR. Pursuant to the order of the House of June 13, 2013, it is now in order to consider amendment No. 23 printed in part B of House Report 113–108.

Mr. POLIS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 79, after line 23, insert the following:

SEC. 241. LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN GROUND-BASED MIDCOURSE DEFENSE SYSTEM PURPOSES.

(a) LIMITATION.—

(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the purposes described in paragraph (2) shall be obligated or expended until the Secretary of Defense—

(A) certifies to the congressional defense committees that—

(i) the ground-based midcourse defense system has performed at least two successful intercept tests at Vandenberg Air Force Base, California, before October 1, 2014; and

(ii) the Commander of the United States Northern Command has full confidence in the homeland missile defense system; and

(B) submits to such committees justification with respect to the national security requirement for expanding the ground-based missile defense site located at Fort Greely, Alaska, from 30 ground-based interceptors to 44 ground-based interceptors.

(2) PURPOSES DESCRIBED.—The purposes described in this paragraph are the following:

(A) Advance procurement of 14 ground-based interceptor rocket motor sets.

(B) The missile refurbishment project at Missile Field 1 at Fort Greely, Alaska.

(C) The mechanical-electrical building at such Missile Field.

(b) ANNUAL CERTIFICATIONS.—The Secretary shall annually submit to the congressional defense committees a certification of whether—

(1) the ground-based midcourse defense system has performed at least two successful intercept tests at Vandenberg Air Force Base, California; and

(2) the Commander of the United States Northern Command has full confidence in the homeland missile defense system.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Madam Chair, this is a very simple amendment to reduce funding for the advanced procurement of 14 Ground-Based Interceptor missiles that simply don't work and are inefficient, and for the refurbishment of the costly Missile Field 1 at Fort Greely, Alaska, until the Department of Defense can certify to Congress that these programs have been adequately tested and work. It's simply a question of making sure that something works before we spend additional money on it.

The missile defense program was designed to intercept limited intermediate and long-range intercontinental ballistic missiles before they reenter the Earth's atmosphere. But Congress needs to ensure that these missiles are effective before we continue to provide the Department of Defense with a blank check.

Congress needs to verify every penny of taxpayer money we spend. We have a time of tradeoffs, and of course it's nice to be able to support every program, but during this time of deficits and sequestration we need to make sure we are vigilant to ensure that the money we spend on the Pentagon actually results in the maximum amount of heightened national security.

Since 1997, this weapons system has missed its target more than half the time. My amendment would limit the funding for the procurement of 14 Ground-Based Interceptors until the missiles have had two successful tests before 2015. Very reasonable. If it doesn't have two successful tests, why are we investing enormous amounts of taxpayer money in it?

So, two successful tests before 2015, certified by the Secretary of Defense to

Congress as having the full confidence of the Commander of the United States Northern Command, and then it is allowed to move forward.

Now, opponents of this amendment—and I saw a Dear Colleague letter go out talking about how there are long-range missile threats from North Korea and Iran—there's no question, there is complete agreement about the dangers to this country, the dangers of a nuclear Iran, the dangers of a nuclear North Korea. What we're talking about here is the last thing we want to do is trust in an untested and unsuccessful missile to deter very real threats. We need a real threat deterrent system, not something that doesn't work. And my amendment simply requires that this is working.

My amendment would also limit funds for the missile refurbishment project in Missile Field 1 in Alaska. This field was never intended to be operational. Former Defense Secretary Robert Gates and former Joint Chiefs Chairman Mike Mullen in 2011 said:

> Missile Field 1 was originally designed as a test bed, so it lacks required hardening and redundant power, and has significant infrastructure reliability issues.

There have also been reports of mold and leaks at the facility, and refurbishment would come at a tremendous cost to taxpayers without significantly improving the security that America has.

I urge Congress to demand that these programs work, that the programs we fund actually keep our families safe and are proven to work by certification by the Secretary of Defense.

We need to get our fiscal house in order, we need to make tough choices, and we need to make sure that our expenditures on national defense improve national security. And simply demanding that our costly missile defense system is actually capable of keeping our homeland safe is a very reasonable amendment to the National Defense Authorization bill.

I reserve the balance of my time.

Mr. MCKEON. Madam Chairman, I rise to claim the time in opposition to the gentleman's amendment.

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

Mr. MCKEON. At this time, Madam Chair, I yield 2 minutes to my friend and colleague, the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. I thank the chairman of the full committee.

I would urge defeat of this amendment. It would reverse what the Obama administration and Secretary of Defense Hagel came forward with on March 15 of this year. After seeing the North Korean threat only increase, they appropriately came to the decision to add more Ground-Based Interceptors.

Now, I believe the administration has been too slow to appropriately address the threats we have from incoming missiles, but this is a good step forward, and so I applaud that.

The Secretary said:

> We will take steps in the United States to stay ahead of the challenge posed by Iran and North Korea's development of longer-range ballistic missile capabilities.

I have to agree with that. How we came to this point, I know that there has been some disagreement in the intelligence community, but the Defense Intelligence Agency said that they have moderate confidence that the North Koreans can put together long-range ballistic missiles and nuclear warheads. That is a threat we should take seriously. This amendment, if adopted, would not recognize that threat.

Also, by doing advanced procurement, we save the taxpayers $200 million. So this is ill-advised from a financial standpoint.

The military is adopting a fly-before-you-buy approach. There was one successful test a few months ago, another test is scheduled toward the end of this year. Those will be the two tests that the author of this amendment says that he wants.

So this amendment is totally unnecessary. It would delay what even the administration—which has been a little too slow—has said is appropriate. We should not slow things down further. The threats are real, they are serious, and we need to fund them appropriately.

I ask that you defeat this dangerous amendment.

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

Mr. POLIS. I'd like to inquire of the Chair how much time remains.

The Acting CHAIR. The gentleman from Colorado has 1½ minutes remaining.

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

Again, I think that to have any type of meaningful missile defense against potential threats in Korea, Iran, and elsewhere, it needs to work. That's simply what this amendment says—two tests that work before $107 million in spending goes forth.

□ 1010

This is the financially responsible thing to do. Why would we want to spend first stage 107 million, over 6 years over a billion, on a system that doesn't work?

It's a very reasonable threshold to have a certification by the Department of Defense if this works. It provides an additional incentive to make sure that America stays safe, demonstrates this works, have an incentive to actually make it work before the rest of the money is released.

I think that's common sense. I think it aligns incentives of our contractors and our military and the defense of the American people. I think it's fiscally prudent. I think it improves our missile defense opportunities against threats from North Korea, Iran, and elsewhere; and I strongly encourage my colleagues on both sides of the aisle to adopt this commonsense amendment that would save over 107 million for the ground-based interceptors in the first year, 135 million for the refurbishment of Missile Field 1, and also ensure that our missile defense system works by having two tests and a certification that it's operational by the Secretary of Defense.

I encourage my colleagues to support the amendment, and I yield back the balance of my time.

Mr. MCKEON. Madam Chair, I yield 1 minute to my friend and colleague, the gentleman from Texas, the vice chair of our committee, Mr. THORNBERRY.

Mr. THORNBERRY. Madam Chair, I'm convinced that the arguments against missile defense are the same today that they were the day that President Reagan proposed it: you can't do it, it costs too much, and it's provocative to try.

And it doesn't really matter how the threat evolves, what North Korea or Iran do, and it doesn't really matter how the technology evolves. We just had a successful test just a few months ago.

The events and facts don't matter. The arguments are still the same, and they will always be the same because some people just don't want to defend the country against missile attack.

This committee pushed in 2010, in 2011, and in 2012 to have more interceptors on the west coast. The President opposed it every step of the way. It didn't happen. And then, all of a sudden, with North Korea this year, the President changes his mind and says, Oh, maybe you all were right after all. At least the President changed his mind. Unfortunately, it seems like some people cannot even do that.

A lot of us think the administration is not doing enough, but to do less would be negligent, and I think we should reject this amendment.

Mr. MCKEON. Might I inquire how much time we have remaining?

The Acting CHAIR. The gentleman from California has 2 minutes remaining.

Mr. MCKEON. Madam Chair, I yield the balance of my time to the gentleman from Arizona, a member of our committee, Mr. FRANKS.

Mr. FRANKS of Arizona. Madam Chair, ever since mankind took up arms against his fellow human beings, there has always been an offensive capability and a defensive capability to try to match it. The spear was met with the shield. The bullet was met with armor. And, today, we face the most dangerous weapons in the history of humanity in nuclear-armed missiles.

Madam Chair, we should have a capable defense. Our ground-based mid-course defense is the only system that

we have that protects the American homeland from intercontinental ballistic missiles coming into this country. And, Madam Chair, it is a limited capability, and we should not further limit it in our policies here today.

As has been so eloquently stated earlier, the President of the United States cut our GBI capability in recent years and now has changed his mind to where we will go from 30 to 44 interceptors. And with a 3- or 4-to-1 shot doctrine, that may give us the ability to defend ourselves up against as many as a dozen incoming missiles.

Madam Chair, it's all right if we have a few too many, but if we have one too few, it changes everything. Across the world, we've all understood that the more we sweat in peace, the less we bleed in war. We need desperately to make sure that we do our fundamental job in this Congress and in this Federal Government by making sure that we protect the citizens against the most dangerous weapons mankind has ever devised, and, Madam Chair, this is why we want to reject this amendment.

I yield back the balance of my time.

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

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

Mr. POLIS. Madam Chair, I demand a recorded vote.

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

AMENDMENT NO. 39 OFFERED BY MR. VAN HOLLEN

The Acting CHAIR. It is now in order to consider amendment No. 39 printed in part B of House Report 113–108.

Mr. VAN HOLLEN. Madam Chairman, I rise to offer the amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 563, after line 11, insert the following:

SEC. 1510. FUNDING LEVELS AS REQUESTED IN PRESIDENT'S BUDGET.

(a) REDUCTIONS.—Notwithstanding the amounts set forth in the funding tables in division D, the amounts authorized to be appropriated in this subtitle, as specified in the corresponding funding tables in sections 4102, 4202, 4302, 4402, and 4502, for additional funds for overseas contingency operations are hereby reduced by a total of $5,043,828,000.

(b) DEFICIT REDUCTION.—The amount reduced under subsection (a) shall not be available for any purpose other than deficit reduction.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Maryland (Mr. VAN HOLLEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. VAN HOLLEN. Madam Chairman, I yield myself 1 minute.

I'm very pleased to offer this bipartisan amendment along with my colleagues, Mr. MULVANEY, Mr. MORAN, and Mr. WOODALL. I'm very pleased that it has the support of the ranking member of the Armed Services Committee, Mr. SMITH.

This amendment is about truth in budgeting and making sure our military has the resources it needs to prosecute the war in Afghanistan and overseas contingency operations. The Defense Department budget is split into two parts: the base budget for ongoing operations and the part of the budget for the war and overseas contingency operations.

What this budget does is provide the military with exactly the resources they say they need in fiscal year 2014 for the overseas contingency account. In fact, on Wednesday, Secretary of Defense Hagel and the Chairman of the Joint Chiefs of Staff Dempsey, General Dempsey, said that what they needed was what would be provided as a result of this amendment. The problem is the underlying bill added another $5 billion, and this is becoming a slush fund, Madam Chairman.

I reserve the balance of my time.

Mr. MCKEON. Madam Chair, I rise to claim the time in opposition to the gentleman's amendment.

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

Mr. MCKEON. I yield 1 minute at this time to my friend and colleague, the chair of the Readiness Subcommittee, the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Madam Chairman, ladies and gentlemen, our most important job here, our most sacred duty as outlined in article 1, section 8 of the Constitution is to ''raise and support Armies''—to support the men and women we ask to fight on behalf of our Nation on the fields of battle. This money supports our constitutional duty and, most importantly, our warfighters.

This amendment seriously jeopardizes national security and our ability to replenish readiness accounts raided in prior years to fund underfunded war costs.

The majority of our forces still fighting Afghanistan will be there at least until December 2014. Remember, the goal is December 2014. The war is not over, and these funds are needed to help them do their jobs and execute their missions as outlined in the strategic plan.

Stripping this money from the overseas contingency fund, literally from our all-volunteer force that is engaged in combat operations, places the plan in jeopardy and makes the December 2014 goal irrelevant.

Mr. VAN HOLLEN. Madam Chairman, I find it interesting that the gentleman would suggest that the Chairman of the Joint Chiefs of Staff and the Secretary of Defense are not asking for the resources needed to protect our men and women in battle.

I now yield 1½ minutes to Mr. MULVANEY.

Mr. MULVANEY. Madam Chairwoman, I haven't been here very long, only 3 years, but I've seen a pattern developing now which is that each year the Defense Department, the Pentagon, comes over and asks for a certain amount of money, and then we give them more than they ask for.

What the amendment does today is simply gives the Pentagon what they ask for. They asked for $80 billion to run the overseas contingency operation. For some reason, we decided to give them 85 billion. They come in; they defined a mission and they tell us what it costs to do that; and then, for some reason, we decide to give them more. All we're doing today is taking the folks who run the military at their word that they know what it costs to defend this Nation.

I think it bears repeating that both Secretary Hagel and the Chairman of the Joint Chiefs were here just last week and said that $80 billion worth of OCO funding was enough to meet the mission. Simply spending more money than the Defense Department asks for does not mean we are stronger on defense than anybody else. It's simply foolish to waste money. If the Pentagon tells us they need $80 billion, we should look seriously at giving them $80 billion.

□ 1020

I disagree respectfully with my friend from Virginia who says that this amendment will hurt national security. If you assume that, then you must assume that what the Pentagon asked for in the first place would hurt national security.

I'm simply not willing to agree to that. I'm not willing to believe that the Pentagon would come over and ask for an amount of money that would be bad for national defense.

This is a commonsense amendment, it gives the Defense Department exactly what they need, and it gets us out of this rut of equating higher spending with a stronger nation defense.

Mr. MCKEON. Madam Chair, I might note that the same gentleman last year said they haven't had enough money, and they spent $13 billion more.

At this time, I yield 1 minute to my friend and colleague, the gentleman from Nevada, Dr. HECK.

Mr. HECK of Nevada. Madam Chair, I rise in strong opposition to the amendment.

This amendment will severely undermine the operational readiness of our Guard and Reserve forces. Over the past decade, we have built incredible capability in our Guard and Reserve, and that capability was largely paid for

by overseas contingency operation funds.

To mitigate the risk associated with this administration's force reductions of 100,000 Active component servicemembers, our Nation will have to rely on our Reserve component. In fact, in testimony before the House Armed Services Committee, Army Chief of Staff General Odierno stated that ''in order to lessen the risk of Active Duty force reductions, the Army will continue to rely on Reserve components to provide key enablers and operational depth.''

Decreased funding has already resulted in the cancellation of numerous Guard and Reserve deployments, which substantially undermines the capabilities and readiness of these units.

It is for these reasons that I strongly urge my colleagues to reject this amendment.

Mr. VAN HOLLEN. Madam Chairman, I would just urge all Members to read the amendment itself. There is nothing in here that says we will reduce one penny from the National Guard and Reserve. This is an across-the-board provision and it will be disproportionate.

At this time, I yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Madam Chairman, I rise in support of this amendment.

We are about to authorize more than half a trillion dollars for our military. The Secretary of Defense and Chairman of the Joint Chiefs of Staff says ''we don't want or need this extra $5 billion.'' What's our response? We tell him, No, you have to spend that, but you also have to cut $50 billion from our military in the most stupid, irresponsible, irrational manner possible. And within that $50 billion you have to get $2 billion of savings by furloughing 650,000 Department of Defense employees.

So we are going to save $2 billion by furloughing 650,000 people, but we are going to force them to spend $5 billion over in Afghanistan while we furlough people here.

What's the rationale? We can't justify that. Of course we should hold to what our military says they need in Afghanistan. We ought to also give them what they feel they need here in the United States.

Mr. MCKEON. Madam Chair, let me note that the National Guard Association, the Reserve Officers Association, and the National Governors Association all oppose this amendment.

At this time, I would like to yield 1 minute to my friend and colleague, chair of the Seapower Subcommittee, the gentleman from Virginia (Mr. FORBES).

Mr. FORBES. Madam Chairman, over the last 4 years, the administration has told the Pentagon—the Pentagon has come back—and they have cut out of national defense $778 billion before they even get to sequestration. Each time they acknowledge they increase the risk, and their definition of ''risk'' is ''acceptable risk.'' When you ask them what that means, it means how many ships we can lose, how many planes we can lose, how many men and women we can lose and still have some probability that we will win the conflict if every single assumption that they make holds true.

If you support that definition of acceptable risk, you need to vote for this amendment. But I believe we need to change the definition of acceptable risk and say it means this: when we send one of our men and women into conflict we have done everything reasonably possible to make sure they have the highest probability possible of returning to the home they are defending and to the families that they love.

If you support that definition of acceptable risk, you need to defeat this amendment.

The Acting CHAIR. The gentleman from Maryland has 1 minute and 15 seconds remaining.

Mr. VAN HOLLEN. Thank you, Madam Chairman.

At this time, I yield 1 minute to my friend, the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. Madam Chair, I rise in strong support of this amendment.

I would say to my friends on the Republican side of the aisle who have spoken, I agree with absolutely everything you have said. But as I look at the chairman, who I know has more of a love for this Nation and our national security than perhaps any other Member of this body, he and I both voted in favor of the Budget Control Act in August of 2011. Rightly or wrongly, we set the law of the land of how much we were going to spend on national defense. Today, we are talking about how much we are going to spend in Afghanistan.

If we need to spend more money to improve National Guard readiness here at home, to deal with maintenance accounts here at home, we need to come together and change those budget caps; and I support doing that. But I am tired of living in a town where when you don't like the rules, you find a way around them. When the President doesn't like the law of the land, he just ignores it. If we don't like the defense budget caps, we just ignore it and fund it through OCO instead.

We ought to give the Joint Chiefs of Staff every penny they're asking for to support our men and women in Afghanistan. If they come back and ask for more, we should give them every penny of that as well.

But the law means something; these caps mean something. We should either change it or stick with it, Madam Chair.

Mr. MCKEON. Note that OCO was not included in the Budget Control Act, and we are totally within the Budget Control Act on this budget.

Madam Chairman, at this time, I yield 30 seconds to my friend and colleague, the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Madam Chair, as counterintuitive as it may appear, when there is a drawdown, there may be a long-term savings, but short-term savings are not there. In fact, the cost spikes.

As all the equipment comes back from the warrior that has to go to the depots for resetting, repair, and restoration, that is an extreme cost that has to be borne by the depots if it is not in this particular bill.

That is one of the reasons why I support the chair's mark, which is supported by the chairman, as well as Chairman RYAN, and as well as the original Obama budget when it was sent here before. For whatever reason, they decided to pull $5 billion out without giving us a plan going forward. This needs to stay.

The Acting CHAIR. The gentleman from Maryland has 15 seconds remaining.

Mr. VAN HOLLEN. Thank you, Madam Chairman.

I reserve the balance of my time.

Mr. MCKEON. Madam Chairman, might I inquire as to the time we have left.

The Acting CHAIR. The gentleman from California has 1½ minutes remaining. The gentleman from Maryland has 15 seconds remaining.

Mr. MCKEON. And who will be closing?

The Acting CHAIR. The gentleman from California has the right to close.

Mr. MCKEON. Thank you, Madam Chairman.

I yield 1 minute to my friend and colleague, a member of the Appropriations Subcommittee, the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Madam Chairman, I thank the gentleman for yielding.

I rise in opposition to this amendment.

The rationale we have been talking about here is a human rationale. We have, as we speak, over 60,000 military serving doing the work of freedom in Afghanistan.

As they prepare to leave, we should not be cutting funding in these very dangerous times. As you are leaving, you are incredibly vulnerable. They're still in the fight, they're still working hard, they need to protect themselves.

While the administration hasn't offered any strategic plan, other than a date for withdrawal, those who serve there deserve our support because they have an important mission to perform. Whether it is in Kabul or a forward-operating base, they are in a dangerous situation.

The reality is that things in Afghanistan are hotter than the administration estimated in their budget request.

We need this money for contingencies. We need this money because of the delay due to Pakistan affecting our ground transportation—our exit.

I strongly oppose this amendment and urge my colleagues to do it as well.

Mr. VAN HOLLEN. Madam Chairman, I continue to reserve the balance of my time.

Mr. MCKEON. Madam Chairman, I yield 30 seconds to my friend and colleague, the gentlelady from Tennessee (Mrs. BLACKBURN).

□ 1030

Mrs. BLACKBURN. Thank you, Madam Chairman.

Today, I stand to support keeping the money—that $5 billion—that we need for readiness, and here is why: I think it is absolutely immoral that we would sign up, suit up and ship out men and women in uniform and not give them the readiness and the skills and the training that they need. The flying hours program is a great example of that. In the $5 billion that the gentleman would like to cut is the money for the flying hours program—37,000 flying hours. It would equip us with 500 aviators, whom we need. Let's fund these efforts for the men and women in uniform.

Mr. VAN HOLLEN. Madam Chairman, I find it interesting that the gentlelady would suggest that the Chairman of the Joint Chiefs of Staff, General Dempsey, would ask for an amount of money for our warfighters that is immoral. What is cynical is to use the Afghan and overseas contingency account as a slush fund to fund operations that are part of the base budget.

This is about truth in budgeting. I urge my colleagues to support this bipartisan amendment.

I yield back the balance of my time.

The Acting CHAIR. The time of the gentleman from California has expired.

The question is on the amendment offered by the gentleman from Maryland (Mr. VAN HOLLEN).

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

Mr. VAN HOLLEN. Madam Chair, I demand a recorded vote.

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

AMENDMENT NO. 53 OFFERED BY MR. WALZ

The Acting CHAIR. It is now in order to consider amendment No. 53 printed in part B of House Report 113–108.

Mr. WALZ. I have an amendment at the desk, Madam Chair.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title V, add the following new section:

SEC. 5___. COMPTROLLER GENERAL REPORT ON USE OF DETERMINATION OF PERSONALITY DISORDER OR ADJUSTMENT DISORDER AS BASIS TO SEPARATE MEMBERS FROM THE ARMED FORCES.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report evaluating—

(1) the use by the Secretaries of the military departments, since January 1, 2007, of the authority to separate members of the Armed Forces from the Armed Forces due of unfitness for duty because of a mental condition not amounting to disability, including separation on the basis of a personality disorder or adjustment disorder and the total number of members separated on such basis;

(2) the extent to which the Secretaries failed to comply with regulatory requirements in separating members of the Armed Forces on the basis of a personality or adjustment disorder; and

(3) the impact of such a separation on the ability of veterans so separated to access service-connected disability compensation, disability severance pay, and disability retirement pay.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Minnesota (Mr. WALZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. WALZ. Madam Chair, I yield myself such time as I may consume.

Sergeant Chuck Luther joined the Army after the 9/11 attacks. He served in Iraq until a mortar round hit near him, knocking him unconscious. What followed were classic symptoms of traumatic brain injury—blurred vision, chronic pain, and trouble concentrating.

Liz Luras served this Nation honorably as a soldier in the United States Army. She survived a rape at the hands of her fellow servicemember. She did her best to continue her military service with the dream of attending West Point. She was raped two more times, with police reports and hospital visits to prove it.

I know each of my colleagues here would expect that both of these warriors would receive the best care this Nation could provide. Sadly, the reality is far from that.

Along with Liz and Chuck, since 2001, over 31,000 of our warriors have been discharged from the military, without benefits, because they were determined to have had a personality or an adjustment disorder. These are considered preexisting conditions, which means they should never have been allowed to enlist in the first place. Even though Sergeant Luther had multiple mental health evaluations and served honorably for a decade, it was only after the mortar attack that the military determined he had a preexisting condition, casually threw him away and denied him benefits and health care.

A 2008 GAO study concluded that at least 40 percent of these personality discharges were handed down without going through the proper Department of Defense process, which means without the servicemember's being diagnosed by a licensed mental health professional, without the servicemember's receiving notification of his discharge and without the servicemember's receiving any formal counseling. Five years after this report, Congress has done nothing to ensure that these servicemembers' records are reviewed or corrected, or to ensure that they receive the care that they earned serving this Nation.

This week, the gentleman from California (Mr. DENHAM) and I presented an amendment to this bill that would have allowed these warriors the basic appeal process to determine if they were improperly discharged. This amendment is the same as a bill I have, H.R. 975. This would only afford these warriors basic rights and due processes—the same ones that they put their lives on the line for that we have. That amendment was not allowed to come to this floor for debate or for a vote. Shame on us.

A second amendment I offered would have simply put a moratorium on this process until we understood why it was being done and what was happening. That amendment was not allowed to come to this floor to be debated or voted on. Shame on us.

Now, I want to be clear: the chairman and the ranking member of this committee had nothing to do with those decisions, and I am appreciative that they allowed the amendment that I'm debating today to be brought here. That's going to allow us to do another GAO study to determine if the problem is still there.

Fine and good, but I'll tell you what: Chuck Luther doesn't want a study—he wants justice. Liz Luras doesn't want a study—she wants justice. The American people don't want another study—they want justice for their warriors.

I would ask each of my colleagues to go home this weekend and ask your constituents if they think this is fair and if they want a study, or if they'd rather do what's right and take care of these warriors.

I'd also challenge my colleagues to ask the questions: Why wasn't the amendment made in order? Why couldn't we debate other than have a study?

So I ask my colleagues to support this amendment. It's something. It will let us know what the scope of this self-inflicted injury and tragedy to our Nation is. It's not enough. It's not nearly enough. We should be ashamed that we've not shown Liz and Chuck the same respect and courage that they showed us as a Nation to serve in uniform. I, for one, am not going to rest until justice is served, our warriors are cared for and this wrong is made right.

I reserve the balance of my time.

Mr. MCKEON. Madam Chair, I rise to claim the time in opposition, but I will not oppose the gentleman's amendment.

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

There was no objection.

Mr. MCKEON. I yield back the balance of my time.

The Acting CHAIR. The gentleman from Minnesota has 1 minute remaining.

Mr. WALZ. I rise once again to thank the chairman. I thank him for understanding this.

As I say again very clearly, this was not the chairman's decision. He was gracious enough to bring this down, and I appreciate his support—the same to the ranking member.

I would just say to my colleagues: don't let this issue drop. Get this right. We owe it to our warriors.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENTS EN BLOC NO. 8 OFFERED BY MR. MCKEON

Mr. MCKEON. Madam Chair, pursuant to H. Res. 260, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 8 consisting of amendment Nos. 73, 146, 149, 150, 152, 153, 156, 157, 158, 161, 163, 166, 170, 171, and 172, printed in House Report No. 113–108, offered by Mr. MCKEON of California:

AMENDMENT NO. 73 OFFERED BY MR. SWALWELL OF CALIFORNIA

Page 273, after line 10, insert the following:

SEC. 595. GIFTS MADE FOR THE BENEFIT OF MILITARY MUSICAL UNITS.

Section 974 of title 10, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following:

''(d) PERFORMANCES FUNDED BY PRIVATE DONATION.—Notwithstanding section 2601(c) of this title, any gift made to the Secretary of Defense under section 2601 on the condition that such gift be used for the benefit of a military musical unit shall be credited to the appropriation or account providing the funds for such military musical unit. Any amount so credited shall be merged with amounts in the appropriation or account to which credited, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such appropriation or account.''.

AMENDMENT NO. 146 OFFERED BY MR. CONYERS OF MICHIGAN

Page 551, line 12, add at the end before the period the following: ''or Iran''.

AMENDMENT NO. 149 OFFERED BY MR. HANNA OF NEW YORK

Page 582, insert after line 25 the following:

SEC. 1607. CREDIT FOR CERTAIN SUBCONTRACTORS .

(a) IN GENERAL.—Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended by adding at the end the following:

''(16) CREDIT FOR CERTAIN SUBCONTRACTOR.—For purposes of determining whether or not a prime contractor has attained the percentage goals specified in paragraph (6)—

''(A) if the subcontracting goals pertain only to a single contract with the executive agency, the prime contractor shall receive credit for small business concerns performing as first tier subcontractors or subcontractors at any tier pursuant to the subcontracting plans required under paragraph (6)(D) in an amount equal to the dollar value of work awarded to such small business concerns; and

''(B) if the subcontracting goals pertain to more than one contract with one or more executive agencies, or to one contract with more than one executive agency, the prime contractor may only count first tier subcontractors that are small business concerns.''.

(b) DEFINITIONS PERTAINING TO SUBCONTRACTING.—Section 3 of the Small Business Act (15 U.S.C. 632) is amended by adding at the end the following:

''(dd) DEFINITIONS PERTAINING TO SUBCONTRACTING.—In this Act:

''(1) SUBCONTRACT.—The term 'subcontract' means a legally binding agreement between a contractor that is already under contract to another party to perform work, and a third party, hereinafter referred to as the subcontractor, for the subcontractor to perform a part, or all, of the work that the contractor has undertaken.

''(2) FIRST TIER SUBCONTRACTOR.—The term 'first tier subcontractor' means a subcontractor who has a subcontract directly with the prime contractor.

''(3) AT ANY TIER.—The term 'at any tier' means any subcontractor other than a subcontractor who is a first tier subcontractor.''.

SEC. 1608. GAO STUDY ON SUBCONTRACTING REPORTING SYSTEMS.

Not later than 365 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business of the House of Representatives and to the Committee on Small Business and Entrepreneurship of the Senate a report studying the feasibility of using Federal subcontracting reporting systems, including the Federal subaward reporting system required by section 2 of the Federal Funding Accountability and Transparency Act of 2006 and any electronic subcontracting reporting award system used by the Small Business Administration, to attribute subcontractors to particular contracts in the case of contractors that have subcontracting plans under section 8(d) of the Small Business Act that pertain to multiple contracts with executive agencies.

AMENDMENT NO. 150 OFFERED BY MR. GRAVES OF MISSOURI

Page 582, insert after line 25 the following:

SEC. 1607. INAPPLICABILITY OF REQUIREMENT TO REVIEW AND JUSTIFY CERTAIN CONTRACTS.

In the case of a contract to which the provisions of section 46 of the Small Business Act (15 U.S.C. 657s) apply, the requirements under section 802 of the National Defense Authorization Act for Fiscal Year 2013 do not apply.

AMENDMENT NO. 152 OFFERED BY MR. COLLINS OF GEORGIA

At the end of title XXI, add the following new section:

SECTION _____. TRANSFER OF ADMINISTRATIVE JURISDICTION, CAMP FRANK D. MERRILL, DAHLONEGA, GEORGIA.

(a) TRANSFER REQUIRED.—Not later than September 30, 2014, the Secretary of Agriculture shall transfer to the administrative jurisdiction of the Secretary of the Army for required Army force protection measures certain Federal land administered as part of the Chattahoochee National Forest, but permitted to the Secretary of the Army for Camp Frank D. Merrill in Dahlonega, Georgia, consisting of approximately 282.304 acres identified in the permit numbered 0018-01.

(b) USE OF TRANSFERRED LAND.—Upon receipt of the land under subsection (a), the Secretary of the Army shall continue to use the land for military purposes.

(c) PROTECTION OF THE ETOWAH DARTER AND HOLIDAY DARTER.—Nothing in the transfer required by subsection (a) shall affect the prior designation of lands within the Chattahoochee National Forest as critical habitat for the Etowah darter (Etheostoma etowahae) and the Holiday darter (Etheostoma brevirostrum).

(d) LEGAL DESCRIPTION AND MAP.—

(1) PREPARATION AND PUBLICATION.—The Secretary of Agriculture shall publish in the Federal Register a legal description and map of the land to be transferred under subsection (a) not later than 180 days of this Act's enactment.

(2) FORCE OF LAW.—The legal description and map filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of Agriculture may correct errors in the legal description and map.

(e) REIMBURSEMENTS OF COSTS.—The transfer required by subsection (a) shall be made without reimbursement, except that the Secretary of the Army shall reimburse the Secretary of Agriculture for any costs incurred by the Secretary of Agriculture to prepare the legal description and map under subsection (c).

AMENDMENT NO. 153 OFFERED BY MR. MURPHY OF PENNSYLVANIA

At the end of title XXVII, add the following new section:

SEC. 27___. CONSIDERATION OF THE VALUE OF SERVICES PROVIDED BY A LOCAL COMMUNITY TO THE ARMED FORCES AS PART OF THE ECONOMIC ANALYSIS IN MAKING BASE REALIGNMENT OR CLOSURE DECISIONS.

As part of the economic analysis conducted in making any base realignment or closure decision under section 2687 of title 10, United States Code, or other base realignment or closure authority, or in making any decision under section 993 of such title to reduce the number of members of the armed forces assigned at a military installation, the Secretary of Defense shall include an accounting of the value of services, such as schools, libraries, and utilities, as well as land, structures, and access to infrastructure, such as airports and seaports, that are provided by the local community to the military installation and that result in cost savings for the Armed Forces.

AMENDMENT NO. 156 OFFERED BY MR. BLUMENAUER OF OREGON

Page 617, after line 22, insert the following:

SEC. 2809. DEVELOPMENT OF MASTER PLANS FOR MAJOR MILITARY INSTALLATIONS.

Section 2864 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''At a time'' and inserting ''(1) At a time''; and

(B) by adding at the end the following new paragraph:

''(2) To address the requirements under paragraph (1), each installation master plan shall include consideration of—

''(A) planning for compact and infill development;

''(B) horizontal and vertical mixed-use development;

''(C) the full lifecycle costs of planning decisions;

''(D) healthy communities with a focus on walking, running and biking infrastructure, pedestrian and cycling plans, and community green and garden space; and

''(E) capacity planning through the establishment of growth boundaries around cantonment areas to focus development towards the core and preserve range and training space.''.

(2) in subsection (b)—

(A) by striking ''The transportation'' and inserting ''(1) The transportation''; and

(B) by adding at the end the following new paragraph:

''(2) To address the requirements under subsection (a) and paragraph (1), each installation master plan shall include consideration of ways to diversify and connect transit systems that do not neglect the pedestrian realm and enable safe walking or biking.'';

(3) by redesignating subsection (c) as subsection (e); and

(4) by inserting after subsection (b) the following new subsections:

''(c) VERTICAL MIXED USES.—A master plan for a major military installation shall be designed to strongly multi-story, mixed-use facility solutions that are sited in walkable complexes so as to avoid, when reasonable, single-purpose, inflexible facilities that are sited in a sprawling manner. Vertical mixed-use infrastructure can integrate government, non-government, or jointly financed construction within a single unit.

''(d) SAVINGS CLAUSE.—Nothing in this section shall supercede the requirements of section 2859(a) of this title.''.

AMENDMENT NO. 157 OFFERED BY MR. GARDNER OF COLORADO

At the end of subtitle B of title XXVIII, add the following new section:

SEC. 28___. CONDITIONS ON DEPARTMENT OF DEFENSE EXPANSION OF PIÑON CANYON MANEUVER SITE, FORT CARSON, COLORADO.

(a) FINDINGS.—Congress finds the following:

(1) Following Japan's attack on Pearl Harbor, Fort Carson was established in 1942 and has since been a vital contributor to our Nation's defense and a valued part of the State of Colorado.

(2) The units at Fort Carson have served with a great honor and distinction in the current War on Terror.

(3) The current Piñon Canyon Maneuver Site near Fort Carson, Colorado, plays an important role in training our men and women in uniform so they are as prepared and effective as possible before going off to war.

(b) CONDITIONS ON EXPANSION.—The Secretary of Defense and the Secretary of the Army may not acquire any land to expand the size of the Piñon Canyon Maneuver Site near Fort Carson, Colorado, unless each of the following occurs:

(1) The land acquisition is specifically authorized in an Act of Congress enacted after the date of the enactment of this Act.

(2) Funds are specifically appropriated for the land acquisition.

(3) The Secretary of Defense or the Secretary of the Army, as the case may be, completes an environmental impact statement with respect to the land acquisition.

AMENDMENT NO. 158 OFFERED BY MR. HUNTER OF CALIFORNIA

At the end of subtitle F of title XXVIII, add the following:

SEC. 2866. INCLUSION OF EMBLEMS OF BELIEF AS PART OF MILITARY MEMORIALS.

(a) INCLUSION OF EMBLEMS OF BELIEF AUTHORIZED.—Chapter 21 of title 36, United States Code, is amended by adding at the end the following:

''§ 2115. Inclusion of emblems of belief as part of military memorials

''(a) AUTHORIZED INCLUSION.—For the purpose of honoring the sacrifice of members of the United States Armed Forces, including those members who make the ultimate sacrifice in defense of the United States, emblems of belief may be included as part of—

''(1) a military memorial that is established or acquired by the United States Government; or

''(2) a military memorial that is not established by the United States Government, but for which the American Battle Monuments Commission cooperated in the establishment of the memorial.

''(b) SCOPE OF INCLUSION.—When including emblems of belief as part of a military memorial, any approved emblem of belief may be included on such a memorial. The list of approved emblems of belief shall include, at a minimum, all those emblems of belief authorized by the National Cemetery Administration.

''(c) DEFINITIONS.—In this section:

''(1) The terms 'emblem of belief' and 'emblems of belief' refer to the emblems of belief contained on the list maintained by the National Cemetery Administration for placement on Government-provided headstones and markers.

''(2) The term 'military memorial' means a memorial or monument commemorating the service of the United States Armed Forces. The term includes works of architecture and art described in section 2105(b) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following:

''2115. Inclusion of emblems of belief as part of military memorials.''.

AMENDMENT NO. 161 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of subtitle D of title XXXI, insert the following:

SEC. 3145. CONVEYANCE OF LAND AT THE HANFORD SITE.

(a) CONVEYANCE REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Energy shall convey, for consideration at the estimated fair market value or, in accordance with paragraph (2), below such value, to the Community Reuse Organization of the Hanford Site (in this section referred to as the ''Organization'') all right, title, and interest of the United States in and to the real property, including any improvements thereon, described in paragraph (3).

(2) CONSIDERATION.—The Secretary may convey real property pursuant to paragraph (1) for consideration below the estimated fair market value of the real property, or without consideration, only if the Organization—

(A) agrees that the net proceeds from any sale or lease of the real property (or any portion thereof) received by the Organization during at least the seven-year period beginning on the date of such conveyance will be used to support the economic redevelopment of, or related to, the Hanford Site; and

(B) executes the agreement for such conveyance and accepts control of the real property within a reasonable time.

(3) REAL PROPERTY DESCRIBED.—The real property described in this paragraph is the real property consisting of two parcels of land of approximately 1,341 acres and 300 acres, respectively, of the Hanford Reservation, as requested by the Community Reuse Organization for the Hanford Site on May 31, 2011, and October 13, 2011, and as depicted within the proposed boundaries on the map titled ''Attachment 2—Revised Map'' included in the letter sent by the Community Reuse Organization for the Hanford Site to the Department of Energy on October 13, 2011.

(b) PRIORITY CONSIDERATION.—The Secretary shall actively solicit, and provide priority consideration to, the views of the cities and counties adjacent to the Hanford Site with respect to the development and execution of the Hanford Comprehensive Land Use Plan.

AMENDMENT NO. 163 OFFERED BY MR. HASTINGS OF WASHINGTON

At the end of title XXXI, add the following new section:

SEC. 31___. MANHATTAN PROJECT NATIONAL HISTORICAL PARK.

(a) PURPOSES.—The purposes of this section are—

(1) to preserve and protect for the benefit of present and future generations the nationally significant historic resources associated with the Manhattan Project and which are under the jurisdiction of the Department of Energy defense environmental cleanup program under this title;

(2) to improve public understanding of the Manhattan Project and the legacy of the Manhattan Project through interpretation of the historic resources associated with the Manhattan Project;

(3) to enhance public access to the Historical Park consistent with protection of public safety, national security, and other aspects of the mission of the Department of Energy; and

(4) to assist the Department of Energy, Historical Park communities, historical societies, and other interested organizations and individuals in efforts to preserve and protect the historically significant resources associated with the Manhattan Project.

(b) DEFINITIONS.—In this section:

(1) HISTORICAL PARK.—The term ''Historical Park'' means the Manhattan Project National Historical Park established under subsection (c).

(2) MANHATTAN PROJECT.—The term ''Manhattan Project'' means the Federal military program to develop an atomic bomb ending on December 31, 1946.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(c) ESTABLISHMENT OF MANHATTAN PROJECT NATIONAL HISTORICAL PARK.—

(1) ESTABLISHMENT.—

(A) DATE.—Not later than 1 year after the date of enactment of this section, there shall be established as a unit of the National Park System the Manhattan Project National Historical Park.

(B) AREAS INCLUDED.—The Historical Park shall consist of facilities and areas listed under paragraph (2) as determined by the Secretary, in consultation with the Secretary of Energy. The Secretary shall include the area referred to in paragraph

(2)(C)(i), the B Reactor National Historic Landmark, in the Historical Park.

(2) ELIGIBLE AREAS.—The Historical Park may only be comprised of one or more of the following areas, or portions of the areas, as generally depicted in the map titled ''Manhattan Project National Historical Park Sites'', numbered 540/108,834–C, and dated September 2012:

(A) OAK RIDGE, TENNESSEE.—Facilities, land, or interests in land that are—

(i) at Buildings 9204–3 and 9731 at the Department of Energy Y–12 National Security Complex;

(ii) at the X–10 Graphite Reactor at the Department of Energy Oak Ridge National Laboratory;

(iii) at the K–25 Building site at the Department of Energy East Tennessee Technology Park; and

(iv) at the former Guest House located at 210 East Madison Road.

(B) LOS ALAMOS, NEW MEXICO.—Facilities, land, or interests in land that are—

(i) in the Los Alamos Scientific Laboratory National Historic Landmark District, or any addition to the Landmark District proposed in the National Historic Landmark Nomination—Los Alamos Scientific Laboratory (LASL) NHL District (Working Draft of NHL Revision), Los Alamos National Laboratory document LA–UR 12–00387 (January 26, 2012);

(ii) at the former East Cafeteria located at 1670 Nectar Street; and

(iii) at the former dormitory located at 1725 17th Street.

(C) HANFORD, WASHINGTON.—Facilities, land, or interests in land on the Department of Energy Hanford Nuclear Reservation that are—

(i) the B Reactor National Historic Landmark;

(ii) the Hanford High School in the town of Hanford and Hanford Construction Camp Historic District;

(iii) the White Bluffs Bank building in the White Bluffs Historic District;

(iv) the warehouse at the Bruggemann's Agricultural Complex;

(v) the Hanford Irrigation District Pump House; and

(vi) the T Plant (221–T Process Building).

(3) WRITTEN CONSENT OF OWNER.—No non-Federal property may be included in the Historical Park without the written consent of the owner.

(d) AGREEMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary and the Secretary of Energy (acting through the Oak Ridge, Los Alamos, and Richland site offices) shall enter into an agreement governing the respective roles of the Secretary and the Secretary of Energy in administering the facilities, land, or interests in land under the administrative jurisdiction of the Department of Energy that is to be included in the Historical Park under subsection (c)(2), including provisions for enhanced public access, management, interpretation, and historic preservation.

(2) RESPONSIBILITIES OF THE SECRETARY.—Any agreement under paragraph (1) shall provide that the Secretary shall—

(A) have decisionmaking authority for the content of historic interpretation of the Manhattan Project for purposes of administering the Historical Park; and

(B) ensure that the agreement provides an appropriate advisory role for the National Park Service in preserving the historic resources covered by the agreement.

(3) RESPONSIBILITIES OF THE SECRETARY OF ENERGY.—Any agreement under paragraph (1) shall provide that the Secretary of Energy—

(A) shall ensure that the agreement appropriately protects public safety, national security, and other aspects of the ongoing mission of the Department of Energy at the Oak Ridge Reservation, Los Alamos National Laboratory, and Hanford Site;

(B) may consult with and provide historical information to the Secretary concerning the Manhattan Project;

(C) shall retain responsibility, in accordance with applicable law, for any environmental remediation that may be necessary in or around the facilities, land, or interests in land governed by the agreement; and

(D) shall retain authority and legal obligations for historic preservation and general maintenance, including to ensure safe access, in connection with the Department's Manhattan Project resources.

(4) AMENDMENTS.—The agreement under paragraph (1) may be amended, including to add to the Historical Park facilities, land, or interests in land within the eligible areas described in subsection (c)(2) that are under the jurisdiction of the Secretary of Energy.

(e) PUBLIC PARTICIPATION.—

(1) IN GENERAL.—The Secretary shall consult with interested State, county, and local officials, organizations, and interested members of the public—

(A) before executing any agreement under subsection (d); and

(B) in the development of the general management plan under subsection (f)(2).

(2) NOTICE OF DETERMINATION.—Not later than 30 days after the date on which an agreement under subsection (d) is entered into, the Secretary shall publish in the Federal Register notice of the establishment of the Historical Park, including an official boundary map.

(3) AVAILABILITY OF MAP.—The official boundary map published under paragraph (2) shall be on file and available for public inspection in the appropriate offices of the National Park Service. The map shall be updated to reflect any additions to the Historical Park from eligible areas described in subsection (c)(2).

(4) ADDITIONS.—Any land, interest in land, or facility within the eligible areas described in subsection (c)(2) that is acquired by the Secretary or included in an amendment to the agreement under subsection (d)(4) shall be added to the Historical Park.

(f) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the Historical Park in accordance with—

(A) this section; and

(B) the laws generally applicable to units of the National Park System, including—

(i) the National Park System Organic Act (16 U.S.C. 1 et seq.); and

(ii) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(2) GENERAL MANAGEMENT PLAN.—Not later than 3 years after the date on which funds are made available to carry out this subsection, the Secretary, with the concurrence of the Secretary of Energy, and in consultation and collaboration with the Oak Ridge, Los Alamos and Richland Department of Energy site offices, shall complete a general management plan for the Historical Park in accordance with section 12(b) of Public Law 91–383 (commonly known as the National Park Service General Authorities Act; 16 U.S.C. 1a–7(b)).

(3) INTERPRETIVE TOURS.—The Secretary may, subject to applicable law, provide interpretive tours of historically significant Manhattan Project sites and resources in the States of Tennessee, New Mexico, and Washington that are located outside the boundary of the Historical Park.

(4) LAND ACQUISITION.—

(A) IN GENERAL.—The Secretary may acquire land and interests in land within the eligible areas described in subsection (c)(2) by—

(i) transfer of administrative jurisdiction from the Department of Energy by agreement between the Secretary and the Secretary of Energy;

(ii) donation; or

(iii) exchange.

(B) NO USE OF CONDEMNATION.—The Secretary may not acquire by condemnation any land or interest in land under this section or for the purposes of this section.

(5) DONATIONS; COOPERATIVE AGREEMENTS.—

(A) FEDERAL FACILITIES.—

(i) IN GENERAL.—The Secretary may enter into one or more agreements with the head of a Federal agency to provide public access to, and management, interpretation, and historic preservation of, historically significant Manhattan Project resources under the jurisdiction or control of the Federal agency.

(ii) DONATIONS; COOPERATIVE AGREEMENTS.—The Secretary may accept donations from, and enter into cooperative agreements with, State governments, units of local government, tribal governments, organizations, or individuals to further the purpose of an interagency agreement entered into under clause (i) or to provide visitor services and administrative facilities within reasonable proximity to the Historical Park.

(B) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to State, local, or tribal governments, organizations, or individuals for the management, interpretation, and historic preservation of historically significant Manhattan Project resources not included within the Historical Park.

(C) DONATIONS TO DEPARTMENT OF ENERGY.—For the purposes of this section, or for the purpose of preserving and providing access to historically significant Manhattan Project resources, the Secretary of Energy may accept, hold, administer, and use gifts, bequests, and devises (including labor and services).

(g) CLARIFICATION.—

(1) NO BUFFER ZONE CREATED.—Nothing in this section, the establishment of the Historical Park, or the management plan for the Historical Park shall be construed to create buffer zones outside of the Historical Park. That an activity can be seen and heard from within the Historical Park shall not preclude the conduct of that activity or use outside the Historical Park.

(2) NO CAUSE OF ACTION.—Nothing in this section shall constitute a cause of action with respect to activities outside or adjacent to the established boundary of the Historical Park.

AMENDMENT NO. 166 OFFERED BY MR. ISSA OF CALIFORNIA

At the end of the bill, add the following new division:

DIVISION E—FEDERAL INFORMATION TECHNOLOGY ACQUISITION REFORM ACT

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Federal Information Technology Acquisition Reform Act''.

SEC. 5002. TABLE OF CONTENTS.

The table of contents for this division is as follows:

SEC. 5003. DEFINITIONS.

In this division:

(1) CHIEF ACQUISITION OFFICERS COUNCIL.—The term ''Chief Acquisition Officers Council'' means the Chief Acquisition Officers Council established by section 1311(a) of title 41, United States Code.

(2) CHIEF INFORMATION OFFICER.—The term ''Chief Information Officer'' means a Chief Information Officer (as designated under section 3506(a)(2) of title 44, United States Code) of an agency listed in section 901(b) of title 31, United States Code.

(3) CHIEF INFORMATION OFFICERS COUNCIL.—The term ''Chief Information Officers Council'' or ''CIO Council'' means the Chief Information Officers Council established by section 3603(a) of title 44, United States Code.

(4) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

(5) FEDERAL AGENCY.—The term ''Federal agency'' means each agency listed in section 901(b) of title 31, United States Code.

(6) FEDERAL CHIEF INFORMATION OFFICER.—The term ''Federal Chief Information Officer'' means the Administrator of the Office of Electronic Government established under section 3602 of title 44, United States Code.

(7) INFORMATION TECHNOLOGY OR IT.—The term ''information technology'' or ''IT'' has the meaning provided in section 11101(6) of title 40, United States Code.

(8) RELEVANT CONGRESSIONAL COMMITTEES.—The term ''relevant congressional committees'' means each of the following:

(A) The Committee on Oversight and Government Reform and the Committee on Armed Services of the House of Representatives.

(B) The Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate.

TITLE LI—MANAGEMENT OF INFORMATION TECHNOLOGY WITHIN FEDERAL GOVERNMENT

SEC. 5101. INCREASED AUTHORITY OF AGENCY CHIEF INFORMATION OFFICERS OVER INFORMATION TECHNOLOGY.

(a) PRESIDENTIAL APPOINTMENT OF CIOS OF CERTAIN AGENCIES.—

(1) IN GENERAL.—Section 11315 of title 40, United States Code, is amended—

(A) by redesignating subsection (a) as subsection (e) and moving such subsection to the end of the section; and

(B) by inserting before subsection (b) the following new subsection (a):

''(a) PRESIDENTIAL APPOINTMENT OR DESIGNATION OF CERTAIN CHIEF INFORMATION OFFICERS.—

''(1) IN GENERAL.—There shall be within each agency listed in section 901(b)(1) of title 31, other than the Department of Defense, an agency Chief Information Officer. Each agency Chief Information Officer shall—

''(A)(i) be appointed by the President; or

''(ii) be designated by the President, in consultation with the head of the agency; and

''(B) be appointed or designated, as applicable, from among individuals who possess demonstrated ability in general management of, and knowledge of and extensive practical experience in, information technology management practices in large governmental or business entities.

''(2) RESPONSIBILITIES.—An agency Chief Information Officer appointed or designated under this section shall report directly to the head of the agency and carry out, on a full-time basis, responsibilities as set forth in this section and in section 3506(a) of title 44 for Chief Information Officers designated under paragraph (2) of such section.''.

(2) CONFORMING AMENDMENT.—Section 3506(a)(2)(A) of title 44, United States Code, is amended by inserting after ''each agency'' the following: '', other than an agency with a Presidentially appointed or designated Chief Information Officer as provided in section 11315(a)(1) of title 40,''.

(b) AUTHORITY RELATING TO BUDGET AND PERSONNEL.—Section 11315 of title 40, United States Code, is further amended by inserting after subsection (c) the following new subsection:

''(d) ADDITIONAL AUTHORITIES FOR CERTAIN CIOS.—

''(1) BUDGET-RELATED AUTHORITY.—

''(A) PLANNING.—The head of each agency listed in section 901(b)(1) or 901(b)(2) of title 31, other than the Department of Defense, shall ensure that the Chief Information Officer of the agency has the authority to participate in decisions regarding the budget planning process related to information technology or programs that include significant information technology components.

''(B) ALLOCATION.—Amounts appropriated for any agency listed in section 901(b)(1) or 901(b)(2) of title 31, other than the Department of Defense, for any fiscal year that are available for information technology shall be allocated within the agency, consistent with the provisions of appropriations Acts and budget guidelines and recommendations from the Director of the Office of Management and Budget, in such manner as may be specified by, or approved by, the Chief Information Officer of the agency in consultation with the Chief Financial Officer of the agency and budget officials.

''(2) PERSONNEL-RELATED AUTHORITY.—The head of each agency listed in section 901(b)(1) or 901(b)(2) of title 31, other than the Department of Defense, shall ensure that the Chief Information Officer of the agency has the authority necessary to approve the hiring of personnel who will have information technology responsibilities within the agency and to require that such personnel have the obligation to report to the Chief Information Officer in a manner considered sufficient by the Chief Information Officer.''.

(c) SINGLE CHIEF INFORMATION OFFICER IN EACH AGENCY.—

(1) REQUIREMENT.—Section 3506(a)(3) of title 44, United States Code, is amended—

(A) by inserting ''(A)'' after ''(3)''; and

(B) by adding at the end the following new subparagraph:

''(B) Each agency shall have only one individual with the title and designation of 'Chief Information Officer'. Any bureau, office, or subordinate organization within the agency may designate one individual with the title 'Deputy Chief Information Officer', 'Associate Chief Information Officer', or 'Assistant Chief Information Officer'.''.

(2) EFFECTIVE DATE.—Section 3506(a)(3)(B) of title 44, United States Code, as added by paragraph (1), shall take effect as of October 1, 2014. Any individual serving in a position affected by such section before such date may continue in that position if the requirements of such section are fulfilled with respect to that individual.

SEC. 5102. LEAD COORDINATION ROLE OF CHIEF INFORMATION OFFICERS COUNCIL.

(a) LEAD COORDINATION ROLE.—Subsection (d) of section 3603 of title 44, United States Code, is amended to read as follows:

''(d) LEAD INTERAGENCY FORUM.—

''(1) IN GENERAL.—The Council is designated the lead interagency forum for improving agency coordination of practices related to the design, development, modernization, use, operation, sharing, performance, and review of Federal Government information resources investment. As the lead interagency forum, the Council shall develop

cross-agency portfolio management practices to allow and encourage the development of cross-agency shared services and shared platforms. The Council shall also issue guidelines and practices for infrastructure and common information technology applications, including expansion of the Federal Enterprise Architecture process if appropriate. The guidelines and practices may address broader transparency, common inputs, common outputs, and outcomes achieved. The guidelines and practices shall be used as a basis for comparing performance across diverse missions and operations in various agencies.

''(2) REPORT.—Not later than December 1 in each of the 6 years following the date of the enactment of this paragraph, the Council shall submit to the relevant congressional committees a report (to be known as the 'CIO Council Report') summarizing the Council's activities in the preceding fiscal year and containing such recommendations for further congressional action to fulfill its mission as the Council considers appropriate.

''(3) RELEVANT CONGRESSIONAL COMMITTEES.—For purposes of the report required by paragraph (2), the relevant congressional committees are each of the following:

''(A) The Committee on Oversight and Government Reform and the Committee on Armed Services of the House of Representatives.

''(B) The Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate.''.

(b) ADDITIONAL FUNCTION.—Subsection (f) of section 3603 of such title is amended by adding at the end the following new paragraph:

''(8) Assist the Administrator in developing and providing guidance for effective operations of the Federal Infrastructure and Common Application Collaboration Center established under section 11501 of title 40.''.

(c) REFERENCES TO ADMINISTRATOR OF E-GOVERNMENT AS FEDERAL CHIEF INFORMATION OFFICER.—

(1) REFERENCES.—Section 3602(b) of title 44, United States Code, is amended by adding at the end the following: ''The Administrator may also be referred to as the Federal Chief Information Officer.''.

(2) DEFINITION.—Section 3601(1) of such title is amended by inserting ''or 'Federal Chief Information Officer' '' before ''means''.

SEC. 5103. REPORTS BY GOVERNMENT ACCOUNTABILITY OFFICE.

(a) REQUIREMENT TO EXAMINE EFFECTIVENESS.—The Comptroller General of the United States shall examine the effectiveness of the Chief Information Officers Council in meeting its responsibilities under section 3603(d) of title 44, United States Code, as added by section 5102, with particular focus on—

(1) whether agencies are actively participating in the Council and heeding the Council's advice and guidance; and

(2) whether the Council is actively using and developing the capabilities of the Federal Infrastructure and Common Application Collaboration Center created under section 11501 of title 40, United States Code, as added by section 5401.

(b) REPORTS.—Not later than 1 year, 3 years, and 5 years after the date of the enactment of this Act, the Comptroller General shall submit to the relevant congressional committees a report containing the findings and recommendations of the Comptroller General from the examination required by subsection (a).

TITLE LII—DATA CENTER OPTIMIZATION

SEC. 5201. PURPOSE.

The purpose of this title is to optimize Federal data center usage and efficiency.

SEC. 5202. DEFINITIONS.

In this title:

(1) FEDERAL DATA CENTER OPTIMIZATION INITIATIVE.—The term ''Federal Data Center Optimization Initiative'' or the ''Initiative'' means the initiative developed and implemented by the Director, through the Federal Chief Information Officer, as required under section 5203.

(2) COVERED AGENCY.—The term ''covered agency'' means any agency included in the Federal Data Center Optimization Initiative.

(3) DATA CENTER.—The term ''data center'' means a closet, room, floor, or building for the storage, management, and dissemination of data and information, as defined by the Federal Chief Information Officer under guidance issued pursuant to this section.

(4) FEDERAL DATA CENTER.—The term ''Federal data center'' means any data center of a covered agency used or operated by a covered agency, by a contractor of a covered agency, or by another organization on behalf of a covered agency.

(5) SERVER UTILIZATION.—The term ''server utilization'' refers to the activity level of a server relative to its maximum activity level, expressed as a percentage.

(6) POWER USAGE EFFECTIVENESS.—The term ''power usage effectiveness'' means the ratio obtained by dividing the total amount of electricity and other power consumed in running a data center by the power consumed by the information and communications technology in the data center.

SEC. 5203. FEDERAL DATA CENTER OPTIMIZATION INITIATIVE.

(a) REQUIREMENT FOR INITIATIVE.—The Federal Chief Information Officer, in consultation with the chief information officers of covered agencies, shall develop and implement an initiative, to be known as the Federal Data Center Optimization Initiative, to optimize the usage and efficiency of Federal data centers by meeting the requirements of this division and taking additional measures, as appropriate.

(b) REQUIREMENT FOR PLAN.—Within 6 months after the date of the enactment of this Act, the Federal Chief Information Officer, in consultation with the chief information officers of covered agencies, shall develop and submit to Congress a plan for implementation of the Initiative required by subsection (a) by each covered agency. In developing the plan, the Federal Chief Information Officer shall take into account the findings and recommendations of the Comptroller General review required by section 5205(e).

(c) MATTERS COVERED.—The plan shall include—

(1) descriptions of how covered agencies will use reductions in floor space, energy use, infrastructure, equipment, applications, personnel, increases in multiorganizational use, server virtualization, cloud computing, and other appropriate methods to meet the requirements of the initiative; and

(2) appropriate consideration of shifting Federally owned data centers to commercially owned data centers.

SEC. 5204. PERFORMANCE REQUIREMENTS RELATED TO DATA CENTER CONSOLIDATION.

(a) SERVER UTILIZATION.—Each covered agency may use the following methods to achieve the maximum server utilization possible as determined by the Federal Chief Information Officer.

(1) The closing of existing data centers that lack adequate server utilization, as determined by the Federal Chief Information Officer. If the agency fails to close such data centers, the agency shall provide a detailed explanation as to why this data center should remain in use as part of the submitted plan. The Federal Chief Information Officer shall include an assessment of the agency explanation in the annual report to Congress.

(2) The consolidation of services within existing data centers to increase server utilization rates.

(3) Any other method that the Federal Chief Information Officer, in consultation with the chief information officers of covered agencies, determines necessary to optimize server utilization.

(b) POWER USAGE EFFECTIVENESS.—Each covered agency may use the following methods to achieve the maximum energy efficiency possible as determined by the Federal Chief Information Officer:

(1) The use of the measurement of power usage effectiveness to calculate data center energy efficiency.

(2) The use of power meters in data centers to frequently measure power consumption over time.

(3) The establishment of power usage effectiveness goals for each data center.

(4) The adoption of best practices for managing—

(A) temperature and airflow in data centers; and

(B) power supply efficiency.

(5) The implementation of any other method that the Federal Chief Information Officer, in consultation with the Chief Information Officers of covered agencies, determines necessary to optimize data center energy efficiency.

SEC. 5205. COST SAVINGS RELATED TO DATA CENTER OPTIMIZATION.

(a) REQUIREMENT TO TRACK COSTS.—

(1) IN GENERAL.—Each covered agency shall track costs resulting from implementation of the Federal Data Center Optimization Initiative within the agency and submit a report on those costs annually to the Federal Chief Information Officer. Covered agencies shall determine the net costs from data consolidation on an annual basis.

(2) FACTORS.—In calculating net costs each year under paragraph (1), a covered agency shall use the following factors:

(A) Energy costs.

(B) Personnel costs.

(C) Real estate costs.

(D) Capital expense costs.

(E) Maintenance and support costs such as operating subsystem, database, hardware, and software license expense costs.

(F) Other appropriate costs, as determined by the agency in consultation with the Federal Chief Information Officer.

(b) REQUIREMENT TO TRACK SAVINGS.—

(1) IN GENERAL.—Each covered agency shall track savings resulting from implementation of the Federal Data Center Optimization Initiative within the agency and submit a report on those savings annually to the Federal Chief Information Officer. Covered agencies shall determine the net savings from data consolidation on an annual basis.

(2) FACTORS.—In calculating net savings each year under paragraph (1), a covered agency shall use the following factors:

(A) Energy savings.

(B) Personnel savings.

(C) Real estate savings.

(D) Capital expense savings.

(E) Maintenance and support savings such as operating subsystem, database, hardware, and software license expense savings.

(F) Other appropriate savings, as determined by the agency in consultation with the Federal Chief Information Officer.

(c) REQUIREMENT TO USE COST-EFFECTIVE MEASURES.—Covered agencies shall use the most cost-effective measures to implement the Federal Data Center Optimization Initiative.

(d) USE OF SAVINGS.—Subject to appropriations, any savings resulting from implementation of the Federal Data Center Optimization Initiative within a covered agency shall be used for the following purposes:

(1) To offset the costs of implementing the Initiative within the agency.

(2) To further enhance information technology capabilities and services within the agency.

(e) GOVERNMENT ACCOUNTABILITY OFFICE REVIEW.—Not later than 3 months after the date of the enactment of this Act, the Comptroller General of the United States shall examine methods for calculating savings from the Initiative and using them for the purposes identified in subsection (d), including establishment and use of a special revolving fund that supports data centers and server optimization, and shall submit to the Federal Chief Information Officer and Congress a report on the Comptroller General's findings and recommendations.

SEC. 5206. REPORTING REQUIREMENTS TO CONGRESS AND THE FEDERAL CHIEF INFORMATION OFFICER.

(a) AGENCY REQUIREMENT TO REPORT TO CIO.—Each year, each covered agency shall submit to the Federal Chief Information Officer a report on the implementation of the Federal Data Center Optimization Initiative, including savings resulting from such implementation. The report shall include an update of the agency's plan for implementing the Initiative.

(b) FEDERAL CHIEF INFORMATION OFFICER REQUIREMENT TO REPORT TO CONGRESS.—Each year, the Federal Chief Information Officer shall submit to the relevant congressional committees a report that assesses agency progress in carrying out the Federal Data Center Optimization Initiative and updates the plan under section 5203. The report may be included as part of the annual report required under section 3606 of title 44, United States Code.

TITLE LIII—ELIMINATION OF DUPLICATION AND WASTE IN INFORMATION TECHNOLOGY ACQUISITION

SEC. 5301. INVENTORY OF INFORMATION TECHNOLOGY ASSETS.

(a) PLAN.—The Director shall develop a plan for conducting a Governmentwide inventory of information technology assets.

(b) MATTERS COVERED.—The plan required by subsection (a) shall cover the following:

(1) The manner in which Federal agencies can achieve the greatest possible economies of scale and cost savings in the procurement of information technology assets, through measures such as reducing hardware or software products or services that are duplicative or overlapping and reducing the procurement of new software licenses until such time as agency needs exceed the number of existing and unused licenses.

(2) The capability to conduct ongoing Governmentwide inventories of all existing software licenses on an application-by-application basis, including duplicative, unused, overused, and underused licenses, and to assess the need of agencies for software licenses.

(3) A Governmentwide spending analysis to provide knowledge about how much is being spent for software products or services to support decisions for strategic sourcing under the Federal strategic sourcing program managed by the Office of Federal Procurement Policy.

(c) OTHER INVENTORIES.—In developing the plan required by subsection (a), the Director shall review the inventory of information systems maintained by each agency under section 3505(c) of title 44, United States Code, and the inventory of information resources maintained by each agency under section 3506(b)(4) of such title.

(d) AVAILABILITY.—The inventory of information technology assets shall be available to Chief Information Officers and such other Federal officials as the Chief Information Officers may, in consultation with the Chief Information Officers Council, designate.

(e) DEADLINE AND SUBMISSION TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Director shall complete and submit to Congress the plan required by subsection (a).

(f) IMPLEMENTATION.—Not later than two years after the date of the enactment of this Act, the Director shall complete implementation of the plan required by subsection (a).

(g) REVIEW BY COMPTROLLER GENERAL.—Not later than two years after the date of the enactment of this Act, the Comptroller General of the United States shall review the plan required by subsection (a) and submit to the relevant congressional committees a report on the review.

SEC. 5302. WEBSITE CONSOLIDATION AND TRANSPARENCY.

(a) WEBSITE CONSOLIDATION.—The Director shall—

(1) in consultation with Federal agencies, and after reviewing the directory of public Federal Government websites of each agency (as required to be established and updated under section 207(f)(3) of the E-Government Act of 2002 (Public Law 107–347; 44 U.S.C. 3501 note)), assess all the publicly available websites of Federal agencies to determine whether there are duplicative or overlapping websites; and

(2) require Federal agencies to eliminate or consolidate those websites that are duplicative or overlapping.

(b) WEBSITE TRANSPARENCY.—The Director shall issue guidance to Federal agencies to ensure that the data on publicly available websites of the agencies are open and accessible to the public.

(c) MATTERS COVERED.—In preparing the guidance required by subsection (b), the Director shall—

(1) develop guidelines, standards, and best practices for interoperability and transparency;

(2) identify interfaces that provide for shared, open solutions on the publicly available websites of the agencies; and

(3) ensure that Federal agency Internet home pages, web-based forms, and web-based applications are accessible to individuals with disabilities in conformance with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

(d) DEADLINE FOR GUIDANCE.—The guidance required by subsection (b) shall be issued not later than 180 days after the date of the enactment of this Act.

SEC. 5303. TRANSITION TO THE CLOUD.

(a) SENSE OF CONGRESS.—It is the sense of Congress that transition to cloud computing offers significant potential benefits for the implementation of Federal information technology projects in terms of flexibility, cost, and operational benefits.

(b) GOVERNMENTWIDE APPLICATION.—In assessing cloud computing opportunities, the Chief Information Officers Council shall define policies and guidelines for the adoption of Governmentwide programs providing for a standardized approach to security assessment and operational authorization for cloud products and services.

(c) ADDITIONAL BUDGET AUTHORITIES FOR TRANSITION.—In transitioning to the cloud, a Chief Information Officer of an agency listed in section 901(b) of title 31, United States Code, may establish such cloud service Working Capital Funds, in consultation with the Chief Financial Officer of the agency, as may be necessary to transition to cloud-based solutions. Notwithstanding any other provision of law, such cloud service Working Capital Funds may preserve funding for cloud service transitions for a period not to exceed 5 years per appropriation. Any establishment of a new Working Capital Fund under this subsection shall be reported to the Committees on Appropriations of the House of Representatives and the Senate and relevant Congressional committees.

SEC. 5304. ELIMINATION OF UNNECESSARY DUPLICATION OF CONTRACTS BY REQUIRING BUSINESS CASE ANALYSIS.

(a) PURPOSE.—The purpose of this section is to leverage the Government's buying power and achieve administrative efficiencies and cost savings by eliminating unnecessary duplication of contracts.

(b) REQUIREMENT FOR BUSINESS CASE APPROVAL.—

(1) IN GENERAL.—Effective on and after 180 days after the date of the enactment of this Act, an executive agency may not issue a solicitation for a covered contract vehicle unless the agency performs a business case analysis for the contract vehicle and obtains an approval of the business case analysis from the Administrator for Federal Procurement Policy.

(2) REVIEW OF BUSINESS CASE ANALYSIS.—

(A) IN GENERAL.—With respect to any covered contract vehicle, the Administrator for Federal Procurement Policy shall review the business case analysis submitted for the contract vehicle and provide an approval or disapproval within 60 days after the date of submission. Any business case analysis not disapproved within such 60-day period is deemed to be approved.

(B) BASIS FOR APPROVAL OF BUSINESS CASE.—The Administrator for Federal Procurement Policy shall approve or disapprove a business case analysis based on the adequacy of the analysis submitted. The Administrator shall give primary consideration to whether an agency has demonstrated a compelling need that cannot be satisfied by existing Governmentwide contract vehicles in a timely and cost-effective manner.

(3) CONTENT OF BUSINESS CASE ANALYSIS.—The Administrator for Federal Procurement Policy shall issue guidance specifying the content for a business case analysis submitted pursuant to this section. At a minimum, the business case analysis shall include details on the administrative resources needed for such contract vehicle, including an analysis of all direct and indirect costs to the Federal Government of awarding and administering such contract vehicle and the impact such contract vehicle will have on the ability of the Federal Government to leverage its purchasing power.

(c) DEFINITIONS.—

(1) COVERED CONTRACT VEHICLE.—The term ''covered contract vehicle'' has the meaning provided by the Administrator for Federal

Procurement Policy in guidance issued pursuant to this section and includes, at a minimum, any Governmentwide contract vehicle, whether for acquisition of information technology or other goods or services, in an amount greater than $50,000,000 (or $10,000,000, determined on an average annual basis, in the case of such a contract vehicle performed over more than one year). The term does not include a multiple award schedule contract awarded by the General Services Administration, a Governmentwide acquisition contract for information technology awarded pursuant to sections 11302(e) and 11314(a)(2) of title 40, United States Code, or orders against existing Governmentwide contract vehicles.

(2) GOVERNMENTWIDE CONTRACT VEHICLE AND EXECUTIVE AGENCY.—The terms ''Governmentwide contract vehicle'' and ''executive agency'' have the meanings provided in section 11501 of title 40, United States Code, as added by section 5401.

(d) REPORT.—Not later than June 1 in each of the next 6 years following the date of the enactment of this Act, the Administrator for Federal Procurement Policy shall submit to the relevant congressional committees a report on the implementation of this section, including a summary of the submissions, reviews, approvals, and disapprovals of business case analyses pursuant to this section.

(e) GUIDANCE.—The Administrator for Federal Procurement Policy shall issue guidance for implementing this section.

(f) REVISION OF FAR.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be amended to implement this section.

TITLE LIV—STRENGTHENING AND STREAMLINING INFORMATION TECHNOLOGY ACQUISITION MANAGEMENT PRACTICES

Subtitle A—Strengthening and Streamlining IT Program Management Practices

SEC. 5401. ESTABLISHMENT OF FEDERAL INFRASTRUCTURE AND COMMON APPLICATION COLLABORATION CENTER.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Chapter 115 of title 40, United States Code, is amended to read as follows:

''CHAPTER 115—INFORMATION TECHNOLOGY ACQUISITION MANAGEMENT PRACTICES

''§ 11501. Federal infrastructure and common application collaboration center

''(a) ESTABLISHMENT AND PURPOSES.—The Director of the Office of Management and Budget shall establish a Federal Infrastructure and Common Application Collaboration Center (hereafter in this section referred to as the 'Collaboration Center') within the Office of Electronic Government established under section 3602 of title 44 in accordance with this section. The purposes of the Collaboration Center are to serve as a focal point for coordinated program management practices and to develop and maintain requirements for the acquisition of IT infrastructure and common applications commonly used by various Federal agencies.

''(b) ORGANIZATION OF CENTER.—

''(1) MEMBERSHIP.—The Center shall consist of the following members:

''(A) An appropriate number, as determined by the CIO Council, but not less than 12, full-time program managers or cost specialists, all of whom have appropriate experience in the private or Government sector in managing or overseeing acquisitions of IT infrastructure and common applications.

''(B) At least 1 full-time detailee from each of the Federal agencies listed in section 901(b) of title 31, nominated by the respective agency chief information officer for a detail period of not less than 2 years.

''(2) WORKING GROUPS.—The Collaboration Center shall have working groups that specialize in IT infrastructure and common applications identified by the CIO Council. Each working group shall be headed by a separate dedicated program manager appointed by the Federal Chief Information Officer.

''(c) CAPABILITIES AND FUNCTIONS OF THE COLLABORATION CENTER.—For each of the IT infrastructure and common application areas identified by the CIO Council, the Collaboration Center shall perform the following roles, and any other functions as directed by the Federal Chief Information Officer:

''(1) Develop, maintain, and disseminate requirements suitable to establish contracts that will meet the common and general needs of various Federal agencies as determined by the Center. In doing so, the Center shall give maximum consideration to the adoption of commercial standards and industry acquisition best practices, including opportunities for shared services, consideration of total cost of ownership, preference for industry-neutral functional specifications leveraging open industry standards and competition, and use of long-term contracts, as appropriate.

''(2) Develop, maintain, and disseminate reliable cost estimates that are accurate, comprehensive, well-documented, and credible.

''(3) Lead the review of significant or troubled IT investments or acquisitions as identified by the CIO Council.

''(4) Provide expert aid to troubled IT investments or acquisitions.

''(d) GUIDANCE.—The Director, in consultation with the Chief Information Officers Council, shall issue guidance addressing the scope and operation of the Collaboration Center. The guidance shall require that the Collaboration Center report to the Federal Chief Information Officer.

''(e) REPORT TO CONGRESS.—

''(1) IN GENERAL.—The Director shall annually submit to the relevant congressional committees a report detailing the organization, staff, and activities of the Collaboration Center, including—

''(A) a list of IT infrastructure and common applications the Center assisted;

''(B) an assessment of the Center's achievement in promoting efficiency, shared services, and elimination of unnecessary Government requirements that are contrary to commercial best practices; and

''(C) the use and expenditure of amounts in the Fund established under subsection (i).

''(2) INCLUSION IN OTHER REPORT.—The report may be included as part of the annual E-Government status report required under section 3606 of title 44.

''(f) IMPROVEMENT OF THE GOVERNMENTWIDE SOFTWARE PURCHASING PROGRAM.—

''(1) IN GENERAL.—The Collaboration Center, in collaboration with the Office of Federal Procurement Policy, the Department of Defense, and the General Services Administration, shall identify and develop a strategic sourcing initiative to enhance Governmentwide acquisition, shared use, and dissemination of software, as well as compliance with end user license agreements.

''(2) EXAMINATION OF METHODS.—In developing the initiative under paragraph (1), the Collaboration Center shall examine the use of realistic and effective demand aggregation models supported by actual agency commitment to use the models, and supplier relationship management practices, to more effectively govern the Government's acquisition of information technology.

''(3) GOVERNMENTWIDE USER LICENSE AGREEMENT.—The Collaboration Center, in developing the initiative under paragraph (1), shall allow for the purchase of a license agreement that is available for use by all executive agencies as one user to the maximum extent practicable and as appropriate.

''(g) GUIDELINES FOR ACQUISITION OF IT INFRASTRUCTURE AND COMMON APPLICATIONS.—

''(1) GUIDELINES.—The Collaboration Center shall establish guidelines that, to the maximum extent possible, eliminate inconsistent practices among executive agencies and ensure uniformity and consistency in acquisition processes for IT infrastructure and common applications across the Federal Government.

''(2) CENTRAL WEBSITE.—In preparing the guidelines, the Collaboration Center, in consultation with the Chief Acquisition Officers Council, shall offer executive agencies the option of accessing a central website for best practices, templates, and other relevant information.

''(h) PRICING TRANSPARENCY.—The Collaboration Center, in collaboration with the Office of Federal Procurement Policy, the Chief Acquisition Officers Council, the General Services Administration, and the Assisted Acquisition Centers of Excellence, shall compile a price list and catalogue containing current pricing information by vendor for each of its IT infrastructure and common applications categories. The price catalogue shall contain any price provided by a vendor for the same or similar good or service to any executive agency. The catalogue shall be developed in a fashion ensuring that it may be used for pricing comparisons and pricing analysis using standard data formats. The price catalogue shall not be made public, but shall be accessible to executive agencies.

''(i) FEDERAL IT ACQUISITION MANAGEMENT IMPROVEMENT FUND.—

''(1) ESTABLISHMENT AND MANAGEMENT OF FUND.—There is a Federal IT Acquisition Management Improvement Fund (in this subsection referred to as the 'Fund'). The Administrator of General Services shall manage the Fund through the Collaboration Center to support the activities of the Collaboration Center carried out pursuant to this section. The Administrator of General Services shall consult with the Director in managing the Fund.

''(2) CREDITS TO FUND.—Five percent of the fees collected by executive agencies under the following contracts shall be credited to the Fund:

''(A) Governmentwide task and delivery order contracts entered into under sections 4103 and 4105 of title 41.

''(B) Governmentwide contracts for the acquisition of information technology and multiagency acquisition contracts for that technology authorized by section 11314 of this title.

''(C) Multiple-award schedule contracts entered into by the Administrator of General Services.

''(3) REMITTANCE BY HEAD OF EXECUTIVE AGENCY.—The head of an executive agency that administers a contract described in paragraph (2) shall remit to the General

Services Administration the amount required to be credited to the Fund with respect to the contract at the end of each quarter of the fiscal year.

''(4) AMOUNTS NOT TO BE USED FOR OTHER PURPOSES.—The Administrator of General Services, through the Office of Management and Budget, shall ensure that amounts collected under this subsection are not used for a purpose other than the activities of the Collaboration Center carried out pursuant to this section.

''(5) AVAILABILITY OF AMOUNTS.—Amounts credited to the Fund remain available to be expended only in the fiscal year for which they are credited and the 4 succeeding fiscal years.

''(j) DEFINITIONS.—In this section:

''(1) EXECUTIVE AGENCY.—The term 'executive agency' has the meaning provided that term by section 105 of title 5.

''(2) FEDERAL CHIEF INFORMATION OFFICER.—The term 'Federal Chief Information Officer' means the Administrator of the Office of Electronic Government established under section 3602 of title 44.

''(3) GOVERNMENTWIDE CONTRACT VEHICLE.—The term 'Governmentwide contract vehicle' means any contract, blanket purchase agreement, or other contractual instrument that allows for an indefinite number of orders to be placed within the contract, agreement, or instrument, and that is established by one executive agency for use by multiple executive agencies to obtain supplies and services.

''(4) RELEVANT CONGRESSIONAL COMMITTEES.—The term 'relevant congressional committees' means each of the following:

''(A) The Committee on Oversight and Government Reform and the Committee on Armed Services of the House of Representatives.

''(B) The Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate.

''(k) REVISION OF FAR.—The Federal Acquisition Regulation shall be amended to implement this section.''.

(2) CLERICAL AMENDMENT.—The item relating to chapter 115 in the table of chapters at the beginning of subtitle III of title 40, United States Code, is amended to read as follows:

''115. Information Technology Acquisition Management Practices ..... 11501''.

(b) DEADLINES.—

(1) Not later than 180 days after the date of the enactment of this Act, the Director shall issue guidance under section 11501(d) of title 40, United States Code, as added by subsection (a).

(2) Not later than 1 year after the date of the enactment of this Act, the Director shall establish the Federal Infrastructure and Common Application Collaboration Center, in accordance with section 11501(a) of such title, as so added.

(3) Not later than 2 years after the date of the enactment of this Act, the Federal Infrastructure and Common Application Collaboration Center shall—

(A) identify and develop a strategic sourcing initiative in accordance with section 11501(f) of such title, as so added; and

(B) establish guidelines in accordance with section 11501(g) of such title, as so added.

(c) CONFORMING AMENDMENT.—Section 3602(c) of title 44, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (2);

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following new paragraph (3):

''(3) all of the functions of the Federal Infrastructure and Common Application Collaboration Center, as required under section 11501 of title 40; and''.

SEC. 5402. DESIGNATION OF ASSISTED ACQUISITION CENTERS OF EXCELLENCE.

(a) DESIGNATION.—Chapter 115 of title 40, United States Code, as amended by section 5401, is further amended by adding at the end the following new section:

''§ 11502. Assisted Acquisition Centers of Excellence

''(a) PURPOSE.—The purpose of this section is to develop specialized assisted acquisition centers of excellence within the Federal Government to promote—

''(1) the effective use of best acquisition practices;

''(2) the development of specialized expertise in the acquisition of information technology; and

''(3) Governmentwide sharing of acquisition capability to augment any shortage in the information technology acquisition workforce.

''(b) DESIGNATION OF AACEs.—Not later than 1 year after the date of the enactment of this section, and every 3 years thereafter, the Director of the Office of Management and Budget, in consultation with the Chief Acquisition Officers Council and the Chief Information Officers Council, shall designate, redesignate, or withdraw the designation of acquisition centers of excellence within various executive agencies to carry out the functions set forth in subsection (c) in an area of specialized acquisition expertise as determined by the Director. Each such center of excellence shall be known as an 'Assisted Acquisition Center of Excellence' or an 'AACE'.

''(c) FUNCTIONS.—The functions of each AACE are as follows:

''(1) BEST PRACTICES.—To promote, develop, and implement the use of best acquisition practices in the area of specialized acquisition expertise that the AACE is designated to carry out by the Director under subsection (b).

''(2) ASSISTED ACQUISITIONS.—To assist all Government agencies in the expedient and low-cost acquisition of the information technology goods or services covered by such area of specialized acquisition expertise by engaging in repeated and frequent acquisition of similar information technology requirements.

''(3) DEVELOPMENT AND TRAINING OF IT ACQUISITION WORKFORCE.—To assist in recruiting and training IT acquisition cadres (referred to in section 1704(j) of title 41).

''(d) CRITERIA.—In designating, redesignating, or withdrawing the designation of an AACE, the Director shall consider, at a minimum, the following matters:

''(1) The subject matter expertise of the host agency in a specific area of information technology acquisition.

''(2) For acquisitions of IT infrastructure and common applications covered by the Federal Infrastructure and Common Application Collaboration Center established under section 11501 of this title, the ability and willingness to collaborate with the Collaboration Center and adhere to the requirements standards established by the Collaboration Center.

''(3) The ability of an AACE to develop customized requirements documents that meet the needs of executive agencies as well as the current industry standards and commercial best practices.

''(4) The ability of an AACE to consistently award and manage various contracts, task or delivery orders, and other acquisition arrangements in a timely, cost-effective, and compliant manner.

''(5) The ability of an AACE to aggregate demands from multiple executive agencies for similar information technology goods or services and fulfill those demands in one acquisition.

''(6) The ability of an AACE to acquire innovative or emerging commercial and noncommercial technologies using various contracting methods, including ways to lower the entry barriers for small businesses with limited Government contracting experiences.

''(7) The ability of an AACE to maximize commercial item acquisition, effectively manage high-risk contract types, increase competition, promote small business participation, and maximize use of available Governmentwide contract vehicles.

''(8) The existence of an in-house cost estimating group with expertise to consistently develop reliable cost estimates that are accurate, comprehensive, well-documented, and credible.

''(9) The ability of an AACE to employ best practices and educate requesting agencies, to the maximum extent practicable, regarding critical factors underlying successful major IT acquisitions, including the following factors:

''(A) Active engagement by program officials with stakeholders.

''(B) Possession by program staff of the necessary knowledge and skills.

''(C) Support of the programs by senior department and agency executives.

''(D) Involvement by end users and stakeholders in the development of requirements.

''(E) Participation by end users in testing of system functionality prior to formal end user acceptance testing.

''(F) Stability and consistency of Government and contractor staff.

''(G) Prioritization of requirements by program staff.

''(H) Maintenance of regular communication with the prime contractor by program officials.

''(I) Receipt of sufficient funding by programs.

''(10) The ability of an AACE to run an effective acquisition intern program in collaboration with the Federal Acquisition Institute or the Defense Acquisition University.

''(11) The ability of an AACE to effectively and properly manage fees received for assisted acquisitions pursuant to this section.

''(e) FUNDS RECEIVED BY AACEs.—

''(1) AVAILABILITY.—Notwithstanding any other provision of law or regulation, funds obligated and transferred from an executive agency in a fiscal year to an AACE for the acquisition of goods or services covered by an area of specialized acquisition expertise of an AACE, regardless of whether the requirements are severable or non-severable, shall remain available for awards of contracts by the AACE for the same general requirements for the next 5 fiscal years following the fiscal year in which the funds were transferred.

''(2) TRANSITION TO NEW AACE.—If the AACE to which the funds are provided under paragraph (1) becomes unable to fulfill the requirements of the executive agency from which the funds were provided, the funds may be provided to a different AACE to fulfill such requirements. The funds so provided shall be used for the same purpose and remain available for the same period of time as applied when provided to the original AACE.

''(3) RELATIONSHIP TO EXISTING AUTHORITIES.—This subsection does not limit any existing authorities an AACE may have under its revolving or working capital funds authorities.

''(f) GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF AACE.—

''(1) REVIEW.—The Comptroller General of the United States shall review and assess—

''(A) the use and management of fees received by the AACEs pursuant to this section to ensure that an appropriate fee structure is established and enforced to cover activities addressed in this section and that no excess fees are charged or retained; and

''(B) the effectiveness of the AACEs in achieving the purpose described in subsection (a), including review of contracts.

''(2) REPORTS.—Not later than 1 year after the designation or redesignation of AACES under subsection (b), the Comptroller General shall submit to the relevant congressional committees a report containing the findings and assessment under paragraph (1).

''(g) DEFINITIONS.—In this section:

''(1) ASSISTED ACQUISITION.—The term 'assisted acquisition' means a type of interagency acquisition in which the parties enter into an interagency agreement pursuant to which—

''(A) the servicing agency performs acquisition activities on the requesting agency's behalf, such as awarding, administering, or closing out a contract, task order, delivery order, or blanket purchase agreement; and

''(B) funding is provided through a franchise fund, the Acquisition Services Fund in section 321 of this title, sections 1535 and 1536 of title 31, or other available methods.

''(2) EXECUTIVE AGENCY.—The term 'executive agency' has the meaning provided that term by section 133 of title 41.

''(3) RELEVANT CONGRESSIONAL COMMITTEES.—The term 'relevant congressional committees' has the meaning provided that term by section 11501 of this title.

''(h) REVISION OF FAR.—The Federal Acquisition Regulation shall be amended to implement this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 115 of title 40, United States Code, as amended by section 5401, is further amended by adding at the end the following new item:

''11502. Assisted Acquisition Centers of Excellence.''.

Subtitle B—Strengthening IT Acquisition Workforce

SEC. 5411. EXPANSION OF TRAINING AND USE OF INFORMATION TECHNOLOGY ACQUISITION CADRES.

(a) PURPOSE.—The purpose of this section is to ensure timely progress by Federal agencies toward developing, strengthening, and deploying personnel with highly specialized skills in information technology acquisition, including program and project managers, to be known as information technology acquisition cadres.

(b) REPORT TO CONGRESS.—Section 1704 of title 41, United States Code, is amended by adding at the end the following new subsection:

''(j) STRATEGIC PLAN ON INFORMATION TECHNOLOGY ACQUISITION CADRES.—

''(1) FIVE-YEAR STRATEGIC PLAN TO CONGRESS.—Not later than June 1 following the date of the enactment of this subsection, the Director shall submit to the relevant congressional committees a 5-year strategic plan (to be known as the 'IT Acquisition Cadres Strategic Plan') to develop, strengthen, and solidify information technology acquisition cadres. The plan shall include a timeline for implementation of the plan and identification of individuals responsible for specific elements of the plan during the 5-year period covered by the plan.

''(2) MATTERS COVERED.—The plan shall address, at a minimum, the following matters:

''(A) Current information technology acquisition staffing challenges in Federal agencies, by previous year's information technology acquisition value, and by the Federal Government as a whole.

''(B) The variety and complexity of information technology acquisitions conducted by each Federal agency covered by the plan, and the specialized information technology acquisition workforce needed to effectively carry out such acquisitions.

''(C) The development of a sustainable funding model to support efforts to hire, retain, and train an information technology acquisition cadre of appropriate size and skill to effectively carry out the acquisition programs of the Federal agencies covered by the plan, including an examination of interagency funding methods and a discussion of how the model of the Defense Acquisition Workforce Development Fund could be applied to civilian agencies.

''(D) Any strategic human capital planning necessary to hire, retain, and train an information acquisition cadre of appropriate size and skill at each Federal agency covered by the plan.

''(E) Governmentwide training standards and certification requirements necessary to enhance the mobility and career opportunities of the Federal information technology acquisition cadre within the Federal agencies covered by the plan.

''(F) New and innovative approaches to workforce development and training, including cross-functional training, rotational development, and assignments both within and outside the Government.

''(G) Appropriate consideration and alignment with the needs and priorities of the Infrastructure and Common Application Collaboration Center, Assisted Acquisition Centers of Excellence, and acquisition intern programs.

''(H) Assessment of the current workforce competency and usage trends in evaluation technique to obtain best value, including proper handling of tradeoffs between price and nonprice factors.

''(I) Assessment of the current workforce competency in designing and aligning performance goals, life cycle costs, and contract incentives.

''(J) Assessment of the current workforce competency in avoiding brand-name preference and using industry-neutral functional specifications to leverage open industry standards and competition.

''(K) Use of integrated program teams, including fully dedicated program managers, for each complex information technology investment.

''(L) Proper assignment of recognition or accountability to the members of an integrated program team for both individual functional goals and overall program success or failure.

''(M) The development of a technology fellows program that includes provisions for recruiting, for rotation of assignments, and for partnering directly with universities with well-recognized information technology programs.

''(N) The capability to properly manage other transaction authority (where such authority is granted), including ensuring that the use of the authority is warranted due to unique technical challenges, rapid adoption of innovative or emerging commercial or noncommercial technologies, or other circumstances that cannot readily be satisfied using a contract, grant, or cooperative agreement in accordance with applicable law and the Federal Acquisition Regulation.

''(O) The use of student internship and scholarship programs as a talent pool for permanent hires and the use and impact of special hiring authorities and flexibilities to recruit diverse candidates.

''(P) The assessment of hiring manager satisfaction with the hiring process and hiring outcomes, including satisfaction with the quality of applicants interviewed and hires made.

''(Q) The assessment of applicant satisfaction with the hiring process, including the clarity of the hiring announcement, the user-friendliness of the application process, communication from the hiring manager or agency regarding application status, and timeliness of the hiring decision.

''(R) The assessment of new hire satisfaction with the onboarding process, including the orientation process, and investment in training and development for employees during their first year of employment.

''(S) Any other matters the Director considers appropriate.

''(3) ANNUAL REPORT.—Not later than June 1 in each of the 5 years following the year of submission of the plan required by paragraph (1), the Director shall submit to the relevant congressional committees an annual report outlining the progress made pursuant to the plan.

''(4) GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF THE PLAN AND ANNUAL REPORT.—

''(A) Not later than 1 year after the submission of the plan required by paragraph (1), the Comptroller General of the United States shall review the plan and submit to the relevant congressional committees a report on the review.

''(B) Not later than 6 months after the submission of the first, third, and fifth annual report required under paragraph (3), the Comptroller General shall independently assess the findings of the annual report and brief the relevant congressional committees on the Comptroller General's findings and recommendations to ensure the objectives of the plan are accomplished.

''(5) DEFINITIONS.—In this subsection:

''(A) The term 'Federal agency' means each agency listed in section 901(b) of title 31.

''(B) The term 'relevant congressional committees' means each of the following:

''(i) The Committee on Oversight and Government Reform and the Committee on Armed Services of the House of Representatives.

''(ii) The Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate.''.

SEC. 5412. PLAN ON STRENGTHENING PROGRAM AND PROJECT MANAGEMENT PERFORMANCE.

(a) PLAN ON STRENGTHENING PROGRAM AND PROJECT MANAGEMENT PERFORMANCE.—Not later than June 1 following the date of the enactment of this Act, the Director, in consultation with the Director of the Office of Personnel Management, shall submit to the relevant congressional committees a plan for improving management of IT programs and projects.

(b) MATTERS COVERED.—The plan required by subsection (a) shall include, at a minimum, the following:

(1) Creation of a specialized career path for program management.

(2) The development of a competency model for program management consistent with the IT project manager model.

(3) A career advancement model that requires appropriate expertise and experience for advancement.

(4) A career advancement model that is more competitive with the private sector and that recognizes both Government and private sector experience.

(5) Appropriate consideration and alignment with the needs and priorities of the Infrastructure and Common Application Collaboration Center, the Assisted Acquisition Centers of Excellence, and acquisition intern programs.

(c) COMBINATION WITH OTHER CADRES PLAN.—The Director may combine the plan required by subsection (a) with the IT Acquisition Cadres Strategic Plan required under section 1704(j) of title 41, United States Code, as added by section 411.

SEC. 5413. PERSONNEL AWARDS FOR EXCELLENCE IN THE ACQUISITION OF INFORMATION SYSTEMS AND INFORMATION TECHNOLOGY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Personnel Management shall develop policy and guidance for agencies to develop a program to recognize excellent performance by Federal Government employees and teams of such employees in the acquisition of information systems and information technology for the agency.

(b) ELEMENTS.—The program referred to in subsection (a) shall, to the extent practicable—

(1) obtain objective outcome measures; and

(2) include procedures for—

(A) the nomination of Federal Government employees and teams of such employees for eligibility for recognition under the program; and

(B) the evaluation of nominations for recognition under the program by 1 or more agency panels of individuals from Government, academia, and the private sector who have such expertise, and are appointed in such a manner, as the Director of the Office of Personal Management shall establish for purposes of the program.

(c) AWARD OF CASH BONUSES AND OTHER INCENTIVES.—In carrying out the program referred to in subsection (a), the Director of the Office of Personnel Management, in consultation with the Director of the Office of Management and Budget, shall establish policies and guidance for agencies to reward any Federal Government employee or teams of such employees recognized pursuant to the program—

(1) with a cash bonus, to the extent that the performance of such individual or team warrants the award of such bonus and is authorized by any provision of law;

(2) through promotions and other nonmonetary awards;

(3) by publicizing—

(A) acquisition accomplishments by individual employees; and

(B) the tangible end benefits that resulted from such accomplishments, as appropriate; and

(4) through other awards, incentives, or bonuses that the head of the agency considers appropriate.

TITLE LV—ADDITIONAL REFORMS

SEC. 5501. MAXIMIZING THE BENEFIT OF THE FEDERAL STRATEGIC SOURCING INITIATIVE.

Not later than 180 days after the date of the enactment of this Act, the Administrator for Federal Procurement Policy shall prescribe regulations providing that when the Federal Government makes a purchase of services and supplies offered under the Federal Strategic Sourcing Initiative (managed by the Office of Federal Procurement Policy) but such Initiative is not used, the contract file for the purchase shall include a brief analysis of the comparative value, including price and nonprice factors, between the services and supplies offered under such Initiative and services and supplies offered under the source or sources used for the purchase.

SEC. 5502. PROMOTING TRANSPARENCY OF BLANKET PURCHASE AGREEMENTS.

(a) PRICE INFORMATION TO BE TREATED AS PUBLIC INFORMATION.—The final negotiated price offered by an awardee of a blanket purchase agreement shall be treated as public information.

(b) PUBLICATION OF BLANKET PURCHASE AGREEMENT INFORMATION.—Not later than 180 days after the date of the enactment of this Act, the Administrator of General Services shall make available to the public a list of all blanket purchase agreements entered into by Federal agencies under its Federal Supply Schedules contracts and the prices associated with those blanket purchase agreements. The list and price information shall be updated at least once every 6 months.

SEC. 5503. ADDITIONAL SOURCE SELECTION TECHNIQUE IN SOLICITATIONS.

Section 3306(d) of title 41, United States Code, is amended—

(1) by striking ''or'' at the end of paragraph (1);

(2) by striking the period and inserting ''; or'' at the end of paragraph (2); and

(3) by adding at the end the following new paragraph:

''(3) stating in the solicitation that the award will be made using a fixed price technical competition, under which all offerors compete solely on nonprice factors and the fixed award price is pre-announced in the solicitation.''.

SEC. 5504. ENHANCED TRANSPARENCY IN INFORMATION TECHNOLOGY INVESTMENTS.

(a) PUBLIC AVAILABILITY OF INFORMATION ABOUT IT INVESTMENTS.—Section 11302(c) of title 40, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

''(2) PUBLIC AVAILABILITY.—

''(A) IN GENERAL.—The Director shall make available to the public the cost, schedule, and performance data for at least 80 percent (by dollar value) of all information technology investments Governmentwide, and 60 percent (by dollar value) of all information technology investments in each Federal agency listed in section 901(b) of title 31, notwithstanding whether the investments are for new IT acquisitions or for operations and maintenance of existing IT. The Director shall ensure that the information is current, accurate, and reflects the risks associated with each covered information technology investment.

''(B) WAIVER OR LIMITATION AUTHORITY.—The applicability of subparagraph (A) may be waived or the extent of the information may be limited—

''(i) by the Director, with respect to IT investments Governmentwide; and

''(ii) by the Chief Information Officer of a Federal agency, with respect to IT investments in that agency;

if the Director or the Chief Information Officer, as the case may be, determines that such a waiver or limitation is in the national security interests of the United States.''.

(b) ADDITIONAL REPORT REQUIREMENTS.—Paragraph (3) of section 11302(c) of such title, as redesignated by subsection (a), is amended by adding at the end the following: ''The report shall include an analysis of agency trends reflected in the performance risk information required in paragraph (2).''.

SEC. 5505. ENHANCED COMMUNICATION BETWEEN GOVERNMENT AND INDUSTRY.

Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall prescribe a regulation making clear that agency acquisition personnel are permitted and encouraged to engage in responsible and constructive exchanges with industry, so long as those exchanges are consistent with existing law and regulation and do not promote an unfair competitive advantage to particular firms.

SEC. 5506. CLARIFICATION OF CURRENT LAW WITH RESPECT TO TECHNOLOGY NEUTRALITY IN ACQUISITION OF SOFTWARE.

(a) PURPOSE.—The purpose of this section is to establish guidance and processes to clarify that software acquisitions by the Federal Government are to be made using merit-based requirements development and evaluation processes that promote procurement choices—

(1) based on performance and value, including the long-term value proposition to the Federal Government;

(2) free of preconceived preferences based on how technology is developed, licensed, or distributed; and

(3) generally including the consideration of proprietary, open source, and mixed source software technologies.

(b) TECHNOLOGY NEUTRALITY.—Nothing in this section shall be construed to modify the Federal Government's long-standing policy of following technology-neutral principles and practices when selecting and acquiring information technology that best fits the needs of the Federal Government.

(c) GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Director, in consultation with the Chief Information Officers Council, shall issue guidance concerning the technology-neutral procurement and use of software within the Federal Government.

(d) MATTERS COVERED.—In issuing guidance under subsection (c), the Director shall include, at a minimum, the following:

(1) Guidance to clarify that the preference for commercial items in section 3307 of title 41, United States Code, includes proprietary, open source, and mixed source software that meets the definition of the term ''commercial item'' in section 103 of title 41, United States Code, including all such software that is used for non-Government purposes and is licensed to the public.

(2) Guidance regarding the conduct of market research to ensure the inclusion of proprietary, open source, and mixed source software options.

(3) Guidance to define Governmentwide standards for security, redistribution, indemnity, and copyright in the acquisition, use, release, and collaborative development of proprietary, open source, and mixed source software.

(4) Guidance for the adoption of available commercial practices to acquire proprietary, open source, and mixed source software for widespread Government use, including issues such as security and redistribution rights.

(5) Guidance to establish standard service level agreements for maintenance and support for proprietary, open source, and mixed source software products widely adopted by the Government, as well as the development of Governmentwide agreements that contain standard and widely applicable contract provisions for ongoing maintenance and development of software.

(6) Guidance on the role and use of the Federal Infrastructure and Common Application Collaboration Center, established pursuant to section 11501 of title 40, United States Code (as added by section 5401), for acquisition of proprietary, open source, and mixed source software.

(e) REPORT TO CONGRESS.—Not later than 2 years after the issuance of the guidance required by subsection (b), the Comptroller General of the United States shall submit to the relevant congressional committees a report containing—

(1) an assessment of the effectiveness of the guidance;

(2) an identification of barriers to widespread use by the Federal Government of specific software technologies; and

(3) such legislative recommendations as the Comptroller General considers appropriate to further the purposes of this section.

AMENDMENT NO. 170 OFFERED BY MR. GARAMENDI OF CALIFORNIA

At the end of subtitle C of title XV, add the following new section:

SEC. 15__. LIMITATION ON FUNDS FOR THE AFGHANISTAN SECURITY FORCES FUND TO ACQUIRE CERTAIN AIRCRAFT, VEHICLES, AND EQUIPMENT.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act to the Department of Defense for the Afghanistan Security Forces Fund (ASFF), $2,600,000,000 shall be withheld from obligation and expenditure until the Secretary of Defense submits to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report as described in subsection (b).

(b) REPORT.—The report referred to in subsection (a) is a report that includes the following information:

(1) A list of all covered aircraft, vehicles, and equipment to be purchased with funds authorized to be appropriated by this Act to the Department of Defense for the ASFF.

(2) The expected date on which such covered aircraft, vehicles, and equipment would be delivered and operable in Afghanistan.

(3) The full requirements for operating such covered aircraft, vehicles, and equipment.

(4) The plan for maintenance of such covered aircraft, vehicles, and equipment and estimated costs of such covered aircraft, vehicles, and equipment by year, through 2020.

(5) The expected date that ASFF personnel would be fully capable of operating and maintaining such covered aircraft, vehicles, and equipment without support from United States personnel.

(6) An explanation of the extent to which the acquisition of such covered aircraft, vehicles, and equipment will impact the longer-term United States costs of supporting the ASFF.

(c) COVERED AIRCRAFT, VEHICLES, AND EQUIPMENT.—In this section, the term ''covered aircraft, vehicles, and equipment'' means helicopters, systems for close air support, air mobility systems, and armored vehicles.

AMENDMENT NO. 171 OFFERED BY MR. GINGREY OF GEORGIA

At the end of subtitle I of title X of division A, add the following:

SEC. 1090. SENSE OF CONGRESS REGARDING PRESERVATION OF SECOND AMENDMENT RIGHTS OF ACTIVE DUTY MILITARY PERSONNEL STATIONED OR RESIDING IN THE DISTRICT OF COLUMBIA.

(a) FINDINGS.—Congress finds the following:

(1) The Second Amendment to the United States Constitution provides that the right of the people to keep and bear arms shall not be infringed.

(2) Approximately 40,000 servicemen and women across all branches of the Armed Forces either live in or are stationed on active duty within the Washington, D.C., metropolitan area. Unless these individuals are granted a waiver as serving in a law enforcement role, they are subject to the District of Columbia's onerous and highly restrictive laws on the possession of firearms.

(3) Military personnel, despite being extensively trained in the proper and safe use of firearms, are therefore deprived by the laws of the District of Columbia of handguns, rifles, and shotguns that are commonly kept by law-abiding persons throughout the United States for sporting use and for lawful defense of their persons, homes, businesses, and families.

(4) The District of Columbia has one of the highest per capita murder rates in the Nation, which may be attributed in part to previous local laws prohibiting possession of firearms by law-abiding persons who would have otherwise been able to defend themselves and their loved ones in their own homes and businesses.

(5) The Gun Control Act of 1968 (as amended by the Firearms Owners' Protection Act) and the Brady Handgun Violence Prevention Act provide comprehensive Federal regulations applicable in the District of Columbia as elsewhere. In addition, existing District of Columbia criminal laws punish possession and illegal use of firearms by violent criminals and felons. Consequently, there is no need for local laws that only affect and disarm law-abiding citizens.

(6) On June 26, 2008, the Supreme Court of the United States in the case of *District of Columbia v. Heller* held that the Second Amendment protects an individual's right to possess a firearm for traditionally lawful purposes, and thus ruled that the District of Columbia's handgun ban and requirements that rifles and shotguns in the home be kept unloaded and disassembled or outfitted with a trigger lock to be unconstitutional.

(7) On July 16, 2008, the District of Columbia enacted the Firearms Control Emergency Amendment Act of 2008 (D.C. Act 17-422; 55 DCR 8237), which places onerous restrictions on the ability of law-abiding citizens from possessing firearms, thus violating the spirit by which the Supreme Court of the United States ruled in *District of Columbia v. Heller*.

(8) On February 26, 2009, the United States Senate adopted an amendment on a bipartisan vote of 62-36 by Senator John Ensign to S. 160, the District of Columbia House Voting Rights Act of 2009, which would fully restore Second Amendment rights to the citizens of the District of Columbia.

(b) SENSE OF CONGRESS.—It is the sense of Congress that active duty military personnel who are stationed or residing in the District of Columbia should be permitted to exercise fully their rights under the Second Amendment to the Constitution of the United States and therefore should be exempt from the District of Columbia's restrictions on the possession of firearms.

AMENDMENT NO. 172 OFFERED BY MRS. DAVIS OF CALIFORNIA

At the end of subtitle A of title VI, add the following new section:

SEC. 6___. RECOGNITION OF ADDITIONAL MEANS BY WHICH MEMBERS OF THE NATIONAL GUARD CALLED INTO FEDERAL SERVICE FOR A PERIOD OF 30 DAYS OR LESS MAY INITIALLY REPORT FOR DUTY FOR ENTITLEMENT TO BASIC PAY.

Section 204(c) of title 37, United States Code, is amended—

(1) in the first sentence, by striking ''date when he appears at the place of company rendezvous'' and inserting ''date on which the member, in person or by authorized telephonic or electronic means, contacts the member's unit''; and

(2) by striking the second sentence and inserting the following new sentence: ''However, this subsection does not authorize any expenditure before the member makes authorized contact that is not authorized by law to be paid after such authorized contact.''.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Madam Chair, I urge the committee to adopt the amendments en bloc, all of which have been examined by both the majority and the minority.

At this time, I yield 2 minutes to the gentleman from California (Mr. ISSA).

Mr. ISSA. Thank you, Mr. Chairman.

My amendment is not controversial, but it's critical. At a time when over $80 billion is spent and over 10 percent of it goes completely wasted on information technology purchases by the government, there has never been a more important time to update the legendary, historic Clinger-Cohen Act. That Act in 1996 was attached to the NDAA, exactly as this one is, and it created the positions of Chief Information Officers to oversee IT management.

□ 1040

1996 was a time in which you could still have an IBM AT 286 computer on your desk. The idea of cloud servers didn't exist, and the size and scope and dependency on the cyber environment was never even anticipated.

So as we modernize this Act, I would ask to both have it considered as important, but also have it recognized as critically necessary.

One of the most important things and something that makes common sense to the people who may hear this today or read it in the transcript is that we have more chief information officers today than we have departments, and all but one have no budget authority.

This legislation, when enacted, will eliminate that. It will eliminate duplicative IT purchases that give us overruns of as much as 20 percent in our

purchasing of licenses, but it also will put real meaning behind the term ''chief information officer.'' Never again will someone have that title and have no budget authority or responsibility. When a program goes right, the chief information officer is responsible; when a program goes awry, it's his or her job to make it right.

Once again, I urge support for a bill that was considered, numerous hearings were held, and it was passed unanimously out of my committee.

FEDERAL IT ACQUISITION REFORM ACT (FITARA) AMENDMENT TO NDAA

My amendment is a modified version of a bill reported from my committee unanimously in March. It reforms—Government-wide—the process by which federal information technology is acquired.

It is particularly fitting that this reform be included in the defense authorization bill. First, because majority of the Government's annual $80 billion in federal IT purchases is defense-related. Second, because this reform is a major update to a federal IT law originally enacted as part of a defense authorization bill—the Fiscal Year 1996 National Defense Authorization Act.

The 1996 NDAA included the Information Technology Management Reform Act—popularly known as Clinger-Cohen Act. It changed the way the federal government managed its IT resources—for instance by creating agency Chief Information Officers to oversee IT management.

Upon the introduction of this historic legislation, Chairman Clinger said,

''From the time the Second Continental Congress established a Commissary General in 1775, the procurement system has commanded the attention of both public officials and the American taxpayer. Unfortunately and all too often, the attention has focused on individual abuses rather than the overall system. Over the years, in response to these horror stories, Congress passed many laws—long and short, significant and trivial, new and old which standing alone were not overly harmful, but when added together created an increasingly overburdened mass of statutory requirements.

In December 1994, a report prepared for the Secretary of Defense found that, on average, the Government pays an additional 18 percent on what it buys solely because of the requirements it imposes on its contractors. This confirmed the average estimate by major contractors surveyed by GAO that the additional costs incurred in selling to the Government are about 19 percent. While some of the Government's unique requirements certainly are needed, we clearly are paying an enormous premium for them—billions of dollars annually.

And this is only part of the Government's inflated cost of doing business—for it includes only what is paid to contractors, not the cost of the Government's own administrative system. The Government's contracting officials are confronted with numerous mandates of their own, often amounting to step-by-step prescriptions that increase staff and equipment needs, and leave little room for the exercise of business judgment, initiative, and creativity.''

Many of his sentiments are still applicable today. Since the mid-Nineties, technology has leaped forward, and the federal government's spending on IT procurement has tripled. So my amendment—the Information Technology Acquisition Reform Act—updates Clinger-Cohen, with an emphasis on reforming the way the federal government purchases IT products and services.

GAO has identified duplicative IT investment as a problem in its annual reports to Congress on duplication. IT acquisition program failure rates and cost overruns are between 72 and 80%. Some estimate as much as $20 billion is wasted annually in this area.

We need to enhance the best value to the taxpayer by aligning the cumbersome federal acquisition process to major trends in the IT industry.

This amendment accomplishes this by empowering agency CIO's with budget authority over IT programs. It establishes centers of excellence in specific areas of IT procurement to develop expertise and leverage the Government's economy of scale in purchasing commonly-used IT products and services, so that agencies buy cheaper, faster and smarter. It accelerates consolidation and optimization of the Federal Government's proliferating data centers. And it ensures procurement decisions give due consideration to all technologies—including open source—and that contracts are awarded based on best long-term value proposition.

A discussion draft of the FITARA bill was posted last September. I held two full committee hearings on the bill, and the language has evolved through the course of several rewrites and extensive feedback from contracting and technology experts from inside and outside Government.

This is a significant and timely reform that will enhance both defense and non-defense procurement. I urge all members to support this amendment.

Mr. SMITH of Washington. I yield 1½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy, and I appreciate the leadership for including this amendment in the en bloc amendment.

It is important that we deal with improving the quality of life for our servicemembers and their families.

In a situation all too familiar for our military families, every few years they find themselves living in a new military base with their children having to start a new school and having to adapt to a new environment. Making this transition even more difficult, their loved ones could be serving in Iraq or Afghanistan in constant danger.

This is an effort to make sure that we help our military installations include things that enhance the livability of that environment, to help with green space, public gardens, sidewalks, bike and running trails, things that are recognized in urban development as important amenities that add value and quality of life, while also helping the Department of Defense adapt best practices to build military bases to promote close-knit communities that work for families, which is critical.

I appreciate the progress that's been made and the committee working with us to make sure that this is enhanced as we move forward.

Mr. MCKEON. Madam Chair, at this time I yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON) for the purpose of a colloquy.

Mr. KINGSTON. I thank the gentleman for yielding.

Madam Chair, I rise today to engage my friend, Chairman MCKEON, in a colloquy regarding the Defense Contract Audit Agency, or DCAA, and express concerns about the potential overreach of its authority.

The DCAA plays a critical role in our contracting system. As such, in recent years, Congress has provided substantial human and financial resources to address its well-documented workload backlog and other challenges. I am in favor of such resources and encourage DCAA to focus on eliminating the backlog. However, it appears that DCAA may be broadly accessing a myriad of contractor documents that have little or no impact on determining the effectiveness of contractor business systems.

The FY13 National Defense Authorization Act contained a provision, section 832, which set parameters for DCAA's access to the internal audits of companies that provide goods and services to the Department of Defense. Specifically, it is my understanding the committee was focused on contractors' business systems and ensuring robust and independent internal audit controls to those systems. However, it appears DCAA is broadly interpreting section 832 as providing DCAA with the authority to access all contractor internal audits and supporting documents. This is concerning on many levels.

I would ask the chairman if he has considered the potentially chilling effect on a company's desire to maintain a robust internal audit program if the government is demanding unfettered access to information they may not need or may potentially misuse. This is especially worrisome when this overreach extends to the very proprietary data that makes these companies competitive in the marketplace.

I thank the chairman for his leadership and ask if he shares my concerns regarding the potential overreach of DCAA in this area.

Mr. MCKEON. Will the gentleman yield?

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

Mr. MCKEON. I thank my friend for bringing up this important issue.

As you are aware, we did not reopen the issue in the current bill. However, I share your concerns and would hope that DCAA is not overreaching on its authority. The potential for DCAA to misuse corporate internal audits or to

go fishing through these audits without understanding their context or purpose is very concerning. The committee is continuing to monitor their implementation of access to company internal audits and is willing to take additional action if we determine DCAA is acting beyond the limited grant of authority that Congress provided.

Again, thank you for raising this important issue.

Mr. SMITH of Washington. I yield 2 minutes to the gentleman from California (Mr. SWALWELL).

Mr. SWALWELL of California. I thank the gentleman from Washington.

First, I also want to thank my friend, Congressman PAT MEEHAN, for cosponsoring my amendment.

Due to sequestration, the Department of Defense has not been allowing military bands to perform at community events, even when the sponsoring community organization pays for all associated expenses, because the Department of Defense is saying that the reimbursement is never credited to the proper account.

Well, this is hard to believe. First, because it's been going on before, where community events have reimbursed the Department of Defense and there have not been any problems that we've been aware of. But since sequestration, they're now saying it cannot be done. Well, this is a civilian force of over 700,000 people. I'm sure that we can find a way to make this work and support our community events.

My amendment is simple. It will allow military bands to perform at community events when the hosting organization fully funds the band's expenditures by ensuring that the money from the hosting organization is returned to the relevant department's accounts.

This issue came to my attention when a Marine Corps veteran from my district in Pleasanton, California, Brooks Wilson, informed me that at this year's 148th Scottish Gathering and Games in Pleasanton, the Marine Corps band wouldn't be able to perform, even though his organization would fully fund the band's expenditure just as they have always done previously.

Public performances by military bands like the Marine Corps band bring a sense of patriotism and community to our cities and towns. They also help enliven events like the Scottish Games, increasing attendance and helping boost and lift economic activity.

I ask my colleagues to join Congressman MEEHAN and I in supporting our military bands and our amendment.

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

Mr. SMITH of Washington. I yield 1 minute to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Madam Chair, I want to thank the ranking member and the chair for making my amendment an en bloc amendment.

This amendment deals with the 50-plus billion dollars that we have spent on the Afghan National Security Forces. An additional $7.7 billion is to be added this year. That is a 50 percent increase over last year.

The $2.6 billion addition is for equipment with absolutely no justification, no idea what the equipment is—airplanes, related. There is no knowledge of whether the Afghan National Security Force can use it or not. The amendment simply says that money will not be available until and unless there is clarity as to where the money is going to be spent, how it's going to be spent, how the equipment will be purchased. We don't want to write a $2.6 billion blank check for additional graft and corruption in Afghanistan.

This amendment will be in the en bloc amendment, and I thank the committee for making it possible.

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

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Mr. SMITH of Washington. I yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. I thank my colleague, and I thank the distinguished chairman of the committee as well.

I want to talk about the FITARA bill, the Federal Information Technology Acquisition Reform Act, that I am a coauthor of with the distinguished chairman of the Oversight and Government Reform Committee, Mr. ISSA. This is the most sweeping reform legislation since Clinger-Cohen.

Today, Federal IT acquisition is a cumbersome, bureaucratic, and wasteful exercise. In recent decades, taxpayers have been forced to foot the bill for massive IT failures that ring up staggeringly high costs and exhibit astonishingly poor performance. Program failures and cost overruns plague the vast majority of major Federal IT investments, while Federal managers report that 47 percent of the budget is spent on maintaining antiquated and inadequate IT platforms even today. The annual pricetag of this wasteful spending is estimated at $20 billion a year.

The Air Force, for example, invested six years in a modernization effort that cost more than $1 billion but failed to deliver a usable product, prompting its Assistant Secretary to state:

> I'm personally appalled at the limited capabilities that program has produced relative to that amount of investment.

Mission-critical IT investment failures not only waste taxpayer dollars, but they jeopardize our Nation's safety.

Our bill would modernize, streamline, and make more transparent by actually posting 80 percent of all acquisitions on the Web site. It would streamline the decisionmaking process. Right now, the 26 major Federal agencies, Madam Chairwoman, have over 250 people called CIO, chief information officers. We would designate one per agency who is responsible primarily and accountable primarily for IT acquisitions.

I urge my colleagues to support this legislation. I again thank the distinguished chairman and the distinguished ranking member of the Armed Services Committee and their very able staff for cooperating with Chairman ISSA and myself on this very important reform legislation, and I certainly hope when we get to conference with the Senate it will persevere.

Madam Chair, today, Federal IT acquisition is a cumbersome, bureaucratic, and wasteful exercise. In recent decades, taxpayers have been forced to foot the bill for massive IT program failures that ring up staggeringly high costs, but exhibit astonishingly poor performance. Program failure and cost overruns still plague the vast majority of major Federal IT investments, while Federal managers' report that 47 percent of their budget is spent on maintaining antiquated and inadequate IT platforms. The annual price tag of this wasteful spending on Federal IT programs is estimated to add up to approximately $20 billion.

The Air Force invested six years in a modernization effort that cost more than $1 billion, but failed to deliver a usable product, prompting its Assistant Secretary to state, ''I am personally appalled at the limited capabilities that program has produced relative to that amount of investment.''

Mission-critical IT investment failures not only waste taxpayer dollars, but they jeopardize our Nation's safety, security, and economy. From malfunctioning Census handheld computers that threatened to undermine a critical constitutional responsibility, to a promised electronic border fence that never materialized, time and time again, agency missions have been sabotaged by failed IT acquisitions.

This status quo is unacceptable and unsustainable.

I want to thank Chairman ISSA for working with me in a productive and bipartisan manner to develop Amendment 117, a modified version of H.R. 1232, the Federal Information Technology Acquisition Reform Act, which was favorably reported by the Committee on Oversight and Government Reform with unanimous support in March 2013.

Our comprehensive proposal seeks to streamline and strengthen the Federal IT acquisition process and promote the adoption of best practices from the technology community. We have solicited extensive input from all stakeholders to refine and improve our amendment in an open and transparent manner.

The resulting bipartisan amendment would elevate and empower agency CIOs with authority over, and accountability for, effectively managing the IT portfolio. It would also enhance OMB's role, tasking it with leading enterprise-wide portfolio management, and coordinating shared services and shared platforms across government.

This bipartisan amendment would also empower agencies to eliminate duplicative and wasteful IT contracts that have proliferated for commonly-used, IT Commodity-like investments, such as e-mail. In this era of austerity, agencies cannot afford to spend precious dollars and time creating duplicative, wasteful contracts for products and licenses they already own.

In addition to improving how the government procures IT, this amendment would also enhance how the government deploys these tools. It would accelerate data center optimization to achieve greater operating efficiency and cost-savings, as recommended by the U.S. Government Accountability Office; provide agencies with flexibility to leverage efficient cloud services; and strengthen the accountability and transparency of Federal IT programs. If enacted, 80 percent of the approximately $80 billion annual Federal IT investment would be required to be posted on the public IT Dashboard, compared to the 50 percent coverage that exists today.

Consistent with the principle that public contracts are public documents, our amendment also strengthens transparency in regard to the final negotiated price a company charges a Federal agency for a good or service. Today, far too many agencies negotiate blanket purchase agreements in silos, without any knowledge that another agency has already negotiated a BPA with the same exact vendor, for the same exact product, but at a different price.

Nearly two decades after the Information Technology Management Reform Act and the Federal Acquisition Reform Act were enacted as Division E and Division D of the National Defense Authorization Act for Fiscal Year 1996—reforms that are better known today as the foundational ''Clinger-Cohen Act''—a bipartisan consensus is finally forming around the urgent need to further streamline and strengthen how the Federal Government acquires and deploys IT.

The bipartisan Issa-Connolly Amendment 117 will enhance the statutory framework established by Clinger-Cohen to create an efficient and effective Federal IT procurement system that best serves agencies, industry, and most importantly, the American taxpayer. I urge all my colleagues to join me in supporting this important bipartisan reform measure.

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

Mr. SMITH of Washington. We have no further speakers, and I yield back the balance of my time.

Mr. MCKEON. How much time do I have remaining?

The Acting CHAIR. The gentleman from California has 5¼ minutes remaining.

Mr. MCKEON. Thank you very much, Madam Chair. I'm going to use that time to make up for the time that I lost earlier.

What I would like to do is read the letter from the National Guard Association of the United States. This is a letter to Chairman MCKEON and Ranking Member SMITH, and he says:

As you are aware, there is an amendment sponsored by Reps. Van Hollen, Moran, Mulvaney, and Woodall that would strip $5 billion out of the Overseas Contingency Operation funding and the underlying readiness and modernization plus-ups supported in the bill, which includes $400 million for the National Guard and Reserve Equipment Account (NGREA). This would have a significant impact on National Guard equipment, as this funding is critical for new equipment purchases not planned for or funded by the active components in the President's budget. We urge you to oppose amendment 39.

Then he goes into some details about what that would mean.

Finally he ends with:

For these reasons, we urge you to oppose amendment 39 to remove the $5 billion in OCO funds, where National Guard's NGREA funds are included. Thank you for your attention to this critical matter.

It is signed Gus Hargett, Major General, U.S. Army, Retired, National Guard Association.

I think it is very important that we understand fully what we're talking about in these funds. Congressman VAN HOLLEN referred to General Dempsey saying this was all the money we needed. Let me just read to you from the transcript that he was talking to General Dempsey about in their hearing:

Congressman Van Hollen: General Dempsey, does the OCO request that was made, in your judgment, satisfy our military requirement for OCO?

General Dempsey: Yeah, it does. But this year's request proved inadequate to the task. We have to have some understanding of trying to predict the future 2 years out.

Let me just go back a couple years. They asked for a certain amount of money in last year's budget, but they actually spent $10 billion over that. So they're over-budget coming into this year, and we know, based on past experience, that they're going to spend more than that. And then to try to have an amendment to take $5 billion out of that when we're trying to compensate for the shortfall they had from last year, and then going into this year, is just irresponsible.

When I was in Afghanistan a couple of months ago, I was meeting with a commander there, General Dunford, and he said the thing that people need to understand, as we're winding down this war effort in Afghanistan, and we have to have the troops out of there by the end of 2014, it's going to cost us more because we're closing down the bigger bases, and we have to accomplish that this year.

So we've got the commander saying it's going to cost us more, and we have an amendment saying we should cut $5 billion out. I think it's important that we really put this all in context and understand how those troops who are out there today, fighting, going outside the wire and having attacks on their compounds, are going to be short $5 billion if this amendment is passed.

There exists a nearly $7 billion shortfall in funding to meet just the current readiness requirements. The Army alone needs an additional $3.2 billion beyond what's requested in the President's budget. This is testimony from the chiefs of these different services. The Marine Corps needs another $321.6 million. The Navy is funded $1.62 billion below required levels, and the Air Force $1.3 billion short of needed funding.

So I needed that time, Madam Chair, those 15 seconds that I thought I lost earlier.

But I think it's very important that people understand, this will be one of the most important votes coming up in this next series. We cannot afford to cut money out for warfighters who are over there putting their life on the line for us today.

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

Mr. GARDNER. Madam Chair, today I rise in support of my amendment to H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. This amendment gives the land owners and ranchers in the Piñon Canyon community of Southeast Colorado peace of mind and economic certainty by requiring Congressional approval in order for the Department of Defense to expand Piñon Canyon Maneuver Site (PCMS) near Fort Carson, Colorado. It also requires specific appropriation approval for PCMS expansion.

The passage of this amendment would represent a major step forward in providing assurance for the people of Southeast Colorado, who for the last several years have been subjected to a constant state of uncertainty over possible PCMS expansion into their lands. Despite an annual funding ban placed on the Department of the Army that effectively prohibits the expansion of the boundaries of PCMS, my constituents wonder every year whether the rules will change and the rug will be swept from under their feet. Today I ask my colleagues to come together to create a permanent fix. With the passage of this amendment, there would be stringent guidelines that restrict the expansion of PCMS, fully codifying that Congress must vote on PCMS land acquisition, that the appropriation must be authorized, and that the appropriation must be made.

Make no mistake, the soldiers at Fort Carson exemplify the finest and bravest our nation has to offer. By removing the uncertainty surrounding expansion plans for the PCMS, we believe relations with surrounding communities will stabilize and greatly improve. Our armed forces are focused on defending freedom, and the specter of PCMS expansion has served only as a distraction to those on base and those in neighboring communities.

Few other places in the U.S. have this level of statutory protection. In fact, a Congressional authorization for a specific land acquisition is unique to this amendment. I am pleased to help provide assurance to the farmers, ranchers, and families of Southeast Colorado that there will be no expansion of Piñon Canyon without the deliberation and explicit approval of Congress.

Mr. HASTINGS of Washington. Madam Chair, included in this en bloc amendment is amendment #163 to H.R. 1960, made in order by H. Res. 260. This amendment is bipartisan and submitted by myself, Mr. FLEISCHMANN of

Tennessee and Mr. LUJÁN of New Mexico. It will protect and provide public access to Manhattan Project facilities at three Department of Energy former defense sites through the establishment of a historical park. This is essentially the text of H.R. 1208, reported favorably by the Committee on Natural Resources by unanimous consent in May 2013.

These three locations that the park will encompass were integral to the tremendous engineering and human achievements of the Manhattan Project launched during World War II. The three locations are the Hanford site in my home State of Washington, Los Alamos in New Mexico, and Oak Ridge in Tennessee.

The vast majority of the facilities that are eligible to be included in this park are already owned by the federal government, and they are located on former defense lands owned and controlled by the Department of Energy.

As our nation already possesses these pieces of history, the real purpose of this amendment is to officially declare the importance of preserving the history, providing access to the public, and include the unique abilities of the National Park Service to help tell this story.

Currently, some of these facilities slated for inclusion in this park are scheduled to be destroyed at considerable taxpayer expense. A great many local community leaders in all three states and interested citizens have worked to coordinate a commitment to preserving this piece of our history. Additionally, the government will save tens of millions of dollars from foregone destruction, as opposed to the minimal cost of providing public access and park administration.

Under this amendment, not only will history be protected, but so will taxpayer dollars.

Let me describe one example of the savings. The B Reactor at the Hanford site in Washington state is the first full-scale nuclear reactor ever constructed. Walking into its control room and viewing the reactor itself are like walking back in time. The federal government has a legal obligation to clean up the B Reactor that involves partial demolition, then cocooning the building in concrete for 75 years with continual monitoring, before final removal and demolition at a total cost in today's dollars of $90–100 million. With the amendment, this $100 million will not be spent and this piece of history will not be demolished.

This matter has been carefully studied by both the Department of the Interior and the Department of Energy. Both Departments and the National Park Service support this action. On behalf of the Obama Administration, Interior Secretary Salazar has repeatedly expressed support for the park, as have Department of Energy officials of both the Obama and Bush Administrations.

In recognition of the important contributions to the Manhattan Project by the men and women at sites across the country, the amendment contains a provision allowing communities like Dayton, Ohio, for example, outside the historical park, to receive technical assistance and support from the Department of the Interior as they seek to preserve and manage their own Manhattan Project park resources.

Many, many individuals and organizations have dedicated countless hours towards this effort to preserve and tell this piece of history, and to ensure current and future generations not only will learn this story, but be able to visit and see it themselves. Among those endorsing this effort are the Atomic Heritage Foundation, the National Parks Conservation Association, the National Trust for Historic Preservation, the Energy Communities Alliance, the City of Richland Washington, the City of Oak Ridge Tennessee, the Tri-City Development Council, and many more in Los Alamos and other areas across the nation. Additionally, this effort has received strong endorsements from newspapers from one side of our nation to the other, including the Washington Post, the Boston Globe, and the Los Angeles Times.

This is a good amendment that preserves and shares our nation's history.

Madam Chair, I urge my colleagues to support this amendment.

Mr. CONYERS. Madam Chair, I rise to discuss my amendment, number 146, to H.R. 1960, the ''National Defense Authorization Act for Fiscal Year 2014.'' My amendment simply states that nothing in the bill should be construed as an authorization for the use of military force against Iran. I would like to thank the cosponsors of my amendment: Mr. JONES of North Carolina, Mr. JOHNSON of Georgia, Mr. ELLISON of Minnesota, and Ms. LEE of California. I would also like to thank Chairman MCKEON and Ranking Member SMITH for accepting this amendment in en bloc amendment number eight. By adopting this amendment, the House of Representatives is making it clear, for the second straight year, that none of the provisions in this bill should be interpreted as a war authorization against Iran.

In recent months, the possibility of a preemptive military strike against Iran has been openly discussed as a policy option of last resort as our country and our allies determine how to best confront the challenge posed by Iran's nuclear program.

At the same time, this national discussion has prompted a large number of current and former military and intelligence officials to come forward to encourage the Congress and the Administration to consider the possible consequences, both intended and unintended, of such a strike.

These include high-level former U.S. and Israeli national security officials, including a Bush administration National Intelligence Council chairman, a former national intelligence officer for the Near East and South Asia, Colin Powell's chief of staff, five retired generals, the former Director of the Israeli Mossad, and a former Chief of Staff of the Israeli Defense Forces.

These experts have raised concerns that an attack on Iran could possibly result in serious harm to the world economy, potentially ignite a regional war, and even push Iran into building a nuclear weapon.

With consequences as serious as these being raised by outside and former national security experts, it is critical that any decision to initiate military action against Iran be rigorously debated and, if necessary, be backed by a separate war authorization.

Again, I thank my colleagues for supporting my amendment.

Ms. NORTON. Madam Chair, I rise to strongly oppose Amendment #171 to H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. This amendment is part of what for many of our Republican colleagues is an obsession with singling out the District of Columbia for anti-democratic bullying. There is no federal law that exempts active duty military personnel in their personal capacities from otherwise applicable federal firearms laws, except for residency requirements, or from any state or local firearms laws. Yet this amendment expresses the sense of Congress that active duty military personnel should be exempt from the gun laws of only one local jurisdiction, the District of Columbia. If the sponsor of this amendment believes that active duty military personnel should be exempt from federal, state or local firearms laws, why did he not offer an amendment that would apply nationwide instead of only to the District of Columbia? Republicans, who profess to support a limited federal government and local control of local matters, pick on the District of Columbia because they think they can. They are wrong.

The sponsor of this amendment lives in the past, acting as if the changes D.C. made to its gun laws after the Supreme Court's Heller decision in 2008 had never happened and as if a federal district court and a federal appeals court have not upheld the constitutionality of those revised gun laws. The sponsor also acts as if the Supreme Court's McDonald decision in 2010 had not happened. In McDonald, the court said that the Second Amendment does not confer the ''right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.''

This amendment is the second time this year the sponsor has tried to interfere in the local affairs of the District of Columbia. Earlier this year, the sponsor introduced this amendment as a stand-alone bill. Although this amendment is non-binding, we will fight every attack on our rights as a local government, just as any member here would. This amendment does nothing less than attempt to pave the way for actual inroads into the District of Columbia's gun safety laws. The majority can expect a fierce fight from us whenever they treat the American citizens who live in the District of Columbia as second-class citizens. The House adopted this amendment last year, but, working with our allies, led by Senate Armed Services Committee Chairman CARL LEVIN and House Armed Services Committee Ranking Member ADAM SMITH, we were able to keep it out of the final bill, and we will fight to do so again this year.

Mr. CONNOLLY. Mr. Chair, I rise in support of the bipartisan Hanna-Graves-Shuster-Hunter-Connolly Amendment 72, a modified version of H.R. 2232, the Make Every Small Business Count Act of 2013, which Mr. GRAVES introduced on June 4, 2013. This common sense amendment will strengthen the Federal Government's ability to fulfill its longstanding commitment to promote the viability and growth of American small businesses through Federal contracting.

Amendment 72 will ensure that our Nation's procurement policy incentivizes the use of small business contracting at every tier by allowing prime contractors to receive credit towards meeting their small business contracting goals for lower tier subcontract awards to

small firms. This will not only maximize small business subcontracting opportunities in the Federal space, but it will also ensure parity between government—which receives credit towards its small business goals for all tiers of subcontracting—and prime contractors—who only receive credit for first tier subcontractors.

As the Chairman of the House Small Business Committee has noted, this incongruity has actually created a disincentive against considering small businesses for lower tier subcontracts, even though emerging, innovative small firms are often best suited for this type of work.

This bipartisan amendment also removes a restriction in current law preventing agencies from negotiating subcontracting goals beyond the first tier, which in turn will allow for higher goals in a given contract and expand subcontracting opportunities for small businesses.

The large and small businesses in my District are not asking for unfair competitive advantages or undeserved credit towards meeting small business contracting goals. They simply want a chance to fairly compete for Federal contracts and appropriate credit for subcontracting with small businesses at all tiers. In accomplishing these goals, our bipartisan amendment truly represents a win-win for all stakeholders, since increased competition in Federal contracting enhances innovation and job creation, while bolstering our industrial base. I urge all my colleagues to join me in supporting this amendment.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from California (Mr. MCKEON).

The en bloc amendments were agreed to.

AMENDMENT NO. 123 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. It is now in order to consider amendment No. 123 printed in part B of House Report 113–108.

Mr. BLUMENAUER. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 496, insert after line 24 the following (and conform the table of contents accordingly):

SEC. 1218. IMPROVEMENT OF THE IRAQI SPECIAL IMMIGRANT VISA PROGRAM.

The Refugee Crisis in Iraq Act of 2007 (8 U.S.C. 1157 note) is amended—

(1) in section 1242, by amending subsection (c) to read as follows:

''(c) IMPROVED APPLICATION PROCESS.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014,'';

(2) in section 1244, as amended by this Act, is further amended—

(A) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—Subject to subsection (c), the Secretary of Homeland Security, or, notwithstanding any other provision of law, the Secretary of State in consultation with the Secretary of Homeland Security, may provide an alien described in subsection (b) with the status of a special immigrant under section 101(a)(27) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(27)), and shall, in consultation with the Secretary of Defense, ensure efficiency by which applications for special immigrant visas under section 1244(a) are processed so that all steps incidental to the issuance of such visas, including required screenings and background checks, are completed not later than 9 months after the date on which an eligible alien applies for such visa, if the alien—'';

(B) in subsection (b)—

(i) in paragraph (4) by adding at the end the following:

''(A) REVIEW PROCESS FOR DENIAL BY CHIEF OF MISSION.—

''(i) IN GENERAL.—An applicant who has been denied Chief of Mission approval required by subparagraph (A) shall—

''(I) receive a written decision; and

''(II) be provided 120 days from the date of the decision to request reopening of the decision to provide additional information, clarify existing information, or explain any unfavorable information.

''(ii) SENIOR COORDINATOR.—The Secretary of State shall designate, in the Embassy of the United States in Baghdad, Iraq, a senior coordinator responsible for overseeing the efficiency and integrity of the processing of special immigrant visas under this section, who shall be given—

''(I) sufficiently high security clearance to review Chief of Mission denials in cases that appear to have relied upon insufficient or incorrect information; and

''(II) responsibility for ensuring that an applicant described in clause (i) receives the information described in clause (i)(I).'';

(3) in section 1248, by adding at the end the following:

''(f) REPORT ON IMPROVEMENTS.—

''(1) IN GENERAL.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit a report, with a classified annex, if necessary, to—

''(A) the Committee on the Judiciary of the Senate;

''(B) the Committee on Foreign Relations of the Senate;

''(C) the Committee on the Judiciary of the House of Representatives; and

''(D) the Committee on Foreign Affairs of the House of Representatives.

''(2) CONTENTS.—The report submitted under paragraph (1) shall describe the implementation of improvements to the processing of applications for special immigrant visas under section 1244(a), including information relating to—

''(A) enhancing existing systems for conducting background and security checks of persons applying for special immigrant status, which shall—

''(i) support immigration security; and

''(ii) provide for the orderly processing of such applications without delay;

''(B) the financial, security, and personnel considerations and resources necessary to carry out this subtitle;

''(C) the number of aliens who have applied for special immigrant visas under section 1244 during each month of the preceding fiscal year;

''(D) the reasons for the failure to expeditiously process any applications that have been pending for longer than 9 months;

''(E) the total number of applications that are pending due to the failure—

''(i) to receive approval from the Chief of Mission;

''(ii) for U.S. Citizenship and Immigration Services to complete the adjudication of the Form I-360;

''(iii) to conduct a visa interview; or

''(iv) to issue the visa to an eligible alien;

''(F) the average wait times for an applicant at each of the stages described in subparagraph (E);

''(G) the number of denials or rejections at each of the stages described in subparagraph (E); and

''(H) a breakdown of reasons for denials at by the Chief of Mission based on the categories already made available to denied special immigrant visa applicants in the denial letter sent to them by the Chief of Mission.

''(g) PUBLIC QUARTERLY REPORTS.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, and every 3 months thereafter, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall publish a report on the website of the Department of State that describes the efficiency improvements made in the process by which applications for special immigrant visas under section 1244(a) are processed, including information described in subparagraphs (C) through (H) of subsection (f)(2).''.

SEC. 1219. IMPROVEMENT OF THE AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.

Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in paragraph (2)—

(A) in subparagraph (D)—

(i) by adding at the end the following:

''(ii) REVIEW PROCESS FOR DENIAL BY CHIEF OF MISSION.—

''(I) IN GENERAL.—An applicant who has been denied Chief of Mission approval shall—

''(aa) receive a written decision; and

''(bb) be provided 120 days from the date of receipt of such opinion to request reconsideration of the decision to provide additional information, clarify existing information, or explain any unfavorable information.

''(II) SENIOR COORDINATOR.—The Secretary of State shall designate, in the Embassy of the United States in Kabul, Afghanistan, a senior coordinator responsible for overseeing the efficiency and integrity of the processing of special immigrant visas under this section, who shall be given—

''(aa) sufficiently high security clearance to review Chief of Mission denials in cases that appear to have relied upon insufficient or incorrect information; and

''(bb) responsibility for ensuring that an applicant described in subclause (I) receives the information described in subclause (I)(aa).'';

(2) in paragraph (4)—

(A) in the heading, by striking ''PROHIBITION ON FEES'' and inserting ''APPLICATION PROCESS'';

(B) by striking ''The Secretary'' and inserting the following:

''(A) IN GENERAL.—Not later than 120 days after the date of enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall improve the efficiency by which applications for special immigrant visas under paragraph (1) are processed so that all steps incidental to the issuance of such visas, including required screenings and background checks, are completed not later than 6 months after the date on which an eligible alien applies for such visa.

''(B) PROHIBITION ON FEES.—The Secretary''; and

(4) by adding at the end the following:

''(12) REPORT ON IMPROVEMENTS.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress a report, with a classified annex, if necessary, that describes the implementation of improvements to the processing of applications for special immigrant visas under this subsection, including information relating to—

''(A) enhancing existing systems for conducting background and security checks of persons applying for special immigrant status, which shall—

''(i) support immigration security; and

''(ii) provide for the orderly processing of such applications without delay;

''(B) the financial, security, and personnel considerations and resources necessary to carry out this section;

''(C) the number of aliens who have applied for special immigrant visas under this subsection during each month of the preceding fiscal year;

''(D) the reasons for the failure to expeditiously process any applications that have been pending for longer than 9 months;

''(E) the total number of applications that are pending due to the failure—

''(i) to receive approval from the Chief of Mission;

''(ii) for U.S. Citizenship and Immigration Services to complete the adjudication of the Form I-360;

''(iii) to conduct a visa interview; or

''(iv) to issue the visa to an eligible alien;

''(F) the average wait times for an applicant at each of the stages described in subparagraph (E);

''(G) the number of denials or rejections at each of the stages described in subparagraph (E); and

''(H) a breakdown of reasons for denials by the Chief of Mission based on the categories already made available to denied special immigrant visa applicants in the denial letter sent to them by the Chief of Mission.

''(13) PUBLIC QUARTERLY REPORTS.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2014, and every 3 months thereafter, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall publish a report on the website of the Department of State that describes the efficiency improvements made in the process by which applications for special immigrant visas under this subsection are processed, including information described in subparagraph (C) through (H) of paragraph (12).''.

SEC. 1219. SENSE OF CONGRESS.

(b) PURPOSE.—Expressing the Sense of the House or Representatives that the Special Immigration Visa programs authorized in the National Defense Authorization Act for Fiscal Year 2008 and the Afghan Allies Protection Act of 2009 are critical to the U.S. national security, and that these programs must be reformed and extended in order to meet the Congressional intent with which they were created.

(b) FINDINGS.—Congress finds the following:

(1) Congress created the Special Immigration Visa program for the purposes of protecting and aiding the many brave Iraqis and Afghans whose lives, and the lives of their families, were endangered as a result of their faithful and valuable service to the United States during Operations Enduring Freedom and Iraqi Freedom.

(2) The Iraq Special Immigrant Visa program is set to expire at the end of fiscal year 2013.

(3) The Afghanistan Special Immigrant Visa program is set to expire at the end of fiscal year 2014.

(4) Despite the pending expiration of the Special Immigrant Visa programs, many brave Iraqis, Afghans, and their families, continue to face ongoing and serious threats as a result of their employment by or on behalf of the U.S. Government.

(5) Between FY08-FY12, only 22 percent of the available Iraqi SIVs (5,500 visas out of 25,000 visas) have been issued and 12 percent of the available Afghan SIVs (1,051 visas out of 8,500 visas) have been issued.

(6) As the Washington Post reported in October 2012, over 5,000 documentarily complete Afghan SIV applications remained in a backlog.

(7) The implementation of the Special Immigration Visa programs has been protracted and inefficient.

(8) The application and approval process for the Special Immigration Visa program is unnecessarily opaque and difficult to navigate.

(9) Applicants in both Iraq and Afghanistan often have effusive recommendations from numerous military personnel, have served the U.S. war efforts for many years, and have served valiantly, in some instances literally taking a bullet for a U.S. service member, and yet are denied approval for a Special Immigration Visa with little to no transparency.

(10) Overly narrow provisions contained in the Afghan Allies Protection Act of 2009 leave many deserving Afghans and their families in need of U.S. assistance, but unable to access the Special Immigration Visa program.

(11) The United States has a responsibility to follow through on its promise to protect those Iraqis and Afghans who have risked their lives to aid our troops and protect America's security.

(12) The extension and reform of the Iraq and Afghanistan Special Immigrant Visa programs is a matter of national security.

(13) The extension and reform of the Afghan Special Immigrant Visa program is essential to the U.S. mission in Afghanistan.

(c) SENSE OF THE HOUSE.—It is the sense of the House of Representatives that the Iraq and Afghanistan Special Immigrant Visa programs should be—

(1) reformed by—

(A) ensuring applications are processed in a timely, and transparent fashion;

(B) providing parity between the two Special Immigrant Visa programs so that Afghan principal applicants, like Iraqi principal applicants, are able to include their spouse, children, siblings, and parents; and

(C) expanding eligibility for the Special Immigrant Visa programs to Afghan or Iraqi men and women employed by, or on behalf of, a media or nongovernmental organization headquartered in the United States, or an organization or entity closely associated with the United States mission in Iraq or Afghanistan that has received U.S. Government funding through an official and documented contract, award, grant, or cooperative agreement; and

(2) extended in—

(A) Iraq through the year 2018, without authorizing any additional Special Immigrant Visas as authorized in the original statue; and

(B) Afghanistan through the year 2018, without authorizing any additional Special Immigrant Visas as authorized in the original statue.

The Acting CHAIR. Pursuant to House Resolution 260, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Madam Chair, I yield myself 2½ minutes.

Madam Chair, we spend appropriate time on the floor commemorating the bravery of our men and women who were in harm's way in Iraq and Afghanistan, but there were other brave men and women who worked with our soldiers, putting themselves in harm's way, and I'm referring to foreign nationals—Iraqis and Afghanistan citizens who were interpreters and who were drivers, people working for NGOs, people who made it possible for our troops to perform at the highest level. They served shoulder to shoulder with our men and women in uniform.

Now, I am pleased that there is a partial extension in the Special Immigrant Visa program in the underlying bill for Iraqis and Afghanis. It's important that we have these special visas. I have been pleased to have played a small role in helping create the Special Immigrant Visa program that enables these people to escape harm's way. Many of them are in danger of being killed because people know that they helped our forces, and they are left behind.

I really appreciate the ranking member, the chair, and their staff for the work to help partially extend the Special Immigration Visa program. But this bipartisan amendment, offered with my colleagues, Congresswoman GABBARD and Representatives KINZINGER and STIVERS, all three of whom served in the field of battle, is an opportunity to help ensure these programs finish the job for which they were created.

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These programs expire for Iraq at the end of this fiscal year. That's September 30, and the following September 30 for Afghanistan. And while they are set to expire, those in Iraq and Afghanistan who made our mission possible continue to be plagued by inefficiencies and bureaucratic hurdles. Through fiscal year 2012, only 22 percent of the available Iraq SIVs have been issued, and only 12 percent for Afghanistan.

The Washington Post reported that over 5,000 documentarily complete Afghan applications remain in a backlog. The backlog and delay means not just weeks or months, but years for those who risked their lives to help the U.S. mission, and means living in constant fear and hiding, knowing they or their families could be killed at any moment.

Our amendment demonstrates a strong commitment from the House for comprehensive extension and reform in conference. It enhances the programs by providing efficiency, transparency, accuracy, and oversight.

Madam Chair, I yield the remaining time to the gentlewoman from Hawaii (Ms. GABBARD).

Ms. GABBARD. Madam Chair, I rise in strong support of this amendment to improve the Special Immigrant Visa programs for local civilians who put their lives in danger to aid our troops as they've served in Iraq and Afghanistan.

We see in times of war and in times of conflict that our servicemembers are lauded and honored for their service and tremendous sacrifice, but there are many stories that remain untold. There are many unseen heroes who sacrifice every single day as they serve alongside our troops.

During my first deployment to Iraq, I served in a medical unit, and we had two interpreters who worked with us on a daily basis. One was named Kaddam. He sat in our clinic, went out on missions with our medics. I spoke to him almost every day and learned so much about his family, his community, and the challenges that he overcame every day to just work with us.

He drove home every night with a firearm under his driver's seat, in fear, not only of his own life, but in fear of the health and safety of his family. He had a few young children, and he spoke very strongly about his hopes and his dreams for them being able to have a future, to have an education, which was a far cry from the life that he was living there; and that's why he served with us.

We had another interpreter who we called, our Hawaii unit called Kahuna. And his situation was very different. He lived in secrecy, where his neighbors and his friends didn't know that he was working with us; and because of that, he stayed in our camp. He lived with us and worked with us on a daily basis because he believed in what we were doing, and he wouldn't want to risk his family's life.

The stories go on and on of those who have sacrificed so much, not only because they believed in what we were doing, what our mission was, what our work was, but in the hopes that they could also live a free life for themselves, a life where they were not fraught on a daily basis with just getting by.

And for that, I personally stand in strong support of this.

Mr. MCKEON. Madam Chair, I rise to claim time in opposition to the amendment; however, I do not oppose the amendment.

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

There was no objection.

Mr. MCKEON. I yield the balance of my time to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. Mr. Chairman, I appreciate you yielding.

And, Mr. BLUMENAUER, thank you for leading on this, Ms. GABBARD and Mr. STIVERS as well. This is such an important issue.

You know, we're a Nation of commitments, and a lot of the times Washington gets this reputation of Republicans and Democrats don't agree on anything, and we just fight like cats and dogs. I feel like some of that is true, but I think this is a great example of where, frankly, people are coming together to say as a Nation what's the right thing to do here.

We've made commitments. We've taken ourselves and made promises to people, and people have put themselves out on the line for us. What's the right thing to do?

I would even dare to speculate that those of us that are sponsoring this amendment probably don't even agree on the future of the Iraq war or the Afghanistan war. But we do know that we believe we have to hold to this.

As Ms. GABBARD was talking about, there's a lot of unsung heroes in the war in Iraq and Afghanistan. I experienced it as well as a pilot in the military as people that were Iraqi nationals, in my case, that really stood up and put their lives on the line in order to fight for a new Iraq, to fight for a new freedom, to provide for their families, and to understand that they want to build an alliance between Iraq and the United States.

And a lot of them went home at night, as was eloquently expressed, went home at night in fear that this was going to cost them their lives, but knowing that the strength and the power of the United States was there with them, and that they could rest easy at night, knowing that we could keep to our words.

Unfortunately, many of these folks have been killed or targeted for killing, and do continue to live in fear. And so we created a program which would allow a lot of these that have put their lives on the line in order to facilitate what our interest is in Afghanistan and Iraq, to be able to come to the United States.

And, unfortunately, this has been bogged down in bureaucracy that doesn't make a lot of sense to me. It's been bogged down in the definition of whether they worked for the United States or whether they actually worked for ISAF. Well, I would tend to say that whether you worked for ISAF or the United States, you should probably fall under this program.

I think it's just right that we, as a Nation, figure out what's going wrong and do this, and I think this is a great opportunity. This is a great opportunity to come together and say, you know, you put your life on the line for us; we're going to do everything we can for you.

I think about all the times when I would be ready to go fly and, you know, you talk to folks that are associated with what we're doing; and had we not had interpreters there to be able to bring the languages, frankly, the United States and Iraq or Afghanistan together, we'd often just be staring at each other, not knowing what we're thinking, but we're each thinking something.

But to be able to have these folks that come together and really talk about what it is that we need to do is the right thing to do.

I just, again, want to say that, as Americans, we have to hold to our commitments. This program provides lifesaving protection to those that served us. It will provide refuge to the countless Iraqis and Afghan civilians that have helped us, and it's the right thing to do.

So, again, I just want to say to Mr. BLUMENAUER, to Ms. GABBARD, to Mr. STIVERS and to everybody watching, frankly, and listening to these proceedings, thank you for your help.

Thank you to America for standing up and doing the right thing, and to those that continue to defend us day by day.

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

The Acting CHAIR (Mr. COLLINS of Georgia). The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

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

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

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

AMENDMENT NO. 137 OFFERED BY MS. DELAURO

The Acting CHAIR. It is now in order to consider amendment No. 137 printed in part B of House Report 113–108.

Ms. DELAURO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title XII of division A, add the following new section:

SEC. 12__. LIMITATION ON USE OF FUNDS TO PURCHASE EQUIPMENT FROM ROSOBORONEXPORT.

(a) LIMITATION.—No funds authorized to be appropriated for the Department of Defense for any fiscal year after fiscal year 2013 may be used for the purchase of any equipment from Rosoboronexport until the Secretary of Defense certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge—

(1) Rosoboronexport is cooperating fully with the Defense Contract Audit Agency;

(2) Rosoboronexport has not delivered S–300 advanced anti-aircraft missiles to Syria; and

(3) no new contracts have been signed between the Bashar al Assad regime in Syria and Rosoboronexport since January 1, 2013.

(b) NATIONAL SECURITY WAIVER.—

(1) IN GENERAL.—The Secretary of Defense may waive the limitation in subsection (a) if the Secretary certifies that the waiver in order to purchase equipment from Rosoboronexport is in national security interest of the United States.

(2) REPORT.—If the Secretary waives the limitation in subsection (a) pursuant to paragraph (1), the Secretary shall submit to the congressional defense committees, not later than 30 days before purchasing equipment from Rosoboronexport pursuant to the waiver, a report on the waiver. The report shall be submitted in classified or unclassified form, at the election of the Secretary. The report shall include the following:

(A) An explanation why it is in the national security interest of the United States to purchase equipment from Rosoboronexport.

(B) An explanation why comparable equipment cannot be purchased from another corporation.

(C) An assessment of the cooperation of Rosoboronexport with the Defense Contract Audit Agency.

(D) An assessment of whether and how many S–300 advanced anti-aircraft missiles have been delivered to the Assad regime by Rosoboronexport.

(E) A list of the contracts that Rosoboronexport has signed with the Assad regime since January 1, 2013.

(c) REQUIREMENT FOR COMPETITIVELY BID CONTRACTS.—The Secretary of Defense shall award any contract that will use United States funds for the procurement of helicopters for the Afghan Security Forces using competitive procedures based on requirements developed by the Secretary of Defense.

The Acting CHAIR. Pursuant to House Resolution 260, the gentlewoman from Connecticut (Ms. DELAURO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Chairman, my amendment would strengthen a prohibition unanimously supported last year to stop the Defense Department from purchasing equipment from the Russian arms dealer Rosoboronexport.

As we have debated this bill, estimates of the death toll in Syria hit 93,000 and the administration confirmed use of chemical weapons by the Assad regime. Yet, remarkably, U.S. taxpayers continue to provide subsidies to Russia's arms dealer through no-bid Pentagon purchases of Mi-17 helicopters, even as the firm continues to serve as the top supplier of the weapons the Syrian regime is using to fuel the tragic war.

In fact, the Russian arms dealer recently took an order from the Syrian Army for a wide range of weaponry, and the possibility remains that Russia may provide Syria with S–300 air defense systems.

□ 1110

It is unacceptable that at the same time the Pentagon is purchasing Mi-17 helicopters for the Afghan National Security Forces from Rosoboronexport through no-bid contracts that do not allow U.S. companies to compete.

Last year, the Army purchased 31 Mi-17s from the Russian arms dealer. The President then signed into law last year's defense bill banning the Pentagon from using 2013 funds to enter into a contract with the Russian arms dealer. Yet, in a clear violation of the spirit of the law, DOD announced in April it would use 2012 Afghanistan Security Forces funds to purchase 30 more Mi-17s, a contract signing that is imminent. Meanwhile, the Defense Contract Audit Agency, or DCAA, attempted an audit of Rosoboronexport's pricing of Mi-17 helicopters, which the firm refused to cooperate with. This is outrageous.

My bipartisan amendment prohibits the Pentagon from purchasing equipment from the Russian arms maker unless the Secretary certifies the firm is cooperating with DCAA, not delivering S–300 missile defense batteries to Syria, and has not signed new contracts with Syria since the beginning of the year. The amendment also requires that any new contract for helicopters for the Afghans be competitively bid.

The Defense Department should not engage in contracts with companies arming the Syrian regime. This can and must stop. Furthermore, if we are going to spend U.S. taxpayers' dollars to provide helicopters to the Afghan National Security Forces, we should spend those dollars for the purchase of U.S.-made helicopters.

I urge support for my amendment and reserve the balance of my time.

Mr. MCKEON. Mr. Chairman, I rise to claim the time in opposition to the amendment although I will not oppose the amendment.

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

There was no objection.

Mr. MCKEON. I yield back the balance of my time.

Ms. DELAURO. Mr. Chairman, may I inquire as to how much time remains.

The Acting CHAIR. The gentlewoman from Connecticut has 2¼ minutes remaining.

Ms. DELAURO. I yield the balance of my time to my colleague from Virginia (Mr. MORAN), who has worked on this issue with me.

Mr. MORAN. I thank my very good friend from Connecticut—and the chairman of the committee because I trust that he will support this as well.

This amendment passed overwhelmingly last year, bipartisan vote. The problem is that the Defense Department ignored it. They went ahead, continuing to buy weapons from Rosoboronexport, the very same Russian arms supplier that is enabling President Assad to kill more than 90,000 of his own people, who is now, we confirmed, using chemical weapons against his people. 1.6 million Syrian refugees are scattered across five countries; and within the year, half of the Syrian population is going to be in need of aid. So this has to be fixed. This is not a sustainable situation.

The Obama administration says, well, we are going to have to get more aggressively involved, supplying more military assistance to the insurgents. But think about this: the problem is that Assad is getting all the weapons he wants. In fact, he's asked this Russian arms exporter, Rosoboronexport, for advanced S–300 missile defense batteries, 20,000 Kalashnikov assault rifles, 20 million rounds of ammunition, machine guns, grenade launchers, grenade sniper rifles with night vision sights. Mi-17 helicopters are also made by Rosoboronexport, and we're buying helicopters from them. Can't we coordinate the right hand with the left hand? We should not be basically subsidizing Rosoboronexport, which is a large part of the problem in Syria.

Some have suggested that without Russia's aid, President Assad cannot continue killing his own people. Now, I don't know that we can ever convince President Putin to stop this—it's obviously a state-owned arms supplier—but surely the Congress can say, no, don't purchase from the same person that is supplying the Syrian regime.

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

Mr. CONNOLLY. Madam Chair, I am pleased to cosponsor this bipartisan amendment, which would prohibit the Defense Department from circumventing Congressional intent with regard to Russian state arms dealer Rosoboronexport. This amendment prohibits the Department of Defense from purchasing military helicopters from Rosoboronexport—a company that has been supplying weapons to Syrian President Bashar al-Assad's regime in its "campaign of terror against its own people," as characterized by Secretary of State Kerry.

The civil unrest and violence that has engulfed Syria and fueled instability across the region just entered its third year. This week, the United Nations reported that 93,000 people have been killed in this conflict. In addition, more than 1.6 million Syrian refugees are now displaced across five countries, and it is estimated that half of the population of Syria will be in need of aid by the end of this year.

Russia has been the Assad regime's main arms supplier, recently announcing that it would provide Syria with advanced S–300 missile defense batteries. The Syrian Army also requested 20,000 Kalashnikov assault rifles, 20 million rounds of ammunition, machine guns, grenade launchers, grenades, and sniper rifles with night-vision sights from Rosoboronexport.

The bipartisan amendment before us today, which I am pleased to cosponsor with Representatives DELAURO, GRANGER, MORAN,

KINGSTON, ELLISON, and WOLF, would simply clarify the restrictions outlined in last year's defense authorization bill, which prohibited the Pentagon from using FY13 funds to enter into any contract with the Russian state arms dealer. Unfortunately, the Defense Department ignored that Congressional direction and found a way to maneuver around the law. Defense officials announced in April that they would use FY12 Afghanistan Security Forces Funds to purchase 30 more Mi–17 helicopters from Rosoboronexport. The signing of this contract is imminent.

Our amendment would ensure that no funding is used to purchase equipment from this Russian arms dealer unless it cooperates with a pending Defense Contract Audit Agency review of another contract in which Rosoboronexport is suspected of overcharging the U.S. Navy. Moreover, the amendment would also ensure that future helicopter purchases for the Afghan National Security Force will be competitively bid.

I urge my colleagues to support our bipartisan amendment, which will hold this Russian arms dealer accountable for its reprehensible role in the Syrian conflict, as well as ensure that the Pentagon complies with Congressional intent.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO).

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

Ms. DELAURO. Mr. Chairman, I demand a recorded vote.

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

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 113–108 on which further proceedings were postponed, in the following order:

Amendment No. 21 by Mr. TURNER of Ohio.

Amendment No. 22 by Mr. HOLT of New Jersey.

Amendment No. 25 by Ms. MCCOLLUM of Minnesota.

Amendment No. 32 by Mr. NOLAN of Minnesota.

Amendment No. 33 by Mr. LARSEN of Washington.

Amendment No. 36 by Mr. GIBSON of New York.

Amendment No. 37 by Mr. COFFMAN of Colorado.

Amendment No. 19 by Mrs. WALORSKI of Indiana.

Amendment No. 20 by Mr. SMITH of Washington.

Amendment No. 14 by Mr. POLIS of Colorado.

Amendment No. 23 by Mr. POLIS of Colorado.

Amendment No. 39 by Mr. VAN HOLLEN of Maryland.

Amendment No. 123 by Mr. BLUMENAUER of Oregon.

Amendment No. 137 by Ms. DELAURO of Connecticut.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 21 OFFERED BY MR. TURNER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. TURNER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 239, noes 182, not voting 13, as follows:

[Roll No. 229]

AYES—239

Aderholt
Alexander
Amash
Amodei
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
Maffei
Maloney, Sean
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOES—182

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Deutch
Dingell
Doggett
Doyle
Duckworth
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Grimm
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Nadler
Napolitano
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—13

Bachmann
Campbell
Chu
Edwards
Fudge
Johnson (GA)
Markey
McCarthy (NY)
Neal
Pelosi
Poe (TX)
Shea-Porter
Westmoreland

□ 1142

Mr. FARR and Ms. BROWNLEY of California changed their vote from ''aye'' to ''no.''

Messrs. BARTON, CRAWFORD, DUFFY, and LIPINSKI changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. BARTON was allowed to speak out of order.)

52ND ANNUAL CONGRESSIONAL BASEBALL GAME

Mr. BARTON. Mr. Chairman, I have my 7-year-old son, Jack, with me this week.

As we walked on the floor, he asked me, ''Daddy, why is that trophy on that desk?''

And I said, ''Well, son, they won the game last night.''

So I rise in reluctant recognition of the fact that last night, at Nationals Park, the Democrats squeaked out a 22–0 victory over the stalwart Republican team.

Our MVP is Senator JEFF FLAKE from Arizona, who was a Member of this body until last year. We had a number of other Members who played very well—JOHN SHIMKUS, BILL JOHNSON, MIKE CONAWAY, RODNEY DAVIS, RON DESANTIS, and the list goes on and on. The fact remains that the Democrats won, and they are entitled to the trophy.

Our hats are off to you.

With that, I yield to my good friend, the manager from Pittsburgh, Pennsylvania, Mr. MIKE DOYLE.

Mr. DOYLE. First off, I want to thank my good friend JOE BARTON—he is my good friend—for a good game last night.

I can't really single out individuals. This was a team effort on the Democratic side. Our team had 24 hits and no errors in the field. CEDRIC RICHMOND normally strikes out a lot of batters, and, last year, CEDRIC had 16 strikeouts. For the first five innings, CEDRIC didn't strike out a single batter. We had 15 putouts in the field. When you hit the ball, we fielded it, and we made the throws to first, and we made the plays.

It was the best team effort that I've seen out of the Democratic side in the 19 years I've been associated with the game, and I want to congratulate my team.

As my good friend JOE BARTON knows, the real winners of this game are three charities. We broke a record this year. We raised $300,000 for our charities—the Washington Boys & Girls Club, the Washington Literacy Council, and the Dream Foundation, which is going to help children in the Seventh Ward in Washington, D.C. This is going to be a great program for the kids—for boys and girls to learn baseball, but also to learn more important things in after-school learning centers and the like.

So, to the charities—the real winners of this game—congratulations.

This is a great tradition that helps bring us together. I can tell you that the members of the Republican baseball team are friends of ours, and we enjoy the camaraderie and the game every year, and we look forward to it again next year.

Mr. BARTON. I yield back the balance of my time.

AMENDMENT NO. 22 OFFERED BY MR. HOLT

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. HOLT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 61, noes 362, not voting 11, as follows:

[Roll No. 230]

AYES—61

Bass	Higgins	Nolan
Blumenauer	Himes	Pallone
Braley (IA)	Holt	Payne
Clarke	Honda	Pelosi
Clay	Huffman	Pingree (ME)
Conyers	Jeffries	Pocan
Crowley	Lee (CA)	Roybal-Allard
DeFazio	Levin	Rush
DeGette	Lewis	Sánchez, Linda T.
Dingell	Lofgren	Sarbanes
Doggett	Lowey	Schakowsky
Doyle	Maloney, Carolyn	Schrader
Ellison	Matheson	Serrano
Eshoo	McCollum	Slaughter
Esty	McDermott	Speier
Farr	McGovern	Tierney
Fattah	Miller, George	Velázquez
Foster	Moore	Waters
Grijalva	Nadler	Watt
Gutierrez	Napolitano	Welch
Hastings (FL)		

NOES—362

Aderholt	Boustany	Cartwright
Alexander	Brady (PA)	Cassidy
Amash	Brady (TX)	Castor (FL)
Amodei	Bridenstine	Castro (TX)
Andrews	Brooks (AL)	Chabot
Bachus	Brooks (IN)	Chaffetz
Barber	Broun (GA)	Cicilline
Barletta	Brown (FL)	Cleaver
Barr	Brownley (CA)	Clyburn
Barrow (GA)	Buchanan	Coble
Barton	Bucshon	Coffman
Beatty	Burgess	Cohen
Becerra	Bustos	Cole
Benishek	Butterfield	Collins (GA)
Bentivolio	Calvert	Collins (NY)
Bera (CA)	Camp	Conaway
Bilirakis	Cantor	Connolly
Bishop (GA)	Capito	Cook
Bishop (NY)	Capps	Cooper
Bishop (UT)	Capuano	Cotton
Black	Cárdenas	Courtney
Blackburn	Carney	Cramer
Bonamici	Carson (IN)	Crawford
Bonner	Carter	Crenshaw
Cuellar	Kennedy	Reed
Culberson	Kildee	Reichert
Cummings	Kilmer	Renacci
Daines	Kind	Ribble
Davis (CA)	King (IA)	Rice (SC)
Davis, Danny	King (NY)	Richmond
Davis, Rodney	Kingston	Rigell
Delaney	Kinzinger (IL)	Roby
DeLauro	Kirkpatrick	Roe (TN)
DelBene	Kline	Rogers (AL)
Denham	Kuster	Rogers (KY)
Dent	Labrador	Rogers (MI)
DeSantis	LaMalfa	Rohrabacher
DesJarlais	Lamborn	Rokita
Deutch	Lance	Rooney
Diaz-Balart	Langevin	Ros-Lehtinen
Duckworth	Lankford	Roskam
Duffy	Larsen (WA)	Ross
Duncan (SC)	Larson (CT)	Rothfus
Duncan (TN)	Latham	Royce
Ellmers	Latta	Ruiz
Engel	Lipinski	Runyan
Enyart	LoBiondo	Ruppersberger
Farenthold	Loebsack	Ryan (OH)
Fincher	Long	Ryan (WI)
Fitzpatrick	Lowenthal	Salmon
Fleischmann	Lucas	Sanchez, Loretta
Fleming	Luetkemeyer	Sanford
Flores	Lujan Grisham (NM)	Scalise
Forbes	Luján, Ben Ray (NM)	Schiff
Fortenberry	Lummis	Schneider
Foxx	Lynch	Schock
Frankel (FL)	Maffei	Schwartz
Franks (AZ)	Maloney, Sean	Schweikert
Frelinghuysen	Marchant	Scott (VA)
Gabbard	Marino	Scott, Austin
Gallego	Massie	Scott, David
Garamendi	Matsui	Sensenbrenner
Garcia	McCarthy (CA)	Sessions
Gardner	McCaul	Sewell (AL)
Garrett	McClintock	Sherman
Gerlach	McHenry	Shimkus
Gibbs	McIntyre	Shuster
Gibson	McKeon	Simpson
Gingrey (GA)	McKinley	Sinema
Gohmert	McMorris Rodgers	Sires
Goodlatte	McNerney	Smith (MO)
Gosar	Meadows	Smith (NE)
Gowdy	Meehan	Smith (NJ)
Granger	Meeks	Smith (TX)
Graves (GA)	Meng	Smith (WA)
Graves (MO)	Messer	Southerland
Grayson	Mica	Stewart
Green, Al	Michaud	Stivers
Green, Gene	Miller (FL)	Stockman
Griffin (AR)	Miller (MI)	Stutzman
Griffith (VA)	Miller, Gary	Swalwell (CA)
Grimm	Moran	Takano
Guthrie	Mullin	Terry
Hahn	Mulvaney	Thompson (CA)
Hall	Murphy (FL)	Thompson (MS)
Hanabusa	Murphy (PA)	Thompson (PA)
Hanna	Negrete McLeod	Thornberry
Harper	Neugebauer	Tiberi
Harris	Noem	Tipton
Hartzler	Nugent	Titus
Hastings (WA)	Nunes	Tonko
Heck (NV)	Nunnelee	Tsongas
Heck (WA)	O'Rourke	Turner
Hensarling	Olson	Upton
Herrera Beutler	Owens	Valadao
Hinojosa	Palazzo	Van Hollen
Holding	Pascrell	Vargas
Horsford	Pastor (AZ)	Veasey
Hoyer	Paulsen	Vela
Hudson	Pearce	Visclosky
Huelskamp	Perlmutter	Wagner
Huizenga (MI)	Perry	Walberg
Hultgren	Peters (CA)	Walden
Hunter	Peters (MI)	Walorski
Hurt	Peterson	Walz
Israel	Petri	Wasserman Schultz
Issa	Pittenger	Waxman
Jackson Lee	Pitts	Weber (TX)
Jenkins	Polis	Webster (FL)
Johnson (GA)	Pompeo	Wenstrup
Johnson (OH)	Posey	Westmoreland
Johnson, E. B.	Price (GA)	Whitfield
Johnson, Sam	Price (NC)	Williams
Jones	Quigley	Wilson (FL)
Jordan	Radel	Wilson (SC)
Joyce	Rahall	Wittman
Kaptur	Rangel	Wolf
Keating		Womack
Kelly (IL)		Woodall
Kelly (PA)		

Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—11

Bachmann
Campbell
Chu
Costa
Edwards
Fudge
Markey
McCarthy (NY)
Neal
Poe (TX)
Shea-Porter

□ 1152

Ms. LEE of California and Mr. CROWLEY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 25 OFFERED BY MS. MCCOLLUM

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Minnesota (Ms. MCCOLLUM) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 134, noes 290, not voting 10, as follows:

[Roll No. 231]

AYES—134

Alexander
Andrews
Barrow (GA)
Bass
Becerra
Bishop (NY)
Blumenauer
Bonamici
Braley (IA)
Brownley (CA)
Buchanan
Camp
Capps
Capuano
Cárdenas
Carney
Cartwright
Castor (FL)
Chabot
Cicilline
Clarke
Clay
Cohen
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duncan (TN)
Ellison
Eshoo
Gardner
Gosar
Grayson
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hastings (FL)
Heck (WA)
Herrera Beutler
Higgins
Himes
Holt
Huizenga (MI)
Israel
Jeffries
Johnson (GA)
Keating
Kelly (IL)
Kennedy
Kildee
Kind
Kingston
Kirkpatrick
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maloney, Carolyn
Matheson
McClintock
McCollum
McDermott
McGovern
Meeks
Meng
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Noem
Nolan
Pascrell
Payne
Perlmutter
Peters (MI)
Petri
Pingree (ME)
Pocan
Polis
Quigley
Reichert
Richmond
Roby
Rohrabacher
Rokita
Roybal-Allard
Royce
Ruiz
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Sensenbrenner
Sherman
Sinema
Slaughter
Speier
Tiberi
Tierney
Tipton
Tonko
Tsongas
Van Hollen
Velázquez
Waters
Waxman

NOES—290

Aderholt
Amash
Amodei
Bachus
Barber
Barletta
Barr
Barton
Beatty
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Bucshon
Burgess
Bustos
Butterfield
Calvert
Cantor
Capito
Carson (IN)
Carter
Cassidy
Castro (TX)
Chaffetz
Cleaver
Clyburn
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duckworth
Duffy
Duncan (SC)
Ellmers
Engel
Enyart
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garcia
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Grimm
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Hinojosa
Holding
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Hultgren
Hunter
Hurt
Issa
Jackson Lee
Jenkins
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Kelly (PA)
Kilmer
King (IA)
King (NY)
Kinzinger (IL)
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Lipinski
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Maffei
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy (CA)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Napolitano
Negrete McLeod
Neugebauer
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perry
Peters (CA)
Peterson
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Price (NC)
Radel
Rahall
Rangel
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Titus
Turner
Upton
Valadao
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Watt
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Bachmann
Campbell
Chu
Edwards
Fudge
Markey
McCarthy (NY)
Neal
Poe (TX)
Shea-Porter

□ 1156

Mr. CÁRDENAS changed his vote from ''no'' to ''aye.''

Mr. MAFFEI changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 32 OFFERED BY MR. NOLAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. NOLAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 71, noes 353, not voting 10, as follows:

[Roll No. 232]

AYES—71

Amash
Blumenauer
Bonamici
Braley (IA)
Capuano
Clarke
Clay
Cohen
Conyers
Cooper
Cummings
DeFazio
DeGette
Doyle
Duncan (TN)
Ellison
Eshoo
Farr
Fattah
Grayson
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hastings (FL)
Higgins
Hinojosa
Holt
Honda
Huffman
Jackson Lee
Lee (CA)
Lofgren
Lowenthal
Lummis
Maffei
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
Michaud
Miller, George
Moore
Nadler
Nolan
Pallone
Pascrell
Pastor (AZ)
Payne
Pingree (ME)
Pocan
Polis
Quigley
Rush
Sánchez, Linda T.
Sarbanes
Schakowsky
Schrader
Serrano
Slaughter
Speier
Swalwell (CA)
Thompson (CA)
Tierney
Tonko
Velázquez
Waters
Welch

NOES—353

Aderholt
Alexander
Amodei
Andrews
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot

Chaffetz
Cicilline
Cleaver
Clyburn
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Cook
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Duckworth
Duffy
Duncan (SC)
Ellmers
Engel
Enyart
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Griffin (AR)
Grimm
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Himes
Holding
Horsford
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Napolitano
Negrete McLeod
Neugebauer
Noem
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Paulsen
Pearce
Pelosi
Perlmuter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Price (NC)
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Sanchez, Loretta
Sanford
Scalise
Schiff
Schneider
Schock
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stewart
Stivers
Stockman
Stutzman
Takano
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Watt
Waxman
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Bachmann
Campbell
Chu
Edwards
Fudge
Markey
McCarthy (NY)
Neal
Poe (TX)
Shea-Porter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1200

Mr. ENGEL changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 33 OFFERED BY MR. LARSEN OF WASHINGTON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Mr. LARSEN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 195, noes 229, not voting 10, as follows:

[Roll No. 233]

AYES—195

Amash
Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coffman
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Massie
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—229

Aderholt
Alexander
Amodei
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perlmutter
Perry
Petri
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schneider
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions

Sherman
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Bachmann
Campbell
Chu
Edwards
Fudge
Markey
McCarthy (NY)
Neal
Poe (TX)
Shea-Porter

□ 1204

Mr. PERRY changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 36 OFFERED BY MR. GIBSON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. GIBSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 123, noes 301, not voting 10, as follows:

[Roll No. 234]

AYES—123

Aderholt
Amash
Bilirakis
Braley (IA)
Brooks (AL)
Broun (GA)
Buchanan
Burgess
Capps
Capuano
Carson (IN)
Chaffetz
Cicilline
Clarke
Coffman
Conyers
Davis, Danny
DeFazio
DeLauro
DeSantis
DesJarlais
Dingell
Doggett
Duncan (SC)
Duncan (TN)
Enyart
Eshoo
Fitzpatrick
Fortenberry
Foxx
Garamendi
Gibson
Gosar
Gowdy
Graves (GA)
Grijalva
Gutierrez
Hahn
Hanabusa
Harris
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Hinojosa
Holt
Honda
Huelskamp
Huffman
Huizenga (MI)
Jones
Jordan
Kaptur
Keating
Kind
Labrador
Larson (CT)
Lee (CA)
Lipinski
Loebsack
Lowenthal
Lummis
Lynch
Maffei
Massie
Matsui
McClintock
McGovern
McHenry
Meadows
Michaud
Miller (MI)
Miller, George
Moore
Moran
Mulvaney
Nolan
O'Rourke
Owens
Pallone
Paulsen
Payne
Pearce
Perry
Petri
Pingree (ME)
Pitts
Pocan
Polis
Posey
Radel
Reed
Ribble
Richmond
Rigell
Roe (TN)
Rohrabacher
Rooney
Ros-Lehtinen
Rothfus
Ruiz
Ruppersberger
Sánchez, Linda T.
Sanford
Schrader
Schweikert
Sensenbrenner
Shimkus
Smith (NJ)
Speier
Stivers
Stutzman
Thompson (CA)
Thompson (PA)
Tiberi
Tierney
Tonko
Tsongas
Walz
Webster (FL)
Welch
Whitfield
Yoho

NOES—301

Alexander
Amodei
Andrews
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Bridenstine
Brooks (IN)
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Cárdenas
Carney
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Rodney
DeGette
Delaney
DelBene
Denham
Dent
Deutch
Diaz-Balart
Doyle
Duckworth
Duffy
Ellison
Ellmers
Engel
Esty
Farenthold
Farr
Fattah
Fincher
Fleischmann
Fleming
Flores
Forbes
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Hensarling
Himes
Holding
Horsford
Hoyer
Hudson
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Joyce
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Latham
Latta
Levin
Lewis
LoBiondo
Lofgren
Long
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McCollum
McDermott
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller, Gary
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Negrete McLeod
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pittenger
Pompeo
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reichert
Renacci
Rice (SC)
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Roskam
Ross
Roybal-Allard
Royce
Runyan
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Sherman
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (TX)
Smith (WA)
Southerland
Stewart
Stockman
Swalwell (CA)
Takano
Terry
Thompson (MS)
Thornberry
Tipton
Titus
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Wenstrup
Westmoreland
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Bachmann
Campbell
Chu
Edwards
Fudge
Markey
McCarthy (NY)
Neal
Poe (TX)
Shea-Porter

□ 1209

Ms. SINEMA changed her vote from ''aye'' to ''no.''

Messrs. LABRADOR, McHENRY, GUTIERREZ, and PERRY changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 37 OFFERED BY MR. COFFMAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. COFFMAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 110, noes 313, not voting 11, as follows:

[Roll No. 235]

AYES—110

Amash
Bass
Becerra
Benishek
Blumenauer
Bonamici
Boustany
Braley (IA)
Brownley (CA)
Capuano
Carney
Cassidy
Chabot
Cicilline
Coffman
Cohen
Connolly
Conyers
Cooper
Crowley
DeGette
Delaney
DeLauro
Deutch
Doggett
Doyle
Duncan (SC)
Duncan (TN)
Ellison
Eshoo
Fattah
Gabbard
Garrett
Gibson
Gohmert
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hahn
Higgins
Himes
Holt
Honda
Hoyer
Huffman
Jackson Lee
Jenkins
Jones
Jordan
Keating
Kind
Labrador
Larson (CT)
Lee (CA)
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lummis
Maffei
Maloney, Carolyn
Massie
McClintock
McCollum
McGovern
Meehan
Meng
Michaud
Miller, George
Moore
Moran
Mulvaney
Nadler
Nolan
Pallone
Payne
Peters (MI)
Petri
Pingree (ME)
Pocan
Polis
Quigley
Rahall
Ribble
Rigell
Rohrabacher
Rokita
Ross
Roybal-Allard

Sánchez, Linda T.
Schakowsky
Schrader
Scott (VA)
Serrano
Sherman
Speier
Stivers
Swalwell (CA)
Takano
Thompson (PA)
Tierney
Tonko
Velázquez
Walz
Waters
Waxman
Woodall
Yarmuth

NOES—313

Aderholt
Alexander
Amodei
Andrews
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Beatty
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Cárdenas
Carson (IN)
Carter
Cartwright
Castor (FL)
Castro (TX)
Chaffetz
Clarke
Clay
Cleaver
Clyburn
Coble
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Duckworth
Duffy
Ellmers
Engel
Enyart
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibbs
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Griffin (AR)
Grimm
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hinojosa
Holding
Horsford
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jeffries
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Joyce
Kaptur
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Latham
Latta
Levin
Lewis
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lynch
Maloney, Sean
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCaul
McDermott
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meeks
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Murphy (FL)
Murphy (PA)
Napolitano
Negrete McLeod
Neugebauer
Noem
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peterson
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Price (NC)
Radel
Rangel
Reed
Reichert
Renacci
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Rothfus
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schiff
Schneider
Schock
Schwartz
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stewart
Stockman
Stutzman
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tipton
Titus
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Wasserman Schultz
Watt
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—11

Bachmann
Campbell
Chu
DeFazio
Edwards
Fudge
Markey
McCarthy (NY)
Neal
Poe (TX)
Shea-Porter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1213

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 19 OFFERED BY MRS. WALORSKI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Indiana (Mrs. WALORSKI) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 236, noes 188, not voting 10, as follows:

[Roll No. 236]

AYES—236

Aderholt
Alexander
Amodei
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lance
Lankford
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maloney, Sean
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Peters (MI)
Petri
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOES—188

Amash
Andrews
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Massie
Matsui
McCollum
McDermott
McGovern
McIntyre
Meeks
Meng
Michaud

Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—10

Bachmann
Campbell
Chu
Edwards
Fudge
Markey
McCarthy (NY)
Neal
Poe (TX)
Shea-Porter

□ 1217

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. LAMBORN. Mr. Chair, on rollcall No. 236 I inadvertently voted "nay" when I intended to Support the Amendment.

AMENDMENT NO. 20 OFFERED BY MR. SMITH OF WASHINGTON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Mr. SMITH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 174, noes 249, not voting 11, as follows:

[Roll No. 237]

AYES—174

Amash
Andrews
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Duncan (TN)
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Frankel (FL)
Gabbard
Garamendi
Grayson
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Nadler
Napolitano
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—249

Aderholt
Alexander
Amodei
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallego
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maffei
Maloney, Sean
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peters (MI)
Petri
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ryan (WI)
Salmon
Sanchez, Loretta
Sanford
Scalise
Schneider
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—11

Bachmann
Campbell
Chu
Edwards
Fudge
Kuster
Markey
McCarthy (NY)
Neal
Poe (TX)
Shea-Porter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining on this vote.

□ 1220

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. KUSTER. Mr. Chair, on rollcall No. 237, had I been present, I would have voted "yes."

AMENDMENT NO. 14 OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 150, noes 274, not voting 10, as follows:

[Roll No. 238]

AYES—150

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Carney
Carson (IN)
Cartwright
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dingell
Doggett
Doyle
Duckworth
Ellison
Engel

Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Green, Al
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Higgins
Himes
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson, E. B.
Kelly (IL)
Kennedy
Kildee
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
Meeks
Meng
Miller, George
Moore
Moran
Nadler
Napolitano
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Peters (CA)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz
Wasserman Schultz
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—274

Aderholt
Alexander
Amash
Amodei
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Capuano
Cárdenas
Carter
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Enyart
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (PA)
Kilmer
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lynch
Maffei
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perlmutter
Perry
Peters (MI)
Peterson
Petri
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ruppersberger
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vargas
Veasey
Vela
Wagner
Walberg
Walden
Walorski
Waters
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Bachmann
Campbell
Chu
Edwards
Fudge
Markey
McCarthy (NY)
Neal
Poe (TX)
Shea-Porter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining on this vote.

□ 1223

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 23 OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 146, noes 278, not voting 10, as follows:

[Roll No. 239]

AYES—146

Amash
Andrews
Bass
Beatty
Becerra
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Bustos
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Duncan (TN)
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Huffman
Israel
Jeffries
Johnson, E. B.
Keating
Kelly (IL)
Kennedy
Kilmer
Kind
Kuster
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Matheson
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller, George
Moore
Moran
Mulvaney
Nadler
Napolitano
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Payne
Perlmutter
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Roybal-Allard
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Slaughter
Speier
Takano
Thompson (CA)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Velázquez
Walz
Watt
Welch
Wilson (FL)
Yarmuth

NOES—278

Aderholt
Alexander
Amodei
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Butterfield
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Delaney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Ellmers
Enyart
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Horsford
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Kelly (PA)
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Latham
Latta
Lipinski
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Maffei
Maloney, Sean
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers

Meadows
Meehan
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Wasserman Schultz
Waters
Waxman
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Bachmann
Campbell
Chu
Edwards
Fudge
Markey
McCarthy (NY)
Neal
Poe (TX)
Shea-Porter

□ 1227

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 39 OFFERED BY MR. VAN HOLLEN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. VAN HOLLEN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 191, noes 232, not voting 11, as follows:

[Roll No. 240]

AYES—191

Amash
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Castor (FL)
Castro (TX)
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Duncan (TN)
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Garamendi
Garcia
Garrett
Grayson
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huelskamp
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Jordan
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kuster
Labrador
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Massie
Matheson
Matsui
McClintock
McCollum
McDermott
McGovern
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Mulvaney
Murphy (FL)
Nadler
Napolitano
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Petri
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Ribble
Richmond
Rohrabacher
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stutzman
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Veasey
Vela
Velázquez
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woodall
Yarmuth
Yoho

NOES—232

Aderholt
Alexander
Amodei
Andrews
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Bustos
Calvert
Camp
Cantor
Capito
Carter
Cartwright
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Maloney, Sean
Marchant
Marino
McCarthy (CA)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ryan (WI)
Salmon
Scalise
Schneider
Schock
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Takano
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Turner
Upton
Valadao
Visclosky
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—11

Bachmann
Campbell
Chu
Edwards
Fudge
Markey
McCarthy (NY)
Neal
Poe (TX)
Shea-Porter
Vargas

□ 1230

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 123 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 420, noes 3, not voting 11, as follows:

[Roll No. 241]

AYES—420

Aderholt
Alexander
Amash
Amodei
Andrews
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)

Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Polis
Pompeo
Posey
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOES—3

Duncan (TN) Peterson Price (GA)

NOT VOTING—11

Bachmann Edwards Neal
Campbell Fudge Poe (TX)
Chu Markey Shea-Porter
Coffman McCarthy (NY)

□ 1234

Mr. COLLINS of Georgia changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 137 OFFERED BY MS. DELAURO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 423, noes 0, not voting 11, as follows:

[Roll No. 242]

AYES—423

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

Rogers (AL)	Serrano	Valadao
Rogers (KY)	Sessions	Van Hollen
Rogers (MI)	Sewell (AL)	Vargas
Rohrabacher	Sherman	Veasey
Rokita	Shimkus	Vela
Rooney	Shuster	Velázquez
Ros-Lehtinen	Simpson	Visclosky
Roskam	Sinema	Wagner
Ross	Sires	Walberg
Rothfus	Slaughter	Walden
Roybal-Allard	Smith (MO)	Walorski
Royce	Smith (NE)	Walz
Ruiz	Smith (NJ)	Wasserman Schultz
Runyan	Smith (TX)	
Ruppersberger	Smith (WA)	Waters
Rush	Southerland	Watt
Ryan (OH)	Speier	Waxman
Ryan (WI)	Stewart	Weber (TX)
Salmon	Stivers	Webster (FL)
Sánchez, Linda T.	Stockman	Welch
	Stutzman	Wenstrup
Sanchez, Loretta	Swalwell (CA)	Westmoreland
Sanford	Takano	Whitfield
Sarbanes	Terry	Williams
Scalise	Thompson (CA)	Wilson (FL)
Schakowsky	Thompson (MS)	Wilson (SC)
Schiff	Thompson (PA)	Wittman
Schneider	Thornberry	Wolf
Schock	Tiberi	Womack
Schrader	Tierney	Woodall
Schwartz	Tipton	Yarmuth
Schweikert	Titus	Yoder
Scott (VA)	Tonko	Yoho
Scott, Austin	Tsongas	Young (AK)
Scott, David	Turner	Young (FL)
Sensenbrenner	Upton	Young (IN)

NOT VOTING—11

Bachmann	Edwards	Neal
Campbell	Fudge	Poe (TX)
Chu	Markey	Shea-Porter
Coffman	McCarthy (NY)	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1237

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. COFFMAN. Mr. Chair, on rollcall Nos. 241 and 242, I was unavoidably detained.

Had I been present, I would have voted "yes."

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

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. CAPITO) having assumed the chair, Mr. COLLINS of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, and, pursuant to House Resolution 260, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

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

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

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

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

□ 1240

MOTION TO RECOMMIT

Ms. DUCKWORTH. Madam Speaker, I have a motion to recommit at the desk.

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

Ms. DUCKWORTH. I am opposed in its current form.

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

The Clerk read as follows:

At the end of subtitle D of title V, add the following new section:

SEC. 5___. CONVENING AUTHORITY RELIANCE ON OFFICE OF THE CHIEF PROSECUTOR RECOMMENDATION TO PROCEED TO TRIAL OF ANY CHARGE INVOLVING SEXUAL ASSAULT OR OTHER SEX-RELATED OFFENSE.

(a) IN GENERAL.—Section 834 of title 10, United States Code (article 34 of the Uniform Code of Military Justice) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after the subsection (b) the following new subsection (c):

''(c)(1) In the case of any charge involving sexual assault or other sex-related offense covered by section 920, 920a, 920b, or 920c of this title (article 120, 120a, 120b, or 120c of the Uniform Code of Military Justice), the convening authority shall also refer the charge to the Office of the Chief Prosecutor of the armed force of which the accused is a member for additional consideration and advice unless the victim (or the parent or legal guardian of the victim if the victim is a minor) of such offense elects that such charge only be referred to the staff judge advocate pursuant to subsection (a).

''(2) If the Office of the Chief Prosecutor is referred a charge covered by paragraph (1) and recommends that the charge be referred to trial, the recommendation shall be binding on the convening authority and the convening authority shall promptly direct a trial of the charge.''.

(b) APPOINTMENT OF CHIEF PROSECUTOR.—For any Armed Force for which the position of Chief Prosecutor does not exist before the date of the enactment of this Act, the Judge Advocate General of that Armed Force shall establish the position of Chief Prosecutor and appoint as the Chief Prosecutor a commissioned officer in the grade of O–6 or above who has significant experience prosecuting sexual assault trials by court-martial.

Mrs. WALORSKI (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

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

Ms. DUCKWORTH. Madam Speaker, the willingness of our troops to place the Nation first is why the scourge of sexual harassment and assault in the military is so horrific. Just a single case is unacceptable. This is a self-inflicted wound that has no place in the greatest military in the world.

I love the military with every bone in my body. The lessons I learned as an army officer, the camaraderie I experienced are at the core of who I am, just as it is for my brothers and sisters in arms. That is why I am personally devastated to see how many predators continue to abuse and attack one of our own.

The military is a place of great discipline, technical proficiency, and personal sacrifice for the greater good. It is a place where young men and women grow and thrive, developing as great leaders and team members. This is the case for so many of them. However, for some, the military has now become a place of fear and intimidation.

The services have made significant efforts to try to stamp out sexual harassment and assault, but there are still unacceptable failures in these efforts. With each new piece of data on the rates of sexual assault and on the lack of command responsibility by many in dealing with military sexual trauma, I have gradually come to the conclusion that we need another path to protect the victims.

This amendment adds a new course of action for victims to pursue should they choose it. It empowers them at a time when they feel most powerless with a new option that is outside the chain of command with an independent investigation and prosecution system.

I place the highest priority on the importance of a commander's authority to lead and discipline the men and women under his or her command. However, in the case of sexual crimes, there continues to be failures in the existing processes for investigations and punishments within that chain. That is why we must empower victims with an additional choice so that they can seek justice.

There are many, many good commanders. My own experience has been a positive one with all of my commanders, all of whom were men, being protective of all of their soldiers and doing the right thing. Yet the data shows that there are enough predators and failed commanders that we need to take care of this now. This solution supports command authority but also, importantly, empowers victims by giving them one more option.

The men and women in our Armed Forces are why we live freely in the greatest country in the world. When our warriors face combat, they must be able to focus completely and single-mindedly on the mission at hand. They cannot do this if they are threatened with sexual assault.

When our Nation's parents are approached by their brave young son or daughter who is looking to join the military, these moms and dads need to know without a doubt that their child will be cared for, that they will become disciplined, well-trained leaders. They should not have to fear that their child will become a rape victim.

The military is a place of honor, one where our troops serve with great pride. This amendment is a balanced approach that honors our military by providing the victim with a choice on how to seek justice.

Madam Speaker, at this time, I yield the balance of my time to the gentlelady from California, who's been a leader in victims' rights, Ms. SPEIER.

Ms. SPEIER. I thank the heroic lady from Illinois, and I think, for all of us, hearing your words are profound.

What we are seeing here is, not only are there physical wounds, there are emotional wounds. So many of my colleagues on both sides of the aisle have shared with me the stories of victims who have been raped and sexually assaulted—the fear, the pain, the tears—and they all, to the woman and to the man, have said how powerless they feel.

This particular amendment will give them a little leverage. This amendment is going to give them a choice. This amendment respects the chain of command. This amendment gives them the opportunity to use the chain of command or to seek to go to the chief prosecutor in each of the services to seek an investigation and an evaluation as to whether or not a prosecution should move forward.

We have an opportunity here to really change the face of this issue, and I urge my colleagues to join in supporting this amendment.

Mrs. WALORSKI. Madam Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentlewoman from Indiana is recognized for 5 minutes.

Mrs. WALORSKI. Ladies and gentlemen, colleagues, we worked for months on bipartisan legislation to confront this problem. The time for this Congress to act on this issue is right now. I ask you to support the bipartisan solution in this bill, reject the procedural motion to recommit, and I yield back the balance of my time.

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

There was no objection.

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

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

RECORDED VOTE

Ms. DUCKWORTH. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 194, noes 225, answered ''present'' 1, not voting 14, as follows:

[Roll No. 243]

AYES—194

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

NOES—225

Aderholt
Alexander
Amash
Amodei
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

ANSWERED ''PRESENT''—1

Sanchez, Loretta

NOT VOTING—14

Bachmann
Bachus
Campbell
Chu
Edwards
Fudge
Gohmert
Gutierrez
Issa
Markey
McCarthy (NY)
Neal
Poe (TX)
Shea-Porter

□ 1254

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. MCKEON. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 315, noes 108, not voting 11, as follows:

[Roll No. 244]

AYES—315

Aderholt
Alexander
Amodei
Andrews
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Beatty
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Calvert
Camp
Cantor
Capito
Cárdenas
Carney
Carter
Cartwright
Cassidy
Castro (TX)
Chabot
Chaffetz
Clay
Cleaver
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Cook
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Rodney
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Doggett
Duckworth
Duffy
Ellmers
Enyart
Esty
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Griffin (AR)
Grimm
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Holding
Horsford
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Kelly (IL)
Kelly (PA)
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Lipinski
LoBiondo
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McDermott
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Murphy (FL)
Murphy (PA)
Negrete McLeod
Neugebauer
Noem
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pascrell
Paulsen
Pearce
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Price (NC)
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Sanchez, Loretta
Sanford
Scalise
Schneider
Schock
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stewart
Stivers
Stutzman
Takano
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Waters
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—108

Amash
Bass
Becerra
Blumenauer
Bonamici
Butterfield
Capps
Capuano
Carson (IN)
Castor (FL)
Cicilline
Clarke
Clyburn
Cohen
Conyers
Cooper
Crowley
Davis, Danny
DeFazio
DeGette
Deutch
Doyle
Duncan (SC)
Duncan (TN)
Ellison
Engel
Eshoo
Farr
Fattah
Gibson
Gohmert
Gosar
Grayson
Griffith (VA)
Grijalva
Gutierrez
Hahn
Hastings (FL)
Hinojosa
Holt
Honda
Huffman
Keating
Kennedy
Kildee
Labrador
Lee (CA)
Levin
Lewis
Lofgren
Lowenthal
Lummis
Lynch
Massie
Matsui
McClintock
McCollum
McGovern
Meeks
Meng
Miller, George
Moore
Moran
Mulvaney
Nadler
Napolitano
Nolan
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Pingree (ME)
Pocan
Polis
Quigley
Radel
Rangel
Richmond
Rohrabacher
Roybal-Allard
Rush
Salmon
Sánchez, Linda T.
Sarbanes
Schakowsky
Schiff
Schrader
Schweikert
Serrano
Sires
Slaughter
Speier
Stockman
Swalwell (CA)
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Van Hollen
Velázquez
Wasserman Schultz
Watt
Waxman
Welch
Wilson (FL)
Yarmuth
Yoho

NOT VOTING—11

Bachmann
Campbell
Chu
Edwards
Fudge
Green, Gene
Markey
McCarthy (NY)
Neal
Poe (TX)
Shea-Porter

□ 1307

Mrs. LUMMIS changed her vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.''.

A motion to reconsider was laid on the table.

Stated for:

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall No. 244 final passage, had I been present, I would have voted ''yes.''

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1960, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 1960, to include corrections in spelling, punctuation, section numbering and cross-referencing, and the insertion of appropriate headings.

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

There was no objection.

□ 1310

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I am pleased to yield to my friend the majority leader, Mr. CANTOR from Virginia, for the purpose of inquiring of the schedule for the week to come.

Mr. CANTOR. Mr. Speaker, I thank the gentleman from Maryland, the Democratic whip, for yielding.

Last week, Mr. Speaker, the gentleman from Maryland was kind enough to note and celebrate my birthday with a colloquy, and luckily, I get to return the favor today. So, Mr. Speaker, I would like to say happy birthday to my friend, Mr. HOYER, and wish him many, many more birthdays.

Mr. HOYER. Reclaiming my time, I want to thank the gentleman for his kindness. The American public must be thinking Geminis are, indeed, schizophrenic. I thank my friend.

Mr. CANTOR. Mr. Speaker, on Monday, the House will meet at noon for morning hour and 2 p.m. for legislative business. Votes will be postponed until 6:30 p.m. On Tuesday and Wednesday, the House will meet at 10 a.m. for morning hour and noon for legislative business. On Thursday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m. On Friday, no votes are expected.

Mr. Speaker, the House will consider a few suspensions next week, a complete list of which will be announced by close of business today. In addition, the House will consider H.R. 1797, the Pain Capable Unborn Child Protection Act. I also expect the House to consider H.R. 1947, the Federal Agricultural Reform and Risk Management Act. Chairman FRANK LUCAS and the members of the Agriculture Committee have worked very hard to produce a 5-year farm bill with strong reforms, and I look forward to a full debate on the floor.

I thank the gentleman and wish him a happy birthday again.

Mr. HOYER. I thank the gentleman for his good wishes. I thank him for the information. If I can ask him a question initially about the farm bill, which has obviously been very controversial in the past, still remains controversial in many ways, and I'm wondering, in light of the fact that the Senate passed a farm bill in a pretty bipartisan way, 66–27, with 18 Republicans voting in favor, but I know the Speaker has observed the divisions within the Republican Conference, and obviously there are some divisions within our caucus as well, and I'm wondering whether or not in fact the gentleman is confident that we will get to completion and a vote on the farm bill next week.

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman, and I would respond by saying that it's certainly our intention to complete deliberation on the farm bill. The Speaker has continued to commit himself and our conference to an open process for this House, and I look forward to a robust debate on what, as the gentleman knows, has been a bipartisan effort at the committee.

Mr. HOYER. I thank the gentleman for his comment. As the gentleman knows, on our side of the aisle, there is very significant concern about the status of the Supplemental Nutrition Assistance Program, and I would hope that as a rule is considered on that bill, I don't know whether the gentleman knows at this point in time, that we would have an opportunity to have a significant number of amendments on that bill to reflect the House working its will, as the Speaker has so often observed, and I yield to my friend for whatever information he may have. I know that the rule has not been written, and I don't know whether he has any insights on how much flexibility there will be on the rule.

I yield to my friend.

Mr. CANTOR. I would respond by saying that I do think there is a commitment to genuine and robust debate on all sides. And hopefully, without speaking to details because, as the gentleman knows, the Rules Committee has not met, that would include all subject matter in the bill.

Mr. HOYER. I thank the gentleman for that and look forward to that because I know on both sides of the aisle, this is a bill that has strong feelings among different perspectives on this bill and with respect to different subjects. And so I think as open a rule process and debate process as is possible will be helpful to the final product. I would hope that we can follow that.

Mr. Leader, you mentioned the Unborn Pain bill. I understand and I have some information that says that the text of that bill coming out of committee may be modified in the Rules Committee. Is the gentleman aware of that? And if so, is the gentleman aware of what textual change there may be from the bill that was reported out of the committee?

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman.

There has been a lot of discussion that I have been receiving, comments, input from Members, and we're looking at weighing those suggestions and inputs as to how the Rules Committee will deliberate in terms of the rule and how the bill comes to the floor.

Mr. HOYER. I thank the gentleman. His comment reflects what I've heard. There is a lot of discussion going on about this. Hopefully we would get significant notice of what changes there might be. Can the gentleman tell me, would it be safe to assume that this bill will be considered, when and if considered, no earlier than Wednesday, and will be considered Wednesday and Thursday? And I say that, I will tell you, some of my Members who are very concerned about this bill are very concerned about when it might be brought up, the timing from their perspectives. This is a very serious piece of legislation, as the gentleman knows, again from all perspectives, and I would hope that this bill would be, in light of the fact that the Rules Committee will probably deal with it—I'm not sure whether they'll deal with it on Tuesday; my presumption is they'll deal with it on Tuesday—but there will be time for proponents and opponents of whatever changes might be recommended to prepare their arguments for the floor.

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman for yielding, and would respond by saying, as has been the custom in this Congress and last, we will continue to abide by the 3-day notice, and I do think there will be adequate time for review by parties on all sides.

Mr. HOYER. I thank the gentleman for that answer, and I thank him for the fact that you will be following the notice rule that has been discussed. I would ask the majority leader, could I be confident in advising people who are very focused on this bill, that if they are here Wednesday, that they will be in time to consider that bill? In other words, do you expect that the Rules Committee would consider this bill before tonight?

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I do think that the posting of the bill will occur shortly. And I also would tell the gentleman to expect the vote sooner than Wednesday, perhaps on Tuesday. As the gentleman indicated before by his question on the farm bill, that may take up a considerable amount of time and debate. So I would just respond in that way.

Mr. HOYER. I thank the gentleman for his answer. So that in an abundance of caution, proponents or opponents would need to be here by Tuesday. I thank him for that answer.

Let me ask an additional thing that is similar to my question on the farm bill. We are very, very hopeful that the bill we have just been discussing, whether it's considered Tuesday, Wednesday or Thursday, is subject to a somewhat open rule. I don't expect it to be fully open, but that amendments will be made in order. There are very strong feelings on both sides. That's why the gentleman has indicated there's a lot of discussion going on on his side and on my side. I would hope that we have the ability again for the House to work its will and that we would have the ability to offer such amendments as would be relevant, and important amendments, not specious amendments but very important amendments, to be considered by the House, and I yield to my friend.

□ 1320

Mr. CANTOR. I thank the gentleman again.

It has always been the commitment on the part of the Speaker and the majority to try and accommodate the need for open debate on issues of contention especially; and not speaking for the Rules Committee, I do think that we'll continue to see that tradition in the House being followed. Again, I thank the gentleman for raising the concern.

Mr. HOYER. I thank the gentleman, and I feel constrained to add, however, on the defense bill that we just considered, yes, it was bipartisan to the extent that both sides agreed on a formulation on the sexual assault issue within the military.

Very frankly, there were two very substantive, widely supported, widely discussed amendments that were requested, one by Ms. SPEIER from California and one by Ms. GABBARD from Hawaii. Neither one of those was made an amendment so that the only alternative that we had available to us was the committee agreed-upon alternative with respect to sexual assault complaints that women in the military or men in the military might have.

Then a very substantive and, I thought, well-thought out motion to recommit, which was deemed by the individual on your side of the aisle who opposed it, in an almost cursory fashion, less than, I think, 120 seconds, dismissed as a procedural motion.

With all due respect to the majority leader, and it was not the majority leader, obviously, it was anything but a procedural motion. It was a very substantive motion. It would have, in my opinion—of course we can differ on that, but my opinion, would have made a very positive improvement in the piece of legislation we were considering.

Now, I voted for the piece of legislation, the defense bill. I've never voted

against a defense authorization in my career here. The national security of our Nation is critically important.

But we had somebody offer that amendment who served in the military, who gave two of her legs for our country, and who has been honored for her service, both in the military, as an officer, a helicopter pilot, and for her service to veterans, both in Illinois and in our country. And very frankly, that was rejected as a procedural motion.

I understand the gentleman's representation that we follow the tradition of giving a full and fair—but if, I say, with all due respect to the majority leader, if the motions to recommit are to be considered simply as procedural motions, which the gentleman will observe we did not do when we were in the majority, we understand, and some of our Members understood, that these amendments made a difference.

And once we got rid of the procedural impediment that a motion to recommit would send the bill back to committee, which is no longer the case, then we should consider very legitimate alternatives on a substantive basis, not the procedural objections that we were confronted with today.

I say that all to say this is a critically important bill, very strong feelings on all sides, and I would—the gentleman has said this, and I take him at his word, that we allow alternatives to be considered on this floor as amendments that are not perceived as procedural, but are perceived as substantive attempts to improve, from the offerer of the amendment's perspective, the piece of legislation before us.

If the gentleman wants to make any additional comments, I'll yield.

Mr. CANTOR. Mr. Speaker, I thank the gentleman.

Just very quickly I would respond by saying that the gentleman is correct. There has been a lot of debate around the issue that he refers to. There was considerable debate in the HASC committee, and the HASC committee, House Armed Services, came up with a bipartisan approach to the sexual assault issue, and it was inserted into the base bill. And, in fact, it is consistent with President Obama's view and the Pentagon's view on this issue.

So I understand that the gentleman may differ, but it was certainly a bipartisan product that was in the bill. And I hear the gentleman in terms of procedure and perhaps a characterization of a vote; but I do think, at the end, the minority was afforded the motion to recommit.

And the characterization that we believe is a procedural vote, the gentleman takes another view. I understand that the subject matter was the same as these amendments, and these amendments that were not brought forward on the floor were heavily discussed in committee, resolved on a bipartisan basis.

So, again, I understand the gentleman's point and look forward to continuing to do all we can to safeguard the women in our military, and to make sure that we protect all American citizens, which I do think this bipartisan resolution of the issue will do.

Mr. HOYER. I thank the gentleman for his comments. I understand that you do view the motion to recommit as procedural. We disagree on that.

The motion would make a substantive difference in the piece of legislation. It would have set up a different scenario. To that extent, it was clearly substantive and not procedural; and it would have, I think, comported with, from many on our side's perspective, a better process to protect women and men from arbitrary and perhaps, at some point in time, unfair treatment and would give them a choice of what avenue they would pursue to protect themselves.

And as Ms. DUCKWORTH, Captain DUCKWORTH, Congresswoman DUCKWORTH so aptly stated, would give more confidence, particularly to women, but men and women entering into the service that they would be protected.

We don't need to debate the substance of the issue, simply to say that giving us the alternative, and the MTR gave us the alternative, but it was not considered, on your side, as a substantive alternative.

Therefore, my point being, on the bill that we're talking about, the Pain Bill, referred to shorthand as the Pain Bill, that we be given substantive amendments that are not perceived as procedural, so that the House, not 20 percent of the House—the Armed Services Committee is less than 20 percent of the House—not the Armed Services Committee, or any committee, for that matter, dispose of the issue and preclude the other 80 percent of us from participating in making that decision.

So I would urge my friend to urge the Rules Committee and the leadership, of which the gentleman is a principal leader, to allow substantive amendments, good-faith amendments to be made in order.

Two more things if I can, unless the gentleman wants to say something further. Let me say something on immigration reform. PAUL RYAN, leader on your side, a Vice Presidential candidate, said of the bipartisan effort in the Senate on immigration, he said, ''I do support what they're doing. I think they've put out a good product. It's good policy.'' That was reported on June 6 of this year in The Hill newspaper.

Immigration, obviously, nor did I expect it to be on the list for next week. But I want to ask the gentleman—in light of the fact that comprehensive immigration reform, by many on both sides of the aisle, including Mr. RYAN, but obviously in a bipartisan way in the United States Senate, has been something that's been viewed as a priority item—can the gentleman tell me whether or not there is a near-term, and by ''near-term,'' I mean prior to the August break, expectation that we will have any movement in this House on immigration reform?

I yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman and would say that the Judiciary Committee, under the leadership of Chairman GOODLATTE, is very, very involved in the discussion around these issues and is intending to address and begin to address the issue of immigration this month. And certainly my hope is that we, in this House, can see a full debate on the floor throughout the committee process and to make sure that we can address what is a very broken immigration system.

And I know that the gentleman shares with me the commitment to try and do all we can to reflect the notion of trying to address a broken system.

Mr. HOYER. I thank the gentleman for those comments, and I look forward to us doing that and, hopefully, doing so in a bipartisan fashion because he and I both agree that the system is broken, needs to be fixed.

And my view, and I think the view of many, and certainly the Senators who came together and offered the bill that's now being considered on the Senate floor, believe that a comprehensive plan was the best answer. And I agree with that.

Lastly, if I can ask the majority leader, the student loan program, which has capped interest on student loans at 3.4 percent, expires the end of this month, and therefore we're weeks away from having a substantial increase, a doubling of student loan costs.

□ 1330

The President has a proposal. We passed a proposal through this House, as you know, Mr. Leader. Both of those proposals were defeated on the Senate floor for lack of 60 votes. The Senate alternative, which Mr. BISHOP has now introduced, got 51 votes, but neither of them got 60 votes.

Can the gentleman tell me whether or not—it's not on the calendar for next week—there's any plan to address the issue, beyond what we've already done and which has been rejected in the Senate, to ensure that students do not see a doubling of interest rates in the near future?

And I yield to my friend.

Mr. CANTOR. Mr. Speaker, I thank the gentleman and would say that, yes, there is a commitment to try to make sure that there is not a doubling of the interest rate to students who would look to incurring debt to go to school.

As the gentleman correctly knows, Mr. Speaker, this House is the only body that has passed a bill to provide for protecting these students against

such a rate increase. In fact, the bill that passed the House, as the gentleman knows, was a bill that allows for rates to go into a variable mode, to assure that any increase that would occur is not that increase in the statute, but long term could protect students as well from that kind of a hit.

Now, I've talked to several members of the administration. Our chairman, JOHN KLINE, has been in contact, I know, with the Secretary, as well as others, in trying to resolve this issue. Discussions are ongoing. It is my hope, I would tell the gentleman, Mr. Speaker, that we can resolve this issue so that perspective students can be assured that their rates would not double. But it is the House who has provided the pathway and the roadmap to ensure that happens. And we're trying to work with the administration, since the Senate has been unable to act, to avoid this from happening.

Mr. HOYER. I thank the gentleman for his comments.

Mr. Speaker, I'm sure you know—and I'm sure the American public knows as well, Mr. Speaker—the reason the Senate hasn't acted is because, although they have a majority for an alternative, frankly, they can't get cloture. They can't get 60 votes. Frankly, Mr. REID doesn't have 60 votes in order to move legislation.

So, while it's well and good to say that we have acted, we have acted on a vehicle that the Senate has rejected. And they've rejected our alternative as well. They didn't reject it by a majority vote. A majority voted for our alternative. Frankly, the House would not be able to act if 60 percent of the House were necessary to pass something, and the majority leader and I both know that. We would be in gridlock. Frankly, I think it's unfortunate the Senate has a rule which allows a minority to control. I think that's not good for the country, I think it's not good for democracy, and I think it is not good for policy. I think that's demonstrable and, unfortunately, being experienced by the American people.

But I would hope that within the next 2 weeks, or 8 legislative days that we have left, that the gentleman's efforts will bear fruit and that we can do something—not that we'll beat ourselves on the chest and say the House acted.

That's the problem with the sequester. The House acted in the last Congress, and we're not acting now because a bill that's dead and gone and cannot be resurrected was passed in the last Congress as a pretense of—not a pretense. It was real at the time, but now claiming that that is the reason we're not acting on the sequester. Hopefully, that will not be the reason we do not act on the student loan.

I thank the gentleman for his efforts at wanting to get us to a compromise which will assure that students do not see, on July 1, an increase in their interest rates.

Unless the gentleman wants to make additional comments, I will yield back the balance of my time.

ADJOURNMENT TO MONDAY, JUNE 17, 2013

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next, when it shall convene at noon for morning-hour debate and 2 p.m. for legislative business.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that the correct tally on rollcall vote No. 231 was 134 ''ayes'' and 290 ''noes.''

KENTUCKY BOURBON INDUSTRY

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

Mr. BARR. Mr. Speaker, in honor of National Bourbon Day, I rise to celebrate Kentucky's signature spirit.

Kentucky's signature bourbon industry has enjoyed significant growth domestically and abroad, creating billions of dollars in economic activity and over 9,000 jobs, including thousands in the legendary distilleries along the Kentucky Bourbon Trail.

Unlike vodka or gin, bourbon is required by law to be stored for at least 2 years in charred white oak barrels. However, bourbon distillers are unable to deduct their expenses during that unique aging process, placing them at a competitive disadvantage in the global marketplace.

This week, I introduced a bipartisan Aged Distilled Spirits Competitiveness Act, which would amend the Tax Code to fix this inequality and help level the playing field for Kentucky's signature bourbon industry.

American products can successfully compete with any in the world. This House is working overtime to enact policies that will promote American competitiveness, remove barriers to job creation, and spur this Nation's economy. I am confident that, with the right tax policy, we will produce even more growth and job creation for the people of Kentucky.

STOP THE MEDDLING IN DISTRICT OF COLUMBIA

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

Ms. NORTON. Mr. Speaker, Representative PHIL GINGREY of Georgia filed a National Defense Authorization bill amendment that was included in en bloc amendments expressing the sense of the Congress that Active Duty military personnel in their private capacity should be exempt from the gun laws of the District of Columbia, but not those of any other State or locality. This antidemocratic amendment continues a pattern of Republican assault on D.C.'s local rights and gun safety laws. But we have shown we know how to fight back. We defeated the Gingrey amendment last Congress, and we will work with our Senate allies to defeat it again.

Today, after Newtown, when there have been serious attempts to toughen gun laws across the country and even here in the Congress, the Gingrey amendment goes in the opposite direction and attempts to use Active Duty personnel to further his own gun agenda.

Rather than addressing the needs of his own Georgia constituents, PHIL GINGREY is spending his time meddling in a district more than 600 miles away from his. If there were a problem involving guns and our Active Duty military, he would not target only the District of Columbia.

The District will not be used to further the agenda of Members of Congress unaccountable to our residents. We particularly resent being used as fodder by a Member in his campaign for the Senate.

A TRIBUTE TO BEN GETTLER

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

Mr. WENSTRUP. Mr. Speaker, I had the good fortune of getting to know Ben Gettler during years of pickup basketball games with him.

Ben's philosophy about basketball wasn't too different from his philosophy about life: age is no reason to slow down. Ben was still running a business and two charitable foundations up to his final days with us. He passed away on June 4 at age 87.

Ben grew up during a tumultuous time in our world's history. The experiences of his era imprinted upon him the importance of his heritage and shaped his philanthropic pursuits.

As the president of the Jewish Foundation of Cincinnati, Ben organized a program that helped more young men and women per capita to travel to Israel than any other city in North America.

Ben also gave back to his alma mater, the University of Cincinnati, by serving as the chairman of the board of trustees. Today, Gettler Stadium at the university stands as a tribute to

Ben and his wife Dee's service to the University, as well as a reminder of his time in college as an outstanding track-and-field athlete.

A grateful city thanks Ben's wife, Dee, and his children for sharing this energetic and passionate man with our community. The city of Cincinnati is truly a better place because of Ben Gettler. He will be missed, but he will never be forgotten.

□ 1340

AMENDMENTS 125 AND 131 TO THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

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

Mr. SCHNEIDER. Mr. Speaker, this week we took up the National Defense Authorization Act, and I was glad to join with my colleagues in working to improve the bill to meet emerging needs. Specifically, I want to thank the committee for the inclusion of two amendments which I authored in regards to Iran and Syria.

The first amendment will clarify what effect international sanctions are having on Iran's military capacity. We know that Iran is currently capable of exporting military technology and resources to its threat network abroad. Our sanctions must continue to press and place pressure on the Iranian regime to limit its global reach. This amendment will provide clarity as to what extent Iran's military capacity is being degraded by U.S. and international sanctions.

The second amendment will put a renewed emphasis on how we approach policy options towards the conflict in Syria. The administration revealed yesterday that chemical weapons have been used by the Assad regime on its own people.

This amendment would urge the President to limit all arms trafficking into Syria from Iran, Lebanon, and Russia. With the escalation of tensions in Syria, this important amendment will provide a necessary condition for addressing future actions in the region.

I again want to thank the committee for adopting these important policy provisions.

HOPE LIVES AT CHILDREN'S HOSPITAL OF PHILADELPHIA

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

Mr. FITZPATRICK. Mr. Speaker, I rise to congratulate the Children's Hospital of Philadelphia, which has earned the number one ranking among the Nation's pediatric hospitals in the latest U.S. News and World Report Honor Roll of Best Children's Hospitals. CHOP programs also were ranked within the top four in each of 10 specialty areas in the U.S. News survey.

This recognition is a milestone for the largest and oldest children's hospital in the world and a credit to the dedication and expertise of the staff, whose mission is defined by the hospital motto: Hope Lives Here.

And hope is what was involved in the recent double lung transplant performed by CHOP physicians on 10-year-old Sarah Murnaghan, whose plight received national attention.

I also acknowledge the patient care provided at the satellite Children's Hospital in Chalfont, Bucks County, an outpatient facility serving the families of Bucks County and eastern Montgomery County. And so I congratulate the entire staff of the Children's Hospital of Philadelphia for this achievement and look forward to your many years of continued service and success.

REPEAL OBAMACARE

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

Mr. STUTZMAN. Mr. Speaker, schools across this country should be focused on educating our children; but, unfortunately, they're struggling because ObamaCare is forcing them to cut hours for part-time workers.

In Indiana, hundreds of part-time workers, including substitute teachers, cafeteria workers, bus drivers, and coaches, will face fewer hours and smaller paychecks. It's not just schools. Back home, many working families tell me more and more employers are making the tough decision to cut back hours, hold back projects, and take a pass on hiring.

This administration sold ObamaCare as a benefit to hardworking, middle class Americans; but it's hurting the very families it was designed to help.

Hoosiers don't need more regulations or mandates. We need real solutions that empower patients instead of crippling schools. Our students deserve the tools they need to succeed, and that isn't possible when Washington puts regulations ahead of achievement.

Teachers, mechanics, grocers, farmers and steel makers, all of them need an exemption from Washington's madness. Let's repeal ObamaCare, and let educators focus on what's really important—our kids.

PLAN B UNRESTRICTED BY FDA

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

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to speak in opposition to the decision on Monday by the FDA to allow Plan B to be offered over the counter to girls at any age. I've been vocal about this issue and will continue to be. On May 20 this year, I co-authored a letter to the Commissioner of the U.S. Food and Drug Administration asking the FDA to reverse its decision. At one point, the President agreed that Plan B should not be used over the counter by girls without a prescription. Now it seems he has changed his mind.

As a result of this FDA ruling, it will be easier for young girls to get Plan B than it will to get a tattoo. Mr. Speaker, this change is an insult to parents and the role they play in their children's lives. I am very disappointed with the FDA's decision to allow Plan B to be offered over the counter without age restriction.

FOREIGN—NOT DOMESTIC—INTELLIGENCE SURVEILLANCE ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Florida (Mr. GRAYSON) is recognized for 60 minutes as the designee of the majority leader.

Mr. GRAYSON. Mr. Chairman, I rise today to discuss shocking revelations reported in the media starting last Wednesday, that is 9 days ago, and continuing for several days afterward, regarding the scope of the NSA's spying program, including both foreigners and Americans.

The NSA is the National Security Agency. Its duty is, as part of DOD, to protect us against foreign attacks, just as DOD itself is supposed to protect us against foreign attacks. And DOD, like the CIA, is on the side of the firewall dealing with foreign threats as opposed to the FBI and the Justice Department who deal with domestic threats.

As of a week ago last Wednesday, the Guardian reported that a particular court order had ordered Verizon, the largest cellular telephone company in America, to turn over its call records for all of its calls—all of its calls.

I have the document from the Guardian's Web site here in front of me. It is a document that is issued as a secondary order by what's known as the FISA Court. That court is the Foreign Intelligence Surveillance Court established under the Foreign Intelligence Surveillance Act.

Let's start with the name of the court, the Foreign Intelligence Surveillance Court. As the name of the act implies, the jurisdiction of the court is limited to foreign surveillance and foreign threats. This is by statute.

The order itself was printed and posted at the Web site. Millions of people have seen it since then. What it purports to be—I say purports to be, but, in fact, the agency involved in the NSA has not denied that this is a valid, real document—it says that the court, having found application of the Federal Bureau of Investigation for an order requiring the production of tangible

things from Verizon—specifically Verizon Business Network Services, et cetera, et cetera—orders that the custodian of records produce—not to the FBI—but to the National Security Agency, a component of the Defense Department, upon service of this order, and continued production on an ongoing, daily basis thereafter for the duration of this order, unless otherwise ordered by the court, an electronic copy of the following tangible things:

□ 1350

Right here. Take a look at it.

These tangible things are identified in the order as follows:

All call detail records or telephony metadata created by Verizon for communications 1) between the United States and abroad—it sounds like it might be international—and then 2) wholly within the United States, including local telephone calls.

On its face, this is an order for Verizon—our largest cellular telephone company—to turn over call records for every single call in its possession. Mr. Chairman, that includes calls by you, it also includes calls by me. In fact, it includes calls by me when I call my mother or my wife or my daughter. For those who are listening on C–SPAN or otherwise, it includes every call by you.

Now, the first question that comes to mind is: Is this just for Verizon? Well, we don't know for sure, at this point, but the NSA has not denied that there are orders similar in extent for MCI, for AT&T, for Sprint, for every telephone company that carries any significant amount of data or calls in this country.

Another question is: How far back does this order go? The order itself is dated on its face April 25, 2013. One of the more interesting things about this order, posted on the Guardian's Web site, is that it has no starting date. Under this order—under the plain terms of this order—Verizon has to go and give the Federal Government—specifically the Department of Defense, the NSA—all of its call records of all of its calls going back to the beginning of time. And this obligation continues until July 19, 2013, presumably because the order will be renewed at that point upon request of the NSA and the FBI.

Let's be clear about this. This appears to be an order providing that our telephone companies providing service to us turn over call records for every single telephone call, regardless of whether it's international or not.

Now, if somebody had come to me 9 days ago and said to me, Congressman GRAYSON, do you think that the Defense Department is taking records of every telephone call that you make or I make or anyone else makes, I would say, no, I have no reason to believe that. It would shock me if it was true.

Well, it is true and it does shock me. Why should we have our personal telephone records, the records of whom we call, when we speak to them, how long we are talking, why should we have that turned over to the Defense Department? What possible rationale could there be for that?

Well, I'll tell you what I think the rationale might be: because somehow that makes us safer. Well, let me say to the NSA and to the Defense Department, you can rest assured there is no threat to America when I talk to my mother.

Now, what exactly is wrong with this? What's wrong with this, first of all, is that there is a firewall between the Defense Department and the CIA on the one hand, and the FBI and the Department of Justice on the other. One protects us from international threats, the other one protects us from domestic threats. That's been the law in America since the 1870s when Congress enacted and the President signed the Posse Comitatus Act. And this order crushes that distinction. It eliminates it, it obliterates it, it kills it now and forever.

Now, the second thing that is offensive about this court order is that it clearly violates the Fourth Amendment. The Fourth Amendment reads as follows:

> The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue but upon probable cause supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Now, first of all, when the government seizes your phone records, unless you happen to be Osama Bin Laden or someone close to him, there is no reason why the government would believe or have reason to believe probable cause that you've committed a crime or you're going to commit a crime or you have any evidence about someone committing a crime. There's no probable cause here.

Secondly, the Fourth Amendment requires particularity. There's no particularity when the government insists by court order and under threat of further action that Verizon or AT&T or Sprint or anyone else be required to turn over their phone records to the government. There's no particularity.

This really is the essence of the matter. Because if you ask the NSA for justification, they'll say: Well, it's legal. What do you mean it's legal?

Well, according to their published statements, including a statement by their Director last Saturday, they maintain that it's legal because of a single Supreme Court case decided in 1979 that said that the government, specifically local police authorities, could acquire the phone records of one person once. That's the case of Smith v. Maryland in 1979.

Because the Supreme Court says that, at that point, the government could acquire the phone records of one person once, the NSA is maintaining that its entire program is legal and that it can acquire the phone records of everyone, everywhere, forever. That is a farce.

Now, the other document that came to light last Thursday—in other words, 8 days ago as I speak—was a document, again posted at the Guardian's and then later at the Washington Post's Web site. This is a document that is a PowerPoint presentation, which according to the reports was a PowerPoint presentation to analysts working for the NSA. This PowerPoint presentation is labeled ''PRISM/US–984XN Overview,'' or ''the SIGAD Used Most in NSA Reporting.''

What you see to my right is the reproduction of what was posted at the Web site a week ago. First of all, note that there are certain logos at the top of the page:

Gmail, which for those of you who are not familiar, is the largest provider of email services and hosting. It's run by Google.

Facebook. Many of us are familiar with that. I think my children are all too familiar with it and spend an awful lot of time on it. Facebook allows, among other things, private messaging between friends.

Hotmail, which is Microsoft's email server and service.

Yahoo, which performs a variety of functions, including, among other things, hosting a large number of Web pages. And by the way, when you go to their Web page they can tell who you are from your IP address. And also a very widely used email service.

Google. I think Google needs no introduction, but I've already introduced it. Google allows you to do web searches. It, together with Microsoft, has almost 90 percent of the Web search market in the United States. They keep a record of the searches that you make based upon your IP address.

Skype, which is a telephone company that transmits calls electronically over the Internet.

PalTalk. I'm puzzled. I don't know what that one is.

YouTube, which is the largest host of videos in the world, and again, can tell which videos you're looking at by your IP address.

And AOL Mail, which, as it sounds, is the America Online email service.

This document is dated at the bottom April of 2013, meaning last month—or maybe 2 months ago.

Let's take a look inside. One of the pages that's been produced on the Guardian and Washington Post Web site is this:

By way of background, it's been reported that this is part of a longer document. It's 41-pages long. Only 5 pages have been released to the public through the Guardian and through the Washington Post.

□ 1400

So I'm sharing with you the five pages that were released a week ago and are now public. Let's take a look at this one. This one says that the NSA's PRISM program performs the following functions—and bear in mind, this is purported to be a training document given to NSA analysts to explain what they can do in this program.

Who are the current providers to the program?

Microsoft's Hotmail, et cetera, Google, Yahoo!, Facebook, Paltalk, YouTube, Skype, AOL, and Apple.

What are they providing? Specifically, as the document says, What will you—meaning the analyst—receive in collection, collection from surveillance and stored communications?

The document says it varies by provider. We don't know how it varies, but, in general, what you get is the following: email. The NSA gets email from these providers. It gets Video and Voice Chat, videos, photos, stored data, VoIP, which is an electronic version of your actual words when you are speaking on the phone. VoIP stands for ''Voice over Internet Protocol.'' It's your voice. It gets file transfers, video conferencing, notification of target activity, including log-ons—in other words, are you on your computer or not?—et cetera, online social network details, and what is beliedly referred to as ''special requests,'' as if all of that weren't enough already.

You might wonder: How does the government actually get this information? The five pages that are released give us one answer to that question. Let's take a look at that.

If you look at the bottom, the green rectangle, you'll see that it says that PRISM collection is directly from the servers of these U.S. service providers: Microsoft, Yahoo!, Google, Facebook, Paltalk, AOL, Skype, YouTube, and Apple.

Since it's addressed to the trainees at the NSA, to the people who will actually be doing the analysis of this data—and with the injunction on the left which says you should do both—the plain meaning of this is that the NSA apparently has the capability to collect directly from the servers of these service providers the information on the previous page—in other words, our emails, our chats, our videos, our photos, our stored data, our Voice over Internet Protocol, our file transfers, our video conferencing, our log-ins, et cetera, et cetera.

Now, there is an interesting distinction between these two documents:

In the first case, with regard to the court order, the NSA's position is that it's a valid court order, and we regard it as legal. If you don't like it, that's too bad with you. Go change the law—to which I say, fine, I'm going to try to change that law.

With regard to the second document, the situation is a little more ambiguous. What the NSA has said publicly is that the green rectangle is actually not correct. Now, bear in mind, no one has said that this is not an NSA document. No one has said that it's Photoshopped. No one has said that it is anything other than what it purports to be and what it was reported as.

However, the NSA has taken the position that their own document is wrong for reasons that we don't know and that the NSA, in fact, does not have the capability to directly take-collect from the servers of these companies your emails, your Voice over Internet Protocol, your photos, and everything else. They say that they just don't do that. However, we are still waiting for an explanation of how this green rectangle ended up in this document. If it's not true, they need to explain how and why it's not true.

The NSA also says that, for reasons not evident from this document at all, they don't do this for U.S. citizens. Now, that raises a host of questions. You might think that there might be something else in this document that says that, but the NSA hasn't maintained that. In other words, they haven't said, If you look somewhere else in this document, you'll find that we don't do this for U.S. citizens.

Unless you think that this is somehow selective on my part or on anybody else's part, it has been reported that the whistleblower provided this entire document—all, apparently, 41 pages—to The Guardian and to The Washington Post, and they decided on their own to release only these five.

So if there is something that indicates that the NSA is only doing this for Americans, apparently it's not in this document, and we've reached a strange point where people are being trained in the NSA to have the ability to get the emails and the other information on Americans, but somehow we are told later, separately, that that's not correct. In addition to that, the NSA says that there is some process by which they can distinguish between the emails of Americans and the emails of foreigners.

Frankly, that is a technology so advanced to me that it seems like it might be magic. I used to be the president of a telephone company. I have literally no idea how I could distinguish between the email accounts of an American and a foreigner. I don't know how to do it. Maybe they can tell us how they do it if they're doing it at all. That's the real question: if they're doing it at all. I don't know how they could possibly say this email account is for a foreigner, and this email account is for an American. If they can't, that means they're taking all this stuff—American and foreign—and having it, using it, looking at it, and destroying our privacy rights.

That really is the heart of the matter here.

I don't understand why anyone would think that it's somehow okay for the Department of Defense to get every single one of our call records regardless of who we are, regardless of whether we are innocent or guilty of anything. I venture to say that there are Americans who have never even had a parking ticket; yet the Defense Department is pulling their call records as well. Eventually, we will find out whether the NSA's own document is misleading and whether the NSA is not pulling email accounts and emails and photos and VoIP calls on people who are Americans, because, if you read this document, it sure looks like they are.

This is not the first time that we have had this problem. This is not the first time that the government has entered into surveillance on people without probable cause. Many of us remember that there was FBI surveillance of Martin Luther King, including the wiretapping and bugging of his personal conversations. I thought, perhaps naively, that we had moved beyond that. In some sense, we have moved beyond that because now they're doing it to everyone. In fact, one could well say that we are reaching the point at which Uncle Sam is Big Brother.

I submit to you that this program, although the proponents picked it as American as ''apple spy,'' is an anti-American program. We are not North Koreans. We don't live in Nazi Germany. We are Americans and we are human beings, and we deserve to have our privacy respected. I have no way to call my mother except to employ the services of Verizon or AT&T or some other telephone company. I'm not going to string two cups between my house and her house 70 miles away. That doesn't mean that it's okay with me for the government—and specifically the Department of Defense—to be getting information about every telephone call I make to her. It's not okay with me.

I submit to you, Mr. Speaker, it's probably not okay with you, and I know that, for most of the people who are listening to me today, it's not okay with you either.

□ 1410

Then Franklin said:

> Those who would give up essential liberty to purchase a little temporary safety, deserve neither liberty nor safety.

I agree with that. We do not have to give up our liberty to be safe.

I have already heard from people who tell me that they're afraid that they're going to be blown up by some terrorist somewhere, that they're afraid their personal safety is at risk, and it's okay with them if the government spies on them.

Well, it's not okay with me. And I stand here on behalf of the millions of Americans who are wanting to say, It's not okay with me either. I'm fed up, and I'm not going to take it any more.

When we had the Civil War and there were 1 million armed men in this country who rose up heavily armed to fight against our central government, we did not establish a spy network in every city, every town, every village, every home; but that's what we've done right now.

When I was growing up and we had 10,000 nuclear warheads pointed at us and some people believed there was a Communist under every bed, even then we did not establish a spy network as intrusive as this one.

I submit to you that this has gone way too far and that it's up to us to tell the Defense Department, the NSA, the so-called ''intelligence establishment,'' we've had enough. We are human beings. We are a free people. And based upon this evidence, we're going to have to work to keep it that way. That's what I'll be doing. I hope you'll join me.

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

IMMIGRATION REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege of addressing you here on the floor of the U.S. House of Representatives and to have an opportunity to inject some dialogue into the ears and minds of this body and across the country as people observe the deliberations here in the House.

I came to the floor, Mr. Speaker, to address the issue of immigration again. As we're watching the acceleration of an immigration proposal that's coming through, moving in this direction at a minimum from the United States Senate, it's important for us, Mr. Speaker, to recognize that there are a series and set of beliefs over there that don't necessarily conform with the majority here in the House of Representatives.

If you look at the names and the reputations and the faces of the people that are advocating for ''comprehensive immigration reform,'' and you recognize the history of some of them—regretfully, Senator Teddy Kennedy is not here to advocate, but he's one of the original proponents of what I call ''comprehensive amnesty.'' He was one of the voices in 1986. In fact, he was one of the voices back in the sixties on comprehensive immigration reform. Ronald Reagan signed the Amnesty Act of 1986. We do have some people around here of significant credibility that were part of that process back then, Mr. Speaker. One of those is Attorney General Ed Meese.

Attorney General Meese was there as a counselor and adviser to the President. He read the 1986 Amnesty Act, of course, and he had full access to President Reagan. All of his Cabinet members—a good number of them—weighed in with President Reagan. I remember where I was. I was running my construction company back in 1986 during the middle of the farm crisis.

I remember being in my office when I had been watching the debate and reading the news and seeing what was moving through the United States Congress and all the while believing that if you waive the application of the law to people who have willfully broken the laws, it is a reward for those lawbreakers to waive it; and if you reward them with the objective of their crime, as the 1986 Amnesty Act did, then the result of that is not what was promised.

What was promised was we will now enforce immigration law forever, and there will never be another amnesty act. That was the promise. The enforcement was that we had to file I–9 forms for every job applicant which would put the pertinent data of the job applicant down on the I–9 form, and we dotted all the Is and we crossed all the Ts on the I–9 form, and we looked at the identification documents of the applicants that were applying to come to work at my construction company and thousands of companies across America.

We had, Mr. Speaker, the full expectation that the Immigration Naturalization Services—then INS and now ICE—would be coming and knocking on our door and going through our records to make sure that we did everything exactly right because the force of enforcement was what was going to justify the amnesty that was granted in the 1986 Amnesty Act.

We were going to enforce and control our border and our ports of entry and enforce the law against those who were unlawfully working in the United States. In exchange for that, there was going to be the legalization of some first 700,000 to 800,000 people in the United States that were here illegally. It was adjusted up to be 1 million people that turned out to be 3 million people. The lowest number on the 1986 Amnesty Act turned out to be 2.7 million to 2.8 million; the highest number is someplace around 3.5 million or 6 million.

But in the neighborhood of 3 million people took advantage of the 1986 Amnesty Act. That's triple, by anybody's number, the original estimate. The tradeoff again was in order to get an agreement with the Senator Teddy Kennedy-types that were in the United States Senate and House at the time, there had to be a concession made.

From where I come from, Mr. Speaker, it's really pretty easy. The rule of law is the rule of law. The Constitution is the supreme law of the land. Legislating is the exclusive province of article I within this Constitution, the legislative branch of government, the United States Congress, the House and the Senate on opposite sides of the rotunda coming to a conclusion and we concur, pass a conference report that goes to the President. When the President signs that, it becomes law, and that's the law that we abide by. It's not complicated to understand. That's what they teach in eighth grade civics class. But the expectation that the law would be enforced and the real effort on the part of President Reagan to do so was eroded by people that undermined that effort.

Many of them never intended to follow through on the law enforcement side of the bargain. Not only the border security, but also the workplace jobs enforcement side, the legislation that some was formed then, some came along in 1996, that required that the immigration enforcement officers, when they encountered someone that was unlawfully in the United States, that they're required by law to place them into removable proceedings. That's the law.

Ronald Reagan was an honorable man. I had great faith in the principles that he so clearly articulated to the entire Nation and the world with utter confidence. When I saw that amnesty legislation pass out of the House and the Senate back in 1986, I had so much confidence in the clarity of the vision and understanding of Ronald Reagan, that I was confident that he would veto the misguided Amnesty Act of 1986 because you can't trade off amnesty for a promise that there would be law enforcement or border security. The first thing you do is enforce the law. You establish that the law is enforced.

What would happen if there had been 700,000 or 800,000 people in the United States then who were living in the shadows, and what if we would have enforced the border at the time, if we had enforced immigration law at the time, and if we didn't force the shut-off-the-jobs magnet at that time? Then that number that was viewed to be an intolerably high number in 1986, that 700,000 to 800,000, would have become instead a number that would have been less than that and not more than that.

If you would have enforced the law in 1986, there would have been fewer people unlawfully in the United States and not more. But, instead, as time went on—by the way, neither Ronald Reagan nor his successor, George H.W. Bush, saw a particular political bump for signing the Amnesty Act or for supporting it. Regardless, as time went on, there was less and less respect for the law because there was less and less enforcement of the law.

As much as Ronald Reagan would have liked to enforce the law, he didn't have everybody bought in on that, Mr. Speaker. So as the undermining of the enforcement and the turning of the blind eye took place, there was less and less respect for the rule of law and employers themselves began to understand that INS is not going to be in

your work place; they're not going to go through your HR records; and they're not going to apply sanctions against employers for hiring people that are unlawfully present in the United States and can't legally work in the United States.

Mr. Speaker, the respect for the law was diminished because there was less enforcement of the law in the workplace on the border, and then we began to see the advocates for open borders start to emerge.

□ 1420

I want to compliment former chairman of the Judiciary Committee, LAMAR SMITH, for the stellar work that he has done in the immigration reform legislation that he was a central figure of when he was chairman of the Immigration Subcommittee back in 1996. I look back at the language that was put in place then and I'm continually thankful, because this nation has been rewarded by the vision of now-Congressman LAMAR SMITH, and it has made our jobs easier here.

But also the 1996 immigration reform, which was enforcement reform, was triggered off of, to some degree, Barbara Jordan's study that took place in around 1991, if I remember correctly, that if you grant amnesty, you'll get more people coming in here illegally. And the principles are this: you enforce the law. You have to place people in removal proceedings if they violate the law. It is not a draconian thing to do. If you put someone back in the condition they were in before they broke the law, that's not a particularly draconian punishment, and if that's hard to understand, Mr. Speaker—and I know you understand all things—but think of it this way: If someone goes in and robs a bank and they step out on the steps of the bank with the sack of loot, and law enforcement appears and says, sorry, you can't keep the loot, we're going to put that back in the bank, but you can go. That's the equivalent of removal. You don't get to keep the objective of the crime. We put you back in the condition that you were in before you committed the crime. That's not draconian. That's the minimum you can do and still have a rule of law apply. You can't be a nation if you don't have borders. And if you don't determine as a nation what crosses those borders, people, or goods, contraband or not, if you don't make those decisions as a government, as a people, then it's out of control. Then you're really not a nation. Then immigration policy is set by the people that decide they're going to break your laws and come across that border, and if we decide we're not going to enforce those laws, we have, as is often advertised by people in both bodies this year, not so much last year—this year—de facto amnesty.

De facto amnesty. That means the equivalent of amnesty in Latin. But they also argue we have to do something to resolve the circumstances of ending this de facto amnesty because it's an unjust condition to have people in.

Now, I don't feel that same injustice, Mr. Speaker, because, first of all, the people that are here living under the described de facto amnesty made the decision to come here and live in the shadows. And some will say, well, they didn't if they were a child when they were brought by their parents, and that's true to a degree, and the group of people that we are the most sympathetic to are those DREAMers, those kids that were brought here when they were young, that have gone through our educational system—paid for by U.S. taxpayers, by the way—that may have a significant opportunity in this country but are subject to removal just like their parents, who clearly knew they were breaking the law.

Some of those people have been boldly lobbying across these Capitol grounds, and there was a circumstance not that long ago where the president of the ICE union, Chris Crane, who is the lead plaintiff in the lawsuit of Crane v. Napolitano that seeks to correct the unconstitutional actions of the executive branch, including the President, but Chris Crane was testifying before a Senate Judiciary Committee on immigration, and while that was going on, they had people that were illegal aliens in the United States, unlawfully present in the United States—by the way, that's a legal term, illegal alien—but they were in the room, in the Senate Judiciary Committee, while the president of the ICE union is testifying. They were also in the hallway outside the Judiciary Committee as recently as yesterday, and they had been invited into the Judiciary Committee, or at least recognized and introduced inside the House Judiciary Committee by former chairman, now ranking member, JOHN CONYERS of Michigan.

How far have we come, Mr. Speaker, when we have people who are subject at the specific directive of the law that, when encountered by the law enforcement officers, they are required by law to place them in removal proceedings, and now they come into the United States Capitol and insist that we change the law to accommodate lawbreakers. If we do that, whatever our hearts say about the DREAMers, whatever the short-term piece is about that small segment of the larger group of people that's defined as 11 million, and probably is two or more times greater than that, whatever our heart says about that, we're eroding the rule of law if we grant a component of amnesty.

Our rule of law is more sacred to us than the sympathy that we turn towards people that maybe didn't make this decision themselves. But I can tell you, Mr. Speaker, that the President has directed and it is in the letter of the executive memos that have been produced by John Morton, the head of ICE, and supported by Janet Napolitano, who is the Secretary of Homeland Security, who is the subject of the lawsuit led by Chris Crane, the president of ICE, naming Janet Napolitano and has been before the court in the Northern District of Texas and received roughly a 90 percent decision at this point from Judge Reed O'Connor that when Congress says ''shall,'' it doesn't mean ''may.'' In other words, if you're for open borders, Mr. President, the law says thou shalt not read the law to mean you may enforce the law; it says you shall enforce the law.

The President of the United States takes an oath of office, and it's prescribed in the Constitution. And part of the language that he adheres to is to take care that the laws be faithfully executed. That means enforced. It doesn't mean kill the law, Mr. Speaker. It doesn't mean tear the Constitution up and throw it out the window. It means take care the laws be faithfully executed. In other words, enforce the law.

The President has defied his own oath of office, and he has prohibited the ICE and other law enforcement officers from enforcing the clear letter of the law, and some of that was law that was put in place in 1996 under the pen of LAMAR SMITH, who was the lead sponsor on the immigration reform legislation of that time.

The President gave a speech to a high school just out here in Washington, D.C., on March 28—I believe the date was March 28, 2011; I know the actual date of the month, not necessarily the year—and he said to them, I know you want me to establish the DREAM Act by Executive order. In other words, legalize people who were brought here by their parents under the age of 16 and essentially give them a work permit and perhaps a path to citizenship. But he said, I can't do that. It's not my constitutional authority to waive the law and grant, I'll say, executive amnesty to the DREAMers. Instead, he said, you understand—he said to the students—you understand the Constitution, you've been taught and you learned this, that there are three branches of government. The legislature has to pass the laws, that's Congress, and the President's job is to enforce the laws. That's the President who was speaking before that group on March 28, and the judicial branch is to interpret the laws.

Well, that's a pretty nice, tight, composite summary of the structure of our Constitution and our Federal Government. And it is worthy of a former adjunct law professor who taught constitutional law at the University of Chicago, President Barack Obama. He understood it clearly. He articulated it

clearly to the young people there at the high school just outside here in D.C. And March 28, a little over a year later, the President decided that he was no longer going to respect his own word, his own oath of office or his own interpretation of the Constitution and just, I'll say it wasn't necessarily an executive whim—I suspect it was more like a political calculation. He did a press conference 2 hours after Janet Napolitano released the memo that created four classes of people who were exempted from the law and gave them a work permit.

By the way, all lawful presence here in the United States either comes from birth, natural born citizen, or the naturalization process that's set up by Congress, or the visas, visitors visas, student visas, H–1Bs, H–2Bs, ag workers, all of the lawful presence in the United States aside from natural born citizens is a product of the United States Congress.

Many believe, and I almost entirely agree, that the Constitution defines immigration as the exclusive province of Congress. It clearly defines the legislative activity as the exclusive province of the United States Congress, article I in the Constitution.

And so when the President decides he's going to create immigration law, waive the application of the law and create new law out of thin air, and when Janet Napolitano releases the Morton memo and announces that here are these four classes of people now exempt from the law and manufactures a work permit out of thin air, that happened, and 2 hours later the President was doing a press conference repeating the same thing at the White House.

□ 1430

And so it's not that the President happened to say those things in a press conference. It's not that Janet Napolitano happened to pick the timing of 2 hours before the President's press conference. Of course this was coordinated, and I'd asked her that under oath before the committee, if it was coordinated. The essential answer, after the typical, long rambling that you get from those kind of witnesses was yes.

And so one can only conclude that either it was by the order of the President or the consent of the President that the Constitution itself, I believe, was violated. I believe that the separation of powers was violated. And it appears to me, from reading Judge Reed O'Connor's decision in the case of Crane v. Napolitano, he agrees also, and wrote repeatedly, ''shall'' means ''shall''; it doesn't mean ''may.'' When the law says ''shall be enforced,'' ''shall be placed'' into removal proceedings, it means exactly that.

And so I expect that we will see a final decision out of the Northern District of Texas. Roughly 90 percent of the arguments that we made before the Court were agreed to by Judge Reed O'Connor, and the other one was one that the executive branch's argument was, let's see, less intelligible than it needed to be before a definitive decision could be rendered by a prudent Judge Reed O'Connor. And we'll see that decision perhaps come down very soon.

And I expect that this administration will litigate this all the way to the Supreme Court and insist that the President can legislate by executive order or executive edict, that they can provide executive amnesty.

If the President can suspend any law, if he has the authority to suspend any law and he has the authority to manufacture any law out of thin air—and out of thin air was the work permit, just as a reminder. Made up a work permit so that the DREAMers that he had exempted from the law could legally—and it's really questionable about the legally part—work in the United States.

If the President can manufacture law out of thin air, and if the President can order that the law be suspended, and if the president of ICE can be sitting in a room with people that are unlawfully present in the United States and compelled by law to place them in removal proceedings but prohibited by order of the President or his executive minions, we have come to a very bad place in America, Mr. Speaker.

Our Constitution itself is threatened. The function of the three branches of the government has been so blurred by an Executive that has contempt for his own oath and contempt for the Constitution itself and the separation of powers. And each time that we go to the Court to get an answer, we're asking the third branch of government to be the referee between the two competing branches, the executive and the legislative branch.

And the Founding Fathers, as they set up this magnificent and brilliant and balanced Constitution between the three branches of government, they envisioned this: each branch of government would have its own constitutional power, and that power was something that wasn't precisely defined between the three branches of government.

They expected the judicial branch would be the weakest of the three branches of government. Some years it is; some years it's not. But they also expected that the executive branch, the President, and the legislative branch, Congress, would reach a level of tension between the two where each branch would jealously guard the constitutional authority that's vested within it and the supreme law of the land, the Constitution. And instead, it seems as though these Members of Congress, 435 here and 100 Senators over on the other side, even though we all take an oath to uphold the Constitution of the United States, seem to have a different understanding of what this Constitution really is. And they seem to have a blurred and weak understanding of the legislative authority that we have here.

Our Founding Fathers envisioned that. They put all of the power of the purse right here in the House of Representatives. Spending bills start here. There can't be a dollar spent by this government unless the House of Representatives approves it, whether we start it here and the Senate amends it and it comes back, or whether we start it here and the Senate approves it and it goes to the President's desk. There can't be money spent unless this House approves it.

And so we have the power of the purse. And they expected we would use the power of the purse in order to restrain an out-of-control Executive. They set some other structures in place, too, that none of us want to contemplate having to use the more draconian approach to this. But the President of the United States has defied the authority here of Congress and his own oath of office, and this Congress has not gotten its back up nearly enough to defend the constitutional authority that we have, or the affront to it.

And so, in an appropriations bill last week, I offered an amendment, an amendment that would prohibit any of the funds from being used to carry out the orders that came from John Morton and Janet Napolitano and approved by President Obama that grant this executive amnesty to the four classes of people. This is a whole series of six memos, known as the Morton memos. And no money can be used to enforce or implement or execute the special work permit created either by those memos. And that amendment was debated here on the floor, vigorously, I might add, very late at night, and I made a strong constitutional argument, I believe. Members of Congress came down here to the floor of the House, and they voted by a vote of 224–201 to support my amendment.

This Congress has spoken. We may disagree on what we do with people that are unlawfully here, but the majority of the House of Representatives, that 224 vote clearly said we are going to defend our constitutional authority to legislate. We're not going to allow the President to make it up as he goes along, and we're going to constrain the purse strings of a President that would legislate by executive edict, which, in this case, is executive amnesty.

So that's a move in the right direction, Mr. Speaker. But as I see the things unfolding in the United States Senate and the language that comes out of there and the argument that has been repeatedly made here on the floor of the House and, to some extent, in the Senate, we have de facto amnesty.

De facto amnesty is a reality because the President, as I said, broke his own oath of office.

We've gone to court to do all we can do there, and that's moving through the system. But there's another way that this is happening, and that is this. In the minds of too many Members of Congress, they believe that we have to conform our legislation to the President's will. Because the President has refused to enforce the law, they argue that we should conform the law to something the President will enforce.

That's way outside my ability to reason within the confines of the Constitution, Mr. Speaker. I can think of a time or two—and there have been more, I'm sure—that the Supreme Court ruled and they came down with a ruling that this Congress agreed was a constitutional interpretation.

The partial birth abortion legislation was one of those. Congress passed a ban on partial birth abortion. The ruling that came out of the Supreme Court was that the language that banned partial birth abortion was too vague and there wasn't a provision in it that made an exception for the life or health of the mother.

So Congress went back to work. We rolled up our sleeves. I was there in those discussions and in the debate and helped move it forward. STEVE CHABOT of Ohio was the principal sponsor of that legislation. It defined the act precisely from a medical perspective of partial birth abortion. We brought in experts that testified over and over again, and we brightened the definition, and a brighter, brighter line on what that was. And the Congressional findings, after much medical deliberation, was that a partial birth abortion is never necessary to save the life of the mother, that it just doesn't occur from a medical perspective.

Yes, there are those dissenters out there, Mr. Speaker. I don't bring this up for that reason. Congress read the Supreme Court decision and conformed our legislation to the decision that was a precedent decision of the United States Supreme Court. That shows a decent respect for the jurisprudence of the judicial branch of government, and it's appropriate for this Congress to respect the judgment of the other branches of government.

But we all take an oath to uphold the Constitution. We're not bound by someone else's judgment of what that oath means or what the Constitution means. We're bound by a clear understanding of the Constitution itself, the text of the Constitution, the original text, plus the amendments.

The Constitution has to mean what it says. It has to mean what it says on its face. That's what words are there for. It has to also mean what it was understood to mean at the time of ratification, or there's no guarantee.

□ 1440

This Constitution, Mr. Speaker, is a contractual guarantee that we received, starting in 1789, amended 27 times since then. Every single amendment in there, all the language in there, has to mean what it was understood to mean at the moment of ratification. It can't be changed in its definition because it's inconvenient for today or our Founding Fathers would have not given us a means to amend this Constitution. It has to mean what it was understood to mean, and you can't change its definition. Because if you do so, you're breaking an intergenerational contract that was handed to us in 1789 to be preserved, protected and defended, this Constitution.

So each Member of Congress needs to understand that, take an oath to uphold this Constitution—we do that—defend it. But when the reasonable jurisprudence of a constitutional analysis comes from the Supreme Court, we conform to that. In the case of partial-birth abortion, we've conformed in a number of other times, and that's a respectful thing to do from one branch of government to the other.

But when the President of the United States defies the literal language in the law and orders that there be no application of the law because he disagrees with the law and manufactures a work permit out of thin air, and when a Congress accepts the President's idea on that and decides that we are going to pass legislation—as has been offered by the Gang of Eight in the Senate and the Gang of Eight, minus one, now seven in the House—that we're going to conform this Congress to the whim of the President—not that we agree with his policy, but they say, well, you'll never get enforcement of the law unless you conform the law to what the President's willing to do. My gosh.

What would the Founding Fathers say if the Chief Executive Officer of the United States and our Commander in Chief defies his own oath of office by his own definition—at the school, March 28, as I said; refuses to enforce the law, pledges to punish even the president of the Immigration and Customs Enforcement union for doing what he's commanded by law to do. The President does that, and there's any kind of mindset here in Congress that we should conform the law to the President's whim. No, Mr. Speaker.

The President has this alternative: if he disagrees with the law of the land and he wants to see it changed, then he can ask people in this Congress, the House and Senate—House or the Senate, for that matter—would you kindly draft some legislation that would please me and I'll be supportive of it as you try to work it through the legislative process—through regular order, as our Speaker often says. That's the President's alternative.

He doesn't write law. He does have the opportunity to veto laws that he disagrees with that reach his desk. But, technically, the President can't even introduce a piece of legislation here in the House or the Senate. But we know that there are friends of the President that are willing to do that, and it should be so, so that the President can advocate for legislation and ask people to move it through the system.

But instead, as I said, he's defied his oath. He has challenged this Congress. And some Republicans and most Democrats appear to have this spell cast upon them that suspends their otherwise good judgment and they're working down the path of a comprehensive amnesty plan in the Senate—and the stage is set here in the House where I can surely see something similar emerging here.

We need to stand up and argue. There's a future for this country. There's a destiny for this country. It is a precious thing that we hold in our hands here, the destiny of the United States of America. The pillars of American exceptionalism built this.

You can open this Constitution up and go to article I, II and III, the legislative, the executive and the judicial branches of government—in priority order, I would say, because article I reflects more directly the voice of the people, the legislature, the Congress.

If there is a conflict between the three branches of government, how is it resolved, Mr. Speaker? If you dig deeply into this and you look at our history and you watch how things have reacted, sometimes the judicial branch comes out on top, sometimes the executive branch comes out on top, sometimes the legislative branch comes out on top. But if push comes to shove, it's the people, we the people, that come out on top.

That's why the House of Representatives has elections every 2 years, so we can be the quick reaction force. When people get their back up and they don't like the direction their government is going, they recruit people, they step up, they run for office. And 2 years later—2 years, or less, later—there's an election, and often new people come into the House of Representatives that more acutely reflect the values and the wishes of those who elected them.

We saw that happen in 2010. The year 2009–2010 brought us ObamaCare. We saw tens of thousands of people all around this Capitol. We saw not just a human chain, not just a human ring, but a human doughnut formed around the United States Capitol; people six and eight deep, human contact all the way around the United States Capitol. I went up to look at it, and I walked around to look at it. If we could have—of course for air space, helicopters can't go up and take pictures. There's no way to get that shot. I wish I had gone up with a camera up on top and done a panoramic, interconnectable

picture so that people could see the magnificent unity of the American people, hand to hand, six to eight deep, that thick, a human doughnut all the way around the Capitol saying: keep your hands off our health care. Keep your hands off our health insurance.

That protest was defied when the then-Speaker, NANCY PELOSI, walked through the throng with her huge magnum gavel—you'll remember that, Mr. Speaker, about that long—in a show and display of—what shall I call it—regality. The regal Speaker was coming through with her big gavel to rule over the American people who said: keep your hands off our health care.

To this day, I don't know of a single legitimate poll that says that they want ObamaCare over repeal of ObamaCare. The last number I saw was 56 percent of the American people want to see ObamaCare repealed. They came here to this city and they said: keep your hands off our health care—tens of thousands. They came on three different occasions that I recall: on November 5, and then later in March, about March 22 or so, a Thursday, and then again on a Saturday. Some of them flew up here to be here on a Thursday, flew back home and got the call to come back again. They didn't leave the airport; they just went to the ticket counter and came back. They care that much about our freedom. And still, ObamaCare is being imposed upon them.

They went to the polls in the fall of 2010. They elected 87 new freshman Republicans to come serve here in the House of Representatives. And they every single one of them ran on the ticket of repealing ObamaCare, every single one—87 new freshmen. A magnificent turnover. A class that I call God's gift to America.

Now, that class of 87 is here—most of them still here—and a new class has been elected. All of the freshmen that came in on my side of the aisle, Mr. Speaker, and all of those that came in in 2010 and every Republican in the House of Representatives has voted to repeal ObamaCare. I believe up until, I'll say, last fall's election—I'm not certain what's happened in the Senate, but up until that time every Republican Senator has voted to repeal ObamaCare. They all took that pledge. That's an example of the quick reaction force of the people.

Now, it didn't work out so well with the Presidential election. But I can tell you that if that election result had been different for the Presidency, the ObamaCare repeal bill and getting past, I'll say, a new majority in the United States Senate, it would have gone to a new President's desk.

But it was passed out of this House of Representatives. I drafted the 40-word repeal language in the middle of the night after the ObamaCare legislation was passed. I wasn't alone doing that; I had company doing that. But the response of the American people overcomes the division between the lines of the three branches of government.

It's the people who will speak. When people rise up, when they elect new people to the United States Congress, when their voice is heard in the ballot box electing a President, then even a Supreme Court decision can be reversed by the voice of the people. It may take a constitutional amendment; but in the end, power is something that you can assume.

Anyone can assume power. We do that in our own families when we direct our children to stay out of the cookie jar, for example. As long as they respect that power, you have that power, Mr. Speaker. But if it's challenged and defied, then the power disappears, and it goes to whatever entity can claim that power, whatever entity can successfully assert that power.

So we're in the struggle right now. The President's hand is in the article I legislative cookie jar. He's reached in and said: I'm taking these cookies of immigration because I don't like the law that exists; I refuse to enforce the law; and I'm going to make up a new law while we're at it.

□ 1450

It's almost like having a child with his hand in the cookie jar with that defiant look in his eye thinking, ''And you can't do anything about it. You can go to the judicial branch and you can litigate.''

We've done that. The Court is one day going to come down with a decision. Will the President honor the decision of the Court? If it gets all the way to the Supreme Court, will he honor it or will he defy it?

I sat here on this floor, Mr. Speaker, as the President spoke from the rostrum right behind me lecturing the Supreme Court that sat over here and told them that their decision was wrong. That's not a decent respect for the opinions of mankind that are seated in the United States Supreme Court. That blurs the lines between the judicial and the executive branch of government. It also tells me that we have a President who doesn't understand his restraint.

But I'm troubled by a Congress that will allow that to happen and will allow that Presidential hand into the legislative cookie jar, because we take an oath to uphold the Constitution. It's our obligation to do that. That means we defend the constitutional authority that we've taken an oath to uphold. That's where we sit.

Now, we'll get to the policy side of this from an immigration perspective, Mr. Speaker. If you reward people who break the law, you get more lawbreakers. It's that simple of an equation. I knew that in 1986. I knew that as a businessman who was working through the farm crisis years of the 1980s to keep my company up and going and trying to get it and keep it profitable and raise my young children at the time.

I remember when Ronald Reagan signed the Amnesty Act. That was a big mistake. That was one of only two times that the great man whom I have great respect for, Ronald Reagan, let me down. It was only twice in 8 years, but it comes back to haunt us yet to this day.

Why did I know in 1986, not being a Member of Congress, being a guy that had only been in business 9 years at the time, that had three young sons that were roughly 10 and under and a wife at home that was also working, how did I know that that was a mistake? What was it within me? I didn't have the background that matched up with Attorney General Meese, for example, or the President of the United States. I'm outside of little Kiron, Iowa, 300 people at the time. I can't see a neighbor from my porch. But I knew that that was a mistake. I had no idea that this many years later I'd be standing on the floor of the United States Congress making this case.

It wasn't a matter of clairvoyance. It was a matter of what was justice. It was a matter of growing up in a law enforcement family and being steeped in reverence for the supreme law of the land, this Constitution, and understanding that if you don't like the law, you abide by it. But there's a means to change it whether you're the President of the United States or whether you're this young fellow that's trying to run a business and raise his family but have respect for the rule of law.

When you cross those lines, and especially when you do so from the Office of the White House, the President of the United States, it's the equivalent of taking a jackhammer to one of the beautiful marble pillars of American exceptionalism.

Now, to define what those pillars are, they're here. They're here in the Bill of Rights. The First Amendment is real easy:

Freedom of speech. That's a pillar of exceptionalism. Without it, we can't be the great country we are. Freedom of religion, same answer. Without it, we can't be the same great country that we are. Freedom of speech, religion, the press, assembly, the right to keep and bear arms, and the property rights that used to exist in the Fifth Amendment before the Kelo decision that we sought to restore in the Judiciary Committee just a couple of days ago. No double jeopardy, trial by a jury of your peers, a speedy trial, no cruel unusual punishment. The rights that are not in the Constitution devolve to the States, respectively, or to the people.

Those are all pillars of exceptionalism.

Free enterprise capitalism is another one. Without free enterprise capitalism, we don't have this vigorous and robust economy that we have.

That's on the citizenship test, by the way. What is the economic system of the United States? Free enterprise capitalism.

How about the property rights that exist within intellectual property up until we amended some of the patent and trademark laws? The property rights to intellectual property is one of the big, big reasons why the United States has been so successful.

So I put this all together and add to that the fact that this country was settled by the values of Western civilization, with Judeo-Christianity included in a prominent form. All of that arrived here on this continent at the dawn of the industrial revolution and the concept of manifest destiny that settled this country from sea to shining sea.

I can look back and try to reverse-engineer America and think where did we make a turn that I could even on Monday morning quarterbacking rules make a recommendation we should have turned another direction. I can't reverse-engineer America and come up with a greater country than we are, except maybe I'd go back to 1986 and say, Ronald Reagan, if you'd just vetoed the Amnesty Act in 1986, I wouldn't be standing here right now. We wouldn't have a Senate that's seeking to stampede an Amnesty Act across the rotunda over to us. I wouldn't have this spell that seems to be cast over too many Republicans that somehow if we'd just pass an Amnesty Act everything is going to be all right in political viability, Republicans will be okay going into the future, end this spell that has suspended good judgment and reason and suspended their ability to listen to empirical data and weigh the policy.

The immigration issue cuts across all the components of constitutional conservatism. Anything that has to do with family, for example, with the rule of law, with the economy, with national defense and national security, almost every issue that we deal with in this Congress is touched somehow by immigration.

It is not a simple topic. It's not something where you just say, Well, I feel sorry for the DREAMers; therefore, I'm going to grant amnesty. I support amnesty, I get that off the table, and maybe the next Congress can deal with it.

It does not work like that, Mr. Speaker. This is an irrevocable and irreversible advocacy for amnesty. It's something that cannot be undone. ObamaCare, as bad as it is—and I've spent more than 3 years of my life fighting ObamaCare and working to defeat it before it became law and repeal it after it became law. That's a matter of clear public record. But, Mr. Speaker, if I have to accept this perpetual and retroactive amnesty that is offered by the Gang of 8, or what I expect to come from the Gang of 8 minus one here in the House, if I have to choose between perpetual and retroactive amnesty and ObamaCare, I'm going to accept the ObamaCare and defeat the perpetual and retroactive amnesty, because later on we can repeal ObamaCare. We can undo it. We can take it apart. We can roll it back, and we can put together a doctor-patient relationship and a real healthy health care system in the United States. We know what it looks like. We know what to do. We couldn't get it done because we didn't have the votes.

But you can undo ObamaCare, Mr. Speaker, but you cannot undo comprehensive amnesty, because once that genie is out of the bottle, there's no putting the genie back in the bottle. It becomes as amorphous as a puff of smoke. And if they don't have the political will to enforce the law now, why would they have the political will to enforce the law after amnesty would be granted?

They argue that they have all these tight provisions put into the bill, that there's border security in the bill and that we'll get tight borders from this point on. Now, when you read the legislation, there's no prospect of that. I would have to hide my face to say something like that and wink and cross my fingers behind my back with the other hand. They don't mean it. They don't believe it. They write it because it is just a vague, open, comprehensive placebo for those who want border security to give people something to hide behind.

If you say that Janet Napolitano has got this time to come up with a plan to secure the border, it doesn't mean secure the border and it doesn't mean implement the plan. It just says come up with a plan. And if we're not satisfied with that, then they appoint a border security commission whose job is to come up with a plan. And if that fails, then they go back to Janet Napolitano again.

This isn't that hard, Mr. Speaker. If you're serious about enforcing the border, you can do that. If you would give me Janet Napolitano's job and a President who doesn't tie my hands, I would take the resources that are committed now within the 50 miles of the southern border, the southwest border, and I would get you upwards of the 99th percentile of border security within 3 years—maybe sooner, but I think it would take a half a year to get all the administrative things jump-started.

I'm in the construction business. I know how to build a fence, a wall and a fence. I know what it costs to do that. I'm not proposing we go down. I wouldn't bid such a thing, but I could surely provide some advice. I have designed it already, a fence, a wall, and a fence with access roads going between so you have a road between the first fence number one, wall would be the second and fence above that yet. You could patrol both of those areas in between a fence, a wall, and a fence. Doing so, you could secure it.

It's good to have border patrol personnel. Boots on the ground are good. They do a noble job down there under nearly impossible conditions. I'm a big fan of the Border Patrol, and I'd like to think they know it when I go down there to visit.

□ 1500

But when you start expanding boots on the ground because you don't want to put infrastructure in place, it isn't very logical to me. I live out in the country in rural Iowa. I live on the corner of gravel roads that go a mile in each of four directions where I live. If Janet Napolitano came to me and said: ''I want you to secure that mile of road that goes from your house west, and I'm going to pay you $6 million this year to secure that road,'' if I thought I might lose the contract next year, maybe I would think, well, I'll hire myself some border patrol agents, and we'll do our best to catch some of those folks—we know we're not going to get more than about 25 percent enforcement, but it's a job, and take it on.

But if I had a 10-year contract, it's not any longer $6 million a mile, it's $60 million a mile in a 10-year contract. If that contract was tied to efficiency, in other words if they would dock my pay if I didn't enforce the law, if I couldn't secure the border, I can tell you what I would do, Mr. Speaker. I would invest about $2 million a mile to build a fence, a wall, and a fence.

Now, $2 million is more than I think it takes. And to put this into perspective for people that might be overhearing our conversation, Mr. Speaker, we can build a four-lane interstate highway across expensive Iowa cornfields for right at $4 million a mile—buy the land, do the engineering, the archeological and environmental surveys, do the grading, pave it, shoulder it, paint the lines, put the fencing in, seed it, have it done and finished, and signs, for $4 million a mile.

Well, it's easy to see now that if we can do a four-lane interstate highway for $4 million, we can build a pretty tremendous fence for a couple of million dollars—a fence, a wall, and a fence—with just simply patrol roads that allow a person good-weather access through that desert part of the country.

It isn't hard to figure that out. If you give me $60 million for a mile, I would put a couple million dollars in a fence, a wall, and a fence, I would have myself the necessary border patrol agents to watch that, I would put some cameras up to surveil it, I would put some vibration sensors in, I would put some

kind of technology on there to add to that—that they don't like me to talk about here on the floor of the House—and we would have ourselves a 99-plus percent secure border.

Had we done that back when the Secure Fence Act was passed here in the House—supported by DUNCAN HUNTER from California as the lead author and an excellent leader on this issue—had we done that, we wouldn't be having this discussion today, Mr. Speaker, because the southwest border would have been secure, and then that argument would be taken away.

Then when they promise that there will be border security, we would already have it. If we already had border security, then some of the harder hearts here in Congress could take a look at the 11 million that are here and think: Okay, we've demonstrated that we are going to enforce the law from this place forward; is there an accommodation that we can make?

We can't get to that decision because the President refuses to enforce the law, they won't allow that kind of security on the southern border—for political reasons, I believe—the ports of entry are not as tight as they need be, we don't have an entry-exit system; piece after piece of this that is necessary for security.

By the way, I have a bill called the New Idea Act. What it does is it clarifies that wages and benefits paid to illegals by employers are not tax deductible. It subjects that employer to an IRS audit. It gives the employer safe harbor if they use E-Verify, so that an employer could put the employees' numbers into the E-Verify database.

If it came back and said it confirms that these folks can work legally in the United States, put them to work without any kind of sanction or punishment for the employment—safe harbor.

But if the IRS comes in during a normal audit—doesn't accelerate the audits, but a normal audit—they would normally then—in the audit under my bill—they would put the Social Security numbers and the identifying information into E-Verify, run those employees through, and if it came back that they could not lawfully work in the United States, they would give the employer an opportunity—and the employee—to cure that in case there is misinformation in the data, which gets better every time we use it, and it's very good.

Aside from that, the IRS would then rule: Sorry, the wages that you knowingly and willfully paid to someone who is unlawfully present in the United States are not a business expense. So wages come out of the schedule C, they go into the gross receipts column again, and show up as net income at the bottom. The IRS would apply a penalty and an interest against the unpaid taxes, plus the taxes, to that income, that net income.

The effect of this is it would turn your $10-an-hour illegal into about a $16-an-hour illegal. That makes it a business decision. It means as an employer you're going to wonder: What year will I be audited—this year or next year or the year after?

Well, it wouldn't be the end of the world if they audited you for a year, but it might be pretty expensive as those years accumulate up to 6 under the statute of limitations. So employers would look at that accumulating statute of limitations of 6 years and decide, I'm going to get to legal. I'm going to work my way through and clean up my workforce. That's a logical business decision.

The bill also requires the IRS to work in cooperation with the Social Security Administration and the Department of Homeland Security so that they exchange information for the purpose of enforcing U.S. law. Now, this isn't that hard, and it's not complicated. It just takes the will. It takes a decent respect for the opinions of our Founding Fathers, the opinions of those who have written law before us and some who serve in this Congress today, a decent respect for the Constitution.

Let's reconstruct this respect for the rule of law in this country, Mr. Speaker. Let's reestablish its enforcement. Let's do so while we respect the dignity of every human person. Understand that they don't always get the clearest message in the country that they live in. They know they want to leave there. They know they want to come to America. They want to leave for some reason, such as perhaps it's too violent—58,000 people, some say more, killed in the drug wars in Mexico in the last few years.

The rule of law doesn't apply down there the way it does here. People aren't always equally treated under the law. Sometimes they are shaken down by police officers. That hardly ever happens in this country in a significant way.

We have equal protection under the law in America. If you look at the statue of Lady Justice, who is standing there with the scales of justice in her hands, they are balanced—equal protection, balanced protection under the law. Most times, you will see Lady Justice blindfolded, because justice is blind. It needs to treat every human person equally under the law. People come here because they want that kind of protection. It is a component of American exceptionalism—the rule of law.

The Senate is poised to destroy the rule of law, and the House seems to be moving in that direction. I am very troubled, Mr. Speaker, as I watch one of the essential pillars—the rule of law—of American exceptionalism be attacked and start to crumble before my very eyes in this country.

The job the Founding Fathers had, the vision came from God that our rights come from God. They all wrote that, they all agreed with that. It's in the Declaration.

They put this concept together—inspired, I believe—the concept of a free people, a sovereign people—''We the People.'' They sold that to a large enough percentage of the population in the Thirteen Original Colonies that they supported the Declaration. They had to sell it.

It wasn't just, Thomas Jefferson went into a room, got out the quill, and wrote the Declaration—they were so impressed by the language in it they decided to embrace it and start a revolution. This was a cultural thing, it was an intellectual thing, it was a faith component. They put that together and they sold it to the people in the Thirteen Original Colonies, who fought a war to establish this country and then to ratify a Constitution.

Their job was a lot harder than ours, Mr. Speaker. Our job is to preserve, protect, and defend it. They had to conceive of it, argue for it, sell it to the people, put it down in words and parchment—the Declaration, fight the war and some give their lives to shape America to the great, great country that we are today.

Our job is to preserve and protect and defend this glorious destiny that is out ahead of us. We cannot shrink from it, we cannot trail in the dust our Constitution or the rule of law, no matter what our hearts say about having sympathy for groups of people that may or may not have had the say about whether they came here legally or not. That is what's here to be defended.

Next week, we are going to be very vigorously defending the rule of law. I'm going to seek to have Lincoln-Douglas style debates outside of these Chambers, outside of the Capitol building, on Wednesday at 9:00 in the morning. It will extend. We will take a 2-hour break over lunch and begin again at 2:00 in the afternoon, Mr. Speaker.

□ 1510

This is going to be designed so that reasonable people can have an open discussion just like Stephen Douglas and Abraham Lincoln did. Let's air this out before the public, and let's hear what the public has to say. In fact, if we can work it out, I want to hear from the public as well, Mr. Speaker. It will be a big week next week, and I'm looking forward to it.

We are called to this task. Let's not trail in the dust the golden hopes of humanity. We are the redoubt of Western civilization. If we can't protect the fortress of the rule of law and all of these pillars of American exceptionalism here, we can't look to Western Europe to save us or Australia to save us. We can look to them as allies. If our civilization is going to be

preserved, it's going to be here in the United States of America.

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

FREEDOMS ENDOWED BY OUR CREATOR

The SPEAKER pro tempore (Mr. MEADOWS). Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Thank you, Mr. Speaker.

We are living in interesting times—it's purported to be a Chinese curse to live in interesting times—but when you see what is confronting this country, what is taking our liberties, what is threatening our way of life, it's clear we are on the front lines of either winning back or losing for all times the greatest freedoms ever given and secured for one group of people.

This is an extraordinary country, and it is because, just as our Founders pointed out repeatedly, they recognized that our rights are provided by our Creator; but just as any inheritance can be taken by those who are evil, greedy, power hungry, it must be defended or you lose it.

We have people who make no bones about the fact that they want to destroy our way of life, that they think the freedom afforded the American people leads to debauchery, leads to ways of life that are evil and wrong, and therefore they must destroy the freedoms which have provided people the chance to make wrong choices. Our Founders would prefer the freedoms and so would the people here.

Unfortunately, there are good people who believe that they are so much smarter and know better than everyone else, that, gee, since we're in Congress, we should tell people what they can do, how they can live, how they can make a living, whether they can make a living, or that we may just pay you to do nothing and to never reach your God-given potential.

Then, as we heard today, we had an amendment made by our friend on the Democratic side, Mr. POLIS, that would have required a new addition to the chaplain corps of every branch of the military. It would be a new addition to the chaplain corps for those who are nontheistic—or atheistic—for those who believe there is no God. I had no idea that people who do not believe that there is a God needed help and encouragement and support for their unbelief. Astounding.

If people truly are atheistic, why would they need help in remaining so?

Could it possibly be that, the more people look around, the more they see things like Ben Franklin did—80 years old—and, yes, he enjoyed what some people would call ''pleasures'' of different types when he represented us in France and represented us in England. He was a brilliant man, and the massive painting outside these halls shows him sitting front and center at the Constitutional Convention.

It was there at that Convention when he finally got recognized after they'd been there nearly 5 weeks. Some across the country are still mis-educating children, unfortunately, by telling them he was a deist, someone who believes there is something—some force, some thing, some deity—that created nature, that created all of mankind and all of the things in the universe, and if such deity or thing still exists, it, he, she never interferes with the ways of men. Obviously, you see Ben Franklin's own words, and you know that's not what he believed. When he was 80 years old—2 years or so away from meeting his Maker—he finally got recognized after all the yelling back and forth that was done there at the Convention, and someone noted that Washington looked relieved when Mr. Franklin sought attention or, as some at the Convention called him, ''Dr. Franklin.''

He pointed out during his remarks—and we know exactly what he pointed out because he wrote it in his own handwriting. People wanted a copy of what he said. Madison made notes, but Franklin wrote it out.

Among other things, he said:

> I have lived, sir, a long time, and the longer I live, the more convincing proofs I see of this truth—that God governs in the affairs of men. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid? We have been assured, sir, in the sacred writings—

He called it ''sacred'' by the way—

> that except the Lord build the house, they labor in vain that build it.

He encouraged those at the Convention that he also believed, in his words, that without His concurring aid—he was talking about the same God, the same Lord he had just referenced—we shall succeed in our political building no better than the builders of Babel. We will be confounded by our local partial interests, and we, ourselves, shall become a byword down through the ages.

That was in 1787 that Franklin said those words, late June. Now here we are, all these years later since 1787, and we have a motion to create chaplains in the military to help people not believe in what Ben Franklin said was the God who governs in the affairs of men, generically speaking. But it is important that people have the freedom to choose what they believe. As the Founders believed that God gave us freedom of choice, that He—our Creator—gave us those rights, they also believed that people should have the chance to choose right or wrong as well.

As an exchange student in the Soviet Union back in the seventies, I saw people and became very good friends with some college students who didn't have our rights, who envied our rights, who would love to have shared the rights that we have. Ultimately, we saw that play out a couple of decades later when many across the former Soviet Union demanded those rights. Of the 15 states that made up this socialist republic, some have gone back to those ways. I was intrigued that some are scared when they're given that much freedom to choose where they work.

□ 1520

Do you mean I've got to find a job? But I've never had to look for a job. It's a little scary. As so many Americans, particularly over the last 5 years, have found it can be very difficult to find a job. So the idea that the government may just tell you what your job is, tell you whether you get a chance to go to college or not, that sounds good. I don't have to think about those decisions. Let the government do it for us.

It's shocking, but there have grown to be many in America who like the idea of the government telling them what they can do, when they can do it, and how they can do it. It takes away the need to really wrestle with those things or, as so many of the signers of the Declaration believed, to have to pray about it and to struggle with the decision and try to find out, as many of them did, what is God's will for our lives.

We have a statue of Peter Muehlenberg from Pennsylvania that was just down the hall. But when the visitor center opened, he was moved. He is the Christian pastor who is depicted in the statue of taking off his ministerial robe as he preached from Ecclesiastes, There is a time for every purpose under Heaven. He also told his congregation, There is a time for peace and there is a time for war and now is the time for war. And he led men from his congregation to join the military and to fight for freedom.

His brother, Frederick, who also has a statue here, was the first Speaker of the House under our new Constitution. He had not actually immediately been in favor of the Revolution, but after his church was burned down by the British, he kind of thought maybe it was a decent idea for ministers to be involved in a revolution and for ministers to be involved in government where there was self-government of a people. So that brings us to today, from the Revolutionary years, to the Constitution after the Articles of Confederation fell apart.

Now, there was debate on Ben Franklin's proposal, because under the Continental Congress, they had had prayer every day to start their sessions. But the only way they could do that with the diverse Christian denominations, including the Quakers, was to agree on a minister that they believed would

not offend the others and pay him to be the chaplain. But as they pointed out during the debate over Franklin's proposal, We don't have money. We're not getting paid. We're here for a constitutional convention, but we don't have money like we did in the Continental Congress. We can't hire a chaplain. But once the Constitution was passed and ratified, from the time of the first Congress, that first day—actually, when George Washington was sworn in at the Federal building in New York, made his way down to the chapel that is still there—the only building that was unaffected at Ground Zero as the towers fell—they had a prayer session for the Nation. Then each Congress ever since, House and Senate, began each day with prayer before they ever begin their session. It's still true today. But, again today, we have the feeling that those who believe there's no God are insecure enough that they need somebody to encourage them in their unbelief.

One of the dangers, though, we have come to face and come to realize is that many in our Nation are choosing political correctness over safety. Yes, we all in this body, all of the Armed Forces when I was in the Army 4 years and we took that oath, we were supposed to support and protect the Constitution. Everybody I knew was prepared to die for it and to die for their country if necessary. Those people are still serving.

We found out, though, that if you get too involved in political correctness—and it's politically correct to look the other way when people are talking about hatred for America and wanting America to have the Constitution subordinated to shari'a law—that, gee, it's just politically correct not to face the facts that those people exist and that some of them are in the military. So they pass a man up the system so that he is there to counsel Christians, atheists, and others who need counseling.

With the people I've talked to in the military, especially in Afghanistan and when we were in Iraq, when you have a Commander in Chief who on his watch does not allow you to fire at people who may be firing at you, unless you can be sure you won't hit a civilian—at least that fear is put into those individuals. And I have asked for an official response from the Department of Defense, to put in writing exactly what our rules of engagement are that our soldiers are fighting under. We were told, That's classified and it can't be provided in answer to your question.

Well, somebody has passed it on to the military in harm's way, just like in August of 2011 when we had SEAL team members where a target was put on their backs by this administration when, first of all, the Vice President of the country violates the classified information laws and sets out in his speech who the commander was who brought down Osama bin Laden and about his great SEAL team.

Yes, he was paying them compliments, but he put a target on their back. I know our Vice President did not intend to do that. He was just so excited, just as he was when he revealed where the undisclosed location was. He didn't mean to breach national security. He was just happy and whatever he was to reveal those kind of things. But he put peoples's lives in danger.

One SEAL team member's father told me that right after the Vice President's speech, his daughter-in-law looked out the window. She had a marine guard out front. Karen and Billy Vaughn, they talk about how Aaron called them part of SEAL Team Six after they were outed. And it's been printed in the media that Leon Panetta, as a Cabinet member, was meeting with people who could receive the classified information.

But this administration wanted all the kudos they could get before the election, of course, and so they had producers of what I thought was a pretty good movie, ''Zero Dark Thirty,'' and gave them classified information and told them who took out Osama bin Laden. But in August of 2011, our SEAL team members paid the ultimate price of this administration's carelessness. They paid with their lives.

It would be nice to have it out where we could talk about it as a Nation, just exactly what the rules of engagement are that our military are dying under. Because there was a C–130 gun ship there—and this was not from some classified source. I got it because it was information that was given to the family members, although the military may not have known what they gave. There's testimony from the C–130 gun ship, a pilot and others, that they saw this group moving like a military group. They were not allowed to take them out. They even saw them shoot down our Chinook and kill our Americans, but there was a chance they might have hit civilians if they had killed the people that took down our SEAL Team Six members. So they couldn't even kill them after they killed our people.

We need to know what the rules of engagement are. We need to address the political correctness that is blinding our agencies and blinding our military of its ability to see who the enemy is, because it's getting people killed in harm's way.

□ 1530

When you refuse to acknowledge that the Afghans you're training may be willing to turn the guns you've trained them on and kill you, just as an Aggie friend had happen here recently in Afghanistan, what they call a ''green on blue killing,'' until we recognize that and recognize who our enemy is, and that our enemy may be among us and that our enemy can be in uniforms that we're supposed to be friendly with, then more Americans are going to be killed needlessly.

And when the political correctness of the FBI and the Justice Department and the State Department, intelligence department, for that matter, is that you've got to leave mosques alone where people are being radicalized, and even though there were sting operations that identified people who were radicalizing Americans before this administration changed the policy and they had to get friendly and reach out and partner, as the FBI said it originally did with CAIR, the Council on American-Islamic Relations, even though they've said they're not partnering with them, anytime CAIR says this offends us, then the FBI says, oh, gee, we better change it.

When you've had the Fifth Circuit of the United States Court of Appeals confirm that, yes, the evidence shows that CAIR and Islamic Society of North America, those are front organizations for the Muslim Brotherhood. They want shari'a law to be the law of the land, not our Constitution. And that is what we did not take an oath to allow to happen. We took an oath to the Constitution, and that means no law shall be above our Constitution.

And so that brings me also to the conversation, the question and answer with the FBI Director this week. I have a great deal of respect for him. He has been a patriot. He fought in Vietnam. He's a warrior. He cares about the country, but he has done great damage to the FBI. He instituted an administrative policy that has caused thousands and thousands of years of experience to leave the FBI and say, Under the new policy, I have to leave.

So you have very willing, able young FBI people who are in charge, but they have not benefited from the years of experience that others who had to leave had. I think that contributes to some of the problems that we see with our rights being protected, that we see with poor investigations. They just have not been the beneficiary of enough years of experience, and they've been taught by a lexicon, a language that does not allow them to talk about or see our enemy.

I've been making the point for months that the Boston massacre had clear potential to be completely avoided. And then we find out Russia gave our administration information to say the older Tsarnaev brother has been radicalized and he's going to kill people; you better look into it. Then all we've heard since the Russian bombing from this administration is the Russians should have given us more information.

Now, I grew to know a little bit about the way they think, and I don't entirely appreciate some of it, but I appreciate this: if they give information that says this person is going to kill

Americans, understand we really don't care whether they kill Americans, but we would like for you to recognize that these are the kinds of people that will take out your government and will take out our government, and we'd like you to look into it. There's a mutual concern.

And when they put our government on notice and the reaction of our government is, well, we did some interviews. We looked into it. We didn't find anything.

The Russians: Are you kidding us? We hand you somebody who is going to kill Americans, and you can't find anything? What's wrong with you?

There's a great article, and I used it in questioning our FBI Director. It is entitled, ''Obama's Snooping Excludes Mosques, Missed Boston Bombers.''

It says:

Since October 2011, mosques have been off-limits to FBI agents. No more surveillance or undercover sting operations without high-level approval from a special oversight body at the Justice Department dubbed the Sensitive Operations Review Committee.

Who makes up this body, and how do they decide requests? Nobody knows; the names of chairman, members and staff are kept secret.

The FBI Director did not want to provide those as well.

So the FBI Director, as I pointed out to him here before I asked the question, I pointed out that according to this article, the Bureau did not even contact mosque leaders for help in identifying the Boston bombers' images after those images were captured on closed-circuit TV cameras and cell phones. The FBI Director attempted to correct me. He said, You said facts that aren't true. In fact, he said, Your facts are not all together—and I understood him to say not true, and so I demanded that he point out specifically what facts were wrong.

And he said, We went to the mosque prior to Boston. We said we went to the mosque prior to the Boston happening. We were in that mosque talking to imams several months beforehand. I couldn't during the questioning hear what he said at the end. What he said at the end, It was part of our outreach efforts.

If I'd heard that, I would have known and could have followed up and said, Wait a minute, that was part of your outreach effort to a Muslim mosque? It was not to follow up on the Tsarnaevs. And then, knowing that he had not properly followed up, knowing the FBI did not properly follow up with the mosque, I then asked about the mosque that was started, there are a couple of them, started by the Islamic Society of Boston, and were you aware that a founder was al Amoudi, because our Director knows who al Amoudi is. The FBI arrested him in 2003 or 2004 at Dulles Airport, as they could have done with al-Awlaki, who was killed by a drone bomb, as ordered by our President, that caused a lot of folks on both sides of the aisle to say, wait a minute, is that a good idea to kill American citizens without a trial?

And why is he an American citizen? Well, he's an American citizen because we have a policy, and a misinterpretation I would submit of the 14th Amendment, that if someone comes here on a visa and has a baby, then they're American citizens. So al-Awlaki's family was free to come in on a visa for college and then take him back to Yemen and radicalize him so that he hated America, and then he could come back here, and as he did, lead prayers here on Capitol Hill with congressional Muslim staffers and also have contact with people in the administration.

But I guess we won't ever know who all he had contact with because they blew him up while he was in Yemen. But he was free to come and go and radicalize people in America because he was an American citizen because his father and mother got a visa to come in here where he was born.

Al Amoudi was free to come and go here in the United States; that was until he was arrested at Dulles Airport and was tried and convicted and is doing over 20 years in Federal prison for supporting terrorism. And our FBI Director said at the hearing, he kind of had his head down and said it quietly, but he said it, no, he was not even aware that al Amoudi in prison for supporting terrorism was one of the founders. In fact, he is the one listed on the articles of organization for Massachusetts for the Islamic Society of Boston that started this. He didn't even know that.

Until we get past this political correctness so that we can see our enemies, see those who want to destroy our way of life and subjugate our Constitution to their ideas, then we are not protected, and we've got to get over that.

How about that? When Director Mueller testified before, he said, Oh, yeah, we have these great outreach programs to the Muslims. So apparently this is a part of it. I asked how is the outreach program going for groups like Christians and Catholics, Jewish, Buddhists, I forget who all I named.

□ 1540

But anyway, it was interesting, there's no such outreach group specifically for them, but there is a specific outreach group that didn't want to offend people who are radicalizing and being radicalized.

So it is pretty clear, we need to protect our borders from people who want to come in to destroy us, all avenues of entry. We need to deport those who overstay their visas. We need to reform our immigration service and our immigration process so that it is more effective, more efficient, and gives people proper answers more quickly.

We must stop allowing members of terrorist groups to consult with this President or his administration. We must stop discarding our allies who have fought with us and for us and throwing them under figurative buses.

We've got to stop rewarding our enemies so that when they say they want to destroy us, that we're our enemy, we don't send them $1.3 billion and tanks and jet planes.

And then, also, we have got to educate our Federal protection agencies on whom the enemy truly is.

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

WASTEFUL SPENDING ON PRESIDENT OBAMA'S UPCOMING TRIP TO AFRICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from North Carolina (Mr. HOLDING) for 30 minutes.

Mr. HOLDING. Mr. Speaker, in a time when many Americans are out of work and struggling to make ends meet, the last thing that they want to see is tens of millions of their taxpayer dollars being spent to send the President on a trip to Africa.

Mr. Speaker, while every President deserves appropriate protective detail, the security provisions for President Obama's upcoming trip are excessive. Hundreds of Secret Service agents, over 50 vehicles, fighter jets, and a Navy aircraft carrier with a fully staffed medical trauma center will cost the government tens of millions of dollars.

Mr. Speaker, our country is over $16 trillion in debt, and the government agencies have made cutbacks as a result of the sequester. It is no secret that we need to rein in government spending, and the Obama administration has regularly and repeatedly shown a lack of judgment for when and where to make cuts.

For example, why should pilots' hours, Air Force pilots' hours, be cut back at Seymour Johnson Air Force Base so that the President can now have his most expensive trip since taking office?

Mr. Speaker, the fact is that the President's upcoming trip to Africa is going to be for less than 1 week, and that trip costs 1,350 times more than a week of White House tours. So for the cost of this trip to Africa, you could have 1,350 weeks of White House tours, which the White House has canceled indefinitely due to budget restraints.

Mr. Speaker, the numbers don't lie. So either the administration is bad at math, or they simply don't see a problem with their excessive spending.

The American people have had enough of the frivolous and careless spending; and they deserve real, appropriate cuts from this excessive administration.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. POE of Texas (at the request of Mr. CANTOR) for today on account of personal reasons.

Ms. EDWARDS (at the request of Ms. PELOSI) for today on account of a family funeral.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 3 o'clock and 44 minutes p.m.), under its previous order, the House adjourned until Monday, June 17, 2013, at noon for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

1864. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Procedures to Establish Appropriate Minimum Block Sizes for Large Notional Off-Facility Swaps and Block Trades (RIN: 3038-AD08) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1865. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule — Unincorporated Business Entities (RIN: 3052-AC65) received June 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1866. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Incentives for Nondiscriminatory Wellness Programs in Group Health Plans (RIN: 1210-AB55) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1867. A letter from the Secretary, Department of Health and Human Services, transmitting the 2012 National Healthcare Quality Report and the 2012 National Healthcare Disparities Report; to the Committee on Energy and Commerce.

1868. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Incentives for Nondiscriminatory Wellness Programs in Group Health Plans [CMS-9979-F] (RIN: 0938-AR48) received June 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1869. A letter from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Filing, Indexing and Service Requirements for Oil Pipelines [Docket No.: RM12-15-000; Order No. 780] received June 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1870. A letter from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Reliability Standards for Geomagnetic Disturbances [Docket No.: RM12-22-000; Order No. 779] received June 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1871. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Implementation of the Understandings Reached at the 2012 Australia Group (AG) Plenary Meeting and the 2012 AG Intersessional Decisions; Changes to Select Agent Controls [Docket No.: 120806310-2310-01] (RIN: 0694-AF76) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1872. A letter from the Assistant Secretary For Export Administration, Department of Commerce, transmitting the Department's final rule — Addition, Removals, and Revisions to the List of Validated End-Users in the People's Republic of China [Docket No.: 130521487-3487-01] (RIN: 0694-AF92) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1873. A letter from the Attorney-Advisor, Department of the Treasury, transmitting the Department's final rule — Garnishment of Accounts Containing Federal Benefit Payments (RIN: 1505-AC20) received June 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1874. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems; Redefinition of the Clayton-Cobb-Fulton, Georgia, Nonappropriated Fund Federal Wage System Wage Area (RIN: 3206-AM84) received June 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1875. A letter from the Senior Vice President and Chief Financial Officer, Potomac Electric Power Company, transmitting the Balance Sheet of Potomac Electric Power Company as of December 31, 2012; to the Committee on Oversight and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. GOODLATTE: Committee on the Judiciary. H.R. 1797. A bill to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes; with amendments (Rept. 113–109, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 1797 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BROUN of Georgia (for himself, Mr. WESTMORELAND, Mr. CHABOT, Mr. LAMBORN, Mr. GOHMERT, Mr. FRANKS of Arizona, and Mr. LONG):

H.R. 2373. A bill to amend the Internal Revenue Code of 1986 to provide individual and corporate income tax relief and to extend 100 percent bonus depreciation, and for other purposes; to the Committee on Ways and Means.

By Mrs. WAGNER:

H.R. 2374. A bill to amend the Securities Exchange Act of 1934 to provide protections for retail customers, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Pennsylvania (for himself and Mr. BRALEY of Iowa):

H.R. 2375. A bill to delay for at least 6 months the implementation of round 1 recompete and round 2 of the Medicare durable medical equipment (DME) competitive bidding program and of the national mail order program for diabetic testing supplies to permit Congress an opportunity to reform the competitive bidding program, to provide for an evaluation of that program by an auction expert team, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FITZPATRICK:

H.R. 2376. A bill to implement a demonstration project under titles XVIII and XIX of the Social Security Act to examine the costs and benefits of providing payments for comprehensive coordinated health care services provided by purpose-built, continuing care retirement communities to Medicare beneficiaries; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENHAM (for himself, Mr. MICHAUD, Mr. MILLER of Florida, Mr. MCKEON, Mr. NUNES, Mr. DUNCAN of South Carolina, Mr. AMODEI, Mr. DIAZ-BALART, Mr. WALZ, Mr. SOUTHERLAND, Mr. FARR, Mr. THOMPSON of California, Mr. VARGAS, Ms. GABBARD, and Mr. VALADAO):

H.R. 2377. A bill to amend title 10, United States Code, to authorize the enlistment in the Armed Forces of certain aliens who are unlawfully present in the United States and were younger than 15 years of age when they initially entered the United States, but who are otherwise qualified for enlistment, and to provide a mechanism by which such aliens, by reason of their honorable service in the Armed Forces, may be lawfully admitted to the United States for permanent residence; to the Committee on Armed Services.

By Mr. MULLIN (for himself, Mr. BUCSHON, and Mr. O'ROURKE):

H.R. 2378. A bill to reauthorize the Impact Aid Program under the Elementary and Secondary Education Act of 1965; to the Committee on Education and the Workforce.

By Mr. BACHUS (for himself, Mr. PETERS of Michigan, and Mr. GARY G. MILLER of California):

H.R. 2379. A bill to amend the S.A.F.E. Mortgage Licensing Act of 2008 to permit a transitional period of 90 days for completion of requirements for qualified registered mortgage loan originators; to the Committee on Financial Services.

By Mr. CHABOT:
H.R. 2380. A bill to amend the Agricultural Trade Act of 1978 to repeal the market access program; to the Committee on Agriculture.
By Mr. CONYERS:
H.R. 2381. A bill to provide for youth jobs, and for other purposes; to the Committee on Education and the Workforce.
By Mr. COOK (for himself and Mrs. NEGRETE MCLEOD):
H.R. 2382. A bill to amend title 38, United States Code, to establish a priority for the Secretary of Veterans Affairs in processing certain claims for compensation; to the Committee on Veterans' Affairs.
By Mr. RODNEY DAVIS of Illinois (for himself, Mr. CLAY, Mr. SHIMKUS, Mr. ENYART, Mrs. WAGNER, Mr. LIPINSKI, Mr. LUETKEMEYER, Mrs. HARTZLER, Mr. GRAVES of Missouri, Mr. LONG, Mr. SMITH of Missouri, Mr. HULTGREN, and Mr. ROSKAM):
H.R. 2383. A bill to designate the new Interstate Route 70 bridge over the Mississippi River connecting St. Louis, Missouri, and southwestern Illinois as the ''Stan Musial Veterans Memorial Bridge''; to the Committee on Transportation and Infrastructure.
By Mr. DEUTCH (for himself, Mr. MCGOVERN, Mr. LANGEVIN, Ms. MOORE, Mr. LEWIS, Ms. DELAURO, Mr. GENE GREEN of Texas, Ms. WILSON of Florida, Mr. DANNY K. DAVIS of Illinois, Ms. WATERS, Ms. MCCOLLUM, Ms. CLARKE, Mr. NADLER, Ms. BROWN of Florida, Ms. LEE of California, Ms. SCHAKOWSKY, Ms. TITUS, Mr. HORSFORD, Mr. VELA, Mr. CÁRDENAS, Mr. HASTINGS of Florida, Mr. MEEKS, Mr. CONYERS, Mr. RUSH, Mr. POCAN, and Mr. GALLEGO):
H.R. 2384. A bill to amend the Food and Nutrition Act of 2008 to require that supplemental nutrition assistance program benefits be calculated with reference to the cost of the low-cost food plan as determined by the Secretary of Agriculture, and for other purposes; to the Committee on Agriculture.
By Mr. DUFFY:
H.R. 2385. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to set the rate of pay for employees of the Bureau of Consumer Financial Protection in accordance with the General Schedule; to the Committee on Financial Services, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
By Mr. LARSON of Connecticut (for himself, Mr. KING of New York, Mr. COURTNEY, Mr. HIMES, Mr. GRIJALVA, Mr. JOHNSON of Ohio, and Mr. ANDREWS):
H.R. 2386. A bill to amend title 4, United States Code, to provide for the flying of the flag at half-staff in the event of the death of a first responder in the line of duty; to the Committee on the Judiciary.
By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. NADLER, Mrs. LOWEY, Mr. HIGGINS, Mr. ENGEL, Mr. RANGEL, and Mr. GRIMM):
H.R. 2387. A bill to award a Congressional Gold Medal to Rabbi Arthur Schneier in recognition of his pioneering role in promoting religious freedom and human rights throughout the world, for close to half a century; to the Committee on Financial Services.
By Mr. MCCLINTOCK:
H.R. 2388. A bill to authorize the Secretary of the Interior to take certain Federal lands located in El Dorado County, California, into trust for the benefit of the Shingle Springs Band of Miwok Indians, and for other purposes; to the Committee on Natural Resources.
By Mr. MEADOWS (for himself, Mr. BRIDENSTINE, Mr. DUNCAN of South Carolina, Mr. BROUN of Georgia, Mr. JONES, Mr. HUDSON, Mr. SALMON, and Mr. YOHO):
H.R. 2389. A bill to require the Inspector General for Tax Administration to audit the Internal Revenue Service; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Education and the Workforce, the Judiciary, Natural Resources, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
By Mr. NADLER (for himself, Mr. CONYERS, and Mr. SCOTT of Virginia):
H.R. 2390. A bill to amend title 18, United States Code, to provide for limitations on detentions of certain individuals, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Armed Services, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
By Mrs. WAGNER (for herself, Mr. CLAY, Mr. LUETKEMEYER, Mrs. HARTZLER, Mr. CLEAVER, Mr. GRAVES of Missouri, Mr. LONG, and Mr. SMITH of Missouri):
H.R. 2391. A bill to designate the facility of the United States Postal Service located at 5323 Highway N in Cottleville, Missouri as the ''Lance Corporal Phillip Vinnedge Post Office''; to the Committee on Oversight and Government Reform.
By Mr. SMITH of Missouri:
H.J. Res. 49. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.
By Mr. YOHO (for himself, Mr. HASTINGS of Florida, Mr. CASSIDY, Mr. LAMALFA, Ms. FRANKEL of Florida, Mr. ROONEY, Mr. RADEL, Mr. SCHRADER, Mrs. ROBY, and Ms. WILSON of Florida):
H. Con. Res. 39. Concurrent resolution expressing the sense of Congress that all direct and indirect subsidies that benefit the production or export of sugar by all major sugar producing and consuming countries should be eliminated; to the Committee on Ways and Means, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
By Mr. KING of New York (for himself, Mr. GARRETT, Mr. LOBIONDO, Ms. ROS-LEHTINEN, Mr. DIAZ-BALART, and Mr. GRIMM):
H. Res. 262. A resolution calling for the immediate extradition or rendering to the United States of convicted felon William Morales and all other fugitives from justice who are receiving safe harbor in Cuba in order to escape prosecution or confinement for criminal offenses committed in the United States; to the Committee on Foreign Affairs.
By Mr. PITTS (for himself, Mr. MCINTYRE, Mr. HULTGREN, Mr. RANGEL, Mr. TERRY, Mrs. HARTZLER, Mr. JOHNSON of Ohio, Mr. NEUGEBAUER, Mr. GINGREY of Georgia, Mr. HUELSKAMP, Mr. SOUTHERLAND, Mr. JONES, Mr. FLEMING, Mr. PEARCE, and Mr. LATTA):
H. Res. 263. A resolution recognizing the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day; to the Committee on Education and the Workforce.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

46. The SPEAKER presented a memorial of the Senate of the State of Maine, relative to a Joint Resolution requesting the enactment of legislation that would reinstate the separation of commercial and investment banking functions that was in effect under the Glass-Steagall Act; to the Committee on Financial Services.
47. Also, a memorial of the House of Representatives of the State of Tennessee, relative to House Joint Resolution No. 69 urging the Congress to classify emergency medical service providers as it does other first responders; to the Committee on Education and the Workforce.
48. Also, a memorial of the Senate of the State of Maine, relative to a Joint Resolution honoring the Victims of the Boston Marathon Explosions; to the Committee on Oversight and Government Reform.
49. Also, a memorial of the Senate of the State of Nevada, relative to Senate Joint Resolution No. 1 supporting the preservation and protection of our iconic wild horses and burros in the State of Nevada; to the Committee on Natural Resources.
50. Also, a memorial of the Senate of the State of Nevada, relative to Senate Joint Resolution No. 14 urging the Congress to enact the Lyon County Economic Development and Conservation Act; to the Committee on Natural Resources.
51. Also, a memorial of the Legislature of the Commonwealth of Puerto Rico, relative to Concurrent Resolution No. 24 requesting the Congress to provide $2.5 million for the State Elections Commission of Puerto Rico for a congressionally-sponsored plebiscite; to the Committee on Natural Resources.
52. Also, a memorial of the Senate of the State of Maine, relative to a Joint Resolution supporting an amendment to the Constitution regarding campaign finance; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. SMITH of New Jersey introduced a bill (H.R. 2392) for the relief of certain aliens who were aboard the Golden Venture; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BROUN of Georgia:
H.R. 2373.

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

Article 1, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mrs. WAGNER:

H.R. 2374.

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

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

Additional authority derives from Article I, Section 8, Clause 3 of the United States Constitution: ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

Additional authority derives from Article I, Section 8, Clause 18 of the United States Constitution: ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''

By Mr. THOMPSON of Pennsylvania:

H.R. 2375.

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

Article I, Section 8, Clause 3; and including, but not solely limited to Article I, Section 8, Clause 14.

By Mr. FITZPATRICK:

H.R. 2376.

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

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. DENHAM:

H.R. 2377.

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

The Constitutional Authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. MULLIN:

H.R. 2378.

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

Clause 1 of Article I, Section 8

By Mr. BACHUS:

H.R. 2379.

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

Article 1, Section 8: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. CHABOT:

H.R. 2380.

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

The constitutional authority delegated to Congress to enact this legislation is found in Article I, Section 8, Clause 3 of the U.S. Constitution, which authorizes Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. CONYERS:

H.R. 2381.

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

''The Constitution of the United States,'' Article 1, Section 8.

By Mr. COOK:

H.R. 2382.

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

Clause 3 of section 8 of article I of the Constitution.

By Mr. RODNEY DAVIS of Illinois:

H.R. 2383.

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

Article 1, Section 8 of the United States Constitution

By Mr. DEUTCH:

H.R. 2384.

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

Article 1, Section 8, Clauses 1 and 18 of the Constitution of the United States.

By Mr. DUFFY:

H.R. 2385.

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

Article 1, Section 8, Clause 3 of the Constitution: ''To regulate Commerce with foreign nations, and among several States, and with the Indian Tribes.''

Article 1, Section 8, Clause 18 of the Constitution: ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.''

Explanation: To the extent that the CFPB falls under the purview of Congress' power to regulate commerce, legislation that is reasonably deemed as an appropriate or necessary means to achieve such ends is constitutional under the necessary and proper clause. Legislation that seeks to classify and compensate federal employees at the CFPB is a practical means to effectively execute the power granted to Congress to regulate Commerce.

By Mr. LARSON of Connecticut:

H.R. 2386.

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

Article I, Section 8, Clause 18

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 2387.

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

Article 1, Section 8, Clause 5 of the U.S. Constitution: ''To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;''.

By Mr. MCCLINTOCK:

H.R. 2388.

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

(1) U.S. Constitution, Article IV, Section 3, Clause 2 (the Property Clause), which confers on Congress the authority over lands belonging to the United States, including the placement of such lands into trust for Native American Tribes.

(2) U.S. Constitution, Article I, Section 8, Clause 3 (the Commerce Clause) and U.S. Constitution, Article II, Section 2 (the Treaty Clause), which confer on Congress plenary authority over Native American affairs.

By Mr. MEADOWS:

H.R. 2389.

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

Clause 1, Section 8 of Article 1 of the United States Constitution which reads: ''The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.''

By Mr. NADLER:

H.R. 2390.

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

U.S. Constitution, Article I, Section 8, Clauses 10, 11, and 18.

By Mrs. WAGNER:

H.R. 2391.

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

Pursuant to Article I, Section 8, Clause 7 of the United States Constitution, which grants Congress the power to establish Post Offices and post Roads, Congress has the authority to enact legislation to name a post office.

Mr. SMITH of New Jersey:

H.R. 2392.

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

Article I, section 8, clause 4 of the Constitution provides that Congress shall have power ''To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;''

By Mr. SMITH of Missouri:

H.J. Res. 49.

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

Article V of the U.S. Constitution, which grants Congress the authority to propose Constitutional amendments.

ADDITIONAL SPONSORS

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

H.R. 24: Mr. UPTON.

H.R. 32: Mr. GIBSON, Mr. VEASEY, and Mr. MCDERMOTT.

H.R. 36: Mr. SENSENBRENNER, Mr. LATHAM, Mrs. HARTZLER, Mr. BISHOP of Utah, Mr. MCKINLEY, Mr. YOUNG of Indiana, and Mr. ROSKAM.

H.R. 129: Mrs. LUMMIS.

H.R. 198: Mr. O'ROURKE.

H.R. 207: Mr. KLINE.

H.R. 274: Mr. PAYNE, Ms. ESHOO, Mr. DEFAZIO, Ms. KAPTUR, Ms. SCHAKOWSKY, Mr. PASTOR of Arizona, and Mr. OWENS.

H.R. 358: Mrs. MILLER of Michigan.

H.R. 359: Mr. CARTWRIGHT.

H.R. 400: Ms. SPEIER and Mr. PRICE of North Carolina.

H.R. 451: Mr. CRENSHAW.

H.R. 474: Mr. WITTMAN.

H.R. 485: Mr. MCGOVERN.

H.R. 508: Mr. ROGERS of Michigan.

H.R. 543: Ms. ESTY.

H.R. 580: Mr. PERRY.

H.R. 594: Mr. MATHESON.

H.R. 596: Mr. TAKANO and Mr. LABRADOR.

H.R. 647: Mr. RODNEY DAVIS of Illinois.

H.R. 664: Ms. BASS.

H.R. 690: Mr. BARBER and Mr. KLINE.

H.R. 693: Mr. HECK of Washington, Mr. BROUN of Georgia, Mr. MULVANEY, Mr. JOYCE, and Mr. GOHMERT.

H.R. 698: Ms. PINGREE of Maine.
H.R. 721: Mr. GRIFFIN of Arkansas.
H.R. 750: Mr. FITZPATRICK, Mr. PERLMUTTER, Mr. KING of New York, Mr. MATHESON, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. BLUMENAUER, and Mr. HUFFMAN.
H.R. 755: Mr. ENGEL, Mr. ANDREWS, Mr. CICILLINE, Mr. CLAY, Ms. GABBARD, Mr. GARCIA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Mr. PETERS of California, Mr. RUIZ, Mr. VEASEY, Mr. VELA, Ms. WASSERMAN SCHULTZ, and Mr. MCINTYRE.
H.R. 762: Mr. FITZPATRICK.
H.R. 763: Mr. BRIDENSTINE and Mr. FRELINGHUYSEN.
H.R. 794: Mr. HANNA and Ms. CASTOR of Florida.
H.R. 846: Mr. BONNER, Ms. WILSON of Florida, and Mrs. ROBY.
H.R. 847: Mr. MCDERMOTT and Ms. BASS.
H.R. 851: Ms. SPEIER.
H.R. 920: Ms. HERRERA BEUTLER.
H.R. 924: Mr. RANGEL and Ms. SCHWARTZ.
H.R. 952: Ms. SHEA-PORTER and Ms. SINEMA.
H.R. 956: Ms. BONAMICI.
H.R. 961: Mrs. BUSTOS.
H.R. 1024: Mr. PITTENGER.
H.R. 1077: Mr. VELA.
H.R. 1078: Mr. ALEXANDER.
H.R. 1093: Mrs. DAVIS of California.
H.R. 1102: Mr. LARSEN of Washington.
H.R. 1148: Mr. POLIS and Mr. PAYNE.
H.R. 1179: Mr. CLAY, Ms. MENG, Mr. PRICE of North Carolina, and Mr. BARBER.
H.R. 1186: Mr. ISSA and Mr. LAMALFA.
H.R. 1199: Mr. CARTWRIGHT, Ms. MATSUI, and Mr. SCOTT of Virginia.
H.R. 1226: Mr. BUCSHON, Mr. MCHENRY, and Mr. LUCAS.
H.R. 1250: Mr. RUPPERSBERGER.
H.R. 1252: Mrs. WALORSKI.
H.R. 1254: Mr. COBLE, Mr. ROSS, Mr. MEADOWS, Mr. PITTS, Mr. BARLETTA, Mr. DESJARLAIS, Mr. ROKITA, Mr. WILSON of South Carolina, and Mrs. ELLMERS.
H.R. 1303: Mr. WEBSTER of Florida and Mr. OWENS.
H.R. 1354: Ms. GRANGER and Mr. WILSON of South Carolina.
H.R. 1373: Mrs. BUSTOS.
H.R. 1403: Ms. CLARKE.
H.R. 1428: Mrs. MILLER of Michigan and Mrs. CAPITO.
H.R. 1494: Mr. HASTINGS of Florida.
H.R. 1523: Mr. MCDERMOTT.
H.R. 1530: Mr. HUFFMAN.
H.R. 1563: Ms. SEWELL of Alabama.
H.R. 1599: Mrs. NEGRETE MCLEOD.
H.R. 1627: Mr. MARKEY and Ms. MOORE.
H.R. 1692: Ms. DELAURO.
H.R. 1717: Mr. DUNCAN of South Carolina, Mr. RICHMOND, Mr. GRAVES of Georgia, Mr. WELCH, and Mr. CASSIDY.
H.R. 1750: Mr. COLE, Mr. ROGERS of Alabama, Mr. GRIFFIN of Arkansas, Mr. WHITFIELD, and Mrs. NOEM.
H.R. 1779: Mr. HARPER, Mr. PALAZZO, Mr. NUNNELEE, Mrs. BLACKBURN, Mr. ROSS, Mr. WILSON of South Carolina, Mr. LATHAM, Mr. BARR, Mr. MICHAUD, Mr. STIVERS, Mr. HURT, Mr. STUTZMAN, Mr. SCHWEIKERT, Mr. MCINTYRE, and Mr. CARTWRIGHT.
H.R. 1791: Mr. PALAZZO.
H.R. 1795: Mr. VISCLOSKY, Mr. GENE GREEN of Texas, Mr. BURGESS, Ms. JACKSON LEE, Mr. LEWIS, Mr. CAPUANO, Mr. HIMES, Mr. CONNOLLY, Mr. RYAN of Ohio, Mr. NADLER, and Mr. GRIMM.
H.R. 1797: Mr. HURT.
H.R. 1806: Ms. NORTON.
H.R. 1827: Mr. PAYNE and Mr. LARSON of Connecticut.
H.R. 1830: Mr. CAPUANO.
H.R. 1837: Mr. MCNERNEY, Ms. DELBENE, Mr. WELCH, Mr. ISRAEL, Mr. DEFAZIO, and Mr. CICILLINE.
H.R. 1838: Mr. BROUN of Georgia, Mr. ISRAEL, Mr. MICHAUD, and Mr. PERLMUTTER.
H.R. 1843: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1874: Mr. MESSER.
H.R. 1878: Mr. BUCSHON.
H.R. 1891: Ms. KUSTER, Mr. CAPUANO, Mr. POLIS, and Mr. PRICE of North Carolina.
H.R. 1907: Mr. RANGEL and Mr. CARTWRIGHT.
H.R. 1908: Mr. BRIDENSTINE, Mr. LABRADOR, and Mr. AMASH.
H.R. 1918: Mr. AMODEI and Ms. LORETTA SANCHEZ of California.
H.R. 1961: Ms. KAPTUR.
H.R. 2000: Mr. JOHNSON of Georgia.
H.R. 2002: Ms. PINGREE of Maine.
H.R. 2003: Mr. POLIS.
H.R. 2009: Mr. DUFFY, Mr. LATHAM, and Mr. YOUNG of Alaska.
H.R. 2016: Mr. UPTON.
H.R. 2019: Mr. RODNEY DAVIS of Illinois, Mr. RUIZ, Mr. LANKFORD, Mr. MCHENRY, Mr. SENSENBRENNER, Mr. DIAZ-BALART, Mr. PITTENGER, Mr. ALEXANDER, Mr. ROGERS of Alabama, Mr. BONNER, Mr. BOUSTANY, Mr. CASSIDY, Mr. GOWDY, Mrs. ELLMERS, Mr. NUNNELEE, Mr. MCCAUL, and Mr. GRIFFITH of Virginia.
H.R. 2026: Mr. HARPER, Mr. LABRADOR, and Mr. REICHERT.
H.R. 2045: Mr. WEBER of Texas and Mr. DESJARLAIS.
H.R. 2051: Ms. BASS, Mr. RUSH, and Ms. JACKSON LEE.
H.R. 2053: Mr. YODER.
H.R. 2068: Mr. LABRADOR.
H.R. 2084: Mr. WHITFIELD.
H.R. 2088: Mr. O'ROURKE.
H.R. 2156: Mr. ROE of Tennessee.
H.R. 2185: Mr. KEATING.
H.R. 2201: Mr. PRICE of North Carolina and Mr. BLUMENAUER.
H.R. 2203: Mr. PRICE of Georgia and Mr. CICILLINE.
H.R. 2231: Mr. MULLIN.
H.R. 2241: Mr. DEFAZIO.
H.R. 2247: Mr. STOCKMAN, Mr. FRANKS of Arizona, Mr. LAMALFA, and Mrs. HARTZLER.
H.R. 2250: Mr. PETERSON and Mr. QUIGLEY.
H.R. 2258: Mr. GOHMERT.
H.R. 2273: Mr. CONYERS.
H.R. 2278: Mr. MARINO.
H.R. 2288: Ms. NORTON, Mr. MORAN, Ms. DELAURO, Ms. SPEIER, and Ms. LOFGREN.
H.R. 2300: Mr. BENISHEK, Mr. RIBBLE, Mr. CRAWFORD, and Mr. HUIZENGA of Michigan.
H.R. 2310: Mr. STEWART.
H.R. 2313: Mr. THOMPSON of Mississippi.
H.R. 2323: Mr. LUETKEMEYER.
H.R. 2324: Mr. ROONEY, Mr. LOWENTHAL, and Mr. NOLAN.
H.R. 2328: Mr. LANCE, Mr. MCINTYRE, and Mr. SCHOCK.
H.R. 2330: Mrs. MILLER of Michigan.
H.R. 2353: Mr. KIND, Mr. RYAN of Wisconsin, Ms. MOORE, Mr. DUFFY, and Mr. POCAN.
H.R. 2360: Mr. DENT.
H. Con. Res. 16: Ms. JENKINS.
H. Con. Res. 24: Mr. HARRIS and Mr. RODNEY DAVIS of Illinois.
H. Con. Res. 28: Ms. BROWNLEY of California, Mr. POLIS, Mr. KEATING, and Mr. KIND.
H. Con. Res. 36: Mr. POCAN.
H. Res. 30: Mr. TIERNEY.
H. Res. 72: Mr. SCHOCK.
H. Res. 109: Mr. RODNEY DAVIS of Illinois.
H. Res. 170: Mr. MESSER.
H. Res. 188: Mr. WOLF.
H. Res. 199: Mr. LATHAM.
H. Res. 206: Mrs. BLACK.
H. Res. 213: Mrs. KIRKPATRICK and Mr. MCGOVERN.
H. Res. 222: Mr. COTTON, Ms. FRANKEL of Florida, Mr. RADEL, Mr. BENTIVOLIO, Mr. MEADOWS, and Mr. NUNNELEE.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

24. The SPEAKER presented a petition of Chemung County Legislature, New York, relative to Resolution No. 13-244 opposing any effort by the Congress to amend Section 922 of Title 18, United States Code; to the Committee on the Judiciary.

25. Also, a petition of the City of Berkeley, California, relative to Resolution No. 66, 102-N.S. supporting the passage of the United American Families Act; to the Committee on the Judiciary.

DISCHARGE PETITIONS

Under clause 2 of rule XV, the following discharge petition was filed:

Petition 2, June 13, 2013, by Mr. JOE COURTNEY on H.R. 1595, was signed by the following members: Joe Courtney, Ron Barber, Tony Cárdenas, Mike Thompson, Gerald E. Connolly, Terri A. Sewell, John B. Larson, James P. McGovern, Marcy Kaptur, Elizabeth H. Esty, David N. Cicilline, Lois Capps, Janice Hahn, Julia Brownley, Eddie Bernice Johnson, Scott H. Peters, Brian Higgins, George Miller, Sander M. Levin, Alcee L. Hastings, Filemon Vela, Gene Green, Robert E. Andrews, William R. Keating, Grace Meng, John D. Dingell, Ann M. Kuster, Joaquin Castro, Bill Pascrell Jr., Hakeem S. Jeffries, Timothy H. Bishop, Daniel T. Kildee, Mike Quigley, Danny K. Davis, G.K. Butterfield, Lucille Roybal-Allard, Al Green, Yvette D. Clarke, Wm. Lacy Clay, Marcia L. Fudge, André Carson, Gloria Negrete McLeod, Timothy J. Walz, Kathy Castor, Michael E. Capuano, Joseph P. Kennedy III, John Garamendi, Suzan K. DelBene, Denny Heck, Pete P. Gallego, John F. Tierney, Raúl M. Grijalva, Ann Kirkpatrick, James P. Moran, David Scott, Michelle Lujan Grisham, Frank Pallone, Jr., Suzanne Bonamici, Robin L. Kelly, Tammy Duckworth, Michael M. Honda, Sanford D. Bishop Jr., Henry Cuellar, William L. Enyart, Derek Kilmer, Jared Huffman, Rush Holt, Mark Pocan, Matt Cartwright, Jared Polis, Daniel Lipinski, Beto O'Rourke, Rubén Hinojosa, Henry A. Waxman, Frederica S. Wilson, Colleen W. Hanabusa, Dina Titus, Eric Swalwell, Linda T. Sánchez, Chellie Pingree, Bill Foster, Adam B. Schiff, Debbie Wasserman Schultz, Grace F. Napolitano, Eliot L. Engel, David Loebsack, Raul Ruiz, James R. Langevin, Karen Bass, Mike McIntyre, Lois Frankel, Diana DeGette, Theodore E. Deutch, C.A. Dutch Ruppersberger, Rosa L. DeLauro, Chris Van Hollen, Jim Costa, Michael F. Doyle, Betty McCollum, Sheila Jackson Lee, Doris O. Matsui, Anna G. Eshoo, Donna F. Edwards, James E. Clyburn, Niki Tsongas, Mark Takano, Kyrsten Sinema, Steven A. Horsford, Melvin L. Watt, Juan Vargas, David E. Price, Albio Sires, Ami Bera, Alan S. Lowenthal, Nydia M. Velázquez, Maxine Waters, Jim McDermott, Cheri Bustos, Peter Welch, Allyson Y. Schwartz, John C. Carney Jr., John P. Sarbanes, Sam Farr, Cedric L. Richmond, Jerry McNerney, José E. Serrano,

Donald M. Payne Jr., Gary C. Peters, Bennie G. Thompson, Richard M. Nolan, Joe Garcia, James A. Himes, Sean Patrick Maloney, Keith Ellison, Joyce Beatty, Zoe Lofgren, Peter A. DeFazio, Emanuel Cleaver, Elijah E. Cummings, Ed Perlmutter, Bradley S. Schneider, John A. Yarmuth, Gregory W. Meeks, Earl Blumenauer, Steve Israel, Louise McIntosh Slaughter, Robert C. ''Bobby'' Scott, Paul Tonko, Janice D. Schakowksy, Brad Sherman, Joseph Crowley, Ed Pastor, Loretta Sanchez, Adam Smith, Nick J. Rahall II, Bruce L. Braley, William L. Owens, Steve Cohen, Steny H. Hoyer, Luis V. Gutierrez, Gwen Moore, Corrine Brown, Xavier Becerra, Robert A. Brady, Ben Ray Luján, Daniel B. Maffei, Alan Grayson, Henry C. ''Hank'' Johnson Jr., Stephen F. Lynch, Chaka Fattah, Nancy Pelosi, Jackie Speier, Nita M. Lowey, Jerrold Nadler, Patrick Murphy, John K. Delaney, Tim Ryan, Rick Larsen, John Lewis, Carolyn B. Maloney, Collin C. Peterson, Kurt Schrader, Michael H. Michaud, Charles B. Rangel, Tulsi Gabbard, and Susan A. Davis.

EXTENSIONS OF REMARKS

HONORING REV. ABRAHAM REED, SR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Rev. Abraham Reed, Sr., who is a remarkable civil and public servant.

Rev. Abraham Reed, Sr. was born on December 1, 1940, the third child of 10 children. He is a Civil Rights legend in the Jefferson and Claiborne County areas. Often when the movement did a boycott of a business in one county they would follow and boycott in neighboring counties.

Rev. Reed stated that he believed that he was used during the movement because he was not scared of anything, so he was the go-to man, when it was time for standing up to the Jim Crow society in Jefferson County.

Rev. Reed remembers that the movement started in 1965, when Mr. Charles Evers, another movement leader, would come into Fayette, MS to meet at Adams Chapel United Methodist Church in a mass meeting, then march to the Courthouse where demands of the people would be made. They wanted jobs in the stores and in the county offices and to have the same rights for good books for our children in their classrooms which would create the best opportunities for good jobs and education.

Rev. Reed remembers that it was well worth the marching, and the boycotting and the mass meetings, because after long hours and days of marching, many of their demands were met, resulting in two black ladies who were hired. Mrs. Doris White was hired at the Montgomery Store in 1966 and in that same year Mrs. Jeanie Enochs was hired at Hirsch's Store and these ladies worked at the stores for many years. And with continued success in the movement, another lady, Delorise Frye was hired as a Deputy Clerk in the Chancery Clerk's Office and worked there for many years.

Rev. Reed is a bricklayer by trade. He learned this trade from an elderly white man, Claude Brown. Rev. Reed was not participating in the movement to get a job for himself but because of his concern for others.

Rev. Reed stood guard over many of the most prominent civil rights workers at night and laid bricks by day. Oftentimes, while at Mr. Fernand Allen's house, he had to protect Mr. Allen, because he was the president of the NAACP. Therefore, Rev. Reed and others kept shifts because they were determined not to lose a great leader.

Rev. Reed laid the blocks to Mr. Allen's hotel that he was building, but when the MS Southern Bank at Port Gibson found out that Mr. Allen was active in the NAACP movement, the bank withdrew financing of $20,000.00 and the bank gave him 6 weeks to pay it back. Rev. Reed along with others participated in an emergency mass meeting and financial rally; and raised $19,000.00 to cover this debt.

Rev. Reed often stood guard over other leaders of the NAACP as well as continued his trade of laying blocks all day. Often he picked up some workers before they went on a job and the white folk came and enticed them to go to work with them; another bricklayer would come by and try and get them to go to his job so that they would not get the building that Rev. Reed was working on completed.

Rev. Reed enjoyed his work with the civil rights movement which was important work to him. He registered to vote in 1966 and assisted other blacks to register to vote. While doing this, others had to be called to assist in helping to register blacks because blacks were prevented from voting because they did not know how to fill out the forms or simply because of being black. But when help came, blacks were allowed to register and hundreds of blacks registered to vote.

Rev. Reed participated in registration drives and felt very proud when in 1969, a slate of black candidates ran for office in the City of Fayette and everyone that ran won.

Rev. Reed remembers the dangerous times during those years when blacks had to watch out for self and for others, yet he is proud to have been an active part of the movement.

Mr. Speaker, I ask my colleagues to join me in recognizing Rev. Abraham Reed, Sr. for his dedication to serving others and giving back to the African American community.

PERSONAL EXPLANATION

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. WITTMAN. Mr. Speaker, on June 11, 2013, I missed rollcall votes No. 212 and 213. Had I been present, I would have voted in the following manner:

Rollcall No. 212: "aye."

Rollcall No. 213: "aye."

CONGRATULATING THE YOUTH CONSERVATION CORPS ON THEIR 29TH ANNUAL CHARITY GOLF OUTING

HON. BRADLEY S. SCHNEIDER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. SCHNEIDER. Mr. Speaker, I rise today to honor the outstanding work of the Youth Conservation Corps (YCC), and congratulate them on hosting their 29th annual charity golf outing.

Originally started in 1974, YCC provides education and job training programs to prepare young adults to join the workforce and be active members of their community. Its founding principles intertwine conservation, environmental consciousness, vocational training and practical development in order to provide students with the best possible experience.

YCC serves disadvantaged, unemployed and ex-offender young adults, helping them build a path to a brighter future. In the last decade, throughout Waukegan and the entire Tenth District community, YCC has broadened its reach and expanded its programs.

The success of YCC is a testament to the power of public-private partnerships, and demonstrates how much good we can accomplish when working together to empower the next generation.

I would also like to honor Walgreens, based in Illinois's Tenth District, for their longtime support of YCC and its mission. A strong YCC partner since 1981, Walgreens, over the past eight years, has helped create the largest-netting non-national charity golf outing in northeastern Illinois to support these incredible programs. Their generosity completely funds YCC's Summer High School Program, in addition to much more.

The dedicated men and women who make up YCC, as well as its many supporters, deserve to have their important work honored, and I am proud to recognize them here today. I am also proud of each and every YCC graduate for having the courage to take hold of their future. I wish YCC only the best as they continue giving this chance to more and more kids.

HONORING THE CAREER OF DAVE CHAPMAN

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mrs. BUSTOS. Mr. Speaker, I rise today to congratulate Dave Chapman of Peoria on his recent retirement on April 1st, 2013, after more than 40 years at Caterpillar.

Dave has been a true friend and advocate to working men and women throughout Illinois and truly cares for those less fortunate. Throughout his career he held a number of positions with the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), including President of UAW Local 974, representing more than 14,000 workers in the Peoria area.

As President of the Local UAW, a position he held for 13 years, Dave Chapman and his administration negotiated two consecutive six-

year contracts with Caterpillar without a strike, something that had not happened before in UAW 974 history. His success has not been limited to just CAT, as he and his administration negotiated at least 15 contracts with other companies, all without any strikes taking place.

Mr. Speaker, I am grateful for Dave's contributions as a leader in his community and I again want to congratulate him on his well-earned retirement and wish him luck with his future endeavors.

THE WESTERN NEW YORK HISPANIC AMERICAN VETERANS' COMMITTEE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to recognize our Nation's Hispanic-American veterans with the unveiling of the Hispanic-American Veterans' Memorial. Dedicated to the service of past, present, and future veterans, the memorial honors the courageous sacrifices and immense contributions by the Hispanic-American community while defending our Nation.

Hispanic-Americans have a storied history in the armed forces. The legendary 65th Infantry Regiment, known as the ''Borinqueneers,'' was the only segregated Hispanic-American branch in the history of our military. Established in 1899, the regiment made significant contributions to the American effort in World War I, World War II, and the Korean War. Locally, the Gabriel A. Rodriguez American Legion Post Number 1928 primarily serves and honors Hispanic-American veterans.

The Hispanic-American Veterans' Memorial is the first monument to Hispanic-American veterans in our region. Thanks to the efforts of countless individuals, including the Hispanic Heritage Foundation and the Western New York Hispanic American Veterans' Committee, these brave men and women will be memorialized permanently along the waterfront. Placed among many military memorials, the monument demonstrates the unity among our country's noble service men and women.

The memorial features boots, a rifle, and a helmet arranged in a battlefield cross to remember fallen heroes. The flags of twenty-two countries are engraved on an ellipse with a kneeling soldier and a female soldier, representing the twenty-one countries where most Hispanic-American veterans trace their roots, and the United States. Four hundred sixty personalized bricks symbolize the sacrifices and history of those who have fallen in battle, and allow public and private engagement with those who are memorialized.

It is with great pride that today I recognize the service of over one million Hispanic-American veterans with the unveiling of this memorial. I am immensely grateful for the commitment of the Hispanic Heritage Foundation and the Western New York Hispanic-American Veterans' Committee to telling the stories of these heroes. Their service to our region and our Nation is inspiring, and I am proud that Western New Yorkers now have a place to reflect on their legacy.

RECOGNIZING ADAM ASHER DUKER

HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mrs. WALORSKI. Mr. Speaker, today I rise to recognize Adam Asher Duker, who received a Fulbright grant to study the Reformation in Switzerland. The Fulbright program promotes cross-cultural understanding and unifies the world's brightest minds to embark on innovative research projects. Adam Duker was selected due to an impressive résumé of leadership and academic achievement maintained throughout his university and post-graduate career.

His passion and motivation certainly deepens our connection between cultures and fosters a stronger relationship between our countries. In Switzerland, Adam worked with the brightest Swiss academics to study the Reformation. As a graduate student at the University of Notre Dame, Adam's dissertation illustrates the viewpoint of Christians through the lens of the Hebrew bible, and explains Israelite identity transformation of Christian armies. His studies in Switzerland will surely navigate an uncharted course to shed light on a unique perspective of religious conflict in early modern Europe.

I am honored to recognize Adam Asher Duker's exemplary work ethic, intelligence, and accomplished research collected at home and abroad. On behalf of Indiana's Second District, I am proud to recognize Adam for his prestigious accomplishments and wish him luck toward future endeavors.

HONORING MRS. LOIS GILES

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. LAMBORN. Mr. Speaker, I rise today to honor a wonderful woman from Colorado Springs. Mrs. Lois Giles, a mother of four, grandmother of eight and great-grandmother of five, has spent many years devoting her time to her community. She has set a record at Memorial Hospital in Colorado Springs by volunteering an incredible thirty-seven thousand hours in the Volunteer Service Department. Lois is loved by everyone she works with and is always eager to lend a helping hand. Rising at 3:45 a.m. four days per week she works from 5 a.m. to 3 p.m. She has spent hours working on patient floors, in the business office and in the emergency room. Now, Lois helps greet people at the Hospital's north entrance front desk, looks up room numbers and provides telephone numbers and directions to rooms. The epitome of a selfless worker, she admits she's not striving to acquire more hours, rather she comes in each day just so she can help. She has been nominated twice for the Memorial Appreciation Award at the Hospital and won the award for her unwavering commitment to notify the hospital of an unsafe workplace situation.

Her late husband Howard also volunteered at the Hospital. Lois and Howard were married on Memorial Day 1941.

The Senior League and Senior Research Council of the Pikes Peak Region awarded Lois the Community Service Award for incredible service to the community and on behalf of senior citizens. Lois has been praised by her co-workers for her leadership, sense of responsibility and caring nature.

Lois deserves much recognition for her dedication to helping others and the incredible impact she had on her community and the countless lives she has touched.

RECOGNIZING THE JOLIET CATHOLIC ACADEMY 2013 STATE CHAMPION BASEBALL TEAM

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize Joliet Catholic Academy's baseball team for winning the third Illinois Class 3A state championship title.

Although they started this season slowly, losing their first three games, the team rallied late in the season to finish the season with a nine game winning streak to capture the Illinois state title. The JCA Hilltoppers' solid pitching and defense produced shutouts against five of Illinois' finest teams during the state tournament. Throughout the championship tournament, JCA outscored their opponents by an average of six runs per game, including a 5–0 win in the championship game over St. Francis High School. This outstanding finale came as a result of years of hard work by these young men and Coach Jared Voss and his staff, who have led the JCA Hilltoppers to two state championships in the past four seasons.

This victory is a reminder of how preparation, practice, and perseverance produce solid results, even when facing difficult challenges. Today, I am pleased to call on all my colleagues to join me in congratulating the young men of Joliet Catholic Academy on winning the state championship.

HONORING JOHN J. BRADY, ED.D. ON THE OCCASION OF HIS RETIREMENT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Ms. DELAURO. Mr. Speaker, it is an honor for me to rise today to join the many family, friends, colleagues, and community members who have gathered to congratulate Dr. John J. Brady on the occasion of his retirement as Superintendent of the Amity Regional school system after a thirty-four year career in public education.

Over the course of his career, and particularly in his nine-year tenure as Superintendent, John has shown both remarkable leadership and a unique dedication to our young people, ensuring that they had access to the best possible educational opportunities. When John came to Amity nine years ago, the District was facing serious financial challenges which, in turn, were causing declining confidence among faculty, students, and the three communities the school district serves. With his unique vision, principled leadership, and prudent financial direction, John worked with the Board of Education to turn Amity around.

Restoring integrity and rigor to the financial operations of the District as well as the confidence of the communities, students, and faculty, his commitment to educational excellence has made all the difference. Under John's tenure, a renewed emphasis was placed on the arts as an integral part of the educational experience, dedicating similar resources and focus as are given to their successful athletics program. Indeed, one of John's enduring legacies is the beautiful performing arts building that he not only advocated for, but brought in both on time and on budget. The building was recently dedicated in his honor and the John J. Brady Center for the Performing Arts will long stand as a reminder of his remarkable efforts on behalf of Amity, its faculty, and most importantly, its students.

Administrators and teachers play an important role in our communities. Our children spend a great deal of their childhood in school and it is the faculty and staff that they look to for guidance and support. I have often spoke of our nation's need for talented, creative educators ready to help our children learn and grow. Dedicating his career to education, as an educator and administrator, John has touched the lives of hundreds of our young people—creating a safe and nurturing environment in which they could realize their potential.

Tonight, as he celebrates his retirement, I am proud to stand today to extend my sincere thanks and appreciation to John J. Brady for his more than three decades in public education and for all the many invaluable contributions he has made to the Amity Regional school district. I wish him and his family—son, Christopher, daughters, Caitlin and Marissa, and two year old granddaughter, Nora—all the best for many more years of health and happiness.

RECOGNIZING THE NCAA CHAMPION DUKE UNIVERSITY MEN'S LACROSSE TEAM

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to congratulate the players, coaches, and staff of the Duke University men's lacrosse team for their victory in the 2013 National Collegiate Athletic Association (NCAA) Division I Men's Lacrosse Tournament.

Duke University has a long tradition of excellence in collegiate sports, including collegiate lacrosse. In April of 1938, the Duke Men's lacrosse team played its first game, defeating its arch-rivals at the University of North Carolina at Chapel Hill by a score of two to one. Since then, the team has reached 13 national championship games, winning an NCAA Championship in 2010 and now in 2013.

This year's Blue Devils team won nine out of ten games to close out the season, including a series of hard-fought, close victories in the NCAA tournament. This historic run included victories over Loyola 12–11 in double overtime, Notre Dame 12–11, and Cornell 16–14. To win the championship, the Blue Devils defeated a tough Syracuse team by a 16–10 margin, coming all the way back from a 5–0 deficit in the second quarter. Duke's Brendan Fowler won 20 out of 28 face-offs, while Jordan Wolf led the team with four goals, followed by Josh Offit and Josh Dionne with three each. I know other players made equally important contributions on the field, in practice, and in the classroom throughout the year, and it is in that spirit that I include below the full roster of this year's team, together with their hometowns and secondary schools, so that all will be recognized in the CONGRESSIONAL RECORD.

Special congratulations are also in order for Duke University's Coach, John Danowski, who has now led the team to two NCAA Championships. In his seven years as head coach, Coach Danowski has compiled an impressive 95–24 record, capturing five ACC regular season titles and four ACC tournament titles in addition to his two national championships. Coach Danowski has also mentored 37 All-Americans, 19 All-ACC selections, two Tewaaraton Trophy winners, two USILA Attackman of the Year award recipients, and 10 USILA Scholar All-America picks.

On behalf of my colleagues, I extend the House's congratulations to the Duke Blue Devils for their incredible season, and I look forward to welcoming them to Washington, D.C. and to the White House later this year.

DUKE BLUE DEVILS ROSTER 2012–13 SEASON

Head Coach: John Danowski

Assistant Coaches: Ron Caputo, Matt Danowski

Volunteer Assistant Coach: Joe Cinosky

#1—Kyle Turri, West Islip, N.Y. (West Islip)

#2—David Lawson, Westford, Mass. (Middlesex)

#3—Brendan Fowler, Wantagh, N.Y. (Chaminade)

#4—Dan Wigrizer, Villanova, Pa. (Haverford)

#5—Tanner Scott, Conestoga, Pa. (Conestoga)

#6—Will Haus, Palmyra, Pa. (Palmyra Area)

#7—Jake Tripucka, Boonton Township, N.J. (Mountain Lakes)

#8—Josh Dionne, Merrimack, N.H. (Avon Old Farms)

#9—Case Matheis, Darien, Conn. (Darien)

#10—Deemer Class, Baltimore, Md. (Loyola Blakefield)

#11—Eddie Loftus, Syosset, N.Y. (Syosset)

#12—Seamus Connelly, Duxbury, Mass. (Duxbury)

#13—Chris Hipps, Dallas, Texas (Highland Park)

#14—John Shaffer, Summit, N.J. (Delbarton)

#15—Myles Jones, Huntington, N.Y. (Walt Whitman)

#16—Kyle Keenan, Smithtown, N.Y. (Smithtown West)

#17—Dan DiMaria, Dix Hills, N.Y. (Harvard)

#18—Tommy Patterson, Chatham, N.J. (Delbarton)

#19—Christian Walsh, Baltimore, Md. (Deerfield Academy)

#20—Charlie Payton, Greenwich, Conn. (Lawrenceville School)

#21—Brian Dailey, Conestoga, Pa. (Conestoga)

#23—Dax Cohan, San Francisco, Calif. (St. Ignatius Prep)

#24—Henry Meyer, Newton, Mass. (Belmont Hill)

#25—Josh Offit, Bethesda, Md. (Landon School)

#26—Joe Kruy, Sudbury, Mass. (Phillips Academy Andover)

#27—Justin George, Baltimore, Md. (Gilman)

#28—Jimmy O'Neill, Huntington, N.Y. (Chaminade)

#29—Morgan Kirby, Morristown, N.J. (Lawrenceville)

#30—Chad Cohan, San Francisco, Calif. (Saint Ignatius College Prep)

#31—Jordan Wolf, Wynnewood, Pa. (Lower Merion)

#32—Greg DeLuca, Boonton Township, N.J. (Mountain Lakes)

#33—Jamie Ikeda, Berwyn, Pa. (Conestoga)

#34—Ben Krebs, Pleasanton, Calif. (Foothill)

#35—Jack Rowe, Vienna, Va. (James Madison)

#36—Ben Scharf, New York, N.Y. (Phillips Academy Andover)

#37—Casey Carroll, Baldwin, N.Y. (Baldwin)

#38—Chris Coady, Winchester, Mass. (Buckingham Browne & Nichols)

#39—Luke Aaron, Great Falls, Va. (Deerfield Academy)

#41—Greg Rhodes, East Northporth, N.Y. (Chaminade)

#42—Matt Kunkel, South Setauket, N.Y. (Ward Melville)

#43—Will Hendrickson, New York, N.Y. (Riverdale)

#44—Spencer Peterson, Encinitas, Calif. (La Costa Canyon)

#50—Reid Maxmin, Katonah, N.Y. (John Jay)

#55—Bill Conners, West Chester, Pa. (Malvern Prep)

#77—Henry Lobb, Narberth, Pa. (Malvern Prep)

#91—Luke Duprey, Concord, N.H. (Phillips Andover)

#97—Rowland Pettit, Fort Worth, Texas (Trinity Valley School)

HONORING THE RETIREMENT OF JIM FOSTER FROM THE CITY CLUB OF CLEVELAND

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Ms. KAPTUR. Mr. Speaker, I have the distinct privilege of recognizing Jim Foster, who recently retired as Executive Director of the City Club of Cleveland. For twenty years, Mr. Foster provided strong and innovative leadership, building on the worldwide reputation of the City Club of Cleveland as "the citadel of free speech."

Jim Foster originally joined the City Club of Cleveland in 1993 as managing director and become executive director a year later. His involvement, however, was a continuation of a life and career spent in the Greater Cleveland community. Jim grew up in Shaker Heights, was an active member of the Air Force Reserve, and previously worked in city and county government.

As executive director, Jim continued the tradition of excellence of the City Club of Cleveland—the longest running continuous independent free speech forum in the country—in addressing the most salient issues while enacting necessary organizational changes to keep up, and ahead of, the time.

Displaying savvy leadership, Jim enhanced the club's media footprint on television and radio, secured the www.cityclub.org web address and built a website. As social media expanded, Jim kept the organization in front, providing all their forums via live stream, podcast, and archived on the Club's YouTube channel.

Throughout his tenure, Jim displayed a fervent commitment to free speech and the collegial exchange of ideas by pursuing speakers of national prominence and profound influence on a variety of topics, including politics, business, education, and health care. Speakers from all vantage points were hosted and subjected to the challenging but fair questions for which the City Club Forums are well-known. Just recently I worked with Jim to help bring Minority Leader NANCY PELOSI to the City Club for a luncheon address that was extremely well received.

I can confidently say that Jim fulfilled the Club's mission of being an exemplar of a democratic community.

As he enters retirement, I thank Jim for his immense dedication and excellence in serving the community. His character and career accomplishments epitomize what democracy and citizenship are about.

I join the City Club of Cleveland, its board of directors, the greater community, and friends and family in wishing Jim health and happiness in the years ahead. It is my privilege to honor Jim Foster.

HONORING MR. CLARENCE SCUTTER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Mr. Clarence Scutter, who is a remarkable civil and public servant.

Mr. Clarence Scutter is a lifetime resident of Port Gibson, MS. Having been raised in a single parent home by his mother, Georgia Scutter and grandmother, Alice Scutter, he is the eldest of three siblings.

Mr. Scutter graduated from Addison High School in 1962 and attended Alcorn State University. His goal of becoming a doctor was cut short by the death of his mother and later his grandmother. He was left with the responsibility of taking care of his younger sister and brother.

After his siblings reached adulthood, Mr. Scutter began his career: He served in the United States Army Reserve; he was Scoutmaster for a local boy scout troop; he was instrumental in helping to establish the first nutrition sites for the elderly in Claiborne County; he served as Chairman of the Claiborne County Committee on Aging; he was appointed to the Mississippi Council on Aging by Governor William Winter in 1981; he has served as President of the Richardson PTA and the Claiborne County PTA; and he served a number of years on the State PTA Board.

Mr. Scutter also has a compassion for sports; he served as an official with the Mississippi High School Activities Association, where he officiated football and basketball on the Junior High and High School levels; and with the Southwestern Athletic Conference (SWAC) where he officiated college basketball.

In 2004, Mr. Scutter was instrumental in applying for and being awarded a grant from the Association of Black Cardiology to promote healthcare awareness in Claiborne County and the surrounding areas. This grant introduced the ''CHOICES'' program to the community. It brought together four (4) local churches within the community with over 50 local residents who received training and became a Certified Health Promotion Specialists, volunteering to travel throughout the community providing health screenings for blood glucose, blood pressure, cholesterol and body mass index free of charge.

Mr. Scutter was employed with the United States Postal Service for 35 years, when he retired in 1999. He has served as County Coordinator for Congressman BENNIE THOMPSON for a number of years. Upon retirement he took on more challenges to impact his community. He is currently active in a variety of civic and cultural organizations including: MS Regional Housing Authority VI where he is a Commissioner for Claiborne County; Claiborne County Branch of the NAACP; Claiborne County PTSA; Citizens for Better Government Consulting Group; Claiborne County Retired Personnel Association and CEO for the Rural Community Development Corporation. His most prestigious award came in 1999 where he received the Outstanding Leadership Award from President Bill Clinton. He is currently an Alderman for the City of Port Gibson. He recently received the Community Service Award from the Alcorn State University Alumni Chapter.

Mr. Scutter is a member of the Christian Chapel Church in Port Gibson, MS where he serves as an Elder, Sunday School Teacher and Board Member.

Mr. Scutter is married to Bobbie ''Doss'' Scutter and they have 4 children and 8 grandchildren.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Clarence Scutter for his dedication to serving others and giving back to the African American community.

IN RECOGNITION OF JOHN J. MORELLI, RECIPIENT OF THE TOMB HONOR GUARD IDENTIFICATION BADGE AND BRONZE STAR, AS AWARDED BY THE UNITED STATES ARMY

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. CARTWRIGHT. Mr. Speaker, I rise to honor John J. Morelli, who received the Tomb Honor Guard Identification Badge and Bronze Star of the United States Army. Mr. Morelli is also being honored by his town of Olyphant, Pennsylvania, and his name will be displayed on a historical marker to be dedicated there tomorrow morning, June 14.

Mr. Morelli, born January 18, 1918 to John and Lucy Morelli, began his distinguished life living in the rear of his family-owned shoe repair shop in Olyphant. During his early years, Mr. Morelli attended Olyphant High School and entered the United States Army at the age of twenty-two.

Mr. Morelli was stationed stateside during World War II where he was honored to guard the Tomb of the Unknown Soldier at Arlington National Cemetery in Arlington, Virginia. One of his other duties during this period of service included guarding German prisoners of war in Hot Springs, Arkansas. Mr. Morelli's career in the Army continued when he fought in the 3rd Infantry Division in Korea. During Mr. Morelli's first day of combat, the sergeant he was sent to replace was shot by enemy fire, prompting Mr. Morelli to expose himself as a target while trying to save the fallen soldier. This act of bravery earned Mr. Morelli the Bronze Star Medal.

Also highly notable are Mr. Morelli's nine and a half—albeit non-consecutive—years as Sergeant of the Guard at the Tomb of the Unknown Soldier. Mr. Morelli held this prestigious assignment, among the rarest in the Army, longer than any other soldier in history. Due to Mr. Morelli's outstanding service, he was awarded the Tomb Honor Guard Identification Badge, the second rarest military badge after the Astronaut Badge.

In recognition of Mr. Morelli's achievements in the Army, the historical marker will be dedicated tomorrow at the site of his father's former shoe repair shop in Olyphant. I add my congratulations and heartfelt thanks for exemplary service to our country on this momentous occasion.

PERSONAL EXPLANATION

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mrs. MCCARTHY of New York. Mr. Speaker, I was unavoidably absent the week of June 3, 2013. If I were present, I would have voted on the following:

Rollcall No. 184: ''Yea,'' H.R. 1206—Permanent Electronic Duck Stamp Act of 2013;

Rollcall No. 185: ''Yea,'' S. 622—Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013;

Rollcall No. 186: ''Nay,'' Motion on Ordering the Previous Question on the Rule to H. Res. 243;

Rollcall No. 187: ''Nay,'' H. Res. 243—Rule providing for consideration of both H.R. 2216 and H.R. 2217;

Rollcall No. 188: ''No,'' Broun of Georgia Amendment;

Rollcall No. 189: ''Aye,'' Amodei of Nevada Amendment;

Rollcall No. 190: ''Aye,'' Moran of Virginia Amendment;

Rollcall No. 191: ''No,'' King of Iowa Amendment;

Rollcall No. 192: ''Aye,'' On Motion to Recommit with Instructions H.R. 2216;

Rollcall No. 193: ''Yea,'' H.R. 2216—Military Construction and Veterans Affairs, and Related Agencies Appropriations Act 2014;

Rollcall No. 194: ''Aye,'' Moore of Wisconsin Amendment;

Rollcall No. 195: ''Aye,'' Polis of Colorado Amendment;

Rollcall No. 196: ''No,'' Heck of Nevada Amendment;

Rollcall No. 197: ''Aye,'' Garcia of Florida Amendment;

Rollcall No. 198: ''Aye,'' Deutch of Florida Amendment;

Rollcall No. 199: ''Aye,'' Bishop of New York Amendment;

Rollcall No. 200: ''Aye,'' Moran of Virginia Amendment;

Rollcall No. 201: ''No,'' Garrett of New Jersey Amendment;

Rollcall No. 202: ''No,'' Ryan of Ohio Amendment;

Rollcall No. 203: ''Aye,'' Cassidy of Louisiana Amendment;

Rollcall No. 204: ''No,'' Meadows of North Carolina Amendment;

Rollcall No. 205: ''No,'' Thompson of Mississippi Amendment;

Rollcall No. 206: ''Aye,'' Runyan of New Jersey Amendment;

Rollcall No. 207: ''Aye,'' Ben Ray Luján of New Mexico Amendment;

Rollcall No. 208: ''No,'' King of Iowa Amendment;

Rollcall No. 209: ''No,'' Blackburn (R) of Tennessee Amendment;

Rollcall No. 210: ''Aye,'' On Motion to Recommit with Instructions H.R. 2217; and

Roll Call No. 211: ''Nay,'' H.R. 2217—Department of Homeland Security Appropriations Act.

HONORING MICHAEL TAYLOR RIGGS

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Ms. LEE of California. Mr. Speaker, I rise today to honor the extraordinary life of Mr. Michael Taylor Riggs. Devoted son, brother, friend and colleague, Michael was taken from us too soon, on May 24, 2013. With his passing, we look to the outstanding quality of his life's work to address the global HIV/AIDS epidemic and the countless lives he touched and saved over the course of his career in advocacy and public policy.

Born on November 10, 1970, Mr. Riggs descended from a long line of Navajo clans and grew up on the Navajo Nation in a remote area of northern Arizona. After starting out as an Emergency Medical Technician (EMT) at a hospital in Tuba City, AZ, Mr. Riggs began attending Northern Arizona University in Flagstaff. In the early 1990s, while studying and working part-time at the Northern Arizona Area Health Education Center (AHEC), Mr. Riggs' passion for education, policy development and disease prevention took flight. His bold idea to form an HIV/AIDS prevention outreach program targeted at Native American men was unconventional for the time, but won the support and respect of his colleagues.

After enduring a family tragedy, Mr. Riggs began anew in Berkeley, California, where he found a position in the District Office of my predecessor and mentor, Congressman Ron Dellums. Mr. Riggs' constituent work invigorated and expanded his focus on HIV/AIDS prevention. By the time he became a member of my staff, Mr. Riggs had developed a prolific knowledge base on the issue and soon joined my Washington, D.C. staff as a trusted policy advisor.

His wise counsel and ceaseless dedication helped me form the platform of global HIV/AIDS awareness and prevention that, today, has expanded the availability of life-extending drugs to those living in poverty in Africa, the Caribbean and other impoverished areas around the world.

Mr. Riggs was instrumental in helping me and my colleagues create and pass the Global AIDS and Tuberculosis Relief Act of 2000, which significantly expanded the U.S. commitment to fight HIV/AIDS worldwide and which created the framework for the Global Fund to Fight AIDS, Tuberculosis and Malaria. Passage of this landmark legislation, which eventually led to the creation in 2003 and re-authorization in 2008 of the President's Emergency Plan for AIDS Relief (PEPFAR), is a tremendous part of Mr. Riggs' professional legacy. Within days of Michael's death, PEPFAR celebrated its 10th anniversary—having directly supported life-saving antiretroviral treatment for nearly 5.1 million men, women and children worldwide.

He later continued this groundbreaking work with the United Nations' World Health Organization, the Robert F. Kennedy Center for Justice and Human Rights Foundation and the Global AIDS Alliance. A sought-after speaker and panelist, Mr. Riggs' travels brought him across the globe and he was known for his uncanny ability to connect key stakeholders. Despite the difficult nature of the work, he was known to lift others up with his kindness, his unflagging energy and his generous sense of humor. Most recently, he returned to enjoy his roots and bolster his community back in northern Arizona.

On a personal note, Michael began working with me in my District Office when I was first elected in 1998. He was my very first District Scheduler. His sense of judgment and constituent priorities were always reflected in my schedule. I immediately knew that I wanted someone of his intellect and passion to come to Washington to work with me to address my priority issues, such as HIV and AIDS. I quickly learned that I did not need to direct Michael. He directed me, my staff, the country and the world, saving millions of lives in the process. For this, we are all deeply grateful.

Today, California's 13th Congressional District salutes and honors an outstanding individual and a pioneering global health advocate, Mr. Michael Taylor Riggs. His invaluable service to the world will live on in the endless legacy of his life's work. I offer my sincerest condolences to his many loved ones, friends and colleagues. He will be deeply missed.

HONORING M. JUANITA SCOTT

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Ms. M. (Mildred) Juanita Scott.

Ms. Scott is the 6th child of 9 to William Scott and Mattie L. Taylor Scott Pace. She was born, raised and currently lives in Sunflower County, Mississippi.

Ms. Scott received her early education at First Church/School Kinlock, under the leadership of Mr. and Mrs. Ratcliff and later attended Sunflower County Baptist Association School under the leadership of Mr. N. A. Brantley, later named Carver Elementary School. She left Carver School in the 7th and graduated from the 8th grade at Magnolia Elementary, in Memphis, Tennessee, under the guidance of Mrs. Harry Mae Simon; attended Booker T. Washington High School, in Memphis, Tennessee, and graduated June 1958 with honors, under the guidance of Blair T. Hunt; attended Coahoma Jr. College and received an AA Degree in Library Science, with honors; she furthered her education at Delta State University, in Cleveland, Mississippi; and earned a special training certificate at Southern University, in Early Childhood Education, in Hattiesburg, Mississippi.

Ms. Scott is one of the first pioneers of Child Development Group of Mississippi (CDGM), in Sunflower County and helped type the proposal for the Association Community of Sunflower County under the Directorship of Mrs. Cora Flemings and Mr. Frank Glover.

Ms. Scott worked with Fannie Lou Hamer helping people to vote in Sunflower County. She also served on the Bi-Racial Committee helping to integrate schools in Indianola. Her home was one of several homes who housed individual Freedom Workers who lived in Indianola. Moreover, Ms. Scott helped to boycott Indianola under the leadership of Willie Spurlock to see that blacks could be hired in banks, department stores and public facilities as cashiers in Indianola. She ended up being jailed because at that time blacks could not use public library facilities. Authorities removed tables and chairs so blacks could not sit down at the Seymour Henry M. Library Facility.

Ms. Scott is a member of Bethlehem #2 Missionary Baptist Church, where she currently serves as church secretary/treasurer and Sunday school teacher. She is involved in many other activities/organizations like: being the secretary of the Sunflower County chapter

of the NAACP; serving as the first black woman chairperson for Sunflower County Democratic Executive Committee; coordinated President Barack Obama's campaign literature for Sunflower County in 2008 and 2012; served as den mother for over 32 cub scouts, from 1970 to 1985; she is pictured with an article in the book ''Life and Death in the Delta'' by Kim Lacy Rogers; she is a pioneer Civil Rights Worker in her town, county, and state; is presently employed part-time with the Bolivar County Community Action Agency; and worked 46 years as Administrative Assistant/Finance Department with this agency.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. M. Juanita Scott for her dedication to serving others and giving back to the African American community.

EXPANDED BACKGROUND CHECKS ON GUN PURCHASES

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Ms. DELAURO. Mr. Speaker, it has now been six months since the tragedy in Newtown, Connecticut—six full months since Adam Lanza murdered six adults and twenty children in cold blood, devastated a small-town community, and broke millions of hearts all across America. And yet, the families of Newtown who lost loved ones and who are here today—and families all across America—are still waiting for us to act. Still, this House has taken no action.

Even though an overwhelming majority of Americans support background checks, the bipartisan King-Thompson bill to expand background checks on gun purchases, which has 180 co-sponsors, has not received a vote in this House. This is shameful.

Meanwhile, we have the highest rate of gun deaths per year in the industrialized world. 30,000 deaths and almost 75,000 injuries are caused by guns every year. An average of eight children and teens are killed by guns in America every single day.

What are we waiting for? We have to find ways to move forward in a commonsense and responsible fashion to prevent gun violence in America. This is something the American people overwhelmingly support, and something the American people expect from us as their elected representatives.

In fact, the American people have already waited too long. Six months have gone by since Sandy Hook, and all the while more men, women, and children have been victims of gun violence on our streets and in cities all across the country. Just this week, a gunman killed six people in a shooting spree in Santa Monica.

It is time—now—to pass a stronger, more comprehensive system of criminal background checks for gun purchasers. It is time—now—to make gun trafficking a federal crime. It is time—now—to allow scientific research into how to mitigate gun violence. It is time—now—to ensure better access to quality mental health care for those in need.

There is no good reason for inaction. Not one. We know for a fact that commonsense, responsible policies like these make a difference. In fact, one recent study found that the ten states with the weakest gun laws collectively suffer from a level of gun violence that is more than twice as high than the ten states with the strongest gun laws.

In my state of Connecticut, the Assembly and Governor Malloy have stepped up to the plate, passing a comprehensive gun violence prevention bill that strengthens gun laws throughout our state. We should follow their example. At the very least, these common-sense proposals should get a vote in the House.

The longer we keep waiting, the more innocent victims will die, the more senseless tragedies we will have to endure. It is time to pass the common-sense, constructive measures that help prevent tragedies like Sandy Hook and the thousands of gun deaths we see every year across this country. Six months after Newtown, it is time for this House to show some leadership.

RECOGNIZING DON BRUNELL FOR HIS NEARLY 30 YEARS OF SERVICE AT THE ASSOCIATION OF WASHINGTON BUSINESS

HON. CATHY McMORRIS RODGERS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mrs. MCMORRIS RODGERS. Mr. Speaker, I'd like to rise today to recognize my good friend Don C. Brunell, who has been a champion of business in Washington state for nearly 30 years, with an exceptional record of achievement at the Association of Washington Business, the fourth largest state chamber of commerce in the U.S.

Don Brunell came to the Evergreen State in 1978 from his native state of Montana to work in the forest products industry for Crown Zellerbach, combining his love of the outdoors with his interests in politics and business.

In 1981, Don was appointed to the Association of Washington Business Executive Committee and chaired the Association's Natural Resources and Environment Council until, in 1986, Don was appointed vice chairman of government affairs for AWB, and, a year later, president of AWB.

That's how we all know him, as the steady hand and leader of our business community. He has grown the organization from under 1,000 members to what is now the state's largest business advocacy organization with more than 8,000 private emriloyers of all industries and sizes.

Under Don Brunell's 28 years of leadership, the Association of Washington Business has been designated as the state's manufacturing association by the National Association of Manufacturing and is twice recognized by the U.S. Chamber of Commerce as an Accredited Chamber with Distinction, and is currently one of just four state chambers ''accredited with distinction''.

But maybe his most enduring legacy is his extensive work with Washington Business Week and through the Don C. Brunell Scholarship that has helped encourage generations of high school students with an interest in business to achieve their entrepreneurial goals.

In his role as AWB President, Don Brunell has had the honor of working with five Washington governors, including Govs. Gardner, Lowry, Locke, Gregoire and Inslee, as well as the leaderships of Speakers Ehlers, King, Ebersole, Ballard, and Chopp. For hundreds of legislators, Don was the voice of experience, always looking out to protect our wonderful free enterprise system.

I want to particularly note that each Christmas since 1988, the holidays for many rural families in Washington have been a bit brighter—and the Legislative Building a bit more festive—since Don Brunell founded the Holiday Kids' Tree Program, raising hundreds of thousands of dollars for needy families around the state and establishing the community tradition of a tree lighting each December in the state capitol.

Throughout his distinguished career, Don has maintained his strong belief in family, as evidenced by his marriage of 42 years to wife Jeri, children Jennifer, Carey, Erin, Don, Dan and Colleen and his 14 grandchildren; and Don has also remained committed to those serving in the U.S. armed forces, himself a veteran with 23 years of service in the U.S. Army, Montana and Washington Army National Guard and U.S. Army Reserve as a special forces, infantry and public affairs officer.

It is bittersweet to see such a distinguished career draw to a close, but I must acknowledge Don will retire from AWB in January 2014, making the legislative session that is drawing to a close in Washington state the last one with Don as president of the state's largest and oldest business association.

Future legislators and business leaders should draw inspiration from his steadfastness and dedication to the cause of freedom and free enterprise that was a constant during his long and honorable career.

THE MCCOLLUM AMENDMENT TO THE FY14 DEFENSE APPROPRIATIONS BILL PROHIBITING FUNDS FOR CIA LETHAL DRONE STRIKES

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Ms. MCCOLLUM. Mr. Speaker, yesterday in the House Appropriations Committee I offered an amendment to the fiscal year 2014 defense appropriations bill regarding lethal drone strikes. The amendment stated:

None of the funds made available by this Act may be used for weapons strikes or lethal action using unmanned aerial vehicles unless conducted by a member of the Armed Forces under the authority provided pursuant to Title 10, United States Code.

The amendment was defeated in committee on a voice vote and my request for a recorded vote was denied by the committee. It is my intention to offer this same amendment on the floor of the House in the coming weeks when the defense appropriations bill is debated by the full House.

My statement (as prepared for delivery in committee) is as follows:

Full Appropriations Committee Statement on the McCollum Amendment:

Mr. Chairman, within the classified portion of this bill hundreds of millions of dollars, perhaps billions, are appropriated for a targeted killing program operated by the Central Intelligence Agency.

The CIA operates a fleet of weaponized drones armed with laser guided Hellfire missiles. They conduct lethal air strikes against targets in Pakistan, Yemen and Somalia. The program's targets are identified terrorists or they are unidentified individuals targeted and killed based on a pattern of behavior.

My amendment places sole responsibility for conducting lethal military action using weaponized drones in the hands of the Department of Defense conducted by members of the Armed Forces under the authority of Title 10 of the U.S. Code.

The CIA's use of drones to conduct surveillance and intelligence gathering in support of Defense Department lethal action continues under my amendment.

Some of our colleagues do not believe that the Pentagon is not up to the task of carrying out this responsibility. I disagree with that.

The Joint Special Operations Command (JSOC) is conducting drone strikes now. The Air Force and the Army possess and operate weaponized drones. They operate within a clear chain of command and legal accountability. Lethal military operations using sophisticated weapons systems should be in the hands of the Secretary of Defense and military commanders who are accountable to Congress.

CIA strikes have been effective. Terrorists have been killed. But they are not secret. The whole world knows these are CIA strikes operating on behalf of the American people, without transparency, accountability or oversight.

In fact, CIA Director John Brennan may actually agree with this amendment. During his Senate confirmation hearing he stated, ''The CIA should not be doing traditional military activities and operations.''

There are costs associated with these targeted killings. Hundreds of innocent civilians have been killed. There are legal questions, human rights concerns, foreign policy implications and ultimately moral issues.

You could dismiss all of these concerns because the program is killing terrorists.

But in the near future, as armed drone technology proliferates, if we dismiss these concerns I can guarantee you that China, Iran, Russia and other nations will also dismiss these concerns when they are capable of conducting targeted killings. Why, because we are setting the example.

If we want other countries to use these technologies responsibly, then we must use them responsibly. What's at stake is our country's moral authority.

The Obama Administration is not leading on this issue of ensuring transparency, accountability and oversight. The president claims these CIA strikes are within ''clear guidelines, oversight and accountability'' that his administration determined all by itself—without input or even the consideration of Congress.

And Congress has done less. In fact Congress has done nothing except write a blank check that allows a paramilitary force of CIA officers and civilian contractors to kill suspected terrorists and anyone else unlucky enough to be in the vicinity—including women and children—using one of the most sophisticated weapons platforms in our military arsenal.

For this Congress and this committee to passively allow the CIA to fire laser guided missiles at human targets in countries in which we are not at war without demanding oversight or accountability is a complete abdication of our sworn obligation to the Constitution and our citizens.

This is not intelligence gathering, these are military operations that should be conducted by our Armed Forces and with direct oversight by Congress.

Our country is at war with Al-Qaeda and its terrorist affiliates. I trust the members of our Armed Forces to do their job, defeat the enemy, and protect our nation. The drone strike program is a military program and Congress should demand that it be conducted within the same legal framework as any other military operation during a time of war.

McCollum statement at the close of debate on the amendment:

It is no surprise the White House opposes this amendment. The executive branch wants to maintain its CIA drone program and its target list without congressional oversight, without transparency or accountability.

It is absolutely appropriate and responsible for this committee to make the Department of Defense solely responsible for military operations using armed drone program. Doing so does not diminish our military capacity, in fact it strengthens the program with regard to international law and accountability to Congress and the American people.

Right now the CIA is running an assassination program and the world is watching.

Soon China, Russia and Iran will have the same capability and will use the CIA's standard of killing anyone profiled as an enemy.

It is time Congress demands transparency, accountability, and oversight to a program that has killed thousands of people—including innocent civilians.

THANKING GERALD ''JERRY'' BENNETT FOR HIS SERVICE TO THE HOUSE OF REPRESENTATIVES

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. HOYER. Mr. Speaker, I rise to thank Mr. Gerald E. Bennett for over 43 years of outstanding service to the United States House of Representatives.

Jerry is retiring this week as Chief Logistics Officer of Logistics and Support, with more than four decades of House experience. He first started working for the House of Representatives in 1969 as part of a summer employment program under the Office of the Doorkeeper. From folding Member mailings to distributing paychecks, he provided a number of important services. Over the years, he moved up the ranks, holding positions as a Maintenance Supervisor, Assistant Deputy Director, Manager, and Director of Logistics. He then served as Assistant Chief Administrative Officer and Assets, Furnishings, and Logistics Deputy Chief Administrative Officer, before becoming the Chief Logistics Officer of Logistics and Support.

Throughout his career, Jerry's thoughtfulness and positive attitude has earned him the respect and confidence of countless employees. It is not unusual to see Jerry lending a listening ear or providing sound guidance to an employee. His caring and encouraging nature is valued by this institution and its employees.

Jerry has often said that he always felt a powerful sense of purpose and a role in something deeply important. His commitment to public service extends into his community, where he serves as a deacon in his church, uses his vacation to chaperone youth trips, and donates his time to coaching soccer. His devotion to faith and family is recognizable to all who have had the privilege to know Jerry and work beside him. He attributes much of his success to his wife, Karen, his children, and his eight grandchildren, who have always been fully supportive of his career. Jerry once claimed: ''I don't come to work to work. I love what I do.''

On behalf of the U.S. House of Representatives, I congratulate Jerry on his retirement and thank him for his dedication and outstanding contributions to the institution. I wish him the best in all his future endeavors.

HONORING CATHY KIMBROUGH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mrs. Cathy Kimbrough.

Mrs. Kimbrough has served adults and children in numerous capacities. Some of the service areas include: reading instructor, while in Germany; General College reading instructor at Alcorn State University; and self-contained and inclusion teacher in the Attala County School District.

Mrs. Kimbrough has served her community as local president of the Attala County Association of Educators and has also served on the Board of Directors for the Boys' and Girls' Club in Kosciusko/Attala County.

Mrs. Kimbrough is a member of the following organizations: Order of the Eastern Star, National Council of Negro Women, and Alpha Kappa Alpha Sorority, Incorporated. She is also a member of Pleasant Hill M.B. Church, pastured by Rev. Osie C. Grays.

Mrs. Kimbrough earned her bachelor's and master's degrees from Jackson State University. She was a member of the Phi Kappa Phi Honor Society and the Alpha Beta Alpha Library Science Fraternity.

Mrs. Kimbrough is married to Mr. Henry Kimbrough and has four children: Jerry Jr. (Erica), Essence Crystal (Theodore), Sonja Merrie', and Joyanne' Faith; six grandchildren—Deontrez Jerrick, Jersia, Kamiah,

Kayla and Shytianna. She enjoys creating song lyrics, writing poetry, reading and fishing.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Cathy Kimbrough for her dedication to serving others in Attala County.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote numbers 214, 215, and 216. Had I been present, I would have voted ''no'' on rollcall vote number 214 and ''yes'' on rollcall vote numbers 215 and 216.

RECOGNIZING THE REMARKABLE ACHIEVEMENTS OF JOSEPH CALABRESE, MD

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Ms. KAPTUR. Mr. Speaker, I rise today to acknowledge the outstanding accomplishments of Doctor Joseph Calabrese, professor of psychiatry at Case Western Reserve University and director of the Mood Disorders Program at University Hospitals Case Medical Center in Cleveland. Doctor Calabrese recently gained international acclaim when he was presented with the Lifetime Achievement Award by the European Bipolar Forum at its annual meeting in Seville, Spain.

The accolades are well deserved—and I speak from personal experience—because Doctor Calabrese has taken the lead role in a major initiative that I helped launch under the auspices of the U.S. Department of Defense to study the effects of post-traumatic stress disorder on soldiers returning from combat zones. I have watched as Doctor Calabrese, working in concert with doctors at the University of Toledo, has conducted truly groundbreaking research involving combat veterans who suffer from PTSD.

As a member of the Defense Subcommittee of House Appropriations, I have long been concerned about the incidence of suicide among our combat veterans. In communities and families throughout our country, we have seen the devastating impact of PTSD. The ambitious research project by Doctor Calabrese that I have been privileged to support has studied the relationship between PTSD and suicidal ideation among members of the Ohio Army National Guard.

After completing a research fellowship at the National Institute of Mental Health, Doctor Calabrese returned to Cleveland to start the Mood Disorders Program. He also co-directs, along with Doctor Robert Finding, M.D., the NIMH-funded Bipolar Research Center in Cleveland. Doctor Calabrese has been the recipient of no fewer than five federal research grants from the NIMH. The Mood Disorders program at University Hospitals Case Medical Center was designated as a Center of Excellence under Dr. Calabrese's exceptional leadership.

Dr. Calabrese has dedicated his work to the improvement of clinical outcomes in underserved populations of bipolar disorder, including people who receive care at community health centers, children, adults, older adults, those in prison and those currently abusing alcohol or drugs. His research reflects a caring nature and true gift of service.

During the course of his career, Doctor Calabrese has published more than 300 peer-reviewed papers. He is a member of a number of scientific advisory boards and is affiliated with the American Psychiatric Association.

I am proud to support his clinical efforts and his exemplary service to the Cleveland community, our nation, and veterans everywhere. I am pleased to commend Doctor Joseph Calabrese on the occasion of his receipt of the European Bipolar Forum's Lifetime Achievement Award and thank him for his noble work.

RECOGNIZING THE SYRACUSE VA MEDICAL CENTER'S DIAMOND JUBILEE 1953–2013

HON. DANIEL B. MAFFEI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. MAFFEI. Mr. Speaker, it is with great pride that I rise today to recognize the Syracuse VA Medical Center's Diamond Jubilee.

The Syracuse VA Medical Center, located at 800 Irving Avenue, first opened its doors on June 14th, 1953. For the past 60 years, the medical center has dedicated itself to providing superior care to veterans and their families. Part of VA Healthcare Upstate New York, the Syracuse VA Medical Center provides outpatient support to the greater Central New York area by operating community clinics in Auburn, Binghamton, Cortland, Massena, Oswego, Rome, and Watertown. The staff should be commended for their dedication and commitment to those who have served this nation.

The Syracuse VA Medical Center has been recognized by the Department of Veterans Affairs as a Center of Excellence for its Operation Enduring Freedom, Operation Iraqi Freedom, and Polytrauma Programs. Additionally, the center is also the primary referral center for neurosurgery and urological renal stone treatment, which encompasses all of upstate New York and Northern Pennsylvania veterans.

On June 14, 2013, the Syracuse VA Medical Center will formally open their Spinal Cord Injury & Disorder Center. This state-of-the-art center provides expanded services that our veterans deserve. The facility will serve veterans across Upstate New York who now travel to New York City or out of state to get spinal cord care. Our veterans deserve the best care this nation has to offer, and with the six-floor addition, the Syracuse VA Medical Center will continue to do just that.

To mark this special occasion, Secretary of Veterans Affairs Eric K. Shinseki will be present to deliver the keynote speech for the occasion. It is truly an honor to have Secretary Shinseki present to celebrate this momentous occasion.

Mr. Speaker, I ask my colleagues to join with me in recognizing the Syracuse VA Medical Center's Diamond Jubilee event, and wish the center many more years of continued growth and success in its service of the veteran community of Central New York.

HONORING DAN SPENCER FOR HIS INDUCTION INTO THE ''MUMMERS HALL OF FAME''

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. ANDREWS. Mr. Speaker, I rise today to honor Dan Spencer for his immense contributions to the string band community in South Jersey. For the past forty-one years, Mr. Spencer has diligently served as an active leader and has promoted success in numerous string band and mummers associations across New Jersey.

Mummery traces its routes to the countless cultures brought to America by European immigrants. Mummers, as the performers are called, dress in elaborate costumes and perform choreographed musical numbers largely on brass and string instruments. The city of Philadelphia and the surrounding region has a vibrant history of mummery stretching back to colonial times. Today, this tradition is kept alive and showcased every New Year's Day in Philadelphia, an event that has happened every year for over a century.

Mr. Spencer became the Drill Master of Garden State String Band in 1981 and later led the band for six years. During his time with the Garden State String Band, Mr. Spencer helped the band receive their best drill points earning them 2nd prize.

Mr. Spencer united the string band communities of Pennsylvania and New Jersey as a delegate and later the first secretary of the Penn Jersey String Band Association. He also played a vital role in string band parades. Mr. Spencer revamped the Gloucester City String Band Parade by narrating the events as emcee and television correspondent. In 1989, he was nominated to organize the New Year's Day Parade as Director.

After his time as Master of Garden State String Band, he became a drummer in the Ferko String Band. He continued to prove his leadership skills serving as Director, Secretary, and Vice President for seven years, and later became President of the Ferko String Band. Mr. Spencer has dedicated forty-one years of his life to string bands and mummery in the greater South Jersey area. On April 6th, 2013, he was inducted into the Mummers Hall of Fame due to his outstanding efforts to promote and produce activities incorporating string band entertainment.

Mr. Speaker, the commitment of Mr. Spencer to the string band community should not go unrecognized. I join all of South Jersey in expressing our gratitude for Dan Spencer as he celebrates his induction into the Mummers Hall of Fame.

HONORING MARGARET HILLMAN-BRYANT

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a decent and authentic woman, Ms. Margaret Hillman-Bryant. Ms. Bryant has shown what can be done through dedication and a desire to serve others.

Ms. Margaret Hillman-Bryant is a lifelong resident of Yazoo City, Mississippi. She was born April 19, 1960 to Cethel Maples and Eddie Hillman Jr. She graduated from Yazoo City High School in 1978. After high school she attended Holmes Jr. Community College from 1978–1980.

Ms. Hillman-Bryant is the mother of three children: Nikini, Clifton and Yolanda and she is raising four of her grandchildren: De'Onne, Maia, Wanya and Yakaria.

Ms. Hillman-Bryant has worked for the State of Mississippi for almost twenty years. Currently, she is employed with the Mississippi Department of Human Services. Before going to work for the MS Department of Human Services she worked at the MS Department of Public Safety from November 1993 to February 2006.

Ms. Hillman-Bryant is also a member of New Pilgrim Rest Baptist Church where she serves as assistant to the youth department, program guide assistant and church secretary.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Margaret Hillman-Bryant for her dedication to serving others

IN RECOGNITION OF KADVA PATIDAR SAMAJ 8TH NATIONAL CONVENTION

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to salute the members, attendees and supporters of Kadva Patidar Samaj 8th National Convention, which will take place on Friday, June 14, 2013 through Sunday, June 16, 2013 at Shree Umiya Mataji Mandir, located at 4770 Raley Road in Macon, Georgia.

A Hindu place of worship and prayer, Shree Umiya Mataji Mandir, Kadva Patidar Samaj was established in Macon, Georgia in 2003. The first established Shree Umiya Mataji Mandir in the United States, the facility spans 32 acres and includes a 45,000 square foot cultural hall and temple. The temple was inaugurated on June 15, 2003. Approximately 5,000 people attended the grand opening of the temple held on June 13, 2003 to June 15, 2003.

There are many legends and theories that attempt to explain the history of Kadva Patidars. According to the most credible theory, the roots of Kadva Patidars go all the way back to the origin of Hindus. Called Aryans at the time, they worshipped life-sustaining elements such as the sun, wind, fire and rain. The Aryans migrated to India from the Pamir region on the Ayu River in central Asia, which is present-day Azerbaijan. They settled in the plains of a big river that they named "Sindhu", which means "big like an ocean," and over time, fully integrated with the natives living there. Between B.C. 7000 and B.C. 2000, the Sindhu Valley Civilization, also known as the Indus Valley or Harappan Civilization, was established. Covering 400,000 square miles from Kashmir in the north to the Godavari River in the South and from Delhi in the east to the Arabian Sea in the west, the Sindhu Valley Civilization was the largest known ancient civilization and a very advanced one thriving on agriculture, commerce, engineering and social amenities.

Over the years, some of the descendents of the Sindhu Valley Civilization spread to what is present-day Gujarat and Saurashtra and became known as Kadva Patidars.

The Kadva Patidar Samaj 8th National Convention is expecting about 5,000 attendees this year. Over the course of three days, participants will engage in social, cultural, educational and matrimonial events. Several dignitaries and political leaders from India have also been invited.

Mr. Speaker, I ask that my colleagues join me in recognizing the members and supporters of Shree Umiya Mataji Mandir and the Kadva Patidar Samaj 8th National Convention. I am proud that while the Hindu community of Middle Georgia is becoming more intricately woven into the fabric of our American tapestry, they are also coming together in observation and celebration of their vibrant culture, religion and values.

CELEBRATING DR. CARROLL ESTES ON HER 75TH BIRTHDAY

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. HUFFMAN. Mr. Speaker, I rise with my colleague Representative MIKE THOMPSON to recognize Dr. Carroll L. Estes, PhD, on the occasion of her 75th birthday on May 30, 2013. Dr. Estes's many contributions as a distinguished scholar, inspiring teacher, influential policy advisor, institution builder, and advocate for the most vulnerable in our community have benefitted many community members throughout the Second Congressional District, the State of California, and the Nation.

Over her 40 year career, Dr. Estes has been passionately devoted to improving the health and economic security of vulnerable and underserved populations, with special concern for women, older persons, and ethnic and racial minorities. Through research, teaching, and public service, she has steadfastly worked to advance the public good and the interests of America's most powerless and disenfranchised populations. Fittingly, Dr. Estes was recently honored at a symposium celebrating her 40 years of policy research and leadership in health and aging.

Dr. Estes's service extends far beyond academia. She is a long-time member of many advocacy organizations, including the Gray Panthers, Responsible Wealth, and the Older Women's League. In 2006, Dr. Estes received the Lifetime Achievement Award from the National Committee to Preserve Social Security and Medicare, where she is currently vice chair. She is also a current member of the Sonoma County Council on Aging.

Please join us in expressing deep appreciation to Dr. Carroll Estes for her long and impressive career, and her exceptional record of service.

IN MEMORY OF POLOSKO-KUMANOVSKI METROPOLITAN KIRIL OF THE MACEDONIAN ORTHODOX CHURCH

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mrs. MILLER of Michigan. Mr. Speaker, I rise today in memory of Polosko-Kumanovski Metropolitan Kiril of the Macedonian Orthodox Church. His recent passing is a great loss for Macedonia, the entire Macedonian Orthodox Church and its followers, particularly those from the Polog/Tetovo region of Macedonia.

I had the privilege of meeting Bishop Kiril and can attest to the strength of his conviction as a member of the Macedonian Orthodox faith as well as his firm and unwavering commitment to the moral betterment of the Macedonian people. Bishop Kiril was a true advocate of both the Macedonian Orthodox Church and the people of the Macedonian heritage worldwide and was instrumental in the development and growth of our Southeast Michigan Macedonian community.

Bishop Kiril played an integral role in resurrecting the Macedonian Orthodox Church—Ohrid Archbishopric, after two hundred years since its abolishment by the Ottoman Sultan, upon returning to Macedonia in 1967 after attending the Moscow Theological Academy. He was the only surviving signatory of the autocephalous declaration and a leading advocate for the establishment of an independent Republic of Macedonia.

Bishop Kiril founded both the American-Canadian and Australian Macedonian Orthodox Dioceses and served as a central administrator in each until 1987 and 1982 respectively. As a result of his steadfast leadership and resonant influence, Bishop Kiril catalyzed an international expansion of the Macedonian Orthodox faith throughout the course of his lifetime. The breadth of his legacy is confirmed in the more than fifteen cities in the world where he has been declared an honorary citizen.

Once again, I offer my deepest condolences for the passing of Bishop Kiril. His presence in the Macedonian Orthodox Church is irreplaceable and his manifold contributions to the people of Macedonia and Macedonians abroad, including in my district in Sterling Heights, Michigan, are of lasting value and cornerstone importance. I will cherish my acquaintance with Bishop Kiril, and am truly grateful for his years of service to his Macedonian Orthodox faith and people.

PERSONAL EXPLANATION

HON. CAROL SHEA-PORTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Ms. SHEA-PORTER. Mr. Speaker, I will be absent from The House of Representatives on Thursday, June 13th, and Friday, June 14th, due to the wedding of one of my children. If I could vote, I would vote in favor of The National Defense Authorization Bill.

HONORING DARRIN D. ALLEN

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable civil servant, Mr. Darrin D. Allen.

Mr. Allen started his career in law enforcement with the Belzoni Police Department in 1997 under the administration of former Police Chief, Steve Bingham. He attended the Mississippi Delta Community College (MDCC) Law Enforcement Training Academy in Moorhead, Mississippi, in 1998. Upon completion, he worked for five years with the City of Belzoni.

In 2003, Mr. Allen moved to Clarksdale, Mississippi, and assumed a position as patrolman/SWAT with the City of Clarksdale. In 2005, he returned to Humphreys County and was employed with the Humphreys County Sheriffs Department under the administration of former Sheriff, Wayne Holloway.

In 2008, Deputy Darrin Allen was promoted to Captain under the leadership of the current Sheriff, J.D. ''Bubba'' Roseman. Captain Allen has received numerous awards to include, ''Officer of the Year'' in 2009, for heroism during a fatal domestic confrontation in which his quick action saved the life of another upon apprehending the suspect.

Captain Allen also serves as a member of the Force Protection Unit under the direction of the Mississippi Office of Homeland Security and Special Response Team (SRT) with the North Central Narcotic Task Force. His official capacity as Captain is comprised of many responsibilities including but not limited to: performing second-level management to direct, assign and supervise subordinate officers and personnel; having the authority to give oral and written reprimands to its officers and personnel; providing assistance to the Chief Deputy in the formulation of policies and goals for the Sheriffs Department; evaluating the performance of subordinate officers/personnel and recommending appropriate action to the Chief Deputy; attends and/or conducts staff meetings along with in-house training sessions; and Supervise the development of the Departmental training program.

Captain Allen is definitely a man with a lot of heart. He shows a great deal of passion for the department and the community he works for. He is very modest when it comes to achieving merits for a profession that can be extremely demanding. Captain Allen has molded himself with the four D's: drive, determination, discipline and dedication. All of which are required in an occupation that can go from harmless to hurtful in a matter of seconds.

Captain Allen is dedicated to a job that requires him to put his life on the line daily for the citizens of our community. His family at the Humphreys County Sheriffs Department likes to call him their HERO, not for his bravery or heroics shown during the February 6, 2009 shocking incident involving the fatal death of one home-health nurse and the saving of a life of another nurse, but because of his Humane and Eminent Rationalization of Observation that took place to obscure a perpetually dangerous situation.

Mr. Speaker, I ask my colleagues to join me in recognizing Captain Darrin D. Allen for his dedication to serving others and giving back to his community.

TRIBUTE TO DR. JOSEPH S. FRANCISCO

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. ROKITA. Mr. Speaker, I rise today to honor Dr. Joseph S. Francisco, the William E. Moore Distinguished Professor of Earth and Atmospheric Sciences and Chemistry at Purdue University in West Lafayette, Indiana.

Dr. Francisco, who also is the associate dean of research and graduate education for the College of Science at Purdue, will be inducted into the National Academy of Science next April in recognition of his distinguished and continuing achievements in original, pioneering research. His research has revolutionized the understanding of chemical processes in the atmosphere and its ability to break down and remove pollutants. He solved a 40–year search for an unusual molecule essential to the atmosphere's ability to break down nitric acid, a compound that causes acid rain. He also mapped the atmospheric breakdown of chlorofluorocarbons, chemical compounds that destroy the Earth's ozone layer, and leads research into the design of environmentally benign materials to replace these compounds.

His recent work focuses on understanding the effect of water on fundamental chemical reactions in the atmosphere. Dr. Francisco discovered that clouds significantly affect levels of important atmospheric free radicals and identified a new type of chemical bonding, radical-hydrogen bonding.

Dr. Francisco is a past president of the American Chemical Society, the world's largest scientific society, and served as president of the National Organization for the Professional Advancement of Black Chemists and Chemical Engineers. He is a fellow of the American Academy of Arts & Sciences, one of the nation's oldest and most prestigious honorary societies, and is a fellow of the American Physical Society, American Association for the Advancement of Science and the American Chemical Society. He has received four honorary doctorates from other universities.

President Barack Obama appointed Dr. Francisco as a member of the President's Committee on the National Medal of Science in 2010 and reappointed him this year. This committee is responsible for evaluating nominees and selecting recipients of the National Medal of Science, the highest honor awarded by the U.S. government to scientists, engineers and innovators. He also currently serves on the National Research Council Board of Science Education. Dr. Francisco co-authored the textbook ''Chemical Kinetics and Dynamics,'' published by Prentice-Hall, and has published more than 450 peer-reviewed publications in the fields of atmospheric chemistry, chemical kinetics, quantum chemistry, laser photochemistry and spectroscopy. He becomes only the second African-American inducted into the academy from the field of chemistry.

In light of this career accomplishment, I ask the 4th District and all Hoosiers to join me in congratulating Dr. Francisco for this great honor and achievement.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $16,738,704,836,178.59. We've added $6,111,827,787,265.51 to our debt in 4 and a half years. This is $6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mrs. DAVIS of California. Mr. Speaker, on Tuesday, June 11, 2013, I missed the following votes:

H.R. 251—South Utah Valley Electric Conveyance Act, had I been present, I would have voted ''yes'' on rollcall No. 212.

H.R. 1157—Rattlesnake Mountain Public Access Act, had I been present, I would have voted ''yes'' on rollcall No. 213.

RE: H. AMDT. 89 TO H.R. 2216 AND H. AMDT. 124 TO H.R. 2217

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. GRAYSON. Mr. Speaker, I introduced the amendments in the Veterans-Military Construction and Homeland Security appropriations bills that forbid contracting with offerors who have been indicted for, or convicted of,

fraud or similar egregious acts, all of which establish a categorical, unequivocal and definitive lack of present responsibility. The intent of Congress with regard to these provisions, and other such provisions, is as follows: These provisions are to be construed broadly, not only for the sake of ensuring confidence in government contracting, but also to protect the public fisc. No exceptions of any kind are intended.

The terms ''embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property'' and other such terms in these provisions are intended to be construed as broadly as possible. They extend to any offense that refers or relates to such offenses, whether Federal, State, county, municipal or tribal.

The term ''offeror'' includes all affiliates of any kind, including but not limited to parent companies, sister companies, subsidiaries and commonly controlled entities. The term is to be construed broadly.

To the extent feasible, this prohibition extends to the exercise of contract options in contracts that have already been awarded, and to contract modifications that increase or may increase contract price or cost.

It is the sense of Congress that these provisions, specifically including the prohibition on contract awards to indicted contractors, comport with due process and all other constitutional standards. Among other reasons, this is because of the due process protections preceding an indictment, the opportunity to challenge an indictment immediately in court, and both constitutional and statutory rights to a speedy trial. No contractor should have standing to challenge this prohibition based on an indictment without first exhausting legal challenges to the indictment. An indicted contractor that fails to exploit any provision providing for a speedy trial waives the right to challenge this prohibition.

If an offeror should make the certification in question but fails to do so, or an offeror falsely certifies, then any resulting contract has been procured by fraud, and no future payments thereunder are permitted, and all past payments constitute false claims, regardless of whether any work has been done or deliverables accepted. A false certification shall be actionable under Section 1001 of the U.S. Criminal Code, and other applicable law, and any resulting indictment or conviction shall qualify for the prohibition within these provisions. Any request for payment under a resulting contract shall qualify as both a criminal false claim and a civil false claim.

HONORING BERNARD COTTON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a plausible and apt man, Mr. Bernard Cotton. He has shown what can be done through tenacity, dedication and a desire to serve others.

Mr. Bernard Cotton is a native of Warren County and resides in Vicksburg, Mississippi. He served in the educational arena for 33 years.

Mr. Cotton earned his Associate Degree in Chemistry from Mary Holmes Junior College, West Point, MS in 1963. Mr. Cotton served in the United States Military from January, 1966 to January, 1968, during the Vietnam Era. In 1969 he earned his Bachelor's Degree in Sociology from Alcorn State University; in 1971 he earned his Master's in Political Science from Western Illinois University; and lastly in 1978 earned his Doctorate in Political Science from Washington State University. During his tenure at Alcorn State University, Mr. Cotton served: in the capacity of Retired Professor Emeritus of Political Science (2002); Interim Dean, School of Arts and Science (2000–2002); Professor of Political Science (1993–2002); Pre Law Advisor (1985–2000); Associate Professor of Political Science (1985–1993); Acting Chair, Department of Social Science (1980–1985); Assistant Professor of Political Science (1978–1983); and Instructor of Social Science (1971–1974). Mr. Cotton has also held several other positions within the education arena such as: Director of Bicentennial Workshop; Graduate Assistant in the Political Science Department; Associate Director for the Black Studies Program at Washington State University in Pullman, WA (1974–1978); and Graduate Assistant in the Political Science Department at Western Illinois University, Macomb, IL (1969–1971).

Mr. Cotton is a member of numerous professional and social organizations. He is married and to that union they have two sons. Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Bernard Cotton for his passion and dedication to education and desire to make a difference in the lives of others.

THE 50TH ANNIVERSARY OF FULLER GT MAGNET ELEMENTARY

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to congratulate Fuller Gifted and Talented Magnet Elementary School of Raleigh, North Carolina, on its 50th anniversary and for its strong tradition of excellence.

Fuller Magnet Elementary first opened in 1962 with 200 African-American students. Today, 50 years later, Fuller serves 600 students from many different backgrounds and cultures around the world.

Since its founding, Fuller has embraced the philosophy that each child should be challenged at his or her own intellectual level and be provided with opportunities for success each day. Fuller integrates two magnet programs into its instruction, offering the Gifted and Talented Program along with the Academically Gifted Basics program. Fuller also benefits from strong community ties, including a partnership with North Carolina State University in both academic and leadership initiatives.

I commend Fuller on its strong academic and instructional program. The school has set high expectations for students, parents, and teachers alike, and it has also looked at the whole of the student's education, teaching social responsibility and character development in addition to academics. Parental support, talented and committed teachers, and a positive school climate are the foundation of a successful educational community, and Fuller Elementary is abundant in all three. Fuller has been a valuable asset to the Raleigh community these past fifty years, investing in young people and equipping them with the skills and education they need to become the leaders of the future.

The Triangle is considered as one of the best places in the nation to live, work and raise a family, and Fuller Gifted and Talented Magnet Elementary School is one of the many excellent schools that contributes to that reputation. I hope that its 50th anniversary celebration is a time of reflection on the history of the school and of rededication to excellence and community betterment.

TRIBUTE TO ALFONSO ''AL'' STUDESVILLE, JR. AND HIS WIFE, JANET STUDESVILLE

HON. MARK POCAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. POCAN. Mr. Speaker, I rise today with a heavy heart to pay tribute to two very special community leaders in Madison, Wisconsin.

Alfonso ''Al'' Studesville, Jr., and his wife, Janet Studesville, were killed in a tragic automobile accident on June 4th. The space they left behind will be incredibly difficult to fill.

Al devoted himself to community service and activism. He was larger than life—with a deep voice, rich laugh, and kind personality, Al touched the lives of many.

Born on January 9, 1946, in St. Louis, Missouri, Al made his life-long home in Madison, Wisconsin. A graduate of UW Madison, Al worked at Madison Light and Power (now known as Alliant Energy) for 18 years. He and Jan owned and operated a studio, Just Nails, and a training school, Just Nails Training Center, in Fitchburg, WI. After leaving Madison Light and Power, Al became a Student Services Career Counselor for Madison College, specializing as the Black Student Union Advisor and Minority Recruiter. Al also taught at Madison East High School for nine years.

Changing lives was a priority for Al. A member of the Jr. NAACP at the age of 12, Al participated in civil rights demonstrations through Dr. King's Southern Christian Leadership Conference. He continued his devotion to the African American community throughout his life. From leading what would become known as the Boys and Girls Club of Dane County to his involvement in local agencies such as the Charles Hamilton Houston Institute and the Urban League of Greater Madison, Al leaves behind a legacy of minority outreach and community involvement that cannot be overstated.

One of his crowning achievements was his critical role in founding the Madison chapter of 100 Black Men of America in 1984. Through

100 Black Men of Madison, Al helped establish an organization that area youth—especially young black men—could look to for leadership and guidance. By providing opportunities for health and wellness education, access to economic development programs, and involved mentorship, Al and the other members of 100 Black Men of Madison touched the lives of countless young men in our communities. Madison owes Al a debt of gratitude for starting this organization. His involvement proves that activism, dedication and compassion can have deep impacts in our community.

It was the combination of his inexhaustible drive to help others and his kindness, approachability and modesty that made him such an effective leader. It is one thing to lead by example alone, and quite another to take one's own life lessons and apply them directly to those in need.

Leader, mentor, confidant, father, husband; Al was all these things and more. He gave to our community, and though he never asked for anything in return, I suspect seeing the impact of his work on the lives of others served as just fulfillment.

Jan was no less involved in the community than Al. She ran their nail salon and training school that they owned jointly. She also worked as vice president for Women in Focus, a group that mentors minority students to increase literacy. The program provides $2,000 scholarships to 13 students annually.

One of Al's favorite phrases was, ''I will match energy with energy.'' And while the tragic loss of these two community activists is still fresh in the minds of those who knew them best, it is important to remember that Al's and Jan's energy is still here. Every person whose life they touched was enriched by that energy. And those recipients will in turn pay it forward to others. The duty falls to us now to pick up their mantle of advocacy, outreach, and kindness, and give our collective energy to those who need it most.

As a community, we will match your energy, Al and Jan. We have your memories and life's work to guide us along the way.

HONORING CONGRESSMAN JOHN DINGELL

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to express my congratulations to Representative JOHN DINGELL for his remarkable career and service to our country.

Last week, he celebrated an accomplishment that—like Joe DiMaggio's hitting streak—is likely never to be broken. Last week, JOHN DINGELL served his 21,000 day in the House of Representatives—and he is now the longest-serving member in the history of Congress. Not one of us in the House today has served a single day without having JOHN DINGELL as a colleague.

His influence goes far beyond his longevity. When I came to Congress in 1999, my goal was to join the Energy and Commerce Committee, a committee that JOHN DINGELL chaired, shaped and made into a powerful force. He has helped to enact some of the most important laws of our time—from the Civil Rights Act to the Clean Air and Clean Water Acts to Medicare and the Affordable Care Act. He is a champion of working people and a believer in the American Dream—creating opportunity for all.

Countless members of Congress have learned valuable lessons from JOHN DINGELL. One of the most valuable lessons I learned from Congressman DINGELL was how to question witnesses appearing before the Committee. He fights tirelessly to represent his district and his constituents. He has mentored generations of high-quality and devoted staffers. He has taught us that our job is not just about legislating, but about oversight—and he is known for his skills in both areas. His efforts have helped millions and have resulted in a more effective and accountable government for the American people.

I am grateful to have JOHN DINGELL as a friend and a colleague. I congratulate him on all that he has accomplished, and I wish him and his extraordinary wife Deborah all the best as he continues to serve the 12th Congressional District of Michigan and the nation.

HONORING ANDREA RUCKER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a resourceful and ambitious woman, Ms. Andrea Rucker. She has shown what can be done through hard work, dedication and a desire to serve others.

Ms. Rucker is the daughter of Myrtis Rucker of Yazoo City and Otis Rucker of Winston-Salem, N. C.

Ms. Rucker graduated from Yazoo City High School in the class of 2004 with honors and went on to earn a Bachelor of Science in Special Education from Jackson State University in 2008, graduating Summa Cum Laude. After beginning her career as an Inclusion Teacher in the Yazoo County School District, Ms. Rucker earned a Master of Education in Elementary Education from Mississippi College in 2010, where she also graduated Summa Cum Laude.

Ms. Rucker is a Special Education Teacher at Bentonia Gibbs Elementary in the Yazoo County School District. She has taught for four years in the district and also served one year in the Plano Independent School District in Plano, TX. She recently earned the honor of being named Bentonia Gibbs Elementary Teacher of the Year.

Ms. Rucker is an active member of St. Stephen UMC in Yazoo City where she works as a youth leader and communion stewardess. Andrea is also a member of the Yazoo City Alumnae Chapter of Delta Sigma Theta and appreciates the opportunity to have a positive impact on the community through activities sponsored by the sorority.

Ms. Rucker's philosophy on teaching can be drawn from Romans 12:6–9 which speaks of a variety of gifts that may be given to each of us. She believes that if one has been given the gift to teach, that person must teach well.

Having had countless examples of top notched, no-nonsense educators, including her mother, Ms. Rucker strives every day to teach well while remembering this quote from Henri Frédéric Amiel which states, ''The highest function of the teacher consists not so much in imparting knowledge as in stimulating the pupil in its love and pursuit.''

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Andrea Rucker for her dedication to her community.

CONGRATULATING THE KNIGHTS OF COLUMBUS RODRIGO COUNCIL, NO. 44 ON THE CELEBRATION OF THEIR 125TH ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Ms. DELAURO. Mr. Speaker, It gives me great pleasure to rise today to join the many who have gathered this evening in celebration of the 125th Anniversary of the Rodrigo Council, No. 44—one of the original Councils of the Knights of Columbus. Described as the ''strong right arm of the Church,'' Councils have long been an extension not only of the fraternal order, but of the Catholic Church as well. Today, Rodrigo Council focuses its effort in service of the needs of St. Bernadette's Church, St. Bernadette School, the parishioners, the local community and charitable organizations across the country.

As you may know, the Knights of Columbus was formed when a group of men, called together by Father Michael J. McGivney in the basement of St. Mary's Church in New Haven, Connecticut, vowed to defend their country, their families, and their faith. With strength in solidarity, security in their unity of purpose, and devotion to their cause, the Knights of Columbus has grown into the world's largest Catholic family fraternal service organization.

Just a few short years following the establishment of the Knights, membership had grown at such a rate that additional Councils were established. On June 6, 1888 the Rodrigo Council No. 44 was established. Welcoming any man, aged eighteen or older, of Catholic faith, this Live Council continues to thrive today. In addition to their support of St. Bernadette's and the parish school, members dedicate much of their time to raising funds to support social and civic services throughout the community. Just this year alone their annual banquet will benefit Mount St. John's, a residential treatment facility for at-risk young men; Emergency Shelter Services, a shelter for homeless men; The Camp, a summer camp for inner-city youth in New Haven; Life Haven, a temporary shelter for homeless pregnant women and women with children; Farnam Neighborhood House, a thriving multi-service neighborhood center which provides a continuum of services for people of all ages; and a local family in need of financial assistance because of an illness.

The strength of any community lies within the willingness of its members to make a difference. Over the course of its 125-year history, the members of Rodrigo Council No. 44 have exemplified community service. Through their faith and their commitment, they have enriched the lives of others and made our community a better place for our families to live, learn, and grow. Today, as they celebrate their 125th Anniversary—a remarkable milestone by any measure—I am honored to stand today and extend my deepest thanks and appreciation to their members, past and present, for their invaluable contributions. They have set a standard of service to which we should all strive.

CONGRATULATING SCRIPP'S NATIONAL SPELLING BEE SEMI-FINALIST, ALIA ABIAD

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize Alia Abiad, who recently participated in the Scripp's National Spelling Bee.

Alia Abiad is a 7th Grader from McClure Junior High School, and a resident of my hometown of Western Springs, IL. In addition to being a skilled tennis player and violinist for the Chicago Youth Symphony Orchestra, her recent performances in local and national Spelling Bees have demonstrated that she is a driven, exemplary student.

Alia diligently practices her spelling independently and with her parents every day. She also gains her edge by reading books intended for an audience well beyond her age.

Alia initially won the title of best speller at McClure Junior High, and then went on to win the Cook County Spelling Bee. In these competitions, she maintained a perfect record, spelling every word correctly.

Most recently, she competed alongside 280 of America's top spellers in the Scripp's National Spelling Bee in Washington, DC. She advanced to the semi-finals, correctly spelling 'peccadillo,' 'quiddity,' and 'hypnopompic,' before her run ended.

Alia's achievements are a reminder of how preparation, practice, and perseverance produce solid results, even when facing difficult challenges. I call on all my colleagues to join me in congratulating Alia Abiad, and her parents, for her tremendous accomplishments, and her commendable performance in the Scripp's National Spelling Bee.

THE 50TH ANNIVERSARY OF WEST VIRGINIA'S CASS SCENIC RAILROAD STATE PARK

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. RAHALL. Mr. Speaker, this month marks the 50th Anniversary of West Virginia's Cass Scenic Railroad State Park. Anyone who has ridden the eleven miles of rail in this unique concept for a park in my home State can attest to its instant attraction and appeal on so many fronts. Bundled in those few short miles are a multifaceted story of industrial might and hardworking souls that combined to make a significant contribution to the Nation's logging and lumber history. Rail enthusiasts will enjoy historical steam powered locomotives, a switchback track system to assist the trains in conquering steep elevations, and the remaining vestiges of past equipment used along the rail. Everyone will enjoy the scenic bliss and wonder of the natural beauty in which this relatively small short line, but prospering railroad is nestled in Pocahontas County.

What began with lots of hope, but little publicity, drew an extraordinary maiden seasonal crowd of 23,000 interested visitors fifty years ago to this majestic mountain and manmade wonder. Set in the midst of the State of West Virginia's Centennial year of celebration, skepticism surrounded future success.

However, since those early days, Cass has not only endured, it has prevailed as a magnet for the region's economy. Many heads, hands and hearts have been instrumental in the growth Cass has enjoyed over the last five decades.

First and foremost, there is a small contingent of dedicated and experienced Cass employees who deserve several trainloads of thanks for keeping the trains moving up and down the mountain. They are a talented bunch. Faced with broken or worn out train parts, parts not stocked nor even manufactured in decades, they set about the task at hand. Applying their honed skills and sheer ingenuity, without benefit of blueprints or plans, for 50 years day in and day out, they have kept history alive.

Perhaps no more enthusiastic group of individuals has devoted greater labors of love than the members of the Mountain State Railroad & Logging Historical Association. From sizeable restoration projects to tender loving care of collective memories of life in yesteryear, these essential partners are key to Cass's lifeblood. Operating Railfan Weekend each spring, the crew draws from the deep roots that extend from its debut weekend in 1965, but with every new year, they offer visitors something new and unique to reward their trek. And, certainly, they play a more than significant role in keeping the ever evolving horizon of West Virginia's most unique state park on track.

Mr. Speaker, I offer hearty congratulations to all those who have and are taking part in a fifty year journey that continues to gather steam and glory to celebrate an important chapter in our country's past. May the lessons preserved from our past continue to help guide our next half century. And may the chorus of Cass's steam whistles always sound a welcoming note for the Nation to pay Cass Scenic Railroad a visit.

HONORING WASHINGTON STATE TROOPER SEAN O'CONNELL

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. REICHERT. Mr. Speaker, today I rise to honor the life of Washington State Trooper Sean O'Connell. Trooper O'Connell was respected by both community and colleagues, and deeply loved by his family and friends. His life was cut tragically short when he was struck by a truck while redirecting traffic on his motorcycle near the site of the I-5 bridge collapse. He was 38 years old and left behind a wife and a young son and daughter.

His memorial service, held last Thursday, was attended by thousands. Officers and troopers came from across the United States and even Canada to honor him. Washington State Patrol Chief John Batiste called Trooper O'Connell a ''tremendous human being'' who ''exemplified service with humility.'' This husband, father, and friend cannot be replaced, but his sacrifice will always be remembered and his legacy of compassion and service will live on after him. He is gone but not forgotten.

Mr. Speaker, I salute Trooper Sean O'Connell, Badge 1076, and I thank him for all he gave back to the people of Washington State.

HONORING DIANNE J. TAYLOR

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor Ms. Dianne J. Taylor, an employee of the Mississippi Department of Human Services for over twenty years.

The opportunity to become a civil servant of any branch of the government is a great privilege to be able to serve the American people. Dianne graduated from Troy State University in 1993 with her B.S. Degree in Resource Management and shortly afterwards she began her career with the Mississippi Department of Human Services in that same year.

In an effort to build upon her academic training and hands on learning within the agency, Dianne returned to school and received her MBA from Delta State University in 2004. During this entire time, she maintained her employment as a case manager in Tallahatchie County where she administers the Temporary Assistance for Needy Families (TANF) program. This program is designed to help single parents become self-sufficient so that they can transition off of public assistance.

Dianne has all intentions of retiring as a civil servant employee, realizing the opportunity given to her twenty years ago has been not only more than a privilege but rewarding by allowing her to help others in need.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Dianne J. Taylor for her longevity and dedication to helping others as an employee of the Mississippi Department of Health and Human Services.

RECOGNIZING THE RETIREMENT OF JOHN RECORDS

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. HUFFMAN. Mr. Speaker, I rise today to recognize John Records, who is transitioning from his position as Executive Director of the Committee on the Shelterless (COTS) after 21 years of tireless work providing services for the homeless and at-risk in Petaluma, California.

Since he joined the staff of COTS in 1998, John has provided the vision and management that has enabled COTS to serve more than 20,000 people with a wide range of services, including food, shelter, counseling and career coaching.

John is a national leader in taking a comprehensive approach to ending and preventing homelessness by providing services for the whole person. Through a partnership with the University of New York at Albany School of Social Welfare, John has enabled organizations across the country to learn from the COTS approach to serving its customers.

John has helped make Petaluma a welcoming community that supports its residents throughout times of need and crisis.

The residents of California's Second District are better off today thanks to the work of John Records. As he moves on, I want to express my deep appreciation for his dedication and contributions to the people of Sonoma County, and convey my best wishes for a long and happy future.

IN HONOR OF MILLER COUNTY SHERIFF H.E. ''BUDDY'' GLASS

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. BISHOP of Georgia. Mr. Speaker, it is with a heavy heart and solemn remembrance that I rise today to pay tribute to a great man and outstanding Sheriff of Miller County, Georgia, H.E. ''Buddy'' Glass. Sadly, Sheriff Glass passed away on June 8, 2013. Funeral services will be held on Thursday, June 13, 2013 at 4:00 p.m. at First Baptist Church in Colquitt, Georgia.

Since he was elected in 1996, Sheriff Glass has served the citizens of Miller County, Georgia with devotion and distinction. Elected to a fifth term last year as chief law enforcement officer responsible for patrolling and responding to calls within the 284 square mile area of Miller County with a population of over 6,000 people, Sheriff Glass has proven to be a strong and revered leader. A great number of challenges come with a position of this caliber, exacerbated by the fact that much of this rural Southwest Georgia County is composed of unpaved roads and farmland. Sheriff Glass handled these challenges with efficiency and success.

Sheriff Glass was employed with the Miller County Sheriff's Office for more than 31 years. As Sheriff, he spearheaded the inmate work program, which has saved thousands of taxpayer dollars in garbage collection, landscaping efforts, and assistance with public functions in the city. He also oversaw the Miller County Operation Pill Drop, a program where citizens of the county turn in unwanted and unneeded prescription medications to keep them from falling into the wrong hands. In addition, Sheriff Glass approved an initiative to have the trustees of the Miller County Jail help distribute food from the local food bank.

In 2008, the Georgia Committee for Employer Support of the Guard and Reserve, an agency of the Department of Defense, honored the Miller County Sheriff's Office with an ''Above and Beyond'' award in recognition of the Office's outstanding support of its employees who serve in the National Guard and Reserve.

Maya Angelou once said, ''A great soul serves everyone all the time. A great soul never dies.'' Sheriff Glass is undoubtedly great because of his distinguished service to his community, devotion to his work, and the compassion he showed for his friends and loved ones.

Sheriff Glass is survived by his wife, Rita; children, Bo, Steven, Robert, Wendy, Danielle and Linda; one sister, Myrle; and twelve grandchildren. He was a member of Flat Creek Baptist Church in Colquitt, Georgia.

Mr. Speaker, I ask my colleagues to join me today in paying tribute to Sheriff H.E. ''Buddy'' Glass and his legacy of service to Miller County, Georgia. He loved the people of Miller County and he was committed to making that community safer to live in and to improving the quality of life. He will truly be missed.

HONORING THE RETIREMENT OF WILLIAM ZURKEY FROM AVON LAKE HIGH SCHOOL

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Ms. KAPTUR. Mr. Speaker, I rise in order to recognize Mr. William G. Zurkey who has recently retired after thirty-six years as a music teacher, the last twenty-six which have been at Avon Lake High School in Avon Lake, Ohio. Having spent his career in education and inspiring our youth, I am beyond privileged to celebrate his career.

William Zurkey holds a bachelor of Music Education from Bowling Green State University, a Master's degree in Music from Cleveland State University, and has completed course work in his doctoral studies at Kent State University. His impressive academic résumé is indicative of the immense skill and dedication William brought to his job.

The communities of Avon Lake, Ohio and Cleveland, Ohio know William for being a superior director and musical mind. Over the years, his high school chorales have received numerous awards, garnered state-wide, national and international recognition, and have been invited to perform at Carnegie Hall in New York City three times. In addition to his high school duties, William has served as an adjunct Faculty of Music Education at the Oberlin College Conservatory of Music in Oberlin, Ohio where he directed the Women's Chorale. He has also worked with chorales at the Baldwin-Wallace College Conservatory of Music in Berea, Ohio.

William's passions for music and mentoring community youth led to involvements outside of the classroom as well. He coached football at multiple levels, most recently as the head coach of the 8th Grade team at Avon Lake. Last year, William was hired to create and direct the Cleveland Pops Orchestra Chorus, which performs four times per year.

William has excelled in his career, having received widespread adulation. This past spring, his alma mater Bowling Green State University recognized him as an outstanding, notable and accomplished alumnus. He has been the president of the Ohio Choral Directors Association and has served on the American Choral Directors Association's Central Division Board. Finally, William has been named multiple times in Who's Who Among America's Teachers, a list of student-nominated educators that have been inspiration and influential in their students' lives.

I am delighted to submit a record of William's service and accomplishments. I thank him for his career-long commitment to the utmost important task of educating our younger generations: I thank him for his constant and masterful development of the arts. And I wish him only happiness as he enjoys retirement, spending time with his wife and their children, staying involved with the Bay United Methodist Church in Bay Village, Ohio, and his continued community and musical endeavors.

RECOGNIZING THE NCAA CHAMPION UNIVERSITY OF NORTH CAROLINA WOMEN'S LACROSSE TEAM

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to congratulate the players, coaches, and staff of the University of North Carolina-Chapel Hill women's lacrosse team for their victory in the 2013 National Collegiate Athletic Association (NCAA) Division I Women's Lacrosse Tournament.

UNC-Chapel Hill first started competing in Division I women's lacrosse in 1996, and at the time the coaches had to recruit athletes from the women's soccer team. In just 17 seasons since, the Tar Heels have made the NCAA tournament 14 times, reaching the semifinals seven times—including three of the last four years. In light of this meteoric rise, it was only a matter of time before the team claimed its first national title.

This year, the Tar Heels entered the NCAA tournament after a remarkable 15–3 season. They upset the reigning national champion, Northwestern, in the semifinals, marking the first time in seven years that the Wildcats did not win the NCAA tournament. In the finals, the Tar Heels defeated Atlantic Coast Conference (ACC) rival Maryland in triple overtime, relying on veteran leadership from NCAA

Tournament Most Outstanding Player Kara Cannizzaro and junior veteran Abbey Friend as well as two stand-out freshmen: goalkeeper Megan Ward, who blocked a last-minute shot by Maryland, and midfielder Sammy Jo Tracy, who scored the winning goal in sudden-death overtime. In order to recognize the contributions of all of the members of this remarkable team, I have included the full roster and coaching staff below for inclusion in the CONGRESSIONAL RECORD, together with their hometowns and secondary schools.

I also commend Coach Jenny Levy on this triumph. Coach Levy was hired in 1994 to build a varsity program and has since developed an outstanding 224–92 record in 17 seasons as Head Coach, including a 63–18 mark over the last four seasons. A former member of the U.S. Women's Lacrosse National Team, Coach Levy is now a three-time ACC Coach of the Year, winning five league regular-season titles and the 2002 ACC Tournament title. She ranks sixth in Division I women's lacrosse history with 242 career victories—a number that I suspect will only continue to climb in future years.

On behalf of my colleagues, I extend the House's congratulations to the UNC-Chapel Hill Tar Heels for their championship season, and I look forward to welcoming them to Washington, D.C. and to the White House later this year.

UNC TAR HEELS WOMEN'S ROSTER 2012–13 SEASON

Head Coach: Jenny Levy

Assistant Coaches: Phil Barnes, Katrina Dowd

#1 Frysinger, Mallory, Corning, N.Y. (Corning East)

#2 Hanson, Paige, Baltimore, Md. (Bryn Mawr School)

#3 Zeigler, Maddie, Alexandria, Va. (Bishop Ireton)

#4 Patterson, Paige, Alexandria, Va. (St. Stephens and St. Agnes School)

#5 Scott, Lindsay, Yorktown Heights, N.Y. (Yorktown)

#6 Skinner, Zoe, Baltimore, Md. (Towson)

#7 McGee, Sam, Baltimore, Md. (Bryn Mawr School)

#8 Andress, Alyssa, Doylestown, PA (Archbishop Wood)

#9 Corzel, Margaret, Berwyn, Pa. (Merion Mercy Academy)

#11 Griffin, Jessica, Sudbury, Mass. (Lincon-Sudbury Regional)

#12 Davis, Carly, Skaneateles, NY (Skaneateles)

#13 Tracy, Sammy Jo, Bedford, N.Y. (Fox Lane)

#14 Ballard, Cassie, Millersville, Md. (Severna Park)

#15 Cannizzaro, Kara, Cazenovia, N.Y. (Cazenovia Central)

#16 Serpe, Sloane, North Caldwell, N.J. (West Essex Regional)

#17 Ward, Megan, Annapolis, Md. (St. Mary's)

#18 Friend, Abbey, Canandaigua, N.Y. (Canandaigua Academy)

#19 Scott, Sarah, Yorktown Heights, N.Y. (Yorktown)

#20 Farrell, Breada, Essex Fells, N.J. (West Essex Regional)

#21 Giles, Eileen, Concord, Mass. (Middlesex School)

#22 Garrity, Emily, Rutledge, Pa. (Strath Haven)

#23 George, Taylor, Arnold, Md. (Broadneck)

#24 Rubin, Morgan, Baltimore, Md. (Bryn Mawr School)

#25 Markison, Devin, Princeton, N.J. (Loomis Chaffee)

#26 Devlin, Kelly, Downingtown, Pa. (Downington East)

#27 Messinger, Aly, Mendham, N.J. (West Mendham)

#28 Waite, Courtney, Bernardsville, N.J. (Bernards)

#29 Schmidt, Paula, Wantagh, N.Y. (Wantagh)

#30 Martino, Kate, Summit, N.J. (Summit)

#32 Sindall, Caileigh, Silver Spring, Md. (Our Lady of Good Counsel)

#34 Lobb, Stephanie, West Chester, Pa. (West Chester East)

#35 Coppa, Brittney, Hampstead, Md. (North Carroll)

#50 Maksym, Lauren, North Massapequa, N.Y. (Farmingdale)

HONORING GENE SIEGEL ON HIS RETIREMENT AFTER 38 YEARS AS MAYOR OF CHICAGO RIDGE

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Eugene ''Gene'' Siegel on his retirement as mayor of the Village of Chicago Ridge. Gene is a dedicated public servant who served as mayor for over 38 years with great honor and dignity. He also served the public in numerous capacities within Cook County government, including deputy coroner for the Cook County Coroner's Office, assistant chief to the Cook County Sheriff's Office, and member of the Cook County Criminal Justice Commission. He has been Vice Chairman of the Southwest Conference of Mayors and Legislative Chairman for the Southwest Conference of Local Governments.

Mayor Siegel originally was elected in 1975 to fill an unexpired mayoral term in Chicago Ridge. He was re-elected nine times, most recently in 2009. In each election, he never lost a precinct, which speaks to his character and the respect from the community where he lives and serves. Mayor Siegel is a genuine man who approached public service not only with dignity and honor, but with humility. He believes everyone should have a voice, so he maintained an open door, willing to listen and respond to the views of his colleagues and constituents.

Over the last four decades, Mayor Siegel focused on improving and revitalizing the Village of Chicago Ridge by fixing roads and creating a solid tax base with the development of the Chicago Ridge Mall in 1981 and the Commons of Chicago Ridge in 1988, which brought in businesses to ignite the economy and create jobs for the entire region.

During his 38 years leading Chicago Ridge, Mayor Siegel witnessed the population of his town expand from 2,000 to 15,000. He was a visionary, realizing and addressing the needs of his growing community. Mayor Siegel was integral in the establishment of a full-time fire department and the development of a 130-acre industrial park, a public works facility, and a very impressive municipal complex, the last of which bears his name.

As the congressman for the Village of Chicago Ridge, I am proud to represent such a committed and dedicated man. Mayor Siegel's leadership has been a major asset to his community. I am honored to call him my friend.

Today I ask my colleagues to join me in honoring Mayor Eugene ''Gene'' Siegel. Mayor Siegel, you truly are a dedicated public servant who is greatly respected by your family, friends, and colleagues. You have made Chicago Ridge a great place to call home. As you embark on a new chapter in life, may you enjoy a long and well-deserved retirement and continue to experience many great memories with your lovely wife, Linda, as well as your family and friends.

HONORING DR. CHARLES A. PICKETT, SR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a once outstanding civil servant and educator, Dr. Charles A. Pickett, Sr. His remarkable service to education and the community spanned over 45 years.

Dr. Pickett, Sr. was born January 16, 1938 to Mr. William D. Pickett and Mrs. Willie C. Flowers Pickett in Miles Station, Mississippi. He obtained his high school education from Jim Hill High School in Jackson, Mississippi and pursued his collegiate studies at Tougaloo College, Temple University, and the University of Southern Mississippi. Even in accomplishing such magnificent educational achievements, Dr. Pickett, Sr. pressed forward with additional studies at Brown University and Columbia University. His appointment as a National Science Foundation Physics Fellow awarded him the opportunity to work at nationally renowned universities, such as Fisk University, Texas Southern University, Louisiana State University, and Lawrence Livermore Laboratory. Having obtained a wealth of knowledge and expertise, Dr. Pickett, Sr. was uniquely prepared to pursue the lasting career he ultimately dedicated his life's work towards.

Dr. Pickett, Sr. began his lifelong commitment to education as a teacher of mathematics and physics at Hinds County Agricultural High School in Utica, Mississippi. His exceptional prowess in those subject areas paved the way for him to teach at numerous other institutions, including: Utica Junior College, Alcorn State University, Louisiana State University, Jackson State University, and Mississippi Valley State University, where he was appointed Chairman of the Department of Chemistry and Physics.

Not only was Dr. Pickett, Sr. an outstanding teacher, but also a strong advocate for increasing the number and quality of physics courses offered at historically black colleges and universities. His advocacy was instrumental in implementing these changes, as well as enhancing the availability of physics laboratory equipment.

In addition to his valuable contributions to academics, Dr. Pickett, Sr. held key offices on

the Board of Trustees of the State Institutions of Higher Learning (IHL), including Associate Commissioner of Academic Affairs and Interim Commissioner, solidifying him as the first African American professional to serve in either of these positions. Even after his retirement, Dr. Pickett, Sr. continued to provide valuable input to IHL as a consultant.

Dr. Pickett, Sr. was well-known in the community, not only for his professional contributions, but also for his dedication to his family and leisure enjoyments. He was a devoted husband to Marie Wilcher for 44 years and a committed father of two sons, Charles, Jr. and Dewayne. He was a member of the Mississippi Cattlemen's Association, the Terry Cowboys Riding Club, Sigma Pi Sigma Honorary Physics Society, and Alpha Phi Alpha Fraternity. Dr. Pickett, Sr. transcended this life on earth on January 17, 2009.

Mr. Speaker, I ask my colleagues to join me in recognizing Dr. Charles A. Pickett, Sr. for his dedication and service as a respected educator and for the commendable contributions he made to the field of public education.

HONORING THE LIFE AND LEGACY OF MARY JOHNSON

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to honor the extraordinary life of Mary Johnson, who passed away on June 7, 2013 at the age of 87. Mrs. Johnson, a fixture of Buffalo's Ellicott community, was a pioneering activist whose life was an unwavering crusade for the betterment of others.

Mrs. Johnson was truly adored by her neighbors as a tireless advocate for the less fortunate. A nearly lifelong resident of the Frederick Douglass Housing complex, Mrs. Johnson was a fearless force dedicated to improving public housing in the community for more than fifty years. In 2001, the Buffalo Municipal Housing Authority recognized her spirited volunteerism with the dedication of Mary Johnson Boulevard on Buffalo's East Side.

An active, steady force for change, Mrs. Johnson gave her time and talents to myriad organizations focused on community advancement. She served on the board of directors of the Community Action Organization and was a member of the JFK Community Center, Urban League Education Auxiliary Group, AMVETS Auxiliary Post 5, Ellicott Neighborhood Advisory Council, and the YMCA Heart of the Home Club. Her tenure with the Buffalo Urban League alone spanned over twenty three years.

Mrs. Johnson was an unselfish champion for her community and will be remembered as a lasting role model for those graced with her acquaintance. Her enduring contributions have made Buffalo a better city for generations to come.

The love Mrs. Johnson poured into her community is equaled by her love of family. The wife of the late, great Billy Johnson, this caring mother is survived by her son, George Jr., and six daughters, Jean Ann Robinson, Estelle Arlene Blue, Catherine Lee Watkins, Virginia Beard, Anna Mae Hoskin, and Mary Harris.

Mr. Speaker, thank you for allowing me a moment to remember the life of this remarkable woman. I ask my colleagues to join me in offering our sincere condolences to her family. I am grateful for her innumerable good works and inspired by her legacy.

IN HONOR OF SELLERSVILLE'S 275TH ANNIVERSARY

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. FITZPATRICK. Mr. Speaker, we are pleased to acknowledge the 275th anniversary of Sellersville Borough, one of three original villages in Richland Township, Bucks County. Founded by German farmers between 1720 and 1730, one of the early settlers, Abraham Wambold, built a home, tannery and grist mill on the banks of the northeast branch of the Perkiomen Creek sometime around 1738. Sellersville never lost its village quality, nor its ties to another early settler, Samuel Sellers, who established Sellers' Tavern, a public house. And years later, the post office was known as Sellers' Tavern until its name changed in 1856. The Borough of Sellersville was established in 1874. Its history is housed in the Sellersville Museum, the one-time Sellersville Public School building, and the first four-year high school in Bucks County. No community would be safe without a fire company and in 1888 the Sellersville Fire Co. began protecting people and property and now celebrates its 125th anniversary. And 100 years ago, Grandview Hospital began serving Sellersville area families with care and compassion. Congratulations to all on a combined 500-year history and your individual anniversaries. May the future be even brighter.

IN MEMORY OF CHARLES H. JOYCE

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. REED. Mr. Speaker, I rise today to pay tribute to the life of a prominent and active New Yorker who passed away June 9, 2013. Charles H. Joyce of Andover, New York was a dear friend to many in the 23rd District.

Charlie worked in the oil and gas industry from the age of 14, rising to become President of Andover Oil, a company he built after his retirement from Otis Eastern Service, Inc. Considered an expert in the energy industry, he received an honorary membership in the Pipe Line Contractors Association for his outstanding contributions to the industry. Additionally, he was a long-time member of the New York State Oil Producers Association and served as President from 2008 until his passing.

Charlie dedicated himself to responsibly preserving the land he worked with, receiving many awards for his commitment to conservation. His passion for philanthropy led him to help countless others in Allegany County. He donated his time to numerous community groups, including the Andover Lions Club, the Ancient Order of Hibernians, and the Wellsville Elks Club.

Our communities are enriched and improved by citizens like Charles H. Joyce and I am honored to commemorate his contributions. He was an outstanding member of our southern tier community and it is right that we honor his legacy here today in the official record of the United States.

HONORING DEE DEE D'ADAMO

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. COSTA. Mr. Speaker, I rise today along with my colleague, Mr. DENHAM, to recognize Dee Dee D'Adamo as she is honored for her years of service to California's San Joaquin Valley. Dee Dee was recently appointed by Governor Jerry Brown to the State Water Resources Control Board. This appointment is well deserved as Dee Dee has served in numerous roles to better the lives of the people of California and of the San Joaquin Valley.

Dee Dee graduated from the University of California, Davis in 1982, and continued her education at the University of the Pacific, McGeorge School of Law. After receiving her Juris Doctorate, Dee Dee served on several committees for the California State Assembly. Dee Dee also served as a visiting lecturer at California State University, Stanislaus. She taught for the Department of Politics, so her courses ranged from U.S. government, to state government, and environmental policy.

Before her new appointment, Dee Dee served on the California Air Resources Board (CARB) as the Law Member since 1999 when she was appointed by Governor Gray Davis. She championed language on several of CARB's recommendations to the legislature. A couple years ago, CARB approved a cap and trade program that was aimed at reducing the state's greenhouse gas emissions. Dee Dee had a prominent role in ensuring that rural communities with agricultural based economies received their fair share of revenues.

Dee Dee also served the Valley at the federal level, working for several Members of Congress. She was the legislative director for Congressman Gary Condit from 1990–1991 and was his legal counsel from 1994–2003. Following her career with Representative Condit, Dee Dee was Congressman Dennis Cardoza's senior policy advisor for nearly ten years. When Representative Cardoza retired, Dee Dee joined Congressman JIM COSTA's staff. She served as the senior policy advisor for his office up until the day she was appointed to the State Water Resources Control Board.

In 2012, Dee Dee was honored as Woman of the Year for the 17th Assembly district by Assemblywoman Cathleen Galgiani. The knowledge and expertise that Dee Dee exhibits is truly admirable, and we are grateful to

have had the opportunity to work with her over the past couple decades.

Mr. Speaker, I ask my colleagues to join Mr. DENHAM and myself in recognizing Dee Dee D'Adamo for the outstanding contributions she has made to our Valley and our entire nation. Dee Dee will undoubtedly prove to be an asset to the Governor's Administration.

IN HONOR OF CHIEF BARRY PILLA

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. FITZPATRICK. Mr. Speaker I rise today to honor Chief Barry Pilla.

Day to day, we Americans are protected by the men and women in law enforcement who stand ready to serve. We owe them a debt of gratitude for their service and our peace of mind. On the occasion of the retirement of Northampton Township Police Chief Barry Pilla on July 1, 2013, we acknowledge his ability to achieve the goals he set for the department, while leading it with integrity and honor. For more than 40 years, Chief Pilla dedicated his life to citizen protection and a safe community. He also created a work environment that fostered professional development and resulted in accomplishment. His life was dedicated to public service, beginning with the United States Army in 1968, followed by an exemplary police career. We join Northampton Township in thanking Chief Barry Pilla for his life's work and offer him our sincerest wishes for new adventures and many happy retirement years.

RECOGNIZING RODRIC J. MYERS' 40 YEARS OF SERVICE TO THE U.S. CONGRESS

HON. ANDRÉ CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. CARSON of Indiana. Mr. Speaker, I rise to recognize a Hoosier and a very dedicated public servant, Mr. Rodric Myers, who is retiring after serving Congress for more than 40 years.

Rod Myers grew up in my hometown of Indianapolis, Indiana and graduated from Shortridge High School. He comes from a family tradition of serving others and helping his community. His mother, Susie Myers, who was 100 years old when she died last year, was beloved by our community after teaching generations of public school and Sunday School students. Rod's brother, Bud, currently serves Indianapolis as the Director of our Public Housing Authority, but once served on Capitol Hill as the Chief of Staff to Congresswoman Barbara Jordan.

Rod followed his brother to Washington and was nominated to the U.S. Capitol Police Force by another great Hoosier, Congressman Andy Jacobs in 1972. Rod started as a uniformed patrol officer serving at the Capitol and eventually became the Administrative Specialist for the entire Capitol Division, with responsibilities for approximately 100 officers, including the daily roster assignment of officers. During his 29 years with the Capitol Police, Rod prided himself on promoting a disciplined force and keeping this campus safe. In 2001, Rod was appointed to serve as the Director of House Garages and Parking Security under the House Sergeant at Arms, where he served until his retirement this month. During his years of service in the House, Rod had the honor of working 10 Presidential Inaugurations and 40 State of the Union Addresses.

I have had the privilege to work directly with Rod on several occasions since coming to Congress. Earlier this year, my staff and I ran into a glitch when moving from the Cannon Building to Rayburn Building. We assumed it would be a time-consuming, bureaucratic nightmare. But with a quick trip downstairs and a conversation with Rod, everything was corrected. This is just one occasion and, in fact, he served the House well 9/11, during the anthrax attacks, and even during an earthquake. But this one instance, like others I have had over the years, illustrates just what this institution is losing in Rod Myers—a committed, efficient public servant.

His 40 years of service to the House have been distinguished by his professionalism and dedication to ensuring that the People's House remains safe, strong and always available for our constituents. Though we will miss him, we congratulate him on his much deserved retirement and wish him the very best.

HONORING THYRA THOMSON

HON. CYNTHIA M. LUMMIS

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mrs. LUMMIS. Mr. Speaker, I rise to honor a great American from my home state of Wyoming, Thyra Thomson.

The quintessential Wyoming Secretary of State, Thyra Thomson served for 24 years as Wyoming's second highest elected official and advocate-in-chief for all things Wyoming.

Thyra tirelessly engaged and mentored Wyoming people to be caring thought leaders for Wyoming's unique communities and culture.

Thyra was impeccably put together, inquisitive, well-traveled and well-read, and quick to initiate fascinating conversation.

Her encouragement and support of me and countless others around the state helped to build the unique Wyoming culture and its tapestry of compelling individuals.

Thyra survives through her family, her role in Wyoming history and her inspiration to her many friends of all ages.

IN HONOR OF SALLY RIDE'S LEGACY

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor the legacy of Sally Ride.

On June 18, 1983, Dr. Sally Ride became the first American woman in space aboard the space shuttle *Challenger*—the first of her two flights as mission specialist.

The former astronaut, physicist, educator and space advocate left behind a legacy of accomplishments when she died last year at the age of 61. Her legacy continues to inspire and motivate young women with an interest in science, technology, math and engineering, while the company she founded advances those interests.

We acknowledge Dr. Ride's advocacy for young women in the fields of science, technology, engineering and math—a precursor to the "STEM" programs we know are so important today. As a strong proponent of STEM education and allied programs I will continue to applaud Dr. Ride's effort to encourage interest in science, space, and the technical fields by blazing a path for other women to follow.

HONORING ERMA SCOTT BRIDGEWATER

HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to honor the accomplished life of Mrs. Erma Scott Bridgewater who passed away on Tuesday April 2, 2013. She was a lifelong resident of Champaign, Illinois where she graduated from Champaign Senior High School and from the University of Illinois in 1937 with a degree in Sociology and a minor in Psychology.

Mrs. Erma Scott Bridgewater went on to work at the City of Champaign's Department of Recreation as the director of the Douglas Center. There she became an influential part of numerous children's lives as the girls' track and softball coach, a mentor for the Douglas Center Drum Corps and Drill Team, as well as a chaperone for skating parties and Friday night dances.

After 24 years of service to the City of Champaign, Mrs. Bridgewater served on a variety of boards and committees. Throughout her life she received many honors, among them the Living Legend Award, Martin Luther King Day Award and the National Council of Negro Woman, along with a mini park named in her honor on the corner of Bradley and Market Street in Champaign.

Because of her dedication to the community and the lives she touched, I am proud to honor the life and accomplishments of Mrs. Erma Scott Bridgewater.

RECOGNIZING LA-Z-BOY INCORPORATED

HON. TIM WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. WALBERG. Mr. Speaker, I rise today to recognize the achievements of an iconic company in my district, La-Z-Boy Incorporated,

and to congratulate them as they begin construction on their new world headquarters next week.

Based in Monroe, MI, La-Z-Boy has been crafting comfortable, quality furniture since 1927. The vision of two cousins, Edward M. Knabusch and Edwin J. Shoemaker, La-Z-Boy started with the success of their innovative reclining wooden slat chair. From their humble beginnings in Edward's father's garage they quickly evolved their company with new products like the first upholstered reclining chair. The company grew and they built their own factory on Telegraph Road to meet demand, where they've been a part of the community for the last 85 years.

With the exception of a break during World War II to make tank seats and crash pads as part of the war effort, the employees of La-Z-Boy have never stopped producing a myriad of products that are well-known across the globe. With an accredited test lab on site, every product coming off the line meets the high standards of the La-Z-Boy brand. Just imagine how many sports fans those recliners have comforted or the countless babies they've rocked to sleep.

On June 20th, La-Z-Boy will hold a groundbreaking ceremony for their new world headquarters, as the company enters its next phase. The environmentally friendly building will be able to support 500 employees who will no doubt continue making quality furniture for every room in the home. I offer my best wishes to my constituents and friends at La-Z-Boy and encourage them to keep making this world a more comfortable place.

THE IMPORTANCE OF FATHERS ON FATHER'S DAY

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. MICA. Mr. Speaker, as we recognize Father's Day 2013, probably never before has fatherhood been so challenged. Some sobering facts reveal a crisis that cannot and should not be ignored. Today, 29% of Caucasian, 53% Hispanic and 73% African-American children are born out of wedlock. The traditional position of fathers in American society and in the family as an institution is in serious trouble.

The U.S. Census Bureau reported there are an estimated 70.1 million fathers across the nation; 24.7 million of those fathers have children under the age of 18 whom are living in single parent homes. Not having a father has serious economic consequences. Fatherless households account for 47% of our poverty rate and 90% of all homeless and runaway children are from fatherless homes according to the U.S. Census Bureau Reports. With no father present, 85% of children possess behavioral problems, which is twenty times the national average, Center for Disease Control reported. Additionally, 71% of all high school dropouts come from fatherless homes, a National Principals Association Report found. Today, 63% of youth suicides come from fatherless homes, the U.S. Department of Health observed. As we reflect on the state of fatherhood in America, these troubling figures indicate the importance of fathers for children's development, well-being and stability in society.

While white males face a challenging role, the fatherhood role of their African-American counterparts has been dramatically eroded. A recent examination by the National Fatherhood Initiative revealed that African-American newborns today are seriously disadvantaged. White men have a less than 6% lifetime chance of going to prison; African-American men have a 32% chance, according to 2001 figures from the U.S. Department of Justice. Today, half of all children and 80% of African-American children can expect to spend at least part of their childhood living apart from their fathers.

These staggering figures portray a role model absence in our society that is detrimental to our nation's youth. We must understand the consequences that result from denying our children a proper upbringing. Although Father's Day is a time to celebrate and rejoice with our loved ones, we cannot forget about the increasing number of our children that are being raised without a father. Children growing up without a father are more likely to have behavioral problems and be incarcerated. Those children are less likely to attend college, become married and form healthy relationships.

Unfortunately this trend has become prevalent in our communities. As a result, this problem has become repetitive through generations at an alarming rate. We must work to raise awareness of the effects fatherhood has on a child's life. We must also find ways to stem the decline of meaningful relationships between a father and his child in our society.

In a commentary on The Importance of a Loving Father by Dr. Walter E. Barker, a Florida licensed Marriage and Family Therapist, Dr. Barker stated, ''Fathers are very important to their sons' and daughters' development. A mother gives the child unconditional love and acceptance and the father's love is more conditional on the child's finding success and accomplishment out in the larger world. He wants his children to find what makes them happy and then take that gift and talent to make a contribution to the larger society. Fathers want their children to have a strong work ethic and to be willing to assert themselves in the world.''

By supporting the family structure, better education and job training, we can begin to reverse the diminished role of fathers in our country. We must all work to help raise awareness on the pressing issue. The importance of fatherhood should not be overlooked by our society if we are to insure a promising future for the children in America.

RECOGNIZING THE OUTSTANDING CHARITABLE CONTRIBUTION OF THE AGA KHAN FOUNDATION'S CHICAGO PARTNERSHIP GOLF OUTING

HON. BRADLEY S. SCHNEIDER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. SCHNEIDER. Mr. Speaker, I rise today to recognize the Aga Khan Foundation (AKF), an outstanding charitable endeavor that helps battle poverty across the globe, and I am proud that AKF will hold its 2013 Chicago Partnership Golf Outing in Illinois's Tenth District.

In total, nearly 1.4 billion people live in extreme poverty. As our world continues to evolve, develop and grow more interconnected, this reality becomes ever more evident, increasingly more unacceptable. The AKF, through remarkable global programs and incredible individual generosity, fights to empower people in every corner of the planet.

As the global upheaval of the last few years continues, it is imperative that we remain engaged with the world and actively lead in trying to improve it. Times of change offer the chance to alter the course of history, and the AKF is not pulling back from this moment, but rather is embracing it.

Every dollar raised for the Chicago Partnership Golf Outing goes directly to AKF charitable projects, with no money toward administrative costs. This steadfast commitment to its founding ideals has led the AKF to the forefront of the fight against poverty.

Recently, the AKF launched an initiative to empower the war-torn people of Mali. Its dedication to working in some of the most dangerous, devastated regions of the world is both noble and inspiring. For those who need its services most, the AKF has been willing and able to step up and make a difference.

Mr. Speaker, I am proud to honor this special organization, and I wish them great success now and in the future.

IN RECOGNITION OF CHARLOTTE AND BILL WINKKY

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. REED. Mr. Speaker, I rise today to recognize Charlotte and Bill Winkky as they celebrate their 50th wedding anniversary. Married June 23, 1963, Charlotte and Bill have spent the majority of their lives residing in Horseheads, New York. Their devotion to each other and to their community is truly commendable.

Charlotte, a German immigrant, came to the United States with her mother after World War II. She lived in Newburgh, New York before attending the State University of New York, Cortland, where she met her husband Bill. They have been together ever since.

Both Charlotte and Bill served as public school teachers for the Horseheads Central School District for over 30 years. Bill also

coached football, wrestling, swimming, and track at Horseheads. Although the couple has retired from teaching, they continue to give back to their community. Charlotte plays an active role in the American Cancer Society, and she and her husband contribute to several other non-profit organizations, including the YWCA and Tanglewood Nature Center. Bill currently serves as the Supervisor for the Town of Veteran.

Charlotte and Bill Winkky have set an admirable record of devotion to each other, their family, and their community. I am honored to congratulate Charlotte and Bill on their milestone of 50 years together and it is only proper that they be officially recognized here today.

SENATE—*Monday, June 17, 2013*

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

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

Let us pray.

O Omnipotent Sovereign God, beneath whose all-seeing eye our mortal lives are passed, may all our deeds and purposes today bring honor to You. Lord, save us from pride and arrogance, and help us to be quick to see the needs of those less fortunate than ourselves and promote goodwill and fellowship among all people.

Today, bless our lawmakers. Let their motives be transparent and their word be their bond. May they be generous in their judgment of others, loyal in their friendships, and magnanimous to their opponents.

Sovereign God, let every knee be bent before You and every tongue confess that You are Lord.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in morning business until 5 p.m. today.

At 5 p.m. the Senate will be in executive session to consider a couple nominations for United States district judges. One is for Pennsylvania and one is for New Mexico. At 5:30 p.m. there will be at least one rollcall vote on the confirmation of the nominations. The Restrepo and Gonzales nominations are the two nominations we have. Restrepo is from Pennsylvania and Gonzales is from New Mexico.

Following those votes, the Senate will resume consideration of the immigration bill.

BUDGET CONFERENCE

Mr. REID. Mr. President, it has been 86 days since the Senate passed its budget. We have been through this on several occasions. We have had Republican Senators come and criticize the Republican leadership here for not letting us go to conference. They talked about their wanting regular order so we could move forward in dealing with the financial crisis facing this country, but they have ignored us.

We are proud of the budget we passed. It was hard, but it reflects our priorities: protecting middle-class families and growing the economy. Even though that is the case, we are still willing to work out a compromise with our Republican counterparts.

We are not going to get everything we want. That is what conferences are all about. They have been going on in this country for more than two centuries. But we believe our sound fiscal policy would stand out as being so much better than what they have done in the House. We could do this through the regular order of the budget process. Unfortunately, Democrats and Republicans are not going to find common ground if we never start negotiating. As I said, for 86 days Republican leaders have objected to a conference with the House of Representatives. In conference, Democrats and Republicans could work together to work out our differences—differences between our budgets as well as our priorities. But Senate Republicans have objected to a conference time and time again.

Today, I read in the Hill newspaper called Politico that the House Republicans are more than happy for their Senate colleagues to obstruct and delay. They know a budget conference would only put the spotlight on divisions within the House Republican caucus. Here is what the article said:

Going to conference to match the House and Senate-passed budgets—or making any movement on the budget right now—could open up a schism in the [Republican] caucus on spending that for months leadership has managed to keep mostly at bay.

So what they are saying is the Republican leadership over here is protecting the House. The House Republican leadership understands they cannot agree on anything—nothing. Therefore, objecting to this is the right thing to do because they will never get out in the open as to how crazy their budget priorities are.

But as Senate Republicans cover for their dysfunctional House colleagues, the country inches closer to another crisis: a default on the Nation's bills.

Reasonable Republicans are just as concerned as I am about this last manufactured crisis—a crisis that would undercut the economic progress of the last 4 years. Those reasonable Republicans have come to the floor repeatedly to call on Republican leaders to stop blocking bipartisan budget negotiations. I hope those reasonable Republicans prevail. I hope Republican leaders in the House and in the Senate will stop bowing to tea party extremists and listen to the more reasonable Members of their caucus.

I repeat, Republican Senators have arrived here on the floor on more than one occasion and criticized our not being able to go to conference. So if past is prologue, using the full faith and credit of the U.S. Government as a political hostage will not only be bad for the economy, it will also be bad for the Republican Party.

It is time Republican leaders acknowledge that compromise—not reckless brinkmanship—will put America on the road to fiscal responsibility.

IMMIGRATION REFORM

Mr. REID. Mr. President, for 16 years, Blanca Gamez thought she was an average American girl. But when she turned 16, one by one her friends learned to drive. Her parents sat her down and explained an important truth she did not know at the time: She could not get her driver's license because she is an undocumented immigrant.

Blanca's parents brought her from Mexico to the United States when she was 7 months old. Because they came without proper paperwork, she was missing something really important. Blanca's parents told her: ''You need nine numbers.'' That refers to a Social Security number, which she did not have. A Social Security number—those nine numbers—opens doors to American citizens, which American citizens take for granted.

I had an opportunity to visit with Blanca when I was in Las Vegas recently. She is a young woman with everything going for her. She is smart, she is driven, and she loves this country with a passion that is truly moving. In fact, she does not remember the country she was born in, Mexico. She was 7 months old when she came here. To her home means Nevada. That is our State song: ''Home Means Nevada.'' And home certainly means Nevada to this young woman.

Unfortunately, without a Social Security number—those nine numbers—Blanca faced challenges her American-born peers simply did not.

But all that changed a year ago this week when President Obama signed a

directive suspending deportation of upstanding young people such as Blanca who were brought to this country as children. As a result, she now has her nine numbers.

Almost 300,000 DREAMers—undocumented immigrants who came to this country as children—have already taken advantage of this opportunity.

Thanks to President Obama's courageous action, Blanca and hundreds of thousands of upstanding young men and women like her can rest easier knowing they are no longer in danger of being deported. They can now drive, they can work, and they can get the nine numbers that unlock a successful future—I repeat: a Social Security number.

Blanca's future—and the future of 800,000 young DREAMers—will remain uncertain until Congress passes commonsense immigration reform. President Obama's directive is only a temporary solution.

The Republican majority in the House of Representatives has taken aim at the DREAMers, voting recently to resume deportation of promising young people such as Blanca.

The directive does not address the 10 million people living in this country without the proper documentation who do not qualify for deferred action. Many of these individuals are the parents or siblings of DREAMers such as Blanca. The bipartisan legislation before the Senate is the opportunity they have been waiting for. This bill offers a pathway to earned citizenship that begins by going to the back of the line, paying penalties and fines, working, paying taxes, staying out of trouble, learning English, getting right with the law.

The measure will be good for national security, it will be great for the economy, and it will be good for millions of immigrant families.

The bill is not perfect, but it takes important steps to reform our broken legal immigration system and strengthen border security.

I know many of my colleagues have ideas about how to improve this bill. I hope we will be able to process additional amendments soon so we can give these ideas the debate they deserve here in the Senate and, after that, of course, the votes they deserve.

We have five amendments pending. We could vote on four of them right away. I also think it would be fair to add the Heller amendment. That would mean three Republican amendments and two Democratic amendments.

My colleagues should be aware, unless we begin voting on amendments soon, we will need to work through the weekend in order to finish the bill before July 4.

Recognizing that this is a Nation founded by immigrants, I hope Senators will consider every amendment to this bill with compassion. Like generations before them, Blanca's parents and millions of other undocumented immigrants came here seeking a better life. The famous author C.S. Lewis said:

> You are never too old . . . to dream a new dream.

It is time for Congress to help 11 million dreamers—young and old—get right with the law and unlock their potential.

MORNING BUSINESS

Mr. REID. Would the Chair announce the business of the day, please.

The PRESIDING OFFICER (Mr. MURPHY). Under the previous order, the Senate will be in a period of morning business until 5 o'clock p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Vermont.

COMMENDING THE MAJORITY LEADER

Mr. LEAHY. Mr. President, as always, I commend the distinguished majority leader for his words on immigration reform. We are on this bill because he set this time aside, and he, like I, hopes we will soon be voting on amendments. There are a lot of potential amendments, just as we had 300 amendments filed in the Senate Judiciary Committee. We were able to work through them. I know we do not expect that many here on the floor, but I know the leader has set aside time for us, and I know his commitment to get this filed and fulfilled, and I joined him on that. I think the time is right. We either do it now or we are never going to do it.

So I thank the leader again.

MANDATORY MINIMUM SENTENCES

Mr. LEAHY. Mr. President, there are two matters I want to talk about. Before I speak about the immigration, I want to speak about the Supreme Court ruling today in Alleyne v. the United States, that facts underlying mandatory minimum sentences must be proved to a jury beyond a reasonable doubt.

I continue to believe our criminal justice system's reliance on mandatory minimum sentences is a mistake.

In March, Senator PAUL and I introduced the Justice Safety Valve Act of 2013, to give Federal judges greater flexibility in sentencing in cases where a mandatory minimum is not only unnecessary but often counterproductive.

Mandatory minimum sentences imprison some people, particularly nonviolent offenders, for far longer than is just or beneficial.

Looking at it just from a fiscal point of view, as a result of mandatory minimums the Federal prison population has exploded in recent years. This has placed enormous strain on the Justice Department's budget. That means less money for Federal law enforcement, less aid to State and local law enforcement, less funding for crime prevention programs that make us safer, plus less money for prisoner reentry programs.

Sentencing reform has worked at the State level. The Justice Safety Valve Act is an important step toward the sentencing reform our Federal system desperately needs. I applaud the Supreme Court decision today in Alleyne.

I have long felt that when legislative bodies pass mandatory minimums, it is a feel-good response to crime, but it does no good.

Judges need discretion. Every case that comes before a judge is different. Now, do judges always get it right out of the tens of thousands of cases that come before them? No. Of course not. Sometimes they might not, but they are far more often right than wrong. They are always more right than a legislative one-size-fits-all approach. Mandatory minimum laws are one size fits all. Anybody who has spent time in the criminal justice system either as a defense counsel or as a prosecutor or as a judge knows that one size does not fit all. We should get rid of all of our mandatory minimums, have real standards that judges will follow, and then let the individual men and women who sit on the bench make the decision.

IMMIGRATION REFORM

Mr. LEAHY. Mr. President, as we continue yet another week debating S. 744, the bipartisan immigration bill, I hope we can start making some progress on this vital legislation. The American people know what some of us have to realize: our immigration system is broken; it has to be fixed. If we are going to have an effective solution to this complex problem, we cannot focus simply and effectively on one border or any single aspect of our immigration system. We have to address all parts of our immigration system.

Of course, we all agree we have to secure our borders, but we must also reduce the incentives people have to come here illegally or to overstay their visas. It means we have to implement E-Verify so employers stop hiring those who are not authorized to work here. We also have to eliminate the extensive backlogs that tear so many families apart.

We have to respond to the needs of American farmers and technology companies and investors who create jobs in this country. We also need to remember that our history and the future of the Nation is based on immigrants when we are considering the legalization process provided in this bill.

Almost 4 weeks ago the Judiciary Committee voted to report this immigration reform bill with a strong bipartisan vote of 13 to 5. I understand the Congressional Budget Office's task is a difficult one, with complex, comprehensive measures such as this. We expected their score today. I hope they are able to get the official score early tomorrow so we can move forward and complete consideration of this bill. As we closed out each title during our extended mark ups, we forwarded the text to the CBO, so they have had the border security title and the non-immigrant visa title for well over a month. I look forward to reviewing their analysis when we receive it.

In addition to the CBO score we are awaiting, we should also credit the extensive testimony the Judiciary Committee received from former CBO Director Douglas Holtz-Eakin. He testified that immigration reform ''will increase the productivity growth in the U.S. economy, the fundamental building block of higher standards of living, and generate larger economic growth numbers than we have seen in recent years.''

Specifically, he estimated reform of this nature would increase growth so that ''the overall growth rate and real GDP would rise from 3 percent to 3.9 percent, on average annually, over the first 10 years. The upshot of GDP after 10 years would be higher—a difference of $64,700 per capita versus $62,900 per capita. This higher per capita income of $1,700 after 10 years is a core benefit of immigration reform.''

According to Holtz-Eakin this increase in growth would also help lower our deficit. In fact, he testified that ''Over 10 years an additional 0.1 percentage in average economic growth will reduce the federal deficit by a bit over $300 billion. In this context, the rules imply that over the first 10 years of the benchmark immigration reform the federal deficit would be reduced by a cumulative amount of $2.7 trillion.''

Also, the Judiciary Committee received powerful testimony from Grover Norquist. He was asked repeatedly by those who oppose this bill whether legalizing immigrants would lead to a drain on our safety net. His response was that just the opposite would occur. He testified that ''immigrants come at the beginning of their working lives, which means they will have years to pay taxes and contribute to the economy before being eligible for entitlements.'' Furthermore, Mr. Norquist testified that ''Some argue that the fiscal burden of America's entitlement programs make more immigration cost prohibitive. That is a false choice. That our entitlement systems are broken is not an argument for less immigration; it is an argument to fix our entitlement systems.''

It is not every day that I agree with these very conservative commentators and advocates, but I was happy to invite them to testify before the committee and commend their analysis to Members who are concerned about the approximate 'cost' of reforming our broken immigration system. All the valid testimony—all the valid testimony we received says that fixing the broken immigration system adds to our bottom line in a beneficial way.

One of the hallmarks of this country is how we have historically treated those who have sought shelter and refuge on our shores. America protects the most vulnerable among us. This includes survivors of domestic violence and human trafficking, as well as pregnant women and children. I am proud to report that there are strong protections in this bill for the treatment of children caught in the broken immigration enforcement system.

In the Judiciary Committee we added to those protections for domestic violence and human trafficking victims. But the Judiciary Committee also considered and rejected, as it should, several amendments that sought to take away protections in our safety net programs for immigrants who need them. I know some may want to punish the 11 million undocumented people currently living here in the shadows. The bill specifically contains a steep financial penalty for that purpose. The undocumented also need to go to the back of the line and take classes to learn English, but even these tough steps are not enough for those who oppose this bipartisan bill.

While some may want to look like they are being even tougher on the undocumented population, we all need to consider how further punitive measures may deter people from coming out of the shadows. When children and pregnant women are put at risk by an urge to punish millions of people who are trying to make a better life for their families, as my grandparents did, we do not live up to our American values and we do not make this a safer country. Last week, Senator HATCH filed several amendments to deny or delay protections for the millions of people who apply for registered provisional immigrant status. I will oppose all of those amendments. They are not fair. They deter people from coming forward to register. That makes us all less safe.

It is a cruel irony when my friends on the other side of the aisle talk about border security, the high cost of implementing their proposed measures is always absent from the discussion. But when we are talking about programs that help children who live near the poverty line, well, then suddenly fiscal concerns are paramount.

So if we are talking about a specific type of fencing, or a new expensive exit program, our concern is supposed to trump any hesitancy about government spending. Spend whatever it takes. Spend whatever it takes, and at the same time dramatically increase the boon that their proposals give to the government contracting firms that make money off of them.

However, if we are talking about programs literally to feed the hungry or provide vaccinations to children, vaccinations which make us all healthier because of the disease it stops, then we hear lectures as to how we cannot afford those programs in the current fiscal environment. Maybe some of these contractors with their lobbyists ought to be covering those programs. Maybe we will hear more need for them.

I would say from a moral point of view, as an indication of how great a country we are, we ought to be saying: Hungry children, children who can be saved from childhood illnesses, it is in our moral core as a Nation, the most wealthy, powerful Nation on Earth to help them. The bill we are considering prohibits immigrants in registered provisional immigrant status from accessing Federal means-tested public benefit programs throughout their time in provisional status.

In addition, as a result of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, even qualified legal permanent resident immigrants must wait an additional 5 years after they are legalized to receive any safety net protections. We have already put all kinds of barriers up here.

So including the 5-year bar, most immigrants who are working their way through the path to legalization will have to wait anywhere from 13 to 15 years before having any access to safety net programs. Given the penalties and the fines they have to pay, it is wrong to further deny these low-income families protection that some may desperately need.

We have seen amendments that try to designate an immigrant a ''public charge'' and thus deportable simply because the individual's child received health or nutrition benefits. If a child is an American citizen, would we really want that child's parents deported simply because the child needed food stamps while the parent was in provisional status?

We should protect the children of immigrants and their families. In 2009, President Obama signed the Children's Health Insurance Reauthorization Act (CHIPRA). Under Senator ROCKEFELLER's strong leadership, CHIPRA included a provision which allowed states the option to waive the five-year bar to the Children's Health Insurance Program (CHIP) and Medicaid for lawfully residing immigrant children and pregnant women. Today, 25 states offer this safety net for children and 20 states offer it to pregnant women. My own state of Vermont offers this protection to both pregnant women and children. I commend my friend, Chairman ROCKEFELLER, for allowing states

the option to immediately provide CHIP and Medicaid for immigrant children and pregnant women.

Like so many harsh amendments that have been filed with respect to the safety net, I have seen similarly harmful amendments on the issue of the earned income tax credit, the EITC, or the child tax credit, CTC, which were designed to help hard-working families pay their taxes.

The earned income tax credit is available only to families who are working and paying payroll taxes, not some kind of giveaway. They have to be working and paying taxes. EITC is a core part of the Tax Code like any other tax credit that adjusts Federal tax liability, based on family circumstances. It is not, and it has never been, considered a ''public benefit.'' But some amendments have been filed seeking to deny the EITC for all registered immigrants for eternity, even after they have obtained legal status. One of these amendments was offered during the committee process, and was rejected.

Similarly, the Child Tax Credit was enacted in 1998 for the benefit of U.S. citizens or U.S. resident alien children under the age of 17. In practice, it first requires that an individual work and pay her taxes. If the person meets this basic requirement, undocumented or otherwise, the Child Tax Credit may be claimed for the benefit of the U.S. citizen or U.S. resident alien child. Undocumented immigrants who use an Individual Taxpayer Identification Number are able to benefit from the Child Tax Credit since they work and pay taxes. However, there are numerous workers who are lawfully present that also use Individual Taxpayer Identification Numbers to pay taxes. During the Committee markup, one senator proposed an amendment that would have denied the Child Tax Credit to low-wage workers who pay their taxes using an Individual Taxpayer Identification Number. This overreach would have harmed numerous U.S. citizen children and their families. Fortunately, this unduly harsh amendment was rejected by the Committee as well.

I would strongly oppose any amendment to deny hard-working families from participating in these tax credits when they are paying payroll taxes. We know that these credits are vital to working families and we have a moral obligation not to harm children in our communities and their families by denying their families these credits.

We give huge tax benefits and loopholes to millionaires. Yet a hard-working family, should they not be entitled to these tiny benefits? They are dwarfed by what we give to millionaires. Let's start paying attention to the people who need our help.

Some who oppose comprehensive immigration reform have raised the false alarm this immigration bill would drain the Social Security trust fund and bankrupt our Medicare system. Nothing could be further from the truth. The Wall Street Journal and Commentary are two publications that almost never agree with my positions. In fact, the opposite is true. In an editorial dated June 2, 2013, entitled, ''A $4.6 Trillion Opportunity,'' the Wall Street Journal states unequivocally that ''Immigration reform will improve Social Security's finances''—not take away from it, but will improve it. In fact, it notes that

The Senate bill raises immigration quotas by about 500,000 a year over the next decade (to reduce backlogs) and by about 150,000 a year after that. Thus the net effect of the immigration bill on the long-range Social Security trust fund ''actuarial balance will be positive,'' Mr. Goss recently wrote in a letter to Senator Marco Rubio. These higher post-reform levels of immigration would mean an extra $600 billion into the trust fund to about $4.6 trillion over 75 years.

It is true that ''Immigration won't solve all of Social Security's financial problems.'' However, it said ''immigrants unquestionably narrow the funding gap. More generous immigration is a wise step toward solving the entitlement crisis in Washington.''

I ask unanimous consent to have the editorial printed in the RECORD.

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

[From the Wall Street Journal, June 2, 2013]

A $4.6 TRILLION OPPORTUNITY

IMMIGRATION REFORM WILL IMPROVE SOCIAL SECURITY'S FINANCES

The Senate immigration bill has ignited a debate over the fiscal costs of reform, with some conservatives claiming costs far exceed the benefits. We think that's wrong, and one place to look for evidence is the costliest of all federal programs, Social Security. As some 75 million baby boomers prepare to retire, immigrants will be crucial to keeping the federal pension program afloat.

As too few Americans understand, Social Security is not a pre-funded retirement system and there is no ''lock box'' with money set aside for each worker's retirement. It operates as a pay-as-you-go system.

Benefits paid out each year roughly match payroll tax revenues collected, at least until the program goes into annual deficit in a few more years, and the so-called trust fund only contains IOUs that the government owes itself. Those IOUs don't help. The Social Security Administration estimates that the present discounted value of the 75-year shortfall of promised benefits beyond the taxes expected to be collected is $8.6 trillion.

The crux of the problem is that the ratio of workers to retirees is falling fast. While there were 16 workers for every retiree in 1950, the ratio now stands at a little under 3 to 1 and within 20 years when the baby boomers are age 65 or older the ratio will fall to about 2.5 to 1.

Immigrants help ease this demographic problem in three ways. First, most come here between the ages of 18 and 35, near the start of their working years. Second, few come with elderly parents (only about 2.5% of immigrants are over age 65 when they arrive), and the seniors who do come aren't eligible for Social Security because they have no U.S. work history. Third, immigrants tend to have more children than do native-born Americans and their offspring will also pay into the system.

These facts are confirmed in the latest report of the Social Security trustees released last week. They conclude that the program's long-term funding shortfall ''decreases with an increase in net immigration because immigration occurs at relatively young ages, thereby increasing the numbers of covered workers earlier than the numbers of beneficiaries.''

How big a bonus are we talking about? Enormous. We asked Stephen Goss, Social Security's chief actuary, to estimate the value of the 1.08 million net new legal and illegal immigrants that currently come to the U.S. each year. He calculates that over 25 years the trust fund is enriched in today's dollars by $500 billion and the surplus from immigration mushrooms to $4 trillion over 75 years.

''The numbers get much larger for longer periods,'' Mr. Goss explains, ''because that is when the additional children born to the immigrants really help.''

The Senate bill raises immigration quotas by about 500,000 a year over the next decade (to reduce backlogs) and by about 150,000 a year after that. Thus the net effect of the immigration bill on the long-range Social Security trust fund ''actuarial balance will be positive,'' Mr. Goss recently wrote in a letter to Senator Marco Rubio. These higher post-reform levels of immigration would mean an extra $600 billion into the trust fund to about $4.6 trillion over 75 years.

The reason is that most immigrant workers pay into the program for 20 to 40 years before they collect any benefits, and they don't have parents who collect benefits while they pay in. Once the immigrants retire and collect benefits, their children are making tax payments roughly covering the payments to their parents.

All of this offsets the cost of legalizing currently illegal immigrants. Illegal workers are especially beneficial to Social Security because millions pay into the system—for example, by using fake Social Security numbers when they apply for a job. But since they are illegal, they don't qualify for benefits when they get old. Legalizing their status means they will qualify for future benefits based on their work from now on, but the fiscal impact of the Senate bill is still positive, says Mr. Goss.

The relative skills and earnings of immigrants and their children also matter a great deal in measuring their financial contributions. More skilled immigrants have higher earnings, so they pay more in payroll taxes. And because of the progressive benefit structure of Social Security, those with higher incomes collect less per dollar paid in.

This underscores an under-appreciated bonus of the Senate immigration bill. The bill shifts U.S. immigration policy somewhat more toward skills-based entry rather than family unification. It also increases green cards for foreigners who graduate from American schools in science and engineering, thus raising the education and skills of new immigrants. This means the future fiscal immigration windfall is likely to exceed $4.6 trillion.

Immigration won't solve all of Social Security's financial problems. The program still needs reform in its benefit formula and to allow private accounts. But immigrants unquestionably narrow the funding gap. More generous immigration is a wise step toward solving the entitlement crisis in Washington.

Mr. LEAHY. Likewise, an article dated June 6, 2013 in Commentary debunks the myth that immigration would bankrupt the Medicare trust fund. The title of the article is notable: ''Message to Congress: Immigrants Pay More Than Their 'Fair Share' of Medicare.'' According to the article, ''it turns out that closing the borders would deplete Medicare's trust fund.'' In fact, ''over a seven-year period, immigrants paid in $115.2 billion more than they took out. Meanwhile, native-born Americans drained $28.1 billion from Medicare. In other words, immigrants are keeping Medicare afloat. And it's non-citizen immigrants who make the biggest contribution. On average, each one subsidizes Medicare by $466 annually.'' It concludes that ''Scare-mongering about the cost of immigration has become a staple of political debate . . . But our findings indicate that economic fairness, not just morality, argues for immigrants' rights to care.''

The goal in this bill is to encourage undocumented immigrants to come out of the shadows so we can bring them into our legal system and then do what all Vermonters tell me, what Americans everywhere tell me: Play by the same rules. I mean, that is a sense of fairness we should agree to. If we create a reason for people not to come out and register, this is going to defeat the purpose of this whole bill. It makes all of this work: the hearings, the hours and days and weeks of markups and consideration, makes it for naught. Amendments that seek to further penalize the undocumented would just encourage them to stay in the shadows. These steps are not going to make us safer and they are not going to spur our economy.

One of the many reasons we need immigration reform is to ensure there is not a permanent underclass in this Nation. As part of this effort, we need to continue the vital safety net programs that protect children, pregnant women, and other vulnerable populations.

Too often immigrants have been unfairly blamed and demonized as a drain on our resources. Facts prove the opposite.

We are a nation of immigrants. As I have said many times before, my maternal grandparents came from Italy to Vermont seeking a better life. They created many jobs when they did that. They sent their children to college and saw their grandson become a Senator.

My wife's parents came from the Province of Quebec, speaking French. She was born here. Her family contributed to the economy of Vermont, and our whole region, with the jobs they created. They raised three wonderful children at the same time.

We are a nation of immigrants. Let's fight to maintain our tradition of protecting the vulnerable. Let's allow the American dream to be a reality for all those who are in this country because they want to be in this country.

Time is not now divided from one side to the other, is it?

The PRESIDING OFFICER. It is not.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO DOUG BAILEY

Mr. ALEXANDER. Mr. President, I come to the floor to talk about Doug Bailey. Doug Bailey died last week at age 79. The New York Times reported on Tuesday that Doug Bailey helped define the role of political consultant in the 1960s and 1970s and that he founded the Hotline. He was much more than that to me and to countless others for whom he was an example of how to live a public life.

I am aware that when offering a eulogy it is good form to speak more of the deceased than of oneself, but that is hard to do with Doug because he cared so much about everyone he met and everyone he worked with. I first met Doug Bailey in Washington, DC, in the spring of 1977. I was here for a few months working with Howard Baker, the former Senator from Tennessee, who had just been elected to be the Republican leader of this body. He asked me to come work for him. I think part of that was to console me, to let me lick my wounds for having lost the Governor's race a couple years earlier in Tennessee. There wasn't much prospect for a political future for me then because the Nashville Tennessean had written that there wouldn't be a Republican Governor in Tennessee for another 50 years.

So I was here in Washington, and while I was here I became energized by the Republican Senators. It looked to me as though Jimmy Carter was already in trouble, and my friend Wyatt Stewart introduced me to Doug Bailey. The reason I thought it was an important meeting was because at that time he and his partner John Deardourff represented 7 of the 12 Republican Governors in the country who were still in office after the Watergate debacle of 1974.

Doug came to Nashville. He sat down with my wife Honey, Tom Ingram, and me, and we talked about the idea of another Governor's race—this time in 1978. Doug's view was that I had lost, among other things, because I wasn't a very interesting candidate, that I campaigned in a blue suit and talked to Republicans and to rotary clubs. So the talk was about what would be authentic, what did I really like to do.

To make a long story short, I ended up walking 1,000 miles across Tennessee over 6 months in a red-and-black plaid shirt, followed by a group of four University of Tennessee band members in a flatbed truck. And several times a day we would get up on the truck and play in ALEXANDER'S washboard band. Doug put all that on television, and I won the election.

Now, to some, that would seem like an ultimate political gimmick, but if you think about it, the idea of the walk across Tennessee was a good deal more authentic than the photo-ops and the press releases and the 5-second sound bites that are often what we end up with in politics today. But let me just say it this way: I would have never been elected Governor if it hadn't been for Doug Bailey.

He also did something else I had never seen anybody else do—no other political consultant. He actually wrote a plan and we actually followed it during the campaign.

The important thing for me to say today is that political consulting was not the end of Doug Bailey's help. He came to Nashville once a week during my first term as Governor not so much to talk about politics, but to talk about how to be a better Governor, which was his idea of how to be a political success. Our conversations were usually not about how to follow, but how to lead, and how to deal with the political implications, for example, of wanting to have three big road programs and do it on a pay-as-you-go basis so we could attract the auto industry to our State without running up debt and persuade all the Republican Members to vote for three gas tax increases, which every single one of them did.

Doug's advice was that a good tactic was to do the right thing because it would confuse your opponents; they wouldn't understand what you were up to.

His advice about recruiting people to work in the cabinet, for example, was not to just invite someone who might take the job, but to make a list of the four or five best persons to do the job and then ask the best one. He said: You might be surprised—that person might be waiting for an opportunity to serve the public. That was some of the best advice I ever got because some of the best persons were waiting for the right opportunity for public service.

All this sounds hopelessly naive, especially today, in a time when there is so much cynicism about politics. But that is the way it was then, and that is the way I was trained, and that is the way I tried to do my job. I would wake up every day literally thinking about almost nothing else other than how I could help our State move ahead.

I called Doug Bailey throughout the last 30 or 35 years whenever I needed good advice. I called him when the

Democrats swore me in early to remove a corrupt Governor who was selling pardons for cash in Tennessee, and he gave me a few words I used to speak to the public on that day.

One of the best pieces of advice he gave me was when the first President Bush called me while I was the University of Tennessee president. I knew President Bush was going to ask me to be the new Education Secretary, and I had about 2 hours to think about it.

Doug said: Ask these two questions. One, Mr. President, may I come up with a plan, subject to your approval? Two, may I go and recruit a team, subject to your approval? Well, that may not seem like much, but after I was announced by the President, I walked into the White House personnel office, and they tried to tell me whom to hire. I said: I don't have to do that. I already have the President's assurance that I can recruit a team subject to his approval. So I was able to recruit David Kearns, former head of Xerox, and Diane Ravitch and others who never would have ended up in President Bush's administration, and he was delighted with them.

Doug always had a project. Some were zany. Some were downright brilliant. One of the most recent was to try to persuade someone to run for President on an Independent ticket online. He didn't succeed at that. He was starting another project when I saw him last at a dinner at the end of January in Washington this year.

Ironically, Doug Bailey was an expert in the technology, TV ads, and the Hotline, which have contributed to today's polarization in politics. But he withdrew from politics after a while and from political consulting because he didn't like what politics had become. He thought more elected officials needed to understand that there is a difference between campaigning and governing and that differences should be resolved in the middle rather than entrenched in the fringes or on the extremes.

In a tribute, Judy Woodruff wrote about perhaps Doug's greatest passion and his greatest legacy: inspiring youngsters such as Chuck Todd and Norah O'Donnell—whom he paid almost nothing to work at the Hotline—to care about and be involved in America's political system. I am sure Chuck and Norah would tell you that Doug considered it even more important and an even nobler calling to actually serve in government, and that he spent most of his life teaching and helping those who were willing to do it.

I would never have been elected Governor without Doug Bailey's help. More important, I will give Doug most of the credit for whatever success I had as Governor and in politics. It has been a long time since I regularly checked with him before I made a political move, but when I did, I always felt as though the next step was a surer step and a step more likely to be in a direction that served a larger purpose other than my own political existence.

I have never known a person who cared more about each person he met in every issue he tackled. So I wanted to come to the floor today and express this tribute to a public life well lived, and to offer my condolences to his wife Pat, his children Kate and Edward, his brothers and his grandson.

I ask unanimous consent to have printed in the RECORD following my remarks the New York Times story about Doug Bailey's death and Judy Woodruff's blog about his passing. It has lots of comments from other people, and I have not seen a blog in a long time where all the comments are positive. Usually that is not the case.

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

[From the New York Times, June 13, 2013]

DOUG BAILEY, G.O.P. POLITICAL CONSULTANT, DIES AT 79

(By Paul Vitello)

Doug Bailey, who helped define the expanding role of political consultants in the 1960s and '70s and later founded The Hotline, a digest of political news, distributed by fax, that became an indispensable tool of the political trade in the pre-Web 1980s and '90s, died on Monday at his home in Arlington, Va. He was 79.

Mr. Bailey, who had health problems in recent years, was working at home on several projects when he died, apparently in his sleep, said his daughter, Kate Bailey.

His consulting firm, Bailey Deardourff & Associates, which he started in 1967 with a fellow political hand, John Deardourff, worked mainly for moderate Republican candidates like Gov. Nelson A. Rockefeller of New York, Mayor John V. Lindsay of New York and Senator Charles H. Percy of Illinois. At one point in the late 1970s, the firm had 11 of the country's 19 Republican governors as clients.

Its work on behalf of President Gerald R. Ford's campaign in 1976 against Jimmy Carter, then a former Georgia governor, was widely credited with helping to narrow Mr. Ford's deficit of much as 20 points in the polls—most of it attributed to his pardon of President Richard M. Nixon for his role in Watergate—to 2 points by Election Day.

The firm made some commercials featuring ordinary Americans questioning Mr. Carter's lack of national experience, and others focused on Mr. Ford's likability and long government service, all to the tune of a campaign song, ''I'm Feeling Good About America.''

''We said to ourselves, what the country knows about Gerald Ford is that he pardoned Nixon,'' Mr. Bailey told The New York Times. ''Let's tell them more, let's give them a view of Jerry Ford the man that's upbeat.''

Mr. Deardourff died in 2004 at 71.

Mr. Bailey, who had grown dismayed by the polarization of national campaigns in the 1980s, started The Hotline in 1987 partly as an experiment in bipartisanship, he said. With the Democratic strategist Roger Craver as his partner, he sought to expose the professional political class to a broad range of issues across the ideological spectrum.

Mr. Bailey told interviewers that in The Hotline's first year, potential subscribers asked three main questions: ''You're going to do what?'' ''You want me to pay you how much?'' And ''What's a fax?''

The Hotline's 500 or so paying subscribers—among them politicians, pundits, political operatives and Congressional staff members—received an exhaustive aggregation of information at 11:30 each morning, including news about state and local election campaigns and grass-roots trends like tax revolts, term-limit drives and environmental initiatives.

It also offered a roundup of political jokes from the previous night's talk-show monologues. Before ''The Daily Show,'' The Hotline was one of the most prodigious purveyors of political humor in the country.

''That's part of political communication these days,'' Mr. Bailey said, presciently, in a 1991 interview with The Washington Post. ''As a practical matter, if you want to know where the people are, their views come from television, and more from programs that don't try to influence them directly, such as the late-night monologues.''

The Hotline, which was bought by The National Journal in 1996 and is part of its Web site, became a training ground for political reporters, including Chuck Todd of NBC and Norah O'Donnell of CBS. Its currency has been somewhat devalued in the past decade by free political sites like Politico and Talking Points Memo, whose creators acknowledge The Hotline in their lineage.

Douglas Lansford Bailey was born on Oct. 5, 1933, in Cleveland to Walter and Marion Bailey. His father ran a manufacturing company. After receiving a bachelor's degree from Colgate University, Mr. Bailey received his master's and doctorate degrees from the Fletcher School of Law and Diplomacy at Tufts.

Besides his daughter, Mr. Bailey is survived by his wife, Patricia, a commissioner of the Federal Trade Commission from 1979 to 1988; his son, Ed; a brother, David; and a grandson.

In 1999, again with Mr. Craver, Mr. Bailey founded the Freedom Channel, which offers politically oriented video online on demand.

In 2006, Mr. Bailey joined with the Democratic political consultants Hamilton Jordan and Gerald Rafshoon in founding a political reform organization, Unity08. It suspended its activities in 2008 after a failed effort to draft Mayor Michael R. Bloomberg of New York to run for president.

''The two-party system has worked well for 200 years and can continue to do so,'' Mr. Bailey said at the time, ''but only when elections are fought over the middle. Our goal is to jolt the two parties into recognizing this, by drawing them into a fight over the middle rather than allowing them to keep maximizing the appeal to their bases at the extremes.''

Asked in another interview about politics today, Mr. Bailey said, ''Candidates listen too much to consultants because they're driven by winning and money.''

This article has been revised to reflect the following correction:

Correction: June 17, 2013

An earlier version of this obituary omitted one survivor and erroneously included two brothers among the survivors. Of Mr. Bailey's three brothers, only one, David, survives him; Robert and Richard are deceased.

[From the Rundown, June 13, 2013]

REMEMBERING DOUG BAILEY

(By Judy Woodruff)

It doesn't happen often. But every once in a while, you meet a person who carries the

human equivalent of sunshine around with them. It's the guy or girl who always seems to be smiling—if not outright, then just beneath the surface. And not in a goofy way, but rather as if they love life and what they're doing and have decided not to let the gremlins throw them off course. My friend Doug Bailey, who died this week at the age of 79, was like that. I never had a conversation with him, over the course of more than thirty years, when he didn't have a piece of good news to share. He was one of the most upbeat people I've ever known.

What may surprise you is that he spent his life in politics. Given the partisanship and negativity that define today's political arena, it's hard to imagine. But Doug got his start when things were different, when candidates could be moderate Republicans (as most of those he supported were), or conservative Democrats, and still get elected to office. This was back in the 1960s and '70s when Republicans such as New York Gov. Nelson Rockefeller, and Sens. Charles Percy of Illinois, Howard Baker of Tennessee and Richard Lugar of Indiana were running for election and re-election. Doug Bailey worked for all of them, and for President Gerald Ford in his re-election campaign of 1976.

Tennessee Republican Sen. Lamar Alexander, whose gubernatorial campaign Bailey worked on in that era, told the National Journal in an interview this week, ''He cared about every person he met and every issue he tackled.''

President Ford's close loss to challenger Jimmy Carter was hard on Doug, but what caused him to leave campaign work altogether, he later told friends, was the negative tone politics started to take on in the 1980s. He went on to create the Hotline, a pioneering daily newsletter on campaigns and candidates, and later to launch a succession of projects aimed at bringing the two parties together, searching for the increasingly elusive common ground between the far left and the far right.

But what I remember best about Doug Bailey was his passion for getting young people turned on to politics. He refused to accept the idea that entire generations of Americans would grow up and be repelled by the thought of a life in public service. When I first talked to him in 2005 about a rough plan for a documentary project, traveling around the United States and profiling the group that has come to be known as ''millennials,'' no one was more enthusiastic than Doug.

He put me in touch with the surprisingly large national network of young people he knew—all leaders, many then still in college; at the same time, he urged me not to forget to talk to young people who were not in school. In 2007, when the project was over, after two documentaries and other reports had been aired or published, he urged me to do a sequel. Since then, and as recently as this spring, he's had one idea after another about how to engage young people in public life. In the hundreds of tweets that popped up after word spread of his death, there were scores from young folks he mentored.

Doug was not only really smart; he was wise. He believed politics was meant to help people and to make this a better country, and he thought political people should work together to make that happen. He never gave up on the idea. We honor his legacy by not giving up either. Doug Bailey is survived by his wife Pat, their children Ed and Kate, and a grandchild.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the quorum call be rescinded.

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

THE DREAM ACT

Mr. DURBIN. Mr. President, last Saturday was the first anniversary of a very historic day. On June 15, 2012, President Barack Obama announced he would grant temporary legal status to immigrant students who arrived in the United States as children. This status, known as deferred action for children arrivals, or DACA, allows these young people to live and work legally in America on a temporary basis without fear of deportation.

June 15, 2012, is a day I will never forget. It was personal. It was 12 years ago that I introduced legislation known as the DREAM Act. This bill gives immigrant students who grew up in this country a chance to earn their citizenship. I have worked hard to pass this bill for 12 years. During that time it has been my honor to meet hundreds of the young people who would be eligible for the DREAM Act.

I don't know when it started, but we started calling them, and they called themselves, the DREAMers. They were brought to the United States as children. They grew up in this country, and they have overcome some amazing obstacles. They are tomorrow's doctors, engineers, teachers, and soldiers. They are young people who will make America a better country. But for most of their young lives they have been trapped in a legal limbo, fearing that they could be deported away from their families, away from their homes, away from the only country they have ever called home with just a knock on the door. Yet they have developed amazing lives with great potential.

Incidentally, we have already invested in them. They were educated in America. They have a great potential to make this country even better for the future generations. It just doesn't make any sense to walk away from the talents they can bring to us.

In 2010, Senator Richard Lugar of Indiana and I joined together across the aisle to ask the Obama administration to grant deferred action to DREAMers. President Obama wanted to give Congress a chance to act before using his Executive power, and he said: I know I have the authority, but let's see if you can pass the DREAM Act.

We brought it to the floor of the Senate. I remember that day. If I am not mistaken, it was a Saturday, and that gallery was filled. It was filled with young people in caps and gowns who were watching the debate on the floor of the Senate on the DREAM Act. We needed 60 votes because we faced a Republican filibuster. We have always faced a Republican filibuster.

Fifty-five Senators voted for it, which by most standards is a sufficient majority, but not by the Senate standard. We fell five votes short of defeating the filibuster.

I watched those students file out of those doors, and then I left the floor of the Chamber. I walked downstairs to meet with them. There was not a dry eye in the room. They had just watched their dreams disappear right here on the floor of the Senate—five votes short.

The House, in which the Presiding Officer was serving, had already passed the DREAM Act under the leadership of Speaker NANCY PELOSI, Howard Berman, ZOE LOFGREN, and especially my colleague from Illinois, LUIS GUTIERREZ. The House had risen to that challenge. We had our chance and fell short by five votes.

After that Republican filibuster of the DREAM Act, President Obama decided he needed to take charge. He established the deferred action for childhood arrivals to give those DREAMers and the thousands like them across the country a chance to come out of the shadows and be part of America.

What has happened since then? In the last year more than 539,000 have applied for DACA. So far about 365,000 applications have been granted; 140,000 applications are still being considered. I am proud to say my home State of Illinois has the third most DACA applicants, more than 28,000, and the third most DACA recipients, approximately 23,000 young people. It wasn't too surprising because shortly after the President announced his program, Congressman LUIS GUTIERREZ and I held a gathering at the Navy Pier, which is kind of a seminal site in downtown Chicago.

We invited those who wanted to apply for this deferred action. We thought: What are we going to do if 400 or 500 people show up? Then we were worried no one would show up. We didn't know what to expect. Well, we knew the night before what was coming. The line started forming at midnight. At midnight these families stood there—mom, dad, and their son or daughter—waiting for a chance for that son or daughter to apply for this decision by President Obama of deferred action.

Many times the parents were undocumented themselves and even risked deportation by showing up. But the thought of saving a child in their family and giving that child a chance was enough for them to take the risk.

Well, it turned out over 12,000 people showed up. We were overwhelmed. We couldn't even come close to processing the applications that were involved. We knew then this was an idea whose time had come.

It is especially important to note the 1-year anniversary of President Obama's announcement as we consider what is going on on the floor of the Senate this week. We are debating comprehensive immigration reform.

The reality is that DACA is overwhelmingly popular with the American people. The American people—I have always trusted—have in their heart of hearts a goodness, an understanding, and a caring. They saw these young people brought here as babies, infants, as little children, and they knew they had not made the decision to come here, but their parents made the decision to come here. If anybody did anything wrong, violated any law, overstayed a visa, whatever the circumstances, it wasn't the child, it was the parent. They understand the basic element of justice not just in America but in life, and it is this: You don't hold a child responsible for the wrongdoing of a parent. Most Americans understood that and want to give these young people a chance.

On election day last year, Hispanic Americans voted overwhelmingly in favor of President Barack Obama. There were many Republican Members of Congress, including my good friend Senator JOHN MCCAIN of Arizona, who heard that message loudly and clearly, and that—in no small part—is why we are considering comprehensive immigration reform today. Within this bill is the DREAM Act, and not just the DREAM Act, but the strongest version of the DREAM Act that has ever been written.

It is also important to note what happened to the DREAMers in the last year. These young Americans were finally able to work legally in America and have already stepped forward to contribute their talents. The Center for American Progress and the bipartisan Partnership for a New American Economy has concluded that giving legal status to DREAMers will add $329 billion to America's economy and create 1.4 million new jobs by 2030. The economic benefit of legalizing 11 million undocumented could be even greater.

According to the study by the Center for American Progress, if comprehensive immigration reform becomes law, undocumented immigrants will increase their earnings by 15 percent over 5 years, leading to $832 billion in economic growth and $109 billion in increased tax revenues—money that will be paid by the currently undocumented immigrants who will become legally part of America in the next 10 years. It will also create an estimated 120,000 jobs every single year—a growth engine. It always has been a growth engine in America. This Nation of immigrants, when it builds on the strength and commitment of newcomers, is a stronger and better Nation and continues to lead the world. How could we have forgotten that lesson of history?

Conservative economist Douglas Holtz-Eakin recently concluded immigration reform would actually reduce Federal deficits by $2.7 trillion, add a full percentage point to our economic growth, and raise GDP per capita by approximately $1,700.

I started several years ago coming to the floor of the Senate to not just speak about the DREAM Act but to tell the stories of DREAMers. It was something I came to do because I finally witnessed their courage and realized I had to share it here on the floor of the Senate. When I first started talking about the DREAM Act and undocumented young people who could be deported in a moment, torn away from their families and their lives and sent to a place they could never remember, facing a language they couldn't speak, they would very quietly wait until my meeting was over and come out of the darkness by my car as I was leaving and say, Senator, I am one of those kids who would be helped by the DREAM Act. They didn't want anyone to see them for fear of being deported. But over time they came to realize that standing up, with the courage to tell their stories, they risked deportation but they put a face on this issue. It wasn't some politician giving a speech, it was a real life, and that is what they did. As they came forward to tell their stories with their courage, I came to the floor of the Senate.

I wish to take a moment now to thank a man who is sitting to my right, Joe Zogby. Joe has been a staffer on this issue from the beginning, and when it passes I know he will celebrate just as I do, understanding, as I do, the lives that will be impacted by this decision if the DREAM Act becomes the law of the land.

These DREAMers are an amazing group. The stories I told on the floor included DREAMers who grew up in 17 different States, from Arizona and Texas in the Southwest, Missouri and Ohio in the Midwest, and North Carolina and Georgia in the Southeast. These talented young people came to America from all over the world—19 different countries represented—and from every continent except Antarctica. Yet all of them share something in common: America is their home. They are only asking for a chance to give back to their home.

Today I wish to spend a minute or two to update the Senate on what has happened to some of these DREAMers since they received DACA—this deferred status—last year.

Angelica Hernandez was brought to America when she was 9 years old. Two years ago, Angelica graduated from Arizona State University as the outstanding senior in the mechanical engineering department with a 4.1 GPA. Angelica just finished her first year of graduate school at Stanford University where she is working on a master's degree in civil and environmental engineering with a focus on energy. Her dream is to dedicate her career to developing renewable energy. After receiving DACA, because of the President's Executive order, this summer Angelica will work at Enphase Energy, a solar energy startup company.

This is Pierre Berastain. Pierre and his sister were brought to the United States from Peru in 1998 when they were children. Pierre didn't speak a word of English when he arrived in Texas, but he went on to receive a bachelor's degree with honors from Harvard University. He is currently pursuing a master's degree at Harvard Divinity School. Two years ago, Pierre cofounded the Restorative Justice Collaborative, a nonprofit organization which involves criminal offenders in the process of repairing the harm they have done. Since he received DACA, Pierre was awarded one of only 10 Harvard Presidential Public Service Fellowships so he can expand this organization.

This is Carlos Martinez. Carlos and his brother were brought to the United States when he was only 9 years old. He graduated with honors with a bachelor of science degree in computer engineering from the University of Arizona. Carlos received job offers from Intel, IBM, and many high-tech companies, but he couldn't work because he was undocumented. So he went on to get a master's degree in software systems engineering at the University of Arizona. After receiving DACA, Carlos is finally able to work in America as an engineer. This Wednesday he will start a new job with IBM, a company that first tried to hire him 6 years ago when he was undocumented. Out of more than 10,000 applicants who applied to IBM, Carlos Martinez was 1 of only 75 people they hired.

This is Nelson and Jhon Magdaleno. They came to the State of Georgia from Venezuela when Nelson was 11 and Jhon was 9. Nelson and Jhon went to Georgia Tech University, one of the most selective engineering schools in America. Nelson graduated with an honors degree in computer engineering and Jhon is currently an honor student majoring in chemical and biomolecular engineering. After receiving deferred action, Jhon is working at a biomedical engineering lab at Georgia Tech researching glaucoma. He recently secured an internship with Eastman Chemical Company. Nelson is now working at Texas Instruments, one of America's top high-tech companies.

Ola Kaso was brought to the United States from Albania at the age of 5. What a superstar. Valedictorian of her high school class, she is now a pre-med student in the honors program at the University of Michigan. Her dream is to become a surgical oncologist. Can we use more of those? You bet. In 2011, I invited Ola to testify at a hearing on

the DREAM Act. She was the first undocumented immigrant to openly testify before the Senate. It took amazing courage for this young woman. After receiving deferred action this spring, Ola interned in the office of my colleague and friend Senator CARL LEVIN.

This is someone those following the debate may recognize: Tolu Olubumni was brought to the United States from Nigeria when she was a child. In 2002, Tolu graduated with a degree in chemical engineering from Washington and Lee University in Virginia. For 10 years—10 years after graduating from college—Tolu couldn't work as an engineer. She spent her time working to pass the DREAM Act. Since receiving the deferred action, Tolu is working as an advocate for comprehensive immigration reform with the Center for Community Change. Last week, Tolu was introduced to America. She had the honor of introducing President Obama at a White House event on immigration reform.

I met with the President last week. I asked him about those DREAMers. He said they came into the Oval Office and met with him, and he said there were tears in everyone's eyes as they realized the opportunity these young people might finally get if we pass comprehensive immigration reform.

This is Erika Andiola. Erika was brought to our country from Mexico when she was 11 years old. She graduated with honors from Arizona State with a bachelor's degree in psychology. Erika was the founder and president of the Arizona DREAM Act Coalition, an immigration group advocating for the passage of the bill. She received DACA and has since been working in Congress. She is the district outreach director for one of the Arizona delegation's newest members, Representative KRYSTEN SINEMA.

Now I want my colleagues to meet Carlos and Rafael Robles. Carlos and Rafael were brought to the United States as children. They grew up in suburban Chicago in my home State of Illinois. They were both honor students at Palatine High School and Harper Community College. Carlos is now attending the University of Chicago majoring in education. With DACA, Carlos can pursue his dream to become a teacher and he will have the opportunity to student-teach in a suburban high school in the Chicagoland area. Rafael is at the University of Illinois in Chicago where he is majoring in architecture. After receiving DACA, he is working at Studio Gang Architects, an award-winning architectural firm in the great city of Chicago.

This is Jose Magana. Jose was brought to the United States from Mexico at the age of 2. He graduated valedictorian of his high school. He is the first member of his family to attend college. In 2008, he graduated summa cum laude from Arizona State University with a major in business management. He went on to graduate from Baylor University Law School. After receiving DACA, Jose began working with the Mexican American Legal Defense Fund, a leading civil rights organization. This week, Jose will be sworn in as a member of the bar which he was unable to do before President Obama's Executive order 1 year ago.

To hear the stories of these amazing young people is to realize the benefits immigration has always meant for America. Imagine what will happen when 11 million undocumented immigrants have the opportunity to come out of the shadows and be part of America. Like these DREAMers, they will be able to contribute even more to this country they worked so hard to come to and worked so hard to stay in and now call home. Legalization will unleash the earning potential for millions of people. They will be able to pursue jobs and manage the skills they have instead of working and being exploited in the underground economy. It is the right thing to do and it will make America stronger.

It was so disappointing last week when the Republicans in the House of Representatives passed an amendment to cut off funding for this program. That is right. All of these young people who have received a chance—the first chance ever to be part of America's future—would have the program shut down by a vote last week in the House of Representatives. Supporters of this amendment want to deport these young people. They make no bones about it. They believe they should leave. Their belief is that if these DREAMers are forced out of the country and deported to some other country, we will be a stronger Nation because of that. What are they thinking, to lose people such as Carlos Martinez and Tolu Olubumni? These young people can make a positive difference for America. It is shameless, absolutely shameless, to play with the lives of these young people. These are people who need a chance. They don't need to be the victims of some political gambit. It would be bad for America's future if they leave. We couldn't possibly be stronger if Angelica Hernandez could not continue to work on future renewable sources of energy and Ola Kaso could no longer be the researcher in cancer she wants to be.

The answer is clear: We need to pass comprehensive immigration reform on a bipartisan basis right here in the Senate. We have waited way too long. For over 25 years this broken immigration system has not done these people justice nor has it done America justice.

During the next 2 weeks the Senate will conclude one of its most historic debates on comprehensive immigration reform. It has been over 4 months that I have been actively involved in this Gang of 8—four Democrats and four Republican Senators. We have had over 30 sitdown meetings, face to face. Many of them went smoothly, as did the discussion of the DREAM Act; some of them not so smoothly. We disagreed, and some of the disagreements were pretty vocal. At the end of the day, though, we realized we had a larger responsibility that went beyond any single difference of opinion we might have. We reached a bipartisan agreement. Now the question is, can the Senate hold that agreement together, on the floor of the Senate, when the amendment process begins, and next week when we face a vote.

The values and principles that underlie this agreement are fundamental and critical. They include a path to citizenship not only for these young people but for many of their parents. They have to come out of the shadows, up to 11 million of them, and identify themselves to a government they have feared their whole lives. They have to register with this government and then submit themselves to a criminal background check. If they are found to have a serious problem in their background, they are gone. They don't have a chance to become legal in America. But if they pass that background check, they have to pay a substantial fine, pay their taxes, and then learn English and be monitored during the course of 10 years—10 years—in probationary status. During that period, they can work legally in America—they won't be deported—and they can travel without fear of being stopped at the border. Then, at the end of 10 years, if they have met all of the standards, all of the scrutiny, if they have paid the fines and paid their taxes, they will have a chance for a 3- to 5-year path to citizenship. It is a long process. For many of them, it will be a great sacrifice, but they have offered great sacrifices with their lives already.

On the other side, we have agreed with our Republican colleagues to do even more in our power to make sure our border with Mexico is as strong as humanly possible and to make certain our immigration system is changed so we don't face this debate every 5, 10, or 25 years.

I think it is a good bill. There are parts of it I am very proud of, some parts of it I do not like at all, but that is the nature of a compromise, that is how you get something done.

I look around this institution, and I realize how important this issue is, but I also realize how important this issue is to the Senate. If I asked the people of America, what do you think about Congress these days, I think I would know the answer. Somebody said our approval rating just broke double digits again. We are up to 10 percent of the American people who think we might be worth having. That must include a lot of our relatives and close friends that we made it up to 10 percent.

We better prove something on the floor of the Senate over the next 2 weeks. We better prove that we can work together, Democrats and Republicans; that we will not break down and fall apart over one issue or the other; that we will keep our focus on getting this job done.

Then we need to turn to our colleagues and friends in the U.S. House of Representatives and tell them they face the same historic responsibility we faced. I have heard a lot of speculation about what might happen in the House. Let's just focus on the Senate for the next 2 weeks. Let's do our part and do our job and let the American people witness this process as it should be. If we are successful at the end of next week and pass this legislation, then let the American people speak up to the Members of the House of Representatives. Let them hear from their districts and the people they represent what they feel about the importance of this issue when it comes to immigration reform. I am confident, as I said earlier, that deep in their hearts, the American people are good people, they know our roots, they know our story, they know our origin.

I stand here today as the son of an immigrant. My mother came to this country at the age of 2. She was a DREAMer in her day. Her mom brought her to the Port of Baltimore, put her on a train, and they linked up with my grandfather in East Saint Louis, IL. Upstairs in my office is my mother's naturalization certificate. It is proudly displayed because I want people to know who I am and where I came from. It is my story, it is my family's story, but it is America's story that the son of an immigrant can be standing on the floor of the Senate representing the great State of Illinois and speaking to the next generation of immigrants to America and the difference they can make.

This is our opportunity. We know America will be a stronger and better nation when we do it.

Thank you, Mr. President.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Mr. President, last week I gave remarks on the floor that pointed out that promises made that the immigration bill before us was a significant move toward merit-based immigration and away from chain immigration—I dealt with that subject. I am not aware that any of my comments have fundamentally been disputed.

The fact is that 30 million people will be given legal status as an immigrant on a pathway to citizenship over the next 10 years—that 30 million is three times the current legal flow of 1 million a year, which would be 10 million a year. It would triple the number of people put on a path to permanent legal residence and citizenship. Only 2.5 million of those would be admitted under this new, small, actually weak, merit-based section of the bill. This is nowhere close to the truly effective and popular merit-based immigration system which Canada adopted a decade—maybe more—ago and which is being followed and adopted in other developed countries around the world.

Evidence has also been introduced that nonimmigrant guest workers—that is, those who come not for immigration, to be a citizen and be permanent, but come to work for a period of time and return home—that group of workers will double under the legislation that is before us over current law.

All of this is at a time of persistently high unemployment and when virtually all serious academics, economic experts agree that such a huge flow will depress wages of our middle-class workers and increase unemployment. Politicians blithely claim otherwise, but Professor Borjas at Harvard and the Federal Reserve in Atlanta and others have studied this, and they show otherwise with in-depth economic research.

There is a long list of other promises. The reason I raise this is because these were promises that we are going to improve the working conditions of Americans, we are going to shift to a merit-based system. That is not correct.

There are other promises. I made a speech and so have others that have clearly demonstrated that the triggers in the bill do not work. The triggers are supposed to say: You do not get legal status or you do not get green card status until these law enforcement issues are fixed, until the illegality is fixed. The triggers are ineffective. That has been documented. It really is not disputable, in my opinion. All the Secretary of Homeland Security has to do is to submit a plan that she says will work. It does not require any fencing or any other actions specifically. And she gets to determine whether it is working. If it does not meet the standards according to the Secretary, then a border commission is established, but the border commission has no power. It can only issue a report, and it dissolves in 30 days. So these promises that we have a very tough plan that is guaranteed through a series of triggers are not so.

Today I will talk about the DACA program and how that has undermined law enforcement. Surely we can agree that congressional legislation is more than salesmanship, it is more than puffing, it is more than promises. Surely it represents a bill and a bill that must be read.

The words of legislation are not a mere vision designed to touch our hearts. It is not something that the sponsors can come in and say: We believe the American people are correct. They want A, B, C, and D. We have a bill that does it. And then nobody reads the bill to determine whether it does it. So that is what I have been trying to do.

Congress and the good American people do want to solve our immigration problems—problems that our politicians and government leaders have messed up for 30 years. The American people have pleaded with Congress to fix this system for 30 years. Congress has failed to do so. They continue to promise to do so but do not. Now, that is a fact.

But legislative language is the real thing. Legislation is not a vision. Legislation has power—power to fix our broken system or power to allow the lawlessness to continue. Thus, it is legislation, not spin, that we will be voting on. A promise made by a gang is of no value if the bill language does not produce the results they promise. So that is the rub. That is the problem we face.

Presumably there are ads running this very day which claim to be sponsored by conservative voices, founded by Mr. Zuckerberg of Facebook, no conservative to my knowledge, featuring Senator RUBIO urging the passage of the bill. Indeed, Mr. Zuckerberg created a front group that is on the advertisement—they are called Americans for a Conservative Direction, that purports to be reflective of conservative thinking in America.

I think that is a bit odd. It is odd right now that Senator RUBIO, who is still talking to the American people on those ads and to my constituents in Alabama, is saying all of this on the ad when he has already said the bill is flawed and he cannot vote for it in its current circumstance. I think that advertisement ought to be pulled.

Worse, virtually everything in the ad, especially in the voiceover—not Senator RUBIO—but the voiceover is false. It is not an accurate description of the legislation, what it does, how it will work. It is just not. If it was, I would be intrigued by this legislation and would be interested in thinking it should set sort forth a framework that most Americans agree would be a basis for immigration reform.

So conservatives should be careful, no matter how sincere, in being part of promoting legislation that we do not fully understand or will not do what it claims it will do. A commitment to truth is a conservative value. I like all of the Gang of 8 members personally. I have worked with them for a number of years. I truly admire Senator RUBIO. He is a fantastic new Member of the

body. I understand the goals they articulate and would support most of those goals. So it is no pleasure for me to raise these uncomfortable points.

But at this very minute, Mark Zuckerberg and his supporters are running these ads promoting legislation as doing something I do not believe it does. I think we should be working on that. I know we have had a number of our colleagues, another one of my good friends this weekend pronounced a political doctrine of the death spiral of the Republican Party. I have to tell you, we have a lot of people who make political prognostications. But the truth is who knows what political issues will dominate in 2016 or 2020 or 2030.

Mr. President, is there a time agreement?

The PRESIDING OFFICER. Each Senator has 10 minutes to speak.

Mr. SESSIONS. Thank you. I did not realize that. How much time is remaining?

The PRESIDING OFFICER. The Senator has 1 minute.

Mr. SESSIONS. I thank the Chair.

The best politics, in my view, is to do the right thing for the right reason and to be able to explain what one is doing cogently and honestly to the American people, and then the people will decide. If they do not like your decisions over a period of time you are out. So be it. Is that not the way the system is supposed to work?

It is not wrong to give respect to the opinions of the American people, to ask what they think about issues and how they react to issues. There is nothing wrong with that. Actually, we should do that. But it is not right to poll a large and complex issue to find out what people want and then propose legislation that you say fulfills their desires, when the legislation does not fulfill those desires.

That is not the right thing to do, to promote good policy in America. As a matter of fact, polls show the American people want enforcement before amnesty by a 4-to-1 margin. Polls also show a clear majority actually favor a lower legal flow or the same amount of legal flow into our country from immigration.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. They do not favor the huge increase of legal flow that is called for in this bill. Maybe later I will be able to talk about some of the difficulties of enforcement under current law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

GUN VIOLENCE

Mr. MURPHY. Mr. President, I appreciate the great work my colleagues, Senator DURBIN, Senator SCHUMER, Senator RUBIO, and others, have done on the immigration bill. I am going to be pleased this week to support their work. But I came to the floor, as I have most weeks since being sworn in, to talk about the issue that has dominated discussions in my State over the past 6 months; that is, the issue of gun violence.

Last week we commemorated the 6-month anniversary of the deadly shooting in Sandy Hook, CT, in which 20 6- and 7-year-olds, first graders, were gunned down, and 6 of their teachers, including as well the gunman and his mother. A lot of families came down here last week to continue to lobby both the House and the Senate.

The look on their face is a complicated look. It is clearly first and foremost the look of incalculable grief as these families still try to figure out how to live the first summer of their life without their loved one, whether it be a first grader who would have been heading into second grade or a mother or a teacher or a brother or sister.

But there is also, in combination with this grief, this look of shock, this look of shock that frankly gets worse every time they come down here as they try to understand how this place could stand by and do nothing, absolutely nothing, in the wake of the horror that Newtown, CT, has seen.

At least we have taken a vote on the Senate floor. Very much like the description that Senator DURBIN gave earlier of his attempt several years ago to pass the DREAM Act, we got 54 votes on the floor of the Senate. Under our Draconian and backward rules, that was not enough to get the bill done. But the House has not even scheduled a debate on gun violence legislation. Families in Newtown, CT, cannot understand that. They cannot understand how Senators and House Members can look them in the eye, can hear the story of their grief and do nothing.

They certainly cannot understand it after, almost to the day of the 6-month anniversary, another mass shooting occurred, this time on the other side of the country. We almost know the story before we hear it: Mass shooting; four dead; others wounded. In Newtown, we did not even have to pick up the paper to know it was going to be an assault weapon; it was going to be high-capacity magazines, once again.

Every story is a little bit different. So this one was an assault weapon that was partially handmade. This time there was a lot of ammunition that may not have been used. But it is a story that gets repeated over and over: Lots of people dead, assault weapon used, high-capacity magazines.

So for those people who say we cannot do anything about it, we can. We can. Because we can keep these dangerous, military-style weapons in the hands of law enforcement and people who are hired and trained to shoot these weapons for a living. We can say that 8, 10, 15 rounds is enough, that you do not need 30 rounds in a magazine, you do not need 100 rounds.

We can do something about our mental health system, try to reach out and give some help to people who are struggling, but we do not. That is what is so hard for the families of Newtown to understand. What is additionally hard for them to understand is this number. Since those 28 people were killed in Newtown on December 14, 5,033 people have died at the hands of gun violence across this country. This chart is a couple of days old, so we can take down the 33 and add a handful more.

I hope people here have gotten to understand the stories of people such as Jack Pinto and Dylan Hockley, Grace McDonnell. I hope people here have come to know the stories of the 20 little boys and girls whom we will never know their greatness because they were cut down in their youth.

But I wish to tell some other stories, about the common, everyday, almost routine gun violence that for some reason we have decided to live with in this country. So I am coming down here every week to tell another handful of stories about victims. Today, instead of telling detailed stories about specific victims, I wish to talk about one weekend in New York City.

About 2 weeks ago, the weekend of May 31 to June 2 was kind of the first truly warm outdoor weekend we had in the Northeast. The police, in places such as New York City and Bridgeport and Hartford, have come to dread that first real hot summer weekend because the summers tend to come with a lot of guns and a lot of gun violence and a lot of shootings in places that maybe not a lot of Americans are used to, living in the safety and security of their neighborhoods.

Let me tell you what happened on that one weekend in one city, New York, NY. That weekend 25 people were shot over the course of 48 hours. Six people were killed over one single weekend in New York City. It started with Ivan Martinez, 21 years old, who was approached at about 3:25 a.m. on Friday night by a 20-year-old gunman and a woman in the Bronx. The gunman shot Martinez once in the head. Then he ran off with the woman.

Over the course of the weekend, 12 people were shot in Brooklyn, 8 people were shot in the Bronx, 4 in Queens. It went like this on Sunday night: At 12:10 a.m., a 21-year-old man was shot in the leg; at 2:36 a.m., a 22-year-old man was shot three times on East New York Avenue in Brooklyn; about an hour later at 3:30, a 20-year-old man was shot in the leg at Bedford Park in the Bronx; at 4:12 a.m. that morning, a 35-year-old man brought himself to Jamaica Hospital with a gunshot wound; at 11:40 a.m., a 15-year-old was shot in

the leg and the back—at 11:40 a.m., middle of the day on Sunday, a 15-year-old shot in the leg and the back. At about 3:25, a gunman opened fire at the corner of Bedford and Lenox at Prospect-Lefferts Gardens.

The carnage in one weekend barely made news across this country. Most people would not know it if I did not come down to the Senate floor and tell this story. That is what we have come to accept in this country. This represents a dramatic drop in gun violence in New York City. So far we have had 440 shootings in New York City. That is a 23-percent reduction from last year. This has been a good year in New York City, and 440 people have been shot.

We do nothing about it. We cannot even bring ourselves to say criminals should not have guns, that gun trafficking, done out of the back of vans on the side streets of the Bronx and Brooklyn and Queens should be a crime. We cannot even do that on the floor of the Senate.

That weekend, maybe the most tragic shooting was one that didn't end up in a death, and that was the shooting of a little girl named Tayloni Mazyck.

Three men opened fire in a wild episode that weekend in Brooklyn. People said it sounded as though it was the 4th of July, so many gunshots were going off in this neighborhood. It was likely gang activity, but the consequence of the shooting wasn't a gang member, it was a little 11-year-old girl who was struck through her neck. The bullet lodged in her spine. Although Tayloni lived, she will never walk again.

Listen, I grieve every single morning and every single night for the 20 little girls and boys who died in Newtown, CT. If that is what has prompted us to finally have a serious discussion here on the floor of the House and the Senate about gun violence reform, then so be it.

This is an average summer weekend in New York, with a little girl getting paralyzed and shootings throughout Saturday and Sunday night. People are getting shot in the middle of broad daylight on a Sunday afternoon. We can do something about it. We don't have the power to eliminate gun violence, we can't make bad people stop doing bad things, but we can pass commonsense laws such as background checks to check if criminals are getting guns or people with serious, dangerous mental illness. We can increase the resources of social workers and psychologists to try to reach some of these kids to try to teach them other ways of dealing with their anger than going in and reaching for a gun. We can lock up anybody who takes a bunch of guns from a gun show, throws them into a sack and sells them to criminals on the streets of New York, Bridgeport, Los Angeles, or Chicago.

We are not helpless. We have power in this place to do something about the mass shootings in Newtown, the mass shootings in Santa Monica, and the 5,033 people who have died across this country since December 14, in the 6 months since. It is not too late. We have a chance to come back to this floor after immigration, perhaps after the summer, let cooler heads prevail and allow this body to do something about the scourge of gun violence that so far this place has had no answer for. It causes the families of Newtown and the families of these victims to leave this place shaking their heads.

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

The PRESIDING OFFICER. The clerk will call the roll.

Mr. SESSIONS. I ask unanimous consent that the order for the quorum call be rescinded.

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

IMMIGRATION REFORM

Mr. SESSIONS. Mr. President, I earlier reported on some points in speeches I had made about some of the promises from the Gang of 8 concerning the legislation they have offered and why they are not fulfilled in their bill; for example, the triggers, and the merit-based movement they claim is significant in their legislation. I believe both of those are inaccurate.

Today I wanted to point out how government officials are refusing to enforce our current law and the unease that causes all of us. This bill does not fix that problem but gives even more power and discretion to the political appointees to waive, moderate, and get around the enforcement requirements of this new bill. These are the requirements of enforcement that our bill's sponsors say are important and must happen, but the bill does not require it to happen in many different places.

The story I will be telling is effective to explain why, despite the pleas from the American people for 30 years, lawlessness continues to rise in the immigration area and why we now have 11 million people here illegally.

Senator DURBIN earlier made a reference to the DREAM Act that he has worked hard on. It does present, for the most part, some of the most sympathetic claims for some sort of legalization in the country. The reason Congress rejected his legislation is because it overreached, in my opinion, which is not necessarily to say that it would have passed had it been more narrowly drafted.

It did not pass, but the President of the United States did it anyway. The President of the United States just did it anyway. He issued a directive to Federal law enforcement officers: Don't enforce this law, this law, and this law. Instead, do it as we tell you to.

That comes from the President to the Secretary of Homeland Security, to John Morton, and all the supervisors down to the officers.

Officers are up in arms about this. The ICE officers who enforce these laws have voted no confidence in Mr. John Morton. Today Mr. Morton announced his resignation after quite a long time being the center of this controversy. ICE officers said they had no confidence in him. He basically spent his time promoting amnesty, meeting with special-interest groups, not helping them do their job, and directing them not to do what the law plainly required them to do. It put them in an untenable position of having to follow their boss's political direction and violate their oath to follow the law.

Indeed, and amazingly, the law enforcement officers filed a lawsuit against Secretary Napolitano and Mr. Morton. They are claiming they are being forced to violate the law.

The judge has allowed this case to go forward, and it is being reviewed. It is in court right now. I never heard, as a federal prosecutor of nearly 15 years, of such a thing where the officers are suing their supervisors who won't let them follow plain law. This is the problem we are dealing with.

Over a year ago, as Senator DURBIN mentioned earlier, the Obama administration implemented a backdoor amnesty for an estimated 1.7 million, a Pew estimate, illegal immigrants through a program called the Deferred Action for Childhood Arrivals, the DACA Program. It covers aliens who entered the country illegally when they were under the age of 16 and not older than 31 as of June 15, 2012.

Congress dealt with legislation to that effect and rejected it. It did not pass it. According to the published Department of Homeland Security guidelines, each DACA applicant is required to submit biographic and biometric information along with other information to prove they are eligible for the program.

The U.S. Citizenship and Immigration Services, USCIS, is to process the applications. In a little under a year, USCIS has approved an astonishing 291,859 applicants. On May 20, Kevin Palinkas, president of the National Citizenship and Immigration Service Council, the union representing the 12,000 USCIS adjudication officers who were supposed to adjudicate these matters, issued a press release reporting ''a 99.5 percent approval rating for all illegal alien applications for legal status filed under the Obama administration's new deferred action for childhood arrivals, DACA, policies.''

He reported a 99.5-percent approval. He attributed the exceptionally high approval rate to policies implemented by the Department of Homeland Security leadership that essentially made it impossible to make any real effort to eliminate fraud or identify dangerous criminal aliens.

He goes on to say:

DHS and USCIS leadership have intentionally established an application process for DACA applicants that bypasses traditional in-person investigatory interviews with trained USCIS adjudications officers. These practices were put in place to stop proper screening and enforcement.

He is saying the new policies that eliminate the interviews ''were put in place to stop proper screening and enforcement, and guarantee that applications will be rubber-stamped for approval, a practice that virtually guarantees widespread fraud and places public safety at risk.''

That is a pretty gutsy thing to say for a person who works in the Department of Homeland Security about his supervisors. I am sure he gave great thought to that.

This press statement goes on to say:

The attitude of USCIS management—

These are the political appointees.

is not that the agency serves the American public or the laws of the United States, or public safety and national security, but instead that the agency serves illegal aliens and the attorneys which represent them. While we believe in treating all people with respect, we are concerned that this agency tasked with such a vital security mission is too greatly influenced by special interest groups—to the point that it no longer properly performs its mission.

That is a strong statement. It should be something we listen to as we evaluate whether we need to give more discretion to these supervisors when we pass a new bill.

Mr. Palinkas sent a letter to Congress on June 5 of this year, a few weeks ago, reiterating his concerns in light of S. 744.

He wrote and said this bill ''would lead to the rubber-stamping of millions of applications for both amnesty and future admissions, putting the public safety and the taxpayer at risk.''

He further stated:

In addition to the impossible time constraints imposed on each and every adjudicator to complete our assigned workloads, we are currently lacking the manpower, training, and office space to accomplish our mission and achieve what our jobs demand. These challenges cry out for reconsideration of S. 744 in its present form.

A few days ago, a report released by Judicial Watch revealed that documents obtained through the Freedom of Information Act confirm all of Mr. Palinkas' concerns. The documents reveal the administration has abandoned official background check procedures in order to keep up with the hundreds of thousands of amnesty applications under the program.

For example, according to a September 17, 2012, e-mail from Associate Regional Director for Operations Gary Garman, field offices could expect the benefits center to conduct just ''lean & light'' background checks with only random samples of modified cases being sent to the field for verification.

It goes on to say about the inadequacy of the applications submitted for amnesty under the ''lean & light'' system, St. Paul Field Director Sharon Cooley e-mailed staffers in October of last year with the following observation:

As you are already aware the [applications] will not be as complete and interview ready as we are used to seeing. This is a temporary situation—I just can't tell you when things will revert back to the way things used to be.

That is the kind of situation we are in today. Then, on November 9, 2012, last November, the entire agency was directed to halt all background checks. It is unknown how long USCIS stopped conducting background checks, but apparently they did. They may still be approving applications without background checks.

We must conduct background checks to protect against public safety and national security threats. We can say that we want to move people out of the shadows, but if we don't complete the necessary background checks, those who are criminals or terrorists would be out of the shadows, and hiding in broad daylight with the absolute protection of legal immigration status. We should not transform them from the shadows to legal status without some sort of serious analysis of who they are, as the USCIS adjudicators and ICE officers tell us.

If nobody is checking, nobody is digging into it, then this will become a common thing. They will just submit some false documentation, nobody will look at it, and they are home free. That is not the way we should be doing this. It is the kind of sliding, slipping away from real enforcement that has helped put us in the fix we are in today.

This is troubling because the bill of the Gang of 8 gives Secretary Napolitano the discretion to determine the specifics of the amnesty application process for the entire 11 million people who will be given legal status in the country, including the responsibility or the discretion to determine the specific information required of the applicant; the form of the application, paper or electronic—and electronic ought to be a big part of it because we can immediately check with the National Crime Information Center on criminal backgrounds. It would be easier whether any applicant is actually going to be interviewed or not.

It also requires the Secretary to collect biometric, biographic, and other data the Secretary deems appropriate for use in conducting ''national security and enforcement clearances,'' which is left undefined.

Knowing the administration is so determined to accelerate these other clearances, we can assume they would not be following strictly any of the law as it would be passed. This is why our law enforcement officers are concerned about the bill. This is what is causing them angst.

If the administration does not currently do even minimum interviews under the DACA Program they are not going to do it in the future when we have 11 million people being cleared. These clearances should include checks against Federal and State law enforcement databases, both biometric and biographic, including the Department of Homeland Security and FBI databases, the consolidated watch list, and ''lookout,'' and the biometric immigration databases. They are there to identify people who may be in violation of the law, have warrants out for their arrest for murder, drug dealing, or robbery, and are on a terrorist watch list. That is why we have these systems.

I offered an amendment during the Judiciary Committee markup that would have mandated those checks as well as allowed for electronic filing of applications so that information could be easily checked against the law enforcement electronic data bases. It would have required in-person interviews where national security or public safety concerns arise, not interviewing everybody—although we really probably should interview everybody. But my amendment just said for those where national security or public safety concerns arise.

Under this legislation, the Secretary doesn't have to interview a single amnesty applicant. But my amendment was rejected. This is a quote from the bill's lead sponsor, Senator SCHUMER, when talking about requiring such safeguards being unacceptable because they would ''slow things down dramatically. It will be impossible—it could take a year, 18 months, 2 years before this would be effectuated. We hope that most folks could get in[to] within 6 months.''

So I would say this is the plan: We say we have an effective background check system for all those who are going to be applying to be put on a guaranteed path to citizenship. We say to the American people we have a system, while failing to require any of that in any effective way.

Mr. President, I don't know, do we have a time limit on these remarks? I see some of my colleagues here.

The PRESIDING OFFICER. The Senator may proceed for 3 additional minutes.

Mr. SESSIONS. I thank the Chair.

A quick turnaround of applications seems to be far more important to the Gang of 8 than the issue of identifying people who may be a threat to public safety—criminals who may have warrants out for them and who may have been arrested or served time for felonies. We need to know that. They are not supposed to be given status if they have been convicted of a felony.

This is despite what we learned from the 1986 amnesty. The failure to conduct adequate background checks in 1986 and vet for national security threats enabled both criminals and terrorists to be legalized. A 2009 report by the Homeland Security Institute, prepared at the request of the USCIS Ombudsman in anticipation of immigration reform concluded:

The potential volume of new cases generated by immigration reform legislation could overwhelm USCIS capabilities and capacities.

I think that is true. The report also warned:

It is important to recognize that every ineligible illegal immigrant who comes across the border during the preparation and implementation phases of any new legalization program intending to apply for legal status entails yet another possible fraudulent application for a limited number of adjudicators to weed out.

In other words, we are going to have people coming right now—the immigration flow has picked up dramatically—once they hear amnesty is afoot. If we don't have any ability to do the kind of fundamental checking here, everybody will be successful and fraudulent applications will be cleared in large numbers.

The bill does not require the Secretary to interview a single amnesty applicant, including those who might pose a national security risk. Even the 2007 comprehensive immigration reform bill mandated in-person interviews, with terrorism concerns being one of the reasons. The 1986 amnesty required face-to-face interviews, but no routine interviews are being conducted under the President's DACA Program—his amnesty for those who came here as teenagers—and there is no reason to expect there will be anything done in this program either, which is 22 times larger.

Interviews are very important. Not interviewing applicants for admission to the country facilitated the 9/11 hijackers, hundreds of terrorists who have entered the country since the 1990s, and most recently was a contributing factor to the Boston Marathon terrorist attack. The 9/11 Commission concluded that:

There were opportunities to stop both World Trade Center pilots in secondary interviews at the border. That did not happen. We also know that not having a fifth man on the Pennsylvania flight mattered as well. Al-Kahtani's turn-around at Orlando International Airport after an extensive secondary interview meant there were only four hijackers on the flight headed for either the White House or the Capitol. That plane was overrun by the passengers who knew their plane was headed for disaster, and gave their lives to stop the hijackers. This one secondary interview prompted by two astute border inspectors in Orlando determined how many hijackers the passengers had to fight on Flight 93.

Press reports indicate that Boston bomber Tamarlan Tsarneav was watchlisted, but because of a ''downgrade'' on the watchlist, he was not placed in a secondary interview when he returned from six months in Russia in 2011. If Tsarneav had been interviewed, and even slightly questioned about where he had been and why, knowing he was already watchlisted, then he could well have been further interviewed by the FBI's Joint Terrorism Task Force. Because the bill does not require basic checks, the bill will continue to allow terrorists and criminals to exploit weaknesses in our immigration system and use it to gain legal status.

Indeed, the bill specifically permits the Secretary to streamline applications for adjustment of status of those who were recipients of the administration's DACA initiative. In fact, in the Justice Department's brief recently filed in Crane v. Napolitano, in which ICE agents have sued DHS leadership over policies that they believe require them to violate the law and their oath, the Obama administration made clear that it believes it ''inherently'' has almost unbridled discretion in the matter of immigration enforcement. It even argued that the federal court has no jurisdiction to review or question DHS's decisions. The court disagreed.

This bill surrenders to the executive branch's overreach. In fact, many provisions inexplicably weaken the law with regard to future illegal immigration and we are going to talk more about that as this debate continues. If this bill is going to secure the border and end illegal immigration ''once and for all'' as its sponsors say it will, these provision that weaken law enforcement must be removed.

The American people rightly expect their government to enforce the laws enacted by Congress and keep its promises. But given this administration's refusal to enforce the laws currently on the books, the American people have no reason to believe that the loopholes, waivers and discretion granted to the administration will not be used, as they are being used now, to reduce enforcement and public safety.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

NSA SURVEILLANCE PROGRAMS

Mr. COATS. Mr. President, I come to the floor today to discuss recent national security leaks by a former NSA contractor by the name of Edward Snowden. His name is known now throughout the world. Some have praised Snowden as a hero and a whistleblower. I do not. Anyone who violates their sworn oath to not disclose classified information and then leaks national security documents that compromise our intelligence operations and harm our country's ability to prevent future terrorist attacks should neither be called a hero nor a whistleblower. What Snowden has done borders on treason, and I believe he should be prosecuted to the fullest extent of the law.

Mr. President, it is no secret we have a serious trust deficit in this country with the Federal Government. I understand the concerns and the fears of my constituents and the American people relative to some of the things that have occurred here that lead them to question their trust in their elected officials or in their government.

There has been a series of scandals over the past several months, including but not limited to the IRS targeting conservative groups, the actions of Attorney General Eric Holder, and the ever-changing responses from this administration regarding the attacks on Americans in Benghazi. We still don't have the full story, and the narrative keeps bouncing around with change after change after change. So I understand this distrust the American people have about anything that comes out of Washington, DC.

A lot of this is being fueled by mischaracterizations and misrepresentations in the media, grabbing onto whatever is said in the Guardian. Of course, the Guardian says, and people hear: This is what is happening to your country. This is what is happening with your government. They are violating your civil rights and violating your privacy. But none of us stand for that, nor will we stand for that. But in their rush to be the first to break the news of the NSA or other classified programs, to break it first online or on the air, the media has fueled this distrust of the American people by misrepresenting the facts.

Contrary to what some news reports and other sources have said, let me say this for the record: The government is not and cannot indiscriminately listen in on any Americans' phone calls. It is not targeting the e-mails of innocent Americans. It is not indiscriminately collecting the content of their conversations. And it is not tracking the location of innocent Americans through cell towers or their cell phones.

There are civil liberties and privacy protections built into this program that are now being released in great detail, and it is important the American people understand those and know what they are. We have to understand this careful balancing act between protecting classified methods and sources to the detriment of losing that information, losing lives, identifying sources, and compromising programs, and the need to reassure the American people we are following the law and following the constitutional right of Americans to privacy. All of this has to be put in the right context.

As a side note, let me just simply say, Mr. President, that it is ironic that a lot of American private companies seem to have more information about us than the government does. They may have a phone number, but many of the private companies know what we like to eat, where we shop, what we like to wear, what movies we order, where we like to vacation, and we are flooded with marketing attempts to use the information they have collected against us.

But that is not what the NSA is doing under these programs and the programs in question. These programs are in place solely for the purpose of detecting communications between terrorists who are operating outside of our country but communicating with operatives potentially within the United States.

The intelligence community neither has the time nor the inclination nor the authority to track people's Internet activity or pry into their private lives. Even if someone is suspected, by the way, of a phone call match with a foreign terrorist and someone residing or living in America and suspected of having a link to terrorism, the government can go no further than the court to get an order to investigate any other information or material about them. And let's not forget why these programs are there in the first place.

Following the tragic attacks on September 11, 2001, America realized it needed to greatly improve our intelligence efforts and communications among our agencies—we were facing a different kind of war. This wasn't two States lining up against each other. This wasn't addressing wars from the past. This was a whole new way that enemies were attacking Americans on our homeland. We needed to modernize our approach, and we needed to connect the dots before a terrorist attack occurred again at the level of 9/11 or others.

In fact, had these programs been available to NSA before that September date, I believe we could have identified some or all of the hijackers. When one of the September 11 hijackers called a contact in Yemen from San Diego, we could have identified them through this program. We could have prevented the terrorists from boarding those planes and blowing up the World Trade Center, striking the Pentagon, crashing into a field in Pennsylvania, and killing thousands of Americans.

These programs connect the dots and have successfully thwarted dozens of terrorist attacks. They are some of the most effective tools available to protect our country from terrorist organizations like al-Qaida.

That is why I find it so troubling and, frankly, irresponsible for the media and others to distort the nature of these counterterrorism programs. These programs are legal, constitutional, and utilized only under the strict oversight of both parties and all three branches of government, including a highly scrutinized judicial process. In the end, these programs rely on the trust of the American people. And with that trust lacking today, I am asking my fellow Members of Congress, as well as the media, to fact-check first before mischaracterizing programs that save lives.

I believe we can—and we must—protect both security and liberty when it comes to counterterrorism efforts, and I believe these programs do just that.

Mr. President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is closed.

EXECUTIVE SESSION

NOMINATION OF LUIS FELIPE RESTREPO TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NOMINATION OF KENNETH JOHN GONZALES TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW MEXICO

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The legislative clerk read the nominations of Luis Felipe Restrepo, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania and Kenneth John Gonzales, of New Mexico, to be United States District Judge for the District of New Mexico.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided and controlled in the usual form.

The Senator from New Mexico.

Mr. UDALL of New Mexico. Mr. President, I am pleased to rise today to strongly support the confirmation of Kenneth Gonzales for U.S. district judge for the District of New Mexico.

Mr. Gonzales is an exceptional nominee with an impressive range of legal experience and expertise. He was unanimously confirmed by the Senate as the U.S. attorney for the District of New Mexico in 2010. But he is more than just his resume, remarkable as it is. He is also an inspiring American story.

Mr. Gonzales grew up in the Pojoaque Valley in the northern part of our State. He was the first in his family to graduate from college. With the help of scholarships and grants, he received his undergraduate and law degrees from the University of New Mexico, a school that I am proud to call my alma mater.

After graduating he was a law clerk to New Mexico Supreme Court Justice Joseph Baca, and he worked as a legislative assistant for Senator Jeff Bingaman.

He began his career as a Federal prosecutor in the U.S. Attorney's Office for the District of New Mexico in 1999, prosecuting a wide range of Federal offenses, including narcotics and violent crime cases. He holds the rank of major as a judge advocate in the U.S. Army Reserve, which he joined in September 2001. He has provided critical legal assistance to hundreds of active and retired soldiers and spouses, both here and overseas. In 2008 he was called to Active Duty as a part of Operation Enduring Freedom, where he was stationed at Fort Bragg and served as a senior trial counsel.

Mr. Gonzales has been an exemplary U.S. attorney for the District of New Mexico. He oversees a broad array of criminal and civil cases.

I would also like to note that he has made Indian country a priority in the U.S. Attorney's Office, making a real difference in prosecuting cases of violence against native women and children.

Not surprisingly, his advice and counsel are highly valued. He serves on the Attorney General's Advisory Committees on Native American Issues, on the Southwest Border and Immigration Issues, on the Environmental and Natural Resources Working Group, and is a member of the Tenth Circuit Advisory Council.

He is also a member of the New Mexico Hispanic Bar Association. If confirmed, he will join only 58 other Hispanic active district court judges—less than 10 percent of the country's 677 district court judgeships.

Mr. Gonzales is esteemed for his diverse experience, for his even temperament, and for his integrity. From a young man dreaming of going to college, to his life in public service, his story is one of great determination and commitment. He has shown a reverence for and dedication to the law throughout his career.

I urge his confirmation. I know Ken Gonzales will serve New Mexico well on the Federal bench.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, I would like to take a few minutes to also speak about the nomination of Kenneth Gonzales to be a Federal district judge for the District of New Mexico.

Ken, as he is known back home to many of us, is truly a standout nominee. I wish I could take credit for his nomination, but that credit belongs to

our former U.S. Senator Jeff Bingaman and to our senior Senator TOM UDALL. But I want to thank both of them for putting forward such a great candidate for this position, and I am very pleased to be here today to support him.

Ken has a long and distinguished record of public service, including more than a decade of service in our military. Ken has served as the U.S. attorney for New Mexico since April 2010. His elevation to lead that office followed more than a decade of service there as an assistant U.S. attorney. I would like to highlight at least one of his many accomplishments that I find particularly important.

I think Ken's efforts as U.S. attorney demonstrate not only his character and his intellect but the dedication that he has to serving his home State and making it a better place for all our residents.

Much of New Mexico is Indian country for which the U.S. attorney has the responsibility to prosecute criminal activity. Ken has taken the initiative to reorganize and focus the U.S. attorney's resources to more effectively combat the higher-than-average rates of violent crime, sexual assault, and sexual abuse that have plagued Indian country.

This includes creating the first Indian Country Crime Section within any U.S. Attorney Office. This section includes a team of lawyers responsible for pursuing felony offenses on tribal lands. The office is also collaborating with tribal prosecutors to investigate and prosecute domestic violence in more than 20 pueblos and tribes located throughout the State of New Mexico.

This is just one example of Ken's work, but throughout his career Ken has shown a dedication to serving the people of New Mexico. It is the sum of all his efforts and accomplishments that make me believe he will make an outstanding addition to the Federal bench, and I am pleased that today we are at the final step toward getting him here.

The process for getting to the Federal bench is a long road to travel. The Judiciary Committee's leadership from both sides of the aisle takes seriously its responsibility to ensure that every nominee is fit to serve. I want to say a special thanks to Senator LEAHY and Senator GRASSLEY for working together and with Senator UDALL and myself to get Ken through this process.

As the vetting process surely showed, Ken has the knowledge, temperament, and integrity to serve on the Federal bench. I have no doubt that he will distinguish himself there, as he has throughout his entire legal career.

I strongly support his nomination, and I urge all of my colleagues to do the same.

Mr. President, I yield the floor.

● Mr. TOOMEY. Mr. President, I wish to offer my full support for the nomination of Judge Luis Felipe Restrepo to serve as U.S. District Judge for the Eastern District of Pennsylvania.

Before I begin, I wish to take this opportunity to thank Chairman LEAHY and Senator GRASSLEY for helping facilitate Judge Restrepo's confirmation hearing and Leader REID and Leader MCCONNELL for their assistance in bringing his nomination to the Senate floor.

I would also like to thank Senator CASEY for his collaboration in our bipartisan effort to fill Pennsylvania's judicial vacancies with exceptional candidates. Over the past 2½ years, we have worked together to identify and recommend eight candidates, seven of whom have been confirmed. The people of Pennsylvania value this bipartisan spirit and I am pleased our joint efforts have led to today's consideration of Judge Restrepo.

Judge Restrepo currently serves as a Federal magistrate judge for the U.S. District Court for the Eastern District of Pennsylvania. A native of Columbia, he was raised in Northern Virginia and received his citizenship in 1993. A graduate of the University of Pennsylvania, he went on to earn his J.D. from Tulane School of Law.

Judge Restrepo brings a strong record as an attorney in both the public and private sector, which helps explain why he merited a unanimous ''Well Qualified'' rating from the American Bar Association. After working as a public defender, he then practiced law at the law firm of Krasner & Restrepo, focusing on criminal defense and civil rights litigation. After 13 years in the private sector, Judge Restrepo was selected to be a Federal magistrate judge and has served the public in this capacity for 7 years.

Aside from his legal duties, Judge Restrepo has devoted significant time to his community. In addition to his involvement with the Make-A-Wish Foundation, he established the Police/Barrio project, which focuses on improving the relationship between the Police Department and Latino Community in Philadelphia.

I am very confident that Judge Restrepo's judicial experience, legal acumen, and dedication to public service will serve him well should he be confirmed for the Federal bench. I am pleased to support this highly qualified nominee and I urge my colleagues to vote for his confirmation.●

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

The PRESIDING OFFICER. The clerk will call the roll.

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

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

Mr. ISAKSON. I ask permission to speak for 3 minutes as if in morning business.

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

CONGRESSMAN JOHN ROBERT LEWIS

Mr. ISAKSON. Mr. President, I rise proudly today to speak to a resolution that I have submitted in the Senate commending JOHN ROBERT LEWIS, Congressman, from the city of Atlanta, civil rights leader in the 1960s and 1950s, and my personal friend.

In 1954, I was 10 years old in the Atlanta public schools when Brown v. Board of Education was decided in the U.S. Supreme Court. JOHN LEWIS was 4 years older than me. He was born just outside of Pike County, AL, and went to the Pike County, AL, segregated public school. He went on to Fisk University to get a degree in religion and philosophy and volunteered for sit-ins in Nashville to break the first sit-in on lunch counters in the history of that city.

This year marks the 50th anniversary of what is called the Big Six in civil rights. As I am sure the Presiding Officer will remember, it was 50 years ago this August that Martin Luther King led a march in Washington and gave his great speech, ''I Have a Dream'' at the Lincoln Memorial. There were 10 great civil rights leaders who spoke that day. There is only one left, and that is JOHN ROBERT LEWIS. He is my friend, he is my compatriot, and our lives have paralleled each other all the way through.

JOHN introduced me when I was first elected to the U.S. House of Representatives, and I was honored for that introduction. This year I joined JOHN on the 50th anniversary of the crossing of the Edmund Pettus Bridge in Selma, AL, the historic march, the bloody march on Bloody Sunday, which turned around the Voting Rights Act, saw to it that every American got equal access to vote, and changed the history of our country.

It is an honor and a privilege for me to honor JOHN today on this 50th anniversary of the crossing of the Edmund Pettus Bridge and honor a career that has been dedicated to liberty and freedom for all Americans.

JOHN recently suffered the loss of his beautiful wife Lillian. She is survived by their son John Miles Lewis. JOHN is a great leader to this day on the floor of the House, a great leader for the State of Georgia, and one with whom I am pleased to serve as Senator.

History has many heroes, as we all know—their pictures and their carvings are all over this Capitol. But none is greater than one who has sacrificed their life for the rights of others and for everyone to enjoy the same rights that everyone else in America has. JOHN LEWIS is such a person. I am honored to recognize him with this resolution.

Mr. President, I yield for the distinguished Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, on the question of nominations, I attended President Obama's announcement of the nomination to the D.C. Circuit a couple of weeks ago. I have heard some of my colleagues on the Republican side being very critical of the President for not sending nominations for judicial vacancies to the Senate, even though when he has, some of them have held them up for 6 months to a year before they then vote overwhelmingly for the person. They hold him up and then say: Why don't you send more people? Frankly, a lot of people say: Why should I spend 6 months or a year waiting while they hold me up? Now the President has sent nominees for the multiple vacancies that continue on the D.C. Circuit. So the same Senators who are complaining that he was not sending up nominees now say he is sending up too many. My friends on the other side of the aisle are saying: You are not sending up enough, but you are sending up too many. I think maybe the American people see the fallacy of that argument.

Having been unfairly criticized in connection with the nomination of Judge Srinivasan, with some Senate Republicans saying: Why didn't you get him up here earlier for a vote, even though Republicans had asked us to delay him, I have learned from that that when cooperating and delaying at their request, I am going to get criticized for delaying, so going forward I will be making every effort to schedule prompt hearings for these impressive nominees, each of whom received the highest possible rating of ''well qualified'' from the nonpartisan ABA Standing Committee on the Federal Judiciary. We have three people with the highest possible rating.

The last time we had someone for the D.C. Circuit, even though Republicans kept saying: Let's delay, keep delaying—and I did so at their request—and they criticized me for delaying, here we are and we are going forward with them.

Frankly, I voted for a lot of President Bush's nominees. In fact, I would say I voted for 97 or 98 percent of all Republican nominees over 38 years. I voted for more Republican judicial nominees than any Republican presently in the Senate. There is no Republican in the Senate who has voted for more Republican nominees of Republican Presidents, nominees for judgeships, than I have. So I do not need a lecture about holding things up.

I have consulted with the ranking Republican on the committee and informed him that I plan to notice the first hearing for July 10. That gives plenty of time for everybody to read all the nominee's materials. We will be on vacation for the Fourth of July week; they can read it during vacation. That will be 36 days since the nominations and on a slightly slower timeline than we followed for the more recent confirmation of the nominee to the Eighth Circuit. I am delighted to include the nomination of Patricia Millett of Virginia, who should have broad bipartisan support, in our July 10 confirmation hearing.

It is disappointing that the same Republican Senators who said during the George W. Bush administration that the D.C. Circuit should have 11 filled judgeships and who voted to confirm President Bush's nominees for the 9th, 10th and 11th seats, now that there is a Democratic President of the United States in the White House, they say no, no, they should not be filled. It seems this President has to be treated differently than the previous Presidents. I am not sure why the difference, but that is what they want. It is disappointing as well that Republican Senators I have helped fill circuit vacancies with nominees from their home states, over opposition from their own Republican Senate caucus, are ready to tow their party's line when it comes to the D.C. Circuit.

Following President Obama's reelection, Senate Republicans are even proposing to eliminate those D.C. Circuit judgeships legislatively. Their claims of concern about the caseloads of the Second and Eleventh Circuits but not the most overburdened Ninth Circuit are difficult to reconcile with their votes for President Bush's D.C. Circuit nominees. As one scholar at the nonpartisan Brookings Institution has said, this ''fooled no one who was paying attention.''

I cannot help but wonder where Senate Republicans' concern about the caseload of the Second Circuit was when they needlessly delayed the confirmation of Gerard Lynch for three months; when they needlessly delayed the confirmation of Raymond Lohier for seven months; when they needlessly delayed the confirmation of Susan Carney for five months; when they unfairly stalled the nomination of Judge Robert Chatigny and then needlessly delayed the confirmation of the next Connecticut nominee, Chris Droney, for four months; or when they needlessly delayed the confirmation of Denny Chin for four months and forced the Majority Leader to file cloture to get a confirmation vote.

I wonder where their concern about the caseload of the Eleventh Circuit was when they needlessly delayed the confirmation of Beverly Martin for four months, or when they needlessly delayed the confirmation of Adalberto Jordan for four months and forced a cloture vote before his confirmation. I am prepared to help alleviate concern about the caseload of the Eleventh Circuit by scheduling a hearing on the nomination of Jill Pryor, a ''well qualified'' nominee from Georgia to the Court, if her home State Senators would return their blue slips indicating that they do not object to her nomination going forward.

The American people are not fooled. Senate Republicans are now playing by a different set of rules. Politifact has looked at their argument that President Obama is trying to ''pack'' the D.C. Circuit, and rated it ''false.'' It goes on to note that the Republican bill to eliminate D.C. Circuit judgeships ''comes closer to the kind of structural meddling typical of court packing than does Obama's approach.'' In the last 30 years, Republican presidents have appointed 15 of the last 19 judges named to the D.C. Circuit. Now that these three vacancies exist during a Democratic presidency, Senate Republicans are trying to use legislation to lock in their partisan advantage, and thwart the will of the American people, who elected Barack Obama. Even conservative columnist Byron York has tweeted: ''It doesn't strike me as 'packing' to nominate candidates to available seats.''

The Washington Post's ''Fact Checker'' blog has also looked at the arguments about the D.C. Circuit's caseload that Senate Republicans are using to justify their attempt to eliminate three seats on that court, and has judged them worthy of two ''Pinocchios,'' meaning: ''Significant omissions and/or exaggerations. Some factual error may be involved but not necessarily. A politician can create a false, misleading impression by playing with words and using legalistic language that means little to ordinary people.''

Senate Republicans should know that their argument about the D.C. Circuit's caseload is misleading. While they claim expertise in the matter because of a hearing they held in 1995, the fact is that their current claims fly in the face of the actual testimony from that hearing. They are fond of citing the testimony of Judge Laurence Silberman, a Reagan appointee, that he felt the 12th seat was not necessary. What Senate Republicans do not mention is that Judge Silberman believed that 11 judgeships was the proper number on that Circuit, and that the notion that the D.C. Circuit should have only nine judges was ''quite farfetched.'' Judge Silberman also said that ''the unique nature of the D.C. Circuit's caseload'' means that it is not directly comparable to the other circuit courts. Even though their own witness contradicted them, 18 years later Senate Republicans continue to make their partisan argument. In addition, we eliminated that twelfth seat years ago.

In its April 5, 2013 letter, the Judicial Conference of the United States, chaired by Chief Justice John Roberts, sent us recommendations ''based on our current caseload needs.'' They did not recommend stripping judgeships from the D.C. Circuit but stated that they should continue at 11. Three are

currently vacant. According to the Administrative Office of U.S. Courts, the caseload per active judge for the D.C. Circuit has actually increased by 46 percent since 2005, when the Senate confirmed President Bush's nominee to fill the eleventh seat on the D.C. Circuit. When the Senate confirmed Thomas Griffith—President Bush's nominee to the eleventh seat—in 2005, the confirmation resulted in there being approximately 121 pending cases per active D.C. Circuit judge. According to the most recent data, there are currently 177 pending cases for each active judge on the D.C. Circuit, 46 percent higher.

Further, concerns about low caseloads did not bother Senate Republicans voting this past February to confirm a Tenth Circuit nominee from Oklahoma, giving that Court the lowest number of pending appeals per active judge in the country. It did not bother Senate Republicans voting this past April to confirm an Eighth Circuit nominee from Iowa, giving that Court the lowest number of pending appeals per active judge in the country. Yes, lower than the D.C. Circuit. I do not recall seeing any bills from Senate Republicans to eliminate the Oklahoma and Iowa judgeships.

This falls into a pattern that we have seen from Senate Republicans over the past 20 years. While they had no problem adding a twelfth seat to the D.C. Circuit in 1984, and voting for President Reagan's and President George H.W. Bush's nominees for that seat, they suddenly ''realized'' in 1995, when a Democrat served as President, that the Court did not need that judge. Judge Merrick Garland was finally confirmed in 1997 after President Clinton was reelected but Senate Republicans would not act on his final two nominees to the D.C. Circuit.

In 2002, during the George W. Bush administration, the D.C. Circuit's caseload had dropped to its lowest level in the last 20 years. During that Republican administration, Senate Republicans had no problem voting to confirm President Bush's nominees to the ninth, tenth and eleventh seats. These are the same seats they wish to eliminate now that Barack Obama is President, even though the Court's current caseload is consistent with the average over the past 10 years. Even on its own terms, it is apparent that this argument has nothing to do with caseload, and everything to do with who is President. When Senate Republicans get serious about ensuring our Federal courts are adequately staffed, I am more than happy to work with them on a long-overdue judgeship bill. But this selective concern about the D.C. Circuit, and the fact that in 2008 the minority blocked a Judiciary Committee hearing on ''The Growing Need for Federal Judgeships,'' does not reflect such seriousness.

I urge those Republicans who say first that the President is not moving fast enough and then, when he does move, say he is moving too fast, to reconsider their approach, work with the President, and let's have fair hearings on these three nominees and go forward with them. If we do, I am confident we will agree that they are well-qualified judicial nominees.

RESTREPO AND GONZALES NOMINATIONS

Last week the Senate failed to complete action on one of the three nominations pending for vacancies in the Eastern District of Pennsylvania. Even though Senate Democrats had expedited three of President Bush's nominees to that court, confirming them all by voice vote just 1 day after they had been reported by the Judiciary Committee, Senate Republicans refused to do the same for President Obama's nominees. They refused even though all three had the bipartisan support of their home State Senators and the unanimous support of all Republicans on the Committee. Two were confirmed last week but one was held back. After waiting 98 days for a vote, Judge Alejandro and Judge Schmehl were confirmed unanimously last week. Today, after another unnecessary delay, the Senate will finally vote on the nomination of Judge Luis Restrepo, more than 100 days after he was voted out of the Judiciary Committee unanimously. When the Senate is finally allowed to act, we will confirm a judge to fill a 4-year vacancy.

The Eastern District of Pennsylvania is a court that needs judges. Even with today's vote, it will remain nearly 20 percent vacant. The Senate should be taking swift action to fill these kinds of vacancies, not delaying for no good reason. This obstruction does a disservice to the people of Pennsylvania, and to all Americans who depend on our Federal courts for justice.

I regret that I must correct the RECORD, again. The recent assertion by Senate Republicans that 99 percent of President Obama's nominees have been confirmed is not accurate. President Obama has nominated 237 individuals to be circuit or district judges, and 195 have been allowed to be confirmed by the Senate. That is 82 percent, not 99 percent. By way of comparison, at the same point in President Bush's second term, June 17 of his fifth year in office, President Bush had nominated four fewer people, but had seen 215 of them confirmed, which is 20 more confirmations. The truth is that 92 percent of President Bush's judicial nominees had been confirmed at the same point, 10 percentage points more than have been allowed President Obama. That is an apples to apples comparison, and it demonstrates the undeniable fact that the Senate has confirmed a lower number and lower percentage of President Obama's nominees than President Bush's nominees at the same time in their presidencies.

I noted at the end of last year, while Senate Republicans were insisting on delaying confirmations of 15 judicial nominees that could and should have taken place then, that we would not likely be allowed to complete work on them until May. That was precisely the Republican plan. So when Senate Republicans now seek to claim credit for their confirmations in President Obama's second term, they are inflating the confirmation statistics. The truth is that only nine confirmations have taken place this year that are not attributable to those nominations Senate Republicans held over from last year and that could and should have taken place last year. To return to the baseball analogy, if a baseball player goes 0-for-9, and then gets a hit, we do not say he is an all-star because he is batting 1.000 in his last at bat. We recognize that he is just 1-for-10, and not a very good hitter. Nor would a fair calculation of hits or home runs allow a player to credit those that occurred in one game or season to the next because it would make his stats look better.

If President Obama's nominees were receiving the same treatment as President Bush's, today's votes would bring us to 215 confirmations, not 197, and vacancies would be far lower. The nonpartisan Congressional Research Service has noted that it will require 31 more district and circuit confirmations this year to match President Bush's 5-year total. Even with the confirmations finally concluded during the first 6 months of this year, Senate Republicans have still not allowed President Obama to match the record of President Bush's first term. Even with an extra 6 months, we are still 10 confirmations behind where we were at the end of 2004.

Luis Restrepo has served as a U.S. Magistrate Judge in the Eastern District of Pennsylvania since 2006. Prior to his appointment to the Federal bench, he was a founding partner of Krasner & Restrepo, a firm that focused on civil rights and criminal defense work. He has also worked as an adjunct professor at Temple University, Beasley School of Law and the University of Pennsylvania Law School. Before co-founding his own law firm, Judge Restrepo was an Assistant Federal Defender for the Eastern District of Pennsylvania, an Assistant Defender for the Defender Association of Philadelphia, and a Law Clerk for the ACLU's National Prison Project. The nonpartisan ABA Standing Committee on the Federal Judiciary has unanimously rated Judge Restrepo ''well qualified.'' He is supported by both his home State Senators, Senator CASEY and Senator TOOMEY.

Kenneth Gonzales has been the United States Attorney for the District of New Mexico since 2010. He served as an Assistant U.S. Attorney in that office for the previous 11 years. Prior to

working with the U.S. Attorney's Office, Kenneth Gonzales spent 3 years as a Legislative Assistant to former Senator Jeff Bingaman and 2 years as law clerk to the Honorable Joseph F. Baca of the New Mexico Supreme Court. He also serves in the United States Army Reserve as a Judge Advocate General. Kenneth Gonzales has the support of his home State Senators, Senator TOM UDALL and Senator MARTIN HEINRICH, and was reported unanimously from the Judiciary Committee 2 months ago.

I want the Senate to make real progress on filling judicial vacancies so that the American people have access to justice. In President Bush's first term, half of his consensus district nominees waited 18 days or fewer for a vote, so we know the Senate is capable of swift action on nominations. There is no reason consensus nominees like Judge Restrepo and Kenneth Gonzales should have to wait 2 or 3 months for a vote. The only reason for these delays is because of Republican refusal to allow votes. These nominees deserve better, and the American people deserve better.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I am going to vote for both judges today. But today I want to inform my fellow Senators and American people regarding the facts on judicial nominations. Today, we will confirm two more nominees. I would note that we confirmed two judges just 4 days ago.

After today, the Senate will have confirmed 197 lower court nominees; we have defeated two. That is 197–2. That is an outstanding record. That is a success rate of 99 percent.

And we have been doing that at a fast pace. During the last Congress we confirmed more judges than any Congress since the 103rd Congress, which was 1993–94.

This year, the beginning of President Obama's second term, we have already confirmed more judges than were confirmed in the entire first year of President Bush's second term. Let me emphasize that again—We have already confirmed more nominees this year than we did during the entirety of 2005, the first year of President Bush's second term.

After today, only five article III judges remain on the Executive Calendar—three district nominees and two Circuit nominees.

Two of those were reported out last week, two more about a month ago, and one has been on the calendar for about two months. Yet, somehow Senate Democrats cite this as evidence of obstructionism.

Compare that to the calendar of June 2004, when 30 judicial nominations were on the Calendar—10 Circuit and 20 District. In fact, four of those were from Pennsylvania, as is one of our nominees today. I don't recall any Senate Democrats complaining about how many nominations were piling up on the calendar, nor do I remember protestations from my colleagues on the other side that judicial nominees were moving too slowly.

Last week, when we confirmed two Pennsylvania judges, there were statements made on the floor that we were treating President Obama's nominees very different than those of President Bush. But look at the record. As I said, there were four Pennsylvania nominees on the calendar in June of 2004.

Gene Pratter was nominated in November 2003, had a hearing in the following January, was reported in March, and was confirmed in June.

Lawrence Stengel was nominated in November 2003, had a hearing the following February, was reported in March, and was confirmed in June.

Juan Sanchez was nominated in November, had a hearing the following February, was reported in March, and was confirmed in June.

Those milestones are nearly identical to our Pennsylvania nominee today who was nominated last November. Just like the ones I mentioned, he had a hearing the following February, was reported in March, and now will be confirmed in June.

If we have been unfair to this nominee, as it is now claimed, where was the outcry from Senate Democrats on the Bush nominees I just described? The fact is there is no difference in how this President's nominees are being treated versus how President Bush's nominees were treated.

Remember, now there are only five article III judicial nominees remaining after today's vote. Yet, as I mentioned, in June 2004 there were 30 nominations pending on the calendar. Some of those nominees had been reported out more than a year earlier and most were pending for months. And some of them never got an up or down vote.

The bottom line is that the Senate is processing the President's nominees exceptionally fairly. President Obama certainly is being treated more fairly in the beginning of his second term than Senate Democrats treated President Bush in 2005. It is not clear to me how allowing more votes so far this year than President Bush got in an entire year amounts to ''unprecedented delays and obstruction.'' Yet, that is the complaint we here over and over from the other side.

Last week it was stated that with this President, ''Republicans have never let vacancies get below 72.''

After today's votes there will be 77 vacancies in the federal judiciary. But 52 of those spots are without a nominee. How is it the fault of the Republicans that the President has not sent 52 nominees to the Committee? Obviously, common sense ought to tell you that we can't act on nominees who are not presented to the Senate.

Just one example will illustrate this. Last week the Chairman of the Judiciary Committee singled out the vacancies on the Eastern District of Pennsylvania. We are confirming the third judge to that Court, after the two last week. Four vacancies remain, but there are no nominees pending in the Senate for the Eastern District of Pennsylvania.

It was also stated that the seat we are filling today has been vacant for over 4 years, as if Republicans were to blame for that. The fact is, this seat went vacant on June 8, 2009. President Obama was the President then. He waited over 3 years and 5 months before making a nomination on November 27, 2012. Why did the President make the people of Pennsylvania wait so long? That wasn't the fault of this side of the aisle. Yet now we are accused of obstruction.

So I just wanted to set the record straight—again—before we vote on these nominees. I expect they will both be confirmed and I congratulate them on their confirmations. And as I said at the beginning, I'm going to vote to support these nominees.

Kenneth John Gonzales is nominated to be United States District Court Judge for the District of New Mexico. Upon graduation from the University of New Mexico School of Law in 1994, Mr. Gonzales clerked for Chief Justice Joseph F. Baca of the New Mexico Supreme Court. In 1996 he worked as a legislative assistant to Senator Jeff Bingaman. From 1999 to 2010, Mr. Gonzales served as an Assistant United States Attorney in the U.S. Attorney's Office for the District of New Mexico. His primary responsibility was criminal prosecution including large-scale drug trafficking cases with various Federal agencies and a small number of violent crime cases originating in the Mescalero Apache Reservation. In 2006 Mr. Gonzales transferred to the Albuquerque Violent Crime Section where he prosecuted violent crime occurring on Indian Reservations as well as several bank robbery and firearms-related cases that originated in the Albuquerque area. In 2009 he transferred to the Narcotics section as a designated attorney for the Department of Justice Organized Crime Drug Enforcement Task Force where his work was primarily long-term and complex narcotics trafficking investigations and prosecutions. In 2010 he became the United States Attorney for the District of New Mexico.

Since 2001 Mr. Gonzales has served as a Reserve officer with the United States Army Judge Advocate General's Corps. In November 2008 he was mobilized to active duty and stationed at Fort Bragg, NC with the 18th Airborne Corps where he conducted legal reviews, official responses to Freedom of Information Act requests, Army Regulation 15–6 investigations, and property

accountability investigations. Currently he fulfills his annual Reserve requirement as an Adjunct Professor of Criminal Law at the JAG Legal Center & School in Charlottesville, VA.

The American Bar Association's Standing Committee on the Federal Judiciary gave him a ''Qualified'' rating.

Luis Felipe Restrepo is nominated to be United States District Court Judge for the Eastern District of Pennsylvania. Judge Restrepo received his B.A. from the University of Pennsylvania in 1989, and his J.D. from Tulane University Law School in 1986. Upon graduation, he clerked at the ACLU Prison Project in Washington, DC. From 1987 to 1990, he was an assistant defender with the Defender Association of Philadelphia where he represented criminal defendants in State and Federal court. In 1990, he became an assistant federal defender for the Federal Community Defender for the Eastern District of Pennsylvania, appearing at the trial and appellate level.

Judge Restrepo was in private practice with one partner from 1993–2006. There, he focused primarily on criminal defense, including some death penalty cases. He defended clients on retainer and as a court-appointed counsel. While in private practice the majority of Judge Restrepo's civil cases consisted of Section 1983 actions alleging police abuse and mistreatment. Other civil matters included representation in workplace accident, medical malpractice, wrongful death, and fire cases.

Judge Restrepo was appointed to be a United States Magistrate Judge for the Eastern District of Pennsylvania in 2006. As magistrate judge, he manages all aspects of the pre-trial process in civil cases: conducting evidentiary hearings, ruling on non-dispositive motions, and making reports and recommendations regarding dispositive motions.

The American Bar Association's Standing Committee on the Federal Judiciary gave him a ''Well Qualified'' rating.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, I ask that any time remaining be yielded back.

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

All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Luis Felipe Restrepo, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania?

The nomination was confirmed.

The PRESIDING OFFICER. The President will be immediately notified of the Senate's action.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Kenneth John Gonzales, of New Mexico, to be United States District Judge for the District of New Mexico?

Mr. LEAHY. Mr. President, I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN) and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Wyoming (Mr. ENZI), the Senator from Oklahoma (Mr. INHOFE), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Alabama (Mr. SHELBY), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

The result was announced—yeas 89, nays 0, as follows:

[Rollcall Vote No. 150 Ex.]

YEAS—89

Alexander	Fischer	Merkley
Ayotte	Flake	Moran
Baldwin	Franken	Murphy
Barrasso	Gillibrand	Murray
Baucus	Graham	Nelson
Begich	Grassley	Paul
Bennet	Hagan	Portman
Blumenthal	Hatch	Pryor
Blunt	Heinrich	Reed
Boozman	Heitkamp	Reid
Boxer	Heller	Risch
Brown	Hirono	Roberts
Burr	Hoeven	Rockefeller
Cantwell	Isakson	Rubio
Cardin	Johanns	Sanders
Carper	Johnson (SD)	Schatz
Casey	Johnson (WI)	Schumer
Chambliss	Kaine	Scott
Chiesa	King	Sessions
Coats	Kirk	Shaheen
Collins	Klobuchar	Stabenow
Coons	Landrieu	Tester
Corker	Leahy	Thune
Cornyn	Lee	Udall (CO)
Cowan	Levin	Udall (NM)
Crapo	Manchin	Warner
Cruz	McCain	Warren
Donnelly	McCaskill	Whitehouse
Durbin	McConnell	Wyden
Feinstein	Menendez	

NOT VOTING—11

Coburn	Inhofe	Toomey
Cochran	Mikulski	Vitter
Enzi	Murkowski	Wicker
Harkin	Shelby	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to a period of morning business from now until 6:40 p.m. to allow a colloquy between Senator BROWN and Senator ISAKSON.

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

Mr. REID. When that time is up, I ask unanimous consent to be recognized.

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

The Senator from Georgia.

Mr. ISAKSON. I ask unanimous consent to be recognized along with Senator BROWN of Ohio for up to 15 minutes and to engage in a colloquy.

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

THE CENTERS FOR DISEASE CONTROL

Mr. ISAKSON. Madam President, I am proud to stand here today as a resident of Georgia and its capital city Atlanta, which is the home of the Centers for Disease Control and Prevention in America, a great institution with which Senator BROWN and I are familiar. We want to talk about some of its great achievements today.

CDC is the Nation's health protection agency, but it is really the world's health protection agency. What CDC has done is build a strong national public health and disease detection network for working with State and local agencies, private partners, universities, and communities to stop disease and stop outbreaks.

By way of example, CDC led a multi-State response to last year's fungal meningitis outbreak that resulted in 745 infections and 58 deaths in 20 States. CDC identified and contained dangerous foodborne pathogen outbreaks, such as hepatitis A found in frozen berry blend; salmonella found in the poultry industry; and E. coli found in frozen food products.

CDC puts science into action every day to protect the American people, using breakthroughs such as microbial genomics to find outbreaks sooner, stop them earlier, and prevent them better in environmental hazards, biosecurity threats, and national disaster.

CDC provided direct support within hours of Superstorm Sandy to the devastated northeast last year. We need to be able to be ready for this year's hurricane system as it deals with other public threats.

The CDC provides crucial information on the status of health risks to the American people. With data it helps determine the best options for preventing illness and reducing medical costs. At a time when the U.S. Government is not looked upon with a lot of favor by the American people, I think it is very interesting to note that a recent Gallup poll identified the CDC as the most trusted Federal Government agency with the American people. I think that is something to which we owe a tip of the hat.

Mr. BROWN. I thank Senator ISAKSON. I am so appreciative of the work the Senator has done with the Centers for Disease Control in his home State of Georgia. There is no Federal agency that is quite like the CDC in this country or across the world.

Our Nation's fiscal health cannot be strengthened at the expense of our Nation's public health. In the 21st century it is easy to overlook this country's public health safety net. Too often we take for granted that our children are not being crippled by polio or dying from whooping cough because we have immunizations. We take for granted that we have stronger teeth and less tooth decay because of water fluoridation in many of our communities. We take for granted that few people in this country now die of infectious diseases such as cholera and tuberculosis because we have made the kind of remarkable progress we have in sanitation, in hygiene, antibiotics, and disease surveillance. We take these advancements for granted because for over six decades the CDC has been doing an extraordinary job of ensuring Americans have basic health protections.

The CDC's work, along with that of other public health advocates and researchers, is credited with increasing the average American's life expectancy over the last many decades, increasing the average American's life expectancy by 25 years—25 years, a quarter of a century longer because of our investment in public health.

The CDC's reach and responsibility, as intimated by Senator ISAKSON, is not limited by our country's borders. Due to globalization it matters a great deal how other countries respond to health threats. The CDC plays an essential role in helping its international partners react to these threats.

The CDC is the gold standard, the global leader in disease prevention and public health preparedness. Other nations follow our lead. Yet the CDC's leadership is not guaranteed. Even with its topnotch facilities and world-class staff, the CDC faces challenges to this continued leadership. The CDC's base budget authority is at its lowest level in a decade.

The fiscal year 2013 budget is about $600 million below its fiscal year 2012 level. This reduction undercuts the health security of all Americans, even those who never once think of the existence of the Centers for Disease Control. The reduction in the CDC budget has harmful, immediate, and long-term consequences across the United States and around the world. This reduction affects the ability of our State and local health departments to provide on-the-ground services.

As my friend from Georgia explained during his discussion of the deadly fungal meningitis outbreak, funding the CDC is critical to the foundation of our public health. When we invest in CDC, we invest in the health of families in Lorain, OH, and Cuyahoga Falls, OH. When we invest in CDC, we support programs such as the Epidemiology Laboratory Capacity Program which addresses infectious disease threats.

When we invest in the CDC, we ensure that our State and local health departments on the frontlines are able to detect the first signs of outbreak. Without this critical funding, we leave ourselves vulnerable to the initial spread of health threats, such as fungal meningitis and emerging new diseases such as the MERS coronavirus and the novel H7N9 avian flu virus, which we read about. Unfortunately, public health departments across the Nation have already lost thousands of jobs and will lose more if our support of CDC continues to dwindle.

Before turning it back over to Senator ISAKSON, I would like to emphasize a point he made. The CDC responds to long-term health threats as well as to urgent immediate health dangers. These threats don't make the headlines. So much of CDC's work you never hear about, you never read about because of its name, Centers for Disease Control and Prevention. Prevention is such an important part of this. CDC continues a longstanding tradition of working in partnership with many international organizations and global partners to ensure that our country takes the lead in stopping these threats.

I have had the pleasure of seeing CDC's dedicated, expert staff working in Africa, in Atlanta, in communities such as Medina County, OH, and all over the world, working to keep these countries and our communities healthier, safer, and helping to keep all Americans safe as well.

Mr. ISAKSON. Would the Senator from Ohio yield for a moment?

Mr. BROWN. I yield to the Senator.

Mr. ISAKSON. I ran a company for 20 years, and a healthy workforce that was ready, willing, and able to go to work every single day made a big difference.

A lot of times when we think of CDC, we think of outbreaks in Africa, we think of ebola, and we think of salmonella. In fact, it is also an advocate for wellness, better health habits, and health care for Americans. Does the Senator think that is important for the productivity of the American people and the American worker?

Mr. BROWN. I thank the Senator from Georgia. I think that is exactly the point. While perhaps those who know CDC—obviously in the State of Georgia people know it more intimately than in my State. They more likely think of CDC doing something in Africa or Asia, not so much what it means locally. We know that our hospitals, for instance, are sometimes havens for high health care costs and unnecessary illnesses due to infections acquired in the hospital and antibiotic-resistant superbugs such as CRE—a family of germs with high levels of resistance to antibiotics. I wonder if my friend is familiar with CDC's work in these areas and if he would expand on that.

Mr. ISAKSON. I appreciate the focus on that. My friend from Ohio is exactly correct. Antimicrobial resistance is a serious threat to our Nation's health. Many bacteria become resistant to multiple classes of antibiotics.

I might add a personal note at this point. Three years ago I developed a MRSA infection in a hospital in Atlanta and almost lost my life to an antibiotic-resistant disease and infection. I know how important it is to have a research facility such as the CDC that can constantly stay one step ahead of the evolution of defenses these microbes bring up themselves.

As a recent example, a recent outbreak of drug-resistant CRE where one in two patients affected with bacteria unfortunately passed away—CDC must have resources to quickly track and stop outbreaks and give health care providers timely information. Without that, there is the risk of contagion.

Mr. BROWN. That is certainly right. It seems there are new emerging and potentially dangerous health threats. We obviously know of the disease—the acquired infection you just mentioned. We know now of the H7N9 bird flu and MERS. How does the Senator see CDC's unique role in tracking and attempting to prevent the spread of these threats before they reach our shores, before we in American hospitals such as Grady Memorial or at MedCentral of Ohio might be victims of that?

Mr. ISAKSON. Well, the Senator makes a great point because CDC is kind of the crucible where all the partners in health care in the country come together. You might remember when we were here on 9/11/01, shortly after the attack on the Trade Center in New York. Then the anthrax letters started to be mailed to Capitol Hill. It was CDC that within days tracked down the

anthrax and helped us develop the defenses so we didn't have a problem with the anthrax infection. We got the Cipro distributed to those who were exposed to keep them from succumbing to that disease. That is the kind of timely effort we need for an agency like the CDC to be able to quickly respond.

Public health security is a component of our national security, as is evidenced by the anthrax case. With the potential threat of engineered biological weapons, CDC remains vigilant and ready to act with experts and countermeasures to protect the American people. With emerging diseases such as MERS and H7N9, CDC has sent CDC teams around the globe to investigate their origin, develop and ship laboratory diagnostic kits to the affected areas, and save lives day in and day out around the world.

Mr. BROWN. If the Senator would yield for a moment, MERS was identified recently, and CDC scientists developed and shipped a diagnostic kit to be used in the field. To talk about one—when I talk to people about public health and certainly the importance of NIH but especially the focus on public health by CDC, we talk about polio and what CDC did to address and not quite yet wipe out but in our country certainly wipe out—and in most of the rest of the world—the polio virus. Give us a little bit of history on how important that was and what we learned from that, if you would, Senator ISAKSON.

Mr. ISAKSON. When I grew up in the fifties, I remember taking the sugar cube, the anti-polio vaccine, the Jonas Salk vaccine, for the first time ever. Polio has been a dread disease that has affected the American people and people around the world for many years, but now it is almost totally eradicated. Why? Because of a worldwide effort by many organizations—not the least of which is the CDC—to see to it that the inoculations are made available. In fact, polio now only resides in three countries: Afghanistan, Pakistan, and Nigeria. We are close to closing the door and having a polio-free world, just as we are getting closer and closer to eradicating measles, which now primarily still has an outbreak in Nigeria.

CDC's readiness and ability to deploy at a moment's notice makes all the difference in the world. I don't wish to sell here, but I have to make one note. One of the reasons CDC is in Atlanta and that is such a good location is they can be anywhere in the world in a matter of a day by the Hartsfield International Airport.

Not a day goes by but somewhere around the world a country or a community calls and says: We need help. We have a problem. We don't know what it is, but it has to be identified.

CDC scientists and doctors are put on the planes to fly around the world to diagnose, identify, and provide the cure so the disease does not become an outbreak that takes thousands of lives.

Mr. BROWN. I wish to close with a personal story about polio. My brother, born in 1947—there are three of us, three boys. My brother is the oldest, my brother Bob. When he was in about the first, second, or maybe the third grade, my father, who was a local family physician in Mansfield, was asked by—if not the CDC, some national health organization to give polio vaccines in Mansfield, OH. There were doctors in other communities who were asked to do that. They chose my father in part because he was a good doctor. They also chose him because he had son, he had a child who was in second or third or fourth grade at the time.

People were afraid. They weren't sure about injecting that vaccine into their arm because a lot of families thought that actually could cause polio. There was always that fear. Scientists didn't believe that, but an awful lot of people did.

There was a picture on the front page of the Mansfield News Journal in the 1950s of my brother getting a polio vaccine. I believe his was Salk. Sabin came later with the cube. He got the Salk vaccine, administered by my dad. CDC or one of the other public health groups—I apologize, I don't know which—made sure that happened all over the country so people could be more reassured. That was really the beginning, with Salk and then Sabin, of the eradication of polio in this country.

It is hard to think back—the Presiding Officer is not old enough—Senator ISAKSON and I can remember with our parents the fear, until the end of the 1950s, of parents that their child would go swimming and might come back, as Franklin Roosevelt did, with a case of polio. Whatever the causes, that virus spreading scared so many people.

In these days of hyper-partisanship consuming Washington, I appreciate the work of Senator ISAKSON, working together with CDC because this is far and above, far and away more important than any kinds of political differences that we might have.

I will let Senator ISAKSON close.

Mr. ISAKSON. I appreciate very much the Senator's focus on CDC. I think it is ironic that we close talking about Franklin Delano Roosevelt because in the 1940s, as our President, he suffered from polio. He would take the train to Georgia to go down to Warm Springs to get the therapy of those warm springs, which then was the only mechanism of treating polio.

Today in Georgia, because of the CDC, we have a mechanism of eradicating polio. That is the type of evolution we want to see in health care not just for our country but for the world.

CDC is the best investment of American tax dollars we could possibly make. I support it wholeheartedly, and I thank Senator BROWN for his participation in the colloquy today.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL of New Mexico. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. UDALL of New Mexico. I ask to speak as in morning business.

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

SYRIA

Mr. UDALL of New Mexico. Madam President, like many others, I am deeply disturbed by the current situation in Syria, the appalling atrocities, the tragic loss of life, the reported use of chemical weapons. This deserves the clear condemnation of the international community.

I am also concerned by the push for intervention in this war, by the rush to judgment for the United States to yet again become entangled in a civil war. The President has decided to send arms to the rebels to fight the government of the Bashar al-Asad. The full scope of this intervention is not yet clear, but this path is dangerous and unnecessary.

The Asad regime is cruel and corrupt. We can all agree on that point. Many of the groups fighting against him do not share our values and could be worse. They may pose long-term risks to us and our allies. Asad's enemies may very well be America's enemies. The fact is that we do not know. A number of experts, including our military brass, have sounded alarms warning that the options to intervene in Syria range from bad to worse and could prove damaging to America's strategic interests. By flooding Syria with weapons, we risk arming those who ultimately may seek to do us harm.

We have been down this road before. Recent history tells a cautionary tale. In the 1980s the United States supported a rebel insurgency to repel the Soviet occupation of Afghanistan. Back then as now, many Members of Congress pushed for arming these rebels. The United States supplied weapons, intelligence, and training, with the goal to defeat the Soviets in Afghanistan.

Our short-term victory had tragic consequences for the future. Radical members of the insurgency formed the Taliban regime, giving safe haven to terrorist training camps, providing material support to Osama bin Laden and his fledgling al-Qaida movement. Through state-sponsored terrorism in

Afghanistan, al-Qaida thrived and perpetrated attacks on the USS *Cole* and the World Trade Center on 9/11. The aftermath has been more than a decade of war, with tragic loss of American lives and treasure.

This is history to learn from, not repeat, and yet many who advocated for previously disastrous Middle East interventions are leading the charge to arm groups we know little about and to declare war through air strikes on another Middle Eastern country.

What little we do know about the Syrian rebels is extremely disturbing. The opposition is fractured. Some are sympathetic to the enemies of the United States and our allies, including Israel and Turkey. There are reliable reports that some of the rebels even include Iraqi Sunni insurgents—the same groups who killed many U.S. troops and still target the current Iraqi Army and Government.

We know American law currently considers some of the rebel elements to be terrorist groups. The United States has designated one of the key opposition factions, the Nursa Front, as a terrorist organization for being an al-Qaida-affiliated group.

The Syrian opposition is very unorganized. They lack a chain of command, they are subject to deadly infighting, and if they are able to defeat Asad, they may turn on each other or worse the United States or our allies.

Simply put, once we have introduced arms, neither we nor their fighters may be able to guarantee control over them. Such weapons could end up in the hands of groups and people who do not represent our interests, possibly including terrorists who target the United States, our allies, such as Israel and Turkey, and the Iraqi Army and Government—an Iraq that we spent billions of dollars and thousands of American lives to establish.

Given this reality, those who are pushing for military intervention should answer three basic questions: Can arms be reasonably accounted for and kept out of the hands of terrorists and extremist groups? Can they assure us those arms will not become a threat to our regional allies and friends, including Israel, Turkey, and the Government of Iraq? And if the answer to the two previous questions is no, can they then explain why transferring our weapons to the rebels, whose members may themselves be affiliated with terrorist and extremist groups, is a sensible option for the American people? What national interest does this serve?

I do not believe those questions have been answered. I think the majority of the American people agree. They do not see the justification of our intervention in this civil war. We need to slow down this clamor for more weapons to Syria and war and take a step back from this plunge into very muddy and dangerous waters.

Stopping radicalism and protecting our allies is of vital importance; however, we come to the ultimate question, one that has not been adequately answered: Will this hasty march to intervene in another Middle East conflict achieve these goals or will it ultimately harm the interests of the United States, leading to yet another bloody, costly, overseas conflict and, ironically, worsening the terrorist threat?

We should listen to the lessons of history. After over a decade of war overseas, now is not the time to arm an unorganized, unfamiliar, and unpredictable group of rebels. Now is not the time to rush headlong into another Middle Eastern civil war. The winds of war are blowing yet again, and we should be ever vigilant before we venture into another storm.

Madam President, I yield the floor.

UNANIMOUS CONSENT AGREEMENT—S. 744

Mr. REID. Madam President, I ask unanimous consent that when the Senate resumes consideration of S. 744, which is the immigration bill, on Tuesday, June 18, the time until 12:30 p.m. and the time from 2:15 to 3 p.m. be equally divided between the two leaders or their designees for debate on the pending amendments listed below in the following order: Thune No. 1197, Landrieu No. 1222, Vitter No. 1228, and Tester No. 1198; that there be no second-degree amendments in order prior to the votes; that all the amendments be subject to a 60-affirmative-vote threshold; that there be 2 minutes equally divided between the votes; and that all after the first vote be 10-minute votes.

Madam President, I have spoken with my friend, the ranking member of the Judiciary Committee, the senior Senator from Iowa, because I wanted to add the Heller amendment; however, I understand the Republicans want to pick their own amendments. They do not want me picking them. I understand that, so I haven't included that one in the consent request.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 744, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 744) to provide for comprehensive immigration reform and for other purposes.

Pending:

Leahy/Hatch amendment No. 1183, to encourage and facilitate international participation in the performing arts.

Thune amendment No. 1197, to require the completion of the 350 miles of reinforced, double-layered fencing described in section 102(b)(1)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 before registered provisional immigrant status may be granted and to require the completion of 700 miles of such fencing before the status of registered provisional immigrants may be adjusted to permanent resident status.

Landrieu amendment No. 1222, to apply the amendments made by the Child Citizenship Act of 2000 retroactively to all individuals adopted by a citizen of the United States in an international adoption and to repeal the pre-adoption parental visitation requirement for automatic citizenship and to amend section 320 of the Immigration and Nationality Act relating to automatic citizenship for children born outside of the United States who have a United States citizen parent.

Tester amendment No. 1198, to modify the Border Oversight Task Force to include tribal government officials.

Vitter amendment No. 1228, to prohibit the temporary grant of legal status to, or adjustment to citizenship status of, any individual who is unlawfully present in the United States until the Secretary of Homeland Security certifies that the US–VISIT System (a biometric border check-in and check-out system first required by Congress in 1996) has been fully implemented at every land, sea, and airport of entry and Congress passes a joint resolution, under fast track procedures, stating that such integrated entry and exit data system has been sufficiently implemented.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, at every confirmation hearing of every Cabinet position, and probably a lot of other positions as well, a Cabinet nominee is invariable asked a question similar to this: Will you come when you are called to a committee meeting for a hearing, and will you answer inquiries made by members of the committee to certain questions you might be asked? Invariably—and I don't know an exception to this—we get the answer that, yes, they will respond to our communiques.

Well, I come to the Senate today to ask why Secretary Napolitano of the Department of Homeland Security hasn't answered inquiries we have made that ought to have been answered by now. And the answers ought to have been made by now because we are dealing with the legislation to which the questions refer.

On April 23, the Judiciary Committee held a hearing to discuss immigration reform and the bill presented by the Gang of 8. Secretary Napolitano was the only witness. The hearing lasted 2 hours and 20 minutes, and most members were able to ask her 5 to 10 minutes' worth of questions. We also submitted questions for the record, which means we submitted questions to her in writing for her to answer. Committee members were given just 24 hours to turn around those questions to present to her. But it has been over 7 weeks—that is more than 49 days—

since we submitted those questions to Secretary Napolitano, and we have yet to get answers to those questions.

The questions I asked were genuine and related to the implementation of the bill if it were to be signed into law. I asked questions of the Secretary because she will be responsible for carrying out Congress's intentions. I wanted to know about costs and feasibility, and I asked for data and specifics. So I am concerned I have yet to receive responses.

Keeping information from Congress and the American people is not helpful to ensuring we have the best product coming out of the Senate. Since this bill is right now before the Senate, it is important for Members of this body to have the answers to the questions I am going to describe that I submitted to her.

I will take this opportunity to discuss some of the questions I asked of Secretary Napolitano, although not all of them. Right now I will focus on nine questions I asked about border security because border security is an issue before the Senate as part of this 1,175-page bill. I may discuss other questions later in the week.

Question No. 1 to Secretary Napolitano: You have emphasized that apprehensions at the border are down and in doing so praised the administration's record on border security; however, Customs and Border Protection has just released numbers showing that apprehensions increased 13 percent over the last year. Does the fact that border apprehensions are up mean that the border is becoming less secure?

That was question No. 1 to Secretary Napolitano.

Obviously, is the border more secure or isn't the border more secure? That was the whole basis of the debate over the last week in this body.

Question No. 2 to Secretary Napolitano: The bill only calls for establishing an entry-exit system for air and seaports before implementing the path to citizenship. Aside from cost, what impediments are there to instituting the system at land ports?

Question No. 3: The bill requires your department to establish a strategy to identify where fencing should be deployed along the southern border. During the hearing, you indicated the administration believes that sufficient fencing is in place and that you would prefer not to increase fencing along the southern border. So my question: Do you anticipate that your study will call for any additional physical fencing?

Now that seems to me to be a pretty important question at this time when border security is very basic to whether there will be any legalization. We have not received an answer yet.

Question No. 4: During the hearing we discussed the fact that the northern border was not part of the trigger and did not need to be secured before green cards are distributed. You said the northern border is a different border but that it is a part of the discussion. Can you elaborate? Can you describe how the northern border is ''different''? Please provide a list of ''other than Canadians'' who have crossed the northern border illegally in the last 10 years, including their country of origin.

Question No. 5. Section 1102 of S. 744 requires the Secretary to increase the number of CBP officers by 3,500; however, it does not specify how many of those agents will be used to secure the physical border versus customs enforcement and other mission requirements. How do you envision this section being implemented and how would the Department make decisions with regard to determining how many agents are hired to secure the physical borders?

Talking about border security, that seems to me to be a legitimate question that ought to have been answered by the Secretary a long time before we even started debate on this bill but surely before we get done with it.

The sixth question: Section 1104 provides funding for only the Tucson sector of the southwest border region. Does the administration support only resources to this sector? Are there other sectors that should be included? If so, please provide details.

Seventh question: Section 1105 relates solely to the State of Arizona. Should this provision be expanded to all of the southwest border States?

Question No. 8: Section 1107 provides for a grant program in which individuals who reside or work in the border region and are ''at greater risk of border violence due to the lack of cellular service'' can apply to purchase phones with access to 911 and equipped with GPS. Does the administration believe the Southwest border region is safe and secure, rendering this grant program unnecessary?

Question No. 9, and my last question I will discuss tonight, does the administration have any views on section 1111 on the use of force, including the requirement that the Department collaborate with the Assistant Attorney General for the Civil Rights Division of the Department of Justice?

Those are the nine questions that I think are very pertinent to just the part of the bill we spent the last week debating and we are going to spend a few more days debating. Is the border secure? That is very basic to everything else that goes on in this piece of legislation.

As I said, the questions I have asked the Secretary are meant to ensure that we pass the best bill possible. We ought to know how she will carry out the bill if it is signed into law. I hope she will provide answers to these and the other questions I submitted on April 24.

I yield the floor.

Mrs. BOXER. Madam President, on June 12 and 13, 2013, I filed two amendments, Nos. 1258 and 1282, to S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act. The name of Senator HIRONO was inadvertently omitted as a cosponsor of both amendments. I have asked that Senator HIRONO be added as a cosponsor to amendment No. 1258 and amendment No. 1282.

MORNING BUSINESS

Mr. KING. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

REMEMBERING FRANK R. LAUTENBERG

Mr. CASEY. Madam President. I am honored to join my fellow Senators as we remember our friend and colleague Senator Frank Lautenberg. A dedicated public servant, Frank proudly represented New Jersey almost continuously from 1982 until his death.

Long before reaching the Senate, Frank Lautenberg had proven himself a patriot. Following his high school graduation, Frank enlisted in the Army and served his country in Europe as a member of the Army Signal Corps during the Second World War. A member of the ''Greatest Generation'' and the last World War II veteran to serve in the Senate, Frank was a true public servant.

Motivated by the desire to give back to the country that provided him with so much, Frank's work in the Senate improved the lives of all Americans and left a lasting impact on our Nation. Through his legislative efforts, Senator Lautenberg helped to safeguard our Nation's transportation infrastructure, increase access to quality healthcare, and ensure that the brave men and women who serve our country today will have access to the same benefits and opportunities that Frank frequently credited with his success.

Frank's strong moral character often made him a leader on some of the most pressing issues of the day, and his efforts will undoubtedly leave a lasting legacy. Having cast more than 9,000 votes on the floor—more than any previous Senator from New Jersey—Frank played an influential role in shaping important policies, directing funding, and helping people in need.

On a personal note, I will always recall what a privilege it was to travel to Israel and Turkey with Frank in 2009 as part of a Congressional delegation. I admired his strong support of Israel and he will certainly be remembered as a tireless friend and advocate.

In closing, I am reminded of a quotation from President Kennedy.

Senator Frank Lautenberg truly was ''someone who looks ahead and not behind, someone who welcomes new ideas without rigid reactions, someone who cares about the welfare of the people—their health, their housing, their schools, their jobs, their civil rights and their civil liberties.'' We will miss him in this Chamber but our country and our children have a brighter future because of his dedicated service.

ADDITIONAL STATEMENTS

CORNISH, NEW HAMPSHIRE

● Ms. AYOTTE. Madam President, today I wish to recognize and honor the town of Cornish, NH as it celebrates the 250th anniversary of its founding.

Established in 1763 and incorporated in 1765 by Colonial Gov. Benning Wentworth, Cornish was named for Sir Samuel Cornish, a distinguished vice-admiral of the Royal Navy.

This area, located in Sullivan County, was once known as Mast Camp because it was the shipping point for the tall masts floated down the river by the English for use by the Royal Navy. Forestry and agriculture continue to be important components of Cornish's economy and lifestyle.

Cornish is known as a summer resort for artists and writers. In 1885, sculptor Augustus Saint-Gaudens sought a summer studio away from the heat of New York City and found himself in Cornish. Maxfield Parrish and other artists soon followed Saint-Gaudens, transforming the area into a popular artists' colony. In 1964, Saint-Gaudens' home and studio were named a national historic site. Famous authors Winston Churchill and J.D. Salinger wrote at homes in Cornish.

Cornish is home to four covered bridges, all of which are on the National Register of Historic Places. The Cornish-Windsor Covered Bridge built in 1866 is the longest two-span covered bridge in the world. The Cornish-Windsor Covered Bridge has been designated a National Civil Engineering Landmark by the American Society of Civil Engineers and still carries daily automobile traffic.

Whether it is the Cornish Fair or a summer concert at Saint-Gaudens National Historic Site, Cornish has contributed so much to the rich heritage of New Hampshire during its first 250 years. I am pleased to join the citizens across New Hampshire in celebrating this special milestone for the people of Cornish, whose accomplishments, love of country, and spirit of independence have enriched our State.●

RECOGNIZING QUEST AIRCRAFT

● Mr. RISCH. Madam President, a cornerstone of the American dream has always been the belief that those individuals with a good idea and a strong work ethic can become successful. In these tough economic times, it is inspiring to hear the stories of small businesses that have risen above the challenges they have faced and are making their dreams come true. That is why during National Small Business Week, I rise today to honor Quest Aircraft located in Sandpoint, ID

Quest Aircraft was founded in 2001 by Tom Hamilton and David Voetmann. These men saw the need for development of a plane that could be used for humanitarian work in remote areas of the world. Tom and David brought on Bruce R. Kennedy to chair Quest's board of trustees. Bruce was a man who had a noteworthy aviation career, holding the positions of chairman, chief executive officer, and president of Alaska Airlines. Bruce helped bring Tom Hamilton's and David Voetmann's vision to fruition, chairing Quest's board of trustees until his tragic death in 2007. That same year, Quest started its first production run of the KODIAK airplane.

The KODIAK airplane is a rugged short takeoff and landing, STOL, turboprop aircraft that requires only 1,000 feet of runway, making it ideally suited for the demanding nature of global humanitarian work. The KODIAK is currently in use around the world. While principally marketed for humanitarian missions, purchasers of the KODIAK include the U.S. Park Service, foreign governments, and private citizens.

Despite the impact the global recession has had on the airplane industry, Quest Aircraft has persevered and expanded their company in recent years. Quest Aircraft has expanded from a staff of 14 in 2001 to currently employing nearly 200 people. Shortly after the first year of business, Quest Aircraft moved into its 27,000-square-foot facility at the Sandpoint, ID, Municipal Airport. By May 2007, the KODIAK received FAA type certification and began global deliveries that year. Keeping in line with the mission put forward by the founders of Quest Aircraft, approximately every 10th plane produced is subsidized by the profits the company brings in. This aircraft is then donated to a participating not-for-profit humanitarian organization. This is testament to the good that can be spread from a success story such as this, and serves as an inspiration to many who wish to find the successful intersection of humanitarian work and financial success.

Small businesses like Quest Aircraft are on the cutting edge of technology and innovation. These businesses are often at the forefront of groundbreaking advances that provide much-needed solutions to the marketplace. Small businesses are the economic engines of our economy and critical to the national economic recovery. I have faith in the many small businesses that spring up in Idaho and around the United States today, and success stories such as Quest Aircraft should serve as inspiration for the future generation of innovators and entrepreneurs.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13219 OF JUNE 26, 2001, WITH RESPECT TO THE WESTERN BALKANS—PM 13

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001, is to remain in effect beyond June 26, 2013.

The crisis constituted by the actions of persons engaged in, or assisting, sponsoring, or supporting (i) extremist violence in the Republic of Macedonia and elsewhere in the Western Balkans region, or (ii) acts obstructing implementation of the Dayton Accords in Bosnia or United Nations Security Council Resolution 1244 of June 10, 1999, related to Kosovo, which led to the declaration of a national emergency on June 26, 2001, in Executive Order 13219 and to the amendment of that order in

Executive Order 13304 of May 28, 2003, to include acts obstructing implementation of the Ohrid Framework Agreement of 2001 in Macedonia, has not been resolved. The acts of extremist violence and obstructionist activity outlined in Executive Order 13219, as amended, are hostile to U.S. interests and continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared with respect to the Western Balkans.

BARACK OBAMA.

THE WHITE HOUSE, *June 17, 2013.*

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 394. A bill to prohibit and deter the theft of metal, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. MORAN (for himself, Mr. KING, Ms. STABENOW, Mr. COCHRAN, Mr. GRASSLEY, Mr. BARRASSO, Mr. ENZI, and Mrs. GILLIBRAND):

S. 1171. A bill to amend the Controlled Substances Act to allow a veterinarian to transport and dispense controlled substances in the usual course of veterinary practice outside of the registered location; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BLUNT:

S. Res. 172. A resolution designating the first Wednesday in September 2013 as ''National Polycystic Kidney Disease Awareness Day'' and raising awareness and understanding of polycystic kidney disease; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 109

At the request of Mr. HELLER, his name was added as a cosponsor of S. 109, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 153

At the request of Mr. BEGICH, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 153, a bill to amend section 520J of the Public Health Service Act to authorize grants for mental health first aid training programs.

S. 170

At the request of Mr. FLAKE, his name was added as a cosponsor of S. 170, a bill to recognize the heritage of recreational fishing, hunting, and recreational shooting on Federal public land and ensure continued opportunities for those activities.

S. 234

At the request of Mr. REID, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 234, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 272

At the request of Mr. BEGICH, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 272, a bill to promote research, monitoring, and observation of the Arctic and for other purposes.

S. 313

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 315

At the request of Ms. KLOBUCHAR, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 315, a bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008.

S. 337

At the request of Ms. STABENOW, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 337, a bill to provide an incentive for businesses to bring jobs back to America.

S. 395

At the request of Mr. BENNET, his name was added as a cosponsor of S. 395, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 463

At the request of Mr. PRYOR, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 463, a bill to amend the Farm Security and Rural Investment Act of 2002 to modify the definition of the term ''biobased product''.

S. 511

At the request of Ms. LANDRIEU, the name of the Senator from Massachusetts (Mr. COWAN) was added as a cosponsor of S. 511, a bill to amend the Small Business Investment Act of 1958 to enhance the Small Business Investment Company Program, and for other purposes.

S. 520

At the request of Mr. BEGICH, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 520, a bill to strengthen Federal consumer protection and product traceability with respect to commercially marketed seafood, and for other purposes.

S. 596

At the request of Mr. THUNE, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 596, a bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to furnish remote patient monitoring services that reduce expenditures under such program.

S. 602

At the request of Mr. TESTER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 602, a bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes.

S. 718

At the request of Mr. DURBIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 718, a bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes.

S. 723

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 723, a bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 731

At the request of Mr. MANCHIN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 731, a bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks.

S. 769

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 769, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 772

At the request of Mr. NELSON, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 772, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 789

At the request of Mr. BAUCUS, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 810

At the request of Mr. DONNELLY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 810, a bill to require a pilot program on an online computerized assessment to enhance detection of behaviors indicating a risk of suicide and other mental health conditions in members of the Armed Forces, and for other purposes.

S. 815

At the request of Mr. MERKLEY, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 815, a bill to prohibit the employment discrimination on the basis of sexual orientation or gender identity.

S. 824

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 824, a bill to amend the Securities Exchange Act of 1934 to require shareholder authorization before a public company may make certain political expenditures, and for other purposes.

S. 842

At the request of Mr. SCHUMER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 842, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 909

At the request of Mr. REED, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 909, a bill to amend the Federal Direct Loan Program under the Higher Education Act of 1965 to provide for student loan affordability, and for other purposes.

S. 913

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 913, a bill to amend the National Oilheat Research Alliance Act of 2000 to reauthorize and improve that Act, and for other purposes.

S. 916

At the request of Mr. KAINE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 916, a bill to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program.

S. 917

At the request of Mr. CARDIN, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 917, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers.

S. 918

At the request of Mr. COONS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 918, a bill to award grants in order to establish longitudinal personal college readiness and savings online platforms for low-income students.

S. 967

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 967, a bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes.

S. 971

At the request of Mr. WYDEN, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 971, a bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements.

S. 1046

At the request of Mr. SCHATZ, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1046, a bill to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994.

S. 1068

At the request of Mr. BEGICH, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1068, a bill to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and for other purposes.

S. 1072

At the request of Ms. KLOBUCHAR, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1072, a bill to ensure that the Federal Aviation Administration advances the safety of small airplanes and the continued development of the general aviation industry, and for other purposes.

S. 1086

At the request of Mrs. GILLIBRAND, her name was added as a cosponsor of S. 1086, a bill to reauthorize and improve the Child Care and Development Block Grant Act of 1990, and for other purposes.

S. 1088

At the request of Mr. FRANKEN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1088, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 1104

At the request of Mr. NELSON, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1104, a bill to measure the progress of recovery and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes.

S. 1117

At the request of Ms. STABENOW, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 1117, a bill to prepare disconnected youth for a competitive future.

S. 1123

At the request of Mr. CARPER, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1123, a bill to amend titles XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. CON. RES. 15

At the request of Ms. CANTWELL, her name was added as a cosponsor of S. Con. Res. 15, a concurrent resolution expressing the sense of Congress that the Chained Consumer Price Index should not be used to calculate cost-of-living adjustments for Social Security or veterans benefits, or to increase the tax burden on low- and middle-income taxpayers.

S. RES. 157

At the request of Ms. KLOBUCHAR, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. Res. 157, a resolution expressing the sense of the Senate that telephone

service must be improved in rural areas of the United States and that no entity may unreasonably discriminate against telephone users in those areas.

AMENDMENT NO. 1197

At the request of Mr. THUNE, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of amendment No. 1197 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1198

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of amendment No. 1198 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1199

At the request of Mrs. BOXER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of amendment No. 1199 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1209

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 1209 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1225

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 1225 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1237

At the request of Mr. MERKLEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of amendment No. 1237 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1242

At the request of Mr. UDALL of New Mexico, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 1242 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1258

At the request of Mrs. BOXER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of amendment No. 1258 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1278

At the request of Mr. BLUMENTHAL, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of amendment No. 1278 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1282

At the request of Mrs. BOXER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of amendment No. 1282 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1286

At the request of Mr. CARDIN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 1286 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MORAN (for himself, Mr. KING, Ms. STABENOW, Mr. COCHRAN, Mr. GRASSLEY, Mr. BARRASSO, Mr. ENZI, and Mrs. GILLIBRAND):

S. 1171. A bill to amend the Controlled Substances Act to allow a veterinarian to transport and dispense controlled substances in the usual course of veterinary practice outside of the registered location; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I am pleased to join Senators MORAN and KING in reintroducing the Veterinary Medicine Mobility Act of 2013. This legislation comes in response to a Drug Enforcement Administration, DEA, interpretation of the Controlled Substances Act, which requires veterinarians to treat animals with controlled substances at the location in which they are registered. This interpretation of the law is very burdensome to both farmers and veterinarians, and it shows a lack of common sense by the DEA. In many cases a sick animal such as a horse, cow or pig cannot be transported to the veterinarian's office, and has to be treated on the farm or even in the pasture. When a larger animal is ill and needs treatment it has been common practice for the veterinarian to make a house call to treat the affected animal. The ability for veterinarians to make house calls is a key component in the ability to effectively treat livestock animals.

I am very concerned about the problems we face in the diversion of controlled substances especially powerful narcotics. However, efforts to control the diversion of controlled substances need to take into account the needs of legitimate patients whether human or livestock. Forcing a farmer to load a sick animal into a trailer for a trip to the veterinarian's office is not a practical solution to ward off the diversion of controlled substances. Rules governing the use and transportation of controlled substances must be practical and not overly burdensome. In the case of veterinary medicine the Veterinary Medicine Mobility Act of 2013 strikes the right balance.

This legislation allows a veterinarian to transport a controlled substance ''in the usual course of veterinary medicine practice at a site other than the registrants registered principal place of business or professional practice.'' The bill also requires the veterinarian to only dispense controlled substances in a State where they are licensed to practice veterinary medicine, which will help to eliminate the transportation of controlled substances across State lines. I have heard from numerous veterinarians and other stakeholders that this bill is needed in order to provide certainty that our veterinarians will be able to use the necessary tools available to them without interference from the DEA. Overly burdensome regulations can have a detrimental impact on businesses in this country. This is an instance of the Federal Government not using common sense, and causing unnecessary problems for the people responsible for maintaining the health of our Nation's livestock herds. I urge my colleagues to join us in supporting this commonsense bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 172—DESIGNATING THE FIRST WEDNESDAY IN SEPTEMBER 2013 AS ''NATIONAL POLYCYSTIC KIDNEY DISEASE AWARENESS DAY'' AND RAISING AWARENESS AND UNDERSTANDING OF POLYCYSTIC KIDNEY DISEASE

Mr. BLUNT submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 172

Whereas National Polycystic Kidney Disease Awareness Day will raise public awareness and understanding of polycystic kidney disease, one of the most prevalent, life-threatening genetic kidney diseases;

Whereas National Polycystic Kidney Disease Awareness Day will also foster understanding of the impact polycystic kidney disease has on patients and their families;

Whereas polycystic kidney disease is a progressive, genetic disorder of the kidneys that causes damage to the kidneys and the cardiovascular, endocrine, hepatic, and gastrointestinal organ systems;

Whereas polycystic kidney disease has a devastating impact on the health and finances of people of all ages, and equally affects people of all races, genders, nationalities, geographic locations, and income levels;

Whereas, of the people diagnosed with polycystic kidney disease, approximately 10 percent have no family history of the disease, with the disease developing as a spontaneous (or new) mutation;

Whereas there is no treatment or cure for polycystic kidney disease, which is one of the 4 leading causes of kidney failure in the United States;

Whereas the vast majority of patients with polycystic kidney disease reach kidney failure at an average age of 53, causing a severe strain on dialysis and kidney transplantation resources and on the delivery of

health care in the United States as the largest segment of the population of the United States, the ''baby boomers'', continues to age;

Whereas polycystic kidney disease instills in patients fear of an unknown future with a life-threatening genetic disease and apprehension over possible discrimination, including the risk of losing their health and life insurance, their jobs, and their chances for promotion;

Whereas countless friends, loved ones, spouses, and caregivers must shoulder the physical, emotional, and financial burdens that polycystic kidney disease causes;

Whereas the severity of the symptoms of polycystic kidney disease and the limited public awareness of the disease cause many patients to live in denial and forego regular visits to their physicians or avoid following good health management, which would help avoid more severe complications when kidney failure occurs;

Whereas people who have chronic, life-threatening diseases like polycystic kidney disease have a predisposition to depression and its resultant consequences of 7 times the national average because of their anxiety over pain, suffering, and premature death; and

Whereas the PKD Foundation and its more than 60 volunteer chapters around the United States are dedicated to conducting research to find treatments and a cure for polycystic kidney disease, fostering public awareness and understanding of the disease, educating patients and their families about the disease to improve their treatment and care, and providing support and encouraging people to become organ donors, including by sponsoring the annual ''Walk for PKD'' to raise funds for polycystic kidney disease research, education, advocacy, and awareness: Now, therefore, be it

Resolved, That the Senate—

(1) designates the first Wednesday in September 2013 as ''National Polycystic Kidney Disease Awareness Day'';

(2) supports the goals and ideals of National Polycystic Kidney Disease Awareness Day to raise public awareness and understanding of polycystic kidney disease;

(3) recognizes the need for additional research to find a cure for polycystic kidney disease; and

(4) encourages all people in the United States and interested groups to support National Polycystic Kidney Awareness Day through appropriate ceremonies and activities to promote public awareness of polycystic kidney disease and to foster understanding of the impact of the disease on patients and their families.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1287. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1288. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1289. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, supra; which was ordered to lie on the table.

SA 1290. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, supra; which was ordered to lie on the table.

SA 1291. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, supra; which was ordered to lie on the table.

SA 1292. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, supra; which was ordered to lie on the table.

SA 1293. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1294. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1295. Mr. CRUZ (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1296. Mr. SCHATZ (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1297. Ms. KLOBUCHAR (for herself, Mr. COATS, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1298. Mr. PRYOR (for himself and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1299. Mr. GRASSLEY (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1300. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1301. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1302. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1303. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1304. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1305. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1306. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1307. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1308. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1309. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1310. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1311. Mr. BROWN (for himself, Mr. GRASSLEY, Mr. MANCHIN, and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1312. Mr. SANDERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1313. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1314. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1315. Mr. KING (for Mr. GRASSLEY) proposed an amendment to the bill S. 330, to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

TEXT OF AMENDMENTS

SA 1287. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 855, strike line 24 and all that follows through page 856, line 9, and insert the following:

(1) PROCESSING OF APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—

(A) IN GENERAL.—Not earlier than the date on which the Secretary submits a certification to Congress stating that the Department has maintained effective control of high-risk border sectors along the Southern border for a period of not less than 6 months, the Secretary may commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act.

(B) HIGH-RISK BORDER SECTOR DEFINED.—In this paragraph, the term ''high-risk border sector'' means a border sector in which more than 30,000 individuals were apprehended by the Department during the most recent fiscal year.

SA 1288. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1583, line 19, before ''to conduct'' insert '', in addition to for-profit entities,''.

SA 1289. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ELIGIBILITY FOR CHILD TAX CREDIT.

(a) REQUIRED SUBMISSION OF TAXPAYER IDENTIFICATION NUMBERS.—

(1) IN GENERAL.—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended by striking ''under this section to a taxpayer'' and all that follows and inserting ''under this section to any taxpayer unless—

''(1) such taxpayer includes the taxpayer's valid identification number (as defined in

section 6428(h)(2)) on the return of tax for the taxable year, and

''(2) with respect to any qualifying child, the taxpayer includes the name and taxpayer identification number of such qualifying child on such return of tax.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after the date of the enactment of this Act.

(b) REPORT BY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—Not later than 90 days after the end of the first fiscal year following the date of the enactment of this Act, the Treasury Inspector General for Tax Administration shall submit a report to the relevant committees of Congress that includes the total amount of credits allowed under section 24 of the Internal Revenue Code of 1986 for the preceding fiscal year to individuals who—

(1) were unlawfully present in the United States; or

(2) were not citizens or lawful permanent residents of the United States and filed a tax return without a valid identification number for the taxpayer or the qualifying child.

SA 1290. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title III, add the following:

SEC. 3722. UNLAWFUL VOTING.

(a) AGGRAVATED FELONY.—Paragraph (43) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended—

(1) in subparagraph (T), by striking ''and'' at the end;

(2) in subparagraph (U), by striking the period at the end and inserting a semicolon and ''and''; and

(3) by adding at the end the following:

''(V) an offense described in section 611 of title 18, United States Code, committed by an alien who is unlawfully present in the United States.''.

(b) DEPORTABLE OFFENSE.—Paragraph (2) of section 237(a) of the Immigration and Nationality Act (8 U.S.C. 1227(a)), as amended by sections 3701 and 3702, is further amended by adding at the end the following:

''(I) VOTING OFFENSES.—Any alien who is unlawfully present in the United States and who knowingly commits a violation of section 611 of title 18, United States Code.''.

SA 1291. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON USE OF FEDERAL FUNDS IN CONTRAVENTION OF SECTION 642(A) OF THE ILLEGAL IMMIGRATION REFORM AND IMMIGRANT RESPONSIBILITY ACT OF 1996.

No funds made available under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.) or under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

SA 1292. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1300, between lines 11 and 12, insert the following:

CHAPTER 5—BIRTHRIGHT CITIZENSHIP

SEC. 2561. SHORT TITLE.

This chapter may be cited as the ''Birthright Citizenship Act of 2013''.

SEC. 2562. CITIZENSHIP AT BIRTH FOR CERTAIN PERSONS BORN IN THE UNITED STATES.

(a) IN GENERAL.—Section 301 (8 U.S.C. 1401) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''The following'';

(2) by redesignating subsections (a) through (h) as paragraphs (1) through (8), respectively, and indenting such paragraphs, as redesignated, an additional 2 ems to the right; and

(3) by adding at the end the following:

''(b) DEFINITION.—Acknowledging the right of birthright citizenship established by section 1 of the 14th Amendment to the Constitution of the United States, a person born in the United States shall be considered 'subject to the jurisdiction' of the United States for purposes of subsection (a)(1) only if the person is born in the United States and at least 1 of the person's parents is—

''(1) a citizen or national of the United States;

''(2) an alien lawfully admitted for permanent residence in the United States whose residence is in the United States; or

''(3) an alien performing active service in the armed forces (as defined in section 101 of title 10, United States Code).''.

(b) APPLICABILITY.—The amendment made by subsection (a)(3) may not be construed to affect the citizenship or nationality status of any person born before the date of the enactment of this Act.

SA 1293. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1829, between lines 20 and 21, insert the following:

''(C) SET ASIDE.—

''(i) IN GENERAL.—Of the registered positions authorized under each of clauses (i), (ii), and (iii), 5,000 shall be set aside for W nonimmigrants who will be employed in areas of Alaska designated by the Alaska Department of Labor and Workforce Development in an occupation in the seafood processing industry that has been designated by the Commissioner as a shortage occupation.

''(ii) RELEASE OF VISAS.—Any visas set aside in a program year pursuant to clause (i) that are not issued by July 1st of such year, shall be made available for W nonimmigrants not described in clause (i).

SA 1294. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 969, beginning on line 15, strike ''employment'' and insert ''employment, community service, or education''.

On page 969, line 24, strike ''EMPLOYMENT OR EDUCATION'' and inserting ''EMPLOYMENT, EDUCATION, OR COMMUNITY SERVICE''.

On page 970, line 7, insert ''or engaged in community service'' after ''regularly employed''.

On page 986, line 3, insert ''or engaged in community service'' after ''regularly employed''.

On page 987, beginning on line 6, strike ''employment or education'' and insert ''employment, education, or community service''.

On page 987, line 11, strike ''employment or education,'' and insert ''employment, education, or community service,''.

On page 987, between lines 18 and 19 insert the following:

''(V) records of a faith-based or nonprofit organization recognized as such, pursuant to section 501(c) of the Internal Revenue Code 16 of 1986;''.

SA 1295. Mr. CRUZ (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1626, between lines 12 and 13, insert the following:

Subtitle ____—PROTECTING VOTER INTEGRITY

SEC. 3901. STATES PERMITTED TO REQUIRE PROOF OF CITIZENSHIP FOR VOTER REGISTRATION.

Section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4) is amended by adding at the end the following new subsection:

''(e) PROOF OF CITIZENSHIP.—Nothing in subsection (a) shall be construed to preempt any State law requiring evidence of citizenship in order to complete any requirement to register to vote in elections for Federal office.''.

SA 1296. Mr. SCHATZ (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE V—MISCELLANEOUS

SEC. 5001. REPORT ON VISA PROCESSING AT UNITED STATES EMBASSIES AND CONSULATES.

(a) INITIAL REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on visa processing at United States embassies and consulates that—

(1) assesses the efforts of the Department of State to expand its visa processing capacity in the People's Republic of China and Brazil;

(2) provides recommendations, if warranted, for improving the effectiveness of those efforts;

(3) identifies the challenges to meeting staffing requirements with respect to visa processing at United States embassies and consulates, including staffing shortages and foreign language proficiency requirements;

(4) discusses how those challenges affect the ability of the Department of State to carry out visa operations;

(5) describes what actions the Department of State has taken to address those challenges; and

(6) provides recommendations, if warranted, for improving the efforts of the Department of State to meet staffing requirements at United States embassies and consulates.

(b) SUBSEQUENT REPORT.—Not later than 2 years after submitting the report required by subsection (a), the Comptroller General shall submit to Congress a report assessing the progress made by the Department of State with respect to the matters included in the report required by subsection (a) since the submission of that report.

SA 1297. Ms. KLOBUCHAR (for herself, Mr. COATS, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1226, line 3, strike ''Section'' and insert the following:

(a) IN GENERAL.—Section

On page 1226, after line 25, add the following:

(b) EFFECT OF ADOPTION DOCUMENTATION.—

(1) IN GENERAL.—For purposes of all immigration laws of the United States, the Director of U.S. Citizenship and Immigration Services, the Secretary of State, and all other Federal agencies shall accept adoption documentation presented on behalf of a child as evidence that the child satisfies the requirements set forth in section 101(b)(1)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)(E)), regardless of whether the child has been in the legal custody of, and has resided with, the adopting parent or parents for 2 years, if the documentation includes—

(A) a Hague Adoption Certificate, certifying that the adoption of the child was granted in compliance with the Convention, affixed to an adoption decree issued by the Central Authority (as such term is used in the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, done at the Hague on May 29, 1993) of the child's sending country to the adoptive parents,; or

(B) a Hague Custody Declaration, certifying that the custody of the child was granted in compliance with the Convention, affixed to a custody or guardianship decree issued by the Central Authority of the child's sending country to the adoptive parents, and a final adoption decree, verifying that the adoption of the child was later finalized outside the United States by the adoptive parents.

(2) SUBSTANTIAL COMPLIANCE WITH HAGUE CONVENTION.—Paragraph (1) shall not apply unless, on the date on which the underlying adoption, custody, or guardianship decree was issued by the child's sending country, that country's adoption procedures substantially complied with the requirements of the Convention.

SA 1298. Mr. PRYOR (for himself and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1102, add the following:

(e) RECRUITMENT OF FORMER MEMBERS OF THE ARMED FORCES AND MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—

(1) REQUIREMENT FOR PROGRAM.—The Secretary, in conjunction with the Secretary of Defense, shall establish a program to actively recruit members of the reserve components of the Armed Forces and former members of the Armed Forces, including the reserve components, to serve in United States Customs and Border Protection and United States Immigration and Customs Enforcement.

(2) RECRUITMENT INCENTIVES.—

(A) STUDENT LOAN REPAYMENTS FOR UNITED STATES BORDER PATROL AGENTS WITH A THREE-YEAR COMMITMENT.—Section 5379(b) of title 5, United States Code, is amended by adding at the end the following new paragraph:

''(4) In the case of an employee who is otherwise eligible for benefits under this section and who is serving as a full-time active-duty United States border patrol agent within the Department of Homeland Security—

''(A) paragraph (2)(A) shall be applied by substituting '$20,000' for '$10,000'; and

''(B) paragraph (2)(B) shall be applied by substituting '$80,000' for '$60,000'.''.

(B) RECRUITMENT AND RELOCATION BONUSES AND RETENTION ALLOWANCES FOR PERSONNEL OF THE DEPARTMENT OF HOMELAND SECURITY.—The Secretary of Homeland Security shall ensure that the authority to pay recruitment and relocation bonuses under section 5753 of title 5, United States Code, the authority to pay retention bonuses under section 5754 of such title, and any other similar authorities available under any other provision of law, rule, or regulation, are exercised to the fullest extent allowable in order to encourage service in the Department of Homeland Security.

(3) REPORT ON RECRUITMENT INCENTIVES.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary and the Secretary of Defense shall jointly submit to the appropriate committees of Congress a report including an assessment of the desirability and feasibility of offering incentives to members of the reserve components of the Armed Forces and former members of the Armed Forces, including the reserve components, for the purpose of encouraging such members to serve in United States Customs and Border Protection and Immigration and Customs Enforcement.

(B) CONTENT.—The report required by subparagraph (A) shall include—

(i) a description of various monetary and non-monetary incentives considered for purposes of the report; and

(ii) an assessment of the desirability and feasibility of utilizing any such incentive.

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Homeland Security of the House of Representatives.

SA 1299. Mr. GRASSLEY (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3701 and insert the following:

SEC. 3701. CRIMINAL GANGS.

(a) DEFINITION OF CRIMINAL GANG.—Section 101(a) (8 U.S.C. 1101(a)) is amended by inserting after paragraph (51) the following:

''(52)(A) The term 'criminal gang' means an ongoing group, club, organization, or association of 5 or more persons—

''(i) that has as 1 of its primary purposes the commission of 1 or more of the criminal offenses described in subparagraph (B); and

''(ii) the members of which engage, or have engaged within the past 5 years, in a continuing series of offenses described in subparagraph (B).

''(B) The offenses described in this subparagraph are the following, whether in violation of Federal or State law or in violation of the law of a foreign country:

''(i) A felony drug offense (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

''(ii) A felony offense involving firearms or explosives or in violation of section 931 of title 18, United States Code (relating to purchase, ownership, or possession of body armor by violent felons).

''(iii) An offense under section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose).

''(iv) A felony crime of violence (as defined in section 16 of title 18, United States Code).

''(v) A crime involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, or burglary

''(vi) Any conduct punishable under sections 1028 and 1029 of title 18, United States Code (relating to fraud and related activity in connection with identification documents or access devices), sections 1581 through 1594 of such title (relating to peonage, slavery and trafficking in persons), section 1952 of such title (relating to interstate and foreign travel or transportation in aid of racketeering enterprises), section 1956 of such title(relating to the laundering of monetary instruments), section 1957 of such title (relating to engaging in monetary transactions in property derived from specified unlawful activity), or sections 2312 through 2315 of such title(relating to interstate transportation of stolen motor vehicles or stolen property).

''(vii) Conspiracy to commit an offense described in specified in clauses (i) through (vi).''.

(b) INADMISSIBILITY.—Section 212(a)(2) (8 U.S.C. 1182(a)(2)) is amended by inserting after subparagraph (I) the following:

''(J) ALIENS IN CRIMINAL GANGS.—Any alien is inadmissible who—

''(i) is a member of a criminal gang unless the alien can demonstrate by clear and convincing evidence that the alien did not know, and should not reasonably have known, that the organization was a criminal gang; and

''(ii) is determined by an immigration judge to be a danger to the community.''.

(c) GROUNDS FOR DEPORTATION.—Section 237(a)(2) (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

''(G) ALIENS IN CRIMINAL GANGS.—Any alien is removable who—

''(i) is a member of a criminal gang unless the alien can demonstrate by clear and convincing evidence that the alien did not know, and should not reasonably have known, that the organization was a criminal gang; and

''(ii) is determined by an immigration judge to be a danger to the community.''.

(d) GROUND OF INELIGIBILITY FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—An alien who is 18 years of age or older is ineligible for registered provisional immigrant status if the Secretary determines that the alien—

(1) is a member of a criminal gang (as defined in section 101(a)(52) of the Immigration and Nationality Act, as amended by subsection (a)) unless the alien can demonstrate by clear and convincing evidence that the alien did not know, and should not reasonably have known, that the organization was a criminal gang; and

(2) has been determined by the Secretary to be a danger to the community.

SA 1300. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. IDENTITY THEFT.

(a) FRAUD.—Section 1028 of title 18, United States Code, is amended—

(1) in subsection (a)(7), by striking ''of another person'' and inserting ''that is not his or her own''; and

(2) in subsection (b)(3)—

(A) in subparagraph (B), by striking ''or'' at the end;

(B) in subparagraph (C), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(D) to facilitate or assist in harboring or hiring unauthorized workers in violation of section 274, 274A, or 274C of the Immigration and Nationality Act (8 U.S.C. 1324, 1324a, 1324c);''.

(b) AGGRAVATED IDENTITY THEFT.—Section 1028A(a) of such title is amended by striking ''of another person'' both places it appears and inserting ''that is not his or her own''.

SA 1301. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 3704 through 3707 and insert the following:

SEC. 3704. ILLEGAL ENTRY.

(a) IN GENERAL.—Section 275 (8 U.S.C. 1325) is amended to read as follows:

''SEC. 275. ILLEGAL ENTRY.

''(a) IN GENERAL.—

''(1) CRIMINAL OFFENSES.—An alien shall be subject to the penalties set forth in paragraph (2) if the alien—

''(A) enters, attempts to enter, or crosses the border into the United States at any time or place other than as designated by the Secretary of Homeland Security;

''(B) eludes examination or inspection by an immigration officer, or a customs or agriculture inspection at a port of entry; or

''(C) attempts to enter or obtains entry to the United States by means of a knowingly false or misleading representation or the concealment of a material fact.

''(2) CRIMINAL PENALTIES.—Any alien who violates any provision under paragraph (1)—

''(A) shall, for the first violation, be fined under title 18, United States Code, imprisoned not more than 12 months, or both;

''(B) shall, for a second or subsequent violation, or following an order of voluntary departure, be fined under such title, imprisoned not more than 3 years, or both;

''(C) if the violation occurred after the alien had been convicted of 3 or more misdemeanors or of a felony, shall be fined under such title, imprisoned not more than 10 years, or both; and

''(D) if the violation occurred after the alien had been convicted of a felony for which the alien was sentenced to a term of imprisonment, shall be fined under such title, imprisoned not more than 15 years, or both.

''(3) PRIOR CONVICTIONS.—The prior convictions described in subparagraphs (C) and (D) of paragraph (2) are elements of the offenses described in that paragraph and the penalties in such subparagraphs shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

''(A) alleged in the indictment or information; and

''(B) proven beyond a reasonable doubt at trial or admitted by the defendant under oath as part of a plea agreement.

''(b) IMPROPER TIME OR PLACE; CIVIL PENALTIES.—Any alien who is apprehended while knowingly entering, attempting to enter, or crossing or attempting to cross the border to the United States at a time or place other than as designated by immigration officers shall be subject to a civil penalty, in addition to any criminal or other civil penalties that may be imposed under any other provision of law, in an amount equal to—

''(1) not less than $250 or more than $5,000 for each such entry, crossing, attempted entry, or attempted crossing; or

''(2) twice the amount specified in paragraph (1) if the alien had previously been subject to a civil penalty under this subsection.

''(c) FRAUDULENT MARRIAGE.—An individual who knowingly enters into a marriage for the purpose of evading any provision of the immigration laws shall be imprisoned for not more than 5 years, fined not more than $250,000, or both.

''(d) COMMERCIAL ENTERPRISES.—Any individual who knowingly establishes a commercial enterprise for the purpose of evading any provision of the immigration laws shall be imprisoned for not more than 5 years, fined in accordance with title 18, United States Code, or both.''.

(b) CLERICAL AMENDMENT.—The table of contents is amended by striking the item relating to section 275 and inserting the following:

''Sec. 275. Illegal entry.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year after the date of the enactment of this Act.

SEC. 3705. REENTRY OF REMOVED ALIEN.

Section 276 (8 U.S.C. 1326) is amended to read as follows:

''SEC. 276. REENTRY OF REMOVED ALIEN.

''(a) REENTRY AFTER REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed, or who has departed the United States while an order of exclusion, deportation, or removal is outstanding, and subsequently enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 2 years, or both.

''(b) REENTRY OF CRIMINAL OFFENDERS.—Notwithstanding the penalty provided in subsection (a), if an alien described in that subsection—

''(1) was convicted for 3 or more misdemeanors before such removal or departure, the alien shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both;

''(2) was convicted for an aggravated felony before such removal or departure, the alien shall be fined under such title, imprisoned not more than 20 years, or both;

''(3) was convicted for a felony before such removal or departure for which the alien was sentenced to a term of imprisonment of not less than 60 months, the alien shall be fined under such title, imprisoned not more than 20 years, or both;

''(4) was convicted for 3 felonies before such removal or departure, the alien shall be fined under such title, imprisoned not more than 20 years, or both, unless the Attorney General expressly consents to the entry or reentry, as the case may be, of the alien; or

''(5) was convicted, before such removal or departure, for murder, rape, kidnapping, or a felony offense described in chapter 77 (relating to peonage and slavery) or 113B (relating to terrorism) of such title, the alien shall be fined under such title, imprisoned not more than 20 years, or both.

''(c) REENTRY AFTER REPEATED REMOVAL.—Any alien who has been denied admission, excluded, or deported and thereafter enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both, unless the Attorney General expressly consents to the entry or reentry, as the case may be, of the alien.

''(d) PROOF OF PRIOR CONVICTIONS.—The prior convictions described in subsection (b) are elements of the offenses described in that subsection, and the penalties in such subsection shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

''(1) alleged in the indictment or information; and

''(2) proven beyond a reasonable doubt at trial or admitted by the defendant under oath as part of a plea agreement.

''(e) AFFIRMATIVE DEFENSES.—It shall be an affirmative defense to a violation of this section that—

''(1) prior to the alleged violation, the alien had sought and received the express consent of the Secretary of Homeland Security to reapply for admission into the United States; or

''(2) at the time of the prior exclusion, deportation, removal, or denial of admission alleged in the violation, the alien had not yet reached 18 years of age and had not been convicted of a crime or adjudicated a delinquent minor by a court of the United States, or a court of a state or territory, for conduct that would constitute a felony if committed by an adult.

''(f) LIMITATION ON COLLATERAL ATTACK ON UNDERLYING DEPORTATION ORDER.—In a criminal proceeding under this section, an alien may not challenge the validity of the deportation order described in subsection (a) or subsection (c) unless the alien demonstrates that—

''(1) the alien exhausted any administrative remedies that may have been available to seek relief against the order;

''(2) the deportation proceedings at which the order was issued improperly deprived the alien of the opportunity for judicial review; and

''(3) the entry of the order was fundamentally unfair.

''(g) REENTRY OF ALIEN REMOVED PRIOR TO COMPLETION OF TERM OF IMPRISONMENT.—Any alien removed pursuant to section 241(a)(4)

who enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in, the United States shall be incarcerated for the remainder of the sentence of imprisonment which was pending at the time of deportation without any reduction for parole or supervised release. Such alien shall be subject to such other penalties relating to the reentry of removed aliens as may be available under this section or any other provision of law.

''(h) LIMITATION.—It is not aiding and abetting a violation of this section for an individual to provide an alien with emergency medical care and food or to transport the alien to a location where such medical care or food can be provided without compensation or the expectation of compensation.

''(i) DEFINITIONS.—In this section:

''(1) FELONY.—The term 'felony' means any criminal offense punishable by a term of imprisonment of more than 1 year under the laws of the United States, any State, or a foreign government.

''(2) MISDEMEANOR.—The term 'misdemeanor' means any criminal offense punishable by a term of imprisonment of not more than 1 year under the applicable laws of the United States, any State, or a foreign government.

''(3) REMOVAL.—The term 'removal' includes any denial of admission, exclusion, deportation, or removal, or any agreement by which an alien stipulates or agrees to exclusion, deportation, or removal.

''(4) STATE.—The term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''.

SEC. 3706. PENALTIES RELATED TO REMOVAL.

(a) PENALTIES RELATING TO VESSELS AND AIRCRAFT.—Section 243(c) (8 U.S.C. 1253(c)) is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(2) by striking ''Commissioner'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(3) in paragraph (1)—

(A) in subparagraph (A), by striking ''$2,000'' and inserting ''$5,000'';

(B) in subparagraph (B), by striking ''$5,000'' and inserting ''$10,000''; and

(C) by inserting at the end the following:

''(D) EXCEPTION.—A person, acting without compensation or the expectation of compensation, is not subject to penalties under this paragraph if the person is—

''(i) providing, or attempting to provide, an alien with emergency medical care or food or water; or

''(ii) transporting the alien to a location where such medical care, food, or water can be provided without compensation or the expectation of compensation.''.

(b) DISCONTINUATION OF VISAS TO NATIONALS OF COUNTRIES DENYING OR DELAYING ACCEPTING ALIEN.—Section 243(d) (8 U.S.C. 1253(d)) is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(2) by striking ''notifies the Secretary'' and inserting ''notifies the Secretary of State''.

SEC. 3707. REFORM OF PASSPORT, VISA, AND IMMIGRATION FRAUD OFFENSES.

(a) TRAFFICKING IN PASSPORTS.—Section 1541 of title 18, United States Code, is amended to read as follows:

''§ 1541. Issuance of passports without authority

''(a) IN GENERA.—Subject to subsection (b), any person who knowingly—

''(1) and without lawful authority produces, issues, or transfers a passport;

''(2) forges, counterfeits, alters, or falsely makes a passport;

''(3) secures, possesses, uses, receives, buys, sells, or distributes a passport, knowing the passport to be forged, counterfeited, altered, falsely made, stolen, procured by fraud, or produced or issued without lawful authority; or

''(4) completes, mails, prepares, presents, signs, or submits an application for a United States passport, knowing the application to contain any materially false statement or representation,

shall be fined under this title, imprisoned not more than 20 years, or both.

''(b) USE IN A TERRORISM OFFENSE.—Any person who commits an offense described in subsection (a) to facilitate an act of international terrorism (as defined in section 2331) shall be fined under this title, imprisoned not more than 25 years, or both.

''(c) PASSPORT MATERIALS.—Any person who knowingly and without lawful authority produces, buys, sells, possesses, or uses any official material (or counterfeit of any official material) to make a passport, including any distinctive paper, seal, hologram, image, text, symbol, stamp, engraving, or plate, shall be fined under this title, imprisoned not more than 20 years, or both.''.

(b) FALSE STATEMENT IN AN APPLICATION FOR A PASSPORTS.—Section 1542 of title 18, United States Code, is amended to read as follows:

''§ 1542. False statement in an application for a passport

''(a) IN GENERAL.—Any person who—

''(1) knowingly makes any false statement or representation in an application for a United States passport, or mails, prepares, presents, or signs an application for a United States passport knowing the application to contain any false statement or representation and with intent to induce or secure the issuance of a passport under the authority of the United States, either for the person's own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws; or

''(2) knowingly uses or attempts to use, or furnishes to another for use, any passport the issuance of which was secured in any way by reason of any false statement,

shall be fined under this title, imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)), or 15 years (in the case of any other offense), or both.

''(b) VENUE.—

''(1) IN GENERAL.—An offense under subsection (a) may be prosecuted in any district—

''(A) in which the false statement or representation was made or the application for a United States passport was prepared or signed; or

''(B) in which or to which the application was mailed or presented.

''(2) OFFENSES OUTSIDE THE UNITED STATES.—An offense under subsection (a) involving an application prepared and adjudicated outside the United States may be prosecuted in the district in which the resultant passport was or would have been produced.

''(c) SAVINGS CLAUSE.—Nothing in this section may be construed to limit the venue otherwise available under sections 3237 and 3238 of this title.''.

(c) MISUSE OF A PASSPORT.—Section 1544 of title 18, United States Code, is amended to read as follows:

''§ 1544. Misuse of a passport

''Any person who knowingly—

''(1) uses or attempts to use any passport issued or designed for the use of another;

''(2) uses or attempts to use any passport in violation of the conditions and restrictions specified in the passport or any rules or regulations prescribed pursuant to the laws regulating the issuance of passports; or

''(3) secures, possesses, uses, receives, buys, sells, or distributes any passport knowing the passport to be forged, counterfeited, altered, falsely made, procured by fraud, or produced or issued without lawful authority,

shall be fined under this title, imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)) or 15 years (in the case of any other offense), or both.''.

(d) SCHEMES TO PROVIDE FRAUDULENT IMMIGRATION SERVICES.—Section 1545 of title 18, United States Code, is amended to read as follows:

''§ 1545. Schemes to provide fraudulent immigration services

''(a) IN GENERAL.—Any person who knowingly executes a scheme or artifice, in connection with any matter that is authorized by or arises under any Federal immigration law or any matter the offender claims or represents is authorized by or arises under any Federal immigration law, to—

''(1) defraud any person; or

''(2) obtain or receive money or anything else of value from any person by means of false or fraudulent pretenses, representations, or promises,

shall be fined under this title, imprisoned not more than 10 years, or both.

''(b) MISREPRESENTATION.—Any person who knowingly and falsely represents that such person is an attorney or an accredited representative (as that term is defined in section 1292.1 of title 8, Code of Federal Regulations (or any successor regulation)) in any matter arising under any Federal immigration law shall be fined under this title, imprisoned not more than 15 years, or both.''.

(e) IMMIGRATION AND VISA FRAUD.—Section 1546 of title 18, United States Code, is amended by amending the section heading to read as follows:

''§ 1546. Immigration and visa fraud".

(f) ALTERNATIVE IMPRISONMENT MAXIMUM FOR CERTAIN OFFENSES.—Section 1547 of title 18, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''(other than an offense under section 1545)'';

(2) in paragraph (1), by striking ''15'' and inserting ''20''; and

(3) in paragraph (2), by striking ''20'' and inserting ''25''.

(g) AUTHORIZED LAW ENFORCEMENT ACTIVITIES.—Chapter 75 of title 18, United States Code, is amended by adding after section 1547 the following:

''§ 1548. Authorized law enforcement activities

''Nothing in this chapter may be construed to prohibit—

''(1) any lawfully authorized investigative, protective, or intelligence activity of a law

enforcement agency of the United States, a State, or a political subdivision of a State, or an intelligence agency of the United States; or

''(2) any activity authorized under title V of the Organized Crime Control Act of 1970 (Public Law 91–452; 84 Stat. 933).''.

(h) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 75 of title 18, United States Code, is amended to read as follows:

''Sec.
''1541. Trafficking in passports.
''1542. False statement in an application for a passport.
''1543. Forgery or false use of a passport.
''1544. Misuse of a passport.
''1545. Schemes to provide fraudulent immigration services.
''1546. Immigration and visa fraud.
''1547. Alternative imprisonment maximum for certain offenses.
''1548. Authorized law enforcement activities.''.

SA 1302. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1572, beginning on line 23, strike ''abandonment, provided the alien served at least 1 year imprisonment for the crime, or provided the alien was convicted of offenses constituting more than 1 such crime, not arising out of a single scheme of criminal misconduct,'' and insert ''abandonment''.

On page 1574, lines 9 and 10, strike ''constitutes criminal contempt of'' and insert ''violates''.

SA 1303. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3717, relating to procedures for bond hearings and filing of notices to appear.

SA 1304. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1490, strike line 8 and all that follows through ''(d)'' on page 1491, line 4, and insert the following:

(a) IMMIGRATION COURT JUDGES.—The Attorney General may increase the total number of immigration judges to adjudicate current pending cases and process future cases, in a cost-effective manner, to the extent that such increase is consistent with the findings in the report prepared by the Comptroller General of the United States pursuant to subsection (d).

(b) NECESSARY SUPPORT STAFF FOR IMMIGRATION COURT JUDGES.—The Attorney General may address the shortage of support staff for immigration judges by ensuring that each immigration judge has the assistance of the necessary support staff to the extent recommended in the report prepared by the Comptroller General of the United States pursuant to subsection (d).

(c) ANNUAL INCREASES IN BOARD OF IMMIGRATION APPEALS PERSONNEL.—The Attorney General may increase the number of Board of Immigration Appeals staff attorneys and support staff to the extent that such increase is consistent with the findings in the report prepared by the Comptroller General of the United States pursuant to subsection (d).

(d) STUDY AND REPORT.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study of—

(A) the workload at the Executive Office for Immigration Review of the Department of Justice (referred to in this paragraph as the ''EOIR'') during the 1-year period beginning on the date of the enactment of this Act;

(B) the change in the workload at the EOIR from the 1-year period ending on the date of the enactment of this Act to the period described in subparagraph (A);

(C) the potential impact of this Act on the workload at the EOIR during the 15-year period beginning on the date of the enactment of this Act; and

(D) the number of judges, attorneys, and support staff needed at the EOIR to cost-effectively manage the workload described in subparagraph (A).

(2) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains the results of the study conducted under paragraph (1), including any staffing recommendations.

(e)

SA 1305. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1498, line 3, strike ''a 3-judge panel of''.

On page 1498, beginning on line 14, strike ''a written opinion.'' and all that follows through ''discretion.'' on line 21, and insert ''an opinion.''.

SA 1306. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1491, strike line 11 and all that follows through ''(d)'' on page 1494, line 18, and insert the following:

(a) APPOINTMENT OF COUNSEL FOR UNACCOMPANIED ALIEN CHILDREN AND ALIENS WITH A SERIOUS MENTAL DISABILITY.—Section 292 (8 U.S.C. 1362) is amended by adding at the end the following: ''The Attorney General may appoint counsel to represent an alien in a removal proceeding who has been determined by the Secretary to be an unaccompanied alien child or is incompetent to represent himself or herself due to a serious mental disability such that the appointment of counsel is necessary to help ensure fair resolution and efficient adjudication of the proceedings.''.

(b)

SA 1307. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1494, strike line 23 and all that follows through page 1496, line 25.

SA 1308. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. VIRGIN ISLANDS VISA WAIVER PROGRAM.

(a) IN GENERAL.—Section 212(l) of the Immigration and Nationality Act (8 U.S.C. 1182(l)) is amended—

(1) by amending the subsection heading to read as follows: ''GUAM, NORTHERN MARIANA ISLANDS, AND VIRGIN ISLANDS VISA WAIVER PROGRAMS.—''; and

(2) by adding at the end the following:

''(7) VIRGIN ISLANDS VISA WAIVER PROGRAM.—

''(A) IN GENERAL.—The requirement of subsection (a)(7)(B)(i) may be waived by the Secretary of Homeland Security, in the case of an alien who is a national of a country described in subparagraph (B) and who is applying for admission as a nonimmigrant visitor for business or pleasure and solely for entry into and stay in the United States Virgin Islands for a period not to exceed 30 days, if the Secretary of Homeland Security, after consultation with the Secretary of the Interior, the Secretary of State, the Governor of the United States Virgin Islands, determines that such a waiver does not represent a threat to the welfare, safety, or security of the United States or its territories and commonwealths.

''(B) COUNTRIES.—A country described in this subparagraph is a country that—

''(i) is a member or an associate member of the Caribbean Community (CARICOM); and

''(ii) is listed in the regulations described in subparagraph (D).

''(C) ALIEN WAIVER OF RIGHTS.—An alien may not be provided a waiver under this paragraph unless the alien has waived any right—

''(i) to review or appeal under this Act an immigration officer's determination as to the admissibility of the alien at the port of entry into the United States Virgin Islands; or

''(ii) to contest, other than on the basis of an application for withholding of removal under section 241(b)(3) of this Act or under the Convention Against Torture, or an application for asylum if permitted under section 208, any action for removal of the alien.

''(D) REGULATIONS.—All necessary regulations to implement this paragraph shall be promulgated by the Secretary of Homeland Security, in consultation with the Secretary of the Interior and the Secretary of State, on or before the date that is 1 year after the date of enactment of the Virgin Islands Visa Waiver Act of 2013. The promulgation of such regulations shall be considered a foreign affairs function for purposes of section 553(a) of title 5, United States Code. At a minimum, such regulations should include, but not necessarily be limited to—

''(i) a listing of all member or associate member countries of the Caribbean Community (CARICOM) whose nationals may obtain, on a country by country basis, the waiver provided by this paragraph, except that such regulations shall not provide for a listing of any country if the Secretary of Homeland Security determines that such

country's inclusion on such list would represent a threat to the welfare, safety, or security of the United States or its territories and commonwealths; and

''(ii) any bonding requirements for nationals of some or all of those countries who may present an increased risk of overstays or other potential problems, if different from such requirements otherwise provided by law for nonimmigrant visitors.

''(E) FACTORS.—In determining whether to grant or continue providing the waiver under this paragraph to nationals of any country, the Secretary of Homeland Security, in consultation with the Secretary of the Interior and the Secretary of State, shall consider all factors that the Secretary deems relevant, including electronic travel authorizations, procedures for reporting lost and stolen passports, repatriation of aliens, rates of refusal for nonimmigrant visitor visas, overstays, exit systems, and information exchange.

''(F) SUSPENSION.—The Secretary of Homeland Security shall monitor the admission of nonimmigrant visitors to the United States Virgin Islands under this paragraph. If the Secretary determines that such admissions have resulted in an unacceptable number of visitors from a country remaining unlawfully in the United States Virgin Islands, unlawfully obtaining entry to other parts of the United States, or seeking withholding of removal or asylum, or that visitors from a country pose a risk to law enforcement or security interests of the United States Virgin Islands or of the United States (including the interest in the enforcement of the immigration laws of the United States), the Secretary shall suspend the admission of nationals of such country under this paragraph. The Secretary of Homeland Security may in the Secretary's discretion suspend the United States Virgin Islands visa waiver program at any time, on a country-by-country basis, for other good cause.

''(G) ADDITION OF COUNTRIES.—The Governor of the United States Virgin Islands may request the Secretary of the Interior and the Secretary of Homeland Security to add a particular country to the list of countries whose nationals may obtain the waiver provided by this paragraph, and the Secretary of Homeland Security may grant such request after consultation with the Secretary of the Interior and the Secretary of State, and may promulgate regulations with respect to the inclusion of that country and any special requirements the Secretary of Homeland Security, in the Secretary's sole discretion, may impose prior to allowing nationals of that country to obtain the waiver provided by this paragraph.''.

(b) CONFORMING AMENDMENTS.—

(1) DOCUMENTATION REQUIREMENTS.—Section 212(a)(7)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(7)(iii)) is amended to read as follows:

''(iii) SPECIAL VISA WAIVER PROGRAMS.—For a provision authorizing waiver of clause (i) in the case of visitors to Guam, the Commonwealth of the Northern Mariana Islands, or the United States Virgin Islands, see subsection (l).''.

(2) ADMISSION OF NONIMMIGRANTS.—Section 214(a)(1) of such Act (8 U.S.C. 1184(a)(1)) is amended by inserting before the final sentence the following: ''No alien admitted to the United States Virgin Islands without a visa pursuant to section 212(l)(7) may be authorized to enter or stay in the United States other than in United States Virgin Islands or to remain in the United States Virgin Islands for a period exceeding 30 days from date of admission to the United States Virgin Islands.''.

SA 1309. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1740, between lines 14 and 15, insert the following:

(c) ARTISTS PERFORMING SPECIALIZED OR UNIQUE SKILLS IN SUPPORT OF AMERICAN CREATIVE INDUSTRIES.—Section 101(a)(15)(P) (8 U.S.C. 1101(a)(15)(P)) is amended—

(1) in clause (iii), by striking ''or'' at the end;

(2) by redesignating clause (iv) as clause (v);

(3) by inserting after clause (iii) the following:

''(iv) performs work that requires the attainment of specialized or unique skills within the arts or creative industries to be performed solely for an American firm or corporation engaged in whole or in part in the development of foreign trade and commerce of the United States, which shall include the production or distribution of the arts for international display or distribution, including motion pictures or television productions; or''; and

(4) in clause (v) (as so redesignated) by striking ''or (iii)'' and inserting ''(iii), or (iv)''.

(d) EMPLOYMENT AUTHORIZATION FOR SPOUSES.—Section 214(e)(6) (42 U.S.C. 1184(e)(6)) is amended by inserting ''101(a)(15)(O), or 101(a)(15)(P)'' after ''101(a)(15)(E),''.

SA 1310. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1207, line 24, insert after ''equivalent'' the following: '', or who are required to submit health-care worker certificates pursuant to section 212(a)(5)(C) or certified statements pursuant to section 212(r),''.

On page 1824, between lines 14 and 15, insert the following:

''(iii) CERTIFIED HEALTH-CARE WORKERS.—An occupation for which an alien is required to have a health-care worker certificate pursuant to section 212(a)(5)(C) or certified statement pursuant to section 212(r) may not be an eligible occupation.

SA 1311. Mr. BROWN (for himself, Mr. GRASSLEY, Mr. MANCHIN, and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1679, strike lines 12 through 17 and insert the following:

''(iii) has offered the job to any United States worker who applies and is equally or better qualified for the job for which the nonimmigrant or nonimmigrants is or are sought.''.

SA 1312. Mr. SANDERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1920, after line 13, add the following:

TITLE V—JOBS FOR YOUTH

SEC. 5101. DEFINITIONS.

In this title:

(1) CHIEF ELECTED OFFICIAL.—The term ''chief elected official'' means the chief elected executive officer of a unit of local government in a local workforce investment area or in the case in which such an area includes more than one unit of general government, the individuals designated under an agreement described in section 117(c)(1)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2832(c)(1)(B)).

(2) LOCAL WORKFORCE INVESTMENT AREA.—The term ''local workforce investment area'' means such area designated under section 116 of the Workforce Investment Act of 1998 (29 U.S.C. 2831).

(3) LOCAL WORKFORCE INVESTMENT BOARD.—The term ''local workforce investment board'' means such board established under section 117 of the Workforce Investment Act of 1998 (29 U.S.C. 2832).

(4) LOW-INCOME YOUTH.—The term ''low-income youth'' means an individual who—

(A) is not younger than 16 but is younger than 25;

(B) meets the definition of a low-income individual provided in section 101(25) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(25)), except that States and local workforce investment areas, subject to approval in the applicable State plans and local plans, may increase the income level specified in subparagraph (B)(i) of such section to an amount not in excess of 200 percent of the poverty line for purposes of determining eligibility for participation in activities under section 5103; and

(C) is in one or more of the categories specified in section 101(13)(C) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(13)(C)).

(5) POVERTY LINE.—The term ''poverty line'' means a poverty line as defined in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902), applicable to a family of the size involved.

(6) STATE.—The term ''State'' means each of the several States of the United States, and the District of Columbia.

SEC. 5102. ESTABLISHMENT OF YOUTH JOBS FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States an account that shall be known as the Youth Jobs Fund (referred to in this title as ''the Fund'').

(b) DEPOSITS INTO THE FUND.—Out of any amounts in the Treasury not otherwise appropriated, there is appropriated $1,500,000,000 for fiscal year 2014, which shall be paid to the Fund, to be used by the Secretary of Labor to carry out this title.

(c) AVAILABILITY OF FUNDS.—Of the amounts deposited into the Fund under subsection (b), the Secretary of Labor shall allocate $1,500,000,000 to provide summer and year-round employment opportunities to low-income youth in accordance with section 5103 .

(d) PERIOD OF AVAILABILITY.—The amounts appropriated under this title shall be available for obligation by the Secretary of Labor until December 31, 2014, and shall be available for expenditure by grantees (including subgrantees) until September 30, 2015.

SEC. 5103. SUMMER EMPLOYMENT AND YEAR-ROUND EMPLOYMENT OPPORTUNITIES FOR LOW-INCOME YOUTH.

(a) IN GENERAL.—From the funds available under section 5102(c), the Secretary of Labor shall make an allotment under subsection (c)

to each State that has a modification to a State plan approved under section 112 of the Workforce Investment Act of 1998 (29 U.S.C. 2822) (referred to in this section as a ''State plan modification'') (or other State request for funds specified in guidance under subsection (b)) approved under subsection (d) and recipient under section 166(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2911(c)) (referred to in this section as a ''Native American grantee'') that meets the requirements of this section, for the purpose of providing summer employment and year-round employment opportunities to low-income youth.

(b) GUIDANCE AND APPLICATION OF REQUIREMENTS.—

(1) GUIDANCE.—Not later than 20 days after the date of enactment of this Act, the Secretary of Labor shall issue guidance regarding the implementation of this section.

(2) PROCEDURES.—Such guidance shall, consistent with this section, include procedures for—

(A) the submission and approval of State plan modifications, for such other forms of requests for funds by the State as may be identified in such guidance, for modifications to local plans approved under section 118 of the Workforce Investment Act of 1998 (29 U.S.C. 2833) (referred to individually in this section as a ''local plan modification''), or for such other forms of requests for funds by local workforce investment areas as may be identified in such guidance, that promote the expeditious and effective implementation of the activities authorized under this section; and

(B) the allotment and allocation of funds, including reallotment and reallocation of such funds, that promote such implementation.

(3) REQUIREMENTS.—Except as otherwise provided in the guidance described in paragraph (1) and in this section and other provisions of this title, the funds provided for activities under this section shall be administered in accordance with the provisions of subtitles B and E of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq., 2911 et seq.) relating to youth activities.

(c) STATE ALLOTMENTS.—

(1) IN GENERAL.—Using the funds described in subsection (a), the Secretary of Labor shall allot to each State the total of the amounts assigned to the State under subparagraphs (A) and (B) of paragraph (2).

(2) ASSIGNMENTS TO STATES.—

(A) MINIMUM AMOUNTS.—Using funds described in subsection (a), the Secretary of Labor shall assign to each State an amount equal to ½ of 1 percent of such funds.

(B) FORMULA AMOUNTS.—The Secretary of Labor shall assign the remainder of the funds described in subsection (a) among the States by assigning—

(i) 33⅓ percent on the basis of the relative number of individuals in the civilian labor force who are not younger than 16 but younger than 25 in each State, compared to the total number of individuals in the civilian labor force who are not younger than 16 but younger than 25 in all States;

(ii) 33⅓ percent on the basis of the relative number of unemployed individuals in each State, compared to the total number of unemployed individuals in all States; and

(iii) 33⅓ on the basis of the relative number of disadvantaged young adults and youth in each State, compared to the total number of disadvantaged young adults and youth in all States.

(3) REALLOTMENT.—If the Governor of a State does not submit a State plan modification or other State request for funds specified in guidance under subsection (b) by the date specified in subsection (d)(2)(A), or a State does not receive approval of such State plan modification or request, the amount the State would have been eligible to receive pursuant to paragraph (1) shall be allocated to States that receive approval of State plan modifications or requests specified in the guidance. Each such State shall receive a share of the total amount available for reallotment under this paragraph, in accordance with the State's share of the total amount allotted under paragraph (1) to such State.

(4) DEFINITIONS.—For purposes of paragraph (2), the term ''disadvantaged young adult or youth'' means an individual who is not younger than 16 but is younger than 25 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of—

(A) the poverty line; or

(B) 70 percent of the lower living standard income level.

(d) STATE PLAN MODIFICATION.—

(1) IN GENERAL.—For a State to be eligible to receive an allotment of funds under subsection (c), the Governor of the State shall submit to the Secretary of Labor a State plan modification, or other State request for funds specified in guidance under subsection (b), in such form and containing such information as the Secretary may require. At a minimum, such State plan modification or request shall include—

(A) a description of the strategies and activities to be carried out to provide summer employment opportunities and year-round employment opportunities, including linkages to training and educational activities, consistent with subsection (f);

(B) a description of the requirements the State will apply relating to the eligibility of low-income youth, consistent with section 5101(4), for summer employment opportunities and year-round employment opportunities, which requirements may include criteria to target assistance to particular categories of such low-income youth, such as youth with disabilities, consistent with subsection (f);

(C) a description of the performance outcomes to be achieved by the State through the activities carried out under this section and the processes the State will use to track performance, consistent with guidance provided by the Secretary of Labor regarding such outcomes and processes and with section 5104(b);

(D) a description of the timelines for implementation of the strategies and activities described in subparagraph (A), and the number of low-income youth expected to be placed in summer employment opportunities, and year-round employment opportunities, respectively, by quarter;

(E) assurances that the State will report such information, relating to fiscal, performance, and other matters, as the Secretary may require and as the Secretary determines is necessary to effectively monitor the activities carried out under this section;

(F) assurances that the State will ensure compliance with the requirements, restrictions, labor standards, and other provisions described in section 5104(a); and

(G) if a local board and chief elected official in the State will provide employment opportunities with the link to training and educational activities described in subsection (f)(2)(B), a description of how the training and educational activities will lead to the industry-recognized credential involved.

(2) SUBMISSION AND APPROVAL OF STATE PLAN MODIFICATION OR REQUEST.—

(A) SUBMISSION.—The Governor shall submit the State plan modification or other State request for funds specified in guidance under subsection (b) to the Secretary of Labor not later than 30 days after the issuance of such guidance.

(B) APPROVAL.—The Secretary of Labor shall approve the State plan modification or request submitted under subparagraph (A) within 30 days after submission, unless the Secretary determines that the plan or request is inconsistent with the requirements of this section. If the Secretary has not made a determination within that 30-day period, the plan or request shall be considered to be approved. If the plan or request is disapproved, the Secretary may provide a reasonable period of time in which the plan or request may be amended and resubmitted for approval. If the plan or request is approved, the Secretary shall allot funds to the State under subsection (c) within 30 days after such approval.

(3) MODIFICATIONS TO STATE PLAN OR REQUEST.—The Governor may submit further modifications to a State plan modification or other State request for funds specified under subsection (b), consistent with the requirements of this section.

(e) WITHIN-STATE ALLOCATION AND ADMINISTRATION.—

(1) IN GENERAL.—Of the funds allotted to the State under subsection (c), the Governor—

(A) may reserve not more than 5 percent of the funds for administration and technical assistance; and

(B) shall allocate the remainder of the funds among local workforce investment areas within the State in accordance with clauses (i) through (iii) of subsection (c)(2)(B), except that for purposes of such allocation references to a State in subsection (c)(2)(B) shall be deemed to be references to a local workforce investment area and references to all States shall be deemed to be references to all local workforce investment areas in the State involved.

(2) LOCAL PLAN.—

(A) SUBMISSION.—In order to receive an allocation under paragraph (1)(B), the local workforce investment board, in partnership with the chief elected official for the local workforce investment area involved, shall submit to the Governor a local plan modification, or such other request for funds by local workforce investment areas as may be specified in guidance under subsection (b), not later than 30 days after the submission by the State of the State plan modification or other State request for funds specified in guidance under subsection (b), describing the strategies and activities to be carried out under this section.

(B) APPROVAL.—The Governor shall approve the local plan modification or other local request for funds submitted under subparagraph (A) within 30 days after submission, unless the Governor determines that the plan or request is inconsistent with requirements of this section. If the Governor has not made a determination within that 30-day period, the plan shall be considered to be approved. If the plan or request is disapproved, the Governor may provide a reasonable period of time in which the plan or request may be amended and resubmitted for approval. If the plan or request is approved, the Governor shall allocate funds to the local workforce investment area within 30 days after such approval.

(3) REALLOCATION.—If a local workforce investment board and chief elected official do

not submit a local plan modification (or other local request for funds specified in guidance under subsection (b)) by the date specified in paragraph (2), or the Governor disapproves a local plan, the amount the local workforce investment area would have been eligible to receive pursuant to the formula under paragraph (1)(B) shall be allocated to local workforce investment areas that receive approval of their local plan modifications or local requests for funds under paragraph (2). Each such local workforce investment area shall receive a share of the total amount available for reallocation under this paragraph, in accordance with the area's share of the total amount allocated under paragraph (1)(B) to such local workforce investment areas.

(f) USE OF FUNDS.—

(1) IN GENERAL.—The funds made available under this section shall be used—

(A) to provide summer employment opportunities for low-income youth, with direct linkages to academic and occupational learning, and may be used to provide supportive services, such as transportation or child care, that is necessary to enable the participation of such youth in the opportunities; and

(B) to provide year-round employment opportunities, which may be combined with other activities authorized under section 129 of the Workforce Investment Act of 1998 (29 U.S.C. 2854), to low-income youth.

(2) PROGRAM PRIORITIES.—In administering the funds under this section, the local board and chief elected official shall give priority to—

(A) identifying employment opportunities that are—

(i) in emerging or in-demand occupations in the local workforce investment area; or

(ii) in the public or nonprofit sector and meet community needs; and

(B) linking participants in year-round employment opportunities to training and educational activities that will provide such participants an industry-recognized certificate or credential (referred to in this title as an ''industry-recognized credential'').

(3) ADMINISTRATION.—Not more than 5 percent of the funds allocated to a local workforce investment area under this section may be used for the costs of administration of this section.

(4) PERFORMANCE ACCOUNTABILITY.—For activities funded under this section, in lieu of meeting the requirements described in section 136 of the Workforce Investment Act of 1998 (29 U.S.C. 2871), States and local workforce investment areas shall provide such reports as the Secretary of Labor may require regarding the performance outcomes described in section 5104(b)(5).

SEC. 5104. GENERAL REQUIREMENTS.

(a) LABOR STANDARDS AND PROTECTIONS.—Activities provided with funds made available under this title shall be subject to the requirements and restrictions, including the labor standards, described in section 181 of the Workforce Investment Act of 1998 (29 U.S.C. 2931) and the nondiscrimination provisions of section 188 of such Act (29 U.S.C. 2938), in addition to other applicable Federal laws.

(b) REPORTING.—The Secretary of Labor may require the reporting of information relating to fiscal, performance and other matters that the Secretary determines is necessary to effectively monitor the activities carried out with funds provided under this title. At a minimum, recipients of grants (including recipients of subgrants) under this title shall provide information relating to—

(1) the number of individuals participating in activities with funds provided under this title and the number of such individuals who have completed such participation;

(2) the expenditures of funds provided under this title;

(3) the number of jobs created pursuant to the activities carried out under this title;

(4) the demographic characteristics of individuals participating in activities under this title; and

(5) the performance outcomes for individuals participating in activities under this title, including—

(A) for low-income youth participating in summer employment activities under section 5103, performance on indicators consisting of—

(i) work readiness skill attainment using an employer validated checklist;

(ii) placement in or return to secondary or postsecondary education or training, or entry into unsubsidized employment; and

(B) for low-income youth participating in year-round employment activities under section 5103, performance on indicators consisting of—

(i) placement in or return to postsecondary education;

(ii) attainment of a secondary school diploma or its recognized equivalent;

(iii) attainment of an industry-recognized credential; and

(iv) entry into, retention in, and earnings in, unsubsidized employment.

(c) ACTIVITIES REQUIRED TO BE ADDITIONAL.—Funds provided under this title shall only be used for activities that are in addition to activities that would otherwise be available in the State or local workforce investment area in the absence of such funds.

(d) ADDITIONAL REQUIREMENTS.—The Secretary of Labor may establish such additional requirements as the Secretary determines may be necessary to ensure fiscal integrity, effective monitoring, and the appropriate and prompt implementation of the activities under this title.

(e) REPORT OF INFORMATION AND EVALUATIONS TO CONGRESS AND THE PUBLIC.—The Secretary of Labor shall provide to the appropriate committees of Congress and make available to the public the information reported pursuant to subsection (b).

SEC. 5105. VISA SURCHARGE.

(a) COLLECTION.—

(1) IN GENERAL.—Subject to paragraph (2), and in addition to any fees otherwise imposed for such visas, the Secretary shall collect a surcharge of $10 from an employer that submits an application for—

(A) an employment-based visa under paragraph (3), (4), (5), or (6) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)); and

(B) a nonimmigrant visa under subparagraph (C), (H)(i)(b), (H)(i)(c), (H)(ii)(a), (H)(ii)(B), (O), (P), (R), or (W) of section 101(a)(15) of such Act (8 U.S.C. 1101(a)(15)).

(2) EXPIRATION.—The Secretary shall suspend the collection of the surcharge authorized under paragraph (1) on the date on which the Secretary has collected a cumulative total of $1,500,000,000 under this subsection.

(b) DEPOSIT.—All of the amounts collected under subsection (a)(1) shall be deposited in the general fund of the Treasury.

SA 1313. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1743, strike lines 1 through 4, and insert the following:

SEC. 44081. J VISA ELIGIBILITY.

(a) SPEAKERS OF CERTAIN FOREIGN LANGUAGES.—Section 101(a)(15)(J) (8 U.S.C. 1101(a)(15)(J)) is amended to read as follows:

On page 1744, between lines 16 and 17, insert the following:

(c) REFORM OF SUMMER WORK TRAVEL PROGRAM.—

(1) PROHIBITION ON EMPLOYMENT.—Notwithstanding any other provision of law or regulation, including section 62.32 of title 22, Code of Federal Regulations, the Secretary of State may not implement the Summer Work Travel program described in such section 62.32 in a manner that permits an alien who is admitted under section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)), as amended by subsection (a), as part of a cultural exchange to be employed in the United States.

(2) REGULATIONS.—The Secretary of State shall issue regulations that modify the Summer Work Travel program so that such program—

(A) permits cultural exchanges as described in such section 62.32; and

(B) does not permit participants to be employed in the United States.

SA 1314. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REQUIREMENTS TO ENSURE LEGAL VOTING.

(a) SHORT TITLE.—This section may be cited as the ''Secure the Vote Act of 2013''.

(b) RESTRICTIONS.—

(1) AFFIDAVIT REQUIRED.—Any individual in registered provisional immigrant status, blue card status, asylum status, refugee status, legal permanent resident status, or any other permanent or temporary visa status who intends to remain in the United States in such status for longer than 6 months shall submit to the Secretary, during the period specified by the Secretary, a signed affidavit that states that the alien—

(A) has not cast a ballot in any Federal election in the United States; and

(B) will not register to vote, or cast a ballot, in any Federal election in the United States while in such status.

(2) PENALTY.—If an alien described in paragraph (1) fails to timely submit the affidavit described in paragraph (1) or violates any term of such affidavit—

(A) the Secretary shall immediately—

(i) revoke the legal status of such alien; and

(ii) deport the alien to the country from which he or she originated; and

(B) the alien will be permanently ineligible for United States citizenship.

(3) BARS TO LEGAL STATUS.—Any individual in registered provisional immigrant status, blue card status, asylum status, refugee status, legal permanent resident status, or any other permanent or temporary visa status who illegally registers to vote or who votes in any Federal election after receiving such status or visa—

(A) shall not be eligible to apply for permanent residence or citizenship; and

(B) if such individual has already been granted permanent residence, shall lose such

status and be subject to deportation pursuant to section 237(a)(6) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(6)).

(c) RESPONSIBILITIES OF THE SECRETARY OF HOMELAND SECURITY.—

(1) ELIGIBILITY DETERMINATION.—In determining whether an individual described in subsection (a)(1) is eligible for legal status, including naturalization, under the Immigration and Nationality Act, the Secretary shall verify that the alien has not registered to vote, or cast a ballot, in a Federal election in the United States.

(2) VERIFICATION OF CITIZENSHIP.—The Secretary shall provide the election director of each State, and such local election officials as may be designated by such State directors, with access to relevant databases containing information about aliens who have been granted registered provisional immigrant status, asylum, refugee status, blue card status, and any other permanent or temporary visa status authorized under this Act or the Immigration and Nationality Act, for the sole purpose of verifying the citizenship status of registered voters and all individuals applying to register to vote.

(3) ANNUAL REPORT.—The Secretary shall submit an annual report to Congress that identifies all jurisdictions in the United States that have registered individuals who are not United States citizens to vote in a Federal election.

(d) RESPONSIBILITIES OF STATES.—

(1) PROOF OF CITIZENSHIP.—Notwithstanding the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.), the National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.), and any other Federal law, all States and local governments—

(A) shall require individuals registering to vote in Federal elections to provide adequate proof of citizenship;

(B) may not accept an affirmation of citizenship as adequate proof of citizenship for voter registration purposes; and

(C) may require identification information from all such voter registration applicants.

(2) COOPERATION WITH DEPARTMENT OF HOMELAND SECURITY.—All States and local governments shall provide the Department with the registration and voting history of any alien seeking registered provisional status, naturalization, or any other immigration benefit, upon the request of the Secretary.

(3) CONSEQUENCE OF NONCOMPLIANCE.—

(A) FIRST YEAR.—If any State is not in compliance with the proof of citizenship requirements set forth in paragraph (1) on or before the date that is 1 year after the date of the enactment of this Act, the Secretary of Transportation shall reduce the apportionment calculated under section 104(c) of title 23, United States Code, for that State for the following fiscal year by 10 percent.

(B) SUBSEQUENT YEARS.—For each subsequent year in which any State is not in compliance with the proof of citizenship requirements set forth in paragraph (1), the Secretary of Transportation shall reduce the apportionment calculated under section 104(c) of title 23, United States Code, for that State for the following fiscal year by an additional 10 percent.

SA 1315. Mr. KING (for Mr. GRASSLEY) proposed an amendment to the bill S. 330, to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV); as follows:

Strike section 3 and insert the following:

SEC. 3. CONFORMING AMENDMENT TO TITLE 18 OF THE UNITED STATES CODE.

Section 1122(a) of title 18, United States Code, is amended by inserting ''or in accordance with all applicable guidelines and regulations made by the Secretary of Health and Human Services under section 377E of the Public Health Service Act'' after ''research or testing''.

NOTICES OF HEARINGS

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. LANDRIEU. Mr. President, I would like to announce that the Committee on Small Business and Entrepreneurship will meet on June 17, 2013, at 5:30 p.m. in the Mansfield Room of the Capitol (S–207) to hold a markup on Committee legislation.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. LANDRIEU. Mr. President, I would like to announce that the Committee on Small Business and Entrepreneurship will meet on Thursday, June 20, 2013, at 10 a.m. in room 428A Russell Senate Office building to hold a roundtable entitled ''Sequestration: Small Business Contractors Weathering the Storm in a Climate of Fiscal Uncertainty.''

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on June 17, 2013, at 5:30 p.m. in the Mansfield Room, S–207 of the Capitol.

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

HIV ORGAN POLICY EQUITY ACT

Mr. KING. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 75, S. 330.

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

The legislative clerk read as follows:

A bill (S. 330) to amend the Public Health Service Act to establish safeguards and standards for research and transplantation of organs infected with human immunodeficiency virus (HIV).

There being no objection, the Senate proceeded to consider the bill (S. 330) to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV), which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''HIV Organ Policy Equity Act''.

SEC. 2. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

(a) STANDARDS OF QUALITY FOR THE ACQUISITION AND TRANSPORTATION OF DONATED ORGANS.—

(1) ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK.—Section 372(b) of the Public Health Service Act (42 U.S.C. 274(b)) is amended—

(A) in paragraph (2)(E), by striking '', including standards for preventing the acquisition of organs that are infected with the etiologic agent for acquired immune deficiency syndrome''; and

(B) by adding at the end the following:

''(3) CLARIFICATION.—In adopting and using standards of quality under paragraph (2)(E), the Organ Procurement and Transplantation Network may adopt and use such standards with respect to organs infected with human immunodeficiency virus (in this paragraph referred to as 'HIV'), provided that any such standards ensure that organs infected with HIV may be transplanted only into individuals who—

''(A) are infected with HIV before receiving such organ; and

''(B)(i) are participating in clinical research approved by an institutional review board under the criteria, standards, and regulations described in subsections (a) and (b) of section 377E; or

''(ii) if the Secretary has determined under section 377E(c) that participation in such clinical research, as a requirement for such transplants, is no longer warranted, are receiving a transplant under the standards and regulations under section 377E(c).''.

(2) CONFORMING AMENDMENT.—Section 371(b)(3)(C) of the Public Health Service Act (42 U.S.C. 273(b)(3)(C); relating to organ procurement organizations) is amended by striking ''including arranging for testing with respect to preventing the acquisition of organs that are infected with the etiologic agent for acquired immune deficiency syndrome'' and inserting ''including arranging for testing with respect to identifying organs that are infected with human immunodeficiency virus (HIV)''.

(3) TECHNICAL AMENDMENTS.—Section 371(b)(1) of the Public Health Service Act (42 U.S.C. 273(b)(1)) is amended by—

(A) striking subparagraph (E);

(B) redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively;

(C) striking ''(H) has a director'' and inserting ''(G) has a director''; and

(D) in subparagraph (H)—

(i) in clause (i) (V), by striking ''paragraph (2)(G)'' and inserting ''paragraph (3)(G)''; and

(ii) in clause (ii), by striking ''paragraph (2)'' and inserting ''paragraph (3)''.

(b) PUBLICATION OF RESEARCH GUIDELINES.—Part H of title III of the Public Health Service Act (42 U.S.C. 273 et seq.) is amended by inserting after section 377D the following:

''SEC. 377E. CRITERIA, STANDARDS, AND REGULATIONS WITH RESPECT TO ORGANS INFECTED WITH HIV.

''(a) IN GENERAL.—Not later than 2 years after the date of the enactment of the HIV Organ Policy Equity Act, the Secretary shall develop and publish criteria for the conduct of research relating to transplantation of organs from donors infected with human immunodeficiency virus (in this section referred to as 'HIV') into individuals who are infected with HIV before receiving such organ.

''(b) CORRESPONDING CHANGES TO STANDARDS AND REGULATIONS APPLICABLE TO RESEARCH.—Not later than 2 years after the date of the enactment of the HIV Organ Policy Equity Act, to

the extent determined by the Secretary to be necessary to allow the conduct of research in accordance with the criteria developed under subsection (a)—

''(1) the Organ Procurement and Transplantation Network shall revise the standards of quality adopted under section 372(b)(2)(E); and

''(2) the Secretary shall revise section 121.6 of title 42, Code of Federal Regulations (or any successor regulations).

''(c) REVISION OF STANDARDS AND REGULATIONS GENERALLY.—Not later than 4 years after the date of the enactment of the HIV Organ Policy Equity Act, and annually thereafter, the Secretary, shall—

''(1) review the results of scientific research in conjunction with the Organ Procurement and Transplantation Network to determine whether the results warrant revision of the standards of quality adopted under section 372(b)(2)(E) with respect to donated organs infected with HIV and with respect to the safety of transplanting an organ with a particular strain of HIV into a recipient with a different strain of HIV;

''(2) if the Secretary determines under paragraph (1) that such results warrant revision of the standards of quality adopted under section 372(b)(2)(E) with respect to donated organs infected with HIV and with respect to transplanting an organ with a particular strain of HIV into a recipient with a different strain of HIV, direct the Organ Procurement and Transplantation Network to revise such standards, consistent with section 372 and in a way that ensures the changes will not reduce the safety of organ transplantation; and

''(3) in conjunction with any revision of such standards under paragraph (2), revise section 121.6 of title 42, Code of Federal Regulations (or any successor regulations).''.

SEC. 3. CONFORMING AMENDMENT TO TITLE 18 OF THE UNITED STATES CODE.

Section 1122 of title 18, United States Code, is amended by adding at the end the following:

''(d) EXCEPTION.—An organ donation does not violate this section if the donation is in accordance with all applicable criteria and regulations of the Secretary made under section 377E of the Public Health Service Act.''.

Mr. KING. I further ask that the committee-reported substitute be considered; the Grassley amendment, which is at the desk, be agreed to; the substitute, as amended, be agreed to; the bill, as amended, be read a third time and passed; and the motions to reconsider be made and laid upon the table, with no intervening action or debate.

The amendment (No. 1315) was agreed to, as follows:

AMENDMENT NO. 1315

Strike section 3 and insert the following:

SEC. 3. CONFORMING AMENDMENT TO TITLE 18 OF THE UNITED STATES CODE.

Section 1122(a) of title 18, United States Code, is amended by inserting ''or in accordance with all applicable guidelines and regulations made by the Secretary of Health and Human Services under section 377E of the Public Health Service Act'' after ''research or testing''.

The committee amendment, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 330

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''HIV Organ Policy Equity Act''.

SEC. 2. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

(a) STANDARDS OF QUALITY FOR THE ACQUISITION AND TRANSPORTATION OF DONATED ORGANS.—

(1) ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK.—Section 372(b) of the Public Health Service Act (42 U.S.C. 274(b)) is amended—

(A) in paragraph (2)(E), by striking '', including standards for preventing the acquisition of organs that are infected with the etiologic agent for acquired immune deficiency syndrome''; and

(B) by adding at the end the following:

''(3) CLARIFICATION.—In adopting and using standards of quality under paragraph (2)(E), the Organ Procurement and Transplantation Network may adopt and use such standards with respect to organs infected with human immunodeficiency virus (in this paragraph referred to as 'HIV'), provided that any such standards ensure that organs infected with HIV may be transplanted only into individuals who—

''(A) are infected with HIV before receiving such organ; and

''(B)(i) are participating in clinical research approved by an institutional review board under the criteria, standards, and regulations described in subsections (a) and (b) of section 377E; or

''(ii) if the Secretary has determined under section 377E(c) that participation in such clinical research, as a requirement for such transplants, is no longer warranted, are receiving a transplant under the standards and regulations under section 377E(c).''.

(2) CONFORMING AMENDMENT.—Section 371(b)(3)(C) of the Public Health Service Act (42 U.S.C. 273(b)(3)(C); relating to organ procurement organizations) is amended by striking ''including arranging for testing with respect to preventing the acquisition of organs that are infected with the etiologic agent for acquired immune deficiency syndrome'' and inserting ''including arranging for testing with respect to identifying organs that are infected with human immunodeficiency virus (HIV)''.

(3) TECHNICAL AMENDMENTS.—Section 371(b)(1) of the Public Health Service Act (42 U.S.C. 273(b)(1)) is amended by—

(A) striking subparagraph (E);

(B) redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively;

(C) striking ''(H) has a director'' and inserting ''(G) has a director''; and

(D) in subparagraph (H)—

(i) in clause (i) (V), by striking ''paragraph (2)(G)'' and inserting ''paragraph (3)(G)''; and

(ii) in clause (ii), by striking ''paragraph (2)'' and inserting ''paragraph (3)''.

(b) PUBLICATION OF RESEARCH GUIDELINES.—Part H of title III of the Public Health Service Act (42 U.S.C. 273 et seq.) is amended by inserting after section 377D the following:

''SEC. 377E. CRITERIA, STANDARDS, AND REGULATIONS WITH RESPECT TO ORGANS INFECTED WITH HIV.

''(a) IN GENERAL.—Not later than 2 years after the date of the enactment of the HIV Organ Policy Equity Act, the Secretary shall develop and publish criteria for the conduct of research relating to transplantation of organs from donors infected with human immunodeficiency virus (in this section referred to as 'HIV') into individuals who are infected with HIV before receiving such organ.

''(b) CORRESPONDING CHANGES TO STANDARDS AND REGULATIONS APPLICABLE TO RESEARCH.—Not later than 2 years after the date of the enactment of the HIV Organ Policy Equity Act, to the extent determined by the Secretary to be necessary to allow the conduct of research in accordance with the criteria developed under subsection (a)—

''(1) the Organ Procurement and Transplantation Network shall revise the standards of quality adopted under section 372(b)(2)(E); and

''(2) the Secretary shall revise section 121.6 of title 42, Code of Federal Regulations (or any successor regulations).

''(c) REVISION OF STANDARDS AND REGULATIONS GENERALLY.—Not later than 4 years after the date of the enactment of the HIV Organ Policy Equity Act, and annually thereafter, the Secretary, shall—

''(1) review the results of scientific research in conjunction with the Organ Procurement and Transplantation Network to determine whether the results warrant revision of the standards of quality adopted under section 372(b)(2)(E) with respect to donated organs infected with HIV and with respect to the safety of transplanting an organ with a particular strain of HIV into a recipient with a different strain of HIV;

''(2) if the Secretary determines under paragraph (1) that such results warrant revision of the standards of quality adopted under section 372(b)(2)(E) with respect to donated organs infected with HIV and with respect to transplanting an organ with a particular strain of HIV into a recipient with a different strain of HIV, direct the Organ Procurement and Transplantation Network to revise such standards, consistent with section 372 and in a way that ensures the changes will not reduce the safety of organ transplantation; and

''(3) in conjunction with any revision of such standards under paragraph (2), revise section 121.6 of title 42, Code of Federal Regulations (or any successor regulations).''.

SEC. 3. CONFORMING AMENDMENT TO TITLE 18 OF THE UNITED STATES CODE.

Section 1122(a) of title 18, United States Code, is amended by inserting ''or in accordance with all applicable guidelines and regulations made by the Secretary of Health and Human Services under section 377E of the Public Health Service Act'' after ''research or testing''.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to Public Law 111–5, appoints the following individual to the Health Information Technology Policy Committee: Dr. Aury Nagy of Nevada, vice Dr. Frank Nemec of Nevada.

ORDERS FOR TUESDAY, JUNE 18, 2013

Mr. KING. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, June 18, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of

morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of S. 744, the comprehensive immigration reform bill, under the previous order; and finally that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

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

PROGRAM

Mr. KING. There will be up to four rollcall votes at 3 p.m. in relation to the amendments to the immigration bill tomorrow.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. KING. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:15 p.m., adjourned until Tuesday, June 18, 2013, at 10 a.m.

HOUSE OF REPRESENTATIVES—*Monday, June 17, 2013*

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 17, 2013.

I hereby appoint the Honorable KERRY BENTIVOLIO to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

NATIONAL FOOTBALL LEAGUE'S WASHINGTON FOOTBALL FRANCHISE NAME

The SPEAKER pro tempore. The Chair recognizes the gentleman from American Samoa (Mr. FALEOMAVAEGA) for 5 minutes.

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today to denounce the disparaging name of the National Football League's Washington, D.C., franchise, the Redskins, which I will refer to as the ''R-word.'' The Native American community has spent millions of dollars over the past two decades to fight the racism that is perpetuated by this slur. Despite their best efforts, our Native American brothers' and sisters' cries have fallen on deaf ears. Such an impasse is largely due to the widespread ignorance regarding the history of this denigrating term. Mr. Speaker, I would like to share with my colleagues the painful and violent past associated with the ''R-word.''

The origin of the ''R-word'' is commonly attributed to the historical practice of trading Native American Indian skins, Mr. Speaker, Native American Indian skins and body parts as bounties and trophies. For example, in 1749, the British bounty on the Mi'kmaq Nation of what is now Maine and Nova Scotia was a straightforward ''10 guineas for every Indian Mi'kmaq taken or killed, to be paid upon producing such savage taken or his scalp.''

Just as devastating was the Phips Proclamation, issued in 1755 by Spencer Phips, lieutenant governor and commander in chief of the Massachusetts Bay Province, who called for the wholesale extermination of the Penobscot Indian Nation. The Phips Proclamation declared the Penobscot to be ''enemies, rebels, and traitors to his Majesty King George, II'' and required those residing in the province to ''embrace all opportunities of pursuing, capturing, killing, and destroying all and every of the aforesaid Indians.''

By vote of the General Court of the Province, white settlers were paid out of the public treasury for killing and scalping the Penobscot people. The bounty for a male Penobscot Indian above the age of 12 was 50 pounds, and his scalp was worth 40 pounds. The bounty for a female Penobscot Indian of any age and for males under the age of 12 was 25 pounds, while their scalps were worth 20 pounds. Historical accounts show that these scalps were called ''Redskins.''

The current chairman and chief of the Penobscot Nation, Chief Kirk Francis recently declared in a joint statement that the ''R-word'' is ''not just a racial slur or a derogatory term,'' but a painful ''reminder of one of the most gruesome acts of ethnic cleansing ever committed against the Penobscot people.'' The hunting and killing of Penobscot Indians, as stated by Chief Francis, Mr. Speaker, was ''a most despicable and disgraceful act of genocide.''

Mr. Speaker, such disgrace continues to live on through Washington's franchise's name. In a recent letter to 10 of our colleagues, the National Football League's Commissioner Roger Goodell said essentially that the use of the ''R-word'' is meant to honor Native Americans. Baloney. He added, ''For the team's millions of fans and customers, the name is a unifying force that stands for strength, courage, pride, and respect.'' In other words, Mr. Speaker, the National Football League is telling everyone—Native Americans included—that they cannot be offended because the National Football League means no offense.

Mr. Speaker, Mr. Goodell's casual and dismissive response is indicative of the racist history beyond the Washington franchise's name. Its founder, George Preston Marshall, is identified by historians as the driving force behind the color barrier that existed for 12 years in the National Football League, a sad chapter from 1934 to 1945 when African Americans were prohibited from the league by a ''gentleman's agreement'' that we're not allowed to play. Mr. Marshall changed the team's name from the Braves in 1933, and after the NFL's color line was crossed in 1946, Marshall's franchise was the last team on the field where African Americans were allowed to play—and not until 1962.

I might also add that Mr. Marshall did not welcome African American players with open arms. It was then that Secretary of the Interior, Stewart Udall, and Attorney General Robert F. Kennedy presented Marshall with an ultimatum: unless Marshall signed an African American player, the government would revoke his franchise's 30-year lease of the use of the stadium here in the District of Columbia.

Mr. Speaker, today, we find ourselves fighting the same racist threads that pervaded the Washington franchise for more than 50 years. We simply cannot continue to carry on hateful traditions that mock, belittle, disparage, and disgrace those of a different race because of the color of their skin. As a Nation, we have come too far to fight for these rights, and I think Native Americans deserve to have a better sense of self-esteem and dignity.

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

RECESS

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

Accordingly (at 12 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

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

PRAYER

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

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

Bless the Members of the people's House as they return to Washington.

May their energy to address our Nation's issues be renewed following their visits home for the Father's Day weekend.

Continue to bless all who work in the Capitol. May our citizens be mindful of their generous service to the operations of government and supportive of them as they toil in relative anonymity day in and day out.

We ask that what all those who work within these hallowed Halls do would be for Your greater honor and glory.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. WENSTRUP led the Pledge of Allegiance as follows:

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

SECURING THE FUTURE

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

Ms. FOXX. Mr. Speaker, House Republicans have a plan to create jobs, grow our economy, and secure our future for all Americans. And we're going to do it by expanding opportunity, not expanding government.

We're going to hold government accountable to the hardworking taxpayers of this country. We're going to rein in runaway Washington spending that's driving up our national debt. We're going to reform our Tax Code to make it fair and simpler for all Americans. We're going to promote an all-of-the-above, all-American energy strategy that will create jobs, lower energy costs, and strengthen our national security.

These are the commonsense solutions that the American people deserve. It's not fair that Washington Democrats keep offering up only more spending and political games. Real solutions to real problems, that's the House Republican commitment.

THE GET RELIEF FROM ACADEMIC DEBT ACT OF 2013

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

Mrs. NEGRETE MCLEOD. Mr. Speaker, upon graduation, many students are faced with repayment of student loans, in addition to seeking employment in a very tough job market. Over 5.4 million Americans have at least one past-due student loan account which affects their credit and our Nation's economy.

Last week my colleague, Representative JANICE HAHN, and I introduced H.R. 2349, the Get Relief from Academic Debt Act of 2013. The GRAD Act would extend the grace period of 6 months to 1 year after graduation before the onset of repayment of the Federal student loans.

By extending the grace period, graduates have a longer period of opportunity to find a good-paying job before repayment of these loans begins. I urge the House to consider this legislation for the millions of the Nation's graduate students who are struggling to pay back loans.

SEXUAL ASSAULT WITHIN OUR MILITARY MUST BE ADDRESSED

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

Mr. WILSON of South Carolina. Madam Speaker, sexual assault and misconduct within our military ranks occur far too often, and threaten the safety of both men and women serving in our Armed Forces. Our brave military personnel go well beyond the call of duty risking their lives to protect American families and the freedoms we hold dear. It is our obligation to crack down on these heinous crimes by strengthening the military justice system so that we can better protect those who protect us.

I am very grateful that last week Members from both sides of the aisle joined together in a bipartisan fashion to address this problem by passing the National Defense Authorization Act for Fiscal Year 2014. Sexual Assault Prevention Caucus leaders MIKE TURNER and NIKI TSONGAS, with House Armed Services Committee Chairman BUCK MCKEON, worked together to make a difference.

Thankfully, we were successful in including 20 additional provisions that will address prevention, investigation, prosecution, and punishment of the crime of sexual assault.

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

CDKL5 AWARENESS DAY

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

Mr. WENSTRUP. Madam Speaker, I stand before you today to tell you about a rare disorder known as CDKL5.

Today, June 17, is CDKL5 Awareness Day. This genetic disorder was discovered by genetic markers in 2004. Those impacted usually suffer from seizures and rarely, if ever, walk or talk.

My niece, Catie, is one of only 600 known cases in the world. When Catie was born just 5 years ago, only 200 children had been diagnosed with CDKL5 disorder. Due to the recent discovery of this condition, and its resemblance to Rett Syndrome, epilepsy and autism, it's likely that there are many children who have been undiagnosed or misdiagnosed.

Families are forced to turn to the Internet and the community of parents because even doctors know relatively little about CDKL5. Unfortunately, at this time there's no cure, only hours of therapy, and for many, traveling long distances to specialists. Fortunately, CDKL5 research is taking place.

The children impacted with CDKL5 disorder cannot talk to you about their condition, so the responsibility falls to us to raise awareness.

My family learns something from Catie every day. It's my hope that we can continue to learn more for Catie and the other young people impacted by CDKL5 disorder.

THE AMERICAN DREAM

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

Mr. YODER. Madam Speaker, I rise today to speak about the American Dream. In the United States, we are a Nation of opportunity, a country that provides everyone the chance to follow their ideas, to innovate, to explore, to create, and to build.

In the United States, this Nation of opportunity is best represented by the millions of small businesses that make our economy grow and put our friends and neighbors to work. That's why I'm proud today to speak to recognize National Small Business Week.

More than two out of every three new jobs created in our country are made possible by small businesses. As we spend this week highlighting the innovations and successes of small businesses across the country, let us renew our efforts to help all Americans get back to work with bipartisan and commonsense legislation that helps these small businesses grow and hire new employees.

Madam Speaker, we must continue to work together to harness the full economic drive of the United States economy, and that drive is led by the men and women in the engine room of each and every small business across our great Nation.

RECESS

The SPEAKER pro tempore (Ms. FOXX). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 9 minutes p.m.), the House stood in recess.

□ 1700

AFTER RECESS

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

IDAHO WILDERNESS WATER RESOURCES PROTECTION ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 876) to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 876

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Idaho Wilderness Water Resources Protection Act''.

SEC. 2. TREATMENT OF EXISTING WATER DIVERSIONS IN FRANK CHURCH-RIVER OF NO RETURN WILDERNESS AND SELWAY-BITTERROOT WILDERNESS, IDAHO.

(a) AUTHORIZATION FOR CONTINUED USE.—The Secretary of Agriculture shall issue a special use authorization to the owners of a water storage, transport, or diversion facility (in this section referred to as a ''facility'') located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness for the continued operation, maintenance, and reconstruction of the facility if the Secretary determines that—

(1) the facility was in existence on the date on which the land upon which the facility is located was designated as part of the National Wilderness Preservation System (in this section referred to as ''the date of designation'');

(2) the facility has been in substantially continuous use to deliver water for the beneficial use on the owner's non-Federal land since the date of designation;

(3) the owner of the facility holds a valid water right for use of the water on the owner's non-Federal land under Idaho State law, with a priority date that predates the date of designation; and

(4) it is not practicable or feasible to relocate the facility to land outside of the wilderness and continue the beneficial use of water on the non-Federal land recognized under State law.

(b) TERMS AND CONDITIONS.—

(1) REQUIRED TERMS AND CONDITIONS.—In a special use authorization issued under subsection (a), the Secretary shall—

(A) allow use of motorized equipment and mechanized transport for operation, maintenance, or reconstruction of a facility, if the Secretary determines that—

(i) the use is necessary to allow the facility to continue delivery of water to the non-Federal land for the beneficial uses recognized by the water right held under Idaho State law; and

(ii) the use of nonmotorized equipment and nonmechanized transport is impracticable or infeasible; and

(B) preclude use of the facility for the storage, diversion, or transport of water in excess of the water right recognized by the State of Idaho on the date of designation.

(2) DISCRETIONARY TERMS AND CONDITIONS.—In a special use authorization issued under subsection (a), the Secretary may—

(A) require or allow modification or relocation of the facility in the wilderness, as the Secretary determines necessary, to reduce impacts to wilderness values set forth in section 2 of the Wilderness Act (16 U.S.C. 1131) if the beneficial use of water on the non-Federal land is not diminished; and

(B) require that the owner provide a reciprocal right of access across the non-Federal property, in which case, the owner shall receive market value for any right-of-way or other interest in real property conveyed to the United States, and market value may be paid by the Secretary, in whole or in part, by the grant of a reciprocal right-of-way, or by reduction of fees or other costs that may accrue to the owner to obtain the authorization for water facilities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

This bill was a great bill the first time we passed it, the second time we passed it, and it is still a great bill, and it's necessary for the good people of Idaho.

So I would yield such time as he may consume to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. I thank the gentleman from Utah for yielding.

Mr. Speaker, I rise today in support of H.R. 876, the Idaho Wilderness Water Resources Protection Act. This bipartisan, noncontroversial legislation is a technical fix intended to enable the Forest Service to authorize and permit existing historical water diversions within the Idaho wilderness.

A few years ago, one of my constituents came to me for help with a problem. The Middle Fork Lodge has a water diversion within the Frank Church-River of No Return Wilderness Area that existed before the wilderness area was established and is protected under statute.

The diversion was beginning to leak and was in desperate need of repairs to ensure that it did not threaten the environment and watershed, but it turned out that the Forest Service did not have the authority to issue the lodge a permit to make the necessary repairs.

As we looked into this issue, we discovered that the Forest Service lacked this authority throughout both the Frank Church-River of No Return Wilderness, where there are 22 known water developments, and the Selway-Bitterroot Wilderness, where there are three. These diversions are primarily used to support irrigation and minor hydropower generation for use on non-Federal lands. While the critical situation at the Middle Fork Lodge brought this issue to my attention, it is obvious to me that this problem is larger than just one diversion. At some point in the future, all 25 of these existing diversions will need maintenance or repair work done to ensure their integrity.

H.R. 876 authorizes the Forest Service to issue special use permits for all qualifying historic water systems in these wilderness areas. I believe it is important to get ahead of this problem and to ensure that the Forest Service has the tools necessary to manage these lands.

For these reasons, I have introduced H.R. 876. This legislation, which was passed by the House during the last two Congresses, allows the Forest Service to issue the required special use permits to owners of historic water systems, and it sets out specific criteria for doing so. Providing this authority will ensure that existing water diversions can be properly maintained and repaired when necessary and preserves beneficial use for private property owners who hold water rights under State law.

I have deeply appreciated the cooperation of the Forest Service in addressing this problem. Not only have they communicated with me the need to find a systemwide solution to this issue, but at my request, they have

drafted this legislation to ensure that it only impacts specific targeted historical diversions—those with valid water rights that cannot feasibly be relocated out of the wilderness area.

H.R. 876 is bipartisan and noncontroversial. It is intended as a simple, reasonable solution to a problem that I think we can all agree should be solved as quickly as possible. I am hopeful that we can move this bill through the legislative process without delay so that the necessary maintenance to these diversions may be completed before the damage is beyond repair.

I urge my Members to support this legislation.

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

This legislation provides commonsense access to maintain water facilities within the Frank Church-River of No Return Wilderness Area. These water features were present prior to the congressional designation of ''wilderness'' and are necessary to protect individual water rights in the State.

I applaud Chairman SIMPSON for his legislation, and I support the passage of this bill.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, in closing, when you have diversions that predate a ''wilderness'' designation, you need to give them the ability to maintain those diversions. This is a good bill.

I urge my colleagues to vote for it, and more importantly, I urge the Senate to finally do something and pass it.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 876.

The question was taken.

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

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

VIETNAM VETERANS DONOR ACKNOWLEDGEMENT ACT OF 2013 AMENDMENT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 264) providing for the concurrence by the House in the Senate amendment to H.R. 588, with an amendment.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 264

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill, H.R. 588, with the Senate amendment thereto, and to have concurred in the Senate amendment with the following amendment:

In lieu of the matter proposed to be inserted by the amendment of the Senate to the text of the bill, insert the following:

SEC. 1. SHORT TITLE.

This Act may be cited as the ''Vietnam Veterans Donor Acknowledgment Act of 2013''.

SEC. 2. DONOR CONTRIBUTION ACKNOWLEDGMENTS AT THE VIETNAM VETERANS MEMORIAL VISITOR CENTER.

Section 6(b) of Public Law 96–297 (16 U.S.C. 431 note) is amended—

(1) in paragraph (4) by striking the ''and'' after the semicolon;

(2) in paragraph (5)—

(A) by striking ''2014'' and inserting ''2018''; and

(B) by striking the period and inserting ''; and''; and

(3) by inserting at the end the following new paragraph:

''(6) notwithstanding section 8905(b)(7) of title 40, United States Code—

''(A) the Secretary of the Interior shall allow the Vietnam Veterans Memorial Fund, Inc. to acknowledge donor contributions to the visitor center by displaying, inside the visitor center, an appropriate statement or credit acknowledging the contribution;

''(B) donor contribution acknowledgments shall be displayed in a form approved by the Secretary of the Interior and for a period of time commensurate with the level of the contribution and the life of the facility;

''(C) the Vietnam Veterans Memorial Fund shall bear all expenses related to the display of donor acknowledgments;

''(D) prior to the display of donor acknowledgments, the Vietnam Veterans Memorial Fund, Inc. shall submit to the Secretary for approval, its plan for displaying donor acknowledgments;

''(E) such plan shall include the sample text and types of the acknowledgments or credits to be displayed and the form and location of all displays;

''(F) the Secretary shall approve the plan, if the Secretary determines that the plan—

''(i) allows only short, discrete, and unobtrusive acknowledgments or credits;

''(ii) does not permit any advertising slogans or company logos; and

''(iii) conforms to applicable National Park Service guidelines for indoor donor recognition; and

''(G) if the Secretary of the Interior determines that the proposed plan submitted under this paragraph, does not meet the requirements of this paragraph, the Secretary shall—

''(i) advise the Vietnam Veterans Memorial Fund, Inc. not later than 30 days after receipt of the proposed plan of the reasons that such plan does not meet the requirements; and

''(ii) allow the Vietnam Veterans Memorial Fund, Inc. to submit a revised donor recognition plan.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

There comes a point in time when we are always asking the Senate to do something, and when they finally get around to doing something, they decide to mess it up by making it questionable by trying to expand it. This is a similar case in which we gave them a simple and good bill. They have sent us back something that is questionable and expanded, and we are going to give it back to them so that they just do it right the second time around.

With that, I would like to yield such time as he may consume to the sponsor of the original bill, the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. I thank the gentleman for yielding.

Mr. Speaker, over a month ago, the House passed the Vietnam Veterans Donor Acknowledgment Act by a resounding vote of 398–2. Unfortunately, a couple of weeks ago, the Senate substantially changed this bipartisan and noncontroversial piece of legislation. Instead of only allowing donor recognition at a soon-to-be-built Vietnam Veterans Education Center, the Senate changed the bill to allow donor recognition, across the entire Mall, on all future commemorative works. While I am not fundamentally opposed to this idea, neither the House nor the Senate has done any hearings to consider the implications of this issue. In fact, neither the House nor the Senate has done a markup on this issue to allow Members to add their input.

Mr. Speaker, put simply, this is just a poor legislative process, and the American people deserve better.

Today, we are here to undo what the Senate has done and to, once again, send the Senate a bipartisan and noncontroversial bill. Today's resolution merely strikes the Senate language that allows donor recognition across The Mall and reinserts my original language from H.R. 588. This language has been through the full committee process and is sound legislative text.

However, not all of the Senate additions are bad. In this bill, we will keep one portion of the Senate's language, which extends the legislative authority to construct the Vietnam Veterans Education Center from 2014 until 2018.

□ 1710

It is unfortunate that we must provide this extension, though. Our Nation's Vietnam veterans have waited too long for this education center. It is a shame that a long line of political

gamesmanship has delayed its construction.

Mr. Speaker, after the Vietnam war, many of our Nation's bravest were welcomed home not with joyous cheers or words of thanks, but dirty looks and snide remarks.

Let us end these political games. I call upon my colleagues in the House, but especially on my colleagues in the Senate, to quickly pass this resolution so this education center can finally be built. I think we can all agree that this legislation and this center are a long time coming.

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

This is a very important issue before us today. The Senate amended H.R. 588 to allow any new memorial in D.C. to acknowledge donors.

The original bill passed by the House only allowed donor acknowledgement for the Vietnam Memorial Visitor Center. The Senate amendment also provided a 4-year extension of the legislative authority for the Vietnam Memorial Visitors Center.

The resolution before us today would narrow the Senate language back to apply only to the Vietnam Memorial Visitor Center while continuing to provide the visitor center with a 4-year extension of their authorization.

Mr. Speaker, our preference would be to send a bill to the President to sign today; however, the majority is insisting on amending the Senate legislation and sending this bill back to the Senate instead of to the President. While we do not object to a policy of allowing donor acknowledgement, we are concerned that amending the Senate amendment will unnecessarily delay enactment of this legislation.

Given this is the only option we have to support the Vietnam Memorial Visitor Center, we support passage of this bill, and I reserve the balance of my time.

Mr. BISHOP of Utah. At this time, I reserve the balance of my time as I will be the last speaker.

Mr. SABLAN. Mr. Speaker, at this time I yield as much time as he may consume to a Vietnam war veteran, the distinguished gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. Mr. Speaker, I thank the gentleman from Utah and the gentleman from the Northern Mariana Islands for their management of this important legislation. I certainly want to pay a special tribute to my good friend, the gentleman from Alaska (Mr. YOUNG), for his authorship of this bill.

Mr. Speaker, I rise today in strong support of this resolution to amend the Senate amendment to H.R. 588, the Vietnam Veterans Donor Acknowledgement Act of 2013.

I want to thank my good friend again, Congressman DON YOUNG from Alaska, for his leadership on this very important issue. He has always been a strong supporter of our military servicemembers and veterans and has been instrumental in moving forward to building the Education Center at the Wall that will educate the millions of visitors to the Vietnam Veterans Memorial about its history and purpose.

Mr. Speaker, last month the House, with overwhelming support, passed H.R. 588, the Vietnam Veterans Donor Acknowledgement Act of 2013. As we all know, H.R. 588 is supported by all the major veterans' organizations throughout the country. Unfortunately, during its consideration, the Senate significantly amended the bill, which has drastically altered the original intent of the bill. Much of the additions to H.R. 588 have not been evaluated or considered by way of markup, by either the Senate or the House, which is critical in considering any legislation. For this reason, my colleague today offers this resolution to reinstate the original bipartisan language.

Mr. Speaker, as a Vietnam veteran myself, I strongly believe that my fellow soldiers and I have waited long enough for the construction of this important educational center. It will benefit the many tourists that visit our Nation's capital and educate and inform many of those who question why the thousands of names are engraved on such an extraordinary memorial.

Mr. Speaker, it is so beautiful to see that our veterans coming from the Gulf War are being praised by the American public, which is great. Unfortunately, those of us who were part of the Vietnam legacy of the war that occurred at that time did not have a very sweet welcoming home I can say, Mr. Speaker, being called ''baby killers'' and ''warmongers'' and all of this. To this day I'm still very bitter in terms of the treatment of our soldiers and veterans who come from that terrible war that our country was involved in.

This education center is so critical to educate the American people—to educate America for that matter—so that they will understand and better appreciate the sacrifices and the contributions that our veterans and those who wore the armed services uniform made in protection of this country.

Again, I thank my dear friend, Mr. YOUNG from Alaska, and I urge my colleagues to support this bill.

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

Mr. SABLAN. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. BISHOP of Utah. I appreciate the comments that were given by the gentleman from Alaska (Mr. YOUNG), the gentleman from the Northern Mariana Islands (Mr. SABLAN), and I especially respect and appreciate the comments by the gentleman from American Samoa, who has done so much, and I appreciate all of those. In everything that we are doing, in fact, their comments were right on; that what we are trying to do is ensure that what we do here is to return to the cliche of the House, which is regular order, which means we go through a legitimate process of trying to look at something instead of just flying by the seat of our pants.

Therefore, because this was changed significantly in the Senate without much input at all, we are simply doing two things. First of all, we'll be removing the provisions effected by the Senate changes so that the Vietnam Visitors Center can move forward under this bill without any delay, and it will enhance the ability to raise their private funds, but also we want to give careful and due consideration to the Senate-added provisions.

So the text of the Senate language affecting future memorials is being introduced today as a standalone bill in the House. We will have a public hearing. We will go through the process, to be held very soon on this particular bill, and then further action by the committee will follow. Once again, this is our process to re-ensure regular order.

I urge my colleagues to vote for this particular resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and agree to the resolution, H. Res. 264.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

Y MOUNTAIN ACCESS ENHANCEMENT ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 253) to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 253

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Y Mountain Access Enhancement Act''.

SEC. 2. LAND CONVEYANCE, UINTA-WASATCH-CACHE NATIONAL FOREST, UTAH.

(a) CONVEYANCE REQUIRED.—On the request of Brigham Young University submitted to the Secretary of Agriculture not later than one year after the date of the enactment of this Act, the Secretary shall convey, not later than one year after receiving the request, to Brigham Young University all right, title, and interest of the United States

in and to the approximately 80-acres of National Forest System land in the Uinta-Wasatch-Cache National Forest in the State of Utah generally depicted as ''Proposed Conveyance Parcel'' on the map titled '' 'Y' Mountain Access Enhancement Act'' and dated June 6, 2013. The conveyance shall be subject to valid existing rights and shall be made by quitclaim deed.

(b) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—As consideration for the land conveyed under subsection (a), Brigham Young University shall pay to the Secretary an amount equal to the fair market value of the land, as determined by an appraisal approved by the Secretary and conducted in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions and section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(2) DEPOSIT.—The consideration received by the Secretary under paragraph (1) shall be deposited in the general fund of the Treasury to reduce the Federal deficit.

(c) GUARANTEED PUBLIC ACCESS TO Y MOUNTAIN TRAIL.—After the conveyance under subsection (a), Brigham Young University represents that it will—

(1) continue to allow the same reasonable public access to the trailhead and portion of the Y Mountain Trail already owned by Brigham Young University as of the date of the enactment of this Act that Brigham Young University has historically allowed; and

(2) allow that same reasonable public access to the portion of the Y Mountain Trail and the ''Y'' symbol located on the land described in subsection (a).

(d) SURVEY AND ADMINISTRATIVE COSTS.—The exact acreage and legal description of the land to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary. Brigham Young University shall pay the reasonable costs of survey, appraisal, and any administrative analyses required by law.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. With that, I yield myself such time as I may consume.

I am very proud of this particular bill, and I am happy to yield as much time as he may consume to the author of this bill, the gentleman from Utah (Mr. CHAFFETZ), with the understanding that he will explain to you that Y Mountain is not the same thing as Yucca Mountain.

Mr. CHAFFETZ. The gentleman from Utah is very correct, this is very different and not nearly as controversial, I assure you.

H.R. 253, the Y Mountain Access Enhancement Act, directs the Department of Agriculture to sell 80 acres of U.S. Forest Service land to Brigham Young University often referred to as BYU. This parcel of land includes the block Y on Y Mountain, a major landmark in the Provo area.

H.R. 253 requires BYU to pay fair market value for the land and requires BYU to cover administrative and appraisal costs associated with the sale. Proceeds of the land sale would be used to reduce the deficit.

H.R. 253 guarantees public access to the block Y and the Y Mountain trail after the sale. BYU has managed this parcel of land for 50 years and has always allowed public access.

BYU actually owned the entire trail at one point many years ago. H.R. 253 would restore ownership to Brigham Young University, but BYU would have to pay fair market value for the land.

Currently, one part of the trail is owned by BYU and the other is owned by the U.S. Forest Service. Split ownership of the trail complicates trail maintenance and long-term planning, which ultimately puts public access at risk.

Restoring this land to BYU would provide long-term certainty by removing any questions as to who owns the land and who is responsible for maintaining the trail.

Hiking up the Y is a popular pastime in the Provo area, and H.R. 253 ensures that the trail will be maintained for future hikers.

□ 1720

This bill was introduced in the 112th Congress as H.R. 4484 and passed the House on voice vote. I urge my colleagues to vote ''yes'' on this particular piece of legislation, and I appreciate the bipartisan support and work on this piece.

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

Mr. Speaker, H.R. 253 provides for conveyance of approximately 80 acres of Forest Service lands to Brigham Young University. We do not object to this legislation.

At this time, I would like to yield such time as he may consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in strong support of H.R. 253, the Y Mountain Access Enhancement Act. This legislation would direct the U.S. Department of Agriculture to sell approximately 80 acres to the U.S. Forest Service land known for years by the residents of the city of Provo, Utah, as ''Y Mountain'' to Brigham Young University.

Located directly east of the BYU campus, the Y Mountain includes a trail that leads 1.2 miles from the mountain's base up to a large white concrete ''Y'' on the mountain's hillside, which was built over 100 years ago. The ''Y,'' which is 380 feet high by 130 feet wide, is even larger than the ''Hollywood'' sign in Hollywood, California, and serves as an insignia for Brigham Young University.

As an alumnus of BYU, I, too, have come to know the ''Y'' as a symbol of campus pride for the students, the alumni, and members of the greater Provo community. Some of my colleagues are probably wondering why did an island boy like me want to go to a place like Utah? I wanted to experience what snow was like; and guess what, you can have all the snow you want because I'm going back to the islands.

But I will say, Mr. Speaker, the ''Y'' is illuminated five times a year, including freshman orientation, homecoming, graduations in April and August, as well as ''Y Days,'' which celebrate BYU's week of service activities. As a nationally recognized symbol of BYU, the Y Mountain is also a featured shot in almost every BYU game broadcast on national television.

BYU currently manages the U.S. Forest Service portion of the trail. H.R. 253, however, proposes that the Federal Government sell Y Mountain at fair market value to Brigham Young University. The bill also guarantees that public access to the ''Y'' and the Y Mountain Trail be maintained following the sale.

Mr. Speaker, it is my strong belief that permitting BYU to purchase this property would result in better maintenance of the trail and mountain. Given the immense source of pride in Y Mountain, BYU ownership of the property would only result in improved maintenance, cleanliness, safety, and access for the public. The transfer of ownership would also allow Brigham Young University to preserve a significant monument for future generations of students and members of the community.

I want to especially thank my colleague, the gentleman from Utah (Mr. CHAFFETZ), for his sponsorship of the bill, who also happens to be an alumnus of BYU, for introducing this legislation, and I do urge my colleagues to vote in support of this bill.

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

Mr. SABLAN. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. BISHOP of Utah. Despite being a graduate of the University of Utah and finding myself surrounded by BYU people here—it makes me terribly uncomfortable—this is still a good bill. It is a win-win situation and will provide the experience of those at BYU and the area a much safer and pleasant experience on Y Mountain, and so I urge my colleagues to vote for this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 253, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

ROTA CULTURAL AND NATURAL RESOURCES STUDY ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 674) to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 674

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

SECTION 1. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the ''Rota Cultural and Natural Resources Study Act''.

(b) FINDINGS.—Congress finds as follows:

(1) The island of Rota was the only major island in the Mariana Islands to be spared the destruction and large scale land use changes brought about by World War II.

(2) The island of Rota has been described by professional archeologists as having the most numerous, most intact, and generally the most unique prehistoric sites of any of the islands of the Mariana Archipelago.

(3) The island of Rota contains remaining examples of what is known as the Latte Phase of the cultural tradition of the indigenous Chamorro people of the Mariana Islands. Latte stone houses are remnants of the ancient Chamorro culture.

(4) Four prehistoric sites are listed on the National Register of Historic Places: Monchon Archeological District (also known locally as Monchon Latte Stone Village), Taga Latte Stone Quarry, the Dugi Archeological Site that contains latte stone structures, and the Chugai Pictograph Cave that contains examples of ancient Chamorro rock art. Alaguan Bay Ancient Village is another latte stone prehistoric site that is surrounded by tall-canopy limestone forest.

(5) In addition to prehistoric sites, the island of Rota boasts historic sites remaining from the Japanese period (1914–1945). Several of these sites are on the National Register of Historic Places: Nanyo Kohatsu Kabushiki Kaisha Sugar Mill, Japanese Coastal Defense Gun, and the Japanese Hospital.

(6) The island of Rota's natural resources are significant because of the extent and intact condition of its native limestone forest that provides habitat for several federally endangered listed species, the Mariana crow, and the Rota bridled white-eye birds, that are also native to the island of Rota. Three endangered plant species are also found on Rota and two are endemic to the island.

(7) Because of the significant cultural and natural resources listed above, on September 2005, the National Park Service, Pacific West Region, completed a preliminary resource assessment on the island of Rota, Commonwealth of the Northern Mariana Islands, which determined that the ''establishment of a unit of the national park system appear[ed] to be the best way to ensure the long term protection of Rota's most important cultural resources and its best examples of its native limestone forest.''.

SEC. 2. NPS STUDY OF SITES ON THE ISLAND OF ROTA, COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

(a) STUDY.—The Secretary of the Interior shall—

(1) carry out a study regarding the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on the island of Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System; and

(2) consider management alternatives for the island of Rota, Commonwealth of the Northern Mariana Islands.

(b) STUDY PROCESS AND COMPLETION.—Except as provided by subsection (c) of this section, section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)) shall apply to the conduct and completion of the study required by this section.

(c) SUBMISSION OF STUDY RESULTS.—Not later than 3 years after the date that funds are made available for this section, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the results of the study.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks, and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this bill authorizes a study for the suitability and feasibility of designating this particular area as part of a unit of the National Park System. I think it is a wise concept in which to go to find out the cultural and natural resources that are on this particular area and look forward to its further designation.

With that, I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 674, the Rota Cultural and Natural Resources Study Act. The bill authorizes the Secretary of the Interior to determine whether it would be suitable and feasible to add certain cultural, archeological, historical, and natural resources on the island of Rota in the Northern Marianas to the National Park System.

The House has already voted to authorize the suitability and feasibility study for Rota on two separate occasions, but the other body did not follow through, so here we are again. The third time may be the charm.

Mindful of the previous House votes, I will not preach to the choir, but I do think that it is worth reminding my colleagues that a Park Service reconnaissance survey reported in 2005 that Rota contains natural, archaeological, and historical features of national significance. These include precontact village sites of the Chamorro people, who discovered and populated the Mariana Islands 3,500 years ago.

I also want to remind my colleagues, because we're all mindful of cost, that the Congressional Budget Office finds the bill will not affect direct spending or revenues.

Finally, I want to thank Chairman HASTINGS and Ranking Member MARKEY of the Natural Resources Committee for their support of H.R. 674. I also want to thank Chairman BISHOP and Ranking Member GRIJALVA of the Subcommittee on Public Lands and Environmental Regulation for their help in bringing this measure to the floor today. I urge my colleagues to support passage of H.R. 674.

At this time, I yield such time as he may consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

Mr. FALEOMAVAEGA. Mr. Speaker, this is getting to be an island occasion or something. But at any rate, I do thank the gentleman from Utah and the gentleman from the Northern Marianas for allowing me to comment on this proposed legislation.

Mr. Speaker, I rise today in support of H.R. 674, the Rota Cultural and Natural Resources Act.

First, I want to thank the gentleman from the Commonwealth of the Northern Mariana Islands, my dear friend Mr. SABLAN, for his authorship of this important piece of legislation that will authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, the southernmost island of CNMI, as a unit of the National Park System.

This legislation is critical to CNMI and will enable the preservation of village sites of the ancient Chamorro people and Rota's native limestone forests that provide a habitat for locally and federally endangered listed bird species, including the Mariana crow and the Rota bridled white-eye birds.

Mr. Speaker, this legislation previously passed the House in the last

Congress, but, unfortunately, the Senate did not have time in its agenda to address the legislation prior to the end of the Congress. Leaders of Rota unanimously support this legislation. Additionally, the National Park Service, after completing a preliminary resources assessment of Rota in 2005, concluded that designating Rota as part of the National Park System appeared to be the best way to ensure the long-term protection of Rota's prehistoric and historic natural and manmade habitat structures.

Mr. Speaker, again, I commend Mr. SABLAN for his leadership. I urge my colleagues to support this bill.

I want to also share with my colleagues a little bit of history.

□ 1730

Twenty miles away from the island of Rota is the island called Tinian in the Northern Mariana Islands. This is where the Enola Gay was launched and delivered the two atomic bombs that were dropped in the war in Japan, which brought about the closing of World War II, especially against Japan.

So in terms of historical perspectives, Rota, Tinian, the Northern Mariana Islands, I think you've made a tremendous contribution for the betterment of our country.

And, again, I urge my colleagues to support this legislation.

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

Mr. SABLAN. Mr. Speaker, before I yield back my time, I'd also like to thank the gentleman from American Samoa for his support of the bill. And because he mentioned Tinian, the Enola Gay and the Boxcar did fly from Tinian to bomb Hiroshima and Nagasaki and ended the war against Japan.

Those airplanes, I'd like to also note for the record, originated and took off from Utah before they came to the Mariana Islands. So there's that connection here.

So Mr. BISHOP is actually the one who reminded me that while they took off from Tinian, it was in Utah that they started the flight to Tinian and eventually flew to Japan.

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

Mr. BISHOP of Utah. Mr. Speaker, he did steal my thunder. They did train and start in Wendover, Utah, which was part of my district until the legislature became involved in district lines in this last session.

I urge my colleagues to support this particular piece of legislation and remind them that any costs that would be associated with this study has to be appropriated. We have another chance to look at that. I firmly support it.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 674.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONVEYANCE OF LAND TO CORRECT ERRONEOUS SURVEY, COCONINO NATIONAL FOREST, ARIZONA

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 862) to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 862

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

SECTION 1. CONVEYANCE OF LAND TO CORRECT ERRONEOUS SURVEY, COCONINO NATIONAL FOREST, ARIZONA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of Agriculture may convey by quitclaim deed all right, title, and interest of the United States in and to the two parcels of land described in subsection (b) to a person or legal entity that represents (by power of attorney) the majority of landowners with private property adjacent to the two parcels. These parcels are within the boundaries of the Coconino National Forest and contain private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960.

(b) DESCRIPTION OF LAND.—The two parcels of land authorized for conveyance under subsection (a) consist of approximately 2.67 acres described in the Bureau of Land Management's Survey Plat titled Subdivision and Metes and Bounds Surveys in secs. 28 and 29, T. 20 N., R. 7 E., Gila and Salt River Meridian, approved February 2, 2010, as follows:

(1) Lot 2, sec. 28, T. 20 N., R. 7 E., Gila and Salt River Meridian, Coconino County, Arizona.

(2) Lot 1, sec. 29, T. 20 N., R. 7 E., Gila and Salt River Meridian, Coconino County, Arizona.

(c) CONSIDERATION.—

(1) AMOUNT OF CONSIDERATION.—As consideration for the conveyance of the two parcels under subsection (a), the person or legal entity that represents (by power of attorney) the majority of landowners with private property adjacent to the parcels shall pay to the Secretary consideration in the amount of $20,000.

(2) DEPOSIT.—The Secretary shall deposit the consideration received under this subsection in a special account in the fund established under Public Law 90–171 (commonly known as the Sisk Act; 16 U.S.C. 484a).

(3) USE.—The deposited funds shall be available to the Secretary, without further appropriation and until expended, for acquisition of land in the National Forest System.

(d) REVOCATION OF ORDERS.—Any public orders withdrawing any of the Federal land from appropriation or disposal under the public land laws are revoked to the extent necessary to permit conveyance of the Federal land under subsection (a).

(e) WITHDRAWAL OF FEDERAL LAND.—Subject to valid existing rights, the Federal land authorized for conveyance under subsection (a) is withdrawn from all forms of entry and appropriation under the public land laws, location, entry, and patent under the mining laws, and operation of the mineral leasing and geothermal leasing laws until the date which the conveyance is completed.

(f) OTHER TERMS AND CONDITIONS.—The conveyance authorized by subsection (a) shall be subject only to those surveys and clearances as needed to protect the interests of the United States.

(g) DURATION OF AUTHORITY.—The authority provided under this section shall terminate three years after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

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

Mr. SABLAN. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, this bill corrects a survey error made in the 1960s. The landowners will be required to pay $20,000 for these two parcels.

I want to commend my colleague, Congresswoman KIRKPATRICK, for her leadership on this issue. And at this time, I yield as much time as she may consume to the gentlewoman from Arizona (Mrs. KIRKPATRICK).

Mrs. KIRKPATRICK. Mr. Speaker, imagine waking up one day to learn that your property really isn't yours. In fact, that's exactly the situation that a group of residents in my district find themselves in.

They didn't cause the problem. Over 40 years ago it was created because of a land survey that simply got it wrong. For years, even decades, they've lived on their property, they've maintained it, they've invested in it, only to find that their property is within the boundaries of the United States Forest Service.

Now, this has been a real economic hardship for these folks. Today we have an opportunity to solve this for them.

I thank Congressman GOSAR and his staff for the opportunity to work together on behalf of the people of Arizona. Our bill, H.R. 862, has a simple,

commonsense conveyance which returns this land to its rightful owners and removes this economic hardship that has been hanging over them for so long.

We are pleased that the bill has bipartisan support, that it passed out of Natural Resources with a unanimous vote. And I urge my colleagues to join us today to support H.R. 862, because these people have been living in limbo for way too long.

Mr. BISHOP of Utah. At this time, I yield as much time as he may consume to the gentleman from Arizona (Mr. GOSAR), someone who is clearly a better gentleman than I am.

Mr. GOSAR. Mr. Speaker, I want to thank my colleague for the time and her teamwork on this public lands initiative.

But I am very frustrated that it even is necessary for us to re-introduce this legislation. It shouldn't take years and an act of Congress to right a wrong. Last year, the House overwhelmingly passed this bill by a vote count of 421–1. Unfortunately, it was the victim of partisan gridlock in the United States Senate and was not sent to the President before the end of the 112th Congress.

I see this initiative as unfinished business from the last Congress; and I hope, together, we can get this across the finish line very quickly this year.

H.R. 862 is a commonsense solution to an incomprehensible Federal land situation in northern Arizona. In 1960, the Federal Government conducted a survey in which several acres of the United States Forest Service land were misidentified as private property.

It was not until 2007, when the Federal Government contracted another private survey, that the mistakes were realized, and the residents of the Mountainaire neighborhood were informed of these errors.

Until the 2007 survey, many of these residents have maintained these parcels and developed them as their own for years and, in some cases, decades. In essence, the Federal Government seized lands the residents had maintained, developed, and paid taxes on for years.

Questions associated with the land ownership have plummeted property values in the neighborhood and prevented a number of owners from selling their homes. On some of those parcels, the revised boundary goes practically through portions of the residents' homes or backyards.

To fix the untenable situation, we reintroduced H.R. 862. The bill simply authorizes the Forest Service to convey all rights, titles, and interests to approximately 2.67 acres of the Coconino National Forest to the homeowners for a small fee, using an estimation process Congress utilized in another land exchange in the same northern Arizona county from the 109th Congress, Public Law No. 109–110.

The Forest Service does not want to own these people's living rooms, and the property owners certainly do not want to share their homes or their yards with the Forest Service. This bill is a no-brainer, reported out of the Natural Resources Committee by unanimous consent.

I encourage my colleagues to vote in favor of this legislation and relieve some northern Arizonans of this financially burdensome situation.

Mr. SABLAN. Mr. Speaker, when the House acts this way, it's some of the most brightest, proudest moments for me—that I am a part of this House when Congress, when Members of this House do something to right a wrong. And in this case, not just right a wrong, but because of a survey and a mistake by surveyors in the 1960s, these homeowners are now even willing to put up their own money and buy a piece of property that they thought they always owned.

This is a proud moment, and I support the bill, Mr. Speaker.

I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, this is one situation that is just unbelievable that the situation exists. It is unbelievable that it takes legislation to solve this type of a problem.

And I want to thank Mr. GOSAR, as well as Mrs. KIRKPATRICK from Arizona, for working together to try and solve this problem that should never have existed in the first place.

It's a good bill. I urge support.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 862.

The question was taken.

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

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

□ 1740

BUFFALO SOLDIERS IN THE NATIONAL PARKS STUDY ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 520) to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 520

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Buffalo Soldiers in the National Parks Study Act''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—The Congress finds the following:

(1) In the late 19th century and early 20th century, African-American troops who came to be known as the Buffalo Soldiers served in many critical roles in the western United States, including protecting some of the first National Parks.

(2) Based at the Presidio in San Francisco, Buffalo Soldiers were assigned to Sequoia and Yosemite National Parks where they patrolled the backcountry, built trails, stopped poaching, and otherwise served in the roles later assumed by National Park rangers.

(3) The public would benefit from having opportunities to learn more about the Buffalo Soldiers in the National Parks and their contributions to the management of National Parks and the legacy of African-Americans in the post-Civil War era.

(4) As the centennial of the National Park Service in 2016 approaches, it is an especially appropriate time to conduct research and increase public awareness of the stewardship role the Buffalo Soldiers played in the early years of the National Parks.

(b) PURPOSE.—The purpose of this Act is to authorize a study to determine the most effective ways to increase understanding and public awareness of the critical role that the Buffalo Soldiers played in the early years of the National Parks.

SEC. 3. STUDY.

(a) IN GENERAL.—The Secretary of the Interior shall conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks.

(b) CONTENTS OF STUDY.—The study shall include—

(1) a historical assessment, based on extensive research, of the Buffalo Soldiers who served in National Parks in the years prior to the establishment of the National Park Service;

(2) an evaluation of the suitability and feasibility of establishing a national historic trail commemorating the route traveled by the Buffalo Soldiers from their post in the Presidio of San Francisco to Sequoia and Yosemite National Parks and to any other National Parks where they may have served;

(3) the identification of properties that could meet criteria for listing in the National Register of Historic Places or criteria for designation as National Historic Landmarks;

(4) an evaluation of appropriate ways to enhance historical research, education, interpretation, and public awareness of the story of the Buffalo Soldiers' stewardship role in the National Parks, including ways to link the story to the development of National Parks and the story of African-American military service following the Civil War; and

(5) any other matters that the Secretary of the Interior deems appropriate for this study.

(c) REPORT.—Not later than 3 years after funds are made available for the study, the Secretary of the Interior shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing the study's findings and recommendations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Utah (Mr. BISHOP) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, again I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. I yield myself such time as I may consume.

This particular bill authorizes the National Park Service, again, to conduct a study. The cost of the study would be subject to appropriations. This study would commemorate the role of Buffalo Soldiers in the early years of our National Park Service.

For 25 years preceding the creation of the National Park Service, Yosemite National Park was administered by the United States Army, and the Buffalo Soldiers played a key role protecting the park resources that have been enjoyed by many people today.

This bill would simply authorize a study as to the role that we should do in commemorating the Buffalo Soldiers in the National Park system specifically as it deals with Yosemite National Park.

I reserve the balance of my time.

Mr. SABLAN. Mr. Speaker, I yield myself as much time as I may consume, and then I will also yield time to the distinguished gentlelady from California.

H.R. 520 would direct the Secretary of the Interior to study ways the National Park Service could commemorate the role of Buffalo Soldiers. Buffalo Soldiers were African American troops who served in our first National Parks, including Yosemite and Sequoia National Parks, prior to the establishment of the National Park Service.

The legislation, sponsored by Congresswoman SPEIER, was ordered favorably reported by the Natural Resources Committee in April. This legislation has passed the House during the previous two Congresses.

I commend my colleague, Congresswoman SPEIER, for introducing this legislation and for her leadership on this issue. We strongly support this legislation.

At this time, I yield as much time as she may consume to the Congresswoman from California.

Ms. SPEIER. Mr. Speaker, I thank my good friend from the Northern Mariana Islands for yielding to me.

Mr. Speaker, I rise this evening in support of my legislation, the Buffalo Soldiers in the National Parks Study Act, which will allow the Department of the Interior to study the role the Buffalo Soldiers played in defending our first national parks. This is a key step in preserving the legacy of the Army's first African American infantry and cavalry units and the contributions they made to the Nation.

This bill has passed the House under suspension of the rules twice before, once in the 111th Congress and once in the 112th Congress. I'm grateful to the many cosponsors of this legislation, as well.

Specifically, my bill would evaluate the feasibility of a National Historic Trail along the Buffalo Soldier route from their historic military post at the San Francisco Presidio to Yosemite and Sequoia National Parks. The study would also identify properties that could be listed in the National Register of Historic Places or designation as National Historic Landmarks.

For several years, Buffalo Soldier regiments traveled 320 miles along this route to patrol the park lands for loggers and poachers, build new trails, and escort visitors. The Buffalo Soldiers were among our very first park rangers, a task these troops took on with pride after serving bravely in the Civil War and other campaigns.

Because of the color of their skin, the Buffalo Soldiers were all too often marginalized instead of respected for their service to the Nation, both on and off the battlefield. However, during their time protecting the parks, they not only confronted racism and discrimination—they overcame it. They became respected neighbors and friends to people living in the park regions, and they made real inroads towards racial progress that was extraordinary for their day. Although they were assigned to watch over government property for only a relatively short time, the Buffalo Soldiers helped lay the groundwork for some of our greatest wilderness to be preserved forever.

I'm proud that the Buffalo Soldiers traveled through my district on their way to the parks, and I believe this bill will help shine a light on the history they made in the great State of California and in many places across our great country.

All Americans, from all walks of life, will benefit from learning about this often-overlooked chapter in our history. The Buffalo Soldiers' story is ultimately about the triumph not just of African American troops over prejudice and injustice, but about the movement of our Nation toward a more tolerant and courageous society. This is history that should be more fully incorporated into our parks system, and I believe it will enhance the parks experience for millions of visitors for many years to come. I thank my colleagues for supporting this bill.

Mr. SABLAN. Mr. Speaker, we support the bill.

I have no further speakers, and I yield back the balance of my time.

Mr. BISHOP of Utah. I yield back the balance of my time.

Mr. TURNER. Mr. Speaker, as we consider H.R. 520, the Buffalo Soldiers in the National Parks Study Act, I would like to recognize the important contributions of Colonel Charles Young.

As a Member of the House Armed Services Committee and Co-Chair of the House Historic Preservation Caucus, I have the privilege of frequently working with our servicemembers as well as a great appreciation for our nation's historic treasures. Additionally, Colonel Young's home, located in my community in Southwest Ohio, was recently designated as a National Historic Monument.

Colonel Young, the third African-American to graduate from the United States Military Academy at West Point in 1889, was a distinguished officer in the U.S. Army. He was a pioneer of military intelligence techniques, a commander of troops in combat in the Spanish-American War and the Mexican expedition against Pancho Villa.

His first assignment after graduation was with the Buffalo Soldiers in the 10th Cavalry in Nebraska, and then with the 9th and 10th Cavalries in Utah. With the outbreak of the Spanish-American War, he was reassigned as Second Lieutenant to training duty at Camp Alger, Virginia.

In 1903, then-Captain Young was in command of the 10th Cavalry stationed at the Presidio of San Francisco. That summer, with the Army responsible for its management, Colonel Young was assigned to serve as Acting Superintendent of Sequoia National Parks in California.

Colonel Young was then awarded a commission as a Major in the Ninth Ohio Volunteer Infantry. Later, during the Spanish-American War, he commanded a squadron of the 10th Cavalry Buffalo Soldiers in Cuba. Throughout his military career, Colonel Young distinguished himself in service to our nation with the Buffalo Soldiers of the 9th and 10th Cavalries, and the 25th Infantry, as well as serving as Professor of Military Science at Wilberforce University, Ohio.

Today the House will continue to honor the legacy and leadership of the Buffalo Soldiers. Colonel Charles Young stands out as a shining example of the dedication, service, and commitment of the Buffalo Soldiers throughout United States and world history.

Mr. Speaker, I am glad to recognize the important historical contributions of Buffalo Soldiers such as Colonel Young.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 520.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE WESTERN BALKANS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113–37)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs, and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001, is to remain in effect beyond June 26, 2013.

The crisis constituted by the actions of persons engaged in, or assisting, sponsoring, or supporting (i) extremist violence in the Republic of Macedonia and elsewhere in the Western Balkans region, or (ii) acts obstructing implementation of the Dayton Accords in Bosnia or United Nations Security Council Resolution 1244 of June 10, 1999, related to Kosovo, which led to the declaration of a national emergency on June 26, 2001, in Executive Order 13219 and to the amendment of that order in Executive Order 13304 of May 28, 2003, to include acts obstructing implementation of the Ohrid Framework Agreement of 2001 in Macedonia, has not been resolved. The acts of extremist violence and obstructionist activity outlined in Executive Order 13219, as amended, are hostile to U.S. interests and continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared with respect to the Western Balkans.

BARACK OBAMA.

THE WHITE HOUSE, *June 17, 2013.*

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 48 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 876, by the yeas and nays;

H.R. 253, by the yeas and nays;

H.R. 862, by the yeas and nays.

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

IDAHO WILDERNESS WATER RESOURCES PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 876) to authorize the continued use of certain water diversions located on National System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 398, nays 0, not voting 36, as follows:

[Roll No. 245]

YEAS—398

Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Carney
Carson (IN)
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
King (IA)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lance
Langevin
Lankford
Larson (CT)
Latham
Latta
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Sean
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Moran
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden

Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—36

Aderholt
Barton
Bonner
Brady (TX)
Buchanan
Campbell
Cárdenas
Carter
Courtney
Dingell
Fudge
Gibbs
Gingrey (GA)
Gutierrez
Hunter
Jordan
Kind
King (NY)
Lamborn
Larsen (WA)
Lee (CA)
Maloney, Carolyn
Marchant
Markey
McCarthy (NY)
Miller, George
Mullin
Pastor (AZ)
Richmond
Rogers (KY)
Rogers (MI)
Rohrabacher
Runyan
Scott, Austin
Stockman
Young (FL)

□ 1855

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Y MOUNTAIN ACCESS ENHANCEMENT ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 253) to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 397, nays 1, not voting 36, as follows:

[Roll No. 246]

YEAS—397

Alexander
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Carney
Carson (IN)
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
King (IA)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lance
Langevin
Lankford
Larson (CT)
Latham
Latta
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Sean
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Moran
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—1

Amash

NOT VOTING—36

Aderholt
Barton
Bonner
Brady (TX)
Buchanan
Campbell
Cárdenas
Carter
Courtney
Dingell
Fudge
Gibbs
Gingrey (GA)
Gutierrez
Hunter
Jordan
Kind
King (NY)
Lamborn
Larsen (WA)
Lee (CA)
Maloney, Carolyn
Marchant
Markey
McCarthy (NY)
Miller, George
Mullin
Pastor (AZ)
Richmond
Rogers (KY)
Rogers (MI)
Rohrabacher
Runyan
Scott, Austin
Stockman
Young (FL)

□ 1902

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

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to provide for the conveyance of approximately 80 acres of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes.''.

A motion to reconsider was laid on the table.

CONVEYANCE OF LAND TO CORRECT ERRONEOUS SURVEY, COCONINO NATIONAL FOREST, ARIZONA

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 862) to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 395, nays 1, not voting 38, as follows:

[Roll No. 247]

YEAS—395

Alexander
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)

Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Carney
Carson (IN)
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
King (IA)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lance
Langevin
Lankford
Larson (CT)
Latham
Latta
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Sean
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
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Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Moran
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
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O'Rourke
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Poe (TX)
Polis
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Price (GA)
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Quigley
Radel
Rahall
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Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
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Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
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Velázquez
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Weber (TX)
Webster (FL)
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Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—1

Amash

NOT VOTING—38

Aderholt
Barton
Bonner
Brady (TX)
Buchanan
Campbell
Cárdenas
Carter
Cotton
Courtney
Dingell
Fudge
Gibbs
Gingrey (GA)
Gutierrez
Hunter
Jordan
Kind
King (NY)
Lamborn
Larsen (WA)
Lee (CA)
Maloney, Carolyn
Marchant
Markey
McCarthy (NY)
Miller, George
Mullin
Pastor (AZ)
Richmond
Rogers (KY)
Rogers (MI)
Rohrabacher
Runyan
Scott, Austin
Scott, David
Stockman
Young (FL)

□ 1911

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1947, FEDERAL AGRICULTURE REFORM AND RISK MANAGEMENT ACT OF 2013; AND PROVIDING FOR CONSIDERATION OF H.R. 1797, PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 113–114) on the resolution (H. Res. 266) providing for consideration of the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes; and providing for consideration of the bill (H.R. 1797) to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1797

Mr. BROUN of Georgia. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1797, the Pain-Capable Unborn Child Protection Act.

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

There was no objection.

REPORT ON H.R. 2397, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2014

Mr. FRELINGHUYSEN, from the Committee on Appropriations, submitted a privileged report (Rept. No. 113–113) on the bill (H.R. 2397) making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

ENROLL AMERICA

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

Mr. BURGESS. Mr. Speaker, today, the White House's permanent campaign machine released a television ad promoting the Affordable Care Act and, unfortunately, it aims to completely mislead the public. The ad claims that Americans are seeing better coverage and lower costs because of the Affordable Care Act. That is pure fantasy.

The fact is that premiums have been ratcheting upward across the country. On average, rates in Ohio will go up to almost $200 a month because of this law. It's the same story state by state. These rising costs clearly have the administration worried that people are going to understand how bad the Affordable Care Act is.

Enroll America is set to spend tens of millions of dollars in promoting this law. This is money that they raised by using current and former administration officials to unethically, if not illegally, strong-arm donations from health care companies that are regulated by the Department of Health and Human Services.

The administration put together a law that hurts families and now they have to spend tens of millions of dollars telling people that ''hey, it ain't so bad.''

Mr. Speaker, this is a travesty. It should be stopped.

CLIMATE CHANGE

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

Mr. WAXMAN. Mr. Speaker, this last week, the International Energy Agency came out with a very important report about climate change. They said that if we don't act soon, we are going to see extreme weather events—droughts, hurricanes, all sorts of flooding, real serious problems for our children and our grandchildren. But the important thing in this report is if we do act now, we can avert some of those horrible consequences that will face our children, and especially our grandchildren.

I want to urge the Congress to take this report seriously and let us start acting to protect future generations and this planet. We only have one atmosphere we share with everyone else. Let's not pollute it so that the carbon emissions and greenhouse gases continue to heat the planet and cause climate problems that we're already witnessing today. Let's move. It will help our economy, as well as our environment.

ABUNDANT, CLEAN, AND AFFORDABLE NATURAL GAS

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, America is blessed with abundant, clean, and affordable natural gas. As the amount of known natural gas reserves continually increases, we are also blessed with the technology to be environmentally responsible when accessing this resource.

In my home State of Pennsylvania, the discovery and extraction of the Marcellus shale has been transforming. During the difficult years of an economy in recession, unemployment numbers in the Keystone State have remained well below the national rates. We can attribute a substantial portion of this prosperity to development related to this plentiful natural resource.

A study by the Allegheny Institute for Public Policy is a recent testament to this fact. The report shows that rents and royalties reported on Pennsylvania income tax returns from 2006 to 2010 have increased 61 percent statewide and 119 percent in counties with Marcellus shale activity.

Mr. Speaker, we must continue to responsibly develop this resource so that we ensure it offers future generations the same and greater economic opportunities.

□ 1920

A WOMAN'S RIGHT TO CHOOSE

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

Mr. BARBER. I rise tonight as the father of two strong and accomplished women and as the grandfather of three grandchildren in order to speak against H.R. 1797, which will come before the House tomorrow, in which we will be asked yet again to put government in charge of a woman's private medical decisions.

We must protect the right of every woman to make her health care decisions with her doctor without interference by politicians in Washington. Only she can decide what is best for her and her family. This is an issue of personal liberty. The Supreme Court ruled more than half a century ago that Americans had the right to make their own choices about reproductive health. Yet, once again, we will debate a new piece of legislation to limit the rights of women.

I will oppose H.R. 1797 tomorrow, and I strongly urge my colleagues on both sides of the aisle to do the same—to stand up for women and to oppose the latest attempt to intrude into their most personal health care decisions.

OBAMACARE AND AMNESTY

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

Mr. FLEMING. Mr. Speaker, what do you get when you add the Senate's amnesty immigration bill to ObamaCare?

More people losing their jobs.

ObamaCare mandates that employers with 50 or more full-time employees provide government-approved health insurance or pay a penalty. Many businesses with around 50 employees already say they'll cut some full-timers to part-time positions to avoid this penalty.

But that's not all.

The Senate immigration bill would give legal status to about 11 million people who have come here illegally, and employers could hire any of those 11 million without counting them toward the ObamaCare mandate. So employers who are trying to make ends meet and balance a budget are being told by their government that they can save money by unloading full-time, hardworking American citizens and by replacing them with immigrants who are here on a provisional status.

I know my colleagues on the other side will say we should just add all 11 million, but I think that's the wrong thing to do. Let's repeal ObamaCare.

SMALL BUSINESS WEEK

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

Mr. SWALWELL of California. This week marks the 50th annual National Small Business Week, where we recognize the importance of the entrepreneurs and small business owners who work hard to fulfill the promise of the American Dream.

I saw this firsthand as a Dublin planning commissioner and, later, as a city council member, which is that, when small businesses get off the ground and succeed, the entire community around them benefits and our economy grows. In fact, more than one half of all Americans either own or work for a small business, and they account for about two out of every three new jobs created every year.

This Saturday, I went from storefront to storefront in downtown Hayward to speak to local small business owners in my congressional district. To help address the problems that I heard about—not having enough capital to start up or not having enough business-to-business transactions or foot traffic—I introduced the Main Street Revival Act. My bill will allow certain small businesses to elect to defer paying Federal payroll taxes in the first year of operation in order to help offset their costs.

Small businesses form the backbone of our communities—opening new storefronts, training American workers and selling goods in our neighborhoods. It's through supporting them that we expand economic opportunity and help make the American Dream a reality.

CUTTING RED TAPE FOR U.S. SMALL BUSINESSES

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

Mr. PAULSEN. Mr. Speaker, recently, I held a telephone town hall meeting with 7,000 of my constituents, and a good part of our conversation centered on our economy's anemic economic job growth and lackluster job creation. One woman with whom I spoke, whose name was Gloria, is a small business owner in Chanhassen. She expressed her deep frustration with the growing weight of new regulations on her business and on small businesses.

Mr. Speaker, Americans are burdened with $2 trillion nearly every year of new regulations—with the number only increasing. Since 2008, 156 new major regulations have been instituted, adding about $90 billion in regulatory costs to the economy and stifling economic growth and job creation. This needs to be fixed.

Congress should have more control over a growing bureaucracy by requiring that elected representatives sign off on those new rules and regulations that would have a major economic impact. Cutting red tape will help lower one more hurdle that is impeding opportunity for new jobs, job growers and creators, and entrepreneurs like Gloria.

FEDERAL PROBATION SYSTEM AFFECTED BY SEQUESTER

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

Mr. MAFFEI. On March 14, Lori Bresnahan, a school librarian who lived in my district, and a 10-year-old child were attacked in a shopping center parking lot.

The attacker was facing Federal child pornography charges and was out on bail and ordered to wear an electronic monitoring bracelet. He disabled the bracelet, stabbed Ms. Bresnahan to death and sexually assaulted the young girl.

It was later found that he had tampered with the bracelet 47 times, and each time, the Federal probation office in Syracuse did not respond. I wrote to the administrative office of the United States Courts, asking them to investigate this gross negligence. This is their response:

The Director says, ''Nothing can excuse the deficiencies in the supervision of this case,'' but he also says, ''Reduced resources due to the sequester is harming the efforts to keep it from happening again.'' He continued, ''We are bracing for even larger reductions next year.''

An innocent woman was stabbed to death, an innocent child was sexually assaulted, and the answer from the courts is that their ability to keep it from happening again is limited because their funding was cut. This is unacceptable. To Lori Bresnahan and that young girl, we owe a full investigation, not excuses.

Mr. Speaker, we owe them the guarantee that this cannot happen again. We owe them an end to the sequester cuts, which are affecting our Federal probation system.

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS,
Washington, DC, June 14, 2013.

Hon. DAN MAFFEI,
U.S. House of Representatives,
Washington, DC 20515.

DEAR REPRESENTATIVE MAFFEI: I write in response to your letters to the Judicial Conference of the United States and to me as Director of the Administrative Office of the U.S. Courts (AO). We share your grave concern with the crimes attributed to David Renz, a defendant under pretrial supervision and electronic monitoring by the federal probation office in Syracuse, New York.

While nothing can diminish the severity of crimes attributed to David Renz or excuse the deficiencies in supervision of his case, our view—based on our knowledge from regular program reviews in the field and other ongoing communication with field offices from around the country—is that David Renz was not supervised in a manner typical of federal probation and pretrial services practices. The vast majority of the 200,000 defendants and offenders supervised every year remain arrest-free and comply with the conditions imposed by their supervising court. In instances where they are returned to prison, it is most often for technical violations (such as refusing to participate in treatment or associating with a known felon) rather than for new crimes. Such success does not come easily when dealing with high-risk defendants and offenders, and reflects the hard work of many dedicated employees of the Judiciary.

Probation officers carry out their duties pursuant to statutes enacted by Congress and policies approved by the Judicial Conference. The AO is responsible for, among other things, investigating the work of probation and pretrial services offices and advising courts about Judicial Conference policies and best practices. As you know, the AO initiated an investigation into the handling of the Renz case shortly after learning of his rearrest. On April 9, 2013, a report based on that investigation—which included a number of findings that you cited in your letters—was submitted to the chief judge of the Northern District of New York, who directly supervises the probation office in that district. The chief judge has the authority to take personnel action and make other changes. We also re-submitted to the chief judge an earlier ''program review'' report, describing the work of the probation office in 2010. In the interest of transparency and public awareness, the court posted the report on their website.

We reported to the chief judge that the probation office failed to make desired changes following the 2010 program review but, in consultation with the chief judge and the AO, the probation office has made substantial changes in response to our findings and recommendations in the 2013 report. Those changes have included dismissing and demoting certain probation office personnel, reorganizing the office's location monitoring unit, retraining staff, and inviting in a technical assistance team from the AO for consultation and training. In addition, the probation office indicated that it will cooperate fully with cyclical reinvestigations to be conducted (as funding permits) by the AO.

Nonetheless, the AO is in the process of reexamining policy for and reviewing the operations of probation and pretrial services offices with respect to location monitoring. We appreciate your offer to introduce supportive legislation. At this time, the Judicial Conference does not have legislative recommendations related to the location monitoring program. After we complete our policy review, we may seek assistance from Congress. Of note, we will need to work within available funding. Funding for salaries and operations in the probation and pretrial services system has been reduced 14 percent this fiscal year, and resources for location monitoring, mental health and substance abuse treatment have been cut 20 percent. We are bracing for even larger reductions next year, and the vacancy rate in probation and pretrial services offices now stands at 25 percent. Your continued support of our appropriation request is much appreciated.

The AO remains committed to public safety, and we appreciate your interest in our federal probation and pretrial services functions. If we may be of additional assistance, please do not hesitate to call our Office of Legislative Affairs at 202–502–1700.

Sincerely,

THOMAS F. HOGAN,
Director.

GITMO UNIVERSITY ON THE CARIBBEAN

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

Mr. POE of Texas. Mr. Speaker, ''English as a second language,'' ''Pashto to English,'' ''Arabic to English,'' ''art,'' ''life skills,'' ''computers,'' ''personal health and wellness,'' ''finance and business''—sounds like courses at a swanky New England university, but these are just a few classes offered at Gitmo University on the Caribbean.

That's not all.

These terrorists get training in resume writing and interviewing. Are they going someplace? And what do they put on that resume—''professional bomb maker''?

If they get bored with classes, they can meander over to the ''detainee library'' with its 17,000 books, video games and CDs.

More still.

Terrorists have access to the fancy, new taxpayer-funded $750,000 soccer field—play volleyball, basketball, table tennis, and even foosball. Lastly, they get cultural religious training—ironic since the radicals kill in the name of religion.

Mr. Speaker, why does the government spend millions to train and entertain those who kill Americans?

However, this is just another day for the 166 terrorist trainers, financiers and Osama bin Laden bodyguards at Gitmo University on the Caribbean.

And that's just the way it is.

NATIONAL UNEMPLOYMENT

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

Mr. VALADAO. Mr. Speaker, earlier this month, the national unemployment report was released for this past May.

While some Americans were able to find low-paying jobs, I remain extremely disappointed with this sluggish economic recovery. For example, parts of my district in the Central Valley are still suffering from 30 percent unemployment. This is simply unacceptable.

The economic downturn, caused by burdensome regulatory policies at the State and Federal levels, cannot continue. Our communities should be growing, our businesses should be expanding, and our families should be able to provide better lives for their children. This can be done by allowing safe oil and natural gas exploration and by providing a clean, reliable water supply for Central Valley farmers, farm workers and their communities.

My constituents have faced chronic unemployment for too long. It is time for Washington bureaucrats to get out of the way and to let America prosper.

JUNETEENTH INDEPENDENCE DAY AND THE NSA

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

Ms. JACKSON LEE. I am very pleased today to say that Members have joined me in introducing H. Res. 268, which is observing the historical significance of Juneteenth Independence Day, which is going to be this Wednesday, June 19.

I hope that all of those across America will understand the meaning of Juneteenth, which is to express a celebration for the freeing of the slaves, which did not come to the southwestern States, like Texas, until almost 2 years later. That was 1865 after 1863.

Mr. Speaker, I want to quickly change the topic and indicate that I believe it's important to get an understanding of the individual who has allegedly been providing the leaks from the NSA. I have been restrained as to call him anything until the laws determine who he is, but I do believe that we are now tipping the scales of fairness when more and more is coming out in a foreign country, and I do believe something has to be done.

I will be introducing legislation on the reduction of private-intel utilization, an explanation of FISA Court opinions and strengthening the FISA Court because I believe that it is extremely important in strengthening the public trust and in strengthening the rights of the American people. We have to do it, and we have to be able to find this gentleman quickly so that the intelligence that will protect Americans will be done.

□ 1930

ENTANGLING ALLIANCES

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

Mr. GOHMERT. Mr. Speaker, I realize that there are many in schools that are not taught as much history as they should now because they're teaching to this ridiculous test, but it is important we learn from history.

Right now in Syria, we have rebels that are backed by al Qaeda. And this administration, and even some in this building, want to rush to the aid of the al Qaeda-backed rebels, while there are others that say, well, maybe we'd be better off if Assad stayed in power. It's a lose-lose situation for the United States, and when that's the case, it's time to stay out.

Maybe early on, before al Qaeda got so powerful, it would have been time to do something; but when it is a national security risk, when we get involved in an entangling situation like that, it's time to look back.

What caused World War I? Entangling alliances.

Does entangling alliances involving Russia and so many other countries in Syria ring bells?

It's time the bells rang and we stayed out.

REGULATORY REFORM AND REGULATORY RELIEF

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Georgia (Mr. COLLINS) is recognized for 60 minutes as the designee of the majority leader.

GENERAL LEAVE

Mr. COLLINS of Georgia. I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the subject of my Special Order.

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

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I rise in another of a series of Republican freshman class Special Orders, this time to focus on our Nation's need for regulatory reform and regulatory relief.

As an American and a parent, I value the role of responsible regulations. Many regulations were designed with personal safety in mind, and these regulations make our workforce stronger. All too often, however, the Federal Government designs regulations that are often unnecessary and achieve little or no benefit at a very high cost. These regulations directly impact the hardworking men and women of northeast Georgia and across the Nation. Over the next hour, my colleagues and I will discuss the growing problem of regulation and why our Nation's economy so desperately needs regulatory relief.

I am pleased to yield 5 minutes to the president of our freshman class, my dear friend and a tireless worker on this issue as well, the gentleman from Indiana (Mr. MESSER).

Mr. MESSER. I want to thank my good friend from Georgia (Mr. COLLINS) for recognizing me and for leading this Republican freshman class Special Order on the need for regulatory reform.

I also want to commend him and the gentleman from Florida (Mr. YOHO) for their initiative in creating the Freshman Regulatory Reform Working Group, of which I am pleased to be a member.

A recent editorial written by George Washington University Professor Jonathan Turley declared that:

> Our carefully constructed system of checks and balances is being negated by the rise of a fourth branch, an administrative state of sprawling departments and agencies that govern with increasing autonomy and decreasing transparency.

The voice of the American people is marginalized when this so-called fourth state of government, our Federal agencies, fail to follow the wishes of their elected representatives or make policy in the absence of direction by Congress. And the American people are paying the price of this regulatory maze created by this unelected government.

For example, the Heritage Foundation has found that annual regulatory costs increased by more than $23.5 billion during President Obama's fourth year in office. The total cost of regulations during the President's first term were nearly $70 billion, a level unmatched by any previous administration.

It's time to unshackle America from the stranglehold these regulations have on our economy.

I again want to thank Mr. COLLINS and Mr. YOHO for leading efforts among the freshman Republicans to eliminate and streamline burdensome Federal regulations. I look forward to working with them and all Members of the House to help create jobs by allowing America's businesses to grow and innovate by reining in the unelected bureaucracy standing in their way.

Mr. COLLINS of Georgia. I thank the gentleman from Indiana.

I think you bring up a great point, and that's the issue of an unelected bureaucracy that is forcing sometimes businesses who just want to create, want to expand, and want to do those things. I appreciate your interest in this, and we are going to continue this fight because this matters to real people. This matters to Main Street. And when we matter to Main Street, then people understand what we're trying to do up here, and I think they then begin to have confidence that Washington has their best interest at heart.

Mr. MESSER. I would just add, sometimes I think this comes from both sides. In other words, there are times when laws passed by Congress are intentionally vague so that the bureaucracy steps in and leaders are able to say, Hey, blame it on those regulators.

I think we have a responsibility to make sure that we're making laws specific enough and simple enough to be understood by the American people.

Mr. COLLINS of Georgia. I agree with that, and I thank the gentleman from Indiana. I appreciate his work on this.

It's now my pleasure to introduce someone who not only has come to Congress fired up about the issues that are going on, but has become my co-chair on this regulatory working group and bringing forth, I believe, a fresh perspective from Florida.

It is now my pleasure to yield to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. I thank my good friend from Georgia for yielding, and I appreciate the comments.

I'd like to title this talk, ''Burdensome Regulations: The Dysfunctional Government Tax.''

More than $14,000 every year, that's what the average American family loses out on because of Federal regulations either in taxes or lower wages because their employers are carrying that burden.

How do we even get all these regulations, more than 6,000 regulations just this year? It happens when the executive branch goes around Congress to create their own policies. Some people call this ''legislation through regulation.'' I call it the ''dysfunctional government tax.'' It's the $40 a day every American has to pay because the executive branch won't go through Congress. It won't work with those of us who are here tonight because we were sent here by the people.

In more places in my district, you could take your spouse out for a nice dinner for $40. A person could fill up their gas tank and a minivan for about $40, or you could take your children to a matinee movie on the weekends for $40.

When I'm at home in my district, I hear from people who own their own business and from people who just care about their work, about how Federal regulations are making it harder to make ends meet. We're going to talk about a few of these regulations tonight, but let me tell you about a few stories from north central Florida.

There's a lumber company in my district that has to aim lower. By that I mean versus aiming higher to expand their business. This is because of the burden of the Affordable Care Act. It's too great to bear. They would love nothing more than to hire more people, more workers, or buy that extra piece of equipment, but there's no telling what the compliance cost of the ACA will be.

Not only that, these poor folks are subject to the rules and perhaps fines based on the discretion or interpretation of whatever inspector happens upon them that day. There is no certainty. And I think that's one of the biggest roles that we have to do is create certainty in the environment of the workplace so that businesses can go forward and expand their businesses. To create a stable economy, we need a stable environment for businesses to work in. The overregulation we've seen in recent years creates neither.

Yet another example comes from a watermelon grower in my district and an interpretation of a rule from the Food Safety Modernization Act, commonly called FSMA. This rule says that the use of water bottles cannot be used by workers in the field when they are picking the melons. I don't know if words can describe just how hot and humid it gets in Florida during this time of year, but it gets pretty darn hot. Not allowing water in the fields is tantamount to cruel and unusual punishment.

Even more ridiculous are the posters that have to be placed on site that talk about the risk of heat stroke. What you see here is a poster that's put up by one of the regulatory agencies warning people about heat stroke, but yet they won't let you take water into the field to pick watermelons.

These are some of the regulations that don't make any sense, and it causes confusion in the workplace.

□ 1940

Another example that comes from Florida has to do with the poultry recycling program. This act was amended in 1997 to include new definitions; poultry products that have been below 26 degrees Fahrenheit may not be labeled as ''fresh.'' Such labeled product is considered ''misbranded.'' A company I know had a USDA inspection and identified poultry labeled as ''fresh,'' and they said the product was frozen below 26 degrees Fahrenheit. Due to the rule, the product was detained. Keep in mind that, as a veterinarian, this poses no safety risk to the average consumer, to any consumer. After 4 months of engaging the agency with time and money spent on litigation, the USDA changed the rule to allow poultry frozen below 26 Fahrenheit to be labeled as fresh as long as they sold the product to end users like hospitals and restaurants. Precisely. This is the business that this company was selling their product to all along.

The bottom line is that it wound up costing them 4 months of lost revenue, and the rule cost this business $681,000. And they had absolutely no way to recoup their losses.

These things have to change because they wind up stifling the entrepreneur. What we have is a regulatory agency that starts out to make the public safer, whether on the job or on the highways or the foods we eat. And it's a good thing. But what happens is they often overstep their authority, and often it is the interpretation of that rule by the inspector that gets the misinterpretation. And the end result is the owner gets fined and sometimes has to shut down until the situation gets resolved.

Yes, we want safer workplaces, safer highways, and cleaner air and water; but we shouldn't impede the very people trying to create jobs. Our government agencies should be a facilitator to our businesses, not a debilitator to these businesses. After all, with the lack of the extra regulations up to this point in our history, I think it has worked pretty good, and we shouldn't overstep that boundary, and we need to have commonsense regulations.

Mr. COLLINS of Georgia. I appreciate the gentleman from Florida's comments. It is amazing some of the things we're hearing and the examples, simply by putting it out there. I want to extend an invitation to our freshman class and others who may want to join us in this regulatory working group. Contact our offices; we would love to hear your input as we go forward.

It is now my pleasure to welcome and I yield to the gentlewoman from Missouri (Mrs. WAGNER).

Mrs. WAGNER. I thank the gentleman from Georgia (Mr. COLLINS) for putting this Special Order together.

Mr. Speaker, in his time served in office thus far, President Obama has said he's for the reduction of government red tape that places an unnecessary burden on government people. Again and again, he has extolled the virtues of transparency and bipartisanship in an effort to put people back to work; but if we look at his track record, this has simply turned out to be yet another string of broken promises and a failure of leadership.

In his first term alone, President Obama has finalized 130 major rules, a shocking 160 percent increase over the previous term under President George W. Bush. This alarming growth in government is an assault on our free enterprise system and on our individual liberties. Either the President is not interested in keeping the American people's trust, or he simply does not have a handle on his own Federal agencies. Given recent events, either of these could very well be true.

The truth, however, Mr. Speaker, is that cost from new regulatory burdens on Americans increased by nearly $70 billion during President Obama's first term in office, which is based on his own agency's estimates. It is very possible that the real costs far exceed this number. With major regulations in Dodd-Frank and ObamaCare still yet to be implemented, these burdens on small businesses and the American people will only skyrocket.

Dodd-Frank alone required government bureaucrats to write nearly 400 new rules, and yet 3 years later we have barely completed a third of them. Most of the laws' provisions have little or no connection to the financial crisis that prompted their creation in the first place. As a member of the Financial Services Committee, I have witnessed firsthand how arbitrary and irrelevant these rules can be, and how they cost the American people jobs and their hard-earned savings.

We can and must do more to hold these agencies accountable and stop this governance by fiat and the bypassing of Congress—we the people. This is why we must have the REINS Act, which I am proud to cosponsor. This legislation would rein in the Federal agencies and would require Congress to approve every new major rule proposed by the executive branch having an annual economic impact of $100 million or more. It would allow Congress to regain our constitutional authority by limiting the size and scope of the rulemaking powers of government bureaucrats who were not elected.

Mr. Speaker, the American people are fed up with this Big Government agenda. It's time to hold this administration accountable for the gross overreach of their power, whether it's regulation from the EPA or regulations implementing Dodd-Frank or ObamaCare.

Enough is enough. The American people are tired of this government overstepping their constitutional authority.

Mr. COLLINS of Georgia. I appreciate the gentlewoman from Missouri. She's right. That's the anger we feel and we hear from our constituents when they just don't understand what's going on here, and we need to continue that. I appreciate those words.

It's now my pleasure to yield to the gentleman from Kentucky to provide an insight into what we're seeing right now of a regulatory environment gone amuck in a lot of ways.

Mr. BARR. I appreciate the opportunity to participate in this Special Order this evening. This is a very important topic, and I applaud Mr. COLLINS and Mr. YOHO for forming the Freshman Working Group on Regulatory Reform. Regulatory reform is desperately needed in this country to get our economy back on track.

We have seen persistent high unemployment in our country for the last 5 years. We got another bad jobs report just last week: 7.6 percent is the unemployment rate. But even more alarming than our persistent high unemployment rate is the fact that we have underemployment in this country. Only 58 percent of the American people who are eligible for employment who are of working-age population are actually employed. Only 58 percent.

Yes, we have a high unemployment rate. Yes, it has been persistently over 7.5 percent for the last 5 years. But even more troubling is the fact that only 58 percent of working-age people in this country are employed. That is 5 percent below the average employment rate for working-age people prior to the recession, and that number has been static for the last 5 years. So the question we have to ask ourselves is why is this happening; why are the American people not getting back to work.

Well, one of the primary impediments to economic recovery, to job growth, and job creation is the avalanche of new rules, regulations, and red tape coming out of Washington, all of which impose huge costs on businesses and create a destructive environment of uncertainty in the private sector. And it affects virtually every sector of our economy. It affects the health care sector with ObamaCare and the reams of regulations coming out of HHS. It affects the financial services industry with Dodd-Frank and all of the rulemakings. You know, Dodd-Frank authorizes over 400 new rules and regulations. A little more than half of those have been issued. According to certain estimates, compliance with those regulations equals about 24 million hours annually in man-hours to comply with the Dodd-Frank rules and regulations. To put that in perspective, 20 million man-hours was what was required to build the Panama Canal. This is literally an avalanche of rules and regulations crushing our financial institutions and impeding access to credit for entrepreneurs and small businesses. It's affecting the energy sector where environmental regulations are destroying jobs.

In my home State, the coal industry has been devastated by the EPA's assault on the coal industry through over-regulation of the energy sector. In most countries that conduct mining activities, about 2 years is the average length of time for a regulator to review an application for mining. In the United States today, it takes 7 years for EPA regulators just to review and approve a surface mining permit.

□ 1950

So this backlog and this overregulation of mining activities is resulting in massive layoffs. Mining in central Appalachia is at its lowest production level since 1965. We've lost 4,000 coal mining jobs in just the last couple of years in eastern Kentucky as a result of the EPA's overzealous overregulation of the coal industry.

Yes, it's driving utility rates higher. Yes, it is certainly bad in terms of low-cost electricity for our manufacturers and small businesses and our seniors on fixed income, but it's also costing jobs. And it's having a negative impact on all of those people whose paychecks take care of their families.

We talked about the impact on health care. I had an administrator of a local small hospital in central Kentucky tell me that it used to be that they took care of patients. Today they take care of paper.

A small banker, community banker in eastern Kentucky told me that it used to be, in the community banking business, that they would provide loans and make a business decision based on the creditworthiness of the borrower, whether it was a farmer or a small business owner or an entrepreneur. Today, this banker says that the government makes that decision for them because of the avalanche of new rules and regulations.

There's another important dimension to this in addition to impeding economic recovery, and that's our Constitution. For the last 80 years, the growth of the administrative state has been a huge detractor from the original meaning of our Constitution. It has been offensive to the separation of powers doctrine. And one need only look to article I, section 1 of the U.S. Constitution, which simply reads:

> All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Mr. Speaker, the word ''all'' should be recognized as granting the Congress exclusive legislative power. And yet, for the last 80 years, as the administrative state has grown in Washington, the Congress has delegated its lawmaking powers to unaccountable, unelected bureaucrats in the executive branch. And so what we need to do in Congress is we need to rehabilitate what's known as the nondelegation doctrine, the idea that Congress shouldn't delegate away its lawmaking powers to another branch of the government.

In the last several years, we've seen a dramatic growth in the regulatory burden on the private economy. The pages in the Code of Federal Regulations hit an all-time high of 174,000 pages in 2012. That's an increase of more than 21 percent during the last decade.

In 2012, the cost of Federal rules exceeded $1.8 trillion, roughly equal to the gross domestic product of Canada, which is about $1.81 trillion, and India, $1.82 trillion.

The regulatory burden cost each U.S. household approximately $14,768, meaning that red tape is now the second largest item in the typical family budget after housing.

And in 2012, 4,062 Federal regulations were at various stages of implementation. The government completed work on 1,172, an increase of 16 percent over the 1,010 that the Feds imposed in 2011, which was a 40 percent increase over the 722 in 2010.

And another measure of the regulatory burden, the pages in the Federal Register. By that measure, the Obama administration did not break the all-time record of 81,405 pages it set in 2010. But the 78,961 pages it churned out in 2012 mean that the President has posted three of the four greatest paperwork years on record.

Mr. Speaker, this avalanche of red tape is strangling American economic recovery. It is an offense to the Constitution of the United States, and it lacks all common sense. For the sake of the U.S. Constitution, for the sake of economic recovery, for the sake of common sense, and for the sake of the American people who are suffering in one of the worst economic downturns since the Great Depression, we need to rein in burdensome regulations.

Mr. COLLINS of Georgia. I appreciate the gentleman from Kentucky. He brings a good point. I think it would behoove all of us—we hear often on this floor we need to talk about jobs, we need to talk about job creation; and what we're finding right here is the very thing that is coming out of this bureaucracy, and this red tape is job-killing. And I think this is something we could find common ground on. I think it's a little bit of an agenda issue here, though.

When you come to Congress, you look for those who've stood the fight before you, and I am pleased tonight to yield some time to the gentleman from Indiana (Mr. YOUNG), sponsor of the REINS Act, who has fought this fight

before we got here. And I am pleased to welcome him as an honorary freshman tonight, as part of the sophomore class, because you've led the way, and I appreciate that, and I am happy to yield time to you tonight.

Mr. YOUNG of Indiana. I thank so much the gentleman from Georgia for his hard work on this issue, working with our colleague, Mr. YOHO of Florida, and organizing this freshman initiative designed to tackle overly burdensome regulations, ensure that we produce smart regulations here at the Federal level and alleviate some of the pain during this very down economy that so many Americans are facing.

You know, when you talk about regulations, this is not some arcane issue. These are the rules we live by, just like the legislation that emerges out of this body. It impacts our jobs, our economic growth, the level of personal income that Americans enjoy. It impacts the number of long-term unemployed we have in this country, and right now we're at a historic low. It impacts these things and so many others.

People have too many hassles, too many burdens, too many anxieties, and regulations are a big part of the reason why. There are direct costs of regulations that come out of the alphabet soup agencies that populate Washington, D.C.

There are compliance costs that our small businesses, in particular, must contend with. There's a great deal of uncertainty associated with the regulations being developed in the buildings around Washington, D.C.; and regulations lead to an increase in the costs of our goods and services produced, thus making us less competitive economically vis-a-vis our international competitors. Regulations reduce, oftentimes, the productivity of our workers, which drives down their wages, which hurts our competitiveness once again.

So what's the solution to this?

Well, we here in Congress, especially folks on this side of the aisle—although, I have to say, this doesn't have to be a partisan issue, and, historically, it has not always been. I think that's a good thing. But we on this side of the aisle have been trying to alleviate the pain that many businesses and Americans feel by the costliest regulations coming out of Washington, D.C. I think that is proper, and I think we should continue to do so.

But I also believe it's time for us to consider a comprehensive approach to improving the entire regulatory process, and so that's why I have introduced, in this 113th Congress, the REINS Act.

Now, what the REINS Act does is it establishes a $100 million threshold. This is the threshold established historically by our Office of Management and Budget for a so-called major regulation. And every major regulation, after it goes through the public hearing process, under the REINS Act, it has to go before Congress for an up-or-down vote before it can become the law of the land.

This would improve immeasurably the quality of regulations that come out of Washington, D.C. It would slow down the regulatory process, to be sure. But let's remember, our Founding Fathers devised a system where they wanted people in Washington to deliberate before we acted. This would lead to more deliberation, wiser judgment.

This would also allow the American people, the citizens of this great country, to weigh in on given regulations, ones they feel passionately about.

And, most importantly, the REINS Act would hold Members of Congress accountable for the regulations that come out of Washington.

You know, of course it would allow us to tame some of the executive agencies that have gone rogue from time to time, that pass unwise regulations. But I think, more importantly, it would allow those who elect us to bodies like this to hold us accountable for the things that cause pain to them, those imperial regulations that are promulgated from a distant Capitol, which our Founding Fathers were so upset about when this Nation was founded.

□ 2000

To the issue of congressional accountability, too many vague laws are made in this body—Dodd-Frank, the Affordable Care Act. I could go on and on. We pass and we kick the can down the road, as is often heard, on sticky issues, politically sensitive issues that politicians don't want to deal with because we know ultimately there will be regulators to fill in the gaps of our vague laws.

Well, the REINS Act would prevent that. It would incentivize Members of Congress to take on the hard issues in the beginning because they'd know that in the end those issues are going to come back and have to be resolved in this body.

When I go home and meet with small business people and individual constituents and they speak to me about specific regulations that are causing them pain, oftentimes, the best I can do and my colleagues can do is say, Listen, we'll try and repeal that particular regulation by preventing it from being implemented at the agency and by impacting the funding of that agency. These are very difficult things to do, and it's so incredibly difficult to identify all the bad regulations that are out there. But under the REINS Act, that would no longer be an acceptable excuse to my constituents. Unelected bureaucrats, in the end, would not be accountable; Members of Congress would. And that is the intent, in the end, of the REINS Act.

Now, I believe in regulations, smart regulations, and this bill is about improving the regulatory process so that here in the United States of America this remains a vibrant place to live with a growing economy. Our rules must be balanced against economic concerns. The American people must have a voice about what those rules will be, and Congress cannot skirt responsibility to legislate.

Again, I'd like to close here by thanking those who led this effort—Mr. COLLINS, in particular, for leading the floor conversation this evening. He's shown some great leadership as a freshman. He's working very hard. I know he came here, as did other Members, the freshman class of the 113th Congress, to make a difference. By supporting the REINS Act, I think you will help advance that cause in a very big way.

Mr. COLLINS of Georgia. Well, I appreciate it.

It's always easy to follow in the footsteps of those who fought the fight before us, and I appreciate what you've done and what others have done. We're going to continue that fight, because this matters to Americans, and that's what we've got to continue on. So I thank you for being here tonight.

It is now with great pleasure, another freshman who has come from just north of me in North Carolina, who has passionately fought for his constituents but also sees this from a different perspective, at this time, I want to yield to the gentleman from North Carolina (Mr. HOLDING).

Mr. HOLDING. Mr. Speaker, I thank the gentleman from Georgia for the opportunity to discuss this administration's excessive regulation.

We know the harmful effect that overregulation has had on the economy. And since taking office, President Obama and his administration have continuously burdened the American people with an exceptional number of regulations, harming businesses and the economy.

Mr. Speaker, small businesses in this country are essential to our economic stability. Small businesses encourage innovation and hard work. It's the American Dream to have a unique idea and build something from scratch—and that, Mr. Speaker, is exactly what small businesses do.

Mr. Speaker, small businesses have created 64 percent of net new jobs over the past 15 years and employed just over half of all private sector employees. In this stalled economy, small businesses are already struggling to be successful, and we need to take some of the current regulatory weight off their shoulders.

Recently, back home, I spent the week going around to different chambers of commerce in my district. I went to Wake Forest. I went to Fuquay-Varina. I went to Apex. I went to Nashville and Rocky Mount and met with several hundred small business owners

and folks who work in small businesses. Of course, I have the constant complaint of overregulation. I started asking the question. I said, Has the government done anything that you know of in the last 5 years which would make your life as a small business person better? I got no positive responses, Mr. Speaker. That's stunning.

New regulations are complicated, and compliance is time consuming and expensive; and sometimes, job creators aren't informed of new regulations in a timely manner, giving them little time to prepare to comply with them. Business owners and their employees are now facing a time of uncertainty due to regulations. They're not confident in government policy coming out of Washington, and they have no trust in the ability of Washington to do things that are in their better interest.

This sense of uncertainty, Mr. Speaker, may prevent an employer from hiring more people or force them to let go of current employees. As Mr. YOHO said earlier in his comments, he has small businesses in his district that are having to shoot lower rather than shoot higher. Small businesses may have to reevaluate how and when they do business, and that is unfortunate. Small businesses have no confidence in their government to give them pro-growth policy.

Excessive regulation harms not only individual small businesses but our country's growth as a whole. The Small Business Office of Advocacy has reported that Federal rulemaking has imposed a cumulative burden of $1.75 trillion on our economy. Earlier this year in the Judiciary Committee, on which I serve, we heard testimony that, in the past 4 years alone, the cumulative cost burden has increased by $520 billion.

Mr. Speaker, I'm not only concerned about the negative effect of regulations on our overall economy, but also the administration's abuse of power. President Obama has been encouraged by regulatory advocates to circumvent regular order and impose his climate change agenda through regulations, and he made it clear in his State of the Union speech earlier this year his intent to do so.

I'm also concerned with the fact that the administration has repeatedly missed its required deadline for releasing a Unified Agenda of Federal Regulatory and Deregulatory Actions twice a year. This agenda lays out each governmental agency's proposed regulation and annual regulatory plan, and businesses need to know this information so they can anticipate how forthcoming regulations will affect them. And this administration needs to have more accountability and more transparency about the harmful effects of these abundant—may I say, excessive—regulations.

Mr. Speaker, in my district in North Carolina, many of the towns rely on small businesses. That's all that's there is small businesses. And whether it's a local restaurant owned by the same family for generations or an accounting firm or a clothing store or the town doctor, regulations are a major concern for them. We should be doing what we can do to encourage small businesses, not to deter them with strenuous and excessive regulations.

Mr. COLLINS of Georgia. I thank the gentleman from North Carolina.

What we're dealing with here is dealing with jobs. And I think what you shared in your time back in the district is small businesses, as we've seen, small business persons comprise 44 percent of the total U.S. private payroll and create more than half of the nonfarm jobs in the gross domestic product here.

We've got to look at this. This is something that I think we can all come together, as the gentleman from Indiana stated just a few moments ago, this could be a bipartisan issue as we look to jobs and things we can bring to the floor. I know in talking to you and your passion about this, we came up here to try and help. We came up here to bring the voices of those who could not be up here on a given day to help them in their businesses and work hard.

I appreciate you so much for sharing your experiences in North Carolina. Really, what we're doing is fighting hard against these regulations so that we can see more jobs created.

Mr. HOLDING. As my friend from Georgia knows, numbers don't lie; and when we're spending $1.75 trillion a year complying with regulations, that's a lot of money.

Mr. COLLINS of Georgia. It is that.

I appreciate the gentleman for being here tonight. I think this is something that we all see. In fact, in the 2011 speech, President Barack Obama stated that ''rules have gotten out of balance,'' and the result is ''a chilling effect on growth and jobs.'' I believe the President is correct about that. The rules have become so skewed that our Nation's regulatory system is at war with America's businesses.

In fact, he went ahead and even, in an executive order, stated that:

> The last barriers we're trying to remove are outdated and unnecessary regulations. I've ordered a government-wide review, and if there are rules on the books that are needlessly stifling job creation and economic growth, we will fix them.

I'll tell you what. I will agree with the President on this. And I want to say this is something we can move forward with, and it's something that has an effect, because right now these burdens are killing American industry and American jobs.

When businesses are more concerned—right now, 40 percent is what I've seen in the latest survey from Morgan Stanley, said 40 percent of companies say policy uncertainty in Washington is preventing them from putting investments and job creation to work. This is something we've got to be a part of fixing because it matters, and it matters for jobs.

Industries such as manufacturing and technology are fighting to compete in a global market, but they first must survive the regulatory beast that is strangling innovation and growth.

□ 2010

Congress should be encouraging innovation to make it easier for businesses to bring new products or processes to the market. Outdated regulations should be cleared off the books—especially those created by unelected bureaucrats.

Let's go back to the basics of regulatory overhaul and restore a commonsense approach to regulations that encourage innovation and allow job creators to thrive.

I wrote to all the businesses in northeast Georgia and asked them to tell me how regulations are impacting their ability to grow and create jobs. Here are some of the responses that we received back:

> Due to the new regulations that require businesses to issue 1099s to virtually everyone that we write a check to, we have to be more selective when we consider a new hire. I no longer have the opportunity to give unemployed folks a shot at a job to see how they are going to do. We have to make them full regular employees right out of the chute so we just don't look at hiring as many people, we look at other employees to work more hours.

Another of my constituents said that ''the biggest issue we face from the Federal Government is the EPA's lack of approval of products in a timely manner, and their removal of excellent, safe products from the market altogether.''

Unfortunately, regulatory burdens created by the EPA are an all too common story. A business owner in northeast Georgia wrote to me:

> Currently the EPA is requiring off-road diesel engines to meet new tiers, or levels, of exhaust emission standards. These new standards are changing every 1 to 2 years. The final (we hope) regulations will be in place in 2015.
>
> The result of the dramatic and frequent changes in regulations is the complete redesign of our products, which would allow us to retool and move manufacturing to the U.S., cannot happen cost effectively until 2015. At that time, we hope to move manufacturing of our products to Georgia.
>
> I say hope to, because the rapid rise in regulations under the current administration may cause us to not move production at all.
>
> We are all for protecting the environment and being good corporate citizens. However, the new regulations are burdensome, costly and add no value to the productivity of the product or the marketplace.

I couldn't have said that better myself. Regulations should be expedient and unambiguous, minimizing the uncertainty facing industries and businesses. This is how the government can

facilitate, and no longer debilitate, economic growth.

I appreciate the comments from my colleagues tonight. It is clear that the need for regulatory relief is greater now than ever. As we've heard tonight, for the first time in history, the estimated cost of regulations is more than half the Federal budget itself. Let me just stop right there. For the first time in history, the estimated cost of regulations is more than half the Federal budget itself.

And we wonder why we're struggling with jobs right now. We wonder why our businesses are struggling with what they're going to do and how they're going to manage. I'm a firm believer, and it's been spoken of here tonight, there's many times we come to this House floor and we talk about things in ambiguous terms. We talk about the big picture. We talk about the process. People hear those conversations, they hear these words, but they're not really sure how it affects them. I'm a firm believer, both from a Democrat perspective, a Republican perspective, how we can best lead is by understanding and giving people information on why this matters to them.

I'm just going to spend a few minutes here tonight talking about that. It is troubling in a time where families are struggling to make ends meet, American families are paying almost $15,000 per year in hidden regulatory taxes. They are paying $14,678 in hidden regulatory taxes. You want to know how that affects you. That's going on and you want to know how we're causing people to spend and we're also at the same time saying we want to create new jobs, we want to create new opportunities.

Well, here's what happens. Instead of paying a hidden regulatory tax, American families could, one, buy a new car. A 2013 Ford Fiesta, $13,200; a 2013 Chevrolet Sonic, $14,185. We hear it all the time how manufacturing creates jobs on all levels, starting from the manufacturing, from the parts and the dealers and the auto parts that come into this, how they all work together.

Well, instead of paying these regulatory costs, why don't we get them to buy a new car? I mean, I think that's what the American people would like. I think that's what our auto dealers would like. That's what the others in the chain of automotive supply would like. But, instead, they're trapped and they're bound.

Another constituent writes:

> Most of the rules and regulations that are preventing our business from growing are a result of ObamaCare. Many of the provisions in this legislation are counterproductive to the growth of a medical practice.

I want to go back to what it means to the person sitting around the table tonight who may have just somehow turned over here and said, what are they talking about in our nation's Capitol? What we're talking about is your pocketbook. What we're talking about is regulations that can help you spend money the way you want to, spend money for your family's future, spend money that revives our economy and strengthens us as a nation.

This is what we're talking about. You can send their child to college. One year of tuition and fees at the University of Georgia is $10,262. One year of tuition and fees at the University of Florida is $6,150. Instead, they're trapped paying almost $15,000 in hidden regulatory tax that comes through every year.

We all know the need for some rules for everyone to abide by. Make the regulations where they're simple to understand and inexpensive to comply with.

One of the problems I also see in Washington sometimes is we come to the floor and we talk about problems, but we never provide an answer. We never provide an answer on what can actually be done. As my colleagues and I have demonstrated, we are committed to providing regulatory relief to businesses and families.

There are several key pieces of legislation that are first and important steps in alleviating the regulatory burden. The first bill I introduced in Congress was H.R. 1493, the Sunshine for Regulatory Decrees and Settlements Act of 2013. This legislation ensures the EPA cannot continue to enter into closed-door agreements with environmental groups without transparency and public participation. It does not affect the ability to bring suits. It just makes them clearer. Many of the costly rules and regulations that have impacted businesses and industries across the Nation have resulted from these backroom consent decrees. It's time we bring transparency and public participation back into the rulemaking process.

What else can we do? H.R. 367: require congressional approval for all major rules. We end the sue and settle EPA settlements—that's the one I just mentioned, H.R. 1493. We can require Federal agencies to choose the lowest-cost rulemaking alternative, H.R. 2122.

There are things that we can do. I believe the American public is looking to this place. They're looking to their Capitol for real solutions. They're looking to their Capitol for hope. They're looking for relief.

Every day, men and women get up and they wake their children up as I did this morning and they go to work and they go to make a better life. Many of those are small business owners wanting to add jobs, wanting to add to their businesses, but these regulations are killing that possibility right now. I believe when you look at what we've talked about here and my colleagues have talked about here on the floor, and I appreciate all of them being here, we bring to light what is really happening, and that is that regulations are not adding anything except government jobs. It's time we get back out and add jobs on Main Street, and when we add jobs on Main Street, everybody is impacted.

I want to thank my colleagues for joining me tonight and highlighting why American families and businesses so desperately need regulatory relief. Our freshmen are going to continue to do this, highlighting the real work that we believe matters to families and matters to Americans. Because when we're up here, we're up here doing your work. The thing that you sent us here to do was to work for you, and that's what we're going to continue to do and the freshman class are going to continue to do just that.

As we have mentioned tonight, not only are we talking about overregulation, we're going to be talking about many things in the weeks to come, and we're just letting the people know that we are here because we believe we can make a difference along with both sides of the aisle. Let's come together and see what we can do to make sure that not only regulations but other things get done so this government helps the businesses in our communities get back to work. That's what I want to be about, and I'm glad that we were here tonight to do that.

Before I close out, I do see a friend on the floor, the gentleman from Arizona (Mr. FRANKS). As we're through with our regulation part, I noticed that you had asked for time and I'm going to at this time yield to the gentleman from Arizona, my friend, Mr. FRANKS.

Mr. FRANKS of Arizona. Mr. Speaker, I just want to thank the distinguished gentleman from Georgia for yielding this time. One of the great hopes that I see that portends for a better future for America is to see men like DOUG COLLINS join this group and this Congress.

Mr. Speaker, it seems like we are never quite so eloquent as when we are decrying the crimes of a past generation, while we oftentimes remain as staggering blind as some of our most intellectually sightless predecessors when it comes to facing and rejecting atrocities in our own time. Whether it was slavery, or the many human genocides across history, the patterns were the same.

□ 2020

Mr. Speaker, innocent human beings, children of God all, were systematically dehumanized and then subjected to the most horrifying inhumanity. All the while, human society as a whole at first hardened their hearts and turned away.

But, Mr. Speaker, truth and time travel on the same road; and though it was often agonizingly slow, the truth of these tragic inhumanities in our past began to dawn on the people of

reason and goodwill. Their hearts first, and then their minds, began to change.

Mr. Speaker, I have often asked myself, what was it—what was it that changed their minds? What changed the minds of those who had previously embraced an almost invincible ignorance to hide from themselves the horror of what was happening to their innocent fellow human beings? I so wish I knew that answer, Mr. Speaker.

Because you see, today, such a conundrum looms before humanity again, the most glaring recent example of which are the gut-wrenching revelations surrounding the trial and conviction in Philadelphia of Dr. Kermit Gosnell. In the words of the grand jury report:

Gosnell had a simple solution for unwanted babies: he killed them. He didn't call it that. He called it ''ensuring fetal demise.'' The way he ensured fetal demise was by sticking open scissors in the back of the baby's neck and cutting the spinal cord. He called it ''snipping.'' Over the years, there were hundreds of ''snippings.''

When authorities entered the clinic of Dr. Gosnell, they found a torture chamber for little babies that I do not have the words or the stomach to adequately describe. Suffice it to say, Dr. Gosnell ran a systematic practice in his late-term abortion clinic to cut the spines of those babies who had survived his attempt to abort them.

Ashley Baldwin, one of Dr. Gosnell's employees, said she saw babies breathing, and she described one as 2 feet long that no longer had eyes or a mouth, but, in her words, was making this ''screeching'' sound, and it ''sounded like a little alien.''

For God's sake, Mr. Speaker, we are better than that. America is better than that. And yet if Kermit Gosnell had killed these children he now stands convicted of murdering before they had passed through the birth canal only a few moments earlier, it would have all been perfectly legal in many States, in this the land of the free and the home of the brave.

Mr. Speaker, more than 325 late-term unborn babies were torturously killed without anesthesia in America just yesterday. Many of them—so many of them cried and screamed as they died. But because it was amniotic fluid going over the vocal cords instead of air, we couldn't hear them.

All of them had at least four things in common. First, they were just little babies who had done nothing wrong to anyone on Earth. And each one of them died a nameless, lonely, and agonizing death. And each one of their mothers was callously abandoned to deal with the emotional results that will inevitably follow. And all the gifts that these children might have brought to humanity, Mr. Speaker, are lost forever.

So if there is one thing we must not miss about this unspeakably evil episode, it is that Kermit Gosnell is not an anomaly; he is the face of this murderous Fortune 500 enterprise of killing helpless unborn children in the United States of America. With all of the distortions and the bait-and-switch tactics opponents have hurdled at the Pain-Capable Unborn Child Protection Act leading up to this historic floor debate, the Pain-Capable Unborn Child Protection Act is very truly and simply a deeply sincere effort to protect both mothers and their pain-capable unborn babies entering their sixth month of gestation from heartless monsters like Kermit Gosnell.

Given the cataclysmic implications, Mr. Speaker, for any society who turns a blind eye to atrocities truly forced upon the most innocent and helpless of its members, would it be too much to hope for that Members of this body and Americans in general might research this issue and learn the truth of it for themselves?

Because you see, Mr. Speaker, the real question in the debate before us is not whether these unborn children entering their sixth month of gestation are capable of feeling pain. The real question is: Are we?

If our society is to survive with our humanity intact, our human compassion toward our fellow human beings must first survive. Fifty million children—50 million dead children are enough. That is why it is so important for people to see for themselves the humanity of these little victims and the inhumanity of what is being done to them.

Now, maybe it won't change everyone's mind, but it has changed so many minds; and most of these changed minds share a common thread. They were confronted with the brutal reality of abortion on demand, and something inside them could no longer deny the truth, or they could no longer condone the murder of a defenseless child.

What changed their minds? Perhaps I will really never understand what sparked that change in their hearts, Mr. Speaker. But I am convinced of one thing: that it is the same spark in the human soul that has turned the tide of blood and tragedy and hatred and inhumanity throughout human history. And whatever else it is, Mr. Speaker, it is mankind's only hope.

Mr. COLLINS of Georgia. Mr. Speaker, I yield back the balance of my time.

CBC HOUR: SMALL BUSINESS WEEK

The SPEAKER pro tempore (Mr. HOLDING). Under the Speaker's announced policy of January 3, 2013, the gentleman from New York (Mr. JEFFRIES) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. JEFFRIES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any extraneous materials into the RECORD on the subject of this Special Order.

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

There was no objection.

Mr. JEFFRIES. Mr. Speaker, it is my honor and my privilege once again to stand here on behalf of the Congressional Black Caucus to help anchor this Special Order along with my good friend, the distinguished gentleman from the Silver State, Representative STEVEN HORSFORD, where for the next 60 minutes, members of the Congressional Black Caucus have an opportunity to speak directly to the American people about an issue of great significance as we kick off Small Business Week in America and commemorate the 50th anniversary.

Entrepreneurship innovation, the capacity of Americans who have an idea and want to translate that idea into a business initiative in urban America, in rural America, in suburban America, is something that we here in the Congress should not simply celebrate, as we will do this week, but figure out ways to make sure that we can facilitate those entrepreneurial ideas in the most robust manner possible and help those entrepreneurs from all over the country translate their ideas and their dreams into small business reality.

It goes without saying that small businesses are the heart and soul of the American economy. A significant number of people all throughout the country are employed in small businesses on Main Street and throughout inner-city commercial corridors and in the far reaches of rural America. Many of these small businesses we, of course, know were also hit extremely hard in the aftermath of the collapse of the economy in 2008. They were knocked down on the ground. And it's our job in the Congress and government, working with industry, to help lift those small businesses up off the ground and get them back on their feet so they can survive and thrive in the face of the economic difficulty that they confronted.

□ 2030

So we will be presenting ideas related to entrepreneurship for small businesses throughout America generally and in the context of entrepreneurship and innovation in the African American community.

We are going to begin today with the distinguished gentleman from Newark, New Jersey, our good friend, Representative DONALD PAYNE, who is a distinguished member of the Small Business Committee. Prior to arriving in Congress, he worked hard on these issues, and he has been a leader since being sworn in as a Member of the House of Representatives. It is my honor and my privilege to yield to Representative PAYNE.

Mr. PAYNE. Mr. Speaker, I want to thank my colleagues for anchoring tonight's CBC Special Order on entrepreneurship in the Black community.

Since 1963, the President of the United States has issued a proclamation designating a week in which the country applauds the critical contributions of America's entrepreneurs and small business owners. Annually, we recognize the fact that, though they are called ''small businesses,'' there is nothing small about the impact they have on the Nation's economy. Last year, small businesses created nearly 700,000 jobs, accounting for 40 percent of employment gains across companies of all sizes nationwide. So it is fair to say that small businesses are truly the backbone of our economy and that entrepreneurship is still a primary pathway to realizing the American Dream.

This is particularly true in the Black community. The heart of entrepreneurship is opportunity, and, historically, Black entrepreneurship has meant opportunities for equality, equity and a vehicle out of poverty. Throughout the years, Black entrepreneurs have harnessed economic power to strengthen the Black community, create jobs and develop a voice to advocate for the well-being of Blacks in America.

After the Civil War, though employment prospects were slim for former enslaved men, Isaac Myers organized 1,000 black ship caulkers who had lost their jobs in Baltimore. He created a union, bought a shipyard and won a government contract to provide employment for these men.

In 1903, Maggie Lena Walker pooled her community's money to charter the St. Luke Penny Savings Bank. This bank was for the community, by the community, and it provided a safe and courteous place to conduct business away from the racism and harsh treatment often encountered in White-owned businesses.

In 1906, a young entrepreneur by the name of Dr. O.W. Gurley bought 40 acres of land in Tulsa, Oklahoma. He created and supported the creation of several businesses which attracted African Americans fleeing the oppression in Mississippi. The area became known as ''Black Wall Street,'' and it was home to several prominent Black businessmen who created jobs and provided a safe haven for African Americans who were banned from other sections of the town.

We well know that Madam C.J. Walker revolutionized black hair care and that she was America's first Black female millionaire. However, she also used her financial power to contribute to anti-lynching campaigns and other efforts to equalize rights for Blacks in America.

These are a few of the countless examples of Black entrepreneurs who, through their businesses and their philanthropic efforts, have empowered the Black community. These efforts, as well as their relevance, continue today.

It is estimated that by the year 2015 Black buying power will be $1.1 trillion. In this economy where the Black unemployment rate is double that of the Whites and where the income and wealth gap persistently intersects with the race gap, Black entrepreneurship is more important than ever in helping the community at large. More than 60 cents out of every dollar spent at local businesses is recirculated into the local economy. So local Black-owned businesses are a true asset to the community.

As a member of the Committee on Small Business, I have worked to strengthen the SBA's lending programs and have increased access to capital for all populations but especially for minorities and women. I will also be introducing two key pieces of legislation to assist small businesses as well. Recognizing the Nation's energy boom and green energy potential, this legislation will ensure that ''green'' small businesses have the resources to grow their businesses and hire more workers, especially in low-income communities. This effort will help Black businesses and other marginalized populations remain competitive in the small business arena.

Small businesses and entrepreneurship fuel the engine for economic growth and opportunity. For the Black community, that means lower unemployment, higher college attendance and completion, and strong outcomes for the present and the future. Consequently, there is no time to waste in getting our small businesses up and running. I will continue to be an outspoken advocate in empowering entrepreneurs to take risks, to pursue their dreams and to continue being an integral part of growing this Nation's economy.

Mr. Speaker, before I take my seat, I would just like to talk a minute about my entrepreneurial experiences back in the mid-seventies, when my uncle, William Payne, a former assemblyman for the State of New Jersey, created a business in 1969 that manufactured computer forms—the old printed sheets that we used to use that had the holes down the side. I'm sure some of us remember that who are old enough. We were the only African American firm in the Nation in Newark, New Jersey, that manufactured computer forms, and the challenges that my uncle faced in business were great.

He would have to pay for his raw materials ahead of time and was not given the normal net 30 days or 60 days in order to manufacture the product and sell it. He had to come with a certified check, and there was no other reason than the color of his skin. So I understand what it is to have your back against the wall in terms of trying to make it in this Nation. But he persevered, and we were in business for 20 years. I am very proud of that legacy that he left behind. He was hiring people with handicaps back in those days. Our forklift driver was actually hearing impaired—deaf—but he worked. He was a great worker, and he did not let that get in the way of his being a useful person in society and earning his way. We also in the seventies were ahead of the curve in terms of hiring young men who were coming back from prison, far before ''reentry'' was the word of the day.

I am very proud of that legacy and heritage there in Newark, New Jersey, with Urban Data Systems, and that is why I feel so strongly about continuing to support small businesses throughout this Nation.

Mr. JEFFRIES. I thank the distinguished gentleman from New Jersey for so eloquently laying out the history of entrepreneurship in America through the lens of the Black community, and also for detailing his own personal experiences in Newark, New Jersey, experiences that, I think, were replicated in many inner cities all across the country in the face of urban decay and abandonment that took place in the 1960s and in the 1970s. It was those African Americans who remained behind in inner city after inner city after inner city in America with an entrepreneurial idea of providing a service that otherwise may not have been available. We want to make sure that we create opportunities for all Americans to be able to grow their businesses and transform their ideas into reality.

□ 2040

I look forward, and all the members of the CBC look forward, to working with Representative PAYNE in his capacity on the Small Business Committee with the leadership that he has demonstrated.

We've now been joined by another distinguished member of the freshman class who also has experience from a personal perspective as a successful small business owner and entrepreneur. So it's my honor right now to yield the floor to the distinguished gentlelady from Ohio, Representative JOYCE BEATTY.

Mrs. BEATTY. I thank my colleague, Congressman JEFFRIES.

I rise this evening to discuss a very important topic to me, a topic that is important to me, to my district and to this Nation: why entrepreneurship matters to Black America.

This week, we celebrate National Small Business Week, which gives us a chance to collectively recognize small businesses and the impact they have and have had on our local communities and the Nation. Tonight you will hear a lot about African Americans who started from humble means; African Americans who had great ideas and decided that they wanted to open a beauty shop, a barbershop, maybe a bakery or like my husband's family, a family restaurant. We'll hear the stories about how they became millionaires and billionaires.

We've heard about Madam C.J. Walker who started with a small idea and became the first African American female millionaire. Then we all know about the young lady in the State next to mine that grew up and wanted to be a radio announcer, and probably 50 some years ago she had no idea that she'd be one of America's billionaires. And that's Oprah Winfrey. So today is so important to us not only as members of the Congressional Black Caucus, but it's important to us as a Nation that we recognize those who spur the economy.

So often we think that it is large industrial operations that make up the businesses in this wonderful country. But if you thought about where half of this Nation works, they work in small businesses, they own small businesses.

You see, small business in America has been the stabling force in the economy. Entrepreneurs are the backbone of creativity and production. Small business is what stimulates economic growth. With over 60 percent of all private sector nonfarm jobs coming from small businesses, it is a proven fact that small businesses are critical to the United States' economy.

Minority-owned businesses are also very important to the economy. The strong growth in owner income and decrease in the amount of companies going bankrupt is a great sign. Self-employment figures are also growing in this Nation.

As a matter of fact, in the last year alone, small businesses created nearly 700,000 jobs, accounting for 40 percent of employment gains across companies of all sizes. You see, I know firsthand the value of being a small business owner because for the past 20 years, I have been a small business owner. My husband is a small business owner, and we have been able to employ a diverse group of employees right in Columbus, Ohio, providing our employees with stable wages and the opportunity for professional development.

For minority communities, small businesses are often the primary economic drivers by employing those who are seniors, those who are unemployed, those who live right in the neighborhood or have had some financial or workforce development challenges.

This is why we are here today and why it is so important in minority communities for the Small Business Administration to continue to develop programs which help minority small business owners break through the many barriers that prevent them from entering into the business community. But more can be done and more should be done to help support minority businesses because in addition to the many economic benefits they provide, small businesses also foster innovation, entrepreneurship, and creativity.

As a member of the Financial Services Committee, I was pleased to learn that tucked within that broad package of financial industry reforms contained in the Dodd-Frank Wall Street reform and the Consumer Protection Act law is a provision that mandates that each covered governmental agency establish an office of minority and women inclusion.

The Office of Minority and Women Inclusion directors must develop and implement standards and procedures to ensure to the maximum extent possible the fair and inclusion utilization of minorities, women and minority-and women-owned businesses in all business activities of all levels in the agencies, including procurement, insurance, and all other types of contracts.

So what I've decided to do is to host a roundtable discussion with small and minority women-owned businesses through the leadership of our ranking member on Financial Services, Congresswoman MAXINE WATERS. I'm also so pleased that so many organizations like Black Enterprise recently partnered with Nationwide Insurance to hold its 2013 entrepreneurs conference right in my district in Columbus, Ohio, this past May. This conference provided a great platform for African American entrepreneurs to share ideas, to be able to network, and to grow their businesses among some 1,200 participants. We also honored African American entrepreneurs who own some of the best small businesses in the country.

I think it's also important for us to know, as in my home State and many other States, small business owners can take advantage of SBA programs. In my district, too, the Ohio Mini-Loan Guarantee program provides guarantees or fixed assets for small businesses for projects of $100,000 or less. Also, there is a mini-direct loan program, which provides direct loans for businesses that are going to locate in Ohio or that want to expand their business to demonstrate that they can create new ideas and new jobs for Ohioans.

It is very clear to me that small businesses will continue to grow and they will grow our economy at a proven rate. While effective programs exist today to help minority-owned small businesses, I believe we can continue to do more. I believe that's why my colleagues are here today, allowing us the opportunity to come and tell our stories, because it educates the public, it makes a difference, and that's why I am here.

I thank you so very much for allowing me the opportunity to come and talk about small businesses and more importantly to talk about small businesses that are owned by women and that are owned by African Americans, because we're making a difference.

Mr. JEFFRIES. I thank the distinguished gentlelady from Ohio. She certainly eloquently illustrated the point that small business and entrepreneurship are as American as baseball and apple pie. And for women and minority-owned businesses to thrive is for America to thrive, as has been pointed out by speaker after speaker.

So many of the jobs that Americans hold to this day are as a result of the employment that small businesses provide. So as we figure out how we can continue to recover from the Great Recession of 2008, it's critically important for us to make sure that we can guarantee the best possible opportunity for small businesses to succeed and for entrepreneurial ideas to flourish. That is why we've taken to the floor today, and it's my honor and my privilege to now yield to another distinguished member of the freshman class, my co-anchor for the CBC Special Order, the gentleman from the Silver State, Representative STEVEN HORSFORD.

□ 2050

Mr. HORSFORD. Good evening.

Let me first thank my good friend, the gentleman from the Empire State, my coanchor, Mr. JEFFRIES. It has been a pleasure now, for the first six months of our term in this 113th Congress, to work with you to bring these issues to the floor each week on behalf of the Congressional Black Caucus. I really have appreciated your friendship, your perspective, and your intelligence on so many issues, and I look forward to continuing to work with you.

And to my other colleagues, the dynamic freshman class, it is so great to have colleagues who work together, who have like mindedness to represent our communities and to do it in a way that addresses the needs of all people. The gentlewoman from Ohio (Mrs. BEATTY) has so many experiences from the private sector, to her role working as an administrator in the university, Ohio State University. It has been great to get to know her, as well as my good friend and colleague, the gentleman from New Jersey (Mr. PAYNE). These are individuals who have great perspective and experience and whose voice on these issues are incredibly important. I'm just pleased to be among such a dynamic group that is trying to make a difference here in this 113th Congress.

So today, we are here to bring attention and focus to celebrating the 50th anniversary of National Small Business Week. It is fitting that tonight's Special Order hour will focus on how small businesses are critical to the growth of our economy. As we do during these normal hours, people can follow us on #CBCTalks. If you have a question or you have an idea, if you have a perspective that you want heard, this is your opportunity because it's not just about us coming here, but it is about us listening to what it is our constituents want us to bring to the floor.

As my colleagues have already said, small businesses are the backbone of

our economy. The CBC has fought and continues to fight to strengthen programs that create economic opportunity and foster entrepreneurship. Over the last year, small businesses in our country have created 700,000 jobs, accounting for 40 percent of employment gains, across companies of all sizes. More than half of all Americans either own or work for a small business.

So when we talk about increasing access to capital, enhancing business partnerships, and providing important technical assistance, the CBC is talking about the small businesses who are the engines of our economy. And we have solutions, and they are solutions that we hope our colleagues on the other side of the aisle will work with us to pass because they are the right solutions for America—solutions like Representative RUSH's expanding opportunities for Main Street. So much focus is always on Wall Street, but we want to bring the issues of Main Street and small businesses to this body. Whether it is Representative RICHMOND's Microenterprise and Youth Entrepreneurship Development Act, making sure we are helping new businesses and young entrepreneurs have the resources they need to start and grow their business, or whether it is Representative CLARKE's Expanding Opportunities for Small Businesses Act, the CBC is working on solutions. And these are the types of real policies that are before this body, and we would urge our colleagues on both sides of the aisle to work with us to make these bills law. These bills, if enacted, would greatly enhance the small business landscape for minority entrepreneurs.

You know, I had an opportunity recently to visit the American History Museum. When you're there and you reflect on our history as a Nation and you see the important contributions that African Americans have made to the establishment and growth of our great Nation, whether it be in politics or government, civil rights or social justice, and, yes, entrepreneurship, it's African Americans who have helped build our country, and it is African American businesses that need to be part of our plan for economic growth.

Three issues that I hear most from my constituents, small business owners that I believe have to be at the center of our discussion as we celebrate the 50th anniversary of Small Business Week, is, number one, access to capital, whether it be on the need for lines of credit to help with the day-to-day operations of a business or capital loans to help a business buy new equipment so that they can expand or grow.

The second issue is equal opportunity to bid on and win contracts both in the private sphere but, most importantly in our role, the Federal contracting opportunities. When I look at the amount of money that is being spent by these Federal agencies and to know that there are not the types of efforts to really provide outreach or support to our minority- and women-owned and veteran-owned businesses is something that the Congressional Black Caucus believes has to be a priority.

And third is the need to ensure compliance with minority participation in Federal contracting. This is an area, to my good friend from New York, I hope that we will be able to work on. I know the ranking member over Small Business, this is a priority of hers as well, and I want to see what we can do to hold accountable every agency to do their part to ensure that there's ample participation from all communities.

You know, in April I held my first small business forum with my constituents that focused on creating good-paying jobs through Federal contracting opportunities. We held another one recently on access to capital. It was the Small Business Administration which was there that talked about the fact that they deliver millions of dollars of loans, contracts, counseling sessions, and other forms of assistance to small businesses. Well, we sought to replicate that type of support in our district with our small business owners. We had representatives from various agencies attend, and they mapped out strategies for local businesses who are looking to grow and add more workers. We had representatives from agencies, including the Department of Defense, the General Services Administration, the Department of Energy, the Department of Veterans Affairs, the Environmental Protection Agency, and the Small Business Administration, as well as our Governor's Office of Economic Development.

The forum provided a great opportunity to discuss our plan to create jobs in our local community. Over 60 local small business owners attended the event, along with representatives from Federal agencies. Other business owners helped local residents and aspiring entrepreneurs figure out how to position themselves to compete for Federal contracts and grants. Those grants create jobs in our local community, and job creation and economic growth is what we should be about as we talk about celebrating National Small Business Owners Week.

What was most rewarding, to my friend from New York, was a panel of young entrepreneurs. We had young people who are still in high school who have a business plan for how they can create everything from backpacks to marketing to social marketing opportunities. These are young people with ideas, with passion, with vision; but we want to make sure that they have the right support as well. So listening to these young people makes me appreciate just how important these resources are and why we need to continue to work to make them a reality.

Let me finish my remarks at this point by talking about the need for business-to-business partnerships and making sure that we have these face-to-face meetings with those who know the ins and outs of securing grants, those who know how to go about contracting, and also the need for access to capital and how to secure the loans that small businesses need to grow their business.

□ 2100

We want to encourage those who are listening, or following us on #CBCtalks, to attend one of the Small Business Administration's matchmaking events during Small Business Week—there are several. There's one in Seattle, there's one in Dallas, St. Louis, Pittsburgh, and even here in the Nation's Capital in Washington, D.C.—and to reach out to resources like Black Enterprise.

They have a very successful Young Entrepreneurs Conference that they hold annually that helps young people learn about the opportunities of starting their small business and what it means to develop a plan to do marketing, to have all of their plans in place so that their business, once launched, is successful.

And, finally, I want to encourage people to reach out and join the U.S. Black Chamber of Commerce and their local urban and Black chambers of commerce because these are opportunities where they can connect to resources, get the support that they need, and help to grow their businesses.

So I yield back to the gentleman from New York at this time and thank him and the other Members for this spotlight on Small Business Week.

Mr. JEFFRIES. I want to thank my good friend, Representative HORSFORD, who's made several important points. And if I could just highlight a few in particular, we hear a lot of talk here in Washington, D.C., about the evils of regulation. That talk is generally put forth in very generalized terms, without being able to point to specific regulations that actually are impeding the growth and opportunities of small businesses, but is certainly something that we hear a lot about, the evils of regulation.

But the reality is if you really want to deal with some of the problems that are confronting small businesses in America, I think Representative HORSFORD has laid it out in pretty compelling ways.

One, we need to ensure that our small businesses have access to capital in order to be able to grow their businesses, allow them to flourish and expand, build upon the ideas that exist.

Two, we've got to make sure that we give these small businesses access to contracting and procurement opportunities. Many times there are small businesses that have the capacity to do

the job, but are unaware of the opportunities that actually exist, whether that's at the Federal Government level, the State government level, or down at the municipal or county governmental level.

And, lastly, as my good friend, Representative HORSFORD, pointed out, we've got to make sure that we provide access to technical assistance to deal with the compliance issues that businesses do confront. That doesn't mean that all of these issues are overly burdensome or unnecessary. But we want to make sure that small businesses do have the capacity to operate within the regulatory framework that is applicable and reasonable and that the elected officials in whatever the particular jurisdiction have deemed necessary for the proper functioning of a small business.

So I thank the distinguished gentleman from Nevada for raising those very compelling points.

We've now been joined by a very important leader on the issue of small business and entrepreneurship, who comes from the great State of New York, the great borough and county of Kings and Brooklyn, where we have many entrepreneurs. And she's helped many businesses over time. She is on the Small Business Committee.

She's my neighbor, so I wanted to make sure I gave her the appropriately generous introduction. It's an honor to yield the floor to the distinguished gentlelady from New York, Congresswoman YVETTE CLARKE.

Ms. CLARKE. Let me thank you, Mr. Speaker. And I'd like to thank my colleague, Mr. HORSFORD of Nevada, and my colleague and neighbor from Brooklyn, New York, the Honorable Congressman HAKEEM JEFFRIES, for yielding their time and for their tremendous leadership, week in and week out, in providing a view into the Congressional Black Caucus perspective on the issues of the day.

Mr. Speaker, it has been nearly 5 years since our Nation experienced the worst financial calamity since the Great Depression. However, as our economy continues to recover, unemployment remains stubbornly high, sitting at 7.5 percent nationally, with unemployment at 13.2 percent and 9 percent, respectively, for African Americans and Latino Americans.

As a member of the House Small Business Committee, I know the challenges facing our Nation's minority-owned small businesses and entrepreneurs, from access to capital, a problem for minority-owned and disadvantaged small businesses in the best of economic times, or a lack of access to knowledge and information of the available options to assist them.

I understand that we must—that we must work increasingly and unceasingly to ensure that, even as the media focuses on the booming stock market, that our Nation's real job creators are not forgotten, not marginalized and overlooked. Their success is vital, not only for a more robust recovery, but it is to fully addressing our Nation's national employment crisis.

Ironically enough, Mr. Speaker, this week is the 50th commemoration of National Small Business Week. It appears, though, that the Republican-led House is totally tone deaf to the millions of Americans still unable to find gainful employment, that not one of the bills before the House this week supports job creation, real job creation, nor do they rescind the harmful effects of the sequester, which, by almost every measure, has been clearly detrimental to our Nation's economy and is tantamount, it is tantamount to negligence.

In my capacity as a member of the Small Business Committee, I've worked with my colleagues to promote all small businesses, especially minority, women, and veteran-owned small businesses in my district and across the Nation as they try to navigate these self-imposed and manufactured uncertain economic times.

I am a strong supporter of the SCORE Program, which provides technical assistance necessary for small businesses in underserved communities to just get off the ground. I also work with the SBA and the SBA's Office of Advocacy to ensure that all the firms that qualify for SBA contracting and capital access programs are provided an equal opportunity for participation.

Mr. Speaker, I have the honor and privilege of representing Brooklyn's Ninth Congressional District. My constituency includes an extremely large small business community with commerce corridors lined from block to block with small mom-and-pop businesses and storefronts.

This unique community provides the foundation of not only the economic but the unique social fabric of Brooklyn. We must build on this foundation in Brooklyn, New York, and across our great Nation.

Every day that the House majority focuses the people's time on issues that divide us is another day that our small businesses are treated as a subordinate concern. It is another day that our Nation's job-seekers spend time searching in vain, looking for the proverbial ''needle in the haystack,'' and another day that our Nation will have to wait for the engine that powers our economy to be firing on all cylinders.

Mr. Speaker, as our Nation celebrates National Small Business Week, I look forward to a genuine debate that addresses the totality of our Nation's small business communities, and not cherry-picking the low-hanging fruit.

I'd like to thank the Congressional Black Caucus, which, like myself, treats every week as Small Business Week, for focusing on this crucially important issue and for having me this evening.

□ 2110

In closing, I just want to share with you that, as we go through the immigration debate, we acknowledge that oftentimes in the Black community much of our entrepreneurial spirit is found in those entrepreneurs who have come to the United States and find a niche market where they can provide goods, services, and products to people from their homes of origin and, by extension, to the rest of the Nation.

I had the distinct honor and privilege of meeting a gentleman who immigrated to the United States from the island nation of Jamaica. One of the great delicacies, and they've actually become nationally renowned, it's called the beef patty. This gentleman's name is none other than Lowell Hawthorne, and he started with a small storefront in the Bronx, New York, and has now grown that storefront into a franchise opportunity that has made him, his family, and all those who have engaged very wealthy individuals, created job opportunities for hundreds of people and has provided one of the most delicious delicacies that one can ever taste.

Lowell Hawthorne is truly an entrepreneur who has availed himself of small business support from the SBA and has been able to grow his business. This is a success story that can be modeled and patterned after. We need to make sure that those entrepreneurs who have ideas that are innovative and that are creative get the support they need to continue to build this great country of ours.

I'd like to thank my colleague for anchoring this CBC Special Order.

Mr. JEFFRIES. I thank the distinguished gentlelady from New York for her very thoughtful and insightful remarks, and I certainly thank her for pointing out that immigrants from the great State of New York and, in fact, immigrants who have come across the world to States all across the United States are hardworking, family-oriented, entrepreneurial, and innovative individuals who have helped to revive and rejuvenate communities all across this great land. It's something that we in this Chamber need to recognize as we celebrate and commemorate Small Business Week and prepare to move forward hopefully with some form of comprehensive immigration reform that we recognize the contributions that immigrants have made in the small business context.

We've been joined by another champion of small businesses here in the Congress who has got a very distinguished record on a wide variety of issues. She has been a thoughtful, eloquent, and passionate voice as it relates to entrepreneurship in America, and specifically within the black community. It is my honor and privilege

now to yield the floor to the distinguished gentlelady from the great Lone Star State of Texas, Representative SHEILA JACKSON LEE.

Ms. JACKSON LEE. Let me thank my colleagues who have gathered here today and tonight.

Thank you, Congressman JEFFRIES again for the combined leadership of yourself, Mr. HORSFORD from Nevada, and, of course, my dear, dear friend, Congressman DON PAYNE, Congresswoman YVETTE CLARKE, and I know that the gentlelady from Ohio was also contributing this evening, and I certainly thank her for her leadership.

I am very pleased to be able to stand here and honor a group that I, frankly, believe are the anchor of the economy for the United States of America, and that is small businesses. We look at the landscape of American history. We did not start with multinationals and international corporations. We really started with mom-and-pop businesses, whether it is, in fact, when we were told in the historical concept to go West young man and woman, and those from the 13 Colonies originally as they moved from the east coast to explore the West as far as California. In those pioneering towns, you had to have small businesses.

Then, of course, if we speak about the history of our community, first coming to this Nation as slaves and then developing artisan skills in the spirit of Booker T. Washington, being carpenters, painters, and bricklayers. If you will look at the history of the South, many of the African Americans, this was their business, along with funeral homes and along with restaurants.

I remember the aunt of my husband. It was one of our special treats to be able to go down to Aunt Frances' location in Alabama. Her store was near Alabama State, and it was the place to go. It was also a little hotel, and there was no doubt that Aunt Frances could cook, but she turned it into a business. And the students knew that that was a place that was a comfort to them, that good meals could be gotten for reasonable prices. Those were small businesses in the African American community.

Frankly, I believe that we have not done well by them. We have not done well by minority businesses overall, by women-owned businesses. Yes, there are some moments of success that I will recount in just a moment, but in terms of the Federal Government really putting elbow grease to the idea of outreach to minority businesses, they can do better. Yes, we have the Small Business Administration and there are many instances of outreach, but let me share with you how we could do better.

First of all, we can eliminate the sequestration. We can put on the floor H.R. 900, which is legislation that many of us have signed, led by JOHN CONYERS. I'm an original cosponsor among many others. Eliminate the sequestration. It is killing us. Frankly, it is killing small businesses. It is killing the opportunities for small businesses in terms of small businesses who do a small amount of business with the Federal Government. All of that is being cut.

We can also fix the Internal Revenue Service because I will tell you, Mr. JEFFRIES, if you poll any of your small businesses, any of those S corporations or any of those mom-and-pops or any of those individuals who have businesses in their name, I can assure you that there is a difficult situation with IRS audits. They seem to find small businesses, and they seem to find minority businesses. And so I think, as a Congress, we want fairness. We certainly want the IRS, that has a lot of hard-working workers—we have just found out that they targeted liberal groups as well as others. We want them to find a sort of the right space to be able to allow our small businesses to not suffocate but to grow and to work with them in what we call offer in compromise. So I think we need to fix the IRS.

Certainly, we need to fix the whole issue of credit scoring, allowing small businesses to access, if you will, the right kind of credit. If they can get credit, then they can grow. I would imagine that if this whole place was filled up with small businesses and I asked them, the colleagues that are in this room, it was all filled up with small businesses, asked them to raise their hand about access to credit or this whole issue of credit scoring—and we in the Federal Government can do better. We can do better with a fixed tax system that respects the growth of small businesses to allow them to grow their business and give them the kind of tax incentives that would be helpful.

Let me also say, as I bring my remarks to a close, and I want to say to Congresswoman CLARKE, who is already on the floor—she knows now that I'm going to have to cite some of my businesses that have come and made great opportunities for workers. But let me just say that we need to be able to—how should I say it?—encourage, encourage all these government agencies.

Do you know how much the General Services Administration buys and how much they build? All of these agencies, every single bill that comes through here, we should work with our Republican colleagues, who believe in small businesses, to be able to add amendments that deal with the outreach to minority, women, and small businesses. That's what we're missing. They're intimidated by doing business with the Federal Government.

The General Service Administration is one of the worst offenders. They spend money on building buildings. They spend money on buying buildings, and their MWBD record is horrific. And what they say is they don't have a provision that incentivizes them, or there's no provision in their structure that causes them to move forward on MWBD.

We've got to do something about that. Maybe we can collectively do it as a Congressional Black Caucus to be able to address the question of an agency that buys everything and builds everything for the Federal Government, and they don't have an incentive.

□ 2120

Just last week I put an amendment on the defense authorization. I want to thank the Democrats and Republicans for being supportive. I look forward to working with them again in the agriculture bill.

But finally what I would say is that I am grateful that we are highlighting small businesses today, and I hope that I've listed a few items that we will hear from small businesses about, that we can hear your voices tell us how we can help you better, either with the IRS, with sequestration, with the outreach in the Small Business Administration or working with the General Services Administration so that you have more opportunity to participate as a small business.

Now let me cite a few of my businesses, as I go to my seat, in Texas. I want to celebrate Frenchy's, the Creuzot family, that has been in the chicken frying business for 50 years plus. Yes, I have a great excitement that they have taken that business and they are in the marketing business of making food products that they are selling to grocery stores. They've grown from being that place where the students from Texas Southern University would go and the rest of us would go by expanding. They have kept people hired for 50 years. Their father has gone on to glory, their mother is still alive, but the children have kept it alive. I want to salute them because it is a business of the family. They came from Louisiana, made their way over in this direction.

I want to salute Kase Lawal and CAMAC as one of the only standing energy companies owned by an African American in the United States, along with Osyka, owned by Michael Harness, and a pipeline company, Milton Carroll, who's had Precision Instruments for a number of years that was in the oil drilling business. I want to salute them.

I want to salute Cool Runnings, my first visit to them, a Jamaican restaurant. They have taken their business and grown it—in Houston, Texas by the way. To be able to have a restaurant and a takeout business is great. I want to salute the Houston Black Expo, because they are having

their big event on June 21 and businesses all over Houston will be benefiting from Mr. Love's great effort in the Houston Black Expo.

Finally, I want to conclude by saying that small businesses are in fact the backbone of America. I know that there will be a great opportunity for us to expand on that.

Let me close by thanking you, Mr. JEFFRIES and Mr. HORSFORD, thank you so very much for highlighting what is truly the infrastructure of jobs in America, small businesses and minority-owned businesses, women-owned businesses. Thank you for your courtesy.

Mr. JEFFRIES. I thank the distinguished gentlelady from Texas for her very eloquent and thoughtful remarks and for her putting forth some very important policy prescriptions for what we in the Congress can do to help advance the agenda on behalf of small businesses all across this country, and certainly in the women- and minority-owned business context.

I also want to note, I am thankful that Representative CLARKE mentioned one of the important immigrant businesses that began in the Bronx, New York, but has spread all across the country, the Golden Crust Caribbean Bakery and Grill, as well as I thank the distinguished gentlewoman from Texas for highlighting some of the important businesses that have sprouted up in Houston, Texas. Those are just a few examples of what entrepreneurs in the black immigrant community, in the African American community, have done all across the land. All we're saying is we want to make sure that we provide these businessmen and -women the same opportunities that others throughout time in America have had, because if we do, they will be able to translate their entrepreneurial spirit, their innovative ideas, their vision, into reality that will make economic sense for their communities and lead to the hiring of American citizens and others who need the employment opportunity that these small businesses will continue to generate.

Just a few observations in closing. One of the things that was mentioned earlier today on the floor was the fact that many small businesses confront an uncertain economic environment. And as a result of this uncertainty, they are unable to move forward in any concrete fashion because they don't know when the next crisis will hit our economy: Are we going to default on our debt? Are we going to fall over the fiscal cliff? How long are we going to be dealing with sequestration?

I would suggest to my good friends on the other side of the aisle that if we really want to help out small businesses and entrepreneurs, we've got to figure out a way to come together and find common ground as it relates to moving our economy forward, because as long as we're in this period of uncertainty, it will be difficult for small businesses and for entrepreneurs to take any step forward as it relates to growing their businesses and allowing them to be more prosperous.

Now there is a vehicle for us to try and find common ground. For 4 years, my good friends on the other side of the aisle were complaining about the fact that we were not in regular order, that the Senate failed to pass a budget. Well, this year a budget resolution was passed in the House of Representatives. A budget resolution was passed in the Senate. Two very different visions for where we should go as a country. But the vehicle to find common ground is to move forward with a conference committee. The majority in the Senate has indicated they are prepared to move forward and appoint conferees, but the Speaker of the people's House refuses to do so, even though for the last 4 years folks were complaining about the absence of regular order.

If you want to do something about small businesses, what we should do in America is figure out how we in the Congress can come together, find common ground and create some economic certainty so these entrepreneurs can move forward.

I don't know if my good friend has any parting comments, but let me just say that we in the CBC are committed to continuing to stand up for entrepreneurship in America, for opportunity, for the fruitful pursuit of the American Dream through innovation, and we extend an olive branch to Members of the other side of the aisle on this issue and on all other issues so we can finally find a way to come together and move this economy forward in a way that should benefit all Americans.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, as we celebrate American small businesses during the 50th Annual National Small Business Week, it is important that we recognize minority entrepreneurs and their contributions to local economies all across the country. Small businesses serve as the backbone of America's economy, and minority-owned enterprises have played a critical role in our Nation's economic development, generating an estimated $1 trillion in annual revenue as of 2011.

In Texas, there are more than 365,000 minority-owned firms, employing more than 690,000 individuals. Small businesses account for the majority of the employers in the State of Texas, and create a substantial number of local new jobs. Small businesses bring dynamic ideas, and generate innovative services and products, to the marketplace which are necessary for economic prosperity.

Mr. Speaker, as we honor small businesses this week, let us all reaffirm our commitment to expand economic opportunities for aspiring business owners all across the country. These enterprises are a key component to a strong economy and a flourishing middle class.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. With respect to a unanimous-consent request entered earlier today, the Chair would clarify that, under clause 7 of rule XII, a request to remove the name of a cosponsor cannot be entertained after the final committee authorized to consider the measure reports it to the House or is discharged from its consideration.

H.R. 1797 is currently on the Union Calendar and any request to remove a cosponsor at this point may not be entertained.

JOBS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Illinois (Mr. HULTGREN) for 30 minutes.

GENERAL LEAVE

Mr. HULTGREN. Thank you, Mr. Speaker.

Before I begin, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the topic of my Special Order.

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

There was no objection.

Mr. HULTGREN. Mr. Speaker, as I begin, I do want to wish and hope that you and others of our colleagues had a very happy Father's Day yesterday. It is one of the most important things for fathers, and mothers, to be able to provide for their families.

Mr. Speaker, this evening I would like to talk about what for many Americans is probably the most pressing, or maybe depressing, issue our country is facing right now: jobs, unemployment and the need to create more jobs. But while we as a Nation face challenges, the roadmap to prosperity is clear. The question is, will we act on the recommendations of those who create the jobs, that drive our national economy, America's small businesses and entrepreneurs?

As I speak, the unemployment rate in the United States stands at 7.6 percent. According to the American Enterprise Institute, just 64.4 percent of working age men are employed, the lowest level by far since the Great Depression, and an astounding 5 percentage points lower than at the beginning of the current downturn. A staggering 4.4 million workers have been out of work for 27 weeks or longer.

□ 2130

In Illinois, my home State, the unemployment rate is even higher—at 9.3 percent. The unemployment rate in my home State has been at or above 8.6 percent since April of 2009; 611,000 people are currently out of work in Illinois.

According to the Bureau of Labor and Statistics, of the 26.3 million part-time workers, 7.8 million are working part time for economic reasons, meaning the job market wasn't robust enough to support full-time positions or they could only find part-time work.

Jobs, unemployment, job growth—all of these are issues on the minds of Americans because, directly or indirectly, all Americans are affected by them. When I meet with small businesses and employers around my district, I ask them, what would it take for you to create just one more job? I would love for them to create 10 more jobs or 20 more jobs or 50 more jobs; but I ask them, what would it take for you to create just one more job? They tell me that the best way to spur job creation and economic growth is to reduce government regulations, cut taxes and simplify the Tax Code, and reduce the size of government by cutting spending.

Having a full-time, stable job and going to work every day is necessary just to meet the challenges of daily living. Americans' pocketbooks are pummeled every day. Take gas prices, for instance. The nationwide average price for a gallon of gas has jumped by more than $1 in the last 4 years from $2.58 a gallon in June of 2009 to $3.64 a gallon in June of this year.

The price of gas in Illinois right now is averaging $4.08 a gallon. That's 15 cents per gallon higher than this time last year. In the Chicago area and in my district, prices are even higher. The average price for a gallon of regular gas is a ridiculous $4.28. This is just one example of how everyday life is becoming less and less affordable for ordinary Americans.

Creating good, full-time jobs must be our priority. But small business owners in my district tell me that in the current ''business averse'' climate, this is difficult, if not impossible, for them to do.

Jeff, the president of a small industrial pump manufacturing company, is not hiring. He would like to, but he says he can't. He says that ''business owners have to be optimistic that the business environment will be suitable for business growth.'' He goes on to say, however, ''The unfriendly business climate coming from Washington and the huge deficit spending reduces optimism that the business climate will continue to improve or even remain stable.'' Jeff also says, ''Government regulations and high taxation create uncertainty—and government regulation and inflationary policies are driving up the cost of hiring. The primary resource of business needs is employees.''

Then there's Tom, the president of a raw materials distribution company in my district, who says ''the biggest thing holding me back from hiring is uncertainty of the future business climate.'' Tom said, ''We have already seen health care cost increases of nearly 20 percent year over year in early 2013, which was on top of the 12 percent increase in 2012.'' Tom also stated, ''We pay for 75 percent of the cost of health care for our employees. The parts of health care legislation yet to be implemented will probably penalize us even more for doing the right thing. We do not understand how health care legislation will impact our business.''

The recommendations of the small businesses that create the jobs in this country—the ''engines of the economy''—are critical to increasing employment and spurring growth in our national economy.

Reducing the regulatory burden on small businesses is one critical factor toward inducing them to hire more workers. The burdensome nature of proposed Federal regulations is making long-term planning for businesses and growth virtually impossible. An inability to plan is having a paralyzing effect on local investment and hiring.

According to the National Federation of Independent Business, in only the last 3 months there have been 6,669 regulatory changes posted or notices posted on the Federal regulatory Web site. That's an average of 74 regulations per day. Let me repeat that: NFIB's own study says in only the last 3 months there have been 6,669 regulatory changes posted or notices posted on the Federal regulatory Web site, an average of 74 regulations every single day.

This regulatory morass forces small businesses to hold onto any extra revenue they may have for fear of new compliance costs. This means foregoing opportunities to invest or hire new workers. Some businesses are forced to close altogether.

A recent poll of the National Association of Manufacturers and the National Federation of Independent Business found that 62 percent of small business owners and manufacturers say the United States' own regulations, rules, and taxes impact their businesses more negatively than foreign competition. So our own regulations, according to a majority of business owners, are more harmful to them or more threatening to them than foreign competition.

Small businesses are the engine of our Nation's economy. They create about two-thirds of new jobs in the United States. They employ more than half of the private sector workforce. We need to unleash their potential.

So what can be done? Well, we must require regulatory authorities to review their regulations for usefulness and relevance and amend them as necessary to get rid of them if they are obsolete.

I have introduced legislation to do just that. H.R. 309, the Regulatory Sunset and Review Act, requires Federal agencies to regularly review regulations on their books and establish a process to sunset those that are duplicative, conflicting, or no longer necessary.

Small businesses need a seat at the table at the earliest stages of crafting regulations. Too often, regulators generating rules have little or no contact with the businesses affected by those regulations they implement and, thus, little knowledge of the impact on jobs.

Regulators need to assess the long-term costs and benefits of regulations—including how they will affect job loss and job creation—using the best available tools and adopt only those regulations whose benefits clearly outweigh the costs.

The regulatory process requires transparency and accountability. Sharing publicly the reasons why certain public input was not incorporated and disclosing the data, methods, and models underlying Federal regulatory decisionmaking are also important steps to restoring trust to the Federal regulatory process.

Reducing red tape is critical, but cutting taxes and implementing meaningful tax reform that incentivizes businesses to hire is also key to invigorating job growth. When taxes are lower, businesses invest their resources and hire more workers, which is exactly what we want. When taxes are lower, taxpaying citizens are able to keep more of their own money, money to spend as they see fit, to save, or to invest.

Congress must consider the impact tax policy is having on small businesses' ability to succeed when small businesses are a primary source of job creation in the United States and the engines of economic growth.

Small businesses—those with less than 500 employees—represent 99.7 percent of all employers, and employ almost half of the private sector labor force—55 million workers. In Illinois, again my home State, small businesses represent 98.3 percent of all employers and provide jobs to 2.4 million workers, about half of the private labor force.

So when it comes to economic and tax policy, we need to listen to Main Street small businesses and mom-and-pop shops that create the jobs in this country. This is what they are saying when it comes to taxes and spending:

Ninety-one percent of small businesses find that the Tax Code is complicated enough to hire their own tax preparer.

Eighty-five percent think Congress should revise the Tax Code.

Eighty-one percent think government should cut spending before ever considering tax increases.

Seventy-eight percent want to close tax loopholes.

And 71 percent agree that tax reform should include lowering the tax burden on small businesses.

Thus, to enable small businesses to create jobs and improve the employment climate in this country, tax rates must be low.

High tax rates are a problem for small businesses because they siphon off revenue owners need to reinvest for growth and to create jobs.

□ 2140

So what needs to be done?

The implementation of comprehensive tax reform that makes the Tax Code fairer, less burdensome, and more comprehensible for the folks who pay taxes and the small businesses that invest in hiring;

The permanent repeal of the estate, or death, tax, which I have long advocated is critical for small businesses and maintaining a healthy jobs climate. Many small businesses are family owned. The death tax is a major impediment for such businesses to keep operating in a down economy once the owner retires or dies. Protecting small businesses from the death tax is important in order to keep Main Street businesses operating for future generations and for preserving their ability to create jobs as we try to grow this economy;

We should cut taxes to spur investment and hiring. Lower tax rates lower the cost of capital and increase the rewards for the risks that businesses take in hiring new workers. I support increasing the small business expensing limit so businesses can immediately recover their costs and invest in their businesses and hire new workers;

We must simplify the Tax Code. It is too complicated when 9 out of 10 small businesses must hire someone to prepare their own taxes. Making the Tax Code easier to understand and follow and not placing new reporting burdens on small businesses will help them focus on growing their businesses and creating jobs.

In addition to reducing regulatory burdens and cutting taxes, eliminating wasteful spending and reducing the size of government is key to job growth:

Current trends have government spending continuing to hover at 22 percent of gross domestic product for the next 10 years;

Continued spending adds to the $16.6 trillion debt, and that, in turn, drives up interest costs to pay for borrowing;

The CBO estimates that interest paid on the national debt as a percentage of the overall budget will more than double from the current 6.2 percent of the budget to 14.1 percent, consuming an ever larger share of Federal resources.

Clearly, we do need to cut spending relative to the overall Federal budget. Cutting spending reduces the amount of money government takes from the private economy. Cutting spending and reducing the size of government relative to the private sector keeps more money in the private sector where it can be put to productive use, such as in hiring and creating jobs. Cutting wasteful spending and balancing our national budget will also absolutely help job growth.

It's simple: the Federal Government should not spend more than it takes in if we want to create an environment conducive to job creation. I have advocated for and have supported the budget my House colleagues passed this spring that balances the budget in 10 years by cutting spending and fixing our broken Tax Code so that it is fairer and simpler for everyone. I also support and have worked hard to pass a balanced budget amendment to the Constitution.

Requiring the Federal Government to live within its means and balance spending with the money it takes in, just as families in Illinois and across America have to do, will instill fiscal discipline required to get our economy moving in the right direction. This will also promote confidence and create certainty within our Nation's private sector businesses so they can take productive steps towards hiring workers and growing their businesses.

According to the small businesses I meet in my district, there are more things we can do to spur job creation in this country. We can open up American markets overseas. New markets mean a greater demand for American-made goods. The businesses that manufacture these products will hire workers to meet the demand.

In that regard, I have voted in favor of free trade agreements with countries such as Colombia and Panama and South Korea. I have also supported permanent normal trade relations with Russia in order that American manufacturers can receive the benefits of open markets as a result of Russia's joining the WTO. We also must eliminate the bureaucracy that hinders the development of American products. Bureaucracy should not stand in the way of American innovation and bringing products to market.

I am a cosponsor of the Protect Small Business Jobs Act. This legislation would provide small businesses with a limited grace period to correct regulatory violations, and if the violation is corrected in a timely manner, it allows for the waiver of any sanctions against the small business. This will help business owners like Tom, who, in referring to one Federal regulatory authority with which he was dealing, said, ''Rather than working with industry to fix alleged issues, it is imposing significant fines right off the bat without giving companies the opportunity to first fix the concerns.'' Government should be a facilitator, not an obstacle, to new product development and job creation.

Mr. Speaker, the pathway to a growing economy and putting people back to work is clear. The small business job creators in my district and around the country have spoken: they want to get rid of burdensome and unnecessary red tape; they want lower taxes and a simpler Tax Code that lends to certainty and encourages growth and investment; and they want the Federal Government to exercise fiscal discipline and to serve as a facilitator for American innovation, product development, and marketing.

Mr. Speaker, we can help American small businesses get Americans back to work. America is the land of opportunity where, with a mixture of aspiration and diligence, anyone can achieve one's dreams. Let's redouble our efforts and renew our commitment to our fellow citizens to help them build a bright future for themselves, their children, and for this Nation.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LAMBORN (at the request of Mr. CANTOR) for today on account of personal reasons.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 9 o'clock and 46 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 18, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

1876. A letter from the Director, Program Development and Regulatory Analysis, Rural Development Utilities Programs, Department of Agriculture, transmitting the Department's final rule — Community Connect Broadband Grant Program (RIN: 0572-AC30) received June 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1877. A letter from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule — Final priority. Technical Assistance to Improve State Data Capacity--National Technical Assistance Center to Improve State Capacity to Accurately Collect and Report IDEA Data [CDFA Number: 84.373Y.] received June 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1878. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Final Priority; Technical Assistance To Improve State Data Capacity-National Technical Assistance Center To Improve State Capacity To Accurately Collect and Report IDEA Data [CFDA Number: 84.373Y] received June 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1879. A letter from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final

rule — Implementation of Regulatory Guide 1.221 on Design-Basis Hurricane and Hurricane Missiles [NRC-2012-0247] received June 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1880. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Models for Plant-Specific Adoption of Technical Specifications Task Force Traveler TSTF-426, Revision 5, ''Revise or Add Actions to Preclude Entry into LCO 3.0.3-RITSTF Initiatives 6B & 6C'', Using the Consolidated Line Item Improvement Process [Project No.: 753; NRC-2013-0007] received June 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1881. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Updated Aging Management Criteria for Reactor Vessel Internal Components for Pressurized Water Reactors [LR-ISG-2011-04] received June 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1882. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Quality Verification For Plate-Type Uranium-Aluminum Fuel Elements For Use In Research and Test Reactors Regulatory Guide 2.3 received June 4, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1883. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report on International Religious Freedom for 2012; to the Committee on Foreign Affairs.

1884. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Prevailing Rate Systems; Redefinition of the Minneapolis-St. Paul, MN, and Southwestern Wisconsin Appropriated Fund Federal Wage System Wage Areas (RIN: 3206-AM75) received June 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1885. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's report on the activities of the Community Relations Service (CRS) for Fiscal Year 2012, pursuant to 42 U.S.C. 2000g-3; to the Committee on the Judiciary.

1886. A letter from the Chairman, Surface Transportation Board, Department of Transportation, transmitting the Department's final rule — Assessment of Mediation and Arbitration Procedures [Docket No.: EP 699] received June 5, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1887. A letter from the Acting Chief, Publications and Regulation, Internal Revenue Service, transmitting the Service's final rule — Wilson v. Commissioner, 705 F.3d 980 (9th Cir. 213), aff'g T.C. Memo. 2010-134, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1888. A letter from the Assistant Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's final rule — Revenue Procedure: United States and Area Median Gross Income Figures [Rev. Proc. 2013-27] received June 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1889. A letter from the Assistant Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's final rule — Empowerment Zone Designation Extension [Notice: 2013-38] received June 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1890. A letter from the Assistant Director, Legal Processing Division, Internal Revenue Service, transmitting the Service's final rule — Credit for Renewable Electricity Production, Refined Coal Production, and Indian Coal Production, and Publication of Inflation Adjustment Factors and Reference Process for Calendar Year 2013 [Notice 2013-33] received June 6, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1891. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates [Notice 2013-37] received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1892. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Temporary Shelter for Individuals Displaced by Severe Storms and Tornadoes in Oklahoma [Notice 2013-39] received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 85. A bill to create the Office of Chief Financial Officer of the Government of the Virgin Islands, and for other purposes (Rept. 113–110). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1169. A bill to direct the Secretary of the Interior to transfer to the Secretary of the Navy certain Federal land in Churchill County, Nevada; with an amendment (Rept. 113–111). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1300. A bill to amend the Fish and Wildlife Act of 1956 to reauthorize the volunteer programs and community partnerships for the benefit of national wildlife refuges, and for other purposes; with an amendment (Rept. 113–112). Referred to the Committee of the Whole House on the state of the Union.

Mr. YOUNG of Florida: Committee on Appropriations. H.R. 2397. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2014, and for other purposes (Rept. 113–113). Referred to the Committee of the Whole House on the state of the Union.

Ms. FOXX: Committee on Rules. House Resolution 266. Resolution providing for consideration of the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes; and providing for consideration of the bill (H.R. 1797) to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes (Rept. 113–114). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1080. A bill to amend the Sikes Act to promote the use of cooperative agreements under such Act for land management related to Department of Defense readiness activities and to amend title 10, United States Code, to facilitate interagency cooperation in conservation programs to avoid or reduce adverse impacts on military readiness activities, with an amendment (Rept. 113–115 Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. FATTAH:

H.R. 2393. A bill to direct the Secretary of the Treasury to develop and present to Congress a legislative proposal to establish a consumption tax; to the Committee on Ways and Means.

By Mr. GARRETT (for himself, Mr. BISHOP of Utah, Mr. SOUTHERLAND, Mr. PEARCE, Mr. HUELSKAMP, Mr. KING of Iowa, Mr. HUIZENGA of Michigan, Mr. MULVANEY, Mr. LAMALFA, Mr. PITTENGER, Mr. FRANKS of Arizona, Mr. CHABOT, Mr. POSEY, Mr. GOHMERT, Mrs. BLACKBURN, Mr. MULLIN, Mr. CAMPBELL, Mr. BROUN of Georgia, and Mr. JONES):

H.R. 2394. A bill to allow a State to opt out of K-12 education grant programs and the requirements of those programs, to amend the Internal Revenue Code of 1986 to provide a credit to taxpayers in such a State, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HASTINGS of Washington:

H.R. 2395. A bill to provide for donor contribution acknowledgments to be displayed at projects authorized under the Commemorative Works Act, and for other purposes; to the Committee on Natural Resources.

By Mr. MCDERMOTT:

H.R. 2396. A bill to amend the Internal Revenue Code of 1986 to establish the Coal Mitigation Trust Fund funded by the imposition of a tax on the extraction of coal, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Utah (for himself, Mr. GOODLATTE, Mr. SMITH of Texas, Mr. KING of New York, Mr. CARTER, Mr. LABRADOR, Mr. HASTINGS of Washington, and Mr. MCCAUL):

H.R. 2398. A bill to prohibit the Secretaries of the Interior and Agriculture from taking action on Federal lands that impede border security on such lands, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself, Mr. AMASH, Mr. NADLER, Mr. MULVANEY, Ms. JACKSON LEE, Mr. BROUN of Georgia, Mr. JOHNSON of Georgia, Mr.

DUNCAN of Tennessee, Ms. CHU, Mr. GRIFFITH of Virginia, Ms. DELBENE, Mr. JONES, Mr. ENYART, Mr. MASSIE, Ms. GABBARD, Mr. MCCLINTOCK, Mr. GRIJALVA, Mr. PEARCE, Mr. HOLT, Mr. RADEL, Ms. LEE of California, Mr. SALMON, Mr. MCDERMOTT, Mr. SANFORD, Mr. MCGOVERN, Mr. O'ROURKE, Mr. POLIS, Ms. SINEMA, Mr. WELCH, and Ms. LOFGREN):

H.R. 2399. A bill to prevent the mass collection of records of innocent Americans under section 501 of the Foreign Intelligence Surveillance Act of 1978, as amended by section 215 of the USA PATRIOT Act, and to provide for greater accountability and transparency in the implementation of the USA PATRIOT Act and the Foreign Intelligence Surveillance Act of 1978; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS (for herself, Mr. HANNA, Mr. DEFAZIO, and Mr. FARR):

H.R. 2400. A bill to amend the Organic Foods Production Act of 1990 to require recordkeeping and authorize investigations and enforcement actions for violations of such Act, and for other purposes; to the Committee on Agriculture.

By Mr. COTTON:

H.R. 2401. A bill to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements with State foresters authorizing State foresters to provide certain forest, rangeland, and watershed restoration and protection services; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUFFY:

H.R. 2402. A bill to replace the Director of the Bureau of Consumer Financial Protection with a five person Commission; to the Committee on Financial Services.

By Mr. GINGREY of Georgia:

H.R. 2403. A bill to amend the National Voter Registration Act of 1993 to permit a State to require an applicant for voter registration in the State who uses the Federal mail voter registration application form developed by the Election Assistance Commission under such Act to provide additional information as a condition of the State's acceptance of the form; to the Committee on House Administration.

By Mr. PAULSEN (for himself, Ms. MCCOLLUM, and Mr. MCGOVERN):

H.R. 2404. A bill to amend the Food and Nutrition Act of 2008 to permit providers of eligible food purchasing and delivery services to be approved as retail food stores that accept and redeem supplemental nutrition assistance benefits; to the Committee on Agriculture.

By Mr. SCOTT of Virginia:

H.R. 2405. A bill to amend chapter 44 of title 18, United States Code, to clarify the circumstances under which the enhanced penalty provisions for subsequent convictions apply; to the Committee on the Judiciary.

By Mr. BISHOP of Utah (for himself and Mr. HASTINGS of Washington):

H. Res. 264. A resolution providing for the concurrence by the House in the Senate amendment to H.R. 588, with an amendment; considered and agreed to.

By Mr. CÁRDENAS (for himself, Mr. TIPTON, Mr. GRIJALVA, Mr. DANNY K. DAVIS of Illinois, Mr. COFFMAN, Ms. SHEA-PORTER, Mr. OWENS, Mr. HINOJOSA, Ms. MATSUI, Mr. LOEBSACK, Mr. MICHAUD, Ms. GABBARD, Mr. HIMES, Mr. KENNEDY, Mr. KILMER, Mr. VEASEY, Ms. HERRERA BEUTLER, Mrs. BUSTOS, Ms. DELBENE, Mr. VARGAS, Mr. LOWENTHAL, Ms. BORDALLO, Ms. SEWELL of Alabama, Mr. PAYNE, Mr. KIND, Ms. WILSON of Florida, Mr. COLLINS of New York, Mr. HASTINGS of Florida, Mr. MURPHY of Florida, Ms. SINEMA, Ms. MCCOLLUM, Mr. COURTNEY, Mr. BARBER, Mr. TAKANO, Ms. TITUS, Ms. SPEIER, Mr. LUETKEMEYER, Mr. CICILLINE, Ms. CLARKE, and Ms. BONAMICI):

H. Res. 265. A resolution honoring the entrepreneurial spirit of small business concerns in the United States during National Small Business Week, which begins on June 17, 2013; to the Committee on Small Business.

By Mr. MCDERMOTT (for himself, Mr. LARSEN of Washington, Mr. SMITH of Washington, Ms. DELBENE, Mr. KILMER, Mr. HECK of Washington, and Ms. HERRERA BEUTLER):

H. Res. 267. A resolution congratulating the University of Washington Huskies' Men's Crew Team for winning the 2013 Intercollegiate Rowing Association National Championship; to the Committee on Education and the Workforce.

By Ms. JACKSON LEE (for herself, Mr. GENE GREEN of Texas, Mr. BUTTERFIELD, Mr. HASTINGS of Florida, Mr. MCGOVERN, Ms. LORETTA SANCHEZ of California, Ms. ROYBAL-ALLARD, Ms. KELLY of Illinois, Ms. BROWN of Florida, Mr. CARSON of Indiana, Mr. CUELLAR, Mr. O'ROURKE, Mr. JEFFRIES, Mr. BECERRA, Mr. HINOJOSA, Mr. DOGGETT, Ms. WASSERMAN SCHULTZ, Mr. KENNEDY, Mr. LEWIS, Ms. BASS, Ms. SEWELL of Alabama, Mr. CLYBURN, Mr. BISHOP of Georgia, Mr. CONYERS, Ms. WATERS, Mr. COHEN, Mr. CASTRO of Texas, Mr. RANGEL, Ms. WILSON of Florida, Mr. CUMMINGS, Mr. AL GREEN of Texas, Mr. POE of Texas, Ms. PELOSI, Ms. LEE of California, Ms. CLARKE, Ms. NORTON, Mr. PAYNE, Mr. MEEKS, and Mr. HORSFORD):

H. Res. 268. A resolution observing the historical significance of Juneteenth Independence Day; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

53. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to a House Resolution recognizing the 65th Infantry Regiment known as the Borinqueneers; to the Committee on Financial Services.

54. Also, a memorial of the Legislature of the State of Indiana, relative to House Concurrent Resolution No. 51 urging the President and the Congress to repeal the excise tax on medical devices; to the Committee on Ways and Means.

55. Also, a memorial of the House of Representatives of the State of Indiana, relative to House Concurrent Resolution No. 51 urging the President and the Congress to repeal the excise tax on medical devices; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. RANGEL introduced a bill (H.R. 2406) for the relief of Daniel Wachira; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. FATTAH:

H.R. 2393.

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

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. GARRETT:

H.R. 2394.

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

The Tenth Amendment to the Constitution: ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.''

By Mr. HASTINGS of Washington:

H.R. 2395.

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

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. MCDERMOTT:

H.R. 2396.

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

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

By Mr. YOUNG of Florida:

H.R. 2397.

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

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. BISHOP of Utah:

H.R. 2398.

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

The constitutional authority of Congress to enact this legislation is provided by Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States), and Clause 1 of Article 1, Section 8, which grants Congress the authority to provide for the common defense and general welfare of the United States, and Clause 18 of Article 1 Section 8, which allows the authority to make laws deemed necessary and proper.

By Mr. CONYERS:

H.R. 2399.

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

Article I, Section 8, clauses 1, 3, and 18 of the Constitution of the United States.

By Mrs. CAPPS:

H.R. 2400.

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

Article 1, Section 8, Clause 3

By Mr. COTTON:

H.R. 2401.

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

Article 4, section 3, clause 2

''The Congress shall have power to dispose of and make all needful Rules and Regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.''

By Mr. DUFFY:

H.R. 2402.

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

Article 1, Section 8, Clause 1 (related to the general welfare of the United States); and

Article I, Section 8, Clause 3 (related to the power to regulate interstate commerce).

By Mr. GINGREY of Georgia:

H.R. 2403.

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

Article I, Section 4, Clause 1 of the Constitution states that ''The Times, Places and Manner of holding Elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators.''

By Mr. PAULSEN:

H.R. 2404.

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

Article 1 Section 8

By Mr. SCOTT of Virginia:

H.R. 2405.

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

Article I, Section 8, Clause 3 of the Constitution.

Mr. RANGEL:

H.R. 2406.

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

Congress has the power to enact this legislation pursuant to the following: Section 8 of Article I of the Constitution.

ADDITIONAL SPONSORS

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

H.R. 5: Mr. SALMON.

H.R. 127: Mr. COLE, Mr. PEARCE, Mr. CULBERSON, Mr. COTTON, Mrs. BACHMANN, Mr. WEBER of Texas, Mr. HALL, Mr. LAMALFA, Mr. WILSON of South Carolina, Mr. KING of Iowa, Mr. MCHENRY, Mr. GRIFFIN of Arkansas, and Mr. STUTZMAN.

H.R. 164: Mr. ISRAEL.

H.R. 279: Mr. KLINE.

H.R. 309: Mr. RODNEY DAVIS of Illinois, Mr. GRIFFIN of Arkansas, Mr. POSEY, and Mr. YOUNG of Indiana.

H.R. 310: Ms. BROWNLEY of California.

H.R. 351: Ms. SINEMA.

H.R. 411: Ms. HAHN.

H.R. 455: Mr. CONNOLLY and Mrs. CAROLYN B. MALONEY of New York.

H.R. 475: Mr. RANGEL.

H.R. 523: Mr. HIGGINS.

H.R. 533: Mr. PEARCE.

H.R. 685: Mr. HIGGINS, Mr. BARLETTA, and Mr. PASCRELL.

H.R. 693: Mrs. BEATTY, Ms. LEE of California, and Mr. TIBERI.

H.R. 702: Mr. POCAN, Mr. STIVERS, and Mr. HASTINGS of Florida.

H.R. 713: Mr. JOYCE, Mr. CUMMINGS, Mr. WILSON of South Carolina, Mr. DESANTIS, Mr. SWALWELL of California, and Mr. DENT.

H.R. 721: Ms. DELBENE.

H.R. 725: Ms. HAHN.

H.R. 741: Mr. TIERNEY, Mr. HASTINGS of Florida, Mr. JONES, and Mr. POCAN.

H.R. 755: Mr. GRAVES of Missouri, Mr. LABRADOR, Mr. PASCRELL, Mr. DENT, Mr. GOODLATTE, Mr. MCHENRY, Mr. HUNTER, Mr. YARMUTH, and Mr. BERA of California.

H.R. 830: Mr. VISCLOSKY.

H.R. 838: Ms. WILSON of Florida.

H.R. 904: Mr. PETRI and Mr. WESTMORELAND.

H.R. 924: Mrs. BEATTY.

H.R. 925: Mr. GRIMM.

H.R. 938: Mr. VAN HOLLEN, Mr. TERRY, Mr. STUTZMAN, Ms. CLARKE, and Mr. ALEXANDER.

H.R. 1009: Mr. MCINTYRE.

H.R. 1101: Mr. ANDREWS.

H.R. 1146: Mr. JOHNSON of Ohio.

H.R. 1150: Mr. MARKEY, Mr. HUFFMAN, Mr. RUSH, and Mr. MCGOVERN.

H.R. 1151: Mr. BARLETTA, Mr. MILLER of Florida, and Ms. WILSON of Florida.

H.R. 1250: Mr. RAHALL.

H.R. 1309: Mr. THOMPSON of California.

H.R. 1319: Mr. VELA.

H.R. 1389: Mr. KEATING.

H.R. 1395: Mrs. CAPPS.

H.R. 1416: Mr. YOUNG of Alaska.

H.R. 1421: Mr. BERA of California.

H.R. 1427: Mr. PAYNE.

H.R. 1437: Mr. TIERNEY.

H.R. 1450: Mr. GRAYSON.

H.R. 1466: Mr. CONYERS, Mr. MEEKS, and Mr. TIERNEY.

H.R. 1507: Mr. RUPPERSBERGER and Mr. HIGGINS.

H.R. 1508: Mr. MCGOVERN.

H.R. 1518: Mr. LEVIN.

H.R. 1528: Mr. POCAN.

H.R. 1563: Mr. HUIZENGA of Michigan and Mr. MICA.

H.R. 1619: Mr. ISRAEL.

H.R. 1620: Mr. GRIJALVA.

H.R. 1717: Mr. PERLMUTTER, Mr. COHEN, and Mr. RADEL.

H.R. 1731: Ms. WASSERMAN SCHULTZ, Mr. KEATING, Mr. LANCE, Mr. MCDERMOTT, Mr. LOWENTHAL, Mr. MEEKS, Mr. LOBIONDO, Mr. GARAMENDI, Mrs. LOWEY, and Ms. SINEMA.

H.R. 1763: Mr. BERA of California and Mr. KEATING.

H.R. 1771: Mr. SMITH of New Jersey, Mr. MICA, Mr. GOHMERT, Mr. DEUTCH, and Mr. PETERSON.

H.R. 1825: Mr. FLEISCHMANN and Mr. SHUSTER.

H.R. 1830: Mr. DUFFY and Mr. NOLAN.

H.R. 1843: Ms. HAHN.

H.R. 1845: Mr. LOWENTHAL.

H.R. 1851: Ms. WILSON of Florida.

H.R. 1852: Mr. DEFAZIO, Mr. MICHAUD, Mr. CAPUANO, Mr. WELCH, and Mr. LONG.

H.R. 1871: Mr. MESSER.

H.R. 1874: Mr. ROKITA.

H.R. 1877: Mr. PETRI and Mr. PASCRELL.

H.R. 1896: Mr. BUCHANAN.

H.R. 1918: Mr. MAFFEI.

H.R. 1920: Mr. MICHAUD, Mr. CUELLAR, Mr. RUPPERSBERGER, Mr. RAHALL, and Mr. ANDREWS.

H.R. 1933: Mr. RYAN of Ohio.

H.R. 1971: Mr. JOHNSON of Ohio.

H.R. 1995: Mr. CONNOLLY.

H.R. 2009: Mr. JOHNSON of Ohio.

H.R. 2016: Mr. COLE.

H.R. 2019: Mrs. BROOKS of Indiana and Mr. SCHOCK.

H.R. 2022: Mrs. WAGNER.

H.R. 2032: Ms. SCHAKOWSKY.

H.R. 2033: Ms. EDDIE BERNICE JOHNSON of Texas and Ms. CLARKE.

H.R. 2053: Mr. RAHALL and Mr. GUTHRIE.

H.R. 2089: Mr. SALMON.

H.R. 2094: Mr. CASSIDY.

H.R. 2122: Mr. GRIFFIN of Arkansas and Mr. BARR.

H.R. 2123: Ms. SCHAKOWSKY.

H.R. 2150: Mr. SWALWELL of California, Mr. COSTA, Mr. VALADAO, Mr. POCAN, and Mr. O'ROURKE.

H.R. 2160: Mr. PAYNE and Ms. WILSON of Florida.

H.R. 2182: Mr. O'ROURKE.

H.R. 2194: Mr. LATHAM.

H.R. 2239: Mr. GRAVES of Georgia.

H.R. 2252: Mr. HIMES, Mr. ANDREWS, and Mr. PIERLUISI.

H.R. 2273: Mr. LEVIN.

H.R. 2288: Mrs. CAPPS.

H.R. 2300: Mr. SALMON and Mr. COFFMAN.

H.R. 2310: Mr. KEATING, Ms. BORDALLO, and Mr. ENYART.

H.R. 2319: Mrs. KIRKPATRICK.

H.R. 2329: Mr. GRIFFIN of Arkansas.

H.R. 2375: Mr. POSEY, Ms. ROS-LEHTINEN, Mr. RUPPERSBERGER, Mr. ROONEY, and Mr. BARLETTA.

H. Con. Res. 24: Mr. HURT.

H. Res. 35: Mr. LAMALFA, Mr. NEUGEBAUER, Mr. CALVERT, Mr. PERRY, Mr. CONAWAY, Mr. DAINES, Ms. JENKINS, Mr. POSEY, Mr. CRAMER, Mr. GUTHRIE, Mr. FORBES, Mr. YODER, Mr. SAM JOHNSON of Texas, Mr. HULTGREN, Mr. DUNCAN of Tennessee, Mr. ROONEY, Mr. TIBERI, Mr. WHITFIELD, Mr. SIMPSON, Mr. BILIRAKIS, Mr. SMITH of New Jersey, Mr. MURPHY of Pennsylvania, Mrs. ELLMERS, Mr. HECK of Nevada, and Mr. KINZINGER of Illinois.

H. Res. 36: Mr. YODER.

H. Res. 97: Mr. NOLAN.

H. Res. 109: Mr. PITTS and Ms. LOFGREN.

H. Res. 112: Mr. GALLEGO, Mrs. LOWEY, and Ms. WILSON of Florida.

H. Res. 211: Mr. BLUMENAUER.

H. Res. 213: Mr. HECK of Washington.

H. Res. 220: Mr. MCNERNEY and Mr. HUFFMAN.

H. Res. 248: Ms. JACKSON LEE.

EXTENSIONS OF REMARKS

HONORING THE KOREAN AMERICAN COMMUNITY SERVICES ON THE OCCASION OF THEIR 41ST ANNUAL BENEFIT GALA

HON. BRADLEY S. SCHNEIDER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. SCHNEIDER. Mr. Speaker, I rise today to honor the Korean American Community Services (KACS) for more than 40 years of commitment to helping Korean Americans in the greater Chicagoland area.

On the eve of their 41st Annual Benefit Gala, it is fitting to pay tribute to an organization dedicated to fostering open, vibrant communities. Through a vast array of services, KACS has helped thousands of Korean Americans become active members of their communities.

KACS has been able to benefit its more than 7,000 annual clients in many ways, with programs in early education, public health, legal services, computer skills, the arts and much more.

As the needs of their clients have evolved over the years, so too have their methods.

Information technology and public health programs have grown in demand and therefore grown in scope over recent years. As more and more of our economy depends on technological savvy and broad education, KACS has expanded computer courses and grown their Early Childhood Center into a national leader.

The KACS Community Technology Center serves more than 1,000 immigrants and low-income individuals, and the broad reach of these programs is equaled only by their high quality. These services are only a snapshot of the total offered for toddlers through seniors.

KACS helps mold strong, active, engaged members of the community, and we are lucky to enjoy their services in the Tenth District.

HONORING THE TOWN OF ST. ALBANS, MAINE

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to congratulate the people of the town of St. Albans, Maine, as they celebrate their community's bicentennial.

Like many of Maine's early settlements, the Town of St. Albans began as part of Massachusetts and has been in existence longer than the State of Maine itself. In 1794, the land first known as Township No. 5—located in the 4th range of townships, north of the Waldo patent in the county of Somerset—was surveyed and in 1799, it was purchased by the renowned Boston doctor, John Warren. While its name changed several times from Township 5 to Berlin, and then to Fairhaven, this community would later be incorporated on June 14, 1813, as the town of St. Albans and it became the 199th town in the District of Maine.

This weekend, the people of St. Albans will celebrate the bicentennial of their town filled with the same local spirit and sense of common purpose that filled those first residents who first petitioned to have their community recognized. The residents of St. Albans embody the values of the hardworking people of Maine and can take great pride in the rich heritage they have created over the past 200 years.

It is an honor and a privilege to represent the people of St. Albans in Congress, and I am pleased to have this opportunity to help the town celebrate its 200th anniversary.

Mr. Speaker, please join me in congratulating the people of St. Albans and wishing them well on this joyous occasion.

H.R. 1919 THE SAFEGUARDING AMERICA'S PHARMACEUTICALS ACT OF 2013

HON. RUSH HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. HOLT. Mr. Speaker, I rise in support of H.R. 1919, the Safeguarding America's Pharmaceuticals Act of 2013. Currently, there exists a patchwork of state regulations that provide for uneven detection of contaminated drugs and falsified medicines. Recognizing this, the Institutes of Medicine (IOM) recommend in a February 2013 report that "Congress should authorize and fund the U.S. Food and Drug Administration (FDA) to establish a mandatory track-and-trace system." The Safeguarding America's Pharmaceuticals Act of 2013 makes important progress in providing for a national standard of tracing medicines electronically through the supply chain. We should be doing all that we can to ensure the security and authenticity of all medicines in the United States. The enhanced drug distribution security required by this legislation provides manufacturers with important protections against counterfeit drugs as well as increases patient safety for American consumers.

CANCEL THE SEQUESTER: LET HERIBERTO LEÓN DO HIS JOB

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise to tell my colleagues about one of my constituents, Heriberto León, who wrote recently to explain the real-life consequences of the sequester, for him and for our country.

Mr. León is not asking Congress for much—he simply wants to be able to do his job as an EPA community involvement coordinator, helping to improve access to clean air and clean water for communities in the Chicagoland area.

My constituent spends his day providing information to communities that are dealing with well water contamination from benzene. He is working to address the environmental and health consequences of pollution, effects that are particularly harmful to children and older Americans. He obviously enjoys his work and he is making a real contribution.

Mr. León is not trying to enrich himself—in fact, he took a $20,000 pay cut when he took his EPA job in 2010 and has been living with a three-year pay freeze. It is clear to me that, like so many Federal workers, he is committed to serving the public. And, like so many Federal workers, he cannot understand why he is unable to do his job and is being asked to take an additional personal, financial hit because of the sequester.

Mr. León is being asked to take 13 furlough days, because of the arbitrary and harsh impacts of the across-the-board sequester cuts. That's about a $4,000—11% pay cut. We need people like Heriberto León at EPA, and I worry how we will be able to attract and retain dedicated Federal workers when they are faced with furloughs and budget cuts that prevent them from fulfilling their mission and impose serious financial hardships on them.

I hope that my colleagues will take the time to read Mr. León's full letter and that, after doing so, you will join me in supporting H.R. 900, the Cancel the Sequester Act. Our constituents are counting on us to act now.

LETTER FROM HERIBERTO LEÓN

Re Furlough Imposed on U.S. Environmental Protection Agency Employees.

DEAR REPRESENTATIVE SCHAKOWSKY: It is with much frustration and heartbreak that I write to you this letter to urge you to continue efforts to end the sequester and its impact on working class public employees such as myself.

Today is my second furlough day since the sequester began earlier this year. Because I'm not at work today, I am unable to attend to Americans struggling with the impact of soil, water and air pollution in their communities. As a community involvement coordinator in EPA's Region 5 office, I translate to

Spanish EPA information for Chicago neighborhoods like Pilsen and Little Village and help explain to residents in Wedron, IL how the Superfund Law and the Clean Drinking Water Act each will help the EPA address the benzene contamination in their well water. I have similar assignments with communities facing contaminated sites throughout the Great Lakes states of Ohio, Michigan, Indiana, Illinois, Wisconsin, and Minnesota. My workload is sufficient to keep me busy many hours beyond my regular work hours, which many times I am happy to offer because I love to contribute to citizens who are victims of industrial pollution. Instead I'm asked to not show up to work so that my salary can be used to save money for a made-up fiscal crisis.

According to EPA's announcement earlier this year I have a total of 13 furlough days between April and September, the end of the fiscal year. That means a pay-cut of nearly $4000, or 11% of my salary between now and September. That amount is almost what I will need in August to pay the second installment of my Cook County real estate tax bill! Shall I sell my house and move out of Cook County or Illinois altogether?

Congresswoman Schakowsky, I gladly took a pay cut of 20K to come to work for the federal government in 2010 as I understood that I would be able to progress through the federal employment step and grade system. However, that same year a now three-year-old pay freeze was imposed on government workers.

I have had many employers in my worklife from institutions of higher learning such as Loyola University Chicago to private contractors for the Chicago Housing Authority. Never have I experienced the utter disregard and insulting treatment I feel from my employer, the Government of the United States of America, and the politicians responsible for its policies. The most demeaning day for me was just a few days ago when my supervisor ordered me to fill out EPA's ''Request for Leave'' form to ''request'' my own furlough days. This sequestration was never supposed to happen. It is unfair and unreasonable. But it has happened anyway.

I am happy that Air Traffic workers and other co-workers throughout the federal government have by now been exempted from furloughs. It pains me terribly that no similar consideration is expressed for those of us who are charged with caring for the environmental, economic, health, housing and other equally important concerns of the American people.

Finally, I would like to thank your staff for listening to me and submit this letter for your consideration.

Sincerely,

HERIBERTO LEÓN.

HONORING COL. SCOTT W. GORDON

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the career of an exemplary public servant, Col. Scott W. Gordon. After over thirty years of service, Col. Gordon is retiring at the end of August from the United States Army.

Col. Gordon was born in Utica, NY and grew up in Youngstown, OH. He earned his undergraduate degree in Zoology from Miami University in Oxford, OH in 1973 and went on to earn his masters in entomology from The Ohio State University in 1976. He was awarded a Ph.D. in Microbiology from Colorado State University in Fort Collins, CO in 1993.

Col. Gordon joined the military in 1984 after being employed as a medical entomologist by the Vector-borne Disease Unit of the Ohio Department of Health. Throughout Col. Gordon's thirty years of service to his country, he worked in several distinguished capacities within the United States Army. Col. Gordon's work and dedication is exhibited through the numerous awards and decorations he has accrued throughout his three decades of service.

Since joining the military, Col. Gordon has remained active in entomological research as a member of numerous professional organizations including the American Society of Tropical Medicine and Hygiene, the American Mosquito Control Association, and the Entomological Society of America. Col. Gordon has authored or co-authored over 20 publications in peer-reviewed journals.

I want to extend my warmest and sincere thanks to Col. Scott W. Gordon for his many years of service to his country. His long and illustrious military career will not be forgotten and I would like to wish him congratulations and all the best in his well-deserved retirement.

HONORING THE LIFE OF CHARLOTTE TASHJIAN AARON

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. COSTA. Mr. Speaker, I rise today to pay tribute to the life of Charlotte Tashjian Aaron, who passed away on June 7, 2013 at the age of 97. Charlotte's thoughtfulness, generosity, and overwhelming love for others will be greatly missed.

Charlotte was born into a family with very strong Armenian roots. The Tashjians immigrated to the United States to escape the Armenian Genocide. They settled in Madera, California, and ran a small family business, ''Simon Cleaners.'' After Charlotte graduated from Madera High School, she decided to stay close to home and work for her parents.

Charlotte's faith in God and her religion were extremely important to her. For over 50 years she was a part of the Fidelis Society, and served as a choir member at the First Armenian Presbyterian Church in Fresno, California for almost 70 years. Charlotte was singing in the choir when she saw the love of her life, Isaac, for the very first time. Isaac and Charlotte got married, and raised three beloved sons: James, Edward, and Richard.

For Armenians, family is everything, and Charlotte loved her family dearly. She leaves behind her sons and daughters-in-law: Heather, Kris, and Nancy; her grandchildren: David, Michael, Janelle, Stephanie, Steven, John, Kirsten, and Danielle; and her brother Ed and her sister-in-law, Wilma.

Mr. Speaker, it is with great respect that I ask my colleagues in the House of Representatives to pay tribute to the life of Charlotte Tashjian Aaron. Charlotte will undoubtedly be missed by many, and she will always be in the hearts of those who love her deeply.

PERSONAL EXPLANATION

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Ms. MOORE. Mr. Speaker, I rise today regarding one missed vote on June 12, 2013.

Had I been present for rollcall 217, On Motion to Recommit with Instructions for the Swap Jurisdiction Certainty Act, I would have voted ''aye.''

SALUTING SERVICE ACADEMY STUDENTS

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to honor an extraordinary group of 21 students who have been chosen as the future leaders of our Armed Forces by the prestigious United States service academies. These brave young men and women will commit the next four years to diligently study and rigorously train to become our Nation's defenders and protectors. I am proud to see such a fine group of young adults earnestly pursue a world-class education and a lifetime of service. I have no doubt they will represent the Third District of Texas well.

As we keep them and their families in our prayers, may we never forget the commitment they are making now and will make in the future to preserve the freedoms we all hold dear. These students are the cream of the crop. They embody the best of their generation, a generation full of courage, honor, and integrity; a generation with a deep sense of duty to uphold America's belief in democracy, liberty, and justice for all.

Young men and women, I salute each one of you for your dedication to this great country and thank you from the bottom of my heart. God bless you and God Bless America.

The name and hometown of each appointee follows:

THIRD CONGRESSIONAL DISTRICT SERVICE ACADEMY BOUND STUDENTS—CLASS OF 2017

UNITED STATES AIR FORCE ACADEMY

Bryan Lawrence Driskell, from McKinney, graduate of McKinney Boyd High School; Hunter Logan Hill, from Richardson, graduate of Jesuit College Preparatory School; Benjamin Darrell Legband, from Dallas, graduate of Trinity Christian Academy; Zachary David Missimo, from Dallas, graduate of Prestonwood Christian Academy; Chandler Avery Myers, from Garland, graduate of Naaman Forest High School; Darrius Anthonye Parker, from Allen, graduate of Allen High School in 2012 and the U.S. Air Force Academy Preparatory School in 2013; Cortland Shonell Tolbert, from McKinney, graduate of Allen High School in 2012 and the U.S. Air Force Academy Preparatory School in 2013; and Russell Howard Williams, from

McKinney, graduate of McKinney Boyd High School.

UNITED STATES NAVAL ACADEMY

John-Charles Cheng Arion, from Plano, graduate of Coram Deo Academy; Kim Anh Do, from Murphy, graduate of Plano East Senior High School; Phillip Thomas Metcalfe, from Plano, graduate of Plano East Senior High School; and Victor Vinh Truong, from Garland, graduate of Garland High School.

UNITED STATES MILITARY ACADEMY

Aaron Michael Anderson, from Frisco, graduate of Frisco High School in 2012 and the U.S. Military Academy's Preparatory School in 2013; Nicholas Martin Bergstein, from Parker, graduate of Plano East Senior High School; Kaleb Samuel Fields, from Plano, graduate of Trinity Christian Academy; Frank Yilong Lin, from Plano, graduate of Centennial High School; Anthony Park, from Plano, graduate of Plano Senior High School; Matthew Daniel Salazar, from Plano, graduate of Plano Senior High School; Blair Dillon Swanner, from Frisco, graduate of Centennial High School; and Samantha Lee Todd, from Plano, graduate of Plano Senior High School.

UNITED STATES MERCHANT MARINE ACADEMY

Ha-Young Daniel Rhee, from Plano, graduate of Plano East Senior High School.

IN HONOR OF THE WHAYNE SUPPLY COMPANY'S 100 YEAR ANNIVERSARY

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. BARR. Mr. Speaker, I rise today to honor the Whayne Supply Company in Lexington, Kentucky, and to congratulate them on their 100 Year Anniversary.

Whayne Supply Company, headquartered in Louisville, was founded by Roy C. Whayne, Sr. in 1913. He was the only employee during the company's infancy, and sold items such as light engines, pumps, and bicycles. Twelve years later, he began what would become a very long-term relationship with Caterpillar, and today the company employs over 1,300 people, operating 15 facilities in 12 cities in Kentucky and Indiana.

Whayne Supply Company is well-known for its equipment sales, rental and service offerings throughout Kentucky, but also contributes to our Commonwealth in other ways.

Whayne Supply has installed and services power stations and generators at medical centers to ensure that power is supplied to the hospital during power outages, and provides the same service to broadcasting stations so that these radio stations can continue to operate during power outages. Whayne Supply also supplies and services hybrid school buses throughout the state.

Mr. Speaker, I ask that my colleagues join me in congratulating the Whayne Supply Company on 100 years of successful business. I would also like to extend my personal appreciation to the Whayne Supply Company and all of its employees for all that they have done and continue to do for our community and our Commonwealth.

CONGRESSIONAL GOLD MEDAL FOR RABBI ARTHUR SCHNEIER

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, together with my bipartisan colleagues Reps. CHARLIE RANGEL, ELIOT ENGEL, BRIAN HIGGINS, NITA LOWEY, JERROLD NADLER, and MICHAEL GRIMM, I am introducing a bill to award a Congressional Gold Medal to Rabbi Arthur Schneier, in recognition of his pioneering role in promoting religious freedom and human rights throughout the world for over half a century.

Born in Vienna, Austria, in 1930, Rabbi Schneier lived under Nazi occupation in Budapest during World War II and came to the United States in 1947. He has been the Spiritual Leader of the Park East Synagogue in New York City since 1962.

A Holocaust survivor, and the Founder and President of the Appeal of Conscience Foundation, Rabbi Schneier has devoted his life to overcoming the forces of hatred and intolerance.

He has been a pioneer in bringing together religious leaders to address ethnic or religious conflicts. For example, in Bosnia in 1997, he convened government and religious leaders to promote healing and conciliation between Orthodox, Muslim and Jewish communities. In the Balkans, the Caucasus and Central Asia, he worked with the Orthodox Patriarch and the Turkish Government to hold the Peace and Tolerance Conference in 1994 and address religious and ethnic tensions in that area. In the former Yugoslavia, he mobilized religious leaders to halt the bloodshed of the early 90s, holding the Religious Summit on the Former Yugoslavia and the Conflict Resolution Conference to build support and consensus among religious leaders of different faiths. Since the early 1980s, he has led delegations of religious leaders to China to open a dialogue on religious freedom.

I hope my colleagues will join us in honoring this distinguished pioneer of religious freedom with a Congressional Gold Medal.

HONORING THE SERVICE OF HURST COUNCILMAN CHARLES SWEARENGEN

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. MARCHANT. Mr. Speaker, I am proud to recognize Charles Swearengen for his 30 years of service as the councilman for Place 1 of the City of Hurst, Texas.

Charles has spent nearly a half-century of his life serving Hurst. Prior to taking the oath of office as a councilman in 1983, Charles served 18 years on the Hurst Parks and Recreation Board in which he spent 13 of those years as the chairman.

Throughout his years of service to the City of Hurst, Charles has been a pivotal influence in the development of recreational projects in the city. Under his guidance, the city has opened two aquatics centers, renovated a recreation center, developed multiple parks, established the Hurst Athletic Center, and opened the Hurst Senior Citizens Activities Center.

Aside from his leadership role as a councilman, Charles has served on numerous civic committees and boards in North Texas. Some of these civic organizations included North Central Texas Council of Governments, Tarrant County Crime Prevention Resource Center Board of Directors, Hurst-Euless-Bedford Chamber of Commerce Board of Directors, National Management Association, City of Hurst Finance and Investment Committee, City of Hurst Crime Control District Board of Directors, City of Hurst Community Services Development Corporation Board of Directors, Resource Conservation Council and Stop Illegal Dumping Committee, Public Safety and Crime Prevention Committee of the National League of Cities, and Fort Worth Water and Wastewater Advisory Committee for the City of Hurst.

Charles is married to Gwendolyn, and together they have two children and four grandchildren. He and his wife have been attending the First United Methodist Church of Hurst since 1959 where he once served as the chairman of church's Mission Central Program.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in thanking Charles Swearengen for his 30 years of public service as a councilman for the City of Hurst.

HONORING ROY APSELOFF

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor the career of an exemplary public servant, Roy Apseloff. After 32 years of service, Mr. Apseloff will be retiring from the Defense Intelligence Agency.

Mr. Apseloff is a native of Kent, Ohio and earned his Bachelor of Arts in Psychology from Cornell University. He continued his education earning a Master of Arts in International Relations from Catholic University and a Master of Science in National Security Strategy from the National War College. He began his career with the Defense Intelligence Agency in 1981 as a U.S. Navy Officer assigned to the Directorate for Collection. Mr. Apseloff transitioned to civilian service in 1985 and since then he has held a series of positions of increasing responsibility within human intelligence and collection operations.

Mr. Apseloff will be retiring from the Defense Intelligence Agency as the Vice President for Information Management and Deputy CIO; he also serves as the Deputy Chief of a Global Information Technology organization of over 3,000 people and $1 billion that provides IT support to 20,000 customers worldwide. In addition, Mr. Apseloff serves on various senior interagency boards and forums. Despite leaving for civilian service in 1985, Mr. Apseloff

continued to serve in the U.S. Navy Reserve until his retirement in 2003 with the rank of captain. His many reserve assignments included: Operations Officer, Executive Officer and Commanding Officer. His longtime service in the U.S. Navy is yet another testament to his long career of service to his country.

Mr. Apseloff's exemplary work ethic has been recognized by the many awards and distinctions he has received in his 32 years with the Defense Intelligence Agency. He has received the Presidential Rank Award of Distinguished Executive, the Presidential Rank Award of Meritorious Executive, the DIA Director's Award for Exceptional Civilian Service, and the Defense Intelligence Director's Award.

I want to extend my warm and sincere thanks to Roy Apseloff for his life's devotion to serving his country. His long and illustrious career with the United States Navy and The Defense Intelligence Agency will not be forgotten. I would like to wish him congratulations on all he has accomplished and all the best in his well-deserved retirement.

REMEMBERING WILLIAM E. THRASH

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to celebrate the life of Kennesaw City Councilman William E. ''Bill'' Thrash, and thank him for his service to country and community.

After a long battle with cancer, Bill passed away on May 22.

A native of Texas, Thrash grew up in Oklahoma before serving in the U.S. Army during Vietnam, and the Colorado National Guard. After his service, he attended nursing school and was an EMT/paramedic in his early career before moving into the security management business.

In 1992, Thrash moved to Kennesaw and began looking to ways that he could serve the community. He served on the Kennesaw Development Authority, the Downtown Development Authority, the Recreation and Culture Commission, and the Historic Preservation Commission before his election to city council in 2001. At the time of his passing, he was serving his third term after being re-elected in 2010, and being named Mayor Pro-Tem in 2011.

Thrash was a role model and community leader, he served in the Georgia Municipal and Cobb Municipal associations, and his service to the National League of Cities Council on Youth, Education, and Families, Thrash was named Citizen of the Year by the Northwest Cobb Area Council of the Chamber of Commerce and the Kennesaw Business Association.

His colleagues and friends will always remember Thrash as someone who loved public service and was particularly passionate about creating programs for young people to thrive in the community. He is credited as being the driving force behind an after-school recreational program for at-risk teens, and for the development of Cantrell Park.

Mr. Speaker, I extend my deepest condolences to William E. Thrash's wife Suzie, his daughter Mandy, and sons Robbie and Billy during these most difficult of times. It saddens me to know that the world is missing an honorable and dedicated man, but I am humbled to know that he is now in a better place.

HONORING SAL CASTRO

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Ms. ROYBAL-ALLARD. Mr. Speaker, Sal Castro (October 25, 1933–April 15, 2013) was a Mexican-American educator and activist. He was most well-known for his role in the student walkouts at East Los Angeles high schools in 1968. With Sal's assistance and guidance, the students protested against unequal conditions in the Los Angeles Unified School District schools.

Long after he retired from teaching, Sal continued his lectures that shared his experiences and the importance of education, particularly in Mexican American communities. After a seven month battle with cancer, Sal Castro passed away in his sleep on April 15, 2013.

A funeral mass was celebrated for Sal at the Cathedral of Our Lady of the Angels in Los Angeles on April 25, 2013. In tribute to Mr. Castro's life efforts, I would like to submit into the CONGRESSIONAL RECORD the eulogy honoring him which was delivered by Mario T. Garcia, Professor of Chicano Studies and History at the University of California, Santa Barbara.

EULOGY FOR: SAL CASTRO

Cathedral of Our Lady of the Angels

Los Angeles, CA, April 25, 2013

About fifteen years ago, I invited Sal Castro to speak to my Chicano History class at UC Santa Barbara. My students and I were enthralled with the power of his voice, the humanity that he projected, and that wonderful humor. I knew then that I had to write his story. That story testifies to Sal's place in history and it is an honored place.

Very few of us have the opportunity to make history that affects others' lives. Sal Castro did that. He did that by first of all dedicating his career to being a teacher. There is nothing Sal would not do for his students. He did this for four decades and touched the lives of countless young people.

Sal made history by the inspirational and courageous leadership that he provided his kids as he called them in the 1968 Blowouts or walkouts in the East Los Angeles schools the largest high school student strike in American history. I do not believe that the Blowouts would have occurred without Sal's leadership. He put his career and perhaps even his life on the line for the students in this movement. He didn't do it because he personally wanted publicity or rewards. He did it because of the injustices of an educational system that for decades had denied Mexican American students a quality education and an opportunity to go to college. Sal Castro took on the entire educational establishment because they did not care about his kids.

He knew that real change does not come from on top from the elite but from the bottom, from the people. In 1968 it was senior and junior high school students who through Sal came to recognize that they were not the problem nor were their parents the problem for their lack of educational achievement. Sal helped open their eyes that it was the schools, too many teachers, too many principals, and too many members of the board of education who were the problem. Sal taught them that there was no ''Mexican problem'' but instead a racist problem as it affected the schools and the Mexican American community. Because of Sal, the students—the Blowout generation as Sal called them—empowered themselves. They were not going to accept anything now but a good education so that they could advance as far as their personal talents would take them. Sal knew he had achieved this change in consciousness as he saw hundreds of students walk out of Lincoln High School and Roosevelt High School and Garfield High School and Wilson High School, and Belmont High School and other high schools in other parts of Los Angeles. He knew that it would never be the same and he was right. With tears in his eyes and pride in his very being many years later he said of that day in 1968:

''As the bell rang, out they went, out into the streets. With their heads held high, with dignity. It was beautiful to be a Chicano that day.''

In that first week of March, 1968 with thousands of high school students on strike, the students, the college students who helped, the brown berets who provided defense, and Sal made history. They brought the educational establishment to its knees. They showed what Chicano power meant.

Various reforms followed but they were never enough and still not enough even today. But Sal and the students showed that week that major social change can only happen when the people themselves realize that only they can make the changes that will improve their lives. This was the lesson of the Blowouts and the lessons of the Chicano movement. It was the lesson that Sal as a teacher taught that generation and continues to teach us today and in the future.

Sal Castro was first and foremost a teacher but as a teacher he made history not only through the Blowouts but by year after year producing students who would dedicate their lives in whatever profession they pursued to go out and fulfill the legacy of his blowout kids—to change the world. Sal never rested on his laurels. There were still too many kids that he needed to reach and which he did not only in his classes but through his unselfish work in inspiring new generations of future Chicano/Latino leaders by his Chicano Youth Leadership Conference.

Sal Castro is a giant in Chicano history and also needs to be recognized as a giant in American history. He showed us that real education is different from schooling. Schooling produces students who accept the status quo and never ask ''why?'' Education produces students who not only ask ''why'' but act on their question.

I personally will miss a colleague, a fellow teacher, and a dear friend. I will miss him coming to my classes as he did for many years never asking for compensation but always with the same passion wanting to share his story with students. I often joked that if Sal couldn't show up I could give Sal's talk because I had heard it so often. And now I will give that talk by myself but I also rededicate myself today to his mission in life and will teach others about Sal Castro and his place in history.

The last question I asked Sal is how do you wish to be remembered. He simply said: ''I

want my tombstone to read—Sal Castro a teacher'' and he added in concluding his story and he is saying this to us today:

''Que Dios les Bendiga y que La Virgen Morena les proteja''

SEXUAL ASSAULT IN THE MILITARY

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today in strong support of efforts to fight sexual assault in the military. Sexual assault and rape are violent and horrific crimes, and they must be treated as serious offense, not—as Senator SAXBY CHAMBLISS of Georgia has suggested—as a byproduct of ''hormones.''

According to Pentagon estimates, last year, over 70 servicewomen and men were sexually assaulted every single day. The Department of Defense estimates that 26,000 sexual assaults occurred last year, an increase from the estimated 19,300 assaults in 2010. Yet only a fraction of those crimes are referred to courts martial.

We face an epidemic of sexual assault in the military. Because of a culture of intimidation and retaliation against victims, coupled with the low rate of prosecution and punishment, the vast majority of these crimes go unreported. In some instances, the victim seeks help but opts not to file a formal complaint.

The men and women of the armed services risk their lives to defend our country. Our military is built on the values of trust, discipline, and respect.

Despite growing discussion and awareness of the fact that sexual assault has become entrenched in our military culture, we've seen limited progress toward a solution. That's why I am proud to support provisions in the National Defense Authorization Act (NDAA) that make progress toward combating military sexual assault. As currently written, the NDAA strips commanders of their ability to dismiss court martial convictions for serious offenders, and it prohibits commanders from reducing guilty findings for serious offenses. The NDAA requires that servicemembers found guilty of rape or sexual assault be punitively discharged from the military.

Among other provisions, the Defense Authorization bill we're considering today also lays out the rights of victims. It allows them to apply for a permanent change of station or unit transfer, ensuring they are not forced to continue to serve next to their assaulter.

However, I believe we need to go further. I am a cosponsor of Congresswoman JACKIE SPEIER's legislation H.R. 1593, the Sexual Assault Training Oversight and Prevention (STOP) Act. The STOP Act would take the reporting, oversight, investigation and victim care of sexual assaults out of the hands of the military's normal chain of command and place jurisdiction in the newly-created, autonomous Sexual Assault Oversight and Response Office comprised of civilian and military experts.

In addition to the STOP Act, Congresswoman SPEIER has introduced an amendment—which I am proud to cosponsor—to the Defense Authorization bill taking the decision-making of whether to prosecute out of the chain of command and give discretion to trained prosecutors.

Mr. Speaker, servicewomen and men who survive sexual violence should not have to choose between their careers and justice. They should not be afraid to report crimes perpetrated against them, and they should not face intimidation when seeking treatment and other services. I strongly believe we need to take action now to fundamentally change the way sexual assault is handled in the military by passing legislation to prevent and punish sexual assault and rape.

IN CELEBRATION OF JUNETEENTH IN MACON, GEORGIA

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to salute a longstanding tradition in Macon, Georgia, the 21st Annual Juneteenth Freedom Festival. Georgia Juneteenth Week spans from June 8, 2013 to June 15, 2013, culminating in the Juneteenth Freedom Festival on Saturday, June 15, 2013 from noon to sundown at Historic Tattnall Square Park in Macon, Georgia.

On June 19, 1865 in Galveston, Texas, two years after President Abraham Lincoln issued the Emancipation Proclamation, Union Troops seized control of the area and declared all slaves free. Since then, Juneteenth has been nationally and internationally observed as Emancipation Day and the end of slavery in the United States for those who did not receive the news that the Emancipation Proclamation was signed by President Lincoln on January 1, 1863 until June 1865.

Whether it is a day, week, or month-long celebration, Juneteenth brings people of all walks of life together for remembrance of a dark period in our Nation's history, to rejoice at how far we have come as a society, and to reflect upon how far we have yet to go.

For the past 21 years, Torchlight Academy, Inc. and Kwanzaa Cultural Access Center have partnered to organize the Juneteenth celebrations in Macon, Georgia. The Juneteenth Freedom Festival has been one of the most innovative, vibrant and enjoyable displays of Afro-centric art, talent and culture in Middle Georgia. With agricultural education exhibits; live jazz, soul and hip hop music; modern and African dance; delicious food; live history exhibits; children's games; and storytelling, this partnership has fostered the spirit of community that is so deeply anchored in our ancestral roots.

Macon's oldest continuous African-American community-based festival, the Juneteenth celebrations and annual Freedom Festival unite Middle Georgians to honor the struggle, sacrifice and success of our ancestors.

This year's local Juneteenth festivities included a ''Salute to Freedom'' 5k Run/Walk for Health and Peace, the Pleasant Hill Neighborhood Reunion, Heritage Discovery Walk, Macon Black Heritage Tours, and the Real Talk Hip Hop Summit of Youth Awareness and Responsibility.

Mr. Speaker, I ask that my colleagues join me in saluting Mr. George A. Fadil Muhammad, Torchlight Academy, Inc., Kwanzaa Cultural Access Center, the residents of Macon, Georgia and the surrounding communities as they come together to celebrate Juneteenth. This spirited celebration is an annual reminder of the valiant souls of our Nation's history to whom we owe so much. Let us also use this occasion to reflect upon ourselves and how we can each lead a life that honors the sacrifice of our ancestors.

RECOGNIZING DIEGO ARENCÓN ON FATHER'S DAY

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today with a heavy heart. Father's Day is a time for families to come together, a time to honor the role of fathers in our lives, and a time to count our blessings. But for many Americans, this Sunday will be the first Father's Day where they won't be able to hug their dad tight. And for fathers who have lost a child in the past year, this will be the first Father's Day where they can't look into their son's or daughter's eyes and tell them how much joy they bring them every day.

This Father's Day, I would like to honor one of my constituents, Diego Arencón, who has sadly lost both his father and his son in the past year. A dedicated public servant, Diego is a member of the Albuquerque Fire Department and is President of the Albuquerque Area Fire Fighters, IAFF Local 244. He has selflessly risked his life to keep the residents of Albuquerque safe. He is an effective advocate for his fellow firefighters, an accomplished jazz drummer, and I'm proud to be counted among those who call Diego a friend.

Diego and his continued commitment to his wife, Lupe, and to his surviving children, Santiago, Loliana and Diego, is an inspiration to all who know him.

In early January of this year, Diego's father, Jose ''Pelete'' Arencón, passed away. A prominent gypsy flamenco singer, Jose was known for his compelling voice. He began singing as a child, and became a professional singer as a teenager. Born in Spain, he moved to Albuquerque with his wife in 1975, bringing the traditional roots of flamenco to the Duke City.

Diego's son, Nikolas Ventura-Arencón, was only 14 when he tragically passed away the day before Thanksgiving last year. Even at his young age, Nikolas had ambitions to serve his community and his country just like his father. Nikolas was a member of the Los Alamos High School ROTC and had dreams of attending the New Mexico Military Institute to become a Marine. He also wanted to follow in his father's footsteps by becoming a firefighter. Within their ranks, New Mexico firefighters say Nikolas Ventura-Arencón was ''one of us.''

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT OF 2013 H.R. 2217

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Ms. MCCOLLUM. Mr. Speaker, I rise in strong opposition to the Department of Homeland Security Appropriations Act of 2013 (H.R. 2217).

As a member of the Appropriations Committee, we passed a bipartisan Homeland Security appropriations bill. I believe, that legislation would have passed the House by an overwhelming margin.

Unfortunately, an amendment offered by Representative STEVE KING of Iowa was added to the bill on the floor; it is a poison pill for any member who cares about advancing comprehensive immigration reform. The King amendment terminates specific Obama Administration policies on immigration, including deferred action for childhood arrivals, supporting prosecutor discretion for victims of crimes, and prioritizing the deportation of violent criminals. The King amendment was adopted in a highly partisan vote of 224–201, with 221 Republicans voting for this anti-immigrant measure.

Specifically, the King amendment would mean that young people, who were brought here as children by their parents and grew up in America, will face deportation from the country they consider their own. It means victims of domestic abuse and human trafficking could face deportation for reporting their abusers.

Prioritizing public safety is only common sense. Immigration officials should be focused on deporting dangerous individuals, not working families or victims of domestic violence and human trafficking. Denying law enforcement officials the ability to use their discretion is not only a foolish and ineffective method of directing our resources, but inhumane.

I strongly support the Obama Administration policies that the King amendment eliminates. As a co-sponsor of the DREAM Act in the 111th and 112th Congress, I am appalled that House Republicans would support eliminating this policy and forcing these young people to live with the fear of being deported. Dreamers want and deserve the chance to earn American citizenship so they can fully contribute to the country they have always viewed as their own.

The King amendment will have a chilling effect on the movement for comprehensive immigration reform. The Senate is making real progress in negotiations, but this anti-immigrant amendment suggests that House Republicans have no interest in the real reform needed to fix our broken immigration system.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $16,738,708,293,971.53. We've added $6,111,831,245,058.45 to our debt in 4 and a half years. This is $6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

THE HOMELAND SECURITY APPROPRIATIONS ACT OF FY2014

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. VAN HOLLEN. Mr. Speaker, I rise in opposition to H.R. 2217, the FY14 Homeland Security Appropriations bill. I appreciate the bipartisan effort put into crafting H.R. 2217 and commend the members of the Appropriations Committee for encouraging a collaborative and open process. It's unfortunate that at the last minute an anti-immigration amendment offered by Representative STEVE KING of Iowa upset the delicate bipartisan balance established in the bill.

Recent events emphasize the importance of ensuring the availability of the resources our country needs to address national emergencies. The tornadoes in Oklahoma, the bombings at the Boston Marathon, forest fires in California and Colorado are just a few examples of why funding for homeland security should always be considered a national priority. This bill provides resources to address these and other critical needs by directing funding to protect the country's transportation infrastructure and cybernetworks, and equally important, to our first responders who help to protect our communities and who play a vital role in helping keep the nation safe and secure. In total, the bill appropriates $38.9 billion for the Department in FY 2014 for these and other critical national priorities.

While I support the level of funding set for Homeland Security in this bill, I strongly oppose the funding levels set in the Republican budget plan for other key priorities. For example, the Republican budget recklessly cuts the category of funding for our kids' education and medical research by 20 percent below the sequester level. Consequently, I strongly support the President's position that the funding levels for Homeland Security must ultimately be considered in the context of an overall agreement on the budget. Unfortunately, our Republican colleagues in the House and Senate continue to refuse to convene a conference to negotiate a budget agreement.

Additionally, I share the President's concern about the bill's failure to fund the request for the Department of Homeland Security headquarters consolidation project, which will only delay the project further; the bill's failure to fully fund the request for new Customs and Borders Protection officers; and the bill's continued funding of the unnecessary 287 (g) program when the Secure Communities program is a more efficient and cost-effective alternative.

In that same vein, this year I again opposed the anti-immigration amendment offered by Representative KING that prohibits the use of funds in the bill from being used to implement the so called "Morton Memos." These memos were written by ICE Director Morton and provide a plan to deploy ICE resources to the most cost effective priorities and provide guidance to ensure that limited resources are focused on criminals and other individuals who pose a genuine threat to national security or public safety. I am disappointed that the House chose to again include this provision and it is for that reason that I will oppose this bill.

RECOGNIZING THE PUBLIC SERVICE OF MARC JOHNSON

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. COSTA. Mr. Speaker, I rise today to recognize Marcus Johnson as he prepares to retire from his position as Superintendent of the Sanger Unified School District. Marc will be leaving after more than 35 years in public education in the Central Valley.

As Superintendent of Sanger Unified, Marc transformed some of California's lowest performing schools into some of our best. The education reforms that he spearheaded are now considered a model for schools across the country. Marc's dedication and commitment to improving education standards in the Central Valley have been nationally recognized including by the American Association of Student Administrators who named him the 2011 National Superintendent of the Year.

A California native, Marc lives in the small community of Reedley, where at age four he moved with his parents and where his wife of 37 years, Penni, taught at Thomas Law Reed Elementary, before retiring last year. He is a graduate of Reedley Community College, California State University, Fresno and Fresno Pacific University, where he received his Masters in Education. Marc began his career in education at American Union Elementary, where he taught for 16 years and later served as the district's superintendent and principal. In 1999, Marc was named the Assistant Superintendent of Human Resources for the Sanger Unified School District, before assuming the role of Superintendent of the district in the fall of 2003.

When Marc took over as Superintendent, Sanger Unified was struggling. A year into his tenure, the district was designated for program improvement by the State of California. Under Marc's leadership and guidance, Sanger Unified implemented education reforms including adopting the professional learning community model focused on student learning, high quality instruction, and teacher collaboration. Within two years Sanger Unified exited program

improvement status and its schools have since gone on to win many accolades and awards. Recently, Sanger Unified became only the second school district in the country to have every one of its middle schools named to the Department of Education's prestigious "Schools to Watch" list.

Although Marc is retiring as Superintendent of Sanger Unified, he will continue the fight to improve education standards in the Central Valley as the interim co-director of the John D. Welty Center for Educational Policy and Leadership. In addition, Marc is retiring to spend much needed time with his wife, his three children, and his four grandchildren.

Mr. Speaker, I ask my colleagues to join me in recognizing the distinguished educational leadership of Mr. Marc Johnson. The work he has done for the Sanger Unified School District will have a lasting impact on our children in Fresno County and in the entire State of California.

RECOGNIZING FALLEN OWEGO FIREFIGHTER CAPTAIN MATT PORCARI

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. REED. Mr. Speaker, I rise today to recognize fallen Owego Firefighter Captain Matt Porcari. Captain Porcari belonged to the Owego Fire Department for 18 years before his tragic death while actively responding to a mutual aid fire call in Newark Valley, New York. He was 34 years old and leaves behind a wife Christina, two children and three stepchildren.

Captain Porcari was a dedicated volunteer in the department who began his service at age 16, serving as a mentor and friend to newer members. His caring nature extended beyond the Owego community, demonstrated by his assistance to the Long Beach Fire Station following Hurricane Sandy and by his efforts to organize a trip to pay tribute to the fallen firefighters in Webster, New York. In addition, Captain Porcari led the Croton Hose Company #3 in the Central New York Hose Racing Championships and was a member of the youngest team to win a CNY Championship in 1995.

Captain Porcari's legacy was honored this June at the Owego Fallen Firefighters Memorial Golf Tournament, which was held in honor of Captain Porcari and other fallen Owego firefighters. The monies raised at the tournament will support scholarships for Owego Free Academy's graduating seniors pursuing careers as first responders. Additional monies will go to the development and maintenance of an Owego Fire Department training facility.

Today we honor Matt Porcari's sacrifice. Let us remember every day the price paid by true heroes such as Matt.

INTRODUCTION OF THE YOUTH JOBS ACT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. CONYERS. Mr. Speaker, I rise today to introduce the Youth Jobs Act.

We are facing a jobs crisis in this country, and even our youth are not exempt from its effects. Five years after the Great Recession hit, 27 million workers are either unemployed or underemployed—roughly one out of every six U.S. workers. This is completely unacceptable.

Even worse though, is the impact this crisis is leaving on the next generation of workers. America's young adults and teens are currently facing unemployment rates of 16 and 24 percent respectfully. The ramifications of these young Americans not being able to find work are troubling and far reaching.

We must do everything we can to make sure young Americans have the jobs they need to pay for higher education and to learn skills that will prepare them for careers and professions. If we do not create employment opportunities for all young Americans, we inhibit the ability and opportunity for them to move up the economic ladder, and to improve their conditions.

For this reason, I am introducing the "Youth Jobs Act" with Senator BERNIE SANDERS of Vermont.

This Act directs the U.S. Department of Labor to provide $1.5 billion in grants for states to provide summer and year-round employment opportunities for low-income youth. States could then use these funds to identify employment opportunities in emerging occupations and in the public and nonprofit sector to meet their community's needs.

An additional $1.5 billion would be distributed through competitive grants to states and local communities to provide on-the-job training and apprenticeship programs for low-income youth and disadvantaged young adults. The grant recipients would be strongly encouraged to develop partnerships with employers, community colleges, community organizations and join labor-management committees.

At minimum, every state would receive $15 million to implement summer and year round job opportunities and training programs, with the remainder being targeted to areas of particularly high youth unemployment and poverty.

Ensuring there are adequate jobs for every American should be Congress' number one focus. I encourage my colleagues to support this measure to put America's youth to work.

FACT SHEET ON REP. CONYERS' YOUTH JOBS ACT

At a time when the youth unemployment rate is over 16 percent, and the teen unemployment rate is over 24 percent, we have got to do everything we can to make sure that young Americans have the jobs they need to pay for a college education and to move up the economic ladder.

The Youth Jobs Act that will be introduced in the Senate by Sen. Sanders will provide $3 billion in immediate funding to employ hundreds of thousands of low-income youth and economically disadvantaged young adults in summer and year round jobs; and to provide young Americans with the job training and skills they need for the jobs of the future.

This legislation is modeled on the youth jobs and training programs included in President Obama's American Jobs Act.

The Youth Jobs Act would build on the success of the American Recovery and Reinvestment Act which created over 374,000 summer job opportunities during 2009 and 2010 to young Americans through $1.2 billion for the Youth Jobs Workforce Investment Act program.

Under the Youth Jobs Act, the U.S. Department of Labor (DOL) would provide $1.5 billion in grants to states to:

Provide summer and year round employment opportunities for low-income youth, with direct links to academic and occupational learning; and

Provide important services such as transportation or child care, necessary to enable young Americans to participate in job opportunities.

Each state that would like to participate in this program would have to submit a plan to DOL that must include:

Strategies and activities to provide summer employment opportunities and year-round employment opportunities for low-income youth, including links to educational activities;

Identifying employment opportunities in emerging or in-demand occupations;

Identifying employment opportunities in the public or nonprofit sector that meet community needs; and

An estimate of the number of youth expected to be placed in employment opportunities.

Under this legislation, DOL would also award $1.5 billion in competitive grants to local areas to provide work-based training to low-income youth and disadvantaged young adults.

Through this bill, DOL will award grant applications to local areas that have the ability to:

Implement effective strategies and activities to provide unemployed, low-income youth and disadvantaged young adults with the skills needed for employment;

Provide opportunities for on-the-job training, and registered apprenticeship programs;

Provide connections to immediate work opportunities; paid internships; enrollment in community colleges; or basic education and training for low-income young adults; and

Develop partnerships with employers and employer associations, community colleges, and other postsecondary education institutions; community-based organizations; joint labor-management committees; and work-related intermediaries.

All states would receive a minimum of $15 million to implement summer and year round job opportunities and job-training programs under this bill.

The remainder of the funding would be targeted to areas of high youth unemployment and poverty.

PERSONAL EXPLANATION

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. PASCRELL. Mr. Speaker, I want to state for the record that yesterday, June 13th,

I was not recorded on one rollcall vote. I would like to state for the record that I would have voted ''nay'' on rollcall Vote number 221: On Agreeing to the Resolution on H. Res. 260—Providing for further consideration of the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes.

REMEMBERING GEORGIA STATE SENATOR NATHAN DEAN

HON. PHIL GINGREY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. GINGREY of Georgia. Mr. Speaker, I rise today to celebrate the life of State Senator Nathan Dean, and thank him for his dedicated service to Georgia and his community.

Last Saturday our state lost one of the finest public officials it has ever seen, as Dean passed away at the age of 79.

Senator Dean was born in the town of Rockmart, which he called home throughout his entire life. After graduating from Rockmart High School in 1952, he attended Shorter College and then joined the U.S. Army. Thereafter, he answered the call to public service. Before his election to the Georgia Senate in 1974, Dean served for a total of 16 years on the Rockwall City Council and in the Georgia House of Representatives.

During his tenure in the State Legislature, he was named ''Man of the Year for Civic Affairs'' and ''Senator of the Year.'' In addition to his responsibilities as a Senator, he was active in community organizations such as Piedmont Avenue Baptist Church of Rockmart; Rockmart-Aragon Little League; Rockmart, Cedartown, and Cartersville Chambers of Commerce; Polk and Bartow County Farm Bureaus; the Masons, Shriners, and Odd Fellows; the Northwest Council for Boy Scouts; Cedartown, Haralson, and Bartow County Historical societies; and mental disability programs.

I had the pleasure of working with Senator Dean on many occasions during my own time in the Georgia Senate, and came to know him as a very hardworking and effective advocate. Nathan was a role model for all public officials: he truly loved the people of his district and Georgia, and worked tirelessly to represent his constituents to the best of his ability.

Mr. Speaker, I extend my deepest condolences to Senator Dean's wife Ann; his two sons and daughters-in-law, Aland and Durand Dean and Scot and Keri Dean; his grandchildren Seven, Ana Scott, and Mason; his brother, four sisters; and his many nieces, nephews, great-nieces, and great-nephews during these most difficult of times. Although we are now without this honorable man, husband, and citizen, we can take comfort in knowing that he made Georgia a better place to live.

CENTRALIA SENTINEL SESQUICENTENNIAL

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. SHIMKUS. Mr. Speaker, I rise today to acknowledge the sesquicentennial of the Centralia Sentinel. For 150 years, the newspaper has chronicled events large and small in and around the southern Illinois town of Centralia. It holds a special place in my heart, as the hometown paper of my namesake and grandfather, John Shimkus. His clothing store advertised for years in the Sentinel.

History tells us that the regional term ''Little Egypt'' arose from the poor harvest of the 1830s. Citizens of the North had to travel south to buy grain, reminiscent of the Biblical story of Joseph being brought ''down to Egypt.'' A visitor walking into the reception area of the Sentinel is greeted with hieroglyphics on the wall, evoking images of an Egyptian tomb. However, those who have worked there know that the Sentinel is anything but tomb-like, frequently noting the family atmosphere, something long promoted by the newspaper's leadership.

I would like to congratulate owner Judith Joy, Publisher and co-owner John Perrine, Associate Publisher Thomas Joy, General Manager Dan Nichols, Senior Editor LuAnn Droege, Lifestyles Editor Michelle Pennington, Sports Editor Mike McManus, Office Manager Julie Copple, Circulation Director Ray Albert, Prepress Supervisor Terri Kelly, Mailroom Manager Cindy Estes, Pressroom Manager Mike Bell, and all associated with the Sentinel now and over the last 15 decades.

Mr. Speaker, I salute the Centralia Sentinel and offer my best wishes for the next 150 years.

CONGRATULATING SAINTS PETER AND PAUL MACEDONIAN ORTHODOX CATHEDRAL ON ITS 50TH ANNIVERSARY

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and admiration that I congratulate Saints Peter and Paul Macedonian Orthodox Cathedral as its congregation and church leaders join together in celebration of its 50th Anniversary. The congregation, along with Parish Priest, Very Reverend Tome Stamatov, and the Church Executive Board, including President Thomas Traycoff, Vice President Alex Kutanovski, Vice President Dejan Ristevski, Treasurer Naumce Pejoski, Financial Secretary Stojan Trajkovski, Secretary Dimce Alekovski, and Diocese Delegate Nick Nochevich, will be celebrating with a weekend of events from July 12 to July 14, 2013 at the cathedral in Crown Point, Indiana.

Saints Peter and Paul Macedonian Orthodox Cathedral was consecrated on July 14, 1963 in Gary, Indiana, when a group of immigrants from Macedonia came together with the goal of preserving Macedonian culture and religious tradition. Saints Peter and Paul is known throughout the United States and Canada as the first official Macedonian church built in North America. The founders proclaimed the mission of their new church before the Indiana Secretary of State in Indianapolis, Indiana: ''The purpose of this parish is to preach the word of God and take spiritual care of its members; to spread goodness, justice, brotherly love, and respect among its members.''

The cathedral in Gary flourished for many years, and the congregation continued to grow. Due to an increase in membership, a new cathedral and cultural center were built in Crown Point, Indiana, in 1989, and are still in existence today. The members and leaders of Saints Peter and Paul Macedonian Orthodox Cathedral played a major role in the establishment of additional churches throughout the United States and in Canada. Their determination, focus, and commitment laid the foundation for other Macedonian churches to come to life.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in honoring and congratulating Saints Peter and Paul Macedonian Orthodox Cathedral on its 50th Anniversary. Throughout many hardships and trials, the congregation and leaders of Saints Peter and Paul have dedicated themselves to preserving Macedonian heritage, tradition, and spiritual beliefs. Their constant dedication and commitment is worthy of the highest commendation.

RECOGNIZING THE HOWARD COUNTY LIBRARY SYSTEM FOR BEING NAMED LIBRARY OF THE YEAR AND MR. MATTHEW WINNER OF COLUMBIA, MARYLAND, FOR BEING HONORED BY THE PRESIDENT AS ONE OF TWELVE MUSEUM AND LIBRARY ''CHAMPIONS OF CHANGE''

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. SARBANES. Mr. Speaker, I rise today to recognize the Howard County Library System for being named Library of the Year, and Mr. Matthew Winner of Columbia, Maryland, for being honored by the President as one of twelve museum and library ''Champions of Change.''

Each year, one of the 21,000 public and academic libraries in the United States, Canada and Mexico is awarded this prestigious honor. The winning library is one that ''most profoundly demonstrates creativity, leadership and innovation in developing signature events and initiatives, particularly those that can be emulated by others.'' I extend my congratulations to CEO and President, Valerie Gross, and to her remarkable team of educators and support staff at the Howard County libraries. It is the first library system in the entire mid-Atlantic region to receive this award.

My parents always stressed the value of libraries as a tool for learning and enrichment.

Now, as a parent myself, I have tried to do the same with my children. In this regard, the Howard County Library System and its patrons truly set an example for communities and families throughout our country. It is comprised of six branches that serve over 280,000 residents. Remarkably, 90 percent of those residents have and use library cards. The library system has the highest borrowing rate per capita in the United States, with over 7 million items checked out annually. The library is at the center of the educational, cultural and social network of Howard County.

The success of the Howard County Library System is a testament to the dedicated staff and administrators of the library system, but also the commitment of the people of Howard County to the value of education and lifelong learning. Congratulations to the Howard County Public Library System, a 21st-century library system worthy of this distinguished honor.

I would also like to congratulate Howard County resident and public school teacher and librarian, Matthew Winner of Columbia, Maryland, for being honored by the President as one of twelve museum and library ''Champions of Change.'' Winner is the co-author of the forthcoming book, Teaching Math with the Wii, the ''Busy Librarian'' blog, and he was recently named a 2013 Library Journal ''Mover & Shaker'' in the category of Tech Leaders. Through his innovative thinking and dedication to captivating the attention and potential of our students through gaming and other popular technologies, Mr. Winner is a leader in his field and making a real difference in his community. He is fully deserving of this recognition, and I offer him my thanks and congratulations.

HONORING THE ACHIEVEMENT OF ADAM LEEMANS

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mrs. BUSTOS. Mr. Speaker, I rise today to congratulate Adam Leemans of Port Byron, Illinois on his recent achievement as valedictorian of his class at the United States Military Academy at West Point.

Adam completed his course of study at West Point with an emphasis on mechanical engineering and earned a 4.2 grade-point average. He also attained nine post-graduate honors for both academic and athletic excellence. In addition to his classroom success, Adam was the captain of the West Point triathlon team for two years.

After graduation, Adam will spend one month working at the Rock Island Arsenal, followed by one year working towards a master's degree in the United Kingdom. Following the completion of his studies he will report to Fort Leonard Wood for training and will eventually take over command of his own unit.

Mr. Speaker, I want to applaud Adam for his momentous achievement. His parents, Bonnie and David, along with his community should be extremely proud of this fine young man, and I wish him luck with his future endeavors.

IN RECOGNITION OF THE PASSAGE OF THE TBI TREATMENT ACT AMENDMENT

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Mr. SESSIONS. Mr. Speaker, thousands of our brave servicemen and women are returning from combat with severe cases of Traumatic Brain Injury (TBI) and Post-Traumatic Stress Disorder (PTSD), resulting in an inability to hold a job, properly care for their families, or in some cases, to overcome suicidal tendencies. As a nation, we have the responsibility for their care and recovery.

Currently, private healthcare providers across the United States are helping brain injury patients with new and innovative treatments, some of which have not yet been made available in Department of Defense (DoD) treatment facilities. In an effort to fix this delinquency, I introduced H.R. 2344, the TBI Treatment Act, in the House of Representatives.

The TBI Treatment Act would establish a 5-year ''pay-for-performance'' pilot program, not to exceed $10 million per year, which would help expedite some of the new and groundbreaking treatments to our nations' active duty soldiers suffering from TBI and PTSD. Healthcare providers would be able to treat active-duty soldiers at no cost to the patient. The healthcare provider would be reimbursed by the DoD for providing the treatments, but only if the treatment is proven successful based on independent pre- and post-treatment neuropsychological testing, accepted survey instruments, neurological imaging, or clinical examinations. Currently, soldiers and veterans suffering from TBI and PTSD are paying out-of-pocket for these innovative treatments. Lastly, treatments must be approved by the Food and Drug Administration (FDA), the Secretary of Defense, and by an institutional review board operating in accordance with regulations issued by the Secretary of Health and Human Services.

In light of House consideration this week of H.R. 1960, The National Defense Authorization Act (NDAA) for fiscal year (FY) 2014, I was proud to offer the TBI Treatment Act as an amendment to the NDAA along with my friend and colleague from California, Congressman MIKE THOMPSON. I am pleased to report that last night; the House of Representatives approved by voice vote the TBI Treatment Act amendment. This is a great victory for those suffering from TBI and PTSD and is an important step towards ensuring that our nation's soldiers receive the care and treatments they have earned and deserve. I hope that my colleagues in the Senate will also include the TBI Treatment Act when they consider defense authorization legislation.

COMBATING SEXUAL ASSAULT IN THE MILITARY

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 2013

Ms. SCHWARTZ. Mr. Speaker, for the past year, my office has worked with a young female soldier who was raped while serving her country. Active U.S. Army, she says that when she reported the crime, she was threatened and harassed.

The military's solution was to direct her assailant to stay away from her, which he ignored.

This woman acted bravely by reporting the assault—only about 10 percent of victims do—and the military failed her.

She is now AWOL: lost, afraid, without pay, without prospects—and without her justice. Her situation is far too common. And it's unacceptable.

This year's National Defense Authorization includes important reforms. It strips commanders of their authority to change or dismiss convictions and it expands legal assistance to victims.

The military must fully implement these changes and do all it can to ensure that its culture no longer tolerates sexual violence. The military must prosecute sexual abuse offenders and ensure victims have protection and support and the assurance of justice that all victims deserve.

End this shame on America and ensure that women ''can be all they can be'' in the U.S. military, without discrimination, harassment or fear of sexual assault.

HONORING CLARK BOYD FOR HIS SERVICE AS PRESIDENT OF ROTARY CLUB OF LEBANON

HON. DIANE BLACK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mrs. BLACK. Mr. Speaker, for more than one hundred years Rotary International has made it their mission to provide service to others, promote integrity, and advance world understanding, goodwill, and peace. Today, it is my honor to recognize one of Rotary's distinguished club presidents, Mr. Clark Boyd from Lebanon, Tennessee.

A graduate of East Tennessee State University, Clark served his country for more than a decade in the Army National Guard and U.S. Army Reserve. Today, Clark makes good on the promise to be a ''good neighbor'' to the customers entrusted to his care as a State Farm Insurance agent in Lebanon, where he also serves as chairman of the Wilson County Republican Party and president of his local Habitat for Humanity.

Under Clark's leadership, the Rotary Club of Lebanon generously donated $6,000 to local and international non-profits, gave $8,000 to the noble work of Rotary International and joined members of the local Kiwanis club to create a Lebanon youth baseball league. Additionally, the club was awarded the prestigious ''STAR Club Award'' and ''Globe Club Award.''

Apart from his service to Rotary, Clark evinces his devout Christian faith as chairman of the men's ministry at Immanuel Baptist Church, where he also serves as a deacon and Sunday school teacher. Most importantly, Clark is the loving husband to his wife of eleven years, Jana, and a proud father to his two children: Wilson and Blair.

While Clark's tenure as president of Rotary Club of Lebanon will end this year, his passion for investing in the lives of others and serving his community will not. I congratulate Clark on an exceptional year as president of Rotary Club of Lebanon and honor him for his selfless example of service to others.

HONORING THE RETIREMENT OF MARK BURTON

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. GARAMENDI. Mr. Speaker, I rise today to honor Mark Burton, who has served Northern California labor, specifically, Napa and Solano Counties, since 1978. I ask all my colleagues to join me in recognizing the many outstanding achievements of Mark during his lifetime.

Mark Burton has touched the lives of many with dedication and grace. Evidenced since his early childhood; Mark's driven and compassionate nature laid the foundation for a legacy of inspiration to all who know him.

Mark was born in Richmond, California, on June 11, 1957; and Mark graduated from Pinole Valley High School in 1976, where he met the love of his life, Becky, who Mark later married and raised their two sons, Andrew and Adam, with.

Mark is committed to making the world a better place and his grace and ability to effectively communicate with people from all different backgrounds, he courageously stands up for what he believes is both fair and right not only in the workplace, but in life as well.

Mark's reputation for being dependable, fair, and loyal propelled Mark to become a foreman for Bechtel before joining the Local 3 staff as a Business Agent in 2000. Mark was promoted to District Representative for Napa and Solano Counties in 2006 and has dedicated his time to improving working conditions throughout organized labor.

Mr. Speaker, we are truly honored to pay tribute to our friend and dedicated public servant Mark Burton. We ask our colleagues to join with us in thanking Mr. Burton for his long and dedicated service to the citizens of Solano and Napa counties and wishing him continued success in all his future endeavors along with a happy retirement.

HONORING THE RETIREMENT OF DR. JIM TEDFORD

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mrs. CAPPS. Mr. Speaker, today I rise to honor the retirement of Dr. Jim Tedford from San Luis Obispo, CA, who is a beloved pediatrician in the community.

Dr. Jim Tedford has resided in San Luis Obispo County for over 30 years. He graduated from UCLA Medical School in 1969 where he completed his residency at the Children's Hospital of Los Angeles. He then worked as a pediatrician at the Fairchild Air Force Base in Spokane, Washington, before opening his private practice in San Luis Obispo in 1975.

Beyond his medical practice, Dr. Tedford has a strong history of community engagement. He has participated in several prominent medical organizations including: the SLO County Medical Society, California Medical Association, Sierra Cascade Trauma Society, California Chapter 2 of the American Academy of Pediatrics, and the SLO Medical Foundation. Moreover, the First 5 of San Luis Obispo County has recognized him as a ''Champion of Health'' for his dedicated service.

On a personal note, Jim has always extended a gracious hand when working together on issues of importance to our community. I am pleased to honor Dr. Tedford as we recognize his contributions to pediatric medicine and wish him nothing but continued success in his retirement.

IN RECOGNITION OF JUNE AS NATIONAL SCOLIOSIS AWARENESS MONTH

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. KEATING. Mr. Speaker, I rise today to recognize June as National Scoliosis Awareness Month, and to reaffirm our commitment to fighting a potentially debilitating medical condition that afflicts over 7 million Americans.

National Scoliosis Awareness Month brings together all members of the scoliosis community, including physicians, patients, families, and businesspeople to raise awareness about this condition. Diagnosing scoliosis is a simple procedure that takes less than 30 seconds, and early detection allows physicians to monitor the condition and, if necessary, begin treatment before serious complications—including chronic back pain and impacted heart and lung function—even begin. Raising awareness is therefore crucial to the fight against scoliosis.

Between two and three percent of the American population suffers from scoliosis, and the number of family and friends who are impacted by this condition numbers many millions more. While serious complications of scoliosis are largely preventable, affordable care and public awareness are necessary in order to maximize the effectiveness of treatment. National Scoliosis Awareness Month promotes a positive public awareness message that elevates the visibility of scoliosis and empowers those individuals whose lives have been touched by this condition. It is a time for us to recommit ourselves to reducing its impact in the future.

Mr. Speaker, please join me in recognizing June as National Scoliosis Awareness Month, and in thanking organizations such as the National Scoliosis Foundation and the Scoliosis Research Society, as well as their many supporters, for making it all possible.

A TRIBUTE TO ARTHUR PILACHAI

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Arthur Pilachai of Boy Scout Troop 249 in Council Bluffs, Iowa for achieving the rank of Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about five percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained for more than a century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. The work ethic Arthur has shown in his Eagle Project and every other project leading up to his Eagle Scout rank speaks volumes of his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Arthur and his family in the United States Congress. I know that all of my colleagues in the House will join me in congratulating him on obtaining the Eagle Scout ranking, and I wish him continued success in his future education and career.

TRIBUTE TO HEDGESVILLE HIGH SCHOOL BASEBALL TEAM

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the 2013 Hedgesville High School baseball team. The Eagles defeated Cabell Midland High School 4–2 to win the West Virginia Class AAA State Baseball Championship on Saturday, June 1, 2013.

Hedgesville High School is located in a rural part of Berkeley County, West Virginia, which is part of the district I represent. The school has claimed many state titles over the years, but one always seemed to slip away. The Eagles earned their first trip to the West Virginia State Tournament since 1974 by defeating Hampshire High School 4–3 in the regional final. They moved on to face Parkersburg South in the Class AAA semifinal game and defeated that team 6–3. This launched the Eagles into the title game for the first time in school history.

The Eagles found themselves trailing Cabell Midland at the beginning of the game, but soon rallied to a 4–2 lead and never looked

back. The Eagles brought home the first baseball championship in Hedgesville High School history.

Mr. Speaker, on behalf of the State of West Virginia, I would like to congratulate the 2013 Hedgesville High School Eagle baseball team on their state championship. They have made their hometown extremely proud.

HONORING JANELLE BEDEL

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor and recognize the powerful voice of Janelle Bedel of Rushville, Indiana.

Janelle Bedel was diagnosed with Pleural Mesothelioma on May 1st of 2007. Since her diagnosis, and throughout her treatments, Janelle has been a tireless and strong messenger for mesothelioma and asbestos awareness. Mesothelioma is a cancer most commonly caused by exposure to asbestos fibers.

In recognition for Janelle's advocacy efforts in the community, the City of Rushville designated June 6th, 2013 as Janelle Bedel ''Wonder Woman'' Day. The city will also embrace Janelle's message on the urgent need for additional asbestos awareness by recognizing September 26th as Mesothelioma Awareness Day, which will coincide with the National Mesothelioma Awareness Day.

In addition, the Asbestos Disease Awareness Organization is joining in the recognition for Janelle's online and community awareness efforts by awarding her with the organization's Alan Reinstein Award, which is the highest honor ADAO presents. The ADAO works to eliminate asbestos disease through national education and advocacy efforts.

I ask the 6th Congressional District and entire State of Indiana to join me in keeping Janelle and her family in our thoughts and prayers and in celebration of her continued efforts to raise awareness among our communities about the impact of this disease.

RECOGNIZING THE 50TH ANNIVERSARY OF THE SBA'S NATIONAL SMALL BUSINESS WEEK

HON. PATRICK MURPHY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. MURPHY of Florida. Mr. Speaker, I rise today to recognize the small businesses across our nation on the 50th anniversary of National Small Business Week. Small businesses are the backbone of our country—making up 50 percent of American jobs—and are essential to our economic recovery. It is our job as Members of Congress to provide support from Washington to small businesses by reducing unnecessary regulations and improving access to credit and small business assistance programs.

As a former small businessman, I am proud to serve on the House Small Business Committee and to use my prior experience to promote the interests of this vital sector of our economy. There is so much work to be done to help small businesses prosper. That is why I support legislation to create a stable business environment by passing a budget that reduces the deficit, simplifying the tax code for all Americans, and continuing to support essential small business assistance programs. To that end, the first bill I introduced was the Partnering with American Manufacturers for Efficiency and Competitiveness Act to foster more efficient manufacturing capabilities in small businesses, to promote competitiveness, and to create jobs. Having seen firsthand the havoc hurricanes can cause for small businesses, I also recently introduced the Small Business Disaster Reform Act to help small business owners recover more quickly in the wake of natural disasters.

Since coming to Congress, I have met with several small business groups, and recently hosted a small business roundtable in my district. I also have met staff from Small Business Development Centers (SBDCs) and SCORE, and I will continue to push for full funding for both of these organizations that play a crucial role in supporting small business growth. I ask my colleagues to recognize the significance of these organizations and the importance of preventing proposed cuts to SBDCs in the budget. We must also immediately consider legislation that creates jobs and those that help provide America's small businesses with new incentives to grow and hire.

This week represents half a century of recognition of the importance of small businesses and I am proud to join in commemorating National Small Business Week and thanking small businesses across the nation for the important work they do. They create jobs and stimulate the economy, all in the face of tremendous personal risk. I urge my colleagues to stand with me in support of small businesses and in creating an economic climate where they can thrive.

Mr. Speaker, on the 50th Anniversary of Small Business Week, it is clear that Congress still has much more work to do to help small businesses, but by working together we can better support the backbone of our economy to create jobs and continue on the path to economic recovery.

SNAP CUTS IN THE FARM BILL

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. CONYERS. Mr. Speaker, I am deeply concerned about the $20 billion cut over the next decade to the Supplemental Nutrition Assistance Program, formerly known as the Food Stamp Program, included in the reauthorization of the Farm bill and supported by some of my colleagues on the House Committee on Agriculture. SNAP is the cornerstone of our nation's nutrition assistance safety net and touches the lives of over one in seven Americans. To highlight the importance of this critical safety net, last week I participated in a one day SNAP Challenge by limiting my total daily food budget to $4.50—the equivalent of the daily benefits received by individuals living in Michigan.

If these cuts are enacted into law, nearly 2 million low-income Americans will lose benefits and 210,000 children from low-income families will lose free school meals, which may be their only meal of the day. My colleagues claim that cuts are needed to reduce the federal debt. However, every major deficit reduction packaged signed into law over the last thirty years has always been negotiated according to the principle of not increasing poverty or inequality.

Moreover, families are already facing cuts to SNAP benefits. Under current law, the temporary boost in benefits provided in April of 2009 by the American Recovery and Reinvestment Act are scheduled to end on November 1. This expiration of enhanced benefits will cause a family of three to experience a $20–$25 month deduction in benefits, which amounts to a cut of $1.40 per person per meal. This reduction, coupled with the draconian $20 billion cut proposed in the Farm Bill, is simply cruel.

In 2007, 26.3 million Americans participated in SNAP nationally. In 2012, more than 46.2 million people received benefits—doubling of the number of participants in 2007. This is a testament to the fact that when people struggle to put food on their tables during an economic downturn, SNAP is able to respond to meet their needs. SNAP is our nation's most important anti-hunger program and we must protect it for the future sake of vulnerable children and families. I encourage my colleagues to stand up for low-income Americans and fight for this vital safety net.

HONORING JUNETEENTH, VALLEJO, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize the Vallejo Juneteenth Celebration.

On Saturday, June 15, 2013, the Solano County African Family Celebration Committee marks the City of Vallejo's 25th anniversary of the Juneteenth Celebration. Juneteenth is the national observance of African American freedom from slavery in June of 1865. Juneteenth is also a time to also celebrate the positive contributions of African Americans nationally and locally, and to promote a cultural connection of the observance as an opportunity to build strong communities through access to health services and education resources.

For over two decades the Solano County African Family Reunion Celebration Committee has served the community with its network of volunteers serving as the African American Family Reunion Committee, AAFRC.

The AAFRC has partnered with local nonprofit and for-profit health care organizations to provide free health services to community. The Juneteenth celebration also emphasizes education as the key to a successful future and includes participation by local educational

institutions and after school programs that seek to increase the number of African American students enrolling in college.

Mr. Speaker, on this occasion it is my distinct pleasure to recognize the Juneteenth Celebration in Vallejo, California on the 25th anniversary of their momentous event. I join our colleagues in celebrating the African American Community of Solano County's rich history and wishing them a successful 25th year with many more to come.

HONORING HAROLD A. PETERSON III

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Mr. Harold A. Peterson III, President/Chief Executive Officer of Community Hospice, Inc. who is retiring after 18 years of outstanding service to the Central Valley.

Community Hospice, Inc. is a non-profit, standalone Medicare Certified hospice headquartered in Modesto, with a branch office in Stockton, and a 16 bed inpatient facility; the Alexander Cohen Hospice House is located in Hughson, California. Community Hospice provided compassionate care to over 1,800 patients last year and 260 patients on a daily basis. Beyond medical and nursing care; the organization provides bereavement support to those in the community who have lost a loved one. Additionally, Community Hospice operates six Hope Chest Thrift Stores, a logistics and recycling center, a durable medical equipment division, and the Community Hospice Foundation, which raises additional funds to support the hospice mission.

Prior to coming to Community Hospice, Mr. Peterson worked for 23 years in a Fortune 500 food manufacturing company. Harold has held positions from front line supervision to Senior Vice President of Distribution; a position he had held the last seven years.

In addition to a busy work schedule, Harold has a history of active involvement in the community. Following is a partial list of his participation: 17 year member of Modesto Rotary, Past Chair of the Stanislaus County Economic Development Company, Past Chair of the Stanislaus County Private Industry Council, Past Vice-Chair of the Board of Directors of the Second Harvest Food Bank of Stanislaus and San Joaquin Counties, Past member of the Board of Directors for the Hughson Chamber of Commerce, Past Vice-Chair of the Board of Directors of the United Way of Stanislaus County, Past member of the Board of Directors of the California Hospice and Palliative Care Association (CHAPCA), Past Chair of the Tri Valley Credit Union, and graduate of the 1990 Modesto Chamber of Commerce Leadership Modesto. Most recently, Harold has been a Supervisory Committee Member of the Community Trust Credit Union.

Harold has received many acknowledgments for his volunteer work, which include receiving the Hughson Business Man of the Year award in 2008, J.C. Penney Golden Rule Award in 1995 and the United Way President's Award in 1994.

Harold and his wife, Kathy of 42 years have three grown sons, and with their wives, five grandchildren. The Peterson family lives in Modesto, California. They enjoy playing golf and travelling in their motor home to visit family and friends. Harold is a decorated veteran of the Vietnam war and holds a Bachelors degree from the University of San Francisco in Organizational Behavior.

Mr. Speaker, please join me in honoring and commending Harold A. Peterson III after numerous years of selfless service to the betterment of our community.

HONORING LEHMAN COLLEGE

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. ENGEL. Mr. Speaker, I am a graduate of Lehman College and I am proud of that. I have a Bachelors degree and a Masters degree and the education I received at Lehman College has served me well. I am proud of my Bronx roots and have had the honor of representing the Bronx for many years, first in the New York State Assembly and now in the U.S. House of Representatives. I was a member of the first graduating class of Lehman College in 1969 and in 1994 I was honored to give the commencement speech to the school's 25th graduating class.

The first office for which I ever ran was the Student Government at Lehman and the skills I honed there and as president of my fraternity laid a strong foundation for me as in my life in public service.

For four generations, Lehman College, and its predecessor, the Bronx branch of Hunter College, have given students a first-rate liberal arts education in preparing them for careers in teaching, business, social work, the health sciences and other areas. The school's more than 360 full-time faculty members represent a broad spectrum of scholarship in over 30 fields and includes seven Distinguished Professors, the highest rank attainable within City University of New York.

Lehman's more than 63,000 alumni are making important contributions to industry and organizations both professionally and within their communities here, and across the nation and the world.

Lehman has more than 90 graduate and undergraduate programs for the more than 12,000 students who enjoy some of the finest academic and athletic facilities available. These include state-of-the-art labs in biology, geographic information science, and new media, and a world-class sports and recreation center on a 37-acre, tree-lined campus, which houses splendid examples of both Gothic and contemporary architecture.

Lehman College was established on July 1, 1968, as a senior college with its own faculty, curriculum, and administration. The College took over the campus that, since 1931, had served as the Bronx branch of Hunter College and is named after Herbert H. Lehman, the four-time governor of New York who later became a U.S. Senator.

On the undergraduate level, Lehman's General Education Curriculum provides a broad appreciation of the liberal arts and sciences in developing student abilities of both public and personal concern.

Dr. Ricardo R. Fernandez was named president of Lehman in 1990 and I have been proud to work with him during his tenure. He has expanded the College's commitment both to educational excellence and to access to higher education for the economically disadvantaged and he encouraged the development of new majors and degree programs. Under his leadership Lehman extended its educational partnerships into the international arena, and has become a major resource for the economic, cultural, and educational development of the Bronx.

As a graduate of Lehman College I am proud to acknowledge its contributions to the betterment of its students and its community. It is truly a treasure of educational development and innovation. When I needed a quality education at a rate that my family could afford, Lehman was there for me. Today its mission remains the same and I am proud that Lehman has been a part of my life.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $16,738,697,370,019.81. We've added $6,111,820,312,106.73 to our debt in 4 and a half years. This is $6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING THE REPUBLIC

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. MESSER. Mr. Speaker, I rise today to recognize the newest addition to the Hoosier roster of designated National Historic Landmark sites, The Republic building in Columbus, Indiana.

The Republic building, which houses the city's local newspaper The Republic, was designated as the City of Columbus' seventh National Historic Landmark on October 16, 2012 by Secretary of the Interior Ken Salazar. In the designation, the Interior Department noted the significance of the building as ''an exceptional work of modern architecture and one of the best examples of the work of Myron Goldsmith, a general partner in the firm Skidmore, Owings & Merrill, and a highly respected architect, architectural theorist, writer and educator.''

In the application for the National Historic Landmark designation, it was noted that ''The

Republic was a model for many of the ideas that shaped Columbus' downtown over the next several years . . . Forty years after it was completed, it remains a simple, simultaneously strong and elegant representation of the Modern style.''

Columbus enjoys a rich history of significant works of architecture. The Republic joins six other instances of contemporary architecture designated as National Historic Landmarks, including the First Christian Church, the North Christian Church, the First Baptist Church, the McDowell Adult Education Center, the Miller House, and the former Irwin Union Bank and Trust building. With only 2,500 historic landmarks in the country, Columbus is notable for its unique concentration of nationally important landmarks.

I ask the 6th Congressional District to join me in congratulating the leadership, businesses, and citizens of the city of Columbus for their visionary leadership in architectural design and dedication to keeping these national landmarks living monuments to a shared history and prosperous future.

PERSONAL EXPLANATION

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Ms. MOORE. Mr. Speaker, I am recorded as voting ''aye'' on rollcall vote No. 231, an amendment by Congresswoman MCCOLLUM to the FY 2014 Defense Authorization bill to prohibit funds from being used for certain professional sports sponsorships. This was inadvertent. I intended to vote ''no.''

On rollcall No. 231, I intended to vote ''no.'' McCollum Amendment to H.R. 1960.

HONORING THE LIFE AND SERVICE OF JOHN D. KIMBROUGH

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the life and service of John D. Kimbrough, who passed away on June 12, 2013. During his distinguished career in education and his military service, John Kimbrough served as a mentor and an inspiration to countless individuals throughout the Gulf Coast. The loss of this great man is felt across the entire northwest Florida community.

Mr. Kimbrough was born February 17, 1945 in Chumuckla, Florida. In a true testament to his love of country, Mr. Kimbrough chose to serve in the United States Army. While serving, Mr. Kimbrough was part of the Reinforcement Control Group based in St. Louis, Missouri and also served in Korea. After returning from his tour of duty, Mr. Kimbrough attended the University of West Florida. A born teacher, he used his degree to educate students in math and science and also served as a coach to further nurture and inspire the students of northwest Florida.

Many students and teachers whose lives were touched by Mr. Kimbrough mourn the loss of a man of devotion and unwavering compassion. Perhaps the greatest mark he left was his persistent service to his fellow man; when it came to repairing things, there was never a problem he could not solve. His contributions and service to our community along with his selfless and dedicated service to our great Nation will forever be remembered.

Mr. Speaker, on behalf of the United States Congress, I am privileged to honor the exemplary life of Mr. John D. Kimbrough. My wife Vicki and I offer our prayers and sincerest condolences to his wife, Addie; son, JJ; daughter-in-law, Kendra; grandson, Lucas; and all of his family and friends. He will be truly missed.

CELEBRATING THE CAREER OF EDWARD V. ROCHFORD

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. LANCE. Mr. Speaker, I rise today to honor Morris County Sheriff Edward V. Rochford for being awarded the 2013 Distinguished Citizen Award by the Boy Scouts of America and the Patriots Path Council. After twenty-seven years of distinguished public service this recognition is well earned.

Sheriff Rochford is the top law enforcement official in Morris County, New Jersey, regarded as one of the safest counties in the country. He oversees the operation of the Morris County Correctional Facility which has been lauded as one of the ''cleanest, quietest, most well run'' correctional facilities according to the American Correctional Association. His office received the Triple Crown Award from the National Sheriffs' Association for being a fully accredited agency—becoming one of only thirty-four to earn this national distinction.

Sheriff Rochford's community service includes President and Executive Director of the Sheriffs' Association of New Jersey and member of the advisory board of the Dean and Betty Gallo Prostate Cancer Center at the Cancer Institute of New Jersey. Sheriff Rochford's continued involvement in fundraising to help minimize medical costs to families of children suffering from cancer recently earned him a commendation from the American Cancer Society. He was also the recipient of the Lifetime Achievement Award from the New Jersey State Troopers Coalition in 2012.

Sheriff Rochford is an outstanding public servant who has continually demonstrated leadership. I congratulate him on his achievements and on his award as 2013 Distinguished Citizen of the Boy Scouts of America.

IN RECOGNITION OF THE RETIREMENT OF ROBERT HOUSTON

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. ROGERS of Alabama. Mr. Speaker, I would like to ask for the House's attention today to recognize Mr. Robert Houston, who will be retiring from BAE Systems after 35 years of service.

Robert began his career in 1977 with FMC Corporation as a manufacturing analyst. Since then, Robert has traveled the United States and globe—from Iowa to South Carolina to Iraq. He first held positions like welder, shop floor supervisor and operations and human resources manager. After much hard work, he rose into line management roles. Prior to his current position, Mr. Houston served as the vice president and general manager for the legacy Steel Products and Readiness & Sustainment businesses. During this time, he also acted as the Anniston site executive.

In addition to working for BAE, Robert has been extremely involved in his community. Robert served as the first African American president of the Aiken Rotary Club and the first African American chairman of the Calhoun County Chamber of Commerce. Robert also dedicated time to working with Anniston schools on STEM programs and reading initiatives.

After his retirement, Robert plans to spend time with his family, including his grandson, Cameron. He also plans to vacation with his wife of 35 years.

Mr. Speaker, please join Mr. Houston's family, his colleagues and myself in both thanking Robert Houston for his dedication to the community and wishing him the best of luck in all of his future pursuits.

HONORING MS. TERRY LONGORIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Terry Longoria of Napa County, California on the occasion of her retirement.

In 2002, Ms. Longoria concluded twenty-seven years of hard work and service to her community as Director of Napa County's Department of Health and Human Services. In that capacity she led 350 employees and managed a $45 million annual budget, ensuring smooth operations within the agency.

Ms. Longoria also served as a founding Board Member of Napa Valley Coalition of Private Non-Profit Agencies, the founding Commissioner from Napa in the Partnership Health Plan of California, and the founding Commissioner from Napa in the Children and Families First Commission, working hard to promote wellness in the Napa Valley and deliver important services to our community.

Since her departure from Health and Human Services, Terry has worked with the Napa County Office of Education, NCOE, as the Director of Safe Schools Healthy Students where she oversaw comprehensive projects aimed at addressing the needs of Napa students and their families.

Ms. Longoria has served on the Board of Directors for Child Start Incorporated, and as Chair of the Parents Council for the Boys and Girls Club. She is a member of the Bay Area Social Services Consortium, and the Board of

Directors for Napa County Council for Economic Opportunity.

Terry has dedicated her life to providing services and support to her Napa community, especially to children and the disadvantaged. Terry has always looked for ways to help others and even her retirement party, which should be her moment in the sun, is at VOICES, so she can use her event as a fundraiser for this great organization.

Mr. Speaker, Terry Longoria has a long and distinguished career of service to others. It is therefore appropriate that we acknowledge her today and wish her well in her retirement.

HONORING THE INDIANA FEVER

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. MESSER. Mr. Speaker, I rise today to honor the accomplishments of the Indiana Fever, my home-state WNBA team.

The Indiana Fever won the 2012 WNBA championship over the Minnesota Lynx, the first in the history of the franchise. This Fever team embodied the best of Hoosier basketball with a toughness and team effort that won fans over across the State. I was thrilled to join the team on June 14th as President Obama welcomed the newest champions in professional basketball to the White House.

Led on the court by Finals MVP Tamika Catchings and All-Star and Purdue University graduate Katie Douglas, the Fever won in postseason play with a strong defense and a never say quit mentality that helped them overcome adversity. These players overcame significant injuries and came together as a team to win the title after a regular season record of 22–12. Credit for this outstanding leadership goes to Head Coach Lin Dunn, a great ambassador of the game.

Owner Herb Simon, President Jim Morris, Chief Operating Officer Rick Fuson, and President and General Manager of Fever Basketball Kelly Krauskopf deserve special recognition for their leadership of this franchise from expansion team to WNBA Champions. We are lucky to have these leaders, coaches, and players so highly invested in our community.

I join the entire 6th district and Hoosiers across the State in congratulating the Indiana Fever for a fantastic and thrilling 2012 championship season. Fever fans statewide are looking forward to what this talented team will achieve this season.

CELEBRATING THE CAREER OF BETTY ANN BENTON

HON. LEONARD LANCE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. LANCE. Mr. Speaker, I rise today to celebrate the work of Mrs. Betty Ann Benton of Pennington, New Jersey for her accomplished career in education. Betty Ann has taught for over thirty years as an elementary school teacher spending many years in Hopewell Township. There she introduced innovative programming and community outreach.

Betty Ann showed leadership in the classroom and her dedication led her to become the first Certified Reading Recovery teacher in the Hopewell Valley School System. Her notable service and accomplishments led to her recognition as Teacher of the Year in Hopewell Elementary School in 1994. Since that recognition she has been a role model to young educators. Betty Ann also introduced Hank, the Reading Therapy Dog, to the district, an idea acclaimed by students and parents that encouraged young, shy students to be engaged.

In addition to her distinguished work as an educator, Betty Ann has also demonstrated great commitment to her community through her involvement in the Healthy Communities Program and her time as a volunteer professional development instructor.

Betty Ann serves as an outstanding role model who has continually shown her dedication to her community through her students. I congratulate her on a long and distinguished career and congratulate her on her retirement.

THE ''LIMITING INTERNET AND BLANKET ELECTRONIC REVIEW OF TELECOMMUNICATIONS AND EMAIL (LIBERT-E) ACT''

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. CONYERS. Mr. Speaker, in light of the recent public revelations about the National Security Agency's extensive surveillance programs, today we are introducing bipartisan legislation that will curtail the excesses of these programs and protect our privacy rights. The ''Limiting Internet and Blanket Electronic Review of Telecommunications and Email (LIBERT-E) Act'' contains commonsense proposals to strengthen our civil liberties and hold our government accountable.

Specifically, the LIBERT-E Act provides for the following legislative changes:

The legislation reforms access to certain business records for foreign intelligence and international terrorism investigations. Section 2 of the LIBERT-E Act changes Section 215 of the USA PATRIOT Act in order to prevent the mass collection of business records that are not material to an authorized foreign intelligence investigation, an international terrorism investigation, or clandestine intelligence activities.

Currently, in order to obtain a Section 215 court order, the government need only show that the records are ''relevant'' to such an investigation. Recent reports suggest that the government's view of the ''relevance'' standard includes records of every telephone call on a given network. Section 2 of the LIBERT-E Act would also require that the government show that the relevance of these records to the investigation is based on ''specific and articulable'' facts, that the records are material to the investigation, and that the records ''pertain only to individuals under such investigation.'' In addition, the section removes a list of ''presumptively relevant'' records. The government should be required to show that the records it seeks are, in fact, material to a particular concern. The section also guarantees the recipient of a Section 215 order the right to challenge an accompanying gag order, and ensures notice and due process for any such challenger.

The LIBERT-E Act also requires additional disclosures to Congress and the public in Section 3 of the legislation. This section provides for greater accountability and transparency in the implementation of the USA PATRIOT Act and the Foreign Intelligence Surveillance Act. This section amends existing reporting requirements contained in Section 601 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1871) by requiring the Attorney General to make available to all Members of Congress the information currently provided to the House and Senate intelligence and judiciary committees. It also requires that the Attorney General make unclassified summaries of each ''significant'' decision, order, or opinion of the FISA Court available to the public within 180 days of their submission to Congress. Further, this section requires the Inspectors General of the Department of Justice and the Intelligence Community to report on the impact that acquisition of foreign intelligence has had on the privacy of persons located in the United States.

Lastly, the fourth section of the LIBERT-E Act requires that each assessment or review required under Title VII of FISA be submitted in unclassified form, with an unclassified index if necessary.

I urge my colleagues to support this bipartisan measure, which protects our privacy and increases transparency in the government's use of these authorities.

H.R. 2217

HON. ALAN GRAYSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. GRAYSON. Mr. Speaker, I rise to extend my earlier remarks describing the intent of Congress with regard to H. AMDT. 124 to H.R. 2217, the Department of Homeland Security Appropriations Act, 2014. My amendment reads as follows: ''None of the funds made available by this Act may be used in contravention of the First, Second, or Fourth Amendments to the Constitution of the United States.''

The Department of Homeland Security, all of its officials, and all contractors and subcontractors working on its behalf or operating under inherently governmental functions shall respect anonymous speech. No funds shall be used to attempt the unmasking of anonymous speakers, unless two conditions are met. One, there must be probable cause that an anonymous speaker is engaged in criminal activities and two, a warrant from a court with jurisdiction over domestic matters must be issued. Warrants from the FISA court do not serve this purpose, as those courts have jurisdiction over foreign and not domestic matters.

It is the intent of Congress that the Department of Homeland Security, all of its officials, and all contractors and subcontractors working on its behalf or operating under inherently governmental functions respect the freedom of the press, defining press as ''every sort of publication which affords a vehicle of information and opinion'' (per Justice Charles Evans Hughes). In any granting of press privileges, DHS is prohibited from distinguishing between media businesses with established track records and citizen publishing vehicles or blogs with partisan, noncommercial, or advocacy missions. DHS shall under no circumstances engage in prior restraint and shall respect the precedential value of New York Times Co. v. United States (1971). No citizen exercising first amendment rights shall be prohibited from publishing information by the use of funds appropriated in this bill.

It is the intent of Congress that a search under the Fourth Amendment is neither reasonable nor constitutional if, as the Supreme Court noted in Katz v. United States, (1) a person expects privacy in the thing searched and (2) society believes that expectation is reasonable. Considering the advances in electronic storage and retrieval technology, as well as the general trail of electronic residue left by any citizen using email, search engines, most forms of banking and commerce, VoIP, or use of the internet or mobile phones, it is the intent of Congress that the Department of Homeland Security, all of its officials, and all contractors and subcontractors working on its behalf or operating under inherently governmental functions should go beyond the so-called ''third party doctrine'' in protecting fourth amendment rights. Any examination without a person's consent to the Government (not a private party) of search engine records, e-mail, internet records, phone records, or information produced in the course of ordinary business is considered a search of that person's ''papers and effects.'' The Department of Homeland Security, all of its officials, and all contractors and subcontractors working on its behalf or operating under inherently governmental functions are prohibited from using appropriated funds to engage in such searches.

It is not the intent of Congress that every form of surveillance that is technically feasible should be performed. Nor is it the intent of Congress that every form of surveillance that is somehow arguably within court precedent or some strained interpretation of a relevant statute should be performed. On the contrary, statutory authority for surveillance is to be construed narrowly, because all forms of government surveillance implicate and potentially impair or even destroy our privacy rights. It is never the intention of Congress that security concerns override constitutional rights—on the contrary, we take an oath of office to defend those rights. The Fourth Amendment makes it clear, not only by its wording but by its very existence, that the right to privacy is a fundamental part of the American experience. We cannot protect our liberty by snuffing it out—we cannot destroy our village in order to save it.

HONORING CAPTAIN WILLIAM J. MILNE

HON. ROBERT J. WITTMAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. WITTMAN. Mr. Speaker, I rise today to recognize a true leader for his extraordinary service in the United States Coast Guard, Captain William J. Milne. Captain Milne served his country for 38 years in the Coast Guard and on June 14, he will retire as the Director of Law Enforcement, Maritime Security, and Defense Operations Policy at Coast Guard Headquarters in Washington, DC. We all owe him a debt of gratitude for his commitment to service and to our country.

A native of Seattle, WA, Captain Milne graduated from Coast Guard Recruit Basic Training in 1975. His first assignment was as a Search and Rescue communications watchstander at Coast Guard Station Umpqua River in Winchester Bay, OR. During this assignment, he not only earned the distinguished SURFMAN designation, but was quickly promoted to Boatswain's Mate First Class in the Coast Guard and assumed the duties as Executive Petty Officer of the Station. Continuing his rapid promotion through the ranks, CAPT Milne was commissioned as an Ensign after completing Officer Candidate School in 1986.

As an officer, Captain Milne served on six Coast Guard cutters including serving as the commanding officer of the cutters *Cape Corwin*, *Redwood* and *Juniper*. He also served in numerous shore-based leadership positions including Coast Guard Liaison to the United States House of Representatives, and commanding officer of one of the Coast Guard's largest training commands in Yorktown, Virginia. In addition to completing some of the most challenging and demanding assignments in the Coast Guard, Captain Milne also earned a Bachelor of Arts in Business Administration, an MBA and a Masters degree in National Security and Strategic Studies.

Captain Milne is finishing his distinguished career as the Director of Law Enforcement, Maritime Security, and Defense Operations Policy. In this assignment, as well as his previous position as the Program Director for Maritime Counter-Terrorism, Captain Milne oversaw the development of Coast Guard strategic and operational policy vital to our Nation's maritime safety and security. In addition, he was a key leader in the development and management of the Coast Guard's Deployable Specialized Forces. His foresight, experience and judgment ensured these highly specialized forces were not only ready to deploy in response to national security threats, but were also prepared to protect the environment and provide humanitarian assistance to those in need. Most recently, CAPT Milne led the Coast Guard's response to the tragic terrorist bombings at the Boston Marathon, ensuring the Port of Boston was well-protected during the vulnerable days following the attack.

A highly decorated officer, Captain Milne's awards include the Legion of Merit, three Meritorious Service Medals, five Coast Guard Commendation Medals, the Department of Transportation 9/11 Medal for his service in New York City in the aftermath of the September 11, 2001 attacks, and several other personal and unit awards.

Mr. Speaker, on behalf of my constituents and a grateful Nation, I ask all my distinguished colleagues to join me in recognizing the extraordinary career of Captain William J. Milne. There are few opportunities for us to recognize the accomplishments of those who selflessly dedicate their lives to the service of our country, and I cannot thank Captain Milne, his wife Martina, their two children, Dean and Lacey, and their eight grandchildren, with three more on the way, enough for everything they have done and sacrificed to protect our Nation.

THE TRUE COST OF COAL ACT OF 2013

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 2013

Mr. McDERMOTT. Mr. Speaker, I rise today to re-introduce the True Cost of Coal Act, a bill that would address the negative impacts of coal transportation on both the local communities and American taxpayers.

Currently, plans are underway to develop coal export facilities in the Pacific Northwest that would exponentially increase the volume of coal being exported out of the region. The three proposed terminals—Gateway Pacific and Millennium Bulk Terminals in Washington and Morrow Pacific Project in Oregon—would export over 100 million tons of additional coal per year. For a sense of scale, the U.S. coal exports in their entirety totaled 125 million tons in 2012. The new terminals would nearly double that total.

With these new plans come considerable burdens on the rail communities through which the coal would be transported, including environmental and public health considerations, worsening traffic congestion, and noise pollution, among others. However, without legislation like this, the taxpayers will be largely responsible for these costs. After all, coal and train companies are currently under no obligation to pay for mitigating the effects of transporting coal. That's why I am once again introducing legislation to hold them accountable for the costs that their activities incur.

According to the U.S. Energy Information Agency (EIA), the average price per ton of coal exports in 2012 was $118 per ton; the EIA also estimates that in 2012 the cost to ship coal from the Powder River Basin to the Pacific Northwest was only about $20 per ton.

The True Cost of Coal Act of 2013 will impose a 10 dollar per ton excise tax on all extracted coal. This money will be used to mitigate the negative impacts of coal transportation and ensure the true cost of coal is paid for by the responsible parties—not the local communities and American taxpayers. The money is allocated to the affected States, who are in the best position to determine how best to use their funds. The Act also requires that trains transporting coal be covered or treated to ensure that no coal dust is released during transportation.

I have long been a champion of preserving the clean air and water that Washingtonians cherish. I am pleased to be continuing that work and hope my colleagues will join me in supporting this legislation.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 18, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 19

9:30 a.m.
Committee on Appropriations
Subcommittee on Department of Defense
To hold hearings to examine proposed budget estimates for fiscal year 2014 for Joint Strike Fighter.
SD–192

10 a.m.
Committee on Commerce, Science, and Transportation
To hold hearings to examine next steps in improving passenger and freight rail safety.
SR–253
Committee on Health, Education, Labor, and Pensions
Subcommittee on Primary Health and Aging
To hold hearings to examine reducing senior poverty and hunger, focusing on the role of the ''Older Americans Act''.
SD–430
Committee on the Judiciary
To hold an oversight hearing to examine the Federal Bureau of Investigation.
SD–106

2 p.m.
Committee on Foreign Relations
To hold hearings to examine the nominations of Geoffrey R. Pyatt, of California, to be Ambassador to Ukraine, and Tulinabo Salama Mushingi, of Virginia, to be Ambassador to Burkina Faso, both of the Department of State.
SD–419
Special Committee on Aging
To hold hearings to examine paperless Social Security payments, focusing on protecting seniors from fraud and confusion.
SD–366

2:30 p.m.
Committee on Commerce, Science, and Transportation
Subcommittee on Aviation Operations, Safety, and Security
To hold hearings to examine airline industry consolidation.
SR–253
Committee on the Judiciary
To hold hearings to examine the nominations of Todd M. Hughes, of the District of Columbia, to be United States Circuit Judge for the Federal Circuit, Colin Stirling Bruce, to be United States District Judge for the Central District of Illinois, Sara Lee Ellis, and Andrea R. Wood, both to be a United States District Judge for the Northern District of Illinois, and Madeline Hughes Haikala, to be United States District Judge for the Northern District of Alabama.
SD–226

JUNE 20

9:30 a.m.
Committee on Energy and Natural Resources
To hold an oversight hearing to examine water resource issues in the Klamath River Basin.
SD–366

10 a.m.
Committee on the Judiciary
Business meeting to consider S. 162, to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.
SD–226
Committee on Small Business and Entrepreneurship
To hold hearings to examine sequestration, focusing on small business contractors.
SR–428A

10:30 a.m.
Committee on Appropriations
Business meeting to markup proposed budget estimates for fiscal year 2014 for Military Construction and Veterans Affairs, and Related Agencies, and Agricultural, Rural Development, Food and Drug Administration, and Related Agencies.
SD–106

2:15 p.m.
Committee on Foreign Relations
To hold hearings to examine the nomination of Daniel R. Russel, of New York, to be Assistant Secretary of State for East Asian and Pacific Affairs.
SD–419

2:30 p.m.
Committee on Health, Education, Labor, and Pensions
To hold hearings to examine developing a skilled workforce for a competitive economy, focusing on reauthorizing the ''Workforce Investment Act''.
SD–430
Committee on Homeland Security and Governmental Affairs
Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce
To hold joint hearings to examine the workforce of the United States Intelligence Community and the role of private contractors.
SD–342
Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

JUNE 24

3 p.m.
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine curbing drug abuse in Medicare.
SD–342

5:30 p.m.
Committee on Homeland Security and Governmental Affairs
Business meeting to consider the nominations of Howard A. Shelanski, of Pennsylvania, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, and Daniel M. Tangherlini, of the District of Columbia, to be Administrator of General Services.
S–216

JUNE 25

10 a.m.
Committee on Energy and Natural Resources
To hold an oversight hearing to examine the challenges and opportunities for improving forest management on Federal lands.
SD–366

JUNE 27

10:30 a.m.
Committee on Homeland Security and Governmental Affairs
Subcommittee on Financial and Contracting Oversight
To hold hearings to examine contract management by the Department of Energy.
SD–342

POSTPONEMENTS

JUNE 19

10 a.m.
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine extreme weather events, focusing on the costs of not being prepared.
SD–342

SENATE—*Tuesday, June 18, 2013*

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

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

Let us pray.

Eternal Spirit, place Your judgments in the Earth so that the world's inhabitants will learn righteousness. Today, give our Senators a strong and vivid sense that You are by their side. In their downsitting and uprising, make them aware of Your presence. By Your grace, Lord, let no thoughts enter their hearts that might hinder communion with You, and let no word leave their lips that is not meant for Your ears. Surround them with the shield of Your favor and give them mutual trust and loyalty for their relationships with one another.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in a period of morning business for an hour. The Republicans will control the first half, and the majority will control the final half. Following that morning business the Senate will resume consideration of the immigration bill.

The Senate will recess from 12:30 p.m. to 2:15 p.m. for our weekly caucus meetings. At 3 o'clock there will be four rollcall votes in relation to amendments to the immigration bill.

Mr. President, I would simply add on that, I have had a number of calls already this morning saying: You cannot have the votes then. I have this. We have meetings. We would like to have the votes at 4 o'clock.

This bill, we have to move forward on it. I was very happy we were able to get consent to have these four votes starting at 3 o'clock today. Time is of the essence on this legislation. I have been patient. We have all been patient waiting to see what amendments people want to offer. I want to make sure that on some of these major issues people have had the time to work through them. We know some of the issues are difficult. I have been told Senator HOEVEN and Senator CORKER are trying to work with the eight bipartisan Senators to come up with something they believe is important for them to vote on. I have no problem with that, but I am just telling everybody, as I have now for quite a long time, that we are going to either file cloture on this on Friday, Saturday, Sunday, or Monday. We have to move forward on this legislation.

So I urge people to work together to come up with whatever amendments they believe are important. Of course, we are all looking at this major issue. I have talked to the Republicans' Gang of 8 and the Democrats' Gang of 8. They are working on something dealing with border security. I am not telling anyone what to do other than to do it as quickly as you can.

The time has come to make decisions on this important piece of legislation. We say we have been on it 2 weeks. We have really been on it longer than that. That first week after the break there were meetings going on all over this Capitol on what we should do with immigration.

So I would hope people understand that this may not be one of our normal weekends where we shoot out of town to go back to wherever we come from. We have to move forward on this legislation.

BUDGET CONFERENCE

Mr. REID. Mr. President, I talked yesterday at some length on the budget. It is important. We are approaching 3 months where we have not been able to go to conference on this budget. This is so extremely important. I spent yesterday morning at the NIH. I was not able to meet with all the heads of the Institutes, but I met with four of them, plus Dr. Collins, who runs the NIH, the National Institutes of Health.

I will have more to say about this later, but South Africa, England, France, India—China is increasing their spending by almost 25 percent for programs just like we have at NIH. What are we doing at NIH? We are cutting spending. They have been flat-funded since about 2004. With the stimulus bill, which is now going on 5 years ago, we gave them a shot in the arm because of Senator Specter. But that money has long since been gone. They are headed downhill, and they have been for several years now. These wonderful scientists we have there are leaving.

One of the scientists from the University of Michigan, who, by the way, is best friends with my chief of staff, is basically staying away from NIH because you cannot have—and he is an expert, one of if not the leading expert in the world on melanoma. He is not making application for NIH grants anymore because they cannot do scientific research when it is only available for a year or two. So I hope we can move forward on this budget conference and get something done on this to set the Nation's financial problems in the right direction. We are not going to get anything done unless we are able to get something done on the budget. We cannot do this.

I am proud of the budget we passed. I think it is a very good budget, but I realize if we go to conference we may have to change some of the things we have in our budget. But we are never going to get this done unless we sit down and work this out, as we have done for more than two centuries here in conferences between the House and the Senate.

STUDENT LOAN INTEREST RATES

Mr. REID. Finally, I see on the floor my friend, the senior Senator from Tennessee, who has been a longtime Governor of his State. He has been the Secretary of Education. We have an issue coming up soon. If we do not work something out in this body before the end of this month, student loan interest rates will go up a lot. If we do nothing, they will double from 3.4 percent to 6.8 percent. If we do what the House wants to do, if we do what Senate Republicans want to do, these student loans will be used to reduce the debt. I do not think that is what we should be doing with students. While this is not the time to debate this issue, everyone should be aware as we deal with immigration over the next couple weeks, we also have to keep this matter on the radar screen that we are going to have to do something about.

I have a number of meetings on this today, and I am sure my Republican colleagues have meetings throughout the day, and we need to have as many as we can to work something out to get this done.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. COWAN). The Republican leader is recognized.

SENATE RULES

Mr. MCCONNELL. Mr. President, day after day I have been coming to the Senate floor to remind the majority leader of the commitments he made to the American people in 2011 and again just a few months ago that he would not break the rules of the Senate in order to change the rules of the Senate; that he would preserve the rights of the minority in this body; that he would not try to remake the Senate in the image of the House, something that could change our democracy in a very fundamental way.

So the question remains: Will he keep his word?

Here is what he said on January 27, 2011:

I will oppose any effort in this Congress or the next—

The one we are in now—

to change the Senate's rules other than through the regular order.

And here is what he said this year, after I asked him to confirm that the Senate would not consider any rules changes that did not go through the regular order process:

That is correct. Any other resolutions related to Senate procedure would be subject to a regular order process including consideration by the Rules Committee.

Now, look, Mr. President, a Senator's word—especially the word of the majority leader—is the currency of the realm in this Chamber—the currency of the realm in this Chamber. As the majority leader himself said:

Your word is your bond . . . if you tell [a Republican Senator or a Democratic Senator] you are going to do something, that is the way it is.

He is entirely correct. Senators keeping their word, well, that is just vital to a well-functioning Senate. But it is only part of the equation. We also need well-established rules that are clear, fair, and preserve the rights of all Senators—including those in the minority—to represent the views of their States and of their constituents. That is the other reason why I have been pressing the majority leader on this issue.

As a matter of principle, holding a Senator to his or her word is important, but so is preserving a Senate that works the way it is supposed to. And we cannot be assured of that until the majority leader affirmatively states that he will stay true to the commitments he has made.

I understand my friend the majority leader is under a lot of pressure. I have known him for a long time, and deep down I know he understands the far-reaching consequences of ''going nuclear.'' I think he actually realizes how terrible an idea that would be because once the Senate definitively breaks the rules to change the rules, the pressure to respond in kind will be irresistible to future majorities. The precedent will have been firmly and dramatically set.

Some Washington Democrats say: Oh, they just want to limit the rules change to nominations; they just want to make a little adjustment on nominations, which is why they have been hurtling the Senate toward a manufactured fight over a couple of the President's most controversial nominees. But Republicans have been treating the President's nominees more than fairly.

At this point in President Bush's second term he had a total of 10 judicial confirmations; and, by the way, the Republicans were in the majority in the Senate. President Bush, at this point in his second term, with a Republican majority in the Senate, had 10 judicial confirmations. So far in his second term, President Obama has had 26 judges confirmed—26, 26 to 10. Apples to apples: at this point in President Bush's term, with a Republican Senate; at this point in President Obama's term, with a Democratic Senate.

I would note that just yesterday the Senate approved two more judicial nominees. That leaves just five—just five—available to the full Senate to be confirmed. There are only five around here. Think about that. Of the 77 Federal judicial vacancies, the President has not nominated anyone for most of them, and only 5 remain on the Senate's Executive Calendar. Moreover, only one of those nominees has been waiting more than a month to be considered.

So it is hard to see this as anything other than a manufactured crisis. There is no factual basis for it—a manufactured crisis. So the question is, a crisis to what end? Where does this lead us?

Well, one of the reasons the majority leader has refrained from changing the rules thus far is this: He fully understands—he fully understands—that majorities are fleeting, but changes to the rules are not, and breaking the rules to change the rules would fundamentally change the Senate.

Future majorities would be looking to this precedent. I do not know what the future holds, but 2 years from now I could be setting the agenda around here. Once deployed, the nuclear option may have fallout in future Congresses, actually forever altering the deliberative nature of the Senate, which has made it the institution where enduring compromises between the parties have been forged.

So it is time for sober consideration of the direction in which the Senate is being taken.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half.

The Senator from Tennessee.

FILIBUSTERS

Mr. ALEXANDER. Mr. President, for the last few weeks, I have been listening to the Republican leader ask the majority leader not to turn the Senate into a place where a majority of 51 can do anything it wants. I am on the Senate floor today to suggest three reasons why I believe the majority leader will not do that:

No. 1, he said he would not. Senators keep their word.

No. 2, in 2007, the majority leader said to do so would be the end of the Senate. There have not been many majority leaders in the history of the Senate. I know none of them want to have written on their tombstone: He presided over ''the end of the Senate.''

No. 3, the majority leader is an able and experienced legislator. He knows if Democrats find a way to use 51 votes to do anything they want to do, it will not be very long until Republicans find a way, if we are in the majority, to use 51 votes to do whatever we want to do.

So let me take these three reasons one by one. First, the majority leader has given his word. The Republican leader mentioned that. At the beginning of the last two Congresses, at the request of the Republican leader, I worked with several Democrats and Republicans to change the rules of the Senate to make it work better. We succeeded in that. We talked about it, negotiated, and we voted those changes through.

We eliminated the secret hold. We abolished 169 Senate-confirmed positions. We expedited 273 more. We reduced the time to confirm district judges. We made it easier to go to conference. In exchange for all of that, the majority leader said he would not support changes in the rules in this 2-year session of Congress except through the regular order. He said:

The minority leader and I have discussed this on numerous occasions.

This is the Democratic leader.

The proper way to change the Senate rules is through the procedures established in the rules. I will oppose any effort in this Congress or the next to change the Senate rules other than through the regular order.

I ask unanimous consent to have printed, following my remarks, the majority leader's comments.

Second, I was a new Senator 10 years ago in 2003. I was absolutely infuriated

by what the Democrats did in the first few months. For the first time in history, they used the filibuster to deny a President's judicial nominations for the circuit courts of appeal. It had never ever been done before. So Republicans threatened the so-called ''nuclear option.'' We threatened we would change the rules of the Senate so we could work our will with 51 votes.

Senator REID said at the time ''that would be the end of the Senate.'' He wrote that in his book called ''The Good Fight'' in 2007. It is the most eloquent statement I have heard about why changing the rules of the Senate to give a majority the right to do anything it wants with 51 votes is a bad idea. I wish to read a few sentences from Senator REID's book ''The Good Fight,'' written in 2007.

Senator Frist of Tennessee, who was the majority leader, had decided to pursue a rules change that would kill the filibuster for judicial nominations.

Sounds familiar.

And once you open the Pandora's box, it was just a matter of time before a Senate leader who couldn't get his way on something moved to eliminate the filibuster for regular business as well. That, simply put, would be the end of the United States Senate.

It is the genius of the Founders that they conceived the Senate as a solution to the small state / big state problem. And central to that solution was the protection of the rights of the minority. A filibuster is the minority's way of not allowing the majority to shut off debate. And without robust debate, the Senate is crippled. Such a move would transform the body into an institution that looked like the House of Representatives where everything passes with a simple majority. And it would tamper dangerously with the Senate's advise-and-consent function as enshrined in the Constitution. If even the most controversial nominee could simply be rubber stamped by a simply majority, advise and consent would be gutted. Trent Lott of Mississippi knew what he was talking about when he coined the name for what they were doing the nuclear weapon.

One more paragraph.

But that was their point. They knew—Lott knew—if they trifled with the basic framework of the Senate like that, it would be nuclear. They knew that it would be a very radical thing to do. They knew that it would shut the Senate down . . . there will come a time when we will be gone.

This is Senator REID talking.

There will come a time when we will all be gone, and the institutions that we now serve will be run by men and women not yet living. And those institutions will either function well because we have taken care of them or they will be in disarray and someone else's problem to solve. Well, because the Republicans could not get their way getting some radical judges confirmed to the Federal bench, they were threatening to change the Senate so fundamentally that it would never be the same again. In a fit of partisan fury, they were trying to blow up the Senate. Senate rules can only be changed by a two-thirds vote of the Senate, or 67 Senators. The Republicans were going to do it illegally with a simple majority, or 51. Vice President Cheney was prepared to override the Senate Parliamentarian. Future generations be damned.

Those are the words of the distinguished Senator from Nevada in 2007 eloquently explaining why this body is so different from the House of Representatives.

I ask unanimous consent not only to have those remarks printed in the RECORD but several more pages from Senator REID's excellent seventh chapter entitled ''The Nuclear Option'' in his book from 2007.

Third and finally, if the Democrats can turn the Senate into a place where a majority of 51 can do anything they want, soon a majority of 51 Republicans is going to figure out the same thing to do. After 2014, some observers have said we might even be in the majority. Senator MCCONNELL might be the Republican leader and the majority leader. After 2016, we may even have a Republican President.

Preparing for that opportunity, I wish to suggest the 10 items, briefly, I wish to see on an agenda if we Republicans are able to pass anything we want with 51 votes, as the majority leader has suggested.

No. 1, repeal ObamaCare.

No. 2, S. 2, that would be the second bill if I were the leader. I would put up Pell grants for kids. Like the GI bill for veterans, Pell grants follow students to the colleges of their choice—creating opportunity at the best colleges in the world. Why don't we do the same thing for students in kindergarten through the 12th grade, take the $60 billion we spend, create a voucher for 25 million middle- and low-income children. It would be $2,200 for each one of them, just the money we now spend. Let it follow them to any school they choose to attend, an accredited school, public or private.

No. 3 on my list, complete Yucca Mountain. I have spoken often of the importance of nuclear energy to our country. It provides 20 percent of all of our electricity, 60 percent of our clean electricity for those concerned about climate change and clean air. Since 2010, the majority leader has stalled the nuclear waste repository in Nevada. That jeopardizes our 100 reactors. That jeopardizes our source of 60 percent of our clean electricity. If we had 51 votes in the Senate, we could direct the Nuclear Regulatory Commission to issue a license. We could direct the Department of Energy to build Yucca Mountain and we could fund the money to do it.

The junior Senator from Nevada, who shares Senator REID's opposition to that, said something about this recently.

The day is going to come that either he is here or not—

That is the majority leader.

—or the Republicans take control and it's a 50-vote threshold. Those kinds of issues are the ones that concern me the most. When you are from a small State, you need as many arrows in your quiver as possible to fight back on some of these issues that you can be overtaken by. Frankly, the 60-vote threshold is what has protected and saved Nevada in the past.

I ask unanimous consent to have Senator HELLER's comments printed in the RECORD.

If all the Democrats who voted once upon a time for completing Yucca Mountain were to do so again, we could get a bipartisan majority of 51 votes today in the Senate to complete Yucca Mountain. So make no mistake, a vote to end the filibuster is a vote to complete Yucca Mountain.

Here is the rest of my list—I will do it quickly—that I would suggest to the Republican leader, if he were majority leader, as his priorities for a Senate where we could pass anything we wanted with 51 votes.

Make the Consumer Protection Bureau accountable to Congress. That would be No. 4.

No. 5, drill in the Arctic National Wildlife Refuge and build the Keystone Pipeline.

No. 6, fix the debt. It ought to be No. 1. Senator CORKER and I have a $1 trillion reform of entitlement programs that would put us on the road toward fixing the debt.

No. 7, right to work for every State. We would reverse the presumption—create a presumption of freedom, giving workers in every State the right to work. States would have the right to opt out, to insist on forced unionism, the reverse of what we have today.

No. 8, No EPA regulation of greenhouse gases.

No. 9, Repeal the Death Tax.

Finally, No. 10, repeal Davis-Bacon, save taxpayers billions by ending the Federal mandate on contractors.

The Republican leader and I have plenty of creative colleagues. They will have their own top 10 lists. When word gets around on our side of the aisle that the Senate will be like the House of Representatives and a train can run through it without anyone slowing it down, there will be a lot of my colleagues with their own ideas about adding a lot of cars to that freight train.

Jon Meacham's book about Thomas Jefferson is one I have been reading. He reports a conversation between John Adams and Jefferson in 1798. Adams said:

No Republic could ever last which had not a senate . . . strong enough to bear up against all popular storms and passions . . .

And that—

Trusting the popular assembly for the preservation of our liberties . . . was the mearest chimera imaginable.

Alexis de Tocqueville, while traveling our country in the 1830s, saw only two great threats for our young democracy. One was Russia, one was the tyranny of the majority.

Finally, as the Republican leader so well stated, there is no excuse here for

all of this talk. The Democrats are manufacturing a crisis. To suggest Republicans are holding things up unnecessarily is absolute nonsense. In fact, over the last two Congresses, we have made it easier for any President to have his or her nominations secured.

The Washington Post on March 18, the Congressional Research Service on May 23, said President Obama's nominations for the Cabinet are moving through the Senate at least as rapidly as his two predecessors. The Secretary of Energy was recently confirmed 97 to 0. There may be another three votes on Cabinet-level nominees this week.

Then as the Republican leader said, look at the Executive Calendar. Only three district and two circuit judge nominees are waiting for floor action.

As for filibusters, according to the Senate Historian, the number of Supreme Court Justices who have been denied their seats by filibuster is zero. The only possible exception is Abe Fortas, and Lyndon Johnson engineered a 45-to-43 vote so he could hold his head up while he continued to serve on the Court.

The number of Cabinet members who have been denied their seats by a filibuster in the history of the Senate is zero.

The number of district judges who have been denied their seats by a filibuster in the history of the Senate is zero. This is according to the Senate Historian and the Congressional Research Service.

So what are they talking about? I know what they are talking about. They are talking about circuit judges. That is the only exception. Why is it an exception? Because when I came to the Senate 10 years ago, the Democrats broke historical precedent and blocked five distinguished judges of President Bush by a filibuster.

Republicans have returned the favor and blocked two of President Obama's by a filibuster, which should be a lesson for the future to those who want to change the rules. About half the Senate are serving in their first term. They may not know about the majority leader's statements in 2007. They may not know about the history of the Senate. They may have heard all of these conflicting facts and not have the right facts.

What I have given you is what the Senate Historian and the Congressional Research Service say are the facts. Of course, there have been delays. My own nomination was delayed 87 days by a Democratic Senator. I did not try to change the rules of the Senate. President Reagan's nomination of Ed Meese was delayed a year by a Democratic Senate.

No one has ever disputed our right in the Senate, regardless of who was in charge, to use our constitutional duty of advise and consent to delay and examine, sometimes cause nominations to be withdrawn or even to defeat nominees by a majority vote.

Yes, some sub-Cabinet members have been denied their seats by a filibuster. The Democrats denied John Bolton his post at the United Nations.

Senator Warren Rudman told me the story of how the Democratic Senator from New Hampshire blocked his nomination by a secret hold. Nobody knew what was happening. I asked Senator Rudman what he did about it.

He said: I ran against the so-and-so in the next election, and I beat him.

This is how Senator Rudman got to the Senate.

In summary, the idea that we have a crisis of nominations is absolute, complete nonsense, totally unsupported by the facts. It should be embarrassing to my friends on the other side to even bring it up. They should be congratulating us for helping to make it easier for any President to move nominations through.

The advise and consent is a constitutional prerogative that both parties have always defended.

There are three reasons why the majority leader will not turn the Senate into a place where a majority of 51 can do anything it wants, in my judgment: one, he said he wouldn't, and Senators keep their word; two, he said the nuclear option would be the end of the Senate. No majority leader wants written on his tombstone he presided over the end of the Senate; three, if Democrats turn the Senate into a place where 51 Senators can do anything they want, it will not be long before Republicans do the same.

To be very specific, if Senator REID and Democrats vote to allow a majority to do anything they want in the Senate and set that precedent, voting to end the filibuster will be a vote to complete Yucca Mountain.

I come with respect to the Republican and the Democratic leaders, and especially to this institution, to say let's end the threats, let's stop the nonsense, let's get back to work on immigration and the other important issues facing our country.

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

Reid made the same commitment (if anything, more broadly) on January 27, 2011, when he said:

''The minority leader and I have discussed this issue on numerous occasions. I know that there is a strong interest in rules changes among many in my caucus. In fact, I would support many of these changes through regular order. But I agree that the proper way to change Senate rules is through the procedures established in those rules, and I will oppose any effort in this Congress or the next to change the Senate's rules other than through the regular order.''

CHAPTER SEVEN—THE NUCLEAR OPTION

Peaceable and productive are not two words I would use to describe Washington in 2005.

I just couldn't believe that Bill Frist was going to do this.

The storm had been gathering all year, and word from conservative columnists and in conservative circles was that Senator Frist of Tennessee, who was the Majority Leader, had decided to pursue a rules change that would kill the filibuster for judicial nominations.

It is the genius of the founders that they conceived the Senate as a solution to the small state/big state problem. And central to that solution was the protection of the rights of the minority. A filibuster is the minority's way of not allowing the majority to shut off debate, and without robust debate, the Senate is crippled. Such a move would transform the body into an institution that looked just like the House of Representatives, where everything passes with a simple majority. And it would tamper dangerously with the Senate's advise-and-consent function as enshrined in the Constitution. If even the most controversial nominee could simply be rubber-stamped by a simple majority, advise-and-consent would be gutted. Trent Lott of Mississippi knew what he was talking about when he coined a name for what they were doing: the nuclear option.

And that was their point. They knew—Lott knew—if they trifled with the basic frame work of the Senate like that, it would be nuclear. They knew that it would be a very radical thing to do. They knew that it would shut the Senate down. United States senators can be a self-regarding bunch sometimes, and I include myself in that description, but there will come a time when we will all be gone, and the institutions that we now serve will be run by men and women not yet living, and those institutions will either function well because we've taken care with them, or they will be in disarray and someone else's problem to solve. Well, because the Republicans couldn't get their way getting some radical judges confirmed to the federal bench, they were threatening to change the Senate so fundamentally that it would never be the same again. In a fit of partisan fury, they were trying to blow up the Senate. Senate rules can only be changed by a two-thirds vote of the Senate, or sixty-seven senators. The Republicans were going to do it illegally with a simple majority, or fifty-one. Vice President Cheney was prepared to overrule the Senate parliamentarian. Future generations be damned.

Given that the filibuster is a perfectly reasonable tool to effect compromise, we had been resorting to the filibuster on a few judges. And that's just the way it was. For 230 years, the U.S. Senate had been known as the world's greatest deliberative body—not always efficient, but ultimately effective.

There had once been a time when the White House would consult with home-state senators, of either party, before sending prospective judges to the Senate for confirmation. If either senator had a serious reservation about the nominee, the nomination wouldn't go forward. The process was called ''blue-slips.'' The slips were sent to individual senators. If the slips didn't come back, there was a problem. The Bush White House ignored the blue-slip tradition, among many other traditions, and showed little deference to home-state senators.

We realized that if they were not going to adhere to our blue slips or entertain any advice from us, then they were trying to subvert the minority's ability to perform its advise-and-consent function under the Constitution. It was clear that Bush and Karl Rove were going to try to load all the

courts—especially the circuit courts of appeals, because you can't count on Supreme Court vacancies. And most of the decisions are made by circuit courts anyway, so it could be said that they are the most important judicial nominees of all.

We Democrats made a decision that since the White House was ignoring the Constitutional role of the Senate, then we were going to have to delay some of the more extreme nominees. Be cautious and look closely was the byword. One rule we tried to follow was that if all Democrats on the Judiciary Committee voted no on a nominee, then we would say, ''Slow down.''

The Republicans immediately complained that they had never filibustered Clinton's judges, a claim that simply wasn't true. Frist himself had participated in the filibuster of the nomination of Judge Richard Paez, which at the time had been pending in the Senate for four years. When Senator Schumer had called him on it on the Senate floor, Frist had stammered to try to find a way to explain how their use of the filibuster was legitimate and ours wasn't. And moreover, it was a disingenuous claim. The reason the Republicans didn't deploy the filibuster that often when Clinton was President is that they had a majority in the Senate, and they had simply refused to report more than sixty of President Clinton's judicial nominees out of committee, saving them the trouble of a filibuster. In any case, the U.S. Senate had never reached a crisis point like this before,

In the early part of 2005, I hadn't wanted to believe it was true, and felt confident that we could certainly avoid it. We make deals in the Senate, we compromise. It is essential to the enterprise. I was determined to deal in good faith, and in a fair and open-minded way, ''What I would like to do is say there is no nuclear option in this Congress.'' I said on the floor one day, ''and then move forward.'' Give us a chance to show that we're going to deal with these nominees in good faith and in the ordinary course. And if you don't think we are fair, you can always come back next Congress and try to invoke the nuclear option. Because it would take a miracle for us to retake the Senate next year.

Did I regret saying this? No. Because at the time I believed it, and so did everyone else.

And in any case, we had confirmed 204, or 95 percent, of Bush's judicial nominations. It was almost inconceivable to me that the Republicans would debilitate the Senate over seven judges. But the President's man, Karl Rove, was declaring that nothing short of 100 percent confirmation rate would be acceptable to the White House, as if it were his prerogative to simply eliminate the checks-and-balances function of the Senate. Meanwhile, we were at war, gas prices were spiking, and we were doing nothing about failing pensions, failing schools, and a debt-riven economy. Where was our sense of priorities?

I had been pressing Majority Leader Bill Frist in direct talks for a compromise—one in which Democrats prevented the confirmation of some objectionable judges and confirmed some that we didn't want to confirm, all in the interest of the long-term survival of the Senate. But I had been getting nowhere. Those talks had essentially ceased by the end of February. And then Senator Frist began advertising that he was aggressively rounding up votes to change the Senate rules, and Republican senators, some quite prominent, began to announce publicly that they supported the idea. Pete Domenici of New Mexico. Thad Cochran of Mississippi. Ted Stevens of Alaska. Orrin Hatch of Utah. I was so disappointed that they were willing to throw the Senate overboard to side with a man who, it was clear, was becoming one of the worst Presidents in our history. President Bush tried at any cost to increase the power of the executive branch, and had only disdain for the legislative branch. Throughout his first term, he basically ignored Congress, and could count on getting anything he wanted from the Republicans. But from senators who had been around for a while and had a sense of obligation to the institution, I found this capitulation stunningly short-sighted. It was clear to me that Frist wanted this confrontation, no matter the consequences.

And as the weeks and months passed, it dawned on me that Frist's intransigence was owed in no small part to the fact that he was running for President. Funding the filibuster so that extremist judges could be confirmed with ease had become a rallying cry for the Republican base, especially the religious right. In fact, Senator Frist would be the featured act at ''Justice Sunday,'' a raucous meeting at a church in Louisville on the last Sunday in April that was billed as a rally to ''Stop the Filibuster Against People of Faith.''

This implied, of course, that the filibuster itself was somehow anti-Christian. I found this critique, which was becoming common in those circles, to be very strange, to say the least. Democratic opposition to a few of President Bush's nominees had nothing whatsoever to do with their private religious beliefs. But that did not stop James Dobson of Focus on the Family of accusing me of ''judicial tyranny to people of faith.''

''The future of democracy and ordered liberty actually depends on the outcome of this struggle.'' Dobson declared from the pulpit at Justice Sunday.

So the battle lines were drawn.

All the while, very quietly, a small group of senators had begun to talk about ways to avert the looming disaster.

Earlier in the year, Lamar Alexander, the Republican junior senator from Tennessee, had gone to the floor and given a speech that hadn't gotten much notice in which he had proposed a solution. Since under Senate rules a supermajority of sixty votes is required to end a filibuster, and the makeup of the Senate stood at fifty-five in the Republican caucus and forty-five in the Democratic, Alexander had suggested that if six Republicans would pledge not to vote to change Senate rules and six Democrats would pledge to never filibuster judicial nominees, then we could dodge this bullet. This would come to be know as ''the Alexander solution.''

Of course, this was an imperfect solution—if the minority, be it Democratic or Republican, pledged to never use the filibuster, then you were de facto killing the filibuster anyway and may as well change the rules. But Alexander's thinking was in the right direction. In fact, I had begun talking quietly to Republican senators one by one, canvassing to see if I could get to the magic number six as well, should Frist press a vote to change the rules. If he wanted to go that way, maybe we could win the vote outright, without having to forge a grand compromise.

I knew we had Lincoln Chafee of Rhode Island. So there was one. I thought we had the two Mainers, Olympia Snowe and Susan Collins. I thought we had a good shot at Mike DeWine of Ohio. We had a shot at Arlen Specter of Pennsylvania. Maybe Chuck Hagel of Nebraska. I knew we had a good shot at John Warner of Virginia. Warner, a former Marine and secretary of the Navy, was a man of high character. When Oliver North ran as a Republican against Senator Chuck Robb in 1994. Warner crossed party lines to campaign all over Virginia against North. I also felt that Bob Bennett of Utah would, at the end of the day, vote with us.

But these counts are very fluid and completely unreliable. It would be hard to get and keep six. We were preparing ourselves for a vote, but a vote would carry great risk.

As it turned out, Alexander's chief of staff was roommates with the chief of staff of the freshman Democratic senator from Arkansas, Mark Pryor. Pryor, whose father before him had served three terms in the Senate, had been worrying over a way to solve this thing. His chief of staff, a gravelly voiced guy from Smackover, Arkansas, named Bob Russell, got a copy of Alexander's speech from his roommate and gave it to Pryor. Alexander's idea of a bipartisan coalition got Pryor thinking, and he sought out the Tennessean and began a quiet conversation about it.

At the same time, Ben Nelson of Nebraska, one of the more conservative Democrats in the Senate, began having a similar conversation with Trent Lott. At some point they became aware of each other's efforts, and one day in late March, Pryor approached Nelson on the floor to compare notes.

Lott and Alexander would quickly drop out of any discussions. Such negotiations without Bill Frist's knowledge proved too awkward, particularly for Alexander, who was a fellow Tennessean. And even though there was antipathy between Lott and Frist over the leadership shake-up in 2002, Lott backed away as well.

But others were eager to talk.

Knowing what was at stake, John McCain and Lindsey Graham began meeting sub rosa with Pryor and Nelson. They would go to a new office each time, so as not to arouse suspicion. These four would form the nucleus of what would become the Gang of Fourteen, the group of seven Republicans and seven Democrats who would eventually bring the Senate back from the brink. Starting early on in their negotiations, Pryor and Nelson came to brief me on their talks, and I gave my quiet sanction to the enterprise. Senator Joe Lieberman came to me and said that he was going to drop out of the talks. I said, ''Joe, stay, we might be able to get it done. It's a gamble. But stay and try to work something out.''

Each meeting would be dedicated to some aspect of the problem, and there was a lot of back and forth about what would be the specific terminology that could trigger a filibuster. Someone, probably Pryor, suggested ''extraordinary circumstances,'' and that's what the group would eventually settle on. What that meant is that to filibuster a judicial nominee, you'd have to have an articulable reason. And a good reason, not just fluff. Slowly, they were joined by others. Ben Nelson approached Robert Byrd to ask if he would join the effort. No one cares more about the Senate than Byrd, and he agreed, anything to preserve the rules. John Warner was the same way, and it may have been Warner's presence in the negotiations that would serve as the biggest rebuke to Frist. Ultimately, seven Republican senators would step away from their leader, in an unmistakable comment on his recklessness.

Meanwhile, the drumbeat for the nuclear option was intensifying in Washington, and was beginning to crowd out all else. James Dobson said that the faithful were in their

foxholes, with bullets whizzing overhead. In mid-March, Frist had promised to offer a compromise of some sort. A month later, nothing. In mid-April, I was with the President at a White House breakfast and took the opportunity to talk with him about it. ''This nuclear option is very bad for the country, Mr. President,'' I said. ''You shouldn't do this.''

Bush protested his innocence. ''I'm not involved in it at all,'' he said. ''Not my deal.'' It may not have been the President's deal, but it was Karl Rove's deal.

A couple of days later, Dick Cheney spoke for the White House when he announced that the nuclear option was the way to go, and that he'd be honored to break a tie vote in the Senate when it was time to change the rules. The President had misled me and the Senate.

And that was the second time I called George Bush a liar.

The first time was over the nuclear waste repository located at Yucca Mountain, in my home state of Nevada. I have successfully opposed this facility with every fiber in me since I got to Washington, as it proposes to unsafely encase tons of radioactive waste in a geological feature that is too close to the water table, crossed by fault lines, unstable, and unsound. And Yucca Mountain posed a grave danger to the whole country, given that the waste—70,000 tons of the most poisonous substance known to man—would have to be transported over rail and road to the site from all over America, past our homes, schools, and churches. Not a good idea. President Bush committed to the people of Nevada that he was similarly opposed to Yucca Mountain, and would only allow it based on sound science. Within a few months of his election, and with a hundred scientific studies awaiting completion, Bush reversed himself. When one lies, one is a liar. I called him a liar then, and with his obvious duplicity on the nuclear option revealed by the Vice President's pronouncement, I called the President a liar again.

I then met again with Mark Pryor and Ben Nelson. I knew that they were trying to close a deal with the Gang of Fourteen. I was afraid to tell them to stop, and afraid to go forward. But I patted them on the back and off they went.

''Make a deal,'' I told them.

By this time, Bill Frist had been in the Senate for a decade. An affable man and a brilliant heart-lung transplant surgeon, he had been two years into his second term when Majority Leader Trent Lott had heralded Senator Strom Thurmond on his one hundredth birthday in early December 2002 by saying that if Thurmond's segregationist campaign for the presidency in 1948 had been successful, ''we wouldn't have all these problems today.'' The uproar over Lott's comments had wounded the Majority Leader, and just before Christmas the White House had in effect ordered that Frist would replace Lott and become the new Majority Leader, the first time in Senate history that the President had chosen a Senate party leader.

As Majority Leader, Frist had almost no legislative experience and always seemed to me to be a little off balance and unsure of himself. For someone who came from a career at which he was consummate, this must have been frustrating. When I became Minority Leader after the 2004 election, I obviously got to watch Frist from a closer vantage point. My sense of his slight discomfort in the role only deepened. In negotiations, he sometimes would not be able to commit to a position until he went back to check with his caucus, as if he was unsure of his own authority. Now, anyone in a leadership position who must constantly balance the interests of several dozen powerful people, as well as the interests of the country, can understand the challenges of such a balancing act. And to a certain extent, I was in sympathy with Frist. But my sympathy had limits. What Frist was doing in driving the nuclear-option train was extremely reckless, and betrayed no concern for the long-term welfare of the institution. There are senators who are institutionalists and there are senators who are not. Frist was not. He might not mind, or fully grasp, the damage that he was about to do just to gain short-term advantage, I reminded him: We are in the minority at the moment, but we won't always be. You will regret this if you do it.

By this time, the Senate was a swirl of activity. More senators were taking to the floor to declare themselves in support of the nuclear option or issue stern denunciations. Senator Byrd gave a very dramatic speech excoriating Frist for closely aligning his drive to the nuclear option with the religious right's drive to pack the judiciary. And he insisted that Frist remain on the floor to hear it. ''My wife and I will soon be married, the Lord willing, in about sixteen or seventeen more days, sixty-eight years.'' Byrd said, ''We were both put under the water in that old churchyard pool under the apple orchard in West Virginia, the old Missionary Baptist Church there. Both Erma and I went under the water. So I speak as a born-again Christian. You hear that term thrown around. I have never made a big whoop-de-do about being a born-again Christian, but I speak as a born-again Christian.

''Hear me, all you evangelicals out there! Hear me!''

Byrd was in his eighth term in the Senate, and before that had served three terms in the House. He has been in Congress about 25 percent of the time we have been a country. So his testimony carried great power.

Negotiations among the Gang of Fourteen continued feverishly. Not even a panicked Capitol evacuation in early May could stop them. An unidentified plane had violated the airspace over Washington, and the Capitol had to be cleared in a hurry, but McCain, Pryor, and Nelson continued talking nonetheless.

Joe Lieberman of Connecticut came to me again, concerned. Talks had gotten down to specific judges, and the group was trying to hammer out a number that would be acceptable to confirm. Senator Lieberman was worried that our side might have been giving away too much, and that in his view the group was in danger of hatching a deal that would be unacceptable to Democrats. He wanted to drop out. I told him again that he couldn't. The future of the country could well depend on his participation.

''Joe. I need you there,'' I told him. ''Help protect us.''

Once the existence of the Gang of Fourteen became known, once a ferocious scrutiny became trained on them, the group started to feel an even more determined sense of mission. They realized that they were doing something crucial, and loyalty to party became less important than loyalty to the Senate and to the country, at least for a little while.

And until the day that a deal was struck, the Republican leader's office boasted that no such deal was possible.

As if to underscore this point, and see his game of chicken through to the end, Frist actually scheduled a vote to change Rule XXII of the Standing Rules of the Senate for May 24.

The Democratic senators came to see me and told me that they had completed a deal to stop the nuclear option. They had done it. I told Pryor, Nelson, and Salazar, ''Let's hope it works.'' It did. And on the evening of May 23, 2005, the brave Gang of Fourteen, patriots all—Pryor of Arkansas, McCain of Arizona, Nelson of Nebraska, Graham of South Carolina, Salazar of Colorado, Warner of Virginia, Inouye of Hawaii, Snowe of Maine, Lieberman of Connecticut, Collins of Maine, Landrieu of Louisiana, DeWine of Ohio, Byrd of West Virginia, and Chafee of Rhode Island—signed a Memorandum of Understanding, in which they allowed for the consideration of three of the disputed judges, and rabled a couple more. Personally I found these judges unacceptable, but such is compromise. The deal that was struck was very similar to that which I had proposed to Bill Frist months before.

As Frist and I were just about to discuss the Gang of Fourteen deal before hordes of gathered press, Susan McCue, my chief of staff, pulled me aside and said, ''Stop smiling so much. Don't gloat.''

I didn't gloat, but I was indeed smiling. I couldn't help it.

''I remain concerned,'' Heller told The Washington Examiner. ''The nuclear option, they claim will be limited only to judicial nominations. But I don't believe that for a second. Once they get a taste of the 50-vote threshold, I think this thing spreads to every other issue.''

''The day is going to come that either he's not here or the Republicans take control and if it's a 50-vote threshold, those kind of issues are the ones that concern me the most,'' Heller said. ''When you're from a small state, you need as many arrows in your quiver as possible to fight back on some of these issues that you can be overtaken by. And, frankly, this 60-vote threshold is what has protected and saved Nevada in the past.''

Mr. ALEXANDER. I yield the floor.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. I ask unanimous consent that the Senator from Tennessee and I be allowed to engage in a colloquy.

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

Mr. MCCONNELL. I wish to congratulate my friend from Tennessee on a brilliant presentation on the history of the Senate and the current manufactured crisis we face.

The only comment I would add, just by way of reiterating the point my friend has already made, the Senator quoted Jefferson and Adams about the tyranny of the majority.

Mr. ALEXANDER. That was de Tocqueville.

Mr. MCCONNELL. De Tocqueville. Washington, when he was presiding over the Constitutional Convention, according to legend, asked what will the Senate be like. He said: Well, it will be like the saucer under the teacup. The tea will slosh out of the cup, down into the saucer, and cool off.

In other words, from the very beginning, it was anticipated by the wise men who wrote the Constitution that the Senate would be a place where

things slowed down and were thought over. That has been the tradition for a very long time throughout the history of our country.

Until the First World War, it was not possible to stop a debate at all. Cloture was actually adopted by the Senate in the late teens of the previous century and then lowered in the 1970s to the current two-thirds.

Looking at the history of our country, it is pretty clear to me that the Senate has done exactly what Washington thought it would do, slow things down and move them to the middle, and has been a place where bipartisan compromise was by and large achieved, except in periods of time where either side had a very big majority which, of course, our friends on the other side had in 2009 and 2010.

The American people took a look at that and decided to issue a national restraining order and restore the kind of Senate they are more comfortable with that operates, to use a football analogy, between the two 45-yard lines. There is not a doubt in my mind that if the majority breaks the rules of the Senate, to change the rules of the Senate with regard to nominations, the next majority will do it for everything. The Senator from Tennessee has pointed that out.

I wouldn't be able to argue a year and a half from now, if I were the majority leader, to my colleagues that we shouldn't enact our legislative agenda with a simple 51 votes, having seen what the previous majority just did. I mean, there would be no rational basis for that.

It is appropriate to talk about what our agenda would be. I would be, of course, consulting with my colleagues on what our agenda would be, but I don't think there is any doubt that virtually every Member of the Senate Republican conference would think repealing ObamaCare would be job one of a new Republican majority. I don't even have to guess is what likely to be the No. 1 priority: repealing ObamaCare.

The Senator from Tennessee mentioned drilling in ANWR. There has been a majority in the Senate for quite some time, both when the Democrats were in the majority and when the Republicans were in the majority, to lift the ban against drilling in ANWR.

I think that would certainly be on any top 10 list that I was able to put together as majority leader. Approving the Keystone Pipeline, we have gotten as many as 60 votes for that. We have gotten as many as 56 votes for ANWR.

What about repealing the death tax? We had as many as 57 votes back in 2006 to repeal the death tax entirely. There is a new bill being introduced this afternoon by our colleague, Senator THUNE of South Dakota, to get rid of the death tax altogether, to get rid of the dilemma every American faces. He has to visit the IRS and the undertaker on the same day, the government's final outrage.

These are the kinds of priorities our Members feel strongly about. I think I would be hard-pressed, with the new majority—having just witnessed the way the Senate was changed with a simple majority by the current Democratic majority—to argue that we should restrain ourselves from taking full advantage of this new Senate.

From the country's point of view, it is a huge step in the wrong direction. I am not advocating that, but I would be hard-pressed to say to our Members, the precedence having been set, why should we confine it to nominations.

Mr. ALEXANDER. I agree with the Republican leader.

Of course, the distinguished majority leader agrees with the Senator as well. He said in his book in 2007—I read it, but I will read it again—when talking about the Republican efforts several years ago, Republicans were so upset with actual obstructionism, as opposed to made up obstructionism, which is what we see here. They were so upset that this is what Senator REID said: If the majority leader pursues a rules change that would kill the filibuster for judicial nominations. And once you open that Pandora's box, it was just a matter of time before a Senate leader who couldn't get his way on something moved to eliminate the filibuster from regular business as well, and that, simply put, would be the end of the Senate.

What that means is the Senate would be similar to the House. A freight train could run through it. Many Senators have not visited the House Rules Committee. I have. It is an interesting place.

The Republicans can run the House by a single vote. But if one goes up to the Rules Committee—and I am sure the distinguished Republican leader has been there—there are thirteen chairs, thirteen members.

How many Democrats do you suppose have those chairs? Four. How many Republicans have those chairs? Nine. It is 2 to 1 plus 1 majority in the House Rules Committee. In the House of Representatives, whatever the majority wants to do it can do.

If we have a body with 51 votes to make all the decisions, and if I and others are deeply concerned about the nuclear waste sitting around in some of these 100 reactors—we have several of us on both sides of the aisle who were working on legislation like that—and we want it put in a repository, legally, where it is supposed to be, we have 51 votes, if they all vote the way they voted before, to order the government to open Yucca Mountain and put the nuclear waste there. This is what we can do with 51 votes.

The way our government is designed, the House can order that, which they have. The Senate hasn't because the majority leader has been able to make this body stop and think about whether it wanted to do this. I may not like that result, but I prefer that process for the good of the country to give us the time to work things out.

I would ask the Republican leader, hasn't it always been the responsibility, maybe the chief responsibility, of the Republican leader and the Democratic leader to preserve this institution? Newer Senators may not know as much about it, may not have as long a view as they have.

Over the time the minority leader has been here, hasn't that been—I would ask through the Chair to the Republican leader, hasn't that been the responsibility of the leaders of the Senate?

Mr. MCCONNELL. I will say to my friend from Tennessee, the Senator is absolutely right. The one thing the two leaders have always agreed on is to protect the integrity of the institution.

For those who may be observing this colloquy, they probably wonder why it is occurring. I wish to explain to our colleagues—and to any others who may be watching while this colloquy occurs—Senate Republicans are tired of the culture of intimidation.

We have seen it over in the executive branch with the IRS and we have seen it at HHS with regard to ObamaCare; this feeling that if you are not in the majority you need to sit down, shut up, and get out of the way. That mentality, that arrogance of power, has seeped into the Senate.

The culture of intimidation is this: Do what I want to do when I want to do it or I will break the rules of the Senate—change the rules of the Senate by breaking the rules of the Senate. In other words, it is the intimidation, the threat that has been hanging over the Senate as an institution for the last few months. It needs to come to an end.

I believe that is why the Senator from Tennessee and myself would like the majority leader to answer the question does he intend to keep his word.

Senators shouldn't have to walk on eggshells around here, afraid to exercise the rights they have under the rules of the Senate. There is no question that all Senators have a lot of power in this body. This body operates on unanimous consent. That means if any 1 of the 100 wants to deny that, it makes it hard. That is the way the Senate has been for a very long time.

I want the culture of intimidation by the majority in the Senate to come to an end. The way it can end is for the majority leader to say: My word is good, and we will quit having this culture of intimidation hanging over the Senate for the next year and a half.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I wish to congratulate the Republican leader on his

remarks. It is important for those watching to know there are plenty of us here who know how the Senate is supposed to work, and we are doing that. We passed the farm bill, and we passed the water resources bill, involving locks, dams, and ports in this country. We did that the way the Senate is supposed to work. We worked across party lines. We got a consensus, got more than the majority, and did it.

We have eight Senators who have come forward with an immigration bill, a tough issue, but we are working together to see if we can resolve that.

I am part of a group of six or seven Senators who are trying to lower interest rates for 100 percent of students, not just 40 percent. We are not trying to ram it through with 51 votes, but we are trying to get a consensus and then pass it and send it to the House. Hopefully, they will do it.

When the great civil rights bills passed, they were a consensus, and the country accepted them because they were important pieces of legislation.

When the Republican leader and I were young—I was here and he was almost here—we saw Senator Dirksen and President Johnson work together to get a supermajority to say to the country it is time to move ahead on civil rights. That is the way the Senate is supposed to work. Let's stop the threats, stop the intimidation and recognize the progress we have made and get back to work on immigration.

Mr. MCCONNELL. I wish to conclude by thanking the Senator from Tennessee for a very impressive presentation and for his reminding us all of what makes the Senate great.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Are we in morning business?

The PRESIDING OFFICER. We are.

MEDICARE

Mr. FRANKEN. Mr. President, I rise to talk about Medicare solvency. I know that to many people the words ''Medicare solvency,'' which is the ability of the Medicare program to meet its financial obligations, sounds like an invitation to a nice nap.

You and I pay into Medicare every month, and we need to know that the benefits we paid for will be there when we need them, and not just that. I need to know Medicare will be around to cover my daughter and my new grandson when they become eligible. That is what Medicare solvency is about.

A couple of weeks ago we got some good news. According to the annual report released by the Medicare board of trustees, Medicare will stay solvent for 2 years longer than previously estimated.

There are a lot of things that are contributing to Medicare solvency, but one big thing is health reform. In fact, Medicare will be solvent for a total of 9 years longer than before we passed health reform. Let me say that again. The life of Medicare is 9 years longer today than it was before we passed health reform.

HHS Secretary Sebelius said:

> The Affordable Care Act has helped put Medicare on more stable ground without eliminating a single benefit.

The point is that health reform is not just about making our health coverage more comprehensive, it is not just making sure when we get sick we can get the care we need, it is also making Medicare more efficient. It is extending the life of Medicare so that Medicare can keep supporting our parents and will be able to support our kids.

How exactly has health reform helped extend the solvency of Medicare? Well, to start with, it stopped Medicare from overpaying private insurers. As you might know, seniors can choose to get their Medicare benefits directly from the Medicare Program or get them through a private insurance program that gets paid by Medicare, which is called Medicare Advantage. Before we passed health reform, we were overpaying these private insurers by about 14 percent. So we reduced what Medicare pays these private insurance companies. In fact, over the next 10 years we are going to reduce these insurance payments by about 14 percent, which CBO scored in 2010 as saving Medicare $136 billion over 10 years.

I will note that we were told by some of our colleagues that if we did this, insurance companies were going to leave the market, that we weren't going to have Medicare Advantage anymore. Well, so far, enrollment in Medicare Advantage has gone up by 10 percent, and I am glad about that because Medicare Advantage serves an important purpose for millions of seniors across our country.

We are also adjusting reimbursements to hospitals downward. Why and how does that work for hospitals? When you insure 31 million people who previously didn't have insurance, hospitals are no longer on the line for uncompensated care when those 31 million people go into the emergency room. The hospitals aren't left holding the bag for all of those costs.

And we didn't just extend the life of Medicare by 9 years; while we were at it, we expanded benefits for Medicare beneficiaries. I go to a lot of senior centers and nursing homes in my home State of Minnesota, and I have to tell you, seniors are very happy about their new benefits. They are very happy about the new free preventive care they get—the wellness checkups and the colonoscopies and the mammograms. They know and we know that an ounce of prevention is worth a pound of cure.

Do you know what else we are doing with that money? We are closing the prescription drug doughnut hole—the gap in coverage under Medicare where seniors have to pay the full costs of their prescription drugs in that gap. Seniors are very happy about that. For more than one-third of seniors, Social Security provides more than 90 percent of their income, and for one-quarter of elderly beneficiaries, Social Security is the sole source of their retirement income. So when Medicare stops covering the cost of their prescription drugs in the doughnut hole, that is serious, and sometimes these seniors have to decide between food and heat and medicine. Well, because we have been closing this doughnut hole, many don't have to make that impossible choice anymore.

When I was running for the Senate back in 2008, a nurse in Cambridge, MN, told me about a senior being hospitalized. She was being treated by the doctors and nurses so that she would be well enough to leave the hospital, and when she left the hospital, they would make sure to give her the prescriptions she needed.

After a few days, this nurse would call the pharmacy and ask: Has Mrs. Johnson come in and filled those prescriptions?

The pharmacist would say: No, she hasn't.

Why was that? Because she was in the doughnut hole. And guess what. In 10 days or in 2 weeks or whatever, Mrs. Johnson would end up back in the hospital because she couldn't afford her medicine. These readmissions cost our health care system a lot of money. But now, because we are closing the doughnut hole as part of the health care law, these seniors are able to get their medicine. This is improving their health, and it is saving us money.

So we have increased benefits and extended the life of Medicare, and that was done as part of health care reform.

Many of the provisions of the health care reform law will make our health care system more efficient and will lower costs in the long run. I wish to touch briefly on one I authored that is already keeping costs down for families in Minnesota and across our country. The provision of the health care reform law that I authored is based on a Minnesota law in a way. In 1993 Minnesota wrote a law that insurance companies had to report their medical loss ratio, and that is the piece I wrote into the law.

What is the medical loss ratio? Medical loss ratio is the percentage of premiums a health insurer receives that goes to actual health care—to actual health care, not to administrative costs, not to marketing costs, not to profits, not to CEO salaries, but actual health care.

Starting in 1993 Minnesota health insurers had to submit to the commissioner of commerce—the Minnesota

Department of Commerce—their medical loss ratio. They had to compute it and submit it. I took that and I put a little wrinkle into it. I wrote something called the 80–20 rule, which says that insurance companies have to spend at least 80 percent of their premiums on actual health care for small group policies and individual policies and 85 percent for large group policies, and if they do not meet that, the health insurer has to rebate the difference. Well, thanks to this provision of the law, last year more than 12 million Americans benefited from $1.1 billion in rebates from insurers that did not meet the 80–20 rule, including 123,000 consumers in Minnesota.

In a new report, the Kaiser Family Foundation estimates that premiums in the individual market would have been $1.9 billion higher last year if it weren't for the medical loss ratio rule and they would have been $856 million higher in 2011. That is more than $2.75 billion in savings over the last 2 years alone. Those savings are in addition to the rebates consumers received. They estimated that insurers would have raised their rates that much more—$2.75 billion more—if they hadn't had to meet the 80–20 rule. This is another important way the health reform law is keeping health care costs down. So the rule I wrote into the law has already saved Americans nearly $4 billion in health care costs.

In fact, after going up at three times the rate of inflation for a decade, over each of the last 2 years health care costs have gone up less than 4 percent for the first time in 50 years. That is according to data released by the Department of Health and Human Services.

Now, I am not saying we are done, not by any stretch of the imagination. We have more work to do. In fact, one big thing we could do would be to allow Medicare to negotiate directly with pharmaceutical manufacturers on the price of their drugs. The VA does this, and they pay nearly 50 percent less for the top 10 drugs than Medicare does. I have a bill to allow Medicare to negotiate directly with pharmaceutical manufacturers, and I hope to work with my colleagues to bring this proposal to the floor.

At the end of the day, my job is about strengthening what works in our country and fixing what doesn't. Medicare works. It works for seniors across the Nation, it works for grandparents from Pipestone to Grand Marais, and I hope to work with my colleagues to protect Medicare benefits for our parents and grandparents, while strengthening the program for our children and grandchildren.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The assistant majority leader.

TRIBUTE TO RAY LAHOOD

Mr. DURBIN. Mr. President, when President Obama was first elected back in 2008, I can recall the transition period because his transition office was literally next door to my office in the Federal building in Chicago. I can't think of a more exciting time. Here was my colleague in the Senate who had just been elected President of the United States.

The whole world was beating a path to his door. Security was at the highest level, and I made a point of not interrupting him—which I would have done regularly when he was my Senate colleague—during this historic and important moment as he prepared to lead America with the blessing and the mandate of the American people.

I didn't have a long list of requests—well, I did, but I didn't exercise it—but I spoke to him once or twice about a couple of things I thought might be helpful to the country and to him. I recommended to him one person to appoint to his Cabinet—one person. I urged him to appoint Ray LaHood as America's Secretary of Transportation. I was confident that Ray LaHood would serve America with the same integrity and energy he had shown while serving as a Member of Congress from our State of Illinois. As Secretary Ray LaHood prepares to leave this important Cabinet post, I am pleased but not a bit surprised to be able to say to the President that I was right. He was an excellent choice—in fact, one of the best ever when it comes to the Department of Transportation.

Make no mistake, Ray LaHood is a proud Republican. I remember meeting him first when he was a staffer for Bob Michel, who was the Republican leader in the U.S. House of Representatives. Ray was a behind-the-scenes worker for the Republican minority leader in the House, and I knew he was from Peoria but little else about him. When Bob Michel announced his retirement, Ray LaHood said he was going to run for that position in Congress.

What surprised me was that some of my closest Democratic friends in central Illinois said they were going to financially support and do everything they could to elect Ray LaHood. And I thought, this is really amazing. These partisan friends of mine think Ray LaHood, a Republican, is a good person for this job.

So I started paying closer attention to this new Congressman. As it turned out, we became close friends. We worked together. We had adjoining congressional districts. Eventually, when I was elected to the Senate, we worked all through central Illinois on common projects, and I was happy to do it. Ray was not working with a great appetite for publicity; he wanted to get the job done, and he didn't mind giving credit to Democrats or Republicans if we could achieve our goals, the local goals we shared.

When he became Secretary of Transportation I saw that same spirit of cooperation and bipartisanship. Any time I spoke to President Obama or Vice President BIDEN about Ray LaHood, their Secretary of Transportation, they always said the same thing: He is the best and we are sure glad he is part of our team.

The President could not find anyone better to carry out the transportation agenda for America in his first term. I believe history is going to record Ray LaHood as one of the very best in that position. He put millions of Americans back to work with the $48 billion transportation funding that was part of President Obama's Recovery Act. He oversaw the creation of the Nation's first high-speed rail program, a program that Illinois has participated in with great commitment and excitement. He also helped to create the TIGER Program, a $2.7 billion investment in America's future that has built some of our Nation's most significant transportation projects. And he helped save lives by focusing personally on our national aviation system.

He also had another safety campaign. He conducted what he called a rampage against distracted driving, people who were texting or talking on cell phones and trying to drive at the same time. He traveled more widely and more frequently than many professional pilots did. As a Washington Post reporter wrote a while back:

> There are just two kinds of states: States where [Ray LaHood has] been to spread his gospel of safety and to inspect transportation systems and those States that he plans to visit soon.

The people of Illinois are grateful to Ray LaHood not only for his 4 historic years as Transportation Secretary, but also for his many decades of service as staffer to Bob Michel and then a member in his own right in our Illinois delegation.

Ray was born and raised in Peoria, IL. He stayed true to his Midwestern values throughout his career. He started his public service as a teacher in a classroom. He cut his political teeth working for another top Republican Congressman, Tom Railsback. As I mentioned, then he went on to work for Bob Michel. In 1994 he was elected to Bob Michel's congressional district, the 18th District. The district stretches from Peoria, south to the State capital, my hometown of Springfield.

There is a history of some pretty outstanding Congressmen from that district. I mentioned Bob Michel, and I can include Everett McKinley Dirksen as well. If you go far enough back in history you will find there was a young Congressman from a part of that district by the name of Abraham Lincoln.

Ray is a great student of history. He inspired a great effort to create the Abraham Lincoln Bicentennial Commission, and I was honored to join him

as a co-chair with Harold Holzer of New York. We observed President Lincoln's 200th birthday in 2009 with suitable recognition and celebration across America.

Ray's work helped students everywhere learn a little bit more about President Lincoln and his role in America's history. Like his famous predecessors, Ray LaHood has raised the standard for civility and cooperation in the Congress. In the darkest hours of the House of Representatives when people were at each other's throats, it was Ray LaHood who reached across the aisle to a Democratic Congressman and said: Why don't we get together on a bipartisan basis, with our families, for a weekend. It seems so obvious and easy. Nobody had ever thought about it before Ray.

Back in Illinois, Ray used to convene bipartisan meetings with local officials, State representatives, and his dedication to his district and his service in the House earned him the reputation as one of the best. When President Obama nominated Ray for Transportation Secretary, all of us in Illinois knew the President had chosen the right person.

Ray's legacy in DC will be substantial, but it will be even greater back in Illinois. He has helped protect and build Illinois during his tenure at the Department of Transportation. It was such a treat to be able to call the Department of Transportation, to speak to the Secretary of Transportation about an Illinois project and have him know instantly what you were talking about.

The O'Hare Modernization Program is a good example. There is hardly a more important economic engine in the northern part of our State than the O'Hare Airport. The modernization of O'Hare had reached a period of some difficulty and controversy. Ray LaHood stepped in, brought the parties together, and put the Nation's largest airport expansion project back on track.

Secretary LaHood, as I mentioned earlier, brought high-speed rail to Illinois. Last year we rode the first 110-mile-an-hour train between Chicago and St. Louis. He helped build a beautiful new terminal at the Peoria International Airport.

Secretary LaHood's dedication to Illinois will be felt in every corner of Illinois for generations to come. People will be able to travel faster and more safely because of his work. He will bring new businesses to the State by those transportation investments, creating the jobs that we all want to see.

Ray LaHood is a leader with integrity and character. He is also such a good friend. I am going to miss him as my partner in government when he retires from the position of Secretary of Transportation. The Washington Post article I mentioned earlier had a wonderful line. The reporter wrote:

Perhaps the most telling tidbit in LaHood's life is that he resided in Washington for 30 years without once getting a haircut here. A man truly lives where he gets his haircut, and [for Ray LaHood] that is in Peoria [IL].

As Ray LaHood prepares to leave President Obama's Cabinet and spend more time with his family, I wish the best to him. His wife Kathy—who was often at his side traveling back and forth between Illinois and Washington—will have more time with Ray and their four children: Amy, Sara, Sam, and State Senator Darin LaHood and their wonderful families too. I look forward to working with Secretary LaHood and his very able successor, former Charlotte mayor Anthony Foxx, to maintain and improve America's transportation systems and networks, the backbone of our economy.

GUN VIOLENCE

Mr. DURBIN. Mr. President, I rise to speak about the continuing toll of gun violence on our Nation and on my home State of Illinois.

This past week we lost too many Americans, and too many Illinoisans, to gunfire. Last Monday, 18-year-old April McDaniel was sitting on her porch in Chicago when a masked gunman in a car opened fire, killing April and wounding four of her friends. Last Tuesday, four members of the Andrus family in Darien, Illinois—including the family's two daughters, ages 16 and 22—were shot to death in an apparent murder-suicide. On Thursday, 19-year-old Robert Allen was killed in a drive-by shooting on the South Side of Chicago. And over the weekend, at least 6 were killed and dozens more were wounded in shootings across the Chicago area.

This senseless violence is devastating personally to the families involved, and to all of us. Our thoughts and prayers are with the victims and with their families. The sad reality is that gun violence continues to be an epidemic in America. Over 11,000 Americans are murdered with guns each year. If you count suicides and accidental shootings, the death toll from guns rises to more than 31,000 Americans each year. We have become almost used to this, haven't we? We hear about it every night on the news and we begin to think this is normal. But it isn't normal in any country on Earth for so many people to die from the use of firearms.

You can get a sense of this grim toll by reading the daily ''Gun Report'' by New York Times columnist Joe Nocera. The report compiles news stories about shootings across the nation. For example, yesterday's Gun Report describes shootings that took place over the weekend. It mentions: a 3-year-old in Columbus, Ohio and a 4-year-old in Wichita, Kansas who were hit on Friday by stray bullets; an 18-year-old girl in Ankeny, Iowa, who was accidentally shot and killed by her father on Friday; a 30-minute shooting spree in Omaha, Nebraska on Saturday that left two dead and two critically injured; a 76-year-old man who shot and killed his 75-year-old wife on Saturday in Cortlandt, New York after an argument; and a man who walked into a Catholic church in Ogden, Utah and shot his father-in-law in the head during Sunday mass. These are just a few of the shootings mentioned in one Gun Report. And each new day brings another long list of shootings in communities across America. It is appalling.

Last Friday marked 6 months since the tragedy in Newtown when a gunman murdered 20 small children and 6 educators at Sandy Hook Elementary School. In the 6 months since that awful day, over 5,000 more Americans have been killed by gunfire.

I commend my colleagues from Connecticut, Senator CHRIS MURPHY and Senator RICHARD BLUMENTHAL, who have come to this floor repeatedly to call for reforms that will spare other families the tragedy that the Newtown families have suffered.

We need to heed those calls. We cannot simply shrug our shoulders and write off this epidemic of gun violence as the cost of living in America.

There is some progress to report when it comes to reducing gun violence. Officials at the local and state level are taking proactive steps that are showing promising results.

In Chicago, for example, targeted policing strategies and community-based violence-prevention efforts have contributed to a 31 percent reported decrease in homicides compared to last year. The violence of this past week shows that more needs to be done, but this decline in killings is positive news. I commend the local officials, including Mayor Rahm Emanuel, who are doing everything they can to reduce gun violence.

The General Assembly in Illinois just passed important legislation that would mandate background checks for private gun sales and require reporting of lost and stolen guns to law enforcement, something we failed to do. It should be a national law.

These are steps that will help keep guns out of the hands of criminals and the mentally ill. They will help reduce crime and save lives.

Other States are stepping up as well, with significant reforms passed in States like Colorado, New York, Maryland and Connecticut.

But State action alone is not sufficient. We need to do our part in Washington. Too often these guns cross State lines. Too often States have weak gun laws next to States with strong gun laws. That is why Congress needs to plug the gaping loopholes in our Federal background check system

by passing legislation by Senator JOE MANCHIN, a conservative Democrat from West Virginia, and Senator PATRICK TOOMEY, a conservative Senator from Pennsylvania.

Congress also needs to pass a bill with real teeth to crack down on straw purchasing and gun trafficking, a bill that I worked on with Senators LEAHY, COLLINS, GILLIBRAND, and my colleague from Illinois, MARK KIRK.

Members of Congress need to take a stand on the issue of gun safety and gun violence. There should be no more hiding behind these empty, sham reform proposals written by the gun lobby to accomplish nothing. And no more claims that all we need to do is just enforce the laws on the books because we know the gun lobby has put loopholes in those laws that you can drive a truck through.

I want to mention a few things Congress should do to help reduce gun violence beyond the two items I mentioned. First, I will introduce legislation to encourage more crime gun tracing by State and local law enforcement. Crime gun tracing is a valuable tool for criminal investigations. When a gun is recovered in a crime, a police department can ask the Bureau of Alcohol, Tobacco, Firearms and Explosives, known as the ATF, to trace the crime gun back to its first retail sale. This information can help identify criminal suspects and potential gun traffickers. When all the crime guns in an area are traced, law enforcement can start to define and identify trafficking patterns.

ATF's crime gun tracing system is easy for law enforcement and it is free. Several years ago I reached out and challenged all of the law enforcement agencies in Illinois to submit the guns they had seized in crimes for tracing through the ATF. I am pleased to report that 388 Illinois agencies are now using the system called eTRACE but there are still thousands and thousands of law enforcement agencies across America that are not tracing their crime guns.

The legislation I am introducing is called the Crime Gun Tracing Act. It will require law enforcement agencies that apply for Federal COPS grants to report how many crime guns they recovered in the last year and how many they submitted for tracing. It will then give a preference in COPS grant awards to agencies that traced all the crime guns they recovered.

To be clear, law enforcement agencies should not just sit around and wait for a bill to pass before they start tracing crime guns. Tracing brings enormous benefits at virtually no cost. Agencies should not wait for this bill; they ought to start tracing today if they have not done so already. But the reality is many police departments, sheriffs' offices, have not been doing this. My bill will create an incentive for them to start.

Let me say something else. The Senate needs to confirm a Director to head the ATF. For the record, ATF has never had a Senate-confirmed Director. The Senate refused to confirm a Director under President George W. Bush and refused the second proposed Director under President Obama. Now a third candidate is being considered.

Since the Director position began requiring Senate confirmation in 2006, ATF has only had short-term Acting Directors, temporary leaders.

Whether it is a Republican President or a Democratic President, the gun lobby and their friends in the Senate have objected to every nominee. It looks as if they are preparing to mount an effort to stop the most recent nominee by President Obama, Todd Jones of Minnesota.

To be effective and accountable, Federal law enforcement agencies need Senate-confirmed leadership. But the gun lobby has done everything it can to keep this agency leaderless and weak. This is beyond hypocritical.

After the tragedy in Newtown, Mr. Wayne LaPierre of the National Rifle Association appeared before our Senate Judiciary Committee and said he opposed efforts to close gun loopholes because ''we need to enforce the thousands of gun laws that are currently on the books.'' Well, the agency that enforces Federal gun laws and refers gun cases for Federal prosecution is the ATF. In fact, for the past 15 years there has been a provision written in an appropriations bill, a gun lobby rider, that prohibits any of ATF's enforcement functions from being moved to another agency. So the NRA is making sure that the ATF is the only game in town when it comes to enforcing gun laws, and then they are making sure it never has a permanent Director.

I want to put the gun lobby on notice. If we can't get a Senate-confirmed Director for the ATF, then I am going to move to repeal the rider and bring in other Federal agencies with Senate-confirmed leadership—such as the Federal Bureau of Investigation—to make sure gun laws are enforced effectively in this country. The National Rifle Association and the gun lobby cannot have it both ways. They cannot complain that the gun laws are not being enforced and then stop any effort to put a permanent leader in place at this agency. The gun lobby has to make that choice. If they want to enforce gun laws on the books, they can work with us to confirm a Director at the ATF. If they want to keep blocking the ATF from having a Director, we will have to get other agencies involved to make sure laws are enforced. It is that simple.

In closing, I again extend my sympathy and prayers to the victims and families of gun violence. We have to do our part in Washington to put an end to this. We haven't had the votes we needed yet, but we should not give up. The American people are counting on us to make America safer.

Mr. President, I now ask unanimous consent that my last statement be placed in a separate part of the RECORD.

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

TYMOSHENKO IMPRISONMENT

Mr. DURBIN. Mr. President, I rise to discuss an issue that I hoped I wouldn't need to bring up today but unfortunately I do. I am referring to the continued imprisonment of the former Prime Minister of Ukraine, Yulia Tymoshenko, who has now sat in jail for almost 2 years.

In the fall of 2011, Ms. Tymoshenko was imprisoned for a 7-year term on charges that she abused her office in connection with a natural gas contract with Russia. I cannot judge the wisdom of that contract, but what is deeply troubling to me is the appearance of selective and politically motivated imprisonment of a former political leader in the democratic nation of Ukraine.

Ukraine is a promising and hopeful new member of the community of free-market democracies—one with a solid future in the West. It has strong ties to Europe and the United States.

This photo shows police officers leading former Ukranian Prime Minister Yulia Tymoshenko out of the courtroom after the verdict in her case in Kiev on October 11, 2011.

Ukraine is a great nation. It has helped NATO in Bosnia, Libya, Iraq, and Afghanistan. It is a major contributor and a valuable international peacekeeper. It was an early leader in throwing away the shackles of the Soviet Union and declaring its own independence.

In 2004 Ms. Tymoshenko and countless other Ukrainians organized a series of historic protests known as the Orange Revolution to address electoral fraud in the Presidential election in those days.

Ukraine's future is clearly with the community of democracies, and that is why the imprisonment of this former Prime Minister is so troubling. When a nation is a member of a community of democracies, it can't selectively throw its political opponents in jail for questionable policy decisions. If a poor policy decision is made, let the voters decide at the ballot box.

In the neighboring dictatorship of Belarus, 2010 Presidential candidate Mikalai Statkevich, who had the temerity to run against the strong-man dictator Viktor Lukashenko, still sits in jail because he challenged the dictator in an election. I might remind my friends in Ukraine that they do not want to be compared to Belarus. They should be democratic.

Countless international human rights groups and other countries have

decried the charges against Ms. Tymoshenko and called for her release. The Parliamentary Assembly of the Council of Europe passed a resolution in January of 2012 declaring that the articles under which Ms. Tymoshenko was convicted were overly broad in application and effectively allow for ex post facto criminalization of normal political decisionmaking. Later that year both the European Parliament and our very own Senate passed resolutions condemning the sentencing of Ms. Tymoshenko and calling for her release.

The European Court of Human Rights, which settles cases of rights abuses after plaintiffs have exhausted appeals in their home country courts, recently considered this case and ruled that Ms. Tymoshenko's pretrial detention was unlawful, that the lawfulness of her detention had not been properly reviewed, her right to liberty had been restricted, and that she had no possibility to seek compensation for her unlawful deprivation. That is unacceptable.

I truly hope this ruling will finally create the circumstances for a face-saving way out of this mess. Unfortunately and regrettably, it has not happened. That is why I joined my colleagues, Senators RUBIO, BOXER, BARRASSO, MURPHY, and CARDIN, in submitting a resolution on the matter. It is simple and straightforward and expresses continued concern about Ms. Tymoshenko's selective and politically motivated detention.

I will close by saying that I was in Ukraine last year. I met with Prime Minister Azarov and President Yanukovych. They were generous hosts and very kind. They told me that something would be done in a positive way about Ms. Tymoshenko's imprisonment. That was a year ago and nothing has happened. I was optimistic then and I will remain optimistic, but I want the Ukraine Government to know that we are going to hold them to the standards of democracy. They cannot imprison political opponents. You beat them in an election, move on to lead, and you are held accountable by the people who vote.

I hope a decision will be made in the near future to release Ms. Tymoshenko.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. GRASSLEY. Mr. President, I ask to speak as if in morning business for 7 minutes.

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

IMMIGRATION REFORM

Mr. GRASSLEY. Mr. President, when I closed last night I posed nine questions to Secretary Napolitano about the immigration bill. She said that when confirmed, she would answer questions that Congress put before her. My questions came at the end of her hearing on the immigration bill, and we have not received an answer now in 49 or 50 days. I would appreciate answers to those questions.

I would like to speak about the entry-exit system in the legislation before us. One of the concerns that has been made about the immigration bill before us is that it weakens current law in several areas. Now, when I go to my town meetings, I invariably get somebody who says: We don't need more legislation; just enforce the laws that are on the books. Those very same constituents of mine would probably be really chagrined at the fact that we have legislation before us that would weaken current law.

Well, we had a lengthy discussion during the Judiciary Committee markup about provisions dealing with criminal activity and deterring illegal immigration in the future. I have found that many existing statutes in this legislation—1,175 pages—have been revised and watered down, which sends exactly the wrong signal that should be sent to the people who seek to intentionally break our laws.

The sponsors of the bill have claimed that the bill will make us safer. They insist that the people will ''come out of the shadows,'' thus allowing us to know exactly who is here, where they are, and whether they are a national security risk.

We have talked a lot about the need for border security in the last week. I think it is the most important thing we can do for our national security and to protect our sovereignty. Border security is what the people demand. This legislation has weak border security provisions.

Amazingly, when I bring up border security, I am told by proponents of the bill that we don't need to put our entire focus on the border. Well, tell that to the people of grassroots America. These authors remind me that about 40 percent of the people here illegally are visa overstays or people who never returned to their home country. I don't dispute that 40-percent figure. I couldn't agree more that visa overstays need to be dealt with as much as people who are here undocumented and did not come here on a visa. We need to know who is in our country and when they are supposed to depart, and then we need to know if they actually leave.

We realized this way back in 1996 when we created the entry-exit system. At that time, Congress—and still today—under the law, called for a tracking system to be created, and this followed the first bombing of the World Trade Center. We knew there were gaping holes in our visa system, and that is why the entry-exit system was set up. Unfortunately—and the people of this country probably don't believe this—we had legislation calling for this system to be in place and it still is not in place. Administration after administration—and that is Democratic, Republican, and now Democratic—dismissed the need to implement an effective entry-exit system, thumbing their noses at the laws on the books. So here we are today—17 years later—wondering when that system and mandate from Congress will be achieved.

When introduced, the bill before us did nothing to track people who left by land. It did nothing to capture biometrics of foreign nationals who departed. We approved an amendment in committee that made the underlying bill a little bit stronger, but it fell short of current law. Current law says we should track all people who come and go by using biometrics. It says the entry-exit system should be in place at all air, sea, and land ports. We already know that anything less than what is in current law will not be effective.

The Government Accountability Office has stated that a biographic exit system, such as the one set forth in the underlying legislation, will only hinder efforts to reliably identify overstays and that without a biometrics exit system, ''DHS cannot ensure the integrity of the immigration system by identifying and removing those who have overstayed their original period of admission—a stated goal of US-VISIT.'' If we don't properly track departures, we won't know how many people are overstaying their visas and we won't have any clue of who is in our country.

Some will say: We can't afford it. Some will say: Our airports aren't devised in such a way to capture biometrics before people board airplanes. They will find any excuse not to implement current law, and that is why this current law hasn't been executed in the last 17 years.

This is a border security and national security issue. Without this system in place, we are not in control of our immigration system.

Senator VITTER's amendment, which is pending, would ensure the current law is met before we legalize millions of people. I encourage my colleagues to understand how this bill weakens our ability to protect the homeland. I also encourage the adoption of the Vitter amendment when we vote at 3 o'clock.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 744, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 744) to provide for comprehensive immigration reform and for other purposes.

Pending:

Leahy/Hatch amendment No. 1183, to encourage and facilitate international participation in the performing arts.

Thune amendment No. 1197, to require the completion of the 350 miles of reinforced, double-layered fencing described in section 102(b)(1)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 before registered provisional immigrant status may be granted and to require the completion of 700 miles of such fencing before the status of registered provisional immigrants may be adjusted to permanent resident status.

Landrieu amendment No. 1222, to apply the amendments made by the Child Citizenship Act of 2000 retroactively to all individuals adopted by a citizen of the United States in an international adoption and to repeal the pre-adoption parental visitation requirement for automatic citizenship and to amend section 320 of the Immigration and Nationality Act relating to automatic citizenship for children born outside of the United States who have a United States citizen parent.

Tester amendment No. 1198, to modify the Border Oversight Task Force to include tribal government officials.

Vitter amendment No. 1228, to prohibit the temporary grant of legal status to, or adjustment to citizenship status of, any individual who is unlawfully present in the United States until the Secretary of Homeland Security certifies that the US-VISIT System (a biometric border check-in and check-out system first required by Congress in 1996) has been fully implemented at every land, sea, and air port of entry and Congress passes a joint resolution, under fast track procedures, stating that such integrated entry and exit data system has been sufficiently implemented.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I am encouraged that later today the Senate will vote on four amendments to the immigration bill. I hope it is an indication that the Senate is going to begin considering amendments in an orderly and efficient way. I would encourage Senators to file their amendments and come to the floor and offer them. I share the majority leader's wish to make progress on this important legislation. We know the immigration system is sorely in need of reform and now is the time to do it.

Last week we should have disposed of several amendments to the bill before us, but in the Senate, progress requires cooperation. Instead of going forward and actually having Senators take positions and vote up or down, we had objection after objection from the opponents of this legislation who put the Senate in the unenviable position of having the public see us as voting ''maybe.'' We know why people get discouraged with Congress. They don't realize that there is a small number of people blocking any voting. They expect us to vote for or against something. There are going to be political costs to voting for or voting against, but they expect us to vote. It comes with the job. And when people objected to proceeding to comprehensive immigration reform, that cost us several days. Again, the American public sees the Senate as voting ''maybe.''

Well, I am one Senator willing to take the consequences of voting for or against something and not voting ''maybe.'' I think most Senators would prefer voting yes or no and not maybe. In fact, when we finally ended the filibuster and were able to vote to proceed to the bill, 84 Senators stood up and said, Let's proceed. They voted in favor of doing so. They know they are going to risk some criticism for doing that, but at least they had the courage to do it.

We still have a tiny handful of Senators who keep on trying to say vote ''maybe.'' It is frustrating because that initial delay was not necessary. It didn't add to the debate. It simply hindered the Senate's consideration of the bill. In fact, opponents of the bipartisan legislation have even objected to adoption of the Judiciary Committee substitute bill despite widespread praise from both Republicans and Democrats for how we conducted our proceedings and our overwhelming bipartisan vote to get the bill to the full Senate. This was a bill where almost all of the amendments accepted in Committee were on a bipartisan vote. Additionally, over 40 amendments offered by Republicans were accepted by the Committee.

So the votes against even proceeding to this bill indicate that at least 15 Members of the minority are so dug in against comprehensive immigration reform that they are unalterably opposed. They want us to vote maybe to duck the issue. They want to duck the issue. That is not a profile in courage. Those few Senators should not further obstruct the 84 Senators who appear ready to go to work on this bill and vote for or against it. The question is whether the other Members of the Republican Party will follow those who seek to delay the Senate's consideration or whether they will work with us to pass a good bill.

More than 100 amendments have been filed to the comprehensive immigration reform bill, but over the last 2 weeks we have only voted once on the motion to table an amendment that already had been defeated in committee.

I began this process with a spirit of cooperation. I offered an amendment on behalf of myself and Senator HATCH, the senior member of the Republican Party, to strengthen our visa program for visiting foreign artists who come to perform with nonprofit arts organizations. I was then willing, following the procedures and the cooperation I have known here in the Senate for decades, to give consent to Senator GRASSLEY to set aside my amendment and offer his amendment relating to border security. Unfortunately, when we asked for the same courtesy so that other Senators, Republicans and Democrats alike, could call up additional amendments, there was an objection. I was expected to cooperate and follow this normal procedure, but the second we asked for the other side to do that, it was: Oh, no, we can't do it. The rules have to be different.

Then when the majority leader offered a unanimous consent request to have votes on the Grassley amendment and others in a manner that Senate Republicans, including the Senate Republican leader just a few days ago, had been insisting on with respect to amendments and legislation and nominations, the minority objected.

Then when the majority leader asked that a group of amendments offered by Senators on both sides of the aisle be allowed to be offered, again there was an objection.

So it is with great effort that we are trying to work through amendments. But like the minority's treatment of nominations, even consensus amendments are being objected to and delayed. We have been unable to get an amendment by the Republican Senator from Nevada pending because there is Republican objection to a Republican Senator offering an amendment which is probably going to pass with overwhelming support from both Republicans and Democrats. It is no wonder public approval of Congress in last week's Gallup poll is 10 percent. At a time when so many Americans are in favor of reforming the Nation's broken immigration system, we in the Senate should be working together to meet that demand and reflect what the people of America want.

The President spoke again last week about immigration reform and what is needed. The President had with him a broad cross-section of those supporting our efforts from business and labor to law enforcement, clergy, and from both sides of the aisle. Just as I worked with President Bush in 2006 when he supported comprehensive immigration reform, I urge Senate Republicans to work with us now. Senators from both sides of the aisle worked together to develop this legislation—Senators from both sides of the aisle.

Then Senators from the Judiciary Committee considered it and adopted more than 130 amendments to improve it, almost all of them with a bipartisan vote. Senators from both sides of the aisle need to come together now to defeat debilitating amendments and pass this legislation.

One of the procedural disputes that has delayed us is the application of what the Majority Leader has termed the ''McConnell rule'' to provide for 60-vote thresholds for adopting amendments. Senate Republicans are now objecting to their leader's own rule. That is why the Majority Leader on Thursday took the action left to him to move forward on the bill and moved to table Senator GRASSLEY's amendment, which I had worked with Senator GRASSLEY to allow him to offer and have pending. I am glad that we have now gotten agreement to treat Republican and Democratic amendments equally.

Though I am encouraged that we will begin voting on this legislation, I believe that the Senate should not have gone down the path insisted upon by the Republican leader when he demanded supermajority votes of 60 by the Senate on so many amendments and legislation. He has made everything subject to a filibuster standard. I have tried to have the Senate act by a majority vote, which is the practice I would favor. Unfortunately, the Republican leader has prevailed over and over again and Republicans have insisted on 60-vote thresholds for the adoption of amendments. That is the rule on which they have insisted. And late last week, the minority objected to its own rule when the Majority Leader asked for consent to set votes for the Senate. They cannot insist upon a rule for one side and not the other. They cannot have it both ways. I understand why the Majority Leader has asked for the same consents on which the Republican leader has insisted for years, following what the Majority Leader has termed the ''McConnell rule.''

What Republican Senators were insisting upon is a simple majority threshold for their amendments and a 60-vote barrier for Democratic Senators' amendments. That is not fair. I am ready to work with the Majority Leader, the Republican leader, the Chairman and ranking member of the Rules Committee, the ranking member of the Judiciary Committee and other interested Senators on reestablishing majority rule in the Senate except in special circumstances. That new arrangement will have to follow our work on this bill and not delay or be applied retroactively to undermine comprehensive immigration reform.

With respect to Senator GRASSLEY's amendment, which was tabled last week, I note that it was tabled by a bipartisan majority of 57 votes. That included five Republican votes. Of course, this was an amendment, as most people knew on the floor, that had been considered by the Judiciary Committee. It was defeated by a bipartisan vote of two-thirds of the committee. It would have undermined and unfairly preempted the pathway to earn citizenship. It would have made the fates of millions seeking to come out of the shadows to join American life unfairly depend on circumstances way beyond any control they might have. I am troubled by proposals that contain false promises in which we promise citizenship, but it is always over the next mountain: We are going to give citizenship, but not quite yet. It is almost like Sisyphus pushing that rock up the hill. I want the pathway to be clear and the goal of citizenship attainable. It can't be rigged by some elusive precondition. We should treat people fairly and not have their fates determined by matters beyond their control. No undocumented American controls the border or is responsible for its security. The things that are being set up to kill this bill would have blocked my grandparents from coming to Vermont from Italy and would have blocked the parents and grandparents of many of the Senators now serving in the Senate. So I don't want people to move out of the shadows or to be stuck in some underclass. Just as we should not fault the DREAMers who were brought here as children, we should not make people's fates and future status dependent on border enforcement conditions over which they have no control.

This legislation is far too important to be subject to needless delay, and I hope the votes today signal an end to the delay we have experienced until this point. We should have a healthy and vigorous debate on the bill reported out of the Judiciary Committee. Central to that debate is considering and voting on amendments.

One of the bright moments so far during this debate, in the view of the American public, was the way Republicans and Democrats alike worked in the Senate Judiciary Committee to get this bill before us in the full Senate. The public debate was followed online by thousands of people. We brought up amendments, we debated them, and then we voted on them. Nobody voted maybe; they voted yes and they voted no. The American public responded overwhelmingly, saying this was the way to go, and I think Republicans and Democrats on the floor justly praised the way it was done in the Judiciary Committee. There were 18 of us working together, and I compliment the distinguished Senator from Iowa for working with us. Although he disagreed with the outcome, we worked together to get that debate finished. We went into the evenings and we worked all day for a couple of weeks and we got it done. But now all 100 of us should stand here and do the same thing. Demands for different voting standards for Republican and Democratic amendments are wrong.

A couple of weeks ago, the distinguished Republican leader spoke at an event. I was sitting there. He knew I was following him to speak. He said, On a matter of this importance, all amendments should be subject to a 60-vote threshold. Well, I have had a different view in the past, but I said, OK then, we will do that for both Democratic and Republican amendments, but let's get it done. Having different standards for Republicans and Democrats is not how the Judiciary Committee considered this legislation. It is also not how the majority of Americans expect us to conduct the debate. The tactics of last week undermine the Senate's work on this important bill. Those who have already decided to oppose this bill at the end of the Senate's consideration can vote against it, but they should not dictate the work of 84 Senators who are ready to go forward and vote.

I call on all Senators to please file their amendments to this bipartisan legislation by Thursday and work with us, if need be, on Friday and Saturday and through the weekend, so we can make much-needed progress on this legislation without further delay.

Mr. President, is there a division of time?

The PRESIDING OFFICER. The time is equally divided.

Mr. LEAHY. I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I yield 10 minutes of my time to Senator THUNE.

The PRESIDING OFFICER. The Senator from South Dakota.

AMENDMENT NO. 1197

Mr. THUNE. Mr. President, I think we all agree our immigration system is broken and it needs to be fixed. Unfortunately, every time Congress has tried to fix our immigration system, promises of a more secure border are never upheld. The bill we have in front of us today is following the same path as past immigration bills.

Under this bill it is certain that 12 million people in this country who are here illegally will receive legal status soon after the bill is enacted. However, the border security provisions of this bill are again nothing more than promises which, again, may never be upheld.

When I talk to the people I represent in the State of South Dakota, one of the questions I get over and over is, When is our Federal Government going to keep its promises when it comes to the issue of border security?

The second question is, Why do we need more laws when we are not enforcing the laws we currently have on the books?

It is time that we follow through on promises of a more secure border.

Actually, you have to go back to 1996, which is the first time Congress spoke on this issue. At that time Congress stipulated that we needed to have a double- and even triple-layered fence system on the border.

Well, you roll time forward to 2006—10 years later—with the Secure Fence Act. Congress again passed a law requiring a double-layered fence, this time indicating very specific locations, totaling around 850 miles—even above the current 700-mile requirement. Eighty Senators voted for that bill. Let me repeat that. Eighty Senators, Republicans and Democrats, in a bipartisan way voted in 2006, under the Secure Fence Act, for 850 miles of double-layered fence.

Well, you go again forward to 2008. As part of the Consolidated Appropriations Act, Congress specified this time that not less than 700 miles of fencing would be required. To date, of course, of this requirement, only about 40 miles of the double-layered fencing has been completed.

During debate on the Department of Homeland Security Appropriations Act in 2010, an amendment was offered to require the completion of at least 700 miles of reinforced fencing along the southwest border, and this time with a specific timeline, a specific date in mind: December 31, 2010. That amendment was agreed to on the Senate floor. There were 54 votes in favor of it, including 21 Democrats, 13 of whom are still here today. But the fence has still not been completed.

The amendment I have offered, amendment No. 1197, simply requires that we implement current law, completing 350 miles of double-layered fencing prior to RPI status being granted. The completion of this section of the fence would be a tangible, visible demonstration that we are serious about this issue of border security. After RPI status is granted, the remaining 350 miles required by current law would have to be constructed during the 10-year period before registered provisional immigrants can apply for green cards. So 350 miles before RPI status; 350 miles after. I think it is a reasonable way of approaching this issue.

People have gotten up and said: Well, this fence is old school. It is not the only answer. It requires a combination of technology and manpower and surveillance, but there is an important place for infrastructure to play in this. A double-layered fence, which was called for by Congress first in 1996, again in 2006, again in 2008—for which there was broad bipartisan support here in the Senate—should be something on which we follow through.

One of the other issues that has been raised is, well, there is not money to do this. There is money appropriated in this bill. Mr. President, $6.5 billion is appropriated, $1.5 billion of which is dedicated to infrastructure. If you look at what it would cost to build a double-layered fence, the estimates are about $3.2 million per mile. So the 350 miles we call for before RPI status is granted would run in the range of $1 billion—sufficient within the money already allocated in the bill.

But my point, very simply, is this: We have made promises and commitments to the American people over and over and over again in a bipartisan way here in the Senate which have not been followed through on.

Now, the Senator from Alabama, who offered an amendment very similar to this at the Judiciary Committee markup, is here on the floor and has been a leader in terms of trying to secure our borders—an issue that I think most Americans, before we deal with any other aspect or element of the immigration debate, believe ought to be addressed.

I would simply ask the Senator, if I might through the Chair, does he think building 40 miles out of a 700-mile requirement is keeping the promise we made to build a border fence that is adequate to deter illegal crossings? Secondly, doesn't infrastructure, such as a double-layered fence, enhance the effectiveness of border control agents and surveillance technologies along the border—recognizing again that it is not the only answer; it is combined with, complemented by other forms of border security? But it is important, in my view, that we have a visible, tangible way in which we make it very clear that this is a deterrent to people coming to this country illegally.

We want people to come here legally. We are a welcoming nation. We are a nation of immigrants, but we are a nation of laws, and we have to enforce the laws. We have not been doing that, and we have not been keeping the promises we made to the American people when it comes to border security and more specifically when it comes to the building of the fence.

So I would ask my colleague from Alabama, through the Chair, about his views on this and whether we have followed through on a level that is anywhere consistent with what we promised to the American people. Secondly, doesn't the Senator think this infrastructure component is an important element when it comes to the border security part of this debate on immigration reform?

Mr. SESSIONS. Mr. President, I thank the Senator from South Dakota. He is exactly correct. This is a failure of Congress and the administration. As soon as some discretion was given to the administration to not build a fence, they quit building a fence, and we are so far behind what we promised the American people.

I say to Senator THUNE, I remember being engaged in the debate in both of those years, 2006 and 2008. We actually came up with a fund. We funded sufficiently the fence construction that needed to be done. We told the American people we were going to do it. We were proud of ourselves. Actually, I remember giving a hard time to my colleagues because in 2006 we authorized the fence but there was no money. So it was later that we finally forced the money to be appropriated because the issue was, you say you are for a fence, you go back home and say: I voted for fencing and barriers, and then you do not put up the money. So the money was even put up, and it still did not happen as required by law.

I say to Senator THUNE, I think you said it so clearly. That is why the American people are rightly concerned about amnesty first with a promise of enforcement in the future. Even when we pass laws that plainly say a fence shall be built, we put up money to build that fence, and it does not happen in the future.

So what we are asked to do with this legislation is to grant amnesty immediately. That will happen. That is the one thing in this bill that will happen. But we need to ask ourselves: What are the American people telling us?

A recent poll showed that by a 4-to-1 margin the American people said: We want to see the enforcement first. Then we will talk about the amnesty. Do your enforcement first.

The Senator's question is, How will it work? Well, we have discussed that over the years. The greatest example of how it works is in San Diego. That area was in complete disarray, with violence, crime, drugs. It was an economic disaster zone. There was a very grim situation in San Diego. There were all kinds of illegality at the border. They built a triple-layer secure fence, and across that entire area illegality ended totally, virtually. Almost no illegality is continuing at that stretch of the border today. Crime was dramatically reduced. Economic growth occurred on both sides of the border. It was highly successful.

So several things happen. First, you end the illegality with a good fence. Second, it reduces dramatically the number of Border Patrol officers needed to make sure illegal crossings are not occurring because there is a force multiplication of their ability. So you can save a lot of money by having fewer people. When people see a very secure fence, they decide it is not worth the attempt, so they don't even try to cross. That reduces the stress on the Border Patrol, the number of deportations, and the number of people who have to be sent back. Building a fence reduces costs and saves money in the long run and really achieves what I think the American people have asked us to achieve.

I say to Senator THUNE, I think your amendment is very reasonable. It certainly puts us on a path to completing the kind of barriers that are necessary. As the Senator said, it comes nowhere close to saying there is a fence across the entire border. It would just be at the areas where it would be most effective.

Mr. THUNE. I say to my colleague from Alabama—and, again, I thank him for his leadership on this issue, both past and present—what we are talking about here is something that is a part of the solution. This is not the totality. This is not the entirety.

People come down here and say: Well, you cannot just build a fence. People will tunnel under it. They will climb over it.

Of course they will. But coupled with additional Border Patrol agents, coupled with surveillance, coupled with modern technologies, it is a composite solution, if you will, but it still very clearly is a deterrent. It is a visible, tangible message and deterrent that we want people to come to this country legally, we want to discourage illegal immigration. I think the fence is part of the infrastructure component of that border security solution, and it is something we have all made commitments on in the past.

I think it is very hard to ask people to vote for an immigration reform bill that includes the legalization component to it if we are not going to follow through on the promises we have made because the American people have heard this before. Promises, promises is something they have heard plenty of in the past when it comes to this issue. We have yet to follow through on this with the exception of the 36 miles that I mentioned that have been built. But commitments were made in 1996, requirements to do this in 2006. As the Senator said, in 2008 the money was added. That was a 76-to-17 vote here in the Senate. Seventy-six Senators from both parties voted to fund this in 2008. In 2006, 80 Senators, including now-President Obama, who at that time was a Senator, now-Vice President BIDEN, who at that time was a Senator, and at that time Senator Hillary Clinton all voted for the Secure Fence Act in 2006.

So, again, I am not suggesting for a minute that it is the only solution, the cure-all, the panacea that is going to address this issue, but I think it is something that is very real, very tangible, very visible. It is something we have made a commitment on to the American people, and I think it is something on which we ought to follow through. It certainly ought to be a requirement—a condition, if you will—in this legislation before some of these other elements come to pass because if it is not, it will never get done, as we have already seen going back to 1996.

So I hope that on amendment No. 1197, when it is voted on this afternoon, we will have the same strong bipartisan support we have had in the past on this issue. I hope, again, as the Senator from Alabama and I have discussed, we will follow through on a commitment we made to the American people and do something really meaningful on the issue of border security.

With that, I say to my colleague from Alabama that, again, I appreciate his strong voice on this issue, and I hope he and I will be joined by many others today.

Mr. SESSIONS. I say to Senator THUNE, thank you for your leadership in offering a clear legislative proposal that will work. It is my observation that things that get proposed around here that do not work often are passed; things that will actually work are difficult to get passed.

I say to Senator THUNE, I do not know if you realize that all of the sponsors of the legislation have talked a good bit about fencing that might occur, having a report on fencing. What we do know is that it did not require fencing anywhere in the bill. But in case anybody had any doubt about that, Senator LEAHY, the chairman of the Judiciary Committee, offered an amendment that explicitly stated that nothing in the bill shall require the construction of any fencing at the border. So despite what others have heard about this being the toughest bill ever and it is going to do more for enforcement than we have ever had, it, in fact, weakens and almost guarantees we will not have additional fencing, which would certainly be a component, in my mind, of a stronger, tougher enforcement mechanism.

Fencing barriers do, I believe, help the President, who should lead on this, who should say clearly to the world: Our border is secure. We are building fences and do not come. The number of people who would attempt to come would drop a lot if we made that clear statement.

I thank the Senator for his good work.

Mr. THUNE. Mr. President, I will say in closing, again, this is not—the border is 2,000 miles long. This requires 700 miles. So it would be put in those areas where, as the Senator from Alabama noted, it is most needed.

With that, I yield the floor and ask, when the time comes, for support on amendment No. 1197.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, last week I previewed an amendment I will be offering, hopefully, as early as this afternoon, on the underlying immigration bill. This is an amendment which the Democratic majority leader and at least one or two other Members of the Senate have called a poison pill.

I find that somewhat bizarre, especially in light of what others have said about this amendment, which I will talk about briefly. It strikes me as unusual that anytime anyone offers a different idea by way of an amendment that people do not like they call it a poison pill, as if that was the only option. You either take it without the amendment or you accept the amendment and it kills the legislation.

We know the truth is far different. In fact, several members of the so-called Gang of 8 who have been very much involved in negotiating the underlying bill have different opinions, which actually I find somewhat refreshing but not all that surprising.

Senator FLAKE, for example, from Arizona, said, ''I don't think it is a poison pill,'' on June 12. Senator RUBIO said of my results amendment, ''It's an excellent place to start.'' I am grateful for their comments. Senator BENNET, a Senator from Colorado, on the other side of the aisle and Senator FLAKE argued that ''they are not afraid of adding a requirement to nab 90 percent of would-be border crossers.'' That was at the Christian Science Monitor breakfast on June 12. Senator BENNET went on to say, ''I have every confidence that we are going to meet the mark well before the 10 years.'' He said that on June 12 as well.

The interesting point about this discussion is the very same measurement or standard that is in my amendment actually comes from the bill that was introduced by the Gang of 8: 100 percent situational awareness of the border and a 90-percent apprehension rate. All my amendment did is to say: OK, you set the standard, but we are going to make sure the Federal Government actually keeps its promises because, unfortunately, the history is littered—recent history, in particular—with broken promises by the Federal Government, particularly when it comes to immigration.

My amendment is necessary. My results amendment, which I will describe further, is necessary because in its current form, the underlying bill does not include a genuine border security trigger. You do not have to take my word for it. Last week, the assistant Democratic leader, Senator DURBIN of Illinois, himself said quite explicitly that while the original proposal—as he described it in January 2013, he said: ''A pathway to citizenship needs to be contingent upon securing the border.'' He said that in the context of the bipartisan framework for comprehensive immigration reform.

But later on he was quoted in the National Journal, on June 11, saying, ''The Gang of 8 bill has delinked the pathway to citizenship and border enforcement.'' The bill that is being sold today delinks the pathway to citizenship and border enforcement. My amendment would reestablish the very same linkage the gang themselves trumpeted in January 2013.

I think this is a remarkable admission, that the current bill delinks the pathway to citizenship and border security. I think most Members of the Senate believe that whatever we do in terms of the status of people who are currently here in undocumented status, that one thing we have to do is to make sure we do not ever deal with this issue again by failing to deal sensibly and responsibly with border security and enforcement.

Basically, the approach of the proponents of the underlying bill, as currently written, before my amendment, is: Trust us. Trust us. I have to say that you do not have to be a pollster to know there is not an awful lot of trust toward Washington and the Congress and the Federal Government. It is easy to understand why with all of the various scandals or things that have been represented one way that turn out to be another way.

There is a trust deficit in Washington, DC.

For those of us who believe that doing nothing on immigration reform is not an option, what I would like to do is to do something to make things better. But in order to get there, we are going to have to guarantee that border security and the interior enforcement provisions and the reestablishment of basic order to our broken immigration system is accomplished in this bill; otherwise, it is not going to happen.

In the words of Ronald Reagan, I think we should ask people to trust, but we should also verify that trust is justified. I am not sure some of my colleagues appreciate how essential border security is to immigration reform. For the past three decades, the American people have been given one hollow promise after another about the Federal Government's commitment to secure our borders.

The rhetoric from Washington has been impressive, but the results have been pathetic. The reality on the ground in Texas and in other border States has been quite different. Let me put it this way. A decade after the 9/11 terrorist attacks that killed 3,000 Americans in New York, the Department of Homeland Security has gained operational control of less than 45 percent of our southern border—45 percent. The Secretary of Homeland Security said: ''The border is secure.'' The President said: ''It is more secure than it has ever been''—45 percent secure. For that matter, it has been more than a decade since the 9/11 Commission recommended another important requirement that is contained in my amendment, which is a nationwide biometric entry-exit system.

It has been 17 years since President Clinton signed legislation mandating such a system. So we wonder why there has been such a lack of confidence and a trust deficit between the American people and Washington when it comes to immigration reform and fixing our broken immigration system. It is because they have been sold one hollow promise after another.

We still do not have a biometric entry-exit system that President Clinton signed into law 17 years ago, even though about half of illegal immigration occurs when people come into the country legally and overstay their visa and simply melt into the great American landscape. That is where 40 percent of our illegal immigration comes from. We are asking the American people to trust us again?

Until Congress acknowledges our credibility problem when it comes to enforcing our immigration laws, including border security, and until such time as we take serious action to fix it, we are never going to get true immigration reform, and we will never be able to pat ourselves on the back and say: You know what. This is not going to happen again.

My amendment goes beyond mere promises and platitudes. It demands results. It creates a mechanism for ensuring them. Under my amendment, probationary immigrants are not eligible for legalization until after the United States-Mexico border has been secured and until after we have a nationwide biometric entry-exit system at all airports and seaports and after we have a nationwide E-Verify system, which allows employers to verify the eligibility of individuals who apply for jobs to work legally in the country.

That is what a real border security trigger looks like. That is why it is so important. Because we need to incentivize everybody who cares passionately about border security and restoring the rule of law to our broken immigration system, on the one hand, and those who, on the other hand, more than anything else want an opportunity for people to eventually become American citizens, even if they have entered the country illegally, after they have paid a fine and proceeded down a tough but fair path to citizenship.

What we need to do is incentivize the executive branch, the legislative branch, and the entire bureaucracy to make sure we guarantee that those will happen. This is the only way I know of to do it. Unfortunately, many of our colleagues do not want a real trigger when it comes to border security. Above all, they want a pathway to citizenship. I am not convinced beyond that they have much concern for whether we keep our promises with regard to border security. They are hoping that once again the American people will put their faith in empty promises.

But the time for empty promises is over when it comes to our broken immigration system. If we are ever going to push immigration reform across the finish line, which I want to do, we need to guarantee results. My amendment does that. I would contend that rather than my amendment being the poison pill, the failure to pass a credible provision ensuring border security and interior enforcement will be the poison pill that causes immigration reform to die.

That is not a result I want. I want us to see a solution. I do not want the status quo because the status quo is broken. It serves no one's best interests. I am just amazed at some of my colleagues who are resisting this amendment. Why will they not take yes for an answer? Why will they not take yes for an answer on something that unites Republicans and Democrats, who are actually desperately interested in finding a solution and believe the status quo is simply unacceptable?

As I have repeatedly emphasized, my amendment simply uses the same border security standards as the underlying Gang of 8 bill. They are the ones who came up with the standard 100 percent situational awareness. They are the ones who came up with a 90-percent apprehension rate.

But their bill reiterates a promise but guarantees no results. We have had 27 years of input since the 1986 amnesty, and we still do not have secure borders. Now it is beyond time to guarantee not just more promises or inputs but real outputs.

I ask unanimous consent for an additional 2 minutes.

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

Mr. CORNYN. The latest data shows that U.S. authorities apprehended about 90,000 people along the United States-Mexico border between October of last year and March of this year. Given that we apprehend fewer than half of illegal border crossers, this means we still have hundreds of thousands of people coming into the country across our southern border every year.

The problem, it will not surprise the Presiding Officer, is particularly serious in my State because we have the largest common border with Mexico, 1,200 miles.

As the New York Times reported this last weekend: ''The front line of the battle against illegal crossings has shifted for the first time in over a decade away from Arizona to the Rio Grande Valley of South Texas.''

Indeed, on one day in the Rio Grande Valley Sector, the Border Patrol detained 700 people coming across the border; 400 of them were from countries other than Mexico—400 of them. During the fiscal year which began last October, the number of apprehensions in South Texas has increased by 55 percent, with more than 94,000 apprehensions just in the Rio Grande Valley.

I was in South Texas a few weeks ago meeting with property owners, ranchers, law enforcement officials, and others deeply concerned about the rising tide of illegal immigration. But not only is this a national security issue because people are coming from countries other than Mexico, including countries that are of special concern because they are state sponsors of terrorism, this is also a major humanitarian issue.

In Brooks County last year, 129 bodies were found, people coming across

ranchland after suffering from exposure because they have come from Central America, they have come from China, and they have come from the Middle East. They have come from all over the world, and we have seen a sharp increase in the number of people die because they are trying to navigate our broken immigration system.

One final point about immigration reform. Whatever legislation we pass in this Chamber will necessarily have to go to the House of Representatives.

If we want the Senate bill to have any chance of passing in the House and becoming law, we need to include real border security measures and a real border security trigger. Our House colleagues have made that abundantly clear. In other words, my amendment is not a poison pill, it is the antidote because it is the only way we are ever going to truly have bipartisan immigration reform.

I yield the floor.

The PRESIDING OFFICER (Mr. DONNELLY). The Senator from Rhode Island.

Mr. REED. Mr. President, I ask unanimous consent that I be allocated 8 minutes and that the remaining Democratic time be under the control of the Senator from Connecticut, Mr. MURPHY.

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

Mr. REED. Mr. President, I rise to add my support to S. 744, the comprehensive immigration bill we have been debating over the past week.

I first wish to thank the eight Senators who came together to draft this bipartisan bill. They have done an extraordinary job. And I wish to particularly thank Senator LEAHY for his brilliant leadership as chairman of the Judiciary Committee.

Immigration reform is an important priority that for far too long has been left unaddressed. We all agree that the current system is broken. The bill before us is a realistic approach to fixing this broken system. That is certainly better than continuing the failed status quo.

I have long been an advocate for comprehensive and commonsense immigration reform that is tough but also fair. Standing here, addressing my colleagues, urging immigration reform, I cannot help but remember the 2006 and 2007 immigration debates and the many calls to pass immigration reform during that time.

Today, 6 years later, we still have not passed needed reform, responded to the overwhelming call to do so from the American people, and moved our immigration system into the 21st century. Today we once again have the chance to act and pass comprehensive immigration reform.

This bill includes strong border security measures to better protect our national security and to ensure that those trying to come to the United States for better opportunities do so legally. It calls for persistent surveillance of the entire border, for the apprehension of 90 percent of the illegal entries, and makes the investments in infrastructure and technology we need to meet these tough goals.

The Secretary of Homeland Security would be required to submit both a comprehensive southern border security strategy and a southern border fencing strategy to Congress, plans to achieve these goals, before the 11 million immigrants waiting in the shadows could even begin the very tough but fair earned path to citizenship. This rigorous path includes criminal background and national security checks; paying fines, fees, and taxes; learning civics and English; and going to the back of the immigration waiting line.

The bill before us also improves worksite enforcement to better protect all workers and wages, and it makes changes to our immigration system that will help us retain the bright and talented leaders of today and tomorrow and reduce backlogs and inefficiencies.

As we continue this debate, I am hopeful the Senate will have the opportunity to consider three amendments I have filed.

In the 1990s, Liberian refugees fled a brutal civil war that killed more than 150,000 people and displaced more than half of the population. Since then, these individuals have been granted temporary protected status or deferred enforced departure, granted by the administration because the conditions in their home country of Liberia were too dangerous for them to return. Many of these individuals have now been legally residing—legally residing—in our country for more than 20 years, paying taxes, holding jobs, and being part of our communities.

Amendment No. 1224 would clarify one aspect of the merit-based track two system, ensuring that it makes eligible these Liberians and others who were granted TPS or DED due to dangerous or inhospitable conditions in their home countries and who meet the 10-year minimum requirement for long-term alien workers.

This bill intended to include these populations. However, the long-term alien section of the bill uses the term ''lawfully present.'' Since this term is not defined by statute and could be subject to interpretation, these Liberians and others in similar situations could be inadvertently excluded from this track. The intention was always to include these individuals. I ask my colleagues to work with me to correct this so these deserving individuals, whom four different Presidents have supported, are not left behind on a technicality.

The second amendment, No. 1223, recognizes the longstanding role that libraries have played in helping new Americans learn English, American civics, and integrate into our local communities. It ensures that they continue to have a voice in these critical efforts. Across the United States, libraries are the cornerstone of all sorts of educational activities. In fact, according to the Institute of Museum and Library Services (IMLS), more than 55 percent of new Americans use a public library at least once a week.

Libraries offer learning opportunities to new Americans in a trusted environment. We have to recognize the vital importance of libraries as we ask individuals to come forward to learn English, to learn civics, and to learn the skills that are required to participate fully in the life of the American people.

This amendment expands on the recent partnership between U.S. Citizenship and Immigration Services (USCIS) and IMLS, and ensures that libraries remain a keystone and a resource for new Americans. This amendment would add the IMLS as a member of the Task Force on New Americans to help direct integration policy and clarify the role that libraries will continue to play in facilitating these services.

I have also filed an amendment with Senators SCHUMER and CASEY, No. 1233 that would upgrade the immigration bar on expatriate tax dodgers. I authored an amendment to the 1996 immigration law that prohibits citizens who renounced their citizenship in order to avoid taxation from reentering the United States. I was prompted to act after hearing about a raft of wealthy U.S. citizens who gave up their citizenship to avoid paying taxes but would obtain reentry to the United States very easily and continue, effectually, to live their lives as Americans, even though they were for, tax purposes, foreigners.

One of the more egregious examples was Kenneth Dart, a billionaire who, in the early 1990s, renounced his American citizenship to avoid paying U.S. taxes. He became a citizen of Belize and then was appointed by the Government of Belize to be a consular officer in Sarasota, FL, Mr. Dart's hometown. This ruse and other ruses such as this must be stopped. My amendment would make it clear that the Department of Homeland Security must stop this flouting of the law by people who avoid taxes by changing their citizenship and then freely return to the United States.

I look forward to action on these amendments during this debate. This is an important debate. Indeed, the strong bipartisan vote that brought us to this moment procedurally captures the overwhelming recognition that we need to fix the system. We need to move forward.

This is a situation where we have a bipartisan bill that has overwhelming

support in the United States. We must move it forward, amend it appropriately as I have suggested, pass it, and then send it to the House with the hope and the expectation that the President will sign this bill, opening a new era in this country for the millions who are seeking to be Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

SYRIA

Mr. MURPHY. Mr. President, there is so much good flowing through the veins of this country. We are, by and large, a compassionate, just people. It hurts us deeply to see pain and suffering in places that don't enjoy the relative safety and security of America.

We are, more so than ever before, a powerful people. We are the one remaining superpower with a military that dwarfs all others and a record of throwing our weight around in all corners of the globe.

Mixed correctly, this combination of goodness and power can be a transformation. It can lighten the load of oppressed peoples. It can lift the disenfranchised. It can cure diseases.

There is one fatal trap that comes with these defining characteristics of 21st century America, a tripwire that has ensnared our Nation too many times in recent history. This is the belief that there are no limits to what this combination of goodness and power can achieve. In a word, that trap is hubris. I rise because I fear we are on the verge of falling into this trap once again.

In April, the Presiding Officer and I, as well as several other Members of the Senate and the House, visited the Kilis refugee camps of Turkey and Syria. These were reportedly the best of the refugee camps set up to shelter Syrian families fleeing the blood and carnage of that country's civil war. It is not a place I would have wanted to stay for another hour.

We met a girl who had half her face scarred by a Syrian rocket attack. I met a little orphan boy whose parents had been felled by the ruthless tactics of Bashar al-Asad. We were there for an afternoon, but we didn't need to spend more than 10 minutes in that place to be deeply moved by the case of the refugees.

Of course, Syria presents not only a humanitarian imperative, Syria is of immense strategic importance to the United States. The Asad regime has been a thorn in our side for years, and now his refusal to step down has created a bloody conflict that is in real time destabilizing a region that is critical to our national security interests. Even worse, the fight has drawn in Islamist groups affiliated with al-Qaida. A failure to root out their influence and reduce their presence threatens to hand them a new base of operation with which to plot attacks against Americans.

It is easy to see why American intervention is so tempting. It is easy to see why President Obama has chosen to act: a humanitarian crisis, a strategic interest, a uniquely American blend of goodness and power tells us we can, that we must try to make things better.

Here is the rub. It is not enough for there to be a will. There also has to be a way.

Today in Syria I do not believe there is that way. I do not believe this Congress should give the President the ability to escalate America's role in the Syrian conflict without a clear set of goals and a clear sense that we can achieve these goals.

Let's start with the odds attached to our first objective, overthrowing Bashar al-Asad. The unfortunate reality is that the momentum is with the Asad regime. With the help of Hezbollah and Qasem Soleimani, a senior Iranian Quds Force commander, Asad has driven the rebels from the key town of Qusayr, and his forces are now battering the rebels' positions in Aleppo.

American-supplied automatic weapons are not going to be enough to change this reality. While antitank and anti-aircraft weapons, along with armored vehicles, could give the advantage to the Syrian opposition, this would, frankly, invite another more sinister problem. The Syrian opposition is not a monolithic force. It is an interlocking, sometimes interdependently operating, sometimes independently operating, force.

Our favored faction is the Free Syrian Army, but they are currently far from the most effective fighting force of the opposition.

Today the most effective fighting unit of the rebels is Jabat al-Nusra, an Islamist extremist group with demonstrable ties to al-Qaida. If we give heavy weaponry to the FSA, there is virtually no guarantee these weapons will not find their way to Jabat al-Nusra, a group that represents the very movement we are fighting across the globe.

In fact, we have been down this road before. In the eighties, we gave powerful weapons to the mujahedin in Afghanistan, freedom fighters that we supported in their war against the Soviets. Of course, as we all know, after kicking out the Soviets, those fighters later formed the foundation of the Taliban, providing a staging ground in Afghanistan for al-Qaida's plans against the United States.

Let's take our second objective. Even if we are successful in toppling Asad, it matters to us greatly who takes the reins of Syria next. I can't imagine we are getting into this fight just to turn the country over to the al-Nusra front or another Iranian- or Russian-backed regime. But if we do care about which regime comes next, and we should, then we need to admit we aren't intervening in Syria for the short run. We are in this for the long haul. Why? Because as we all learned in history class, these upheavals run a pretty predictable course. There is first the revolution and then there is the civil war.

Iran nor Russia will allow a U.S.-backed Free Syrian Army to simply stand up a new government. Certainly, Jabat al-Nusra and other extremist groups are not going to do the lion's share of the early fighting and then just walk away with no role in the new government.

Then we have to admit we are in the medium and in the long term deciding to arm one side of what promises to be a very complicated multifront heavily proxied civil war.

One may say there is still an interest to negotiate the politics and the military logistics of this second conflict. To that I would ask, what is the evidence we have ever gotten this tightrope right in the past? Recent history tells us America is pretty miserable at pulling the strings of Middle Eastern politics. In Afghanistan, after 10 years of heavy military presence, many experts think that when we leave, the place is going to look pretty much like it did before we got there. If we can't effect change with tens of thousands of troops, how are we going to do it in Syria with just guns and cash?

There is a risk that our assistance could actually make things worse. Would it not embolden the Iranians, the Russians or the extremists to fight harder against the new regime if they know they are backed by American money and arms?

As we saw in our disastrous occupation of Iraq, American presence often attracts extremists, not repels them. Our money and arms become bulletin board material for extremist groups around the globe. Why would we want to help al-Qaida's recruitment by putting a big red, white, and blue target on Damascus for years to come?

The bottom line is this: Not everywhere where there is an American interest is there also a reason for American military action. In Syria, with a badly splintered opposition, a potential nightmare follow-on civil war, I believe the odds are slim that U.S. military assistance will make the difference that the President believes it will make. And I worry that our presence could harm, not advance, our national security interests.

There is, thankfully, another way. Given the atrocities occurring within Syria and the potential for further destabilization in the region, the United

States cannot and should not simply walk away from Syria. We should dramatically increase our humanitarian aid—both inside and outside Syria. We should help improve conditions at the refugee camps in Turkey and Jordan, and help other nations bearing the burden of displaced persons, such as Lebanon and Iraq, deal with the influx of people. Put simply, we should concentrate our efforts on humanitarian help inside Syria and on making sure the conflict doesn't spill outside of Syria's borders.

At the very least, our Nation's role in Syria deserves a full debate in Congress before America commits itself to a course of action with such potentially huge consequences for our national interests. According to published press reports, the administration has indicated it does not intend to seek congressional approval before shipping arms to the Free Syrian Army—at a time, I would note with some irony, when the United States still officially recognizes the Asad government.

The Foreign Relations Committee has done its work here, and I commend Chairman MENENDEZ. We have had hearings, we have held a debate and a vote on a resolution, but now that the President has announced these new steps, it is incumbent upon the full Senate to ask questions of the administration's short-term and long-term goals, and to debate the consequences of American intervention fully. This is serious business, and the American public deserves a full debate.

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

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

The assistant bill clerk proceeded to call the roll.

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

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

Mr. MCCAIN. I ask unanimous consent to address the Senate as if in morning business.

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

Mr. MCCAIN. I thank the Presiding Officer for these few extra minutes. I intend to speak until 12:45.

There is a lot to say about the immigration bill, and obviously there are amendments that are pending.

One, the Thune amendment would delay the process of bringing people out of the shadows until 350 miles of double-layer fencing is complete. This could have the impact of delaying the process for years. I note with some interest that the Senator from Texas, Senator CORNYN, believes there is no more fencing required in the State of Texas.

Fencing is important. Surveillance is more important. This bill alone as presently written includes $1.5 billion of fencing for the southern border as a trigger to begin adjustment of status for those in RPI status, but it doesn't arbitrarily dictate the number of miles of double-layer fencing that should be built. I think we should leave that to the best judgment of the Border Patrol.

I would point out that back in 2007, the Senators from Texas added an amendment to an appropriations bill that said: If the Secretary determines the use or placement of resources is not the most appropriate means to achieve and maintain operational control over the international border. We currently have 352 miles of pedestrian fencing, 298 miles of vehicle fencing along the southern border, which is where the Border Patrol said it is most effective.

The Vitter amendment has the same limitations. We agree, and in the bill an exit-entry system is created. The bill mandates that before anyone receives a green card, an entry-exit system must be in place in all air and sea capabilities.

I want to remind my colleagues who keep referring back to 1986—and I was around at that time—there was no real provision for border security there. There are provisions here. And I want to emphasize that we know exactly from the Border Patrol the technology that is needed in each sector in order to get 90-percent effective control of the border and 100-percent situational awareness, and these are detailed in important technology—which is the real answer to border security.

I am absolutely confident that with the implementation of this technology-based border security system, we can absolutely guarantee the American people—but, more importantly, the head of the Border Patrol—I will have a statement from him early this afternoon, and he will say that if we implement the technology—which they gave us the detailed list of—he is confident we can have 90-percent effective control of our border and 100-percent situational awareness.

I hope my colleagues who are concerned about border security—and legitimately they are—will pay attention to the statement of the head of the Border Patrol who says unequivocally that if we adapt these specific enforcement capabilities and technology, we will be able to have control of our border. That is an important item in this debate and it is incredible detail.

Also in this legislation we need to give them the flexibility where there is the improved technology, et cetera. We do need more people to facilitate movement across our ports of entry, but we have 21,000 Border Patrol. Today, on the Arizona-Mexico border there are people sitting in vehicles in 120-degree heat. In 1986, we had 4,000 Border Patrol. We now have 21,000. What we need is the technology that has been developed in the intervening years.

I would be more than happy to say to my colleagues that if we have a provision that this strategy must be implemented and is providing 90-percent effective border control, that would serve as a trigger.

I hope my colleagues will reject the pending Vitter and Thune amendments and we will move on with the legislative process.

Mr. President, I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:43 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—Continued

The PRESIDING OFFICER. Under the previous order, the time until 3 p.m. will be equally divided and controlled between the two leaders or their designees for debate on the pending amendments.

The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I come to the floor today to ask my colleagues to join us in supporting the historic comprehensive immigration bill that is before us today.

We worked hard on the Judiciary Committee to craft a strong bipartisan bill that bolsters our economy, secures our borders and promotes opportunity for both businesses and families.

I thank all of those involved in the original bill—Senators SCHUMER, MCCAIN, DURBIN, GRAHAM, MENENDEZ, RUBIO, BENNET and FLAKE. I thank the members of the Judiciary Committee who all had a hand in changes to the bill. And I specifically want to thank Senator HATCH who worked with me on the I-Squared—Immigration Innovation—bill. The bill on the floor today contains many of the provisions from I-Squared that encourage more American innovation.

As you know, we passed this comprehensive immigration bill out of committee on a bipartisan vote of 13 to 5 and I am hopeful we can build that same kind of broad-based support on the Senate floor.

This is not going to be simple. It is not going to be easy. But the most important thing—the reason I am optimistic we can get something done—is the fact that we are all coming at this from the same basic starting point:

Democrats and Republicans, Senators from border States and Senators from inland States, we can all agree on this: Our current immigration system is broken. And changes must be made.

The question now is how those changes should come about, and that is

why we are having this debate—to find that common ground and pass a bill that is ultimately stronger because it reflects the needs and priorities of both parties and all regions of the country.

Passing comprehensive immigration reform will be a vital step forward for our country. It will be vital to our immigrant communities, who have been separated from their families for too long. It will be vital to our security. And it will be vital to our economy, to strengthening our workforce, addressing our long-term fiscal challenges and promoting innovation.

There are many strong and compelling arguments for immigration reform, but let me begin with the economic impact on our businesses and major industries.

Minnesota is a big agriculture State, just like the State of Wisconsin, Madam President, and I can't tell you how many farmers and agricultural businesses I have heard from who tell me they rely on migrant workers and other immigrants to keep their operations going. I have heard it from high-tech startups, too, as well as big technology companies like 3M, St. Jude and Medtronic. I have heard it from the homebuilders and hospitals and health care providers.

These businesses represent a vast range of industries and interests. But when it comes to immigration reform, they all agree: It is critical to their operations, and it is a vital engine for growth and innovation.

In fact, history shows that immigrants have helped America lead the world in innovation and entrepreneurship for generations:

More than 30 percent of U.S. Nobel Laureates were born in other countries. Ninety of the Fortune 500 companies were started by immigrants, and 200 were started by immigrants or their children, including 3M, Medtronic, and Hormel in Minnesota.

Workers, inventors, scientists and researchers from around the world have built America. And in an increasingly global economy, they are a big part of keeping our country competitive today.

If we want to continue to be a country that thinks, invents and exports to the world, then we can not afford to shut out the world's talent. It doesn't make sense to educate tomorrow's inventors and then send them back home, so they can start the next Google in India or France.

That's why I introduced the I-Squared Act with Senator HATCH to make much needed reforms to allow our companies to bring in the engineers and scientists they need to compete on the world stage.

One of the things that bill would do is increase fees on employment-based green cards, so that we can also reinvest in or own homegrown innovation pipeline by funding more science, technology, engineering and math initiatives in our schools.

In my State the unemployment rate is at 5.4 percent. We actually have job openings for engineers, we have job openings for welders, and we want those jobs to be filled from kids who go to the University of Minnesota. We want those jobs filled by kids who get a degree at a tech school in Minnesota. But right now we have openings and we have to do a combination of things. We have to be educating our own kids and making sure if there is a doctor coming from another country who is willing to study at the University of Minnesota or in Rochester, MN, and then wants to do his or her residency right in America in an underserved area in a place such as inner-city Minneapolis or a place such as Deep River Falls, MN, we let them do that residency or internship there instead of sending them packing to their own country.

Much of the legislation that was in the I-Squared bill, as I mentioned, is included right here in the bill we are considering. The health care leaders' provision I mentioned originally, called the Conrad 30 bill, something I worked on with Senator HEITKAMP and Senator MORAN and others—that is also in this bill.

Here's something else that's just good sense: Bringing the roughly 11 million undocumented immigrants out of the shadows.

Immigrants who are ''off the grid'' can not demand fair pay or benefits, and there are those who seek to take advantage of that. It's a bad thing for the American workers whose wages are undercut. And it's a bad thing for the American families whose undocumented relatives are being exploited.

In addition to the economic implications, having millions of undocumented people living in our country poses a serious threat to both our national security and public safety.

This bill takes the only rational and feasible approach to bringing these people out of the shadows, by creating a fair, tough and accountable path to citizenship for those who have entered the country illegally or overstayed their visas.

It's not an easy path. You have to pay fines, stay employed, pass a background check, go to the back of the line, learn English and wait at least 13 years to become a citizen.

And if you have committed a felony or three misdemeanors, you're not eligible. You have to go back to your home country.

Keep in mind, none of these steps towards citizenship would even begin until we had done what is necessary to secure our borders.

This bill immediately appropriates $4.5 billion towards adding more border patrol agents, more fencing, and more technologies like aerial surveillance to prevent illegal crossings over the southern border. That is money that is being committed today, not a promise for future spending or something dependent on future Congresses. That money will be spent to make our border more secure.

I think it is important to recognize that these new efforts would come on top of all the progress we have already made in recent years. Some estimates show that net illegal migration over the Mexican border is actually negative—meaning more people are going back or being sent back to Mexico than are coming here illegally. We have seen a sea change over the last few years and much of it, of course, is because of enforcement efforts going on, many funded by this Congress.

But preventing illegal immigration isn't just about stopping people at the border. It's also about removing the incentive for people to come here illegally in the first place.

The way we do that is by requiring employers to start using the E-Verify system, so they can check whether or not a person is authorized to work in this country. And to ensure the smoothest possible transition, we do it over a 5-year phase-in period based on the size and type of the company. So smaller companies, farmers—those who find it harder to use the system, they will go later.

I believe our compromise on the workplace enforcement issue is a good one, and it's reflective of the bi-partisan, balanced approach that this bill takes overall, on so many other complex issues.

The economic and security arguments for reform are compelling. But we know there is so much more to this.

This is about maintaining America's role as a beacon for hope and justice in the world, particularly for those seeking refuge and asylum.

This is something we know a lot about in Minnesota, where we have always opened our arms to people fleeing violence in their home countries. Minnesota is home to the largest Somali population in North America and the second largest Hmong population in the United States. We actually have the first Hmong woman legislator, Mee Moua. We are better off because of the incredible diversity and entrepreneurial spirit these people have brought to our state.

We are proud of the work these people have done. We know and we believe we are better off because of the incredible diversity and entrepreneurial spirit these people have brought to our State from other countries.

Just as we have granted asylum to people fleeing violence in other countries, we must also look after those fleeing violence here at home. That is why I feel so strongly about the need to ensure immigrant victims of domestic violence are not forced to suffer in silence.

The bill we are considering includes two amendments I introduced in the Judiciary Committee that would protect immigrants who are victims of domestic violence and elder abuse. No person who is being abused should be forced to live in fear because they are worried they will lose their immigration status if they speak up. Children should not be forced to live in fear either. So we need to change our laws to ensure that families are not being torn apart by a system that is not only inefficient and expensive, but cruel: 64,500 immigrant parents were separated from their citizen children during the first 6 months of 2010 as a result of deportation. So this bill is about protecting families. It is also about building families.

If I can say one thing about the domestic abuse issue, I cannot tell you how many cases we had when I was prosecutor where in fact the case would come into the office and the victim would be an immigrant. The perpetrator, we would have found, was threatening to get her deported or get her mother deported, if she was illegal, or get her sister deported or a family member deported if she reported it to the police. This bill fixes a lot of that by the way it handles the U visa program as well as other amendments I included, and it makes it easier to prosecute these perpetrators.

As I mentioned, this bill is also about building families. Minnesota leads the country in international adoptions, and I've seen the incredible joy an adopted child from another country can bring to a new mom or dad. That's why I have introduced with Senators COATS and LANDRIEU a set of amendments to improve our system for international adoptions, so that more children can find a loving home here in the United States.

This bill is vital to our economy and to our national security, but most importantly it is vital to maintaining America's remarkable heritage as a nation of immigrants.

I am myself here because of Slovenian and Swiss immigrants. My grandpa on my dad's side worked 1,500 feet underground in the iron-ore mines of Ely, MN. His family came to northern Minnesota in search of work, and the iron ore mines and forests of northern Minnesota seemed the closest thing to home in Slovenia. My grandpa never graduated from high school, but he saved money in a coffee can so my dad could go to college.

My dad earned a journalism degree from the University of Minnesota and was a newspaper reporter and longtime columnist for the Star Tribune. My mom was a teacher and she taught second grade until she was 70 years old. Her parents came from Switzerland to Milwaukee where my great grandma ran a cheese shop. The Depression was hard on their family and out of work for several years, my grandpa made and sold miniature Swiss chalets made out of little pieces of wood.

So I stand here today on the shoulders of immigrants, the granddaughter and great-granddaughter of iron ore miners and cheese-makers and craftsmen, the daughter of a teacher and newspaper man . . . and the first woman elected to the Senate from the State of Minnesota.

It could not have been possible in a country that didn't believe in hard work, fair play and the promise of opportunity. It could not have been possible in a country that didn't open its arms to the risk-takers, pilgrims and pioneers of the world.

So this is a very special and enduring part of the American story. And we need to be sure it continues for future generations in a way that is fair, efficient and legal.

Passing this bill is important to our economy. It is important to our global competitiveness. It is important to our national security. And it is important millions of families throughout the U.S. who want to come here and live that dream my grandparents and great grandparents lived.

It's too important for us not to act. To my colleagues, join us in passing this bill. Let's get it done.

I yield the floor.

Madam President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. HIRONO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. HIRONO. Madam President, I believe we must fix the immigration bill to make it fairer for women. The bill proposes a new merit-based point system for allocating green cards to future immigrants. Simply put, the point system makes it harder for women than for men to come to this country. The theory behind the merit system is that we should give immigration preferences to people who hold advanced degrees or work in high-skilled jobs. This idea ignores the discrimination women endure in other countries.

Too many women overseas do not have the same educational or career advancement opportunities available to men in those countries. In practice, the bill's new point system takes that inequitable treatment abroad and cements it into our immigration laws. This bill reduces the opportunities for immigrants to come under the family-based green card system.

Currently, approximately 70 percent of immigrant women come to this country through the family-based system. This legislation increases the amount of employment-based visas. This bill basically moves us away from the family-based system and into economic considerations. There is nothing wrong with that, but we should be fair to women while we are doing it. The immigration avenues favor men over women by nearly a 4-to-1 margin.

Using the past as our guide, it is easy to see how the new merit-based system, with heavy emphasis on factors such as education and experience, will disadvantage women who apply for green card status. We all want a stronger economy, but we should not sacrifice the hard-won victories of the women's equality movement to get it. Ensuring that women have an equal opportunity to come here is not an abstract policy cause to me.

When I was a young girl, my mother brought my brothers and me to this country in order to escape an abusive marriage. My life would be completely different if my mother was not able to take on that courageous journey. I want women similar to her—women who don't have the opportunities to succeed in their own countries—to be able to build a better life for themselves here. These disparities in the immigration bill are fixable.

Later this week a number of my female Senate colleagues and I will introduce a proposal that will address the disparities in the new merit-based system. Let's improve immigration reform to make this bill better for women who deserve a fair shake in our green card system.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SESSIONS. Madam President, coming up, we will be voting on some amendments. I just want to share a few thoughts as we gather in advance of that. One of the comments made earlier by one of our good Senators indicated a belief that this immigration bill is going to raise the salaries of American workers. I think that is what was said. I have to point out that is not accurate.

This is a very serious issue we are confronting. This legislation does the opposite of what was said and creates an unprecedented flow of new workers into America—the likes of which we have not seen before—and it will have a direct result of depressing job opportunities and wages of American citizens. It will affect immigrants who are legally here and also looking for work. It will impact the wages of African Americans, Hispanics, and any other group in America.

Here is the reason why: Under our current law, the legal flow of persons

to America would be 1 million a year, and that is the largest of any country in the world. Over 10 years, that will rise to 10 million people. At this point, we now have 11 million immigrants here, plus a backlog of approximately 5 million more immigrants, which will total approximately 15 million people who would be legalized in very short order under this legislation.

Some say, well, they are already working here, so there is not a problem on employment. But many of those workers are in the shadows, underemployed, maybe working part-time in restaurants or other places, and all of a sudden they will be given legal status. At that point, they will be able to apply for any job in America. This will be good for them, but the question is, Is it our duty to give our first responsibility to those who have entered illegally? Don't we have a responsibility to consider how it will impact people who are unemployed today and are out looking for work?

Since 1999, we know wages have dropped as much as 8 percent to 9 percent. Wages are declining, not going up in America today. One of the big reasons, according to Professor Borjas at Harvard, is that the flow of labor from abroad creates an excess of labor and that causes wages to decline. It is just a fact, and that is the way that works.

In addition to that, we have our current law that allows temporary workers and guest workers who come for a period of time, and then they can work. What happens to that flow of workers today? They will double the number of people who will be coming in as temporary workers. Everyone has to understand that many of them come for 3 years with their family after which they can reup for another 3 years. They also compete for a limited number of jobs that legal immigrants would be competing for as well as citizens would be competing for.

So there is this bubble of 15 million that is accepted at once and a doubling of the current flow of nonimmigrants. In addition to that, the annual immigrant flow into our country will increase at least 50 percent. It could be more than that. So that would go from 1 million a year to 1.5 million a year. Over 10 years, that is 15 million.

There are 300 million people in this country, and as elected officials, they are our primary responsibility. If this legislation were to pass—the 8,000 pages in this bill—it would allow 30 million people to be placed on a permanent path to citizenship over this 10-year period, and that is well above what would normally be 10 million people. In addition to that, the flow of so-called temporary guest workers will be double what the current rate is.

Madam President, how much time is there on this side?

The PRESIDING OFFICER. The Senator has 17 minutes.

Mr. SESSIONS. Madam President, I ask to be notified in 5 minutes.

I believe Senator VITTER's airplane has been delayed. His amendment is projected to come up. I don't know if it will be called up if he is not able to get back.

He has an excellent amendment that deals with a fundamentally flawed part of our immigration system that the bill before us makes worse, not better. It absolutely and indisputably does make it better.

This is the current situation: Six times Congress in the last 10 or 15 years has passed legislation to require an entry-exit visa system. It is required that it be biometric. In other words, it would require fingerprints or something like that. Normally, fingerprints would be utilized.

People are fingerprinted when they come into the country. It goes into the system, but we are not checking when anybody leaves. People legally come on a visa, and they leave. Because we don't use a system when people leave the country, nobody knows whether they left. Forty percent of the people who enter the country illegally are coming through visa overstays. They get a legal visa, and they just don't leave. People don't even know if they left because they are not clocked out.

The 9/11 Commission said this is wrong. We need a biometric entry and exit system at land, sea, and airports.

What does this bill do? It eliminates that language that is already in law, passed by Congress, and inexplicably has never been carried out. The bill merely requires a biographic or electronic exit system. It does not require a fingerprint-type exit system. Not only that, it only requires it at air and seaports, not the land ports. The 9/11 Commission said that would not work because people come in all the time by air and leave by land, so we cannot rely on it. It will not establish the right integrity to know whether somebody overstayed. That makes perfect sense.

Senator VITTER attempts to address that. He suggests that we have an integrated biometric entry-exit system operating and functioning at every land, air, and seaport—not just air and sea—prior to the processing of any application for legal status pursuant to the original biometric exit law, the 2004 Intelligence Reform Act, recommendations. That is what the current law says.

In addition to that, before the implementation of any program granting temporary legal status, the Department of Homeland Security Secretary must submit written certification of the deployment of the system which will then be fast-tracked and approved through streamlined House and Senate procedures. This amendment is added to the current bill, and it will be effective in accomplishing what we need. In other words, it has a little trigger that says they don't get their legal status until the government does what they have been directed to do by Congress for over 10 years and have failed to do.

We have had a pilot test at the Atlanta airport, for example, where people go to the airport, catch a plane back home to England, Jordan, India or wherever they go, put their fingerprints on a machine, and it reads them as they go through the airport. What they found was that out of 29,744 people in that pilot test, 175 were on the watch list for terrorism or warrants were out for their arrest or other serious charges were against them. They were able to identify them before they fled or left the country, and that is what the whole system was about.

They found it didn't slow down the airport and that it didn't cost nearly what people are saying it will cost. Some have said it would be $25 billion, and that is totally inaccurate. According to this report, it will not cost anything like that. Police officers have fingerprint reading machines in their automobiles. You can go by there, put your fingers on there to read your print, and if you have a warrant out for arrest for murder or drug dealing or terrorism, you get apprehended.

They recently caught a terrorist—actually from Alabama—and prosecuted him in Alabama. He was trying to get on a plane in Atlanta.

The PRESIDING OFFICER. The Senator has consumed 5 minutes.

Mr. SESSIONS. I thank the Chair, reserve the remainder of my time, and yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Madam President, let me congratulate the Gang of 8 for their assiduous work on this immigration bill, as well as Senator PAT LEAHY, the chairman of the committee, for doing a lot of good work.

There is much in this bill I support. I support the pathway to citizenship. I support the DREAM Act. I support providing legal status to the foreign workers who are working in agriculture. We have to have strong border security. I support that effort.

Let me tell my colleagues what I do not support. What I do not support is that at a time when nearly 14 percent of Americans do not have a full-time job, at a time when youth unemployment is somewhere around 16 percent and kids from California to Maine are desperately seeking employment, I do not support the huge expansion in the guest worker program that will allow hundreds of thousands of entry-level guest workers to come into this country.

This is important for at least two reasons. We have kids all over America who are wondering how they are going to afford to be able to go to college. Many of these young people are going out looking for summer jobs, looking

for part-time jobs in order to help them pay for college. That is terribly important. We should not pass legislation which makes it harder for young people to get jobs in order to put away a few bucks to help pay for college.

Then there is another group of people, and those are young people whom we don't talk about enough. Not everybody in America is going to college. There are millions of young people who graduate high school and want to go out and start their careers and make some money and move up the ladder. There are others who have dropped out of high school. We cannot turn our backs on those young people. They need jobs as well. If young people—young high school graduates, for example—are unable to find entry-level jobs, how will they ever be able to develop the skills, the experience, and the confidence they need to break into the job market? And if they don't get those skills—if they don't get those jobs and that income—there is a very strong possibility they may end up in antisocial or self-destructive activities.

Right now, on street corners all over this country, there are kids who have nothing to do. And what are they doing when they stand on street corners? What they are doing is getting into drugs, they are getting into crime, they are getting into self-destructive activity. We already have too many young people in this country using drugs. We already have too many young people involved in criminal activity. As a nation, we have more people in jail than any other country on Earth, including China. Let's put our young people into jobs, not into jails.

As I have heard on this floor time and time again, the best antipoverty program is a paycheck. Well, let's give the young people of this country a paycheck. Let's put them to work. Let's give them at least the entry-level jobs they need in order to earn some income today, but even more importantly, let's allow them to gain the job skills they need so they know what an honest day's work is about and can move up the economic ladder and get better jobs in the future.

At a time when poverty in this country remains at an almost 50-year high, and when unemployment among young people is extremely high, I worry deeply that we are creating a permanent underclass—a large number of people who are poorly educated and who have limited or no job skills. This is an issue we must address and must address now. Either we make a serious effort to find jobs for our young people now or we are going to pay later in terms of increased crime and the cost of incarceration.

Now, why is this issue of youth unemployment relevant to the debate we are having on immigration reform? The answer is obvious to anyone who has read the bill. This immigration reform legislation increases youth unemployment by bringing into this country, through the J–1 program and the H–2B program, hundreds of thousands of low-skilled, entry-level workers who are taking the jobs young Americans need. At a time when youth unemployment in this country is over 16 percent and the teen unemployment rate is over 25 percent, many of the jobs that used to be done by young Americans are now being performed by foreign college students through the J–1 summer work travel program.

Other entry-level foreign workers come into this country through the H–2B guest worker program. We have heard a lot of discussion about high-tech workers and how they can create jobs and all that. That is an issue for another discussion. Right now, what we are talking about is hundreds of thousands of foreign workers coming into this country not to do great scientific work, not as great entrepreneurs to start businesses, not as Ph.D. engineers, but as waiters and waitresses, kitchen help, lifeguards, front desk workers at hotels and resorts, ski instructors, cooks, chefs, chambermaids, landscapers, parking lot attendants, cashiers, security guards, and many other entry-level jobs.

Does it really make sense to anyone when so many of our kids are desperately looking for a way to earn an honest living that we say to those kids: Sorry, you have to get to the back of the line because we are bringing in hundreds of thousands of foreign workers to do the jobs you can do tomorrow?

The J–1 program for foreign college students is supposed to be used as a cultural exchange program—a program to bring young people into this country to learn about our customs and to support international cooperation and understanding. That is why it is administered by the State Department. But instead of doing that, this J–1 program has morphed into a low-wage jobs program to allow corporations such as McDonald's, Dunkin Donuts, Disney World, Hershey's, and many other major resorts around the country to replace American workers with cheap labor from overseas.

Each and every year companies from all over this country are hiring more than 100,000 foreign college students in low-wage jobs through the J–1 summer work travel program. Unlike other guest worker programs, the J–1 program does not even require businesses to recruit or advertise for American workers. What they can do is pay minimum wage. They don't have to advertise for American workers. And guess what. For the foreign worker, they do not have to pay Social Security tax, they don't have to pay Medicare tax, and they don't have to pay unemployment tax. So, essentially, we are creating a situation where it is absolutely advantageous for an employer to hire a foreign worker rather than an American worker.

So what I have done is introduced two pieces of legislation to address this issue. No. 1 basically says while I strongly support cultural programs—bringing young people here from abroad is a great idea—at this moment, with high unemployment, we cannot have those people competing with young Americans for a scarce number of jobs. So we eliminate the employment element of the J–1 program.

The second bill says if we can't do that—and I hope we can—at the very least we need a jobs program for American kids, not just a summer jobs program but a yearlong jobs program. Let's not turn our backs on kids who want to get into the labor market, who want to develop a career. They need something in the summertime, they need something year round, and we have introduced legislation to do just that.

My time has expired. I yield my time, if he wants it, to Senator GRASSLEY.

The PRESIDING OFFICER. The Senator from Iowa.

AMENDMENT NO. 1197

Mr. GRASSLEY. Madam President, we will soon be voting on the Thune amendment, and I rise to speak in support of the Thune amendment.

The Thune amendment would strengthen the bill and beef up the triggers that precede the legalization program.

The Thune amendment would ensure that current law regarding double-layer fencing is implemented.

Over the years, administration after administration—and not just Democrat or just Republican but both—has failed to enforce the laws on the books. The American people don't want more laws that will simply be ignored, they want the laws on the books to be enforced. This amendment offered by Senator THUNE would ensure that the border is more secure before any legalization program is carried out.

In a new CNN poll released just today, 36 percent of those polled said they favored a path to citizenship for people who have come to this country undocumented. But 62 percent of those polled said it is more important to increase border security to reduce or eliminate the number of immigrants coming into the country without permission from our government. So if we stand with the American people, and if we want the border secured, we will vote for the Thune amendment.

It is this simple: When issues come up in my town meetings in my State of Iowa and people are asking what is going on with immigration, and we sit down and try to explain to the people how this bill is moving along or what it might include, invariably there are a lot of people in the audience who say we don't need more legislation, we need to have the laws on the books enforced.

I think this is backed up by this poll we have heard about from CNN today.

In addition to that, I think it very much clarifies that people want the laws on the books enforced. But, more importantly, they expect people who take an oath to uphold the Constitution and the laws would actually carry out the laws they are elected to carry out. So I hope my colleagues will vote for the Thune amendment.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Under the previous order, the question is on agreeing to amendment No. 1197, offered by the Senator from South Dakota, Mr. THUNE.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Iowa (Mr. HARKIN), and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Alabama (Mr. SHELBY), and the Senator from Mississippi (Mr. WICKER).

The PRESIDING OFFICER (Mr. MANCHIN). Are there any other Senators in the chamber desiring to vote?

The result was announced—yeas 39, nays 54, as follows:

[Rollcall Vote No. 151 Leg.]

YEAS—39

Alexander	Crapo	Manchin
Ayotte	Cruz	McConnell
Barrasso	Enzi	Moran
Blunt	Fischer	Paul
Boozman	Grassley	Portman
Burr	Hatch	Pryor
Chambliss	Heller	Risch
Chiesa	Hoeven	Roberts
Coats	Isakson	Scott
Coburn	Johanns	Sessions
Collins	Johnson (WI)	Thune
Corker	Kirk	Toomey
Cornyn	Lee	Vitter

NAYS—54

Baldwin	Casey	Heinrich
Baucus	Coons	Heitkamp
Begich	Cowan	Hirono
Bennet	Donnelly	Johnson (SD)
Blumenthal	Durbin	Kaine
Boxer	Flake	King
Brown	Franken	Klobuchar
Cantwell	Gillibrand	Landrieu
Cardin	Graham	Leahy
Carper	Hagan	Levin
McCain	Reed	Stabenow
McCaskill	Reid	Tester
Menendez	Rockefeller	Udall (CO)
Merkley	Rubio	Udall (NM)
Murkowski	Sanders	Warner
Murphy	Schatz	Warren
Murray	Schumer	Whitehouse
Nelson	Shaheen	Wyden

NOT VOTING—7

Cochran	Inhofe	Wicker
Feinstein	Mikulski	
Harkin	Shelby	

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

The Senator from Vermont.

Mr. LEAHY. I yield to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

AMENDMENT NO. 1222

Ms. LANDRIEU. Mr. President, I offer this amendment. It is a technical amendment, three technical but important changes to the Child Citizenship Act of 2000. Senator COATS, Senator BLUNT, and Senator KLOBUCHAR have helped lead this effort. I have explained it numerous times on the floor. I think the leaders have agreed on a voice vote.

Mr. LEAHY. Mr. President, I have spoken with the distinguished ranking member, Mr. GRASSLEY. I understand we are able to agree to the Landrieu amendment by voice vote.

I ask unanimous consent that the 60-vote threshold with respect to the Landrieu amendment be waived.

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

Mr. LEAHY. Mr. President, I urge the question.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 1222) was agreed to.

AMENDMENT NO. 1228

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on amendment No. 1228 offered by the Senator from Louisiana, Mr. VITTER.

The Senator from Vermont.

Mr. LEAHY. Before we do that, I wish to remind everybody the next vote will be a 10-minute vote.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, this amendment is very simple but it is important. It would finally demand and require execution and enforcement of the so-called US-VISIT system, an entry-exit system to catch visa overstays. This system was first mandated by Congress in 1996. We have had six additional votes by Congress demanding it then. The 9/11 terrorists were visa overstays. As a result, this system was strongly recommended, one of the top recommendations of the 9/11 Commission. We must put this in place as we act on immigration. This amendment would get that done.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. I agree that we need to better track visa overstays. But a fully biometric entry-exit system at all air, sea, and land ports of entry is the kind of unrealistic trigger we can't adopt. Implementation of this amendment would be prohibitively expensive and cause all kinds of delays.

In the Judiciary Committee we adopted an amendment offered by Senator HATCH which presents a more reasonable approach.

I would urge a ''no'' vote on this amendment.

I ask for the yeas and nays.

Mr. VITTER. Mr. President, may I inquire how much time is remaining?

The PRESIDING OFFICER. The Senator has 9 seconds remaining.

Mr. VITTER. Mr. President, we have talked about this since 1996 and 9/11 happened. When are we going to do it if not now?

I urge support of the amendment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN) and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Alabama (Mr. SHELBY), and the Senator from Mississippi (Mr. WICKER).

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

The result was announced—yeas 36, nays 58, as follows:

[Rollcall Vote No. 152 Leg.]

YEAS—36

Alexander	Cruz	McConnell
Barrasso	Enzi	Moran
Blunt	Fischer	Paul
Boozman	Grassley	Portman
Burr	Hatch	Pryor
Chambliss	Heller	Risch
Chiesa	Hoeven	Roberts
Coats	Isakson	Scott
Coburn	Johanns	Sessions
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter

NAYS—58

Ayotte	Carper	Gillibrand
Baldwin	Casey	Graham
Baucus	Collins	Hagan
Begich	Coons	Heinrich
Bennet	Cowan	Heitkamp
Blumenthal	Donnelly	Hirono
Boxer	Durbin	Johnson (SD)
Brown	Feinstein	Kaine
Cantwell	Flake	King
Cardin	Franken	Klobuchar

Landrieu	Murray	Stabenow
Leahy	Nelson	Tester
Levin	Reed	Udall (CO)
Manchin	Reid	Udall (NM)
McCain	Rockefeller	Warner
McCaskill	Rubio	Warren
Menendez	Sanders	Whitehouse
Merkley	Schatz	Wyden
Murkowski	Schumer	
Murphy	Shaheen	

NOT VOTING—6

Cochran	Inhofe	Shelby
Harkin	Mikulski	Wicker

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. LEAHY. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1198

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to the vote on amendment No. 1198, offered by the Senator from Montana.

Mr. TESTER. Mr. President, this amendment will include the tribal representatives on the DHS Border Task Force.

In this country within 100 miles of the border we have 13 Indian reservations, some of them right on the border. If we are going to make sure the borders are secure in the north and the south, Indians need to be a part of the conversation, our Native American friends. They have a unique government-to-government status. As I said before, their input is critically important.

This amendment would not be costing anything, has bipartisan support, and it will add tribal representatives—two on the north and two on the southern region—to the Department of Homeland Security Border Task Force. I encourage a ''yea'' vote on this amendment.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I have no problems with this amendment. It ensures that tribal communities are represented.

The bill's task force is a new and independent entity designed to provide recommendations about immigration and border security. Mr. TESTER is adding four additional members to the task force to ensure that the tribes are represented; however, this amendment does not fundamentally change the bill.

There is no opposition to making sure that the tribes have a voice in policy. Of course, this task force doesn't have any real power, it only makes recommendations. The Secretary isn't required to address their concerns or enact their recommendations. Too often, the Secretary does not take into consideration our recommendations. Even now she has a hard time implementing laws.

So, again, while the amendment is noncontroversial, Members should know this task force is a figleaf for actual border security.

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN) and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Alabama (Mr. SHELBY), and the Senator from Mississippi (Mr. WICKER).

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

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 153 Leg.]

YEAS—94

Alexander	Fischer	Murkowski
Ayotte	Flake	Murphy
Baldwin	Franken	Murray
Barrasso	Gillibrand	Nelson
Baucus	Graham	Paul
Begich	Grassley	Portman
Bennet	Hagan	Pryor
Blumenthal	Hatch	Reed
Blunt	Heinrich	Reid
Boozman	Heitkamp	Risch
Boxer	Heller	Roberts
Brown	Hirono	Rockefeller
Burr	Hoeven	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johnson (WI)	Schumer
Casey	Johnson (SD)	Scott
Chambliss	Kaine	Sessions
Chiesa	King	Shaheen
Coats	Kirk	Stabenow
Coburn	Klobuchar	Tester
Collins	Landrieu	Thune
Coons	Leahy	Toomey
Corker	Lee	Udall (CO)
Cornyn	Levin	Udall (NM)
Cowan	Manchin	Vitter
Crapo	McCain	Warner
Cruz	McCaskill	Warren
Donnelly	McConnell	Whitehouse
Durbin	Menendez	Wyden
Enzi	Merkley	
Feinstein	Moran	

NOT VOTING—6

Cochran	Inhofe	Shelby
Harkin	Mikulski	Wicker

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

Mr. LEAHY. I move to reconsider the vote and lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEAHY. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. I am here to speak to what is a historic debate here on the floor of the Senate; that is, the debate we are having with regard to comprehensive immigration reform. We have a major opportunity here in the Congress to finally pass meaningful, strong, bipartisan legislation. Immigration reform is something Congress has grappled with in fits and starts for over a decade. In fact, I remember the summer 7 or 8 years ago when this Senate came very close to passing comprehensive immigration reform and fell just short of that goal.

Today the need to act has become imperative. We cannot ignore it. There are constituents in Colorado from across the spectrum who are hardworking. They are small business owners, religious leaders, farmers, and citizens. They believe that now is the time.

If we look at our economy, it is beginning to gain strength. Our economy is beginning to get its legs under it. Our economy also needs the labor market certainty that would come from immigration reform. So let's seize this opportunity to pass commonsense legislation that our constituents expect.

I am looking right over the dais. Above the dais, I see ''e pluribus unum,'' which translates to ''out of many, one.'' That is a simple motto which is engraved in this great Senate Chamber, and it is one of the daily reminders that we are a nation of immigrants. Throughout our history, millions of immigrants—including my ancestors and the Presiding Officer's—braved hardship and great risks to come here. Why was that? They sought freedom, opportunity, and a better life for their families. Today's immigrants, in that same spirit, continue to brave great risks and hardships to obtain the American dream.

We have heard from fellow Americans who are opposed to fixing our broken system. There are those among us who unfortunately see immigrants as a burden on our country or want to enact overly punitive measures to punish undocumented immigrants. I ask that they remember that our country was built and forged by immigrants whose blood and sweat built the America we know today.

To oppose this legislation, with all due respect, is to deny the promise our ancestors and even the Framers expected us to extend to those outside our borders. Yes, we are a nation of laws, and we don't take lightly the violation of our laws, but we are also a nation that welcomes foreigners who want to build the American dream.

I would like to challenge my colleagues to remember that we are a better, stronger country because of our immigrants whose first glimpse of America was the Statue of Liberty emblazoned with the words of poet Emma Lazarus:

Give me your tired, your poor, your huddled masses yearning to breathe free.

Our country and our economy were built from the ground up by the hard work and ingenuity of immigrants and their families. In recent years, one in four of America's new small business owners has been an immigrant. One in four high-tech startups in America was founded by immigrants. And 40 percent of Fortune 500 companies—when they started—were created by first- or second-generation immigrants. If we look at our system today, unfortunately, because it is broken, it has made it harder for would-be business owners as I just described to create jobs and help spur our Nation's economic development.

Let me give another example. Right now our system invites the best and brightest from all over the world to come and study at our top universities. Once they have the training they need to create a new invention or build a new business—listen to this—our system tells them to go back home. That is not right.

I am pleased, honored, humbled, and a little bit proud that I have worked for years with Coloradans at my side to solve this problem and to make the United States a place where entrepreneurs are encouraged to stay, build businesses, and grow our economy. In that vein, I want to thank the Gang of 8 for their hard work in crafting a bill that is built upon those principles. Entrepreneurs embody the American dream.

Fixing our broken system is about more than businesses and startups; it is principally about families. To say that our current broken immigration system is bad for our families would be an understatement. Thousands of fathers—myself included—gathered with their families this past weekend to celebrate Father's Day. I couldn't help but think of the thousands of fathers our immigration system has separated from their loved ones or the countless fathers living today in Colorado who struggle with the fear every day that they could be separated from their families.

There are fathers like Jorge, who has been living in the United States for 23 years. He is the proud father of four U.S. citizen children, including a U.S. Army corporal. He has been contributing to our economy in Colorado and therefore to the American economy and his community for many years. With immigration reform, Jorge will be able to come out of the shadows, where he will finally be able to realize the American dream without the constant fear of being deported and separated from his children. As I have suggested, unfortunately Jorge's situation is not unique. The fact that our current system has brought us to the place where at any moment thousands of families can be ripped apart is just not right.

This bill would give Jorge and millions of others like him a tough but fair shot at earning legal status and eventually citizenship. Make no mistake. This process will not be without significant cost, and it will not be easy.

Let me explain how I draw that conclusion. In order to get earned legalization, Jorge will have to pass a background check, pay back taxes, penalties, and fees, demonstrate work history, learn English, and go to the back of the line behind others who have also gone through the process. This is a tough but fair road ahead. It is a path negotiated by Senators of both parties and supported by the American people.

Today there are an estimated 11 million undocumented immigrants in the United States. Some cross the border illegally, others have overstayed their visas. Regardless of how they came, the overwhelming majority of these folks, just like Jorge, are trying to earn a living and provide for their families.

There are thousands of immigrants in Colorado who are working in the shadows, where they are vulnerable to exploitive employers paying them less than minimum wage, making them work without overtime, and denying them any of the benefits given to their other employees. That pushes down standards for all workers. What I am saying is that our current immigration system has fostered an underground economy that exploits a cheap source of labor while depressing wages for everyone else.

My conclusion is that this bill will ensure that businesses are all playing by the same set of rules, and it includes tough penalties for businesses that do not. The underlying bill implements an effective employment verification system that will prevent identity theft, the hiring of unauthorized workers, and send a clear message that will help prevent future waves of illegal immigration. It is a commonsense solution. It is the kind of solution I have heard Coloradans ask for.

I will now turn my attention to the border. This legislation contains historic resources and measures to better secure our borders. Last week I heard time and time again: Borders first, borders first. To the Coloradans who expect border security, as I do, I say the best thing we can do for border security is pass a comprehensive immigration reform bill.

We have made significant progress over the past several years. We have put $17 billion in resources into protecting our borders. As a result, illegal border crossings are at their lowest levels in decades. Let's be clear. There is still room for significant improvement, and the strong border security provisions in this bill help us get there. In fact, the underlying bill would be the single biggest commitment to border security in our Nation's history. Why? It would put another $6.5 billion on top of what we are already spending toward stronger, smarter, more innovative security along our borders. It would also direct the Secretary of Homeland Security to submit to Congress a comprehensive border security plan and a southern border fencing strategy. Moreover, the legislation would delay the process of granting legal status to immigrants until the plan and strategy have been deployed, a mandatory employment verification system has been implemented, and an electronic biographic entry-exit system is in place at major airports and seaports.

Finally, this legislation would hold employers more accountable if they knowingly hire undocumented workers. We are saying that no longer will we tolerate an underground market of workers who are illegally employed and many times exploited.

As I begin to close, I would like to turn to a special group of Coloradans who would be helped. This is a group about whom we all should care and about whom I deeply care, and that is our students. I am very pleased and excited that the provisions for the DREAM Act are included in the comprehensive immigration reform bill we are considering.

I have stood alongside a steadfast group of my colleagues as we fought for passage of the DREAM Act for many years. Along the way I have talked to and more importantly listened to countless Colorado students who have looked me in the eyes and asked for their government to help give them status, opportunity, and potential so they can go on to be the next generation of American leaders without the daily fear of deportation. We are talking about thousands of Colorado students who were brought to the United States at a very young age. It wasn't their decision to be brought here, but they came here with their parents. That cohort—literally thousands of these wonderful, enthusiastic, energetic Coloradans—is poised to graduate college or join the military and in the process strengthen our country and grow our economy. Let's do the right thing by the DREAMers.

I say and implore my colleagues, let's not stand in the way of what Americans want and what our economy needs. Our Nation will be stronger when our borders are secure, when employers are held accountable for the workers they have hired, when jobs are filled with qualified and documented workers who contribute to the economy and undocumented workers who are currently here are held accountable and given an opportunity to earn their legal status and then citizenship.

So for my colleagues who are here today and are serious about fixing our broken immigration system, let's actually have a serious debate to improve this legislation. Let's vote on amendments with a sincere intent to really improve this bill. Let's work productively to find a bipartisan solution to

this huge national issue in the same way the Gang of 8 has worked for the past many months.

As I said in my opening remarks, we have a historic opportunity to finally pass comprehensive immigration reform. We have an extraordinary opportunity to show the Senate at its best. Having the opportunity to openly and honestly debate this legislation is one of the many reasons we ran to serve in the Senate in the first place. The public has placed their trust in us to get this right, and we can.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise to present and discuss the next amendment I personally offered which I am going to be bringing to the Senate floor; that is, amendment No. 1330, to prohibit anyone who has been convicted of offenses under the violence against women and children act from gaining legal status under the bill.

I think if we ask the American people if they support the outline that has been presented as the guiding outline for the Gang of 8, the vast majority would say we absolutely support those principles. I would say I support those principles as they were enumerated. The trouble is, in my opinion, when we actually read the bill—and let's remember, particularly as we are in the middle of the debacle of executing ObamaCare, it is important to read the bill, it is important to know what is in the bill—in my opinion, the trouble is when we actually read the bill, it doesn't stand up to those principles. It doesn't match.

One example is the absolute commitment made by the Gang of 8 early on in this process that individuals with a serious or significant criminal background would not get legal status and would be deported. They were very specific about that. In their bipartisan framework for comprehensive immigration reform, which the authors of this bill—the so-called Gang of 8—released in January of this year—they said very specifically:

> Individuals with a serious criminal background or others who pose a threat to our national security will be ineligible for legal status and subject to deportation.

It is very clear.

But then, again, when we actually read the bill, I believe it comes up far short of that. It does not include significant crimes, serious crimes which it should include as a disqualification.

One of the areas I think is the clearest example of that is offenses under the Violence Against Women Act, offenses that have to do with domestic violence, with child abuse. Those are serious violent offenses that every American citizen—particularly women—would certainly consider very consequential, very significant, very serious, undermining their fundamental security.

This Vitter amendment No. 1330, which I will be presenting and getting a vote on later in this debate, is simple. It simply says those criminal offenses, a conviction of any of those criminal offenses under the Violence Against Women Act—we are talking about domestic violence, we are talking about child abuse—are disqualifiers. Nobody can gain legal status if they are convicted of any of those offenses. That is a disqualifier and it is grounds for deportation.

Again, it is very important to read the bill. It is very important that if anything passes here, it actually matches the promises made to the American people, the rhetoric the American people have heard for weeks and months. This is an important area where we need to get it right.

So I hope all of my colleagues, Democrats and Republicans, agree that these are serious offenses. Certainly, everybody seemed to agree in the important discussion about the Violence Against Women Act. Certainly, everybody seemed to agree then that those offenses that are all about domestic violence and child abuse are very serious, very significant, involve or threaten violence, and certainly they should be disqualifiers for a person becoming legalized under this bill and they should be grounds for immediate deportation. I hope this is beyond debate. I hope this amendment, as it should, gets widespread bipartisan support.

I very much look forward to continuing this discussion about amendment No. 1330. I very much look forward to getting the vote it will get because it deserves to get it—and I will demand it—and I very much hope for and look forward to a strong bipartisan vote in support of stopping violence against women, in support of furthering the protections of the Violence Against Women Act.

Thank you. I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Texas.

Mr. CORNYN. Madam President, I know the parties are working on a unanimous consent agreement for the next tranche of amendments to come forward. I expect and hope mine will be one of them, but it is not quite completed yet. So rather than ask for unanimous consent to call up my amendment now, what I would like to do is just talk about it a little bit and explain to my colleagues what is in it.

We call my amendment the RESULTS amendment because it is necessary, because in the current form of the so-called Gang of 8 bill, it does not include any genuine guarantee of border security. My colleagues don't have to take my word for it. All they have to do is take a look at the chart behind me. Senator DURBIN, one of the four Democrats and four Republicans who were responsible for coming up with the so-called Gang of 8 bill, said in January that in that bill, a pathway to citizenship ''would be contingent upon securing the border.'' He said that in January. I think a lot of people took him and others at their word, only to find out otherwise in June, 6 months later—June 2013—when he was quoted as saying that the gang has ''delinked the pathway to citizenship and border enforcement.''

What that means is the underlying bill gives a promise—another hollow, unenforceable promise—and, based upon our experience, I think the American people would be justified in saying they are asking us to trust them at a time when there is a genuine trust deficit with regard to the Federal Government. We have heard too many promises. We want guarantees that these promises will be delivered on, and that is what my amendment is all about.

In the underlying bill, all we have is—first of all, we have a 100-percent situational awareness requirement and a 90-percent apprehension requirement of people who are crossing the border illegally. But all that is required in the underlying bill is the submission of a plan and substantial completion of that plan for which nobody has seen the contents. That is 10 years from now. I don't think anyone would be out of bounds in saying there may be good intentions—people may actually believe what they say, but how can we possibly know that some unwritten plan that is going to be in place 10 years from now will actually be successful in accomplishing the very goals that were set out in the bill?

My amendment is slightly different because it embraces those same standards, including 100 percent situational awareness and 90 percent cross-border apprehensions, and it says a person can't transition from probationary status to legal permanent residency until it is certified that they have accomplished those goals. What that does, simply stated, is—it doesn't punish anything, but it lines up all of the incentives for those of us who want to secure the border and have a border immigration system that actually works and incentives for those for whom a pathway to citizenship is the holy grail; that is what they want more than anything else. So it realigns incentives on the right and the left and gets us in a position where we can actually look the American people in the face and say we have as close as humanly possible a guarantee that these promises will ultimately be kept.

My amendment requires the Secretary of the Department of Homeland Security and the Commissioner of Customs and Border Protection and the Department of Homeland Security inspector general, in consultation with the Government Accountability Office and the Comptroller General, to jointly certify that the following triggers are

met before registered provisional immigrants can adjust to lawful permanent residency or green card status. First, as I said, the Department of Homeland Security has to have achieved and maintained full situational awareness of the entire southern border for not less than 1 year. That means the Department of Homeland Security has the capability to conduct continuous and integrated monitoring, sensing or surveillance of each and every 1-mile segment of the southern border or its immediate vicinity.

Some may say: Full border situational awareness? How are we going to do that? Are we going to link Border Patrol agents arm to arm across a 2,000-mile border? Are we going to just build a fence, as some have advocated, along the 2,000-mile border? The fact is we are going to use the best technology and the best strategy to make sure the resources our U.S. military has deployed in Afghanistan and Iraq and which have been tested along the southern border are available for border control, so that by virtue of radar, eyes in the sky, dirigibles, and unmanned aerial vehicles, a combination of these connected to the sensors on the ground will make sure the Border Patrol knows what is happening along the border when people try to cross and enter illegally. Then it is up to them to hit the 90-percent operational control requirement in both the underlying bill and in my amendment.

The Department of Homeland Security is required to achieve that operational control for not less than 1 year, meaning it has an effectiveness apprehension rate of not less than 90 percent in each and every sector of the southern border.

I saw this morning that Senator MCCAIN said he expects to have a letter from the head of the Border Patrol which states that standard is imminently doable, given the proper resources. So if it is imminently doable, then I would like to suggest, contrary to what the majority leader said a few days ago, that this amendment is not a poison pill. This amendment would give the American people the confidence that we are actually going to do what is technologically feasible and which I believe they have a right to expect if we are going to be generous in the way we treat the 11 million people who are here and provide them not only an opportunity to apply for probation and to work, if they qualify and if they maintain the terms of that probation, but if they are successful, to ultimately apply 10 years hence for legal permanent residency for those who want that and who have played by the rules.

The third trigger in my amendment is one that maintains the underlying provision requiring the Department of Homeland Security to implement an E-Verify system nationwide. The current situation is such that individuals who want to work may have fake documents claiming to be somebody they are not—maybe it is somebody else's Social Security number—in order to get hired. But the employer is not expected to be the police; they are not expected to be able to look behind these documents. We know that massive identity theft and document fraud occur in such a way as to circumvent the efforts to enforce our system and to restore legality into the system when it comes to people who come to this country and want to work here. So that is the third one.

The fourth one, in order to fill a gaping hole in the bill with respect to interior enforcement, the RESULTS amendment requires the Department of Homeland Security to initiate removal proceedings for at least 90 percent of visa overstays who collectively currently account for 40 percent of illegal immigration. I think it surprises a lot of people to learn it is not just our porous borders, it is people who enter the country legally who simply overstay their visa and melt into the great American landscape, unless they happen to get caught for committing a crime of some kind, and they typically are not identified or detained. This is simply unacceptable, and my amendment is designed to guarantee that the Department of Homeland Security will implement a procedure which has been required for 17 years now. President Clinton signed a provision into law requiring a biometric entry and exit system.

When a person enters the country on a foreign visa, they are required to give fingerprints—that is their biometric identifier—but there is no way and no means by which to check whether a person has left the country when their visa has expired. This is designed to deal with that 40-percent source of illegal immigration.

My amendment authorizes the creation of a southern border security commission similar to the one in the underlying bill, but does so in a way that respects the Constitution and federalism.

My amendment removes Washington, DC, appointees from the commission and allows State Governors to immediately begin advising the Department on gaining operational control of the southern border. I think this is very important because while I have heard colleagues here in the Senate who have good intentions—but I think sometimes their only consciousness of what the border may look like is derived from movies they have seen or novels they have read—this requires consultation with the people who know the border communities best, and that is the people who live there and the State Governors who govern States on our U.S.-Mexico border.

My amendment also requires the Secretary of Homeland Security to issue a comprehensive southern border security strategy within 120 days of enactment. People who are listening may say: I thought the Department of Homeland Security already had a southern border security strategy. And if it does not, why in the heck not?

Well, this would compel the Secretary—who, amazingly to most people in my State, when she declared the border is secure, nearly provoked laughter, as much as anything else, because it is patently and demonstrably not true—but this amendment would require such a strategy within 120 days of enactment of the bill and chart a course for achieving and maintaining full situational awareness and operational control of the southern border.

The Secretary would also be required to submit semiannual reports on implementation. This amendment would also streamline and improve the strategy required under the underlying bill. For example, it combines the southern border security strategy and the southern border fencing strategy for administrative clarity and economies of scale.

It also addresses an oversight in the underlying bill by requiring the Department of Homeland Security to develop a strategy to reduce land port of entry wait times by 50 percent in order to facilitate legitimate commerce and encourage lawful cross-border trade.

This is something that is not sufficiently appreciated. Mexico is our third largest trading partner. Six million jobs in America depend on cross-border trade with Mexico. Why in the world would we want to do anything that would make cross-border lawful trade worse? Right now, by failing to update our infrastructure at the ports of entry—and to make sure we have adequate staffing here—there are huge wait lines which prove very useful to the people who want to smuggle drugs and people across the border. So this would have a way of separating the legitimate trade and traffic from the people who are up to no good: the drug dealers, the human traffickers, and the like.

There is a question that has arisen, as you might expect, about how we are going to pay for all this. That is a good question, and it is an important question. My amendment creates a comprehensive immigration reform trust fund similar to that in the underlying bill. Ultimately, the goal is for fees and fines to fund this entire piece of legislation. But my amendment combines all border security funding streams and makes $6.5 billion of these funds available immediately for implementing the southern border security strategy.

The RESULTS amendment increases the number of Border Patrol agents and Customs and Border Protection officers by 5,000 each. Some people have mistakenly said I want to add 10,000 Border Patrol agents to the border on top of the 20,000 who are already there.

Well, that is not entirely accurate. We want 5,000 more because if you have this great technology—which is going to give you eyes in the sky; 100-percent situational awareness—when this technology identifies people trying to cross the border, you have to have somebody to go get them and to detain them. That is why Border Patrol agents are important. In some parts of our 1,200-mile border in Texas alone, there are huge stretches of land that are vulnerable to cross-border traffic. That is why the Rio Grande sector in South Texas is now the single most crossed sector.

The other day, when I was in Brooks County—Falfurrias, TX—the head of the Border Patrol sector in that area told me that in 1 day they had 700 people coming across the border whom they detained. We do not know how many got away, but they did detain 700 people. Madam President, 400 of them came from countries other than Mexico. In other words, Mexico's economy is doing much better, and it is less and less incentive for people to cross into the United States to work if they have a job where they live. But in Central America things are pretty bad right now. So 400 out of the 700 in 1 day came from Central America. Literally people could come from anywhere around the world if they have the money and the determination to penetrate our southern border. So it is important we have increased numbers of Border Patrol agents as well as Customs and Border Protection officers to help facilitate legitimate commerce and to detain people trying to cross illegally.

By the way, the underlying bill already has a provision for additional CBP officers—Customs and Border Protection officers—and my amendment would increase that number by 3,500, and add 5,000 Border Patrol agents to it.

The RESULTS amendment also improves emergency border security resource appropriations by ensuring that deployment decisions are consistent with the comprehensive strategy and not done in a piecemeal, disconnected sort of way. It is important that we have a combination of not only boots on the ground, infrastructure, but also that technology I think we would all agree upon, much of which the American taxpayer has already paid for because it is being deployed by the U.S. military in places such as Afghanistan and Iraq. What we need to do is transfer some of that to the Homeland Security Department—another part of the Federal Government—and to implement it to help provide that situational awareness and enforcement.

My amendment also authorizes $1 billion a year for 6 years—it does not appropriate it; it authorizes it—in emergency port of entry personnel and infrastructure improvements. I already touched on that a moment ago. But the whole idea of the underlying bill is to provide a guest worker program, a legal means to come and work in the United States. The idea is that will allow law enforcement to focus on the bad actors. This has the similar rationale.

The RESULTS amendment further improves the land ports of entry by allowing the General Services Administration to enter into public-private partnerships to improve infrastructure and operations.

This amendment also repurposes the Tucson sector earmark in the underlying bill to the full southern border to help ensure that effective border security prosecutions are increased in every sector, not just in one, in Tucson.

By making improvements to the State Criminal Alien Assistance Program—the so-called SCAAP bill—my amendment would help ensure that State and local governments are swiftly and fully compensated for their assistance in detaining criminal aliens who have been convicted of offenses and who are awaiting trial.

One of the great frustrations in my State—given our common border with Mexico and the failure of the Federal Government to live up to its responsibilities when it comes to border security—is that much of the cost of that is borne by local governments and local taxpayers in counties along the U.S.-Mexico border, particularly when it comes to education, health care, and law enforcement.

This SCAAP provision in my amendment would help make sure that in the law enforcement area State and local law enforcement officials are indemnified and, indeed, encouraged to help cooperate in detaining criminal aliens who have been convicted of offenses and are awaiting trial.

My amendment would also create the southern border security assistance grant program to help border law enforcement officials target drug traffickers, human traffickers, human smugglers, and violent crime. Again, the Federal law enforcement agencies cannot do it by themselves, and local and State law enforcement in Texas do not expect them to, but they do expect a little bit of help, financial help, particularly, when it comes to overtime, when it comes to equipment that is necessary to supplement the Federal effort or to fill the gap when the Federal Government leaves a gap in law enforcement efforts.

My amendment would also remove a controversial provision in the underlying bill that would prevent the emergency deportation of serious criminals.

My amendment would remove a controversial disclosure bar that would prevent law enforcement and national security officials from obtaining critical information contained in legalization applications filed under this bill. My amendment would allow these officials to request and obtain information in connection with an independent criminal, national security, or civil investigation.

This is directed at one of the biggest problems in the 1986 amnesty Ronald Reagan signed, because he signed an amnesty for 3 million people premised on the idea that we were actually going to enforce the law and we would never need to do that again. But so much of that amnesty was riddled with fraud and criminal activity because of the confidentiality provisions which prohibited law enforcement from investigating and detecting fraud and criminality. If we want to maintain the integrity of the provisions of this bill, we need to make sure our law enforcement officials are not blinded, but that they actually have the ability to investigate these matters for a criminal, national security, or civil investigation.

My amendment would allow Citizenship and Immigration Services to turn over evidence of criminal activity or terrorism contained in legalization applications filed under the bill to other law enforcement agencies after the application has been denied and all administrative appeals have been exhausted.

This would greatly work to reduce the potential for mass fraud that occurred in the 1986 amnesty bill, and it would allow the application process to maintain its basic integrity and ensure that national security is protected.

My amendment would also give American diplomatic officials more flexibility to share foreigners' visa records with our allies by clarifying that the State Department may share visa records with a foreign government on a case-by-case basis for the purpose of determining removability or eligibility for a visa, admission, or other immigration benefits—not just for crime prevention, investigation, and punishment—or when the sharing is in the national interest of the United States.

My amendment would further improve the public safety by denying probationary status—something called RPI, or registered provisional immigrant status—to any person who has been convicted of a crime involving domestic violence, child abuse, assault with bodily injury, violation of a protective order under the Violence Against Women Act, or drunk driving. These are serious offenses, and the consequences are often tragic. The underlying bill would allow the vast majority of illegal immigrants who have committed these crimes to automatically become registered provisional immigrants and, ultimately, hold open to them the possibility they could become American citizens. I think we need to draw a very bright line between those whose only offense is to try to come here for a better life and those who

have shown such contempt for our laws and American law and order that they commit crimes. We should not reward them with a registered provisional immigrant or probationary status.

My amendment also removes an unjustified provision in the underlying bill that would allow repeat criminals with multiple convictions to automatically obtain legal status, so long as they were convicted of the multiple offenses on the same day. I know that sounds very strange, but in the underlying bill, if you commit multiple offenses on one day, they do not count as separate offenses for purposes of the bar—if you commit three misdemeanors or a felony. So my amendment would fix that.

My amendment would also remove a dangerous provision in the underlying bill that would allow the Secretary of the Department of Homeland Security unfettered discretion to waive this criminal activity prohibition and to allow people to gain legal status, even if they are repeat criminals who have been convicted of three or more offenses.

My amendment would strike a controversial provision allowing deportees and persons currently located outside the United States to qualify for probationary status. I do not know how many people have actually focused on this provision. I think most people thought this was for people who were in the shadows in the United States whose only offense was simply a violation of our immigration laws to come here and work. But this underlying bill would allow people who have already been deported and who have committed crimes already to reenter the country and to qualify for probationary status. My amendment would change that and fix that.

My amendment would require the Secretary of Homeland Security, through her designees, to conduct interviews of applicants for RPI status who have been convicted of a criminal offense in order to determine whether the applicant is a danger to the public safety.

Now, I can imagine that somebody might have committed some misdemeanor offense, but upon further inquiry and examination they may not be deemed a threat to the public safety. That is what the purpose of that interview requirement would be. We also close a judicial review loophole that would allow dangerous individuals to remain in the United States after their RPI application has been denied by the Department of Homeland Security.

Finally, my amendment would take a hard line against human smuggling and the transnational criminal organizations that are the primary movers of people and drugs across the southern borders. I do not know how many of our colleagues really understand this now, but this is a major business that is primarily occupied by organized crime. It is the drug cartels. It is what we sometimes call transnational criminal organizations and the people who work for them.

They are the primary agency moving people, drugs, and contraband across the border. That is what my amendment is designed to attack—increased penalties for human smuggling and the transnational criminal organizations that facilitate them. My amendment adds aggravated penalties for human smuggling that is committed by repeat offenders which result in death, result in human trafficking, or include involuntary sexual conduct.

I had the humbling experience the other day when I was in south Texas in meeting a young lady who is from Central America. Her parents paid $6,000 for her to be smuggled into the United States and to be reunited with relatives in New Jersey, only to find out that did not work out too well, and she had to rejoin the person who brought her across the border, the human smuggler, who promptly prostituted her and put her into involuntary servitude where she was afraid to escape lest she be deported and have to leave the country.

There are innumerable human tragedies which occur day in and day out under the status quo, which is one reason why I believe we need to fix our broken immigration system, and particularly our porous border, that allows these predators to prey on innocent young women like this young woman I met from Guatemala, and to basically commit them to human slavery in the United States in places like Houston, where she worked in a bar and was prostituted out numerous times a day. Because she felt so vulnerable, she believed the only way she could actually stay here was to submit to the demands of this sexual predator.

My amendment respects the victims of abuse of human smuggling by requiring the Department of Justice to ensure that information about missing and unidentified migrant remains found on lands near the southern border is uploaded into the National Missing and Unidentified Persons System. We provide state and local officials with resources to identify the victims.

This is another experience I had when I was in Brooks County recently in south Texas, where just last year alone they found 129 dead bodies—human remains—that they were unable to identify because these were people simply left behind by the human smugglers who basically did not care anything about them—only for the money they would provide, which once provided, they could care less about whether these people actually made their way into the United States, particularly if they were slowing down the rest of the group.

My RESULTS amendment disqualifies persons who have used a commercial motor vehicle to commit a human smuggling offense from operating a commercial vehicle for a year. We ban repeat human smugglers from operating commercial motor vehicles for life. This is a penalty that will have teeth in it and deter this heinous crime. My amendment creates special penalties for illegal immigrants convicted of drug trafficking or crimes of violence.

Now, we understand that, again, some people have come across our borders without observing our immigration laws who want nothing but a chance to work. But if people have come across the border and engaged in drug trafficking or criminal violence, they deserve the special penalties provided for in my amendment. My amendment would create a new crime for illegal border crossing with the intent to aid, abet, or engage in a crime of terrorism. Again, this is something I wonder whether my colleagues really understand because they do not live along the southwestern border.

We have had people from 100 different countries, including countries of special interest as state sponsors of terrorism, come across our southwestern border. When I was in Falfurrias the other day, the Border Patrol showed me rescue beacons which, if you get sick enough and dehydrated enough and exposed enough to the elements and just want to give up, you can hit the beacon and the Border Patrol will come and rescue you.

They are listed in three languages: English, Spanish, and Chinese. I asked the Border Patrol: Well, Chinese, that seems a little bit out of place in south Texas. They said: Well, for $30,000, if you are from China, you can hire someone to smuggle you into the United States. So, as we have heard from both the Director of National Intelligence and the head of the Defense Intelligence Agency, this vulnerability along our southwestern border is literally a national security vulnerability, and one reason we need to adopt my amendment.

My amendment closes loopholes in current laws that allow drug cartel mules to transport bulk cash and launder money with near impunity. So what happens is, the drugs come from the south of the border to the north of the border. Then the transaction is made by somebody buying those drugs. The cash has to make its way back. We have developed pretty sophisticated means through a wire transfer process to identify when large amounts of cash are transferred by wire. But there is also a huge trade in bulk cash, where literally cash is transferred in bulk across the border south in order to launder it with near impunity. My amendment would address that problem.

My amendment targets money-laundering efforts through stored value cards and blank checks. So why do it on the wire? Why do it in bulk cash if you can just do it through a gift card you can buy at a local grocery store or blank checks? These are tactics that are frequently used by cartels to transport criminal proceeds across the southern border and launder money.

In sum, my amendment goes beyond promises and platitudes. It demands results. Again, it realigns the incentives for everybody to make sure the Department of Homeland Security hits the standards in this bill of 100 percent situational awareness, 90 percent operational control.

These are not my standards alone. These were standards that the Gang of 8 wrote initially into their bill. Their bill offers promises but no real enforcement means to make sure it actually happens.

Under my amendment, people who applied for registered provisional status are not eligible for legal permanent residency until the American people have the assurances that the border security measures, the E-Verify provision, the biometric entry-exit system, all those things have been done.

That seems like a small price to pay with a generous gift that the American people are being asked to confer upon people who have entered the country illegally or who came in legally and overstayed their visa in violation of our laws. Now, this is what a real border security trigger looks like. Unfortunately, some of our colleagues do not want a trigger at all. Above all, they want a pathway to citizenship regardless of whether we have secured our borders.

We have tried that before—in 1986. We have also promised people since 1996 that we would implement a biometric entry-exit system and have never delivered that. The 9/11 Commission identified the need for a biometric entry-exit system as a national security imperative in the 9/11 Commission report. We still have not done it. So why in the world would the American people, at a time when their trust in the Federal Government is at an all-time low, why in the world would we simply say trust us once more. We are going to promise you the Sun and the Moon and the aurora borealis, but we are not going to have any means necessary in the bill to actually require the implementation of those promises. By the time the empty promises are realized, we know there will be 11 million people on registered provisional immigrant status and potentially on the way to legal permanent residency and citizenship.

CNN reported a poll today that said 6 out of 10 Americans in their poll were OK with providing people humane and compassionate treatment, including an opportunity to earn legal status in this country if they could just be assured that the borders would be secured and our laws would be enforced. My amendment accomplishes exactly that.

As I have repeatedly emphasized, my amendment uses the same border security standards as the Gang of 8 bill. Again, the difference is that in my amendment it has a real trigger that is based on demonstrable results, while their so-called trigger can be activated whether or not our borders are ever secured.

To put it another way, their trigger demands border security inputs. My trigger demands border security results or outputs. We have now had 27 years of inputs since the 1986 amnesty, and we still do not have secure borders. It is long past time to demand results, or outputs, and not just more hollow promises.

One final point about immigration reform. Whatever legislation we pass in this Chamber will head over to the House of Representatives. If we want the Senate bill to have any chance to become law, then we have to include real border security provisions and a real border security trigger. Our House colleagues have made that abundantly clear.

In other words, my amendment is not a poison pill. It is an antidote because it is the only way we are ever going to truly get bipartisan immigration reform, something which I hope and pray we will because the status quo is simply unacceptable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Madam President, I understand I am not supposed to call up my amendment. But I would like to discuss amendment No. 1298. If it were appropriate, I would ask to make it pending. But, again, I understand we are not quite ready for that.

I am offering this amendment, when the time is right, because I think it is crucial that we have the strongest possible border protection system in place if this bill, in fact, does someday go into law. To that end, I would like to ensure that we have the best trained personnel securing our borders and overseeing the activity that contributes to the safety of our Nation every day.

Therefore, I am proposing an amendment to require the Department of Homeland Security to set up a program to recruit highly qualified veterans of the Armed Forces as well as members of the Reserves to fill crucial positions within Customs and Border Protection and Immigration and Customs Enforcement.

The security provided by these agents depends on the line watch agents who identify and apprehend undocumented aliens, smugglers, and terrorists. It depends on the agriculture and trade specialists, aircraft pilots, and mission support staff. It also depends on the intelligence research specialists, report officers, and systems engineers. Although the role and responsibilities within ICE and CBP are varied, each plays a critical role in protecting the border. The ability of these agencies to protect the border depends on the skills, training, and judgment of its employees.

The men and women who have served our Nation in the Armed Forces, as well as those who have served in the Reserves, have a broad range of capabilities that make them well suited to work in these important agencies. These men and women embody endurance and adaptability. Many of them have the human intelligence skills that ICE and CBP agents and officers need to detect illegal border crossers and respond to other nefarious activities. They are familiar with the security equipment and technologies that these agencies rely upon.

They have experience responding to leads provided by electronic sensor systems and aircraft sightings, as well as interpreting and following tracks and other physical evidence. They are trained in target assessment and have experience in disseminating the intelligence needed to make informed operational strategies.

These men and women, in short, have the physical skills, operational experience, and decisionmaking abilities needed by ICE and CBP to ensure that our borders are stronger than ever.

Let me say this is one of these amendments that is a no-brainer. This makes sense, and it helps our veterans in a couple of different ways. It helps with the unemployment rate, but it also helps them continue to serve our country. The bottom line is it helps our country to have the best, the brightest, most capable, and most experienced personnel we can possibly have on the border.

This is a bipartisan amendment. Senator JOHANNS is my partner, and I am honored to be joined by him. Certainly, I would like to have broad-based bipartisan support as we proceed when the time is right.

I hope to have this amendment included in the bill. Again, when the time is right, I would ask that my colleagues consider supporting this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. My colleagues have heard me mention so many times that we tend to delegate more and we ought to be legislating. This bill is another example of delegating too much and giving too much authority to Cabinet-level people, in this case the Secretary of Homeland Security, and not making enough hard decisions on the floor of the Senate.

It is reminiscent of the 1,693 delegations of authority we gave to Cabinet

people in the health care reform bill to a point where you can read that 2,700 pages and understand it, but we truly don't know what the health care system in the United States is going to be until those 1,693 regulations are put in place. That is going to be a long way down the road.

I wish to point out to my colleagues, I think we are making the same mistake in this immigration bill that is before the Senate. I wish to take some time to talk about how important it is to emphasize the need for Congress to legislate, not delegate, especially with this immigration bill before us.

When an immigration bill is nearly 1,200 pages long, the American people should expect that it is their elected representatives writing the legislation and making most of the decisions. They should expect the executive branch and the Secretary of Homeland Security, in particular, to carry out those policies.

There are individual circumstances that Congress cannot fully anticipate, so it is understandable, then, delegating some authority. With direction from Congress, the Secretary should be able to issue regulations to enforce legislative policies in those situations. Those regulations and any discretion the Secretary exercises, such as other delegations of power from Congress, should be subject to judicial review to ensure that the policies Congress established are being carried out according to congressional intent.

But this immigration bill takes a different and wrong-headed approach. It provides highly general discretion to the Secretary. It gives the Secretary tremendous, often unilateral, discretion to implement the bill. In many instances, that discretion is not even subject to judicial review.

This, obviously, is not the way power is supposed to work in our representative system of government. Uncontrolled unilateral discretion is not what the Framers of the Constitution envisioned for a government with separation of powers, checks, and balances. We have seen, for instance, and recently with the IRS, what can happen when the executive branch exercises authority with too much discretion and not enough oversight.

By some accounts, there are 222 provisions in the bill that give the Secretary of Homeland Security discretion or even allow her to waive otherwise governing parts of the bill. Other people have counted even more than the 222 provisions I have just referred to. Whether it is more or less, it is still a lot. In some cases, it is not just the delegation, it is how it is delegated.

The Secretary's unbridled waiver authority makes a bill that is already weak on immigration enforcement then even weaker.

Ironically, when the Judiciary Committee marked up the immigration bill, it rejected amendments that I and others offered to limit judicial review of immigration enforcement proceedings against people who are in this country illegally. The majority argued against them by claiming that judicial review, which historically has been limited to these enforcement actions, should be expanded to cover these decisions and that is an expansion of judicial review.

Let me speak of the inconsistency of when they didn't think judicial review should be there. The majority wants unlimited judicial review when the Secretary would take enforcement action against people in the country illegally.

At the same time, the bill provides more judicially unreviewable discretion for the Secretary when she decides not to enforce the law against undocumented immigrants.

The people of this country should be aware of the one-way ratchet for discretion that the bill contains. Then it adds judicial review when the Secretary would enforce the law and does not provide judicial review when the Secretary decides to withhold enforcement of border security and other measures designed to reduce illegal immigration.

I believe it is worth noting some of the specific provisions of the bill that give the Secretary discretion in enforcement, sometimes without judicial review. Some of the specific language that allows her to waive provisions that supporters of the bill claim make this bill even tough on illegal immigration and border security should also be discussed.

When they are contrasted, the legislation's goal is very clear: enact very general border security measures that are said to be tough, while giving the Secretary often unilateral discretion and waiver authority to water down those measures.

For instance, the Secretary can commence processing petitions for registered provisional immigrant status—RPI status we call it—based on her determination of border security plans and how she views the status of their implementation. The fencing that the bill seems to demand can be stopped by the Secretary when she believes it is sufficient.

The Secretary has the ability to decide whether certain criminal offenses should bar someone from the legalization program. She can waive, with few exceptions, the grounds of inadmissibility prescribed in law. She is given discretion whether to bring deportation proceedings against those who do not qualify for RPI status. If they are denied, shouldn't they be deported?

The Secretary is also allowed to waive various requirements when a person adjusts from RPI status to legal permanent resident status, including what counts as passing a background check.

The Secretary has broad authority on how to use the $8.3 billion in upfront funds transferred from the Treasury. On top of that, she has wide discretion on how to use the additional $3 billion in startup costs that don't have to be entirely repaid to the Treasury.

Notwithstanding the constitutional powers of Congress over the purse, she is given authority to establish a grant program for nonprofit organizations.

With respect to the point system, the Secretary is given discretion to recalculate the points for particular petitioners and to decide not to deport inadmissible persons.

She also has the discretion to waive requirements for citizenship that otherwise apply under the bill.

The Secretary is also given a great deal of discretion in the operation of the electronic employment verification system; for instance, which businesses will be exempt from the requirement; which documents can individuals present to prove identity or work authorization. She also has the authority to determine when an employer who has repeatedly violated the law is required to use the system. Those decisions will be vital in determining whether the employment verification system will be effective.

Members of this body can opine all day about what this bill does, but we may not know for years, as in the case of ObamaCare, until these regulations are written or these waivers are used, the extent to which this bill is carried out with the intent that we believe it is carried out.

We don't know that for years. I use the example of the health care law because we are learning, after 4 years that the bill has been passed, there are a lot of unknowns in it. We also learned there is not a lot of certainty. That is the fallout from delegating so much power in one Secretary. We shouldn't repeat that mistake when we pass this bill next week.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. I wish to say thank you to Senator MANCHIN, former Governor MANCHIN, for his willingness to let me slip ahead of him for a few minutes. He is going to talk about the birthday of the State in which both of us were born, West Virginia. I am happy to be here to cheer him on and to applaud all the good work that goes on in my native State and the great work he is doing.

The Presiding Officer has a baseball team up there in Massachusetts, those Red Sox, and every now and then there is a pitcher who telegraphs a pitch. I wish to telegraph a pitch this afternoon.

I was surprised to find out last month from the chair of the Senate Committee on Homeland Security, when I was down at the Mexican border of

South Texas, that three out of every five people who come into our country illegally in Texas come not from Mexico, but they come from Central American countries. They come from Guatemala, they come from Honduras, and they come from El Salvador—3 out of 5, 6 out of 10.

For the most part, they don't realize what they are getting into. They don't realize the risks they face on their way to the north to go to the border of Mexico and even when they get across the border into the United States. The dangers they face are of getting robbed, raped, beaten, drown in the river, and die of starvation and dehydration in the desert. Finally, they get to this country at a time when employers are tightening up in terms of whom they actually hire. They are not hiring those who are here and undocumented.

There is the prospect of detention, not a very pleasant experience, followed shortly thereafter by literally being transported back to their native countries. Most of the people who are trying to get here from those three countries, Honduras, Guatemala, El Salvador, don't know what they are getting into.

They need to know what they are getting into. When I was Governor, as part of the 50-State deal negotiated by the States' attorneys general, you may recall, with the tobacco industry, we created a foundation out of that and called it the American Legacy Foundation. We ran something called a truth campaign. The idea was to convince people, such as these pages, not to start smoking and, if they were smoking, to stop. It was hugely successful.

What we need is something similar to that, particularly in those Central American countries, where the majority of people are now coming from in order to get into Texas and to the United States.

The other thing I would have us keep in mind, we have spent a fair amount of resources in this country trying to help the Mexicans go after the drug lords and to quash the drug trade. What is happening is it is akin to squeezing a balloon. The bad guys in Mexico have worked their way down to El Salvador, Guatemala, Honduras and created mischief there, setting up a drug trade, creating a lot of violence, and making life very unpleasant.

What you have in those countries is not a good situation. One can understand why people want to get out of it: for jobs, hope, and for personal safety. One of the things we have done to help in Mexico—and we are part of the problem. Our country's consumption of illegal drugs has created this problem for Mexico. This deal where drugs come north and guns go south—we are part of that problem, and we need to acknowledge that. But we want to be part of the solution in Mexico, and I think we are playing a constructive role.

We need to be part of the solution in Honduras, El Salvador, and Guatemala and do a similar kind of thing we are doing in Mexico. Part of that is to help a little on their own public safety, the law enforcement efforts in those three countries. Part of it is helping on economic development, job creation, so people don't feel the need to leave those countries and try to flee to our country. The last piece is to actually work with Mexico so they can do a better job of controlling their own borders, to make sure folks don't get, from south of them, into Mexico and eventually work their way into Texas and into the United States.

I will be offering an amendment—not tonight but I suspect tomorrow—that tries to say: Let's put together a truth campaign, convey what is really facing the people, particularly from those three Central American countries, who are trying to get to the United States and to also see, while we are doing that, if we can't help a little on the economic development and job creation side in those countries and in terms of helping them face lawlessness and crime. We can do a little to help there as well. I call this going after the underlying causes—not just treating the symptoms of the problem but going after the underlying cause—and I think we should do this. So I will offer this tomorrow, and I hope my colleagues will agree.

I want to say again to my fellow native West Virginian, thank you for the chance to go ahead. Thank you most of all for the great job you are doing here and for being here to tell us a little bit of the good coming out of the Mountain State.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

WEST VIRGINIA'S 150TH BIRTHDAY

Mr. MANCHIN. Madam President, this week the State of West Virginia will celebrate the sesquicentennial of its birth—a brave and daring declaration of statehood that is unprecedented in American history.

West Virginia was born out of the fiery turmoil of the Civil War 150 years ago. It was founded by true patriots who were willing to risk their lives and fortunes in a united pursuit of justice and freedom for all.

To West Virginians, the names of Pierpont, Willey, and Boreman are nearly as familiar as Washington, Jefferson, and Franklin. Each of these men was a pivotal figure in our States's improbable journey to independence from Virginia and to our very own place in the Union.

But, of course, our forefathers could not have brought forth a new State conceived of liberty without the hand of Abraham Lincoln. It was Lincoln who issued the proclamation creating West Virginia and establishing our State's birthday as June 20, 1863. And characteristically with few words, the 16th President dismissed the arguments of the day that his proclamation was illegal. Lincoln wrote:

> It is said that the admission of West Virginia is secession, and tolerated only because it is our secession. Well, if we call it by that name, there is a difference between secession against the Constitution, and secession in favor of the Constitution.

Indeed, the people of West Virginia had a choice of two different flags to follow during the Civil War. There was, as Francis Pierpont pointed out, ''no neutral ground.'' The choice, he said, was ''to stand by and live under the Constitution'' or support ''the military despotism'' of the Confederacy. We chose wisely. We chose the Stars and Stripes. We chose allegiance to the country for which it stands. We chose to live under a constitution that promised the constant pursuit of ''a more perfect union'' of States. And ever since that historic beginning, we the people of West Virginia have never failed to answer our country's call. No demand has been too great, no danger too daunting, and no trial too threatening.

The abundant natural resources of our State and the hard work and sacrifice of our people have made America stronger and safer. We mined the coal that fueled the Industrial Revolution. We powered the railroads across the North American continent and still today produce electricity for cities all across this country. We stoked the steel factories that armed our soldiers for battles all across the globe and built the warships that plowed the oceans of the world. And we have filled the ranks of our military forces in numbers far greater than should ever be expected of our little State.

Consider this: According to U.S. census data, West Virginia ranked first, second, or third in military casualty rates in every U.S. war of the 20th century—twice that of New York's and Connecticut's in Vietnam and more than 2½ times the rates of those two States in Korea. Today 13.8 percent of West Virginia's population is made up of veterans—the seventh highest percentage among all States. That is higher than the national average of 12.1 percent. That is higher than States with much larger populations, States such as Florida, New York, Texas, Pennsylvania, Ohio, Michigan, or Massachusetts. It is like I always say: West Virginia is one of the most patriotic States in the country.

The best steel comes from the hottest fires. We have all been told that. Well, the fires of the Civil War transformed West Virginia from a fragile hope to a well-tempered, steely reality, dedicated to the ideals of the Declaration of Independence and guarantees of the U.S. Constitution. But West Virginia is great because our people are great—mountaineers who will always

be free. We are tough, independent, inventive, and honest. Our character is shaped by the wilderness of our State, its rushing streams, its boundless blue skies, its divine forests, and its majestic mountains.

Our home is, in the words of the best-selling novelist James Alexander Thom, ''a place for health and high spirits, where one's first look out the cabin door every morning [makes] the heart swell up.'' Thom wrote of our magnetic land as it existed long before it achieved statehood, but his words ring just as true of today's West Virginia. They pay homage to a State of natural beauty, world-class outdoor recreation, year-round festivals, ancient crafts, rich culture, strong tradition, industry, and trade. It is a place of coal mines and card tables, racing horses and soaring eagles, Rocket Boys and right stuff test pilots, sparkling lakes and magical mountains, breathtaking backcountry and barbecue joints, golf and the Greenbrier, battlefields and big-time college football, college towns and small towns that are pure Americana. It is a place of power, pulse, and passion. It is the special place we call West Virginia, the special place we call home.

I admit we have had our ups and downs and setbacks and triumphs. We have had some pretty famous family feuds—a few you might have heard of—and life can be tough sometimes. But the spirit of West Virginia has never been broken, and it never will. I learned that a long time ago growing up in a small coal-mining town of hard-working men and women called Farmington, WV. When things got tough, they got tougher.

It is as if we still hear the words of Francis Pierpont to the delegates to the Second Wheeling Convention in 1861 as they debated whether to secede from Virginia. Pierpont said:

> We are passing through a period of gloom and darkness . . . but we must not despair. There is a just God who rides upon the whirlwind and directs the storm.

It is as if we still hear the words of President John F. Kennedy from the rain-soaked steps of the State capitol in Charleston during our State's centennial celebration. President Kennedy said:

> The sun does not always shine in West Virginia, but the people always do.

We are West Virginians. Even in the darkness and the gloom, we look to a just God who directs the storm. We are West Virginians. We are the 35th State of these United States. We are West Virginians, and like the brave, loyal patriots who made West Virginia the 35th star on Old Glory, our love of God and country and family and State is unshakable, and that is well worth celebrating every year.

I thank the Chair, and I yield the floor.

Mr. CARPER. Madam President, if the Senator will yield, that was wonderful. I am sorry more of us weren't here to hear those words.

The Senator holds the seat once held for many, many years by Robert Byrd, who until maybe this month was the longest serving person in the history of our country to serve in Congress. I think the record was just eclipsed by JOHN DINGELL from Michigan—a most worthy successor.

The Senator from West Virginia knows there is another notable West Virginian who is rising now to national prominence to serve our country as the new Director of the Office of Management and Budget. She grew up in Hinton, WV, graduated from Hinton High School, played on the girls basketball team, and her name is Sylvia Mathews Burwell.

So West Virginia is a State that has produced certainly a lot of coal, a lot of natural resources, but also a lot of good people and a lot of good leaders. And this Senator came to us from West Virginia having been a two-term Governor and chairman of the National Governors Association, and I know he is marked maybe for greatness—maybe for greatness. And I think his wife has a birthday tomorrow; West Virginia has a birthday the day after tomorrow.

Mr. MANCHIN. Hers is the 20th also.

Mr. CARPER. The fact is that West Virginia sort of separated itself from Virginia, and about 237 years ago this past Saturday, the State of Delaware gave Pennsylvania its independence. It is quite common to talk about what is Delaware and what is not Delaware—Pennsylvania and Delaware were joined at the hip—but as I said, on June 15, 1776, Delaware gave Pennsylvania its independence and also declared our independence from the tyranny of the British throne. But here we are 5 days later celebrating West Virginia giving Virginia its independence, and now they are on their own and making us all proud.

Mr. MANCHIN. I know the Senator from Delaware was also, like myself, born in West Virginia. And when we think about all the famous people who have come from West Virginia, we think about the men with the right stuff—Charles Yeager, General Yeager, who broke the sound barrier in 1947; we think about the Rocket Boys and the movie ''October Sky.'' We think about the Hatfield and McCoy feud—a couple of feuds we have had and some might say are still going on; and we think about the logo for the National Basketball Association. Jerry West is the person dribbling the basketball. That is his picture. That is the logo. So we think about so many contributions, but most important of all the people in West Virginia and all over this great country have contributed to who we are today, and I am a proud West Virginian through and through.

Mr. CARPER. If I could add, Madam President, every Sunday night I turn on the radio to WNCN to hear simulcast across the country West Virginia Mountain State—it is great music, eclectic music that is wonderful and reminds me of home.

I thank the Senator for enabling us to help him celebrate West Virginia's birthday as well.

Mr. MANCHIN. I thank the Chair, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. SCHUMER. Madam President, I rise to discuss the report by the Congressional Budget Office that was just released. This is a long-awaited report, and we have all been waiting with bated breath to see what they would say. The report assesses the economic and fiscal impact of S. 744, the bipartisan immigration bill being debated here in the Senate. We are still digesting the report, but at first glance it contains some very positive news for comprehensive immigration reform on a number of fronts.

At the beginning of our bipartisan negotiations on this bill, we made an important promise: Our bill will not add to the deficit. CBO found that we kept our promise—and then some. Let me review some of the top-line findings of the CBO report.

CBO found our bill decreases Federal budget deficits by $197 billion over the 2014–2023 period. CBO finds we achieve about $700 billion in deficit reduction in the second decade of implementation, from 2024 to 2033. So the first 10 years, our bill, according to CBO, decreases the deficit by $175 billion and in the second 10 years by $700 billion.

The CBO also released an economic analysis that found the bill will increase GDP by 3.3 percent in 2023, and between 5.1 percent and 5.7 percent in 2033.

The second-decade figure on deficit reduction is quite relevant and remarkable. Many of the bill's opponents were specifically urging the CBO to look at the second decade in hopes it would show major costs, but CBO found just the opposite.

I cannot overstate the significance of these findings. Simply put, this report is a huge momentum boost for immigration reform. It debunks the idea that immigration reform is anything other than a boon to our economy, and robs the bill's opponents of one of their last remaining arguments.

The report proves once and for all that immigration reform is not only right to do to stay true to our Nation's principles, it will also boost our economy, reduce the deficit, and create jobs. Immigration reform should be a

priority of progressives and conservatives alike.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

ROSOBORONEXPORT

Mr. CORNYN. Madam President, I come to the floor to say a few words about Rosoboronexport, the Russian State arms dealer which has been supplying the Syrian Government with deadly weapons and thereby facilitating mass murder. Last November I sponsored an amendment to prohibit the use of taxpayer dollars in America to enter into contracts or agreements with Rosoboronexport. My amendment had strong bipartisan support, and it passed unanimously. Yet just yesterday, as President Obama met with Russian leader Vladimir Putin at the G8 Summit in Northern Ireland, we learned the Pentagon signed a brand new $572 million contract with Rosoboronexport to buy Mi-17 helicopters for the Afghan Army.

How did the Obama administration get around the prohibition in my amendment? They argued that the Rosoboronexport contract was in our national security interests. In other words, they want us to believe we are promoting U.S. security by doing business with a Russian arms dealer who is helping an anti-American, terror-sponsoring dictatorship commit mass atrocities. Unbelievable.

Last year the Pentagon agreed to audit the contract with Rosoboronexport and make good-faith efforts to find other procurement sources for the Afghan military. Now they are refusing to complete that audit on the grounds that Rosoboronexport simply has refused to cooperate.

Meanwhile, my office has learned that Army officials within the Non-Standard Rotary Wing Aviation Division, whose primary focus is the Mi-17 program, are the subjects of an ongoing criminal investigation. This, obviously, raises troubling questions about whether the terms of the new Mi-17 procurement contract resulted from criminal misconduct.

I want to take this opportunity to say once again that American taxpayers should not be indirectly subsidizing the murder of Syrian civilians, especially when there are perfectly good alternatives to dealing with Rosoboronexport. If the Pentagon continues this relationship, it will undermine American efforts to stand by the Syrian people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. WHITEHOUSE. Madam President, I ask unanimous consent to speak for perhaps up to 20 minutes as in morning business.

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

GLOBAL CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, I am here again—I think it is the 36th time—to speak as I do every week on global climate change, to remind us that it is time for us to wake up and to take action to protect our communities. The risks that we ignore will not go away on their own. The longer we remain asleep, the greater the challenges we leave for our children and grandchildren. The changes we are already seeing—rising sea levels, floods, and erosion, more powerful storms—are taking their toll in particular on our aging infrastructure which I would like to talk about today—our roads, our bridges, our sewers and water pipes. This kind of infrastructure is designed to operate for 50 to 100 years and to withstand expected environmental conditions. So what happens if expected weather and climate patterns change? Well, they are.

According to the Draft National Climate Assessment:

> U.S. average temperature has increased by about 1.5 degrees Fahrenheit since 1895; more than 80% of this increase has occurred since 1980. The most recent decade was the nation's hottest on record.

We are also getting more precipitation with more and more of our rain coming in big, heavy downpours. Between 1958 and 2011, the amount of rain that fell during individual rainstorms increased in every region of the country—up to 45 percent in the Midwest and 74 percent in our northeast.

Last month the Government Accountability Office issued a report revealing the risks posed to U.S. infrastructure by climate change. The report—which I requested, along with finance chairman MAX BAUCUS—shows we can no longer use historical climate patterns to plan our infrastructure projects.

First, limited resources often must be focused on short-term priorities. Fixing an unexpected water main break, for example, won't usually allow for upgrades to account for climate change. And long-term projects that do include climate change safeguards usually require more money upfront. That is GAO's warning.

GAO also found that local decisionmakers—folks in our home communities—need more and better climate information. The faster someone drives, the better their headlights need to be, and carbon pollution is accelerating changes to our climate and weather. Our communities need the information—the headlights—to see these oncoming changes, and it needs to be local.

When a bridge is constructed in Cape Hatteras, it is more helpful to know how climate change will affect North Carolina than North America. Thankfully, leaders across the country are waking up to the reality of climate change and are making evidence-based, not ideological, decisions about how to best serve their communities.

This is the Interstate 10 twin span bridge that crosses Lake Pontchartrain near New Orleans. During Hurricane Katrina, the storm surge rocked the bridge's 255-ton concrete bridge spans off of their piers, twisting many, and toppling others into the lake. Hurricane Katrina brought the largest storm surge on record for Lake Pontchartrain. Scientists tell us that climate change loads the dice for these stronger and more frequent storms. So the recovery design team decided to strengthen and raise this bridge. They made a larger initial investment in order to reduce maintenance costs in the future. That is smart planning.

In 2012, Hurricane Isaac was the first major test for the new bridge, and it passed. The damage was limited to road signs and electrical components. This is the new higher bridge over here and that is the old bridge down on the left there.

To the south, Louisiana State Highway 1 is the only access road to Port Fourchon. Senator VITTER, who is from Louisiana and our ranking member on the Environment and Public Works Committee, has told us that 18 percent of the Nation's oil supply passes through Port Fourchon. It is a pretty important port, and Highway 1—the only access road to it—is closed on average 3½ days a year due to flooding, according to GAO. NOAA scientists project that within 15 years portions of Louisiana Highway 1 will flood an average of 30 times each year. State and local officials raised 11 miles of Highway 1 by more than 22 feet. So when Hurricane Isaac brought a 6½ foot storm surge up the gulf, those raised portions were unaffected.

Up north in Milwaukee, WI, the metropolitan sewerage district spent $3 billion in 1993 to increase the capacity of its sewer system based on historical rainfall records dating back to the 1960s. But extreme rainstorms in the Midwest have changed drastically. Milwaukee experienced a 100-year storm 3 years in a row. Milwaukee experienced 100-year storms in 2008, again in 2009, and again in 2010. The University of Wisconsin projects these storms will be even more common in the future, so

Milwaukee took steps to improve the ability of nearby natural areas like wetlands to absorb the extra runoff from rainstorms. This eased the pressure on the city's wastewater system.

The GAO infrastructure report also found that areas recently hit by a natural disaster tend to get proactive about adaptation. I think it is easy to see how getting clobbered by a hurricane will help people to rethink their emergency preparedness. But waiting for disaster is not risk management, and we can and must do better.

In my home State of Rhode Island, local leaders are wide awake to climate change. For instance, North Kingstown is a municipality with planners who have taken the best elevation data available and modeled expected sea-level rise as well as sea-level rise plus 3 feet of storm surge. By combining these with the models and maps that show the roads, emergency routes, water treatment plants, and estuaries, the town can better plan its transportation, conservation, and relocation projects.

Last week, North Kingstown's efforts were recognized by a grant from the EPA and will be a model for communities throughout the country.

Other coastal States face many of the same risks we are facing in Rhode Island—none more than Florida. A study of sea-level rise on U.S. coasts found that in Florida more than 1.5 million residents and almost 900,000 homes would be affected by 3 feet of sea-level rise. Both numbers, 1.5 million residents and almost 900,000 homes, are almost double any other State in the Nation.

These maps show what 3 feet of sea-level rise means for Miami-Dade County in southeastern Florida. The map on the left shows the current elevation in southern Miami-Dade compared to 3 feet of sea-level rise shown here on the right. The blue regions, which are green here, are the regions that have gone underwater with 3 feet of sea-level rise. They would lose acres and acres of land. This nuclear power station and this wastewater treatment plant are virtually cut off from dry land.

And the flooding won't just be along the coast; low-lying inland areas are also at risk. That is because in Florida, particularly in the Miami metropolitan area, the buildings are built on limestone. Florida stands on a limestone geological base, and limestone is porous. Up in New England, we can build levees and other structures to hold the water back. In Miami, they would be building those structures on a geological sponge. The water will seep under and through the porous limestone.

Rising seas don't just threaten southern Florida. According to the American Security Project, Eglin Air Force Base on the Florida panhandle coast, which is the largest Air Force base in the world, is one of the five most vulnerable U.S. military installations because of its vulnerability to storm surges, sea-level rise, and saltwater intrusion.

Responsible Floridians looking at these projections have decided to take action. Four counties in Florida—Miami-Dade, Palm Beach, Broward, and Monroe—have formed the Southeast Florida Regional Climate Change Compact. Using the best available science, they have assessed the vulnerability of south Florida's communities to sea-level rise. In their four counties in Florida alone, a 1-foot rise in sea level would endanger approximately $4 billion in property—just in those four counties. A 3-foot sea-level rise would endanger approximately $31 billion in property.

In Monroe County, 3 of the 4 hospitals, two-thirds of the schools, and 71 percent of emergency shelters are in danger by a 1-foot rise. That is a lot of infrastructure at risk.

Together, these Florida counties, which are led both by Republicans and Democrats—this is a bipartisan county effort in Florida—have adopted a plan to mitigate property loss, make infrastructure more resilient, and protect those essential community structures such as hospitals, schools, and emergency shelters.

This past October, those member counties signed a 5-year plan with 110 different action items, including efforts to make infrastructure more resilient, reduce the threats to vital ecosystems, help farmers adapt, increase renewable energy capacity, and educate their public about the threat of climate to Florida. Looking at all of those risks to Florida and looking at the bipartisan action taken by those county leaders in Florida, I have to ask: If you are a Member of Congress from Florida, how can you credibly deny climate change?

Studies show about 95 percent of climate scientists think climate change is really happening and humans really are contributing to it. About 5 percent disagree or aren't so sure. Can Floridians here in Congress really take the 5-percent bet? Does that seem smart, cautious, prudent, and responsible? This is the only Florida we have, and the Sunshine State is ground zero for sea-level rise. It is long past time for us to act on climate change, but it is not too late to be ready and it is not too late to be smart in Florida and elsewhere. In Florida, and in other States, infrastructure has to be designed for and adapted to the climate changes we can foresee.

I thank the Government Accountability Office for this report. Nature could not be giving us clearer warnings. Whatever higher power gave us our advanced human capacity for perception, calculation, analysis, deduction, and foresight has laid out before us more than enough information for us to make the right decisions. Fortunately, these human capacities provide us everything we need to act responsibly on this information if only we will awaken.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 1255

Ms. COLLINS. Madam President, I rise this evening to discuss an amendment I have filed to the immigration bill. It is Senate amendment No. 1255. It would ensure that the funding for an important border security program known as Operation Stonegarden continues to be allocated by the Department of Homeland Security based on risk. Without my amendment, 90 percent of the $50 million in funding for this program awarded annually would be earmarked for the southwest border. What I am proposing is that we not put a percentage in the bill but, rather, allow for a risk-based assessment of where Operation Stonegarden monies would best be spent. This program has been extraordinarily successful in my State of Maine. It has helped Federal, county, State, and local law enforcement to pool their resources and work together to help secure our border.

While the southwest border is much more likely to make the evening news, we must not forget about our northern border. As the Department of Homeland Security pointed out when it released its first northern border strategy in June 2012: ''The U.S.-Canadian border is the longest common border in the world'' and it presents ''unique security challenges based on geography, weather, and the immense volume of trade and travel.''

According to a report released by the GAO in 2010, the Border Patrol had situational awareness of only 25 percent of the 4,000-mile northern border and operational control of only 32 miles—less than 1 percent. We will hear those terms discussed a lot during the debate on immigration with respect to the southwest border. I think it is important that we not forget we also have a 4,000-mile northern border.

This lack of situational awareness and operational control is especially troubling because as GAO has observed: ''DHS reports that the terrorist threat on the northern border is actually higher [than the southern border], given the large expansive area with very limited law enforcement coverage.''

In the same report, GAO noted that the maritime border on the Great

Lakes and rivers is vulnerable to use by small vessels as a conduit for the potential smuggling and exploitation by terrorists, alien smuggling, trafficking of illicit drugs, and other contraband and criminal activity. Also, the northern border's waterways frequently freeze during the winter and can be easily crossed by foot, vehicle, or snowmobile. The northern air border is also vulnerable to low-flying aircraft that, for example, smuggle drugs by entering U.S. airspace from Canada.

Additionally, Customs and Border Protection reports that further threats result from the fact that the northern border is exploited by well-organized smuggling operations which can potentially also support the movement of terrorists and their weapons.

There is also, regrettably, significant criminal activity on the northern border. In the same report, GAO noted that in fiscal year 2010 DHS has reported spending nearly $3 billion in its efforts to interdict and investigate illegal northern border activity, annually making approximately 6,000 arrests and interdicting approximately 40,000 pounds of illegal drugs at and between the northern border ports of entry.

The Operation Stonegarden grant program is an effective resource for addressing security concerns on our northern, southern, western, and coastal borders. Over the past 4 years, approximately $247 million in Operation Stonegarden funds has been allocated to 19 border States using a risk-based analysis for determining the allocations rather than the formula-based analysis that is included in this immigration bill.

Earmarking 90 percent of funding from Operation Stonegarden to the southwest border is ill-advised. Operation Stonegarden grants should be used to help secure our northern, southern, and coastal borders by funding joint operations between the Border Patrol and State, county, and local law enforcement. These joint operations can act as a force multiplier in areas that would otherwise be unguarded altogether.

My amendment would ensure that DHS continues to have the flexibility it needs to make risk-informed decisions about where Operation Stonegarden funds will best serve the security of our Nation's borders.

I urge my colleagues to support my amendment, and I hope it will be brought up at some point tomorrow.

Thank you, Madam President. I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Madam President, I ask unanimous consent that the following amendments be in order to be called up and that they not be subject to modification or division, with the exception of the technical modifications to the Merkley and Paul amendments contained in this agreement: Manchin No. 1268; Pryor No. 1298; Merkley No. 1237, as modified with the changes at the desk; Boxer No. 1240; Reed No. 1224; Cornyn No. 1251; Lee No. 1208; Paul No. 1200, as modified with the changes at the desk; Heller No. 1227; and Cruz No. 1320; finally, that no second-degree amendments be in order to any of these amendments prior to votes in relation to the amendments.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Madam President, we now have these amendments in order and we will work with all the parties to see if we can have some way of proceeding to set up votes. I would hope we can work something out so we do not have to do procedural things to try to get rid of them. We are going to do our utmost. I appreciate everyone's cooperation getting this long list of amendments so we can start voting on them.

I think it would be a pretty fair assumption that we are not going to have any votes tonight on these amendments. We will work something out tomorrow. It is about 7 o'clock and we still have a little more work to do on other issues.

The PRESIDING OFFICER. The Senator from Pennsylvania.

LUIS RESTREPO CONFIRMATION

Mr. CASEY. Madam President, I rise this evening to make some brief comments regarding a judicial nominee we voted on yesterday—one of two—Judge Luis Restrepo from Philadelphia, from the southeastern corner of Pennsylvania.

I rise tonight because my train was late last night so I was not able to make some comments about his nomination, his qualifications, prior to the vote. But I was honored that he received the vote of the Senate last night.

I also rise because it is timely in another way because we are considering immigration reform. I was on the floor last week talking about yet another judicial nominee from Pennsylvania—now a judge, as of last week. Judge Nitza Quinones, who is a native of Puerto Rico, came to this country after her education and became a lawyer and an advocate, and then, ultimately, a judge for more than two decades now, and now will serve on the Federal District Court for the Eastern District of Pennsylvania.

So it is true of now Judge Restrepo. A native of Colombia, Judge Restrepo became a U.S. citizen in 1993. He earned a bachelor of arts degree from the University of Pennsylvania in 1981 and a juris doctor degree from Tulane University's School of Law in 1986.

He is highly regarded by lawyers and members of the bench. He exhibits an extraordinary command of the law and legal principles, as well as a sense of fairness, sound judgment, and integrity.

Judge Restrepo has served as a magistrate judge for the U.S. District Court for the Eastern District of Pennsylvania since June of 2006.

Prior to his judicial appointment, he was a highly regarded lawyer and a founding member of the Kreasner & Restrepo firm in Philadelphia, concentrating on both civil rights litigation as well as criminal defense work.

He served as an assistant Federal defender with the Community Federal Defender for the Eastern District of Pennsylvania from 1990 to 1993, and as an assistant defender at the Defender Association of Philadelphia from 1987 to 1990.

An adjunct professor at Temple University's James E. Bensley School of Law, he was also an adjunct professor at the University of Pennsylvania School of Law from 1997 to 2009 and has taught with the National Institute for Trial Advocacy in regional and national programs since 1992.

I know the Presiding Officer knows something about being a law professor and the demands of that job and the demands of being an advocate.

I think anyone who looks at Judge Restrepo's biography and background would agree he is more than prepared to be a Federal district judge, and I am grateful that the Senate confirmed him.

Finally, Judge Restrepo has also served on the board of governors of the Philadelphia Bar Association and is a past president of the Hispanic Bar Association of Pennsylvania.

So for all those reasons and more, I believe he is not only ready to be a Federal judge, but I am also here to express gratitude for his confirmation and for the vote in the Senate.

As we consider immigration reform, we should be ever inspired by the stories we hear from not only judges who are nominated and confirmed here, but others as well who come to this country, who work hard, who learn a lot, and want to give back to their country by way of public service. Judge Restrepo, this week, and Judge Quinones, last week, are two fine examples of that.

With that, Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Madam President, the prime sponsor, I suppose, of the immigration bill before us—this 1,000-page document—Senator SCHUMER, announced earlier today, based on the Congressional Budget Office report, that lower deficits were promised, and

that the bill, indeed, produces lower deficits. I do not believe that is an accurate statement, and I will share with you some of my concerns about that.

We have been through this before, where the budget numbers, in reality, have been utilized in a way that is not healthy, and it creates a false impression of what is occurring here.

Secondly, I do not know that he talked about this—I doubt he did—the CBO report is explicit. Under this legislation, if it were to pass, the wages of American workers will fall for the next 12 years. They will be lower than the inflation rate. They will decline from the present unacceptably low rate, and continue to decline for 12 years, according to this report. That alone should cause us to defeat this bill.

We have been told it is going to create prosperity and growth, but what it is going to produce is more unemployment, as this report explicitly states. It is going to produce lower wages for Americans, as this report explicitly states. And it is going to increase the deficit.

So I think we need to have an understanding here that something very serious is afoot: to suggest that you can bring in millions of new workers to take jobs in the United States at a time of record unemployment and that will not impact wages, that will not make unemployment go up, goes beyond all common sense.

Dr. Borjas at Harvard has absolutely proven through peer-reviewed research that that is exactly what is going to happen. Wages go down, as they have been going down, and unemployment will go up. So this report confirms that.

I will read some of the things that are in it.

I am on page 7 of ''The Economic Impact of S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act.''

S. 744 would allow significantly more workers with low skills and with high skills to enter the United States—. . . .

No doubt about that. They say it is a move to merit-based immigration. But it is not a move to merit-based immigration. It increases low-skill workers substantially, as well as increasing other workers.

Taking into account all of those flows of new immigrants, CBO and JCT [Joint Tax] expect that a greater number of immigrants with lower skills than with higher skills would be added to the workforce. . . .

In other words, another group coming in, more lower skilled than higher skilled, just as I indicated and other commentators have indicated previously.

The report said this:

Slightly pushing down the average wage of the labor force as a whole.

Pushing down the wage of the labor force as a whole. But they go on to say this. Get this. The next sentence:

However, CBO and Joint Tax expect that currently unauthorized workers——

Illegal workers, in other words——

who attain legal status under 744 will see an increase in their wages.

So I think this underestimates, if you read the report carefully, the adverse impact that the flow of workers will have on the wages of American workers and lawful immigrants who are here today. But at any rate, it is clear that is so.

It goes on to say this, dramatically, I suggest:

The average wage would be lower than under current law over the first dozen years. CBO estimates that it would increase unemployment for at least 7 years.

So this is supposed to be good for the people we represent? Of course, I would like to ask our colleagues to think carefully about our duty. Who is it we represent in this body? What kind of responsibilities do we have to decent, hard-working Americans who experts have told us have seen their wages decline every year, virtually, since 1999.

Wages have declined by as much as 8 percent since 2009 for a number of reasons. One of the reasons, according to Professor Borjas, is that immigration is already pulling down wages by as much as 40 percent. So this will add to the problem.

This report said, quite clearly, unequivocally, it is going to increase unemployment, and it is going to pull down wages. That is exactly the wrong thing that ought to be happening at this time. How in the world can we justify passing a bill that hammers the American working man and woman who is out trying to feed a family, get a job, that has a little retirement, a little health care, some money to be able to take care of the family, and hammer them with additional adverse economic impacts?

I suggest to you this is not a report that in any way justifies advancing this legislation. Let me just take a moment. I wrestle with these numbers. I see the Presiding Officer who is on the Budget Committee understands these numbers. They say it pays down the deficit. Let me show you what it really says. This is the way they double counted the money to justify ObamaCare.

Basically, they created, through cuts in Medicare, savings and they lengthened the life of Medicare, but they claim they used that same money to fund ObamaCare. At one point, Mr. Elmendorf, the Director of the Office of Management and Budget, who wrote this said it was double counting the money. You cannot use the same money to fund ObamaCare and use that same money to strengthen Medicare. How simple is that?

We are talking about hundreds of billions of dollars in double counting of the money. That is what is happening in here. Look at this report. Impact on the deficit over the 10-year period, 2014 to 2023, the budget deficit would increase by $14.2 billion. The debt would increase by $14.2 billion. But then they say the off-budget money would decrease the deficit by $211 billion.

My colleague, Senator SCHUMER, said this is all great. We have a big surplus now. We have $200 billion in the off-budget account. But what is that money?

What is that money? That is the payroll taxes. That is your Social Security payment and your Medicare payment. When more of the illegal aliens come in and get a Social Security number and pay Social Security and Medicare, the money comes into the government. All right? But is it free to be spent on bridges and roads and aircraft and salaries for Congressmen and Senators? No.

This is money that is dedicated to Social Security and Medicare. This is the trust fund money that goes to Social Security and Medicare. Yes, when people are legalized, they will pay more Social Security and Medicare taxes on their payroll, but it is going to that fund to pay for their retirement and their health care when they retire. You cannot use that money. You cannot spend the money today and pretend it is going to be there to pay for their retirement when they retire.

They are going to pay into Medicare. They are going to pay into Social Security. They are going to draw out Social Security and Medicare when they reach the right age. What we know is, as Mr. Elmendorf indicates, as I have said repeatedly, most of these individuals are lower income, lower skilled workers. Therefore, what we know is in that regard, the lower skilled workers who pay into Social Security and Medicare take out more than they pay in. So this is not going to be positive, it seems to me, particularly when you account for the fact that a lot of people have scored this, but they have not scored it from the fact that most of the workers who will be paying Medicare and Social Security are lower income workers and they will be paying the lower rates. Not a huge difference, but it is a difference.

So I would contend, I think, without fear of serious contradiction, although I expect political contradiction, that the off-budget money is your Medicare and Social Security money. See, you paid into that. The government, if it takes and spends it, does not have anything now to pay your Social Security and your Medicare benefits when you get old. We know it is already actuarially unsound. Those programs are in danger of defaulting a lot sooner than a lot of people think. We need to be saving these programs, not weakening them.

So in the short run you get this bubble effect. You get an extra group of money. Since a lot of the workers are younger, it will look good on the budget for 10 years. It looks good on the

budget for 10 years, but this is not money to be spent by the government. This is money that is dedicated to their retirement and will be drawn out by these individuals when they go into retirement.

So I would suggest that this 10-year score, 2014 through 2023, shows that the real impact is a $14.2 billion reduction—increase in the deficit of the United States over 10 years in the general fund account. The off-budget section says it reduces the deficit by $200 billion. But that money is utilized—it has to be in the trust fund to be utilized for future payments to these individuals when they retire. It is not money we can account for.

The mixing of these two matters is one of the most dramatic ways this country has gotten itself into an unsound financial course. We have double counted this money repeatedly. We have money coming in to Social Security and Medicare and we spend it immediately. We pretend it is still there to pay for someone's retirement. This is going to be the same except it is guaranteed to be a financial loser over the long run.

Again, I know Senator SANDERS has talked about this, my colleague from Vermont. In a free market world, when you bring in more labor, the wages go down. I think CBO is probably underestimating this, frankly. Professor Borjas at Harvard, his numbers look more grim than these. But this is what they came up with. They have been trying to do guesswork and tell the truth the best they can, but they are getting a lot of pressure from the other side.

A lot of Members here seem to think we can just bring in millions of people and those millions of people will somehow create more revenue. We are going to be like Jack Kemp. You know, everything is wonderful. It is just going to grow. But we have to be prudent. We have to be responsible. What we know is that since at least 1999, the wages of average American people have not kept up with inflation. That means those wages are on a net serious decline.

Professor Borjas says it declined by 8 percent. That is very real. My Democratic colleagues used to be very critical when it was President Bush because it was all his fault that wages were not keeping up with inflation, people were being hurt. So now they do not talk about that anymore. If they do, they blame it on President Bush even though he has been gone 5 or 6 years.

The reality is, I came to believe there is truth to this. It is not just a temporary cyclical thing that workers' wages have not been keeping up. I think it is something deeper than that. I think it is several things. Businesses are getting very intent on reducing the number of employees they have to produce certain products and widgets. They are getting far more efficient. So we are making more widgets with less people.

If you go into plants like I do, you see these incredible robotics where you get dramatic improvements of productivity for widgets with less people. This creates, in some ways, unemployment.

Last month we had a moderate increase in jobs in May, but there was an 8,000-job reduction in manufacturing. The increase was in service industries like restaurants and bars and that kind of thing. The increase was also temporary. So this is not healthy. You have this unhealthy trend out there when you bring in large amounts of labor, a majority of which the CBO says is low skilled, and you are hammering the American worker.

Further, Peter Kirsanow, one of the outstanding members of the U.S. Commission on Civil Rights, along with Abigail Thernstrom, a brilliant lady who has written on these matters over the years, they wrote a letter recently that warned that passage of this bill will harm poor people in America, particularly African Americans.

They said they had hearings on this matter. They have had the best economists come and testify. They studied those reports. They say not a single one of the economists they dealt with denied that the wages would be pulled down or unemployment would go up.

That is what CBO told us today: Unemployment will go up, wages will go down. We have good Republican colleagues and they cannot conceive that we are in such a circumstance. They just believe growth is always good, and if you bring in more people you will have more growth. That is correct.

Let me tell you the brutal truth based on the in-depth analysis by Professor Borjas at Harvard. He says the prosperity, the growth enures to the benefit of the manufacturers, of the employers who use a lot of low-skilled labor. Their income will go up, but the average wage of the average working person will go down. That is what large flows of immigration will do when there is high unemployment.

Peter Kirsanow, a member of the Civil Rights Commission, in his letter, said that it is absolutely false that we have a shortage of low-skilled labor. He says we have a glut of low-skilled labor. The facts show that.

The number of people employed in the workforce today has reached the level of the 1970s. That was before women were going into the workplace. As a percentage of the American population, the percentage of people who actually have a job today has been falling steadily, and it has now hit the level of the 1970s. Now they are going to bring in all these masters of the universe, these geniuses who have this plan that somehow is going to fix everything. We will just bring in more people.

We had a Senator today say that it is going to increase wages. How can that be? What economic study shows that? Not any, to my knowledge. CBO says—wages are going to fall. Unemployment is going to go up, and it is not going to fix our deficit either.

I feel very strongly that we have to put on a realistic hat. We are going to have to ask ourselves: Whom do we represent? Are we representing a political idea that is going to bring in more votes? Are we representing people who entered the country illegally? Are those our first priority? Do we have any obligation to the people who fight our wars, raise our next generation of children, try to do the right thing, pay their taxes, want to be able to have a decent job, a decent retirement plan, have a vacation every now and then, and have a health care plan they can afford? Don't we owe them that? Shouldn't that be our primary responsibility right now? I think it is. I think that is our primary responsibility.

One says: Well, don't you care about people who are here illegally?

I say: Yes, I care about them. I care about them deeply.

I think we can work on this situation to not be in a position to say we are going to deport all of those who are here illegally. We can treat people compassionately. We are going to do the right thing about that.

In the future, should we have a work flow every year in that doubles the amount of guest workers who come in for the sole purpose of working and not becoming an immigrant, and should we increase the annual legal flow of immigrants from 1 million a year to 1.5 million a year, increasing it 50 percent? Is that what good legislation would do? I mean, how did this happen?

Thomas Sowell, a Hoover Institution scholar and economist at Stanford University, says there are three interests out here. One is the immigrants. They win. This report says their salaries go up. The other one is the politicians. They have it all figured out. They have written a bill that they think serves their political interests. The question is, Who is representing the national interests? Who is representing the American people's interests? Were they in these rooms when the chamber of commerce was there, La Raza was there, the business groups, agricultural groups, the labor unions and Mr. Trumka were there dividing up the pie, making sure their interests were protected? Who was defending the interests of the dutiful worker who is out trying to find a job today?

There was a report in the New York Times last week about an event in Queens. Apparently, there was a group of jobs that were going to be offered as elevator repair personnel in New York. The line started forming 5 days in advance. People brought their tents, they brought their food, they brought their

sleeping bags, and they waited in line for days to be able to get a job as an elevator repair person. We have people saying these are jobs Americans won't do. That Americans won't work, and that's why we need more labor.

Well, I always cut my own grass when I am home, but I am up here a lot, so there is a group that comes and cuts my grass in Mobile. These were two African-American gentlemen in their 40's. They came out, did a great job in the heat in Alabama, and took care of my yard.

What is this—jobs Americans won't do? They want a job that has a retirement plan. They want a job that has some permanency to it. They want a job that has a decent wage. Americans will work, and all hard work should be honored.

I will acknowledge that in seasonal work, temporary work, certain circumstances, we could develop a good migrant guest worker program that could serve this. Maybe in different times, if unemployment is low, we could justify bringing in even more workers than you would expect. But at a time of high unemployment, we have low participation in the workforce, and we ought to be careful about bringing in large amounts of labor that pleases rich businesses and manufacturing and agribusiness groups but doesn't necessarily protect the honest, decent, legitimate interests of American workers. I think they are being forgotten too often in this process.

I wanted to push back to that. This report might look like it's saying that we are creating a service and we are reducing the debt. In one sense, on the on-budget analysis, the way we do our accounting around here, that impression is certainly created. It is a false impression, and it is that false understanding of the reality of the on-budget and off-budget accounting of revenue to America that has gotten us fundamentally in the problem we are now facing.

Again, I repeat, the on-budget deficit, according to the CBO report, goes up over 10 years by $14 billion. It claims, though, that the deficit drops on the off-budget. Remember, that money is obligated. That is your withholding. That is your FICA. That is your Social Security, Medicare—withholdings on your paycheck. It goes up there, and it has been set aside for you, for your retirement, for your medical care when you are elderly. It is not available for us to spend today willy-nilly.

And we think we have now created a circumstance where billions of dollars are being double-counted. Can you imagine that? That is what we are doing in this country. We are counting trillions of dollars—really double-counting it. Money that comes in we count in a unified budget as income to the budget, but it is dedicated income. We owe the people who paid it into their Social Security check, their Medicare coverage. It is owed to them.

What we know is that when you have particularly lower—well, the whole program is unsustainable, but particularly the lower income workers pay in less than they will eventually take out over a lifetime. Adding all of these workers into the Social Security and Medicare system, where they pay in, will not place us on a sound path.

Again, we need to be honest about where we are. The numbers do not look good. This Congress needs to wrestle with how to deal compassionately with the people who have been here a long time. We need to do it in a right way, but we have a responsibility, a financial duty to the people who sent us here to manage their money wisely and not make our financial situation worse than it is today. We have an obligation to try to figure out a way to reverse the steady, long-term trend of wage decline for millions of American workers. It needs to be getting better. What this report says is that if this bill is passed, this immigration bill is passed, it will make the long-term wage situation of Americans worse. How wrong a direction could that be?

Look, if we let the labor market get a little tighter, we are going to find businesses that are willing to pay more to get a good worker. That is the free market. These business guys don't mind trying—Walmart seeks the very lowest priced product it can get, whether it is China or the United States. They are ruthless about it. It is free market, we say. We value it. OK, we support free market. But if there is a labor shortage, why shouldn't the laboring man be able to get a little higher wage for a change around here? This large flow of immigration will impact, adversely, their ability to find a job—unemployment will go up, according to the report—and we'll get a decrease in wages.

I yield the floor.

● Mr. INHOFE. Madam President, today I would like to indicate support for two amendments I cosponsored and were introduced by Senator THUNE and Senator VITTER.

The first is amendment No. 1197 introduced by Senator THUNE. Border security should be the number one priority in any immigration discussion, and building this fence which is already required by law will help in that endeavor.

The second is Amendment No. 1228 introduced by Senator VITTER. This requires that the biometric border check-in and check-out system be fully implemented prior to any legal status being granted to an illegal alien. Our national and economic security depends on us knowing who is in our country, and this amendment will help achieve that goal.

While I strongly disagree with granting amnesty to those who broke the law, on the chance that this bill passes I want to make sure that amendments like the two of these are included in the final legislation.●

MORNING BUSINESS

Mr. KAINE. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER (Ms. HEITKAMP). Without objection, it is so ordered.

TRIBUTE TO ARNOLD LEE WATSON

Mr. MCCONNELL. Madam President, I rise today to honor and pay tribute to a selfless Kentuckian, Mr. Arnold Lee Watson of Letcher County, KY. Watson voluntarily devotes his time and skills to raise money for the Veterans Program Trust Fund.

Mr. Watson is the father-in-law of Letcher County Clerk Winston Meade. Together they have created a service that is becoming popular among many Kentucky counties. As license plates are dropped off in the Letcher County office, Watson turns the old plates into pieces of art. Meade and Watson build and sell license plate birdhouses statewide in an effort to raise money for veterans' homes in eastern, central, and western Kentucky.

Meade first saw these birdhouses after he purchased two at a meeting with the Kentucky County Clerks Association. Mr. Watson is retired and saw that he could spend time making birdhouses to raise money for H.A.V.E., or Help A Veteran Everyday. His interest in helping veterans is inspired by his brothers, all who have served our country.

Help a Veteran Everyday, or H.A.V.E., is a program that was adopted in 2005 by the County Clerks of Kentucky. Across the Commonwealth, counties are taking actions to collect donations for the organization which helps ensure that Kentucky's 339,000 veterans are provided for.

I ask unanimous consent that an article from a local publication extolling the work of Mr. Watson be printed in the RECORD. Since this article was published, Watson has built more than 7,000 birdhouses and raised $140,000 in proceeds for Kentucky veterans. In addition, he placed third in an arts-and-crafts competition at the Kentucky State Fair in 2010.

Mr. Arnold Lee Watson's dedication and hard work not only helped Letcher County raise the most funds across the State, but also provided Kentucky veterans with the support and benefits they deserve.

''He loves working on them,'' Meade said of Watson in regard to building the license plate birdhouses.

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

[From the Mountain Eagle, Jan. 21, 2009]

TURNING OLD PLATES INTO $$$

(By Sally Barto)

If old newspapers can be used to line birdcages, then old license plates can be used to build birdhouses—about five a day, in the case of one Letcher County man.

Arnold Lee Watson has been building birdhouses using old license plates as a roof, then selling them to raise money for the Veterans Program Trust Fund on behalf of the Letcher County Clerk's Office.

Watson, of McRoberts, is the father in-law of Letcher County Clerk Winston Meade. He decided to begin building the unique and colorful birdhouses after Meade attended a meeting of the Kentucky County Clerks Association and brought home two similar birdhouses that were made elsewhere.

Watson has made about 50 birdhouses so far and the clerk's office has sold 19, with proceeds going to the Help a Veteran Everyday, or H.A.V.E. program.

Meade said Watson, who has three brothers who are veterans, donates the materials and time used to make the birdhouses.

''He wanted to do something to help veterans and this is his way to help,'' said Meade.

The birdhouses, which are being sold for $20 each, are made to resemble a mailbox and have a painted wooden base with an old license plate draped over the top.

Depending on the specialty license plates obtained by Meade, the roofs of the birdhouses have different themes including nature, colleges, and volunteer fire fighting. Meade said the most popular style of birdhouse is made using an old University of Kentucky license plate.

Meade has traveled to several counties looking for unique plates to use for making more birdhouses. People can donate old plates to the clerk's office for the birdhouse project.

Selling license plate birdhouses is the latest effort by Meade's office to raise money for the H.A.V.E. program. All money raised through H.A.V.E., created by the Kentucky County Clerk's Association, goes to the Kentucky Veterans Program Trust Fund. The trust fund, established by the Kentucky General Assembly in 1988, helps support projects and programs for Kentucky veterans.

The Homeless Veterans Transitional Treatment program in Lexington was established with funds from the trust. Money from the fund was also used to purchase 10 vans for the Disabled American Veterans organization, to purchase land for a state veterans cemetery, and to enhance state veterans' nursing homes.

''Every penny is spent on the veterans,'' said Meade. ''None of it is spent on salaries or anything like that.''

Meade was named 2008 clerk of the year for the H.A.V.E. program for his efforts of raising money for the program.

''This county has raised more money for the H.A.V.E. fund than any other county in the state,'' said Meade. ''I was real honored to receive this. I give the girls in the office the credit for the funds they have raised for H.A.V.E.''

The clerk's office hosted a golf scramble at Raven Rock Golf Course in September in which funds raised from the scramble were used to finance a Christmas party for the East Kentucky Veterans' Center in Hazard. During that time, the center served seven residents from Letcher County.

When people purchase the veterans' specialty license plate, $5 of the cost of the plate goes into the H.A.V.E. fund. The clerk's office also welcomes cash donations to H.A.V.E.

''This is one way to give back and to thank (veterans) for what they have done for us,'' said Meade.

TRIBUTE TO MARK AND MICHELE PANOZZO

Mr. DURBIN. Madam President, Eunice Kennedy Shriver, founder of the Special Olympics once said, ''You are the stars and the world is watching you. By your presence, you send a message to every village, every city, and every nation. A message of hope. A message of victory.''

Today, I would like to recognize a father and daughter who are sending their own message of hope and victory Mark and Michele Panozzo from Rockford, IL.

Last week, Michele Panozzo was recognized as the 2013 Outstanding Athlete Award by the Special Olympics of Illinois. Earlier this year, Michele and Mark Panozzo were both recognized as the Northern Illinois Special Olympics Athlete and Coach of the Year.

This father-daughter duo started their involvement in the Special Olympics more than 25 years ago when Michele, who has Down syndrome, was 8 years old. Her first sport was basketball. Over the years she has competed in a variety of sports, including softball throw, bowling and bocce.

Her dad, Mark, has been by her side as her coach the whole time. And it is not just Michele who Mark helps. He is also the coach of the Rockford Red Hots, a team of 45 Special Olympics athletes from the Rockford region. Mark and Michele spend nearly every weekend with the Red Hots, whether at a competition, a practice, or at social outings with teammates and their families.

Special Olympics is more than sports and competitions to Mark and Michele. It is a community that has welcomed and befriended them. Mark says he treasures Special Olympics because of the smiles he sees on Michele's face after a competition, whether she won a gold medal or finished last. Mark still proudly shows off a photo of the first time Michele competed in the Special Olympics; she was just 8 years old, her hair was in pigtails and her face was lit with excitement.

Mark has worked for the U.S. Postal Service for more than 30 years. Years ago he switched his schedule to work nights so he could pick up Michele from school every day. Michele volunteers 3 days a week delivering meals to home-bound seniors, helping at the food pantry and sorting clothes at the local donation center.

In July of 1968, the first Special Olympics Summer Games were held at Soldier Field in Chicago. Only one thousand athletes competed. Today, it is a growing, global movement in more than 170 countries, serving nearly 3.5 million athletes with intellectual disabilities. In Illinois, Special Olympics is making a difference in the lives of 21,000 athletes and nearly 40,000 volunteers and by organizing 170 competitions each year.

I join the Special Olympics of Illinois in commending Michele and Mark Panozzo for their dedication to Special Olympics. I am sure that Eunice Kennedy Shriver would be proud of what Michele and Mark have contributed to the Special Olympics community, and I am too.

TRIBUTE TO PIER ODDONE

Mr. DURBIN. Madam President, next month Piermaria Oddone will retire as the director of Fermi National Accelerator Laboratory in Batavia, IL, after 8 years of service in that position. Pier has led Fermilab through some challenging times, but he has also led the lab to many remarkable achievements.

Pier was born in Peru and after earning degrees from Massachusetts Institute of Technology and Princeton University, he worked at Caltech, Lawrence Berkeley National Laboratory, and Stanford Linear Accelerator Center.

Then in 2005, Pier and his wonderful wife, Barbara, moved to Fermilab, giving up the sunny west coast for cold Chicago winters. They arrived to 6,800-acres of former farmland that Pier and the Fermilab team have worked to restore to its native prairie. The laboratory maintains strong ties with the descendants of the farm families that once worked the land where Fermilab now sits, and every summer the families are invited to a picnic the lab hosts for the community.

No other national lab director can boast of barns and a herd of bison.

An avid photographer, Pier has spent many weekends walking the lab's grounds trying to capture its natural beauty through the lens. This is one of the things he has loved most about Fermilab. Whether raising bison or maintaining high-tech facilities, Pier has worked diligently to ensure that Fermilab continues to attract some of the best scientists from around the world.

And it does.

Today, Fermilab is America's premier particle physics laboratory, supporting thousands of scientists as they solve the mysteries of matter, energy, space, and time.

Fermilab's mission is to drive discovery in particle physics by building and operating world-class accelerator and detector facilities, performing pioneering research with global partners, and transforming technologies for science and industry.

It has often been said that physicists build huge, complex machines to study the tiniest, most basic particles. Well,

Fermilab physicists build facilities and create new technologies to carry out discovery science and contribute to America's technology base.

During Pier's tenure as director, Fermilab launched a new era of scientific research focused on high-intensity particle beams through its cutting-edge muon and neutrino experiments.

Fermilab also pushed forward the world's understanding of the dark matter and dark energy that constitute 96 percent of the universe with its leadership roles in the Sloan Digital Sky Survey and the state-of-the-art Dark Energy Camera.

While this work was advancing, more than 100,000 students, from kindergarten through high school, were welcomed to the laboratory. Fermilab's strong partnership with Illinois schools and teachers helps achieve their shared goal of inspiring young people to learn more about particle physics, environment, ecology, and accelerator science—and ultimately encouraging them to pursue careers in STEM fields.

In addition, Fermilab's Tevatron particle collider laid the groundwork for the discovery of the Higgs particle last year by developing the technologies and analysis tools that helped confirm evidence of the Higgs boson's existence.

And though the Tevatron has ended its extraordinary 28-year run, under Pier's guidance Fermilab has maintained its position at the forefront of scientific research by serving as the U.S. hub for more than 1,000 physicists working at the Large Hadron Collider.

The laboratory contributed large magnets and other components key to the construction of the Large Hadron Collider and its experiments. Pier even created a control room at Fermilab so U.S. scientists can perform experiments at the Collider remotely.

In his last year as director, Fermilab partnered with the State of Illinois to construct the Illinois Accelerator Research Center, or I-ARC, which aims to accelerate the transition of technologies developed for particle physics research to other sectors of society.

I-ARC will also assist small businesses as a test facility, providing technical expertise in accelerator technology and serving as a training ground for the next generation of accelerator scientists and engineers.

Beyond the lab's accomplishments, Pier has been awarded many honors in his own right. He won the Panofsky Award of the American Physical Society for the invention of the Asymmetric B-Factory, a new kind of particle collider designed to study the difference between matter and antimatter. He is a fellow of the American Physical Society and the American Academy of Arts and Sciences and is an elected member of the National Academy of Sciences. And, in case one was not enough, he also holds an honorary doctorate from the Illinois Institute of Technology.

Needless to say, it is likely that Pier's contributions to particle physics and to Fermilab will continue to benefit Illinois and the international research community long after he retires next month.

When asked what he plans to do upon his retirement, Pier talks about making wine on the vineyard he and his wife own in California.

At one point he even thought of this as a field of research at Fermilab. He would try planting grapevines at the lab, hoping that the heat from the beam lines would keep the vines warm enough to survive the winters. This way, the lab could make wine while unlocking the mysteries of the universe. It might not be a bad idea, but unfortunately he never had any time to test the experiment.

Now, after 8 years as director, Pier's wine-making skills may be a little rusty, but I am sure he will be back to harvesting his Cabernet and Zinfandel grapes in no time. And I am also sure that Pier and Barbara will find more time to spend with their 2-year-old granddaughter and the rest of their family.

On behalf of the people of Illinois and the global community of particle physicists, I thank Pier for his 8 dedicated years at Fermilab and congratulate him on his successful career. I wish him all the best in his retirement.

SMALL BUSINESS DISASTER REFORM ACT

Ms. LANDRIEU. Madam President, I come to speak on S. 415, the ''Small Business Disaster Reform Act of 2013.'' As Chair of the Senate Committee on Small Business and Entrepreneurship, as well as a senator from a state hard hit by disasters, I am proud that yesterday our committee reported out S. 415 favorably on a bipartisan basis. In particular, Section 2 of S. 415 modifies the SBA requirement that borrowers must use their personal home as collateral for business disaster loans less than $200,000. This is a very important provision for businesses impacted by natural and manmade disasters. For that reason, I want to provide additional information on the need to enact this provision.

In terms of the legislative history of Section 2, a similar provision passed the House of Representatives twice in 2009: on October 29, 2009 by a vote of 389–32 as Section 801 of H.R. 3854 and again by voice vote on November 6, 2009 as Section 2 of H.R. 3743. The same provision that is in S. 415 passed the Senate 62–32 on December 28, 2012 as Section 501 of H.R. 1, the Hurricane Sandy Supplemental. However, it was not included in H.R. 152, the House-passed ''Disaster Relief Appropriations Act'' that subsequently was enacted into law. Despite the setback earlier this year, I remind my colleagues that this provision has a history of bipartisan Congressional support and has previously passed both chambers of Congress.

This Congress, we also have significant bipartisan support. S. 415 has six cosponsors: Senators THAD COCHRAN, ROGER WICKER, HEIDI HEITKAMP, KIRSTEN GILLIBRAND, MARK PRYOR, and BEN CARDIN. The House companion to S. 415, H.R. 1974, was introduced by Representative PATRICK MURPHY last month and has 11 cosponsors: Reps. MICK MULVANEY, JUDY CHU, MIKE COFFMAN, TED DEUTCH, PETER KING, ALAN NUNNELEE, DONALD M. PAYNE, Jr., CEDRIC RICHMOND, TOM COLE, TREY RADEL, and FREDERICA WILSON.

While I understand the need to secure the loans and minimize risk to the taxpayers; SBA has at its disposal multiple ways to secure these loans. If business owners have literally lost everything, requiring a $400,000 home as collateral for a $150,000 loan is maddening especially when other repayment options are available. One can understand that requirement for loans of $750,000 or $2 million. For the smaller disaster loans, however, it is a nonstarter for many businesses we have heard from. The bill requires the SBA to seek other business assets—such as commercial real estate, equipment, or inventory—before requiring a primary residence be used as collateral.

I want to reiterate that Section 2 is very clear that these business assets should be of equal or greater value than the amount of the loan. Also, to ensure that this is a targeted improvement, the bill also includes additional language that this bill in no way requires SBA to reduce the amount or quality of collateral it seeks on these types of loans. I want to especially thank my former Ranking Member Olympia Snowe for working with me to improve upon previous legislation on this particular issue. The provision that I am re-introducing, as part of this disaster legislation, is a direct result of discussions with both her and other stakeholders late last year. I believe that this bill is better because of improvements that came out these productive discussions.

Furthermore, SBA has repeatedly said publicly and in testimony before my committee that it will not decline a borrower for a lack of collateral. According to a July 14, 2010 correspondence between SBA and my office, the agency notes that ''SBA is an aggressive lender and its credit thresholds are well below traditional bank standards . . . SBA does not decline loans for insufficient collateral.'' SBA's current practice of making loans is based upon an individual/business demonstrating the ability to repay and income. The agency declines borrowers for an inability to repay the loan. In regards to

collateral, SBA follows traditional lending practices that seek the ''best available collateral.'' Collateral is required for physical loans over $14,000 and Economic Injury Disaster Loans, EIDL, loans over $5,000. SBA takes real estate as collateral when it is available, but as I stated, the agency will not decline a loan for lack of collateral. Instead it requires borrowers to pledge what is available. However, in practice, SBA is requiring borrowers to put up a personal residence worth $300,000 or $400,000 for a business loan of $200,000 or less when there are other assets available for SBA.

This provision does not substantively change SBA's current lending practices and it will not have a significant cost. I believe that this legislation would not trigger direct spending nor would it have a significant impact on the subsidy rate for SBA disaster loans. Currently for every $1 loaned out, it costs approximately 10 cents on the dollar. Most importantly, this bill will greatly improve the SBA disaster loan programs for businesses ahead of future disasters. If a business comes to the SBA for a loan of less than $200,000 to make immediate repairs or secure working capital, they can be assured that they will not have to put up their personal home if SBA determines that the business has other assets to go towards the loan. However, if businesses seek larger loans than $200,000 or if their business assets are not suitable collateral, then the current requirements will still apply. This ensures that very small businesses and businesses seeking smaller amounts of recovery loans are able to secure these loans without significant burdens on their personal property. For the business owners we have spoken to, this provides some badly needed clarity to one of the Federal government's primary tools for responding to disasters.

To be clear though, while I do not want to see SBA tie up too much of a business' collateral, I also believe that if a business is willing and able to put up business assets towards its disaster loan, SBA should consider that first before attempting to bring in personal residences. It is unreasonable for SBA to ask business owners operating in very different business environments post-disaster to jeopardize not just their business but also their home. Loans of $200,000 or less are also the loans most likely to be repaid by the business so personal homes should be collateral of last resort in instances where a business can demonstrate the ability to repay the loan and that it has other assets.

As I have mentioned, there are also safeguards in the provision that ensures that this provision will not reduce the quality of collateral required by SBA for these disaster loans nor will it reduce the quality of the SBA's general collateral requirements. These changes will assist the SBA in cutting down on waste, fraud and abuse of these legislative reforms. In order to further assist the SBA, I believe it is important to clarify what types of business assets we understand they should review. For example, I understand that SBA's current lending practices consider the following business assets as suitable collateral: commercial real estate; machinery and equipment; business inventory; and furniture and fixtures.

At our markup of S. 415 yesterday, there were concerns raised by some Minority members of our committee regarding the impact of this provision. One argument was that SBA has not seized many personal homes in the last five years. However, the SBA has been more aggressive since 2011 on foreclosures—sending out 113 foreclosure letters since then. This year alone they have seized 4 homes in Minnesota, Virginia, Illinois, and Texas. Furthermore, borrowers my office has spoken to are less concerned about a personal home being seized than they are about liens tying up personal property and the general roadblock this requirement sets up in applying for SBA disaster assistance. This requirement is discouraging successful businesses from applying to SBA and causing current applicants to withdraw their applications. As of May 2013, 35 percent of Sandy business applications were withdrawn, most citing burdensome lending requirements like this as the main factor.

Also, it is my understanding that another concern that has been cited was that business equipment depreciates over time so this is a riskier asset for the Federal government than a personal home. This argument, however, is false. As it relates to equipment, the SBA factors in depreciation when considering collateral from potential borrowers. They value equipment or inventory significantly less than real estate, due to depreciation. If equipment is not deemed a suitable asset to collateralize the loan, SBA will not take it. Also, Section 2 still allows SBA to determine the appropriate business asset if not the home. It is not specific to equipment. Other assets the SBA could consider include commercial real estate; machinery and equipment; business inventory; and furniture and fixtures.

Yet another concern that was raised was that, in utilizing business assets instead of personal homes, this makes it tougher for SBA to recover funds in the event of a default. As I previously mentioned, the SBA factors in depreciation and potential recovery in the event of a default when considering collateral from potential borrowers. SBA will not make a loan if it deems the business assets being offered will be difficult to recover or that it does not have sufficient value to collateralize the loan. Also, again the bill does not prohibit homes outright nor require business assets as collateral. It strikes a delicate balance to instead require the SBA to review if suitable business assets are available before using a personal home. If business assets are sufficient, SBA can use them. If business assets are not sufficient and the borrower is unwilling to put up their home, the SBA will not make the loan.

Lastly, it was also put forward that that if Congress allows business assets to be used as collateral instead of homes, this increases the likelihood of defaults. Again, this argument is false. In an April 1, 2013 letter to my office, the SBA Inspector General confirmed that there are no findings relative to business assets increasing defaults. The Inspector General wrote that it has ''. . . conducted numerous reviews of key aspects of the SBA Disaster Assistance Program; however, there are no specific findings relative to the 'type' of collateral secured relative to disaster assistance loans.'' Furthermore, the Inspector General also confirmed that the SBA is still required to secure the loans and Section 2 does not change that. The Inspector General wrote that ''. . . Section 2 does not remove SBA's policy for securing loans with collateral equivalent to 100 percent equity of the loan. Section 2 also explicitly provides that nothing in the Section can be construed to require the Administrator to reduce the amount of collateral required to secure the loan.'' Again, if the business does not have sufficient business assets or the SBA deems them risky, Section 2 does not change their ability to not make the loan.

In closing, I would like to note that Section 2 addresses a key issue that is serving as a roadblock to business owners interested in applying for smaller SBA disaster loans. After the multiple disasters that hit the Gulf Coast, my staff has consistently heard from business owners, discouraged from applying for SBA disaster loans. When we have inquired further on the main reasons behind this hesitation, the top concern related to SBA requiring business owners to put up their personal home as collateral for smaller SBA disaster loans for their business. So let me provide you with two examples of businesses impacted by this requirement.

The first example is LiemCo, a Long Island, NY specialty beverage repair service with 15 employees. Think of ''Starbucks''-type espresso machines in restaurants and coffee shops—LiemCo fixes them. The company is family-owned and the son of the owners, Dominic Chieco runs it. His parents are still partial owners and he pays them a quarterly draw which serves as their retirement income. Ownership is being gradually transferred to Dominic.

Prior to Hurricane Sandy, they did everything right. Dominic moved his

vehicles to higher ground; loaded key inventory in the trucks—inventory with high value or long delivery times; raised items to 6 feet above the floor; purchased extra gas; and withdrew $5,000 in cash in case electricity went out at the banks. According to their local Small Business Development Center, SBDC, they are well run and these preparations show that.

Despite that, Hurricane Sandy flooded his building about 4 to 5 feet. The water went down after a couple of days but power was out for 3 weeks. The day after it came back on, a Nor'easter snow storm knocked out power for another week and a half. This caused physical property damages of more than $250,000. Dominic kept employees on payroll—full time—throughout recovery. He could not give them the customary Christmas bonus but once they re-opened after Christmas, he gave 1 employee their bonus each week.

Dominic's biggest concern was the collateral requirement from SBA. His building is valued at $1.2 million and only carried a $150,000 mortgage. The parents are still partial owners, so notwithstanding the value of the building, SBA still wanted a lien against the parents' home for the guarantee for a $200,000 loan. This bothered them tremendously as it was their retirement security. Much of this would have been eliminated if the collateral position on the parents' home had not been required when sufficient collateral existed with the business.

Another business impacted by this burdensome requirement is Water Street Bistro in Madisonville, LA. Water Street Bistro is a small family-owned restaurant overlooking the sail boats on the Tchefuncte River just across the street. Tony Monroe and his wife Constance have owned their business for 9 years and have about 9 employees. Monroe started his culinary career at Café Sbisa in New Orleans and then went to Colorado before returning to the place he was born and raised.

Fortunately, after Hurricane Katrina, the Monroe's escaped damage to their restaurant and did not need to apply for SBA assistance. However, this was not the case following Hurricane Isaac. Hurricane Isaac brought 6 to 10 inches of water into their restaurant which caused them to close their business for 3 weeks. The Monroe's had to start all over and buy all new food and replace equipment, such as refrigerators, which cost around $30,000. In addition to the physical damage to their property, the Monroe's could not pay their staff during this time.

Mr. and Mrs. Monroe's biggest concern in applying to the SBA was the collateral requirement. SBA required them to pledge their family home for a loan of around $40,000 to $45,000. Once they found out the requirement for pledging primary residence was firm, the Monroe's decided not to pursue the loan. The Monroe's are in their 60's and could not imagine using their home—valued around $200,000 to $250,000—as collateral. They ended up doing all of the repairs, for the restaurant, on their own because they could not afford to pay for these services.

I thank the Chair and I ask unanimous consent that a copy of the April 1, 2013, letter from the SBA Inspector General and other letters of support for S. 415 be printed in the RECORD.

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

U.S. SMALL BUSINESS ADMINISTRATION, OFFICE OF INSPECTOR GENERAL,

Washington, DC, April 1, 2013.

Hon. MARY L. LANDRIEU,

Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

DEAR CHAIR LANDRIEU: Thank you for your March 20, 2013 letter regarding S. 415, the Small Business Disaster Reform Act of 2013. The U.S. Small Business Administration, Office of Inspector General (SBA, OIG) shares the understanding articulated in your letter relative to the plain reading of Section 2 of S. 415. In context of the potential concerns brought to the attention of the Committee on Small Business & Entrepreneurship, two questions were posed to the OIG.

The OIG offers the following responses for your consideration:

Does Section 2 of S. 415 remove SBA's ''one-to-one'' policy for securing loans?

Section 2 of S. 415 states, ''. . . shall not require the owner of the small business concern to use the primary residence of the owner has other assets with a value equal to or greater than the amount of the loan that could be used as collateral for the loan: Provided further, That nothing in the preceding proviso may be construed to reduce the amount of collateral required by the Administrator in connection with a loan described in the preceding proviso or to modify the standards used to evaluate the quality (rather than the type) of such collateral' . . .''

According to SBA standard operating procedures (SOP 50 30 7), SBA generally deems collateral is adequate if the equity is at least 100 percent of the loan amount. As such, a plain reading of Section 2 does not remove SBA's policy for securing loans with collateral equivalent to 100 percent equity for the loan. Section 2 also explicitly provides that nothing in the Section can be construed to require the Administrator to reduce the amount of collateral required to secure the loan.

Does alternative collateral (i.e., to a business owner's primary personal residence) that is equal to or exceeding the amount of a potential business disaster loan, as established in Section 2 of S. 415, increase the likelihood of default?

The Office of Inspector General (OIG) has conducted numerous reviews of key aspects of the SBA Disaster Assistance Program; however, there are no specific findings relative to the ''type'' of collateral secured relative to disaster assistance loans. OIG's work has found that SBA officials have not always adhered to established policies and procedures in managing the program, increasing the risk of default and subsequently, of loss to the taxpayer. We have made numerous recommendations for corrective action based on our work. Regardless of the type of collateral, SBA officials' adherence to established policy and procedures during loan origination, servicing, and if necessary liquidation, decreases the risk of default and loss to the taxpayer.

The OIG appreciates your continued interest in our work. Please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,

PEGGY E. GUSTAFSON,
Inspector General.

ASSOCIATION OF SMALL BUSINESS DEVELOPMENT CENTERS,

Burke, VA, February 10, 2013.

Hon. MARY LANDRIEU,

Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Russell Senate Building, Washington, DC.

DEAR SENATOR LANDRIEU: Thank you for giving the Association of Small Business Development Centers (ASBDC) the opportunity to comment on your proposed legislative amendments to the disaster assistance provisions in the Small Business Act (15 USC 631 et seq.).

While Congress has taken a significant step in addressing the resource issues following Sandy and other disasters there are still restrictions in the SBDC assistance authority and the US Small Business Administration's loan making authority that could complicate future disaster recovery efforts. We applaud your efforts to deal with those issues.

Under section 21(b)(3) of the Small Business Act (15 USC 648(b)(3)) SBDCs are limited in their ability to provide services across state lines. This prevents SBDCs dealing with disaster recovery, like New York and New Jersey, from being able to draw upon the resources available in our nationwide network of nearly 1,000 centers with over 4,500 business advisors. It likewise prevents states with great experience in disaster recovery assistance like Louisiana and Florida, from providing assistance to their colleagues.

Your proposed legislation amends that SBDC geographic service restriction for the purposes of providing disaster support and assistance. Our Association wholeheartedly endorses that change. Allowing SBDCs to share resources across state lines or other boundaries for the purpose of disaster recovery is a common sense proposal, little different from utilities sharing linemen. In addition, we would like to note that this provision has been supported by the Senate Committee on Small Business and Entrepreneurship twice in previous Congresses.

In addition, the ASBDC wishes to express its support for your proposals to amend the collateral requirements in the disaster loan program for loans under $200,000. SBDCs routinely assist small business owners with their applications for disaster loan assistance and have often faced clients with qualms about some of those requirements.

We share a common goal of putting small business on the road to recovery after disaster strikes and getting capital flowing is a key factor in meeting that goal. To that end, ASBDC supports your efforts to ease collateral requirements and help improve the flow of disaster funds to small business applicants. We believe your proposal to limit the use of personal homes as collateral on smaller loans is consistent with the need to get capital flowing to affected businesses and ease the stress on these businesses. We also agree that this change will not undermine

the underwriting standards of the disaster loan program.

Thank you again for kind attention and continuing support of small business.

Sincerely,

C. E. ''TEE '' ROWE,
President/CEO, ASBDC.

INTERNATIONAL ECONOMIC DEVELOPMENT COUNCIL,
Washington, DC, February 13, 2013.

Hon. MARY L. LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate.

Hon. JAMES E. RISCH,
Ranking Member, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

DEAR SENATOR LANDRIEU AND SENATOR RISCH, On behalf of the International Economic Development Council (IEDC), please accept our appreciation for this opportunity to provide comments related to proposed changes to federal disaster assistance programs offered by the United States Small Business Administration (SBA). Your continuing support of these critical programs is worthy of praise and we thank you for your leadership.

IEDC has a strong history of supporting disaster planning and recovery. Our organization, with a membership of over 4,000 dedicated professionals, responded to communities in need following the 2005 hurricane season, the BP Gulf oil spill and other disaster-related incidents by providing economic development recovery assistance. We have continued our work in this area through technical assistance projects and partnerships with federal agencies and other non-governmental organizations. Our profession is invested in helping our country prepare for and respond to disasters, much the same as you and your colleagues on the Committee on Small Business and Entrepreneurship. To this end, we support proposed changes that will allow SBA to more effectively deliver disaster recovery assistance to local businesses in need of federal aid.

Rebuilding the local economy must be a top priority following a disaster, second only to saving lives and homes. IEDC supports the targeted changing of the current collateral requirements that state a business owner must place their home up as collateral in order to secure an SBA disaster business loan of $200,000 or less. In times of crisis, affected business owners are understandably reluctant to place their personal homes up as collateral in order to obtain a much needed loan to rebuild their business. Consequently, SBA loans put in place to help businesses rebuild following a disaster go underutilized. As lawmakers, you have a responsibility to protect the taxpayer, which is why we understand the need for posting collateral of equal or greater value to the amount of the loan. The proposed targeted change that eliminates the specific requirement of using a home as collateral to guarantee a loan of $200,000 or less, and instead allowing business assets to act as collateral, will promote greater utilization of the loans. This is an idea we can all get behind; one that will lead to greater, faster economic recovery.

When disaster strikes, we should do everything in our power to bring the full resources of the federal government to bear in the impacted community. This includes, most especially, bringing in top experts who can immediately begin helping businesses and local economies recover. The national network of over 1,100 Small Business Development Centers (SBDC) could be an excellent resource to stricken communities. Unfortunately, current rules prevent SBDC's from assisting their counterparts in other jurisdictions. For example, those communities in the mid-Atlantic and New England impacted by Sandy are not able to benefit from the enormous amount of knowledge and experience in storm recovery held by SBDC's in Florida and the Gulf region. Certainly, we can all agree that disasters warrant an extraordinary response and that response must include qualified expertise from all corners of the federal government.

Forty to sixty percent of small businesses that close as a result of a disaster do not reopen. This is an unacceptably high number. We would not accept that level of loss in homes and we cannot accept that level of loss in jobs; our communities cannot sustain such losses and duty dictates we make certain they don't have to. By enacting common sense legislation, like that which is under consideration here, and freeing the flow of capital and expertise, we are taking concrete steps to give our small businesses and local economies the greatest chance to recover.

IEDC is your partner in the work of job creation. We thank you for your leadership in support of small business and stand ready to offer our assistance in this and future efforts.

Sincerely,

PAUL L. KRUTKO,
Chairman, International Economic Development Council, and President and CEO, Ann Arbor SPARK.

NATIONAL EMERGENCY MANAGEMENT ASSOCIATION,
Washington, DC, March 21, 2013.

Senator MARY LANDRIEU,
Chairman, Senate Appropriations Subcommittee on Homeland Security, U.S. Senate, Washington, DC.

DEAR SENATOR LANDRIEU, On behalf of the National Emergency Management Association (NEMA), I write you today in support of the Small Business Disaster Reform Act of 2013. NEMA is comprised of the emergency management directors from the states, the U.S. territories, and the District of Columbia.

While not a traditional ''first responder'' agency, the US Small Business Administration (SBA) is a critical partner to States and localities affected by a wide variety of disasters. Following a disaster, SBA has the capability to mobilize staff from the Office of Disaster Assistance to begin disseminating public information about what services SBA can provide to supplement many long-term federal recovery programs. While the Federal Emergency Management Association (FEMA) is often thought of as the primary agency for disaster assistance, there are many unique situations where SBA loans can be utilized in creative ways to assist citizens in need. NEMA agrees that the SBA needs to be equipped with the flexibility and authority to adequately assist disaster victims and we believe this legislation accomplishes such an objective.

The images of homes and businesses affected by flooding and wind damage following Hurricane Irene and Tropical Storm Lee painted a devastating picture in September 2011. In New York State alone, the SBA approved over $100 million in loans for citizens affected by the storms. More recently, Hurricane Sandy reminded us of the critical role SBA has in the disaster community. Ninety days after Hurricane Sandy struck the Northeast, the SBA crossed the $1 billion threshold of approved loans to more than 16,800 homeowners, renters and businesses. This makes Hurricane Sandy, in terms of SBA disaster lending, the third largest natural disaster in U.S. history, behind Hurricanes Katrina/Rita/Wilma ($10.8 billion), and the Northridge Earthquake ($4 billion).

The continued challenge of protecting the nation from a variety of hazards within the reality of fiscal uncertainty elevates the importance of cooperation throughout the emergency management community. Leveraging resources from across the federal family imperative following a disaster and the communication and outreach by essential agencies is just the first step to community recovery. Positive relationships between federal, state, and local government stakeholders are the lynchpin to coordinated recovery efforts that support resilient individuals, prosperous businesses, and thriving economies.

NEMA believes SBA deserves adequate flexibility. Legislation such as this helps achieve that end. We remain available as a resource for you and your staff as this effort continues. Should you need any additional information or have questions regarding NEMA's policy positions, please do not hesitate to contact Matt Cowles, Director of Government Relations at (202) 624–5459.

Sincerely,

JOHN W. MADDEN,
President, National Emergency Management Association, Director, Alaska Division of Homeland Security and Emergency Management.

NATIONAL SMALL BUSINESS ASSOCIATION,
Washington, DC, March 22, 2013.

Hon. MARY LANDRIEU,
U.S. Senate, Hart Senate Office Building, Washington, DC.

Hon. THAD COCHRAN,
U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR SENATORS LANDRIEU AND COCHRAN: The National Small Business Association (NSBA) is pleased to support the bipartisan Small Business Disaster Reform Act of 2013 (S. 415), which will make it much easier on small businesses impacted by and recovering from a disaster. By clarifying that the U.S. Small Business Administration (SBA) shall not use a small business owner's primary residence as collateral for disaster business loans less than $200,000 and authorizing the SBA Administrator to allow out-of-state small business development centers (SBDCs) to provide much-needed assistance in Presidentially-declared disaster areas, this bill will let small businesses do what they do best, create jobs and energize the economy.

The importance of reforming and enhancing federal programs to maximize their benefit to small businesses and entrepreneurs is certainly recognized by the membership of NSBA, and we greatly appreciate commonsense, bipartisan reform measures like the Small Business Disaster Reform Act, especially when they come at no cost to the American taxpayer.

On behalf of the NSBA and our over 65,000 members across the country, I would like to

thank you and the cosponsors of this legislation for your tireless efforts to promote economic development and for your endless support of small businesses impacted by disasters. We look forward to working with you and your staffs to help enact this critical piece of legislation.

Sincerely,

TODD O. MCCRACKEN,
President.

MARCH 5, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Russell Senate Office Building, Washington, DC.
Hon. JAMES RISCH,
Ranking Member, Committee on Small Business and Entrepreneurship, U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR CHAIR LANDRIEU AND RANKING MEMBER RISCH: We write to you today in strong support of the Small Business Disaster Reform Act of 2013. Greater New Orleans, Inc. is a regional economic development alliance serving the 10-parish region of Southeast Louisiana. The Partnership for New York City is a nonprofit organization of the city's business leaders. We represent very different regions of the country, but we are both strong contributors to the national economy and we have been seriously impacted by natural disasters that caused huge economic damage.

The overall economic impact of Hurricane Katrina was estimated to be $150B—the costliest natural disaster in U.S. history. Similarly, the disruption and damage inflicted by Super Storm Sandy—the second costliest natural disaster—is estimated at over $80 billion and resulted in daily loss of billions of dollars in economic output, not only locally but across the country. The impact of these storms has been particularly serious for small businesses, forcing some to close shop entirely and many to reduce services. The Federal government has programs that were intended to insure that small businesses and local economies can quickly recover from such disasters, but in our experience these programs are not working as effectively as they should be and require legislative amendment. That is why we are very interested in prompt action on the Small Business Disaster Reform Act.

Here are some examples of what needs to change:

Small business owners are currently required by the Small Business Administration (SBA) to put up their primary residence as collateral for SBA disaster loans of less than $200,000, even though the value of their home often exceeds the value of the loan. The Small Business Disaster Reform Act of 2013 would put in place a common sense solution that requires the SBA to collateralize small loans with available business assets of equal or greater value before requiring the business owner to put up his or her personal home. In a time of crisis, every possible measure should be taken to avoid business owners having to put their families at further risk. This reform would reduce pressure on affected business owners and increase utilization of the SBA disaster loan program, while still providing necessary protections to the government in the event of default.

Small Business Development Centers, SBDCs, have also played a critical role in helping businesses recover following disasters. However, under current law, SBDCs can only assist businesses in their prescribed geographic region, even though often times after major disasters like hurricanes, SBDCs are affected right along with businesses. Following a Presidential declaration of a disaster, effected regions need aid quickly and SBDCs in surrounding regions, including across state lines, should be able to help neighboring effected regions. This bill would allow for that.

Small businesses are often disproportionately damaged by natural disasters due to loss of customer base, thin profit margins, diminished access to capital and difficulty with relocation. The reforms proposed would help business owners take full advantage of available resources and accelerate their recovery by cutting bureaucratic red tape and providing businesses with the tools needed to resume normal business as quickly as possible—putting people back to work.

We appreciate the Committee's work on this critically important issue and urge the Senate to work together to deliver these much needed reforms. Thank you in advance for your work towards strengthening the economy.

Sincerely,

MICHAEL HECHT,
President & CEO, Greater New Orleans, Inc.
KATHRYN S. WYLDE,
President & CEO, Partnership for New York City.

ST. TAMMANY ECONOMIC DEVELOPMENT FOUNDATION,
Mandeville, LA, February 19, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Russell Senate Building, Washington, DC.

DEAR SENATOR LANDRIEU: The St. Tammany Economic Development Foundation thanks you for the opportunity to comment on the proposed amendments to the disaster assistance provisions in the Small Business Act (15 US 6 31 et seq). As we learned from Hurricanes Katrina, Rita and most recently Isaac, the sooner our small businesses are able to recover, the better it is for the region, the state and the nation.

We fully endorse the proposed amendment to Section 1 of the bill regarding collateral on business disaster loans. If approved, no longer would small business owners have to use their primary personal residence for collateral towards SBA disaster business loans less than $200,000 if other assets are available of equal or greater value than the amount of the loan. In times of crisis, affected business owners are understandably reluctant to place their personal homes up as collateral in order to obtain a much needed loan to rebuild their business. Allowing business assets to act as collateral will promote greater utilization of the loans; leading to faster economic recovery.

Under Section 2 of the bill, Small Business Development Centers (SBDCs) are limited in their ability to provide services across state lines. This prevents SBDCs in affected areas from being able to draw upon the resources available from their colleagues nationwide. Louisiana SBDCs have great experience in disaster recovery assistance and should not be prevented from providing assistance to their colleagues outside of Louisiana in the event of disaster. Therefore, we fully support this provision.

We applaud your efforts to protect small businesses in the wake of disasters and thank you for continuing to be a strong advocate on their behalf. After all, small businesses are the lifeblood of our great nation.

Sincerely,

BRENDA BERTUS,
Executive Director, St. Tammany Economic Development Foundation.

CHARLESTON METRO CHAMBER OF COMMERCE,
North Charleston, SC, March 21, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Russell Senate Building, Washington, DC.

DEAR SENATOR LANDRIEU: As President and CEO of the Charleston Metro Chamber of Commerce, I would like to offer our support of the Small Business Disaster Reform Act of 2013. As the region's largest private sector organization, the Chamber represents more than 1,750 businesses and represents more than 75,000 employees in our region. Small businesses are the backbone of the American economy and, not surprisingly, the Charleston Metro Chamber's largest customer group. More than 80 percent of our members employ 50 or fewer employees.

Your committee's proposed changes on the collateral requirements and allowing small business development centers to work across state lines following disasters are necessary. Anything that can be done after a major disaster to help speed-up the rebuilding efforts should be top priority.

I want to commend you on your leadership with this critical piece of legislation. Please let me know if our team can ever be of service to you or your committee.

BRYAN S. DERREBERRY,
President and CEO.

MOBILE AREA CHAMBER OF COMMERCE,
Mobile, AL, March 20, 2013.

Hon. MARY LANDRIEU,
Chair, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.
Hon. JAMES RISCH,
Ranking Member, Committee on Small Business and Entrepreneurship, U.S. Senate, Washington, DC.

DEAR SENATOR LANDRIEU AND SENATOR RISCH: The Mobile Area Chamber of Commerce would like to thank you for this opportunity to voice our support of the proposed changes to federal disaster assistance program legislation as it relates to programs offered by the U.S. Small Business Administration. We offer our support for two provisions in the ''Small Business Disaster Reform Act of 2013,'' S–115. We support section 2 which modifies the collateral requirements of Business Disaster Loans. We also support section 3 which authorizes the U.S. Small Business Administration to allow out-of-state small business development centers to provide assistance in Presidentially-declared disaster areas.

The Mobile Area Chamber has 2087 member businesses, and ninety percent of these businesses can be classified as small businesses. We have worked closely with the U.S. Small Business Administration office here in Mobile for over five years. We petitioned heavily to get a U.S. Small Business Administration office here locally, as this region received fewer small business loans than any other area of the country. Since opening the U.S. Small Business Administration office here in Mobile, small business loans have risen significantly.

As it relates to disaster assistance, the U.S. Small Business Administration office here in Mobile was ''on the ground'' and very helpful to area businesses in the aftermath of Hurricane Katrina and the December 2012 tornados.

The Mobile Area Chamber of Commerce's mission is to serve as a progressive advocate for business needs to promote the Mobile area's economic well-being. Our program structure and small business agenda reflect that as we offer disaster planning, survival and recovery workshops. Most all of these training sessions were done in conjunction with the local U.S. Small Business Administration office.

Thank you for your hard work and leadership, as we share the common goal of supporting the small business community. We appreciate the opportunity to show our support for your tremendous effort on behalf of small businesses in the Mobile Bay region.

Sincerely,

DARRELL W. RANDLE,
Vice President,
Small Business Development.

FLAG DAY

Mr. ENZI. Madam President, for Americans all across the country, June 14 is a very special day—Flag Day. On that day, we all join together to celebrate our shared heritage and our history as a Nation as represented by our American flag.

We each have our own way of showing our respect and our great love for this symbol of our land. Down through the years it has been given many names, from the Stars and Stripes to Old Glory—to the Grand Old Flag that was memorialized in song. It has so many names because of all that it represents. The story of our Flag reminds us of all the sacrifices that have been made over the years so that our Nation would always be strong and free.

Each of us has our own favorite memory of the flag. There are some that we recall from the pictures of the wars that we have seen, or from our remembrance of all the veterans who proudly fought, especially those who died in the service of our Nation. Anyone who has seen a picture of the Marines raising the American flag during the battle of Iwo Jima will never forget that iconic image. It held such meaning to us we created a statue to memorialize that moment. It stands just a short distance from the Capitol, a reminder to us all that freedom is not free. It comes to us at great cost.

Although we celebrate our American flag's proudest moments on this day, we should also remember those days when we did not treat the Stars and Stripes so kindly. There were those who thought to use the flag to promote their own agenda by burning it in the streets. Fortunately, those moments were few and far between and were usually done by people who did not understand the symbolism of the flag or fully appreciate all they had received from their citizenship. Some of them just did not realize how blessed they were to be Americans.

Here in the Senate, we begin each session by joining together to recite the Pledge of Allegiance. As we do, we pledge our loyalty to our country, our determination to do everything we can to make this a better place for us all to live, and most specifically, we pledge our love and appreciation for this ''one Nation, under God, with liberty and justice for all.''

Over the years, our flags have inspired works of art of all kinds, most especially a song with a remarkable story behind its origin. Every American knows what happened on that day when our young Nation was in the midst of a great war. We were fighting for our very right to be free. As the battle waged, a young man, Francis Scott Key, mesmerized by the action of the battle, suddenly caught sight of our Flag, still flying proudly over the fort in the midst of all the gunshot, flame and fire around him. The words he wrote became another symbol of our Nation as he took up his pen to tell us about the sight. From where he stood he could see ''the rocket's red glare, the bombs bursting in air, which, gave proof through the night, that our Flag was still there''—the same Flag that still proudly flies ''o'er the land of the free and the home of the brave.'' The Flag that helped to inspire those words is still on display, one of the most popular attractions at the Smithsonian Institution just down the street from us.

On Flag Day, and every other day, I would encourage all Americans to fly their flag and to talk to their children and grandchildren about the meaning of the flag and the history of our Nation. The great gifts we have received of ''life, liberty and the pursuit of happiness'' should never become just words to us. They are our birthright as Americans and they should encourage us to continue to remember the sacrifices that have been made in our name. In a very real sense, Flag Day is a call to express the great pride we feel for this country and those who served in our Armed Forces—our great heroes of the past—and those who continue to serve our Nation all over the world—our heroes of the present.

I have often mentioned here on the floor what it means to me to be a grandfather and the thrill of holding the next generation of your family in your arms. Well, my granddaughter continues to share with us one of those special moments we all need to experience so we do not forget the legacy we have received from our citizenship. Every time she sees an American Flag she pauses, looks at it with an understanding that surpasses her years, and with a smile of pride and admiration, says ''God bless America!'' As she says those special words she looks around at everyone near her, expecting them to join her in expressing that sentiment—which we do. She is only 2 years old and she is already learned to do that all by herself—which makes her twos not so terrible after all.

Friday morning, as I reflected about Flag Day I found myself reading the words of Lloyd Ogilvie who served as our Senate Chaplain for many, many years. In his book, One Quiet Moment, he wrote ''Thomas Jefferson inscribed in his memorial God, who gave us life, gave us liberty. Can the liberties of a Nation be secure when we have removed a conviction that these liberties are the gift of God?''

On Flag Day and throughout the year, those are good words of advice to consider and put into practice. We must never forget that all we have received from our citizenship ultimately comes from God. Then it is up to us to share those great blessings with all those we meet as we work together to make our Nation a better place not only for us, but for our children and our grandchildren so they will never lose their fondness and appreciation for this great land of ours.

I can think of no better way to celebrate Flag Day than to join with my granddaughter in her recognition of the flag with an exuberant ''God bless America!'' Yes! God bless America and God bless us all. May our future be as blessed as our past.

MACHIAS, MAINE

Ms. COLLINS. Madam President. I rise today to commemorate the 250th anniversary of the founding of Machias, ME, a remarkable town on the Downeast Coast that exemplifies the determination, resiliency, and courage of our Nation. It was there, in 1775, just 12 years after the village was established, that the first naval battle of the American Revolution was fought and won.

The word ''Machias'' translates from the language of the Passamaquoddy Indians as ''bad little falls.'' The rushing water where the Machias River plunges to the sea and the vast stands of virgin pine drew the first settlers in 1763, who built a successful sawmill and a thriving community.

In early June of 1775, word reached Machias of the Battles at Lexington and Concord in April, the first military engagements of the American Revolution. When two British cargo ships, escorted by the warship *Margaretta*, arrived at Machiasport to take on a shipment of lumber to build barracks for British troops under siege in Boston, they were met by patriots eager to join the fight for freedom.

On June 12, with the town under threat of bombardment if it did not cooperate with the lumber shipment, a militia of 30 men under the command of CPT Jeremiah O'Brien stormed the *Margaretta*. Armed with muskets, pitchforks, and axes, the militia captured the warship and sailed it triumphantly into harbor. The battle known as the ''Lexington of the Seas'' was a stunning American victory.

Among the heroes of that battle was a young woman named Hannah Weston.

As the plans to seize the *Margaretta* were taking shape, this 17-year-old wife of militiaman Josiah Weston went house to house throughout the sparsely settled region collecting gunpowder and shot, and lugging the heavy load through the wilderness to the front lines. Today, the Hannah Weston Chapter of the Daughters of the American Revolution keeps her memory alive.

The Passamaquoddy gave Machias more than a name. By 1777, the town had become a center of revolutionary activity and the British sent an invasion fleet to crush the rebellion. Some 40 or 50 Passamaquoddy, led by Chief Joseph Neeala, joined the militia and the invaders were turned back.

Just outside of Machias stands Fort O'Brien, one of just a few forts to have been active in the American Revolution, the War of 1812, and the Civil War. On the road to that historic site, on the banks of a small stream, there is a plaque that wonderfully describes the spirit of this community.

It was at that place in June of 1775, when the *Margaretta*'s cannons threatened Machias, that the townspeople met in open air to choose between a humiliating peace and a likely hopeless war. The words on the plaque tell the story: ''After some hours of fruitless discussion, Benjamin Foster, a man of action rather than words, leaped across this brook and called all those to follow him who would, whatever the risk, stand by their countrymen and their country's cause. Almost to a man the assembly followed and, without further formality, the settlement was committed to the Revolution.''

Today, that settlement is a thriving community. Machias is the shiretown of Washington County and, as the home of the University of Maine at Machias, it is a center for education and the arts in the region. Located in the heart of the blueberry industry, Machias hosts the Maine Wild Blueberry Festival, one of our State's great summer events. Beautifully restored Burnham Tavern, where the valiant militiamen met to plan their attack on the *Margaretta*, is a National Historic Site, so designated for its significance in America's independence.

In his marvelous history of the town published in 1904, George W. Drisko, a descendant of one of the heroes of the Revolution wrote this: ''The pioneers of Machias believed in destiny. They had faith in vitality. In their rough homes were courageous souls who believed they had a future.'' Those beliefs and that faith helped America achieve the freedom we cherish today, and all Americans congratulate the people of Machias on their 250th anniversary.

HOT SPRINGS COUNTY, WYOMING

Mr. BARRASSO. Madam President, it is my pleasure to honor the residents of Hot Springs County, WY as they celebrate their centennial.

Located in northern Wyoming, and nestled in the Big Horn Basin, Hot Springs County is an incredible place to live and work. Nearly 5,000 residents reside in the communities of Kirby, East Thermopolis, and Thermopolis, the county seat. The county boasts a wide range of recreational opportunities, and its residents share the beauty of the Big Horn River, the Owl Creek Mountains, and the Wind River Canyon with visitors from around the country.

Hot Springs County has a storied past and a promising future. The county is aptly named for the natural mineral hot springs in the area. For thousands of years, Big Spring has produced millions of gallons of mineral water at a constant temperature of 135 degrees Fahrenheit. Northern Arapahoe and Eastern Shoshone Native Americans relied on the spiritual and physical healing powers of the hot springs years before the first settlers arrived. In 1896, under the guidance of Chief Washakie, the tribal leaders transferred ownership of the land surrounding the springs to the U.S. Government. The treaty opened the natural beauty of the area to the public to be enjoyed in perpetuity. Today, this historic treaty is celebrated every August with the Gift of the Waters Pageant. This celebration recreates the treaty ceremony of 1896 and is a truly special attraction.

In the past 100 years, Hot Springs County has benefitted from a variety of industries and has enjoyed great economic success. The county played a key role in supplying oil to support the war effort during World War II. The communities of Grass Creek and Hamilton Dome were especially efficient producers of oil during this period. In addition, a portion of the Burlington Northern and Santa Fe Railroad travels through the county. The Railroad connects the State to important supplies and goods from around the country.

Tourism is arguably the county's most successful industry. In Thermopolis, Hot Springs State Park attracts thousands of guests every year. Created from the land purchased in the Treaty of 1896, the Park provides year-round recreation opportunities, including hiking, picnicking, and soaking in the world-famous hot springs. Just 20 miles away, folks can visit the Legend Rock Petroglyph Site, which is home to some to the best-preserved examples of Dinwoody rock art in the world. The Wyoming Dinosaur Center celebrates Wyoming's incredibly rich natural history. It is one of the few centers in the world that has an active excavation site within driving distance. Visitors can see active dig sites, explore modern preparation laboratories, and admire dozens of fossilized dinosaurs and specimens. Folks in the county have done an incredible job of preserving the county's rich history and sharing with its visitors.

Hot Springs County is a very special place to all of us in Wyoming. In addition to being the hometown of my wife, Bobbi Brown Barrasso, Thermopolis is also the hometown of former Wyoming Governor Dave Freudenthal. The fine folks of the county are incredible leaders and greatly contribute to the success of the entire State.

It is an honor to recognize the residents of Hot Springs County as they celebrate their 100th anniversary. This year, the Hot Springs County Centennial Committee has planned a countywide celebration on June 22nd to commemorate this milestone. I invite my colleagues to visit the communities of Hot Springs County. The county's rich heritage, geological wonders, and genuine cowboy hospitality provide a truly wonderful experience to visitors from all over the world.

RECOGNIZING THE NEHEMIAN

Mr. RISCH. Madam President, during Small Business Week it is important to recognize the ingenuity of small business owners who take a leap of faith and invest in an idea in order to make their dream of being an entrepreneur a reality. I rise today to honor The Nehemian of Buhl, ID, a small business that has shown over the course of 25 years in business that they can take chances and survive in this economic climate.

Over 26 years ago, Nancy Tyrrell and her husband, Ed, opened The Nehemian, a shop that sold antiques and offered custom picture framing. But after years of being in business, the Tyrrells wanted to expand their services and increase their sales. Tyrrell began designing custom key fobs which depict Idaho points of pride, including the Boise State Broncos and the University of Idaho Vandals. As a result of this risk to produce and market new product, The Nehemian found great success in the sale of these local treasures.

Tyrrell has faced her share of entrepreneurial challenges. After a $25,000 loss on a project, Tyrrell considered going back to teaching instead of continuing as a small business owner. But her love for the creative opportunities her business provided convinced her that she wouldn't be happy doing anything else. Instead of giving up, Tyrrell rededicated herself to her store and sought to expand into an untapped market. Her custom key fobs are manufactured by Silver Creek Mint, another local business located in Buhl and where her son is employed. Tyrrell licensed both the Boise State Bronco and University of Idaho Vandal key fob with Collegiate Licensing Co. in order to sell to a market in which she recognized a demand for her product. After only 6 weeks of selling her custom key fobs, Tyrrell had recouped two thirds of her investment. Currently, The

Nehemian sells 12 different variations of key fobs. There is even a Great Seal of Idaho key fob which is sold at the Idaho State Capitol gift shop. Tyrrell also offers key fob design services to large companies to commemorate special milestones.

Though The Nehemian is a small company, they have learned to manage their resources well and expand their products. Nancy Tyrrell's business has achieved a reputation of quality, as well as that of a unique Idaho gem. I would like to recognize The Nehemian as an Idaho Small Business of the Day based on their resiliency through hard times, their willingness to take a risk and their creative spirit.

ADDITIONAL STATEMENTS

TRIBUTE TO MIKE CURRY

● Mr. ENZI. Madam President, I wish to take a moment of the Senate's time to call your attention to the retirement of one of the true heroes of my home town of Gillette, WY. For 30 years our local basketball team, the Camels, has been coached by one of the finest high school coaches of all time—Mike Curry.

Mike has been doing a good job for so long we thought he would be on the bench on the Camels' side of the court forever. That is why it took us all by surprise when Coach Curry decided to retire from coaching at the end of this past season.

Over the years Coach Curry has been more than our coach—he's been a Wyoming tradition. Ask anyone who is a Camels fan who has been responsible for their success and every one will tell you our secret advantage has been the coaching ability and basketball knowledge of Coach Curry.

His concern for each of his players, and his great love of Campbell County High School, has been evident for all the years of his service to the people of Gillette. It shows itself in the hearts of those he has coached and in the lives of those he has worked with as their teacher. He has always been one to lead by quiet but focused example and that important quality of his has made him a role model that has helped to provide guidance and direction to all those with whom he has worked.

If you ask the members of all those championship teams that played for Coach Curry, they will tell you that they learned some important lessons from him that helped to shape their lives. Thanks to him they came to realize what high expectations, teamwork, making good, thoughtful decisions and refusing to ever give up on a goal can mean to the pursuit of a difficult challenge. Ask his current players and they will tell you what it has meant to play for Coach Curry and to receive the legacy of success from his past efforts that helped to get them inspired and motivated right from the start. They knew before they even made the team how successful Coach Curry's Camels had been and that made them ask more from themselves than anyone else would have ever thought was possible for them to achieve.

Coach Curry is now ending a remarkable career. In 30 years he has collected 605 wins and 12 State titles. If we were to ask him which one was sweeter—the first win or the last—I have a feeling he would tell us that they were all special because each one was made possible by a team of young men committed to winning and to each other.

For my family, we will always remember Coach Curry for the impact he had on our son, Brad. He also touched the rest of our family as we watched the Camels play for and learn from a very strong, steady coach. For the community of Gillette, we will always remember the key role Coach Curry played in strengthening Gillette's sense of community and increasing our sense of pride in our school and those who wore its colors.

Congratulations and good luck, Coach Curry. You did a great job and you can now look back on your coaching career with the satisfaction that comes from a job well done. You can also look ahead to some new adventures as this chapter of your life comes to a close and you begin a new one. God bless.●

TRIBUTE TO JOHN J. SWEENEY

● Mr. CARDIN. Madam President, I rise today to recognize the contributions that John J. Sweeney, AFL–CIO president emeritus, has made to improve the lives of working men and women and their families across America and around the world. The labor movement is the foundation of America's middle class, and John Sweeney understands that fact. He has devoted his life to fighting for workers so that they have safe working conditions, good benefits, and a paycheck big enough to support a family.

John Sweeney's life is an inspirational one. He was born in the Bronx, NY—the son of Irish immigrants. His parents knew the value of hard work. His father was a New York City bus driver and his mother worked as a domestic for wealthy families. John Sweeney's father was a member of the union and it was that union membership and steady income that made it possible for Sweeney to attend Iona College in New Rochelle, NY and graduate with a degree in economics. He also holds honorary degrees from Georgetown University, Oberlin College, University of Massachusetts at Amherst, the University of Baltimore, Catholic University Law School, the University of Toledo's College of Law, Iona College and the College of New Rochelle.

Sweeney's first job in the labor movement was with the International Ladies' Garment Workers, which later merged with the Clothing and Textile Workers Union. He joined SEIU Local 32B in New York City in 1961 as a union representative. Sweeney was elected president of Local 32B in 1976 and led two citywide strikes of apartment maintenance workers during the 1970s.

John Sweeney was first elected president of the AFL–CIO in 1995 on a platform of revitalizing the federation, which has 57 affiliated unions and 12 million members, including 3 million members in Working America, its new community affiliate. At the time of his election as president of the AFL–CIO, Sweeney was serving as president of the Service Employees International Union—SEIU. He became president emeritus of the AFL–CIO at the federation's constitutional convention in September 2009, stepping down after 4 terms as president.

There is no denying that the past few years have been difficult ones for the American labor movement, but John Sweeney continues to stand strong in the fight for American workers. The American workforce is the best trained and most efficient in the world. John Sweeney has been a big part of that success and I hope my colleagues will join me in thanking him for his lifelong commitment to American workers and their families.●

MESSAGES FROM THE HOUSE

At 12:32 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 253. An act to provide for the conveyance of approximately 80 acres of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes.

H.R. 520. An act to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes.

H.R. 674. An act to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System.

H.R. 862. An act to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960.

H.R. 876. An act to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

At 2:18 p.m., a message from the House of Representatives, delivered by

Mrs. Cole, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 588) to provide for donor contribution acknowledgements to be displayed at the Vietnam Veterans Memorial Visitor Center, and for other purposes, with an amendment, in which it requests the concurrence of the Senate.

MEASURES REFERRED

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

H.R. 253. An act to provide for the conveyance of approximately 80 acres of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 674. An act to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System; to the Committee on Energy and Natural Resources.

H.R. 862. An act to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960; to the Committee on Energy and Natural Resources.

H.R. 876. An act to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–1935. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; West Coast Salmon Fisheries; 2013 Management Measures'' (RIN0648–XC438) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1936. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Monkfish Fishery; Emergency Action'' (RIN0648–BC79) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1937. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery off the Southern Atlantic States; Amendment 18B'' (RIN0648–BB58) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1938. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery and Northeast Multispecies Fishery; Framework Adjustment 24 and Framework Adjustment 49'' (RIN0648–BC81) received during adjournment of the Senate in the Office of the President of the Senate on June 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1939. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Revise Maximum Retainable Amounts of Groundfish Bering Sea and Aleutian Islands'' (RIN0648–BA43) received in the Office of the President of the Senate on June 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1940. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC654) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1941. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC369) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1942. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XC634) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1943. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; 2013 Sector Operations Plans and Contracts and Allocation of Northeast Multispecies Annual Catch Entitlements'' (RIN0648–XC240) received during adjournment of the Senate in the Office of the President of the Senate on May 29, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1944. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Western Pacific Fisheries; Fishing in the Marianas Trench, Pacific Remote Islands, and Rose Atoll Marine National Monuments'' (RIN0648–BA98) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1945. A communication from the Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Snapper-Grouper Fishery of the South Atlantic; 2013 Recreational Accountability Measure and Closure for South Atlantic Snowy Grouper'' (RIN0648–XC672) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1946. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries in the Western Pacific; 5-Year Extension of Moratorium on Harvest of Gold Corals'' (RIN0648–BC89) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1947. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; North and South Atlantic 2013 Commercial Swordfish Quotas'' (RIN0648–XC334) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1948. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Fisheries; Pacific Tuna Fisheries; Fishing Restrictions in the Eastern Pacific Ocean'' (RIN0648–BC44) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1949. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Crab Rationalization Program'' (RIN0648–BA82) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1950. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 37'' (RIN0648–BC66) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1951. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Restrictions and Observer Requirements in Purse Seine Fisheries for 2013–2014'' (RIN0648–BC87) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1952. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Modifications of the West Coast Commercial Salmon Fisheries; Inseason Action #3'' (RIN0648–XC686) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1953. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska'' (RIN0648–XC675) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1954. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery of the Gulf of Mexico; Texas Closure'' (RIN0648–XC683) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1955. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Big Skate in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XC673) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1956. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Alaska Plaice in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC687) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1957. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, a report relative to the apportionment of membership on the regional fishery management councils; to the Committee on Commerce, Science, and Transportation.

EC–1958. A communication from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Connect America Fund'' ((RIN3060–AF85) (DA 13–1113)) received in the Office of the President of the Senate on June 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1959. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone, Atlantic Intracoastal Waterway; Wrightsville Beach, NC'' ((RIN1625–AA00) (Docket No. USCG–2013–0174)) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1960. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Maritime Administrator, Department of Transportation, received in the Office of the President of the Senate on June 13, 2013; to the Committee on Commerce, Science, and Transportation.

EC–1961. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Robert R. Allardice, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1962. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Frank J. Kisner, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1963. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Douglas H. Owens, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1964. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of five (5) officers authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–1965. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the Fiscal Year 2011 Report on Department of Defense (DoD) Operation and Financial Support for Military Museums; to the Committee on Armed Services.

EC–1966. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Norway; to the Committee on Banking, Housing, and Urban Affairs.

EC–1967. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Canada; to the Committee on Banking, Housing, and Urban Affairs.

EC–1968. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2013–0002)) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–1969. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2013–0002)) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–1970. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Cincinnati, transmitting, pursuant to law, Bank's 2012 Management Report and statement on system of internal controls; to the Committee on Banking, Housing, and Urban Affairs.

EC–1971. A communication from the Assistant Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2013–37) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Finance.

EC–1972. A communication from the Chair of the Medicaid and CHIP Payment and Access Commission, transmitting, pursuant to law, a report entitled ''Report to Congress on Medicaid and CHIP''; to the Committee on Finance.

EC–1973. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2013–0099–2013–0107); to the Committee on Foreign Relations.

EC–1974. A communication from the Assistant Secretary, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Final Priority—National Institute on Disability and Rehabilitation Research—Rehabilitation Research and Training Centers'' (CFDA No. 84.133B–10) received in the Office of the President of the Senate on June 11, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1975. A communication from the Director of the Division of Coal Mine Workers' Compensation, Office of Workers' Compensation Programs, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Black Lung Benefits Act: Standards for Chest Radiographs'' (RIN1240–AA07) received in the Office of the President of the Senate on June 13, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1976. A communication from the Acting Chief Policy Officer, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Part 4022) received in the Office of the President of the Senate on June 13, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–1977. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fenpyroximate; Pesticide Tolerances'' (FRL No. 9388–2) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1978. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Bacillus pumilus strain BU F–33; Exemption from the Requirement of a Tolerance'' (FRL No. 9389–2) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1979. A communication from the Acting Director of the Office of Regulatory Affairs and Collaborative Action, Policy, Management and Budget, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Acquisition Regulations; Buy Indian Act; Procedures for Contracting'' (RIN1090–AB03) received on June 13, 2013; to the Committee on Indian Affairs.

EC–1980. A communication from the Director, Office of National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, a report entitled ''High Intensity Drug Trafficking Areas Program 2013 Report to Congress''; to the Committee on the Judiciary.

EC–1981. A communication from the President of the United States, transmitting, consistent with the War Powers Act, a report relative to deployments of U.S. Armed Forces for combat (OSS–2013–0859); to the Committee on Foreign Relations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Ms. MIKULSKI:

S. 1172. A bill to amend the definition of a law enforcement officer under subchapter III of chapter 83 and chapter 84 of title 5, United States Code, respectively, to ensure the inclusion of certain positions; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PORTMAN (for himself, Mr. WARNER, and Ms. COLLINS):

S. 1173. A bill to affirm the authority of the President to require independent regulatory agencies to comply with regulatory analysis requirements applicable to executive agencies, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BLUMENTHAL (for himself, Mr. CHAMBLISS, Ms. WARREN, Mr. RUBIO, Mr. NELSON, Mr. MENENDEZ, Mr. SCHUMER, and Mr. CASEY):

S. 1174. A bill to award a Congressional Gold Medal to the 65th Infantry Regiment, known as the Borinqueneers; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. FEINSTEIN:

S. 1175. A bill to require the Secretary of the Treasury to establish a program to provide loans and loan guarantees to enable eligible public entities to acquire interests in real property that are in compliance with habitat conservation plans approved by the Secretary of the Interior under the Endangered Species Act of 1973, and for other purposes; to the Committee on Environment and Public Works.

By Mr. VITTER:

S. 1176. A bill to impose a fine with respect to international remittance transfers if the sender is unable to verify legal status in the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VITTER:

S. 1177. A bill to authorize the Moving to Work Charter program to enable public housing agencies to improve the effectiveness of Federal housing assistance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. GILLIBRAND:

S. 1178. A bill to better integrate engineering education into kindergarten through grade 12 instruction and curriculum and to support research on engineering education; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself and Ms. AYOTTE):

S. 1179. A bill to improve the coordination of export promotion programs and to facilitate export opportunities for small businesses, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRASSLEY (for himself, Mr. WYDEN, and Mr. BENNET):

S. 1180. A bill to amend title XI of the Social Security Act to provide for the public availability of Medicare claims data; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mr. ENZI, Mr. SCHUMER, Mr. BARRASSO, Mr. BEGICH, Mr. BOOZMAN, Mr. BENNET, Mr. CORNYN, Mrs. BOXER, Mr. CRAPO, Ms. CANTWELL, Mr. ISAKSON, Mr. CARDIN, Mr. ROBERTS, Mr. CARPER, Mr. THUNE, Mr. COONS, Mrs. GILLIBRAND, Mrs. HAGAN, Mr. NELSON, Mrs. SHAHEEN, Ms. STABENOW, Mr. TESTER, and Mr. WYDEN):

S. 1181. A bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes; to the Committee on Finance.

By Mr. UDALL of Colorado (for himself, Mr. WYDEN, Ms. MURKOWSKI, Mr. UDALL of New Mexico, Mr. BEGICH, Mr. MERKLEY, and Mr. LEE):

S. 1182. A bill to modify the Foreign Intelligence Surveillance Act of 1978 to require specific evidence for access to business records and other tangible things, and provide appropriate transition procedures, and for other purposes; to the Committee on the Judiciary.

By Mr. TESTER (for himself and Mr. MURPHY):

S.J. Res. 18. A joint resolution proposing an amendment to the Constitution of the United States to clarify the authority of Congress and the States to regulate corporations, limited liability companies or other corporate entities established by the laws of any State, the United States, or any foreign state; to the Committee on the Judiciary.

By Mr. UDALL of New Mexico (for himself, Mr. BENNET, Mr. HARKIN, Mr. SCHUMER, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. TESTER, Mrs. BOXER, Mr. COONS, Mr. KING, Mr. MURPHY, Mr. WYDEN, Mr. FRANKEN, Ms. KLOBUCHAR, and Mr. UDALL of Colorado):

S.J. Res. 19. A joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. FEINSTEIN (for herself, Mr. BURR, Mr. COBURN, Mrs. MURRAY, Mr. ENZI, and Mr. DURBIN):

S. Res. 173. A resolution designating September 2013 as ''National Child Awareness Month'' to promote awareness of charities benefitting children and youth-serving organizations throughout the United States and recognizing efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States; considered and agreed to.

By Mr. ALEXANDER (for himself, Mr. DURBIN, Mr. SESSIONS, Mrs. FEINSTEIN, Mr. COCHRAN, Mr. SCHATZ, Mr. ROBERTS, and Mr. CORKER):

S. Res. 174. A resolution designating June 20, 2013, as ''American Eagle Day'', and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 132

At the request of Mr. REID, his name was added as a cosponsor of S. 132, a bill to provide for the admission of the State of New Columbia into the Union.

S. 313

At the request of Mr. CASEY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 316

At the request of Ms. HIRONO, her name was added as a cosponsor of S. 316, a bill to recalculate and restore retirement annuity obligations of the United States Postal Service, to eliminate the requirement that the United States Postal Service prefund the Postal Service Retiree Health Benefits Fund, to place restrictions on the closure of postal facilities, to create incentives for innovation for the United States Postal Service, to maintain levels of postal service, and for other purposes.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 403

At the request of Mr. CASEY, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 528

At the request of Mrs. HAGAN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 528, a bill to amend the Higher Education Opportunity Act to restrict institutions of higher education from using revenues derived from Federal educational assistance funds for advertising, marketing, or recruiting purposes.

S. 554

At the request of Mr. ISAKSON, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 554, a bill to provide for a biennial budget process and a biennial appropriations process and to

enhance oversight and the performance of the Federal Government.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 562

At the request of Mr. WYDEN, the names of the Senator from Maine (Mr. KING) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 562, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 569

At the request of Mr. BROWN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 569, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 579

At the request of Mr. GRASSLEY, his name was added as a cosponsor of S. 579, a bill to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

S. 623

At the request of Mr. CARDIN, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 623, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 635

At the request of Mr. BROWN, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 635, a bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

S. 650

At the request of Ms. LANDRIEU, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 650, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 676

At the request of Mr. NELSON, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 676, a bill to prevent tax-related identity theft and tax fraud.

S. 717

At the request of Ms. KLOBUCHAR, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 717, a bill to direct the Secretary of Energy to establish a pilot program to award grants to nonprofit organizations for the purpose of retrofitting nonprofit buildings with energy-efficiency improvements.

S. 742

At the request of Mr. CARDIN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 742, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 765

At the request of Mr. BENNET, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 765, a bill to help provide relief to State education budgets during a recovering economy, to help fulfill the Federal mandate to provide higher educational opportunities for Native American Indians, and for other purposes.

S. 783

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 783, a bill to amend the Helium Act to improve helium stewardship, and for other purposes.

S. 815

At the request of Mr. MERKLEY, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 815, a bill to prohibit the employment discrimination on the basis of sexual orientation or gender identity.

S. 842

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 842, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 852

At the request of Mr. SANDERS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 852, a bill to improve health care furnished by the Department of Veterans Affairs by increasing access to complementary and alternative medicine and other approaches to wellness and preventive care, and for other purposes.

S. 896

At the request of Mr. BEGICH, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 913

At the request of Mrs. SHAHEEN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 913, a bill to amend the National Oilheat Research Alliance Act of 2000 to reauthorize and improve that Act, and for other purposes.

S. 942

At the request of Mr. CASEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 942, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 967

At the request of Mrs. GILLIBRAND, the names of the Senator from Massachusetts (Mr. COWAN) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 967, a bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes.

S. 1009

At the request of Mr. VITTER, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 1009, a bill to reauthorize and modernize the Toxic Substances Control Act, and for other purposes.

S. 1091

At the request of Ms. MIKULSKI, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1091, a bill to provide for the issuance of an Alzheimer's Disease Research Semipostal Stamp.

S. 1106

At the request of Mr. BENNET, the names of the Senator from Colorado (Mr. UDALL), the Senator from Alaska (Mr. BEGICH) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 1106, a bill to improve the accuracy of mortgage underwriting used by Federal mortgage agencies by ensuring that energy costs are included in the underwriting process, to reduce the amount of energy consumed by homes, to facilitate the creation of energy efficiency retrofit and construction jobs, and for other purposes.

S. 1117

At the request of Ms. STABENOW, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1117, a bill to prepare disconnected youth for a competitive future.

S. 1143

At the request of Mr. TESTER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1143, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 1159

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1159, a bill to amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit.

S. 1166

At the request of Mr. ISAKSON, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 1166, a bill to amend the National Labor Relations Act to provide for appropriate designation of collective bargaining units.

S.J. RES. 16

At the request of Mr. RUBIO, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S.J. Res. 16, a joint resolution proposing an amendment to the Constitution of the United States to limit the power of Congress to impose a tax on a failure to purchase goods or services.

S. CON. RES. 6

At the request of Mr. BARRASSO, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 60

At the request of Mrs. BOXER, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. Res. 60, a resolution supporting women's reproductive health.

S. RES. 151

At the request of Mr. CASEY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. Res. 151, a resolution urging the Government of Afghanistan to ensure transparent and credible presidential and provincial elections in April 2014 by adhering to internationally accepted democratic standards, establishing a transparent electoral process, and ensuring security for voters and candidates.

S. RES. 172

At the request of Mr. BLUNT, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. Res. 172, a resolution designating the first Wednesday in September 2013 as ''National Polycystic Kidney Disease Awareness Day'' and raising awareness and understanding of polycystic kidney disease.

AMENDMENT NO. 1196

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 1196 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1197

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 1197 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1228

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 1228 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

At the request of Mr. VITTER, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of amendment No. 1228 proposed to S. 744, supra.

AMENDMENT NO. 1239

At the request of Mr. KIRK, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of amendment No. 1239 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1240

At the request of Mrs. BOXER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of amendment No. 1240 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1251

At the request of Mr. CORNYN, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of amendment No. 1251 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1261

At the request of Ms. KLOBUCHAR, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 1261 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1262

At the request of Ms. KLOBUCHAR, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 1262 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1278

At the request of Mr. BLUMENTHAL, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of amendment No. 1278 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1295

At the request of Mr. CRUZ, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Utah (Mr. LEE) were added as cosponsors of amendment No. 1295 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1297

At the request of Ms. KLOBUCHAR, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 1297 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 1175. A bill to require the Secretary of the Treasury to establish a program to provide loans and loan guarantees to enable eligible public entities to acquire interests in real property that are in compliance with habitat conservation plans approved by the Secretary of the Interior under the Endangered Species Act of 1973, and for other purposes; to the Committee on Environment and Public Works.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Infrastructure Facilitation and Habitat Conservation Act of 2013.

This legislation will make it easier for communities across the Nation to improve their public infrastructure by providing access to cost-effective Federal loan guarantees to mitigate the impacts of growth on the environment and endangered species.

This bill authorizes a 10-year pilot program, to be administered jointly by the Secretaries of the Interior and Treasury, making credit more readily available to eligible public entities which are sponsors of Habitat Conservation Plans, HCPs, under section 10 of the Endangered Species Act of 1973.

Habitat Conservation Plans were authorized by an amendment to the Endangered Species Act in 1982 as a means to permanently protect the habitat of threatened and endangered species, while facilitating the development of infrastructure, through issuance of a long-term ''incidental take permit''.

Equally important, HCPs can be very effective in avoiding, minimizing and mitigating the effects of development on endangered species and their habitats. HCPs are an essential tool, as Congress intended, in balancing the requirements of the Endangered Species Act with on-going construction and development activity.

In California, the Western Riverside County multiple-species HCP is a

prime example of effective habitat management. The Western Riverside MSHCP covers an area of 1.26 million acres, of which 500,000 will be permanently protected for the benefit of 146 species of plants and animals. To date, more than 347,000 acres of public land and 45,000 acres of private land have been protected, at a cost of $420 million. In the case of the Western Riverside MSHCP, as with other HCPs nationwide, this strategy for advance mitigation of environmental impacts has facilitated the development of much-needed transportation infrastructure. To date, the Western Riverside MSHCP has resulted in expedited environmental approval of 25 transportation infrastructure projects, which have contributed 32,411 jobs and $2.2 billion to the county's economy.

Riverside has been one of the Nation's fastest growing counties, with a rate of growth during the last decade of 42 percent. Unless the development of infrastructure can be made to keep pace with this explosive population growth, neither environmental or livability goals will be attained.

In recent years, the economic downturn has slowed the pace of habitat acquisition in Western Riverside and other similarly-situated communities. Revenue which had been generated by development fees to finance acquisition of habitat has also slowed.

Now, ironically, signs of economic recovery in the region also signal increasing real estate prices that will make the acquisition of mitigation lands more challenging. That's why it is important to provide communities like Western Riverside ready access to capital now to help fund habitat conservation projects while real estate costs remain relatively low, saving them and other communities implementing HCP's billions of dollars.

Under this bill, loan guarantee applicants would have to demonstrate their credit-worthiness and the likely success of their habitat acquisition programs. Priority would be given to HCPs in biologically rich regions whose natural attributes are threatened by rapid development. Other than the modest costs of administration, the bill would entail no federal expenditure unless the local government defaulted—a very rare occurrence.

These Federal guarantees will assure access to commercial credit at reduced rates of interest, enabling participating communities to take advantage of temporarily low prices for habitat. Prompt enactment of this legislation will provide multiple benefits at very low cost to the Federal taxpayer: protection of more habitat more quickly, accelerated development of infrastructure with minimum environmental impact, and reduction in the total cost of HCP land acquisition.

A broad coalition of conservation organizations and infrastructure developers supports this legislation. In fact, the Senate also expressed support for this concept when it approved a similar, albeit more narrowly defined innovative financing program as part of the Water Resources Development Act, WRDA, last month. But where the WRDA provisions would be applicable to mitigate the environmental impacts related to the development of water infrastructure, this legislation would broaden that eligibility to transportation and other public infrastructure.

I urge my colleagues to support this legislation. I believe it will encourage infrastructure development and habitat conservation at minimal Federal risk. It is exactly the kind of partnership with local government that should be utilized to maximize efficient use of Federal dollars.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1175

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Infrastructure Facilitation and Habitat Conservation Act of 2013''.

SEC. 2. CONSERVATION LOAN AND LOAN GUARANTEE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE PUBLIC ENTITY.—The term ''eligible public entity'' means a political subdivision of a State, including—

(A) a duly established town, township, or county;

(B) an entity established for the purpose of regional governance;

(C) a special purpose entity; and

(D) a joint powers authority, or other entity certified by the Governor of a State, to have authority to implement a habitat conservation plan pursuant to section 10(a) of the Endangered Species Act of 1973 (16 U.S.C. 1539(a)).

(2) PROGRAM.—The term ''program'' means the conservation loan and loan guarantee program established by the Secretary under subsection (b)(1).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

(b) LOAN AND LOAN GUARANTEE PROGRAM.—

(1) ESTABLISHMENT.—As soon as practicable after the date of enactment of this Act, the Secretary shall establish a program to provide loans and loan guarantees to eligible public entities to enable eligible public entities to acquire interests in real property that are acquired pursuant to habitat conservation plans approved by the Secretary of the Interior under section 10 of the Endangered Species Act of 1973 (16 U.S.C. 1539).

(2) APPLICATION; APPROVAL PROCESS.—

(A) APPLICATION.—

(i) IN GENERAL.—To be eligible to receive a loan or loan guarantee under the program, an eligible public entity shall submit to the Secretary an application at such time, in such form and manner, and including such information as the Secretary may require.

(ii) SOLICITATION OF APPLICATIONS.—Not less frequently than once per calendar year, the Secretary shall solicit from eligible public entities applications for loans and loan guarantees in accordance with this section.

(B) APPROVAL PROCESS.—

(i) SUBMISSION OF APPLICATIONS TO SECRETARY OF THE INTERIOR.—As soon as practicable after the date on which the Secretary receives an application under subparagraph (A), the Secretary shall submit the application to the Secretary of the Interior for review.

(ii) REVIEW BY SECRETARY OF THE INTERIOR.—

(I) REVIEW.—As soon as practicable after the date of receipt of an application by the Secretary under clause (i), the Secretary of the Interior shall conduct a review of the application to determine whether—

(aa) the eligible public entity is implementing a habitat conservation plan that has been approved by the Secretary of the Interior under section 10 of the Endangered Species Act of 1973 (16 U.S.C. 1539);

(bb) the habitat acquisition program of the eligible public entity would very likely be completed; and

(cc) the eligible public entity has adopted a complementary plan for sustainable infrastructure development that provides for the mitigation of environmental impacts.

(II) REPORT TO SECRETARY.—Not later than 60 days after the date on which the Secretary of the Interior receives an application under subclause (I), the Secretary of the Interior shall submit to the Secretary a report that contains—

(aa) an assessment of each factor described in subclause (I); and

(bb) a recommendation regarding the approval or disapproval of a loan or loan guarantee to the eligible public entity that is the subject of the application.

(III) CONSULTATION WITH SECRETARY OF COMMERCE.—To the extent that the Secretary of the Interior considers to be appropriate to carry out this clause, the Secretary of the Interior may consult with the Secretary of Commerce.

(iii) APPROVAL BY SECRETARY.—

(I) IN GENERAL.—Not later than 120 days after receipt of an application under subparagraph (A), the Secretary shall approve or disapprove the application.

(II) FACTORS.—In approving or disapproving an application of an eligible public entity under subclause (I), the Secretary may consider—

(aa) whether the financial plan of the eligible public entity for habitat acquisition is sound and sustainable;

(bb) whether the eligible public entity has the ability to repay a loan or meet the terms of a loan guarantee under the program;

(cc) any factor that the Secretary determines to be appropriate; and

(dd) the recommendation of the Secretary of the Interior.

(III) PREFERENCE.—In approving or disapproving applications of eligible public entities under subclause (I), the Secretary shall give preference to eligible public entities located in biologically rich regions in which rapid growth and development threaten successful implementation of approved habitat conservation plans, as determined by the Secretary in cooperation with the Secretary of the Interior.

(C) ADMINISTRATION OF LOANS AND LOAN GUARANTEES.—

(i) REPORT TO SECRETARY OF THE INTERIOR.—Not later than 60 days after the date on which the Secretary approves or disapproves an application under subparagraph (B)(iii), the Secretary shall submit to the

Secretary of the Interior a report that contains the decision of the Secretary to approve or disapprove the application.

(ii) DUTY OF SECRETARY.—As soon as practicable after the date on which the Secretary approves an application under subparagraph (B)(iii), the Secretary shall—

(I) establish the loan or loan guarantee with respect to the eligible public entity that is the subject of the application (including such terms and conditions as the Secretary may prescribe); and

(II) carry out the administration of the loan or loan guarantee.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section such sums as are necessary.

(d) TERMINATION OF AUTHORITY.—The authority under this section shall terminate on the date that is 10 years after the date of enactment of this Act.

By Mr. GRASSLEY (for himself, Mr. WYDEN, and Mr. BENNET):

S. 1180. A bill to amend title XI of the Social Security Act to provide for the public availability of Medicare claims data; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, today, Senator WYDEN and I reintroduced the Medicare Data Access for Transparency and Accountability Act. This collaborative effort includes two ideas for making Medicare billing and spending more transparent.

The first provision comes from a bill I introduced in 2011 to enhance the government's ability to combat Medicare and Medicaid fraud. It would require the Secretary of Health and Human Services to issue regulations making Medicare claims and payment data available to the public, similar to other federal spending disclosed on www.USAspending.gov.

That website was created by legislation sponsored by then-Senator Obama and Senator COBURN. It lists almost all federal spending, but it doesn't include payments made to Medicare providers.

That means virtually every other government program, including some defense spending, is more transparent than the Medicare program.

Omitting Medicare spending is especially alarming when you consider the portion of Federal spending that goes through the Medicare program. In 2011, the Federal Government spent $549 billion on Medicare.

Taxpayers have a right to see how their hard-earned dollars are being spent. There should not be a special exception for hard-earned dollars that happen to be spent through Medicare.

Transparency will restore that taxpayers' right.

Also, if doctors know that each claim they make will be publicly available, it might deter some wasteful practices and overbilling.

Our bill accomplishes this by requiring the Secretary of Health and Human Services to make available a searchable Medicare payment database that the public can access at no cost.

The second provision in our bill clarifies that data on Medicare payments to physicians and suppliers do not fall under a Freedom of Information Act, FOIA, exemption.

In 1979, a U.S. District Court ruled that Medicare is prohibited from releasing physicians' billing information to the public.

For over three decades, third parties that tried to obtain physician specific data through the FOIA process have failed. Taxpayers have been denied their right.

Another recent court decision lifted the injunction, but it does not go far enough.

Our bill would make Congress' intent clear and provide the public with the tools to finally gain access to important Medicare data.

I would like to provide one example of how valuable access to Medicare billing data can be.

In 2011, using only a small portion of Medicare claims data, the Wall Street Journal was able to identify suspicious billing patterns and potential abuses of the Medicare program.

The Wall Street Journal found cases where Medicare paid millions to a physician sometimes for several years, before those questionable payments stopped.

That was only one organization using a limited set of Medicare data. When it comes to public programs like Medicare, the Federal Government needs all the help it can get to identify and combat fraud, waste and abuse, and that is why a searchable Medicare claims database should be made available to the public.

I have often quoted Justice Brandeis, who said, ''Sunlight is the best disinfectant.'' That is what Senator WYDEN and I are aiming to accomplish with the Medicare Data Act.

Mr. WYDEN. Mr. President, I rise today with Senator GRASSLEY to introduce the Medicare Data Access for Transparency and Accountability Act. I would like to begin by thanking my friend and esteemed colleague for his unwavering commitment to greater transparency and accountability in government. This Medicare DATA Act advances that goal.

Sunshine continues to be the greatest disinfectant. In that light, the Medicare DATA Act ensures all taxpayers have access to Medicare Claims Database, both to aid them in making medical decisions, and in understanding what their money is paying for in this vital, yet enormous, health program. The Medicare Claims Database is an important resource for public and private stakeholders as it captures healthcare provider payment and claims information for roughly one-third of the United States healthcare system. But why isn't this information already available?

In 1978, the Department of Health Education and Welfare attempted to release this information, upon request, under the premise that accessibility to the source data was in the public interest and therefore should be made available for public consumption. An injunction by a Florida court, however, ordered otherwise.

I am pleased that the Florida court has reevaluated that decision and recently lifted the injunction. This is a step in the right direction, but the decision still leaves access to this data ''opaque.'' Data requests are still subject to the Freedom of Information Act and can be denied by Health and Human Services. Passage of the Medicare DATA Act would put an end to that loophole.

Information affecting the American taxpayer should be part of the public domain in a free society. With this principle in mind, I join with Senator GRASSLEY in changing ''business as usual.''

I urge my colleagues to support this legislation so that Medicare data is finally fully transparent and available to Medicare beneficiaries and taxpayers alike. I look forward to working with my colleagues in this effort.

By Mr. UDALL of Colorado (for himself, Mr. WYDEN, Ms. MURKOWSKI, Mr. UDALL of New Mexico, Mr. BEGICH, Mr. MERKLEY, and Mr. LEE):

S. 1182. A bill to modify the Foreign Intelligence Surveillance Act of 1978 to require specific evidence for access to business records and other tangible things, and provide appropriate transition procedures, and for other purposes; to the Committee on the Judiciary.

Mr. UDALL of Colorado. Mr. President, I rise to speak on an issue that is critical to our constitutional rights and our national security. The revelation and subsequent declassification of the National Security Agency's intelligence gathering programs have shocked Americans in ways that I long ago had telegraphed. We are having a spirited and critical debate about what the right balance between privacy and security ought to be. With regards to NSA activity, I am introducing bipartisan legislation today, with several senators of both parties, designed to narrow Section 215 of the USA PATRIOT Act, known also as the ''business records'' provision, to better balance the authorities we give the federal government while protecting our constitutional rights. More specifically, my legislation would prevent the federal government from collecting millions of law-abiding Americans' phone call records without first establishing some nexus to terrorism. We all expect the NSA to target terrorists, but the revelations in the past few weeks have made clear that the information of millions of law-abiding Americans is being swept up in the process.

Let me start by saying that I continue to feel that a number of the permanent PATRIOT Act provisions should remain in place to give our intelligence community important tools to fight terrorism. But I also believe, as I stated two years ago when offering this same legislation as an amendment to the PATRIOT Act reauthorization bill, that Section 215 of this Act fails to strike the right balance between keeping us safe and protecting the privacy rights of Americans. Indeed, my concerns about this provision of the law have only grown since I was first briefed on its secret interpretation and implementation as a member of the Senate Intelligence Committee.

From the recent leaks and information since declassified about the Section 215 collection program, we know that the Foreign Intelligence Surveillance Court has interpreted this provision of the PATRIOT Act to permit the collection of millions of Americans' phone records on a daily, ongoing basis. As a member of the Senate Intelligence Committee, I have repeatedly expressed concern that the interpretation of this provision of the PATRIOT Act, which allows the government to obtain ''any tangible thing'' relevant to a national security investigation, is at odds with the plain meaning of the law. This secrecy has prevented Americans from understanding how these laws are being implemented in their name. That is unacceptable.

Even before the nature of the bulk phone records collection program was declassified, there was support for narrowing the language of Section 215 from many in Congress and many Americans who feel strongly about their constitutional right to privacy. In fact, the PATRIOT Act reauthorization that passed the Senate in 2005 by unanimous consent included language that would limit the government's ability to collect Americans' personal information without a demonstrated link to terrorism or espionage. While that language did not prevail in conference, it demonstrated that bipartisan agreement on reforms to Section 215 is possible.

In 2011, as the Senate took up the extension of a number of expiring provisions of the PATRIOT Act, I offered an amendment drawn directly from language in the 2005 Senate-passed bill to narrow the application of this provision. That amendment unfortunately did not receive a vote. But today, along with my colleague Sen. WYDEN and others, I am back at it again—introducing bipartisan legislation drawn from that same language.

Our bipartisan bill would narrow the PATRIOT Act Section 215 collection authority to make it consistent with what most Americans believe the law allows. While this legislation would still allow law enforcement and intelligence agencies to use the PATRIOT Act to obtain a wide range of records in the course of terrorism- and espionage-related investigations, it would require them to demonstrate that the records are in some way connected to terrorism or clandestine intelligence activities—which is not the case today. I don't think it is unreasonable to ask our law enforcement agencies to identify a terrorism or espionage investigation before collecting the private information of American citizens.

Many Coloradans share my belief that we need to place common-sense limits on government investigations and link data collection to terrorist- or espionage-related activities. If we cannot assert some nexus to terrorism, then the government should keep its hands off the phone data of law-abiding Americans.

Let me be very clear: our government must continue to diligently and aggressively combat terrorism. We all agree with that critically important goal. But I do not think that it is unreasonable to ask that collection of phone data be limited to investigations that are actually related to terrorism or espionage. And I do not believe that we need to sacrifice national security to strike this balance. In fact, as a member of the Intelligence Committee who has studied our surveillance programs closely, it has not been demonstrated to me that the bulk phone records collection program has provided uniquely valuable information that has stopped terrorist attacks, beyond what is available through less intrusive means. But if we are going to continue providing this authority to collect phone data from Americans' communications, let's at least limit it to require a link to terrorism or espionage. This is a commonsense step that we can take to strike a better balance between keeping our country safe and respecting constitutional rights.

I thank my colleagues who have cosponsored this legislation, and ask other colleagues to give it a close look. I will continue to press for the PATRIOT Act to be reopened for debate, and when that occurs, I will push for passage of this bipartisan bill that strikes a better balance between keeping our nation safe and unduly trampling our constitutional rights.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 173—DESIGNATING SEPTEMBER 2013 AS ''NATIONAL CHILD AWARENESS MONTH'' TO PROMOTE AWARENESS OF CHARITIES BENEFITTING CHILDREN AND YOUTH-SERVING ORGANIZATIONS THROUGHOUT THE UNITED STATES AND RECOGNIZING EFFORTS MADE BY THOSE CHARITIES AND ORGANIZATIONS ON BEHALF OF CHILDREN AND YOUTH AS CRITICAL CONTRIBUTIONS TO THE FUTURE OF THE UNITED STATES

Mrs. FEINSTEIN (for herself, Mr. BURR, Mr. COBURN, Mrs. MURRAY, Mr. ENZI, and Mr. DURBIN) submitted the following resolution; which was considered and agreed to:

S. RES. 173

Whereas millions of children and youth in the United States represent the hopes and future of the United States;

Whereas numerous individuals, charities benefitting children, and youth-serving organizations that work with children and youth collaborate to provide invaluable services to enrich and better the lives of children and youth throughout the United States;

Whereas raising awareness of, and increasing support for, organizations that provide access to healthcare, social services, education, the arts, sports, and other services will result in the development of character and the future success of the children and youth of the United States;

Whereas the month of September, as the school year begins, is a time when parents, families, teachers, school administrators, and communities increase their focus on children and youth throughout the United States;

Whereas the month of September is a time for the people of the United States to highlight and be mindful of the needs of children and youth;

Whereas private corporations and businesses have joined with hundreds of national and local charitable organizations throughout the United States in support of a month-long focus on children and youth; and

Whereas designating September 2013 as National Child Awareness Month recognizes that a long-term commitment to children and youth is in the public interest, and will encourage widespread support for charities and organizations that seek to provide a better future for the children and youth of the United States: Now, therefore, be it

Resolved, That the Senate designates September 2013 as National Child Awareness Month—

(1) to promote awareness of charities benefitting children and youth-serving organizations throughout the United States; and

(2) to recognize efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States.

SENATE RESOLUTION 174—DESIGNATING JUNE 20, 2013, AS ''AMERICAN EAGLE DAY'', AND CELEBRATING THE RECOVERY AND RESTORATION OF THE BALD EAGLE, THE NATIONAL SYMBOL OF THE UNITED STATES

Mr. ALEXANDER (for himself, Mr. DURBIN, Mr. SESSIONS, Mrs. FEINSTEIN, Mr. COCHRAN, Mr. SCHATZ, Mr. ROBERTS, and Mr. CORKER) submitted the following resolution; which was considered and agreed to:

S. RES. 174

Whereas on June 20, 1782, the bald eagle was officially designated as the national emblem of the United States by the founding fathers in the Congress of the Confederation;

Whereas the bald eagle is the central image of the Great Seal of the United States;

Whereas the image of the bald eagle is displayed in the official seal of many branches and departments of the Federal Government, including—

(1) the Office of the President;
(2) the Office of the Vice President;
(3) Congress;
(4) the Supreme Court;
(5) the Department of the Treasury;
(6) the Department of Defense;
(7) the Department of Justice;
(8) the Department of State;
(9) the Department of Commerce;
(10) the Department of Homeland Security;
(11) the Department of Veterans Affairs;
(12) the Department of Labor;
(13) the Department of Health and Human Services;
(14) the Department of Energy;
(15) the Department of Housing and Urban Development;
(16) the Central Intelligence Agency; and
(17) the Postal Service;

Whereas the bald eagle is an inspiring symbol of—

(1) the spirit of freedom; and
(2) the sovereignty of the United States;

Whereas since the founding of the Nation, the image, meaning, and symbolism of the bald eagle have played a significant role in the art, music, history, commerce, literature, architecture, and culture of the United States;

Whereas the bald eagle is prominently featured on the stamps, currency, and coinage of the United States;

Whereas the habitat of bald eagles exists only in North America;

Whereas by 1963, the population of bald eagles that nested in the lower 48 States had declined to approximately 417 nesting pairs;

Whereas due to the dramatic decline in the population of bald eagles in the lower 48 States, the Secretary of the Interior listed the bald eagle as an endangered species on the list of endangered species published under section 4(c)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(1));

Whereas caring and concerned individuals from the Federal, State, and private sectors banded together to save, and help ensure the recovery and protection of, bald eagles;

Whereas on July 20, 1969, the first manned lunar landing occurred in the Apollo 11 Lunar Excursion Module, which was named ''Eagle'';

Whereas the ''Eagle'' played an integral role in achieving the goal of the United States of landing a man on the Moon and returning that man safely to Earth;

Whereas in 1995, as a result of the efforts of those caring and concerned individuals, the Secretary of the Interior listed the bald eagle as a threatened species on the list of threatened species published under section 4(c)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(1));

Whereas by 2007, the population of bald eagles that nested in the lower 48 States had increased to approximately 10,000 nesting pairs, an increase of approximately 2,500 percent from the preceding 40 years;

Whereas in 2007, the population of bald eagles that nested in the State of Alaska was approximately 50,000 to 70,000;

Whereas on June 28, 2007, the Secretary of the Interior removed the bald eagle from the list of threatened species published under section 4(c)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(1));

Whereas bald eagles remain protected in accordance with—

(1) the Act entitled ''An Act for the protection of the bald eagle'', approved June 8, 1940 (16 U.S.C. 668 et seq.) (commonly known as the ''Bald Eagle Protection Act of 1940''); and
(2) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

Whereas on January 15, 2008, the Secretary of the Treasury issued 3 limited edition bald eagle commemorative coins under the American Bald Eagle Recovery and National Emblem Commemorative Coin Act (Public Law 108–486; 118 Stat. 3934);

Whereas the sale of the limited edition bald eagle commemorative coins issued by the Secretary of the Treasury has raised approximately $7,800,000 for the nonprofit American Eagle Foundation of Pigeon Forge, Tennessee to support efforts to protect the bald eagle;

Whereas if not for the vigilant conservation efforts of concerned Americans and the enactment of conservation laws (including regulations), the bald eagle would face extinction;

Whereas the American Eagle Foundation has brought substantial public attention to the cause of the protection and care of the bald eagle nationally;

Whereas, November 4, 2010, marked the 25th anniversary of the American Eagle Foundation;

Whereas facilities around the United States, such as the Southeastern Raptor Center at Auburn University in the State of Alabama, rehabilitate injured eagles for release into the wild;

Whereas the dramatic recovery of the population of bald eagles—

(1) is an endangered species success story; and
(2) an inspirational example for other wildlife and natural resource conservation efforts around the world;

Whereas the initial recovery of the population of bald eagles was accomplished by the concerted efforts of numerous government agencies, corporations, organizations, and individuals; and

Whereas the continuation of recovery, management, and public awareness programs for bald eagles will be necessary to ensure—

(1) the continued progress of the recovery of bald eagles; and
(2) that the population and habitat of bald eagles will remain healthy and secure for future generations: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 20, 2013, as ''American Eagle Day'';
(2) applauds the issuance of bald eagle commemorative coins by the Secretary of the Treasury as a means by which to generate critical funds for the protection of bald eagles; and
(3) encourages—

(A) educational entities, organizations, businesses, conservation groups, and government agencies with a shared interest in conserving endangered species to collaborate and develop educational tools for use in the public schools of the United States; and

(B) the people of the United States to observe American Eagle Day with appropriate ceremonies and other activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1316. Mrs. GILLIBRAND (for herself and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1317. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1318. Mr. WYDEN (for himself, Mrs. BOXER, Mr. SCHATZ, Mr. WHITEHOUSE, Mr. HEINRICH, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1319. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1320. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1321. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1322. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1323. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1324. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1325. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1326. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1327. Mr. BLUMENTHAL (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1328. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1329. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1330. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1331. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1332. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1333. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1334. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1335. Mr. HARKIN (for himself and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1336. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1337. Mr. SCHATZ (for himself, Ms. HIRONO, Mrs. BOXER, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1338. Ms. LANDRIEU (for herself, Mrs. SHAHEEN, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1339. Mr. WHITEHOUSE (for himself, Mr. REED, Mrs. GILLIBRAND, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1340. Ms. LANDRIEU (for herself, Ms. HIRONO, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1341. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1342. Mr. HEINRICH (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1316. Mrs. GILLIBRAND (for herself and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 2111, strike ''Except'' and insert the following:

(a) ELIGIBILITY FOR LEGAL ASSISTANCE.—Section 504(a)(11) of the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act, 1996 (Public Law 104–134; 110 Stat. 1321–53) may not be construed to prevent a recipient of funds under the Legal Services Corporation Act (42 U.S.C. 2996 et seq.) from providing legal assistance related to an application for registered provisional immigrant (referred to in this subsection as ''RPI'') status under section 245B of the Immigration and Nationality Act, legal assistance to an individual who has been granted RPI status, or legal assistance related to an application for adjustment of status under section 245C or 245D of that Act.

(b) RIGHT OR BENEFIT.—Except

SA 1317. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1300, between lines 11 and 12, insert the following:

SEC. 2554. TAXPAYER ELIGIBILITY FOR FEDERAL PROGRAMS.

(a) IN GENERAL.—Any individual who—

(1) is lawfully present in the United States;

(2) is employed; and

(3) has satisfied any applicable Federal tax liability (as defined in section 245B(c)(2)(B) of the Immigration and Nationality Act),

shall not be ineligible for any federally-funded program or tax credit allowed under the Internal Revenue Code of 1986 solely on the basis of the individual's immigration status.

(b) SATISFACTION OF REQUIREMENTS.—An individual may demonstrate compliance with the requirements described in subsection (a) by submitting appropriate documentation, in accordance with regulations promulgated by the Secretary of Homeland Security, in consultation with the Secretary of the Treasury. For purposes of paragraph (2) of subsection (a), such regulations shall allow for brief periods of unemployment lasting not more than 60 days.

(c) APPLICATION TO SPOUSE OR DEPENDENT.—Subsection (a) shall apply to the spouse of an individual described in that subsection and to any dependent (as defined in section 152 of the Internal Revenue Code of 1986) of the individual without regard to paragraph (2) of that subsection.

(d) APPLICATION OF HEALTH INSURANCE REQUIREMENTS.—Notwithstanding any provision of this Act or any amendment made by this Act, for purposes of sections 36B(e) and 5000A(d)(3) of the Internal Revenue Code of 1986 and section 1402(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18071(e)), an individual described in subsection (a) or (c) of this section shall be treated as lawfully present in the United States.

(e) NONAPPLICATION.—This section shall apply notwithstanding any provision of this Act or any amendment made by this Act.

SA 1318. Mr. WYDEN (for himself, Mrs. BOXER, Mr. SCHATZ, Mr. WHITEHOUSE, Mr. HEINRICH, and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 855, strike lines 13 through 19.

Beginning on page 858, strike line 11 and all that follows through page 859, line 22.

On page 864, strike lines 8 through 10 and insert the following:

SEC. 5. COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY.

Beginning on page 870, strike line 3 and all that follows through page 871, line 22.

On page 877, beginning on line 1, strike ''technology'' and all that follows through line 6, and insert ''technology;''.

Beginning on page 908, strike line 8 and all that follows through page 911, line 3.

Beginning on page 1039, strike line 22 and all that follows through page 1040, line 2.

SA 1319. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PLACEMENT OF SERVICE CENTERS OF U.S. CITIZENSHIP AND IMMIGRATION SERVICES.

The Director of U.S. Citizenship and Immigration Services, in reviewing the future space and staffing needs for service centers of U.S. Citizenship and Immigration Services, shall develop, to the extent practicable, an effective facility model that encourages each service center to centralize its operations into a single headquarters campus in the original geographic location of the center.

SA 1320. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 896, strike line 11 and all that follow through page 942, line 17, and insert the following:

TITLE I—BORDER SECURITY

SEC. 1101. BORDER SECURITY REQUIREMENTS.

(a) IN GENERAL.—During the 3-year period beginning on the date of the enactment of this Act, the Secretary shall—

(1) triple the number of U.S. Border Patrol agents stationed along the international border between the United States and Mexico;

(2) quadruple the equipment and other assets stationed along such border, including cameras, sensors, drones, and helicopters, to enable continuous monitoring of the border;

(3) complete all of the fencing required under the Secure Fence Act of 2006 (Public Law 109–367);

(4) develop, in cooperation with the Department of Defense and all Federal law enforcement agencies, a policy ensuring real-time sharing of information among all Federal law enforcement agencies regarding—

(A) smuggling routes for humans and contraband;

(B) patterns in illegal border crossings;

(C) new techniques or methods used in cross-border illegal activity; and

(D) all other information pertinent to border security;

(5) complete and fully implement the United States Visitor and Immigrant Status Indicator Technology (US-VISIT), including the biometric entry-exist portion; and

(6) establish operational control (as defined in section 2(b) of the Secure Fence Act of 2006 (Public Law 109–367)) over 100 percent of the international border between the United States and Mexico.

(b) TRIGGERS.—The Secretary may not commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101, or blue card status under section 2111 until the Secretary has substantially complied with all of the requirements set forth in subsection (a).

(c) BUDGETARY EFFECTS OF NONCOMPLIANCE.—

(1) INITIAL REDUCTIONS.—If, on the date that is 3 years after the date of the enactment of this Act, the Secretary has failed to substantially comply with all of the requirements set forth in subsection (a)—

(A) the amount appropriated to the Department for the following fiscal year shall be automatically reduced by 20 percent;

(B) an amount equal to the reduction under subparagraph (A) shall be made available, in block grants, to the States of Arizona, California, New Mexico, and Texas for

securing the international border between the United States and Mexico; and

(C) the salary of all political appointees at the Department shall be reduced by 20 percent.

(2) SUBSEQUENT YEARS.—If, on the date that is 4, 5, 6, or 7 years after the date of the enactment of this Act, the Secretary has failed to substantially comply with all of the requirements set forth in subsection (a)—

(A) the reductions and block grants authorized under subparagraphs (A) and (B) of paragraph (1) shall increase by an additional 5 percent of the amount appropriated to the Department before the reduction authorized under paragraph (1)(A); and

(B) the salary of all political appointees at the Department shall be reduced by an additional 5 percent.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), there are authorized to be appropriated to carry out this title such sums as may be necessary for each of the fiscal year 2014 through 2018.

(2) OFFSET.—

(A) IN GENERAL.—Any amounts appropriated pursuant to paragraph (1) shall be offset by an equal reduction in the amounts appropriated for other purposes.

(B) RESCISSION.—If the reductions required under subparagraph (A) are not made during the 180-day period beginning on the date of the enactment of this Act, there shall be rescinded, from all unobligated amounts appropriated for any Federal agency (other than the Department of Defense), on a proportionate basis, an amount equal to the amount appropriated pursuant to paragraph (1).

SA 1321. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. INELIGIBILITY FOR MEANS-BASED BENEFITS OF ALIENS ENTERING OR REMAINING IN UNITED STATES WHILE NOT IN LAWFUL STATUS.

Notwithstanding any provision of this Act or any other provision of law, no alien who has entered or remained in the United States while not in lawful status under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) shall be eligible for any Federal, State, or local government means-tested benefit, nor shall such alien be eligible for any benefit under the Patient Protection and Affordable Care Act (Pub. L. 111–148), regardless of the alien's legal status at the time of application for such benefit.

SA 1322. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1076, strike line 20 and insert the following:

SEC. 2215. IMMIGRANT CATEGORIES INELIGIBLE FOR UNITED STATES CITIZENSHIP.

Notwithstanding any other provision of law, aliens granted registered provisional immigrant status under section 245B of the Immigration and Nationality Act, as added by section 2101, including aliens described in section 245D(b)(1) of such Act, and aliens granted blue card status under section 2211 are permanently ineligible to become naturalized citizens of the United States, except for aliens granted asylum pursuant to section 208 of such Act (8 U.S.C. 1158).

SEC. 2216. AUTHORIZATION OF APPROPRIATIONS.

SA 1323. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1076, strike line 20 and insert the following:

SEC. 2215. INELIGIBILITY FOR MEANS-BASED BENEFITS OF ALIENS ENTERING OR REMAINING IN UNITED STATES WHILE NOT IN LAWFUL STATUS.

Notwithstanding any provision of this Act or any other provision of law, any alien who, after entering or remaining in the United States while not in lawful status under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), was granted legal status under section 245B of the Immigration and Nationality Act, as added by section 2101, including aliens described in section 245D(b)(1) of such Act, or blue card status under section 2211, regardless of the alien's legal status at the time the alien applies for a benefit described in paragraph (1) or (2), shall not be eligible for—

(1) any Federal, State, or local government means-tested benefit; or

(2) any benefit under the Patient Protection and Affordable Care Act (Pub. L. 111–148).

SEC. 2216. IMMIGRANT CATEGORIES INELIGIBLE FOR UNITED STATES CITIZENSHIP.

Notwithstanding any other provision of law, aliens granted registered provisional immigrant status under section 245B of the Immigration and Nationality Act, as added by section 2101, including aliens described in section 245D(b)(1) of such Act, and aliens granted blue card status under section 2211 are permanently ineligible to become naturalized citizens of the United States, except for aliens granted asylum pursuant to section 208 of such Act (8 U.S.C. 1158).

SEC. 2217. AUTHORIZATION OF APPROPRIATIONS.

SA 1324. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1166, strike line 3 and all that follows through ''(d)'' on page 1217, line 8, and insert the following:

SEC. 2303. ELIMINATION OF ARBITRARY LIMITATION OF FOREIGN NATIONALITIES.

(a) REPEAL.—Section 202 (8 U.S.C. 1152) is repealed.

(b) CONFORMING AMENDMENT.—Section 203(b) (8 U.S.C. 1153(b)) is amended by striking paragraph (6).

SEC. 2304. ELIMINATION OF DIVERSITY VISA LOTTERY.

(a) REPEAL.—Section 203(c) (8 U.S.C. 1153(c)) is repealed.

(b) CONFORMING AMENDMENTS.—Title II (8 U.S.C. 1151 et seq.) is amended—

(1) in section 201—

(A) in subsection (a), by striking paragraph (3); and

(B) by striking subsection (e); and

(2) in section 204(a)(1), by striking subparagraph (I).

SEC. 2305. FAMILY-SPONSORED IMMIGRANTS.

(a) NUMERICAL LIMITATIONS.—Section 201(c) (8 U.S.C. 1151(c)) is amended to read as follows:

''(c) WORLDWIDE LEVEL OF FAMILY-SPONSORED IMMIGRANTS.—The maximum worldwide level of family-sponsored immigrants for each fiscal year shall be 337,500.''.

(b) VISA ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS .—Section 203(a) (8 U.S.C. 1153(a)) is amended to read as follows:

''(a) VISA ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS.—Qualified immigrants who are the unmarried sons or unmarried daughters (but not children) of a citizen of the United States or an alien lawfully admitted for permanent residence shall be allocated all of the visas made available under section 201(c).''.

(c) EXPANSION OF IMMEDIATE RELATIVE DEFINITION.—Section 201(b)(2)(A) (8 U.S.C. 1151(b)(2)(A)) is amended to read as follows:

''(A)(i) Immediate relatives.

''(ii) Aliens admitted under section 211(a) on the basis of a prior issuance of a visa to their accompanying parent who is an immediate relative.

''(iii) In this subparagraph the term 'immediate relatives' means the children, spouse, and parents of a citizen of the United States or of a lawful permanent resident. If the immediate relative is a parent, the citizen or permanent resident shall be at least 21 years of age. If the alien was the spouse of a citizen of the United States or of a lawful permanent resident and was not legally separated from the citizen or permanent resident at the time of the citizen's or permanent resident's death, the alien (and each child of the alien) shall be considered, for purposes of this subparagraph, to remain an immediate relative after the date of the citizen's or permanent resident's death and until the date the spouse remarries if the spouse files a petition under section 204(a)(1)(A)(ii) not later than 2 years after such death. An alien who has filed a petition under clause (iii) or (iv) of section 204(a)(1)(A) shall remain an immediate relative if the United States citizen or lawful permanent resident spouse or parent loses United States citizenship or lawful permanent resident status on account of the abuse.''.

(d) CONFORMING AMENDMENTS.—The Act (8 U.S.C. 1101 et seq.) is amended—

(1) in section 101(a)(15)(V), by striking ''203(a)(2)(A)'' each place it appears and inserting ''203(a)'';

(2) in section 201(f)—

(A) in paragraph (2), by striking ''203(a)(2)(A)'' and inserting ''203(a)''; and

(B) by striking paragraph (3); and

(C) by redesignating paragraph (4) as paragraph (3); and

(D) in paragraph (3), as redesignated, by striking ''(1) through (3)'' and inserting ''(1) and (2)''; and

(3) in section 204—

(A) in subsection (a)(1)—

(i) in subparagraph (A)(i), by striking ''paragraph (1), (3), or (4) of section 203(a)'' and inserting ''section 203(a)''; and

(ii) in subparagraph (B)—

(I) in clause (i)(I), by striking ''section 203(a)(2)'' and inserting ''section 203(a)''; and

(II) in clause (ii), by striking ''clause (iii) of section 203(a)(2)(A)'' each place it appears and inserting ''section 203(a)''; and

(III) in clause (iii), by striking ''section 203(a)(2)(A)'' and inserting ''section 203(a)''; and

(iii) in subparagraph (D)(i)(I), by striking ''paragraph (1), (2), or (3) of section 203(a)'' and inserting ''section 203(a)'';

(B) in subsection (a)(2)(A), in the undesignated matter after clause (ii), by striking ''preference status under section 203(a)(2)'' and inserting ''status as an immediate relative under section 201(b)(2)(A)''; and

(C) in subsection (k)(1), by striking ''section 203(a)(2)(B)'' and inserting ''section 203(a)''.

SEC. 2306. EMPLOYMENT-BASED IMMIGRANTS.

(a) NUMERICAL LIMITATIONS.—Section 201(d) (8 U.S.C. 1151(c)) is amended to read as follows:

''(d) WORLDWIDE LEVEL OF EMPLOYMENT-BASED IMMIGRANTS.—The maximum worldwide level of employment-based immigrants for each fiscal year shall be 1,012,500.''.

(b) VISA ALLOCATION FOR EMPLOYMENT-BASED IMMIGRANTS .—Section 203(b) (8 U.S.C. 1153(a)) is amended to read as follows:

''(b) VISA ALLOCATION FOR EMPLOYMENT-BASED IMMIGRANTS.—Aliens subject to the worldwide level specified in section 201(d) for employment-based immigrants in a fiscal year shall be allocated visas as follows:

''(1) HIGHLY-SKILLED WORKERS.—Up to 607,500 visas shall be allocated each fiscal year to qualified immigrants described in this paragraph, with preference to be given to immigrants described in subparagraph (A).

''(A) ADVANCED DEGREES IN STEM FIELD.—An alien described in this paragraph holds an advanced degree in science, technology, engineering, or mathematics from an accredited institution of higher education in the United States.

''(B) ALIENS WITH EXTRAORDINARY ABILITY.—An alien described in this subparagraph—

''(i) has extraordinary ability in the sciences, arts, education, business, or athletics which has been demonstrated by sustained national or international acclaim and whose achievements have been recognized in the field through extensive documentation;

''(ii) seeks to enter the United States to continue work in the area of extraordinary ability; and

''(iii) will substantially benefit the United States.

''(C) OUTSTANDING PROFESSORS AND RESEARCHERS.—An alien described in this subparagraph—

''(i) is recognized internationally as outstanding in a specific academic area;

''(ii) has at least 3 years of experience in teaching or research in the academic area; and

''(iii) seeks to enter the United States—

''(I) for a tenured position (or tenure-track position) within a university or institution of higher education to teach in the academic area;

''(II) for a comparable position with a university or institution of higher education to conduct research in the area; or

''(III) for a comparable position to conduct research in the area with a department, division, or institute of a private employer, if the department, division, or institute employs at least 3 persons full-time in research activities and has achieved documented accomplishments in an academic field.

''(D) CERTAIN MULTINATIONAL EXECUTIVES AND MANAGERS.—An alien described in this subparagraph, in the 3 years preceding the time of the alien's application for classification and admission into the United States under this subparagraph, has been employed for at least 1 year by a firm or corporation or other legal entity or an affiliate or subsidiary thereof and the alien seeks to enter the United States in order to continue to render services to the same employer or to a subsidiary or affiliate thereof in a capacity that is managerial or executive.

''(E) SKILLED WORKERS, PROFESSIONALS, AND OTHER WORKERS.—An alien described in this subparagraph—

''(i) is capable, at the time of petitioning for classification under this paragraph, of performing skilled labor (requiring at least 2 years training or experience), not of a temporary or seasonal nature, for which qualified workers are not available in the United States; or

''(ii) holds a baccalaureate degree and is a members of the professions.

''(F) EMPLOYMENT CREATION.—An alien described in this subparagraph seeks to enter the United States for the purpose of engaging in a new commercial enterprise (including a limited partnership)—

''(i) in which such alien has invested (after the date of the enactment of the Immigration Act of 1990) or, is actively in the process of investing, capital in an amount not less than $1,000,000; and

''(ii) which will benefit the United States economy and create full-time employment for not fewer than 10 United States citizens or aliens lawfully admitted for permanent residence or other immigrants lawfully authorized to be employed in the United States (other than the immigrant and the immigrant's spouse, sons, or daughters).

''(2) WORKERS IN DESIGNATED SHORTAGE OCCUPATIONS.—Up to 405,000 visas shall be allocated each fiscal year to qualified immigrants who—

''(A) are not described in paragraph (1); and

''(B) have at least 2 years experience in an occupation designated by the Bureau of Labor Statistics as experiencing a shortage of labor throughout the United States.''.

(c) TREATMENT OF FAMILY MEMBERS.—Section 203(d) (8 U.S.C. 1153(d)) is amended—

(1) by striking ''(a), (b), or (c)'' and inserting ''(a) or (b)''; and

(2) by adding at the end the following: ''The spouse, children, or parents of an alien receiving a visa under subsection 203(b) who are accompanying or following to join the alien shall be counted against the numerical limitations set forth in subsection (b).''.

SEC. 2307. ONLINE PORTAL FOR LAWFUL PERMANENT RESIDENT APPLICATIONS.

(a) ESTABLISHMENT.—The Secretary shall establish an online portal through which individuals may submit applications for lawful permanent resident status.

(b) FEATURES.—The online portal established pursuant to subsection (a) shall provide—

(1) step-by-step instructions, in plain English, describing what information and supporting documentation is required to be submitted;

(2) an e-mail or text message to notify applicants of changes in the status of their application.

(c) USER FEE.—In addition to any other fees required of applicants for lawful permanent under any other provision of law, the Secretary may charge individuals who apply for such status through the online portal established pursuant to subsection (a) a fee in an amount sufficient to pay for the costs of maintaining the online portal.

(d) TIME LIMITATION.—All petitions submitted through the online portal established pursuant to subsection (a) shall be adjudicated in 60 days or less.

(e)

SA 1325. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1629, strike line 7 and all that follows through page 1714, line 19, and insert the following:

SEC. 4101. MARKET-BASED H–1B VISA LIMITS.

(a) IN GENERAL.—Section 214(g)(1) (8 U.S.C. 1184(g)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''(beginning with fiscal year 1992)''; and

(2) by amending subparagraph (A) to read as follows:

''(A) under section 101(a)(15)(H)(i)(b) may not exceed—

''(i) 65,000 in fiscal year 2013; and

''(ii) 325,000 in each subsequent fiscal year; and'';

SEC. 4102. WORK AUTHORIZATION FOR DEPENDENT SPOUSES OF H–1B NONIMMIGRANTS.

Section 214(n) (8 U.S.C. 1184(n)) is amended—

(1) by amending the subsection heading to read as follows ''EMPLOYMENT AUTHORIZATION FOR H–1B NONIMMIGRANTS AND THEIR SPOUSES''; and

(2) by adding at the end the following:

''(3) The spouse of an alien provided nonimmigrant status under section 101(a)(15)(H)(i)(b) is authorized to accept employment in the United States while his or her principal alien spouse lawfully maintains such status while in the United States.''.

SEC. 4103. AUTHORIZATION OF DUAL INTENT.

(a) DEFINITION.—Section 101(a)(15)(F)(i) (8 U.S.C. 1101(a)(15)(F)(i)) is amended by striking ''which he has no intention of abandoning'' and inserting ''which, if the alien is not pursuing a course of study at an accredited institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), the alien has no intention of abandoning''.

(b) PRESUMPTION OF STATUS; INTENTION TO ABANDON FOREIGN RESIDENCE.—Section 214 (8 U.S.C. 1184) is amended—

(1) in subsection (b), by striking ''(L) or (V)'' and inserting ''(F), (L), or (V)''; and

(2) in subsection (h), by striking ''(H)(i)(b) or (c)'' and inserting ''(F), (H)(i)(b), (H)(i)(c)''.

SEC. 4104. H–1B FEE INCREASE.

(a) IN GENERAL.—Section 214(c)(9) (8 U.S.C. 1184(c)(9)) is amended by striking subparagraphs (B) and (C) and inserting the following:

''(B) The amount of the fee imposed under subparagraph (A) shall be—

''(i) $2,500 for each such petition by an employer with more than 25 full-time equivalent employees who are employed in the United States, including any affiliate or subsidiary of such employer; or

''(ii) $1,250 for each such petition by any employer with not more than 25 full-time equivalent employees who are employed in the United States , including any affiliate or subsidiary of such employer.

''(C) Of the amounts collected under this paragraph—

''(i) 60 percent shall be deposited in the H–1B Nonimmigrant Petitioner Account in accordance with section 286(s); and

''(ii) 40 percent shall be deposited in the STEM Education and Training Account established under section 286(w).''.

(b) STEM EDUCATION AND TRAINING ACCOUNT.—Section 286 (8 U.S.C. 1356) is amended by adding at the end the following:

''(w) STEM EDUCATION AND TRAINING ACCOUNT.—

''(1) IN GENERAL.—There is established in the general fund of the Treasury a separate account, which shall be known as the 'STEM Education and Training Account' (referred to in this subsection as the 'Account').

''(2) DEPOSITS.—There shall be deposited as offsetting receipts into the Account 40 percent of the fees collected under section 214(c)(9)(B).

''(3) USE OF FUNDS.—Amounts deposited in the Account may be used to enhance the economic competitiveness of the United States by—

''(A) establishing a block grant program for States to promote STEM education; and

''(B) carrying out programs to bridge STEM education with employment, such as work-study program.''.

SA 1326. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1166, strike line 3 and all that follows through ''(d)'' on page 1217, line 8, and insert the following:

SEC. 2303. ELIMINATION OF ARBITRARY LIMITATION OF FOREIGN NATIONALITIES.

(a) REPEAL.—Section 202 (8 U.S.C. 1152) is repealed.

(b) CONFORMING AMENDMENT.—Section 203(b) (8 U.S.C. 1153(b)) is amended by striking paragraph (6).

SEC. 2304. ELIMINATION OF DIVERSITY VISA LOTTERY.

(a) REPEAL.—Section 203(c) (8 U.S.C. 1153(c)) is repealed.

(b) CONFORMING AMENDMENTS.—Title II (8 U.S.C. 1151 et seq.) is amended—

(1) in section 201—

(A) in subsection (a), by striking paragraph (3); and

(B) by striking subsection (e); and

(2) in section 204(a)(1), by striking subparagraph (I).

SEC. 2305. FAMILY-SPONSORED IMMIGRANTS.

(a) NUMERICAL LIMITATIONS.—Section 201(c) (8 U.S.C. 1151(c)) is amended to read as follows:

''(c) WORLDWIDE LEVEL OF FAMILY-SPONSORED IMMIGRANTS.—The maximum worldwide level of family-sponsored immigrants for each fiscal year shall be 337,500.''.

(b) VISA ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS .—Section 203(a) (8 U.S.C. 1153(a)) is amended to read as follows:

''(a) VISA ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS.—Qualified immigrants who are the unmarried sons or unmarried daughters (but not children) of a citizen of the United States or an alien lawfully admitted for permanent residence shall be allocated all of the visas made available under section 201(c).''.

(c) EXPANSION OF IMMEDIATE RELATIVE DEFINITION.—Section 201(b)(2)(A) (8 U.S.C. 1151(b)(2)(A)) is amended to read as follows:

''(A)(i) Immediate relatives.

''(ii) Aliens admitted under section 211(a) on the basis of a prior issuance of a visa to their accompanying parent who is an immediate relative.

''(iii) In this subparagraph the term 'immediate relatives' means the children, spouse, and parents of a citizen of the United States or of a lawful permanent resident. If the immediate relative is a parent, the citizen or permanent resident shall be at least 21 years of age. If the alien was the spouse of a citizen of the United States or of a lawful permanent resident and was not legally separated from the citizen or permanent resident at the time of the citizen's or permanent resident's death, the alien (and each child of the alien) shall be considered, for purposes of this subparagraph, to remain an immediate relative after the date of the citizen's or permanent resident's death and until the date the spouse remarries if the spouse files a petition under section 204(a)(1)(A)(ii) not later than 2 years after such death. An alien who has filed a petition under clause (iii) or (iv) of section 204(a)(1)(A) shall remain an immediate relative if the United States citizen or lawful permanent resident spouse or parent loses United States citizenship or lawful permanent resident status on account of the abuse.''.

(d) CONFORMING AMENDMENTS.—The Act (8 U.S.C. 1101 et seq.) is amended—

(1) in section 101(a)(15)(V), by striking ''203(a)(2)(A)'' each place it appears and inserting ''203(a)'';

(2) in section 201(f)—

(A) in paragraph (2), by striking ''203(a)(2)(A)'' and inserting ''203(a)''; and

(B) by striking paragraph (3); and

(C) by redesignating paragraph (4) as paragraph (3); and

(D) in paragraph (3), as redesignated, by striking ''(1) through (3)'' and inserting ''(1) and (2)''; and

(3) in section 204—

(A) in subsection (a)(1)—

(i) in subparagraph (A)(i), by striking ''paragraph (1), (3), or (4) of section 203(a)'' and inserting ''section 203(a)''; and

(ii) in subparagraph (B)—

(I) in clause (i)(I), by striking ''section 203(a)(2)'' and inserting ''section 203(a)''; and

(II) in clause (ii), by striking ''clause (iii) of section 203(a)(2)(A)'' each place it appears and inserting ''section 203(a)''; and

(III) in clause (iii), by striking ''section 203(a)(2)(A)'' and inserting ''section 203(a)''; and

(iii) in subparagraph (D)(i)(I), by striking ''paragraph (1), (2), or (3) of section 203(a)'' and inserting ''section 203(a)'';

(B) in subsection (a)(2)(A), in the undesignated matter after clause (ii), by striking ''preference status under section 203(a)(2)'' and inserting ''status as an immediate relative under section 201(b)(2)(A)''; and

(C) in subsection (k)(1), by striking ''section 203(a)(2)(B)'' and inserting ''section 203(a)''.

SEC. 2306. EMPLOYMENT-BASED IMMIGRANTS.

(a) NUMERICAL LIMITATIONS.—Section 201(d) (8 U.S.C. 1151(c)) is amended to read as follows:

''(d) WORLDWIDE LEVEL OF EMPLOYMENT-BASED IMMIGRANTS.—The maximum worldwide level of employment-based immigrants for each fiscal year shall be 1,012,500.''.

(b) VISA ALLOCATION FOR EMPLOYMENT-BASED IMMIGRANTS .—Section 203(b) (8 U.S.C. 1153(a)) is amended to read as follows:

''(b) VISA ALLOCATION FOR EMPLOYMENT-BASED IMMIGRANTS.—Aliens subject to the worldwide level specified in section 201(d) for employment-based immigrants in a fiscal year shall be allocated visas as follows:

''(1) HIGHLY-SKILLED WORKERS.—Up to 607,500 visas shall be allocated each fiscal year to qualified immigrants described in this paragraph, with preference to be given to immigrants described in subparagraph (A).

''(A) ADVANCED DEGREES IN STEM FIELD.—An alien described in this paragraph holds an advanced degree in science, technology, engineering, or mathematics from an accredited institution of higher education in the United States.

''(B) ALIENS WITH EXTRAORDINARY ABILITY.—An alien described in this subparagraph—

''(i) has extraordinary ability in the sciences, arts, education, business, or athletics which has been demonstrated by sustained national or international acclaim and whose achievements have been recognized in the field through extensive documentation;

''(ii) seeks to enter the United States to continue work in the area of extraordinary ability; and

''(iii) will substantially benefit the United States.

''(C) OUTSTANDING PROFESSORS AND RESEARCHERS.—An alien described in this subparagraph—

''(i) is recognized internationally as outstanding in a specific academic area;

''(ii) has at least 3 years of experience in teaching or research in the academic area; and

''(iii) seeks to enter the United States—

''(I) for a tenured position (or tenure-track position) within a university or institution of higher education to teach in the academic area;

''(II) for a comparable position with a university or institution of higher education to conduct research in the area; or

''(III) for a comparable position to conduct research in the area with a department, division, or institute of a private employer, if the department, division, or institute employs at least 3 persons full-time in research activities and has achieved documented accomplishments in an academic field.

''(D) CERTAIN MULTINATIONAL EXECUTIVES AND MANAGERS.—An alien described in this subparagraph, in the 3 years preceding the time of the alien's application for classification and admission into the United States under this subparagraph, has been employed for at least 1 year by a firm or corporation or other legal entity or an affiliate or subsidiary thereof and the alien seeks to enter the United States in order to continue to render services to the same employer or to a subsidiary or affiliate thereof in a capacity that is managerial or executive.

''(E) SKILLED WORKERS, PROFESSIONALS, AND OTHER WORKERS.—An alien described in this subparagraph—

''(i) is capable, at the time of petitioning for classification under this paragraph, of performing skilled labor (requiring at least 2 years training or experience), not of a temporary or seasonal nature, for which qualified workers are not available in the United States; or

''(ii) holds a baccalaureate degree and is a members of the professions.

''(F) EMPLOYMENT CREATION.—An alien described in this subparagraph seeks to enter the United States for the purpose of engaging in a new commercial enterprise (including a limited partnership)—

''(i) in which such alien has invested (after the date of the enactment of the Immigration Act of 1990) or, is actively in the process of investing, capital in an amount not less than $1,000,000; and

''(ii) which will benefit the United States economy and create full-time employment for not fewer than 10 United States citizens or aliens lawfully admitted for permanent residence or other immigrants lawfully authorized to be employed in the United States (other than the immigrant and the immigrant's spouse, sons, or daughters).

''(2) WORKERS IN DESIGNATED SHORTAGE OCCUPATIONS.—Up to 405,000 visas shall be allocated each fiscal year to qualified immigrants who—

''(A) are not described in paragraph (1); and

''(B) have at least 2 years experience in an occupation designated by the Bureau of Labor Statistics as experiencing a shortage of labor throughout the United States.''.

(c) TREATMENT OF FAMILY MEMBERS.—Section 203(d) (8 U.S.C. 1153(d)) is amended—

(1) by striking ''(a), (b), or (c)'' and inserting ''(a) or (b)''; and

(2) by adding at the end the following: ''The spouse, children, or parents of an alien receiving a visa under subsection 203(b) who are accompanying or following to join the alien shall be counted against the numerical limitations set forth in subsection (b).''.

SEC. 2307. ONLINE PORTAL FOR LAWFUL PERMANENT RESIDENT APPLICATIONS.

(a) ESTABLISHMENT.—The Secretary shall establish an online portal through which individuals may submit applications for lawful permanent resident status.

(b) FEATURES.—The online portal established pursuant to subsection (a) shall provide—

(1) step-by-step instructions, in plain English, describing what information and supporting documentation is required to be submitted;

(2) an e-mail or text message to notify applicants of changes in the status of their application.

(c) USER FEE.—In addition to any other fees required of applicants for lawful permanent under any other provision of law, the Secretary may charge individuals who apply for such status through the online portal established pursuant to subsection (a) a fee in an amount sufficient to pay for the costs of maintaining the online portal.

(d) TIME LIMITATION.—All petitions submitted through the online portal established pursuant to subsection (a) shall be adjudicated in 60 days or less.

(e)

Beginning on page 1629, strike line 7 and all that follows through page 1714, line 19, and insert the following:

SEC. 4101. MARKET-BASED H–1B VISA LIMITS.

(a) IN GENERAL.—Section 214(g)(1) (8 U.S.C. 1184(g)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''(beginning with fiscal year 1992)''; and

(2) by amending subparagraph (A) to read as follows:

''(A) under section 101(a)(15)(H)(i)(b) may not exceed—

''(i) 65,000 in fiscal year 2013; and

''(ii) 325,000 in each subsequent fiscal year; and'';

SEC. 4102. WORK AUTHORIZATION FOR DEPENDENT SPOUSES OF H–1B NONIMMIGRANTS.

Section 214(n) (8 U.S.C. 1184(n)) is amended—

(1) by amending the subsection heading to read as follows ''EMPLOYMENT AUTHORIZATION FOR H–1B NONIMMIGRANTS AND THEIR SPOUSES''; and

(2) by adding at the end the following:

''(3) The spouse of an alien provided nonimmigrant status under section 101(a)(15)(H)(i)(b) is authorized to accept employment in the United States while his or her principal alien spouse lawfully maintains such status while in the United States.''.

SEC. 4103. AUTHORIZATION OF DUAL INTENT.

(a) DEFINITION.—Section 101(a)(15)(F)(i) (8 U.S.C. 1101(a)(15)(F)(i)) is amended by striking ''which he has no intention of abandoning'' and inserting ''which, if the alien is not pursuing a course of study at an accredited institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), the alien has no intention of abandoning''.

(b) PRESUMPTION OF STATUS; INTENTION TO ABANDON FOREIGN RESIDENCE.—Section 214 (8 U.S.C. 1184) is amended—

(1) in subsection (b), by striking ''(L) or (V)'' and inserting ''(F), (L), or (V)''; and

(2) in subsection (h), by striking ''(H)(i)(b) or (c)'' and inserting ''(F), (H)(i)(b), (H)(i)(c)''.

SEC. 4104. H–1B FEE INCREASE.

(a) IN GENERAL.—Section 214(c)(9) (8 U.S.C. 1184(c)(9)) is amended by striking subparagraphs (B) and (C) and inserting the following:

''(B) The amount of the fee imposed under subparagraph (A) shall be—

''(i) $2,500 for each such petition by an employer with more than 25 full-time equivalent employees who are employed in the United States, including any affiliate or subsidiary of such employer; or

''(ii) $1,250 for each such petition by any employer with not more than 25 full-time equivalent employees who are employed in the United States , including any affiliate or subsidiary of such employer.

''(C) Of the amounts collected under this paragraph—

''(i) 60 percent shall be deposited in the H–1B Nonimmigrant Petitioner Account in accordance with section 286(s); and

''(ii) 40 percent shall be deposited in the STEM Education and Training Account established under section 286(w).''.

(b) STEM EDUCATION AND TRAINING ACCOUNT.—Section 286 (8 U.S.C. 1356) is amended by adding at the end the following:

''(w) STEM EDUCATION AND TRAINING ACCOUNT.—

''(1) IN GENERAL.—There is established in the general fund of the Treasury a separate account, which shall be known as the 'STEM Education and Training Account' (referred to in this subsection as the 'Account').

''(2) DEPOSITS.—There shall be deposited as offsetting receipts into the Account 40 percent of the fees collected under section 214(c)(9)(B).

''(3) USE OF FUNDS.—Amounts deposited in the Account may be used to enhance the economic competitiveness of the United States by—

''(A) establishing a block grant program for States to promote STEM education; and

''(B) carrying out programs to bridge STEM education with employment, such as work-study program.''.

SA 1327. Mr. BLUMENTHAL (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1004, between lines 4 and 5, insert the following:

''(F) SPECIAL RULE FOR CHILDREN.—Notwithstanding subparagraph (A), the Secretary may adjust the status of a registered provisional immigrant to the status of an alien lawfully admitted for permanent residence if the alien—

''(i) satisfies the requirements under clauses (i) and (ii) of subparagraph (A);

''(ii) is under 18 years of age on the date the alien submits an application for such adjustment; and

''(iii) is enrolled in school or has completed a general education development certificate on the date the alien submits an application for such adjustment.

SA 1328. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. IMPROVED COLLECTION AND USE OF LABOR MARKET INFORMATION.

(a) IN GENERAL.—Section 1137 of the Social Security Act (42 U.S.C. 1320b–7) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting ''(including the occupational information under subsection (g))'' after ''paragraph (3) of this subsection''; and

(B) in paragraph (3), by striking ''employers (as defined'' and inserting ''subject to subsection (g), employers (as defined''; and

(2) by adding at the end the following new subsection:

''(g)(1) Beginning January 1, 2016, each quarterly wage report required to be submitted by an employer under subsection (a)(3) shall include such occupational information with respect to each employee of the employer that permits the classification of such employees into occupational categories as found in the Standard Occupational Classification (SOC) system.

''(2) The State agency receiving the occupational information described in paragraph (1) shall make such information available to the Secretary of Labor pursuant to procedures established by the Secretary of Labor.

''(3)(A)(i) The Secretary of Labor shall make occupational information submitted under paragraph (2) available to other State and Federal agencies, including the United States Census Bureau, the Bureau of Labor Statistics, and other State and Federal research agencies.

''(ii) Disclosure of occupational information under clause (i) shall be subject to the agency having safeguards in place that meet the requirements under paragraph (4).

''(4) The Secretary of Labor shall establish and implement safeguards for the dissemination and, subject to paragraph (5), the use of occupational information received under this subsection.

''(5) Occupational information received under this subsection shall only be used to classify employees into occupational categories as found in the Standard Occupational Classification (SOC) system and to analyze and evaluate occupations in order to improve the labor market for workers and industries.

''(6) The Secretary of Labor shall establish procedures to verify the accuracy of information received under paragraph (2).''.

(b) ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—Not later than one year after the date of the enactment of this Act, the Secretary of Labor shall establish an advisory committee to advise the Secretary on the implementation of subsection (g) of section 1137 of the Social Security Act, as added by subsection (a).

(2) MEMBERSHIP.—The advisory committee shall include—

(A) State government officials, representatives of small, medium, and large businesses, representatives of labor organizations, labor market analysts, privacy and data experts, and non-profit stakeholders; and

(B) such other individuals determined appropriate by the Secretary of Labor.

(3) MEETINGS.—The advisory committee shall meet no less than annually.

(4) TERMINATION.—The advisory committee shall terminate on the date that is 3 years after the date of the first meeting of the committee.

SA 1329. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform

and for other purposes; which was ordered to lie on the table; as follows:

On page 1743, strike lines 1 through 4, and insert the following:

SEC. 4408. J VISA ELIGIBILITY.

(a) SPEAKERS OF CERTAIN FOREIGN LANGUAGES.—Section 101(a)(15)(J) (8 U.S.C. 1101(a)(15)(J)) is amended to read as follows:

On page 1744, between lines 16 and 17, insert the following:

(c) SUMMER WORK TRAVEL PROGRAM EMPLOYMENT IN SEAFOOD PROCESSING.—Notwithstanding any other provision of law or regulation, including part 62 of title 22, Code of Federal Regulations or any proposed rule, the Secretary of State shall permit participants in the Summer Work Travel program described in section 62.32 of such title 22 who are admitted under section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)), as amended by subsection (a), to be employed in seafood processing positions in Alaska.

SA 1330. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 945, between lines 20 and 21, insert the following:

''(III) an offense, unless the applicant demonstrates to the Secretary, by clear and convincing evidence, that he or she is innocent of the offense, that he or she is the victim of such offense, or that no offense occurred, that—

''(aa) is classified as a misdemeanor in the convicting jurisdiction; and

''(bb) involved—

''(AA) domestic violence (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or

''(BB) child abuse and neglect (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

SA 1331. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PREVENTING UNAUTHORIZED IMMIGRATION TRANSITING THROUGH MEXICO.

(a) IN GENERAL.—The Secretary of State, in conjunction with the Secretary of Homeland Security, shall develop and submit to Congress a strategy to address the unauthorized immigration of individuals who transit through Mexico.

(b) REQUIREMENTS.—The strategy developed under subsection (a) shall include specific steps—

(1) to enhance the training, resources, and professionalism of border and law enforcement officials in Mexico, Honduras, El Salvador, Guatemala, and other countries, as appropriate; and

(2) to educate nationals of the countries described in paragraph (1) about the perils of the journey to the United States, including how this Act will increase the likelihood of apprehension, increase criminal penalties associated with illegal entry, and make finding employment in the United States more difficult.

(c) IMPLEMENTATION OF STRATEGY.—In carrying out the strategy developed under subsection (a)—

(1) the Secretary of Homeland Security, in coordination with the Secretary of State, shall produce an educational campaign and disseminate information about the perils of the journey across Mexico, the likelihood of apprehension, and the difficulty of finding employment in the United States; and

(2) the Secretary of State, in conjunction with the Secretary of Homeland Security, shall offer—

(A) training to border and law enforcement officials to enable these officials to operate more effectively, by using, to the greatest extent practicable, Department of Homeland Security personnel to conduct the training; and

(B) technical assistance and equipment to border officials, including computers, document readers, and other forms of technology that may be needed.

(d) AVAILABILITY OF FUNDS.—The Secretary of Homeland Security may use such sums as are necessary from the Comprehensive Immigration Trust Fund established under section 6(a)(1) to carry out this section.

SA 1332. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CHANGES TO EXISTING VISA PROGRAMS.

(a) SHORT TITLE.—This section may be cited as the ''No New Pathway to Citizenship Act''.

(b) REGISTERED PROVISIONAL IMMIGRANT STATUS SUSPENDED.—Notwithstanding any other provision of law, the Secretary shall not process applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by this Act.

(c) BLUE CARD STATUS SUSPENDED.—Notwithstanding any other provision of law, the Secretary shall not process applications for blue card status pursuant to section 2211 of this Act.

(d) ALL NUMERICAL CAPS TO EMPLOYMENT-BASED IMMIGRANT AND NONIMMIGRANT VISA CATEGORIES SUSPENDED.—Notwithstanding any other provision of law, all numerical caps on the numbers of visas allowed to be issued in different categories of nonimmigrant visas and employment-based immigrant visas pursuant to the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), as amended by this Act, are null and void.

(e) SUSPENSION OF GOVERNMENT MANDATED WAGES.—Notwithstanding any other provision of law, all wage requirements and authority in the Immigration and Nationality Act, as amended by this Act, are null and void.

(f) EMPLOYERS CERTIFY EMPLOYMENT NEEDS.—Notwithstanding any other provision of law, in the Immigration and Nationality Act, as amended by this Act, employers shall be permitted to certify to the Federal Government a numerical need for employees and shall be allowed visa allocations to fill the numbers requested by the employer.

(g) INDIVIDUALS ELIGIBLE FOR REGISTERED PROVISIONAL STATUS OR BLUE CARD STATUS ELIGIBLE FOR WORK VISA.—Notwithstanding any other provision of law, all persons eligible for the suspended registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by this Act, and all persons eligible for the suspended blue card status pursuant to section 2211 of this Act shall be deemed eligible for the existing immigrant and non-immigrant visa programs.

(h) NO BAR TO EXISTING ADJUSTMENT OF STATUS.—Notwithstanding any other provision of law, all persons eligible for the suspended registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by this Act, and all persons eligible for the suspended blue card status pursuant to section 2211 of this Act shall be allowed to file paperwork to adjust status from nonimmigrant to immigrant or any work visa status.

(i) TIME PERIOD FOR APPLICATION.—Notwithstanding any other provision of law, all persons eligible for the suspended registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by this Act, and all persons eligible for the suspended blue card status pursuant to section 2211 of this Act shall be and are prima facie eligible for a work visa and may not be removed by the Secretary for a period of 1 year after the date of the enactment of this Act and shall be allowed to apply for an existing visa.

(j) NO SPECIAL PREFERENCE FOR UNDOCUMENTED INDIVIDUALS PATHWAY TO CITIZENSHIP.—Notwithstanding any other provision of law, all persons eligible for the suspended registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by this Act, and all persons eligible for the suspended blue card status pursuant to section 2211 of this Act shall not be granted special preference with regard to permanent resident status or United States citizenship.

(k) APPLICANTS CAN STAY IN UNITED STATES WHILE APPLYING FOR VISA.—Notwithstanding any other provision of law, all persons eligible for the suspended registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by this Act, and all persons eligible for the suspended blue card status pursuant to section 2211 of this Act shall be allowed to apply for immigrant visas simultaneously without having to leave the country and subject to existing law, as amended by this Act, to petition for legal permanent resident status and citizenship if they qualify under this Act or the Immigration and Nationality Act, as amended.

(l) RULE OF CONSTRUCTION.—Section 245C(c)(2) of the Immigration and Nationality Act, as added by section 2102, shall apply to all persons eligible for the suspended registered provisional immigrant and suspended blue card status seeking to adjust status to that of an alien lawfully admitted for permanent residence.

(m) CAP ON REFUGEES AND ASYLEES.—Notwithstanding any other provision of law, the total cap on aliens admitted to the United States as a refugee under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) and granted asylum under section 208 of such Act (8 U.S.C. 1158), as amended by this Act, shall be 50,000 per year.

(n) REFUGEES AND ASYLEES ELIGIBLE FOR WELFARE FOR ONE YEAR.—Notwithstanding any other provision of law, aliens admitted to the United States as a refugee under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) or granted asylum under section 208 of such Act (8 U.S.C. 1158), as amended by this Act, shall not be eligible for any assistance, any Federal means tested welfare benefits, or the earned income tax credit under section 32 of the Internal Revenue Code of 1986, after the date that is 1

year after the date on which the alien is admitted to the United States under such section 207 or granted asylum under such section 208.

(o) REFUGEES AND ASYLEES BARRIERS TO WORK.—Notwithstanding any other provision of law, all Federal legal barriers to work for aliens admitted to the United States as a refugee under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) and granted asylum under section 208 of such Act (8 U.S.C. 1158), as amended by this Act, shall be null and void.

SA 1333. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

SEC. _____. PROHIBITION OF A NATIONAL IDENTIFICATION CARD OR A NATIONAL CITIZEN REGISTRY.

(a) SHORT TITLE.—This section may be cited as the ''Protect Our Privacy Act''.

(b) RULE OF CONSTRUCTION.—Nothing in this Act, the amendments made by this Act, or any other provision of law may be construed as authorizing, directly or indirectly, the issuance, use, or establishment of a national identification card or system.

(c) LIMITATIONS ON IDENTIFICATION OF UNITED STATES CITIZENS.—

(1) BIOMETRIC INFORMATION.—United States citizens shall not be subject to any Federal or State law, mandate, or requirement that they provide photographs or biometric information without probable cause.

(2) PHOTO TOOL.—As used in section 274A of the Immigration and Nationality Act, as amended by section 3101, the term ''photo tool'' may not be construed to allow the Federal Government to require United States citizens to provide a photograph to the Federal Government, other than photographs for Federal employment identification documents and United States passports.

(3) BIOMETRIC SOCIAL SECURITY CARDS.—Notwithstanding section 3102, any other provision of this Act, the amendments made by this Act, or any other provision of law, the Federal Government may not require United States citizens to carry, or to be issued, a biometric social security card.

(4) CITIZEN REGISTRY.—Notwithstanding any provision of this Act, the amendments made by this Act, or any other law, the Federal Government is not authorized to create a de facto national registry of citizens.

SA 1334. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3103 and inserting the following:

SEC. 3103. EXTENSION OF IDENTITY THEFT OFFENSES.

(a) FRAUD AND RELATED ACTIVITIES RELATING TO IDENTIFICATION DOCUMENTS.—Section 1028 of title 18, United States Code, is amended in subsection (a)(7), by striking ''of another person'' and inserting ''that is not his or her own''.

(b) AGGRAVATED IDENTITY THEFT.—Section 1028A(a) of title 18, United States Code, is amended by striking ''of another person'' both places it appears and inserting ''that is not his or her own''.

On page 1452, between lines 21 and 22, insert the following:

(8) $300,000,000 to carry out title III and subtitles D and G of title IV and the amendments made by title III and such subtitles.

At the end of subtitle C of title III, add the following:

SEC. 3307. WAIVER OF FEDERAL LAWS WITH RESPECT TO BORDER SECURITY ACTIONS ON DEPARTMENT OF THE INTERIOR AND DEPARTMENT OF AGRICULTURE LANDS.

(a) PROHIBITION ON SECRETARIES OF THE INTERIOR AND AGRICULTURE.—The Secretary of the Interior or the Secretary of Agriculture shall not impede, prohibit, or restrict activities of U.S. Customs and Border Protection on Federal land located within 100 miles of an international land border that is under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture, to execute search and rescue operations and to prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States.

(b) AUTHORIZED ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION.—U.S. Customs and Border Protection shall have immediate access to Federal land within 100 miles of the international land border under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture for purposes of conducting the following activities on such land that prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States:

(1) Construction and maintenance of roads.

(2) Construction and maintenance of barriers.

(3) Use of vehicles to patrol, apprehend, or rescue.

(4) Installation, maintenance, and operation of communications and surveillance equipment and sensors.

(5) Deployment of temporary tactical infrastructure.

(c) CLARIFICATION RELATING TO WAIVER AUTHORITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law (including any termination date relating to the waiver referred to in this subsection), the waiver by the Secretary of Homeland Security on April 1, 2008, under section 102(c)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note; Public Law 104–208) of the laws described in paragraph (2) with respect to certain sections of the international border between the United States and Mexico and between the United States and Canada shall be considered to apply to all Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture within 100 miles of the international land borders of the United States for the activities of U.S. Customs and Border Protection described in subsection (c).

(2) DESCRIPTION OF LAWS WAIVED.—The laws referred to in paragraph (1) are limited to the Wilderness Act (16 U.S.C. 1131 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), Public Law 86–523 (16 U.S.C. 469 et seq.), the Act of June 8, 1906 (commonly known as the ''Antiquities Act of 1906''; 16 U.S.C. 431 et seq.), the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act''), the National Park Service Organic Act (16 U.S.C. 1 et seq.), the General Authorities Act of 1970 (Public Law 91–383) (16 U.S.C. 1a-1 et seq.), sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Public Law 95–625, 92 Stat. 3467), and the Arizona Desert Wilderness Act of 1990 (16 U.S.C. 1132 note; Public Law 101–628).

(d) PROTECTION OF LEGAL USES.—This section shall not be construed to provide—

(1) authority to restrict legal uses, such as grazing, hunting, mining, or public-use recreational and backcountry airstrips on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture; or

(2) any additional authority to restrict legal access to such land.

(e) EFFECT ON STATE AND PRIVATE LAND.—This Act shall—

(1) have no force or effect on State or private lands; and

(2) not provide authority on or access to State or private lands.

(f) TRIBAL SOVEREIGNTY.—Nothing in this section supersedes, replaces, negates, or diminishes treaties or other agreements between the United States and Indian tribes.

(g) REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of Homeland Security shall submit to the appropriate committees of Congress a report describing the extent to which implementation of this section has affected the operations of U.S. Customs and Border Protection in the year preceding the report.

Strike subtitle G of title III and insert the following:

Subtitle G—Interior Enforcement

SEC. 3700. SHORT TITLE.

This subtitle may be cited as the ''Strengthen and Fortify Enforcement Act'' or the ''SAFE Act''.

CHAPTER 1—IMMIGRATION LAW ENFORCEMENT BY STATES AND LOCALITIES

SEC. 3701. DEFINITION AND SEVERABILITY.

(a) STATE DEFINED.—For the purposes of this chapter, the term ''State'' has the meaning given to such term in section 101(a)(36) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(36)).

(b) SEVERABILITY.—If any provision of this chapter, or the application of such provision to any person or circumstance, is held invalid, the remainder of this chapter, and the application of such provision to other persons not similarly situated or to other circumstances, shall not be affected by such invalidation.

SEC. 3702. IMMIGRATION LAW ENFORCEMENT BY STATES AND LOCALITIES.

(a) IN GENERAL.—Subject to section 274A(h)(2) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(2)), States, or political subdivisions of States, may enact, implement and enforce criminal penalties that penalize the same conduct that is prohibited in the criminal provisions of immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))), as long as the criminal penalties

do not exceed the relevant Federal criminal penalties. States, or political subdivisions of States, may enact, implement and enforce civil penalties that penalize the same conduct that is prohibited in the civil violations of immigration laws (as defined in such section 101(a)(17)), as long as the civil penalties do not exceed the relevant Federal civil penalties.

(b) LAW ENFORCEMENT PERSONNEL.—Law enforcement personnel of a State, or of a political subdivision of a State, may investigate, identify, apprehend, arrest, detain, or transfer to Federal custody aliens for the purposes of enforcing the immigration laws of the United States to the same extent as Federal law enforcement personnel. Law enforcement personnel of a State, or of a political subdivision of a State, may also investigate, identify, apprehend, arrest, or detain aliens for the purposes of enforcing the immigration laws of a State or of a political subdivision of State, as long as those immigration laws are permissible under this section. Law enforcement personnel of a State, or of a political subdivision of a State, may not remove aliens from the United States.

SEC. 3703. LISTING OF IMMIGRATION VIOLATORS IN THE NATIONAL CRIME INFORMATION CENTER DATABASE.

(a) PROVISION OF INFORMATION TO THE NCIC.—Not later than 180 days after the date of the enactment of this Act and periodically thereafter as updates may require, the Secretary shall provide the National Crime Information Center of the Department of Justice with all information that the Secretary may possess regarding any alien against whom a final order of removal has been issued, any alien who has entered into a voluntary departure agreement, any alien who has overstayed their authorized period of stay, and any alien whose visas has been revoked. The National Crime Information Center shall enter such information into the Immigration Violators File of the National Crime Information Center database, regardless of whether—

(1) the alien received notice of a final order of removal;

(2) the alien has already been removed; or

(3) sufficient identifying information is available with respect to the alien.

(b) INCLUSION OF INFORMATION IN THE NCIC DATABASE.—

(1) IN GENERAL.—Section 534(a) of title 28, United States Code, is amended—

(A) in paragraph (3), by striking ''and'' at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

''(4) acquire, collect, classify, and preserve records of violations by aliens of the immigration laws of the United States, regardless of whether any such alien has received notice of the violation or whether sufficient identifying information is available with respect to any such alien or whether any such alien has already been removed from the United States; and''.

(2) EFFECTIVE DATE.—The Attorney General and the Secretary shall ensure that the amendment made by paragraph (1) is implemented by not later than 6 months after the date of the enactment of this Act.

SEC. 3704. TECHNOLOGY ACCESS.

States shall have access to Federal programs or technology directed broadly at identifying inadmissible or deportable aliens.

SEC. 3705. STATE AND LOCAL LAW ENFORCEMENT PROVISION OF INFORMATION ABOUT APPREHENDED ALIENS.

(a) PROVISION OF INFORMATION.—In compliance with section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) and section 434 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1644), each State, and each political subdivision of a State, shall provide the Secretary in a timely manner with the information specified in subsection (b) with respect to each alien apprehended in the jurisdiction of the State, or in the political subdivision of the State, who is believed to be inadmissible or deportable.

(b) INFORMATION REQUIRED.—The information referred to in subsection (a) is as follows:

(1) The alien's name.

(2) The alien's address or place of residence.

(3) A physical description of the alien.

(4) The date, time, and location of the encounter with the alien and reason for stopping, detaining, apprehending, or arresting the alien.

(5) If applicable, the alien's driver's license number and the State of issuance of such license.

(6) If applicable, the type of any other identification document issued to the alien, any designation number contained on the identification document, and the issuing entity for the identification document.

(7) If applicable, the license plate number, make, and model of any automobile registered to, or driven by, the alien.

(8) A photo of the alien, if available or readily obtainable.

(9) The alien's fingerprints, if available or readily obtainable.

(c) ANNUAL REPORT ON REPORTING.—The Secretary shall maintain and annually submit to the Congress a detailed report listing the States, or the political subdivisions of States, that have provided information under subsection (a) in the preceding year.

(d) REIMBURSEMENT.—The Secretary shall reimburse States, and political subdivisions of a State, for all reasonable costs, as determined by the Secretary, incurred by the State, or the political subdivision of a State, as a result of providing information under subsection (a).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(f) CONSTRUCTION.—Nothing in this section shall require law enforcement officials of a State, or of a political subdivision of a State, to provide the Secretary with information related to a victim of a crime or witness to a criminal offense.

(g) EFFECTIVE DATE.—This section shall take effect on the date that is 120 days after the date of the enactment of this Act and shall apply with respect to aliens apprehended on or after such date.

SEC. 3706. FINANCIAL ASSISTANCE TO STATE AND LOCAL POLICE AGENCIES THAT ASSIST IN THE ENFORCEMENT OF IMMIGRATION LAWS.

(a) GRANTS FOR SPECIAL EQUIPMENT FOR HOUSING AND PROCESSING CERTAIN ALIENS.—From amounts made available to make grants under this section, the Secretary shall make grants to States, and to political subdivisions of States, for procurement of equipment, technology, facilities, and other products that facilitate and are directly related to investigating, apprehending, arresting, detaining, or transporting aliens who are inadmissible or deportable, including additional administrative costs incurred under this chapter.

(b) ELIGIBILITY.—To be eligible to receive a grant under this section, a State, or a political subdivision of a State, must have the authority to, and shall have a written policy and a practice to, assist in the enforcement of the immigration laws of the United States in the course of carrying out the routine law enforcement duties of such State or political subdivision of a State. Entities covered under this section may not have any policy or practice that prevents local law enforcement from inquiring about a suspect's immigration status.

(c) FUNDING.—There is authorized to be appropriated for grants under this section such sums as may be necessary for fiscal year 2014 and each subsequent fiscal year.

(d) GAO AUDIT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an audit of funds distributed to States, and to political subdivisions of a State, under subsection (a).

SEC. 3707. INCREASED FEDERAL DETENTION SPACE.

(a) CONSTRUCTION OR ACQUISITION OF DETENTION FACILITIES.—

(1) IN GENERAL.—The Secretary shall construct or acquire, in addition to existing facilities for the detention of aliens, detention facilities in the United States, for aliens detained pending removal from the United States or a decision regarding such removal. Each facility shall have a number of beds necessary to effectuate this purposes of this chapter.

(2) DETERMINATIONS.—The location of any detention facility built or acquired in accordance with this subsection shall be determined by the Secretary.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 241(g)(1) of the Immigration and Nationality Act (8 U.S.C. 1231(g)(1)) is amended by striking ''may expend'' and inserting ''shall expend''.

SEC. 3708. FEDERAL CUSTODY OF INADMISSIBLE AND DEPORTABLE ALIENS IN THE UNITED STATES APPREHENDED BY STATE OR LOCAL LAW ENFORCEMENT.

(a) STATE APPREHENSION.—

(1) IN GENERAL.—Title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.) is amended by inserting after section 240C the following:

''CUSTODY OF INADMISSIBLE AND DEPORTABLE ALIENS PRESENT IN THE UNITED STATES

''SEC. 240D. (a) TRANSFER OF CUSTODY BY STATE AND LOCAL OFFICIALS.—If a State, or a political subdivision of the State, exercising authority with respect with respect to the apprehension or arrest of an inadmissible or deportable alien submits to the Secretary of Homeland Security a request that the alien be taken into Federal custody, notwithstanding any other provision of law, regulation, or policy the Secretary—

''(1) shall take the alien into custody not later than 48 hours after the detainer has been issued following the conclusion of the State or local charging process or dismissal process, or if no State or local charging or dismissal process is required, the Secretary should issue a detainer and take the alien into custody not later than 48 hours after the alien is apprehended; and

''(2) shall request that the relevant State or local law enforcement agency temporarily

hold the alien in their custody or transport the alien for transfer to Federal custody.

''(b) POLICY ON DETENTION IN FEDERAL, CONTRACT, STATE, OR LOCAL DETENTION FACILITIES.—In carrying out section 241(g)(1), the Attorney General or Secretary of Homeland Security shall ensure that an alien arrested under this title shall be held in custody, pending the alien's examination under this section, in a Federal, contract, State, or local prison, jail, detention center, or other comparable facility. Notwithstanding any other provision of law, regulation or policy, such facility is adequate for detention, if—

''(1) such a facility is the most suitably located Federal, contract, State, or local facility available for such purpose under the circumstances;

''(2) an appropriate arrangement for such use of the facility can be made; and

''(3) the facility satisfies the standards for the housing, care, and security of persons held in custody by a United States Marshal.

''(c) REIMBURSEMENT.—The Secretary of Homeland Security shall reimburse a State, and a political subdivision of a State, for all reasonable expenses, as determined by the Secretary, incurred by the State, or political subdivision, as a result of the incarceration and transportation of an alien who is inadmissible or deportable as described in subsections (a) and (b). Compensation provided for costs incurred under such subsections shall be the average cost of incarceration of a prisoner in the relevant State, as determined by the chief executive officer of a State, or of a political subdivision of a State, plus the cost of transporting the alien from the point of apprehension to the place of detention, and to the custody transfer point if the place of detention and place of custody are different.

''(d) SECURE FACILITIES.—The Secretary of Homeland Security shall ensure that aliens incarcerated pursuant to this title are held in facilities that provide an appropriate level of security.

''(e) TRANSFER.—

''(1) IN GENERAL.—In carrying out this section, the Secretary of Homeland Security shall establish a regular circuit and schedule for the prompt transfer of apprehended aliens from the custody of States, and political subdivisions of a State, to Federal custody.

''(2) CONTRACTS.—The Secretary may enter into contracts, including appropriate private contracts, to implement this subsection.''.

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 240C the following new item:

''Sec. 240D. Custody of aliens unlawfully present in the United States.''.

(b) GAO AUDIT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an audit of compensation to States, and to political subdivisions of a State, for the incarceration of inadmissible or deportable aliens under section 240D(a) of the Immigration and Nationality Act (as added by subsection (a)(1)).

(c) EFFECTIVE DATE.—Section 240D of the Immigration and Nationality Act, as added by subsection (a), shall take effect on the date of the enactment of this Act, except that subsection (e) of such section shall take effect on the date that is 120 day after the date of the enactment of this Act.

SEC. 3709. TRAINING OF STATE AND LOCAL LAW ENFORCEMENT PERSONNEL RELATING TO THE ENFORCEMENT OF IMMIGRATION LAWS.

(a) ESTABLISHMENT OF TRAINING MANUAL AND POCKET GUIDE.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish—

(1) a training manual for law enforcement personnel of a State, or of a political subdivision of a State, to train such personnel in the investigation, identification, apprehension, arrest, detention, and transfer to Federal custody of inadmissible and deportable aliens in the United States (including the transportation of such aliens across State lines to detention centers and the identification of fraudulent documents); and

(2) an immigration enforcement pocket guide for law enforcement personnel of a State, or of a political subdivision of a State, to provide a quick reference for such personnel in the course of duty.

(b) AVAILABILITY.—The training manual and pocket guide established in accordance with subsection (a) shall be made available to all State and local law enforcement personnel.

(c) APPLICABILITY.—Nothing in this section shall be construed to require State or local law enforcement personnel to carry the training manual or pocket guide with them while on duty.

(d) COSTS.—The Secretary shall be responsible for any costs incurred in establishing the training manual and pocket guide.

(e) TRAINING FLEXIBILITY.—

(1) IN GENERAL.—The Secretary shall make training of State and local law enforcement officers available through as many means as possible, including through residential training at the Center for Domestic Preparedness, onsite training held at State or local police agencies or facilities, online training courses by computer, teleconferencing, and videotape, or the digital video display (DVD) of a training course or courses. E-learning through a secure, encrypted distributed learning system that has all its servers based in the United States, is scalable, survivable, and can have a portal in place not later than 30 days after the date of the enactment of this Act, shall be made available by the Federal Law Enforcement Training Center Distributed Learning Program for State and local law enforcement personnel.

(2) FEDERAL PERSONNEL TRAINING.—The training of State and local law enforcement personnel under this section shall not displace the training of Federal personnel.

(3) CLARIFICATION.—Nothing in this chapter or any other provision of law shall be construed as making any immigration-related training a requirement for, or prerequisite to, any State or local law enforcement officer to assist in the enforcement of Federal immigration laws.

(4) PRIORITY.—In carrying out this subsection, priority funding shall be given for existing web-based immigration enforcement training systems.

SEC. 3710. IMMUNITY.

Notwithstanding any other provision of law, a law enforcement officer of a State or local law enforcement agency who is acting within the scope of the officer's official duties shall be immune, to the same extent as a Federal law enforcement officer, from personal liability arising out of the performance of any duty described in this chapter, including the authorities to investigate, identify, apprehend, arrest, detain, or transfer to Federal custody, an alien for the purposes of enforcing the immigration laws of the United States (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)) or the immigration laws of a State or a political subdivision of a State.

SEC. 3711. CRIMINAL ALIEN IDENTIFICATION PROGRAM.

(a) CONTINUATION AND EXPANSION.—

(1) IN GENERAL.—The Secretary shall continue to operate and implement a program that—

(A) identifies removable criminal aliens in Federal and State correctional facilities;

(B) ensures such aliens are not released into the community; and

(C) removes such aliens from the United States after the completion of their sentences.

(2) EXPANSION.—The program shall be extended to all States. Any State that receives Federal funds for the incarceration of criminal aliens (pursuant to the State Criminal Alien Assistance Program authorized under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) or other similar program) shall—

(A) cooperate with officials of the program;

(B) expeditiously and systematically identify criminal aliens in its prison and jail populations; and

(C) promptly convey such information to officials of such program as a condition of receiving such funds.

(b) AUTHORIZATION FOR DETENTION AFTER COMPLETION OF STATE OR LOCAL PRISON SENTENCE.—Law enforcement officers of a State, or of a political subdivision of a State, are authorized to—

(1) hold a criminal alien for a period of up to 14 days after the alien has completed the alien's sentence under State or local law in order to effectuate the transfer of the alien to Federal custody when the alien is inadmissible or deportable; or

(2) issue a detainer that would allow aliens who have served a prison sentence under State or local law to be detained by the State or local prison or jail until the Secretary can take the alien into custody.

(c) TECHNOLOGY USAGE.—Technology, such as video conferencing, shall be used to the maximum extent practicable in order to make the program available in remote locations. Mobile access to Federal databases of aliens and live scan technology shall be used to the maximum extent practicable in order to make these resources available to State and local law enforcement agencies in remote locations.

(d) EFFECTIVE DATE.—This section shall take effect of the date of the enactment of this Act, except that subsection (a)(2) shall take effect on the date that is 180 days after such date.

SEC. 3712. CLARIFICATION OF CONGRESSIONAL INTENT.

Section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) is amended—

(1) in paragraph (1) by striking ''may enter'' and all that follows through the period at the end and inserting the following: ''shall enter into a written agreement with a State, or any political subdivision of a State, upon request of the State or political subdivision, pursuant to which an officer or employee of the State or subdivision, who is determined by the Secretary to be qualified to perform a function of an immigration officer in relation to the investigation, apprehension, or detention of aliens in the United States (including the transportation of such aliens across State lines to detention centers), may carry out such function at the expense of the State or political subdivision and to extent consistent with State and local law. No request from a bona fide State or political subdivision or bona fide law enforcement agency shall be denied absent a compelling reason. No limit on the number of agreements under this subsection may be imposed. The Secretary shall process requests for such agreements with all due haste, and

in no case shall take not more than 90 days from the date the request is made until the agreement is consummated.'';

(2) by redesignating paragraph (2) as paragraph (5) and paragraphs (3) through (10) as paragraphs (7) through (14), respectively;

(3) by inserting after paragraph (1) the following:

''(2) An agreement under this subsection shall accommodate a requesting State or political subdivision with respect to the enforcement model or combination of models, and shall accommodate a patrol model, task force model, jail model, any combination thereof, or any other reasonable model the State or political subdivision believes is best suited to the immigration enforcement needs of its jurisdiction.

''(3) No Federal program or technology directed broadly at identifying inadmissible or deportable aliens shall substitute for such agreements, including those establishing a jail model, and shall operate in addition to any agreement under this subsection.

''(4)(A) No agreement under this subsection shall be terminated absent a compelling reason.

''(B)(i) The Secretary shall provide a State or political subdivision written notice of intent to terminate at least 180 days prior to date of intended termination, and the notice shall fully explain the grounds for termination, along with providing evidence substantiating the Secretary's allegations.

''(ii) The State or political subdivision shall have the right to a hearing before an administrative law judge and, if the ruling is against the State or political subdivision, to appeal the ruling to the Federal Circuit Court of Appeals and, if the ruling is against the State or political subdivision, to the Supreme Court.

''(C) The agreement shall remain in full effect during the course of any and all legal proceedings.''; and

(4) by inserting after paragraph (5) (as redesignated) the following:

''(6) The Secretary of Homeland Security shall make training of State and local law enforcement officers available through as many means as possible, including through residential training at the Center for Domestic Preparedness and the Federal Law Enforcement Training Center, onsite training held at State or local police agencies or facilities, online training courses by computer, teleconferencing, and videotape, or the digital video display (DVD) of a training course or courses. Distance learning through a secure, encrypted distributed learning system that has all its servers based in the United States, is scalable, survivable, and can have a portal in place not later than 30 days after the date of the enactment of this Act, shall be made available by the COPS Office of the Department of Justice and the Federal Law Enforcement Training Center Distributed Learning Program for State and local law enforcement personnel. Preference shall be given to private sector-based web-based immigration enforcement training programs for which the Federal Government has already provided support to develop.''.

SEC. 3713. STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP).

Section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) is amended—

(1) by striking ''Attorney General'' the first place such term appears and inserting ''Secretary of Homeland Security'';

(2) by striking ''Attorney General'' each place such term appears thereafter and inserting ''Secretary'';

(3) in paragraph (3)(A), by inserting ''charged with or'' before ''convicted''; and

(4) by amending paragraph (5) to read as follows:

''(5) There are authorized to be appropriated to carry out this subsection such sums as may be necessary for fiscal year 2014 and each subsequent fiscal year.''.

SEC. 3714. STATE VIOLATIONS OF ENFORCEMENT OF IMMIGRATION LAWS.

(a) IN GENERAL.—Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended—

(1) by striking ''Immigration and Naturalization Service'' in each place it appears and inserting ''Department of Homeland Security'';

(2) in subsection (a), by striking ''may'' and inserting ''shall'';

(3) in subsection (b)—

(A) by striking ''no person or agency may'' and inserting ''a person or agency shall not'';

(B) by striking ''doing any of the following with respect to information'' and inserting ''undertaking any of the following law enforcement activities''; and

(C) by striking paragraphs (1) through (3) and inserting the following:

''(1) Notifying the Federal Government regarding the presence of inadmissible and deportable aliens who are encountered by law enforcement personnel of a State or political subdivision of a State.

''(2) Complying with requests for information from Federal law enforcement.

''(3) Complying with detainers issued by the Department of Homeland Security.

''(4) Issuing policies in the form of a resolutions, ordinances, administrative actions, general or special orders, or departmental policies that violate Federal law or restrict a State or political subdivision of a State from complying with Federal law or coordinating with Federal law enforcement.''; and

(4) by adding at the end the following:

''(d) COMPLIANCE.—

''(1) IN GENERAL.—A State, or a political subdivision of a State, that has in effect a statute, policy, or practice that prohibits law enforcement officers of the State, or of a political subdivision of the State, from assisting or cooperating with Federal immigration law enforcement in the course of carrying out the officers' routine law enforcement duties shall not be eligible to receive—

''(A) any of the funds that would otherwise be allocated to the State or political subdivision under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) or the 'Cops on the Beat' program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.); or

''(B) any other law enforcement or Department of Homeland Security grant.

''(2) ANNUAL DETERMINATION.—The Secretary shall determine annually which State or political subdivision of a State are not in compliance with section and shall report such determinations to Congress on March 1 of each year.

''(3) REPORTS.—The Attorney General shall issue a report concerning the compliance of any particular State or political subdivision at the request of the House or Senate Judiciary Committee. Any jurisdiction that is found to be out of compliance shall be ineligible to receive Federal financial assistance as provided in paragraph (1) for a minimum period of 1 year, and shall only become eligible again after the Attorney General certifies that the jurisdiction is in compliance.

''(4) REALLOCATION.—Any funds that are not allocated to a State or to a political subdivision of a State, due to the failure of the State, or of the political subdivision of the State, to comply with subsection (c) shall be reallocated to States, or to political subdivisions of States, that comply with such subsection.

''(e) CONSTRUCTION.—Nothing in this section shall require law enforcement officials from States, or from political subdivisions of States, to report or arrest victims or witnesses of a criminal offense.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, except that subsection (d) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373), as added by this section, shall take effect beginning one year after the date of the enactment of this Act.

SEC. 3715. CLARIFYING THE AUTHORITY OF ICE DETAINERS.

Except as otherwise provided by Federal law or rule of procedure, the Secretary shall execute all lawful writs, process, and orders issued under the authority of the United States, and shall command all necessary assistance to execute the Secretary's duties.

CHAPTER 2—NATIONAL SECURITY

SEC. 3721. REMOVAL OF, AND DENIAL OF BENEFITS TO, TERRORIST ALIENS.

(a) ASYLUM.—Section 208(b)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)(A)) is amended—

(1) by inserting ''or the Secretary of Homeland Security'' after ''if the Attorney General''; and

(2) by amending clause (v) to read as follows:

''(v) the alien is described in subparagraph (B)(i) or (F) of section 212(a)(3), unless, in the case of an alien described in subparagraph (IV), (V), or (IX) of section 212(a)(3)(B)(i), the Secretary of Homeland Security or the Attorney General determines, in the discretion of the Secretary or the Attorney General, that there are not reasonable grounds for regarding the alien as a danger to the security of the United States; or''.

(b) CANCELLATION OF REMOVAL.—Section 240A(c)(4) of such Act (8 U.S.C. 1229b(c)(4)) is amended—

(1) by striking ''inadmissible under'' and inserting ''described in''; and

(2) by striking ''deportable under'' and inserting ''described in''.

(c) VOLUNTARY DEPARTURE.—Section 240B(b)(1)(C) of such Act (8 U.S.C. 1229c(b)(1)(C)) is amended by striking ''deportable under section 237(a)(2)(A)(iii) or section 237(a)(4);'' and inserting ''described in paragraph (2)(A)(iii) or (4) of section 237(a);''.

(d) RESTRICTION ON REMOVAL.—Section 241(b)(3)(B) of such Act (8 U.S.C. 1231(b)(3)(B)) is amended—

(1) by inserting ''or the Secretary of Homeland Security'' after ''Attorney General'' wherever that term appears;

(2) in clause (iii), by striking ''or'' at the end;

(3) in clause (iv), by striking the period at the end and inserting ''; or'';

(4) by inserting after clause (iv) the following:

''(v) the alien is described in subparagraph (B)(i) or (F) of section 212(a)(3), unless, in the case of an alien described in subparagraph (IV), (V), or (IX) of section 212(a)(3)(B)(i), the Secretary of Homeland Security or the Attorney General determines, in discretion of the Secretary or the Attorney General, that there are not reasonable grounds for regarding the alien as a danger to the security of the United States.''; and

(5) by striking the final sentence.

(e) RECORD OF ADMISSION.—

(1) IN GENERAL.—Section 249 of such Act (8 U.S.C. 1259) is amended to read as follows:

''RECORD OF ADMISSION FOR PERMANENT RESIDENCE IN THE CASE OF CERTAIN ALIENS WHO ENTERED THE UNITED STATES PRIOR TO JANUARY 1, 1972

''SEC. 249. The Secretary of Homeland Security, in the discretion of the Secretary and under such regulations as the Secretary may prescribe, may enter a record of lawful admission for permanent residence in the case of any alien, if no such record is otherwise available and the alien—

''(1) entered the United States before January 1, 1972;

''(2) has continuously resided in the United States since such entry;

''(3) has been a person of good moral character since such entry;

''(4) is not ineligible for citizenship;

''(5) is not described in paragraph (1)(A)(iv), (2), (3), (6)(C), (6)(E), or (8) of section 212(a); and

''(6) did not, at any time, without reasonable cause fail or refuse to attend or remain in attendance at a proceeding to determine the alien's inadmissibility or deportability.

Such recordation shall be effective as of the date of approval of the application or as of the date of entry if such entry occurred prior to July 1, 1924.''.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by amending the item relating to section 249 to read as follows:

''Sec. 249. Record of admission for permanent residence in the case of certain aliens who entered the United States prior to January 1, 1972.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act and sections 208(b)(2)(A), 212(a), 240A, 240B, 241(b)(3), and 249 of the Immigration and Nationality Act, as so amended, shall apply to—

(1) all aliens in removal, deportation, or exclusion proceedings;

(2) all applications pending on, or filed after, the date of the enactment of this Act; and

(3) with respect to aliens and applications described in paragraph (1) or (2) of this subsection, acts and conditions constituting a ground for exclusion, deportation, or removal occurring or existing before, on, or after the date of the enactment of this Act.

SEC. 3722. TERRORIST BAR TO GOOD MORAL CHARACTER.

(a) DEFINITION OF GOOD MORAL CHARACTER.—Section 101(f) of the Immigration and Nationality Act (8 U.S.C. 1101(f)) is amended—

(1) by redesignating paragraphs (1) through (9) as paragraphs (2) through (10), respectively;

(2) by inserting after paragraph (1) the following:

''(2) one who the Secretary of Homeland Security or Attorney General determines to have been at any time an alien described in section 212(a)(3) or 237(a)(4), which determination may be based upon any relevant information or evidence, including classified, sensitive, or national security information;'';

(3) in paragraph (9) (as redesignated), by inserting '', regardless whether the crime was classified as an aggravated felony at the time of conviction, except that the Secretary of Homeland Security or Attorney General may, in the unreviewable discretion of the Secretary or Attorney General, determine that this paragraph shall not apply in the case of a single aggravated felony conviction (other than murder, manslaughter, homicide, rape, or any sex offense when the victim of such sex offense was a minor) for which completion of the term of imprisonment or the sentence (whichever is later) occurred 10 or more years prior to the date of application'' after ''(as defined in subsection (a)(43))''; and

(4) by striking the first sentence the follows paragraph (10) (as redesignated) and inserting following: ''The fact that any person is not within any of the foregoing classes shall not preclude a discretionary finding for other reasons that such a person is or was not of good moral character. The Secretary or the Attorney General shall not be limited to the applicant's conduct during the period for which good moral character is required, but may take into consideration as a basis for determination the applicant's conduct and acts at any time.''

(b) AGGRAVATED FELONS.—Section 509(b) of the Immigration Act of 1990 (8 U.S.C. 1101 note) is amended to read as follows:

''(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on November 29, 1990, and shall apply to convictions occurring before, on or after such date.''.

(c) TECHNICAL CORRECTION TO THE INTELLIGENCE REFORM ACT.—Section 5504(2) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458) is amended by striking ''adding at the end'' and inserting ''inserting after paragraph (8)''.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date of enactment of this Act, shall apply to any act that occurred before, on, or after such date and shall apply to any application for naturalization or any other benefit or relief, or any other case or matter under the immigration laws pending on or filed after such date. The amendments made by subsection (c) shall take effect as if enacted in the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458).

SEC. 3723. TERRORIST BAR TO NATURALIZATION.

(a) NATURALIZATION OF PERSONS ENDANGERING THE NATIONAL SECURITY.—Section 316 of the Immigration and Nationality Act (8 U.S.C. 1426) is amended by adding at the end the following:

''(g) PERSONS ENDANGERING THE NATIONAL SECURITY.—No person shall be naturalized who the Secretary of Homeland Security determines to have been at any time an alien described in section 212(a)(3) or 237(a)(4). Such determination may be based upon any relevant information or evidence, including classified, sensitive, or national security information.''.

(b) CONCURRENT NATURALIZATION AND REMOVAL PROCEEDINGS.—Section 318 of the Immigration and Nationality Act (8 U.S.C. 1429) is amended by striking ''other Act;'' and inserting ''other Act; and no application for naturalization shall be considered by the Secretary of Homeland Security or any court if there is pending against the applicant any removal proceeding or other proceeding to determine the applicant's inadmissibility or deportability, or to determine whether the applicant's lawful permanent resident status should be rescinded, regardless of when such proceeding was commenced: *Provided*, That the findings of the Attorney General in terminating removal proceedings or in canceling the removal of an alien pursuant to the provisions of this Act, shall not be deemed binding in any way upon the Secretary of Homeland Security with respect to the question of whether such person has established his eligibility for naturalization as required by this title;''.

(c) PENDING DENATURALIZATION OR REMOVAL PROCEEDINGS.—Section 204(b) of the Immigration and Nationality Act (8 U.S.C. 1154(b)) is amended by adding at the end the following: ''No petition shall be approved pursuant to this section if there is any administrative or judicial proceeding (whether civil or criminal) pending against the petitioner that could (whether directly or indirectly) result in the petitioner's denaturalization or the loss of the petitioner's lawful permanent resident status.''.

(d) CONDITIONAL PERMANENT RESIDENTS.—Sections 216(e) and section 216A(e) of the Immigration and Nationality Act (8 U.S.C. 1186a(e) and 1186b(e)) are each amended by striking the period at the end and inserting '', if the alien has had the conditional basis removed pursuant to this section.''.

(e) DISTRICT COURT JURISDICTION.—Subsection 336(b) of the Immigration and Nationality Act, 8 U.S.C. 1447(b), is amended to read as follows:

''(b) If there is a failure to render a final administrative decision under section 335 before the end of the 180-day period after the date on which the Secretary of Homeland Security completes all examinations and interviews conducted under such section, as such terms are defined by the Secretary of Homeland Security pursuant to regulations, the applicant may apply to the district court for the district in which the applicant resides for a hearing on the matter. Such court shall only have jurisdiction to review the basis for delay and remand the matter to the Secretary of Homeland Security for the Secretary's determination on the application.''.

(f) CONFORMING AMENDMENT.—Section 310(c) of the Immigration and Nationality Act (8 U.S.C. 1421(c)) is amended—

(1) by inserting '', not later than the date that is 120 days after the Secretary of Homeland Security's final determination,'' after ''seek''; and

(2) by striking the second sentence and inserting the following: ''The burden shall be upon the petitioner to show that the Secretary's denial of the application was not supported by facially legitimate and bona fide reasons. Except in a proceeding under section 340, notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to determine, or to review a determination of the Secretary made at any time regarding, whether, for purposes of an application for naturalization, an alien is a person of good moral character, whether the alien understands and is attached to the principles of the Constitution of the United States, or whether an alien is well disposed to the good order and happiness of the United States.''.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act, shall apply to any act that occurred before, on, or after such date, and shall apply to any application for naturalization or any other case or matter under the immigration laws pending on, or filed after, such date.

SEC. 3724. DENATURALIZATION FOR TERRORISTS.

(a) IN GENERAL.—Section 340 of the Immigration and Nationality Act is amended—

(1) by redesignating subsections (f) through (h) as subsections (g) through (i), respectively; and

(2) by inserting after subsection (e) the following:

''(f)(1) If a person who has been naturalized participates in any act described in paragraph (2), the Attorney General is authorized to find that, as of the date of such naturalization, such person was not attached to the principles of the Constitution of the United States and was not well disposed to the good order and happiness of the United States at the time of naturalization, and upon such finding shall set aside the order admitting such person to citizenship and cancel the certificate of naturalization as having been obtained by concealment of a material fact or by willful misrepresentation, and such revocation and setting aside of the order admitting such person to citizenship and such canceling of certificate of naturalization shall be effective as of the original date of the order and certificate, respectively.

''(2) The acts described in this paragraph are the following:

''(A) Any activity a purpose of which is the opposition to, or the control or overthrow of, the Government of the United States by force, violence, or other unlawful means.

''(B) Engaging in a terrorist activity (as defined in clauses (iii) and (iv) of section 212(a)(3)(B)).

''(C) Incitement of terrorist activity under circumstances indicating an intention to cause death or serious bodily harm.

''(D) Receiving military-type training (as defined in section 2339D(c)(1) of title 18, United States Code) from or on behalf of any organization that, at the time the training was received, was a terrorist organization (as defined in section 212(a)(3)(B)(vi)).''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to acts that occur on or after such date.

SEC. 3725. USE OF 1986 IRCA LEGALIZATION INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) SPECIAL AGRICULTURAL WORKERS.—Section 210(b)(6) of the Immigration and Nationality Act (8 U.S.C. 1160(b)(6)) is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security'';

(2) in subparagraph (A), by striking ''Department of Justice,'' and inserting ''Department of Homeland Security,'';

(3) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively;

(4) by inserting after subparagraph (B) the following:

''(C) AUTHORIZED DISCLOSURES.—

''(i) CENSUS PURPOSE.—The Secretary of Homeland Security may provide, in his discretion, for the furnishing of information furnished under this section in the same manner and circumstances as census information may be disclosed under section 8 of title 13, United States Code.

''(ii) NATIONAL SECURITY PURPOSE.—The Secretary of Homeland Security may provide, in his discretion, for the furnishing, use, publication, or release of information furnished under this section in any investigation, case, or matter, or for any purpose, relating to terrorism, national intelligence or the national security.''; and

(5) in subparagraph (D), as redesignated, by striking ''Service'' and inserting ''Department of Homeland Security''.

(b) ADJUSTMENT OF STATUS UNDER THE IMMIGRATION REFORM AND CONTROL ACT OF 1986.—Section 245A(c)(5) of the Immigration and Nationality Act (8 U.S.C. 1255a(c)(5)), is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security'';

(2) in subparagraph (A), by striking ''Department of Justice,'' and inserting ''Department of Homeland Security,'';

(3) by amending subparagraph (C) to read as follows:

''(C) AUTHORIZED DISCLOSURES.—

''(i) CENSUS PURPOSE.—The Secretary of Homeland Security may provide, in his discretion, for the furnishing of information furnished under this section in the same manner and circumstances as census information may be disclosed under section 8 of title 13, United States Code.

''(ii) NATIONAL SECURITY PURPOSE.—The Secretary of Homeland Security may provide, in his discretion, for the furnishing, use, publication, or release of information furnished under this section in any investigation, case, or matter, or for any purpose, relating to terrorism, national intelligence or the national security.''; and

(4) in subparagraph (D), striking ''Service'' and inserting ''Department of Homeland Security''.

SEC. 3726. BACKGROUND AND SECURITY CHECKS.

(a) REQUIREMENT TO COMPLETE BACKGROUND AND SECURITY CHECKS.—Section 103 of the Immigration and Nationality Act (8 U.S.C. 1103) is amended by adding at the end the following:

''(h) Notwithstanding any other provision of law (statutory or nonstatutory), including but not limited to section 309 of Public Law 107–173, sections 1361 and 1651 of title 28, United States Code, and section 706(1) of title 5, United States Code, neither the Secretary of Homeland Security, the Attorney General, nor any court may—

''(1) grant, or order the grant of or adjudication of an application for adjustment of status to that of an alien lawfully admitted for permanent residence;

''(2) grant, or order the grant of or adjudication of an application for United States citizenship or any other status, relief, protection from removal, employment authorization, or other benefit under the immigration laws;

''(3) grant, or order the grant of or adjudication of, any immigrant or nonimmigrant petition; or

''(4) issue or order the issuance of any documentation evidencing or related to any such grant, until such background and security checks as the Secretary may in his discretion require have been completed or updated to the satisfaction of the Secretary.

''(i) Notwithstanding any other provision of law (statutory or nonstatutory), including but not limited to section 309 of Public Law 107–173, sections 1361 and 1651 of title 28, United States Code, and section 706(1) of title 5, United States Code, neither the Secretary of Homeland Security nor the Attorney General may be required to—

''(1) grant, or order the grant of or adjudication of an application for adjustment of status to that of an alien lawfully admitted for permanent residence,

''(2) grant, or order the grant of or adjudication of an application for United States citizenship or any other status, relief, protection from removal, employment authorization, or other benefit under the immigration laws,

''(3) grant, or order the grant of or adjudication of, any immigrant or nonimmigrant petition, or

''(4) issue or order the issuance of any documentation evidencing or related to any such grant, until any suspected or alleged materially false information, material misrepresentation or omission, concealment of a material fact, fraud or forgery, counterfeiting, or alteration, or falsification of a document, as determined by the Secretary, relating to the adjudication of an application or petition for any status (including the granting of adjustment of status), relief, protection from removal, or other benefit under this subsection has been investigated and resolved to the Secretary's satisfaction.

''(j) Notwithstanding any other provision of law (statutory or nonstatutory), including section 309 of the Enhanced Border Security and Visa Entry Reform Act (8 U.S.C. 1738), sections 1361 and 1651 of title 28, United States Code, and section 706(1) of title 5, United States Code, no court shall have jurisdiction to require any of the acts in subsection (h) or (i) to be completed by a certain time or award any relief for failure to complete or delay in completing such acts.''.

(b) CONSTRUCTION.—

(1) IN GENERAL.—Chapter 4 of title III of the Immigration and Nationality Act (8 U.S.C. 1501 et seq.) is amended by adding at the end the following:

''CONSTRUCTION

''SEC. 362. (a) IN GENERAL.—Nothing in this Act or any other law, except as provided in subsection (d), shall be construed to require the Secretary of Homeland Security, the Attorney General, the Secretary of State, the Secretary of Labor, or a consular officer to grant any application, approve any petition, or grant or continue any relief, protection from removal, employment authorization, or any other status or benefit under the immigration laws by, to, or on behalf of—

''(1) any alien deemed by the Secretary to be described in section 212(a)(3) or section 237(a)(4); or

''(2) any alien with respect to whom a criminal or other proceeding or investigation is open or pending (including, but not limited to, issuance of an arrest warrant, detainer, or indictment), where such proceeding or investigation is deemed by the official described in subsection (a) to be material to the alien's eligibility for the status or benefit sought.

''(b) DENIAL OR WITHHOLDING OF ADJUDICATION.—An official described in subsection (a) may, in the discretion of the official, deny (with respect to an alien described in paragraph (1) or (2) of subsection (a)) or withhold adjudication of pending resolution of the investigation or case (with respect to an alien described in subsection (a)(2) of this section) any application, petition, relief, protection from removal, employment authorization, status or benefit.

''(c) JURISDICTION.—Notwithstanding any other provision of law (statutory or nonstatutory), including section 309 of the Enhanced Border Security and Visa Entry Reform Act (8 U.S.C. 1738), sections 1361 and 1651 of title 28, United States Code, and section 706(1) of title 5, United States Code, no court shall have jurisdiction to review a decision to deny or withhold adjudication pursuant to subsection (b) of this section.

''(d) WITHHOLDING OF REMOVAL AND TORTURE CONVENTION.—This section does not limit or modify the applicability of section 241(b)(3) or the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, subject to any reservations, understandings, declarations and provisos contained in the United States Senate resolution of ratification of the Convention, as implemented by section 2242 of the Foreign Affairs Reform

and Restructuring Act of 1998 (Public Law 105–277) with respect to an alien otherwise eligible for protection under such provisions.''.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 361 the following:

''362. Construction.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to applications for immigration benefits pending on or after such date.

SEC. 3727. TECHNICAL AMENDMENTS RELATING TO THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.

(a) TRANSIT WITHOUT VISA PROGRAM.—Section 7209(d) of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1185 note) is amended by striking ''the Secretary, in conjunction with the Secretary of Homeland Security,'' and inserting ''the Secretary of Homeland Security, in consultation with the Secretary of State,''.

(b) TECHNOLOGY ACQUISITION AND DISSEMINATION PLAN.—Section 7201(c)(1) of such Act is amended by inserting ''and the Department of State'' after ''used by the Department of Homeland Security''.

CHAPTER 3—REMOVAL OF CRIMINAL ALIENS

SEC. 3731. DEFINITION OF AGGRAVATED FELONY AND CONVICTION.

(a) DEFINITION OF AGGRAVATED FELONY.—Section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) is amended—

(1) by striking ''The term 'aggravated felony' means—'' and inserting ''Notwithstanding any other provision of law, the term 'aggravated felony' applies to an offense described in this paragraph, whether in violation of Federal or State law, or in violation of the law of a foreign country for which the term of imprisonment was completed within the previous 15 years, even if the length of the term of imprisonment for the offense is based on recidivist or other enhancements and regardless of whether the conviction was entered before, on, or after September 30, 1996, and means—'';

(2) in subparagraph (A), by striking ''murder, rape, or sexual abuse of a minor;'' and inserting ''murder, manslaughter, homicide, rape (whether the victim was conscious or unconscious), or any offense of a sexual nature involving a victim under the age of 18 years;'';

(3) in subparagraph (I), by striking ''or 2252'' and inserting ''2252, or 2252A''.

(4) in subparagraph (F), by striking ''at least one year;'' and inserting ''is at least one year, except that if the conviction records do not conclusively establish whether a crime constitutes a crime of violence, the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime of violence;''

(5) in subparagraph (N), by striking paragraph ''(1)(A) or (2) of'';

(6) in subparagraph (O), by striking ''section 275(a) or 276 committed by an alien who was previously deported on the basis of a conviction for an offense described in another subparagraph of this paragraph'' and inserting ''section 275 or 276 for which the term of imprisonment is at least 1 year'';

(7) in subparagraph (U), by striking ''an attempt or conspiracy to commit an offense described in this paragraph'' and inserting ''attempting or conspiring to commit an offense described in this paragraph, or aiding, abetting, counseling, procuring, commanding, inducing, or soliciting the commission of such an offense.''; and

(8) by striking the undesignated matter following subparagraph (U).

(b) DEFINITION OF CONVICTION.—Section 101(a)(48) of such Act (8 U.S.C. 1101(a)(48)) is amended by adding at the end the following:

''(C) Any reversal, vacatur, expungement, or modification to a conviction, sentence, or conviction record that was granted to ameliorate the consequences of the conviction, sentence, or conviction record, or was granted for rehabilitative purposes, or for failure to advise the alien of the immigration consequences of a determination of guilt or of a guilty plea (except in the case of a guilty plea that was made on or after March 31, 2010, shall have no effect on the immigration consequences resulting from the original conviction. The alien shall have the burden of demonstrating that any reversal, vacatur, expungement, or modification was not granted to ameliorate the consequences of the conviction, sentence, or conviction record, for rehabilitative purposes, or for failure to advise the alien of the immigration consequences of a determination of guilt or of a guilty plea (except in the case of a guilty plea that was made on or after March 31, 2010), except where the alien establishes a pardon consistent with section 237(a)(2)(A)(vi).''.

(c) EFFECTIVE DATE; APPLICATION OF AMENDMENTS.—

(1) IN GENERAL.—The amendments made by subsection (a)—

(A) shall take effect on the date of the enactment of this Act; and

(B) shall apply to any act or conviction that occurred before, on, or after such date.

(2) APPLICATION OF IIRIRA AMENDMENTS.—The amendments to section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) made by section 321 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 110 Stat. 3009-627) shall continue to apply, whether the conviction was entered before, on, or after September 30, 1996.

SEC. 3732. PRECLUDING ADMISSIBILITY OF ALIENS CONVICTED OF AGGRAVATED FELONIES OR OTHER SERIOUS OFFENSES.

(a) INADMISSIBILITY ON CRIMINAL AND RELATED GROUNDS; WAIVERS.—Section 212 of the Immigration and Nationality Act (8 U.S.C. 1182) is amended—

(1) in subparagraph (a)(2)(A)(i)—

(A) in subclause (I), by striking ''or'' at the end;

(B) in subclause (II), by adding ''or'' at the end; and

(C) by inserting after subclause (II) the following:

''(III) a violation of (or a conspiracy or attempt to violate) an offense described in section 408 of title 42, United States Code (relating to social security account numbers or social security cards) or section 1028 of title 18, United States Code (relating to fraud and related activity in connection with identification documents, authentication features, and information);''.

(2) by adding at the end of subsection (a)(2) the following :

''(J) PROCUREMENT OF CITIZENSHIP OR NATURALIZATION UNLAWFULLY.—Any alien convicted of, or who admits having committed, or who admits committing acts which constitute the essential elements of, a violation of, or an attempt or a conspiracy to violate, subsection (a) or (b) of section 1425 of title 18, United States Code (relating to the procurement of citizenship or naturalization unlawfully) is inadmissible.

''(K) CERTAIN FIREARM OFFENSES.—Any alien who at any time has been convicted under any law of, or who admits having committed or admits committing acts which constitute the essential elements of, purchasing, selling, offering for sale, exchanging, using, owning, possessing, or carrying, or of attempting or conspiring to purchase, sell, offer for sale, exchange, use, own, possess, or carry, any weapon, part, or accessory which is a firearm or destructive device (as defined in section 921(a) of title 18, United States Code) in violation of any law is inadmissible.

''(L) AGGRAVATED FELONS.—Any alien who has been convicted of an aggravated felony at any time is inadmissible.

''(M) CRIMES OF DOMESTIC VIOLENCE, STALKING, OR VIOLATION OF PROTECTION ORDERS, CRIMES AGAINST CHILDREN.—

''(i) DOMESTIC VIOLENCE, STALKING, AND CHILD ABUSE.—Any alien who at any time is convicted of, or who admits having committed or admits committing acts which constitute the essential elements of, a crime of domestic violence, a crime of stalking, or a crime of child abuse, child neglect, or child abandonment is inadmissible. For purposes of this clause, the term 'crime of domestic violence' means any crime of violence (as defined in section 16 of title 18, United States Code) against a person committed by a current or former spouse of the person, by an individual with whom the person shares a child in common, by an individual who is cohabiting with or has cohabited with the person as a spouse, by an individual similarly situated to a spouse of the person under the domestic or family violence laws of the jurisdiction where the offense occurs, or by any other individual against a person who is protected from that individual's acts under the domestic or family violence laws of the United States or any State, Indian tribal government, or unit of local or foreign government.

''(ii) VIOLATORS OF PROTECTION ORDERS.—Any alien who at any time is enjoined under a protection order issued by a court and whom the court determines has engaged in conduct that violates the portion of a protection order that involves protection against credible threats of violence, repeated harassment, or bodily injury to the person or persons for whom the protection order was issued is inadmissible. For purposes of this clause, the term 'protection order' means any injunction issued for the purpose of preventing violent or threatening acts of domestic violence, including temporary or final orders issued by civil or criminal courts (other than support or child custody orders or provisions) whether obtained by filing an independent action or as a independent order in another proceeding.

''(iii) WAIVER AUTHORIZED.—The waiver authority available under section 237(a)(7) with respect to section 237(a)(2)(E)(i) shall be available on a comparable basis with respect to this subparagraph.

''(iv) CLARIFICATION.—If the conviction records do not conclusively establish whether a crime of domestic violence constitutes a crime of violence (as defined in section 16 of title 18, United States Code), the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime of violence.''; and

(3) in subsection (h)—

(A) by striking ''The Attorney General may, in his discretion, waive the application

of subparagraphs (A)(i)(I), (B), (D), and (E) of subsection (a)(2)'' and inserting ''The Attorney General or the Secretary of Homeland Security may, in the discretion of the Attorney General or the Secretary, waive the application of subparagraphs (A)(i)(I), (III), (B), (D), (E), (K), and (M) of subsection (a)(2)'';

(B) by striking ''a criminal act involving torture.'' and inserting ''a criminal act involving torture, or has been convicted of an aggravated felony.'';

(C) by striking ''if either since the date of such admission the alien has been convicted of an aggravated felony or the alien'' and inserting ''if since the date of such admission the alien''; and

(D) by inserting ''or Secretary of Homeland Security'' after ''the Attorney General'' wherever that phrase appears.

(b) DEPORTABILITY; CRIMINAL OFFENSES.—Section 237(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(3)(B)) is amended—

(1) in clause (ii), by striking ''or'' at the end;

(2) in clause (iii), by inserting ''or'' at the end; and

(3) by inserting after clause (iii) the following:

''(iv) of a violation of, or an attempt or a conspiracy to violate, section 1425(a) or (b) of Title 18 (relating to the procurement of citizenship or naturalization unlawfully),''.

(c) DEPORTABILITY; CRIMINAL OFFENSES.—Section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

''(G) Any alien who at any time after admission has been convicted of a violation of (or a conspiracy or attempt to violate) section 408 of title 42, United States Code (relating to social security account numbers or social security cards) or section 1028 of title 18, United States Code (relating to fraud and related activity in connection with identification) is deportable.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply—

(1) to any act that occurred before, on, or after the date of the enactment of this Act; and

(2) to all aliens who are required to establish admissibility on or after such date, and in all removal, deportation, or exclusion proceedings that are filed, pending, or reopened, on or after such date.

(e) CONSTRUCTION.—The amendments made by subsection (a) shall not be construed to create eligibility for relief from removal under former section 212(c) of the Immigration and Nationality Act where such eligibility did not exist before these amendments became effective.

SEC. 3733. ESPIONAGE CLARIFICATION.

Section 212(a)(3)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(A)), is amended to read as follows:

''(A) Any alien who a consular officer, the Attorney General, or the Secretary of Homeland Security knows, or has reasonable ground to believe, seeks to enter the United States to engage solely, principally, or incidentally in, or who is engaged in, or with respect to clauses (i) and (iii) of this subparagraph has engaged in—

''(i) any activity—

''(I) to violate any law of the United States relating to espionage or sabotage; or

''(II) to violate or evade any law prohibiting the export from the United States of goods, technology, or sensitive information;

''(ii) any other unlawful activity; or

''(iii) any activity a purpose of which is the opposition to, or the control or overthrow of, the Government of the United States by force, violence, or other unlawful means;

is inadmissible.''.

SEC. 3734. UNIFORM STATUTE OF LIMITATIONS FOR CERTAIN IMMIGRATION, NATURALIZATION, AND PEONAGE OFFENSES.

Section 3291 of title 18, United States Code, is amended by striking ''No person'' through the period at the end and inserting the following: ''No person shall be prosecuted, tried, or punished for a violation of any section of chapters 69 (relating to nationality and citizenship offenses) and 75 (relating to passport, visa, and immigration offenses), or for a violation of any criminal provision of sections 243, 266, 274, 275, 276, 277, or 278 of the Immigration and Nationality Act, or for an attempt or conspiracy to violate any such section, unless the indictment is returned or the information is filed within ten years after the commission of the offense.''.

SEC. 3735. CONFORMING AMENDMENT TO THE DEFINITION OF RACKETEERING ACTIVITY.

Section 1961(1) of title 18, United States Code, is amended by striking ''section 1542'' through ''section 1546 (relating to fraud and misuse of visas, permits, and other documents)'' and inserting ''sections 1541-1548 (relating to passports and visas)''.

SEC. 3736. CONFORMING AMENDMENTS FOR THE AGGRAVATED FELONY DEFINITION.

(a) IN GENERAL.—Subparagraph (P) of section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) is amended—

(1) by striking ''(i) which either is falsely making, forging, counterfeiting, mutilating, or altering a passport or instrument in violation of section 1543 of title 18, United States Code, or is described in section 1546(a) of such title (relating to document fraud) and (ii)'' and inserting ''which is described in any section of chapter 75 of title 18, United States Code,''; and

(2) by inserting after ''first offense'' the following: ''(i) that is not described in section 1548 of such title (relating to increased penalties), and (ii)''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. 3737. PRECLUDING REFUGEE OR ASYLEE ADJUSTMENT OF STATUS FOR AGGRAVATED FELONS.

(a) IN GENERAL.—Section 209(c) of the Immigration and Nationality Act (8 U.S.C. 1159(c)) is amended by adding at the end thereof the following: ''However, an alien who is convicted of an aggravated felony is not eligible for a waiver or for adjustment of status under this section.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply—

(1) to any act that occurred before, on, or after the date of the enactment of this Act; and

(2) to all aliens who are required to establish admissibility on or after such date, and in all removal, deportation, or exclusion proceedings that are filed, pending, or reopened, on or after such date.

SEC. 3738. INADMISSIBILITY AND DEPORTABILITY OF DRUNK DRIVERS.

(a) IN GENERAL.—Section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) is amended—

(1) in subparagraph (T), by striking ''and'';

(2) in subparagraph (U); by striking the period at the end and inserting ''; and''; and

(3) by inserting after subparagraph (U) the following:.

''(V) A second conviction for driving while intoxicated (including a conviction for driving while under the influence of or impaired by alcohol or drugs) without regard to whether the conviction is classified as a misdemeanor or felony under State law.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and apply to convictions entered on or after such date.

SEC. 3739. DETENTION OF DANGEROUS ALIENS.

(a) IN GENERAL.—Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) is amended—

(1) by striking ''Attorney General'' each place it appears, except for the first reference in paragraph (4)(B)(i), and inserting ''Secretary of Homeland Security'';

(2) in paragraph (1), by amending subparagraph (B) to read as follows:

''(B) BEGINNING OF PERIOD.—The removal period begins on the latest of the following:

''(i) The date the order of removal becomes administratively final.

''(ii) If the alien is not in the custody of the Secretary on the date the order of removal becomes administratively final, the date the alien is taken into such custody.

''(iii) If the alien is detained or confined (except under an immigration process) on the date the order of removal becomes administratively final, the date the alien is taken into the custody of the Secretary, after the alien is released from such detention or confinement.'';

(3) in paragraph (1), by amending subparagraph (C) to read as follows:

''(C) SUSPENSION OF PERIOD.—

''(i) EXTENSION.—The removal period shall be extended beyond a period of 90 days and the Secretary may, in the Secretary's sole discretion, keep the alien in detention during such extended period if—

''(I) the alien fails or refuses to make all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure or conspires or acts to prevent the alien's removal that is subject to an order of removal;

''(II) a court, the Board of Immigration Appeals, or an immigration judge orders a stay of removal of an alien who is subject to an administratively final order of removal;

''(III) the Secretary transfers custody of the alien pursuant to law to another Federal agency or a State or local government agency in connection with the official duties of such agency; or

''(IV) a court or the Board of Immigration Appeals orders a remand to an immigration judge or the Board of Immigration Appeals, during the time period when the case is pending a decision on remand (with the removal period beginning anew on the date that the alien is ordered removed on remand).

''(ii) RENEWAL.—If the removal period has been extended under clause (C)(i), a new removal period shall be deemed to have begun on the date—

''(I) the alien makes all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary's efforts to establish the alien's identity and carry out the removal order;

''(II) the stay of removal is no longer in effect; or

''(III) the alien is returned to the custody of the Secretary.

''(iii) MANDATORY DETENTION FOR CERTAIN ALIENS.—In the case of an alien described in subparagraphs (A) through (D) of section 236(c)(1), the Secretary shall keep that alien in detention during the extended period described in clause (i).

''(iv) SOLE FORM OF RELIEF.—An alien may seek relief from detention under this subparagraph only by filing an application for a writ of habeas corpus in accordance with chapter 153 of title 28, United States Code. No alien whose period of detention is extended under this subparagraph shall have the right to seek release on bond.'';

(4) in paragraph (3)—

(A) by adding after ''If the alien does not leave or is not removed within the removal period'' the following: ''or is not detained pursuant to paragraph (6) of this subsection''; and

(B) by striking subparagraph (D) and inserting the following:

''(D) to obey reasonable restrictions on the alien's conduct or activities that the Secretary prescribes for the alien, in order to prevent the alien from absconding, for the protection of the community, or for other purposes related to the enforcement of the immigration laws.'';

(5) in paragraph (4)(A), by striking ''paragraph (2)'' and inserting ''subparagraph (B)''; and

(6) by striking paragraph (6) and inserting the following:

''(6) ADDITIONAL RULES FOR DETENTION OR RELEASE OF CERTAIN ALIENS.—

''(A) DETENTION REVIEW PROCESS FOR COOPERATIVE ALIENS ESTABLISHED.—For an alien who is not otherwise subject to mandatory detention, who has made all reasonable efforts to comply with a removal order and to cooperate fully with the Secretary of Homeland Security's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, and who has not conspired or acted to prevent removal, the Secretary shall establish an administrative review process to determine whether the alien should be detained or released on conditions. The Secretary shall make a determination whether to release an alien after the removal period in accordance with subparagraph (B). The determination shall include consideration of any evidence submitted by the alien, and may include consideration of any other evidence, including any information or assistance provided by the Secretary of State or other Federal official and any other information available to the Secretary of Homeland Security pertaining to the ability to remove the alien.

''(B) AUTHORITY TO DETAIN BEYOND REMOVAL PERIOD.—

''(i) IN GENERAL.—The Secretary of Homeland Security, in the exercise of the Secretary's sole discretion, may continue to detain an alien for 90 days beyond the removal period (including any extension of the removal period as provided in paragraph (1)(C)). An alien whose detention is extended under this subparagraph shall have no right to seek release on bond.

''(ii) SPECIFIC CIRCUMSTANCES.—The Secretary of Homeland Security, in the exercise of the Secretary's sole discretion, may continue to detain an alien beyond the 90 days authorized in clause (i)—

''(I) until the alien is removed, if the Secretary, in the Secretary's sole discretion, determines that there is a significant likelihood that the alien—

''(aa) will be removed in the reasonably foreseeable future; or

''(bb) would be removed in the reasonably foreseeable future, or would have been removed, but for the alien's failure or refusal to make all reasonable efforts to comply with the removal order, or to cooperate fully with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, or conspires or acts to prevent removal;

''(II) until the alien is removed, if the Secretary of Homeland Security certifies in writing—

''(aa) in consultation with the Secretary of Health and Human Services, that the alien has a highly contagious disease that poses a threat to public safety;

''(bb) after receipt of a written recommendation from the Secretary of State, that release of the alien is likely to have serious adverse foreign policy consequences for the United States;

''(cc) based on information available to the Secretary of Homeland Security (including classified, sensitive, or national security information, and without regard to the grounds upon which the alien was ordered removed), that there is reason to believe that the release of the alien would threaten the national security of the United States; or

''(dd) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or any person, and either (AA) the alien has been convicted of one or more aggravated felonies (as defined in section 101(a)(43)(A)) or of one or more crimes identified by the Secretary of Homeland Security by regulation, or of one or more attempts or conspiracies to commit any such aggravated felonies or such identified crimes, if the aggregate term of imprisonment for such attempts or conspiracies is at least 5 years; or (BB) the alien has committed one or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder and behavior associated with that condition or disorder, the alien is likely to engage in acts of violence in the future; or

''(III) pending a certification under subclause (II), so long as the Secretary of Homeland Security has initiated the administrative review process not later than 30 days after the expiration of the removal period (including any extension of the removal period, as provided in paragraph (1)(C)).

''(iii) NO RIGHT TO BOND HEARING.—An alien whose detention is extended under this subparagraph shall have no right to seek release on bond, including by reason of a certification under clause (ii)(II).

''(C) RENEWAL AND DELEGATION OF CERTIFICATION.—

''(i) RENEWAL.—The Secretary of Homeland Security may renew a certification under subparagraph (B)(ii)(II) every 6 months, after providing an opportunity for the alien to request reconsideration of the certification and to submit documents or other evidence in support of that request. If the Secretary does not renew a certification, the Secretary may not continue to detain the alien under subparagraph (B)(ii)(II).

''(ii) DELEGATION.—Notwithstanding section 103, the Secretary of Homeland Security may not delegate the authority to make or renew a certification described in item (bb), (cc), or (dd) of subparagraph (B)(ii)(II) below the level of the Assistant Secretary for Immigration and Customs Enforcement.

''(iii) HEARING.—The Secretary of Homeland Security may request that the Attorney General or the Attorney General's designee provide for a hearing to make the determination described in item (dd)(BB) of subparagraph (B)(ii)(II).

''(D) RELEASE ON CONDITIONS.—If it is determined that an alien should be released from detention by a Federal court, the Board of Immigration Appeals, or if an immigration judge orders a stay of removal, the Secretary of Homeland Security, in the exercise of the Secretary's discretion, may impose conditions on release as provided in paragraph (3).

''(E) REDETENTION.—The Secretary of Homeland Security, in the exercise of the Secretary's discretion, without any limitations other than those specified in this section, may again detain any alien subject to a final removal order who is released from custody, if removal becomes likely in the reasonably foreseeable future, the alien fails to comply with the conditions of release, or to continue to satisfy the conditions described in subparagraph (A), or if, upon reconsideration, the Secretary, in the Secretary's sole discretion, determines that the alien can be detained under subparagraph (B). This section shall apply to any alien returned to custody pursuant to this subparagraph, as if the removal period terminated on the day of the redetention.

''(F) REVIEW OF DETERMINATIONS BY SECRETARY.—A determination by the Secretary under this paragraph shall not be subject to review by any other agency.''.

(b) DETENTION OF ALIENS DURING REMOVAL PROCEEDINGS.—

(1) CLERICAL AMENDMENT.—(A) Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226) is amended by striking ''Attorney General'' each place it appears (except in the second place that term appears in section 236(a)) and inserting ''Secretary of Homeland Security''.

(B) Section 236(a) of such Act (8 U.S.C. 1226(a)) is amended by inserting ''the Secretary of Homeland Security or'' before ''the Attorney General—''.

(C) Section 236(e) of such Act (8 U.S.C. 1226(e)) is amended by striking ''Attorney General's'' and inserting ''Secretary of Homeland Security's''.

(2) LENGTH OF DETENTION.—Section 236 of such Act (8 U.S.C. 1226) is amended by adding at the end the following:

''(f) LENGTH OF DETENTION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this section, an alien may be detained under this section for any period, without limitation, except as provided in subsection (h), until the alien is subject to a final order of removal.

''(2) CONSTRUCTION.—The length of detention under this section shall not affect detention under section 241.''.

(3) DETENTION OF CRIMINAL ALIENS.—Section 236(c)(1) of the Immigration and Nationality Act (8 U.S.C. 1226(c)(1)) is amended, in the matter following subparagraph (D) to read as follows:

''any time after the alien is released, without regard to whether an alien is released related to any activity, offense, or conviction described in this paragraph; to whether the alien is released on parole, supervised release, or probation; or to whether the alien may be arrested or imprisoned again for the same offense. If the activity described in this paragraph does not result in the alien being taken into custody by any person other than the Secretary, then when the alien is brought to the attention of the Secretary or when the Secretary determines it is practical to take such alien into custody, the

Secretary shall take such alien into custody.''.

(4) ADMINISTRATIVE REVIEW.—Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226), as amended by paragraph (2), is further amended by adding at the end the following:

''(g) ADMINISTRATIVE REVIEW.—

''(1) IN GENERAL.—The Attorney General's review of the Secretary's custody determinations under subsection (a) for the following classes of aliens shall be limited to whether the alien may be detained, released on bond (of at least $1,500 with security approved by the Secretary), or released with no bond:

''(A) Aliens in exclusion proceedings.

''(B) Aliens described in section 212(a)(3) or 237(a)(4).

''(C) Aliens described in subsection (c).

''(2) SPECIAL RULE.—The Attorney General's review of the Secretary's custody determinations under subsection (a) for aliens in deportation proceedings subject to section 242(a)(2) of the Act (as in effect prior to April 1, 1997, and as amended by section 440(c) of Public Law 104–132) shall be limited to a determination of whether the alien is properly included in such category.

''(h) RELEASE ON BOND.—

''(1) IN GENERAL.—An alien detained under subsection (a) may seek release on bond. No bond may be granted except to an alien who establishes by clear and convincing evidence that the alien is not a flight risk or a risk to another person or the community.

''(2) CERTAIN ALIENS INELIGIBLE.—No alien detained under subsection (c) may seek release on bond.''.

(5) CLERICAL AMENDMENTS.—(A) Section 236(a)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1226(a)(2)(B)) is amended by striking ''conditional parole'' and inserting ''recognizance''.

(B) Section 236(b) of such Act (8 U.S.C. 1226(b)) is amended by striking ''parole'' and inserting ''recognizance''.

(c) SEVERABILITY.—If any of the provisions of this section or any amendment by this section, or the application of any such provision to any person or circumstance, is held to be invalid for any reason, the remainder of this section and of amendments made by this section, and the application of the provisions and of the amendments made by this section to any other person or circumstance shall not be affected by such holding.

(d) EFFECTIVE DATES.—

(1) The amendments made by subsection (a) shall take effect upon the date of enactment of this Act, and section 241 of the Immigration and Nationality Act, as so amended, shall in addition apply to—

(A) all aliens subject to a final administrative removal, deportation, or exclusion order that was issued before, on, or after the date of the enactment of this Act; and

(B) acts and conditions occurring or existing before, on, or after such date.

(2) The amendments made by subsection (b) shall take effect upon the date of the enactment of this Act, and section 236 of the Immigration and Nationality Act, as so amended, shall in addition apply to any alien in detention under provisions of such section on or after such date.

SEC. 3740. GROUNDS OF INADMISSIBILITY AND DEPORTABILITY FOR ALIEN GANG MEMBERS.

(a) DEFINITION OF GANG MEMBER.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended by adding at the end the following:

''(53)(A) The term 'criminal gang' means an ongoing group, club, organization, or association of 5 or more persons that has as one of its primary purposes the commission of 1 or more of the following criminal offenses and the members of which engage, or have engaged within the past 5 years, in a continuing series of such offenses, or that has been designated as a criminal gang by the Secretary of Homeland Security, in consultation with the Attorney General, as meeting these criteria. The offenses described, whether in violation of Federal or State law or foreign law and regardless of whether the offenses occurred before, on, or after the date of the enactment of this paragraph, are the following:

''(i) A 'felony drug offense' (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

''(ii) An offense under section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose).

''(iii) A crime of violence (as defined in section 16 of title 18, United States Code).

''(iv) A crime involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, or burglary.

''(v) Any conduct punishable under sections 1028 and 1029 of title 18, United States Code (relating to fraud and related activity in connection with identification documents or access devices), sections 1581 through 1594 of such title (relating to peonage, slavery and trafficking in persons), section 1952 of such title (relating to interstate and foreign travel or transportation in aid of racketeering enterprises), section 1956 of such title (relating to the laundering of monetary instruments), section 1957 of such title (relating to engaging in monetary transactions in property derived from specified unlawful activity), or sections 2312 through 2315 of such title (relating to interstate transportation of stolen motor vehicles or stolen property).

''(vi) A conspiracy to commit an offense described in clauses (i) through (v).

''(B) Notwithstanding any other provision of law (including any effective date), the term applies regardless of whether the conduct occurred before, on, or after the date of the enactment of this paragraph.''.

(b) INADMISSIBILITY.—Section 212(a)(2) of such Act (8 U.S.C. 1182(a)(2)), as amended by section 302(a)(2) of this Act, is further amended by adding at the end the following:

''(N) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is inadmissible who a consular officer, the Secretary of Homeland Security, or the Attorney General knows or has reason to believe—

''(i) to be or to have been a member of a criminal gang (as defined in section 101(a)(53)); or

''(ii) to have participated in the activities of a criminal gang (as defined in section 101(a)(53)), knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang.''.

(c) DEPORTABILITY.—Section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)), as amended by section 302(c) of this Act, is further amended by adding at the end the following:

''(H) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is deportable who the Secretary of Homeland Security or the Attorney General knows or has reason to believe—

''(i) is or has been a member of a criminal gang (as defined in section 101(a)(53)); or

''(ii) has participated in the activities of a criminal gang (as so defined), knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang.''.

(d) DESIGNATION.—

(1) IN GENERAL.—Chapter 2 of title II of the Immigration and Nationality Act (8 U.S.C. 1182) is amended by inserting after section 219 the following:

''DESIGNATION

''SEC. 220. (a) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Attorney General, and the Secretary of State may designate a groups or association as a criminal street gangs if their conduct is described in section 101(a)(53) or if the group or association conduct poses a significant risk that threatens the security and the public safety of United States nationals or the national security, homeland security, foreign policy, or economy of the United States.

''(b) EFFECTIVE DATE.—Designations under subsection (a) shall remain in effect until the designation is revoked after consultation between the Secretary of Homeland Security, the Attorney General, and the Secretary of State or is terminated in accordance with Federal law.''.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 219 the following:

''220. Designation.''.

(e) MANDATORY DETENTION OF CRIMINAL STREET GANG MEMBERS.—

(1) IN GENERAL.—Section 236(c)(1)(D) of the Immigration and Nationality Act (8 U.S.C. 1226(c)(1)(D)) is amended—

(A) by inserting ''or 212(a)(2)(N)'' after ''212(a)(3)(B)''; and

(B) by inserting ''or 237(a)(2)(H)'' before ''237(a)(4)(B)''.

(2) ANNUAL REPORT.—Not later than March 1 of each year (beginning 1 year after the date of the enactment of this Act), the Secretary of Homeland Security, after consultation with the appropriate Federal agencies, shall submit a report to the Committees on the Judiciary of the House of Representatives and of the Senate on the number of aliens detained under the amendments made by paragraph (1).

(f) ASYLUM CLAIMS BASED ON GANG AFFILIATION.—

(1) INAPPLICABILITY OF RESTRICTION ON REMOVAL TO CERTAIN COUNTRIES.—Section 241(b)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1251(b)(3)(B)) is amended, in the matter preceding clause (i), by inserting ''who is described in section 212(a)(2)(N)(i) or section 237(a)(2)(H)(i) or who is'' after ''to an alien''.

(2) INELIGIBILITY FOR ASYLUM.—Section 208(b)(2)(A) of such Act (8 U.S.C. 1158(b)(2)(A)) is amended—

(A) in clause (v), by striking ''or'' at the end;

(B) by redesignating clause (vi) as clause (vii); and

(C) by inserting after clause (v) the following:

''(vi) the alien is described in section 212(a)(2)(N)(i) or section 237(a)(2)(H)(i) (relating to participation in criminal street gangs); or''.

(g) TEMPORARY PROTECTED STATUS.—Section 244 of such Act (8 U.S.C. 1254a) is amended—

(1) by striking ''Attorney General'' each place it appears and inserting ''Secretary of Homeland Security'';

(2) in subparagraph (c)(2)(B), by adding at the end the following:

''(iii) the alien is, or at any time after admission has been, a member of a criminal gang (as defined in section 101(a)(53)).''; and

(3) in subsection (d)——

(A) by striking paragraph (3); and

(B) in paragraph (4), by adding at the end the following: ''The Secretary of Homeland Security may detain an alien provided temporary protected status under this section whenever appropriate under any other provision of law.''.

(h) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. 3741. LAUNDERING OF MONETARY INSTRUMENTS.

(a) ADDITIONAL PREDICATE OFFENSES.—Section 1956(c)(7)(D) of title 18, United States Code, is amended—

(1) by inserting ''section 1590 (relating to trafficking with respect to peonage, slavery, involuntary servitude, or forced labor),'' after ''section 1363 (relating to destruction of property within the special maritime and territorial jurisdiction),''; and

(2) by inserting ''section 274(a) of the Immigration and Nationality Act (8 U.S.C.1324(a)) (relating to bringing in and harboring certain aliens),'' after ''section 590 of the Tariff Act of 1930 (19 U.S.C. 1590) (relating to aviation smuggling),''.

(b) INTENT TO CONCEAL OR DISGUISE.—Section 1956(a) of title 18, United States Code, is amended—

(1) in paragraph (1) so that subparagraph (B) reads as follows:

''(B) knowing that the transaction—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''; and

(2) in paragraph (2) so that subparagraph (B) reads as follows:

''(B) knowing that the monetary instrument or funds involved in the transportation, transmission, or transfer represent the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, or transfer—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''.

SEC. 3742. INCREASED CRIMINAL PENALTIES RELATING TO ALIEN SMUGGLING AND RELATED OFFENSES.

(a) IN GENERAL.—Section 274 of the Immigration and Nationality Act (8 U.S.C. 1324), is amended to read as follows:

''SEC. 274. ALIEN SMUGGLING AND RELATED OFFENSES.

''(a) CRIMINAL OFFENSES AND PENALTIES.—

''(1) PROHIBITED ACTIVITIES.—Except as provided in paragraph (3), a person shall be punished as provided under paragraph (2), if the person—

''(A) facilitates, encourages, directs, or induces a person to come to or enter the United States, or to cross the border to the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to come to, enter, or cross the border to the United States;

''(B) facilitates, encourages, directs, or induces a person to come to or enter the United States, or to cross the border to the United States, at a place other than a designated port of entry or place other than as designated by the Secretary of Homeland Security, knowing or in reckless disregard of the fact that such person is an alien and regardless of whether such alien has official permission or lawful authority to be in the United States;

''(C) transports, moves, harbors, conceals, or shields from detection a person outside of the United States knowing or in reckless disregard of the fact that such person is an alien in unlawful transit from one country to another or on the high seas, under circumstances in which the alien is seeking to enter the United States without official permission or lawful authority;

''(D) encourages or induces a person to reside in the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to reside in the United States;

''(E) transports or moves a person in the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to enter or be in the United States, if the transportation or movement will further the alien's illegal entry into or illegal presence in the United States;

''(F) harbors, conceals, or shields from detection a person in the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to be in the United States; or

''(G) conspires or attempts to commit any of the acts described in subparagraphs (A) through (F).

''(2) CRIMINAL PENALTIES.—A person who violates any provision under paragraph (1) shall, for each alien in respect to whom a violation of paragraph (1) occurs—

''(A) except as provided in subparagraphs (C) through (G), if the violation was not committed for commercial advantage, profit, or private financial gain, be fined under title 18, United States Code, imprisoned for not more than 5 years, or both;

''(B) except as provided in subparagraphs (C) through (G), if the violation was committed for commercial advantage, profit, or private financial gain—

''(i) be fined under such title, imprisoned for not more than 20 years, or both, if the violation is the offender's first violation under this subparagraph; or

''(ii) be fined under such title, imprisoned for not more than 25 years, or both, if the violation is the offender's second or subsequent violation of this subparagraph;

''(C) if the violation furthered or aided the commission of any other offense against the United States or any State that is punishable by imprisonment for more than 1 year, be fined under such title, imprisoned for not more than 20 years, or both;

''(D) be fined under such title, imprisoned not more than 20 years, or both, if the violation created a substantial and foreseeable risk of death, a substantial and foreseeable risk of serious bodily injury (as defined in section 2119(2) of title 18, United States Code), or inhumane conditions to another person, including—

''(i) transporting the person in an engine compartment, storage compartment, or other confined space;

''(ii) transporting the person at an excessive speed or in excess of the rated capacity of the means of transportation; or

''(iii) transporting the person in, harboring the person in, or otherwise subjecting the person to crowded or dangerous conditions;

''(E) if the violation caused serious bodily injury (as defined in section 2119(2) of title 18, United States Code) to any person, be fined under such title, imprisoned for not more than 30 years, or both;

''(F) be fined under such title and imprisoned for not more than 30 years if the violation involved an alien who the offender knew or had reason to believe was—

''(i) engaged in terrorist activity (as defined in section 212(a)(3)(B)); or

''(ii) intending to engage in terrorist activity;

''(G) if the violation caused or resulted in the death of any person, be punished by death or imprisoned for a term of years up to life, and fined under title 18, United States Code.

''(3) LIMITATION.—It is not a violation of subparagraph (D), (E), or (F) of paragraph (1) for a religious denomination having a bona fide nonprofit, religious organization in the United States, or the agents or officers of such denomination or organization, to encourage, invite, call, allow, or enable an alien who is present in the United States to perform the vocation of a minister or missionary for the denomination or organization in the United States as a volunteer who is not compensated as an employee, notwithstanding the provision of room, board, travel, medical assistance, and other basic living expenses, provided the minister or missionary has been a member of the denomination for at least 1 year.

''(4) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial Federal jurisdiction over the offenses described in this subsection.

''(b) SEIZURE AND FORFEITURE.—

''(1) IN GENERAL.—Any real or personal property used to commit or facilitate the commission of a violation of this section, the gross proceeds of such violation, and any property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this subsection shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security.

''(3) PRIMA FACIE EVIDENCE IN DETERMINATIONS OF VIOLATIONS.—In determining whether a violation of subsection (a) has occurred, prima facie evidence that an alien involved in the alleged violation lacks lawful authority to come to, enter, reside in, remain in, or be in the United States or that such alien had come to, entered, resided in, remained in, or been present in the United States in violation of law may include:

''(A) any order, finding, or determination concerning the alien's status or lack of status made by a Federal judge or administrative adjudicator (including an immigration judge or immigration officer) during any judicial or administrative proceeding authorized under Federal immigration law;

''(B) official records of the Department of Homeland Security, the Department of Justice, or the Department of State concerning the alien's status or lack of status; and

''(C) testimony by an immigration officer having personal knowledge of the facts concerning the alien's status or lack of status.

''(c) AUTHORITY TO ARREST.—No officer or person shall have authority to make any arrests for a violation of any provision of this section except:

''(1) officers and employees designated by the Secretary of Homeland Security, either individually or as a member of a class; and

''(2) other officers responsible for the enforcement of Federal criminal laws.

''(d) ADMISSIBILITY OF VIDEOTAPED WITNESS TESTIMONY.—Notwithstanding any provision of the Federal Rules of Evidence, the videotaped or otherwise audiovisually preserved deposition of a witness to a violation of subsection (a) who has been deported or otherwise expelled from the United States, or is otherwise unavailable to testify, may be admitted into evidence in an action brought for that violation if:

''(1) the witness was available for cross examination at the deposition by the party, if any, opposing admission of the testimony; and

''(2) the deposition otherwise complies with the Federal Rules of Evidence.

''(e) DEFINITIONS.—In this section:

''(1) CROSS THE BORDER TO THE UNITED STATES.—The term 'cross the border' refers to the physical act of crossing the border, regardless of whether the alien is free from official restraint.

''(2) LAWFUL AUTHORITY.—The term 'lawful authority' means permission, authorization, or license that is expressly provided for in the immigration laws of the United States or accompanying regulations. The term does not include any such authority secured by fraud or otherwise obtained in violation of law or authority sought, but not approved. No alien shall be deemed to have lawful authority to come to, enter, reside in, remain in, or be in the United States if such coming to, entry, residence, remaining, or presence was, is, or would be in violation of law.

''(3) PROCEEDS.—The term 'proceeds' includes any property or interest in property obtained or retained as a consequence of an act or omission in violation of this section.

''(4) UNLAWFUL TRANSIT.—The term 'unlawful transit' means travel, movement, or temporary presence that violates the laws of any country in which the alien is present or any country from which or to which the alien is traveling or moving.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act is amended by striking the item relating to section 274 and inserting the following:

''Sec. 274. Alien smuggling and related offenses.''.

(c) PROHIBITING CARRYING OR USING A FIREARM DURING AND IN RELATION TO AN ALIEN SMUGGLING CRIME.—Section 924(c) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)——

(i) by inserting '', alien smuggling crime,'' after ''any crime of violence''; and

(ii) by inserting '', alien smuggling crime,'' after ''such crime of violence''; and

(B) in subparagraph (D)(ii), by inserting '', alien smuggling crime,'' after ''crime of violence''; and

(2) by adding at the end the following:

''(6) For purposes of this subsection, the term 'alien smuggling crime' means any felony punishable under section 274(a), 277, or 278 of the Immigration and Nationality Act (8 U.S.C. 1324(a), 1327, and 1328).''.

SEC. 3743. PENALTIES FOR ILLEGAL ENTRY OR PRESENCE.

(a) IN GENERAL.—Section 275 of the Immigration and Nationality Act (8 U.S.C. 1325) is amended to read as follows:

''ILLEGAL ENTRY

''SEC. 275. (a) IN GENERAL.—

''(1) ILLEGAL ENTRY OR PRESENCE.—An alien shall be subject to the penalties set forth in paragraph (2) if the alien—

''(A) knowingly enters or crosses the border into the United States at any time or place other than as designated by the Secretary of Homeland Security;

''(B) knowingly eludes, at any time or place, examination or inspection by an authorized immigration, customs, or agriculture officer (including by failing to stop at the command of such officer);

''(C) knowingly enters or crosses the border to the United States and, upon examination or inspection, knowingly makes a false or misleading representation or the knowing concealment of a material fact (including such representation or concealment in the context of arrival, reporting, entry, or clearance requirements of the customs laws, immigration laws, agriculture laws, or shipping laws);

''(D) knowingly violates the terms or conditions of the alien's admission or parole into the United States; or

''(E) knowingly is unlawfully present in the United States (as defined in section 212(a)(9)(B)(ii) subject to the exceptions set forth in section 212(a)(9)(B)(iii)).

''(2) CRIMINAL PENALTIES.—Any alien who violates any provision under paragraph (1):

''(A) shall, for the first violation, be fined under title 18, United States Code, imprisoned not more than 6 months, or both;

''(B) shall, for a second or subsequent violation, or following an order of voluntary departure, be fined under such title, imprisoned not more than 2 years, or both;

''(C) if the violation occurred after the alien had been convicted of 3 or more misdemeanors or for a felony, shall be fined under such title, imprisoned not more than 10 years, or both;

''(D) if the violation occurred after the alien had been convicted of a felony for which the alien received a term of imprisonment of not less than 30 months, shall be fined under such title, imprisoned not more than 15 years, or both; and

''(E) if the violation occurred after the alien had been convicted of a felony for which the alien received a term of imprisonment of not less than 60 months, such alien shall be fined under such title, imprisoned not more than 20 years, or both.

''(3) PRIOR CONVICTIONS.—The prior convictions described in subparagraphs (C) through (E) of paragraph (2) are elements of the offenses described and the penalties in such subparagraphs shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

''(A) alleged in the indictment or information; and

''(B) proven beyond a reasonable doubt at trial or admitted by the defendant.

''(4) DURATION OF OFFENSE.—An offense under this subsection continues until the alien is discovered within the United States by an immigration, customs, or agriculture officer.

''(5) ATTEMPT.—Whoever attempts to commit any offense under this section shall be punished in the same manner as for a completion of such offense.

''(b) IMPROPER TIME OR PLACE; CIVIL PENALTIES.—

''(1) IN GENERAL.—Any alien who is apprehended while entering, attempting to enter, or knowingly crossing or attempting to cross the border to the United States at a time or place other than as designated by immigration officers shall be subject to a civil penalty, in addition to any criminal or other civil penalties that may be imposed under any other provision of law, in an amount equal to—

''(A) not less than $50 or more than $250 for each such entry, crossing, attempted entry, or attempted crossing; or

''(B) twice the amount specified in paragraph (1) if the alien had previously been subject to a civil penalty under this subsection.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act is amended by striking the item relating to section 275 and inserting the following:

''275. Illegal entry.''.

SEC. 3744. ILLEGAL REENTRY.

Section 276 of the Immigration and Nationality Act (8 U.S.C. 1326) is amended to read as follows:

''REENTRY OF REMOVED ALIEN

''SEC. 276. (a) REENTRY AFTER REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed, or who has departed the United States while an order of exclusion, deportation, or removal is outstanding, and subsequently enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 2 years, or both.

''(b) REENTRY OF CRIMINAL OFFENDERS.—Notwithstanding the penalty provided in subsection (a), if an alien described in that subsection was convicted before such removal or departure:

''(1) for 3 or more misdemeanors or for a felony, the alien shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both;

''(2) for a felony for which the alien was sentenced to a term of imprisonment of not less than 30 months, the alien shall be fined under such title, imprisoned not more than 15 years, or both;

''(3) for a felony for which the alien was sentenced to a term of imprisonment of not less than 60 months, the alien shall be fined under such title, imprisoned not more than 20 years, or both;

''(4) for murder, rape, kidnapping, or a felony offense described in chapter 77 (relating to peonage and slavery) or 113B (relating to terrorism) of such title, or for 3 or more felonies of any kind, the alien shall be fined under such title, imprisoned not more than 25 years, or both.

''(c) REENTRY AFTER REPEATED REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed 3 or more times and thereafter enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both.

''(d) PROOF OF PRIOR CONVICTIONS.—The prior convictions described in subsection (b) are elements of the crimes described, and the penalties in that subsection shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

''(1) alleged in the indictment or information; and

''(2) proven beyond a reasonable doubt at trial or admitted by the defendant.

''(e) AFFIRMATIVE DEFENSES.—It shall be an affirmative defense to a violation of this section that—

''(1) prior to the alleged violation, the alien had sought and received the express consent of the Secretary of Homeland Security to reapply for admission into the United States; or

''(2) with respect to an alien previously denied admission and removed, the alien—

''(A) was not required to obtain such advance consent under the Immigration and Nationality Act or any prior Act; and

''(B) had complied with all other laws and regulations governing the alien's admission into the United States.

''(f) LIMITATION ON COLLATERAL ATTACK ON UNDERLYING REMOVAL ORDER.—In a criminal proceeding under this section, an alien may not challenge the validity of any prior removal order concerning the alien.

''(g) REENTRY OF ALIEN REMOVED PRIOR TO COMPLETION OF TERM OF IMPRISONMENT.—Any alien removed pursuant to section 241(a)(4) who enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in, the United States shall be incarcerated for the remainder of the sentence of imprisonment which was pending at the time of deportation without any reduction for parole or supervised release unless the alien affirmatively demonstrates that the Secretary of Homeland Security has expressly consented to the alien's reentry. Such alien shall be subject to such other penalties relating to the reentry of removed aliens as may be available under this section or any other provision of law.

''(h) DEFINITIONS.—For purposes of this section and section 275, the following definitions shall apply:

''(1) CROSSES THE BORDER TO THE UNITED STATES.—The term 'crosses the border' refers to the physical act of crossing the border, regardless of whether the alien is free from official restraint.

''(2) FELONY.—The term 'felony' means any criminal offense punishable by a term of imprisonment of more than 1 year under the laws of the United States, any State, or a foreign government.

''(3) MISDEMEANOR.—The term 'misdemeanor' means any criminal offense punishable by a term of imprisonment of not more than 1 year under the applicable laws of the United States, any State, or a foreign government.

''(4) REMOVAL.—The term 'removal' includes any denial of admission, exclusion, deportation, or removal, or any agreement by which an alien stipulates or agrees to exclusion, deportation, or removal.

''(5) STATE.—The term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''.

SEC. 3745. REFORM OF PASSPORT, VISA, AND IMMIGRATION FRAUD OFFENSES.

Chapter 75 of title 18, United States Code, is amended to read as follows:

''CHAPTER 75—PASSPORTS AND VISAS

''§ 1541. Issuance without authority

''(a) IN GENERAL.—Whoever—

''(1) acting or claiming to act in any office or capacity under the United States, or a State, without lawful authority grants, issues, or verifies any passport or other instrument in the nature of a passport to or for any person; or

''(2) being a consular officer authorized to grant, issue, or verify passports, knowingly grants, issues, or verifies any such passport to or for any person not owing allegiance, to the United States, whether a citizen or not;

shall be fined under this title or imprisoned not more than 15 years, or both.

''(b) DEFINITION.—In this section, the term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

''§ 1542. False statement in application and use of passport

''Whoever knowingly—

''(1) makes any false statement in an application for passport with intent to induce or secure the issuance of a passport under the authority of the United States, either for his own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws; or

''(2) uses or attempts to use, or furnishes to another for use any passport the issue of which was secured in any way by reason of any false statement;

shall be fined under this title or imprisoned not more than 15 years, or both.

''§ 1543. Forgery or false use of passport

''Whoever—

''(1) falsely makes, forges, counterfeits, mutilates, or alters any passport or instrument purporting to be a passport, with intent that the same may be used; or

''(2) knowingly uses, or attempts to use, or furnishes to another for use any such false, forged, counterfeited, mutilated, or altered passport or instrument purporting to be a passport, or any passport validly issued which has become void by the occurrence of any condition therein prescribed invalidating the same;

shall be fined under this title or imprisoned not more than 15 years, or both.

''§ 1544. Misuse of a passport

''Whoever knowingly—

''(1) uses any passport issued or designed for the use of another;

''(2) uses any passport in violation of the conditions or restrictions therein contained, or in violation of the laws, regulations, or rules governing the issuance and use of the passport;

''(3) secures, possesses, uses, receives, buys, sells, or distributes any passport knowing it to be forged, counterfeited, altered, falsely made, procured by fraud, stolen, or produced or issued without lawful authority; or

''(4) violates the terms and conditions of any safe conduct duly obtained and issued under the authority of the United States;

shall be fined under this title, imprisoned not more than 15 years, or both.

''§ 1545. Schemes to defraud aliens

''Whoever inside the United States, or in or affecting interstate or foreign commerce, in connection with any matter that is authorized by or arises under the immigration laws of the United States or any matter the offender claims or represents is authorized by or arises under the immigration laws of the United States, knowingly executes a scheme or artifice—

''(1) to defraud any person, or

''(2) to obtain or receive money or anything else of value from any person by means of false or fraudulent pretenses, representations, or promises;

shall be fined under this title, imprisoned not more than 15 years, or both.

''§ 1546. Immigration and visa fraud

''Whoever knowingly—

''(1) uses any immigration document issued or designed for the use of another;

''(2) forges, counterfeits, alters, or falsely makes any immigration document;

''(3) mails, prepares, presents, or signs any immigration document knowing it to contain any materially false statement or representation;

''(4) secures, possesses, uses, transfers, receives, buys, sells, or distributes any immigration document knowing it to be forged, counterfeited, altered, falsely made, stolen, procured by fraud, or produced or issued without lawful authority;

''(5) adopts or uses a false or fictitious name to evade or to attempt to evade the immigration laws;

''(6) transfers or furnishes, without lawful authority, an immigration document to another person for use by a person other than the person for whom the immigration document was issued or designed; or

''(7) produces, issues, authorizes, or verifies, without lawful authority, an immigration document;

shall be fined under this title, imprisoned not more than 15 years, or both.

''§ 1547. Attempts and conspiracies

''Whoever attempts or conspires to violate this chapter shall be punished in the same manner as a person who completes that violation.

''§ 1548. Alternative penalties for certain offenses

''(a) TERRORISM.—Whoever violates any section in this chapter to facilitate an act of international terrorism or domestic terrorism (as such terms are defined in section 2331), shall be fined under this title or imprisoned not more than 25 years, or both.

''(b) DRUG TRAFFICKING OFFENSES.—Whoever violates any section in this chapter to facilitate a drug trafficking crime (as defined in section 929(a)) shall be fined under this title or imprisoned not more than 20 years, or both.

''§ 1549. Definitions

''In this chapter:

''(1) An 'application for a United States passport' includes any document, photograph, or other piece of evidence attached to or submitted in support of the application.

''(2) The term 'immigration document' means any instrument on which is recorded, by means of letters, figures, or marks, matters which may be used to fulfill any requirement of the Immigration and Nationality Act.''.

SEC. 3746. FORFEITURE.

Section 981(a)(1) of title 18, United States Code, is amended by adding at the end the following:

''(I) Any property, real or personal, that has been used to commit or facilitate the commission of a violation of chapter 75, the gross proceeds of such violation, and any property traceable to any such property or proceeds.''.

SEC. 3747. EXPEDITED REMOVAL FOR ALIENS INADMISSIBLE ON CRIMINAL OR SECURITY GROUNDS.

(a) IN GENERAL.—Section 238(b) of the Immigration and Nationality Act (8 U.S.C. 1228(b)) is amended–

(1) in paragraph (1)—

(A) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security in the exercise of discretion''; and

(B) by striking ''set forth in this subsection or'' and inserting ''set forth in this subsection, in lieu of removal proceedings under'';

(2) in paragraph (3), by striking ''paragraph (1) until 14 calendar days'' and inserting ''paragraph (1) or (3) until 7 calendar days'';

(3) by striking ''Attorney General'' each place it appears in paragraphs (3) and (4) and inserting ''Secretary of Homeland Security'';

(4) in paragraph (5)—

(A) by striking ''described in this section'' and inserting ''described in paragraph (1) or (2)''; and

(B) by striking ''the Attorney General may grant in the Attorney General's discretion'' and inserting ''the Secretary of Homeland Security or the Attorney General may grant, in the discretion of the Secretary or Attorney General, in any proceeding'';

(5) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively; and

(6) by inserting after paragraph (2) the following new paragraph:

''(3) The Secretary of Homeland Security in the exercise of discretion may determine inadmissibility under section 212(a)(2) (relating to criminal offenses) and issue an order of removal pursuant to the procedures set forth in this subsection, in lieu of removal proceedings under section 240, with respect to an alien who

''(A) has not been admitted or paroled;

''(B) has not been found to have a credible fear of persecution pursuant to the procedures set forth in section 235(b)(1)(B); and

''(C) is not eligible for a waiver of inadmissibility or relief from removal.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act but shall not apply to aliens who are in removal proceedings under section 240 of the Immigration and Nationality Act as of such date.

SEC. 3748. INCREASED PENALTIES BARRING THE ADMISSION OF CONVICTED SEX OFFENDERS FAILING TO REGISTER AND REQUIRING DEPORTATION OF SEX OFFENDERS FAILING TO REGISTER.

(a) INADMISSIBILITY.—Section 212(a)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(A)(i)), as amended by section 302(a) of this Act, is further amended—

(1) in subclause (II), by striking ''or'' at the end;

(2) in subclause (III), by adding ''or'' at the end; and

(3) by inserting after subclause (III) the following:

''(IV) a violation of section 2250 of title 18, United States Code (relating to failure to register as a sex offender);''.

(b) DEPORTABILITY.—Section 237(a)(2) of such Act (8 U.S.C. 1227(a)(2)), as amended by sections 302(c) and 311(c) of this Act, is further amended—

(1) in subparagraph (A), by striking clause (v); and

(2) by adding at the end the following:

''(I) Any alien convicted of, or who admits having committed, or who admits committing acts which constitute the essential elements of a violation of section 2250 of title 18, United States Code (relating to failure to register as a sex offender) is deportable.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. 3749. PROTECTING IMMIGRANTS FROM CONVICTED SEX OFFENDERS.

(a) IMMIGRANTS.—Section 204(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)), is amended—

(1) in subparagraph (A), by amending clause (viii) to read as follows:

''(viii) Clause (i) shall not apply to a citizen of the United States who has been convicted of an offense described in subparagraph (A), (I), or (K) of section 101(a)(43), unless the Secretary of Homeland Security, in the Secretary's sole and unreviewable discretion, determines that the citizen poses no risk to the alien with respect to whom a petition described in clause (i) is filed.''; and

(2) in subparagraph (B)(i)—

(A) by redesignating the second subclause (I) as subclause (II); and

(B) by amending such subclause (II) to read as follows:

''(II) Subclause (I) shall not apply in the case of an alien admitted for permanent residence who has been convicted of an offense described in subparagraph (A), (I), or (K) of section 101(a)(43), unless the Secretary of Homeland Security, in the Secretary's sole and unreviewable discretion, determines that the alien lawfully admitted for permanent residence poses no risk to the alien with respect to whom a petition described in subclause (I) is filed.''.

(b) NONIMMIGRANTS.—Section 101(a)(15)(K) of such Act (8 U.S.C. 1101(a)(15)(K)), is amended by striking ''204(a)(1)(A)(viii)(I))'' each place such term appears and inserting ''204(a)(1)(A)(viii))''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to petitions filed on or after such date.

SEC. 3750. CLARIFICATION TO CRIMES OF VIOLENCE AND CRIMES INVOLVING MORAL TURPITUDE.

(a) INADMISSIBLE ALIENS.—Section 212(a)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(A)) is amended by adding at the end the following:

''(iii) CLARIFICATION.—If the conviction records do not conclusively establish whether a crime constitutes a crime involving moral turpitude, the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime involving moral turpitude.''.

(b) DEPORTABLE ALIENS.—

(1) GENERAL CRIMES.—Section 237(a)(2)(A) of such Act (8 U.S.C. 1227(a)(2)(A)), as amended by section 320(b) of this Act, is further amended by inserting after clause (iv) the following:

''(v) CRIMES INVOLVING MORAL TURPITUDE.—If the conviction records do not conclusively establish whether a crime constitutes a crime involving moral turpitude, the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime involving moral turpitude.''.

(2) DOMESTIC VIOLENCE.—Section 237(a)(2)(E) of such Act (8 U.S.C. 1227(a)(2)(E)) is amended by adding at the end the following:

''(iii) CRIMES OF VIOLENCE.—If the conviction records do not conclusively establish whether a crime of domestic violence constitutes a crime of violence (as defined in section 16 of title 18, United States Code), the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime of violence.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. 3751. PENALTIES FOR FAILURE TO OBEY REMOVAL ORDERS.

(a) IN GENERAL.—Section 243(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1253(a)(1)) is amended—

(1) by inserting ''212(a) or'' before ''237(a),''; and

(2) by striking paragraph (3).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to acts that are described in subparagraphs (A) through (D) of section 243(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1253(a)(1)) that occur on or after the date of the enactment of this Act.

SEC. 3752. PARDONS.

(a) DEFINITION.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)), as amended by section 311(a) of this Act, is further amended by adding at the end the following:

''(54) The term 'pardon' means a full and unconditional pardon granted by the President of the United States, Governor of any of the several States or constitutionally recognized body.''.

(b) DEPORTABILITY.—Section 237(a) of such Act (8 U.S.C. 1227(a)) is amended—

(1) in paragraph (2)(A), by striking clause (vi); and

(2) by adding at the end the following:

''(8) PARDONS.—

''(A) IN GENERAL.—In the case of an alien who has been convicted of a crime and is subject to removal due to that conviction, if the alien, subsequent to receiving the criminal conviction, is granted a pardon, the alien shall not be deportable by reason of that criminal conviction.

''(B) EXCEPTION.—Subparagraph (A) shall not apply in the case of an alien granted a pardon if the pardon is granted in whole or in part to eliminate that alien's condition of deportability.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to a pardon granted before, on, or after such date.

CHAPTER 4—AID TO U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICERS

SEC. 3761. ICE IMMIGRATION ENFORCEMENT AGENTS.

(a) IN GENERAL.—The Secretary shall authorize all immigration enforcement agents and deportation officers of the Department who have successfully completed basic immigration law enforcement training to exercise the powers conferred by—

(1) section 287(a)(5)(A) of the Immigration and Nationality Act to arrest for any offense against the United States;

(2) section 287(a)(5)(B) of such Act to arrest for any felony;

(3) section 274(a) of such Act to arrest for bringing in, transporting, or harboring certain aliens, or inducing them to enter;

(4) section 287(a) of such Act to execute warrants of arrest for administrative immigration violations issued under section 236 of the Act or to execute warrants of criminal arrest issued under the authority of the United States; and

(5) section 287(a) of such Act to carry firearms, provided that they are individually qualified by training and experience to handle and safely operate the firearms they are permitted to carry, maintain proficiency in the use of such firearms, and adhere to the provisions of the enforcement standard governing the use of force.

(b) PAY.—Immigration enforcement agents shall be paid on the same scale as Immigration and Customs Enforcement deportation officers and shall receive the same benefits.

SEC. 3762. ICE DETENTION ENFORCEMENT OFFICERS.

(a) AUTHORIZATION.—The Secretary is authorized to hire 2,500 Immigration and Customs Enforcement detention enforcement officers.

(b) DUTIES.—Immigration and Customs Enforcement detention enforcement officers who have successfully completed detention enforcement officers' basic training shall be responsible for—

(1) taking and maintaining custody of any person who has been arrested by an immigration officer;

(2) transporting and guarding immigration detainees;

(3) securing Department detention facilities; and

(4) assisting in the processing of detainees.

SEC. 3763. ENSURING THE SAFETY OF ICE OFFICERS AND AGENTS.

(a) BODY ARMOR.—The Secretary shall ensure that every Immigration and Customs Enforcement deportation officer and immigration enforcement agent on duty is issued high-quality body armor that is appropriate for the climate and risks faced by the agent. Enough body armor must be purchased to cover every agent in the field.

(b) WEAPONS.—Such Secretary shall ensure that Immigration and Customs Enforcement deportation officers and immigration enforcement agents are equipped with weapons that are reliable and effective to protect themselves, their fellow agents, and innocent third parties from the threats posed by armed criminals. Such weapons shall include, at a minimum, standard-issue handguns, M–4 (or equivalent) rifles, and Tasers.

(c) EFFECTIVE DATE.—This section shall take effect 90 days after the date of the enactment of this Act.

SEC. 3764. ICE ADVISORY COUNCIL.

(a) ESTABLISHMENT.—An ICE Advisory Council shall be established not later than 3 months after the date of the enactment of this Act.

(b) MEMBERSHIP.—The ICE Advisory Council shall be comprised of 7 members.

(c) APPOINTMENT.—Members shall to be appointed in the following manner:

(1) One member shall be appointed by the President;

(2) One member shall be appointed by the Chairman of the Judiciary Committee of the House of Representatives;

(3) One member shall be appointed by the Chairman of the Judiciary Committee of the Senate;

(4) One member shall be appointed by the Local 511, the ICE prosecutor's union; and

(5) Three members shall be appointed by the National Immigration and Customs Enforcement Council.

(d) TERM.—Members shall serve renewable, 2-year terms.

(e) VOLUNTARY.—Membership shall be voluntary and non-remunerated, except that members will receive reimbursement from the Secretary for travel and other related expenses.

(f) RETALIATION PROTECTION.—Members who are employed by the Secretary shall be protected from retaliation by their supervisors, managers, and other Department employees for their participation on the Council.

(g) PURPOSE.—The purpose of the Council is to advise Congress and the Secretary on issues including the following:

(1) The current status of immigration enforcement efforts, including prosecutions and removals, the effectiveness of such efforts, and how enforcement could be improved;

(2) The effectiveness of cooperative efforts between the Secretary and other law enforcement agencies, including additional types of enforcement activities that the Secretary should be engaged in, such as State and local criminal task forces;

(3) Personnel, equipment, and other resource needs of field personnel;

(4) Improvements that should be made to the organizational structure of the Department, including whether the position of immigration enforcement agent should be merged into the deportation officer position; and

(5) The effectiveness of specific enforcement policies and regulations promulgated by the Secretary, and whether other enforcement priorities should be considered.

(h) REPORTS.—The Council shall provide quarterly reports to the Chairmen and Ranking Members of the Judiciary Committees of the Senate and the House of Representatives and to the Secretary. The Council members shall meet directly with the Chairmen and Ranking Members (or their designated representatives) and with the Secretary to discuss their reports every 6 months.

SEC. 3765. PILOT PROGRAM FOR ELECTRONIC FIELD PROCESSING.

(a) IN GENERAL.—The Secretary shall establish a pilot program in at least five of the 10 Immigration and Customs Enforcement field offices with the largest removal caseloads to allow Immigration and Customs deportation officers and immigration enforcement agents to—

(1) electronically process and serve charging documents, including Notices to Appear, while in the field; and

(2) electronically process and place detainers while in the field.

(b) DUTIES.—The pilot program described in subsection (a) shall be designed to allow deportation officers and immigration enforcement agents to use handheld or vehicle-mounted computers to—

(1) enter any required data, including personal information about the alien subject and the reason for issuing the document;

(2) apply the electronic signature of the issuing officer or agent;

(3) set the date the alien is required to appear before an immigration judge, in the case of Notices to Appear;

(4) print any documents the alien subject may be required to sign, along with additional copies of documents to be served on the alien; and

(5) interface with the ENFORCE database so that all data is stored and retrievable.

(c) CONSTRUCTION.—The pilot program described in subsection (a) shall be designed to replace, to the extent possible, the current paperwork and data-entry process used for issuing such charging documents and detainers.

(d) DEADLINE.—The Secretary shall initiate the pilot program described in subsection (a) within 6 months of the date of enactment of this Act.

(e) REPORT.—The Government Accountability Office shall report to the Judiciary Committee of the Senate and the House of Representatives no later than 18 months after the date of enactment of this Act on the effectiveness of the pilot program and provide recommendations for improving it.

(f) ADVISORY COUNCIL.—The ICE Advisory Council established by section 3764 shall include an recommendations on how the pilot program should work in the first quarterly report of the Council, and shall include assessments of the program and recommendations for improvement in each subsequent report.

(g) EFFECTIVE DATE.—This section shall take effect 180 days after the date of the enactment of this Act.

SEC. 3766. ADDITIONAL ICE DEPORTATION OFFICERS AND SUPPORT STAFF.

(a) IN GENERAL.—The Secretary shall, subject to the availability of appropriations for such purpose, increase the number of positions for full-time active-duty Immigration and Customs Enforcement deportation officers by 5,000 above the number of full-time positions for which funds were appropriated for fiscal year 2013.

(b) SUPPORT STAFF.—The Secretary shall, subject to the availability of appropriations for such purpose, increase the number of positions for full-time support staff for Immigration and Customs Enforcement deportation officers by 700 above the number of full-time positions for which funds were appropriated for fiscal year 2013.

SEC. 3767. ADDITIONAL ICE PROSECUTORS.

The Secretary shall increase by 60 the number of full-time trial attorneys working for the Immigration and Customs Enforcement Office of the Principal Legal Advisor.

CHAPTER 5—MISCELLANEOUS ENFORCEMENT PROVISIONS

SEC. 3771. ENCOURAGING ALIENS TO DEPART VOLUNTARILY.

(a) IN GENERAL.—Section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c) is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

''(1) INSTEAD OF REMOVAL PROCEEDINGS.—If an alien is not described in paragraph (2)(A)(iii) or (4) of section 237(a), the Secretary of Homeland Security may permit the alien to voluntarily depart the United States at the alien's own expense under this subsection instead of being subject to proceedings under section 240.'';

(B) by striking paragraph (3);

(C) by redesignating paragraph (2) as paragraph (3);

(D) by adding after paragraph (1) the following:

''(2) BEFORE THE CONCLUSION OF REMOVAL PROCEEDINGS.—If an alien is not described in paragraph (2)(A)(iii) or (4) of section 237(a), the Attorney General may permit the alien to voluntarily depart the United States at the alien's own expense under this subsection after the initiation of removal proceedings under section 240 and before the conclusion of such proceedings before an immigration judge.'';

(E) in paragraph (3), as redesignated—

(i) by amending subparagraph (A) to read as follows:

''(A) INSTEAD OF REMOVAL.—Subject to subparagraph (C), permission to voluntarily depart under paragraph (1) shall not be valid for any period in excess of 120 days. The Secretary may require an alien permitted to voluntarily depart under paragraph (1) to post a voluntary departure bond, to be surrendered upon proof that the alien has departed the United States within the time specified.'';

(ii) by redesignating subparagraphs (B), (C), and (D) as paragraphs (C), (D), and (E), respectively;

(iii) by adding after subparagraph (A) the following:

''(B) BEFORE THE CONCLUSION OF REMOVAL PROCEEDINGS.—Permission to voluntarily depart under paragraph (2) shall not be valid for any period in excess of 60 days, and may be granted only after a finding that the alien has the means to depart the United States and intends to do so. An alien permitted to voluntarily depart under paragraph (2) shall post a voluntary departure bond, in an amount necessary to ensure that the alien will depart, to be surrendered upon proof that the alien has departed the United States within the time specified. An immigration judge may waive the requirement to post a voluntary departure bond in individual cases upon a finding that the alien has presented compelling evidence that the posting of a bond will pose a serious financial hardship and the alien has presented credible evidence that such a bond is unnecessary to guarantee timely departure.''.

(iv) in subparagraph (C), as redesignated, by striking ''subparagraphs (C) and(D)(ii)'' and inserting ''subparagraphs (D) and (E)(ii)'';

(v) in subparagraph (D), as redesignated, by striking ''subparagraph (B)'' each place that term appears and inserting ''subparagraph (C)'';

(vi) in subparagraph (E), as redesignated, by striking ''subparagraph (B)'' each place that term appears and inserting ''subparagraph (C)'';

(F) in paragraph (4), by striking ''paragraph (1)'' and inserting ''paragraphs (1) and (2)'';

(2) in subsection (b)(2), by striking ''a period exceeding 60 days'' and inserting ''any period in excess of 45 days'';

(3) by amending subsection (c) to read as follows:

''(c) CONDITIONS ON VOLUNTARY DEPARTURE.—

''(1) VOLUNTARY DEPARTURE AGREEMENT.—Voluntary departure may only be granted as part of an affirmative agreement by the alien. A voluntary departure agreement under subsection (b) shall include a waiver of the right to any further motion, appeal, application, petition, or petition for review relating to removal or relief or protection from removal.

''(2) CONCESSIONS BY THE SECRETARY.—In connection with the alien's agreement to depart voluntarily under paragraph (1), the Secretary of Homeland Security may agree to a reduction in the period of inadmissibility under subparagraph (A) or (B)(i) of section 212(a)(9).

''(3) ADVISALS.—Agreements relating to voluntary departure granted during removal proceedings under section 240, or at the conclusion of such proceedings, shall be presented on the record before the immigration judge. The immigration judge shall advise the alien of the consequences of a voluntary departure agreement before accepting such agreement.

''(4) FAILURE TO COMPLY WITH AGREEMENT.—

''(A) IN GENERAL.—If an alien agrees to voluntary departure under this section and fails to depart the United States within the time allowed for voluntary departure or fails to comply with any other terms of the agreement (including failure to timely post any required bond), the alien is—

''(i) ineligible for the benefits of the agreement;

''(ii) subject to the penalties described in subsection (d); and

''(iii) subject to an alternate order of removal if voluntary departure was granted under subsection (a)(2) or (b).

''(B) EFFECT OF FILING TIMELY APPEAL.—If, after agreeing to voluntary departure, the alien files a timely appeal of the immigration judge's decision granting voluntary departure, the alien may pursue the appeal instead of the voluntary departure agreement. Such appeal operates to void the alien's voluntary departure agreement and the consequences of such agreement, but precludes the alien from another grant of voluntary departure while the alien remains in the United States.

''(5) VOLUNTARY DEPARTURE PERIOD NOT AFFECTED.—Except as expressly agreed to by the Secretary in writing in the exercise of the Secretary's discretion before the expiration of the period allowed for voluntary departure, no motion, appeal, application, petition, or petition for review shall affect, reinstate, enjoin, delay, stay, or toll the alien's obligation to depart from the United States during the period agreed to by the alien and the Secretary.'';

(4) by amending subsection (d) to read as follows:

''(d) PENALTIES FOR FAILURE TO DEPART.—If an alien is permitted to voluntarily depart under this section and fails to voluntarily depart from the United States within the time period specified or otherwise violates the terms of a voluntary departure agreement, the alien will be subject to the following penalties:

''(1) CIVIL PENALTY.—The alien shall be liable for a civil penalty of $3,000. The order allowing voluntary departure shall specify the amount of the penalty, which shall be acknowledged by the alien on the record. If the Secretary thereafter establishes that the alien failed to depart voluntarily within the time allowed, no further procedure will be necessary to establish the amount of the penalty, and the Secretary may collect the civil penalty at any time thereafter and by whatever means provided by law. An alien will be ineligible for any benefits under this chapter until this civil penalty is paid.

''(2) INELIGIBILITY FOR RELIEF.—The alien shall be ineligible during the time the alien remains in the United States and for a period of 10 years after the alien's departure for any further relief under this section and sections 240A, 245, 248, and 249. The order permitting the alien to depart voluntarily shall inform the alien of the penalties under this subsection.

''(3) REOPENING.—The alien shall be ineligible to reopen the final order of removal that took effect upon the alien's failure to depart, or upon the alien's other violations of the conditions for voluntary departure, during the period described in paragraph (2). This paragraph does not preclude a motion to reopen to seek withholding of removal under section 241(b)(3) or protection against torture, if the motion—

''(A) presents material evidence of changed country conditions arising after the date of the order granting voluntary departure in the country to which the alien would be removed; and

''(B) makes a sufficient showing to the satisfaction of the Attorney General that the alien is otherwise eligible for such protection.''; and

(5) by amending subsection (e) to read as follows:

''(e) ELIGIBILITY.—

''(1) PRIOR GRANT OF VOLUNTARY DEPARTURE.—An alien shall not be permitted to voluntarily depart under this section if the Secretary of Homeland Security or the Attorney General previously permitted the alien to depart voluntarily.

''(2) RULEMAKING.—The Secretary may promulgate regulations to limit eligibility or impose additional conditions for voluntary departure under subsection (a)(1) for any class of aliens. The Secretary or Attorney General may by regulation limit eligibility or impose additional conditions for voluntary departure under subsections (a)(2) or (b) of this section for any class or classes of aliens.''.

(6) in subsection (f), by adding at the end the following: ''Notwithstanding section 242(a)(2)(D) of this Act, sections 1361, 1651, and 2241 of title 28, United States Code, any other habeas corpus provision, and any other provision of law (statutory or nonstatutory), no court shall have jurisdiction to affect, reinstate, enjoin, delay, stay, or toll the period allowed for voluntary departure under this section.''.

(b) RULEMAKING.—The Secretary shall within one year of the date of enactment of this Act promulgate regulations to provide for the imposition and collection of penalties for failure to depart under section 240B(d) of the Immigration and Nationality Act (8 U.S.C. 1229c(d)).

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to all orders granting voluntary departure under section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c) made on or after the date that is 180 days after the enactment of this Act.

(2) EXCEPTION.—The amendment made by subsection (a)(6) shall take effect on the date of the enactment of this Act and shall apply with respect to any petition for review which is filed on or after such date.

SEC. 3772. DETERRING ALIENS ORDERED REMOVED FROM REMAINING IN THE UNITED STATES UNLAWFULLY.

(a) INADMISSIBLE ALIENS.—Section 212(a)(9)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(A)) is amended—

(1) in clause (i), by striking ''seeks admission within 5 years of the date of such removal (or within 20 years'' and inserting ''seeks admission not later than 5 years after the date of the alien's removal (or not later than 20 years after the alien's removal''; and

(2) in clause (ii), by striking ''seeks admission within 10 years of the date of such alien's departure or removal (or within 20 years of'' and inserting ''seeks admission not later than 10 years after the date of the alien's departure or removal (or not later than 20 years after''.

(b) BAR ON DISCRETIONARY RELIEF.—Section 274D of such Act (8 U.S.C. 324d) is amended—

(1) in subsection (a), by striking ''Commissioner'' and inserting ''Secretary of Homeland Security''; and

(2) by adding at the end the following:

''(c) INELIGIBILITY FOR RELIEF.—

''(1) IN GENERAL.—Unless a timely motion to reopen is granted under section 240(c)(6), an alien described in subsection (a) shall be ineligible for any discretionary relief from removal (including cancellation of removal and adjustment of status) during the time the alien remains in the United States and for a period of 10 years after the alien's departure from the United States.

''(2) SAVINGS PROVISION.—Nothing in paragraph (1) shall preclude a motion to reopen to seek withholding of removal under section 241(b)(3) or protection against torture, if the motion—

''(A) presents material evidence of changed country conditions arising after the date of the final order of removal in the country to which the alien would be removed; and

''(B) makes a sufficient showing to the satisfaction of the Attorney General that the alien is otherwise eligible for such protection.''.

(c) EFFECTIVE DATES.—The amendments made by this section shall take effect on the date of the enactment of this Act with respect to aliens who are subject to a final order of removal entered before, on, or after such date.

SEC. 3773. REINSTATEMENT OF REMOVAL ORDERS.

(a) IN GENERAL.—Section 241(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(5)) is amended to read as follows:

''(5) REINSTATEMENT OF REMOVAL ORDERS AGAINST ALIENS ILLEGALLY REENTERING.—If the Secretary of Homeland Security finds that an alien has entered the United States illegally after having been removed, deported, or excluded or having departed voluntarily, under an order of removal, deportation, or exclusion, regardless of the date of the original order or the date of the illegal entry—

''(A) the order of removal, deportation, or exclusion is reinstated from its original date and is not subject to being reopened or reviewed notwithstanding section 242(a)(2)(D);

''(B) the alien is not eligible and may not apply for any relief under this Act, regardless of the date that an application or request for such relief may have been filed or made; and

''(C) the alien shall be removed under the order of removal, deportation, or exclusion at any time after the illegal entry.

Reinstatement under this paragraph shall not require proceedings under section 240 or other proceedings before an immigration judge''.

(b) JUDICIAL REVIEW.—Section 242 of the Immigration and Nationality Act (8 U.S.C. 1252) is amended by adding at the end the following:

''(h) JUDICIAL REVIEW OF REINSTATEMENT UNDER SECTION 241(A)(5).—

''(1) REVIEW OF REINSTATEMENT.—Judicial review of determinations under section 241(a)(5) is available in an action under subsection (a).

''(2) NO REVIEW OF ORIGINAL ORDER.—Notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, any other habeas corpus provision, or sections 1361 and 1651 of such title, no court shall have jurisdiction to review any cause or claim, arising from, or relating to, any challenge to the original order.''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect as if enacted on April 1, 1997, and shall apply to all orders reinstated or after that date by the Secretary (or by the Attorney General prior to March 1, 2003), regardless of the date of the original order.

SEC. 3774. CLARIFICATION WITH RESPECT TO DEFINITION OF ADMISSION.

Section 101(a)(13)(A) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(13)(A)) is amended by adding at the end the following: ''An alien's adjustment of status to that of lawful permanent resident status under any provision of this Act, or under any other provision of law, shall be considered an 'admission' for any purpose under this Act, even if the adjustment of status occurred while the alien was present in the United States.''.

SEC. 3775. REPORTS TO CONGRESS ON THE EXERCISE AND ABUSE OF PROSECUTORIAL DISCRETION.

(a) IN GENERAL.—Not later than 180 days after the end of each fiscal year, the Secretary and the Attorney General shall each provide to the Committees on the Judiciary of the House of Representatives and of the Senate a report on the following:

(1) Aliens apprehended or arrested by State or local law enforcement agencies who were identified by the Department in the previous fiscal year and for whom the Department did not issue detainers and did not take into custody despite the Department's findings that the aliens were inadmissible or deportable.

(2) Aliens who were applicants for admission in the previous fiscal year but not clearly and beyond a doubt entitled to be admitted by an immigration officer and who were not detained as required pursuant to section 235(b)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(2)(A)).

(3) Aliens who in the previous fiscal year were found by Department officials performing duties related to the adjudication of applications for immigration benefits or the enforcement of the immigration laws to be inadmissible or deportable who were not issued notices to appear pursuant to section 239 of such Act (8 U.S.C. 1229) or placed into removal proceedings pursuant to section 240 (8 U.S.C. 1229a), unless the aliens were placed into expedited removal proceedings pursuant to section 235(b)(1)(A)(i) (8 U.S.C. 1225(b)(1)(A)(5)) or section 238 (8 U.S.C. 1228), were granted voluntary departure pursuant to section 240B, were granted relief from removal pursuant to statute, were granted legal nonimmigrant or immigrant status pursuant to statute, or were determined not to be inadmissible or deportable.

(4) Aliens issued notices to appear that were cancelled in the previous fiscal year despite the Department's findings that the aliens were inadmissible or deportable, unless the aliens were granted relief from removal pursuant to statute, were granted voluntary departure pursuant to section 240B of such Act (8 U.S.C. 1229c), or were granted legal nonimmigrant or immigrant status pursuant to statute.

(5) Aliens who were placed into removal proceedings, whose removal proceedings were terminated in the previous fiscal year prior to their conclusion, unless the aliens were granted relief from removal pursuant to statute, were granted voluntary departure pursuant to section 240B, were granted legal nonimmigrant or immigrant status pursuant to statute, or were determined not to be inadmissible or deportable.

(6) Aliens granted parole pursuant to section 212(d)(5)(A) of such Act (8 U.S.C. 1182(d)(5)(A)).

(7) Aliens granted deferred action, extended voluntary departure or any other type of relief from removal not specified in the Immigration and Nationality Act or where determined not to be inadmissible or deportable.

(b) CONTENTS OF REPORT.—The report shall include a listing of each alien described in each paragraph of subsection (a), including when in the possession of the Department their names, fingerprint identification numbers, alien registration numbers, and reason why each was granted the type of prosecutorial discretion received. The report shall also include current criminal histories on each alien from the Federal Bureau of Investigation.

On page 1748, strike lines 5 and 21.

At the end of section 4412, insert the following:

(b) AUTHORITY OF THE SECRETARY OF HOMELAND SECURITY AND THE SECRETARY OF STATE.—

(1) IN GENERAL.—Section 428 of the Homeland Security Act of 2002 (6 U.S.C. 236) is amended by striking subsections (b) and (c) and inserting the following:

''(b) AUTHORITY OF THE SECRETARY OF HOMELAND SECURITY.—

''(1) IN GENERAL.—Notwithstanding section 104(a) of the Immigration and Nationality Act (8 U.S.C. 1104(a)) or any other provision of law, and except as provided in subsection (c) and except for the authority of the Secretary of State under subparagraphs (A) and (G) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)), the Secretary—

''(A) shall have exclusive authority to issue regulations, establish policy, and administer and enforce the provisions of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) and all other immigration or nationality laws relating to the functions of consular officers of the United States in connection with the granting and refusal of a visa; and

''(B) may refuse or revoke any visa to any alien or class of aliens if the Secretary, or designee, determines that such refusal or revocation is necessary or advisable in the security interests of the United States.

''(2) EFFECT OF REVOCATION.—The revocation of any visa under paragraph (1)(B)—

''(A) shall take effect immediately; and

''(B) shall automatically cancel any other valid visa that is in the alien's possession.

''(3) JUDICIAL REVIEW.—Notwithstanding any other provision of law, including section 2241 of title 28, United States Code, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review a decision by the Secretary of Homeland Security to refuse or revoke a visa, and no court shall have jurisdiction to hear any claim arising from, or any challenge to, such a refusal or revocation.

''(c) AUTHORITY OF THE SECRETARY OF STATE.—

''(1) IN GENERAL.—The Secretary of State may direct a consular officer to refuse a visa requested by an alien if the Secretary of State determines such refusal to be necessary or advisable in the interests of the United States.

''(2) LIMITATION.—No decision by the Secretary of State to approve a visa may override a decision by the Secretary of Homeland Security under subsection (b).''.

(2) CONFORMING AMENDMENT.—Section 237(a)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(1)(B)) is amended by striking ''under section 221(i)''.

(3) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act and shall apply to visa refusals and revocations occurring before, on, or after such date.

(c) TECHNICAL CORRECTIONS TO THE HOMELAND SECURITY ACT.—Section 428(a) of the Homeland Security Act of 2002 (6 U.S.C. 236) is amended by—

(1) striking ''subsection'' and inserting ''section''; and

(2) striking ''consular office'' and inserting ''consular officer''.

At the end of subtitle D of title IV, add the following:

SEC. 4416. CANCELLATION OF ADDITIONAL VISAS.

(a) IN GENERAL.—Section 222(g) of the Immigration and Nationality Act (8 U.S.C. 1202(g)) is amended—

(1) in paragraph (1)—

(A) by striking ''Attorney General'' and inserting ''Secretary''; and

(B) by inserting ''and any other nonimmigrant visa issued by the United States that is in the possession of the alien'' after ''such visa''; and

(2) in paragraph (2)(A), by striking ''(other than the visa described in paragraph (1)) issued in a consular office located in the country of the alien's nationality'' and inserting ''(other than a visa described in paragraph (1)) issued in a consular office located in the country of the alien's nationality or foreign residence''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to a visa issued before, on, or after such date.

SEC. 4417. VISA INFORMATION SHARING.

(a) IN GENERAL.—Section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)(2)) is amended—

(1) by striking ''issuance or refusal'' and inserting ''issuance, refusal, or revocation'';

(2) in paragraph (2), by striking ''and on the basis of reciprocity'';

(3) in paragraph (2)(A)—

(A) by inserting '' (i)'' after ''for the purpose of''; and

(B) by striking ''illicit weapons; or'' and inserting ''illicit weapons, or (ii) determining a person's deportability or eligibility for a visa, admission, or other immigration benefit;'';

(4) in paragraph (2)(B)—

(A) by striking ''for the purposes'' and inserting ''for one of the purposes''; and

(B) by striking ''or to deny visas to persons who would be inadmissible to the United States'' and inserting ''; or''; and

(5) by adding before the period at the end the following:

''(C) with regard to any or all aliens in the database specified data elements from each record, if the Secretary of State determines that it is in the national interest to provide such information to a foreign government.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect 60 days after the date of the enactment of the Act.

SEC. 4418. AUTHORIZING THE DEPARTMENT OF STATE TO NOT INTERVIEW CERTAIN INELIGIBLE VISA APPLICANTS.

(a) IN GENERAL.—Section 222(h)(1) of the Immigration and Nationality Act (8 U.S.C. 1202(h)(1)) is amended by inserting '' the alien is determined by the Secretary of State to be ineligible for a visa based upon review of the application or'' after ''unless''.

(b) GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall issue guidance to consular officers on the standards and processes for implementing the authority to deny visa applications without interview in cases where the alien is determined by the Secretary of State to be ineligible for a visa based upon review of the application.

(c) REPORTS.—Not less frequently than once each quarter, the Secretary of State shall submit to the Congress a report on the denial of visa applications without interview, including—

(1) the number of such denials; and

(2) a post-by-post breakdown of such denials.

SEC. 4419. FUNDING FOR THE VISA SECURITY PROGRAM.

(a) IN GENERAL.—The Department of State and Related Agency Appropriations Act, 2005 (title IV of division B of Public Law 108-447) is amended, in the fourth paragraph under the heading ''Diplomatic and Consular Programs'', by striking ''Beginning'' through the period at the end and inserting the following: ''Beginning in fiscal year 2005 and thereafter, the Secretary of State is authorized to charge surcharges related to consular services in support of enhanced border security that are in addition to the immigrant visa fees in effect on January 1, 2004: Provided, That funds collected pursuant to this authority shall be credited to the appropriation for U.S. Immigration and Customs Enforcement for the fiscal year in which the fees were collected, and shall be available until expended for the funding of the Visa Security Program established by the Secretary of Homeland Security under section 428(e) of the Homeland Security Act of 2002 (Public Law 107–296): Provided further, That such surcharges shall be 10 percent of the fee assessed on immigrant visa applications.''.

(b) REPAYMENT OF APPROPRIATED FUNDS.—Twenty percent of the funds collected each fiscal year under the heading ''Diplomatic and Consular Programs'' in the Department of State and Related Agency Appropriations Act, 2005 (title IV of division B of Public Law 108-447), as amended by subsection (a), shall be deposited into the general fund of the Treasury as repayment of funds appropriated pursuant to section 407(c) of this Act until the entire appropriated sum has been repaid.

SEC. 4420. EXPEDITIOUS EXPANSION OF VISA SECURITY PROGRAM TO HIGH-RISK POSTS.

(a) IN GENERAL.—Section 428(i) of the Homeland Security Act of 2002 (6 U.S.C. 236(i)) is amended to read as follows:

''(i) VISA ISSUANCE AT DESIGNATED HIGH-RISK POSTS.—Notwithstanding any other provision of law, the Secretary of Homeland Security shall conduct an on-site review of all visa applications and supporting documentation before adjudication at the top 30 visa-issuing posts designated jointly by the Secretaries of State and Homeland Security as high-risk posts.''.

(b) ASSIGNMENT OF PERSONNEL.—Not later than one year after the date of enactment of this section, the Secretary of Homeland Security shall assign personnel to the visa-issuing posts referenced in section 428(i) of the Homeland Security Act of 2002 (6 U.S.C. 236(i)), as amended by this section, and communicate such assignments to the Secretary of State.

(c) APPROPRIATIONS.—There is authorized to be appropriated $60,000,000 for each of the fiscal years 2014 and 2015, which shall be used to expedite the implementation of section 428(i) of the Homeland Security Act, as amended by this section.

SEC. 4421. EXPEDITED CLEARANCE AND PLACEMENT OF DEPARTMENT OF HOMELAND SECURITY PERSONNEL AT OVERSEAS EMBASSIES AND CONSULAR POSTS.

Section 428 of the Homeland Security Act of 2002 (6 U.S.C. 236) is amended by adding at the end the following:

''(j) EXPEDITED CLEARANCE AND PLACEMENT OF DEPARTMENT OF HOMELAND SECURITY PERSONNEL AT OVERSEAS EMBASSIES AND CONSULAR POSTS.—Notwithstanding any other provision of law, and the processes set forth in National Security Defense Directive 38 (dated June 2, 1982) or any successor Directive, the Chief of Mission of a post to which the Secretary of Homeland Security has assigned personnel under subsection (e) or (i) shall ensure, not later than one year after the date on which the Secretary of Homeland Security communicates such assignment to the Secretary of State, that such personnel have been stationed and accommodated at post and are able to carry out their duties.''.

SEC. 4422. INCREASED CRIMINAL PENALTIES FOR STUDENT VISA INTEGRITY.

Section 1546 of title 18, United States Code, is amended by striking ''10 years'' and inserting ''15 years (if the offense was committed by an owner, official, or employee of an educational institution with respect to such institution's participation in the Student and exchange Visitor Program), 10 years''.

SEC. 4423. VISA FRAUD.

(a) TEMPORARY SUSPENSION OF SEVIS ACCESS.—Section 641(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(d)) is amended—

(1) in paragraph (1)(A), by striking ''institution,,'' and inserting ''institution,''; and

(2) by adding at the end the following:

''(3) EFFECT OF REASONABLE SUSPICION OF FRAUD.—If the Secretary of Homeland Security has reasonable suspicion that an owner of, or a designated school official at, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program has committed fraud or attempted to commit fraud relating to any aspect of the Student and Exchange Visitor Program, the Secretary may immediately suspend, without notice, such official's or such school's access to the Student and Exchange Visitor Information System (SEVIS), including the ability to issue Form I–20s, pending a final determination by the Secretary with respect to the institution's certification under the Student and Exchange Visitor Program.''.

(b) EFFECT OF CONVICTION FOR VISA FRAUD.—Such section 641(d), as amended by subsection (a)(2), is further amended by adding at the end the following:

''(4) PERMANENT DISQUALIFICATION FOR FRAUD.—A designated school official at, or an owner of, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program who is convicted for fraud relating to any aspect of the Student and Exchange Visitor Program shall be permanently disqualified from filing future petitions and from having an ownership interest or a management role, including serving as a principal, owner, officer, board member, general partner, designated school official, or any other position of substantive authority for the operations or management of the institution, in any United States educational institution that enrolls nonimmigrant alien students described in subparagraph (F) or (M) of section 101(a)(15) the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).''.

SEC. 4424. BACKGROUND CHECKS.

(a) IN GENERAL.—Section 641(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(d)), as amended by section 411(b) of this Act, is further amended by adding at the end the following:

''(5) BACKGROUND CHECK REQUIREMENT.—

''(A) IN GENERAL.—An individual may not serve as a designated school official or be granted access to SEVIS unless the individual is a national of the United States or an alien lawfully admitted for permanent residence and during the most recent 3-year period—

''(i) the Secretary of Homeland Security has—

''(I) conducted a thorough background check on the individual, including a review of the individual's criminal and sex offender history and the verification of the individual's immigration status; and

''(II) determined that the individual has not been convicted of any violation of United States immigration law and is not a risk to national security of the United States; and

''(ii) the individual has successfully completed an on-line training course on SEVP and SEVIS, which has been developed by the Secretary.

''(B) INTERIM DESIGNATED SCHOOL OFFICIAL.—

''(i) IN GENERAL.—An individual may serve as an interim designated school official during the period that the Secretary is conducting the background check required by subparagraph (A)(i)(I).

''(ii) REVIEWS BY THE SECRETARY.—If an individual serving as an interim designated school official under clause (i) does not successfully complete the background check required by subparagraph (A)(i)(I), the Secretary shall review each Form I–20 issued by such interim designated school official.

''(6) FEE.—The Secretary is authorized to collect a fee from an approved school for each background check conducted under paragraph (6)(A)(i). The amount of such fee shall be equal to the average amount expended by the Secretary to conducted such background checks.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 1 year after the date of the enactment of this Act.

SEC. 4425. FLIGHT SCHOOLS NOT CERTIFIED BY FAA.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary of Homeland Security shall prohibit any flight school in the United States from accessing SEVIS or issuing a Form I–20 to an alien seeking a student visa pursuant to subparagraph (F)(i) or (M)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) if the flight school has not been certified to the satisfaction of the Secretary and by the Federal Aviation Administration pursuant to part 141 or part 142 of title 14, Code of Federal Regulations (or similar successor regulations).

(b) TEMPORARY EXCEPTION.—During the 5-year period beginning on the date of the enactment of this Act, the Secretary may waive the requirement under subsection (a) that a flight school be certified by the Federal Aviation Administration if such flight school—

(1) was certified under the Student and Exchange Visitor Program on the date of the enactment of this Act;

(2) submitted an application for certification with the Federal Aviation Administration during the 1-year period beginning on such date; and

(3) continues to progress toward certification by the Federal Aviation Administration.

SEC. 4426. REVOCATION OF ACCREDITATION.

At the time an accrediting agency or association is required to notify the Secretary of Education and the appropriate State licensing or authorizing agency of the final denial, withdrawal, suspension, or termination of accreditation of an institution pursuant to section 496 of the Higher Education Act of 1965 (20 U.S.C. 1099b), such accrediting agency or association shall notify the Secretary of Homeland Security of such determination and the Secretary of Homeland Security shall immediately withdraw the school from the SEVP and prohibit the school from accessing SEVIS.

SEC. 4427. REPORT ON RISK ASSESSMENT.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that contains the risk assessment strategy that will be employed by the Secretary to identify, investigate, and take appropriate action against schools and school officials that are facilitating the issuance of Form I–20 and the maintenance of student visa status in violation of the immigration laws of the United States.

SEC. 4428. IMPLEMENTATION OF GAO RECOMMENDATIONS.

Not later than 180 days after the date of the enactment of this act, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that describes—

(1) the process in place to identify and assess risks in the SEVP;

(2) a risk assessment process to allocate SEVP's resources based on risk;

(3) the procedures in place for consistently ensuring a school's eligibility, including consistently verifying in lieu of letters;

(4) how SEVP identified and addressed missing school case files;

(5) a plan to develop and implement a process to monitor state licensing and accreditation status of all SEVP-certified schools;

(6) whether all flight schools that have not been certified to the satisfaction of the Secretary and by the Federal Aviation Administration have been removed from the program and have been restricted from accessing SEVIS;

(7) the standard operating procedures that govern coordination among SEVP, Counterterrorism and Criminal Exploitation Unit, and U.S. Immigration and Customs Enforcement field offices; and

(8) the established criteria for referring cases of a potentially criminal nature from SEVP to the counterterrorism and intelligence community.

SEC. 4429. IMPLEMENTATION OF SEVIS II.

Not later than 2 years after the date of the enactment of this Act, the Secretary of Homeland Security shall complete the deployment of both phases of the 2nd generation Student and Exchange Visitor Information System (commonly known as ''SEVIS II'').

SEC. 4430. DEFINITIONS.

(a) DEFINITIONS.—For purposes of this subtitle:

(1) SEVIS.—The term ''SEVIS'' means the Student and Exchange Visitor Information System of the Department.

(2) SEVP.—The term ''SEVP'' means the Student and Exchange Visitor Program of the Department.

Strike section 4904 and insert the following:

SEC. 4904. ACCREDITATION REQUIREMENTS.

(a) COLLEGES, UNIVERSITIES, AND LANGUAGE TRAINING PROGRAMS.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended—

(1) in paragraph (15)(F)(i)—

(A) by striking ''section 214(1) at an established college, university, seminary, conservatory or in an accredited language training program in the United States'' and inserting ''section 214(m) at an accredited college, university, or language training program, or at an established seminary, conservatory, academic high school, elementary school, or other academic institution in the United States''; and

(B) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(C) by amending paragraph (52) to read as follows:

''(52) Except as provided in section 214(m)(4), the term 'accredited college, university, or language training program' means a college, university, or language training program that is accredited by an accrediting agency recognized by the Secretary of Education.''.

(b) OTHER ACADEMIC INSTITUTIONS.—Section 214(m) of the Immigration and Nationality Act (8 U.S.C. 1184(m)) is amended by adding at the end the following:

''(3) The Secretary of Homeland Security shall require accreditation of an academic institution (except for seminaries or other religious institutions) for purposes of section 101(a)(15)(F) if—

''(A) that institution is not already required to be accredited under section 101(a)(15)(F)(i); and

''(B) an appropriate accrediting agency recognized by the Secretary of Education is able to provide such accreditation.

''(4) The Secretary of Homeland Security, in the Secretary's discretion, may waive the accreditation requirement in paragraph (3) or section 101(a)(15)(F)(i) with respect to an institution if such institution—

''(A) is otherwise in compliance with the requirements of section 101(a)(15)(F)(i); and

''(B) has been a candidate for accreditation for at least 1 year and continues to progress toward accreditation by an accrediting agency recognized by the Secretary of Education.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall—

(A) take effect on the date that is 180 days after the date of enactment of this Act; and

(B) apply with respect to applications for nonimmigrant visas that are filed on or after the effective date described in subparagraph (A).

(2) TEMPORARY EXCEPTION.—During the 3-year period beginning on the effective date described in paragraph (1)(A), an institution that is newly required to be accredited under this section may continue to participate in the Student and Exchange Visitor Program notwithstanding the institution's lack of accreditation if the institution—

(A) was certified under the Student and Exchange Visitor Program on such date;

(B) submitted an application for accreditation to an accrediting agency recognized by the Secretary of Education during the 6-month period ending on such date; and

(C) continues to progress toward accreditation by such accrediting agency.

Strike section 4907 and insert the following:

SEC. 4907. VISA FRAUD.

(a) TEMPORARY SUSPENSION OF SEVIS ACCESS.—Section 641(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(d)) is amended—

(1) in paragraph (1)(A), by striking ''institution,,'' and inserting ''institution,''; and

(2) by adding at the end the following:

''(3) EFFECT OF REASONABLE SUSPICION OF FRAUD.—If the Secretary of Homeland Security has reasonable suspicion that an owner of, or a designated school official at, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program has committed fraud or attempted to commit fraud relating to any aspect of the Student and Exchange Visitor Program, the Secretary may immediately suspend, without notice, such official's or such school's access to the Student and Exchange Visitor Information System (SEVIS), including the ability to issue Form I–20s, pending a final determination by the Secretary with respect to the institution's certification under the Student and Exchange Visitor Program.''.

(b) EFFECT OF CONVICTION FOR VISA FRAUD.—Such section 641(d), as amended by

subsection (a)(2), is further amended by adding at the end the following:

''(4) PERMANENT DISQUALIFICATION FOR FRAUD.—A designated school official at, or an owner of, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program who is convicted for fraud relating to any aspect of the Student and Exchange Visitor Program shall be permanently disqualified from filing future petitions and from having an ownership interest or a management role, including serving as a principal, owner, officer, board member, general partner, designated school official, or any other position of substantive authority for the operations or management of the institution, in any United States educational institution that enrolls nonimmigrant alien students described in subparagraph (F) or (M) of section 101(a)(15) the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).''.

SA 1335. Mr. HARKIN (for himself and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1788, between lines 19 and 20, insert the following:

SEC. 4602A. CLARIFICATION OF AUTHORITY.

(a) AMENDMENTS.—

(1) CONSULTATION AUTHORITY.—Section 214(c)(1) (8 U.S.C. 1184(c)(1)), as amended by sections 2233(b)(3)(A) and 4102, is further amended by adding at the end the following: ''For purposes of this subsection with respect to nonimmigrants described in section 101(a)(15)(H)(ii)(b) of this Act, the term 'consultation' includes the authority of the Secretary of Labor to issue labor market determinations, including temporary labor certifications, and establish regulations and policies for such issuance, including determining the appropriate prevailing wage rates for occupations covered by section 101(a)(15)(H)(ii)(b)''.

(2) DELEGATION.—Section 214(c)(14)(B) (8 U.S.C. 1184(c)(14)(B)) is amended by striking ''subparagraph (A)(i)'' and inserting ''subparagraph (A)''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a)(1) shall apply to the promulgation of regulations, issuance of labor market determinations, and other actions of the Secretary of Labor and the Secretary of Homeland Security before, on, or after the date of enactment of this Act.

(c) RULE OF CONSTRUCTION.—Nothing in the amendments made by this section shall be construed to limit or modify any other authority provided or exercised under section 214(c)(1) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(1)) or any other law governing the authority of the Secretary of Homeland Security, the Secretary of Labor, or any other officer or employee of the Federal Government.

SA 1336. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 857, line 19, strike the period and insert the following: ''; and

(v) the Secretary of the Treasury certifies that the Secretary has collected and deposited into the Treasury pursuant to section 6(b)(3)(B) of this Act an amount equal to the amount transferred from the general fund of the Treasury to the Comprehensive Immigration Reform Trust Fund pursuant to section 6(a)(2)(A) of this Act.

SA 1337. Mr. SCHATZ (for himself, Ms. HIRONO, Mrs. BOXER, and Mr. FRANKEN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1160, strike lines 6 through 13, and insert the following:

(b) MODIFICATION OF POINTS.—

(1) PROPOSAL.—The Secretary may submit to Congress a proposal to modify the number of points allocated under of section 203(c) of the Immigration and Nationality Act (8 U.S.C. 1153(c)), as amended by subsection (a).

(2) ELIMINATION OF FAMILY-BASED POINTS.—Section 203(c) (8 U.S.C. 1153(c)), as amended by subsection (a), is further amended—

(A) in paragraph (4)—

(i) by striking subparagraph (H); and

(ii) by redesignating subparagraphs (I) and (J) as subparagraph (H) and (I), respectively; and

(B) in paragraph (5)—

(i) by striking subparagraph (G); and

(ii) by redesignating subparagraphs (H) and (I) as subparagraphs (G) and (H), respectively.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on the first day of the first fiscal year beginning after the date of the enactment of this Act.

(2) ELIMINATION OF FAMILY-BASED POINTS.—The amendments made by subsection (b)(2) shall take effect on the date that is 10 years after the date of the enactment of this Act.

On page 1200, strike lines 1 through 4, and insert the following:

(3) PREFERENCE ALLOCATION OF FAMILY-SPONSORED IMMIGRANT VISAS.—Section 203(a) (8 U.S.C. 1153(a)), as amended by section 2305(b) and paragraphs (1) and (2), is further amended to read as follows:

''(a) PREFERENCE ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS.—Aliens subject to the worldwide level specified in section 201(c) for family-sponsored immigrants shall be allotted visas as follows:

''(1) UNMARRIED SONS AND DAUGHTERS OF CITIZENS.—Qualified immigrants who are the unmarried sons or daughters of citizens of the United States shall be allocated visas in a number not to exceed 20 percent of the worldwide level of family-sponsored immigrants under section 201(c), plus any visas not required for the class specified in paragraph (4).

''(2) UNMARRIED SONS AND DAUGHTERS OF PERMANENT RESIDENTS.—Qualified immigrants who are the unmarried sons or daughters, but not a child (as defined in section 101(b)(1)), of an alien lawfully admitted for permanent residence shall be allocated visas in a number not to exceed the sum of—

''(A) 20 percent of the worldwide level of family-sponsored immigrants under section 201(c); and

''(B) any visas not required for the class specified in paragraph (1).

''(3) MARRIED SONS AND MARRIED DAUGHTERS OF CITIZENS.—Qualified immigrants who are the married sons or married daughters of citizens of the United States shall be allocated visas in a number not to exceed 20 percent of the worldwide level of family-sponsored immigrants under section 201(c), plus any visas not required for the classes specified in paragraphs (1) and (2).

''(4) BROTHERS AND SISTERS OF CITIZENS.—Qualified immigrants who are the brothers or sisters of citizens of the United States, if such citizens are at least 21 years of age, shall be allocated visas in a number not to exceed 40 percent of the worldwide level of family-sponsored immigrants under section 201(c), plus any visas not required for the classes specified in paragraphs (1) through (3).''.

(4) EFFECTIVE DATE.—

(A) PARAGRAPHS (1) AND (2).—The amendments made by paragraphs (1) and (2) shall take effect on the first day of the first fiscal year that begins at least 18 months after the date of the enactment of this Act.

(B) PARAGRAPH (3).—The amendment made by paragraph (3) shall take effect on the date that is 10 years after the date of the enactment of this Act.

On page 1221, strike lines 6 through 8, and insert the following:

(d) RESTORATION OF CERTAIN FAMILY-SPONSORED IMMIGRANT CATEGORIES.—

(1) NONIMMIGRANT ELIGIBILITY.—Section 101(a)(15)(V) (8 U.S.C. 1101(a)(15)(V)) is amended to read as follows:

''(V) subject to section 214(q) and section 212(a)(4), an alien who is the beneficiary of an approved petition under section 203(a) as—

''(i) the unmarried son or unmarried daughter of a citizen of the United States;

''(ii) the unmarried son or unmarried daughter of an alien lawfully admitted for permanent residence;

''(iii) the married son or married daughter of a citizen of the United States; or

''(iv) the sibling of a citizen of the United States.''.

(2) EMPLOYMENT AND PERIOD OF ADMISSION OF NONIMMIGRANTS DESCRIBED IN SECTION 101(A)(15)(V).—Section 214(q) (8 U.S.C. 1184(q)) is amended to read as follows:

''(q) NONIMMIGRANTS DESCRIBED IN SECTION 101(A)(15)(V).—

''(1) EMPLOYMENT AUTHORIZATION.—The Secretary shall—

''(A) authorize a nonimmigrant admitted pursuant to section 101(a)(15)(V) to engage in employment in the United States during the period of such nonimmigrant's authorized admission; and

''(B) provide such a nonimmigrant with an 'employment authorized' endorsement or other appropriate document signifying authorization of employment.

''(2) TERMINATION OF ADMISSION.—The period of authorized admission for such a nonimmigrant shall terminate 30 days after the date on which—

''(A) such nonimmigrant's application for an immigrant visa pursuant to the approval of a petition under subsection (a) or (c) of section 203 is denied; or

''(B) such nonimmigrant's application for adjustment of status under section 245 pursuant to the approval of such a petition is denied.''.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsections (a), (b), and (c) shall take effect on the first day of the first fiscal year beginning after the date of the enactment of this Act.

(2) RESTORATION OF FAMILY-SPONSORED IMMIGRANT CATEGORIES.—The amendments made by subsection (d) shall take effect on the date that is 10 years after the date of the enactment of this Act.

SA 1338. Ms. LANDRIEU (for herself, Mrs. SHAHEEN, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1409, line 1, insert '', in consultation with the Chief Counsel of the Office of Advocacy of the Small Business Administration,'' after ''Secretary''.

On page 1410, line 23, insert '', conducted in consultation with the Chief Counsel of the Office of Advocacy of the Small Business Administration,'' after ''assessment''.

On page 1411, between lines 12 and 13, insert the following:

(e) EARLY ADOPTION FOR SMALL EMPLOYERS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall create a mobile application and utilize other available smart-phone technology for employers utilizing the System, to encourage small employers to utilize the System prior to the time at which utilization becomes mandatory for all employers.

(2) MARKETING.—Not later than 1 year after the date of enactment of this Act, the Secretary shall, in consultation with the Administrator of the Small Business Administration, make available marketing and other incentives to small business concerns to encourage small employers to utilize the System prior to the time at which utilization of the System becomes mandatory for all employers.

On page 1411, line 13, strike ''(e)'' and insert ''(f)''.

On page 1413, line 3, strike ''(f)'' and insert ''(g)''.

SA 1339. Mr. WHITEHOUSE (for himself, Mr. REED, Mrs. GILLIBRAND, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. GRANTING THE ATTORNEY GENERAL THE AUTHORITY TO DENY THE SALE, DELIVERY, OR TRANSFER OF A FIREARM OR THE ISSUANCE OF A FIREARMS OR EXPLOSIVES LICENSE OR PERMIT TO DANGEROUS TERRORISTS.

(a) STANDARD FOR EXERCISING ATTORNEY GENERAL DISCRETION REGARDING TRANSFERRING FIREARMS OR ISSUING FIREARMS PERMITS TO DANGEROUS TERRORISTS.—Chapter 44 of title 18, United States Code, is amended—

(1) by inserting after section 922 the following:

''§ 922A. Attorney General's discretion to deny transfer of a firearm.

''The Attorney General may deny the transfer of a firearm under section 922(t)(1)(B)(ii) of this title if the Attorney General—

''(1) determines that the transferee is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

''(2) has a reasonable belief that the prospective transferee may use a firearm in connection with terrorism.

''§ 922B. Attorney General's discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3).

''The Attorney General may determine that—

''(1) an applicant for a firearm permit which would qualify for an exemption under section 922(t) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism; and

''(2) the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.'';

(2) in section 921(a), by adding at the end the following:

''(36) The term 'terrorism' includes international terrorism and domestic terrorism, as defined in section 2331 of this title.

''(37) The term 'material support or resources' has the meaning given the term in section 2339A of this title.

''(38) The term 'responsible person' means an individual who has the power, directly or indirectly, to direct or cause the direction of the management and policies of the applicant or licensee pertaining to firearms.''; and

(3) in the table of sections, by inserting after the item relating to section 922 the following:

''922A. Attorney General's discretion to deny transfer of a firearm.

''922B. Attorney General's discretion regarding applicants for firearm permits which would qualify for the exemption provided under section 922(t)(3).''.

(b) EFFECT OF ATTORNEY GENERAL DISCRETIONARY DENIAL THROUGH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) ON FIREARMS PERMITS.—Section 922(t) of title 18, United States Code, is amended—

(1) in paragraph (1)(B)(ii), by inserting ''or State law, or that the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title'' before the semicolon;

(2) in paragraph (2), in the matter preceding subparagraph (A), by inserting '', or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title'' after ''or State law'';

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i)—

(I) in subclause (I), by striking ''and'' at the end; and

(II) by adding at the end the following:

''(III) was issued after a check of the system established pursuant to paragraph (1);'';

(ii) in clause (ii), by inserting ''and'' after the semicolon; and

(iii) by adding at the end the following:

''(iii) the State issuing the permit agrees to deny the permit application if such other person is the subject of a determination by the Attorney General pursuant to section 922B of this title;'';

(4) in paragraph (4), by inserting '', or if the Attorney General has not determined to deny the transfer of a firearm pursuant to section 922A of this title'' after ''or State law''; and

(5) in paragraph (5), by inserting '', or if the Attorney General has determined to deny the transfer of a firearm pursuant to section 922A of this title'' after ''or State law''.

(c) UNLAWFUL SALE OR DISPOSITION OF FIREARM BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 922(d) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking ''or'' at the end;

(2) in paragraph (9), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(10) has been the subject of a determination by the Attorney General under section 922A, 922B, 923(d)(3), or 923(e) of this title.''.

(d) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 922(g) of title 18, United States Code, is amended—

(1) in paragraph (8), by striking ''or'' at the end;

(2) in paragraph (9), by striking the comma at the end and inserting ''; or''; and

(3) by inserting after paragraph (9) the following:

''(10) who has received actual notice of the Attorney General's determination made under section 922A, 922B, 923(d)(3) or 923(e) of this title,''.

(e) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL FIREARMS LICENSES.—Section 923(d) of title 18, United States Code, is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''Any'' and inserting ''Except as provided in paragraph (3), any''; and

(2) by adding at the end the following:

''(3) The Attorney General may deny a license application if the Attorney General determines that the applicant (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.''.

(f) DISCRETIONARY REVOCATION OF FEDERAL FIREARMS LICENSES.—Section 923(e) of title 18, United States Code, is amended—

(1) by inserting ''(1)'' after ''(e)'';

(2) by striking ''revoke any license'' and inserting the following: ''revoke—

''(A) any license'';

(3) by striking ''. The Attorney General may, after notice and opportunity for hearing, revoke the license'' and inserting the following: '';

''(B) the license''; and

(4) by striking ''. The Secretary's action'' and inserting the following: ''; or

''(C) any license issued under this section if the Attorney General determines that the holder of such license (including any responsible person) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the applicant may use a firearm in connection with terrorism.

''(2) The Attorney General's action''.

(g) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN FIREARMS LICENSE DENIAL AND REVOCATION SUIT.—

(1) IN GENERAL.—Section 923(f)(1) of title 18, United States Code, is amended by inserting after the first sentence the following: ''However, if the denial or revocation is pursuant to subsection (d)(3) or (e)(1)(C), any information upon which the Attorney General relied for this determination may be withheld from the petitioner, if the Attorney General determines that disclosure of the information would likely compromise national security.''.

(2) SUMMARIES.—Section 923(f)(3) of title 18, United States Code, is amended by inserting after the third sentence the following: ''With

respect to any information withheld from the aggrieved party under paragraph (1), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(h) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN RELIEF FROM DISABILITIES LAWSUITS.—Section 925(c) of title 18, United States Code, is amended by inserting after the third sentence the following: ''If the person is subject to a disability under section 922(g)(10) of this title, any information which the Attorney General relied on for this determination may be withheld from the applicant if the Attorney General determines that disclosure of the information would likely compromise national security. In responding to the petition, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(i) PENALTIES.—Section 924(k) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking ''or'' at the end;

(2) in paragraph (3), by striking the comma at the end and inserting ''; or''; and

(3) by inserting after paragraph (3) the following:

''(4) constitutes an act of terrorism, or providing material support or resources for terrorism,''.

(j) REMEDY FOR ERRONEOUS DENIAL OF FIREARM OR FIREARM PERMIT EXEMPTION.—

(1) IN GENERAL.—Section 925A of title 18, United States Code, is amended—

(A) in the section heading, by striking ''**Remedy for erroneous denial of firearm**'' and inserting ''**Remedies**'';

(B) by striking ''Any person denied a firearm pursuant to subsection (s) or (t) of section 922'' and inserting the following:

''(a) Except as provided in subsection (b), any person denied a firearm pursuant to subsection (t) of section 922 or a firearm permit pursuant to a determination made under section 922B''; and

(C) by adding at the end the following:

''(b) In any case in which the Attorney General has denied the transfer of a firearm to a prospective transferee pursuant to section 922A of this title or has made a determination regarding a firearm permit applicant pursuant to section 922B of this title, an action challenging the determination may be brought against the United States. The petition shall be filed not later than 60 days after the petitioner has received actual notice of the Attorney General's determination under section 922A or 922B of this title. The court shall sustain the Attorney General's determination upon a showing by the United States by a preponderance of evidence that the Attorney General's determination satisfied the requirements of section 922A or 922B, as the case may be. To make this showing, the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security. Upon request of the petitioner or the court's own motion, the court may review the full, undisclosed documents ex parte and in camera. The court shall determine whether the summaries or redacted versions, as the case may be, are fair and accurate representations of the underlying documents. The court shall not consider the full, undisclosed documents in deciding whether the Attorney General's determination satisfies the requirements of section 922A or 922B.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by striking the item relating to section 925A and inserting the following:

''925A. Remedies.''.

(k) PROVISION OF GROUNDS UNDERLYING INELIGIBILITY DETERMINATION BY THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.—Section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended—

(1) in subsection (f)—

(A) by inserting ''or the Attorney General has made a determination regarding an applicant for a firearm permit pursuant to section 922B of title 18, United States Code,'' after ''is ineligible to receive a firearm''; and

(B) by inserting ''except any information for which the Attorney General has determined that disclosure would likely compromise national security,'' after ''reasons to the individual,''; and

(2) in subsection (g)—

(A) the first sentence—

(i) by inserting ''or if the Attorney General has made a determination pursuant to section 922A or 922B of title 18, United States Code,'' after ''or State law,''; and

(ii) by inserting '', except any information for which the Attorney General has determined that disclosure would likely compromise national security'' before the period at the end; and

(B) by adding at the end the following: ''Any petition for review of information withheld by the Attorney General under this subsection shall be made in accordance with section 925A of title 18, United States Code.''.

(l) UNLAWFUL DISTRIBUTION OF EXPLOSIVES BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 842(d) of title 18, United States Code, is amended—

(1) in paragraph (9), by striking the period and inserting ''; or''; and

(2) by adding at the end the following:

''(10) has received actual notice of the Attorney General's determination made pursuant to subsection (j) or (d)(1)(B) of section 843 of this title.''.

(m) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 842(i) of title 18, United States Code, is amended—

(1) in paragraph (7), by inserting ''; or'' at the end; and

(2) by inserting after paragraph (7) the following:

''(8) who has received actual notice of the Attorney General's determination made pursuant to subsection (j) or (d)(1)(B) of section 843 of this title,''.

(n) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843 of title 18, United States Code, is amended—

(1) in subsection (b), by striking ''Upon'' and inserting ''Except as provided in subsection (j), upon''; and

(2) by adding at the end the following:

''(j) The Attorney General may deny the issuance of a permit or license to an applicant if the Attorney General determines that the applicant or a responsible person or employee possessor thereof is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support or resources for terrorism, and the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.''.

(o) ATTORNEY GENERAL DISCRETIONARY REVOCATION OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843(d) of title 18, United States Code, is amended—

(1) by inserting ''(1)'' after ''(d)'';

(2) by striking ''if in the opinion'' and inserting the following: ''if—

''(A) in the opinion''; and

(3) by striking ''. The Secretary's action'' and inserting the following: ''; or

''(B) the Attorney General determines that the licensee or holder (or any responsible person or employee possessor thereof) is known (or appropriately suspected) to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources for terrorism, and that the Attorney General has a reasonable belief that the person may use explosives in connection with terrorism.

''(2) The Attorney General's action''.

(p) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN EXPLOSIVES LICENSE AND PERMIT DENIAL AND REVOCATION SUITS.—Section 843(e) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting after the first sentence the following: ''However, if the denial or revocation is based upon an Attorney General determination under subsection (j) or (d)(1)(B), any information which the Attorney General relied on for this determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security.''; and

(2) in paragraph (2), by adding at the end the following: ''In responding to any petition for review of a denial or revocation based upon an Attorney General determination under subsection (j) or (d)(1)(B), the United States may submit, and the court may rely upon, summaries or redacted versions of documents containing information the disclosure of which the Attorney General has determined would likely compromise national security.''.

(q) ABILITY TO WITHHOLD INFORMATION IN COMMUNICATIONS TO EMPLOYERS.—Section 843(h)(2) of title 18, United States Code, is amended—

(1) in subparagraph (A), by inserting ''or in subsection (j) of this section (on grounds of terrorism)'' after ''section 842(i)''; and

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by inserting ''or in subsection (j) of this section,'' after ''section 842(i),''; and

(B) in clause (ii), by inserting '', except that any information that the Attorney General relied on for a determination pursuant to subsection (j) may be withheld if the Attorney General concludes that disclosure of the information would likely compromise national security'' after ''determination''.

(r) CONFORMING AMENDMENT TO IMMIGRATION AND NATIONALITY ACT.—Section 101(a)(43)(E)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(E)(ii)) is amended by striking ''or (5)'' and inserting ''(5), or (10)''.

(s) GUIDELINES.—

(1) IN GENERAL.—The Attorney General shall issue guidelines describing the circumstances under which the Attorney General will exercise the authority and make determinations under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this Act.

(2) CONTENTS.—The guidelines issued under paragraph (1) shall—

(A) provide accountability and a basis for monitoring to ensure that the intended goals for, and expected results of, the grant of authority under subsections (d)(1)(B) and (j) of section 843 and sections 922A and 922B of title 18, United States Code, as amended by this Act, are being achieved; and

(B) ensure that terrorist watch list records are used in a manner that safeguards privacy and civil liberties protections, in accordance with requirements outlines in Homeland Security Presidential Directive 11 (dated August 27, 2004).

SA 1340. Ms. LANDRIEU (for herself, Ms. HIRONO, and Mr. FRANKEN) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. BEST INTEREST OF THE CHILD.

(a) IN GENERAL.—In all procedures and decisions concerning unaccompanied alien children that are made by a Federal agency or a Federal court pursuant to the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) or regulations implementing the Act, the best interests of the child shall be a primary consideration.

(b) DETERMINATIONS RELATED TO SECTION 101(A)(27)(J) OF THE IMMIGRATION AND NATIONALITY ACT.—Best interests determinations made in administrative or judicial proceedings described in section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)) shall be conclusive in assessing the best interests of the child under this section.

(c) FACTORS.—In assessing the best interests of the child, the entities referred to in subsection (a) shall consider, in the context of the child's age and maturity, the following factors:

(1) The views of the child.

(2) The safety and security considerations of the child.

(3) The mental and physical health of the child.

(4) The parent-child relationship and family unity, and the potential effect of separating the child from the child's parent or legal guardian, siblings, and other members of the child's extended biological family.

(5) The child's sense of security, familiarity, and attachments.

(6) The child's well-being, including the need of the child for education and support related to child development.

(7) The child's ethnic, religious, and cultural and linguistic background.

SA 1341. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

After section 3716, insert the following:

SEC. 3717. COST EFFECTIVENESS IN DETENTION FACILITY CONTRACTING.

The Director of U.S. Immigration and Customs Enforcement shall take appropriate measures to minimize, and if possible reduce, the daily bed rate charged to the Federal Government through a competitive process in contracting for or otherwise obtaining detention beds while ensuring that the most recent detention standards, including health standards, and management practices employed by the agency are met.

SA 1342. Mr. HEINRICH (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1122. TRADE FACILITATION AND SECURITY ENHANCEMENT.

The Secretary shall extend the hours of operation at the port of entry in Santa Teresa, New Mexico, to 24 hours a day—

(1) for private vehicles, not later than 180 days after the date of the enactment of this Act; and

(2) for commercial vehicles, not later than 1 year after the date of the enactment of this Act.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Wednesday, June 19, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Reducing Senior Poverty and Hunger: The Role of the Older Americans Act.''

For further information regarding this meeting, please contact Sophie Kasimow of the committee staff on (202) 224–2831.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Thursday, June 20, 2013, at 2:30 p.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Developing a Skilled Workforce for a Competitive Economy: Reauthorizing the Workforce Investment Act.''

For further information regarding this meeting, please contact Leanne Hotek of the committee staff on (202) 224–5501.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Energy of the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, June 25, 2013, at 2:30 p.m., in room 366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to receive testimony on S. 1084, S. 717 and other pending energy efficiency legislation.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by e-mail to Danielle_Deraney@energy.senate.gov.

For further information, please contact Lara Pierpoint at (202) 224–6689 or Danielle Deraney at (202) 224–1219.

AUTHORITY FOR COMMITTEES TO MEET

AFRICAN AFFAIRS SUBCOMMITTEE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 18, 2013, at 10 a.m., to hold an African Affairs subcommittee hearing entitled, ''Examining Prospects for Democratic Reform and Economic Recovery in Zimbabwe.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 18, 2013, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 18, 2013, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 18, 2013, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''High Prices, Low Transparency: The Bitter Pill of Health Care Costs.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 18, 2013, at 10:30 a.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 18, 2013, at 2:30 p.m.

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

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Housing, Transportation, and Community Development be authorized to meet during the session of the Senate on June 18, 2013, at 10 a.m., to conduct a hearing entitled ''Long Term Sustainability for Reverse Mortgages: HECM's Impact on the Mutual Mortgage Insurance Fund.''

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

WESTERN HEMISPHERE AND GLOBAL NARCOTICS AFFAIRS SUBCOMMITTEE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 18, 2013, at 2:30 p.m., to hold a Western Hemisphere and Global Narcotics Affairs subcommittee hearing entitled, ''Security Cooperation in Mexico: Examining the Next Steps in the U.S.-Mexico Security Relationship.''

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

REAFFIRMING FREEDOM OF THE PRESS

Mr. KAINE. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 79, S. Res. 143.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 143) recognizing the threats to freedom of the press and expression around the world and reaffirming freedom of the press as a priority in the efforts of the United States Government to promote democracy and good governance on the occasion of World Press Freedom Day on May 3, 2013.

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

Mr. KAINE. I further ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 143) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of Thursday, May 16, 2013, under ''Submitted Resolutions.'')

NATIONAL CHILD AWARENESS MONTH

Mr. KAINE. Madam President, I ask unanimous consent that the Senate proceed to consideration of S. Res. 173, which was submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 173) designating September 2013 as ''National Child Awareness Month'' to promote awareness of charities benefiting children and youth-serving organizations throughout the United States and recognizing efforts made by those charities and organizations on behalf of children and youth as critical contributions to the future of the United States.

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

Mr. KAINE. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 173) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

AMERICAN EAGLE DAY

Mr. KAINE. Madam President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 174, submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 174) designating June 20, 2013, as ''American Eagle Day,'' and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States.

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

Mr. KAINE. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 174) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, JUNE 19, 2013

Mr. KAINE. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, June 19, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of S. 744, the comprehensive immigration reform bill.

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

PROGRAM

Mr. KAINE. We will continue to work through the amendments to the immigration bill tomorrow. Senators will be notified when votes are scheduled.

ORDER FOR ADJOURNMENT

Mr. KAINE. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order following the remarks of the Senator from Arizona.

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

The PRESIDING OFFICER. The Senator from Arizona.

IMMIGRATION REFORM

Mr. FLAKE. Madam President, there are many reasons given to enact immigration reform. Being from Arizona, we bear a disproportionate burden in the State from the Federal Government's failure to have a secure border and to have a rational immigration system.

There are many reasons, but the fiscal reason isn't often brought up. We were just given good fiscal reason today by the Congressional Budget Office that came forward with their estimate for the cost of the legislation.

Just a few minutes ago we heard the ''glass half empty'' speech, and I want to give the ''glass half full''—or actually, decidedly more than that. Let me take a few of the top-line numbers.

First, we are often told that if we enact this legislation, the increase in population of those who come across—illegally or legally—in the next 10 years will be some 30 million people. That is disputed by the facts on the ground. But also CBO points out in their estimate that by 2023, enacting S. 744 would lead to a net increase of 10.4 million in the number of people residing in the United States compared to the number of people projected under current law. So it is significantly lower.

The best estimate we have of the illegal population here is around 11 million. This would also lead to a substantial decrease in the illegal population obviously coming across. So we are looking at an increased population of about 10.4 million over 10 years, decidedly lower than some of the estimates that are being thrown around.

Let's talk about a few of the fiscal numbers. We are told it would be extremely costly to enact this legislation. CBO says the following: This will lead to an increase in Federal direct spending of $262 billion over the 2014–2033 period. Most of these outlays will be for increases in refundable tax credits, and on and on. So $262 billion in increased spending sounds significant, until you consider that this legislation will increase Federal revenues by $459 billion over the 2014–2033 period. So $459 billion in increased revenue compared against $262 billion in increased spending. That is a $197 billion surplus—or decrease in the deficit—over the 10-year budget window.

We often hear: That is OK for the first 10 years, but what happens after that? CBO looked at that as well, and they said this: On balance, CBO and JCT—Joint Committee on Taxation—estimate that the changes in direct spending in revenue would decrease Federal budget deficits by about $700 billion, or 0.02 percent, of the gross domestic product, over the period 2024 to 2033. Again, CBO and JCT estimate the changes in direct spending revenue will decrease Federal spending deficits by about $700 billion over the second 10-year budget window.

I know we often point out on this side of the aisle and the other side of the aisle as well these reports are only as good as the assumptions you make when you do these reports. Duly noted. But I think it is still instructive to look at this and dispel some of the wild rumors that are out there about the cost of this legislation, when CBO actually comes forward and says over a 20-year budget window, there will be a $700 billion decrease in Federal deficits. That is significant.

Let me also say CBO looked at how this legislation would affect the economy going forward. They looked at a further budget window. They say S. 744 would boost economic output, taking into account all economic effects including those reflected in the cost estimates. Again, they are talking about the direct spending that would increase through parts of this legislation as well. If you take that into account, still this bill would increase real inflation-adjusted GDP relative to the amount CBO projects under current law by 3.3 percent in 2023 and 5.4 percent in 2033—again, increasing economic activity by 3.3 percent in 2023 and by 5.4 percent in 2033. That is substantial.

When you look at the legislation and you look at what will happen when we increase legal immigration in ways that help the economy, particularly on the H–1B side—high-tech STEM visas—we all know intuitively that will help us, because those individuals who come with these kinds of degrees boost economic output and increase jobs. It is going to help this economy, and this spells it out in dramatic fashion: 3.3 percent increase in 2023 simply owing to this legislation, 5.4 percent in 2033 just owing to this legislation.

In summary, I want to say CBO estimates are only as good as the assumptions they make. But when they look at this legislation in a dispassionate way, as nonpartisan as they can get, they come up with figures that show net revenue over expenses is quite substantial—over $700 billion over a 20-year budget window—and the economic output would increase 3.3 percent by 2023 and 5.4 percent by 2033. That is significant and I think it bears noting.

Madam President, I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:42 p.m., adjourned until Wednesday, June 19, 2013, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate on Monday, June 17, 2013:

DEPARTMENT OF STATE

LILIANA AYALDE, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERATIVE REPUBLIC OF BRAZIL.

JAMES COSTOS, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO SPAIN.

JOHN B. EMERSON, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL REPUBLIC OF GERMANY.

JOHN RUFUS GIFFORD, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO DENMARK.

KENNETH FRANCIS HACKETT, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE HOLY SEE.

PATRICIA MARIE HASLACH, OF OREGON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA.

CONFIRMATIONS

Executive nominations confirmed by the Senate Monday, June 17, 2013:

THE JUDICIARY

LUIS FELIPE RESTREPO, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

KENNETH JOHN GONZALES, OF NEW MEXICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW MEXICO.

HOUSE OF REPRESENTATIVES—*Tuesday, June 18, 2013*

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
June 18, 2013.

I hereby appoint the Honorable TED POE to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

THE WOMEN'S PREVENTATIVE HEALTH AWARENESS CAMPAIGN ACT

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

Mr. BERA of California. Mr. Speaker, I rise today to talk about core American values—values of liberty, values of freedom, values of individual rights.

Today, a bill is going to come before this body that is a blatant attempt to take away those individual rights, those individual freedoms—freedoms that are core to who we are. This bill aims to take away individual decisions from America's mothers, America's sisters, and America's daughters. This bill is a travesty and a slap in the face of those core values of individual liberty and individual freedom, and this bill criminalizes doctors for doing our jobs.

Now, I'm a doctor. Core to the oath that I took was to sit with my patients, answer their questions and empower them to make the decisions that best fit their faith circumstances, their individual circumstances, their family circumstances. That's core to the oath every doctor in the United States of America has taken. That's core to my job. The bill that's coming to the floor today takes those values and slaps them in the face. They put the government right in the middle of my exam room, but the government has no place between the doctor and the patient.

What we should be debating is how we empower our patients, how we promote women's health, how we try to keep women healthy and help them plan their pregnancies, how we empower families. As a husband and as the father of a daughter, keeping women healthy is extremely important to me, and helping empower parents and families to plan those pregnancies is not only smart; it's good medicine.

The legislation I am introducing later this week, the Women's Preventative Health Awareness Campaign Act, will direct the Department of Health and Human Services to educate women about the importance of the preventative wellness exam. This is a piece of legislation that will help address the issue of planning families, of planning when you want to be pregnant. It will help address the issues of undiagnosed heart disease. It will help us diagnose cancer, and it will save thousands of lives.

I would urge my colleagues in this body on both sides of the aisle to join us in this bill. It's not only smart medicine; it will get to the core of empowering patients, of empowering women and of empowering families to make the decisions that best fit within the context of their lives.

That's the oath that I took as a doctor; that's the promise that I make to all of my patients; and that's the oath that we take in this body—to protect those individual freedoms and the individual rights of all Americans and of all America's women.

PROTECTING LIFE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Indiana (Mrs. WALORSKI) for 5 minutes.

Mrs. WALORSKI. I rise today to address the importance of protecting life.

While I am home in Indiana, spending time in our communities, the importance of strong values and Hoosier common sense continues to rule the foundations of our families.

I believe it is critical for Congress to act today to protect human life and to treat women and the unborn children with the protection they deserve from the dangers of late-term abortions. We are talking about the next generation of moms and grandmothers, of aunts and sisters and of our loved ones. There is not a price that can be put on the value of an innocent human life. I have been a strong supporter of life and of defending the unborn, and I feel that it's our responsibility to protect the most vulnerable who cannot protect themselves.

I urge my colleagues to join me in the support of H.R. 1797 for the sake of protecting the unborn from late-term abortions.

IMMIGRATION REFORM

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

Mr. GUTIERREZ. Mr. Speaker, later today, the Judiciary Committee will mark up the first immigration reform bill offered by the Republicans in the 113th Congress. Since election day, no Member of Congress has done more to highlight and praise the Republicans for their new spirit of bipartisanship on immigration than I. I praise our committee and subcommittee chairmen for their new tone in the Republican-led immigration hearings.

When the Republican Party chairman said Republicans have to stop pushing Latino voters away, I said, ''Right on, Reince.''

When young Republicans warned the GOP to change its tune in order to remain viable, I said, ''I think you're right.''

When your former candidate for Vice President and Budget Committee chairman came to Chicago to talk about immigration reform, I brought him to the barrio so that the Latino community could see him and applaud his commitment to immigration reform.

Judge CARTER, the gentleman from Texas, and I shared the stage in San Antonio to discuss immigration reform deep in the heart of Texas, where we agreed on more things than we disagreed. He and I have met almost every day since January with a small bipartisan group of colleagues to fashion a bill that both parties can embrace.

And it's hard work for both parties.

On the other side of the aisle, it is hard to talk about immigrants in a new way when your party, its platform, its candidates, its talk radio, and its TV personalities have spoken disparagingly about immigrants for years. When you reference gangbangers and drunk drivers and rapists every time you talk about immigrants, it is hard to switch gears quickly; but most Republicans in this body, up until last

week, were singing from a new and more harmonious hymnal.

Bipartisan work on immigration reform has been difficult on my side of the aisle, too. I have always fought for universal health care coverage, but discussing health care coverage for undocumented immigrants and their families—even in the context of a legalization program where they pay their full taxes, submit fingerprints, and pay huge fines—is a nonstarter not only for Republicans but for Democrats, unfortunately, alike. I have advocated for LGBT rights from my days as a Chicago alderman, but to work in a bipartisan manner, it's off the table.

To keep discussions going with Republicans, I am told that the Diversity Visa Program, which brings in immigrants from Africa and Ireland and around the world who diversify our immigrant pool, is eliminated—no discussion in the name of bipartisanship. Siblings—brothers and sisters of U.S. citizens—will no longer be able to be sponsored by their family members to come to America, and the fees and fines we charge—billions upon billions—on immigrants so that they can be here legally, that will fund more drones, fences, border guards, and more enforcement on the border, a border that is as secure as I've seen in American history—but we'll do it.

□ 1010

I ask my Republican colleagues when is it enough?

But I want to keep things moving forward, so I hold my tongue, work within the bipartisan process and stay with the group. I speak well of Republicans who have partnered with Democrats on a serious bipartisan bill this year.

A tough, but fair bipartisan bill is moving towards passage, and our tough but fair bipartisan House bill is nearly complete. We're putting aside partisan bickering to solve a difficult policy issue for the American people.

In this moment, just in time for the Fourth of July, we get red meat politics for the barbecue and partisan fireworks on immigration.

The Arizona S.B. 1070 law was substantially struck down by the Supreme Court. No matter. Now your side of the aisle wants to nationalize it.

Sheriff Joe Arpaio is slapped by the Federal courts for systematically denying the civil rights of U.S. citizens and legal immigrants. No matter. Let's canonize him.

Police and local governments want immigrants in their communities to be able to call the police if they're a victim of crime or witnesses to crime. Too bad. Republicans in Washington know better than your cops, prosecutors and mayors at home. They will cut your Federal funding unless you commit to a full-frontal deportation and local immigration enforcement.

When 500,000 Latino citizens turn 18 every year and become potential voters, Republicans seem hell-bent on lining up and jumping off the demographic cliff.

While our country demands solutions and leadership, Republicans are feeding the partisan monster red meat as if their calendars already read 2014.

As a Democrat, I could probably stand back and watch. If you want to hang yourself on the immigration issue, who am I to stop you? But as an American, I have to tell you what I really feel. Your country needs you to step away from the partisan red meat and fearmongering that has defined your party on immigration. Come back to your senses. Do not push forward a bill that criminalizes every immigrant family and makes everyone think twice before they call 911.

You are better than this. America needs you to be.

OUR NATION'S WAKE-UP CALL

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

Mr. MCCLINTOCK. Mr. Speaker, in the early 1760s, the Royal Governor of Massachusetts began issuing writs of assistance as general warrants to search for contraband. They empowered officials to search indiscriminately for evidence of smuggling.

These warrants were challenged in February 1761 by James Otis, who argued forcefully that they violated the natural rights of Englishmen and were, in fact, ''instruments of slavery.''

A 25-year-old attorney who attended the trial later wrote:

> Every man of a crowded audience appeared to me to go away as I did, ready to take arms against writs of assistance. Then and there the child independence was born.

That young lawyer was John Adams. To him, that's the moment the American Revolution began. The general warrants were the first warning that his king had become a tyrant.

The Founders specifically wrote the Fourth Amendment to assure that indiscriminate government searches never happened again in America. In America, in order for the government to invade your privacy or to go through your personal records or effects, it must first present some evidence that justifies its suspicion against you and then specify what records or things it's searching for.

Last week, we learned the Federal Government is today returning to those general warrants on a scale unimaginable in colonial times by seizing the phone and Internet records of virtually every American.

We're told that this is perfectly permissible under past Supreme Court rulings because the government is not monitoring content, but only the records held by a third party. But if phone records are outside the protection of the Fourth Amendment because they're held by a third party, then so too are all of our records or effects held by third parties. That means the property you keep in storage or with a family member, the private medical records held by your physician, the backup files on your computer maintained on another server, all are subject to indiscriminate search. In fact, many of the general warrants served long ago in Boston were on warehouses owned by third parties.

Even if we were to accept this rationale, then that third party, for example, the phone company, ought itself to be safe from general warrants like those that have apparently scooped up the phone and Internet records of every American. It's argued with Orwellian logic that it's permissible to seize these records indiscriminately since they aren't actually searched until a legal warrant is issued by a secret FISA court. But if general warrants can produce the evidence for specific warrants, isn't the Fourth Amendment prohibition against general warrants then rendered meaningless? And all we know of the secret FISA court and its deliberations is that out of 34,000 warrants requested by the government, it has rejected only 11—hardly a testament to judicial prudence or independence.

We're told that the information will be used only to search for terrorists. Does anyone actually believe that? Just a few months ago, the Director of National Intelligence brazenly lied to Congress when he denied the program existed at all. Just a few weeks ago, we learned that this administration has taken confidential tax information belonging to its political opponents and leaked it to its political supporters. Is there anyone so naive as to believe the same thing won't be done with phone and Internet records if it suits the designs of powerful officials?

A free society does not depend on a police state that tracks the behavior of every citizen for its security. A free society depends instead on principles of law that protect liberty while meting out stern punishment to those who abuse it. It doesn't mean we catch every criminal or terrorist. It means that those we do catch are brought to justice as a warning to others. This is true whether we are enforcing the laws of our Nation or the Law of Nations.

Indeed, if we had responded to the attack on September 11 with the same seriousness as we responded to Pearl Harbor, terrorism would not be the threat that it is today.

Ours is not the first civilization to be seduced by the siren song of a benevolent all-powerful government. But without a single exception, every civilization that has succumbed to this lie has awakened one morning to find that

the benevolence is gone and the all-powerful government is still there.

Mr. Speaker, this is our generation's wake-up call, and we ignore it at extreme peril to our liberty.

ARLETA HIGH SCHOOL, SUN VALLEY HIGH SCHOOL, AND SAN FERNANDO HIGH SCHOOL

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

Mr. CÁRDENAS. Mr. Speaker, it's with great pride today that I rise to recognize the great achievements of three high schools in my district, District 29 in California.

I want to begin by congratulating Arleta High School for achieving a 92 percent graduation rate and setting the gold standard for the Los Angeles Unified School District.

Opening in 2006, this school achieved this enormous feat in just 7 years. The Arleta Mustangs have the highest graduation rate of any traditional high school in all of LA Unified School District. This is a testament to all the hard work and support this community has invested in its children and their future.

I would also like to recognize departing Principal Dr. Linda Calvo for her unrelenting vision. She will be dearly missed, and I hope that her successor will continue the tremendous strides made on this campus and the surrounding neighborhoods.

I would also like to recognize LA Unified School District board member Nury Martinez, who actually went to one of the high schools that I'm going to recognize in just a minute. She's been a strong and tireless advocate for this community as a school board member for the last 4 years.

I commend the teachers for their commitment and dedication to their students; the parents for their love, support and involvement in their children's lives; and the students who have risen to the challenge and proved it is possible to reach your dreams.

Bragging rights are not limited to just Arleta High School. Located less than 4 miles away, the Sun Valley High School Wildcats can also be proud. I'd like to congratulate and commend the Sun Valley High School Robotics Team for being named the national champions of the 2013 Mini-Urban Challenge Competition. Sponsored by the United States Air Force Research Laboratory, this challenge requires high school students to design and operate a robotic car to autonomously navigate a model city. One June 1, the Sun Valley Robotics Team competed against nine regional champions in Washington, D.C., and became the national champions.

I want to recognize also Principal Paul Del Rosario for his leadership and continuous support of the team; Mr. Hicks and Ms. Yamagata for guiding and assisting the team through the project and to the victory; the volunteers who invested their own time and money to help the teams, as well; and the students for their perseverance and creativity.

The success of California's 29th District high schools doesn't end there, and it doesn't end just in the classroom.

□ 1020

I would also like to congratulate San Fernando High School's baseball team on winning their second city championship in 3 years. On June 1, San Fernando defeated Cleveland High School 2–1 in Dodger Stadium to claim their championship for a second year in a row.

Under the leadership of Coach Armando Gomez, the Tigers have done a phenomenal job of playing as a team and putting in the extra work to build a successful program at San Fernando High School.

All of these students are a great source of pride to our community, and prove that hard work, sacrifice, and commitment pay off. They are the future of our country and also of the San Fernando Valley.

I think it is important for us to understand that today I stand not only to congratulate the young people, but to congratulate all of the adults that surround them who've given of themselves and gone the extra mile to make sure we bring out the best in our children.

I also would like to take a point of personal privilege to welcome our little ambassador who's here to talk to me and other Members about children's hospitals. You might know him as Lil Vader, as he was in a commercial during the Super Bowl game. He's with me today as a young ambassador, showing leadership at his young age. I think it's important for us to recognize at moments like this that our young people, our young Americans, our teenagers, or maybe they're little kids, but you too can be a leader at any age. You don't have to wait until you're a little older, like us.

FLAWS IDENTIFIED IN CMS COMPETITIVE BIDDING PROGRAM

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, at a time when bipartisanship is rare in Washington, this past week a bipartisan majority of Members of the United States House of Representatives together called upon the Centers for Medicare and Medicaid Services (CMS) to delay further implementation of the competitive bidding program for Durable Medical Equipment, Prosthetics, Orthotics and Supplies.

A growing number of flaws have been identified in the bidding program, which is being used to procure these goods and services for those facing life-changing disease and disability. We do not oppose competitive bidding. In fact, we want to ensure that true competition takes place and Medicare plays by the rules they set for the program.

Today, I stand beside 226 of my colleagues here in the people's House and urge the administrator of CMS to do the right thing and use her authority under current law to delay implementation in order to fix these abuses before moving forward in 100 areas nationwide on July 1.

Mr. Speaker, Administrator Tavenner has to know the clock is ticking, and if unchecked, the failure of this program will be on her watch.

TRIBUTE TO HONORABLE RUDOLPH ''RUDY'' CLAY

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

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to pay tribute to a man and a friend of mine who spent most of his adult life being actively engaged in the processes of social advocacy and public policy decisionmaking, and who ultimately became the mayor of Gary, Indiana, and a national progressive political leader.

Rudy Clay was born in Alabama, and after the death of his mother was brought to Gary, Indiana, where he was raised by his two aunts, Ms. Lucy Hunter and Ms. Daisy Washington, who started him attending church, which he did for the rest of his life. He graduated from the Gary Roosevelt High School and attended the University of Indiana at Bloomington, married his wife, Ms. Christine Swan, was drafted into the Army, served his time, was honorably discharged, went into the insurance business, worked for Prudential and State Farm insurance companies, and ultimately opened his own company, the Rudolph Clay Insurance Agency, of which he was greatly proud.

Rudy, like many people of his era, became actively involved in the civil rights movement of the sixties and seventies, which led him to electoral politics. He was elected to practically everything that one could be elected to in Lake County, Indiana, from precinct committeeman to mayor of Gary. In 1971, Rudy was elected to become the first African American State senator in the State of Indiana. In the Senate, he was the deciding vote that made it possible for an African American to be elected a Lake County commissioner. He was the first African American to be elected county recorder in the State of Indiana. He was county chairman of the Lake County Democratic Party. He

served as a Lake County commissioner. He was the chairman of the Gary precinct committeemen's organization, and mayor of his beloved city. And he played a key role in the Obama victory in Indiana in 2008.

Rudy was a great family man, loved by his neighbors and friends, loved by the members of his church and all of those with whom he came into contact. He was loved by his associates in his lodge. The average person in Gary, Indiana, and any place around it knew Rudy Clay, and loved him for his great work.

I convey condolences to his wife, Mrs. Christine Clay; his son, Rudy, Jr.; his brothers and sisters and other members of his family. When one sums up his presence on Earth, they can simply say of Rudy: a job well done, a life well lived.

We salute you, Mayor Rudolph ''Rudy'' Clay. I thank you for being my friend. May your soul rest in peace.

VOCA: CRIMINALS PAY THE RENT IN THE COURTHOUSE

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

Mr. POE of Texas. Mr. Speaker, every day throughout the United States, criminals commit crimes against good people. Some of those cases make the news. The news usually spends a lot of time talking about the defendant. There is a trial, justice occurs, and the world moves on.

But many times, unfortunately, in our culture, there is a victim in that crime. And the victim after the trial is just ignored in some cases. Some of those victims are sexual assault victims. Back in the day when I spent 30 years at the courthouse in Houston as a prosecutor and a judge, I saw a lot of them. In fact, I keep up with some of them today. The crime affects them a lot of ways. Some of them lose their jobs. Some of them are hurt physically and emotionally, and they don't have any money.

And this is not a new concept. Years ago under the Reagan administration, Congress recognized this problem, this issue about the fact that many victims, after the crime and after the trial, they just disappear into lives of quiet desperation, and culture and community doesn't keep up with those people. So during the Reagan administration, Congress decided here's what we're going to do: We're going to make criminals who are convicted in Federal court pay into a fund, and that fund is used to help crime victims. What a great concept—make criminals pay the rent on the courthouse. Make them literally pay for their crime by putting money into a fund that goes to crime victims. And that's the Victims of Crime Act that passed—VOCA as it is called.

And the Federal judges, God bless them, they are nailing those criminals. They are taking a lot of their money away from them and putting in about $2 billion a year into that fund. Today, we have a situation where the fund is over $11 billion, money criminals paid to help crime victims.

But here's the problem: that money isn't going to crime victims. Crime victims only get about $700 million a year out of that fund of $11 billion, with $2 billion coming in every year. And then the government gets an 8 percent cut, that makes it even less. And there's a cap, and government sets the cap on that money. Remember, this is not taxpayer money. It doesn't belong to anybody except to the victims of crime. That money is used and offset for other purposes. It goes to other programs in commerce, science and justice—probably good programs.

And now with sequestration, we hear that that fund may be completely cut off this year for crime victims because of some squirrelly math somebody's using saying sequestration should apply to the crime victims' fund. That's nonsense.

Meanwhile, throughout the country, victims organizations, shelters, groups like CASA, who represent kids in the courtroom when their parents are not doing the right thing by their kids, and many programs are barely keeping the lights on because they don't get enough money from VOCA even though money is available and it's just sitting there, or being offset for other programs.

□ 1030

So what needs to happen is this: one, raise the cap every year. Two billion dollars is coming in every year. We ought to at least allow the victims to have a billion of that, maybe $2 billion of it because it keeps coming in.

And more importantly, what we ought to do is take that money and put it in a lockbox concept. It's a very simple concept; that the criminals pay into the fund, and the funds should go only to crime victims and crime victims' programs. It shouldn't go to other programs in the Federal Government, even if they're good programs, because it was designed by Congress, approved by the administration, to go to those silent, quiet victims who are still, today, hurting because of crimes that are being committed against them. And it just seems nonsense to me.

We have the money available. It's not taxpayer money. We can help victims of crime get their lives back together, and it's not happening because somebody else wants crime victims' money. So let's put this in a lockbox.

Mr. COSTA from California and I have sponsored legislation to say, look, it's not the government's money. It's victims' money, and it ought to all be spent to help victims and victims' programs throughout the country, groups that are doing a great job to help rescue crime victims because of crimes that have occurred against them in the past.

That is justice. And, Mr. Speaker, justice is what we do in this country.

And that's just the way it is.

IMPROVING THE FARRM BILL

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

Mr. BLUMENAUER. Mr. Speaker, the House is in the process this week of dealing with the most important bill that almost no one has paid any attention to. I'm talking about the FARRM Bill. It goes far beyond dealing with needs of rural and small town America.

It's going to involve, with all likelihood, given the way the past farm bills have exceeded their budget estimates, it's very likely to be over $1 trillion.

The FARRM Bill is actually getting better, slowly but surely, but it has a long way to go to get the most value out of this bill for America's farmers and ranchers, for the people who eat and for protection of the environment.

Mr. Speaker, this week I will be offering some amendments that I hope will be made in order that will try and coax more value out of this process. The first and foremost, based on legislation I've introduced, the Balancing Food, Farm, and Environment Act, would strengthen the environmental quality incentives program to have stricter payments, so we're not putting too much money into any one project, and would disallow spending for large factory farms, but provide additional support for farmers who want to transition to production techniques that use fewer pesticides or antibiotics and stretch those conservation dollars further.

I also have an amendment that would reform the Conservation Reserve Program to direct more money to conservation enhancement and continuous conservation reserve subprograms to target the most environmentally sensitive areas and reenroll higher priority lands, providing more stability for farmers, better results for the taxpayers, and more flexibility at the State level.

Third, and perhaps most important, an amendment I'm cosponsoring, along with Mr. CHAFFETZ, would apply reasonable limits for means testing crop insurance. The crop insurance program needs greater scrutiny by Congress. It is an area where the Federal Government provides huge subsidies to insurance companies to sell and service the policies. It pays most of the indemnities when there are losses and generous subsidies to make the premiums cheaper for farmers.

Today, in The New York Times, there was an article that talks about the fraud and waste in the program that, really, we haven't zeroed in. There are clear areas of abuse that need more attention.

My friend Mr. MCGOVERN had an amendment that said before you slash nutrition, at least have the rate of fraud and abuse down to the same level as food stamps. I think that's a good proposal.

The amendment that I have introduced with Mr. CHAFFETZ, it would put a limit of $750,000, beyond which we would no longer subsidize the crop insurance for the large agribusinesses. It's not that they couldn't have crop insurance; it's just the taxpayer will not be on the hook.

It's important for us to start paying attention to the crop insurance program. As we, theoretically, get rid of direct payments, although we still are going to have direct payments for cotton, and I have an amendment on that as well, it's important to look at the overall structure of this program. We don't want to be in a situation where, actually, we're going to end up paying more for crop insurance than the cost of traditional commodity programs proposed by the House and the Senate, and that there are not incentives to be able to use it efficiently and to root out fraud and abuse.

I would strongly urge my colleagues to look at amendments like I have proposed, and others. Look at how the FARRM Bill, the most important environmental nutrition and economic development for small towns and rural America, can be done better.

It's past time to have a farm bill that is environmentally sound, that is cost effective and targets areas that need the help the most. This ought to be an area where we can follow through on the desire to get more value out of tax dollars while we help more people.

I look forward to the debate this week. I hope it is robust, and I do hope that we'll be able to debate the wide range of these issues that would make this FARRM Bill much better.

CUTS TO THE SNAP PROGRAM

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

Ms. MCCOLLUM. Mr. Speaker, this week, the House debates a FARRM Bill that eliminates SNAP benefits for 38,000 Minnesotans and nearly 2 million Americans.

Last week, I hosted a listening session with Congressman ELLISON on how this would impact our State. We heard from faith leaders, service providers, State and county officials, SNAP recipients, young and old.

Evelyn, a senior, told us she was terrified she'd lose her SNAP eligibility under the House bill, and I quote from her: ''Without the help from SNAP, I wouldn't be able to buy the healthy foods, fresh fruits and vegetables I need to keep my diabetes in check. Without SNAP,'' she said, ''I don't know what I would do.''

For millions of seniors like Evelyn, SNAP is a lifeline. It ensures that they don't have to choose between medicine or buying food. And for America's children, they should be able to attend school and be able to solidly concentrate on their studies because they had something to eat.

I urge my colleagues to reject this immoral cut and to remember the words of Patricia Lull, director of St. Paul Council of Churches: ''No more hungry neighbors.''

THE IMPENDING STUDENT LOAN INTEREST RATE HIKE

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. REED) for 5 minutes.

Mr. REED. Mr. Speaker, I rise today to talk about an issue I deeply care about, and that issue is the affordability and ability of students across America to get a college degree.

Mr. Speaker, as we face this impending student interest loan cliff on July 1, I want to share with you and with the American public a personal story.

I'm the youngest of 12. I have eight older sisters, three older brothers, and my mother and father made a commitment to each other that each and every one of us would get some sort of college degree or advanced degree.

My father passed when I was 2, and there were six of us left in our household that my mother had to raise on her own. I went to college, went to law school, and I watched in her eyes the fulfillment of that promise that she and my dad made to each and every one of us.

□ 1040

Now, not all of my siblings went to law school. One got a vocational degree cutting hair, who now works in Arizona. I have the law degree, and there's a whole mix in between.

As we deal with the issue of student loan interest, we need to make sure that we stand for the students and that we stand for the next generation, because a college degree and a higher educational pursuit will arm those young men and women for generations and empower them to control their own destiny in their own hands.

So I come today on my side of the aisle and say to my colleagues, thank you for joining us in passing a bill in the House that would avert the interest rate spike that will be coming up on July 1. I ask my colleagues to join me and to demand that the Senate take action.

As you see, Mr. Speaker, the Senate has failed to pass a piece of legislation in the Senate to avert this fiscal cliff to our students across America. To me, Mr. Speaker, that's just not right. That's just not fair. We need to do better. And what we need to do is to pass a reform out of this body and out of this Congress that takes the student out of this political theater that has become the student loan interest spike every year that we have to deal with.

The proposal in the House, to me, makes sense. It's a commonsense, market-based approach that will lower interest rates on 70 percent of the loans that students receive in going to college and advanced degrees.

I ask the Senate and I ask my colleagues to continue to join us to put pressure on the Senate to say enough is enough. We care about students. Let's address this issue so that they don't see that interest rate spike that is coming over the horizon and say to the White House, Sign this legislation once and for all that removes the students from the political debate that this issue has become.

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

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

Ms. WILSON of Florida. Mr. Speaker, as the House begins consideration of H.R. 1797, I rise in solidarity with the women of the world. I rise in outrage at yet another attempt to control our bodies and make choices for us instead of allowing women to make their own choice with their doctors and their families.

First of all, it's the woman's body, not yours. She alone bears the burden, the pain and joy that it brings. Please stop trying to regulate our reproductive organs. They belong to us.

To the men who feel so inclined to tell women what to do, I ask: Have you ever had a menstrual period? Have you ever felt unbearable pain in every bone of your body during childbirth? Will you be there for a mother when she needs prenatal care, formula, and diapers? Will you support Head Start programs? Will you focus on creating good public schools? Will you reform foster care and stop greasing the prison pipeline with unwanted children?

There are grandmothers living in trailer parks and public housing singlehandedly raising millions of grandchildren. Where are you when Grandma is trying to feed Jerome, Shaquita, Pedro, Heather, and John? The only time I see you is on the floor of the House trying to take away Grandma's Social Security and attacking her Medicare and food stamps. Grandma doesn't have a car, so she has no ID so she can vote you out of office.

For some reason, you care about a baby right until the minute it is born into the world, and then you disappear

and desert the children you claim to protect and love. Shame on you. Stop the cradle-to-grave neglect and abuse. Stop the shenanigans and bring to the floor bills that will create jobs, jobs, jobs for the American people. And mind your own business and regulate your own body.

ALL-OF-THE-ABOVE ENERGY POLICY

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

Mr. SHIMKUS. Mr. Speaker, it is great to come down on the floor to just take a few minutes to talk about energy policy in this country. Republicans on this side and many of my friends across the aisle, we do believe and speak about an all-of-the-above energy strategy. That means ''all of the above.''

First, and the Speaker would not be surprised that I would come down and talk about nuclear power and how that, in the whole line of the processing of the fuel to the electricity production, they are good-paying jobs. There are challenges we have to overcome, which is the high level of nuclear waste, the spent nuclear fuel, and the location for that, because that is a cost burden on the industry until we get that solved as we promised.

Another major important energy production for us is coal. I come from southern Illinois. There are a lot of coal mines there, and electricity is generated by coal. It is low-cost fuel, and it provides great jobs for our coal miners, and it also creates high-paying jobs in rural America for the power plants in remote locations.

The Governor of the State of Illinois just signed what they're claiming to be the most intense and precise fracking bill in the Nation, which will allow us to look for, locate, and recover, through the fracking process, we believe, crude oil to the extent of which we haven't seen since World War II, which also will ease our reliance on imported crude oil.

Also part of this debate is the renewal portfolio debate, and some of that would be wind and solar. But don't forget the agriculture input through the RFS, which would be biodiesel, whether that is by soybeans or by reformulated cooking oil or beef tallow, or the ethanol debate, whether that is a cellulosic, the future generation of ethanol production, or the corn-based ethanol production as it is.

It's a great time in the energy debate in this country because we're now at a point where we are demanding less and producing more, which would allow us then to at least stabilize and hopefully lower our prices while we then continue to become, now, an energy exporter.

We're in a hearing today in the Energy and Power Subcommittee to talk about exporting coal and exporting liquified natural gas. That will be revenue and jobs to this great country. For many of us, we haven't seen times like this in a long time, and it's up to us in the public policy arena to make sure that we don't mess it up by increasing regulatory demands and other hurdles which will inhibit the entrepreneurs and the risk-takers from taking advantage of this great opportunity.

RECESS

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

Accordingly (at 10 o'clock and 47 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

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

PRAYER

Reverend Brad Hales, Reformation Lutheran Church, Culpeper, Virginia, offered the following prayer:

Lord God, maker of Heaven and Earth, I thank You and praise You for the blessing of this day. I thank You for our country. I thank You for the laws and government which You instituted for order and honor, and I thank you for our active military and veterans who have sacrificed over and over to make us free.

Father, as a Nation, as individuals, and as a government, we must repent and always come back to You for truth, wisdom, forgiveness, and hope. Let us follow Your words from the Prophet Joel: ''Return to the Lord Your God, for He is gracious and merciful, slow to anger, and abounding in steadfast love.''

I pray all these things in the powerful and the authority-filled name of Jesus Christ of Nazareth.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Oregon (Ms. BONAMICI) come forward and lead the House in the Pledge of Allegiance.

Ms. BONAMICI led the Pledge of Allegiance as follows:

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

WELCOMING REVEREND BRADLEY HALES

The SPEAKER. Without objection, the gentleman from Virginia (Mr. CANTOR), the distinguished majority leader, is recognized for 1 minute.

There was no objection.

Mr. CANTOR. Mr. Speaker, I rise today to welcome Pastor Bradley Hales of the Reformation Lutheran Church of Culpeper, Virginia, to the House floor.

For the past 19 years, Pastor Hales has been focusing on the renewal and revitalization of churches for greater growth and involvement in their communities. As the leader of his church in Culpeper, he has overseen the expansion of a congregation that was once only several dozen members strong to over 240 today.

With a great passion and caring for our senior citizens, Pastor Hales was very influential in starting The Place, a gathering center within the church for seniors who wish to meet others and stay involved with their community.

Pastor Hales' civic engagement and enthusiasm for improving the lives of others is not limited to the house of worship. Pastor Hales also serves as a member of the Culpeper Human Services Board and teaches Civil War history at the Culpeper Christian School.

His energy and compassion have a positive effect on so many, the Culpeper Times named him Citizen of the Year in 2012.

Pastor Hales, I'd like to thank you for being with us here today and offering this morning's prayer. Your leadership and willingness to help others is an inspiration to us all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. YODER). The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

REGULATIONS ON THE FREE MARKET FOR SUGAR

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

Mr. FLEISCHMANN. Mr. Speaker, I rise today to speak about sugar. As conservatives, we have a duty to speak out against programs that use regulations to stifle the free market, protect special interests, and have outlived their purpose. There are few programs that better fit this than the current

system of price supports, import restrictions, and production quotas that make up our sugar program.

Under this system, the government sets price supports, ensuring that producers have a guaranteed income, no matter what world prices are. Sugar imports are also kept to a minimum, preventing real competition.

But this is not the end of the meddling. Sugar producers have strict sales quotas. Any excess sugar gets bought by the government and then is sold to ethanol producers, usually at a loss to the taxpayer.

This means many things. It means consumers pay billions in higher sugar costs, thousands of jobs are lost in the food industry, and government continues to pick winners and losers in the marketplace.

This week, we will have a chance to vote on an amendment to the FARRM Bill that makes substantial reforms to the program and is estimated by the CBO to save taxpayers $73 million. I urge my colleagues to support this amendment and free our sugar from government's heavy hand.

VOTE ''NO'' ON THE PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

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

Mr. QUIGLEY. Mr. Speaker, I rise today in strong opposition to H.R. 1797 because we have been here before. Not less than a year ago, this body took up a very similar measure, and it failed. I hope my colleagues will join me in rejecting this attempt.

We cannot ban abortions after 20 weeks, first, because it's unconstitutional, and, second, because we cannot know the individual situation of every woman.

What if a woman gets cancer during her pregnancy?

What if she gets pre-eclampsia, which could cause seizures and kidney damage?

What if a woman's fetus is diagnosed with a severe fetal abnormality, making it unable to survive pregnancy or delivery?

Women and their families are often faced with impossibly difficult decisions, but they are their decisions to make, not ours.

Please vote ''no'' on this thoughtless bill.

THOMASVILLE, NORTH CAROLINA—A 2013 ALL-AMERICA CITY

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

Mr. HUDSON. Mr. Speaker, I rise today to honor the city of Thomasville, North Carolina, for being named a 2013 ''All-America City.''

Thomasville, built on a foundation of furniture manufacturing and textiles, was hit hard over the last 25 years by job losses and plant closings. Instead of folding during trying economic times, the city took the challenge head-on and rallied together, as a community, to rebuild and bounce back.

The leadership of the entire community, including Mayor Joe Bennett and Chamber of Commerce President Doug Croft, were instrumental in advancing new projects that made Thomasville stand out as an All-America City.

Initiatives such as Envision 2020, a 20-year development plan for the city; Children At Play, a program to redevelop the city's parks to reduce crime; and Project Divine Interruption, which helps homeless students in the city, are just a few examples of the city's resolve to succeed.

Through the fortitude of its citizens, Thomasville stands as a shining example of what can happen when an entire community collaborates for the betterment of its citizens.

I'm proud to represent Thomasville, North Carolina, and I congratulate them on truly practicing the values that make America great.

THE SEQUESTER AND NATURAL DISASTERS

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

Mr. HUFFMAN. Mr. Speaker, because of climate change, we're facing stronger and more destructive storms and natural disasters than at any other time in American history. And at the same time, the sequester is slashing funding for the agencies that are critical to helping our communities protect, adapt, and rebuild.

NOAA will lose $271 million in funding this year, and that includes $50 million for the geostationary weather satellite program. That's the program that provides continuous monitoring for severe weather.

So less than a year after Hurricane Sandy, a month after the devastating tornadoes in Oklahoma, we're cutting the agency responsible for forecasting and monitoring severe weather.

But it's not just severe weather disasters on our shores that threaten American communities. My congressional district has seen debris from the 2011 Japanese tsunami wash up on our shores, and our regional economy is inextricably linked to the health of our oceans, which are jeopardized by climate change.

Our planet is warming. We're beginning to feel major impacts, and it will only get worse unless we act to protect our climate.

□ 1210

CELEBRATING THE WORK OF TENNESSEE'S FOURTH DISTRICT

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

Mr. DESJARLAIS. Mr. Speaker, I rise today to celebrate and promote the work that is being done in Tennessee's Fourth District by Bridgestone North America, Motlow State Community College, members of the local manufacturing community, and local and State governments.

Our economy is hindered by a skills gap that hurts both the businesses that need well-trained workers and those workers looking to better themselves and their families.

Seeing this problem 5 years ago, Motlow Community College's president, Mary Lou Apple, set out to erase this skills gap. A mechatronics program was brought to Rutherford County which combined mechanical, electrical, and computerized curricula to allow local high school students the opportunity to gain high-demand skills in manufacturing, health care, and the financial industries.

I recently toured the Bridgestone North America facility to see how these students are graduating from high school not only with college credit and technical credentials, but, most importantly, real world experience.

I look forward to the great work this program and its students will continue to accomplish in the future, and certainly we need more like them.

STUDENT LOAN RATES

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

Mr. HIGGINS. Mr. Speaker, unless Congress takes action, student loan rates will double on July 1. This is unacceptable. Access to affordable education is one of the most important issues to young people today, yet many graduates find themselves tens of thousands of dollars in debt as they leave school and try to enter the workforce. In New York State, 60 percent of college students graduate with some debt, averaging $27,000.

Mr. Speaker, I was pleased to sign the discharge petition by Representative JOE COURTNEY, H.R. 1595, the Student Loan Relief Act, along with over 180 of my colleagues. This legislation would freeze the interest rate at its current 3.4 percent for the next 2 years.

It's time for Republican leadership to acknowledge the urgency of this legislation and bring it to the floor. All Americans deserve a fair shot at a good and affordable education.

STUDENT LOAN RATE HIKES

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

Ms. FOXX. Mr. Speaker, I appreciate my colleague from New York bringing up the issue of student loan rates. As he very well knows, the House has passed a bill to do this, and our problem is with the Senate and the President.

''Don't double my rate.'' Every day, students are tweeting those exact words to their Representatives. Like these students, House Republicans see that July 1 is coming, and with it the automatic doubling of some Federal student loan interest rates.

House Republicans don't believe that that rate should double or that politicians should be in charge of setting them. Weeks ago, Republicans and a few Democrats in the House passed the Smarter Solutions for Students Act, which will not only keep student loan interest rates from doubling on July 1 but will also remove politics from the equation, as well.

But the House can't do it alone. The Senate must act, and the President must lead. Right now, both are failing. In fact, it appears President Obama has completely backed down from defending his original proposal which, like our House bill, offered a permanent solution to the problem. The President is letting the opportunity to build on common ground slip by. Concerned students should ask him why.

20-WEEK ABORTION BAN

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

Ms. BONAMICI. Today, I rise in opposition to H.R. 1797, legislation that would throw doctors in jail for providing constitutionally protected health care. Many of my colleagues talk about less government. Well, here's a place where I agree. This bill takes away the ability of women to make their own health care decisions and attempts to replace the informed judgment of doctors with the opinions of politicians.

Often, there are unexpected complications. Danielle Deaver's amniotic fluid ruptured at 22 weeks, leaving the pregnancy without adequate fluid to continue to develop. Jennifer Peterson was pregnant when she was diagnosed with invasive breast cancer. Danielle, Jennifer, and women like them should be able to face these difficult situations by consulting with their doctors. They should not have to worry about whether they're violating an unconstitutional law.

When abortion is made illegal, it does not go away; it becomes unsafe. Let's not play politics with women's health care. Let's focus on prevention and making sure that women have access to safe and legal abortions. I urge my colleagues to vote ''no'' on this unconstitutional bill.

HONORING AND CONGRATULATING U.S. MARINE CORPORAL ZACKERY WALLICK OF DUNDEE, OHIO

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

Mr. GIBBS. Mr. Speaker, I rise today to honor and congratulate Zackery Wallick of Dundee, Ohio, who is the recipient of the Navy and Marine Corps Commendation Medal with the V, the fifth-highest award for his service.

Zackery received this medal for putting himself in great danger in order to protect a fellow wounded marine in Afghanistan in August of 2010. He was serving as a first team leader of a regimental combat team when a grenade was thrown at him and a fellow marine by Taliban forces. Without hesitation, Zackery threw himself on the marine closest to the explosion, shielding him from the blast.

Thankfully, neither of the marines were injured. Zackery's display of heroism deserves the utmost respect, and I'm proud to honor him today. Zackery has been honorably discharged from the Marine Corps and is now considering attending college. He hopes to pursue a career in law enforcement as a parole officer.

PEPFAR 10-YEAR ANNIVERSARY

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

Ms. LEE of California. Mr. Speaker, this morning, I had the honor of joining Secretary Kerry and hundreds of advocates to mark the 10th anniversary of our global AIDS program known as PEPFAR. Ten years ago, when the AIDS pandemic was ravaging many African countries, Democrats, Republicans, and Independents put aside our differences and came together to create the largest, most effective foreign aid program to date.

I'm very humbled to have played a small role in the creation of PEPFAR and proud about the leadership of the Congressional Black Caucus and our chair at that time, Congresswoman EDDIE BERNICE JOHNSON—even before the world knew about this initiative. And I'm so proud of the role my staff played over the years, including the late, beloved Michael Riggs, whose memory and leadership Secretary Kerry recognized this morning.

To quote from a 2002 letter to President Bush, the Congressional Black Caucus called for ''an expanded United States initiative'' to ''respond to the greatest plague in recorded history.'' The next month, in his State of the Union speech, President Bush boldly embraced our call to action.

Now, a decade later, PEPFAR's success isn't just measured in terms of dollars spent but in lives saved and communities transformed.

THE PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, today we are going to move one step closer to banning late-term abortions by supporting H.R. 1797, called the Pain-Capable Unborn Child Protection Act.

Late-term abortion isn't rare. I was dismayed and disheartened to hear of the horrors from the Kermit Gosnell trial. Worse, this past month, in my home State of Texas, former employees of the abortionist Douglas Karpen alleged he killed babies born alive.

These acts are inexcusable, immoral and unjustifiable. It's time we got rid of this gruesome and barbaric procedure to prevent future cases like Gosnell's and Karpen's once and for all. The procedure is not only unethical but unessential. There's extensive evidence that unborn babies aborted in this manner are alive until the end of the procedure and fully experience the pain associated with the procedure.

We've got to do the right thing. We must ban late-term abortion. I urge my colleagues to support H.R. 1797 and protect the value of life, women and unborn babies.

SMALL BUSINESS WEEK

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

Ms. KELLY of Illinois. Mr. Speaker, today I rise to honor the many mom-and-pop shops and small businesses across the country as we celebrate National Small Business Week. I know firsthand the difference that small businesses make in our communities. Almost 70 years ago, my grandmother purchased a little neighborhood store and proclaimed to my grandfather, ''We're in the grocery business now.''

Like most small business families, we took pride in what we did. We shared in the trials and triumphs of small business ownership. It was challenging, but it was rewarding. Our grocery store was our family taking a shot at the American Dream and sharing that success with others.

According to the U.S. Small Business Administration, more than half of Americans either own or work for a small business, and they create about two out of every three new jobs in the United States each year. Small businesses are the backbone of our communities—opening new storefronts, training American workers, and manufacturing and selling goods in our neighborhoods. This may be National Small

Business Week, but our Nation wouldn't be what it is today without every day being a small business day.

□ 1220

HONORING THE HARDING FAMILY FOR THEIR MISSIONARY WORK

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

Mr. PITTENGER. Mr. Speaker, I rise today with great honor to pay respect to Bill Harding and his family, who have served for the last 60 years as missionaries in Ethiopia. In our increasingly self-serving society, their sacrifice on behalf of others is truly remarkable.

Bill Harding left Charlotte in 1954 with his pregnant wife and three boys under the age of 3 and moved to Ethiopia, where he trained pastors and worked with local churches. He loved the people of Ethiopia sacrificially, even enduring house arrest during the Communist revolution.

Since that time, one son, Bill IV, has managed 500 projects, bringing clean water to over 300 villages. Son David runs a separate nonprofit, also providing clean water to thirsty villagers. Son Joe works with American churches to provide desperately needed resources to a major youth development program in Ethiopia. Bill's grandson and granddaughter live in Africa, working for nonprofits and continuing the legacy.

Mr. Speaker, their ministry has impacted millions of people as they have honored the Lord with their lives. Thanks, Bill and your wonderful family, for all that you've done. God bless you.

COMPREHENSIVE IMMIGRATION REFORM

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

Mr. CARTWRIGHT. Mr. Speaker, I rise today in support of comprehensive immigration reform.

In the Bible, it couldn't be more clear:

When the Son of Man returns in all his glory, escorted by the angels, then He will take His seat on the throne of glory. All the nations will be assembled before Him, and He will separate the people one from another, like sheep from goats. On the right hand, He will place the sheep; on the left, the goats. And to those on His right, he will say: Come accept the inheritance that is yours, that has been prepared for you since the foundation of the world, for when I was hungry, you gave me food; when I was thirsty, you gave me drink; when I was a stranger, you made me welcome.

My fellow Members of this House, comprehensive immigration reform is not just the right thing to do; it is the righteous thing to do.

LEGACY OF SALLY RIDE

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

Mr. FITZPATRICK. Mr. Speaker, 30 years ago today, on June 18, 1983, Dr. Sally Ride became the first American woman in space aboard the space shuttle *Challenger*, the first of her two flights as a mission specialist.

This former astronaut, physicist, educator, and space advocate left behind a legacy of accomplishments when she died last year at the age of 61. Her legacy continues to inspire and motivate young women with an interest in science, technology, math, and engineering, while the company she founded advances those interests.

We acknowledge Dr. Ride's advocacy for young women in the fields of science, technology, engineering, and math, a precursor for the STEM programs we know are so important today.

As a strong proponent of STEM education and allied programs, I will continue to applaud Dr. Ride's effort to encourage interest in space, science, and the technical fields by blazing a path for other women to follow.

REJECT PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

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

Ms. CASTOR of Florida. Mr. Speaker, America faces so many challenges today: How do we create more jobs? How do we boost economic growth? How do we support middle class families and small businesses, build things in America again, improve our schools, and invest in our infrastructure?

So is Congress considering any of these important matters today? No. In fact, here in the middle of June, the Republican-controlled Congress has not scheduled any legislation on any of those important matters. Instead, their priority today is H.R. 1797, where the all-male House Judiciary Committee and the House Republican leadership intends to interject themselves into the private medical decisions of women and their doctors. They discount the health of the woman. They run counter to what medical professionals, including the American College of Obstetricians and Gynecologists, say is appropriate.

So I urge my colleagues to reject H.R. 1797. Do not obliterate our constitutional right to privacy. Do not take such personal decisions out of the hands of women and their doctors. Reject this extreme bill.

NATIONAL SMALL BUSINESS WEEK

(Mr. COLLINS of New York asked and was given permission to address the House for 1 minute.)

Mr. COLLINS of New York. Mr. Speaker, this week marks National Small Business Week.

America's small businesses are the engines of job creation. According to the Small Business Administration, small businesses employ almost half of all private sector employees. And depending on the year, small businesses can account for 80 percent of all new jobs created.

As a small business owner myself, I understand firsthand the challenges and hurdles business owners face on a day-to-day basis. As a Member of Congress, one of my top goals is to continue to push hard for commonsense policies that create the right kind of economic environment for small businesses to grow and hire more people—the exact policies the GOP-led House continues to advocate and advance.

This week, I am asking all small business owners in my district to complete an online survey about the economy and other issues impacting the small business sector by visiting my Web site, chriscollins.house.gov.

I want to salute small business owners as we take time this week to acknowledge your hard work and contributions.

ATTACK ON WOMEN'S REPRODUCTIVE RIGHTS

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

Ms. TITUS. I rise today in opposition to H.R. 1797. This bill is not only a direct challenge to the Supreme Court ruling in Roe v. Wade, but it's a dangerous new attack on women's reproductive rights.

The proposed ban in this bill does not include an exception for the physical or emotional health of a woman; it fails to provide sufficient protections for victims of rape and incest; and it has a very narrow exception in cases when a woman's life is in danger.

H.R. 1797 would significantly reduce the safe, legal options that women have and would prevent doctors from providing the most medically appropriate care for their patients.

Republicans have repeatedly demonstrated a lack—a lack—of understanding about basic women's health care, and this bill is just one more example of their continuing attack on women's rights. It is a step backward for women's health and a distraction from the critical work we should be doing to pass legislation regarding immigration reform, strengthening our economy, and creating jobs.

I urge you to vote ''no'' on this unconstitutional legislation.

OPPOSITION TO THE PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

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

Ms. FRANKEL of Florida. Mr. Speaker, my, my, my; talk about pain. There's lots of pain in our country—mothers and fathers are out of work, losing homes, bills piling up—but here we go again: another day in Congress being squandered as we fight once more about women having access to the medical care we need, free from the long, invasive arm of government. And again, there's a cruel unconstitutional twist. Under the newly minted H.R. 1797, a woman in desperate need of a physician must instead call the police.

Mr. Speaker, the American people know that there's a better way to protect life. Allow women to have access to the health care that we require to live full lives, and let's work together in a bipartisan manner to get people back to work in this country.

HONORING LARRY HELM

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

Ms. GABBARD. Mr. Speaker, I rise very proudly today to honor one of our Nation's heroes, a man named Larry Helm, who served honorably as a combat veteran in Vietnam, who now serves as commander of the Molokai Veterans Caring for Veterans Center, and who is very fondly known, to those of us who know him, as ''Uncle Larry.''

He is the epitome of a servant leader, who has been active all across the State of Hawaii fighting for his family, his friends, his neighbors, his community, for veterans and all those who've served in the armed services, taking him all the way to the U.S. Senate, testifying and fighting for benefits.

No matter the challenge, whether in combat in Vietnam, as a community leader, or now as he battles cancer, Uncle Larry has always stood for what is right. He has dedicated three decades of his life to opening a vet center to those veterans on Molokai to make sure that valuable resources are available to these veterans and their families who very often have access to none.

Uncle Larry, we love you, we honor you, and we stand with you in your righteous battles; and we will work to make your vision a reality.

□ 1230

PEPFAR's 10TH ANNIVERSARY

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

Mr. ENGEL. Mr. Speaker, it is hard to believe that only 10 years ago, an HIV diagnosis was a death sentence for those living all over the world, but especially in Africa. It was downright disgraceful that even though lifesaving therapy existed, millions of people were dying of AIDS because treatment was unaffordable. There are few votes I have taken in the course of my career that have made as significant a positive impact on this world than the votes I have cast in favor of PEPFAR.

As of September 2012, the United States is supporting lifesaving antiretroviral treatment for more than 5.1 million people. More than 11 million pregnant women received HIV testing and counseling last year; and as a result of adequate treatment, this month the one-millionth baby will be born HIV-free, thanks to PEPFAR.

The fact an AIDS-free generation is on the horizon is a true testament to the willingness of President Bush, President Obama, and Congress to take on this immense challenge and do the hard work necessary to turn the tide against HIV/AIDS. We must continue to do that, Mr. Speaker.

PAIN-CAPABLE UNBORN CHILDREN PROTECTION ACT

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

Ms. EDWARDS. Mr. Speaker, I rise in strong opposition to H.R. 1797, which the House will consider later today. It is another in a long, long line of assaults on women's health; and it is blatantly unconstitutional.

Reproductive health, including abortion care, is a private medical decision between a woman and her health care provider—period. A woman's right to choose is a fundamental freedom, and there is no place for dark-suited politicians to impose their personal beliefs on a woman's private medical decisions.

H.R. 1797 doesn't even include an adequate life exception that takes a woman's health into account. It is patently unconstitutional and is completely inconsistent with the Supreme Court's decision in Roe v. Wade.

Mr. Speaker, once again it is clear that my Republican colleagues are unable or unwilling to put forth ideas to create jobs, strengthen the economy, or invest in America's future. Instead, here we go with another ideological battle. American women have one unified message for Republicans: stay out of our doctors' offices, stay out of our health care, and leave us alone.

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

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

Ms. CLARKE. Mr. Speaker, today I rise in opposition to H.R. 1797. This act is both dangerous and unconstitutional and violates the rights of women who are in need of an abortion. It is blatantly unconstitutional and in clear violation of more than 40 years of Supreme Court precedent that protects women's access to abortion prior to viability, that is, prior to 24 not 20 weeks. This precedent was first established in Roe v. Wade and affirmed in Planned Parenthood v. Casey.

Make no mistake, pregnancy due to violent and unfortunate circumstances such as rape and incest happens to thousands of women every year, not to mention medical complications that imperil the life of the mother. Women impacted by rape and incest must not be further victimized by this misguided legislation.

We must not allow our Nation's right to choose to be infringed upon by a minority of people in this Nation. We cannot let them bully the rest of the country into accepting their world view. That is why I will continue to support a woman's right to choose and stand in opposition to H.R. 1797, and I stand up for women's right to self-determination.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 18, 2013.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on June 18, 2013 at 9:48 a.m.:

That the Senate passed S. 330.

Appointment:

Health Information Technology Policy Committee.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

INTERNATIONAL CHILD SUPPORT RECOVERY IMPROVEMENT ACT OF 2013

Mr. REICHERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1896) to amend part D of title IV of the Social Security Act to ensure that the United States can comply fully with the obligations of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1896

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

SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the ''International Child Support Recovery Improvement Act of 2013''.

(b) REFERENCES.—Except as otherwise expressly provided in this Act, wherever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the amendment shall be considered to be made to a section or other provision of the Social Security Act.

SEC. 2. AMENDMENTS TO ENSURE ACCESS TO CHILD SUPPORT SERVICES FOR INTERNATIONAL CHILD SUPPORT CASES.

(a) AUTHORITY OF THE SECRETARY OF HHS TO ENSURE COMPLIANCE WITH MULTILATERAL CHILD SUPPORT CONVENTIONS.—

(1) IN GENERAL.—Section 452 (42 U.S.C. 652) is amended—

(A) by redesignating the second subsection (l) (as added by section 7306 of the Deficit Reduction Act of 2005) as subsection (m); and

(B) by adding at the end the following:

''(n) The Secretary shall use the authorities otherwise provided by law to ensure the compliance of the United States with any multilateral child support convention to which the United States is a party.''.

(2) CONFORMING AMENDMENT.—Section 453(k)(3) (42 U.S.C. 653(k)(3)) is amended by striking ''452(l)'' and inserting ''452(m)''.

(b) ACCESS TO THE FEDERAL PARENT LOCATOR SERVICE.—Section 453(c) (42 U.S.C. 653(c)) is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(3) by adding at the end the following:

''(5) an entity designated as a Central Authority for child support enforcement in a foreign reciprocating country or a foreign treaty country for purposes specified in section 459A(c)(2).''.

(c) STATE OPTION TO REQUIRE INDIVIDUALS IN FOREIGN COUNTRIES TO APPLY THROUGH THEIR COUNTRY'S APPROPRIATE CENTRAL AUTHORITY.—Section 454 (42 U.S.C. 654) is amended—

(1) in paragraph (4)(A)(ii), by inserting before the semicolon ''(except that, if the individual applying for the services resides in a foreign reciprocating country or foreign treaty country, the State may opt to require the individual to request the services through the Central Authority for child support enforcement in the foreign reciprocating country or the foreign treaty country, and if the individual resides in a foreign country that is not a foreign reciprocating country or a foreign treaty country, a State may accept or reject the application)''; and

(2) in paragraph (32)—

(A) in subparagraph (A), by inserting '', a foreign treaty country,'' after ''a foreign reciprocating country''; and

(B) in subparagraph (C), by striking ''or foreign obligee'' and inserting '', foreign treaty country, or foreign individual''.

(d) AMENDMENTS TO INTERNATIONAL SUPPORT ENFORCEMENT PROVISIONS.—Section 459A (42 U.S.C. 659a) is amended—

(1) by adding at the end the following:

''(e) REFERENCES.—In this part:

''(1) FOREIGN RECIPROCATING COUNTRY.—The term 'foreign reciprocating country' means a foreign country (or political subdivision thereof) with respect to which the Secretary has made a declaration pursuant to subsection (a).

''(2) FOREIGN TREATY COUNTRY.—The term 'foreign treaty country' means a foreign country for which the 2007 Family Maintenance Convention is in force.

''(3) 2007 FAMILY MAINTENANCE CONVENTION.—The term '2007 Family Maintenance Convention' means the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance.'';

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking ''foreign countries that are the subject of a declaration under this section'' and inserting ''foreign reciprocating countries or foreign treaty countries''; and

(B) in paragraph (2), by inserting ''and foreign treaty countries'' after ''foreign reciprocating countries''; and

(3) in subsection (d), by striking ''the subject of a declaration pursuant to subsection (a)'' and inserting ''foreign reciprocating countries or foreign treaty countries''.

(e) COLLECTION OF PAST-DUE SUPPORT FROM FEDERAL TAX REFUNDS.—Section 464(a)(2)(A) (42 U.S.C. 664(a)(2)(A)) is amended by striking ''under section 454(4)(A)(ii)'' and inserting ''under paragraph (4)(A)(ii) or (32) of section 454''.

(f) STATE LAW REQUIREMENT CONCERNING THE UNIFORM INTERSTATE FAMILY SUPPORT ACT (UIFSA).—

(1) IN GENERAL.—Section 466(f) (42 U.S.C. 666(f)) is amended—

(A) by striking ''on and after January 1, 1998,'';

(B) by striking ''and as in effect on August 22, 1996,''; and

(C) by striking ''adopted as of such date'' and inserting ''adopted as of September 30, 2008''.

(2) CONFORMING AMENDMENTS TO TITLE 28, UNITED STATES CODE.—Section 1738B of title 28, United States Code, is amended—

(A) in subsection (d), by striking ''individual contestant'' and inserting ''individual contestant or the parties have consented in a record or open court that the tribunal of the State may continue to exercise jurisdiction to modify its order,'';

(B) in subsection (e)(2)(A), by striking ''individual contestant'' and inserting ''individual contestant and the parties have not consented in a record or open court that the tribunal of the other State may continue to exercise jurisdiction to modify its order''; and

(C) in subsection (b)—

(i) by striking '' 'child' means'' and inserting ''(1) The term 'child' means'';

(ii) by striking '' 'child's State' means'' and inserting ''(2) The term 'child's State' means'';

(iii) by striking '' 'child's home State' means'' and inserting ''(3) The term 'child's home State' means'';

(iv) by striking '' 'child support' means'' and inserting ''(4) The term 'child support' means'';

(v) by striking '' 'child support order' '' and inserting ''(5) The term 'child support order' '';

(vi) by striking '' 'contestant' means'' and inserting ''(6) The term 'contestant' means'';

(vii) by striking '' 'court' means'' and inserting ''(7) The term 'court' means'';

(viii) by striking '' 'modification' means'' and inserting ''(8) The term 'modification' means''; and

(ix) by striking '' 'State' means'' and inserting ''(9) The term 'State' means''.

(3) EFFECTIVE DATE; GRACE PERIOD FOR STATE LAW CHANGES.—

(A) PARAGRAPH (1).—(i) The amendments made by paragraph (1) shall take effect with respect to a State no later than the effective date of laws enacted by the legislature of the State implementing such paragraph, but in no event later than the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act.

(ii) For purposes of clause (i), in the case of a State that has a 2-year legislative session, each year of the session shall be deemed to be a separate regular session of the State legislature.

(B) PARAGRAPH (2).—(i) The amendments made by subparagraphs (A) and (B) of paragraph (2) shall take effect on the date on which the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance enters into force for the United States.

(ii) The amendments made by subparagraph (C) of paragraph (2) shall take effect on the date of the enactment of this Act.

SEC. 3. DATA EXCHANGE STANDARDIZATION FOR IMPROVED INTEROPERABILITY.

(a) IN GENERAL.—Section 452 (42 U.S.C. 652), as amended by section 2(a)(1) of this Act, is amended by adding at the end the following:

''(o) DATA EXCHANGE STANDARDS FOR IMPROVED INTEROPERABILITY.—

''(1) DESIGNATION.—The Secretary shall, in consultation with an interagency work group established by the Office of Management and Budget and considering State government perspectives, by rule, designate data exchange standards to govern, under this part—

''(A) necessary categories of information that State agencies operating programs under State plans approved under this part are required under applicable law to electronically exchange with another State agency; and

''(B) Federal reporting and data exchange required under applicable law.

''(2) REQUIREMENTS.—The data exchange standards required by paragraph (1) shall, to the extent practicable—

''(A) incorporate a widely accepted, nonproprietary, searchable, computer-readable format, such as the eXtensible Markup Language;

''(B) contain interoperable standards developed and maintained by intergovernmental partnerships, such as the National Information Exchange Model;

''(C) incorporate interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance;

''(D) be consistent with and implement applicable accounting principles;

''(E) be implemented in a manner that is cost-effective and improves program efficiency and effectiveness; and

''(F) be capable of being continually upgraded as necessary.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require a change to existing data exchange standards found to be effective and efficient.''.

(b) EFFECTIVE DATE.—The Secretary of Health and Human Services shall issue a proposed rule within 24 months after the date of the enactment of this section. The rule shall identify federally-required data exchanges, include specification and timing of exchanges to be standardized, and address the factors used in determining whether and when to standardize data exchanges. It should also specify State implementation options and describe future milestones.

SEC. 4. EFFICIENT USE OF THE NATIONAL DIRECTORY OF NEW HIRES DATABASE FOR FEDERALLY SPONSORED RESEARCH ASSESSING THE EFFECTIVENESS OF FEDERAL POLICIES AND PROGRAMS IN ACHIEVING POSITIVE LABOR MARKET OUTCOMES.

Section 453 (42 U.S.C. 653) is amended—

(1) in subsection (i)(2)(A), by striking ''24'' and inserting ''48''; and

(2) in subsection (j), by striking paragraph (5) and inserting the following:

''(5) RESEARCH.—

''(A) IN GENERAL.—Subject to subparagraph (B) of this paragraph, the Secretary may provide access to data in each component of the Federal Parent Locator Service maintained under this section and to information reported by employers pursuant to section 453A(b), for—

''(i) research undertaken by a State or Federal agency (including through grant or contract) for purposes found by the Secretary to be likely to contribute to achieving the purposes of part A or this part; or

''(ii) an evaluation or statistical analysis undertaken to assess the effectiveness of a Federal program in achieving positive labor market outcomes (including through grant or contract), by—

''(I) the Department of Health and Human Services;

''(II) the Social Security Administration;

''(III) the Department of Labor;

''(IV) the Department of Education;

''(V) the Department of Housing and Urban Development;

''(VI) the Department of Justice;

''(VII) the Department of Veterans Affairs;

''(VIII) the Bureau of the Census;

''(IX) the Department of Agriculture; or

''(X) the National Science Foundation.

''(B) PERSONAL IDENTIFIERS.—Data or information provided under this paragraph may include a personal identifier only if, in addition to meeting the requirements of subsections (l) and (m)—

''(i) the State or Federal agency conducting the research described in subparagraph (A)(i), or the Federal department or agency undertaking the evaluation or statistical analysis described in subparagraph (A)(ii), as applicable, enters into an agreement with the Secretary regarding the security and use of the data or information;

''(ii) the agreement includes such restrictions or conditions with respect to the use, safeguarding, disclosure, or redisclosure of the data or information (including by contractors or grantees) as the Secretary deems appropriate;

''(iii) the data or information is used exclusively for the purposes defined in the agreement; and

''(iv) the Secretary determines that the provision of data or information under this paragraph is the minimum amount needed to conduct the research, evaluation, or statistical analysis, as applicable, and will not interfere with the effective operation of the program under this part.

''(C) PENALTIES FOR UNAUTHORIZED DISCLOSURE OF DATA.—Any individual who willfully discloses a personal identifier (such as a name or social security number) provided under this paragraph, in any manner to an entity not entitled to receive the data or information, shall be fined under title 18, United States Code, imprisoned not more than 5 years, or both.''.

SEC. 5. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. REICHERT) and the gentleman from Texas (Mr. DOGGETT) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. REICHERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today with my colleague from Texas (Mr. DOGGETT) to urge support of H.R. 1896, the International Child Support Recovery Improvement Act of 2013.

This bill provides the implementing legislation for The Hague Convention on International Recovery of Child Support and other forms of family maintenance, ensuring that law enforcement authorities will be able to enforce child support orders even when a child or parent lives overseas.

Mr. Speaker, as a former sheriff in King County, which is in Seattle, Washington—for those in the Chamber who may not know, I worked there for 33 years—I had the opportunity of putting together a unit that was devoted to finding parents who weren't taking on their financial responsibility for their children and providing those financial needs.

What we learned was not only is it important for the parents to be a part of their child's life when they leave financially—to give them the health care benefits they need, the education that they might need, any other financial needs that the child might need—but it also provides a social benefit, a real benefit of involvement by that parent. Once that parent gets financially involved, that parent is intimately involved with that child's life.

Usually it is the father—sad to say just a couple of days after Father's Day. Ninety-five to 98 percent of the parents who leave and don't continue to support their child financially, it is usually the father.

When that father and that parent gets involved financially, they all of a sudden realize they've missed out on that child's life. They've missed soccer games, baseball games. They've missed their theatrical performances, their participation in every school support, and the rest of their lives.

This also reduces crime in my experience—again, going back as the sheriff—if these kids have both parents involved. It keeps them involved with the family and not in other activities that we would really prefer them not to be involved in.

Currently, States have the option to recognize child support orders from other countries—and many of them do. However, States have found that other countries are less cooperative in recognizing our orders.

The Hague Convention seeks to address this issue by establishing a standardized process so more countries cooperate in collecting child support. Negotiation of this treaty began in 2003, and it was signed eventually in 2007. The Senate acted on this in 2010. They gave their consent. The treaty provides many protections for our children, but States cannot take advantage of the benefits until Congress moves forward.

Enforcement of child support orders should not end at the water's edge. Children, regardless of where they or their parents live, should receive financial support from their parents.

□ 1240

The United States cannot ratify The Hague Convention until all States make the necessary changes, so the time to act is now.

This bill also includes a continuation of our subcommittee's bipartisan efforts to standardize and improve the exchange of data within human services programs. While the child support system already relies heavily on data exchanges, it is important for those exchange efforts to be consistent with the provisions we've recently enacted in the child welfare, TANF, and unemployment programs. The goal is simple: improve government efficiency, provide benefits to those who are eligible, and drive out waste, fraud, and abuse.

Finally, this bill expands researcher access to a database maintained by the Office of Child Support Enforcement. The National Directory of New Hires collects employment outcome information for individuals working in most jobs in the United States. Expanding access to earnings data in the Directory will improve our ability to determine whether Federal education, training, and social service programs help people find and keep their jobs.

According to the administration, most Federal agencies do not currently have reliable access to data that can show the impact of their programs on participants' employment or their earnings. In an era of tighter resources, it is crucial that we have reliable data to conduct rigorous evaluations to make sure that Federal programs are getting results.

Mr. Speaker, I would like to insert into the RECORD letters of support for this legislation from MDRC and the National Child Support Enforcement Association.

In addition, key parts of this legislation are supported by respected organizations like the Conference of State Court Administrators, the Conference of Chief Justices, the Department of Health and Human Services, the Department of Labor, the Office of Management and Budget, and from the research community, Abt Associates, Mathematica Policy Research, RAND, Social Policy Research, and the Urban Institute.

I want to thank the subcommittee's ranking member, Mr. DOGGETT, who joins me on the floor today, and other members of the subcommittee for their support as original cosponsors.

I invite all Members to join us in supporting this important bipartisan legislation. It will move us a step closer to ratifying The Hague Convention on the International Recovery of Child Support and will ensure that more children living in the U.S. receive the financial support they deserve.

I urge all of my colleagues to support this bill, and I reserve the balance of my time.

NATIONAL CHILD SUPPORT ENFORCEMENT ASSOCIATION,
May 3, 2013.

Hon. DAVID G. REICHERT, *Chairman,*
Hon. LLOYD DOGGETT, *Ranking Member,*
Ways and Means Subcommittee on Human Resources, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN REICHERT AND RANKING MEMBER DOGGETT: The National Child Support Enforcement Association (NCSEA) supports the bipartisan International Child Support Recovery Improvement Act of 2013 (H.R. 1896) and urges the Committee to consider it as soon as possible.

NCSEA members helped craft the language in the 2007 Hague Convention Treaty on the International Recovery of Child Support and Other Forms of Family Maintenance. The provisions in Section 2 of the bill provide the language necessary to implement it. The Treaty contains procedures for processing international child support cases that are uniform, simple, efficient, accessible, and cost-free to U.S. citizens seeking support in other countries. It is founded on the agreement of countries ratifying the Convention to recognize and enforce each other's support orders.

This bill will assist state and county child support staff who encounter challenging and time-consuming international cases. Presently, there are no agreed upon standards of proof, forms or methods of communication. As more parents cross international borders leaving children behind, international child support enforcement is more important than ever. Ratification of the Convention by the United States will mean that more children will receive financial support from their parents residing in countries that are also signatories to the Convention.

NCSEA has long sought congressional action on this issue, and welcomed last year's bipartisan action by the full House which adopted a nearly identical bill. This measure will help to ensure our nation's children receive the financial support to which they are entitled.

Thank you again for your leadership on this bill.

Sincerely,
COLLEEN DELANEY EUBANKS,
Executive Director.

MDRC,
New York, NY, June 11, 2013.

Hon. DAVID REICHERT,
Longworth House Office Building, Washington, DC.
Hon. LLOYD DOGGETT,
Cannon House Office Building, Washington, DC.

DEAR CONGRESSMEN REICHERT AND DOGGETT, I am writing to congratulate you on advancing H.R. 1896, The International Child Support Recovery Improvement Act of 2013, to the House floor.

Last year, I was invited to testify before the Subcommittee on Human Resources regarding this bill. During my testimony, I pointed out that the bill includes an important technical provision that enables researchers to more easily access the National Directory of New Hires (NDNH) database, which contains earnings and employment data collected by states from employers. Removing this barrier in the law will result in more accurate, cost-effective assessments of the employment effects of federal programs.

Independent research firms like MDRC are contracted by the government to evaluate the extent to which federal programs work; in many cases, a key measure of effectiveness is the programs' long-term impact on participants' employment and earnings. The NDNH database, maintained by the federal Office of Child Support Enforcement, houses employment and earnings data reported by the states for child support enforcement purposes. However, research contractors are generally unable to access this essential database. Instead they are forced to get the very same data directly from the states, at great cost to the federal government and at considerable burden in duplicative reporting for the states.

In this time of severe budget constraints, Congress must have credible, nonpartisan information to understand whether federally supported programs actually help people find work and increase their earnings. The technical provision in this bill would ensure the availability of data necessary for researchers to examine the effectiveness of these programs.

This provision expands researchers' access to NDNH data and also maintains strong privacy protections. Since personally identifiable information is contained in the NDNH database, the provision requires research firms to continue to uphold strict rules governing the data's confidentiality and provides severe penalties for unauthorized disclosure of this data.

Thank you for recognizing the importance of giving researchers greater access to NDNH data. Attached is my testimony from last year for further reference.

Sincerely,
GORDON L. BERLIN.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, May 24, 2013.

Discharge Statement.

Hon. JOHN A. BOEHNER,
Speaker, Office of the Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I am writing to request that the Committee on the Budget be discharged from the consideration of H.R. 1896, the International Child Support Recovery Improvement Act of 2013. The bill was referred respectively to the Committee on Ways and Means, the Committee on the Judiciary, and in addition to the Committee on the Budget.

The bill contains provisions that fall within the exclusive jurisdiction of the Committee on the Budget. In order to expedite the passage of this Act, the Committee requests that it be discharged from consideration of the bill, but continue to receive referrals in the future pertaining to legislation that falls within its purview. The Committee on the Budget does not intend to mark up this bill.

Sincerely,
PAUL RYAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, June 17, 2013.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN GOODLATTE, Thank you for your letter regarding H.R. 1896, the ''International Child Support Recovery Improvement Act of 2013,'' which the Committee on Ways and Means anticipates may soon receive consideration by the full House.

As introduced, H.R. 1896 contained two provisions (sections 2 and 4) that formed the basis of an additional referral of the bill to your committee. I am most appreciative of your decision to discharge the Committee on the Judiciary from further consideration of H.R. 1896 so that it may proceed to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on the Judiciary is by no way waiving its jurisdiction over the subject matter contained in those provisions of the bill, including sections 2 and 4 of the bill, which fall within your Rule X jurisdiction. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I will be pleased to include this letter and your letter dated June 10, 2013 in the Congressional Record during floor consideration of H.R. 1896.

Sincerely,
DAVE CAMP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 10, 2013.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN CAMP, I write regarding H.R. 1896, the ''International Child Support Recovery Improvement Act of 2013,'' on which the Committee on the Judiciary received a referral. I understand that the bill may soon proceed to consideration by the full House. As a result of your having consulted with the Judiciary Committee concerning provisions of the bill that fall within

our Rule X jurisdiction, I agree to discharge the Committee on the Judiciary from further consideration of the bill so that the bill may proceed expeditiously to the House Floor.

The Judiciary Committee takes this action with our mutual understanding that, by foregoing consideration of H.R. 1896 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding with respect to H.R. 1896, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

BOB GOODLATTE,
Chairman.

CBO ON THE INTERNATIONAL CHILD SUPPORT RECOVERY IMPROVEMENT ACT OF 2013 (H.R. 1896)

The Congressional Budget Office has reviewed H.R. 1896, the International Child Support Recovery Improvement Act of 2013. According to a preliminary estimate of the introduced legislation with amendment, the bill has insignificant direct savings each year and slightly significant savings (approximately $500,000) over 10 years.

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

I am pleased to join the gentleman from Washington (Mr. REICHERT) in support of the International Child Support Recovery Improvement Act.

We tried to do this just about a year ago. In the last Congress, I coauthored very similar legislation that was bipartisan here on the floor. Though we acted here, the Senate was slow to act, and we are hopeful that now, with the leadership of Chairman REICHERT and, again, with broad bipartisan support, we can get this measure passed not only here in the House but see prompt action in the Senate.

International borders should never be barriers to children receiving the financial support that their parents are obligated to provide nor should a parent be able to shirk his responsibility to his child by just leaving America, but the complexity and difficulty in enforcing child support obligations when a child and the noncustodial parent live in one country and when the other parent lives in another sometimes lets a parent off the hook.

The bill before us today would reduce many of the challenges in collecting child support across international borders by fully implementing The Hague Convention on the International Recovery of Child Support. The Senate adopted that Hague Convention as a treaty in 2010, and this legislation will bring us into full compliance and will encourage the State child support agencies to have uniform methods for processing international child support orders.

Here in the United States, many of our State child support agencies already recognize and enforce foreign child support obligations. Whether or not the United States has a reciprocal agreement, this just ensures that all 50 States do. Many foreign nations are not enforcing a U.S. child support order in the absence of a treaty or other agreement. While our Nation does have reciprocal child support agreements with some countries, it does not have arrangements with many of those around the globe, hence the need for this single treaty that establishes a uniform, efficient, and accessible procedure for processing international child support cases.

Some desperate families are today asking for help through the Federal Office of Child Support Enforcement, and that office is not able to provide the help. We have an estimated 160,000 international child support cases that currently involve children or parents here in the United States, and with the very nature of our global economy—with more goods and services and people moving across national boundaries—this number is likely to only grow.

As with other effective child support measures, it's taxpayers who benefit by not being saddled with the costs of supporting children when a parent should be doing that. The Congressional Budget Office concludes that this bill would result in some modest debt savings to the child support program.

In addition to improving the international collection of child support, the legislation includes a provision that is new, under Mr. REICHERT's leadership, concerning data standardization within the child support enforcement system. We've worked diligently to incorporate the same requirement into other human resources programs to improve the ability to share data—a step that will make them more efficient, less susceptible to fraud, and better able to reach those who really need assistance.

Finally, this measure would also allow certain researchers access to wage information in a child support database, known as the National Directory of New Hires, in order to determine the effectiveness of employment-related programs.

Mr. Speaker, this bill is truly bipartisan, and it doesn't cost taxpayers money. In fact, it will save taxpayers money. Most importantly, it will help more children get the financial help that they deserve. The House passed nearly identical legislation last year at about this time. After we pass the bill today, I urge my Senate colleagues to act promptly to ensure that leaving the country doesn't mean leaving your child support obligation behind.

I thank the gentleman from Washington for his leadership, and I yield back the balance of my time.

Mr. REICHERT. Mr. Speaker, in closing, I think it's very clear that this is a very bipartisan piece of legislation which is really focused on strengthening the family, protecting children, and, for parents who have left their homes, reengaging them with their families, getting them involved in their children's activities and providing for them financially.

One statistic that I recall when I first became sheriff in 1997 is that we began this program at the State level. Since 72 percent of juvenile males were without fathers, 72 percent of those committed homicide. It's just a stark figure, a stark statistic, that really highlights the need for parents to be involved in their children's lives.

So, Mr. Speaker, once again, I wholeheartedly, of course, endorse this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. REICHERT) that the House suspend the rules and pass the bill, H.R. 1896.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1250

ADDITION OF VACCINES AGAINST SEASONAL INFLUENZA TO LIST OF TAXABLE VACCINES

Mr. GERLACH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 475) to amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 475

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

SECTION 1. ADDITION OF VACCINES AGAINST SEASONAL INFLUENZA TO LIST OF TAXABLE VACCINES.

(a) IN GENERAL.—Subparagraph (N) of section 4132(a)(1) of the Internal Revenue Code of 1986 is amended by inserting ''or any other vaccine against seasonal influenza'' before the period.

(b) EFFECTIVE DATE.—

(1) SALES, ETC.—The amendment made by this section shall apply to sales and uses on or after the later of—

(A) the first day of the first month which begins more than 4 weeks after the date of the enactment of this Act, or

(B) the date on which the Secretary of Health and Human Services lists any vaccine against seasonal influenza (other than any vaccine against seasonal influenza listed by

the Secretary prior to the date of the enactment of this Act) for purposes of compensation for any vaccine-related injury or death through the Vaccine Injury Compensation Trust Fund.

(2) DELIVERIES.—For purposes of paragraph (1) and section 4131 of the Internal Revenue Code of 1986, in the case of sales on or before the effective date described in such paragraph for which delivery is made after such date, the delivery date shall be considered the sale date.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. GERLACH) and the gentleman from Massachusetts (Mr. NEAL) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. GERLACH. I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the bill under consideration.

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

There was no objection.

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

I rise to urge my colleagues to support this bipartisan legislation that my colleague from Massachusetts (Mr. NEAL) and I believe will help make the upcoming flu season less miserable for millions of Americans and avoid expensive hospital stays for those suffering with the flu.

Last December, in the midst of a flu season in which the Centers for Disease Control and Prevention reported more than 12,000 people hospitalized with flu complications and 149 deaths among children under the age of 18, the Food and Drug Administration approved a new vaccine developed to fight the four-strain flu virus. But despite this development, it is imperative that we pass this legislation if we want to guarantee the most up-to-date four-strain flu vaccine is available to patients who need it.

That's because under the current law, the Vaccine Injury Compensation Program—a no-fault system for compensating injuries or death caused by vaccines—covers flu vaccines that only protect against three viral strains.

This bill would add vaccines that protect against four viral strains to the program and ensure that the most up-to-date and effective flu vaccines are available in time for the start of the flu season this fall. Without the liability protections of the compensation program, civil litigation from the use of this vaccine could explode and disincentivize vaccine producers from making this new medicine available.

The Vaccine Injury Compensation Program was created in 1986 because at the time fears of frivolous lawsuits that could wipe out businesses and bankrupt health care providers were causing vaccine manufacturers to leave the market, thereby leaving the general public without access to the best medicines available. So getting this new vaccine on the program list is essential.

One other note: it's important to understand that this bill is not, as some media have inaccurately reported, a ''flu tax.'' This legislation does not create any new taxes. The bill before us does not raise tax rates. And there's absolutely no evidence that flu shots will cost one penny more if this bipartisan bill becomes law.

In fact, the nonpartisan Joint Committee on Taxation analyzed the legislation and concluded there would be no new taxes or windfall to the Federal Government. That's because under the current law, 75 cents goes into the Vaccine Injury Compensation Program every time someone gets a flu shot or any number of other vaccines used to protect the public against all kinds of diseases.

The truth is that every one of the estimated 135 million Americans who received a flu shot during this past flu season paid 75 cents into the fund, and that 75 cents charged today would also apply to this new vaccine. If you think 75 cents is an exorbitant amount to pay, consider that in my home State of Pennsylvania the average cost of a hospital stay ranges from $649 per day to $1,921 per day, according to the Kaiser Family Foundation. Without this legislation, taxpayers would be picking up the tab for flu-related hospitalizations for seniors and others enrolled in Medicaid and Medicare.

The only way the Federal Government will collect more money next flu season is if a greater number of people voluntarily get flu shots. And most medical professionals will tell you getting a flu shot improves public health and lowers the risk of racking up expensive medical bills, especially for children and seniors.

Vanderbilt University Medical Center, in collaboration with the Centers for Disease Control and Prevention, found that flu vaccine reduced the risk of flu-related hospitalization by 71.4 percent among adults of all ages and by 76.8 percent in study participants 50 years of age or older during the 2011–2012 flu season.

In closing, I would ask my colleagues to support this legislation so that our doctors and hospitals can offer the public the very best and latest protection against constantly evolving strains of the flu virus this fall.

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

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

I rise in support of H.R. 475, a bill to update the excise tax on vaccines against seasonal influenza.

Year after year, the flu poses a threat to millions of Americans, causing between 24,000 and 49,000 deaths and 226,000 hospitalizations each year. In fact, my home State of Massachusetts had over 28,000 confirmed cases of flu this past season. The flu is particularly life-threatening for our Nation's most vulnerable, the elderly and children. During the most recent flu season, there were 150 pediatric deaths across the Nation, and it is estimated that 90 percent of those children were not vaccinated.

America must prepare for the next flu season. Public health and medical professionals, hospitals and vaccine manufacturers are moving quickly to prepare for the upcoming season by manufacturing new vaccines and educating the public about the importance of preventing the flu. One critical step in this preparation is to make certain that the newest and most effective flu vaccine will be available to the public.

To do that, I introduced this legislation that we're acting upon today with my friend, Congressman GERLACH, to update our law to ensure access to new flu vaccines.

The National Vaccine Injury Compensation Program was established in 1986 to ensure an adequate supply of vaccines, stabilize vaccine costs, and establish and maintain an accessible and efficient forum for individuals found to be injured by certain vaccines to be compensated. These awards are funded by a 75 cent per dose excise tax on vaccines that are widely used and recommended by the Centers for Disease Control and Prevention for routine administration to children.

The program requires congressional action from time to time because unless the excise tax is assessed on a particular vaccine, it is not covered by the program, and therefore, those injured can't be compensated under the program.

Currently, the excise tax on seasonal influenza vaccine applies only to three-strain vaccines and excludes any non-three-strain vaccines. But for the flu season, three new advanced influenza vaccines will be available. These vaccines will provide broader protection against the flu because they can combat more strains of the virus. Therefore, we must amend the excise tax law to include the advanced flu vaccine.

To ensure access to the new vaccine, our bill would apply the excise tax to all vaccines against seasonal influenza just as it has in the past.

It is very important to note this will not increase the tax or change the Vaccine Injury Compensation Program. Let me repeat. It is very important to note that this will not increase the tax or change the Vaccine Injury Compensation Program.

It's also important to note that this legislation does not affect in any way the FDA approval process. Vaccines for children, adolescents, and adults are approved and recommended through a

rigorous, multiyear process. Vaccines must be approved by the FDA and then must also be evaluated and formally recommended by the Centers for Disease Control and Prevention before they are administered by health care providers or covered by health insurance programs.

Before concluding, I'd like to note that this legislation has broad support, including AARP, Every Child by Two, Families Fighting Flu, Immunization Action Coalition, Infectious Diseases Society of America, and MassBio.

Our legislation brings the excise tax into alignment with the most recent developments in medicine. The quick enactment of H.R. 475 is critical to making the newest seasonal flu vaccines available for the 2013–2014 season.

I urge the House to pass this legislation as quickly as possible, and I reserve the balance of my time.

Mr. GERLACH. Mr. Speaker, in closing, I yield myself such time as I may consume.

H.R. 475 is a great bipartisan, bicameral bill that will help protect our Nation's children and seniors from flu.

I want to thank my friend from Massachusetts (Mr. NEAL) for his cooperation and work on this legislation. I also would like to thank Dave Olander and the Ways and Means staff, Anne Dutton, my chief of staff, and especially Lori Prater, my Ways and Means counsel for their great work on this legislation. I also thank Senator HATCH and Senator BAUCUS on the Senate side for their work in moving this legislation in that Chamber.

□ 1300

With the 2013 flu season on the horizon, I urge my colleagues to support H.R. 475 to ensure that the public has access to the newest four-strain flu vaccine.

I yield back the balance of my time.

Mr. NEAL. Mr. Speaker, I thank Mr. GERLACH, and thanks to our very capable staffers for having assembled parts of the argument here, and point out that in the Senate, this was done by unanimous consent. That's an important consideration.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. GERLACH) that the House suspend the rules and pass the bill, H.R. 475.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONCERNING THE PARTICIPATION OF TAIWAN IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1151) to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1151

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

SECTION 1. CONCERNING THE PARTICIPATION OF TAIWAN IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.

(a) FINDINGS.—Congress makes the following findings:

(1) Safe, secure, and economical international air navigation and transport is important to every citizen of the world, and safe skies are ensured through uniform aviation standards, harmonization of security protocols, and expeditious dissemination of information regarding new regulations and other relevant matters.

(2) Direct and unobstructed participation in international civil aviation forums and programs is beneficial for all nations and their civil aviation authorities. Civil aviation is vital to all due to the international transit and commerce it makes possible, but must also be closely regulated due to the possible use of aircraft as weapons of mass destruction or to transport biological, chemical, and nuclear weapons or other dangerous materials.

(3) The Convention on International Civil Aviation, signed in Chicago, Illinois, on December 7, 1944, and entered into force April 4, 1947, established the International Civil Aviation Organization (ICAO), stating ''The aims and objectives of the Organization are to develop the principles and techniques of international air navigation and to foster the planning and development of international air transport so as to . . . meet the needs of the peoples of the world for safe, regular, efficient and economical air transport.''.

(4) The terrorist attacks of September 11, 2001, demonstrated that the global civil aviation network is subject to vulnerabilities that can be exploited in one country to harm another. The ability of civil aviation authorities to coordinate, preempt and act swiftly and in unison is an essential element of crisis prevention and response.

(5) Following the terrorist attacks of September 11, 2001, the ICAO convened a high-level Ministerial Conference on Aviation Security that endorsed a global strategy for strengthening aviation security worldwide and issued a public declaration that ''a uniform approach in a global system is essential to ensure aviation security throughout the world and that deficiencies in any part of the system constitute a threat to the entire global system,'' and that there should be a commitment to ''foster international cooperation in the field of aviation security and harmonize the implementation of security measures''.

(6) The Taipei Flight Information Region, under the jurisdiction of Taiwan, covers 180,000 square nautical miles of airspace and provides air traffic control services to over 1.2 million flights annually, with the Taiwan Taoyuan International Airport recognized as the 10th and 19th largest airport by international cargo volume and number of international passengers, respectively in 2011.

(7) Despite the established international consensus regarding a uniform approach to aviation security that fosters international cooperation, exclusion from the ICAO since 1971 has impeded the efforts of the Government of Taiwan to maintain civil aviation practices that comport with evolving international standards, due to its inability to contact the ICAO for up-to-date information on aviation standards and norms, secure amendments to the organization's regulations in a timely manner, obtain sufficient and timely information needed to prepare for the implementation of new systems and procedures set forth by the ICAO, receive technical assistance in implementing new regulations, and participate in technical and academic seminars hosted by the ICAO.

(8) On October 8, 2010, the Department of State praised the 37th ICAO Assembly on its adoption of a Declaration on Aviation Security, but noted that ''because every airport offers a potential entry point into this global system, every nation faces the threat from gaps in aviation security throughout the world—and all nations must share the responsibility for securing that system''.

(9) On October 2, 2012, Taiwan became the 37th participant to join the United States Visa Waiver program, which is expected to stimulate tourism and commerce that will rely increasingly on international commercial aviation.

(10) The Government of Taiwan's exclusion from the ICAO constitutes a serious gap in global standards that should be addressed at the earliest opportunity in advance of the 38th ICAO Assembly in September 2013.

(11) The Federal Aviation Administration and its counterpart agencies in Taiwan have enjoyed close collaboration on a wide range of issues related to innovation and technology, civil engineering, safety and security, and navigation.

(12) The ICAO has allowed a wide range of observers to participate in the activities of the organization.

(13) The United States, in the 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations and has consistently reiterated that support.

(14) Senate Concurrent Resolution 17, agreed to on September 11, 2012, affirmed the sense of Congress that—

(A) meaningful participation by the Government of Taiwan as an observer in the meetings and activities of the ICAO will contribute both to the fulfillment of the ICAO's overarching mission and to the success of a global strategy to address aviation security threats based on effective international cooperation; and

(B) the United States Government should take a leading role in garnering international support for the granting of observer status to Taiwan in the ICAO.

(15) Following the enactment of Public Law 108–235, a law authorizing the Secretary of State to initiate and implement a plan to endorse and obtain observer status for Taiwan at the annual summit of the World Health Assembly and subsequent advocacy by the United States, Taiwan was granted observer status to the World Health Assembly for four consecutive years since 2009. Both prior to and in its capacity as an observer, Taiwan has contributed significantly to the international community's collective efforts in pandemic control, monitoring, early warning, and other related matters.

(16) ICAO rules and existing practices allow for the meaningful participation of non-contracting countries as well as other bodies in its meetings and activities through granting of observer status.

(b) TAIWAN'S PARTICIPATION AT ICAO.—The Secretary of State shall—

(1) develop a strategy to obtain observer status for Taiwan at the triennial ICAO Assembly—next held in September 2013 in Montreal, Canada—and other related meetings, activities, and mechanisms thereafter; and

(2) instruct the United States Mission to the ICAO to officially request observer status for Taiwan at the triennial ICAO Assembly and other related meetings, activities, and mechanisms thereafter and to actively urge ICAO member states to support such observer status and participation for Taiwan.

(c) REPORT CONCERNING OBSERVER STATUS FOR TAIWAN AT THE ICAO ASSEMBLY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a report, in unclassified form, describing the United States strategy to endorse and obtain observer status for Taiwan at the triennial ICAO Assembly and at subsequent ICAO Assemblies and at other related meetings, activities, and mechanisms thereafter. The report shall include the following:

(1) A description of the efforts the Secretary of State has made to encourage ICAO member states to promote Taiwan's bid to obtain observer status.

(2) The steps the Secretary of State will take to endorse and obtain observer status for Taiwan in ICAO and at other related meetings, activities, and mechanisms thereafter.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this legislation.

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

There was no objection.

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

Mr. Speaker, I rise today in support of bipartisan legislation that I authored to help secure observer status for Taiwan at the International Civil Aviation Organization. This legislation requires the Secretary of State to develop and execute a strategy to ensure that Taiwan has a seat at the table for ICAO's upcoming September plenary meeting.

It has been over 40 years since Taiwan was last a member of ICAO. Indeed, a lot has changed in those 40 years. As it stands now, all communications between Taiwan and the U.S. on aviation safety must be channeled through the American Institute in Taiwan, which is our Nation's de facto embassy in Taiwan. The fact that Taiwan can't speak directly to the Federal Aviation Administration without this added layer of bureaucracy makes no sense. After all, we are talking about air safety information that is otherwise readily available to all of ICAO's members.

Taiwan's entry into the U.S. Visa Waiver Program last year has dramatically increased both the frequency of flights between our airports and the real number of travelers coming here to the United States. For my home State of California, the increase in visitors from Taiwan has resulted in a significant boost for the local economy, especially for the travel industry, the leisure industry, for restaurants, for example, and shops. I'm proud to have worked on Taiwan's entry into the Visa Waiver Program because I know that, as a result of this agreement, Taiwanese Americans in Southern California have a much easier time staying connected to their families.

Mr. Speaker, as the number of visitors from Taiwan has grown exponentially, there is an urgent need to ensure that Taiwan has real-time access to air safety information. Strengthening air safety benefits American citizens as much as it does the Taiwanese. Every year, tens of thousands of Americans fly through Taiwan's air space, which must be as safe as it can be, and this bill will certainly help.

Just as Taiwan was allowed to join the World Health Organization as a result of the SARS outbreak, so, too, should Taiwan be afforded the opportunity to observe the proceedings of the ICAO. We all share the responsibility to ensure that international air travel is safe. Taiwan's unique political status has thus far hindered its inclusion in ICAO. With this piece of legislation, we're sending a clear message that air safety is a priority and not a geopolitical issue.

Earlier this year, my good friend ELIOT ENGEL of New York and I traveled to Taiwan to see firsthand the immense progress that the people of Taiwan have made over such a short period of time. Taiwan is indeed a beacon of freedom in the Asia-Pacific region. We share many values with Taiwan, including an unwavering commitment to democracy, to human rights, to free markets, and to the rule of law. Helping Taiwan gain entry as an observer into the ICAO is the right thing to do, and I urge my colleagues to vote in favor of this legislation.

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

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

Mr. FALEOMAVAEGA. Mr. Speaker, I rise in strong support of H.R. 1151. I would certainly like to thank personally the chief sponsor of this proposed bill, the distinguished chairman of the Foreign Affairs Committee, the gentleman from California (Mr. ROYCE), for his leadership on this issue, and also our senior ranking member, the gentleman from New York (Mr. ENGEL), for his support as well. And I am happy to say that I'm a proud cosponsor of this bill as well.

This legislation directs the Secretary of State to develop a strategy to gain observer status for Taiwan at the triennial assembly of the International Civil Aviation Organization (ICAO). Taiwan has made significant progress in its economic and political development. Today, Taiwan is a leading trade partner of the United States and stands as a beacon of democracy throughout Asia. However, Taiwan has been shut out of participating in international organizations like ICAO.

Founded in 1947, ICAO's main goal is to ensure safe and efficient air transportation around the globe. Taiwan deserves to be brought into the ICAO as an observer. It has jurisdiction over an airspace of approximately 180,000 square nautical miles and provides air traffic control services to more than 1.2 million flights a year. In my recent visit to Taiwan as well, it was interesting to learn that there are approximately 600 weekly flights in existence between China and Taiwan alone. Taiwan's international airport is the world's 19th largest in terms of passenger volume, and the number of travelers between Taiwan and the United States is likely to increase with Taiwan's entry into the Visa Waiver Program last year, as mentioned earlier by my distinguished chairman, Mr. ROYCE.

Taiwan's exclusion from ICAO has impeded Taiwan's efforts to maintain civil aviation practices that keep up with rapidly evolving international standards. It is unable to even contact ICAO for up-to-date information on aviation standards and norms. Nor can it receive ICAO's technical assistance in implementing new regulations or participate in ICAO technical and academic seminars.

Taiwan has made every effort to comply with ICAO's standards, but their continued exclusion not only hurts Taiwan, but it puts the rest of us in the entire world at risk, especially when you're talking about safety and hazardous conditions when it deals with air travel. With such a heavy volume of flights, Taiwan's exclusion has prevented ICAO from developing a truly global strategy to address security threats based on effective international cooperation.

ICAO's own rules and practices allow for the meaningful participation of noncontracting countries as well as other organizations in its meetings and activities through the granting of observer status.

The United States, in a review of Taiwan policy conducted in 1994, declared its intention to support Taiwan's participation in appropriate international organizations and has consistently reiterated that support.

Mr. Speaker, with this bill today, Congress is calling on the United

States Government to take a leading role at ICAO to assist Taiwan in gaining observer status, and we look forward to working with our administration officials to track the development of these efforts.

Again, I thank the gentleman from California for his leadership on this bill, and I urge my colleagues to support this legislation.

I reserve the balance of my time.

□ 1310

Mr. ROYCE. I thank the gentleman from American Samoa, and I'd like to yield 3 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), chairman emeritus of the Foreign Affairs Committee and chairman of the Subcommittee on the Middle East and North Africa. She is also a cosponsor of this measure.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the chairman of our committee for introducing this excellent piece of legislation and for his leadership in our committee.

I am very pleased to speak in favor of this legislation which assists Taiwan, one of our most valued allies, in obtaining observer status at the ICAO, or the International Civil Aviation Organization.

Taiwan is a major hub for international air travel; and, particularly, it serves as the link between Northeast and Southeast Asia and to Europe and the United States. And now that Taiwan has joined the Visa Waiver Program, travel between our two nations will undoubtedly increase.

Almost 1.3 million flights pass over the region each year; but due to the ill advised appeasement of China at the United Nations, Taiwan must receive its international aviation safety and security information secondhand.

Taiwan's exclusion from international organizations like ICAO is a short-sighted and dangerous practice. It ends up hurting the international community as much as it does the Taiwanese people themselves.

Preventing a significant player in aviation like Taiwan from participating in ICAO threatens the entire international community which depends on the application of universal aviation standards.

Unfortunately, attempts to placate China at the feeble United Nations are nothing new and are a reminder that that organization lacks seriousness. China's threat that foreign interference will hurt negotiations with Taiwan to allow its participation in ICAO should be ignored by the U.N.

The U.N. must do what is right for the entire international community, and I urge the organization to put aside its petty politics and work on behalf of the safety of all of the world's citizens.

Mr. Speaker, the Taiwan Relations Act continues to be the cornerstone of U.S. foreign policy with our democratic ally, Taiwan; and we must always keep it as the guiding beacon. The next meeting of ICAO is this September, and I expect to see our State Department have a strategy that they will implement to make sure that Taiwan will be at the table this fall.

The friendship between the people of the United States and Taiwan has cemented into one of our most cherished partnerships, and I look forward to the United States Government demonstrating its continued commitment to the people of Taiwan with the passage of this most excellent bill.

I thank the chairman for the time, and I thank him for his leadership on Taiwan through the years.

Mr. FALEOMAVAEGA. Mr. Speaker, I want to associate myself and certainly commend the gentlelady from Florida for her most eloquent statement and historical outline of what has happened in terms of our special relationship with the people and the leaders of Taiwan. And she could not have said it better.

You know the old saying, If you're not at the table, you're going to be on the menu. I think Taiwan has been on the menu for too long. They need to be at the table and especially playing such a strong and important economic role as a democracy in Asia and as a beacon of light to all the people of Asia as to what it means to live under democratic conditions.

With that, Mr. Speaker, again I thank my good friend, the chairman, for his leadership in bringing this bill. I have no further speakers, so I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, it has been over 40 years since Taiwan last had a seat at the International Civil Aviation Organization. The volume of air traffic in and out of Taiwan's airports back then cannot be compared with that incredible volume of traffic, millions of planes a year, that come in and out of modern-day Taiwan.

Under the Visa Waiver Program, airlines have added even more flights in order to take advantage of greater demand for tourists and business travel from Taiwan into the United States. This number is only going to grow as more and more Taiwanese take advantage of the Visa Waiver Program.

It is time that we readmit Taiwan into ICAO so that everyone who boards a plane can have the utmost confidence about the safety of their trip. Aviation technology has progressed by leaps and bounds, and the idea that Taiwan cannot directly communicate with the United States or any other nation engaging in issues regarding air safety is not in anyone's interest. That's not in the interest of any nation.

I urge my colleagues to join in supporting H.R. 1151. Taiwan is one of America's closest friends in the world. We share so much in common, including a steadfast dedication to democracy and the rule of law and human rights; and it is time that we fixed this problem.

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of H.R. 1151, a resolution in support of one of our nation's closest friends in the Asia-Pacific Region, Taiwan.

This resolution directs the State Department to develop a strategy to obtain observer status for Taiwan at the upcoming International Civil Aviation Organization Assembly.

The United States, in the 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations and has consistently reiterated that support.

In 2004, this Chamber voted, with my support, legislation in support of Taiwan's efforts to gain observer status to the World Health Organization. Those efforts finally succeeded in 2009 when Taiwan was included in the International Health Regulations (IHR).

For decades, Taiwan has been a key security, economic, and political partner for the American people.

Taiwan has been one of America's biggest trading partners for many years—the 11th largest in 2012—purchasing nearly $25 billion worth of American goods that year.

Taiwan is also a global leader in information technology, telecommunications, and other knowledge-based industries.

Most significantly, Taiwan is becoming a beacon of democracy for the Chinese people after their successful, open elections in 2008 and 2012.

It is important for this Chamber to continue its support of the Taiwanese people and enhance Taiwan's standing in international bodies.

I ask my colleagues on both sides of the aisle to join me and vote in support of America's partner in peace and prosperity, Taiwan.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 1151.

The question was taken.

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

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

The yeas and nays were ordered.

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

PROVIDING FOR CONSIDERATION OF H.R. 1947, FEDERAL AGRICULTURE REFORM AND RISK MANAGEMENT ACT OF 2013; AND PROVIDING FOR CONSIDERATION OF H.R. 1797, PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 266 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 266

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Agriculture. After general debate, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

SEC. 2. Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1797) to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-15 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit with or without instructions.

□ 1320

POINT OF ORDER

Ms. EDWARDS. Mr. Speaker, I raise a point of order against H. Res. 266 because the resolution violates section 426(a) of the Congressional Budget Act. The resolution contains a waiver of all points of order against consideration of the bill, H.R. 1797, which includes a waiver of section 425 of the Congressional Budget Act, which causes a violation of section 426(a).

The SPEAKER pro tempore. The gentlewoman from Maryland makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentlewoman has met the threshold burden under the rule and the gentlewoman from Maryland and a Member opposed each will control 10 minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentlewoman from Maryland.

Ms. EDWARDS. Mr. Speaker, when the majority began this Congress, it began with the idea, in their language, that they would adhere to fiscal responsibility and to constitutionality—in fact, we read the Constitution on the floor of this body—and that they had learned the lessons from the election slaughtering in 2012, and that is to stop the assault on women's health care. But, oh, no. Here we are today with a bill, H.R. 1797, that violates the Congressional Budget Act, that violates the Constitution, and that violates the doctor-patient relationship that a woman has with her doctor, and we haven't focused on jobs.

So, when you look at H.R. 1797, the Pain-Capable Unborn Child Protection Act, it would impose a ban across the country on abortion after 20 weeks. Aside from ignoring medical realities and placing the lives of mothers with serious medical conditions at risk through governmental interference with the doctor-patient relationship, the underlying bill also includes reporting requirements that, according to the Congressional Budget Act, which it would violate, would add costs to local law enforcement.

With a total of 25 States introducing 64 similar abortion-ban measures in the last 3 years, this bill is yet another assault on women's reproductive rights and is blatantly unconstitutional.

Abortion care in this country is a private, medical decision that's made between a woman and her health care provider. Those are the only people who should be in the room. And yet here in this legislation they've created just a narrow exception that doesn't even take into account the risk to a woman's health and would subject physicians to criminal penalties for caring for their patients.

H.R. 1797 contains unreasonable, unjustified penalties for doctors, including 5 years in jail, and would have a negative impact on abortion care and reproductive health care all across the country. By jeopardizing and criminalizing abortion care, we limit the options women have to receive comprehensive reproductive health care. And these limitations could lead women to access abortion care that is both unsafe and dangerous to their health.

I'd like to yield 15 seconds to the other side if they would care to address the question of whether this closed rule means that there will not be a single amendment or alternative offered to this bill, which has a profound effect on women's health and reproductive rights. I yield 15 seconds to the gentlewoman from North Carolina if she cares to answer that question.

Ms. FOXX. Mr. Speaker, this is a dilatory tactic and has nothing to do with our bill.

Ms. EDWARDS. Well, reclaiming my time, under the rule, it's the case that the bill I believe that we'll vote on today for final passage has not followed regular order, and it has been rewritten after its adoption in the Judiciary Committee. The American College of Obstetricians and Gynecologists, the Nation's leading medical experts on women's health, strongly opposes a 20-week ban citing the threats these laws pose to women's health.

With that, I would like to yield 1 minute to my colleague from California (Mr. PETERS).

Mr. PETERS of California. Mr. Speaker, today we're discussing a bill that's divisive, will never become law, and is an affront to women's health.

As a longtime advocate for a woman's right to choose and the idea that women and their doctors should be making personal health decisions, not politicians, I stand in strong opposition.

This 20-week abortion ban is a harmful measure that jeopardizes a woman's health and her ability to have a family in the future by denying her access to an abortion even if she experiences severe, dangerous health complications as a result of a pregnancy.

In a potentially life-threatening situation, a woman and her doctor deserve to have every medical option available to them. This bill is clearly unconstitutional and an attempt to substitute politicians' judgment for that of doctors and their patients as they make their difficult, personal medical decisions.

Instead of bringing bills to the floor that address the major issues facing our country right now, the Speaker and majority leader have brought another bill to a vote that is much more about political posturing than helping America's economy or students.

I ask the leadership of the House, how many jobs does this bill create? Does this bill help balance our budget? How many student loans will be kept at a low rate by passing this bill?

Ms. EDWARDS. I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I rise to claim time in opposition to the point of order and in favor of consideration of the resolution.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 10 minutes.

Ms. FOXX. Mr. Speaker, the question before the House is: Should the House now consider H. Res. 266? While the resolution waives all points of order against consideration of the bill, the Committee on Rules is not aware of any violation of the Unfunded Mandates Reform Act. This is a dilatory tactic.

In order to allow the House to continue its scheduled business for the day, I urge Members to vote ''yes'' on the question of consideration of the resolution, and I reserve the balance of my time.

Ms. EDWARDS. Mr. Speaker, it's very clear to me that the underlying

bill, in fact, does violate the Congressional Budget Act. It imposes an unfunded mandate on local police departments for the work that they do.

Now, it's this crowd on the other side of the aisle, Mr. Speaker, who is opposed to unfunded mandates. Nevertheless, it's also true that, in fact, the decision to receive an abortion in this country, particularly late in a pregnancy, is an intensely personal decision, and yet it's the suits on the other side of the aisle who've decided that it's their decision to interfere with a woman's right to make those choices between herself and her doctor. It's a decision that none of us wants to face and one that legislators, particularly Members of Congress, should not interfere with.

The bill also cites the Constitution as its authority in order to qualify under the rules of the House. And yet it is blatantly—blatantly—unconstitutional, completely inconsistent with the Supreme Court's decision in Roe v. Wade.

And so I'd like to yield 15 seconds, again, to the gentlewoman from the other side to ask her whether, under the definitions in this bill, what does it mean to not have protection of the life of the mother include psychological or emotional condition?

Well, the gentlewoman can't answer that, and so I suppose I could ask her, as well, if the Speaker would allow, I yield, again, 15 seconds to the gentlewoman, if this bill cites the Constitution as its authority in order to qualify under the rules of the House, and yet it's blatantly unconstitutional, do House rules allow it to be considered, allow H.R. 1797 even to be considered on the floor of this House if it's unconstitutional?

I yield 15 seconds to the gentlewoman.

Ms. FOXX. Mr. Speaker, I will repeat what I said before. This is a dilatory tactic, and we should be moving on to the resolution.

□ 1330

Ms. EDWARDS. Mr. Speaker, reclaiming my time, I know that the gentlewoman from North Carolina and the other side would prefer to yield and move on with a bill that violates the Budget Control Act, violates the Constitution, and violates the relationship between a doctor and a patient; and yet the decision to receive an abortion is a woman's, and a woman's alone.

In addition, H.R. 1797 infringes on the right of the District of Columbia to make decisions about the way in which it cares for its residents. I mean, the majority is all over the place—interfering with the District of Columbia, interfering with women's rights to make the decision by themselves, and actually stepping on the toes of local law enforcement to impose costs on them to enforce an unconstitutional bill. Thank goodness it won't become law.

The sponsor of this bill is certainly entitled to his beliefs—and it was a ''his,'' because on the Judiciary Committee that considered this, there's not a single Republican woman who had the chance to consider this on the Judiciary Committee. And yet the role of the government should not be to limit access to health care or to limit the freedom and liberties of the public. We should recognize that this decision is one best left to a woman, in consultation with her doctor, her family, and her faith.

Women across this country don't rely on Congress and politicians to advise them on mammograms, cervical cancer screenings, or maternal health needs; and abortion is no different. As with these other procedures, we should make comprehensive health care available to all women and allow them, with the consult of their health provider and loved ones, to decide when, how, and why they take care of their health.

Americans, including women, sent a clear message last November at the polls. They're tired of Congress meddling in their business and taking extreme and divisive legislation targeted at assaulting women's health.

And so with that, I'd actually yield another 15 seconds to the gentlewoman from North Carolina if she would care to respond: Whether today, given that 40 percent of women are primary breadwinners in their household, but women continue to face workplace challenges, pay inequity, and other barriers to fully contribute to our economy, would you agree that this bill does not address those economic challenges for women, or create jobs, and is an exercise in political theater at best?

With that, I yield 10 seconds to the gentlewoman to respond.

Ms. FOXX. I thank the gentlewoman for asking the question.

What I think most Americans would wonder, Mr. Speaker, is where is the due process for the millions of babies who are murdered every year in this country by these unconscionable tactics of abortion.

Ms. EDWARDS. Reclaiming my time, I'd like to yield 15 seconds to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Yes, I would just like to ask a question:

Are there any Republican women on the House Judiciary Committee, which reported this legislation? And do you think it's fair or proper for a body of men to solely determine one of the most important and private decisions a woman can make in regard to her own health and body?

Ms. EDWARDS. I reserve the balance of my time.

Ms. FOXX. I reserve the balance of my time.

The SPEAKER pro tempore. The gentlewoman from Maryland has 1¼ minutes remaining.

Ms. EDWARDS. Mr. Speaker, I guess I just have a few questions that I will put out there on the table.

The American people want us to work to address the Nation's most urgent priorities, like creating jobs and strengthening the economy. I wonder if the Speaker at all can inform us what jobs this particular bill creates.

Under the new reporting requirements in this bill for rape and incest victims, would they have to report even if their life is in danger from the perpetrator? Curious question. Does this bill disqualify more than half of all rape victims, since 54 percent of these rape victims do not report rape due to intimidation and embarrassment? Under the definitions in this bill, what does it mean not to have protection of the life of the mother included in psychological and emotional conditions? Does the bill disqualify, again, rape victims? Is it the case that the bill redefines what qualifies as incest by only applying it to a minor? So an adult, who has been victimized by a relative since childhood and who gets pregnant, is not allowed to have an abortion or a pregnancy with that relative? We have a lot of questions.

Mr. Speaker, I have to tell you, women across America are tired of having their rights assaulted. They're tired of having their health care decisions taken from them. We need to vote down H.R. 1797.

I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, in order to allow the House to continue its scheduled business for the day, I urge Members to vote ''yes'' on the question of consideration of the resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The gentlewoman from North Carolina is recognized for 1 hour.

Ms. FOXX. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlelady from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Ms. FOXX. Mr. Speaker, House Resolution 266 provides for a closed rule providing for consideration of H.R.

1797, the Pain-Capable Unborn Child Protection Act, and general debate for H.R. 1947, the Federal Agriculture Reform and Risk Management Act.

Mr. Speaker, the rule before us today provides for general debate of H.R. 1947, the Federal Agriculture Reform and Risk Management Act, also known as the FARRM Bill. This legislation provides for a 5-year authorization of Federal agriculture and nutrition policy.

H.R. 1947 makes necessary reforms and updates to the Supplemental Nutrition Assistance Program, previously known as food stamps, as well as Federal agriculture policy. It is important to make commonsense changes to these programs to ensure their viability and that they remain targeted to those most in need of assistance. This year's version of the farm bill has gone through regular order, including numerous hearings at the Agriculture Committee, a full committee markup and amendment process.

Additionally, the Rules Committee has received hundreds of amendments from Members seeking to further improve the bill during floor consideration. House Republicans remain committed to an open, transparent process; and I am pleased to say we're continuing that commitment with the consideration and process for the FARRM Bill.

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentlelady for yielding me the customary 30 minutes and yield myself such time as I may consume.

Mr. Speaker, for 40 years I've been marching for this women's choice bill, but we seem never to finish with it. It's something that people like to drag up and bring out.

In that regard, I want to ask the women of America to think of two things. First, I want you to remember the panel that Chairman ISSA put together last year to discuss contraception and whether or not women should have access to it. If you recall, that panel was made up entirely of men. There was a young woman, a graduate of law school, who wanted to speak that day; but she was found to be unworthy, unable to speak. Indeed, her virtue, her character, everything else about her was assailed because she had tried to do what many of us know we can do here, and that is speak.

Think about another thing now. Think about the Judiciary Committee; 22—now 23—all white guys turning down every amendment to try to preserve women's health, to try to preserve women's psyche, and do anything in the world to do this—and to try to discuss that this bill, as my colleague vainly tried to do, that this is unconstitutional. Everybody knows it. Everybody knows the Senate's not going to take this up. This is purely window dressing.

And as I do here often, I want to remind everybody that it costs $24 million a week to run the House of Representatives. We've spent over $54 billion almost already now just trying to repeal the health care bill.

□ 1340

When in the world are we going to get to work? 2½ weeks from now, the interest rate on college loans will double. Are we doing anything about that? Not a thing on Earth. Do we care about the people who are out of work? Do we care about the people who are facing loss of their food stamps? No. We care more about war on women. Women of America, keep those two panels before your mind forever. Those are the deciders—the men on ISSA's panel, the men on the Judiciary Committee.

Now, in State Houses all over this country, and in Governors' mansions and Halls of Congress, the majority's antichoice agenda is driven by men in blue suits and red ties who seem to believe that once they get elected to something, they have a right to play doctor. I would like to think about what they have done over the last years to remind my fellow American women.

Already, because of the majority's efforts, women in eight States are required to undergo an ultrasound before they can exercise their constitutionally protected right to a safe and legal abortion—an ultrasound that is not medically necessary, an ultrasound that is medically contradicted, and an ultrasound for which they are required themselves to pay. As we speak, the legislators in the State of Wisconsin have passed a similar measure through the State House and are awaiting the enactment into law.

Most telling is right now more States have a waiting period for abortions than a waiting period to buy a gun. Let me say that again. More States have a waiting period for abortions—a constitutionally protected procedure—than have a waiting period to buy a gun.

Now, here in Congress, the majority conducted a hearing at the Oversight and Government Reform Committee last year that I have already spoken of. There were five men and zero women. As you know, they talked about Sandra Fluke and all the vituperation and hatred that was poured down on her because she wanted to speak.

But just last week—I think this past week—the majority took it a whole lot further. For the first time, during the committee, after it was all passed and gone, before it goes to the Rules Committee, the sponsor of this bill made one of those comments like Todd Akin had made. And I think if you scratch an awful lot of guys on that committee, they all feel the same way because it keeps coming up over and over. You can't get pregnant, they say, if you're raped. They believe that in the bottom of their heart, and some of them were doctors. But during the committee amendments to include the exceptions for the health of the mother and victims of rape and incest, they were rejected along party lines.

Mr. FRANKS has been taken off the bill, and for the first time, in my recollection, unanimous consent has to be given here to ask a woman—they have found a Republican woman who would take this bill—off a completely other committee and allow her to manage the bill. If that is not a first, I don't know what is. And if that is not PR, I don't know what is. And if that is not simply trying to fool you, I don't know what else that is.

As Mr. FRANKS' remark and the extreme nature of his bill became clear, they realized they were about to anger the American women even more than they had last fall, and you know how that turned out at the election. Instead of abandoning the legislation and respecting a woman's right to choose, they decided to try to make changes to the underlying bill, after it had already passed through committee, and assign a woman outside the committee to manage a bill on the floor.

Such a cowardly move is an insult to the intelligence of women in America. You are supposed to believe this was all done well and properly. No amount of window dressing is going to change the fact that you are severely trying to restrict a woman's right to choose with today's bill. I don't think anybody makes any bones about that.

The majority has argued the legislation is in response to new science, even though if there has ever been a House of Representatives that cared not a whit for science, I can't imagine they would come even close to this one. When a fetus feels pain is the new idea. As my colleague, Mr. NADLER, has previously made clear, their so-called ''new findings'' are nothing more than the marginal views that fly in the face of established science. In fact, one of the experts upon which the majority relies has testified that science for and against fetal pain is most uncertain.

The fact of the matter is that today's legislation is unconstitutional and contains a narrow and adequate exception for the life of a woman and a victim of rape and incest. No man on any of those committees, no man on any of those panels, is ever going to have to face that problem himself of rape and incest. How strange it is that they know the precise answer for people who are victimized by it.

Many serious health conditions actually materialize or worsen after the 20-week mark in a pregnancy and can seriously compromise the health of the mother. A physician has to be able to provide the best care for their patients; and in cases where a woman's health is exacerbated by pregnancy, politicians

have no right in intruding in the doctor-patient relationship and criminalizing those trying to protect their patients' lives and safety.

Furthermore, the majority's requirement that a victim of rape or incest report the crime to authorities before receiving an abortion effectively prevents many victims from exercising the right to choose. More than half of all rape victims, as we know, don't report, and that is a sad thing.

The requirement in today's bill ensures that a woman who has been a victim of rape or incest faces massive barriers to exercising her right to safe and legal reproductive health care. Mr. Speaker, from requiring women to undergo mandatory ultrasounds to applying police reporting requirements for victims of rape, the majority has made it very clear that they don't trust women. In fact, it came up at the Judiciary Committee that one of the reasons they needed to report it to police is because women would lie. I think they make an exception in that case for their sisters, their daughters, their mothers, perhaps. It is just the rest of us who can't be trusted.

Try as he might, no man will ever understand the choice that faces a young woman who is told that she suffers from severe valvular heart disease and that, if she carries a child to term, her life and the life of that child are at risk, or the choice of a woman who is violently raped and would be reminded of the crime against her every moment of every day if she is forced to carry the pregnancy to term.

I urge my colleagues to respect the established science on this issue and the constitutional right of every American woman. Reject today's rule and the underlying legislation.

I reserve the balance of my time.

Ms. FOXX. Mr. Speaker, I suspect that my colleague from New York knows this, but I will make sure it gets into the RECORD.

In the 2007 case of Gonzales v. Carhart, the Supreme Court made clear that there is a ''legitimate interest of the government in protecting the life of the fetus that may become a child.'' The Supreme Court has also made clear that ''the government may use its voice and its regulatory authority to show its profound respect for the life within the woman,'' and that Congress may show such respect for the unborn through ''specific regulation because it implicates additional ethical and moral concerns that justify a special prohibition.''

Mr. Speaker, I am really troubled by the fact that so many of my colleagues simply refuse to acknowledge that we're dealing with human life in this situation, in the situation of abortion. My heart goes out to any woman who is facing a situation where they're considering abortion. I think every member of our conference feels that way—men and women. Nobody takes the issue of abortion lightly. Unfortunately, not enough attention is being paid to the unborn child.

Mr. Speaker, I would like to yield, now, 3 minutes to the distinguished gentleman from Louisiana, Dr.—Congressman—FLEMING.

Mr. FLEMING. Mr. Speaker, I want to thank the gentlelady from North Carolina for all of the great work she has done on this.

I rise today, Mr. Speaker, to support the rule and the underlying bill, the Pain-Capable Unborn Child Protection Act, that is so vital.

My background: I'm a physician who has delivered hundreds of babies during my career. In addition to that, I'm a husband of 35 years, a father of four—two boys, two girls—a grandfather of two boys, and soon, in 6 weeks, grandfather of a little girl, a little granddaughter, and I'm so proud.

□ 1350

Let me tell you for a moment about what I witnessed.

At about the time of the 20 weeks, midterm, the 4–D ultrasound now gives such an amazing view into the window of that womb. What did I see? I could see that that little girl looks just like her big brother. Number two, in another frame, she is sucking her thumb. Then in another frame, she is holding up two fingers as though to say, Be patient. I'll be out soon.

We have such wonderful technology, such technology that, today, we can actually do surgery on a fetus at 20 weeks in order to fix a heart ailment or some other condition that may kill the baby in the womb or soon thereafter. What have we learned from this technology? We have learned that they feel pain. We have to provide anesthesia.

Mr. Speaker, our friends on the other side of the aisle, when it comes to animals, are all about the Humane Society and about the humane treatment of animals, and I have a high regard for that. When it comes to the issue of torture or even of discomfort for prisoners of war, they are all about supporting that.

But what happens in a midterm or later pregnancy when there is an abortion? What happens is just absolute torture. You realize that, in Washington, D.C., today, a woman can go for an abortion while she is in labor at term. And how would you do the abortion? How is it done? How did Dr. Gosnell do it? You stick a trocar into the skull, suck the brain out, literally dismember the baby limb from limb. What torture and what pain.

Is that really the kind of people we are, Mr. Speaker? I think not.

We understand that at least at 20 weeks, maybe sooner, the baby feels pain. So I would just submit to you today, Mr. Speaker, that this bill is not just about abortion—this is about pain; it's about torture to that young life. We can't say that this is like an amputation of a limb. That baby inside the womb has a distinct DNA that you will never see again either in history or in the future. It is a different human being. It's living there inside of its mother. So I am in support of this bill.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. I rise in strong opposition to this rule and to the blatantly unconstitutional underlying legislation, which threatens the health and basic rights of women all over America.

Right now, we should be working to create jobs and grow the economy. Instead, here we are again with the majority's trying to insert their extreme and divisive ideological preferences into law. Yet again, they are trying to impose their traditional view of a woman's role on everyone else—force women back into these traditional roles with limited opportunities.

This legislation, which attempts to ban virtually all abortions after 20 weeks, is a clear violation of the law of the land, and it has already been struck down in its sponsor's home State of Arizona, but they don't give much regard for the law of the land. Witness the number of times that they have voted to repeal the Affordable Care Act—37 times. This bill is anti-choice, anti-Constitution, anti-science, and it is, yes, anti-woman.

There is no exception in this bill for women whose health is threatened by carrying the fetus to term. Yes, why should we worry about women's health or whether they live or whether they die? Instead, this bill puts the Federal Government squarely between a woman and her doctor. It threatens doctors with 5 years in jail if they perform a legal, constitutional and sometimes medically necessary procedure.

I ask my colleagues on the other side of the aisle:

Does the bill disqualify more than half of all rape victims since 54 percent of these victims do not report a rape due to intimidation or embarrassment?

Or under the new reporting requirements in this bill for rape and incest victims, would they have to report even if their lives are in danger from the perpetrators?

And yes, is it the case that this bill redefines what qualifies as ''incest'' by only applying it to a minor? Therefore, an adult who has been victimized by a relative since childhood and who gets pregnant is not allowed to have an abortion from pregnancy with that relative?

Simply put, this proposed ban is antithetical to our laws and is an affront to women's health, and I urge my colleagues to oppose it.

Ms. FOXX. Mr. Speaker, I now yield 2 minutes to the distinguished gentleman from Oklahoma (Mr. BRIDENSTINE).

Mr. BRIDENSTINE. Mr. Speaker, I rise today in strong support of the Pain-Capable Unborn Child Protection Act.

In a report commissioned by the Department of Justice, Dr. Anand, a fetal pain expert, wrote:

> It is my opinion that the human fetus possesses the ability to experience pain from 20 weeks of gestation, and the pain perceived by a fetus is possibly more intense than that perceived by term newborns or older children.

The reality of Dr. Anand's statement is seen in the fact that surgeons routinely administer anesthesia to unborn children before performing neonatal surgery. The truth is that at 20 weeks these unborn children feel every bit of pain inflicted on them in the name of ''choice'' and in the name of ''convenience.''

Mr. Speaker, what we do with this knowledge says a lot about us. If we turn a blind eye to the agony and suffering of our most vulnerable, can we say that we are still a Nation that pursues life, liberty and the pursuit of happiness? If we willingly embrace cruelty in the name of ''choice,'' then can we say with integrity that we continue to secure the blessings of liberty not only for ourselves but for our posterity?

The good news is that, for those who have been affected by the pain of abortion, there is one who chose, who made a real choice, to endure pain on behalf of all of us, and by His stripes we are healed.

Mr. Speaker, as Members of Congress, let us remember that even though we may not be able to hear their cries we are not absolved from the guilt of ignoring their pain.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. First, let me thank the gentlelady for yielding, but more importantly, I just want to thank Congresswoman SLAUGHTER, our ranking member on the Rules Committee, for fighting for women's health and for the rights of women, really, all of her life.

Thank you so much.

I rise in strong opposition to this rule and the underlying bill. Once again, the Republicans have decided to make women's health a battleground as part of their, yes, ongoing war on women.

The bill on the floor this week is nothing more than a direct challenge to Roe v. Wade and a vehicle for yet another ideological attack against women's reproductive rights. In fact, this is the 10th time that the Republicans have forced a vote on this topic since taking control of the House in 2011. The bill is a direct threat to the privacy rights and health of every woman living in this country and especially to women of color, who already face an increased stigma and other barriers to reproductive health due to the terrible Hyde amendment. Now, I remember the days of back alley abortions. Many women died and were permanently injured before Roe v. Wade. With this bill, Republicans have decided to try to take us back there—to threaten physicians, for instance, with criminal prosecution.

Can you imagine a criminal prosecution for attempting to provide the medically accurate information and care that is best for their patients? Why in the world should Members of Congress or any legislator interfere with women's personal health choices?

These private decisions should always be between a woman, her family, her doctor, or whomever else she chooses to help in making these very difficult decisions. We should not be making it—not you nor I. We should let women make their own decisions. Congress has no business in the personal lives of women—no business.

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

Ms. SLAUGHTER. I yield the gentlelady an additional 10 seconds.

Ms. LEE of California. We need to vote ''no'' on this rule and this bill. We need to get back to the real business—like creating jobs—that we should be doing, like creating economic opportunities we should be doing. We should be trying to figure out how to reduce poverty. We should be trying to figure out how to ensure our young people have the best quality public education. There are many issues this Congress needs to take on. Why don't you stay out of the personal lives of women. It has no place on this floor.

□ 1400

Ms. FOXX. Mr. Speaker, contrary to what our colleagues on the other side of the aisle are accusing us of, we're talking about the beginning of the 6th month of pregnancy. Nothing in this bill has any impact on abortion during the first 20 weeks.

With that, Mr. Speaker, I now yield 2 minutes to my distinguished colleague from Montana (Mr. DAINES).

Mr. DAINES. Mr. Speaker, as a person of conscience, I believe we are called to protect the most vulnerable in our society.

The Pain-Capable Unborn Child Protection Act is an important measure to do exactly that: protect unborn children who can feel pain. And as parents of four children, two boys and two girls, Cindy and I instinctively do all we can as parents to protect our children from pain.

During the Gosnell trial, we all learned of the gruesome methods of ending the life of just-born children, some of whom were a little over 20 weeks old. If Gosnell aborted these children moments before they were removed from the womb in the method similar to the dismemberment which occurs in several clinics throughout our country and science tells us causes pain to the baby, would the loss of life have been any less tragic, any less appalling? We cannot stand idly by and allow such painful terminations of human life to continue.

I urge passage of this bill, and I look forward to casting my vote in support of the rule.

Ms. SLAUGHTER. Mr. Speaker, I'm pleased to yield 2 minutes to the gentlelady from Hawaii (Ms. HANABUSA).

Ms. HANABUSA. Madam Speaker, I rise in strong opposition to this rule.

I stand here on behalf of the women in Hawaii and across the Nation to continue to protect the fundamental right of women to have access to safe and legal abortion care. I strongly oppose the underlying bill, H.R. 1797, and encourage my colleagues to do the same.

The bill is like a leap backwards for women in our Nation. The very premise of this bill is contrary to credible scientific evidence and does not have the widespread support of our leading experts.

H.R. 1797 goes against a decades-old Supreme Court ruling, Roe v. Wade, that gave women a fundamental right to choose, a protection provided in the United States Constitution. And remember, States were given the ability to regulate those laws. These proposed Federal restrictions are unconstitutional, inappropriate, and unnecessary.

Abortion is one of the safest medical procedures available in this country, due in large part to the expertise and skill of our Nation's trained medical professionals who offer high quality care to women.

This bill would threaten our doctors with 5-year prison terms for doing their jobs, even those that are caring for women who are facing serious health concerns with their pregnancies. It is critically important that our laws protect and support the woman's health, not deny access to care.

Abortion care is a private medical decision between a woman and her health care provider. It is not the responsibility of Congress to infringe upon that right. That is why the American Congress of OB–GYNs, American Nurses Association, and 46 other organizations, in addition to 15 religious groups, stand in strong opposition to this bill.

For these reasons, I urge my colleagues to stand strongly in opposition to this harmful and misleading bill and soundly vote ''no'' on the rule.

Ms. FOXX. Madam Speaker, there's a lot of talk about rights here today and very little talk about the right to life for the babies that are being aborted.

Madam Speaker, I now yield 2 minutes to the gentleman from Michigan (Mr. BENISHEK).

Mr. BENISHEK. Madam Speaker, I would like to thank the gentlewoman from North Carolina for allowing me to be here as well.

I rise today in support of the rule for H.R. 1797, the Pain-Capable Unborn Child Protection Act, and to urge my colleagues to support this important and long overdue piece of legislation.

This bill will help to protect those in our society who are least able to defend themselves—the unborn. The Pain-Capable Unborn Child Protection Act will prohibit late-term abortions after the 20th week of a pregnancy for the simple reason that by 20 weeks of development, unborn children are able to feel and react to pain. This time period is based on extensive scientific research, and the majority of the American people are in favor of banning late-term abortions when they know that the unborn child is able to feel pain.

As a doctor, I was horrified to hear the stories of gross misconduct and negligence that came to light in the trial of the Philadelphia abortionist Kermit Gosnell. The callous disregard for innocent human life that was displayed in the Gosnell clinic extended beyond unborn children to adult patients, and I believe that there is bipartisan agreement that this was terrible. The Pain-Capable Unborn Child Protection Act will help to prevent some of the worst abuses that were perpetrated by Kermit Gosnell and protect patients nationwide.

As the overwhelming majority of my constituents in northern Michigan believe, life inside the womb is just as precious as life outside the womb, and it must be protected.

I urge my colleagues to support this rule and the underlying legislation.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. I thank the ranking member.

Madam Speaker, I rise today to voice my strong opposition to H.R. 1797, which would callously and cavalierly limit access to abortion for women across the country.

Boy, I tell you, the House GOP has truly pushed the limits this time by offering this unconstitutional bill.

Madam Speaker, this week, the much-maligned Miss USA contestant, Miss Utah, alluding to the power dynamics between men and women in the workplace, was lampooned for a flubbed answer when she said, and I quote:

> I think especially the men are seen as the leaders of this, and so we need to try to figure out how to create education better so that we can solve this problem.

However inarticulate, I think Miss Utah was on to something.

When you consider the subject at hand, women's right to a medically safe abortion, we once again see men taking leadership roles and invading the privacy and medical decisions of women so that now we have before us a bill that is borne of ignorance and disregard for medical science in every way, shape, and form. There is no concern for the biology, physiology, sociology of the woman.

Perhaps, if we could create education better of the importance of women's lives, we would not be here with this bill before us. This bill is an abomination, plain and simple, at its foundation, its heart, its utter disrespect for the dignity and health of women. It also has other harmful effects.

Now, I am sympathetic for those women, as well, who face an abortion at 20 weeks. Often these women are facing complications that endanger their health or they have found out about a severe fetal anomaly. Others are victims of rape or incest. These are the most difficult decisions in their lives.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The time of the gentlewoman has expired.

Ms. SLAUGHTER. I yield the gentlewoman an additional 1 minute.

Ms. MOORE. Medical providers have told us of harrowing tales of women who have developed life-threatening pre-eclampsia with impaired kidney functions, seizures, dangerously high blood pressure that threatens their health. They also tell us of the women who receive an aggressive cancer diagnosis right in the middle of their pregnancy and have to make the difficult choice between their pregnancy and their own life.

In situations like these, women need to be able to consult their families and their doctors and no one else. Perhaps their own priest or rabbi or imam, but most certainly not their politician denying the care they need. It is hazardous, cruel, and simply the wrong thing to do.

I thank the gentlelady for yielding time.

□ 1410

Ms. FOXX. Madam Speaker, this bill is not borne of ignorance but of extremely deep-felt concern for unborn children who suffer pain as they are being murdered.

Madam Speaker, I fear for the conscience of our Nation because the termination of unborn children for any reason is tolerated in some parts of our country throughout pregnancy, even though scientific conclusions show infants feel pain by at least 20 weeks' gestation. That means literally that a baby at the halfway point of a pregnancy will experience pain during the violence of a dismemberment abortion, the most common second-trimester abortion wherein a steel tool severs limbs from the infant and its skull is crushed.

Madam Speaker, it's even difficult for me to describe this procedure without getting emotional. These procedures are horrific, and in terms of pain, like torture to their infant subjects. As a country, we should leave this practice behind. That's why I'm a cosponsor of the underlying legislation to prohibit elective abortions in the United States past 20 weeks. Since 1973, approximately 52 million—52 million, Madam Speaker—children's lives have been tragically aborted in the United States. It is unconscionable that in America, where we fight for life, liberty, and the pursuit of happiness, we tolerate the systemic extermination of an entire generation of the most vulnerable among us.

H.R. 1797 rejects that hypocrisy and provides commonsense protections for unborn children who feel pain, just as you and I do. My colleague and friend from Arizona, Representative TRENT FRANKS, is a champion for the unborn, and I commend him for authoring this legislation, which prohibits an abortion of an unborn child that has surpassed 20 weeks after fertilization.

In light of the recent conviction of Philadelphia-based, late-term abortionist Kermit Gosnell, who was found guilty of first-degree murder in the case of three babies born alive in his clinic and then killed through a procedure he called ''snipping,'' which involved Gosnell inserting a pair of scissors into the baby's neck and cutting its spinal cord, a procedure that was reportedly routine in his clinic, we cannot stand idly by.

Madam Speaker, some would have us think that Gosnell is an anomaly or an outlier. However, after his conviction, more individuals have stepped forward to expose similar practices in other States. Americans should be asking how different are these snipping procedures from abortions performed throughout clinics in the country. Unfortunately, there is little difference between these procedures. The practice of murdering viable, unborn children who can feel pain must end. I urge my colleagues to join me in speaking for those who cannot speak for themselves and vote in favor of this rule and the underlying bill.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Illinois (Mr. SCHNEIDER).

Mr. SCHNEIDER. Madam Speaker, I rise today in strong opposition to the rule and the underlying bill, H.R. 1797. When debating the issue before us, it is important to understand that this is not strictly a matter of conscience but an issue with very real and potentially life-altering implications for women and families across the Nation.

It is my fundamental belief that the right to choose is and must remain a personal health decision that a woman makes in consultation with her doctor, without government intervention. Additionally, we should also be promoting

policies that strive to reduce the number of unwanted pregnancies through improved access to family planning and contraception, as well as effective sex education.

Sadly, rather than coming together to address our fiscal challenges and help stimulate job creation, the majority continues to doggedly pursue a radical ideological agenda. This legislation, like other attempts to restrict women's access to comprehensive health care, is unacceptable and could seriously endanger the health and safety of women across the country. As such, I firmly oppose the underlying bill and urge all of my colleagues to do the same.

Ms. FOXX. Madam Speaker, I now yield 5 minutes to the distinguished gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Madam Speaker, I thank my good friend and colleague for yielding.

Madam Speaker, pain, we all dread it. We avoid it. We even fear it. And we all go to extraordinary lengths to mitigate its severity and its duration.

Madam Speaker, today, there are Kermit Gosnells all over America inflicting not only violence, cruelty, and death on very young children, but excruciating pain as well.

Many Americans, including some who self-identified as pro-choice—were shocked and dismayed by the Gosnell expose' and trial. Perhaps the decades-long culture of denial and deceptive marketing has made it difficult to see and understand a disturbing reality. Even after 40 years of abortion on demand and over 55 million dead babies and millions of wounded moms, many—until Gosnell—somehow construed abortion as victimless and painless. That has changed.

The brutality of severing the spines of defenseless babies—euphemistically called ''snipping'' by Gosnell—has finally peeled away the benign facade of a billion-dollar abortion industry.

I note parenthetically, and it may come as a shock to many, but according to the Americans United for Life Legal Defense Fund, the U.S. is among only four nations in the world that allows for abortions for any reason after viability, and one of only nine nations that allows abortions after 14 weeks. We're in some pretty bad company, Madam Speaker, because that includes China and North Korea. We are far outside the global mainstream.

I would note, Madam Speaker, that like Gosnell, abortionists all over America decapitate, they dismember, and they chemically poison babies to death each and every day. That's what they do. Americans are connecting the dots and asking whether what Gosnell did is really different than what other abortionists do. I would note to my colleagues that a D&E abortion, a common method after 14 weeks, is a gruesome, pain-filled act that literally rips and tears to pieces the body parts of a child.

The Pain-Capable Unborn Child Protection Act is a modest but necessary attempt to at least protect babies who are 20 weeks old—and pain capable—from having to suffer and die from abortion.

I would note to my colleagues that a majority of Americans are with us trying to protect lives. According to a recent Gallup poll, 64 percent of Americans believe that abortion should not be permitted in the second 3 months of pregnancy; 80 percent say abortion should not be permitted in the last 3 months of pregnancy. The polling company found that 63 percent of women believe that abortion should not be permitted after the point where substantial medical evidence says that the unborn child can feel pain. The women get it, and they have so polled when asked if they are against this kind of pain for babies.

The Pain-Capable Unborn Child Protection Act recognizes the medical evidence that unborn children feel pain. We are not living in the Dark Ages. One leading expert in the field of fetal pain, Dr. Anand, at the University of Tennessee stated in his expert report, commissioned by the U.S. Department of Justice:

> It is my opinion that the human fetus possesses the ability to experience pain from 20 weeks of gestation, if not earlier, and the pain perceived by a fetus is possibly more intense than that perceived by term newborns or older children.

Surgeons today entering the womb to perform corrective procedures, Madam Speaker, on unborn children, have seen those babies flinch, jerk, and recoil from sharp objects and incisions.

□ 1420

Surgeons routinely administer anesthesia to unborn children in the womb. We now know that the child ought to be treated as a patient, and there are many anomalies, many sicknesses that can be treated while the child is still in utero. When those interventions are done, anesthesia is given.

Dr. Colleen Malloy, assistant professor, Division of Neonatology at the Northwestern University, in her testimony before the House Judiciary Committee in May of 2012 said:

> When we speak of infants at 20 weeks post-fertilization we no longer have to rely on inferences or ultrasound imagery, because such premature patients are kicking, moving and reacting and developing right before our eyes in the neonatal intensive care unit.

In other words, there are children the same age who, in utero, can be killed by abortion who have been born and are now being given lifesaving assistance.

She went on to say:

> In today's medical arena, we resuscitate patients at this age and are able to witness their ex-utero growth.

She says:

> I could never imagine subjecting my tiny patients to horrific procedures such as those that involve limb detachment or cardiac injection.

Ms. SLAUGHTER. I am pleased to yield 2 minutes to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Madam Speaker, I join my many colleagues today who have spoken out against this outrageous bill.

I also want to object to the way that my colleagues on the other side of the aisle have brought up H.R. 1797 for consideration.

When a bill that affects the lives and the health of women all across our country is coming up for this consideration, we deserve to have an open process. But, instead, the majority is taking a rather undemocratic approach, blocking all amendments to this harmful bill.

Beyond the fact that the bill is unconstitutional, it endangers the lives of women across our country. It places a ban on abortions with the narrowest of rape and incest exceptions, and it forces a woman who has been raped to report the attack to law enforcement before seeking an abortion.

So I have to ask these questions: Do the sponsors of this legislation understand the trauma that a rape survivor endures?

And do they understand what a cruel message that is to send to a woman in her time of greatest need?

Madam Speaker, those of us who are here in the Congress, I believe we all came here to solve the problems of the day. As we address our national priorities, is this issue high on their list?

Is this the issue that gives people confidence that Congress understands the challenges that people throughout America face today?

I know what those challenges are, I think. I've listened to my constituents. They worry about putting food on the table, a roof over their heads, and sending their kids to college.

So here we are, with a very narrow agenda, with an issue that is being used to strike at the heart of women's health issues.

I urge my colleagues, please reject this rule and the underlying bill.

Ms. FOXX. Madam Speaker, even Kermit Gosnell's own defense attorney, having gone through all the evidence at trial, said:

> I've come out of this case realizing that 24 weeks is a bad determiner. It should be more like 16, 17 weeks. That would be a far better thing, and I think the law should be changed to that. I think pro-choice would have still the right to choose, but they've got to choose quicker.

We are talking here, Madam Speaker, about the beginning of the 6th month of pregnancy. Nothing in this bill has any impact on abortion during the first 20 weeks.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, may I inquire if my colleague has other requests for time.

Ms. FOXX. Madam Speaker, we will use the balance of our time.

Ms. SLAUGHTER. Well, that sort of leaves me uninformed. But I want to introduce the previous question before I do my closing. And I'm hoping you are prepared to close. Is that correct?

Ms. FOXX. No, Madam Speaker. I'm not just yet ready to close, but if my colleague is ready to close—

Ms. SLAUGHTER. No, I'll reserve the balance of my time.

Ms. FOXX. Is the gentlewoman from New York ready to close? I thought that was the question she was asking.

Ms. SLAUGHTER. That was the question I had asked you. I am prepared to. Mr. CONNOLLY is my last speaker.

The SPEAKER pro tempore. Would the gentlelady from New York like to recognize the gentleman?

Ms. SLAUGHTER. Not until I find out if we're prepared to close.

Ms. FOXX. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, as advances in medical science result in improved treatments and personalized medicine, the development of unborn children is further understood. Doctors can perform lifesaving surgeries on babies still in the womb at earlier points in the pregnancy than ever before.

When a baby is born prematurely, medical innovation is increasing the likelihood of that baby's survival. Babies born as early as 20 weeks post-fertilization are being cared for in neonatal units across the country.

By 8 weeks after fertilization, the unborn child reacts to touch. By 20 weeks post-fertilization, the unborn child reacts to stimuli that would be recognized as painful if applied to an adult human. The baby responds the same way you and I respond to pain, by recoiling from it.

As Dr. Anand, at the University of Tennessee, who is considered the leading expert in the field of fetal pain, stated in a report accepted by a Federal judge as expert testimony:

> It is my opinion that the human fetus possesses the ability to experience pain from 20 weeks of gestation, if not earlier, and the pain perceived by a fetus is possibly more intense than that perceived by term newborns or older children.

Surgeons entering the womb to perform corrective procedures on unborn children have seen those babies flinch, jerk, and recoil from sharp objects and injections. Recognizing this discomfort, surgeons routinely administer anesthesia to unborn children in the womb before performing surgeries.

According to Planned Parenthood, the largest abortion provider in America, babies aborted at 14 weeks or later are often subjected to a painful dismemberment abortion, which involves inserting a long steel tool into the woman and grabbing, usually an arm or a leg, tearing it from the baby's body and pulling it out of the mother. The procedure is repeated as the baby is torn, limb from limb, until his or her entire body has been removed and the head is finally crushed and removed. The dismemberment abortion is the most common method of abortion in the second trimester.

Another abortion procedure involves injecting digoxin and/or potassium chloride into the baby's heart, which induces cardiac arrest, and the baby's killed.

Madam Speaker, it's important that the American people understand exactly what happens when they hear the word ''abortion.'' It is a heart-wrenching, painful procedure that tears a baby limb from limb before crushing his or her head, or it is a poisonous chemical injection.

A March 2013 poll conducted by a polling company found that 64 percent of the public supports a law like the Pain-Capable Unborn Child Protection Act, prohibiting an abortion after 20 weeks when an unborn baby can feel pain, unless the life of the mother is in danger.

Supporters included 47 percent of those who identified themselves as prochoice in the poll. The poll also found that 63 percent of women believe that abortion should not be permitted after the point where substantial medical evidence says that the unborn child can feel pain.

□ 1430

Madam Speaker, Congress cannot sit idly by while this grotesque and brutal procedure which rips the tiny baby apart limb by limb in the womb is performed in our country. That is why it is necessary for Congress to pass H.R. 1797 and protect the lives of these unborn children from this excruciating pain.

Madam Speaker, I would like to submit for the RECORD a summary of the evidence of the unborn pain research.

Madam Speaker, I now reserve the balance of my time.

FETAL PAIN: THE EVIDENCE

[From www.doctorsonfetalpain.org, Mar. 14, 2011]

The eleven points below summarize the substantial medical and scientific evidence that unborn children can feel pain by 20 weeks after fertilization.

1: Pain receptors (nociceptors) are present throughout the unborn child's entire body by no later than 20 weeks after fertilization and nerves link these receptors to the brain's thalamus and subcortical plate by no later than 20 weeks after fertilization.

DOCUMENTATION

a. Pain receptors (nociceptors) are present throughout the unborn child's entire body by no later than 20 weeks.

1. Myers, 2004, p.241, para.2, ''The first essential requirement for pain is the presence of sensory receptors, which first develop in the perioral area at approximately 7 weeks gestation and are diffusely located throughout the body by 14 weeks.[95]''

Myers LB, Bulich LA, Hess, P, Miller NM. Fetal endoscopic surgery: indications and anaesthetic management. Best Practice & Research Clinical Anaesthesiology. 18:2 (2004) 231–258.

[95]Smith S. Commission of Inquiry into Fetal Sentience. London: CARE, 1996.

2. Derbyshire, 2010, p.7, para.2, ''For the foetus, an existence of 'pain' rests upon the existence of a stimulus that poses a threat to tissue, being detected by a nervous system capable of preferentially responding to stimuli that pose a threat to tissue. The entire experience is completely bounded by the limits of the sensory system and the relationship between that system and the stimulus. If pain is conceived of in this manner then it becomes possible to talk of foetal pain anytime between 10 and 17 weeks GA [gestational age] when nociceptors develop and mature, and there is evidence of behavioural responses to touch.''

Note: Derbyshire's other published works indicate that he believes pain requires subjective human experience, not possible until after birth; nonetheless, he acknowledges this finding.

Derbyshire SW, Foetal pain? *Best Practice & Research Clinical Obstetrics and Gynaecology* 24:5 (2010) 647–655.

3. Anand, 1987, p.2, para.2, ''Cutaneous sensory receptors appear in the perioral area of the human fetus in the 7th week of gestation; they spread to the rest of the face, the palms of the hands, and the soles of the feet by the 11th week, to the trunk and proximal parts of the arms and legs by the 15th week, and to all cutaneous and mucous surfaces by the 20th week.[25,26]''

Anand KJS, Hickey PR. Pain and its effects in the human neonate and fetus. *New England Journal of Medicine*. 317:21 (1987) 1321–1329.

[25]Humphrey T. Some correlations between the appearance of human fetal reflexes and the development of the nervous system. *Progress in Brain Research*. 4 (1964) 93–135.

[26]Valnaan HB, Pearson JP. What the fetus feels. British Medical Journal. 280 (1980) 233–234.

4. Vanhatalo, 2000, p.146, col.2, para.2, ''First nociceptors appear around the mouth as early as the seventh gestational week; by the 20th week these are present all over the body.''

Vanhatalo S, van Nieuwenhuizen O. Fetal Pain? *Brain & Development*. 22 (2000) 145–150.

5. Brusseau, 2008, p.14, para.3, ''The first essential requirement for nociception is the presence of sensory receptors, which develop first in the perioral area at around 7 weeks gestation. From here, they develop in the rest of the face and in the palmar surfaces of the hands and soles of the feet from 11 weeks. By 20 weeks, they are present throughout all of the skin and mucosal surfaces.[19]

Brusseau R. Developmental Perspectives: is the Fetus Conscious? International Anesthesiology Clinics. 46:3 (2008) 11–23.

[19]Simons SH, Tibboel D. Pain perception development and maturation. Seminars on Fetal and Neonatal Medicine. 11 (2006) 227–231.

6. Rollins, 2012, p.465, ''Immature skin nociceptors are probably present by 10 weeks and definitely present by 17 weeks. Nociceptors develop slightly later in internal organs. Peripheral nerve fibers that control movement first grow into the spinal cord at about 8 weeks of gestation.''

Mark D. Rollins, Mark A. Rosen, ''Anesthesia for Fetal Intervention and Surgery'', in *Gregory's Pediatric Anesthesia*, ed. George A. Gregory & Dean B. Adropoulos (West Sussex: Wiley-Blackwell, 2012), 444–474, 465.

b. nerves link these receptors to the brain's thalamus and subcortical plate by no later than 20 weeks after fertilization.

1. Van Scheltema 2008, p.313, para.1—''The connection between the spinal cord and the thalamus (an obligatory station through which nearly all sensory information must pass before reaching the cortex) starts to develop from 14 weeks onwards and is finished at 20 weeks.''

Van Scheltema PNA, Bakker S, Vandenbussche FPHA, Oepkes, D. Fetal Pain. *Fetal and Maternal Medicine Review*. 19:4 (2008) 311–324.

2. Glover, 1999, p.882, col.1, para.1, ''Most incoming pathways, including nociceptive ones, are routed through the thalamus and, as stated above, penetrates the subplate zone from about 17 weeks... These monoamine fibres start to invade the subplate zone at 13 weeks and reach the cortex at about 16 weeks. This puts an early limit on when it is likely that the fetus might be aware of anything that is going on in its body or elsewhere.''

Glover V. Fetal pain: implications for research and practice. *British Journal of Obstetrics and Gynaecology*. 106 (1999) 881–886.

3. Lee, 2005, p.950, col.1, ''In contrast to direct thalamocortical fibers, which are not visible until almost the third trimester, thalamic afferents begin to reach the somatosensory subplate at 18 weeks' developmental age (20 weeks' gestational age)[16] and the visual subplate at 20 to 22 weeks' gestational age. These afferents appear morphologically mature enough to synapse with subplate neurons.[17]''

Note: Lee et al. believe that pain requires conscious cortical processing, which they deem unlikely until 29 or 30 weeks; nonetheless, they acknowledge this finding.

Lee SJ, Ralston HJP, Drey EA, Partridge, JC, Rosen, MA. A Systematic Multidisciplinary Review of the Evidence. *Journal of the American Medical Association*. 294:8 (2005) 947–954.

[16]Kostovic I, Rakic P. Developmental history of the transient subplate zone in the visual and somatosensory cortex of the macaque monkey and human brain. *Journal of Comparative Neurology*. 297 (1990) 441–470.

[17]Hevner RF. Development of connections in the human visual system during fetal midgestation: a Diltracing study. *Journal of Experimental Neuropathology & Experimental Neurology*. 59 (2000) 385–392.

4. Gupta, 2008, p.74, col.2, para.1, '' Peripheral nerve receptors develop between 7 and 20 weeks gestation . . . Spinothalamic fibres (responsible for transmission of pain) develop between 16 and 20 weeks gestation, and thalamocortical fibres between 17 and 24 weeks gestation.''

Gupta R, Kilby M, Cooper G. Fetal surgery and anaesthetic implications. *Continuing Education in Anaesthesia, Critical Care & Pain*. 8:2 (2008) 71–75.

5. Van de Velde, 2012, p 206, para.3, ''To experience pain an intact system of pain transmission from the peripheral receptor to the cerebral cortex must be available. Peripheral receptors develop from the seventh gestational week. From 20 weeks' gestation [= 20 weeks post-fertilization] peripheral receptors are present on the whole body. From 13 weeks' gestation the afferent system located in the substantia gelatinosa of the dorsal horn of the spinal cord starts developing. Development of afferent fibers connecting peripheral receptors with the dorsal horn starts at 8 weeks' gestation. Spinothalamic connections start to develop from 14 weeks' and are complete at 20 weeks' gestation, whilst thalamocortical connections are present from 17 weeks' and completely developed at 26–30 weeks' gestation. From 16 weeks' gestation pain transmission from a peripheral receptor to the cortex is possible and completely developed from 26 weeks' gestation.''

Marc Van de Velde & Frederik De Buck, Fetal and Maternal Analgesia/Anesthesia for Fetal Procedures. Fetal Diagn Ther 31(4) (2012) 201–9.

2: By 8 weeks after fertilization, the unborn child reacts to touch. After 20 weeks, the unborn child reacts to stimuli that would be recognized as painful if applied to an adult human, for example by recoiling.

DOCUMENTATION

a. By 8 weeks after fertilization, the unborn child reacts to touch.

1. Gupta, 2008, p.74, col.2, para.2, ''Movement of the fetus in response to external stimuli occurs as early as 8 weeks gestation. . .''

Gupta R, Kilby M, Cooper G. Fetal surgery and anaesthetic implications. Continuing Education in Anaesthesia, Critical Care & Pain. 8:2 (2008) 71–75.

2. Glover, 2004, p.36, para.4, ''The fetus starts to make movements in response to being touched from eight weeks, and more complex movements build up, as detected by real time ultrasound, over the next few weeks.''

Glover V. The fetus may feel pain from 20 weeks; The Fetal Pain Controversy. Conscience. 25:3 (2004) 35–37.

3. Myers 2004, p.241, para.6, ''A motor response can first be seen as a whole body movement away from a stimulus and observed on ultrasound from as early as 7.5 weeks' gestational age. The perioral area is the first part of the body to respond to touch at approximately 8 weeks, but by 14 weeks most of the body is responsive to touch.''

Myers LB, Bulich LA, Hess, P, Miller, NM. Fetal endoscopic surgery: indications and anaesthetic management. Best Practice & Research Clinical Anaesthesiology. 18:2 (2004) 231–258.

4. Derbyshire, 2008, p.119, col.2, para.4, ''Responses to touch begin at 7–8 weeks gestation when touching the peri-oral region results in a contralateral bending of the head. The palms of the hands become sensitive to stroking at 10–11 weeks gestation and the rest of the body becomes sensitive around 13–14 weeks gestation.[35]''

Note: Derbyshire's other published works indicate that he believes pain requires subjective human experience, not possible until after birth; nonetheless, he acknowledges this finding.

Derbyshire SW. Fetal Pain: Do We Know Enough to Do the Right Thing? Reproductive Health Matters. 16: 31Supp. (2008) 117–126.

[35] Fitzgerald M. Neurobiology of fetal and neonatal pain. In:Wall P, Melzack R, editors. Textbook of Pain. Oxford Churchill Livingstone, 1994. p.153–63.

5. Kadić, 2012, page 3, ''The earliest reactions to painful stimuli motor reflexes can be detected at 7.5 weeks of gestation (Table 2).''

Salihagić Kadić, A., Predojević, M., Fetal neurophysiology according to gestational age, Seminars in Fetal & Neonatal Medicine. 17:5 (2012) 1–5, 3.

b. After 20 weeks following fertilization, the unborn child reacts to stimuli that would be recognized as painful if applied to an adult human, for example by recoiling.

1. Gupta, 2008, p. p.74, col.2, para.2, ''Behavioural responses. . . Response to painful stimuli occurs from 22 weeks gestation [= 20 weeks post-fertilization].''

Gupta R, Kilby M, Cooper G. Fetal surgery and anaesthetic implications. Continuing Education in Anaesthesia, Critical Care & Pain. 8:2 (2008) 71–75.

2. Giannakoulopoulos, 1994, p.77, col.2, para.3, ''We have observed that the fetus reacts to intrahepatic vein needling with vigorous body and breathing movements, which are not present during placental cord insertion needling.''

Giannakoulopoulos X, Sepulveda W, Kourtis P, Glover V, Fisk NM. Fetal plasma cortisol and β-endorphin response to intrauterine needling. Lancet. 344 (1994) 77–81.

3. Lowery, 2007, p.276, col.2, para1, ''Fetuses undergoing intrauterine invasive procedures, definitely illustrative of pain signaling, were reported to show coordinated responses signaling the avoidance of tissue injury.[15]''

Lowery CL, Hardman MP, Manning N, Clancy B, Hall RW, Anand KJS. Neurodevelopmental Changes of Fetal Pain. Seminars in Pernatology. 31 (2007) 275–282.

[15] Williams C. Framing the fetus in medical work: rituals and practices. Social Science & Medicine. 60 (2005) 2085–2095.

4. Mellor, 2005, p.457, col.1, para.2, ''For instance, the human fetus responds to intrahepatic needling (versus umbilical cord sampling) by moving away and with an increase in the levels of circulating stress hormones. . .[71,72,74,75]''

Note: Mellor et al. believe that the unborn child is kept 'asleep' in utero, and therefore does not perceive pain; nonetheless, they recognize this finding.

Mellor DJ, Diesch TJ, Gunn AJ, Bennet L. The importance of 'awareness' for understanding fetal pain. Brain Research Reviews. 49 (2005) 455–471.

[71] Giannakoulopoulos X, Sepulveda W, Kourtis P, Glover V, Fisk NM. Fetal plasma cortisol and β-endorphin response to intrauterine needling. Lancet. 344 (1994) 77–81.

[72] Giannakoulopoulos X, Teixeira J, Fisk N. Human fetal and maternal noradrenaline responses to invasive procedures. Pediatric Research. 45 (1999) 494–499.

[74] Gitau R, Fisk NM, Teixeira JM, Cameron A, Glover V. Fetal hypothalamic-pituitary-adrenal stress responses to invasive procedures are independent of maternal responses. Journal of Clinical Endocrinology and Metabolism. 86 (2001) 104–109.

[75] Gitau R, Fisk NM, Glover V. Human fetal and maternal corticotrophin releaseing hormone responses to acute stress. Archives of Disease in Childhood—Fetal Neonatal Edition. 89 (2004) F29–F32.

5. Bocci, 2007, page 31–32, ''By week 14, the repertoire of movements is complete. Fetal movements may be spontaneous, reflecting individual needs of the fetus, or may be evoked, reflecting fetal sensitivity to its environment.''

C. Bocchi et al, Ultrasound and Fetal Stress: Study of the Fetal Blink-Startle Reflex Evoked by Acoustic Stimuli. Neonatal Pain, ed. Giuseppe Buonocore & Carlo V. Bellieni (Milan: Springer, 2007), 31–32.

3: In the unborn child, application of such painful stimuli is associated with significant increases in stress hormones known as the stress response.

DOCUMENTATION

1. Tran, 2010, p.44, col.1, para.7, ''Invasive fetal procedures clearly elicit a stress response . . .''

Tran, KM. Anesthesia for fetal surgery. Seminars in Fetal & Neonatal Medicine. 15 (2010) 40–45.

2. Myers, 2004, p.242, para.2, ''Human fetal endocrine responses to stress have been demonstrated from as early as 18 weeks' gestation. Giannakoulopoulos et al[99] first demonstrated increases in fetal plasma concentrations of cortisol and β-endorphin in response to prolonged needling of the intrahepatic vein (IHV) for intrauterine transfusion. The magnitude of these stress responses directly correlated with the duration of the procedure. Fetuses having the same procedure of transfusion, but via the non-innervated placental cord insertion, failed to show these hormonal responses. Gitau et al[100] observed a rise in β-endorphin during intrahepatic transfusion from 18 weeks' gestation, which was seen throughout pregnancy independent both of gestation and the maternal response. The fetal cortisol response, again independent of the mother's, was observed from 20 weeks' gestation.[100] Fetal intravenous administration of the opioid receptor agonist, fentanyl, ablated the β-endorphin response and partially ablated the cortisol response to the stress of IHV needling, suggesting an analgesic effect.[101] A similar, but faster, response is seen in fetal production of noradrenalin to IHV needling. This too is observed in fetuses as early as 18 weeks, is independent to the maternal response and increases to some extent with gestational age.[102] Thus, from these studies one can conclude that the human fetal hypothalamic-pituitary-adrenal axis is functionally mature enough to produce a β-endorphin response by 18 weeks and to produce cortisol and noradrenalin responses from 20 weeks' gestation.''

Myers LB, Bulich LA, Hess, P, Miller, NM. Fetal endoscopic surgery: indications and anaesthetic management. Best Practice & Research Clinical Anaesthesiology. 18:2 (2004) 231–258.

[99] Giannakoulopoulos X, Sepulveda W, Kourtis P, Glover V, Fisk NM. Fetal plasma cortisol and β-endorphin response to intrauterine needling. Lancet. 344 (1994) 77–81.

[100] Gitau R, Fisk NM, Teixeira JM, Cameron A, Glover V. Fetal hypothalamic-pituitary-adrenal stress responses to invasive procedures are independent of maternal responses. Journal of Clinical Endocrinology and Metabolism. 86 (2001) 104–109.

[101] Fisk NM, Gitau R, Teixeira MD, Giannakoulopoulos, X, Cameron, AD, Glover VA. Effect of Direct Fetal Opioid Analgesia on Fetal Hormonal and Hemodynamic Stress Response to Intrauterine Needling. Anesthesiology. 95 (2001) 828–835.

[102] Giannakoulopoulos X, Teixeira J, Fisk N, Glover V. Human fetal and maternal noradrenaline responses to invasive procedures. Pediatric Research. 45(1999) 494–499.

3. Derbyshire, June 2008, p.4, col.1, para.5, ''Another stage of advancing neural development takes place at 18 weeks, when it has been demonstrated that the fetus will launch a hormonal stress response to direct noxious stimulation.''

Note: Derbyshire believes that pain requires subjective human experience, not possible until after birth; nonetheless, he acknowledges this finding.

Derbyshire SW. Fetal Pain: Do We Know Enough to Do the Right Thing? Reproductive Health Matters. 16: 31Supp. (2008) 117–126.

4. Gupta, 2008, p.74, col.2, para.3, ''Fetal stress in response to painful stimuli is shown by increased cortisol and β-endorphin concentrations, and vigorous movements and breathing efforts.[7,9] There is no correlation between maternal and fetal norepinephrine levels, suggesting a lack of placental transfer of norepinephrine. This independent stress response in the fetus occurs from 18 weeks gestation.[10]''

Gupta R, Kilby M, Cooper G. Fetal surgery and anaesthetic implications. Continuing Education in Anaesthesia, Critical Care & Pain. 8:2 (2008) 71–75.

[7] Boris P, Cox PBW, Gogarten W, Strumper D, Marcus MAE. Fetal surgery, anaesthesiological considerations. Current Opinion in Anaesthesiology.17 (2004) 235–240.

[9] Giannakoulopoulos X, Teixeira J, Fisk N. Human fetal and maternal noradrenaline responses to invasive procedures. Pediatric Research. 45 (1999) 494–499.

[10] Marcus M, Gogarten W, Louwen F. Remifentanil for fetal intrauterine microendoscopic procedures. Anesthesia & Analgesia. 88 (1999) S257.

5. Fisk, 2001, p.828, col.2, para.3, ''Our group has shown that the human fetus from 18–20 weeks elaborates pituitary-adrenal, sympatho-adrenal, and circulatory stress responses to physical insults.'' p.834, col.2, para.2, ''This study confirms that invasive procedures produce stress responses. . .''

Fisk NM, Gitau R, Teixeira MD, Giannakoulopoulos, X, Cameron, AD, Glover VA. Effect of Direct Fetal Opioid Analgesia on Fetal Hormonal and Hemodynamic Stress Response to Intrauterine Needling. Anesthesiology. 95 (2001) 828–835.

6. Kadić, 2012, page 3, ''As early as 16–18 weeks, fetal cerebral blood flow increases during invasive procedures.[26,27] An elevation of noradrenaline, cortisol, and beta-endorphin plasma levels, in response to needle pricking of the innervated hepatic vein for intrauterine transfusion, was registered in a 23-week-old fetus [= 21 weeks post-fertilization].'' (Table 2).''

Salihagić Kadić, A., Predojević, M., Fetal neurophysiology according to gestational age, SEMINARS IN FETAL & NEONATAL MEDICINE (2012) 1–5, 3, doi:10.1016/j.siny.2012.05.007.

[26] Teixeira JM, Glover V, Fisk NM. Acute cerebral redistribution in response to invasive procedures in the human fetus. Am J Obstet Gynecol 1999;181:1018e25.

[27] Smith RP, Gitau R, Glover V, et al. Pain and stress in the human fetus. Eur J Obstet Gynecol Reprod Biol 2000;92:161e5.

4: Subjection to such painful stimuli is associated with long-term harmful neurodevelopmental effects, such as altered pain sensitivity and, possibly, emotional, behavioral, and learning disabilities later in life.

DOCUMENTATION

1. Van de Velde, 2006, p.234, col.1, para.3, ''It is becoming increasingly clear that experiences of pain will be 'remembered' by the developing nervous system, perhaps for the entire life of the individual.[22,33.] These findings should focus the attention of clinicians on the long-term impact of early painful experiences, and highlight the urgent need for developing therapeutic strategies for the management of neonatal and fetal pain.''

Van de Velde M, Jani J, De Buck F, Deprest J. Fetal pain perception and pain management. Seminars in Fetal & Neonatal Medicine. 11 (2006) 232–236.

[22] Vanhalto S, van Nieuwenhuizen O. Fetal Pain? Brain & Development. 22 (2000) 145–150. [33] Anand KJS. Pain, plasticity, and premature birth: a prescription for permanent suffering? Nature Medicine. 6 (2000) 971–973.

2. Vanhatalo, 2000, p.148, col.2, para.4, ''All these data suggest that a repetitive, or sometimes even strong acute pain experience is associated with long-term changes in a large number of pain-related physiological functions, and pain or its concomitant stress increase the incidence of later complications in neurological and/or psychological development.''

Note: Vanhalto & Niewenhuizen believe that pain requires cortical processing; nevertheless, they acknowledge that, ''noxious stimuli may have adverse effects on the developing individual regardless of the quality or the level of processing in the brain . . . after the development of the spinal cord afferents around the gestational week 10, there may be no age limit at which one can be sure noxae are harmless.'' (p.149, col.1, para.2).

Vanhalto S, van Nieuwenhuizen O. Fetal Pain? Brain & Development. 22 (2000) 145–150.

3. Gupta, 2008, p.74, col.2, para.3, '' There may be long-term implications of not providing adequate fetal analgesia such as hyperalgesia, and possibly increased morbidity and mortality.''

Gupta R, Kilby M, Cooper G. Fetal surgery and anaesthetic implications. Continuing Education in Anaesthesia, Critical Care & Pain. 8:2 (2008) 71–75.

4. Lee, 2005, p.951, col.1, para.3, ''When long-term fetal well-being is a central consideration, evidence of fetal pain is unnecessary to justify fetal anaesthesia and analgesia because they serve other purposes unrelated to pain reduction, including . . . (3) preventing hormonal stress responses associated with poor surgical outcomes in neonates[71,72]; and (4) preventing possible adverse effects on long-term neurodevelopment and behavioral responses to pain.[73–75].''

Note: Lee et al. believe that pain requires conscious cortical processing, which they deem unlikely until 29 or 30 weeks; nonetheless, they acknowledges this finding.

Ms. SLAUGHTER. I yield myself 30 seconds.

Congress should not be standing around while this is going on. Congress should also not be standing around while college loan rates are doubling and we have so many people out of work.

I'm delighted to yield 2 minutes to my friend, the gentlewoman from New York, CAROLYN MALONEY.

Mrs. CAROLYN B. MALONEY of New York. I thank my fellow New Yorker and good friend for yielding and for her outstanding leadership in this body on so many, many issues, particularly in the area of health.

My colleagues, once again, we need to ask ourselves where were the women when the Judiciary Committee produced this outrageous assault on women's health and women's reproductive rights? The answer is very clear. On this panel, there is not one female face participating in this crucial issue in their health care, absolutely nowhere. This is a photo of the members of the Judiciary Subcommittee that held a hearing on this legislation before us, and not one Republican on that panel is a woman.

The bill that was produced is evidence that women did not participate in this decision-making. For example, it was not until the chair of that subcommittee made a comment not worthy of this House that the majority

added an insulting and narrow exception for pregnancies resulting from rape.

Last November, women came out in droves to say, Keep your laws off our bodies, out of our personal lives, and out from between women and their doctor.

This bill that a man sponsored and that an all-male panel has approved jeopardizes the health and well-being of women, and only women; it is indifferent to the rights of women, and only women; and it is callous to the concerns of women, and only women.

I can promise you that women will long remember this. They will remember it today, they will remember it tomorrow, and they will remember it at the polls when they select their Representatives.

Ms. SLAUGHTER. Madam Speaker, if we can defeat the previous question, I will offer an amendment to the rule that would allow the House to hold a vote on the Student Loan Relief Act. If Congress doesn't act next month, the undergraduate students across this country will see a doubling of their student loan interest rates.

To discuss our proposal, I am pleased to yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Madam Speaker, I rise to oppose the previous question so that the House can take up the Student Loan Relief Act, H.R. 1595, which is a bill that the American people are truly concerned about and watching Congress to see whether or not we do the right thing. In 12 days, as this chart shows, the subsidized Stafford student loan rate will double from 3.4 percent to 6.8 percent. This will add to the debt burden of the average college student with a Stafford student loan portfolio of about approximately $5,000.

Today, the average student is leaving college with an average debt level of about $25,000 to $26,000. We know the big numbers: $1.1 trillion in student loan debt now in the U.S. economy, more than credit cards and more than used cars. Yet we are standing here 12 days before the doubling of this rate and we are debating a bill which is right in the middle of the polarized gridlock politics that the American voters rejected soundly in the last election rather than dealing with the bread-and-butter issues that really matter to young Americans and to middle class families all across this country.

The fact of the matter is we know young people in this country need to get a post-high school degree, whether it's a 2-year degree or a 4-year degree. The Stafford student loan program is the workhorse of providing affordable loans for millions of students, and 7.5 million students use the Stafford subsidized loan program. Yet, if we don't act in 12 days, those 7.5 million are going to see their interest rates double to 6.8 percent.

Now, we may hear from the other side, well, we took up a bill on May 23, H.R. 1911, a bill with a variable rate that we now know from the Congressional Budget Office who issued a report this past Monday will be, in fact, worse than if we did nothing and allowed the rate to go to 6.8 percent. That's been not only verified by the Congressional Budget Office but also by the Education Trust and The Institute for College Access and Success, a nonpartisan group funded by the Bill and Melinda Gates Foundation, the Walton Family Trust, and it states very clearly:

> If passed, it will lead to higher rates on all types of Federal student and parent loans than if Congress did nothing at all.

We need to act on H.R. 1595. 187 Members have signed a discharge petition, and it is time to act to protect America's college students.

Ms. FOXX. Madam Speaker, as our colleagues on the other side of the aisle know full well and as our colleague from Connecticut has acknowledged, the House has passed a bill to take care of the issue of student loan rates doubling on July 1; however, the Senate has refused to act on the bill. What we passed was what the President asked for in his budget, and he has suddenly flip-flopped on the issue and doesn't support it anymore.

The House has done its job. We're now waiting for the Senate and the President to acknowledge that they have a responsibility in this area. We've not been frivolous about this. We are not ignoring the issue.

With that, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, on July 1, young women in college face a doubling of Federal student loan interest rates; but instead of legislating the rights of our daughters and granddaughters to access safe and legal reproductive care, we should be ensuring that the cost of college doesn't skyrocket at the end of the month.

When it comes to the most personal and important decisions a woman will ever make, we deserve the privacy and freedom to make the decision that's right for us. No matter how many women the majority trots out to advance their agenda, their attempt to take away our reproductive rights will not stand.

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

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

There was no objection.

Ms. SLAUGHTER. I urge my colleagues to vote ''no'' to defeat the previous question and urge a ''no'' vote on the rule.

I yield back the balance of my time.

Ms. FOXX. Madam Speaker, I yield myself such time as I may consume.

I would like to point out that none of the Members on the other side of the aisle have even acknowledged the pain that unborn children feel or the fact that half of those babies that are being murdered are little girls.

Madam Speaker, life is the most fundamental of all rights. It's sacred and God-given. But millions of babies have been robbed of that right in this, the freest country in the world. This is a tragedy beyond words and a betrayal of what we, as a Nation, stand for.

Before liberty, equality, free speech, freedom of conscience, pursuit of happiness, and justice for all, there has to be life. And yet, for millions of aborted infants—many pain-capable and many discriminated against because of gender or disability—life is exactly what they've been denied. An affront to life for some is an affront to life for every one of us.

One day, we hope it will be different. We hope life will cease to be valued on a sliding scale. We hope the era of elective abortions, ushered in by an unelected court, will be closed and collectively deemed one of the darkest chapters in America's history. But until that day, it remains a solemn duty to stand up for life.

□ 1440

Regardless of the length of this journey, we will continue to speak for those who cannot, and we will continue to pray to the One who can change the hearts of those in desperation and those in power who equally hold the lives of the innocent in their hands.

May we, in love, defend the unborn. May we, in humility, confront this national sin. And may we mourn what abortion reveals about the conscience of our Nation.

Madam Speaker, we go to extraordinary lengths to save not only human beings, but even animals because we value life so much. However, there are many who do not hold the unborn in the same esteem, and that is tragic for more than 1 million unborn babies every year.

There is nothing more important than protecting voiceless, unborn children and their families from the travesty of abortion. Therefore, I urge my colleagues to vote for life by voting in favor of this rule and the underlying bill.

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

AN AMENDMENT TO H. RES. 266 OFFERED BY MS. SLAUGHTER OF NEW YORK

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

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1595) to amend the Higher Education Act of 1965 to extend the

reduced interest rate for Federal Direct Stafford Loans. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1595 as specified in section 3 of this resolution.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

Ms. FOXX. I yield back the balance of my time, and I move the previous question on the resolution.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 266, if ordered, and the motion to suspend the rules on H.R. 1151.

The vote was taken by electronic device, and there were—yeas 229, nays 196, not voting 9, as follows:

[Roll No. 248]

YEAS—229

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—196

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod

Nolan
O'Rourke
Owens
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)

NOT VOTING—9

Bonner
Campbell
Hunter
Larsen (WA)
Markey
McCarthy (NY)
Pascrell
Rogers (KY)
Yarmuth

□ 1507

Messrs. SHERMAN and PAYNE changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 232, nays 193, not voting 9, as follows:

[Roll No. 249]

YEAS—232

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—193

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

NOT VOTING—9

Bonner
Campbell
Hunter
Larsen (WA)
Markey
McCarthy (NY)
Pascrell
Rogers (KY)
Yarmuth

□ 1516

Mr. GINGREY of Georgia changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONCERNING THE PARTICIPATION OF TAIWAN IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1151) to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 424, nays 0, not voting 10, as follows:

[Roll No. 250]

YEAS—424

Aderholt
Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Long
Lofgren
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schweikert
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—9

Bonner
Campbell
Hunter
Larsen (WA)
Markey
McCarthy (NY)
Pascrell
Rogers (KY)
Yarmuth

Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—10

Bonner
Campbell
Hunter
Larsen (WA)
Markey
McCarthy (NY)
Miller, George
Pascrell
Rogers (KY)
Yarmuth

□ 1524

Mrs. NAPOLITANO changed her vote from ''nay'' to ''yea.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FEDERAL AGRICULTURE REFORM AND RISK MANAGEMENT ACT OF 2013

The SPEAKER pro tempore (Mr. AMODEI). Pursuant to House Resolution 266 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1947.

The Chair appoints the gentlewoman from Michigan (Mrs. MILLER) to preside over the Committee of the Whole.

□ 1528

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes, with Mrs. MILLER of Michigan in the chair.

The Clerk read the title of the bill.

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

The gentleman from Oklahoma (Mr. LUCAS) and the gentleman from Minnesota (Mr. PETERSON) each will control 30 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. LUCAS. Madam Chair, I yield myself such time as I may consume.

I rise today in strong support of H.R. 1947, the Federal Agriculture Reform and Risk Management Act of 2013.

□ 1530

This bipartisan bill is 4 years in the making, and I could not have had a better partner than my friend from Minnesota (Mr. PETERSON).

He began this process 4 years ago when he led us into the countryside to have eight field hearings across this great Nation. We followed up those field hearings with a series of 11 audit hearings on every single policy under the jurisdiction of the House Committee on Agriculture.

In all, we held 40 hearings on every aspect of this FARRM Bill. The result is legislation that calls for reduced spending, smaller government, and commonsense reform.

The committee has held two markups of this essential bill, the first, last Congress, and one last month. Both of those markups lasted for more than 12 hours each. We considered over 200 amendments in total. In the end, we achieved a large bipartisan margin of support. The vote tally this year was 36–10, with 23 out of 25 Republicans and 13 out of 21 Democrats supporting it.

Some of my colleagues were amazed by the duration of the markup; but I came to Congress to legislate, and an important part of the legislative process is an open and fair debate. The Speaker shares that sentiment, and I hope during the debate of the amendments to the FARRM Act, we'll let the body work its will, then we'll vote for final passage.

The FARRM Act is different for many reasons. There is a reason that we put reform in the title. This is the most reform-minded bill in decades. It repeals outdated policies, while reforming, streamlining, and consolidating over 100 government programs.

It reforms the SNAP Act, also known as the food stamp program, for the first time since the welfare reforms of 1996; and it makes tremendous reforms to the farm programs.

The Agriculture Committee and the agriculture community have voluntarily worked together to make these reforms and to contribute to deficit reduction. Every part of this bill is a part of the solution to Washington's spending problems. We save the American taxpayer nearly $40 billion, which is almost seven times the amount of cuts to these programs under sequestration.

Regarding reforms to traditional farm programs, first of all, we eliminate direct payments. They cost taxpayers $5 billion a year. They were payments that people received every year, regardless of the market conditions and whether or not they farmed.

Instead, we take a more market-oriented approach to policy, where there is no support when market prices are high. We encourage responsible risk management where farmers are able to plan for catastrophic events.

In addition to eliminating direct payments, we repeal the ACRE Act, the disaster program for crops, and the countercyclical program. My philosophy from the beginning of the

FARRM Bill process has been that these programs had to be based on market economies. They had to work for all crops in all regions of the country. Our bill achieves this, while also saving $23 billion, which is a record 36 percent spending reduction.

In conservation, a subject near and dear to my heart, we streamline the delivery of these incredibly important programs. During our hearings, we learned that conservation programs had grown in number and complication, often acting as a deterrent for the adoption of these voluntary, incentive-based programs. Therefore, the FARRM Act eliminates and consolidates 23 duplicative and overlapping programs into 13, which saves nearly $7 billion.

We authorize and strengthen and fully pay for livestock disaster assistance that is incredibly important to our livestock producers during devastating droughts, such as the ones we're experiencing recently.

The bill invests in core specialty crop initiatives like Specialty Block Grants, Plant Pest and Disease Management programs; and the FARRM Act also maintains our investment in agricultural research.

You know, my friends, I've had a lot of my colleagues ask me, FRANK, why do you get so excited about these issues? Why do you get so stirred up? You're usually a pretty calm, laid-back fellow.

Well, let me tell you, I come from a part of the country that was the abyss of the Great Depression and the drought of the 1930s. Some of you may have seen Mr. Burns' documentary about the Dust Bowl. Those are my constituents. Those were my relatives in Roger Mills County, as well as the panhandle.

I was raised by a generation, my grandparents, who were young men and women during the Great Depression, who lived through that drought. They were scarred forever.

My maternal grandfather cosigned my first farm lease, cosigned my note at the bank so that I could start farming. But he was convinced, till the day he died, just as my other grandfather was, the Great Depression was coming back; it was coming back.

My parents were young men and women in the fifties, and they went through the drought of the fifties, far worse than the drought of the thirties. To the day he died, my father was convinced that it would never rain again.

And I came home from college in 1982 just in time to observe the collapse in agricultural land prices. I was raised by the generation that suffered through the thirties and the fifties.

I came home to watch the Vietnam generation be destroyed, farmers be destroyed by things beyond their control in the early 1980s. That's why I get so worked up on this policy.

The misery of the thirties, the misery of the eighties, economically, was not an accident. It was policy mistakes in the twenties and thirties that led to that agony. It was policy mistakes in the seventies and eighties that led to that agony.

Now, you say, FRANK, you're excited, you're getting worked up. Look at the 1930 census for Roger Mills County. There were 14,000 people living in my home county. By the 1940 census there were 7,000 people living in my home county. And we've just now made it back to the mid-3,000s.

You don't have that kind of economic devastation, depopulation, suffering by accident. And that's why I'm here; that's why I'm working with my colleague, the ranking member, Mr. PETERSON. That's why I've worked with Republicans, Democrats alike for years now to get to this point. That's why I want to work with all of you.

I cannot make it rain. There may be people in this town who say they can make it rain, but I cannot make it rain. But in my tenure as chairman of the House Agriculture Committee, I can make sure we pass a comprehensive FARRM Bill that does not repeat the mistakes of the 1920s and -30s, does not repeat the mistakes of the 1970s and -80s.

I will not be a part of inflicting on future generations what was inflicted on what I call that generation of Vietnam veterans who came home to farm and, instead, went to the bankruptcy auctions, or my grandparents' generation, whose young men and women were wiped out in the 1930s. I will not be a part of that.

So I will work with all of you to try and improve this draft that attempts to produce a safety net that is workable, that is efficient, both for rural America and producers, but also for consumers.

I ask you to work with me in that regard. I ask you to do the right thing. I ask you to avoid the mistakes of the past. I ask you to look at the language, to study the language, and be good, responsible legislators.

Madam Chairman, I reserve the balance of my time.

Mr. PETERSON. Madam Chair, I yield myself such time as I may consume.

I want to associate myself with the comments of the chairman, who, by the way, has done an outstanding job putting this bill together. And with the exception of maybe some differences on the SNAP title of the bill, I have to say that if I was still chairman, I wouldn't have a bill that's much different than what the chairman and I have put together. And maybe one of the reasons for that is that my family has a similar background to Mr. LUCAS' family. My grandfather went through the Depression.

□ 1540

My father almost got bankrupted by Ezra Taft Benson and some of the nonsense that went on during that period of time. So the chairman is right. Policy makes a big difference in agriculture, and I stand with him in never going back to a time where we don't give our farmers and ranchers the safety net they need to operate in a very risky and now capital intensive business.

So today we're debating a new 5-year farm bill. As the chairman said, the process has gone on long enough. We started the debate on this when I was still chairman, and it's time for us to pass a bill.

This farm bill gives farmers and ranchers the necessary tools to provide American consumers with the safest, most abundant and most affordable food supply in the world. The bill includes farm, conservation, trade, nutrition, credit, rural development, research, forestry, energy and specialty crop programs.

With roughly 16 million American jobs tied to agriculture, the farm bill is a jobs bill. The rural economy remained strong during our Nation's financial crisis, and in my part of the world it was agriculture that kind of kept us going through that process. This is why the farm bill is so important. Failing to pass a new 5-year farm bill could potentially devastate our rural economy. Why would we jeopardize the one part of our economy that has been, and continues to be, working?

I often tell people that the Agriculture Committee is probably the least partisan of all the committees in Congress. And that doesn't happen by accident. We listen to each other, we try to understand each other, work together, and at the end of the day, have the best interests of our constituents in mind.

The bill before us today is a compromise that reflects that tradition. It's a compromise between commodities and regions, urban and rural Members. I didn't get everything I wanted; Chairman LUCAS didn't get everything he wanted, but that's how the legislative process is supposed to work.

The bill makes major reforms to farm programs. Repealing direct payments saves taxpayers nearly $40 billion a year, and it ensures that farmers won't get a government subsidy for doing nothing. Instead, producers are given the choice between two countercyclical farm safety programs, addressing either price declines or revenue losses, which only support farmers during difficult times. The bill also sets new income requirements so individual millionaires won't receive farm payments and continues the no-cost sugar program.

H.R. 1947 also makes significant reforms to dairy programs, the result of

more than 4 years of work that we've done on the committee and compromise within the dairy industry. The new dairy safety net will address the volatility of the dairy market, help consumers by making all milk prices more stable and hopefully eliminate the price spikes that have been normal in today's marketplace.

The 2008 farm bill was the first farm bill to address the growing demand for fresh fruits and vegetables, local foods and organics. The 2013 FARRM Bill continues this investment by increasing funding for specialty crop block grants, providing support for the Farmers Market and Local Food Promotion programs and authorizing the very first organic check-off for research and promotion.

We also recognize the challenges facing many beginning farmers by including support for outreach and education to beginning, socially disadvantaged and military veteran farmers and ranchers. The bill also streamlines and reforms current conservation programs, better targeting resources to allow farmers and ranchers to continue to preserve our valuable natural resources.

Now, a lot of attention has been given to the bill's cuts to nutrition programs, more than $20 billion over 10 years in this bill. Personally, I would have preferred that we updated the income and asset limits in the current SNAP program so that we would have treated everybody in the country the same. We've looked at that, we weren't able to come to consensus, so we didn't move in that direction.

So we have cuts to nutrition spending in this bill, and they've received most of the attention in this regard, but we also like to point out that there's additional support for TEFAP, increased funding for Community Food Projects with a focus on low-income communities, and it provides more resources to help USDA's anti-trafficking efforts.

So, while I think it's ridiculous to cut hundreds of billions of dollars out of nutrition programs, as some Members have called for, I also don't think it's realistic to say that we can't cut one penny from these programs because clearly there isn't a government program that couldn't stand some reductions. So I think what we've done here at the end of the day is responsible reform that's a middle ground that will allow us to continue and to complete the work on this bill.

So I know we're going to have a lot of amendments I guess starting tomorrow, but it's my opinion, and it's the chairman's opinion, that in order for us to get a bill conferenced, we need to go through this process and stick together on the committee so we can have a bill that can be conferenced and get this bill signed before September 30 when the current law expires.

We need to keep this a bipartisan bill and not stray too far from what was approved in committee. I know that compromise is rare around here, but it's what is needed to finally get a new 5-year farm bill completed, and that is our objective.

So, Madam Chair, I reserve the balance of my time and yield back.

Mr. LUCAS. Madam Chair, I'd like to yield 1 minute to the gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. Madam Chairman, I rise in strong support of the farm bill. The American people want Congress to cut wasteful spending and red tape. And I honestly believe the American people also want to have their food grown right here in America. It's my opinion this farm bill accomplishes both those goals. This farm bill also cuts spending for agriculture programs by over $40 billion—that's billion with a B.

The bill eliminates or consolidates more than 100 programs administered by USDA. It also ends the often criticized direct payments for farmers. The farm bill also cuts $20 billion in mandatory spending on food stamps over the next 10 years.

Many opponents of the bill have characterized this legislation as a bill to support the expansion of the food stamps. That couldn't be further from the truth. Like many of my colleagues here, I believe the food stamp program is wasteful and open to fraud. Food stamp spending has doubled since 2008, and it's tripled since 2002. Without reform, food stamp spending will continue to increase through loopholes the Obama administration has used to expand the program.

That's why we should pass this farm bill. I agree it's not perfect. But passage allows the House to join with the Senate in conference to pursue further reforms that are one step closer to signing this into law.

With that, Madam Chairman, I urge my colleagues to vote ''yes'' on the farm bill.

Mr. PETERSON. Madam Chair, I'm pleased to yield 2 minutes to the second-ranking member of the House Agriculture Committee, the gentleman from North Carolina (Mr. MCINTYRE).

Mr. MCINTYRE. Madam Chairman, for decades, Congress has worked in a bipartisan fashion to craft farm bills that protect and support our farmers, strengthen rural economic development, encourage conservation and provide nutritional support for the most vulnerable in society. These bills have generally received wide bipartisan support.

This year I was pleased to, once again, work with my colleagues on the Agriculture Committee to advance a strong, reform-minded, fiscally responsible and bipartisan farm bill. This bill preserves the farm safety net and provides regional equity while consolidating over 100 programs and making targeted cuts to rein in Federal spending and move toward a balanced budget.

These reforms will save almost $40 billion. In fact, do you realize that less than 1 percent of our entire Federal budget is agriculture? Yet, by God's grace, it feeds us all.

The farm bill is critical not only to our Nation. I know in North Carolina agribusiness and farming are the number one industry. Each year, agribusiness brings millions of dollars in revenue to our State, supporting countless families. When we talk about economic opportunity for families in rural America, we are talking about the farm bill.

Last Congress, we brought a broad, bipartisan bill, but the committee was never able to get a vote on the floor. Now is our chance. Now is the critical time for rural America. People in our rural communities do count, and they ought to have the opportunity to have a farm bill voted upon. Now is the time that our farmers need to be able to plan for the future, and now we must have that opportunity to give them the chance to plan to help feed all of us.

This is the place, now is the time, now we have that opportunity to do something about it. Delay is serious, not only for our farmers, but for all of us. Short-term extensions only provide a band-aid. Uncertainty diminishes agriculture's ability to face the challenges associated with a growing population in our country and indeed a growing world population.

Yes, rural Americans are willing to do their part to cut the deficit and rein in spending, but we should not disproportionately put the burden upon the backs of families who live in small towns and communities across America. We hope that you will stand together and let's get the farm bill done for all Americans.

□ 1550

Mr. LUCAS. Madam Chairman, I yield 2 minutes to Subcommittee Chairman CONAWAY from the great State of Texas.

Mr. CONAWAY. Madam Chairman, I want to thank Chairman LUCAS as well as Ranking Member PETERSON for the great work they've done in getting us to this point. It's been bipartisan, and it's been an honor to work with both these gentlemen.

This bill wasn't written overnight. This bill that we'll consider today or tomorrow or the next couple of days is the result of 4 years of debate, a 2-year audit of every single policy in the USDA, as well as 40 hearings and the second markup last month and now the floor debate. This landmark bill saves taxpayers billions over the next 10 years while making the greatest reforms in food policy since 1996.

There are many reasons why this balanced, equitable, and market-oriented

farm bill is deserving of support. As we consider this legislation, I hope every Member of Congress will really think about how important it is to walk the walk rather than just talk the talk. This is a piece of legislation, not an opportunity for theatrics.

The difference between those who don't support this legislation and those who do is simple: the first group talks about cutting spending, talks about cutting the deficit, talks about making reforms, and talks about reducing the size of government, and the farm bill and its supporters actually do all of those things.

Failure to pass this farm bill means more of the same from Washington—$40 billion in additional government spending; 100 programs that we on the committee believe have outlived their usefulness will continue on; and we will continue the runaway, abusive spending programs within the SNAP programs without the reforms that we've put in place for this bill.

Opposing this bill is a vote for the status quo in Washington. A vote against this bill is a vote for the status quo in Washington.

I could go back to my district and tell my constituents that I voted against this bill because I'm a fiscal conservative, knowing full well that what I really did was leave Washington with the spending spigot fully turned on, and I'm not going to do that. I hope my fellow Members won't do it either.

This bill helps to provide food safety for our national security. A nation that produces its own food is more secure.

In addition to the work on the Ag Committee, I also serve on the Armed Services Committee and the House Intelligence Committee, and I see the dangers that our country faces every day. It is not in our Nation's best interest to depend on other countries for our food supply like we do for energy and other areas.

This bill is supported by hundreds of farm associations, agribusinesses, and farmers and ranchers across the country, including more than 80 in my home State of Texas.

I urge my colleagues to support this bill. Let's pass this and move on.

While farmers and ranchers would rather not ask us for this farm bill, it's simple—they don't have a choice.

If they could buy insurance for their crops like you and I can on our home, they would do it in a heartbeat. But they cannot. Without federal crop insurance, farmers and ranchers would have no insurance on a crop that they will spend more money each year to produce than most Americans will spend in a lifetime.

If farmers and ranchers could freely market their crops around the world without foreign governments putting up barriers, high tariffs, and spending billions of dollars to subsidize their farmers and ranchers, they would gladly do it.

But while we are debating cutting farm policy to record low levels, foreign subsidies and tariffs are hitting record highs and just keep rising. There is nothing free market about selling out America's farmers and ranchers to the uncompetitive trade practices of foreign countries.

This farm bill represents a modest response to Mother Nature and foreign subsidies and tariffs. It represents just one-quarter of 1 percent of the total budget. If every committee in Congress and every facet of government contributed to deficit reduction as the Agriculture Committee has, we would have the deficit licked by now.

Great thinkers throughout history have drawn the connection between the people who produce our food and clothing and the good of a nation. We in Congress owe it to the American taxpayer to pass legislation that promotes the safest, most abundant and cheapest food and fiber supply in the world.

I urge my colleagues to pass this farm bill.

Mr. PETERSON. Madam Chair, I am pleased to yield 2 minutes to one of our subcommittee ranking members, the gentleman from California (Mr. COSTA).

Mr. COSTA. Madam Chairman, I rise today to highlight the important and positive reforms in this year's FARRM Bill, that includes the Dairy subtitle, as we try to improve and save money for the Federal Agriculture Reform and Risk Management Act, otherwise known as the 2013 FARRM Bill.

I first want to thank Chairman LUCAS and Ranking Member PETERSON for the terrific work that they've done in cobbling together this bipartisan effort. It's never easy.

I can tell you as a grandson of two generations of dairy farmers in California that what American farmers do every day is work as hard as they possibly can to provide the highest value food quality at the most cost-effective level to American consumers, and they've been doing it for generations.

The Dairy Security Act of this bill is the result of 4 years of hard work and compromise by dairy producers and other members of the dairy industry across the country. This program is intended to provide a strong, market-based safety net that will keep dairy producers afloat while providing stable consumer prices.

The dairy industry—and producers especially—has been a victim in recent years because of dramatic price volatility, and so have the consumers. At the same time, producers have been forced to deal with feed costs that have skyrocketed from $2 a bushel to $7 a bushel, and that has had a dramatic impact.

Dairy producers across the country have seen their overhead increase as their profits have remained stagnant. Current Federal dairy policy continues to foster outdated support programs which no longer provide a meaningful safety net or ensure any stability for our dairy farmers or our consumers.

In California, my home State, the leading dairy State in the Nation, we have lost 100 dairies as a result of bankruptcy in the last 18 months. Something needs to be done. We need to fix this broken system.

This title provides stability to the producers and benefits the consumers as well. It is time to bring meaningful reform, and this measure does this.

I ask my colleagues to support this effort as we move along this bipartisan compromise.

Mr. LUCAS. Madam Chairman, I yield 2 minutes to the subcommittee chairman, the gentleman from Arkansas (Mr. CRAWFORD).

Mr. CRAWFORD. I thank the chairman and the ranking member for their outstanding work in crafting the 2013 FARRM Bill. I would especially like to thank the farmers and ranchers across rural America for their patience as we work through this long, difficult process.

Madam Chair, the bill before us today is the product of our extensive outreach to farmers, ranchers, and stakeholders across the entire country.

I believe that the most essential aspect of writing any farm bill is the critical input we receive from our rural constituents. The Agriculture Committee made this possible through holding a series of farm bill field hearings in nearly every region of the country, allowing producers to contribute to the farm bill process by having their voices heard.

Last year, I had the opportunity to host one of those field hearings in my hometown of Jonesboro, where all types of producers from Arkansas and around the Midsouth region had a chance to testify. They shared with the committee the challenges they face in the modern agricultural economy and provided suggestions about how the farm bill can be tailored to reflect their unique risk in the marketplace. This feedback was critical in helping us craft policy that meets the needs of producers not only in Arkansas, but around the country.

After hearing from stakeholders across the Nation, it was remarkable to me to hear time and time again that ag producers are willing to do their part to reduce the deficit. This willingness has allowed the Ag Committee to craft a farm bill that saves nearly $40 billion. This was no easy task, mind you, and the committee had to make some very tough choices. But I believe we were able to fairly balance the needs of our producers with the need to pay down the debt.

The final product is a bipartisan farm bill that saves taxpayers money, reduces deficit spending, and repeals outdated government programs while reforming, streamlining, and consolidating others. Whether it's through the elimination of direct payments, the consolidation of conservation programs, or eliminating abuse in the food stamp program, every part of this bill contributes fairly to deficit reduction.

I proudly support the 2013 FARRM Bill, and I encourage my colleagues to do the same.

Mr. PETERSON. Madam Chair, I am pleased to yield 2 minutes to another subcommittee ranking member, the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ. Madam Chairman, I, too, want to thank the chairman and the ranking member, who not only have worked unwaveringly to craft a great piece of legislation, but collaborating, shepherding this thing through, saving taxpayer money, supporting jobs, streamlining for efficiency, and eliminating burdensome programs. I'd also especially like to say they've done it with dignity, they've done it with grace, and they've done it with the respect and thoughtfulness for this institution. And I'll tell you, the American people need a lot of that.

Last week, we had a poll that showed us at a 10 percent approval rating. The North Koreans are at 17 percent. That ought to tell you something here. It would be funny if it wasn't so dang disappointing. The sacrifices that went into us doing the basic needs, the American public did not believe we could fulfill the basic needs. Well, you know what, they're wrong on this count because we're going to do it in here with the leadership of these two gentlemen who have spoken before. We need to make sure that this piece of legislation goes through the process, it's amended by the Members of this House in an appropriate manner, and we move it forward.

I can tell you, for those who say we would be better off just doing an extension, that's not what my dairy folks are telling me when they've watched drought, flood, and winter kill. They're struggling day to day to try and feed their herds and facing liquidation. To them, no farm bill means no funding for livestock disaster programs. Tell that to my youth in my district, where the average age of a farmer is 58 years, where we lose all these good programs to put people on the land.

So I urge all my colleagues: take a look at this. Do what you're hearing people say. This is reform. This is savings. This is smart policy. And it also gives the American people food security.

It's a national security issue. We feed 316 million Americans—our farmers do—and billions worldwide. I ask my colleagues, look over our shoulder, in this quote by Daniel Webster. Let us try and develop something worth being remembered for.

I urge passage of this bill.

Mr. LUCAS. Madam Chairman, I yield 2 minutes to the subcommittee chairman from Georgia (Mr. SCOTT).

Mr. AUSTIN SCOTT of Georgia. Madam Chairman, I rise today in support of this FARRM Bill. I, along with many others in this room, have worked on drafting a farm bill that meets the needs of our agricultural producers and consumers.

We've taken part in audit hearings and met with producers, grocers, and consumers. We've debated agricultural policy through two midnight-hour markups on a bill that should pass every 5 years. Through all of this, I have gained knowledge of many unnecessary programs and the fraud and abuse that plagues these programs. I also have a newfound appreciation for the FARRM Bill and its value to American citizens.

My granddad always said the farm bill is for when times are bad, not when they are good.

□ 1600

Several of my colleagues on both sides of the aisle have reasons to vote against the bill. Some say it cuts too much. For others, it doesn't cut enough. Let me be clear. This bill is a good step in the right direction. It will reduce Federal spending. It reduces the fraud, abuse, and waste in many of the government programs that are in the government today.

I would like to share a few facts with you. If we don't pass this bill:

$40 billion is the amount of money that will be spent on outdated commodity programs that we have cut out of this bill;

11 million is the number of additional acres in conservation programs that would receive a government program that we have cut out of this bill.

We have also reduced SNAP payments for about 2 million people who should not qualify for them anyway.

Some of the reforms to the nutrition title include:

Restrictions in the use of the LIHEAP program;

Eliminating lottery winners from qualifying for SNAP benefits;

And eliminating State performance bonuses and advertising for the program.

As my friend from Texas (Mr. CONAWAY) has asked: ''Is this a legislative moment or a theater moment?''

Madam Chair, I submit that this is a true legislative moment. During this time, we need to act on the facts. Farmers and families need the certainty of long-term agricultural policies so they can continue to be the cornerstone of our Nation.

I urge my colleagues to support this bill.

Mr. PETERSON. Madam Chair, I am now pleased to yield 2 minutes to an outstanding member of our committee, the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Madam Chair, I want to begin by thanking the chairman of the Ag Committee, Mr. LUCAS, and the ranking member, Mr. PETERSON, for their hard work. There have been countless hours on this bill, and so have their staffs. I appreciate their dedication.

I very much want to support a farm bill, so it is with deep regret that I come to the floor to say that I cannot support this farm bill. The main reason is because of the $20.5 billion cut in the SNAP program. That is too much, that is too harsh. Two million people will lose their benefits. Over 200,000 kids will be knocked out of the free breakfast and lunch program. Those aren't my statistics or a liberal think tank's statistics; that's what CBO says, the Congressional Budget Office. What happens to these 2 million people? Where do they go? Where do they get food? The fact of the matter is food is not a luxury, it is a necessity.

There are some who have said that all we are doing is reforming SNAP and we are dealing with the rising costs. If we were truly reforming SNAP, I would feel better about it if we held at least one hearing on it in the subcommittee.

In terms of dealing with rising costs, the best way to deal with that is to invest in our economy and put people back to work. When more people go to work, the number of people on SNAP goes down. It's countercyclical. That's how you decrease spending on SNAP.

Madam Chair, we have 50 million people in this country who are hungry—17 million are kids. We all should be ashamed. We ought to be having a discussion on how to end hunger in America. SNAP is one tool in the antihunger toolbox to end hunger. We need to have a broader discussion. But I can say with certainty that cutting SNAP by $20.5 billion will not alleviate hunger in America. It will cause more pain, more suffering, and more misery.

I want a farm bill that not only helps our farmers but moves us toward a day where we no longer have hunger in America. Unfortunately, this bill as written will make hunger worse.

Mr. LUCAS. Madam Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. THOMPSON), a subcommittee chairman.

Mr. THOMPSON of Pennsylvania. Madam Chairman, I rise in support of the House Agriculture Committee's 2013 FARRM Bill.

This legislation is a product of 3 years of extensive hearings, research, and fact finding. The bill eliminates outdated farm programs, direct payments, countercyclical payments, the average crop revenue election program, and the supplemental revenue assistance payments, for example. These programs are part of an old system and need to be eliminated.

Regarding SNAP and food stamps, we have made significant reforms. Specifically, we have closed a number of loopholes and have eliminated categorical eligibility. While we have eliminated these loopholes, such as automatic enrollment, the bill still allows for eligibility, based on income, to ensure that those who truly need the assistance continue to have access.

For the second consecutive Congress, I have had the privilege to chair the Subcommittee on Conservation, Energy, and Forestry. At the subcommittee level, we were successful in consolidating and cleaning up a number of programs. The bill consolidates 23 conservation programs down to 13. I believe it achieves this without negatively impacting the effectiveness or the goals of these programs.

We have also included several provisions to promote the health of our Nation's forests. Agriculture is the number one industry in Pennsylvania, and I am pleased to see that we are bringing much-needed reform to the Commonwealth's top sector—dairy. First and foremost, this bill repeals all of the dairy price support system, and replaces that system with a free-market margin program.

Like many of my colleagues, I have significant concern with the supply management portion of the dairy title. However, we can address this matter in the amendment process.

This bill is not perfect. However, it does make significant changes to both farm and nutrition programs, and will save the taxpayer over $40 billion. Without passage of this bill, none of these reforms will be made, none of the savings will be realized, and we will continue these broken policies or, even worse, revert to the permanent law for the 1930s and the 1940s.

I strongly urge my colleagues to vote for this legislation, and I thank both the chairman and ranking member for their leadership.

Mr. PETERSON. Madam Chair, I am pleased to yield 1 minute to the gentleman from Texas (Mr. CUELLAR), a former member of the committee.

Mr. CUELLAR. Madam Chairman, I rise in support of the importance of passing the new 5-year farm bill into law.

I first want to thank Chairman LUCAS for all the good work that he has done, and my ranking member, Mr. PETERSON—I still call him my ranking member, Mr. PETERSON—for all the work that he and the other members of the Agriculture Committee, in a bipartisan way, have done, including the staff that worked so hard to make sure that we get this farm bill done.

As you know, we did pass an extension, which was not the right thing to do, but we did an extension. We need to provide some sort of continuity with a 5-year program. As you know, this is something that needs to be done in a bipartisan way, and this is what the committee has done after having numerous bill hearings, after making some changes that provide some reform, reform that will save the taxpayers over $40 billion in funding over the next 10 years through important reforms to our commodity, conservation, and nutrition agencies.

I don't like the cuts to the nutrition, but I do understand this is a process. We have to get into a conference committee and work with the Senate. Therefore, I'm asking the Members to support the process and get this bill to where we can support it as bipartisan.

Mr. LUCAS. Madam Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. HUDSON).

Mr. HUDSON. Madam Chairman, I rise today in strong support of the farm bill—a product of several years of hard work and patience from Chairman LUCAS, Ranking Member PETERSON, and their staffs at the Agriculture Committee.

Madam Chairman, I would like to call attention to the patience of our farming community across this Nation, the economic engine of rural America, and especially to the farming families in the Eighth District of North Carolina, which I call home. When I go home every weekend and travel across my district, I hear one resounding thing, and that is get a 5-year farm bill done to provide us the certainty we need.

Madam Chairman, this bill is not perfect. In my opinion, it does not contain enough cuts or reforms, but our alternative is the status quo. I would like to see more cuts and will offer and support amendments to do just that. Ultimately, I will support this bill because not supporting it, again, means the status quo. Not supporting this bill means not getting over $40 billion in mandatory cuts when we had the chance. Not supporting this bill means not having a 5-year bill to provide certainty that our farmers need.

From the important provisions found in the commodities title to ensuring the critical safety net of crop insurance remains intact to making responsible cuts and reforms to bloated programs, saving the taxpayers' money, this bill is a bill we need to support.

This a bill that provides the tools our farmers need to keep them producing food and fiber for our country and the world.

Like I said, this bill is not perfect and I look forward to the debate we will have in the coming days, and considering the amendments my colleagues and I will offer to make this the best bill we can for the Agriculture Community and the American taxpayer.

On behalf of the farmers and agribusiness community of North Carolina, I am eager to get this bill finished and providing long awaited certainty and reforms.

Mr. PETERSON. Madam Chairman, I am pleased to yield 2 minutes to a new member of our committee from Illinois (Mr. ENYART).

Mr. ENYART. Madam Chairman, I rise today in support of this important and long overdue legislation.

When I ran for Congress, I pledged to work for southern Illinois' agricultural industry. That's why I voted in committee to advance this bipartisan 5-year bill.

The inability of the House to pass a farm bill was among the biggest failings of the last Congress. This is by no means a perfect bill. It cuts far too deeply to the SNAP program. There are real people in my district and in yours who depend on this program, and while we must reduce the deficit we shouldn't be doing that on the backs of those who can't afford to put food on the table. However, I believe that funding will be bolstered here on the floor of the House and in conference.

□ 1610

Let's look at what the bill does right:

It funds infrastructure upgrades for Midwestern waterways so farmers can get their crops to market;

It increases energy access to rural America, improving efficiency and reducing input costs for farmers and small businesses;

It ensures farmers have the flexibility to grow a wide array of crops without penalty and without fear of losing their insurance;

It saves taxpayer dollars and conserves critical wildlife and hunting habitats while still allowing farmers to manage their lands as they see fit;

It makes the USDA more efficient by streamlining programs and by cutting down on unnecessary paperwork and burdensome regulation for farmers;

It eases access to lines of credit so that farmers who want to expand their businesses have the tools necessary to do so;

It strengthens crop insurance to protect taxpayers while also making sure that farmers don't lose the farm if disaster strikes.

It's time that we do what we were sent here to do. It's time to act on a bill that, although imperfect, should have been adopted a year ago. It's time to pass a comprehensive farm bill. I stand in support of this legislation, and I urge my colleagues to join with me.

Mr. LUCAS. Madam Chairman, I yield 1 minute to the gentleman from Michigan (Mr. BENISHEK).

Mr. BENISHEK. I rise today in support of H.R. 1947, better known to everyone simply as the farm bill.

Over the past 3 years, I've been talking to farmers all over northern Michigan. My district is home to a diverse group of farmers. These family-owned operations are a vital and growing part of northern Michigan's economy, and it has been a privilege getting to know them.

Earlier this month, I visited with farmers in Leelanau County. I spoke to farmers at the Bardenhagen Farm in Suttons Bay, Michigan. Jim Bardenhagen and his family have been working their farm for over a century, so they know a thing or two about agriculture. Their story is like that of a lot of farmers across the First District and this whole country. These farmers have been telling me about the need for a strong farm bill, and I believe that's just what we have here.

Look, I understand this farm bill is not an easy issue for everyone. I can fully understand. I'm a doctor, not a farmer, so I tend to talk and trust those who understand these complicated issues best—the farmers in my district. For those of you who don't have a lot of farmers, don't worry. You sure eat. I'd be happy to give you the numbers of lots of farmers in northern Michigan, and they'd be happy to talk to you.

I look forward to a robust debate.

Mr. PETERSON. Madam Chair, I am pleased to yield 1 minute to another new member of the committee, the gentlelady from Illinois (Mrs. BUSTOS).

Mrs. BUSTOS. I rise today to talk about an issue of critical importance to my district in Illinois, and that is passing a 5-year farm bill.

As anyone can tell as one drives across my district, from Rockford to the Quad Cities to Peoria and everywhere in between, agriculture is our number one industry. My district is home to thousands of farmers and to millions of acres of some of the best farmland in the world. It is also home to Caterpillar and John Deere—among the best farm implement manufacturers in the world. The entire western border of my congressional district is met by the Mississippi River, on which barge transportation of agricultural products is absolutely vital to commerce in the region, in the State, and even in the world.

Whenever I talk with farmers or those employed in the agricultural business, what I hear more than anything else is that they want—and they need—certainty. Unfortunately, last year, Congress failed to pass a 5-year farm bill and, instead, resorted to a short-term extension, which expires at the end of September.

The Acting CHAIR (Ms. ROS-LEHTINEN). The time of the gentlewoman has expired.

Mr. PETERSON. I yield the gentlelady an additional 1 minute.

Mrs. BUSTOS. Thank you, Mr. PETERSON.

As a member of the Agriculture Committee, it was an honor to be part of the farm bill markup last month. Unlike so much else in Washington, the markup was an exercise in bipartisanship. The entire committee was civil and accommodating toward one another. While the bill we passed is not perfect, it contains many worthwhile provisions.

Illinois farmers have endured some of the most extreme weather conditions in recent years, including record floods this year and the worst drought in a generation just a year ago. That is why we need to keep in place a strong and stable crop insurance program so that farmers, always at the mercy of Mother Nature, can continue to provide the food our Nation and our world depend on. The bill also contains an amendment that I sponsored that would help aid improvements to river transportation infrastructure, flood prevention and drought relief, including the aging locks and dam system along the Mississippi and Illinois Rivers.

The family farmers I talk with back home in Illinois want the security and the stability of a 5-year farm bill. That is how they can plan for future growth and investments and can continue to provide the world with a stable food supply. Let's give them the certainty by passing a 5-year farm bill.

Mr. LUCAS. Madam Chairman, I yield 2 minutes for the purpose of a colloquy to the gentleman from Washington State, DOC HASTINGS.

Mr. HASTINGS of Washington. Thank you, Mr. Chairman.

As you know, the central Washington growers whom I represent provide a variety of top-quality produce to people across the country and around the world, including the majority of apples, pears, and cherries grown in the United States. There is no question that both consumers and growers want to ensure that we have the safest food supply in the world. However, Mr. Chairman, I have serious concerns with the one-size-fits-all regulations that the Food and Drug Administration has proposed to govern the way that all fruits and vegetables are grown and harvested.

I think that we can all agree that lettuce and apples are grown in completely different ways. For one thing, lettuce is grown in the ground and apples in the trees. That's obvious. It only makes sense that these products should be evaluated based on how susceptible they may be to food safety risks and subjected to regulations that would reflect both the risk level and the way they are grown.

I am concerned that the current regulations, which subject all growers of fresh produce to the same requirements and restrictions, are nearly impossible to meet for tree fruit growers in my district. There has never been a known food safety problem with fresh apples; and yet if implemented, these regulations risk putting our growers out of business and pushing apple production overseas.

Would the chairman agree that the FDA should evaluate the risks of individual agricultural products based on the best available science and consider the growing methods and conditions of these products when developing regulations under the Food Safety Modernization Act for the safe production, harvesting, handling, and packing of fresh fruits and vegetables?

I yield to the chairman, the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. I recognize the gentleman from Washington's concerns about the one-size-fits-all approach of the FDA. In fact, this was among the several concerns we raised during debate in the House when the Food Safety Modernization Act was under consideration.

I share his belief that, if the FDA is going to be given the task of telling farmers how to farm, it should do so after a thorough examination of the risks of the different types of fruits and vegetables and then, based on the best available science, consider the growing methods and the conditions of individual commodities when developing regulations.

The Acting CHAIR. The time of the gentleman has expired.

Mr. LUCAS. I yield myself an additional 30 seconds.

I would encourage the FDA to re-evaluate the proposed regulations, including docket No. FDA–2011–N–0921–0001, and make the necessary revisions to ensure that they meet this purpose.

I yield to the gentleman.

Mr. HASTINGS of Washington. I would like to thank the chairman for his words and his attention to this issue that is so important to the growers of my central Washington district. I look forward to continuing to work with him to ensure that the new food safety regulations recognize the diverse way that farms across the Nation grow our food and keep them safe for the public.

Mr. PETERSON. I am now pleased to yield 1 minute to another new member of the committee, the gentleman from California (Mr. VARGAS).

Mr. VARGAS. I thank the ranking member for yielding.

Madam Chairman, I would like to thank the chairman and the ranking member of the Agriculture Committee for their leadership and their hard work in bringing a farm bill to the floor this year.

I rise in support of many of the provisions in the FARRM Act, but with grave concerns about the cuts to the Supplemental Nutrition Assistance Program, SNAP.

I strongly support the provisions in the FARRM Act that expand funding for the Specialty Crop Block Grants, that restore funding for the Specialty Crop Research Initiative and that maintain funding for pest and disease control, market access programs and organic agriculture.

While the FARRM Act provides many positive provisions that support a strong agriculture safety net, the $20.5 billion in cuts to the SNAP program is unconscionable. If the FARRM Act is enacted, the CBO estimates that nearly 2 million low-income people will lose SNAP benefits and that another 1.8 million people live in households that would experience a benefit cut of $90 per month.

We cannot continue to balance the budget on the backs of our poor, our children, our seniors, and our veterans. I want to support a farm bill, but I cannot support these cuts to SNAP. I do, though, thank them very much for their hard work.

□ 1620

Mr. LUCAS. Madam Chairman, I yield 1 minute to the gentleman from California, a home of amazingly diverse agriculture, Mr. LAMALFA.

Mr. LAMALFA. Madam Chairman, I rise today in support of H.R. 1947.

Is this farm bill perfect? No. Would I like for it to have done more? Yes. Is this still a bill that modernizes and moves farm bill reform forward? Yes.

We've made many landmark improvements and modernized many programs within this bill. The farm bill provides logical reforms that would streamline our Federal Government and cut spending and protect our farmers, ranchers, and rural communities.

We indeed are reducing spending in the farm bill by $40 billion, including $6 million in sequestration. We're streamlining the conservation programs to the tune of $13.2 billion by repealing direct payments, also. We are also saving money in the food stamp area by $20.5 billion.

The farm bill offers the first reforms and savings to the SNAP law since the Clinton-era welfare reforms in 1996, modernizing SNAP programs while eliminating waste, fraud, and abuse.

In the House Agriculture Committee, I'm proud to say we added further reforms to SNAP by preventing the USDA and States from engaging in SNAP recruitment activities and prohibiting the USDA from advertising SNAP on TV, radio, and billboards.

This is a farm bill we need to pass to move in the right direction. I urge a ''yes'' vote.

Mr. PETERSON. Madam Chair, I'm now pleased to yield 3 minutes to the minority whip, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding. I thank him for his work, and I thank Mr. LUCAS for his work.

We struggle in this Congress to try to bring bipartisan legislation to the floor. It's a shame.

I've normally voted for the farm bill for a reason I will express here. First of all, the farm bill is an important piece of legislation. It sets Federal policy in a range of areas that deeply affect the lives of farmers, their communities, and consumers. But it also makes a huge difference in the lives of those who rely on food assistance to avoid hunger, especially children.

It's a shame that we could not consider the farm bill on its merits without undermining its credibility with what we clearly believe are not reforms and not the elimination of waste, fraud, and abuse.

It's so simple to say that. I've heard that for all the time I've been here in Congress. Let's just cut out fraud, waste, and abuse. Everybody wants to cut out fraud, waste, and abuse; but cutting out assistance for hungry people is neither fraud, nor waste nor abuse. Well, it may be abuse.

The Supplemental Nutrition Assistance Program, or SNAP as it is called, protects over 46 million Americans who are at risk of going without sufficient food. Nearly half of those are children. Are there some reforms that are needed? Perhaps. And the Senate has made those reforms in a moderate, considered way.

The average monthly benefit per participant last year according to the USDA was $133.41. I challenge any Member of this House to live on $133.41 for food. That's $4.45 a day.

At a time when millions remain out of work struggling to support themselves and their family as they seek jobs, it would be irresponsible to make the kinds of cuts that are proposed in this bill. No one in the richest country on the face of the Earth should go hungry in this country.

Yet that's exactly what this bill would do, slashing $20.5 billion from the Supplemental Nutrition Assistance Program and putting 2 million of our fellow Americans at risk.

Feed the hungry; clothe the naked; give shelter to the homeless—that's not a political policy. That's a moral policy. Our faiths teach us that.

While we've cut millions in funding in this bill, this Congress has done nothing to advance legislation that will help create jobs or opportunities to help expand our middle class. While it's important that Congress provide certainty to the agricultural community, which I support, this unbalanced bill takes the wrong approach on these cuts to SNAP.

The Acting CHAIR. The time of the gentleman has expired.

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

Mr. HOYER. Madam Chair, I'm disappointed. This ought to be a bipartisan bill. Mr. PETERSON wants it to be a bipartisan bill and many of our people and, as a matter of fact, a majority of our people supported it in committee.

I think the chairman wants it to be a bipartisan bill. I understand he has to deal within the framework of his caucus like every chairman has to do on either side of the aisle. I understand that. But it is a shame.

A bill that ought to be bringing us together for people who provide this country with food and fiber and, indeed, provide a lot of the world with food and fiber, that we have put this almost poison pill—I don't know whether it's going to be a poison pill—but almost poison pill in it, I regret that. It's not worthy of our country. It's not worthy of the morals of this Nation.

But I thank the chairman and I thank the ranking member for their efforts to try to bring us together. Whether they've done so or not, we'll have to see.

Mr. LUCAS. Madam Chairman, I yield 1 minute to the gentlewoman from South Dakota (Mrs. NOEM).

Mrs. NOEM. I thank the chairman and the ranking member for their leadership on this issue.

Madam Chairman, today I rise, I stand, and at this point I'd even leap for joy, for a farm bill that's good for agriculture in this country.

This bill that we have today isn't a perfect bill, but it is a good bill. It is bipartisan, it saves nearly $40 billion, it reforms the food stamp program and farm programs, it eliminates direct payments, it consolidates conservation programs, it saves money, it gives us a safety net, and it is still accountable to taxpayers.

As we debate this bill, though, I don't want to lose sight of a big policy discussion. We decided decades ago that it was important for us to have a farm bill because it was important for us to grow our own food in this country. We didn't want to rely on another country to feed us because we recognized that the instant we did that, we would allow that country to control us.

That's why good farm policy is important to our national security. That's why when we go to the grocery store, we can count on buying safe food. We can know that there will be affordable food there at affordable prices. A farm bill is the reason that we all enjoy these benefits. We can't take our food supply for granted.

I urge my colleagues to pass this bill this week.

Mr. PETERSON. Madam Chair, I reserve the balance of my time.

Mr. LUCAS. Madam Chairman, I yield 1 minute to the gentleman from the great State of Texas (Mr. NEUGEBAUER).

Mr. NEUGEBAUER. I thank the chairman, and I rise in support of H.R. 1947, the FARRM Bill.

This is a win-win. This is a win for the American people because they're going to continue to get the safest and cheapest food in the world.

It's a win for farmers and ranchers all across the country because now they will have a 5-year farm bill that will give them policy to make the important decisions they need to make to run their businesses and their farms and ranches.

And more importantly it's a win-win for the American people because this brings $40 billion worth of savings at a time when we're running trillion-dollar deficits.

There's been a lot of discussion about what this bill does and doesn't do. This bill does bring reform, reforming over 100 different programs. What this bill doesn't do is take one benefit away from a SNAP recipient who's qualified for that.

What we find is there's been some gamesmanship in this program. What we owe the American people is to make sure that the people who are on these benefits that are very timely for some folks, but make sure that they qualify

for it. So those people that want to say this takes money away or food away from families, that's just not true.

I urge you to support this reform bill. It's good for the American people.

Mr. PETERSON. Madam Chair, I continue to reserve the balance of my time.

Mr. LUCAS. Madam Chairman, I yield 1 minute to the gentleman from Iowa (Mr. KING).

□ 1630

Mr. KING of Iowa. Madam Chair, I thank the gentleman for yielding.

I come to the floor, first, to congratulate this bipartisan effort. I have been through other farm bills I guess a couple of times. I've seen it when we had a Republican chair, a Democrat chair, and a Republican chair. I've seen it as Ranking Member PETERSON worked hard with Republicans 6 years ago. And I've seen it as our chairman, FRANK LUCAS, has worked hard with Ranking Member PETERSON over the last year and a half. This is a very, very difficult balance to pull together.

But here's what we get with this: first of all, the end of direct payments by the agreement of our producers. Whoever, as a recipient of a government check, stepped forward and said: I'll give that up because economically we can do that. And at the same time, we get some reform in the SNAP side of this thing that says we're going to start holding some people accountable without taking a single calorie out of the mouths of those that are needy and those who we want to get those benefits.

And in the middle of all of that, if we don't pass a bill, we revert to the 1949 bill, which would be a calamity. And if we don't address the SNAP version of this, then what we end up with, Madam Chair, is a growing food stamp program. So I urge its adoption.

Mr. LUCAS. Madam Chair, I yield 1 minute to the gentleman from Montana (Mr. DAINES).

Mr. DAINES. Madam Chairman, one of the top requests that I hear from Montanans when I go back every weekend is Congress needs to pass a long-term farm bill.

One in five of Montana jobs rely on agriculture, and it's past time for passage of a 5-year farm bill that protects and promotes Montana's number one industry. We need a farm bill that supports our rural communities and gives the ag community the certainty needed to plant the crops that feed our country and ensure a stable food supply. We need a farm bill that gives Montana farmers relief from burdensome regulations and encourages young people to remain active in their family farms.

This bill also contains important provisions for our timber community, and for the health of our forests. As we begin fire season, we've already seen the terrible consequences of the lack of active forest management. It's important we give the Forest Service the necessary regulatory relief in order to protect our communities.

In light of our Nation's escalating debt crisis, Congress must look to save taxpayer money wherever possible. I am pleased that the Ag Committee has made substantive, cost-saving changes to a wide variety of programs in the proposed farm bill, including reforms designed to reduce fraud and abuse in the distribution of food stamps. It's important to get the farm bill passed through the House, into conference, and on the President's desk before expiration. It's time to pass the farm bill.

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

Mr. LUCAS. Madam Chair, I yield 1 minute to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Madam Chair, I rise to support this bill, and I certainly appreciate the persistent hard work and leadership of Chairman LUCAS and Ranking Member PETERSON, and I want to thank both for bringing this very important legislation to the floor for a House vote.

In 2012, Louisiana farmers and ranchers produced nearly $11.4 billion in commodities. It's a vital and growing sector of our State's economy, and we need a new farm bill now to provide the kind of certainty going forward for our farmers. Throughout south Louisiana, the agricultural economy is the lifeblood of our rural communities. This is a bipartisan bill containing truly significant reforms, with savings of up to $40 billion.

Given the immense diversity of American agriculture, it's important to have price-loss coverage, which is an important option for our Southern farmers, like our rice farmers. This is critical for their future security.

Additionally, an extension of the U.S. sugar program ensures a level playing field with other nations, which continue to heavily subsidize their sugar industry with unfair trade practices. I strongly urge my colleagues to support this bill.

Mr. LUCAS. Madam Chair, I yield 1 minute to the gentleman from Nebraska (Mr. SMITH).

Mr. SMITH of Nebraska. Madam Chair, I rise today in support of H.R. 1947, the 2013 FARRM Bill. Agriculture is an inherently risky venture. But even in tough times, agriculture remains a bright spot in our economy, and we cannot afford to undermine this success. We should not use the notion of ag producers growing more and wasting less as an excuse to chip away at crop insurance. Thanks to crop insurance design, last year's losses, a result of the worst drought in decades, were not completely borne by taxpayers. Further cuts to this program could mean increased costs to consumers.

This farm bill also provides disaster assistance to livestock producers impacted by severe drought; continues investment into agriculture research, a crucial component of food safety; and builds upon conservation efforts already undertaken by landowners across America.

While this is not a perfect bill, we are here to allow the legislative process to work. I'm hopeful we can pass this bill, go to conference with the Senate, and ensure producers have the opportunity they need to continue to feed the world.

The Acting CHAIR. The gentleman from Oklahoma has 1 minute remaining, and the gentleman from Minnesota has 5½ minutes remaining.

Mr. LUCAS. Madam Chair, I would note that I am the last speaker and would conclude, and would ask if the gentleman would yield me an extra minute or two.

Mr. PETERSON. Madam Chair, I yield the balance of my time to the gentleman from Oklahoma.

The Acting CHAIR. Without objection, the gentleman from Minnesota yields 5½ minutes to the gentleman from Oklahoma to control.

There was no objection.

Mr. LUCAS. Madam Chair, I yield myself such time as I may consume.

Madam Chair, we've heard some very good debate this evening about the merits and the challenges that we face in putting this bipartisan bill together. I'd like to take just a moment to focus on the nutrition title and the spirit and the logic that went into crafting this.

The focus of the committee was that the savings should be achieved across all areas of the farm bill, and that $40 billion, approximately, we have saved does achieve savings in the commodity title, the conservation title, as well as the nutrition title. Everybody under the jurisdiction of the farm bill contributes to the reforms.

Now, in the nutrition title for just a moment, I just want to stress to my colleagues the committee tried to achieve savings in a way that would not deny an individual who was qualified under present law by income or assets from receiving help. We just simply say in the committee draft that things like automatic food stamps, categorical eligibility, something that's evolved out of the 1996 welfare reform, we simply say everybody needs to show they qualify, and we'll help you.

The LIHEAP program, where States in some cases give as little as $1 to help their citizens pay their home heating costs that triggers a whole month's worth of food stamps, we say in the bill: States, you've got to give $20 to trigger that.

The goal of the committee was never to work hardship on anyone. The goal of the committee, in a time of $16 trillion national debt, annual trillion-dollar deficits, was to achieve savings

across the board. But it requires that the folks who need help come in and demonstrate they qualify. If you don't like the asset level or the income level, that's a different debate. We just simply say if you need the help, show us you qualify and we'll help you. That's a $20.5 billion savings, according to CBO. Will that be the way it's implemented? I don't know. But we operate by CBO scores, and there's almost $40 billion in overall savings in all areas of the farm bill.

I would challenge all my friends, if every other committee in every other jurisdiction would achieve these kinds of savings across the board, we'd be in a different situation with our operating annual deficit.

The Ag Committee has done its work, and we've done it in a thoughtful way. Help us over the course of the next few days with the amendment process. Don't, by affection, offer amendments simply to prevent the process from happening. Don't do things that are intended not to make the bill a better piece of legislation, but to prevent it. Be good legislators; be thoughtful legislators. Do what's right, whether it's to help the people raise the food, or that other part of our society that needs help on a month-to-month basis. Do them all right. I have faith in you. I believe through good debate and good discussion on good amendments, perfections will be made. A consensus will be achieved. We'll move forward. I have faith in you, my colleagues.

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

Mr. HOLT. Madam Chair, I appreciate the efforts of Chairman LUCAS (R–OK) and Ranking Member PETERSON (D–MN) to craft this year's farm bill. The FARRM Act makes many several necessary reforms to our county's agricultural policy. The bill encourages organic agriculture, promotes specialty crops, such as fruits and vegetables, and ends direct commodity payments to farmers in favor of a more robust crop insurance program.

I support many of these reforms, but the bill that was considered in the House this week could have been much better. The FARRM Act cut conservation programs designed to reward farmers for protecting drinking water and land and reduced acreage enrollment in the Conservation Reserve Program (CRP). The bill failed to place caps on the taxpayer's share of crop insurance premiums and increased price guarantees for many major crops. Additionally, the bill contained a provision added by amendment in the Committee that would have prevented states from setting their own farm and food standards.

But the most outstanding issue with the FARRM Act is by far the $20.5 billion cut to the Supplemental Nutrition Assistance Program (SNAP), more commonly known as food stamps. At a time when a record numbers of families are struggling to put food on the table the House bill would recklessly cleave SNAP resulting in a loss of benefits for more than 2 million low-income individual, working families, children and seniors.

In New Jersey the number of SNAP participants over a 5-year period has more than doubled from only 431,797 participants in March 2008, up to 873,657 participants in March of this year. The Americans who rely on this program are not looking for a handout or trying to game the system, they are individuals and families who have fallen on hard times and need just a little assistance to afford the most basic of needs—something to eat.

The average weekly SNAP benefit is $31.50 a week or about $4.50 a day. Half of all SNAP beneficiaries are children. 1 in 5 American children live in a food insecure household and 75% of households with food insecure children have one or more adults in the labor force. Overall 76% of SNAP benefits go to households with children, 16% to households with disabled persons, and 9% to households with seniors.

I voted against final passage of the FARRM Act because we must stop trying to balance the budget on the backs of the poor and working class. A $20.5 billion cut in SNAP would harm only poorest families in American and disproportionately affect children, seniors and people with disabilities.

As a country we must end our obsession with debt and deficits, especially when these reductions are coming at the expense of the impoverished and the hungry. We need policies that encourage economic growth which will allow for the creation of more jobs, higher incomes, and increased tax revenues that will in turn contribute to deficit reduction.

There are greater savings possible elsewhere in the farm bill, such as placing caps on insurance premium subsides that enable some of the largest farms to receive millions of taxpayer dollars year-after-year.

Rather than cutting programs that are specifically focused on the hungry and poor, I support policies that will create jobs and improve incomes, allowing in the long-term fewer household to depend on SNAP for their next meal.

Now that the FARRM Act has failed to pass the House by a vote of 195 to 234, it should be clear to the House Majority that members on both sides of the aisle are opposed to the SNAP cuts in this bill. I encourage my colleagues in Leadership and in the Agriculture Committee to work towards a compromise that would eliminate the SNAP cuts and allow for the passage of a farm bill that supports agriculture without hurting hungry families.

Mr. VAN HOLLEN. Madam Chair, I rise today in opposition to H.R. 1947, Federal Agriculture Reform and Risk Management Act. While Congress must pass a long-term policy for American consumers, farmers, and ranchers, this bill is simply unacceptable. Unlike the measure passed by our colleagues in the Senate, the House GOP's bill makes deep, reckless cuts to programs for low-income families and children. This bill reduces by $20 billion the Supplemental Nutrition Assistance Program (SNAP), which will end food aid for nearly 2 million people, and kick 210,000 children off of free school lunch and breakfast.

We need a farm bill that is fiscally responsible, provides small farmers and ranchers with tools to manage risk, and creates opportunities for conservation in areas like the Chesapeake Bay. There is agreement that we need to eliminate direct payments that are made regardless of yields, prices, farm income, or size. Unfortunately, until the House GOP bring a reasonable measure to the floor, the federal government will continue to give taxpayer dollars to big agribusinesses whether they need them or not.

I urge my colleagues to oppose this bill and look forward to working with them on a responsible, long-term reauthorization of our nation's agriculture policy.

Mr. LUCAS. Madam Chair, I am aware of the concern that some of the 1890s are having difficulty meeting the matching requirement under the McIntire-Stennis Cooperative Forestry Program. There has been considerable discussion regarding matching fund policies in our research, extension and education programs. This legislation contains several reforms reflective of those discussions and beneficial to the entirety of the land-grant community.

I appreciate the gentleman's willingness to allow us the opportunity to work through this issue with USDA and the 1890s Council of Presidents to craft a workable policy under McIntire-Stennis. You have my commitment that we will resolve this issue favorably and will certainly look to the language contained in the Senate legislation as the basis for these discussions.

Mr. DINGELL. Madam Chair, I rise in opposition to H.R. 1947, the Federal Agriculture Reform and Risk Management Act. I would very much like to support this legislation. I understand how important it is for Congress to pass a five-year Farm Bill to give certainty to farmers across the nation and to reauthorize and improve critical nutrition and conservation programs. I strongly support many of the reforms made to the farm safety net, including the elimination of direct payments and an increased focus on crop insurance, a risk management tool which actually works. However, the $20 billion in cuts to the Supplemental Nutrition Assistance Program (SNAP) are unconscionable, and for this reason I cannot support this bill.

My Republican colleagues continue to claim that SNAP is growing out of control because participation in the program has grown in recent years. In fact, this is a sign that SNAP is working as intended. The recession left many people in dire financial straits and unable to put food on the table to feed their families. For many of my constituents, SNAP is an important stop-gap measure to help them during a time of need. These people are not asking for a handout. They are simply trying to get by. We should be thankful that we have a strong SNAP program as a part of our safety net. If the reforms proposed by the GOP were in place over the last five years, more Americans would have gone hungry. This is unacceptable and is not the direction in which our country should be headed.

I agree that we need to take reasonable steps to stabilize the national debt. However, we must not balance our nation's books on the backs of the most vulnerable Americans, as this legislation proposes to do. My dear friend Senator DEBBIE STABENOW has a strong, bipartisan farm bill which recently passed the Senate overwhelmingly. The Senate bill makes smart, targeted cuts to SNAP, and I

strongly support this legislation. I hope that we can come together in a conference committee to pass a good, strong bipartisan farm bill which I can support.

Mr. BISHOP of Georgia. Madam Chair, it was my intention to offer an amendment to H.R. 1947, the Federal Agriculture Reform and Risk Management Act of 2013, which would have amended Section 4 of Public Law 87–788 (commonly known as the ''McIntire-Stennis Cooperative Forestry Act'').

My amendment said: ''The matching funds requirement shall not be applicable to eligible 1890 Institutions (as defined in Section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998), if the allocation is below $200,000.''

On July 2, 1862, President Abraham Lincoln signed into law the Morrill Act, which made it possible for each state to receive federal funds to establish a state college or university.

Regretfully, slavery still existed in the United States when the Morrill Act of 1862 was enacted into law. Even after the Civil War ended in 1865, it was still considered illegal to educate blacks in the South—making it impossible for black students to attend any college or university established under the Morrill Act of 1862. These conditions resulted in the enactment of the Morrill Act of 1890 and its support for black educational institutions.

Today: The eighteen 1890 Land-grant institutions represent 24 percent of all land-grant institutions (76 institutions total); The 1890 Land-grant Institutions enrolled 98,397 students in 2011 (31% of all student enrolled in HBCUs); The 1890 Land-grant institutions produced 33 percent of all Bachelor's degrees, 41 percent of all master's degrees, 45 percent of all doctoral degrees and 24 percent of all professional degrees awarded at HBCUs.

Notable graduates of 1890 Institutions include: Oprah Winfrey, Ralph Waldo Emerson. Gen. Daniel Chappie James, Lionel Richie, Whitney Young, Art Shell, Ronald McNair, JIM CLYBURN, EDOLPHUS TOWNS, ALCEE HASTINGS, CORRINE BROWN.

Madam Chair, in the 2008 Farm bill, 1890 institutions were made eligible to receive funding for the first time under the McIntire-Stennis Cooperative Forestry Act, which is a capacity building program for forestry research that requires matching funds.

Under in the 2008 Farm bill, 1890 institutions were made eligible to receive funding for the first time under the McIntire-Stennis Cooperative Forestry Act, which is a capacity building program for forestry which requires matching funds.

The McIntire-Stennis Cooperative Forestry assists all states in carrying out a program of state forestry research at state forestry schools and colleges and in developing a trained pool of forest scientists capable of conducting forestry research, including ecological restoration; catastrophe management; valuing and trading ecological services; energy conservation, biomass energy and bio-based materials development; forest fragmentation: carbon sequestration and climate change; and ways of fostering healthy forests and a globally competitive forest resources sector.

Unfortunately, many of our 1890 institutions find themselves financially strapped and in need of relief. One area in particular where they are having difficulty is with respect to providing the matching funds for the McIntire-Stennis program—particularly those institutions eligible for $200,000 or less.

Indeed, many campuses are having difficulty matching other capacity funds and for competitive grants. 1890 Institutions are working diligently to increase their nonfederal sources of funds, however, having the burden of the current match is keeping the program in stress as they go forward to develop forestry related research programs and teaching and outreach programs, hire faculty for the programs and enroll students in the McIntire-Stennis dependent education curricula.

The same language which is included in the amendment I had planned on offering today is currently included in the Senate version of the Farm bill S. 954, The Agriculture Reform, Food and Jobs Act of 2013, as section 8301.

At the request of the Chairman and Ranking Member of the House Agriculture Committee, however, I am not going to offer my amendment today in order to allow the House Committee staff to work with USDA, our 1890 schools and Senate staff to develop alternative perfecting language which addresses concerns raised about the potential unintended impact of the amendment on 1890s institutions.

I am withdrawing my amendment with the understanding and assurance, from my distinguished friends, Chairman LUCAS and Ranking Member PETERSON that should we not be able to come to agreement on perfecting language during conference on the two farm bills, the final Conference bill and report will contain an exemption for eligible 1890 institutions from the matching requirement if their allocation is below $200,000.

Mr. LUCAS. Madam Chair, I submit the following exchange of letters:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, June 14, 2013.

Hon. FRANK LUCAS,
Chairman, Committee on Agriculture,
House of Representatives, Washington, DC.

DEAR CHAIRMAN LUCAS: I am writing to you concerning the bill H.R. 1947, the ''Federal Agriculture Reform and Risk Management Act,'' which is expected to be on the floor the week of June 17, 2013. This legislation includes provisions in sections 1207 and 1301 that pertain to the jurisdiction of the Committee on Ways and Means with respect to the imposition and collection of tariffs on imports of cotton and sugar. Further, the Committee on Ways and Means maintains jurisdiction over all matters that concern raising revenue as contained in sections 1412 and 1435.

The Committee recognizes the importance of H.R. 1947 and the need to move expeditiously. Therefore, the Committee is willing to forego action on the bill with the understanding that by doing so, the Committee is not in any way prejudiced with respect to its jurisdictional prerogatives or the appointment of conferees on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 1947, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record.

Sincerely,

DAVE CAMP,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, June 17, 2013.

Hon. DAVE CAMP,
Chairman, Committee on Ways and Means,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 1947, the Federal Agricultural Reform and Risk Management Act of 2013. As you noted, there are provisions of the bill that fall within the Rule X jurisdiction of the Committee on Ways and Means.

I appreciate your willingness to forgo action on H.R. 1947, and I agree that your decision should not prejudice the Committee on Ways and Means with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I will include a copy of our exchange of letters in the Congressional Record during the floor consideration.

Thank you for your courtesy in this matter and I look forward to continued cooperation between our respective committees.

Sincerely,

FRANK D. LUCAS,
Chairman.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, May 22, 2013.

Hon. FRANK D. LUCAS,
Chairman, Committee on Agriculture,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 1947, the Federal Agriculture Reform and Risk Management Act of 2013, as ordered reported by the Committee on Agriculture. There are certain provisions in the legislation that fall within the rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite this legislation for floor consideration, the Committee will not assert a jurisdictional claim over this bill by seeking a sequential referral. However, this is conditional on our mutual understanding and agreement that doing so does not in any way alter or diminish the jurisdiction of the Committee on Transportation and Infrastructure with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the committee report on H.R. 1947 and into the Congressional Record during consideration of the measure on the House floor.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, May 23, 2013.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 1947, the Federal Agricultural Reform and Risk Management Act of 2013. As you noted, there are provisions of the bill that fall within the rule X jurisdiction of the Committee on Transportation and Infrastructure.

I appreciate your willingness to forgo action on H.R. 1947, and I agree that your decision should not prejudice the Committee on

Transportation and Infrastructure with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I will include a copy of our exchange of letters in the Committee Report to accompany the bill and in the Congressional Record during the floor consideration.

Thank you for your courtesy in this matter and I look forward to continued cooperation between our respective committees.

Sincerely,

FRANK D. LUCAS,
Chairman.

COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES,
Washington, DC, May 22, 2013.

Hon. FRANK LUCAS,
Chairman, Committee on Agriculture, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to the consideration of H.R. 1947, the Federal Agriculture Reform and Risk Management Act of 2013. Thank you for consulting with the Committee on Education and the Workforce with regard to H.R. 1947. The committee remains watchful of policy changes to the nutrition programs within the bill under its jurisdiction and those that may impact programs under the Child Nutrition Act.

In the interest of expediting the House's consideration of H.R. 1947, the Committee on Education and the Workforce will forgo further consideration on this bill. However, I do so only with the understanding that this procedural route will not be construed to prejudice the committee's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdicational interest to my committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Education and the Workforce should this bill or a similar bill be considered in a conference with the Senate. I also request that you include our exchange of letters on this matter in the Committee Report on H.R. 1947 and in the Congressional Record during consideration of this bill on the House floor.

Thank you for your attention to these matters.

Sincerely,

JOHN KLINE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, May 22, 2013.

Hon. JOHN KLINE,
Chairman, Committee on Education and the Workforce, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 1947, the Federal Agricultural Reform and Risk Management Act of 2013. As you noted, there are provisions of the bill that fall within the Rule X jurisdiction of the Committee on Education and the Workforce.

I appreciate your willingness to forgo action on H.R. 1947, and I agree that your decision should not prejudice the Committee on Education and the Workforce with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I will include a copy of our exchange of letters in the Committee Report to accompany the bill and in the Congressional Record during the floor consideration.

Thank you for your courtesy in this matter and I look forward to continued cooperation between our respective committees.

Sincerely,

FRANK D. LUCAS,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
Washington, DC, May 23, 2013.

Hon. FRANK LUCAS,
Chairman, Committee on Agriculture, Washington, DC.

DEAR CHAIRMAN LUCAS: I am writing to you concerning the jurisdictional interest of the Committee on Science, Space, and Technology in H.R. 1947, the Federal Agriculture Reform and Risk Management Act of 2013. The bill contains several provisions which are within the Committee on Science, Space, and Technology's jurisdiction.

The Committee on Science, Space, and Technology acknowledges the importance of H.R. 1947 and the desire to bring this legislation before the House of Representatives in an expeditious manner. Therefore, while we have a valid jurisdictional claim over the bill, I agree not to request a sequential referral. This, of course, being conditional on our mutual understanding that nothing in this legislation or my decision to forgo a sequential referral waives, reduces, or otherwise affects the jurisdiction of the Committee on Science, Space, and Technology.

Additionally, the Committee on Science, Space, and Technology expressly reserves its authority to seek the appointment of conferees during any House-Senate conference that may be convened on this, or any similar legislation. I ask for your commitment to support any request by the Committee for conferees on H.R. 1947 as well as any similar or related legislation.

I ask that a copy of this letter and your response be included in the report on H.R. 1947 and also be placed in the Congressional Record during consideration of the bill on the House floor.

I look forward to working with you as we move this important measure through the legislative process.

Sincerely,

LAMAR SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, May 21, 2013.

Hon. LAMAR SMITH,
Chairman, Committee on Science, Space, and Technology, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 1947, the Federal Agricultural Reform and Risk Management Act of 2013. As you noted, there are provisions of the bill that fall within the Rule X jurisdiction of the Committee on Science, Space, and Technology.

I appreciate your willingness to forgo action on H.R. 1947, and I agree that your decision should not prejudice the Committee on Science, Space, and Technology with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I will include a copy of our exchange of letters in the Committee Report to accompany the bill and in the Congressional Record during the floor consideration.

Thank you for your courtesy in this matter and I look forward to continued cooperation between our respective committees.

Sincerely,

FRANK D. LUCAS,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, May 24, 2013.

Hon. FRANK D. LUCAS,
Chairman, Committee on Agriculture, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 1947, the ''Federal Agriculture Reform and Risk Management Act of 2013,'' which your Committee reported on May 16, 2013.

H.R. 1947 contains provisions within the Committee on Oversight and Government Reform's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Oversight and Government Reform will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Oversight and Government Reform with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

DARRELL ISSA,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, May 24, 2013.

Hon. DARRELL E. ISSA,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 1947, the Federal Agricultural Reform and Risk Management Act of 2013. As you noted, there are provisions of the bill that fall within the Rule X jurisdiction of the Committee on Oversight and Government Reform.

I appreciate your willingness to forgo action on H.R. 1947, and I agree that your decision should not prejudice the Committee on Oversight and Government Reform with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I will include a copy of our exchange of letters in the Committee Report to accompany the bill and in the Congressional Record during the floor consideration.

Thank you for your courtesy in this matter and I look forward to continued cooperation between our respective committees.

Sincerely,

FRANK D. LUCAS,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, May 29, 2013.

Hon. FRANK D. LUCAS,
Chairman, Committee on Agriculture, Washington, DC.

DEAR CHAIRMAN LUCAS: I write concerning H.R. 1947, the ''Federal Agriculture Reform and Risk Management Act of 2013,'' which was ordered to be reported out of your Committee on May 15, 2013.

I wanted to notify you that the Committee on Energy and Commerce will agree to waive seeking a formal referral of H.R. 1947 in order that it may proceed expeditiously to the House floor for consideration.

This is done with the understanding that the Committee on Energy and Commerce is not waiving any of its jurisdiction, and the Committee will not in any way be prejudiced with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding, and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during consideration of H.R. 1947 on the House floor.

Sincerely,

FRED UPTON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, May 29, 2013.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 1947, the Federal Agricultural Reform and Risk Management Act of 2013. As you noted, there are provisions of the bill that fall within the Rule X jurisdiction of the Committee on Energy and Commerce.

I appreciate your willingness to forgo action on H.R. 1947, and I agree that your decision should not prejudice the Committee on Energy and Commerce with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I will include a copy of our exchange of letters in the Congressional Record during the floor consideration.

Thank you for your courtesy in this matter and I look forward to continued cooperation between our respective committees.

Sincerely,

FRANK D. LUCAS,
Chairman.

Mr. PETERSON. Madam Chair, I join you in pledging to work with the former Member of our Committee from Georgia. As he indicated, we were pleased to work with him and other Members during the 2008 Farm Bill to open up both the McIntire-Stennis program and Section 3(d) for full participation from the 1890 Institutions.

I look forward to working with the 1890 colleges and universities and USDA on addressing the concerns that they have raised with the Committee.

Mr. RYAN of Wisconsin. Madam Chair, I want to thank Chairman LUCAS and Ranking Member PETERSON for their work on this bill. There are some good ideas in here, and we should act on them. But I have some serious concerns with the bill. On balance, I'm afraid the bad parts outweigh the good. And so I must vote against it.

Here's what this bill gets right: In some areas, it cuts wasteful spending. It eliminates direct payments. It adjusts the food-stamp program. And it consolidates duplicative programs. I want to commend the chairmen and the members of the Agriculture Committee for proposing these reforms. My concern is they don't go far enough.

And in other areas, this bill increases spending. For instance, it creates new farm-support programs, such as the Price Loss Coverage and the Revenue Loss Coverage programs. Overall, the bill's changes to farm-support programs are supposed to save money for taxpayers, but under certain economic conditions, they could actually cost more. And there's another problem: This bill expands crop insurance at a time of record debt for our nation—and record profits for the agriculture sector.

Now, we should have a safety net for our farmers. We should help the little guy—the family farm that's in need. We shouldn't bankroll the big guys. But that's what this bill does. It loosens eligibility standards for crop subsidies—and increases the number of people who can apply. In fact, they may not even be farmers. Under this bill, someone could make up to $950,000 a year in a nonrelated industry—and still receive subsidies. Over 6,000 people who are losing money on the farm—but who are making plenty of money elsewhere—would become eligible.

Finally, I have concerns with the food-stamp program. The Supplemental Nutrition Assistance Program has grown at an annualized rate of 12.5 percent over the past ten years. It will cost about $80 billion just this year. And though the program's costs will fall over the next ten years, they will remain at elevated levels—much higher than they should be. The fact is, we need to reform this program—and we need to encourage work. The 1996 welfare-reform law brought millions of children out of poverty. By strengthening work requirements in SNAP, we can build on the bipartisan work started in the 1990s and reduce poverty. This farm bill is a missed opportunity. Despite making modest changes, the legislation doesn't pursue real reform.

I want to commend Chairman LUCAS for bringing good ideas to the table. But I'm afraid this bill has serious flaws, and therefore I must vote no.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Chair, today we have a major piece of legislation before us which provides an opportunity to set the general direction for America's farm and food policy. Congress first enacted the farm bill in response to the Great Depression in order to foster growth in our Nation's economy and to protect those who were most in need. Today, we are still recovering from what some economists call, ''the Great Recession.'' We find ourselves at a crossroads where we must decide how to manage our fiscal priorities while still protecting those who were hardest hit by the recent recession. When considering H.R. 1947 we should not forget the underlying principal which defines the farm bill, which is to provide assistance to those most in need.

Our Nation looks on as the Republican majority in the House of Representatives attempts to justify having nearly two-thirds of the savings generated from the entire bill come from cutting $20.5 billion in SNAP funding. While we are in a very difficult fiscal climate, we simply cannot continue to place further burden on our Nation's most vulnerable citizens. In these tough budgetary times, we should not signal to our constituents that helping those most in need is no longer a priority.

President Eisenhower once said, ''Every gun that is made, every warship launched, every rocket fired, signifies in the final sense a theft from those/who hunger and are not fed, those who are cold and are not clothed.'' We must consider the short and long term consequences of these cuts on our children, the elderly and disabled. Madam Chair, I would like to remind my colleagues that 95% of SNAP funding goes directly to families to buy food. For many of these at-risk populations, SNAP is the sole form of income-assistance they receive and is a powerful anecdote to extreme poverty.

Madam Chair, I am disappointed that two amendments I offered, which would have made improvements to this bill were not considered. Although I have many concerns with this bill, I feel they would have made modest improvements. My first amendment would have provided language which would have enabled the reauthorization of USDA's Hunger-Free Communities grant program. This program was created to provide public funding for comprehensive and collaborative efforts to end hunger at the community level. The 2008 Farm Bill authorized the grant program and $5 million was appropriated for Fiscal Year 2010. 14 communities in eight states, including my State of Texas, were awarded 2-year grants ranging from $63,000 to $2,000,000.

My second amendment addressed the issue of broad-based categorical eligibility. My understanding is that if broad-based categorical eligibility is ended under H.R. 1947, all states will have to use the asset test. Current law states that ''that a household otherwise eligible to participate in the supplemental nutrition assistance program will not be eligible to participate if its resources exceed $2,000 or, in the case of a household which consists of or includes an elderly or disabled member, if its resources exceed $3,000.'' If that is the case I feel that the asset limit should be higher. My amendment would have increased the asset eligibility for the Supplemental Nutrition Assistance Program to $5,000 for all households, including those households including elderly and disabled members.

Madam Chair, In conclusion, I simply cannot support a bill which cuts $20.5 billion from our Nation's most important anti-hunger program which touches nearly 1 out of 7 American's.

Mr. CONNOLLY. Madam Chair, as we finish debate on the House farm bill, I can't help but remember when as a young fifteen-year-old I was riveted as America debated these very same issues but with oh such a different outcome. I remember the Senate field hearings in 1967 where our elected leaders highlighted the need for government to protect our most vulnerable. There were those in Congress then who would have had us believe there was nothing we could do. But fortunately Robert Kennedy's trip to the Mississippi Delta changed America forever.

As a country, Kennedy helped us to see poverty firsthand. Innocent children with distended stomachs, who hadn't eaten in days. Their mothers unsure where their next meal would come from. It raised our awareness of and concern for our fellow citizens.

Yet here we are more than 40 years later, and once again we are being presented with those same false choices. The House majority would have you believe we have no choice but to make draconian cuts to the Supplemental Nutrition Assistance Program (or SNAP), a program that we know has worked in reducing significantly malnutrition in America.

SNAP has been a critical safety net for millions of families who need help putting food on the table. Nearly half of the 46 million low-income participants are children, and a significant portion of adult participants are employed but simply do not earn enough to support their family.

SNAP provides more than $1.2 billion in benefits a month to more than 786,000 Virginians. In my district, more than 6,000 households receive SNAP benefits. Sixty percent of those families have children under the age of 18. One-third of these families live below the poverty line despite the fact that 45% have one family member working and 42% have at least two family members working.

Simply put, SNAP prevents hunger in the wealthiest nation on earth. Sadly, the House majority's bill will cut SNAP by $21 billion, forcing more than 2 million people off this program and causing more than 210,000 children to lose eligibility for free or reduced school meals.

Beyond the human face of hunger, a tragic irony is lost within this policy debate. The very people who routinely call on this body to limit government and rein in spending are today asking for government handouts in the form of crop subsidies and insurance payments.

They want the American taxpayer to cover their risks while telling those at risk of hunger that they are on their own. A bold faced Darwinian philosophy except, of course, when it involves them.

To allay this apparent conflict of ideology, if not seemingly obvious conflict of interest, I had a simple amendment that would have prohibited Members of Congress or their spouses from benefiting from the provisions of this bill. As if only to confirm my already strong reservations with this legislation, House Republicans wouldn't even allow for debate of this common-sense proposal to restore program integrity and public confidence.

The American people would be forgiven for smelling the stench of hypocrisy in the halls of Congress.

So I now ask, who are the takers? Poor babies and their mothers trying to put food on the table? Or those who pocket tens of thousands of dollars in crop subsidies and insurance payments and tax credits and accelerated equipment depreciation and federally funded soil and crop R and D then have the gall to vote to cut nutrition benefits with a straight face? For all these reasons, I cannot support this reckless philosophy of legislating that endangers the very people we should be looking after.

Mr. MCDERMOTT. Madam Chair, I am sad to see that, after failing to get the votes to pass a farm bill last year, Republicans are back at it again, this time with even bigger cuts to SNAP. In this year's House farm bill, H.R. 1947, the Republicans are proposing a cut of $20.5 billion dollars to the program, five times more than what the Senate approved last week.

The proposed cuts to SNAP in H.R. 1947 mean nearly 2 million low-income people will lose eligibility for food assistance and 200,000 children will lose access to the free or reduce school lunch program. Of those who still receive benefits, 1.7 million will see a reduction of an average of $90 per month. Additionally, 280,000 people will directly or indirectly lose their jobs.

The Republicans are, once again, using a manufactured fiscal crisis to cut aid for the most vulnerable Americans. But let's be honest, the true purpose of cutting food aid to those in need is not to ''balance our budget,'' especially because the evidence shows that these cuts will actually hurt our economy. Implementing short-term cuts that create long-term problems will only slow job growth and increase our deficit.

Fiscal responsibility is about meeting our obligations. It is about investing in the American people. It is about growing our opportunities and supporting our economy when the free market won't.

What we are deciding right now is whether we ought to eliminate jobs and assistance for people in need over the next 10 years or help them increase their productivity until they no longer need us. We are deciding if we are a nation that takes care of its people or leaves them to fend for themselves when times are tough. It shouldn't be a hard decision to make. Vote against the proposed cuts to SNAP in the House Farm bill.

Mr. PASCRELL. Madam Chair, I rise today in opposition to this Farm Bill, H.R. 1947, the Federal Agriculture Reform and Risk Management Act of 2013, due to the unconscionable cuts to the SNAP program, formerly known as food stamps.

Across the country, over 47 million of our fellow Americans depend on the Supplemental Nutrition Assistance Program to put food on their tables each and every day. In my home state of New Jersey alone, SNAP serves over 800,000 individuals. These are our friends, family, and neighbors. An average monthly benefit of $133.36 per person for recipients in New Jersey amounts to $1.48 per meal. This does not go very far towards buying nutritious food in a state where the cost of living is high. That's why 90 percent of benefits are redeemed by the third week of the month.

Eighty-three percent of SNAP benefits go to households with children, seniors, or disabled Americans. These are not freeloaders or people trying to game the system; they are our most vulnerable citizens. When the going gets tough, we have a responsibility to ensure that a safety net is in place for them. When our people go hungry, we pay the consequences down the road. Poor nutrition and hunger leads to costly but entirely avoidable health problems. Furthermore, as a former teacher, I know that students who go hungry have trouble focusing in school. We need to ensure that all children have an equal opportunity to excel to keep us competitive in today's global economy.

This bill, however, would take us down the wrong path. It further tightens eligibility requirements for SNAP, cutting $20.5 billion by kicking about two million people off the program. This bill will also kick 210,000 kids off of school meals, and reduce benefits by an average of $90 for 850,000 additional households. If we want to reduce the costs of this program, don't cruelly throw people off the roles. Let's create some jobs and as our economic recovery gains steam, SNAP costs will decline as more and more Americans find steady work.

We are the greatest nation on earth. Our Farm Bills are designed to ensure that we can produce food to feed the world. Shouldn't we first ensure that we can provide for our own?

Mr. BLUMENAUER. Madam Chair, the failure by the House to pass the Farm Bill is the right outcome for a proposal that would have slashed nutrition for poor families and refused reforms to provide more benefits to most farmers and ranchers while it protected the largest agribusiness interests.

The authors of the bill refused to address the abuses in crop insurance, far greater than in food stamps which they so disdained, extended direct payments for cotton, and attacked conservation programs. The irony should not be lost on the public: the bill lavished extra payments on those who need it the least, hurt poor Americans who need the most assistance, and shortchanged typical Oregon farmers and ranchers who deserve better.

I hope that this debacle leads to legislation that is fairer to the taxpayer, does not cut support for hungry men, women, and children (90,921 on food assistance in Oregon alone), and dials back wasteful support for large agribusinesses that don't need it.

I was encouraged that some of our reform proposals for increasing and expanding conservation, reducing support for large confined animal feed operation, and reforming sugar payments gained significant support. My amendment to allow universities to study the industrial uses of hemp was even adopted! It's worth noting that one of the amendments to implement reasonable limits on the crop insurance program received more votes than the Farm Bill itself. Ultimately these are the keys to save money, do a better job, and build the political support that is going to be necessary for enactment of a Farm Bill that works for all Americans.

Ms. CLARKE. Madam Chair, today, I stand in opposition H.R. 1947, the Federal Agriculture Reform and Risk Management Act. I vehemently oppose this bill's $20 billion cuts to the Supplemental Nutritional Assistance Program also known as SNAP. This program currently provides food assistance to forty seven million Americans, who otherwise would not have access to one of our most basic human needs—food.

This bill would result in irreparable harm to families, not just in my home district of Brooklyn New York, but in every part of the United States.

Almost two-thirds of the people enrolled in SNAP are children, senior citizens, or persons with disabilities. These low income Americans would lose their food assistance as a result of these draconian cuts.

In addition to the SNAP cuts, this bill also restricts some categorical eligibility options for States. In New York, more than 300,000 households participant in the Low Income Home Energy Assistance Program. Participation in this program usually results in a higher SNAP benefit for the household.

If this state option is restricted, SNAP benefits for these households will decrease by roughly 90 dollars per month. This cruel provision takes the food out of the mouth of children and increases the administrative burden on New York.

The bill under consideration today would create even more difficulties for the families that receive SNAP benefits. I ask my colleagues to vote no on this heinous bill.

Ms. VELÁZQUEZ. Mr. Chair, millions of people in our country lack basic access to fresh, healthy foods. Three million people in New York City alone live in places where stores that sell fresh produce are few or far away. These people have difficulty accessing fruits and vegetables, cooking meals with unprocessed foods, and getting the nutrients they need to live a healthy lifestyle.

These conditions exacerbate the obesity epidemic in America. More than a third of adults and 17 percent of children are obese, and obesity rates in low-income and minority communities are even higher.

The roots of the problem are structural: without access to fresh foods high in nutrients and low in calories, we can't expect people to keep a healthy diet. And we can't expect their children to learn healthy eating habits.

Recently, there has been progress in connecting urban areas with sources for healthier food, and this Farm Bill makes important progress in that area. The Healthy Food Financing Initiative and other programs will continue to bring supermarkets and farmers' markets to new communities.

But there are also exciting opportunities to use the spaces and resources available to inner-city neighborhoods to grow fresh foods right where they are needed the most and educate the community about the value of these foods. Urban farming can turn abandoned properties or public spaces into community gardens and centers of learning.

For instance, Added Value in New York City, which I have worked to support, has operated five farms in New York City over the past 13 years. Today, it cultivates two farms in Red Hook, employs 40 teenagers through its youth empowerment program, and educates 1,200 students every year about healthy food and farming.

Unfortunately, urban farms face many challenges, from a lack of funding to restrictive zoning rules that limit the spaces available to them. Although USDA has programs in place that can help urban farmers, small organizations often lack the resources to navigate a complicated system and gain access to these programs.

My amendment would open up more opportunities for urban agriculture and assist urban farmers in applying to programs that could benefit them. Reforms like this can help urban farms across the country bring healthy foods into their communities and educate students and families about the value of healthy foods and how to use them at home.

I ask my colleagues to join me in supporting access to fresh, healthy foods for low-income individuals through the development of urban agriculture. Through careful reforms, we can help urban farms educate Americans about their food choices, fight the obesity epidemic, and turn undeveloped properties in inner-city neighborhoods into valuable community spaces.

Mr. NOLAN. Madam Chair, today, as the House of Representatives debates the five-year Farm Bill, I am hopeful that my colleagues can come together on issues that touch all Americans. This bill makes great strides for energy programs, the forestry industry, the organic sector, and rural areas.

I have always supported family farmers. They need protection from the vagaries of pestilence, drought, flooding, and the like. A five-year Farm Bill will offer them the certainty they need to make planting decisions.

I do not believe this Farm Bill is perfect, but I also do not think that perfection should be the enemy of the good.

In the Agriculture Committee last month, we spent more than ten hours debating amendments. That is how the legislative process should function. After it was all said and done, Chairman LUCAS and Ranking Member PETERSON felt this was the best product they could get through the House. I commend them for their hard work in pulling together a bipartisan compromise.

I will vote for passage of this bill because I have confidence that the conference committee can merge the House and Senate bills in a way that provides for family farmers without gutting the SNAP program.

Again, I will not claim that this bill is ideal—but we need to respect the work of our colleagues and advance this process.

Mr. GENE GREEN of Texas. Madam Chair, today I rise to oppose the Federal Agriculture Reform and Risk Management Act plan to cut SNAP funding by $20.5 billion over the next ten years

The need for food assistance has increased dramatically during our nation's economic slump. Texas's rate for food insecurity is 27.6%—more than one in four Texas children is food insecure.

The impacts to Texas would be devastating, including 171,000 immediately off of SNAP and the elimination of almost 500 million meals from hungry Texans. In Harris County alone, more than 27,000 children, seniors, and their families would lose SNAP benefits; more than 76 million meals would be eliminated; and the Harris County economy would lose almost $175M in lost food retail dollars.

Meeting the need for food assistance is especially critical for our most vulnerable citizens—pregnant and nursing women, infants, children, and seniors for whom the consequences of hunger and poor nutrition are the most severe. It is critical that we maintain support for the charitable food system and funding for SNAP.

I have been a strong supporter of SNAP in Congress to help those who are food insecure during their time of need. Our office works closely with the Houston Food Bank, the largest in the Country, and the Texas Food Bank Network to help end hunger in America.

□ 1640

The Acting CHAIR (Mrs. ROBY). All time for general debate has expired.

Pursuant to the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. ROS-LEHTINEN) having assumed the chair, Mrs. ROBY, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE

Mr. LUCAS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill, H.R. 1947.

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

There was no objection.

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

Mr. GOODLATTE. Madam Speaker, pursuant to House Resolution 266, I call up the bill (H.R. 1797) to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 266, in lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–15 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1797

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

SEC. 1. SHORT TITLE.

This Act may be cited as the ''Pain-Capable Unborn Child Protection Act''.

SEC. 2. LEGISLATIVE FINDINGS AND DECLARATION OF CONSTITUTIONAL AUTHORITY FOR ENACTMENT.

Congress finds and declares the following:

(1) Pain receptors (nociceptors) are present throughout the unborn child's entire body and nerves link these receptors to the brain's thalamus and subcortical plate by no later than 20 weeks after fertilization.

(2) By 8 weeks after fertilization, the unborn child reacts to touch. After 20 weeks, the unborn child reacts to stimuli that would be recognized as painful if applied to an adult human, for example, by recoiling.

(3) In the unborn child, application of such painful stimuli is associated with significant increases in stress hormones known as the stress response.

(4) Subjection to such painful stimuli is associated with long-term harmful neurodevelopmental effects, such as altered pain sensitivity and, possibly, emotional, behavioral, and learning disabilities later in life.

(5) For the purposes of surgery on unborn children, fetal anesthesia is routinely administered and is associated with a decrease in stress hormones compared to their level when painful stimuli are applied without such anesthesia. In the United States, surgery of this type is being performed by 20 weeks after fertilization and earlier in specialized units affiliated with children's hospitals.

(6) The position, asserted by some physicians, that the unborn child is incapable of experiencing pain until a point later in pregnancy than 20 weeks after fertilization predominately rests on the assumption that the ability to experience pain depends on the cerebral cortex and requires nerve connections between the thalamus and the cortex. However, recent medical research and analysis, especially since 2007, provides strong evidence for the conclusion that a functioning cortex is not necessary to experience pain.

(7) Substantial evidence indicates that children born missing the bulk of the cerebral cortex, those with hydranencephaly, nevertheless experience pain.

(8) In adult humans and in animals, stimulation or ablation of the cerebral cortex does not alter pain perception, while stimulation or ablation of the thalamus does.

(9) Substantial evidence indicates that structures used for pain processing in early development differ from those of adults, using different neural elements available at specific times during development, such as the subcortical plate, to fulfill the role of pain processing.

(10) The position, asserted by some commentators, that the unborn child remains in a comalike sleep state that precludes the unborn child experiencing pain is inconsistent with the documented reaction of unborn children to painful stimuli and with the experience of fetal surgeons who have found it necessary to sedate the unborn child with anesthesia to prevent the unborn child from engaging in vigorous movement in reaction to invasive surgery.

(11) Consequently, there is substantial medical evidence that an unborn child is capable of experiencing pain at least by 20 weeks after fertilization, if not earlier.

(12) It is the purpose of the Congress to assert a compelling governmental interest in protecting the lives of unborn children from the stage at which substantial medical evidence indicates that they are capable of feeling pain.

(13) The compelling governmental interest in protecting the lives of unborn children from the stage at which substantial medical evidence indicates that they are capable of feeling pain is intended to be separate from and independent of the compelling governmental interest in protecting the lives of unborn children from the stage of viability, and neither governmental interest is intended to replace the other.

(14) Congress has authority to extend protection to pain-capable unborn children under the Supreme Court's Commerce Clause precedents and under the Constitution's grants of powers to Congress under the Equal Protection, Due Process, and Enforcement Clauses of the Fourteenth Amendment.

SEC. 3. PAIN-CAPABLE UNBORN CHILD PROTECTION.

(a) IN GENERAL.—Chapter 74 of title 18, United States Code, is amended by inserting after section 1531 the following:

''§ 1532. Pain-capable unborn child protection

''(a) UNLAWFUL CONDUCT.—Notwithstanding any other provision of law, it shall be unlawful for any person to perform an abortion or attempt to do so, unless in conformity with the requirements set forth in subsection (b).

''(b) REQUIREMENTS FOR ABORTIONS.—

''(1) The physician performing or attempting the abortion shall first make a determination of the probable post-fertilization age of the unborn child or reasonably rely upon such a determination made by another physician. In making such a determination, the physician shall make such inquiries of the pregnant woman and perform or cause to be performed such medical examinations and tests as a reasonably prudent physician, knowledgeable about the case and the medical conditions involved, would consider necessary to make an accurate determination of post-fertilization age.

''(2)(A) Except as provided in subparagraph (B), the abortion shall not be performed or attempted, if the probable post-fertilization age, as determined under paragraph (1), of the unborn child is 20 weeks or greater.

''(B) Subject to subparagraph (C), subparagraph (A) does not apply if—

''(i) in reasonable medical judgment, the abortion is necessary to save the life of a pregnant woman whose life is endangered by a physical disorder, physical illness, or physical injury, including a life-endangering physical condition caused by or arising from the pregnancy itself, but not including psychological or emotional conditions; or

''(ii) the pregnancy is the result of rape, or the result of incest against a minor, if the rape has been reported at any time prior to the abortion to an appropriate law enforcement agency, or if the incest against a minor has been reported at any time prior to the abortion to an appropriate law enforcement agency or to a government agency legally authorized to act on reports of child abuse or neglect.

''(C) Notwithstanding the definitions of 'abortion' and 'attempt an abortion' in this section, a physician terminating or attempting to terminate a pregnancy under an exception provided by subparagraph (B) may do so only in the manner which, in reasonable medical judgment, provides the best opportunity for the unborn child to survive, unless, in reasonable medical judgment, termination of the pregnancy in that manner would pose a greater risk of—

''(i) the death of the pregnant woman; or

''(ii) the substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions, of the pregnant woman;

than would other available methods.

''(c) CRIMINAL PENALTY.—Whoever violates subsection (a) shall be fined under this title or imprisoned for not more than 5 years, or both.

''(d) BAR TO PROSECUTION.—A woman upon whom an abortion in violation of subsection (a) is performed or attempted may not be prosecuted under, or for a conspiracy to violate, subsection (a), or for an offense under section 2, 3, or 4 of this title based on such a violation.

''(e) DEFINITIONS.—In this section the following definitions apply:

''(1) ABORTION.—The term 'abortion' means the use or prescription of any instrument, medicine, drug, or any other substance or device—

''(A) to intentionally kill the unborn child of a woman known to be pregnant; or

''(B) to intentionally terminate the pregnancy of a woman known to be pregnant, with an intention other than—

''(i) after viability to produce a live birth and preserve the life and health of the child born alive; or

''(ii) to remove a dead unborn child.

''(2) ATTEMPT AN ABORTION.—The term 'attempt', with respect to an abortion, means conduct that, under the circumstances as the actor believes them to be, constitutes a substantial step in a course of conduct planned to culminate in performing an abortion.

''(3) FERTILIZATION.—The term 'fertilization' means the fusion of human spermatozoon with a human ovum.

''(4) PERFORM.—The term 'perform', with respect to an abortion, includes induce an abortion through a medical or chemical intervention including writing a prescription for a drug or device intended to result in an abortion.

''(5) PHYSICIAN.—The term 'physician' means a person licensed to practice medicine and surgery or osteopathic medicine and surgery, or otherwise legally authorized to perform an abortion.

''(6) POST-FERTILIZATION AGE.—The term 'post-fertilization age' means the age of the unborn child as calculated from the fusion of a human spermatozoon with a human ovum.

''(7) PROBABLE POST-FERTILIZATION AGE OF THE UNBORN CHILD.—The term 'probable post-fertilization age of the unborn child' means what, in reasonable medical judgment, will with reasonable probability be the postfertilization age of the unborn child at the time the abortion is planned to be performed or induced.

''(8) REASONABLE MEDICAL JUDGMENT.—The term 'reasonable medical judgment' means a medical judgment that would be made by a reasonably prudent physician, knowledgeable about the case and the treatment possibilities with respect to the medical conditions involved.

''(9) UNBORN CHILD.—The term 'unborn child' means an individual organism of the species homo sapiens, beginning at fertilization, until the point of being born alive as defined in section 8(b) of title 1.

''(10) WOMAN.—The term 'woman' means a female human being whether or not she has reached the age of majority.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 74 of title 18, United States Code, is amended by adding at the end the following new item:

''1532. Pain-capable unborn child protection.''.

(c) CHAPTER HEADING AMENDMENTS.—

*(1) CHAPTER HEADING IN CHAPTER.—The chapter heading for chapter 74 of title 18, United States Code, is amended by striking ''**PARTIAL-BIRTH ABORTIONS**'' and inserting ''**ABORTIONS**''.*

(2) TABLE OF CHAPTERS FOR PART I.—The item relating to chapter 74 in the table of chapters at the beginning of part I of title 18, United States Code, is amended by striking ''Partial-Birth Abortions'' and inserting ''Abortions''.

The SPEAKER pro tempore. The gentleman from Virginia (Mr. GOODLATTE) and the gentlewoman from California (Ms. LOFGREN) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1797, currently under consideration.

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

There was no objection.

Mr. GOODLATTE. Madam Speaker, I ask unanimous consent that the gentlewoman from Tennessee (Mrs. BLACKBURN) be permitted to control the balance of my time.

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

Ms. LOFGREN. Madam Speaker, reserving the right to object, I am wondering why a member of the Judiciary Committee is not managing on the part of the majority. The chairman is here. We recessed our markup so that all members of the Judiciary Committee could be present.

It is generally our practice for members of the committee of jurisdiction to manage on both sides, and so the inquiry is why are we departing from that practice?

Further reserving the right to object, I yield to the gentleman from Virginia.

Mr. GOODLATTE. It is the prerogative of the committee to choose the appropriate people to manage time. I notice that the ranking member is not managing on the Democratic side. We chose to ask someone who is not a member of the committee, and that's appropriate under the rules of the House.

Ms. LOFGREN. I will not object. I just thought it was an unusual procedure.

I withdraw my reservation.

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

There was no objection.

The SPEAKER pro tempore. The gentlewoman from Tennessee is recognized.

Mrs. BLACKBURN. Madam Speaker, I yield myself such time as I may consume.

I have to tell you, Madam Speaker, so often we come to the floor and we will hear Members say, we are doing this for the children or that for the children, and I have to tell you, this is one of those days that we truly can stand and say, yes, indeed, we are taking an action that will enable so many children to enjoy that first guarantee, that guarantee to life. And indeed, that is the reason that we stand here.

The Unborn Child Protection Act is based in science. This is an area that has overwhelming public support, and it is, indeed, an appropriate response to Kermit Gosnell's house of horrors and the similar stories that we are hearing emanate from across the Nation about what is happening in these abortion clinics.

What this does is to limit abortion at the 6th month of pregnancy and includes exceptions so that we can send the clearest possible message to the American people that we do not support more Gosnell-like abortions.

It does nothing to ban abortion before the 6th month of pregnancy. It does not affect Roe v. Wade, and we know that it is a step that needs to be taken to protect life.

You know, scientific evidence tells us that unborn babies can feel touch as soon as 8 weeks into the pregnancy. They feel pain at 20 weeks. Indeed, some of these marvelous, marvelous fetal surgeries that are performed, they administer an anesthesia to these unborn babies.

And as I said, public opinion polling shows that 60 percent of all Americans, Madam Speaker, they support limiting abortion during the second trimester, and 80 percent during the third trimester. So we think that it is incumbent upon this body to take the step that we bring before the Chamber today and to recognize science, to bring the law in line with the majority of public opinion, and to stand against what has transpired in the Kermit Gosnell-like abortion clinics.

Indeed, I think it is so noteworthy that Mr. Gosnell's attorney, Jack McMahon, stated that he thought the law should be back to 16 or 17 weeks. He said that 24 weeks was not a good determiner, and that it would be a far better thing to have that ban at 16 or 17 weeks.

We're not pushing back that far. We're at 20 weeks. We think that this is an appropriate step.

At this time, I reserve the balance of my time.

Ms. LOFGREN. Madam Speaker, I yield myself 3 minutes.

I rise in opposition to this bill. This will be the 10th vote we've had to restrict women's access to health care since Republicans took control of the House in 2011, and there are plenty of other things we should be doing.

The bill imposes a nationwide 20-week abortion ban. It's unconstitutional, but it's also dangerous to the health and safety of American women. The narrow health exception in the bill only allows for abortions that are necessary to save the life of a pregnant woman. It's shortsighted at best and cruel at worst.

Many things can go wrong in pregnancy, and this bill would force a doctor to wait until a woman's condition was life-threatening before performing an abortion.

Nonlife-threatening conditions couldn't be treated if this bill were law, which could result in permanent health problems for some women, including infertility.

Severe or fatal conditions may also arise with a fetus later in pregnancy and, if enacted into law, this bill would require some women to carry a fetus to term, even in the situation where that fetus has been diagnosed with a lethal medical condition, a heartbreaking scenario.

The rape and incest exceptions are insulting and excessively narrow. The rape and incest exceptions that were added to the bill after the committee's markup are just incredibly disappointing. They require reporting the crime to law enforcement prior to seeking care. It shows a distrust of women and a lack of understanding of the reality of sexual assault.

Only 35 percent of women report sexual assaults, and there are many reasons for that that are complex, including fear of reprisal—78 percent of rape victims know their offender—shame, wanting to put the incident behind them.

Also, this bill is unconstitutional. It's a direct challenge to Roe v. Wade, where the Court held that, prior to viability, abortions may be banned only if there are meaningful exceptions to protect the woman's life and health. For over four decades these principles have been upheld, and this bill blatantly disregards them.

□ 1650

Finally, I want to urge my colleagues to oppose this bill. It's an attack on women's health, on our constitutional freedoms, and it seeks to take important medical decisions out of the hands of women, their doctors and their families and instead entrust those decisions to Congress. It's a misguided effort.

I oppose the bill, and I reserve the balance of my time.

Mrs. BLACKBURN. Madam Speaker, at this time, I yield 3 minutes to one of our great pro-life advocates, Mrs. BLACK from Tennessee.

Mrs. BLACK. I thank the gentlelady for yielding.

Madam Speaker, when I first became a nurse over 40 years ago, I took a vow to ''devote myself to the welfare of those committed to my care.'' And it is in this spirit of both protecting life and women's health that I'm proud to rise today in support of H.R. 1797, the Pain-Capable Unborn Child Protection Act.

Now, this bipartisan legislation would ban late-term abortion after 20 weeks. I want to say that again. It would ban late-term abortion after 20 weeks, with the exception provided for when the life of the mother is endangered.

H.R. 1797 is based on undisputed scientific evidence which tells us that unborn children at 20 weeks and older can feel pain—these are babies, they can feel pain—and that late-term abortions pose severe health risks also for the mother. For example, a woman seeking an abortion at 20 weeks is 35 times more likely to die from an abortion than she was in the first trimester. There are medical reasons for this. At 21 weeks or more, a woman is 91 times more likely to die from an abortion than she was in the first trimester.

Despite these undisputed facts about a baby's level of development and a woman's health, there is currently no Federal law to protect pain-capable unborn children or their mothers by restricting late-term abortions—even at a day and age when we're seeing premature babies that are born at 22 weeks that survive.

As a society, we celebrate the birth of babies whether it's prematurely born at 22 weeks or delivered at full term, and we hope and pray for good health of that baby and the mother.

Today, with that same spirit in mind, I urge my colleagues to join me in celebrating and protecting life of both the baby and the mother by passing H.R. 1797.

Ms. LOFGREN. Madam Speaker, I would yield 2 minutes to a former member of the Judiciary Committee, Representative DEBBIE WASSERMAN SCHULTZ.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I rise to strongly oppose the Pain-Capable Unborn Child Protection Act. It has been 40 years since Roe v. Wade, and yet women still

have to fight for the right to keep decisions about our bodies between us and our doctors. We shouldn't have to worry that our government will try to intercede in our personal health care decisions.

This bill is extreme, and it's an unprecedented reach into women's lives—into women's personal lives. This is a clear indication that the well-being of women in this country is not something Republicans care to protect. It is clear that the Members who approved this bill, the all-male Republican members on the House Judiciary Committee, are not only disinterested in protecting the well-being of women but are also disinterested in the professional opinion of the medical community.

We have heard a lot of offensive and downright untrue assertions by Republicans throughout the discussion of this bill, including by the previous speaker. These assertions are baseless, completely devoid of medical fact or grounding in consensus among doctors. No evidence has been presented. They just throw statistics out without any citation or reference at all. Just because you say it out loud in the House Chamber doesn't make it true.

The Republican men who brought this bill to the floor—despite the parade of our women colleagues on the House floor today—do not represent the voices of women in America. Every time we let their voices get louder than ours, we are inching back to the truly Dark Ages—where a world of barriers, from physical to legal to financial, stood between women and their constitutional rights. We have worked too hard and come too far to let it all slip away now.

As a mother, when I think about what kind of world I want my daughters to live in, it's one where their rights are sacred and their value is recognized, and that means having access to comprehensive sex education, affordable contraception, and, yes, safe, legal reproductive services.

This bill doesn't work toward creating a better world for future generations of women. It erodes their future by undermining their independence and undercutting their health. I urge a ''no'' vote on this unconstitutional piece of legislation and extreme reach into the personal health and well-being of women.

Mrs. BLACKBURN. I yield 15 seconds to myself to respond.

A USA Today-Gallup poll: 64 percent, abortions should not be permitted in the second 3 months of pregnancy; 80 percent, in the third 3 months. The polling company on March 3, 2013: 63 percent of women believe that abortion should not be permitted after the point where substantial medical evidence shows the baby can feel pain.

At this time, I yield 3 minutes to the gentlewoman from Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. Madam Speaker, it's a privilege to be able to stand here today and to speak on behalf of the unborn. I have a picture that was taken just yesterday. All of us as parents love to take pictures of our babies. This is a picture that was taken of an unborn baby yesterday. This is the age of the baby—the youngest age, at 20 weeks, that this bill is referencing. And this is a picture of the mom. We're here because we care about women. We're here because we care about the unborn. That's why I support this wonderful bill that's before our body today.

You see, we had a very recent, disturbing account of a late-term abortionist. His name was Kermit Gosnell. His actions have made debates like this more important than ever before because, under the guise of being a medical professional, you see, Dr. Gosnell violently ended the life of viable, unborn babies. And, in turn, he seriously hurt or even killed some of the women whom he claimed were his patients.

A few days ago, the minority leader, NANCY PELOSI, referred to late-term abortions as sacred ground when voicing opposition to this bill. I found that to be a stunning statement. What could possibly be sacred about late-term abortion? What could possibly be sacred about dismembering this 6-month-old little baby with a pair of scissors as Kermit Gosnell did? What could possibly be sacred about listening to the whimpers and cries of a baby? Because, you see, we know that babies at this age feel pain when scissors are put into their body as it comes to an early end.

You see, we are the people who make the laws in our society, and therefore, we have the duty to protect the inalienable right to life of every individual, both the mom and the unborn baby. At 8 weeks from conception, an unborn child's heart begins to beat. By 20 weeks, he or she is capable of sensing pain. And babies as young as 21 weeks have survived premature birth.

Madam Speaker, as a woman and as a mom of five natural-born children and 23 foster children, I am appalled by the savage practice of late-term abortion.

There is no such thing as an unwanted child, and that's why this legislation is so important. It not only protects the unborn, it protects the mom against the lethal practices of abortionists like Gosnell. And women deserve better than abortion. Unborn children deserve their inalienable right to life. Pregnancy is wonderful. It can be difficult too. That's why we need to show patience and compassion toward every woman as they carry a human life.

We are, indeed, treading upon sacred ground. But it's because we're dealing with the sanctity of every human life. And out of respect for this mom and out of respect for this unborn child, I urge my colleagues to vote ''yes'' on this commonsense piece of legislation. I thank Mrs. BLACKBURN, and I thank Representative TRENT FRANKS of Arizona.

Ms. LOFGREN. May I inquire how much time remains?

The SPEAKER pro tempore. The gentlewoman from California has 25½ minutes remaining. The gentlewoman from Tennessee has 21¼ minutes remaining.

Ms. LOFGREN. Before yielding to the ranking member, I'd just like to note the situation of my friend, Vicky Wilson, who found out, unfortunately, in the 20th week of her pregnancy that her much-wanted and desired child had all of her brains formed outside of the cranium and would not survive, and if she carried the fetus to term, likely her uterus would have ruptured. Under this bill, Vicky would have been forced into that heartbreaking situation. I think that's simply wrong.

I yield 3 minutes to the ranking member of the Judiciary Committee, the gentleman from Michigan (Mr. CONYERS).

□ 1700

Mr. CONYERS. Thank you, Ms. LOFGREN. I appreciate this important debate and participating in it.

Members of the House, by imposing a nationwide ban on abortions performed after 20 weeks, H.R. 1797, the so-called Pain Capable Unborn Child Protection Act, is nothing less than a direct attack on a woman's constitutional right to make decisions about her health. It criminalizes previability abortions with only a narrow exception for the woman's life; it fails to include any exceptions for the woman's health; and it utterly disregards the often difficult personal circumstance women face when confronted with the needs to terminate their pregnancies.

The amended version of H.R. 1797 made in order by the Rules Committee last night attempts to address the nationwide outcry in response to comments by the bill's author at the Judiciary Committee's markup that ''incidents of rape resulting in pregnancy are very low.''

As amended, the bill now includes only a very limited exception for rape and incest that would only be available if the victim could demonstrate that she has reported the crime to the proper authorities. This reporting mandate isn't even required in the Hyde amendment, and it ignores the many reasons why rapes go unreported, including the fear of the abuser, fear of how the legal system may treat the victim, and shame. In short, the majority has determined that a woman's word is not enough to prove that she has been raped or the victim of incest. This pernicious legislation would also impose criminal penalties on doctors and other medical professionals.

But let's consider the facts, beginning with the sponsor's comments that ''incidents of rape resulting in pregnancy are very low'' and that there's no need for an exception.

On the contrary, rape-induced pregnancy—unfortunately, I'm sad to say—occurs with some frequency. For example, the Rape, Abuse, and Incest National Network reported that during 2004 and 2005, 64,080 woman were raped, and of those rapes, 3,204 pregnancies resulted.

Mrs. BLACKBURN. At this time, I yield 3 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. I want to thank the gentlewoman from Tennessee and the other pro-life women who are speaking out in this debate today.

Since the Supreme Court's controversial decision in Roe v. Wade in 1973, medical knowledge regarding the development of unborn babies and their capacities at various stages of growth has advanced dramatically. Even The New York Times has reported on the latest research on unborn pain, focusing in particular on the research of Dr. Sunny Anand, an Oxford-trained neonatal pediatrician who has held appointments at Harvard Medical School and other distinguished institutions. As Dr. Anand has testified:

> If the fetus is beyond 20 weeks of gestation, I would assume that there will be pain caused to the fetus, and I believe it will be severe and excruciating pain.

Congress has the power to acknowledge these developments by prohibiting abortions after the point at which scientific evidence shows the unborn can feel pain with limited exceptions. H.R. 1797 does just that. It also includes provisions to protect the life of the mother and an additional exception for cases of rape and incest.

The terrifying facts uncovered during the course of the trial of late-term abortionist Kermit Gosnell and successive reports of similar atrocities committed across the country remind us how an atmosphere of insensitivity can lead to horrific brutality.

The grand jury report in the Gosnell case itself contains references to a neonatal expert who reported that the cutting of the spinal cords of babies intended to be late-term aborted would cause them ''a tremendous amount of pain.''

The polling company recently found that 64 percent of Americans would support a law such as the Pain Capable Unborn Child Protection Act—only 30 percent would oppose it—and supporters include 47 percent of those who identified themselves as pro-choice in the poll as well as 63 percent of women.

In the 2007 case of Gonzales v. Carhart, the Supreme Court made clear that: ''The government may use its voice and its regulatory authority to show its profound respect for the life within the woman,'' and that Congress may show such respect for the unborn through specific regulation because it implicates additional ethical and moral concerns that justify a special prohibition.

As The New York Times story concluded, throughout history, ''a presumed insensitivity to pain has been used to exclude some of humanity's privileges and protections. Over time, the charmed circle of those considered alive to pain, and therefore fully human, has widened to include members of other religions and races, the poor, the criminal, the mentally ill, and—thanks to the work of Sunny Anand and others—the very young.''

The Gosnell trial reminds us that when newborn babies are cut with scissors, they whimper and cry and flinch from pain. And unborn babies, when harmed, also whimper and cry and flinch from pain. Delivered or not, babies are babies, and they can feel pain at least by 20 weeks.

It is time to welcome our children who can feel pain into the human family. I urge my colleagues to support this legislation.

Ms. LOFGREN. Madam Chair, before yielding to the ranking member of the Constitution Subcommittee, I would just like to note that we do not need to change the law. Dr. Gosnell was convicted and he's doing two life sentences in prison for murder under current law.

I yield 3 minutes to the ranking member of the Constitution Subcommittee, the gentleman from New York (Mr. NADLER).

Mr. NADLER. I thank the gentlewoman for yielding.

Madam Speaker, we're back again considering cruel and unconstitutional legislation that would curtail women's reproductive rights. This bill contains a nearly total ban on abortions prior to viability, which the Supreme Court says violates women's rights under the Constitution.

Just recently, the U.S. Court of Appeals for the 9th Circuit struck down a nearly identical Arizona statute, saying:

> Since Roe v. Wade, the Supreme Court case law concerning the constitutional protection accorded women with respect to the decision whether to undergo an abortion has been unalterably clear regarding one basic point . . . a woman has a constitutional right to choose to terminate her pregnancy before the fetus is viable. A prohibition on the exercise of that right is per se unconstitutional.

Perhaps most cruelly, this bill fails even to provide any exception to protect a woman's health. The exception for a woman's life is so narrowly written and so convoluted that even a physician wanting to comply with the law in good faith would have trouble determining when the woman is sufficiently in extremis that her condition qualifies. So the morally arrogant authors of this bill would tell a woman who faces permanent injury or disability that she must bear that calamity by carrying her pregnancy to term.

Recently added language is supposed to take the heat off the recent uproar over the absence of a rape and incest exception in this bill, but the bill would provide an exception for rape or incest only if the victim first reported it to the authorities. In the best of all possible worlds, every assault would be reported and every rapist prosecuted. But we all know that there are many reasons why rapes and incest often don't get reported—the toll our criminal justice system takes on rape victims: the humiliation, the harassment, the psychological trauma.

Why force women to be victimized twice? The only reason we have been given by the supporters of this bill is that women lie about having been raped. So the sponsors are telling us not only that women are not competent to make this very personal decision for themselves and that we here are more competent—we should substitute our judgments for theirs—but women are also too dishonest to be believed when they say they were raped.

This bill would use the trauma of the assault to erect another unnecessary and cruel barrier to a raped woman. Congress should not side with her abuser to force her to carry that abuser's child to term.

The incest exception applies only if the victim was a minor when the incidents occurred. Why? Do my colleagues believe that this was nice, consensual sex? That if a young woman is abused by her father from age 8 and he gets her pregnant at 18, it doesn't count? Or that she asked for it and deserves it?

□ 1710

These restrictions are new. The rape and incest exceptions in the previous legislation passed by this House have no such conditions or restrictions. Even the Hyde amendment, embodied in the Labor-HHS appropriations bill, says:

> The limitations established in the preceding section shall not apply to abortion if the pregnancy is the result of an act of rape or incest.

No conditions, no restrictions, no ifs, ands, or buts.

Some Members want to redefine rape and incest to satisfy an extremist base that wants to outlaw all abortions, even for victims of rape and incest. I hope that we can agree that no woman should ever be forced to carry her abuser's child.

I urge my colleagues to reject this cruel and unconstitutional legislation.

Mrs. BLACKBURN. Madam Chairman, at this time, I yield 2 minutes to one of our bright young attorneys, the gentlelady from Alabama (Mrs. ROBY).

Mrs. ROBY. Madam Chairman, I thank the gentlelady for yielding.

I rise to support H.R. 1797, the Pain-Capable Unborn Child Protection Act.

This bill would at last prohibit dangerous, late-term abortions of unborn children at 20 weeks. That's the stage of development which we feel pain. And I say ''we,'' Madam Chairman, for a reason. Many supporters of this bill are

taking to Facebook and Twitter using the hashtag #TheyFeelPain to illustrate the brutal reality of late-term abortions.

I applaud their efforts, and I appreciate the many notes of encouragement I've received from constituents back home in support of this bill. I certainly hope that they will keep those Facebook posts coming to get the word out about what we are doing here today.

I use the phrase ''we feel pain'' because I'm afraid too often we speak of this issue like it's someone else we're talking about, some other species. Madam Chairman, we are talking about human beings—human beings—babies far along enough in development to feel touch, to respond to touch. We're talking about us.

We were all 20 weeks at one time. Every Member in this Chamber was. We all reached a particular point of development at which the prayerful hope for life becomes precious potential and viability.

These babies right now are in NICUs all over this country. Having been premature, the babies are laying in a protective environment trying to build stable breath, reaching to hold the fingers of their mommies and daddies. Yet, right now, under Federal law, other babies at 20 weeks are still at risk of being brutally, mercilessly, and painfully killed.

Madam Chairman, this must end. This must end because we feel pain.

I reached out just a few hours ago via Facebook, Madam Chairman, to my constituents to ask for stories about children that were born at or near 20 weeks. I want to share one. A constituent named Terry writes that her baby was born at 24 weeks, weighing only 2 pounds, 3 ounces. After struggling initially, her child grew strong and healthy. That was 19 years ago. Her son is now an adult living out west.

I ask my colleagues to support and vote ''yes'' for H.R. 1797.

Ms. LOFGREN. Madam Chairman, I would like to yield 1 minute to the Democratic leader, Congresswoman NANCY PELOSI, from California.

Ms. PELOSI. Madam Chairman, do you ever wonder what the American people think when they tune into C–SPAN to see what business is being attended to on the floor of the House? Do you ever wonder what the American people think when they are saying, What is happening to create jobs? What is happening to agree to a budget that will promote growth and reduce the deficit for our country? What is happening to make progress for the American people? Do you ever wonder about that, when they tune in and see debate on bills that are going no place? Do they think, Well, here it is, just another day in the life of the Republican-controlled Congress; another day without a jobs bill, another day without a budget agreement, another day ignoring the top priorities of the American people by the Republican majority?

Our constituents have made it clear time and time again we must work together to create jobs, to strengthen the middle class, and to grow the economy. Yet, once again, Republicans refuse to listen. Instead, we are debating legislation that endangers women's health and that disrespects the judgment of American women and their doctors on how to make judgments about women's health.

This bill would deny care to women in the most desperate circumstances—sad and desperate circumstances. It is yet another Republican attempt to endanger women. It is disrespectful to women; it is unsafe for families; and it is unconstitutional.

At the start of Congress, Republicans took great pride—and we joined them in that pride—in reading the Constitution, start to finish. It is a great day; it is a great document. Then the Republicans proceeded to ignore it. One example: this clearly unconstitutional bill.

Each day, Republicans claim they want to reduce the role of government, except when it comes to women's most personal decisions about their reproductive health. Leading groups of medical professionals and experts across the country believe that this legislation is dangerous and wrong.

That is the message we have seen from doctors and health care providers who have pointed out that this legislation would put medical professionals in an ''untenable position'' when treating ''women in need.''

That is the same message we've heard from national religious organizations, who have called on us to ''offer compassion, support, and respect for a woman and her family facing these difficult circumstances.''

I have a copy of a letter from 16 national religious groups that was sent to Speaker BOEHNER and to me, as Democratic leader, which I wish to submit for the RECORD.

Just another day in the Republican Congress: more extremism, more dead-end bills, and less progress on the real challenges facing all Americans. The American people want bipartisanship. They want progress. They don't want obstruction and delaying tactics.

Enough is enough. Let's vote ''no'' on this dangerous bill and let's get to work together to work on a fair budget that replaces the across-the-board cuts of the sequester with a plan to create jobs, grow the economy, and strengthen the middle class as we reduce the deficit.

Let's act now to put people to work and strengthen the middle class. I say it over and over.

Let's discard this assault on women's health and work together to make real progress for the American people.

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

JUNE 18, 2013.

16 NATIONAL RELIGIOUS GROUPS OPPOSE BAN ON ABORTION CARE AFTER 20 WEEKS

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

Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.

DEAR SPEAKER BOEHNER AND MADAM LEADER: We, the undersigned national religious groups, urge you to oppose H.R. 1797, the ''District of Columbia Pain-Capable Unborn Child Protection Act'' sponsored by Representative Trent Franks (R–AZ), which would create a nationwide ban on access to abortion care 20 weeks after fertilization, with only burdensome exceptions for cases of rape or incest. It explicitly bans later abortion care for a woman whose mental health would threaten her life or her health. We stand united across our faith traditions in opposing this extreme legislation.

Proponents of this bill have cited the Kermit Gosnell case as a reason to push this intrusive policy, but the fact is that the lack of access to safe and affordable abortion care is precisely the circumstance that drove women to an unscrupulous person like Gosnell, as it did to so many women before Roe v. Wade. The existence of his clinic is a ghastly warning sign of what happens when abortion is so restricted and expensive that a woman in need feels that she has nowhere else to turn.

A family with a wanted pregnancy that goes terribly wrong is confronted with awful decisions that none of us ever want to face. Our religious values call us to offer compassion, support, and respect to a woman and her family facing these difficult circumstances. H.R. 1797 will only make a challenging situation worse. When a woman needs an abortion, it is critically important that she have access to safe and legal care.

It is telling that Representative Franks, in a press release announcing that he would be expanding the focus of H.R. 1797 from the District of Columbia to a nationwide ban, does not make even a single reference to a woman, her family, or her situation.

Like all Americans, Rep. Franks is free to have and share his own religious beliefs about issues related to pregnancy and parenting. Liberty is an American value. However, H.R. 1797 is a clear attempt to impose one particular religious belief on the whole nation, and thus represents a gross violation of the freedom to which every American is entitled by the Constitution. The proper role of government in the United States is not to impose one set of religious views on everyone, but to protect each person's right and ability to make decisions according to their own beliefs and values.

We believe—and Americans, including people of faith, overwhelmingly agree—that the decision to end a pregnancy is best left to a woman in consultation with her family, her doctor, and her faith. Our laws should support and safeguard a woman's health—not deny access to care. Please show compassion for women and respect for religious liberty by opposing H.R. 1797.

In faith,

Anti-Defamation League, Catholics for Choice, Disciples Justice Action Network, Hadassah, The Women's Zionist Organization of America, Inc., Jewish Council for Public Affairs, Jewish Women International, Methodist Federation for Social Action, Metropolitan Community Churches, Muslims for

Progressive Values, National Council of Jewish Women, Religious Coalition for Reproductive Choice, Religious Institute, Union of Reform Judaism, Unitarian Universalist Association of Congregations, Unitarian Universalist Women's Federation, United Church of Christ, Justice and Witness Ministries (f).

Mrs. BLACKBURN. Madam Chairman, I yield myself 15 seconds.

When we talk about what is dangerous and wrong, let me tell you what is dangerous and wrong: condoning the actions of Kermit Gosnell or Doug Karpen or what transpired in New Mexico or what we found out from Delaware or from Virginia or from West Virginia. The house of horrors goes on and on.

At this point, I would like to yield 3 minutes to a member of our House Republican leadership team, the gentlewoman from Missouri (Mrs. WAGNER).

Mrs. WAGNER. Madam Chairman, I thank the gentlelady from Tennessee for yielding and for advancing this legislation.

Madam Chairman, I rise today in support of life, in support of life, liberty, and the pursuit of happiness.

Life begins at conception. Throughout the years, as science and technology have evolved and continue to advance, we are changing hearts and minds. We have more and more evidence that life does, indeed, begin at conception.

We know that after 3 weeks, the baby has a heartbeat. After 7 weeks, the baby begins kicking in the womb. By week 8, the baby begins to hear and fingerprints start to form. After 10 weeks, the baby is able to turn his or her head, frown, and even hiccup. By week 11, the baby can grasp with his or her hands. And by week 12, the baby can suck his or her thumb. And by week 20, not only can the baby recognize his or her mother's voice, but that baby can also feel pain.

While killing an unborn child is unacceptable at any time, it is especially abhorrent at the 20-week mark when a child is able to feel the pain of an abortion. Madam Chairman, it is not only the pain of the child that we must be concerned with, but also the pain of the mother.

□ 1720

The other side has deemed abortion a ''sacred right.'' They tout that they are champions for women, telling women they have the right to do with their bodies whatever they want. The problem here is that everyone talks about the right to choose, but no one discusses the implications of that choice.

I recently had the opportunity to speak with Joyce Zounis, who had multiple abortions between the ages of 15 and 26. She told me that the abortionists told her everything would be over very quickly, but they didn't tell her about the physical and the psychological implications that would stay with her for life. Not once did the abortionists relay to her the physical risks that she suffered later. That does not include the emotional damage she also suffered—uncontrollable anger, depression, seclusion, and the inability to trust anyone.

Madam Speaker, I am for life at all stages. I am for the life of the baby, and I am also for the life of the mother. I will continue to work towards the day when abortion is not only illegal but is absolutely unthinkable.

PARLIAMENTARY INQUIRY

Mr. BERA of California. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. BERA of California. Will the Speaker inform us as to when we might consider legislation to address the needs of a generation of college students whose interest rates are about to reset in a few weeks and double—instead of this bill, which is a direct attack on women's rights.

The SPEAKER pro tempore. The gentleman has not stated a proper parliamentary inquiry.

Ms. LOFGREN. Madam Speaker, I yield 2½ minutes to a member of the Judiciary Committee, the gentlelady from Texas, Congresswoman SHEILA JACKSON LEE.

Ms. JACKSON LEE. Madam Speaker, to those who are gathered here today, I have already heard my leader indicate partly why we are here, taking away from the serious work of this place in trying to provide jobs for the thousands and millions of Americans who are unemployed, but I have another question.

I want to know why we are on the floor of the House, debating a dangerous and inhumane legislative initiative. I also want to know why there are those who would rise presumptuously and arrogantly to suggest they know my heart. Why is there someone suggesting in this body that I have not experienced pain or do not know pain or do not know the pain of my constituents?

The same question can be asked, How do they know what a mother, whose health is in jeopardy, is feeling?

Why would they be so presumptuous as to suggest that we could not, or that we are saying to some woman that you can't do with your body as you desire? It is between your God, your doctor and your family.

How outrageous this legislation is. It is patently unconstitutional. Griswold says it's a violation of the right to privacy. Doe v. Bolton, which was passed on the same day as Roe v. Wade, specifically said that the health of the mother had to be taken into consideration. This violates any kind of adherence to the health of the mother.

For us to refer to the heinous, disgusting actions in Pennsylvania suggests that I don't care about it. I am glad that the justice system persecuted and prosecuted this villain and sent that doctor to jail, but I don't want America's doctors and mothers and people of faith to be sent to the jailhouse because we are so presumptuous and arrogant.

Let's be very clear about a young woman by the name of Vikki Stella, a diabetic who discovered months into her pregnancy that the fetus she was carrying suffered from several major anomalies and who had no chance of survival. They wanted to induce labor or perform a Caesarean section, but her physician said she could not survive it, and they had to use another procedure. If they had not used a procedure like an abortion, she would not be able to have children again.

Do we want to go back to the time when women were running into back alleys?

Madam Speaker, I rise in strong opposition to H.R. 1797, the ''Pain-Capable Unborn Child Protection Act.'' Last year I opposed this irresponsible and reckless legislation when it was brought to the floor under a suspension of the rules and fell well short of the two-thirds majority needed to pass. I opposed the bill, which arbitrarily bans a woman from exercising her constitutionally protected right to choose to terminate a pregnancy after 20 weeks, last year for the same reasons I do now. This purely partisan and divisive legislation:

1. Unduly burdens a woman's right to terminate a pregnancy and thus puts their lives at risk;

2. Does not contain exceptions for the health of the mother;

3. As introduced and considered in the Judiciary Committee, unfairly targeted the District of Columbia; and

4. Infringes upon women's right to privacy, which is guaranteed and protected by the U.S. Constitution.

Madam Speaker, the rule governing debate on this bill also set the terms of debate for the farm bill that makes drastic reductions in SNAP funding and nutrition programs that help women, children, infants, and the poor.

Coupling these two bills together under one rule sends the uncaring message that it is right and good to force a woman to carry an unwanted pregnancy to term and then withhold from her and her infant the support necessary for them to maintain a nutritious and healthy diet.

Madam Speaker, in 2010, Nebraska passed a law banning abortion care after 20 weeks. Since then 10 more red states—Alabama, Arizona, Arkansas, Georgia, Idaho, Indiana, Kansas, Louisiana, North Dakota, and Oklahoma—have enacted similar bans. None of these laws has an adequate health exception. Only one provides an exception for cases of rape or incest.

H.R. 1797 seeks to take the misguided and mean-spirited policy of these states and make it the law of the land. In so doing, the bill poses a nationwide threat to the health and wellbeing of American women and a direct challenge to the Supreme Court's ruling in Roe v. Wade.

Madam Speaker, one of the most detestable aspects of this bill is that it would curb access to care for women in the most desperate of circumstances. It is these women who receive the 1.5 percent of abortions that occur after 20 weeks.

Women like Danielle Deaver, who was 22 weeks pregnant when her water broke. Tests showed that Danielle had suffered anhydramnios, a premature rupture of the membranes before the fetus has achieved viability. This condition meant that the fetus likely would be born with a shortening of muscle tissue that results in the inability to move limbs.

In addition, Danielle's fetus likely would suffer deformities to the face and head, and the lungs were unlikely to develop beyond the 22-week point. There was less than a 10% chance that, if born, Danielle's baby would be able to breathe on its own and only a 2% chance the baby would be able to eat on its own. Danielle and her husband decided to terminate the pregnancy but could not because of the Nebraska ban. Danielle had no recourse but to endure the pain and suffering that followed. Eight days later, Danielle gave birth to a daughter, Elizabeth, who died 15 minutes later.

H.R. 1797 hurts women like Vikki Stella, a diabetic, who discovered months into her pregnancy that the fetus she was carrying suffered from several major anomalies and had no chance of survival. Because of Vikki's diabetes, her doctor determined that induced labor and Caesarian section were both riskier procedures for Vikki than an abortion. Because Vikki was able to terminate the pregnancy, she was protected from the immediate and serious medical risks to her health and her ability to have children in the future was preserved.

Madam Speaker, every pregnancy is different. No politician knows, or has the right to assume he knows, what is best for a woman and her family. These are decisions that properly must be left to women to make, in consultation with their partners, doctors, and their God.

That is why the American College of Obstetricians and Gynecologists, the nation's leading medical experts on women's health, strongly opposes 20-week bans, citing the threat these laws pose to women's health.

Madam Speaker, I also strongly oppose H.R. 1797 because it lacks the necessary exceptions to protect the health and life of the mother. In fact, the majority Republicans rejected an amendment offered by our colleague, Congressman NADLER, which would have added a ''health of the mother'' exception to the bill.

During the markup of H.R. 1797 in the Judiciary Committee, Republicans even rejected an amendment I offered that would have provided a limited exception in cases where ''the pregnancy could result in severe and long-lasting damage to a woman's health, including lung disease, heart disease, or diabetes.''

Imagine, Madam Speaker, an amendment permitting an exception in the case where a woman risked heart or lung disease was rejected by Judiciary Republicans as too lenient and compassionate toward women.

I offered my amendment again to the Rules Committee but again, Committee Republicans refused to make it in order.

Madam Speaker, it is an additional measure of just how incredibly bad this bill is that when it was introduced and considered in the Judiciary Committee, it did not even include an exception for rape or incest.

Madam Speaker, this may come as news to some in this body, but each year approximately 25,000 women in the United States become pregnant as a result of rape. And about a third (30%) of these rapes involved women under age 18.

Madam Speaker, last and most important, I oppose H.R. 1797 because it is an unconstitutional infringement on the right to privacy, as interpreted by the Supreme Court in a long line of cases going back to Griswold v. Connecticut in 1965 and Roe v. Wade decided in 1973. In Roe v. Wade, the Court held that a state could prohibit a woman from exercising her right to terminate a pregnancy in order to protect her health prior to viability. While many factors go into determining fetal viability, the consensus of the medical community is that viability is acknowledged as not occurring prior to 24 weeks gestation.

By prohibiting nearly all abortions beginning at ''the probable post-fertilization age'' of 20 weeks, H.R. 1797 violates this clear and long standing constitutional rule.

In striking down Texas's pre-viability abortion prohibitions, the Supreme Court stated in Roe v. Wade:

With respect to the State's important and legitimate interest in potential life, the ''compelling'' point is at viability. This is so because the fetus then presumably has the capability of meaningful life outside the mother's womb. State regulation protective of fetal life after viability thus has both logical and biological justification. If the State is interested in protecting fetal life after viability, it may go as far as to proscribe abortion during that period, except when it is necessary to preserve the life or health of the mother.

Supreme Court precedents make it clear that neither Congress nor a state legislature can declare any one element—''be it weeks of gestation or fetal weight or any other single factor—as the determinant'' of viability. *Colautti* v. *Franklin*, 439 U.S. 379, 388–89 (1979). Nor can the government restrict a woman's autonomy by arbitrarily setting the number of weeks gestation so low as to effectively prohibit access to abortion services as is the case with the bill before us.

If this bill ever were to become law, it would not survive a constitutional challenge even to its facial validity. A similar 20-week provision enacted by the Utah legislature was struck down years ago as unconstitutional by the United States Court of Appeals for the 10th Circuit because it ''unduly burden[ed] a woman's right to choose to abort a nonviable fetus.'' *Jane L.* v. *Bangerter*, 102 F.3d 1112, 1118 (10th Cir. 1996). And just last month, the Ninth Circuit struck down a 20 week ban on the ground that the U.S. Supreme Court has been ''unalterably clear'' that ''a woman has a constitutional right to choose to terminate her pregnancy before the fetus is viable.'' *Isaacson* v. *Horne*, __F.3d__, No. 12–16670, 2013 WL 2160171, at *1 (9th Cir. May 21, 2013).

Madam Speaker, the constitutionally protected right to privacy encompasses the right of women to choose to terminate a pregnancy before viability, and even later where continuing to term poses a threat to her health and safety. This right of privacy was hard won and must be preserved inviolate. For this reason, I offered an amendment before the Rules Committee that would ensure that the legislation before us is not to be interpreted to abridge this right. The Jackson Lee Amendment #2 provided:

SEC. 4. RULE OF CONSTRUCTION. Nothing in this Act shall be construed or interpreted to limit the right of privacy guaranteed and protected by the United States Constitution as interpreted by the United States Supreme Court in the cases of *Griswold* v. *Connecticut*, 381 U.S. 479 (1965); *Eisenstadt* v. *Baird*, 405 U.S. 438 (1972), and *Roe* v. *Wade*, 410 U.S.113 (1973).

Regrettably, the Rules Committee did not make this amendment in order. Unregrettably, I strongly oppose H.R. 1797 and urge all members to join me in voting against this unwise measure that put the lives and health of women at risk.

[From Planned Parenthood Federation of America]

PROTECT ACCESS TO SAFE AND LEGAL ABORTION—REJECT THE NATIONWIDE 20-WEEK ABORTION BAN

The misleadingly named ''Pain-Capable Unborn Child Protection Act'', offered by Congressman Trent Franks (AZ), is a dangerous attempt to restrict women's access to safe and legal abortion. This bill would ban all abortions after 20 weeks with extremely limited exceptions. H.R. 1797 is clearly unconstitutional, and is a blatant attempt to challenge Roe v. Wade at the expense of the health of our nation's women. Abortion is a deeply personal medical decision that should be left to a woman and her family, with the counsel of her doctor or health care provider, not politicians.

The Franks 20-week abortion ban is dangerous for women's health.

Nearly 9 in 10 abortions in the United States occur in the first trimester.

Many women who have abortions after the first trimester do so because of medical complications or other barriers resulting in delays to accessing an abortion.

H.R. 1797 would further harm women in need by creating additional obstacles to receiving a safe and legal abortion. Women need support, not additional barriers, to obtaining timely, safe health care.

The Franks 20-week abortion ban lacks a reasonable exception for victims of rape and incest.

H.R. 1797 marginalizes the needs of women by only allowing a very narrow exception for life-saving abortions.

After the backlash against Trent Franks' ignorant comments about pregnancies resulting from rape, the House Majority snuck in an extremely limited exception allowing victims of rape or incest to access abortion at 20 weeks—but only if they can provide proof that they have alerted the police about the crime.

The Franks 20-week abortion ban is unconstitutional, and is a clear attempt to challenge Roe v. Wade.

20-week abortion bans are unconstitutional as they are in clear violation of the right to an abortion pre-viability, Supreme Court precedent set in Roe v. Wade and affirmed in Planned Parenthood v. Casey.

Proponents of these laws are outspoken in their goal to challenge the Roe v. Wade decision via 20-week abortion ban legislation.

Americans overwhelmingly support the Roe v. Wade Supreme Court decision. A January 2013 Wall Street Journal/NBC poll found that 70 percent of Americans support Roe v. Wade.

Leading medical groups agree that doctors, in consultation with women and their families, should make medical decisions. Not politicians.

Leading medical groups oppose political attempts to interfere with the doctor-patient relationship.

The American Congress of Obstetricians and Gynecologists opposes the 20-week abortion ban, calling it part of legislative proposals ''that are not based on sound science (and that) attempt to prescribe how physicians should care for their patients.''

The American Medical Association ''strongly condemn(s) any interference by the government or other third parties that causes a physician to compromise his or her medical judgment as to what information or treatment is in the best interest of the patient.''

Women don't turn to politicians for advice about mammograms, prenatal care, or cancer treatments. Politicians should not be involved in a woman's personal medical decisions about her pregnancy.

The Franks 20-week abortion ban is unconstitutional legislation that threatens the health of women in an effort to challenge longstanding, Supreme Court precedence regarding access to safe and legal abortion. This one-size-fits-all ban leaves women in potentially vulnerable and dangerous positions, and does nothing to protect women's health. Congress must reject these attempts to limit women's access to safe and legal health care.

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MAY 23, 2013.

16 NATIONAL RELIGIOUS GROUPS OPPOSE BAN ON ABORTION CARE AFTER 20 WEEKS

DEAR REPRESENTATIVE: We, the undersigned national religious groups, urge you to oppose H.R. 1797, the ''District of Columbia Pain-Capable Unborn Child Protection Act'' sponsored by Representative Trent Franks (R–AZ), which would create a nationwide ban on access to abortion care 20 weeks after fertilization, with no exceptions in cases of rape, incest or fetal anomalies. It explicitly bans later abortion care for a woman whose mental health would threaten her life or her health. We stand united across our faith traditions in opposing this extreme legislation.

Proponents of this bill have cited the Kermit Gosnell case as a reason to push this intrusive policy, but the fact is that the lack of access to safe and affordable abortion care is precisely the circumstance that drove women to an unscrupulous person like Gosnell, as it did to so many women before Roe v. Wade. The existence of his clinic is a ghastly warning sign of what happens when abortion is so restricted and expensive that a woman in need feels that she has nowhere else to turn.

A family with a wanted pregnancy that goes terribly wrong is confronted with awful decisions that none of us ever want to face. Our religious values call us to offer compassion, support, and respect to a woman and her family facing these difficult circumstances. H.R. 1797 will only make a challenging situation worse. When a woman needs an abortion, it is critically important that she have access to safe and legal care.

It is telling that Representative Franks, in a press release announcing that he would be expanding the focus of H41797 from the District of Columbia to a nationwide ban, does not make even a single reference to a woman, her family, or her situation.

Like all Americans, Rep. Franks is free to have and share his own religious beliefs about issues related to pregnancy and parenting. Liberty is an American value. However, H.R. 1797 is a clear attempt to impose one particular religious belief on the whole nation, and thus represents a gross violation of the freedom to which every American is entitled by the Constitution. The proper role of government in the United States is not to impose one set of religious views on everyone, but to protect each person's right and ability to make decisions according to their own beliefs and values.

We believe—and Americans, including people of faith, overwhelmingly agree—that the decision to end a pregnancy is best left to a woman in consultation with her family, her doctor, and her faith. Our laws should support and safeguard a woman's health—not deny access to care. Please show compassion for women and respect for religious liberty by opposing H.R. 1797.

In faith,

Anti-Defamation League; Catholics for Choice; Disciples Justice Action Network; Hadassah, The Women's Zionist Organization of America, Inc.; Jewish Council for Public Affairs; Methodist Federation for Social Action; Metropolitan Community Churches; Muslims for Progressive Values; National Council of Jewish Women; Religious Coalition for Reproductive Choice; Religious Institute; Union of Reform Judaism; Unitarian Universalist Association of Congregations; Unitarian Universalist Women's Federation; United Church of Christ; Justice and Witness Ministries.

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

Mrs. BLACKBURN. Madam Speaker, at this time, I yield 3 minutes to the gentlelady from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. We do a lot of things here in Washington and discuss many types of legislation, and sometimes the impact of what we do gets lost in the debate. Today, I want to remind my colleagues that this bill impacts people and why it's important.

There is an injustice occurring in our society.

One unborn baby who is 6 months along develops a medical condition. The doctor gives anesthesia in the womb to that baby because it can feel pain, and an operation is conducted to correct the problem so the baby can be brought to full term. Another unborn baby who is 6 months along, down the street at a clinic, does not receive anesthesia, and is ripped apart limb by limb by an abortionist, who crushes the skull to complete the abortion.

This is wrong.

I rise today in support of H.R. 1797, the Pain-Capable Unborn Child Protection Act, which would prohibit an abortion of an unborn child who has surpassed 20 weeks on the basis that children at this stage of development can feel pain. In light of the recent trial of Kermit Gosnell, we have seen firsthand the very gruesome nature of what is currently taking place in America's abortion industry—the reality that abortion involves not a choice but the taking of a human life. Late-term abortions are agonizingly painful, and they are happening all around the Nation.

A leading expert in fetal pain has said ''the human fetus possesses the ability to experience pain from 20 weeks of gestation . . .'' and that the pain felt by a fetus may be more intense than that perceived by full-term or older children. This pain is inflicted through a procedure known as D&E, in which the doctor literally tears apart the little body of the child after removing him from the womb and finally crushes the child's skull.

Science and the American public are united on this issue. This gruesome practice has no place in our society. In fact, a recent poll found 63 percent of women believe abortion should not be permitted where substantial medical evidence says that the unborn child can feel pain. There is also a risk to the mother.

Drawing a line at 20 weeks is not arbitrary. The child suffers great pain, and the mother is placed drastically in danger. A woman seeking an abortion at 20 weeks is 35 times more likely to die from abortion than she was in the first trimester. At 21 weeks or more, the chance of death is 91 times higher. Jennifer Morbelli was the recent victim of such a dangerous abortion procedure, at 33 weeks, in Maryland. This abortion was done in a residential condominium complex in Baltimore last February—a tragic end to a young mother and an agonizing death for her child.

As a society, it is time to speak out for those who cannot speak for themselves and to stop this heinous practice.

PARLIAMENTARY INQUIRY

Ms. BROWNLEY of California. Madam Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state her inquiry.

Ms. BROWNLEY of California. When will the House consider legislation to address the veterans' ——

The SPEAKER pro tempore. The gentlewoman has not stated a proper parliamentary inquiry.

Ms. LOFGREN. Madam Speaker, I yield 2 minutes to a much-valued member of the Judiciary Committee, the gentlelady from California, Congresswoman JUDY CHU.

Ms. CHU. Imagine a world in which the Federal Government actually prevents women from receiving the medical procedures that would save their lives. Innocent, law-abiding Americans—young and old—would live or die by government decree.

If you think this is some kind of Orwellian fantasy, think again, and take a good look at the abortion bill being pushed by Republicans today. With only a narrow exception to protect life but not the woman's health, it could

very well be a death sentence to countless women in the most desperate of circumstances.

□ 1730

This bill is a blatant attack on a woman's right to choose, and the people who will pay the most will be those who are most in need of help.

I urge my colleagues to vote ''no'' on this nationwide 20-week abortion-ban bill, and I call on the Republican Party to stop pushing bills that endanger American women.

Mrs. BLACKBURN. Madam Speaker, at this time I yield 1 minute to the gentleman from Louisiana (Mr. SCALISE), who chairs the Republican Study Committee.

Mr. SCALISE. I thank the gentlewoman from Tennessee for yielding.

Madam Speaker, I rise proudly in support of life and in strong support of H.R. 1797, the Pain-Capable Unborn Child Protection Act.

Scientific studies have proven that babies can feel pain as early as 20 weeks after conception, and passage of this bill is a major step forward in the defense of life.

The Gosnell murder trial refocused Americans on the horrors of late-term abortion, and the Pain-Capable Unborn Child Protection Act sends a loud message that our great Nation stands up in defense of life.

I'm proud that Americans United for Life ranked Louisiana as the number one pro-life State in the Nation. I have an example of that. If a woman who is pregnant is murdered in Louisiana, not only is the murderer charged with the murder of the mother, but also for the murder of the unborn child. I think it's a proud day that we're here standing up in defense of those babies after 20 weeks saying this country will not allow those babies' lives to be terminated.

I proudly support this legislation, and I urge my colleagues to support it, as well.

Ms. LOFGREN. Madam Speaker, may I inquire as to how much time remains.

The SPEAKER pro tempore. The gentlewoman from California has 14¼ minutes remaining, and the gentlewoman from Tennessee has 9 minutes remaining.

Ms. LOFGREN. Madam Speaker, I yield 2 minutes to another member of the Judiciary Committee, Mr. DEUTCH of Florida.

Mr. DEUTCH. I thank my friend from California.

Madam Speaker, today I want to give voice to real women and girls who sought abortions after 20 weeks.

The sad truth is that for disenfranchised women, it often takes more than 20 weeks to overcome the roadblocks encountered on the path to what is a constitutionally protected procedure. They may struggle to pay for the procedure, risk losing their jobs if they request time off or lack full information about their bodies, having never received sex education or seen a gynecologist.

Each woman facing these decisions is unique. Their voices have gone unheard in this Chamber, but they are Americans who deserve laws that protect them. So before this vote, I wanted to share their stories.

Sandra and her husband had no car, no Internet, and no health care. It took them weeks to find an abortion provider. They had to save up for the procedure for time off of work, for child care for their kids, for the 80-mile taxi ride from Clewiston, Florida, to West Palm Beach. By that time, the facility they found could not help her. They had to start over and save up even more, take even more time off to see a Fort Lauderdale doctor who could help them.

At 17, Helga was in a witness protection program. She was raped as a child and later bore a daughter who was later taken in by protective services. After leaving drug treatment in Florida, Helga was 20 weeks pregnant, but she wanted a chance to put that path behind her. It was only the compassion and generosity of her abortion provider, her doctor, who gave her that chance. Today she's taking care of herself and reconnecting with her daughter.

At 13, Michelle often had irregular periods. Yet when she skipped two, thought she had one and skipped another, she got scared and told her mom. She didn't know she was pregnant. Her disabled mother was barely able to feed Michelle and her four siblings as it was. So Michelle and her mother agreed that Michelle needed to have an abortion. But this whole process took time. Finally at 22 weeks, Michelle and her mom secured an abortion with a provider, a doctor who could assume the costs.

I ask my colleagues to please answer these women with compassion and vote down this bill.

Mrs. BLACKBURN. Madam Speaker, at this time, I yield 2 minutes to the gentlewoman from South Dakota (Mrs. NOEM).

Mrs. NOEM. Madam Speaker, a few moments ago we heard the minority leader here on the floor say that we needed to be about doing serious work, that we needed to deal with bills that dealt with jobs and the economy that the American people cared about.

Well, Americans support ending late-term abortions. Just look at the graphic that we have up here that says 64 percent of Americans believe abortion should not be permitted in the second 3 months of pregnancy; 80 percent of Americans believe abortion should not be permitted in the last 3 months of pregnancy.

Americans recognize that H.R. 1797, the Pain-Capable Unborn Child Protection Act, needs to be passed, and it needs to be done because it is the right thing to do. I've always been pro-life. I believe as a lawmaker I have a duty to protect those that are the most vulnerable.

Recently, we've seen atrocities committed in this country against unborn babies, babies that were born alive, atrocities against these babies and their mothers. The details of that trial only highlight the need for us to protect women and to protect these babies from people like Gosnell and prevent crimes like this from ever happening again.

This bill stops abortions after the 20th week of pregnancy, right after the 6th month. Scientific evidence shows that babies can feel pain at this point of the pregnancy. We're talking about babies that if they were born and simply given a chance, that they could survive outside of the womb. They just need a chance.

The topic of abortion is very personal for many around the country. It stirs emotions on both sides. If we disagree on this issue, I hope we can do it respectfully. Unfortunately, I don't find a lot of the rhetoric that I've heard today very respectful. They've said there's a war on women. Madam Speaker, I am not waging a war on anyone. I'm not waging a war on my two daughters or any other woman in this country.

Regardless of your personal belief, I would hope that stopping atrocities against little babies is something that we can all agree to put an end to. This legislation would do exactly that.

I encourage my colleagues to support its passage.

PARLIAMENTARY INQUIRY

Mr. ISRAEL. I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. ISRAEL. Madam Speaker, under House practice and procedure, is it not customary for someone on the committee of jurisdiction to manage time on the floor, or is it because the Republicans have no women on the House Judiciary Committee that the gentlewoman from Tennessee manages the time on the floor?

The SPEAKER pro tempore. The gentleman from New York has not stated a proper parliamentary inquiry and is instead engaging in debate. The gentleman has not been recognized for debate.

The gentlewoman from California is recognized.

Ms. LOFGREN. Madam Speaker, I am pleased to yield 1½ minutes to a member of the Judiciary Committee from New York, an excellent lawyer and a new Member of the House, Representative HAKEEM JEFFRIES.

Mr. JEFFRIES. This bill is a violent assault on reproductive rights here in America and an unnecessary intrusion

into the doctor-patient relationship. It is a continuation of the Republican war against women and an unconstitutional effort to repeal a 40-year Supreme Court decision. It is dead on arrival in the Senate. The White House and the President will veto it. A majority of the Supreme Court will declare it unconstitutional.

So why are we here wasting the time and the money of the American people on a futile and extreme legislative joyride?

This is not Barry Goldwater conservatism. This is not even Ronald Reagan conservatism. This is conservatism gone wild. We can only hope for the good of the country that our friends on the other side of the aisle can get the extremism out of their system today so that we can return to the business of the American people tomorrow.

I urge a ''no'' vote.

Mrs. BLACKBURN. Madam Speaker, at this time, I yield 1 minute to the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. Madam Speaker, there is something especially disturbing about the cruel violence that accompanies the termination of unborn children who, as evidence shows, could survive if they were just given the chance.

This debate is not some waste of time. This is not some exercise in extremism. The fact that we are having this debate at all demonstrates that our society is actually failing women, and our culture is very deeply conflicted. There is something very dark about the topic of late abortion.

□ 1740

It is uncomfortable to enter into this conversation, but we must.

During the past several decades, the marvels of science, Madam Speaker, have opened up a window to show us life in the womb, which the prophets of old, by the way, tell us is sacred. The images of children developing week by week, month by month, speak to us more eloquently than any words can.

Madam Speaker, there are some lines that we should all agree should be drawn. I think we are capable—I hope we are capable—of agreeing that a child in the womb deserves that protection.

Ms. LOFGREN. Madam Speaker, I am honored to yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. I thank the gentlewoman from California for yielding to me.

Anti-choice groups tried and failed to use D.C. to nullify Roe v. Wade just last year. They are now using a single criminal case in Philadelphia to go after the reproductive health of all the Nation's women. We will defeat this bill, too, with its bogus science, manmade myths about rape in a bill reported to the floor by an all-male majority of the Judiciary Committee. They are already losing ground; witness the changes forced on them in the language of the bill and the stripping of the rightful manager of the bill.

This bill is part of a parade of 20-week abortion bills moving through conservative States. None will succeed. They will not succeed not only because they are clearly unconstitutional, but because women won't have it. This bill goes down the same road that helped women elect Barack Obama as President of the United States. In the end, whatever happens here today, women will win.

Mrs. BLACKBURN. Madam Speaker, at this time, I yield 2 minutes to the chairman of the Republican Women's Policy Committee, the gentlewoman from North Carolina (Mrs. ELLMERS).

Mrs. ELLMERS. Madam Speaker, I thank my esteemed colleague for handling the time here on the floor in this very important issue.

Madam Speaker, I rise today in support of H.R. 1797, an important bill that will protect women and unborn children. This legislation is supported by reliable scientific research that shows that an unborn child at 20 weeks' gestation can feel pain. Coupled with the now-known dangerous acts of an abortionist like Kermit Gosnell, it is clear that Congress must act.

We can all agree that a woman facing an unexpected pregnancy can be in a crisis situation, not knowing what she should do or what choices she can make. That is why it is vital to put into place protections for women and ensure that people like Kermit Gosnell can never harm again.

We have a duty to protect American women and the unborn children of this country from harm. I urge my colleagues to vote for this important bill and support H.R. 1797.

Ms. LOFGREN. Madam Speaker, I am honored to yield 2 minutes to the gentlewoman from Colorado (Ms. DEGETTE), a leader for women's health.

Ms. DEGETTE. Madam Speaker, at a time when Americans want their elected officials to focus on jobs and building our economy, here we are again focusing our efforts on limiting a woman's ability to make her own health care decisions.

As I have heard time and time again from women across this Nation, women don't want politicians imposing their extreme beliefs on them when they're making tough decisions. I keep hearing about polls from my colleagues on the other side of the aisle. Well, here's a poll. We just heard about it today. Congress' popularity is at an all-time low of 10 percent, and bills like this are exactly why.

Last session we wasted a lot of the American people's time debating and voting on legislation designed solely to take a woman's health care decision out of her hands and that of her doctor and instead to allow politicians to step in and substitute their judgment. Now, this time it did take the majority 6 months of the new session, but here we go again, right back down that same rabbit hole.

Today, we're voting on another extreme policy that's dangerous to women's health, interferes with the doctor-patient relationship, and is also patently unconstitutional. As introduced, the bill provided no exceptions for victims of rape and incest; but last week, after some of us pointed that out, the bill's sponsors maneuvered to add an attempted exception for rape and incest victims. But even this latest attempt is deeply offensive.

The bill now requires a woman to prove that she had reported the rape to authorities in order to have access to a legal medical procedure. Let me say that again: a woman would now have to prove she actually reported the rape to obtain a necessary medical procedure, making her into a two-time victim.

This kind of logic demonstrates a callous, almost willful ignorance towards the health needs of women across the Nation, and it shows how the proponents have no respect for women's ability to make their own decisions.

Vote ''no'' on this ill-conceived bill.

Mrs. BLACKBURN. Madam Speaker, I would like to ask how much time is remaining on each side?

The SPEAKER pro tempore. The gentlewoman from Tennessee has 5 minutes remaining, and the gentlewoman from California has 7 minutes remaining.

Mrs. BLACKBURN. At this time, I reserve the balance of my time.

Ms. LOFGREN. Madam Speaker, I am delighted to yield 2 minutes to the gentlewoman from California (Mrs. CAPPS), a nurse and valued member of our delegation.

Mrs. CAPPS. Madam Speaker, I thank my colleague from California for her leadership in opposing this unconstitutional and cruel bill. I rise in strong opposition to it.

This legislation ignores the very real medical challenges that are faced by so many women, erecting barriers to women who are trying desperately to access medical care, who are making some of the most personal and difficult choices and decisions. This is a cold-hearted political maneuver that is being played out upon this House floor today.

Women need the confidence to be able to make these difficult decisions in consult with their doctors, with their families, with their spiritual advisors. Politicians have no place in that equation.

If we really wanted to protect life, let's support efforts to reduce unintended pregnancies, improve maternal health, improve funding for WIC, for

early child care, for support for women and families who are raising children in the most difficult circumstances. Let us trust women to make decisions that are right for them. And let us show a little compassion instead of offering condescending lectures, as the other side did last month to a very courageous witness who shared her life story.

It is long past time that this Congress learn to trust women to make their own decisions.

Mrs. BLACKBURN. At this time, I would continue to reserve the balance of my time.

Ms. LOFGREN. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. KEATING), a former prosecutor and valued Member of our Congress.

Mr. KEATING. Madam Speaker, for 12 years, I've worked with victims of rape and incest. And for those of you who think you're carving out an exception for rape and incest, you're not.

□ 1750

If you were truly carving out an exception, you wouldn't be making it contingent on things that silence victims, things they have no control over, like being traumatized, like being threatened with your life if you talked, like not knowing the law because you're a minor and a victim of statutory rape. These are reasons why more than half the rapes are never reported.

As a district attorney, I've had cases where the victims didn't even report; yet we were able to convict the perpetrators with other evidence. Reporting wasn't even necessary to convict criminals; but in this bill, it's necessary for a crime victim to exercise their constitutional right to privacy.

Fundamentally, those who support the language in this bill don't understand that rape and incest are crimes. These are crimes of violence, crimes that you bring penalties to the perpetrator. This bill brings penalties to the victim.

Mrs. BLACKBURN. Madam Speaker, I continue to reserve the balance of my time.

Ms. LOFGREN. I wonder if the gentlelady has additional speakers, because I would reserve. We have no additional speakers at this time, and if she has additional speakers, she can call them, then we will both wrap up.

Mrs. BLACKBURN. Madam Speaker, we have no additional speakers. If you want to complete, then I will close.

The SPEAKER pro tempore. The gentlewoman from California has 4 minutes remaining, and the gentlewoman from Tennessee has 5 minutes remaining.

Ms. LOFGREN. Madam Speaker, I yield myself such time as I may consume.

I think this is, in many ways, a very sad day for this House. As we know, last week there was an uproar in the country relative to a statement that few women become pregnant from rape. That, of course, is not correct. There's no science to support that.

And of course, this week, we have a bill that's been altered to add a very limited exception for rape and incest that would be available only if the victim has reported the crime to the authorities.

And of course, as our last speaker has indicated, this actually makes the situation for the victim of violence, a victim of rape more onerous than for the perpetrators of the violence, something that I think is really quite wrong.

The bill attacks the rights of women, guaranteed by our Constitution, to seek a safe, legal procedure when they need it.

I have two children. I was thrilled when I became pregnant. Most women are thrilled and look forward to a safe childbirth. But for some, pregnancy can be dangerous, and the restrictions that are imposed in this bill that do not have adequate health exceptions can endanger these women.

At the subcommittee, we heard from a witness, a professor at George Washington University, Ms. Christy Zink, about her story. She courageously told her story of seeking abortion care after her much-wanted pregnancy was diagnosed with severe fetal anomalies at the 21st week; in fact, an anomaly that would mean that the much-wanted child would not survive and that, in fact, her health could be compromised had she proceeded.

Under this bill, she would not have the opportunity to preserve her own health. She would be required to carry a nonviable fetus to term, and I just think that's wrong. I don't think that's something that the country is asking the Congress to do.

The idea that the exception for incest only applies to those under 18 is another mystery. If a girl is molested and raped by her father at age 18, is she less worthy of the protection of her health and the right to get abortion care than her sister at age 17? I think not. It simply makes no sense at all for that provision.

I'd like to comment also briefly on the repeated discussion of Dr. Kermit Gosnell. He is a monster. There's no one that I have heard in this Congress or in this country who defends what Dr. Gosnell did. In fact, he's in prison, serving a double life sentence for murder.

What he did was illegal, in addition to being abhorrent in every way. We don't need to change the law to put someone like Dr. Gosnell behind bars. In fact, he's behind bars right now.

I think that the use of this case as a rationale for denying American women health care that they may need is terribly wrong. I would urge a ''no'' vote on the bill.

I yield back the balance of my time.

Mrs. BLACKBURN. Madam Speaker, I yield myself such time as I may consume.

This has been an interesting debate, and I have to tell you, we have heard every descriptive adjective that there can possibly be coming from the negative of why our colleagues on the other side of the aisle think that this debate is inappropriate.

I do think that some of the most interesting has been the parliamentary inquiries to ask about what we're doing about jobs and student loans and veterans. And I have to tell you all, I agree. This Obama economy has been brutal to especially women and the female workforce; and, indeed, we would love to see our colleagues in the Senate and the administration work with us on those issues.

But let me refocus us on why we are here. We are here because it is imperative that we take an action, and that we address these Gosnell-like abortions. We have stood on the floor today, and we have talked about what transpired with the conviction of Kermit Gosnell in Philadelphia, 21 felony counts, performing illegal abortions beyond the 24-week limit, manslaughter for the death of a woman seeking an abortion at his clinic, three counts of killing babies born alive, and dozens of other heinous crimes.

We have heard about how the necks are snipped, the heads are punctured. We even heard the statement from his attorney who said 16 to 17 weeks should be the limit.

We are going at 20 weeks. We have heard of other atrocities, whether they are the Carpin case in Texas, the case in New Mexico. Nurses, pro-choice nurses out in Delaware recently quit their jobs at a big abortion business to save their medical licenses. They said the clinic was, I'm quoting them, ''ridiculously unsafe, where meat-market style, assembly-line abortions were happening.''

Another abortionist, Leroy Carhart, recently stated he's performed more than 20,000 abortions on babies after 24 weeks gestation, and he's perfectly happy to do elective abortions on babies at 7 months gestation.

We know that at 8 weeks babies feel pain. When they have these prenatal surgeries, we know that they're given anesthesia. We know they respond to pain, and we know these late-term abortions are incredibly, incredibly painful.

So that is why we stand today. We want parity for these babies, for these unborn children. We can see them. We have seen some of the ultrasounds. And you know what is so amazing? When you see these ultrasounds, and when people are waiting for the arrival of these precious children, they go ahead, they name them. They're expecting them. They are waiting for them. And

they know that these children feel pain when they are harmed.

□ 1800

Science tells us so. The American public is with us on this. Sixty-four percent of all women think abortions should be eliminated when these unborn babies feel pain. Out of all Americans, 60 percent—60 percent—this is a Gallup/USA Today poll. Sixty percent says second-trimester abortions should be eliminated. Eighty percent say third-trimester abortions should be eliminated.

So for those reasons, that is why we stand here today. To support these women and these unborn children, to end these atrocities, to stand together, to make certain that that first guarantee, the guarantee to life—the guarantee to life—so that you can pursue liberty and enter into the pursuit of happiness, that is why we stand here today.

Madam Speaker, I've been honored to work with my colleagues. I know some don't like the fact that a former Judiciary Committee member has come to the floor to handle this bill. I've been so honored to be joined by so many pro-life women as we have discussed this issue, as we have come together to stand for this.

I yield back the balance of my time.

Mr. PASCRELL. Madam Speaker, I rise today in opposition to H.R. 1797, the Pain Capable Unborn Child Protection Act.

As Members of Congress, we should not reach into the private lives of our constituents with decisions that are this personal. We are not qualified to make complex medical decisions, and the government is certainly not in the position to interfere in the doctor-patient relationship. But that is exactly what this bill would do by increasing medical liability for doctors, and criminalizing procedures that are safe and legal.

A woman should be able to make decisions about her health in consultation with her family, her individual faith and health professionals. Restricting access to safe abortions is clearly not the answer. With the continued economic challenges facing this country, we should be focused on getting Americans back to work, not preventing women from making choices that are best for their families and their health.

Throughout my years in Congress, I have been against any government funding of abortion, and I believe that some guidelines are important and reasonable. However, this bill clearly goes over the line and serves not to protect the health of women and children, but rather as a direct challenge to the Supreme Court decision in Roe v. Wade.

I strongly urge my colleagues to vote no on this bill.

Mr. CICILLINE. Madam Speaker, today's vote on H.R. 1797 marks the 10th time since 2011 that House Republicans have held a vote to restrict women's health care options, and as a result endanger the health and well-being of women all across this country.

In the last six months, the House has failed to enact a single jobs bill into law. This is unconscionable—especially at a time that families across our country are still struggling just to make ends meet, and so many Americans are still out of work.

And yet, here we stand, not discussing ways that Republicans and Democrats can work together to get our economy moving again, but instead we're relitigating the culture wars and actually voting on a bill that would allow Washington politicians to make medical decisions that should be made between women and their doctors.

As the Obama Administration has said, this bill is nothing short of an ''assault on a woman's right to choose.''

H.R. 1797 subverts Roe v. Wade and uses pseudoscience to tell women that they're not allowed to make their own health care decisions after the 20th week of a pregnancy.

Madam Speaker, rather than using political wedge issues to score points with their electoral base, Republicans should be working with Democrats to put men and women across our country back to work and start growing the economy again.

In the strongest terms possible, I urge my colleagues to oppose this extreme proposal.

Mr. FARR. Madam Speaker, there are so many reasons why my colleagues should reject H.R. 1797, the misnamed Pain-Capable Unborn Child Protection Act.

I am sure my Democratic colleagues that oppose the bill will be able to speak to many of those reasons, but I want to focus on an issue that will shock the American people, once they find out what this bill really does.

The Pain-Capable Unborn Child Protection Act will force, let me repeat that, force a woman to carry an unviable fetus to full term and delivery. Even when doctors agree that it is impossible for the fetus to survive outside the womb, if it is over 20 weeks, if H.R. 1797 passes, it will have to be carried to full term and delivered. By making the woman carry this fetus to full term and deliver it even though it will never survive, we are adding to the unimaginable pain of having a child that will not survive outside the womb. Instead of being allowed to grieve for months, this legislation would only prolong the inevitable heartbreak she will experience. The Republican majority may be completely fine with subjecting women to repeated and unnecessary heartbreak, but I am not!

Not to mention the unnecessary pain and physical discomfort throughout the pregnancy for the woman. She is forced to go through all the trials of a normal pregnancy and the tremendous pain of childbirth, just so the Republican Majority can once again intrude into the lives of women and impose their will on them. This should be a private, personal decision between the woman and her doctor.

Madam Speaker, H.R. 1797 is simply outrageous. No one should be able to force a woman to carry an unviable fetus to term and then deliver it against her will. This bill has so many provisions that are just a continuation of the Republicans War on Women. And they claim there is no war on women. How can they say that when they try to pass bills like this?

Ms. BORDALLO. Madam Speaker, I rise today in support of H.R. 1797, the Pain-Capable Child Protection Act. This bill takes important steps to protecting the most vulnerable in our society—unborn children—by placing a federal ban on abortions after 20 weeks from conception. This ban would be an important first step in restoring respect for life in our nation.

I believe that H.R. 1797 strikes the right balance as it allows for exceptions in cases of child-incest, rape, or when a mother's life is in danger, but it also requires that mothers report any instances of abuse to law enforcement prior to seeking an abortion. While many would argue that this provision is too narrowly written, I believe that it is better than the present unrestricted and unaccountable legal system that makes it far too easy to get an abortion.

I support H.R. 1797 and its intent in ensuring that the most vulnerable in our society are protected and given the opportunity for life. I encourage my colleagues to vote ''yes'' on this bill.

Mr. HENSARLING. Madam Speaker, as humans and as a people, we have no greater responsibility than to care for the vulnerable—to be a voice for those who cannot speak for themselves and a defender of those who cannot fight for themselves.

I, like all Americans, was disgusted to learn of the horrific and illegal abortion procedures performed by Kermit Gosnell. Gosnell preyed upon women who trusted him in their most vulnerable moments and systematically murdered children at their most helpless stage. We must protect women from these atrocious and unsafe abortions, and we must save children from these excruciating deaths.

In the grand jury report on the Gosnell trial, a neonatal expert reported that the cutting of a baby's spinal cord during a late-term abortion causes them, 'a tremendous amount of pain.' Furthermore, according to a report by fetal pain expert Dr. Kanwaljeet S. Anand, 'the human fetus possesses the ability to experience pain from 20 weeks of gestation, if not earlier, and the pain perceived by a fetus is possibly more intense than that perceived by term newborns or older children.'

By banning abortion after 20 weeks, today's bill will save the lives of innocent children from enduring the excruciatingly painful death of a late abortion.

Mr. SHIMKUS. Madam Speaker, I rise today in support of the Pain-Capable Unborn Child Protection Act.

As modern science advances, we are gaining a better understanding of childhood development from conception to birth. While decades ago doctors believed a pre-natal child's central nervous system was too under-developed to experience pain, scientists are now finding that by 20 weeks after conception babies have an ''increase in stress hormones in response to painful experiences.'' In essence, by month 5, children can experience pain.

Many of the abortions conducted by Dr. Gosnell were near and even after the 20th week where the child could feel the pain of what was being done. I stand by the millions of Americans who are deeply shocked and emotionally horrified by the actions of Dr. Kermit Gosnell—the crimes for which he was convicted are too many to mention and too disturbing to describe.

While our hearts go out to Dr. Gosnell's victims, we must also act to prevent future

Gosnell's from having the ease and opportunity to perform abortions as he did. That is why I support The Pain-Capable Unborn Child Protection Act. This bill provides national protection to unborn children who are capable of feeling pain by penalizing any doctor who provides a Gosnell-style abortion with up to 5 years in prison and/or up to a $250,000 fine.

Dr. Gosnell's trial and new scientific evidence around pre-natal childhood development has compelled us to re-examine how late-term abortions are conducted and the impact on the unborn child. This legislation will help further reduce the pain and anguish that abortions can cause.

Mr. STUTZMAN. Madam Speaker, I rise in strong support for H.R. 1797, legislation that will protect the most vulnerable members of society.

The womb should be the safest place in the world for the most weakest among us.

Sadly, it is not.

The heart-wrenching case of Kermit Gosnell showed why. The Gosnell case exposed the abortion industry's lies and showed that abortion is anything but safe and it certainly isn't rare.

Kermit Gosnell murdered newborn babies. He jabbed scissors into the necks of newborn babies. He severed their spines. And he stuffed their bodies into freezers. Now that a Pennsylvania jury delivered their verdict, we here in the House, acting on behalf of the American people, must render our verdict on abortion's grizzly truth.

Kermit Gosnell's barbaric crimes shock the conscience of civilized people across this country. However, there is absolutely no moral distinction between ending a baby's life five seconds after birth or five weeks before.

Madam Speaker, despite all the euphemisms and bumper-sticker slogans we've heard from the other side of the aisle, the issue at hand is clear: abortion businesses like Planned Parenthood regularly perform abortions on unborn babies who, like Gosnell's victims, are capable of feeling pain.

Kermit Gosnell brought us face to face with abortion's ugly truth. The American people cannot turn their back on that truth now.

Gosnell, just like late-term abortionists across this country, sold lies to young women. Madam Speaker, my heart breaks for these women. These are young women who find themselves in a seemingly impossible situation. They're young women like my mother.

Madam Speaker, on a December night in 1975, my 17-year old mother discovered she was pregnant with her first child. That night, alone and terrified, she decided to find a way to make the 40-mile trip to Kalamazoo, Michigan, to ''take care of her situation.'' If she had, Madam Speaker, I wouldn't be standing here on the House floor today.

Just a few months ago, my mom shared her story with me. After we cried together, I had to think ''what if there had been a 'Gosnell' clinic four miles away instead of 40?''

Madam Speaker, I can't imagine how scared my mom must have been and how alone she felt. So many women find themselves in a similar situation and so many are told lies by the abortion industry.

Since 1973, more than 55 million innocent babies have been killed because of Big Abortion's lies. Madam Speaker, my mother had the courage to reject these lies. Today, here in Congress, we have to ask ourselves if we do too.

Let's outlaw these Gosnell-style abortions. Let's stand up for those who cannot speak for themselves and end barbaric procedures that have no business here in the civilized world.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in opposition to H.R. 1797, the ''Pain-Capable Unborn Child Protection Act.'' This bill represents a new line of attack on women's reproductive rights. It would criminalize abortions twenty weeks after fertilization, limiting women's ability to make their own choices about their pregnancies and their lives.

I am not pro-abortion, but I am pro-choice. The Constitution guarantees all of us a right to privacy and freedom of religion. A woman must be free to make the difficult decision about the future of her pregnancy in conjunction with her family, religious advisers, and health care professionals.

The narrow exceptions to this blanket ban on abortions after twenty weeks are insufficient to guarantee women's health and safety. They do not change the fact that this bill would deny women the care they need, even in emergencies or in the case of unreported sexual assault.

H.R. 1797 is a direct challenge to Roe v. Wade, and would significantly erode women's freedom and right to individual choice. I strongly believe that protecting women's rights and guaranteeing women's safety must be our priority. I urge my colleagues to oppose H.R. 1797 and support women's right to choose.

Mr. GOODLATTE. Madam Speaker, I would like to submit the following:

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, June 14, 2013.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 1797, the ''District of Columbia Pain-Capable Unborn Child Protection Act,'' which your Committee reported on June 12, 2013.

H.R. 1797 contains provisions within the Committee on Oversight and Government Reform's Rule X jurisdiction. As a result of your having consulted with the Committee and in order to expedite this bill for floor consideration, the Committee on Oversight and Government Reform will forego action on the bill. This is being done on the basis of our mutual understanding that doing so will in no way diminish or alter the jurisdiction of the Committee on Oversight and Government Reform with respect to the appointment of conferees, or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation.

I would appreciate your response to this letter confirming this understanding, and would request that you include a copy of this letter and your response in the Committee Report and in the Congressional Record during the floor consideration of this bill. Thank you in advance for your cooperation.

Sincerely,

DARRELL ISSA,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 17, 2013.

Hon. DARRELL ISSA,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN ISSA: Thank you for your June 14 letter regarding H.R. 1797, the ''Pain-Capable Unborn Child Protection Act,'' which the Judiciary Committee ordered reported favorably to the House, as amended, on June 12, 2013.

I am most appreciative of your decision to forego consideration of H.R. 1797, as amended, so that it may move expeditiously to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on Oversight and Government Reform is in no way waiving its jurisdiction over the subject matter contained in the bill. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I am pleased to include this letter and your June 14 letter in the Congressional Record during floor consideration of H.R. 1797.

Sincerely,

BOB GOODLATTE,
Chairman.

Mr. HOLT. Madam Speaker, I rise today in strong opposition to H.R. 1797, which would violate the constitutional rights of every woman in America.

Why is the majority proposing a bill that treats women as second-class citizens? A female constituent in Trenton wrote to me and asked,

Why is it that any person, feels entitled to make a personal decision of this magnitude his business? How in any way is he qualified to make any decisions about my future, my body, my children? The Congress and Senate are spouting politics in what is completely personal matters. I do so heartily wish that Congress would spend our tax dollars on legitimate affairs of state and country—not affairs that do not concern them in any way whatsoever.

But we're not spending our time on important issues of state and country, such as fostering job creation or helping middle class families afford college.

Instead, once again, the Majority is asking Congress to play doctor. This bill is an attempt to ban safe, legal, and often medically-necessary abortion services for women. It's unconstitutional, and it is a direct assault on the dignity and independence of each American woman.

Mr. GENE GREEN of Texas. Madam Speaker, I rise in strong opposition to the bill, H.R. 1797.

At a time of enduring economic troubles we should not bog down the House of Representatives with this type of legislation. I know my Republican colleagues are sincere in their pursuit to end abortions after 20 weeks and probably before 20 weeks too. We've heard their concerns, but they're just plain wrong.

The decision to have an abortion is a private one. It should be made by the patient, in consultation with her physician, her family, and faith leader, if she chooses. Congress has no place micromanaging the practice of medicine by deciding what medical procedures are appropriate and at what time. We should not be

intruding on the privacy and medical decisions of individuals.

The right for a woman to make her own medical decisions has been rightfully upheld by our courts. Those of us in this chamber may not believe that abortion is moral or right and we are free to disagree with those who seek abortion. We have already stated numerous times that federal funds may not be used to provide the procedure.

But, we must end this pursuit to erode access to types of healthcare we do not like. It will drive women to much less safe alternatives and criminalize doctors who wish to provide a safe environment. We should not go back in time.

Instead, it is time for us to really tackle the issues that confront our country: growing our economy, achieving comprehensive immigration reform, and putting our Nation on the track for prosperity for years to come.

Mr. BLUMENAUER. Madam Speaker, here they go again.

Once more, the Republican controlled House is seeking to limit women's access to safe reproductive health care through this legislation, the ''Pain-Capable Unborn Child Protection Act.'' While it is couched in the language of protecting unborn fetuses from pain, this bill is nothing more than a poorly disguised effort to force women and their families to give up their constitutionally protected rights (so far). The bill is not going anywhere and it inflames an issue that is among the most sensitive.

Roe vs. Wade, which was decided 40 years ago, is the law of the land. But still we have to go through this annual charade as Republican leadership tries to force those of us who support women's control over their health and potential to have children in the future to take a ''hard vote.'' I am no political Pollyanna; I understand the politics behind this strategy. But let me say, unequivocally, that this is no ''hard vote'' for me.

It is not hard for me to stand with the millions of women who depend on access to safe, legal abortion. It is not hard for me to vote against any bill that imposes the will of an intolerant, albeit vocal, minority on our mothers, sisters, and daughters. It is not hard for me to protect freedom of choice, because it is right and it is just.

We have real challenges to address as a country, and yet Republican leadership is choosing to focus its efforts on this bill that would trump women's health, override family decisions, and compromises the ability to decide when and if to start a family. It's a blatant attack on women and it's not hard for me to say that it is wrong.

Ms. SINEMA. Madam Speaker, I rise in opposition to this legislation. This bill places severe restrictions on a woman's ability to make personal health care decisions with her family and her doctor. Women and their families should be able to plan for their lives and their future free from the government's interference.

Instead of arguing over ideologically motivated bills, Congress should work to create jobs and support middle class families. Today's vote is a sad distraction from the work we should be doing together for the American people.

Instead of wasting taxpayers' dollars with a debate and vote on blatantly unconstitutional measures such as this, we should focus on bipartisan legislation to create jobs and restore our nation's fiscal health.

Madam Speaker, I urge my colleagues to oppose this legislation.

Mr. VAN HOLLEN. Madam Speaker, I rise in opposition to H.R. 1797. This bill, which would implement a nationwide ban on abortions after 20 weeks, is in direct violation of Roe v. Wade. H.R. 1797 is the latest attempt by House Republicans to undermine a woman's fundamental right to choose.

H.R. 1797 does not provide an exception to protect a woman's health. This dangerous omission would deny a woman the right to an abortion even when her doctor determines it would be necessary to protect her health. This infringement into the relationship between a woman and her doctor is the reason this legislation is opposed by the American College of Obstetricians and Gynecologists and the American Medical Women's Association.

Additionally, H.R. 1797 contains a wholly inadequate exception for rape and incest. The threshold that the crime must have been reported to the authorities is arbitrary and cynical considering that it is estimated over half of the rapes in the United States go unreported.

I urge my colleagues to oppose this attack on a woman's Constitutional right to choose.

Ms. MATSUI. Madam Speaker, I rise in strong opposition to the Pain-Capable Unborn Child Protection Act.

Instead of focusing on much needed job creation legislation . . . or addressing the student loan interest rates set to double in a matter of days . . . the House Republican Leadership has decided to bring up a bill that is unconstitutional and unconscionable.

This legislation would ban abortions after 20 weeks nationwide . . . with no exceptions to protect a woman's health and with the most narrow exceptions for rape or incest.

I have always believed that such a deeply personal issue can only be made by the woman herself . . . in consultation with her doctor . . . and her most trusted loved ones.

This legislation is an attempt to insert the federal government into this decision making process and chip away at a woman's right to choose.

For the young women in Sacramento and nationwide, I oppose this legislation in order to protect their health and their rights . . . and I urge my colleagues to do the same.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 266, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mrs. BLACKBURN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 6 o'clock and 2 minutes p.m.), the House stood in recess.

□ 1815

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. ROS-LEHTINEN) at 6 o'clock and 15 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order: passage of H.R. 1797, and the motion to suspend the rules and pass H.R. 1896.

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

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the vote on passage of the bill (H.R. 1797) to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 228, nays 196, not voting 10, as follows:

[Roll No. 251]

YEAS—228

Aderholt	Camp	DesJarlais
Alexander	Cantor	Diaz-Balart
Amash	Capito	Duffy
Amodei	Carter	Duncan (SC)
Bachmann	Cassidy	Duncan (TN)
Bachus	Chabot	Ellmers
Barletta	Chaffetz	Farenthold
Barr	Coble	Fincher
Barton	Coffman	Fitzpatrick
Benishek	Cole	Fleischmann
Bentivolio	Collins (GA)	Fleming
Bilirakis	Collins (NY)	Flores
Bishop (UT)	Conaway	Forbes
Black	Cook	Fortenberry
Blackburn	Cotton	Foxx
Boustany	Cramer	Franks (AZ)
Brady (TX)	Crawford	Gardner
Bridenstine	Crenshaw	Garrett
Brooks (AL)	Cuellar	Gerlach
Brooks (IN)	Culberson	Gibbs
Buchanan	Daines	Gibson
Bucshon	Davis, Rodney	Gingrey (GA)
Burgess	Denham	Gohmert
Calvert	DeSantis	Goodlatte

Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—196

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hanna
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woodall

NOT VOTING—10

Bonner
Campbell
Hunter
Larsen (WA)
Markey
McCarthy (NY)
Pascrell
Rogers (KY)
Schock
Yarmuth

□ 1844

Messrs. HOLT and LANGEVIN, Ms. LINDA T. SÁNCHEZ of California and Ms. SCHWARTZ changed their vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes.''.

A motion to reconsider was laid on the table.

INTERNATIONAL CHILD SUPPORT RECOVERY IMPROVEMENT ACT OF 2013

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1896) to amend part D of title IV of the Social Security Act to ensure that the United States can comply fully with the obligations of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. REICHERT) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 394, nays 27, not voting 13, as follows:

[Roll No. 252]

YEAS—394

Aderholt
Alexander
Amodei
Andrews
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Clyburn
Coble
Coffman
Cohen
Cole
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Huffman
Hultgren
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marino
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Polis
Pompeo
Posey
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney

Ros-Lehtinen	Sherman	Valadao
Roskam	Shimkus	Van Hollen
Ross	Shuster	Vargas
Rothfus	Simpson	Veasey
Roybal-Allard	Sinema	Vela
Royce	Sires	Velázquez
Ruiz	Slaughter	Visclosky
Runyan	Smith (MO)	Wagner
Ruppersberger	Smith (NE)	Walberg
Rush	Smith (NJ)	Walden
Ryan (OH)	Smith (TX)	Walorski
Ryan (WI)	Smith (WA)	Walz
Salmon	Southerland	Wasserman Schultz
Sánchez, Linda T.	Speier	Waters
Sanchez, Loretta	Stewart	Watt
Sanford	Stivers	Waxman
Sarbanes	Stockman	Webster (FL)
Scalise	Stutzman	Welch
Schakowsky	Swalwell (CA)	Wenstrup
Schiff	Takano	Whitfield
Schneider	Terry	Williams
Schrader	Thompson (CA)	Wilson (FL)
Schwartz	Thompson (MS)	Wilson (SC)
Schweikert	Thompson (PA)	Wittman
Scott (VA)	Thornberry	Wolf
Scott, Austin	Tiberi	Womack
Scott, David	Tierney	Yoder
Sensenbrenner	Tipton	Young (AK)
Serrano	Titus	Young (FL)
Sessions	Tonko	Young (IN)
Sewell (AL)	Tsongas	
Shea-Porter	Turner	
	Upton	

NAYS—27

Amash	Gosar	Marchant
Bachmann	Harris	Massie
Blackburn	Hudson	Mulvaney
Broun (GA)	Huelskamp	Poe (TX)
Collins (GA)	Huizenga (MI)	Price (GA)
Duncan (SC)	Jones	Weber (TX)
Foxx	King (IA)	Westmoreland
Gingrey (GA)	Kingston	Woodall
Gohmert	Labrador	Yoho

NOT VOTING—13

Bonner	Markey	Rogers (KY)
Campbell	McCarthy (NY)	Schock
Cleaver	McNerney	Yarmuth
Hunter	Nugent	
Larsen (WA)	Pascrell	

□ 1852

Messrs. POE of Texas, GINGREY of Georgia, and PRICE of Georgia changed their vote from ''yea'' to ''nay.''

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. PASCRELL. Mr. Speaker, I want to state that today, June 18th, I regrettably missed several rollcall votes. Had I been present I would have voted: ''nay''—rollcall Vote 248—On Ordering the Previous Question on H. Res. 266—Providing for consideration of H.R. 1947, to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through FY 2018; and providing for consideration of H.R. 1797, to amend title 18, U.S. Code, to protect pain-capable unborn children in the District of Columbia; ''nay''—rollcall Vote 249—On Agreeing to the Resolution on H. Res. 266—Providing for consideration of H.R. 1947, to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through FY 2018; and providing for consideration of H.R. 1797, to amend title 18, U.S. Code, to protect pain-capable unborn children in the District of Columbia; ''aye''—rollcall Vote 250—On Motion to Suspend the Rules and Pass H.R. 1151—To direct the Secretary of Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes; ''nay''—rollcall Vote 251—On Final Passage of H.R. 1797—Pain-Capable Unborn Child Protection Act; and ''aye''—rollcall Vote 252—On Motion to Suspend the Rules and Pass H.R. 1896—International Child Support Recovery Improvement Act of 2013.

REPORT ON H.R. 2410, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL, 2014

Mr. ADERHOLT, from the Committee on Appropriations, submitted a privileged report (Rept. No. 113–116) on the bill (H.R. 2410) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2014, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. HUDSON). Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

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

Mr. CONAWAY. Mr. Speaker, the House just passed the Pain-Capable Unborn Child Protection Act which will protect the unborn from some heinous conduct by certain physicians. I know I have good colleagues. There are good citizens on both sides of the abortion issue, and they are heartfelt. But a free, honest, and caring society cannot, at any term, tolerate the conduct by the physician in Philadelphia and those like him who would create the most savage, barbaric abortion methods to take the life of children that were 20 weeks or older.

This bill goes a long way toward addressing that cruelty that we cannot let stand in this country. I'm proud of my colleagues who voted for it this evening, and I appreciate the passage of this bill.

FARRM ACT WILL SERVE AMERICA WELL

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

Mr. ROONEY. Mr. Speaker, I rise today in support of the 2013 FARRM Bill, which will help ensure a safe, affordable, and abundant food supply for all Americans. I represent one of the largest agricultural districts east of the Mississippi, and I'm proud to represent Florida's dairy and vegetable farmers, citrus and sugar growers, and beef cattle ranchers. This bill will serve them well, and it will serve Florida's taxpayers well, too.

The FARRM Bill includes much-needed reforms to agricultural programs. It provides relief from unnecessary Federal mandates. It saves the taxpayers $35 billion and reduces the size of government by eliminating or consolidating more than 100 programs.

In particular, I am pleased that this bill addresses the growing problem in my district of citrus disease. Diseases like greening have already wiped out over one-quarter of the citrus acreage in Florida. If we don't reverse this trend soon, we won't have enough crop to sustain our existing processing plants, and the problem will only spiral from there. Florida will lose jobs and our economy will suffer. But this will impact all Americans, because if Florida isn't growing oranges, you won't be putting orange juice on your breakfast table.

Mr. Speaker, if we want to have a safe, abundant, and affordable food supply, we need to pass the FARRM Bill.

□ 1900

DREDGING OUR NATION'S SMALL PORTS

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

Ms. HERRERA BEUTLER. Mr. Speaker, I rise today to bring attention to the issue of dredging our Nation's small ports, a critical issue for hard-working folks in Washington State, southwest Washington, in particular, in Wahkiakum County, Chinook, Ilwaco and other parts of my district.

This is a job issue in my region and for those along waterways throughout our Nation. The issue is this: ports are lifelines to several towns and communities across the Columbia River and the Pacific Coast in my district, and they are literally being choked off by lack of maintenance dredging.

One of my local newspapers, the Chinook Observer, commented, if a farmer were unable to ship his wheat because a road became impassable within our Federal highway system, the Federal Government would rightly fix this issue immediately.

It is no different for the dire circumstances facing our Nation's navigable waterways. We need to address this issue as soon as possible.

As a member of the Appropriations Committee, I've taken action in search of a swift solution. And thankfully, the committee included $1 billion out of the Harbor Maintenance Trust Fund for dredging and maintenance of waterways in our Energy and Water Development appropriations bill.

We must maintain our Nation's maritime ports.

END HUNGER NOW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Massachusetts (Mr. MCGOVERN) is recognized for 60 minutes as the designee of the minority leader.

Mr. MCGOVERN. Mr. Speaker, I appreciate this time to address my colleagues about one of the most important issues that we face in this country, and that is hunger.

We have a problem in the United States of America, I'm sad to say, where we have 50 million of our fellow citizens who are hungry; 17 million are kids. This is the case in the richest, most powerful Nation on the planet.

We should be ashamed of ourselves. Food is not a luxury. It is a necessity, and everybody in this country ought to have a right to food, and that should not even be controversial.

Yet, we have a FARRM Bill that we will begin debating tomorrow that cuts SNAP, which used to be the food stamp program. It cuts it by $20.5 billion. That's billion with a B.

What does that mean?

It means that 2 million people who currently receive the benefit today, tomorrow will lose it. It means that over 200,000 kids who are eligible for free breakfast and lunch at school today will lose that benefit tomorrow.

Those aren't my numbers. Those aren't the numbers of some liberal think tank. Those are the numbers by the Congressional Budget Office, CBO. They say that if the FARRM Bill passes, and if those numbers stay in, 2 million of our fellow citizens will lose their food benefit.

Mr. Speaker, I find that unconscionable. We are trying to emerge from one of the worst economic recessions in our history. Record job losses over the last few years. We've had people of all backgrounds lose their jobs, find themselves working now in jobs that don't pay very much, struggling, trying to keep their families afloat.

And one of the lifelines during this difficult economic time has been the SNAP program. It has enabled many families to be able to put food on the table.

You can't use SNAP to buy a flatscreen TV. You can't use SNAP to buy a car. You can only use SNAP to buy food. That's what this is all about.

And in the FARRM Bill, for whatever reason, it was decided that, rather than looking for savings in the crop insurance program, which we know is rife with abuse, rather than looking for savings in some of these special kind of giveaways to agribusinesses, these sweetheart deals, rather than trying to find savings there to put toward balancing our budget, it was decided to go after, almost exclusively, this one program, SNAP.

Mr. Speaker, I heard up in the Rules Committee, during our consideration of the amendments today, people, a number of people say, well, all we're doing is eliminating categorical eligibility.

A lot of people don't know what categorical eligibility is. A lot of people who are supporting these cuts don't know what categorical eligibility is.

Basically, this was a Republican idea to kind of streamline a lot of bureaucracy and paperwork at the State level. So if you qualified for welfare, then you would automatically be enrolled in the SNAP program. It doesn't mean you would automatically get a benefit. It means you would be enrolled in the program, and if you qualified for the benefit, you would get it.

It was kind of one-stop shopping for people who were poor, for people who found themselves experiencing a difficult situation.

It has saved States lots and lots and lots of money. It has made it easier for people, during these economic difficulties, to be able to get the benefits that, quite frankly, they're entitled to.

And so when you eliminate categorical eligibility, what do you is you put an extra burden on States. States will end up having to pay more for additional bureaucracy. There'll be more paperwork. There'll be more confusion.

The other thing that happens when you get rid of categorical eligibility is that you will make it more difficult for people who are eligible to get the benefit and, therefore, many people who are still experiencing tough times, who are eligible for a food benefit, will not be able to get it.

Mr. Speaker, this used to be a bipartisan issue. And I remember, during the 2008 farm bill, you know, one of the things that saved that farm bill was the food and nutrition part of the farm bill. Congresswoman ROSA DELAURO, whom I'll yield to in a few minutes, working with then-Speaker NANCY PELOSI, and I was happy to play a little bit of a role in it, helped fight to up the nutrition program in the farm bill in 2008.

As a result of that, we were able to pass a farm bill. And as a result of that, we were able to help millions and millions and millions of families. That's a good thing.

But, for whatever reason, in 2013, programs that help poor people have become controversial. My Republican friends have diminished and demeaned this program called SNAP. They have diminished the struggle of poor people.

I said in the Rules Committee today, I reminded my colleagues in the Rules Committee today that the average food stamp benefit, the average SNAP benefit is $1.50 a meal, $1.50 a meal, and $4.50 a day. That's like one of those fancy Starbucks coffees. That's what this is.

This is not some overly generous benefit. This is not even an adequate benefit, quite frankly. But in some cases it is a lifeline for many families. That's what it is.

A number of us, over this last week, have been trying to dramatize the fact that this is a modest benefit, so we have lived on a food stamp budget for this last week. I've got two more days to go, but I've lived on $1.50 a meal, $4.50 a day. It's hard.

It's hard to be poor. It's hard to shop when you're poor. It's hard to plan meals when you're poor. Given the opportunity between being poor or being able to be self-sustaining, to be able to buy whatever food you want, whenever you want it, you would prefer the latter. Nobody enjoys being on this benefit.

Some of my friends say that this creates a culture of dependency. Well, I remind those people who think that that there are millions and millions and millions and millions of people in this country who work for a living who earn so little that they still qualify for SNAP. They rely on SNAP to put food on the table.

And by the way, that's not enough, so they go to food banks and food pantries to be able to add to their ability to be able to put food on the tables for their families.

In 1968, there was a CBS documentary entitled ''Hunger in America,'' and it created quite a stir, because a lot of people in this country looked the other way and didn't realize that hunger was as bad as it was.

George McGovern, a liberal Democrat from South Dakota, and Robert Dole, a conservative Republican from Kansas, got together and helped create the food stamp program, now known as SNAP, helped create WIC, helped expand school meals for kids in schools, made sure that poor kids had access to meals during the summer.

They worked in a bipartisan way, and proudly, in a bipartisan way, doing what they could to make sure that nobody in this country went hungry. And in the late 1970s, by the late 1970s, we almost eliminated hunger in America. I mean, this kind of bipartisan coalition produced incredible results that almost eliminated hunger in this country.

And then in the 1980s we started taking steps backwards, and today we have 50 million of our fellow citizens who are hungry.

I would say to my friends who are thinking about how to vote on this FARRM Bill, you know, we should not have to choose between a good and adequate nutrition part of the FARRM Bill and good and adequate farm programs. They should go together.

□ 1910

In fact, the only thing you can buy with SNAP is food, so who benefits

from food purchases? Well, farmers grow food, so farmers benefit from those purchases. So they're not separate and distinct. In fact, they're very, very much related. And this marriage between nutrition and farm programs has resulted in the passage of many important farm bills over the years. But for whatever reason, we find ourselves in a situation where that kind of coalition is breaking apart, and I regret that very, very much.

I want a farm bill. I represent a lot of agriculture in my part of Massachusetts. But I want a farm bill. I want a good farm bill. But I'm not going to vote for a farm bill that makes hunger worse in America. That's not the legacy I think we want to have here in this Congress. I think what we want to be able to do is to tell our constituents that we passed a good farm bill that not only helps our farmers but also helps people who are struggling.

There is nothing wrong—in fact, there is everything right—about our dedication to helping the least fortunate among us. Those who have said that, well, we don't want to be known as the food stamp Congress, I would respond to them as follows: I am proud to live in a country that has a social safety net. I am proud to live in a country where we don't let people starve. I am proud to live in a country that has programs like SNAP, like WIC and like school feeding to make sure that our citizens have enough to eat. Why is that all of a sudden controversial?

I'm going to tell you that SNAP is not a perfect program. Yes, there has been some abuse in the program to be sure. And to the credit of USDA and Secretary of Agriculture Vilsack, under his leadership, there has been a concerted effort to go after those who abuse the program. Anybody who abuses this program, in my opinion, ought to have the book thrown at them. These are taxpayer dollars going to support a program to help people get enough to eat. And when people abuse the program or misuse it, we ought to throw the full extent of the law at them. They ought to be fined and, in some cases, even arrested when they abuse taxpayer dollars.

But I will also say to my colleagues that SNAP, according to the General Accountability Office and according to a whole bunch of other studies, has one of the lowest error rates of any Federal program. I only wish some of the missile programs under our Pentagon's jurisdiction had as low an error rate and had as low a record of abuse of taxpayer dollars as the SNAP program has.

This is a good program. This is a good program. It can be better, and we should make it better. But let me say this: if you want to make it better, then maybe what we ought to have done in the Agriculture Committee is actually have a hearing. When people say that there are reforms in the FARRM Bill with regard to SNAP, I kind of cringe because how did you get to that number? How did you get to this so-called ''reform'' when there wasn't a single hearing in the Subcommittee on Nutrition? There wasn't a single hearing in the full Committee on Agriculture.

It is important that we make this program as perfect as it possibly can be. It is important that we try to make sure that every bit of abuse and fraud is taken away from this program, but there's a right way to do it. We deliberate. That's what we're supposed to do in Congress. You hold hearings, you listen to all different sides, you listen to how you can improve the program, and then we come together and we make those improvements.

But we ought to also understand that we need a larger discussion in this country on how to end hunger. We need to understand, as we debate the FARRM Bill, that SNAP is one tool in the anti-hunger toolbox. It doesn't solve everything. It doesn't solve everything. What it is is one program to help alleviate hunger. What we need, and I've called for, is the President of the United States to bring us all together under the auspices of a White House Conference on Food and Nutrition. Let's talk about this issue holistically. Let's take on some of these big issues of how do you end hunger in America.

Let's deal with that. And in convening such a summit, the President could bring all the different agencies in our Federal Government that have a piece of the pie in terms of battling hunger in America because not all of these programs fall into one agency. They fall into multiple agencies. Let's bring them all together. Let's figure out how we can better connect the dots. Let's call in our State and local governments. Let's call in businesses, the philanthropic community, our hospitals, our schools and our nutritionists. Let's call in our food banks, our food pantries and all the NGOs that have been out there struggling to end hunger for decades. Let's get everybody in a room together and lock the door until we have a plan.

If you want to end hunger, the first thing is you ought to have a plan. We in this country, quite frankly, do not have a plan. So until we get to that point where we get a plan, what we ought not to do is take away from these programs that at this point do help alleviate hunger. We ought not to undercut the importance of SNAP. We ought not to throw 2 million more people off the program and hundreds of thousands of kids off free breakfast or lunch programs.

What do we do? I asked a question when I was reading the CBO numbers about how many people would lose their benefits. My question is, Where do these people go? What do they do? What do they do without a food benefit? Do they just show up at food banks, 2 million more people just show up at food banks? Talk to your local food banks. Talk to your local food pantries. They're at capacity. They can't take any more people. This notion that somehow charity will just pick up all the slack is a bunch of nonsense. Talk to the charities. Talk to the churches. Talk to the synagogues. Talk to the mosques. Talk to the food banks and food pantries. They can't handle what they're dealing with right now.

Just one final thing, and then I'm going to yield to my colleague from Connecticut. I also want my colleagues to understand another thing. Over the years, we have used SNAP as kind of an ATM machine to pay for other programs. As a result, come November of this year, if we cut nothing else, if we cut nothing else, people's benefits are going to go down. The average family of three will lose about $25 to $30 a month. That may not seem like a lot of money to some of my colleagues here in Congress, but $25 or $35 a month might be a week's worth of groceries. It might be what keeps somebody afloat for a week. It is a big deal to somebody who is in poverty, and we ought not to diminish that. We ought not to diminish that.

I'd also say that it really troubles me when I hear people demonize these programs and again diminish the struggle of those who need to take advantage of these programs. Listening to some of my colleagues testify before the Rules Committee today, you would think that our entire Federal deficit and our debt is all because we have programs like SNAP. They are wrong. They are wrong. SNAP didn't cause the debt that we have right now. What caused the debt are two unpaid-for wars that are in the trillions of dollars, tax cuts for wealthy people that weren't paid for, a Medicare prescription drug bill that wasn't paid for, and bad economic policies. Not this. Not this. This is a safety net; and it's a safety net that, yes, can be improved, but it's a safety net.

One of the things that we in Congress are supposed to be focused on is how we help people, help people who are in need. Donald Trump doesn't need our help. He's got all the money in the world. He's fine. But there are lots of people who don't live on Wall Street, but who live on Main Street who are just holding on by their fingertips, who, in some cases, their Sundays are spent trying to figure out how to just put food on the table for their families. There is not a congressional district in America—not a single one—that is hunger-free. There is not a community in America that is hunger-free.

□ 1920

If you've ever met a child who is hungry, it breaks your heart. And it just shouldn't be. It just shouldn't be. We are a better country than that.

So rather than going after this program, rather than going after WIC and SNAP and programs to help poor people put food on the table, we ought to be talking about the larger question about how to end hunger now.

Having said that, let me yield some time to my colleague from Connecticut, who's been a leader on this issue and who, in 2008, helped boost up the nutrition components of the farm bill, which made it a better farm bill and helped millions of people. So I yield to Congresswoman ROSA DELAURO.

Ms. DELAURO. I want to thank my colleague, Congressman MCGOVERN.

And I want to say a thank you to you. You have been steadfast and courageous on this issue. I know the strong and personal relationship that you had with Senator McGovern, who, with every fiber of his being, was devoted to making sure that both in the United States domestically and overseas that people, and particularly children, had enough to eat. And I think it was so special that he partnered with Bob Dole of Kansas.

When you take a look at the federally commissioned report that you spoke about, when you take a look at the people who were involved, the strength of that commission on hunger in America was its bipartisanship. Since this effort has begun, Members of both sides of the aisle have focused on this as a substantial problem. Therefore, as a Nation, we have to come together to try to address it.

Unfortunately today, in the environment, in the atmosphere, in this body, in this institution, in the Congress, there seems to be not much view that this is a problem and one that we have the opportunity, the capacity, and the ability to do something about. What we lack, as you've said so often in the past, is the will, the political will to do something.

We are highlighting tonight the severe, the immoral cuts made to antihunger and nutrition programs, particularly the food stamp program in the House FARRM Bill. Again, as you pointed out, millions of families are struggling in this economy.

We've had the worst recession since the Great Depression, and people are trying to survive. We're looking at an unemployment rate that is 7.5 percent. We are looking at incomes which are not increasing, but wages that are decreasing. Why we would pick this moment really to throw more people into poverty?

You can take a look at all kinds of statistics, and I'll quote some in a few minutes, that talk about the food stamp program and how it has kept people from falling into poverty and how it has kept kids from going hungry. And we would choose this moment to increase that poverty number and to say to children and disabled and seniors, I'm sorry, you're on your own. That's what this is about. It is immoral.

You know, you talked about the 50 million Americans—almost 17 million children—suffer with hunger right now. It's a problem across the country.

You talk about my district, the Third District of Connecticut. Connecticut, statistically, is the richest State in the Nation. We have a very affluent portion of the State, which is known as Fairfield County, sometimes referred to as the ''Gold Coast.'' Lots of people on Wall Street come to live in Fairfield County in Connecticut. Yet, in my congressional district, the Third District, one out of seven go to bed hungry at night. They don't know where their next meal is coming from.

One out of seven individuals nationwide take part in the food stamp program. People today who never thought they would have to rely on food stamps are having to do so because they lost their job, they lost their income, and they're looking for a way to feed their families.

I was at the Christian Cornerstone Church in Milford, Connecticut, just a few days ago. A young woman, Penny Davis, she was working, taking care of herself, taking care of her family. She lost her job. She didn't think much about it. She would get another job. She hasn't been able to get another job in this economy. In the meantime, in the interim, she's become separated from her husband. She is now responsible for herself and her family.

She didn't know what she was going to do. She called on the Christian Cornerstone Church. She called on the food bank to help her, to see what she could do. She spoke eloquently about wanting to work and not being able to find a job. So today she has accessed a program that she never thought she would have to use—the food stamp program.

Why can't we be there to help people bridge that gap? Because the genius of this program is that, in difficult times, the numbers of participants go up, but when the economy gets better, those numbers come down. And the numbers are coming down. So why, at this moment, would we jeopardize these folks' livelihoods, their well-being, and their ability to eat and to feed their families?

We've got a wonderful, wonderful phrase these days that we use about people being ''food insecure.'' Plain and simple—and you know this, Congressman MCGOVERN—this is people being hungry. They're hungry. It makes you feel good to talk about food insecurity, but it's hunger. I talked about my district, but let's take a look.

Mississippi, 24.5 percent suffer food hardship. They're hungry. Nearly one in four people. West Virginia and Kentucky, that dropped to just over 22 percent, one in five. In Ohio, nearly 20 percent. California, just over 19 percent. The estimates of Americans at risk of going hungry here in the land of plenty are appalling, and we have a moral responsibility to do something about this.

Our key Federal food security programs become all the more important at this time, which, as you know and I know and so many others know, it is true of the food stamp program. It is the country's most important effort to deal with hunger here at home, and it ensures that American families can put food on the table—47 million Americans, half are kids.

This is about helping low-income children's health and development, reducing hunger in America, and continuing to have an influence so that those youngsters can have positive influences and opportunity into adulthood.

You stated it. Food stamps has one of the lowest error rates of any government program at 3.8 percent. I was upstairs at that Rules Committee meeting as well. You know, I loved the discussion about program integrity. Many, many times in the Agriculture Appropriations Committee, where I did serve as chairman for a while—I'm still a member of the committee, probably 16, 18 years on that committee—program integrity. Let's cut back on the waste, the fraud, and the abuse. The only programs that get debated in those efforts are WIC, food stamps, other nutrition programs. No one bothers to take a look at the defense bill. No one bothers to take a look within the FARRM Bill of other instances of waste, fraud, and abuse.

□ 1930

We believe in program integrity for every program in the Federal Government, not just one or two or pick out the programs that you don't like and focus in on them.

I sat on the Appropriations Subcommittee on Agriculture for the last 16 or 17 years. I chaired that Appropriations Subcommittee. I was part of a conference committee on the farm bill in 2008. In fact, as you've heard me say in the past, appropriators don't usually get onto a conference committee. But the then-speaker, NANCY PELOSI, appointed me there, particularly for the nutrition issues. Some of the conferees were a little nervous. As I've said, they thought I was some sort of invasive species in this context.

We worked hard on that farm bill. You know it because you worked hard on it. We said it was a safety net, and it is a safety net. The farm bill is a safety net, but it is a safety net for American farmers and for American

families. We need to have that safety net. With then-Speaker PELOSI's strong support and leadership we passed a farm bill. We supported nutrition and antihunger programs. We made investments in the programs that targeted specialty crops and organic production. We were there and we voted for that bill.

I am for a farm bill, but that's not the case this time around. It's a different set of circumstances and a different environment, which is why, like you, I cannot support this farm bill.

The changes that you talk about, in addition to the $20 billion in cuts to beneficiaries, you talk about the eligibility program and the tool that States use to streamline the administration of the program; went back years in working this system out. They would unravel all of that.

Then they would like to talk about the food stamp program and the Low-Income Home Energy Assistance Program. They are two separate issues—categorical eligibility and the tie with food stamps and the LIHEAP program, the Low-Income Home Energy Assistance Program. They'll say that if you get LIHEAP, then you're automatically on the food stamp program. That's not true. You have to qualify. I want to get to a couple of points that talk about qualifying and what people are forced to qualify and those who are not forced to qualify for the benefits that they receive in this farm bill.

It's important I think to note that we were able to get funding for the food stamp program in the Economic Recovery Program. You worked hard at that, I worked hard at that, the chair of the Appropriations Committee at that time, Mr. Obey, fought for those dollars. That has come to an end, the Economic Recovery Program.

Come the beginning of the next fiscal year every single recipient of food stamps will see it is $37—we got confirmation—$37 a month in a cut. What's happening in this farm bill will only add on.

It is important to note that our colleagues will say: Well, we have a deficit and we are going to use this money and we are going to pay down the deficit. Very interesting to know. In the past 30 years, every major deficit reduction package signed into law on a bipartisan basis was negotiated on the principle of not increasing poverty or inequality in deficit reduction.

Simpson-Bowles, the latest iteration of a deficit reduction package which so many people said went too far in changing the aspects of the social safety net, did not cut the food stamp program to achieve its deficit reduction. We need to follow this bipartisan effort in the same way that we did in these instances on deficit reduction and follow that bipartisan road, the same way we did in the recognition of the problem and the willingness to do something about it.

I've got two other points. You may hear from some that the direct payments—they'll say, well, we're cutting direct payments in the farm bill, and that the bill also makes very real reforms to the crop support programs. The bill finally ended direct payments, saving about $47 billion over 10 years. The commodity title of the bill only says that they're saving $18.6 billion. Why? Why the differential?

Because the rest of those savings are being plowed back into the commodity support programs. It creates a brand new program, which is called a ''price loss program,'' to protect these commodities if prices change. In essence, that safety net is working for farmers. I don't begrudge that. If you want to provide a safety net for farmers, fine.

But where's the safety net, where's the safety net for the benefits of the food stamp program? They're not there. The food stamp beneficiaries have nowhere else to go, as you pointed out, nowhere else to go in the farm bill to be made whole. Those who were receiving direct payments, they're going to be held harmless, if you will, through crop insurance and a new program, a shallow loss protection program that protects them if the commodity prices begin to fluctuate.

Where is the protection for the food stamp beneficiaries? It's not there. The only people who are going to lose benefits are the most vulnerable in our society today. It's wrong and, again, it's immoral.

The bill, as I said, expands the crop insurance program. I think it is important for people to understand that crop insurance—again, safety net, useful, good concept, very good, I wish it applied to our part of the country as it does to other parts of the country—but I don't know that the American taxpayers know this about the crop insurance program: taxpayers, U.S. taxpayers, foot the bill for over 60 percent of the premiums for beneficiaries, plus U.S. taxpayers pick up the tab on administrative and operating costs for the private companies that sell the plan, including multinational corporations, some of whom trace back to companies in tax havens. Switzerland, Australia, Ireland, Bermuda, that's where these companies have their headquarters, so they're making out like bandits. We pick up the tab, they don't pay their fair share of taxes in the United States. It really is quite incredible.

You and I talked about, Congressman MCGOVERN, that $4.50—there's an income threshold, there's a cap on the amount of money they can receive on the assets that they hold. This program on crop insurance where 26 individuals received at least $1 million in a subsidy, at least $1 million, they're protected statutorily and we can't find out who they are. We don't know who they are. They have no income test, no cap, no income threshold, no asset test that they go through. They just get the money—they get the money. Do you know what? They're eating and they're eating more, more than three squares a day I bet, but not our kids, not our kids.

□ 1940

Our kids are going to bed hungry, and this program, by the way, does not even require the minimum conservation practices that other farm programs have on the books. It is pretty extraordinary when you think about a family of four when you have to qualify for this program for eligibility. It is at less than 130 percent of poverty, which means that a family of four has to live on $2,200 a month. As for our colleagues in this institution who are taking the food stamp challenge and doing it for a week—some may do it less, and some may do it more—do you know what? They're not doing it every single day with their kids.

There are serious problems with this FARRM bill. There really are very, very serious problems, and they need to be addressed. It should never have come out of the committee with $20 billion in cuts—never. It shouldn't have happened. I might also add that the President, as my colleague knows, has issued a veto threat primarily because of the food stamp cuts.

There are just a couple of quotes that I think are important.

The U.S. Conference of Catholic Bishops said last year:

> We must form a circle of protection around programs that serve the poor and the vulnerable in our Nation and throughout the world.

Catholic leaders last month wrote:

> Congress should support access to adequate and nutritious food for those in need and oppose attempts to weaken or restructure these programs that would result in reduced benefits to hungry people.

We received a letter today asking us and asking Representatives—my God, there must be 80 or 90 organizations, probably over 100 organizations, that are saying don't do this, including the bulk of the medical profession. We've got Bread for the World, Children's HealthWatch, the Jewish Council for Public Affairs, First Focus, Network, the American Academy of Pediatrics, the American Public Health Association, Share Our Strength, and the list goes on.

Harry Truman said:

> Nothing is more important in our national life than the welfare of our children, and proper nourishment comes first in attaining this welfare.

I will close with the piece that was put out today by the Center on Budget and Policy Priorities:

> New research shows that the food stamp program is the most effective program pushing against the steep rise in extreme poverty. One reason the SNAP program is so effective in fighting extreme poverty is that it focuses its benefits on many of the poorest

households. Roughly 91 percent of monthly SNAP benefits go to households below the poverty line, and 55 percent go to households below half the poverty line. That's about $9,800 for a family of three. One in five SNAP households lives on a cash income of less than $2 per person a day.

Earlier in the article, it reads that the World Bank defines poverty in developing nations as households with children who live on $2 or less per person per day.

This is the United States of America. This is not a debate about process. It is not a debate about deficit reduction. It's not about politics. This is a debate about our values and our priorities in this great Nation. Let's go back to the days of George McGovern and Bob Dole and of those who came forward to say, There are those in this country who are starving. There are those who are without food.

We sit in the most deliberative body in the world. We can do something about it. Let's do something about it.

Mr. MCGOVERN. I thank my colleague from Connecticut for her eloquent remarks. I think tomorrow, hopefully, we can do something about it. I will have an amendment, I hope, if the Rules Committee makes it in order, to restore the SNAP cuts, to reverse the $22.5 billion worth of cuts. Members on both sides of the aisle will have an opportunity to vote up or down on it. I think how we vote on that is a statement of our values and whether we think that government has a role and, indeed, whether our community has a role to be there for the least among us.

I tell people all the time that hunger is a political condition. You can't find anybody in this place who is pro-hunger or who at least will admit it, but somehow the political will doesn't exist to end this scourge once and for all. We can end it. The maddening thing about this problem is that it is solvable. When people say to me, Well, we can't spend any more money, my response is, The cost of hunger is so astronomical that we need to figure out a way to end it. If that means spending a little bit more in the short term to help extend ladders of opportunity for people to be able to get out of poverty, then we ought to do it.

Hunger costs. I mean, kids who go to school who are hungry don't learn. They can't concentrate. They don't learn. Senior citizens who can't afford their medications and their food and who take their medications on empty stomachs end up in emergency wards. One of the pediatricians at Boston Medical Center told me about young children who have gone without food for periods of time who end up getting something that is nothing more than a common cold, but their immune systems are so compromised that they end up spending several days in the hospital.

So if you're not moved by the moral imperative to end this problem, then you ought to be moved by the bottom line, which is that it costs us a lot of money to not solve this problem.

There was this great film that just came out a couple of months ago called, ''The Place at the Table.'' Two great young filmmakers—Kristi Jacobson and Lori Silverbush—directed this film. It documents hunger in urban, rural, and suburban America. It shows the face of hunger in America—young, middle-aged, old. I mean, it is there and it is heartbreaking.

We brought up to our Democratic Caucus in a meeting a few weeks ago some SNAP alumni, people who grew up and were on food stamps and who came back to say thank you for investing in them, for helping them get through a difficult time. Many of them now are doctors and lawyers and engineers and professors and have been very successful in paying back much more than we invested in them.

We want success stories. This place, this Congress, should be about lifting people up, not telling us how bad things have to be, not telling us that we have to put people down in order to move forward—trample over people—because that's what we do when we cut programs like this. We ought to be thinking big and bold about ''how do you end hunger?'' and ''how do you end poverty in this country?'' There is a way to do it. We saw what happened in the 1970s with George McGovern and Robert Dole. Things have obviously changed.

Let's perfect this program, but let's connect the dots so that we are creating a circle of protection that actually helps lift people out of poverty. I would like to think the goal of those of us on the Democratic side and the goals of those on the Republican side are to help people become self-sufficient—to succeed. That's what we want, but you are not helping people succeed when you take away food. That's what is at stake in this FARRM bill.

I know the gentlelady agrees with me, and I know she feels very strongly about this, but we will have an opportunity, hopefully tomorrow, to be able to have a debate and a vote up or down on whether we should cut this program in a very draconian way—to throw 2 million people off the benefit, hundreds of thousands of kids off free breakfasts and lunches. What happens to those people? What do we tell them to do—go to your local charity?

□ 1950

Ms. DELAURO. You were talking about the effect. It's about growth and development. There is wonderful material which we sent out to our colleagues from Dr. Deborah Frank, who talks about what happens to children. It isn't just concentrating, but it is their ability to grow, to develop, to be physically well. And the cost of dealing with what happens to the health issues only adds to our health care costs. I'm of the view that if you can't deal with humanity, let's deal with the economics of this. The studies are so clear about what happens with the absence of food, particularly with children.

Mr. MCGOVERN. I would say to the gentlelady that the points she raises are very important because the health of our children should be first and foremost, and we are now experiencing in this country a record level of obesity. There is a tie-in between food security, hunger, and obesity.

People who are struggling in poverty do not have the resources to be able to buy nutritious food. Sometimes they live in food deserts and they rely basically on food items that just kind of fill them up with empty calories. So now we're dealing with that.

So if we looked at this issue holistically, we could solve a whole bunch of problems in this country. I'd like to think that there is a lot of bipartisan consensus on what we can do in ending hunger and promoting better nutrition and trying to build those ladders of opportunity to help people get out of poverty, perfecting these programs to go after the waste, to go after the abuse, to go after those who are outliers in this program who choose to try to basically rob the American taxpayer. Let's go after them, but let's not throw the baby out with the bathwater here. Let's not just turn our backs on the success stories.

Ms. DELAURO. I would just say this to the gentleman. The program has worked very hard, as you know, over the years to decrease that error rate in this program. I don't see the same concentration and the same effort in other programs.

And I mentioned here the crop insurance program. There's an article in the paper today that talks about the program is rife with fraud. Why aren't people interested in looking at that effort and the billions of dollars that we are losing every year? For the life of me, I don't understand it. People who view themselves as fiscal hawks, that we have to watch every dime and every dollar, they are only focused on nutrition programs and antihunger programs.

I think you may have alluded to this earlier, Congressman MCGOVERN. I think so many times that those who would cut these programs and do it in such a savage way just don't have much respect for the people who find themselves in a position to have to participate in the food stamp program. They think they're dogging it. They think they don't want to work, and they think they're looking for charity. It is such a misconception and a lack of understanding of the difficult economic times that people find themselves in today.

Sometimes we ought to walk in people's shoes and understand the lives

that they're leading and what they're trying to do, like those of us here who believe we work hard and care and et cetera. People work hard. They care about their families. They want to make sure their kids are eating. Quite frankly, when it comes to feeding your kids, you'll do whatever you have to do in order to make that happen.

Mr. MCGOVERN. Let me say to the gentlelady that I couldn't agree more.

I've met with countless parents who have tearfully told me the anguish that they experience when they're not quite sure whether they'll be able to put food on the table for their children's dinner or for their breakfast or for their lunch.

I'm the parent of two children, an 11-year-old daughter and a 15-year-old son. I can't imagine what it would be like to not be able to provide them food. I think as a parent nothing could be worse because your kids are your most precious and important things in your life.

This is for real. This is real life.

Ms. DELAURO. In Branford, Connecticut, a woman with three boys, 18, 14, and 12, said that they eat one meal a day. In Hamden, Connecticut, there's a woman who says that she has just enough food to feed her children, but she has to say ''no'' if they want to invite someone over. She said sometimes she feeds the boys a little bit more because they're hungrier than the girls. We've heard about this internationally where the girls get short shrift when it comes to both education and food. My God, it's happening here. It is happening here.

We have the obligation—and I know you take it seriously. Our colleagues need to have that sense of moral responsibility to turn this around and do something that's better, do the right thing. Say ''no'' to $20 billion in cuts to the food stamp program.

Mr. MCGOVERN. I thank the gentlelady for her comments and for her passion and for her efforts on this issue.

I hope that my colleagues, in a bipartisan way, will indeed say ''no'' to these terrible cuts.

It's hard for me to believe that we're going down this road, that we're going down a road where 2 million people are going to lose their food benefits, hundreds of thousands of kids are going to lose their access to a free breakfast and lunch, and we're all just kind of saying, ''It is what it is.'' Well, it isn't. This is a big deal.

I don't quite know why it's easier to pick on programs that help poor people versus programs that help rich people. You outlined earlier all these kind of little sweetheart deals and special interest kind of giveaways that kind of go untouched, such as how crop insurance oversight is not what we all think it should be. Yet a lot of times lucrative interests get those monies and get those benefits. Maybe there's a political consequence if you take on a powerful special interest. Maybe they won't show up to your fundraiser. Maybe they'll contribute to a super PAC and say that you're bad.

By contrast, poor people don't have a super lobby, don't have a super PAC. So maybe there's a debate going on of where will I get the most heat and not what is the right thing to do.

Ms. DELAURO. The most disingenuous thing is there are a number of people in this body who talk about this issue and themselves are getting subsidies and they have commodities or whatever it is. That's been information that's been in the paper. They will deny food stamps to families who have no wherewithal, but they're taking in sometimes, in some cases, several million dollars in subsidies that are coming from the Federal Government. Then it's okay.

Mr. MCGOVERN. Where's the justice in that?

Ms. DELAURO. There is no justice in that.

Mr. MCGOVERN. I received a postcard from a young mother who is on SNAP and who is kind of watching this entire debate unfold. She sent a very simple message to me that said, ''Don't let Congress starve families.''

We should be about lifting people up. This is not about a handout. It's about a hand up. This is not about a culture of dependency. This is about making sure that there is an adequate safety net in this country to deal with people who have kind of fallen on hard times.

Ms. DELAURO. With farmers and with families.

Mr. MCGOVERN. Absolutely.

We want a farm bill that supports our farmers, that supports small- and medium-sized farmers in particular, that helps promote good nutrition, that helps deal with the challenges that farmers all across this country face, but it cannot sacrifice the well-being of some of the most vulnerable people in this country.

I thank the gentlelady for her participation, and I yield back the balance of my time.

□ 2000

FATHERHOOD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentlewoman from Missouri (Mrs. HARTZLER) is recognized for 60 minutes as the designee of the majority leader.

Mrs. HARTZLER. Mr. Speaker, Father's Day was this past Sunday, and I am very thankful that I had an opportunity to spend some time with my father, with my sister and her family. Everybody was there. I had an opportunity to thank him for the role that he has meant and continues to mean in our lives, and to thank him for that. It was also an opportunity for my daughter and I to do something special for my husband.

But, you know, Father's Day also presents us with the great opportunity to focus on the importance of fathers in this country. The presence of a father has such a tremendous impact on the life of each and every child and adult in America. A father serves to provide a sense of protection, guidance, and above all, love for their child. Fathers also push their children to pursue their dreams and to never give up.

I think of my own father, Ted Zellmer, and the profound influence that he has had on my life. Not only has he taught me the meaning of hard work and dedication, but he has supported me throughout my entire life to where I am today, representing the good people of Missouri. That's what good fathers do and why they are so important. We learn a lot from fathers—whether it's how to drive a tractor and shoot a free throw, like my dad showed me, or how to fix an engine or play baseball. Dads teach us. They also show us how to live by example.

Children learn the importance of work and dedication to providing for the family when they see their dad leave for his job each day. They learn the importance of faith when he takes his family to church on Sunday. And they learn the value of family when he prioritizes his time to eat dinner with them each night, or to coach their Little League team.

We need good fathers now more than ever. Their importance is paramount to another discussion taking place in our Nation, and that is the value of marriage in America. Along with Father's Day, June will also bring an important announcement: the Supreme Court's much-anticipated rulings on both the Defense of Marriage Act (DOMA) and Proposition 8. These cases have put the national spotlight on this issue in a new way, and provide an opportunity for Americans to discuss the question: What is marriage?

It's not complicated. Marriage exists to bring a man and woman together as husband and wife, to become the father and mother for any children that come from that union. Marriage is based on the biological fact that reproduction depends on a man and a woman and the reality that children need a mother and a father. Redefining marriage would further distance marriage from the needs of children. It would deny as a matter of policy the ideal that a child needs a mom and a dad. We know that children do best when raised by a mother and a father.

President Obama is also a strong advocate for the importance of a strong male figure in a child's life. With first-hand experience of growing up without a father, the President works every day to be a great dad for his two daughters. The Obama administration has created

many new programs under his Fatherhood Initiative Program, including under Fatherhood Buzz and Healthy Marriage and Responsible Fatherhood Initiative.

During his speech, President Obama said:

> Too many fathers are missing from too many lives and too many homes, having abandoned their responsibilities, acting like boys instead of men.

And then he goes on. The President says:

> We know the statistics—that children who grow up without a father are five times more likely to live in poverty and to commit crime, nine times more likely to drop out of schools, and 20 times more likely to end up in prison. They are more likely to have behavioral problems or to run away from home or become teenage parents themselves, and the foundations of our community are weaker because of it.

Clearly, we all agree on the critical role fathers play in the lives of their children, which is why we should continue to affirm marriage as the union of a man and a woman in the interest of children. Every child deserves a mom and a dad. You cannot say that fathers are essential while also making them optional. That's why we're here tonight, to make a case for fathers. Too many times in society, they are viewed as optional. Hollywood shows often depict them as buffoons. We know different, and are here to set the record straight. It's time to honor the fathers of America for the vital role they play in not only our families, but also the stability and the well-being of our Nation. It's time to show the respect that is due them, encourage men to be better fathers for their children, and champion the vital role they play in marriage.

I'm joined tonight by several of my colleagues, and I appreciate them taking the time to visit about this very, very important topic. I have my good friend from Kansas, TIM HUELSKAMP here, and he certainly is a person who knows a lot about being a good father because he certainly is one, and I yield to TIM HUELSKAMP.

Mr. HUELSKAMP. Thank you, Congresswoman HARTZLER. I appreciate you leading our efforts and discussion tonight on a very important topic. Obviously, as you do mention, it is oftentimes a forgotten topic. I'm certain we all have our stories about our dads, and I was really blessed and still blessed with a very active and involved father. I will just say as a farm kid, probably the most poignant story I do recall with my dad was after a hailstorm. You know, being a farm gal yourself, the damage a hailstorm does to the family, does to the economy, and does to your crops. We were sitting out in the yard, and there were 3 or 4 inches of hail all around. And we listened to it bounce off the roof of the pickup for 30 minutes, and then it stopped. I said, Oh, gosh what's going to happen next? What's dad going to say?

He put the pickup in gear, and then we drove around in silence for another hour, and then we got out and we went back to work. That's the kind of message that I learned from my dad—you don't give up. You roll with the punches, and you keep doing that.

But tonight, I don't want to talk just about my father or my children, although I would love to do that. My wife and I have not been blessed with any of our own biological children. We have been blessed with four adopted children. So there are four sets of moms and dads out there that have dedicated children that are in our care.

One thing I do want to speak directly to fathers who are listening today, and fathers, I want to challenge you to be a hero for your children. I want to challenge you to be responsible, committed husbands to the mothers of your children. I challenge you to live out fatherhood courageously, but to live this courageous, responsible, heroic role as father, it requires marriage: marriage truly understood as the exclusive and permanent union between one man and one woman coming together to become husband and wife, mother and father to the children.

I would also like to speak to all of America, as I know my colleague has done. It is vital that we encourage fatherhood in the context of marriage and uphold policies that reflect the truth, the truth that fathers are not optional, but they play a vital role to their families, and restoring America must begin on the home front. It begins with encouraging and supporting committed, responsible fatherhood in the context of marriage.

We know who the victims of the vicious fatherless cycle are: they are our children. It is our children, the children of America, who are left to suffer the scars of the abandonment of their absentee fathers. As my colleague noted and quoted the President, he was accurate when he said we know the statistics, and yet I'll repeat them because they're so powerful:

> Children who grow up without a father are four times more likely to live in poverty and to commit crime; nine times more likely to drop out of schools and 20 times more likely to have behavioral problems or run away from home. The foundations of our community are weaker because of fatherlessness.

Furthermore, absent fathers don't just hurt our children, they wound society. It is a fact that the welfare state has to expand when marriage and families decline. It has been estimated over $229 billion in welfare costs from 1970 to 1996 can be attributed to the breakdown of marriage. And specifically, a study in 2008, 1 year alone, estimating that divorce and unwed childbearing cost American taxpayers over $120 billion a year.

□ 2010

This was a study of more than 5 or 6 years ago. Where there are absentee fathers, it's you, I, your families, our families, our communities, our churches, our neighbors, our cities, and the government, we're all forced to step in and try to pick up the broken pieces of these shattered marriages.

This is not fair to mothers and children. Wives deserve committed husbands. Children deserve protective, responsible fathers.

The facts speak for themselves. But one story I will note, and then I'll close quickly, is it was not far from here a few weeks ago I was crossing a crowded street here in Washington, D.C., and there was a line of kids. I think they were with a babysitter. And there was about a 2-year-old young boy, and he looked at his babysitter as he's crossing the street. She's dragging him across. And he asked again, I could hear him. He says, ''Who is my daddy? Who is my daddy?'' And that babysitter didn't have an answer. ''Shhh. Don't worry about that.'' He kept asking the question, ''Who is my daddy?''

We should have an answer. We should have an answer for that little boy. We should have an answer because we should know. We should expect, we should demand, we should promote, we should push fathers, encourage them, demand of them to hold up their responsibilities, because there is a disease in America, and it's the disease of fatherlessness.

We must overcome the myths in society that see no difference in whether a mom or a dad is involved in a child's life, because it is, there is no doubt. You can look at tons and tons of social science data over and over. It's very clear.

But for that 2-year-old boy, that 3-year-old boy, we have to have an answer who is his daddy. And the daddy is not the government. He has a daddy. He should be involved. Our policies should reflect that goal, because every child deserves both a mom and a dad.

And I look forward, hopefully, as we continue to press forward and solve these problems, we promote marriage and promote fatherhood.

I appreciate your leadership tonight, VICKY, for your efforts here.

Mrs. HARTZLER. Thank you so much, TIM. I think you spoke so eloquently to the importance of fathers and the cost that we have, as a society, when fathers are not present and why it's important to have a policy that promotes the father being there for their children.

And now I'd like to yield to the gentleman from Georgia and hear what he has to say about the importance of fathers. Thank you, PHIL GINGREY.

Mr. GINGREY of Georgia. Mr. Speaker, I appreciate so much the gentlelady from Missouri (Mrs. HARTZLER) for leading this time on fatherhood. And what a perfect time to do it this evening. We all just came back from our districts and celebrated Father's Day or Grandfather's Day.

And of course we're also awaiting, some time soon, before the end of June, a decision, a momentous decision from the Supreme Court in regard to two particular decisions: the one ballot initiative from California, Proposition 8, where the people of California fairly convincingly decided what is a definition of traditional marriage; and, of course, the other thing is the Defense of Marriage Act passed right here on this floor and signed into law by President Clinton back in 1996.

So this is timely, and I commend the gentlewoman from Missouri for bringing it forward and giving us an opportunity to join with our colleagues and talk about something as important as this, that is, the definition of fatherhood and how important a father is to a child.

But maybe even more important than that, a mother and a father. We don't always have the ideal situation, but that's certainly no reason to throw up our hands and say let's forget about our faith and family and traditional values and what's best, what is the best circumstance for a child.

My colleagues, I think a lot about my own children. Of course they're adults now, and among them, they have 13 grandchildren—our grandchildren, their children. And at least one of my son-in-laws had no father present when he was growing up. And that father didn't come to his wedding. That father was not there for the birth of any of his four children. That father just basically denies his existence.

And I watch that particular son-in-law, and my son and my other son-in-laws, but particularly him, because of the experience that he went through as a child, how much he loves his children, how kind and caring and loving he is and how important he is in their lives.

And I realize today that the ''Father Knows Best'' and that traditional view that we all had back in the old days of television is different. It's changed, and I do understand that.

Of my three daughters and one daughter-in-law, they all work. They all work, some of them full-time, some of them part-time. But they're still there as moms. And when they come home and take over that responsibility, they need a shared partner, and that partner is that partner for life. And I'm talking about, of course, the father.

And so I really appreciate the opportunity to be with my colleagues tonight and just say that, you know, maybe part of the problem is we need to go back into the schools at a very early age, maybe at the grade school level, and have a class for the young girls and have a class for the young boys and say, you know, this is what's important. This is what a father does that is maybe a little different, maybe a little bit better than the talents that a mom has in a certain area; and the same thing for the young girls, that, you know, this is what a mom does and this is what is important from the standpoint of that union which we call marriage, and we have called it that since the beginning of this country and long before the beginning of this country.

So as I close and yield back to the gentlelady and thank her for giving me some time, I stand strongly for the Defense of Marriage Act and traditional marriage as we know it, and don't take that right away from our States.

But this is a wonderful opportunity to say, young men, you've got a great responsibility. You're not a father unless you prove it.

Mrs. HARTZLER. Thank you so much, PHIL. That's well spoken from a proud grandfather as well as a father, and certainly brought up the importance of fatherhood as well as these decisions that are coming up from the Supreme Court.

You know, the people have spoken on that. The people of California spoke two times, and they said, This is what we think is wise public policy for the families and the citizens of California. And the people spoke on the Defense of Marriage Act through their elected representatives here in Congress, a huge vote, bipartisan. And President Clinton signed the bill. The people have spoken on this.

And what we don't want is to have the Supreme Court impose their view or be activists and impose their view of what marriage should be on the citizens who have spoken, so it's going to be interesting to see how they rule.

But certainly, I agree with you, PHIL, that it's very important that the people have spoken and that we uphold marriage.

Next we have a Representative from Oklahoma, a friend of mine, JAMES LANKFORD, who not only is a great dad and father, but has worked with teenagers for many years and, I'm sure, has seen the importance of fatherhood as it relates to young people.

So go ahead, JAMES LANKFORD.

Mr. LANKFORD. I thank the gentlelady for hosting this time.

There's a lot of things I've talked about in the well of this House. I've talked about budget. I've talked about a growing economy, about jobs. I've talked about transportation. I've talked about the relationship of the individual citizen and their government and how that relationship works—or sometimes it doesn't work lately.

But this is a time just to be able to pause for a moment and not talk about necessarily some new government law or some new regulation, but to celebrate, for just a moment, dads, with Father's Day this past weekend, and to be able to hesitate again and to be able to say thanks to my own dad, but to also talk about the fact that it is the love of our life for men to be able to enjoy their children, just like it is for ladies to be able to enjoy their children, as well, as a mom.

There is something very unique—and I believe firmly that every child needs a mom and needs a dad. They come at parenting from two different directions and they, together, make such a dramatic difference in the life of a child, to have a mom and to have a dad.

It's interesting to me that the last verse in the Old Testament, in that verse from Malachi 4:6 in that minor prophet book, it ends that Old Testament by saying the role of the prophet will be to turn the hearts of the children to their fathers and to turn the hearts of their fathers to the children, to be able to see that restoration.

□ 2020

In that time period, there was a collapse for a moment in the families, and they suffered as a nation and saw that. We see that today in our own families. Fifteen million children live life without a father—15 million. In 1960, there were only 11 percent of the homes that didn't have a father. Today, it's over one-third of the homes that don't have a father. As we watch all the consequences that occur with that in our own economy, in our own family, and in our own culture, it's just the separation that happens.

We see a greater emphasis right now with trying to figure out what to do in schools as parents seem to be disconnected from their children and teachers struggle in the community, and things have changed in our schools with an absence of fathers.

As we've seen the families collapse, we've seen an increase in poverty. Some colleagues were here earlier speaking about hunger in America, which is rampant and is a huge issue for us as a nation. They mentioned that in the 1970s we had a very low hunger rate in America. It's interesting for us to come here now and talk about fathers and how that has changed, and from that point in 1970 when we had a very low hunger rate in America, we look at the difference now with a very high hunger rate in America and also a very low presence of fathers in the lives of their children. We've seen something different happen in families as fathers disconnect from their children and they no longer see a role to be able to be a provider and they've required government to go be the provider for children when it was never designed to be that way. And that's not where it is best.

Children have a higher risk of poverty. Children have a lower graduation rate from high school and have a lower entry rate into college. There is not a safe environment for children when there's an absence of a dad and a mom. It's different for them as they grow up and as they process through things

without the stability that can come to a child with the presence of a mom and of a dad.

So what do we do about it is the challenge. Well, quite frankly, there are issues in our marriage laws right now as a nation that we have where there are penalties to be married in our tax law. There are penalties even in our disability benefits as we try and reach in and help families as they're disabled, but yet if they're married, it's a lower rate. So we look at that, and we ask the question: Why would we punish a family for being married because one of the individuals there is disabled? That doesn't make sense for us.

So we need to look at our policies that we have and be able to encourage rather than discourage marriage. Because we know when that happens—it's the reason that the Federal Government is involved at all in the marriage relationship is because we know what happens in the lives of children when a man and a woman are committed to each other for life. That commitment, the reason the government is connected to that is because of what happens in the lives of children and how it benefits people in the days ahead. So we need to look at the marriage penalty that's occurring in our tax law and our disability rules and such.

But, quite frankly, most of the issues that deal with fatherhood and from the absence of fathers won't happen because of a change in Federal law. It will happen when families turn and mentor young couples and they get personally involved in the lives of young families. Some individuals have never seen a functioning man and a woman married and committed to each other for life. They've never seen that in their community, and they haven't experienced that in their own family. It's so important for older couples to mentor young couples and to pass on the wisdom that they have gained.

It is, quite frankly, very important at the marriage altar for two individuals to truly commit to each other for life. That brings stability not only to those two individuals, but it also brings stability to the children where they grow up in a home where there's some emotional security and safety and not the constant fear of separation and of loss of either the mom or the dad. So for individuals to be committed to each other for life makes a big difference in that.

So what can happen? I talked about the Federal policies, but it's really individuals, individuals mentoring other individuals, and it's two individuals when they approach the marriage altar knowing that we're going to commit to each other and we're going to work through the problems that we have because that's what's best for our Nation, and that's what's best for the children that are coming up to provide them that stable home where they can grow up.

Do we always get it perfect? No. But we know economically and we know emotionally that the strongest homes and what's best for our children is for a mom and a dad. And I want to honor dads that do commit to walk through the hard, difficult days and to say to them, Keep going. Don't give up, dads. And as you face through hard times, your children need you.

The single most difficult part of my job is getting on an airplane on Monday mornings and flying away from my two daughters and my wife. No other moment of my week is harder than that one, because I know the importance of being a dad to my daughters, and they need me.

I encourage dads today to live out the commitment that you have made to your wife and the commitment that you've made to your children.

Mrs. HARTZLER. Great, great words. Thank you, James. What a word of encouragement, how to commit and to keep on going and to be good dads and the need to strengthen marriage in this country. So thank you for those very, very excellent comments.

Now I would like to call on another colleague from Oklahoma, a freshman this year who has hit the ground running, and we are really glad he is here. JIM BRIDENSTINE, I would like to yield to you and hear what you would like to share about the importance of fathers.

Mr. BRIDENSTINE. I appreciate that. It is an honor to be here, and thank you for inviting me to participate in this.

I have been certainly accused of maybe being critical of the President from time to time, as many of us Republicans are sometimes, but I'd like to share a few points where we agree, the President and I. I've got a number of quotes here, and I think these quotes cross party lines and certainly indicate how important fathers are in the lives of their children.

Here is a quote from our President, Barack Obama:

> We need fathers to realize that responsibility doesn't end at conception. We need them to realize that what makes you a man is not the ability to have a child; it's the courage to raise one.

Here is another quote from our President:

> I wish I had a father who was around and involved.

That's a profound statement, and certainly it shows a great deal of courage by our President to say that.

I remember when I was a young child in the Cub Scouts, the Pinewood Derby came around every year. My father, my brother, and I would spend a great deal of time weighing our little Pinewood Derby car to make sure that it weighed precisely 5 ounces. We would spend all night graphiting the wheels because we wanted our little Pinewood Derby car to be the absolute fastest car that we could possibly make it. Whether we won or lost, it didn't matter. We were going to make this little car as fast as we could possibly make it.

I also remember not too long ago my 7-year-old, who was 6, wanted to participate in the Pinewood Derby in the Cub Scouts himself. And because of my relationship that I had with my father and the time that we spent involved in that project, it was a desire of my heart to be involved in his Pinewood Derby to the same extent. And I'm proud to say that when I was a child, we won the Pinewood Derby; and I'm proud to say that as Walker's dad, together we won the Pinewood Derby when he was 6 years old. These are the things that I think are critically important in the life of a child.

Some other quotes from our President: Obama has said that his hardest but the most rewarding job is being a father. I think that is absolutely true, as well.

I want to quote some statistics here:

Currently there are 24 million children in America living in a home without their biological father.

The World Family Map report by Child Trends found that even when controlling for income, children who live with both parents have better educational outcomes than children living with one or no parents. Fathers play an important role in teaching children life lessons and preparing them to succeed in school and in life.

Some other quotes:

According to the National Fatherhood Initiative, a father's involvement in education of his children is associated with a higher probability of A's for their children.

Interestingly, I remember when I was in fourth grade, there was a competition called Math Olympiads. My dad was a mathematician, and he came from a family of mathematicians. And my dad would spend hours with me working on these math problems that were really college-level math problems. We would go over and over these problems again and again. I remember in fourth grade, when it came time to do Math Olympiads, there were just five problems, and if you could get one or two of them right, it was really tremendous for a fourth grader. I remember at the end of the first Math Olympiad, I had four out of five correct. And it wasn't because I was smart, and it wasn't because I was brilliant. It had nothing to do with that at all—in fact, quite the contrary. But what it had to do with was the fact that I had a dad who was so engaged, so involved, and so interested in making sure not that I would get an A in the class—quite frankly, that was really not relevant to him. What he cared about was whether I learned the material.

□ 2030

I remember taking tests in sixth grade. I would do the math problems

entirely different than how the teacher taught and the teacher would count it wrong. My dad would go to the school and he would say, you know, he may have done it differently than you taught him, but he did it the way we taught at home because he's preparing for higher math in a different year.

Having a dad involved in your education that way is something that was tremendously important to me as I was growing up. And certainly, now that I am a father myself and I have a child in first, now soon to be second grade—and of course other children on the way that are entering kindergarten and a 1-year old at home, these are areas where it's important for me.

There is a generational trend. When a child has that impact from their father, certainly it's an impact on them that they want to have on their own children. So that's why it is so important for fathers to be involved in the lives of their children. That's my personal experience.

Children with involved fathers are more likely to do well in school. They have a better sense of well-being, they have fewer behavioral problems. When fathers are actively involved in the upbringing of their children, their children demonstrate greater self control and a greater ability to take initiative.

Along with Father's Day, this June will also bring an important announcement—the Supreme Court's much-anticipated rulings on both the Defense of Marriage Act and Proposition 8. These cases have put the national spotlight on this issue in a new way and provide an opportunity for Americans to discuss the question: What is marriage?

Marriage exists to bring a man and a woman together as husband and wife, to be a father and a mother to children, and the institution of marriage is intended for life. This is very important when it comes to the rearing of children.

A few more statistics. In 2012, about one-third of all children lived in families without their biological father present. According to some estimates, as many as 50 percent of children who are currently under age 18 will spend or have spent a significant portion of their childhood in a home without their biological father.

Research indicates that children raised in single-parent families are more likely than children raised in two-parent families, with both biological parents, to do poorly in school, have emotional and behavioral problems, become teenage parents, and have poverty-level incomes.

In 2011, the poverty rate for children living in homes without a father was 48 percent, compared with 11 percent for children living with married-couple families. Single-parent families are more likely to be poor than two-parent families, especially if the lone parent is the mother. That's why it's so important for fathers, and that's why I commend the President when he talks about the importance of fathers.

Here's a final quote from our President:

> As fathers, we need to be involved in our children's lives not just when it's convenient or easy, and not just when they're doing well, but when it's difficult and thankless, and they're struggling. That is when they need us most.

With that, I thank the gentlelady from Missouri.

Mrs. HARTZLER. Thank you so much, JIM. I really enjoyed hearing the stories about your father and the role that he played. You know, I think every child in that derby was a winner who had a father who helped make their little pine box with them. It really is important and makes a huge difference. So thanks for sharing that.

Now I'd like to yield my time to Congressman TRENT FRANKS from Arizona, who is certainly a champion for so many of these issues that are so important to us today, and to fathers and families.

Mr. FRANKS of Arizona. Well, I just thank the gentlelady, Mr. Speaker, because she has demonstrated such a wonderful presence in this body. She has been a gift to all of us. I know that each person who has preceded me at this platform is grateful for Congresswoman VICKY HARTZLER. I wish there were about another 200 like her and I might just go home. But I really appreciate her so much.

Mr. Speaker, it's been said that a father is a man who expects his children to be as good as he meant to be. I have yet to meet a father who doesn't want to convey his own mistakes to his children. He wants his children to learn from his mistakes, to give his children the best possible start in life, serving as a springboard from which to face the day-to-day challenges that ultimately come. But I really don't think that's such a comprehensive definition.

Those of us who are privileged to be in a Christian family believe that there is a loftier image of fatherhood, that there is One after whom we model our inevitably flawed attempts to raise our children with love and wisdom, a perfect father who gives us ''every good and perfect gift,'' who is a father to the fatherless and a help in times of need to the widow and the oppressed. And it is only in having children sometimes that we begin to understand just a little glimpse of how our heavenly Father feels about the rest of us.

To most women, their father was their first love. To most men, their father was their first larger-than-life idol. The role a father plays in the life of his children simply cannot be overstated. That fact, Mr. Speaker, that knowledge that little eyes are watching every move we make, often emulating what they see for good or bad, no matter what we do, we will never feel quite fully equipped to do justice to the sacred responsibility to which God has entrusted us.

There is a famous saying that the greatest gift a father can give his children is to love their mother. And the point of that quote of course is that a healthy, intact home gives a child the best possible chance at pursuing and achieving their dreams.

But for all its difficulties, what a sweet and blessed honor it is to be entrusted with the task of raising these little human images of unconditional love. I've said it before, Mr. Speaker, and I believe with every passing day that every baby that is born comes with a message from God that He has not yet despaired of mankind on Earth. Yet I look around at the state of the American family, Mr. Speaker, that bedrock institution that is responsible more than any other factor for inculcating the truth into the hearts and minds of each new generation, and I believe that it is facing a grave and profound challenge in America.

A mentor and a friend of mine, Gary Bauer, recently wrote an article on this very subject. He was highlighting the state of affairs in which so many Americans find themselves without the firm, guiding, loving hand of a father.

Indeed, Mr. Speaker, 40 percent of children are now born to unmarried parents, including a majority of children born to women 30 years old or younger. A recent study in Richmond, Virginia, found that 60 percent of families in the city have just one parent—usually the mother—at home. Among black residents, it's 86 percent of homes that are single parents.

A related Pew study estimated that women, when they are the prime breadwinners—and they are in 40 percent of American households—that, unfortunately, the majority of these households are led by a single mother who averages just $23,000 in annual income, whereas intact families average about $80,000 a year in income, by comparison.

Eighty-five percent of all young men—or even, for that matter, middle-aged men—in prison came from a family that never had a functional father figure in their midst—85 percent.

Mr. Speaker, it is an understatement to suggest to you that children are so desperately in need of both a mother and a father. And I know no better way to really illustrate that than just to try to tell the story of three fathers.

The first story I will tell is of one father named Earl Carr. He was my grandfather. Earl Carr was a coal miner. When he was just in his mid-twenties, a terrible cave-in crushed his friends, killed most of them, and broke his back. So as a child, I remember growing up when my grandfather could carry a coal bucket for maybe 40 or 50 feet, but then he would have to sit

down. But he never abandoned his family, and he was always there in every way that he could be.

Just to illustrate to you how sometimes a grandfather can have a big impact on a grandson, more than 45 years has passed—and I hope I can remember it—but he used to be very fond of the ''Coal Miner's Ode,'' and it goes something like this:

Come and listen, you fellers, so young and so fine, and seek not your fortune in the dark dreary mine. It will form as a habit and seep in your soul 'til the stream of your blood runs as black as the coal.

Because it's dark as a dungeon, damp as the dew where the danger is double and the pleasures are few.

Where the rain never falls and the sun never shines, it's dark as a dungeon way down in the mines. And I hope when I'm gone and the ages shall roll, my body will blacken and turn into coal. And I will look from the door of my heavenly home and I'll pity the miner digging my bones. Because it's dark as a dungeon, damp as the dew, where the danger is double and the pleasures are few,

where the rain never falls and the sun never shines, it's dark as a dungeon way down in the mines.

□ 2040

I don't remember the last time I said that, Mr. Speaker, but I do know that it was over 40 years ago that I learned it, and a grandfather does have a lasting impact on our lives.

So now I will tell you another story of another father, and he's my father—a man named Taylor Franks. I won't go into—because I don't remember—how he was there for me when I was a baby and had some congenital defects and probably wouldn't have had the opportunity to be standing in this well had it not been for a faithful father, but I'll tell you just one story.

Years ago in the little town when I was growing up, I came away from the playground one day when I was about 5 or 6 years old, maybe 6 years old. And I came through an alley, and you know how it always is. There is sometimes a bunch of guys that want to demonstrate their macho capability. I walked past the fence and one of them yelled something at me and there was a rock fight that ensued. Now, they were behind the fence and there were several of them. I was out there alone and I was losing this battle very demonstrably. I would pick up one rock and throw it back because I didn't want to be discomforted by this band of ruffians, you understand. But I was losing, and I thought, Boy, what am I going to do? I am going to have to run, it looks like. And just at the moment when I was probably in the peak of my panic, all of a sudden the rocks stopped, everything was still, and I could see them peaking over the fence at me. I noticed a little carefully. It seemed like they were looking at something behind me. I turned and it was Taylor Franks. He said, How about me evening up the sides here just a little bit? He evened up the sides many, many times.

He's 87 years old now. But I'll tell you, if the communists ever come to this country to take us over, they better go around that old gentleman's house because they'll get more than they bargained for. This is a man that loves his country, loves his God, and loves his family. I have no words to express my gratitude to him.

So I will tell you about another father, who almost didn't think he was going to be one. But he calls his little boy ''little feller,'' because that's what his daddy called him. And his name is Joshua Lane, and he's my boy. He's got a sister, a twin sister. She's 5 minutes younger. Of course he takes care of her. But I can say to you that there is no greater gift on this Earth than these children.

Somehow, I guess, the point of all this, Mr. Speaker, is just to remind all of us that are fathers what they meant to us and what we mean to our children. Sometimes I have to watch mine grow up at a distance, but they know their daddy loves them and they know their daddy is here so that we can make a better future for them.

I guess my challenge to the fathers of this country is to be reminded that your children grow up so quickly and your impact on them will be profound beyond any words that I could ever articulate. They say that great societies finally come when old men plant trees under whose shade they will never sit. I believe that to be true, that our greatest jobs as fathers is to make sure that our children have the inculcated truths that will help them find their way home and through the great storms of life. We should always remind ourselves that they are, indeed, the living messages that we send to a time we will never see ourselves.

I hope that somehow that fathers of this country will recognize the gift that they've been given and they will recognize the impact that they will have, and that the rest of society will recognize that if we displace fathers in our country, we will bankrupt us all trying to replace them.

With that, Mr. Speaker and Congresswoman HARTZLER, I yield back.

Mrs. HARTZLER. Thank you so much, Representative FRANKS. I couldn't say it any better I think. Thank you.

The heritage that he has given his children and that his father gave him and his grandfather gave him, that's what it's about is being able to pass on that heritage to your children. That's why we have a policy in our country that encourages fathers to be there for their children, so that every child has a chance to have a mother and a father.

I am glad to be joined today by a gentleman from California, DOUG LAMALFA.

Thank you for coming tonight. I look forward to hearing what you have to share on this very important topic.

Mr. LAMALFA. Mr. Speaker, I thank my colleague, Mrs. HARTZLER, for holding this time here tonight for us.

Let's talk about the importance of fatherhood and what all that means. I really appreciate the words of my colleague from Arizona who just spoke and his eloquent way of doing that.

We are in a nation here that really cries out for the type of values that are represented by what is called the nuclear family—kids these days, with so many temptations and so many things out there that will pull them in all different directions. They need a mom and they need a dad.

We know statistically, just talking numbers, that the chances of success for children to grow up and be successful in their own lives, not in poverty, not in abusive situations, the percentages are so much higher when there's a loving mom and a dad in their lives.

We have very important tasks, very important jobs here in this place. Mr. Speaker, when we make policy here, we always need to make it in such a way that supports the family, that strengthens the family and doesn't weaken it or in some fashion even use the State, use the government, as usurping the role of the parent or of a dad like we've seen so much with maybe the start of the great society—well-intentioned things that have gone on to, in many ways, replace the father in people's lives. There needs to be that accountability to come back and bring that unit together.

Thinking of my own dad—we lost him almost 5 years ago now—he was always a strong and pretty quiet leader, but he could just give you ''the look'' pretty much and set you back on track. He had to spend a lot of hours out on the farm. We didn't always get to see him all the time when it was busy in the springtime with planting or with harvest, but we always knew, my sisters and I, that he was there for us. He didn't get to every ball game, but we always knew. We never had to question his dedication and commitment to us and to our mother, because moms are in it, too. We know that certainly because, typically, mostly the caregiver for kids a lot of times, she needs that support, too, that comes from that committed family unit.

So we have to make policy, we have to make things that support that in this place. I'm so disappointed with the direction our country has gone the last 40 to 50 years that has broken that apart.

I have an obligation to my wife and my four kids. One of the most difficult things in contemplating what goes on with this role of service that I've been

blessed with by the voters in my district is the time away from home. Being from the west coast, it's a heck of a commitment. With a 5-hour plane ride each way and all that, you don't just get to pop in like when I was in the State legislature in Sacramento and you get home most nights.

That's the kind of thing that keeps me worrying sometimes, worrying a little bit: Am I doing right by my kids? We do this here—I think anyone that runs for office—ostensibly with the idea that we're trying to help the next generation and preserve the country and preserve our freedoms. But there's a sacrifice in this job. It kind of all comes back to perspective.

Father's Day, the other day, I got to spend home with the family. All my kids either got me a little something or made a little card. Very, very touching things said in those cards reminded me that, yeah, we are here trying to do something for them, preserve their rights, their opportunities, their liberties, and that they understand, even though I don't always get to be home, that it is for them.

□ 2050

So that makes me feel good about doing this—about taking on the huge issues here, the long hours, the sometimes fruitless battles, and people looking at us from the outside with our, maybe, 10 percent approval rating, wondering, What the heck are you doing back there in Washington, D.C.? We all know we're here for a good reason.

We have an obligation as dads to be there for our wives and for our kids, which is nothing new, but it's the dedication. They need to know that we're there for them, that we're fighting for something, whether it's our more day-to-day jobs—if you're a butcher or a baker or a candlestick maker—or if you're back here getting to be part of the U.S. Congress.

The importance of a dad to a son can't be overstated. You need a man in the life to guide your son to the right path, to be that strong voice, to keep your son in the position, first of all, of respecting his mother, of respecting his sisters, of respecting women—of what that role is supposed to be. They need that, and a lot of them have lost out on that. It's sad. We see the tragedy. Some of these kids are walking the streets, and they grow up to be in gangs and so much because they didn't have that.

A dad has a very strong role with his daughters—to ensure that they know they have value, that they aren't something to be out there to be traded, as so often happens when they don't have that fatherly voice saying, You have value, and you have self-respect—that is so key to you. It keeps so many times young girls out of trouble and on that good path.

You can't overstate that role of a father on both sons and daughters and, of course, that very strong support that's needed for your wife, who has to watch the home fires when we're off doing things like this. She needs that.

So what I'm saying to the men who are already fathers or who are would-be fathers is, you've got a very important task, extremely, the most important task—to be that leader of your household. You need to stick with them through thick and thin.

And men, be men. Don't be something else. Grow up. You need to cast off childish things when you've made that commitment to a woman and to fatherhood, because they're watching you. Your neighborhood is watching you. It's the most important thing you'll ever do.

So, Mr. Speaker, I conclude tonight with the thought that, for there to be one Nation under God, men have a very key role in that. That's being that father, and that's holding the family together. No matter what might come and affect it, no matter what legislation or court decision might try to affect or break that family union or make confusing decisions for our children, we have that role, and we can be that guide for their whole lives. It is rewarding for all of us.

With that, I appreciate the time, and I appreciate the gentlelady from Missouri (Mrs. HARTZLER) for leading this discussion here tonight.

Mrs. HARTZLER. I thank the gentleman. That was very, very well said, and I appreciate your encouraging the men to be leaders of their households and to make a difference for their children—the next generation.

I appreciate all of my colleagues who have come tonight so that we could talk about the importance of the fathers and how important it is to have marriage strong in our country.

Every child deserves a mom and a dad. You cannot say that fathers are essential while also making them optional. The presence of a father has such a tremendous impact on the lives of each and every child and on every adult in America. Fathers not only represent the success of our children but also the success of our Nation.

As we get closer to the Supreme Court's ruling concerning the Defense of Marriage Act, it is crucial that we weigh the entirety of the impact such a decision will have on families. My colleague from Oklahoma earlier cited the President in this quote when he stressed the importance of fathers. I think it's very, very good, and I want to repeat it.

President Obama said:

As fathers, we need to be involved in our children's lives not just when it's convenient or easy and not just when they're doing well—but when it's difficult and thankless, and they're struggling. That is when they need us most.

Every single child in this country deserves the opportunity to have a mother and a father. That is why we must uphold marriage. Not only must we represent the future of our children but also the future of our Nation.

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

RECESS

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

Accordingly (at 8 o'clock and 56 minutes p.m.), the House stood in recess.

□ 0045

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. NUGENT) at 12 o'clock and 45 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1947, FEDERAL AGRICULTURE REFORM AND RISK MANAGEMENT ACT OF 2013

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 113–117) on the resolution (H. Res. 271) providing for further consideration of the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ROGERS of Kentucky (at the request of Mr. CANTOR) for June 17 through June 19 on account of medical reasons.

PUBLICATION OF COMMITTEE RULES

AMENDMENT TO THE RULES OF THE COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY FOR THE 113TH CONGRESS

Mr. SMITH of Texas. Mr. Speaker, on June 18, 2013, the Committee on Science, Space, and Technology adopted the attached amendment to its Committee Rules:

Rule VI (b) of the Rules of the Committee on Science, Space, and Technology is amended to read as follows:

(b) SUBCOMMITTEES AND JURISDICTION. There shall be five standing Subcommittees of the Committee on Science, Space; and Technology, with jurisdictions as follows:

The Subcommittee on Energy hall have jurisdiction over the following subject matters: all matters relating to energy research, development, and demonstration projects

therefor; commercial application of energy technology; Department of Energy research, development, and demonstration programs; Department of Energy laboratories; Department of Energy science activities; energy supply activities; nuclear, solar, and renewable energy, and other advanced energy technologies; uranium supply and enrichment, and Department of Energy waste management; fossil energy research and development; clean coal technology; energy conservation research and development, including building performance, alternate fuels, distributed power systems, and industrial process improvements; pipeline research, development, and demonstration projects; energy standards; other appropriate matters as referred by the Chairman; and relevant oversight.

The Subcommittee on Environment shall have jurisdiction over the following subject matters: all matters relating to environmental research; Environmental Protection Agency research and development; environmental standards; climate change research and development; the National Oceanic and Atmospheric Administration, including all activities related to weather, weather services, climate, the atmosphere, marine fisheries, and oceanic research; risk assessment activities; scientific issues related to environmental policy, including climate change; remote sensing data related to climate change at the National Aeronautics and Space Administration (NASA); earth science activities conducted by the NASA; other appropriate matters as referred by the Chairman; and relevant oversight.

The Subcommittee on Research and Technology shall have jurisdiction over the following subject matters: all matters relating to science policy and science education; the Office of Science and Technology Policy; all scientific research, and scientific and engineering resources (including human resources); all matters relating to science, technology, engineering and mathematics education; intergovernmental mechanisms for research, development, and demonstration and cross-cutting programs; international scientific cooperation; National Science Foundation, university research policy, including infrastructure and overhead; university research partnerships, including those with industry; science scholarships; computing, communications, networking, and information technology; research and development relating to health, biomedical, and nutritional programs; research, development, and demonstration relating to nanoscience, nanoengineering, and nanotechnology; agricultural, geological, biological and life sciences research; materials research, development, demonstration, and policy; all matters relating to competitiveness, technology, standards, and innovation; standardization of weights and measures, including technical standards, standardization, and conformity assessment; measurement, including the metric system of measurement; the Technology Administration of the Department of Commerce; the National Institute of Standards and Technology; the National Technical Information Service; competitiveness, including small business competitiveness; tax, antitrust, regulatory and other legal and governmental policies related to technological development and commercialization; technology transfer, including civilian use of defense technologies; patent and intellectual property policy; international technology trade; research, development, and demonstration activities of the Department of Transportation; surface and water transportation research, development, and demonstration programs; earthquake programs and fire research programs, including those related to wildfire proliferation research and prevention; biotechnology policy; research, development, demonstration, and standards-related activities of the Department of Homeland Security; Small Business Innovation Research and Technology Transfer; voting technologies and standards; other appropriate matters as referred by the Chairman; and relevant oversight.

The Subcommittee on Space shall have jurisdiction over the following subject matters: all matters relating to astronautical and aeronautical research and development; national space policy, including access to space; sub-orbital access and applications; National Aeronautics and Space Administration and its contractor and government-operated labs; space commercialization, including commercial space activities relating to the Department of Transportation and the Department of Commerce; exploration and use of outer space; international space cooperation; the National Space Council; space applications, space communications and related matters; Earth remote sensing policy; civil aviation research, development, and demonstration; research, development, and demonstration programs of the Federal Aviation Administration; space law; her appropriate matters as referred by the Chairman; and relevant oversight.

The Subcommittee on Oversight shall have general and special investigative authority on all matters within the jurisdiction of the Committee on Science, Space, and Technology.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 330. An act to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV); to the Committee on Energy and Commerce; in addition to the Committee on the Judiciary for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 12 o'clock and 46 minutes a.m.), under its previous order, the House adjourned until today, Wednesday, June 19, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

1893. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Dual and Multiple Associations of Persons Associated With Swap Dealers, Major Swap Participants and Other Commission Registrants (RIN: 3038-AD66) received June 3, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1894. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Process for a Designated Contract Market or Swap Execution Facility to Make a Swap Available to Trade under Section 2(h)(8) of the Commodity Exchange Act; Swap Transaction Compliance and Implementation Schedule; Trade Execution Requirement under Section 2(h) of the CEA (RIN: 3038-AD18) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1895. A letter from the Associate Administrator, Department of Agriculture, transmitting the Department's final rule — National Organic Program (NOP); Amendments to the National List of Allowed and Prohibited Substances (Crops and Processing) [Document Number: AMS-NOP-12-0016; NOP-12-07FR] (RIN: 0581-AD27) received June 10, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1896. A letter from the Management Analyst, Department of Agriculture, transmitting the Department's final rule — Postdecisional Administrative Review Process for Occupancy or Use of National Forest System Lands and Resources (RIN: 0596-AB45) received June 7, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1897. A letter from the Under Secretary, Department of Defense, transmitting the Department's report on the amount of purchases from foreign entities in Fiscal Year 2012, pursuant to 10 U.S.C. 113 note; to the Committee on Armed Services.

1898. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Defense Trade Cooperation Treaties with Australia and the United Kingdom (DFARS 2012-D034) (RIN: 0750-AH70) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1899. A letter from the Principal Deputy Assistant Secretary, Department of Defense, transmitting a report to Congress regarding additional Reserve Component equipment procurement and military construction; to the Committee on Armed Services.

1900. A letter from the Director, Division of Coal Mine Workers' Compensation, Department of Labor, transmitting the Department's final rule — Black Lung Benefits Act: Standards for Chest Radiographs (RIN: 1240-AA07) received June 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1901. A letter from the Executive Director, Consumer Product Safety Commission, transmitting the Commission's 2012 Annual Report to the President and Congress; to the Committee on Energy and Commerce.

1902. A letter from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Irradiation in the Production, Processing, and Handling of Animal Feed and Pet Food; Electron Beam and X-Ray Sources for Irradiation of Poultry Feed and Poultry Feed Ingredients; Correction [Docket No.: FDA-2012-F-0178] received June 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1903. A letter from the Secretary, Department of Health and Human Services, transmitting the combined seventh, eighth, and

ninth quarterly reports on Progress Toward Promulgating Final Regulations for the Menu and Vending Machine Labeling Provisions of the Patient Protection and Affordable Care Act of 2010; to the Committee on Energy and Commerce.

1904. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund (WC Docket No.: 10-90) received June 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1905. A letter from the Division Chief, Regulatory Affairs, Department of the Interior, transmitting the Department's final rule — Application Procedures, Execution and Filing of Forms: Correction of State Office Address for Filings and Recordings, Including Proper Offices for Recording of Mining Claims; Oregon/Washington [LLOR957000-L63100000-HD0000] (RIN: 1004-AE31) received June 11, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1906. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 120306154-2241-02] (RIN: 0648-XC651) received June 14, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. ADERHOLT: Committee on Appropriations. H.R. 2410. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2014, and for other purposes (Rept. 113–116). Referred to the Committee of the Whole House on the state of the Union.

Mr. SESSIONS: Committee on Rules. House Resolution 271. Resolution providing for further consideration of the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for the other purposes (Rept. 113–117). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SEAN PATRICK MALONEY of New York (for himself, Mr. GIBSON, and Mrs. LOWEY):

H.R. 2407. A bill to reauthorize the Hudson River Valley National Heritage Area; to the Committee on Natural Resources.

By Mr. SCHWEIKERT (for himself and Mr. AMASH):

H.R. 2408. A bill to prohibit the Department of Justice from tracking and cataloguing the purchases of multiple rifles and shotguns; to the Committee on the Judiciary.

By Mr. SALMON (for himself, Mr. FRANKS of Arizona, Mr. SCHWEIKERT, and Mr. GOSAR):

H.R. 2409. A bill to amend the National Voter Registration Act of 1993 to permit a State to require an applicant for voter registration in the State who uses the Federal mail voter registration application form developed by the Election Assistance Commission under such Act to provide documentary evidence of citizenship as a condition of the State's acceptance of the form; to the Committee on House Administration.

By Mr. GRAYSON:

H.R. 2411. A bill to prohibit the Federal Government from contracting with an entity that has committed fraud or certain other crimes; to the Committee on Oversight and Government Reform.

By Mr. BARBER (for himself and Mr. HECK of Nevada):

H.R. 2412. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to consider the best interest of the veteran when determining whether the veteran should receive certain contracted health care; to the Committee on Veterans' Affairs.

By Mr. BRIDENSTINE (for himself, Mr. SMITH of Texas, Mr. STEWART, and Mr. HARRIS):

H.R. 2413. A bill to prioritize and redirect NOAA resources to a focused program of investment on near-term, affordable, and attainable advances in observational, computing, and modeling capabilities to deliver substantial improvement in weather forecasting and prediction of high impact weather events, such as tornadoes and hurricanes, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. CAPUANO (for himself, Mr. SENSENBRENNER, Mr. GRIFFITH of Virginia, Ms. BROWNLEY of California, Mrs. NAPOLITANO, Ms. JACKSON LEE, Mr. FORTENBERRY, Mr. RODNEY DAVIS of Illinois, Mr. CAMPBELL, Mr. DAINES, and Ms. LOFGREN):

H.R. 2414. A bill to require automobile manufacturers to disclose to consumers the presence of event data recorders, or ''black boxes'', on new automobiles, and to require manufacturers to provide the consumer with the option to enable and disable such devices on future automobiles; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CASSIDY (for himself, Mr. KIND, Mr. LANCE, Mr. GUTHRIE, Mrs. BLACKBURN, Mrs. CHRISTENSEN, Mr. BEN RAY LUJÁN of New Mexico, Mr. ROSKAM, Mr. BLUMENAUER, Mr. PAULSEN, and Mr. PETERS of California):

H.R. 2415. A bill to amend title XVIII of the Social Security Act to include information on the coverage of intensive behavioral therapy for obesity in the Medicare and You Handbook and to provide for the coordination of programs to prevent and treat obesity, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLAY (for himself, Ms. BASS, Mrs. BEATTY, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Ms. CLARKE, Mr. CLEAVER, Mr. CONYERS, Mr. DANNY K. DAVIS of Illinois, Mr. FATTAH, Ms. JACKSON LEE, Ms. LEE of California, Ms. MOORE, Mr. PAYNE, Mr. RICHMOND, Mr. JOHNSON of Georgia, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Ms. SEWELL of Alabama, Mr. THOMPSON of Mississippi, Mr. HORSFORD, Mr. WATT, Ms. WILSON of Florida, Mr. CLYBURN, Mr. CUMMINGS, Ms. EDWARDS, Ms. FUDGE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MEEKS, Ms. NORTON, Mr. RANGEL, Mr. RUSH, Mrs. CHRISTENSEN, and Mr. TURNER):

H.R. 2416. A bill to require the Secretary of the Interior to conduct a special resource study regarding the proposed United States Civil Rights Trail, and for other purposes; to the Committee on Natural Resources.

By Mr. FRANKS of Arizona (for himself, Mrs. HARTZLER, Mr. POSEY, Mr. LAMBORN, Mr. KING of Iowa, Mr. BROUN of Georgia, Mr. PITTS, Mr. PITTENGER, Mr. LAMALFA, Ms. CLARKE, Mr. HUNTER, Mr. STEWART, Mr. WILSON of South Carolina, Mr. JORDAN, Mr. PERRY, Mr. GOSAR, Mr. DUNCAN of South Carolina, Mr. ROYCE, Mr. FORTENBERRY, and Mr. KLINE):

H.R. 2417. A bill to amend the Federal Power Act to protect the bulk-power system and electric infrastructure critical to the defense and well-being of the United States against natural and manmade electromagnetic pulse (''EMP'') threats and vulnerabilities; to the Committee on Energy and Commerce, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIFFIN of Arkansas (for himself, Mr. SAM JOHNSON of Texas, and Mr. REICHERT):

H.R. 2418. A bill to amend the Social Security Act to prohibit an individual who is the subject of an outstanding arrest warrant for a felony from receiving various cash benefits under the Social Security Act; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 2419. A bill to amend the Truth in Lending Act to provide coverage under such Act for credit cards issued to small businesses, and for other purposes; to the Committee on Financial Services.

By Ms. NORTON:

H.R. 2420. A bill to authorize the Benjamin Harrison Society to establish a memorial in the District of Columbia to honor the patriots of the American Revolutionary War and the War of 1812; to the Committee on Natural Resources.

By Mr. PETERS of California:

H.R. 2421. A bill to provide biorefinery assistance eligibility to renewable chemicals projects, and for other purposes; to the Committee on Agriculture.

By Mr. PETERS of California (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WILSON of Florida, Ms. MCCOLLUM, Mrs. DAVIS of California, Mr. MARKEY, Mr. BERA of California, Ms. CHU, Mr. VARGAS, Mr. HALL, Ms. JACKSON LEE, Ms. BONAMICI, Mr. NADLER, Ms. BROWNLEY of California, Ms. EDWARDS, Mr. SWALWELL of California, Mr. CARTWRIGHT, Ms. HAHN, Ms. BORDALLO, Mr. PASCRELL, and Mr. HASTINGS of Florida):

H.R. 2422. A bill to award a Congressional Gold Medal to Sally K. Ride in recognition of her exemplary service as an astronaut, physicist, and science education advocate; to the Committee on Financial Services.

By Mr. RUNYAN:

H.R. 2423. A bill to improve the authority of the Secretary of Veterans Affairs to enter into contracts with private physicians to conduct medical disability examinations; to the Committee on Veterans' Affairs.

By Mr. SIRES (for himself, Mr. NADLER, Mr. RANGEL, Ms. CLARKE, Mr. PAYNE, Ms. KAPTUR, Ms. TSONGAS, Mr. GRIJALVA, Mr. FATTAH, Ms. MENG, Mr. TURNER, and Mr. CROWLEY):

H.R. 2424. A bill to authorize the Secretary of Housing and Urban development to establish a program enabling communities to better leverage resources to address health, economic development, and conservation concerns through needed investments in parks, recreational areas, facilities, and programs, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Education and the Workforce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIERNEY (for himself, Mr. GEORGE MILLER of California, Mr. ANDREWS, and Mr. JONES):

H.R. 2425. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide protection for company-provided retiree health benefits; to the Committee on Education and the Workforce.

By Mr. TONKO (for himself and Mr. KENNEDY):

H.R. 2426. A bill to better integrate engineering education into kindergarten through grade 12 instruction and curriculum and to support research on engineering education; to the Committee on Education and the Workforce.

By Mr. MEADOWS (for himself, Mr. MARCHANT, Mr. FRANKS of Arizona, Mr. BONNER, Mr. GINGREY of Georgia, Mr. MCCLINTOCK, Mr. GRAVES of Georgia, Mr. COBLE, Mr. SMITH of New Jersey, Mr. PITTS, Mr. WOLF, Mr. WESTMORELAND, Mr. DUNCAN of South Carolina, Mr. LAMBORN, Mrs. BACHMANN, Mr. HUELSKAMP, Mr. BRIDENSTINE, Mr. WALBERG, Mr. UPTON, Mr. MILLER of Florida, Mr. COLLINS of Georgia, Mr. HUDSON, Mr. HARRIS, Mr. FORBES, Mr. HUNTER, Mr. HUIZENGA of Michigan, Mr. BROUN of Georgia, Mr. STUTZMAN, Mr. PITTENGER, Mr. WENSTRUP, Mr. BARTON, Mr. MULVANEY, Mr. NEUGEBAUER, Mr. WILSON of South Carolina, Mr. JOHNSON of Ohio, Mr. FORTENBERRY, Mr. NUGENT, Mr. JORDAN, Mr. SALMON, and Mr. COLE):

H.J. Res. 50. A joint resolution proposing an amendment to the Constitution of the United States relating to parental rights; to the Committee on the Judiciary.

By Mr. BRALEY of Iowa:

H. Res. 269. A resolution providing for consideration of the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes; to the Committee on Rules.

By Mrs. MILLER of Michigan:

H. Res. 270. A resolution permitting official photographs of the House of Representatives to be taken while the House is in actual session on a date designated by the Speaker; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. STEWART introduced a bill (H.R. 2427) to provide for the relief of Lori L. Rogers; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 2407.

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

Article 1, Section 8 of the Constitution

By Mr. SCHWEIKERT:

H.R. 2408.

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

Article 1, Section 8

By Mr. SALMON:

H.R. 2409.

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

Congress' authority to regulate congressional elections derives primarily from Article I, Section 4, Clause 1 of the Constitution (known as the Elections Clause). The Elections Clause provides that the states will prescribe the ''Times, Places and Manner'' of congressional elections, and that Congress may ''make or alter'' the states' regulations at any time, except as to the places of choosing Senators. The courts have held that the Elections Clause grants Congress broad authority to override state regulations in this area. Therefore, while the Elections Clause contemplates both state and federal authority to regulate congressional elections, Congress' authority is paramount to that of the states.

By Mr. ADERHOLT:

H.R. 2410.

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

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .'' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: ''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . .'' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. GRAYSON:

H.R. 2411.

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

Article I, Section 8, clause 3 of the Constitution of the United States of America.

By Mr. BARBER:

H.R. 2412.

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

Clause 18 section 8 of article I of the Constitution.

By Mr. BRIDENSTINE:

H.R. 2413.

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

Article I, Section 8, Clause 3 and Article I, Section 8, Clause 18

By Mr. CAPUANO:

H.R. 2414.

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

The Congress enacts this bill pursuant to Article I, Section 8, Clause 1; and Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CASSIDY:

H.R. 2415.

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

This bill is enacted pursuant to the power granted Congress under Article 1, Section 8 of the United States Constitution.

By Mr. CLAY:

H.R. 2416.

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

THE COMMERCE CLAUSE: section 8 of article 1 of the Constitution.

By Mr. FRANKS of Arizona:

H.R. 2417.

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

Article 1 Section 8 of the United States Constitution

By Mr. GRIFFIN of Arkansas:

H.R. 2418.

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

Article 1, Section 8, Clause 1.

By Mrs. LOWEY:

H.R. 2419.

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

Article One, Section Eight of the U.S. constitution.

By Ms. NORTON:

H.R. 2420.

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

clauses 1 and 18 of section 8 of article I, and clause 2 of section 3 of article IV of the Constitution.

By Mr. PETERS of California:

H.R. 2421.

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

Article I, Section 8, Clause 3 of the Constitution of the United States

By Mr. PETERS of California:

H.R. 2422.

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

Article I, section 8 of the Constitution of the United States.

By Mr. RUNYAN:

H.R. 2423.

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

Article I, Section 8

By Mr. SIRES:

H.R. 2424.

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

Article I, Section 8 of the Constitution.

By Mr. TIERNEY:

H.R. 2425.

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

Article I, Section 8

By Mr. TONKO:

H.R. 2426.

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

Article I, Section 8, Clause I

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

Mr. STEWART:

H.R. 2427.

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

Article I, Section 9: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law

By Mr. MEADOWS:

H.J. Res. 50.

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

The Parental Rights Amendment is introduced pursuant to Article V: ''The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution . . .''

ADDITIONAL SPONSORS

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

H.R. 75: Mr. DUNCAN of Tennessee.

H.R. 129: Mr. GRIJALVA.

H.R. 148: Mr. VISCLOSKY, Mr. KILMER, and Ms. MOORE.

H.R. 164: Mr. RENACCI and Mr. ROTHFUS.

H.R. 182: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 198: Ms. SCHAKOWSKY.

H.R. 272: Ms. CHU, Mr. VARGAS, Mr. HUFFMAN, Mr. RUIZ, and Mr. LAMALFA.

H.R. 292: Mr. SERRANO.

H.R. 310: Mr. OWENS.

H.R. 318: Mr. WOLF.

H.R. 335: Mr. ALEXANDER.

H.R. 352: Mr. PEARCE.

H.R. 451: Mr. DESANTIS.

H.R. 460: Mr. POCAN and Ms. TITUS.

H.R. 485: Ms. BASS.

H.R. 525: Mr. HONDA.

H.R. 641: Ms. PINGREE of Maine.

H.R. 647: Mr. HUIZENGA of Michigan and Mr. CUELLAR.

H.R. 664: Mr. LOWENTHAL.

H.R. 685: Mr. YOUNG of Florida, Mr. LATTA, Mr. STEWART, and Mr. ROSKAM.

H.R. 693: Mr. MEEKS.

H.R. 698: Mr. PETRI.

H.R. 721: Mr. DESJARLAIS, Mr. KELLY of Pennsylvania, Mr. BROOKS of Alabama, and Mrs. BUSTOS.

H.R. 725: Ms. FRANKEL of Florida.

H.R. 755: Mr. QUIGLEY, Mr. DOYLE, Mr. COURTNEY, Ms. SINEMA, Mr. TONKO, Mr. AL GREEN of Texas, Mr. FORTENBERRY, Mr. ALEXANDER, Mr. PERLMUTTER, Mr. BARBER, Mr. CASTRO of Texas, Ms. CASTOR of Florida, Mr. DEUTCH, Ms. FRANKEL of Florida, Mr. HASTINGS of Florida, Mr. MORAN, Mr. SIRES, Mr. VARGAS, and Mr. GERLACH.

H.R. 763: Ms. GRANGER.

H.R. 795: Mr. POMPEO.

H.R. 797: Mr. BARR.

H.R. 809: Mr. ROE of Tennessee.

H.R. 904: Mrs. WAGNER.

H.R. 940: Mr. WOMACK.

H.R. 961: Mr. DEFAZIO.

H.R. 963: Ms. FRANKEL of Florida.

H.R. 1015: Ms. NORTON and Mr. TURNER.

H.R. 1024: Mr. PRICE of North Carolina.

H.R. 1076: Mr. CRAWFORD.

H.R. 1094: Mr. CLYBURN.

H.R. 1102: Mr. TIERNEY and Ms. SHEA-PORTER.

H.R. 1122: Mr. CARTWRIGHT.

H.R. 1125: Mr. YOUNG of Alaska.

H.R. 1148: Mr. JOHNSON of Ohio, Ms. SCHWARTZ, and Mr. CARSON of Indiana.

H.R. 1151: Mr. BUCHANAN.

H.R. 1155: Mr. RADEL.

H.R. 1179: Ms. DEGETTE, Mr. CROWLEY, Mr. POLIS, Mr. MAFFEI, Mr. SMITH of Washington, Mr. PERRY, Mr. CRAWFORD, and Ms. FRANKEL of Florida.

H.R. 1187: Mr. ANDREWS, Ms. SLAUGHTER, Ms. WASSERMAN SCHULTZ, Ms. SHEA-PORTER, and Mr. GRAYSON.

H.R. 1213: Ms. WILSON of Florida.

H.R. 1250: Mr. PETERS of California and Mr. WALDEN.

H.R. 1274: Mr. BURGESS.

H.R. 1403: Mr. CARTWRIGHT.

H.R. 1405: Mr. RAHALL.

H.R. 1416: Mrs. MCMORRIS RODGERS.

H.R. 1427: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 1466: Mr. SCHIFF, Mr. RUSH, and Mrs. CAROLYN B. MALONEY of New York.

H.R. 1474: Mr. CARTWRIGHT.

H.R. 1485: Mr. PALLONE.

H.R. 1508: Ms. NORTON, Mr. CONNOLLY, Mr. CICILLINE, Mrs. NEGRETE MCLEOD, Ms. LINDA T. SÁNCHEZ of California, Mr. COHEN, and Mr. BUTTERFIELD.

H.R. 1528: Mr. YOUNG of Alaska.

H.R. 1553: Mr. BARROW of Georgia, Mr. KINGSTON, Mr. TERRY, Mr. BACHUS, Mr. AUSTIN SCOTT of Georgia, Mr. FLORES, Mrs. LUMMIS, Mr. HARRIS, Mr. PETRI, and Mr. KILMER.

H.R. 1595: Mr. LIPINSKI.

H.R. 1620: Ms. MCCOLLUM.

H.R. 1622: Mr. HOLT.

H.R. 1643: Mr. O'ROURKE and Mr. HECK of Nevada.

H.R. 1653: Mr. HANNA, Ms. KAPTUR, Mr. SESSIONS, Mr. HURT, Mr. COOPER, Mr. FITZPATRICK, Mr. CARNEY, Mr. HECK of Nevada, Mr. HUIZENGA of Michigan, Mr. RICHMOND, Mr. KELLY of Pennsylvania, Mr. WELCH, Mr. BUCHANAN, Mr. ELLISON, Mr. BUCSHON, Mr. KING of New York, Mr. MCCAUL, Mr. LONG, Mr. QUIGLEY, and Mr. PERLMUTTER.

H.R. 1666: Mr. CICILLINE.

H.R. 1692: Mr. BLUMENAUER.

H.R. 1731: Mr. KENNEDY, Mr. HONDA, Mr. WAXMAN, and Mr. ENGEL.

H.R. 1733: Mr. WITTMAN and Mr. GUTHRIE.

H.R. 1750: Mr. HUELSKAMP and Mr. BARROW of Georgia.

H.R. 1761: Mr. SCHRADER.

H.R. 1767: Mr. CARNEY.

H.R. 1771: Mr. FORBES and Mr. WILSON of South Carolina.

H.R. 1781: Mr. RADEL.

H.R. 1792: Mr. ROTHFUS and Mr. MURPHY of Pennsylvania.

H.R. 1809: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Mr. RUSH.

H.R. 1812: Ms. DELBENE.

H.R. 1823: Mr. WALDEN.

H.R. 1825: Mr. YOUNG of Indiana.

H.R. 1829: Mr. ROTHFUS.

H.R. 1830: Mr. JOHNSON of Ohio, Mr. DOGGETT, and Mr. GALLEGO.

H.R. 1852: Mr. ENYART, Mr. LATTA, Mr. MCCLINTOCK, and Mr. CRAWFORD.

H.R. 1861: Mr. KLINE and Mr. RENACCI.

H.R. 1871: Mr. NUGENT.

H.R. 1900: Mrs. BLACKBURN.

H.R. 1908: Mrs. BACHMANN and Mr. DESANTIS.

H.R. 1921: Mrs. LOWEY, Mr. CARTWRIGHT, Mrs. CAPPS, and Ms. PINGREE of Maine.

H.R. 1999: Mr. O'ROURKE and Mr. WELCH.

H.R. 2003: Mr. LATHAM.

H.R. 2004: Mr. BLUMENAUER.

H.R. 2009: Mr. TURNER.

H.R. 2011: Mr. HECK of Nevada and Mr. O'ROURKE.

H.R. 2016: Mr. YOUNG of Alaska and Mrs. MILLER of Michigan.

H.R. 2019: Mr. UPTON, Mr. BILIRAKIS, Mr. FLORES, Mr. STUTZMAN, and Mr. GIBSON.

H.R. 2020: Ms. MCCOLLUM and Mr. FOSTER.

H.R. 2030: Mr. O'ROURKE, Ms. FRANKEL of Florida, and Mr. TIERNEY.

H.R. 2052: Mr. BACHUS.

H.R. 2053: Mr. BROUN of Georgia.

H.R. 2072: Mrs. ELLMERS, Mr. JONES, and Mr. COLLINS of New York.

H.R. 2084: Ms. KUSTER.

H.R. 2093: Mr. BRIDENSTINE and Mr. LUETKEMEYER.

H.R. 2112: Mr. REED, Ms. VELÁZQUEZ, Mr. NADLER, Mr. JEFFRIES, and Mr. MEEKS.

H.R. 2132: Mr. BERA of California.

H.R. 2146: Mr. CROWLEY.

H.R. 2172: Mr. LOWENTHAL.

H.R. 2182: Mr. COURTNEY.

H.R. 2195: Mr. POCAN, Ms. BROWN of Florida, Mr. LEWIS, Mr. TONKO, and Mr. LOWENTHAL.

H.R. 2208: Mr. JOYCE.

H.R. 2218: Mr. OLSON, Mr. SALMON, Mr. RYAN of Ohio, Mrs. WALORSKI, Mr. RODNEY DAVIS of Illinois, Mr. KINZINGER of Illinois, and Mr. ROSS.

H.R. 2220: Mr. LONG.

H.R. 2238: Mr. GOWDY.

H.R. 2250: Mr. HANNA, Mr. FOSTER, and Mr. HECK of Nevada.

H.R. 2273: Mr. HANNA, Mr. LATTA, and Ms. FUDGE.

H.R. 2277: Mr. BRIDENSTINE.

H.R. 2288: Ms. MATSUI, Mr. CROWLEY, and Ms. BONAMICI.

H.R. 2290: Mr. MCINTYRE.

H.R. 2305: Mr. HECK of Nevada.

H.R. 2310: Mrs. MILLER of Michigan.

H.R. 2317: Ms. WILSON of Florida.

H.R. 2328: Mr. HECK of Nevada, Mr. LATTA, Mr. KLINE, and Mr. TURNER.

H.R. 2352: Mr. CLAY.

H.R. 2383: Mr. KINZINGER of Illinois, Mr. CLEAVER, and Mr. SCHOCK.

H.R. 2384: Ms. NORTON, Mr. AL GREEN of Texas, Mr. CICILLINE, Mr. CLAY, Mr. WAXMAN, Mr. DELANEY, and Ms. BONAMICI.

H.R. 2399: Mr. YOHO, Mr. GIBSON, Mr. MICHAUD, and Mr. GOSAR.

H.R. 2403: Mr. WESTMORELAND.

H.J. Res. 34: Mr. KILMER.

H.J. Res. 47: Mr. JOHNSON of Ohio and Mrs. LUMMIS.

H. Con. Res. 4: Mr. BARROW of Georgia.

H. Con. Res. 16: Mrs. MCMORRIS RODGERS and Mr. PAULSEN.

H. Con. Res. 24: Mr. HECK of Nevada.

H. Res. 30: Mr. RODNEY DAVIS of Illinois.

H. Res. 104: Mr. RUIZ.

H. Res. 123: Mr. CASTRO of Texas.

H. Res. 136: Mr. WOLF.

H. Res. 212: Mr. JOHNSON of Ohio.

H. Res. 229: Mr. VISCLOSKY.

H. Res. 238: Ms. EDDIE BERNICE JOHNSON of Texas.

H. Res. 263: Mr. FORBES and Mr. FORTENBERRY.

H. Res. 265: Mr. HECK of Washington, Mr. GALLEGO, Mr. RICHMOND, Mr. CARTWRIGHT, and Mrs. NEGRETE MCLEOD.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

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

OFFERED BY MR. CAMP

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 1896, the International Child Support Recovery Improvement Act of 2013, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by Representative MCGOVERN or a designee to H.R. 1947, the Federal Agriculture Reform and Risk Management Act of 2013, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

HONORING JESSE THOMPSON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mr. Jesse Thompson who graduated from Jackson State University with a B.S. degree in science education.

Mr. Jesse Thompson began his career with the Pollution Control Commission in 1976 as an environmental aide in the Air Division of the Department of Environmental Quality (DEQ). While in the Air Division, he worked with the Minor Source Permitting, Compliance and Emission Management System. He was also the stack testing expert for Air Sampling. In 1995 he became the State's first Small Business Ombudsman. He was also responsible for managing the Mississippi Small Business Technical Program.

Mr. Thompson is currently the acting Director of the Environmental Resource Center, Environmental Assistance Division Director and the Diversity Coordinator.

Mr. Thompson is married to Judy G. Thompson of Jackson and they have a son (Jason) and a daughter (Janell).

Mr. Thompson is a member of the Greater Mt. Calvary Baptist Church where he is an Ordained Deacon, Chairman of the Trustee Board, Sunday School teacher and the Director of the church's television ministry.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Jesse Thompson for his dedication to serving others.

PRESIDENT GERALD R. FORD TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. TIPTON. Mr. Speaker, I rise today to recognize President Gerald R. Ford's humanitarian involvement in Operation Babylift.

On April 5th, 1975, President Ford launched Operation Babylift, an initiative that rescued over 3,000 orphans from war-torn Vietnam. Throughout the Vietnam War, these children witnessed the destruction of their villages and saw their families torn apart. Thanks to the efforts of President Ford, those children were given the opportunity for a bright future.

This year marks what would have been President Ford's 100th birthday. During his presidency Ford faced many challenges under extraordinary circumstances, and through them worked tirelessly on behalf of the American people with the hope of peace in his heart.

During a time of great uncertainty and fear, President Ford restored faith in humanity as he made the call to commence Operation Babylift, sending 30 cargo aircrafts to transport over 3,000 Vietnamese orphans out of war-torn Vietnam.

Mr. Speaker, it is an honor to recognize President Gerald R. Ford and his efforts that saved the lives of thousands of children.

PAYING TRIBUTE TO MAJOR GENERAL KARL R. HORST AND 40 YEARS OF DEDICATED SERVICE TO OUR NATION

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. YOUNG of Florida. Mr. Speaker, I rise to pay tribute to Major General Karl R. Horst, United States Army for his extraordinary dedication to duty and selfless service to the United States of America. Major General Horst will be retiring from his present assignment as the Chief of Staff, United States Central Command, MacDill Air Force Base, Tampa Florida.

Major General Karl R. Horst entered the United States Army in June 1973. He attended the United States Military Academy Preparatory School and went on to graduate from the United States Military Academy in 1978 and was commissioned as an Infantry Officer. After his first assignment as an Infantry Lieutenant in Germany, with the 3rd Infantry Division he commanded Infantry units at the Company, Battalion and Brigade levels with the 9th Infantry Division and the famed 82nd Airborne Division. He returned to the 3d Infantry Division in July 2004 as an Assistant Division Commander, serving at Fort Stewart, Georgia and in Baghdad, Iraq. Returning to Fort Bragg in September 2006, he assumed the duties as the Deputy Commanding General, XVIII Airborne Corps and Fort Bragg.

Major General Horst has served in a variety of Joint and Army Staff positions to include his most memorable assignments as an aide-de-camp to the Army Chief of Staff, and a Joint and North Atlantic Treaty Organization (NATO) assignment as the special assistant to the Supreme Allied Commander, Europe. Major General Horst served as the Chief of Staff, 82d Airborne Division; then as the Chief of Staff, XVIII Airborne Corps and Fort Bragg. Karl also commanded the United States Army Military District of Washington and Joint Force Headquarters National Capitol Region. At the Combatant Command level, he served as the Director for Operations, Plans, Logistics and Engineering (J3/J4), United States Joint Forces Command, Norfolk, Virginia and his final assignment was as the Chief of Staff, United States Central Command, MacDill Air Force Base, Tampa Florida.

Mr. Speaker, it has been a pleasure to recognize Major General Horst's long and decorated career today and also the great benefit to the Nation he has provided as a General Officer for the United States Army. We have worked closely with Major General Horst to accomplish the toughest tasks for our Service Men and Women and Karl has always achieved excellence daily during his tenure. On behalf of a grateful Nation, I join my colleagues today in recognizing and commending Major General Horst for a lifetime of service to his country. For all he and his family have given and continue to give to our country; we are in their debt. We wish him, his wife, Nancy and their three children: Kaitlin, 26, a graduate of the University of North Carolina, and also an Army wife and a graduate student at Gonzaga University; she lives in Vicenza, Italy, with her husband, Mason; son Paul, 23, graduated from North Carolina State University and is a graduate student at Embry-Riddle University; and daughter Megan, 21, is a senior at North Carolina State University, studying elementary education; she will spend this summer with the Teach for America program. All the best wishes as he moves into retirement.

PERSONAL EXPLANATION

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. JORDAN. Mr. Speaker, I was absent from the House floor during last night's three rollcall votes.

Had I been present, I would have voted in favor of H.R. 876, H.R. 253, and H.R. 862.

HONORING PRINCESS DOE AND ALL MISSING CHILDREN

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. GARRETT. Mr. Speaker, I rise today to bring to America's remembrance the plight of missing children across our nation. On July 15, 1982—just over 30 years ago—a homicide victim was discovered in Blairstown, New Jersey, which is in the 5th Congressional District. The young victim—just 13 or 14 years of age at the time of her death—was never identified. To us today, she is known as Princess Doe. But to her family and friends, she remains a missing loved one—and each and every day her family lives with the uncertainty of what happened to her more than 30 years ago.

According to the National Center for Missing and Exploited Children, almost 800,000 children under 18 are reported missing each

year—or an average of 2,185 each day. Some of these instances have happy endings, and the children are reunited with their families. Sadly, other instances have tragic endings. Princess Doe never came home.

I stand here today to draw attention to the plight of these missing children and their families. Each and every day, families across America pray for the return of their missing child. And each and every day, law enforcement professionals spend long hours and sleepless nights in search of these children.

May we never forget those children still waiting to be found. May we never forget those families still looking for their missing child. And may we never cease in our efforts to reunite children safely with their families.

CAT OSTERMAN—A TEXAS SOFTBALL LEGEND

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. POE of Texas. Mr. Speaker, today I am honored to recognize a talented Texas woman, Catherine ''Cat'' Osterman, a fast pitch softball legend. Born in Houston, Cat discovered at an early age that she wanted to be a pitcher. There was no denying that she was a natural athlete, but it wasn't until the day that she filled in as a back-up pitcher for her Little League softball team that sparked the fire making her so successful in her sport.

Since that first taste of pitching, Cat's love for the game blossomed. Through her hard work and determination, she became a star on her high school's softball team. Her pitching is incredible: she has mastered six pitches, and she reserves her most famous pitch, the fast pitch, for critical moments on the field.

She graduated from Cypress Springs High School where she earned the Gatorade National Softball Player of the Year Award as well as her now famous nickname ''Cat.'' She went on to play softball for the Longhorns at the University of Texas at Austin when the softball team was only 5 years old. During Cat's time in Austin, she broke every softball record at the University of Texas.

Cat's talent and passion for the game took her and her team to 3 Women's College World Series. She remains the only person to have ever won the national college player of the year 3 times. Because of her incredible talent and statistics, Cat was asked to play for Team USA in the 2004 Olympics in Athens. At only 21 years of age, Cat became an Olympic gold medalist, having pitched nearly 15 innings without allowing a run. Athens was not Cat's only Olympic experience; she returned to the Olympic Games 4 years later in Beijing, once more pitching for the United States national softball team.

After the Olympics, Cat's career in softball continued to be successful. She played for Team USA, winning 2 world championships, and she was the first draft pick for Connecticut Brakettes in the National Pro Fastpitch softball league.

This April, Cat announced that she will be retiring from pitching. But you can't keep her away from the game that she loves. Her passion for the game has driven her all these years, and passion like that doesn't just die. Cat's passion is leading her to coach softball for St. Edwards University in Austin, Texas, and to help others to become passionate about the game themselves. People like Cat Osterman, who dedicate their lives to what they are passionate about, are the reason why this country remains great.

And that's just the way it is.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Ms. LEE of California. Mr. Speaker, I was not present for rollcall votes 245–247. Had I been able to vote, I would have voted ''yes'' on all three.

COMMEMORATING THE LIFE AND MEMORY OF MR. JOSEPH A. PINNOLA

HON. MICHAEL G. GRIMM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. GRIMM. Mr. Speaker, I rise today to commemorate the life and memory of a marvelous Staten Islander, a model citizen, and a devoted family man, Mr. Joseph A. Pinnola, 83, who passed away on May 14th at his Dongan Hills home.

Born in Brooklyn, Joseph Pinnola moved to Great Kills in 1966 and settled in Dongan Hills in 1974. In 1944, at the age of 14, Mr. Pinnola began working at a drugstore to support his family after the death of his father. He started his career with Brooklyn Union Gas Company about three years later, working as a messenger. Mr. Pinnola served in the U.S. Army from 1952 to 1954, attaining the rank of staff sergeant during the Korean War. On guard duty one night, he sounded an alarm that alerted his company to a fire that had broken out in the compound where thousands of his comrades lay sleeping. He was also assigned to the Army Security Agency, working in cryptography and counter intelligence. On at least one occasion, he is said to have cracked a key enemy code.

On his return to civilian life, Mr. Pinnola continued working for Brooklyn Union while he took night classes at St. John's University. He earned his B.A. in accounting from St. John's in 1954, and was promoted to programmer at Brooklyn Union. He would go on to play a large role in the development and implementation of the company's computer systems throughout the next three decades. In 1982, as he continued moving ahead with his career, Mr. Pinnola graduated from the executive program in business administration at Columbia University. He was named senior vice president and chief information officer at Brooklyn Union in 1991, and retired three years later.

Affiliated with several organizations, Mr. Pinnola served on the board of trustees of Brooklyn Hospital. He was also a member of Community Board 2 and involved with the Jacques Marchais Center for Tibetan Art in Richmond. In his leisure time, he enjoyed jogging, cooking, drawing and playing the piano. Above all, he cherished spending time with his family and he particularly loved taking vacations with his children and grandchildren to Long Beach Island. ''He was happiest around his family and grandchildren,'' said his son Joseph. He courageously supported his family after the tragic death of his grandson, Christopher S. Pinnola, in 2007. He is survived by his wife of 53 years, the former Anita Adinolfi; his sons, Joseph, Steven, Richard and Kenneth; his daughters, Mary Pinnola-Waring and Joyce Pinnola; a sister, Nina Perry, and 10 grandchildren.

In all, Mr. Pinnola led a full life, enjoyed a successful career, but above all, always made time for his greatest of all joys, his beautiful and loving family.

PERSONAL EXPLANATION

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. LAMBORN. Mr. Speaker, I was unavoidably detained due to a family medical situation and was unable to vote on rollcall No. 245, rollcall No. 246, and rollcall No. 247.

Had I been present, I would have voted ''yea'' on rollcall No. 245, ''yea'' on rollcall No. 246, and ''yea'' on rollcall No. 247.

RECOGNIZING THE 10TH ANNIVERSARY OF PEPFAR: A CRITICAL PART OF THE FIGHT AGAINST AIDS

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Ms. SCHAKOWSKY. Mr. Speaker, ten years ago Congress, with the leadership of the Bush Administration, enacted the bipartisan President's Emergency Plan for AIDS Relief (PEPFAR), an initiative which the Institute of Medicine in a Congressionally-requested February 2013 report called ''globally transformative.''

In its 10 years, PEPFAR has saved lives, improved health care delivery systems and, as the IOM concluded, provided a ''lifeline'' that restored hope to areas devastated by the epidemic. Over the course of its existence so far, PEPFAR has spent $46 billion to expand access to prevention, treatment and medical services. Through its contributions, new infections in sub-Saharan Africa, one of the hardest-hit areas, have dropped by 25 percent.

PEPFAR is a success story. It is part of the global effort to prevent, treat, and, soon I hope, find a cure so that we can end AIDS. We should celebrate PEPFAR's decade's worth of achievements, while we must also recommit to its goals. For, as the IOM report stated and all of us know, ''substantial unmet

needs remain across HIV services'' both here and abroad.

PEPFAR itself is part of an ongoing effort to respond aggressively and effectively to HIV and AIDS. I would like to draw my colleagues' attention to an article by Dr. Allan Brandt from the June 6, 2013 New England Journal of Medicine, outlining the ways that the effort surrounding HIV/AIDS has reshaped our vision of global health—both what is needed and what is achievable.

As we pause today to recognize the 10th anniversary of PEPFAR, it is also important to recognize the enormous work of AIDS activists and providers who have been leading this fight for decades. Their work, as Dr. Brandt's article details, has had consequences that go far beyond combating AIDS—as critical as that is—to shape the way we think about the right to medical care, health care justice, and our global relationships and responsibilities. It has also focused on the need to make essential medicines available—a matter of much attention in the ongoing Trans-Pacific Partnership trade discussions—and to build robust networks of medical professionals and community health workers.

Today, PEPFAR continues to partner with countries that rely on the United States to show leadership in meeting ongoing needs and challenges. While we can celebrate its successes today, we cannot be complacent. The fight against AIDS is a fight for global health, and it is one that we must continue to support.

[From the New England Journal of Medicine, June 6, 2013]

HOW AIDS INVENTED GLOBAL HEALTH

(By Allan M. Brandt, Ph.D.)

Over the past half-century, historians have used episodes of epidemic disease to investigate scientific, social, and cultural change. Underlying this approach is the recognition that disease, and especially responses to epidemics, offers fundamental insights into scientific and medical practices, as well as social and cultural values. As historian Charles Rosenberg wrote, ''disease necessarily reflects and lays bare every aspect of the culture in which it occurs.''

Many historians would consider it premature to write the history of the HIV epidemic. After all, more than 34 million people are currently infected with HIV. Even today, with long-standing public health campaigns and highly active antiretroviral therapy (HAART), HIV remains a major contributor to the burden of disease in many countries. As Piot and Quinn indicate in this issue of the Journal (pages 2210–2218), combating the epidemic remains a test of our expanding knowledge and vigilance.

Nonetheless, the progress made in addressing this pandemic and its effects on science, medicine, and public health have been far-reaching. The changes wrought by HIV have not only affected the course of the epidemic: they have had powerful effects on research and science, clinical practices, and broader policy. AIDS has reshaped conventional wisdoms in public health, research practice, cultural attitudes, and social behaviors. Most notably, the AIDS epidemic has provided the foundation for a revolution that upended traditional approaches to ''international health,'' replacing them with innovative global approaches to disease. Indeed, the HIV epidemic and the responses it generated have been crucial forces in ''inventing'' the new ''global health.''

This epidemic disrupted the traditional boundaries between public health and clinical medicine, especially the divide between disease prevention and treatment. In the 1980s, before the advent of antiretroviral therapies, public health officials focused on controlling social and behavioral risk factors; prevention was seen as the only hope. But new treatments have eroded this distinction and the historical divide between public health and clinical care. Clinical trials have shown that early treatment benefits infected patients not only by dramatically extending life expectancy, but by significantly reducing the risk of transmission to their uninfected sexual partners. Essential medicines benefit both patients and populations, providing a critical tool for reducing fundamental health disparities. This insight has encouraged the integration of approaches to prevention and treatment, in addition to behavioral change and adherence.

The rapid development of effective antiretroviral treatments, in turn, could not have occurred without new forms of disease advocacy and activism. Previous disease activism, for example, had established important campaigns supporting tuberculosis control, cancer research, and the rights of patients with mental illness. But AIDS activists explicitly crossed a vast chasm of expertise. They went to Food and Drug Administration meetings and events steeped in the often-arcane science of HIV, prepared to offer concrete proposals to speed research, reformulate trials, and accelerate regulatory processes. This approach went well beyond the traditional bioethical formulations of autonomy and consent, As many clinicians and scientists acknowledged, AIDS activists, including many people with AIDS, served as collaborators and colleagues rather than constituents and subjects, changing the trajectory of research and treatment. These new models of disease activism, enshrined in the Denver Principles (1983), which demanded involvement ''at every level of decision-making,'' have spurred new strategies among many activists focused on other diseases. By the early 2000s, AIDS activists had forged important transnational alliances and activities, establishing a critical aspect of the ''new'' global health.

Furthermore, HIV triggered important new commitments in the funding of health care, particularly in developing countries. With the advent of HAART and widening recognition of HIV's potential effect on the fragile progress of development in resource-poor settings, HIV spurred substantial increases in funding from sources such as the World Bank. The growing concern in the United Nations and elsewhere that the epidemic posed an important risk to global ''security'' elicited new funding from donor countries, ultimately resulting in the establishment of the Global Fund to Fight AIDS, Tuberculosis, and Malaria. In 2003, it was joined by the U.S. President's Emergency Plan for AIDS Relief (PEPFAR), which, with bipartisan support, initially pledged $15 billion over 5 years. Since PEPFAR's inception, Congress has allocated more than $46 billion for treatment, infrastructure, and partnerships that have contributed to a 25% reduction in new infections in sub-Saharan Africa.

HIV has also attracted remarkable levels of private philanthropy, most notably from the Bill and Melinda Gates Foundation. HIV funding led to new public private partnerships that have become a model for funding of scientific investigation, global health initiatives, and building of crucial health care delivery infrastructure in developing countries. These funding programs have fomented contentious debates about priorities, efficiency, allocation processes, and broader strategies for preventing and treating many diseases, especially in poorer countries. Nonetheless, they offered new approaches to identifying critical resources and evaluating their effect on the burden of disease. The success of future efforts will depend on maintaining and expanding essential funding during a period of global economic recession, as well as new strategies for evaluating the efficacy of varied interventions.

AIDS also spurred another related debate that continues to roil global health about the cost of essential medicines. Accessibility of effective and preventive treatments has relied on the availability of reduced-cost drugs and their generic equivalents. A recent decision by the Indian Supreme Court upheld India's right to produce inexpensive generics, despite the multinational pharmaceutical industry's claims for stronger recognition of patents.

Another central aspect of the new activism was an insistence that the AIDS epidemic demanded the recognition of basic human rights. Early on, lawyers, bioethicists, and policymakers debated the conditions under which traditional civil liberties could be abrogated to protect the public from the threat of infection. Such formulations reflected traditional approaches to public health and the ''police powers'' of the state, including mandatory testing, isolation, detention, and quarantine. Given the stigma attached to HIV infection at the time, as well as ungrounded fears of casual transmission, affected people often suffered the double jeopardy of disease and discrimination. As a result, Jonathan Mann, the first director of the World Health Organization's Global Program on AIDS, explained, ''To the extent that we exclude AIDS infected persons from society, we endanger society, while to the extent that we maintain AIDS infected persons within society, we protect society. This is the message of realism and of tolerance.'' Mann argued that HIV could never be successfully addressed if impositions on human rights led people to hide their infections rather than seek testing and treatment. Only policy approaches that recognized and protected human rights (including the rights to treatment and care, gender equality, and education) would permit successful clinical and population-based interventions.

These complementary innovations are at the core of what we now call ''global health'' which has demonstrated its capacity to be far more integrative than traditional notions of international health. It draws together scientists, clinicians, public health officials, researchers, and patients, while relying on new sources of funding, expertise, and advocacy. This new formulation is distinct, first of all, in that it recognizes the essential supranational character of problems of disease and their amelioration and the fact that no individual country can adequately address diseases in the face of the movement of people, trade, microbes, and risks. Second, it focuses on deeper knowledge of the burden of disease to identify key health disparities and develop strategies for their reduction. Third, it recognizes that people affected by disease have a crucial role in the discovery and advocacy of new modes of treatment and prevention and their equitable access. Finally, it is based on ethical and moral values that recognize that equity and rights are central to the larger goals of preventing and treating diseases worldwide.

For more than the past decade, major academic medical centers, schools of public

health, and universities have created global health programs and related institutes for multidisciplinary research and education. Thus, the institutionalization of this formulation is not only affecting services worldwide, but also changing the training of physicians, other health professionals, and students of public health. When the history of the HIV epidemic is eventually written, it will be important to recognize that without this epidemic there would be no global health movement as we know it today.

HONORING MRS. JOSEPHINE TILLMAN SINGLETON

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable civil servant and extraordinary educator, Mrs. Josephine Tillman Singleton. Her service to education and the community spans over 35 years.

Mrs. Josephine Tillman Singleton was born October 1, 1940 to Mr. Earnest and Mrs. Parthinia Salone. Under the care and love of her grandparents, Mr. Spencer Graham and Mrs. Mary Tillman. Mrs. Singleton grew up in the St. Thomas community in Hinds County, Mississippi. She received a formal education at St. Thomas Elementary and Sumner Hill High Schools. She matriculated at Utica Junior College in Utica, Mississippi and later furthered her studies at Jackson State University. For all who know her, Mrs. Singleton is a true champion for early childhood education and her professional career speaks volumes of the works and contributions she has made on behalf of preschool aged children and individuals in her community.

In 1965, Mrs. Singleton began her career in early childhood education by becoming a volunteer at St. Thomas Elementary School. In June 1966, the federally funded Headstart programs were initiated in the St. Thomas community, allowing Mrs. Singleton to become an official teacher at the school. During her years as an educator, Mrs. Singleton was well known for her motherly, nurturing spirit and her love and willingness to help others. Her exceptional work as an educator granted her the opportunity to become the first appointed Center Administrator in the Hinds County Headstart System. She continued in that position until September 2004, distinguishing her as the oldest operating Center Administrator. During her tenure, she also served as the first officiating president for the district Association of Center Administrators for Hinds County Human Resource Agency (HCHRA).

Her influence in the community not only touched the children she educated, but also the parents and numerous close-knit community organizations. Her devotion to positive outreach inspired at least 20 parents of the St. Thomas community to ultimately serve as presidents of the HCHRA Policy Council. Mrs. Singleton was an integral part of the 4–H Club, which emphasized horticulture and other subject areas. The organization participated yearly in events on a state and national scale.

In order to help parents seeking a better future for themselves and their families, Mrs. Singleton used her influence as a board member for General Education Development (GED) with the Clinton Public School district by arranging class schedules held at the St. Thomas Headstart Center. She also assisted adolescents with employment opportunities through her coordinated efforts with the Neighborhood Youth Challenge.

Mrs. Singleton was instrumentally involved in various political campaigns. Her innumerable connections within the community were a tremendous asset to those seeking public office in and around Bolton, Clinton, Edwards, and Raymond, Mississippi. Her outreach efforts are also marked by her participation in the annual Christmas Cheer drive, which is geared towards delivering food items and holiday cheer to those who are homebound and elderly. She also served as president of numerous community outreach organizations, such as the Kitchen Ministry, the Neighborhood Watch, and the St. Thomas Recreation Association.

Currently, Mrs. Singleton enjoys her days spending time with her husband, Mr. Johnny Singleton, Sr., with whom she has been married to for almost 50 years, her five children: Perry, Cathedral, Johnny, Jr., Shauna, and Shantae; and her grandchildren. She is a lifelong member of the St. Thomas Missionary Baptist Church, where she serves as Sunday school teacher.

Mr. Speaker, I ask my colleagues to join me in recognizing Mrs. Josephine Tillman Singleton for her dedication and service as a respected educator and her commendable contributions made to early childhood education and the St. Thomas community.

PERSONAL EXPLANATION

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, on rollcall No. 245, I was at a funeral.

Had I been present, I would have voted "yea."

RECOGNITION OF THE TERRENCE M. RYAN AGRICULTURAL CENTER

HON. MARCIA L. FUDGE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Ms. FUDGE. Mr. Speaker, on behalf of the citizens of the Eleventh District of Ohio, I am pleased to recognize the opening of the Terrence M. Ryan Agricultural Center on June 14, 2013. Congratulations to all of the partners for their vision and determination in making this wonderful facility a reality.

As a strong supporter of Cleveland Crops and its initiative to build an agricultural center in Cleveland, Ohio, I am pleased by the overwhelming community support and the relationships and partnerships that grew out of this project. The opening of the Terrence M. Ryan Agricultural Center speaks to the importance of reforming our local food system, and I am pleased to be a part of these efforts.

I congratulate Cleveland Crops and the Cuyahoga County Board of Developmental Disabilities on the success of the opening of the Terrence M. Ryan Agricultural Center and the positive impact it will have on our community.

I am proud to support the constituents of the Eleventh District of Ohio and am a vigorous supporter of our thriving urban agricultural community.

PERSONAL EXPLANATION

HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Ms. KUSTER. Mr. Speaker, on June 14, 2013, I missed the following Rollcall vote: number 237 for the Smith of Washington Part B Amendment No. 20 to H.R. 1960. Had I voted, I would have voted "aye" on this Rollcall vote.

HONORING MR. LOUIS DRUMMOND ON THE OCCASION OF HIS RETIREMENT FROM THE LIBRARY OF CONGRESS

HON. GREGG HARPER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. HARPER. Mr. Speaker, I wish to commend Mr. Louis Drummond for his 30 years of exemplary service to the United States Congress. Mr. Drummond has been an invaluable member of the Congressional Research Service (CRS) most notably while developing, supporting and maintaining the Legislative Information System (LIS), a vital legislative branch partnership. The Congress, the Library of Congress and the public have greatly benefited from his outstanding work.

Mr. Drummond came to the Library of Congress from library school in June 1983 for the nine-month Library of Congress Intern Program. After the Intern Program, he worked as a reference librarian in the Main Reading Room for two years. Due to his interest in automation and his work on the new optical disk program, he then moved to CRS.

His career at CRS has been notable for innovation, responsiveness to the needs of Congress, and his willingness to share his extensive knowledge with others. He was a leader in the introduction of the Internet into the services of the Library. He coordinated the planning, policy and development of CRS's first home page as well as the Library's first website. Mr. Drummond was a critical player in the Library's ability to adapt, master, and eventually take an international leadership role in the Internet. Other accomplishments include the development and support of SCORPIO, a 1970's mainframe program that retrieved legislative and public policy information, and MARVEL, the Library's first Internet Gopher system.

Mr. Drummond's devotion to the needs of congressional users for legislative information has defined his career. In 1996, Congress directed CRS to coordinate the creation of a single integrated legislative retrieval system (the LIS) that would serve the House, the Senate, and other congressional agencies. Mr. Drummond took responsibility for that directive and not only coordinated the development of the system, but also ensured that over the years it met the needs of the user community. Finally, he participated in the Legislative Branch XML Working Group which has been charged with improving the availability and exchange of legislative data amongst agencies and the public by publishing it in XML format.

On behalf of the entire congressional community, we extend congratulations to Mr. Louis Drummond for his many years of dedication, outstanding contributions, and service to the Congress and we wish him the very best in his retirement.

COMMEMORATING MARTIN J. (MARTY) LOMBARDI FOR HIS OUTSTANDING CIVIC CONTRIBUTIONS

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. HUFFMAN. Mr. Speaker, I rise with my colleague MIKE THOMPSON to honor Martin James (Marty) Lombardi, an outstanding human being, committed youth advocate, consummate civic leader, and a model community banker.

A native of San Francisco, Marty was born of immigrant parents from Malaga, Spain, and Luca, Italy. A graduate of St. Mary's College, he earned a Bachelor of Science Degree in Economics before moving to the northern California town of Ukiah in 1975. Exemplary as the consummate small town banker, Marty Lombardi earned the respect of home buyers as well as business leaders, small and large. During his tenure at the Savings Bank of Mendocino County where he is Senior Vice President, Marty has been a forward thinker supporting projects with far reaching beneficial effects.

Marty served as President of the California Independent Bankers and the Community Bankers of California and as chair of the Mendocino County Workforce Investment Board. He was President of the Ukiah Education Foundation and served on the Boards of Directors for the Ukiah Valley Medical Center; American Red Cross: Sonoma, Mendocino and Lake Counties Chapter; Mendocino County Public Safety Foundation; both Ukiah High and Mendocino Community College Mathematics, Engineer, Science Achievement (MESA) Board; Mendocino Community College Bond Oversight; Mendocino Winegrowers Foundation; United Way: Sonoma, Mendocino, Lake and Humboldt Counties Chapter; Tapestry (Foster Care); Ukiah Chamber of Commerce; Ukiah-Boys and Girls Club; and Nuestra Casa.

He has been a visionary who established the Mendocino Agricultural Families Scholarship, spearheaded the Ukiah Valley Cultural & Recreational Center, and was on the steering committee for Leadership Mendocino.

Marty, who is retiring as a banker, is regarded for his "kind and loving heart" by his family including his wife Kathleen, their six children, and by our extended local community and the hundreds of students who benefitted from his counsel.

The residents of California's Second and Fifth District are better off today thanks to the work of Marty Lombardi, and it is appropriate that we honor him as an energetic, gregarious, forward thinking and optimistic civic leader. He is a mentor to many and a model for all.

HONORING LOYCIE MARVINE GRIFFIN

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mrs. Loycie Marvine Morgan Griffin, a Leake County native.

Mrs. Griffin was a member of Jones Chapel M. B. Church where she served as choir president and advisor, president of the mission board, a nurse usher, a member of the mother's board, and a culinary ministry member. She was a Headstart teacher, a nurse, and also served many years as the Most Ancient Matron of the Heroines of Jericho.

Mrs. Griffin's survivors include: two sons, J.C. Griffin and Lois L. Griffin; seven daughters, Almyrtis Henson, Marvis Smith, Pratmus Henson, Priscilla Rogers, all of Carthage, Mississippi, Gwen Davis, Desoto, Texas, Sylvia McKinney, Lancaster, Texas, and Sherry Harris, Terry, Mississippi; five sisters: Bernice Chambers and Bettye Morgan, both of Miwaukee, WI; Verline Gaines and Winnie Millsap, both of Chicago, IL, and Dealie Widler, Carthage, Mississippi; 36 grandchildren; and 43 great-grandchildren.

Mrs. Griffin was definitely a pillar of her community by not only holding many reputable positions in her church, but by fostering positive images and reputations through helping others in her community.

Mr. Speaker, I ask my colleagues to join me in recognizing the late Mrs. Loycie Marvine Griffin for her dedication to serving others.

PERSONAL EXPLANATION

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. PASTOR of Arizona. Mr. Speaker, on rollcall Nos. 245, 246 and 247, due to weather delays in my travel, had I been present, I would have voted "aye."

10TH ANNIVERSARY OF PEPFAR

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Ms. LEE of California. Mr. Speaker, I submit the following letter of Dec. 18, 2002, on the 10th anniversary of PePFAR.

CONGRESS OF THE UNITED STATES,
Washington, DC, December 18, 2002.

President GEORGE W. BUSH,
1600 Pennsylvania Avenue,
Washington, DC.

DEAR PRESIDENT BUSH, As members of the Congressional Black Caucus, we are writing to draw your attention to the growing spread of HIV/AIDS throughout the developing world. It would be impossible to overstate the devastation caused to date by the global AIDS pandemic, or the urgency of the need for a greater response from the United States and the global community. With 42 million people currently living with HIV/AIDS—29.4 million of them in Sub-Saharan Africa—14 million children already orphaned by the disease, and 70 million more people expected to die by 2020, we must do more now. We must respond on an appropriate scale to address the greatest plague in recorded history.

The United States, as the world's wealthiest nation, must take greater action by contributing its fair share, and in doing so we can help galvanize the global response that we so desperately need. As you prepare to travel to Africa in January, and as you prepare your budget for fiscal year 2004, you have a remarkable opportunity to demonstrate United States leadership against AIDS at a moment when the world will be watching. We urge you to launch a major new US initiative to fight AIDS, as well as tuberculosis and malaria. TB is the leading killer of people with HIV, claiming 2 million lives each year despite the existence of an effective and inexpensive cure, while malaria kills nearly one million people each year, most of them young children in Africa.

An expanded US Initiative to fight AIDS must:

Provide at least 2.5 billion for implementation of global AIDS programs in 2004, as well as additional funds to combat TB and malaria. At least 50% of this should go to the Global Fund to Fight AIDS, TB and Malaria.

Prioritize treatment, as well as prevention and care, for those affected—including an expanded mother-to-child transmission initiative that would detect and treat entire families, and including funding and personnel as needed to implement the WHO call to treat three million people with HIV by 2005.

Promote developing country access to sustainable supplies of affordable medicines for AIDS and other diseases such as opportunistic infections in accordance with the Doha Ministerial Declaration on the TRIPS Agreement and Public Health and oppose any attempts to limit the scope of the Declaration.

Expand programs for children orphaned by AIDS.

Seek debt cancellation for impoverished countries, so they can invest in poverty reduction and AIDS programs.

Most importantly, a US initiative should consist of new monies and policies that complement existing US-supported programs and are additional to the Millennium Challenge Account (MCA). The MCA, however, also must help meet the Millennium Development Goal of halting and reversing the spread of these diseases.

We cannot win the war against AIDS without greater financial resources and a clear plan of action for the United States. Programs around the world are ready to scale up prevention, treatment, and care to save lives now, and to develop the systems needed to save tens of millions more in the future. Each day we delay in mounting a comprehensive—and compassionate—response to the global AIDS and TB pandemics, the cost in human, social, and economic terms grows. You will have our strong support and the support of the American people for a bold new initiative to save families and communities affected by the AIDS crisis, to extend the parent-child relationship, and to secure the future of young people.

Sincerely,

Barbara Lee; Donna Christian-Christensen; Edolphus Towns; Charles Rangel; Julia Carson; Juanita Millender-McDonald; Maxine Waters; Danny K. Davis; Robert Scott; Elijah Cummings; William ''Lacy'' Clay, Jr.; Stephanie Tubbs Jones; Eddie Bernice Johnson; Bobby Rush; Carolyn Kilpatrick; Diane E. Watson; Gregory Meeks; Major Owens; Harold Ford, Jr., John Conyers; Alcee Hastings; Sheila Jackson Lee; Eleanor Holmes Norton; Donald Payne; Sanford Bishop; Bennie Thompson; Melvin Watt; Corrine Brown; Chaka Fattah; Jesse Jackson, Jr.; James Clyburn; Albert R. Wynn.

40TH ANNIVERSARY OF JHPIEGO

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. SARBANES. Mr. Speaker, I rise today to congratulate Jhpiego, a non-profit, global health affiliate of Johns Hopkins University, on the occasion of their 40th anniversary. I would like to recognize the employees of Jhpiego for their tireless service in providing health care for vulnerable populations and preventing needless deaths throughout the developing world.

Headquartered in my hometown of Baltimore, Jhpiego has grown to become a force for good around the world. Founded in 1973 by Dr. Theodore King, Jhpiego initially brought healthcare professionals from Latin America, Asia, and Africa to Baltimore to learn the latest practices in women's health.

As time progressed, Jhpiego's leadership realized they could have a greater impact by bringing their medical knowledge and training to the countries whose populations they were trying to serve. In 1979, Jhpiego started in-country training programs on three continents. These programs were extremely successful and, in 1993, Jhpiego opened its first field office in Kenya. Today, Jhpiego operates field offices and clinics in over thirty countries providing invaluable medical services to people who would otherwise be without basic healthcare.

This focus on developing the capacity of countries to create their own healthcare network, combined with the delivery of extremely low-cost solutions to common health problems, has proven to be the great genius of Jhpiego. Jhpiego and its more than 1,500 employees have successfully brought the resources and expertise of Johns Hopkins to over 150 countries around the world. In the process, they have trained tens of thousands of people to be reliable healthcare providers.

This was no easy task. Over the past 40 years, Jhpiego has worked in some of the most remote areas of the world. Undaunted by this challenge, Jhpiego employees have learned to thrive under difficult and sometimes dangerous conditions.

Mr. Speaker, I hope you will join me in recognizing Jhpiego and congratulating them on their 40th anniversary. This outstanding organization has made a tremendous impact, saving lives and improving quality of life around the world.

PERSONAL EXPLANATION

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. MARCHANT. Mr. Speaker, due to my flight to Washington, DC arriving late yesterday, I unexpectedly missed the following rollcall votes:

On rollcall 245, passage of H.R. 876, Idaho Wilderness Water Resources Protection Act, I would have voted ''yea.''

On rollcall 246, passage of H.R. 253, Y Mountain Access Enhancement Act, I would have voted ''yea.''

On rollcall 247, passage of H.R. 862, To authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners on an erroneous survey conducted in May 1960, I would have voted ''yea.''

PERSONAL EXPLANATION

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. GEORGE MILLER of California. Mr. Speaker, I was unavoidably detained yesterday and missed roll Nos. 245, 246, and 247. Had I been present, I would have voted ''yea'' on each of those votes.

HONORING LUTHER BUCKLEY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mr. Luther Buckley who was born and reared in Jackson, Mississippi.

Mr. Buckley began his early education at the St. Marks Episcopal School, and completed his elementary and secondary school education at Smith Robertson Elementary School and Lanier High School.

Upon graduation from Lanier High School, Mr. Buckley enlisted in the United States Army, serving the majority of his enlistment in the European Theater of Operations. After completing his tour of duty, he returned to Jackson where he resumed his educational experiences.

Mr. Buckley received a B.S. Degree from Jackson State University and a M.A. Degree in School Administration from Western Reserve University in Cleveland, Ohio. He has also done further study at the University of Oklahoma, Atlanta University, Mississippi State University and Mississippi College.

Mr. Buckley's professional experiences began as a principal in Leflore County Schools in 1948. In 1955 he moved to the Jackson Public Schools where he served one year as principal of Brinkley Junior High School and thirty-one years as principal of Lanier High School. He retired from then Jackson Public Schools in June 1987.

Throughout Mr. Buckley's career, he has maintained many professional affiliations: a long standing member of the National Association of Secondary School Principals, Mississippi Association of Secondary School Principals and the Phi Delta Kappa Professional Education Fraternity. He has also served as Vice President of the Third District Teachers Association, and on the boards of numerous organizations such as: Mississippi High Schools Activities Association, Magnolia State High School Activities, Mississippi Secondary School Principals Association, American Red Cross, Crime Stoppers of Jackson, Jackson State University Athletic Affairs and Mississippi Retired Public Employees Association (PERS).

A highlight in Mr. Buckley's professional career was his selection as a member of the Danforth School Administrations' Fellowship program, a selection which enabled participating administrators to tour school districts of the program participants and participates in numerous out-of-state seminars.

On April 2, 1987 Mr. Buckley received the ''Spirit of Mississippi Award'' from Television Station WLBT for his educational contributions to the City of Jackson and the State of Mississippi.

Mr. Buckley is a member of the Omega Psi Phi Fraternity, Beta Alpha Chapter, and the Central United Methodist Church where he serves as a member of the Trustee Board.

Mr. Buckley has two children and six grandchildren.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Luther Buckley for his dedication to serving others.

RECOGNIZING THE 25TH ANNIVERSARY OF THE FOUNDING OF THE ARLINGTON FOOD ASSISTANCE CENTER

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. MORAN. Mr. Speaker, I rise today to celebrate the 25th anniversary of the founding of the Arlington Food Assistance Center (AFAC). Arlington County is the third wealthiest county in the United States; amidst this

wealth, many residents and their families do not have the resources to adequately provide nutrition for either themselves or their families. This group includes many different groups in our society—the disabled, elderly, unemployed, under-employed, and homeless students in Arlington public schools.

Hunger is the physical sensation that results from not having enough food to eat. However, when talking about ''hunger in America,'' what is often meant is more accurately called ''food insecurity.'' Food insecurity is defined as a lack of access to enough food to fully meet basic needs due to lack of financial resources. A recent survey of Arlington County residents found that more than 4 in 10 individuals making $60,000 or less are having these struggles. Nearly 15,000 people in Arlington County currently suffer from food insecurity.

In early 1988, a small group of concerned citizens in Arlington County gathered together their resources to found an organization whose sole purpose was to alleviate hunger among their neighbors in need. This group was soon joined by six congregations, all of whom operated food pantries serving small groups of families. Since then, AFAC has grown into the largest food bank serving Arlington County and is the only organization in the County solely dedicated to alleviating hunger.

At the time of its founding, AFAC was serving approximately 200 families. AFAC has grown considerably since then. They currently distribute food to over 1,600 families and almost 4,500 individuals through 16 locations spread across the County. Over 35 percent of their clients are children. The elderly, who often have to choose between food or medicine, make up 30 percent of their clientele. Annually, this organization seeks to lower the incidence of hunger in our community by distributing over three million pounds of fresh vegetables and fruit, meat, eggs, milk, bread, and other groceries.

Mr. Speaker, I am pleased to take this opportunity to honor the Arlington Food Assistance Center as it marks 25 years of dedicated service to the residents of Arlington County.

A SPECIAL TRIBUTE TO THE DEFIANCE BULLDOGS

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. LATTA. Mr. Speaker, it is with a great deal of pride that I rise to pay a very special tribute to an outstanding high school baseball team in Ohio's Fifth Congressional District. The young men of the Defiance High School baseball team have represented their school ably on their way to achieving the Division II State Baseball Championship.

In their effort to surpass all other teams in the Division II State Baseball Championship Game, the Defiance Bulldogs overcame the challenges posed by intense competition.

In pursuing the State Championship, the Defiance Bulldogs defeated Plain City Jonathan Alder to claim their second state championship in their fourth appearance at the state baseball championship game. In winning the Division II Boys Baseball State Championship, the members of this very special team have shown that their sport requires an individual effort for a team result and great support from their community. As a direct outcome of their hard work and dedication on and off the field, their accomplishment is truly outstanding.

Mr. Speaker, I ask my colleagues to join me in paying special tribute to the 2013 Defiance High School baseball team. On behalf of the people of the Fifth District of Ohio, I am proud to recognize this great achievement.

INTRODUCTION OF THE SALLY K. RIDE CONGRESSIONAL GOLD MEDAL

HON. SCOTT H. PETERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. PETERS of California. Mr. Speaker, today on the 30th anniversary of Dr. Sally Ride's historic journey into space, I am introducing the Sally K. Ride Congressional Gold Medal Act of 2013 because of what Dr. Ride meant to this country as a pioneer.

Dr. Ride was the first American woman to fly into space. Flying on the seventh space shuttle flight, which was launched on June 18, 1983, she helped deploy two communications satellites including piloting the shuttle's robotic arm to capture a satellite for the first time. Dr. Ride's flight into space came at a time when women in the United States were shattering the glass ceiling becoming leaders in science and math.

Dr. Ride's extraordinary courage and pioneering spirit paved the way for future female astronauts. Her ride to space was an inspiration for young women to dream. As Gloria Steinem wrote at the time, ''millions of little girls are going to sit by their television sets and see they can be astronauts, heroes, explorers and scientists.'' As the Associate Administrator for the Shuttle Program, Lieutenant General James Abrahamson stated in 1983, the next ''milestone'' would be ''when ladies go into space and nobody notices, they just take it for granted.'' Thirty years after Sally Ride's historic flight we know that to be true.

What made Dr. Ride truly extraordinary was her work after 1983 to ensure that the children of our country would be able to follow in her footsteps and create their own legacies. After flying into space one more time in 1984, serving on the Rogers Commission investigating the *Challenger* disaster, and leading NASA's long range and strategic planning efforts, Dr. Ride left NASA in 1987. She received numerous awards including Jefferson Award for Public Service, the von Braun Award, the Lindbergh Eagle and the NCAA's Theodore Roosevelt Award. She has also twice been awarded the NASA Space Flight Medal. Dr. Ride was also inducted into the National Women's Hall of Fame and the Astronaut Hall of Fame. She became a Professor of Physics and Director of the California Space Institute at the University of California, San Diego. While teaching college students, she also endeavored to reach out to young children. Dr. Ride and her life-partner Tam O'Shaughnessy co-wrote six children's books which focused on encouraging children to study science. Dr. Ride also founded EarthKAM (Earth Knowledge Acquired by Middle school students) in 1995, a NASA educational outreach program using cameras onboard the Shuttle and now the International Space Station to enable students, teachers, and the public to learn about Earth from the unique perspective of space. In 2001, she founded a company with the goal of creating entertaining science programs and publications for elementary and middle school students with a focus on girls.

As we look to honor Dr. Ride, it is important to note that Dr. Ride never let her symbolic accomplishments overshadow the importance of her life's work pushing our country to explore and continuing to lead the charge of getting more women into the sciences. Commenting on her inspiring flight in 1983, Dr. Ride stated, ''It's too bad this is such a big deal. It's too bad our society isn't further along.'' This Medal is meant to serve both as a testament to the extraordinary American that Dr. Sally Ride was and as a reminder that we must protect her legacy by being forever vigilant to ensure that future Sally Rides are able to pursue their dreams.

The Navy recently named the next ocean-class auxiliary general oceanographic research ship after her to honor her legacy. As Secretary of the Navy Ray Mabus said, ''Sally Ride's career was one of firsts and will inspire generations to come.''

In closing, I believe that awarding this congressional gold medal will be a fitting, though long overdue, recognition by Congress of all Dr. Ride contributed to our great nation.

PERSONAL EXPLANATION

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, on rollcall No. 246 I was attending a funeral.

Had I been present, I would have voted ''yea.''

HONORING VIRGINIA STEWART

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. ENGEL. Mr. Speaker, Virginia Stewart has led a full and productive life with a career in the health care system starting with her cum laude degree from the College of New Rochelle in Health Administration.

She was a community outreach worker at Harlem Hospital, the neighborhood where she was born, and was promoted to Assistant Director and then Administrator for Family Planning and Women's Health Initiatives. In time she became Director of Outpatient Services for the Department of Obstetrics and Gynecology until her retirement in 1991.

In 1971 she had moved to Co-op City and for the past 27 years has been a member of the Goodwill Baptist Church where she is Secretary of the Usher Board. In retirement she has not stopped becoming a community activist and an active member of several Co-op City community organizations. She has also become involved in polities, being elected several times as a Judicial Delegate for the 82nd Assembly District, and is currently an Election monitor for that District.

Among her many activities at Co-op City was Treasurer and Publicist of the Retirees of Dreiser Loop, as well as the second woman president in the group's 40 year history, now in her second term.

She is a member of the Harriet Tubman Democratic Club, and served for several years as its Recording Secretary. She is also a member of the Co-op City and Williamsbridge Branches of the NAACP, the National Organization of AARP, and the Coalition of African American Churches and Community Organizations.

She and her husband Kenneth married in 1951 and have four children.

Virginia Stewart is that godsend to a community, someone who is caring and active in its many organizations. I am proud to join with the people and organizations of Co-op City in honoring her for her many contributions to her community and the people in it.

HONORING MARGARET ANN BEALE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Chaplain Margaret Ann Beale.

Chaplain Beale is the 4th out of 10 children. She was born in Pine Bluff, Arkansas, but was raised in Helm, Mississippi, where she has lived all of her life. She has 3 children: Steve, Felecia and Ashley; 4 grandchildren; and 1 great-grandchild.

She is a 1966 graduate from Briech High School in Leland, Mississippi. After high school, she worked various jobs, but it was not until 2007, when she became a librarian assistant. As of today, she is still holding this position where she has to do clerical work, organizing, stocking, hosting events, and assisting the public with their needs.

Mr. Speaker, I ask my colleagues to join me in recognizing Chaplain Margaret Beale for her dedication to serving others.

CELEBRATING DIA DE PORTUGAL

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. COSTA. Mr. Speaker, I rise today along with my colleagues Mr. VALADAO of California, Mr. CICILLINE of Rhode Island, Mr. NUNES of California, Mr. HONDA of California, Mr. LANGEVIN of Rhode Island, and Ms. LOFGREN of California to recognize Dia de Portugal and to again state the importance of a strong relationship between the United States and Portugal. Dia de Portugal celebrates the heritage of the Portuguese people and their descendants and is recognized around the world on June 10th.

Vibrant Portuguese communities are scattered across the United States from Massachusetts and Rhode Island to California and Hawaii. The latest census estimates that more than 1.3 million individuals living in the United States are of Portuguese ancestry, and they have been making positive contributions to our society for decades.

The ties between the United States and Portugal are critical and date from the earliest years of the United States. Following the Revolutionary War, Portugal was among the first countries to recognize the United States. On February 21, 1791, President George Washington opened formal diplomatic relations, and the oldest continuously-operating U.S. Consulate in the world, since 1795, is in Ponta Delgada on the island of São Miguel in the Azores.

Portugal is an integral member of the European Union, a founding member of the North Atlantic Treaty Organization (NATO), and an important strategic partner in the Mediterranean and beyond. As such, the United States-Portugal defense relationship is strong and must remain so. Central to this relationship is the U.S. Air Force's 65th Air Base Wing at Lajes Field on Terceira Island in the Azores. Having bolstered the United States' and its allies' control of the Atlantic since World War II, Lajes Field is a valuable asset that must be maintained.

Mr. Speaker, we join with the people of Portugal and our Portuguese American constituents in wishing everyone celebrating across the globe a wonderful Dia de Portugal.

THE INTRODUCTION OF THE SALLY K. RIDE CONGRESSIONAL GOLD MEDAL ACT OF 2013

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, 30 years ago today, Sally Ride became the first American woman to travel into space. For that, she will be forever enshrined in history. But as impressive as that feat was, she made many other contributions to our country that were just as important. In recognition of all of her achievements, today I am pleased to be an original cosponsor of the Sally K. Ride Congressional Gold Medal Act of 2013, which was introduced by my colleague Representative SCOTT PETERS.

Sally Ride was a newly minted Ph.D. physicist when she joined the National Aeronautics and Space Administration in 1978. During her service in the astronaut corps, she participated in two Space Shuttle missions: STS–7 in 1983 and STS–41G in 1984. While training for her third mission, the Space Shuttle *Challenger* disaster occurred, which ended her service as an astronaut. In the aftermath of the disaster, Dr. Ride was selected to serve on the Presidential commission investigating the accident. She would later go on to serve as a member of the Space Shuttle *Columbia* Accident Investigation Board, becoming the only person to serve on both Space Shuttle accident investigation boards.

After her service at NASA, Dr. Ride became a professor of physics at the University of California, San Diego, as well as the Director of the California Space Institute. In addition to her teaching at UC San Diego, Dr. Ride was heavily involved with programs to increase science, technology, and mathematics (STEM) educational achievement in young women. To this end, in 2001 she co-founded a company that creates entertaining science programs for elementary and middle school students. Dr. Ride was also a prolific writer of children's books.

Sadly, in July of last year, Dr. Ride passed away after a battle with cancer.

During her life, Sally Ride was honored and recognized many times. However, she was never awarded a Congressional Gold Medal. I think we can all agree that this was an unfortunate oversight on the part of Congress, and we should expeditiously move forward with this legislation to posthumously recognize Dr. Ride's achievements.

I hope that as we work to pay tribute to this extraordinary woman, we also work to honor the legacy of her achievements. We can best honor that legacy by ensuring a strong and healthy space program, by rededicating our scientific and educational agencies to the cause of improving STEM education, and by striving to ensure that all young people, regardless of race or sex or creed, believe that they too can reach for the stars.

COMMEMORATING GARY AND JUDI SAMUEL'S 50TH ANNIVERSARY

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. LONG. Mr. Speaker, I rise today to recognize and honor the 50th wedding anniversary of Gary and Judi Samuel.

Gary and Judi Samuel were married on June 1, 1963. Since then, Gary has served as the president of Portable Livestock Shelters and Judi is a partner at Debco Management, Inc. Gary and Judi are also members of Second Baptist Church in Springfield.

Gary and Judi have two children, a daughter, Sherry, and a son, Greg. They are also blessed with five granddaughters.

I am proud of Gary and Judi Samuel and am honored to call them my neighbors in the 7th Congressional District of Missouri. This milestone shows what true devotion Gary and Judi have to one another. I wanted to take this opportunity to commemorate their 50th anniversary. May God bless them with many more happy and loving years together.

THE INTRODUCTION OF THE NATIONAL PATRIOTS MEMORIAL ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Ms. NORTON. Mr. Speaker, I rise to introduce the National Patriots Memorial Act today, the anniversary of the start of the War of 1812, a war that was fought in the streets of Washington, D.C. The bill would authorize the establishment of a memorial on federal land in the District of Columbia to honor the patriots of the Revolutionary War and the War of 1812, as well as our international allies that fought in support of preserving our nation's freedom during these wars. Funding for the memorial will come entirely from private funds provided by the Benjamin Harrison Society, which suggested the memorial. The National Patriots Memorial will be an important addition to the nation and the District of Columbia alike. It will preserve and help educate the nation about both the Revolutionary War and the War of 1812, and the link to our own city. The National Patriots Memorial would remind the nation that D.C. residents fought in the Revolutionary War, the war that created the nation itself, the War of 1812, and every war since. The memorial also will serve to educate visitors to the nation's capital about the early years of our country's issues, conflicts, and growth. I urge my colleagues to support the bill.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $16,738,664,595,327.64. We've added $6,111,787,546,414.56 to our debt in 4.5 years. This is $6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING DR. SANDRA CARR HAYES

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Dr. Sandra Carr Hayes.

Dr. Sandra Carr Hayes, a graduate of Tougaloo College, is the Executive Director of the Tougaloo College Health and Wellness Center and Interim Director for the Tougaloo College Institute for Bio Health and Informatics. In this capacity, Dr. Hayes works with national, state and local organizations to improve health and reduce health disparities. She also serves as the Principal Investigator of four federally funded grants and one state funded grant. Her programs reach as far as the Mississippi Delta.

Her work on health disparities has taken her to Kenya, Africa where she conducted research which resulted in the production of a book entitled, ''The State of HIV/AID/TB Co-Infections in Kenya: The Impact of Environment, Resource Management and Culture.'' Her health disparities work has also resulted in the development of a chapter featured in the book entitled ''Diabetes in Black America: Public Health and Clinical Solutions to a National Crisis.''

Over 10 years, Dr. Hayes has co-authored numerous manuscripts that have explored health disparities related to the development of infectious and chronic diseases, such as HIV/AIDS, TB, diabetes, and asthma. In addition, she serves on the editorial board of the National AHEC Organization Journal and as a peer reviewer for Health Promotion and Practice.

Mr. Speaker, I ask my colleagues to join me in recognizing Dr. Sandra Carr Hayes for her dedication to serving others.

HONORING RETIRED BRIGADIER GENERAL WALTER SCHELLHASE

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. SMITH of Texas. Mr. Speaker, I would like to commend Brigadier General Walter Schellhase (Retired) for his service to his country, community and fellow veterans as he retires as the President of the Hill Country Veterans Council.

During his nearly two decades as an officer and member of the Board of Directors of the Hill Country Veterans Council, General Schellhase has worked tirelessly as an advocate for the needs of veterans. In addition to his work with the Veterans Council, General Schellhase has served on the Boards of the Kerrville Economic Development Corporation, the Kerr County Historical Commission, and was named Citizen of the Year by the Kerrville Area Chamber of Commerce.

General Schellhase's efforts on behalf of his fellow veterans and citizens are certainly commendable. We thank him for his many years of public service.

HONORING THE CITY OF RICHMOND

HON. LUKE MESSER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. MESSER. Mr. Speaker, I rise today to recognize the City of Richmond, Indiana.

This week, Indiana Lt. Governor Sue Ellspermann announced the city of Richmond, joined by Bedford, Indiana, as the newest Indiana Stellar Community award winners. Launched in 2011, Stellar Communities is a collaboration among multiple State agencies that pool funding sources to assist winning communities in achieving their long-term comprehensive strategic goals for community development.

Richmond's winning proposal included positively enhancing the quality of life for residents through the addition of new senior housing, improved transportation and bike trails, downtown redevelopment, and increased Wi-Fi connectivity.

These grants are an excellent integration of local initiatives and state agency expertise to develop and build stronger communities. I commend the Richmond Mayor, Sally Hutton, and her office's leadership in developing a winning proposal for the City.

I ask the 6th Congressional District to join me in congratulating the leadership, businesses, and citizens of the city of Richmond for their newest designation as an Indiana Stellar Community.

A FIRST SOFTBALL TITLE FOR HIGH POINT CHRISTIAN

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. COBLE. Mr. Speaker, there is a school in the Sixth District of North Carolina that just won its first ever state softball title. I would like to take this time to congratulate all who contributed to this historic achievement.

High Point Christian Academy's softball team has exemplified determination and an exceptional work ethic in its quest for a state title. The HPCA Cougars placed second in the state tournaments of 2011 and 2012. Their continued hard work and perseverance, however, paid off even more in 2013. The team finished the regular season 20–3, and entered the North Carolina Independent School Athletic Association 3A Championship Tournament in Gastonia as the first seed.

Led by Head Coach Jeremy Cecil, the team defeated Wesleyan Christian Academy 10–8 in an elimination game on Friday, May 17, 2013. The Cougars needed three wins on Saturday to claim the championship, but they were not intimidated in the slightest. They began their Saturday win streak with a 14–4 win over Metrolina Christian. The Cougars then swept second-seeded Hickory Grove in a best-of-three final series to clinch the championship, winning 1–0 and 5–4.

The state champions include Lindsay Cecil, Austen Coats, Maddie Faulkner, Sydney Harris, Kirsten Hart, Ashlyn Kennedy, Abigail Lyle, Sloane McPeak, Rachel Norris, Lindsay Payne, Hannah Self, and Nikki Zittinger. Cecil, McPeak, and Kennedy were also named 2013 All-State Team Members.

It has been an exciting season for the students, faculty, staff, and families of High Point Christian Academy. On behalf of the Sixth District of North Carolina, we congratulate HPCA Headmaster Richard Hardee, High School Principal Keith Curlee, Athletic Director Corey Gesell, Head Softball Coach Jeremy Cecil, Assistant Softball Coaches Bryan Coats, Jessica

Burcham, Shane Kennedy, and Brad Self. Congratulations to the 2013 softball team on its NCISAA 3A State Championship.

HONORING SISTER SHEILA LYNE

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize Sister Sheila Lyne, RSM, who is retiring after decades of service to Mercy Hospital. She is a recognized leader in the effort to improve the health and wellness of the residents of the city of Chicago.

Sister Sheila was born and raised on the South side of Chicago. She got her MBA from the University of Chicago, and joined the community of Sisters of Mercy in 1953. After earning her Psychiatric Nursing degree, she began her tenure at Mercy Hospital & Medical Center in 1970. In 1976, Sister Sheila assumed the role of President and CEO at Mercy.

In 1991, Sister Sheila was appointed by Mayor Richard M. Daley as Commissioner of Public Health for the City of Chicago. Under her leadership as Commissioner of Public Health, the city saw the infant mortality rate decrease by 6% and immunization rates rise to 73% from 27%.

In 2000, she returned to Mercy to resume her former role of President and CEO and face a challenging turnaround effort. Each year over the past 12 years, Mercy has made significant strides forward in serving our community, and now boasts a nationally-recognized Heart & Vascular Center, one of the city's few Certified Stroke Centers, eleven medical satellite centers, and a completely state-of-the-art digital Breast Care Center, all under Sister Sheila's distinguished and direct leadership.

Sister Sheila has been a leading voice for quality health for all people and an inspiration to those of us working to shape policy in a humane and comprehensive way.

PERSONAL EXPLANATION

HON. AUSTIN SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, on rollcall No. 247 I was attending a funeral.

Had I been present, I would have voted ''yea.''

CELEBRATING DIXON LONG ON HIS 80TH BIRTHDAY

HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. HUFFMAN. Mr. Speaker, it gives me great pleasure to recognize Mr. Dixon Long on the occasion of his 80th birthday on June 21, 2013. Mr. Long's many contributions as a board member and donor of the Strybing Arboretum in San Francisco, supporter of the Holden Arboretum in Mentor, Ohio, and supporter of the Trust for Public Land, have been a great benefit to our Nation's environment.

In addition to his extensive involvement in these organizations, Dixon was also a professor of Political Science and dean of Western Reserve College, helping to educate the next generation of political thinkers and office holders. During his academic tenure, Mr. Long wrote extensively about the intersection of science, technology and public policy.

Dixon's passion for writing moved beyond academia. He published a number of novels, short stories, and travel guides since returning to Mann County. His love of learning, passion for teaching, commitments to public engagement, and preserving the environment are worthy of commendation.

Please join me in expressing deep appreciation to Mr. Dixon Long for his long and impressive career, and exceptional record of service.

HONORING TOREY BELL

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 2013

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable civil servant, Mayor Torey Bell.

On March 29, 1996, Torey ran for the Office of Aldermen and was sworn in and appointed as the Vice-Mayor of the Town of Doddsville, MS on July 2, 1996. He was overwhelmingly elected on June 2, 2000, garnering nearly 90 percent of the vote. During his campaign, he pledged to help reunite the town by: focusing on cleaning up failed State's reporting; documentation; seeking a stable building for operation and town business; community beautification; gaining a collaborative approach to water and sewage; having safer streets in all neighborhoods; and restoring fiscal responsibility to city government.

Mayor Torey Bell Administration began the task of moving forward in accomplishing the Mayor's four top priorities: improving community education and awareness for all elderly and children; creating better water control procedures and policies; providing economic development opportunities for all town residents, and making sure residents feel safe in the neighborhood in which they live by ensuring that the city is fiscally sound. Mayor Bell also is focused on achieving self-sufficiency and full democracy for Town of Doddsville and taxpayers and improving their health outcomes.

A native of Sunflower County, Mayor Bell has tirelessly advocated for the residents of the Town for more than 20 years. His dedication to children and their families has been the hallmark of his service in both city government and the non-profit sector. His lifetime of public service to the Sunflower County can be best summed up by a singular governing philosophy—''that a man's heart plans his way, but God directs his footstep.''

His disciplined approach to public service was born from humble beginnings. He grew up in a single parent home and some apartment life in Sunflower, Mississippi until marriage brought James R. Haywood, Sr. in his life. Although his parents were limited to the things they could offer the family of four boys, they instilled in their sons a solid work ethic, strong community ethics and deeply rooted values. Mayor Bell attended East Sunflower Elementary and Ruleville Junior High Schools, and graduated at the age of 17 from Ruleville Central High School, where he excelled in school social relations, High School pride support and sports.

Despite his athletic talents in basketball and baseball, the Mayor chose to continue his education and service by joining the Army during the Gulf War. After returning home, Mayor Bell became an Orderly and an Ambulance Driver at the South Sunflower County Hospital. While serving the community in the medical field, he went to Mississippi Delta Community College where he graduated from the Emergency Medical Technician program. He later went to work for the Northern part of the county community by joining the North Sunflower County Hospital team, where he worked with many others as well as the Walter B Crook Nursing Facility, X-Ray Department and surgery team. He later joined the ranks of Sunflower County Sheriff Department to continue his county-wide service. Subsequently, he was accepted and admitted into the 10th District Masonic Fraternity and later, joined the Order of Eastern Stars.

Mayor Bell began his community service career with local summer baseball teams and basketball leagues. In Sunflower County, he successfully advocated for innovative policy initiatives on behalf of children with very little resources, limited positive mentoring and recreational events and chaired the initiative that lead to the uncovering of abusive administrative powers, fraudulent spending, poor child educational environment and unfair labor within the County school institution.

In 1999, Mayor Bell was appointed to serve as mentor and supporting counselor for the Collaborative Mayor's Initiative for Sunflower and Bolivar County small towns. He spearheaded the implementation of several initiatives to address the developmental needs and community awareness to help direct Mayors to productive partnerships and implement policies that would support overall growth and developments.

In his first term as Mayor, he helped lead a successful campaign to purchase and renovate a real estate office to become Doddsville first official City Hall. Within that same year, he joined others to improve water quality and replace out dated equipment to improve the water and sewage system. Later, he began another campaign to rescue nine lots seized by Mississippi Home Corp in the NR Subdivision to help build single family homes with a multipurpose community center in the Town of Doddsville.

Mayor Bell's dedication to his community and the residents inspired a successful campaign for re-election to office in 2004, with no challengers in the primary. During his second term as mayor, he collaborated with Special Committees throughout the State to help educate and bring awareness to help control and Prevent Youth Violence, and supported HIV/

AIDS initiative. While working to establish this support, Mayor Bell worked to obtain enough funds through MDA to rehab all senior citizens owned homes in Doddsville to Energy efficacy homes.

Mayor Bell worked long hours to lead the community into efforts to improve the Council's operations, transparency and oversight for capacity, and was a true champion for positive quality of living for kids and senior citizens. Eventually, the Mayor worked to help improve fire protection in the community by obtaining land to construct a fire truck's house and a fire truck for the community. The Mayor's diligence resulted in those goals being met in September of 2007. Later, Mayor Bell worked with others to help gain funds to improve streets throughout the community. His love for his community allowed him to start community property clean ups, advocating for the saving of the town's post office and jobs, obtain funds to meet the state's mandates for sewage system by-waste products and is currently working to establish partnership to help residents with home purchasing, financing and credit management.

Mayor Bell has lived in the Doddsville neighborhood for more than 17 years. His wife, Lisa, is an outstanding public school accountant in the Cleveland Public Schools and currently seeking office as town Alderman for the 2013–2017 term. He has four children, Torey Bell Jr., Simeon, Nathan and Nigel. Mayor Bell is the oldest of four sons of Deloris Jean Haywood and James R. Haywood Sr. He gives credit to his success as a public servant to God first, teachings from his mother and father, support from his wife and family, a trusting and dedicated board of aldermen, Gregory Associates, Gardner Engineering, a faithful city clerk and a supportive Mentor.

Mr. Speaker, I ask my colleagues to join me in recognizing Mayor Torey Bell for his dedication to serving others and giving back to his community.

SENATE—*Wednesday, June 19, 2013*

The Senate met at 9:30 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

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

Let us pray.

God of our forebears, You have been our refuge in every generation. Do not forsake us during these challenging days. Lord, enlighten our lawmakers so that they will be led by Your spirit, as they trust You to guide them with Your loving providence. Give them the wisdom to walk on the road beaten hard by the footsteps of saints, apostles, prophets, and martyrs. May they not forget the glorious heritage You have prepared for those who love You. Strengthen them, O God, with Your mighty arms, enabling them to serve Your purpose for their lives in this generation.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 19, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following the leader remarks of myself and Senator MCCONNELL the Senate will be in morning business for an hour. The Republicans will control the first half, the majority the final half. Following that morning business the Senate will resume consideration of the immigration bill.

We have in order a number of amendments that are now pending. I would hope the managers of this bill will work to get time agreements set for these amendments and we will work out a time to do these as quickly as we can. But if we have to have an agreement to move forward on these amendments—and I would suggest I do not want and I do not think we should have to move to table any of the amendments or anything like that; I think we should be able to have votes on these—I look forward to the managers working out a time agreement on these amendments so we can move forward and move on to something else on this bill as quickly as possible.

IMMIGRATION REFORM

Mr. REID. Mr. President, the life of a young woman by the name of Roxanna began as an immigration success story. Her parents came from Cuba in the 1950s, and they raised their daughter to appreciate the freedoms and opportunities available to her. That was because she was born in the United States. Roxanna was born in the United States. She is an American citizen.

She wrote to me last month. Here is what she said:

I am proud to say that this country has always been my home.

But when she met her husband Genaro, she saw a different side of the American immigration system. He came to the United States 15 years ago, and he did not have proper documentation, proper paperwork.

He left Mexico for the same reasons Roxanna's parents left Cuba—to try, to try really hard to build a better life. He worked tremendously long hours when he got here, doing odd jobs for not very much—a few dollars a day, to be honest.

Then he moved to Nevada, got a job doing construction, did a little better, and there he did real well because he met Roxanna.

They married in 2003 and soon petitioned to have his undocumented status changed, adjusted. Although they initially received a letter from immigration officials that gave them hope, they have lived in limbo now for 10 years. Because he is undocumented, he worries every day of being arrested and deported—every day—and he has nightmares every night that he will be separated from the love of his life, his American wife.

This is what she wrote to me in addition to what I have recited earlier:

We pay our taxes. . . . We have never caused any harm to anyone or been in trouble with the law. We don't stand on corners asking for money. We work very hard to make ends meet. . . . We have friends and family here that we love and [who] love us. Yet [we] still feel like [we're] not wanted here.

Genaro is one of 11 million people living in America without proper documentation. Many of those 11 million are the parents, siblings, or spouses of U.S. citizens. Some of them overstayed their visas. Some crossed the border illegally. Others were brought here by their parents when they were only children. I recited 2 days ago one example in Las Vegas: a 7-month-old when she came here, carried on her father's shoulders.

But regardless of how they got here or why they lack the proper documents, these 11 million people play a crucial role in our economy and a vital role in our communities.

That was proven last night at 5 o'clock when the Congressional Budget Office—this nonpartisan arm we look to for direction of what things cost and do not cost here on Capitol Hill with our legislation—issued a statement yesterday that this bill that is on the floor today certainly is good for the economy. As I will say a couple times during my brief remarks here, it is going to, over the next two decades—what is left in this one and the next decade—reduce the deficit in America by almost $1 trillion.

Of course, as we have said here previous to getting the report from CBO, this legislation is good for the economy and good for security. That is a good package.

These 11 million people need a pathway to get right with the law. The commonsense, bipartisan reform proposal before the Senate will help them do just that. It will reduce illegal immigration by strengthening our borders, it will fix our broken legal immigration system, and it will crack down on unscrupulous employers who provide an incentive to come here illegally and take, in many instances, tremendous advantage of these people who are desperate.

This measure that is now on the Senate floor provides a route to earned citizenship—earned citizenship—for 11 million people who are already here. Some have been here for a long time. The process for them is not easy. They do not go to the front of the line. They

go to the back of the line. But they at least are in the line. They will have to work, pay taxes, stay out of trouble, and work on English.

This legislation will also recognize that the alternative to earned citizenship; that is, deporting 11 million people, is simply not sensible. We do not have the money. We cannot do it fiscally and we cannot do it physically, and that is for sure.

Detaining and deporting every unauthorized immigrant would cost more each year than the entire budget for the Department of Homeland Security. And not only is mass deportation impractical—not to mention cruel—it is the wrong approach for our economy—again, a trillion-dollar reduction in our deficit if we pass this bill, which we will here in the Senate.

Immigration reform that includes a roadmap to citizenship will boost our national economy, I repeat, and increase our security.

Helping 8 million immigrants who are already working—of the 11 million who are here, they are working, some, as we heard from Roxanna, in jobs that are not that great, but they are working. As she says, they are already working. They need to get right with the law. And it will mean billions of new revenue for our country. It will mean every U.S. resident pays his or her fair share.

That is one reason an overwhelming majority of Americans support the legislation that is on the floor—not 51 to 49—an overwhelming number of Americans, Democrats, Independents, and Republicans.

But immigration reform is not just an economic issue. It is a moral issue. This bipartisan proposal will allow immigrants to stay with those they love, with their U.S. citizen children in many instances, siblings and spouses. It will allow Genaro to stay with his American wife.

This is Roxanna's final plea to me in this letter that she wrote:

> I pray that you would open your hearts to the millions like me. . . . All we ask is a chance [at] a pathway to citizenship and the peace of mind to live our lives as meaningful citizens of this great country.

Her country, my country, our country.

I urge all my Senators on this side of the aisle, as we say, and the Republican Senators to keep her wish, her prayer—a prayer and a wish she shares with 11 million human beings who are here in America today. This prayer, this wish, should be in all of our minds and in our hearts the next few days.

RECOGNITION OF THE MINORITY LEADER

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

OBAMACARE

Mr. MCCONNELL. Mr. President, last year President Obama was asked about the lessons he has learned from his first term. Instead of focusing on errors in judgment or policy, he seemed to indicate that he needed to do a better job—just a better job—of telling ''a story to the American people.'' In other words, the policy was just fine, and if Americans did not get it, it was because they had a listening problem. Well, that is an attitude that has come to define this administration.

I would say that is why folks will be rallying on the Capitol grounds today. They, like a growing number of Americans, are losing faith in government. They think it is working against them, not for them. And for good reason.

Let's take ObamaCare. This law has been pretty unpopular for several years now. It is not as though the American people have not been exposed—probably overexposed—to the arguments on both sides of the issue. ObamaCare must have been discussed hundreds of thousands—maybe even millions—of times over the past few years. That includes political debates, more speeches than any of us care to count, issue ads both pro and con, and—guess what—Americans still do not like the idea of ObamaCare, not because they are unable to understand or because they have not ''seen the right messenger.'' It is because most of them like their health care plan and want to keep it. It is because they do not want to pay more to the health insurance companies. And it is because they do not think the law is going to work as promised.

Yet the Washington Democrats' explanation for ObamaCare's enduring unpopularity still seems to be that the law is too complicated for their constituents to understand, and the Washington Democratic solution seems to be not to actually change the policy but to spend millions in a campaign-style PR—PR—blitz.

So the news flash would be this: If you still do not think Americans are able to understand a law you passed more than 3 years ago, then there is something wrong with the law, not with the American people.

Instead of going around the country trying to convince Americans why they are wrong, the administration could actually listen for a change. I think they should start over on health care and embrace the types of common-sense, step-by-step reforms that would actually lower the cost. I am not holding my breath that is going to happen.

So at a minimum they need to at least do this: The President, members of his Cabinet, and the congressional Democrats—congressional Democrats who voted for this law—need to get out and explain to Americans what is headed their way. Do not feed them the sunny picture painted in the ObamaCare ads the President's campaign team is already running but actually explain the reality of the situation to them. For instance, Americans need to know about the coming wave of premium hikes. We have already seen projected double-digit increases in some States. They need to know we are likely to see even more Americans lose the health care they want to keep, just like the thousands of Californians who will probably have to look for new plans after Aetna pulled out of the individual market in their State, almost certainly because of ObamaCare. They need to know they could lose their jobs or see their hours cut or struggle to find work in the first place. In fact, a recent survey showed that about 70 percent—70 percent—of small businesses say the law will make it harder for them to hire. Americans need to know all of these things because they need to prepare for them.

It is supremely unhelpful when the President claims that those who already have health care will not see changes, as he did just a few weeks ago. He knows that is not what many experts are saying. He owes it to the country to be frank about that. So it is time to get off the campaign trial, call off the PR spinmeisters, put down the communications plan. It is time to level with the American people.

SENATE RULES

Mr. MCCONNELL. It has been over 140 days now since we settled here in the Senate the issue of the Senate's rules. We settled it conclusively not only this January but actually January 2 years before that. What happened this January is we had an extensive bipartisan discussion about what rules or standing orders we might change. In the wake of that discussion, we passed two rules changes and two standing orders.

The majority leader said—well, this is what he said 2 years ago:

> I agree that the proper way to change the Senate rules is through the procedures established in those rules, and I will oppose any effort in this Congress or the next to change the Senates rules other than through the regular order.

That was in January of 2011. What he said back in 2011—and the reason I put that up even though that was a previous Congress—he said either this Congress or the next Congress, the Congress we are in now.

This January, I said to the majority leader:

> I would confirm with the majority leader that the Senate would not consider other resolutions relating to any standing order or rules this Congress unless they went through the regular order process?

That was this January, just a few months ago, a little over 140 days.

The majority leader said:

> That is correct. Any other resolutions related to Senate procedure would be subject

to a regular order process, including consideration by the Rules Committee.

Now, that is not ambiguous. That is not ambiguous at all.

So the reason I and my colleagues have been talking about this repeatedly is that this is a huge institutional issue. The naive notion that somehow you can break the rules of the Senate to change the rules of the Senate for nominations only was laid out by Senator ALEXANDER yesterday in which he suggested a hypothetical series of measures that, if I were in the job the majority leader is currently in a year and a half from now, would be a very appealing agenda to my side, things like repealing ObamaCare, things like national right to work, things like opening ANWR.

Now, I would say to my friends on the other side, that is not something they would be very excited about, but in American politics things change. There is a tendency, when you are in the majority, to be kind of arrogant about it and to think the rules of the Senate are unnecessarily inconvenient to what you are trying to achieve.

Well, the Senate was designed from the very beginning—George Washington was actually asked during the Constitutional Convention: What do you think the Senate is going to be like?

He said: I think it is going to be like the saucer under the tea cup. The tea is going to slosh out of the cup, down to the saucer, and cool off.

In other words, they anticipated that the Senate would not be a place where things happen rapidly.

Written right into the Constitution is advise and consent. Advise and consent. The Senate has a role to play, for example, on nominations—which seem to be the fixation of the majority at the moment even though there is no evidence whatsoever that this administration has been treated poorly with regard to either executive branch or judicial nominations, no evidence at all. This is a manufactured crisis. Nevertheless, they seem to be focused on nominations. What do my friends in the majority think ''advise and consent'' means? Apparently they think it means ''sit down and shut up. Do what I say when I tell you to.'' I do not think that is what the Founding Fathers had in mind.

So there are a number of reasons we should not go down this road:

No. 1, the majority leader gave his word. Your word is the currency of the realm in the Senate. That ought to end it right there.

No. 2, do not assume you could just sort of surgically break the rules of the Senate to change the rules of the Senate for nominations only.

No. 3, I think it would be appropriate, since the American people change their minds from time to time about whom they would like to be in the majority of the Congress, to think about the consequences when the shoe is on the other foot.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half.

The ACTING PRESIDENT pro tempore. The Republican whip.

IMMIGRATION REFORM

Mr. CORNYN. Mr. President, we obviously are talking about immigration this week and last week and next week. I am one of those who, after many years working on this subject, hopes we are successful in passing what I believe is good, credible immigration reform.

I have come to the conclusion, like many Americans, that the status quo is simply unacceptable. I have talked a little bit about some of the bodies in unmarked graves that I witnessed myself in Brooks County, TX, where under the current broken system people come across the border from faraway lands only to die trying to get into this country and are buried in unmarked graves in places like Brooks County.

I met with a young woman who was prostituted after having been brought into the United States from Central America, and she worked in a Houston nightclub, where she was basically held as an indentured servant or slave because she knew she was vulnerable to deportation. So the person who brought here there and put her in that situation knew they had the power to keep her quiet and not disclose what was happening, while she was living a horrific existence.

Those are just a couple of examples why I believe our system is broken and neither serves our economic interests nor represents our American values. So I want a good solution. But it is not just what happens here in the Senate. That is not the end game. The end game is what happens when this bill goes to the House and once the House and the Senate get together in a conference committee and reconcile the differences between those two bills to see if we can actually get a bill which reflects our values and which represents our economic interests, things such as recruiting the best and the brightest minds from around the world to stay here in America and to create jobs here.

Those are some of the positives in the underlying bill that we need to preserve, but there are other issues we need to fix. That is what I want to talk about right now.

Last night the Congressional Budget Office released its long-awaited report on the underlying bill, the so-called Gang of 8 immigration bill people have heard so much about. The report, as usual, is a blizzard of numbers and estimates and projections, but here are two I want to talk about in particular, which you see reflected on this chart.

I think this is going to be a shocking revelation to most people who thought this bill would actually fix our broken immigration system.

If you will look behind me, it says: The number of new unauthorized immigrations in the United States by 2033 with the passage of the underlying bill, 7.5 million; without it, 10 million.

So what we see reflected in the Congressional Budget Office, which is the ''coin of the realm,'' the ''gold standard''—whatever you want to call it—around here, love it or hate it, and we all find ourselves on different sides depending on the issue, but the gold standard, the Congressional Budget Office, says this bill will not fix the underlying problem.

In other words, despite all of the promises and perhaps I might say the hopes and the dreams and the good intentions of the authors of this underlying bill, this bill will have only a minimal impact on illegal immigration. Does that sound like the kind of solution we owe to the American people to solve this broken system? Does that sound like a solution to solve our long-term problem in this area?

I want to take a moment to discuss another portion of the bill that has gone largely unnoticed by most of the country, but first let me respond to some remarks made by my friend from Arizona Senator MCCAIN yesterday. I am going to agree, not disagree, with Senator MCCAIN. Standing right here on the Senate floor, as he so often does, Senator MCCAIN said he was absolutely confident—absolutely confident—that U.S. authorities can obtain 100 percent situational awareness and full operational control of the southern border. He cited the head of the Border Patrol as his authority.

I was glad to hear him say that because I agree with him exactly. He is exactly right. But I was a little confused at the same time. He repeated a comment that the majority leader had made about my amendment, which will be pending soon before the Senate and which we will vote on later today or tomorrow. He called my amendment a poison pill, suggesting that it would somehow kill the underlying bill. Well,

if the standards in my amendment are exactly the same as those in the underlying bill of 100 percent situational awareness and 90 percent operational control, defined as 90 percent capture of people crossing the border illegally—Senator MCCAIN thinks it is attainable, the Border Patrol Chief thinks it is attainable, and I think it is attainable. So how could that possibly be a poison pill? I do not understand it.

As I have said numerous times over the last week, my amendment uses the same standards and many of the same metrics as the Gang of 8 bill. Here is the difference: My amendment establishes a real border security trigger before immigrants can transition from probationary status—something called registered provisional immigrant status—before they can transition from that probationary status to legalization. Under the Gang of 8 bill, that would occur after 10 years of probationary status. But the problem is, contrary to initial advertisements back in January where Senator DURBIN, among others—the distinguished majority whip—said back in January that the pathway to citizenship is contingent upon border security, only to say just a few days ago, quoted in the National Journal—he said: Now we have delinked the pathway to citizenship from border security. Indeed, they have in the underlying bill, and that is what my amendment is designed to fix.

Here is the real tragedy. In 1986 Ronald Reagan signed an amnesty for 3 million people. That is not the tragedy. The tragedy is, in return the American people said we are going to fix our broken immigration system. We are going to enforce the law. Well, we all know what happened.

The amnesty was granted and the enforcement never came.

Here is the tragedy. The underlying bill, without an amendment such as mine that provides a real border security trigger that realigns the incentives for the right, the left, Republicans, Independents, Democrats, everybody to be focused like a laser on how do we actually implement that operational control of the border—which Senator MCCAIN believes is attainable, I believe is attainable, the Border Patrol Chief believes is attainable—without realigning everybody's incentives to focus like a laser on obtaining that objective, this is like 1986 all over again.

All we have to do is look at the polling to tell us—and I don't think we even need any polls to tell us—that there is enormous skepticism across the country about Washington. This bill says: Trust us. Trust us.

There is a trust deficit in Washington, DC, and on immigration. When so many promises have been made in the past that have not been kept, I think it is unreasonable to ask the American people to just trust us. We need an enforcement mechanism such as my amendment, which will guarantee that everybody is aligned and it is highly incentived to make sure that those Border Patrol measures are upheld. Then we will not have what is reflected on the chart behind me, as reported by the Congressional Budget Office yesterday.

The year 1986 was when Congress passed amnesty for illegal immigrants without guaranteeing results on border security. Ever since then Members of this Chamber have said we will never make that mistake again. Yet the underlying bill would effectively be 1986 on steroids and the CBO report confirms it. That is why those of us who actually would like to see a good, credible immigration bill pass—not only in the Senate but also in the House—believe, as I do, that this legislation is dead on arrival in the House of Representatives without a real border security trigger.

It is going to be a challenge even if we put that in, but we have a much better chance of success if we deal with the problem that the Congressional Budget Office has identified, and if we deal with the experience we have had from 1986 and other times when we made extravagant promises to the American people on how we are going to fix the system, only to find that those promises have not been kept. That will be the real poison pill to this bill, and it will also be an unnecessary and lamentable tragedy if somehow we can't, working together, find a solution to our broken immigration system.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

HEALTH CARE

Mr. BARRASSO. Mr. President, this week President Obama and his allies are launching a big summer push to convince people that his health care law will not be a train wreck. We have heard in the Senate from one of the authors of the health care law that he saw a train wreck coming, so now what we see is the Obama administration trying to actually sell the bill—not that it is good or bad, just trying to sell it in any way they can to make the American people think about it in ways that may change their minds.

The American people know this is a health care law that is not really doing what they want. What they are looking for is the ability to get the care they need from a doctor they want at a lower cost. That is far from anything the American people are going to see.

What we see today in Politico is the headline: ''Selling of ObamaCare Officially Begins,'' selling of the law that was passed. Not something that is good, just trying to sell the law itself.

The Washington Post this morning, ''Push is on to promote health law.'' The push isn't on to promote better care, not more affordable care; no, just to promote the law.

I believe it is going to be a tough sell. A new poll out earlier this month showed that only 37 percent of Americans think the health care law is a good idea. That is even fewer people than think it was a good idea when the law was passed 3 years ago.

Remember, the Democrats promised the American people that, well, the law would be actually overwhelmingly popular by now. That is nothing farther from the truth because this law is more unpopular now than when it was passed.

We see the President of the United States pulling out all the stops trying to sell this horribly written law. This is a law that is bad for patients. It is bad for providers, nurses, and doctors who take care of those patients, and it is going to be bad for the American taxpayers.

What the President is doing is joined by a new interest group, and the group is called Enroll America. This is a group, and who is running it? Former Obama administration officials who moved from the White House to this group to try to sell this health care law. This is the group, part of what we have known as the Sebelius shakedown, the effort on the part of the Secretary of Health and Human Services who was asking health care businesses to donate to this organization. This group has started rolling out a PR campaign to try to convince people to sign up for insurance under the President's health care law.

I agree more people need insurance, but we have to make sure the people not just have insurance but get good care. This is what this is supposed to be all about. The President keeps talking about more coverage. What we need is care for people, not just more coverage.

Take a look at that and say: Is it actually going to work? According to the article in this morning's Washington Post, the President of this group, Enroll America, a former White House staffer, said yesterday in a telephone interview: The group's research shows that 78 percent of uninsured people don't know about the changes coming in January.

You have to say: What kind of insurance are people going to be able to sign up for? What are they going to get to choose from? What choices will they have? What will they find in the exchange?

By the way, the exchanges are running way behind time. This was a front-page story in one of the national papers today.

First of all, for a lot of people in terms of trying to sign up on the exchanges, what they are going to find is it is going to be a lot more expensive than it would have been for them if

this health care law had never passed in the first place. Remember, the President said that policies would actually be $2,500 cheaper by the end of his first term. Now we are seeing policies actually a lot more expensive, not just by what the President promised but even more expensive than what they would have been had the law never passed in the first place.

Here is an editorial from the Racine, WI, Journal Times. This is how they put it the other day. They wrote:

Despite assurances from Democrats that the national health care plan will drive down health care costs—

The President's promise—

the evidence is increasingly telling the opposite tale.

This is Wisconsin. I mean, this is a State which has just recently elected a Democrat to the Senate, a State that went for the President.

Here is another headline that Enroll America will not be talking about when they try to cite the President's health care law. This is from the McClatchy news on Tuesday. The article is titled ''Obamacare's big question: What's it going to cost me?''

That is what people want. That is what they want to know. That is why folks were interested in the health care law in the first place: they were paying too much for health care and they needed and looked for care that was actually more affordable for them, right for them.

The writer from McClatchy, under this headline, ''Obamacare's big question: What's it going to cost me?'' writes: ''Early rate proposals around the country,'' around the country, ''are a mix of steep hikes and modest increases.''

Either way, insurance rates are going up everywhere; it is just a question of how fast and how high. So there is no surprise that the people across the country are disappointed and believe they have been misled by the President when he said rates will actually go down by $2,500 a family.

When we look at the States that have been putting out their numbers for next year, for a lot of people the answer to the question of what is going to happen to rates is they are going up very fast and very high.

In Ohio, the average individual market health insurance premium next year will be 88 percent higher than this year. That is according to the State insurance department. That is the State's official numbers.

In California, for a typical 40-year-old man who doesn't smoke, rates in an insurance exchange will increase by 116 percent next year.

The McClatchy article also quotes one health care expert saying that under the President's health care law there are winners and there are losers.

I agree; that is absolutely right. There are winners and there are losers. We will talk about some of them this morning. The problem is the President and Democrats in Congress who pushed this health care act into law never said, never admitted to the American people that they were going to be losers.

Enroll America is telling everybody to sign up for health insurance, but they aren't admitting that the law picked who wins and who loses. Let's take a look at that. It is another important point in this health care law, what is going to happen and what this new insurance is going to look like. It is going to be loaded onto the backs of young people. Under the law, many young people, many young, healthy people will have to pay a lot more for each older, sicker person who will pay less. For the President's scheme to work, these young healthy people will have to buy high-priced, government-mandated insurance they may not need, they may not want, and that may not be right for them.

Here is another point about what Enroll America is telling people and what it is not telling people about the new Washington-mandated insurance. This group put up a blog post recently talking about ways States can maximize their Medicaid enrollment. This is one of the strategies Enroll America is pushing: get people signed up for Medicaid. A Medicaid card doesn't ensure patients actually get access to quality medical care for themselves or their families.

According to one survey, one-third of physicians nationwide are unwilling to accept new Medicaid patients. Other studies have concluded that some patients in the Medicaid system do worse in terms of health care than people who have no insurance at all. The Congressional Budget Office predicts that the health care law will put another 13 million people into the broken and failing Medicaid Program.

Even with the enormous expansion of Medicaid, even after a Washington mandate that everybody in America must purchase health insurance, and even after Enroll America's big push to sign up more people, the Congressional Budget Office, the people who research this, who study this, say the number of uninsured Americans will never fall below 31 million. It will not fall below 31 million people even over the next decade.

In spite of all of this revamping of a health care system, significant changes—much to the detriment of the American people because the President was focused on coverage—he is still leaving 31 million people uncovered and others paying much more. There are winners and losers, lots of losers.

This law will cost $1.8 trillion over the next decade according to the CBO. It still fails to help millions and millions and millions of Americans.

Then the question is who is actually being helped by the law because, as I said, there are going to be winners and losers. The Wall Street Journal, just the other day, page B1, Monday, June 17, ''Wanted: Health-Care Legal Experts.'' Legal experts. The lawyers are turning out to be winners under the health care law—not the patients, not the providers, not the taxpayers, the lawyers. The article says:

Some companies are warning that President Barack Obama's health-care overhaul will cost jobs. It won't be in their legal departments.

The article continues:

Health-care companies racing to go comply with the Affordable Care Act and other rules are calling in the lawyers, sparking a mini-boom for specialist attorneys who can backstop overloaded internal teams and steer clients through an increasingly crowded regulatory minefield.

The point of the health care reform should be to help the American people, not just to create more jobs for lawyers. The point should be to increase access to care for people, not just to send them Medicaid cards and tell them they are covered. The point of reform should be to help people get the care they need from the doctor they choose at a lower cost.

President Obama doesn't want to talk about the ways his health care law picks winners and losers. He doesn't want to talk about the many losers under his plan. Enroll America doesn't want to level with the American people to tell them the health insurance they get under the President's law might not be what is best for them.

If we are going to truly reform our health care system in this country, the President and his allies should start by telling the American people how his law falls short.

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

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

The legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 744 which the clerk will report.

The legislative clerk read as follows:

A bill S. (744) to provide for comprehensive immigration reform and for other purposes.

Pending:

Leahy-Hatch amendment No. 1183, to encourage and facilitate international participation in the performing arts.

AMENDMENT NO. 1208

Mr. LEE. Mr. President, I ask unanimous consent to call up amendment No. 1208.

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

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Utah [Mr. LEE] proposes an amendment numbered 1208.

The amendment is as follows:

(Purpose: To require fast-track congressional approval when the Secretary of Homeland Security notifies Congress of the implementation of the border security strategies and certifies that the strategies are substantially operational)

On page 856, lines 1 and 2, strike ''the Secretary has submitted to Congress'' and insert ''Congress has approved, using the fast-track procedures set forth in paragraph (3), the contents of''.

On page 56, strike lines 19 through 22, and insert the following: ''Congress has ratified, using the fast-track procedures set forth in paragraph (3), the written certification submitted by the Secretary to the President and Congress, after consultation with the Comptroller of the United States, that—''.

On page 858, between lines 10 and 11, insert the following:

(3) FAST-TRACK PROCEDURES.—

(A) IN GENERAL.—Not later than 30 days after receiving a submission from the Secretary under paragraph (1) or (2), the Senate and the House of Representatives shall vote to determine whether the action taken by the Secretary meets the requirements set forth in such paragraphs that are required before applications may be processed by the Secretary for registered provisional immigrant status or adjustment of status under section 245B or 245C, respectively, of the Immigration and Nationality Act, as added by sections 2101 and 2102.

(B) REFERRAL TO COMMITTEE.—The question described in subparagraph (A) may not be referred to any congressional committee.

(C) AMENDMENTS.—The question described in subparagraph (A) may not be subject to amendment in the Senate or in the House of Representatives.

(D) MAJORITY VOTE.—The question described in subparagraph (A) shall be subject to a vote threshold of a majority of all members of each House duly chosen and sworn.

(E) PRESIDENTIAL SIGNATURE.—The congressional approval and ratification required under paragraphs (1) and (2) shall not be completed until after it has received the signature of the President.

Mr. LEE. Mr. President, amendment No. 1208 would require fast-track congressional approval at the introduction of the Department of Homeland Security border security strategies before the award of registered provisional immigrant, or RPI, status—before the eligibility of that status begins, as well as at the certification of the strategy's completion, before those receiving RPI status may become eligible to become lawful permanent residents and eligible to receive green cards. This would be a fast-track vote, one that would have to occur within 30 days after the triggering event within the executive branch. It would also be subject to a 51-vote threshold and would not be subject to a filibuster. It is a basic function of Congress to oversee the executive branch and to ensure that the executive branch is enforcing the law as enacted by Congress.

In the area of border security, the executive branch, in both Republican and in Democratic administrations, has failed to fully enforce the laws passed by Congress. To give a few examples, the Secure Fence Act, which was enacted in 2006, still has not been fully implemented, and the fencing requirement—the fence segments required by that act—still have not been fulfilled. The US-VISIT entry-exit system, which was put into place by legislation enacted in 1996, still is not fully implemented. It is worth noting that 40 percent of our current illegal immigrants are people who have overstayed their visas. It is very reasonable to assume there is a significant connection between our failure to implement this entry-exit system called for by existing law and the fact that a sizable chunk—several millions of our current illegal aliens—are people who have overstayed their visas.

Polls overwhelmingly show Americans do not believe the border is secure. They also believe we should secure our borders first before moving on to certain areas of immigration reform. These are failures of the Federal Government. The American people cannot hold unelected bureaucrats in the executive branch—people such as the Secretary of Homeland Security—accountable for those failures. The most direct line of accountability is from the American people to their Members of Congress. In order to ensure the voice of the American people is heard, Congress must be able to vote on the border security strategy and on the certification of that strategy as a condition precedent to allowing these RPI provisions to kick in and to allowing people to enter into the pathway to citizenship and advance toward citizenship in the coming years.

To cut out Congress cuts out the American people, and that is exactly what this bill, without an amendment such as this one, would do. So it is important to remember that to cut out Congress cuts out the American people, and that is what we are trying to protect against.

Opponents of my amendment have argued they would be unwilling to rely on a majority of Congress to approve a border security plan as a condition for allowing the RPI period to open and to proceed. Has it ever occurred to them that it might be precisely because a majority of Americans would not approve the border security plan or at least they might not approve of it or, perhaps, it is not a good idea to move forward on sweeping new policies that will affect generations to come without the support of the American people? It is, after all, the American people who have to deal with the consequences of a dangerous and unsecured border. They will have to deal with cross-border violence. They will have to deal with the heartbreaking stories of human trafficking. They will have to deal with the drugs imported into their communities. They will have to deal with the economic effects and the added costs of public services associated with an ongoing unsecure border. Therefore, it is the American people who should be the ones who get to say whether the border is secure and not the unelected, unaccountable bureaucrats who have a long track record of failing to implement the objectives established by Congress and embodied in law.

My amendment would restore the voice of the American people to this process because, again, cutting out Congress means cutting out the American people. I strongly urge my colleagues to defend the rights of the American people, to weigh in on this important issue, and to support my amendment.

Finally, I wish to commend the House Judiciary Committee for passing the SAFE Act out of committee last night. The SAFE Act is an important step forward in improving interior enforcement, securing the border, and strengthening our national security. It also demonstrates that we can effectively pursue significant immigration reforms in a step-by-step approach with individual reform measures.

The SAFE Act is by no means a small piece of legislation but, importantly, it focuses reform on particular areas that should receive bipartisan support in both Chambers of Congress.

First, let's secure the border. Let's set up a workable entry-exit system and create reliable employment verification systems that will protect immigrant citizens and businesses from bureaucratic mistakes. Let's also fix our legal immigration system to make sure we are letting in the immigrants our economy needs in numbers that make sense for our country.

Once these and other tasks, which are plenty big in and of themselves, are completed or at least in progress to the American people's satisfaction, then and only then can we address the needs of current undocumented workers with justice, compassion, and sensitivity.

Since the beginning of this year, more than 40 immigration-related bills have been introduced in the House and in the Senate. By a rough count, I can support more than half of them, eight of which have Republican and Democratic cosponsors. We should not risk forward progress on these and other bipartisan reforms simply because we are unable to iron out each of the more contentious issues.

So, again, with respect to this amendment No. 1208, I strongly urge

my colleagues to support this amendment because we were elected not to delegate the power to make laws to other people, we were elected to make law. Identifying the precise moment at which the border is sufficiently secure—that it is a good time to open the pathway to legalization, the pathway to citizenship, whatever we end up calling it—it makes a lot of sense to put that decision in the hands of the elected people precisely because that decision is one that is difficult to identify. It is difficult for us to identify exactly what standards will satisfy the American people. We can make a rough approximation, but we should require a vote by both Houses of Congress and an act of Congress submitted to the President for signature or veto before the RPI period is open. We were elected to make decisions such as these, and we should not be outsourcing those decisions to others who are not elected.

Those who are not elected who, under the text of Senate bill 744, would be empowered to make these decisions, are—make no mistake—well-educated people and well-intentioned people, and I am not saying they categorically cannot be trusted. What I am saying is that those people who are well educated and well intentioned do not stand for reelection at regular intervals as we do. They are not elected by the people. They don't stand for election at regular intervals. For the most part they are insulated and isolated from the electoral process which keeps all of us accountable to the people in whom the ultimate sovereign authority lies.

For those reasons I urge my colleagues to support amendment No. 1208.

Thank you. I yield the floor and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

WOMEN'S HEALTH CARE

Mrs. BOXER. Mr. President, a couple of us are going to come down to the floor and talk about an action that was taken in the House yesterday. With all the issues we have to confront—whether it is continuing this economic recovery and job creation; dealing with immigration, as we are trying to do in the Senate; dealing with going to conference on the budget, which Chairman MURRAY has been pushing for day after day after day—one would think the House would take up one of those matters. But instead what do they do? They take up an extreme anti-choice bill. Clearly, House Republicans have learned no lessons from last year, when voters resoundingly rejected their efforts to defund Planned Parenthood, restrict women's access to birth control, and slash preventive care for women and families.

So the debate they had in the House yesterday echoes of last year, when Republicans talked about ''legitimate rape'' or a pregnancy from rape as a ''gift from God.'' In fact, the Republican sponsor of this bill said the incidence of pregnancy from rape was ''very low''—an assertion that is flatly contradicted by the facts.

I see my colleague Senator MURRAY is here, and I would just pause and ask her through the Chair if she needs to speak first.

Mrs. MURRAY. No. Go ahead.

Mrs. BOXER. Then I will complete and turn to her. I so thank her for organizing us this morning.

In November, voters sent the message that they want us to focus on real concerns—jobs, education, immigration reform. But now they are back. They are back in full force with an even more extreme antiwomen, anti-choice agenda.

They should know this: The women of America are watching and so are the men who support them.

This House Republican bill that was passed by them yesterday is a frontal assault on women's health. It puts women in danger of becoming infertile, in danger of suffering serious complications arising from cancer, blood clots, kidney disease or diabetes, just to name a few of these conditions. It is an attack on 40 years of settled law, and it criminalizes doctors.

Furthermore, there is no real rape or incest exception. It just bans abortion by a date certain with no real rape or incest exception. Let me explain this.

The Republican sponsors of the bill claim there is an exception for rape and incest. As a matter of fact, it was not in there, and they quickly added it. But, seriously, they do not fix the problem because what they do is say: Yes, a woman can end a pregnancy if she is raped, but she has to report that rape, and it is true that many women choose not to report the rape for their own private and personal reasons.

So when you tell a woman who has been raped and who is too scared to report it that she has to carry the rapist's child to term, that is not a rape exception. That is an outrage. When you tell a victim of incest, who is too scared to report it, that she has to carry that child to term, that is not an incest exception. It is revictimizing someone who has suffered a horrific crime.

Sixty-five percent of rape victims do not report these crimes. There is no protection at all for those women in this bill.

There is also no health exception. The House Republican bill has no health exception at all. It is a reckless disregard for the health of women. For example, if a woman will face serious complications, even life-threatening complications, if they continue a pregnancy—where they could suffer kidney failure, a worsening of breast cancer and ovarian cancer—there is no help for those women.

I would say listen to the women who have suffered these problems.

Judy Shackelford of Wisconsin. Four months into her pregnancy she developed a pregnancy-induced blood clot in her arm. The only guarantee that she would not die and leave behind her 5-year-old son was for Judy to end the pregnancy. She and her husband made the difficult decision to terminate the pregnancy, and those Congressmen playing doctor over there are telling her what she should do for her family. They are not doctors.

Listen to Christie Brooks of Virginia. Christie was pregnant with her second child. After a 20-week ultrasound, she found out her daughter would be born with a severe structural birth defect and would suffocate at birth. She made the difficult decision of ending that pregnancy at 22 weeks.

Then there is Vikki Stella. Vikki I have met. She discovered months into her pregnancy that the fetus she was carrying suffered from major anomalies and had no chance of survival—zero. Because of Vikki's diabetes, the doctor determined that induced labor and Caesarian section were both riskier procedures for Vikki than an abortion.

That procedure not only protected Vikki from immediate medical risks, but it ensured that she could have more children in the future. And those Congressmen over there want to get into her life and tell her what to do and tell her family what to do.

This bill is so extreme it would throw doctors in jail for 5 years for providing women with the care they need. And they talk about this brutal doctor who is now serving two consecutive life terms for what he did. Well, that is the way the system should work. If you break the law, as that doctor did, you go to jail. But do not change the law so if a good doctor is trying to help a good patient, he or she risks going to prison.

This bill is so extreme a broad array of groups oppose it. The American Congress of Obstetricians and Gynecologists—they represent thousands of OB/GYNs nationwide—said this bill is ''dangerous to patients' safety and health.''

A coalition of 15 religious groups oppose the bill. Here is what they said:

> We believe—and Americans, including people of faith, overwhelmingly agree—that the decision to end a pregnancy is best left to a woman in consultation with her family, her doctor, and her faith. Our laws should support and safeguard a woman's health—not deny access to care.

In closing—and before we hear from my colleague—let me tell you this: Speaker BOEHNER said last week that creating jobs is ''really our No. 1 priority.'' Majority Leader ERIC CANTOR

said ''House Republicans are focused on creating jobs and restoring faith in our government.''

No, they are not. They are continuing the war on women. If this is what their agenda is, why are they doing that? Why are they attacking 40 years of settled law?

President Obama has threatened to veto this bill, saying it shows ''contempt for women's health and [their] rights.'' In the Senate, my friend and I, who are here—and many others—are going to block this dangerous and extreme bill.

With that, I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Washington.

Mrs. MURRAY. Madam President, I wish to thank the Senator from California for coming out today to let everyone know how extreme this bill is and how important it is that we send the message that this bill is going to be what most Republicans know deep down already. The anti-choice bill that they passed yesterday—a bill the New York Times called ''the most restrictive abortion bill to come to a vote in either chamber in a decade''—is not going anywhere—is not going anywhere.

The bill they passed yesterday is a nonstarter in the Senate, and it is a nonstarter with the overwhelming majority of American women. It is an attack on women's rights under the Constitution, and it is an attack on a woman's ability to make her own health care decisions.

It is a bill that was motivated by politics, pure and simple, and it amounts to little more than a charade designed to appeal to a dwindling base. But it is a charade that will end in the Senate today.

Even more than reminding House Republicans this bill has no chance of moving forward, I am here to provide a reality check because, apparently, despite the one that millions of American women provided last November, House Republicans need another one.

Despite the fact in States across the country voters rejected one candidate after another who politicized rape and ran on restricting a woman's right to choose, House Republicans are now back at it again.

Despite the fact they had to bring in a paid pollster to tell the entire Republican House caucus to stop talking about rape, apparently the message has not sunk in.

For many Republicans it is like 2012 all over again, which is to say it is more like 1950 all over again—a time when an all-male House Republican Judiciary panel can join together—all male—just like they did last Wednesday, to pass a bill that clearly ignores Roe v. Wade; a time when the same panel could reject efforts to protect the life and health of the mother or even reject efforts to make exceptions for rape or incest; a time when one of those panel members, a Republican Representative from Arizona, can even trot out the idea that women are not likely to become pregnant if they are raped.

But it is not 1950, and that irresponsible and shameful claim has been debunked by doctors and experts of all stripes, time and again.

It has been 40 years since Roe v. Wade put the health care choices of women in the hands of women. We are not going back.

But just as House Republicans need a reality check that American women are not going to have the clock turned back on them, I also believe the American people need to know House Republicans—and those on the far right targeting women's health care—are not going away anytime soon either.

In fact, I wish I could say the new restrictions on women's health care choices that the House passed yesterday were a surprise or that I thought that after last fall, Republicans would magically see the light.

I wish I could say I bought the rhetoric from some Republicans who have criticized their own because they believe we should be focused on jobs and the economy at such a difficult time.

But the truth is, attacks on women's health care have not stopped and, apparently, they will not stop. That is because they are a core part of that party's philosophy. In fact, all we have to do is look back at the moment that Republicans in the House took power.

We all remember back to 2010, after campaigning, by the way, across the country on a platform of jobs and the economy, the first three bills they introduced were each direct attacks on women's health.

The very first bill they introduced, H.R. 1, would have totally eliminated title X funding for family planning and teen pregnancy prevention, and it included an amendment that would have completely defunded Planned Parenthood and would have cut off support for the millions of women who count on that.

Another one of their opening rounds of bills would have permanently codified the Hyde amendment and the DC abortion ban. The original version of their bill did not even include an exception for the health of the mother.

Finally, they introduced a bill right away that would have rolled back every single one of the gains we made for women in the health care reform bill.

That Republican bill would have removed the caps on out-of-pocket expenses that protect women from losing their homes or their life savings if they get sick. It would have ended the ban on lifetime limits on coverage. It would have allowed insurance companies to once again discriminate against women by charging them higher premiums, and it would have rolled back the guarantee that insurance companies cover contraceptives.

Those were just their first three bills.

Since that time, we have seen women targeted on everything from contraception to Violence Against Women Act protections, to stripping the new protections provided under the Affordable Care Act.

Through economic peril, budget crises, record unemployment, the attacks on women's health have remained constant. On Capitol Hill, in State houses across the country, and in courtrooms at all levels, the fight against women making their own decisions about their health rages on. Republicans have shown they will go to just about any length to limit access to care. They have put politics between women and their own health care, they have put employers between women and their health care, they have even threatened to shut down the government over this very issue.

They have shown that this is not about what is best for women and men and their own family planning decisions; instead, it is about political calculation. It is about appeasing the far right. It is about their continued efforts to do whatever it takes to push their extreme agenda. But as we have seen with this latest effort, the deck is stacked against them because the Constitution is not going anywhere. Also, because Senators such as myself and Senator BOXER are not going anywhere either, because women who believe Republicans should not be making their health care decisions are not going anywhere. Therefore, this bill is not going anywhere.

Mrs. BOXER. Would the Senator yield for a question? I wish to engage my friend in a colloquy.

We are very fortunate, the Senator and I, because we chair important committees here. Of course all the committees are important—the Budget Committee and I the Environment and Public Works Committee. Both of us have worked hard to get important bills through the Senate—Senator MURRAY, the budget of the United States of America, and for me, the Water Resources Development Act, which deals with making sure the infrastructure around our water, our ports is sound. About 500,000 jobs go along with it. The Senator's is critical because it attacks the issue of jobs and deficits and the rest.

So it seems to me—and I want to know if my friend agrees with me—there is an agenda the Republican House can embrace to deal with what is concerning the American people, such as taking the Senator's bill, the budget bill, to conference after they went out and campaigned all over the country saying we did not want a budget. We pass a budget, now they are stopping

the budget; picking up and passing the water resources bill, or their own version of it if they want; certainly dealing with comprehensive immigration reform, which is critical.

I was disheartened to hear Speaker BOEHNER say: Well, I am not that interested in comprehensive immigration reform. Well, why doesn't he take a look at the budgetary impact which is so positive for our Nation doing this, getting people out of the shadows, getting them to start businesses and work.

Does my friend agree there is no shortage of important and critical issues facing the American people they could take up there other than an attack on women and women's health?

Mrs. MURRAY. Let me respond this way: When I go home—and I go home every weekend—my constituents talk to me about this big word called sequestration and its impact on their lives. Whether they have been furloughed, and their paycheck is much smaller, or whether they are running a violence against women center and they are having to close down a facility, or whether they are sending their kids to preschool and teachers have been laid off, or whether their small pizza shop in Kitsap County is going to have to close because so many people have been furloughed and cut back because of sequestration, what they want us to do is to invest in our infrastructure, to invest in our education, to make our country strong for the future, and to quit governing by crisis, which is why I have come to the floor, as the Senator from California knows, constantly to say we passed our budget; the House has passed their budget; solve this and replace sequestration in a responsible and fair way. We need to get to conference.

But we are being blocked by a handful of Republicans here on the Senate floor. Over in the House, they are not appointing conferees. They do not want to go to conference apparently, because they want to take the floor time to attack women's health care. This is not what the country is telling us to do. They are telling us to do our job and get a budget done so they have certainty. They are telling us to do our job and make sure we invest in the WRDA bill Senator BOXER has worked so hard to do; that the Corps of Engineers projects, whether it is a dam or whatever project they have at home that provides jobs and provides the kind of economy they need is taken care of. They elected us to come back here and do the job of this country.

So, yes, it is frustrating to me to have to come to the floor one more time to talk about abortion when we should be talking about the investments that need to be made, when we should be passing a budget, we should be investing in our children and their future and providing people with jobs and job training and research that is so important at universities across this country so we can be a good place 30 years from now in this country and be competitive.

I would say to my colleague, yes, it appears to me the country has an agenda that is vastly different than the House Republicans on the far right.

Mrs. BOXER. Madam President, I think it says it all here. We need to do our work on the issues that matter to the people. We need to make sure the economic recovery gains steam. We need to make sure we look at this sequester and fix it. We need to make sure we have, yes, deficit reduction, but investment. We need to stand strong here in the Senate. We will. Hopefully our House colleagues will change their minds. Republicans over there set the agenda. Get to the business of the people and stop attacking women.

AMENDMENT NO. 1240

Mrs. BOXER. Madam President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 1240.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. BOXER], for herself, Ms. LANDRIEU, and Mrs. MURRAY, proposes an amendment numbered 1240.

Mrs. BOXER. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require training for National Guard and Coast Guard officers and agents in training programs on border protection, immigration law enforcement, and how to address vulnerable populations, such as children and victims of crime)

On page 919, line 17, insert after ''agents,'' the following: ''in consultation with the Secretary of Defense, National Guard personnel performing duty to assist U.S. Customs and Border Protection under section 1103(c)(6) of this Act, Coast Guard officers and agents assisting in maritime border enforcement efforts,''.

Mrs. BOXER. Madam President, I rise in support of the Boxer-Landrieu-Murray amendment numbered 1240 which is a very simple amendment. It has bipartisan support as well. It would require the participation of the National Guard and the Coast Guard in new Border Protection training programs.

The underlying bill includes language authorizing specialized training for Federal law enforcement agents who have been tasked with securing the border to update them on how the law will impact their duties and their responsibilities. The bill specifically requires Customs and Border Protection, Border Patrol, ICE officers, and agriculture specialists at the border to undergo training on such things as identification and detection of fraudulent travel documents, civil rights protections, border community concerns, environmental concerns, and how agents should handle vulnerable populations such as children, victims of crime, and human trafficking.

But the bill leaves out two very important groups of Federal officials who will be key to further securing our lands and sea borders. They leave out the National Guard and the Coast Guard. The bill provides new authorizations for the National Guard to assist Customs and Border Protection agents with border enforcement duties. In the case of the Coast Guard, the bill continues their large role with maritime border security.

But the new training language excludes both the National Guard and the Coast Guard. So we look at our amendment as making a pretty easy fix. We do not think it was intentional to leave the National Guard and the Coast Guard out of the training. So we simply restore it.

I noted that Senator CORNYN identified the same problem during Judiciary Committee consideration of the bill. This piece was tucked into a more controversial amendment, so it did not pass. This bipartisan idea needs to be taken out. It needs to stand alone. It needs to pass. I am very hopeful it will.

In closing, I will list who is supporting us: National Task Force to End Sexual and Domestic Violence Against Women; Asian Pacific Islander Institute on Domestic Violence; Casa de Esperanza; National Latina Network for Healthy Families and Communities; Futures Without Violence; Institute on Domestic Violence in the African American Community; Jewish Women International; Legal Momentum; National Coalition Against Domestic Violence; National Congress of American Indians Task Force on Violence Against Women; National Council of Jewish Women; National Network to End Domestic Violence; National Organization of Sisters of Color Ending Sexual Assault; National Resource Center on Domestic Violence; and the YWCA.

We have a big group out there that understands these officers need that training.

With that, I thank everybody for their indulgence for allowing me time to explain the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

AMENDMENT NO. 1227

Mr. HELLER. Madam President, I ask unanimous consent that the pending amendment be set aside so I can call up amendment No. 1227.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada, [Mr. HELLER], for himself and Mr. REID, proposes an amendment numbered 1227.

Mr. HELLER. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To include a representative from the Southwestern State of Nevada on the Southern Border Security Commission)

On page 861, line 9, strike ''4 members, consisting of 1 member'' and insert ''5 members, consisting of 1 member from the Southwestern State of Nevada and 1 member''.

Mr. HELLER. Madam President, the debate we are having in this Chamber is incredibly important to our Nation's future. We simply cannot afford to waste this opportunity to bring meaningful reform to America's immigration system. We have a chance to enact commonsense reforms that will help fix the broken system that punishes those who simply want to work hard and play by the rules.

Over the course of the next 2 weeks, we have an opportunity to enhance border security and to ensure that those coming to our shores do so in a lawful manner. In order to do that, we need to make sure the underlying immigration bill actually addresses the issues and offers reasonable solutions that make sense.

Let me be clear: In order to fix the immigration system, we must secure our borders. Attempting to bring about immigration reform while ignoring the problems at our borders makes no sense. I, like many of my colleagues, have repeatedly voted this week in favor of increasing border security. I think most Americans would agree any reform legislation must include measures that stop unlawful entry into our country. The underlying bill recognizes the serious need for greater security at our borders and establishes a southern border security commission if State-based results are not achieved in a reasonable time.

I for one hope we secure our borders effectively and quickly so no such commission is ever needed. The southern border security commission will be established only if the Department of Homeland Security fails to achieve effective control of the southern border within 5 years of the bill's enactment. Hopefully we never recognize that scenario. But if for some reason a southern border security commission is needed, and if we fail to change the status quo after 5 years, then the States that are most affected by these issues must have a central role in fixing those problems.

Let me be clear: My amendment No. 1227 does not endorse the creation of the border commission. It simply ensures that should the commission be required, it will be fully representative of States' concerns and State-based recommendations on how to achieve control of the southern border.

The commission is primarily comprised of representatives from southern border States, including Arizona, California, Texas, and New Mexico, and is responsible for providing concrete recommendations to Congress and the administration on how to achieve control of the southern border should DHS fail to do so.

But Nevada would not be guaranteed a voice on the commission, despite the fact that Nevada shares contiguous borders with two southern border States and faces many of the same immigration-related challenges as these States. It is more than reasonable to argue that Nevada, which is a short drive away from San Diego, Los Angeles, and Phoenix, should be included on a commission designed to improve border security in the southwestern region. If that commission is necessary, Nevada should have a seat at that table. Including Nevada on the commission makes the underlying bill more effective, enhances this particular border security provision, and ensures that it fully addresses the issues affecting the southern border and southwestern States.

If we reject common sense during this amendment process, we are going to end up right back where we started in years to come. We are not going to give the American people the solution they deserve in this immigration bill. It is common sense that if the Federal Government fails to gain control of the borders, then the States most affected by the failure should be able to play a role in fixing the problem. It is common sense that States such as Nevada, which faces the same problems as other States in the region, should contribute to the process as members of that commission.

I urge my colleagues to support this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I come to the floor with even more good news about the Gang of 8's immigration reform proposal that is being debated before the Senate. The nonpartisan Congressional Budget Office has confirmed that this legislation we are considering is good for the American economy.

We in the Gang of 8 have spent months working on this bipartisan effort because we knew it was good for the United States. Now we have the official word from the Congressional Budget Office confirming that it will reduce our Nation's deficit and grow our Nation's economy.

As you can see in this graph, the Congressional Budget Office's analysis shows that our bill will increase the U.S. gross domestic product by 3.3 percent in the first 10 years after its enactment and 5.4 percent in the second 10 years after its enactment. This means the bipartisan immigration reform we are debating in the Senate will actually grow our economy, not harm it as some of the ardent opponents have tried to argue.

I have been saying this all along: bringing 11 million people out of the shadows will increase our economic growth, and now we know by how much.

The Congressional Budget Office also tells us we reduce the deficit by $197 billion over the next decade and by another $700 billion more between 2024 and 2033 through changes in direct spending and revenues. We are talking about almost $1 trillion in deficit spending that we can lift from the backs of the next generation by giving 11 million people a pathway to productive citizenship.

I have been saying all along, bringing 11 million people out of the shadows and fixing our broken immigration system will increase the gross domestic product and decrease the deficit, and now we know by how much. The report says it will come in payroll taxes, income taxes, fees, and fines estimated to be about $459 billion in the first 10 years and $1.5 trillion in the second 10 years. It also found that there will be fewer unauthorized individuals coming into the United States as a result of our bill.

Contrary to what my colleague from Alabama has continuously claimed on the floor of the Senate, the CBO found ''that the border enforcement and security provisions of the bill, along with the implementation of the mandatory employment verification system, would decrease the net future flows of unauthorized people into the United States.''

The bottom line of this report is clear. What the CBO numbers tell us is that 11 million people living in fear and in the shadows are not, as some would have us believe, part of America's problem, but bringing them out of the shadows is actually part of the solution and part of strengthening America's economic future. They are a key to economic growth, and immigration reform will help save the Social Security and Medicare trust funds.

What we realize today is that giving 11 million people a pathway, an arduous pathway, nonetheless a tough pathway, go through a criminal—come forth and register with the government, first of all, and let us know who is here, go through a criminal background check; they must pass that background check because if they don't, they are deported; and then ultimately they pay their taxes, learn English, and after more than a decade earn their way toward citizenship; fixing that broken immigration system, in effect, is an economic growth strategy and exactly the right thing to do.

Frankly, the CBO numbers negate any reasonable argument the opponents of this legislation have. Every argument they have made is based on one thing and one thing only: that ''those people'' living in the shadows, ''those people'' trying to earn a living, ''those people'' trying to keep their families together are a symptom of American decline. Our history of immigration clearly contradicts those arguments, and the CBO numbers confirm it.

The opponents of this legislation couldn't be more wrong. Giving 11 million people a pathway to citizenship, while strengthening our enforcement efforts, is not a symptom of decline. On the contrary, it is a symbol of America's hope and a validation of American values, what we stand for as a nation and who we are as a people.

I believe a new generation of immigrants willing to work hard and contribute to the economy will help make this another century of American exceptionalism.

I say to my friends on the other side, and I say to my friend from Alabama who appears to have only gotten the CBO score for the first 10 years but not the second 10 years, even though I understand he was the one who asked for the CBO to score the second 10 years, apparently the second 10 years holds an inconvenient truth for my friend. The good news in this analysis actually gets better in the second 10 years. The CBO reports that immigration reform will reduce the deficit by $700 billion, increase wages by half a percent, increase GDP by 5.4 percent, and increase productivity and innovation.

As I listen to the Senator from Alabama make his remarks about the CBO report on wages, I don't think the numbers say he believes what they say. He was talking about how American family wages would go down, and the report explicitly says that is not the case.

In fact, Ezra Klein wrote yesterday in the Washington Post that the idea that immigration would lower wages of already working Americans is ''actually a bit misleading. . . . As for folks already here, CBO is careful to note that their estimates ''do not necessarily imply that current U.S. residents would be worse off'' in the first 10 years, and in the second 10 years, they estimate that the average American's wages will actually rise.''

In addition, in case my friend from Alabama missed it, the report also says:

> Although immigrants constituted 12 percent of the population in the year 2000, they accounted for 26 percent of U.S. based Nobel Prize winners, and they made up 25 percent of public venture-backed companies started between 1990 and 2005.

The fact is, immigrants receive patents at twice the rate of the native-born U.S. population. The bottom line, as Ezra Klein states:

> The bill's overall effect on the overall economy is unambiguously positive.

This is encouraging news for the American economy and it validates what many of us have known all along. I would only say let's not take a report from the Congressional Budget Office, twist it for political purposes, and then preach to the fears of those who would oppose this legislation no matter how encouraging and positive the CBO numbers are. I am already beginning to hear the voices who, of course, are rejecting the CBO's analysis. I find it interesting. I stand on this floor very often and listen to my colleagues who use the CBO numbers when it inures to their benefit but reject them when it doesn't. You can't do it. You can't have it both ways. This is a reason to move forward, not a reason for further obstruction.

The Congressional Budget Office report is encouraging enough, in my view, to make this legislation part of an economic recovery strategy and a long-term competitiveness strategy. I say to the opponents of the legislation: Don't stand in the way of economic growth. Don't stand in the way of economic recovery. Let's say yes to immigration reform.

Even a voice I normally am not in concert with—Grover Norquist, the president of Americans for Tax Reform, said yesterday:

> Today's CBO score is more evidence that immigration is key to economic growth. Immigration reform will jumpstart America's economy and reduce our national debt. . . . I urge Congress to fix our broken immigration system for the sake of the American economy.

I don't usually agree with Grover Norquist, so the fact that we can actually agree on this issue means we have done something right in the Gang of 8, something worthy of the support even of some of my most conservative colleagues.

I think my friends on the other side are out of arguments. Ezra Klein does a good job of bottom-lining the CBO analysis. He says:

> This isn't just a good CBO report. It's a wildly good CBO report. They're basically saying immigration reform is a free lunch: It cuts the deficit by growing the economy. It makes Americans better off and it makes immigrants better off. At a time when the U.S. economy desperately needs a bit of help, this bill, according to CBO, helps. And politically, it forces opponents of the bill onto the ground they're least comfortable occupying: They have to argue that immigration reform is bad for cultural or ethical reasons rather than economic ones.

The good news in this CBO report about the economic benefits of immigration reform is exactly one of the reasons 70 percent of Americans support it. It is good for the economy. Once again, we realize the breadth of support for this legislation goes far beyond politics, demographics, or elections. It goes to our responsibility to the economy and to our country.

We have an obligation to pass this legislation if we want to fix our immigration system and rebuild our economy.

To those opponents of immigration reform who tell us ''those people'' will come here and use services, demand more and bankrupt the system, I would point them to this graphic.

The sizable deficit reduction from immigration reform in the first 10 years is actually dwarfed by the amount that immigrants will continue to contribute in reducing the national deficit in the second 10 years.

This clearly shows immigration reform is good for America now and in the long term. People have long realized, and the CBO numbers show us, that this legislation is, without a doubt, the right thing to do. It benefits all of us as an issue.

These are people who have come here to work, contribute to our economy, our economic competitiveness, pay their taxes, and be part of the dream. The CBO report simply puts numbers to what that dream is all about and what we have known all along.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, as chair of the Agriculture, Nutrition and Forestry Committee, I rise today to speak about the urgent need for comprehensive immigration reform. I too, along with the distinguished Senator from New Jersey, wish to indicate that it is very good news that this is not only good in a number of ways to have a legal system that is working for the economy, but we are actually going to see deficit reduction. Saving money as well as providing certainty in the economy for workers and businesses, a legal system that works for people, for families, business workers, is extremely positive.

I wish to congratulate all of my colleagues and friends on both sides of the aisle who have worked so hard: the leader of the Judiciary Committee, the leader of the Immigration Subcommittee, and all of those on both sides of the aisle who have worked so hard to make this happen.

I particularly thank Senator DIANNE FEINSTEIN, Senator BENNET, and others who have worked very hard on a portion of the bill that relates to agriculture.

In agriculture, we need comprehensive immigration reform. It is critically important for farmers from Michigan, Wisconsin, Alabama, California, and everywhere in between.

As you know, we passed our farm bill with wide bipartisan support a week ago. In the debate, we talked a lot about risk management and making sure that farmers have a safety net when they experience a disaster, whether it be a drought, a late freeze, or other severe weather. But what

about when the weather is good, the Sun shines, there is enough rain but not too much, and it falls at the right times and the crops grow and ripen, and then there aren't enough people to harvest it, which has happened too many times in Michigan? When that happens, crops unpicked, unsorted, and unsold rot in the fields. In California, last year peach growers saw much of their crop rot on the trees because they couldn't find enough workers. One farmer outside Marysville, CA, said he was losing 5 percent of his peaches every day—every day—because he couldn't get enough farm workers and the system didn't work. And this year grapefruit growers are already behind on picking by 2 weeks because of the labor shortage. We need a legal system that works.

In Alabama, in 2011 thousands of farm workers fled the State as a new immigration law was passed and undermined the ability to get quality legal workers. Brian Cash, a tomato grower on Chandler Mountain, said that one day he had 64 workers and the next day he had 11 when the new law made it a crime not to carry valid documents at all times, which forced police to check on anyone they suspected was here illegally. The way this was put together, it was not workable. So we need a system that works, that is realistic, that makes sure everyone, in fact, who is here is documented as legally here, but it has to be done in a way that works for farmers and workers. Because Brian didn't have enough workers to harvest his 125 acres, he watched his tomato crop rot in the field, and that loss cost him $100,000.

In my home State of Michigan last year, we couldn't get enough workers to help harvest the crops up and down the west side of the State. Asparagus grower John Bakker, who runs the Michigan Asparagus Advisory Board, reports that 97 percent of Michigan asparagus is harvested by hand and almost all of our hand-harvesting labor comes from migrant workers. That means much of our asparagus crop, unfortunately, was left in the field last year.

As you can see here, this was all left in the field. All of this is what has happened.

Alan Overhiser from Casco Township, MI, grows peaches and apples on 225 acres. He typically hires 25 to 30 seasonal workers. Right now he only has two. He said:

> I think one thing people don't understand is that people we normally hire are skilled at this work. It's not just something that everyone can do. I think that's probably the myth out there. The reality is that we're in the business of providing safe, high-quality food that people want to buy. It takes a skilled labor force. It's hard work. They just aren't everywhere.

So we need to have a legal system that farmers can count on to have the skilled labor they need.

Dianne Smith, the executive director of the Michigan Apple Committee, said that because last year's crop harvest was lost to a weather disaster, many farm workers, of course, moved on to different jobs. In fact, she said that apple growers from Michigan to Washington are desperate to get back the skilled workers they need and that growers are hearing that until immigration is worked out, until there is a legal system they can trust and count on, workers they have worked with for years aren't willing to come back to the United States.

Russ Costanza grows squash, peppers, cucumbers, tomatoes, and eggplants on his Michigan farm. In the 1960s every farm worker his father hired came from nearby Benton Harbor, MI. As of 2010 not a single worker came from that city.

Again, there are the challenges of finding farm workers, those who are skilled and who want to do this kind of work.

Fred Leitz, who also farms near Benton Harbor, says American workers don't want to work in the fields. He has reached out to find workers and says it is a particular kind of work that most American workers are not interested in doing. In 2009 migrant workers held 200 of the 225 jobs at his apple orchard, and he said he would be out of business without their help. He has to have a legal system that works so that he knows he is following the law, so that people know they are following the law, they can count on it, and they can have the skilled workers they need every year.

Today, 77 percent of our country's farm workers are foreign born. These are men and women who work in extremely difficult jobs. They are people who need and want to follow the law. We have to make sure the law works. We need immigration reform to make sure we have an accountable system.

For our workers who put in so much effort all year long only to watch their crops rot in the fields, we need immigration reform. We need a legal system that works. If they do not have workers to pick all of their crops, then farmers are going to plant fewer acres. The effect of a labor shortage can be just as devastating and disastrous on our food supply and our families' grocery bills as a drought or a freeze.

So there is no two ways about it. We need to pass this bill. We need immigration reform. We need a system that is accountable, that is credible, that is legal, and that works. Farmers and farm worker organizations are strongly endorsing this bill because fixing our immigration system is what the bill before us is all about.

I am very pleased people have come together—those representing workers, those representing farmers—to find something that actually is a good balance and works for everyone in this sector of the economy.

This bill first creates a way for current undocumented workers to obtain legal status through the blue card program if they have worked at least 100 work days or 575 hours from January 1, 2010, through December 31, 2012. All the blue card holders receive biometric identification, and employers will be required to provide a record of their employment to the Department of Agriculture as well. To be eligible then for a green card, the workers must have worked for at least 100 days per year for 8 years prior to enactment or 150 days for 5 years prior to enactment, and they also would have to show that they paid taxes on the income they earned while in blue card status and that they have not been convicted of any felony or violent misdemeanor as well.

Next, the bill also establishes an agriculture worker program to assign work visas for immigrant workers who don't wish to live in the United States but want to be able to come to the United States and work legally. Workers must register with USDA and pay a registration fee, and the USDA will create an electronic employment monitoring system similar to our current student and exchange visitor information system to track temporary workers.

This bill ensures a review of the visa cap after 5 years so we can see how the program is working for farmers and for farm workers. It also gives the Secretary of Agriculture the power to increase the number of visas in an emergency, as in a situation where we don't have enough workers and the crops are actually rotting in the fields.

In addition, any workers who are unemployed for more than 60 days or breach a contract with an employer will have to leave the United States.

Furthermore, the bill provides much needed certainty for farmers and for workers when it comes to wages. Under the bill farmers will know how much to plan to spend on help, and workers will know how much to plan on earning for their work.

Finally, farm employers must hire eligible and qualified American workers before filling any shortages of workers through the visa program. So, as always—and certainly a high priority for me—we want to make sure American workers have the first opportunity for these jobs. It is only in a situation where there are not Americans applying and wishing to have this employment that we would then turn to those who are legally here and who are foreign born.

We are the top agricultural export country in the world—the top. That is one of the bright spots for us. As I have said so many times, 16 million people work in this industry. We can't continue to be the top export country if we leave crops in the fields or on the trees because we don't have a legal system

that works and we don't have legal employees who are here, workers who are here legally and who can do the work. So we need to pass this bill.

There are many reasons to pass this bill. One is to make sure we are actually picking from the fruit trees and not letting things fall and rot on the ground—the precious food we are growing across the country. We need to pass this bill because our food supply and the world's food supply depend on being able to get the crops out of the fields.

We have done a great job working together to produce a 5-year farm bill that addresses everything from research and support for farmers when they have disasters to conservation practices, trade, local food systems, rural development, and on and on. The one piece we can do now that will really give American agriculture a positive one-two punch is to pass this bill.

This bill is a balance. It has been worked out among all those involved in the agricultural economy, both from a business standpoint and a worker standpoint. Everyone is very clear: The system is broken. It doesn't work. It doesn't work for anybody right now. So we need a system that works, that is accountable, that has the right kind of balance, and that, of course, puts American workers first but allows our farmers to have the legal workers they need as well in that process.

This bill makes sense, and I urge my colleagues to support it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 1320

Mr. CRUZ. Madam President, I ask unanimous consent to temporarily set aside the pending amendment so that I may call up my amendment No. 1320 which is at the desk.

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

The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Texas [Mr. CRUZ] proposes an amendment numbered 1320.

Mr. CRUZ. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To replace title I of the bill with specific border security requirements, which shall be met before the Secretary of Homeland Security may process applications for registered immigrant status or blue card status and to avoid Department of Homeland Security budget reductions)

On page 896, strike line 11 and all that follow through page 942, line 17, and insert the following:

TITLE I—BORDER SECURITY

SEC. 1101. BORDER SECURITY REQUIREMENTS.

(a) IN GENERAL.—During the 3-year period beginning on the date of the enactment of this Act, the Secretary shall—

(1) triple the number of U.S. Border Patrol agents stationed along the international border between the United States and Mexico;

(2) quadruple the equipment and other assets stationed along such border, including cameras, sensors, drones, and helicopters, to enable continuous monitoring of the border;

(3) complete all of the fencing required under the Secure Fence Act of 2006 (Public Law 109–367);

(4) develop, in cooperation with the Department of Defense and all Federal law enforcement agencies, a policy ensuring real-time sharing of information among all Federal law enforcement agencies regarding—

(A) smuggling routes for humans and contraband;

(B) patterns in illegal border crossings;

(C) new techniques or methods used in cross-border illegal activity; and

(D) all other information pertinent to border security;

(5) complete and fully implement the United States Visitor and Immigrant Status Indicator Technology (US-VISIT), including the biometric entry-exist portion; and

(6) establish operational control (as defined in section 2(b) of the Secure Fence Act of 2006 (Public Law 109–367)) over 100 percent of the international border between the United States and Mexico.

(b) TRIGGERS.—The Secretary may not commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101, or blue card status under section 2111 until the Secretary has substantially complied with all of the requirements set forth in subsection (a).

(c) BUDGETARY EFFECTS OF NONCOMPLIANCE.—

(1) INITIAL REDUCTIONS.—If, on the date that is 3 years after the date of the enactment of this Act, the Secretary has failed to substantially comply with all of the requirements set forth in subsection (a)—

(A) the amount appropriated to the Department for the following fiscal year shall be automatically reduced by 20 percent;

(B) an amount equal to the reduction under subparagraph (A) shall be made available, in block grants, to the States of Arizona, California, New Mexico, and Texas for securing the international border between the United States and Mexico; and

(C) the salary of all political appointees at the Department shall be reduced by 20 percent.

(2) SUBSEQUENT YEARS.—If, on the date that is 4, 5, 6, or 7 years after the date of the enactment of this Act, the Secretary has failed to substantially comply with all of the requirements set forth in subsection (a)—

(A) the reductions and block grants authorized under subparagraphs (A) and (B) of paragraph (1) shall increase by an additional 5 percent of the amount appropriated to the Department before the reduction authorized under paragraph (1)(A); and

(B) the salary of all political appointees at the Department shall be reduced by an additional 5 percent.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), there are authorized to be appropriated to carry out this title such sums as may be necessary for each of the fiscal year 2014 through 2018.

(2) OFFSET.—

(A) IN GENERAL.—Any amounts appropriated pursuant to paragraph (1) shall be offset by an equal reduction in the amounts appropriated for other purposes.

(B) RESCISSION.—If the reductions required under subparagraph (A) are not made during the 180-day period beginning on the date of the enactment of this Act, there shall be rescinded, from all unobligated amounts appropriated for any Federal agency (other than the Department of Defense), on a proportionate basis, an amount equal to the amount appropriated pursuant to paragraph (1).

Mr. CRUZ. Madam President, central to any debate over immigration is the need to secure our borders. The American people are overwhelmingly unified on that proposition. We must secure our borders. Unfortunately, the bill before this body—the Gang of 8 immigration bill—does not secure our borders.

Right now our borders are anything but secure. In fiscal year 2012 there were 364,768 apprehensions along the southwest border. Forty-nine percent of those apprehensions were in Texas.

The Border Patrol reported in 2012 463 deaths, 549 assaults, and 1,312 rescues. And this is just a tiny fraction of those actually harmed crossing the border illegally. In fiscal year 2012 there were 2,297,662 pounds of marijuana and nearly 6,000 pounds of cocaine seized at the southwest border.

The trafficking we are seeing is not just human life, but it is also drugs that are destroying the lives of countless young people and Americans across our country. From April 2006 to March of 2013 over 9 million pounds of marijuana, cocaine, meth, and heroin has been seized just in Texas, $182 million in currency has been seized, over 4,000 weapons have been seized. Madam President, 392 cartel members have been arrested in Texas since 2007, 33 cartel-related homicides in Texas just since 2009, and 78 instances where shots were fired at law enforcement officers in Texas.

The insecurity of our borders is causing human tragedies in our country, many of which are occurring in my home State of Texas. A brutal example can be found in the situation faced by my constituents in Brooks County, TX, a county in South Texas 60 miles southwest of Corpus Christi, 90 miles from Laredo. Seemingly far removed and peaceful, Brooks County is the site of an extreme problem: hundreds of thousands of people coming here illegally, many of them from countries other than Mexico, attempting to cross the harsh terrain on foot, cutting across private property to avoid detection by the understaffed Border Patrol.

According to news sources, 400 to 500 illegal immigrants cross Brooks County on foot every single night—400 to 500 a night. The Washington Post recently wrote a piece about Brooks County and described the situation as follows:

There has been a surge in illegal migrants, mostly from Central America, trying to sneak around the checkpoint by cutting through the desolate ranches and labyrinths of mesquite brush that parallel the highway.

They arrive in South Texas by riding the freight trains up through southern Mexico and along the gulf coast. Smugglers float them across the Rio Grande to safe houses

and border cities such as Brownsville and McAllen, then drive them north toward Houston and San Antonio along U.S. Route 281.

Several miles before the Falfurrias Border Patrol checkpoint, the smugglers pull over, and that's where the migrants start walking.

Because they are either paid in advance or based solely on how many people they successfully deliver, smugglers often leave illegal immigrants in places such as the sometimes 30-mile overland hike, which is undertaken at a brutally fast pace, and sadly the harsh land and climate lead to the death of many.

The Washington Post interviewed one of my constituents, Mr. Presnall Cage, on that point. He said:

''I don't want the bodies here anymore,'' said Presnall Cage, whose family's 43,000-acre property is directly west of the highway checkpoint. ''A more secure border would mean fewer deaths,'' he said.

The system we have is not humane. It is cruel, and it results in terrible human tragedies.

The Washington Post went on to describe the situation Mr. Cage faces.

Some of the migrants find their way to Cage's ranch house, as three groups of people had done the week before. ''I feel so sorry for them,'' he said. ''They have no idea what they're getting into.'' Cage has placed dozens of water faucets around his property. But a sinking feeling sets in whenever he sees a pair of sneakers laid across a path or a shirt tied to a branch near the road, typical last-ditch distress signals.

When winter arrives and quail hunters come to his ranch with dogs, more bodies show up. Last year 16 bodies were found on Cage's ranch. Sixteen men, women, and children lost their lives because of our broken immigration system.

Sadly, the 16 found on Mr. Cage's ranch represent only a small fraction of the 129 bodies found in just Brooks County last year. The county spent $159,000 last year to recover and bury those who went unclaimed. They are buried at the Sacred Heart Burial Park. They are spread across three sections of the cemetery. In those three sections, the graves do not have names. The remains of a human being lie marked only by simple aluminum markers carrying serial numbers or sterile descriptions: ''Unknown Female,'' ''Bones,'' or ''Skull.''

No one who cares about our humanity would want to maintain a system where the border isn't secure, where vulnerable women and children entrust themselves to corrupt coyotes and drug dealers and are left to die in the desert. This is a system that produces human tragedy, and the most heartbreaking aspect of this Gang of 8 bill is that it will perpetuate this tragedy. It will not fix the problem. It will not secure the borders.

Linda Vickers, who is a constituent from Brooks County, wrote me about the situation she faces:

In all the years I have lived here (since 1996) I have never seen or been confronted by so many illegal immigrants. Since May of last year the numbers have continued to rise. . . . But I have never seen it like this! Nor, have I ever felt this unsafe in my own home and on my own ranch as I do right now. I have had so many gang members (MS–13, Pistoleros, etc.) around my house that I now feel it is not ''if'' I will be assaulted, but ''when.''

Linda Vickers' husband is a veterinarian, Dr. Mike Vickers. Like many other ranchers in Brooks County, Mike speaks Spanish and he worked for Mexican ranchers for years as a vet until the travel became too dangerous. Dr. Vickers gave the following statement of his own:

I live on a Brooks County ranch with my wife, Linda. In 2012, 129 bodies of deceased illegal aliens were found in our County on private ranch land. Most of these bodies were found within 15 minutes of our front door in any given direction! We believe these bodies represent only 20–25% of the actual number of illegal immigrants dying in this area. . . . In one week of last July, I personally rescued 15 people (most were Central Americans) that were lost and close to dying from dehydration and heat exhaustion. . . . This same week I found a deceased person that had been laid across a dirt road in order to be found. He was a 31 year old man from El Salvador.

A system that perpetuates these human tragedies is cruel. It is the opposite of humane. Yet the bill before this Senate, the Gang of 8 bill, encourages illegal immigration now and more in the future if it is passed.

Apprehensions in the Rio Grande Valley are projected to be higher in fiscal year 2013 than in any year since 2000, and the number of apprehensions to date, after only 8 months, is already more than the total apprehensions in fiscal years 2002 to 2004 and 2007 to 2011.

This is a chart of the apprehensions of what Homeland Security refers to as OTMs—those who are other than Mexican—because a significant number of people coming into this country illegally are not from Mexico but are from other nations.

The black line represents apprehensions of OTMs along the southwest border, and the white line represents apprehensions in Texas. You see two clear spots—one in the mid-2000s, coming up right upon the consideration of the last major amnesty bill, and we saw apprehensions spike dramatically as people were incentivized by that offer of amnesty to risk their lives coming here illegally, and we see again a second spike happening right now.

DHS statistics show apprehensions on the southwest border are up 13 percent versus the same time last year—from 170,223 in 2012 to 192,298.

The Gang of 8 bill encourages illegal immigration in many ways, one of which is by prohibiting immigration law enforcement from detaining or deporting any apprehended illegal immigrant if they ''appear to be eligible for instant legalization'' and requiring that they be allowed to apply for amnesty. In other words, what this bill does is it handcuffs law enforcement from enforcing our immigration laws. We should not be surprised that when you handcuff law enforcement, the result is more and more breaking the law.

The Gang of 8 bill allows illegal aliens who have been previously removed to, in the Secretary's discretion, be eligible for legalization even if they have illegally reentered the country yet again. And neither the Gang of 8 bill nor many of the alternative border security proposals that have been introduced do enough to meaningfully secure our borders.

The last time this body passed major immigration reform was 1986. In 1986 the Federal Government made a promise to the American people. The Federal Government said: We will grant amnesty to some 3 million people who are here illegally. In exchange, we will secure the borders. We will stop illegal immigration. We will fix the problem. The American people accepted that offer. What happened in 1986 was that the amnesty happened, 3 million people received it, and yet the border security never happened.

I was struck last week when the senior Senator from New York stood at his desk and said: When this bill passes, illegal immigration will be a thing of the past. It was an echo from the debate in 1986. In 1986 that same promise was made to the American people: Just grant amnesty and illegal immigration will be a thing of the past. Do you know what we have learned? If legalization comes first, border security never happens.

One of the major questions before this body is, Which should come first, legalization or border security? I can tell you that the overwhelming majority of Americans, Republicans and Democrats, want border security first before any legalization. Yet the Gang of 8 bill and the alternatives before this body don't require even a single additional Border Patrol agent prior to legalization. The Gang of 8 bill does not require that a single foot of fencing be built along the border prior to legalization. The Gang of 8 bill does not require a biometric exit-entry system prior to legalization.

Unlike the Gang of 8 bill, the amendment I have called up does provide real border security. It does what we have been telling the American people, but it actually follows through on it. Prior to legalization, my amendment would do a number of things. No. 1, it would triple the number of Border Patrol agents on the southern border. Today there are a little over 18,000 Border Patrol agents on the border, but our border is not secure. This bill triples that. This bill quadruples the number of cameras, sensors, helicopters, fixed-

wing assets, technology, and infrastructure on the border. This bill requires that we complete all 700 miles of the fencing required by law in the Secure Fence Act. This bill requires real-time sharing of information among Federal law enforcement agencies. This bill requires that we complete and fully implement the US-VISIT system, including biometric exit-entry. And this bill requires that we establish operational control over 100 percent of the southern border.

Proponents of the Gang of 8 bill suggest that we don't need additional border patrol. I have to say that it is interesting seeing Senators who represent States that are very, very far away from the border standing up with complete confidence and sharing what we need to do to secure the border.

I can tell you, every time I have been to the border in my home State of Texas, the No. 1 answer that has been given from people on the ground—how do we fix this? How do we secure the border? How do we make it so you are not at risk from Mexican drug cartels and from the constant human tragedy of illegal immigration? The No. 1 answer you get over and over from law enforcement on the ground is this: More boots on the ground.

Let me put things in perspective in terms of what exactly we are talking about with boots on the ground. We need to have sufficient resources to secure the border. And let's take as a comparison the border versus New York City. In New York City, there are 34,500 NYPD officers. The area those 34,000 officers are policing is 468 square miles. That is a density of about 73 officers per square mile. By contrast, the border has 18,516 Border Patrol agents, but instead of policing 468 square miles, they are policing approximately 200,000 square miles. That is a density of 0.1 agents per square mile.

Let's look at it in a different way to get a sense of the differential there is right now. In New York City, 34,500 NYPD officers, as represented by this chart, are policing about 470 square miles—that little dot. By comparison, roughly half this number of Border Patrol agents are policing a square that large. And that is why law enforcement on the border says that whenever you spot those who are coming here illegally—even if you spot them, even if you find them, there is a delay in getting Border Patrol agents there to apprehend them, and by the time they are there, many of them have escaped and fled into the interior.

Why focus on inputs? One of the reasons to focus on inputs is that this administration in particular has demonstrated both a willingness to disregard the law and less than complete fidelity to truth. Proponents of the Gang of 8 say there are provisions in this statute that require that DHS fix the problem. I would like to point out a couple of provisions of current law.

If you look right now at current law, current Federal law requires:

> Ports of entry shall use equipment and software to allow the biometric comparison and authentication of all travel documents.

That was enacted in law in 2002. Has it happened? No. It is one of the things in the civics classes we teach our kids: Congress passes a law, the President signs it, and suddenly it occurs. It doesn't occur if the Executive doesn't implement it. And the statement of the head of the travel entry programs at CBP in 2011 was:

> The operational costs of a biometric program at this time would be inordinately expensive and the benefits not commensurate with the costs.

Despite the fact that the statute, the words on the paper say we have to have a biometric system, we do not, and the Obama administration made it perfectly clear they do not intend to change that.

Look at another provision of current law. Current law provides the DHS Secretary shall—not may, not might—''shall provide for at least 2 layers of reinforced fencing'' over 700 specified miles.

How much of that has happened? Madam President, 36.6 miles of double-layered fence is currently standing. The statute says there shall be 700. DHS has built only 36. Words on a paper don't secure the border.

A third example of current law right now that the Obama administration is disregarding, current law provides DHS Secretary Janet Napolitano must ''achieve and maintain operational control'' over the entire border.

What does Janet Napolitano say? She says: ''Look, operational control, it's an archaic term.''

DHS doesn't even measure it anymore, much less require it.

Why? Because when they were measuring it they found it wasn't being achieved, the border wasn't secure. So rather than enforce it, they just erased the metric that demonstrated they are not fixing the problem.

There are two fundamental questions this body needs to consider when it comes to border security. No. 1, do we have real border security? Do we fix the problem, stop providing empty promises? The Gang of 8 bill has empty promises that will do nothing to secure the border. I think the American people are tired of empty promises.

The amendment I have offered will put real teeth in border security: triple the number of Border Patrol agents on the southwest border; quadruple the cameras, sensors, drones, helicopters, and other technology and infrastructure as appropriate; ensure that we fix the problem.

No. 2, there is a fundamental question: Which comes first, legalization or border security? The Gang of 8 bill says let's have legalization first and then border security is a promise that will happen in the future. We have been down that road. That was the exact same path we took in 1986. In 1986 Congress told the American people we will grant legalization now, and on Tuesday I will pay you the cost of a hamburger. In the future, we will secure the border. Three decades later it still has not happened.

The only way to make it happen is to require border security first, to put the incentives on the Federal Government. Talk is cheap. We need to fix the problem.

In closing, I ask you, Madam President, and I ask the American people to focus on the cost, the human tragedy of our current system. In 1986 there were 3 million people here illegally. They were granted amnesty and the Federal Government promised the problem would be solved. Three decades later the border is still not secure, and there are 11 million people here illegally.

If this body passes the Gang of 8 bill, it will grant immediate legalization and it still will not secure the border. In another 10 or 20 years we will be back here, but it will not be 3 million or 11 million; it will be 20 million or 30 million people here illegally. If that happens, there are going to be a lot more graves like this, a lot more little boys, little girls, a lot more men and women who will never achieve the potential they could because of our system. It is a perverse system that encourages good people who just want a better life—they want a better life for their kids—and with our system, because we do not enforce the law, they risk their lives, they entrust themselves to human traffickers who assault them, who sexually violate them, who leave them to die in the desert.

The American people are overwhelmingly unified that, No. 1, we need to secure the border. And, No. 2, any bill that this body passes should have border security first and then legalization, not the other way around. There is an old saying that is popular in Texas: Fool me once, shame on you; fool me twice, shame on me.

In 1986, Congress asked the American people: Trust us with legalization first and border security later. We learned it never happened. You know what. I don't think the American people are ready to be fooled a second time. I hope this body will adopt the amendment I have introduced to provide real border security and to ensure that border security occurs first, before legalization.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I ask unanimous consent my remarks be as in morning business.

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

JUDICIAL CONFIRMATION PROCESS

Mr. HATCH. Mr. President, the Senate has so far this year confirmed 26 judicial nominees, including six appeals court nominees. The majority was right on cue, complaining about what they still insist is unprecedented confirmation obstruction and threatening to fundamentally change the confirmation process itself.

The late Senator from New York, Daniel Patrick Moynihan, once said that you are entitled to your own opinion but not to your own facts. So let us look at the real confirmation facts.

The Senate confirmed a higher percentage of President Obama's first-term appeals court nominees, and did so faster, than it had for President Bush. The 111 judges confirmed in the previous Congress was the highest total in more than 20 years.

Now we are at the beginning of President Obama's second term. The Senate is on a faster second-term confirmation pace than under any President in American history. And by the way, we have already confirmed more judges as the Democratic majority allowed to be confirmed in all of 2005, the first year of President Bush's second term.

Or we can look specifically at nominees to the U.S. Court of Appeals. The six appeals court nominees already confirmed this year are more than 60 percent above the average annual confirmation pace during the entire time I have been in the Senate. In fact, the Senate confirmed more appeals court nominees by this time in only eight of those 36 years.

Despite those confirmation facts, the majority wants the public to believe that legions of judicial nominees are piling up, waiting to be confirmed, and the only thing holding back this confirmation flood is Republican obstruction in general, and Republican filibusters in particular.

Democratic Senators claim that there have been hundreds of filibusters. In January 2011, they claimed that there had been 275 filibusters in the previous 4 years alone. Last December, the claim had risen to 391.

My Democratic colleagues would be no less accurate if they claimed thousands or even millions of filibusters. There is no other way to say it, Mr. President, but the majority is committing filibuster fraud.

Here's how they do it. The Senate must end debate on a bill or a nomination before we can vote on it. The process for ending debate, or invoking cloture, has two steps, a cloture motion and a cloture vote.

A cloture motion is nothing more than a request to end debate and requires only the signature of 16 Senators. The little secret behind those wild claims of filibusters in the hundreds is that Democrats are counting cloture motions, not filibusters. On January 1 of this year, one Democratic Senator actually let slip what the majority is up to when he referred to ''the use of the filibuster as measured by the number of cloture motions.''

Cloture motions and filibusters are two different things. In a report dated just last month, the Congressional Research Service said:

> Senate leadership has increasingly made use of cloture . . . at times when no evident filibuster has yet occurred.

The current majority leader files cloture motions left and right, sometimes at the same time and in virtually the same breath as when he brings up a matter for consideration. That gimmick boosts the number that the majority uses as false evidence of a filibuster problem, but it is simply filibuster fraud. So many of these cloture motions are unnecessary that a higher percentage is withdrawn without any cloture vote at all than under previous majority leaders of either party.

Here is one recent example. The Judiciary Committee unanimously reported the appeals court nomination of Sri Srinivasan on May 16, 2013. No one opposed this nominee in the Judiciary Committee, and no one was ever going to oppose this nominee on the floor. The majority leader still filed a cloture motion even though the minority leader had already agreed to a confirmation vote.

I will not be surprised if the majority claims that this unanimously confirmed nominee was somehow filibustered because a completely unwarranted and totally unnecessary cloture motion was filed and promptly withdrawn.

It is time to stop the gimmicks and fake numbers. It is time to stop the filibuster fraud. A cloture motion is simply a request to end debate while a cloture vote is an actual attempt to end debate. A filibuster occurs when that attempt to end debate fails.

Let's look specifically at judicial filibusters. The majority should know the judicial filibuster facts because, after all, they pioneered the use of filibusters to defeat judicial nominees who would otherwise be confirmed.

The Senate has taken a total of 51 cloture votes on 36 different judicial nominations since the first one in 1968. Remember that a vote against cloture is a vote for a filibuster. As this chart shows, 79 percent of all votes by Senators for judicial filibusters in American history have been cast by Democrats.

One reason why the majority uses fake definitions and made-up numbers is that the number of real judicial filibusters is much lower today than in the past, especially during the previous administration.

At this point under President Bush, the Senate had taken 24 cloture votes on judicial nominees and 20 of them had failed. In other words, there had been 20 judicial filibusters. Not cloture motions, but actual filibusters that prevented confirmation votes. But under President Obama, the Senate has taken only nine cloture votes on judicial nominees and only four of those have failed. There have been only four judicial filibusters since President Obama took office.

It's no wonder that the majority today would rather use fake numbers than talk about real filibusters. Democrats led five times as many filibusters of President Bush's judicial nominees than there have been filibusters of President Obama's judicial nominees. Five times as many.

Not only that, but the very same majority party leaders who today most loudly condemn judicial filibusters the majority leader, the majority whip, and the Judiciary Committee chairman each voted no less than 21 times for judicial filibusters by this point under President Bush. They voted for real filibusters then, they condemn fake filibusters today.

Another example of filibuster fraud is the claim that the Senate today is bound by a 2006 agreement among a group of Senators who came to be known as the Gang of 14. Just a few months ago, the majority whip said that the Senate is supposed to use this agreement today as the standard for justifying a filibuster. In the Judiciary Committee and here on the floor, Senators on the other side of the aisle lecture us about how we supposedly have violated that agreement.

That agreement was never binding on more than those 14 Senators, it offered a standard that was to be interpreted and applied individually, and it never applied to anyone after 2006.

Here's what happened. By the spring of 2005, Democrats had led 20 filibusters that prevented confirmation votes on 10 different appeals court nominees. The majority leader threatened to prevent judicial filibusters through a parliamentary ruling that could be sustained by a simple majority vote. A group of seven Democrats and seven Republicans joined to head off that confrontation.

With a 55–45 Republican majority, the seven Democrats were enough to prevent judicial filibusters and the seven Republicans were enough to prevent a ban on judicial filibusters.

I have here the memorandum of understanding signed by those 14 Senators. Three things stand out.

First, it ''confirms an understanding among the signatories.'' The agreement applied only to those 14 Senators, only five of whom are serving today.

Second, it says that this agreement is ''related to pending and future nominations in the 109th Congress.'' The agreement expired more than 6 years ago.

Third, it says that those 14 Senators will support judicial filibusters only under ''extraordinary circumstances''

and that each Senator decides individually whether those circumstances exist. There never was any objective standard that applied to the Senate as a whole, or to any group of Senators for that matter.

It could not be clearer. This was an agreement among those Senators to use that standard during that Congress in order to avoid that confrontation over changing confirmation procedures.

Individual Senators may certainly use whatever standard they choose for their cloture or confirmation votes, including whatever this extraordinary circumstances standard might mean. But it is pure fiction to say that this temporary agreement ever bound, let alone binds today, more than those Senators who explicitly agreed to it.

Today we have the bizarre phenomenon of Democratic Senators who voted for nearly two dozen filibusters of Bush nominees telling us that an expired agreement they had never joined somehow prevents us from voting for filibusters of Obama nominees today.

Why is the majority using such sleight of hand and trying to enforce non-existent agreements? Why are they engaging in filibuster fraud?

One possibility is that the majority wants to cover up the fact that President Obama has consistently lagged behind his predecessors in making judicial nominations. The Senate, after all, cannot confirm nominations that do not exist.

The Administrative Office of the U.S. Courts tracks pending nominees for current judicial vacancies. You can see here the record based on that data. The Senate had pending nominations for an average of 41 percent of current vacancies under President Clinton, 53 percent under President Bush, but only 35 percent under President Obama. And today it is even lower, at only 33 percent.

During his first term, President Obama was more than 30 percent behind President Bush's nominations pace, but ended up only 10 percent behind in total confirmations. That hardly looks like partisan obstruction to me.

Not all vacancies, of course, are created equal. Some are more pressing than others. President Obama recently sent to the Senate nominees for the three remaining vacancies on the U.S. Court of Appeals for the DC Circuit and the majority is demanding swift confirmation. By the Democrats' own standards, however, these nominees should not be considered.

In 2006, Judiciary Committee Democrats wrote then-Chairman Arlen Specter to oppose considering a DC Circuit nominee. That letter, which I have here, said that another DC Circuit nominee ''should under no circumstances be considered—much less confirmed before we first address the very need for that judgeship and deal with the genuine judicial emergencies identified by the Judicial Conference.''

Madam President, I ask that both of these documents be printed in the RECORD.

My Democratic colleagues had two criteria for filling a DC Circuit vacancy. The need for the judgeship to be filled had to be established, and particularly pressing vacancies elsewhere had to be addressed. Let's apply those Democratic criteria to these new DC Circuit nominees.

The first Democratic standard is that there must clearly be a need for the particular judgeship to be filled. In 2006, Democrats offered specific criteria including the total number of appeals filed.

As you can see here, based on the most recent data from the judiciary's administrative office, the number of appeals filed shown here in green has been below the 2006 level every year since, and far below the average of all circuits across the country shown here in red.

Another Democratic benchmark is the number of appeals resolved on the merits per active judge. Based on the same data from the judiciary's administrative office, even with a lower number of active judges, this benchmark has risen a mere four percent from 2006.

Whether you look at new cases or completed cases, judges on the DC Circuit handle about 40 percent fewer cases than judges on the next busiest circuit.

Based on these Democratic benchmarks, these DC Circuit vacancies do not need to be filled.

The second Democratic standard for considering DC Circuit nominees is that more pressing vacancies designated judicial emergencies should first be addressed. Vacancies get that label the older they are and the heavier a court's caseload.

The contrast between 2006 and today is really dramatic. When Democrats in July 2006 rejected consideration of a single DC Circuit nominee, President Bush had made nominations for 12 of the 20 existing judicial emergencies. Now, when Democrats demand consideration of not one but three DC Circuit nominees, President Obama has sent us nominees for only eight of the 33 judicial emergencies that exist today.

So the DC Circuit's caseload is down while judicial emergencies without nominees are up. I am not accusing my colleagues in the majority of flip-flopping because their party controls the White House, but it seems to me that their own criteria clearly compel the conclusion that these new DC Circuit nominees should not be considered at this time.

The second reason for the majority's filibuster fraud is that they want to manufacture some justification, even if they have to make it up out of thin air, for eliminating judicial filibusters. They want to do today exactly what the Gang of 14 prevented in 2006, but with far less justification.

The minority leader, Senator MCCONNELL, has daily reminded us of the majority leader's explicit promise not to pursue changing confirmation procedures except through the steps provided for in our standing rules.

In addition, if we look at the facts rather than the fiction, there is no conceivable reason to pursue such a change by any means. There have been far fewer judicial filibusters today—one-fifth as many—than during the Bush administration. There is less justification to change confirmation procedures today than there was when Democrats opposed doing so in 2006.

Let me summarize this journey through the real world of judicial confirmations. There is a very real, very serious debate about the kind of judges America needs on the federal bench. The process of considering President Obama's judicial nominees, however, is being conducted reasonably and fairly.

The majority apparently will do anything, even engaging in filibuster fraud, to avoid admitting the facts while hoping that no one will be the wiser. The truth is that filibusters are down, not up, and there have been far fewer judicial filibusters of Obama nominees than there were of Bush nominees. The DC Circuit's caseload is down while the number of judicial emergencies without nominees is up.

There is a better course than provoking unnecessary confrontations by nominees to positions that should not even exist or by threatening to change confirmation procedures that should not be changed. The majority should abandon their strategy of filibuster fraud and prioritize filling the most pressing vacancies.

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

U.S. SENATE,
Washington, DC.

MEMORANDUM OF UNDERSTANDING ON JUDICIAL NOMINATIONS

We respect the diligent, conscientious efforts, to date, rendered to the Senate by Majority Leader Frist and Democratic Leader Reid. This memorandum confirms an understanding among the signatories, based upon mutual trust and confidence, related to pending and future judicial nominations in the 109th Congress.

This memorandum is in two parts. Part I relates to the currently pending judicial nominees; Part II relates to subsequent individual nominations to be made by the President and to be acted upon by the Senate's Judiciary Committee.

We have agreed to the following:

PART I: COMMITMENTS ON PENDING JUDICIAL NOMINATIONS

A. Votes for Certain Nominees. We will vote to invoke cloture on the following judicial nominees: Janice Rogers Brown (D.C. Circuit), William Pryor (11th Circuit), and Priscilla Owen (5th Circuit),

B. Status of Other Nominees. Signatories makes no commitment to vote for or against cloture on the following judicial nominees: William Myers (9th Circuit) and Henry Saad (6th Circuit),

PART II: COMMITMENTS FOR FUTURE NOMINATIONS

A. Future Nominations. Signatories will exercise their responsibilities under the Advice and Consent Clause of the United States Constitution in good faith. Nominees should only be filibustered under extraordinary circumstances, and each signatory must use his or her own discretion and judgement in determining whether such circumstances exist.

B. Rules Changes. In light of the spirit and continuing commitments made in this agreement, we commit to oppose the rules changes in the 109th Congress, which we understand to be any amendment to or interpretation of the Rules of the Senate that would force a vote on a judicial nomination by means other than unanimous consent or Rule XXII,

We believe that, under Article II, Section 2, of the United States Constitution, the word ''Advice'' speaks to consultation between the Senate and the President with regard to the use of the President's power to make nominations. We encourage the Executive branch of government to consult with members of the Senate, both Democratic and Republican, prior to submitting a judicial nomination to the Senate for consideration.

Such a return to the early practices of our government may well serve to reduce the rancor that unfortunately accompanies the advice and consent process in the Senate.

We firmly believe this agreement is consistent with the traditions of the United States Senate that we as Senators seek to uphold.

Ben Nelson, Mike DeWine, Joe Lieberman, Susan Collins, Mark Pryor, Lindsey Graham, Lincoln Chafee, John McCain, John Warner, Robert Byrd, Mary Landrieu, Olympia Snowe, Ken Salazar, Daniel Inouye.

U.S. SENATE,
Washington, DC, July 27, 2006.

Hon. ARLEN SPECTER,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN SPECTER: We write to request that you postpone next week's proposed confirmation hearing for Peter Keisler, only recently nominated to the D.C. Circuit Court of Appeals. For the reasons set forth below, we believe that Mr. Keisler should under no circumstances be considered—much less confirmed—by this Committee before we first address the very need for that judgeship, receive and review necessary information about the nominee, and deal with the genuine judicial emergencies identified by the Judicial Conference.

First, the Committee should, before turning to the nomination itself, hold a hearing on the necessity of filling the 11th seat on the D.C. Circuit, to which Mr. Keisler has been nominated. There has long been concern—much of it expressed by Republican Members—that the D.C. Circuit's workload does not warrant more than 10 active judges. As you may recall, in years past, a number of Senators, including several who still sit on this Committee, have vehemently opposed the filling of the 11th and 12th seats on that court:

Senator Sessions: ''[The eleventh] judgeship, more than any other judgeship in America, is not needed.'' (1997)

Senator Grassley: ''I can confidently conclude that the D.C. Circuit does not need 12 judges or even 11 judges.'' (1997)

Senator Kyl: ''If . . . another vacancy occurs, thereby opening up the 11th seat again, I plan to vote against filling the seat—and, of course, the 12th seat—unless there is a significant increase in the caseload or some other extraordinary circumstance.'' (1997)

More recently, at a hearing on the D.C. Circuit, Senator Sessions, citing the Chief Judge of the D.C. Circuit, reaffirmed his view that there was no need to fill the 11th seat: ''I thought ten was too many . . . I will oppose going above ten unless the caseload is up.'' (2002)

In addition, these and other Senators expressed great reluctance to spend the estimated $1 million per year in taxpayer funds to finance a judgeship that could not be justified based on the workload. Indeed, Senator Sessions even suggested that filling the 11th seat would be ''an unjust burden on the taxpayers of America.''

Since these emphatic objections were raised in 1997, by every relevant benchmark, the caseload for that circuit has only dropped further. According to the Administrative Office of the United States Courts, the Circuit's caseload, as measured by written decisions per active judge, has declined 17 percent since 1997; as measured by number of appeals resolved on the merits per active judge, it declined by 21 percent; and as measured by total number of appeals filed, it declined by 10 percent. Accordingly, before we rush to consider Mr. Keisler's nomination, we should look closely—as we did in 2002—at whether there is even a need for this seat to be filled and at what expense to the taxpayer.

Second, given how quickly the Keisler hearing was scheduled (he was nominated only 28 days ago), the American Bar Association has not yet even completed its evaluation of this nominee. We should not be scheduling hearings for nominees before the Committee has received their ABA ratings. Moreover, in connection with the most recent judicial nominees who, like Mr. Keisler, served in past administrations, Senators appropriately sought and received publicly available documents relevant to their government service. Everyone, we believe, benefited from the review of that material, which assisted Senators in fulfilling their responsibilities of advice and consent. Similarly, the Committee should have the benefit of publicly available information relevant to Mr. Keisler's tenure in the Reagan Administration, some of which may take some time to procure from, among other places, the Reagan Library. As Senator Frist said in an interview on Tuesday, ''[T]he DC Circuit . . . after the Supreme Court is the next court in terms of hierarchy, in terms of responsibility, interpretation, and in terms of prioritization.'' We should therefore perform our due diligence before awarding a lifetime appointment to this uniquely important court.

Finally, given the questionable need to fill the 11th seat, we believe that Mr. Keisler should not jump ahead of those who have been nominated for vacant seats identified as judicial emergencies by the non-partisan Judicial Conference. Indeed, every other Circuit Court nominee awaiting a hearing in the Committee, save one, has been selected for a vacancy that has been deemed a ''judicial emergency.'' We should turn to those nominees first; emergency vacancies should clearly take priority over a possibly superfluous one.

Given the singular importance of the D.C. Circuit, we should not proceed hastily and without full information. Only after we reassess the need to fill this seat, perform reasonable due diligence on the nominee, and tend to actual judicial emergencies, should we hold a hearing on Mr. Keisler's nomination.

We thank you for your consideration of this unanimous request of Democratic Senators.

Sincerely,

Patrick Leahy, Charles Schumer, Russell Feingold, Dianne Feinstein, Herb Kohl, Edward Kennedy, Richard Durbin, Joe Biden.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BENNET. Madam President, I come to the floor today to talk about the bill that has been before us for the last week and a half or so to fix our broken immigration system.

As the Presiding Officer knows, this bill has been the product of bipartisan work both in the so-called Gang of 8, which I have the privilege to be a part of, as well as in the Judiciary Committee where they ran a process that set a standard for the way this place ought to operate. We considered over 300 amendments in the Judiciary Committee, accepting 141 amendments, many of them from Republicans and Democrats alike. Now we are on the floor.

Those who want to delay immigration reform, who want to defeat immigration reform, are using every tactic they can find to try to stop this bill. But, fortunately, there are other people of goodwill on both sides of the aisle who are trying to come to an agreement.

We focused a lot in the last week, as we should, talking about the border. I spoke about the progress we have already made in securing our southern border. There is more to do. There is progress that is reflected in the underlying bill, and if that can be improved in a way that does not make the pathway to citizenship contingent or unreal, I think there are those of us who are willing to hear what that looks like.

What we have not spent time on is actually what people in Colorado have spent their time on when it comes to the question of fixing our broken immigration system, which is the way the current system defeats them in their efforts to build their businesses in this economy and the promise that could be achieved if we actually were able to pass this bill as it has been written. I have heard from people from every walk of life across the State of Colorado who have been hurt by our outdated and unreasonable and unimaginative and un-American immigration

laws. They understand in their gut the velocity we can add to the economy by fixing the system, if Washington would just do its work. They include high-tech companies on the Front Range including the bioscience, engineering, and aerospace industries, among others. One of those companies, Newsgator, an innovative social media software company based in Denver, makes a compelling case. Its chairman and founding CEO J.B. Holston told our office:

I have been watching the immigration debate closely because my company relies on high-skilled technology workers. In the 21st century global economy, we are in an arms race—

we are in an arms race—

for recruiting, attracting, and retaining the world's best and brightest. Our current immigration system is a barrier to American businesses winning that race.

Stalled progress on immigration also sidelines growth capital for U.S. high tech companies. That's a toxic combination for growth.

The proposed immigration overhaul bill is a great step forward.

It is not only the high-tech sector feeling these pain points. Farmers, including peach growers on the western slope, cattle ranchers on the eastern plains, and onion growers in the northern part of our State, and tourism and the ski industry across Colorado are feeling it as well, and DREAMers from the Denver public school system and other school districts, rural and urban, struggling to go to college and work toward a career because of their legal status.

We made a commitment when we set out as the Gang of 8, Democrats and Republicans working together, that our legislation would be deficit neutral, that it wouldn't add one dime—not one dollar—to our deficit. That was an important principle for the members of this group because, as the Presiding Officer knows, we face significant deficits, significant national debt.

Yesterday, the nonpartisan Congressional Budget Office not only affirmed the stories I am hearing from my tech community and my agricultural community and from businesses all across the State about economic growth, it also had some incredible news with respect to our deficit. CBO estimates if we pass this bill, we will reduce the deficit by almost $200 billion in the first decade and almost $700 billion in the second decade—almost $1 trillion. Even in Washington, DC, that is real money. There will be almost $1 trillion of deficit reduction over the next two decades as a consequence of this bill.

So let's break down what the CBO is saying. This bill will increase employment and jobs in the country. More workers will come here. More people will build businesses here. They will consume more and invest more. This will spur economic growth.

These are not my opinions. These are not the opinions of the Gang of 8, although we share these opinions. These are the opinions of the nonpartisan Congressional Budget Office as a result of reading this bill.

Our bill also allows millions of Americans who are currently undocumented to step out of the shadows of a cash economy and start contributing more to our economy as they earn more.

When you crunch the numbers, based on the Congressional Budget Office score, this bill will significantly increase our gross domestic product, adjusted for inflation, and reduce deficits.

The CBO found that projected deficits will decline significantly over the next decade as a consequence of this legislation.

Every year, from 2015 on, they expect deficits to go down. It is going to end up, as I said earlier, saving us $197 billion between now and 2023.

It turns out that based on this estimate, we will only begin to see the benefits of this bill in the first decade. The economic benefits of this bill actually accelerate in the second decade. From 2024 to 2033 the bill would reduce deficits by $690 billion.

I realize we have gotten in the habit around this place of thinking in 30-day increments or 60-day increments. It is driving folks at home crazy. This is a chance for us to reset for the 21st century.

The CBO has done the math. What that math tells you—despite what other people who do not want to have immigration reform for whatever reason have said, who claim that this is going to drive our deficits through the roof—that math tells us we have a total of $887 billion in deficit reduction over the next 20 years.

Here is a surprising fact that is buried in the Congressional Budget Office report: Those deficit-reduction estimates are actually conservative. CBO is only counting the most obvious savings in their estimate. It is not including other more indirect economic benefits—such as increased productivity—that will likely yield additional savings.

Here is what CBO actually says in its report. This is a direct quote:

According to CBO's central estimates (within a range that reflects the uncertainty about two key economic relationships in CBO's analysis), the economic impacts not included in the cost estimate would have no further net effect on budget deficits over the 2014–2023 period and would further reduce deficits (relative to the effects reported in the cost estimate) by about $300 billion over the 2024–2033 period.

Let me put that another way. The CBO is saying this bill could actually, when you factor in the economic effects, reduce deficits by $300 billion more in the second decade than it actually projects in the cost estimates.

One way or another, we are either just below or just above $1 trillion, and that is real money, particularly in light of the sequester—the law we had written to be so terrible and so ugly it would never, ever go into effect, but now is the law of the land. What a more destructive way to get $1 trillion in savings than a bunch of automatic, across-the-board cuts. In fact, the prominent conservative economist Doug Holtz-Eakin said a few months ago that he thought, using a dynamic scoring model, the immigration bill could reduce deficits by even more—shaving as much as $2.7 trillion off our deficits.

So until yesterday we had not heard what this nonpartisan group, the Congressional Budget Office, had to say about this immigration bill. But it supports what we have already heard from businesses at home, our industry leaders across the country, and economists no matter what political stripe they are, that fixing our immigration system is going to help strengthen our economy. We know it will secure our borders. We know it will reunite families. And we know it will bring people who came to this country for a better life a chance to come out of the shadows and contribute to our democracy and contribute to our economy in the 21st century, as they did in the 20th century and as they did in the 19th century before that.

What we have not heard is a convincing case to maintain the status quo that is holding back our economy, that is keeping unresolved the question about what to do with the 11 million people who are living in our shadow economy, and what we are to do to reinvite talented people from around the world to make their best contribution in America. That is what this bill represents. This bill is a reaffirmation of the idea that we are a nation of laws and a nation of immigrants. The Senate should pass this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

FROMAN NOMINATION

Ms. WARREN. Madam President, I rise today to talk about trade agreements and the impact they have on our economy. Trade agreements affect access to foreign markets and our level of imports and exports. They also affect a wide variety of public policy issues—everything from wages, jobs, the environment, and the Internet, to monetary policy, pharmaceuticals, and financial services.

Many people are deeply interested in tracking the trajectory of trade negotiations, but if they do not have reasonable access to see the terms of the agreements under negotiation, then they do not have any real input. Without transparency, the benefits of an open marketplace of ideas are reduced enormously.

I am deeply concerned about the transparency record of the U.S. Trade Representative and with one ongoing

trade agreement in particular: the Trans-Pacific Partnership. For months, the Trade Representative, who negotiates on our behalf, has been unwilling to provide any public access to the composite bracketed text relating to the negotiations. The composite bracketed text includes proposed language from the United States and also from other countries, and it serves as the focal point for negotiations. The Trade Representative has allowed Members of Congress to access the text, and I appreciate that, but there is no substitute for public transparency.

I have heard the argument that transparency would undermine the Trade Representative's policy to complete the trade agreement because public opposition would be significant. In other words, if people knew what was going on, they would stop it. This argument is exactly backward. If transparency would lead to widespread public opposition to a trade agreement, then that trade agreement should not be the policy of the United States.

I believe in transparency and democracy, and I think the U.S. Trade Representative should too. So I asked the President's nominee to be Trade Representative Michael Froman three questions: The first: Would he commit to releasing the composite bracketed text. The second: If not, would he commit to releasing a scrubbed version of the bracketed text that made anonymous which country proposed which provision. And I want to note that even the Bush administration put out a scrubbed version during the negotiations around the Free Trade Area of the Americas agreement. Third, I asked Mr. Froman if he would provide more transparency behind what information is made available to outside advisers. Currently, there are about 600 outside advisers who have access to sensitive information, and the roster includes a wide diversity of industry representatives and some from labor and some from NGOs. But there is no transparency around who gets what information or whether they are all getting the same things, and I think that is a real problem.

Mr. Froman's response to my three questions was clear: no, no, and no. He will not commit to making this information public so that the public can track what is going on.

So I am voting against Mr. Froman's nomination later today because I believe we need a new direction from the Trade Representative—a direction that prioritizes transparency and public debate. The American people have the right to know more about our negotiations that will have a dramatic impact on our working men and women, on our environment, on our economy, on the Internet.

We should have a serious conversation about our trade policies because these issues matter. But it all starts with the transparency of the U.S. Trade Representative.

Thank you, Madam President.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HEITKAMP). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. GRASSLEY. Madam President, I want to speak for a few minutes on the progress we are making on the immigration bill. In speaking about the progress, it also gives me a chance to say to my colleagues on this side of the aisle that I hope we can get an agreement to vote on amendments this afternoon, because it is not only Democrats who want amendments, we have got a lot of Republicans who want to put up some amendments. If we can get this tranche of amendments out of the way, then that gives us a chance to put up another tranche of 8 to 10 amendments is what I think we have the possibility of doing.

We have been on this bill for 1 week. We had one vote last week. That was on my own amendment. That dealt with border security. Of course, that vote was not a vote up or down on the amendment, it was a vote to table. We were refused by the majority to have an up-or-down vote on legislation that is part of the legislation that is some of the most important to the people of this country, securing the border before we have legalization. I quoted yesterday a CNN poll that said 60 percent of the people say border security is the No. 1 issue as far as immigration is concerned. It is a necessary predecessor to legalization.

Yesterday we had three votes. Unfortunately, they were 60-vote thresholds. Obviously, most of the time you have a 60-vote threshold, it is set up so that any amendment under that rule would fail. Yesterday the majority leader threatened again to keep us working all weekend. He stated he could file a cloture motion to cut off debate as early as Friday. Of course, I hope that is not the case, because we need an open and fair amendment process. We do immigration reform about once every 25 years. My colleagues hear me say we made a lot of mistakes in 1986. That is the last time we had a major immigration bill pass the Senate. So we need to get it right. People do not want us to do it in a fast and haphazard way. People want us to be very cautious about something you do once every 25 years.

The chairman of the Judiciary Committee and I had a very good working relationship in committee. We still have a good working relationship with this bill out here on the floor of the Senate. But there are 98 other Senators involved. In committee it is a different situation than on the Senate floor. In committee, we did not limit the ability of any Member to raise an amendment. We had some tough votes we were all forced to take in committee.

But now there are other Members who want their chance to improve the bill. Of course, I said at the beginning of my remarks if we get these eight amendments out of the way that are in this tranche, then we can bring other amendments up, both Republican and Democratic amendments.

I realize there is a bipartisan group of Senators working on a border security amendment. This is supposed to be some grand compromise. The group is trying to find common ground somewhere between the bill as drafted, 1,075 pages in that bill as drafted, and the Cornyn amendment—middle ground.

At this point I am hearing from the other side as well as the Group of 8 that they think the Cornyn amendment goes too far. Some would say the Democrats will not negotiate in good faith because they have the votes to pass the bill as is. It is no secret the Democrats wish to have 70 votes at the end of the day. But even with 70 votes, in my view, that is not a big victory and may very well be a failure. It should not take much to get 15 Republican votes. It does not guarantee the House will take up the bill. In fact, this bill may be dead on arrival in the other body since they have their own approach and they have their own ideas.

It was reported today that this bipartisan group of Senators trying to find middle ground between this big bill and the Cornyn amendment on border security are having trouble finding that consensus. They are having trouble because the Democrats do not want any triggers or roadblocks to legalization. That is clear. In other words, some people are not willing to learn from the mistakes we made in 1986. We thought in good faith we were writing a piece of legislation that would stop people crossing the border without papers. We did that by making it illegal for the first time to hire undocumented workers. We did it by adding a $10,000 fine. So take away the magnet to work, the border is secure, legalize 3 million people at that time.

We found that legalizing illegality brings yet more illegality. So now there are 12 million people who either overstayed a visa or crossed the border without papers. We should learn from that mistake of 25 years ago, the last time an immigration bill was up. We should do something about border security. That something has to be stronger than what is in this piece of legislation. But it is apparent to me—I hear rumors that a lot of people on the other side of the aisle do not want any triggers or roadblocks to legalization. That is not saying you do not want legalization, that is only saying certain

preconditions ought to happen before there is legalization. Those ought to be meaningful steps to take.

Yesterday the majority leader, as I said, said he was not in favor of triggers. Secretary Napolitano in this administration made it clear legalization should come first and triggers should not be a roadblock to legalization, the very same mistakes we made in 1986.

The group negotiating this broader amendment is trying to do the right thing, but I have real doubts that the other side of the aisle wants to do anything to secure the border. Because of this, the misguided, mislabeled bill before us could be falling apart. Those of us who question this big government bill appear to be making headway in exposing the bill for what it truly is, legalization first, enforcement later. Despite repeated promises, it is that, legalization first, border security when? Sometime down the road. Sometime never happens.

Sure, the proponents can throw money and dictate how many cameras and drones to buy, but that does not mean the border will be stronger or more secure. We need to do more than give them the capability of achieving specific metrics. We need them to prove their success.

One more thing on the possibility of working this weekend. Since I have been in the Senate, we have had a lot of weekend sessions. Generally what happens is you have a lot of debate and a lot of talk and a lot of wasted time on Saturdays. You have one vote at 2 o'clock on Sunday. For a guy like me, I am going to be here regardless, not because I am manager of this bill solely, but I have not missed a vote in the Senate since July 1993. I have cast about 6,700 votes without missing a vote. If there is only one vote Sunday afternoon I am going to be here. But I would suggest if we are going to have a weekend session, that action be taken to make sure we are actually doing something and voting, that if we are going to be in session, that there is not some sort of accommodation made, usually for the majority party and sometimes the Republican Party, but right now it is the Democratic Party to make a provision so people who want to fly home can do it. Either we are here to work on the weekend or we should not be here.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25

Mrs. MURRAY. Mr. President, Senate Democrats have come to the floor now 13 times and requested unanimous consent to move to bipartisan budget negotiations with the House. We are ready to get to work. We have been ready for 88 days now, which is how long it has been since the Senate passed a budget.

Back in March we assumed that once the two Chambers passed their budgets, Republicans would be eager to join us in a formal budget conference, since they have spent years talking about the need to return to regular order. Instead, we have seen delay after delay. Now that Republicans have gotten exactly what they wished for, they seem to be running as quickly as they can in the other direction, and they have offered excuse after excuse after excuse.

First, they said they wanted a framework before they would start a conference, even though a framework is exactly what a budget is. In other words, they wanted to negotiate behind closed doors when we should be negotiating in a conference.

Then they said they wouldn't allow us to go to conference unless we guaranteed the wealthiest Americans and biggest corporations would be protected from paying a penny more in taxes.

Then many Republicans indicated they didn't want negotiations happening too early, to take away the leverage they think they have on the debt ceiling.

Then some of them called for a do-over of the budget debate, including another 50 hours of debate and a whole new round of unlimited amendments, even after they praised the open and thorough floor debate we had on the Senate budget.

Now, in what seems to be the latest delaying tactic, some Republicans are saying before we can work to solve short-term problems we first need to agree on the budget outlook 30 years down the road.

Enough is enough. The American people are sick and tired of the constant lurching from crisis to crisis. They are looking to their elected officials to come together, to compromise, to find common ground, and that is exactly what we would be doing in a conference.

It is not just Democrats saying so. Over the past few weeks, we have heard a number of Republicans step forward and agree with us that the tea party and Senate Republican leadership are wrong. Senator COBURN said blocking conference is ''not a good position to be in.'' Senator BOOZMAN said he would ''very much like to see a conference.'' Senator WICKER said, weeks ago now, that ''by the end of next week, we probably should be ready to go to conference.'' Now, according to Politico, ''more Republicans appear to favor heading to conference than blocking it.''

As many of my colleagues on the other side of the aisle have said, it is certainly true there are big differences between the parties' budget values, and priorities, but that would give us all the more reason to sit down and try to find some common ground. The fact is we have a lot of work that needs to be done in the next few weeks. We have 11 days until the next State work period and then just 3½ weeks before we all go back to our home States again for August. Because some Republicans want to continue the harmful austerity measures resulting from sequestration, we now have a $91 billion gap between the House and Senate spending bills for the next fiscal year.

If we don't reconcile those differences, we are going to find ourselves in a very tough, bad situation come September, and a lot of hard-working families and communities are going to feel the consequences. It does not have to be that way. I am confident, if both sides come together now in a conference committee and are ready to compromise, we can find a way to reach a fair and bipartisan and responsible agreement.

The American people shouldn't have to worry the government is going to lurch into another crisis that has been manufactured by this Congress. It doesn't have to happen. Instead of fighting over whether we should be engaging in bipartisan talks, we should be working together to get more Americans back to work, to protect our economic recovery, and lay the foundation for strong middle-class growth in the future. I think we can all agree on those important goals, and they are very urgent ones. But we cannot move forward on them if we are consumed with constant artificial crises.

I believe it is time for Senate Republican leaders to listen to the many Members of their own party who prefer commonsense bipartisanship over delay and disorder and allow the House and Senate to begin a bipartisan budget conference. I am here this afternoon to ask unanimous consent to do just that.

I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to; the motion to reconsider be considered made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses; and the Chair be authorized to appoint conferees on the part of the Senate; that following the authorization, two motions to instruct conferees be in order from each side, a motion to instruct relative to the debt limit and a motion to instruct relative to taxes and revenue; that there be 2 hours of debate equally divided between the two leaders or their designees prior to votes in

relation to the motions; further, that no amendments be in order to either of the motions prior to the votes; all of the above occurring with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, reserving the right to object, and I hope I am not going to have to object, but I wish to suggest a very modest and sensible alteration to the UC request from my colleague, the chair of the Budget Committee, so hopefully we can get on to this because I would like to see us go to conference.

I was very critical of the 3 years when my Democratic colleagues absolutely refused to do a budget. It is progress that this year they decided to do one. I am glad. I am on the Budget Committee. I think we ought to have a budget, and I think we should go to the conference committee, despite the fact we are very far apart.

My Democratic friends supported and voted for a budget with at least $1 trillion of new tax increases, and I strongly oppose that. But I agree that is what ought to be discussed in conference. The budget that was passed uses the big tax increase that was in the budget for additional spending. I strongly disagree with that. But again, that is exactly the kind of thing that ought to be the subject of negotiations in a conference. We are very far apart. I don't know whether we can narrow that gap, but we should try.

The only reason I have been objecting, and that some of my colleagues have been objecting thus far, is that our Democratic friends want to insist on retaining the opportunity to use the conference report on a budget resolution to raise the debt ceiling, and I would point out the debt ceiling issue was not even contemplated in the Senate budget resolution. It never came up, it wasn't discussed, there was no amendment, there was no vote, and it is not in the document. In the House budget, the debt limit increase is not contemplated. It is not there. It wasn't voted on. It is completely absent.

So consistent with the rules of the Senate, I would simply suggest we go right ahead to conference, that we have a conference on the budget but that we follow the normal procedure of the Senate, which is that matters that are not in either bill, either the House or Senate bill, be excluded from consideration in a conference report so we don't airdrop in some extraneous unrelated matter that was never contemplated by either body.

I think that is the sensible approach and necessary because the debt limit is a very important issue. We have a staggering amount of debt we have allowed to accumulate. It is already damaging our economy and is a huge threat and we know the President and many of our Democratic friends think we should just raise that debt ceiling with no strings, no conditions, no reforms. So we have a very real concern this conference committee, as contemplated by my friends on the other side, would be a vehicle for the backroom deal that would allow them to exclude Republicans and come back and jam through a debt ceiling increase with no reforms.

In order to avoid that, but so we can go to conference, which I think we should do, I would simply ask that we modify the unanimous consent request as follows; so it would not be in order for the Senate to consider a conference report that includes reconciliation instructions to raise the debt limit.

If the chair of the Budget Committee would agree to that modification of her unanimous consent request, then I would agree to it.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I would like to point out to everyone that we had hours and hours of debate, with over 100 amendments offered, and no one offered an amendment on the debt ceiling limit. As part of the agreement in order to go to conference, we have offered to have a vote now on whether we should have motions to instruct. I would be willing, as chair, to abide by that vote once our unanimous consent is agreed to.

But I have to say, as a matter of principle, for a chair of any committee to say, once we have gone through hundreds of hours of debate and a lot of amendments, that then, before we go to conference, we have to agree to a principle that has not been voted on or offered in the Senate as part of that is not how we can proceed in this body. It would be the same as if I would come out and say: I am not going to allow us to go to conference on whatever bill because I have a small provision, and unless you absolutely agree it has to be in there, even though I don't have the votes, we are not going to conference. We would never get anything done.

The unanimous consent request I have offered allows my Republican friends to have a vote on this, even though they didn't ask for a vote in all those hours of debate and hundreds of hours we spent on this issue, before we move to conference. The principle is this: Our Republican colleagues wish to have an open debate, they say, but we are not having an open debate because of their insistence we don't go to conference.

So I object to the Senator's request and again renew my request as I stated before with the provision we have a motion to instruct and allow those Senators who have strong feelings about this to vote on it before we go to conference.

Finally, I would add, remember with whom I am going to conference: Republicans and Democrats from our side and Republicans and Democrats from the other body, a majority of whom are on their side of the aisle, with the chairman, PAUL RYAN, a Republican conservative, chairing their side.

This is an issue that is going to have plenty of debate, plenty of open discussion, if it should come up, and we will all have an opportunity to vote on it.

I renew my unanimous consent request.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, reserving the right to object, and I will wrap up quickly. I thank my colleague, the chair of the Budget Committee, but as she knows—and I wish to make sure everyone is clear—the motion to instruct conferees the chairman of the Budget Committee is recommending is completely nonbinding. It is nothing more than a recommendation. The fact remains she is insisting on retaining the ability to do a backroom deal that would raise the debt ceiling without allowing any Republican input in this body whatsoever. This is a very bad policy. It was not contemplated in either bill.

I would be delighted to go to conference with a budget resolution from the House and the Senate that does contemplate everything that is in those two respective agreements but not some extraneous matter that could be very damaging to our economy that was never contemplated. So I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Kentucky.

AMENDMENT NO. 1200, AS MODIFIED

Mr. PAUL. Mr. President, I ask unanimous consent to set aside the pending amendment and call up my amendment No. 1200, which is cosponsored by the Senator from Missouri, Mr. ROY BLUNT, with a modification at the desk.

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

The clerk will report.

The assistant bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL], for himself and Mr. BLUNT, proposes an amendment numbered 1200, as modified.

Mr. PAUL. Mr. President, I ask unanimous consent that the amendment be considered as read.

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

The amendment is as follows:

(Purpose: To provide for enhanced border security, including strong border security metrics and congressional votes on border security and for other purposes)

At the appropriate place in title I, insert the following:

CHAPTER ____—BORDER SECURITY ENHANCEMENTS

SEC. 1___1. SHORT TITLE.

This chapter may be cited as the ''Trust But Verify Act of 2013''

SEC. 1___2. MEASURES USED TO EVALUATE BORDER SECURITY.

(a) BORDER SECURITY REVIEW.—

(1) IN GENERAL.—The Secretary shall conduct an annual comprehensive review of the following:

(A) The security conditions in each of the following 9 Border Patrol sectors along the Southwest border:

(i) The Rio Grande Valley Sector.

(ii) The Laredo Sector.

(iii) The Del Rio Sector.

(iv) The Big Bend Sector.

(v) The El Paso Sector.

(vi) The Tucson Sector.

(vii) The Yuma Sector.

(viii) The El Centro Sector.

(ix) The San Diego Sector.

(B) Update on the new and existing double layered fencing built and in place, broken down on an annual basis since the date of the enactment of the Secure Fence Act of 2006 (Public Law 109–367), with the goal of completing the fence not later than 5 years after the date of the enactment of this Act.

(C) Progress towards the completion of an effective exit and entry program at all points of entry that tracks visa holders.

(D) Progress towards the goal of a 95 percent apprehension or turn back rate.

(E) A 100 percent incarceration until trial rate for newly captured illegal entrants and overstays.

(F) Progress towards the goal ending of illegal immigration and undocumented presence, as measured by census data and the Department.

(2) REPORT.—Not later than July 1, 2014, and annually thereafter, the Secretary shall submit a report to Congress containing specific results of the review conducted under paragraph (1).

(3) RULE OF CONSTRUCTION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), nothing in paragraph (1) may be construed as prohibiting the Secretary from proposing—

(i) alterations to boundaries of the Border Patrol sectors; or

(ii) a different number of sectors to be operated on the Southern border.

(B) REPORTING.—The Secretary may not make any alteration to the Border Patrol sectors in operation or the boundaries of such sectors as of the date of the enactment of this Act unless the Secretary submits, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives, a written notification and description of the proposed change not later than 120 days before any such change would take effect.

(b) UNQUALIFIED OPINION.—

(1) IN GENERAL.—The Secretary shall submit a report to Congress that contains—

(A) an unqualified opinion of whether each of the sectors referred to in subsection (a)(1)(A) has achieved ''total operational control'' of the border within its jurisdiction; and

(B) the following criteria and goals of the Department:

(i) Transparent data relating to the success of border security and immigration enforcement policies.

(ii) Improved accountability to the people of the United States.

(iii) 100 percent surveillance capability on the border not later than 2 years after the date of the enactment of this Act.

(iv) An apprehension or turn back rate of 95 percent or higher not later than 5 years after the date of the enactment of this Act.

(v) Increasing annual targets for apprehensions, which shall be adapted to the unique conditions of each Border Patrol sector.

(vi) Uniformity in data collection and analysis for each Border Patrol sector.

(vii) An update on the new and existing double layered fencing built and in place, broken down on an annual basis since the date of the enactment of the Secure Fence Act of 2006.

(2) TOTAL OPERATIONAL CONTROL DEFINED.—In this chapter, the term ''total operational control'', with respect to a border sector, occurs if—

(A) the fence construction requirements required under this chapter have been completed;

(B) the infrastructure enhancements required under this chapter have been completed and deployed;

(C) there have been verifiable increases in personnel dedicated to patrols, inspections, and interdiction;

(D) U.S. Customs and Border Protection has achieved 100 percent surveillance capacity and uninterrupted monitoring throughout the entire sector;

(E) U.S. Customs and Border Protection has achieved an apprehension rate of at least 95 percent for all attempted unauthorized crossings;

(F) uniform data collection standards have been adopted across all sectors; and

(G) U.S. Customs and Border Protection is tracking the exits of 100 percent of outbound aliens through all points of entry.

(3) METRICS DESCRIBED.—The Secretary shall use specific metrics to assess the progress toward, and maintenance of, total operational control of the border in each Border Patrol sector, including—

(A) with respect to resources and infrastructure—

(i) a description of the infrastructure and resources deployed on the Southwest border, including physical barriers and fencing, surveillance cameras, motion and other ground sensors, aerial platforms, and unmanned aerial vehicles;

(ii) an assessment of the Border Patrol's ability to perform uninterrupted surveillance on the entirety of the border within each sector;

(iii) an assessment of whether the Department of Homeland Security has attained a 100 percent surveillance capability for each sector; and

(iv) a specific analysis detailing the miles of fence built, including double-layered fencing, pursuant to the Secure Fence Act of 2006 (Public Law 109–367), as amended by this Act.

(B) with respect to illegal entries between ports—

(i) the number of attempted illegal entries, categorized by—

(I) number of apprehensions;

(II) people turned back to country of origin (turn-backs); and

(III) individuals who have escaped (got aways);

(ii) the number of apprehensions, including data on unique apprehensions to capture individuals who attempted to enter multiple times;

(iii) the apprehension rate as a percentage of total attempted illegal entries;

(iv) an estimate of the total number of successful illegal entries, based on reliable supporting evidence;

(v) the prevalence of drug and contraband smuggling, categorized by—

(I) the frequency of attempted crossings;

(II) successful evasions of law enforcement;

(III) the value of smuggled contraband;

(IV) successful discoveries and arrests; and

(V) arrest rate trends related to violent criminals crossing the border;

(vi) physical evidence of crossings not otherwise tied to a pursuit, including fence-cuttings; and

(vii) transparent data that reports if the numbers include actual physical capture or turn-backs witnessed by border enforcement and a segregation of data that includes evidence of individuals going back, including but not limited to footprints, food and torn clothing;

(C) with respect to illegal entries at ports—

(i) the number of attempted illegal entries, categorized by the number of apprehensions, turn-backs, and got aways;

(ii) the number of apprehensions, including data on unique apprehensions to capture individuals who attempt to enter multiple times;

(iii) the apprehension rate as a percentage of total attempted illegal entries;

(iv) an estimate of the number of successful illegal entries, based on reliable supporting evidence; and

(v) the prevalence of drug and contraband smuggling, categorized by—

(I) the frequency of attempted entries;

(II) successful discovery methods;

(III) the use of falsified official travel documents;

(IV) evolving evasion tactics; and

(V) arrest rate trends related to persons apprehended attempting to smuggle prohibited items;

(D) with respect to repeat offenders—

(i) data and analysis of recidivism trends, including the prevalence of multiple arrests and repeated attempts to enter unlawfully; and

(ii) updated information on U.S. Customs and Border Protection's Consequence Delivery System;

(E) with respect to smuggling—

(i) progress made in creating uniformity in the punishment of unlawful border crossers relative to their crimes for the purposes of deterring smuggling;

(ii) the percentage of unlawful immigrants and smugglers who are subject to a uniform punishment; and

(iii) data breaking down the treatment of, and consequences for, repeat offenders to determine the extent to which the Consequence Delivery System serves as an effective deterrent;

(F) with respect to visa overstays, data for each year, categorized by—

(i) the type of visa issued to the alien; and

(ii) the nationality of the alien;

(G) with respect to the unlawful presence of aliens—

(i) the total number of individuals present in the United States, which will be correlated in future years with normalization participants;

(ii) net migration into the United States, including legal and illegal immigrants, categorized by—

(I) nationality; and

(II) country of origin, if different from nationality;

(iii) deportation data, categorized by country and the nature of apprehension;

(iv) individuals who have obtained or who seek legal status; and

(v) individuals without legal status who have died while in the United States;

(H) the number of Department agents deployed to the border each year, categorized by staffing assignment and security function;

(I) progress made on the implementation of full exit tracking capabilities for land, sea, and air points of entry;

(J) progress towards the goal of 100 percent incarceration until trial date for newly captured illegal entrants and overstays;

(K) progress towards the goal of ending illegal immigration and undocumented presence, as measured by data collected by the United States Census Bureau and the Department; and

(L) progress towards eliminating disputes between Federal agencies in the use of public lands to perform border enforcement operations.

SEC. 1___3. REPORTS ON BORDER SECURITY.

(a) DEPARTMENT OF HOMELAND SECURITY REPORT.—

(1) IN GENERAL.—Not later than July 1, 2014, and annually thereafter for 5 years, the Secretary shall submit a report to Congress that contains a comprehensive review of the security conditions in each of the Border Patrol sectors along the Southwest border.

(2) PUBLIC HEARINGS FOR REPORT.—Congress shall hold public hearings with the Secretary and other individuals responsible for preparing the report submitted under paragraph (1) to discuss the report and educate the United States public on border security from the perspective of such officials. Congress shall allow differing views on the conclusions of the report to be expressed by outside groups and interested parties for purposes of analyzing data through a transparent and deliberative committee process.

(b) INSPECTOR GENERAL'S REPORT.—

(1) IN GENERAL.—Not later than 30 days after the issuance of each report under subsection (a), the Inspector General of the Department shall submit a report to Congress that provides an independent analysis of the report submitted under subsection (a)(1) to analyze—

(A) the accuracy of the report; and

(B) the validity of the data used by the Department to issue the report.

(2) PARTICIPATION.—The Inspector General should participate in any hearings relating to the assessment of the border security report of the Department.

(c) GOVERNORS REPORTS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter for 5 years, the Governor of each of the States along the Southern border may submit an independent report to Congress that provides the perspective of the Governor and other officials of such State tasked to law enforcement on the security conditions along that State's border with Mexico.

(2) PUBLIC HEARINGS FOR STATE REPORTS.—Congress shall hold public hearings with the Governor and other officials from each State that submits a report under paragraph (1) to discuss the report and educate the United States public on border security from the perspective of such officials.

(d) PUBLIC DISCLOSURE OF REPORTS.—Upon the receipt of a report submitted under this section, the Senate and the House of Representatives shall—

(1) provide copies of the report to the Chair and ranking member of each standing committee with jurisdiction under the rules of such House, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the Senate, and the Minority Leader of the Senate; and

(2) make the report available to the public.

SEC. 1___4. CONGRESSIONAL APPROVAL PROCEDURES.

(a) JOINT RESOLUTION DEFINED.—

(1) IN GENERAL.—In this subsection, the term ''joint resolution'' means only a joint resolution of the 2 Houses of Congress that only includes—

(A) the matter contained in the preamble set forth in paragraph (2); and

(B) the matter after the resolving clause set forth in paragraph (3).

(2) PREAMBLE.—The joint resolution shall include the following preamble:

''Whereas Congress passed and the President enacted into law section 1___6 of the Trust But Verify Act of 2013, with the promise to the American people that the border would be fully secure within 5 years;

''Whereas, one goal of comprehensive immigration reform was to verify that the United States Government is capable of implementing operational control of the border;

''Whereas the prerequisite to reforming visa law and the creation of new immigration and visa categories was the implementation of full border security within a reasonable amount of time; and

''Whereas the American people have been the subject of broken promises in the past on border security: Now, therefore, be it''.

(3) MATTER AFTER THE RESOLVING CLAUSE.—The matter after the resolving clause in the joint resolution shall read as follows: ''It is the sense of Congress that the United States border is secure because—

''(1) the double-layered fencing is on schedule to be completed in 5 years and sufficient progress has been made in the past year to complete such fencing on the schedule promised to the American people;

''(2) an effective exit-entry registration system at all points of entry that tracks visa holders is either completed or sufficiently completed to the satisfaction of Congress;

''(3) the goal of a 95 percent effectiveness rate for the capture of unauthorized immigrants has been achieved, or is on pace to be achieved, not later than 5 years after the date of the enactment of the Trust But Verify Act of 2013;

''(4) the security conditions in each of the 9 Border Patrol sectors along the Southwest border have been achieved, or are on pace to be achieved not later than 5 years after the date of the enactment of the Trust But Verify Act of 2013, as determined by total operational control metric set forth in section 1___2 of such Act;

''(5) a 100 percent incarceration rate until trial for newly captured illegal entrants and overstayers has been implemented;

''(6) progress towards the goal of ending illegal immigration and undocumented presence has been achieved, as measured by data collected by the United States Census Bureau and the Department; and

''(7) sections 245B of the Immigration and Nationality Act, as added by section 2101 of the Border Security, Economic Opportunity, and Immigration Modernization Act, will not compromise border security and shall remain in effect for at least 1 more year notwithstanding section 1___5 of the Trust But Verify Act of 2013.''.

(b) PROCEDURES FOR CONSIDERING RESOLUTIONS.—

(1) INTRODUCTION.—A joint resolution—

(A) may be introduced in the Senate or in the House of Representatives during the 30-day calendar day period beginning on—

(i) July 1, 2014;

(ii) July 1 of any of the following 4 years; or

(iii) 30 days after date on which the report is submitted under section 1___3(a) if such submission occurs before July 1 of a calendar year;

(B) in the Senate, may be introduced by any Member of the Senate;

(C) in the House of Representatives, may be introduced by any Member of the House of Representatives; and

(D) may not be amended.

(2) REFERRAL TO COMMITTEE.—A joint resolution introduced in the Senate shall be referred to the Committee on Homeland Security and Governmental Affairs of the Senate. A joint resolution introduced in the House of Representatives shall be referred to the Committee on Homeland Security of the House of Representatives.

(3) DISCHARGE OF COMMITTEE.—If the congressional committee to which a joint resolution is referred has not discharged the resolution at the end of 30th day after its introduction—

(A) such committee shall be discharged from further consideration of such resolution; and

(B) such resolution shall be placed on the appropriate calendar of the House involved.

(4) FLOOR CONSIDERATION.—

(A) MOTION.—

(i) IN GENERAL.—After the committee to which a joint resolution is referred has reported, or has been discharged pursuant to paragraph (3) from further consideration of, the joint resolution—

(I) it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the joint resolution; and

(II) all points of order against the joint resolution (and against consideration of the joint resolution) are waived;

(III) the motion described in subclause (I) is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable;

(IV) the motion described in subclause (I) is not subject to amendment, a motion to postpone, or a motion to proceed to the consideration of other business; and

(V) a motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(ii) UNFINISHED BUSINESS.—If a motion to proceed to the consideration of the joint resolution is agreed to, the resolution shall remain the unfinished business of the respective House until it has been disposed.

(B) DEBATE.—Debate on the joint resolution, and on all debatable motions and appeals in connection with such resolution, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order. A motion to reconsider the vote by which the joint resolution is agreed to or disagreed to is not in order.

(C) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the joint resolution shall occur.

(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as applicable, to the procedure relating to a joint resolution shall be decided without debate.

(5) COORDINATION WITH ACTION BY OTHER HOUSE.—If 1 House receives a joint resolution from the other House before the House passes a joint resolution—

(A) the joint resolution of the other House shall not be referred to a committee; and

(B) with respect to a joint resolution of the House receiving the resolution—

(i) the procedures in that House shall be the same as if no joint resolution had been received from the other House; except that

(ii) the vote on final passage shall be on the joint resolution of the other House.

(6) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such—

(i) it is deemed a part of the rules of each House, respectively;

(ii) it is only applicable with respect to the procedures to be followed in that House in the case of a joint resolution; and

(iii) it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 1___5. CONDITIONS.

(a) YEAR 1.—Except as provide in section 1___6, section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, shall cease to have effect beginning on December 31, 2014, unless Congress enacts a joint resolution pursuant to section 1___4 during the 1-year period ending on such date.

(b) YEAR 2.—Except as provided in section 1___6, section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, shall cease to have effect beginning on December 31, 2015, unless Congress enacts a joint resolution pursuant to section 1___4 during the 1-year period ending on such date.

(c) YEAR 3.—Except as provided in section 1___6, section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, shall cease to have effect beginning on December 31, 2016, unless Congress enacts a joint resolution pursuant to section 1___4 during the 1-year period ending on such date.

(d) YEAR 4.—Except as provided in section 1___6, section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, shall cease to have effect beginning on December 31, 2017, unless Congress enacts a joint resolution pursuant to section 1___4 during the 1-year period ending on such date.

(e) YEAR 5.—Except as provided in section 1___6, section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, shall cease to have effect beginning on December 31, 2018, unless Congress enacts a joint resolution pursuant to section 1___4 during the 1-year period ending on such date.

(f) STATUS OF REGISTERED PROVISIONAL IMMIGRANTS.—If section 245B of the Immigration and Nationality Act ceases to be effective pursuant to this section—

(1) any alien who was granted registered provisional immigrant status before the date such section ceases to be effective shall remain in such status; and

(2) any alien whose application for registered provisional immigrant status is pending may not be granted such status until such section is reinstated.

(g) RULES OF CONSTRUCTION.—Except as provided in subsection (g), no provision of this section may be construed—

(1) to limit the authority of the Secretary to review and process applications for registered provisional immigrant status under section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act; or

(2) to repeal or limit the application of section 245B(c) of such Act.

(h) SUNSET.—Paragraphs (1) and (2) shall cease to have effect on December 31, 2018, unless Congress enacts a joint resolution pursuant to section 1___4 during 2018.

SEC. 1___6. TRIGGERS BASED ON CONGRESSIONAL APPROVAL.

(a) YEAR 1.—If a joint resolution is enacted pursuant to section 1___4 during 2014, the sunset provision set forth in section 1___5(a) shall have no further force or effect.

(b) YEAR 2.—If a joint resolution is enacted pursuant to section 1___4 during 2015, the sunset provision set forth in section 1___5(b) shall have no further force or effect.

(c) YEAR 3.—If a joint resolution is enacted pursuant to section 1___4 during 2016, the sunset provision set forth in section 1___5(c) shall have no further force or effect.

(d) YEAR 4.—If a joint resolution is enacted pursuant to section 1___4 during 2017, the sunset provision set forth in section 1___5(d) shall have no further force or effect.

(e) YEAR 5.—If a joint resolution is enacted pursuant to section 1___4 during 2018, the sunset provision set forth in section 1___5(e) shall have no further force or effect.

SEC. 1___7. REQUIREMENT FOR PHYSICAL BORDER FENCE CONSTRUCTION.

(a) CONSTRUCTION OF BORDER FENCING.—

(1) FIRST YEAR.—Except as provided in subsection (d), during the 1-year period beginning on the date of the enactment of this Act, the Secretary shall construct not fewer than 100 miles of double-layer fencing on the Southern border.

(2) SUBSEQUENT YEARS.—During each of the first 4 1-year periods immediately following the 1-year period described in paragraph (1), the Secretary shall construct not fewer than 150 miles of double-layer fencing on the Southern border.

(b) CERTIFICATION.—Except as provided in subsection (d), not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit a written certification that construction of the double-layer fencing required under subsection (a) has been completed during the preceding year to—

(1) the Committee on the Judiciary of the Senate;

(2) the Committee on Homeland Security and Governmental Affairs of the Senate;

(3) the Committee on the Judiciary of the House of Representatives; and

(4) the Committee on Homeland Security of the House of Representatives.

(c) DETERMINATION OF MILES OF FENCING CONSTRUCTED.—

(1) INCLUDED ITEMS.—In determining the number of fencing miles constructed in the preceding year, the Secretary may apply, toward the requirement under subsection (a), the number of miles of—

(A) new double-layer fencing that have been completed; and

(B) a second fencing layer that has been added to an existing, single-layered fence.

(2) EXCLUDED ITEMS.—In determining the number of fencing miles constructed in the preceding year, the Secretary may not apply, toward the requirement in subsection (a)—

(A) vehicle barriers;

(B) ground sensors;

(C) motion detectors;

(D) radar-based surveillance;

(E) thermal imaging;

(F) aerial surveillance platforms;

(G) observation towers;

(H) motorized or nonmotorized ground patrols;

(I) existing single-layer fencing; or

(J) new construction of single-layer fencing.

(d) SUNSET.—The Secretary shall no longer be required to comply with the requirements under subsection (a) and (b) on the earliest of—

(1) the date on which the Secretary submits the 5th affirmative certification pursuant to subsection (b); or

(2) the date on which the Secretary certifies the completion of not fewer than 700 miles of double-layer fencing on the Southern border.

(e) CONFORMING AMENDMENT.—Section 102(b)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note) is amended by striking subparagraph (D).

SEC. 1___8. ONE HUNDRED PERCENT EXIT TRACKING FOR ALL UNITED STATES VISITORS.

(a) FINDINGS.—Congress makes the following findings:

(1) Consistent with the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, the United States will continue its progress toward full biometric entry-exit capture capability at land, air, and sea points of entry.

(2) No capability exists to fully track whether non-United States persons in the United States on a temporary basis have exited the country consistent with the terms of their visa, whether by land, sea, or air.

(3) No program exists along the Southwest border to track land exits from the United States into Mexico.

(4) Without the ability to capture the full cycle of an alien's trip into and out of the United States, it is possible for persons to remain in the United States unlawfully for years without detection by U.S. Immigration and Customs Enforcement.

(5) Because there is no exit tracking capability, there is insufficient data for an official assessment of the number of persons who have overstayed a visa and that remain in the United States. Studies have estimated that as many as 40 percent of all persons in the United States without lawful immigration status entered the country legally and did not return to their country of origin or follow the terms of their entry.

(6) Despite a legal mandate to track alien exits, more than a decade without any significant capability to do so has—

(A) degraded the Federal Government's ability to enforce immigration laws;

(B) placed a greater strain on law enforcement resources; and

(C) undermined the legal immigration process in the United States.

(b) REQUIREMENT FOR OUTBOUND TRAVEL DOCUMENT CAPTURE AT LAND POINTS OF ENTRY.—

(1) OUTBOUND TRAVEL DOCUMENT CAPTURE AT FOOT CROSSINGS.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall establish a mandatory exit data system for all outbound lanes at each land point of entry along the Southern border that is only accessible to individuals on foot or by nonmotorized means.

(B) DATA COLLECTION REQUIREMENTS.—The system established under subparagraph (A) shall require the collection of data from machine-readable visas, passports, and other travel and entry documents for all categories of aliens who are exiting the United States through an outbound lane described in subparagraph (A).

(2) OUTBOUND TRAVEL DOCUMENT CAPTURE AT ALL OTHER LAND POINTS OF ENTRY.—

(A) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall establish a mandatory exit data system at all outbound lanes not subject to paragraph (1) at each land point of entry along the Southern border.

(B) DATA COLLECTION REQUIREMENTS.—The system established under subparagraph (A) shall require the collection of data from machine-readable visas, passports, and other travel and entry documents for all categories of aliens who are exiting the United States through an outbound lane described in subparagraph (A).

(3) INFORMATION REQUIRED FOR COLLECTION.—While collecting information under paragraphs (1) and (2), the Secretary shall collect identity-theft resistant departure information from the machine-readable visas, passports, and other travel and entry documents.

(4) RECORDING OF EXITS AND CORRELATION TO ENTRY DATA.—The Secretary shall integrate the records collected under paragraphs (1) and (2) into the interoperable data system established under section 3303(b) and any other database necessary to correlate an alien's entry and exit data.

(5) PROCESSING OF RECORDS.—Before the departure of outbound aliens at each point of entry, the Secretary shall provide for cross-reference capability between databases designated by the Secretary under paragraph (4) to determine and record whether an outbound alien has been in the United States without lawful immigration status.

(6) RECORDS INCLUSION REQUIREMENTS.—The Secretary shall maintain readily accessible entry-exit data records for immigration and other law enforcement and improve immigration control and enforcement by including information necessary to determine whether an outbound alien without lawful presence in the United States entered the country through—

(A) unauthorized entry between points of entry;

(B) visa or other temporary authorized status;

(C) fraudulent travel documents;

(D) misrepresentation of identity; or

(E) any other method of entry.

(7) PROHIBITION ON COLLECTING EXIT RECORDS FOR UNITED STATES CITIZENS.—

(A) PROHIBITION.—While documenting the departure of outbound individuals at each point of entry along the Southern border, the Secretary may not—

(i) process travel documents of United States citizens;

(ii) log, store, or transfer exit data for United States citizens;

(iii) create, maintain, operate, access, or support any database containing information collected through outbound processing at a point of entry under paragraph (1) or (2) that contains records identifiable to an individual United States citizen.

(B) EXCEPTION.—The prohibition set forth in subparagraph (A) does not apply to the records of an individual if an officer processing travel documentation in the outbound lanes at a point of entry along the Southern border—

(i) has a strong suspicion that the individual has engaged in criminal or other prohibited activities; or

(ii) needs to verify an individual's identity because the individual is attempting to exit the United States without travel documentation.

(C) VERIFICATION OF TRAVEL DOCUMENTS.—Subject to the prohibition set forth in subparagraph (A), the Secretary may provide for the confirmation of a United States citizen's travel documentation validity in the outbound lanes at a point of entry along the Southern border.

(c) INFRASTRUCTURE IMPROVEMENTS AT LAND POINTS OF ENTRY.—

(1) FACILITATION OF LAND EXIT TRACKING.—The Secretary may improve the infrastructure at, or adjacent to, land points of entry, as necessary, to implement the requirements under paragraphs (1) and (2) of subsection (b), by—

(A) expanding or reconfiguring outbound road or bridge lanes within a point of entry;

(B) improving or reconfiguring public roads or other transportation infrastructure leading into, or adjacent to, the outbound lanes at a point of entry if—

(i) there has been a demonstrated negative impact on transportation in the area adjacent to a point of entry as a result of projects carried out under this section; or

(ii) the Secretary, in consultation with State, local, or tribal officials responsible for transportation adjacent to a point of entry, has submitted a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that projects proposed under this section will have a significant negative impact on transportation adjacent to a point of entry without such transportation infrastructure improvements; and

(iii) the total of funds obligated in any year to improve infrastructure outside a point of entry under subsection (c)(1) shall not exceed 25 percent of the total funds obligated to meet the requirements under paragraphs (1) and (2) of subsection (b) in the same year;

(C) constructing, expanding, or improving access to secondary inspection areas, where feasible;

(D) physical structures to accommodate inspections and processing travel documents described in subsection (b)(3) for outbound aliens, including booths or kiosks at exit lanes;

(E) transfer, installation, use, and maintenance of computers, software or other network infrastructure to facilitate capture and processing of travel documents described in subsection (b)(3) for all outbound aliens; and

(F) performance of outbound inspections outside of secondary inspection areas at a point of entry to detect suspicious activity or contraband.

(2) REPORT ON INFRASTRUCTURE REQUIREMENTS TO CARRY OUT 100 PERCENT LAND EXIT TRACKING.—Not later than 45 days after the date of the enactment of this Act, the Secretary shall submit, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives, a report that assesses the infrastructure needs for each point of entry along the Southern border to fulfill the requirements under subsection (b), including—

(A) a description of anticipated infrastructure needs within each point of entry;

(B) a description of anticipated infrastructure needs adjacent to each point of entry;

(C) an assessment of the availability of secondary inspection areas at each point of entry;

(D) an assessment of space available at or adjacent to a point of entry to perform processing of outbound aliens;

(E) an assessment of the infrastructure demands relative to the volume of outbound crossings for each point of entry; and

(F) anticipated wait times for outbound individuals during processing of travel documents at each point of entry, relative to possible improvements at the point of entry.

(d) PROCEDURES FOR EXIT PROCESSING AND INSPECTION.—

(1) INDIVIDUALS SUBJECT TO OUTBOUND SECONDARY INSPECTION.—Officers performing outbound inspection or processing travel documents may send an outbound individual to a secondary inspection area for further inspection and processing if the individual is—

(A) determined or suspected to have been in the United States without lawful status during processing under subsection (b) or at another point during the exit process;

(B) found to be subject to an outstanding arrest warrant;

(C) suspected of engaging in prohibited activities at the point of entry;

(D) traveling without travel documentation; or

(E) subject to any random outbound inspection procedures, as determined by the Secretary.

(2) LIMITATIONS ON OUTBOUND SECONDARY INSPECTIONS.—The Secretary may not designate an outbound United States citizen for secondary inspection or collect biometric information from a United States citizen under outbound inspection procedures unless criminal or other prohibited activity has been detected or is strongly suspected.

(3) OUTBOUND PROCESSING OF PERSONS IN THE UNITED STATES WITHOUT LAWFUL PRESENCE.—

(A) PROCESS FOR RECORDING UNLAWFUL PRESENCE.—If the Secretary determines, at a point of entry along the Southern border, that an outbound alien has been in the United States without lawful presence, the Secretary shall—

(i) collect and record biometric data from the individual;

(ii) combine data related to the individual's unlawful presence with any other information related to the individual in the interoperable database, in accordance with paragraphs (4) and (5) of subsection (b); and

(iii) except as provided in subparagraph (B), permit the individual to exit the United States.

(B) EXCEPTION.—An individual shall not be permitted to leave the United States if, during outbound inspection, the Secretary detects previous unresolved criminal activity by the individual.

SEC. 1___9. RULE OF CONSTRUCTION.

Nothing in this Act, or amendments made by this Act, may be construed as replacing or repealing the requirements for biometric entry-exit capture required under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208).

SEC. 1___10. STUDENT VISA NATIONAL SECURITY REGISTRATION SYSTEM.

(a) ESTABLISHMENT.—The Secretary shall establish a Student Visa National Security Registration System (referred to in this section as the ''System'').

(b) COUNTRIES REPRESENTED.—The System shall include information about each alien in the United States on a student visa from 1 of the following countries:

(1) Afghanistan.
(2) Algeria.
(3) Bahrain.
(4) Bangladesh.
(5) Egypt.
(6) Eritrea.
(7) Indonesia.
(8) Iran.
(9) Iraq.
(10) Jordan.
(11) Kuwait.

(12) Lebanon.
(13) Libya.
(14) Morocco.
(15) Nigeria.
(16) North Korea.
(17) Oman.
(18) Pakistan.
(19) Qatar.
(20) Russia.
(21) Saudi Arabia.
(22) Somalia.
(23) Sudan.
(24) Syria.
(25) Tunisia.
(26) United Arab Emirates.
(27) Yemen.

(c) REGISTRATION.—The Secretary shall notify each alien from 1 of the countries listed under subsection (b) who is seeking a student visa under subparagraph (F) or (J) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) that the alien, not later than 30 days after receiving a student visa, shall—

(1) register with the System, as part of the visa application process; and

(2) be interviewed and fingerprinted by a Department official.

(d) BACKGROUND CHECK.—The Secretary shall perform a background check on all aliens described in subsection (c) to ensure that such individuals do not present a national security risk to the United States.

(e) MONITORING.—The Secretary shall establish a procedure for monitoring the status of all alien students in the United States on student visas.

(f) REPORTS.—

(1) INSPECTOR GENERAL.—The Secretary shall submit an annual report to Congress that—

(A) describes the effectiveness with which the Department is screening student visa applicants through the System; and

(B) indicates whether the System has been implemented in a manner that is overbroad or results in the deportation of individuals with no reasonable link to a national security threat or perceived threat.

(2) CERTIFICATION AND NATIONAL SECURITY REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to Congress that—

(i) certifies that the System has been implemented; and

(ii) describes the specific steps that have been taken to prevent national security failures in screening out terrorists from using student visas to gain entry into the United States.

(B) EFFECT OF NONCOMPLIANCE.—Beginning on the date that is 181 days after the date of the enactment of this Act, the Secretary shall suspend the issuance of visas under subparagraphs (F) and (J) of section 101(a)(15) of the Immigration and Nationality Act until the Secretary has submitted the report described in subparagraph (A).

(3) ANNUAL REPORT.—The Secretary shall submit an annual report to Congress that contains—

(A) the number of students screened and registered under the System during the past year, broken down by country of origin; and

(B) the number of students deported during the past year as a result of information gathered during the interviews and background checks conducted pursuant to subsections (c)(2) and (d), broken down by country of origin.

SEC. 1___11. ASYLUM AND REFUGEE REFORM.

(a) REGISTRATION.—The Secretary shall notify each alien who is admitted as a refugee under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) or granted asylum under section 208 of such Act (8 U.S.C. 1158) that the alien, not later than 30 days after being admitted as a refugee or granted asylum—

(1) shall register with the Department as part of application process; and

(2) shall be interviewed and fingerprinted by an official of the Department.

(b) BACKGROUND CHECK.—The Secretary shall screen and perform a background check on all individuals seeking asylum or refugee status under section 207 or 208 of the Immigration and Nationality Act to ensure that such individuals do not present a national security risk to the United States.

(c) MONITORING.—The Secretary shall monitor individuals granted asylum or admitted as refugees for indications of terrorism.

(d) REPORTS.—

(1) SECRETARY OF HOMELAND SECURITY.—The Secretary shall submit an annual report to Congress that—

(A) describes the effectiveness with which the Department is screening applicants for asylum and refugee status; and

(B) indicates whether the System has been implemented in a manner that is overbroad or results in the deportation of individuals with no reasonable link to a national security threat or perceived threat.

(2) CERTIFICATION AND NATIONAL SECURITY REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report to Congress that—

(i) certifies that the requirements described in subsections (a) through (c) have been implemented; and

(ii) describes the specific steps that have been taken to prevent national security failures in screening out terrorists from using asylum and refugee status to gain entry into the United States.

(B) EFFECT OF NONCOMPLIANCE.—Beginning on the date that is 181 days after the date of the enactment of this Act, the Secretary shall suspend the granting of asylum and refugee status under sections 207 and 208 of the Immigration and Nationality Act (8 U.S.C. 1157 and 1158) until the Secretary has submitted the report described in subparagraph (A).

(3) ANNUAL REPORT.—The Secretary shall submit an annual report to Congress that contains—

(A) the number of aliens seeking asylum or refugee status who were screened and registered during the past year, broken down by country of origin; and

(B) the number of aliens seeking asylum or refugee status who were deported as a result of information gathered during interviews and background checks under subsections (a)(2) and (b), broken down by country of origin.

SEC. 1___12. RESOLUTION OF PUBLIC LAND USE DISPUTES IMPEDING BORDER SECURITY AND ENFORCEMENT.

(a) PROHIBITION.—The Secretary of Interior and the Secretary of Agriculture may not impede, prohibit, restrict, or delay activities of the Secretary on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture to achieve total operational control of the Southern border.

(b) AUTHORIZED ACTIVITIES.—The Secretary shall be granted immediate access to land under the jurisdiction of the Secretary of Interior or the Secretary of Agriculture for purposes of conducting the following activities on such land in accordance with the requirements under this Act:

(1) Installing and using ground and motion sensors.

(2) Installing and using of surveillance equipment, including—

(A) video or other recording devices;

(B) radar and infrared technology; and

(C) infrastructure to enhance border enforcement line-of-sight.

(3) Using aircraft and securing landing rights, where appropriate, as determined by the Secretary.

(4) Using motorized vehicles to conduct routine patrols and pursuits as required, including trucks and all-terrain vehicles.

(5) Accessing roads.

(6) Constructing and maintaining roads.

(7) Constructing and maintaining fences or other physical barriers.

(8) Constructing and maintaining communications infrastructure.

(9) Constructing and maintaining operations centers.

(10) Setting up any other temporary tactical infrastructure.

(c) CLARIFICATION OF WAIVER AUTHORITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law (including any termination date relating to the waivers referred to in this subsection), the waiver by the Secretary on April 1, 2008, pursuant to section 102(c)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note; Public Law 104–208) of the laws described in paragraph (2) with respect to certain sections of the Southern border shall be considered to apply to all land under the jurisdiction of the Secretary of Interior or the Secretary of Agriculture that is located within 100 miles of the Southern border for all activities of the Secretary described in subsection (b).

(2) DESCRIPTION OF LAWS SUBJECT TO WAIVED.—The laws referred to in paragraph (1) are—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(C) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(D) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(E) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(F) the Clean Air Act (42 U.S.C. 7401 et seq.);

(G) the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.);

(H) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(I) the Noise Control Act of 1972 (42 U.S.C. 4901 et seq.);

(J) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.);

(K) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(L) Public Law 86–523 (16 U.S.C. 469 et seq.);

(M) the Act of June 8, 1906 (16 U.S.C. 431 et seq.) (commonly known as the ''Antiquities Act of 1906'') ;

(N) the Act of August 21, 1935 (16 U.S.C. 461 et seq.);

(O) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(P) the Farmland Protection Policy Act (7 U.S.C. 4201 et seq.);

(Q) the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.);

(R) the Wilderness Act (16 U.S.C. 1131 et seq.);

(S) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(T) the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.);

(U) the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.);

(V) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(W) subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act'');

(X) the Otay Mountain Wilderness Act of 1999 (Public Law 106–145, 113 Stat. 1711);

(Y) sections 102(29) and 103 of California Desert Protection Act of 1994 (16 U.S.C. 410aaa et seq.);

(Z) the National Park Service Organic Act (16 U.S.C. 1 et seq.);

(AA) Public Law 91–383 (16 U.S.C. 1a-1 et seq.);

(BB) sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Public Law 95–625, 92 Stat. 3467);

(CC) the Arizona Desert Wilderness Act of 1990 (16 U.S.C. 1132 note; Public Law 101–628);

(DD) section 10 of the Act of March 3, 1899 (33 U.S.C. 403);

(EE) the Act of June 8, 1940 (16 U.S.C. 668 et seq.) (commonly known as the ''Bald Eagle Protection Act of 1940'');

(FF) the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.);

(GG) Public Law 95–341 (42 U.S.C. 1996);

(HH) Public Law 103–141 (42 U.S.C. 2000bb et seq.);

(II) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(JJ) the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 528 et seq.);

(KK) the Mineral Leasing Act (30 U.S.C. 181, et seq.);

(LL) the Materials Act of 1947 (30 U.S.C. 601 et seq.); and

(MM) the General Mining Act of 1872 (30 U.S.C. 22 note).

(d) NOTIFICATION REQUIREMENTS.—The Secretary shall submit a monthly report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that—

(1) describes any public land use dispute raised by another Federal agency;

(2) describes any other land conflict subject to subsection (a) relating to border security operations on public lands; and

(3) explains whether the waiver authority under subsection (c) was exercised in regards to such dispute or conflict.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize—

(1) the restriction of legal land uses, including hunting, grazing, and mining; or

(2) additional restriction on legal access to such land.

SEC. 1___13. SAVINGS AND OFFSETS.

(a) USE OF FUNDS.—The Secretary may use amounts from the Comprehensive Immigration Reform Trust Fund made available under subparagraphs (A)(ii) and (D) of section 6(a)(3)—

(1) to fulfill the requirement under section 1___8 for 100 percent exit tracking of outbound aliens at land points of entry;

(2) to establish and maintain the Student Visa National Security Registration System described in section 1___10; and

(3) to reform the processing of applications for asylum and refugee status pursuant to section 1___11.

(b) PROHIBITION.—

(1) IN GENERAL.—Except as provided in paragraph (2), no funds may be obligated or expended for the construction of a new headquarters for the Department.

(2) EXCEPTION.—The prohibition under paragraph (1) shall not apply if the Secretary certifies to Congress that—

(A) total operational control of the Southern border has been achieved;

(B) 100 percent exit tracking for all United States visitors at air, sea, and land points of entry has been achieved;

(C) the Student Visa National Security Visa Registration System is fully operational; and

(D) reforms to asylum and refugee processing set forth in section 1___11 have been fully implemented.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $1,000,000,000 to carry out paragraphs (1) through (3) of subsection (a).

(d) RESCISSION OF CERTAIN UNOBLIGATED FUNDS.—From discretionary funds appropriated to the Department, but not obligated as of the date of the enactment of this Act, $1,000,000,000 is hereby rescinded.

SEC. 1___14. IMMIGRATION LAW ENHANCEMENTS.

(a) TRANSITION OF EXECUTIVE OFFICE FOR IMMIGRATION REVIEW.—

(1) ESTABLISHMENT OF COURT OF IMMIGRATION REVIEW.—Title 28, United States Code, is amended by inserting after chapter 7 the following:

''CHAPTER 9—COURT OF IMMIGRATION REVIEW

''§ 211. Establishment and appointment of judges

''(a) ESTABLISHMENT.—There is established, under article I of the Constitution of the United States, a court of record, which shall be known as the United States Court of Immigration Review.

''(b) JURISDICTION.—The Court of Immigration Review shall have original, but not exclusive, jurisdiction over all civil proceedings arising under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) and is authorized to implement orders issued by the Court, in cooperation with the Department of Justice.

''(c) APPOINTMENT OF JUDGES.—The President shall appoint, by and with the advice and consent of the Senate, such judges as may be necessary to carry out the duties of the Court of Immigration Review.

''§ 212. Tenure and salaries of judges

''(a) TENURE.—Each judge of the United States Court of Immigration Review shall be appointed for a term of 10 years.

''(b) SALARY.—Each judge shall receive a salary at an annual rate determined in accordance with section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351 et seq.), as adjusted by section 461 of this title.

''§ 213. Times and places of holding court

''The United States Court of Immigration Review may hold court at such times and such places as it may fix by rule of court.''.

(2) CONFORMING AMENDMENT TO HOMELAND SECURITY ACT OF 2002.—Subtitle A of title XI of the Homeland Security Act of 2002 (6 U.S.C. 521 et seq.) is amended—

(A) by striking the subtitle heading and inserting the following:

''Subtitle A—United States Court of Immigration Review''; and

(B) by amending section 1101 (6 U.S.C. 521) to read as follows:

''SEC. 1101. RESPONSIBILITIES OF UNITED STATES COURT OF IMMIGRATION REVIEW.

''The United States Court of Immigration Review, established under chapter 9 of title 28, United States Code, shall be responsible for interpreting and administering Federal immigration laws by conducting immigration court proceedings and appellate reviews of such proceedings, in cooperation with the Department of Justice.''.

(3) CONFORMING AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT.—Section 103 (8 U.S.C. 1103) is amended—

(A) in subsection (a)—

(i) by striking ''He'' each place it appears and inserting ''The Secretary'';

(ii) by striking ''the Service'' each place it appears and inserting ''the Department of Homeland Security'';

(B) in subsection (c)—

(i) by striking ''The Commissioner shall'' and inserting ''The Director, U.S. Citizenship and Immigration Services, shall'';

(ii) by striking ''He'' and inserting ''The Director'';

(iii) by striking ''the Service'' each place it appears and inserting ''U.S. Citizenship and Immigration Services''; and

(iv) by striking ''The Commissioner may'' and inserting ''The Director may'';

(C) in subsections (d) and (e), by striking ''The Commissioner'' and inserting ''The Director, U.S. Citizenship and Immigration Services'';

(D) in subsection (e), by striking ''the Service'' and inserting ''U.S. Citizenship and Immigration Services''; and

(E) in subsection (g), by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—The Attorney General shall assist the Secretary of Homeland Security in enforcing the provisions of this Act, in cooperation with the United States Court of Immigration Review, established under chapter 9 of title 28, United States Code.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the immigration judges serving in the Executive Office for Immigration Review on the day before the date of the enactment of this Act, absent misconduct or other compelling circumstances, should be—

(1) appointed by the President to serve on the United States Court of Immigration Review, established under chapter 29 of title 28, United States Code; and

(2) confirmed by the Senate as soon as practicable, but in no case later than 1 year after such date of enactment.

(c) CONTINUITY PROVISION.—All officers and employees of the Executive Office for Immigration Review on the day before the date of the enactment of this Act, absent misconduct or other compelling circumstances, shall remain in their respective positions during the Office's transition to the United States Court of Immigration Review.

(d) ENDING OF CAPTURE AND RELEASE.—The Secretary may not release any individual arrested by the Department for the violation of any immigration law before the individual is duly tried by the United States Court of Immigration Review unless the Secretary determines that such arrests were made in error. Individuals arrested or detained by the Department have the right to an expedited proceeding to ensure that they are not detained without a hearing for an excessive period of time.

SEC. 1___15. PROTECTING THE PRIVACY OF AMERICAN CITIZENS.

(a) IN GENERAL.—Nothing in this Act, the amendments made by this Act, or any other provision of law may be construed as authorizing, directly or indirectly, the issuance, use, or establishment of a national identification card or system.

(b) LIMITATIONS ON IDENTIFICATION OF UNITED STATES CITIZENS.—

(1) BIOMETRIC INFORMATION.—United States citizens shall not be subject to any Federal or State law, mandate, or requirement that they provide photographs or biometric information without prior cause.

(2) PHOTO TOOL.—As used in this Act, the term ''Photo Tool'' may not be construed to allow the Federal Government to require United States citizens to provide a photograph to the Federal Government, other than photographs for Federal employment identification documents and United States passports.

(3) BIOMETRIC SOCIAL SECURITY CARDS.—Notwithstanding section 3102, any other provision of this Act, the amendments made by this Act, or any other provision of law, the Federal Government may not require United States citizens to carry, or to be issued, a biometric social security card.

(4) CITIZEN REGISTRY.—Notwithstanding any provision of this Act, the amendments made by this Act, or any other law, the Federal Government is not authorized to create a de facto national registry of citizens.

(c) IDENTIFICATION OF NONCITIZENS.—The Federal Government is authorized to require noncitizens, for identification purposes, to provide biometric identification, including fingerprints, DNA, and Iris scans, and nonbiometric information, including photographs.

SEC. 1___16. NUMERICAL LIMITATION ON REGISTERED PROVISIONAL IMMIGRANTS.

Notwithstanding any other provision of law, the Secretary may not grant registered provisional immigrant status under section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, until the first joint resolution is enacted pursuant to section 1___4, and to more than 2,000,000 applicants for such status in any calendar year following enactment of the first joint resolution enacted pursuant to section 1___4.

Mr. PAUL. Mr. President, I rise today to speak about my amendment, which we have entitled ''Trust But Verify.''

I am in full support of immigration reform, as are most Members of this body and most Americans. But part of that reform must be that we insist on border security.

Recently the authors of the current bill made clear that legalization will not be made contingent on border security. Most conservatives such as myself believe just the opposite, that legalization or documentation of workers absolutely must depend on border security first. My amendment does that. Trust But Verify makes documentation of undocumented workers contingent on border security.

I believe the American people should not rely on bureaucrats or a commission to enforce border security. We have been promised security in the past and it never happens. My amendment is different than any other amendment because I want Congress to institute border security, not wait for a plan from the administration.

With Trust But Verify Congress will vote every year for 5 years on whether the border is secure. The power to enforce border security will be in our hands, the people's representatives, and it is Congress that will be held accountable if we fail. If Congress believes the border is not secure, then the processing of the undocumented workers stops until the border becomes secure.

To be clear, my amendment doesn't replace any triggers of the underlying bill. It simply adds new conditions to build on border security measures that are already in the bill. The only way to put real pressure on the Department of Homeland Security is to have tough triggers that ensure that the border is secure before immigration reform can proceed.

My amendment is entitled ''Trust But Verify.'' My amendment legislates exactly how we secure the border. The current bill merely requests a plan to secure the border. My amendment requires 100 percent border surveillance capability, a 95-percent apprehension rate, and a completion of a double-layered fence. Instead of having a plan to build a fence, we just tell them: Build the fence. We monitor the building of the fence as it progresses, and we make these triggers transparent to the public.

This amendment also would end the practice of releasing people who are caught crossing the border. Ninety-five percent of the people caught are released and they never come back—they go to the interior of the country.

Legalization of undocumented workers is allowed to commence after 1 year if Congress agrees that the border is secure. The resolution would be simple and would simply state every year: It is the sense of Congress that the U.S. border is increasingly secure. And Congress will determine if the Department of Homeland Security has met the goals Congress has written into law.

My amendment mandates that 100 percent exit tracking for U.S. visitors is accomplished through all portals—air, land, and water. One of the biggest problems our Nation is experiencing is that individuals here on temporary visas tend to overstay, and some never exit the country. My amendment solves this problem.

My amendment also has two important national security elements. One provision sets up a student visa national security registration system as a means to track young men and women who come to this country on student visas. Also, individuals here under asylum or refugee status must register in a program providing increased screening and a means to make sure the Federal Government has an idea of where people in these programs reside.

We should remember that most of the 9/11 hijackers were here on student visas and were not being properly monitored. And I still don't think that problem has been fixed.

This amendment is fully paid for by taking funds that would have gone toward this commission. We will not need a commission because we are actually going to put border security in the bill, and it requires no additional funding. If my amendment is implemented, there will not be a need for this commission.

One big problem with immigration reform is the dire need to reform our immigration court system. My amendment empowers immigration judges to have the power to implement orders. Judges make decisions and then no one will carry out the orders. It is a completely broken system. Both the left and the right agree we need to fix the immigration court system. This amendment would do it. My amendment would convert our courts from administrative courts to article I courts with enhanced jurisdiction.

My amendment also protects the privacy of all Americans by placing in law protections against citizens being subject to invasive biometric identification cards. Most Second Amendment supporters rightly see universal background checks as a step too far in invading citizens' personal business. Any national ID, biometric or otherwise, raises the same constitutional concerns.

Finally, my amendment does not allow the processing of this new category called registered provisional immigrants until Congress votes that the border is secure. Then we limit the number to 2 million per year, and each year we vote: Is the border more secure? If the border is not becoming more secure, the process stops until we agree the border is secure. This will allow the Department of Homeland Security to do an effective job of conducting background checks on the estimated 11 to 12 million people.

If Congress votes that the border is not secure, the processing of people into this category stops. It will not start again until Congress, the Representatives of the people, believe that the border is secure.

We desperately need immigration reform. If we don't have reform, I think we will have another 10 million people come over in the next decade. So something should be done, but it has to be done in a way that fixes the system. This amendment will fix the system.

I ask my colleagues to support Senate amendment No. 1200, Trust But Verify.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1251

(Purpose: Requiring Enforcement, Security and safety while Upgrading

Lawful Trade and travel Simultaneously (RESULTS))

Mr. CORNYN. Mr. President, I ask unanimous consent to set aside the pending amendments, and to call up my amendment No. 1251.

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

The clerk will report.

The assistant bill clerk read as follows:

The Senator from Texas [Mr. CORNYN], for himself, Mr. CRAPO, Mr. BLUNT, Mr. KIRK, Mr. HATCH, Mr. ALEXANDER, Mr. ISAKSON, Mr. ROBERTS, Mr. BURR, Mr. CHAMBLISS, and Mr. JOHANNS, proposes an amendment numbered 1251.

Mr. CORNYN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in the RECORD of Wednesday, June 12, 2013, under ''Text of Amendments.'')

Mr. CORNYN. Mr. President, I have been working on immigration policy for all the time I have been in the Senate, about 10 years now. So I have some familiarity with the issues and the arguments that have been made. It is always amazing to hear a lot of the same arguments being repeated now that we have heard before in 2007 and before. But one of the differences is we have 43 new Senators who weren't here in 2007, the last time we had a major debate on immigration reform. So I think the discussions have been useful and, hopefully, they will be productive.

There is one obstacle, in my view, to immigration reform which is something I would like to see: When it comes to securing our borders and making sure that the flow of illegal immigration across our borders stops or gets as close as we can to zero, the Federal Government has zero credibility. The reason is simple. We have been making promises since 1986 about border security enforcement.

Remember, 1986 was the year that Ronald Reagan—a model to Republicans and conservatives—signed an amnesty for 3 million people, premised on the representation and the expectation that enforcement would ensue and the problem would be solved. In other words, he and the American people said: We will have a compassionate resolution of the condition of the 3 million people who are here, but we want to make sure that the rule of law is restored and that we will not have to do this again.

When the Gang of 8—the four Republicans and four Democrats who authored the underlying bill—announced their product, I was hopeful they would produce a bill with solid mechanisms for gaining secure borders. Unfortunately, the bill contains no guarantees or results, no real trigger, only more promises reminiscent of 1986 and many years subsequent.

In 1996, Bill Clinton signed a law saying we were going to implement a biometric entry-exit system. When that didn't happen, after 2011 the 9/11 Commission said one of the things we needed and was revealed as a vulnerability for national security was the absence of a biometric entry-exit system.

Despite the passage of all those years and the recommendations of the 9/11 Commission, we still have not implemented a biometric entry-exit system. An entry system, yes, but exit, no. And 40 percent of illegal immigration occurs as a result of the fact that people enter the country legally and don't leave when their visa expires.

So, unfortunately, this bill contains more hollow promises and no real trigger. By that I mean a conditioning on the transfer to either probationary status or to legal permanent residency based on hitting the standards that are met in the underlying bill—100 percent situational awareness, 90 percent apprehensions, which is defined in the bill as operational control of the border.

The message is, again, we don't have any enforcement mechanism here. We are going to put a lot of money and a lot of resources into this but we cannot control what future administrations do. We know no current Congress can bind future Congresses. So these promises once again—I am very concerned and I think the American people should be concerned—are promises only and not delivering the results that I think they insist upon before they will accept a resolution of the 11 million people in compassionate terms.

But I do not think promises alone are good enough. You should not take my word for it. You want to see, for example, what the Congressional Budget Office came out with yesterday. I think people would be serious about serious solutions to illegal immigration, but the Congressional Budget Office which—love them or hate them, agree or disagree—is the gold standard that Congress is bound by when evaluating legislation. What they said is the number of new unauthorized immigrants in the United States by the year 2033 will go up. It will be 7.5 million people. If we did not pass any bill at all, it will be 10 million. That is what the Congressional Budget Office said. Those are not my figures, those are their figures. I think it is incumbent upon anybody who disagrees to challenge these figures, and so far we have heard no challenge forthcoming.

Make no mistake, border security is not an alternative to immigration reform, it is a necessary complement to the sensible reforms that I think a large majority of this Chamber could agree on, such as allowing the United States to retain more highly skilled immigrants who get Ph.D's and master's degrees at our colleges and universities in STEM fields—science, technology, engineering, mathematics, and the like.

I know there has been a fair amount of disinformation circulated about the proposals in my RESULTS amendment, so let me explain what it actually does once more. My amendment requires the Federal Government to have 100-percent situational awareness on the border. With technology the American taxpayer has already paid for and which has been deployed in Afghanistan and Iraq and is owned by the Department of Defense, I am absolutely convinced we can get 100-percent situational awareness on the border. Senator MCCAIN yesterday said he agreed with that. He cited a letter, which I am sure we will see forthwith, by the head of the Border Patrol who said that is attainable.

Senator BENNET of Colorado and Senator FLAKE of Arizona, two members of the Gang of 8, said they agree it is attainable. I think it is attainable. That is one requirement.

Second, my amendment requires full operational control of the border. That does not mean 100-percent detention of people coming across. It means we have a deterrent effect by at least 90 percent of people coming across being detained.

I have been in and around law enforcement most of my adult life. It is not just how many people we detain, it is the deterrent value of the knowledge of people who violate our laws that if they do so they will be apprehended and they will receive the appropriate punishment. So the deterrence factor is very important here. It is not just how many people you catch but there has to be some metric that can be objectively measured.

Next—and I alluded to this a moment ago—there has to be a nationwide biometric entry-exit system. As I said, this has been the law since 1996 when Bill Clinton signed it into law. Yet it has never been implemented. What has been implemented is that when foreign nationals visit the United States they do have to give a set of fingerprints, but there is no complementary exit system to make sure those same people leave the country when their visa expires—whether they are a student or a tourist or a guest worker or something of the like. Forty percent of our illegal immigration is people who enter legally and simply do not leave when their visa expires. This biometric entry-exit system would allow us to identify them and then to allow the Department of Homeland Security and Immigration and Customs Enforcement to do their job.

Fourth, my amendment requires nationwide E-Verify; in other words, a means not to make the employers the police to sort of sift through documents to try to figure out from your utility bill whether you actually are a legal resident of the United States and can qualify to work, but actually an electronic system. All employees of the Federal Government, all of our employees in our Senate offices have to go

through that anyway to make sure this is uniformly observed, so that the economic magnet that attracts so much illegal immigration is removed and only people who can legally work in the country are allowed to do so.

My amendment could have taken a much tougher position and said this trigger must be met before people can progress or sign up for probationary status. I voted for such an amendment, but knowing that amendment would not pass the Senate I said the trigger ought to be between the probationary status and the time when people transition from probationary status to legal permanent residency. The whole rationale is not to be punitive, not to create an obstacle that cannot be met, but to realign the incentives for the executive branch, the bureaucracy, Republicans, Democrats, Independents, conservatives, liberals to come together and say we are going to make sure this target is hit: 100-percent surveillance; 90-percent apprehensions or full operational control of the border; an E-Verify system; and a biometric entry-exit system.

Is it realistic to believe these goals can be met in the next decade? Many experts, including members of the Gang of 8, which I mentioned a moment ago, believe it is. Some of those experts include people such as Robert Bonner, the former head of Customs and Border Protection; Asa Hutchison, the former Under Secretary for Border & Transportation Security at the Department of Homeland Security, and as I mentioned, several of the Gang of 8—Senator BENNET of Colorado, Senator FLAKE of Arizona, Senator MCCAIN of Arizona—have all said they believe this requirement of 100-percent situational awareness and operational control of our southern border is feasible and can be accomplished and that it is a reasonable, attainable goal.

My question for them and for others is, if they believe it is feasible and if they believe we are suffering from a trust deficit as a result of the American people being asked to trust us and that trust being exploited and violated so many times in the past with promises that are not kept, why not agree to a reasonable condition after probationary status, before people transfer to legal permanent residency where we know the forces will be aligned in order to make sure that is met. Then we can regain the American people's confidence and see we restored law and order and legality out of a current lawless and chaotic system which exploits and preys on many innocent people who die, who are subjected to human slavery as a result of trafficking, and you name it.

There is a crisis of confidence in Washington these days and the only way I think we are going to regain that confidence and demonstrate to the American people we are serious about making this happen is a trigger and a conditioning of that transition from RPI status to LPR status contained in my amendment.

If it is attainable and if it is something that is important in terms of regaining the public's confidence instead of just saying ''trust us,'' why not support the amendment? Why not demand real results on border security, rather than repetitive promises that have not been kept in the past and which the American public is in deep doubt will be kept in the future? Without a genuine border security trigger, this bill, I would daresay, has zero chance of passing the House of Representatives. For those of us who wish to see an improvement in the status quo because we believe the status quos is simply unacceptable, for those of us who wish to see a good immigration reform bill pass, why not pass this bill with my amendment? Why not give this bill some momentum as it goes over to the House of Representatives and as we come together as a Senate and a House to reconcile those differences in the bill and send over a good bill, an enforceable bill—not just full of hollow promises but one which will actually gain results when it comes to security.

Everybody in this Chamber knows the Senate bill is dead on arrival in the House. They have their own ideas. They are going to take up immigration reform on a piecemeal basis, but ultimately my hope is they will cobble together one or more smaller bills and then we will be able to get to a conference with the House to work out the differences. But this is the kind of sleight of hand which I think undermines our credibility and increases the skepticism of the American people that we are actually going to deliver as represented when it comes to immigration reform.

You have seen this before. Senator DURBIN, the distinguished majority whip, said in January 2013: A pathway to citizenship needs to be ''contingent upon securing the border.'' I agree with Senator DURBIN. I agree that is the essential bargain the American people are willing to accept. There was a CNN poll yesterday that said 6 out of 10 of the American people would accept a pathway to citizenship, perhaps grudgingly, if they actually felt as though the results they demand be provided on border security and enforcement are contained in this bill.

That is why I believe it was so important for Senator DURBIN to say, as part of their announcement of the goals of the Gang of 8, that a pathway to citizenship would be ''contingent upon securing the border.''

Here is the disconnect. Unfortunately, 6 months later, June 11, 2013, Senator DURBIN was quoted in the National Journal that the gang has now decided that ''the pathway to citizenship'' and border enforcement can be delinked. In other words, the way to citizenship is guaranteed and good luck on the border security and the enforcement. Good luck, present Congress, trying to enforce your will, present and hence, on a future Congress; good luck, President Obama, trying to dictate exactly what a future President, 10 years from now, will do.

The only way I believe we can credibly go back and defend our position for immigration reform before our constituents, certainly my constituents, is to look them in the eyes and say we have fixed the problem. We have done everything humanly possible to make sure all the incentives are aligned so that border security, interior enforcement, and E-Verify are actually in place before people transition to legal permanent residency.

We have now had three decades to fix our broken promises on border security and now is the time to demand real results and to create a mechanism for achieving them. It is time to make good on our promises to the American people by securing America's borders.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I rise to speak about amendment No. 1311, the Hire Americans First amendment, which I hope to call up later.

Nearly 8 percent of Americans are unemployed or underemployed and our immigration policy obviously must be a jobs policy. Any successful immigration plan must take a closer look at the H–1B Program, which serves an important but specific and limited purpose. The H–1B visa was created so businesses—particularly in high tech but not exclusively that—so businesses could recruit foreign workers to help fill the void created by a lack of American workers with those specific skills. Yet, as this bill comes to the floor, something very important was excluded. The bill lacks a requirement—which was in earlier versions of the bill—that employers hire an equally or better qualified American worker when one is available, rather than a potential H–1B worker.

The bill lacks a requirement that employers hire a qualified, equally or better qualified American worker when one is available, rather than a potential H–1B foreign worker. With this bill we are enshrining a process—without this amendment—that allows companies to pass over skilled Americans for foreign workers after they have been required to actually actively recruit those Americans.

The bill has provisions to recruit Americans for these jobs that might have gone to an H–1B foreign worker, but it falls short. It doesn't require the employer to actually—after going through that process, to actually hire the American worker who is as qualified or better qualified than the H–1B

foreign worker. This approach only undermines support for the H–1B Program because it will be seen as a tool to avoid hiring American workers.

Understand the American public, as they start to kind of understand and digest the provisions of this purported new law, this legislation, when they hear that, yes, companies have to recruit and look for American workers but in the end, even if the American worker is as qualified or more qualified, the company is under no obligation to actually hire the American. Senator GRASSLEY has been a champion in the fight to end H–1B abuse. That is why I am proud to join Senator GRASSLEY in our bipartisan amendment to introduce the H–1B and L–1 Visa Fraud and Abuse Prevention Act of 2013.

The H–1B program should only be used when there is no qualified worker available in the United States. That is clearly what the American people overwhelmingly say they want: that the program should only be used when there is no qualified worker available here. This amendment would increase protections to workers by requiring that employers only hire H–1B workers, as I said before, when there is no equally qualified or better qualified American.

This amendment would make sure a worker from Wuhan would not be hired at the expense of a qualified engineer or scientist from Elyria or Sylvania, OH. It means ensuring that American companies seek out, find, and hire skilled American workers before seeking visas for foreign workers. However, that is not included in this version of the bill that we are debating on the Senate floor—the immigration bill. The bill in its current form simply says that companies have to look for qualified Americans. It doesn't require them to actually hire the equally qualified or better qualified American, such as a chemist from Cleveland or a computer scientist from Celina. The underlying bill increases the number of H–1B-eligible visas, and that is fine. But it also cracks down on employers who take advantage of the system. Without the requirement to also hire qualified U.S. workers, the recruitment steps mean standing on an escalator that leads to nowhere.

What this legislation now says is that companies that consider H–1B visa hires need to recruit Americans, but the bill falls short of saying if the American is as qualified or more qualified they need to hire that American. If they are qualified Americans who can do the work, there is simply no need to fill the post with an H–1B worker. Passing the Brown-Grassley amendment—also cosponsored by Senator SESSIONS, a Republican from Alabama, and Senator MANCHIN, a Democrat from West Virginia—the hire Americans first amendment is important in fixing that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

AMENDMENT NO. 1237, AS MODIFIED

Mr. MERKLEY. Mr. President, under the prior unanimous consent agreement, I call up my amendment numbered 1237, as modified.

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

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Oregon [Mr. MERKLEY] proposes amendment numbered 1237, as modified.

The amendment is as follows:

(Purpose: To increase the employment of Americans by requiring State workforce agencies to certify that employers are actively recruiting Americans and that Americans are not qualified or available to fill the positions that the employer seeks to fill with H–2B nonimmigrants)

On page 1793, between lines 17 and 18, insert the following:

SEC. 4607. AMERICAN JOBS IN AMERICAN FORESTS.

(a) SHORT TITLE.—This section may be cited as the ''American Jobs in American Forests Act of 2013''.

(b) DEFINITIONS.—In this section:

(1) FORESTRY.—The term ''forestry'' means—

(A) propagating, protecting, and managing forest tracts;

(B) felling trees and cutting them into logs;

(C) using hand tools or operating heavy powered equipment to perform activities such as preparing sites for planting, tending crop trees, reducing competing vegetation, moving logs, piling brush, and yarding and trucking logs from the forest; and

(D) planting seedlings and trees.

(2) H–2B NONIMMIGRANT.—The term ''H–2B nonimmigrant'' means a nonimmigrant described in section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)).

(3) PROSPECTIVE H–2B EMPLOYER.—The term ''prospective H–2B employer'' means a United States business that is considering employing 1 or more nonimmigrants described in section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)).

(4) STATE WORKFORCE AGENCY.—The term ''State workforce agency'' means the workforce agency of the State in which the prospective H–2B employer intends to employ H–2B nonimmigrants.

(c) DEPARTMENT OF LABOR.—

(1) RECRUITMENT.—As a component of the labor certification process required before H–2B nonimmigrants are offered forestry employment in the United States, the Secretary of Labor shall require all prospective H–2B employers, before they submit a petition to hire H–2B nonimmigrants to work in forestry, to conduct a robust effort to recruit United States workers, including, to the extent the State workforce agency considers appropriate—

(A) advertising at employment or job-placement events, such as job fairs;

(B) placing the job opportunity with the State workforce agency and working with such agency to identify qualified and available United States workers;

(C) advertising in appropriate media, including local radio stations and commonly used, reputable Internet job-search sites; and

(D) such other recruitment efforts as the State workforce agency considers appropriate for the sector or positions for which H–2B nonimmigrants would be considered.

(2) SEPARATE CERTIFICATIONS AND PETITIONS.—A prospective H–2B employer shall submit a separate application for temporary employment certification and petition for each State in which the employer plans to employ H–2B nonimmigrants in forestry for a period of 7 days or longer. The Secretary of Labor shall review each application for temporary employment certification and decide separately whether certification is warranted.

(d) STATE WORKFORCE AGENCIES.—The Secretary of Labor may not grant a temporary labor certification to a prospective H–2B employer seeking to employ H–2B nonimmigrants in forestry until after the Director of the State workforce agency, in each State in which such workers are sought—

(1) submits a report to the Secretary of Labor certifying that—

(A) the employer has complied with all recruitment requirements set forth in subsection (c)(1) and there is legitimate demand for the employment of H–2B nonimmigrants in each of those States; or

(B) the employer has amended the application by removing or making appropriate modifications with respect to the States in which the criteria set forth in subparagraph (A) have not been met; and

(2) makes a formal determination that nationals of the United States are not qualified or available to fill the employment opportunities offered by the prospective H–2B employer.

Mr. MERKLEY. Mr. President, I thought I would take a few moments to share the contents of this amendment and why it is an important addition to the bill we are considering currently. This is related to a very critical part of Oregon's economy; that is, timber and forest jobs. Forest jobs have long been a pillar of our rural economy in my State. In fact, my father worked as a millwright when he first came to Oregon. He worked as a mechanic, which was basically to keep the sawmill operating.

When the sawmill shut down, he pursued other jobs as a mechanic. We traveled with the timber economy, as so many families in Oregon did. Many of our rural towns are mill towns—towns closely related to the production of lumber from our national forests and from private forests.

Over the past several decades, times have been pretty tough in the timber economy, and we have many forest workers who have suffered through these tough times. Their families have gone with the ups and downs of the timber economy. Certainly, the recession added insult to injury, and the unemployment rates in many of our timber counties soared and have been stuck at over 15 percent.

That is why in 2009 I and others fought to get funding in the recovery bill to expand thinning and wildfire prevention. The concept was that we have millions of acres of overgrown second-growth forests which is not ideal for ecosystems, and it is not ideal

for producing timber. What it is ideal for is forest fires and disease. So thinning these forests made a lot of sense, and we can put a lot of folks to work.

We did get funding for forest health, but in 2010 we had a little shock. One of our newspapers in Oregon, the Bend Bulletin, started reporting about how the forest service contracts intended to put Americans to work—and for the Oregon forests, Oregonians to work—were instead awarded to contractors who were bringing in foreign workers under the H–2B visa program. These contractors, using cheap labor, were underbidding the local companies that were employing Oregonians from these rural communities—communities deeply steeped in the tradition of forest jobs.

In 2011, we found out from a Department of Labor audit of some of these contracts—more than $7 million worth—that not one Oregonian was hired. In fact, the audit concluded that it was likely Oregonians didn't even know the jobs existed. Now, why is that? Because the contractor—seeking to underbid the contractors who would hire Americans—proceeded to advertise in California for jobs in Oregon. They proceeded to advertise well in advance of the jobs; there was a disconnect in time. They proceeded to imply in the advertisements that a second language was required.

When applications were received by the few Oregonians who found out about those jobs, they round-filed those applications, put them through the shredder, rather than using our tax money to thin our forests to prevent forest fires and disease and didn't hire Americans for those jobs.

The information provided to my office showed that in 2010 and 2011 in Oregon and Washington more than one-third of the contracts being awarded by the Forest Service were going to companies that self-attested that they could not find a single American worker who wanted to do these jobs. Now these companies are operating in rural communities with very high unemployment rates in the middle of a terrible recession. We have thousands of Oregonians who have signed up on a job seeker database saying they want to work in our forests.

In Oregon that list involves more than 5,000 individuals who are on a State list wanting to work in the woods, and the contractors said they could not find anyone who wanted one of these jobs. This is exactly the type of abuse that undermines the entire program. This is the type of abuse that must not be allowed.

As I go from county to county doing townhalls, as I do in each county every year, folks say time and time again: We need more jobs in the woods. Well, those jobs that we do have in the woods, we need to make sure they know about those jobs. When our taxpayer dollars are funding the work, we need to make sure the money goes to create jobs where they are needed.

That is why I am proposing a narrowly tailored amendment to address this problem with three simple changes to the H–2B program for forestry jobs. First, enhanced recruitment. Employers, before submitting a petition to hire H–2B workers, would be required to use appropriate recruitment strategies to find or notify Americans who are interested in these jobs. This could be advertising at job fairs, with local and State workforce agencies and nonprofits, or advertising on reputable Internet job search sites or radio. The key is they must work with the State workforce agency to advertise in the places where local residents are likely to hear about the jobs. That is exactly what did not happen in Oregon in 2009 and 2010.

The second provision of this amendment is that the Secretary of Labor could grant a temporary labor certification to an employer to hire H–2B forest workers. In order to do that, the director of the State workforce agency would have to certify that the employer has complied with the recruitment requirements, and the director of the State workforce agency would have to make a determination that local workers were not qualified or available to fill the jobs. That way we connect the contractor who is responsible to make sure that folks know about these jobs with the workforce agency that has the expertise in finding people who want to know about these jobs. If there is a situation where a contractor simply says, well, we advertised, but we cannot find anyone, the workforce agency would know whether that was a legitimate and valid conclusion.

The third point is that if an employer seeks to be certified for a work itinerary that covers multiple States, and if the work outside the primary State lasts 7 days or longer, then the employer needs to contact the agency in each State. That way they don't simply have someone starting work in California for a day or two and shifting to Oregon, shifting to Washington, or shifting to Idaho—perhaps for a month in each place—but never advertising in the State where the work is being done. These are three simple changes to our H–2B program for forest workers that could make a real difference for individuals struggling to find work in the woods.

Now, we cannot go back and fix the contracts that have already been issued and abused in the past, but we can fix the problems we know about now so that those forest workers do get the jobs in the future—those Oregonians, those Americans who want to work in the woods.

In places like Myrtle Creek, where I was born, or Roseburg, where I went to first grade, when you are born in these timber communities, you are practically born with a chainsaw in your hand. Timber is the heart of the local economy. To have folks—who are unemployed, trying to support their families and desperate for jobs in the woods—find out that our tax money that was supposed to go to put them to work has been put to work hiring people from outside our country is outrageous and unacceptable. This amendment will address it in a responsible manner.

I urge my colleagues to support this amendment.

I thank the Presiding Officer for the time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

WOMEN'S HEALTH CARE

Mr. BLUMENTHAL. Mr. President, I come to the floor today to discuss H.R. 1797. A number of my colleagues, Senators MURRAY and BOXER, have been here this morning to talk about the bill that passed yesterday in the House of Representatives that would prohibit all abortions beyond 20 weeks with very, very limited exceptions.

This topic is critically important to the women of Connecticut and our country, and the bill is lamentably and regrettably yet another example of legislation that feigns concern for women's health when actually it would endanger the lives and well-being of women across this great country.

The bill would take decisions regarding health care away from women and their doctors and would force doctors to decide between incurring criminal penalties and helping their patients. That choice is unacceptable professionally and morally.

The decision to end a pregnancy is a serious decision that a woman should make in consultation with her doctor. When those decisions are made later in a pregnancy, they are most often the result of serious health risks to the mother or the discovery that the fetus is not viable. They are the result of those risks or the discovery that a fetus is not viable. Political interference is abhorrent and unacceptable in these personal and private decisions, and it violates the constitutional right of privacy.

The other scenario in which a woman may seek an abortion later in a pregnancy is due to an inability to access such services earlier—whether due to financial restrictions or a lack of access to health care or other extenuating circumstances.

In fact, 58 percent of abortion patients say they would have preferred to have an abortion earlier. Low-income women were more than twice as likely as their wealthier counterparts to be delayed because of financial limitation and difficulty in making arrangements. As politicians, we should not be placing

additional restrictions on women in these circumstances.

The House bill blatantly ignores constitutional protections that are vitally necessary to protect the health of women, as decided in Roe v. Wade and Planned Parenthood v. Casey, because these kinds of restrictions place limitations that interfere with constitutional rights and have no place in these personal and very private decisions.

The limited exceptions in this bill would require a woman to report a rape or incest to law enforcement or a specific government agency when she is seeking much needed health care services. Those restrictions that affect women when they have been victims of a crime or face serious health risks have no effect in reducing abortions, and that is their purported purpose—to reduce abortion—but that purpose will in no way be served by these restrictions. Victims of incest or rape may be too young or too fearful of retaliation to report to a law enforcement agency. Why create a needless, lawless obstacle to vital health care?

We should be working to ensure that women have the ability to access safe and affordable contraception so there are fewer unintended pregnancies in this country. And yet supporters of this bill would also restrict access to contraception, and they are the ones who have tried to make it more difficult to get access to the information and services necessary to prevent unintended pregnancies.

We need to do more. Our Nation needs to do better to ensure that women have access to preventive and maternal health care so they can be prepared to face the responsibility of pregnancy and parenthood. This bill would do very little, if anything, to actually help women protect their health care and the health care of their families.

I urge my colleagues to reject any consideration of this ill-intended and, I hope, ill-fated measure that endangers women's health across the country, and I urge my colleagues to focus on the real priorities that face this Congress—job creation and economic recovery, for example—and stop this attack on women's health.

Thank you, Mr. President. I yield the floor and suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

Mr. PORTMAN. Mr. President, we are debating the immigration bill again today, and as the Presiding Officer knows, I am one of those Members of the Senate who believe our immigration system is broken, both the legal system and the way in which we want to deal with those who come here illegally.

I have concerns with the underlying legislation. I have spoken about that on the floor. I have concerns about the workplace magnet. I think the E-Verify proposals in the underlying bill are an improvement to the current system but still not as strong as they need to be to be an effective deterrent to those who are unauthorized to work. I don't think the system will work, frankly, unless we strengthen those provisions at the workplace. Most people want to come here for economic reasons, and if we don't deal with the workplace we will not be able to affect much at the border if people really want to come here with their families to get a job.

Second, we have learned now that 40 percent of those who are here illegally have actually overstayed their visas, meaning they came here legally but then overstayed their visas and are here illegally now.

We also learned that under E-Verify, unfortunately, about 54 percent of those who are unauthorized to work are getting through the system now with the pilot programs that are available. So that needs to be strengthened, and I will have proposals to do that.

I am working with the eight Members of our body here who have put together this legislation and other Senators on both sides of the aisle to try to strengthen those provisions because I don't think the bill is going to hold together without real enforcement.

Secondly, the border enforcement needs to be strengthened and the triggers need to be strengthened. I am working with Senator JOHN CORNYN and others on that. I hope Senators on both sides of the aisle can agree that along with having workplace verification that really does determine who is eligible to work and whether documentation is fraudulent, we also need to have a secure border moving forward.

Third, I have concerns about some of the benefits that will be offered to people who are in this interim status, so-called RPI status, who would be in a legal status but still not able to obtain a green card. So the question is, What benefit should they get? We want to be sure people are not enticed to come here for benefits but, rather, come here legally to work.

Finally, I have concerns about some of the criteria for this status, which would be a legal status, as it relates to crimes they have committed. As a result, I rise today to urge my colleagues to support two amendments I have filed to the underlying bill. I believe these amendments would serve to clarify what kinds of criminal acts would render violent offenders inadmissible under the immigration reform bill we are debating.

The first amendment addresses convictions for domestic violence, stalking, or child abuse. Under the current language, those convicted of these crimes would only be ineligible for admission in the event they served at least 1 year in prison. My amendment would change this language to declare inadmissible anybody convicted of such crimes who could have been sentenced to no less than 1 year of imprisonment for the crime at the time of conviction. I think this is really a clarification amendment and a simple amendment that should be accepted by both sides because it is in keeping with the original purpose of the language, which is to allow a more consistent and fair application of the law.

If my amendment is accepted, two individuals convicted of the same crime under the same circumstances would be treated in the same way under our Nation's immigration laws. That is not the case as the bill is currently written. The current language puts emphasis on the time served rather than the offense committed. As we all know, the amount of time a person convicted of a crime might serve in prison is related to a whole lot of factors unrelated to the purpose of this legislation—from the disposition of the sentencing judge, to the recommendations made by the prosecutors, to the overcrowding in many of our State prisons. So this amendment would take those extraneous considerations out of the picture, applying the same standard to all applicants for citizenship while ensuring that the spirit of the original language remains—preventing violent criminals from reaping the benefits of this legislation.

The second amendment serves a similar purpose. It would exclude crimes against children involving moral turpitude—things such as child abuse, child neglect, and contributing to the delinquency of a minor through sexual acts. It would remove those from the discretionary authority of the Secretary of the Department of Homeland Security and immigration judges with regard to removal, deportation, or inadmissibility of an individual. This amendment would strengthen our efforts to prevent and punish child abuse and would ensure that anyone who endangers our children is not eligible to become a citizen of this country.

Nothing is more precious than American citizenship. We see that every day with people coming to this country, some legal and some illegal. We have to ensure that this legislation does not extend that privilege to those who would commit crimes against the most vulnerable among us.

These very simple, commonsense amendments would help to achieve that goal. So along with E-Verify and ensuring that our border will be secure, ensuring that the appropriate benefits are provided to those who are not citizens but here in an interim status, I

urge my colleagues to adopt these two amendments to ensure that those who would like to become citizens of the United States are those who deserve it and are not individuals who have engaged in the kinds of criminal acts that would make them inappropriate to become citizens of the United States.

I thank the Chair, and I yield back the time. I don't see any colleagues stepping forward, so I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENTS NOS. 1268, 1298, AND 1224 EN BLOC

Mr. LEAHY. Mr. President, on behalf of Senators MANCHIN, PRYOR, and REED, I ask unanimous consent that the following amendments be called up en bloc: Manchin No. 1268, Pryor No. 1298, and Reed No. 1224.

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

The clerk will report.

The bill clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for Mr. MANCHIN, Mr. PRYOR, for himself and Mr. JOHANNS, and Mr. REED, proposes amendments numbered 1268, 1298, and 1224 en bloc.

The amendments are as follows:

AMENDMENT NO. 1268

(Purpose: To provide for common sense limitations on salaries for contractor executives and employees involved in border security)

At the end of title I, add the following:

SEC. 1122. MAXIMUM ALLOWABLE COSTS OF SALARIES OF CONTRACTOR EMPLOYEES.

Section 4304(a)(16) of title 41, United States Code, is amended by inserting before the period at the end the following: '', except that in the case of contracts with the Department of Homeland Security or the National Guard while operating in Federal status that relate to border security, the limit on the costs of compensation of all executives and employees of contractors is the annual amount payable under the aggregate limitation on pay as established by the Office of Management and Budget (currently $230,700)''.

AMENDMENT NO. 1298

(Purpose: To promote recruitment of former members of the Armed Forces and members of the reserve components of the Armed Forces to serve in United States Customs and Border Protection and United States Immigration and Customs Enforcement)

At the end of section 1102, add the following:

(e) RECRUITMENT OF FORMER MEMBERS OF THE ARMED FORCES AND MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—

(1) REQUIREMENT FOR PROGRAM.—The Secretary, in conjunction with the Secretary of Defense, shall establish a program to actively recruit members of the reserve components of the Armed Forces and former members of the Armed Forces, including the reserve components, to serve in United States Customs and Border Protection and United States Immigration and Customs Enforcement.

(2) RECRUITMENT INCENTIVES.—

(A) STUDENT LOAN REPAYMENTS FOR UNITED STATES BORDER PATROL AGENTS WITH A THREE-YEAR COMMITMENT.—Section 5379(b) of title 5, United States Code, is amended by adding at the end the following new paragraph:

''(4) In the case of an employee who is otherwise eligible for benefits under this section and who is serving as a full-time active-duty United States border patrol agent within the Department of Homeland Security—

''(A) paragraph (2)(A) shall be applied by substituting '$20,000' for '$10,000'; and

''(B) paragraph (2)(B) shall be applied by substituting '$80,000' for '$60,000'.''.

(B) RECRUITMENT AND RELOCATION BONUSES AND RETENTION ALLOWANCES FOR PERSONNEL OF THE DEPARTMENT OF HOMELAND SECURITY.—The Secretary of Homeland Security shall ensure that the authority to pay recruitment and relocation bonuses under section 5753 of title 5, United States Code, the authority to pay retention bonuses under section 5754 of such title, and any other similar authorities available under any other provision of law, rule, or regulation, are exercised to the fullest extent allowable in order to encourage service in the Department of Homeland Security.

(3) REPORT ON RECRUITMENT INCENTIVES.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary and the Secretary of Defense shall jointly submit to the appropriate committees of Congress a report including an assessment of the desirability and feasibility of offering incentives to members of the reserve components of the Armed Forces and former members of the Armed Forces, including the reserve components, for the purpose of encouraging such members to serve in United States Customs and Border Protection and Immigration and Customs Enforcement.

(B) CONTENT.—The report required by subparagraph (A) shall include—

(i) a description of various monetary and non-monetary incentives considered for purposes of the report; and

(ii) an assessment of the desirability and feasibility of utilizing any such incentive.

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Homeland Security of the House of Representatives.

AMENDMENT NO. 1224

(Purpose: To clarify the physical present requirements for merit-based immigrant visa applicants)

On page 1162, strike lines 7 through 11 and insert the following:

(B) has been in the United States in a class of aliens authorized to accept employment in the United States for a continuous period of at least 10 years, not counting brief, casual, and innocent absences.

Beginning on page 1164, strike line 23 and all that follows through page 1165, line 2, and insert the following:

(f) ELIGIBILITY IN FISCAL YEARS AFTER FISCAL YEAR 2028.—Beginning on October 1, 2028, aliens are not eligible for adjustment of status under subsection (c)(3) unless they have been in a class of aliens authorized to accept employment in the United States for 20 years before the date on which they file an application for such adjustment of status.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. GRASSLEY. Mr. President, yesterday we had the good fortune of receiving the Congressional Budget Office cost estimate of the immigration bill before the Senate, and I would like to mention two findings from the CBO report.

It says the bill will drive down wages. For legal American workers, the CBO estimates the bill would drive down their average wages.

Secondly, it says the bill will not stop illegal immigration. Despite promises of a secure border, the bill would slow future illegal immigration by only 25 percent, according to the CBO. In the next couple of decades, that would mean 7.5 million new undocumented immigrants coming to the country.

Before I dive into these two findings, let me remind my colleagues what was said by the authors of the bill. They said that undocumented immigrants and, hence, illegal migration would be a thing of the past. They said their bill included the toughest enforcement measures in history.

In their framework, the Group of 8 said they would write a bill which would ensure that the problem does not have to be revisited. They implied that their bill—similar to the 1986 bill—would take care of the problems once and for all. The obvious fact there is that the 1986 legislation said it would secure the border, but it never did secure the border. So we see the Group of 8 legislation before us as making the same mistakes we made in 1986.

As to what the Group of 8 said—that they would write a bill that would ensure that the problem does not have to be revisited—we find the Congressional Budget Office thinks entirely differently.

I may not always agree with CBO. I disagree with the fact that CBO has used dynamic economic effects to score this bill, when they do not use it on anything else. Yet they refuse to provide the dynamic scoring particularly on revenue bills. But everyone knows what the CBO says goes.

I always say on the Senate floor, CBO is god. If they say something is going to cost something, and you want to dispute what they say, you have to have 60 votes in this body to overturn a point of order against the CBO. It is

very difficult to get 60 votes in the Senate, so that is when if they say something is something, it is something, and that makes them god around this town.

So I ask the proponents about these two key findings that I have pointed out: What do the proponents say about the fact that the influx of new immigrants would have the effect of bringing down the average wage for America's workforce?

This is exactly the point Peter Kirsanow, a member of the U.S. Commission on Civil Rights, argued before our Judiciary Committee on April 19. He said illegal immigration has a negative effect on the wages and employment levels of low-skilled workers, particularly African Americans.

The second question to the group: Is the fact that S. 744 will drive down wages acceptable to those who support the bill?

In the report, the ''CBO estimates that, under the bill, the net annual flow of unauthorized residents would decrease by about 25 percent relative to what would occur under current law.''

I wish to put in front of that 25 percent my own words: You mean if we pass this legislation, according to CBO, this legislation is only going to have the effect of lowering the illegal immigration by 25 percent, when we are led to believe they are going to overcome the problems we did not foresee in 1986, when we legalized—thought we did it once and for all; that would take care of it—and we find out now it did not take care of it. We legalized 3 million people, and now we have 12 million undocumented people here as well.

So let's just see. If the CBO is correct and the net flow of unauthorized residents would only decrease by about 25 percent, does that not indicate we will have to revisit the immigration issue again?

It is obvious this bill will not ensure that we are not back in this same position down the road, contrary to the promises of the Group of 8 that: We are going to write this legislation in a way that we will not have to revisit it. We said that very same thing in 1986, but here we are 25 years later with four times the number of undocumented workers than we had then.

The CBO also reported that while ''enforcement and employment verification requirements in the legislation would probably reduce the size of the U.S. population,'' other aspects of the bill will, in fact, ''probably increase the number of unauthorized residents—in particular, people overstaying their visas issued under the new programs for temporary workers.''

This bill favors legalization before border security and, apparently, will have no noticeable decrease in the net annual flow of unauthorized residents. The CBO says the bill will not stop the flow of illegal immigration.

If proponents are serious about stopping people from living here illegally—contrary to our law, a nation based upon the rule of law—they need to adopt commonsense legislation that will stop this flow, not merely reduce it by just 25 percent.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1200

Mr. REID. Mr. President, it is my understanding regular order would be my calling up Paul amendment No. 1200, as modified.

The PRESIDING OFFICER. The Senator may call for regular order.

Mr. REID. I so move.

The PRESIDING OFFICER. The amendment is now pending.

Mr. REID. I move to table the Paul amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Idaho (Mr. RISCH) and the Senator from New Jersey (Mr. CHIESA).

Further, if present and voting, the Senator from Idaho (Mr. RISCH) would have voted ''nay.''

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

The result was announced—yeas 61, nays 37, as follows:

[Rollcall Vote No. 154 Leg.]

YEAS—61

Baldwin	Graham	Murray
Baucus	Hagan	Nelson
Begich	Harkin	Pryor
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Boxer	Hirono	Rockefeller
Brown	Johnson (SD)	Rubio
Cantwell	Kaine	Sanders
Cardin	King	Schatz
Carper	Klobuchar	Schumer
Casey	Landrieu	Shaheen
Collins	Leahy	Stabenow
Coons	Levin	Tester
Corker	Manchin	Udall (CO)
Cowan	McCain	Udall (NM)
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Flake	Mikulski	Wyden
Franken	Murkowski	
Gillibrand	Murphy	

NAYS—37

Alexander	Burr	Cornyn
Ayotte	Chambliss	Crapo
Barrasso	Coats	Cruz
Blunt	Coburn	Enzi
Boozman	Cochran	Fischer
Grassley	Kirk	Sessions
Hatch	Lee	Shelby
Heller	McConnell	Thune
Hoeven	Moran	Toomey
Inhofe	Paul	Vitter
Isakson	Portman	Wicker
Johanns	Roberts	
Johnson (WI)	Scott	

NOT VOTING—2

Chiesa	Risch

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, has the matter just voted on been tabled?

The PRESIDING OFFICER. That is correct.

Mr. REID. Mr. President, I ask unanimous consent the time until 4:25 p.m. be equally divided between the two leaders or their designees, with Senator SESSIONS controlling 7 minutes of the Republican time, and this be for debate on the following amendments: Manchin No. 1268, Lee No. 1208, as modified, with the changes at the desk, Pryor No. 1298, Heller No. 1227, and Merkley No. 1237, as modified.

We still have a number of other amendments the managers are working on and we will get to those later, or try to at least.

Continuing my request: At 4:25 p.m. the Senate will proceed to votes in relation to the amendments in the order listed; that the amendments be subject to a 60-affirmative-vote threshold; that there be 2 minutes equally divided prior to each vote and all after the first vote be 10 minutes in duration.

The PRESIDING OFFICER. Is there objection?

Ms. LANDRIEU. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I wish to address the leader and the managers of the bill, both Senator SESSIONS and Senator LEAHY. I know there are about 100 or so other amendments pending, and I know we have been sort of held up the last couple of days, but there are amendments—and this is the question I have—that don't touch the heart of the bill but that are important to connect to this bill that have no opposition that I know of.

I am asking the leader, for amendments that have no opposition and have bipartisan support, when could we possibly get on amendments that don't have opposition.

Mr. REID. I would say through the Chair to my dear friend from Louisiana, the managers have been working through these amendments. I know my friend says there is no opposition. Having said that, that doesn't mean there isn't opposition.

Ms. LANDRIEU. So I should do more checking on them then.

Mr. REID. We have a number of people trying to get amendments on the list. We will continue to work on that. It is not because the managers haven't tried.

Mr. President, I would ask my request be modified to have the vote start at 4:35 rather than 4:25; otherwise, Senator SESSIONS will not have time.

The PRESIDING OFFICER. Is there objection to the leader's unanimous consent?

Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at a time to be determined by me, in consultation with Senator MCCONNELL, the Senate proceed to executive session to consider Calendar No. 182; that there be 2 minutes for debate equally divided in the usual form; that following the use or yielding back of time, the Senate proceed to vote with no intervening action or debate on the nomination; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

It is Michael Froman to be U.S. Trade Representative.

The PRESIDING OFFICER. Is there objection?

The Chair hears none, and it is so ordered.

Mr. REID. Mr. President, unless Senator MCCONNELL objects, we will have a vote right after this batch of votes.

The PRESIDING OFFICER. Who yields time?

If no one yields time, the time will be equally charged to both sides.

The Senator from Alabama is recognized.

Mr. SESSIONS. The Congressional Budget Office's analysis of the immigration bill of the Gang of 8 confirmed in dramatic fashion our most significant concerns about the bill. Indeed, I would say, through the history of the movement of this bill through the Senate, this is the most dramatic event yet.

Basically, it says these things in explicit phrases after careful analysis:

No. 1, it will reduce the wages of American citizens.

No. 2, it will increase unemployment in America.

No. 3, it will reduce GNP per capita in America. The growth in our economy will be reduced by the passage of this bill.

It concludes that the flow of illegal immigrants will not be stopped but will only be reduced by 25 percent.

So we are talking about a bill that is supposed to be the toughest ever, that is going to promote economic growth in America, a bill that is supposed to make us economically stronger and end illegal immigration in the future. It just doesn't do that.

I have read the bill. I have studied the bill and looked at the bill. I have been concluding and saying for weeks each one of those things, and the score confirms that.

So I would ask colleagues: How can we vote for a bill that pulls down wages of Americans, increases unemployment, and only has a modest reduction in the illegality that is occurring today, reduces GNP, and increases the debt? How can we do that?

For example, the bill would increase welfare spending by $259 billion in the first 10 years and increase the on-budget deficits by $14 billion.

It has been said the overall deficit when we account for the off-budget items looks better. But that is a direct result of counting the Social Security, Medicare, FICA withholding on people's payroll. That money, for the people who are paying in, is being set aside in trust funds to pay for their Social Security and retirement when they draw it in the future. We can't count that money as improving the debt situation of the United States. As soon as the 10-year prohibition or so that limits welfare is off, then the cost of the legislation is going to go up much more.

The bill would make no meaningful reduction in future illegal immigration. CBO estimates about 350,000 illegal immigrants would be added each year. As Senator CORNYN has said, 7.5 million people would enter illegally in the next 10 years instead of the current level of about 10 million. So that is a 25-percent reduction. CBO writes:

> However, other aspects of the bill would probably increase the number of unauthorized residents—in particular, people overstaying their visas issued under the new programs for temporary workers. . . .

I have been pointing out for weeks people are going to come here with their families, supposedly to work temporarily for 3 years, with the ability to extend for 3 years, and then who is going to be able to tell them to go home? They are not going to go home in any realistic way. We are going to have a substantial increase in visa overstays. CBO concludes that is correct. It is a guaranteed policy that will not work. So the bill would result in a massive increase in the future legal flow of immigration.

Current law estimates we will add 10 million people in 10 years, including the legalized illegal immigrants. That means 30 million immigrants by 2023. That is the number I have been using. I felt that was a fair, legitimate number. It is complicated.

I asked Senator SCHUMER twice in the committee: How many people will be admitted in the next 10 years and given legal status? He wouldn't say. The bill's sponsor would not tell us how many, but CBO now has said the figure I have used—30 million—basically is correct. That is triple the number that would be admitted under the current legal flow of immigrants into our country. We admit 1 million a year. That would be 10 million over 10 years, and this would be 30 million. So we have to ask those questions.

Finally, CBO tells us, under this bill: The average wage would be lower than under current law over the first 12 years.

Let me read that again: The average wage would be lower than under current law over the first 12 years. They use the words ''first dozen years.'' So that should be the end of the bill right there.

This is the chart that is included in CBO's analysis and their report. It is the exact same chart they prepared, not the chart I prepared.

I know the Presiding Officer cares about this issue. This is the impact on average wages. This is where we start today at the zero factor, and it drops down to 2024, 10 years of lower wages than if we didn't pass the bill—which only makes sense because we are flowing in a huge flow and supply of low-skilled workers, and they are going to pull down the wages particularly of our lower income workers. This is going to happen. Mathematics and the free markets tell us that.

So the country—the Nation—the Congress should try to determine what the right flow of immigrant labor is and get it right so we are not hammering American workers today who are unemployed, who are struggling for jobs, trying to get better pay. In fact, average workers' pay has declined since 1999.

CBO's estimate of per capita GNP—this is their chart from their report—shows that through 2030, we have lower GNP per capita than if the bill never passed.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. SESSIONS. Mr. President, if we have a few more minutes and no one else is seeking the floor, I would note that CBO's unemployment rate ''. . . S. 744 would cause the unemployment rate to increase slightly between 2014 and 2020''—6 years of higher unemployment rates.

We have heard a lot of talk over the years about the declining wages. I do think that it is important for us to discuss. But that decline of wages—which started over a decade ago and is accelerated with this legislation—how is it we are not talking about it?

Senator MENENDEZ, one of the intrepid authors of the immigration bill before us made some remarks earlier this morning that I thought were pretty remarkable. He said not to worry about these first 10 years of lower growth, lower wages, and higher unemployment because the analysis actually gets better in the next 10 years.

But if we look at that and how it plays out, what we would see is this: We would see there is an improvement

in the wages in the second 10 years—which, let me tell you, their projections are always better the first 10 years. But in the second 10 years, even if we saw some growth, the growth still does not get back to the level it would have been had the bill never been passed. We have to know that. The growth does not recover from the spot we already are.

Respectfully, the inconvenient truth that he referred to is that this Rube Goldberg scheme that has been hatched will certainly help certain special economic interests and certain political interests will be served for sure, but it will be devastating for American workers at a time they are already hurting. I don't see how we can justify this.

Are we supposed to tell the American people that they are to accept declining wages for another 10 years? How can that be the policy of the Congress of the United States? How can we tell the American person, at a time when unemployment is way too high, that we are going to pass a bill that makes unemployment higher? How can we tell them the on-budget deficit is going to be increased? Am I hearing this correctly?

To the public I would ask: Can you, the American people, afford that? Can you sustain declining wages for another 10 years? Do you want your Congress to pass a law that will reduce your wages that would increase unemployment?

What about after that? Because of the sustained downward pressure on wages, American wages 20 years from now will still be lower than they would have been had the legislation not passed, and, particularly, as I indicated, it falls on the lower wage people who are falling further behind. The impact of the 1,000-page immigration legislation that is before us today, experts tell us, will fall more heavily on the poorer people and cause them to fall even further behind.

The working people in this country are going to get hammered by this legislation. We need to be passing laws that help them get jobs, help them add higher wages, help them have better benefits and more full-time jobs, not fewer full-time jobs.

I don't see how we owe loyalty to Mr. Zuckerberg, the Facebook billionaire who is running ads telling us what we are supposed to do. Does he know real people who are suffering out there? He doesn't impress me. He claims there is some convention of conservatives running this advertisement. I am not aware that Mr. Zuckerberg is a conservative. Do we all owe our loyalty to him because he brilliantly produced Facebook or do we owe our loyalty to the working men and women who vote for us, who fight our wars, pay our taxes, and serve our country?

I suspect that if Mr. Zuckerberg were to post job openings tonight on Facebook, put out his salaries, what he wants to pay, he would find there might be plenty of Americans who want to take these jobs. I suspect so. I would ask him to do so. Put on your website what kind of qualifications, what kind of salaries you will pay, and let's see if we do not have more applications than you suggest exist out there.

We know we have college graduates in large numbers in STEM fields also having a hard time finding work. We know that is a fact. We have senior engineers and scientists and computer people who would like to go to work too. Maybe they have been laid off. Maybe there has been downsizing. They have experience. Are they not to be considered? We have to bring people in through some of these work programs for a period of time to take the jobs.

A good immigration plan can work. We may need to bring in some workers. We certainly need seasonal workers whom we can bring into America if we do it right, and we need a guest worker program. I support that. I support the million people a year who are admitted into our country who work here every year. But this is a huge increase. The guest worker program will double under this legislation.

I am afraid we are not serving the legitimate interests of the American working men and women—immigrant, native born, Black, Asian, White, Hispanic—who are here today, struggling today. Are we serving them if we bring in more people than the economy can absorb? We can see that will pull down their wages and make it hard for them to have a job.

An author in the National Review wrote recently—I think this is very wise and insightful:

> We are a nation with an economy, not an economy with a nation.

What that means to me is that we represent people, human beings, and we have an obligation to help them make their lives better and not to make their lives tougher. It seems to me we have such a pell-mell rush for amnesty that we have not seen the enforcement, we have agreed to too much legal flow, and we have very little reduction in the illegal flow over the next 10 years, and for that reason the bill should not become law.

That is why the bill is in trouble. That is why we need to be listening to the House. They are having serious hearings, step by step, on this legislation. The first legislation that I have seen them to produce is very good.

We can reform the system. We can make it better. We can have a generous immigration system for America, as we have already had. We can be compassionate toward people who have been here for a long time and not try to deport everybody who has been here and done well but is not legally here. We can do something about that. But we need to be sure that the amount of workers coming in is an amount that can readily be absorbed, that can be assimilated, and we need to be sure that the illegality ends. CBO says it will not under this bill.

AMENDMENT NO. 1208, AS MODIFIED

Mr. President, I ask unanimous consent that the Lee amendment No. 1208 be modified with the changes that are at the desk.

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

The amendment, as modified, is as follows:

(Purpose: To require fast-track congressional approval when the Secretary of Homeland Security notifies Congress of the implementation of the border security strategies and certifies that the strategies are substantially operational)

On page 856, lines 1 and 2, strike ''the Secretary has submitted to Congress'' and insert ''Congress has approved, using the fast-track procedures set forth in paragraph (3), the contents of''.

On page 856, strike lines 19 through 22, and insert the following: ''Congress has ratified, using the fast-track procedures set forth in paragraph (3), the written certification submitted by the Secretary to the President and Congress, after consultation with the Comptroller of the United States, that—''.

On page 858, between lines 10 and 11, insert the following:

(3) FAST-TRACK PROCEDURES.—

(A) IN GENERAL.—Not later than 30 days after receiving a submission from the Secretary under paragraph (1) or (2), the Senate and the House of Representatives shall vote to determine whether the action taken by the Secretary meets the requirements set forth in such paragraphs that are required before applications may be processed by the Secretary for registered provisional immigrant status or adjustment of status under section 245B or 245C, respectively, of the Immigration and Nationality Act, as added by sections 2101 and 2102.

(B) REFERRAL TO COMMITTEE.—The question described in subparagraph (A) may not be referred to any congressional committee.

(C) AMENDMENTS.—The question described in subparagraph (A) may not be subject to amendment in the Senate or in the House of Representatives.

(D) MAJORITY VOTE.—The question described in subparagraph (A) shall be subject to a vote threshold of a majority of all members of each House duly chosen and sworn.

(E) PRESIDENTIAL SIGNATURE.—The congressional approval and ratification required under paragraphs (1) and (2) shall not be completed until after it has received the signature of the President.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1268

Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to

amendment No. 1268, offered by the Senator from West Virginia, Mr. MANCHIN.

Mr. MANCHIN. Mr. President, I rise today to speak to an important amendment to S. 744, the immigration bill now before us. My amendment would cap compensation for private contractors employed for border security at $230,700 a year. That is the same cap we now have on nonelected civilian employees of the Federal Government.

I am offering this amendment because over the last couple of decades the United States has increasingly relied on private contractors to do the work that the men and women in our armed services used to do, and they are getting exorbitant salaries to do it—in some cases, up to $763,000 a year. That is almost twice the salary of the President of the United States, and it is almost four times the salary of the Secretary of Defense or Homeland Security. If we do nothing, that will soon rise to $951,000 a year.

With the war in Afghanistan winding down, defense contractors are looking for new opportunities, and border security is at the top of their list. The New York Times said that some of them will demonstrate military-grade surveillance equipment this summer in an effort to get homeland security contracts worth billions of dollars.

I urge that this amendment be adopted. It caps it at $230,000 across the board for all civilian employees.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Alabama.

Mr. SESSIONS. Mr. President, the subcommittee, of which I was not a member, gave a lot of thought to this. Their number reduced by half the amount that could be charged. I think it is somewhat higher than in the amendment of Senator MANCHIN, but it went from—it could have been $900,000 a year and I believe they cut it to under $500,000 a year. The Committee on Armed Services discussed it. I believe the Manchin amendment did not pass. I supported the subcommittee's mark on that. I think they have come to a reasonable number. You are asking top executives maybe to move across the country to lead an engineering project, and maybe that is the right figure.

But I respect the interest of the Senator, and I understand the effort behind his amendment.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to amendment No. 1268.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Idaho (Mr. RISCH) and the Senator from New Jersey (Mr. CHIESA).

Further, if present and voting, the Senator from Idaho (Mr. RISCH) would have voted ''nay.''

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

The result was announced—yeas 72, nays 26, as follows:

[Rollcall Vote No. 155 Leg.]

YEAS—72

Alexander	Flake	Merkley
Baldwin	Franken	Mikulski
Barrasso	Gillibrand	Moran
Baucus	Grassley	Murkowski
Begich	Hagan	Murphy
Bennet	Harkin	Murray
Blumenthal	Heinrich	Nelson
Boozman	Heitkamp	Pryor
Boxer	Heller	Reed
Brown	Hirono	Reid
Cantwell	Hoeven	Roberts
Cardin	Isakson	Rockefeller
Casey	Johanns	Sanders
Chambliss	Johnson (SD)	Schatz
Coats	King	Schumer
Collins	Kirk	Shaheen
Coons	Klobuchar	Stabenow
Corker	Landrieu	Tester
Cornyn	Leahy	Thune
Cowan	Levin	Udall (CO)
Donnelly	Manchin	Udall (NM)
Durbin	McCaskill	Warren
Enzi	McConnell	Whitehouse
Feinstein	Menendez	Wyden

NAYS—26

Ayotte	Graham	Rubio
Blunt	Hatch	Scott
Burr	Inhofe	Sessions
Carper	Johnson (WI)	Shelby
Coburn	Kaine	Toomey
Cochran	Lee	Vitter
Crapo	McCain	Warner
Cruz	Paul	Wicker
Fischer	Portman	

NOT VOTING—2

Chiesa	Risch

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

AMENDMENT NO. 1208, AS MODIFIED

Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 1208 offered by the Senator from Utah, Mr. LEE.

The Senator from Utah.

Mr. LEE. Mr. President, this amendment, if enacted, would require fast-track congressional approval at the introduction of the Department of Homeland Security strategies before the award of registered provisional immigrant—or RPI—status begins and at the certification of the strategy's completion before those receiving RPI status become eligible for green cards.

The basic point of this amendment is that we have a trigger that needs to signal that it is OK to open the RPI process, the process by which illegal aliens will be legalized first and then eventually made citizens. Somebody needs to signal that it is OK to pull that trigger, that it is OK to proceed. I think that decision needs to be made right here in the U.S. Congress.

This would occur pursuant to a fast-track plan of no more than 30 days. It would not be subject to a filibuster; it would be subject only to a 51-vote threshold. We should pass this amendment and we should move forward.

For these reasons, I strongly urge my colleagues to support this amendment, to preserve the right of the people to be heard. If we cut out Congress, we are cutting out the right of the American people to be heard on this issue and the right of the American people to decide when and under what circumstances it is OK to continue the pathway to citizenship.

For this reason, I urge my colleagues to support this amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I oppose this amendment because it would significantly delay even the initial registration process.

I have said the pathway to citizenship should not be a false promise. We either make the promise or we don't. It should be attainable, not something that is always over the next mountain.

The drafters worked long and hard to reach a bipartisan agreement. Similar efforts to this were defeated on a bipartisan basis in the Judiciary Committee's consideration because we did not want to make the legalization program inappropriately subject to partisan disputes.

This amendment would simply remove a real promise of citizenship. I oppose the amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1208, as modified.

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Idaho (Mr. RISCH) and the Senator from New Jersey (Mr. CHIESA).

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

The result was announced—yeas 39, nays 59, as follows:

[Rollcall Vote No. 156 Leg.]

YEAS—39

Alexander	Cruz	Lee
Ayotte	Enzi	McConnell
Barrasso	Fischer	Moran
Blunt	Grassley	Paul
Boozman	Hagan	Portman
Burr	Hatch	Roberts
Chambliss	Heller	Scott
Coats	Hoeven	Sessions
Coburn	Inhofe	Shelby
Cochran	Isakson	Thune
Corker	Johanns	Toomey
Cornyn	Johnson (WI)	Vitter
Crapo	Kirk	Wicker

NAYS—59

Baldwin	Graham	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Boxer	Johnson (SD)	Rockefeller
Brown	Kaine	Rubio
Cantwell	King	Sanders
Cardin	Klobuchar	Schatz
Carper	Landrieu	Schumer
Casey	Leahy	Shaheen
Collins	Levin	Stabenow
Coons	Manchin	Tester
Cowan	McCain	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Flake	Mikulski	Whitehouse
Franken	Murkowski	Wyden
Gillibrand	Murphy	

NOT VOTING—2

Chiesa	Risch

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 1298

Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 1298, offered by the Senator from Arkansas, Mr. PRYOR.

The Senator from Arkansas.

Mr. PRYOR. Mr. President, this is amendment No. 1298. It is the Pryor-Johanns amendment. I think the good news here is we have agreed to a voice vote. But basically what this amendment does is it requires the Department of Homeland Security, as they are doing their hiring to beef up the border, to hire veterans of our Armed Services.

This is a win-win all the way around. Our vets have, as we know, a higher unemployment rate, but also they happen to be the best trained, the most disciplined. They have that can-do spirit. They are familiar with the equipment and they make great employees, as many of us know who hire veterans. We also know our veterans know how to complete a mission.

So with that, Mr. President, I wish to yield the floor to Senator JOHANNS.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. JOHANNS. Mr. President, very briefly, I thank Senator PRYOR for bringing this amendment forward. I very proudly support it and concur that it can be voice voted.

Thank you, Mr. President.

The PRESIDING OFFICER. Is there anyone who expresses opposition?

The Senator from Arkansas.

Mr. PRYOR. Mr. President, I understand we are able to dispose of this amendment with a voice vote, so I ask unanimous consent that the 60-affirmative-vote threshold be waived on the Pryor amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on adoption of amendment No. 1298.

The amendment (No. 1298) was agreed to.

Mr. PRYOR. Mr. President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1227

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 1227, offered by the Senator from Nevada, Mr. HELLER.

The Senator from Nevada.

Mr. HELLER. Mr. President, as I said in my remarks this morning, I hope this commission is never required because if it is, it means the border still is not secure 5 years down the road. If that is the case, then the commission will need to be fully representative of the concerns and recommendations of all the States in the southwestern region that are affected by our broken immigration system.

Should DHS fail to gain control of the borders, and should it be necessary to form a commission to ensure we achieve that objective, it makes no sense to exclude Nevada's perspective and recommendations. My State's unique location and growing immigrant population leave it highly vulnerable to our Nation's flawed immigration system.

I urge my colleagues to support this commonsense amendment.

Mr. President, I yield the floor.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Who yields time in opposition?

Mr. REID. I yield it back.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to amendment No. 1227.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from New Jersey (Mr. CHIESA) and the Senator from Idaho (Mr. RISCH).

Further, if present and voting, the Senator from Idaho (Mr. RISCH) would have voted ''nay.''

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

The result was announced—yeas 89, nays 9, as follows:

[Rollcall Vote No. 157 Leg.]

YEAS—89

Alexander	Blumenthal	Cantwell
Ayotte	Blunt	Cardin
Baldwin	Boozman	Carper
Baucus	Boxer	Casey
Begich	Brown	Chambliss
Bennet	Burr	Coburn
Cochran	Isakson	Pryor
Coons	Johanns	Reed
Corker	Johnson (SD)	Reid
Cornyn	Kaine	Roberts
Cowan	King	Rockefeller
Crapo	Kirk	Rubio
Donnelly	Klobuchar	Sanders
Durbin	Landrieu	Schatz
Feinstein	Leahy	Schumer
Fischer	Levin	Shaheen
Flake	Manchin	Shelby
Franken	McCain	Stabenow
Gillibrand	McCaskill	Tester
Graham	McConnell	Thune
Grassley	Menendez	Toomey
Hagan	Merkley	Udall (CO)
Harkin	Mikulski	Udall (NM)
Hatch	Moran	Vitter
Heinrich	Murkowski	Warner
Heitkamp	Murphy	Warren
Heller	Murray	Whitehouse
Hirono	Nelson	Wicker
Hoeven	Paul	Wyden
Inhofe	Portman	

NAYS—9

Barrasso	Cruz	Lee
Coats	Enzi	Scott
Collins	Johnson (WI)	Sessions

NOT VOTING—2

Chiesa	Risch

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is agreed to.

The majority leader.

Mr. REID. For the information of all Senators, following the disposition of the Merkley amendment, the Senate will consider the Froman nomination.

AMENDMENT NO. 1237, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to the amendment No. 1237, as modified, offered by the Senator from Oregon.

The Senator from Oregon.

Mr. MERKLEY. Let me take you back in time to 2009 and 2010. The housing market had collapsed, sawmills had shut down across our Nation, and thousands of loggers and sawmill workers were out of work. You can imagine how outraged those unemployed loggers were when they found out that government contracts had been let for logging but the contracts were going to go to employees from Mexico. That is the type of bypass that completely disturbs the fabric of our immigration system. It undercut the success of thousands of rural families across this Nation.

This amendment has a simple fix. It says that jobs have to be appropriately advertised so that our loggers will know how to apply. That is it. It will work for rural America. It will work for the forest industry. It will work for our loggers.

Mr. President, I understand that we are able to dispose of this amendment with a voice vote. I ask unanimous consent that the 60-vote affirmative threshold be waived under the Merkley amendment, as modified.

The PRESIDING OFFICER. Is there objection?

Without objection, so ordered.

Is there further debate?

If not, the question is on agreeing to the amendment.

The amendment (No. 1237), as modified was agreed to.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. MENENDEZ. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I apologize to everyone for not mentioning this before. We are very close to coming up with an agreement that the managers have developed, along with our able staff, to have a series of amendments in order. As things are now contemplated, we would debate those tonight and in the morning and have some votes starting at 2:15. Hopefully tonight and in the morning we will add to what we are going to agree to later so that we would have even more amendments. It is my understanding that there is already contemplation of some important work in the morning.

In short, I don't think we will have any more votes tonight after this one we are going to take on the Froman nomination. We are going to have a consent agreement to put a number of amendments in order and start those. There are four or five—I don't remember the exact number. We will start those votes at 2:15 and continue working on this important legislation.

EXECUTIVE SESSION

NOMINATION OF MICHAEL FROMAN TO BE UNITED STATES TRADE REPRESENTATIVE

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Michael Froman, of New York, to be United States Trade Representative.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided in the usual form.

The Senator from Montana.

Mr. BAUCUS. Mr. President, the Finance Committee reported out the nomination of Michael Froman to be USTR unanimously. It is rare that I speak so highly of somebody. I can think of many top administration officials who are very good. Michael Froman will be another. He is very smart, and he is very tough. He is the right person for the job as the United States begins to negotiate trade agreements with Asia, the so-called TPP, as well as the trade agreement with the Europeans. Our economic future is tied to economic growth tied to trade.

I strongly urge my colleagues to vote for Michael Froman. Give him a big vote so that when he goes to Geneva and when he goes to other parts of the world to negotiate trade agreements, the world will know he has our strong support. Michael Froman is a great man, and I hope very much that he gets that vote where everybody votes for him. He is a good man.

The PRESIDING OFFICER. Who yields time?

The Senator from Massachusetts.

Ms. WARREN. I agree with Senator BAUCUS that trade issues are powerfully important to our economy. They involve public policy issues that range from jobs to the Internet.

Many people are interested in following our trade policies, and they need to have enough information to be able to offer real input into the process. I think the Trade Representative needs to be committed to transparency and democracy.

Last week I asked Mr. Froman if he would commit to making public the bracketed text for the Trans-Pacific Partnership. I asked him to provide more information about what trade advisers were receiving what information. Each request that I made about a commitment to public revealing information, he answered with a no.

So I rise to repeat my opposition to Mr. Froman's nomination as the next U.S. Trade Representative. We need a new direction from the Trade Representative—a direction that prioritizes transparency and public debate.

I urge a ''no'' vote.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I rise in support of the nomination of Michael Froman to be the next U.S. Trade Representative.

Right now, there is a leadership vacuum in this country when it comes to international trade. That is especially true at the Office of the U.S. Trade Representative.

A recent study by the Office of Personnel Management, which surveys employee satisfaction at executive branch agencies, found that USTR ranks near the bottom among small agencies in almost every category, including effective leadership.

Unfortunately, this is not a new trend—the agency has been in steady decline since 2009.

This is due both to a lack of real leadership and the fact that, with Trade Promotion Authority expired, our trade negotiators don't have the tools needed to do their job. To date, there has been no real effort by President Obama to secure TPA renewal.

While I was pleased that President Obama announced this week that the United States and the European Union will soon begin formal negotiations on a trade agreement, I was surprised and dismayed that the President did not even mention TPA once in his remarks.

This is incredible to me.

It is easy to stand up and make speeches about trade. But real progress won't come by launching initiatives and talking about them. Getting our trade agenda right requires real leadership and the ability to get the agreements negotiated and approved by Congress.

That simply won't happen without TPA.

Members of Congress have fought to fix this problem.

We pushed for a vote on TPA renewal on the Senate floor 21 months ago. Unfortunately, that effort failed, largely due to lack of support from our Senate Democratic colleagues.

To me, this shows that Presidential engagement on TPA renewal is vital. Without the President's active leadership and public support for TPA, it is hard to see how our current efforts to renew TPA can succeed.

And we must succeed.

Today, 95 percent of the world's customers live outside the U.S. They account for 92 percent of global economic growth and 80 percent of the world's purchasing power.

But the U.S. is falling behind as we fight for access to these markets. We simply cannot afford to sit back while other countries write the rules of trade to the detriment of our workers and our economy.

Throughout the process of confirming Mr. Froman, I have made it clear that I expect the next U.S. Trade Representative to share my commitment to strong intellectual property rights protection and my passionate belief in the need for the U.S. to lead in setting the rules of international trade through renewal of Trade Promotion Authority.

Mr. Froman was unequivocal, during both our confirmation hearing and in subsequent questions for the record, that he shares these goals.

As the ranking member of the Finance Committee, I plan to hold him to his word.

I also hope he will use his close relationship with the President to convince him that strong and vocal Presidential leadership on TPA will be critical to getting it done.

I plan to do all I can to help support a positive, pro-growth trade agenda.

I believe a strong vote in favor of Mr. Froman to be our next U.S. Trade Representative will be a good first step.

I have seen a lot of people come and go in this position. I can say this: I have every confidence this man is going to be an excellent leader in the position he has accepted. I hope everybody on this floor will vote for him. He is for the trade promotion authority, which any President would want because it makes it easier to approve these free-trade agreements and other

agreements that really are in the best interests our country.

This man is competent, and he is highly qualified. He doesn't share my philosophy particularly, but I think he does with regard to this position. I have every confidence in him, and I hope everybody who can will vote for him.

Mr. BAUCUS. Mr. President, is there any time remaining?

The PRESIDING OFFICER. The Senator from Montana.

There is no time remaining.

Mr. BAUCUS. I would ask for 10 or 15 seconds.

The PRESIDING OFFICER. Without objection, so ordered.

The Senator from Montana.

Mr. BAUCUS. I would say to my good friend from Massachusetts that if she will work with us, we will work with Mr. Froman to make sure he answers all of our questions.

I plan to work with the Senator to get answers to the questions. I was unaware of this problem until the Senator just mentioned it.

Ms. WARREN. May I be heard for 10 seconds?

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

Ms. WARREN. I have no doubt that Mr. Froman will be a highly qualified Trade Representative. There is a point of principle at stake here, and that point of principle is that we should not be moving forward on trade agreements without making more of this information public. This is what this is about. Without that, I urge a ''no'' vote.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Michael Froman to be United States Trade Representative?

Mr. VITTER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mrs. BOXER (when her name was called). Present.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Idaho (Mr. RISCH) and the Senator from New Jersey (Mr. CHIESA).

Further, if present and voting, the Senator from Idaho (Mr. RISCH) would have voted ''yea.''

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

The result was announced—yeas 93, nays 4, as follows:

[Rollcall Vote No. 158 Ex.]

YEAS—93

Alexander	Baucus	Blunt
Ayotte	Begich	Boozman
Baldwin	Bennet	Brown
Barrasso	Blumenthal	Burr
Cantwell	Hatch	Murray
Cardin	Heinrich	Nelson
Carper	Heitkamp	Paul
Casey	Heller	Portman
Chambliss	Hirono	Pryor
Coats	Hoeven	Reed
Coburn	Inhofe	Reid
Cochran	Isakson	Roberts
Collins	Johanns	Rockefeller
Coons	Johnson (SD)	Rubio
Corker	Johnson (WI)	Schatz
Cornyn	Kaine	Schumer
Cowan	King	Scott
Crapo	Kirk	Sessions
Cruz	Klobuchar	Shaheen
Donnelly	Landrieu	Shelby
Durbin	Leahy	Stabenow
Enzi	Lee	Tester
Feinstein	McCain	Thune
Fischer	McCaskill	Toomey
Flake	McConnell	Udall (CO)
Franken	Menendez	Udall (NM)
Gillibrand	Merkley	Vitter
Graham	Mikulski	Warner
Grassley	Moran	Whitehouse
Hagan	Murkowski	Wicker
Harkin	Murphy	Wyden

NAYS—4

Levin	Sanders
Manchin	Warren

ANSWERED ''PRESENT''—1

Boxer

NOT VOTING—2

Chiesa	Risch

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—Continued

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I am not going to ask unanimous consent to call up any amendments or to have any votes or anything, so everybody can relax. But I do want to speak for a minute about the process we are in.

We have now been considering a major piece of legislation for weeks. The chairman and the ranking member of the committee did a masterful job. Even though there are some people still against the bill, there are people for the bill, we are not exactly sure how it is going to come out, but I want to say Senator LEAHY and Senator SESSIONS—but Senator LEAHY particularly, as the chair—could not have done a better job getting the bill printed, printing all of the amendments, staying here through the night, letting the members of the committee have a lot of time to debate the bill, to amend the bill. The committee did a very good job.

I am planning to vote for the bill. I have not kept that a secret or said anything to the contrary. Of course the amendment process is important. I cannot make that commitment until we see it. If an amendment gets on this bill that undermines some of the important principles, I might have to change my mind. I don't think that is going to happen.

But there is the problem and this is why I am going to stay on the floor until, hopefully, something can be worked out. I am not on the committee. Most of the people on this floor are not on the committee. The committee is representative of a minority group of Republicans and Democrats. The majority of us do not serve on the Judiciary Committee. While we were interested and worked with our friends who are on the committee to suggest important changes that would improve the bill or correct the bill or fix the bill or save money, we were not on the committee to do it. That is the process. I am not complaining about that.

What I am complaining about is when it gets to the floor, you would think the process would allow amendments to be debated so Members such as myself—I serve as chair of the Homeland Security Appropriations Committee. I am not a distant third party to this debate. My whole budget funds this bill. This is what I spend good bit of my time on. The people in my State and constituencies I represent have a lot of interest in this bill. I am not a Johnny-come-lately to this issue. I have things I want to say about it. I wish to have some amendments talked about and voted on. If people want to vote them down, fine. If they want to vote for them, fine. If they want to have 50 votes, fine. If they want to have 60 votes—I just want a chance to talk about my amendment, so I am going to do so right now.

I also want to say there are some amendments—I have a short list of eight or so. Some of them are quite minor. One or two are fairly significant and might need a debate. But part of my group of amendments is completely, to my knowledge, unopposed by anyone. I have Senator COATS as a cosponsor. I have worked openly. I filed amendments, the text of which have been out there for days now. Senator COATS, who is my ranking member—we try to work together in a bipartisan fashion. He has cosponsored several of these amendments.

What I am strongly suggesting is the staff and the leadership managing this bill try to identify, of the amendments that have been filed, those that are noncontroversial, that everyone would agree to. I think there are probably 20 or 30 such amendments. They do not change the underlying agreement. They do not spend any additional money. They fix or modify or improve sections of the bill. That is our job. That is what we are supposed to do. That is the legislative process.

You know what. If it were not meant to be that way, we should have a rule that says the bill goes to committee and then it doesn't even come to the Senate floor, then it goes over to the House of Representatives, and their committee works on it and they send it to the President.

But that is not what our laws say. Our laws say we should have some debate on the Senate floor.

I have also been here long enough to realize the leadership is trying its best and there are some amendments that are very controversial. I am not new to the Senate. Fine. But what I am talking about is when we get on a major bill such as this and Members work hard to build support and to get bipartisan support, our amendments that are noncontroversial should go first and then controversial amendments could go last.

But that is not what happens around here. What happens around here is the guys who cause all the trouble all the time on every bill—I don't want to name their names because it is not appropriate—but there is a group on the other side, and a few maybe on our side, who are never happy with anything so they file tons of amendments and we spend all of our time worrying about their amendments. Those of us who spend a lot of our time building bipartisan support, who offer amendments that have no opposition, actually never get to those amendments.

This is sad. I basically have had enough. I have tried to be patient all week. I have come every day and said: Are any of these amendments going to get in the queue? That is not the way we are working right now. We are taking the worst amendments, the most controversial amendments, the guys who cause trouble on every single bill, and give them votes on their amendments. Some of them have been defeated 99 to 1, and then everybody gets tired and aggravated and everybody says we are tired, we are aggravated, we are calling cloture. And do you know what happens when cloture is called. All amendments that are not pending, even ones that no one opposes, that could actually help a human being—imagine that, an amendment that actually could help someone—crumble up on the Senate floor and everybody goes home and says, well, that was a wonderful debate.

I am just venting here, but I am saying this is one Senator who is tired of it. More important, my constituents are tired of it. It is not about me, it is about them. They look at this and they say why can't you get that amendment passed? There is no opposition to it. It is good. We have worked on it. It would help.

That is a good question, and I have to say ''I have no idea.''

We have voted on all kinds of amendments that are controversial, that are very high-level kind of message amendments. When the authors offer them or sponsor them, they know they are never going to pass but they are looking for a headline.

I am not looking for any headline. I don't care if any reporter writes about these amendments. But I happen to know some things in this bill. As chair of the Small Business Committee, I have had some hearings myself—amazing, that other committees actually have hearings. I have had hearings and have had dozens of small business owners say to me as chair of the Small Business Committee: Look, Senator, we are not getting any attention here because everybody is talking about all sorts of things such as the fence, the border, this and that. Could anybody pay attention to the 7 million small businesses that are going to have to abide by this E-Verify? By the way, we like the program, we are for the program, but we have some suggestions to make it better.

Some of that happened in the Judiciary Committee, but the Judiciary Committee is not the Small Business Committee. I have excellent members on my committee and they have a voice, and this is an amendment many of them support that I do not think the Judiciary Committee—either the Republicans or the Democrats—opposes. The small business community is for it. I don't know what to say other than I can't even get in the queue, I cannot even get on the list to be considered.

Then I have a small group of amendments, because—you know, I am happy to do it and I do it joyfully—I am the chair of the Adoption Caucus. You, Mr. President, have been wonderful. Senator KLOBUCHAR has been wonderful. Orphans do not have lobbyists. I am not sorry, they just don't. They don't have any money to pay lobbyists. Through all the good people who volunteer to represent them, they come to my office, they ask for help. I try to do my best. I don't always succeed, but I try.

AMY KLOBUCHAR and I, because she is a Senator who has also been terrific about this, with others, not just myself—we have some amendments that have nothing to do with the English language or any language, the fence, any money, anything, just a few technical corrections that could help some American families trying to adopt.

I was able to get one of my adoption amendments up. I thank Senator LEAHY. But we have four or five. I am not trying to be hoggish about it, but they are not controversial. I have 15 amendments that are noncontroversial—maybe I am making that up, maybe there is an opponent—I can't get that discussed. But only people who have controversial amendments with no chance of passing them, only people who want headlines in newspapers, only people who have amendments nobody over here is going to vote for, get to talk about it and the rest of us who work hard and get bipartisanship and present amendments that could actually help the bill, make the country stronger—we never get to talk.

I am going to stay on the floor and object until I get an answer for that question: Why is it that people who play by the rules, Senators who work across the aisle, who work hard to build bipartisan support, who work hard to get amendments that do not cost any money, that will not really cause too much trouble—why do our amendments get the last consideration?

I think it has ramifications for the way the Senate operates. Then it is like behavior: The better behaved you are, the quieter you are, the more team player you are, you don't get anything. The only way you get something is to become obnoxious and to get your amendments that have no bipartisan support, those who have amendments that cost a gazillion dollars or take away a gazillion dollars. That is not encouraging good behavior on the Senate floor.

I want to be a good team player. The people I represent want this body to work. We want bipartisan solutions to real problems, and even people who do not have lobbyists and even people who do not have a lot of money deserve time on the Senate floor. And I intend to provide it to orphans whom I support to try to help, and to the parents who are adopting kids and don't ask for much but do ask: Could the Senator from Louisiana please have an amendment that nobody opposes to help us and our kids?

I am going to stand here and support the small businesses that get overlooked all the time. They are not asking for much. They like the E-Verify Program. I thought they had a few very positive suggestions, so I thought I would put them in an amendment and offer it. Silly me. Then this EB–5 reporting is one of the worst run programs in the government, and everyone acknowledges that. Everyone knows it is not working, so the committee does a good job to fix it. But my staff and I worked pretty hard.

We are very close with those who work on immigration, and we talked with them about some perfecting amendments. But, silly me, to think we could make any improvements to the underlying bill on the EB–5 program which could create millions of jobs in Louisiana, Texas, the gulf coast—which is the area I pay the most attention to—California, New York, Rhode Island, and other places.

I am going to sit here—I know other Senators may want to talk, but sorry. Until I get some answers about some of our amendments, not just mine but other amendments. There are Republican and Democratic amendments that

are not controversial and are cleared on all fronts. I want those amendments to go first, and then we can say congratulations to the Members who worked hard to minimize opposition and to write their amendments in a way that people could be supportive. That is what Senators are supposed to do.

We have turned from a Senate to a theater, and I am tired of being part of a theater. If I wanted to be part of a theater, I would have gone to New York. Not that anybody would have put me on the stage because I can't sing or dance, but I don't want to. I want to lead, but it is getting very difficult in this place to do any leadership. So I am just going to sit here until maybe somebody who is a leader around here can come talk to us about what we are going to do with amendments on an immigration bill that is controversial, the bill itself—let me not understate that.

There will be people who don't want to vote for this bill no matter what shape it is in. I am not one of them. I want to know the answer to my question: How many amendments of the 140 pending are noncontroversial that Republicans and Democrats will agree to? That is my question, and I would like an answer.

My second question is, When could we possibly vote on those amendments before cloture is called? Cloture is going to be called on this bill, and the reason is because we cannot get a lot of cooperation. So what will happen is all these noncontroversial amendments will fall by the wayside, and what a shame. I am just tired of it.

It is the same group around here that causes all the trouble, and the rest of us try to be supportive, try to go along, try to work in a bipartisan way, and we get shut out. I have had enough, and the people I represent have said: We are finished.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. First, over the last few moments I had a chance to listen to the Senator from Louisiana. I just want to applaud the tenacity with which she approaches her duties in this Chamber. She is a terrific colleague. When there is something she thinks is the right thing to do, she will fight very hard to get that done.

I am here to say a word in support of the bipartisan immigration legislation we are looking at. In the months that led up to this debate, I have met with people across Rhode Island to discuss our pressing need for national immigration reform. Rhode Island, like Connecticut—perhaps even more than Connecticut—is a State with a proud tradition of immigration, and our many immigrant communities make our State stronger and more vibrant.

I have heard from leaders of our Latino communities which are the fastest growing share of our State's population and workforce. I have heard from leaders of my State's other immigrant communities, particularly including members of our Liberian community, many of whom fled civil war in their home country but are unable to fully participate in the American dream because of the uncertainty of their immigration status. I have heard from leaders in Rhode Island's technology industry who often have trouble recruiting talented employees they want to hire to fill a specific need, but the people they are looking for cannot obtain a timely green card. I met with men and women who are struggling to find work after losing their jobs to temporary foreign workers.

From all of those stories, one message comes through loudly and clearly: Our immigration system is broken. There are 11 million people living in the shadows. These are people who want to work to support their families and contribute to our communities. Eligible, legal immigrants can wait years, even decades to gain entry to this country. Then we educate the best and brightest from around the world, but too often we tell them they cannot remain in this country after they graduate.

The bill before us offers a bipartisan solution to these problems. It provides a pathway to citizenship for the undocumented immigrants already in this country, including the DREAMers, the children who were brought here at an early age and who are American already in every meaningful sense of the word.

The pathway that is created by this bill is tough, but it is fair. It prevents dangerous criminals from becoming citizens. It requires undocumented immigrants to pay a fine, to learn English, and to work. But for the vast majority of undocumented immigrants in our Nation, it offers a way out of the shadows. That is why, as this debate continues, we should reject amendments that would place further obstacles in that path to citizenship.

This bill also significantly improves the security of our southern border—a border that is already more secure than at any time in our Nation's history. Under President Obama, the number of Border Patrol agents has nearly doubled. Border crossings are down. This bill will build on these successes by giving the Department of Homeland Security tools to further strengthen border enforcement. This bill makes real improvements to our legal immigration system. It will allow spouses and children of permanent residents to come to this country without unnecessary delay.

I recently heard a heartbreaking story from a woman in Cranston, RI, who told me her husband might be forced to return to his native country while he waits for up to 2 years to receive a green card—leaving her at home alone for those 2 years to care for her disabled child.

This bill will also make our Nation more competitive by helping us to attract the best and brightest from around the world. Two years ago I met with a talented young man named Love Sarin who studied for his doctorate at Brown University and then founded a company in Providence that developed technology to help protect communities from the harm of mercury exposure. But when he applied for a green card, he was denied even though he had been educated at one of our universities, was creating jobs in our country, and was helping to protect our health and environment.

More recently, I received a letter from Charles in East Providence who says this issue is ''close to [his] heart,'' and it is. His girlfriend just finished her second master's degree program at Johnson and Wales University. But unless she finds an employer willing to sponsor her for a visa, she may have to return to her native China. ''These young people want to stay here and want to succeed,'' Charles wrote.

This bill will allow more talented individuals in the sciences and other fields to stay here and contribute to our economy. Let me compliment the eight sponsors of this legislation for their tireless efforts to find a reasonable middle ground. This bill is a compromise. No one can say they got everything they wanted, but on balance this bill is our best opportunity to fix our Nation's broken immigration system. It is our best opportunity in years.

As we now know, this bill will reduce our deficit by nearly $900 billion over the next 20 years.

Let me also compliment our Judiciary Chairman Senator LEAHY for his leadership in getting us to this point. The markup of this legislation by Chairman LEAHY's committee was thorough, fair, and transparent. The committee adopted 141 amendments—nearly all of them on a bipartisan basis—and the bill is stronger and better today than when it was introduced.

I was proud that three of my amendments were adopted, all of them unanimously, by the committee. My first amendment provided both American workers and workers on H–1B visas with a way of reporting H–1B program violations. At my community dinners back home, I heard stories of Rhode Island workers who were replaced by foreign workers on H–1B visas. One day they are at work, the next day they are gone, and a foreign worker is doing their job. Some were even forced to train their replacements.

These workers had nowhere to turn. My amendment creates a Department of Labor toll-free hotline and a Web site for American and foreign workers to report possible violations of H–1B

visa rules and an inspector general audit.

My second amendment expands the bill's INVEST visa, which is issued to qualified foreign-born entrepreneurs so they can come and create businesses in the United States. My amendment added funding from startup accelerators to the INVEST Program criteria.

As many of my colleagues know, startup accelerators help entrepreneurs get off the ground by providing training, support, and often initial funding. In Providence, one such accelerator called Betaspring has helped launch 57 different companies, creating jobs in our State and across the country. So they will now benefit from the INVEST visa.

I also offered an amendment to allow scientists and researchers with unique skills who wish to serve our country by working in our prestigious National Laboratories to obtain citizenship on an expedited basis provided they pass the necessary rigorous background checks.

I want to thank my colleagues on the Judiciary Committee for working with me to include these important provisions on a bipartisan basis. I do believe further improvements can be made on the floor, and I intend to offer several more amendments during this debate.

I am working on two amendments that would leverage our immigration laws to strengthen our Nation's cyber security. One amendment would set aside some entry visas for potential witnesses in investigations and prosecutions of cyber crime. We allow visas to those who help our law enforcement agencies to bring cases against those who are hacking us and trying to steal our intellectual property and potentially even sabotaging our critical infrastructure. Another amendment would ensure that enablers and beneficiaries of hackers who steal our American intellectual property do not benefit from our immigration system. It would allow our government to designate entities and individuals who are associated with criminal hackers and say: Forget it. If you are involved in supporting criminal hacking of our cyber networks, you are not getting a visa. Your employees are not getting visas, and your organizations cannot support visa applications.

I also intend to offer an amendment relating to the E-Verify system, clarifying that employers need not reverify the authorization of workers retaining the same position under the new employers. As new companies take over existing service contracts, workers in certain low-skilled positions can find themselves working for dozens of employers over their careers without ever changing their job. They are not changing their job, the employers are changing, and they should not have to reverify every time. That is a needless burden on both the employer and the employee.

In addition, I filed an amendment to close what is referred to as the terror gap. Right now, believe it or not, nothing in our laws prevents a suspected terrorist from legally purchasing a firearm even if a background check reveals he is on the terrorist watch list. My amendment would give the Attorney General the authority to prohibit the transfer of firearms to suspected terrorists on the terrorist watch list. That seems like common sense, and this amendment was based on legislation introduced by our late colleague, Senator Frank Lautenberg. I am very aware of his presence as I stand here because with his departure, his desk moved over to the other side of the aisle, and my desk moved into his space. So now I am actually standing in Frank's spot.

Frank was a tireless advocate for protecting our communities from the scourge of gun violence. I know as Democrats and Republicans we are divided on gun issues. But if there is a gun issue we ought to be able to come together on, it is that the people who are on the terrorist watch list should not be able to buy firearms legally in this country. I hope we can at least agree on that.

Finally, Chairman LEAHY has also put forward an important and worthy amendment that would provide for the equal treatment of all families under our immigration laws. I was extremely proud to stand with Rhode Island's Governor Lincoln Chafee last month as he signed into law legislation making Rhode Island the 10th State in the country to provide for marriage equality. It is time that our immigration system catches up with States such as Rhode Island, and I was pleased to vote for this amendment in the committee.

I will say I also understand and appreciate and indeed honor the position the group of Senators who put this bill together have taken, that they need to vote to protect their bill and their agreement. So on our side, Senator SCHUMER, Senator DURBIN, Senator BENNET, and Senator MENENDEZ may have to take positions to make sure this bill goes forward and passes, and I wish to be on record as saying that I may vote differently than they do, but I certainly appreciate the position they are in, and I think it is honorable on their part to stick with the deal they have agreed to and to work hard to make sure this immigration bill passes.

Chairman LEAHY, the chairman of our committee, has worked for years to ensure that all families are treated fairly under immigration law. I have been very proud to support his efforts. I see no reason why treating all marriages equally should be so controversial, much less a reason for blocking our best hope for comprehensive immigration reform.

I will conclude by saying I look forward to working in earnest with my colleagues toward an immigration system that is worthy of our great Nation. It is time to come together, fix our broken immigration system, and make this a system of which we can be proud. I urge all of my colleagues to join in this important task.

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

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

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Louisiana.

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

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

Ms. LANDRIEU. Mr. President, I know the staff is working hard to figure out the best way forward, and there are lots of views about different amendments that may be controversial, but I am going to stay here and work for the next hour or two tonight to see if we can just do one simple thing—just one simple thing: that we can look at the list of all amendments pending and all of those amendments that are noncontroversial—no one objects to anything in the amendment—I would like that list put together. It could be either voice-voted tomorrow or all of those amendments could just get pending and be voted on later. I am not even particular about when the vote would occur or under what circumstances. The leadership can make all of those decisions. But what I would like right now is to stop this operation until we can get the noncontroversial amendments out of the way.

There are Republican amendments that nobody over here objects to. There are Democratic amendments that Republicans don't object to. I think those sponsors—which I would be included in, but I am not the only one—could be rewarded for their good work, for coming up with amendments that nobody is angry about, that people think, oh, that is a good idea; we should do it. Why don't we do those amendments first. Then all the other amendments people have filed for various reasons—some in good fashion. People feel very strongly about them and want to discuss them. They want to have a vote on them. They know it might not pass, but it is important for them to represent that position. I have no problem with that. I understand that.

What I and my constituents don't understand is why we can't take noncontroversial amendments that everyone supports and get those passed.

So until I get an answer to that, I am going to just suggest the absence of a quorum and spend a couple of hours trying to find the answer. Thank you.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. LANDRIEU. Mr. President, in the last few minutes, we have made a little bit of progress. I am doing the best I can to work with both sides of the aisle to simply get a list of amendments that are not controversial. There are approximately 230 amendments pending on the immigration bill. Many of them are controversial, but there are some, potentially as many as 20, maybe even 30 amendments that are pending that are public record, that have been filed, that Members on both sides of the aisle have worked on very hard.

We have known about this debate. Some of us have been following it more closely than others. But I dare to say there is not a Senator as a Member of this body who has not been focused on what our constituents want us to do to either improve this bill or to fight against this bill. You have heard a lot of that debate.

I think this bill will probably pass. But who knows at this point, because there are 200 amendments pending. What I am suggesting as a way forward is to take those amendments that are noncontroversial. Republicans have not come up with their list of noncontroversial yet. The Democrats are very close to coming up with our list of noncontroversial amendments. We think it is about 12 or 15. They can have 12, 15 or 20 or 30 that are noncontroversial. No one on their side objects, no one on our side objects, and they could do some good on this bill in a variety of different ways.

I am suggesting we take those noncontroversial amendments and make them pending and vote on them sometime, anytime, tonight, tomorrow. We can voice vote them all as a package. We can vote them individually. I am not trying to be overly prescriptive. But what I am saying, and I am very serious about this, is my days of working on a major piece of legislation—working your heart out for weeks getting ready for the debate. You are so proud of your amendments. You have worked with the other side. You have Republicans. You have Democrats. You have vetted it with all the different input and organizations. You have worked so hard on your amendment, and then we come to the bill. We cannot discuss any amendments that people have worked hard to work out the problems. We can only discuss the problem amendments.

It is not the right way to legislate. It is not the way the Senate was created. It is not the way Congress should function. It is a disservice to every one of our constituents. There are lots of arrangements and understandings and compromises that go on off this Senate floor. That is what Senators do all day long. I am proud to be a Senator. I work with my colleagues. We work throughout the day, late at night, in meetings, and say, listen, I have this great idea. Oh, I think that is a wonderful idea. It will improve the bill. Can we work on it together?

Our staffs work very hard, spend hours and hours on the phone talking with people, negotiating, only to be told those amendments that people have really worked on and eliminated all opposition by being openminded, thoughtful, and willing to compromise, those amendments go to the back of the line.

Only those amendments that have no chance of passing, that do not have bipartisan support, get to be discussed on the Senate floor. That is not the Senate I signed up for. I am not whining. I am just saying, I am going to use my power to change the Senate. I am starting right now. I am not doing it anymore.

The people whom I represent are exhausted by it. I am getting exhausted by it. My staff is exhausted by it. It is rewarding very bad behavior. So the worse your amendment is, the more controversial your amendment is, the least likely to get any votes on the other side, you get to go first. The rest, everybody who has done it sort of the old-fashioned way, the way we are supposed to do it, the way we learned about it in school, the way our parents taught us, the way we observe other great Senators, we come and cannot even get in the queue.

Then when you do in this new system of rewarding bad behavior, those of us—and it is a big group of us. It is not just me. It is a very large group and Republicans as well. We get told: All your amendments that are noncontroversial that you have worked so hard to put together, great ideas that are middle of the road and could actually solve some problems of someone out in America, which is why I thought we should come here, to help solve problems, you all only get 1 amendment or you only get 2 amendments because we have 240.

That is not the way it should work. I am not going an inch further, not 1 inch. This is the way it should work. A bill is brought to the floor and everybody files their amendments. Senators work very hard with the other side to try to get amendments that both sides could agree to—because that is a democracy.

Then those amendments get identified, and those amendments go first. All of the other amendments that are message amendments or controversial amendments, they should get votes. I am not saying they should not. I am happy to vote on them. Some of them are tough votes. I have no problem with that. What I have a problem with, and I think if every Senator was honest, they have a problem with it too, are the good amendments, the noncontroversial amendments, the ones that everybody works on, never get a vote. All the bad amendments get the attention and votes.

I do not think that is right. We have to get back to the regular order—not to the regular order. We have to get back. It is not regular order. We have to get back to collegiality and common sense and trust. That is what the Senate is best at. That has been lost. We better find it pretty quickly.

I am going to stay here. We are not going anywhere. We are not going to go to any unanimous consent requests until the list of noncontroversial amendments is produced. The Republicans can produce their list; we produce our list of noncontroversial amendments. Then the leadership can say to me: Senator LANDRIEU, we will voice vote these and everybody will be happy or they can say: Senator LANDRIEU, we have to vote on these individually and we will do that at the end or some time certain—I am fine with that—or they can say: We are going to vote on them individually and they all need 60 votes, even though they have 100 percent of the body. I would be fine. I am not trying to be difficult, but I am trying to be a Senator.

I am trying to say that I, for one, am tired of the bullies on this floor and the small group that thinks that on every single solitary bill they should get the first amendment, the biggest amendment, and we spend all of our time talking about them. It may be important. They are not going to pass. That is OK. I do not even mind that. But what I do mind is, after all of us who try to work in a bipartisan fashion have to listen to this, bill after bill, day after day, then we cannot even get our amendments that are noncontroversial. That is where I draw the line.

Please, do not anybody write: Senator LANDRIEU is on the floor and is pitching a fit because she cannot get her amendment. This is not about my amendment. This is about the Senate. This is about the Senate and noncontroversial amendments which cannot even get on any list. Why? I do not know. Why? Why would that be? How is this possible?

No one objects. I am going to read just a few that we are talking about. Some of them are mine. I know two others that are by AMY KLOBUCHAR. One of mine is amendment No. 1340. It simply reiterates in this bill that everything done with children and families will be done in the best interests of the child. ''Best interests of the child'' is done in every State, in every court.

When we are making decisions about families, it is always in the best interests of the child. It is modern child welfare practice. It will clarify this bill. I do not know of anyone opposing

it. You know what. If someone is opposing it, then take it off the list—just take it off the list. I am not even opposed to that.

I do not think anyone is opposing it. But if they do, they just have to call the Democratic cloakroom and say: I do not think we should be making decisions in the best interests of the child. I will take it off the list. But I am not going to lose this amendment because the Senate cannot function.

There is another amendment I have with Senator COATS. We have worked very hard on this amendment. I had a hearing in my committee as chair of the Senate Small Business Committee. Our committee worked very hard, similar to most committees around here. My members are wonderful. I believe that when I call a meeting and they come and we spend hours looking at an issue and we actually all come to an agreement, maybe this is something we could do. It deserves a chance, but not in the system that we have because, again, the amendments that really work are noncontroversial and never get discussed, never get in the queue—only the other ones.

One that Senator COATS and I have is entitled E-Verify Early Adoption for Small Employees or the EEASE Act. We even took the extra time to come up with a creative name because we like legislating. We think that is what we are supposed to do.

The EEASE Act, which is a small amendment to this bill, does three things. I think one of them the small businesses will love: It directs DHS to create a mobile app for E-Verify. Wouldn't that be convenient for small businesses? Picture yourself in your pickup truck out in your field or out in your garage, and someone walks up to you and wants a job. You have a ''For Hire'' sign posted, and the guy comes up to you. He says: Here is my driver's license. Here is my paperwork. The employer picks up their iPhone, hits a button, goes to the app, and it is E-Verify. They know the person is legal, and they hire them for a job. How wonderful would that be? That is one of our amendments.

There is enough money in this bill to do that, but the bill doesn't say that now. Our amendment would say: Make a mobile app for E-Verify. Small businesses don't have time to run back to the farm, try to dial in on the Internet in a rural area, such as the Presiding Officer's, in New Mexico. Not everybody has high-speed Internet. Not everybody can go run back to the farm in the middle of the day, and then when they come back, they are tired. Why don't they just have everybody carry a pocket communication system? That is an amendment. I don't know one single solitary person on this floor who is against it, but we can't even get a vote on it.

This idea came out of a roundtable with 24 representatives of very important small business groups. I tell my committee and I tell people in the Congress that my committee is going to be a voice for small business. Well, that is great. They come up and they talk to me in committee. I hear them. I take what they say, write it in an amendment, and can't get it in the queue even when no one opposes it.

We have another amendment, and this one may be controversial—I don't know. I would be willing, again—if somebody says: We object because it messes up the compromise we have—I would maybe even withdraw this amendment after I spoke about it because I think it is important or I would be happy to get into any queue, any time, any day, to have a vote on it.

This amendment provides an access lane for small business for H–1B visas. It dawned on me after the bill came out of the Judiciary Committee and after we had our roundtable that, yes, we were increasing the number of H–1B visas, which I support and most people who support the bill. It dawned on me and it became apparent to some of the small business advocates that there was no express lane for them. The 7 million small businesses that were—many of them are high-tech companies that are relatively small, some of them are startups, and 40 percent of all the patents are held by small businesses. It kind of dawned on us maybe about a week ago that maybe we should have been paying more attention, that the H–1B visas might all go to big businesses and maybe we should have an express lane for the 7 million small businesses that don't have a fleet of lawyers and a fleet of human resources people. They are just trying to create jobs in America. How terrible. They are just the ones creating all the new jobs. Could we please maybe help them? I don't think this is controversial. Do you know what. Maybe someone objects to it. Take it off the list.

Senator KLOBUCHAR has two amendments, and I am sure she has been fighting very hard to get them up, like everyone. These amendments have to do with streamlining and removing obstacles for intercountry adoption.

You would have to be walking in your sleep to not understand that we have a problem in intercountry adoption. Guatemala has closed, Vietnam has closed, Russia has closed. Parents have gone to great expense. I have seen them weeping in the halls of Congress, begging their Congressmen, Congresswomen, and Senators to please help them. They were in the process, in the middle of an adoption, they had been matched with a child, and the adoption has been closed. There are sad stories in this world. I wish we could fix every one, but we can't.

This amendment actually would solve the problem for some families—not all but some families who went through the international process—not to help with Russia or Guatemala. I am sorry, we haven't come up with a solution for that.

No one opposes this amendment. It could help hundreds, if not thousands, of families to eliminate one or two more barriers to intercountry adoption. Why would we want to do that? I will say why because I think it is very important and I would imagine 100 Members of the Senate would think it is very important for children to be raised by parents. What a novel, extreme idea that children should actually be with parents or with a responsible, loving adult. Why would the Senate of the United States not spend any time at all eliminating barriers so that children could be with parents? I don't know. I kind of think that is important. I have two children. I am one of nine siblings. My family made a big impact on me to help me to be the leader I am today, so I kind of think that is important.

Senator KLOBUCHAR filed this bill. I am very proud of Minnesota. We are all proud of Minnesota. Minnesota adopts more children per capita internationally than any State in the Union. Minnesota has a very strong ethic when it comes to this. Do we help Minnesota? No. We punish Minnesota by not even allowing an amendment that is noncontroversial. Senator KLOBUCHAR has people in her State who could be helped by this amendment. I am certain there are people in Louisiana who could be helped. There are people in every State from New Mexico to New York. No one is objecting to it, but we cannot get it on the list.

There is an interesting problem with some of these adoptive parents. I spend an awful lot of time with them. I am happy to do it, and they do need champions in Congress, and I am not the only one. Senator BLUNT has been fabulous, Senator COATS has been fabulous, Senator BOOZMAN of Arkansas has been fabulous, Senator SHAHEEN has been terrific, Senator GILLIBRAND, and Senator LEVIN. I mean, literally, you don't hear the Senators talking about it as much as me because I am kind of the chairman. I listen to them, and I try to voice our opinions, but trust me, there are many Members.

These amendments are not controversial, and they will help orphans, and they will help families who are trying to adopt children. Could we get it on the list of noncontroversial amendments?

There is another amendment that I think is noncontroversial, and it has to do with a program that is absolutely dysfunctional today and everyone knows it. It is the EB–5 program. Not only is the program dysfunctional and expensive, it is not being operated correctly, and Judiciary knows this. In their bill, in the underlying bill, they have made some great modifications to the program. That is very good, and

that is very good legislating. If this program could operate correctly, efficiently, transparently, and without fraud and corruption, it could create millions of jobs. The last time I checked, there were a few people in Louisiana who need them. This is not a little thing, this is a big thing. There are people in my State who would cut off their right arm for a good-paying job right now. That is true in many parts of this country.

Instead of taking up an amendment that is noncontroversial, that actually could pass, that creates jobs, we can't take up this amendment because we have to take up the amendments that raise the most ruckus, that create the most firestorm, that satisfy the theatrical needs of some Members on the floor. We can't do anything that is kind of boring, noncontroversial, and bipartisan.

This amendment would strengthen the work the Judiciary Committee did. It is amendment No. 1383. I literally do not know anyone who is opposing this.

I am going to read these numbers out because, again, I am not agreeing to unanimous consent for anything until both sides get a list of noncontroversial amendments. Some are amendments Nos. 1338, 1383, 1340, 1261, and 1297. Potentially, there is no opposition to amendment No. 1406, and I think there are some others that might not be controversial, but I haven't completely checked, so I am not going to put them on the list.

Some of these are mine, and some of these are from other Senators. The Republican staff may have a list of noncontroversial amendments, and when we get those lists and we can get those in the queue first, then I will be happy for the queue to go on. If not, we are just going to call cloture, and it is just not going to work.

I am supporting the bill. I want my leader to know, and I have to say this, but I know he is going to speak, and I most certainly would give the floor to him at this moment, but I wish to say something about what a wonderful leader I think we have.

Senator REID, this is no criticism of you. You are the most patient person—one of the most patient people I have ever observed in my professional life or in my whole life. I honestly do not know how you do your job. Even if the caucus elected me, I would have to decline. I do not have the patience, as you can tell, to do the job of a leader. It would not work. They would never let me, but I wouldn't accept if they did.

Let me say I hope I am doing a favor for the Senate because what I want to do is be Senator. I have been here long enough to remember when we actually were Senators, when we actually could come to the floor with a bill, sort among ourselves what were really tough amendments, what were kind of sort of tough amendments, and what were easy amendments. We would do the easy amendments because that is just the way you legislate—go ahead and get some things done that we all know to do. We have all graduated from college. Some of us have masters' degrees and Ph.Ds. We do not sit around eating bonbons all day.

We are talking to our constituents. That is our job. We write amendments based on those meetings and conversations because people come to us and say: Senator, I have a problem. Can you fix it?

What am I going to say to them?

I wish to, but I can't. I can't fix any of your problems because there is no way to fix them because I can't even get a simple amendment on the floor on any bill, any day, any week, any month.

Mr. Leader, I have had enough. I know you have too. I want you to know I am not trying to be difficult. Do you know what. I came here to be a Senator, and I would like to be one again. I am sorry, but until I get a list of uncontroversial amendments, I don't care if they have 20 and we have 5. I don't care if we have 20 and they have 5. I have no idea. The ones that are uncontroversial I want to move forward. Then we can debate all day long how to put the other ones in any kind of list, and we may put mine last—just trying to show how generous I am trying to be. We may take all of my amendments that are controversial and put them last, but I want all the amendments that are not controversial to go first. I am not going to yield until we do.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I can remember when the Senator first came here 10 years ago, approximately. There was an issue dealing with the military. MARY LANDRIEU was a new Senator. She was over here, she had her desk on the other side, and she went on, and, wow, it was quite an impressive speech. For a long time after that, I called her Military MARY.

The reason that it is such a memorable time for me is her good father, ''Moon'' Landrieu, was watching his daughter. I called him and told him what a great job she had done. Of course, he was very proud of all 10 of his children but especially that night of his daughter MARY.

I have no problem with MARY LANDRIEU coming to the floor and doing what she thinks is appropriate. She is absolutely right. We have a lot of trouble now getting simple things done. On a bill like this, it used to be that we would have two managers, whip through all these amendments. We would just accept them. I mean, I listened to Senator LANDRIEU talk about the best interests of the child. Who in the world would oppose that?

The problem we have is that if we get a lot of amendments pending, it will be hard to get rid of them. So Senator LEAHY, who is a very experienced legislator, Senator GRASSLEY, their staffs, I hope what Senator LANDRIEU has done is maybe to give the impetus to do what we used to do routinely; that is, the amendments that couldn't be taken care of on the floor would be in what was called a managers' amendment where the two managers would agree on matters most of which were noncontroversial. Sometimes there was a little trading going on—this is a Republican amendment, this is a Democratic amendment; we don't totally love this one, we don't totally love that one, but let's put it together and have that be part of the managers' package. We haven't done that much anymore. We can't agree even on the simple things. She is right.

So I hope, Mr. President, that the night will bring the ability for us to move to these amendments of hers or have a managers' package. I am here to inform the Senate that one of my goals is to work very hard to try to finish as much of this bill as we can as soon as we can. I have told everyone many times we are going to finish the immigration bill before we leave for the July 4 recess. We are going to do that. I hope we don't have to work this Friday, Saturday, and Sunday. I hope that is the case, but right now we don't know. The odds right now are that is where we are headed.

I am going to come tomorrow morning at 11:30 and be recognized, and I will move to table one of the pending amendments. That will get everybody over here, and maybe in the light of the day, prior to noon, people will be more reasonable. By that time maybe I will have a better idea as to how we are going to move forward.

As I have said in the past, we can file cloture Friday, Saturday, or Sunday or maybe even Monday. But right now it looks like we may have to move that up a day and maybe I will have to file cloture on something tomorrow.

So I have really appreciated everyone's movement on this bill today. I think basically there is a good feel there is an end in sight. We have a number of Senators who have been working with the Gang of 8 to come up with some suggestions and, hopefully, they will have an amendment they can offer tomorrow sometime that will put forth what they think they need to improve this bill.

The focus for the last several days has been on border security. So let's see what they have to offer on border security. The one thing everyone has to understand is, while I am happy to look at anything they think will help border security, it cannot get in the way and take away from this bill a pathway to citizenship, which the American people want.

So we are going to continue working. Staff will work on it all night. The managers of this bill and others interested in this bill will work on it. There are calls being made to the White House tonight. So at 11:30 tomorrow I will come in and see if we have a path forward to getting this bill in a position where we can finish it next week without working the weekend. But if we can't, the weekend is still in play.

Ms. LANDRIEU. If the Senator will yield for a question.

Mr. REID. Of course.

Ms. LANDRIEU. I think that is an excellent suggestion. Again, let me just thank the Senator sincerely for his patience, and I appreciate the compliments.

As he knows, there are many other Senators who feel just like I do. It is time to be Senators again, and it is just time to trust one another to at least move amendments that are noncontroversial, that no one objects to. Then we can whittle the list down to those that do need debate and discussion, and, as you said, a little trading may have to go on. That is normal.

What is not normal is coming to this floor, and those of us who have worked so hard to get cosponsors, to tap down resistance, to modify, to compromise, don't get any time at all because—I don't know. I don't know who decided we don't. But I have enough power to try to change it, and I am going to.

So I just want to say in closing, I have in front of me a list of 24 amendments—amendments by Senators BEGICH, CARDIN, COLLINS, HAGAN, HELLER, KIRK, KLOBUCHAR, LANDRIEU, LEAHY, HATCH, MURRAY, NELSON, REED, SCHATZ, STABENOW, UDALL, UDALL, and a few others—about 24—that the Republicans and Democrats think no one objects to. I would ask the leader if he would review this list tonight, ask the managers of the bill if they would review this list tonight, and if we could just get these noncontroversial amendments agreed to either by voice vote, individual vote, or en bloc vote. It doesn't matter to me. It could be this week or next week.

These amendments have been worked on by Members of both sides genuinely. We don't want any headlines. We don't want any press releases. We would just like our amendments passed. There is no opposition to them. I will provide this list to the Senator and, hopefully, tomorrow morning, when everybody has calmed down a little bit, maybe that is the way we can proceed.

Mr. President, I ask unanimous consent to have printed for the RECORD the list of amendments I have just referred to.

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

NONCONTROVERSIAL AMENDMENTS

1. Begich 1285: Requires social security to establish special procedures for updating social security records for those living more than 150 miles from a social security office.

2. Cardin 1286: Provides social service agencies with resources to help Holocaust survivors age in place comfortably.

3. Carper 1408: Requires strategy to prevent unauthorized immigration transiting through Mexico.

4. Collins 1255: Retains existing risk-based allocation of Operation Stonegarden grants [with modification to come].

5. Feinstein 1250: Provides authorization for the use of the CIR Trust Fund to alleviate the burdens on the Judiciary.

6. Hagan 1368: Reauthorizes Bullet Proof Vest program and establishes a Border Crime Prevention grant program.

7. Heller 1234: Requires DHS to submit a report to Congress on how the 10 airport biometric exit pilots impact wait times and CBP staffing needs.

8. Kirk-Coons 1239: Allowing certain naturalization requirements to be waived for USAF active-duty members who receive military awards.

9. Klobuchar-Coats 1261: Adoption amendment. Requires certificates of citizenship and other Federal documents to reflect name and date of birth determinations made by a State court.

10. Klobuchar-Coats 1297: Provides that an adoption processed by the Central Authority of another Convention Country will permit an alien child adopted abroad to immigrate before the child has been in the legal and physical custody of the adoptive parent for two years.

11. Landrieu 1338: Requires DHS to consult the Administrator of the SBA during its analysis of impact of E-Verify on businesses. Requires the DHS to create a smart-phone app, which will make it easier for small businesses to use E-Verify.

12. Landrieu 1382: Authorizes public-private partnerships to expand land ports of entry.

13. Landrieu-Cochran 1383: Requires reports on EB5 program.

14. Landrieu 1341: Requires DHS to attempt to reduce detention daily bed rate through a competitive bid process and still maintain current health and management practices.

16. Leahy-Hatch 1183: Encourages international participation in the performing arts.

17. Murray 1368: Prohibits the shackling of pregnant women, absent extraordinary circumstances, in all DHS detention facilities.

18. Nelson 1253: Provides additional resources for maritime security [with modification to come].

19. Reed 1223: Increases role of public libraries in the integration of new immigrants.

21. Schatz 1296: Requires GAO report on visa processing at US embassies and consulates.

22. Stabenow 1405: This amendment requires a number of administrative changes and studies all aimed at administering the refugee resettlement program more efficiently and effectively.

23. Tom Udall 1241: Expands the Border Enforcement Security Task Force in the Southwest border region.

24. Tom Udall 1242: Makes $5 million available for strengthening the Border Infectious Disease Surveillance Project.

Mr. REID. Mr. President, to my friend from Louisiana, I reiterate what I said earlier: I understand her concern. The only thing I would say in regard to her statement is, she wants to do things in the normal way. I am sad to report the normal way is what we have been doing the last 6 or 8 months. And that is the sad commentary that this has become the normal way.

I will be happy to review that list. I will do it looking at every amendment. There are some people, you know, who don't want this bill to pass. They don't want to do anything to improve the bill. No matter what side you are on, these are people who offered these amendments in good faith that they believe will improve the bill. But understand some people don't want the bill improved; they just want the bill to go away.

So I will work on this. I haven't talked to Senator LEAHY tonight, but I will. I talked to Senator GRASSLEY earlier today. So I heard the Senator loudly and clearly, and I will do the best I can.

Mr. SCHATZ. Mr. President, I am here today to briefly discuss an amendment to an important provision in the immigration bill that the Senate is considering concerning Stateless persons. Section 3405 of the comprehensive immigration bill would, for the first time, recognize and provide protections to those people in the United States that have no nationality—they are Stateless. There are countless men, women, and children in the United States today who cannot claim any nation as their home. Many lost their nationality when their country of origin ceased to exist as a result of political upheaval, rampant persecution, or violent conflict. The comprehensive immigration bill would encourage these people in the United States to come forward and apply to be recognized as Stateless persons. Under the proposed law, if an individual is recognized as Stateless, they could seek conditional lawful status, provided they meet the appropriate requirements, and be protected from being deported back to a State they no longer recognize as their home.

The amendment I am offering to the immigration bill would advance this important effort to recognize and protect Stateless persons living in the United States.

We live in a time when political turmoil, persecution, and war are no longer the only conditions creating Stateless persons. Today, rapid and extreme environmental change threatens to erode national boundaries and make States uninhabitable to people.

This is not an abstract challenge. Low-lying island States and atolls in the Pacific and Indian Oceans today face an existential crisis due to inexorable sea level rise that is making them uninhabitable. In Kiribati, for example, rising seas are contaminating local water tables with salt water, denuding fertile land and decimating island crops. The threat of higher seas also makes Kiribati, the Marshall Islands, and other island States more

vulnerable to extreme weather that will inundate these countries with swells of storm surge and leave whole communities literally underwater. And in a short time, these island States will disappear beneath the waves.

Sea level rise is just one of the dramatic challenges the world faces as a result of climate change. Other environmental stressors are manifesting in States around the world that carry similar consequences as well. In North Africa, for instance, countries such as Morocco, Tunisia, and Libya lose hundreds of square miles of fertile land each year to desertification, driving away farming communities that are accustomed to living off the land. In Southeast Asia, salt water intrusion from sea level rise is destroying aquaculture ponds that communities rely on for economic development and food, uprooting families from their homes and driving them inland in search of new ways to support their livelihoods. And rapidly receding glaciers in the Himalayan Plateau threaten to make the headwaters of the region's major rivers run dry, with consequences for downstream communities that may eventually be forced from their homes in search of new water sources.

Scientists expect that climate change will exacerbate these environmental stressors, including drought, glacial melt, and heat waves, transforming once fertile landscape into barren and uninhabitable land. Besides these slow onset challenges, there are more people at risk today of being made permanently homeless by extreme weather events like typhoons, hurricanes, and other storms that threaten to decimate communities. And, unfortunately, the populations most at risk also happen to be the world's poorest people who too often have no other choice but to abandon their homes once disaster strikes.

By the end of the century, climate change will eclipse war as the greatest driver of homelessness around the world. We can and must protect those people who are in the United States from being deported to a country that is no longer inhabitable due to sea level rise or other environmental changes that leave the state uninhabitable to people.

The amendment I am proposing is quite simple. If enacted, the Secretary of Homeland Security, in consultation with the Secretary of State, may designate individuals or a group of individuals displaced permanently by climate change as Stateless persons.

Again, let me be clear about what this amendment does. It simply recognizes that climate change, like war, is one of the most significant contributors to homelessness in the world. And like with States torn apart and made uninhabitable by war, we have an obligation not to deport people back to a country made uninhabitable by sea level rise and other extreme environmental changes that render these states desolate. It does not grant any individual or group of individuals outside the United States with any new status or avenue for seeking asylum in the United States.

Finally, the amendment also recognizes that the climate challenges that other States face are not unique to people beyond U.S. borders. Indeed, Hawai'i, Alaska and other States are and will continue to experience increased environmental pressures, with sea level rise, drought, wild fires and extreme weather driving Americans from their homes.

As such, the amendment would require the Government Accountability Office to conduct a study assessing the impact of climate change on internal migration in the United States and U.S. territories. The GAO report will assess the impacts and costs on existing Federal, State, and local services of various regions resulting from climate change-induced migration of U.S. citizens. This important study will help the United States chart a path forward for responding to internal persons displaced by environmental change and extreme weather events, and identify what resources the Federal, State, and local governments need to invest in to adequately respond to climate-induced migration.

Climate change is one of the greatest challenges the United States will confront this century. But with the kinds of forward-thinking and pragmatic policies I am proposing today, we can put the United States on a path to respond to the challenges the country will face, and help protect those communities most at risk. I look forward to working with my colleagues to advance this important effort.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

''MARGARET NORVELL'' COMMISSIONING CEREMONY

Ms. LANDRIEU. Mr. President, I ask unanimous consent to have printed in the RECORD a speech I delivered on June 1, 2013 in New Orleans, LA to commemorate the commissioning of the Coast Guard Fast Response Cutter *Margaret Norvell*.

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

I would like to thank Vice Admiral Parker, commander of the Atlantic Area for the Coast Guard, Rear Admiral Baumgartner, commander of the 7th District who's accepting delivery of this cutter and 17 others, Rear Admiral Cook, our new District 8 commander which is headquartered here in New Orleans, Boysie and Chris Bollinger and Nickie Candies for inviting me to today's ceremony and all the work they do to make Louisiana proud, the men and women of the Coast Guard who serve with incredible bravery and distinction, the workforce of Bollinger Shipyards that does work everyday building strong, reliable boats to keep our Nation safe and secure, and I would like to extend a special welcome to the family members of Margaret Norvell, who are with us here today, as they were for the Fleet Dedication ceremony last March in Lockport, the Heroes dinner at the World War II Museum, and the opening of the New Canal Lighthouse Museum and Education Center in April. I'm pleased to share the stage with two of Margaret's great-grandchildren, Barbara Norvell Perrone, the ship's sponsor, and Maj. Michael Norvell, who is following his family's proud military tradition and currently serves as a commissioned officer in the Louisiana Air National Guard. I'd also like to acknowledge Councilwoman Clarkson for being here today and for her continued support of the Coast Guard.

I'm very honored to be here to commission the Coast Guard Cutter Margaret Norvell. It is the 5th Sentinel Class Cutter in a planned fleet of 58 ships that Bollinger will build for the Coast Guard, continuing Louisiana's proud tradition of building ships for our Nation's military. Whether they're engaged in a dangerous rescue, pursuing and interdicting drug smugglers, or responding to a severe hurricane, these ships and their crews will play an integral role in the security of our Nation.

Bollinger Shipyards is an ideal place to construct these ships. Since 1946, Bollinger has been a family owned and operated Louisiana business with a well-earned reputation for superior quality, value, and service. Chris, I want to thank you and particularly the hard working men and women from Bollinger Shipyards for the Margaret Norvell. I am certain she will make us all proud during the course of her service in the Coast Guard, just as her namesake did. I also want to thank all of you for the Cutter Paul Clark, which was delivered on May 18, marking Bollinger's sixth FRC delivery to the Coast Guard, every one of which has been on-time and on-budget.

These Sentinel Class Cutters are replacing the 110-foot Island Class Patrol Boats that were also built at Bollinger between 1984 and 1992. Bollinger's design for the Fast Response Cutter beat out 26 other competitors. The company's longstanding relationship with the Coast Guard is a win-win for Louisiana workers as well as the Nation's security, and I'm proud to be in a position to advocate for continued funding for the construction and acquisition of these highly capable boats.

This ship we are commissioning here today is a fitting testament to Margaret Norvell's 41 years in the U.S. Lighthouse Service from 1891 to 1932. She was one of only 141 women who served as lighthouse keepers, and she assumed her position just as so many other women did, after her husband Louis, the original keeper of the Head of Passes Light at the mouth of the Mississippi River, tragically drowned and left her with two children, ages 1 and 3.

Margaret assumed the post for 5 years before her appointment as keeper of the Port of Pontchartrain Light in 1896. She distinguished herself there in 1903 after a hurricane battered the town of Buras in

Plaquemines Parish and left 200 residents without refuge. Margaret took every single one of them in and provided them with shelter. In 1924, she was transferred to the New Canal Light Station. Two years later in 1926, using her small rowboat, she battled a merciless squall for 2 hours on Lake Pontchartrain and successfully rescued a downed naval aviator from the wreckage of his airplane in the water. Margaret retired in 1932 and passed away two years later.

The lighthouse from which she performed her heroic rescue dated back to 1839, but it was destroyed by Hurricane Katrina 4 years after the Coast Guard decommissioned it from service. With support from the Lake Pontchartrain Basin Foundation, the New Canal Lighthouse was rebuilt and reopened in April as a museum and educational center to commemorate the role of the Lighthouse Service and the brave men and women like Margaret who served in it. Margaret once remarked, ''There isn't anything unusual in a woman keeping a light in her window to guide men folks home. I just happen to keep a bigger light than most women because I have got to see that so many men get safely home.''

She is the first enlisted woman from the Coast Guard to be honored with a ship in her name. She was also a New Orleans native who distinguished herself through heroic rescues that took place right here in Louisiana. For all these reasons, I'm very grateful for the opportunity to join Margaret's family in honoring her service to Louisiana and our Nation, as well as the leadership and courage that she and 140 other women demonstrated in the history of the U.S. Lighthouse Service along with more than 8,000 women who are on active and reserve duty in the Coast Guard today. Margaret helped to blaze the trail, and our nation is safer and stronger today because of it.

ADDITIONAL STATEMENTS

TRIBUTE TO CARA GROSETH

● Mr. THUNE. Mr. President, today I recognize Cara Groseth, an intern in my Rapid City, SD office, for all of the hard work she has done for me, my staff, and the State of South Dakota over the past several weeks.

Cara is a graduate of Stevens High School in Rapid City, SD. Currently she is attending the South Dakota State University, where she is double majoring in economics and apparel merchandise. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I would like to extend my sincere thanks and appreciation to Cara for all of the fine work she has done and wish her continued success in the years to come.●

RECOGNIZING DOME TECHNOLOGY

● Mr. RISCH. Mr. President, as a part of National Small Business Week it is important for us to recognize companies who have a history of continually pushing the bounds of improvement and expansion. America depends on small businesses to propel the country into future innovation and that is why I would like to honor Dome Technology from Idaho Falls, ID as the Idaho Small Business of the Week.

Dome Technology builds thin shell monolithic domes which can be used for industrial bulk storage or for practical architectural facilities such as churches or gymnasiums. Though dome architecture has been used in the past, the specific technique used by Dome Technology was patented in Idaho in 1977 by three brothers, Barry, David, and Randy South. They began experimenting with dome technology in 1975 by spraying foam and concrete to the inside of a pressurized, dome-shaped fabric air form.

Dome Technology has built some 500 monolithic domes in the past 30-plus years all over the United States, Canada, Latvia, Estonia, Russia, Argentina, Germany, Jordan, Lithuania and multiple other countries. In addition to providing durable and multi-purpose structures, Dome Technology continues to work to create domes which can withstand environmental extremes such as hurricanes and earthquakes.

In 2007, Dome Technology built the largest monolithic dome in the world. Currently, 75 percent of all concrete domes worldwide have been built by Dome Technology.

But things haven't always been easy for this Idaho company. Dome Technology is an example of how a small business can overcome difficulty and rebound from economic hurdles. Prior to 2002, Dome Technology had been building on average 20 domes per year and employed 135 people. But after the September 11, 2001 terrorist attacks, the company shrunk to 35 employees while demand and prices decreased.

Dome Technology then borrowed around $1 million and diversified their products. Pivoting from large scale storage, the company began focusing on marketing their domes for architectural purposes such as churches, gymnasiums and community centers. Dome Technology has seen growth in the demand for schools built with dome technology and in 2007 built the first indoor water park in a dome.

In addition to expanding the uses of architectural domes, Dome Technology began focusing on exporting their product internationally to countries such as Canada, Poland, Latvia, Morocco, Romania and Bulgaria. The company has now rebounded back to 120 employees and demand is steadily growing.

Through experimentation and a devotion to quality, Dome Technology has proven itself to be a company which delivers a unique, quality product year after year. What strikes me the most about Dome Technology is their ability, as a specialized company with a niche product, to make the most of what could have been a depressed period of business and to use that as an impetus for improving their business model. Idaho is proud of small businesses like Dome Technology and I am especially proud to recognize them today in honor of National Small Business Week.●

MESSAGE FROM THE HOUSE

At 1:45 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 475. An act to amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines.

H.R. 1151. An act to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

H.R. 1797. An act to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes.

H.R. 1896. An act to amend part D of title IV of the Social Security Act to ensure that the United States can comply fully with the obligations of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, and for other purposes.

MEASURES REFERRED

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

H.R. 1797. An act to amend title 18, United States Code, to protect pain-capable unborn children, and for other purposes; to the Committee on the Judiciary.

H.R. 1896. An act to amend part D of title IV of the Social Security Act to ensure that the United States can comply fully with the obligations of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, and for other purposes; to the Committee on Finance.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1151. An act to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–1982. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, a report relative to the use of Cooperative Threat Reduction funds for nuclear and radiological materials transport outside the former Soviet Union; to the Committee on Armed Services.

EC–1983. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report entitled ''Defense Production Act Annual Fund Report for Fiscal Year 2012''; to the Committee on Armed Services.

EC–1984. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Rules of Practice and Procedure: Enterprise and Federal Home Loan Bank Housing Goals Related Enforcement Amendment'' (RIN2590–AA57) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–1985. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Wassenaar Arrangement 2012 Plenary Agreements Implementation: Commerce Control List, Definitions, and Reports'' (RIN0694–AF83) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–1986. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''North Carolina: Final Authorization of State Hazardous Waste Management Program Revisions'' (FRL No. 9823–1) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Environment and Public Works.

EC–1987. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Tennessee; 110(a) (1) and (2) Infrastructure Requirements for the 2008 Lead National Ambient Air Quality Standards'' (FRL No. 9820–7) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Environment and Public Works.

EC–1988. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; New Jersey; Infrastructure SIP for the 19997 8-Hour Ozone and the 1997 and 2006 Fine Particulate Matter Standards'' (FRL No. 9824–1) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Environment and Public Works.

EC–1989. A communication from the Senior Management Analyst, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Addresses of Regional Offices'' (RIN1018–AY13) received during adjournment of the Senate in the Office of the President of the Senate on June 14, 2013; to the Committee on Environment and Public Works.

EC–1990. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Temporary Shelter for Individuals Displaced by Severe Storms and Tornadoes in Oklahoma'' (Notice 2013–39) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Finance.

EC–1991. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Mexican Land Trust'' (Rev. Rul. 2013–14) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Finance.

EC–1992. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report consistent with the Authorization for Use of Military Force Against Iraq Resolution of 1002 (P.L. 107–243) and the Authorization for the Use of Force Against Iraq Resolution (P.L. 102–1) for the February 20, 2013–April 20, 2013 reporting period; to the Committee on Foreign Relations.

EC–1993. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period February 1, 2013 through March 31, 2013; to the Committee on Foreign Relations.

EC–1994. A communication from the Director, International Broadcasting Bureau, Broadcasting Board of Governors, transmitting, pursuant to law, the Agency's fiscal year 2013 Program Plan and Sequestration Summary; to the Committee on Foreign Relations.

EC–1995. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Defense Trade Cooperation Treaties with Australia and the United Kingdom'' ((RIN0750–AH70) (DFARS Case 2012–D034)) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Foreign Relations.

EC–1996. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to the Department of Defense (DoD) complying with the Improper Payments Elimination and Recovery Act (IPERA) of 2010; to the Committee on Homeland Security and Governmental Affairs.

EC–1997. A communication from the Director of the Office of Civil Rights, Broadcasting Board of Governors, International Broadcasting Bureau, transmitting, pursuant to law, the Commission's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–1998. A communication from the Assistant Secretary, Policy, Management and Budget, Department of the Interior, transmitting, pursuant to law, the Department's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–1999. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2000. A communication from the Chair of the Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2001. A communication from the Administrator of the Small Business Administration, transmitting, pursuant to law, the Semiannual Report from the Office of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2002. A communication from the Acting Administrator, Environmental Protection Agency, transmitting, pursuant to law, the Department's Semiannual Report from the Office of the Inspector General for the period from October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2003. A communication from the Chief Human Capital Officer, Small Business Administration, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Administrator, Small Business Administration, received in the Office of the President of the Senate on June 12, 2013; to the Committee on Small Business and Entrepreneurship.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute and an amendment to the title:

S. 959. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to compounding drugs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. THUNE (for himself, Mr. MCCONNELL, Mr. HATCH, Mr. CORNYN, Mr. BARRASSO, Mr. RUBIO, Mr. JOHANNS, Mr. BOOZMAN, Mr. GRASSLEY, Mr. SHELBY, Mr. CRAPO, Mr. HELLER, Mrs. FISCHER, Mr. INHOFE, Mr. MORAN, Mr. CHAMBLISS, Mr. ROBERTS, Mr. VITTER, Mr. KIRK, Mr. ENZI, Mr. RISCH, Mr. ISAKSON, Mr. BLUNT, Mr. LEE, Mr. TOOMEY, Ms. AYOTTE, Mr. COATS, Mr. FLAKE, and Mr. SCOTT):

S. 1183. A bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes; to the Committee on Finance.

By Mr. CARPER (for himself and Ms. MURKOWSKI):

S. 1184. A bill to amend title XVIII of the Social Security Act to include information on the coverage of intensive behavioral therapy for obesity in the Medicare and You Handbook and to provide for the coordination of programs to prevent and treat obesity, and for other purposes; to the Committee on Finance.

By Mr. CASEY:

S. 1185. A bill to enhance penalties for violations of securities protections that involve targeting seniors; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. WARREN (for herself and Mr. COWAN):

S. 1186. A bill to reauthorize the Essex National Heritage Area; to the Committee on Energy and Natural Resources.

By Ms. STABENOW (for herself, Mr. HELLER, Mr. MENENDEZ, and Mr. ISAKSON):

S. 1187. A bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt; to the Committee on Finance.

By Ms. COLLINS (for herself and Mr. DONNELLY):

S. 1188. A bill to amend the Internal Revenue Code of 1986 to modify the definition of full-time employee for purposes of the individual mandate in the Patient Protection and Affordable Care Act; to the Committee on Finance.

By Mr. MENENDEZ (for himself and Mr. CHIESA):

S. 1189. A bill to adjust the boundaries of Paterson Great Falls National Historical Park to include Hinchliffe Stadium, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ENZI (for himself and Mr. CASEY):

S. 1190. A bill to amend the Small Business Act to permit agencies to count certain contracts toward contracting goals; to the Committee on Small Business and Entrepreneurship.

By Mr. BENNET (for himself and Ms. AYOTTE):

S. 1191. A bill to facilitate better alignment, cooperation, and best practices between commercial real estate landlords and tenants regarding energy efficiency in buildings, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself, Mr. GRASSLEY, and Mr. MANCHIN):

S. 1192. A bill to implement common sense controls on the taxpayer-funded salaries of government contractors by limiting reimbursement for excessive compensation; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. LEVIN (for himself, Mr. CORNYN, Ms. LANDRIEU, Mr. COWAN, Mr. HARKIN, Mrs. GILLIBRAND, Mr. CARDIN, Mr. UDALL of Colorado, Mr. LEAHY, Mr. BROWN, Ms. STABENOW, Mr. DURBIN, Mr. SCHUMER, Mrs. HAGAN, Mrs. MURRAY, Mr. PRYOR, Mr. COCHRAN, Mr. SESSIONS, Mr. COONS, Mrs. BOXER, Mr. WARNER, Mr. WHITEHOUSE, Mr. CRUZ, Mrs. SHAHEEN, Mr. KAINE, Mr. RUBIO, Mr. RISCH, Ms. MIKULSKI, Mr. WICKER, Ms. BALDWIN, Mr. CASEY, Mr. BEGICH, Mr. NELSON, Mr. UDALL of New Mexico, and Ms. WARREN):

S. Res. 175. A resolution observing Juneteenth Independence Day, June 19, 1865, the day on which slavery finally came to an end in the United States; considered and agreed to.

By Mr. TESTER (for himself and Mr. BURR):

S. Res. 176. A resolution designating July 12, 2013, as ''Collector Car Appreciation Day'' and recognizing that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; considered and agreed to.

By Ms. LANDRIEU (for herself, Mr. RISCH, Mr. LEVIN, Mr. JOHNSON of Wisconsin, Mr. CARDIN, Mr. RUBIO, Mrs. SHAHEEN, Mr. CRAPO, Ms. CANTWELL, Mr. VITTER, Ms. HEITKAMP, Mrs. FISCHER, Mr. PRYOR, Mr. ENZI, Mr. UDALL of New Mexico, Mr. HOEVEN, Mrs. HAGAN, Mr. BARRASSO, Mr. BEGICH, Mr. PORTMAN, Mr. CASEY, Mr. BOOZMAN, Mr. COWAN, Mr. COCHRAN, Mrs. MURRAY, Ms. AYOTTE, Ms. HIRONO, Mr. BROWN, Mr. HARKIN, Mr. MANCHIN, Mr. BAUCUS, Mr. SCHATZ, Mr. MERKLEY, Ms. BALDWIN, Mr. WARNER, Ms. MIKULSKI, Mr. BENNET, Mr. ROBERTS, Mr. NELSON, Mr. COONS, Mr. MENENDEZ, Mr. UDALL of Colorado, Mr. DONNELLY, Mr. ROCKEFELLER, Mr. CARPER, Mr. KING, Ms. WARREN, Mr. KIRK, Mr. THUNE, Ms. KLOBUCHAR, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. FRANKEN, Mr. HEINRICH, Mr. ISAKSON, and Mr. TESTER):

S. Res. 177. A resolution honoring the entrepreneurial spirit of small business concerns in the United States during National Small Business Week, which begins on June 17, 2013; considered and agreed to.

ADDITIONAL COSPONSORS

S. 132

At the request of Mr. CARPER, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Massachusetts (Mr. COWAN) were added as cosponsors of S. 132, a bill to provide for the admission of the State of New Columbia into the Union.

S. 183

At the request of Mrs. MCCASKILL, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 294

At the request of Mr. TESTER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 294, a bill to amend title 38, United States Code, to improve the disability compensation evaluation procedure of the Secretary of Veterans Affairs for veterans with mental health conditions related to military sexual trauma, and for other purposes.

S. 360

At the request of Mr. UDALL of New Mexico, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 360, a bill to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service.

S. 401

At the request of Mr. CARPER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 401, a bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from offshore wind.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 423

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 423, a bill to amend title V of the Social Security Act to extend funding for family-to-family health information centers to help families of children with disabilities or special health care needs make informed choices about health care for their children.

S. 429

At the request of Mr. NELSON, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 429, a bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 603

At the request of Mr. BARRASSO, the names of the Senator from Louisiana (Mr. VITTER), the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 603, a bill to repeal the annual fee on health insurance providers enacted by the Patient Protection and Affordable Care Act.

S. 623

At the request of Mr. CARDIN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 623, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 629

At the request of Mr. PRYOR, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 629, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

At the request of Mr. BOOZMAN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 629, supra.

S. 633

At the request of Mr. TESTER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 633, a bill to amend title 38, United States Code, to provide for coverage

under the beneficiary travel program of the Department of Veterans Affairs of certain disabled veterans for travel in connection with certain special disabilities rehabilitation, and for other purposes.

S. 669

At the request of Mr. PRYOR, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 669, a bill to make permanent the Internal Revenue Service Free File program.

S. 689

At the request of Mr. HARKIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 689, a bill to reauthorize and improve programs related to mental health and substance use disorders.

S. 710

At the request of Mr. WARNER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 710, a bill to provide exemptions from municipal advisor registration requirements.

S. 718

At the request of Mr. DURBIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 718, a bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes.

S. 765

At the request of Mr. BENNET, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 765, a bill to help provide relief to State education budgets during a recovering economy, to help fulfill the Federal mandate to provide higher educational opportunities for Native American Indians, and for other purposes.

S. 769

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 769, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 789

At the request of Mr. BAUCUS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 826

At the request of Mr. WHITEHOUSE, his name was added as a cosponsor of S. 826, a bill to amend the Internal Revenue Code of 1986 to reform and enforce taxation of tobacco products.

S. 831

At the request of Mr. COATS, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 831, a bill to limit the authority of the Secretary of the Interior to issue regulations before December 31, 2017, under the Surface Mining Control and Reclamation Act of 1977.

S. 916

At the request of Mr. COCHRAN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 916, a bill to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program.

S. 929

At the request of Mr. CORNYN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 929, a bill to impose sanctions on individuals who are complicit in human rights abuses committed against nationals of Vietnam or their family members, and for other purposes.

S. 967

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 967, a bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes.

S. 1039

At the request of Mr. MERKLEY, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1039, a bill to amend title 38, United States Code, to expand the Marine Gunnery Sergeant John David Fry scholarship to include spouses of members of the Armed Forces who die in the line of duty, and for other purposes.

S. 1063

At the request of Mr. REED, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1063, a bill to improve teacher quality, and for other purposes.

S. 1079

At the request of Mr. VITTER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1079, a bill to require the Director of the Bureau of Safety and Environmental Enforcement to promote the artificial reefs, and for other purposes.

S. 1088

At the request of Mr. FRANKEN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1088, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 1126

At the request of Mr. REED, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1126, a bill to aid and support pediatric involvement in reading and education.

S. 1158

At the request of Mr. WARNER, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 1158, a bill to require the Secretary of the Treasury to mint coins commemorating the 100th anniversary of the establishment of the National Park Service, and for other purposes.

S.J. RES. 19

At the request of Mr. UDALL of New Mexico, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. RES. 75

At the request of Mr. KIRK, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Bahá'í minority and its continued violation of the International Covenants on Human Rights.

S. RES. 109

At the request of Mr. TOOMEY, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. Res. 109, a resolution expressing the sense of the Senate that the United States should leave no member of the Armed Forces unaccounted for during the drawdown of forces in Afghanistan.

S. RES. 157

At the request of Ms. KLOBUCHAR, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. Res. 157, a resolution expressing the sense of the Senate that telephone service must be improved in rural areas of the United States and that no entity may unreasonably discriminate against telephone users in those areas.

S. RES. 164

At the request of Mr. GRASSLEY, his name was added as a cosponsor of S. Res. 164, a resolution designating October 30, 2013, as a national day of remembrance for nuclear weapons program workers.

S. RES. 170

At the request of Mr. ISAKSON, the names of the Senator from Georgia (Mr. CHAMBLISS), the Senator from Maryland (Mr. CARDIN) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. Res. 170, a resolution commemorating John Lewis on the 50th anniversary of his chairmanship of the Student Nonviolent Coordinating Committee.

AMENDMENT NO. 1200

At the request of Mr. PAUL, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 1200 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1224

At the request of Mr. REED, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of amendment No. 1224 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1250

At the request of Mrs. FEINSTEIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of amendment No. 1250 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1251

At the request of Mr. CORNYN, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of amendment No. 1251 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1268

At the request of Mr. MANCHIN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of amendment No. 1268 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1272

At the request of Mrs. SHAHEEN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 1272 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1276

At the request of Mr. CARPER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of amendment No. 1276 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1286

At the request of Mr. CARDIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 1286 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1311

At the request of Mr. BROWN, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of amendment No. 1311 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1312

At the request of Mr. SANDERS, the names of the Senator from Washington (Mrs. MURRAY), the Senator from New York (Mrs. GILLIBRAND), the Senator from Maryland (Mr. CARDIN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of amendment No. 1312 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1314

At the request of Mr. PAUL, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of amendment No. 1314 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1318

At the request of Mr. WYDEN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of amendment No. 1318 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1327

At the request of Mr. BLUMENTHAL, the names of the Senator from Vermont (Mr. LEAHY), the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of amendment No. 1327 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1338

At the request of Ms. LANDRIEU, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of amendment No. 1338 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 175—OBSERVING JUNETEENTH INDEPENDENCE DAY, JUNE 19, 1865, THE DAY ON WHICH SLAVERY FINALY CAME TO AN END IN THE UNITED STATES

Mr. LEVIN (for himself, Mr. CORNYN, Ms. LANDRIEU, Mr. COWAN, Mr. HARKIN, Mrs. GILLIBRAND, Mr. CARDIN, Mr. UDALL of Colorado, Mr. LEAHY, Mr. BROWN, Ms. STABENOW, Mr. DURBIN, Mr. SCHUMER, Mrs. HAGAN, Mrs. MURRAY, Mr. PRYOR, Mr. COCHRAN, Mr. SESSIONS, Mr. COONS, Mrs. BOXER, Mr. WARNER, Mr. WHITEHOUSE, Mr. CRUZ, Mrs. SHAHEEN, Mr. KAINE, Mr. RUBIO, Mr. RISCH, Ms. MIKULSKI, Mr. WICKER, Ms. BALDWIN, Mr. CASEY, Mr. BEGICH, Mr. NELSON, Mr. UDALL of New Mexico, and Ms. WARREN) submitted the following resolution; which was considered and agreed to:

S. RES. 175

Whereas news of the end of slavery did not reach the frontier areas of the United States, and in particular the Southwestern States, for more than 2½ years after President Abraham Lincoln's Emancipation Proclamation, which was issued on January 1, 1863, months after the conclusion of the Civil War;

Whereas, on June 19, 1865, Union soldiers, led by Major General Gordon Granger, arrived in Galveston, Texas, with news that the Civil War had ended and that the enslaved were free;

Whereas African Americans who had been slaves in the Southwest celebrated June 19, commonly known as ''Juneteenth Independence Day'', as inspiration and encouragement for future generations;

Whereas African Americans from the Southwest, for more than 145 years, continue the tradition of observing Juneteenth Independence Day;

Whereas 42 States, the District of Columbia, and other countries, including Goree Island, Senegal (a former slave port), have designated Juneteenth Independence Day as a special day of observance in recognition of the emancipation of all slaves in the United States;

Whereas Juneteenth Independence Day celebrations have been held to honor African-American freedom while encouraging self-development and respect for all cultures;

Whereas the faith and strength of character demonstrated by former slaves and their descendants remain an example for all people of the United States, regardless of background, religion, or race;

Whereas the late Lula Briggs Galloway of Saginaw, Michigan—author, social activist, curator of African-American history, originator of the interim Juneteenth Creative Culture Center and Museum in Saginaw, Michigan, and then-President of the National Association of Juneteenth Lineage, Inc.—successfully worked to bring national recognition to Juneteenth Independence Day and encouraged the United States Senate and the United States House of Representatives to pass a resolution in 1997 in honor of that day;

Whereas national observance of Juneteenth Independence Day continues under the steadfast leadership of the National Juneteenth Observance Foundation;

Whereas Frederick Douglass, born Frederick Augustus Washington Bailey in Maryland in 1818, escaped from slavery and became a leading writer, orator, and publisher, and one of the United States' most influential advocates for abolitionism, and the equality of all people;

Whereas, on September 10, 2012, and September 12, 2012, the House of Representatives and the Senate, respectively, each passed legislation, signed into law by the President on September 20, 2012 (Public Law 112–174), to direct the Joint Committee on the Library to accept a statue depicting Frederick Douglass from the District of Columbia and to provide for the permanent display of the statue in Emancipation Hall of the United States Capitol, during an unveiling Ceremony on June 19, 2013, the same day as recognition of Juneteenth Independence Day;

Whereas, on June 18, 2009, the United States Senate and on July 29, 2008, the United States House of Representatives each adopted resolutions apologizing for the legacy of slavery in the United States and ''Jim Crow'' laws;

Whereas the crime of lynching succeeded slavery, and on June 13, 2005, the United

States Senate adopted a resolution apologizing to the victims of lynching and the descendants of those victims;

Whereas slavery was not officially abolished until the ratification of the 13th amendment to the Constitution of the United States in January 1865; and

Whereas, over the course of its history, the United States has grown into a symbol of democracy and freedom around the world: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historical significance of Juneteenth Independence Day to the United States;

(2) supports the continued nationwide celebration of Juneteenth Independence Day to provide an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped the United States; and

(3) recognizes that the observance of the end of slavery is a part of the history and heritage of the United States.

SENATE RESOLUTION 176—DESIGNATING JULY 12, 2013, AS ''COLLECTOR CAR APPRECIATION DAY'' AND RECOGNIZING THAT THE COLLECTION AND RESTORATION OF HISTORIC AND CLASSIC CARS IS AN IMPORTANT PART OF PRESERVING THE TECHNOLOGICAL ACHIEVEMENTS AND CULTURAL HERITAGE OF THE UNITED STATES

Mr. TESTER (for himself and Mr. BURR) submitted the following resolution; which was considered and agreed to:

S. RES. 176

Whereas many people in the United States maintain classic automobiles as a pastime and do so with great passion and as a means of individual expression;

Whereas the Senate recognizes the effect that the more than 100-year history of the automobile has had on the economic progress of the United States and supports wholeheartedly all activities involved in the restoration and exhibition of classic automobiles;

Whereas the collection, restoration, and preservation of automobiles is an activity shared across generations and across all segments of society;

Whereas thousands of local car clubs and related businesses have been instrumental in preserving a historic part of the heritage of the United States by encouraging the restoration and exhibition of such vintage works of art;

Whereas automotive restoration provides well-paying, high-skilled jobs for people in all 50 States; and

Whereas automobiles have provided the inspiration for music, photography, cinema, fashion, and other artistic pursuits that have become part of the popular culture of the United States: Now therefore, be it

Resolved, That the Senate—

(1) designates July 12, 2013, as ''Collector Car Appreciation Day'';

(2) recognizes that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; and

(3) encourages the people of the United States to engage in events and commemorations of Collector Car Appreciation Day that create opportunities for collector car owners to educate young people about the importance of preserving the cultural heritage of the United States, including through the collection and restoration of collector cars.

SENATE RESOLUTION 177—HONORING THE ENTREPRENEURIAL SPIRIT OF SMALL BUSINESS CONCERNS IN THE UNITED STATES DURING NATIONAL SMALL BUSINESS WEEK, WHICH BEGINS ON JUNE 17, 2013

Ms. LANDRIEU (for herself, Mr. RISCH, Mr. LEVIN, Mr. JOHNSON of Wisconsin, Mr. CARDIN, Mr. RUBIO, Mrs. SHAHEEN, Mr. CRAPO, Ms. CANTWELL, Mr. VITTER, Ms. HEITKAMP, Mrs. FISCHER, Mr. PRYOR, Mr. ENZI, Mr. UDALL of New Mexico, Mr. HOEVEN, Mrs. HAGAN, Mr. BARRASSO, Mr. BEGICH, Mr. PORTMAN, Mr. CASEY, Mr. BOOZMAN, Mr. COWAN, Mr. COCHRAN, Mrs. MURRAY, Ms. AYOTTE, Ms. HIRONO, Mr. BROWN, Mr. HARKIN, Mr. MANCHIN, Mr. BAUCUS, Mr. SCHATZ, Mr. MERKLEY, Ms. BALDWIN, Mr. WARNER, Ms. MIKULSKI, Mr. BENNET, Mr. ROBERTS, Mr. NELSON, Mr. COONS, Mr. MENENDEZ, Mr. UDALL of Colorado, Mr. DONNELLY, Mr. ROCKEFELLER, Mr. CARPER, Mr. KING, Ms. WARREN, Mr. KIRK, Mr. THUNE, Ms. KLOBUCHAR, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. FRANKEN, Mr. HEINRICH, Mr. ISAKSON, and Mr. TESTER) submitted the following resolution; which was considered and agreed to.:

S. RES. 177

Whereas 2013 marks the 50th anniversary of National Small Business Week;

Whereas the approximately 27,900,000 small business concerns in the United States are the driving force behind the Nation's economy, creating nearly 2 out of every 3 new jobs and generating close to 50 percent of the Nation's non-farm gross domestic product;

Whereas small businesses are the driving force behind the economic recovery of the United States;

Whereas small businesses represent 99.7 percent of employer firms in the United States;

Whereas small business concerns are the Nation's innovators, serving to advance technology and productivity;

Whereas small business concerns represent 98 percent of all exporters and produce 31 percent of exported goods;

Whereas Congress established the Small Business Administration in 1953 to aid, counsel, assist, and protect the interests of small business concerns in order to preserve free and competitive enterprise, to ensure that a fair proportion of the total Federal Government purchases, contracts, and subcontracts for property and services are placed with small business concerns, to ensure that a fair proportion of the total sales of government property are made to small business concerns, and to maintain and strengthen the overall economy of the United States;

Whereas, every year since 1963, the President has designated a ''National Small Business Week'' to recognize the contributions of small businesses to the economic well-being of the United States;

Whereas, in 2013, National Small Business Week will honor the estimated 27,900,000 small businesses in the United States;

Whereas the Small Business Administration has helped small business concerns by providing access to critical lending opportunities, protecting small business concerns from excessive Federal regulatory enforcement, helping to ensure full and open competition for government contracts, and improving the economic environment in which small business concerns compete;

Whereas, for more than 50 years, the Small Business Administration has helped millions of entrepreneurs achieve the American dream of owning a small business, and has played a key role in fostering economic growth; and

Whereas the President has designated the week beginning June 17, 2013, as ''National Small Business Week'':

Now, therefore, be it

Resolved, That the Senate—

(1) honors the entrepreneurial spirit of small business concerns in the United States during National Small Business Week, which begins on June 17, 2013;

(2) applauds the efforts and achievements of the owners and employees of small business concerns, whose hard work and commitment to excellence have made small business concerns a key part of the economic vitality of the United States;

(3) recognizes the work of the Small Business Administration and its resource partners in providing assistance to entrepreneurs and small business concerns; and

(4) recognizes the importance of ensuring that—

(A) guaranteed loans, including microloans and microloan technical assistance, for start-up and growing small business concerns, and venture capital, are made available to all qualified small business concerns;

(B) the management assistance programs delivered by resource partners on behalf of the Small Business Administration, such as Small Business Development Centers, Women's Business Centers, and the Service Corps of Retired Executives, are recognized for providing invaluable counseling services to entrepreneurs in the United States;

(C) the Small Business Administration continues to provide timely and efficient disaster assistance so that small businesses in areas struck by natural or manmade disasters can quickly return to business to keep local economies alive in the aftermath of such disasters;

(D) affordable broadband Internet access is available to all people in the United States, particularly people in rural and underserved communities, so that small businesses can use the Internet to make their operations more globally competitive while boosting local economies;

(E) regulatory relief is provided to small businesses through the reduction of duplicative or unnecessary regulatory requirements that increase costs for small businesses; and

(F) leveling the playing field for contracting opportunities remains a primary focus, so that small businesses, particularly minority-owned small businesses, can compete for and win more of the $400,000,000,000 in contracts that the Federal Government enters into each year for goods and services.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1343. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1344. Mr. CARPER (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1345. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1346. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1347. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1348. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1349. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1350. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1351. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1352. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1353. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1354. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1355. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1356. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1357. Mr. COBURN (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1358. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1359. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1360. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1361. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1362. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1363. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1364. Mr. WARNER (for himself and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1365. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1366. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1367. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1368. Mrs. MURRAY (for herself and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1369. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1370. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1371. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1372. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1373. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1374. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1375. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1376. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1377. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1378. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1379. Mr. GRASSLEY (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1380. Mr. JOHNSON, of Wisconsin (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1381. Mr. JOHNSON, of Wisconsin (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1382. Ms. LANDRIEU (for herself and Mr. CARPER) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1383. Ms. LANDRIEU (for herself and Mr. COCHRAN) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1384. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1385. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1386. Mrs. HAGAN (for herself, Mr. COONS, and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1387. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1388. Mrs. HAGAN (for herself, Mr. HELLER, and Mr. DONNELLY) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1389. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1390. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1391. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1392. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1393. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1394. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1395. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1396. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1397. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1398. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1399. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1400. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1401. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1402. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1403. Ms. HIRONO (for herself, Mrs. MURRAY, Ms. MURKOWSKI, Mrs. BOXER, Mrs. GILLIBRAND, Ms. CANTWELL, Ms. STABENOW,

Ms. KLOBUCHAR, Ms. WARREN, Ms. BALDWIN, Ms. MIKULSKI, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1404. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1405. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1406. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1407. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1408. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1409. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1410. Mr. LEAHY (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1411. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1412. Mrs. MURRAY (for herself and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1413. Mrs. FEINSTEIN (for herself, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1414. Mrs. MURRAY (for herself and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1415. Ms. HIRONO (for herself, Mr. FRANKEN, Mr. SCHATZ, Mrs. MURRAY, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1416. Mr. SCHATZ (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1417. Mr. HEINRICH (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1418. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1419. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1420. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1421. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1422. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1423. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1424. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1425. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1426. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1427. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1343. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1465, strike lines 3 through 5, and insert the following:

(2) REQUIREMENT FOR DATA COLLECTION.—

(A) IN GENERAL.—A law enforcement official who makes contact with an individual with the purpose or effect of enforcing an immigration law shall collect the following data:

(i) The law enforcement official's basis for, or circumstances surrounding, such contact, including if such individual's perceived race or ethnicity contributed to such basis.

(ii) The identifying characteristics of such individual, including the individual's race, gender, ethnicity, and approximate age.

(iii) If such contact resulted in a stop or search, how long such a stop or search lasted, whether consent was requested and obtained for such stop or search, and the name of the person who provided such consent.

(iv) A description of any articulable facts and behavior by the individual that demonstrate reasonable suspicion to justify such stop or probable cause to justify such search or attempt to enforce the immigration laws.

(v) A description of any items seized during such search, including contraband or money, and a specification of the type of search conducted.

(vi) Whether any warning or citation was issued as a result of such contact and the basis for such warning or citation.

(vii) Whether an arrest or detention was made as a result of such contact, the justification for such arrest or detention, and the ultimate disposition of such arrest or detention.

(viii) Whether the affected individual is undergoing immigration proceedings as of the date of the annual report.

(ix) If a warning, citation, arrest, or detention is involved, the surname of the affected individual.

(x) The immigration status of the individual involved and whether removal proceedings were subsequently initiated against that individual.

(xi) Whether any complaint was made by the individual stopped or searched.

(B) DEFINITIONS.—In this paragraph:

(i) IMMIGRATION LAWS.—The term ''immigration laws'' has the meaning given that term in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).

(ii) LAW ENFORCEMENT OFFICIAL.—The term ''law enforcement official'' means—

(I) an officer of U.S. Customs and Border Protection;

(II) an officer of U.S. Immigration and Customs Enforcement; or

(III) an officer or employee of a State or a political subdivision of a State who is carrying out the functions of an immigration officer pursuant to an agreement entered into under section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) or pursuant to any other agreement with the Department.

(3) STUDY.—Not later than 180 days after data collection under paragraph (1) commences, the Secretary shall complete a study analyzing the data.

(4) COMPILATION OF DATA.—

(A) DEPARTMENT OF HOMELAND SECURITY LAW ENFORCEMENT OFFICIALS.—The Secretary shall compile the data collected under paragraph (2) by officers of U.S. Customs and Border Protection and officers of U.S. Immigration and Customs Enforcement.

(B) OTHER LAW ENFORCEMENT OFFICIALS.—The head of each agency, department, or other entity that employs law enforcement officials other than officers referred to in subparagraph (A) shall—

(i) compile the data collected by such law enforcement officials pursuant to paragraph (2); and

(ii) submit the compiled data to the Secretary.

(5) USE OF DATA.—The Secretary shall consider the data compiled under paragraph (4) in making policy and program decisions related to enforcement of the immigration laws.

(6) ANNUAL REPORT.—

(A) REQUIREMENT.—Not later than one year after the effective date of this section, and annually thereafter, the Secretary shall submit to Congress the data compiled under paragraph (3) and a report on the data.

(B) AVAILABILITY.—Each report submitted under subparagraph (A) shall be made available to the public.

SA 1344. Mr. CARPER (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 942, between lines 17 and 18, insert the following:

SEC. 1122. BETTER ENFORCEMENT THROUGH TRANSPARENCY AND ENHANCED REPORTING ON THE BORDER ACT.

(a) SHORT TITLE.—This section may be cited as the ''Better Enforcement Through Transparency and Enhanced Reporting on the Border Act'' or the ''BETTER Border Act''.

(b) OFFICE OF HOMELAND SECURITY STATISTICS.—

(1) ESTABLISHMENT.—There is established within the Department an Office of Homeland Security Statistics (referred to in this section as the ''Office''), which shall be headed by a Director.

(2) TRANSFER OF FUNCTIONS.—

(A) ABOLISHMENT OF OFFICE OF IMMIGRATION STATISTICS.—The Office of Immigration Statistics of the Department is abolished.

(B) TRANSFER OF FUNCTIONS.—All functions and responsibilities of the Office of Immigration Statistics as of the day before the date of the enactment of this Act, including all of the personnel, assets, components, authorities, programs, and liabilities of the Office of Immigration Statistics, are transferred to the Office of Homeland Security Statistics.

(3) DUTIES.—The Director of the Office shall—

(A) collect information from agencies of the Department, including internal databases used to—

(i) undertake border inspections;

(ii) identify visa overstays;

(iii) undertake immigration enforcement actions; and

(iv) grant immigration benefits;

(B) produce the annual report required to be submitted to Congress under subsection (c); and

(C) collect the information described in section 103(d) of the Immigration and Nationality Act (8 U.S.C. 1103(d)) and disseminate such information to Congress and to the public;

(D) produce any other reports and conduct any other work that the Office of Immigration Statistics was required to produce or conduct before the date of the enactment of this Act; and

(E) produce such other reports or conduct such other work as the Secretary determines to be necessary.

(4) INTRADEPARTMENTAL DATA SHARING.—Agencies and offices of the Department shall share any data that is required to comply with this section.

(5) CONSULTATION.—In carrying out this subsection, the Director of the Office shall consult with the Ombudsman for Immigration Related Concerns to the greatest extent practicable.

(6) PLACEMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall notify Congress where the Office has been established within the Department.

(7) CONFORMING AMENDMENT.—Section 103(d) (8 U.S.C. 1103(d)) is amended by striking ''Commissioner'' and inserting ''Director of the Office of Homeland Security Statistics''.

(c) REPORT ON PERFORMANCE METRICS.—

(1) IN GENERAL.—In addition to any reports required to be produced by the Office of Immigration Statistics before the date of enactment of this Act, the Director, on an annual basis, shall submit to Congress a report on performance metrics that will enable—

(A) the Department to develop an understanding of—

(i) the security of the border;

(ii) efforts to enforce immigration laws within the United States; and

(iii) the overall working of the immigration system; and

(B) policy makers, including Congress—

(i) to make more effective investments in order to secure the border;

(ii) to enforce the immigration laws of the United States; and

(iii) to ensure that the Federal immigration system is working efficiently at every level.

(2) CONTENTS.—The report required under paragraph (1) shall contain outcome performance measures, for the year covered by the report, including—

(A) for the areas between ports of entry—

(i) the estimated number of attempted illegal entries, the estimated number of successful entries, and the number of apprehensions, categorized by sector;

(ii) the number of individuals that attempted to cross the border and information concerning how many times individuals attempted to cross, categorized by sector;

(iii) the number of individuals returned to Mexico voluntarily, criminally prosecuted, and receiving any other form of sanctions, categorized by sector; and

(iv) the recidivism rates for all classes of individuals apprehended, including individuals returned to Mexico voluntarily, criminally prosecuted, and receiving any other form of sanctions, categorized by sector;

(B) for ports of entry—

(i) the estimated number of attempted illegal entries, the number of apprehensions, and the estimated number of successful entries, categorized by field office; and

(ii) information compiled based on random samples of secondary inspections, including estimates of the effectiveness of inspectors in identifying civil and criminal immigration and customs violations, categorized by field office; and

(iii) enforcement outcomes for individuals denied admission, including the number of—

(I) individuals allowed to withdraw their application for admission or voluntarily return to their country of origin;

(II) individuals referred for criminal prosecution; and

(III) individuals receiving any other form of administrative sanction;

(C) for visa overstays—

(i) the number of people that overstay the terms of their admission into the United States, categorized by—

(I) nationality;

(II) type of visa or entry; and

(III) length of time an individual overstayed, including—

(aa) the number of individuals who overstayed less than 180 days;

(bb) the number of individuals who overstayed less than 1 year; and

(cc) the number of individuals who overstayed for 1 year or longer; and

(ii) estimates of the total number of unauthorized aliens in the United States that entered legally and overstayed the terms of their admission;

(D) for interior enforcement—

(i) the number of arrests made by U.S. Immigration and Customs Enforcement for civil violations of immigration laws and the number of arrests made for criminal violations, categorized by Special Agent in Charge field office;

(ii) the legal basis for the arrests pursuant to criminal statutes described in clause (i);

(iii) the ultimate disposition of the arrests described in clause (i);

(iv) the overall number of removals and the number of removals, by nationality;

(v) the overall average length of detention and the length of detention, by nationality; and

(vi) the number of referrals from U.S. Citizenship and Immigration Services to Immigration and Customs Enforcement, and the ultimate outcome of these referrals, including how many resulted in removal proceedings;

(E) for immigration benefits—

(i) the number of applications processed, rejected, and accepted each year for all categories of immigration benefits, categorized by visa type;

(ii) the mean and median processing times for all categories of immigration benefits, categorized by visa type; and

(iii) data relating to fraud uncovered in applications for all categories of immigration benefits, categorized by visa type; and

(F) for the Employment Verification System established under section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a)—

(i) the total number of tentative nonconfirmations (further action notices);

(ii) the number of tentative nonconfirmations issued to workers who were subsequently found to be authorized for employment in the United States;

(iii) the total number of final nonconfirmations;

(iv) the number of final nonconfirmations issued to workers who were subsequently found to be authorized for employment in the United States;

(v) the total number of confirmations; and

(vi) the estimated number of confirmations issued to unauthorized workers.

(d) EARLY WARNING SYSTEM.—Using the data collected by the Office under this section, the Secretary shall establish an early warning system to estimate future illegal immigration, which shall monitor the outcome performance measures described in subsection (c)(2), along with political, economic, demographic, law enforcement, and other trends that may affect such outcomes.

(e) SYSTEMATIC MODELING OF ILLEGAL IMMIGRATION TRENDS.—The Secretary shall provide for the systematic modeling of illegal immigration trends to develop forecast models of illegal immigration flows and estimates for the undocumented population residing within the United States.

(f) EXTERNAL REVIEW OF HOMELAND SECURITY DATA.—

(1) IN GENERAL.—The Secretary, in consultation with the National Academy of Sciences, shall make raw data collected by the Department, including individual-level data subject to the requirements in paragraph (3), on border security, immigration enforcement, and immigration benefits available for research on immigration trends, to—

(A) appropriate academic institutions and centers of excellence;

(B) the Congressional Research Service; and

(C) the Government Accountability Office.

(2) PUBLIC RELEASE OF DATA.—The Secretary shall ensure that data of the Department on border security, immigration enforcement, and immigration benefits is released to the public to the maximum degree permissible under Federal law to increase the confidence of the public in the credibility and objectivity of measurements related to the management and outcomes of immigration and border control processes.

(3) REQUIREMENTS.—In carrying out this subsection, the Secretary, in consultation with the National Academy of Sciences—

(A) shall ensure that the data described in paragraphs (1) and (2) is anonymized to safeguard individual privacy;

(B) may mask location data below the sector, district field office, or special agent in charge office level to protect national security; and

(C) shall not be required to provided classified information to individuals other than to those individuals who have appropriate security clearances.

(g) AVAILABILITY OF FUNDS.—The Secretary may use such sums as may be necessary from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1)—

(1) to establish the Office; and

(2) to produce reports related to securing the border and enforcing the immigration laws of the United States.

SA 1345. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 889, between lines 19 and 20, insert the following:

(d) LIMIT ON FUTURE SPENDING.—

(1) ANNUAL COST REPORTS.—Beginning on September 1, 2015, and annually thereafter, the Director of the Congressional Budget Office shall issue an annual report that—

(A) certifies whether all of the projected Federal costs starting with the next fiscal year and for the following 9 fiscal years, are fully offset by projected savings, during the applicable 10-year period; and

(B) provides detailed estimates of the costs and savings, year by year, program by program, and provision by provision.

(2) FUTURE FEES.—If a report required by paragraph (1) provides that the projected costs are not fully offset by the projected savings, the Secretary shall increase the fees authorized by this Act, and by the amendment made by this Act, in an amount equal to the amount of such costs that are not offset by the amount of such savings.

(3) DEFINITIONS.—In this subsection:

(A) COSTS.—The term ''costs'' means the increased spending and revenue reductions resulting from this Act and the amendments made by this Act.

(B) SAVINGS.—The term ''savings'' means the revenue increases and decreased expenditures resulting from this Act and the amendments made by this Act.

SA 1346. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1319, between lines 17 and 18, insert the following:

''(G) VOLUNTARY PROGRAM ON IDENTITY AUTHENTICATION.—

''(i) IN GENERAL.—Not later than 18 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary shall establish by regulation, as part of an optional electronic platform for accessing the System, an identity authentication program that is made available to individuals and entities on a voluntary basis and that contains additional mechanisms for authenticating an individual's identity and using the authenticated identity information for employment eligibility verification purposes.

''(ii) DESIGN AND OPERATION OF PROGRAM.—The voluntary program required by clause (i) shall be designed and operated to include an identity verification platform that—

''(I) uses state-of-the-art multidimensional knowledge-based authentication technology to determine to a high degree of accuracy whether an individual presenting biographic information is the individual with that true identity;

''(II) to the extent helpful in acquiring the best technology to implement the program, is operated pursuant to a contract or other agreement with a nongovernmental entity or entities, but that remains under the control of the Secretary as to the use of all determinations communicated by the platform, regardless of the entity operating the platform;

''(III) communicates tentative and final nonconfirmations of identity;

''(IV) is integrated with the System so that employment authorizations will be determined for all individuals identified as presenting their true identities through the databases maintained by the Commissioner of Social Security and the Secretary;

''(V) is designed to make risk-based assessments regarding the reliability of a claim of a identity made by an individual presenting biographic information and to tailor the identity determination in accordance with those assessments;

''(VI) is designed to permit queries to be presented to individuals subject to identity verification at the time their identities are being verified in a manner that permits rapid communication through Internet, mobile phone, and landline telephone connections to facilitate identity-proofing;

''(VII) generates queries that conform to the context of the identity verification process and the circumstances of the individual whose identity is being verified;

''(VIII) uses publicly available databases as well as databases under the jurisdiction of the Commissioner of Social Security, the Secretary of Homeland Security (including the U.S.-VISIT data base), and the Secretary of State (including passport and visa databases) to formulate queries to be presented to individuals whose identities are being verified;

''(IX) will not retain data collected by the platform within any database separate from the one in which the platform is located and will limit access to the existing databases to a reference process that shields the operator of the platform from acquiring possession of the data beyond the formulation of queries and verification of responses;

''(X) does not permit individuals or entities using the System access to any data related to the individuals whose identities are being verified beyond confirmations and tentative and final nonconfirmations of identity;

''(XI) provides online assistance to individuals receiving tentative nonconfirmations of identity to correct errors in records and achieve appropriate confirmations to the greatest extent and as rapidly as possible;

''(XII) is subject to a review and appeals process by administratively responsible personnel to correct errors in the capabilities of the platform;

''(XIII) may include, if feasible, a capability for permitting document and biometric inputs that can be offered to individuals and entities using the System and may be used at the option of employees to facilitate identity verification (but which would not be required of either employers or employees); and

''(XIV) is developed, to the greatest extent possible, in accordance with the timeframes specified in this Act.

''(iii) IDENTITY AUTHENTICATION AND SELF-VERIFICATION.—During the period beginning on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act and ending on the date on which the identity authentication program established under clause (i) is available for use by employers, an employer may use a verification system, service, or method in addition to those provided for in this section to confirm the identity of an individual without incurring liability under section 274B if—

''(I) the employer imposes the same requirement in a uniform manner on all individuals undergoing employment eligibility verification; and

''(II) the employer does not impose such a requirement for any purpose other than identity authentication with respect to newly hired employees.

SA 1347. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1700, between lines 6 and 7, insert the following:

SEC. 4225. SMALL BUSINESS EXPRESS LANE.

Section 212(n) of the Immigration and Nationality Act (8 U.S.C. 1182(n)), as amended by section 4231, is amended by adding at the end the following:

''(8)(A) The Secretary shall establish a small business express lane for the H-1B visa application process, under which the Secretary—

''(i) may waive the fee for premium processing under section 286(u) for a business that—

''(I) is considered a small business with not more than 25 employees;

''(II) is not considered an H-1B dependent employer; and

''(III) reports a business income on the tax filings for the previous year of not more than $250,000; and

''(ii) shall, to the extent practicable, create or modify an online interface capable of providing real time feedback and error mitigation technology that can be used by small businesses and other employers with the purpose of increasing employer access in streamlining the H-1B visa application process.

''(B) The total amount of fees waived during a fiscal year by the Secretary under subparagraph (A)(i) shall be added to the projected cost for the service in the following fiscal year and a revised fee shall be established based on the projected cost.

''(C) The Secretary shall, to the extent practicable, create an online interface and mobile application that can be used by small businesses and other employers with the purpose of increasing employer access in streamlining the H-1B visa application process.

''(D)(i) The Secretary, in coordination with the Administrator of the Small Business Administration, shall set a goal of not less than 30 percent of H-1B visas being awarded to small businesses.

''(ii) Of the goal amount described in clause (i)—

''(I) ⅓ of the goal shall be reserved for businesses with not more than 25 employees; and

''(II) ⅔ of the goal may be used by businesses with not more than 500 employees.

''(iii) The goal described in clause (i) may be modified by the Secretary, in consultation with the Administrator of the Small Business Administration, based on any feedback provided by the Office of Advocacy of the Small Business Administration.

''(E) The Bureau of Immigration and Labor Market Research shall submit a report, on an annual basis, to the Committee on the Judiciary of the Senate, the Small Business and Entrepreneurship Committee of the Senate, the Committee on the Judiciary of the House of Representatives, and the Small Business and Entrepreneurship Committee of the House of Representatives that contains—

''(i) the total number of H-1B visa applications broken down by business size category and expressed as a percentage of the total—

''(I) 0–25 employees;
''(II) 26–50 employees;
''(III) 50–100 employees;
''(IV) 100–500 employees; or
''(V) more than 500 employees;
''(ii) the total number of H-1B visa applications broken down by North American Industry Classification System (NAICS) Code and expressed as a percentage of the total; and
''(iii) the percentage and number of—
''(I) small businesses to apply for H-1B visas;
''(II) small businesses awarded H-1B visas;
''(III) small businesses that used the premium processing service;
''(IV) all businesses that used the premium processing service and were awarded H-1B visas; and
''(V) all businesses that did not use the premium processing service and were awarded H-1B visas; and
''(iv) a longitudinal and graphical view of the small business percentages described in subparagraph (D) and this subparagraph.
''(F) Beginning 4 years after the date of enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and every 4 years thereafter, as part of the report submitted under subparagraph (E), the Bureau of Immigration and Labor Market Research shall include description of the impact of the application process on the on small business, which shall take into consideration—
''(i) the cost to apply for the visas;
''(ii) the impact of the fee waiver under subparagraph (A)(i) on small businesses; and
''(iii) recommendations for streamlining the application process, including recommended modifications and updates to the online user interface and mobile application.''.

SA 1348. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 949, between lines 21 and 22, insert the following:
''(4) ENGLISH SKILLS.—An alien is not eligible for registered provisional immigrant status unless the alien establishes that the alien meets the requirements of section 245C(b)(4).''.

SA 1349. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 955, strike line 21 and all that follows through page 961, line 13, and insert the following:
(6) ELIGIBILITY AFTER DEPARTURE.—An alien who departed from the United States, while subject to an order of exclusion, deportation, or removal, or pursuant to an order of voluntary departure, who is outside of the United States, or who has reentered the United States illegally after December 31, 2011 without receiving the Secretary's consent to reapply for admission under section 212(a)(9), shall not be eligible to file an application for registered provisional immigrant status.

SA 1350. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1491, strike line 8 and all that follows through page 1496, line 25, and insert the following:
SEC. 3502. IMPROVING IMMIGRATION COURT EFFICIENCY AND REDUCING COSTS BY INCREASING ACCESS TO LEGAL INFORMATION.
(a) RIGHT TO REVIEW CERTAIN DOCUMENTS IN REMOVAL PROCEDINGS.—Section 240(b) (8 U.S.C. 1229a(b)) is amended—
(1) in paragraph (4)—
(A) in subparagraph (A), by striking the comma at the end and inserting a semicolon;
(B) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and
(C) by inserting after subparagraph (A) the following:
''(B) the alien shall, at the beginning of the proceedings or at a reasonable time thereafter, automatically receive a complete copy of all relevant documents in the possession of the Department of Homeland Security, including all documents (other than documents protected from disclosure by privilege, including national security information referenced in subparagraph (C), law enforcement sensitive information, and information prohibited from disclosure pursuant to any other provision of law) contained in the file maintained by the Government that includes information with respect to all transactions involving the alien during the immigration process (commonly referred to as an 'A-file') and all documents pertaining to the alien that the Department of Homeland Security has obtained or received from other government agencies, unless the alien waives the right to receive such documents by executing a knowing and voluntary waiver in a language that he or she understands fluently;''; and
(2) by adding at the end the following:
''(8) FAILURE TO PROVIDE ALIEN REQUIRED DOCUMENTS.—In the absence of a waiver under paragraph (4)(B), a removal proceeding may not commence until the alien has received the documents required under such subparagraph.''.
(b) CLARIFICATION REGARDING PROVISION OF COUNSEL TO ALIENS IN IMMIGRATION PROCEEDINGS.—Section 292 (8 U.S.C. 1362) is amended—
(1) by inserting ''(a)'' before ''In any'';
(2) by striking ''he shall'' and inserting ''the person shall''; and
(3) by adding at the end the following:
''(b) The Government is not required to provide counsel to aliens under subsection (a).''.

SA 1351. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1491, strike line 8 and all that follows through page 1496, line 25, and insert the following:
SEC. 3502. IMPROVING IMMIGRATION COURT EFFICIENCY AND REDUCING COSTS BY INCREASING ACCESS TO LEGAL INFORMATION.
(a) RIGHT TO REVIEW CERTAIN DOCUMENTS IN REMOVAL PROCEDINGS.—Section 240(b) (8 U.S.C. 1229a(b)) is amended—
(1) in paragraph (4)—
(A) in subparagraph (A), by striking the comma at the end and inserting a semicolon;
(B) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and
(C) by inserting after subparagraph (A) the following:
''(B) the alien shall, at the beginning of the proceedings or at a reasonable time thereafter, automatically receive a complete copy of all relevant documents in the possession of the Department of Homeland Security, including all documents (other than documents protected from disclosure by privilege, including national security information referenced in subparagraph (C), law enforcement sensitive information, and information prohibited from disclosure pursuant to any other provision of law) contained in the file maintained by the Government that includes information with respect to all transactions involving the alien during the immigration process (commonly referred to as an 'A-file') and all documents pertaining to the alien that the Department of Homeland Security has obtained or received from other government agencies, unless the alien waives the right to receive such documents by executing a knowing and voluntary waiver in a language that he or she understands fluently;''; and
(2) by adding at the end the following:
''(8) FAILURE TO PROVIDE ALIEN REQUIRED DOCUMENTS.—In the absence of a waiver under paragraph (4)(B), a removal proceeding may not commence until the alien has received the documents required under such subparagraph.''.
(b) CLARIFICATION REGARDING PROVISION OF COUNSEL TO ALIENS IN IMMIGRATION PROCEEDINGS.—Section 292 (8 U.S.C. 1362) is amended—
(1) by inserting ''(a)'' before ''In any'';
(2) by striking ''he shall'' and inserting ''the person shall''; and
(3) by adding at the end the following:
''(b) The Government is not required to provide counsel to aliens under subsection (a).''.
(c) REPEAL.—Subsections (b), (c), and (d) of section 2104 of this Act and the amendments to section 242 of the Immigration and Nationality Act, which were made by section 2104(b) of this Act, are repealed.

SA 1352. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 945, strike line 21 and all that follows through page 948, line 23, and insert the following:
''(III) an offense (unless the applicant demonstrates, by clear and convincing evidence, that he or she is innocent of the offense, that he or she is the victim of such offense, or that no offense occurred), which is classified as a misdemeanor in the convicting jurisdiction, and which involved—
''(aa) domestic violence or child abuse and neglect (as such terms are defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)));
''(bb) assault resulting in bodily injury or the violation of a protection order (as such terms are defined in section 2266 of title 18, United States Code); or
''(cc) driving while intoxicated (as defined in section 164 of title 23, United States Code);
''(IV) 2 or more misdemeanor offenses (other than minor traffic offenses or State or

local offenses for which an essential element was the alien's immigration status or violations of this Act);

''(V) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) (excluding the paragraphs set forth in clause (ii)) or removable under section 237(a), except as provided in paragraph (3) of section 237(a); or

''(VI) unlawful voting (as defined in section 237(a)(6));

''(ii) is inadmissible under section 212(a), except that in determining an alien's inadmissibility—

''(I) paragraphs (4), (5), (7), and (9)(B) of section 212(a) shall not apply;

''(II) subparagraphs (A), (C), (D), (F), and (G) of section 212(a)(6) and paragraphs (9)(C) and (10)(B) of section 212(a) shall not apply unless based on the act of unlawfully entering the United States after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; and

''(III) paragraphs (6)(B) and (9)(A) of section 212(a) shall not apply unless the relevant conduct began on or after the date on which the alien files an application for registered provisional immigrant status under this section;

''(iii) is an alien who the Secretary knows or has reasonable grounds to believe, is engaged in or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iv)); or

''(iv) was, on April 16, 2013—

''(I) an alien lawfully admitted for permanent residence;

''(II) an alien admitted as a refugee under section 207 or granted asylum under section 208; or

''(III) an alien who, according to the records of the Secretary or the Secretary of State, is lawfully present in the United States in any nonimmigrant status (other than an alien considered to be a nonimmigrant solely due to the application of section 244(f)(4) or the amendment made by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229)), notwithstanding any unauthorized employment or other violation of nonimmigrant status.

''(B) WAIVER.—

''(i) IN GENERAL.—The Secretary may waive the application of any provision of section 212(a) that is not listed in clause (ii) on behalf of an alien for humanitarian purposes, to ensure family unity, or if such a waiver is otherwise in the public interest. Any discretionary authority to waive grounds of inadmissibility under section 212(a) conferred under any other provision of this Act shall apply equally to aliens seeking registered provisional status under this section.

SA 1353. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 946, strike line 15 and all that follows through ''(5)'' on page 950, line 1, and insert the following:

''(ii) is inadmissible under section 212(a);

''(iii) is an alien who the Secretary knows or has reasonable grounds to believe, is engaged in or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iv)); or

''(iv) was, on April 16, 2013—

''(I) an alien lawfully admitted for permanent residence;

''(II) an alien admitted as a refugee under section 207 or granted asylum under section 208; or

''(III) an alien who, according to the records of the Secretary or the Secretary of State, is lawfully present in the United States in any nonimmigrant status (other than an alien considered to be a nonimmigrant solely due to the application of section 244(f)(4) or the amendment made by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229)), notwithstanding any unauthorized employment or other violation of nonimmigrant status.

''(B) WAIVER.—The Secretary may waive the application of subparagraph (A)(i)(III) on behalf of an alien for humanitarian purposes, to ensure family unity, or if such a waiver is otherwise in the public interest. Any discretionary authority to waive grounds of inadmissibility under section 212(a) conferred under any other provision of this Act shall apply equally to aliens seeking registered provisional status under this section.

''(C) CONVICTION EXPLAINED.—For purposes of this paragraph, the term 'conviction' does not include a judgment that has been expunged, set aside, or the equivalent.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to require the Secretary to commence removal proceedings against an alien.

''(5)

SA 1354. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 945, strike line 21 and all that follows through ''(5)'' on page 950, line 1, and insert the following:

''(III) an offense (unless the applicant demonstrates, by clear and convincing evidence, that he or she is innocent of the offense, that he or she is the victim of such offense, or that no offense occurred), which is classified as a misdemeanor in the convicting jurisdiction, and which involved—

''(aa) domestic violence or child abuse and neglect (as such terms are defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)));

''(bb) assault resulting in bodily injury or the violation of a protection order (as such terms are defined in section 2266 of title 18, United States Code); or

''(cc) driving while intoxicated (as defined in section 164 of title 23, United States Code);

''(IV) 2 or more misdemeanor offenses (other than minor traffic offenses or State or local offenses for which an essential element was the alien's immigration status or violations of this Act);

''(V) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) (excluding the paragraphs set forth in clause (ii)) or removable under section 237(a), except as provided in paragraph (3) of section 237(a); or

''(VI) unlawful voting (as defined in section 237(a)(6));

''(ii) is inadmissible under section 212(a);

''(iii) is an alien who the Secretary knows or has reasonable grounds to believe, is engaged in or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iv)); or

''(iv) was, on April 16, 2013—

''(I) an alien lawfully admitted for permanent residence;

''(II) an alien admitted as a refugee under section 207 or granted asylum under section 208; or

''(III) an alien who, according to the records of the Secretary or the Secretary of State, is lawfully present in the United States in any nonimmigrant status (other than an alien considered to be a nonimmigrant solely due to the application of section 244(f)(4) or the amendment made by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229)), notwithstanding any unauthorized employment or other violation of nonimmigrant status.

''(B) CONVICTION EXPLAINED.—For purposes of this paragraph, the term 'conviction' does not include a judgment that has been expunged, set aside, or the equivalent.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to require the Secretary to commence removal proceedings against an alien.

''(5)

SA 1355. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. REMOVAL OF CRIMINAL ALIENS.

(a) SHORT TITLE.—This section may be cited as the ''Criminal Alien Removal Act of 2013''.

(b) DEFINITIONS.—In this section:

(1) CRIMINAL ALIEN.—Except as otherwise provided, the term ''criminal alien'' means an alien who—

(A) is inadmissible by reason of having committed any offense covered in section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 182(a)(2));

(B) is deportable by reason of having committed any offense covered in subparagraph (A)(ii), (A)(iii), (B), (C), or (D) of section 237(a)(2) of such Act (8 U.S.C. 1227(a)(2));

(C) is deportable under section 237(a)(2)(A)(i) of such Act (8 U.S.C. 1227(a)(2)(A)(i)) on the basis of an offense for which the alien has been sentenced to a term of imprisonment of at least 1 year; or

(D) is inadmissible under section 212(a)(3)(B) (8 U.S.C. 1182(a)(3)(B)) or deportable under section 237(a)(4)(B) (8 U.S.C. 1227 (a)(4)(B)).

(2) CRIMINAL ALIEN PROGRAM.—The term ''Criminal Alien Program'' means the Criminal Alien Program required by subsection (c).

(c) CRIMINAL ALIEN PROGRAM.—

(1) REQUIREMENT FOR CRIMINAL ALIEN PROGRAM.—The Secretary shall carry out a program known as the ''Criminal Alien Program'' for the purposes described in paragraph (2).

(2) PURPOSES.—The purposes of the Criminal Alien Program are to—

(A) identify criminal aliens who are incarcerated in a Federal, State, or local correctional facility;

(B) ensure that such aliens are not released into the community upon the alien's release from such incarceration, without regard to whether the alien is released on parole, supervised release, or probation; and

(C) remove such aliens from the United States upon such release.

(3) TECHNOLOGY USAGE.—To carry out the Criminal Alien Program in remote locations,

the Secretary shall, to the maximum extent practicable—

(A) employ technology, such as videoconferencing in such locations if necessary;

(B) utilize mobile access to Federal databases of aliens, including existing systems and new integrated data system required by this Act; and

(C) utilize electronic Livescan fingerprinting technology in order to make such resources available to State and local law enforcement agencies in such locations.

(4) PARTICIPATION BY STATES AND LOCALITIES.—

(A) IN GENERAL.—Notwithstanding any other provision of law, a State or locality shall not be eligible to receive funds pursuant to a program described in subparagraph (B) unless the appropriate officials of such State or locality—

(i) cooperate with the Secretary to carry out the Criminal Alien Program;

(ii) expeditiously and systematically identify criminal aliens who are incarcerated in a prison or jail located in such State or locality; and

(iii) promptly convey the information collected under clause (ii) to the Secretary to carry out the Criminal Alien Program.

(B) PROGRAMS.—The programs described in this subparagraph are any law enforcement grant program carried out by personnel of any element of the Department of Justice, including the program described in section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)).

(C) OTHER AUTHORITIES.—To assist States and localities in participating in the Criminal Alien Program, appropriate officials of a State or locality—

(i) are authorized to hold an illegal alien for a period of up to 14 days after the date such alien completes a term of incarceration within the State or locality in order to effectuate the transfer of such alien to Federal custody if the alien is removable or not lawfully present in the United States; and

(ii) are authorized to issue a detainer that would allow an alien who completes a term of incarceration within the State or locality to be detained by the State or local prison until personnel from U.S. Immigration and Customs Enforcement is able to take the alien into custody.

(5) EVALUATION OF INCARCERATED ALIEN POPULATIONS.—The Secretary, acting in conjunction with the Attorney General and the appropriate officials of the States and localities, as appropriate, shall carry out the Criminal Alien Program as follows:

(A) Not later than 1 year after the date of the enactment of this Act, identify each criminal aliens who—

(i) is incarcerated in a Federal correctional facility; and

(ii) will be deportable or removable upon release from such incarceration.

(B) Not later than 3 years after such date of enactment, identify each criminal alien who—

(i) is incarcerated in State or local correctional facility;

(ii) is serving a term of 3 or more years; and

(iii) will be deportable or removable upon release from such incarceration.

(d) REMOVAL OF IDENTIFIED CRIMINAL ALIENS.—Criminal aliens who are incarcerated and identified as deportable or removable under subsection (c)(5) shall be ordered removed and deported within 90 days.

(e) REDESIGNATION.—

(1) IN GENERAL.—Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is—

(A) redesignated as section 295 of the Immigration and Nationality Act; and

(B) inserted into such Act after section 294 of such Act.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section of the Immigration and Nationality Act is amended by adding after the item related to section 294 the following:

''Sec. 295. Communication between government agencies and the Immigration and Naturalization Service.''.

(f) REPORTS TO CONGRESS.—The Secretary shall submit to Congress reports on the implementation of the Criminal Alien Program and the other provisions of this section, including the Secretary's progress in meeting the deadlines set out in subsection (c)(5) as follows:

(1) An initial report not later than 60 days after the deadline described in subsection (c)(5)(A).

(2) A second report not later than 60 days after the deadline described in subsection (c)(5)(B).

(3) An annual report thereafter.

SA 1356. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 855, strike line 24 and all that follows through page 856, line 9, and insert the following:

(1) PROCESSING OF APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—The Secretary may not commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, unless, during the first 120-calendar day period of continuous session of Congress after the receipt of the submissions required by paragraph (2), Congress passes a Joint Resolution of Approval of the Comprehensive Southern Border Security Strategy and the Southern Border Fencing Strategy in accordance with this subsection, and such Joint Resolution is enacted into law.

(2) SUBMISSION OF COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY AND THE SOUTHERN BORDER FENCING STRATEGY.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall submit to Congress and the Comptroller General, and make the available to the public through a website of the Department—

(A) the Comprehensive Southern Border Security Strategy;

(B) the Southern Border Fencing Strategy; and

(C)(i) an assessment of the laws the Secretary is required to enforce under the Immigration and Nationality Act and other immigration laws;

(ii) the progress of the Secretary in implementing such laws; and

(iii) a plan for required additional enforcement of such laws.

(3) GAO REVIEW.—Not later than 90 days after the date of the submissions under paragraph (2), the Comptroller General shall submit to Congress a report analyzing the submission made under paragraph (2).

(4) CONGRESSIONAL REVIEW.—Congress shall seek the input of the American people on the Comprehensive Southern Border Security Strategy and the Southern Border Fencing Strategy and hold any hearings Congress determines are necessary for reviewing such Strategies.

(5) JOINT RESOLUTION OF APPROVAL.—

(A) RESOLUTION OF APPROVAL.—In this paragraph, the term ''Resolution of Approval'' means a Joint Resolution of the Congress entitled ''Joint Resolution Approving the Comprehensive Southern Border Security Strategy and the Southern Border Fencing Strategy'', the sole matter after the resolving clause of which is as follows:

''That Congress approves the Comprehensive Southern Border Security Strategy and the Southern Border Fencing Strategy submitted to Congress on _____, in accordance with the provisions of the Border Security, Economic Opportunity, and Immigration Modernization Act.''.

(B) PROCEDURES APPLICABLE TO THE SENATE.—

(i) RULEMAKING AUTHORITY.—The provisions under this subparagraph are enacted by Congress—

(I) as an exercise of the rulemaking power of the Senate, and as such they are deemed a part of the rules of the Senate, but applicable only with respect to the procedure to be followed in the Senate in the case of a Resolution of Approval, and such provisions supersede other rules of the Senate only to the extent that they are inconsistent with such other rules; and

(II) with full recognition of the constitutional right of the Senate to change the rules (so far as relating to the procedure of the Senate) at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.

(ii) INTRODUCTION; REFERRAL.—

(I) IN GENERAL.—Not later than the third day on which the Senate is in session following the day on which the submissions required by paragraph (2) are received by the Congress, a Resolution of Approval shall be introduced (by request) in the Senate by either the Majority Leader or Minority Leader. If the Resolution of Approval is not introduced as provided in the preceding sentence, any Senator may introduce a Resolution of Approval on the fourth day on which the Senate is in session after the date of the receipt of the submissions required by paragraph (2).

(II) REFERRAL.—Upon introduction, the Resolution of Approval shall be referred jointly to each of the committees having jurisdiction over the subject matter in the submissions required by paragraph (2) by the President of the Senate. Upon the expiration of 60 days of continuous session after the introduction of the Resolution of Approval, each committee to which the Resolution of Approval was referred shall make its recommendations to the Senate.

(III) DISCHARGE.—If any committee to which a Resolution of Approval is referred has not reported the Resolution of Approval at the end of 60 days of continuous session of the Congress after introduction of the Resolution of Approval, such committee shall be discharged from further consideration of the Resolution of Approval, and the Resolution of Approval shall be placed on the legislative calendar of the Senate.

(iii) CONSIDERATION.—

(I) IN GENERAL.—When each committee to which a Resolution of Approval has been referred has reported, or has been discharged from further consideration of, the Resolution

of Approval it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) for any Member of the Senate to move to proceed to the consideration of the Resolution of Approval. Such motion shall not be debatable. If a motion to proceed to the consideration of the Resolution of Approval is agreed to, the Resolution of Approval shall remain the unfinished business of the Senate until the disposition of the Resolution of Approval.

(II) DEBATE.—Debate on the Resolution of Approval, and on all debatable motions and appeals in connection with the Resolution of Approval, shall be limited to not more than 30 hours, which shall be divided equally between Members favoring and Members opposing the Resolution of Approval. A motion to further limit debate shall be in order and shall not be debatable. The Resolution of Approval shall not be subject to amendment, to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to recommit the Resolution of Approval shall not be in order.

(III) FINAL VOTE.—Immediately following the conclusion of the debate on the Resolution of Approval, and a single quorum call at the conclusion of such debate if requested in accordance with the rules of the Senate, the vote on the Resolution of Approval shall occur.

(IV) APPEALS.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to the Resolution of Approval shall be limited to 1 hour of debate.

(iv) RECEIPT OF A RESOLUTION FROM THE HOUSE.—If the Senate receives from the House of Representatives a Resolution of Approval, the following procedures shall apply:

(I) A Resolution of Approval of the House of Representatives received in the Senate shall not be referred to a committee and shall be placed on the Senate calendar, except that it shall not be in order to consider the Resolution of Approval received from the House of Representatives until such time as each committee to which the Resolution of Approval introduced in the Senate was referred under clause (ii)(II) reports the Resolution of Approval or is discharged from further consideration of the Resolution of Approval, pursuant to this subparagraph.

(II) With respect to the disposition by the Senate of a Resolution of Approval, on any vote on final passage of a Resolution of Approval of the Senate, a Resolution of Approval received from the House of Representatives shall be automatically substituted for the resolution of the Senate.

(C) PROCEDURES APPLICABLE TO THE HOUSE OF REPRESENTATIVES.—

(i) RULEMAKING AUTHORITY.—The provisions of this subparagraph are enacted by Congress—

(I) as an exercise of the rulemaking power of the House of Representatives, and as such they are deemed a part of the rules of the House of Representatives, but applicable only with respect to the procedure to be followed in the House of Representatives in the case of a Resolution of Approval, and such provisions supersede other rules of the House of Representatives only to the extent that they are inconsistent with such other rules; and

(II) with full recognition of the constitutional right of the House of Representatives to change the rules (so far as relating to the procedure of the House of Representatives) at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

(ii) INTRODUCTION; REFERRAL.—

(I) IN GENERAL.—Not later than the third day on which the House of Representatives is in session following the day on which the submissions required by paragraph (2) are received by the Congress, a Resolution of Approval shall be introduced (by request) in the House of Representatives by either the Speaker of the House of Representatives or the Minority Leader. If the Resolution of Approval is not introduced as provided in the preceding sentence, any Member may introduce a Resolution of Approval on the fourth day on which the House of Representatives is in session after the date of the receipt of the submissions required by paragraph (2).

(II) REFERRAL.—A Resolution of Approval shall upon introduction be immediately referred to the appropriate committee or committees of the House of Representatives. Any Resolution of Approval received from the Senate shall be held at the Speaker's table.

(III) DISCHARGE.—Upon the expiration of 60 days of continuous session after the introduction of a Resolution of Approval, each committee to which the Resolution of Approval was referred shall be discharged from further consideration of the Resolution of Approval, and the Resolution of Approval shall be referred to the appropriate calendar, unless the Resolution of Approval or an identical resolution was previously reported by each committee to which it was referred.

(iii) CONSIDERATION.—It shall be in order for the Speaker to recognize a Member favoring the Resolution of Approval to call up the Resolution of Approval after it has been on the appropriate calendar for 5 legislative days. When a Resolution of Approval is called up, the House of Representatives shall proceed to its immediate consideration and the Speaker shall recognize the Member calling up the Resolution of Approval and a Member opposed to the Resolution of Approval for 10 hours of debate in the House of Representatives, to be equally divided and controlled by such Members. When such time has expired, the previous question shall be considered as ordered on the Resolution of Approval to adoption without intervening motion. No amendment to the Resolution of Approval shall be in order, nor shall it be in order to move to reconsider the vote by which the Resolution of Approval is agreed to or disagreed to.

(iv) RECEIPT OF RESOLUTION FROM SENATE.—If the House of Representatives receives from the Senate a Resolution of Approval:

(I) The Resolution of Approval shall not be referred to a committee.

(II) With respect to the disposition of the House of Representatives of the Resolution of Approval—

(aa) the procedure with respect to the Resolution of Approval introduced in the House of Representatives shall be the same as if no Resolution of Approval had been received from the Senate; but

(bb) the vote on final passage in the House of Representatives shall be on the Resolution of Approval received from the Senate.

SA 1357. Mr. COBURN (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 955, strike lines 1 through 5, and insert the following:

(C) INTERVIEWS.—

(i) MANDATORY INTERVIEWS.—Before granting a waiver of ineligibility for registered provisional immigrant status under this section, the Secretary, through U.S. Citizenship and Immigration Services, shall conduct an in-person interview if the applicant is present in the United States and is described in paragraph (2) or (6)(B) of section 212(a) (relating to criminal aliens and aliens who failed to appear at prior removal hearings).

(ii) PERMITTED INTERVIEWS.—The Secretary, through U.S. Citizenship and Immigration Services, may interview applicants for registered provisional immigrant status not described in clause (i) to determine whether they meet the eligibility requirements set forth in subsection (b).

SA 1358. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 922, strike line 1 and all that follows through page 927, line 7, and insert the following:

SEC. 1113. DEPARTMENT OF HOMELAND SECURITY BORDER OVERSIGHT TASK FORCE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established an independent task force, which shall be known as the Department of Homeland Security Border Oversight Task Force (referred to in this section as the DHS Task Force).

(2) DUTIES.—The DHS Task Force shall—

(A) review and make recommendations regarding immigration and border enforcement policies, strategies, and programs that take into consideration their impact on border communities;

(B) recommend ways in which the Border Communities Liaison Offices can strengthen relations and collaboration between communities in the border regions and the Department, the Department of Justice, and other Federal agencies that carry out such policies, strategies, and programs;

(C) evaluate how the policies, strategies, and programs of Federal agencies operating along the international borders between the United States and Mexico and between the United States and Canada protect the due process, civil, and human rights of border residents, visitors, and migrants at and near such borders; and

(D) evaluate and make recommendations regarding the training of border enforcement personnel described in section 1112.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The DHS Task Force shall be composed of 35 members, appointed by the President, who have expertise in enforcing Federal immigration laws, migration, local crime indices, civil and human rights, community relations, cross-border trade and commerce, quality of life indicators, or other pertinent experience, of whom—

(i) 15 members shall be from the Northern border region and shall include—

(I) 2 local government elected officials;

(II) 2 local law enforcement officials;

(III) 2 civil rights advocates;

(IV) 1 business representative;

(V) 1 higher education representative;

(VI) 1 private land owner representative;

(VII) 1 representative of a faith community; and

(VIII) 2 representatives of U.S. Border Patrol;

(IX) 1 representative of U.S. Immigration and Customs Enforcement;

(X) 1 representative of U.S. Customs and Border Protection; and

(XI) 1 representative of U.S. Citizenship and Immigration Services; and

(ii) 20 members shall be from the Southern border region and shall include—

(I) 3 local government elected officials;

(II) 3 local law enforcement officials;

(III) 3 civil rights advocates;

(IV) 2 business representatives;

(V) 1 higher education representative;

(VI) 2 private land owner representatives;

(VII) 1 representative of a faith community;

(VIII) 2 representatives of U.S. Border Patrol;

(IX) 1 representative of U.S. Immigration and Customs Enforcement;

(X) 1 representative of U.S. Customs and Border Protection; and

(XI) 1 representative of U.S. Citizenship and Immigration Services.

(B) TERM OF SERVICE.—Members of the DHS Task Force described in subclauses (VIII) through (XI) of clause (i) and subclauses (VIII) through (XI) of clause (ii) shall be selected by a vote of their peers. All members of the DHS Task Force shall be appointed for the shorter of—

(i) 3 years; or

(ii) the life of the DHS Task Force.

(C) CHAIR, VICE CHAIR.—The members of the DHS Task Force shall elect a Chair and a Vice Chair from among its members, who shall serve in such capacities for the life of the DHS Task Force or until removed by the majority vote of at least 14 members.

(b) OPERATIONS.—

(1) HEARINGS.—The DHS Task Force may, for the purpose of carrying out its duties, hold hearings, sit and act, take testimony, receive evidence, and administer oaths.

(2) RECOMMENDATIONS.—The DHS Task Force may make findings or recommendations to the Secretary related to the duties described in subsection (a)(2).

(3) RESPONSE.—Not later than 180 days after receiving the findings and recommendations from the DHS Task Force under paragraph (2), the Secretary shall issue a response that describes how the Department has addressed, or will address, such findings and recommendations. If the Secretary disagrees with any finding of the DHS Task Force, the Secretary shall provide an explanation for the disagreement.

(4) INFORMATION FROM FEDERAL AGENCIES.—The Chair, or 16 members of the DHS Task Force, may request statistics relating to the duties described in subsection (a)(2) directly from any Federal agency, which shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the DHS Task Force.

(5) COMPENSATION.—Members of the DHS Task Force shall serve without pay, but shall be reimbursed for reasonable travel and subsistence expenses incurred in the performance of their duties.

(c) REPORT.—Not later than 2 years after its first meeting, the DHS Task Force shall submit a final report to the President, Congress, and the Secretary that contains—

(1) findings with respect to the duties of the DHS Task Force; and

(2) recommendations regarding border and immigration enforcement policies, strategies, and programs, including—

(A) a recommendation as to whether the DHS Task Force should continue to operate; and

(B) a description of any duties for which the DHS Task Force should be responsible after the termination date described in subsection (e).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section for each of the fiscal years 2014 through 2017.

(e) SUNSET.—The DHS Task Force shall terminate operations 60 days after the date on which the DHS Task Force submits the report described in subsection (c).

SA 1359. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 861, strike line 23 and all that follows through page 864, line 7, and insert the following:

SEC. 4. SOUTHERN BORDER SECURITY COMMISSION.

(a) ESTABLISHMENT.—If the Secretary certifies that the Department has not achieved effective control in all border sectors during any fiscal year beginning before the date that is 5 years after the date of the enactment of this Act, not later than 60 days after such certification, there shall be established a commission to be known as the Southern Border Security Commission (referred to in this section as the Commission).

(b) COMPOSITION.—

(1) IN GENERAL.—The Commission shall be composed of—

(A) 2 members who shall be appointed by the President;

(B) 2 members who shall be appointed by the President pro tempore of the Senate, of which—

(i) 1 shall be appointed upon the recommendation of the leader in the Senate of the political party that is not the political party of the President; and

(ii) 1 shall be appointed upon the recommendation of the leader in the Senate of the other political party;

(C) 2 members who shall be appointed by the Speaker of the House of Representatives, of which—

(i) 1 shall be appointed upon the recommendation of the leader in the House of Representatives of the political party that is not the political party of the President; and

(ii) 1 shall be appointed upon the recommendation of the leader in the House of Representatives of the other political party;

(D) 4 members, consisting of 1 member from each of the States along the Southern border, who shall be—

(i) the Governor of such State; or

(ii) appointed by the Governor of each such State; and

(E) 5 members, consisting of front line personnel with experience securing the borders of the United States and enforcing customs and immigration laws selected by a vote of their peers, including—

(i) 2 U.S. Border Patrol agents;

(ii) 1 U.S. Customs and Border Protection employee;

(iii) 1 U.S. Citizenship and Immigration Services employee; and

(iv) 1 U.S. Immigration and Customs Enforcement employee.

(2) QUALIFICATION FOR APPOINTMENT.—Appointed members of the Commission shall be distinguished individuals noted for their knowledge and experience in the field of border security at the Federal, State, or local level.

(3) TIME OF APPOINTMENT.—The appointments required by paragraph (1) shall be made not later than 60 days after the Secretary makes a certification described in subsection (a).

(4) CHAIR.—At the first meeting of the Commission, a majority of the members of the Commission present and voting shall elect the Chair of the Commission.

(5) VACANCIES.—Any vacancy of the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment was made.

(6) RULES.—The Commission shall establish the rules and procedures of the Commission which shall require the approval of at least 6 members of the Commission.

(c) DUTIES.—The Commission's primary responsibility shall be to make recommendations to the President, the Secretary, and Congress on policies to achieve and maintain the border security goal specified in section 3(b) by achieving and maintaining—

(1) the capability to engage in, and engaging in, persistent surveillance in border sectors along the Southern border; and

(2) an effectiveness rate of 90 percent or higher in all border sectors along the Southern border.

(d) REPORT.—Not later than 180 days after the end of the 5-year period described in subsection (a), the Commission shall submit to the President, the Secretary, and Congress a report setting forth specific recommendations for policies for achieving and maintaining the border security goals specified in subsection (c). The report shall include, at a minimum, recommendations for the personnel, infrastructure, technology, and other resources required to achieve and maintain an effectiveness rate of 90 percent or higher in all border sectors.

(e) TRAVEL EXPENSES.—Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(f) ADMINISTRATIVE SUPPORT.—The Secretary shall provide the Commission such staff and administrative services as may be necessary and appropriate for the Commission to perform its functions. Any employee of the executive branch of Government may be detailed to the Commission without reimbursement to the agency of that employee and such detail shall be without interruption or loss of civil service or status or privilege.

(g) COMPTROLLER GENERAL REVIEW.—The Comptroller General of the United States shall review the recommendations in the report submitted under subsection (d) in order to determine—

(1) whether any of the recommendations are likely to achieve effective control in all border sectors;

(2) which recommendations are most likely to achieve effective control; and

(3) whether such recommendations are feasible within existing budget constraints.

(h) TERMINATION.—The Commission shall terminate 30 days after the date on which the report is submitted under subsection (d).

SA 1360. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 861, strike line 8.

On page 861, line 14, strike the period at the end and insert the following: ''; and

(E) 5 members, consisting of front line personnel with experience securing the borders of the United States and enforcing customs and immigration laws selected by a vote of their peers, including—

(i) 2 U.S. Border Patrol agents;

(ii) 1 U.S. Customs and Border Protection employee;

(iii) 1 U.S. Citizenship and Immigration Services employee; and

(iv) 1 U.S. Immigration and Customs Enforcement employee.

On page 923, line 9, strike ''29'' and insert ''35''.

On page 923, line 10, insert ''enforcing Federal immigration laws,'' after ''expertise in''.

On page 923, line 15, strike ''12 members'' and insert ''15 members''.

On page 924, beginning on line 4, strike ''and'' and all that follows through ''17 members'' on line 7, and insert the following:

(VIII) 2 representatives of U.S. Border Patrol;

(IX) 1 representative of U.S. Immigration and Customs Enforcement;

(X) 1 representative of U.S. Customs and Border Protection; and

(XI) 1 representative of U.S. Citizenship and Immigration Services; and

(ii) 20 members

On page 924, beginning on line 20, strike ''and'' and all that follows through line 22, and insert the following:

(VIII) 2 representatives of U.S. Border Patrol;

(IX) 1 representative of U.S. Immigration and Customs Enforcement;

(X) 1 representative of U.S. Customs and Border Protection; and

(XI) 1 representative of U.S. Citizenship and Immigration Services.

On page 924, line 24, insert ''described in subclauses (VIII) through (XI) of clause (i) and subclauses (VIII) through (XI) of clause (ii) shall be selected by a vote of their peers. All members of the Task Force''.

SA 1361. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1105 and insert the following:

SEC. 1105. PROHIBITION ON ACTIONS THAT IMPEDE BORDER SECURITY ON CERTAIN FEDERAL LAND.

(a) PROHIBITION ON SECRETARIES OF THE INTERIOR AND AGRICULTURE.—The Secretary of the Interior or the Secretary of Agriculture shall not impede, prohibit, or restrict activities of U.S. Customs and Border Protection on Federal land located within 100 miles of an international land border that is under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture, to execute search and rescue operations and to prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States.

(b) AUTHORIZED ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION.—U.S. Customs and Border Protection shall have immediate access to Federal land within 100 miles of the international land border under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture for purposes of conducting the following activities on such land that prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States:

(1) Construction and maintenance of roads.

(2) Construction and maintenance of barriers.

(3) Use of vehicles to patrol, apprehend, or rescue.

(4) Installation, maintenance, and operation of communications and surveillance equipment and sensors.

(5) Deployment of temporary tactical infrastructure.

(c) CLARIFICATION RELATING TO WAIVER AUTHORITY.—

(1) IN GENERAL.—The waiver by the Secretary of Homeland Security on April 1, 2008, under section 102(c)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note; Public Law 104–208) of the laws described in paragraph (2) with respect to certain sections of the international border between the United States and Mexico and between the United States and Canada shall be considered to apply to all Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture within 100 miles of the international land borders of the United States for the activities of U.S. Customs and Border Protection described in subsection (b).

(2) DESCRIPTION OF LAWS WAIVED.—The laws referred to in paragraph (1) are limited to the Wilderness Act (16 U.S.C. 1131 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), Public Law 86–523 (16 U.S.C. 469 et seq.), the Act of June 8, 1906 (commonly known as the ''Antiquities Act of 1906''; 16 U.S.C. 431 et seq.), the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act''), the National Park Service Organic Act (16 U.S.C. 1 et seq.), the General Authorities Act of 1970 (Public Law 91–383) (16 U.S.C. 1a-1 et seq.), sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Public Law 95–625, 92 Stat. 3467), and the Arizona Desert Wilderness Act of 1990 (16 U.S.C. 1132 note; Public Law 101–628).

(d) PROTECTION OF LEGAL USES.—This section shall not be construed to provide—

(1) authority to restrict legal uses, such as grazing, hunting, mining, or public-use recreational and backcountry airstrips on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture; or

(2) any additional authority to restrict legal access to such land.

(e) EFFECT ON STATE AND PRIVATE LAND.—This Act shall—

(1) have no force or effect on State or private land; and

(2) not provide authority on or access to State or private land.

SA 1362. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1618, between lines 11 and 12, insert the following:

SEC. 3722. REMOVAL OF NONIMMIGRANTS WHO OVERSTAY THEIR VISAS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall immediately initiate removal proceedings, in accordance with chapter 4 of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.), against not fewer than 90 percent of the aliens who—

(1) were admitted as nonimmigrants after such date of enactment; and

(2) have exceeded their authorized period of admission.

(b) REPORT.—At the end of each calendar quarter, the Secretary shall submit a report to Congress that identifies—

(1) the total number of aliens who exceeded their authorized period of stay as nonimmigrants during that quarter;

(2) the total number of aliens described in paragraph (1) against whom the Secretary has initiated removal proceedings; and

(3) statistics about aliens who lawfully entered the United States and exceeded their authorized period of admission, categorized by visa type and nation of origin.

SA 1363. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1014, strike line 1 and all that follows through ''(e)'' on page 1020, line 3, and insert ''(b)''.

SA 1364. Mr. WARNER (for himself and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1852, line 1, strike ''$250,000'' and insert ''an additional $150,000''.

On page 1854, strike lines 4 through 20, and insert the following:

''(ii) QUALIFIED ENTREPRENEUR.—

''(I) IN GENERAL.—The term ''qualified entrepreneur'' means an individual who—

''(aa) has a significant ownership interest, which need not constitute a majority interest, in a United States business entity;

''(bb) is employed in a senior executive position of such United States business entity; and

''(cc) had a substantial role in the founding or early-stage growth and development of such United States business entity.

''(II) WAIVER OF SIGNIFICANT OWNER INTEREST REQUIREMENT.—Notwithstanding subclause (I)(aa), the Secretary may determine that an individual that does not have a significant ownership interest in a United States business entity but that otherwise meets the requirements of subclause (I) is a qualified entrepreneur if the business entity was acquired in a bona fide arm's length transaction by another United States business entity.

On page 1856, strike lines 19 through 21, and insert the following:

''(III)(aa) pays a wage that is not less than 250 percent of the Federal minimum wage; or

''(bb) provides to the holder of the position equity compensation in an amount equal to 1 percent of the equity of the United States business entity on an 'as-converted' basis.

On page 1861, strike lines 16 through 25, and insert the following:

''(cc) has been advising such entity or other similar funds or a series of funds for at least 2 years; and

''(dd) has advised such entity or a similar fund or a series of funds with respect to at least 2 investments of not less than $500,000 made by such entity or similar fund or series of funds during at least 2 of the most recent 3 years.

On page 1863, strike lines 13 through 17, and insert the following:

''(B) AVAILABILITY OF VISAS.—

''(i) IN GENERAL.—Visas shall be available, in a number not to exceed 10,000 for each fiscal year, to qualified immigrants seeking to enter the United States for the purpose of creating new businesses, as described in this paragraph.

''(ii) ADDITIONAL VISAS.—

''(I) IN GENERAL.—An additional 5,000 visas for each fiscal year shall be reallocated from unused visas if the Secretary determines, after receiving the report required by subclause (II), that the provision of visas under this paragraph has been effective in creating new businesses and that there would be additional economic benefit derived from the provision of additional visas under this paragraph.

''(II) GAO REPORT.—Not later than 30 days after the end of each fiscal year, the Comptroller General of the United States shall submit to Congress and the Secretary a report on the effectiveness of providing visas under this section in creating new businesses and recommendations with respect to the provision of such visas. The Secretary shall provide any necessary data to Comptroller General upon request.

On page 1864, line 1, strike ''3-year period'' and insert ''6-year period''.

On page 1865, line 1, strike ''2-year period'' and insert ''3-year period''.

On page 1865, line 3, insert after ''revenue'' the following: '', in any 12-month period during that 3-year period,''.

On page 1865, line 8, strike the semicolon and insert ''; or''.

SA 1365. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1298, strike line 18 and all that follows through page 1299, line 11, and insert the following:

SEC. 2552. FILING OF APPLICATIONS NOT REQUIRING REGULAR INTERNET ACCESS.

(a) ELECTRONIC FILING NOT REQUIRED.—

(1) IN GENERAL.—The Secretary may not require that an applicant or petitioner for permanent residence or United States citizenship use an electronic method to file any application, or to access a customer account as the sole means of applying for such status.

(2) SUNSET DATE.—This subsection shall cease to be effective on October 1, 2020.

(b) NOTIFICATION REQUIREMENT.—Beginning on October 1, 2020, the Secretary may not require that an applicant or petitioner for permanent residence or citizenship of the United States use an electronic method to file any application or to access a customer account unless the Secretary notifies the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives of such requirement not later than 30 days before the effective date of such requirement.

(c) ENABLING DIGITAL PAPERWORK PROCESSING.—In order to improve efficiency and to discourage fraud, the Secretary may provide incentives to encourage digital filing, including expedited processing, modified filing fees, or discounted membership in trusted traveler programs, if the Secretary provides electronic access to a digital application process in application support centers, district offices, or other ubiquitous, commercial, and nongovernmental organization locations designated by the Secretary.

On page 1418, strike lines 12 through 19 and insert the following:

SEC. 3103. INCREASING SECURITY AND INTEGRITY OF GOVERNMENT-ISSUED CREDENTIALS AND SYSTEMS.

(a) ASSESSMENT.—Not later than 18 months after the date of the enactment of this Act, the Secretary, in coordination with the National Institute of Standards and Technology, shall submit an assessment, with recommendations to Congress on—

(1) the feasibility of automated biometric comparison to verify that the person presenting the employment authorization document is the rightful holder;

(2) how best to enable United States citizens and aliens lawfully present in the United States to better secure the accuracy and privacy of their digital interactions with Federal information systems; and

(3) a timetable for the actions described in paragraphs (1) and (2).

(b) ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—The Secretary shall establish an advisory committee to support a public-private, multi-stakeholder process that includes relevant Federal agencies and groups representing the State governors, motor vehicle administrators, civil liberties groups, public safety organizations, representatives of the technology, financial services and healthcare sectors, and such other public or private entities as the Secretary considers appropriate.

(2) FUNCTIONS.—The advisory committee established pursuant to paragraph (1) shall—

(A) collect and analyze recommendations from the stakeholders described in paragraph (1) with respect to the assessment conducted under subsection (a); and

(B) provide Congress with any ongoing recommendations for legislative and administrative action regarding improvements to the security, integrity, and privacy of government issued credentials and systems.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary to enter into agreements with the National Academy of Sciences to provide reviews and intellectual support for the mission of the advisory committee established pursuant to subsection (b)(1).

SA 1366. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1465, strike lines 6 through 12 and insert the following:

(3) REGULATIONS.—

(A) IN GENERAL.—Not later than 90 days after the date the study required by paragraph (2) is completed, the Secretary, in consultation with the Attorney General, shall issue regulations regarding the use of race, ethnicity, and any other suspect classifications the Secretary deems appropriate by covered Department of Homeland Security officers.

(B) COMPLIANCE.—The Secretary shall establish mandatory training courses for covered Department of Homeland Security officers on compliance with the regulations issued under subparagraph (A).

(C) INSPECTOR GENERAL REPORT.—Beginning not later than 1 year after the date on which the Secretary establishes the mandatory training courses under subparagraph (B), and every year thereafter, the Inspector General for the Department shall submit to Congress a report on the compliance by covered Department of Homeland Security officers with the regulations issued under subparagraph (A).

SA 1367. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1464, strike line 22 and all that follows through page 1466, line 8, and insert the following:

(c) STUDY AND REGULATIONS.—

(1) DATA COLLECTION.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall begin collecting data regarding the individualized immigration enforcement activities of covered Department of Homeland Security officers.

(2) STUDY.—Not later than 180 days after data collection under paragraph (1) commences, and every year thereafter, the Secretary shall complete a study analyzing the data.

(3) REGULATIONS.—Not later than 90 days after the date the first study required by paragraph (2) is completed, the Secretary, in consultation with the Attorney General, shall issue regulations regarding the use of race, ethnicity, and any other suspect classifications the Secretary deems appropriate by covered Department of Homeland Security officers.

(4) REPORTS.—Not later than 30 days after completion of each study required by paragraph (2), the Secretary shall submit the study to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Appropriations of the House of Representatives;

(E) the Committee on the Judiciary of the Senate; and

(F) the Committee on the Judiciary of the House of Representatives.

(5) DEFINED TERM.—In this subsection, the term ''covered Department of Homeland Security officer'' means any officer, agent, or employee of United States Customs and Border Protection, United States Immigration and Customs Enforcement, or the Transportation Security Administration.

SA 1368. Mrs. MURRAY (for herself and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON RESTRAINTS ON PREGNANT DETAINEES.

(a) PROHIBITION ON RESTRAINT OF PREGNANT DETAINEES.—

(1) PROHIBITION.—A detention facility shall not use restraints on a detainee known to be pregnant, including during labor, transport to a medical facility or birthing center, delivery, and postpartum recovery, unless the facility administrator makes an individualized determination that the detainee presents an extraordinary circumstance as described in paragraph (2).

(2) EXTRAORDINARY CIRCUMSTANCE.—Restraints for an extraordinary circumstance are only permitted if a medical officer has directed the use of restraints for medical reasons or if the facility administrator makes an individualized determination that—

(A) credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff or others; or

(B) reasonable grounds exist to believe the detainee presents an immediate and credible risk of escape that cannot be reasonably minimized through any other method.

(3) REQUIREMENT FOR LEAST RESTRICTIVE RESTRAINTS.—In the rare event that one of the extraordinary circumstances in paragraph (2) applies, medical staff shall determine the safest method and duration for the use of restraints and the least restrictive restraints necessary shall be used for a pregnant detainee, except that—

(A) if a doctor, nurse, or other health professional treating the detainee requests that restraints not be used, the detention officer accompanying the detainee shall immediately remove all restraints;

(B) under no circumstance shall leg or waist restraints be used;

(C) under no circumstance shall wrist restraints be used to bind the detainee's hands behind her back; and

(D) under no circumstances shall any restraints be used on any detainee in labor or childbirth.

(4) RECORD OF EXTRAORDINARY CIRCUMSTANCES.—

(A) REQUIREMENT.—If restraints are used on a detainee pursuant to paragraph (2), the facility administrator shall make a written finding within 10 days as to the extraordinary circumstance that dictated the use of the restraints.

(B) RETENTION.—A written find made under subparagraph (A) shall be kept on file by the detention facility for at least 5 years and be made available for public inspection, except that no individually identifying information of any detainee shall be made public without the detainee's prior written consent.

(b) PROHIBITION ON PRESENCE OF DETENTION OFFICERS DURING LABOR OR CHILDBIRTH.—Upon a detainee's admission to a medical facility or birthing center for labor or childbirth, no detention officer shall be present in the room during labor or childbirth, unless specifically requested by medical personnel. If a detention officer's presence is requested by medical personnel, the detention officer shall be female, if practicable. If restraints are used on a detainee pursuant to subsection (a)(2), a detention officer shall remain immediately outside the room at all times so that the officer may promptly remove the restraints if requested by medical personnel, as required by subsection (a)(3)(A).

(c) DEFINITIONS.—In this section:

(1) DETAINEE.—The term ''detainee'' includes any adult or juvenile person detained under the Immigration and Nationality Act (8 U.S.C. 1101) or held by any Federal, State, or local law enforcement agency under an immigration detainer.

(2) DETENTION FACILITY.—The term ''detention facility'' means a Federal, State, or local government facility, or a privately owned and operated facility, that is used, in whole or in part, to hold individuals under the authority of the Director of U.S. Immigration and Customs Enforcement or the Commissioner of U.S. Customs and Border Protection, including facilities that hold such individuals under a contract or agreement with the Director or Commissioner, or that is used, in whole or in part, to hold individuals pursuant to an immigration detainer.

(3) FACILITY ADMINISTRATOR.—The term ''facility administrator'' means the official that is responsible for oversight of a detention facility or the designee of such official.

(4) LABOR.—The term ''labor'' means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix.

(5) POSTPARTUM RECOVERY.—The term ''postpartum recovery'' mean, as determined by her physician, the period immediately following delivery, including the entire period a woman is in the hospital or infirmary after birth.

(6) RESTRAINT.—The term ''restraint'' means any physical restraint or mechanical device used to control the movement of a detainee's body or limbs, including flex cuffs, soft restraints, hard metal handcuffs, a black box, Chubb cuffs, leg irons, belly chains, a security (tether) chain, or a convex shield.

(d) ANNUAL REPORT.—

(1) REQUIREMENT.—Not later than 30 days before the end of each fiscal year, the facility administrator of each detention facility in whose custody a pregnant detainee had been subject to the use of restraints during the previous fiscal year shall submit to the Secretary a written report that includes an account of every instance of such a use of restraints. No such report may contain any individually identifying information of any detainee.

(2) PUBLIC INSPECTION.—Each report submitted under paragraph (1) shall be made available for public inspection.

(e) RULEMAKING.—The Secretary shall adopt regulations or policies to carry out this section at every detention facility.

SA 1369. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1796, lines 9 and 10, strike ''U.S. Citizenship and Immigration Services'' and insert ''Department of Labor''.

On page 1799, lines 19 and 20, strike ''Director of U.S. Citizenship and Immigration Services'' and insert ''Secretary of Labor''.

On page 1800, line 1, strike ''Director'' and insert ''Secretary of Labor''.

SA 1370. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1679, line 2, insert ''and aliens with an advanced degree in science, technology, engineering, or mathematics from an institution of higher education in the United States who are residing in the United States'' after ''workers''.

SA 1371. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1082, strike line 7 and all that follows through page 1087, line 17.

SA 1372. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1496, line 1, insert '', in consultation with the Department of Health and Human Services or U.S. Immigration and Customs Enforcement,'' after ''shall''.

SA 1373. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 879, line 12, insert '', the Director of the Administrative Office of the United States Courts, the Secretary of Agriculture, the Secretary of Labor,'' after ''Attorney General''.

SA 1374. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 864, line 14, strike ''Secretary'' and insert ''Secretary, after consultation with the Attorney General, the Secretary of the Interior, the Director of the Administrative Office of the United States Courts, and the heads of other appropriate Federal agencies,''.

SA 1375. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 918, between lines 12 and 13, insert the following:

(3) ELIGIBILITY REQUIREMENTS FOR STATE CRIMINAL ALIEN ASSISTANCE PROGRAM FUNDING.—Section 241(i) (8 U.S.C. 1231(i)), as amended by this section, is further amended by adding at the end the following:

''(8) A State, or a political subdivision of a State, shall not be eligible to enter into a contractual arrangement under paragraph (1) if the State or political subdivision—

''(A) has in effect any law, policy, or procedure in contravention of subsection (a) or (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373); or

''(B) prohibits State or local law enforcement officials from gathering information regarding the citizenship or immigration status, whether lawful or unlawful, of any individual.''.

SA 1376. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1584, strike lines 11 through 18.

SA 1377. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 911, beginning on line 6, strike '', working through U.S. Border Patrol,''.

SA 1378. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 866, line 3, before ''and successfully'' insert ''through programs in existence on the date of enactment of this Act or programs established thereafter''.

SA 1379. Mr. GRASSLEY (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1448, between lines 5 and 6, insert the following:

SEC. 3204. LIMITATION ON CERTAIN ALIENS CLAIMING EARNED INCOME TAX CREDIT IN PRIOR YEARS.

(a) IN GENERAL.—Paragraph (1) of section 32(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(G) PROHIBITION ON RETROACTIVE CREDIT FOR CERTAIN IMMIGRANTS.—

''(i) IN GENERAL.—In the case of an individual who is granted registered provisional immigrant status under section 245B of the Immigration and Nationality Act, no credit shall be allowed under this section for any taxable year prior to the year such individual was granted such status unless such individual —

''(I) was an eligible individual for such prior taxable year, and

''(II) was authorized to engage in employment in the United States for such prior taxable year.

''(ii) MARRIED INDIVIDUALS.—In the case of an eligible individual who is married (within the meaning of section 7703) to an individual who is granted registered provisional immigrant status or registered provisional immigrant dependent status under section 245B of the Immigration and Nationality Act, no credit shall be allowed under this section for any taxable year—

''(I) in which such individual was married (within the meaning of section 7703) to the eligible individual, and

''(II) which is prior to the year the spouse of such individual was granted such status,

unless such spouse was authorized to engage in employment in the United States for such prior taxable year.''.

(b) QUALIFYING CHILDREN.—Subparagraph (D) of section 32(c)(3) of such Code is amended by redesignating clause (ii) as clause (iii) and by inserting after clause (i) the following new clause:

''(ii) PRIOR YEARS.—In the case of an individual who is granted registered provisional immigrant status or registered provisional immigrant dependent status under section 245B of the Immigration and Nationality Act, such individual shall not be taken into account as a qualifying child under subsection (b) for any taxable year prior the year such individual was granted such status unless such individual was authorized to engage in employment in the United States for such prior taxable year.''.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SA 1380. Mr. JOHNSON of Wisconsin (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 952, strike line 22 and all that follows through page 953, line 12, and insert the following:

''(3) APPLICATION PERIOD.—The Secretary may only accept applications for registered provisional immigrant status from aliens in the United States during the 1-year period beginning on the date on which the final rule is published in the Federal Register pursuant to paragraph (1).

SA 1381. Mr. JOHNSON of Wisconsin (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1448, between lines 5 and 6, insert the following:

SEC. 3204. DISALLOWANCE OF EARNED INCOME TAX CREDIT FOR REGISTERED PROVISIONAL IMMIGRANTS.

(a) IN GENERAL.—Subparagraph (D) of section 32(c)(1) of the Internal Revenue Code of 1986 is amended to read as follows:

''(D) LIMITATION ON ELIGIBILITY OF CERTAIN ALIENS.—

''(i) REGISTERED PROVISIONAL IMMIGRANT STATUS.—The term 'eligible individual' shall not include an individual who is in registered provisional immigrant status under section 245B of the Immigration and Nationality Act during any portion of the taxable year.

''(ii) NONRESIDENT ALIENS.—The term 'eligible individual' shall not include any individual who is a nonresident alien individual for any portion of the taxable year unless such individual is treated for such taxable year as a resident of the United States for purposes of this chapter by reason of an election under subsection (g) or (h) of section 6013.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SA 1382. Ms. LANDRIEU (for herself and Mr. CARPER) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 905, line 10, strike ''(d)'' and insert the following:

(d) DONATIONS FOR LAND PORTS OF ENTRY FACILITIES.—

(1) DONATIONS PERMITTED.—Notwithstanding any other provision of law, including chapter 33 of title 40, United States Code, the Secretary, for purposes of constructing, altering, operating, or maintaining a new or existing land port of entry facility, may accept donations of real and personal property (including monetary donations) and nonpersonal services from private parties and State and local government entities.

(2) ALLOWABLE USES OF DONATIONS.—The Secretary, with respect to any donation provided pursuant to paragraph (1), may—

(A) use such property or services for necessary activities related to the construction, alteration, operation, or maintenance of a new or existing land port of entry facility under the custody and control of the Secretary, including expenses related to—

(i) land acquisition, design, construction, repair and alteration;

(ii) furniture, fixtures, and equipment;

(iii) the deployment of technology and equipment; and

(iv) operations and maintenance; or

(B) transfer such property or services to the Administrator of General Services for necessary activities described in paragraph (1) related to a new or existing land port of entry facility under the custody and control of the Administrator.

(3) EVALUATION PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Administrator, shall establish procedures for evaluating a proposal submitted by any person described in paragraph (1) to make a donation of real or personal property (including monetary donations) or nonpersonal services to facilitate the construction, alteration, operation, or maintenance of a new or existing land port of entry facility under the custody and control of the Secretary.

(4) CONSIDERATIONS.—In determining whether or not to approve a proposal described in paragraph (3), the Secretary or the Administrator shall consider—

(A) the impact of the proposal on reducing wait times at that port of entry and other ports of entry on the same border;

(B) the potential of the proposal to increase trade and travel efficiency through added capacity;

(C) the potential of the proposal to enhance the security of the port of entry; and

(D) other factors that the Secretary determines to be relevant.

(5) CONSULTATION.—

(A) LOCATIONS FOR NEW PORTS OF ENTRY.—The Secretary is encouraged to consult with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of State, the International Boundary and Water Commission, and appropriate representatives of States, local governments, Indian tribes, and property owners—

(i) to determine locations for new ports of entry; and

(ii) to minimize the adverse impacts from such ports on the environment, historic and cultural resources, commerce, and the quality of life for the communities and residents located near such ports.

(B) SAVINGS PROVISION.—Nothing in this paragraph may be construed—

(i) to create any right or liability of the parties described in subparagraph (A); and

(ii) to affect any consultation requirement under any other law.

(6) SUPPLEMENTAL FUNDING.—Property (including monetary donations) and services provided pursuant to paragraph (1) may be used in addition to any other funding (including appropriated funds), property, or

services made available for the same purpose.

(7) UNCONDITIONAL DONATIONS.—A donation provided pursuant to paragraph (1) shall be made unconditionally, although the donor may specify—

(A) the land port of entry facility or facilities to be benefitted from such donation; and

(B) the timeframe during which the donated property or services shall be used.

(8) RETURN OF DONATIONS.—If the Secretary or the Administrator does not use the property or services donated pursuant to paragraph (1) for the specific land port of entry facility or facilities designated by the donor or within the timeframe specified by the donor, such donated property or services shall be returned to the entity that made the donation. No interest shall be owed to the donor with respect to any donation of funding provided under paragraph (1) that is returned pursuant to this paragraph.

(9) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary, in consultation with the Administrator, shall submit a report to the congressional committees listed in subparagraph (B) that describes—

(i) the accepted donations received under this subsection;

(ii) the ports of entry that received such donations; and

(iii) how each donation helped facilitate the construction, alteration, operation, or maintenance of a new or existing land port of entry.

(B) CONGRESSIONAL COMMITTEES.—The congressional committees listed in this subparagraph are—

(i) the Committee on Appropriations of the Senate;

(ii) the Committee on Homeland Security and Governmental Affairs of the Senate;

(iii) the Committee on Finance of the Senate;

(iv) the Committee on Appropriations of the House of Representatives;

(v) the Committee on Homeland Security of the House of Representatives; and

(vi) the Committee on Ways and Means of the House of Representatives.

(10) SAVINGS PROVISION.—Nothing in this subsection may be construed to affect or alter the existing authority of the Secretary or the Administrator of General Services to construct, alter, operate, and maintain land port of entry facilities.

(e)

SA 1383. Ms. LANDRIEU (for herself and Mr. COCHRAN) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 4806, add the following:

(j) REPORTS.—

(1) REQUIREMENT FOR REPORTS.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a report on the EB-5 program carried out pursuant to section 203(b)(5) of the Immigration and Nationality (8 U.S.C. 1153(b)(5)), as amended by this section.

(2) CONTENT.—Each report required by paragraph (1) shall include the following:

(A) The number of applications pending for an immigrant visa described in section 203(b)(5) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5)) disaggregated by State.

(B) The period of time each such application has been pending.

(C) The average length of time required to conduct an economic evaluation of a project and suitability of a petitioner for such a visa and the Secretary's goals for these timeframes.

(D) A description of any additional resources necessary to efficiently administer the EB-5 program carried out pursuant to such section 203(b)(5).

(E) The number of applications that have been approved or denied for such a visa in the most recent reporting period with an accompanying explanation of reasons for such approval or denial disaggregated by State.

(F) The number of jobs created by such EB-5 program in each 180-day period, disaggregated by State.

(G) The types of projects proposed and the number of aliens granted such a visa in each 180-day period, disaggregated by State and by North American Industry Classification System (NAICS) code.

SA 1384. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1122. INTERNATIONAL COOPERATION WITH RESPECT TO BORDER SECURITY AND TRADE FACILITATION.

(a) AUTHORITY TO ENTER INTO CUSTOMS PARTNERSHIPS WITH FOREIGN GOVERNMENTS.—Section 629(g) of the Tariff Act of 1930 (19 U.S.C. 1629(g)) is amended to read as follows:

''(g) PRIVILEGES AND IMMUNITIES.—

''(1) IN GENERAL.—Except as provided in subparagraph (B), any person designated to perform the duties of an officer of the Customs Service pursuant to section 401(i) shall be entitled to the same privileges and immunities as an officer of the Customs Service with respect to any actions taken by the person in the performance of those duties.

''(2) FOREIGN LAW ENFORCEMENT OFFICERS.—A law enforcement officer of a foreign government designated to perform the duties of an officer of the Customs Service pursuant to section 401(i) shall be entitled to such of the privileges and immunities described in paragraph (1) as are afforded to the officer pursuant to the law of the United States or an agreement between the United States and the foreign government authorized under paragraph (3).

''(3) AUTHORIZATION OF AGREEMENTS WITH FOREIGN GOVERNMENTS.—The Secretary of State, in coordination with the Secretary of Homeland Security, may enter into an agreement with the government of a foreign country to extend to law enforcement officers of that government that are designated to perform the duties of an officer of the Customs Service under section 401(i) such of the privileges and immunities described in paragraph (1) as are necessary for those law enforcement officers to carry out those duties.''.

(b) AUTHORITY OF FOREIGN CUSTOMS OFFICERS WITH RESPECT TO PRECLEARANCE ACTIVITIES IN THE UNITED STATES.—Section 629(e) of the Tariff Act of 1930 (19 U.S.C. 1629(e)) is amended by adding at the end the following: ''Notwithstanding any other provision of Federal, State, or local law, a foreign customs officer stationed at a facility in the United States under this subsection may possess, use, and transport to and from the facility inspectional aids, personal protective equipment, and such other items as are necessary to carry out the officer's official duties to the same extent as a United States official acting in the official's official capacity in the United States.''.

(c) STATIONING OF FOREIGN LAW ENFORCEMENT OFFICERS IN THE UNITED STATES.—

(1) IN GENERAL.—Subtitle H of the Homeland Security Act of 2002 (6 U.S.C. 451 et seq.) is amended by adding at the end the following:

''SEC. 890A. STATIONING OF FOREIGN LAW ENFORCEMENT OFFICERS AND ASSOCIATED PERSONNEL.

''(a) IN GENERAL.—The Secretary or the Attorney General may authorize the stationing of law enforcement officers and associated personnel of a foreign government in the United States for the purpose of enhancing law enforcement cooperation and operations with the foreign government.

''(b) EXTENSION OF PRIVILEGES AND IMMUNITIES.—The Secretary of State, in coordination with the Secretary or the Attorney General, or both, may extend privileges and immunities, as negotiated pursuant to an international agreement or treaty with a particular foreign government, to law enforcement officers and associated personnel of the foreign government stationed in the United States in accordance with subsection (a) as may be necessary for those law enforcement officers and associated personnel to carry out the functions authorized under subsection (a).''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by inserting after the item relating to section 890 the following:

''Sec. 890A. Stationing of foreign law enforcement officers and associated personnel.''.

(d) FEDERAL JURISDICTION OVER PERSONNEL WORKING AS PART OF BORDER SECURITY INITIATIVES.—

(1) IN GENERAL.—Chapter 93 of title 18, United States Code, is amended by adding at the end the following:

''§ 1925. Offenses committed by personnel working in furtherance of border security initiatives outside the United States

''(a) OFFENSE.—It shall be unlawful for any individual who is employed by the Department of Homeland Security or the Department of Justice and stationed or deployed in a foreign country in furtherance of a border security initiative pursuant to a treaty, agreement, or other arrangement to engage in conduct that would constitute an offense under Federal law if the conduct had been engaged in within the United States or within the special maritime and territorial jurisdiction of the United States.

''(b) PENALTY.—Any individual who violates subsection (a) shall be punished as provided for that offense.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 93 of title 18, United States Code, is amended by adding at the end the following:

''1925. Offenses committee by personnel working in furtherance of border security initiatives outside the United States.''.

SA 1385. Mr. SCHUMER submitted an amendment intended to be proposed by

him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1147, strike lines 16 through 19, and insert the following:

''(1) FISCAL YEARS 2015 THROUGH 2017.—During each of the fiscal years 2015 through 2017, the worldwide level

Beginning on page 1147, line 24, strike ''Beginning with the fifth fiscal year beginning after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act,'' and insert ''During fiscal year 2018 and each subsequent fiscal year,''

On page 1154, strike line 21, and insert the following:

''(6) APPLICATION PROCEDURES.—

''(A) SUBMISSION.—During the 30-day period beginning on the first October 1 occurring at least 3 years after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and during each 30-day period beginning on October 1 in subsequent years, eligible aliens may submit, to U.S. Citizenship and Immigration Services, an application for a merit-based immigrant visa that contains such information as the Secretary may reasonably require.

''(B) ADJUDICATION.—Before the last day of each fiscal year in which applications are filed pursuant to subparagraph (A), the Director, U.S. Citizenship and Immigration Services, shall—

''(i) review the applications to determine which aliens will be granted a merit-based immigrant visa in the following fiscal year in accordance with this subsection; and

''(ii) in coordination with the Secretary of State, provide such visas to all successful applicants.

''(C) FEE.—An alien who is allocated a visa

On page 1160, strike lines 11 through 13 and insert the following:

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2014.

On page 1164, line 23, strike ''(f)'' and insert the following:

(f) APPLICABILITY OF CERTAIN GROUNDS OF INADMISSIBILITY.—In determining an alien's inadmissibility under this section, section 212(a)(9)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(B)) shall not apply.

(g)

On page 1206, line 8, strike ''203(b)(2)(B).'' and insert ''203(b)(2)(B) or 201(b)(1)(N).''.

On page 1630, strike lines 3 through 5, and insert the following:

''(C) An allocation adjustment under clause (i), (ii), (iii), or (iv) of subparagraph (B)—

''(i) may not increase the total number of nonimmigrant visas available for any fiscal year under section 101(a)(15)(H)(i)(b) above 180,000; and

''(ii) may not take place to make additional nonimmigrant visas available for any fiscal year in which

On page 1677, line 13, insert '', other than a public institution of higher education,'' after ''entity''.

On page 1680, line 25, insert ''(other than nonprofit education and research institutions)'' after ''employer''.

On page 1681, line 25, strike ''employer who'' and insert ''employer (other than nonprofit education and research institutions) that''.

On page 1735, strike lines 4 through 8 and insert the following:

(2) by amending subparagraph (B) to read as follows:

''(B) The applicable numerical limitation referred to in subparagraph (A) for each fiscal year is—

''(i) 10,500 for each of the nationalities identified in clause (iii) of section 101(a)(15)(E); and

''(ii) 10,500 for all aliens described in clause (vi) of such section.''.

Beginning on page 1791, strike line 24 and all that follows through page 1792, line 4, and insert the following:

''(2) PROHIBITION ON DIRECT PAYMENTS FROM A UNITED STATES SOURCE.—During a period of admission pursuant to paragraph (1), an alien may not receive direct payments from a United States source, except for incidental expenses for meals, travel, lodging, and other basic services.''.

SA 1386. Mrs. HAGAN (for herself, Mr. COONS, and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 942, between lines 17 and 18, insert the following:

SEC. 1122. BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM.

(a) SHORT TITLE.—This section may be cited as the ''Bulletproof Vest Partnership Grant Program Reauthorization Act of 2013''.

(b) REAUTHORIZATION.—Section 1001(a)(23) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(23)) is amended by striking ''2012'' and inserting ''2018''.

(c) SENSE OF CONGRESS ON 5-YEAR LIMITATION ON FUNDS.—It is the sense of Congress that amounts made available to carry out part Y of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll et seq.) should be made available through the end of the 4th fiscal year following the fiscal year for which amounts are awarded and should not be made available until expended.

(d) UNIQUELY FITTED ARMOR VESTS.—Section 2501(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll(c)) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3) by striking ''; or'' and inserting ''; and'';

(3) by redesignating paragraph (4) as paragraph (5); and

(4) by inserting after paragraph (3) the following:

''(4) provides armor vests to law enforcement officers that are uniquely fitted for such officers, including armor vests uniquely fitted to individual female law enforcement officers; or''.

SEC. 1123. BORDER CRIME PREVENTION PROGRAM.

(a) GRANTS AUTHORIZED.—The Secretary shall establish a Border Crime Prevention Program to assist units of local governments and tribal governments—

(1) to better prevent crime and promote public safety and criminal justice in border areas; and

(2) to enhance coordination between Federal and local law enforcement agencies.

(b) APPLICATION.—Each eligible entity may apply for a grant under this section by submitting an application containing such information as the Secretary may reasonably require.

(c) ELIGIBILITY.—For purposes of this section, an ''eligible entity'' includes—

(1) any State or unit of local government in the United States, including cities, towns, and counties, that—

(A) touches the Southern border or the Northern border; or

(B) is located within 100 miles of the Southern border or the Northern border; and

(2) tribal governments in the United States that own land that is located within 100 miles of the Southern border or the Northern border.

(d) DIRECT FUNDING.—Each grant awarded under this section shall be provided directly to the eligible entity that applied for such grant.

(e) USES OF GRANT FUNDS.—

(1) IN GENERAL.—Except as provided in paragraph (2), grant funds under this section may be expended—

(A) to hire and train additional career law enforcement officers for deployment to the border;

(B) to procure equipment, technology, or support systems;

(C) to pay for overtime, mileage reimbursements, fuel, and similar costs;

(D) to provide specialized training to law enforcement officers;

(E) to build or sustain law enforcement facilities or equipment;

(F) to provide for first responders and emergency response services;

(G) to provide support for local prosecutors and probation officers; and

(H) for any other purpose authorized by the Secretary.

(2) LIMITATION.—Grants awarded under this section may not be used to enforce Federal immigration laws.

(3) FEDERAL SHARE.—The Federal share of the cost of any activity described in paragraph (1) for which grant funds are expended under this section—

(A) shall be 100 percent; and

(B) may be used to cover indirect costs.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated, from the Comprehensive Immigration Trust Fund established under section 6(a)(1), $50,000,000 for each of the fiscal years 2014 through 2018 to carry out this section.

SA 1387. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1544, line 19, insert after ''the alien'' the following: ''has shown, by clear and convincing evidence, that the alien''.

SA 1388. Mrs. HAGAN (for herself, Mr. HELLER, and Mr. DONNELLY) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1920, after line 13, insert the following:

TITLE V—AMERICA WORKS

SEC. 5001. SHORT TITLE.

This title may be cited as the ''American Manufacturing Efficiency and Retraining Investment Collaboration Achievement Works Act'' or ''AMERICA Works Act''.

SEC. 5002. FINDINGS.

Congress finds the following:

(1) Recent data show that United States manufacturing companies cannot fill as many as 600,000 skilled positions, even as unemployment numbers hover at historically high levels.

(2) The unfilled positions are mainly in the skilled production category, and in occupations such as machinist, operator, craft worker, distributor, or technician.

(3) in less than 20 years, an overall loss of expertise and management skill is expected to result from the gradual departure from the workplace of 77,200,000 workers.

(4) Postsecondary success and workforce readiness can be achieved through attainment of a recognized postsecondary credential.

(5) According to the January 2011 Computing Technology Industry Association report entitled ''Employer Perceptions of Information Technology Training and Certification'', 64 percent of hiring information technology managers rate information technology certifications as having extremely high or high value in validating information technology skills and expertise. The value of those certifications is rated highest among senior information technology managers, such as Chief Information Officers, and managers of medium-size firms.

SEC. 5003. INDUSTRY-RECOGNIZED AND NATIONALLY PORTABLE CREDENTIALS FOR JOB TRAINING PROGRAMS.

(a) WORKFORCE INVESTMENT ACT OF 1998.—

(1) YOUTH ACTIVITIES.—Section 129(c)(1)(C) of the Workforce Investment Act of 1998 (29 U.S.C. 2854(c)(1)(C)) is amended—

(A) by redesignating clauses (ii) through (iv) as clauses (iii) through (v), respectively; and

(B) inserting after clause (i) the following:

''(ii) training (which may include priority consideration for training programs that lead to recognized postsecondary credentials (as defined in section 5004 of the AMERICA Works Act) that are aligned with in-demand occupations or industries in the local area involved, if the local board determines that the programs meet the quality criteria described in section 123);''.

(2) GENERAL EMPLOYMENT AND TRAINING ACTIVITIES.—Section 134(d)(4)(F) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(d)(4)(F)) is amended by adding at the end the following:

''(iv) PROGRAMS THAT LEAD TO AN INDUSTRY-RECOGNIZED AND NATIONALLY PORTABLE CREDENTIAL.—In assisting individuals in selecting programs of training services under this section, a one-stop operator and employees of a one-stop center referred to in subsection (c) may give priority consideration to programs (approved in conjunction with eligibility decisions made under section 122) that lead to recognized postsecondary credentials (as defined in section 5004 of the AMERICA Works Act) that are aligned with in-demand occupations or industries in the local area involved.''.

(3) CRITERIA.—

(A) GENERAL EMPLOYMENT AND TRAINING ACTIVITIES.—Section 122(b)(2)(D) of the Workforce Investment Act of 1998 (29 U.S.C. 2842(b)(2)(D)) is amended—

(i) in clause (ii), by striking ''and'' at the end;

(ii) in clause (iii), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(iv) in the case of a provider of a program of training services that leads to a recognized postsecondary credential (as defined in section 5004 of the AMERICA Works Act), that the program leading to the credential meets such quality criteria as the Governor shall establish.''.

(B) YOUTH ACTIVITIES.—Section 123 of the Workforce Investment Act of 1998 (29 U.S.C. 2843) by inserting ''(including such quality criteria as the Governor shall establish for a training program that leads to a recognized postsecondary credential (as defined in section 5004 of the AMERICA Works Act))'' after ''plan''.

(b) CAREER AND TECHNICAL EDUCATION.—

(1) STATE PLAN.—Section 122(c)(1)(B) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2342(c)(1)(B)) is amended—

(A) by striking ''(B) how'' and inserting ''(B)(i) how'';

(B) by inserting ''and'' after the semicolon; and

(C) by adding at the end the following

''(ii) in the case of an eligible entity that, in developing and implementing programs of study leading to recognized postsecondary credentials, desires to give a priority to such programs that are aligned with in-demand occupations or industries in the area served (as determined by the eligible agency) and that may provide a basis for additional credentials, certificates, or degree, how the entity will do so;''.

(2) USE OF LOCAL FUNDS.—Section 134(b) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2354(b)) is amended—

(A) in paragraph (11), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (12)(B), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(13) describe the career and technical education activities supporting the attainment of recognized postsecondary credentials (as defined in section 5004 of the AMERICA Works Act), and, in the case of an eligible recipient that desires to provide priority consideration to certain programs of study in accordance with the State plan under section 122(c)(1)(B), how the eligible recipient will give priority consideration to such activities.''.

(3) TECH-PREP PROGRAMS.—Section 203(c)(2)(E) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2373(c)(2)(E)) is amended by striking ''industry-recognized credential, a certificate,'' and inserting ''recognized postsecondary credential (as defined in section 5004 of the AMERICA Works Act and approved by the eligible agency),''.

(c) TRAINING PROGRAMS UNDER TAA.—Section 236(a) of the Trade Act of 1974 (19 U.S.C. 2296(a)) is amended by adding at the end the following:

''(12) In approving training programs for adversely affected workers and adversely affected incumbent workers under paragraph (1), the Secretary may give priority consideration to workers seeking training through programs that are approved in conjunction with eligibility decisions made under section 122 of the Workforce Investment Act of 1998 (29 U.S.C. 2842), and that lead to recognized postsecondary credentials (as defined in section 5004 of the AMERICA Works Act) that are aligned with in-demand occupations or industries in the local area (defined for purposes of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2801 et seq.)) involved.''.

SEC. 5004. DEFINITIONS.

In this title:

(1) INDUSTRY-RECOGNIZED.—The term ''industry-recognized'', used with respect to a credential, means a credential that—

(A) is sought or accepted by employers within the industry sector involved as recognized, preferred, or required for recruitment, screening, hiring, or advancement;

(B) is endorsed by a recognized trade or professional association or organization, representing a significant part of the industry sector; and

(C) is a nationally portable credential, meaning a credential that is sought or accepted, across multiple States, as described in subparagraph (A).

(2) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term ''recognized postsecondary credential'' means a credential consisting of an industry-recognized credential for postsecondary training, a certificate that meets the requirements of subparagraphs (A) and (C) of paragraph (1) for postsecondary training, a certificate of completion of a postsecondary apprenticeship through a program described in section 122(a)(2)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2842(a)(2)(B)), or an associate degree or baccalaureate degree awarded by an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

SEC. 5005. EFFECTIVE DATE.

This title, and the amendments made by this title, take effect 120 days after the date of enactment of this Act.

SA 1389. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1234, between lines 16 and 17, insert the following:

(d) NO DISCRETION FOR CRIMES INVOLVING MORAL TURPITUDE THAT ARE CERTAIN CRIMES AGAINST CHILDREN.—

(1) IMMIGRATION JUDGES.—Subparagraph (D)(ii) of section 240(c)(4) (8 U.S.C. 1229a(c)(4)), as added by subsection (a) of this section, is amended—

(A) in subclause (I), by striking ''or'' at the end;

(B) by redesignating subclause (II) as subclause (III); and

(C) by inserting after subclause (I) the following:

''(II) been convicted of a crime involving moral turpitude that is a crime of child abuse, child neglect, contributing to the delinquency of a minor through sexual acts, or child abandonment; or''.

(2) SECRETARY.—Subsection (w)(2) of section 212 (8 U.S.C. 1182), as added by subsection (b) of this section, is amended—

(A) in subparagraph (A), by striking ''or'' at the end;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

''(B) been convicted of a crime involving moral turpitude that is a crime of child abuse, child neglect, contributing to the delinquency of a minor through sexual acts, or child abandonment; or''.

SA 1390. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1572, beginning on line 23, strike ''the alien served at least 1 year imprisonment'' and insert ''a sentence of 1 year imprisonment or more may be imposed''.

SA 1391. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3409 and insert the following:

SEC. 3409. LAW ENFORCEMENT AND NATIONAL SECURITY CHECKS.

(a) REFUGEES.—Section 207(c)(1) (8 U.S.C. 1157(c)(1)) is amended by adding at the end the following: ''No alien shall be admitted as a refugee until the identity of the applicant, including biographic and biometric data, has been checked against all appropriate records or databases maintained by the Secretary of Homeland Security, the Attorney General, the Secretary of State, the National Counterterrorism Center, and other Federal records or databases that the Secretary of Homeland Security considers necessary, to determine any national security, law enforcement, or other grounds on which the alien may be inadmissible to the United States or ineligible to apply for or be granted refugee status.''.

(b) ASYLEES.—Section 208(d)(5)(A) (8 U.S.C. 1158(d)(5)(A)) is amended—

(1) by amending clause (i) to read as follows:

''(i) asylum shall not be granted—

''(I) until the identity of the applicant, using biographic and biometric data, has been checked against all appropriate records or databases maintained by the Secretary of Homeland Security, the Attorney General, the Secretary of State, the National Counterterrorism Center, and other Federal records or databases that the Secretary of Homeland Security considers necessary, to determine any national security, law enforcement, or other grounds on which the alien may be inadmissible to the United States or ineligible to apply for or be granted asylum; and

''(II) any information related to the applicant in such a record or database supports the applicant's eligibility for asylum;'';

(2) in clause (iv), by striking ''and'' at the end;

(3) in clause (v), by striking the period at the end and inserting a semicolon and ''and''; and

(4) by adding at the end the following:

''(vi) asylum shall not be granted unless, notwithstanding any derogatory information, the applicant has met the burden of proof contained in subsection (b)(1)(B).''.

SA 1392. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1079, line 18, strike the period at the end and insert ''and includes logging employment, as described in section 655.103(c) of title 20, Code of Federal Regulations, as in effect on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.''.

SA 1393. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1471, between lines 2 and 3, insert the following:

(b) ADJUDICATION.—Section 208(d)(6) (8 U.S.C. 1158(d)(6)) is amended to read as follows:

''(6) FRIVOLOUS APPLICATIONS.—

''(A) KNOWINGLY FRIVOLOUS APPLICATIONS.—If the Attorney General determines that an alien has knowingly made a frivolous application for asylum and the alien has received the notice under paragraph (4)(A), the alien may, at the discretion of the Attorney General, be permanently ineligible for any benefits under this Act, effective as of the date of a final determination on such application.

''(B) DETERMINATIONS BY ASYLUM OFFICERS.—

''(i) IN GENERAL.—If an asylum officer, as defined in section 235(b)(1)(E), determines that an alien has made a frivolous application for asylum, the asylum officer may dismiss the application.

''(ii) RECONSIDERATION.—The Board of Immigration Appeals or an immigration judge may review and reverse the determination of an asylum officer under clause (i) if the Board or judge determines that the asylum claim involved is plausible.''.

(c) INFORMATION.—Section 208 (8 U.S.C. 1158) is amended by adding at the end the following:

''(f) INFORMATION.—With respect to an application for asylum that comes before an immigration judge or asylum officer (as defined in section 235(b)(1)(E)), the judge or officer involved shall obtain detailed country conditions information relevant to eligibility for asylum or the withholding of removal from the Department of State. Such information shall include—

''(1) an assessment of the accuracy of the applicant's assertions about conditions in his or her country of nationality or habitual residence and his or her particular situation;

''(2) information about whether individuals who are similarly situated to the applicant are persecuted or tortured in his or her country of nationality or habitual residence and the frequency of such persecution or torture; and

''(3) other information determined by the judge or officer to be relevant to prevent fraud.''.

(d) INCREASE IN STAFFING.—The Secretary of Homeland Security shall provide for an increase in the staff of the U.S. Citizenship and Immigration Services and the Fraud Detection and National Security Directorate at Asylum Offices to oversee, detect, and increase the anti-fraud operations and prosecutions relating to fraudulent asylum activities.

(e) FUNDING.—The Secretary of Homeland Security shall use amounts derived through fees provided for in this Act (or an amendment made by this Act) to carry out subsections (b) through (d) (and the amendments made by such subsections)).

SA 1394. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2 and all that follows through the end of title I inserting the following:

SEC. 2. STATEMENT OF CONGRESSIONAL FINDINGS.

Congress makes the following findings:

(1) Every sovereign nation has an unconditional right and duty to secure its territory and people, which right depends on control of its international borders. The sovereign people and several states of the United States have delegated these sovereign functions to the Federal Government (United States Constitution, article I, section 8, clause 4). The liberty and prosperity of the people depends on the execution of this duty.

(2) The passage of this Act recognizes that the Federal Government must secure the sovereignty of the United States of America and establish a coherent and just system for those who seek to join American society to assimilate.

(3) The United States has failed to control its borders. The porousness of the Southern border has contributed to the proliferation of the narcotics trade and its attendant violent crime. The trafficking and smuggling of persons across the border is an ongoing human rights scandal.

(4) We have always welcomed immigrants to the United States and will continue to do so, but in order to qualify for the honor and privilege of eventual citizenship, our laws must be followed. The world depends on America to be strong economically, militarily, and ethically. The establishment of a stable, just, and efficient immigration system only supports those goals. As a Nation, we have the right and responsibility to make our borders safe, to establish clear and just rules for seeking citizenship, to control the flow of legal immigration, and to eliminate illegal immigration, which has become a threat to our national security.

(5) Throughout our long history, many lawful immigrants have assimilated into American society and contributed to our strength and prosperity. Our immigration policy strives to welcome those who share the values of the United States Constitution and seek to contribute to our nation's greatness. But no person has a right to enter the United States unless by its express permission and in accordance with the procedures established by law.

(6) This Act is premised on the right and need of the United States to achieve these goals, and to protect its borders and maintain its sovereignty.

SEC. 3. EFFECTIVE DATE TRIGGERS.

(a) DEFINITIONS.—In this section and sections 4 through 8 of this Act:

(1) COMMISSION.—The term ''Commission'' means the Southern Border Security Commission established pursuant to section 4.

(2) COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY.—The term ''Comprehensive Southern Border Security Strategy'' means the strategy established by the Secretary pursuant to section 5(a) to achieve and maintain operational control and full situational awareness of the Southern border.

(3) CONSEQUENCE DELIVERY SYSTEM.—The term ''Consequence Delivery System'' means the series of consequences applied to persons illegally entering the United States by U.S. Border Patrol to prevent illegal border crossing recidivism.

(4) EFFECTIVENESS RATE.—The term ''effectiveness rate'' means a metric, informed by situational awareness, that measures the percentage calculated by dividing—

(A) the number of illegal border crossers who are apprehended or turned back during a fiscal year (excluding those who are believed to have turned back for the purpose of engaging in criminal activity), by

(B) the total number of illegal entries in the sector during such fiscal year.

(5) FULL SITUATIONAL AWARENESS.—The term ''full situational awareness'' means situational awareness of the entire Southern border, including the functioning and operational capability to conduct continuous and

integrated manned or unmanned, monitoring, sensing, or surveillance of 100 percent of Southern border mileage or the immediate vicinity of the Southern border .

(6) MAJOR VIOLATOR.—The term ''major violator'' means a person or entity that has engaged in serious criminal activities at any port of entry along the Southern border, including possession of narcotics, smuggling of prohibited products, human smuggling, human trafficking, weapons possession, use of fraudulent United States documents, or other offenses serious enough to result in arrest.

(7) NORTHERN BORDER.—The term ''Northern border'' means the international border between the United States and Canada.

(8) OPERATIONAL CONTROL.—The term ''operational control'' means the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.

(9) SOUTHERN BORDER.—The term ''Southern border'' means the international border between the United States and Mexico.

(b) BORDER SECURITY GOALS.—The border security goals of the Department shall be—

(1) to achieve and maintain operational control of the Southern border within 5 years of the date of the enactment of this Act;

(2) to achieve and maintain full situational awareness of the Southern border within 5 years of the date of the enactment of this Act;

(3) to fully implement a biometric entry and exit system at all land, air, and sea ports of entry in accordance with the requirements set forth in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b) within 5 years of the date of the enactment of this Act; and

(4) to implement a mandatory employment verification system required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101 of this Act, within 5 years of the date of the enactment of this Act.

(c) TRIGGERS.—

(1) PROCESSING OF APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—The Secretary may not commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, until—

(A) the Secretary and the Commissioner of United States Customs and Border Protection jointly submit to the President and Congress a written certification, including a comprehensive report detailing the data, methodologies, and reasoning justifying such certification, that certifies, under penalty of perjury, that—

(i) the Secretary has achieved and maintained full situational awareness of the Southern border for the 12-month period immediately preceding such certification;

(ii) the Secretary has achieved and maintained operational control of the Southern border for the 12-month period immediately preceding such certification;

(iii) the Secretary has implemented the mandatory employment verification system required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101 of this Act, for use by all employers to prevent unauthorized workers from obtaining employment in the United States; and

(iv) the Secretary has implemented an integrated biometric entry and exit data system at all land, sea, and air ports of entry in accordance with the requirements set forth in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b);

(B) not earlier than 60 days after the submission of a certification under paragraph (A), the Inspector General of the Department of Homeland Security, who has been appointed by the President, by and with the advice and consent of the Senate, in consultation with the Comptroller General of the United States, reviews the reliability of the data, methodologies, and conclusions of a certification under subparagraph (A) and submits to the President and Congress a written certification and report attesting that each of the requirements of clauses (i), (ii), (iii), and (iv) of subparagraph (A) have been achieved; and

(C) a joint resolution of approval is enacted into law pursuant to paragraph (2).

(2) JOINT RESOLUTION OF APPROVAL.—

(A) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary may not exercise any authority to grant temporary legal status to individuals who are unlawfully present in the United States unless, not later than 15 calendar days after the date on which Congress receives written certification from the Secretary pursuant to paragraph (1)(A), there is enacted into law a joint resolution approving the certification of the Secretary.

(B) CONTENTS OF JOINT RESOLUTION.—In this paragraph, the term ''joint resolution'' means a joint resolution—

(i) that is introduced not later than 3 calendar days after the date on which the written certification of the Secretary under paragraph (1)(A) is received by Congress;

(ii) that does not have a preamble;

(iii) the title of which is as follows: ''Joint resolution relating to the approval of the certification of the Secretary of Homeland Security obligations under the Border Security, Economic Opportunity, and Immigration Modernization Act''; and

(iv) the matter after the resolving clause of which is as follows: ''That Congress approves the certification of the Secretary of Homeland Security that—

''(I) the Secretary has achieved and maintained full situational awareness of the Southern border for the 12-month period immediately preceding such certification;

''(II) the Secretary has achieved and maintained operational control of the Southern border for the 12-month period immediately preceding such certification;

''(III) the Secretary has implemented the mandatory employment verification system required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) for use by all employers to prevent unauthorized workers from obtaining employment in the United States; and

''(IV) the Secretary has implemented an integrated biometric entry and exit data system at all land, sea, and air ports of entry in accordance with the requirements set forth in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b).''.

(3) FAST TRACK CONSIDERATION IN HOUSE OF REPRESENTATIVES.—

(A) RECONVENING.—Upon the receipt of a written certification from the Secretary under paragraph (1)(A), the Speaker, if the House would otherwise be adjourned, shall notify the Members of the House that, pursuant to this paragraph, the House shall convene not later than the second calendar day after receipt of such certification;

(B) REPORTING AND DISCHARGE.—Any committee of the House of Representatives to which a joint resolution is referred shall report it to the House not later than 5 calendar days after the date of receipt of the certification described in paragraph (1)(A). If a committee fails to report the joint resolution within that period, the committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be referred to the appropriate calendar.

(C) PROCEEDING TO CONSIDERATION.—After each committee authorized to consider a joint resolution reports it to the House or has been discharged from its consideration, it shall be in order, not later than the sixth day after Congress receives the certification described in paragraph (1)(A), to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(D) CONSIDERATION.—The joint resolution shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

(4) FAST TRACK CONSIDERATION IN SENATE.—

(A) RECONVENING.—Upon receipt of a certification under paragraph (1)(A), if the Senate has adjourned or recessed for more than 2 days, the Majority Leader of the Senate, after consultation with the Minority Leader of the Senate, shall notify the Members of the Senate that, pursuant to this paragraph, the Senate shall convene not later than the second calendar day after receipt of such message.

(B) PLACEMENT ON CALENDAR.—Upon introduction in the Senate, the joint resolution shall be placed immediately on the calendar.

(C) FLOOR CONSIDERATION.—

(i) IN GENERAL.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time during the period beginning on the 4th day after the date on which Congress receives a certification described in paragraph (1)(A) and ending on the 6th day after the date on which Congress receives such certification (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the joint resolution shall remain the unfinished business until disposed of.

(ii) DEBATE.—Debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the Majority Leader and Minority Leaders or their designees. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business,

or a motion to recommit the joint resolution is not in order.

(iii) VOTE ON PASSAGE.—The vote on passage shall occur immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate.

(iv) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution shall be decided without debate.

(5) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(A) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by 1 House of a joint resolution of that House, that House receives from the other House a joint resolution, then the following procedures shall apply:

(i) The joint resolution of the other House shall not be referred to a committee.

(ii) With respect to a joint resolution of the House receiving the resolution—

(I) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(II) the vote on passage shall be on the joint resolution of the other House.

(B) TREATMENT OF JOINT RESOLUTION OF OTHER HOUSE.—If one House fails to introduce or consider a joint resolution under this section, the joint resolution of the other House shall be entitled to expedited floor procedures under this section.

(C) TREATMENT OF COMPANION MEASURES.—If, following passage of the joint resolution in the Senate, the Senate receives the companion measure from the House of Representatives, the companion measure shall not be debatable.

(D) CONSIDERATION AFTER PASSAGE.—

(i) IN GENERAL.—If Congress passes a joint resolution, the period beginning on the date the President is presented with the joint resolution and ending on the date the President takes action with respect to the joint resolution shall be disregarded in computing the 15-calendar day period described in paragraph (2)(A).

(ii) VETOES.—If the President vetoes the joint resolution—

(I) the period beginning on the date the President vetoes the joint resolution and ending on the date the Congress receives the veto message with respect to the joint resolution shall be disregarded in computing the 15-calendar day period described in paragraph (2)(A); and

(II) debate on a veto message in the Senate under this section shall be 1 hour equally divided between the majority and minority leaders or their designees.

(E) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This paragraph and paragraphs (2), (3), and (4) are enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively;

(ii) as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(iii) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(d) PROTECTING CONSTITUTIONAL SEPARATION OF POWERS AGAINST ABUSES OF DISCRETION.—Not later than 30 days after the submission of a certification by the Secretary under subsection (c)(1)(A), the Comptroller General of the United States shall review such certification and provide Congress with a written report reviewing the reliability of such certification, and expressing the conclusion of the Comptroller General as to whether or not the requirements of clauses (i), (ii), (iii), and (iv) of subsection (c)(1)(A) have been achieved.

SEC. 4. SOUTHERN BORDER SECURITY COMMISSION.

(a) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, there shall be established a commission to be known as the ''Southern Border Security Commission'' (in this section referred to as the ''Commission'').

(b) COMPOSITION.—

(1) IN GENERAL.—The Commission shall be composed of up to 8 members as follows:

(A) The Governor of the State of Arizona, or the designee of the Governor.

(B) The Governor of the State of California, or the designee of the Governor.

(C) The Governor of the State of New Mexico, or the designee of the Governor.

(D) The Governor of the State of Texas, or the designee of the Governor.

(E) One designee of the Governor of the State of Arizona who is not such official or such official's designee under subparagraph (A).

(F) One designee of the Governor of the State of California who is not such official or such official's designee under subparagraph (B).

(G) One designee of the Governor of the State of New Mexico who is not such official or such official's designee under subparagraph (C).

(H) One designee of the Governor of the State of Texas who is not such official or such official's designee under subparagraph (D).

(2) CHAIR.—At the first meeting of the Commission, a majority of the members of the Commission present and voting shall elect the Chair of the Commission.

(3) RULES.—The Commission shall establish the rules and procedures of the Commission which shall require the approval of a majority of members of the Commission.

(4) MEETINGS.—Members of the Commission shall meet at the times and places of their choosing.

(5) NATURE OF REQUIREMENTS.—The tenure and terms of participation as a member of the Commission of any Governor or designee of a Governor under this subsection shall be subject to the sole discretion of such Governor.

(c) CONSULTATION; FEDERALISM PROTECTIONS.—

(1) CONSULTATION.—The Secretary shall consult not less frequently than every 90 days with members of the Commission as to the substance and contents of any strategy, plan, or report required by section 5 of this Act.

(2) FEDERALISM PROTECTIONS.—The Secretary may make no rules, regulations, or conditions regarding the operation of the Commission, or the terms of service of members of the Commission.

(d) TRANSITION.—The Secretary shall no longer be required to consult with the Commission under subsection (d)(1) on the date which is the earlier of—

(1) 30 days after the date on which a certification is made by the Secretary and Comptroller General of the United States under section 3(c)(2)(A) of this Act; or

(2) 10 years after the date of the enactment of this Act.

SEC. 5. COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY.

(a) COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit a strategy, to be known as the ''Comprehensive Southern Border Security Strategy'' (in this section referred to as the ''Strategy)'', for achieving and maintaining operational control and full situational awareness of the Southern border, to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on the Judiciary of the House;

(E) the Committee on Appropriations of the Senate;

(F) the Committee on Appropriations of the House of Representatives; and

(G) the Comptroller General of the United States.

(2) ELEMENTS.—The Strategy shall include, at a minimum, a consideration of the following:

(A) The state of operational control and situational awareness of the Southern border, including a sector-by-sector analysis.

(B) An assessment of principal Southern border security threats.

(C) Efforts to analyze and disseminate Southern border security and Southern border threat information between Department border security components.

(D) Efforts to increase situational awareness of the Southern border in accordance with privacy, civil liberties, and civil rights protections, including—

(i) surveillance capabilities developed or utilized by the Department of Defense, including any technology determined to be excess by the Department of Defense; and

(ii) use of manned aircraft and unmanned aerial systems, including the camera and sensor technology deployed on such assets.

(E) A Southern border fencing strategy that identifies where fencing, including double-layer fencing, infrastructure, and technology should be deployed along the Southern border.

(F) A comprehensive Southern border security technology plan for detection technology capabilities, including a documented justification and rationale for the technologies selected, deployment locations, fixed versus mobile assets, and a timetable for procurement and deployment.

(G) Technology required to both enhance security and facilitate trade at Southern border ports of entry, including nonintrusive detection equipment, radiation detection equipment, biometric technology, and other sensors and technology that the Secretary determines necessary.

(H) Operational coordination of Department Southern border security components, including efforts to ensure that a new border security technology can be operationally integrated with existing technologies in use by the Department.

(I) Cooperative agreements other Federal law enforcement agencies and State, local, tribal, and territorial law enforcement agencies that have jurisdiction on the Southern border, or in the maritime environment.

(J) Information received from consultation with other Federal law enforcement agencies and State, local, tribal, and territorial law enforcement agencies that have jurisdiction on the Southern border, or the maritime environment, and from Southern border community stakeholders, including representatives from border agricultural and ranching organizations and representatives from business organizations within close proximity of the Southern border.

(K) Agreements with foreign governments that support the border security efforts of the United States.

(L) Efforts to detect and prevent terrorists and instruments of terrorism from entering the United States.

(M) Staffing requirements for all Southern border security functions.

(N) Metrics required by section 6 of this Act.

(O) An assessment of existing efforts and technologies used for border security and the effect of the use of such efforts and technologies on civil rights, private property rights, privacy rights, and civil liberties.

(P) Resources and other measures that are necessary to achieve a 50 percent reduction in the average wait times of commercial and passenger vehicles at international land ports of entry along the Southern border and the Northern border.

(Q) A prioritized list of research and development objectives to enhance the security of the Southern border.

(R) A strategy to reduce passenger wait times and cargo screening times at airports that serve as ports of entry.

(3) IMPLEMENTATION PLAN.—Not later than 60 days after the submission of the Strategy under paragraph (1), the Secretary shall submit to the committees of Congress specified in paragraph (1) an implementation plan for each of the border security components of the Department to carry out the Strategy. The plan shall include, at a minimum—

(A) a comprehensive border security technology plan for continuous and systematic surveillance of the Southern border, including a documented justification and rationale for the technologies selected, deployment locations, fixed versus mobile assets, and a timetable for procurement and deployment;

(B) the resources, including personnel, infrastructure, and technologies that must be developed, procured, and successfully deployed, to achieve and maintain operational control and full situational awareness of the Southern border; and

(C) a set of interim goals and supporting milestones necessary for the Department to achieve and maintain operational control and full situational awareness of the Southern border.

(4) SEMIANNUAL REPORTS.—

(A) IN GENERAL.—After the Strategy is submitted under paragraph (1), the Secretary shall submit to the committees of Congress specified in paragraph (1), not later than May 15 and November 15 each year, a report on the status of the implementation of the Strategy by the Department, including a report on the state of operational control of the Southern border, the metrics required by section 6 of this Act, and the funding used to achieve stated goals.

(B) ELEMENTS.—Each report submitted under subparagraph (A) shall include—

(i) a detailed description of the steps the Department has taken, or plans to take, to execute the Strategy;

(ii) a detailed description of—

(I) any impediments identified in the Department's efforts to execute the strategy;

(II) the actions the Department has taken, or plans to take, to address such impediments; and

(III) any additional measures developed by the Department to measure the state of security along the Southern border;

(iii) for each U.S. Border Patrol sector along the Southern border—

(I) the effectiveness rate for such sector;

(II) the number of recidivist apprehensions; and

(III) the recidivism rate for all unique subjects that received a criminal consequence through the Consequence Delivery System process;

(iv) the aggregate effectiveness rate of all U.S. Border Patrol sectors along the Southern border;

(v) a resource allocation model for current and future year staffing requirements that includes optimal staffing levels at Southern border land, air, and sea ports of entry, and an explanation of U.S. Customs and Border Protection methodology for aligning staffing levels and workload to threats and vulnerabilities across all mission areas;

(vi) detailed information on the level of manpower available at all Southern border land, air, and sea ports of entry and between Southern border ports of entry, including the number of canine and agricultural officers assigned to each such port of entry;

(vii) detailed information that describes the difference between the staffing the model suggests and the actual staffing at each Southern border port of entry and between the ports of entry; and

(viii) monthly per passenger wait times, including data on peaks, for crossing the Southern border and the Northern border, per passenger processing wait times at air and sea ports of entry, and the staffing levels at all ports of entry.

SEC. 6. BORDER SECURITY METRICS.

(a) METRICS FOR SECURING THE SOUTHERN BORDER BETWEEN PORTS OF ENTRY.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall implement metrics to measure the effectiveness of security between ports of entry along the Southern border. The metrics shall address, at a minimum, the following:

(1) The effectiveness rate for the areas covered.

(2) Estimates, using alternate methodologies, including recidivism and survey data, of total attempted illegal border crossings, the rate of apprehension of attempted illegal border crossings, and the inflow into the United States of illegal border crossers who evade apprehension.

(3) Estimates of the impacts of the Consequence Delivery System of U.S. Border Patrol on the rate of recidivism of illegal border crossers.

(4) The current level of situational awareness.

(5) Amount of narcotics seized between ports of entry.

(6) A narcotics interdiction rate which measures the amount of narcotics seized against the total estimated amount of narcotics U.S. Border Patrol fails to seize.

(b) METRICS FOR SECURING THE BORDER AT PORTS OF ENTRY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall implement metrics to measure the effectiveness of security at Southern border ports of entry. The metrics shall address, at a minimum, the following:

(A) The effectiveness rate for such ports of entry.

(B) Estimates, using alternative methodologies, including recidivism data, survey data, known-flow data, and randomized secondary screening data, of total attempted inadmissible border crossers, the rate of apprehension of attempted inadmissible border crossers, and the inflow into the United States of inadmissible border crossers who evade apprehension.

(C) A narcotics interdiction rate which measures the amount of narcotics seized against the total estimated amount of narcotics U.S. Customs and Border Protection fails to seize.

(D) The number of infractions related to personnel and cargo committed by major violators who are apprehended by U.S. Customs and Border Protection at such ports of entry, and the estimated number of such infractions committed by major violators who are not so apprehended.

(E) The effect of the border security apparatus on crossing times.

(2) COVERT TESTING.—The Inspector General of the Department of Homeland Security shall carry out covert testing at ports of entry along the Southern border and submit to the Secretary and the committees of Congress specified in section 5(a)(1) of this Act a report that contains the results of such tests. The Secretary shall use such results to assess activities under this subsection.

(c) INDEPENDENT ASSESSMENT BY NATIONAL LABORATORY WITHIN DEPARTMENT OF HOMELAND SECURITY LABORATORY NETWORK.—The Secretary shall request the head of a national laboratory within the Department laboratory network with prior expertise in border security to—

(1) provide an independent assessment of the metrics implemented in accordance with subsections (a) and (b) to ensure each such metric's suitability and statistical validity; and

(2) make recommendations for other suitable metrics that may be used to measure the effectiveness of border security along the Southern border.

(d) EVALUATION BY GOVERNMENT ACCOUNTABILITY OFFICE.—

(1) IN GENERAL.—The Secretary shall make available to the Government Accountability Office the data and methodology used to develop the metrics implemented under subsections (a) and (b) and the independent assessment described under subsection (c).

(2) REPORT.—Not later than 270 days after receiving the data and methodology described in paragraph (1), the Comptroller General of the United States shall submit to the committees of Congress specified in section 5(a)(1) of this Act a report on the suitability and statistical validity of such data and methodology.

(e) GAO REPORT ON BORDER SECURITY DUPLICATION.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the committees of Congress specified in section 5(a)(1) of this Act a report addressing areas of overlap in responsibilities within the border security functions of the Department.

SEC. 7. COMPREHENSIVE IMMIGRATION REFORM TRUST FUND.

(a) COMPREHENSIVE IMMIGRATION REFORM TRUST FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury a separate account, to be known as the Comprehensive Immigration Reform Trust Fund (referred to in this section as the ''Trust Fund''), consisting of—

(A) amounts transferred from the general fund of the Treasury under paragraph (2)(A); and

(B) proceeds from the fees described in paragraph (2)(B).

(2) DEPOSITS.—

(A) INITIAL FUNDING.—On the later of the date of the enactment of this Act or October 1, 2013, $8,300,000,000 shall be transferred from the general fund of the Treasury to the Trust Fund.

(B) ONGOING FUNDING.—Notwithstanding section 3302 of title 31, United States Code, in addition to the funding described in subparagraph (A), and subject to paragraphs (3)(B) and (4), the following amounts shall be deposited in the Trust Fund:

(i) ELECTRONIC TRAVEL AUTHORIZATION SYSTEM FEES.—Fees collected under section 217(h)(3)(B)(i)(II) of the Immigration and Nationality Act, as added by section 1102(c).

(ii) REGISTERED PROVISIONAL IMMIGRANT PENALTIES.—Penalties collected under section 245B(c)(10)(C) of the Immigration and Nationality Act, as added by section 2101.

(iii) BLUE CARD PENALTY.—Penalties collected under section 2211(b)(9)(C).

(iv) FINES FOR ADJUSTMENT FROM BLUE CARD STATUS.—Fines collected under section 245F(a)(5) of the Immigration and Nationality Act, as added by section 2212(a).

(v) PENALTIES FOR FALSE STATEMENTS IN APPLICATIONS.—Fines collected under section 245F(f) of the Immigration and Nationality Act, as added by section 2212(a).

(vi) MERIT SYSTEM GREEN CARD FEES.—Fees collected under section 203(c)(6) of the Immigration and Nationality Act, as amended by section 2301(a)(2).

(vii) H–1B AND L VISA FEES.—Fees collected under section 281(d) of the Immigration and Nationality Act, as added by section 4105.

(viii) H–1B OUTPLACEMENT FEE.—Fees collected under section 212(n)(1)(F)(ii) of the Immigration and Nationality Act, as amended by section 4211(d).

(ix) H–1B NONIMMIGRANT DEPENDENT EMPLOYER FEES.—Fees collected under section 4233(a)(2).

(x) L NONIMMIGRANT DEPENDENT EMPLOYER FEES.—Fees collected under section 4305(a)(2).

(xi) J–1 VISA MITIGATION FEES.—Fees collected under section 281(e) of the Immigration and Nationality Act, as added by section 4407.

(xii) F–1 VISA FEES.—Fees collected under section 281(f) of the Immigration and Nationality Act, as added by section 4408.

(xiii) RETIREE VISA FEES.—Fees collected under section 214(w)(1)(B) of the Immigration and Nationality Act, as added by section 4504(b).

(xiv) VISITOR VISA FEES.—Fees collected under section 281(g) of the Immigration and Nationality Act, as added by section 4509.

(xv) H–2B VISA FEES.—Fees collected under section 214(x)(5)(A) of the Immigration and Nationality Act, as added by section 4602(a).

(xvi) NONIMMIGRANTS PERFORMING MAINTENANCE ON COMMON CARRIERS.—Fees collected under section 214(z) of the Immigration and Nationality Act, as added by section 4604.

(xvii) X–1 VISA FEES.—Fees collected under section 214(s)(6) of the Immigration and Nationality Act, as added by section 4801.

(xviii) PENALTIES FOR ADJUSTMENT FROM REGISTERED PROVISIONAL IMMIGRANT STATUS.—Penalties collected under section 245C(c)(5)(B) of the Immigration and Nationality Act, as added by section 2102.

(C) AUTHORITY TO ADJUST FEES.—As necessary to carry out the purposes of this Act, the Secretary may adjust the amounts of the fees and penalties set out under subparagraph (B), except for the fines and penalties referred to in clauses (ii), (iii), (iv), or (xviii) of such subparagraph.

(3) USE OF FUNDS.—

(A) INITIAL FUNDING.—Of the amounts transferred to the Trust Fund pursuant to paragraph (2)(A)—

(i) $6,500,000,000 shall be made available to the Secretary for carrying out the Comprehensive Southern Border Security Strategy, including the Southern border fencing strategy;

(ii) $750,000,000 shall remain available for the 6-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary to expand and implement the mandatory employment verification system, which shall be used as required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101;

(iii) $900,000,000 shall remain available for the 8-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary of State to pay for one-time and startup costs necessary to implement this Act; and

(iv) $150,000,000 shall remain available for the 2-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary for transfer to the Secretary of Labor, the Secretary of Agriculture, or the Attorney General, for initial costs of implementing this Act.

(B) REPAYMENT OF TRUST FUND EXPENSES.—The first $8,300,000,000 collected pursuant to the fees, penalties, and fines referred to in clauses (ii), (iii), (iv), (vi), (xiii), (xvii), and (xviii) of paragraph (2)(B) shall be collected, deposited in the general fund of the Treasury, and used for Federal budget deficit reduction. Collections in excess of $8,300,000,000 shall be deposited into the Trust Fund, as specified in paragraph (2)(B).

(C) PROGRAM IMPLEMENTATION.—Amounts deposited into the Trust Fund pursuant to paragraph (2)(B) shall be available during each of fiscal years 2014 through 2018 as follows:

(i) $50,000,000 to carry out the activities referenced in section 1104(a)(1).

(ii) $50,000,000 to carry out the activities referenced in section 1104(b).

(D) ONGOING FUNDING.—Subject to the availability of appropriations, amounts deposited in the Trust Fund pursuant to paragraph (2)(B) are authorized to be appropriated as follows:

(i) Such sums as may be necessary to carry out the authorizations included in this Act.

(ii) Such sums as may be necessary to carry out the operations and maintenance of border security and immigration enforcement investments described in subparagraph (A).

(E) EXPENDITURE PLAN.—The Secretary, in consultation with the Attorney General and the Secretary of Defense, shall submit to the Committee on Appropriations and the Committee on the Judiciary of the Senate and the Committee on Appropriations and the Committee on the Judiciary of the House of Representatives, in conjunction with the Comprehensive Southern Border Strategy, a plan for expenditure that describes—

(i) the types and planned deployment of fixed, mobile, video, and agent and officer portable surveillance and detection equipment, including those recommended or provided by the Department of Defense;

(ii) the number of Border Patrol agents and U.S. Customs and Border Protection officers to be hired, including a detailed description of which Border Patrol sectors and which land border ports of entry such agents and officers will be stationed;

(iii) the numbers and types of unarmed, unmanned aerial systems and unarmed, fixed-wing and rotary aircraft, including pilots, air interdiction agents, and support staff to fly or otherwise operate and maintain the equipment;

(iv) the numbers, types, and planned deployment of marine and riverine vessels, if any, including marine interdiction agents and support staff to operate and maintain the vessels;

(v) the locations, mileage, and planned deployment of fencing, including double layer fencing, tactical and other infrastructure, and technology, including fixed towers, sensors, cameras, and other detection technology;

(vi) the numbers, types, and planned deployment of ground-based mobile surveillance systems;

(vii) the numbers, types, and planned deployment of tactical and other interoperable law enforcement communications systems and equipment;

(viii) required construction, including repairs, expansion, and maintenance, and location of additional checkpoints, Border Patrol stations, and forward operating bases;

(ix) the number of additional attorneys and support staff for the Office of the United States Attorney for Tucson;

(x) the number of additional support staff and interpreters in the Office of the Clerk of the Court for Tucson;

(xi) the number of additional personnel, including Marshals and Deputy Marshals for the United States Marshals Office for Tucson;

(xii) the number of additional magistrate judges for the southern border United States district courts;

(xiii) activities to be funded by the Homeland Security Border Oversight Task Force;

(xiv) funding amounts and types of grants to States and other entities;

(xv) funding amounts and activities necessary to hire additional personnel and for start-up costs related to upgrading software and information technology necessary to transition from a voluntary E-Verify system to the mandatory employment verification system under section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) within 5 years;

(xvi) the number of additional personnel and other costs associated with implementing the immigration courts and removal proceedings mandated in subtitle E of title III;

(xvii) the steps the Commissioner of Social Security plans to take to create a fraud-resistant, tamper-resistant, wear-resistant, and identity theft-resistant Social Security card, including—

(I) the types of equipment needed to create the card;

(II) the total estimated costs for completion that clearly delineates costs associated with the acquisition of equipment and transition to operation, subdivided by fiscal year and including a description of the purpose by fiscal year for design, pre-acquisition activities, production, and transition to operation;

(III) the number and type of personnel, including contract personnel, required to research, design, test, and produce the card; and

(IV) a detailed schedule for production of the card, including an estimated completion date at the projected funding level provided in this Act; and

(xviii) the operations and maintenance costs associated with the implementation of clauses (i) through (xvii).

(F) ANNUAL REVISION.—The expenditure plan required in (E) shall be revised and submitted with the President's budget proposals

for fiscal year 2016, 2017, 2018, and 2019 pursuant to the requirements of section 1105(a) of title 31, United States Code.

(4) LIMITATION ON COLLECTION.—

(A) IN GENERAL.—No fee deposited in the Trust Fund may be collected except to the extent that the expenditure of the fee is provided for in advance in an appropriations Act only to pay the costs of activities and services for which appropriations are authorized to be funded from the Trust Fund.

(B) RECEIPTS COLLECTED AS OFFSETTING RECEIPTS.—Until the date of the enactment of an Act making appropriations for the activities authorized under this Act through September 30, 2014, the fees authorized by paragraph (2)(B) that are not deposited into the general fund pursuant to paragraph (3)(B) may be collected and shall be credited as to the Trust Fund to remain available until expended only to pay the costs of activities and services for which appropriations are authorized to be funded from the Trust Fund.

(b) COMPREHENSIVE IMMIGRATION REFORM STARTUP ACCOUNT.—

(1) ESTABLISHMENT.—There is established in the Treasury a separate account, to be known as the ''Comprehensive Immigration Reform Startup Account,'' (referred to in this section as the ''Startup Account''), consisting of amounts transferred from the general fund of the Treasury under paragraph (2).

(2) DEPOSITS.—There is appropriated to the Startup Account, out of any funds in the Treasury not otherwise appropriated, $3,000,000,000, to remain available until expended on the later of the date that is—

(A) the date of the enactment of this Act; or

(B) October 1, 2013.

(3) REPAYMENT OF STARTUP COSTS.—

(A) IN GENERAL.—Notwithstanding section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), 50 percent of fees collected under section 245B(c)(10)(A) of the Immigration and Nationality Act, as added by section 2101 of this Act, shall be deposited monthly in the general fund of the Treasury and used for Federal budget deficit reduction until the funding provided by paragraph (2) has been repaid.

(B) DEPOSIT IN THE IMMIGRATION EXAMINATIONS FEE ACCOUNT.—Fees collected in excess of the amount referenced in subparagraph (A) shall be deposited in the Immigration Examinations Fee Account, pursuant to subsection (m) of section 286 of the Immigration and Nationality Act (8 U.S.C. 1356), and shall remain available until expended pursuant to subsection (n) of such section.

(4) USE OF FUNDS.—The Secretary shall use the amounts transferred to the Startup Account to pay for one-time and startup costs necessary to implement this Act, including—

(A) equipment, information technology systems, infrastructure, and human resources;

(B) outreach to the public, including development and promulgation of any regulations, rules, or other public notice;

(C) grants to community and faith-based organizations; and

(D) anti-fraud programs and actions related to implementation of this Act.

(5) EXPENDITURE PLAN.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Attorney General and the Secretary of Defense, shall submit to the Committee on Appropriations and the Committee on the Judiciary of the Senate and the Committee on Appropriations and the Committee on the Judiciary of the House of Representatives, a plan for expenditure of the one-time and startup funds in the Startup Account that provides details on—

(A) the types of equipment, information technology systems, infrastructure, and human resources for which funds will be allocated;

(B) the plans for outreach to the public, including development and promulgation of any regulations, rules, or other public notice;

(C) the types and amounts of grants to community and faith-based organizations; and

(D) the anti-fraud programs and actions related to implementation of this Act.

(c) ANNUAL AUDITS.—

(1) AUDITS REQUIRED.—Not later than October 1 each year beginning on or after the date of the enactment of this Act, the Chief Financial Officer of the Department shall, in conjunction with the Inspector General of the Department, conduct an audit of the Trust Fund.

(2) REPORTS.—Upon completion of each audit of the Trust Fund under paragraph (1), the Chief Financial Officer shall, in conjunction with the Inspector General, submit to Congress, and make available to the public on an Internet website of the Department, a jointly audited financial statement concerning the Trust Fund.

(3) ELEMENTS.—Each audited financial statement under paragraph (2) shall include, at a minimum, the following:

(A) The report of an independent certified public accountant.

(B) A balance sheet reporting admitted assets, liabilities, capital and surplus.

(C) A statement of cash flow.

(D) Such other information on the Trust Fund as the Chief Financial Officer, the Inspector General, or the independent certified public accountant considers appropriate to facilitate a comprehensive understanding of the Trust Fund during the year covered by the financial statement.

SEC. 8. GRANT ACCOUNTABILITY.

(a) DEFINITIONS.—In this section:

(1) AWARDING ENTITY.—The term ''awarding entity'' means the Secretary, the Director of the Federal Emergency Management Agency, the Chief of the Office of Citizenship and New Americans, as designated by this Act, or the Director of the National Science Foundation.

(2) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(3) UNRESOLVED AUDIT FINDING.—The term ''unresolved audit finding'' means a finding in a final audit report conducted by the Inspector General of the Department, or the Inspector General for the National Science Foundation for grants awarded by the Director of the National Science Foundation, that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 1 year from the date when the final audit report is issued.

(b) ACCOUNTABILITY.—All grants awarded by an awarding entity pursuant to this Act shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) AUDITS.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department, or the Inspector General for the National Science Foundation for grants awarded by the Director of the National Science Foundation, shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. Such Inspectors General shall determine the appropriate number of grantees to be audited each year.

(B) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the first 2 fiscal years beginning after the end of the 1-year period described in subsection (a)(3).

(C) PRIORITY.—In awarding a grant under this Act, the awarding entity shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years prior to the date the entity submitted the application for such grant.

(D) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the period of 2 fiscal years in which the entity is barred from receiving grants under subparagraph (B), the awarding entity shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to such entity into the general fund of the Treasury; and

(ii) seek to recover the costs of the repayment under clause (i) from such entity.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) PROHIBITION.—An awarding entity may not award a grant under this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding the tax imposed by section 511(a) of the Internal Revenue Code of 1986.

(B) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the awarding entity, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the awarding entity shall make the information disclosed under this subparagraph available for public inspection.

(3) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department or the National Science Foundation for grant programs under this Act may be used by an awarding entity or by any individual or entity awarded discretionary funds through a cooperative agreement under this Act to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the Department or the National Science Foundation unless the Deputy Secretary for Homeland Security, or the Deputy Director of the National Science Foundation, or their designee, provides prior written authorization that the funds may be expended to host the conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(C) REPORT.—The Deputy Secretary of Homeland Security and the Deputy Director of the National Science Foundation shall submit to Congress an annual report on all

conference expenditures approved under this paragraph.

(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, each awarding entity shall submit to Congress a report—

(A) indicating whether—

(i) all audits issued by the Offices of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate individuals;

(ii) all mandatory exclusions required under paragraph (1)(B) have been issued; and

(iii) all reimbursements required under paragraph (1)(D) have been made; and

(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.

SEC. 9. REFERENCE TO THE IMMIGRATION AND NATIONALITY ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

SEC. 10. DEFINITIONS.

In this Act:

(1) DEPARTMENT.—Except as otherwise provided, the term ''Department'' means the Department of Homeland Security.

(2) SECRETARY.—Except as otherwise provided, the term ''Secretary'' means the Secretary of Homeland Security.

TITLE I—BORDER SECURITY

SEC. 1101. DEFINITIONS.

In this title:

(1) NORTHERN BORDER.—The term ''Northern border'' means the international border between the United States and Canada.

(2) RURAL, HIGH-TRAFFICKED AREAS.—The term ''rural, high-trafficked areas'' means rural areas through which drugs and undocumented aliens are routinely smuggled, as designated by the Commissioner of U.S. Customs and Border Protection.

(3) SOUTHERN BORDER.—The term ''Southern border'' means the international border between the United States and Mexico.

(4) SOUTHWEST BORDER REGION.—The term ''Southwest border region'' means the area in the United States that is within 100 miles of the Southern border.

SEC. 1102. ADDITIONAL U.S. CUSTOMS AND BORDER PROTECTION OFFICERS.

(a) IN GENERAL.—Not later than September 30, 2017, the Secretary shall increase the number of trained full-time active duty U.S. Border Patrol agents deployed to the Southern border by 5,000, compared to the number of such officers as of the date of the enactment of this Act. The Secretary shall make progress in increasing such number of officers during each of fiscal years 2014 through 2017.

(b) CONSTRUCTION.—Nothing in subsection (a) may be construed to preclude the Secretary from reassigning or stationing U.S. Customs and Border Protection officers and U.S. Border Patrol agents from the Northern border to the Southern border.

(c) FUNDING.—Section 217(h)(3)(B) (8 U.S.C. 1187(h)(3)(B)) is amended—

(1) in clause (i)—

(A) by striking ''No later than 6 months after the date of enactment of the Travel Promotion Act of 2009, the'' and inserting ''The'';

(B) in subclause (I), by striking ''and'' at the end;

(C) by redesignating subclause (II) as subclause (III); and

(D) by inserting after subclause (I) the following:

''(II) $16 for border processing; and'';

(2) in clause (ii), by striking ''Amounts collected under clause (i)(II)'' and inserting ''Amounts collected under clause (i)(II) shall be deposited into the Comprehensive Immigration Reform Trust Fund established by section 7(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act. Amounts collected under clause (i)(III)''; and

(3) by striking clause (iii).

SEC. 1103. NATIONAL GUARD SUPPORT TO SECURE THE SOUTHERN BORDER.

(a) IN GENERAL.—With the approval of the Secretary of Defense, the Governor of a State may order any units or personnel of the National Guard of such State to perform operations and missions under section 502(f) of title 32, United States Code, in the Southwest border region for the purposes of assisting U.S. Customs and Border Protection in securing the Southern border.

(b) ASSIGNMENT OF OPERATIONS AND MISSIONS.—

(1) IN GENERAL.—National Guard units and personnel deployed under subsection (a) may be assigned such operations and missions specified in subsection (c) as may be necessary to secure the Southern border.

(2) NATURE OF DUTY.—The duty of National Guard personnel performing operations and missions described in paragraph (1) shall be full-time duty under title 32, United States Code.

(c) RANGE OF OPERATIONS AND MISSIONS.—The operations and missions assigned under subsection (b) shall include the temporary authority—

(1) to construct fencing, including double-layer and triple-layer fencing;

(2) to increase ground-based mobile surveillance systems;

(3) to deploy additional unmanned aerial systems and manned aircraft sufficient to maintain continuous surveillance of the Southern border;

(4) to deploy and provide capability for radio communications interoperability between U.S. Customs and Border Protection and State, local, and tribal law enforcement agencies;

(5) to construct checkpoints along the Southern border to bridge the gap to long-term permanent checkpoints; and

(6) to provide assistance to U.S. Customs and Border Protection, particularly in rural, high-trafficked areas, as designated by the Commissioner of U.S. Customs and Border Protection.

(d) MATERIEL AND LOGISTICAL SUPPORT.—The Secretary of Defense shall deploy such materiel and equipment and logistical support as may be necessary to ensure success of the operations and missions conducted by the National Guard under this section.

(e) EXCLUSION FROM NATIONAL GUARD PERSONNEL STRENGTH LIMITATIONS.—National Guard personnel deployed under subsection (a) shall not be included in—

(1) the calculation to determine compliance with limits on end strength for National Guard personnel; or

(2) limits on the number of National Guard personnel that may be placed on active duty for operational support under section 115 of title 10, United States Code.

SEC. 1104. ENHANCEMENT OF EXISTING BORDER SECURITY OPERATIONS.

(a) BORDER CROSSING PROSECUTIONS.—

(1) IN GENERAL.—From the amounts available pursuant to the authorization of appropriations in paragraph (3), funds shall be available—

(A) to increase the number of border crossing prosecutions in every sector of the Southwest border region by at least 50 percent per day, as calculated by the previous annual average on the date of the enactment of this Act, through increasing the funding available for—

(i) attorneys and administrative support staff in offices of United States attorneys;

(ii) support staff and interpreters in Court Clerks' Offices;

(iii) pre-trial services;

(iv) activities of the Federal Public Defenders Office; and

(v) additional personnel, including Deputy U.S. Marshals in United States Marshals Offices to perform intake, coordination, transportation, and court security; and

(B) to reimburse Federal, State, local, and tribal law enforcement agencies for any detention costs related to the border crossing prosecutions carried out pursuant to subparagraph (A).

(2) ADDITIONAL MAGISTRATE JUDGES TO ASSIST WITH INCREASED CASELOAD.—The chief judge of the United States district courts within sectors of the Southwest border region are authorized to appoint additional full-time magistrate judges, who, consistent with the Constitution and laws of the United States, shall have the authority to hear cases and controversies in the judicial district in which the respective judges are appointed.

(3) FUNDING.—There are authorized to be appropriated from the Comprehensive Immigration Reform Trust Fund established by section 7(a)(1) of this Act such sums as may be necessary to carry out this subsection.

(b) OPERATION STONEGARDEN.—

(1) IN GENERAL.—The Federal Emergency Management Agency shall enhance law enforcement preparedness and operational readiness along the borders of the United States through Operation Stonegarden.

(2) GRANTS AND REIMBURSEMENTS.—

(A) IN GENERAL.—For purposes of paragraph (1), not less than 90 percent of the amounts made available pursuant to the authorization of appropriations in paragraph (3) shall be allocated for grants and reimbursements to law enforcement agencies in the States in the Southwest border region for personnel, overtime, travel, and other costs related to combating illegal immigration and drug smuggling in the Southwest border region.

(B) GRANTS TO LAW ENFORCEMENT AGENCIES.—Allocations for grants and reimbursements to law enforcement agencies under this paragraph shall be made by the Federal Emergency Management Agency through a competitive process.

(3) FUNDING.—There are authorized to be appropriated from the Comprehensive Immigration Reform Trust Fund pursuant to section 7(a)(3)(C)(ii) of this Act such sums as may be necessary to carry out this subsection.

(c) PHYSICAL AND TACTICAL INFRASTRUCTURE IMPROVEMENTS.—

(1) CONSTRUCTION, UPGRADE, AND ACQUISITION OF BORDER CONTROL FACILITIES.—The Secretary shall, consistent with the Southern Border Security Strategy required by section 5 of this Act, upgrade existing physical and tactical infrastructure of the Department, and construct and acquire additional physical and tactical infrastructure, including the following:

(A) U.S. Border Patrol stations.

(B) U.S. Border Patrol checkpoints.

(C) Forward operating bases.

(D) Monitoring stations.

(E) Mobile command centers.
(F) Field offices.
(G) All-weather roads.
(H) Lighting.
(I) Real property.
(J) Land border port of entry improvements.
(K) Other necessary facilities, structures, and properties.

(2) REQUIRED USES OF FUNDS.—The Secretary, consistent with the Southern Border Security Strategy, shall do the following:

(A) U.S. BORDER PATROL STATIONS.—

(i) Construct additional U.S. Border Patrol stations in the Southwest border region that U.S. Customs and Border Protection determines are needed to provide full operational support in rural, high-trafficked areas.

(ii) Analyze the feasibility of creating additional U.S. Border Patrol sectors along the Southern border to interrupt drug and human trafficking operations.

(B) U.S. BORDER PATROL CHECKPOINTS.—Operate and maintain additional temporary or permanent checkpoints on roadways in the Southwest border region in order to deter, interdict, and apprehend terrorists, human traffickers, drug traffickers, weapons traffickers, and other criminals before they enter the interior of the United States.

(C) U.S. BORDER PATROL FORWARD OPERATING BASES.—

(i) Establish additional permanent forward operating bases for U.S. Border Patrol, as needed.

(ii) Upgrade existing forward operating bases to include modular buildings, electricity, and potable water.

(iii) Ensure that forward operating bases surveil and interdict individuals entering the United States unlawfully immediately after such individuals cross the Southern border.

(3) SAFE AND SECURE BORDER INFRASTRUCTURE.—The Secretary and the Secretary of Transportation, in consultation with the Governors of the States in the Southwest border region or the region along the Northern border, shall establish a grant program, which shall be administered by the Secretary of Transportation and the Administrator of the General Services Administration, to construct transportation and supporting infrastructure improvements at existing and new international border crossings necessary to facilitate safe, secure, and efficient cross border movement of people, motor vehicles, and cargo.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for each of fiscal years 2014 through 2018, such sums as may be necessary to carry out this subsection.

(d) ADDITIONAL PERMANENT DISTRICT COURT JUDGESHIPS IN SOUTHWEST BORDER STATES.—

(1) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate—

(A) 2 additional district judges for the district of Arizona;

(B) 3 additional district judges for the eastern district of California;

(C) 2 additional district judges for the western district of Texas; and

(D) 1 additional district judge for the southern district of Texas.

(2) CONVERSIONS OF TEMPORARY DISTRICT COURT JUDGESHIPS.—The existing judgeships for the district of Arizona and the central district of California authorized by section 312(c) of the 21st Century Department of Justice Appropriations Authorization Act (28 U.S.C. 133 note; Public Law 107–273; 116 Stat. 1788), as of the effective date of this Act, shall be authorized under section 133 of title 28, United States Code, and the incumbents in those offices shall hold the office under section 133 of title 28, United States Code, as amended by this Act.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—The table contained in section 133(a) of title 28, United States Code, is amended—

(A) by striking the item relating to the district of Arizona and inserting the following:

"Arizona ..... 15";

(B) by striking the items relating to California and inserting the following:

"California:
Northern 14
Eastern 9
Central 28
Southern ..... 13";
and

(C) by striking the items relating to Texas and inserting the following:

"Texas:
Northern 12
Southern 20
Eastern 7
Western ..... 15".

(4) INCREASE IN FILING FEES.—

(A) IN GENERAL.—Section 1914(a) of title 28, United States Code, is amended by striking "$350" and inserting "$360".

(B) EXPENDITURE LIMITATION.—Incremental amounts collected by reason of the enactment of this paragraph shall be deposited as offsetting receipts in the special fund of the Treasury established under section 1931 of title 28, United States Code. Such amounts shall be available solely for the purpose of facilitating the processing of civil cases, but only to the extent specifically appropriated by an Act of Congress enacted after the date of the enactment of this Act.

(5) WHISTLEBLOWER PROTECTION.—

(A) IN GENERAL.—No officer, employee, agent, contractor, or subcontractor of the judicial branch may discharge, demote, threaten, suspend, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because of any lawful act done by the employee to provide information, cause information to be provided, or otherwise assist in an investigation regarding any possible violation of Federal law or regulation, or misconduct, by a judge, justice, or any other employee in the judicial branch, which may assist in the investigation of the possible violation or misconduct.

(B) CIVIL ACTION.—An employee injured by a violation of subparagraph (A) may, in a civil action, obtain appropriate relief.

SEC. 1105. BORDER SECURITY ON CERTAIN FEDERAL LAND.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LANDS.—The term "Federal lands" includes all land under the control of the Secretary concerned that is located within the Southwest border region in the State of Arizona along the Southern border.

(2) SECRETARY CONCERNED.—The term "Secretary concerned" means—

(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

(b) SUPPORT FOR BORDER SECURITY NEEDS.—To achieve effective control of Federal lands—

(1) the Secretary concerned, notwithstanding any other provision of law, shall authorize and provide U.S. Customs and Border Protection personnel with immediate access to Federal lands for security activities, including—

(A) routine motorized patrols; and

(B) the deployment of communications, surveillance, and detection equipment;

(2) the security activities described in paragraph (1) shall be conducted, to the maximum extent practicable, in a manner that the Secretary determines will best protect the natural and cultural resources on Federal lands; and

(3) the Secretary concerned may provide education and training to U.S. Customs and Border Protection personnel on the natural and cultural resources present on individual Federal land units.

(c) PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—

(1) IN GENERAL.—After implementing subsection (b), the Secretary, in consultation with the Secretaries concerned, shall prepare and publish in the Federal Register a notice of intent to prepare a programmatic environmental impact statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to analyze the impacts of the activities described in subsection (b).

(2) EFFECT ON PROCESSING APPLICATION AND SPECIAL USE PERMITS.—The pending completion of a programmatic environmental impact statement under this section shall not result in any delay in the processing or approving of applications or special use permits by the Secretaries concerned for the activities described in subsection (b).

(3) AMENDMENT OF LAND USE PLANS.—The Secretaries concerned shall amend any land use plans, as appropriate, upon completion of the programmatic environmental impact statement described in subsection (b).

(4) SCOPE OF PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—The programmatic environmental impact statement described in paragraph (1)—

(A) may be used to advise the Secretary on the impact on natural and cultural resources on Federal lands; and

(B) shall not control, delay, or restrict actions by the Secretary to achieve effective control on Federal lands.

(d) INTERMINGLED STATE AND PRIVATE LAND.—This section shall not apply to any private or State-owned land within the boundaries of Federal lands.

SEC. 1106. EQUIPMENT AND TECHNOLOGY.

(a) ENHANCEMENTS.—The Secretary, in consultation with the Commissioner of U.S. Customs and Border Protection and consistent with the Southern Border Security Strategy required by section 5 of this Act, shall upgrade existing technological assets and equipment, and procure and deploy additional technological assets and equipment, including the following:

(1) Unarmed, unmanned aerial vehicles.
(2) Fixed-wing aircraft.
(3) Helicopters.
(4) Remote video surveillance camera systems.
(5) Mobile surveillance systems.
(6) Agent portable surveillance systems.
(7) Radar technology.
(8) Satellite technology.
(9) Fiber optics.
(10) Integrated fixed towers.
(11) Relay towers.
(12) Poles.
(13) Night vision equipment.
(14) Sensors, including imaging sensors and unattended ground sensors.
(15) Biometric entry-exit systems.
(16) Contraband detection equipment.
(17) Digital imaging equipment.

(18) Document fraud detection equipment.
(19) Land vehicles.
(20) Officer and personnel safety equipment.
(21) Other technologies and equipment.

(b) REQUIRED USES OF FUNDS.—The Secretary, consistent with the Southern Border Security Strategy, shall—

(1) deploy additional mobile, video, and agent-portable surveillance systems, and unarmed, unmanned aerial vehicles in the Southwest border region as necessary to provide 24-hour operation and surveillance;

(2) operate unarmed unmanned aerial vehicles along the Southern border for 24 hours per day and for 7 days per week;

(3) deploy unarmed additional fixed-wing aircraft and helicopters along the Southern border;

(4) acquire new rotary and make upgrades to the existing helicopter fleet;

(5) increase horse patrols in the Southwest border region; and

(6) acquire and deploy watercraft and other equipment to provide support for border-related maritime anti-crime activities.

(c) LIMITATION.—

(1) IN GENERAL.—Notwithstanding paragraphs (1) and (2) of subsection (a), and except as provided in paragraph (2), U.S. Border Patrol may not operate unarmed, unmanned aerial vehicles in the San Diego and El Centro Sectors, except within 3 miles of the Southern border.

(2) EXCEPTION.—The limitation under this subsection shall not restrict the maritime operations of U.S. Customs and Border Protection.

(d) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated, there is authorized to be appropriated for each of fiscal years 2014 through 2018 for U.S. Customs and Border Protection such sums as may be necessary to carry out this section.

SEC. 1107. ACCESS TO EMERGENCY PERSONNEL.

(a) SOUTHWEST BORDER REGION EMERGENCY COMMUNICATIONS GRANTS.—

(1) IN GENERAL.—The Secretary, in consultation with the Governors of the States in the Southwest border region, shall establish a 2-year grant program, to be administered by the Secretary, to improve emergency communications in the Southwest border region.

(2) ELIGIBILITY FOR GRANTS.—An individual is eligible to receive a grant under this subsection if the individual demonstrates that he or she—

(A) regularly resides or works in the Southwest border region; and

(B) is at greater risk of border violence due to the lack of cellular service at his or her residence or business and his or her proximity to the Southern border.

(3) USE OF GRANTS.—Grants awarded under this subsection may be used to purchase satellite telephone communications systems and service that—

(A) can provide access to 9–1–1 service; and

(B) are equipped with global positioning systems.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out the grant program established under this subsection.

(b) INTEROPERABLE COMMUNICATIONS FOR LAW ENFORCEMENT.—

(1) FEDERAL LAW ENFORCEMENT.—There are authorized to be appropriated to the Department, the Department of Justice, and the Department of the Interior, during the 5-year period beginning on the date of the enactment of this Act, such sums as may be necessary—

(A) to purchase, through a competitive procurement process, P25-compliant radios, which may include a multi-band option, for Federal law enforcement agents working in the Southwest border region in support of the activities of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, including law enforcement agents of the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Department of the Interior, and the Forest Service; and

(B) to upgrade, through a competitive procurement process, the communications network of the Department of Justice to ensure coverage and capacity, particularly when immediate access is needed in times of crisis, in the Southwest border region for appropriate law enforcement personnel of the Department of Justice (including the Drug Enforcement Administration and the Bureau of Alcohol, Tobacco, Firearms, and Explosives), the Department (including U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection), the United States Marshals Service, other Federal agencies, the State of Arizona, tribes, and local governments.

(2) STATE AND LOCAL LAW ENFORCEMENT.—

(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Justice, during the 5-year period beginning on the date of the enactment of this Act, such sums as may be necessary to purchase, through a competitive procurement process, P25-compliant radios, which may include a multi-band option, for State and local law enforcement agents working in the Southwest border region.

(B) ACCESS TO FEDERAL SPECTRUM.—If a State, tribal, or local law enforcement agency in the Southwest border region experiences an emergency situation that necessitates immediate communication with the Department of Justice, the Department, the Department of the Interior, or any of their respective subagencies, such law enforcement agency shall have access to the spectrum assigned to such Federal agency for the duration of such emergency situation.

SEC. 1108. SOUTHWEST BORDER REGION PROSECUTION INITIATIVE.

(a) REIMBURSEMENT TO STATE AND LOCAL PROSECUTORS FOR FEDERALLY INITIATED IMMIGRATION-RELATED CRIMINAL CASES.—The Attorney General shall reimburse State, county, tribal, and municipal governments for costs associated with the prosecution, pre-trial services and detention, clerical support, and public defenders' services associated with the prosecution of federally initiated criminal cases declined by local offices of the United States attorneys.

(b) EXCEPTION.—Reimbursement under subsection (a) shall not be available, at the discretion of the Attorney General, if the Attorney General determines that there is reason to believe that the jurisdiction seeking reimbursement has engaged in unlawful conduct in connection with immigration-related apprehensions.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for each of fiscal years 2014 through 2018 such sums as may be necessary to carry out this section.

SEC. 1109. INTERAGENCY COLLABORATION.

The Assistant Secretary of Defense for Research and Engineering shall collaborate with the Under Secretary of Homeland Security for Science and Technology to identify equipment and technology used by the Department of Defense that could be used by U.S. Customs and Border Protection to improve the security of the Southern border by—

(1) detecting border tunnels;

(2) detecting the use of ultralight aircraft;

(3) enhancing wide aerial surveillance; and

(4) otherwise improving the enforcement of such border.

SEC. 1110. STATE CRIMINAL ALIEN ASSISTANCE PROGRAM.

(a) SCAAP REAUTHORIZATION.—Section 241(i)(5)(C) (8 U.S.C. 1231(i)(5)) is amended by striking ''2011.'' and inserting ''2016.''.

(b) SCAAP ASSISTANCE FOR STATES.—

(1) ASSISTANCE FOR STATES INCARCERATING UNDOCUMENTED ALIENS CHARGED WITH CERTAIN CRIMES.—Section 241(i)(3)(A) (8 U.S.C. 1231(i)(3)(A)) is amended by inserting ''charged with or'' before ''convicted''.

(2) ASSISTANCE FOR STATES INCARCERATING UNVERIFIED ALIENS.—Section 241(i) (8 U.S.C. 1231(i)) is amended—

(A) by redesignating paragraphs (4), (5), and (6), as paragraphs (5), (6), and (7), respectively;

(B) in paragraph (7), as so redesignated, by striking ''(5)'' and inserting ''(6)''; and

(C) by adding after paragraph (3) the following:

''(4) In the case of an alien whose immigration status is unable to be verified by the Secretary of Homeland Security, and who would otherwise be an undocumented criminal alien if the alien is unlawfully present in the United States, the Attorney General shall compensate the State or political subdivision of the State for incarceration of the alien, consistent with subsection (i)(2).''.

(3) TIMELY REIMBURSEMENT.—Section 241(i) (8 U.S.C. 1231(i)), as amended by paragraph (2), is further amended by adding at the end the following:

''(8) Any funds awarded to a State or a political subdivision of a State, including a municipality, for a fiscal year under this subsection shall be distributed to such State or political subdivision not later than 120 days after the last day of the application period for assistance under this subsection for that fiscal year.''.

SEC. 1111. SOUTHERN BORDER SECURITY ASSISTANCE GRANTS.

(a) AUTHORITY.—

(1) IN GENERAL.—The Secretary, in consultation with State and local law enforcement agencies, may award border security assistance grants to law enforcement agencies located in the Southwest border region for the purposes described in subsection (b).

(2) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to law enforcement agencies located in a county that is located within 25 miles of the Southern border.

(b) PURPOSES.—Each grant awarded under subsection (a) shall be used to address drug trafficking, smuggling, and border violence—

(1) by obtaining law enforcement equipment and tools, including secure 2-way communication devices, portable laptops and office computers, license plate readers, unmanned aerial vehicles, unmanned aircraft systems, manned aircraft, cameras with night viewing capabilities, and any other appropriate law enforcement equipment;

(2) by hiring additional personnel, including administrative support personnel, dispatchers, and jailers, and to provide overtime pay for such personnel;

(3) by purchasing law enforcement vehicles;

(4) by providing high performance aircraft and helicopters for border surveillance and

other critical mission applications and paying for the operational and maintenance costs associated with such craft;

(5) by providing critical power generation systems, infrastructure, and technological upgrades to support State and local data management systems and fusion centers; or

(6) by providing specialized training and paying for the direct operating expenses associated with detecting and prosecuting drug trafficking, human smuggling, and other illegal activity or violence that occurs at or near the Southern border.

(c) APPLICATION.—

(1) REQUIREMENT.—A law enforcement agency seeking a grant under subsection (a), or a nonprofit organization or coalition acting as an agent for 1 or more such law enforcement entities, shall submit an application to the Secretary that includes the information described in paragraph (2) at such time and in such manner as the Secretary may require.

(2) CONTENT.—Each application submitted under paragraph (1) shall include—

(A) a description of the activities to be carried out with a grant awarded under subsection (a);

(B) if equipment will be purchased with the grant, a detailed description of—

(i) the type and quantity of such equipment; and

(ii) the personnel who will be using such equipment; and

(C) a description of the need of the law enforcement agency or agencies for the grant, including a description of the inability of the agency or agencies to carry out the proposed activities without the grant.

(d) REVIEW AND AWARD.—

(1) REVIEW.—Not later than 90 days after receiving an application submitted under subsection (c), the Secretary shall review and approve or reject the application.

(2) AWARD OF FUNDS.—Subject to the availability of appropriations, not later than 45 days after the date an application is approved under paragraph (1), the Secretary shall transmit the grant funds to the applicant.

(3) PRIORITY.—In distributing grant funds under this subsection, priority shall be given to high-intensity areas for drug trafficking, smuggling, and border violence.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for each of fiscal years 2014 and 2015, $300,000,000 for grants authorized under this section.

SEC. 1112. USE OF FORCE.

Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Assistant Attorney General for the Civil Rights Division of the Department of Justice, shall issue policies governing the use of force by all Department personnel that—

(1) require all Department personnel to report each use of force; and

(2) establish procedures for—

(A) accepting and investigating complaints regarding the use of force by Department personnel;

(B) disciplining Department personnel who violate any law or Department policy relating to the use of force; and

(C) reviewing all uses of force by Department personnel to determine whether the use of force—

(i) complied with Department policy; or

(ii) demonstrated the need for changes in policy, training, or equipment.

SEC. 1113. TRAINING FOR BORDER SECURITY AND IMMIGRATION ENFORCEMENT OFFICERS.

(a) IN GENERAL.—The Secretary shall ensure that U.S. Customs and Border Protection officers, U.S. Border Patrol agents, U.S. Immigration and Customs Enforcement officers and agents, United States Air and Marine Division agents, agriculture specialists, and, in consultation with the Secretary of Defense, National Guard personnel deployed to assist U.S. Customs and Border Protection under section 1103(c)(6)) of this Act, stationed within 100 miles of any land or marine border of the United States or at any United States port of entry receive appropriate training, which shall be prepared in collaboration with the Assistant Attorney General for the Civil Rights Division of the Department of Justice, in—

(1) identifying and detecting fraudulent travel documents;

(2) civil, constitutional, human, and privacy rights of individuals;

(3) the scope of enforcement authorities, including interrogations, stops, searches, seizures, arrests, and detentions;

(4) the use of force policies issued by the Secretary pursuant to section 1112 of this Act;

(5) immigration laws, including screening, identifying, and addressing vulnerable populations, such as children, victims of crime and human trafficking, and individuals fleeing persecution or torture;

(6) social and cultural sensitivity toward border communities;

(7) the impact of border operations on communities; and

(8) any particular environmental concerns in a particular area.

(b) TRAINING FOR BORDER COMMUNITY LIAISON OFFICERS.—The Secretary shall ensure that border communities liaison officers in U.S. Border Patrol sectors along the Southern border and the Northern border receive training to better—

(1) act as a liaison between border communities and the Office for Civil Rights and Civil Liberties of the Department and the Civil Rights Division of the Department of Justice;

(2) foster and institutionalize consultation with border communities;

(3) consult with border communities on Department programs, policies, strategies, and directives; and

(4) receive Department performance assessments from border communities.

(c) HUMANE CONDITIONS OF CONFINEMENT FOR CHILDREN IN U.S. CUSTOMS AND BORDER PROTECTION CUSTODY.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish standards to ensure that children in the custody of U.S. Customs and Border Protection—

(1) are afforded adequate medical and mental health care, including emergency medical and mental health care, if necessary;

(2) receive adequate nutrition;

(3) are provided with climate-appropriate clothing, footwear, and bedding;

(4) have basic personal hygiene and sanitary products; and

(5) are permitted to make supervised phone calls to family members.

SEC. 1114. DEPARTMENT OF HOMELAND SECURITY BORDER OVERSIGHT TASK FORCE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established an independent task force, which shall be known as the Department of Homeland Security Border Oversight Task Force (referred to in this section as the ''DHS Task Force'').

(2) DUTIES.—The DHS Task Force shall—

(A) review and make recommendations regarding immigration and border enforcement policies, strategies, and programs that take into consideration their impact on border communities;

(B) recommend ways in which the Border Communities Liaison Offices can strengthen relations and collaboration between communities in the border regions and the Department, the Department of Justice, and other Federal agencies that carry out such policies, strategies, and programs;

(C) evaluate how the policies, strategies, and programs of Federal agencies operating along the Southern border and the Northern border protect the due process, civil, and human rights of border residents, visitors, and migrants at and near such borders; and

(D) evaluate and make recommendations regarding the training of border enforcement personnel described in section 1113 of this Act.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The DHS Task Force shall be composed of 29 members, appointed by the President, who have expertise in migration, local crime indices, civil and human rights, community relations, cross-border trade and commerce, quality of life indicators, or other pertinent experience, of whom—

(i) 12 members shall be from the Northern border region and shall include—

(I) 2 local government elected officials;

(II) 2 local law enforcement official;

(III) 2 civil rights advocates;

(IV) 1 business representative;

(V) 1 higher education representative;

(VI) 1 private land owner representative;

(VII) 1 representative of a faith community; and

(VIII) 2 representatives of U.S. Border Patrol; and

(ii) 17 members shall be from the Southern border region and include—

(I) 3 local government elected officials;

(II) 3 local law enforcement officials;

(III) 3 civil rights advocates;

(IV) 2 business representatives;

(V) 1 higher education representative;

(VI) 2 private land owner representatives;

(VII) 1 representative of a faith community; and

(VIII) 2 representatives of U.S. Border Patrol.

(B) TERM OF SERVICE.—Members of the Task Force shall be appointed for the shorter of—

(i) 3 years; or

(ii) the life of the DHS Task Force.

(C) CHAIR, VICE CHAIR.—The members of the DHS Task Force shall elect a Chair and a Vice Chair from among its members, who shall serve in such capacities for the life of the DHS Task Force or until removed by the majority vote of at least 14 members.

(b) OPERATIONS.—

(1) HEARINGS.—The DHS Task Force may, for the purpose of carrying out its duties, hold hearings, sit and act, take testimony, receive evidence, and administer oaths.

(2) RECOMMENDATIONS.—The DHS Task Force may make findings or recommendations to the Secretary related to the duties described in subsection (a)(2).

(3) RESPONSE.—Not later than 180 days after receiving findings and recommendations from the DHS Task Force under paragraph (2), the Secretary shall issue a response that describes how the Department has addressed, or will address, such findings and recommendations. If the Secretary disagrees with any finding of the DHS Task

Force, the Secretary shall provide an explanation for the disagreement.

(4) INFORMATION FROM FEDERAL AGENCIES.—The Chair, or 16 members of the DHS Task Force, may request statistics relating to the duties described in subsection (a)(2) directly from any Federal agency, which shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the DHS Task Force.

(5) COMPENSATION.—Members of the DHS Task Force shall serve without pay, but shall be reimbursed, subject to prior approval of expense estimates by the Secretary, for reasonable travel and subsistence expenses incurred in the performance of their duties.

(c) REPORT.—Not later than 2 years after its first meeting, the DHS Task Force shall submit to the President, the Secretary, and Congress a final report that contains—

(1) findings with respect to the duties of the DHS Task Force; and

(2) recommendations regarding border and immigration enforcement policies, strategies, and programs, including—

(A) a recommendation as to whether the DHS Task Force should continue to operate; and

(B) a description of any duties the DHS Task Force should be responsible for after the termination date described in subsection (e).

(d) SUNSET.—The DHS Task Force shall terminate operations 60 days after the date on which the DHS Task Force submits the report described in subsection (c).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for each of fiscal years 2014 through 2017 such sums as may be necessary to carry out this section.

SEC. 1115. OMBUDSMAN FOR IMMIGRATION RELATED CONCERNS OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) ESTABLISHMENT.—Title I of the Homeland Security Act of 2002 (6 U.S.C. 111 et seq.) is amended by adding at the end the following new section:

''SEC. 104. OMBUDSMAN FOR IMMIGRATION RELATED CONCERNS.

''(a) IN GENERAL.—There shall be within the Department an Ombudsman for Immigration Related Concerns (in this section referred to as the 'Ombudsman'). The individual appointed as Ombudsman shall have a background in immigration law as well as civil and human rights law. The Ombudsman shall report directly to the Deputy Secretary.

''(b) FUNCTIONS.—The functions of the Ombudsman shall be as follows:

''(1) To receive and resolve complaints from individuals and employers and assist in resolving problems with the immigration components of the Department.

''(2) To conduct inspections of the facilities or contract facilities of the immigration components of the Department.

''(3) To assist individuals and families who have been the victims of crimes committed by aliens or violence near the United States border.

''(4) To identify areas in which individuals and employers have problems in dealing with the immigration components of the Department.

''(5) To the extent practicable, to propose changes in the administrative practices of the immigration components of the Department to mitigate problems identified under paragraph (4).

''(6) To review, examine, and make recommendations regarding the immigration and enforcement policies, strategies, and programs of U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and U.S. Citizenship and Immigration Services.

''(c) OTHER RESPONSIBILITIES.—In addition to the functions specified in subsection (b), the Ombudsman shall—

''(1) monitor the coverage and geographic allocation of local offices of the Ombudsman, including appointing a local ombudsman for immigration related concerns; and

''(2) evaluate and take personnel actions (including dismissal) with respect to any employee of the Ombudsman.

''(d) REQUEST FOR INVESTIGATIONS.—The Ombudsman shall have the authority to request the Inspector General of the Department of Homeland Security to conduct inspections, investigations, and audits.

''(e) COORDINATION WITH DEPARTMENT COMPONENTS.—The Director of U.S. Citizenship and Immigration Services, the Assistant Secretary of Immigration and Customs Enforcement, and the Commissioner of Customs and Border Protection shall each establish procedures to provide formal responses to recommendations submitted to such official by the Ombudsman.

''(f) ANNUAL REPORTS.—Not later than June 30 of each year, the Ombudsman shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the objectives of the Ombudsman for the fiscal year beginning in such calendar year. Each report shall contain full and substantive analysis, in addition to statistical information, and shall set forth any recommendations the Ombudsman has made on improving the services and responsiveness of U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement, and U.S. Customs and Border Protection and any responses received from the Department regarding such recommendations.''.

(b) REPEAL OF SUPERSEDED AUTHORITY.—Section 452 of the Homeland Security Act of 2002 (6 U.S.C. 272) is repealed.

(c) CLERICAL AMENDMENTS.—The table of contents for the Homeland Security Act of 2002 is amended—

(1) by inserting after the item relating to section 103 the following new item:

''Sec. 104. Ombudsman for immigration related concerns.''; and

(2) by striking the item relating to section 452.

SEC. 1116. EMERGENCY PORT OF ENTRY PERSONNEL AND INFRASTRUCTURE FUNDING.

(a) STAFF ENHANCEMENTS.—In addition to positions authorized before the date of the enactment of this Act and any existing officer vacancies within U.S. Customs and Border Protection on such date, the Secretary shall, subject to the availability of appropriations for such purpose, hire, train, and assign to duty, by not later than September 30, 2018—

(1) 5,000 full-time officers of U.S. Customs and Border Protection to serve—

(A) on all inspection lanes (primary, secondary, incoming, and outgoing) and enforcement teams at United States land ports of entry on the Northern border and the Southern border; and

(B) at airports to implement the biometric entry-exit system in accordance with the requirements set forth in section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b); and

(2) 350 full-time support staff distributed among all United States ports of entry.

(b) WAIVER OF PERSONNEL LIMITATION.—The Secretary may waive any limitation on the number of full-time equivalent personnel assigned to the Department in order to fulfill the requirements under subsection (a).

(c) REPORTS TO CONGRESS.—

(1) OUTBOUND INSPECTIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report containing the Department's plans for ensuring the placement of sufficient officers of U.S. Customs and Border Protection on outbound inspections, and adequate outbound infrastructure, at all Southern and Northern border land ports of entry.

(2) AGRICULTURAL SPECIALISTS.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of Agriculture, shall submit to the appropriate committees of Congress a report that contains the Department's plans for ensuring the placement of sufficient agriculture specialists at all Southern border and Northern border land ports of entry.

(3) ANNUAL IMPLEMENTATION REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the appropriate committees of Congress a report that—

(A) describes in detail the Department's implementation plan for staff enhancements required under subsection (a);

(B) includes the number of additional personnel assigned to duty at land ports of entry by location; and

(C) describes the methodology used to determine the distribution of additional personnel to address northbound and southbound cross-border inspections.

(4) APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on the Judiciary and the Committee on Homeland Security of the House of Representatives.

(d) SECURE COMMUNICATION.—The Secretary shall ensure that each officer of U.S. Customs and Border Protection is equipped with a secure 2-way communication and satellite-enabled device, supported by system interoperability, that allows such officers to communicate between ports of entry and inspection stations, and with other Federal, State, local, and tribal law enforcement entities.

(e) BORDER AREA SECURITY INITIATIVE GRANT PROGRAM.—The Secretary shall establish a grant program for the purchase of detection equipment at land ports of entry and mobile, hand-held, 2-way communication and biometric devices for State and local law enforcement officers serving on the Southern border and Northern border.

(f) PORT OF ENTRY INFRASTRUCTURE IMPROVEMENTS.—In order to aid in the enforcement of Federal customs, immigration, and agriculture laws, the Commissioner of U.S. Customs and Border Protection may—

(1) design, construct, and modify United States ports of entry, living quarters for officers, agents, and personnel, and other structures and facilities, including those owned by municipalities, local governments, or private entities located at land ports of entry;

(2) acquire, by purchase, donation, exchange, or otherwise, land or any interest in land determined to be necessary to carry out the Commissioner's duties under this section; and

(3) construct additional ports of entry along the Southern border and the Northern border.

(g) CONSULTATION.—

(1) LOCATIONS FOR NEW PORTS OF ENTRY.—The Secretary shall consult with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of State, the International Boundary and Water Commission, the International Joint Commission, and appropriate representatives of States, local governments, Indian tribes, and property owners—

(A) to determine locations for new ports of entry; and

(B) to minimize adverse impacts from such ports on the environment, historic and cultural resources, commerce, and quality of life for the communities and residents located near such ports.

(2) SAVINGS PROVISION.—Nothing in this subsection may be construed—

(A) to create any right or liability of the parties described in paragraph (1);

(B) to affect the legality and validity of any determination under this Act by the Secretary; or

(C) to affect any consultation requirement under any other law.

(h) AUTHORITY TO ACQUIRE LEASEHOLDS.—Notwithstanding any other provision of law, the Secretary may acquire a leasehold interest in real property, and may construct or modify any facility on the leased property, if the Secretary determines that the acquisition of such interest, and such construction or modification, are necessary to facilitate the implementation of this Act.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, for each of the fiscal years 2014 through 2018, $1,000,000,000, of which $5,000,000 shall be used for grants authorized under subsection (e).

(j) OFFSET; RESCISSION OF UNOBLIGATED FEDERAL FUNDS.—

(1) IN GENERAL.—There is hereby rescinded, from appropriated discretionary funds that remain available for obligation as of the date of the enactment of this Act (other than the unobligated funds described in paragraph (4)), amounts determined by the Director of the Office of Management and Budget such that the aggregate amount of the rescission equals the amount authorized to be appropriated under subsection (i).

(2) IMPLEMENTATION.—The Director of the Office of Management and Budget shall determine and identify—

(A) the appropriation accounts from which the rescission under paragraph (1) shall apply; and

(B) the amount of the rescission that shall be applied to each such account.

(3) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit a report to Congress and to the Secretary of the Treasury that describes the accounts and amounts determined and identified under paragraph (2) for rescission under paragraph (1).

(4) EXCEPTIONS.—This subsection shall not apply to unobligated funds of—

(A) the Department of Defense;

(B) the Department of Veterans Affairs; or

(C) the Department of Homeland Security.

SEC. 1117. CROSS-BORDER TRADE ENHANCEMENT.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATION.—The term ''Administration'' means the General Services Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the General Services Administration.

(3) PERSON.—The term ''person'' means an individual or any corporation, partnership, trust, association, or any other public or private entity, including a State or local government.

(b) AGREEMENTS AUTHORIZED.—Notwithstanding any other provision of law, upon the request of any persons, the Administrator may, for purposes of facilitating construction, alteration, operation or maintenance of a new or existing facility or other infrastructure at a port of entry, enter into cost-sharing or reimbursement agreements or accept a donation of real and personal property (including monetary donations) and nonpersonal services.

(c) EVALUATION PROCEDURES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator, in consultation with the Secretary, shall establish procedures for evaluating a proposal submitted by any person under subsection (b)—

(A) to enter into a cost-sharing or reimbursement agreement with the Administration to facilitate the construction, alteration, operation, or maintenance of a new or existing facility or other infrastructure at a land border port of entry; or

(B) to provide the Administration with a donation of real and personal property (including monetary donations) and nonpersonal services to be used in the construction, alteration, operation, or maintenance of a facility or other infrastructure at a land border port of entry under the control of the Administration.

(2) SPECIFICATION.—Donations made under paragraph (1)(B) may specify—

(A) the land port of entry facility or facilities in support of which the donation is being made; and

(B) the time frame in which the donated property or services shall be used.

(3) RETURN OF DONATION.—If the Administrator does not use the property or services donated pursuant to paragraph (1)(B) for the specific facility or facilities designated pursuant to paragraph (2)(A) or within the time frame specified pursuant to paragraph (2)(B), such donated property or services shall be returned to the person that made the donation.

(4) DETERMINATION AND NOTIFICATION.—

(A) IN GENERAL.—Not later than 90 days after receiving a proposal pursuant to subsection (b) with respect to the construction or maintenance of a facility or other infrastructure at a land border port of entry, the Administrator shall—

(i) make a determination with respect to whether or not to approve the proposal; and

(ii) notify the person that submitted the proposal of—

(I) the determination; and

(II) if the Administrator did not approve the proposal, the reasons for such disapproval.

(B) CONSIDERATIONS.—In determining whether or not to approve a proposal under this subsection, the Administrator shall consider—

(i) the impact of the proposal on reducing wait times at that port of entry and other ports of entry on the same border;

(ii) the potential of the proposal to increase trade and travel efficiency through added capacity; and

(iii) the potential of the proposal to enhance the security of the port of entry.

(d) DELEGATION.—For facilities where the Administrator has delegated or transferred to the Secretary, operations, ownership, or other authorities over land border ports of entry, the authorities and requirements of the Administrator under this section shall be deemed to apply to the Secretary.

SEC. 1118. HUMAN TRAFFICKING REPORTING.

(a) SHORT TITLE.—This section may be cited as the ''Human Trafficking Reporting Act of 2013''.

(b) FINDINGS.—Congress finds the following:

(1) Human trafficking is a form of modern-day slavery.

(2) According to the Trafficking Victims Protection Act of 2000 ''severe forms of trafficking in persons'' means—

(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

(B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

(3) There is an acute need for better data collection of incidents of human trafficking across the United States in order to effectively combat severe forms of trafficking in persons.

(4) The State Department's 2012 Trafficking in Persons report found that—

(A) the United States is a ''source, transit and destination country for men, women, and children, subjected to forced labor, debt bondage, domestic servitude and sex trafficking,''; and

(B) the United States needs to ''improve data collection on human trafficking cases at the Federal, state and local levels''.

(5) The International Organization for Migration has reported that in order to effectively combat human trafficking there must be reliable and standardized data, however, the following barriers for data collection exist:

(A) The illicit and underground nature of human trafficking.

(B) The reluctance of victims to share information with authorities.

(C) Insufficient human trafficking data collection and research efforts by governments world wide.

(6) A 2009 report to the Department of Health and Human Services entitled Human Trafficking Into and Within the United States: A Review of the Literature found that ''the data and methodologies for estimating the prevalence of human trafficking globally and nationally are not well developed, and therefore estimates have varied widely and changed significantly over time''.

(7) The Federal Bureau of Investigation compiles national crime statistics through the Uniform Crime Reporting Program.

(8) Under current law, State and local governments receiving Edward Byrne Memorial Justice Assistance grants are required to share data on part 1 violent crimes with the Federal Bureau of Investigation for inclusion in the Uniform Crime Reporting Program.

(9) The addition of severe forms of trafficking in persons to the definition of part 1 violent crimes will ensure that statistics on this heinous crime will be compiled and available through the Federal Bureau of Investigation's Uniform Crime Report.

(c) HUMAN TRAFFICKING TO BE INCLUDED IN PART 1 VIOLENT CRIMES FOR PURPOSES OF BYRNE GRANTS.—Section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) is amended by adding at the end the following new subsection:

''(i) PART 1 VIOLENT CRIMES TO INCLUDE HUMAN TRAFFICKING.—For purposes of this section, the term 'part 1 violent crimes' shall include severe forms of trafficking in persons, as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).''.

SEC. 1119. PROHIBITION ON LAND BORDER CROSSING FEES.

The Secretary shall not establish, collect, or otherwise impose a border crossing fee for pedestrians or passenger vehicles at land ports of entry along the Southern border or the Northern border, nor conduct any study relating to the imposition of such a fee.

SEC. 1120. DELEGATION.

The Secretary may delegate any authority provided to the Secretary under this Act or an amendment made by this Act to the Secretary of Agriculture, the Attorney General, the Secretary of Defense, the Secretary of Health and Human Services, the Secretary of State, or the Commissioner of Social Security.

SEC. 1121. SEVERABILITY.

If any provision of this Act or any amendment made by this Act, or any application of such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of the provisions of this Act and the amendments made by this Act and the application of the provision or amendment to any other person or circumstance shall not be affected.

SEC. 1122. RULE OF CONSTRUCTION.

Nothing in this Act may be construed to authorize the deployment, procurement, or construction of fencing along the Northern border.

On page 1008, strike line 18 and all that follows through page 1009, line 22, and insert the following:

''(2) REQUIRED DISCLOSURES.—The Secretary shall provide the information furnished in an application filed under section 245B, 245C, 245D, or 245F or section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act, and any other information derived from such furnished information to—

''(A) a law enforcement agency, intelligence agency, national security agency, a component of the Department of Homeland Security, court, or grand jury, in each instance about an individual suspect or group of suspects, consistent with law, in connection with—

''(i) a criminal investigation or prosecution;

''(ii) a national security investigation or prosecution; or

''(iii) a duly authorized investigation of a civil violation; and

''(B) an official coroner for purposes of affirmatively identifying a deceased individual, whether or not the death of such individual resulted from a crime.

''(3) INAPPLICABILITY AFTER DENIAL.—The limitations set forth in paragraph (1)—

''(A) shall apply only until—

''(i) an application filed under section 245B, 245C, 245D, or 245F or section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act is denied; and

''(ii) all opportunities for administrative appeal of the denial have been exhausted; and

''(B) shall not apply to the use of the information furnished pursuant to such application in any removal proceeding or other criminal or civil case or action relating to an alien whose application has been granted that is based upon any violation of law committed or discovered after such grant.

''(4) CRIMINAL CONVICTIONS.—Notwithstanding any other provision of this section, information concerning whether the applicant has, at any time, been convicted of a crime may be used or released for immigration enforcement and law enforcement purposes.

''(5) AUDITING AND EVALUATION OF INFORMATION.—The Secretary may—

''(A) audit and evaluate information furnished as part of any application filed under section 245B, 245C, 245D, or 245F for purposes of identifying immigration fraud or fraud schemes; and

''(B) use any evidence detected by means of audits and evaluations for purposes of investigating, prosecuting, referring for prosecution, or denying or terminating immigration benefits.

''(6) USE OF INFORMATION IN PETITIONS AND APPLICATIONS SUBSEQUENT TO ADJUSTMENT OF STATUS.—If the Secretary has adjusted an alien's status to that of an alien lawfully admitted for permanent residence pursuant to section 245C, 245D, or 245F, the Secretary, at any time thereafter, may use the information furnished by the alien in the application for adjustment of status or in an application for status under section 245B, 245C, 245D, or 245F to make a determination on any petition or application.

''(7) CONSTRUCTION.—Nothing in this section may be construed to limit the use or release, for immigration enforcement purposes, of information contained in files or records of the Secretary or the Attorney General pertaining to applications filed under section 245B, 245C, 245D, or 245F other than information furnished by an applicant in the application, or any other information derived from the application, that is not available from any other source.

Beginning on page 945, strike line 21 and all that follows through page 946, line 12 and insert the following:

''(III) an offense, unless the applicant demonstrates, by clear and convincing evidence, that he or she is innocent of the offense, that he or she is the victim of such offense, or that no offense occurred, which is classified as a misdemeanor in the convicting jurisdiction which involved—

''(aa) domestic violence (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(bb) child abuse and neglect (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(cc) assault resulting in bodily injury (as defined in section 2266 of title 18, United States Code);

''(dd) the violation of a protection order (as defined in section 2266 of title 18, United States Code); or

''(ee) driving while intoxicated (as defined in section 164 of title 23, United States Code);

''(IV) 3 or more misdemeanor offenses (other than minor traffic offenses or State or local offenses for which an essential element was the alien's immigration status, or a violation of this Act);

''(V) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) (excluding the paragraphs set forth in clause (ii)) or removable under section 237(a), except as provided in paragraph (3) of section 237(a); or

On page 948, beginning on line 14, strike ''subparagraph (A)(i)(III) or''.

On page 955, strike lines 1 through 5 and insert the following:

''(C) INTERVIEW.—In order to determine whether an applicant meets the eligibility requirements set forth in subsection (b), the Secretary shall interview each such applicant.

Beginning on page 956 strike line 7 and all that follows through page 961, line 13.

Beginning on page 1014, strike line 1 and all that follows through page 1020, line 2.

After section 2009 insert the following:

SEC. 2110. VISA INFORMATION SHARING.

Section 222(f) (8 U.S.C. 1202(f)) is amended—

(1) in the matter preceding paragraph (1), by striking ''issuance or refusal'' and inserting ''issuance, refusal, or revocation''; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''discretion and on the basis of reciprocity,'' and inserting ''discretion,'';

(B) by amending subparagraph (A) to read as follows:

''(A) with regard to individual aliens, at any time on a case-by-case basis for the purpose of—

''(i) preventing, investigating, or punishing acts that would constitute a crime in the United States, including, but not limited to, terrorism or trafficking in controlled substances, persons, or illicit weapons; or

''(ii) determining a person's removability or eligibility for a visa, admission, or other immigration benefit;''; and

(C) in subparagraph (B)—

(i) by striking ''for the purposes'' and inserting ''for one of the purposes''; and

(ii) by striking ''or to deny visas to persons who would be inadmissible to the United States.'' and inserting ''; or''; and

(D) by adding at the end the following:

''(C) with regard to any or all aliens in the database-specified data elements from each record, if the Secretary of State determines that it is in the national interest to provide such information to a foreign government.''.

On page 1579, line 11, insert ''less than 5 years nor'' after ''not''.

On page 1579, line 15, by inserting ''not less than 10'' after ''years''; and

On page 1579, between lines 15 and 16, insert the following:

''(8) in the case of a violation that is the third or more subsequent offense committed by such person under this section or section 1324, shall be fined under title 18, imprisoned not less than 5 years nor more than 40 years, or both; or

''(9) in the case of a violation that negligently, recklessly, knowingly, or intentionally results in a victim being involuntarily forced into labor or prostitution, shall be fined under title 18, imprisoned not less than 5 years nor more than 40 years, or both.

On page 1582, between lines 14 and 15 insert the following:

(d) TARGETING TRANSNATIONAL CRIMINAL ORGANIZATIONS THAT ENGAGE IN MONEY LAUNDERING.—Section 1956(c)(7) of title 18, United States Code is amended—

(1) in subparagraph (E), by striking ''or'' after the semicolon;

(2) in subparagraph (F), by inserting ''or'' after the semicolon; and

(3) by adding at the end the following—

''(G) any act which is indictable under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), including section 274 of such Act (relating to bringing in and harboring certain aliens), section 277 of such Act (relating to aiding or assisting certain aliens to enter the United States), or section 278 of

such Act (relating to importation of an alien for immoral purpose);''.

SEC. 3713. DANGEROUS HUMAN SMUGGLING, HUMAN TRAFFICKING, AND HUMAN RIGHTS VIOLATIONS.

(a) BRINGING IN AND HARBORING CERTAIN ALIENS.—Section 274 (8 U.S.C. 1324) is amended—

(1) in subsection (a)(1)(B)—

(A) by redesignating clauses (iii) and (iv) as clauses (vi) and (vii), respectively;

(B) by inserting after clause (ii) the following:

''(iii) in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) that is the third or subsequent offense committed by such person under this section, shall be fined under title 18, imprisoned not less than 5 years nor more than 25 years, or both;

''(iv) in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) that negligently, recklessly, knowingly, or intentionally results in a victim being involuntarily forced into labor or prostitution, shall be fined under title 18, imprisoned not less than 5 years nor more than 25 years, or both;

''(v) in the case of a violation of subparagraph (A)(i),(ii),(iii),(iv),or(v) during and in relation to which any person is subjected to an involuntary sexual act (as defined in section 2246(2) of title 18), be fined under title 18, imprisoned for not less than 5 years, nor more than 25 years, or both;'' and

(C) in clause (vi), as redesignated, by striking inserting ''and not less than 10'' before ''years''; and

(2) by amending subsection (b)(1) to read as follows:

''(1) IN GENERAL.—Any property, real or personal, involved in or used to facilitate the commission of a violation or attempted violation of subsection (a) of this section, the gross proceeds of such violation or attempted violation, and any property traceable to such property or proceeds, shall be seized and subject to forfeiture.''.

SEC. 3714. RESPECT FOR VICTIMS OF HUMAN SMUGGLING.

(a) VICTIM REMAINS.—The Attorney General shall appoint an official to ensure that information regarding missing aliens and unidentified remains found in the covered area are included in a database of the National Missing and Unidentified Persons System.

(b) REIMBURSEMENT.—The Secretary shall reimburse county, municipal, and tribal governments in the United States that are located in the covered area for costs associated with the transportation and processing of unidentified remains, found in the desert or on ranch lands, on the condition that the remains are transferred either to an official medical examiner's office, or a local university with the capacity to analyze human remains using forensic best practices.

(c) BORDER CROSSING DATA.—The National Institute of Justice shall encourage genetic laboratories receiving Federal grant monies to process samples from unidentified remains discovered within the covered area and compare the resulting genetic profiles against samples from the relatives of any missing individual, including those provided by foreign consulates or authorized entities.

(d) COVERED AREA DEFINED.—In this section, the term ''covered area'' means the area of United States within 200 miles of the international border between the United States and Mexico.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2014 through 2018 to carry out this section.

SEC. 3715. PUTTING THE BRAKES ON HUMAN SMUGGLING ACT.

(a) SHORT TITLE.—This section may be cited as the ''Putting the Brakes on Human Smuggling Act''.

(b) FIRST VIOLATION.—Paragraph (1) of section 31310(b) of title 49, United States Code, is amended—

(1) in subparagraph (D), by striking the ''or'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting a semicolon and ''or''; and

(3) by adding at the end the following:

''(F) using a commercial motor vehicle in willfully and knowingly aiding or abetting an alien's illegal entry into the United States by transporting, guiding, directing, or attempting to assist the alien with the alien's entry in violation of section 275 of the Immigration and Nationality Act (8 U.S.C. 1325), regardless of whether the alien is ultimately fined or imprisoned for an act in violation of such section.''.

(c) SECOND OR MULTIPLE VIOLATIONS.—Paragraph (1) of section 31310(c) of title 49, United States Code, is amended—

(1) in subparagraph (E), by striking the ''or'' at the end;

(2) by redesignating subparagraph (F) as subparagraph (G);

(3) in subparagraph (G), as so redesignated, by striking ''(E)'' and inserting ''(F)''; and

(4) by inserting after subparagraph (E) the following:

''(F) using a commercial motor vehicle on more than one occasion in willfully and knowingly aiding or abetting an alien's illegal entry into the United States by transporting, guiding, directing, and attempting to assist the alien with the alien's entry in violation of section 275 of the Immigration and Nationality Act (8 U.S.C. 1325), regardless of whether the alien is ultimately fined or imprisoned for an act in violation of such section; or''.

(d) LIFETIME DISQUALIFICATION.—Subsection (d) of section 31310 of title 49, United States Code, is amended to read as follows:

''(d) LIFETIME DISQUALIFICATION.—The Secretary shall disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle—

''(1) in committing a felony involving manufacturing, distributing, or dispensing a controlled substance, or possessing with the intent to manufacture, distribute, or dispense a controlled substance; or

''(2) in committing an act for which the individual is convicted under—

''(A) section 274 of the Immigration and Nationality Act (8 U.S.C. 1324); or

''(B) section 277 of such Act (8 U.S.C. 1327).''.

(e) REPORTING REQUIREMENTS.—

(1) COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM.—Paragraph (1) of section 31309(b) of title 49, United States Code, is amended—

(A) in subparagraph (E), by striking ''and'' at the end;

(B) in subparagraph (F), by striking the period at the end and inserting a semicolon and ''and''; and

(C) by adding at the end the following new subparagraph:

''(G) whether the operator was disqualified, either temporarily or for life, from operating a commercial motor vehicle under section 31310, including under subsection (b)(1)(F), (c)(1)(F), or (d) of such section.''.

(2) NOTIFICATION BY THE STATE.—Paragraph (8) of section 31311(a) of title 49, United States Code, is amended by inserting ''including such a disqualification, revocation, suspension, or cancellation made pursuant to a disqualification under subsection (b)(1)(F), (c)(1)(F), or (d) of section 31310,'' after ''60 days,''.

SEC. 3716. DRUG TRAFFICKING AND CRIMES OF VIOLENCE.

(1) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 51 the following:

''CHAPTER 52—DRUG TRAFFICKING AND CRIMES OF VIOLENCE COMMITTED BY ILLEGAL ALIENS

''Sec.

''1131. Enhanced penalties for drug trafficking and crimes committed by illegal aliens.

''§ 1131 Enhanced penalties for drug trafficking and crimes committed by illegal aliens

''(a) IN GENERAL.—Any alien unlawfully present in the United States, who commits, or conspires or attempts to commit, a crime of violence or a drug trafficking crime (as defined in section 924), shall be fined under this title and sentenced to not less than 5 years in prison.

''(b) ENHANCE PENALTIES FOR ALIENS ORDERED REMOVED.—If an alien who violates subsection (a) was previously ordered removed under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) on the grounds of having committed a crime, the alien shall be sentenced to not less than 15 years in prison.

''(c) REQUIREMENT FOR CONSECUTIVE SENTENCES.—A sentence of imprisonment imposed under this section shall run consecutively to any other sentence of imprisonment imposed for any other crime.''.

(2) CLERICAL AMENDMENT.—The table of chapters at the beginning of part I of title 18, United States Code, is amended by inserting after the item relating to chapter 51 the following:

''52. Drug Trafficking and Crimes of Violence Committed by Illegal Aliens ..... 1131''.

SEC. 3717. ILLEGAL BORDER CROSSING FOR THE PURPOSE OF TERRORISM.

Section 275(a) (8 U.S.C. 1325(a)) is amended to read as follows:

''(a) IMPROPER TIME OR PLACE; AVOIDANCE OF EXAMINATION OR INSPECTION; MISREPRESENTATION AND CONCEALMENT OF FACTS.—

''(1) IN GENERAL.—Except as provided under paragraph (2), any alien who—

''(A) enters or attempts to enter the United States at any time or place other than as designated by immigration officers;

''(B) eludes examination or inspection by immigration officers; or

''(C) attempts to enter or obtains entry to the United States by a willfully false or misleading representation or the willful concealment of a material fact, shall, for the first commission of any such offense, be fined under title 18, United States Code, imprisoned for not more than 6 months, or both, and, for a subsequent commission of any such offense, be fined under such title 18, imprisoned for not more than 2 years, or both.

''(2) ENHANCED PENALTIES.—Any alien who commits an offense described in paragraph (1) with the intent to aid, abet, or engage in any Federal crime of terrorism (as defined in section 2332b(f) of title 18, United States Code) shall be imprisoned for not less than 15 years and not more than 30 years.''.

SEC. 3718. FREEZING BANK ACCOUNTS OF INTERNATIONAL CRIMINAL ORGANIZATIONS AND MONEY LAUNDERERS.

Section 981(b) of title 18, United States Code, is amended by adding at the end the following:

''(5)(A) If a person is arrested or charged in connection with an offense described in subparagraph (C) involving the movement of funds into or out of the United States, the Attorney General may apply to any Federal judge or magistrate judge in the district in which the arrest is made or where the charges are filed for an ex parte order restraining any account held by the person arrested or charged for not more than 30 days, except that such 30-day time period may be extended for good cause shown at a hearing conducted in the manner provided in Rule 43(e) of the Federal Rules of Civil Procedure. The court may receive and consider evidence and information submitted by the Government that would be inadmissible under the Federal Rules of Evidence.

''(B) The application for the restraining order referred to in subparagraph (A) shall—

''(i) identify the offense for which the person has been arrested or charged;

''(ii) identify the location and description of the accounts to be restrained; and

''(iii) state that the restraining order is needed to prevent the removal of the funds in the account by the person arrested or charged, or by others associated with such person, during the time needed by the Government to conduct such investigation as may be necessary to establish whether there is probable cause to believe that the funds in the accounts are subject to forfeiture in connection with the commission of any criminal offense.

''(C) A restraining order may be issued pursuant to subparagraph (A) if a person is arrested or charged with any offense for which forfeiture is authorized under this title, title 31, or the Controlled Substances Act (21 U.S.C. 801 et seq.).

''(D) For purposes of this section—

''(i) the term 'account' includes any safe deposit box and any account (as defined in paragraphs (1) and (2) of section 5318A(e) of title 31, United States Code) at any financial institution; and

''(ii) the term 'account held by the person arrested or charged' includes an account held in the name of such person, and any account over which such person has effective control as a signatory or otherwise.

''(E) Restraint pursuant to this paragraph shall not be deemed a 'seizure' for purposes of subsection 983(a) of this title.

''(F) A restraining order issued pursuant to this paragraph may be executed in any district in which the subject account is found, or transmitted to the central authority of any foreign State for service in accordance with any treaty or other international agreement.''.

SEC. 3719. CRIMINAL PROCEEDS LAUNDERED THROUGH PREPAID ACCESS DEVICES, DIGITAL CURRENCIES, OR OTHER SIMILAR INSTRUMENTS.

(a) IN GENERAL.—Section 5312(a) of title 31, United States Code, is amended—

(1) by striking paragraph (2)(K) and inserting the following:

''(K) an issuer, redeemer, or cashier or travelers' checks, checks, money orders, prepaid access devices, digital currencies, or other similar instruments;'';

(2) in paragraph (3)(B), by inserting ''prepaid access devices,'' after ''delivery,'';

(3) by redesignating paragraph (6) as paragraph (7); and

(4) by inserting after paragraph (5) the following:

''(6) 'prepaid access device' means an electronic device or vehicle, such as a card, plate, code, number, electronic serial number, mobile identification number, personal identification number, or other instrument that provides a portal to funds or the value of funds that have been paid in advance and can be retrievable and transferable at some point in the future.''.

(b) GAO REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on—

(1) the impact the amendments made by subsection (a) has had on law enforcement, the prepaid access industry, and consumers; and

(2) the implementation and enforcement by the Department of Treasury of the final rule on Definitions and Other Regulations Relating to Prepaid Access (76 Fed. Reg. 45403), issued July 26, 2011.

(c) CUSTOMS AND BORDER PROTECTION STRATEGY FOR PREPAID ACCESS DEVICES.—Not later than 18 months after the date of enactment of this Act, the Secretary of Homeland Security, in consultation with the Commission of the U.S. Customs and Border Protection, shall submit to Congress a report detailing a strategy to interdict and detect prepaid access devices, digital currencies, or other similar instruments, at border crossings and other ports of entry for the United States. The report shall include an assessment of infrastructure needs to carry out the strategy detailed in the report.

SEC. 3720. FIGHTING MONEY SMUGGLING THROUGH BLANK CHECKS IN BEARER FORM.

Section 5316 of title 31, United States Code, is amended by adding at the end the following:

''(e) MONETARY INSTRUMENTS WITH AMOUNT LEFT BLANK.—For purposes of this section, a monetary instrument in bearer form that has the amount left blank, such that the amount could be filled in by the bearer, shall be considered to have a value in excess of $10,000 if the instrument was drawn on an account that contained or was intended to contain more than $10,000 at the time the instrument was transported or the time period it was negotiated or was intended to be negotiated.''.

SEC. 3721. CLOSING THE LOOPHOLE ON DRUG CARTEL ASSOCIATES ENGAGED IN MONEY LAUNDERING.

(a) PROCEEDS OF A FELONY.—Section 1956(c)(1) of title 18, United States Code, is amended by inserting '', and regardless of whether or not the person knew that the activity constituted a felony'' before the semicolon at the end.

(b) INTENT TO CONCEAL OR DISGUISE.—Section 1956(a) of title 18, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''(B) knowing that'' and all that follows through ''Federal law,'' and inserting the following:

''(B) knowing that the transaction—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''; and

(2) in paragraph (2)(B), by striking ''(B) knowing that'' and all that follows through ''Federal law,'' and inserting the following:

''(B) knowing that the monetary instrument or funds involved in the transportation, transmission, or transfer represent the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, or transfer—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''.

SEC. 3722. DIRECTIVE TO UNITED STATES SENTENCING COMMISSION; EMERGENCY AUTHORITY.

(a) IN GENERAL.—The United States Sentencing Commission shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements as the Commission considers appropriate to respond to this Act.

(b) EMERGENCY AUTHORITY.—In carrying out subsection (a), the Commission may promulgate amendments to the Federal sentencing guidelines and policy statements in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note), as though the authority under that Act had not expired.

At the appropriate place, insert the following:

SEC. ___. PROSECUTING VISA OVERSTAYS.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall immediately initiate removal proceedings against not less than 90 percent of aliens admitted as nonimmigrants after such date of enactment who the Secretary has determined have exceeded their authorized period of admission.

(b) REPORT.—The Secretary shall submit to Congress a report on a quarterly basis that sets out the following:

(1) The total number of aliens who the Secretary has determined in that quarter have exceeded their authorized period of stay as nonimmigrants.

(2) The total number of aliens described in paragraph (1) against whom the Secretary has initiated removal proceedings during that quarter.

SA 1395. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3412 and insert the following:

SEC. 3412. EMPLOYMENT AUTHORIZATION FOR ASYLEES.

Paragraph (2) of section 208(d) (8 U.S.C. 1158(d)) is amended to read as follows:

''(2) EMPLOYMENT.—An applicant for asylum shall be eligible for employment in the United States at the time the applicant's asylum application is submitted.''.

SA 1396. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title IV, add the following:

SEC. 4416. NATIONAL SECURITY INVESTIGATIONS.

(a) S NONIMMIGRANT STATUS.—Section 101(a) is amended—

(1) in paragraph (15)(S)(i)(III), by inserting ''or national security investigation'' after ''authorized criminal investigation''; and

(2) by redesignating paragraph (23) as paragraph (24); and

(3) by inserting after paragraph (22) the following:

''(23) The term 'national security investigation' includes investigations conducted

by appropriate personnel of the Department of Justice or an element of the intelligence community (as that term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))).''.

(b) REPORT ON S NONIMMIGRANTS.—Section 214(k)(4) (8 U.S.C. 1184(k)(4)) is amended—

(1) in subparagraph (B), by inserting ''or national security investigations'' after ''prosecutions or investigations'';

(2) in subparagraph (D), by striking ''successful criminal prosecution or investigation'' inserting ''successful criminal prosecution or investigation, successful national security investigation,''.

(c) ADJUSTMENT TO PERMANENT RESIDENT STATUS.—Section 245(j)(1)(B) (8 U.S.C. 1255(j)(1)(B)) is amended by inserting ''national security investigation or'' after ''criminal investigation or''.

SA 1397. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ECONOMIC ESPIONAGE, TRADE SECRET THEFT, AND COMPUTER FRAUD.

Section of 801 the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act; 113 Stat. 1501A–405; 8 U.S.C. 1182e) is amended by adding at the end the following:

''(d) ECONOMIC ESPIONAGE, TRADE SECRET THEFT, AND COMPUTER FRAUD.—

''(1) REQUIREMENT FOR ASSESSMENT.—Not later than 180 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and annually thereafter, the Director of National Intelligence, in consultation with the Attorney General, shall identify and report to the President foreign entities, including entities owned or controlled by the government of a foreign country, that request, engage in, support, or knowingly facilitate or benefit from violations of section 1030, 1831, or 1832 of title 18, United States Code.

''(2) OTHER REQUIREMENTS.—Each report submitted under paragraph (1) shall be based on available intelligence and submitted to the President in an appropriate form.

''(3) DENIAL OR CONDITIONING OF VISAS.—

''(A) DESIGNATION OF ENTITIES.—The President may designate a foreign entity identified pursuant to paragraph (1) as an entity responsible for economic espionage, trade secret theft, or computer fraud.

''(B) DENIAL OR CONDITIONING OF VISAS OF ALIENS AFFILIATED WITH DESIGNATED ENTITIES.—The President may—

''(i) authorize the Secretary of State to deny or impose conditions on the issuance of visas to aliens who are, or during the past 10 years have been, affiliated with designated entities; and

''(ii) authorize the Secretary of Homeland Security to deny or impose conditions on admission to aliens who are, or during the past 10 years have been, affiliated with designated entities.

''(C) ALIENS AFFILIATED WITH DESIGNATED ENTITIES.—For the purpose of subparagraph (B) the term 'affiliated with designated entities', with respect to an alien, includes aliens who requested, engaged in, supported, or knowingly facilitated or benefitted from a violation of section 1830, 1831, or 1832 of title 18, United States Code, that was committed on behalf of an entity designated by the President under subparagraph (A).

''(4) WAIVER.—The Secretary of State or the Secretary of Homeland Security may, in consultation with the Director of National Intelligence, determine, in such Secretary's discretion, that because of an alien's cooperation with the United States government or other extenuating circumstances, it is not in the national interest to impose sanctions on an alien under paragraph (3).

''(5) EXCEPTION.—A sanction may not be imposed under paragraph (3) in the case of an alien who is a head of state, head of government, or cabinet-level minister, or if admitting the alien to the United States is necessary to permit the United States to comply with the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed June 26, 1947, and entered into force November 21, 1947, and other applicable international obligations.''.

SA 1398. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1448, between lines 5 and 6, insert the following:

SEC. 3204. SOCIAL SECURITY NUMBER REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.

(a) IN GENERAL.—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (4) the following new paragraph:

''(5) IDENTIFICATION REQUIREMENT WITH RESPECT TO TAXPAYER.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to any taxpayer for any taxable year unless the taxpayer includes the taxpayer's social security number on the return of tax for such taxable year.

''(B) JOINT RETURN.—In the case of a joint return, the requirement of subparagraph (A) shall be treated as met if the social security number of either spouse is included on such return.

''(C) LIMITATION.—Subparagraph (A) shall not apply to the extent the tentative minimum tax (as defined in section 55(b)(1)(A)) exceeds the credit allowed under section 32.''.

(b) OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.—Subparagraph (I) of section 6213(g)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

''(I) an omission of a correct social security number required to be included on a return under section 24(d)(5) (relating to refundable portion of child tax credit), or a correct TIN required to be included on a return under section 24(e) (relating to child tax credit),''.

(c) CONFORMING AMENDMENT.—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended by inserting ''With Respect to Qualifying Children'' after ''Identification Requirement'' in the heading thereof.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 3205. RESTRICTIONS ON TAXPAYERS WHO IMPROPERLY CLAIMED REFUNDABLE PORTION OF THE CHILD TAX CREDIT IN PRIOR YEAR.

(a) IN GENERAL.—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by inserting after paragraph (5) the following new paragraph:

''(6) RESTRICTIONS ON TAXPAYERS WHO IMPROPERLY CLAIMED CREDIT IN PRIOR YEAR.—

''(A) TAXPAYERS MAKING PRIOR FRAUDULENT OR RECKLESS CLAIMS.—

''(i) IN GENERAL.—No credit shall be allowed under this subsection for any taxable year in the disallowance period.

''(ii) DISALLOWANCE PERIOD.—For purposes of clause (i), the disallowance period is—

''(I) the period of 10 taxable years after the most recent taxable year for which there was a final determination that the taxpayer's claim of credit under this subsection was due to fraud, and

''(II) the period of 2 taxable years after the most recent taxable year for which there was a final determination that the taxpayer's claim of credit under this subsection was due to reckless or intentional disregard of rules and regulations (but not due to fraud).

''(B) TAXPAYERS MAKING IMPROPER PRIOR CLAIMS.—In the case of a taxpayer who is denied credit under this subsection for any taxable year as a result of the deficiency procedures under subchapter B of chapter 63, no credit shall be allowed under this subsection for any subsequent taxable year unless the taxpayer provides such information as the Secretary may require to demonstrate eligibility for such credit.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 3206. CHECKLIST FOR PAID PREPARERS TO VERIFY ELIGIBILITY FOR REFUNDABLE PORTION OF THE CHILD TAX CREDIT; PENALTY FOR FAILURE TO MEET DUE DILIGENCE REQUIREMENTS.

(a) IN GENERAL.—The Secretary of the Treasury (or the Secretary's delegate) shall prescribe a form (similar to Form 8867) which is required to be completed by paid income tax return preparers in connection with claims for the refundable portion of the child tax credit under section 24(d) of the Internal Revenue Code of 1986.

(b) PENALTY.—Section 6695 of the Internal Revenue Code of 1986 (relating to other assessable penalties with respect to the preparation of tax returns for other persons) is amended by adding at the end the following new subsection:

''(h) FAILURE TO BE DILIGENT IN DETERMINING ELIGIBILITY FOR REFUNDABLE PORTION OF CHILD TAX CREDIT.—Any person who is a tax return preparer with respect to any return or claim for refund who fails to comply with due diligence requirements imposed by the Secretary by regulations with respect to determining eligibility for, or the amount of, the credit allowable by section 24(d) shall pay a penalty of $500 for each such failure.''.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 1399. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1471, strike line 15 and all that follows through page 1474, line 16.

SA 1400. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1475, strike line 3 and all that follows through the matter following line 10 on page 1482.

SA 1401. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1469, strike line 5 and all that follows through page 1471, line 2.

SA 1402. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1474, strike line 17 and all that follows through page 1475, line 2.

SA 1403. Ms. HIRONO (for herself, Mrs. MURRAY, Ms. MURKOWSKI, Mrs. BOXER, Mrs. GILLIBRAND, Ms. CANTWELL, Ms. STABENOW, Ms. KLOBUCHAR, Ms. WARREN, Ms. BALDWIN, Ms. MIKULSKI, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1145, line 20, strike ''120,000'' and insert ''150,000''.

On page 1148, line 6, insert ''of the visas remaining after the allocation under subparagraph (C)'' after ''50 percent''.

On page 1148, line 9, insert ''of the visas remaining after the allocation under subparagraph (C)'' after ''50 percent''.

On page 1148, between lines 11 and 12, insert the following:

''(C) 30,000 shall be available to applicants with the highest number of points allocated under tier 3 in paragraph (6).

On page 1148, line 13, strike ''to tier 1 or tier 2'' and insert ''under tier 1, tier 2, or tier 3''.

On page 1154, line 21, strike ''(6)'' and insert the following:

''(6) TIER 3.—The Secretary shall allocate points to each alien seeking to be a tier 3 merit-based immigrant as follows:

''(A) EMPLOYMENT EXPERIENCE.—An alien shall be allocated 2 points for each year the alien has been lawfully employed in the United States, for a total of not more than 10 points.

''(B) SPECIAL EMPLOYMENT CRITERIA.—An alien who is employed full-time in the United States (or has an offer of full-time employment) in a health services occupation, including direct caregiver, informal caregiver, home health provider, or nurse; a clerical or professional services occupation; a teaching occupation, including early or informal learning provider, teacher assistant, and elementary or secondary teacher; a culinary occupation; an environmental service and maintenance occupation; a retail customer services occupation; or a small business operated by a sibling or parent who is a United States citizen, shall be allocated 10 points.

''(C) CAREGIVER.—An alien who is, has been, or will be a primary caregiver shall be allocated 10 points.

''(D) CIVIC INVOLVEMENT.—An alien who has demonstrated significant civic involvement, including humanitarian and volunteer activities, shall be allocated 2 points.

''(E) SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.—An alien who is the sibling of a United States citizen or is older than 31 years of age and is the married son or married daughter of a United States citizen shall be allocated 10 points.

''(F) HUMANITARIAN CONCERNS.—An alien who is, has been, or will be the primary caregiver of a United States citizen suffering an extreme hardship or the last surviving sibling or last surviving son or daughter of a United States citizens shall be allocated 10 points.

''(G) AGE.—An alien who is—

''(i) between 18 and 25 years of age shall be allocated 8 points;

''(ii) between 25 and 33 years of age shall be allocated 6 points; or

''(iii) between 33 and 37 years of age shall be allocated 4 points.

''(H) COUNTRY OF ORIGIN.—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted for permanent residence in the United States in the previous 5 years shall be allocated 5 points.

''(7)

On page 1155, line 5, strike ''(7)'' and insert ''(8)''.

On page 1155, line 10, strike ''(8)'' and insert ''(9)''.

On page 1155, line 15, strike ''(9)'' and insert ''(10)''.

SA 1404. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 954, beginning on line 3, strike ''and'' and all that follows through ''(III)'' on line 4, and insert the following:

''(III) an affidavit from aliens who are 18 years of age or older stating that the alien—

''(aa) unlawfully entered the United States on or before December 31, 2011; or

''(bb) remained in the United States after the expiration of a valid visa, which expiration occurred before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(IV)

On page 1044, line 23, strike the period at the end and insert the following: ″, including an affidavit from aliens who are 18 years of age or older stating that the alien—

(i) unlawfully entered the United States on or before December 31, 2012; or

(ii) remained in the United States after the expiration of a valid visa, which expiration occurred before the date of the enactment of this Act.

SA 1405. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1469, between lines 4 and 5, insert the following:

CHAPTER 1—IMPROVEMENTS TO ASYLUM AND REFUGEE PROGRAMS

On page 1490, between lines 2 and 3, insert the following:

CHAPTER 2—DOMESTIC REFUGEE RESETTLEMENT

SEC. 3421. SHORT TITLE.

This chapter may be cited as the ''Domestic Refugee Resettlement Reform and Modernization Act of 2013''.

SEC. 3422. DEFINITIONS.

In this chapter:

(1) COMMUNITY-BASED ORGANIZATION.—The term ''community-based organization'' means a nonprofit organization providing a variety of social, health, educational and community services to a population that includes refugees resettled into the United States.

(2) DIRECTOR.—The term ''Director'' means the Director of the Office of Refugee Resettlement.

(3) NATIONAL RESETTLEMENT AGENCY.—The term ''national resettlement agency'' means a voluntary agency contracting with the Department of State to provide sponsorship and initial resettlement services to refugees entering the United States.

SEC. 3423. ASSESSMENT OF THE REFUGEE DOMESTIC RESETTLEMENT PROGRAM.

(a) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study regarding the effectiveness of the domestic refugee resettlement programs operated by the Office of Refugee Resettlement.

(b) MATTERS TO BE STUDIED.—In the study required under subsection (a), the Comptroller General shall determine and analyze—

(1) how the Office of Refugee Resettlement defines self-sufficiency and if this definition is adequate in addressing refugee needs in the United States;

(2) the effectiveness of Office of Refugee Resettlement programs in helping refugees to meet self-sufficiency and integration;

(3) the Office of Refugee Resettlement's budgetary resources and project the amount of additional resources needed to fully address the unmet needs of refugees with regard to self-sufficiency and integration;

(4) the role of community-based organizations in serving refugees in areas experiencing a high number of new refugee arrivals;

(5) how community-based organizations can be better utilized and supported in the Federal domestic resettlement process; and

(6) recommended statutory changes to improve the Office of Refugee Resettlement and the domestic refugee program in relation to the matters analyzed under paragraphs (1) through (5).

(c) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit the results of the study required under subsection (a) to Congress.

SEC. 3424. REFUGEE ASSISTANCE.

(a) ASSISTANCE MADE AVAILABLE TO SECONDARY MIGRANTS.—Section 412(a)(1) (8 U.S.C. 1522(a)(1)) is amended by adding at the end the following:

''(C) When providing assistance under this section, the Director shall ensure that such assistance is provided to refugees who are secondary migrants and meet all other eligibility requirements for such services.''.

(b) REPORT ON SECONDARY MIGRATION.—Section 412(a)(3) (8 U.S.C. 1522(a)(3)) is amended—

(1) by inserting ''(A)'' after ''(3)'';

(2) by striking ''a periodic'' and inserting ''an annual''; and

(3) by adding at the end the following:

''(B) At the end of each fiscal year, the Director shall submit a report to Congress that includes—

''(i) States experiencing departures and arrivals due to secondary migration;

''(ii) likely reasons for such migration;

''(iii) the impact of secondary migration on States hosting secondary migrants;

''(iv) the availability of social services for secondary migrants in those States; and

''(v) the unmet needs of those secondary migrants.''.

(c) AMENDMENTS TO THE SOCIAL SERVICES FUNDING.—Section 412(c)(1)(B) (8 U.S.C. 1522(c)(1)(B)) is amended—

(1) by inserting ''a combination of—'' after ''based on''; and

(2) by striking ''the total number'' and inserting the following:

''(i) the total number''; and

(3) by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(ii) the total number of all other eligible populations served by the Office during the period described who are residing in the State as of the beginning of the fiscal year; and

''(iii) projections on the number and nature of incoming refugees and other populations served by the Office during the subsequent fiscal year.''.

(d) NOTICE AND RULEMAKING.—Not later than 90 days after the date of the enactment of this Act nor later than 30 days before the effective date set forth in subsection (e), the Director shall—

(1) issue a proposed rule for a new formula by which grants and contracts are to be allocated pursuant to the amendments made by subsection (c); and

(2) solicit public comment with respect to such proposed rule.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first fiscal year that begins after the date of the enactment of this Act.

SEC. 3425. RESETTLEMENT DATA.

(a) IN GENERAL.—The Director shall expand the Office of Refugee Resettlement's data analysis, collection, and sharing activities in accordance with the requirements set forth in subsections (b) through (e).

(b) DATA ON MENTAL AND PHYSICAL MEDICAL CASES.—The Director shall—

(1) coordinate with the Centers for Disease Control, national resettlement agencies, community based organizations, and State refugee health programs to track national and State trends on refugees arriving with Class A medical conditions and other urgent medical needs; and

(2) in collecting information under this subsection, utilize initial refugee health screening data, including—

(A) history of severe trauma, torture, mental health symptoms, depression, anxiety and posttraumatic stress disorder recorded during domestic and international health screenings; and

(B) Refugee Medical Assistance utilization rate data.

(c) DATA ON HOUSING NEEDS.—The Director shall partner with State refugee programs, community based organizations, and national resettlement agencies to collect data relating to the housing needs of refugees, including—

(1) the number of refugees who have become homeless; and

(2) the number of refugees who are at severe risk of becoming homeless.

(d) DATA ON REFUGEE EMPLOYMENT AND SELF-SUFFICIENCY.—The Director shall gather longitudinal information relating to refugee self-sufficiency, integration, and employment status during the 2-year period beginning on the date that is 1 year after the refugees' arrival in the United States.

(e) AVAILABILITY OF DATA.—The Director shall—

(1) annually update the data collected under this section; and

(2) submit an annual report to Congress that contains the updated data.

SEC. 3426. GUIDANCE REGARDING REFUGEE PLACEMENT DECISIONS.

(a) CONSULTATION.—The Secretary of State shall provide guidance to national resettlement agencies and State refugee coordinators on consultation with local stakeholders pertaining to refugee resettlement.

(b) BEST PRACTICES.—The Secretary of Health and Human Services, in collaboration with the Secretary of State, shall collect best practices related to the implementation of the guidance on stakeholder consultation on refugee resettlement from voluntary agencies and State refugee coordinators and disseminate such best practices to such agencies and coordinators.

SEC. 3427. EFFECTIVE DATE.

This chapter, and the amendments made by this chapter, shall take effect on the date that is 90 days after the date of the enactment of this Act.

SA 1406. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON WAIVER OF SMALL BUSINESS PROCUREMENT PROVISIONS.

Part 19 of the Federal Acquisition Regulation, section 15 of the Small Business Act (15 U.S.C. 644), and any other applicable laws or regulations establishing procurement requirements relating to small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) may not be waived with respect to any contract awarded under any program or other authority under this Act or an amendment made by this Act, other than as provided under subsection (a)(2) or (c) of section 2108 of this Act.

SA 1407. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 905, between lines 5 and 6, insert the following:

(4) LAND PORTS OF ENTRY.—The Secretary and the Administrator of the General Services Administration may upgrade, expand, or replace existing land ports of entry to facilitate safe, secure, and efficient cross border movement of people, motor vehicles, and cargo.

SA 1408. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PREVENTING UNAUTHORIZED IMMIGRATION TRANSITING THROUGH MEXICO.

(a) IN GENERAL.—The Secretary of State, in coordination with the Secretary of Homeland Security, shall develop and submit to Congress a strategy to address the unauthorized immigration of individuals who transit through Mexico to the United States.

(b) REQUIREMENTS.—The strategy developed under subsection (a) shall include specific steps—

(1) to enhance the training, resources, and professionalism of border and law enforcement officials in Mexico, Honduras, El Salvador, Guatemala, and other countries, as appropriate; and

(2) to educate nationals of the countries described in paragraph (1) about the perils of the journey to the United States, including how this Act will increase the likelihood of apprehension, increase criminal penalties associated with illegal entry, and make finding employment in the United States more difficult.

(c) IMPLEMENTATION OF STRATEGY.—In carrying out the strategy developed under subsection (a)—

(1) the Secretary of Homeland Security, in conjunction with the Secretary of State, shall produce an educational campaign and disseminate information about the perils of the journey across Mexico, the likelihood of apprehension, and the difficulty of finding employment in the United States; and

(2) the Secretary of State, in coordination with the Secretary of Homeland Security, shall offer—

(A) training to border and law enforcement officials to enable these officials to operate more effectively, by using, to the greatest extent practicable, Department of Homeland Security personnel to conduct the training; and

(B) technical assistance and equipment to border officials, including computers, document readers, and other forms of technology that may be needed, as appropriate.

(d) AVAILABILITY OF FUNDS.—The Secretary of Homeland Security may use such sums as are necessary from the Comprehensive Immigration Trust Fund established under section 6(a)(1) to carry out this section.

SA 1409. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 904, line 20, strike ''The Secretary'' and insert the following:

(A) GRANTS AUTHORIZED.—The Secretary

On page 905, between lines 5 and 6, insert the following:

(B) ELIGIBLE USE OF GRANT FUNDS.—In addition to the uses described in subparagraph (A), grants awarded under this paragraph may be used for maintenance of all public roads, including locally owned public roads and roads on tribal land—

(i) that are located within 100 miles of—

(I) the Northern border; or

(II) the Southern border; and

(ii) on which federally owned motor vehicles comprise more than 50 percent of the vehicular traffic.

SA 1410. Mr. LEAHY (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 934, after line 25, add the following:

SEC. 1116. OVERSIGHT OF POWER TO ENTER PRIVATE LAND AND STOP VEHICLES WITHOUT A WARRANT.

(a) IN GENERAL.—Section 287(a) (8 U.S.C. 1357(a)) is amended—

(1) in paragraph (5), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(3) by redesignating paragraphs (4) and (5) as subparagraphs (E) and (F), respectively;

(4) in the matter preceding subparagraph (A), as so redesignated—

(A) by inserting ''(1)'' before ''Any officer'';

(B) by striking ''Service'' and inserting ''Department of Homeland Security''; and

(C) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security'';

(5) by striking paragraph (1)(C), as so redesignated and inserting the following:

''(C) within a distance of 25 air miles from any external boundary of the United States, or such distance as may be prescribed by the Secretary pursuant to paragraph (2) of this subsection, to board and search for aliens any vessel within the territorial waters of the United States and any railway car, aircraft, conveyance, or vehicle for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States;

''(D) within a distance of 10 air miles from any such external boundary, or such distance as may be prescribed by the Secretary pursuant to paragraph (2) of this subsection, to have access to private lands, but not dwellings, for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States;'';

(6) by inserting after the flush text at the end of subparagraph (F), as so redesignated, the following:

''(2)(A)(i) The Secretary of Homeland Security may establish for a sector or district a distance less than or greater than 25 air miles, but in no case greater than 100 air miles, as the maximum distance from an external boundary of the United States in which the authority described in paragraph (1)(C) may be exercised, if the Secretary certifies that such a distance is necessary for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States, and justified by the considerations listed in subparagraph (B).

''(ii) The Secretary of Homeland Security may establish for a sector or district a distance less than or greater than 10 air miles, but in no case greater than 25 air miles, as the maximum distance from an external boundary of the United States in which the authority described in paragraph (1)(D) may be exercised, if the Secretary certifies that such a distance is necessary for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States, and justified by the considerations listed in subparagraph (B).

''(B) In making the certifications described in subparagraph (A), the Secretary shall consider, as appropriate, land topography, confluence of arteries of transportation leading from external boundaries, density of population, possible inconvenience to the traveling public, types of conveyances used, reliable information as to movements of persons effecting illegal entry into the United States, effects on private property and quality of life for relevant communities and residents, consultations with affected State, local, and tribal governments, including the governor of any relevant State, and other factors that the Secretary considers appropriate.

''(C) A certification made under subparagraph (A) shall be valid for a period of 5 years and may be renewed for additional 5-year periods. If the Secretary finds at any time that circumstances no longer justify a certification, the Secretary shall terminate the certification.

''(D) The Secretary shall report annually to the Committee on the Judiciary and Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on the Judiciary and Committee on Homeland Security of the House of Representatives the number of certifications made under subparagraph (A), and for each such certification, the sector or district and reasonable distance prescribed, the period of time the certification has been in effect, and the factors justifying the certification.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) AUTHORITIES WITHOUT A WARRANT.—In section 287(a) (8 U.S.C. 1357(a)), the undesignated matter following paragraph (2), as added by subsection (a)(5), is amended—

(A) by inserting ''(3)'' before ''Under regulations'';

(B) by striking ''paragraph (5)(B)'' both places that term appears and inserting ''subparagraph (F)(ii)'';

(C) by striking ''(i)'' and inserting ''(A)'';

(D) by striking ''(ii) establish'' and inserting ''(B) establish'';

(E) by striking ''(iii) require'' and inserting ''(C) require''; and

(F) by striking ''clause (ii), and (iv)'' and inserting ''subparagraph (B), and (D)''.

(2) CONFORMING AMENDMENT.—Section 287(e) (8 U.S.C. 1357(e)) is amended by striking ''paragraph (3) of subsection (a),'' and inserting ''subsection (a)(1)(D),''.

On page 937, strike lines 3 through 9 and insert the following:

SEC. 1118. PROHIBITION ON NEW LAND BORDER CROSSING FEES.

(a) IN GENERAL.—Beginning on the date of the enactment of this Act, the Secretary shall not—

(1) establish, collect, or otherwise impose any new border crossing fee on individuals crossing the Southern border or the Northern border at a land port of entry; or

(2) conduct any study relating to the imposition of a border crossing fee.

(b) BORDER CROSSING FEE DEFINED.—In this section, the term ''border crossing fee'' means a fee that every pedestrian, cyclist, and driver and passenger of a private motor vehicle is required to pay for the privilege of crossing the Southern border or the Northern border at a land port of entry.

SA 1411. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1490, between lines 2 and 3, insert the following:

SEC. 3413. SPECIFIC CONSIDERATION OF STATELESS GROUPS OF INDIVIDUALS.

Pursuant to section 3405, the Secretary, in consultation with the Secretary of State, may designate, as stateless persons, any specific group of individuals who are no longer considered nationals by any state as a result of sea level rise or other environmental changes that render such state uninhabitable for such group of individuals.

SEC. 3414. GOVERNMENT ACCOUNTABILITY OFFICE STUDY ON CLIMATE CHANGE-INDUCED INTERNAL MIGRATION.

(a) STUDY.—The Comptroller General of the United States shall carry out a study of the effects of climate change-induced migration on—

(1) United States immigration policies; and

(2) Federal, State, and local social services.

(b) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the findings of the study carried out under subsection (a).

(2) CONTENTS.—The report specified in paragraph (1) shall include an analysis of—

(A) the expected extent of climate change-induced internal migration of—

(i) residents of Alaska, Hawaii, and other States; and

(ii) residents of United States territories and possessions;

(B) the expected impacts and additional costs on existing Federal, State, and local social services of various regions, States, and localities resulting from the climate change-induced migration of United States citizens;

(C) the status of individuals who are stateless as a result of climate change; and

(D) an analysis of the adequacy of current funding sources and the identification of potential new funding sources to finance the additional costs and social services required to address impacts associated with climate change-induced migration.

SA 1412. Mrs. MURRAY (for herself and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 919, strike lines 11 through 18, and insert the following:

SEC. 1112. TRAINING FOR BORDER SECURITY, IMMIGRATION ENFORCEMENT OFFICERS, AND OTHER FEDERAL AGENTS PERFORMING BORDER ENFORCEMENT ACTIVITIES.

(a) IN GENERAL.—The Secretary shall ensure that U.S. Customs and Border Protection officers, U.S. Border Patrol officers and agents, U.S. Immigration and Customs Enforcement officers and agents, United States Air and Marine Division agents, National Guard personnel deployed to assist U.S. Customs and Border Protection under section 1103(c)(6)), Coast Guard officers and agents, and agriculture specialists stationed within 100 miles of any land or marine border of the United States.

At the appropriate place, insert the following:

SEC. _____. PROTECTIONS AND RELIEF FOR DOMESTIC VIOLENCE SURVIVORS.

(a) JUDICIAL REVIEW IN VAWA CASES.—

(1) REVIEW OF ORDERS OF REMOVAL OF DOMESTIC VIOLENCE SURVIVORS.—Section 242(a) (8 U.S.C. 1252(a)) is amended to read as follows:

''(1) GENERAL ORDERS OF REMOVAL.—

''(A) IN GENERAL.—Judicial review of a final order of removal (other than an order of removal without a hearing pursuant to section 235(b)(1)) is governed only by chapter 158

of title 28 of the United States Code, except as provided in subparagraph (B), subsection (b), and except that the court may not order the taking of additional evidence under section 2347(c) of such title.

''(B) DOMESTIC VIOLENCE SURVIVORS AND CRIME VICTIMS.—A final order for the removal of a nonimmigrant described in section 101(a)(15)(T) or section 101(a)(15)(U), a VAWA self-petitioner, an applicant for relief under section 240A(b)(2) or under any prior status provide comparable relief, notwithstanding any other provision of law, shall be subject to de novo review by the court at the request of the nonimmigrant, VAWA self-petitioner, or applicant for relief.''.

(2) CANCELLATION OF REMOVAL OF DOMESTIC VIOLENCE SURVIVORS.—Section 240A(b)(2) (8 U.S.C. 1229b(b)(2)) is amended by adding at the end the following:

''(E) JUDICIAL REVIEW OF DETERMINATION FOR DOMESTIC VIOLENCE SURVIVORS.—There shall be judicial review available of a determination of whether an individual is eligible for or entitled to relief under this paragraph or any prior statute providing comparable relief, notwithstanding any other provision of law.''.

(b) ELIGIBILITY FOR CANCELLATION OF REMOVAL FOR DOMESTIC VIOLENCE SURVIVORS.—Section 240A(b)(2)(A)(iv) (8 U.S.C. 1229b(b)(2)(A)(iv)) is amended to read as follows:

''(iv) the alien is not inadmissible under section 212(a)(2)(G), section 212(a)(2)(H), or section 212(a)(3) and is not deportable under section 237(a)(2)(A)(v) or section 237(a)(4); and''.

(c) DESIGNATING IMMIGRANTS ELIGIBLE FOR U VISAS AND SPECIAL IMMIGRANT JUVENILE STATUS, AND SELF-PETITIONING ELDER ABUSE VICTIMS, AS ALIENS ELIGIBLE TO RECEIVE CERTAIN ASSISTANCE.—

(1) RELIEF FROM CERTAIN SAFETY NET LIMITATION FOR DOMESTIC VIOLENCE SURVIVORS, VICTIMS OF ABUSE, AND SPECIAL IMMIGRANT JUVENILES.—Section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)) is amended—

(A) in the subsection heading, by striking ''BATTERED ALIENS'' and inserting ''DOMESTIC VIOLENCE SURVIVORS, VICTIMS OF ABUSE, AND SPECIAL IMMIGRANT JUVENILES'';

(B) in paragraph (1)—

(i) in subparagraph (A), by striking ''in the United States by a spouse or parent or by a member of the spouse or parent's family'' and inserting ''by a spouse, parent, son, or daughter or by a member of the spouse's, parent's, son's or daughter's family'';

(ii) in subparagraph (B)—

(I) in clause (i), by striking the comma at the end and inserting a semicolon;

(II) in clause (ii), by striking the comma at the end and inserting a semicolon;

(III) clause (iii), by striking the period at the end and inserting a semicolon;

(IV) in clause (v), by inserting ''or'' after the semicolon; and

(V) by adding at the end the following:

''(vi) status as a VAWA self-petitioner;'';

(C) in paragraph (3)(B), by striking ''or'' at the end;

(D) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

''(5) an alien who has been granted nonimmigrant status under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)) or who has a pending application for such nonimmigrant status;

''(6) an alien who has been granted immigrant status under section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 10 1101(a)(27)(J)) or who has a pending application for such immigrant status; or

''(7) an alien who has been granted status as a spouse or child of a registered provisional immigrant under section 245B the Immigration and Nationality Act or alien with blue card status granted under 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act, and who has been battered or subjected to extreme cruelty by a spouse or parent, or who has a pending application for such status.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection apply to applications for public benefits and public benefits provided on or after the date of the enactment of this Act.

(d) RELIEF FOR CERTAIN DOMESTIC VIOLENCE SURVIVORS FROM 5-YEAR BAR.—

(1) IN GENERAL.—Section 403(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(b)) is amended by adding at the end the following new paragraph:

''(3) BATTERED AND CRIME VICTIM ALIENS.—An alien who—

''(A) is described in section 431(b) and has been battered or subjected to extreme cruelty by a spouse, parent, son, or daughter, or by a member of the spouse's, parent's, son's, or daughter's family residing in the same household as the alien and the spouse, parent, or son or daughter consented to, or acquiesced in such battery or cruelty, and there is a substantial connection between such battery or cruelty and the need for the benefits to be provided; or

''(B) is described in section 431(c).''.

(2) EFFECTIVE DATE.—The amendment made by this subsection apply to applications for public benefits and public benefits provided on or after the date of the enactment of this Act.

(e) ELIGIBILITY FOR SAFETY NET BENEFITS FOR CERTAIN DOMESTIC VIOLENCE SURVIVORS.—

(1) ELIGIBILITY FOR SSI AND FOOD ASSISTANCE SAFETY NET BENEFITS FOR DOMESTIC VIOLENCE SURVIVORS.—Section 402(a)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612 (a)(2)) is amended by adding at the end the following:

''(N) ALIENS ELIGIBLE FOR IMMIGRATION RELIEF AS CRIME VICTIMS.—With respect to eligibility for a specified Federal program (as defined in paragraph (3)), paragraph (1) shall not apply to an alien who—

''(i) is described in section 431(b) and has been battered or subjected to extreme cruelty by a spouse, parent, or son or daughter, or by a member of the spouse or parent or son or daughter's family residing in the same household as the alien and the spouse, parent, or son or daughter consented to, or acquiesced in such battery or cruelty, and there is a substantial connection between such battery or cruelty and the need for the benefits to be provided; or

''(ii) is described in section 431(c).''.

(2) RELIEF FOR DOMESTIC VIOLENCE SURVIVORS FROM TANF, SOCIAL SERVICE BLOCK GRANT, AND MEDICAID BAN.—Section 402(b)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(b)(2)) is amended by adding at the end the following:

''(G) ALIENS ELIGIBLE FOR IMMIGRATION RELIEF AS CRIME VICTIMS.—An alien who—

''(i) is described in section 431(b) and has been battered or subjected to extreme cruelty by a spouse, parent, son, or daughter, or by a member of the spouse's, parent's, son's, or daughter's family residing in the same household as the alien and the spouse, parent, or son or daughter consented to, or acquiesced in such battery or cruelty, and there is a substantial connection between such battery or cruelty and the need for the benefits to be provided; or

''(ii) is described in section 431(c).''.

(3) EFFECTIVE DATE.—The amendments made by this subsection apply to applications for public benefits and public benefits provided on or after the date of the enactment of this Act.

On page 1224, between lines 23 and 24, insert the following:

(d) RELIEF FROM CERTAIN RESTRICTION ON ADJUSTMENT OF STATUS.—

(1) RELIEF FROM CERTAIN RESTRICTIONS FOR DOMESTIC VIOLENCE SURVIVORS.—Section 245(d) (8 U.S.C. 1255(d)), as amended by subsection (c), is amended in paragraph (1) as so designated by subsection (c), in the second sentence by striking the period at the end and inserting '', unless the alien is the spouse of an alien lawfully admitted for legal permanent residence or of a citizen of the United States and is a VAWA self-petitioner.''.

(2) CONFORMING APPLICATION IN CANCELLATION OF REMOVAL.—Section 240A(b)(2)(A)(i) (8 U.S.C. 1229b(b)(2)(A)(i)) is amended—

(A) in subclause (II), by striking ''or'' at the end;

(B) in subclause (III), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(IV) the alien entered the United States as an alien described in section 101(a)(15)(K) with the intent to enter into a valid marriage and the alien (or the child of the alien who is described in such section) was battered or subject to extreme cruelty by the United States citizen who filed the petition to accord status under such section;''.

(3) APPLICATION UNDER SUSPENSION OF DEPORTATION FOR DOMESTIC VIOLENCE SURVIVORS.—The Secretary or the Attorney General may suspend the deportation of an alien who is in deportation proceedings initiated prior to March 1, 1997 and adjust to the status of an alien lawfully admitted for permanent residence, if the alien—

(A) has been physically present in the United States for a continuous period of not less than 3 years immediately preceding the date of such suspension;

(B) has been battered or subjected to extreme cruelty in the United States by a spouse or immediate family member who is a United States citizen or a lawful permanent resident, or the alien entered the United States as an alien described in section 101(a)(15)(K) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(K)) with the intent to enter into a valid marriage and the alien was battered or subject to extreme cruelty by the United States citizen who filed the petition to accord status under such section, or the child of the alien who is described in this subparagraph;

(C) demonstrates that during all of such time in the United States the alien was and is a person of good moral character; and

(D) is a person whose deportation would, in the opinion of the Secretary or Attorney General, result in extreme hardship to the alien or the alien's parent or child.

(4) EFFECTIVE DATE.—This subsection and the amendments made by this subsection shall take effect on the date of the enactment of this Act and shall apply to aliens admitted before, on, or after such date.

At the appropriate place, insert the following:

SEC. ___. RELIEF FOR DOMESTIC VIOLENCE SURVIVOR VISA WAIVER ENTRANTS.

(a) IN GENERAL.—Section 217(b)(2) (8 U.S.C. 1187(b)(2)) is amended by inserting '', as a VAWA self-petitioner or for relief under section 101(a)(15)(T), section 101(a)(15)(U), section 240A(b)(2), or under any prior statute providing comparable relief, notwithstanding any other provision of law,'' after ''asylum,''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to waivers provided under section 217(b)(2) of the Immigration and Nationality Act before, on, or after such date as if it had been included in such waivers.

On page 1274, strike lines 5 through 11 and insert the following:

(c) APPLICABILITY OF SECTION 212(E) TO SPOUSES AND CHILDREN OF J–1 EXCHANGE VISITORS.—A spouse or child of an exchange visitor described in section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)), applicants approved for nonimmigrant status under section 101(a)(15)(T) of such Act, section 101(a)(15)(U) of such Act, and VAWA self-petitioners, as defined in section 101(a)(51) of such Act, shall not be subject to the requirements of section 212(e) of such Act (8 U.S.C. 1182(e)).

On page 1576, line 4, strike ''and (E)'', and insert ''(E), and (K)''.

SA 1413. Mrs. FEINSTEIN (for herself, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. NO FIREARMS FOR FOREIGN FELONS ACT OF 2013.

(a) SHORT TITLE.—This section may be cited as the ''No Firearms for Foreign Felons Act of 2013''.

(b) FELONIES.—Section 921(a) of title 18, United States Code, is amended—

(1) in paragraph (20)—

(A) in the matter preceding subparagraph (A), by inserting ''includes a covered foreign felony and'' before ''does not include'';

(B) subparagraph (A)—

(i) by striking ''any Federal or State offenses'' and inserting ''any Federal offense, State offense, or covered foreign felony''; and

(ii) by striking '', or'' at the end and inserting a semicolon;

(C) in subparagraph (B)—

(i) by striking ''any State offense classified by the laws of the State'' and inserting ''any State offense or covered foreign felony classified by the laws of that jurisdiction''; and

(ii) by striking the period at the end and inserting ''; or''; and

(D) by inserting after subparagraph (B) the following:

''(C) any offense under the law of another country that is not a covered foreign felony.''; and

(2) by adding at the end the following:

''(36) The term 'any court' includes any Federal, State, or foreign court.

''(37) The term 'covered foreign felony'—

''(A) means an offense under the law of another country that—

''(i) is punishable by a term of imprisonment of more than 1 year under the law of the other country; and

''(ii) involves conduct which, if committed in the United States, would constitute an offense under Federal or State law that is punishable by a term of imprisonment of more than 1 year; and

''(B) does not include any offense as to which the convicted person establishes that the conviction for the offense resulted from a denial of fundamental fairness that would violate due process if committed in the United States.''.

(c) DOMESTIC VIOLENCE CRIMES.—Section 921(a)(33) of title 18, United States Code, is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking ''subparagraph (C)'' and inserting ''subparagraph (B)''; and

(B) in clause (i)—

(i) by inserting ''(I)'' after ''(i)'';

(ii) by striking ''and'' and inserting ''or''; and

(iii) by adding at the end the following:

''(II) is a crime under foreign law that is punishable by imprisonment for a term of not more than 1 year; and''; and

(2) in subparagraph (B)(ii), by striking ''if the conviction has'' and inserting the following: ''if the conviction—

''(I) occurred in a foreign jurisdiction and the convicted person establishes that the foreign conviction resulted from a denial of fundamental fairness that would violate due process if committed in the United States or from conduct that would be legal if committed in the United States; or

''(II) has''.

(d) PENALTIES.—Section 924(e)(2)(A)(ii) of title 18, United States Code, is amended by inserting ''or a covered foreign felony'' after ''an offense under State law''.

SA 1414. Mrs. MURRAY (for herself and Ms. HIRONO) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1224, between lines 23 and 24, insert the following:

(d) RELIEF FROM CERTAIN RESTRICTION ON ADJUSTMENT OF STATUS.—

(1) RELIEF FROM CERTAIN RESTRICTIONS FOR DOMESTIC VIOLENCE SURVIVORS.—Section 245(d) (8 U.S.C. 1255(d)), as amended by subsection (c), is amended in paragraph (1) as so designated by subsection (c), in the second sentence by striking the period at the end and inserting '', unless the alien is the spouse of an alien lawfully admitted for legal permanent residence or of a citizen of the United States and is a VAWA self-petitioner.''.

(2) CONFORMING APPLICATION IN CANCELLATION OF REMOVAL.—Section 240A(b)(2)(A)(i) (8 U.S.C. 1229b(b)(2)(A)(i)) is amended—

(A) in subclause (II), by striking ''or'' at the end;

(B) in subclause (III), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(IV) the alien entered the United States as an alien described in section 101(a)(15)(K) with the intent to enter into a valid marriage and the alien (or the child of the alien who is described in such section) was battered or subject to extreme cruelty by the United States citizen who filed the petition to accord status under such section;''.

(3) APPLICATION UNDER SUSPENSION OF DEPORTATION FOR DOMESTIC VIOLENCE SURVIVORS.—The Secretary or the Attorney General may suspend the deportation of an alien who is in deportation proceedings initiated prior to March 1, 1997 and adjust to the status of an alien lawfully admitted for permanent residence, if the alien—

(A) has been physically present in the United States for a continuous period of not less than 3 years immediately preceding the date of such suspension;

(B) has been battered or subjected to extreme cruelty in the United States by a spouse or immediate family member who is a United States citizen or a lawful permanent resident, or the alien entered the United States as an alien described in section 101(a)(15)(K) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(K)) with the intent to enter into a valid marriage and the alien was battered or subject to extreme cruelty by the United States citizen who filed the petition to accord status under such section, or the child of the alien who is described in this subparagraph;

(C) demonstrates that during all of such time in the United States the alien was and is a person of good moral character; and

(D) is a person whose deportation would, in the opinion of the Secretary or Attorney General, result in extreme hardship to the alien or the alien's parent or child.

(4) EFFECTIVE DATE.—This subsection and the amendments made by this subsection shall take effect on the date of the enactment of this Act and shall apply to aliens admitted before, on, or after such date.

At the appropriate place, insert the following:

SEC. ___. RELIEF FOR DOMESTIC VIOLENCE SURVIVOR VISA WAIVER ENTRANTS.

(a) IN GENERAL.—Section 217(b)(2) (8 U.S.C. 1187(b)(2)) is amended by inserting '', as a VAWA self-petitioner or for relief under section 101(a)(15)(T), section 101(a)(15)(U), section 240A(b)(2), or under any prior statute providing comparable relief, notwithstanding any other provision of law,'' after ''asylum,''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to waivers provided under section 217(b)(2) of the Immigration and Nationality Act before, on, or after such date as if it had been included in such waivers.

On page 1274, strike lines 5 through 11 and insert the following:

(c) APPLICABILITY OF SECTION 212(E) TO SPOUSES AND CHILDREN OF J–1 EXCHANGE VISITORS.—A spouse or child of an exchange visitor described in section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)), applicants approved for nonimmigrant status under section 101(a)(15)(T) of such Act, section 101(a)(15)(U) of such Act, and VAWA self-petitioners, as defined in section 101(a)(51) of such Act, shall not be subject to the requirements of section 212(e) of such Act (8 U.S.C. 1182(e)).

On page 1576, line 4, strike ''and (E)'', and insert ''(E), and (K)''.

SA 1415. Ms. HIRONO (for herself, Mr. FRANKEN, Mr. SCHATZ, Mrs. MURRAY, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1151, strike lines 16 through 21.

On page 1154, strike lines 3 through 8.

Beginning on page 1197, strike line 12 and all that follows through page 1198, line 24, and insert the following:

(a) PREFERENCE ALLOCATION OF FAMILY-SPONSORED IMMIGRANT VISAS.—

(1) IN GENERAL.—Section 203(a) (8 U.S.C. 1153(a)), as amended by section 2305(b), is further amended to read as follows:

''(a) PREFERENCE ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS.—Aliens subject to the worldwide level specified in section 201(c) for family-sponsored immigrants shall be allotted visas as follows:

''(1) UNMARRIED SONS AND DAUGHTERS OF CITIZENS.—Qualified immigrants who are the unmarried sons or daughters of citizens of the United States shall be allocated visas in a number not to exceed 20 percent of the worldwide level of family-sponsored immigrants under section 201(c), plus any visas not required for the class specified in paragraph (4).

''(2) UNMARRIED SONS AND DAUGHTERS OF PERMANENT RESIDENTS.—Qualified immigrants who are the unmarried sons or daughters, but not a child (as defined in section 101(b)(1)), of an alien lawfully admitted for permanent residence shall be allocated visas in a number not to exceed the sum of—

''(A) 20 percent of the worldwide level of family-sponsored immigrants under section 201(c); and

''(B) any visas not required for the class specified in paragraph (1).

''(3) MARRIED SONS AND MARRIED DAUGHTERS OF CITIZENS.—Qualified immigrants who are the married sons or married daughters of citizens of the United States shall be allocated visas in a number not to exceed 20 percent of the worldwide level of family-sponsored immigrants under section 201(c), plus any visas not required for the classes specified in paragraphs (1) and (2).

''(4) BROTHERS AND SISTERS OF CITIZENS.—Qualified immigrants who are the brothers or sisters of citizens of the United States, if such citizens are at least 21 years of age, shall be allocated visas in a number not to exceed 40 percent of the worldwide level of family-sponsored immigrants under section 201(c), plus any visas not required for the classes specified in paragraphs (1) through (3).''.

Beginning on page 1217, strike line 18 and all that follows through page 1220, line 9, and insert the following:

(a) NONIMMIGRANT ELIGIBILITY.—Section 101(a)(15)(V) (8 U.S.C. 1101(a)(15)(V)) is amended to read as follows:

''(V) subject to section 214(q) and section 212(a)(4), an alien who is the beneficiary of an approved petition under section 203(a) as—

''(i) the unmarried son or unmarried daughter of a citizen of the United States;

''(ii) the unmarried son or unmarried daughter of an alien lawfully admitted for permanent residence;

''(iii) the married son or married daughter of a citizen of the United States; or

''(iv) the sibling of a citizen of the United States.''.

(b) EMPLOYMENT AND PERIOD OF ADMISSION OF NONIMMIGRANTS DESCRIBED IN SECTION 101(A)(15)(V).—Section 214(q) (8 U.S.C. 1184(q)) is amended to read as follows:

''(q) NONIMMIGRANTS DESCRIBED IN SECTION 101(A)(15)(V).—

''(1) EMPLOYMENT AUTHORIZATION.—The Secretary shall—

''(A) authorize a nonimmigrant admitted pursuant to section 101(a)(15)(V) to engage in employment in the United States during the period of such nonimmigrant's authorized admission; and

''(B) provide such a nonimmigrant with an 'employment authorized' endorsement or other appropriate document signifying authorization of employment.

''(2) TERMINATION OF ADMISSION.—The period of authorized admission for such a nonimmigrant shall terminate 30 days after the date on which—

''(A) such nonimmigrant's application for an immigrant visa pursuant to the approval of a petition under subsection (a) or (c) of section 203 is denied; or

''(B) such nonimmigrant's application for adjustment of status under section 245 pursuant to the approval of such a petition is denied.''.

SA 1416. Mr. SCHATZ (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title IV, add the following:

SEC. 4416. REPORT ON PROCESSING OF VISAS FOR NONIMMIGRANTS AT UNITED STATES EMBASSIES AND CONSULATES.

(a) INITIAL REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the processing of visas for nonimmigrants at United States embassies and consulates that—

(1) assesses the efforts of the Department of State to expand its capacity for processing of visas for nonimmigrants in the People's Republic of China and Brazil;

(2) provides recommendations, if warranted, for improving the effectiveness of those efforts;

(3) identifies the challenges to meeting staffing requirements with respect to the processing of visas for nonimmigrants at United States embassies and consulates, including staffing shortages and foreign language proficiency requirements;

(4) discusses how those challenges affect the ability of the Department of State to carry out operations relating to the processing of visas for nonimmigrants;

(5) describes what actions the Department of State has taken to address those challenges; and

(6) provides recommendations, if warranted, for improving the efforts of the Department of State to meet staffing requirements at United States embassies and consulates.

(b) SUBSEQUENT REPORT.—Not later than 2 years after submitting the report required by subsection (a), the Comptroller General shall submit to Congress a report assessing the progress made by the Department of State with respect to the matters included in the report required by subsection (a) since the submission of that report.

SA 1417. Mr. HEINRICH (for himself and Mr. UDALL of New Mexico) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1021, line 15, insert ''Hispanic-serving institution (as defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5)), or a'' after ''means a''.

On page 1288, lines 16 and 17, insert ''and Hispanic-serving institutions (as defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5))'' after ''organizations''.

On page 1293, line 2, insert ''Hispanic-serving institutions (as defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5)),'' after ''municipalities,''.

SA 1418. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 919, between lines 10 and 11, insert the following:

(b) ANNUAL REPORT ON USE OF FORCE.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Inspector General of the Department shall submit to the appropriate committees of Congress a report on the use of force—

(A) by Federal employees performing enforcement of the immigration laws, including personnel of U.S. Customs and Border Protection, U.S. Border Patrol, U.S. Immigration and Customs Enforcement, the National Guard deployed to assist U.S. Customs and Border Protection under section 1103(c)(6), and the Coast Guard and agriculture specialists stationed within 100 miles of any land or marine border; or

(B) involving State or local law enforcement personnel operating as part of a task force involving Federal participation.

(2) CONTENTS.—Each report required by paragraph (1) shall include, with respect to the use of force in the enforcement of the immigration laws, the following:

(A) A description of the training requirements for use of force on issued equipment, non-force techniques, de-escalation techniques, the use of defensive equipment and a determination of the adequacy of the training requirements.

(B) A description of the type and frequency of the use of force on each of the following:

(i) Citizens of the United States.

(ii) Aliens lawfully present in the United States, including aliens in registered provisional immigrant status, blue card status, nonimmigrant status pursuant to section 101(a)(15)(W) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(W)), as amended by this Act, and those admitted under the amendments made by the DREAM Act 2013.

(iii) Persons not described in clause (i) or (ii).

(C) The gender, race, nationality, ethnicity, and age of the person upon whom force was used.

(D) The date, time, and location (including country, sector, or district, if applicable) of the use of force.

(E) A brief description of the circumstances surrounding the use of force.

(F) The number of officers who used force in the enforcement of immigration laws.

(G) A description of the administrative oversight that occurred following each such use of force.

(H) The number of complaints regarding the use of force and the number of resulting investigations.

(I) A description of the types of disciplinary actions resulting from such investigations and the frequency of such actions.

(J) A description of the policy recommendations, if any, of the Inspector General of the Department relating to use of force.

(K) Any such other information and statistics related to the use of force that the Inspector General of the Department determines to be appropriate.

(L) Results of inspections, investigations, and audits conducted pursuant to section 104(d) of the Homeland Security Act of 2002, as added by 1114 of this Act.

(M) A summary of the information and findings in described subparagraphs (A) through (L).

(3) DEFINITIONS.—In this subsection:

(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(i) the Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(ii) the Committee on the Judiciary and the Committee on Homeland Security of the House of Representative.

(B) USE OF FORCE.—The term ''use of force'' means physical effort to compel compliance by a subject that exceeds unresisted handcuffing, including pointing a firearm at the subject or employing canines.

(4) AVAILABILITY OF REPORTS.—Each report submitted under this subsection shall be made available to the public without the need to submit a request under section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'').

SA 1419. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1423, line 17, insert after ''by regulation'' the following: '', except that an employer may, but is not required to, use the System to verify authorization of an employee continuing in an employment from another employer in a case in which there is substantial continuity in the business operations between the predecessor and successor employers''.

SA 1420. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1448, line 25, insert ''investigating potential violations of laws by employers and employees, apprehending violators,'' after ''System,''.

On page 1449, beginning on line 7, strike ''Such personnel'' and all that follows through line 9, and insert ''A significant portion of such personnel shall perform enforcement, investigatory, apprehension, compliance, and monitoring functions, including the following:''.

SA 1421. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1389, line 5, strike ''$5,000 and not more than $15,000'' and insert ''$10,000 and not more than $25,000''.

On page 1389, line 12, ''$10,000 and not more than $25,000'' and insert ''$25,000 and not more than $50,000''.

On page 1390, line 18, strike ''$1,000 and not more than $4,000'' and insert ''$5,000 and not more than $15,000''.

On page 1390, lines 22 and 23, strike ''$2,000 and not more than $8,000'' and insert ''$6,000 and not more than $20,000''.

SA 1422. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1413, between lines 7 and 8, insert the following:

(g) ENHANCED PENALTIES FOR IMMIGRATION LAW VIOLATIONS.—

(1) CIVIL PENALTY.—

(A) IN GENERAL.—If an employer commits a civil violation of a Federal law relating to workplace rights (as defined in section 274A(b)(8) of the Immigration and Nationality Act), including a finding by the agency enforcing such law in the course of a final settlement of such violation, and such violation took place with respect to an unauthorized worker, the employer may be subject to an additional civil penalty of up to $5,000 per unauthorized worker.

(B) DEPOSIT OF FUNDS.—Amounts collected pursuant to subparagraph (A) shall be deposited into the Labor Law Enforcement Fund established under section 286(x) of the Immigration and Nationality Act, as added by paragraph (2).

(2) LABOR LAW ENFORCEMENT FUND.—Section 286 (8 U.S.C. 1356), as amended by section 4104, is further amended by adding at the end the following:

''(x) LABOR LAW ENFORCEMENT FUND.—

''(1) IN GENERAL.—There is established in the general fund of the Treasury, a separate account, which shall be known as the 'Labor Law Enforcement Fund' (referred to in this subsection as the 'Fund').

''(2) DEPOSITS.—There shall be deposited, as offsetting receipts into the Fund, the civil penalties collected under section 3101(g)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(3) PURPOSE.—Amounts deposited in the Fund shall be made available to the Secretary of Labor to enforce employer compliance with Federal workplace laws, including by conducting random audits of employers in industries with a history of employing a significant number of unauthorized workers or nonimmigrants described in section 101(a)(15)(H)(ii).''.

SA 1423. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1390, line 24, strike ''(D)'' and insert the following:

''(D) CIVIL PENALTY.—Any employer that repeatedly fails to comply in a timely manner to requests from the Department for further or follow up information regarding the employer's use of the System, as determined by the Secretary, shall pay a civil penalty of not less than $100 and not more than $500 for each such violation.

''(E)

On page 1391, line 6, strike ''(E)'' and insert ''(F)''.

On page 1392, line 13, strike ''(F)'' and insert ''(G)''.

SA 1424. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1405, beginning on line 17, strike ''knowing violations of subsection (a)(1)(A) or (a)(2) shall be fined under title 18, United States Code, no more than $10,000'' and inserting ''knowing or negligent violations of paragraph (1)(A) or (2) of subsection (a) shall be fined not more than $30,000 under title 18, United States Code,''.

On page 1406, line 2, strike ''5 years'' and insert ''8 years''.

On page 1406, line 19, insert ''or negligently'' after ''knowingly''.

On page 1406, line 23, strike ''knowing'' and insert ''with knowledge of facts that would lead a reasonable person to conclude''.

On page 1407, line 14, strike ''10 years'' and insert ''12 years''.

SA 1425. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1618, between lines 11 and 12, insert the following:

SEC. 3722. COMPREHENSIVE INTERIOR IMMIGRATION ENFORCEMENT STRATEGY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and biannually thereafter, the Secretary shall publish a strategy for achieving and maintaining effective interior immigration enforcement, which shall be known as the ''Comprehensive Interior Immigration Enforcement Strategy'' (referred to in this section as the ''Strategy'').

(b) CONTENTS.—The Strategy shall—

(1) set forth the interior immigration enforcement strategy of the Department;

(2) detail a strategy for addressing, at a minimum—

(A) visa overstays, including enforcement in each major visa category;

(B) fraudulent use of documents by undocumented immigrants to gain employment in the United States;

(C) knowing and negligent activities of employers to hire undocumented immigrants;

(D) knowing and negligent activities of employers regarding failure to comply with the Employment Verification System established under section 274A(d) of the Immigration and Nationality Act; and

(E) shortfalls in entry and exit tracking activities;

(3) specify the priorities that shall be met for the Strategy to be considered successfully executed, which shall include, at a minimum—

(A) enforcement goals in each major category detailed in accordance with paragraph (2);

(B) speedy and fair administrative and judicial proceedings on matters relevant to enforcement activities; and

(C) target enforcement and success levels associated with priority areas of interior immigration enforcement;

(4) identify the resources necessary to carry out the Strategy, including any—

(A) improvements in technology and operational capacity required to implement the Strategy; and

(B) improvements in, or changes to, organizational structure required to implement the Strategy.

(c) IMPLEMENTATION REPORT.—

(1) IN GENERAL.—Not later than 180 days after the Strategy is published under subsection (a), the Secretary shall submit a report on the Department's plans to implement the Strategy to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Appropriations of the House of Representatives;

(E) the Committee on the Judiciary of the Senate;

(F) the Committee on the Judiciary of the House of Representatives; and

(G) the Comptroller General of the United States.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include—

(A) a detailed analysis of the Department's execution of the Strategy published 2 years before including discussions of successes and failures under the Strategy;

(B) a detailed description of the steps the Department has taken, or plans to take, to execute the Strategy submitted under subsection (a); and

(C) a detailed description of—

(i) any impediments identified in the Department's efforts to execute the Strategy;

(ii) the actions the Department has taken, or plans to take, to address such impediments;

(iii) any resources or authorities the Department needs to execute the Strategy; and

(iv) any additional measures developed by the Department to measure interior immigration enforcement efforts.

(3) BIANNUAL REVIEW.—The Comptroller General of the United States shall—

(A) conduct a biannual review of the information contained in the annual reports submitted by the Secretary under this subsection; and

(B) submit an assessment of the status and progress of interior immigration enforcement efforts to the congressional committees set forth in paragraph (1).

(d) DESIGNATION OF INTERIOR ENFORCEMENT LEADERSHIP.—

(1) IN GENERAL.—The Secretary shall designate an individual within the Department to oversee and coordinate the implementation of all interior immigration enforcement efforts that are carried out through activities and agencies under the jurisdiction of the Secretary.

(2) DUTIES.—The individual designated pursuant to paragraph (1) shall—

(A) coordinate with other agencies, including the Department of Justice, as necessary;

(B) collaborate with the Secretary on the creation and publication of the Strategy; and

(C) oversee the implementation of the Strategy, including the reporting requirements under subsection (c).

SA 1426. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. OFFICER FOR CIVIL RIGHTS AND CIVIL LIBERTIES.

Section 705 of the Homeland Security Act of 2002 (6 U.S.C. 345) is amended—

(1) in subsection (a), by striking paragraph (6) and inserting the following:

''(6) investigate complaints and information indicating possible abuses of civil rights or civil liberties by employees and officials of the Department or that are related to Departmental activities (unless the Inspector General of the Department determines that such a complaint or such information should be investigated by the Inspector General) and, using the information gained by such investigations, make recommendations to the Secretary and directorates, offices, and other components of the Department for improvements in policy, supervision, training, and practice related to civil rights or civil liberties, or for the relevant office to review the matter and take appropriate disciplinary or other action.'';

(2) by redesignating subsection (b) as subsection (e);

(3) by inserting after subsection (a) the following:

''(b) INVESTIGATION OF COMPLAINTS.—The head of each directorate, office, or component of the Department and the head of any other executive agency shall ensure that the directorate, office, or component provides the Officer for Civil Rights and Civil Liberties with speedy access, and in no event later than 30 days after the date on which the directorate, office, or component receives a request from the Officer, to any information determined by the Officer to be relevant to the exercise of the duties and responsibilities under subsection (a) or to any investigation carried out under this section, whether by providing relevant documents or access to facilities or personnel.

''(c) SUBPOENAS.—

''(1) IN GENERAL.—In carrying out the duties and responsibilities under subsection (a) or as part of an investigation carried out under this section, the Officer for Civil Rights and Civil Liberties may require by subpoena access to—

''(A) any institution or entity outside of the Federal Government that is the subject of or related to an investigation under this section; and

''(B) any individual, document, record, material, file, report, memorandum, policy, procedure, investigation, video or audio recording or other media, or quality assurance report relating to any institution or entity outside of the Federal Government that is the subject of or related to an investigation under this section.

''(2) ISSUANCE AND SERVICE.—A subpoena issued under this subsection shall—

''(A) bear the signature of the Officer for Civil Rights and Civil Liberties; and

''(B) be served by any person or class of persons designated by the Officer or an officer or employee designated for that purpose.

''(3) ENFORCEMENT.—In the case of contumacy or failure to obey a subpoena issued under this subsection, the United States district court for the judicial district in which the institution, entity, or individual is located may issue an order requiring compliance. Any failure to obey the order of the court may be punished by the court as contempt of that court.

''(4) USE OF INFORMATION.—Any material obtained under a subpoena issued under this subsection—

''(A) may not be used for any purpose other than a purpose set forth in subsection (a);

''(B) may not be transmitted by or within the Department for any purpose other than a purpose set forth in subsection (a); and

''(C) shall be redacted, obscured, or otherwise altered if used in any publicly available manner to the extent necessary to prevent the disclosure of any personally identifiable information.

''(d) RECOMMENDATIONS.—For any final recommendation or finding made under this section by the Officer for Civil Rights and Civil Liberties to the Secretary or a directorate, office, or other component of the Department—

''(1) the Secretary shall ensure that the Department—

''(A) responds to the recommendation or finding within 30 days after the date on which the Officer communicates the recommendation or finding; and

''(B) within 60 days after the date on which the Officer communicates the recommendation or finding, provides the Officer with a plan for implementation of the recommendation or finding;

''(2) within 30 days after the date on which the Officer receives an implementation plan under paragraph (1), the Officer shall assess the plan and determine whether the plan sufficiently addresses the underlying recommendation;

''(3) if the Officer determines under paragraph (2) that an implementation plan is insufficient, the Secretary shall ensure that the Department submits a revised implementation plan that complies with the underlying recommendation within 30 days after the date on which the Officer communicates the determination; and

''(4) absent any provision of law to the contrary, the Officer shall provide the complainant with a summary of any findings or recommendations made under this section by the Officer, which shall be redacted, obscured, or otherwise altered to protect the disclosure of any personally identifiable information, other than the complainant's.''; and

(4) in subsection (e), as so redesignated—

(A) by striking ''The Secretary shall'' and inserting the following:

''(1) IN GENERAL.—The Secretary shall'';

(B) by striking ''and the appropriate committees and subcommittees of Congress'' and inserting ''the appropriate committees and subcommittees of Congress, and the Privacy and Civil Liberties Oversight Board established under section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee)'';

(C) by striking '', and detailing any allegations'' and all that follows through ''such allegations.'' and inserting ''and a compilation of the information provided in the quarterly reports under paragraph (2).''; and

(D) by adding at the end the following:

''(2) QUARTERLY REPORTS.—

''(A) IN GENERAL.—The Officer for Civil Rights and Civil Liberties shall submit to the President of the Senate, the Speaker of the House of Representatives, the appropriate committees and subcommittees of Congress, and the Privacy and Civil Liberties Oversight Board established under section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), on a quarterly basis, a report detailing—

''(i) each nonfrivolous allegation of abuse received by the Officer during the quarter covered by the report; and

''(ii) each final recommendation made or carried out under subsection (a) that was completed during the quarter covered by the report.

''(B) CONTENTS.—Each report under this paragraph shall detail—

''(i) for each allegation described in subparagraph (A)(i) subject to a completed investigation, any final recommendation made by the Officer for Civil Rights and Civil Liberties and any action or response taken by the Department in response; and

''(ii) any matter or investigation carried out under this section that has been open or pending for more than 2 years.

''(3) INFORMING THE PUBLIC.—The Officer for Civil Rights and Civil Liberties shall—

''(A) make each report submitted under this subsection available to the public to the greatest extent that is consistent with the protection of classified information and applicable law; and

''(B) otherwise inform the public of the activities of the Officer, as appropriate and in a manner consistent with the protection of classified information and applicable law.''.

SA 1427. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1405, beginning on line 17, strike ''knowing violations of subsection (a)(1)(A) or (a)(2) shall be fined under title 18, United States Code, no more than $10,000'' and inserting ''negligent violations of paragraph (1)(A) or (2) of subsection (a) shall be fined not more than $30,000 under title 18, United States Code,''.

On page 1406, line 2, strike ''5 years'' and insert ''8 years''.

On page 1406, line 19, strike ''knowingly'' and insert ''negligently''.

On page 1406, line 23, strike ''knowing'' and insert ''with knowledge of facts that would lead a reasonable person to conclude''.

On page 1407, line 14, strike ''10 years'' and insert ''12 years''.

NOTICE OF HEARING

SUBCOMMITTEE ON WATER AND POWER

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, July 16, 2013, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on the Bureau of Reclamation's Colorado River Basin Water Supply and Demand Study.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510–6150, or by e-mail to JohnAssini@energy.senate.gov.

For further information, please contact Sara Tucker at (202) 224–6224 or John Assini at (202) 224–9313.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 19, 2013, at 10 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''Staying on Track: Next Steps in Improving Passenger and Freight Rail Safety''.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''Reducing Senior Poverty and Hunger: The Role of the Older Americans Act'' on June 19, 2013, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

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

COMMITEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 19, 2013, at 2 p.m.

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

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on June 19, 2013, at 10 a.m., in room SD–106 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Oversight of the Federal Bureau of Investigation.''

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

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on June 19, 2013, at 3 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Judicial Nominations.''

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

SPECIAL COMMITTEE ON AGING

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate, on June 19, 2013, to conduct a hearing entitled ''Social Security Payments Go Paperless: Protecting Seniors from Fraud and Confusion.''

The Committee will meet in room 366 of the Dirksen Senate Office Building beginning at 2 p.m.

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

SUBCOMMITTEE ON AVIATION OPERATIONS, SAFETY, AND SECURITY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Aviation Operations, Safety, and Security of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 19, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''Airline Industry Consolidation.''

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

TAIWAN OBSERVER STATUS ACT

Mr. REID. I ask unanimous consent to proceed to Calendar No. 86, S. 579.

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

The assistant legislative clerk read as follows:

A bill (S. 579) to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

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

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time, passed, and the motion to reconsider be made and laid upon the table, with no intervening action or debate.

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

The bill (S. 579) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 579

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

SECTION 1. CONCERNING THE PARTICIPATION OF TAIWAN IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.

(a) FINDINGS.—Congress makes the following findings:

(1) Safe, secure, and economical international air navigation and transport is important to every citizen of the world, and safe skies are ensured through uniform aviation standards, harmonization of security protocols, and expeditious dissemination of information regarding new regulations and other relevant matters.

(2) Direct and unobstructed participation in international civil aviation forums and programs is beneficial for all nations and their civil aviation authorities. Civil aviation is vital to all due to the international transit and commerce it makes possible, but must also be closely regulated due to the possible use of aircraft as weapons of mass destruction or to transport biological, chemical, and nuclear weapons or other dangerous materials.

(3) The Convention on International Civil Aviation, signed at Chicago, Illinois, December 7, 1944, and entered into force April 4, 1947, established the International Civil Aviation Organization (ICAO), stating that ''[t]he aims and objectives of the Organization are to develop the principles and techniques of international air navigation and to foster the planning and development of international air transport so as to . . . [m]eet the needs of the peoples of the world for safe, regular, efficient and economical air transport''.

(4) The terrorist attacks of September 11, 2001, demonstrated that the global civil aviation network is subject to vulnerabilities that can be exploited in one country to harm another. The ability of civil aviation authorities to coordinate, preempt, and act swiftly and in unison is an essential element of crisis prevention and response.

(5) Following the terrorist attacks of September 11, 2001, the ICAO convened a high-level Ministerial Conference on Aviation Security that endorsed a global strategy for strengthening aviation security worldwide and issued a public declaration that ''a uniform approach in a global system is essential to ensure aviation security throughout the world and that deficiencies in any part of the system constitute a threat to the entire global system,'' and that there should be a commitment to ''foster international cooperation in the field of aviation security and harmonize the implementation of security measures''.

(6) The Taipei Flight Information Region, under the jurisdiction of Taiwan, covers an airspace of 180,000 square nautical miles and provides air traffic control services to over 1,200,000 flights annually, with the Taiwan Taoyuan International Airport recognized as the 10th and 19th largest airport by international cargo volume and number of international passengers, respectively, in 2011.

(7) Despite the established international consensus regarding a uniform approach to aviation security that fosters international cooperation, exclusion from the ICAO since 1971 has impeded the efforts of the Government of Taiwan to maintain civil aviation practices that comport with evolving international standards, due to its inability to contact the ICAO for up-to-date information on aviation standards and norms, secure amendments to the organization's regulations in a timely manner, obtain sufficient and timely information needed to prepare for the implementation of new systems and procedures set forth by the ICAO, receive technical assistance in implementing new regulations, and participate in technical and academic seminars hosted by the ICAO.

(8) On October 8, 2010, the Department of State praised the 37th ICAO Assembly on its adoption of a Declaration on Aviation Security, but noted that ''because every airport offers a potential entry point into this global system, every nation faces the threat from gaps in aviation security throughout the world—and all nations must share the responsibility for securing that system''.

(9) On October 2, 2012, Taiwan became the 37th participant to join the United States Visa Waiver program, which is expected to stimulate tourism and commerce that will rely increasingly on international commercial aviation.

(10) The Government of Taiwan's exclusion from the ICAO constitutes a serious gap in global standards that should be addressed at the earliest opportunity in advance of the 38th ICAO Assembly in September 2013.

(11) The Federal Aviation Administration and its counterpart agencies in Taiwan have enjoyed close collaboration on a wide range of issues related to innovation and technology, civil engineering, safety and security, and navigation.

(12) The ICAO has allowed a wide range of observers to participate in the activities of the organization.

(13) The United States, in the 1994 Taiwan Policy Review, declared its intention to support Taiwan's participation in appropriate international organizations and has consistently reiterated that support.

(14) Senate Concurrent Resolution 17, 112th Congress, agreed to September 11, 2012, affirmed the sense of Congress that—

(A) meaningful participation by the Government of Taiwan as an observer in the meetings and activities of the ICAO will contribute both to the fulfillment of the ICAO's overarching mission and to the success of a global strategy to address aviation security threats based on effective international cooperation; and

(B) the United States Government should take a leading role in garnering international support for the granting of observer status to Taiwan in the ICAO.

(15) Following the enactment of Public Law 108–235 (22 U.S.C. 290 note), a law authorizing the Secretary of State to initiate and implement a plan to endorse and obtain observer status for Taiwan at the annual summit of the World Health Assembly and subsequent advocacy by the United States, Taiwan was granted observer status to the World Health Assembly for four consecutive years since 2009. Both prior to, and in its capacity as an observer, Taiwan has contributed significantly to the international community's collective efforts in pandemic control, monitoring, early warning, and other related matters.

(16) ICAO rules and existing practices allow for the meaningful participation of noncontracting countries as well as other bodies in its meetings and activities through granting of observer status.

(b) TAIWAN'S PARTICIPATION AT ICAO.—The Secretary of State shall—

(1) develop a strategy to obtain observer status for Taiwan, at the triennial ICAO Assembly next held in September 2013 in Montreal, Canada, and other related meetings, activities, and mechanisms thereafter; and

(2) instruct the United States Mission to the ICAO to officially request observer status for Taiwan at the triennial ICAO Assembly and other related meetings, activities, and mechanisms thereafter and to actively urge ICAO member states to support such observer status and participation for Taiwan.

(c) REPORT CONCERNING OBSERVER STATUS FOR TAIWAN AT THE ICAO ASSEMBLY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to Congress a report, in unclassified form, describing the United States strategy to endorse and obtain observer status for Taiwan at the triennial ICAO Assembly and at subsequent ICAO Assemblies and at other related meetings, activities, and mechanisms thereafter. The report shall include the following:

(1) A description of the efforts the Secretary of State has made to encourage ICAO member states to promote Taiwan's bid to obtain observer status.

(2) The steps the Secretary of State will take to endorse and obtain observer status for Taiwan in ICAO at the triennial ICAO Assembly and at other related meetings, activities, and mechanisms thereafter.

THE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following bills en bloc: Calendar No. 45, S. 23; Calendar No. 46, S. 25; Calendar No. 47, S. 26; Calendar No. 48, S. 112; Calendar No. 49, S. 130; Calendar No. 50, S. 157; Calendar No. 52, S. 230; Calendar No. 53, S. 244; Calendar No. 55, S. 276; Calendar No. 56, S. 304; Calendar No. 59, S. 352; Calendar No. 61, S. 383; Calendar No. 62, S. 393; and Calendar No. 63, S. 459.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. REID. I ask unanimous consent that the bills be agreed to en bloc, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

SLEEPING BEAR DUNES NATIONAL LAKESHORE CONSERVATION AND RECREATION ACT

The bill (S. 23) to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 23

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Sleeping Bear Dunes National Lakeshore Conservation and Recreation Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term ''map'' means the map consisting of 6 sheets entitled ''Sleeping Bear Dunes National Lakeshore Proposed Wilderness Boundary'', numbered 634/80,083B, and dated November 2010.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 3. SLEEPING BEAR DUNES WILDERNESS.

(a) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain land and inland water within the Sleeping Bear Dunes National Lakeshore comprising approximately 32,557 acres along the mainland shore of Lake Michigan and on certain nearby islands in Benzie and Leelanau Counties, Michigan, as generally depicted on the map, is designated as wilderness and as a component of the National Wilderness Preservation System, to be known as the ''Sleeping Bear Dunes Wilderness''.

(b) MAP.—

(1) AVAILABILITY.—The map shall be on file and available for public inspection in appropriate offices of the National Park Service.

(2) CORRECTIONS.—The Secretary may correct any clerical or typographical errors in the map.

(3) LEGAL DESCRIPTION.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a legal description of the wilderness boundary and submit a copy of the map and legal description to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives.

(c) ROAD SETBACKS.—The wilderness boundary shall be—

(1) 100 feet from the centerline of adjacent county roads; and

(2) 300 feet from the centerline of adjacent State highways.

SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—Subject to valid existing rights, the wilderness area designated by section 3(a) shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in the Wilderness Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(b) MAINTENANCE OF ROADS OUTSIDE WILDERNESS BOUNDARY.—Nothing in this Act prevents the maintenance and improvement of roads that are located outside the boundary of the wilderness area designated by section 3(a).

(c) FISH AND WILDLIFE.—Nothing in this Act affects the jurisdiction of the State of Michigan with respect to the management of fish and wildlife, including hunting and fishing within the national lakeshore in accordance with section 5 of Public Law 91–479 (16 U.S.C. 460x–4).

(d) SAVINGS PROVISIONS.—Nothing in this Act modifies, alters, or affects—

(1) any treaty rights; or

(2) any valid private property rights in existence on the day before the date of enactment of this Act.

SOUTH UTAH VALLEY ELECTRIC CONVEYANCE ACT

The bill (S. 25) to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 25

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''South Utah Valley Electric Conveyance Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) DISTRICT.—The term ''District'' means the South Utah Valley Electric Service District, organized under the laws of the State of Utah.

(2) ELECTRIC DISTRIBUTION SYSTEM.—The term ''Electric Distribution System'' means fixtures, irrigation, or power facilities lands, distribution fixture lands, and shared power poles.

(3) FIXTURES.—The term ''fixtures'' means all power poles, cross-members, wires, insulators and associated fixtures, including substations, that—

(A) comprise those portions of the Strawberry Valley Project power distribution system that are rated at a voltage of 12.5 kilovolts and were constructed with Strawberry Valley Project revenues; and

(B) any such fixtures that are located on Federal lands and interests in lands.

(4) IRRIGATION OR POWER FACILITIES LANDS.—The term ''irrigation or power facilities lands'' means all Federal lands and interests in lands where the fixtures are located on the date of the enactment of this Act and which are encumbered by other Strawberry Valley Project irrigation or power features, including lands underlying the Strawberry Substation.

(5) DISTRIBUTION FIXTURE LANDS.—The term ''distribution fixture lands'' means all Federal lands and interests in lands where the fixtures are located on the date of the enactment of this Act and which are unencumbered by other Strawberry Valley Project features, to a maximum corridor width of 30 feet on each side of the centerline of the fixtures' power lines as those lines exist on the date of the enactment of this Act.

(6) SHARED POWER POLES.—The term ''shared power poles'' means poles that comprise those portions of the Strawberry Valley Project Power Transmission System, that are rated at a voltage of 46.0-kilovolts, are owned by the United States, and support fixtures of the Electric Distribution System.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 3. CONVEYANCE OF ELECTRIC DISTRIBUTION SYSTEM.

(a) IN GENERAL.—Inasmuch as the Strawberry Water Users Association conveyed its interest, if any, in the Electric Distribution System to the District by a contract dated April 7, 1986, and in consideration of the District assuming from the United States all liability for administration, operation, maintenance, and replacement of the Electric Distribution System, the Secretary shall, as soon as practicable after the date of enactment of this Act and in accordance with applicable law, convey and assign to the District without charge or further consideration—

(1) all of the United States right, title, and interest in and to—

(A) all fixtures owned by the United States as part of the Electric Distribution System; and

(B) the distribution fixture land;

(2) license for use in perpetuity of the shared power poles to continue to own, operate, maintain, and replace Electric Distribution Fixtures attached to the shared power poles; and

(3) licenses for use and for access in perpetuity for purposes of operation, maintenance, and replacement across, over, and along—

(A) all project lands and interests in irrigation and power facilities lands where the Electric Distribution System is located on the date of the enactment of this Act that are necessary for other Strawberry Valley Project facilities (the ownership of such underlying lands or interests in lands shall remain with the United States), including lands underlying the Strawberry Substation; and

(B) such corridors where Federal lands and interests in lands—

(i) are abutting public streets and roads; and

(ii) can provide access that will facilitate operation, maintenance, and replacement of facilities.

(b) COMPLIANCE WITH ENVIRONMENTAL LAWS.—

(1) IN GENERAL.—Before conveying lands, interest in lands, and fixtures under subsection (a), the Secretary shall comply with all applicable requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(C) any other law applicable to the land and facilities.

(2) EFFECT.—Nothing in this Act modifies or alters any obligations under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(c) POWER GENERATION AND 46KV TRANSMISSION FACILITIES EXCLUDED.—Except for the uses as granted by license in Shared Power Poles under section 3(a)(2), nothing in this Act shall be construed to grant or convey to the District or any other party, any interest in any facilities shared or otherwise that comprise a portion of the Strawberry Valley Project power generation system or the federally owned portions of the 46 kilovolt transmission system which ownership shall remain in the United States.

SEC. 4. EFFECT OF CONVEYANCE.

On conveyance of any land or facility under section 3(a)(1)—

(1) the conveyed and assigned land and facilities shall no longer be part of a Federal reclamation project;

(2) the District shall not be entitled to receive any future Bureau or Reclamation benefits with respect to the conveyed and assigned land and facilities, except for benefits that would be available to other non-Bureau of Reclamation facilities; and

(3) the United States shall not be liable for damages arising out of any act, omission, or occurrence relating to the land and facilities, including the transaction of April 7, 1986, between the Strawberry Water Users Association and the Strawberry Electric Service District.

SEC. 5. REPORT.

If a conveyance required under section 3 is not completed by the date that is 1 year after the date of the enactment of this Act, the Secretary shall, not later than 30 days after that date, submit to Congress a report that—

(1) describes the status of the conveyance;

(2) describes any obstacles to completing the conveyance; and

(3) specifies an anticipated date for completion of the conveyance.

BONNEVILLE UNIT CLEAN HYDROPOWER FACILITATION ACT

The bill (S. 26) to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 26

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Bonneville Unit Clean Hydropower Facilitation Act''.

SEC. 2. DIAMOND FORK SYSTEM DEFINED.

For the purposes of this Act, the term ''Diamond Fork System'' means the facilities described in chapter 4 of the October 2004 Supplement to the 1988 Definite Plan Report for the Bonneville Unit.

SEC. 3. COST ALLOCATIONS.

Notwithstanding any other provision of law, in order to facilitate hydropower development on the Diamond Fork System, the amount of reimbursable costs allocated to project power in Chapter 6 of the Power Appendix in the October 2004 Supplement to the 1988 Bonneville Unit Definite Plan Report, with regard to power development upstream of the Diamond Fork System, shall be considered final costs as well as costs in excess of the total maximum repayment obligation

as defined in section 211 of the Central Utah Project Completion Act of 1992 (Public Law 102–575), and shall be subject to the same terms and conditions.

SEC. 4. NO PURCHASE OR MARKET OBLIGATION; NO COSTS ASSIGNED TO POWER.

Nothing in this Act shall obligate the Western Area Power Administration to purchase or market any of the power produced by the Diamond Fork power plant and none of the costs associated with development of transmission facilities to transmit power from the Diamond Fork power plant shall be assigned to power for the purpose of Colorado River Storage Project ratemaking.

SEC. 5. PROHIBITION ON TAX-EXEMPT FINANCING.

No facility for the generation or transmission of hydroelectric power on the Diamond Fork System may be financed or refinanced, in whole or in part, with proceeds of any obligation—

(1) the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986, or

(2) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

SEC. 6. REPORTING REQUIREMENT.

If, 24 months after the date of the enactment of this Act, hydropower production on the Diamond Fork System has not commenced, the Secretary of the Interior shall submit a report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate stating this fact, the reasons such production has not yet commenced, and a detailed timeline for future hydropower production.

SEC. 7. PAYGO.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 8. LIMITATION ON THE USE OF FUNDS.

The authority under the provisions of section 301 of the Hoover Power Plant Act of 1984 (Public Law 98–381; 42 U.S.C. 16421a) shall not be used to fund any study or construction of transmission facilities developed as a result of this Act.

ALPINE LAKES WILDERNESS ADDITIONS AND PRATT AND MIDDLE FORK SNOQUALMIE RIVERS PROTECTION ACT

The bill (S. 112) to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, and for other purposes, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 112

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Alpine Lakes Wilderness Additions and Pratt and Middle Fork Snoqualmie Rivers Protection Act''.

SEC. 2. EXPANSION OF ALPINE LAKES WILDERNESS.

(a) IN GENERAL.—There is designated as wilderness and as a component of the National Wilderness Preservation System certain Federal land in the Mount Baker-Snoqualmie National Forest in the State of Washington comprising approximately 22,173 acres that is within the Proposed Alpine Lakes Wilderness Additions Boundary, as generally depicted on the map entitled ''Proposed Alpine Lakes Wilderness Additions'' and dated December 3, 2009, which is incorporated in and shall be considered to be a part of the Alpine Lakes Wilderness.

(b) ADMINISTRATION.—

(1) MANAGEMENT.—Subject to valid existing rights, the land designated as wilderness by subsection (a) shall be administered by the Secretary of Agriculture (referred to in this section as the ''Secretary''), in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act.

(2) MAP AND DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of the land designated as wilderness by subsection (a) with—

(i) the Committee on Natural Resources of the House of Representatives; and

(ii) the Committee on Energy and Natural Resources of the Senate.

(B) FORCE OF LAW.—A map and legal description filed under subparagraph (A) shall have the same force and effect as if included in this Act, except that the Secretary may correct minor errors in the map and legal description.

(C) PUBLIC AVAILABILITY.—The map and legal description filed under subparagraph (A) shall be filed and made available for public inspection in the appropriate office of the Forest Service.

(c) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interests in land within the Proposed Alpine Lakes Wilderness Additions Boundary, as generally depicted on the map entitled ''Proposed Alpine Lakes Wilderness Additions'' and dated December 3, 2009, that is acquired by the United States shall—

(1) become part of the wilderness area; and

(2) be managed in accordance with subsection (b)(1).

SEC. 3. WILD AND SCENIC RIVER DESIGNATIONS.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(208) MIDDLE FORK SNOQUALMIE, WASHINGTON.—The 27.4-mile segment from the headwaters of the Middle Fork Snoqualmie River near La Bohn Gap in NE ¼ sec. 20, T. 24 N., R. 13 E., to the northern boundary of sec. 11, T. 23 N., R. 9 E., to be administered by the Secretary of Agriculture in the following classifications:

''(A) The approximately 6.4-mile segment from the headwaters of the Middle Fork Snoqualmie River near La Bohn Gap in NE ¼ sec. 20, T. 24 N., R. 13 E., to the west section line of sec. 3, T. 23 N., R. 12 E., as a wild river.

''(B) The approximately 21-mile segment from the west section line of sec. 3, T. 23 N., R. 12 E., to the northern boundary of sec. 11, T. 23 N., R. 9 E., as a scenic river.

''(209) PRATT RIVER, WASHINGTON.—The entirety of the Pratt River in the State of Washington, located in the Mount Baker-Snoqualmie National Forest, to be administered by the Secretary of Agriculture as a wild river.''.

POWELL SHOOTING RANGE LAND CONVEYANCE ACT

The bill (S. 130) to require the Secretary of the Interior to convey certain Federal land to the Powell Recreation District in the State of Wyoming, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows.

S. 130

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Powell Shooting Range Land Conveyance Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) DISTRICT.—The term ''District'' means the Powell Recreation District in the State of Wyoming.

(2) MAP.—The term ''map'' means the map entitled ''Powell, Wyoming Land Conveyance Act'' and dated May 12, 2011.

SEC. 3. CONVEYANCE OF LAND TO THE POWELL RECREATION DISTRICT.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, subject to valid existing rights, the Secretary shall convey to the District, without consideration, all right, title, and interest of the United States in and to the land described in subsection (b).

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) consists of approximately 322 acres of land managed by the Bureau of Land Management, Wind River District, Wyoming, as generally depicted on the map as ''Powell Gun Club''.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize the legal description of the parcel to be conveyed under this section.

(2) MINOR ERRORS.—The Secretary may correct any minor error in—

(A) the map; or

(B) the legal description.

(3) AVAILABILITY.—The map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) USE OF CONVEYED LAND.—The land conveyed under this section shall be used only—

(1) as a shooting range; or

(2) for any other public purpose consistent with uses allowed under the Act of June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (43 U.S.C. 869 et seq.).

(e) ADMINISTRATIVE COSTS.—The Secretary shall require the District to pay all survey costs and other administrative costs necessary for the preparation and completion of any patents for, and transfers of title to, the land described in subsection (b).

(f) REVERSION.—If the land conveyed under this section ceases to be used for a public purpose in accordance with subsection (d), the land shall, at the discretion of the Secretary, revert to the United States.

(g) CONDITIONS.—As a condition of the conveyance under subsection (a), the District shall agree in writing—

(1) to pay any administrative costs associated with the conveyance including the costs of any environmental, wildlife, cultural, or historical resources studies; and

(2) to release and indemnify the United States from any claims or liabilities that may arise from uses carried out on the land described in subsection (b) on or before the date of enactment of this Act by the United States or any person.

DENALI NATIONAL PARK IMPROVEMENT ACT

The bill (S. 157) to provide for certain improvements to the Denali National Park and Preserve in the State of Alaska, and for other purposes, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 157

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Denali National Park Improvement Act''.

SEC. 2. KANTISHNA HILLS MICROHYDRO PROJECT; LAND EXCHANGE.

(a) DEFINITIONS.—In this section:

(1) APPURTENANCE.—The term ''appurtenance'' includes—

(A) transmission lines;

(B) distribution lines;

(C) signs;

(D) buried communication lines;

(E) necessary access routes for microhydro project construction, operation, and maintenance; and

(F) electric cables.

(2) KANTISHNA HILLS AREA.—The term ''Kantishna Hills area'' means the area of the Park located within 2 miles of Moose Creek, as depicted on the map.

(3) MAP.—The term ''map'' means the map entitled ''Kantishna Hills Micro-Hydro Area'', numbered 184/80,276, and dated August 27, 2010.

(4) MICROHYDRO PROJECT.—

(A) IN GENERAL.—The term ''microhydro project'' means a hydroelectric power generating facility with a maximum power generation capability of 100 kilowatts.

(B) INCLUSIONS.—The term ''microhydro project'' includes—

(i) intake pipelines, including the intake pipeline located on Eureka Creek, approximately ½ mile upstream from the Park Road, as depicted on the map;

(ii) each system appurtenance of the microhydro projects; and

(iii) any distribution or transmission lines required to serve the Kantishna Hills area.

(5) PARK.—The term ''Park'' means the Denali National Park and Preserve.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) PERMITS FOR MICROHYDRO PROJECTS.—

(1) IN GENERAL.—The Secretary may issue permits for microhydro projects in the Kantishna Hills area.

(2) TERMS AND CONDITIONS.—Each permit under paragraph (1) shall be—

(A) issued in accordance with such terms and conditions as are generally applicable to rights-of-way within units of the National Park System; and

(B) subject to such other terms and conditions as the Secretary determines to be necessary.

(3) COMPLETION OF ENVIRONMENTAL ANALYSIS.—Not later than 180 days after the date on which an applicant submits an application for the issuance of a permit under this subsection, the Secretary shall complete any analysis required by the National Environment Policy Act of 1969 (42 U.S.C. 4321 et seq.) of any proposed or existing microhydro projects located in the Kantishna Hills area.

(c) LAND EXCHANGE.—

(1) IN GENERAL.—For the purpose of consolidating ownership of Park and Doyon Tourism, Inc. lands, including those lands affected solely by the Doyon Tourism microhydro project, and subject to paragraph (4), the Secretary may exchange Park land near or adjacent to land owned by Doyon Tourism, Inc., located at the mouth of Eureka Creek in sec. 13, T.16 S., R. 18 W., Fairbanks Meridian, for approximately 18 acres of land owned by Doyon Tourism, Inc., within the Galena patented mining claim.

(2) MAP AVAILABILITY.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(3) TIMING.—The Secretary shall seek to complete the exchange under this subsection by not later than February 1, 2015.

(4) APPLICABLE LAWS; TERMS AND CONDITIONS.—The exchange under this subsection shall be subject to—

(A) the laws (including regulations) and policies applicable to exchanges of land administered by the National Park Service, including the laws and policies concerning land appraisals, equalization of values, and environmental compliance; and

(B) such terms and conditions as the Secretary determines to be necessary.

(5) EQUALIZATION OF VALUES.—If the tracts proposed for exchange under this subsection are determined not to be equal in value, an equalization of values may be achieved by adjusting the quantity of acres described in paragraph (1).

(6) ADMINISTRATION.—The land acquired by the Secretary pursuant to the exchange under this subsection shall be administered as part of the Park.

SEC. 3. DENALI NATIONAL PARK AND PRESERVE NATURAL GAS PIPELINE.

(a) DEFINITIONS.—In this section:

(1) APPURTENANCE.—

(A) IN GENERAL.—The term ''appurtenance'' includes cathodic protection or test stations, valves, signage, and buried communication and electric cables relating to the operation of high-pressure natural gas transmission.

(B) EXCLUSIONS.—The term ''appurtenance'' does not include compressor stations.

(2) PARK.—The term ''Park'' means the Denali National Park and Preserve in the State of Alaska.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) PERMIT.—The Secretary may issue right-of-way permits for—

(1) a high-pressure natural gas transmission pipeline (including appurtenances) in nonwilderness areas within the boundary of Denali National Park within, along, or near the approximately 7-mile segment of the George Parks Highway that runs through the Park; and

(2) any distribution and transmission pipelines and appurtenances that the Secretary determines to be necessary to provide natural gas supply to the Park.

(c) TERMS AND CONDITIONS.—A permit authorized under subsection (b)—

(1) may be issued only—

(A) if the permit is consistent with the laws (including regulations) generally applicable to utility rights-of-way within units of the National Park System;

(B) in accordance with section 1106(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3166(a)); and

(C) if, following an appropriate analysis prepared in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the route of the right-of-way is the route through the Park with the least adverse environmental effects for the Park; and

(2) shall be subject to such terms and conditions as the Secretary determines to be necessary.

SEC. 4. DESIGNATION OF THE WALTER HARPER TALKEETNA RANGER STATION.

(a) DESIGNATION.—The Talkeetna Ranger Station located on B Street in Talkeetna, Alaska, approximately 100 miles south of the entrance to Denali National Park, shall be known and designated as the ''Walter Harper Talkeetna Ranger Station''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Talkeetna Ranger Station referred to in subsection (a) shall be deemed to be a reference to the ''Walter Harper Talkeetna Ranger Station''.

PEACE CORPS DC COMMEMORATIVE WORK ACT

The bill (S. 230) to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 230

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

SECTION 1. MEMORIAL TO COMMEMORATE AMERICA'S COMMITMENT TO INTERNATIONAL SERVICE AND GLOBAL PROSPERITY.

(a) AUTHORIZATION TO ESTABLISH COMMEMORATIVE WORK.—The Peace Corps Commemorative Foundation may establish a commemorative work on Federal land in the District of Columbia and its environs to commemorate the mission of the Peace Corps and the ideals on which the Peace Corps was founded.

(b) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS ACT.—The establishment of the commemorative work under this section shall be in accordance with chapter 89 of title 40, United States Code (commonly known as the ''Commemorative Works Act'').

(c) USE OF FEDERAL FUNDS PROHIBITED.—

(1) IN GENERAL.—Federal funds may not be used to pay any expense of the establishment of the commemorative work under this section.

(2) RESPONSIBILITY OF PEACE CORPS.—The Peace Corps Commemorative Foundation shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the commemorative work under this section.

(d) DEPOSIT OF EXCESS FUNDS.—If, on payment of all expenses for the establishment of the commemorative work under this section (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), or on expiration of the authority for the commemorative work under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the commemorative work, the Peace Corps Commemorative Foundation shall transmit the

amount of the balance to the Secretary of the Interior for deposit in the account provided for in section 8906(b)(3) of title 40, United States Code.

SEC. 2. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

ENERGY POLICY AMENDMENT ACT

The bill (S. 244) to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project, was ordered to be engrossed for a third reading, was read the third time and passed.

S. 244

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

SECTION 1. PILOT PROJECT OFFICES OF FEDERAL PERMIT STREAMLINING PILOT PROJECT.

Section 365 of the Energy Policy Act of 2005 (42 U.S.C. 15924) is amended by striking subsection (d) and inserting the following:

''(d) PILOT PROJECT OFFICES.—The following Bureau of Land Management Offices shall serve as the Pilot Project offices:

''(1) Rawlins Field Office, Wyoming.

''(2) Buffalo Field Office, Wyoming.

''(3) Montana/Dakotas State Office, Montana.

''(4) Farmington Field Office, New Mexico.

''(5) Carlsbad Field Office, New Mexico.

''(6) Grand Junction/Glenwood Springs Field Office, Colorado.

''(7) Vernal Field Office, Utah.''.

AMERICAN FALLS RESERVOIR PROJECT ACT

The bill (S. 276) to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 276

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

SECTION 1. EXTENSION OF TIME FOR FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING AMERICAN FALLS RESERVOIR.

Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12423, the Federal Energy Regulatory Commission shall, at the request of the licensee for the project, and after reasonable notice and in accordance with the procedures of the Commission under that section, reinstate the license and extend the time period during which the licensee is required to commence the construction of project works to the end of the 3-year period beginning on the date of enactment of this Act.

NATCHEZ TRACE PARKWAY LAND CONVEYANCE ACT OF 2013

The bill (S. 304) to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, and for other purposes, was ordered to be engrossed for a third reading was read the third time, and passed, as follows:

S. 304

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Natchez Trace Parkway Land Conveyance Act of 2013''.

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term ''map'' means the map entitled ''Natchez Trace Parkway, Proposed Boundary Change'', numbered 604/105392, and dated November 2010.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) STATE.—The term ''State'' means the State of Mississippi.

SEC. 3. LAND CONVEYANCE.

(a) CONVEYANCE AUTHORITY.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall convey to the State, by quitclaim deed and without consideration, all right, title, and interest of the United States in and to the parcels of land described in subsection (b).

(2) COMPATIBLE USE.—The deed of conveyance to the parcel of land that is located southeast of U.S. Route 61/84 and which is commonly known as the ''bean field property'' shall reserve an easement to the United States restricting the use of the parcel to only those uses which are compatible with the Natchez Trace Parkway.

(b) DESCRIPTION OF LAND.—The parcels of land referred to in subsection (a) are the 2 parcels totaling approximately 67 acres generally depicted as ''Proposed Conveyance'' on the map.

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

SEC. 4. BOUNDARY ADJUSTMENTS.

(a) EXCLUSION OF CONVEYED LAND.—On completion of the conveyance to the State of the land described in section 3(b), the boundary of the Natchez Trace Parkway shall be adjusted to exclude the conveyed land.

(b) INCLUSION OF ADDITIONAL LAND.—

(1) IN GENERAL.—Effective on the date of enactment of this Act, the boundary of the Natchez Trace Parkway is adjusted to include the approximately 10 acres of land that is generally depicted as ''Proposed Addition'' on the map.

(2) ADMINISTRATION.—The land added under paragraph (1) shall be administered by the Secretary as part of the Natchez Trace Parkway.

DEVIL'S STAIRCASE WILDERNESS ACT OF 2013

The bill (S. 352) to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild rivers, and for other purposes, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 352

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Devil's Staircase Wilderness Act of 2013''.

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term ''map'' means the map entitled ''Devil's Staircase Wilderness Proposal'' and dated June 15, 2010.

(2) SECRETARY.—The term ''Secretary'' means—

(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

(3) STATE.—The term ''State'' means the State of Oregon.

(4) WILDERNESS.—The term ''Wilderness'' means the Devil's Staircase Wilderness designated by section 3(a).

SEC. 3. DEVIL'S STAIRCASE WILDERNESS, OREGON.

(a) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 30,540 acres of Forest Service land and Bureau of Land Management land in the State, as generally depicted on the map, is designated as wilderness and as a component of the National Wilderness Preservation System, to be known as the ''Devil's Staircase Wilderness''.

(b) MAP; LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the Wilderness.

(2) FORCE OF LAW.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(3) AVAILABILITY.—The map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.

(c) ADMINISTRATION.—Subject to valid existing rights, the area designated as wilderness by this section shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary that has jurisdiction over the land within the Wilderness.

(d) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction or responsibilities of the State with respect to fish and wildlife in the State.

(e) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—Nothing in this section creates any protective perimeter or buffer zone around the Wilderness.

(2) ACTIVITIES OUTSIDE WILDERNESS.—The fact that a nonwilderness activity or use on land outside the Wilderness can be seen or heard within the Wilderness shall not preclude the activity or use outside the boundary of the Wilderness.

(f) PROTECTION OF TRIBAL RIGHTS.—Nothing in this section diminishes any treaty rights of an Indian tribe.

(g) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) IN GENERAL.—Administrative jurisdiction over the approximately 49 acres of Bureau of Land Management land north of the Umpqua River in sec. 32, T. 21 S., R. 11 W, is transferred from the Bureau of Land Management to the Forest Service.

(2) ADMINISTRATION.—The Secretary shall administer the land transferred by paragraph (1) in accordance with—

(A) the Act of March 1, 1911 (commonly known as the ''Weeks Law'') (16 U.S.C. 480 et seq.); and

(B) any laws (including regulations) applicable to the National Forest System.

SEC. 4. WILD AND SCENIC RIVER DESIGNATIONS, WASSON CREEK AND FRANKLIN CREEK, OREGON.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(208) FRANKLIN CREEK, OREGON.—The 4.5-mile segment from its headwaters to the line of angle points within sec. 8, T. 22 S., R. 10 W., shown on the survey recorded in the Official Records of Douglas County, Oregon, as M64–62, to be administered by the Secretary of Agriculture as a wild river.

''(209) WASSON CREEK, OREGON.—The 10.1-mile segment in the following classes:

''(A) The 4.2-mile segment from the eastern boundary of sec. 17, T. 21 S., R. 9 W., downstream to the western boundary of sec. 12, T. 21 S., R. 10 W., to be administered by the Secretary of the Interior as a wild river.

''(B) The 5.9-mile segment from the western boundary of sec. 12, T. 21 S., R. 10 W., downstream to the eastern boundary of the northwest quarter of sec. 22, T. 21 S., R. 10 W., to be administered by the Secretary of Agriculture as a wild river.''.

THE WILD AND SCENIC RIVERS AMENDMENT ACT

The bill (S. 383) to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 383

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

SECTION 1. DESIGNATION OF WILD AND SCENIC RIVER SEGMENTS.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(208) ILLABOT CREEK, WASHINGTON.—

''(A) The 14.3-mile segment from the headwaters of Illabot Creek to the northern terminus as generally depicted on the map titled 'Illabot Creek Proposed WSR–Northern Terminus', dated September 15, 2009, to be administered by the Secretary of Agriculture as follows:

''(i) The 4.3-mile segment from the headwaters of Illabot Creek to the boundary of Glacier Peak Wilderness Area as a wild river.

''(ii) The 10-mile segment from the boundary of Glacier Peak Wilderness to the northern terminus as generally depicted on the map titled 'Illabot Creek Proposed WSR–Northern Terminus', dated September 15, 2009, as a recreational river.

''(B) Action required to be taken under subsection (d)(1) for the river segments designated under this paragraph shall be completed through revision of the Skagit Wild and Scenic River comprehensive management plan.''.

WHITE CLAY CREEK WILD AND SCENIC RIVER EXPANSION ACT OF 2013

The bill (S. 393) to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 393

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''White Clay Creek Wild and Scenic River Expansion Act of 2013''.

SEC. 2. DESIGNATION OF SEGMENTS OF WHITE CLAY CREEK, AS SCENIC AND RECREATIONAL RIVERS.

Section 3(a)(163) of the Wild and Scenic Rivers Act (16 U.S. C. 1274(a)(163)) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking ''190 miles'' and inserting ''199 miles''; and

(B) by striking ''the recommended designation and classification maps (dated June 2000)'' and inserting ''the map entitled 'White Clay Creek Wild and Scenic River Designated Area Map' and dated July 2008, the map entitled 'White Clay Creek Wild and Scenic River Classification Map' and dated July 2008, and the map entitled 'White Clay Creek National Wild and Scenic River Proposed Additional Designated Segments-July 2008' '';

(2) by striking subparagraph (B) and inserting the following:

''(B) 22.4 miles of the east branch beginning at the southern boundary line of the Borough of Avondale, including Walnut Run, Broad Run, and Egypt Run, outside the boundaries of the White Clay Creek Preserve, as a recreational river.''; and

(3) by striking subparagraph (H) and inserting the following:

''(H) 14.3 miles of the main stem, including Lamborn Run, that flow through the boundaries of the White Clay Creek Preserve, Pennsylvania and Delaware, and White Clay Creek State Park, Delaware beginning at the confluence of the east and middle branches in London Britain Township, Pennsylvania, downstream to the northern boundary line of the City of Newark, Delaware, as a scenic river.''.

SEC. 3. ADMINISTRATION OF WHITE CLAY CREEK.

Sections 4 through 8 of Public Law 106–357 (16 U.S.C. 1274 note; 114 Stat. 1393), shall be applicable to the additional segments of the White Clay Creek designated by the amendments made by section 2.

MINUTEMAN MISSILE NATIONAL HISTORIC SITE BOUNDARY MODIFICATION ACT

The bill (S. 459) to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows.

S. 459

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Minuteman Missile National Historic Site Boundary Modification Act''.

SEC. 2. BOUNDARY MODIFICATION.

Section 3(a) of the Minuteman Missile National Historic Site Establishment Act of 1999 (16 U.S.C. 461 note; Public Law 106–115) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following:

''(3) VISITOR FACILITY AND ADMINISTRATIVE SITE.—

''(A) IN GENERAL.—In addition to the components described in paragraph (2), the historic site shall include a visitor facility and administrative site located on the parcel of land described in subparagraph (B).

''(B) DESCRIPTION OF LAND.—The land referred to in subparagraph (A) consists of—

''(i) approximately 25 acres of land within the Buffalo Gap National Grassland, located north of exit 131 on Interstate 90 in Jackson County, South Dakota, as generally depicted on the map entitled 'Minuteman Missile National Historic Site Boundary Modification', numbered 406/80,011A, and dated January 14, 2011; and

''(ii) approximately 3.65 acres of land located at the Delta 1 Launch Control Facility for the construction and use of a parking lot and for other administrative uses.

''(C) AVAILABILITY OF MAP.—The map described in subparagraph (B) shall be kept on file and available for public inspection in the appropriate offices of the National Park Service.

''(D) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Administrative jurisdiction over the land described in subparagraph (B) is transferred from the Secretary of Agriculture to the Secretary, to be administered as part of the historic site.

''(E) BOUNDARY ADJUSTMENT.—The boundaries of the Buffalo Gap National Grassland are modified to exclude the land transferred under subparagraph (D).''.

COMMEMORATING JOHN LEWIS

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 170, and the Senate proceed to its consideration.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 170) commemorating JOHN LEWIS on the 50th anniversary of his chairmanship of the Student Nonviolent Coordinating Committee.

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

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 170) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 13, 2013, under ''Submitted Resolutions.'')

Mr. REID. Mr. President, we whipped right through this, but JOHN LEWIS in my lifetime is one of the finest, most patriotic, courageous people I have ever known. I have so much admiration for this man. I have told him this personally. I want the RECORD to be spread with this. He is a person who as a very young man wanted to change the world in his own way, and in his own way he has helped change the world. I so admire him.

JUNETEENTH INDEPENDENCE DAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 175, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 175) observing Juneteenth Independence Day, June 19, 1865, the day on which slavery finally came to an end in the United States.

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

Mr. LEVIN. Mr. President, this week, specifically June 19, people all across the Nation are engaging in the oldest known observance of the ending of slavery, Juneteenth Independence Day.

It was on June 19, 1865, when African Americans in the Southwest received the news from Union soldiers, led by Major General Gordon Granger, that the enslaved were free. This was 2½ years after President Lincoln signed the Emancipation Proclamation, which was issued on January 1, 1863, and months after the conclusion of the Civil War.

For more than 145 years, descendants of slaves have observed this anniversary of emancipation as a remembrance of one of the most tragic periods of our Nation's history. The suffering, degradation and brutality of slavery cannot be repaired, but the memory can serve to ensure that no such inhumanity is ever perpetrated again on American soil.

Today, 42 States, the District of Columbia, and several other countries, including Goree Island, Senegal, a former slave port, recognize Juneteenth Independence Day with special activities in commemoration of the emancipation of all slaves in the United States.

We also celebrate Juneteenth across the country in large measure because of the efforts of Lula Briggs Galloway, of Saginaw, MI, whose efforts to promote recognition of Juneteenth played a major role in the passage of the first resolution on Juneteenth Independence Day by the U.S. Senate and House of Representatives in 1997.

Already, Congress has observed an important moment today in honoring the history of the fight for justice and equality. The unveiling of a statue depicting Frederick Douglass in Emancipation Hall, on this day, June 19, 2013, means visitors to the Capitol from now forward will be reminded of this man's immense contributions to the moral and intellectual foundations of our Nation's drive for justice. Douglass escaped from slavery and became a leading writer, orator, publisher and one of the most influential advocates for abolitionism, and equality of all people.

Today, I am very pleased that the Senate will unanimously adopt a resolution, S. Res. 175, recognizing the historical significance of Juneteenth Independence Day, which I jointly sponsored with Senator CORNYN, and is cosponsored by Senators LANDRIEU, COWAN, HARKIN, GILLIBRAND, CARDIN, MARK UDALL, LEAHY, BROWN, STABENOW, DURBIN, SCHUMER, HAGAN, MURRAY, PRYOR, COCHRAN, SESSIONS, COONS, WHITEHOUSE, SHAHEEN, KAINE, WARNER, BOXER, CRUZ, RUBIO, RISCH, MIKULSKI, WICKER, BALDWIN, CASEY, BEGICH, NELSON, TOM UDALL and WARREN.

The resolution expresses support for the observance of Juneteenth Independence Day, and recognizes the faith and strength of character demonstrated by former slaves, that remains an example for all people of the United States, regardless of background or race.

All across America we also celebrate the many important achievements of former slaves and their descendants. We do so because in 1926, Dr. Carter G. Woodson, son of former slaves, proposed such a recognition as a way of preserving the history of African Americans and recognizing the enormous contributions of a people of great strength, dignity, faith, and conviction—a people who rendered their achievements for the betterment and advancement of a nation once lacking in humanity towards them. Every February, nationwide, we celebrate African American History Month. And, every year on June 19 we celebrate ''Juneteenth Independence Day.''

Lerone Bennett, Jr., writer, scholar, lecturer, and acclaimed Executive Editor for several decades at Ebony Magazine, has reflected on the life and times of Dr. Woodson. Bennett tells us that one of the most inspiring and instructive stories in African American history is the story of Woodson's struggle and rise from the coal mines of West Virginia to the summit of academic achievement:

At 17, the young man who was called by history to reveal Black history was an untutored coal miner. At 19, after teaching himself the fundamentals of English and arithmetic, he entered high school and mastered the four-year curriculum in less than two years. At 22, after two-thirds of a year at Berea College [in Kentucky], he returned to the coal mines and studied Latin and Greek between trips to the mine shafts. He then went on to the University of Chicago, where he received his bachelor's and master's degrees, and Harvard University, where he became the second Black to receive a doctorate in history. The rest is history—Black history.

In keeping with the spirit and the vision of Dr. Carter G. Woodson, I would like to pay tribute to two courageous women, claimed by my home State of Michigan, who played significant roles in addressing American injustice and inequality. These are two women of different times who would change the course of history.

The contributions of Sojourner Truth, who helped lead our country out of the dark days of slavery, and Rosa Parks, whose dignified leadership sparked the Montgomery Bus Boycott and the start of the civil rights movement, are indelibly etched in the chronicle of the history of this nation. Moreover, they are viewed with distinction and admiration throughout the world.

Sojourner Truth, though unable to read or write, was considered one of the most eloquent and noted spokespersons of her day on the inhumanity and immorality of slavery. She was a leader in the abolitionist movement, and a groundbreaking speaker on behalf of equality for women. Michigan has honored her with the dedication of the Sojourner Truth Memorial Monument, which was unveiled in Battle Creek, MI, on September 25, 1999. In April 2009, Sojourner Truth became the first African American woman to be memorialized with a bust in the U.S. Capitol. The ceremony to unveil Truth's likeness was appropriately held in Emancipation Hall at the Capitol Visitor's Center. I was pleased to cosponsor the legislation to make this fitting tribute possible. Sojourner Truth lived in Washington, DC for several years, helping slaves who had fled from the South and appearing at women's suffrage gatherings. She returned to Battle Creek in 1875, and remained there until her death in 1883. Sojourner Truth spoke from her heart about the most troubling issues of her time. A testament to Truth's convictions is that her words continue to speak to us today.

On May 4, 1999, legislation was enacted which authorized the President of the United States to award the Congressional Gold Medal to Rosa Parks. I was pleased to coauthor this tribute to Rosa Parks—the gentle warrior who decided that she would no longer tolerate the humiliation and demoralization of racial segregation on a bus. I was also pleased to be a part of the effort to direct the Architect of the Capitol to commission a statue of Rosa Parks, which was recently placed in the United States Capitol, making her

the second African American woman to receive such an honor.

Her personal bravery and self-sacrifice are remembered with reverence and respect by us all. Over 55 years ago, in Montgomery, AL, the modern civil rights movement began when Rosa Parks refused to give up her seat and move to the back of the bus. The strength and spirit of this courageous woman captured the consciousness of not only the American people, but the entire world. The boycott which Rosa Parks began was the start of an American revolution that elevated the status of African Americans nationwide and introduced to the world a young leader who would one day have a national holiday declared in his honor, the Reverend Martin Luther King, Jr. In addition, the overwhelming majority of my colleagues in the Senate joined me in sponsoring legislation authorizing the Congressional Gold Medal to be presented to Dr. King, posthumously, and Coretta Scott King in recognition of their contributions to the Nation. Companion legislation was led in the House by Representative JOHN LEWIS.

We have come a long way toward achieving justice and equality for all. We still, however, have work to do. In the names of Rosa Parks, Sojourner Truth, Dr. Carter G. Woodson, Dr. Martin Luther King, Jr., and many others, let us rededicate ourselves to continuing the struggle of civil rights and human rights.

In closing, I would like to pay tribute to the Juneteenth directors and event coordinators throughout my State of Michigan. They have worked tirelessly in the planning of intergenerational activities in observance of Juneteenth, heading up a wide range of activities over several days in Detroit, Flint, Holland, Lansing, Saginaw, and other areas around the State.

Mr. DURBIN. Mr. President, 148 years ago today Union troops arrived in Galveston, TX, to take possession of the State and enforce the promise of the Emancipation Proclamation.

It had been 2 months since General Lee's surrender at Appomattox Courthouse and more than 2 years since President Lincoln had issued the Emancipation Proclamation, but word of the proclamation's promise was only now reaching those held in bondage in Texas.

With the reading of General Order No. 3 to the people of Galveston, the last remaining slaves in the United States were officially free.

The date, June 19, 1865, has gone down in history as ''Juneteenth.'' It is a day to celebrate the end of legalized slavery in America and to rededicate ourselves to continuing the struggle for true equality.

I can not think of a better day to welcome to the United States Capitol—at long last—a statue of Frederick Douglass.

The statue of the great abolitionist leader was welcomed in a dedication ceremony earlier today. The statue now stands, appropriately, in Emancipation Hall, the great hall of the Capitol Visitors Center.

The Frederick Douglass statue is only the fourth carved likeness of an African American to be displayed in the United States Capitol. It joins busts of the Reverend Dr. Martin Luther King, Jr. and Douglass' fellow abolitionist leader, Sojourner Truth, and a statue of Rosa Parks, which was dedicated 2 months ago.

Importantly, the Douglass statue is the first statue accepted by Congress from residents of the District of Columbia for display in the United States Capitol.

A Federal law gives each State the right to display in the Capitol two statues of its distinguished residents. Although District of Columbia residents pay Federal income taxes and serve in our Armed Forces, they have no voting member in Congress and they had no statue in the Capitol, not one, until today.

By accepting the Frederick Douglass statue, Congress honors a great man and, I hope, moves closer to recognizing the rights of Washington, DC to be represented fairly in Congress.

Delegate ELEANOR HOLMES NORTON is Washington, DC's only elected representative in either House of Congress and is a distinguished champion of freedom and equality in her own right.

She has been fighting for a dozen years for Washington, DC's right to display two statues in the Capitol, the same as every State.

I was proud to include language in the fiscal 2013 Financial Services and General Government appropriations bill allowing the District to display the Douglass statue in the Capitol. I hope that America's capital city will have a second statue in the Capitol soon.

I cannot think of a better or more distinguished choice for the District's first statue than Frederick Douglass.

He was called ''the Lion of Anacostia,'' after the section of Washington where he lived for the last 23 years of his life.

He was a social reformer, a brilliant orator and writer, a statesman and a leader in the movement to abolish slavery in America.

Frederick Douglass knew that evil institution well. He was born into slavery as Frederick Bailey in Talbot County, MD, in 1818. Like many enslaved children at that time, he met his mother only a few times in his life. His father was likely his mother's white owner.

When Frederick Douglass was 8 years old, he was sent to live with his owner's relative in Baltimore. She taught him the first letters of the alphabet but quit when she learned that it was illegal to teach a slave to read.

When he was 15, he was returned to his owner's farm, where he risked his life to educate other slaves.

At the age of 20, Frederick Douglass escaped from slavery. Disguising himself as a sailor, he boarded a train from Baltimore to New York City.

It was in New York that he changed his name to Douglass, to avoid being captured.

In the north, Douglass began speaking publicly about the horrors of slavery. He carried his message throughout the country and to other nations.

He published a book, Narrative of the Life of Frederick Douglass, describing his life as a slave and his efforts to gain his freedom. The book helped transform the debate over slavery—but it also forced Douglass to flee to Europe to avoid being recaptured under the Fugitive Slave Act.

He continued to speak about equal rights for all people in England, Scotland and Ireland. Supporters in Great Britain were so deeply moved that they purchased Douglass' freedom, allowing him to return to the U.S. after more than 2 years abroad.

Upon returning, he settled in Rochester, NY, and began publishing The North Star, an uncompromising and highly regarded abolitionist newspaper.

When the Civil War broke out, Douglass recruited African American soldiers to fight for the Union Army.

His passionate writing and speeches are widely credited with influencing President Lincoln's evolving aims for the war—from simply preserving the Union to ending slavery in America for all time.

After the war, Frederick Douglass moved to Washington, DC. He was appointed by Presidents to posts as U.S. Marshal for the District of Columbia, Recorder of Deeds for the District of Columbia, U.S. Minister to Haiti and Chargé d'Affaires to the Dominican Republic.

Frederick Douglass was a firm believer in the equality of all people, regardless of race or gender, whether Native American or immigrant.

He famously said: ''I would unite with anybody to do right and with nobody to do wrong.'' He also fought for voting rights and home rule for residents of the District of Columbia.

I hope that the new statue will encourage Members of Congress to finish Frederick Douglass' fight for District residents to have self-government and Congressional representation.

I will end with a story of the last time Frederick Douglass and Abraham Lincoln saw each other.

It was Inauguration Day 1865. After hearing President Lincoln deliver his Second Inaugural Address at the Capitol, Frederick Douglass went to the White House for a reception in the President's honor.

Police officers refused him entry at first. But President Lincoln got word

that Douglass was at the door and instructed that he should be welcomed in.

When President Lincoln saw Frederick Douglass, his face lit up and he said in a booming voice for all to hear: ''Here comes my friend Douglass.''

As we welcome the statue of this revered American to the United States Capitol, we say: ''Here comes our friend Douglass.'' We are very glad you are finally here.

Mr. CARDIN. Mr. President, I rise today as an original co-sponsor of Senator LEVIN's resolution celebrating the 148th anniversary of Juneteenth, the oldest commemoration of the end of slavery in the United States. On June 19, 1865, Union soldiers arrived in Galveston, TX, to inform the slaves that they were free. Although the Emancipation Proclamation had taken effect on January 1, 1863, nearly 2½ years passed before the message reached slaves in Texas and the Union troops enforced the President's order. Nearly 90 years after America's Independence Day, Africans in America finally obtained their independence from slavery. Juneteenth is a day when all Americans can celebrate Black Americans' freedom and heritage.

The House of Representatives and Senate passed resolutions by voice vote in 2008 and 2009, respectively, apologizing for the injustice, cruelty, brutality, and inhumanity of slavery and Jim Crow laws. The resolutions acknowledged that African-Americans continue to suffer from the complex interplay between slavery and Jim Crow long after both systems were formally abolished. This suffering is both tangible and intangible, including the loss of human dignity, the frustration of careers and professional lives, and the long-term loss of income and opportunity.

On this day, it is fitting to remember our Nation's painful history. Millions of Africans were torn from their homeland and brought to the Americas as chattel. While it is unknown how many died during the Middle Passage, it is estimated that 645,000 arrived in the United States. My own State of Maryland had slaves. In 1790, more than 100,000 slaves, which would have been about one-third of the State's total population, lived in Maryland. Seventy years later, the 1860 Census indicated that there were more than 4 million slaves nationwide.

Despite Maryland's history of slavery, many Marylanders led the fight for abolition. The Underground Railroad was a secret network that helped enslaved men, women, and children escape to freedom. Its route through Maryland took passengers by boat up the Chesapeake Bay. Ships departed from the many towns located directly on the Bay and from cities on rivers that flowed into the bay, including Baltimore. Many ships' pilots risked their own lives and livelihoods by hiding passengers' and helped them on their way.

Another route led slaves by land up along the Eastern Shore of Maryland and into Delaware, where they could cross into Pennsylvania and go north to freedom in Massachusetts, New York, and Canada. This was the route used by Harriet Ross Tubman, a native of Dorchester County, MD. Tubman not only guided herself and her family to freedom through the Underground Railroad, she also made more than 19 trips to the South to lead more than 300 slaves to freedom. She never lost a ''passenger'' along the route.

Harriet Tubman's legacy lives on. She and the other brave men and women who manned the Underground Railroad are remembered as enduring symbols of America's commitment to equality, justice, and freedom. They fought for the ideals that this country was founded upon despite the fact that their conditions were far from ideal. I have introduced the S. 247, the Harriet Tubman National Historical Parks Act, to create a national park in Maryland that would extend north to New York, along the path Tubman traveled to freedom. This legislation, when enacted, will stand as a monument to all that Harriet Tubman risked her life for. The tenacity with which she fought not only for her freedom but for the freedom of her brothers and sisters is certainly something we should remember and commemorate.

Juneteenth marked both the end of slavery in the United States and the beginning of a long and arduous civil rights movement. In the years since the first Juneteenth, our Nation has no doubt made considerable progress, but many challenges remain. Discrimination, disparities, and racially motivated hate persist. We must confront these issues. We cannot ignore the disparities in health care that result in higher premature birth rates and reduced life expectancy for minority populations. We cannot ignore discriminatory sentencing in our courts or discriminatory lending practices by financial institutions. Racially motivated police brutality and hate crimes cannot stand. We must continue to pursue justice in each of these areas, and for all Americans.

We owe it to the legacy of our predecessors in the battle for racial equality to keep fighting injustice until the declaration that ''all men are created equal'' rings true. We cannot be complacent. As Martin Luther King, Jr. said, ''Injustice anywhere is a threat to justice everywhere.'' We must continue to strive toward elimination of inequality so we can truly honor the spirit of Juneteenth.

Mr. UDALL of Colorado. Mr. President, on June 19, 1865—2 years after President Abraham Lincoln signed the Emancipation Proclamation Union soldiers arrived in Galveston, TX, with news that the Civil War had finally ended and the African Americans were free from slavery. This day marked the first time news of the emancipation had reached the southern-most tip of the old confederacy.

One hundred and forty-eight years later, in Colorado and across the country, we remember the importance of providing liberty and justice for all and how embracing tolerance has helped our country to move away from the terrible legacy of slavery.

The impact of Juneteenth in 1865 has certainly reached beyond Galveston, TX. Across Colorado and the Nation, communities celebrate Juneteenth by recognizing the important progress our country has made towards equality and acknowledging how far we still have to go. We do this by remembering the heritage and struggles of African Americans and commemorating their many achievements and contributions to our country. In my home State of Colorado, for example, Pueblo celebrates its 33rd annual Juneteenth celebration by honoring active servicemembers and military veterans, and Denver hosts the Juneteenth Music Festival one of the largest celebrations of Juneteenth in the country.

Celebrating this holiday is an important reminder of how our differences make us stronger. Juneteenth brings people together to reflect on our past and look forward to our future where we will all finally achieve the dream Dr. Martin Luther King, Jr., laid out almost 50 years ago—of being judged not by the color of our skin, but by the content of our character.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 175) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

COLLECTOR CAR APPRECIATION DAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 176.

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

The legislative clerk read as follows:

A resolution (S. Res. 176) designating July 12, 2013, as ''Collector Car Appreciation Day'' and recognizing that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States.

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

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 176) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

NATIONAL SMALL BUSINESS WEEK

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 177, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 177) honoring the entrepreneurial spirit of small business concerns in the United States during National Small Business week, which begins on June 17, 2013.

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

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be laid on the table, with no intervening action or debate.

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

The resolution (S. Res. 177) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

INCLUDE VACCINES AGAINST SEASONAL INFLUENZA

Mr. REID. Pursuant to the previous order, I ask unanimous consent that the Senate proceed to the consideration of H.R. 475 and that it be read a third time and the Senate proceed to vote on passage as provided under the previous order.

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

The legislative clerk read as follows:

A bill (H.R. 475) to amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines.

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

The PRESIDING OFFICER. Under the previous order, the bill will be considered read three times.

The question is on passage of the bill.

The bill (H.R. 475) was passed.

ORDERS FOR THURSDAY, JUNE 20, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, June 20, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that the time until 11:30 a.m. be equally divided and controlled between the majority and minority.

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

PROGRAM

Mr. REID. Mr. President, Senators should be prepared for a rollcall vote at 11:30 a.m. tomorrow morning. I am doing that in an effort to make progress on the bill. We will try to work through additional amendments tomorrow. Additional votes are expected, and that is an understatement.

I tell everyone again that we are doing our utmost to try to make it as convenient as possible for people who have amendments determined by a vote or in some other manner, but we may have to be here this weekend. I hope that is not the case. I have alerted people about this for days now.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

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

There being no objection, the Senate, at 8 p.m., adjourned until Thursday, June 20, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate June 19, 2013:

EXECUTIVE OFFICE OF THE PRESIDENT

MICHAEL FROMAN, OF NEW YORK, TO BE UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

HOUSE OF REPRESENTATIVES—*Wednesday, June 19, 2013*

The House met at 10 a.m. and was called to order by the Speaker.

MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

AFGHANISTAN

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

Mr. JONES. Mr. Speaker, I continue to be disappointed in the House leadership in that we are not looking into this issue of the CIA giving tens of millions of dollars to Karzai, the corrupt leader of Afghanistan. We don't hold any hearings about it, we're spending money there, and kids are still dying. In fact, we had four American soldiers killed yesterday in Afghanistan.

I would like to take this opportunity to thank Senator CORKER from Tennessee for taking the lead on Monday and writing a letter to the Secretary of State, John Kerry, and demanding an explanation of the secret payments by the CIA. I fully agree with the Senator's decision to place a hold on U.S. funding for Afghanistan.

Mr. Speaker, we're still having kids killed in Afghanistan, severely wounded, and yet there is no full debate on the floor of the House. That to me is a tragedy. We should be debating the issue of Afghanistan.

Mr. Speaker, to make things worse, yesterday in The New York Times, Karzai's office made the following statement:

> In view of the contradictions between acts and statements made by the United States of America in regard to the peace process, the Afghan Government suspended negotiations currently under way in Kabul between Afghan and the U.S. delegations, on the bilateral security agreement.

Mr. Speaker, it would be my wish that we would just totally scrap the bilateral security agreement. That means that America would be there for 10 more years after 2014 with a semblance of a military presence and also spending money that we don't have. This is just another failed policy that we in the Congress continue to support.

Karzai will not last as the leader of Afghanistan. What will happen is the Taliban will eventually take over. They are the Pashtuns that make up the majority of the Taliban. They are the largest tribe in Afghanistan, and they will eventually lead Afghanistan.

I do not understand why the Taliban that we're fighting today, who will probably be the leaders in the next 2 or 3 years of Afghanistan, why we're going to support them with finances and with young men and women. There's something wrong here, and I hope that the House of Representatives, the leadership in both parties, will come together and say we're going to debate the policy in Afghanistan.

Mr. Speaker, this cartoon that I have that I've been handing out in a flyer to members in my district, it's got Mr. Karzai standing in front of a CIA ATM machine. He's got a little card. I guess it's paid for by Uncle Sam. He's taking money out, and you can see bags of cash at his feet. Karzai says: ''I'm just making a quick withdrawal.'' But the sad thing about it is that a soldier standing behind him says: ''I would like to make a quick withdrawal from Afghanistan.''

I hope the American people will put pressure on the House and Senate to stop spending money we don't have in Afghanistan if for no other reason than to save the lives of our young men and women who are dying over there each and every week. And I will continue to ask how a Nation that is financially broke can continue to pay a corrupt leader to stay in power when he criticizes us in the paper almost every other week.

It's time for Congress to meet its responsibility based on the Constitution and have a debate on this war in Afghanistan.

With that, Mr. Speaker, I will close by asking God to please bless our men and women in uniform, to please bless the families of our men and women in uniform. I ask God in His loving arms to hold the families who have given a child dying for freedom in Afghanistan and Iraq. I ask God to bless the House and the Senate, that we will do what is right in the eyes of God. I ask God to please bless the President, that he will do what is right in the eyes of God. And I close three times by saying God, please, God, please, God, please continue to bless America.

SNAP

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

Mr. DEFAZIO. Last week I went shopping. I wouldn't exactly call it a spree. What I did was I went to one of the lowest cost grocery stores in the Eugene-Springfield area where I live to try and purchase a week's worth of food for $31.50. That's the average SNAP benefit for a single individual.

There are those on the other side of the aisle with regard to the FARRM Bill that will come up later today and say, This is the first place to cut: food assistance to hungry people, to kids, to seniors, to the unemployed, the disabled. That's where they want to cut first.

I wonder how many of them have ever tried to budget for themselves or for their spouse and child at $31.50 per person for a week. It doesn't go too far. In fact, I ended up a little bit over because we miscalculated on weighing some apples. I had three apples, but I had to put one back and would have had to cut back a little bit more on the pasta to make the $31.50 budget limit.

There are these incredible stereotypes out there about the SNAP program, the food assistance program formerly called food stamps, that all these people are on welfare. No. Actually, 92 percent of the people getting SNAP benefits are not on welfare. Half of them are children and 22 percent are on Social Security or Social Security Disability. So they're either seniors or disabled. The rest are unemployed or underemployed. And at $31.50 a week—a benefit that the other side of the aisle wants to cut—many of these people now can't make it through the month. This is pretty paltry stuff if you look at it and you think about doing this week in and week out.

Most people in Oregon—and Oregon is a lower cost State than many for food—run out sometimes in the third week of their benefits and they have to get emergency food assistance. Our food banks provided 1 million boxes of emergency food assistance last year. Yet, those on that side of the aisle would begrudge these people, their children, these seniors, these disabled an adequate budget for a very minimal diet.

□ 1010

It's extraordinary to me.

My State—and most people don't think of us this way—we are the fourth

highest per capita in terms of food stamp utilization. Fourth highest per capita, because outside of our major urban areas, the economy has not recovered from the collapse that Wall Street caused in housing and other areas. We had recreational vehicles; that industry is gone. We had some high tech; that's moved on. We had a lot of construction, home building, wood products—pretty well decimated. The rural areas I have in my rural counties—real unemployment of 20 percent. People are struggling to make ends meet, and we're going to cut their benefits? They want to work. Some of them are working, and we even have a higher minimum wage than most States, but it still won't get you through to the end of the month for your family. This is just outrageous.

There are ways to cut this bill. We're going to stop paying—finally, at last, we're going to stop paying people not to grow things. But now we're going to have a new program of crop insurance. And some estimates are that this program—which goes to anybody with an unlimited income in this bill, that is, if you're a corporate farm and you earn $2 million a year, the government is going to pay for 80 percent of your crop insurance cost. Eighty percent subsidy from the taxpayers. Why is that?

We could cut back on the eligibility, and this would be a pretty big income for any farmer I know of. If you earn over a quarter-million dollars a year, go buy your own crop insurance. I think it even could be a little lower than that in my State and in most States. That would save as much money as they're going to save by eliminating food assistance to hungry kids, seniors, unemployed and underemployed, and disabled Americans. These are the cruelest cuts possible.

I urge my colleagues to support the amendment later today which would restore these benefits.

U.S. ARMS SYRIAN REBELS

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

Mr. POE of Texas. Mr. Speaker, there is a war going on in Syria. Some call it a civil war. It may have started out as a civil war, but it has escalated. The Government of Syria, is ruled by the dictator Assad. He's a bad guy; no question about it. Several rebel groups, and we're still not sure who all these people are, are trying to remove him from power. World powers seem to be taking sides in this battle.

You have the Syrian Government supported by Iran and Russia. There's also this little terrorist group called Hezbollah supporting the regime. But on the other side, you've got the rebels, numerous groups, including al Qaeda, a terrorist group. You've got Saudi Arabia; Qatar; you've got the Muslim Brotherhood from Egypt supporting the rebels. Turkey is concerned, and even Great Britain has weighed in on this, a former colonial power in the region. And so more and more groups and nations are lining up in this war in Syria that's been going on for 2 years; 100,000 people have been killed by both sides. Refugees are leaving the country and going to other countries.

I recently was in Turkey on the border of Turkey and Syria, and I saw a refugee camp that had 150,000 Syrians that had escaped the war in Syria. No question the U.S. should help with humanitary aid.

And finally now the United States, after 2 years, we've decided we're going to take sides. The President has said we're going to give arms to the Syrian rebels and that they're going to be vetted so we make sure that we're not giving those to other terrorist groups. I don't know if we're going to do a universal background check on the rebels, or what; but small arms for the rebels?

Here's what the President said:

> We're not taking sides in this religious war between Shia and Sunni. Really, what we are trying to do is take sides against extremists of all sorts.

Well, it seems to me what we are really doing is taking both sides and we're arming extremists at least on one side. And I ask the question: What is the national security interest of the United States to be involved in somebody else's war? There isn't one. We don't have a national security interest to be involved in this war. The United States seems to have a habit of getting involved in other people's business; and once again, we have made the problem in Syria our problem by being involved and supporting the rebel groups.

What is the goal of the United States's involvement? This war is not going to be easily won by the rebels. Are we going to then add more military power to the rebels? What's the end game? What is the goal here, to put another rebel group in power in another country?

You know, we've kind of forgotten what we did in Libya. There's Muammar Qadhafi, the bad guy of Libya. No question about it, a horrible person. So what does the United States do? We support the rebels who overthrow the Libyan President, the Libyan dictator. We sent small arms. And you know, Mr. Speaker, those small arms are still in North Africa, and they've spread all over North Africa. We don't know what has happened to those weapons that the United States gave to those rebels. Only time will tell.

So this is not our war; yet we seem to be very interested in supporting this, as the President correctly said, a religious war. You've got the Shia's and you've got the Sunnis. They've been at each other since the year 630, and they haven't resolved their conflicts and yet here a century and a half later, another conflict is involved. It's a religious war between two groups in the Middle East. It is escalating. The United States' national interest is not at stake. What the United States should do and work toward is a political solution to this problem, not a military solution to this problem, and do what we can to resolve it politically and help really both sides resolve it.

This is not our war, Mr. Speaker. We have no national security interest. There's no American goal. We don't know the goal. We don't know the end result, and we don't even know who we are arming as those rebels. They could be made up of criminals, patriots, al Qaeda. We ought not be involved in this war that has no national security interest for the United States.

And that's just the way it is.

IN SUPPORT OF SUGAR REFORM

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

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise to express support for the Pitts-Davis-Goodlatte-Blumenauer amendment to the agriculture bill. Our amendment to H.R. 1947, the Federal Agriculture Reform and Risk Management Act of 2013, will not repeal the sugar program; it only seeks to reform it. We have farm programs for wheat, corn, cotton, and many other crops. These programs give direct assistance to farmers and allow market prices to be set by supply and demand. Farmers receive help, but not at the expense of workers and consumers.

The sugar program is different. It helps sugar producers by hurting other people, and that's just not right. There are other ways sugar farmers who may need help could receive assistance without embracing an outdated system of strict government controls that cost consumers $3.5 billion per year in higher prices and over 112,000 lost jobs in the sugar-using industries in the last decade.

During fiscal year 2011, the wholesale price for U.S.-refined beet sugar averaged 55.8 cents per pound. This is considerably higher than the average recorded cost during the 5-year period covered by the 2002 farm bill provisions for FY 2003 through FY 2007, which was 27.6 cents per pound. Last month, the average price for U.S.-refined beet sugar was 26.3 cents per pound, whereas the average world-refined sugar price was 21.9 cents per pound. Historically, our sugar program keeps our markets higher regardless of demand and/or supply compared to world prices for sugar.

The U.S. manufacturers who use sugar as an ingredient to produce processed foods and drinks are having to always pay more domestically than manufacturers overseas. This is the exact

reason why candy companies are moving to countries like Canada, Mexico, and other offshore places.

□ 1020

We need an industry that is subject to capital market forces without government intrusion, that places quotas on the amount of sugar that can be grown in the United States, and restricts access to foreign-grown sugar.

The current sugar program benefits 4,714 sugar farmers in the United States, while threatening the jobs of 600,000 workers in sugar-using industries and, thus, imposing a hidden tax on every American consumer. The Pitts-Davis-Goodlatte-Blumenauer amendment would lower the price-support loan rate in accordance to historic levels and reduce taxpayers' liability for keeping prices high, save taxpayers money, allow more sugar imports, and provide the U.S. Department of Agriculture more flexibility to modify domestic marketing allotments.

Making changes to the sugar program will help level the playing field and provide sugar-based manufacturers much-needed resources to keep people employed and modernize their production facilities.

Let's not help the few at the expense of the many. Vote ''yes'' for the Pitts-Davis-Goodlatte-Blumenauer amendment.

THE FARRM BILL

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

Mr. MCCLINTOCK. Mr. Speaker, the FARRM Bill is now before us. It's a measure originating in the House of Representatives, whose majority was elected on a clear mandate to stop wasting money. Yet all this bill does is continue to waste money.

Yes, it tightens up a little on automatic eligibility for food stamps, and that's a good thing. Yet this modest reform is a poor substitute for the complete overhaul that is desperately needed.

The food stamp program, now called SNAP, was originally intended to provide basic commodities to the truly needy. Yet I cannot count the number of constituents who have complained to me over the last several years about standing in a grocery line and watching the person in front of them use SNAP cards to buy luxuries that these hardworking taxpayers could not themselves afford.

But it is the corporate welfare provisions that this bill continues, and in some case expands, that I find the most offensive.

Yes, the bill shifts us away from direct payments to farmers; but it, instead, grossly expands taxpayer-subsidized crop insurance programs, eating up about three-quarters of the savings the supporters purport to achieve. The practical effect is to guarantee profits to farmers, while shifting their losses to taxpayers.

We're told that if the bill fails, these wasteful programs will continue with no reform. Well, actually, many of the most wasteful programs would expire, like the $150 million to advertise farmers markets.

But the fine point of it is this: If this bill is defeated, the House can take up real reform at any time. If it is passed, we kick that can another 5 years down the road.

To those who say this is a small step in the right direction, I would agree, it is a very small step. It makes tiny and modest changes to an utterly atrocious program. According to the CBO, it would save all of 3.4 percent from the baseline over the next 5 years, hardly a crowning achievement for fiscal reform.

But there's no blinking at the fact that these programs are fundamentally unfair and grossly wasteful, and this bill locks them into law for another 5 years. If the supporters of this bill were actually serious about incremental reform, this would be a 1-year authorization with additional reforms planned next year. It most decidedly is not.

Let me explain clearly what this bill means to an average, hardworking, taxpaying family in my district. That family must struggle and scrimp to keep their shop open. They bear the entire financial risk of failure; and their profits, if there are any, are heavily taxed.

A portion of that family's taxes goes to the agriculture industry for the express purpose of inflating the prices that that family must pay at the grocery store. As a result, when the family goes grocery shopping, it must scrimp again in order to bear these artificially higher prices that have been forced up by their own high taxes.

As that family stands in the checkout line with their ground chuck for the barbecue tonight, they watch SNAP cards used by others to pay for premium steaks that family can't afford for itself, but paid for by that family's own high taxes.

If the economy sours, that family bears its own losses, while it also pays to cover the losses of the same agricultural interests responsible for their pain at the grocery store.

The bill before us continues this travesty for another 5 years, with soothing assurances from its supporters to cheer up, things could be worse. Well, actually, things couldn't be much worse, and they could be a whole lot better.

This bill, for example, could be defeated and replaced with genuine reform. The government could be withdrawn from its corrupt interventions in agricultural markets. The food stamp program could be restored to its original purpose, to provide basic commodities to the truly needy, and individual consumers could be free to determine the price of their groceries by the decisions that they make every day over what to spend at the grocery store, and not on the basis of what deals were cut in Congress.

The Roman writer Phaedrus summed up this bill rather neatly 20 centuries ago. He said:

A mountain was in labor, sending forth dreadful groans, and there was in the region the highest expectation. After all that, it brought forth a mouse.

THE IMPACTS OF CONGRESSIONAL DYSFUNCTION

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

Mr. KILMER. Mr. Speaker, I rise today to discuss the damage from Congress' inability to do its job and pass a budget, and the unreasonable lengths that folks have to go to cover for the reckless policy of sequestration.

As I said the very first time I spoke in this Chamber, Congress should be doing all it can to replace the across-the-board cuts caused by sequestration with a balanced, bipartisan, long-term budget. Cutting across the board is not a strategy. In fact, it's anti-strategic.

Unfortunately, this Congress has been stuck in ''park'' when it comes to working toward a long-term budget. In fact, Congress has only passed 13 bills in 6 months, none of them dealing with jobs, and none of them working to replace these nonstrategic cuts.

Congress needs to understand the impacts of its dysfunction. In my district, we see those consequences every day.

I'm a member of the House Armed Services Committee, and I'm proud to represent several military installations, including Naval Base Kitsap and Puget Sound Naval Shipyard, and I represent many men and women who work at Joint Base Lewis-McChord. The Navy, in fact, is the largest employer in my district.

I'm frequently copied on emails from civilian Navy workers who are resigning because of the disarray caused by Congress, the threat of furloughs, and the loss of cost-of-living adjustments. Workers often choose those jobs, despite lower salaries, because they love their country and they want to protect it. Also, government offers stability that the private industry often can't.

But these workers no longer feel valued; and thanks to Congress, working at the shipyard doesn't even offer stability anymore. It's affecting the morale of our workers and the ability of our shipyard to execute its mission.

Here's a direct quote from a manager who contacted me. He wrote:

We will have problems retaining professionals if this fiscal environment continues.

We will have trouble accomplishing our current workload, let alone providing any level of increased engineering support.

Mr. Speaker, this will only cost us more in the long run. This dysfunction in Congress is directly responsible for good workers walking away and is threatening the mission of the United States Navy.

It also affects the local contractors and small businesses in my district that support these missions. They're already facing sweeping layoffs and tremendous uncertainty.

Here's another example: Puget Sound Naval Shipyard, in my district, while mostly spared from furloughs under sequestration, still is limited in its ability to fill jobs made vacant by attrition. The hiring freeze went into effect right as they were planning on adding 600 workers.

The shipyard has the work. Our region needs the jobs. They've only recently announced that they can slowly hire to cover for some attrition.

□ 1030

Because of these constraints, Puget Sound Naval Shipyard has resorted to asking anyone—upper level staff, anybody who has carried a tool bag or used a wrench—to help deliver three submarines and an aircraft carrier back to the fleet. That's a testament to the lengths people are going to to cover for such an insane policy like sequestration.

We have seen the same thing at Joint Base Lewis-McChord, where 10,000 civilian employees have received notice of furloughs. We have seen it affect military training where we've seen rotations to the National Training Center cancelled. General Brown at Joint Base Lewis-McChord told our paper:

It's a huge impact on training. Where is the fine line where you go from being the best in the world to second best?

It's not right that Congress doesn't have their backs on this. We have got to stop this policy. From my perspective and from the perspective of the folks who have to deal with this damaging policy every day, it doesn't matter who's to blame for the idea of sequestration. All that matters is that both parties work together to stop it.

Every day that this Congress doesn't work on coming together on a balanced, long-term budget is another day that folks around the country have to cover for Congress' dysfunction. Democrats and Republicans need to work together on this. This doesn't make sense for the folks in my district who face losing up to 20 percent of their pay or for the folks in my district who can't apply for an open job because of our budget uncertainty.

It doesn't make sense for the kids in Head Start programs who are hurt by sequestration. We should stop these across-the-board cuts for them, too.

The right solution is for Congress to replace these cuts altogether with a balanced, long-term budget. I am ready to work with both parties to get this done for our national security, for our economy, and for the American people who deserve better.

150 REASONS TO LOVE WEST VIRGINIA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from West Virginia (Mrs. CAPITO) for 5 minutes.

Mrs. CAPITO. Mr. Speaker, a couple of weeks ago, we began the ''150 Reasons to Love West Virginia'' project to honor our State's 150th birthday, which is tomorrow. We asked West Virginians to send us what they love about the Mountain State, and they delivered.

Many people cited West Virginia's strong heritage and rich history as reasons to love our State. We all know that West Virginia is rooted in the values of hard work and the respect of our neighbors. I love how West Virginia friends are for a lifetime. My family's history is deeply rooted in the State of West Virginia, and I love that. I love the State's nicknames, ''Wild and Wonderful'' and ''Almost Heaven.''

David J. Stoffel said:

We are a collection of communities joined by a common trust, respect, love, and willingness to help our neighbor. Once you are a Mountaineer, you will always be a Mountaineer.

Anita Keaton wrote that small, quaint towns throughout West Virginia like Thomas and Thurmond are the ''heart and soul of our great State.''

It all began in June in 1861, when a group of pro-Union Virginians met in Wheeling, West Virginia. Together, they created the Restored Government of Virginia, which sought to rebuild ties with the Union. On April 20, West Virginia became the only State in the Union to acquire its sovereignty by proclamation of the President of the United States, and that President was Abraham Lincoln. And on June 20, 1863, 150 years ago tomorrow, we formally joined the Union.

As a community flourishes, it gives birth to local myths and legends. We tell stories to our children so they can someday tell those stories to their children. West Virginia has its fair share of true stories and legends. We have Mothman, and we also have a tale of the Hatfield and McCoy feud, which is a story of family honor, justice, and vengeance. We have very well respected West Virginians who are here today with us: Chuck Yeager, Jerry West, Mary Lou Retton, Jessica Lynch, Jennifer Garner, and a gentleman who shares my hometown, a very small town of West Virginia, Glen Dale, Mr. Brad Paisley.

''Pioneer stories'' like the Hatfields and McCoys have been passed down from generation to generation, as noted by Deb Walizer. These legends bring the people of West Virginia together. They allow us to put aside our differences and share a common bond in our heritage.

That strong-knit community is also built through events like the one I've attended many times—and one time with President Bush—the Fourth of July celebration parade in Ripley, West Virginia. As Tracy Wolford Kelley mentioned, she loves the parade in Ripley, Symphony Sundays or the Forest Festival or attending a Mountaineer football game on a crisp fall evening. All victory is welcome.

West Virginia is not only rich in history, but it is rich in natural beauty. From ''trout fishing the Cranberry and Williams River,'' as Jo Belcher noted, or West Virginia's ''beautiful vistas of tree-covered mountain,'' as mentioned by Emmett Pepper of Charleston, there are many reasons to love and enjoy our State's scenic beauty. West Virginia is a peaceful place.

These images and places make the changes in season particularly beautiful, which Robin Barnette says looks like ''God's coloring book.'' They also bring families and friends together, as Connie Sherman of Moorefield, West Virginia, mentioned talking about the Trough River.

Whether it's simple things like West Virginia pepperoni rolls or the coal fields and natural gas that power our economy, there is so much to love about the State we call home. For 150 years, its country roads have provided the men and women who have traveled them with a sense of comfort and pride.

And no matter where we are in the country or around the world, we all do like to sing the John Denver song ''Almost Heaven, West Virginia,'' which, by the way, my granddaughter can sing from front to back.

While these anecdotes about why we love West Virginia only touch on what makes our State so great, I want to thank you and the folks of West Virginia for celebrating with me. There will be celebrations all throughout the State over the next several days.

I love West Virginia, and I'm honored to serve the citizens of an outstanding State. So from me to you, happy 150th birthday, West Virginia.

THE SAN GABRIEL WATERSHED RESTORATION ACT

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

Ms. CHU. I rise today to introduce the San Gabriel Watershed Restoration Act of 2013. This bill could revitalize a California urban river by directing the Army Corps of Engineers to prepare a study analyzing the current state of the San Gabriel River Watershed and how it can be transformed into a destination for Los Angeles County.

We have such incredible resources right in our backyard in the San Gabriel Valley, and at the heart is the

San Gabriel River. That is why we must do all that we can to revitalize and protect this space.

My communities are desperate for more open space to run, play, and explore. The L.A. area is one of the most park poor in the country. The San Gabriel River, only steps from our homes, used to be a green, lush paradise. The local Gabrielino tribespeople used to canoe down its waters out to the sea, but today, in its current state, it feels more like an abandoned waterway than the majestic river it once was. There are so few places for families to sit and enjoy or to swim in its cool waters on unbearably hot summer days in the urban valley cities.

The San Gabriel River also performs essential flood protection, drinking water recharge, and storm water conservation functions. But it is inaccessible to local residents for recreation and lacks many natural and riparian ecosystems. Additional provisions for flood control and water quality control are also sorely needed.

Increasingly, residents have expressed the desire to rediscover the river and offer more of its benefits to all the communities along its route. That's why I introduced this bill in the 111th Congress to study how we can improve the river and expand its use, and that is why I'm introducing this bill again.

The study created in this bill would look at the best ways to revitalize the watershed, focusing on ecosystem restoration, outdoor recreation enhancements, and ways to conserve rainwater and keep our water clean. This vital project is a first step—that is long overdue—toward creating more outdoor space within the highly urbanized watershed communities so that people can enjoy this beautiful resource in a safe and sustainable way.

A similar study and demonstration project were critical steps in the effort to revitalize the Los Angeles River, and it was so successful that now there are regular kayaking trips on the L.A. River, a place many thought of as only a concrete wasteland. People can actually enjoy this little bit of nature again. This is a powerful testament to the potential and growing success of river revitalization efforts.

□ 1040

My communities have a vision: to create an Emerald Necklace, a 17-mile loop of multi-benefit parks connecting 10 cities along the Rio Hondo and San Gabriel Rivers. This bill is a critical part of realizing this dream, and I call on my colleagues in Congress to support this bill and help make their vision a reality for generations to come.

CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Mexico (Mr. BEN RAY LUJÁN) for 5 minutes.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Speaker, as we come to the House floor this morning, many communities across the West suffer from severe wildfires, and they're having a more devastating impact due to extreme drought conditions this year. In my home State of New Mexico, firefighters have bravely worked to battle a number of blazes, and I extend my sincerest thanks for their tireless efforts.

With global climate change contributing to drier and hotter summers and more intense fire seasons, it is critical that we take steps to address the root causes of climate change before it gets too late. And while we should focus on the steps we must take to reduce greenhouse gases and encourage energy conservation, we must also ensure that we're preparing for the drought conditions that will continue to impact our communities in the years to come. The National Integrated Drought Information System is an important tool in this effort. This program collects and consolidates drought-related data and information. It operates regional drought early warning system pilot projects across the country.

Authorization for this program is currently scheduled to end this year. That is why I'm working in a bipartisan effort to reauthorize the National Integrated Drought Information System for another 4 years. This will enable the Federal Government to further develop regional drought early warning systems and identify research, monitoring, and forecasting needs that can help farmers and firefighters alike. Because whether it's growing crops or raising livestock or battling wildfires in the West, drought conditions in the coming years will continue to pose challenges for our communities, and we will need to do all we can to assist those whose lives and livelihoods are impacted by climate change.

Mr. Speaker, today I'm also offering an amendment to be able to provide grant authorization to many small, predominantly Hispanic communities across northern New Mexico that are in these areas where these waterways have been carved through our mountains, through our watersheds to provide opportunity to small farmers, rural communities all across New Mexico called acequias.

For many years, local farmers in New Mexico have been asking for an amendment that would allow acequia and community ditch associations to access EQIP funds. An acequia is a centuries-old irrigation structure that is still in use today, providing opportunities for many private land owners all across New Mexico and southern Colorado.

The board of private land owners, also called an acequia and community ditch association, is in charge of administering maintenance of the irrigation infrastructure which often requires work on sections of the ditch of the acequia on private land. These small community ditch associations do not have the authority to levy taxes. That's why I'm asking for Members to please consider and offer your support on this amendment today.

Members who are watching and tuning in to C–SPAN this morning, as well as offices, please take a look at this amendment. We need your help in New Mexico, and our farmers would certainly appreciate the kind support of Members of Congress.

So thank you so much, Mr. Speaker. We have a lot of work to do. Let's make sure we can get this done on behalf of people who are struggling and working all across America today.

WEST VIRGINIA'S 150TH BIRTHDAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. RAHALL) for 5 minutes.

Mr. RAHALL. Mr. Speaker, I join with my colleagues from the State of West Virginia in celebrating our State's 150th birthday tomorrow. We invite the rest of the Nation to join in our revelry and reflection.

Ours is a proud history of doing our part, and then some, in service to this great Nation of ours. West Virginia was born of war, and West Virginians understand full well the price of service and sacrifice to defend our shores. In times of war, the Mountain State's sons and daughters have answered their country's call faithfully, honorably, and nobly. And in times of peace, we have continued to serve our Nation from our mountains and our hollows.

Geologists tell us our ancient mountains' sharp peaks, in ages long past, were rounded and smoothed through the forces of nature over the eons of time. The result satisfies the soul.

Thanks to the U.S. Postal Service, the world can get a glimpse of our majestic mountains on a new stamp commemorating our 150 years. Based on a photograph taken in Pocahontas County, West Virginia, that stamp stands as a testament that our bragging about being ''Almost Heaven'' is every inch legitimate.

Those same mountains, Mr. Speaker, have honed and hewn a people for whom the phrase ''Mountaineers are always free'' is more than a State motto; it is a way of life.

West Virginians may be somewhat stubborn when it comes to asking for help for themselves, even if life itself depends on it; but they are the first in line to offer help and assistance to their neighbors. And in West Virginia, Mr. Speaker, we go a step further. I doubt we have ever known a stranger in any of our 55 counties. If you need help, West Virginians are there for you.

The charitable spirit of West Virginia is built on rock-solid principles. First and foremost, you will find an abundance of faith among those who dwell in our mountains, faith in the Almighty. Families form the core of our lives, with West Virginia parents and grandparents putting their children and grandchildren first. You figure in that a big dose of loyalty to our hills and hollows, our family traditions, our common heritage, and our many unique histories, and you begin to see why hard times cannot keep us down.

Like most of America, West Virginians are in the midst of a transitional economy, but a new dawn is breaking. We have harnessed positive change while holding on to much that makes West Virginia unique, enabling us to attract new and promising ventures.

Witness the 100-year commitment of the Boy Scouts of America's almost half-billion-dollar investment in a Fayette County scouting reserve adjacent to the largest federally protected system of rivers east of the Mississippi. Recently, Wayne Perry, the Boy Scouts' national president, when commenting on our rugged but inviting mountain venue, said, ''We think God made West Virginia for the Boy Scouts of America.''

Mr. Speaker, I have news for my colleagues and their constituents: we have more room at the inn. This may be our 150th birthday celebration, but West Virginia is still wild and even more wonderful than ever before. So I say to all, come and visit us soon.

To my fellow West Virginians, may I say a happy 150th. And be assured, as long as there is still one Mountaineer heart beating, there will always be a West Virginia.

UNFINISHED BUSINESS

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

Ms. JACKSON LEE. Mr. Speaker, I rise today to remind my colleagues in the House of two very important words for the American people: unfinished business. The American people, by their voices that we hear as we go back to our district, challenge us in unfinished business.

Two days ago, I stood with mothers that demand action in my district, to stand with their children, their babies in strollers—these mothers who love America, who are patriots—to stand alongside of the mourning families of Sandy Hook and to read the names of the 26 who died more than 6 months ago, to ask for the passage of universal background checks; and to ask the question why the Armed Citizens Project needed to arm citizens in Houston. We know that the area that they are arming is an area where they felt intimidated—not by their government to take over, but because of crime.

I look forward to meeting with those citizens to be able to address the issue of crime in their neighborhood. But we stood against the kind of arming citizens as a response to gun violence. I have no qualms of standing against that and working with my neighbors to ensure the safety of their neighborhoods, but to move forward on sensible gun legislation to prevent gun violence—unfinished business.

And then the question of the National Security Agency and the phone calls and numbers of our American citizens.

□ 1050

We in Congress must be challenged to rein that in and balance it with the need for national security, which I promote and support as a member of the Homeland Security Committee.

I will be introducing legislation to assess the use of outside contractors—70 percent of Federal dollars going to that in the intelligence community—and reduce those numbers by 2014; establish more openness on the FISA court, but making sure that we don't interfere with operations and operatives that are making our country secure. And to be able to say to Mr. Snowden, I won't call you a name, but I know what you did in certain instances is wrong, and you must stand up under the laws of this Nation.

Then to be able to say that, today, as we go forward on the farm bill, to be able to ask the question: Why are we taking $20 billion away from the supplemental nutrition program, from seniors, from young children, from babies, when this is a lifeline for those in the United States military who are on food stamps?

I also want to say to my community that we need to get ready to enroll in health care, which is going to be a major step in making America healthy.

To the small business community, this is going to help you provide your employees—your one employee, your two employees—health care. That is unfinished business.

Then I want to thank the U.S. Postal Service—the letter carriers, the people who put our mail through—who help small businesses. We've got to fix this problem with the U.S. Postal Service, make sure that they're stable, financially able. The rural post offices, let's not close any more. This is the infrastructure of America. It's a job creator.

And then to our students, many of them who have graduated, we have got to fix the problem of the increasing, or the major increase, in student loan interest rates that are going to burden our parents and students, 6.8 percent by July 1. Congress can do better. We need to be able to join in the legislation that I've signed on to, to be able to keep that interest rate at 3.4 percent. Unfinished business, Mr. Speaker.

The American people want jobs. They don't want sequestration. They want the right kind of comprehensive immigration reform that has reasoned border security but not to criminalize those students who wanted to do nothing else but to go into the United States military, called ''DREAM children,'' who wanted to be able to serve the Nation, who wanted to work and give back to this country. Let us not go down that pathway. Let's have the kind of value-based comprehensive immigration reform and border security legislation that was passed out of the Homeland Security Committee, of which I was proud to be an original cosponsor, coming out of the Subcommittee on Border and Maritime Security. Unfinished business.

Guns. Preventing gun violence.

Reining in the issue of intelligence, balancing it with civil liberties, putting back in the supplemental nutrition some $20 billion, making sure that Americans are enrolled in health care under the Affordable Care Act, supporting the Postal Service. And, Mr. Speaker, finally, supporting our students. Unfinished business. It's time to get to work creating jobs in America.

JOBS NOW ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. WILSON of Florida) for 5 minutes.

Ms. WILSON of Florida. Mr. Speaker, the American people are now in the 899th day of a scandal that is truly ''worse than Watergate.'' Yet, this scandal has nothing to do with Cincinnati or the AP or Benghazi or even NSA. It is the scandal of this Republican Congress failing to bring a single serious bill to address our unemployment crisis to the floor for a vote.

The tens of millions of people affected by this scandal are not constantly on television drawing attention to their plight; they're too busy looking for work. They're not hiring lobbyists to press for change; they're too busy figuring out how they're going to pay for their next meals, for the roofs over their heads, or for their children's college tuition.

Mr. Speaker, this scandal, unlike so many other scandals in history, is one that you can end instantly. You have the power to bring the Jobs Now Act to the floor for a vote. It deserves a vote.

Mr. Speaker, the only scandal that matters to the American people right now is this Congress' failure to address unemployment. Our mantra should be: jobs, jobs, jobs for the American people.

RECESS

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

Accordingly (at 10 o'clock and 55 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at noon.

PRAYER

Reverend James Rehder, Pilgrim Lutheran Church, Bellevue, Washington, offered the following prayer:

Lord, You are our strength. Grant that we may become a people united in love and peace.

Grant favor to all who hold office in our land, especially President Obama and Vice President BIDEN, this Congress, Governors, legislatures, all who make and administer our laws. May all be high in purpose, wise in counsel, firm in good resolution, and unwavering in duty.

Holy Spirit, we commend to You our schools, those who learn and teach, that our children may thrive in safe havens and bring forth the fruit of their lives and dreams.

Grant our Armed Forces personnel and families courage and success, and us, for whom they sacrifice, our unending respect and gratitude.

Receive our thanksgiving for those who serve, protect, labor, farm, care, heal, create, and lead. Thank You for this abundant land. Give us calm compassion to live as one nation under You.

In Jesus' name, amen.

THE JOURNAL

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

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

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

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

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

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

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

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX led the Pledge of Allegiance as follows:

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

WELCOMING THE REVEREND JAMES REHDER OF PILGRIM LUTHERAN CHURCH

The SPEAKER pro tempore. Without objection, the gentleman from Washington (Mr. REICHERT) is recognized for 1 minute.

There was no objection.

Mr. REICHERT. Mr. Speaker, I'm honored to rise to welcome my good friend, the Reverend James Rehder and his daughter, Mele, who is with him today. Jim and I have known each other since our college days at Concordia Lutheran University in Portland, Oregon, before he went on to receive his Master of Divinity from Concordia Seminary in St. Louis, Missouri.

Reverend Rehder was ordained into the Missouri Synod of the Lutheran Church at Our Redeemer Evangelical Lutheran Church in Honolulu, Hawaii, and is currently a pastor at Bellevue Pilgrim Lutheran Church and Preschool in Bellevue, Washington.

His passion for service extends far beyond the four walls of his home church. He has been a committed volunteer and supporter of causes like the Northwest Lutheran Ministry Services, the Emergency Feeding Program of Seattle, the Sophia Way Women's Shelter, and the Free Burma Rangers.

Mr. Speaker, I thank Reverend Rehder for being with us here today, and I thank him for his dedication in serving others.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

WE NEED A RESPONSIBLE FARM BILL

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

Mr. STUTZMAN. Mr. Speaker, as a fourth-generation farmer, I know firsthand how important the farm bill is for farmers. I believe that we need a farm bill, but I also believe we need a responsible farm bill.

Unfortunately, the bill passed out of the Rules Committee last night is a farm bill in name only, with 80 percent of the spending going toward food stamps. This isn't the solution American taxpayers deserve.

Washington's unholy alliance of farm policy and nutrition policy has spun out of control, and now we will consider a massive trillion-dollar spending package called a farm bill.

Mr. Speaker, we must have an up-or-down vote to split the farm bill into a true farm-only farm bill and a separate food stamp bill. The American people deserve an honest conversation about how Washington spends their money. We've made progress ending direct payments, but there's more work ahead.

Let's do our work in the full light of day by splitting this bill and having serious debate on both farm and welfare policy. Without that debate, I cannot in good conscience vote for a welfare bill passed on the backs of hardworking American farmers.

CELEBRATING JUNETEENTH

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

Mr. HIGGINS. Mr. Speaker, I rise today to honor and celebrate Juneteenth. Each June 19, we observe Juneteenth to commemorate the end of slavery in the United States. Juneteenth is observed in 42 States, including my home State of New York. In Buffalo, we are proud to have the third-largest Juneteenth celebration in the Nation.

In Buffalo, we are also proud to have a rich history in the anti-slavery movement. The Michigan Street Baptist Church hosted abolitionist Frederick Douglass at an anti-slave gathering in 1843 and Booker T. Washington in 1910. Nearby, Buffalonian Mary Talbert opened her home to prominent African American leaders in the early 1900s and founded the Niagara Movement, which was a forerunner of the NAACP.

Mr. Speaker, I'm proud to honor Juneteenth to honor the strength of our Nation's African American heritage and to celebrate the promise of an even stronger future.

SECURING OUR FUTURE IV

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

Mr. REICHERT. Mr. Speaker, our country remains in a state of economic stagnation. Nearly 12 million of our fellow Americans are out of work, and 4.4 million people have been out of work for 6 months or more. We deserve better. America deserves better. We deserve more than the political posturing with which Washington Democrats continue to respond to the problems facing our Nation.

House Republicans offer real solutions. We have passed a long-term student loan fix to keep rates from doubling this summer, a plan that is similar to the President's plan, but yet the Democrats and the Senate cannot even get that bill passed.

It's time to get past politics here. We need to create jobs, we must grow our

economy and secure the future for all Americans. That's what hardworking taxpayers deserve, and that's what House Republicans offer.

WOMEN'S HEALTH

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

Ms. TSONGAS. Mr. Speaker, since assuming control of the House of Representatives, Republicans have brought 10 bills to the floor to limit a woman's constitutionally protected right to make choices regarding her own health. In January, we were told that the Republican majority was going to ''rebrand'' and refocus on the economy.

Yet, this week, my Republican colleagues once again ignored the pressing problems of many American families and brought a bill to the floor that would reverse decades of progress for women's health. H.R. 1797, muscled through by an all-male Republican panel, would upend Roe v. Wade and contains only the narrowest of exceptions for women who are victims of rape or incest.

I received an email Monday from a constituent that I think best sums up the problems in the bill. In this email, the constituent, who is an abuse victim and incest survivor, urged me to stop this dangerous bill from becoming law and threatening the health of women who, like her, are in the most desperate and tragic of circumstances.

While the bill passed the House yesterday, I am happy to say that it will not be acted upon in the Senate. I urge my colleagues to stop these dangerous games with women's health and confront the true problems that are facing the country.

□ 1210

STUDENT LOANS AND THE ECONOMY

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

Ms. FOXX. Mr. Speaker, just this morning I met with student leaders from North Carolina who are visiting the Capitol as part of the 2013 Electric Cooperative Youth Tour. One student asked me a question about what the House of Representatives is doing to advance education and job creation. It was a perfect question given our House Republican plan for jobs and leadership to keep Federal student loan interest rates from doubling on July 1.

Almost 12 million Americans are struggling to find work; 4.4 million have been out of work for more than 6 months. Young people and recent college graduates looking for jobs are disproportionately impacted in this economy. Washington shouldn't be adding additional stress to students' job hunts. But on July 1, if the President fails to lead and the Democrat Senate fails to act, student loan interest rates will double for student borrowers.

The House agrees with students, #Don't Double My Rates, and we have acted to stop the increase.

It's time for the Senate to do its job. Students are depending on them.

SNAP

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

Mr. VEASEY. Mr. Speaker, I rise today to speak against the cuts to the Supplemental Nutrition Assistance Program in the FARRM Bill on this Juneteenth 2013.

As the Nation's most important antihunger program, SNAP offers nutrition assistance to 46 million low-income Americans and provides economic benefits to communities. SNAP also allows families to more easily set aside a portion of their resources for food and to prioritize a healthier, more consistent diet without compromising on obligations such as rent, utilities, and transportation.

The proposed FARRM Bill would cut $20.5 billion from the SNAP program and leave over 66,000 Texans without any assistance. We cannot allow the budget to be balanced on the backs of the poor and the most vulnerable in our country.

I did the SNAP challenge. I lived on $4.50 for 1 day, and I can tell you that is not easy, especially if you're trying to eat healthy. We need to find ways to fund federally funded nutrition incentive programs that will help hardworking taxpayers save money on health care costs in this country.

For many Americans, SNAP is the only form of income assistance they receive. I join my colleagues in supporting the McGovern amendment, which eliminates the draconian cuts to ensure that 46 million people who rely on this program will have food on their dinner table each night.

NATIONAL SMALL BUSINESS WEEK

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

Mr. STEWART. Mr. Speaker, this week marks the 50th anniversary of National Small Business Week.

A lot of people think of small business and think, Well, what's the big deal? What difference does that really make?

Here's the reality: sixty percent of the jobs created in the last 20 years were created by small business.

I'm honored to represent the great State of Utah, especially as a former small business owner. With over 57,000 small businesses that have employed more than half a million people in my State, it's clear to me that small business is the backbone of our economy.

Forbes magazine recently named Utah the best State in the Nation for business and careers and for small businesses for the third consecutive year. Utah has reached that high-caliber status through supporting a probusiness environment. It offers a low corporate and a low personal income tax rate. Our cost of energy is 27 percent lower than the national average. Pro-business policies like this in Utah help to spur our economy and create jobs, and they contribute to one of the lowest unemployment rates in the country.

Being a small business owner, I recognize the amount of hard work that is required to run a small business. I congratulate the small business owners and wish them a successful Small Business Week.

NATIONAL SMALL BUSINESS WEEK

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

Ms. HAHN. Mr. Speaker, this week marks the 50th anniversary of National Small Business Week.

Small businesses are a vital part of our Nation's fabric and a big source of opportunity, pride, and good-paying jobs in the communities that I serve.

Here's what I'm doing in California for my district and my small businesses:

We're connecting our small businesses to the power of the ports to help export their goods to new markets overseas;

We're helping to clear away the misinformation and uncertainty about what the Affordable Care Act really means for small businesses;

We're providing resources and information to expand their access to capital to help them grow and get more customers coming in their door.

Small businesses are the backbone of our economy. When our small businesses are strong, our Nation is strong.

All Americans should take the opportunity this week to shop at a small business.

RECOGNIZING MONTANA PUBLIC SERVICE COMMISSIONER CHAIRMAN BILL GALLAGHER

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

Mr. DAINES. Mr. Speaker, I rise today to recognize my friend, Montana Public Service Commissioner Chairman Bill Gallagher, who was recently diagnosed with early-stage pancreatic cancer. Cindy and I join the people of

Montana in keeping Bill and his family in our prayers during this most difficult time.

Sadly, this is a disease that affects all too many Montanans. Yesterday, I met with Abby Brown, a Pancreatic Cancer Action Network volunteer from my home town of Bozeman, who recently lost her dad to pancreatic cancer. She shared stories about her dad's fight, as well as other Montanans like Gallatin County District Judge Mark Guenther, who was also a friend of mine.

Abby also told me of the importance of regular checkups and healthy living as key preventative measures in lowering one's chances of being diagnosed with higher risk cancers.

Unfortunately, cancer has affected each and every American in some way. I hope all Montanans will work to promote cancer awareness, and even more importantly, take preventive measures to prevent cancer and increase early diagnoses.

Know it. Fight it. End it.

CUTS TO SNAP

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

Mr. CÁRDENAS. Mr. Speaker, I thank Congressman MCGOVERN for his leadership on an amendment to the FARRM Bill.

This farm bill will have a serious and devastating impact. It will damage the lives of millions of vulnerable, struggling, hardworking Americans. They are scraping by on the worst economy since the Great Depression.

My colleagues on the other side of the aisle say 47 million Americans on food stamps is too many. I agree. Forty-seven million Americans on food stamps means too many Americans unemployed; it means too many underemployed living in poverty.

Rather than pointing the finger at these people, we need to point it at ourselves. What has the Republican-led House done to repair our economy? What bills have they passed to support our industries and create middle class jobs?

I urge my colleagues to support this amendment. Keep food on the table of struggling American families. That's what we should be doing, and we should support this amendment.

OBAMA VACATION

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

Mr. WILLIAMS. Mr. Speaker, the military has taken $500 billion in budget cuts this year; Congress has slashed its budget by 11 percent in the last 3 years; and this year, at the President's command, several government agencies have cut vital programs and employees due to mandatory spending cuts.

Everyone across the country is being asked to do more with less—families, businesses, the military, and government agencies—but the President is sending Americans another message: you pay while he plays.

That's right. The Obama family is taking an extravagant summer vacation to Africa, costing taxpayers an estimated $100 million. That is obscene, and Americans should be outraged. This money could keep the public White House tours funded—which the President canceled due to budget constraints—for 26 years. It could pay for an additional 22,000 college degrees for soldiers enrolled in the Army's Tuition Assistance program. It could reverse the potential $90 million in cuts for Border Patrol agents and border security. In fact, it could fund the entire Houston Astros' payroll times four.

Mr. Speaker, instead of asking everyone but himself to make enormous sacrifices, it's time for the President to make his and put the people first.

HONORING CHIEF MASTER SERGEANT DENISE JELINSKI-HALL ON HER RETIREMENT

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

Ms. GABBARD. Mr. Speaker, I'm very proud to honor today someone who is a great servant leader and who I'm honored to call my friend, Chief Master Sergeant Denise Jelinski-Hall. She will be retiring later this month after serving nearly 30 years in the United States Air Force, where she earned the distinction of being the first female and the first Air National Guard member to serve as the National Guard Bureau's Senior Enlisted Leader. This is the highest enlisted rank in the National Guard that one is able to hold.

While she is originally from a small town in Minnesota and has served everywhere from Nebraska to Qatar, I'm especially proud of the tremendous impact that she has made on her nearly 20 years that she spent serving in the Hawaii National Guard.

Chief Jelinski-Hall is happiest when she is spending time with soldiers and airmen, and has done so in all 50 States and around the world as she leads by example, encouraging troops to focus on personal growth and education. She should serve as an inspiration to young men and women across the country through her great work ethic and leadership by example.

Congratulations and thank you very much—mahalo nui loa—to Chief Jelinski-Hall on her incredible, long, accomplished career in service to our country.

□ 1220

FARRM BILL

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, as a member of the Agriculture Committee, I strongly support the FARRM Bill we are considering today and the reforms that it brings.

The EPA has been implementing what is known as a ''total maximum daily load'' on the Chesapeake Bay watershed. The TMDL is often described as a pollution diet because it mandates water quality standards and nutrient discharges into the watershed.

Aside from the great cost, one of the concerns I have had is the science behind the TMDL. EPA's model is substantially different from USDA's. As such, I have been a strong advocate for EPA utilizing the USDA's data and agricultural expertise while implementing this mandate.

This is why I am offering an amendment to the FARRM Bill which will require USDA to provide such data and consultation to EPA while ensuring privacy of farmers.

The Chesapeake Bay is a national treasure. It needs and deserves our attention. However, these restoration activities, which require taxpayer dollars, should include the best science available to continue the great strides we are already making with the health of the bay.

SNAP CUTS

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

Ms. ROYBAL-ALLARD. Mr. Speaker, in this, the richest country in the world, it is unconscionable that the farm bill we are debating today cuts nearly $21 billion from SNAP, our Nation's most important anti-hunger program.

Today, one in seven Americans depends on the SNAP program to put food on the table. The draconian cuts in this bill will remove many from this program and increase hunger from millions of Americans already struggling to survive. Hardest hit will be children, who in addition to suffering the agony of hunger will be at risk of having a disability because studies have shown that the SNAP program is a critical buffer for preventing developmental challenges.

Our vulnerable senior population, for which SNAP is a vital safety net, also will be put at risk because it can make the difference between having food or going hungry.

Mr. Speaker, there are better alternatives to reducing our deficit. While it is true that the FARRM Bill is an important bill that regulates and protects

our food industry, it is also true that it is tragic that in the United States of America this bill, as introduced, will increase the pain and suffering of hunger which already shamefully exists in our country.

YELLOW RIBBON CEREMONY AT CAMP RIPLEY

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

Mr. NOLAN. Mr. Speaker, as you can see, I am wearing a yellow ribbon here today. I do so to recognize the newest Minnesota Yellow Ribbon Networks being officially proclaimed at the National Guard Camp Ripley, near the community of Little Falls in north central Minnesota, which is also in my district.

Yellow Ribbon is a truly remarkable program that eases the transition of our soldiers to civilian life by providing job training, counseling, and all kinds of support for servicemembers, veterans, and military families.

So I want to say a special thanks to Morrison and Crow Wing Counties in Minnesota—and to the communities of Little Falls, Motley, Royalton, Swanville, Sobieski, Harding, Buckman, Upsala, Randall, Pierz, Bowlus, Elmdale, and Lastrup, all in my district—for supporting our returning servicemen and -women as Yellow Ribbon communities.

We thank and honor all our military for their service to our great Nation.

STUDENT LOAN INTEREST RATES

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

Mr. CICILLINE. Mr. Speaker, unless Congress acts, in less than 2 weeks, the interest rates on federally subsidized Stafford loans will double from 3.4 percent to 6.8 percent for more than 7 million students.

In my home State of Rhode Island, which is home to more than 40,000 borrowers of federally subsidized Stafford loans, this means that higher education will become less attainable for more and more young people who depend on financial aid. As we work to get our economy back on track, we should be making it easier, not more difficult, for young people to access higher education.

Once again, the House Republican leadership is failing to act in the best interest of the American people. Rather than working towards a commonsense solution on student loan interest rates, we are spending this week voting on a $20 billion cut to children's nutrition programs and a bill that would severely restrict reproductive health care for women.

This has gone on long enough. In the interests of our constituents, Republicans and Democrats should set aside our differences and get back to solving the problems that our country faces. The Republican leaders in the House should bring bills to the floor for a vote that focus on protecting students from interest rate increases and getting Americans back to work.

SUGAR REFORM IS NEEDED

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

Mr. DESJARLAIS. Mr. Speaker, the current United States sugar program is a clear example of government intrusion into a market. Nowhere is there a larger gap between the U.S. Government's free-trade rhetoric and its protectionist practices than in our sugar policy.

The most prominent argument I hear from the other side is this program is of no cost to the taxpayers. That simply isn't true. It was reported yesterday the USDA intends to purchase sugar off the domestic market, costing taxpayers nearly $38 million. The government then plans to sell this sugar at a loss to ethanol companies. And who is ultimately footing the bill for this not-so-sweet deal? The taxpayers.

But the most egregious point is that other countries actively try to lure U.S. companies to relocate. An official Canadian Government brochure states:

> Canadian sugar users enjoy a significant advantage—the average price of refined sugar is usually 30 to 40 percent lower in Canada than the U.S.

When a government program becomes a recruitment technique to lure away our manufacturers and move U.S. jobs abroad, I believe reform is not only necessary but essential.

ONGOING VIOLENCE IN SYRIA

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

Mr. ISRAEL. Mr. Speaker, since March of 2011 in Syria, 90,000 people have been killed, millions have been displaced internally, hundreds of thousands have fled, and between 100 and 150 people have been murdered by Bashar al-Assad's chemical weapons.

We can debate what we should do and how far we should go, but there is one thing that we can all agree on, and that is legislation that my colleague from Oklahoma, Congressman TOM COLE, and I have introduced on a bipartisan basis that would bring Bashar al-Assad to the International Criminal Court where he will be prosecuted for war crimes and crimes against humanity. This is an example of bipartisan cooperation and accord on a challenging foreign policy crisis.

I urge my colleagues to cosponsor the Cole-Israel resolution and pass it immediately.

□ 1230

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 1947, FEDERAL AGRICULTURE REFORM AND RISK MANAGEMENT ACT OF 2013

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 271 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 271

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for further consideration of the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes. No further general debate shall be in order.

SEC. 2. (a) In lieu of the amendments recommended by the Committees on Agriculture and the Judiciary now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113-14, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived.

(b) No amendment to the amendment in the nature of a substitute made in order as original text shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(c) Each amendment printed in part B of the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by its proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

(d) All points of order against amendments printed in part B of the report of the Committee on Rules or against amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Agriculture or his designee to offer amendments en bloc consisting of amendments printed in part B of the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en bloc offered pursuant to this section shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Agriculture or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc.

SEC. 4. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

POINT OF ORDER

Mr. MCGOVERN. Mr. Speaker, pursuant to section 426 of the Congressional Budget and Impoundment Control Act of 1974, I make a point of order against consideration of the rule, House Resolution 271.

Section 426 of the Budget Act specifically states that the Rules Committee may not waive the point of order prescribed by section 425 of that same Act. House Resolution 271 states:

All points of order against amendments printed in part B of the report of the Committee on Rules or against amendments en bloc described in section 3 of this resolution are waived.

Therefore, I make a point of order pursuant to section 426 that this rule may not be considered.

The SPEAKER pro tempore. The gentleman from Massachusetts makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

The gentleman has met the threshold burden under the rule, and the gentleman from Massachusetts and a Member opposed each will control 10 minutes of debate on the question of consideration. Following debate, the Chair will put the question of consideration as the statutory means of disposing of the point of order.

The Chair recognizes the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Speaker, I would like to yield 2 minutes to the gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. I do thank the gentleman from Massachusetts for yielding.

I would first like to voice my support for the gentleman's particular amendment, actually, that he has before us—and will later on today—that restores the unfair SNAP cuts. I thank the gentleman for his amendment, for his courage and for his very, very good idea of restoring those cuts when it comes to the underlying bill.

Later today, I will offer an amendment to ensure farmers and rural small businesses have continued access to a critical tool to pursue investments in energy technologies and to meet their energy needs in an affordable and sustainable way.

Currently, the Rural Energy for America Program supports farmers and rural small businesses in pursuing sustainable and value-added energy project investments, including wind power, biofuels, solar, or anaerobic digestion. These projects put people to work, they create entrepreneurial opportunities, and they have created new value-added opportunities for our farmers, for rural small businesses, and for our communities.

I have heard from Iowans about the importance of this energy and economic development tool, and my amendment ensures farmers and rural businesses have continued access to it.

I am strongly opposed to the changes made in the underlying bill, which weaken essential energy initiatives that create jobs and boost our economy. Because of these initiatives, thousands of jobs have been created in rural communities in recent years. In Iowa alone, over 1,600 rural energy projects were initiated between 2003 and 2012, mainly stemming from farm bill energy programs.

My amendment stresses the importance of farm bill energy programs to job creation and our rural economies, and allows one of our best resources—our farmers—to play a critical role in our domestic energy production, and I urge support for it. As I said at the outset, I also urge support for the amendment of my colleague from Massachusetts to restore the SNAP cuts.

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

Mr. SESSIONS. Mr. Speaker, I rise to claim the time in opposition to the point of order and in favor of the consideration of the resolution.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 10 minutes.

Mr. SESSIONS. The question really before us today, Mr. Speaker, is plain and simple, and that is: Should the House now consider H. Res. 271?

I have great respect not only for the gentleman from Iowa but for the gentleman from Massachusetts. Yesterday, we sat through a very, very long committee hearing in which we considered over 200 amendments that were presented to the Rules Committee.

I believe that what we have done with the rule that is in reference and is being questioned here on the floor is not only a very fair and bipartisan approach, but we took this actually from the Ag Committee, from the gentleman from Minnesota—the ranking member—and the chairman of the committee, from Iowa, both of whom have not only extensive farm backgrounds but also extensive service here in the House, both as chairmen of the Agriculture Committee, to the people of the United States.

The bill was brought to the Rules Committee on a bipartisan basis. We talked about the amendments that the committee felt were worthy. We worked extensively with the committee and with other committees of jurisdiction. We had Member after Member come to the Rules Committee in a fair and open process. We deliberated. The gentleman from Massachusetts knows that he, in some sense, got some satisfaction with how the process worked.

So, today, what we are here for is, yes, to talk about the amendments—some that were made in order and some which changed policy—but the essence of this is: Are we going to put a point of order against the bill? I think that the resolution waives all points of order against amendments printed in the Rules Committee Report, yes, and the Committee on Rules is not aware of any violation of the Unfunded Mandates Reform Act.

I think this is simply an opportunity for my friends to come to the floor in order to allow for more discussion and time—and I respect that. I respect that the gentleman from Massachusetts has very strong feelings as a member of the Agriculture Committee and as a senior member of the Rules Committee, and I respect also those Members of the Democratic Caucus who have strong feelings about some changes that are taking place.

I admire my colleagues. I disagree. I do not believe in any way that there should be any point of order against the bill. I think it's open. I think it's fair. I think it's inclusive. I think it includes a wide-ranging group of ideas and thoughts that are directly germane to the appropriateness of the Agriculture Committee and other committees that have jurisdiction. I think the Rules Committee did an awesome job. I think we did this in a fair and open process. I think our product is good.

□ 1240

How would I characterize it? I think this is a fair rule that made 103 amendments from both sides of the aisle with 53 Democratic amendments and 50 Republican amendments in order. There were a number of bipartisan amendments. It's a fair rule that comes from a good process.

In order to allow the House to continue its scheduled business for the day, I encourage us to keep moving.

I thank the gentleman and respect the gentleman, and he knows this. We have been dear friends for many years on this committee. I know he wants more time, and I respect that.

I urge all Members to vote ''yes'' on the question of consideration of the resolution if necessary, and I reserve the balance of my time.

Mr. MCGOVERN. I appreciate the comment of the gentleman from Texas.

I now yield 2 minutes to the gentlewoman from Wisconsin (Ms. MOORE).

Ms. MOORE. I thank the gentleman from Massachusetts for yielding me these couple of minutes.

I would hope that we would listen to the point of order that's been raised by Mr. MCGOVERN. For one thing, this bill

criminalizes poverty. People with felony records won't be allowed to get food stamps. There will be work requirements in order to get food stamps.

These kinds of amendments and additions that we're going to see in this bill really add to the fallacious arguments that we have heard about the gargantuan cuts that are made to the SNAP program: that SNAP is run inefficiently, that these cuts won't hurt anyone, that these cuts don't serve the most vulnerable.

Let me just reiterate the facts:

SNAP is effectively targeted at our most vulnerable populations, primarily serving children, seniors, and the disabled in the poorest communities, people who cannot work, people who don't have felony records;

In my own State of Wisconsin, 47.2 percent of SNAP households include children, 15.4 percent include the very elderly, 21.7 percent include a disabled person. 84.3 percent of those receiving SNAP in my State are children, elderly, and disabled;

Nationwide, 76 percent of SNAP households are composed of those who are children, seniors, or disabled persons;

There is a rate of 68.7 percent of SNAP households that have a gross income at or below 100 percent of the poverty level.

Let me just say going forward that as soon as this bill is enacted, as soon as we take away the categorical eligibility, 200,000 children will lose free lunch.

I thank the gentleman for yielding and for his leadership.

I rise in opposition to H.R. 1947. Why?

850,000 needy households would see their SNAP benefits cut by an average $90 per month. That's real food that these families will no longer afford to be able to put on the table. Last time I checked, the prices at the grocery store were not going down and wages were not going up!

2 million individuals would lose their eligibility entirely.

And just in time for the new school year in the fall, 200,000 low-income kids who are eligible and are currently enrolled in the school meals programs will be disenrolled because of the changes in this bill.

These are kids who we designed and create the school meals program to serve. And we are tossing them out for what reason . . . Mr. Speaker this just doesn't make sense.

The bill would also cut funding for nutrition education that helps SNAP households maximize the value of the meager SNAP benefit by teaching them how to shop and cook nutritious food on a budget.

The average SNAP benefit in Wisconsin is just $1.29 per person per meal, hardly enough to afford a nutritious diet.

This all comes on top of the reduction in SNAP benefits that all SNAP households will experience later this year when the ARRA increase expires.

On November 1, the average family of 3 on SNAP will lose $20–25 in monthly benefits.

That may not sound like much to you, but that's the equivalent of a gallon of low-fat milk $3.79, a box of corn flakes $2.99, and a half dozen bananas $1.80; a loaf of wheat bread $1.79 and some deli ham $2.49; and a box of spaghetti $1.00, sauce $2.89, and some ground beef $6.99 total $23.74. In other words, that's several days' worth of food for a struggling family.

There is a myth going on that these changes will not really hurt people or that those being dislodged aren't low-income, do not have real and significant food needs that are not being met, and will be easily able to make up any gaps in access to food created by these changes as if they have secret Swiss bank accounts available.

Listen to the stories from my district . . .

How ridiculous. The people on SNAP are the poorest, most vulnerable, (kids, seniors, disabled).

My colleagues seem to be astonished about why in a middle of the Great recession SNAP rolls would have grown. Why, when food insecurity in our country is at record highs, we should see a surge in Americans seeking the safety net protections of this program.

Food insecurity is high. Nationally 50 million Americans live in households that struggle to put food on the table. In Wisconsin, there are 744,410 food insecure individuals, including 270,150 children.

An Institute of Medicine report released earlier this year found that the SNAP allotment is inadequate to improve food security and access to a nutritious diet and needs to be updated

Many Americans remain out of work. Those who are lucky enough to be back at work may be working for lower wages than before the recession.

SNAP is effectively targeted at our most vulnerable, primarily serving children, seniors, and the disabled in the poorest households. In Wisconsin, 47.2 percent of SNAP households include children, 15.4 percent include elderly, and 21.7 percent include a disabled person. Nationally, 76 percent of SNAP households included a child, senior, or disabled person.

I hear a lot about making sure SNAP goes to those who "truly need it." Perhaps we need a reminder about just how poor SNAP participants really are. In Wisconsin, 68.7 percent of SNAP households have gross income at or below 100 percent of the poverty line $19,530 for family of 3 in 2013.

I will remind you that federal law sets a maximum for gross income of 130 percent of the federal poverty line. seven out of ten in the Wisconsin fall well below that threshold and I know the story is the same throughout our country.

The families on SNAP are in real need. No wonder that 90 percent of SNAP benefits are used by the 21st day of the month.

This myth that SNAP benefits are not going to those in need is dead wrong and dangerous.

Cuts to SNAP would only increase demand on already over-strapped charitable food providers. An increase in TEFAP commodities as provided in the bill is critical to our nation's food banks and hunger-relief charities but it won't come close to meeting the needs created by the SNAP cuts in the bill.

A need that even these generous and kind hearted groups know they cannot come close to meeting. No wonder they almost unanimously oppose the SNAP cuts in this bill.

Charity groups alone cannot feed everyone who's hungry.

Food benefits provided by charity groups in 2011 totaled approximately $4.1 billion according to Bread for the world.

These groups supplement the work that the federal government is doing to combat hunger. They cannot replace it but the bill would throw millions more of hungry families their way nonetheless.

The Harford Institute for Religion and Research estimates that there are 350,000 religious congregations in the U.S. and each would have to spend approximately $50,000 every year for the next ten years to feed those who would lose benefits or face reduced benefits under the Republican Budget Resolution approved in the House last year.

As the recession took hold in our country, SNAP was not the only safety net that stood in the gap to help combat growing hunger across America. Our nation's food banks also saw a 46 percent increase in clients served during the recession. Those needs have not abated and will only get worse if this Farm bill passes in its current form.

I urge my colleagues to oppose this unbalanced bill which seems to provides a safety net for everyone else but the most vulnerable and hungry in our country.

PERSONAL SNAP STORIES FROM THE DISTRICT

Name	Age	SNAP is important to me because:	Cutting my SNAP would mean:
Earline	63	It allows me to eat on a fixed income	That I won't be able to eat nutritious meals
Michelle	36	So I can feed my family	We won't eat!
Moria	26	My income is not enough to support my children with food	I would not have the proper funds to provide food for my children
Debbie	33	Because it is hard to buy food. I don't get enough cash to buy food.	
Leiela		Don't have enough money to pay rent and food.	
Jesele	18	Don't have enough money to pay for food for me and my son	We don't eat.
Babette	50	We are a one income family! Just my social security. Without FoodShare me and my family would die. I already can't afford my household bills, if I had to pay all the bills and food I would be out—lights, gas, toiletries.	If FoodShare is cut, I might as well die. I would not be able to feed my family, and that would make me feel useless and less than human; down right degrading.
Jessica	25	It helps me provide for my children. I have 7 children and even though I work 2 jobs I still need assistance with food and other bills.	It would make it harder on me as a single mother, not only will I have to worry about food, but then shelter for my children and more hours at work and that's more time I'm not able to spend with them.
Solomon	20	Some people are less fortunate and need the benefits	people like me would starve on the streets
Temera	18	It is important to me because I'm homeless and this is the ONLY thing that feeds me and gets me by.	I would be homeless and hungry with NO type of help.
Felicia	38	It's a lot of people out here that does work and they don't make enough to buy food. They need food stamps.	It will be a lot of children without food to eat, I work, but I can't even get any stamps.
Anchea	27	Because at times like this when my hours are being cut I might only make enough for my child to eat and just supply a roof over her head.	A lot because it is very important to the community we all live in.

PERSONAL SNAP STORIES FROM THE DISTRICT—Continued

Name	Age	SNAP is important to me because:	Cutting my SNAP would mean:
Rayshanda	21	That is how I provide my groceries, and my job money is for bills	That I would have to pay rent and light bills so all my personal money would be gone. I need stamps—how would we eat?
Brooks	43	Because FoodShare allows me to provide nutritional food for my children, instead of junkfood	Taking away nutritional food items, such as fruits and vegetables that would be otherwise easily obtainable.
Katie	27	I am able to feed my children. I am using this program as a stepping stone to where I want to be. I just graduated college and am looking for a full time job to where I can actually provide for my children on my own.	My children and I would not be able to eat healthily. With our SNAP we eat very healthy and without it would mean having to cut back and buy cheap processed fatty foods.
Khinh	20	FoodShare is important to me because it is enough for me to take care of my kid. I am having twins and the income I make is not enough for me to take care of them.	It's not going to be enough for me to take care of my kid. And I just make a little bit of income every month.

Ella is 57 and has been sick for a while. Her doctor put her on a strict diet of Ensure, her limited income and medical bills make it extremely hard for her to afford the drink. She applied for FoodShare and was able to buy what she needed to stay healthy.

Harry—retired lawyer who's practice went under during the recession. He is too young for Social Security benefits and his disability ran out. His $200 worth of FoodShare has helped him greatly.

Mr. SESSIONS. Mr. Speaker, the gentlewoman is correct. There is an amendment that was presented at the Rules Committee that has been made in order that essentially does what the gentlewoman says, and she'll have a chance to vote for it or against it. What it says is the amendment ends eligibility of food stamps for those convicted who are rapists, pedophiles, and murderers.

So the gentlewoman and every Member of this body today will have a chance to say on record that it's okay if you're a convicted rapist, pedophile, or murderer, that it's okay for you to be eligible for food stamps in a program that does compete against mothers and children who, in these difficult times, you're seeing the Agriculture Committee try and set priorities about who should receive this government assistance.

This amendment has not been accepted yet, but every Member of this body will be able to help prioritize; and the amendment that the gentlewoman speaks of is about whether we will let rapists, pedophiles, and murderers, who are convicted felons, continue to receive food stamps. The gentlewoman is right. And today she will get her chance to help us prioritize these government programs about who should be receiving food stamps in America.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, it is my pleasure to yield 1½ minutes to the gentleman from Nevada (Mr. HORSFORD).

Mr. HORSFORD. Mr. Speaker, first let me commend the gentleman from Massachusetts (Mr. MCGOVERN) and his leadership for 18 years on fighting for the needs of SNAP assistance for our most vulnerable citizens.

I rise and stand with Mr. MCGOVERN against this procedural rule and in support of the underlying amendment that Mr. MCGOVERN, myself, and other Members have. This amendment will prevent cuts to the SNAP funding program.

The Federal Agriculture Reform and Risk Management Act of 2013 includes $20.5 billion in cuts to the SNAP program. That will come on top of an expiration of a benefits boost from the Recovery Act of 2009.

SNAP provides food assistance to approximately 46 million Americans in need, and it is estimated that at least 353,000 Nevadans will feel the impact of the upcoming double whammy of SNAP cuts from the FARRM Bill and the expiration of the Recovery Act boost.

The bottom line is that the SNAP program is our Nation's most important antihunger program. It kept 4.7 million people out of poverty in 2011, including 2.1 million children.

I had a community conference call with my constituents and families in my district who count on SNAP. Many of them live in food deserts. The benefits they receive right now aren't enough for a healthy meal.

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

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

Mr. HORSFORD. Yet we are talking about cutting these benefits even further while we continue subsidies to big industries that are well-off. Those priorities are backwards.

For the mother in my district who is expecting another child and who counts on SNAP, for the disabled family that stands in line for hours at the food bank, and for the elderly who rely on SNAP to get the food that they need, for everyone who made their voice heard by calling my office, I refuse to accept that we should cut $20.5 billion in vital food assistance programs, and I will continue to work with Mr. MCGOVERN and my colleagues until we can restore these funds.

Today's rule will allow for a number of amendments to be considered. I urge all of my colleagues to support an amendment offered by Mr. MCGOVERN, myself, and other members. Our amendment will prevent cuts to SNAP funding.

The Federal Agriculture Reform and Risk Management Act of 2013 includes $20.5 billion in cuts to the Supplemental Nutrition Assistance Program (or SNAP). That will come on top of an expiration of a benefits boost from the Recovery Act in 2009.

Without the Recovery Act's boost, SNAP benefits will average about $1.40 per person per meal. If the Farm Bill passes the House as it is currently written, the average benefit may drop even lower.

SNAP provides food assistance to approximately 46 million Americans in need and it is estimated that at least 353,000 Nevadans will feel the impact of the upcoming double whammy of SNAP cuts from the Farm Bill and expiration of the Recovery Act boost.

The bottom line is that SNAP is our nation's most important anti-hunger program. It kept 4.7 million people out of poverty in 2011, including 2.1 million children. And SNAP has cut the number of children living in extreme poverty in half.

I had a community conference call with families in my district who count on SNAP. They live in food deserts. The benefits they receive right now are not enough for a healthy meal. And yet, we are talking about cutting these benefits even further while we continue subsidies to industries that are well-off. Those priorities are backwards.

So for the mother in my district who is expecting another child who counts on this program, for the family that stands in line for hours at the food bank, and for elderly who rely on SNAP to get the food they need, for everyone who made their voice heard by calling my office, I refuse to accept that we should cut $20.5 billion in vital food assistance.

Extra points: According to the USDA's Economic Research Service: Each $1 billion of retail generated by SNAP creates $340 million in farm production, and 3,300 farm jobs; every $1 billion of SNAP benefits also creates 8,900–17,900 full-time jobs; an additional $5 of SNAP benefits generates $9 in total economic activity.

These programs are not handouts. They are a hand up. And they help stimulate the economy.

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

I appreciate the gentleman for coming down to the floor, and I want to respond to the gentleman that what this bill is about is trying to make decisions about what we're going to do in difficult times.

There are 25 million people unemployed and underemployed as a result of the policies that President Obama has placed on this country. Millions of people cannot find work today. There are millions of people across this country who are denied opportunities because the job market out there is not growing. We're seeing rules and regulations. What is known as ObamaCare is causing employers to back away from hiring people. There is the President's inability to make a decision about a simple, most publicized and most looked-at pipeline that would employ thousands of people in this country and us use energy from our friends.

The President's inability to lead is what is causing this country to have

massive unemployment and a GDP rate of about 1.5 percent. It is a nightmare for people.

So I do understand that we have those in our midst who are in trouble. I don't think this bill is ever aimed at, and we shouldn't try and say that it would be aimed at, the disabled or mothers with children. That's not what we're trying to accomplish here.

What we're trying to accomplish is to end the eligibility of food stamps for rapists, pedophiles, and murderers, those that compete against needy families. That's why you see members of the Democratic Party coming down here today saying we're going to take it away from other people. No. Rapists, pedophiles, and murderers.

□ 1250

Furthermore, under the current law, people who receive as little as $1 in energy benefits, $1 in State benefits, automatically qualify for SNAP payments.

This legislation that we're talking about today says if you're going to give away a Federal benefit, the State has to have some skin in the game. You can't just give away something that comes from somewhere else. This legislation closes the costly loopholes that have been out there. And without reform, you're going to continue to see dead people, illegal immigrants, lottery winners, and others who are still eligible for SNAP. That is what we are doing as we reform this bill today. We are doing this because we believe it is the right thing to do to save the system.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, it is my privilege to yield 1½ minutes to my friend, the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Mr. Speaker, I thank the gentleman for yielding, and I support the point of order that the gentleman has raised against the rule, and I thank the gentleman from Massachusetts for raising that point of order.

Mr. Speaker, I rise today in opposition to the rule and to the proposed cuts to the Supplemental Nutrition Assistance Program in the underlying farm bill.

In the wealthiest nation in human history, it is simply unconscionable that every American cannot afford life's basic necessities. SNAP helps millions of Americans living in poverty put food on the table. Eighty percent of the households receiving SNAP earn below the Federal poverty level, making it a vital form of assistance for million of working families.

Yesterday, I proudly joined a group of my Democratic colleagues in taking the SNAP challenge, a commitment to living on no more than $4.50 in daily food costs. Mr. Speaker, every Member of Congress should experience what it's like to subsist on such a paltry sum and should understand how the decisions we make affect the lives of hardworking Americans.

When we take food off the plates of hungry children, we have a moral obligation to fully comprehend the consequences of those actions. Under this bill, 2 million people will lose their eligibility, and many more will see reduced nutritional assistance.

I urge a ''no'' vote on this rule, and I encourage Members to vote against these unnecessary and harmful cuts. We can do better. We can put that funding back into this farm bill and make it a bill that we can all support.

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

Mr. MCGOVERN. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman for yielding, and I rise to support the point of order and in strong opposition to the bill that would cut more than $20 billion from critical nutrition programs, especially those that serve our Nation's most vulnerable children. In my home State of Rhode Island, it is estimated that nearly 67,000 children rely on support from the Supplemental Nutrition Assistance Program, or SNAP.

The bill before us today would devastate funding that these and millions of children and families all across our country depend on each and every day. Because of the way this funding is structured, it would be especially devastating for States like mine, where families are struggling in a difficult economy, and where reductions in LIHEAP would be a grave hardship in long, cold New England winters.

In the next couple of days, we will consider a wide range of amendments. Some, like one offered by my friend, the gentleman from Massachusetts (Mr. MCGOVERN), of which I am a cosponsor, would restore this critical funding for nutrition programs. Others would impose additional burdens on families already struggling to get back.

The actions we take in this Chamber and the bills we enact into law should reflect our values as a country. We should not take actions that will make hunger worse in America, and this bill will do that.

I urge my colleagues to oppose these drastic cuts to nutrition programs and support the McGovern amendment so that we can continue to help improve the lives of millions of families and children across our Nation. America has always stood for the idea that we look after each other. We take care of the least fortunate among us. And most importantly, we protect our most treasured asset, the children of America.

Mr. SESSIONS. Mr. Speaker, I would like to ask the gentleman if he has any further speakers or if he believes that we have now gotten to the end of this opportunity?

Mr. MCGOVERN. How much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Massachusetts has 1 minute remaining.

Mr. SESSIONS. And I believe I have the right to close. Is that correct?

The SPEAKER pro tempore. The gentleman from Texas is correct.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time to close.

Let me thank my colleagues who have come to the floor to speak in support of an amendment that I and dozens and dozens of other Members have authored to repeal the SNAP cuts, to repeal the $20.5 billion worth of cuts in SNAP that will result in 2 million people losing the benefit, and hundreds of thousands of children losing a free breakfast or lunch at school. That cut is too much. It is too harsh. It is a deal breaker for many of us when it comes to the farm bill.

What we should be about in this House of Representatives is to improve the quality of life for people, lift people up, not put people down, and these cuts put people down. We can do much better.

Again, I thank my colleagues for coming to the floor and look forward to more debate on this.

Mr. SESSIONS. Mr. Speaker, I appreciate the gentleman from Massachusetts for furthering his feelings that he wants to talk about this. It is true, there will be people dropped off the rolls. We're having to make decisions based upon money. There's a vote today—it has not been decided—whether rapists, pedophiles, or murderers will be eligible. Also, whether we will have people have to qualify on their own as opposed to some other consideration maybe that a State would put. And we're going to take off those who are lottery winners, illegal aliens, and people quite honestly who should have the money to pay for these things. That's what we're doing today. So in order to allow the House to continue its scheduled business, which we're trying to do today, I urge Members to vote ''yes'' on the question of consideration of the resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

The question is, Will the House now consider the resolution?

The question of consideration was decided in the affirmative.

A motion to reconsider was laid on the table.

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

Mr. SESSIONS. Mr. Speaker, I want to thank my colleagues on the Democratic side for not only their vigorous support for the things that they believe

in today on this important bill but also for their consideration, participation, and bipartisanship yesterday as the Rules Committee considered this important bill.

I believe it is important what we are doing in the House. I think doing our work on a bipartisan basis should draw the attention of the President of the United States, who has said he will veto this bill, veto the bill before we even see what it looks like. I think that we should understand that what we are trying to do is work together. So, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Worcester, Massachusetts, my very dear friend, Mr. MCGOVERN, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. SESSIONS. Mr. Speaker, we've already had a lot of discussion about this awesome farm bill that comes to us today. H. Res. 271 provides for a structured rule for consideration of H.R. 1947. This rule provides for discussion and opportunities for Members of the minority and majority, both Republicans and Democrats who represent 700,000 people back home, to come together with their thoughts and ideas about how to make our farm policies and the things which are included in this bill even better, sustainable, and moving forward so that we can know that we have done our job.

This week, 230 amendments were submitted to the Rules Committee. The rule before us today provides for consideration of 103 of those amendments, 50 Republican and 53 Democrat or bipartisan amendments.

□ 1300

Many of the amendments submitted were duplicative, some violated the rules of the House, and several were nongermane. Given the universe of the amendments the committee received, I believe that this rule allows the House to debate each and every important issue contained in the bill and provides this body with an opportunity to work its will.

Despite the large number of amendments submitted, I believe the underlying legislation, H.R. 1947, is a strong and meaningful statement and measure that provides our Nation with agriculture and nutrition policy necessary to meet the needs of this country.

And I want to commend, in particular, the young chairman of the Agriculture Committee, the gentleman from Oklahoma (Mr. LUCAS), and the ranking member, the gentleman from Minnesota (COLLIN PETERSON), who have worked together over the years, not just the time when Mr. PETERSON served as chairman of the committee, but also throughout the years that Mr. LUCAS has worked in a bipartisan basis together, the committee, to work on agriculture policy.

Their hard work over the past several years has led us to the point where we are today. Hard work, working together, thinking, talking about the policy that would be good for the country—that's where we are today.

We follow that up with an opportunity to make sure, on a bipartisan basis, that I work together with my colleague, my colleagues at the Rules Committee. Notwithstanding Ms. SLAUGHTER was busy on the floor a lot of the time yesterday, the gentleman from Massachusetts (Mr. MCGOVERN) sat in, heard the amendments with the rest of the Rules Committee. We worked together, staffs, to try and make as many amendments in order that would create an opportunity to follow the leadership set by Mr. PETERSON and Chairman LUCAS.

So this year's FARRM Bill reforms our Nation's agriculture programs to provide American farmers with innovative risk management tools. It reforms our Nation's supplemental nutrition programs for the first time in nearly two decades, and it invests in meaningful conservation programs to ensure that future generations of Americans benefit from the same resources that we do today.

The bottom line is the top soil, that top soil that is in America, which is the greatest in the world, enables our farmers and ranchers to produce goods and services, food that serves the entire world. And I am proud of supporting those people who live a way of life in a rural area. I know them well, and I respect the hard work and what they do to make our country stronger and better.

Impressively, H.R. 1947 accomplishes all of this, while making difficult decisions on saving over $40 billion over the life of the bill. This legislation is common sense. This legislation is bipartisan.

This legislation allows us, through an amendment process, to make many tough and difficult decisions based upon representation of this House of Representatives about issues because we're re-looking at the entire FARRM Bill.

Most of all, I hope it's fiscally responsible for those. And we offer solutions, solutions to not only consumers, but also solutions to farmers about how we are going to keep their products and services, farmers and ranchers, families, rural communities and consumers all in a balance to where we know that, through the leadership of this House of Representatives, that we have done our job.

That is why we're here today. We're here to take on tough decisions. We're here to make this FARRM Bill better, and I am proud of the product that we present today.

I urge my colleagues to support this rule, and I support the underlying legislation.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Texas (Mr. SESSIONS), the distinguished chairman, for yielding me the customary 30 minutes, and I yield myself 4½ minutes.

Mr. Speaker, I want to begin by thanking Chairman SESSIONS and thanking the staff on the Rules Committee, both the majority and the minority, for their hard work in trying to put this rule together.

I want to commend Chairman SESSIONS, in particular, I think, for making an honest attempt of trying to include as many amendments as possible. There are over 100 amendments that have been made in order, and I appreciate the fact that so many amendments were made in order, and many Democratic amendments were made in order.

Unfortunately, some important amendments were not made in order, which means that those of us on this side of the aisle, I think, will have to oppose this rule. And I certainly also want to make it clear that I oppose the underlying bill as it is now written.

But before I explain why I oppose the FARRM Bill, let me begin also by commending Chairman LUCAS and Ranking Member PETERSON and their staffs for all their hard work in crafting this legislation. It is no easy task, and they have done their best to thread a very small needle.

I'm honored to be a member of the Agriculture Committee, and I want to support a farm bill. I believe this Nation needs a farm bill. And, indeed, this bill contains a number of good things.

I'm pleased that the bill includes an amendment that I offered in committee to close a loophole in Federal animal-fighting laws that allow spectators at animal fights to avoid prosecution.

I support the dairy program in this bill and believe that it would be good for dairy farmers in the Northeast, who are such an important part of our economy.

But I cannot and I will not support this FARRM Bill as it is currently written. I cannot support a bill that cuts the SNAP program by $20.5 billion.

I cannot support a bill that will force 2 million Americans to lose their benefits.

I cannot support a bill that throws over 200,000 American children off the

free school breakfast and lunch program. In short, I cannot support a bill that will make hunger in America even worse than it already is.

Right now, as we speak, as we gather here, there are 50 million hungry Americans; 17 million of them are children. Many of them work but do not earn enough to make ends meet. All of us, every single one of us in this Chamber, should be ashamed by those numbers.

Food is not a luxury; it is a basic necessity. But there isn't a single congressional district in America that is hunger-free.

Ending hunger in America used to be a bipartisan issue. To my Republican friends, I say, remember the work of people like Bob Dole and Bill Emerson, who dedicated themselves to this issue. Be proud of that legacy; don't dismantle it.

And to my fellow Democrats, I say, if we do not stand for helping the poor and the hungry, then what are we doing here?

There are all sorts of nice little deals in this bill for all sorts of people. Peanut growers get a nice deal; cotton growers get a nice deal. Even sushi rice producers get a really nice deal for some reason.

But poor people in America, hungry people, get a raw deal. It is a rotten thing to do to cut SNAP by $20.5 billion. It's a lousy thing to do to throw 2 million people off this program.

I will have an amendment later in this process to restore these cuts to SNAP in a way that not only reduces subsidies to big agribusiness, but actually reduces the deficit by an additional $12 million beyond the base bill. So I would urge any of my colleagues who are concerned about deficit reduction to support my amendment.

You know, we hear a lot of rhetoric about waste, fraud, and abuse in the SNAP program even though SNAP has an incredibly low error rate. I promise you that if our defense programs had the same error rate as SNAP, we would save billions and billions and billions of dollars.

I'm going to have more to say about my amendment during its consideration, but I would urge my colleagues to take a look at it and support it.

I'd also like to take a moment to ask my colleagues to support the amendment offered by House Foreign Affairs Committee Chairman ROYCE and Ranking Member ENGEL to provide modest, but important, reforms to our international food aid programs. This amendment will enable more people to benefit from our scarce U.S. dollars, while ensuring that U.S. commodity producers and shippers remain actively engaged in alleviating hunger around the world.

Finally, Mr. Speaker, I am concerned that the rule makes in order several, quite frankly, mean-spirited amendments that do nothing but demonize the poor and make their lives even more difficult. I urge my colleagues to oppose those amendments, oppose this rule, and oppose the underlying bill.

With that, I reserve the balance of my time.

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

Mr. Speaker, I can certify that at no time during this process have we vilified any poor people. We're here to help them. The Republican Party cares very much about families and children, moms who are trying to make a go of it.

We're the ones that are up here trying to lower taxes on everybody. We're the ones that are trying to make sure we've got jobs for people. We're the ones that are making sure that we're trying to take pedophiles and rapists and murderers off the rolls of government assistance so that it would serve those who need it the most.

We're trying to help prioritize and save this system. That is what Republicans are trying to do.

We would never vilify those that are disabled, or who are seniors, or who are men and women who richly deserve the opportunity for the government to help them.

□ 1310

But likewise, we believe that those who are able-bodied, those who really should be getting up during the day and trying to go find work do not take government assistance.

We are very concerned about the rights of seniors, about the rights of women, particularly women that have children, and about children and about the disabled. I work very extensively as a Republican with other Republicans and with Democrats on a bipartisan basis to make sure that we're looking at those needs of disabled people. So, I think it would be unfair to say, Well, this bill is aimed to vilify the people that we're intending to help, and that's why we are here today.

Mr. Speaker, I yield 3 minutes to a gentleman who is from Gainesville, Florida, and was a large animal vet. He understands a lot, not just about agronomics, but also about the men and women who take care of this country in agriculture, people who spend their lives there, people who have to take care of their animals and, day in and day out, the needs that it takes to make sure that we have the best farms and ranches in America, animals who are safe and consumers that get a good deal.

I yield 3 minutes to the gentleman from Florida, Dr. YOHO.

Mr. YOHO. I thank my colleague from Texas (Mr. SESSIONS).

This bill has been a long time coming. With over 3 years of reviewing every single USDA program, 11 audit hearings, and 2 markups, we've finally brought a farm bill to the house floor—and I need to remind everybody, with a lot of bipartisan support. This is hugely important for the stability and security of our Nation's food supply; and without that supply, a nation like ours cannot truly call itself secure.

I've worked in agriculture all my life, since I was 16 years of age, and I've seen the regulations that stood in the way of farmers and ranchers, and I've seen the regulations that have made sure our food supply is the safest in the world.

This legislation cuts through the red tape by eliminating and consolidating over 100 programs, while bolstering farm risk management programs so that our farmers can keep feeding America during the tough times.

I see a lot of theatrics and drama when we hear people talk about 50 million starving people in this country. I disagree with that. I think there are 330 million starving people at least three times a day. We call it breakfast, lunch, and dinner. But as far as 300 million nutritionally deprived people, I would beg to differ. The SNAP program does not take one calorie off the plate of anyone who qualifies for the program.

Let me repeat that. The SNAP program does not take one calorie off the plate of those who qualify for the program. We simply close the loophole that allows States to sign people up into the program without the proper qualifications.

To have a secure nation, we must have a secure food source. I urge my colleagues to join me in voting for the rule and for passing the underlying bill.

Mr. MCGOVERN. Mr. Speaker, let me yield myself 10 seconds.

I would just say to the gentleman in response, the Congressional Budget Office—not me, but the Congressional Budget Office—says that these cuts would throw 2 million people off of SNAP and over 200,000 kids off the free breakfast and lunch program. I assure you that people will lose food over these cuts. This is not something we should do.

Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank Ranking Member MCGOVERN and commend him for his work on this important rule.

I rise in opposition to this rule, but, frankly, I'm relieved to finally debate a farm bill in this country. This past year and a half has been marked by far too much uncertainty in our agriculture industry as a result of Republican leaders here refusing to even consider a farm bill in the last Congress. That has hurt economic growth in this country from coast to coast.

American agriculture is responsible for 1 in 12 jobs in our country, and it's vital to give confidence to the market and to give certainty to our agricultural enterprises that we move a bill

forward. Thank goodness the other body did it and we are compelled to do it here.

But this bill cuts $20.5 billion in nutrition assistance that will cut over 2 million low-income people, starting with senior citizens in this country and with children who won't get school meals anymore. I don't know what the gentleman from Texas is talking about. I invited him to Ohio before, and I hope he accepts my invitation. Simply, these cuts are unconscionable.

Shockingly, the bill also has zero funding for the energy title. When American energy security is at stake and gas prices are hovering around $4 a gallon, to not invest in that is simply backwards thinking.

I urge my colleagues to vote against the rule, and hopefully we can improve the bill as it comes to the floor for a final vote.

Mr. MCGOVERN. Mr. Speaker, it is my pleasure to yield 2 minutes to a leader on this issue, the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. I rise in opposition to this rule and the underlying bill. It includes severe, immoral cuts to the food stamp program, slashing so deeply into nutrition support for hungry families at a time of great need all across this country. It is cruel, it is unnecessary, and it's an abdication of our responsibilities to the American people.

Over the past 30 years of policies aimed at debt and deficit reduction, the key programs that help the most vulnerable among us to get by have always been protected from deep cuts. Recent examples: Simpson-Bowles. This has been a bipartisan tradition for decades. But this FARRM Bill destroys that tradition.

This bill slashes food stamps by more than $20 billion. It hurts millions of Americans in our economy. It will force up to 2 million Americans to go hungry. It kicks roughly 210,000 children from the school lunch program, and it changes the relationship between the food stamp program and the Low Income Home Energy Assistance Program, which takes benefits away from seniors and from our families.

Let's make it clear: you cannot get food stamps unless you qualify for them. There is nothing automatic about it. Food stamps are our country's most important effort to deal with hunger here at home. Forty-seven million Americans are helped—half of them kids—and they are proven to curb hunger and improve low-income children's health, growth, and development. They have one of the lowest error rates of any government program. It's 3.8 percent.

I tell my colleague from Texas: Do you want to find money in this budget? Go to the crop insurance program, which is ripping off billions of dollars from U.S. taxpayers. That's where the money is, not where the program is to feed our kids.

Food stamps are good for the economy. They get resources into the hands of families who will spend them right away. And, most importantly, they are the right thing to do.

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

Mr. MCGOVERN. I yield the gentlewoman an additional 30 seconds.

Ms. DELAURO. Let me quote the U.S. Conference of Catholic Bishops:

> We must form a ''circle of protection'' around programs that serve the poor and vulnerable in our Nation and throughout the world.

Harry Truman said:

> Nothing is more important in our national life than the welfare of our children, and proper nourishment comes first in attaining this welfare.

Let's pursue a balanced approach. I urge my colleagues to vote against this rule. Vote against the underlying bill. Balancing the budget on the backs of hungry Americans, especially children, does not reflect the values of this great Nation, and it abdicates our moral responsibility in this Chamber.

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

I appreciate the gentlewoman's coming down and speaking. She was at the Rules Committee yesterday and really sat for a long period of time in order to have her ideas taken up by the Rules Committee. As she knows, she's going to get a vote on what she spoke about today. It's not in there yet. She'll have a chance. This body will have a chance to determine whether we're going to go one direction or the other.

What drives the behavior of all this is very interesting. We're trying to work with, on a high level, something that's going to happen again soon in this next cycle starting at the end of September, and it is called sequestration—again, President Obama's idea of sequestration—which will cut $85 billion more across the board, and the entire government is struggling with how we're going to make these changes.

Our GDP is at less than 1 percent. Twenty-five million people are unemployed and underemployed. We're working with the policies of the Democratic Party that are bankrupting this country.

There are people who are hurting. There are people who need jobs, who need food, need to take care of their families, and need to take care of paying their student loans. This House of Representatives is on the mark of saying how we should solve each and every one of these problems.

□ 1320

They essentially go back to when Republicans had control of the House of Representatives, the United States Senate and the Presidency. For 60 straight months there was sustained, ongoing economic growth. Oh, my gosh, that was under George Bush. Well, that's right. President Bush and Republicans helped this country to achieve a doubling of GDP, of moving our country forward.

But there's also another model of success out there, and it was called President Clinton, who came and worked with the House of Representatives, who took Republican ideas, who took the ideas which we put and merged them with his own—probably called them his own—but moved this country forward. Instead, today we have leadership of our country that says no, no, no.

We've passed bipartisan legislation—cybersecurity. What's the President's answer? No. We've come today with bipartisan legislation from two stalwarts, men who have served this great Nation in the Agriculture Committee for years of service, bringing them together with the best ideas to try and formulate a policy.

Today, there will be examples of people who can control the destiny of these ideas. One is about trying to take rapists, pedophiles, and murderers off the rolls. Another that says we are not going to allow those that have won the lottery to be able to continue receiving food stamps. That's how this bipartisan bill is being crafted and worked together. And every Member of this body will have a chance to vote on the final direction that we go through amendments that were made in order by the Rules Committee.

I reserve the balance of my time.

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

Mr. Speaker, let me be clear that the $20.5 billion worth of cuts in SNAP are not about taking rapists, pedophiles, and murderers off the rolls. This is about going after poor people. And it is curious that we have an amendment to go after rapists, pedophiles, and murderers who are not SNAP, but those who receive crop insurance, not those who receive agricultural subsidies. I mean, it's incredible what's going on here.

I'd also say to my colleague that it was the Republicans' idea to have sequestration; it was Republicans in this House that passed sequestration. But I'm going to give you credit that at least SNAP was exempted; it was exempted from sequestration and from Simpson-Bowles because it was thought that to balance the budget on the backs of poor people who have nothing was a rotten and cruel thing to do.

Mr. Speaker, I yield 1 minute to the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM).

Ms. MICHELLE LUJAN GRISHAM of New Mexico. I rise in opposition to the rule and the bill because I am absolutely appalled by the proposed cuts to the SNAP program in the FARRM Bill.

Now, I know how important the FARRM Bill is to American ranchers

and farmers and to New Mexico ranchers and farmers. I want to vote for the bill, but I cannot support it if these disastrous cuts remain.

For the past week, I've joined dozens of my colleagues in the SNAP challenge, to take a walk in the shoes of the over 442,000 New Mexicans—half of whom are children—who have to eat on less than $4.50 every day, to show just how devastating any cuts to the food program would be. Nearly one in three children in New Mexico is chronically hungry. It's the worst in the Nation. It's unconscionable, and these cuts make it worse.

In addition to the SNAP cuts, this bill also cuts funding for nutrition education programs that teach SNAP recipients how to stretch their dollars further and feed their families nutritious food.

New Mexico's farmers, ranchers, and consumers need and deserve a farm bill. But this cut, this bill is morally wrong, it's cruel, and it's reckless—harming children, seniors, the disabled, and veterans in the process.

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

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Forty-five years ago, in a now famous film, Edward R. Murrow, for CBS, produced a program called ''Hunger in America.'' It described 100,000 residents of San Antonio—mostly Latino—who were ''hungry all the time'' and the indifference of some local leaders to their plight. This spring, with the inspirational leadership of Rod and Patti Radle, we rewatched that film, discussed the progress, and outlined the remaining challenges.

In one west side ZIP code, we still have 40 percent of the population in poverty and over one-third relying on SNAP. We cannot snap our fingers and snap away that poverty. But if we make these cuts five times larger than what the United States Senate approved, we will snap away food security from many needy families—people like Daniela, who lost her job and relies on SNAP to feed her young daughter.

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

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

Mr. DOGGETT. In San Antonio and Austin, a public-private partnership, across this Nation, involves responsible corporate citizens, like HEB, working together with local entities to see that there's food security. But without SNAP, they cannot do their job.

This bill has very little to do with reform and everything to do with denying a vital lifeline to school children and to poor Americans across this country.

Let us reject it.

Mr. SESSIONS. Mr. Speaker, I'd like to remind the young gentleman from Austin, Texas, that he'll have a chance to vote on this, and then we can make a determination. But it's pedophiles, murderers, rapists, those who should have enough money not to have government assistance, that's what we're trying to do here. And he'll have a chance to decide that today.

Mr. Speaker, at this time I'd like to yield 3 minutes to the gentleman from Taylorsville, Illinois (Mr. RODNEY DAVIS), a member of the Ag and Transportation and Infrastructure Committees.

Mr. RODNEY DAVIS of Illinois. I thank the gentleman from Texas. I will say that my home town has no ''s,'' it's Taylorville. But, hey, Mr. SESSIONS has been there. So thank you very much for your time spent in that community and thank you very much for the time today.

I rise today in steadfast support of H.R. 1947, the FARRM Bill. Thanks to the leadership of Chairman LUCAS and Ranking Member PETERSON, we have crafted a farm bill that provides 5 years of certainty, cuts $40 billion, closes loopholes in the SNAP program, and preserves crop insurance as the key risk management tool for our producers.

Ag has been a bright spot for this economy. For every $1 billion in agricultural exports, it supports nearly 8,000 American jobs.

The district I represent is home to ADM, the University of Illinois, the Farm Progress Show, GSI, and Kraft Foods. From the farm to the classroom to the table, agriculture is a crucial economic driver in the 13th District of Illinois.

I'd also like to quickly highlight two amendments I authored, which were included in the FARRM Bill. The first one would provide the agricultural community with a place at the table when the EPA considers regulations impacting agriculture. This is how we stop regulations from coming to the table that want to regulate milk spills like oil spills from the Exxon Valdez. They don't make sense, and the Department of Agriculture deserves a seat at the table to tell them that.

I also had a bipartisan seed amendment that removes duplicative layers of EPA regulations at our ports to ensure that we don't face shortages of seeds in the Midwest.

Lastly, I want to talk about another vital title to this bill. The area that I represent has the University of Illinois. And those of us who are fortunate enough to represent land grant universities know that they are the bedrock of agricultural research. With this FARRM Bill, we are reauthorizing university research and continuing the Agricultural and Food Research Initiative within the National Institute for Food and Agriculture.

Research through AFRI benefits the entire world, and I'm proud of the research that the U of I has conducted through this program. Their cutting-edge research is aimed at improving food security, achieving more efficient crop production, and promoting animal health through livestock genome sequencing.

We have an opportunity to move the FARRM Bill forward this week and avoid the uncertainty of year-long extensions that reform nothing and spend more money.

This FARRM Bill is well thought out, contains critical reforms, and benefits all Americans. Vote ''yes'' on this FARRM Bill.

Mr. MCGOVERN. Mr. Speaker, I have great respect for the gentleman from Texas, the chairman of the Rules Committee, and I appreciate his courtesies in the Rules Committee yesterday, but I have to object to the way he is kind of characterizing those people who are on SNAP. Demonizing and stereotyping people who are on SNAP as somehow rapists, pedophiles, and murderers is just plain wrong. It's just wrong. Please don't do that.

□ 1330

These are people who are law-abiding citizens, they are good people, and they've fallen on hard times. Millions and millions and millions of these people work for a living but they earn so little that they still qualify for SNAP. I have to interject that because these people don't deserve to be demonized, they deserve a helping hand.

Mr. Speaker, at this time, I would like to insert in the RECORD a letter to the New York delegation from Governor Andrew Cuomo opposing these cuts in the farm bill.

STATE OF NEW YORK,
EXECUTIVE CHAMBER,
Albany, NY, June 13, 2013.

NEW YORK DELEGATION: It is well known that the importance of the Farm Bill goes beyond New York's agriculture industry and conservation efforts. The Supplemental Nutrition Assistance Program (SNAP), within the Nutrition Title, is a program that helps struggling New York families put food on their table. SNAP is one of the most effective anti-poverty components of the nation's safety net. Approximately 3.1 million New Yorkers utilize SNAP to buy groceries. As the Farm Bill moves toward enactment, I urge you to fight to protect the integrity of SNAP, its current streamlined administrative requirements and program benefit levels.

Specifically, I urge you to maintain the successful ''Heat and Eat'' state option. In New York, more than 300,000 households currently participate in the program. In New York, when a SNAP household is also eligible for Low Income Home Energy Assistance Program (LIHEAP), the State deems that household eligible to have the Heating and Cooling Standard Utility Allowance (HCSUA) used in their benefit calculation, and usually results in a higher SNAP benefit for the household. It is critical to maintain the ability to predicate eligibility for the HCSUA on eligibility for and *anticipated* receipt of the LIHEAP benefit. Both the House and Senate bills restrict the states' ability

by requiring SNAP households to be in actual receipt of the LIHEAP benefit. If the state option is restricted as written, these households will see their benefits decrease by roughly $90 per month. Congress should allow New York to continue this innovative strategy to deliver benefits, which reduces administrative costs, instead of increasing the administrative burden on the State, which ultimately requires more resources.

In addition, I urge you to preserve the Broad-Based Categorical Eligibility (BBCE) option that is slated for elimination in the House bill. Households which receive benefits through the Temporary Assistances for Needy Families (TANF) block grant, Supplemental Security Income (SSI), or a state-run low-income general assistance program are categorically eligible for SNAP. Since 2000, New York has been able to use BBCE to eliminate the duplicative and time-consuming requirement that households who already met financial eligibility rules in one specified low-income program go through another financial eligibility determination in SNAP.

Eliminating BBCE will force the state to revert back to requiring a separate asset limit for SNAP, with a threshold of $2,000 ($3,000 for elderly)—unchanged since 1986. This outdated threshold will disqualify applicants even though they meet the same extreme poverty requirements other safety net programs. Many low-income New Yorkers, particularly the elderly and working households, would no longer be eligible for SNAP.

These groups tend to have assets, such as a small savings account which, though putting over the asset threshold, is not a true indication of their poverty status. Eliminating BBCE will result in the elderly and children in low-income working families going without the food assistance upon which they depend.

Furthermore, BBCE is an example of good public policy that has both streamlined administrative requirements and reduced payment error rates to the lowest of any federal program. Without BBCE, states would be forced to waste critical resources in order to allocate staff time to duplicate enrollment procedures and incur the cost of modifying their computer systems, reprinting applications and manuals, and retraining staff.

In addition to the above cuts, the House bill would cut $11 million in funding from the SNAP Employment and Training program (E&T). The Senate bill would preserve the current $90 million funding level until FFY 2018, when it would cut the funding by $10 million. New York serves more than 150,000 individuals through SNAP E&T, which provides sorely needed job preparation and job placement services for SNAP participants. This funding is the only available targeted federal support to enable SNAP participants to engage in these services, which ultimately provides a path to employment, financial stability, and a reduction in SNAP costs for federal government.

The solution to lowering the cost of the SNAP program is not reducing enrollment numbers by restricting eligibility and cutting benefit levels. SNAP is a safety net program in the truest sense of the word; there is no other more fundamental human need than food. There is never a good time to cut SNAP benefits or pass burdensome unfunded mandates, but I respectfully suggest that doing so during a period of economic insecurity, it would be especially harmful to our most vulnerable citizens.

SNAP's low payment error rate—3.8 percent—shows us that benefits reach those who are truly struggling, and it is not a program filled with individuals ''gaming'' the system as many incorrectly proclaim. Cutting benefits and making the program more restrictive may help lower deficits in the short term, but it will prolong the struggle for the millions of New Yorkers who still feel the impacts of the worst recession since the Great Depression.

A Farm Bill is critically important to New York's recovering economy, but those still beaten down by the recession should not be denied basic food assistance. As a fellow New Yorker, I urge you to not support House and Senate Farm Bill provisions that will decrease benefit levels and limit future eligibility.

Sincerely,

ANDREW M. CUOMO,
Governor.

At this time, I would like to yield 1½ minutes to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS. Mr. Speaker, I want to thank the gentleman for yielding.

Let me say, first of all, we used to have—or we have—in the part of the city that I live in, a statement that says, ''Give us your poor, your hungry, your huddled masses yearning to be free.'' We have people here yearning for food.

Now, I have heard my very good friend from Texas talk about rapists and murderers, et cetera, but the Congressional Budget Office, it talks about 200,000 children who will be cut off from the school program. That's not Democrats talking about it. It is the Congressional Budget Office that is talking about it, and we as a country should be focused on the least of these.

I think you judge a country by how you take care of the poor. Here we have clear evidence from an impartial group of about 200,000 children and hundreds of thousands of elderly individuals who will go hungry if we cut this $20.5 billion. This is what this is all about.

We talk about the future of America. Well, somebody within that 200,000 children, who are hungry, who will not have the ability to learn because their stomachs will be crying out for some food, could be the person that could take us where we want to go as a Nation. But what are we doing? In the name of saving money, which we are not, we are turning our backs on these children, on the elderly who have worked hard, many of whom came in with the sign of giving us your young, your poor, and your hungry.

Mr. SESSIONS. Mr. Speaker, if I could inquire about the time remaining on both sides, please, sir.

The SPEAKER pro tempore. The gentleman from Texas has 16 minutes remaining. The gentleman from Massachusetts has 16½ minutes remaining.

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

The gentleman from New York, who is a very dear friend of mine, spoke very eloquently about this bill.

I will tell you that the Supplemental Nutrition Assistance Program, known as SNAP, is designed to ensure that the neediest Americans are able to help themselves with food for themselves and their families. I care very much about people who are disabled seniors and those who are having problems.

I think you would be hard-pressed to find any Member who did not think that reforming this program is also the right thing to do. This program was reformed in the Agriculture Committee. That's the text that we are bringing here today—Republicans and Democrats together working together, looking at the problem, and trying to make sure that prioritization is done.

They also recognize this: in the past decades, SNAP payments, otherwise known as food stamps, have increased by almost 300 percent; 300 percent is non-sustainable. A 300 percent increase puts huge responsibilities on public policy.

This is why Republicans have been offering ideas, and we continue to, about jobs and job growth. This is why Republicans see the terrible plight that the American family and the American people are having in trying to have jobs that are available in their hometown. And this goes to the responsibility of all elected officials, not just Members of Congress, but mayors and Governors and Senators and, Mr. Speaker, Presidents, people who are elected officials who need to understand that increasing food stamps by 300 percent over 10 years should be a national disgrace.

We're not trying to take advantage of those who are on it. They're on it because they cannot find work, they cannot find an opportunity because of public policies that make work harder to find because of rules and regulations out of this body and the Federal Government that are creating circumstances on employers to where they don't go employ people. We've talked about this for years. We said when we got into ObamaCare, this will cause a tremendous loss of jobs. The CBO—we're talking about this organization CBO—predicted the same thing.

Well, by golly, we can look ahead and see exactly where Europe is. Europe is going through what is a tragedy where young people cannot find jobs. It is an international disgrace. You see riots across Europe, and have.

Mr. Speaker, we better be smart enough to recognize that we better reform our policies, not just in agriculture policies but economic policies; economic policies that help people, sure, to get an education, but then a thriving marketplace, not just through trade but also through policies of this country.

Our leaders—Members of Congress, Governors, Vice Presidents, Presidents, and Senators—need to focus on this. We need jobs, we need job creation. We need the opportunity for every Member of Congress to understand how jobs are

formulated, how jobs are then formulated, created, and then saved.

We've got a group of people that are in Washington that I think fail to look at the ramifications of long-term unemployment to our country. They, I think, are more interested in what we are going to do for people who are having tough times.

So I'm not here to vilify people. I'm here to say I suffer with you because I know them all over our country. I've seen them, not just in Taylorville, Illinois, but across this country.

What we are doing here today is bigger than just SNAP. It's larger than just the agriculture bill. It is how are we going to create a public policy that we involve all elected officials to understand about jobs, job creation, rules and regulations, and that we do not follow Europe; that we admit that Europe is the problem, not the answer; that we go back to the American Dream, the formulation of hard work, the formulation of creation of jobs and, yes, I'll say it, even people making money so they can employ more people and give more wages.

The free enterprise system, that's really the underpinning of what this whole argument is about today; a creation of a policy in this country that is about helping people that need help and about creating economic opportunity for a vast number of other people and making our country and the American Dream work. That's what the Republican Party is for. That's why we're here today.

I reserve the balance of my time.

□ 1340

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

Mr. Speaker, just a couple of points to some of the things the gentleman from Texas said.

He talked about the increased numbers of people who are on SNAP. The reason why is that we've had a difficult economy. We've had the worst recession since the Great Depression. Lots of people lost work, and lots of people are underemployed right now, so that's why. The CBO tells us that, as we look to the future and as the economy gets better, the number of people on SNAP will go down. So this is there for people who have fallen on hard times. That's why the numbers have increased, and they're going to go down.

The gentleman says that this bill somehow represents reform. This is not about reform. When you come up with reforms, we deliberate. In the Agriculture Committee, in the Subcommittee on Nutrition, do you know how many hearings there were on SNAP? Zero. None. In the full committee, do you know how many hearings there were on SNAP? Zero. None. Then the language appears in the bill that we have before us during a markup.

If you really want reform, you have to listen to people, and you have to deliberate. That's what hearings are for. We have to reach out and figure out how to make this program better. I'm all for making this program better, but that's not what this is about, so let's not have anybody be under the misimpression that this is about reform.

This really is about trying to find an offset to be able to pay for all of the other things and to try to use this to help kind of balance the budget. We're not going after the big agribusiness, and we're not going after crop insurance. What we're doing is going after poor people. They don't have super PACs, and they don't have big lobbyists down here, so there are no political repercussions. That's what this about.

Mr. Speaker, at this time, I would like to yield 1½ minutes to a leader on this issue, the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. I thank my friend from Massachusetts.

I would like to just highlight a point that the gentleman just made that my friend from Texas and everyone understands, which is that, of course, SNAP payments increased during the recession. It is supplemental nutrition, and it's that supplemental nutrition assistance that kept people out of poverty.

The majority ruled out of order my amendment to the FARRM Bill, which would ensure families relying on SNAP could skip fewer meals and buy healthier food. Contrary to my colleagues' claims, SNAP is not too generous, and processed food from the dollar store can't replace fresh fruits, fresh vegetables, and the protein needed in a healthy diet.

So, as the Republican majority prepares to vote to kick 2 million Americans off of SNAP, let's remember what they are not voting for, what they are not voting for today and what they have not voted for on one single day in this Congress:

The GOP is not voting for jobs; they are not voting to raise the minimum wage so that full-time workers can actually feed their kids without SNAP; they are not voting to invest in education so that children have a better shot at success; they are not voting to create new jobs by investing in new ports and new bridges and new roads. In short, my friends on the other side of the aisle are not voting to reduce poverty; they are not voting to reduce hunger; they are not voting to build an economy in which working families can get ahead and don't have to scrape by on SNAP benefits.

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

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

Mr. DEUTCH. What's the Democratic plan for reducing SNAP spending? Create jobs, build the economy, and stop punishing poor people.

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

Mr. MCGOVERN. Mr. Speaker, I would like to yield 1 minute to the gentlewoman from California (Ms. HAHN).

Ms. HAHN. I wasn't able to attend my usual congressional Women's Bible Study this morning, but I am still feeling the command of scripture. So, today, as we begin the consideration of the House FARRM Bill—the FARRM Bill that takes $20 billion from the hungry in cuts to SNAP, $20 billion from the plates of fellow Americans who are struggling to feed themselves even with this meager benefit—I am holding in mind the words of Jesus from the Gospel of Matthew:

> Truly I tell you, whatever you did not do for one of the least of these, you did not do for me.

In my communities alone, 145,000 people rely on this benefit. Over half of them are children. This bill takes food from their mouths.

I hope all of my colleagues will remember what that means and will join me in supporting the McGovern amendment, which will reverse these cuts, or else vote down this immoral bill.

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

Mr. Speaker, there are a number of issues that the House will be considering today as a result of amendments, ideas, that have come to the committee—some that are in the bill and some that are amendments against the bill. I'd like to, if I can, speak on one of those amendments at this time.

This amendment is amendment No. 194, and it is offered by the gentleman who is the former chairman of the committee and who is now the chairman of the Committee on the Judiciary, the gentleman from Virginia (Mr. GOODLATTE). It is cosponsored by a number of Members of this House, including the gentleman Mr. DAVID SCOTT of Georgia, Mr. CHRIS COLLINS of New York, Mr. MORAN, Mr. DUFFY, Mr. POLIS, Mr. COFFMAN, Mr. MEEKS, Ms. LEE, Ms. DEGETTE, Mr. ISSA, and me.

The essence of what this is all about is that it would repeal the Dairy Market Stabilization Program. This program serves as a supply-and-control mechanism which distorts the private markets through which government intervention takes place and which unnecessarily fixes prices. As a result, American families pay higher prices for milk products, and American dairy exports are unnecessarily limited.

This amendment which I speak of, No. 194, known as the ''Goodlatte amendment,'' would replace the stabilization program with a voluntary margin insurance program, allowing producers to effectively manage their risks without unnecessary government intervention. It is government intervention that will simply raise prices for consumers.

It's an important amendment, and it has drawn a lot of attention. I would

like to stand up and offer my support since I will not be here probably for the discussion of the bill at the time that the amendment comes up. I lend my support because I think this is one of the most critical piece parts to putting the free market together with the opportunities for reducing cost, bettering the services and products that are available, and helping keep America in the export market to where we are more competitive in the world marketplace.

I urge my colleagues to support this commonsense, free market amendment, and I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I submit for the RECORD a letter to the Congress from Massachusetts Governor Deval Patrick, which opposes the cuts that are contained in the FARRM Bill.

OFFICE OF THE GOVERNOR,
COMMONWEALTH OF MASSACHUSETTS,
Boston, MA, May 30, 2013.

Hon. HARRY REID,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. JOHN BOEHNER,
Speaker, House of Representatives,
Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

DEAR SPEAKER BOEHNER AND LEADERS PELOSI, REID AND MCCONNELL: As you continue your work on the 2013 Farm Bill, I write to ask that you consider the importance of the following priorities, which, while not an exhaustive list, will help ensure that we continue to provide the most vulnerable Americans with access to healthy and affordable food, as well as strengthen our many diverse farms that are integral to the Commonwealth.

In Massachusetts, over 880,000 individuals are served by the Supplemental Nutrition Assistance Program (SNAP), 40 percent of who are children. SNAP helps lift families out of poverty and works to bridge the gap so that struggling Americans can put food on the table. I urge you to protect the overall integrity of SNAP and refrain from restricting eligibility, reducing benefits or funding for this critical program. Specifically, I urge you to protect the highly successful Heat and Eat state option. In Massachusetts over 125,000 households currently participate in this program and if it were eliminated they would see a decrease of about $70 per month in their SNAP benefits. Eliminating or placing new burdensome requirements and restrictions on this successful state option will simply lead to increased food insecurity for more of our most vulnerable residents.

In addition, households receiving benefits through a Temporary Assistance for Needy Families (TANF) block grant are currently categorically eligible for SNAP. A proposal in the House bill would restrict this categorical eligibility. Many low-income individuals, particularly the elderly, would no longer be eligible for SNAP. This population is already under represented because they are either unaware they are eligible for SNAP benefits or too proud to apply. This change will result in many elders going without the food assistance they need and deserve.

I agree that program integrity is important for SNAP. Your committees can emphasize the importance of program integrity by increasing the percentage of administrative costs reimbursed by the federal government for those states, such as Massachusetts, that invest in efforts to improve program integrity, such as in data sharing and mining software designed to identify household composition, income, assets and participation in other public assistance programs.

As we continue to combat childhood obesity and the increased risk of diabetes, we should do all we can to promote and provide access to fresh fruits and vegetables for our SNAP families. I therefore also urge you to authorize appropriate funding to promote the acceptance of EBT in all farmers' markets and other non-traditional produce vendors.

Bay State farmers have averaged $490 million in cash receipts and employ over 12,000 workers across hundreds of thousands of acres of farmland in active production. In Massachusetts, approximately 80 percent of our farms are family-owned, making it all the more important to maintain an inventory of farmland for future generations. For this reason, I urge you to authorize robust funding for conservation programs in the 2013 Farm Bill, including the Farms and Ranchland Protection Program, which has helped the Commonwealth preserve and protect nearly 14,000 acres of farmland. I also urge you to provide adequate mandatory funding for the Environmental Quality Incentives Program, which helps our farmers plan and implement conservation practices to improve soil, water, plant and related resources, as well as Conservation Innovation Grants, which have directly assisted the implementation of over 100 farm energy projects in Massachusetts, saving hundreds of thousands of dollars.

Further, programs funded under the Energy Title have been critical to helping Massachusetts farmers and rural business owners lower their energy bills through renewable energy installments and energy efficiency improvements. I urge you to authorize robust funding for the Rural Energy for America Program to help our farms continue to make key energy improvements. Since 2009, REAP has helped to fund 44 biomass, solar, energy efficiency and wind projects in rural areas of Massachusetts.

The dairy industry generates over $50 million in cash receipts from milk and other dairy product sales in Massachusetts. Small dairy farms, which predominate in Massachusetts, are particularly vulnerable to changes in the dairy industry, such as the wide fluctuation in market prices of milk and animal feed. At times, such market fluctuations drive down the price of milk while simultaneously driving up the cost of production, often resulting in low or negative margins. To ensure that the dairy industry continues to sustain and improve in Massachusetts, long term solutions including supply management and margin protection are crucial. I therefore support the inclusion of the Dairy Production Margin Protection Program and the Dairy Market Stabilization Program in the 2013 Farm Bill.

Finally, Specialty Crops Block Grant funding is critical to our agriculture economy, as specialty crops, including our vibrant cranberry bogs, make up a majority of our food crops. With over 400 growers producing approximately 35 percent of the nation's cranberry supply, cranberries are the number one food crop in Massachusetts and have a crop value of $104 million. I respectfully request that you authorize yearly funding for the Specialty Crops Block Grant at the FY2013 $55 million level, at a minimum, to allow us to continue to enhance the competitiveness of our specialty crops.

As you continue your work on the Farm Bill, I urge you to protect these important programs and vital benefits in order to provide certainty and stability for low-income families, our farmers and rural small businesses.

Sincerely,

DEVAL L. PATRICK,
Governor.

Mr. MCGOVERN. At this time, it is my pleasure to yield 2 minutes to another leader on this issue, the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I thank the gentleman, who has been such a tremendous leader and head of our Hunger Caucus in the House of Representatives.

Hunger in America—think of that. It ought to be a non sequitur. This is the richest country in the world, and yet one out of four of our children in this country is considered food insecure. That means that there are nights in this country when tens of thousands of children go to sleep hungry—American children.

So, despite what the gentleman from Texas may say about the compassion for these children, 2 million people will be cut off of the food stamp program. Not all of them are rapists and murderers—they are children; they are senior citizens; they are people who go to work every day and yet can't afford to eat.

I'm just finishing a week of living on the average food stamp, or SNAP, budget of $31.50 a week, $4.50 a day. You can spend $4.50 a day for one coffee at a Starbucks. It's not easy to live on that. That is the average food stamp benefit. It's just inconceivable to me that anyone has come to Congress with the idea that one would be willing to take food out of the mouths of hungry children—because it's not just the SNAP program. It's also school lunch programs and school breakfast programs, and 200,000 children are going to be cut off of those programs.

□ 1350

Are you kidding me? This is what we're going to do? This is what the majority is going to vote for to do in our country?

These are working people who often have overcome a rough time. I talked to a woman on SNAP who said she saw it as a trampoline. She was able to get over a rough spot in her life for herself and her children through the SNAP program.

Voting for this cut is immoral and wrong. We should be voting against this cut and against the FARRM Bill.

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

Mr. MCGOVERN. Mr. Speaker, it is my pleasure to yield 2 minutes to the

gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today on behalf of the more than 47 million Americans who rely on nutrition assistance and in strong opposition to the deep, unnecessary, and cruel cuts to these antihunger programs in the FARRM Bill.

The Supplemental Nutrition Assistance Program is one of our Nation's most effective tools for lifting children, seniors, and families out of poverty and helping vulnerable Americans put food on their table each day. SNAP is a lifeline for low-income and working Americans and their families.

Mr. Speaker, I speak in defense of the most basic elements of America's safety net, that regardless of circumstance, no American should go hungry. These deep and drastic cuts mean that 2 million Americans risk falling through the safety net. Some 210,000 children may go hungry throughout the school day; an additional 850,000 households will have less food on their tables. In my home State, nearly 1 million south Floridians don't know where their next meal will come from, and an astonishing 300,000 of them are children.

It is inexcusable for this Congress to try to balance the budget on the backs of hungry children and their families. We know that savings derived from these cuts are short-lived.

When Americans are food insecure, they are more likely to be anemic and have vitamin A and protein deficiencies, all of which lead to larger and more costly health issues, which we all pay for.

When needy children go off to school on empty stomachs, we dim their horizons and cripple their potential.

We are hurting our Nation's future through these severe burdens on needy families. This is not the way to find a balanced budget approach. Unfortunately, these cuts define the mindset of too many of our colleagues on the other side of the aisle.

It is shameful for us to tell the American people that when they fall on tough times, they're on their own. With these cuts, we are limiting their potential, risking their health, and leaving our fellow Americans writhing with hunger. It is immoral. The authors of this bill should be ashamed.

I urge my colleagues to oppose the $20 billion in cuts to nutrition programs in this bill. Support the McGovern amendment that would restore this critical funding, and oppose the rule and the FARRM Bill.

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

I want to thank the gentlewoman from Florida. I do resemble that remark. I helped put this bill together, and I'm proud of it. We did it on a bipartisan basis.

We also did it in a way to try and encourage a marketplace that will become more vibrant, that will ensure that farms and farmers and families and rural areas will not only survive tough times, but be able to see an advantage for working hard.

People who are farmers and ranchers get up early and go to bed late. They represent the people of our country. They are the bedrock of not just men and women and their children who go serve in our military, but they're people who care about basic American values.

In a larger sense, what this FARRM Bill is doing is trying to find a way in its place in all of the policy that we do to take care of people properly in this country who are the neediest, but to also ensure that we prioritize it.

There are a lot of people that are my friends that are Democrats that talk about how this country is a rich and powerful country. Well, we're not as rich or as powerful as we used to be. In the last 5 years, we've diminished not only in stature and power, but in employment. We are falling behind because of policies in Washington, DC.

This bill is about empowering people that are in real live America. They call it flyover country. It's to help people—farmers, ranchers, communities—to deal with these issues. We're for job creation and job growth.

The larger message is that we need jobs in this country. Let's not just take this as just an isolated incident to say just the FARRM Bill, but also the creation of jobs and job creation. There are 25 million people unemployed and underemployed. The GDP is less than 2 percent, where literally our country is not growing to sustain the newest generations of Americans who go to school, who go to college or to technical school, who come out and want to have a bright future. We are becoming more like Europe. We're becoming where we're beholden to a government that's bigger and more powerful and one which drives entrepreneurship and individual responsibility out of the way. It's some of these policies that have led to a 300 percent increase in people who are on food stamps over the last 10 years.

We're trying to deal with the problem. I think we're going to do it in a bipartisan way, and I have confidence this bill is on the right pathway. Some may oppose that, and some may not like the bill. I respect that. I respect the gentlewoman from Florida. But I do resemble that remark, and I think our product is good.

With that, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, at this time I yield 1 minute to the gentlewoman from California (Ms. BROWNLEY).

Ms. BROWNLEY of California. Mr. Speaker, I rise in strong opposition to the rule and urge my colleagues to vote ''no'' on the previous question and ''no'' on the rule.

I'm very disappointed my amendment was not made in order, a solution that was both simple and responsible. It would restore desperately needed SNAP funding, protect the vital programs ranchers and growers rely on, and end welfare for Big Oil and responsibly reduce the deficit.

By ending wasteful tax breaks for Big Oil, my amendment would help more than 68,000 families in Ventura County and families across the country struggling to keep food on the table without cutting programs that California ranchers and farmers depend on like agricultural research, disease and pest control, rural development, and conservation.

I urge my colleagues to vote ''no'' on the previous question and ''no'' on the rule.

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

Mr. MCGOVERN. Mr. Speaker, I'm happy to yield 1½ minutes to the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE of Maine. Mr. Speaker, I thank my colleague for yielding me time this morning, and I thank everyone who has been on the floor to talk about the unconscionable and unthinkable cuts to SNAP benefits. This will have a devastating effect on my home State as it will across the country.

I want to mention one other thing. Just over a week ago, Speaker BOEHNER promised a fair and open debate on the FARRM Bill and said:

> If you have ideas on how to make the bill better, bring them forward. Let's have the debate and vote on them.

Lots of people brought ideas forward, ideas that would help farmers in States like mine, but we aren't getting a chance to debate those ideas here today.

The biggest programs in this bill, the revenue loss program and the price loss program that benefit big farmers, they won't do anything for the farmers in my State or many others. They won't make them more vital, as the Chair on the floor has said today. That's not going to happen.

A bipartisan amendment that I submitted—and this is just one of the 117 denied consideration—would benefit diversified farmers in every State. This is an amendment that has zero cost and is supported by over 400 organizations from 46 States. It's an amendment that would help the tens of thousands of small businesses that did $5 billion in local food sales last year.

I'm glad we will get to vote on the amendment to roll back the outrageous SNAP cuts in this bill, but I am very disappointed that local food and sustainable agriculture has been left out of the farm bill debate.

This is not an open process, and I urge my colleagues to join me in voting against the rule.

□ 1400

Mr. SESSIONS. Mr. Speaker, in fact the gentlewoman is correct, the Speaker of the House, Speaker BOEHNER, did make a public statement, and he did indicate that we would be open for business at the Rules Committee. I have attempted to do everything necessary and proper to make sure that not only a fair hearing was held, but that all the people who would choose to come and make an amendment available, that the committee was available. We listened. We asked tough questions. We did. But we asked questions that I considered to be fair.

I don't think one witness was discouraged at all from taking all the time they needed but respected that we had some 200 amendments to go through. We did not rush. We took our time. We were very deliberative. We worked with the committee on a bipartisan basis. We consulted others, and we received feedback, and we have a model that I believe many people, if you came to the Rules Committee yesterday, would say they received a fair hearing. Good process.

I'm for this bill. I think it is fair. I think it is balanced. I think it is a good representation of what I'm willing to put my name on as a product to present to this House.

I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I am delighted to yield 1½ minutes to the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. Mr. Speaker, I thank the gentleman from Massachusetts for his profound leadership on this issue.

You know, I rise in opposition to this rule because there are many amendments that were not made in order, but there's enough pork in this farm bill to make a dead pig squeal. I want to talk about just some of the silly things that are in this bill that were made in order as amendments for us to take up this afternoon, including pennycress as a research and development priority at the Risk Management Agency, or an amendment to direct the Secretary of the Department of Agriculture to conduct an economic analysis of the existing market for U.S. Atlantic spiny dogfish.

But an amendment I had that would have given veterans waiting for disability claims to be processed the opportunity for SNAP as a disabled person was not made in order.

And another amendment that would have made crop insurance subsidies that taxpayers in this country pay, some $9 billion a year, transparent—not in order. There are 26 companies in this country, agribusinesses, that are receiving more than $1 million apiece in crop insurance premiums, but we don't get to know who they are. That was an amendment I had that was not made in order, even though Grover Norquist thinks it should be made in order, U.S. PIRG thinks it should be made in order, and the Environmental Working Group thinks it should be made in order.

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

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

Ms. SPEIER. But we're more interested in talking about the Atlantic spiny dogfish, or pennycress than dealing with issues around veterans accessing SNAP and whether or not the public has a right to know when we spend $9 billion a year on premium payments for crop insurance, just another name for what has historically been a farm subsidy.

Mr. SESSIONS. Mr. Speaker, I'm down to the bare minimum time I have left, and I'm going to reserve my time to close. I will close whenever the gentleman is prepared to do the same.

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

I will insert in the RECORD a letter that was sent to Members of Congress by dozens and dozens of organizations ranging from the AFL–CIO; The Alliance to End Hunger; Bread for the World; Feeding America; Food Research and Action Center (FRAC); Jewish Council for Public Affairs; Mazon: A Jewish Response to Hunger; MomsRising; and Share Our Strength. I can go on and on.

Mr. Speaker, this is an important debate we are having and will have on this farm bill. It is about our values. The question is, is it acceptable to try to balance the budget or pay for other programs to benefit wealthy special interests by cutting a program that benefits the poorest of the poor in this country, a program called SNAP.

The people on SNAP, I want to remind my colleagues, are good, decent, honest people. They are our neighbors. They are people who have fallen on hard times. They are people who are working, working full time and still not earning enough to be able to not qualify for public assistance. Those are the people we're talking about. Those are the people who would be adversely impacted with a $20.5 billion cut.

I would also say to my colleagues who say that we can't afford to support our social safety net, can't afford to support anti-hunger programs, I want them to know that hunger costs America a great deal. The Center For American Progress did a study that said it cost us $168.5 billion a year in avoidable health care costs, disability, lost wages, reduced learning capacity.

Hungry children who go to school don't learn. That's why it's particularly cruel that over 200,000 kids will lose their access to free lunch and breakfast at school. Those kids will go to school hungry. You don't learn if you're hungry. We all talk about preparing the new generation and making sure our kids have all the opportunities. But food is as essential to learning as that textbook is. And here we are, we're going to embrace a bill that cuts 200,000 kids off the school breakfast and lunch program. Cutting SNAP will make hunger worse, and it will have long-term consequences.

Let me just finally say that we're going to have an amendment coming up shortly after we vote on the rule that I have sponsored along with dozens and dozens of other Members here in the House of Representatives to restore the cuts in SNAP. I would urge my colleagues on both sides of the aisle to think long and hard before you vote. We don't have to do this. The price of a farm bill should not be making more people hungry in America, but yet that's the price that's being exacted through this bill.

We are a better country than this. Let's not go down this road. This used to be a bipartisan effort. Bob Dole and Bill Emerson championed some of the anti-hunger programs that have kept people fed, that have invested in people who are now very successful. Don't turn your backs on that tradition.

And to my Democratic colleagues, I remind you that if we do not stand with people who are hungry, with people who are poor and vulnerable, then what the hell do we stand for? You know, this is about our values.

So, Mr. Speaker, I urge my colleagues to vote ''no'' on this rule because a lot of amendments that should have been made in order were not. I appreciate the courtesies that my colleague, Mr. SESSIONS, afforded to us in the Rules Committee. I know he tried very hard to include as many amendments as possible. I appreciate that very much. I appreciate my amendment being made in order, but I think we could have done a little bit better.

I urge my colleagues to vote ''no'' on this rule. And please vote ''yes'' on the McGovern amendment. If that should fail, do not send a farm bill forward that will throw 2 million people off the rolls of SNAP and 200,000 kids off of free breakfast and lunch programs. We can do much better than that.

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

JUNE 19, 2013.

We, the undersigned, support Rep. James McGovern's amendment (#146) to restore the $20.5 billion/10 years cut to the Supplemental Nutrition Assistance Program (SNAP) currently in H.R. 1947. As it stands, we oppose H.R. 1947 because it would increase hunger among millions of Americans—people with disabilities, children, seniors and struggling parents—those who work, as well as those who are unemployed or underemployed.

At a time when more than one in six Americans struggle to put food on the table, the cuts to SNAP proposed in the House farm bill are unconscionable and harmful. Specifically, the House bill would result in at least 1.8 million people losing SNAP benefits entirely, and another 1.7 million people seeing their benefits reduced by about $90 per month.

Our nation can ill afford to see SNAP weakened in the farm bill. Benefits are modest, averaging less than $1.50 per person per meal and are already scheduled to drop on November 1, 2013, with termination of the American Recovery and Reinvestment Act (ARRA) benefit boost. This reduction, which will impact every SNAP beneficiary, will average about $25 per month for a family of three.

We support Rep. James McGovern's amendment (#146) to restore the $20.5 billion cut to SNAP and urge Members of Congress to vote YES when it comes up for a vote.

Advocates for Better Children's Diets (ABCD), AFL–CIO, Alliance for a Just Society, Alliance to End Hunger, American Academy of Pediatrics (AAP), American Commodity Distribution Association (ACDA), American Federation of State, County & Municipal Employees (AFSCME), American Federation of Teachers, AFL–CIO, American Public Health Association, Americans for Democratic Action (ADA), Association of Jewish Family and Children's Agencies, B. Sackin & Associates, Bread for the World, Center for Law and Social Policy (CLASP), Center for Women Policy Studies, Children's Defense Fund, Children's HealthWatch, Coalition on Human Needs (CHN), Community Action Partnership (CAP), Congressional Hunger Center (CHC), E S Foods, Environmental Working Group (EWG), Evangelical Lutheran Church in America.

Families USA, Family Economic Initiative, Feeding America, First Focus Campaign for Children, Food Research & Action Center (F–RAC), Friends Committee on National Legislation, International Federation of Professional and Technical Engineers (IFPTE), International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), Jewish Council for Public Affairs, Legal Momentum, MAZON: A Jewish Response to Hunger, MomsRising, National Association of County Human Services Administrators, National Black Child Development Institute, National Center for Law and Economic Justice (NCLEJ), National Council on Aging, National CSFP Association, National Education Association (NEA), National Employment Law Project (NELP), National Health Care for the Homeless Council, National Immigration Law Center (NILC).

National Law Center on Homelessness & Poverty, National WIC Association, National Women's Law Center, NETWORK: A National Catholic Social Justice Lobby, PolicyLink, Presbyterian Church (U.S.A.), Racial and Ethnic Health Disparities Coalition (REHCD), RESULTS, Sargent Shriver National Center on Poverty Law, School Food FOCUS National Office, School Nutrition Association (SNA), Share Our Strength, Sisters of Mercy of the Americas Institute Justice Team, Society for Nutrition Education and Behavior (SNEB), SparkAction, The Food Trust, Union for Reform Judaism, United States Conference of Mayors (USCM), Voices for America's Children, Voices for Progress, WhyHunger, Wider Opportunities for Women.

Mr. SESSIONS. Mr. Speaker, my colleague and friend, the gentleman from Massachusetts, is most kind. He is most kind in not only how he presented his ideas today, and perhaps even some opposition, and I respect that. I respect him for not only standing up almost every day I see him for not just what he believes in, but caring about people.

My party cares about people, too. The Republican Party cares very much for people, not only those who have fallen on tough times but those who are friends and neighbors, and those who we don't know who live in our communities who are hurting, who are actually having tough times feeding their kids, finding work, paying student loans, and getting things done in their community that will better their community, following the guidelines that they always have about how tomorrow will be a better day for America and Americans. These are tough times.

But what we've done, and our mission today, is to take a farm bill that passed out of the committee that is very equally divided 36–10. This committee that looked at not just the policy on farm policy but has held hearing after hearing around this country, some 40 hearings over the last few years on the farm bill, to get it prepared and ready for this floor, to prepare it for the Rules Committee where both Republican and Democrat members of that committee came and thoughtfully presented their ideas, offered support for the bill once again that passed 36–10 in committee, and moved new ideas and allowed new ideas to be debated on this floor.

□ 1410

Look, not every amendment was made in order. I admit that. Did I want that as a goal to get closer? You bet I did.

But we allowed the debate and the opportunity up at the Rules Committee and then are trying to craft a bill that is in line with what the crafters wanted from farm policy. They're the people that understand this best. They're the people that know the impact.

And so I'm proud of the product. I think we've bettered it. I think we made it better up in the committee. I think we made it better here. And the gentleman, Mr. MCGOVERN, is a part of that process.

As chairman of the Rules Committee, I have the authority and the responsibility to ensure that the mark that we make, that the presentation that we put on this floor and, most of all, that the legislation that allows full debate and content is important.

So, look, what we're going to do is try and worry about a new farm bill that we can move forward. I am supporting this bill. I hope we'll vote on the underlying legislation.

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

Ms. JACKSON LEE. Mr. Speaker, I rise to speak in support of Jackson Lee amendment #94, which will be in the en bloc for H.R. 1947, the ''Federal Agriculture Reform and Risk Management Act of 2013.'' My thanks to Agriculture Committee Chair FRANK D. LUCAS and Ranking Member COLLIN C. PETERSON for including the Jackson Lee amendment in the en bloc.

I appreciate the work of Rules Committee Chair MCGOVERN and Rules Committee members for managing the debate on amendments to H.R. 1947.

I offered amendments to H.R. 1947 for deliberation by the Rules Committee for approval for consideration by the Full House. Only one of my amendments was made in order and will be included in the en bloc for the bill.

Jackson Lee #94 will be included in the en bloc and is a sense of Congress that the Federal Government should increase business opportunities for small businesses, black farmers, women and minority businesses.

Small farm businesses, black farmers, women and minority agriculture related businesses could benefit from partnerships with federal office location in receiving support for farmers markets. This would assist with eliminating food deserts, which are urban neighborhoods and rural towns without easy access to fresh, healthy and affordable food. These communities may have no food access or are served only by fast food restaurants and convenience stores.

Other amendments, I request that the Rules Committee favorably consider included Amendment #1, the McGovern amendment, which was joined by over 80 members of the House. This important amendment would restore $20.5 billion in cuts in SNAP funding by offsetting the Farm Risk Management Election Program and the Supplemental Coverage Option.

Jackson Lee amendments not included in the Rule for the bill include:

Jackson Lee amendment #182 was a sense of Congress that the Federal Government should increase financial support provided to urban community gardens and victory gardens to heighten awareness of nutrition.

The knowledge shared with urban dwellers can have a long term benefit to the health of our nation by increasing awareness regarding the link between what we eat and health. This would also be a means of expanding the diet options for persons who live in areas where the cost of fresh fruits and vegetables can be prohibitive.

Jackson Lee #183 is a sense of Congress regarding funding for a nutrition program for disabled and older Americans. Accessible and affordable nutrition is especially important when dietary needs change or must accommodate life's changes. Older Americans and persons with disabilities often must live with restricted diets.

Jackson Lee Amendment #184 was a sense of Congress that encourages food items being provided pursuant to the Federal school breakfast and school lunch program should be selected so as to reduce the incidence of juvenile obesity and to maximize nutritional value.

This amendment passed the House by a substantial margin in the 110th Congress by a recorded vote of 422 to 3. The inclusion of this amendment in the Rule for 1947 would affirm congressional commitment to fight juvenile obesity and to maximize nutritional value. The amendment should have been made in order considering the epidemic of juvenile and adult obesity.

Finally, I sought support by the Rules Committee of an amendment offered by Congresspersons KILDEE, FUDGE, PETERS, TIM RYAN, and Jackson Lee amendment #53.

This amendment was not included in the final Rule for the bill. This amendment would have brought healthy food to those with limited access to fresh fruits and vegetables through a public-private partnership. It would increase funding for SNAP incentive programs for fresh fruits and vegetables by $5 million per year, which is offset by decreasing the adjusted gross income limit for certain Title and Title II programs.

Food is not an option—it is a right that all people living in this Nation must have to exist and to prosper. The $20.5 billion cuts in the Supplemental Nutrition Assistance Program also known as SNAP would remove 2 million Americans from this important food assistance program, and 210,000 children would lose access to free or reduced price school meals.

The course of our Nation's history led to changes in our economy, first from agricultural to industrial and now technological. These economic changes impacted the availability and affordability of food. Today our Nation is still one of the wealthiest in the world, but we now have food deserts. A food desert is a place where access to food may not be available and certainly access to health sustaining food is not available.

The U.S. Department of Agriculture defines a food desert as a ''low-access community,'' where at least 500 people and/or at least 33 percent of the census tract's population live more than one mile from a supermarket or large grocery store. The USDA defines a food desert for rural communities as a census tract where the distance to a grocery store is more than 10 miles.

Food deserts exist in rural and urban areas and are spreading as a result of fewer farms as well as fewer places to access fresh fruits, vegetables, proteins, and other foods as well as a poor economy.

The results of food deserts are increases in malnutrition and other health disparities that impact minority and low income communities in rural and urban areas. Health disparities occur because of a lack of access to critical food groups that provide nutrients that support normal metabolic function.

Poor metabolic function leads to malnutrition that causes breakdown in tissue. For example, a lack of protein in a diet leads to disease and decay of teeth and bones. Another example of health disparities in food deserts is the presence of fast food establishments instead of grocery stores. If someone only consumes energy dense foods like fast foods, this will lead to clogged arteries, which is a precursor for arterial disease, a leading cause of heart disease. A person eating a constant diet of fast foods is also vulnerable to higher risks of insulin resistance which results in diabetes.

In Harris County, Texas, 149 out of 920 households, or 20 percent of residents, do not have automobiles and live more than one-half mile from a grocery store.

At the beginning of the third millennium of this Nation's existence we should know better. Denying a higher quality of life that would result from better access to healthier food choices is shortsighted—it is also economically unsound and threatens our national security.

Social stability is threatened when people's basic needs are not met—food, clean drinking water and breathable air are the least of the requirements for life. Denying access to sufficient amounts of the right kinds of food means people will become less productive, more prone to disease and will not be able to function as contributing members of society.

For one in six Americans hunger is real and far too many people assume that the problem of hunger is isolated. One in six men, women or children you see every day may not know where their next meal is coming from or may have missed one or two meals yesterday.

Hunger is silent—most victims of hunger are ashamed and will not ask for help; they work to hide their situation from everyone. Hunger is persistent and impacts millions of people who struggle to find enough to eat. Food insecurity causes parents to skip meals so that their children can eat.

In 2009–2010 the Houston, Sugar Land and Baytown area had 27.6 percent of households with children experiencing food hardship. In households without children food hardship was experienced by 16.5. Houston, Sugar Land and Baytown rank 22 among the areas surveyed.

In 2011, according to Feeding America:

46.2 million people were in poverty;

9.5 million families were in poverty;

26.5 million people ages 18–64 were in poverty;

16.1 million children under the age of 18 were in poverty;

3.6 million (9.0 percent) of seniors 65 and older were in poverty.

In the State of Texas:

34% of children live in poverty in Texas;

21% of adults (19–64) live in poverty in Texas;

17% of elderly live in poverty in Texas.

In my city of Houston, Texas the U.S. Census reports that over the last 12 months 442,881 incomes were below the poverty level.

In 2011:

50.1 million Americans lived in food insecure households, 33.5 million adults and 16.7 million children;

households with children reported food insecurity at a significantly higher rate than those without children, 20.6 percent compared to 12.2 percent.

Eighteen percent of households in the state of Texas from 2009 through 2011 ranked second in the highest rate of food insecurity—only the state of Mississippi exceeds the ratio of households struggling with hunger.

In the 18th Congressional District an estimated 151,741 families lived in poverty.

There are charitable organizations that many of us contribute to that provide food assistance to people in need, but their resources would not be able to fill the gap created by a $20.5 billion cut to Federal food assistance programs.

Food banks and pantries fill an important role by helping the working poor, disabled and the poor gain access to food assistance when government subsidized food assistance or budgets fall short of basic needs. Food pantries also help when an unforeseen circumstance occurs and more food is needed for a family to make it until payday or government assistance arrives. However, food pantries cannot carry the full burden of a community's need for food on their own.

During these difficult economic times, people who once gave to food pantries may now seek donations from them. Millions of low income persons and families receive food assistance through SNAP. This program represents the Nation's largest program that combats domestic hunger.

For more than 40 years, SNAP has offered nutrition assistance to millions of low income individuals and families. Today, the SNAP program serves over 46 million people each month.

SNAP Statistics:

Households with children receive about 75 percent of all food stamp benefits.

23 percent of households include a disabled person and 18 percent of households include an elderly person.

The FSP increases household food spending, and the increase is greater than what would occur with an equal benefit in cash.

Every $5 in new food stamp benefits generates almost twice as much ($9.20) in total community spending.

The economics of SNAP food support programs benefit everyone by preventing new food deserts from developing. The impact of SNAP funds coming into local and neighborhood grocery stores is more profitable supermarkets. SNAP funds going into local food economies also make the cost of food for everyone less expensive and assure a variety and abundance of food selections found in grocery stores.

SNAP is the largest program in the American domestic hunger safety net. The Food and Nutrition Service programs supported by SNAP work with State agencies, nutrition educators, and neighborhood as well as faith-based organizations to assist those eligible for nutrition assistance. Food and Nutrition Service programs also work with State partners and the retail community to improve program administration and work to ensure the program's integrity.

Yes, more can be done to assure that food distribution from the fields to the tables of Americans in most need can be improved. The process of improving our nation's ability to more efficiently and effectively meet the food needs of citizens must begin with understanding the problem and acting on facts. I strongly support hearings on the subject and encourage all oversight committees to consider taking up the matter during this Congress.

However, we cannot ignore the safety process in place to prevent abuse or misuse of the program. The Federal SNAP law provides two basic pathways for financial eligibility to the program: (1) Meeting federal eligibility requirements, or (2) being automatically or ''categorically'' eligible for SNAP based on being eligible for or receiving benefits from other specified low-income assistance programs. Categorical eligibility eliminated the requirement that households who already met financial eligibility rules in one specified low-income program go through another financial eligibility determination in SNAP.

However, since the 1996 welfare reform law, states have been able to expand categorical eligibility beyond its traditional bounds. That law created TANF to replace the Aid to Families with Dependent Children (AFDC) program, which was a traditional cash assistance

program. TANF is a broad-purpose block grant that finances a wide range of social and human services.

TANF gives states flexibility in meeting its goals, resulting in a wide variation of benefits and services offered among the states. SNAP allows states to convey categorical eligibility based on receipt of a TANF ''benefit,'' not just TANF cash welfare. This provides states with the ability to convey categorical eligibility based on a wide range of benefits and services. TANF benefits other than cash assistance typically are available to a broader range of households and at higher levels of income than are TANF cash assistance benefits.

Congress cannot afford to forget that by the year 2050, the world population is expected to be 9 billion persons. We cannot build our nation's food security on an uncertain future. Domestic food production and access to healthy nutritious food is essential to our Nation's long term national security.

Until we see the final farm bill, including the amendment adopted by the Full House, I cannot offer my support for the legislation as it is written.

The bill is too shortsighted about the realities of hunger in our Nation—the fact that it proposes to cut $20.5 billion from the SNAP program is of great concern. We should work to create certainty for farmers who run high risk businesses that are vulnerable to weather changes, insects or blight.

We should be equally concerned about providing long term food security for all of our Nation's citizens, which include rural, suburban and urban dwellers.

I thank the Agriculture Committee for including the Jackson Lee amendment in the en bloc for the bill. I ask my colleagues on both sides of the aisle to support the McGovern amendment to prevent the $20.5 billion in cuts to the SNAP program. I urge all members to vote in favor of the en bloc and the McGovern amendment.

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 271, if ordered, and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 233, nays 187, not voting 14, as follows:

[Roll No. 253]

YEAS—233

Aderholt	Benishek	Brooks (AL)
Alexander	Bentivolio	Brooks (IN)
Amash	Bilirakis	Broun (GA)
Amodei	Bishop (UT)	Buchanan
Bachmann	Black	Bucshon
Bachus	Blackburn	Burgess
Barber	Boustany	Bustos
Barletta	Brady (TX)	Calvert
Barr	Braley (IA)	Camp
Barton	Bridenstine	Campbell
Cantor	Hudson	Reed
Capito	Huelskamp	Reichert
Carter	Huizenga (MI)	Renacci
Cassidy	Hultgren	Ribble
Chabot	Hunter	Rice (SC)
Chaffetz	Hurt	Rigell
Coble	Issa	Roby
Coffman	Jenkins	Roe (TN)
Cole	Johnson (OH)	Rogers (AL)
Collins (GA)	Johnson, Sam	Rogers (MI)
Collins (NY)	Jones	Rohrabacher
Conaway	Jordan	Rokita
Cook	Joyce	Rooney
Cotton	Kelly (PA)	Ros-Lehtinen
Cramer	King (IA)	Roskam
Crawford	King (NY)	Ross
Crenshaw	Kingston	Rothfus
Culberson	Kinzinger (IL)	Royce
Daines	Kline	Runyan
Davis, Rodney	Labrador	Ryan (WI)
Denham	LaMalfa	Salmon
Dent	Lamborn	Sanford
DeSantis	Lance	Scalise
DesJarlais	Lankford	Schock
Diaz-Balart	Latham	Schweikert
Duffy	Latta	Scott, Austin
Duncan (SC)	LoBiondo	Sensenbrenner
Duncan (TN)	Long	Sessions
Ellmers	Lucas	Shimkus
Enyart	Luetkemeyer	Shuster
Farenthold	Lummis	Simpson
Fincher	Marchant	Smith (MO)
Fitzpatrick	Marino	Smith (NE)
Fleischmann	Massie	Smith (NJ)
Fleming	McCarthy (CA)	Smith (TX)
Flores	McCaul	Southerland
Forbes	McClintock	Stewart
Fortenberry	McHenry	Stivers
Foxx	McKeon	Stockman
Franks (AZ)	McKinley	Stutzman
Frelinghuysen	McMorris Rodgers	Terry
Gardner	Meadows	Thompson (PA)
Garrett	Meehan	Thornberry
Gerlach	Messer	Tiberi
Gibbs	Mica	Tipton
Gibson	Miller (FL)	Turner
Gingrey (GA)	Miller (MI)	Upton
Gohmert	Mullin	Valadao
Goodlatte	Mulvaney	Wagner
Gosar	Murphy (PA)	Walberg
Gowdy	Neugebauer	Walden
Granger	Noem	Walorski
Graves (GA)	Nugent	Weber (TX)
Graves (MO)	Nunes	Webster (FL)
Griffin (AR)	Nunnelee	Wenstrup
Griffith (VA)	Olson	Westmoreland
Grimm	Palazzo	Whitfield
Guthrie	Paulsen	Williams
Hall	Pearce	Wilson (SC)
Hanna	Perry	Wittman
Harper	Petri	Wolf
Harris	Pittenger	Womack
Hartzler	Pitts	Woodall
Hastings (WA)	Pompeo	Yoder
Heck (NV)	Posey	Yoho
Hensarling	Price (GA)	Young (AK)
Herrera Beutler	Radel	Young (FL)
Holding		Young (IN)

NAYS—187

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

NOT VOTING—14

Bonner	Honda	Pallone
Clarke	Larsen (WA)	Poe (TX)
Cleaver	Markey	Rogers (KY)
Hastings (FL)	McCarthy (NY)	Slaughter
Holt	Miller, Gary	

□ 1435

Mr. GEORGE MILLER of California and Ms. ROYBAL-ALLARD changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—yeas 239, nays 177, not voting 18, as follows:

[Roll No. 254]

AYES—239

Aderholt	Brady (TX)	Coble
Alexander	Braley (IA)	Coffman
Amash	Bridenstine	Cole
Amodei	Brooks (AL)	Collins (GA)
Bachmann	Brooks (IN)	Collins (NY)
Bachus	Buchanan	Conaway
Barber	Bucshon	Cook
Barletta	Burgess	Costa
Barr	Bustos	Cotton
Barton	Calvert	Cramer
Benishek	Camp	Crawford
Bentivolio	Campbell	Crenshaw
Bilirakis	Cantor	Culberson
Bishop (NY)	Capito	Daines
Bishop (UT)	Carter	Davis, Rodney
Black	Cassidy	Denham
Blackburn	Chabot	Dent
Boustany	Chaffetz	DeSantis

DesJarlais
Diaz-Balart
Duckworth
Duffy
Duncan (SC)
Ellmers
Enyart
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maffei
Maloney, Sean
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peters (CA)
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOES—177

Andrews
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Blumenauer
Bonamici
Brady (PA)
Broun (GA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Green, Gene
Gutiérrez
Hahn
Hanabusa
Heck (WA)
Higgins
Himes
Hinojosa
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Matheson
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Speier
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—18

Bonner
Clarke
Cleaver
Cummings
Garcia
Gohmert
Grijalva
Hastings (FL)
Holt
Honda
Hudson
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Pallone
Rogers (KY)
Slaughter

□ 1443

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HUDSON. Mr. Speaker, on rollcall No. 254, I was unavoidably detained. Had I been present, I would have voted "yes."

Stated against:

Mr. GARCIA. Mr. Speaker, on rollcall No. 254, had I been present, I would have voted "no."

THE JOURNAL

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

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

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

RECORDED VOTE

Mr. COLLINS of Georgia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 275, noes 139, answered ''present'' 1, not voting 19, as follows:

[Roll No. 255]

AYES—275

Aderholt
Alexander
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Beatty
Becerra
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castro (TX)
Chabot
Chaffetz
Cicilline
Clay
Clyburn
Coble
Cohen
Cole
Collins (NY)
Conaway
Cook
Cooper
Cramer
Crawford
Cuellar
Culberson
Daines
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duncan (SC)
Duncan (TN)
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fleischmann
Fleming
Forbes
Fortenberry
Foster
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Gibbs
Goodlatte
Gosar
Gowdy
Granger
Grayson
Griffith (VA)
Grimm
Guthrie
Gutiérrez
Hahn
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (WA)
Heck (WA)
Hensarling
Higgins
Himes
Hinojosa
Horsford
Huelskamp
Huffman
Hultgren
Hunter
Hurt
Issa
Johnson (GA)
Johnson, Sam
Kaptur
Keating
Kelly (PA)
Kennedy
Kildee
King (NY)
Kingston
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lankford
Larson (CT)
Latta
Levin
Lipinski
Loebsack
Lofgren
Long
Lowenthal
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Marchant
Marino
Massie
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neugebauer
Noem
Nunes
Nunnelee
O'Rourke
Olson
Palazzo
Pascrell
Payne
Pelosi
Perlmutter
Perry
Petri
Pingree (ME)
Pittenger
Pocan
Polis
Pompeo
Posey
Price (NC)
Quigley
Rangel
Ribble
Rice (SC)
Richmond
Roby
Rogers (AL)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (WI)
Salmon
Sanford
Scalise
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Shea-Porter
Sherman
Shimkus
Shuster
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stutzman
Takano
Thornberry
Titus
Tonko
Tsongas
Upton
Van Hollen
Vargas
Vela
Wagner
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wolf
Womack
Yarmuth
Yoho
Young (FL)
Young (IN)

NOES—139

Amash
Andrews
Barber
Benishek
Bishop (NY)
Brady (PA)
Braley (IA)
Broun (GA)
Burgess
Capuano
Castor (FL)
Chu
Clarke
Coffman
Collins (GA)

Connolly	Jeffries	Pitts
Conyers	Jenkins	Poe (TX)
Costa	Johnson (OH)	Price (GA)
Cotton	Johnson, E. B.	Radel
Courtney	Jones	Rahall
Crenshaw	Jordan	Reed
Crowley	Joyce	Reichert
Cummings	Kelly (IL)	Renacci
Davis, Rodney	Kilmer	Rigell
DeFazio	Kind	Roe (TN)
Denham	Kinzinger (IL)	Rogers (MI)
Dent	Kirkpatrick	Rooney
DeSantis	Lance	Ros-Lehtinen
Duckworth	Langevin	Rush
Duffy	Latham	Ryan (OH)
Edwards	Lee (CA)	Sánchez, Linda T.
Fincher	Lewis	
Fitzpatrick	LoBiondo	Sanchez, Loretta
Flores	Lowey	Sarbanes
Foxx	Lynch	Sewell (AL)
Fudge	Maffei	Sires
Garamendi	Maloney, Carolyn	Stivers
Garcia		Stockman
Gardner	Maloney, Sean	Swalwell (CA)
Garrett	Matheson	Terry
Gerlach	McDermott	Thompson (CA)
Gibson	McGovern	Thompson (MS)
Graves (GA)	McHenry	Thompson (PA)
Graves (MO)	McIntyre	Tiberi
Green, Al	Meehan	Tierney
Green, Gene	Meeks	Tipton
Griffin (AR)	Miller, George	Turner
Grijalva	Neal	Valadao
Hanna	Negrete McLeod	Veasey
Heck (NV)	Nolan	Velázquez
Herrera Beutler	Nugent	Visclosky
Holding	Pastor (AZ)	Walberg
Hoyer	Paulsen	Weber (TX)
Hudson	Pearce	Wittman
Huizenga (MI)	Peters (CA)	Woodall
Israel	Peters (MI)	Yoder
Jackson Lee	Peterson	Young (AK)

ANSWERED ''PRESENT''—1

Owens

NOT VOTING—19

Bass	Honda	Rogers (KY)
Bonner	King (IA)	Schakowsky
Cleaver	Larsen (WA)	Scott, David
Gingrey (GA)	Markey	Simpson
Gohmert	McCarthy (NY)	Slaughter
Hastings (FL)	Miller, Gary	
Holt	Pallone	

□ 1450

So the Journal was approved.

The result of the vote was announced as above recorded.

FEDERAL AGRICULTURE REFORM AND RISK MANAGEMENT ACT OF 2013

Mr. LUCAS. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 1947, pursuant to House Resolution 271, amendment No. 55, printed in part B of House Report 113–117, may be considered out of sequence.

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

There was no objection.

GENERAL LEAVE

Mr. LUCAS. Mr. Speaker, I ask unanimous consent that all Members be allowed 5 legislative days to add additional material.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 271 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1947.

Will the gentleman from Florida (Mr. WEBSTER) kindly take the chair.

□ 1453

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes, with Mr. WEBSTER of Florida (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, June 18, 2013, all time for general debate had expired.

Pursuant to House Resolution 271, no further general debate shall be in order. In lieu of the amendments recommended by the Committees on Agriculture and the Judiciary, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–14, modified by the amendment printed in part A of House Report 113–117. That amendment in the nature of a substitute shall be considered as read.

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

H.R. 1947

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Federal Agriculture Reform and Risk Management Act of 2013''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

SEC. 2. DEFINITION OF SECRETARY OF AGRICULTURE.

In this Act, the term ''Secretary'' means the Secretary of Agriculture.

TITLE I—COMMODITIES

Subtitle A—Repeals and Reforms

SEC. 1101. REPEAL OF DIRECT PAYMENTS.

(a) REPEAL.—Sections 1103 and 1303 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713, 8753) are repealed.

(b) CONTINUED APPLICATION FOR 2013 CROP YEAR.—Sections 1103 and 1303 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8713, 8753), as in effect on the day before the date of enactment of this Act, shall continue to apply through the 2013 crop year with respect to all covered commodities (as defined in section 1001 of that Act (7 U.S.C. 8702)) and peanuts on a farm.

(c) CONTINUED APPLICATION FOR 2014 AND 2015 CROP YEARS.—Subject to this subtitle, the amendments made by sections 1603 and 1604 of this Act, and sections 1607 and 1611 of this Act, section 1103 of the Food, Conservation and Energy Act of 2008 (7 U.S.C. 8713), as in effect on the day before the date of enactment of this Act, shall continue to apply through the 2014 and

2015 crop years with respect to upland cotton only (as defined in section 1001 of that Act (7 U.S.C. 8702)), except that, in applying such section 1103, the term ''payment acres'' means the following:

(1) For crop year 2014, 70 percent of the base acres of upland cotton on a farm on which direct payments are made.

(2) For crop year 2015, 60 percent of the base acres of upland cotton on a farm on which direct payments are made.

SEC. 1102. REPEAL OF COUNTER-CYCLICAL PAYMENTS.

(a) REPEAL.—Sections 1104 and 1304 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714, 8754) are repealed.

(b) CONTINUED APPLICATION FOR 2013 CROP YEAR.—Sections 1104 and 1304 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8714, 8754), as in effect on the day before the date of enactment of this Act, shall continue to apply through the 2013 crop year with respect to all covered commodities (as defined in section 1001 of that Act (7 U.S.C. 8702)) and peanuts on a farm.

SEC. 1103. REPEAL OF AVERAGE CROP REVENUE ELECTION PROGRAM.

(a) REPEAL.—Section 1105 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8715) is repealed.

(b) CONTINUED APPLICATION FOR 2013 CROP YEAR.—Section 1105 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8715), as in effect on the day before the date of enactment of this Act, shall continue to apply through the 2013 crop year with respect to all covered commodities (as defined in section 1001 of that Act (7 U.S.C. 8702)) and peanuts on a farm for which the irrevocable election under section 1105 of that Act was made before the date of enactment of this Act.

SEC. 1104. DEFINITIONS.

In this subtitle and subtitle B:

(1) ACTUAL COUNTY REVENUE.—The term ''actual county revenue'', with respect to a covered commodity for a crop year, means the amount determined by the Secretary under section 1107(c)(4) to determine whether revenue loss coverage payments are required to be provided for that crop year.

(2) BASE ACRES.—The term ''base acres'', with respect to a covered commodity and cotton on a farm, means the number of acres established under section 1101 and 1302 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911, 7952) or section 1101 and 1302 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8711, 8752), as in effect on September 30, 2013, subject to any adjustment under section 1105 of this Act. For purposes of making payments under subsections (b) and (c) of section 1107, base acres are reduced by the payment acres calculated in 1101(c).

(3) COUNTY REVENUE LOSS COVERAGE TRIGGER.—The term ''county revenue loss coverage trigger'', with respect to a covered commodity for a crop year, means the amount determined by the Secretary under section 1107(c)(5) to determine whether revenue loss coverage payments are required to be provided for that crop year.

(4) COVERED COMMODITY.—The term ''covered commodity'' means wheat, oats, and barley (including wheat, oats, and barley used for haying and grazing), corn, grain sorghum, long grain rice, medium grain rice, pulse crops, soybeans, other oilseeds, and peanuts.

(5) EFFECTIVE PRICE.—The term ''effective price'', with respect to a covered commodity for a crop year, means the price calculated by the Secretary under section 1107(b)(2) to determine whether price loss coverage payments are required to be provided for that crop year.

(6) EXTRA LONG STAPLE COTTON.—The term ''extra long staple cotton'' means cotton that—

(A) is produced from pure strain varieties of the Barbadense species or any hybrid of the species, or other similar types of extra long staple cotton, designated by the Secretary, having characteristics needed for various end uses for which United States upland cotton is not suitable and grown in irrigated cotton-growing regions of the United States designated by the Secretary or other areas designated by the Secretary as suitable for the production of the varieties or types; and

(B) is ginned on a roller-type gin or, if authorized by the Secretary, ginned on another type gin for experimental purposes.

(7) FARM BASE ACRES.—The term ''farm base acres'' means the sum of the base acreage for all covered commodities and cotton on a farm in effect as of September 30, 2013, and subject to any adjustment under section 1105.

(8) MEDIUM GRAIN RICE.—The term ''medium grain rice'' includes short grain rice.

(9) MIDSEASON PRICE.—The term ''midseason price'' means the applicable national average market price received by producers for the first 5 months of the applicable marketing year, as determined by the Secretary.

(10) OTHER OILSEED.—The term ''other oilseed'' means a crop of sunflower seed, rapeseed, canola, safflower, flaxseed, mustard seed, crambe, sesame seed, or any oilseed designated by the Secretary.

(11) PAYMENT ACRES.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) through (D), the term ''payment acres'', with respect to the provision of price loss coverage payments and revenue loss coverage payments, means—

(i) 85 percent of total acres planted for the year to each covered commodity on a farm; and

(ii) 30 percent of total acres approved as prevented from being planted for the year to each covered commodity on a farm.

(B) MAXIMUM.—The total quantity of payment acres determined under subparagraph (A) shall not exceed the farm base acres.

(C) REDUCTION.—If the sum of all payment acres for a farm exceeds the limits established under subparagraph (B), the Secretary shall reduce the payment acres applicable to each crop proportionately.

(D) EXCLUSION.—The term ''payment acres'' does not include any crop subsequently planted during the same crop year on the same land for which the first crop is eligible for payments under this subtitle, unless the crop was approved for double cropping in the county, as determined by the Secretary.

(12) PAYMENT YIELD.—The term ''payment yield'' means the yield established for counter-cyclical payments under section 1102 or 1302 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7912, 7952), section 1102 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8712), as in effect on September 30, 2013, or under section 1106 of this Act, for a farm for a covered commodity.

(13) PRICE LOSS COVERAGE.—The term ''price loss coverage'' means coverage provided under section 1107(b).

(14) PRODUCER.—

(A) IN GENERAL.—The term ''producer'' means an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.

(B) HYBRID SEED.—In determining whether a grower of hybrid seed is a producer, the Secretary shall—

(i) not take into consideration the existence of a hybrid seed contract; and

(ii) ensure that program requirements do not adversely affect the ability of the grower to receive a payment under this title.

(15) PULSE CROP.—The term ''pulse crop'' means dry peas, lentils, small chickpeas, and large chickpeas.

(16) REFERENCE PRICE.—The term ''reference price'', with respect to a covered commodity for a crop year, means the following:

(A) Wheat, $5.50 per bushel.

(B) Corn, $3.70 per bushel.

(C) Grain sorghum, $3.95 per bushel.

(D) Barley, $4.95 per bushel.

(E) Oats, $2.40 per bushel.

(F) Long grain rice, $14.00 per hundredweight.

(G) Medium grain rice, $14.00 per hundredweight.

(H) Soybeans, $8.40 per bushel.

(I) Other oilseeds, $20.15 per hundredweight.

(J) Peanuts $535.00 per ton.

(K) Dry peas, $11.00 per hundredweight.

(L) Lentils, $19.97 per hundredweight.

(M) Small chickpeas, $19.04 per hundredweight.

(N) Large chickpeas, $21.54 per hundredweight.

(17) REVENUE LOSS COVERAGE.—The term ''revenue loss coverage'' means coverage provided under section 1107(c).

(18) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(19) STATE.—The term ''State'' means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico; and

(D) any other territory or possession of the United States.

(20) TEMPERATE JAPONICA RICE.—The term ''temperate japonica rice'' means rice that is grown in high altitudes or temperate regions of high latitudes with cooler climate conditions, in the Western United States, as determined by the Secretary.

(21) TRANSITIONAL YIELD.—The term ''transitional yield'' has the meaning given the term in section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)).

(22) UNITED STATES.—The term ''United States'', when used in a geographical sense, means all of the States.

(23) UNITED STATES PREMIUM FACTOR.—The term ''United States Premium Factor'' means the percentage by which the difference in the United States loan schedule premiums for Strict Middling (SM) 1⅛-inch upland cotton and for Middling (M) 1$^{3}/_{32}$-inch upland cotton exceeds the difference in the applicable premiums for comparable international qualities.

SEC. 1105. BASE ACRES.

(a) ADJUSTMENT OF BASE ACRES.—

(1) IN GENERAL.—The Secretary shall provide for an adjustment, as appropriate, in the base acres for covered commodities and cotton for a farm whenever any of the following circumstances occurs:

(A) A conservation reserve contract entered into under section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) with respect to the farm expires or is voluntarily terminated.

(B) Cropland is released from coverage under a conservation reserve contract by the Secretary.

(C) The producer has eligible oilseed acreage as the result of the Secretary designating additional oilseeds, which shall be determined in the same manner as eligible oilseed acreage under section 1101(a)(1)(D) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8711(a)(1)(D)).

(2) SPECIAL CONSERVATION RESERVE ACREAGE PAYMENT RULES.—For the crop year in which a base acres adjustment under subparagraph (A) or (B) of paragraph (1) is first made, the owner of the farm shall elect to receive price loss coverage or revenue loss coverage with respect to the acreage added to the farm under this subsection or a prorated payment under the conservation reserve contract, but not both.

(b) PREVENTION OF EXCESS BASE ACRES.—

(1) REQUIRED REDUCTION.—If the sum of the base acres for a farm, together with the acreage described in paragraph (2) exceeds the actual cropland acreage of the farm, the Secretary shall reduce the base acres for 1 or more covered commodities or cotton for the farm so that the sum of the base acres and acreage described in paragraph (2) does not exceed the actual cropland acreage of the farm.

(2) OTHER ACREAGE.—For purposes of paragraph (1), the Secretary shall include the following:

(A) Any acreage on the farm enrolled in the conservation reserve program or wetlands reserve program (or successor programs) under chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830 et seq.).

(B) Any other acreage on the farm enrolled in a Federal conservation program for which payments are made in exchange for not producing an agricultural commodity on the acreage.

(C) If the Secretary designates additional oilseeds, any eligible oilseed acreage, which shall be determined in the same manner as eligible oilseed acreage under subsection (a)(1)(C).

(3) SELECTION OF ACRES.—The Secretary shall give the owner of the farm the opportunity to select the base acres for a covered commodity or cotton for the farm against which the reduction required by paragraph (1) will be made.

(4) EXCEPTION FOR DOUBLE-CROPPED ACREAGE.—In applying paragraph (1), the Secretary shall make an exception in the case of double cropping, as determined by the Secretary.

(c) REDUCTION IN BASE ACRES.—

(1) REDUCTION AT OPTION OF OWNER.—

(A) IN GENERAL.—The owner of a farm may reduce, at any time, the base acres for any covered commodity or cotton for the farm.

(B) EFFECT OF REDUCTION.—A reduction under subparagraph (A) shall be permanent and made in a manner prescribed by the Secretary.

(2) REQUIRED ACTION BY SECRETARY.—

(A) IN GENERAL.—The Secretary shall proportionately reduce base acres on a farm for covered commodities and cotton for land that has been subdivided and developed for multiple residential units or other nonfarming uses if the size of the tracts and the density of the subdivision is such that the land is unlikely to return to the previous agricultural use, unless the producers on the farm demonstrate that the land—

(i) remains devoted to commercial agricultural production; or

(ii) is likely to be returned to the previous agricultural use.

(B) REQUIREMENT.—The Secretary shall establish procedures to identify land described in subparagraph (A).

SEC. 1106. PAYMENT YIELDS.

(a) ESTABLISHMENT AND PURPOSE.—For the purpose of making payments under this subtitle, the Secretary shall provide for the establishment of a yield for each farm for any designated oilseed for which a payment yield was not established under section 1102 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8712) in accordance with this section.

(b) PAYMENT YIELDS FOR DESIGNATED OILSEEDS.—

(1) DETERMINATION OF AVERAGE YIELD.—In the case of designated oilseeds, the Secretary shall determine the average yield per planted acre for the designated oilseed on a farm for the 1998 through 2001 crop years, excluding any crop year in which the acreage planted to the designated oilseed was zero.

(2) ADJUSTMENT FOR PAYMENT YIELD.—

(A) IN GENERAL.—The payment yield for a farm for a designated oilseed shall be equal to the product of the following:

(i) The average yield for the designated oilseed determined under paragraph (1).

(ii) The ratio resulting from dividing the national average yield for the designated oilseed for the 1981 through 1985 crops by the national average yield for the designated oilseed for the 1998 through 2001 crops.

(B) NO NATIONAL AVERAGE YIELD INFORMATION AVAILABLE.—To the extent that national average yield information for a designated oilseed is not available, the Secretary shall use such information as the Secretary determines to be fair and equitable to establish a national average yield under this section.

(3) USE OF COUNTY AVERAGE YIELD.—If the yield per planted acre for a crop of a designated oilseed for a farm for any of the 1998 through 2001 crop years was less than 75 percent of the county yield for that designated oilseed, the Secretary shall assign a yield for that crop year equal to 75 percent of the county yield for the purpose of determining the average under paragraph (1).

(4) NO HISTORIC YIELD DATA AVAILABLE.—In the case of establishing yields for designated oilseeds, if historic yield data is not available, the Secretary shall use the ratio for dry peas calculated under paragraph (2)(A)(ii) in determining the yields for designated oilseeds, as determined to be fair and equitable by the Secretary.

(c) EFFECT OF LACK OF PAYMENT YIELD.—

(1) ESTABLISHMENT BY SECRETARY.—If no payment yield is otherwise established for a farm for which a covered commodity is planted and eligible to receive price loss coverage payments, the Secretary shall establish an appropriate payment yield for the covered commodity on the farm under paragraph (2).

(2) USE OF SIMILARLY SITUATED FARMS.—To establish an appropriate payment yield for a covered commodity on a farm as required by paragraph (1), the Secretary shall take into consideration the farm program payment yields applicable to that covered commodity for similarly situated farms. The use of such data in an appeal, by the Secretary or by the producer, shall not be subject to any other provision of law.

(d) SINGLE OPPORTUNITY TO UPDATE YIELDS USED TO DETERMINE PRICE LOSS COVERAGE PAYMENTS.—

(1) ELECTION TO UPDATE.—At the sole discretion of the owner of a farm, the owner of a farm shall have a 1-time opportunity to update the payment yields on a covered commodity-by-covered commodity basis that would otherwise be used in calculating any price loss coverage payment for covered commodities on the farm.

(2) TIME FOR ELECTION.—The election under paragraph (1) shall be made at a time and manner to be in effect for the 2014 crop year as determined by the Secretary.

(3) METHOD OF UPDATING YIELDS.—If the owner of a farm elects to update yields under this subsection, the payment yield for a covered commodity on the farm, for the purpose of calculating price loss coverage payments only, shall be equal to 90 percent of the average of the yield per planted acre for the crop of the covered commodity on the farm for the 2008 through 2012 crop years, as determined by the Secretary, excluding any crop year in which the acreage planted to the crop of the covered commodity was zero.

(4) USE OF COUNTY AVERAGE YIELD.—If the yield per planted acre for a crop of the covered commodity for a farm for any of the 2008 through 2012 crop years was less than 75 percent of the average of the 2008 through 2012 county yield for that commodity, the Secretary shall assign a yield for that crop year equal to 75 percent of the average of the 2008 through 2012 county yield for the purposes of determining the average yield under paragraph (3).

(5) EFFECT OF LACK OF PAYMENT YIELD.—

(A) ESTABLISHMENT BY SECRETARY.—For purposes of this subsection, if no payment yield is otherwise established for a covered commodity on a farm, the Secretary shall establish an appropriate updated payment yield for the covered commodity on the farm under subparagraph (B).

(B) USE OF SIMILARLY SITUATED FARMS.—To establish an appropriate payment yield for a covered commodity on a farm as required by subparagraph (A), the Secretary shall take into consideration the farm program payment yields applicable to that covered commodity for similarly situated farms. The use of such data in an appeal, by the Secretary or by the producer, shall not be subject to any other provision of law.

SEC. 1107. FARM RISK MANAGEMENT ELECTION.

(a) IN GENERAL.—

(1) PAYMENTS REQUIRED.—Except as provided in paragraph (2), if the Secretary determines that payments are required under subsection (b)(1) or (c)(2) for a covered commodity, the Secretary shall make payments for that covered commodity available under such subsection to producers on a farm pursuant to the terms and conditions of this section.

(2) PROHIBITION ON PAYMENTS; EXCEPTIONS.—Notwithstanding any other provision of this title, a producer on a farm may not receive price loss coverage payments or revenue loss coverage payments if the sum of the planted acres of covered commodities on the farm is 10 acres or less, as determined by the Secretary, unless the producer is—

(A) a socially disadvantaged farmer or rancher (as defined in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e))); or

(B) a limited resource farmer or rancher, as defined by the Secretary.

(b) PRICE LOSS COVERAGE.—

(1) PAYMENTS.—For each of the 2014 through 2018 crop years, the Secretary shall make price loss coverage payments to producers on a farm for a covered commodity if the Secretary determines that—

(A) the effective price for the covered commodity for the crop year; is less than

(B) the reference price for the covered commodity for the crop year.

(2) EFFECTIVE PRICE.—The effective price for a covered commodity for a crop year shall be the higher of—

(A) the midseason price; or

(B) the national average loan rate for a marketing assistance loan for the covered commodity in effect for crop years 2014 through 2018 under subtitle B.

(3) PAYMENT RATE.—The payment rate shall be equal to the difference between—

(A) the reference price for the covered commodity; and

(B) the effective price determined under paragraph (2) for the covered commodity.

(4) PAYMENT AMOUNT.—If price loss coverage payments are required to be provided under this subsection for any of the 2014 through 2018 crop years for a covered commodity, the amount of the price loss coverage payment to be paid to the producers on a farm for the crop year shall be equal to the product obtained by multiplying—

(A) the payment rate for the covered commodity under paragraph (3);

(B) the payment yield for the covered commodity; and

(C) the payment acres for the covered commodity.

(5) TIME FOR PAYMENTS.—If the Secretary determines under this subsection that price loss coverage payments are required to be provided for the covered commodity, the payments shall be made beginning October 1, or as soon as practicable thereafter, after the end of the applicable marketing year for the covered commodity.

(6) SPECIAL RULE FOR BARLEY.—In determining the effective price for barley in paragraph (2), the Secretary shall use the all-barley price.

(7) SPECIAL RULE FOR TEMPERATE JAPONICA RICE.—The Secretary shall provide a reference price with respect to temperate japonica rice in an amount equal to 115 percent of the amount established in subparagraphs (F) and (G) of section 1104(16) in order to reflect price premiums.

(c) REVENUE LOSS COVERAGE.—

(1) AVAILABLE AS AN ALTERNATIVE.—As an alternative to receiving price loss coverage payments under subsection (b) for a covered commodity, all of the owners of the farm may make a one-time, irrevocable election on a covered commodity-by-covered commodity basis to receive revenue loss coverage payments for each covered commodity in accordance with this subsection. If any of the owners of the farm make different elections on the same covered commodity on the farm, all of the owners of the farm shall be deemed to have not made the election available under this paragraph.

(2) PAYMENTS.—In the case of owners of a farm that make the election described in paragraph (1) for a covered commodity, the Secretary shall make revenue loss coverage payments available under this subsection for each of the 2014 through 2018 crop years if the Secretary determines that—

(A) the actual county revenue for the crop year for the covered commodity; is less than

(B) the county revenue loss coverage trigger for the crop year for the covered commodity.

(3) TIME FOR PAYMENTS.—If the Secretary determines under this subsection that revenue loss coverage payments are required to be provided for the covered commodity, payments shall be made beginning October 1, or as soon as practicable thereafter, after the end of the applicable marketing year for the covered commodity.

(4) ACTUAL COUNTY REVENUE.—The amount of the actual county revenue for a crop year of a covered commodity shall be equal to the product obtained by multiplying—

(A) the actual county yield, as determined by the Secretary, for each planted acre for the crop year for the covered commodity; and

(B) the higher of—

(i) the midseason price; or

(ii) the national average loan rate for a marketing assistance loan for the covered commodity in effect for crop years 2014 through 2018 under subtitle B.

(5) COUNTY REVENUE LOSS COVERAGE TRIGGER.—

(A) IN GENERAL.—The county revenue loss coverage trigger for a crop year for a covered commodity on a farm shall equal 85 percent of the benchmark county revenue.

(B) BENCHMARK COUNTY REVENUE.—

(i) IN GENERAL.—The benchmark county revenue shall be the product obtained by multiplying—

(I) subject to clause (ii), the average historical county yield as determined by the Secretary for the most recent 5 crop years, excluding each of the crop years with the highest and lowest yields; and

(II) subject to clause (iii), the average national marketing year average price for the most recent 5 crop years, excluding each of the crop years with the highest and lowest prices.

(ii) YIELD CONDITIONS.—If the historical county yield in clause (i)(I) for any of the 5 most recent crop years, as determined by the Secretary, is less than 70 percent of the transitional yield, as determined by the Secretary, the amounts used for any of those years in clause (i)(I) shall be 70 percent of the transitional yield.

(iii) REFERENCE PRICE.—If the national marketing year average price in clause (i)(II) for any of the 5 most recent crop years is lower than the reference price for the covered commodity, the Secretary shall use the reference price for any of those years for the amounts in clause (i)(II).

(6) PAYMENT RATE.—The payment rate shall be equal to the lesser of—

(A) the difference between—

(i) the county revenue loss coverage trigger for the covered commodity; and

(ii) the actual county revenue for the crop year for the covered commodity; or

(B) 10 percent of the benchmark county revenue for the crop year for the covered commodity.

(7) PAYMENT AMOUNT.—If revenue loss coverage payments under this subsection are required to be provided for any of the 2014 through 2018 crop years of a covered commodity, the amount of the revenue loss coverage payment to be provided to the producers on a farm for the crop year shall be equal to the product obtained by multiplying—

(A) the payment rate under paragraph (6); and

(B) the payment acres of the covered commodity on the farm.

(8) DUTIES OF THE SECRETARY.—In providing revenue loss coverage payments under this subsection, the Secretary—

(A) shall ensure that producers on a farm do not reconstitute the farm of the producers to void or change the election made under paragraph (1);

(B) to the maximum extent practicable, shall use all available information and analysis, including data mining, to check for anomalies in the provision of revenue loss coverage payments;

(C) to the maximum extent practicable, shall calculate a separate county revenue loss coverage trigger for irrigated and nonirrigated covered commodities and a separate actual county revenue for irrigated and nonirrigated covered commodities;

(D) shall assign a benchmark county yield for each planted acre for the crop year for the covered commodity on the basis of the yield history of representative farms in the State, region, or crop reporting district, as determined by the Secretary, if—

(i) the Secretary cannot establish the benchmark county yield for each planted acre for a crop year for a covered commodity in the county in accordance with paragraph (5); or

(ii) the yield determined under paragraph (5) is an unrepresentative average yield for the county (as determined by the Secretary); and

(E) to the maximum extent practicable, shall ensure that in order to be eligible for a payment under this subsection, the producers on the farm suffered an actual loss on the covered commodity for the crop year for which payment is sought.

(d) ANNUAL REPORT.—The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report annually containing an evaluation of the impact of price loss coverage and revenue loss coverage—

(1) on the planting, production, price, and export of covered commodities; and

(2) on the cost of each commodity program.

SEC. 1108. PRODUCER AGREEMENTS.

(a) COMPLIANCE WITH CERTAIN REQUIREMENTS.—

(1) REQUIREMENTS.—Before the producers on a farm may receive payments under this subtitle with respect to the farm, the producers shall agree, during the crop year for which the payments are made and in exchange for the payments—

(A) to comply with applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.);

(B) to comply with applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.); and

(C) to effectively control noxious weeds and otherwise maintain the land in accordance with sound agricultural practices, as determined by the Secretary.

(2) COMPLIANCE.—The Secretary may issue such rules as the Secretary considers necessary to ensure producer compliance with the requirements of paragraph (1).

(3) MODIFICATION.—At the request of the transferee or owner, the Secretary may modify the requirements of this subsection if the modifications are consistent with the objectives of this subsection, as determined by the Secretary.

(b) TRANSFER OR CHANGE OF INTEREST IN FARM.—

(1) TERMINATION.—

(A) IN GENERAL.—Except as provided in paragraph (2), a transfer of (or change in) the interest of the producers on a farm for which payments under this subtitle are provided shall result in the termination of the payments, unless the transferee or owner of the acreage agrees to assume all obligations under subsection (a).

(B) EFFECTIVE DATE.—The termination shall take effect on the date determined by the Secretary.

(2) EXCEPTION.—If a producer entitled to a payment under this subtitle dies, becomes incompetent, or is otherwise unable to receive the payment, the Secretary shall make the payment in accordance with rules issued by the Secretary.

(c) ACREAGE REPORTS.—As a condition on the receipt of any benefits under this subtitle or subtitle B, the Secretary shall require producers on a farm to submit to the Secretary annual acreage reports with respect to all cropland on the farm.

(d) TENANTS AND SHARECROPPERS.—In carrying out this subtitle, the Secretary shall provide adequate safeguards to protect the interests of tenants and sharecroppers.

(e) SHARING OF PAYMENTS.—The Secretary shall provide for the sharing of payments made under this subtitle among the producers on a farm on a fair and equitable basis.

SEC. 1109. PERIOD OF EFFECTIVENESS.

This subtitle shall be effective beginning with the 2014 crop year of each covered commodity through the 2018 crop year.

Subtitle B—Marketing Loans

SEC. 1201. AVAILABILITY OF NONRECOURSE MARKETING ASSISTANCE LOANS FOR LOAN COMMODITIES.

(a) DEFINITION OF LOAN COMMODITY.—In this subtitle, the term ''loan commodity'' means wheat, corn, grain sorghum, barley, oats, upland cotton, extra long staple cotton, long grain rice, medium grain rice, peanuts, soybeans, other oilseeds, graded wool, nongraded wool, mohair, honey, dry peas, lentils, small chickpeas, and large chickpeas.

(b) NONRECOURSE LOANS AVAILABLE.—

(1) IN GENERAL.—For each of the 2014 through 2018 crops of each loan commodity, the Secretary shall make available to producers on a farm nonrecourse marketing assistance loans for loan commodities produced on the farm.

(2) TERMS AND CONDITIONS.—The marketing assistance loans shall be made under terms and conditions that are prescribed by the Secretary and at the loan rate established under section 1202 for the loan commodity.

(c) ELIGIBLE PRODUCTION.—The producers on a farm shall be eligible for a marketing assistance loan under subsection (b) for any quantity of a loan commodity produced on the farm.

(d) COMPLIANCE WITH CONSERVATION AND WETLANDS REQUIREMENTS.—As a condition of the receipt of a marketing assistance loan under subsection (b), the producer shall comply with

applicable conservation requirements under subtitle B of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.) and applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.) during the term of the loan.

(e) SPECIAL RULES FOR PEANUTS.—

(1) IN GENERAL.—This subsection shall apply only to producers of peanuts.

(2) OPTIONS FOR OBTAINING LOAN.—A marketing assistance loan under this section, and loan deficiency payments under section 1205, may be obtained at the option of the producers on a farm through—

(A) a designated marketing association or marketing cooperative of producers that is approved by the Secretary; or

(B) the Farm Service Agency.

(3) STORAGE OF LOAN PEANUTS.—As a condition on the approval by the Secretary of an individual or entity to provide storage for peanuts for which a marketing assistance loan is made under this section, the individual or entity shall agree—

(A) to provide the storage on a nondiscriminatory basis; and

(B) to comply with such additional requirements as the Secretary considers appropriate to accomplish the purposes of this section and promote fairness in the administration of the benefits of this section.

(4) STORAGE, HANDLING, AND ASSOCIATED COSTS.—

(A) IN GENERAL.—To ensure proper storage of peanuts for which a loan is made under this section, the Secretary shall pay handling and other associated costs (other than storage costs) incurred at the time at which the peanuts are placed under loan, as determined by the Secretary.

(B) REDEMPTION AND FORFEITURE.—The Secretary shall—

(i) require the repayment of handling and other associated costs paid under subparagraph (A) for all peanuts pledged as collateral for a loan that is redeemed under this section; and

(ii) pay storage, handling, and other associated costs for all peanuts pledged as collateral that are forfeited under this section.

(5) MARKETING.—A marketing association or cooperative may market peanuts for which a loan is made under this section in any manner that conforms to consumer needs, including the separation of peanuts by type and quality.

(6) REIMBURSABLE AGREEMENTS AND PAYMENT OF ADMINISTRATIVE EXPENSES.—The Secretary may implement any reimbursable agreements or provide for the payment of administrative expenses under this subsection only in a manner that is consistent with those activities in regard to other loan commodities.

SEC. 1202. LOAN RATES FOR NONRECOURSE MARKETING ASSISTANCE LOANS.

(a) IN GENERAL.—For purposes of each of the 2014 through 2018 crop years, the loan rate for a marketing assistance loan under section 1201 for a loan commodity shall be equal to the following:

(1) In the case of wheat, $2.94 per bushel.

(2) In the case of corn, $1.95 per bushel.

(3) In the case of grain sorghum, $1.95 per bushel.

(4) In the case of barley, $1.95 per bushel.

(5) In the case of oats, $1.39 per bushel.

(6) In the case of base quality of upland cotton, for the 2014 and each subsequent crop year, the simple average of the adjusted prevailing world price for the 2 immediately preceding marketing years, as determined by the Secretary and announced October 1 preceding the next domestic plantings, but in no case less than $0.47 per pound or more than $0.52 per pound.

(7) In the case of extra long staple cotton, $0.7977 per pound.

(8) In the case of long grain rice, $6.50 per hundredweight.

(9) In the case of medium grain rice, $6.50 per hundredweight.

(10) In the case of soybeans, $5.00 per bushel.

(11) In the case of other oilseeds, $10.09 per hundredweight for each of the following kinds of oilseeds:

(A) Sunflower seed.

(B) Rapeseed.

(C) Canola.

(D) Safflower.

(E) Flaxseed.

(F) Mustard seed.

(G) Crambe.

(H) Sesame seed.

(I) Other oilseeds designated by the Secretary.

(12) In the case of dry peas, $5.40 per hundredweight.

(13) In the case of lentils, $11.28 per hundredweight.

(14) In the case of small chickpeas, $7.43 per hundredweight.

(15) In the case of large chickpeas, $11.28 per hundredweight.

(16) In the case of graded wool, $1.15 per pound.

(17) In the case of nongraded wool, $0.40 per pound.

(18) In the case of mohair, $4.20 per pound.

(19) In the case of honey, $0.69 per pound.

(20) In the case of peanuts, $355 per ton.

(b) SINGLE COUNTY LOAN RATE FOR OTHER OILSEEDS.—The Secretary shall establish a single loan rate in each county for each kind of other oilseeds described in subsection (a)(11).

SEC. 1203. TERM OF LOANS.

(a) TERM OF LOAN.—In the case of each loan commodity, a marketing assistance loan under section 1201 shall have a term of 9 months beginning on the first day of the first month after the month in which the loan is made.

(b) EXTENSIONS PROHIBITED.—The Secretary may not extend the term of a marketing assistance loan for any loan commodity.

SEC. 1204. REPAYMENT OF LOANS.

(a) GENERAL RULE.—The Secretary shall permit the producers on a farm to repay a marketing assistance loan under section 1201 for a loan commodity (other than upland cotton, long grain rice, medium grain rice, extra long staple cotton, peanuts and confectionery and each other kind of sunflower seed (other than oil sunflower seed)) at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283));

(2) a rate (as determined by the Secretary) that—

(A) is calculated based on average market prices for the loan commodity during the preceding 30-day period; and

(B) will minimize discrepancies in marketing loan benefits across State boundaries and across county boundaries; or

(3) a rate that the Secretary may develop using alternative methods for calculating a repayment rate for a loan commodity that the Secretary determines will—

(A) minimize potential loan forfeitures;

(B) minimize the accumulation of stocks of the commodity by the Federal Government;

(C) minimize the cost incurred by the Federal Government in storing the commodity;

(D) allow the commodity produced in the United States to be marketed freely and competitively, both domestically and internationally; and

(E) minimize discrepancies in marketing loan benefits across State boundaries and across county boundaries.

(b) REPAYMENT RATES FOR UPLAND COTTON, LONG GRAIN RICE, AND MEDIUM GRAIN RICE.—The Secretary shall permit producers to repay a marketing assistance loan under section 1201 for upland cotton, long grain rice, and medium grain rice at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) the prevailing world market price for the commodity, as determined and adjusted by the Secretary in accordance with this section.

(c) REPAYMENT RATES FOR EXTRA LONG STAPLE COTTON.—Repayment of a marketing assistance loan for extra long staple cotton shall be at the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)).

(d) PREVAILING WORLD MARKET PRICE.—For purposes of this section and section 1207, the Secretary shall prescribe by regulation—

(1) a formula to determine the prevailing world market price for each of upland cotton, long grain rice, and medium grain rice; and

(2) a mechanism by which the Secretary shall announce periodically those prevailing world market prices.

(e) ADJUSTMENT OF PREVAILING WORLD MARKET PRICE FOR UPLAND COTTON, LONG GRAIN RICE, AND MEDIUM GRAIN RICE.—

(1) RICE.—The prevailing world market price for long grain rice and medium grain rice determined under subsection (d) shall be adjusted to United States quality and location.

(2) COTTON.—The prevailing world market price for upland cotton determined under subsection (d)—

(A) shall be adjusted to United States quality and location, with the adjustment to include—

(i) a reduction equal to any United States Premium Factor for upland cotton of a quality higher than Middling (M) 1 3/32-inch; and

(ii) the average costs to market the commodity, including average transportation costs, as determined by the Secretary; and

(B) may be further adjusted, during the period beginning on the date of enactment of this Act and ending on July 31, 2019, if the Secretary determines the adjustment is necessary—

(i) to minimize potential loan forfeitures;

(ii) to minimize the accumulation of stocks of upland cotton by the Federal Government;

(iii) to ensure that upland cotton produced in the United States can be marketed freely and competitively, both domestically and internationally; and

(iv) to ensure an appropriate transition between current-crop and forward-crop price quotations, except that the Secretary may use forward-crop price quotations prior to July 31 of a marketing year only if—

(I) there are insufficient current-crop price quotations; and

(II) the forward-crop price quotation is the lowest such quotation available.

(3) GUIDELINES FOR ADDITIONAL ADJUSTMENTS.—In making adjustments under this subsection, the Secretary shall establish a mechanism for determining and announcing the adjustments in order to avoid undue disruption in the United States market.

(f) REPAYMENT RATES FOR CONFECTIONERY AND OTHER KINDS OF SUNFLOWER SEEDS.—The Secretary shall permit the producers on a farm to repay a marketing assistance loan under section 1201 for confectionery and each other kind of sunflower seed (other than oil sunflower seed) at a rate that is the lesser of—

(1) the loan rate established for the commodity under section 1202, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) the repayment rate established for oil sunflower seed.

(g) PAYMENT OF COTTON STORAGE COSTS.—Effective for each of the 2014 through 2018 crop years, the Secretary shall make cotton storage payments available in the same manner, and at the same rates as the Secretary provided storage payments for the 2006 crop of cotton, except that the rates shall be reduced by 10 percent.

(h) REPAYMENT RATE FOR PEANUTS.—The Secretary shall permit producers on a farm to repay a marketing assistance loan for peanuts under section 1201 at a rate that is the lesser of—

(1) the loan rate established for peanuts under section 1202(a)(20), plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)); or

(2) a rate that the Secretary determines will—

(A) minimize potential loan forfeitures;

(B) minimize the accumulation of stocks of peanuts by the Federal Government;

(C) minimize the cost incurred by the Federal Government in storing peanuts; and

(D) allow peanuts produced in the United States to be marketed freely and competitively, both domestically and internationally.

(i) AUTHORITY TO TEMPORARILY ADJUST REPAYMENT RATES.—

(1) ADJUSTMENT AUTHORITY.—In the event of a severe disruption to marketing, transportation, or related infrastructure, the Secretary may modify the repayment rate otherwise applicable under this section for marketing assistance loans under section 1201 for a loan commodity.

(2) DURATION.—Any adjustment made under paragraph (1) in the repayment rate for marketing assistance loans for a loan commodity shall be in effect on a short-term and temporary basis, as determined by the Secretary.

SEC. 1205. LOAN DEFICIENCY PAYMENTS.

(a) AVAILABILITY OF LOAN DEFICIENCY PAYMENTS.—

(1) IN GENERAL.—Except as provided in subsection (d), the Secretary may make loan deficiency payments available to producers on a farm that, although eligible to obtain a marketing assistance loan under section 1201 with respect to a loan commodity, agree to forgo obtaining the loan for the commodity in return for loan deficiency payments under this section.

(2) UNSHORN PELTS, HAY, AND SILAGE.—

(A) MARKETING ASSISTANCE LOANS.—Subject to subparagraph (B), nongraded wool in the form of unshorn pelts and hay and silage derived from a loan commodity are not eligible for a marketing assistance loan under section 1201.

(B) LOAN DEFICIENCY PAYMENT.—Effective for the 2014 through 2018 crop years, the Secretary may make loan deficiency payments available under this section to producers on a farm that produce unshorn pelts or hay and silage derived from a loan commodity.

(b) COMPUTATION.—A loan deficiency payment for a loan commodity or commodity referred to in subsection (a)(2) shall be equal to the product obtained by multiplying—

(1) the payment rate determined under subsection (c) for the commodity; by

(2) the quantity of the commodity produced by the eligible producers, excluding any quantity for which the producers obtain a marketing assistance loan under section 1201.

(c) PAYMENT RATE.—

(1) IN GENERAL.—In the case of a loan commodity, the payment rate shall be the amount by which—

(A) the loan rate established under section 1202 for the loan commodity; exceeds

(B) the rate at which a marketing assistance loan for the loan commodity may be repaid under section 1204.

(2) UNSHORN PELTS.—In the case of unshorn pelts, the payment rate shall be the amount by which—

(A) the loan rate established under section 1202 for ungraded wool; exceeds

(B) the rate at which a marketing assistance loan for ungraded wool may be repaid under section 1204.

(3) HAY AND SILAGE.—In the case of hay or silage derived from a loan commodity, the payment rate shall be the amount by which—

(A) the loan rate established under section 1202 for the loan commodity from which the hay or silage is derived; exceeds

(B) the rate at which a marketing assistance loan for the loan commodity may be repaid under section 1204.

(d) EXCEPTION FOR EXTRA LONG STAPLE COTTON.—This section shall not apply with respect to extra long staple cotton.

(e) EFFECTIVE DATE FOR PAYMENT RATE DETERMINATION.—The Secretary shall determine the amount of the loan deficiency payment to be made under this section to the producers on a farm with respect to a quantity of a loan commodity or commodity referred to in subsection (a)(2) using the payment rate in effect under subsection (c) as of the date the producers request the payment.

SEC. 1206. PAYMENTS IN LIEU OF LOAN DEFICIENCY PAYMENTS FOR GRAZED ACREAGE.

(a) ELIGIBLE PRODUCERS.—

(1) IN GENERAL.—Effective for the 2014 through 2018 crop years, in the case of a producer that would be eligible for a loan deficiency payment under section 1205 for wheat, barley, or oats, but that elects to use acreage planted to the wheat, barley, or oats for the grazing of livestock, the Secretary shall make a payment to the producer under this section if the producer enters into an agreement with the Secretary to forgo any other harvesting of the wheat, barley, or oats on that acreage.

(2) GRAZING OF TRITICALE ACREAGE.—Effective for the 2014 through 2018 crop years, with respect to a producer on a farm that uses acreage planted to triticale for the grazing of livestock, the Secretary shall make a payment to the producer under this section if the producer enters into an agreement with the Secretary to forgo any other harvesting of triticale on that acreage.

(b) PAYMENT AMOUNT.—

(1) IN GENERAL.—The amount of a payment made under this section to a producer on a farm described in subsection (a)(1) shall be equal to the amount determined by multiplying—

(A) the loan deficiency payment rate determined under section 1205(c) in effect, as of the date of the agreement, for the county in which the farm is located; by

(B) the payment quantity determined by multiplying—

(i) the quantity of the grazed acreage on the farm with respect to which the producer elects to forgo harvesting of wheat, barley, or oats; and

(ii)(I) the payment yield in effect for the calculation of price loss coverage under subtitle A with respect to that loan commodity on the farm; or

(II) in the case of a farm without a payment yield for that loan commodity, an appropriate yield established by the Secretary in a manner consistent with section 1106(c) of this Act.

(2) GRAZING OF TRITICALE ACREAGE.—The amount of a payment made under this section to a producer on a farm described in subsection (a)(2) shall be equal to the amount determined by multiplying—

(A) the loan deficiency payment rate determined under section 1205(c) in effect for wheat, as of the date of the agreement, for the county in which the farm is located; by

(B) the payment quantity determined by multiplying—

(i) the quantity of the grazed acreage on the farm with respect to which the producer elects to forgo harvesting of triticale; and

(ii)(I) the payment yield in effect for the calculation of price loss coverage under subtitle A with respect to wheat on the farm; or

(II) in the case of a farm without a payment yield for wheat, an appropriate yield established by the Secretary in a manner consistent with section 1106(c) of this Act.

(c) TIME, MANNER, AND AVAILABILITY OF PAYMENT.—

(1) TIME AND MANNER.—A payment under this section shall be made at the same time and in the same manner as loan deficiency payments are made under section 1205.

(2) AVAILABILITY.—

(A) IN GENERAL.—The Secretary shall establish an availability period for the payments authorized by this section.

(B) CERTAIN COMMODITIES.—In the case of wheat, barley, and oats, the availability period shall be consistent with the availability period for the commodity established by the Secretary for marketing assistance loans authorized by this subtitle.

(d) PROHIBITION ON CROP INSURANCE INDEMNITY OR NONINSURED CROP ASSISTANCE.—A 2014 through 2018 crop of wheat, barley, oats, or triticale planted on acreage that a producer elects, in the agreement required by subsection (a), to use for the grazing of livestock in lieu of any other harvesting of the crop shall not be eligible for an indemnity under a policy or plan of insurance authorized under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or noninsured crop assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

SEC. 1207. SPECIAL MARKETING LOAN PROVISIONS FOR UPLAND COTTON.

(a) SPECIAL IMPORT QUOTA.—

(1) DEFINITION OF SPECIAL IMPORT QUOTA.—In this subsection, the term ''special import quota'' means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.

(2) ESTABLISHMENT.—

(A) IN GENERAL.—The President shall carry out an import quota program during the period beginning on August 1, 2014, and ending on July 31, 2019, as provided in this subsection.

(B) PROGRAM REQUIREMENTS.—Whenever the Secretary determines and announces that for any consecutive 4-week period, the Friday through Thursday average price quotation for the lowest-priced United States growth, as quoted for Middling (M) 1 3/32-inch cotton, delivered to a definable and significant international market, as determined by the Secretary, exceeds the prevailing world market price, there shall immediately be in effect a special import quota.

(3) QUANTITY.—The quota shall be equal to the consumption during a 1-week period of cotton by domestic mills at the seasonally adjusted average rate of the most recent 3 months for which official data of the Department of Agriculture are available or, in the absence of sufficient data, as estimated by the Secretary.

(4) APPLICATION.—The quota shall apply to upland cotton purchased not later than 90 days after the date of the Secretary's announcement under paragraph (2) and entered into the United States not later than 180 days after that date.

(5) OVERLAP.—A special quota period may be established that overlaps any existing quota period if required by paragraph (2), except that a special quota period may not be established under this subsection if a quota period has been established under subsection (b).

(6) PREFERENTIAL TARIFF TREATMENT.—The quantity under a special import quota shall be considered to be an in-quota quantity for purposes of—

(A) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));

(B) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);

(C) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and

(D) General Note 3(a)(iv) to the Harmonized Tariff Schedule.

(7) LIMITATION.—The quantity of cotton entered into the United States during any marketing year under the special import quota established under this subsection may not exceed the equivalent of 10 week's consumption of upland cotton by domestic mills at the seasonally adjusted average rate of the 3 months immediately preceding the first special import quota established in any marketing year.

(b) LIMITED GLOBAL IMPORT QUOTA FOR UPLAND COTTON.—

(1) DEFINITIONS.—In this subsection:

(A) DEMAND.—The term ''demand'' means—

(i) the average seasonally adjusted annual rate of domestic mill consumption of cotton during the most recent 3 months for which official data of the Department of Agriculture are available or, in the absence of sufficient data, as estimated by the Secretary; and

(ii) the larger of—

(I) average exports of upland cotton during the preceding 6 marketing years; or

(II) cumulative exports of upland cotton plus outstanding export sales for the marketing year in which the quota is established.

(B) LIMITED GLOBAL IMPORT QUOTA.—The term ''limited global import quota'' means a quantity of imports that is not subject to the over-quota tariff rate of a tariff-rate quota.

(C) SUPPLY.—The term ''supply'' means, using the latest official data of the Department of Agriculture—

(i) the carry-over of upland cotton at the beginning of the marketing year (adjusted to 480-pound bales) in which the quota is established;

(ii) production of the current crop; and

(iii) imports to the latest date available during the marketing year.

(2) PROGRAM.—The President shall carry out an import quota program that provides that whenever the Secretary determines and announces that the average price of the base quality of upland cotton, as determined by the Secretary, in the designated spot markets for a month exceeded 130 percent of the average price of the quality of cotton in the markets for the preceding 36 months, notwithstanding any other provision of law, there shall immediately be in effect a limited global import quota subject to the following conditions:

(A) QUANTITY.—The quantity of the quota shall be equal to 21 days of domestic mill consumption of upland cotton at the seasonally adjusted average rate of the most recent 3 months for which official data of the Department of Agriculture are available or, in the absence of sufficient data, as estimated by the Secretary.

(B) QUANTITY IF PRIOR QUOTA.—If a quota has been established under this subsection during the preceding 12 months, the quantity of the quota next established under this subsection shall be the smaller of 21 days of domestic mill consumption calculated under subparagraph (A) or the quantity required to increase the supply to 130 percent of the demand.

(C) PREFERENTIAL TARIFF TREATMENT.—The quantity under a limited global import quota shall be considered to be an in-quota quantity for purposes of—

(i) section 213(d) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(d));

(ii) section 204 of the Andean Trade Preference Act (19 U.S.C. 3203);

(iii) section 503(d) of the Trade Act of 1974 (19 U.S.C. 2463(d)); and

(iv) General Note 3(a)(iv) to the Harmonized Tariff Schedule.

(D) QUOTA ENTRY PERIOD.—When a quota is established under this subsection, cotton may be entered under the quota during the 90-day period beginning on the date the quota is established by the Secretary.

(3) NO OVERLAP.—Notwithstanding paragraph (2), a quota period may not be established that overlaps an existing quota period or a special quota period established under subsection (a).

(c) ECONOMIC ADJUSTMENT ASSISTANCE TO USERS OF UPLAND COTTON.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall, on a monthly basis, make economic adjustment assistance available to domestic users of upland cotton in the form of payments for all documented use of that upland cotton during the previous monthly period regardless of the origin of the upland cotton.

(2) VALUE OF ASSISTANCE.—Effective beginning on August 1, 2013, the value of the assistance provided under paragraph (1) shall be 3 cents per pound.

(3) ALLOWABLE PURPOSES.—Economic adjustment assistance under this subsection shall be made available only to domestic users of upland cotton that certify that the assistance shall be used only to acquire, construct, install, modernize, develop, convert, or expand land, plant, buildings, equipment, facilities, or machinery.

(4) REVIEW OR AUDIT.—The Secretary may conduct such review or audit of the records of a domestic user under this subsection as the Secretary determines necessary to carry out this subsection.

(5) IMPROPER USE OF ASSISTANCE.—If the Secretary determines, after a review or audit of the records of the domestic user, that economic adjustment assistance under this subsection was not used for the purposes specified in paragraph (3), the domestic user shall be—

(A) liable for the repayment of the assistance to the Secretary, plus interest, as determined by the Secretary; and

(B) ineligible to receive assistance under this subsection for a period of 1 year following the determination of the Secretary.

SEC. 1208. SPECIAL COMPETITIVE PROVISIONS FOR EXTRA LONG STAPLE COTTON.

(a) COMPETITIVENESS PROGRAM.—Notwithstanding any other provision of law, during the period beginning on the date of enactment of this Act through July 31, 2019, the Secretary shall carry out a program—

(1) to maintain and expand the domestic use of extra long staple cotton produced in the United States;

(2) to increase exports of extra long staple cotton produced in the United States; and

(3) to ensure that extra long staple cotton produced in the United States remains competitive in world markets.

(b) PAYMENTS UNDER PROGRAM; TRIGGER.—Under the program, the Secretary shall make payments available under this section whenever—

(1) for a consecutive 4-week period, the world market price for the lowest priced competing growth of extra long staple cotton (adjusted to United States quality and location and for other factors affecting the competitiveness of such cotton), as determined by the Secretary, is below the prevailing United States price for a competing growth of extra long staple cotton; and

(2) the lowest priced competing growth of extra long staple cotton (adjusted to United States quality and location and for other factors affecting the competitiveness of such cotton), as determined by the Secretary, is less than 134 percent of the loan rate for extra long staple cotton.

(c) ELIGIBLE RECIPIENTS.—The Secretary shall make payments available under this section to domestic users of extra long staple cotton produced in the United States and exporters of extra long staple cotton produced in the United States that enter into an agreement with the Commodity Credit Corporation to participate in the program under this section.

(d) PAYMENT AMOUNT.—Payments under this section shall be based on the amount of the difference in the prices referred to in subsection (b)(1) during the fourth week of the consecutive 4-week period multiplied by the amount of documented purchases by domestic users and sales for export by exporters made in the week following such a consecutive 4-week period.

SEC. 1209. AVAILABILITY OF RECOURSE LOANS FOR HIGH MOISTURE FEED GRAINS AND SEED COTTON.

(a) HIGH MOISTURE FEED GRAINS.—

(1) DEFINITION OF HIGH MOISTURE STATE.—In this subsection, the term ''high moisture state'' means corn or grain sorghum having a moisture content in excess of Commodity Credit Corporation standards for marketing assistance loans made by the Secretary under section 1201.

(2) RECOURSE LOANS AVAILABLE.—For each of the 2014 through 2018 crops of corn and grain sorghum, the Secretary shall make available recourse loans, as determined by the Secretary, to producers on a farm that—

(A) normally harvest all or a portion of their crop of corn or grain sorghum in a high moisture state;

(B) present—

(i) certified scale tickets from an inspected, certified commercial scale, including a licensed warehouse, feedlot, feed mill, distillery, or other similar entity approved by the Secretary, pursuant to regulations issued by the Secretary; or

(ii) field or other physical measurements of the standing or stored crop in regions of the United States, as determined by the Secretary, that do not have certified commercial scales from which certified scale tickets may be obtained within reasonable proximity of harvest operation;

(C) certify that the producers on the farm were the owners of the feed grain at the time of delivery to, and that the quantity to be placed under loan under this subsection was in fact harvested on the farm and delivered to, a feedlot, feed mill, or commercial or on-farm high-moisture storage facility, or to a facility maintained by the users of corn and grain sorghum in a high moisture state; and

(D) comply with deadlines established by the Secretary for harvesting the corn or grain sorghum and submit applications for loans under this subsection within deadlines established by the Secretary.

(3) ELIGIBILITY OF ACQUIRED FEED GRAINS.—A loan under this subsection shall be made on a quantity of corn or grain sorghum of the same crop acquired by the producer equivalent to a quantity determined by multiplying—

(A) the acreage of the corn or grain sorghum in a high moisture state harvested on the farm of the producer; by

(B) the lower of the farm program payment yield used to make payments under subtitle A or the actual yield on a field, as determined by the Secretary, that is similar to the field from which the corn or grain sorghum was obtained.

(b) RECOURSE LOANS AVAILABLE FOR SEED COTTON.—For each of the 2014 through 2018 crops of upland cotton and extra long staple cotton, the Secretary shall make available recourse seed cotton loans, as determined by the Secretary, on any production.

(c) REPAYMENT RATES.—Repayment of a recourse loan made under this section shall be at the loan rate established for the commodity by the Secretary, plus interest (determined in accordance with section 163 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7283)).

SEC. 1210. ADJUSTMENTS OF LOANS.

(a) ADJUSTMENT AUTHORITY.—Subject to subsection (e), the Secretary may make appropriate

adjustments in the loan rates for any loan commodity (other than cotton) for differences in grade, type, quality, location, and other factors.

(b) MANNER OF ADJUSTMENT.—The adjustments under subsection (a) shall, to the maximum extent practicable, be made in such a manner that the average loan level for the commodity will, on the basis of the anticipated incidence of the factors, be equal to the level of support determined in accordance with this subtitle and subtitle C.

(c) ADJUSTMENT ON COUNTY BASIS.—

(1) IN GENERAL.—The Secretary may establish loan rates for a crop for producers in individual counties in a manner that results in the lowest loan rate being 95 percent of the national average loan rate, if those loan rates do not result in an increase in outlays.

(2) PROHIBITION.—Adjustments under this subsection shall not result in an increase in the national average loan rate for any year.

(d) ADJUSTMENT IN LOAN RATE FOR COTTON.—

(1) IN GENERAL.—The Secretary may make appropriate adjustments in the loan rate for cotton for differences in quality factors.

(2) TYPES OF ADJUSTMENTS.—Loan rate adjustments under paragraph (1) may include—

(A) the use of non-spot market price data, in addition to spot market price data, that would enhance the accuracy of the price information used in determining quality adjustments under this subsection;

(B) adjustments in the premiums or discounts associated with upland cotton with a staple length of 33 or above due to micronaire with the goal of eliminating any unnecessary artificial splits in the calculations of the premiums or discounts; and

(C) such other adjustments as the Secretary determines appropriate, after consultations conducted in accordance with paragraph (3).

(3) CONSULTATION WITH PRIVATE SECTOR.—

(A) PRIOR TO REVISION.—In making adjustments to the loan rate for cotton (including any review of the adjustments) as provided in this subsection, the Secretary shall consult with representatives of the United States cotton industry.

(B) INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to consultations under this subsection.

(4) REVIEW OF ADJUSTMENTS.—The Secretary may review the operation of the upland cotton quality adjustments implemented pursuant to this subsection and may make further adjustments to the administration of the loan program for upland cotton, by revoking or revising any adjustment taken under paragraph (2).

(e) RICE.—The Secretary shall not make adjustments in the loan rates for long grain rice and medium grain rice, except for differences in grade and quality (including milling yields).

Subtitle C—Sugar

SEC. 1301. SUGAR PROGRAM.

(a) CONTINUATION OF CURRENT PROGRAM AND LOAN RATES.—

(1) SUGARCANE.—Section 156(a)(5) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)(5)) is amended by striking ''the 2012 crop year'' and inserting ''each of the 2012 through 2018 crop years''.

(2) SUGAR BEETS.—Section 156(b)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(b)(2)) is amended by striking ''2012'' and inserting ''2018''.

(3) EFFECTIVE PERIOD.—Section 156(i) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(i)) is amended by striking ''2012'' and inserting ''2018''.

(b) FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR.—

(1) SUGAR ESTIMATES.—Section 359b(a)(1) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb(a)(1)) is amended by striking ''2012'' and inserting ''2018''.

(2) EFFECTIVE PERIOD.—Section 359l(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ll(a)) is amended by striking ''2012'' and inserting ''2018''.

Subtitle D—Dairy

PART I—DAIRY PRODUCER MARGIN PROTECTION AND DAIRY MARKET STABILIZATION PROGRAMS

SEC. 1401. DEFINITIONS.

In this part:

(1) ACTUAL DAIRY PRODUCER MARGIN.—The term ''actual dairy producer margin'' means the difference between the all-milk price and the average feed cost, as calculated under section 1402.

(2) ALL-MILK PRICE.—The term ''all-milk price'' means the average price received, per hundredweight of milk, by dairy producers for all milk sold to plants and dealers in the United States, as determined by the Secretary.

(3) ANNUAL PRODUCTION HISTORY.—The term ''annual production history'' means the production history determined for a participating dairy producer under section 1413(b) whenever the dairy producer purchases supplemental margin protection.

(4) AVERAGE FEED COST.—The term ''average feed cost'' means the average cost of feed used by a dairy operation to produce a hundredweight of milk, determined under section 1402 using the sum of the following:

(A) The product determined by multiplying 1.0728 by the price of corn per bushel.

(B) The product determined by multiplying 0.00735 by the price of soybean meal per ton.

(C) The product determined by multiplying 0.0137 by the price of alfalfa hay per ton.

(5) BASIC PRODUCTION HISTORY.—The term ''basic production history'' means the production history determined for a participating dairy producer under section 1413(a) for provision of basic margin protection.

(6) CONSECUTIVE TWO-MONTH PERIOD.—The term ''consecutive two-month period'' refers to the two-month period consisting of the months of January and February, March and April, May and June, July and August, September and October, or November and December, respectively.

(7) DAIRY PRODUCER.—

(A) IN GENERAL.—Subject to subparagraph (B), the term ''dairy producer'' means an individual or entity that directly or indirectly (as determined by the Secretary)—

(i) shares in the risk of producing milk; and

(ii) makes contributions (including land, labor, management, equipment, or capital) to the dairy operation of the individual or entity that are at least commensurate with the share of the individual or entity of the proceeds of the operation.

(B) ADDITIONAL OWNERSHIP STRUCTURES.—The Secretary shall determine additional ownership structures to be covered by the definition of dairy producer.

(8) HANDLER.—

(A) IN GENERAL.—The term ''handler'' means the initial individual or entity making payment to a dairy producer for milk produced in the United States and marketed for commercial use.

(B) PRODUCER-HANDLER.—The term includes a ''producer-handler'' when the producer satisfies the definition in subparagraph (A).

(9) MARGIN PROTECTION PROGRAM.—The term ''margin protection program'' means the dairy producer margin protection program required by subpart A.

(10) PARTICIPATING DAIRY PRODUCER.—The term ''participating dairy producer'' means a dairy producer that—

(A) signs up under section 1412 to participate in the margin protection program under subpart A; and

(B) as a result, also participates in the stabilization program under subpart B.

(11) STABILIZATION PROGRAM.—The term ''stabilization program'' means the dairy market stabilization program required by subpart B for all participating dairy producers.

(12) STABILIZATION PROGRAM BASE.—The term ''stabilization program base'', with respect to a participating dairy producer, means the stabilization program base calculated for the producer under section 1431(b).

(13) UNITED STATES.—The term ''United States'', in a geographical sense, means the 50 States, the District of Columbia, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, and any other territory or possession of the United States.

SEC. 1402. CALCULATION OF AVERAGE FEED COST AND ACTUAL DAIRY PRODUCER MARGINS.

(a) CALCULATION OF AVERAGE FEED COST.—The Secretary shall calculate the national average feed cost for each month using the following data:

(1) The price of corn for a month shall be the price received during that month by farmers in the United States for corn, as reported in the monthly Agricultural Prices report by the Secretary.

(2) The price of soybean meal for a month shall be the central Illinois price for soybean meal, as reported in the Market News-Monthly Soybean Meal Price Report by the Secretary.

(3) The price of alfalfa hay for a month shall be the price received during that month by farmers in the United States for alfalfa hay, as reported in the monthly Agricultural Prices report by the Secretary.

(b) CALCULATION OF ACTUAL DAIRY PRODUCER MARGINS.—

(1) MARGIN PROTECTION PROGRAM.—For use in the margin protection program under subpart A, the Secretary shall calculate the actual dairy producer margin for each consecutive two-month period by subtracting—

(A) the average feed cost for that consecutive two-month period, determined in accordance with subsection (a); from

(B) the all-milk price for that consecutive two-month period.

(2) STABILIZATION PROGRAM.—For use in the stabilization program under subpart B, the Secretary shall calculate each month the actual dairy producer margin for the preceding month by subtracting—

(A) the average feed cost for that preceding month, determined in accordance with subsection (a); from

(B) the all-milk price for that preceding month.

(3) TIME FOR CALCULATIONS.—The calculations required by paragraphs (1) and (2) shall be made as soon as practicable each month using the full month price of the applicable reference month, but in no case shall the calculation be made later than the last business day of the month.

Subpart A—Dairy Producer Margin Protection Program

SEC. 1411. ESTABLISHMENT OF DAIRY PRODUCER MARGIN PROTECTION PROGRAM.

The Secretary shall establish and administer a dairy producer margin protection program for the purpose of protecting dairy producer income by paying participating dairy producers—

(1) basic margin protection payments when actual dairy producer margins are less than the threshold levels for such payments; and

(2) supplemental margin protection payments if purchased by a participating dairy producer.

SEC. 1412. PARTICIPATION OF DAIRY PRODUCERS IN MARGIN PROTECTION PROGRAM.

(a) ELIGIBILITY.—All dairy producers in the United States are eligible to participate in the

margin protection program, except that a dairy producer must sign up with the Secretary before the producer may receive—

(1) basic margin protection payments under section 1414; and

(2) if the dairy producer purchases supplemental margin protection under section 1415, supplemental margin protection payments under such section.

(b) SIGN-UP PROCESS.—

(1) IN GENERAL.—The Secretary shall allow all interested dairy producers to sign up to participate in the margin protection program. The Secretary shall specify the manner and form by which a dairy producer must sign up to participate in the margin protection program.

(2) TREATMENT OF MULTI-PRODUCER OPERATIONS.—If a dairy operation consists of more than one dairy producer, all of the dairy producers of the operation shall be treated as a single dairy producer for purposes of—

(A) registration to receive basic margin protection and purchase supplemental margin protection;

(B) payment of the administrative fee under subsection (e) and producer premiums under section 1415; and

(C) participation in the stabilization program under subpart B.

(3) TREATMENT OF PRODUCERS WITH MULTIPLE DAIRY OPERATIONS.—If a dairy producer operates two or more dairy operations, each dairy operation of the producer shall require a separate registration to receive basic margin protection and purchase supplemental margin protection. Only those dairy operations so registered shall be subject to the stabilization program.

(c) TIME FOR SIGN UP.—

(1) EXISTING DAIRY PRODUCERS.—During the one-year period beginning on the date of the initiation of the sign-up period for the margin protection program, a dairy producer that is actively engaged in a dairy operation as of such date may sign up with the Secretary—

(A) to receive basic margin protection; and

(B) if the producer elects, to purchase supplemental margin protection.

(2) NEW ENTRANTS.—A dairy producer that has no existing interest in a dairy operation as of the date of the initiation of the sign-up period for the margin protection program, but that, after such date, establishes a new dairy operation, may sign up with the Secretary during the one year period beginning on the date on which the dairy operation first markets milk commercially—

(A) to receive basic margin protection; and

(B) if the producer elects, to purchase supplemental margin protection.

(d) RETROACTIVITY PROVISION.—

(1) NOTICE OF AVAILABILITY OF RETROACTIVE PROTECTION.—Not later than 30 days after the effective date of this subtitle, the Secretary shall publish a notice in the Federal Register to inform dairy producers of the availability of retroactive basic margin protection and retroactive supplemental margin protection, subject to the condition that interested producers must file a notice of intent (in such form and manner as the Secretary specifies in the Federal Register notice)—

(A) to participate in the margin protection program and receive basic margin protection; and

(B) at the election of the producer under paragraph (3), to also obtain supplemental margin protection.

(2) RETROACTIVE BASIC MARGIN PROTECTION.—

(A) AVAILABILITY.—If a dairy producer files a notice of intent under paragraph (1) to participate in the margin protection program before the initiation of the sign-up period for the margin protection program and subsequently signs up for the margin protection program, the producer shall receive basic margin protection retroactive to the effective date of this subtitle.

(B) DURATION.—Retroactive basic margin protection under this paragraph for a dairy producer shall apply from the effective date of this subtitle until the date on which the producer signs up for the margin protection program.

(3) RETROACTIVE SUPPLEMENTAL MARGIN PROTECTION.—

(A) AVAILABILITY.—Subject to subparagraphs (B) and (C), if a dairy producer files a notice of intent under paragraph (1) to participate in the margin protection program and obtain supplemental margin protection and subsequently signs up for the margin protection program, the producer shall receive supplemental margin protection, in addition to the basic margin protection under paragraph (2), retroactive to the effective date of this subtitle.

(B) DEADLINE FOR SUBMISSION.—A notice of intent to obtain retroactive supplemental margin protection must be filed with the Secretary no later than the earlier of the following:

(i) 150 days after the date on which the Secretary publishes the notice in the Federal Register required by paragraph (1).

(ii) The date on which the Secretary initiates the sign up period for the margin protection program.

(C) ELECTION OF COVERAGE LEVEL AND PERCENTAGE OF COVERAGE.—To be sufficient to obtain retroactive supplemental margin protection, the notice of intent to participate filed by a dairy producer must specify—

(i) a selected coverage level that is higher, in any increment of $0.50, than the payment threshold for basic margin protection specified in section 1414(b), but not to exceed $6.00; and

(ii) the percentage of coverage, subject to limits imposed in section 1415(c).

(D) DURATION.—The coverage level and percentage specified in the notice of intent to participate filed by a dairy producer shall apply from the effective date of this subtitle until the later of the following:

(i) October 1, 2013.

(ii) The date on which the Secretary initiates the sign-up period for the margin protection program.

(4) NOTICE OF INTENT AND OBLIGATION TO PARTICIPATE IN MARGIN PROTECTION PROGRAM.—In no way does filing a notice of intent under this subsection obligate a dairy producer to sign up for the margin protection program once the program rules are final, but if a producer does file a notice of intent and subsequently signs up for the margin protection program, that dairy producer is obligated to pay fees and premiums for any retroactive basic margin protection or retroactive supplemental margin protection selected in the notice of intent.

(e) ADMINISTRATIVE FEE.—

(1) ADMINISTRATIVE FEE REQUIRED.—A dairy producer shall pay an administrative fee under this subsection to sign up to participate in the margin protection program. The participating dairy producer shall pay the administrative fee annually thereafter to continue to participate in the margin protection program.

(2) FEE AMOUNT.—The administrative fee for a participating dairy producer for a calendar year is based on the pounds of milk (in millions) marketed by the dairy producer in the previous calendar year, as follows:

Pounds Marketed (in millions)	*Admin. Fee*
less than 1	*$100*
1 to 10	*$250*
more than 10 to 40	*$500*
more than 40	*$1000*

(3) DEPOSIT OF FEES.—All administrative fees collected under this subsection shall be credited to the fund or account used to cover the costs incurred to administer the margin protection program and the stabilization program and shall be available to the Secretary, subject to appropriation and until expended, for use or transfer as provided in paragraph (4).

(4) USE OF FEES.—The Secretary shall use administrative fees collected under this subsection—

(A) to cover administrative costs of the margin protection program and stabilization program; and

(B) to the extent funds remain available after operation of subparagraphs (A), to cover costs of the Department of Agriculture relating to reporting of dairy market news and to carry out section 273 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1637b).

(f) RECONSTITUTION.—The Secretary shall prohibit a dairy producer from reconstituting a dairy operation for the sole purpose of the dairy producer—

(1) receiving basic margin protection;

(2) purchasing supplemental margin protection; or

(3) avoiding participation in the stabilization program.

(g) PRIORITY CONSIDERATION.—A dairy operation that participates in the margin protection program shall be eligible to participate in the livestock gross margin for dairy program under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) only after operations that are not participating in the production margin protection program are enrolled.

SEC. 1413. PRODUCTION HISTORY OF PARTICIPATING DAIRY PRODUCERS.

(a) PRODUCTION HISTORY FOR BASIC MARGIN PROTECTION.—

(1) DETERMINATION REQUIRED.—For purposes of providing basic margin protection, the Secretary shall determine the basic production history of the dairy operation of each participating dairy producer in the margin protection program.

(2) CALCULATION.—Except as provided in paragraph (3), the basic production history of a participating dairy producer for basic margin protection is equal to the highest annual milk marketings of the dairy producer during any one of the three calendar years immediately preceding the calendar year in which the dairy producer first signed up to participate in the margin protection program.

(3) ELECTION BY NEW PRODUCERS.—If a participating dairy producer has been in operation for less than a year, the dairy producer shall elect one of the following methods for the Secretary to determine the basic production history of the dairy producer:

(A) The volume of the actual milk marketings for the months the dairy producer has been in operation extrapolated to a yearly amount.

(B) An estimate of the actual milk marketings of the dairy producer based on the herd size of the producer relative to the national rolling herd average data published by the Secretary.

(4) NO CHANGE IN PRODUCTION HISTORY FOR BASIC MARGIN PROTECTION.—Once the basic production history of a participating dairy producer is determined under paragraph (2) or (3), the basic production history shall not be subsequently changed for purposes of determining the amount of any basic margin protection payments for the dairy producer made under section 1414.

(b) ANNUAL PRODUCTION HISTORY FOR SUPPLEMENTAL MARGIN PROTECTION.—

(1) DETERMINATION REQUIRED.—For purposes of providing supplemental margin protection for a participating dairy producer that purchases supplemental margin protection for a year under section 1415, the Secretary shall determine the annual production history of the dairy operation of the dairy producer under paragraph (2).

(2) CALCULATION.—The annual production history of a participating dairy producer for a year is equal to the actual milk marketings of the dairy producer during the preceding calendar year.

(3) NEW PRODUCERS.—Subsection (a)(3) shall apply with respect to determining the annual production history of a participating dairy producer that has been in operation for less than a year.

(c) REQUIRED INFORMATION.—A participating dairy producer shall provide all information that the Secretary may require in order to establish—

(1) the basic production history of the dairy operation of the dairy producer under subsection (a); and

(2) the production history of the dairy operation of the dairy producer whenever the producer purchases supplemental margin protection under section 1415.

(d) TRANSFER OF PRODUCTION HISTORIES.—

(1) TRANSFER BY SALE OR LEASE.—In promulgating the rules to initiate the margin protection program, the Secretary shall specify the conditions under which and the manner by which the production history of a dairy operation may be transferred by sale or lease.

(2) COVERAGE LEVEL.—

(A) BASIC MARGIN PROTECTION.—A purchaser or lessee to whom the Secretary transfers a basic production history under this subsection shall not obtain a different level of basic margin protection than the basic margin protection coverage held by the seller or lessor from whom the transfer was obtained.

(B) SUPPLEMENTAL MARGIN PROTECTION.—A purchaser or lessee to whom the Secretary transfers an annual production history under this subsection shall not obtain a different level of supplemental margin protection coverage than the supplemental margin protection coverage in effect for the seller or lessor from whom the transfer was obtained for the calendar year in which the transfer was made.

(e) MOVEMENT AND TRANSFER OF PRODUCTION HISTORY.—

(1) MOVEMENT AND TRANSFER AUTHORIZED.—Subject to paragraph (2), if a dairy producer moves from one location to another location, the dairy producer may maintain the basic production history and annual production history associated with the operation.

(2) NOTIFICATION REQUIREMENT.—A dairy producer shall notify the Secretary of any move of a dairy operation under paragraph (1).

(3) SUBSEQUENT OCCUPATION OF VACATED LOCATION.—A party subsequently occupying a dairy operation location vacated as described in paragraph (1) shall have no interest in the basic production history or annual production history previously associated with the operation at such location.

SEC. 1414. BASIC MARGIN PROTECTION.

(a) ELIGIBILITY.—All participating dairy producers are eligible to receive basic margin protection under the margin protection program.

(b) PAYMENT THRESHOLD.—Participating dairy producers shall receive a basic margin protection payment whenever the average actual dairy producer margin for a consecutive two-month period is less than $4.00 per hundredweight of milk.

(c) BASIC MARGIN PROTECTION PAYMENT.—

(1) PAYMENT REQUIRED.—The Secretary shall make a basic margin protection payment to each participating dairy producer whenever such a payment is required by subsection (b).

(2) AMOUNT OF PAYMENT.—The basic margin protection payment for the dairy operation of a participating dairy producer for a consecutive two-month period shall be determined as follows:

(A) The Secretary shall calculate the difference between the average actual dairy producer margin for the consecutive two-month period and $4.00, except that, if the difference is more than $4.00, the Secretary shall use $4.00.

(B) The Secretary shall multiply the amount under subparagraph (A) by the lesser of the following:

(i) 80 percent of the production history of the dairy producer, divided by six.

(ii) The actual amount of milk marketed by the dairy operation of the dairy producer during the consecutive two-month period.

SEC. 1415. SUPPLEMENTAL MARGIN PROTECTION.

(a) ELECTION OF SUPPLEMENTAL MARGIN PROTECTION.—Supplemental margin protection is available only on an annual basis. A participating dairy producer may annually purchase supplemental margin protection to protect, during the calendar year for which purchased, a higher level of the income of a participating dairy producer than the income level guaranteed by basic margin protection under section 1414.

(b) SELECTION OF PAYMENT THRESHOLD.—A participating dairy producer purchasing supplemental margin protection for a year shall elect a coverage level that is higher, in any increment of $0.50, than the payment threshold for basic margin protection specified in section 1414(b), but not to exceed $8.00.

(c) SELECTION OF COVERAGE PERCENTAGE.—A participating dairy producer purchasing supplemental margin protection for a year shall elect a percentage of coverage equal to not more than 90 percent, nor less than 25 percent, of the annual production history of the dairy operation of the participating dairy producer.

(d) PRODUCER PREMIUMS FOR SUPPLEMENTAL MARGIN PROTECTION.—

(1) PREMIUMS REQUIRED.—A participating dairy producer that purchases supplemental margin protection shall pay an annual premium equal to the product obtained by multiplying—

(A) the percentage selected by the dairy producer under subsection (c);

(B) the annual production history of the dairy producer; and

(C) the premium per hundredweight of milk, as specified in the applicable table under paragraph (2) or (3).

(2) PREMIUM PER HUNDREDWEIGHT FOR FIRST 4 MILLION POUNDS OF PRODUCTION.—For the first 4,000,000 pounds of milk marketings included in the annual production history of a participating dairy producer, the premium per hundredweight corresponding to each coverage level specified in the following table is as follows:

Coverage Level	Premium per Cwt.
$4.50	$0.01
$5.00	$0.025
$5.50	$0.04
$6.00	$0.065
$6.50	$0.09
$7.00	$0.434
$7.50	$0.590
$8.00	$0.922

(3) PREMIUM PER HUNDREDWEIGHT FOR PRODUCTION IN EXCESS OF 4 MILLION POUNDS.—For milk marketings in excess of 4,000,000 pounds included in the annual production history of a participating dairy producer, the premium per hundredweight corresponding to each coverage level is as follows:

Coverage Level	Premium per Cwt.
$4.50	$0.015
$5.00	$0.036
$5.50	$0.081
$6.00	$0.155
$6.50	$0.230
$7.00	$0.434
$7.50	$0.590
$8.00	$0.922

(4) TIME FOR PAYMENT.—In promulgating the rules to initiate the margin protection program, the Secretary shall provide more than one method by which a participating dairy producer that purchases supplemental margin protection for a calendar year may pay the premium under this subsection for that year that maximizes producer payment flexibility and program integrity.

(e) PRODUCER'S PREMIUM OBLIGATIONS.—

(1) PRO-RATION OF PREMIUM FOR NEW PRODUCERS.—A dairy producer described in section 1412(c)(2) that purchases supplemental margin protection for a calendar year after the start of the calendar year shall pay a pro-rated premium for that calendar year based on the portion of the calendar year for which the producer purchases the coverage.

(2) LEGAL OBLIGATION.—A participating dairy producer that purchases supplemental margin protection for a calendar year shall be legally obligated to pay the applicable premium for that calendar year, except that, if the dairy producer retires, the producer may request that Secretary cancel the supplemental margin protection if the producer has terminated the dairy operation entirely and certifies under oath that the producer will not be actively engaged in any dairy operation for at least the next seven years.

(f) SUPPLEMENTAL PAYMENT THRESHOLD.—A participating dairy producer with supplemental margin protection shall receive a supplemental margin protection payment whenever the average actual dairy producer margin for a consecutive two-month period is less than the coverage level threshold selected by the dairy producer under subsection (b).

(g) SUPPLEMENTAL MARGIN PROTECTION PAYMENTS.—

(1) IN GENERAL.—The supplemental margin protection payment for a participating dairy producer is in addition to the basic margin protection payment.

(2) AMOUNT OF PAYMENT.—The supplemental margin protection payment for the dairy operation of a participating dairy producer shall be determined as follows:

(A) The Secretary shall calculate the difference between the coverage level threshold selected by the dairy producer under subsection (b) and the greater of—

(i) the average actual dairy producer margin for the consecutive two-month period; or

(ii) $4.00.

(B) The amount determined under subparagraph (A) shall be multiplied by the percentage selected by the participating dairy producer under subsection (c) and by the lesser of the following:

(i) The annual production history of the dairy operation of the dairy producer, divided by six.

(ii) The actual amount of milk marketed by the dairy operation of the dairy producer during the consecutive two-month period.

SEC. 1416. EFFECT OF FAILURE TO PAY ADMINISTRATIVE FEES OR PREMIUMS.

(a) LOSS OF BENEFITS.—A participating dairy producer that fails to pay the required administrative fee under section 1412 or is in arrears on premium payments for supplemental margin protection under section 1415—

(1) remains legally obligated to pay the administrative fee or premiums, as the case may be; and

(2) may not receive basic margin protection payments or supplemental margin protection payments until the fees or premiums are fully paid.

(b) ENFORCEMENT.—The Secretary may take such action as necessary to collect administrative fees and premium payments for supplemental margin protection.

Subpart B—Dairy Market Stabilization Program

SEC. 1431. ESTABLISHMENT OF DAIRY MARKET STABILIZATION PROGRAM.

(a) PROGRAM REQUIRED; PURPOSE.—The Secretary shall establish and administer a dairy market stabilization program applicable to participating dairy producers for the purpose of assisting in balancing the supply of milk with demand when dairy producers are experiencing low or negative operating margins.

(b) ELECTION OF STABILIZATION PROGRAM BASE CALCULATION METHOD.—

(1) ELECTION.—When a dairy producer signs up under section 1412 to participate in the margin protection program, the dairy producer shall inform the Secretary of the method by which the stabilization program base for the dairy producer for fiscal year 2013 will be calculated under paragraph (3).

(2) CHANGE IN CALCULATION METHOD.—A participating dairy producer may change the stabilization program base calculation method to be used for a calendar year by notifying the Secretary of the change not later than a date determined by the Secretary.

(3) CALCULATION METHODS.—A participating dairy producer may elect either of the following methods for calculation of the stabilization program base for the producer:

(A) The volume of the average monthly milk marketings of the dairy producer for the three months immediately preceding the announcement by the Secretary that the stabilization program will become effective.

(B) The volume of the monthly milk marketings of the dairy producer for the same month in the preceding year as the month for which the Secretary has announced the stabilization program will become effective.

SEC. 1432. THRESHOLD FOR IMPLEMENTATION AND REDUCTION IN DAIRY PRODUCER PAYMENTS.

(a) WHEN STABILIZATION PROGRAM REQUIRED.—Except as provided in subsection (b), the Secretary shall announce that the stabilization program is in effect and order reduced payments for any participating dairy producer that exceeds the applicable percentage of the producer's stabilization program base whenever—

(1) the actual dairy producer margin has been $6.00 or less per hundredweight of milk for each of the immediately preceding two months; or

(2) the actual dairy producer margin has been $4.00 or less per hundredweight of milk for the immediately preceding month.

(b) EXCEPTION.—The Secretary shall not make the announcement under subsection (a) to implement the stabilization program or order reduced payments if any of the conditions described in section 1436(b) have been met during the two months immediately preceding the month in which the announcement under subsection (a) would otherwise be made by the Secretary in the absence of this exception.

(c) EFFECTIVE DATE FOR IMPLEMENTATION OF PAYMENT REDUCTIONS.—Reductions in dairy producer payments shall commence beginning on the first day of the month immediately following the date of the announcement by the Secretary under subsection (a).

SEC. 1433. PRODUCER MILK MARKETING INFORMATION.

(a) COLLECTION OF MILK MARKETING DATA.—The Secretary shall establish, by regulation, a process to collect from participating dairy producers and handlers such information that the Secretary considers necessary for each month during which the stabilization program is in effect.

(b) REDUCE REGULATORY BURDEN.—When implementing the process under subsection (a), the Secretary shall minimize the regulatory burden on dairy producers and handlers.

SEC. 1434. CALCULATION AND COLLECTION OF REDUCED DAIRY PRODUCER PAYMENTS.

(a) REDUCED PRODUCER PAYMENTS REQUIRED.—During any month in which payment reductions are in effect under the stabilization program, each handler shall reduce payments to each participating dairy producer from whom the handler receives milk.

(b) REDUCTIONS BASED ON ACTUAL DAIRY PRODUCER MARGIN.—

(1) REDUCTION REQUIREMENT 1.—Unless the reduction required by paragraph (2) or (3) applies, when the actual dairy producer margin has been $6.00 or less per hundredweight of milk for two consecutive months, the handler shall make payments to a participating dairy producer for a month based on the greater of the following:

(A) 98 percent of the stabilization program base of the dairy producer.

(B) 94 percent of the marketings of milk for the month by the producer.

(2) REDUCTION REQUIREMENT 2.—Unless the reduction required by paragraph (3) applies, when the actual dairy producer margin has been $5.00 or less per hundredweight of milk for two consecutive months, the handler shall make payments to a participating dairy producer for a month based on the greater of the following:

(A) 97 percent of the stabilization program base of the dairy producer.

(B) 93 percent of the marketings of milk for the month by the producer.

(3) REDUCTION REQUIREMENT 3.—When the actual dairy producer margin has been $4.00 or less for any one month, the handler shall make payments to a participating dairy producer for a month based on the greater of the following:

(A) 96 percent of the stabilization program base of the dairy producer.

(B) 92 percent of the marketings of milk for the month by the producer.

(c) CONTINUATION OF REDUCTIONS.—The largest level of payment reduction required under paragraph (1), (2), or (3) of subsection (b) shall be continued for each month until the Secretary suspends the stabilization program and terminates payment reductions in accordance with section 1436.

(d) PAYMENT REDUCTION EXCEPTION.—Notwithstanding any preceding subsection of this section, a handler shall make no payment reductions for a dairy producer for a month if the producer's milk marketings for the month are equal to or less than the percentage of the stabilization program base applicable to the producer under paragraph (1), (2), or (3) of subsection (b).

SEC. 1435. REMITTING MONIES TO THE SECRETARY AND USE OF MONIES.

(a) REMITTING MONIES.—As soon as practicable after the end of each month during which payment reductions are in effect under the stabilization program, each handler shall remit to the Secretary an amount equal to the amount by which payments to participating dairy producers are reduced by the handler under section 1434.

(b) DEPOSIT OF MONIES.—All monies received under subsection (a) shall, subject to appropriation, be available to the Secetary until expended for use or transfer as provided in subsection (c).

(c) USE OF MONIES.—

(1) AVAILABILITY FOR CERTAIN COMMODITY DONATIONS.—Within three months of the receipt of monies under subsection (a), and as provided in subsection (b), Secretary shall obligate the monies for the purpose of—

(A) purchasing dairy products for donation to food banks and other programs that the Secretary determines appropriate; and

(B) expanding consumption and building demand for dairy products.

(2) NO DUPLICATION OF EFFORT.—The Secretary shall ensure that expenditures under paragraph (1) are compatible with, and do not duplicate, programs supported by the dairy research and promotion activities conducted under the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4501 et seq.).

(3) ACCOUNTING.—The Secretary shall keep an accurate account of all monies obligated under paragraph (1).

(d) ANNUAL REPORT.—Not later than December 31 of each year that the stabilization program is in effect, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that provides an accurate accounting of—

(1) the monies received by the Secretary during the preceding fiscal year under subsection (a); and

(2) all expenditures made by the Secretary under subsection (b) during the preceding fiscal year.

(e) ENFORCEMENT.—If a participating dairy producer or handler fails to remit or collect the amounts by which payments to participating dairy producers are reduced under section 1434, the producer or handler responsible for the failure shall be liable to the Secretary for the amount that should have been remitted or collected, plus interest. In addition to the enforcement authorities available under section 1437, the Secretary may enforce this subsection in the courts of the United States.

SEC. 1436. SUSPENSION OF REDUCED PAYMENT REQUIREMENT.

(a) DETERMINATION OF PRICES.—For purposes of this section:

(1) The price in the United States for cheddar cheese and nonfat dry milk shall be determined by the Secretary.

(2) The world price of cheddar cheese and skim milk powder shall be determined by the Secretary.

(b) INITIAL SUSPENSION THRESHOLDS.—The Secretary shall announce that the stabilization program shall be suspended whenever the Secretary determines that—

(1) the actual dairy producer margin is greater than $6.00 per hundredweight of milk for two consecutive months;

(2) the dairy producer margin is equal to or less than $6.00 (but greater than $5.00) for two consecutive months, and during the same two consecutive months—

(A) the price in the United States for cheddar cheese is equal to or greater than the world price of cheddar cheese; or

(B) the price in the United States for nonfat dry milk is equal to or greater than the world price of skim milk powder;

(3) the dairy producer margin is equal to or less than $5.00 (but greater than $4.00) for two consecutive months, and during the same two consecutive months—

(A) the price in the United States for cheddar cheese is more than 5 percent above the world price of cheddar cheese; or

(B) the price in the United States for nonfat dry milk is more than 5 percent above the world price of skim milk powder; or

(4) the dairy producer margin is equal to or less than $4.00 for two consecutive months, and during the same two consecutive months—

(A) the price in the United States for cheddar cheese is more than 7 percent above the world price of cheddar cheese; or

(B) the price in the United States for nonfat dry milk is more than 7 percent above the world price of skim milk powder.

(c) ENHANCED SUSPENSION THRESHOLDS.—If the stabilization program is not suspended pursuant to subsection (b) for six consecutive months or more, the stabilization program shall be suspended whenever the Secretary determines that—

(1) the actual dairy producer margin is greater than $6.00 per hundredweight of milk for two consecutive months;

(2) the dairy producer margin is equal to or less than $6.00 (but greater than $5.00) for two consecutive months, and during the same two consecutive months—

(A) the price in the United States for cheddar cheese is not less than 97 percent of the world price of cheddar cheese; or

(B) the price in the United States for non-fat dry milk is not less than 97 percent of the world price of skim milk powder;

(3) the dairy producer margin is equal to or less than $5.00 (but greater than $4.00) for two consecutive months, and during the same two consecutive months—

(A) the price in the United States for cheddar cheese is more than 3 percent above the world price of cheddar cheese; or

(B) the price in the United States for non fat dry milk is more than 3 percent above the world price of skim milk powder; or

(4) the dairy producer margin is equal to or less than $4.00 for two consecutive months, and during the same two consecutive months—

(A) the price in the United States for cheddar cheese is more than 6 percent above the world price of cheddar cheese; or

(B) the price in the United States for non fat dry milk is more than 6 percent above the world price of skim milk powder.

(d) IMPLEMENTATION BY HANDLERS.—Effective on the day after the date of the announcement by the Secretary under subsection (b) or (c) of the suspension of the stabilization program, the handler shall cease reducing payments to participating dairy producers under the stabilization program.

(e) CONDITION ON RESUMPTION OF STABILIZATION PROGRAM.—Upon the announcement by the Secretary under subsection (b) or (c) that the stabilization program has been suspended, the stabilization program may not be implemented again until, at the earliest—

(1) two months have passed, beginning on the first day of the month immediately following the announcement by the Secretary; and

(2) the conditions of section 1432(a) are again met.

SEC. 1437. ENFORCEMENT.

(a) UNLAWFUL ACT.—It shall be unlawful and a violation of the this subpart for any person subject to the stabilization program to willfully fail or refuse to provide, or delay the timely reporting of, accurate information and remittance of funds to the Secretary in accordance with this subpart.

(b) ORDER.—After providing notice and opportunity for a hearing to an affected person, the Secretary may issue an order against any person to cease and desist from continuing any violation of this subpart.

(c) APPEAL.—An order of the Secretary under subsection (b) shall be final and conclusive unless an affected person files an appeal of the order of the Secretary in United States district court not later than 30 days after the date of the issuance of the order. A finding of the Secretary in the order shall be set aside only if the finding is not supported by substantial evidence.

(d) NONCOMPLIANCE WITH ORDER.—If a person subject to this subpart fails to obey an order issued under subsection (b) after the order has become final and unappealable, or after the appropriate United States district court has entered a final judgment in favor of the Secretary, the United States may apply to the appropriate United States district court for enforcement of the order. If the court determines that the order was lawfully made and duly served and that the person violated the order, the court shall enforce the order.

SEC. 1438. AUDIT REQUIREMENTS.

(a) AUDITS OF PRODUCER AND HANDLER COMPLIANCE.—

(1) AUDITS AUTHORIZED.—If determined by the Secretary to be necessary to ensure compliance by participating dairy producers and handlers with the stabilization program, the Secretary may conduct periodic audits of participating dairy producers and handlers.

(2) SAMPLE OF DAIRY PRODUCERS.—Any audit conducted under this subsection shall include, at a minimum, investigation of a statistically valid and random sample of participating dairy producers.

(b) SUBMISSION OF RESULTS.—The Secretary shall submit the results of any audit conducted under subsection (a) to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate and include such recommendations as the Secretary considers appropriate regarding the stabilization program.

Subpart C—Commodity Credit Corporation

SEC. 1451. USE OF COMMODITY CREDIT CORPORATION.

The Secretary shall use the funds, facilities, and the authorities of the Commodity Credit Corporation to carry out this part.

Subpart D—Initiation and Duration

SEC. 1461. RULEMAKING.

(a) PROCEDURE.—The promulgation of regulations for the initiation of the margin protection program and the stabilization program, and for administration of such programs, shall be made—

(1) without regard to chapter 35 of title 44, United States Code (commonly known as the Paperwork Reduction Act);

(2) without regard to the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) subject to subsection (b), pursuant to section 553 of title 5, United States Code.

(b) SPECIAL RULEMAKING REQUIREMENTS.—

(1) INTERIM RULES PROHIBITED FOR STABILIZATION PROGRAM.—With respect to the stabilization program, the Secretary may not use the authority of subparagraph (B) of section 553(b) of title 5, United States Code, to promulgate interim rules or to otherwise avoid the requirements of such section.

(2) INTERIM RULES AUTHORIZED FOR MARGIN PROTECTION PROGRAM.—With respect to the margin protection program, the Secretary may promulgate interim rules under the authority provided in subparagraph (B) of section 553(b) of title 5, United States Code, if the Secretary determines such interim rules to be needed. Any such interim rules for the margin protection program shall be effective on publication.

(3) FINAL RULES.—

(A) IN GENERAL.—With respect to the margin protection program and stabilization program, the Secretary shall promulgate final rules, with an opportunity for public notice and comment, no later than 21 months after the date of the enactment of this Act.

(B) ADDITIONAL STABILIZATION PROGRAM REQUIREMENT.—The final rules required for the stabilization program shall include a certification by the Secretary of compliance with the requirements contained in sections 1, 3(f), and 6(a) of Executive Order 12866, as amended (Regulatory Planning and Review; 5 U.S.C. 601 note) and a detailed description of the process used by the Secretary to ensure such compliance and the issues considered, determinations made, and the grounds for those determinations in such process.

(c) INCLUSION OF ADDITIONAL ORDER.—Section 143(a)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7253(a)(2)) is amended by adding at the end the following new sentence: ''Subsection (b)(2) does not apply to the authority of the Secretary under this subsection.''.

SEC. 1462. DURATION.

The margin protection program and the stabilization program shall end on December 31, 2018.

PART II—REPEAL OR REAUTHORIZATION OF OTHER DAIRY-RELATED PROVISIONS

SEC. 1481. REPEAL OF DAIRY PRODUCT PRICE SUPPORT AND MILK INCOME LOSS CONTRACT PROGRAMS.

(a) REPEAL OF DAIRY PRODUCT PRICE SUPPORT PROGRAM.—Section 1501 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8771) is repealed.

(b) REPEAL OF MILK INCOME LOSS CONTRACT PROGRAM.—Section 1506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8773) is repealed.

SEC. 1482. REPEAL OF DAIRY EXPORT INCENTIVE PROGRAM.

(a) REPEAL.—Section 153 of the Food Security Act of 1985 (15 U.S.C. 713a–14) is repealed.

(b) CONFORMING AMENDMENTS.—Section 902(2) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201(2)) is amended—

(1) by striking subparagraph (D); and

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (D) and (E), respectively.

SEC. 1483. EXTENSION OF DAIRY FORWARD PRICING PROGRAM.

Section 1502(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8772(e)) is amended—

(1) in paragraph (1), by striking ''2012'' and inserting ''2018''; and

(2) in paragraph (2), by striking ''2015'' and inserting ''2021''.

SEC. 1484. EXTENSION OF DAIRY INDEMNITY PROGRAM.

Section 3 of Public Law 90–484 (7 U.S.C. 450l) is amended by striking ''2012'' and inserting ''2018''.

SEC. 1485. EXTENSION OF DAIRY PROMOTION AND RESEARCH PROGRAM.

Section 113(e)(2) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4504(e)(2)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 1486. REPEAL OF FEDERAL MILK MARKETING ORDER REVIEW COMMISSION.

Section 1509 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1726) is repealed.

PART III—EFFECTIVE DATE

SEC. 1491. EFFECTIVE DATE.

This subtitle and the amendments made by this subtitle shall take effect on October 1, 2013.

Subtitle E—Supplemental Agricultural Disaster Assistance Programs

SEC. 1501. SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE PRODUCER ON A FARM.—

(A) IN GENERAL.—The term ''eligible producer on a farm'' means an individual or entity described in subparagraph (B) that, as determined by the Secretary, assumes the production and market risks associated with the agricultural production of crops or livestock.

(B) DESCRIPTION.—An individual or entity referred to in subparagraph (A) is—

(i) a citizen of the United States;

(ii) a resident alien;

(iii) a partnership of citizens of the United States; or

(iv) a corporation, limited liability corporation, or other farm organizational structure organized under State law.

(2) FARM-RAISED FISH.—The term ''farm-raised fish'' means any aquatic species that is propagated and reared in a controlled environment.

(3) LIVESTOCK.—The term ''livestock'' includes—

(A) cattle (including dairy cattle);

(B) bison;

(C) poultry;

(D) sheep;

(E) swine;

(F) horses; and

(G) other livestock, as determined by the Secretary.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(b) LIVESTOCK INDEMNITY PAYMENTS.—

(1) PAYMENTS.—For each of the fiscal years 2012 through 2018, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to make livestock indemnity payments to eligible producers on farms that have incurred livestock death losses in excess of the normal mortality, as determined by the Secretary, due to—

(A) attacks by animals reintroduced into the wild by the Federal Government or protected by Federal law, including wolves and avian predators; or

(B) adverse weather, as determined by the Secretary, during the calendar year, including losses due to hurricanes, floods, blizzards, disease, wildfires, extreme heat, and extreme cold.

(2) PAYMENT RATES.—Indemnity payments to an eligible producer on a farm under paragraph (1) shall be made at a rate of 75 percent of the market value of the applicable livestock on the day before the date of death of the livestock, as determined by the Secretary.

(3) SPECIAL RULE FOR PAYMENTS MADE DUE TO DISEASE.—The Secretary shall ensure that payments made to an eligible producer under paragraph (1) are not made for the same livestock losses for which compensation is provided pursuant to section 10407(d) of the Animal Health Protection Act (7 U.S.C. 8306(d)).

(c) LIVESTOCK FORAGE DISASTER PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) COVERED LIVESTOCK.—

(i) IN GENERAL.—Except as provided in clause (ii), the term ''covered livestock'' means livestock of an eligible livestock producer that, during the 60 days prior to the beginning date of a qualifying drought or fire condition, as determined by the Secretary, the eligible livestock producer—

(I) owned;

(II) leased;

(III) purchased;

(IV) entered into a contract to purchase;

(V) is a contract grower; or

(VI) sold or otherwise disposed of due to qualifying drought conditions during—

(aa) the current production year; or

(bb) subject to paragraph (3)(B)(ii), 1 or both of the 2 production years immediately preceding the current production year.

(ii) EXCLUSION.—The term ''covered livestock'' does not include livestock that were or would have been in a feedlot, on the beginning date of the qualifying drought or fire condition, as a part of the normal business operation of the eligible livestock producer, as determined by the Secretary.

(B) DROUGHT MONITOR.—The term ''drought monitor'' means a system for classifying drought severity according to a range of abnormally dry to exceptional drought, as defined by the Secretary.

(C) ELIGIBLE LIVESTOCK PRODUCER.—

(i) IN GENERAL.—The term ''eligible livestock producer'' means an eligible producer on a farm that—

(I) is an owner, cash or share lessee, or contract grower of covered livestock that provides the pastureland or grazing land, including cash-leased pastureland or grazing land, for the livestock;

(II) provides the pastureland or grazing land for covered livestock, including cash-leased pastureland or grazing land that is physically located in a county affected by drought;

(III) certifies grazing loss; and

(IV) meets all other eligibility requirements established under this subsection.

(ii) EXCLUSION.—The term ''eligible livestock producer'' does not include an owner, cash or share lessee, or contract grower of livestock that rents or leases pastureland or grazing land owned by another person on a rate-of-gain basis.

(D) NORMAL CARRYING CAPACITY.—The term ''normal carrying capacity'', with respect to each type of grazing land or pastureland in a county, means the normal carrying capacity, as determined under paragraph (3)(D)(i), that would be expected from the grazing land or pastureland for livestock during the normal grazing period, in the absence of a drought or fire that diminishes the production of the grazing land or pastureland.

(E) NORMAL GRAZING PERIOD.—The term ''normal grazing period'', with respect to a county, means the normal grazing period during the calendar year for the county, as determined under paragraph (3)(D)(i).

(2) PROGRAM.—For each of the fiscal years 2012 through 2018, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide compensation for losses to eligible livestock producers due to grazing losses for covered livestock due to—

(A) a drought condition, as described in paragraph (3); or

(B) fire, as described in paragraph (4).

(3) ASSISTANCE FOR LOSSES DUE TO DROUGHT CONDITIONS.—

(A) ELIGIBLE LOSSES.—

(i) IN GENERAL.—An eligible livestock producer may receive assistance under this subsection only for grazing losses for covered livestock that occur on land that—

(I) is native or improved pastureland with permanent vegetative cover; or

(II) is planted to a crop planted specifically for the purpose of providing grazing for covered livestock.

(ii) EXCLUSIONS.—An eligible livestock producer may not receive assistance under this subsection for grazing losses that occur on land used for haying or grazing under the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.).

(B) MONTHLY PAYMENT RATE.—

(i) IN GENERAL.—Except as provided in clause (ii), the payment rate for assistance under this paragraph for 1 month shall, in the case of drought, be equal to 60 percent of the lesser of—

(I) the monthly feed cost for all covered livestock owned or leased by the eligible livestock producer, as determined under subparagraph (C); or

(II) the monthly feed cost calculated by using the normal carrying capacity of the eligible grazing land of the eligible livestock producer.

(ii) PARTIAL COMPENSATION.—In the case of an eligible livestock producer that sold or otherwise disposed of covered livestock due to drought conditions in 1 or both of the 2 production years immediately preceding the current production year, as determined by the Secretary, the payment rate shall be 80 percent of the payment rate otherwise calculated in accordance with clause (i).

(C) MONTHLY FEED COST.—

(i) IN GENERAL.—The monthly feed cost shall equal the product obtained by multiplying—

(I) 30 days;

(II) a payment quantity that is equal to the feed grain equivalent, as determined under clause (ii); and

(III) a payment rate that is equal to the corn price per pound, as determined under clause (iii).

(ii) FEED GRAIN EQUIVALENT.—For purposes of clause (i)(II), the feed grain equivalent shall equal—

(I) in the case of an adult beef cow, 15.7 pounds of corn per day; or

(II) in the case of any other type of weight of livestock, an amount determined by the Secretary that represents the average number of pounds of corn per day necessary to feed the livestock.

(iii) CORN PRICE PER POUND.—For purposes of clause (i)(III), the corn price per pound shall equal the quotient obtained by dividing—

(I) the higher of—

(aa) the national average corn price per bushel for the 12-month period immediately preceding March 1 of the year for which the disaster assistance is calculated; or

(bb) the national average corn price per bushel for the 24-month period immediately preceding that March 1; by

(II) 56.

(D) NORMAL GRAZING PERIOD AND DROUGHT MONITOR INTENSITY.—

(i) FSA COUNTY COMMITTEE DETERMINATIONS.—

(I) IN GENERAL.—The Secretary shall determine the normal carrying capacity and normal grazing period for each type of grazing land or pastureland in the county served by the applicable committee.

(II) CHANGES.—No change to the normal carrying capacity or normal grazing period established for a county under subclause (I) shall be made unless the change is requested by the appropriate State and county Farm Service Agency committees.

(ii) DROUGHT INTENSITY.—

(I) D2.—An eligible livestock producer that owns or leases grazing land or pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having a D2 (severe drought) intensity in any area of the county for at least 8 consecutive weeks during the normal grazing period for the county, as determined by the Secretary, shall be eligible to receive assistance under this paragraph in an amount equal to 1 monthly payment using the monthly payment rate determined under subparagraph (B).

(II) D3.—An eligible livestock producer that owns or leases grazing land or pastureland that is physically located in a county that is rated by the U.S. Drought Monitor as having at least a D3 (extreme drought) intensity in any area of the county at any time during the normal grazing period for the county, as determined by the Secretary, shall be eligible to receive assistance under this paragraph—

(aa) in an amount equal to 3 monthly payments using the monthly payment rate determined under subparagraph (B);

(bb) if the county is rated as having a D3 (extreme drought) intensity in any area of the county for at least 4 weeks during the normal grazing period for the county, or is rated as having a D4 (exceptional drought) intensity in any area of the county at any time during the normal grazing period, in an amount equal to 4 monthly payments using the monthly payment rate determined under subparagraph (B); or

(cc) if the county is rated as having a D4 (exceptional drought) intensity in any area of the county for at least 4 weeks during the normal grazing period, in an amount equal to 5 monthly payments using the monthly rate determined under subparagraph (B).

(4) ASSISTANCE FOR LOSSES DUE TO FIRE ON PUBLIC MANAGED LAND.—

(A) IN GENERAL.—An eligible livestock producer may receive assistance under this paragraph only if—

(i) the grazing losses occur on rangeland that is managed by a Federal agency; and

(ii) the eligible livestock producer is prohibited by the Federal agency from grazing the normal permitted livestock on the managed rangeland due to a fire.

(B) PAYMENT RATE.—The payment rate for assistance under this paragraph shall be equal to 50 percent of the monthly feed cost for the total number of livestock covered by the Federal lease of the eligible livestock producer, as determined under paragraph (3)(C).

(C) PAYMENT DURATION.—

(i) IN GENERAL.—Subject to clause (ii), an eligible livestock producer shall be eligible to receive assistance under this paragraph for the period—

(I) beginning on the date on which the Federal agency excludes the eligible livestock producer from using the managed rangeland for grazing; and

(II) ending on the last day of the Federal lease of the eligible livestock producer.

(ii) LIMITATION.—An eligible livestock producer may only receive assistance under this paragraph for losses that occur on not more than 180 days per year.

(5) NO DUPLICATIVE PAYMENTS.—An eligible livestock producer may elect to receive assistance for grazing or pasture feed losses due to drought conditions under paragraph (3) or fire under paragraph (4), but not both for the same loss, as determined by the Secretary.

(d) EMERGENCY ASSISTANCE FOR LIVESTOCK, HONEY BEES, AND FARM-RAISED FISH.—

(1) IN GENERAL.—For each of the fiscal years 2012 through 2018, the Secretary shall use not more than $20,000,000 of the funds of the Commodity Credit Corporation to provide emergency relief to eligible producers of livestock, honey bees, and farm-raised fish to aid in the reduction of losses due to disease (including cattle tick fever), adverse weather, or other conditions, such as blizzards and wildfires, as determined by the Secretary, that are not covered under subsection (b) or (c).

(2) USE OF FUNDS.—Funds made available under this subsection shall be used to reduce losses caused by feed or water shortages, disease, or other factors as determined by the Secretary.

(3) AVAILABILITY OF FUNDS.—Any funds made available under this subsection shall remain available until expended.

(e) TREE ASSISTANCE PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE ORCHARDIST.—The term ''eligible orchardist'' means a person that produces annual crops from trees for commercial purposes.

(B) NATURAL DISASTER.—The term ''natural disaster'' means plant disease, insect infestation, drought, fire, freeze, flood, earthquake, lightning, or other occurrence, as determined by the Secretary.

(C) NURSERY TREE GROWER.—The term ''nursery tree grower'' means a person who produces nursery, ornamental, fruit, nut, or Christmas trees for commercial sale, as determined by the Secretary.

(D) TREE.—The term ''tree'' includes a tree, bush, and vine.

(2) ELIGIBILITY.—

(A) LOSS.—Subject to subparagraph (B), for each of the fiscal years 2012 through 2018, the Secretary shall use such sums as are necessary of the funds of the Commodity Credit Corporation to provide assistance—

(i) under paragraph (3) to eligible orchardists and nursery tree growers that planted trees for commercial purposes but lost the trees as a result of a natural disaster, as determined by the Secretary; and

(ii) under paragraph (3)(B) to eligible orchardists and nursery tree growers that have a production history for commercial purposes on planted or existing trees but lost the trees as a result of a natural disaster, as determined by the Secretary.

(B) LIMITATION.—An eligible orchardist or nursery tree grower shall qualify for assistance under subparagraph (A) only if the tree mortality of the eligible orchardist or nursery tree grower, as a result of damaging weather or related condition, exceeds 15 percent (adjusted for normal mortality).

(3) ASSISTANCE.—Subject to paragraph (4), the assistance provided by the Secretary to eligible orchardists and nursery tree growers for losses described in paragraph (2) shall consist of—

(A)(i) reimbursement of 65 percent of the cost of replanting trees lost due to a natural disaster, as determined by the Secretary, in excess of 15 percent mortality (adjusted for normal mortality); or

(ii) at the option of the Secretary, sufficient seedlings to reestablish a stand; and

(B) reimbursement of 50 percent of the cost of pruning, removal, and other costs incurred by an eligible orchardist or nursery tree grower to salvage existing trees or, in the case of tree mortality, to prepare the land to replant trees as a result of damage or tree mortality due to a natural disaster, as determined by the Secretary, in excess of 15 percent damage or mortality (adjusted for normal tree damage and mortality).

(4) LIMITATIONS ON ASSISTANCE.—

(A) DEFINITIONS OF LEGAL ENTITY AND PERSON.—In this paragraph, the terms ''legal entity'' and ''person'' have the meaning given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(B) AMOUNT.—The total amount of payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under this subsection may not exceed $125,000 for any crop year, or an equivalent value in tree seedlings.

(C) ACRES.—The total quantity of acres planted to trees or tree seedlings for which a person or legal entity shall be entitled to receive payments under this subsection may not exceed 500 acres.

(f) PAYMENT LIMITATIONS.—

(1) DEFINITIONS OF LEGAL ENTITY AND PERSON.—In this subsection, the terms ''legal entity'' and ''person'' have the meaning given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(2) AMOUNT.—The total amount of disaster assistance payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under this section (excluding payments received under subsection (e)) may not exceed $125,000 for any crop year.

(3) DIRECT ATTRIBUTION.—Subsections (e) and (f) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) or any successor provisions relating to direct attribution shall apply with respect to assistance provided under this section.

Subtitle F—Administration

SEC. 1601. ADMINISTRATION GENERALLY.

(a) USE OF COMMODITY CREDIT CORPORATION.—The Secretary of Agriculture shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this title.

(b) DETERMINATIONS BY SECRETARY.—A determination made by the Secretary under this title shall be final and conclusive.

(c) REGULATIONS.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, not later than 90 days after the date of enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall promulgate such regulations as are necessary to implement this title and the amendments made by this title.

(2) PROCEDURE.—The promulgation of the regulations and administration of this title and the amendments made by this title and sections 11003 and 11016 of this Act shall be made—

(A) pursuant to section 553 of title 5, United States Code, including by interim rules effective on publication under the authority provided in subparagraph (B) of subsection (b) of such section if the Secretary determines such interim rules to be needed and final rules, with an opportunity for notice and comment, no later than 21 months after the date of the enactment of this Act;

(B) without regard to chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act''); and

(C) without regard to the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking.

(d) ADJUSTMENT AUTHORITY RELATED TO TRADE AGREEMENTS COMPLIANCE.—

(1) REQUIRED DETERMINATION; ADJUSTMENT.—If the Secretary determines that expenditures under this title that are subject to the total allowable domestic support levels under the Uruguay Round Agreements (as defined in section 2 of the Uruguay Round Agreements Act (19 U.S.C. 3501)) will exceed the allowable levels for any applicable reporting period, the Secretary shall, to the maximum extent practicable, make adjustments in the amount of the expenditures during that period to ensure that the expenditures do not exceed the allowable levels.

(2) CONGRESSIONAL NOTIFICATION.—Before making any adjustment under paragraph (1), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the determination made under that paragraph and the extent of the adjustment to be made.

SEC. 1602. SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITY.

(a) AGRICULTURAL ADJUSTMENT ACT OF 1938.—The following provisions of the Agricultural Adjustment Act of 1938 shall not be applicable to the 2014 through 2018 crops of covered commodities (as defined in section 1104), cotton, and sugar and shall not be applicable to milk during the period beginning on the date of enactment of this Act through December 31, 2018:

(1) Parts II through V of subtitle B of title III (7 U.S.C. 1326 et seq.).

(2) In the case of upland cotton, section 377 (7 U.S.C. 1377).

(3) Subtitle D of title III (7 U.S.C. 1379a et seq.).

(4) Title IV (7 U.S.C. 1401 et seq.).

(b) AGRICULTURAL ACT OF 1949.—The following provisions of the Agricultural Act of 1949 shall not be applicable to the 2013 through 2018 crops of covered commodities (as defined in section 1104), cotton, and sugar and shall not be applicable to milk during the period beginning on the date of enactment of this Act and through December 31, 2018:

(1) Section 101 (7 U.S.C. 1441).

(2) Section 103(a) (7 U.S.C. 1444(a)).

(3) Section 105 (7 U.S.C. 1444b).

(4) Section 107 (7 U.S.C. 1445a).

(5) Section 110 (7 U.S.C. 1445e).

(6) Section 112 (7 U.S.C. 1445g).

(7) Section 115 (7 U.S.C. 1445k).

(8) Section 201 (7 U.S.C. 1446).

(9) Title III (7 U.S.C. 1447 et seq.).

(10) Title IV (7 U.S.C. 1421 et seq.), other than sections 404, 412, and 416 (7 U.S.C. 1424, 1429, and 1431).

(11) Title V (7 U.S.C. 1461 et seq.).

(12) Title VI (7 U.S.C. 1471 et seq.).

(c) SUSPENSION OF CERTAIN QUOTA PROVISIONS.—The joint resolution entitled ''A joint

resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended'', approved May 26, 1941 (7 U.S.C. 1330, 1340), shall not be applicable to the crops of wheat planted for harvest in the calendar years 2014 through 2018.

SEC. 1603. PAYMENT LIMITATIONS.

(a) IN GENERAL.—Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended by striking subsections (b) and (c) and inserting the following:

''(b) LIMITATION ON PAYMENTS FOR COVERED COMMODITIES (OTHER THAN PEANUTS).—

''(1) IN GENERAL.—The total amount of payments received, directly or indirectly, by a person or legal entity (except a joint venture or general partnership) for any crop year under section 1101(c) of the Federal Agriculture Reform and Risk Management Act of 2013 and subsections (b) and (c) of section 1107 of such Act (other than peanuts) may not exceed $125,000.

''(2) ADDITIONAL LIMITATION ON PAYMENTS RELATED TO UPLAND COTTON.—The total amount of direct payments received, directly or indirectly, by a person or legal entity (except a joint venture or a general partnership) for each of the 2014 and 2015 crop years under section 1101(c) of the Federal Agriculture Reform and Risk Management Act of 2013 may not exceed $40,000.

''(c) LIMITATION ON PAYMENTS FOR PEANUTS.—The total amount of payments received, directly or indirectly, by a person or legal entity (except a joint venture or general partnership) for any crop year under subtitle A of title I of the Federal Agriculture Reform and Risk Management Act of 2013 for peanuts may not exceed $125,000.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 1001(f) of the Food Security Act of 1985 (7 U.S.C. 1308(f)) is amended by striking ''or title XII'' each place it appears in paragraphs (5)(A) and (6)(A) and inserting '', title I of the Federal Agriculture Reform and Risk Management Act of 2013, or title XII''.

(2) Section 1001C(a) of the Food Security Act of 1985 (7 U.S.C. 1308–3(a)) is amended by inserting ''title I of the Federal Agriculture Reform and Risk Management Act of 2013,'' after ''2008,''.

(c) APPLICATION.—The amendments made by this section shall apply beginning with the 2014 crop year.

SEC. 1604. ADJUSTED GROSS INCOME LIMITATION.

(a) LIMITATIONS AND COVERED BENEFITS.—Section 1001D(b) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(b)) is amended—

(1) in the subsection heading, by striking ''LIMITATIONS'' and inserting ''LIMITATIONS ON COMMODITY AND CONSERVATION PROGRAMS'';

(2) by striking paragraphs (1) and (2) and inserting the following new paragraphs:

''(1) LIMITATION.—Notwithstanding any other provision of law, a person or legal entity shall not be eligible to receive any benefit described in paragraph (2) during a crop, fiscal, or program year, as appropriate, if the average adjusted gross income of the person or legal entity exceeds $950,000.

''(2) COVERED BENEFITS.—Paragraph (1) applies with respect to a payment or benefit under subtitle A, B, or E of title I, or title II of the Federal Agriculture Reform and Risk Management Act of 2013, title II of the Farm Security and Rural Investment Act of 2002, title II of the Food, Conservation, and Energy Act of 2008, title XII of the Food Security Act of 1985, section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)), or section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).''.

(b) ELIMINATION OF UNUSED DEFINITIONS.—Paragraph (1) of section 1001D(a) of the Food Security Act of 1985 (7 U.S.C. 1308–3a(a)) is amended to read as follows:

''(1) AVERAGE ADJUSTED GROSS INCOME.—In this section, the term 'average adjusted gross income', with respect to a person or legal entity, means the average of the adjusted gross income or comparable measure of the person or legal entity over the 3 taxable years preceding the most immediately preceding complete taxable year, as determined by the Secretary.''.

(c) INCOME DETERMINATION.—Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–3a) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d), (e), and (f) as subsections (c), (d), and (e), respectively.

(d) CONFORMING AMENDMENTS.—Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–3a) is amended—

(1) in subsection (a)(2)—

(A) by striking ''subparagraph (A) or (B) of''; and

(B) by striking '', the average adjusted gross farm income, and the average adjusted gross nonfarm income'';

(2) in subsection (a)(3), by striking '', average adjusted gross farm income, and average adjusted gross nonfarm income'' both places it appears;

(3) in subsection (c) (as redesignated by subsection (c)(2) of this section)—

(A) in paragraph (1), by striking '', average adjusted gross farm income, and average adjusted gross nonfarm income'' both places it appears; and

(B) in paragraph (2), by striking ''paragraphs (1)(C) and (2)(B) of subsection (b)'' and inserting ''subsection (b)(2)''; and

(4) in subsection (d) (as redesignated by subsection (c)(2) of this section)—

(A) by striking ''paragraphs (1)(C) and (2)(B) of subsection (b)'' and inserting ''subsection (b)(2)''; and

(B) by striking '', average adjusted gross farm income, or average adjusted gross nonfarm income''.

(e) EFFECTIVE PERIOD.—Subsection (e) of section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–3a), as redesignated by subsection (c)(2) of this section, is amended by striking ''2009 through 2012'' and inserting ''2014 through 2018''.

(f) LIMITATION ON APPLICABILITY.—Section 1001(d) of the Food Security Act of 1985 (7 U.S.C. 1308) is amended by inserting before the period at the end the following: ''or title I of the Federal Agriculture Reform and Risk Management Act of 2013''.

(g) TRANSITION.—Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308–3a), as in effect on the day before the date of the enactment of this Act, shall apply with respect to the 2013 crop, fiscal, or program year, as appropriate, for each program described in paragraphs (1)(C) and (2)(B) of subsection (b) of that section (as so in effect on that day).

SEC. 1605. GEOGRAPHICALLY DISADVANTAGED FARMERS AND RANCHERS.

Section 1621(d) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8792(d)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 1606. PERSONAL LIABILITY OF PRODUCERS FOR DEFICIENCIES.

Section 164 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7284) is amended by striking ''and title I of the Food, Conservation, and Energy Act of 2008'' each place it appears and inserting ''title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702 et seq.), and title I of the Federal Agriculture Reform and Risk Management Act of 2013''.

SEC. 1607. PREVENTION OF DECEASED INDIVIDUALS RECEIVING PAYMENTS UNDER FARM COMMODITY PROGRAMS.

(a) RECONCILIATION.—At least twice each year, the Secretary shall reconcile social security numbers of all individuals who receive payments under this title, whether directly or indirectly, with the Commissioner of Social Security to determined if the individuals are alive.

(b) PRECLUSION.—The Secretary shall preclude the issuance of payments to, and on behalf of, deceased individuals that were not eligible for payments.

SEC. 1608. TECHNICAL CORRECTIONS.

(a) MISSING PUNCTUATION.—Section 359f(c)(1)(B) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ff(c)(1)(B)) is amended by adding a period at the end.

(b) ERRONEOUS CROSS REFERENCE.—

(1) AMENDMENT.—Section 1603(g) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1739) is amended in paragraphs (2) through (6) and the amendments made by those paragraphs by striking ''1703(a)'' each place it appears and inserting ''1603(a)''.

(2) EFFECTIVE DATE.—This subsection and the amendments made by this subsection take effect as if included in the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1651).

(c) CONTINUED APPLICABILITY OF APPROPRIATIONS GENERAL PROVISION.—Section 767 of division A of Public Law 108–7 (7 U.S.C. 7911 note; 117 Stat. 48) is amended—

(1) in subsection (a)—

(A) by striking ''sections 1101 and 1102 of Public Law 107–171'' and inserting ''subtitle A of title I of the Federal Agriculture Reform and Risk Management Act of 2013''; and

(B) by striking ''such section 1102'' and inserting ''such subtitle''; and

(2) by striking subsection (b) and inserting the following new subsection:

''(b) This section, as amended by section 1608(c) of the Federal Agriculture Reform and Risk Management Act of 2013, shall take effect beginning with the 2014 crop year.''.

SEC. 1609. ASSIGNMENT OF PAYMENTS.

(a) IN GENERAL.—The provisions of section 8(g) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(g)), relating to assignment of payments, shall apply to payments made under this title.

(b) NOTICE.—The producer making the assignment, or the assignee, shall provide the Secretary with notice, in such manner as the Secretary may require, of any assignment made under this section.

SEC. 1610. TRACKING OF BENEFITS.

As soon as practicable after the date of enactment of this Act, the Secretary may track the benefits provided, directly or indirectly, to individuals and entities under titles I and II and the amendments made by those titles.

SEC. 1611. SIGNATURE AUTHORITY.

(a) IN GENERAL.—In carrying out this title and title II and amendments made by those titles, if the Secretary approves a document, the Secretary shall not subsequently determine the document is inadequate or invalid because of the lack of authority of any person signing the document on behalf of the applicant or any other individual, entity, general partnership, or joint venture, or the documents relied upon were determined inadequate or invalid, unless the person signing the program document knowingly and willfully falsified the evidence of signature authority or a signature.

(b) AFFIRMATION.—

(1) IN GENERAL.—Nothing in this section prohibits the Secretary from asking a proper party to affirm any document that otherwise would be considered approved under subsection (a).

(2) NO RETROACTIVE EFFECT.—A denial of benefits based on a lack of affirmation under paragraph (1) shall not be retroactive with respect to third-party producers who were not the subject of the erroneous representation of authority, if the third-party producers—

(A) relied on the prior approval by the Secretary of the documents in good faith; and

(B) substantively complied with all program requirements.

SEC. 1612. IMPLEMENTATION.

(a) STREAMLINING.—In implementing this title, the Secretary shall, to the maximum extent practicable—

(1) seek to reduce administrative burdens and costs to producers by streamlining and reducing paperwork, forms, and other administrative requirements;

(2) improve coordination, information sharing, and administrative work with the Risk Management Agency and the Natural Resources Conservation Service; and

(3) take advantage of new technologies to enhance efficiency and effectiveness of program delivery to producers.

(b) MAINTENANCE OF BASE ACRES AND PAYMENT YIELDS.—

(1) IN GENERAL.—The Secretary shall maintain through September 30, 2018, for each covered commodity and upland cotton, base acres and payment yields on a farm established under—

(A)(i) in the case of covered commodities and upland cotton, sections 1101 and 1102 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7911, 7912); and

(ii) in the case of peanuts, section 1302 of that Act (7 U.S.C. 7952); and

(B)(i) in the case of covered commodities and upland cotton, sections 1101 and 1102 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8711, 8712); and

(ii) in the case of peanuts, section 1302 of that Act (7 U.S.C. 8752).

(2) SPECIAL RULE FOR LONG GRAIN AND MEDIUM GRAIN RICE.—

(A) IN GENERAL.—The Secretary shall maintain separate base acres for long grain rice and medium grain rice.

(B) LIMITATION.—In carrying out this paragraph, the Secretary shall use the same total base acres and payment yields established with respect to rice under sections 1108 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8718), as in effect on the day before the date of enactment of this Act, subject to any adjustment under section 1105.

(c) IMPLEMENTATION.—The Secretary shall make available to the Farm Service Agency to carry out this title $100,000,000.

SEC. 1613. PROTECTION OF PRODUCER INFORMATION.

(a) PROHIBITION OF PUBLIC DISCLOSURE OF PROTECTED INFORMATION.—Except as provided in subsection (b), the Secretary, any officer or employee of the Department of Agriculture, any contractor or cooperator of the Department, and any officer or employee of another Federal agency shall not disclose—

(1) information submitted by a producer or owner of agricultural land to the Federal Government pursuant to title I or II of this Act; or

(2) other information provided by a producer or owner of agricultural land concerning the agricultural operation, farming or conservation practices, or the land itself in order to participate in programs of the Department of Agriculture or other Federal agencies.

(b) EXCEPTIONS.—Information described in subsection (a) may be disclosed if—

(1) the information is required to be made publicly available under any other provision of Federal law;

(2) the producer or owner of agricultural land who provided the information has lawfully publicly disclosed the information;

(3) the producer or owner of agricultural land who provided the information consents to the disclosure; or

(4) the information is disclosed to the Attorney General, to the extent necessary, to ensure compliance and law enforcement.

(c) NOTICE OF DISCLOSURE.—Any disclosure of information pursuant to an exception provided in subsection (b) shall be reported to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate within 24 hours after the disclosure.

(d) PRODUCER DEFINED.—In this section, the term ''producer'' has the meaning given that term in section 1104(14) of this Act.

TITLE II—CONSERVATION

Subtitle A—Conservation Reserve Program

SEC. 2001. EXTENSION AND ENROLLMENT REQUIREMENTS OF CONSERVATION RESERVE PROGRAM.

(a) EXTENSION.—Section 1231(a) of the Food Security Act of 1985 (16 U.S.C. 3831(a)) is amended by striking ''2012'' and inserting ''2018''.

(b) ELIGIBLE LAND.—Section 1231(b) of the Food Security Act of 1985 (16 U.S.C. 3831(b)) is amended—

(1) in paragraph (1)(B), by striking ''the date of enactment of the Food, Conservation, and Energy Act of 2008'' and inserting ''the date of the enactment of the Federal Agriculture Reform and Risk Management Act of 2013'';

(2) by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(3) by inserting before paragraph (4) the following new paragraph:

''(3) grasslands that—

''(A) contain forbs or shrubland (including improved rangeland and pastureland) for which grazing is the predominant use;

''(B) are located in an area historically dominated by grasslands; and

''(C) could provide habitat for animal and plant populations of significant ecological value if the land is retained in its current use or restored to a natural condition;'';

(4) in paragraph (4)(C), by striking ''filterstrips devoted to trees or shrubs'' and inserting ''filterstrips or riparian buffers devoted to trees, shrubs, or grasses''; and

(5) by striking paragraph (5) and inserting the following new paragraph:

''(5) the portion of land in a field not enrolled in the conservation reserve in a case in which—

''(A) more than 50 percent of the land in the field is enrolled as a buffer or filterstrip, or more than 75 percent of the land in the field is enrolled as a conservation practice other than as a buffer or filterstrip; and

''(B) the remainder of the field is—

''(i) infeasible to farm; and

''(ii) enrolled at regular rental rates.''.

(c) PLANTING STATUS OF CERTAIN LAND.—Section 1231(c) of the Food Security Act of 1985 (16 U.S.C. 3831(c)) is amended by striking ''if'' and all that follows through the period at the end and inserting ''if, during the crop year, the land was devoted to a conserving use.''.

(d) ENROLLMENT.—Subsection (d) of section 1231 of the Food Security Act of 1985 (16 U.S.C. 3831) is amended to read as follows:

''(d) ENROLLMENT.—

''(1) MAXIMUM ACREAGE ENROLLED.—The Secretary may maintain in the conservation reserve at any one time during—

''(A) fiscal year 2014, no more than 27,500,000 acres;

''(B) fiscal year 2015, no more than 26,000,000 acres;

''(C) fiscal year 2016, no more than 25,000,000 acres;

''(D) fiscal year 2017, no more than 24,000,000 acres; and

''(E) fiscal year 2018, no more than 24,000,000 acres.

''(2) GRASSLANDS.—

''(A) LIMITATION.—For purposes of applying the limitations in paragraph (1), no more than 2,000,000 acres of the land described in subsection (b)(3) may be enrolled in the program at any one time during the 2014 through 2018 fiscal years.

''(B) PRIORITY.—In enrolling acres under subparagraph (A), the Secretary may give priority to land with expiring conservation reserve program contracts.

''(C) METHOD OF ENROLLMENT.—In enrolling acres under subparagraph (A), the Secretary shall make the program available to owners or operators of eligible land on a continuous enrollment basis with one or more ranking periods.''.

(e) DURATION OF CONTRACT.—Section 1231(e) of the Food Security Act of 1985 (16 U.S.C. 3831(e)) is amended by striking paragraphs (2) and (3) and inserting the following new paragraph:

''(2) SPECIAL RULE FOR CERTAIN LAND.—In the case of land devoted to hardwood trees, shelterbelts, windbreaks, or wildlife corridors under a contract entered into under this subchapter, the owner or operator of the land may, within the limitations prescribed under paragraph (1), specify the duration of the contract.''.

(f) CONSERVATION PRIORITY AREAS.—Section 1231(f) of the Food Security Act of 1985 (16 U.S.C. 3831(f)) is amended—

(1) in paragraph (1), by striking ''watershed areas of the Chesapeake Bay Region, the Great Lakes Region, the Long Island Sound Region, and other'';

(2) in paragraph (2), by striking ''WATERSHEDS.—Watersheds'' and inserting ''AREAS.—Areas''; and

(3) in paragraph (3), by striking ''a watershed's designation—'' and all that follows through the period at the end and inserting ''an area's designation if the Secretary finds that the area no longer contains actual and significant adverse water quality or habitat impacts related to agricultural production activities.''.

SEC. 2002. FARMABLE WETLAND PROGRAM.

(a) EXTENSION.—Section 1231B(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3831b(a)(1)) is amended—

(1) by striking ''2012'' and inserting ''2018''; and

(2) by striking ''a program'' and inserting ''a farmable wetland program''.

(b) ELIGIBLE ACREAGE.—Section 1231B(b)(1)(B) of the Food Security Act of 1985 (16 U.S.C. 3831b(b)(1)(B)) is amended by striking ''flow from a row crop agriculture drainage system'' and inserting ''surface and subsurface flow from row crop agricultural production''.

(c) ACREAGE LIMITATION.—Section 1231B(c)(1)(B) of the Food Security Act of 1985 (16 U.S.C. 3831b(c)(1)(B)) is amended by striking ''1,000,000'' and inserting ''750,000''.

(d) CLERICAL AMENDMENT.—The heading of section 1231B of the Food Security Act of 1985 (16 U.S.C. 3831b) is amended to read as follows: ''**farmable wetland program**''.

SEC. 2003. DUTIES OF OWNERS AND OPERATORS.

(a) LIMITATION ON HARVESTING, GRAZING, OR COMMERCIAL USE OF FORAGE.—Section 1232(a)(8) of the Food Security Act of 1985 (16 U.S.C. 3832(a)(8)) is amended by striking ''except that'' and all that follows through the semicolon at the end of the paragraph and inserting ''except as provided in subsection (b) or (c) of section 1233;''.

(b) CONSERVATION PLAN REQUIREMENTS.—Subsection (b) of section 1232 of the Food Security Act of 1985 (16 U.S.C. 3832) is amended to read as follows:

''(b) CONSERVATION PLANS.—The plan referred to in subsection (a)(1) shall set forth—

''(1) the conservation measures and practices to be carried out by the owner or operator during the term of the contract; and

''(2) the commercial use, if any, to be permitted on the land during the term.''.

(c) RENTAL PAYMENT REDUCTION.—Section 1232 of the Food Security Act of 1985 (16 U.S.C. 3832) is amended by striking subsection (d).

SEC. 2004. DUTIES OF THE SECRETARY.

Section 1233 of the Food Security Act of 1985 (16 U.S.C. 3833) is amended to read as follows:

"SEC. 1233. DUTIES OF THE SECRETARY.

''(a) COST-SHARE AND RENTAL PAYMENTS.—In return for a contract entered into by an owner or operator under the conservation reserve program, the Secretary shall—

''(1) share the cost of carrying out the conservation measures and practices set forth in the contract for which the Secretary determines that cost sharing is appropriate and in the public interest; and

''(2) for a period of years not in excess of the term of the contract, pay an annual rental payment in an amount necessary to compensate for—

''(A) the conversion of highly erodible cropland or other eligible lands normally devoted to the production of an agricultural commodity on a farm or ranch to a less intensive use;

''(B) the retirement of any base history that the owner or operator agrees to retire permanently; and

''(C) the development and management of grasslands for multiple natural resource conservation benefits, including to soil, water, air, and wildlife.

''(b) SPECIFIED ACTIVITIES PERMITTED.—The Secretary shall permit certain activities or commercial uses of land that is subject to a contract under the conservation reserve program in a manner that is consistent with a plan approved by the Secretary, as follows:

''(1) Harvesting, grazing, or other commercial use of the forage in response to a drought or other emergency created by a natural disaster, without any reduction in the rental rate.

''(2) Consistent with the conservation of soil, water quality, and wildlife habitat (including habitat during nesting seasons for birds in the area), and in exchange for a reduction of not less than 25 percent in the annual rental rate for the acres covered by the authorized activity—

''(A) managed harvesting and other commercial use (including the managed harvesting of biomass), except that in permitting managed harvesting, the Secretary, in coordination with the State technical committee—

''(i) shall develop appropriate vegetation management requirements; and

''(ii) shall identify periods during which managed harvesting may be conducted, such that the frequency is not more than once every three years;

''(B) routine grazing or prescribed grazing for the control of invasive species, except that in permitting such routine grazing or prescribed grazing, the Secretary, in coordination with the State technical committee—

''(i) shall develop appropriate vegetation management requirements and stocking rates for the land that are suitable for continued routine grazing; and

''(ii) shall identify the periods during which routine grazing may be conducted, such that the frequency is not more than once every two years, taking into consideration regional differences such as—

''(I) climate, soil type, and natural resources;

''(II) the number of years that should be required between routine grazing activities; and

''(III) how often during a year in which routine grazing is permitted that routine grazing should be allowed to occur; and

''(C) the installation of wind turbines and associated access, except that in permitting the installation of wind turbines, the Secretary shall determine the number and location of wind turbines that may be installed, taking into account—

''(i) the location, size, and other physical characteristics of the land;

''(ii) the extent to which the land contains wildlife and wildlife habitat; and

''(iii) the purposes of the conservation reserve program under this subchapter.

''(3) The intermittent and seasonal use of vegetative buffer practices incidental to agricultural production on lands adjacent to the buffer such that the permitted use does not destroy the permanent vegetative cover.

''(c) AUTHORIZED ACTIVITIES ON GRASSLANDS.—For eligible land described in section 1231(b)(3), the Secretary shall permit the following activities:

''(1) Common grazing practices, including maintenance and necessary cultural practices, on the land in a manner that is consistent with maintaining the viability of grassland, forb, and shrub species appropriate to that locality.

''(2) Haying, mowing, or harvesting for seed production, subject to appropriate restrictions during the nesting season for critical bird species in the area.

''(3) Fire presuppression, fire-related rehabilitation, and construction of fire breaks.

''(4) Grazing-related activities, such as fencing and livestock watering.

''(d) RESOURCE CONSERVING USE.—

''(1) IN GENERAL.—Beginning on the date that is 1 year before the date of termination of a contract under the program, the Secretary shall allow an owner or operator to make conservation and land improvements that facilitate maintaining protection of enrolled land after expiration of the contract.

''(2) CONSERVATION PLAN.—The Secretary shall require an owner or operator carrying out the activities described in paragraph (1) to develop and implement a conservation plan.

''(3) RE-ENROLLMENT PROHIBITED.—Land improved under paragraph (1) may not be re-enrolled in the conservation reserve program for 5 years after the date of termination of the contract.''.

SEC. 2005. PAYMENTS.

(a) TREES, WINDBREAKS, SHELTERBELTS, AND WILDLIFE CORRIDORS.—Section 1234(b)(3)(A) of the Food Security Act of 1985 (16 U.S.C. 3834(b)(3)(A)) is amended—

(1) in clause (i), by inserting ''and'' after the semicolon;

(2) by striking clause (ii); and

(3) by redesignating clause (iii) as clause (ii).

(b) ANNUAL RENTAL PAYMENTS.—Section 1234(c) of the Food Security Act of 1985 (16 U.S.C. 3834(c)) is amended—

(1) in paragraph (1), by inserting ''or other eligible lands'' after ''highly erodible cropland'' both places it appears; and

(2) by striking paragraph (2) and inserting the following new paragraph:

''(2) METHODS OF DETERMINATION.—

''(A) IN GENERAL.—The amounts payable to owners or operators in the form of rental payments under contracts entered into under this subchapter may be determined through—

''(i) the submission of bids for such contracts by owners and operators in such manner as the Secretary may prescribe; or

''(ii) such other means as the Secretary determines are appropriate.

''(B) GRASSLANDS.—In the case of eligible land described in section 1231(b)(3), the Secretary shall make annual payments in an amount that is not more than 75 percent of the grazing value of the land covered by the contract.''.

(c) PAYMENT SCHEDULE.—Subsection (d) of section 1234 of the Food Security Act of 1985 (16 U.S.C. 3834) is amended to read as follows:

''(d) PAYMENT SCHEDULE.—

''(1) IN GENERAL.—Except as otherwise provided in this section, payments under this subchapter shall be made in cash in such amount and on such time schedule as is agreed on and specified in the contract.

''(2) ADVANCE PAYMENT.—Payments under this subchapter may be made in advance of determination of performance.''.

(d) PAYMENT LIMITATION.—Section 1234(f) of the Food Security Act of 1985 (16 U.S.C. 3834(f)) is amended—

(1) in paragraph (1), by striking '', including rental payments made in the form of in-kind commodities,'';

(2) by striking paragraph (3); and

(3) by redesignating paragraph (4) as paragraph (2).

SEC. 2006. CONTRACT REQUIREMENTS.

(a) EARLY TERMINATION BY OWNER OR OPERATOR.—Section 1235(e) of the Food Security Act of 1985 (16 U.S.C. 3835(e)) is amended—

(1) in paragraph (1)(A)—

(A) by striking ''The Secretary'' and inserting ''During fiscal year 2014, the Secretary''; and

(B) by striking ''before January 1, 1995,'';

(2) in paragraph (2), by striking subparagraph (C) and inserting the following:

''(C) Land devoted to hardwood trees.

''(D) Wildlife habitat, duck nesting habitat, pollinator habitat, upland bird habitat buffer, wildlife food plots, State acres for wildlife enhancement, shallow water areas for wildlife, and rare and declining habitat.

''(E) Farmable wetland and restored wetland.

''(F) Land that contains diversions, erosion control structures, flood control structures, contour grass strips, living snow fences, salinity reducing vegetation, cross wind trap strips, and sediment retention structures.

''(G) Land located within a federally-designated wellhead protection area.

''(H) Land that is covered by an easement under the conservation reserve program.

''(I) Land located within an average width, according to the applicable Natural Resources Conservation Service field office technical guide, of a perennial stream or permanent water body.''; and

(3) in paragraph (3), by striking ''60 days after the date on which the owner or operator submits the notice required under paragraph (1)(C)'' and inserting ''upon approval by the Secretary''.

(b) TRANSITION OPTION FOR CERTAIN FARMERS OR RANCHERS.—Section 1235(f) of the Food Security Act of 1985 (16 U.S.C. 3835(f)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''DUTIES'' and all that follows through ''a beginning farmer'' and inserting ''TRANSITION TO COVERED FARMER OR RANCHER.—In the case of a contract modification approved in order to facilitate the transfer of land subject to a contract from a retired farmer or rancher to a beginning farmer'';

(B) in subparagraph (A)(i), by inserting '', including preparing to plant an agricultural crop'' after ''improvements'';

(C) in subparagraph (D), by striking ''the farmer or rancher'' and inserting ''the covered farmer or rancher''; and

(D) in subparagraph (E), by striking ''section 1001A(b)(3)(B)'' and inserting ''section 1001''; and

(2) in paragraph (2), by striking ''requirement of section 1231(h)(4)(B)'' and inserting ''option pursuant to section 1234(c)(2)(A)(ii)''.

(c) FINAL YEAR CONTRACT.—Section 1235 of the Food Security Act of 1985 (16 U.S.C. 3835) is amended by adding at the end the following new subsections:

''(g) FINAL YEAR OF CONTRACT.—The Secretary shall not consider an owner or operator to be in violation of a term or condition of the conservation reserve contract if—

''(1) during the year prior to expiration of the contract, the land is enrolled in the conservation stewardship program; and

''(2) the activity required under the conservation stewardship program pursuant to such enrollment is consistent with this subchapter.

''(h) LAND ENROLLED IN AGRICULTURAL CONSERVATION EASEMENT PROGRAM.—The Secretary may terminate or modify a contract entered into under this subchapter if eligible land that is subject to such contract is transferred into the agricultural conservation easement program under subtitle H.''.

SEC. 2007. CONVERSION OF LAND SUBJECT TO CONTRACT TO OTHER CONSERVING USES.

Section 1235A of the Food Security Act of 1985 (16 U.S.C. 3835a) is repealed.

SEC. 2008. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this subtitle shall take effect on October 1, 2013, except the amendment made by section 2001(d), which shall take effect on the date of the enactment of this Act.

(b) EFFECT ON EXISTING CONTRACTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this subtitle shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) UPDATING OF EXISTING CONTRACTS.—The Secretary shall permit an owner or operator of land subject to a contract entered into under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) before October 1, 2013, to update the contract to reflect the activities and uses of land under contract permitted under the terms and conditions of section 1233(b) of that Act (as amended by section 2004), as determined appropriate by the Secretary.

Subtitle B—Conservation Stewardship Program

SEC. 2101. CONSERVATION STEWARDSHIP PROGRAM.

(a) REVISION OF CURRENT PROGRAM.—Subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838d et seq.) is amended to read as follows:

''Subchapter B—Conservation Stewardship Program

''SEC. 1238D. DEFINITIONS.

''In this subchapter:

''(1) AGRICULTURAL OPERATION.—The term 'agricultural operation' means all eligible land, whether or not contiguous, that is—

''(A) under the effective control of a producer at the time the producer enters into a contract under the program; and

''(B) operated with equipment, labor, management, and production or cultivation practices that are substantially separate from other agricultural operations, as determined by the Secretary.

''(2) CONSERVATION ACTIVITIES.—

''(A) IN GENERAL.—The term 'conservation activities' means conservation systems, practices, or management measures.

''(B) INCLUSIONS.—The term 'conservation activities' includes—

''(i) structural measures, vegetative measures, and land management measures, including agriculture drainage management systems, as determined by the Secretary; and

''(ii) planning needed to address a priority resource concern.

''(3) CONSERVATION STEWARDSHIP PLAN.—The term 'conservation stewardship plan' means a plan that—

''(A) identifies and inventories priority resource concerns;

''(B) establishes benchmark data and conservation objectives;

''(C) describes conservation activities to be implemented, managed, or improved; and

''(D) includes a schedule and evaluation plan for the planning, installation, and management of the new and existing conservation activities.

''(4) ELIGIBLE LAND.—

''(A) IN GENERAL.—The term 'eligible land' means—

''(i) private or tribal land on which agricultural commodities, livestock, or forest-related products are produced; and

''(ii) lands associated with the land described in clause (i) on which priority resource concerns could be addressed through a contract under the program.

''(B) INCLUSIONS.—The term 'eligible land' includes—

''(i) cropland;

''(ii) grassland;

''(iii) rangeland;

''(iv) pasture land;

''(v) nonindustrial private forest land; and

''(vi) other agricultural areas (including cropped woodland, marshes, and agricultural land used or capable of being used for the production of livestock), as determined by the Secretary.

''(5) PRIORITY RESOURCE CONCERN.—The term 'priority resource concern' means a natural resource concern or problem, as determined by the Secretary, that—

''(A) is identified at the national, State, or local level as a priority for a particular area of a State;

''(B) represents a significant concern in a State or region; and

''(C) is likely to be addressed successfully through the implementation of conservation activities under this program.

''(6) PROGRAM.—The term 'program' means the conservation stewardship program established by this subchapter.

''(7) STEWARDSHIP THRESHOLD.—The term 'stewardship threshold' means the level of management required, as determined by the Secretary, to conserve and improve the quality and condition of a natural resource.

''SEC. 1238E. CONSERVATION STEWARDSHIP PROGRAM.

''(a) ESTABLISHMENT AND PURPOSE.—During each of fiscal years 2014 through 2018, the Secretary shall carry out a conservation stewardship program to encourage producers to address priority resource concerns in a comprehensive manner—

''(1) by undertaking additional conservation activities; and

''(2) by improving, maintaining, and managing existing conservation activities.

''(b) EXCLUSIONS.—

''(1) LAND ENROLLED IN OTHER CONSERVATION PROGRAMS.—Subject to paragraph (2), the following land (even if covered by the definition of eligible land) is not eligible for enrollment in the program:

''(A) Land enrolled in the conservation reserve program, unless—

''(i) the conservation reserve contract will expire at the end of the fiscal year in which the land is to be enrolled in the program; and

''(ii) conservation reserve program payments for land enrolled in the program cease before the first program payment is made to the applicant under this subchapter.

''(B) Land enrolled in a wetland easement through the agricultural conservation easement program.

''(C) Land enrolled in the conservation security program.

''(2) CONVERSION TO CROPLAND.—Eligible land used for crop production after October 1, 2013, that had not been planted, considered to be planted, or devoted to crop production for at least 4 of the 6 years preceding that date shall not be the basis for any payment under the program, unless the land does not meet the requirement because—

''(A) the land had previously been enrolled in the conservation reserve program;

''(B) the land has been maintained using long-term crop rotation practices, as determined by the Secretary; or

''(C) the land is incidental land needed for efficient operation of the farm or ranch, as determined by the Secretary.

''SEC. 1238F. STEWARDSHIP CONTRACTS.

''(a) SUBMISSION OF CONTRACT OFFERS.—To be eligible to participate in the conservation stewardship program, a producer shall submit to the Secretary a contract offer for the agricultural operation that—

''(1) demonstrates to the satisfaction of the Secretary that the producer, at the time of the contract offer, meets or exceeds the stewardship threshold for at least 2 priority resource concerns; and

''(2) would, at a minimum, meet or exceed the stewardship threshold for at least 1 additional priority resource concern by the end of the stewardship contract by—

''(A) installing and adopting additional conservation activities; and

''(B) improving, maintaining, and managing existing conservation activities across the entire agricultural operation in a manner that increases or extends the conservation benefits in place at the time the contract offer is accepted by the Secretary.

''(b) EVALUATION OF CONTRACT OFFERS.—

''(1) RANKING OF APPLICATIONS.—In evaluating contract offers submitted under subsection (a), the Secretary shall rank applications based on—

''(A) the level of conservation treatment on all applicable priority resource concerns at the time of application;

''(B) the degree to which the proposed conservation activities effectively increase conservation performance;

''(C) the number of applicable priority resource concerns proposed to be treated to meet or exceed the stewardship threshold by the end of the contract;

''(D) the extent to which other priority resource concerns will be addressed to meet or exceed the stewardship threshold by the end of the contract period;

''(E) the extent to which the actual and anticipated conservation benefits from the contract are provided at the least cost relative to other similarly beneficial contract offers; and

''(F) the extent to which priority resource concerns will be addressed when transitioning from the conservation reserve program to agricultural production.

''(2) PROHIBITION.—The Secretary may not assign a higher priority to any application because the applicant is willing to accept a lower payment than the applicant would otherwise be eligible to receive.

''(3) ADDITIONAL CRITERIA.—The Secretary may develop and use such additional criteria that the Secretary determines are necessary to ensure that national, State, and local priority resource concerns are effectively addressed.

''(c) ENTERING INTO CONTRACTS.—After a determination that a producer is eligible for the program under subsection (a), and a determination that the contract offer ranks sufficiently high under the evaluation criteria under subsection (b), the Secretary shall enter into a conservation stewardship contract with the producer to enroll the eligible land to be covered by the contract.

''(d) CONTRACT PROVISIONS.—

''(1) TERM.—A conservation stewardship contract shall be for a term of 5 years.

''(2) REQUIRED PROVISIONS.—The conservation stewardship contract of a producer shall—

''(A) state the amount of the payment the Secretary agrees to make to the producer for each year of the conservation stewardship contract under section 1238G(d);

''(B) require the producer—

''(i) to implement a conservation stewardship plan that describes the program purposes to be achieved through 1 or more conservation activities;

''(ii) to maintain and supply information as required by the Secretary to determine compliance with the conservation stewardship plan and any other requirements of the program; and

''(iii) not to conduct any activities on the agricultural operation that would tend to defeat the purposes of the program;

''(C) permit all economic uses of the eligible land that—

''(i) maintain the agricultural nature of the land; and

''(ii) are consistent with the conservation purposes of the conservation stewardship contract;

''(D) include a provision to ensure that a producer shall not be considered in violation of the contract for failure to comply with the contract due to circumstances beyond the control of the producer, including a disaster or related condition, as determined by the Secretary;

''(E) include provisions requiring that upon the violation of a term or condition of the contract at any time the producer has control of the land—

''(i) if the Secretary determines that the violation warrants termination of the contract—

''(I) the producer shall forfeit all rights to receive payments under the contract; and

''(II) the producer shall refund all or a portion of the payments received by the producer under the contract, including any interest on the payments, as determined by the Secretary; or

''(ii) if the Secretary determines that the violation does not warrant termination of the contract, the producer shall refund or accept adjustments to the payments provided to the producer, as the Secretary determines to be appropriate;

''(F) include provisions in accordance with paragraphs (3) and (4) of this section; and

''(G) include any additional provisions the Secretary determines are necessary to carry out the program.

''(3) CHANGE OF INTEREST IN LAND SUBJECT TO A CONTRACT.—

''(A) IN GENERAL.—At the time of application, a producer shall have control of the eligible land to be enrolled in the program. Except as provided in subparagraph (B), a change in the interest of a producer in eligible land covered by a contract under the program shall result in the termination of the contract with regard to that land.

''(B) TRANSFER OF DUTIES AND RIGHTS.—Subparagraph (A) shall not apply if—

''(i) within a reasonable period of time (as determined by the Secretary) after the date of the change in the interest in eligible land covered by a contract under the program, the transferee of the land provides written notice to the Secretary that all duties and rights under the contract have been transferred to, and assumed by, the transferee for the portion of the land transferred;

''(ii) the transferee meets the eligibility requirements of the program; and

''(iii) the Secretary approves the transfer of all duties and rights under the contract.

''(4) MODIFICATION AND TERMINATION OF CONTRACTS.—

''(A) VOLUNTARY MODIFICATION OR TERMINATION.—The Secretary may modify or terminate a contract with a producer if—

''(i) the producer agrees to the modification or termination; and

''(ii) the Secretary determines that the modification or termination is in the public interest.

''(B) INVOLUNTARY TERMINATION.—The Secretary may terminate a contract if the Secretary determines that the producer violated the contract.

''(5) REPAYMENT.—If a contract is terminated, the Secretary may, consistent with the purposes of the program—

''(A) allow the producer to retain payments already received under the contract; or

''(B) require repayment, in whole or in part, of payments received and assess liquidated damages.

''(e) CONTRACT RENEWAL.—At the end of the initial 5-year contract period, the Secretary may allow the producer to renew the contract for 1 additional 5-year period if the producer—

''(1) demonstrates compliance with the terms of the initial contract;

''(2) agrees to adopt and continue to integrate conservation activities across the entire agricultural operation, as determined by the Secretary; and

''(3) agrees, by the end of the contract period—

''(A) to meet the stewardship threshold of at least two additional priority resource concerns on the agricultural operation; or

''(B) to exceed the stewardship threshold of two existing priority resource concerns that are specified by the Secretary in the initial contract.

''SEC. 1238G. DUTIES OF THE SECRETARY.

''(a) IN GENERAL.—To achieve the conservation goals of a contract under the conservation stewardship program, the Secretary shall—

''(1) make the program available to eligible producers on a continuous enrollment basis with 1 or more ranking periods, one of which shall occur in the first quarter of each fiscal year;

''(2) identify not less than 5 priority resource concerns in a particular watershed or other appropriate region or area within a State; and

''(3) establish a science-based stewardship threshold for each priority resource concern identified under paragraph (2).

''(b) ALLOCATION TO STATES.—The Secretary shall allocate acres to States for enrollment, based—

''(1) primarily on each State's proportion of eligible land to the total acreage of eligible land in all States; and

''(2) also on consideration of—

''(A) the extent and magnitude of the conservation needs associated with agricultural production in each State;

''(B) the degree to which implementation of the program in the State is, or will be, effective in helping producers address those needs; and

''(C) other considerations to achieve equitable geographic distribution of funds, as determined by the Secretary.

''(c) ACREAGE ENROLLMENT LIMITATION.—During the period beginning on October 1, 2013, and ending on September 30, 2021, the Secretary shall, to the maximum extent practicable—

''(1) enroll in the program an additional 8,695,000 acres for each fiscal year; and

''(2) manage the program to achieve a national average rate of $18 per acre, which shall include the costs of all financial assistance, technical assistance, and any other expenses associated with enrollment or participation in the program.

''(d) CONSERVATION STEWARDSHIP PAYMENTS.—

''(1) AVAILABILITY OF PAYMENTS.—The Secretary shall provide annual payments under the program to compensate the producer for—

''(A) installing and adopting additional conservation activities; and

''(B) improving, maintaining, and managing conservation activities in place at the agricultural operation of the producer at the time the contract offer is accepted by the Secretary.

''(2) PAYMENT AMOUNT.—The amount of the conservation stewardship annual payment shall be determined by the Secretary and based, to the maximum extent practicable, on the following factors:

''(A) Costs incurred by the producer associated with planning, design, materials, installation, labor, management, maintenance, or training.

''(B) Income forgone by the producer.

''(C) Expected conservation benefits.

''(D) The extent to which priority resource concerns will be addressed through the installation and adoption of conservation activities on the agricultural operation.

''(E) The level of stewardship in place at the time of application and maintained over the term of the contract.

''(F) The degree to which the conservation activities will be integrated across the entire agricultural operation for all applicable priority resource concerns over the term of the contract.

''(G) Such other factors as determined appropriate by the Secretary.

''(3) EXCLUSIONS.—A payment to a producer under this subsection shall not be provided for—

''(A) the design, construction, or maintenance of animal waste storage or treatment facilities or associated waste transport or transfer devices for animal feeding operations; or

''(B) conservation activities for which there is no cost incurred or income forgone to the producer.

''(4) DELIVERY OF PAYMENTS.—In making payments under this subsection, the Secretary shall, to the extent practicable—

''(A) prorate conservation performance over the term of the contract so as to accommodate, to the extent practicable, producers earning equal annual payments in each fiscal year; and

''(B) make payments as soon as practicable after October 1 of each fiscal year for activities carried out in the previous fiscal year.

''(e) SUPPLEMENTAL PAYMENTS FOR RESOURCE-CONSERVING CROP ROTATIONS.—

''(1) AVAILABILITY OF PAYMENTS.—The Secretary shall provide additional payments to producers that, in participating in the program, agree to adopt or improve resource-conserving crop rotations to achieve beneficial crop rotations as appropriate for the eligible land of the producers.

''(2) BENEFICIAL CROP ROTATIONS.—The Secretary shall determine whether a resource-conserving crop rotation is a beneficial crop rotation eligible for additional payments under paragraph (1) based on whether the resource-conserving crop rotation is designed to provide natural resource conservation and production benefits.

''(3) ELIGIBILITY.—To be eligible to receive a payment described in paragraph (1), a producer shall agree to adopt and maintain beneficial resource-conserving crop rotations for the term of the contract.

''(4) RESOURCE-CONSERVING CROP ROTATION.—In this subsection, the term 'resource-conserving crop rotation' means a crop rotation that—

''(A) includes at least 1 resource conserving crop (as defined by the Secretary);

''(B) reduces erosion;

''(C) improves soil fertility and tilth;

''(D) interrupts pest cycles; and

''(E) in applicable areas, reduces depletion of soil moisture or otherwise reduces the need for irrigation.

''(f) PAYMENT LIMITATIONS.—A person or legal entity may not receive, directly or indirectly, payments under the program that, in the aggregate, exceed $200,000 under all contracts entered into during fiscal years 2014 through 2018, excluding funding arrangements with Indian tribes, regardless of the number of contracts entered into under the program by the person or legal entity.

''(g) SPECIALTY CROP AND ORGANIC PRODUCERS.—The Secretary shall ensure that outreach and technical assistance are available, and program specifications are appropriate to enable specialty crop and organic producers to participate in the program.

''(h) COORDINATION WITH ORGANIC CERTIFICATION.—The Secretary shall establish a transparent means by which producers may initiate organic certification under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) while participating in a contract under the program.

''(i) REGULATIONS.—The Secretary shall promulgate regulations that—

''(1) prescribe such other rules as the Secretary determines to be necessary to ensure a fair and reasonable application of the limitations established under subsection (f); and

''(2) otherwise enable the Secretary to carry out the program.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

(c) EFFECT ON EXISTING CONTRACTS.—

(1) IN GENERAL.—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838d et seq.) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) CONSERVATION STEWARDSHIP PROGRAM.—Funds made available under section 1241(a)(4) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(4)) (as amended by section 2601(a) of this title) may be used to administer and make payments to program participants that enrolled into contracts during any of fiscal years 2009 through 2013.

Subtitle C—Environmental Quality Incentives Program

SEC. 2201. PURPOSES.

Section 1240 of the Food Security Act of 1985 (16 U.S.C. 3839aa) is amended—

(1) in paragraph (3)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) by redesignating subparagraph (B) as subparagraph (C) and, in such subparagraph, by inserting ''and'' after the semicolon; and

(C) by inserting after subparagraph (A) the following new subparagraph:

''(B) developing and improving wildlife habitat; and'';

(2) in paragraph (4), by striking ''; and'' and inserting a period; and

(3) by striking paragraph (5).

SEC. 2202. ESTABLISHMENT AND ADMINISTRATION.

Section 1240B of the Food Security Act of 1985 (16 U.S.C. 3839aa–2) is amended—

(1) in subsection (a), by striking ''2014'' and inserting ''2018'';

(2) in subsection (b), by striking paragraph (2) and inserting the following new paragraph:

''(2) TERM.—A contract under the program shall have a term that does not exceed 10 years.'';

(3) in subsection (d)(4)—

(A) in subparagraph (A), in the matter preceding clause (i), by inserting '', veteran farmer or rancher (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e))),'' before ''or a beginning farmer or rancher''; and

(B) by striking subparagraph (B) and inserting the following new subparagraph:

''(B) ADVANCE PAYMENTS.—

''(i) IN GENERAL.—Not more than 50 percent of the amount determined under subparagraph (A) may be provided in advance for the purpose of purchasing materials or contracting.

''(ii) RETURN OF FUNDS.—If funds provided in advance are not expended during the 90-day period beginning on the date of receipt of the funds, the funds shall be returned within a reasonable time frame, as determined by the Secretary.'';

(4) by striking subsection (f) and inserting the following new subsection:

''(f) ALLOCATION OF FUNDING.—

''(1) LIVESTOCK.—For each of fiscal years 2014 through 2018, at least 60 percent of the funds made available for payments under the program shall be targeted at practices relating to livestock production.

''(2) WILDLIFE HABITAT.—For each of fiscal years 2014 through 2018, 5 percent of the funds made available for payments under the program shall be targeted at practices benefitting wildlife habitat.'';

(5) in subsection (g)—

(A) in the subsection heading, by striking ''FEDERALLY RECOGNIZED NATIVE AMERICAN INDIAN TRIBES AND ALASKA NATIVE CORPORATIONS'' and inserting ''INDIAN TRIBES'';

(B) by striking ''federally recognized Native American Indian Tribes and Alaska Native Corporations (including their affiliated membership organizations)'' and inserting ''Indian tribes''; and

(C) by striking ''or Native Corporation''; and

(6) by adding at the end the following:

''(j) WILDLIFE HABITAT INCENTIVE PRACTICE.—The Secretary shall provide payments to producers under the program for practices, including recurring practices for the term of the contract, that support the restoration, development, protection, and improvement of wildlife habitat on eligible land, including—

''(1) upland wildlife habitat;

''(2) wetland wildlife habitat;

''(3) habitat for threatened and endangered species;

''(4) fish habitat;

''(5) habitat on pivot corners and other irregular areas of a field; and

''(6) other types of wildlife habitat, as determined appropriate by the Secretary.''.

SEC. 2203. EVALUATION OF APPLICATIONS.

Section 1240C(b) of the Food Security Act of 1985 (16 U.S.C. 3839aa–3(b)) is amended—

(1) in paragraph (1), by striking ''environmental'' and inserting ''conservation''; and

(2) in paragraph (3), by striking ''purpose of the environmental quality incentives program specified in section 1240(1)'' and inserting ''purposes of the program''.

SEC. 2204. DUTIES OF PRODUCERS.

Section 1240D(2) of the Food Security Act of 1985 (16 U.S.C. 3839aa–4(2)) is amended by striking ''farm, ranch, or forest'' and inserting ''enrolled''.

SEC. 2205. LIMITATION ON PAYMENTS.

Section 1240G of the Food Security Act of 1985 (16 U.S.C. 3839aa–7) is amended to read as follows:

''SEC. 1240G. LIMITATION ON PAYMENTS.

''A person or legal entity may not receive, directly or indirectly, cost share or incentive payments under this chapter that, in aggregate, exceed $450,000 for all contracts entered into under this chapter by the person or legal entity during the period of fiscal years 2014 through 2018, regardless of the number of contracts entered into under this chapter by the person or legal entity.''.

SEC. 2206. CONSERVATION INNOVATION GRANTS AND PAYMENTS.

Section 1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa–8) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (C), by striking ''; and'' and inserting a semicolon;

(B) in subparagraph (D), by striking the period and inserting a semicolon; and

(C) by adding at the end the following new subparagraphs:

''(E) facilitate on-farm conservation research and demonstration activities; and

''(F) facilitate pilot testing of new technologies or innovative conservation practices.''; and

(2) by striking subsection (b) and inserting the following new subsection:

''(b) REPORTING.—Not later than December 31, 2014, and every two years thereafter, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report on the status of projects funded under this section, including—

''(1) funding awarded;

''(2) project results; and

''(3) incorporation of project findings, such as new technology and innovative approaches, into the conservation efforts implemented by the Secretary.''.

SEC. 2207. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this subtitle shall take effect on October 1, 2013.

(b) EFFECT ON EXISTING CONTRACTS.—The amendments made by this subtitle shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) before October 1, 2013, or any payments required to be made in connection with the contract.

Subtitle D—Agricultural Conservation Easement Program

SEC. 2301. AGRICULTURAL CONSERVATION EASEMENT PROGRAM.

(a) ESTABLISHMENT.—Title XII of the Food Security Act of 1985 is amended by adding at the end the following new subtitle:

''Subtitle H—Agricultural Conservation Easement Program

''SEC. 1265. ESTABLISHMENT AND PURPOSES.

''(a) ESTABLISHMENT.—The Secretary shall establish an agricultural conservation easement program for the conservation of eligible land and natural resources through easements or other interests in land.

''(b) PURPOSES.—The purposes of the program are to—

''(1) combine the purposes and coordinate the functions of the wetlands reserve program established under section 1237, the grassland reserve program established under section 1238N, and the farmland protection program established under section 1238I, as such sections were in effect on September 30, 2013;

''(2) restore, protect, and enhance wetlands on eligible land;

''(3) protect the agricultural use and related conservation values of eligible land by limiting nonagricultural uses of that land; and

''(4) protect grazing uses and related conservation values by restoring and conserving eligible land.

''SEC. 1265A. DEFINITIONS.

''In this subtitle:

''(1) AGRICULTURAL LAND EASEMENT.—The term 'agricultural land easement' means an easement or other interest in eligible land that—

''(A) is conveyed for the purpose of protecting natural resources and the agricultural nature of the land; and

''(B) permits the landowner the right to continue agricultural production and related uses subject to an agricultural land easement plan, as approved by the Secretary.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) an agency of State or local government or an Indian tribe (including a farmland protection board or land resource council established under State law); or

''(B) an organization that is—

''(i) organized for, and at all times since the formation of the organization has been operated principally for, 1 or more of the conservation purposes specified in clause (i), (ii), (iii), or (iv) of section 170(h)(4)(A) of the Internal Revenue Code of 1986;

''(ii) an organization described in section 501(c)(3) of that Code that is exempt from taxation under section 501(a) of that Code; or

''(iii) described in—

''(I) paragraph (1) or (2) of section 509(a) of that Code; or

''(II) section 509(a)(3) of that Code and is controlled by an organization described in section 509(a)(2) of that Code.

''(3) ELIGIBLE LAND.—The term 'eligible land' means private or tribal land that is—

''(A) in the case of an agricultural land easement, agricultural land, including land on a farm or ranch—

''(i) that is subject to a pending offer for purchase of an agricultural land easement from an eligible entity;

''(ii) that—

''(I) has prime, unique, or other productive soil;

''(II) contains historical or archaeological resources; or

''(III) the protection of which will further a State or local policy consistent with the purposes of the program; and

''(iii) that is—

''(I) cropland;

''(II) rangeland;

''(III) grassland or land that contains forbs, or shrubland for which grazing is the predominate use;

''(IV) pastureland; or

''(V) nonindustrial private forest land that contributes to the economic viability of an offered parcel or serves as a buffer to protect such land from development;

''(B) in the case of a wetland easement, a wetland or related area, including—

''(i) farmed or converted wetlands, together with adjacent land that is functionally dependent on that land, if the Secretary determines it—

''(I) is likely to be successfully restored in a cost effective manner; and

''(II) will maximize the wildlife benefits and wetland functions and values, as determined by the Secretary in consultation with the Secretary of the Interior at the local level;

''(ii) cropland or grassland that was used for agricultural production prior to flooding from the natural overflow of—

''(I) a closed basin lake and adjacent land that is functionally dependent upon it, if the State or other entity is willing to provide 50 percent share of the cost of an easement;

''(II) a pothole and adjacent land that is functionally dependent on it;

''(iii) farmed wetlands and adjoining lands that—

''(I) are enrolled in the conservation reserve program;

''(II) have the highest wetland functions and values, as determined by the Secretary; and

''(III) are likely to return to production after they leave the conservation reserve program;

''(iv) riparian areas that link wetlands that are protected by easements or some other device that achieves the same purpose as an easement; or

''(v) other wetlands of an owner that would not otherwise be eligible, if the Secretary determines that the inclusion of such wetlands in a wetland easement would significantly add to the functional value of the easement; or

''(C) in the case of either an agricultural land easement or wetland easement, other land that is incidental to land described in subparagraph (A) or (B), if the Secretary determines that it is necessary for the efficient administration of the easements under this program.

''(4) PROGRAM.—The term 'program' means the agricultural conservation easement program established by this subtitle.

''(5) WETLAND EASEMENT.—The term 'wetland easement' means a reserved interest in eligible land that—

''(A) is defined and delineated in a deed; and

''(B) stipulates—

''(i) the rights, title, and interests in land conveyed to the Secretary; and

''(ii) the rights, title, and interests in land that are reserved to the landowner.

''SEC. 1265B. AGRICULTURAL LAND EASEMENTS.

''(a) AVAILABILITY OF ASSISTANCE.—The Secretary shall facilitate and provide funding for—

''(1) the purchase by eligible entities of agricultural land easements and other interests in eligible land; and

''(2) technical assistance to provide for the conservation of natural resources pursuant to an agricultural land easement plan.

''(b) COST-SHARE ASSISTANCE.—

''(1) IN GENERAL.—The Secretary shall protect the agricultural use, including grazing, and related conservation values of eligible land through cost-share assistance to eligible entities for purchasing agricultural land easements.

''(2) SCOPE OF ASSISTANCE AVAILABLE.—

''(A) FEDERAL SHARE.—An agreement described in paragraph (4) shall provide for a Federal share determined by the Secretary of an amount not to exceed 50 percent of the fair market value of the agricultural land easement or other interest in land, as determined by the Secretary using—

''(i) the Uniform Standards of Professional Appraisal Practice;

''(ii) an area-wide market analysis or survey; or

''(iii) another industry-approved method.

''(B) NON-FEDERAL SHARE.—

''(i) IN GENERAL.—Under the agreement, the eligible entity shall provide a share that is at least equivalent to that provided by the Secretary.

''(ii) SOURCE OF CONTRIBUTION.—An eligible entity may include as part of its share a charitable donation or qualified conservation contribution (as defined by section 170(h) of the Internal Revenue Code of 1986) from the private landowner if the eligible entity contributes its own cash resources in an amount that is at least 50 percent of the amount contributed by the Secretary.

''(C) EXCEPTION.—In the case of grassland of special environmental significance, as determined by the Secretary, the Secretary may provide an amount not to exceed 75 percent of the fair market value of the agricultural land easement.

''(3) EVALUATION AND RANKING OF APPLICATIONS.—

''(A) CRITERIA.—The Secretary shall establish evaluation and ranking criteria to maximize the benefit of Federal investment under the program.

''(B) CONSIDERATIONS.—In establishing the criteria, the Secretary shall emphasize support for—

''(i) protecting agricultural uses and related conservation values of the land; and

''(ii) maximizing the protection of areas devoted to agricultural use.

''(C) BIDDING DOWN.—If the Secretary determines that 2 or more applications for cost-share assistance are comparable in achieving the purpose of the program, the Secretary shall not assign a higher priority to any of those applications solely on the basis of lesser cost to the program.

''(4) AGREEMENTS WITH ELIGIBLE ENTITIES.—

''(A) IN GENERAL.—The Secretary shall enter into agreements with eligible entities to stipulate the terms and conditions under which the eligible entity is permitted to use cost-share assistance provided under this section.

''(B) LENGTH OF AGREEMENTS.—An agreement shall be for a term that is—

''(i) in the case of an eligible entity certified under the process described in paragraph (5), a minimum of five years; and

''(ii) for all other eligible entities, at least three, but not more than five years.

''(C) MINIMUM TERMS AND CONDITIONS.—An eligible entity shall be authorized to use its own terms and conditions for agricultural land easements so long as the Secretary determines such terms and conditions—

''(i) are consistent with the purposes of the program;

''(ii) permit effective enforcement of the conservation purposes of such easements;

''(iii) include a right of enforcement for the Secretary, that may be used only if the terms of the easement are not enforced by the holder of the easement;

''(iv) subject the land in which an interest is purchased to an agricultural land easement plan that—

''(I) describes the activities which promote the long-term viability of the land to meet the purposes for which the easement was acquired;

''(II) requires the management of grasslands according to a grasslands management plan; and

''(III) includes a conservation plan, where appropriate, and requires, at the option of the Secretary, the conversion of highly erodible cropland to less intensive uses; and

''(v) include a limit on the impervious surfaces to be allowed that is consistent with the agricultural activities to be conducted.

''(D) SUBSTITUTION OF QUALIFIED PROJECTS.—An agreement shall allow, upon mutual agreement of the parties, substitution of qualified projects that are identified at the time of the proposed substitution.

''(E) EFFECT OF VIOLATION.—If a violation occurs of a term or condition of an agreement under this subsection—

''(i) the Secretary may terminate the agreement; and

''(ii) the Secretary may require the eligible entity to refund all or part of any payments received by the entity under the program, with interest on the payments as determined appropriate by the Secretary.

''(5) CERTIFICATION OF ELIGIBLE ENTITIES.—

''(A) CERTIFICATION PROCESS.—The Secretary shall establish a process under which the Secretary may—

''(i) directly certify eligible entities that meet established criteria;

''(ii) enter into long-term agreements with certified eligible entities; and

''(iii) accept proposals for cost-share assistance for the purchase of agricultural land easements throughout the duration of such agreements.

''(B) CERTIFICATION CRITERIA.—In order to be certified, an eligible entity shall demonstrate to the Secretary that the entity will maintain, at a minimum, for the duration of the agreement—

''(i) a plan for administering easements that is consistent with the purpose of this subtitle;

''(ii) the capacity and resources to monitor and enforce agricultural land easements; and

''(iii) policies and procedures to ensure—

''(I) the long-term integrity of agricultural land easements on eligible land;

''(II) timely completion of acquisitions of such easements; and

''(III) timely and complete evaluation and reporting to the Secretary on the use of funds provided under the program.

''(C) REVIEW AND REVISION.—

''(i) REVIEW.—The Secretary shall conduct a review of eligible entities certified under subparagraph (A) every three years to ensure that

such entities are meeting the criteria established under subparagraph (B).

''(ii) REVOCATION.—If the Secretary finds that the certified eligible entity no longer meets the criteria established under subparagraph (B), the Secretary may—

''(I) allow the certified eligible entity a specified period of time, at a minimum 180 days, in which to take such actions as may be necessary to meet the criteria; and

''(II) revoke the certification of the eligible entity, if after the specified period of time, the certified eligible entity does not meet such criteria.

''(c) METHOD OF ENROLLMENT.—The Secretary shall enroll eligible land under this section through the use of—

''(1) permanent easements; or

''(2) easements for the maximum duration allowed under applicable State laws.

''(d) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance, if requested, to assist in—

''(1) compliance with the terms and conditions of easements; and

''(2) implementation of an agricultural land easement plan.

''SEC. 1265C. WETLAND EASEMENTS.

''(a) AVAILABILITY OF ASSISTANCE.—The Secretary shall provide assistance to owners of eligible land to restore, protect, and enhance wetlands through—

''(1) wetland easements and related wetland easement plans; and

''(2) technical assistance.

''(b) EASEMENTS.—

''(1) METHOD OF ENROLLMENT.—The Secretary shall enroll eligible land under this section through the use of—

''(A) 30-year easements;

''(B) permanent easements;

''(C) easements for the maximum duration allowed under applicable State laws; or

''(D) as an option for Indian tribes only, 30-year contracts (which shall be considered to be 30-year easements for the purposes of this subtitle).

''(2) LIMITATIONS.—

''(A) INELIGIBLE LAND.—The Secretary may not acquire easements on—

''(i) land established to trees under the conservation reserve program, except in cases where the Secretary determines it would further the purposes of the program; and

''(ii) farmed wetlands or converted wetlands where the conversion was not commenced prior to December 23, 1985.

''(B) CHANGES IN OWNERSHIP.—No wetland easement shall be created on land that has changed ownership during the preceding 24-month period unless—

''(i) the new ownership was acquired by will or succession as a result of the death of the previous owner;

''(ii)(I) the ownership change occurred because of foreclosure on the land; and

''(II) immediately before the foreclosure, the owner of the land exercises a right of redemption from the mortgage holder in accordance with State law; or

''(iii) the Secretary determines that the land was acquired under circumstances that give adequate assurances that such land was not acquired for the purposes of placing it in the program.

''(3) EVALUATION AND RANKING OF OFFERS.—

''(A) CRITERIA.—The Secretary shall establish evaluation and ranking criteria to maximize the benefit of Federal investment under the program.

''(B) CONSIDERATIONS.—When evaluating offers from landowners, the Secretary may consider—

''(i) the conservation benefits of obtaining a wetland easement, including the potential environmental benefits if the land was removed from agricultural production;

''(ii) the cost-effectiveness of each wetland easement, so as to maximize the environmental benefits per dollar expended;

''(iii) whether the landowner or another person is offering to contribute financially to the cost of the wetland easement to leverage Federal funds; and

''(iv) such other factors as the Secretary determines are necessary to carry out the purposes of the program.

''(C) PRIORITY.—The Secretary shall place priority on acquiring wetland easements based on the value of the wetland easement for protecting and enhancing habitat for migratory birds and other wildlife.

''(4) AGREEMENT.—To be eligible to place eligible land into the program through a wetland easement, the owner of such land shall enter into an agreement with the Secretary to—

''(A) grant an easement on such land to the Secretary;

''(B) authorize the implementation of a wetland easement plan developed for the eligible land under subsection (f);

''(C) create and record an appropriate deed restriction in accordance with applicable State law to reflect the easement agreed to;

''(D) provide a written statement of consent to such easement signed by those holding a security interest in the land;

''(E) comply with the terms and conditions of the easement and any related agreements; and

''(F) permanently retire any existing base history for the land on which the easement has been obtained.

''(5) TERMS AND CONDITIONS OF EASEMENT.—

''(A) IN GENERAL.—A wetland easement shall include terms and conditions that—

''(i) permit—

''(I) repairs, improvements, and inspections on the land that are necessary to maintain existing public drainage systems; and

''(II) owners to control public access on the easement areas while identifying access routes to be used for restoration activities and management and easement monitoring;

''(ii) prohibit—

''(I) the alteration of wildlife habitat and other natural features of such land, unless specifically authorized by the Secretary;

''(II) the spraying of such land with chemicals or the mowing of such land, except where such spraying or mowing is authorized by the Secretary or is necessary—

''(aa) to comply with Federal or State noxious weed control laws;

''(bb) to comply with a Federal or State emergency pest treatment program; or

''(cc) to meet habitat needs of specific wildlife species;

''(III) any activities to be carried out on the owner's or successor's land that is immediately adjacent to, and functionally related to, the land that is subject to the easement if such activities will alter, degrade, or otherwise diminish the functional value of the eligible land; and

''(IV) the adoption of any other practice that would tend to defeat the purposes of the program, as determined by the Secretary;

''(iii) provide for the efficient and effective establishment of wildlife functions and values; and

''(iv) include such additional provisions as the Secretary determines are desirable to carry out the program or facilitate the practical administration thereof.

''(B) VIOLATION.—On the violation of the terms or conditions of a wetland easement, the wetland easement shall remain in force and the Secretary may require the owner to refund all or part of any payments received by the owner under the program, together with interest thereon as determined appropriate by the Secretary.

''(C) COMPATIBLE USES.—Land subject to a wetland easement may be used for compatible economic uses, including such activities as hunting and fishing, managed timber harvest, or periodic haying or grazing, if such use is specifically permitted by the wetland easement plan developed for the land under subsection (f) and is consistent with the long-term protection and enhancement of the wetland resources for which the easement was established.

''(D) RESERVATION OF GRAZING RIGHTS.—The Secretary may include in the terms and conditions of a wetland easement a provision under which the owner reserves grazing rights if—

''(i) the Secretary determines that the reservation and use of the grazing rights—

''(I) is compatible with the land subject to the easement;

''(II) is consistent with the historical natural uses of the land and the long-term protection and enhancement goals for which the easement was established; and

''(III) complies with the wetland easement plan developed for the land under subsection (f); and

''(ii) the agreement provides for a commensurate reduction in the easement payment to account for the grazing value, as determined by the Secretary.

''(6) COMPENSATION.—

''(A) DETERMINATION.—

''(i) PERMANENT EASEMENTS.—The Secretary shall pay as compensation for a permanent wetland easement acquired under the program an amount necessary to encourage enrollment in the program, based on the lowest of—

''(I) the fair market value of the land, as determined by the Secretary, using the Uniform Standards of Professional Appraisal Practice or an area-wide market analysis or survey;

''(II) the amount corresponding to a geographical cap, as determined by the Secretary in regulations; or

''(III) the offer made by the landowner.

''(ii) 30-YEAR EASEMENTS.—Compensation for a 30-year wetland easement shall be not less than 50 percent, but not more than 75 percent, of the compensation that would be paid for a permanent wetland easement.

''(B) FORM OF PAYMENT.—Compensation for a wetland easement shall be provided by the Secretary in the form of a cash payment, in an amount determined under subparagraph (A).

''(C) PAYMENT SCHEDULE.—

''(i) EASEMENTS VALUED AT $500,000 OR LESS.—For wetland easements valued at $500,000 or less, the Secretary may provide easement payments in not more than 10 annual payments.

''(ii) EASEMENTS VALUED AT MORE THAN $500,000.—For wetland easements valued at more than $500,000, the Secretary may provide easement payments in at least 5, but not more than 10 annual payments, except that, if the Secretary determines it would further the purposes of the program, the Secretary may make a lump sum payment for such an easement.

''(c) EASEMENT RESTORATION.—

''(1) IN GENERAL.—The Secretary shall provide financial assistance to owners of eligible land to carry out the establishment of conservation measures and practices and protect wetland functions and values, including necessary maintenance activities, as set forth in a wetland easement plan developed for the eligible land under subsection (f).

''(2) PAYMENTS.—The Secretary shall—

''(A) in the case of a permanent wetland easement, pay an amount that is not less than 75 percent, but not more than 100 percent, of the eligible costs, as determined by the Secretary; and

''(B) in the case of a 30-year wetland easement, pay an amount that is not less than 50 percent, but not more than 75 percent, of the eligible costs, as determined by the Secretary.

''(d) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—The Secretary shall assist owners in complying with the terms and conditions of wetland easements.

''(2) CONTRACTS OR AGREEMENTS.—The Secretary may enter into 1 or more contracts with private entities or agreements with a State, nongovernmental organization, or Indian tribe to carry out necessary restoration, enhancement, or maintenance of a wetland easement if the Secretary determines that the contract or agreement will advance the purposes of the program.

''(e) WETLAND ENHANCEMENT OPTION.—The Secretary may enter into 1 or more agreements with a State (including a political subdivision or agency of a State), nongovernmental organization, or Indian tribe to carry out a special wetland enhancement option that the Secretary determines would advance the purposes of program.

''(f) ADMINISTRATION.—

''(1) WETLAND EASEMENT PLAN.—The Secretary shall develop a wetland easement plan for eligible lands subject to a wetland easement, which shall include practices and activities necessary to restore, protect, enhance, and maintain the enrolled lands.

''(2) DELEGATION OF EASEMENT ADMINISTRATION.—The Secretary may delegate—

''(A) any of the easement management, monitoring, and enforcement responsibilities of the Secretary to other Federal or State agencies that have the appropriate authority, expertise, and resources necessary to carry out such delegated responsibilities; and

''(B) any of the easement management responsibilities of the Secretary to other conservation organizations if the Secretary determines the organization has the appropriate expertise and resources.

''(3) PAYMENTS.—

''(A) TIMING OF PAYMENTS.—The Secretary shall provide payment for obligations incurred by the Secretary under this section—

''(i) with respect to any easement restoration obligation under subsection (c), as soon as possible after the obligation is incurred; and

''(ii) with respect to any annual easement payment obligation incurred by the Secretary, as soon as possible after October 1 of each calendar year.

''(B) PAYMENTS TO OTHERS.—If an owner who is entitled to a payment under this section dies, becomes incompetent, is otherwise unable to receive such payment, or is succeeded by another person or entity who renders or completes the required performance, the Secretary shall make such payment, in accordance with regulations prescribed by the Secretary and without regard to any other provision of law, in such manner as the Secretary determines is fair and reasonable in light of all of the circumstances.

''SEC. 1265D. ADMINISTRATION.

''(a) INELIGIBLE LAND.—The Secretary may not use program funds for the purposes of acquiring an easement on—

''(1) lands owned by an agency of the United States, other than land held in trust for Indian tribes;

''(2) lands owned in fee title by a State, including an agency or a subdivision of a State, or a unit of local government;

''(3) land subject to an easement or deed restriction which, as determined by the Secretary, provides similar protection as would be provided by enrollment in the program; or

''(4) lands where the purposes of the program would be undermined due to on-site or off-site conditions, such as risk of hazardous substances, proposed or existing rights of way, infrastructure development, or adjacent land uses.

''(b) PRIORITY.—In evaluating applications under the program, the Secretary may give priority to land that is currently enrolled in the conservation reserve program in a contract that is set to expire within 1 year and—

''(1) in the case of an agricultural land easement, is grassland that would benefit from protection under a long-term easement; and

''(2) in the case of a wetland easement, is a wetland or related area with the highest functions and value and is likely to return to production after the land leaves the conservation reserve program.

''(c) SUBORDINATION, EXCHANGE, MODIFICATION, AND TERMINATION.—

''(1) IN GENERAL.—The Secretary may subordinate, exchange, modify, or terminate any interest in land, or portion of such interest, administered by the Secretary, either directly or on behalf of the Commodity Credit Corporation under the program if the Secretary determines that—

''(A) it is in the Federal Government's interest to subordinate, exchange, modify, or terminate the interest in land;

''(B) the subordination, exchange, modification, or termination action—

''(i) will address a compelling public need for which there is no practicable alternative; or

''(ii) such action will further the practical administration of the program; and

''(C) the subordination, exchange, modification, or termination action will result in comparable conservation value and equivalent or greater economic value to the United States.

''(2) CONSULTATION.—The Secretary shall work with the owner, and eligible entity if applicable, to address any subordination, exchange, modification, or termination of the interest, or portion of such interest, in land.

''(3) NOTICE.—At least 90 days before taking any termination action described in paragraph (1), the Secretary shall provide written notice of such action to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

''(d) LAND ENROLLED IN CONSERVATION RESERVE PROGRAM.—The Secretary may terminate or modify a contract entered into under section 1231(a) if eligible land that is subject to such contract is transferred into the program.

''(e) ALLOCATION OF FUNDS FOR AGRICULTURAL LAND EASEMENTS.—Of the funds made available under section 1241 to carry out the program for a fiscal year, the Secretary shall, to the extent practicable, use for agricultural land easements—

''(1) no less than 40 percent in each of fiscal years 2014 through 2017; and

''(2) no less than 50 percent in fiscal year 2018.''.

(b) COMPLIANCE WITH CERTAIN REQUIREMENTS.—Before an eligible entity or owner of eligible land may receive assistance under subtitle H of title XII of the Food Security Act of 1985, the eligible entity or person shall agree, during the crop year for which the assistance is provided and in exchange for the assistance—

(1) to comply with applicable conservation requirements under subtitle B of title XII of that Act (16 U.S.C. 3811 et seq.); and

(2) to comply with applicable wetland protection requirements under subtitle C of title XII of that Act (16 U.S.C. 3821 et seq.).

(c) CROSS REFERENCE; CALCULATION.—Section 1244 of the Food Security Act of 1985 (16 U.S.C. 3844) is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) by inserting ''and'' at the end of subparagraph (A);

(ii) by striking ''and'' at the end of subparagraph (B); and

(iii) by striking subparagraph (C);

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following new paragraph:

''(2) the agricultural conservation easement program established under subtitle H; and''; and

(2) in subsection (f)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''programs administered under subchapters B and C of chapter 1 of subtitle D'' and inserting ''conservation reserve program established under subchapter B of chapter 1 of subtitle D and wetland easements under section 1265C''; and

(ii) in subparagraph (B), by striking ''an easement acquired under subchapter C of chapter 1 of subtitle D'' and inserting ''a wetland easement under section 1265C''; and

(B) by adding at the end the following new paragraph:

''(5) CALCULATION.—In calculating the percentages described in paragraph (1), the Secretary shall include any acreage that was included in calculations of percentages made under such paragraph, as in effect on September 30, 2013, and that remains enrolled when the calculation is made after that date under paragraph (1).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013.

Subtitle E—Regional Conservation Partnership Program

SEC. 2401. REGIONAL CONSERVATION PARTNERSHIP PROGRAM.

(a) IN GENERAL.—Title XII of the Food Security Act of 1985 is amended by inserting after subtitle H, as added by section 2301, the following new subtitle:

''Subtitle I—Regional Conservation Partnership Program

''SEC. 1271. ESTABLISHMENT AND PURPOSES.

''(a) ESTABLISHMENT.—The Secretary shall establish a regional conservation partnership program to implement eligible activities on eligible land through—

''(1) partnership agreements with eligible partners; and

''(2) contracts with producers.

''(b) PURPOSES.—The purposes of the program are as follows:

''(1) To use covered programs to accomplish purposes and functions similar to those of the following programs, as in effect on September 30, 2013:

''(A) The agricultural water enhancement program established under section 1240I.

''(B) The Chesapeake Bay watershed program established under section 1240Q.

''(C) The cooperative conservation partnership initiative established under section 1243.

''(D) The Great Lakes basin program for soil erosion and sediment control established under section 1240P.

''(2) To further the conservation, restoration, and sustainable use of soil, water, wildlife, and related natural resources on eligible land on a regional or watershed scale.

''(3) To encourage eligible partners to cooperate with producers in—

''(A) meeting or avoiding the need for national, State, and local natural resource regulatory requirements related to production on eligible land; and

''(B) implementing projects that will result in the carrying out of eligible activities that affect multiple agricultural or nonindustrial private forest operations on a local, regional, State, or multi-State basis.

''SEC. 1271A. DEFINITIONS.

''In this subtitle:

''(1) COVERED PROGRAM.—The term 'covered program' means the following:

''(A) The agricultural conservation easement program.

''(B) The environmental quality incentives program.

''(C) The conservation stewardship program.

''(2) ELIGIBLE ACTIVITY.—The term 'eligible activity' means any of the following conservation activities:

''(A) Water quality or quantity conservation, restoration, or enhancement projects relating to surface water and groundwater resources, including—

''(i) the conversion of irrigated cropland to the production of less water-intensive agricultural commodities or dryland farming; or

''(ii) irrigation system improvement and irrigation efficiency enhancement.

''(B) Drought mitigation.

''(C) Flood prevention.

''(D) Water retention.

''(E) Air quality improvement.

''(F) Habitat conservation, restoration, and enhancement.

''(G) Erosion control and sediment reduction.

''(H) Other related activities that the Secretary determines will help achieve conservation benefits.

''(3) ELIGIBLE LAND.—The term 'eligible land' means land on which agricultural commodities, livestock, or forest-related products are produced, including—

''(A) cropland;

''(B) grassland;

''(C) rangeland;

''(D) pastureland;

''(E) nonindustrial private forest land; and

''(F) other land incidental to agricultural production (including wetlands and riparian buffers) on which significant natural resource issues could be addressed under the program.

''(4) ELIGIBLE PARTNER.—The term 'eligible partner' means any of the following:

''(A) An agricultural or silvicultural producer association or other group of producers.

''(B) A State or unit of local government.

''(C) An Indian tribe.

''(D) A farmer cooperative.

''(E) A water district, irrigation district, rural water district or association, or other organization with specific water delivery authority to producers on agricultural land.

''(F) An institution of higher education.

''(G) An organization or entity with an established history of working cooperatively with producers on agricultural land, as determined by the Secretary, to address—

''(i) local conservation priorities related to agricultural production, wildlife habitat development, or nonindustrial private forest land management; or

''(ii) critical watershed-scale soil erosion, water quality, sediment reduction, or other natural resource issues.

''(5) PARTNERSHIP AGREEMENT.—The term 'partnership agreement' means an agreement entered into under section 1271B between the Secretary and an eligible partner.

''(6) PROGRAM.—The term 'program' means the regional conservation partnership program established by this subtitle.

''SEC. 1271B. REGIONAL CONSERVATION PARTNERSHIPS.

''(a) PARTNERSHIP AGREEMENTS AUTHORIZED.—The Secretary may enter into a partnership agreement with an eligible partner to implement a project that will assist producers with installing and maintaining an eligible activity on eligible land.

''(b) LENGTH.—A partnership agreement shall be for a period not to exceed 5 years, except that the Secretary may extend the agreement one time for up to 12 months when an extension is necessary to meet the objectives of the program.

''(c) DUTIES OF PARTNERS.—

''(1) IN GENERAL.—Under a partnership agreement, the eligible partner shall—

''(A) define the scope of a project, including—

''(i) the eligible activities to be implemented;

''(ii) the potential agricultural or nonindustrial private forest land operations affected;

''(iii) the local, State, multi-State, or other geographic area covered; and

''(iv) the planning, outreach, implementation, and assessment to be conducted;

''(B) conduct outreach to producers for potential participation in the project;

''(C) at the request of a producer, act on behalf of a producer participating in the project in applying for assistance under section 1271C;

''(D) leverage financial or technical assistance provided by the Secretary with additional funds to help achieve the project objectives;

''(E) conduct an assessment of the project's effects; and

''(F) at the conclusion of the project, report to the Secretary on its results and funds leveraged.

''(2) CONTRIBUTION.—An eligible partner shall provide a significant portion of the overall costs of the scope of the project that is the subject of the agreement entered into under subsection (a), as determined by the Secretary.

''(d) APPLICATIONS.—

''(1) COMPETITIVE PROCESS.—The Secretary shall conduct a competitive process to select applications for partnership agreements and may assess and rank applications with similar conservation purposes as a group.

''(2) CRITERIA USED.—In carrying out the process described in paragraph (1), the Secretary shall make public the criteria used in evaluating applications.

''(3) CONTENT.—An application to the Secretary shall include a description of—

''(A) the scope of the project, as described in subsection (c)(1)(A);

''(B) the plan for monitoring, evaluating, and reporting on progress made towards achieving the project's objectives;

''(C) the program resources requested for the project, including the covered programs to be used and estimated funding needed from the Secretary;

''(D) eligible partners collaborating to achieve project objectives, including their roles, responsibilities, capabilities, and financial contribution; and

''(E) any other elements the Secretary considers necessary to adequately evaluate and competitively select applications for funding under the program.

''(4) PRIORITY TO CERTAIN APPLICATIONS.—The Secretary may give a higher priority to applications that—

''(A) assist producers in meeting or avoiding the need for a natural resource regulatory requirement;

''(B) have a high percentage of eligible producers in the area to be covered by the agreement;

''(C) significantly leverage non-Federal financial and technical resources and coordinate with other local, State, or national efforts;

''(D) deliver high percentages of applied conservation to address conservation priorities or regional, State, or national conservation initiatives;

''(E) provide innovation in conservation methods and delivery, including outcome-based performance measures and methods; or

''(F) meet other factors that are important for achieving the purposes of the program, as determined by the Secretary.

''SEC. 1271C. ASSISTANCE TO PRODUCERS.

''(a) IN GENERAL.—The Secretary shall enter into contracts with producers to provide financial and technical assistance to—

''(1) producers participating in a project with an eligible partner, as described in section 1271B; or

''(2) producers that fit within the scope of a project described in section 1271B or a critical conservation area designated under section 1271F, but who are seeking to implement an eligible activity on eligible land independent of a partner.

''(b) TERMS AND CONDITIONS.—

''(1) CONSISTENCY WITH PROGRAM RULES.—Except as provided in paragraph (2), the Secretary shall ensure that the terms and conditions of a contract under this section are consistent with the applicable rules of the covered programs to be used as part of the project, as described in the application under section 1271B(d)(3)(C).

''(2) ADJUSTMENTS.—Except with respect to statutory program requirements governing appeals, payment limitations, and conservation compliance, the Secretary may adjust the discretionary program rules of a covered program—

''(A) to provide a simplified application and evaluation process; and

''(B) to better reflect unique local circumstances and purposes if the Secretary determines such adjustments are necessary to achieve the purposes of the program.

''(c) PAYMENTS.—

''(1) IN GENERAL.—In accordance with statutory requirements of the covered programs involved, the Secretary may make payments to a producer in an amount determined by the Secretary to be necessary to achieve the purposes of the program.

''(2) PAYMENTS TO PRODUCERS IN STATES WITH WATER QUANTITY CONCERNS.—The Secretary may provide payments to producers participating in a project that addresses water quantity concerns for a period of five years in an amount sufficient to encourage conversion from irrigated farming to dryland farming.

''(3) WAIVER AUTHORITY.—To assist in the implementation of the program, the Secretary may waive the applicability of the limitation in section 1001D(b)(2) of this Act for participating producers if the Secretary determines that the waiver is necessary to fulfill the objectives of the program.

''SEC. 1271D. FUNDING.

''(a) AVAILABILITY OF FUNDS.—The Secretary shall use $100,000,000 of the funds of the Commodity Credit Corporation for each of fiscal years 2014 through 2018 to carry out the program.

''(b) DURATION OF AVAILABILITY.—Funds made available under subsection (a) shall remain available until expended.

''(c) ADDITIONAL FUNDING AND ACRES.—

''(1) IN GENERAL.—In addition to the funds made available under subsection (a), the Secretary shall reserve 6 percent of the funds and acres made available for a covered program for each of fiscal years 2014 through 2018 in order to ensure additional resources are available to carry out this program.

''(2) UNUSED FUNDS AND ACRES.—Any funds or acres reserved under paragraph (1) for a fiscal year from a covered program that are not obligated under this program by April 1 of that fiscal year shall be returned for use under the covered program.

''(d) ALLOCATION OF FUNDING.—Of the funds and acres made available for the program under subsections (a) and (c), the Secretary shall allocate—

''(1) 25 percent of the funds and acres to projects based on a State competitive process administered by the State Conservationist, with the advice of the State technical committee established under subtitle G;

''(2) 50 percent of the funds and acres to projects based on a national competitive process to be established by the Secretary; and

''(3) 25 percent of the funds and acres to projects for the critical conservation areas designated under section 1271F.

''(e) LIMITATION ON ADMINISTRATIVE EXPENSES.—None of the funds made available under the program may be used to pay for the administrative expenses of eligible partners.

"SEC. 1271E. ADMINISTRATION.

''(a) DISCLOSURE.—In addition to the criteria used in evaluating applications as described in section 1271B(d)(2), the Secretary shall make publicly available information on projects selected through the competitive process described in section 1271B(d)(1).

''(b) REPORTING.—Not later than December 31, 2014, and every two years thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the status of projects funded under the program, including—

''(1) the number and types of eligible partners and producers participating in the partnership agreements selected;

''(2) the number of producers receiving assistance; and

''(3) total funding committed to projects, including from Federal and non-Federal resources.

"SEC. 1271F. CRITICAL CONSERVATION AREAS.

''(a) IN GENERAL.—In administering funds under section 1271D(d)(3), the Secretary shall select applications for partnership agreements and producer contracts within critical conservation areas designated under this section.

''(b) CRITICAL CONSERVATION AREA DESIGNATIONS.—

''(1) PRIORITY.—In designating critical conservation areas under this section, the Secretary shall give priority to geographical areas based on the degree to which the geographical area—

''(A) includes multiple States with significant agricultural production;

''(B) is covered by an existing regional, State, binational, or multistate agreement or plan that has established objectives, goals, and work plans and is adopted by a Federal, State, or regional authority;

''(C) would benefit from water quality improvement, including through reducing erosion, promoting sediment control, and addressing nutrient management activities affecting large bodies of water of regional, national, or international significance;

''(D) would benefit from water quantity improvement, including improvement relating to—

''(i) groundwater, surface water, aquifer, or other water sources; or

''(ii) a need to promote water retention and flood prevention; or

''(E) contains producers that need assistance in meeting or avoiding the need for a natural resource regulatory requirement that could have a negative economic impact on agricultural operations within the area.

''(2) LIMITATION.—The Secretary may not designate more than 8 geographical areas as critical conservation areas under this section.

''(c) ADMINISTRATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall administer any partnership agreement or producer contract under this section in a manner that is consistent with the terms of the program.

''(2) RELATIONSHIP TO EXISTING ACTIVITY.—The Secretary shall, to the maximum extent practicable, ensure that eligible activities carried out in critical conservation areas designated under this section complement and are consistent with other Federal and State programs and water quality and quantity strategies.

''(3) ADDITIONAL AUTHORITY.—For a critical conservation area described in subsection (b)(1)(D), the Secretary may use authorities under the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.), other than section 14 of such Act (16 U.S.C. 1012), to carry out projects for the purposes of this section.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

Subtitle F—Other Conservation Programs

SEC. 2501. CONSERVATION OF PRIVATE GRAZING LAND.

Section 1240M(e) of the Food Security Act of 1985 (16 U.S.C. 3839bb(e)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 2502. GRASSROOTS SOURCE WATER PROTECTION PROGRAM.

Section 1240O(b) of the Food Security Act of 1985 (16 U.S.C. 3839bb–2) is amended to read as follows:

''(b) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2008 through 2018.

''(2) AVAILABILITY OF FUNDS.—In addition to funds made available under paragraph (1), of the funds of the Commodity Credit Corporation, the Secretary shall use $5,000,000, to remain available until expended.''.

SEC. 2503. VOLUNTARY PUBLIC ACCESS AND HABITAT INCENTIVE PROGRAM.

(a) FUNDING.—Section 1240R(f)(1) of the Food Security Act of 1985 (16 U.S.C. 3839bb–5(f)(1)) is amended by inserting before the period at the end the following: ''and $30,000,000 for the period of fiscal years 2014 through 2018''.

(b) REPORT ON PROGRAM EFFECTIVENESS.—Not later than two years after the date of the enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report evaluating the effectiveness of the voluntary public access program established by section 1240R of the Food Security Act of 1985 (16 U.S.C. 3839bb–5), including—

(1) identifying cooperating agencies;

(2) identifying the number of land holdings and total acres enrolled by each State and tribal government;

(3) evaluating the extent of improved access on eligible lands, improved wildlife habitat, and related economic benefits; and

(4) any other relevant information and data relating to the program that would be helpful to such Committees.

SEC. 2504. AGRICULTURE CONSERVATION EXPERIENCED SERVICES PROGRAM.

(a) FUNDING.—Subsection (c) of section 1252 of the Food Security Act of 1985 (16 U.S.C. 3851) is amended to read as follows:

''(c) FUNDING.—

''(1) IN GENERAL.—The Secretary may carry out the ACES program using funds made available to carry out each program under this title.

''(2) EXCLUSION.—Funds made available to carry out the conservation reserve program may not be used to carry out the ACES program.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2505. SMALL WATERSHED REHABILITATION PROGRAM.

(a) AVAILABILITY OF FUNDS.—Section 14(h)(1) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(1)) is amended—

(1) in subparagraph (E), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (F), by striking the period and inserting a semicolon;

(3) in subparagraph (G), by striking the period and inserting ''; and''; and

(4) by adding at the end the following new subparagraph:

''(H) $250,000,000 for fiscal year 2014, to remain available until expended.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 14(h)(2)(E) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(2)(E)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 2506. AGRICULTURAL MANAGEMENT ASSISTANCE PROGRAM.

(a) USES.—Section 524(b)(2) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)(2)) is amended—

(1) by striking subparagraph (B) and redesignating subparagraphs (C) through (F) as subparagraphs (B) through (E), respectively; and

(2) in subparagraph (B) (as so redesignated)—

(A) in the matter preceding clause (i), by striking ''or resource conservation practices''; and

(B) by striking clause (i) and redesignating clauses (ii) through (iv) as clauses (i) through (iii), respectively.

(b) COMMODITY CREDIT CORPORATION.—

(1) FUNDING.—Section 524(b)(4)(B) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)(4)(B)) is amended to read as follows:

''(B) FUNDING.—The Commodity Credit Corporation shall make available to carry out this subsection not less than $10,000,000 for each fiscal year.''.

(2) CERTAIN USES.—Section 524(b)(4)(C) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)(4)(C)) is amended—

(A) in clause (i)—

(i) by striking ''50'' and inserting ''30''; and

(ii) by striking ''(A), (B), and (C)'' and inserting ''(A) and (B)''; and

(B) in clause (iii), by striking ''40'' and inserting ''60''.

Subtitle G—Funding and Administration

SEC. 2601. FUNDING.

(a) IN GENERAL.—Subsection (a) of section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended to read as follows:

''(a) ANNUAL FUNDING.—For each of fiscal years 2014 through 2018, the Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out the following programs under this title (including the provision of technical assistance):

''(1) The conservation reserve program under subchapter B of chapter 1 of subtitle D, including, to the maximum extent practicable, $25,000,000 for the period of fiscal years 2014 through 2018 to carry out section 1235(f) to facilitate the transfer of land subject to contracts from retired or retiring owners and operators to beginning farmers or ranchers and socially disadvantaged farmers or ranchers.

''(2) The agriculture conservation easement program under subtitle H, using, to the maximum extent practicable—

''(A) $425,000,000 in fiscal year 2014;

''(B) $450,000,000 in fiscal year 2015;

''(C) $475,000,000 in fiscal year 2016;

''(D) $500,000,000 in fiscal year 2017; and

''(E) $200,000,000 in fiscal year 2018.

''(3) The conservation security program under subchapter A of chapter 2 of subtitle D, using such sums as are necessary to administer contracts entered into before September 30, 2008.

''(4) The conservation stewardship program under subchapter B of chapter 2 of subtitle D.

''(5) The environmental quality incentives program under chapter 4 of subtitle D, using, to the maximum extent practicable, $1,750,000,000 for each of fiscal years 2014 through 2018.''.

(b) REGIONAL EQUITY; GUARANTEED AVAILABILITY OF FUNDS.—Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended—

(1) by striking subsection (d);

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting after subsection (a) the following new subsection:

''(b) AVAILABILITY OF FUNDS.—Amounts made available by subsection (a) shall be used by the Secretary to carry out the programs specified in such subsection for fiscal years 2014 through 2018 and shall remain available until expended. Amounts made available for the programs specified in such subsection during a fiscal year

through modifications, cancellations, terminations, and other related administrative actions and not obligated in that fiscal year shall remain available for obligation during subsequent fiscal years, but shall reduce the amount of additional funds made available in the subsequent fiscal year by an amount equal to the amount remaining unobligated.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013.

SEC. 2602. TECHNICAL ASSISTANCE.

(a) IN GENERAL.—Subsection (c) of section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841), as redesignated by section 2601(b)(2) of this Act, is amended to read as follows:

''(c) TECHNICAL ASSISTANCE.—

''(1) AVAILABILITY OF FUNDS.—Commodity Credit Corporation funds made available for a fiscal year for each of the programs specified in subsection (a)—

''(A) shall be available for the provision of technical assistance for the programs for which funds are made available as necessary to implement the programs effectively; and

''(B) shall not be available for the provision of technical assistance for conservation programs specified in subsection (a) other than the program for which the funds were made available.

''(2) REPORT.—Not later than December 31, 2013, the Secretary shall submit (and update as necessary in subsequent years) to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report—

''(A) detailing the amount of technical assistance funds requested and apportioned in each program specified in subsection (a) during the preceding fiscal year; and

''(B) any other data relating to this subsection that would be helpful to such Committees.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2603. RESERVATION OF FUNDS TO PROVIDE ASSISTANCE TO CERTAIN FARMERS OR RANCHERS FOR CONSERVATION ACCESS.

(a) IN GENERAL.—Subsection (g) of section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended—

(1) in paragraph (1) by striking ''2012'' and inserting ''2018''; and

(2) by adding at the end the following new paragraph:

''(4) PREFERENCE.—In providing assistance under paragraph (1), the Secretary shall give preference to a veteran farmer or rancher (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e))) that qualifies under subparagraph (A) or (B) of paragraph (1).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013.

SEC. 2604. ANNUAL REPORT ON PROGRAM ENROLLMENTS AND ASSISTANCE.

(a) IN GENERAL.—Subsection (h) of section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended—

(1) in paragraph (1), by striking ''wetlands reserve program'' and inserting ''agricultural conservation easement program'';

(2) by striking paragraphs (2) and (3) and redesignating paragraphs (4), (5), and (6) as paragraphs (2), (3), and (4), respectively; and

(3) in paragraph (3) (as so redesignated)—

(A) by striking ''agricultural water enhancement program'' and inserting ''regional conservation partnership program''; and

(B) by striking ''1240I(g)'' and inserting ''1271C(c)(3)''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013.

SEC. 2605. REVIEW OF CONSERVATION PRACTICE STANDARDS.

Section 1242(h)(1)(A) of the Food Security Act of 1985 (16 U.S.C. 3842(h)(1)(A)) is amended by striking ''the Food, Conservation, and Energy Act of 2008'' and inserting ''the Federal Agriculture Reform and Risk Management Act of 2013''.

SEC. 2606. ADMINISTRATIVE REQUIREMENTS APPLICABLE TO ALL CONSERVATION PROGRAMS.

(a) IN GENERAL.—Section 1244 of the Food Security Act of 1985 (16 U.S.C. 3844) is amended—

(1) in subsection (a)(2), by adding at the end the following new subparagraph:

''(E) Veteran farmers or ranchers (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e))).'';

(2) in subsection (d), by inserting '', H, and I'' before the period at the end;

(3) in subsection (f)—

(A) in paragraph (1)(B), by striking ''country'' and inserting ''county''; and

(B) in paragraph (3), by striking ''subsection (c)(2)(B) or (f)(4)'' and inserting ''subsection (c)(2)(A)(ii) or (f)(2)''; and

(4) by adding at the end the following new subsections:

''(j) IMPROVED ADMINISTRATIVE EFFICIENCY AND EFFECTIVENESS.—In administrating a conservation program under this title, the Secretary shall, to the maximum extent practicable—

''(1) seek to reduce administrative burdens and costs to producers by streamlining conservation planning and program resources; and

''(2) take advantage of new technologies to enhance efficiency and effectiveness.

''(k) RELATION TO OTHER PAYMENTS.—Any payment received by an owner or operator under this title, including an easement payment or rental payment, shall be in addition to, and not affect, the total amount of payments that the owner or operator is otherwise eligible to receive under any of the following:

''(1) This Act.

''(2) The Agricultural Act of 1949 (7 U.S.C. 1421 et seq.).

''(3) The Federal Agriculture Reform and Risk Management Act of 2013.

''(4) Any law that succeeds a law specified in paragraph (1), (2), or (3).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013.

SEC. 2607. STANDARDS FOR STATE TECHNICAL COMMITTEES.

Section 1261(b) of the Food Security Act of 1985 (16 U.S.C. 3861(b)) is amended by striking ''Not later than 180 days after the date of enactment of the Food, Conservation, and Energy Act of 2008, the Secretary shall develop'' and inserting ''The Secretary shall review and update as necessary''.

SEC. 2608. RULEMAKING AUTHORITY.

Subtitle E of title XII of the Food Security Act of 1985 (16 U.S.C. 3841 et seq.) is amended by adding at the end the following new section:

''SEC. 1246. REGULATIONS.

''(a) IN GENERAL.—The Secretary shall promulgate such regulations as are necessary to implement programs under this title, including such regulations as the Secretary determines to be necessary to ensure a fair and reasonable application of the limitations established under section 1244(f).

''(b) RULEMAKING PROCEDURE.—The promulgation of regulations and administration of programs under this title—

''(1) shall be carried out without regard to—

''(A) the Statement of Policy of the Secretary effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

''(B) chapter 35 of title 44, United States Code (commonly known as the Paperwork Reduction Act); and

''(2) shall be made pursuant to section 553 of title 5, United States Code, including by interim rules effective on publication under the authority provided in subparagraph (B) of subsection (b) of such section if the Secretary determines such interim rules to be needed and final rules, with an opportunity for notice and comment, no later than 21 months after the date of the enactment of the Federal Agriculture Reform and Risk Management Act of 2013.''.

Subtitle H—Repeal of Superseded Program Authorities and Transitional Provisions; Technical Amendments

SEC. 2701. COMPREHENSIVE CONSERVATION ENHANCEMENT PROGRAM.

(a) REPEAL.—Section 1230 of the Food Security Act of 1985 (16 U.S.C. 3830) is repealed.

*(b) CONFORMING AMENDMENT.—The heading of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3830 et seq.) is amended to read as follows: ''**CONSERVATION RESERVE**''.*

SEC. 2702. EMERGENCY FORESTRY CONSERVATION RESERVE PROGRAM.

(a) REPEAL.—Section 1231A of the Food Security Act of 1985 (16 U.S.C. 3831a) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS.—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under section 1231A of the Food Security Act of 1985 (16 U.S.C. 3831a) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) FUNDING.—The Secretary may use funds made available to carry out the conservation reserve program under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) to continue to carry out contracts referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as they existed on September 30, 2013.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2703. WETLANDS RESERVE PROGRAM.

(a) REPEAL.—Subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS.—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) FUNDING.—The Secretary may use funds made available to carry out the agricultural conservation easement program under subtitle H of title XII of the Food Security Act of 1985, as added by section 2301 of this Act, to continue to carry out contracts referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as they existed on September 30, 2013.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2704. FARMLAND PROTECTION PROGRAM AND FARM VIABILITY PROGRAM.

(a) REPEAL.—Subchapter C of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838h et seq.) is repealed.

(b) CONFORMING AMENDMENT.—The heading of chapter 2 of subtitle D of title XII of the Food

*Security Act of 1985 (16 U.S.C. 3838 et seq.) is amended by striking ''**AND FARMLAND PROTECTION**''.*

(c) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS.—The amendments made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under subchapter C of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838h et seq.) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) FUNDING.—The Secretary may use funds made available to carry out the agricultural conservation easement program under subtitle H of title XII of the Food Security Act of 1985, as added by section 2301 of this Act, to continue to carry out contracts referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as they existed on September 30, 2013.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013.

SEC. 2705. GRASSLAND RESERVE PROGRAM.

(a) REPEAL.—Subchapter D of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS.—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under subchapter D of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838n et seq.) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) FUNDING.—The Secretary may use funds made available to carry out the agricultural conservation easement program under subtitle H of title XII of the Food Security Act of 1985, as added by section 2301 of this Act, to continue to carry out contracts referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as they existed on September 30, 2013.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2706. AGRICULTURAL WATER ENHANCEMENT PROGRAM.

(a) REPEAL.—Section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa–9) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS.—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under section 1240I of the Food Security Act of 1985 (16 U.S.C. 3839aa–9) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) FUNDING.—The Secretary may use funds made available to carry out the regional conservation partnership program under subtitle I of title XII of the Food Security Act of 1985, as added by section 2401 of this Act, to continue to carry out contracts referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as they existed on September 30, 2013.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2707. WILDLIFE HABITAT INCENTIVE PROGRAM.

(a) REPEAL.—Section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb–1) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS.—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb–1) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) FUNDING.—The Secretary may use funds made available to carry out the environmental quality incentives program under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) to continue to carry out contracts referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as they existed on September 30, 2013.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2708. GREAT LAKES BASIN PROGRAM.

(a) REPEAL.—Section 1240P of the Food Security Act of 1985 (16 U.S.C. 3839bb–3) is repealed.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2709. CHESAPEAKE BAY WATERSHED PROGRAM.

(a) REPEAL.—Section 1240Q of the Food Security Act of 1985 (16 U.S.C. 3839bb–4) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS.—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under section 1240Q of the Food Security Act of 1985 (16 U.S.C. 3839bb–4) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) FUNDING.—The Secretary may use funds made available to carry out the regional conservation partnership program under subtitle I of title XII of the Food Security Act of 1985, as added by section 2401 of this Act, to continue to carry out contracts referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as they existed on September 30, 2013.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2710. COOPERATIVE CONSERVATION PARTNERSHIP INITIATIVE.

(a) REPEAL.—Section 1243 of the Food Security Act of 1985 (16 U.S.C. 3843) is repealed.

(b) TRANSITIONAL PROVISIONS.—

(1) EFFECT ON EXISTING CONTRACTS.—The amendment made by this section shall not affect the validity or terms of any contract entered into by the Secretary of Agriculture under section 1243 of the Food Security Act of 1985 (16 U.S.C. 3843) before October 1, 2013, or any payments required to be made in connection with the contract.

(2) FUNDING.—The Secretary may use funds made available to carry out the regional conservation partnership program under subtitle I of title XII of the Food Security Act of 1985, as added by section 2401 of this Act, to continue to carry out contracts referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts as they existed on September 30, 2013.

(c) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 2711. ENVIRONMENTAL EASEMENT PROGRAM.

Chapter 3 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839 et seq.) is repealed.

SEC. 2712. TECHNICAL AMENDMENTS.

(a) DEFINITIONS.—Section 1201(a) of the Food Security Act of 1985 (16 U.S.C. 3801(a)) is amended in the matter preceding paragraph (1) by striking ''E'' and inserting ''I''.

(b) PROGRAM INELIGIBILITY.—Section 1211(a) of the Food Security Act of 1985 (16 U.S.C. 3811(a)) is amended by striking ''predominate'' each place it appears and inserting ''predominant''.

(c) SPECIALTY CROP PRODUCERS.—Section 1242(i) of the Food Security Act of 1985 (16 U.S.C. 3842(i)) is amended in the header by striking ''SPECIALITY'' and inserting ''SPECIALTY''.

TITLE III—TRADE

Subtitle A—Food for Peace Act

SEC. 3001. GENERAL AUTHORITY.

Section 201 of the Food for Peace Act (7 U.S.C. 1721) is amended—

(1) in the matter preceding paragraph (1), by inserting ''(to be implemented by the Administrator)'' after ''under this title''; and

(2) by striking paragraph (7) and the second sentence and inserting the following new paragraph:

''(7) build resilience to mitigate and prevent food crises and reduce the future need for emergency aid.''.

SEC. 3002. SUPPORT FOR ORGANIZATIONS THROUGH WHICH ASSISTANCE IS PROVIDED.

Section 202(e)(1) of the Food for Peace Act (7 U.S.C. 1722(e)(1)) is amended by striking ''13 percent'' and inserting ''11 percent''.

SEC. 3003. FOOD AID QUALITY.

Section 202(h) of the Food for Peace Act (7 U.S.C. 1722(h)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''The Administrator shall use funds made available for fiscal year 2009'' and inserting ''In consultation with the Secretary, the Administrator shall use funds made available for fiscal year 2013''; and

(ii) by inserting ''to establish a mechanism'' after ''this title'';

(B) by striking ''and'' at the end of subparagraph (B); and

(C) by striking subparagraph (C) and inserting the following new paragraphs:

''(C) to evaluate, as necessary, the use of current and new agricultural commodities and products thereof in different program settings and for particular recipient groups, including the testing of prototypes;

''(D) to establish and implement appropriate protocols for quality assurance of food products procured by the Secretary for food aid programs; and

''(E) to periodically update program guidelines on the recommended use of agricultural commodities and food products in food aid programs to reflect findings from the implementation of this subsection and other relevant information.'';

(2) in paragraph (2), by striking ''The Administrator'' and inserting ''In consultation with the Secretary, the Administrator''; and

(3) in paragraph (3), by striking ''section 207(f)'' and all that follows through the period at the end and inserting the following: ''section 207(f)—

''(A) for fiscal years 2009 through 2013, not more than $4,500,000 may be used to carry out this subsection; and

''(B) for fiscal years 2014 through 2018, not more than $1,000,000 may be used to carry out this subsection.''.

SEC. 3004. MINIMUM LEVELS OF ASSISTANCE.

Section 204(a) of the Food for Peace Act (7 U.S.C. 1724(a)) is amended—

(1) in paragraph (1), by striking ''2012'' and inserting ''2018''; and

(2) in paragraph (2), by striking ''2012'' and inserting ''2018''.

SEC. 3005. FOOD AID CONSULTATIVE GROUP.

(a) MEMBERSHIP.—Section 205(b) of the Food for Peace Act (7 U.S.C. 1725(b)) is amended—

(1) by striking ''and'' at the end of paragraph (6);

(2) by redesignating paragraph (7) as paragraph (8); and

(3) by inserting after paragraph (6) the following new paragraph:

''(7) representatives from the United States agricultural processing sector involved in providing agricultural commodities for programs under this Act; and''.

(b) CONSULTATION.—Section 205(d) of the Food for Peace Act (7 U.S.C. 1725(d)) is amended—

(1) by striking the first sentence and inserting the following:

''(1) CONSULTATION IN ADVANCE OF ISSUANCE OF IMPLEMENTATION REGULATIONS, HANDBOOKS, AND GUIDELINES.—Not later than 45 days before a proposed regulation, handbook, or guideline implementing this title, or a proposed significant revision to a regulation, handbook, or guideline implementing this title, becomes final, the Administrator shall provide the proposal to the Group for review and comment.''; and

(2) by adding at the end the following new paragraph:

''(2) CONSULTATION REGARDING FOOD AID QUALITY EFFORTS.—The Administrator shall seek input from and consult with the Group on the implementation of section 202(h).''.

(c) REAUTHORIZATION.—Section 205(f) of the Food for Peace Act (7 U.S.C. 1725(f)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 3006. OVERSIGHT, MONITORING, AND EVALUATION.

(a) REGULATIONS AND GUIDANCE.—Section 207(c) of the Food for Peace Act (7 U.S.C. 1726a(c)) is amended—

(1) in the subsection heading, by inserting ''AND GUIDANCE'' after ''REGULATIONS'';

(2) in paragraph (1), by adding at the end the following new sentence: ''Not later than 270 days after the date of the enactment of the Federal Agriculture Reform and Risk Management Act of 2013, the Administrator shall issue all regulations and revisions to agency guidance necessary to implement the amendments made to this title by such Act.''; and

(3) in paragraph (2), by inserting ''and guidance'' after ''develop regulations''.

(b) FUNDING.—Section 207(f) of the Food for Peace Act (7 U.S.C. 1726a(f)) is amended—

(1) in paragraph (2)—

(A) by inserting ''and'' at the end of subparagraph (D);

(B) by striking ''; and'' at the end of subparagraph (E) and inserting the period; and

(C) by striking subparagraph (F);

(2) by striking paragraphs (3) and (4); and

(3) by redesignating paragraphs (5) and (6) as paragraphs (3) and (4), respectively; and

(4) in paragraph (4) (as so redesignated)—

(A) in subparagraph (A), by striking ''2012'' and all that follows through the period at the end and inserting ''2013, and up to $10,000,000 of such funds for each of fiscal years 2014 through 2018.''; and

(B) in subparagraph (B)(i), by striking ''2012'' and inserting ''2018''.

(c) IMPLEMENTATION REPORTS.—Not later than 270 days after the date of the enactment of this Act, the Administrator of the Agency for International Development shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committees on Agriculture and Foreign Affairs of the House of Representatives a report describing—

(1) the implementation of section 207(c) of the Food for Peace Act (7 U.S.C. 1726a(c));

(2) the surveys, studies, monitoring, reporting, and audit requirements for programs conducted under title II of such Act (7 U.S.C. 1721 et seq.) by an eligible organization that is a nongovernmental organization (as such term is defined in section 402 of such Act (7 U.S.C. 1732)); and

(3) the surveys, studies, monitoring, reporting, and audit requirements for such programs by an eligible organization that is an intergovernmental organization, such as the World Food Program or other multilateral organization.

SEC. 3007. ASSISTANCE FOR STOCKPILING AND RAPID TRANSPORTATION, DELIVERY, AND DISTRIBUTION OF SHELF-STABLE PREPACKAGED FOODS.

Section 208(f) of the Food for Peace Act (7 U.S.C. 1726b(f)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 3008. GENERAL PROVISIONS.

(a) IMPACT ON LOCAL FARMERS AND ECONOMY.—Section 403(b) of the Food for Peace Act (7 U.S.C. 1733(b)) is amended by adding at the end the following new sentence: ''The Secretary or the Administrator, as appropriate, shall seek information, as part of the regular proposal and submission process, from implementing agencies on the potential benefits to the local economy of sales of agricultural commodities within the recipient country.''.

(b) PREVENTION OF PRICE DISRUPTIONS.—Section 403(e) of the Food for Peace Act (7 U.S.C. 1733(e)) is amended—

(1) in paragraph (2), by striking ''reasonable market price'' and inserting ''fair market value''; and

(2) by adding at the end the following new paragraph:

''(3) COORDINATION ON ASSESSMENTS.—The Secretary and the Administrator shall coordinate in assessments to carry out paragraph (1) and in the development of approaches to be used by implementing agencies for determining the fair market value described in paragraph (2).''.

(c) REPORT ON USE OF FUNDS.—Section 403 of the Food for Peace Act (7 U.S.C. 1733) is amended by adding at the end the following new subsection:

''(m) REPORT ON USE OF FUNDS.—Not later than 180 days after the date of the enactment of the Federal Agriculture Reform and Risk Management Act of 2013, and annually thereafter, the Administrator shall submit to Congress a report—

''(1) specifying the amount of funds (including funds for administrative costs, indirect cost recovery, and internal transportation, storage and handling, and associated distribution costs) provided to each eligible organization that received assistance under this Act in the previous fiscal year; and

''(2) describing how those funds were used by the eligible organization.''.

SEC. 3009. PREPOSITIONING OF AGRICULTURAL COMMODITIES.

Section 407(c)(4) of the Food for Peace Act (7 U.S.C. 1736a(c)(4)) is amended—

(1) in subparagraph (A)—

(A) by striking ''2012'' and inserting ''2018''; and

(B) by striking ''for each such fiscal year not more than $10,000,000 of such funds'' and inserting ''for each of fiscal years 2001 through 2013 not more than $10,000,000 of such funds and for each of fiscal years 2014 through 2018 not more than $15,000,000 of such funds''; and

(2) by striking subparagraph (B) and inserting the following new subparagraph:

''(B) ADDITIONAL PREPOSITIONING SITES.—The Administrator may establish additional sites for prepositioning in foreign countries or change the location of current sites for prepositioning in foreign countries after conducting, and based on the results of, assessments of need, the availability of appropriate technology for long-term storage, feasibility, and cost.''.

SEC. 3010. ANNUAL REPORT REGARDING FOOD AID PROGRAMS AND ACTIVITIES.

Section 407(f)(1) of the Food for Peace Act (7 U.S.C. 1736a(f)(1)) is amended—

(1) in the paragraph heading, by striking ''AGRICULTURAL TRADE'' and inserting ''FOOD AID'';

(2) in subparagraph (B)(ii), by inserting before the semicolon at the end the following: ''and the total number of beneficiaries of the project and the activities carried out through such project''; and

(3) in subparagraph (B)(iii)—

(A) in the matter preceding subclause (I), by inserting '', and the total number of beneficiaries in,'' after ''commodities made available to'';

(B) by striking ''and'' at the end of subclause (I);

(C) by inserting ''and'' at the end of subclause (II); and

(D) by inserting after subclause (II) the following new subclause:

''(III) the McGovern-Dole International Food for Education and Child Nutrition Program established by section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1);''.

SEC. 3011. DEADLINE FOR AGREEMENTS TO FINANCE SALES OR TO PROVIDE OTHER ASSISTANCE.

Section 408 of the Food for Peace Act (7 U.S.C. 1736b) is amended by striking ''2012'' and inserting ''2018''.

SEC. 3012. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 412(a)(1) of the Food for Peace Act (7 U.S.C. 1736f(a)(1)) is amended by striking ''for fiscal year 2008 and each fiscal year thereafter, $2,500,000,000'' and inserting ''$2,500,000,000 for each of fiscal years 2008 through 2013 and $2,000,000,000 for each of fiscal years 2014 through 2018''.

(b) MINIMUM LEVEL OF NONEMERGENCY FOOD ASSISTANCE.—Paragraph (1) of section 412(e) of the Food for Peace Act (7 U.S.C. 1736f(e)) is amended to read as follows:

''(1) FUNDS AND COMMODITIES.—For each of fiscal years 2014 through 2018, of the amounts made available to carry out emergency and nonemergency food assistance programs under title II, not less than $400,000,000 shall be expended for nonemergency food assistance programs under such title.''.

SEC. 3013. MICRONUTRIENT FORTIFICATION PROGRAMS.

(a) ELIMINATION OF OBSOLETE REFERENCE TO STUDY.—Section 415(a)(2)(B) of the Food for Peace Act (7 U.S.C. 1736g–2(a)(2)(B)) is amended by striking '', using recommendations'' and all that follows through ''quality enhancements''.

(b) EXTENSION.—Section 415(c) of the Food for Peace Act (7 U.S.C. 1736g–2(c)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 3014. JOHN OGONOWSKI AND DOUG BEREUTER FARMER-TO-FARMER PROGRAM.

Section 501 of the Food for Peace Act (7 U.S.C. 1737) is amended—

(1) in subsection (d), in the matter preceding paragraph (1), by striking ''2012'' and inserting ''2013, and not less than the greater of $15,000,000 or 0.5 percent of the amounts made available for each of fiscal years 2014 through 2018,''; and

(2) in subsection (e)(1), by striking ''2012'' and inserting ''2018''.

Subtitle B—Agricultural Trade Act of 1978

SEC. 3101. FUNDING FOR EXPORT CREDIT GUARANTEE PROGRAM.

Section 211(b) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(b)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 3102. FUNDING FOR MARKET ACCESS PROGRAM.

Section 211(c)(1)(A) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(c)(1)(A)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 3103. FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM.

Section 703(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5723(a)) is amended by striking ''2012'' and inserting ''2018''.

Subtitle C—Other Agricultural Trade Laws

SEC. 3201. FOOD FOR PROGRESS ACT OF 1985.

(a) EXTENSION.—The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended—

(1) in subsection (f)(3), by striking ''2012'' and inserting ''2018'';

(2) in subsection (g), by striking ''2012'' and inserting ''2018'';

(3) in subsection (k), by striking ''2012'' and inserting ''2018''; and

(4) in subsection (l)(1), by striking ''2012'' and inserting ''2018''.

(b) REPEAL OF COMPLETED PROJECT.—Subsection (f) of the Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended by striking paragraph (6).

SEC. 3202. BILL EMERSON HUMANITARIAN TRUST.

Section 302 of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1) is amended—

(1) in subsection (b)(2)(B)(i), by striking ''2012'' both places it appears and inserting ''2018''; and

(2) in subsection (h), by striking ''2012'' both places it appears and inserting ''2018''.

SEC. 3203. PROMOTION OF AGRICULTURAL EXPORTS TO EMERGING MARKETS.

(a) DIRECT CREDITS OR EXPORT CREDIT GUARANTEES.—Section 1542(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 7 U.S.C. 5622 note) is amended by striking ''2012'' and inserting ''2018''.

(b) DEVELOPMENT OF AGRICULTURAL SYSTEMS.—Section 1542(d)(1)(A)(i) of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 7 U.S.C. 5622 note) is amended by striking ''2012'' and inserting ''2018''.

SEC. 3204. MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM.

(a) REAUTHORIZATION.—Section 3107(l)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1(l)(2)) is amended by striking ''2012'' and inserting ''2018''.

(b) TECHNICAL CORRECTION.—Section 3107(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1(d)) is amended by striking ''to'' in the matter preceding paragraph (1).

SEC. 3205. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.

(a) PURPOSE.—Section 3205(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5680(b)) is amended by striking ''related barriers to trade'' and inserting ''technical barriers to trade''.

(b) FUNDING.—Section 3205(e)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5680(e)(2)) is amended—

(1) by inserting ''and'' at the end of subparagraph (C); and

(2) by striking subparagraphs (D) and (E) and inserting the following new subparagraph:

''(D) $9,000,000 for each of fiscal years 2011 through 2018.''.

SEC. 3206. GLOBAL CROP DIVERSITY TRUST.

Section 3202(c) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 22 U.S.C. 2220a note) is amended by striking ''section'' and all that follows through the period and inserting the following: ''section—

''(1) $60,000,000 for the period of fiscal years 2008 through 2013; and

''(2) $50,000,000 for the period of fiscal years 2014 through 2018.''.

SEC. 3207. UNDER SECRETARY OF AGRICULTURE FOR FOREIGN AGRICULTURAL SERVICES.

(a) IN GENERAL.—Subtitle B of the Department of Agriculture Reorganization Act of 1994 is amended by inserting after section 225 (7 U.S.C. 6931) the following new section:

''SEC. 225A. UNDER SECRETARY OF AGRICULTURE FOR FOREIGN AGRICULTURAL SERVICES.

''(a) AUTHORIZATION.—The Secretary is authorized to establish in the Department the position of Under Secretary of Agriculture for Foreign Agricultural Services.

''(b) CONFIRMATION REQUIRED.—If the Secretary establishes the position of Under Secretary of Agriculture for Foreign Agricultural Services under subsection (a), the Under Secretary shall be appointed by the President, by and with the advice and consent of the Senate.

''(c) FUNCTIONS OF UNDER SECRETARY.—

''(1) PRINCIPAL FUNCTIONS.—Upon establishment, the Secretary shall delegate to the Under Secretary of Agriculture for Foreign Agricultural Services those functions under the jurisdiction of the Department that are related to foreign agricultural services.

''(2) ADDITIONAL FUNCTIONS.—The Under Secretary of Agriculture for Foreign Agricultural Services shall perform such other functions as may be required by law or prescribed by the Secretary.

''(d) SUCCESSION.—Any official who is serving as Under Secretary of Agriculture for Farm and Foreign Agricultural Services on the date of the enactment of this section and who was appointed by the President, by and with the advice and consent of the Senate, shall not be required to be reappointed under subsection (b) or section 225(b) to the successor position authorized under subsection (a) or section 225(a) if the Secretary establishes the position, and the official occupies the new position, with 180 days after the date of the enactment of this section (or such later date set by the Secretary if litigation delays rapid succession).''.

(b) CONFORMING AMENDMENTS.—Section 225 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6931) is amended—

(1) by striking ''Under Secretary of Agriculture for Farm and Foreign Agricultural Services'' each place it appears and inserting ''Under Secretary of Agriculture for Farm Services''; and

(2) in subsection (c)(1), by striking ''and foreign agricultural''.

(c) PERMANENT AUTHORITY.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended—

(1) in paragraph (6)(C), by striking ''or'' at the end;

(2) in paragraph (7), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraph:

''(8) the authority of the Secretary to establish in the Department the position of Under Secretary of Agriculture for Foreign Agricultural Services in accordance with section 225A;''.

TITLE IV—NUTRITION

Subtitle A—Supplemental Nutrition Assistance Program

SEC. 4001. PREVENTING PAYMENT OF CASH TO RECIPIENTS OF SUPPLEMENTAL NUTRITION ASSISTANCE BENEFITS FOR THE RETURN OF EMPTY BOTTLES AND CANS USED TO CONTAIN FOOD PURCHASED WITH BENEFITS PROVIDED UNDER THE PROGRAM.

Section 3(k)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(k)(1)) is amended—

(1) by striking ''and hot foods'' and inserting ''hot foods''; and

(2) by adding at the end the following: ''and any deposit fee in excess of amount of the State fee reimbursement (if any) required to purchase any food or food product contained in a returnable bottle or can, regardless of whether such fee is included in the shelf price posted for such food or food product,''.

SEC. 4002. RETAILERS.

(a) DEFINITION OF RETAIL FOOD STORE.—Section 3(p)(1)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(p)(1)(A)) is amended by striking ''at least 2'' and inserting ''at least 3''.

(b) ALTERNATIVE BENEFIT DELIVERY.—Section 7(f) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(f)) is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) IMPOSITION OF COSTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall require participating retailers (including restaurants participating in a State option restaurant program intended to serve the elderly, disabled, and homeless) to pay 100 percent of the costs of acquiring, and arrange for the implementation of, electronic benefit transfer point-of-sale equipment and supplies.

''(B) EXEMPTIONS.—The Secretary may exempt from subparagraph (A)—

''(i) farmers' markets and other direct-to-consumer markets, military commissaries, nonprofit food buying cooperatives, and establishments, organizations, programs, or group living arrangements described in paragraphs (5), (7), and (8) of section 3(k); and

''(ii) establishments described in paragraphs (3), (4), and (9) of section 3(k), other than restaurants participating in a State option restaurant program.''; and

(2) by adding at the end the following:

''(4) TERMINATION OF MANUAL VOUCHERS.—

''(A) IN GENERAL.—Effective beginning on the effective date of this paragraph, except as provided in subparagraph (B), no State shall issue manual vouchers to a household that receives supplemental nutrition assistance under this Act or allow retailers to accept manual vouchers as payment, unless the Secretary determines that the manual vouchers are necessary, such as in the event of an electronic benefit transfer system failure or a disaster situation.

''(B) EXEMPTIONS.—The Secretary may exempt categories of retailers or individual retailers from subparagraph (A) based on criteria established by the Secretary.

''(5) UNIQUE IDENTIFICATION NUMBER REQUIRED.—In an effort to enhance the antifraud protections of the program, the Secretary shall require all parties providing electronic benefit transfer services to provide for and maintain a unique business identification and a unique terminal identification number information through the supplemental nutrition assistance program electronic benefit transfer transaction routing system. In developing the regulations implementing this paragraph, the Secretary shall consider existing commercial practices for other point-of-sale debit transactions. The Secretary shall issue proposed regulations implementing this paragraph not earlier than 2 years after the date of enactment of this paragraph.''.

(c) ELECTRONIC BENEFIT TRANSFERS.—Section 7(h)(3)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(3)(B)) is amended by striking ''is operational—'' and all that follows through ''(ii) in the case of other participating stores,'' and inserting ''is operational''.

(d) APPROVAL OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.—Section 9 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018) is amended—

(1) in the 2d sentence of subsection (a)(1) by striking ''; and (C)'' and inserting ''; (C) whether the applicant is located in an area with significantly limited access to food; and (D)''; and

(2) by adding at the end the following:

''(g) EBT SERVICE REQUIREMENT.—An approved retail food store shall provide adequate EBT service as described in section 7(h)(3)(B).''.

SEC. 4003. ENHANCING SERVICES TO ELDERLY AND DISABLED SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM PARTICIPANTS.

(a) ENHANCING SERVICES TO ELDERLY AND DISABLED PROGRAM PARTICIPANTS.—Section 3(p) of

the Food and Nutrition Act of 2008 (7 U.S.C. 2012(p)) is amended—

(1) in paragraph (3) by striking ''and'' at the end,

(2) in paragraph (4) by striking the period at the end and inserting ''; and'', and

(3) by inserting after paragraph (4) the following:

''(5) a governmental or private nonprofit food purchasing and delivery service that—

''(A) purchases food for, and delivers such food to, individuals who are—

''(i) unable to shop for food; and

''(ii)(I) not less than 60 years of age; or

''(II) physically or mentally handicapped or otherwise disabled;

''(B) clearly notifies the participating household at the time such household places a food order—

''(i) of any delivery fee associated with the food purchase and delivery provided to such household by such service; and

''(ii) that a delivery fee cannot be paid with benefits provided under supplemental nutrition assistance program; and

''(C) sells food purchased for such household at the price paid by such service for such food and without any additional cost markup.''.

(b) IMPLEMENTATION.—

(1) ISSUANCE OF RULES.—The Secretary of Agriculture shall issue regulations that—

(A) establish criteria to identify a food purchasing and delivery service referred to in section 3(p)(5) of the Food and Nutrition Act of 2008 as amended by this Act, and

(B) establish procedures to ensure that such service—

(i) does not charge more for a food item than the price paid by the such service for such food item,

(ii) offers food delivery service at no or low cost to households under such Act,

(iii) ensures that benefits provided under the supplemental nutrition assistance program are used only to purchase food, as defined in section 3 of such Act,

(iv) limits the purchase of food, and the delivery of such food, to households eligible to receive services described in section 3(p)(5) of such Act as so amended,

(v) has established adequate safeguards against fraudulent activities, including unauthorized use of electronic benefit cards issued under such Act, and

(vi) such other requirements as the Secretary deems to be appropriate.

(2) LIMITATION.—Before the issuance of rules under paragraph (1) , the Secretary of Agriculture may not approve more than 20 food purchasing and delivery services referred to in section 3(p)(5) of the Food and Nutrition Act of 2008 as amended by this Act, to participate as retail food stores under the supplemental nutrition assistance program.

SEC. 4004. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS.

Section 4(b)(6)(F) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)(6)(F)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 4005. UPDATING PROGRAM ELIGIBILITY.

Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in the 2d sentence of subsection (a) by striking ''households in which each member receives benefits'' and inserting ''households in which each member receives cash assistance'', and

(2) in subsection (j) by striking ''or who receives benefits under a State program'' and inserting ''or who receives cash assistance under a State program''.

SEC. 4006. EXCLUSION OF MEDICAL MARIJUANA FROM EXCESS MEDICAL EXPENSE DEDUCTION.

Section 5(e)(5) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(5)) is amended by adding at the end the following:

''(C) EXCLUSION OF MEDICAL MARIJUANA.—The Secretary shall promulgate rules to ensure that medical marijuana is not treated as a medical expense for purposes of this paragraph.''.

SEC. 4007. STANDARD UTILITY ALLOWANCES BASED ON THE RECEIPT OF ENERGY ASSISTANCE PAYMENTS.

(a) STANDARD UTILITY ALLOWANCES IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—Section 5(e)(6)(C) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6)(C)) is amended—

(1) in clause (i) by inserting '', subject to clause (iv)'' after ''Secretary''; and

(2) by striking subclause (I) of clause (iv) and inserting the following:

''(I) IN GENERAL.—Subject to subclause (II), if a State agency elects to use a standard utility allowance that reflects heating and cooling costs, the standard utility allowance shall be made available to households that received a payment, or on behalf of which a payment was made, under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.) or other similar energy assistance program, if in the current month or in the immediately preceding 12 months, the household either received such payment, or such payment was made on behalf of the household, that was greater than $20 annually, as determined by the Secretary.''; and

(b) CONFORMING AMENDMENT.—Section 2605(f)(2)(A) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)(2)(A)) is amended by inserting before the semicolon the following: '', except that, for purposes of the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), such payments or allowances were greater than $20 annually, consistent with section 5(e)(6)(C)(iv)(I) of that Act (7 U.S.C. 2014(e)(6)(C)(iv)(I)), as determined by the Secretary of Agriculture''.

(c) EFFECTIVE DATE AND IMPLEMENTATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), this section and the amendments made by this section shall take effect on October 1, 2013, and shall apply with respect to certification periods that begin after such date.

(2) STATE OPTION TO DELAY IMPLEMENTATION FOR CURRENT RECIPIENTS.—A State may, at the option of the State, implement a policy that eliminates or reduces the effect of the amendments made by this section on households that received a standard utility allowance as of the date of enactment of this Act, for not more than a 180-day period that begins on the date on which such amendments would otherwise apply to the respective household.

SEC. 4008. ELIGIBILITY DISQUALIFICATIONS.

Section 6(e)(3)(B) of Food and Nutrition Act of 2008 (7 U.S.C. 2015(e)(3)(B)) is amended by striking ''section;'' and inserting the following: ''section, subject to the condition that the course or program of study—''

''(i) is part of a program of career and technical education (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) that may be completed in not more than 4 years at an institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)); or

''(ii) is limited to remedial courses, basic adult education, literacy, or English as a second language;''.

SEC. 4009. ENDING SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS FOR LOTTERY OR GAMBLING WINNERS.

(a) IN GENERAL.—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) is amended by adding at the end the following:

''(r) INELIGIBILITY FOR BENEFITS DUE TO RECEIPT OF SUBSTANTIAL LOTTERY OR GAMBLING WINNINGS.—

''(1) IN GENERAL.—Any household in which a member receives substantial lottery or gambling winnings, as determined by the Secretary, shall lose eligibility for benefits immediately upon receipt of the winnings.

''(2) DURATION OF INELIGIBILITY.—A household described in paragraph (1) shall remain ineligible for participation until the household meets the allowable financial resources and income eligibility requirements under subsections (c), (d), (e), (f), (g), (i), (k), (l), (m), and (n) of section 5.

''(3) AGREEMENTS.—As determined by the Secretary, each State agency, to the maximum extent practicable, shall establish agreements with entities responsible for the regulation or sponsorship of gaming in the State to determine whether individuals participating in the supplemental nutrition assistance program have received substantial lottery or gambling winnings.''.

(b) CONFORMING AMENDMENTS.—Section 5(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(a)) is amended in the 2d sentence by striking ''sections 6(b), 6(d)(2), and 6(g)'' and inserting ''subsections (b), (d)(2), (g), and (r) of section 6''.

SEC. 4010. IMPROVING SECURITY OF FOOD ASSISTANCE.

Section 7(h)(8) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(8)) is amended—

(1) in the heading by striking ''CARD FEE'' and inserting ''OF CARDS'';

(2) by striking ''A State'' and inserting the following:

''(A) FEES.—A State''; and

(3) by adding after subparagraph (A) (as so designated by paragraph (2)) the following:

''(B) PURPOSEFUL LOSS OF CARDS.—

''(i) IN GENERAL.—Subject to terms and conditions established by the Secretary in accordance with clause (ii), if a household makes excessive requests for replacement of the electronic benefit transfer card of the household, the Secretary may require a State agency to decline to issue a replacement card to the household unless the household, upon request of the State agency, provides an explanation for the loss of the card.

''(ii) REQUIREMENTS.—The terms and conditions established by the Secretary shall provide that—

''(I) the household be given the opportunity to provide the requested explanation and meet the requirements under this paragraph promptly;

''(II) after an excessive number of lost cards, the head of the household shall be required to review program rights and responsibilities with State agency personnel authorized to make determinations under section 5(a); and

''(III) any action taken, including actions required under section 6(b)(2), other than the withholding of the electronic benefit transfer card until an explanation described in subclause (I) is provided, shall be consistent with the due process protections under section 6(b) or 11(e)(10), as appropriate.

''(C) PROTECTING VULNERABLE PERSONS.—In implementing this paragraph, a State agency shall act to protect homeless persons, persons with disabilities, victims of crimes, and other vulnerable persons who lose electronic benefit transfer cards but are not intentionally committing fraud.

''(D) EFFECT ON ELIGIBILITY.—While a State may decline to issue an electronic benefits transfer card until a household satisfies the requirements under this paragraph, nothing in this paragraph shall be considered a denial of, or limitation on, the eligibility for benefits under section 5.''.

SEC. 4011. DEMONSTRATION PROJECTS ON ACCEPTANCE OF BENEFITS OF MOBILE TRANSACTIONS.

Section 7(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)) is amended by adding at the end the following:

''(14) DEMONSTRATION PROJECTS ON ACCEPTANCE OF BENEFITS OF MOBILE TRANSACTIONS.—

''(A) IN GENERAL.—The Secretary shall pilot the use of mobile technologies determined by the Secretary to be appropriate to test the feasibility and implications for program integrity, by allowing retail food stores, farmers markets, and other direct producer-to-consumer marketing outlets to accept benefits from recipients of supplemental nutrition assistance through mobile transactions.

''(B) DEMONSTRATION PROJECTS.—To be eligible to participate in a demonstration project under subsection (a), a retail food store, farmers market, or other direct producer-to-consumer marketing outlet shall submit to the Secretary for approval a plan that includes—

''(i) a description of the technology;

''(ii) the manner by which the retail food store, farmers market or other direct producer-to-consumer marketing outlet will provide proof of the transaction to households;

''(iii) the provision of data to the Secretary, consistent with requirements established by the Secretary, in a manner that allows the Secretary to evaluate the impact of the demonstration on participant access, ease of use, and program integrity; and

''(iv) such other criteria as the Secretary may require.

''(C) DATE OF COMPLETION.—The demonstration projects under this paragraph shall be completed and final reports submitted to the Secretary by not later than July 1, 2016.

''(D) REPORT TO CONGRESS.—The Secretary shall submit a report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate that includes a finding, based on the data provided under subparagraph (C) whether or not implementation in all States is in the best interest of the supplemental nutrition assistance program.''.

SEC. 4012. USE OF BENEFITS FOR PURCHASE OF COMMUNITY-SUPPORTED AGRICULTURE SHARE.

Section 10 of the Food and Nutrition Act of 2008 (7 U.S.C. 2019) is amended in the 1st sentence by inserting ''agricultural producers who market agricultural products directly to consumers shall be authorized to redeem benefits for the initial cost of the purchase of a community-supported agriculture share,'' after ''food so purchased,''.

SEC. 4013. RESTAURANT MEALS PROGRAM.

(a) IN GENERAL.—Section 11(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)) is amended—

(1) in paragraph (22) by striking ''and'' at the end;

(2) in paragraph (23)(C) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(24) if the State elects to carry out a program to contract with private establishments to offer meals at concessional prices, as described in paragraphs (3), (4), and (9) of section 3(k)—

''(A) the plans of the State agency for operating the program, including—

''(i) documentation of a need that eligible homeless, elderly, and disabled clients are underserved in a particular geographic area;

''(ii) the manner by which the State agency will limit participation to only those private establishments that the State determines necessary to meet the need identified in clause (i); and

''(iii) any other conditions the Secretary may prescribe, such as the level of security necessary to ensure that only eligible recipients participate in the program; and

''(B) a report by the State agency to the Secretary annually, the schedule of which shall be established by the Secretary, that includes—

''(i) the number of households and individual recipients authorized to participate in the program, including any information on whether the individual recipient is elderly, disabled, or homeless; and

''(ii) an assessment of whether the program is meeting an established need, as documented under subparagraph (A)(i).''.

(b) APPROVAL OF RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS.—Section 9 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018) is amended by adding at the end the following:

''(h) PRIVATE ESTABLISHMENTS.—

''(1) IN GENERAL.—Subject to paragraph (2), no private establishment that contracts with a State agency to offer meals at concessional prices as described in paragraphs (3), (4), and (9) of section 3(k) may be authorized to accept and redeem benefits unless the Secretary determines that the participation of the private establishment is required to meet a documented need in accordance with section 11(e)(24).

''(2) EXISTING CONTRACTS.—

''(A) IN GENERAL.—If, on the day before the effective date of this subsection, a State has entered into a contract with a private establishment described in paragraph (1) and the Secretary has not determined that the participation of the private establishment is necessary to meet a documented need in accordance with section 11(e)(24), the Secretary shall allow the operation of the private establishment to continue without that determination of need for a period not to exceed 180 days from the date on which the Secretary establishes determination criteria, by regulation, under section 11(e)(24).

''(B) JUSTIFICATION.—If the Secretary determines to terminate a contract with a private establishment that is in effect on the effective date of this subsection, the Secretary shall provide justification to the State in which the private establishment is located for that termination.

''(3) REPORT TO CONGRESS.—Not later than 90 days after September 30, 2014, and 90 days after the last day of each fiscal year thereafter, the Secretary shall report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on the effectiveness of a program under this subsection using any information received from States under section 11(e)(24) as well as any other information the Secretary may have relating to the manner in which benefits are used.''.

(c) CONFORMING AMENDMENTS.—Section 3(k) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(k)) is amended by inserting ''subject to section 9(h)'' after ''concessional prices'' each place it appears.

SEC. 4014. MANDATING STATE IMMIGRATION VERIFICATION.

Section 11(p) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(p)) is amended to read as follows:

''(p) STATE VERIFICATION OPTION.—In carrying out the supplemental nutrition assistance program, a State agency shall be required to use an income and eligibility, or an immigration status, verification system established under section 1137 of the Social Security Act (42 U.S.C. 1320b–7), in accordance with standards set by the Secretary.''.

SEC. 4015. DATA EXCHANGE STANDARDIZATION FOR IMPROVED INTEROPERABILITY.

(a) DATA EXCHANGE STANDARDIZATION.—Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020) is amended by adding at the end the following:

''(v) DATA EXCHANGE STANDARDIZATION FOR IMPROVED INTEROPERABILITY.—

''(1) DATA EXCHANGE STANDARDS.—

''(A) DESIGNATION.—The Secretary, in consultation with an interagency work group which shall be established by the Office of Management and Budget, and considering State perspectives, shall, by rule, designate a data exchange standard for any category of information required to be reported under this Act.

''(B) DATA EXCHANGE STANDARDS MUST BE NONPROPRIETARY AND INTEROPERABLE.—The data exchange standard designated under subparagraph (A) shall, to the extent practicable, be nonproprietary and interoperable.

''(C) OTHER REQUIREMENTS.—In designating data exchange standards under this subsection, the Secretary shall, to the extent practicable, incorporate—

''(i) interoperable standards developed and maintained by an international voluntary consensus standards body, as defined by the Office of Management and Budget, such as the International Organization for Standardization;

''(ii) interoperable standards developed and maintained by intergovernmental partnerships, such as the National Information Exchange Model; and

''(iii) interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance, such as the Federal Acquisition Regulatory Council.

''(2) DATA EXCHANGE STANDARDS FOR REPORTING.—

''(A) DESIGNATION.—The Secretary, in consultation with an interagency work group established by the Office of Management and Budget, and considering State perspectives, shall, by rule, designate data exchange standards to govern the data reporting required under this part.

''(B) REQUIREMENTS.—The data exchange standards required by subparagraph (A) shall, to the extent practicable—

''(i) incorporate a widely-accepted, nonproprietary, searchable, computer-readable format;

''(ii) be consistent with and implement applicable accounting principles; and

''(iii) be capable of being continually upgraded as necessary.

''(C) INCORPORATION OF NONPROPRIETARY STANDARDS.—In designating reporting standards under this subsection, the Secretary shall, to the extent practicable, incorporate existing nonproprietary standards, such as the eXtensible Markup Language.''.

(b) EFFECTIVE DATES.—

(1) DATA EXCHANGE STANDARDS.—The Secretary of Agriculture shall issue a proposed rule under section 11(v)(1) of the Food and Nutrition Act of 2008 within 12 months after the effective date of this section, and shall issue a final rule under such section after public comment, within 24 months after such effective date.

(2) DATA REPORTING STANDARDS.—The reporting standards required under section 11(v)(2) of such Act shall become effective with respect to reports required in the first reporting period, after the effective date of the final rule referred to in paragraph (1) of this subsection, for which the authority for data collection and reporting is established or renewed under the Paperwork Reduction Act.

SEC. 4016. PILOT PROJECTS TO IMPROVE FEDERAL-STATE COOPERATION IN IDENTIFYING AND REDUCING FRAUD IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

Section 12 of the Food and Nutrition Act of 2008 (7 U.S.C. 2021) is amended by adding at the end the following:

''(i) PILOT PROJECTS TO IMPROVE FEDERAL-STATE COOPERATION IN IDENTIFYING AND REDUCING FRAUD IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—

''(1) IN GENERAL.—The Secretary shall carry out, under such terms and conditions as determined by the Secretary, pilot projects to test innovative Federal-State partnerships to identify, investigate, and reduce retailer fraud in the supplemental nutrition assistance program, including allowing States to operate retail Food Store investigation programs.

''(2) SELECTION CRITERIA.—Pilot projects shall be selected based on criteria the Secretary establishes, which shall include—

''(A) enhancing existing efforts by the Secretary to reduce retailer fraud;

''(B) requiring participant States to maintain their overall level of effort at addressing recipient fraud, as determined by the Secretary, prior to participation in the pilot project;

''(C) collaborating with other law enforcement authorities as necessary to carry out an effective pilot project;

''(D) commitment of the participant State agency to follow Federal rules and procedures with respect to retailer investigations; and

''(E) the extent to which a State has committed resources to recipient fraud and the relative success of those efforts.

''(3) EVALUATION.—

''(A) The Secretary shall evaluate the projects selected under this subsection to measure the impact of the pilot projects.

''(B) Such evaluation shall include—

''(i) each pilot project's impact on increasing the Secretary's capacity to address retailer fraud;

''(ii) the effectiveness of the pilot projects in identifying, preventing and reducing retailer fraud; and

''(iii) the cost effectiveness of such pilot projects.

''(4) REPORT TO CONGRESS.—Not later than September 30, 2017, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition and Forestry of the Senate, a report that includes a description of the results of each pilot project, including an evaluation of the impact of the project on retailer fraud and the costs associated with each pilot project.

''(5) FUNDING.—Any costs incurred by the State to operate the pilot projects in excess of the amount expended under this Act for retailer fraud in the respective State in the previous fiscal year shall not be eligible for Federal reimbursement under this Act.''.

SEC. 4017. PROHIBITING GOVERNMENT-SPONSORED RECRUITMENT ACTIVITIES.

(a) ADMINISTRATIVE COST-SHARING AND QUALITY CONTROL.—Section 16(a)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(a)(4)) is amended by inserting after ''recruitment activities'' the following: ''designed to persuade an individual to apply for program benefits or that promote the program via television, radio, or billboard advertisements''.

(b) LIMITATION ON USE OF FUNDS AUTHORIZED TO BE APPROPRIATED UNDER ACT.—Section 18 of the Food and Nutrition Act of 2008 (7 U.S.C. 2027) is amended by adding at the end the following:

''(g) BAN ON RECRUITMENT AND PROMOTION ACTIVITIES.—(1) Except as provided in paragraph (2), no funds authorized to be appropriated under this Act shall be used by the Secretary for—

''(A) recruitment activities designed to persuade an individual to apply for supplemental nutrition assistance program benefits;

''(B) television, radio, or billboard advertisements that are designed to promote supplemental nutrition assistance program benefits and enrollment; or

''(C) any agreements with foreign governments designed to promote supplemental nutrition assistance program benefits and enrollment.

''(2) Paragraph (1)(B) shall not apply to programmatic activities undertaken with respect to benefits made available in response to a natural disaster.''.

(c) BAN ON RECRUITMENT ACTIVITIES BY ENTITIES THAT RECEIVE FUNDS.—Section 18 of the Food and Nutrition Act of 2008 (7 U.S.C. 2027) is amended by adding at the end the following :

''(h) BAN ON RECRUITMENT BY ENTITIES THAT RECEIVE FUNDS.—The Secretary shall issue regulations that forbid entities that receive funds under this Act to compensate any person for conducting outreach activities relating to participation in, or for recruiting individuals to apply to receive benefits under, the supplemental nutrition assistance program if the amount of such compensation would be based on the number of individuals who apply to receive such benefits.''.

SEC. 4018. REPEAL OF BONUS PROGRAM.

Section 16(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(d)) is repealed.

SEC. 4019. FUNDING OF EMPLOYMENT AND TRAINING PROGRAMS.

Section 16(h)(1)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)(1)(A)) is amended by striking ''$90,000,000'' and all that follows through ''$79,000,000'', and inserting ''$79,000,000 for each fiscal year''.

SEC. 4020. MONITORING EMPLOYMENT AND TRAINING PROGRAMS.

(a) REPORTING MEASURES.—Section 16(h)(5) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)(5)) is amended to read:

''(5)(A) IN GENERAL.—The Secretary shall monitor the employment and training programs carried out by State agencies under section 6(d)(4) and assess their effectiveness in—

''(i) preparing members of households participating in the supplemental nutrition assistance program for employment, including the acquisition of basic skills necessary for employment; and

''(ii) increasing the numbers of household members who obtain and retain employment subsequent to their participation in such employment and training programs.

''(B) REPORTING MEASURES.—The Secretary, in consultation with the Secretary of Labor, shall develop reporting measures that identify improvements in the skills, training education or work experience of members of households participating in the supplemental nutrition assistance program. Measures shall be based on common measures of performance for federal workforce training programs, so long as they reflect the challenges facing the types of members of households participating in the supplemental nutrition assistance program who participate in a specific employment and training component. The Secretary shall require that each State employment and training plan submitted under section 11(3)(19) identify appropriate reporting measures for each of their proposed components that serve at least 100 people. Such measures may include:

''(i) the percentage and number of program participants who received employment and training services and are in unsubsidized employment subsequent to the receipt of those services;

''(ii) the percentage and number of program participants who obtain a recognized postsecondary credential, including a registered apprenticeship, or a regular secondary school diploma or its recognized equivalent, while participating in or within 1 year after receiving employment and training services;

''(iii) the percentage and number of program participants who are in an education or training program that is intended to lead to a recognized postsecondary credential, including a registered apprenticeship or on-the-job training program, a regular secondary school diploma or its recognized equivalent, or unsubsidized employment;

''(iv) subject to the terms and conditions set by the Secretary, measures developed by each State agency to assess the skills acquisition of employment and training program participants that reflect the goals of their specific employment and training program components, which may include, but are not limited to—

''(I) the percentage and number of program participants who are meeting program requirements in each component of the State's education and training program; and

''(II) the percentage and number of program participants who are gaining skills likely to lead to employment as measured through testing, quantitative or qualitative assessment or other method; and

''(v) other indicators as approved by the Secretary.

''(C) STATE REPORT.—Each State agency shall annually prepare and submit to the Secretary a report on the State's employment and training program that includes the numbers of supplemental nutrition assistance program participants who have gained skills, training, work or experience that will increase their ability to obtain regular employment using measures identified in subparagraph (B).

''(D) MODIFICATIONS TO THE STATE EMPLOYMENT AND TRAINING PLAN.—Subject to the terms and conditions established by the Secretary, if the Secretary determines that the state agency's performance with respect to employment and training outcomes is inadequate, the Secretary may require the State agency to make modifications to their employment and training plan to improve such outcomes.

''(E) PERIODIC EVALUATION.—

''(i) IN GENERAL.—Subject to terms and conditions established by the Secretary, not later than October 1, 2016, and not less frequently than once every 5 years thereafter, the Secretary shall conduct a study to review existing practice and research to identify employment and training program components and practices that—

''(I) effectively assist members of households participating in the supplemental nutrition assistance program in gaining skills, training, work, or experience that will increase their ability to obtain regular employment, and

''(II) are best integrated with statewide workforce development systems.

''(ii) REPORT TO CONGRESS.—The Secretary shall submit a report that describes the results of the study under clause (i) to the Committee on Agriculture in the House of Representatives, and the Committee on Agriculture, Nutrition and Forestry in the Senate.''.

(b) EFFECTIVE DATE.—Notwithstanding section 4(c) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(a)), the Secretary shall issue interim final regulations implementing the amendment made by subsection (a) no later than 18 months after the date of enactment of this Act. States shall include such reporting measures in their employment and training plans for the 1st fiscal year thereafter that begins no sooner than 6 months after the date that such regulations are published.

SEC. 4021. COOPERATION WITH PROGRAM RESEARCH AND EVALUATION.

Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) is amended by adding at the end the following:

''(l) COOPERATION WITH PROGRAM RESEARCH AND EVALUATION.—States, State agencies, local agencies, institutions, facilities such as data consortiums, and contractors participating in programs authorized under this Act shall cooperate with officials and contractors acting on behalf of the Secretary in the conduct of evaluations and studies under this Act and shall submit information at such time and in such manner as the Secretary may require.''.

SEC. 4022. PILOT PROJECTS TO REDUCE DEPENDENCY AND INCREASE WORK EFFORT IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026), as amended by section 4021, is amended by adding at the end the following:

''(m) PILOT PROJECTS TO REDUCE DEPENDENCY AND INCREASE WORK EFFORT IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—

''(1) IN GENERAL.—The Secretary shall carry out, under such terms and conditions as the Secretary considers to be appropriate, pilot projects to identify best practices for employment and training programs under this Act to raise the number of work registrants who obtain unsubsidized employment, increase their earned income, and reduce their reliance on public assistance, including but not limited to the supplemental nutrition assistance program.

''(2) SELECTION CRITERIA.—Pilot projects shall be selected based on criteria the Secretary establishes, that shall include—

''(A) enhancing existing employment and training programs in the State;

''(B) agreeing to participate in the evaluation described in paragraph (3), including making available data on participants' employment activities and post-participation employment, earnings, and public benefit receipt;

''(C) collaborating with the State workforce board and other job training programs in the State and local area;

''(D) the extent to which the pilot project's components can be easily replicated by other States or political subdivisions; and

''(E) such additional criteria that ensure that the pilot projects—

''(i) target a variety of populations of work registrants, including childless adults, parents, and individuals with low skills or limited work experience;

''(ii) are selected from a range of existing employment and training programs including programs that provide—

''(I) section 20 workfare;

''(II) skills development for work registrants with limited employment history;

''(III) post-employment support services necessary for maintaining employment; and

''(IV) education leading to a recognized postsecondary credential, registered apprenticeship, or secondary school diploma or its equivalent;

''(iii) are located in a range of geographic areas, including rural, urban, and Indian reservations; and

''(iv) include participants who are exempt and not exempt under section (6)(d)(2).

''(3) EVALUATION.—The Secretary shall provide for an independent evaluation of projects selected under this subsection to measure the impact of the pilot projects on the ability of each pilot project target population to find and retain employment that leads to increased household income and reduced dependency, compared to what would have occurred in the absence of the pilot project.

''(4) REPORT TO CONGRESS.—By September 30, 2017, the Secretary shall submit, to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, a report that includes a description of—

''(A) the results of each pilot project, including an evaluation of the impact of the project on the employment, income, and public benefit receipt of the targeted population of work registrants;

''(B) the Federal, State, and other costs of each pilot project;

''(C) the planned dissemination of the reports' findings with State agencies; and

''(D) the steps and funding necessary to incorporate components of pilot projects that demonstrate increased employment and earnings into State employment and training programs.

''(5) FUNDING.—From amounts made available to under section 18(a)(1), the Secretary shall make $10,000,000 available for each of the fiscal years 2014, 2015, and 2016 to carry out this subsection. Such amounts shall remain available until expended.

''(6) USE OF FUNDS.—

''(A) Funds provided under this subsection for pilot projects shall be used only for—

''(i) pilot projects that comply with the provisions of this Act;

''(ii) the costs and administration of the pilot projects;

''(iii) the costs incurred in providing information and data to the independent evaluation under paragraph (3); and

''(iv) the costs of the evaluation under paragraph (3).

''(B) Funds made available under this subsection may not be used to supplant non-Federal funds used for existing employment and training activities.''.

SEC. 4023. AUTHORIZATION OF APPROPRIATIONS.

Section 18(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(a)(1)) is amended in the 1st sentence by striking ''2012'' and inserting ''2018''.

SEC. 4024. LIMITATION ON USE OF BLOCK GRANT TO PUERTO RICO.

Section 19(a)(2)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2028(a)(2)(B)) is amended by adding at the end the following:

''(iii) LIMITATION ON USE OF FUNDS.—None of the funds made available to the Commonwealth of Puerto Rico under this subparagraph may be used to provide nutrition assistance in the form of cash benefits.''.

SEC. 4025. ASSISTANCE FOR COMMUNITY FOOD PROJECTS.

(a) DEFINITION.—Section 25(a)(1)(B)(i) of the Food and Nutrition Act of 2008 (7 U.S.C. 2034(a)(1)(B)(i)) is amended—

(1) in subclause (II) by striking ''and'' at the end;

(2) in subclause (III) by striking ''or'' at the end and inserting ''and''; and

(3) by adding at the end the following:

''(IV) to provide incentives for the consumption of fruits and vegetables among low-income individuals; or''.

(b) ADDITIONAL FUNDING.—Section 25(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2034) is amended by adding at the end the following:

''(3) FUNDING.—

''(A) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section not less than $10,000,000 for fiscal year 2014 and each fiscal year thereafter. Of the amount made available under this subparagraph for each such fiscal year, $5,000,000 shall be available to carry out subsection (a)(1)(B)(I)(IV).

''(B) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section, the funds transferred under subparagraph (A) without further appropriation.

''(C) MAINTENANCE OF FUNDING.—The funding provided under subparagraph (A) shall supplement (and not supplant) other Federal funding made available to the Secretary to carry out this section.''.

SEC. 4026. EMERGENCY FOOD ASSISTANCE.

(a) PURCHASE OF COMMODITIES.—Section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) is amended—

(1) in paragraph (1) by striking ''2008 through 2012'' and inserting ''2013 through 2018'';

(2) in paragraph (2)—

(A) by striking subparagraphs (A) and (B) and inserting the following:

''(A) for fiscal year 2013, $265,750,000;

''(B) for fiscal year 2014 the dollar amount of commodities specified in subparagraph (A) adjusted by the percentage by which the thrifty food plan has been adjusted under section 3(u)(4) between June 30, 2012 and June 30, 2013, and subsequently increased by $20,000,000;''; and

(B) in subparagraph (C)—

(i) by striking ''2010 through 2012, the dollar amount of commodities specified in'' and inserting ''2015 through 2018, the total amount of commodities under''; and

(ii) by striking ''2008'' and inserting ''2013''; and

(3) by adding at the end the following:

''(3) FUNDS AVAILABILITY.—For purposes of the funds described in this subsection, the Secretary shall—

''(A) make the funds available for 2 fiscal years; and

''(B) allow States to carry over unexpended balances to the next fiscal year pursuant to such terms and conditions as are determined by the Secretary.''.

(b) EMERGENCY FOOD PROGRAM INFRASTRUCTURE GRANTS.—Section 209(d) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7511a(d)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 4027. NUTRITION EDUCATION.

Section 28 of the Food and Nutrition Act of 2008 (7 U.S.C. 2036a) is amended—

(1) in subsection (b) by inserting ''and physical activity'' after ''healthy food choices''; and

(2) in subsection (d)(1)—

(A) in subparagraph (D) by striking ''$401,000,000;'' and inserting ''$375,000,000; and'';

(B) by striking subparagraph (E); and

(C) in subparagraph (F) by striking ''(F) for fiscal year 2016'' and inserting ''(E) for fiscal year 2015''.

SEC. 4028. RETAILER TRAFFICKING.

The Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amended by adding at the end the following:

''SEC. 29. RETAILER TRAFFICKING.

''(a) PURPOSE.—The purpose of this section is to provide the Department of Agriculture with additional resources to prevent trafficking in violation of this Act by strengthening recipient and retailer program integrity. Additional funds are provided to supplement the Department's payment accuracy, and retailer and recipient integrity activities.

''(b) FUNDING.—

''(1) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this section not less than $5,000,000 for fiscal year 2014 and each fiscal year thereafter.

''(2) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under paragraph (1) without further appropriation.

''(3) MAINTENANCE OF FUNDING.—The funding provided under paragraph (1) shall supplement (and not supplant) other Federal funding for programs carried out under this Act.''.

SEC. 4029. TECHNICAL AND CONFORMING AMENDMENTS.

(a) Section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012) is amended—

(1) in subsection (g) by striking ''coupon,'' the last place it appears and inserting ''coupon'';

(2) in subsection (k)(7) by striking ''or are'' and inserting ''and'';

(3) by striking subsection (l);

(4) by redesignating subsections (m) through (t) as subsections (l) through (s), respectively; and

(5) by inserting after subsection (s) (as so redesignated) the following:

''(t) 'Supplemental nutritional assistance program' means the program operated pursuant to this Act.''.

(b) Section 4(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(a)) is amended by striking ''benefits'' the last place it appears and inserting ''Benefits''.

(c) Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in the last sentence of subsection (i)(2)(D) by striking ''section 13(b)(2)'' and inserting ''section 13(b)''; and

(2) in subsection (k)(4)(A) by striking ''paragraph (2)(H)'' and inserting ''paragraph (2)(G)''.

(d) Section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)) is amended—

(1) in subparagraph (B)(vii) by moving the left margin 4 ems to the left, and

(2) in subparagraph (F)(iii) by moving the left margin 6 ems to the left.

(e) Section 7(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)) is amended by redesignating the 2d paragraph (12) as paragraph (13).

(f) Section 12 of the Food and Nutrition Act of 2008 (7 U.S.C. 2021) is amended—

(1) in subsection (b)(3)(C) by striking ''civil money penalties'' and inserting ''civil penalties''; and

(2) in subsection (g)(1) by striking ''(7 U.S.C. 1786)'' and inserting ''(42 U.S.C. 1786)''.

(g) Section 15(b)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2024(b)(1)) is amended in the 1st sentence by striking ''an benefit'' both places it appears and inserting ''a benefit''.

(h) Section 16(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(a)) is amended in the proviso following paragraph (8) by striking '', as amended.''.

(i) Section 18(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(e)) is amended in the 1st sentence by striking ''sections 7(f)'' and inserting ''section 7(f)''.

(j) Section 22(b)(10)(B)(i) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(b)(10)(B)(i)) is amended in the last sentence by striking ''Food benefits'' and inserting ''Benefits''.

(k) Section 26(f)(3)(C) of the Food and Nutrition Act of 2008 (7 U.S.C. 2035(f)(3)(C)) is amended by striking ''subsection'' and inserting ''subsections''.

(l) Section 27(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)(1)) is amended by striking ''(Public Law 98–8; 7 U.S.C. 612c note)'' and inserting ''(7 U.S.C. 7515)''.

*(m) Section 509 of the Older Americans Act of 1965 (42 U.S.C. 3056g) is amended in the section heading by striking ''***FOOD STAMP PROGRAMS***'' and inserting ''***SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM***''.*

(n) Section 4115(c)(2)(H) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1871) is amended by striking ''531'' and inserting ''454''.

(o) Section 3803(c)(2)(C)(vii) of title 31 of the United States Code is amended by striking ''section 3(l)'' and inserting ''section 3(s)''.

(p) Section 115 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104–193) is amended—

(1) in subsection (a)(2) by striking ''section 3(l)'' and inserting ''section 3(s)'';

(2) in subsection (b)(2) by striking ''section 3(l)'' and inserting ''section 3(s)''; and

(3) in subsection (e)(2) by striking ''section 3(l)'' and inserting ''section 3(s)''.

(q) The Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c) is amended—

(1) in section 4(a) by striking ''Food Stamp Act of 1977'' and inserting ''Food and Nutrition Act of 2008''; and

(2) in section 5—

(A) in subsection (i)(1) by striking ''Food Stamp Act of 1977'' and inserting ''Food and Nutrition Act of 2008''; and

(B) in subsection (l)(2)(B) by striking ''Food Stamp Act of 1977'' and inserting ''Food and Nutrition Act of 2008''.

(r) The Social Security Act (42 U.S.C. 301 et seq.) is amended—

(1) in the heading of section 453(j)(10) by striking ''FOOD STAMP'' and inserting ''SUPPLEMENTAL NUTRITION ASSISTANCE'';

(2) in section 1137—

(A) in subsection (a)(5)(B) by striking ''food stamp'' and inserting ''supplemental nutrition assistance''; and

(B) in subsection (b)(4) by striking ''food stamp program under the Food Stamp Act of 1977'' and inserting ''supplemental nutrition assistance program under the Food and Nutrition Act of 2008''; and

(3) in the heading of section 1631(n) by striking ''FOOD STAMP'' and inserting ''SUPPLEMENTAL NUTRITION ASSISTANCE''.

SEC. 4030. TOLERANCE LEVEL FOR EXCLUDING SMALL ERRORS.

The Secretary shall set the tolerance level for excluding small errors for the purposes of section 16(c) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c))—

(1) for fiscal year 2014 at an amount no greater than $25; and

(2) for each fiscal year thereafter, the amount specified in paragraph (1) adjusted by the percentage by which the thrifty food plan is adjusted under section 3(u)(4) of such Act between June 30, 2012, and June 30 of the immediately preceding fiscal year.

SEC. 4031. COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS PILOT PROGRAM.

(a) STUDY.—

(1) IN GENERAL.—Prior to establishing the pilot program under subsection (b), the Secretary shall conduct a study to be completed not later than 2 years after the effective date of this section to assess—

(A) the capabilities of the Commonwealth of the Northern Mariana Islands to operate the supplemental nutrition assistance program in the same manner in which the program is operated in the States (as defined in section 3 of the Food and Nutrition Act (7 U.S.C. 2011 et seq)); and

(B) alternative models of the supplemental nutrition assistance program operation and benefit delivery that best meet the nutrition assistance needs of the Commonwealth of the Northern Mariana Islands.

(2) SCOPE.—The study conducted under paragraph (1)(A) will assess the capability of the Commonwealth to fulfill the responsibilities of a State agency, including—

(A) extending and limiting participation to eligible households, as prescribed by sections 5 and 6 of the Act;

(B) issuing benefits through EBT cards, as prescribed by section 7 of the Act;

(C) maintaining the integrity of the program, including operation of a quality control system, as prescribed by section 16(c) of the Act;

(D) implementing work requirements, including operating an employment and training program, as prescribed by section 6(d) of the Act; and

(E) paying a share of administrative costs with non-Federal funds, as prescribed by section 16(a) of the Act.

(b) ESTABLISHMENT.—If the Secretary determines that a pilot program is feasible, the Secretary shall establish a pilot program for the Commonwealth of the Northern Mariana Islands to operate the supplemental nutrition assistance program in the same manner in which the program is operated in the States.

(c) SCOPE.—The Secretary shall utilize the information obtained from the study conducted under subsection (a) to establish the scope of the pilot program established under subsection (b).

(d) REPORT.—Not later than June 30, 2019, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the pilot program carried out under this section, including an analysis of the feasibility of operating in the Commonwealth of the Northern Mariana Islands the supplemental nutrition assistance program as it is operated in the States.

(e) FUNDING.—

(1) STUDY.—Of the funds made available under section 18(a)(1) of the Food and Nutrition Act of 2008, the Secretary may use not more than $1,000,000 in each of fiscal years 2014 and 2015 to conduct the study described in subsection (a).

(2) PILOT PROGRAM.—Of the funds made available under section 18(a)(1) of the Food and Nutrition Act of 2008, for the purposes of establishing and carrying out the pilot program established under subsection (b) of this section, including the Federal costs for providing technical assistance to the Commonwealth, authorizing and monitoring retail food stores, and assessing pilot operations, the Secretary may use not more than—

(A) $13,500,000 in fiscal year 2016; and

(B) $8,500,000 in each of fiscal years 2017 and 2018.

SEC. 4032. ANNUAL STATE REPORT ON VERIFICATION OF SNAP PARTICIPATION.

(a) ANNUAL REPORT.—Not later 1 year after the date specified by the Secretary in the 180-period beginning on the date of the enactment of this Act, and annually thereafter, each State agency that carries out the supplemental nutrition assistance program shall submit to the Secretary a report containing sufficient information for the Secretary to determine whether the State agency has, for the then most recently concluded fiscal year preceding such annual date, verified that households to which such State agency provided such assistance in such fiscal year—

(1) did not obtain benefits attributable to a deceased individual;

(2) did not include an individual who was simultaneously included in a household receiving such assistance in another State; and

(3) did not include, during the time benefits were provided, an individual who was then disqualified from receiving benefits.

(b) PENALTY FOR NONCOMPLIANCE.—For any fiscal year for which a State agency fails to comply with subsection (a), the Secretary shall reduce by 50 percent the amount otherwise payable to such State agency under section 16(a) of the Food and Nutrition Act of 2008 with respect to such fiscal year.

Subtitle B—Commodity Distribution Programs

SEC. 4101. COMMODITY DISTRIBUTION PROGRAM.

Section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93–86) is amended in the 1st sentence by striking ''2012'' and inserting ''2018''.

SEC. 4102. COMMODITY SUPPLEMENTAL FOOD PROGRAM.

Section 5 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93–86) is amended—

(1) in paragraphs (1) and (2)(B) of subsection (a) by striking ''2012'' each place it appears and inserting ''2018'';

(2) in the 1st sentence of subsection (d)(2) by striking ''2012'' and inserting ''2018'';

(3) by striking subsection (g) and inserting the following:

''(g) ELIGIBILITY.—Except as provided in subsection (m), the States shall only provide assistance under the commodity supplemental food program to low-income individuals aged 60 and older.''; and

(4) by adding at the end the following:

''(m) PHASE-OUT.—Notwithstanding any other provision of law, an individual who receives assistance under the commodity supplemental food program on the day before the effective date of this subsection shall continue to receive that assistance until the date on which the individual

no longer qualifies for assistance under the eligibility criteria for the program in effect on the day before the effective date of this subsection.''.

SEC. 4103. DISTRIBUTION OF SURPLUS COMMODITIES TO SPECIAL NUTRITION PROJECTS.

Section 1114(a)(2)(A) of the Agriculture and Food Act of 1981 (7 U.S.C. 1431e(2)(A)) is amended in the 1st sentence by striking ''2012'' and inserting ''2018''.

SEC. 4104. PROCESSING OF COMMODITIES.

(a) Section 17 of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note) is amended by—

*(1) striking the heading and inserting ''***COMMODITY DONATIONS AND PROCESSING***''; and*

(2) adding at the end the following:

''(c) PROCESSING.—For any program included in subsection (b), the Secretary may, notwithstanding any other provision of State or Federal law relating to the procurement of goods and services—

''(1) retain title to commodities delivered to a processor, on behalf of a State (including a State distributing agency and a recipient agency), until such time as end products containing such commodities, or similar commodities as approved by the Secretary, are delivered to a State distributing agency or to a recipient agency; and

''(2) promulgate regulations to ensure accountability for commodities provided to a processor for processing into end products, and to facilitate processing of commodities into end products for use by recipient agencies. Such regulations may provide that—

''(A) a processor that receives commodities for processing into end products, or provides a service with respect to such commodities or end products, in accordance with its agreement with a State distributing agency or a recipient agency, provide to the Secretary a bond or other means of financial assurance to protect the value of such commodities; and

''(B) in the event a processor fails to deliver to a State distributing agency or a recipient agency an end product in conformance with the processing agreement entered into under this Act, the Secretary take action with respect to the bond or other means of financial assurance pursuant to regulations promulgated under this paragraph and distribute any proceeds obtained by the Secretary to one or more State distributing agencies and recipient agencies as determined appropriate by the Secretary.''.

(b) DEFINITIONS.—Section 18 of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note) is amended by striking paragraphs (1) and (2) and inserting the following:

''(1) The term 'commodities' means agricultural commodities and their products that are donated by the Secretary for use by recipient agencies.

''(2) The term 'end product' means a food product that contains processed commodities.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—Section 3 of the Commodity Distribution Reform Act and WIC Amendments of 1987 (7 U.S.C. 612c note; Public Law 100–237) is amended—

(1) in subsection (a)—

(A) in paragraph (2) by striking subparagraph (B) and inserting the following:

''(B) the program established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b));''; and

(B) in paragraph (3)(D) by striking ''the Committee on Education and Labor'' and inserting ''the Committee on Education and the Workforce'';

(2) in subsection (b)(1)(A)(ii) by striking ''section 32 of the Agricultural Adjustment Act (7 U.S.C. 601 et seq.)'' and inserting ''section 32 of the Act of August 24, 1935 (7 U.S.C. 612c)'';

(3) in subsection (e)(1)(D)(iii) by striking subclause (II) and inserting the following:

''(II) the program established under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b));''; and

(4) in subsection (k) by striking ''the Committee on Education and Labor'' and inserting ''the Committee on Education and the Workforce''.

Subtitle C—Miscellaneous

SEC. 4201. FARMERS' MARKET NUTRITION PROGRAM.

Section 4402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007) is amended—

*(1) in the section heading by striking ''***SENIORS***'';*

(2) by amending subsection (a) to read as follows:

''(a) FUNDING.—

''(1) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary of Agriculture shall use to carry out and expand the farmers market nutrition program $20,600,000 for each of fiscal years 2014 through 2018.

''(2) ADDITIONAL FUNDING.—There is authorized to be appropriated such sums as are necessary to carry out this subsection for each of the fiscal years specified in paragraph (1).'';

(3) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''seniors''; and

(B) in paragraph (1) by inserting '', and low-income families who are determined to be at nutritional risk'' after ''low-income seniors'';

(4) in subsection (c) by striking ''seniors'';

(5) in subsection (d) by striking ''seniors'';

(6) in subsection (e) by striking ''seniors'';

(7) by redesignating subsections (c), (d), (e), and (f) as subsections (d), (e), (f), and (g), respectively; and

(8) by inserting after subsection (b) the following:

''(c) STATE GRANTS AND OTHER ASSISTANCE.—The Secretary shall carry out the Program through grants and other assistance provided in accordance with agreements made with States, for implementation through State agencies and local agencies, that include provisions—

''(1) for the issuance of coupons or vouchers to participating individuals;

''(2) establishing an appropriate annual percentage limitation on the use of funds for administrative costs; and

''(3) specifying other terms and conditions as the Secretary deems appropriate to encourage expanding the participation of small scale farmers in Federal nutrition programs.''.

SEC. 4202. NUTRITION INFORMATION AND AWARENESS PILOT PROGRAM.

Section 4403 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3171 note; Public Law 107–171) is repealed.

SEC. 4203. FRESH FRUIT AND VEGETABLE PROGRAM.

Section 19 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769a) is amended—

*(1) in the section heading, by striking ''***FRESH***'';*

(2) in subsection (a), by striking ''fresh'';

(3) in subsection (b), by striking ''fresh''; and

(4) in subsection (e), by striking ''fresh''.

SEC. 4204. ADDITIONAL AUTHORITY FOR PURCHASE OF FRESH FRUITS, VEGETABLES, AND OTHER SPECIALTY FOOD CROPS.

Section 10603 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 612c–4) is amended—

(1) in subsection (b), by striking ''2012'' and inserting ''2018'';

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

''(c) PILOT GRANT PROGRAM FOR PURCHASE OF FRESH FRUITS AND VEGETABLES.—

''(1) IN GENERAL.—Using amounts made available to carry out subsection (b), the Secretary of Agriculture shall conduct a pilot program under which the Secretary will give not more than five participating States the option of receiving a grant in an amount equal to the value of the commodities that the participating State would otherwise receive under this section for each of fiscal years 2014 through 2018.

''(2) USE OF GRANT FUNDS.—A participating State receiving a grant under this subsection may use the grant funds solely to purchase fresh fruits and vegetables for distribution to schools and service institutions in the State that participate in the food service programs under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.).

''(3) SELECTION OF PARTICIPATING STATES.—The Secretary shall select participating States from applications submitted by the States.

''(4) REPORTING REQUIREMENTS.—

''(A) SCHOOL AND SERVICE INSTITUTION REQUIREMENT.—Schools and service institutions in a participating State shall keep records of purchases of fresh fruits and vegetables made using the grant funds and report such records to the State.

''(B) STATE REQUIREMENT.—Each participating State shall submit to the Secretary a report on the success of the pilot program in the State, including information on—

''(i) the amount and value of each type of fresh fruit and vegetable purchased by the State; and

''(ii) the benefit provided by such purchases in conducting the school food service in the State, including meeting school meal requirements.''.

SEC. 4205. ENCOURAGING LOCALLY AND REGIONALLY GROWN AND RAISED FOOD.

(a) COMMODITY PURCHASE STREAMLINING.—The Secretary may permit each school food authority with a low annual commodity entitlement value, as determined by the Secretary, to elect to substitute locally and regionally grown and raised food for the authority's allotment, in whole or in part, of commodity assistance for the school meal programs under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), if—

(1) the election is requested by the school food authority;

(2) the Secretary determines that the election will reduce State and Federal administrative costs; and

(3) the election will provide the school food authority with greater flexibility to purchase locally and regionally grown and raised foods.

(b) FARM-TO-SCHOOL DEMONSTRATION PROGRAMS.—

(1) IN GENERAL.—The Secretary may establish farm-to-school demonstration programs under which school food authorities, agricultural producers producing for local and regional markets, and other farm-to-school stakeholders will collaborate with the Agriculture Marketing Service to, on a cost neutral basis, source food for the school meal programs under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.) from local farmers and ranchers in lieu of the commodity assistance provided to the school food authorities for the school meal programs.

(2) REQUIREMENTS.—

(A) IN GENERAL.—Each demonstration program carried out under this subsection shall—

(i) facilitate and increase the purchase of unprocessed and minimally processed locally and regionally grown and raised agricultural products to be served under the school meal programs;

(ii) test methods to improve procurement, transportation, and meal preparation processes for the school meal programs;

(iii) assess whether administrative costs can be saved through increased school food authority flexibility to source locally and regionally produced foods for the school meal programs; and

(iv) undertake rigorous evaluation and share information about results of the demonstration program, including cost savings, with the Secretary, other school food authorities, agricultural producers producing for the local and regional market, and the general public.

(B) PLANS.—In order to be selected to carry out a demonstration program under this subsection, a school food authority shall submit to the Secretary a plan at such time and in such manner as the Secretary may require, and containing information with respect to the requirements described in clauses (i) through (iv) of subparagraph (A).

(3) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to demonstration program participants to assist such participants to acquire bids from potential vendors in a timely and cost-effective manner.

(4) LENGTH.—The Secretary shall determine the appropriate length of time for each demonstration program under this subsection.

(5) COORDINATION.—The Secretary shall coordinate among relevant agencies of the Department of Agriculture and non-governmental organizations with appropriate expertise to facilitate the provision of training and technical assistance necessary to successfully carry out demonstration programs under this subsection.

(6) NUMBER.—Subject to the availability of funds to carry out this subsection, the Secretary shall select at least 10 demonstration programs to be carried out under this subsection.

(7) DIVERSITY AND BALANCE.—In selecting demonstration programs to be carried out under this subsection, the Secretary shall, to the maximum extent practicable, ensure—

(A) geographical diversity;

(B) that at least half of the demonstration programs are completed in collaboration with school food authorities with small annual commodity entitlements, as determined by the Secretary;

(C) that at least half of the demonstration programs are completed in rural or tribal communities;

(D) equitable treatment of school food authorities with a high percentage of students eligible for free or reduced price lunches, as determined by the Secretary; and

(E) that at least one of the demonstration programs is completed on a military installation as defined in section 2687(e)(1) of title 10, United States Code.

SEC. 4206. REVIEW OF PUBLIC HEALTH BENEFITS OF WHITE POTATOES.

The Secretary shall conduct a review of the economic and public health benefits of white potatoes on low-income families who are determined to be at nutritional risk. Not later than 1 year after the date of the enactment of this Act, the Secretary shall report the findings of this review to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

SEC. 4207. HEALTHY FOOD FINANCING INITIATIVE.

(a) IN GENERAL.—Subtitle D of title II of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6951 et seq.) is amended by adding at the end the following:

"SEC. 242. HEALTHY FOOD FINANCING INITIATIVE.

''(a) PURPOSE.—The purpose of this section is to enhance the authorities of the Secretary to support efforts to provide access to healthy food by establishing an initiative to improve access to healthy foods in underserved areas, to create and preserve quality jobs, and to revitalize low-income communities by providing loans and grants to eligible fresh, healthy food retailers to overcome the higher costs and initial barriers to entry in underserved areas.

''(b) DEFINITIONS.—In this section:

''(1) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term 'community development financial institution' has the meaning given the term in section 103 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4702).

''(2) INITIATIVE.—The term 'Initiative' means the Healthy Food Financing Initiative established under subsection (c)(1).

''(3) NATIONAL FUND MANAGER.—The term 'national fund manager' means a community development financial institution that is—

''(A) in existence on the date of enactment of this section; and

''(B) certified by the Community Development Financial Institution Fund of the Department of Treasury to manage the Initiative for purposes of—

''(i) raising private capital;

''(ii) providing financial and technical assistance to partnerships; and

''(iii) funding eligible projects to attract fresh, healthy food retailers to underserved areas, in accordance with this section.

''(4) PARTNERSHIP.—The term 'partnership' means a regional, State, or local public-private partnership that—

''(A) is organized to improve access to fresh, healthy foods;

''(B) provides financial and technical assistance to eligible projects; and

''(C) meets such other criteria as the Secretary may establish.

''(5) PERISHABLE FOOD.—The term 'perishable food' means a staple food that is fresh, refrigerated, or frozen.

''(6) QUALITY JOB.—The term 'quality job' means a job that provides wages and other benefits comparable to, or better than, similar positions in existing businesses of similar size in similar local economies.

''(7) STAPLE FOOD.—

''(A) IN GENERAL.—The term 'staple food' means food that is a basic dietary item.

''(B) INCLUSIONS.—The term 'staple food' includes—

''(i) bread;

''(ii) flour;

''(iii) fruits;

''(iv) vegetables; and

''(v) meat.

''(c) INITIATIVE.—

''(1) ESTABLISHMENT.—The Secretary shall establish an initiative to achieve the purpose described in subsection (a) in accordance with this subsection.

''(2) IMPLEMENTATION.—

''(A) IN GENERAL.—

''(i) IN GENERAL.—In carrying out the Initiative, the Secretary shall provide funding to entities with eligible projects, as described in subparagraph (B), subject to the priorities described in subparagraph (C).

''(ii) USE OF FUNDS.—Funds provided to an entity pursuant to clause (i) shall be used—

''(I) to create revolving loan pools of capital or other products to provide loans to finance eligible projects or partnerships;

''(II) to provide grants for eligible projects or partnerships;

''(III) to provide technical assistance to funded projects and entities seeking Initiative funding; and

''(IV) to cover administrative expenses of the national fund manager in an amount not to exceed 10 percent of the Federal funds provided.

''(B) ELIGIBLE PROJECTS.—Subject to the approval of the Secretary, the national fund manager shall establish eligibility criteria for projects under the Initiative, which shall include the existence or planned execution of agreements—

''(i) to expand or preserve the availability of staple foods in underserved areas with moderate- and low-income populations by maintaining or increasing the number of retail outlets that offer an assortment of perishable food and staple food items, as determined by the Secretary, in those areas; and

''(ii) to accept benefits under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

''(C) PRIORITIES.—In carrying out the Initiative, priority shall be given to projects that—

''(i) are located in severely distressed low-income communities, as defined by the Community Development Financial Institutions Fund of the Department of Treasury; and

''(ii) include 1 or more of the following characteristics:

''(I) The project will create or retain quality jobs for low-income residents in the community.

''(II) The project supports regional food systems and locally grown foods, to the maximum extent practicable.

''(III) In areas served by public transit, the project is accessible by public transit.

''(IV) The project involves women- or minority-owned businesses.

''(V) The project receives funding from other sources, including other Federal agencies.

''(VI) The project otherwise advances the purpose of this section, as determined by the Secretary.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $125,000,000, to remain available until expended.''.

(b) CONFORMING AMENDMENT.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)), as amended by the preceding provisions of this Act, is further amended, by adding at the end the following:

''(9) the authority of the Secretary to establish and carry out the Health Food Financing Initiative under section 242;''.

TITLE V—CREDIT

Subtitle A—Farm Ownership Loans

SEC. 5001. ELIGIBILITY FOR FARM OWNERSHIP LOANS.

(a) IN GENERAL.—Section 302(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922(a)) is amended—

(1) by striking ''(a) IN GENERAL.—The'' and inserting the following:

''(a) IN GENERAL.—

''(1) ELIGIBILITY REQUIREMENTS.—The'';

(2) in the 1st sentence, by inserting after ''limited liability companies'' the following: '', and such other legal entities as the Secretary deems appropriate,'';

(3) in the 2nd sentence, by redesignating clauses (1) through (4) as clauses (A) through (D), respectively;

(4) in each of the 2nd and 3rd sentences, by striking ''and limited liability companies'' each place it appears and inserting ''limited liability companies, and such other legal entities'';

(5) in the 3rd sentence, by striking ''(3)'' and ''(4)'' and inserting ''(C)'' and ''(D)'', respectively; and

(6) by adding at the end the following:

''(2) SPECIAL DEEMING RULES.—

''(A) ELIGIBILITY OF CERTAIN OPERATING-ONLY ENTITIES.—An entity that is or will become only

the operator of a family farm is deemed to meet the owner-operator requirements of paragraph (1) if the individuals that are the owners of the family farm own more than 50 percent (or such other percentage as the Secretary determines is appropriate) of the entity.

''(B) ELIGIBILITY OF CERTAIN EMBEDDED ENTITIES.—An entity that is an owner-operator described in paragraph (1), or an operator described in subparagraph (A) of this paragraph that is owned, in whole or in part, by other entities, is deemed to meet the direct ownership requirement imposed under paragraph (1) if at least 75 percent of the ownership interests of each embedded entity of such entity is owned directly or indirectly by the individuals that own the family farm.''.

(b) DIRECT FARM OWNERSHIP EXPERIENCE REQUIREMENT.—Section 302(b)(1) of such Act (7 U.S.C. 1922(b)(1)) is amended by inserting ''or has other acceptable experience for a period of time, as determined by the Secretary,'' after ''3 years''.

(c) CONFORMING AMENDMENTS.—

(1) Section 304(c)(2) of such Act (7 U.S.C. 1924(c)(2)) by striking ''paragraphs (1) and (2) of section 302(a)'' and inserting ''clauses (A) and (B) of section 302(a)(1)''.

(2) Section 310D of such Act (7 U.S.C. 1934) is amended—

(A) by inserting after ''partnership'' the following: '', or such other legal entities as the Secretary deems appropriate,''; and

(B) by striking ''or partners'' each place it appears and inserting ''partners, or owners''.

SEC. 5002. CONSERVATION LOAN AND LOAN GUARANTEE PROGRAM.

(a) ELIGIBILITY.—Section 304(c) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1924(c)) is amended by inserting after ''limited liability companies'' the following: '', or such other legal entities as the Secretary deems appropriate,''.

(b) LIMITATION ON LOAN GUARANTEE AMOUNT.—Section 304(e) of such Act (7 U.S.C. 1924(e)) is amended by striking ''75 percent'' and inserting ''90 percent''.

(c) EXTENSION OF PROGRAM.—Section 304(h) of such Act (7 U.S.C. 1924(h)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 5003. DOWN PAYMENT LOAN PROGRAM.

(a) IN GENERAL.—Section 310E(b)(1)(C) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1935(b)(1)(C)) is amended by striking ''$500,000'' and inserting ''$667,000''.

(b) TECHNICAL CORRECTION.—Section 310E(b) of such Act (7 U.S.C. 1935(b)) is amended by striking the 2nd paragraph (2).

SEC. 5004. ELIMINATION OF MINERAL RIGHTS APPRAISAL REQUIREMENT.

Section 307 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1927) is amended by striking subsection (d) and redesignating subsection (e) as subsection (d).

Subtitle B—Operating Loans

SEC. 5101. ELIGIBILITY FOR FARM OPERATING LOANS.

Section 311(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941(a)) is amended—

(1) by striking ''(a) IN GENERAL.—The'' and inserting the following:

''(a) IN GENERAL.—

''(1) ELIGIBILITY REQUIREMENTS.—The'';

(2) in the 1st sentence, by inserting after ''limited liability companies'' the following: '', and such other legal entities as the Secretary deems appropriate,'';

(3) in the 2nd sentence, by redesignating clauses (1) through (4) as clauses (A) through (D), respectively;

(4) in each of the 2nd and 3rd sentences, by striking ''and limited liability companies'' each place it appears and inserting ''limited liability companies, and such other legal entities'';

(5) in the 3rd sentence, by striking ''(3)'' and ''(4)'' and inserting ''(C)'' and ''(D)'', respectively; and

(6) by adding at the end the following:

''(2) SPECIAL DEEMING RULE.—An entity that is an operator described in paragraph (1) that is owned, in whole or in part, by other entities, is deemed to meet the direct ownership requirement imposed under paragraph (1) if at least 75 percent of the ownership interests of each embedded entity of such entity is owned directly or indirectly by the individuals that own the family farm.''.

SEC. 5102. ELIMINATION OF RURAL RESIDENCY REQUIREMENT FOR OPERATING LOANS TO YOUTH.

Section 311(b)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941(b)(1)) is amended by striking ''who are rural residents''.

SEC. 5103. AUTHORITY TO WAIVE PERSONAL LIABILITY FOR YOUTH LOANS DUE TO CIRCUMSTANCES BEYOND BORROWER CONTROL.

Section 311(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1941(b)) is amended by adding at the end the following:

''(5) The Secretary may, on a case by case basis, waive the personal liability of a borrower for a loan made under this subsection if any default on the loan was due to circumstances beyond the control of the borrower.''.

SEC. 5104. MICROLOANS.

(a) IN GENERAL.—Section 313 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1943) is amended by adding at the end the following:

''(c) MICROLOANS.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary may establish a program to make or guarantee microloans.

''(2) LIMITATION.—The Secretary shall not make or guarantee a microloan under this subsection that exceeds $35,000 or that would cause the total principal indebtedness outstanding at any 1 time for microloans made under this chapter to any 1 borrower to exceed $70,000.

''(3) APPLICATIONS.—To the maximum extent practicable, the Secretary shall limit the administrative burdens and streamline the application and approval process for microloans under this subsection.

''(4) COOPERATIVE LENDING PROJECTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary may contract with community-based and nongovernmental organizations, State entities, or other intermediaries, as the Secretary determines appropriate—

''(i) to make or guarantee a microloan under this subsection; and

''(ii) to provide business, financial, marketing, and credit management services to borrowers.

''(B) REQUIREMENTS.—Before contracting with an entity described in subparagraph (A), the Secretary—

''(i) shall review and approve—

''(I) the loan loss reserve fund for microloans established by the entity; and

''(II) the underwriting standards for microloans of the entity; and

''(ii) establish such other requirements for contracting with the entity as the Secretary determines necessary.''.

(b) EXCEPTIONS FOR DIRECT LOANS.—Section 311(c)(2) of such Act (7 U.S.C. 1941(c)(2)) is amended to read as follows:

''(2) EXCEPTIONS.—In this subsection, the term 'direct operating loan' shall not include—

''(A) a loan made to a youth under subsection (b); or

''(B) a microloan made to a beginning farmer or rancher or a veteran farmer or rancher (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)).''.

(c) Section 312(a) of such Act (7 U.S.C. 1942(a)) is amended by inserting ''(including a microloan, as defined by the Secretary)'' after ''A direct loan''.

(d) Section 316(a)(2) of such Act (7 U.S.C. 1946(a)(2)) is amended by inserting ''a microloan to a beginning farmer or rancher or veteran farmer or rancher (as defined in section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)) or'' after ''The interest rate on''.

Subtitle C—Emergency Loans

SEC. 5201. ELIGIBILITY FOR EMERGENCY LOANS.

Section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)) is amended—

(1) by striking ''owner-operators (in the case of loans for a purpose under subtitle A) or operators (in the case of loans for a purpose under subtitle B)'' each place it appears and inserting ''(in the case of farm ownership loans in accordance with subtitle A) owner-operators or operators, or (in the case of loans for a purpose under subtitle B) operators'';

(2) by inserting after ''limited liability companies'' the 1st place it appears the following: '', or such other legal entities as the Secretary deems appropriate''; and

(3) by inserting after ''limited liability companies'' the 2nd place it appears the following: '', or other legal entities'';

(4) by striking ''and limited liability companies,'' and inserting ''limited liability companies, and such other legal entities'';

(5) by striking ''ownership and operator'' and inserting ''ownership or operator''; and

(6) by adding at the end the following: ''An entity that is an owner-operator or operator described in this subsection is deemed to meet the direct ownership requirement imposed under this subsection if at least 75 percent of the ownership interests of each embedded entity of such entity is owned directly or indirectly by the individuals that own the family farm.''.

Subtitle D—Administrative Provisions

SEC. 5301. BEGINNING FARMER AND RANCHER INDIVIDUAL DEVELOPMENT ACCOUNTS PILOT PROGRAM.

Section 333B(h) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983b(h)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 5302. ELIGIBLE BEGINNING FARMERS AND RANCHERS.

(a) CONFORMING AMENDMENTS RELATING TO CHANGES IN ELIGIBILITY RULES.—Section 343(a)(11) of such Act (7 U.S.C. 1991(a)(11)) is amended—

(1) by inserting after ''joint operation,'' the 1st place it appears the following: ''or such other legal entity as the Secretary deems appropriate,'';

(2) by striking ''or joint operators'' each place it appears and inserting ''joint operators, or owners''; and

(3) by inserting after ''joint operation,'' the 2nd and 3rd place it appears the following: ''or such other legal entity,''.

(b) MODIFICATION OF ACREAGE OWNERSHIP LIMITATION.—Section 343(a)(11)(F) of such Act (7 U.S.C. 1991(a)(11)(F)) is amended by striking ''median acreage'' and inserting ''average acreage''.

SEC. 5303. LOAN AUTHORIZATION LEVELS.

Section 346(b)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1994(b)(1)) is amended in the matter preceding subparagraph (A) by striking ''2012'' and inserting ''2018''.

SEC. 5304. PRIORITY FOR PARTICIPATION LOANS.

Section 346(b)(2)(A)(i) of the Consolidated Farm and Rural Development Act (7 U.S.C.

1994(b)(2)(A)(i)) is amended by adding at the end the following:

''(III) PRIORITY.—In order to maximize the number of borrowers served under this clause, the Secretary—

''(aa) shall give priority to applicants who apply under the down payment loan program under section 310E or joint financing arrangements under section 307(a)(3)(D); and

''(bb) may offer other financing options under this subtitle to applicants only if the Secretary determines that down payment or other participation loan options are not a viable approach for the applicants.''.

SEC. 5305. LOAN FUND SET-ASIDES.

Section 346(b)(2)(A)(ii)(III) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1994(b)(2)(A)(ii)(III)) is amended—

(1) by striking ''2012'' and inserting ''2018''; and

(2) by striking ''of the total amount''.

SEC. 5306. CONFORMING AMENDMENT TO BORROWER TRAINING PROVISION, RELATING TO ELIGIBILITY CHANGES.

Section 359(c)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2006a(c)(2)) is amended by striking ''section 302(a)(2) or 311(a)(2)'' and inserting ''section 302(a)(1)(B) or 311(a)(1)(B)''.

Subtitle E—State Agricultural Mediation Programs

SEC. 5401. STATE AGRICULTURAL MEDIATION PROGRAMS.

Section 506 of the Agricultural Credit Act of 1987 (7 U.S.C. 5106) is amended by striking ''2015'' and inserting ''2018''.

Subtitle F—Loans to Purchasers of Highly Fractionated Land

SEC. 5501. LOANS TO PURCHASERS OF HIGHLY FRACTIONATED LAND.

The first section of Public Law 91–229 (25 U.S.C. 488) is amended in subsection (b)(1) by striking ''pursuant to section 205(c) of the Indian Land Consolidation Act (25 U.S.C. 2204(c))'' and inserting ''or to intermediaries in order to establish revolving loan funds for the purchase of highly fractionated land''.

TITLE VI—RURAL DEVELOPMENT

Subtitle A—Consolidated Farm and Rural Development Act

SEC. 6001. WATER, WASTE DISPOSAL, AND WASTEWATER FACILITY GRANTS.

Section 306(a)(2)(B)(vii) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(2)(B)(vii)) is amended by striking ''2008 through 2012'' and inserting ''2014 through 2018''.

SEC. 6002. RURAL BUSINESS OPPORTUNITY GRANTS.

Section 306(a)(11)(D) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(11)(D)) is amended by striking ''$15,000,000 for each of fiscal years 2008 through 2012'' and inserting ''$15,000,000 for each of fiscal years 2014 through 2018''.

SEC. 6003. ELIMINATION OF RESERVATION OF COMMUNITY FACILITIES GRANT PROGRAM FUNDS.

Section 306(a)(19) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(19)) is amended by striking subparagraph (C).

SEC. 6004. UTILIZATION OF LOAN GUARANTEES FOR COMMUNITY FACILITIES.

Section 306(a)(24) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(24)) is amended by adding at the end the following:

''(C) UTILIZATION OF LOAN GUARANTEES FOR COMMUNITY FACILITIES.—The Secretary shall consider the benefits to communities that result from using loan guarantees in the Community Facilities Program and to the maximum extent possible utilize guarantees to enhance community involvement.''.

SEC. 6005. RURAL WATER AND WASTEWATER CIRCUIT RIDER PROGRAM.

Section 306(a)(22) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(22)) is amended to read as follows:

''(22) RURAL WATER AND WASTEWATER CIRCUIT RIDER PROGRAM.—

''(A) IN GENERAL.—The Secretary shall continue a national rural water and wastewater circuit rider program that—

''(i) is consistent with the activities and results of the program conducted before the date of enactment of this paragraph, as determined by the Secretary; and

''(ii) receives funding from the Secretary, acting through the Rural Utilities Service.

''(B) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph $20,000,000 for fiscal year 2014 and each fiscal year thereafter.''.

SEC. 6006. TRIBAL COLLEGE AND UNIVERSITY ESSENTIAL COMMUNITY FACILITIES.

Section 306(a)(25)(C) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(25)(C)) is amended by striking ''$10,000,000 for each of fiscal years 2008 through 2012'' and inserting ''$5,000,000 for each of fiscal years 2014 through 2018''.

SEC. 6007. ESSENTIAL COMMUNITY FACILITIES TECHNICAL ASSISTANCE AND TRAINING.

Section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(19)) is amended by adding at the end the following new paragraph:

''(26) ESSENTIAL COMMUNITY FACILITIES TECHNICAL ASSISTANCE AND TRAINING.—

''(A) IN GENERAL.—The Secretary may make grants to public bodies and private nonprofit corporations, such as States, counties, cities, townships, and incorporated towns and villages, boroughs, authorities, districts and Indian tribes on Federal and State reservations which will serve rural areas for the purpose of enabling them to provide to associations described in this subsection technical assistance and training, with respect to essential community facilities programs authorized under this subsection, to—

''(i) assist communities in identifying and planning for community facility needs;

''(ii) identify public and private resources to finance community facilities needs;

''(iii) prepare reports and surveys necessary to request financial assistance to develop community facilities;

''(iv) prepare applications for financial assistance;

''(v) improve the management, including financial management, related to the operation of community facilities; or

''(vi) assist with other areas of need identified by the Secretary.

''(B) SELECTION PRIORITY.—In selecting recipients of grants under this paragraph, the Secretary shall give priority to private, nonprofit, or public organizations that have experience in providing technical assistance and training to rural entities.

''(C) FUNDING.—Not less than 3 nor more than 5 percent of any funds appropriated to carry out each of the essential community facilities grant, loan and loan guarantee programs as authorized under this subsection for any fiscal year shall be reserved for grants under this paragraph.''.

SEC. 6008. EMERGENCY AND IMMINENT COMMUNITY WATER ASSISTANCE GRANT PROGRAM.

Section 306A(i)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926a(i)(2)) is amended by striking ''$35,000,000 for each of fiscal years 2008 through 2012'' and inserting ''$27,000,000 for each of fiscal years 2014 through 2018''.

SEC. 6009. HOUSEHOLD WATER WELL SYSTEMS.

Section 306E(d) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926e(d)) is amended by striking ''$10,000,000 for each of fiscal years 2008 through 2012'' and inserting ''$5,000,000 for each of fiscal years 2014 through 2018''.

SEC. 6010. RURAL BUSINESS AND INDUSTRY LOAN PROGRAM.

(a) FLEXIBILITY FOR THE BUSINESS AND LOAN PROGRAM.—Section 310B(a)(2)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(a)(2)(A)) is amended by inserting ''including working capital'' after ''employment''.

(b) GREATER FLEXIBILITY FOR ADEQUATE COLLATERAL THROUGH ACCOUNTS RECEIVABLE.—Section 310B(g)(7) of such Act (7 U.S.C. 1932(g)(7)) is amended by adding at the end the following: ''In the discretion of the Secretary, if the Secretary determines that the action would not create or otherwise contribute to an unreasonable risk of default or loss to the Federal Government, the Secretary may take account receivables as security for the obligations entered into in connection with loans and a borrower may use account receivables as collateral to secure a loan made or guaranteed under this subsection.''.

(c) REGULATIONS.—Not later than 6 months after the date of the enactment of this Act, the Secretary shall promulgate such regulations as are necessary to implement the amendments made by this section.

SEC. 6011. RURAL COOPERATIVE DEVELOPMENT GRANTS.

Section 310B(e)(12) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(e)(12)) is amended by striking ''$50,000,000 for each of fiscal years 2008 through 2012'' and inserting ''$40,000,000 for each of fiscal years 2014 through 2018''.

SEC. 6012. LOCALLY OR REGIONALLY PRODUCED AGRICULTURAL FOOD PRODUCTS.

Section 310B(g)(9)(B)(v)(I) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(9)(B)(v)(I)) is amended—

(1) by striking ''2012'' and inserting ''2018''; and

(2) by inserting ''and not more than 7 percent'' after ''5 percent''.

SEC. 6013. INTERMEDIARY RELENDING PROGRAM.

(a) IN GENERAL.—Subtitle A of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922–1936a) is amended by adding at the end the following:

''SEC. 310H. INTERMEDIARY RELENDING PROGRAM.

''(a) IN GENERAL.—The Secretary shall make loans to the entities, for the purposes, and subject to the terms and conditions specified in the 1st, 2nd, and last sentences of section 623(a) of the Community Economic Development Act of 1981 (42 U.S.C. 9812(a)).

''(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—For loans under subsection (a), there are authorized to be appropriated to the Secretary not more than $10,000,000 for each of fiscal years 2014 through 2018.''.

(b) CONFORMING AMENDMENTS.—Section 1323(b)(2) of the Food Security Act of 1985 (Public Law 99–198; 7 U.S.C. 1932 note) is amended—

(1) in subparagraph (A), by adding ''and'' at the end;

(2) in subparagraph (B), by striking ''; and'' and inserting a period; and

(3) by striking subparagraph (C).

SEC. 6014. RURAL COLLEGE COORDINATED STRATEGY.

Section 331 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981) is amended by adding at the end the following:

''(d) RURAL COLLEGE COORDINATED STRATEGY.—The Secretary shall develop a coordinated strategy across the relevant programs within the Rural Development mission areas to serve the specific, local needs of rural communities when making investments in rural community colleges and technical colleges through other current authorities. During the development of a coordinated strategy, the Secretary shall consult with groups representing rural-serving community colleges and technical colleges to coordinate critical investments in rural community colleges and technical colleges involved in workforce training. Nothing in this subsection shall be construed to provide a priority for funding within current authorities. The Secretary shall use the coordinated strategy and information developed for the strategy to more effectively serve rural communities with respect to investments in community colleges and technical colleges.''.

SEC. 6015. RURAL WATER AND WASTE DISPOSAL INFRASTRUCTURE.

Section 333 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983) is amended—

(1) by striking ''require'';

(2) in paragraph (1), by inserting ''require'' after ''(1)'';

(3) in paragraph (2), by inserting '', require'' after ''314'';

(4) in paragraph (3), by inserting ''require'' after ''loans,'';

(5) in paragraph (4)—

(A) by inserting ''require'' after ''(4)''; and

(B) by striking ''and'' after the semicolon;

(6) in paragraph (5)—

(A) by inserting ''require'' after ''(5)''; and

(B) by striking the period at the end and inserting ''; and''; and

(7) by adding at the end the following:

''(6) with respect to water and waste disposal direct and guaranteed loans provided under section 306, encourage, to the maximum extent practicable, private or cooperative lenders to finance rural water and waste disposal facilities by—

''(A) maximizing the use of loan guarantees to finance eligible projects in rural communities where the population exceeds 5,500;

''(B) maximizing the use of direct loans to finance eligible projects in rural communities where the impact on rate payers will be material when compared to financing with a loan guarantee;

''(C) establishing and applying a materiality standard when determining the difference in impact on rate payers between a direct loan and a loan guarantee;

''(D) in the case of projects that require interim financing in excess of $500,000, requiring that such projects initially seek such financing from private or cooperative lenders; and

''(E) determining if an existing direct loan borrower can refinance with a private or cooperative lender, including with a loan guarantee, prior to providing a new direct loan.''.

SEC. 6016. SIMPLIFIED APPLICATIONS.

(a) IN GENERAL.—Section 333A of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983a) is amended by adding at the end the following:

''(h) SIMPLIFIED APPLICATION FORMS.—Except as provided in subsection (g)(2) of this section, the Secretary shall, to the maximum extent practicable, develop a simplified application process, including a single page application where possible, for grants and relending authorized under sections 306, 306C, 306D, 306E, 310B(b), 310B(c), 310B(e), 310B(f), 310H, 379B, and 379E.''.

(b) REPORT TO THE CONGRESS.—Within 2 years after the date of the enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a written report that contains an evaluation of the implementation of the amendment made by subsection (a).

SEC. 6017. GRANTS FOR NOAA WEATHER RADIO TRANSMITTERS.

Section 379B(d) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008p(d)) is amended to read as follows:

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $1,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 6018. RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM.

Section 379E(d)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008s(d)(2)) is amended by striking ''$40,000,000 for each of fiscal years 2009 through 2012'' and inserting ''$20,000,000 for each of fiscal years 2014 through 2018''.

SEC. 6019. DELTA REGIONAL AUTHORITY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 382M(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa–12(a)) is amended by striking ''$30,000,000 for each of fiscal years 2008 through 2012'' and inserting ''$12,000,000 for each of fiscal years 2014 through 2018''.

(b) TERMINATION OF AUTHORITY.—Section 382N of such Act (7 U.S.C. 2009aa–13) is amended by striking ''2012'' and inserting ''2018''.

SEC. 6020. NORTHERN GREAT PLAINS REGIONAL AUTHORITY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 383N(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009bb–12(a)) is amended by striking ''$30,000,000 for each of fiscal years 2008 through 2012'' and inserting ''$2,000,000 for each of fiscal years 2014 through 2018''.

(b) TERMINATION OF AUTHORITY.—Section 383O of such Act (7 U.S.C. 2009bb–13) is amended by striking ''2012'' and inserting ''2018''.

SEC. 6021. RURAL BUSINESS INVESTMENT PROGRAM.

Section 384S of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc–18) is amended by striking ''$50,000,000 for the period of fiscal years 2008 through 2012'' and inserting ''$20,000,000 for each of fiscal years 2014 through 2018''.

Subtitle B—Rural Electrification Act of 1936

SEC. 6101. RELENDING FOR CERTAIN PURPOSES.

(a) IN GENERAL.—The Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.) is amended—

(1) in section 2(a), by inserting ''(including relending for this purpose as provided in section 4)'' after ''efficiency'';

(2) in section 4(a), by inserting ''(including relending to ultimate consumers for this purpose by borrowers enumerated in the proviso in this section)'' after ''efficiency''; and

(3) in section 313(b)(2)(B)—

(A) by inserting ''(acting through the Rural Utilities Service)'' after ''Secretary''; and

(B) by inserting ''energy efficiency (including relending to ultimate consumers for this purpose),'' after ''promoting''.

(b) CURRENT AUTHORITY.—The authority provided in this section is in addition to any other relending authority of the Secretary under the Rural Electrification Act of 1936 (7 U.S.C. 901 et. seq.) or any other law.

(c) ADMINISTRATION.—The Secretary (acting through the Rural Utilities Service) shall continue to carry out section 313 of the Rural Electrification Act of 1936 (7 U.S.C. 940c) in the same manner as on the day before enactment of this Act until such time as any regulations necessary to carry out the amendments made by this section are fully implemented.

SEC. 6102. FEES FOR CERTAIN LOAN GUARANTEES.

The Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.) is amended by inserting after section 4 the following:

''SEC. 5. FEES FOR CERTAIN LOAN GUARANTEES.

''(a) IN GENERAL.—For electrification baseload generation loan guarantees, the Secretary shall, at the request of the borrower, charge an upfront fee to cover the costs of the loan guarantee.

''(b) FEE.—The fee described in subsection (a) for a loan guarantee shall be equal to the costs of the loan guarantee (within the meaning of section 502(5)(C) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5)(C))).

''(c) LIMITATION.—Funds received from a borrower to pay the fee described in this section shall not be derived from a loan or other debt obligation that is made or guaranteed by the Federal Government.''.

SEC. 6103. GUARANTEES FOR BONDS AND NOTES ISSUED FOR ELECTRIFICATION OR TELEPHONE PURPOSES.

Section 313A(f) of the Rural Electrification Act of 1936 (7 U.S.C. 940c–1(f)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 6104. EXPANSION OF 911 ACCESS.

Section 315(d) of the Rural Electrification Act of 1936 (7 U.S.C. 940e(d)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 6105. ACCESS TO BROADBAND TELECOMMUNICATIONS SERVICES IN RURAL AREAS.

Section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) is amended—

(1) in subsection (c), by striking paragraph (2) and inserting the following:

''(2) PRIORITIES.—In making or guaranteeing loans under paragraph (1), the Secretary shall give—

''(A) the highest priority to applicants that offer to provide broadband service to the greatest proportion of households that, prior to the provision of the broadband service, had no incumbent service provider; and

''(B) priority to applicants that offer in their applications to provide broadband service not predominantly for business service, but where at least 25 percent of customers in the proposed service territory are commercial interests.'';

(2) in subsection (d)—

(A) in paragraph (5)—

(i) by striking ''and'' at the end of subparagraph (B);

(ii) by striking the period at the end of subparagraph (C) and inserting a semicolon; and

(iii) by adding at the end the following:

''(D) the amount and type of support requested; and

''(E) a list of the census block groups or tracts proposed to be so served.''; and

(B) by adding at the end the following:

''(8) ADDITIONAL PROCESS.—The Secretary shall establish a process under which an incumbent service provider which, as of the date of the publication of notice under paragraph (5) with respect to an application submitted by the provider, is providing broadband service to a remote rural area, may (but shall not be required to) submit to the Secretary, not less than 15 and not more than 30 days after that date, information regarding the broadband services that the provider offers in the proposed service territory, so that the Secretary may assess whether the application meets the requirements of this section with respect to eligible projects.'';

(3) in subsection (e), by adding at the end the following:

''(3) REQUIREMENT.—In considering the technology needs of customers in a proposed service territory, the Secretary shall take into consideration the upgrade or replacement cost for the construction or acquisition of facilities and equipment in the territory.''; and

(4) in each of subsections (k)(1) and (l), by striking ''2012'' and inserting ''2018''.

Subtitle C—Miscellaneous

SEC. 6201. DISTANCE LEARNING AND TELEMEDICINE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 2335A of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa–5) is amended by striking ''$100,000,000 for each of fiscal years 1996 through 2012'' and inserting ''$65,000,000 for each of fiscal years 2014 through 2018''.

(b) CONFORMING AMENDMENT.—Section 1(b) of Public Law 102–551 (7 U.S.C. 950aaa note) is amended by striking ''2012'' and inserting ''2018''.

SEC. 6202. VALUE-ADDED AGRICULTURAL MARKET DEVELOPMENT PROGRAM GRANTS.

Section 231(b)(7) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a(b)(7)) is amended—

(1) in subparagraph (A)—

(A) by striking ''2008'' and inserting ''2013''; and

(B) by striking ''$15,000,000'' and inserting ''$50,000,000''; and

(2) in subparagraph (B), by striking ''2012'' and inserting ''2018''.

SEC. 6203. AGRICULTURE INNOVATION CENTER DEMONSTRATION PROGRAM.

Section 6402(i) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1632b(i)) is amended by striking ''$6,000,000 for each of fiscal years 2008 through 2012'' and inserting ''$1,000,000 for each of fiscal years 2014 through 2018''.

SEC. 6204. PROGRAM METRICS.

(a) IN GENERAL.—The Secretary of Agriculture shall collect data regarding economic activities created through grants and loans, including any technical assistance provided as a component of the grant or loan program, and measure the short and long term viability of award recipients and any entities to whom those recipients provide assistance using award funds under section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note; Public Law 106–224), section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107), section 313(b)(2) of the Rural Electrification Act of 1936 (7 U.S.C. 940c(b)(2)), or section 306(a)(11), 310B(c), 310B(e), 310B(g), 310H, or 379E, or subtitle E, of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(11), 1932(c), 1932(e), 1932(g), 2008s, or 2009 through 2009m).

(b) DATA.—The data collected under subsection (a) shall include information collected from recipients both during the award period and after the period as determined by the Secretary, but not less than 2 years after the award period ends.

(c) REPORT.—Not later than 4 years after the date of enactment of this Act, and every 2 years thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that contains the data described in subsection (a). The report shall include detailed information regarding—

(1) actions taken by the Secretary to utilize the data;

(2) the number of jobs, including self-employment and the value of salaries and wages;

(3) how the provision of funds from the grant or loan involved affected the local economy;

(4) any benefit, such as an increase in revenue or customer base; and

(5) such other information as the Secretary deems appropriate.

SEC. 6205. STUDY OF RURAL TRANSPORTATION ISSUES.

(a) IN GENERAL.—The Secretary of Agriculture and the Secretary of Transportation shall publish an updated version of the study described in section 6206 of the Food, Conservation, and Energy Act of 2008 (as amended by subsection (b)).

(b) ADDITION TO STUDY.—Section 6206(b) of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1971) is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(5) the sufficiency of infrastructure along waterways in the United States and the impact of such infrastructure on the movement of agricultural goods in terms of safety, efficiency and speed, as well as the benefits derived through upgrades and repairs to locks and dams.''.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture and the Secretary of Transportation shall submit to the Congress the updated version of the study required by subsection (a).

SEC. 6206. CERTAIN FEDERAL ACTIONS NOT TO BE CONSIDERED MAJOR.

In the case of a loan, loan guarantee, or grant program in the rural development mission area of the Department of Agriculture, an action of the Secretary before, on, or after the date of enactment of this Act that does not involve the provision by the Department of Agriculture of Federal dollars or a Federal loan guarantee, including—

(1) the approval by the Department of Agriculture of the decision of a borrower to commence a privately funded activity;

(2) a lien accommodation or subordination;

(3) a debt settlement or restructuring; or

(4) the restructuring of a business entity by a borrower,

shall not be considered a major Federal action.

TITLE VII—RESEARCH, EXTENSION, AND RELATED MATTERS

Subtitle A—National Agricultural Research, Extension, and Teaching Policy Act of 1977

SEC. 7101. OPTION TO BE INCLUDED AS NON-LAND-GRANT COLLEGE OF AGRICULTURE.

Section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103) is amended—

(1) by striking paragraph (5) and inserting the following new paragraph:

''(5) COOPERATING FORESTRY SCHOOL.—

''(A) IN GENERAL.—The term 'cooperating forestry school' means an institution—

''(i) that is eligible to receive funds under the Act of October 10, 1962 (16 U.S.C. 582a et seq.), commonly known as the McIntire-Stennis Act of 1962; and

''(ii) with respect to which the Secretary has not received a declaration of the intent of that institution to not be considered a cooperating forestry school.

''(B) TERMINATION OF DECLARATION.—A declaration of the intent of an institution to not be considered a cooperating forestry school submitted to the Secretary shall be in effect until September 30, 2018.''; and

(2) in paragraph (10)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''that'';

(ii) in clause (i)—

(I) by inserting ''that'' before ''qualify''; and

(II) by striking ''and'' at the end;

(iii) in clause (ii)—

(I) by inserting ''that'' before ''offer''; and

(II) by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following new clause:

''(iii) with respect to which the Secretary has not received a statement of the declaration of the intent of a college or university to not be considered a Hispanic-serving agricultural college or university.''; and

(B) by adding at the end the following new subparagraph:

''(C) TERMINATION OF DECLARATION OF INTENT.—A declaration of the intent of a college or university to not be considered a Hispanic-serving agricultural college or university submitted to the Secretary shall be in effect until September 30, 2018.''.

SEC. 7102. NATIONAL AGRICULTURAL RESEARCH, EXTENSION, EDUCATION, AND ECONOMICS ADVISORY BOARD.

(a) EXTENSION OF TERMINATION DATE.—Section 1408(h) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123(h)) is amended by striking ''2012'' and inserting ''2018''.

(b) DUTIES OF NATIONAL AGRICULTURAL RESEARCH, EXTENSION, EDUCATION, AND ECONOMICS ADVISORY BOARD.—Section 1408(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123(c)) is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) in paragraph (4)(C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(5) consult with industry groups on agricultural research, extension, education, and economics, and make recommendations to the Secretary based on that consultation.''.

SEC. 7103. SPECIALTY CROP COMMITTEE.

Section 1408A(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a(c)) is amended—

(1) in paragraph (1), by striking ''Measures'' and inserting ''Programs'';

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively; and

(4) in paragraph (2) (as so redesignated)—

(A) in the matter preceding subparagraph (A), by striking ''Programs that would'' and inserting ''Research, extension, and teaching programs designed to improve competitiveness in the specialty crop industry, including programs that would'';

(B) in subparagraph (D), by inserting '', including improving the quality and taste of processed specialty crops'' before the semicolon; and

(C) in subparagraph (G), by inserting ''the remote sensing and the'' before ''mechanization''.

SEC. 7104. VETERINARY SERVICES GRANT PROGRAM.

The National Agricultural Research, Extension, and Teaching Policy Act of 1977 is amended by inserting after section 1415A (7 U.S.C. 3151a) the following new section:

''SEC. 1415B. VETERINARY SERVICES GRANT PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) QUALIFIED ENTITY.—The term 'qualified entity' means—

''(A) a for-profit or nonprofit entity located in the United States that, or an individual who, operates a veterinary clinic providing veterinary services—

''(i) in a rural area, as defined in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)); and

''(ii) in a veterinarian shortage situation;

''(B) a State, national, allied, or regional veterinary organization or specialty board recognized by the American Veterinary Medical Association;

''(C) a college or school of veterinary medicine accredited by the American Veterinary Medical Association;

''(D) a university research foundation or veterinary medical foundation;

''(E) a department of veterinary science or department of comparative medicine accredited by the Department of Education;

''(F) a State agricultural experiment station; or

''(G) a State, local, or tribal government agency.

''(2) VETERINARIAN SHORTAGE SITUATION.—The term 'veterinarian shortage situation' means a veterinarian shortage situation as determined by the Secretary under section 1415A.

''(b) ESTABLISHMENT.—

''(1) COMPETITIVE GRANTS.—The Secretary shall carry out a program to make competitive grants to qualified entities that carry out programs or activities described in paragraph (2) for the purpose of developing, implementing, and sustaining veterinary services.

''(2) ELIGIBILITY REQUIREMENTS.—A qualified entity shall be eligible to receive a grant described in paragraph (1) if the entity carries out programs or activities that the Secretary determines will—

''(A) substantially relieve veterinarian shortage situations;

''(B) support or facilitate private veterinary practices engaged in public health activities; or

''(C) support or facilitate the practices of veterinarians who are providing or have completed providing services under an agreement entered into with the Secretary under section 1415A(a)(2).

''(c) AWARD PROCESSES AND PREFERENCES.—

''(1) APPLICATION, EVALUATION, AND INPUT PROCESSES.—In administering the grant program established under this section, the Secretary shall—

''(A) use an appropriate application and evaluation process, as determined by the Secretary; and

''(B) seek the input of interested persons.

''(2) COORDINATION PREFERENCE.—In selecting recipients of grants to be used for any of the purposes described in subsection (d)(1), the Secretary shall give a preference to qualified entities that provide documentation of coordination with other qualified entities, with respect to any such purpose.

''(3) CONSIDERATION OF AVAILABLE FUNDS.—In selecting recipients of grants to be used for any of the purposes described in subsection (d), the Secretary shall take into consideration the amount of funds available for grants and the purposes for which the grant funds will be used.

''(4) NATURE OF GRANTS.—A grant awarded under this section shall be considered to be a competitive research, extension, or education grant.

''(d) USE OF GRANTS TO RELIEVE VETERINARIAN SHORTAGE SITUATIONS AND SUPPORT VETERINARY SERVICES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), a qualified entity may use funds provided by a grant awarded under this section to relieve veterinarian shortage situations and support veterinary services for any of the following purposes:

''(A) To promote recruitment (including for programs in secondary schools), placement, and retention of veterinarians, veterinary technicians, students of veterinary medicine, and students of veterinary technology.

''(B) To allow veterinary students, veterinary interns, externs, fellows, and residents, and veterinary technician students to cover expenses (other than the types of expenses described in section 1415A(c)(5)) to attend training programs in food safety or food animal medicine.

''(C) To establish or expand accredited veterinary education programs (including faculty recruitment and retention), veterinary residency and fellowship programs, or veterinary internship and externship programs carried out in coordination with accredited colleges of veterinary medicine.

''(D) To provide continuing education and extension, including veterinary telemedicine and other distance-based education, for veterinarians, veterinary technicians, and other health professionals needed to strengthen veterinary programs and enhance food safety.

''(E) To provide technical assistance for the preparation of applications submitted to the Secretary for designation as a veterinarian shortage situation under this section or section 1415A.

''(2) QUALIFIED ENTITIES OPERATING VETERINARY CLINICS.—A qualified entity described in subsection (a)(1)(A) may only use funds provided by a grant awarded under this section to establish or expand veterinary practices, including—

''(A) equipping veterinary offices;

''(B) sharing in the reasonable overhead costs of such veterinary practices, as determined by the Secretary; or

''(C) establishing mobile veterinary facilities in which a portion of the facilities will address education or extension needs.

''(e) SPECIAL REQUIREMENTS FOR CERTAIN GRANTS.—

''(1) TERMS OF SERVICE REQUIREMENTS.—

''(A) IN GENERAL.—Funds provided through a grant made under this section to a qualified entity described in subsection (a)(1)(A) and used by such entity under subsection (d)(2) shall be subject to an agreement between the Secretary and such entity that includes a required term of service for such entity (including a qualified entity operating as an individual), as prospectively established by the Secretary.

''(B) CONSIDERATIONS.—In establishing a term of service under subparagraph (A), the Secretary shall consider only—

''(i) the amount of the grant awarded; and

''(ii) the specific purpose of the grant.

''(2) BREACH REMEDIES.—

''(A) IN GENERAL.—An agreement under paragraph (1) shall provide remedies for any breach of the agreement by the qualified entity referred to in paragraph (1)(A), including repayment or partial repayment of the grant funds, with interest.

''(B) WAIVER.—The Secretary may grant a waiver of the repayment obligation for breach of contract if the Secretary determines that such qualified entity demonstrates extreme hardship or extreme need.

''(C) TREATMENT OF AMOUNTS RECOVERED.—Funds recovered under this paragraph shall—

''(i) be credited to the account available to carry out this section; and

''(ii) remain available until expended without further appropriation.

''(f) PROHIBITION ON USE OF GRANT FUNDS FOR CONSTRUCTION.—Except as provided in subsection (d)(2), funds made available for grants under this section may not be used—

''(1) to construct a new building or facility; or

''(2) to acquire, expand, remodel, or alter an existing building or facility, including site grading and improvement and architect fees.

''(g) REGULATIONS.—Not later than 1 year after the date of the enactment of this section, the Secretary shall promulgate regulations to carry out this section.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section $10,000,000 for fiscal year 2014 and each fiscal year thereafter, to remain available until expended.''.

SEC. 7105. GRANTS AND FELLOWSHIPS FOR FOOD AND AGRICULTURE SCIENCES EDUCATION.

Section 1417(m) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(m)) is amended by striking ''section $60,000,000'' and all that follows and inserting the following: ''section—

''(1) $60,000,000 for each of fiscal years 1990 through 2013; and

''(2) $40,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7106. POLICY RESEARCH CENTERS.

Section 1419A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3155) is amended—

(1) in the section heading, by inserting ''**AGRICULTURAL AND FOOD**'' before ''**POLICY**'';

(2) in subsection (a), in the matter preceding paragraph (1)—

(A) by striking ''Secretary may'' and inserting ''Secretary shall, acting through the Office of the Chief Economist,'';

(B) by striking ''make grants, competitive grants, and special research grants to, and enter into cooperative agreements and other contracting instruments with,'' and inserting ''make competitive grants to, or enter into cooperative agreements with,''; and

(C) by inserting ''with a history of providing unbiased, nonpartisan economic analysis to Congress'' after ''subsection (b)'';

(3) in subsection (b), by striking ''other research institutions'' and all that follows through ''shall be eligible'' and inserting ''and other public research institutions and organizations shall be eligible'';

(4) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(5) by inserting after subsection (b), the following new subsection:

''(c) PREFERENCE.—In awarding grants under this section, the Secretary shall give a preference to policy research centers that have extensive databases, models, and demonstrated experience in providing Congress with agricultural market projections, rural development analysis, agricultural policy analysis, and baseline projections at the farm, multiregional, national, and international levels.''; and

(6) by striking subsection (e) (as redesignated by paragraph (4)) and inserting the following new subsection:

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) such sums as are necessary for each of fiscal years 1996 through 2013; and

''(2) $5,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7107. REPEAL OF HUMAN NUTRITION INTERVENTION AND HEALTH PROMOTION RESEARCH PROGRAM.

Effective October 1, 2013, section 1424 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3174) is repealed.

SEC. 7108. REPEAL OF PILOT RESEARCH PROGRAM TO COMBINE MEDICAL AND AGRICULTURAL RESEARCH.

Effective October 1, 2013, section 1424A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3174a) is repealed.

SEC. 7109. NUTRITION EDUCATION PROGRAM.

Section 1425(f) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3175(f)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 7110. CONTINUING ANIMAL HEALTH AND DISEASE RESEARCH PROGRAMS.

Section 1433 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3195) is amended by striking the section designation and heading and all that follows through subsection (a) and inserting the following:

''SEC. 1433. APPROPRIATIONS FOR CONTINUING ANIMAL HEALTH AND DISEASE RESEARCH PROGRAMS.

''(a) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to support continuing animal health and disease research programs at eligible institutions—

''(A) $25,000,000 for each of fiscal years 1991 through 2013; and

''(B) $15,000,000 for each of fiscal years 2014 through 2018.

''(2) USE OF FUNDS.—Funds made available under this section shall be used—

''(A) to meet the expenses of conducting animal health and disease research, publishing and disseminating the results of such research, and contributing to the retirement of employees subject to the Act of March 4, 1940 (7 U.S.C. 331);

''(B) for administrative planning and direction; and

''(C) to purchase equipment and supplies necessary for conducting the research described in subparagraph (A).''.

SEC. 7111. REPEAL OF APPROPRIATIONS FOR RESEARCH ON NATIONAL OR REGIONAL PROBLEMS.

(a) REPEAL.—Effective October 1, 2013, section 1434 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3196) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) MATCHING FUNDS.—Section 1438 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3200) is amended in the first sentence by striking '', exclusive of the funds provided for research on specific national or regional animal health and disease problems under the provisions of section 1434 of this title,''.

(2) AUTHORIZATION OF APPROPRIATIONS FOR EXISTING AND CERTAIN NEW AGRICULTURAL RESEARCH PROGRAMS.—Section 1463(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3311(c)) is amended by striking ''sections 1433 and 1434'' and inserting ''section 1433''.

SEC. 7112. GRANTS TO UPGRADE AGRICULTURAL AND FOOD SCIENCES FACILITIES AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

Section 1447(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b(b)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 7113. GRANTS TO UPGRADE AGRICULTURE AND FOOD SCIENCE FACILITIES AND EQUIPMENT AT INSULAR AREA LAND-GRANT INSTITUTIONS.

(a) SUPPORTING TROPICAL AND SUBTROPICAL AGRICULTURAL RESEARCH.—

(1) IN GENERAL.—Section 1447B(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b–2(a)) is amended to read as follows:

''(a) PURPOSE.—It is the intent of Congress to assist the land-grant colleges and universities in the insular areas in efforts to—

''(1) acquire, alter, or repair facilities or relevant equipment necessary for conducting agricultural research; and

''(2) support tropical and subtropical agricultural research, including pest and disease research.''.

(2) CONFORMING AMENDMENT.—Section 1447B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b–2) is amended in the heading—

(A) by inserting ''**AND SUPPORT TROPICAL AND SUBTROPICAL AGRICULTURAL RESEARCH**'' after ''**EQUIPMENT**''; and

(B) by striking ''**INSTITUTIONS**'' and inserting ''**COLLEGES AND UNIVERSITIES**''.

(b) EXTENSION.—Section 1447B(d) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b–2(d)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 7114. REPEAL OF NATIONAL RESEARCH AND TRAINING VIRTUAL CENTERS.

Effective October 1, 2013, section 1448 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222c) is repealed.

SEC. 7115. HISPANIC-SERVING INSTITUTIONS.

Section 1455(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3241(c)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 7116. COMPETITIVE GRANTS PROGRAM FOR HISPANIC AGRICULTURAL WORKERS AND YOUTH.

Section 1456(e)(1) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3243(e)(1)) is amended to read as follows:

''(1) IN GENERAL.—The Secretary shall establish a competitive grants program—

''(A) to fund fundamental and applied research and extension at Hispanic-serving agricultural colleges and universities in agriculture, human nutrition, food science, bioenergy, and environmental science; and

''(B) to award competitive grants to Hispanic-serving agricultural colleges and universities to provide for training in the food and agricultural sciences of Hispanic agricultural workers and Hispanic youth working in the food and agricultural sciences.''.

SEC. 7117. COMPETITIVE GRANTS FOR INTERNATIONAL AGRICULTURAL SCIENCE AND EDUCATION PROGRAMS.

Section 1459A(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3292b(c)) is amended to read as follows:

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) such sums as are necessary for each of fiscal years 1999 through 2013; and

''(2) $5,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7118. REPEAL OF RESEARCH EQUIPMENT GRANTS.

Effective October 1, 2013, section 1462A of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310a) is repealed.

SEC. 7119. UNIVERSITY RESEARCH.

Section 1463 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3311) is amended in both of subsections (a) and (b) by striking ''2012'' and inserting ''2018''.

SEC. 7120. EXTENSION SERVICE.

Section 1464 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3312) is amended by striking ''2012'' and inserting ''2018''.

SEC. 7121. AUDITING, REPORTING, BOOKKEEPING, AND ADMINISTRATIVE REQUIREMENTS.

Section 1469 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3315) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by adding ''and'' at the end;

(B) by striking paragraph (3); and

(C) by redesignating paragraph (4) as paragraph (3);

(2) by redesignating subsections (b), (c), and (d) as subsections (d), (e), and (f), respectively; and

(3) by inserting after subsection (a) the following new subsections:

''(b) ADMINISTRATIVE EXPENSES.—

''(1) IN GENERAL.—Except as provided in paragraph (2) and notwithstanding any other provision of law, the Secretary may retain not more than 4 percent of amounts made available for agricultural research, extension, and teaching assistance programs for the administration of those programs authorized under this Act or any other Act.

''(2) EXCEPTIONS.—The limitation on administrative expenses under paragraph (1) shall not apply to peer panel expenses under subsection (d) or any other provision of law related to the administration of agricultural research, extension, and teaching assistance programs that contains a limitation on administrative expenses that is less than the limitation under paragraph (1).

''(c) AGREEMENTS WITH NON-FEDERAL ENTITIES.—

''(1) FORMER AGRICULTURAL RESEARCH FACILITIES OF THE DEPARTMENT.—To the maximum extent practicable, the Secretary, for purposes of supporting ongoing research and information dissemination activities, including supporting research and those activities through co-locating scientists and other technical personnel, sharing of laboratory and field equipment, and providing financial support, shall enter into grants, contracts, cooperative agreements, or other legal instruments with former Department of Agriculture agricultural research facilities.

''(2) AGREEMENTS WITH AGRICULTURAL RESEARCH ORGANIZATIONS.—The Secretary, for purposes of receiving from a non-Federal agricultural research organization support for agricultural research, including staffing, laboratory and field equipment, or direct financial assistance, may enter into grants, contracts, cooperative agreements, or other legal instruments with a non-Federal agricultural research organization, the operation of which is consistent with the research mission and programs of an agricultural research facility of the Department of Agriculture.''.

SEC. 7122. SUPPLEMENTAL AND ALTERNATIVE CROPS.

(a) AUTHORIZATION OF APPROPRIATIONS AND TERMINATION.—Section 1473D of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319d) is amended—

(1) in subsection (a), by striking ''2012'' and inserting ''2018''; and

(2) by adding at the end the following new subsection:

''(e) There are authorized to be appropriated to carry out this section—

''(1) such sums as are necessary for fiscal year 2013; and

''(2) $1,000,000 for each of fiscal years 2014 through 2018.''.

(b) COMPETITIVE GRANTS.—Section 1473D(c)(1) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319d(c)(1)) is amended by striking ''use such research funding, special or competitive grants, or other means, as the Secretary determines,'' and inserting ''make competitive grants''.

SEC. 7123. CAPACITY BUILDING GRANTS FOR NLGCA INSTITUTIONS.

Section 1473F(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319i(b)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 7124. AQUACULTURE ASSISTANCE PROGRAMS.

(a) COMPETITIVE GRANTS.—Section 1475(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3322(b)) is amended in the matter preceding paragraph (1), by inserting ''competitive'' before ''grants''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1477 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3324) is amended to read as follows:

''SEC. 1477. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated to carry out this subtitle—

''(1) $7,500,000 for each of fiscal years 1991 through 2013; and

''(2) $5,000,000 for each of fiscal years 2014 through 2018.

''(b) PROHIBITION ON USE.—Funds made available under this section may not be used to acquire or construct a building.''.

SEC. 7125. RANGELAND RESEARCH PROGRAMS.

Section 1483(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3336(a)) is amended by striking ''subtitle'' and all that follows and inserting the following: ''subtitle—

''(1) $10,000,000 for each of fiscal years 1991 through 2013; and

''(2) $2,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7126. SPECIAL AUTHORIZATION FOR BIOSECURITY PLANNING AND RESPONSE.

Section 1484(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3351(a)) is amended by striking ''response such sums as are necessary'' and all that follows and inserting the following: ''response—

''(1) such sums as are necessary for each of fiscal years 2002 through 2013; and

''(2) $10,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7127. DISTANCE EDUCATION AND RESIDENT INSTRUCTION GRANTS PROGRAM FOR INSULAR AREA INSTITUTIONS OF HIGHER EDUCATION.

(a) DISTANCE EDUCATION GRANTS FOR INSULAR AREAS.—

(1) COMPETITIVE GRANTS.—Section 1490(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3362(a)) is amended by striking ''or noncompetitive''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 1490(f) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3362(f)) is amended by striking ''section'' and all that follows and inserting the following: ''section—

''(1) such sums as are necessary for each of fiscal years 2002 through 2013; and

''(2) $2,000,000 for each of fiscal years 2014 through 2018.''.

(b) RESIDENT INSTRUCTION GRANTS FOR INSULAR AREAS.—Section 1491(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3363(c)) is amended by striking ''such sums as are necessary'' and all that follows and inserting the following: ''to carry out this section—

''(1) such sums as are necessary for each of fiscal years 2002 through 2013; and

''(2) $2,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7128. MATCHING FUNDS REQUIREMENT.

(a) IN GENERAL.—The National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3101 et seq.) is amended by adding at the end the following new subtitle:

''Subtitle P—General Provisions

''SEC. 1492. MATCHING FUNDS REQUIREMENT.

''(a) IN GENERAL.—The recipient of a competitive grant that is awarded by the Secretary under a covered law shall provide funds, in-kind contributions, or a combination of both, from sources other than funds provided through such grant in an amount at least equal to the amount of such grant.

''(b) EXCEPTION.—The matching funds requirement under subsection (a) shall not apply to grants awarded—

''(1) to a research agency of the Department of Agriculture;

''(2) to an entity eligible to receive funds under a capacity and infrastructure program (as defined in section 251(f)(1)(C) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(1)(C))), including a partner of such entity.

''(c) COVERED LAW.—In this section, the term 'covered law' means each of the following provisions of law:

''(1) This title.

''(2) Title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5801 et seq.).

''(3) The Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601 et seq.).

''(4) Part III of subtitle E of title VII of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 3202 et seq.).

''(5) The Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i).''.

(b) CONFORMING AMENDMENT.—Paragraph (9) of subsection (b) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)) is amended—

(1) by striking subparagraph (B);

(2) in the heading, by inserting ''FOR EQUIPMENT GRANTS'' after ''FUNDS'';

(3) by striking ''(A) EQUIPMENT GRANTS.—''; and

(4) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and moving the margins of such subparagraphs two ems to the left.

(c) APPLICATION TO AMENDMENTS.—

(1) NEW GRANTS.—Section 1492 of the National Agricultural, Research, Extension, and Teaching Policy Act of 1977, as added by subsection (a), shall apply with respect to grants described in such section awarded after October 1, 2013, unless the provision of a covered law under which such grants are awarded specifically exempts such grants from the matching funds requirement under such section.

(2) EXISTING GRANTS.—A matching funds requirement in effect on or before October 1, 2013, under a covered law shall continue to apply to a grant awarded under such provision of law on or before that date.

Subtitle B—Food, Agriculture, Conservation, and Trade Act of 1990

SEC. 7201. BEST UTILIZATION OF BIOLOGICAL APPLICATIONS.

Section 1624 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5814) is amended in the first sentence—

(1) by striking ''$40,000,000 for each fiscal year''; and

(2) by inserting ''$40,000,000 for each of fiscal years 2013 through 2018'' after ''chapter''.

SEC. 7202. INTEGRATED MANAGEMENT SYSTEMS.

Section 1627(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5821(d)) is amended to read as follows:

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section through the National Institute of Food and Agriculture $20,000,000 for each of fiscal years 2013 through 2018.''.

SEC. 7203. SUSTAINABLE AGRICULTURE TECHNOLOGY DEVELOPMENT AND TRANSFER PROGRAM.

Section 1628(f) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5831(f)) is amended to read as follows:

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) such sums as are necessary for fiscal year 2013; and

''(2) $5,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7204. NATIONAL TRAINING PROGRAM.

Section 1629(i) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5832(i)) is amended to read as follows:

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the National Training Program $20,000,000 for each of fiscal years 2013 through 2018.''.

SEC. 7205. NATIONAL GENETICS RESOURCES PROGRAM.

Section 1635(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5844(b)) is amended—

(1) by striking ''such funds as may be necessary''; and

(2) by striking ''subtitle'' and all that follows and inserting the following: ''subtitle—

''(1) such sums as are necessary for each of fiscal years 1991 through 2013; and

''(2) $1,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7206. REPEAL OF NATIONAL AGRICULTURAL WEATHER INFORMATION SYSTEM.

Effective October 1, 2013, subtitle D of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5851 et seq.) is repealed.

SEC. 7207. REPEAL OF RURAL ELECTRONIC COMMERCE EXTENSION PROGRAM.

Effective October 1, 2013, section 1670 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5923) is repealed.

SEC. 7208. REPEAL OF AGRICULTURAL GENOME INITIATIVE.

Effective October 1, 2013, section 1671 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5924) is repealed.

SEC. 7209. HIGH-PRIORITY RESEARCH AND EXTENSION INITIATIVES.

Section 1672 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925) is amended—

(1) in the first sentence of subsection (a), by striking ''subsections (e) through (i)'' and inserting ''subsections (e) and (f)'';

(2) in subsection (b)(2), in the first sentence, by striking ''subsections (e) through (i)'' and inserting ''subsections (e) and (f)'';

(3) by striking subsections (e), (f), and (i);

(4) by redesignating subsections (g), (h), and (j) as subsections (e), (f), and (g), respectively;

(5) in subsection (f) (as redesignated by paragraph (4))—

(A) by striking ''2012'' each place it appears in paragraphs (1)(B), (2)(B), and (3) and inserting ''2018''; and

(B) in paragraph (4)—

(i) in subparagraph (A), by inserting ''and honey bee health disorders'' after ''collapse''; and

(ii) in subparagraph (B), by inserting '', including best management practices'' after ''strategies''; and

(6) in subsection (g) (as redesignated by paragraph (4)), by striking ''2012'' and inserting ''2018''.

SEC. 7210. REPEAL OF NUTRIENT MANAGEMENT RESEARCH AND EXTENSION INITIATIVE.

Effective October 1, 2013, section 1672A of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925a) is repealed.

SEC. 7211. ORGANIC AGRICULTURE RESEARCH AND EXTENSION INITIATIVE.

Section 1672B of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b) is amended—

(1) by striking subsection (e) and inserting the following new subsection:

''(e) FARM BUSINESS MANAGEMENT ENCOURAGED.—Following the completion of a peer review process for grant proposals received under this section, the Secretary shall give a priority to grant proposals found in the review process to be scientifically meritorious using the same criteria the Secretary uses to give priority to grants under section 1672D(b).''; and

(2) in subsection (f)—

(A) in paragraph (1)—

(i) in the heading of such paragraph, by striking ''2012'' and inserting ''2018'';

(ii) in subparagraph (A), by striking ''and'' at the end;

(iii) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following new subparagraph:

''(C) $20,000,000 for each of fiscal years 2014 through 2018.''; and

(B) in paragraph (2)—

(i) in the heading of such paragraph, by striking ''2009 THROUGH 2012'' and inserting ''2014 THROUGH 2018''; and

(ii) by striking ''2009 through 2012'' and inserting ''2014 through 2018''.

SEC. 7212. REPEAL OF AGRICULTURAL BIOENERGY FEEDSTOCK AND ENERGY EFFICIENCY RESEARCH AND EXTENSION INITIATIVE.

(a) REPEAL.—Effective October 1, 2013, section 1672C of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925e) is repealed.

(b) CONFORMING AMENDMENT.—Section 251(f)(1)(D) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(1)(D)) is amended—

(1) by striking clause (xi); and

(2) by redesignating clauses (xii) and (xiii) as clauses (xi) and (xii), respectively.

SEC. 7213. FARM BUSINESS MANAGEMENT.

Section 1672D(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925f(d)) is amended by striking ''such sums as are necessary to carry out this section.'' and inserting the following: ''to carry out this section—

''(1) such sums as are necessary for fiscal year 2013; and

''(2) $5,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7214. CENTERS OF EXCELLENCE.

The Food, Agriculture, Conservation, and Trade Act of 1990 is amended by inserting after section 1672D (7 U.S.C. 5925f) the following new section:

''SEC. 1673. CENTERS OF EXCELLENCE.

''(a) FUNDING PRIORITIES.—The Secretary shall prioritize centers of excellence established for specific agricultural commodities for the receipt of funding for any competitive research or extension program administered by the Secretary.

''(b) COMPOSITION.—A center of excellence is composed of 1 or more of the eligible entities specified in subsection (b)(7) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(7)) that provide financial or in-kind support to the center of excellence.

''(c) CRITERIA FOR CENTERS OF EXCELLENCE.—

''(1) REQUIRED EFFORTS.—The criteria for consideration to be recognized as a center of excellence shall include efforts—

''(A) to ensure coordination and cost effectiveness by reducing unnecessarily duplicative efforts regarding research, teaching, and extension;

''(B) to leverage available resources by using public/private partnerships among agricultural industry groups, institutions of higher education, and the Federal Government;

''(C) to implement teaching initiatives to increase awareness and effectively disseminate solutions to target audiences through extension activities; and

''(D) to increase the economic returns to rural communities by identifying, attracting, and directing funds to high-priority agricultural issues.

''(2) ADDITIONAL EFFORTS.—Where practicable, the criteria for consideration to be recognized as a center of excellence shall include efforts to improve teaching capacity and infrastructure at colleges and universities (including land-grant institutions, schools of forestry, schools of veterinary medicine, and NLGCA Institutions).''.

SEC. 7215. REPEAL OF RED MEAT SAFETY RESEARCH CENTER.

Effective October 1, 2013, section 1676 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5929) is repealed.

SEC. 7216. ASSISTIVE TECHNOLOGY PROGRAM FOR FARMERS WITH DISABILITIES.

Section 1680(c)(1) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5933(c)(1)) is amended—

(1) by striking ''is'' and inserting ''are''; and

(2) by striking ''section'' and all that follows and inserting the following: ''section—

''(A) $6,000,000 for each of fiscal years 1999 through 2013; and

''(B) $3,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7217. NATIONAL RURAL INFORMATION CENTER CLEARINGHOUSE.

Section 2381(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 3125b(e)) is amended by striking ''2012'' and inserting ''2018''.

Subtitle C—Agricultural Research, Extension, and Education Reform Act of 1998

SEC. 7301. RELEVANCE AND MERIT OF AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION FUNDED BY THE DEPARTMENT.

Section 103(a)(2) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7613(a)(2)) is amended—

(1) in the heading by striking ''MERIT REVIEW OF EXTENSION'' and inserting ''RELEVANCE AND MERIT REVIEW OF RESEARCH, EXTENSION,'';

(2) in subparagraph (A)—

(A) by inserting ''relevance and'' before ''merit''; and

(B) by striking ''extension or education'' and inserting ''research, extension, or education''; and

(3) in subparagraph (B), by inserting ''on a continuous basis'' after ''procedures''.

SEC. 7302. INTEGRATED RESEARCH, EDUCATION, AND EXTENSION COMPETITIVE GRANTS PROGRAM.

Section 406(f) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626(f)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 7303. REPEAL OF COORDINATED PROGRAM OF RESEARCH, EXTENSION, AND EDUCATION TO IMPROVE VIABILITY OF SMALL AND MEDIUM SIZE DAIRY, LIVESTOCK, AND POULTRY OPERATIONS.

(a) REPEAL.—Effective October 1, 2013, section 407 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7627) is repealed.

(b) CONFORMING AMENDMENT.—Section 251(f)(1)(D) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(1)(D)), as amended by section 7212(b), is further amended—

(1) by striking clause (xi) (as redesignated by section 7212(b)); and

(2) by redesignating clause (xii) (as redesignated by section 7212(b)) as clause (xi).

SEC. 7304. FUSARIUM GRAMINEARUM GRANTS.

Section 408(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7628(e)) is amended to read as follows:

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) such sums as may be necessary for each of fiscal years 1999 through 2013; and

''(2) $7,500,000 for each of fiscal years 2014 through 2018.''.

SEC. 7305. REPEAL OF BOVINE JOHNE'S DISEASE CONTROL PROGRAM.

Effective October 1, 2013, section 409 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7629) is repealed.

SEC. 7306. GRANTS FOR YOUTH ORGANIZATIONS.

Section 410(d) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7630(d)) is amended by striking ''section such sums as are necessary'' and all that follows and inserting the following: ''section—

''(1) such sums as are necessary for each of fiscal years 2008 through 2013; and

''(2) $3,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7307. SPECIALTY CROP RESEARCH INITIATIVE.

Section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''and genomics'' and inserting ''genomics, and other methods''; and

(B) in paragraph (3), by inserting ''handling and processing,'' after ''production efficiency,'';

(2) by striking subsection (d) and inserting the following new subsection:

''(d) RESEARCH PROJECTS.—In carrying out this section, the Secretary shall award competitive grants on the basis of—

''(1) an initial scientific peer review conducted by a panel of subject matter experts from Federal agencies, non-Federal entities, and the specialty crop industry; and

''(2) a final funding determination made by the Secretary based on a review and ranking for merit, relevance, and impact conducted by a panel of specialty crop industry representatives for the specific specialty crop.''; and

(3) in subsection (h)—

(A) in paragraph (1)—

(i) in the heading, by striking ''(1) MANDATORY FUNDING FOR FISCAL YEARS 2008 THROUGH 2012.—Of the funds'' and inserting the following: ''(1) MANDATORY FUNDING.—

''(A) FISCAL YEARS 2008 THROUGH 2012.—Of the funds''; and

(ii) by adding at the end the following new subparagraph:

''(B) SUBSEQUENT FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section—

''(i) $50,000,000 for fiscal years 2014 and 2015;

''(ii) $55,000,000 for fiscal years 2016 and 2017; and

''(iii) $65,000,000 for fiscal year 2018 and each fiscal year thereafter.''; and

(B) in paragraph (2)—

(i) in the heading, by striking ''2008 through 2012'' and inserting ''2014 through 2018''; and

(ii) by striking ''2008 through 2012'' and inserting ''2014 through 2018''.

SEC. 7308. FOOD ANIMAL RESIDUE AVOIDANCE DATABASE PROGRAM.

Section 604(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7642(e)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 7309. REPEAL OF NATIONAL SWINE RESEARCH CENTER.

Effective October 1, 2013, section 612 of the Agricultural Research, Extension, and Education Reform Act of 1998 (Public Law 105–185; 112 Stat. 605) is repealed.

SEC. 7310. OFFICE OF PEST MANAGEMENT POLICY.

Section 614(f) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7653(f)) is amended—

(1) by striking ''such sums as are necessary''; and

(2) by striking ''section'' and all that follows and inserting the following: ''section—

''(1) such sums as are necessary for each of fiscal years 1999 through 2013; and

''(2) $3,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7311. REPEAL OF STUDIES OF AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION.

Effective October 1, 2013, subtitle C of title VI of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7671 et seq.) is repealed.

Subtitle D—Other Laws

SEC. 7401. CRITICAL AGRICULTURAL MATERIALS ACT.

Section 16(a) of the Critical Agricultural Materials Act (7 U.S.C. 178n(a)) is amended—

(1) by striking ''such sums as are necessary''; and

(2) by striking ''Act'' and all that follows and inserting the following: ''Act—

''(1) such sums as are necessary for each of fiscal years 1991 through 2013; and

''(2) $2,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7402. EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT OF 1994.

(a) DEFINITION OF 1994 INSTITUTIONS.—Section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended—

(1) in paragraph (8), by striking ''Memorial'';

(2) in paragraph (26), by striking ''Community'';

(3) by striking paragraphs (5), (10), and (27);

(4) by redesignating paragraphs (1), (2), (3), (4), (6), (7), (8), (9), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (28), (29), (30), (31), (32), (33), and (34) as paragraphs (2), (3), (4), (7), (8), (9), (5), (10), (15), (17), (18), (19), (20), (22), (23), (24), (25), (32), (26), (27), (28), (29), (30), (31), (33), (34), (35), and (14), respectively, and transferring the paragraphs so as to appear in numerical order;

(5) by inserting before paragraph (2) (as so redesignated), the following new paragraph:

''(1) Aaniih Nakoda College.'';

(6) by inserting after paragraph (5) (as so redesignated), the following new paragraph:

''(6) College of the Muscogee Nation.'';

(7) by inserting after paragraph (15) (as so redesignated) the following new paragraph:

''(16) Keweenaw Bay Ojibwa Community College.''; and

(8) by inserting after paragraph (20) (as so redesignated) the following new paragraph:

''(21) Navajo Technical College.''.

(b) ENDOWMENT FOR 1994 INSTITUTIONS.—Section 533(b) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended in the first sentence by striking ''2012'' and inserting ''2018''.

(c) INSTITUTIONAL CAPACITY BUILDING GRANTS.—Section 535 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended by striking ''2012'' each place it appears in subsections (b)(1) and (c) and inserting ''2018''.

(d) RESEARCH GRANTS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Section 536(c) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended in the first sentence by striking ''2012'' and inserting ''2018''.

(2) RESEARCH GRANT REQUIREMENTS.—Section 536(b) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended by striking ''with at least 1 other land-grant college or university'' and all that follows and inserting the following: ''with—

''(1) the Agricultural Research Service of the Department of Agriculture; or

''(2) at least 1—

''(A) other land-grant college or university (exclusive of another 1994 Institution);

''(B) non-land-grant college of agriculture (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)); or

''(C) cooperating forestry school (as defined in that section).''.

SEC. 7403. RESEARCH FACILITIES ACT.

Section 6(a) of the Research Facilities Act (7 U.S.C. 390d(a)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 7404. REPEAL OF CARBON CYCLE RESEARCH.

Effective October 1, 2013, section 221 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 6711) is repealed.

SEC. 7405. COMPETITIVE, SPECIAL, AND FACILITIES RESEARCH GRANT ACT.

(a) EXTENSION.—Subsection (b)(11)(A) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(11)(A)) is amended in the matter preceding clause (i) by striking ''2012'' and inserting ''2018''.

(b) PRIORITY AREAS.—Subsection (b)(2) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(2)) is amended—

(1) in subparagraph (A)—

(A) in clause (vi), by striking ''and'' at the end;

(B) in clause (vii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new clause:

''(viii) plant-based foods that are major sources of nutrients of concern (as determined by the Secretary).'';

(2) in subparagraph (B)—

(A) in clause (vii), by striking ''and'' at the end;

(B) in clause (viii), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new clauses:

''(ix) the research and development of surveillance methods, vaccines, vaccination delivery systems, or diagnostic tests for pests and diseases (especially zoonotic diseases) in wildlife reservoirs presenting a potential concern to public health or domestic livestock and pests and diseases in minor species (including deer, elk, and bison); and

''(x) the identification of animal drug needs and the generation and dissemination of data for safe and effective therapeutic applications of animal drugs for minor species and minor uses of such drugs in major species.'';

(3) in subparagraph (C)—

(A) in clause (ii), by inserting before the semicolon '', including the effects of plant-based foods that are major sources of nutrients of concern on diet and health'';

(B) in clause (iii), by inserting before the semicolon '', including plant-based foods that are major sources of nutrients of concern'';

(C) in clause (iv), by inserting before the semicolon '', including postharvest practices conducted with respect to plant-based foods that are major sources of nutrients of concern''; and

(D) in clause (v), by inserting before the period '', including improving the functionality of plant-based foods that are major sources of nutrients of concern'';

(4) in subparagraph (D)—

(A) by redesignating clauses (iv), (v), and (vi) as clauses (v), (vi), and (vii), respectively; and

(B) by inserting after clause (iii) the following new clause:

''(iv) the effectiveness of conservation practices and technologies designed to address nutrient losses and improve water quality;''; and

(5) in subparagraph (F)—

(A) in the matter preceding clause (i), by inserting ''economics,'' after ''trade,'';

(B) by redesignating clauses (v) and (vi) as clauses (vi) and (vii), respectively; and

(C) by inserting after clause (iv) the following new clause:

''(v) the economic costs, benefits, and viability of producers adopting conservation practices and technologies designed to improve water quality;''.

(c) GENERAL ADMINISTRATION.—Subsection (b)(4) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(4)) is amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(F) establish procedures under which a commodity board established under a commodity promotion law (as such term is defined under section 501(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7401(a))) or a State commodity board (or other equivalent State entity) may directly submit to the Secretary proposals for requests for applications to specifically address particular issues related to the priority areas specified in paragraph (2).''.

(d) SPECIAL CONSIDERATIONS.—Subsection (b)(6) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(6)) is amended—

(1) in subparagraph (C), by striking ''and'' at the end;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(E) to eligible entities to carry out the specific research proposals submitted under procedures established under paragraph (4)(F).''.

(e) ELIGIBLE ENTITIES.—Subsection (b)(7)(G) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(7)(G)) is amended by striking ''or corporations'' and inserting '', foundations, or corporations''.

(f) INTER-REGIONAL RESEARCH PROJECT NUMBER 4.—Subsection (e) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(e)) is amended—

(1) in paragraph (1)(A), by striking ''minor use pesticides'' and inserting ''pesticides for minor agricultural use and for use on specialty crops (as defined in section 3 of the Specialty Crop Competitiveness Act of 2004 (7 U.S.C. 1621 note)''; and

(2) in paragraph (4)—

(A) in subparagraph (A), by inserting ''and for use on specialty crops'' after ''minor agricultural use'';

(B) in subparagraph (B), by striking ''and'' at the end;

(C) by redesignating subparagraph (C) as subparagraph (G); and

(D) by inserting after subparagraph (B) the following new subparagraphs:

''(C) prioritize potential pest management technology for minor agricultural use and for use on specialty crops;

''(D) conduct research to develop the data necessary to facilitate pesticide registrations, reregistrations, and associated tolerances;

''(E) assist in removing trade barriers caused by residues of pesticides registered for minor agricultural use and for use on domestically grown specialty crops;

''(F) assist in the registration and reregistration of pest management technologies for minor agricultural use and for use on specialty crops; and''.

(g) EMPHASIS ON SUSTAINABLE AGRICULTURE.—The Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i) is amended by striking subsection (k).

SEC. 7406. RENEWABLE RESOURCES EXTENSION ACT OF 1978.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 6 of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1675) is amended in the first sentence by striking ''2012'' and inserting ''2018''.

(b) TERMINATION DATE.—Section 8 of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 note; Public Law 95–306) is amended by striking ''2012'' and inserting ''2018''.

SEC. 7407. NATIONAL AQUACULTURE ACT OF 1980.

Section 10 of the National Aquaculture Act of 1980 (16 U.S.C. 2809) is amended by striking ''2012'' each place it appears and inserting ''2018''.

SEC. 7408. REPEAL OF USE OF REMOTE SENSING DATA.

Effective October 1, 2013, section 892 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 5935) is repealed.

SEC. 7409. REPEAL OF REPORTS UNDER FARM SECURITY AND RURAL INVESTMENT ACT OF 2002.

(a) REPEAL OF REPORT ON PRODUCERS AND HANDLERS FOR ORGANIC PRODUCTS.—Effective October 1, 2013, section 7409 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5925b note; Public Law 107–171) is repealed.

(b) REPEAL OF REPORT ON GENETICALLY MODIFIED PEST-PROTECTED PLANTS.—Effective October 1, 2013, section 7410 of the Farm Security and Rural Investment Act of 2002 (Public Law 107–171; 116 Stat. 462) is repealed.

(c) REPEAL OF STUDY ON NUTRIENT BANKING.—Effective October 1, 2013, section 7411 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5925a note; Public Law 107–171) is repealed.

SEC. 7410. BEGINNING FARMER AND RANCHER DEVELOPMENT PROGRAM.

Section 7405 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking subparagraphs (A) through (R) and inserting the following new subparagraphs:

''(A) basic livestock, forest management, and crop farming practices;

''(B) innovative farm, ranch, and private, nonindustrial forest land transfer strategies;

''(C) entrepreneurship and business training;

''(D) financial and risk management training (including the acquisition and management of agricultural credit);

''(E) natural resource management and planning;

''(F) diversification and marketing strategies;

''(G) curriculum development;

''(H) mentoring, apprenticeships, and internships;

''(I) resources and referral;

''(J) farm financial benchmarking;

''(K) assisting beginning farmers or ranchers in acquiring land from retiring farmers and ranchers;

''(L) agricultural rehabilitation and vocational training for veterans; and

''(M) other similar subject areas of use to beginning farmers or ranchers.'';

(B) in paragraph (7), by striking ''and community-based organizations'' and inserting '', community-based organizations, and school-based agricultural educational organizations'';

(C) by striking paragraph (8) and inserting the following new paragraph:

''(8) MILITARY VETERAN BEGINNING FARMERS AND RANCHERS.—

''(A) IN GENERAL.—Not less than 5 percent of the funds used to carry out this subsection for a fiscal year shall be used to support programs and services that address the needs of military veteran beginning farmers and ranchers.

''(B) COORDINATION PERMITTED.—A recipient of a grant under this section using the grant as described in subparagraph (A) may coordinate with a recipient of a grant under section 1680 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5933) in addressing the needs of military veteran beginning farmers and ranchers with disabilities.''; and

(D) by adding at the end the following new paragraph:

''(11) LIMITATION ON INDIRECT COSTS.—A recipient of a grant under this section may not use more than 10 percent of the funds provided by the grant for the indirect costs of carrying out the initiatives described in paragraph (1).'';

(2) in subsection (h)(1)—

(A) in the paragraph heading, by striking ''2012'' and inserting ''2018'';

(B) in subparagraph (A), by striking ''and'' at the end;

(C) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following new subparagraph:

''(C) $20,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.''; and

(3) in subsection (h)(2)—

(A) in the paragraph heading, by striking ''2008 THROUGH 2012'' and inserting ''2014 THROUGH 2018''; and

(B) by striking ''2008 through 2012'' and inserting ''2014 through 2018''.

SEC. 7411. INCLUSION OF NORTHERN MARIANA ISLANDS AS A STATE UNDER MCINTIRE-STENNIS COOPERATIVE FORESTRY ACT.

Section 8 of Public Law 87–788 (commonly known as the McIntire-Stennis Cooperative Forestry Act; 16 U.S.C. 582a–7) is amended by striking ''and Guam'' and inserting ''Guam, and the Commonwealth of the Northern Mariana Islands''.

Subtitle E—Food, Conservation, and Energy Act of 2008

PART 1—AGRICULTURAL SECURITY

SEC. 7501. AGRICULTURAL BIOSECURITY COMMUNICATION CENTER.

Section 14112(c) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8912(c)) is amended to read as follows:

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) such sums as are necessary for each of fiscal years 2008 through 2013; and

''(2) $2,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7502. ASSISTANCE TO BUILD LOCAL CAPACITY IN AGRICULTURAL BIOSECURITY PLANNING, PREPARATION, AND RESPONSE.

Section 14113 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8913) is amended—

(1) in subsection (a)(2)—

(A) by striking ''such sums as may be necessary''; and

(B) by striking ''subsection'' and all that follows and inserting the following: ''subsection—

''(A) such sums as are necessary for each of fiscal years 2008 through 2013; and

''(B) $15,000,000 for each of fiscal years 2014 through 2018.''; and

(2) in subsection (b)(2), by striking ''is authorized to be appropriated to carry out this subsection'' and all that follows and inserting the following: ''are authorized to be appropriated to carry out this subsection—

''(A) $25,000,000 for each of fiscal years 2008 through 2013; and

''(B) $15,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7503. RESEARCH AND DEVELOPMENT OF AGRICULTURAL COUNTERMEASURES.

Section 14121(b) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8921(b)) is amended by striking ''is authorized to be appropriated to carry out this section'' and all that follows and inserting the following: ''are authorized to be appropriated to carry out this section—

''(1) $50,000,000 for each of fiscal years 2008 through 2013; and

''(2) $15,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7504. AGRICULTURAL BIOSECURITY GRANT PROGRAM.

Section 14122(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8922(e)) is amended—

(1) by striking ''sums as are necessary''; and

(2) by striking ''section'' and all that follows and inserting the following: ''section—

''(1) such sums as are necessary for each of fiscal years 2008 through 2013, to remain available until expended; and

''(2) $5,000,000 for each of fiscal years 2014 through 2018, to remain available until expended.''.

PART 2—MISCELLANEOUS

SEC. 7511. ENHANCED USE LEASE AUTHORITY PILOT PROGRAM.

Section 308 of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 3125a) is amended—

(1) in subsection (b)(6)(A), by striking ''5 years'' and inserting ''10 years''; and

(2) in subsection (d)(2), by striking ''1, 3, and 5 years'' and inserting ''6, 8, and 10 years''.

SEC. 7512. GRAZINGLANDS RESEARCH LABORATORY.

Section 7502 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2019) is amended by striking ''5-year period'' and inserting ''10-year period''.

SEC. 7513. BUDGET SUBMISSION AND FUNDING.

Section 7506 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7614c) is amended—

(1) by striking subsection (a) and inserting the following new subsection:

''(a) DEFINITIONS.—In this section:

''(1) COVERED PROGRAM.—The term 'covered program' means—

''(A) each research program carried out by the Agricultural Research Service or the Economic Research Service for which annual appropriations are requested in the annual budget submission of the President; and

''(B) each competitive program carried out by the National Institute of Food and Agriculture for which annual appropriations are requested in the annual budget submission of the President.

''(2) REQUEST FOR AWARDS.—The term 'request for awards' means a funding announcement published by the National Institute of Food and Agriculture that provides detailed information on funding opportunities at the Institute, including the purpose, eligibility, restriction, focus areas, evaluation criteria, regulatory information, and instructions on how to apply for such opportunities.''; and

(2) by adding at the end the following new subsections:

''(e) ADDITIONAL PRESIDENTIAL BUDGET SUBMISSION REQUIREMENT.—

''(1) IN GENERAL.—Each year, the President shall submit to Congress, together with the annual budget submission of the President, the information described in paragraph (2) for each funding request for a covered program.

''(2) INFORMATION DESCRIBED.—The information described in this paragraph includes—

''(A) baseline information, including with respect to each covered program—

''(i) the funding level for the program for the fiscal year preceding the year the annual budget submission of the President is submitted;

''(ii) the funding level requested in the annual budget submission of the President, including any increase or decrease in the funding level; and

''(iii) an explanation justifying any change from the funding level specified in clause (i) to the level specified in clause (ii);

''(B) with respect to each covered program that is carried out by the Economic Research Service or the Agricultural Research Service, the location and staff years of the program;

''(C) the proposed funding levels to be allocated to, and the expected publication date, scope, and allocation level for, each request for awards to be published under or associated with—

''(i) each priority area specified in subsection (b)(2) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b)(2));

''(ii) each research and extension project carried out under section 1621(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5811(a));

''(iii) each grant to be awarded under section 1672B(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b(a));

''(iv) each grant awarded under section 412(d) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(d)); and

''(v) each grant awarded under 7405(c)(1) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f(c)(1)); or

''(D) any other information the Secretary determines will increase congressional oversight with respect to covered programs.

''(3) PROHIBITION.—Unless the President submits the information described in paragraph (2)(C) for a fiscal year, the President may not carry out any program during the fiscal year that is authorized under—

''(A) subsection (b) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 450i(b));

''(B) section 1621 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5811);

''(C) section 1672B of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b);

''(D) section 412 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632); or

''(E) section 7405 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f).

''(f) REPORT OF THE SECRETARY OF AGRICULTURE.—Each year on a date that is not later than the date on which the President submits the annual budget, the Secretary shall submit to Congress a report containing a description of the agricultural research, extension, and education activities carried out by the Federal Government during the fiscal year that immediately precedes the year for which the report is submitted, including—

''(1) a review of the extent to which those activities—

''(A) are duplicative or overlap within the Department of Agriculture; or

''(B) are similar to activities carried out by—

''(i) other Federal agencies;

''(ii) the States (including the District of Columbia, the Commonwealth of Puerto Rico and other territories or possessions of the United States);

''(iii) institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); or

''(iv) the private sector; and

''(2) for each report submitted under this section on or after January 1, 2013, a 5-year projection of national priorities with respect to agricultural research, extension, and education, taking into account domestic needs.''.

SEC. 7514. REPEAL OF RESEARCH AND EDUCATION GRANTS FOR THE STUDY OF ANTIBIOTIC-RESISTANT BACTERIA.

Effective October 1, 2013, section 7521 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 3202) is repealed.

SEC. 7515. REPEAL OF FARM AND RANCH STRESS ASSISTANCE NETWORK.

Effective October 1, 2013, section 7522 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5936) is repealed.

SEC. 7516. REPEAL OF SEED DISTRIBUTION.

Effective October 1, 2013, section 7523 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 415–1) is repealed.

SEC. 7517. NATURAL PRODUCTS RESEARCH PROGRAM.

Section 7525(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5937(e)) is amended to read as follows:

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $7,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 7518. SUN GRANT PROGRAM.

(a) IN GENERAL.—Section 7526 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8114) is amended—

(1) in subsection (a)(4)(B), by striking ''the Department of Energy'' and inserting ''other appropriate Federal agencies (as determined by the Secretary)'';

(2) in subsection (c)(1)—

(A) in subparagraph (B), by striking ''multistate'' and all that follows through the period and inserting ''integrated, multistate research, extension, and education programs on technology development and technology implementation.'';

(B) by striking subparagraph (C); and

(C) by redesignating subparagraph (D) as subparagraph (C);

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''in accordance with paragraph (2)'';

(ii) by striking ''gasification'' and inserting ''bioproducts''; and

(iii) by striking ''the Department of Energy'' and inserting ''other appropriate Federal agencies'';

(B) by striking paragraph (2); and

(C) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(4) in subsection (g), by striking ''2012'' and inserting ''2018''.

(b) CONFORMING AMENDMENTS.—Section 7526(f)(1) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8114(f)(1)) is amended by striking ''subsection (c)(1)(D)(i)'' and inserting ''subsection (c)(1)(C)(i)''.

SEC. 7519. REPEAL OF STUDY AND REPORT ON FOOD DESERTS.

Effective October 1, 2013, section 7527 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2039) is repealed.

SEC. 7520. REPEAL OF AGRICULTURAL AND RURAL TRANSPORTATION RESEARCH AND EDUCATION.

Effective October 1, 2013, section 7529 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5938) is repealed.

Subtitle F—Miscellaneous Provisions

SEC. 7601. AGREEMENTS WITH NONPROFIT ORGANIZATIONS FOR NATIONAL ARBORETUM.

Section 6 of the Act of March 4, 1927 (20 U.S.C. 196), is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following new paragraph:

''(1) negotiate agreements for the National Arboretum with nonprofit scientific or educational organizations, the interests of which are complementary to the mission of the National Arboretum, or nonprofit organizations that support the purpose of the National Arboretum, except that the net proceeds of the organizations from the agreements shall be used exclusively for research and educational work for the benefit of the National Arboretum and the operation and maintenance of the facilities of the National Arboretum, including enhancements, upgrades, restoration, and conservation;''; and

(2) by adding at the end the following new subsection:

''(d) RECOGNITION OF DONORS.—A non-profit organization that entered into an agreement under subsection (a)(1) may recognize donors if that recognition is approved in advance by the Secretary. In considering whether to approve such recognition, the Secretary shall broadly exercise the discretion of the Secretary to the fullest extent allowed under Federal law in effect on the date of the enactment of this subsection.''.

SEC. 7602. COTTON DISEASE RESEARCH REPORT.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the fungus fusarium oxysporum f. sp. vasinfectum race 4 (referred to in this section as ''FOV Race 4'') and the impact of such fungus on cotton, including—

(1) an overview of the threat FOV Race 4 poses to the cotton industry in the United States;

(2) the status and progress of Federal research initiatives to detect, contain, or eradicate FOV Race 4, including current FOV Race 4-specific research projects; and

(3) a comprehensive strategy to combat FOV Race 4 that establishes—

(A) detection and identification goals;

(B) containment goals;

(C) eradication goals; and

(D) a plan to partner with the cotton industry in the United States to maximize resources, information sharing, and research responsiveness and effectiveness.

SEC. 7603. ACCEPTANCE OF FACILITY FOR AGRICULTURAL RESEARCH SERVICE.

(a) CONSTRUCTION AUTHORIZED.—Subject to subsections (b) and (c), the Secretary of Agriculture may authorize a non-Federal entity to construct, at no cost and without obligation to the Federal Government, a facility for use by the Agricultural Research Service on land owned by the Agricultural Research Service and managed by the Secretary.

(b) ACCEPTANCE OF GIFT.—

(1) IN GENERAL.—Subject to paragraph (2), upon the completion of the construction of the facility by the non-Federal entity under subsection (a), the Secretary shall accept the facility as a gift in accordance with Public Law 95–442 (7 U.S.C. 2269).

(2) CERTIFICATION.—The Secretary, in consultation with the Director of the Office of Management and Budget, shall certify in advance that the acceptance under paragraph (1) complies with the limitations specified in paragraphs (1) and (2) of subsection (c).

(c) LIMITATIONS.—

(1) VALUE.—The Secretary may not accept a facility as a gift under this section if the fair market value of the facility is more than $5,000,000.

(2) NO FEDERAL COST.—The Secretary shall not enter into any acquisitions, demonstrations, exchanges, grants, contracts, incentives, leases, procurements, sales, or other transaction authorities or arrangements that would obligate future appropriations with respect to the facility constructed under subsection (a).

(d) TERMINATION OF AUTHORITY.—No facility may be accepted by the Secretary for use by the Agricultural Research Service under this section after September 30, 2018.

SEC. 7604. MISCELLANEOUS TECHNICAL CORRECTIONS.

Sections 7408 and 7409 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2013) are both amended by striking ''Title III of the Department of Agriculture Reorganization Act of 1994'' and inserting ''Title III of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994''.

TITLE VIII—FORESTRY

Subtitle A—Repeal of Certain Forestry Programs

SEC. 8001. FOREST LAND ENHANCEMENT PROGRAM.

(a) REPEAL.—Section 4 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103) is repealed.

(b) CONFORMING AMENDMENT.—Section 8002 of the Farm Security and Rural Investment Act of 2002 (Public Law 107–171; 16 U.S.C. 2103 note) is amended by striking subsection (a).

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2013.

SEC. 8002. WATERSHED FORESTRY ASSISTANCE PROGRAM.

(a) REPEAL.—Section 6 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103b) is repealed.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 8003. EXPIRED COOPERATIVE NATIONAL FOREST PRODUCTS MARKETING PROGRAM.

Section 18 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2112) is repealed.

SEC. 8004. HISPANIC-SERVING INSTITUTION AGRICULTURAL LAND NATIONAL RESOURCES LEADERSHIP PROGRAM.

(a) REPEAL.—Section 8402 of the Food, Conservation, and Energy Act of 2008 (16 U.S.C. 1649a) is repealed.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 8005. TRIBAL WATERSHED FORESTRY ASSISTANCE PROGRAM.

(a) REPEAL.—Section 303 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6542) is repealed.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2013.

SEC. 8006. SEPARATE FOREST SERVICE DECISION-MAKING AND APPEALS PROCESS.

Section 322 of the Department of the Interior and Related Agencies Appropriations Act, 1993 (Public Law 102–381; 16 U.S.C. 1612 note) is repealed. Section 428 of division E of the Consolidated Appropriations Act, 2012 (Public Law 112–74; 125 Stat. 1046; 16 U.S.C. 6515 note) shall not apply to any project or activity implementing a land and resource management plan developed under section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604) that is categorically excluded from documentation in an environmental assessment or an environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

Subtitle B—Reauthorization of Cooperative Forestry Assistance Act of 1978 Programs

SEC. 8101. STATE-WIDE ASSESSMENT AND STRATEGIES FOR FOREST RESOURCES.

Section 2A(c) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101a(c)) is amended—

(1) in paragraph (4), by striking ''and'';

(2) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following new paragraph:

''(5) as feasible, appropriate military installations where the voluntary participation and management of private or State-owned or other public forestland is able to support, promote, and contribute to the missions of such installations; and''.

SEC. 8102. FOREST LEGACY PROGRAM.

Subsection (m) of section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c) is amended to read as follows:

''(m) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated—

''(1) such sums as are necessary for fiscal year 2013; and

''(2) $55,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 8103. COMMUNITY FOREST AND OPEN SPACE CONSERVATION PROGRAM.

Subsection (g) of section 7A of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103d) is amended to read as follows:

''(g) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated—

''(1) such sums as are necessary for fiscal year 2013; and

''(2) $1,500,000 for each of fiscal years 2014 through 2018.''.

Subtitle C—Reauthorization of Other Forestry-Related Laws

SEC. 8201. RURAL REVITALIZATION TECHNOLOGIES.

Section 2371(d)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 6601(d)(2)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 8202. OFFICE OF INTERNATIONAL FORESTRY.

Subsection (d) of section 2405 of the Global Climate Change Prevention Act of 1990 (7 U.S.C. 6704) is amended to read as follows:

''(d) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated—

''(1) such sums as are necessary for each of fiscal years 1996 through 2013; and

''(2) $6,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 8203. CHANGE IN FUNDING SOURCE FOR HEALTHY FORESTS RESERVE PROGRAM.

Section 508 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6578) is amended—

(1) in subsection (a), by striking ''IN GENERAL'' and inserting ''FISCAL YEARS 2009 THROUGH 2013'';

(2) by redesignating subsection (b) as subsection (d); and

(3) by inserting after subsection (a) the following new subsections:

''(b) FISCAL YEARS 2014 THROUGH 2018.—There is authorized to be appropriated to the Secretary of Agriculture to carry out this section $9,750,000 for each of fiscal years 2014 through 2018.

''(c) ADDITIONAL SOURCE OF FUNDS.—In addition to funds appropriated pursuant to the authorization of appropriations in subsection (b) for a fiscal year, the Secretary may use such amount of the funds appropriated for that fiscal year to carry out the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590a et seq.) as the Secretary determines necessary to cover the cost of technical assistance, management, and enforcement responsibilities for land enrolled in the healthy forests reserve program pursuant to subsections (a) and (b) of section 504.''.

SEC. 8204. STEWARDSHIP END RESULT CONTRACTING PROJECT AUTHORITY.

Section 347 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (as contained in section 101(e) of division A of Public Law 105–277; 16 U.S.C. 2104 note) is amended—

(1) in subsection (a), by striking ''2013'' and inserting ''2018''; and

(2) in subsection (c), by adding at the end the following new paragraph:

''(6) CONTRACT FOR SALE OF PROPERTY.—At the discretion of the Secretary of Agriculture, a contract entered into by the Forest Service under this section may be considered a contract for the sale of property under such terms as the Secretary may prescribe without regard to any other provision of law.''.

Subtitle D—National Forest Critical Area Response

SEC. 8301. DEFINITIONS.

In this title:

(1) CRITICAL AREA.—The term ''critical area'' means an area of the National Forest System designated by the Secretary under section 8302

(2) NATIONAL FOREST SYSTEM.—The term ''National Forest System'' has the meaning given that term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

SEC. 8302. DESIGNATION OF CRITICAL AREAS.

(a) DESIGNATION REQUIREMENTS.—The Secretary of Agriculture shall designate critical areas within the National Forest System for the purposes of addressing—

(1) deteriorating forest health conditions in existence as of the date of the enactment of this Act due to insect infestation, drought, disease, or storm damage; and

(2) the future risk of insect infestations or disease outbreaks through preventative treatments.

(b) DESIGNATION METHOD.—In considering National Forest System land for designation as a critical area, the Secretary shall use—

(1) for purposes of subsection (a)(1), the most recent annual forest health aerial surveys of mortality and defoliation; and

(2) for purposes of subsection (a)(2), the National Insect and Disease Risk Map.

(c) TIME FOR INITIAL DESIGNATIONS.—The first critical areas shall be designated by the Secretary not later than 60 days after the date of the enactment of this Act.

(d) DURATION OF DESIGNATION.—The designation of a critical area shall expire not later than 10 years after the date of the designation.

SEC. 8303. APPLICATION OF EXPEDITED PROCEDURES AND ACTIVITIES OF THE HEALTHY FORESTS RESTORATION ACT OF 2003 TO CRITICAL AREAS.

(a) APPLICABILITY.—Subject to subsections (b) through (e), title I of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511 et seq.) (including the environmental analysis requirements of section 104 of that Act (16 U.S.C. 6514), the special administrative review process under section 105 of that Act (16 U.S.C. 6515), and the judicial review process under section 106 of that Act (16 U.S.C. 6516)), shall apply to all Forest Service projects and activities carried out in a critical area.

(b) APPLICATION OF OTHER LAW.—Section 322 of Public Law 102–381 (16 U.S.C. 1612 note; 106 Stat. 1419) shall not apply to projects conducted in accordance with this section.

(c) REQUIRED MODIFICATIONS.—In applying title I of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511 et seq.) to Forest Service projects and activities in a critical area, the Secretary shall make the following modifications:

(1) The authority shall apply to the entire critical area, including land that is outside of a wildland-urban interface area or that does not satisfy any of the other eligibility criteria specified in section 102(a) of that Act (16 U.S.C. 6512(a)).

(2) All projects and activities of the Forest Service, including necessary connected actions

(as described in section 1508.25(a)(1) of title 40, Code of Federal Regulations (or a successor regulation)), shall be considered to be authorized hazardous fuel reduction projects for purposes of applying the title.

(d) SMALLER PROJECTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), a project conducted in a critical area in accordance with this section that comprises less than 10,000 acres shall be—

(A) considered an action categorically excluded from the requirements for an environmental assessment or an environmental impact statement under section 1508.4 of title 40, Code of Federal Regulations (or a successor regulation); and

(B) exempt from the special administrative review process under section 105 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6515).

(2) EXCLUSION OF CERTAIN AREAS.—Paragraph (1) does not apply to—

(A) a component of the National Wilderness Preservation System;

(B) any Federal land on which, by Act of Congress or Presidential proclamation, the removal of vegetation is restricted or prohibited;

(C) a congressionally designated wilderness study area; or

(D) an area in which activities under paragraph (1) would be inconsistent with the applicable land and resource management plan.

(e) FOREST MANAGEMENT PLANS.—All projects and activities carried out in a critical area pursuant to this subtitle shall be consistent with the land and resource management plan established under section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604) for the unit of the National Forest System containing the critical area.

SEC. 8304. GOOD NEIGHBOR AUTHORITY.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE STATE.—The term ''eligible State'' means a State that contains National Forest System land.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(3) STATE FORESTER.—The term ''State forester'' means the head of a State agency with jurisdiction over State forestry programs in an eligible State.

(b) COOPERATIVE AGREEMENTS AND CONTRACTS.—

(1) IN GENERAL.—The Secretary may enter into a cooperative agreement or contract (including a sole source contract) with a State forester to authorize the State forester to provide the forest, rangeland, and watershed restoration and protection services described in paragraph (2) on National Forest System land in the eligible State.

(2) AUTHORIZED SERVICES.—The forest, rangeland, and watershed restoration and protection services referred to in paragraph (1) include the conduct of—

(A) activities to treat insect infected trees;

(B) activities to reduce hazardous fuels; and

(C) any other activities to restore or improve forest, rangeland, and watershed health, including fish and wildlife habitat.

(3) STATE AS AGENT.—Except as provided in paragraph (6), a cooperative agreement or contract entered into under paragraph (1) may authorize the State forester to serve as the agent for the Secretary in providing the restoration and protection services authorized under that paragraph.

(4) SUBCONTRACTS.—In accordance with applicable contract procedures for the eligible State, a State forester may enter into subcontracts to provide the restoration and protection services authorized under a cooperative agreement or contract entered into under paragraph (1).

(5) TIMBER SALES.—Subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a) shall not apply to services performed under a cooperative agreement or contract entered into under paragraph (1).

(6) RETENTION OF NEPA RESPONSIBILITIES.—Any decision required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to any restoration and protection services to be provided under this section by a State forester on National Forest System land shall not be delegated to a State forester or any other officer or employee of the eligible State.

(7) APPLICABLE LAW.—The restoration and protection services to be provided under this section shall be carried out on a project-to-project basis under existing authorities of the Forest Service.

Subtitle E—Miscellaneous Provisions

SEC. 8401. REVISION OF STRATEGIC PLAN FOR FOREST INVENTORY AND ANALYSIS.

(a) REVISION REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture shall revise the strategic plan for forest inventory and analysis initially prepared pursuant to section 3(e) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(e)) to address the requirements imposed by subsection (b).

(b) ELEMENTS OF REVISED STRATEGIC PLAN.—In revising the strategic plan, the Secretary of Agriculture shall describe in detail the organization, procedures, and funding needed to achieve each of the following:

(1) Complete the transition to a fully annualized forest inventory program and include inventory and analysis of interior Alaska.

(2) Implement an annualized inventory of trees in urban settings, including the status and trends of trees and forests, and assessments of their ecosystem services, values, health, and risk to pests and diseases.

(3) Report information on renewable biomass supplies and carbon stocks at the local, State, regional, and national level, including by ownership type.

(4) Engage State foresters and other users of information from the forest inventory and analysis in reevaluating the list of core data variables collected on forest inventory and analysis plots with an emphasis on demonstrated need.

(5) Improve the timeliness of the timber product output program and accessibility of the annualized information on that database.

(6) Foster greater cooperation among the forest inventory and analysis program, research station leaders, and State foresters and other users of information from the forest inventory and analysis.

(7) Promote availability of and access to non-Federal resources to improve information analysis and information management.

(8) Collaborate with the Natural Resources Conservation Service, National Aeronautics and Space Administration, National Oceanic and Atmospheric Administration, and United States Geological Survey to integrate remote sensing, spatial analysis techniques, and other new technologies in the forest inventory and analysis program.

(9) Understand and report on changes in land cover and use.

(10) Expand existing programs to promote sustainable forest stewardship through increased understanding, in partnership with other Federal agencies, of the over 10 million family forest owners, their demographics, and the barriers to forest stewardship.

(11) Implement procedures to improve the statistical precision of estimates at the sub-State level.

(c) SUBMISSION OF REVISED STRATEGIC PLAN.—The Secretary of Agriculture shall submit the revised strategic plan to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

SEC. 8402. FOREST SERVICE PARTICIPATION IN ACES PROGRAM.

The Secretary of Agriculture, acting through the Chief of the Forest Service, may use funds derived from conservation-related programs executed on National Forest System lands to utilize the Agriculture Conservation Experienced Services Program established pursuant to section 1252 of the Food Security Act of 1985 (16 U.S.C. 3851) to provide technical services for conservation-related programs and authorities carried out by the Secretary on National Forest System lands.

SEC. 8403. GREEN SCIENCE AND TECHNOLOGY TRANSFER RESEARCH UNDER FOREST AND RANGELAND RENEWABLE RESOURCES RESEARCH ACT OF 1978.

(a) ADDITIONAL FORESTRY AND RANGELAND RESEARCH AND EDUCATION HIGH PRIORITY.—Section 3(d)(2) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(d)(2)) is amended by adding at the end the following new subparagraph:

''(F) Science and technology transfer, through the Forest Products Laboratory, to demonstrate the beneficial characteristics of wood as a green building material, including investments in life cycle assessment for wood products.''.

(b) RESEARCH FACILITIES AND COOPERATION.—Section 4 of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1643) is amended by adding at the end the following new subsection:

''(e) The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report describing, for the period covered by the report—

''(1) the research conducted in furtherance of the research and education priority specified in section 3(d)(2)(F);

''(2) the number of buildings the Forest Service has built with wood as the primary structural material; and

''(3) the investments made by the Forest Service in green building wood promotion.''.

SEC. 8404. EXTENSION OF STEWARDSHIP CONTRACTS AUTHORITY REGARDING USE OF DESIGNATION BY PRESCRIPTION TO ALL THINNING SALES UNDER NATIONAL FOREST MANAGEMENT ACT OF 1976.

Subsection (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a) is amended to read as follows:

''(g) Designation, including but not limited to, marking when necessary, designation by description, or designation by prescription, and supervision of harvesting of trees, portions of trees, or forest products shall be conducted by persons employed by the Secretary of Agriculture. Such persons shall have no personal interest in the purchase or harvest of such products and shall not be directly or indirectly in the employment of the purchaser thereof. Designation by prescription and designation by prescription shall be considered valid methods for designation, and may be supervised by use of post-harvest cruise, sample weight scaling, or other methods determined by the Secretary to be appropriate.''.

SEC. 8405. REIMBURSEMENT OF FIRE FUNDS EXPENDED BY A STATE FOR MANAGEMENT AND SUPPRESSION OF CERTAIN WILDFIRES.

(a) DEFINITION OF STATE.—In this section, the term ''State'' includes the Commonwealth of Puerto Rico.

(b) REIMBURSEMENT AUTHORITY.—If a State seeks reimbursement for amounts expended for resources and services provided to another State

for the management and suppression of a wildfire, the Secretary of Agriculture, subject to subsections (c) and (d)—

(1) may accept the reimbursement amounts from the other State; and

(2) shall pay those amounts to the State seeking reimbursement.

(c) MUTUAL ASSISTANCE AGREEMENT.—As a condition of seeking and providing reimbursement under subsection (b), the State seeking reimbursement and the State providing reimbursement must each have a mutual assistance agreement with the Forest Service or an agency of the Department of the Interior for providing and receiving wildfire management and suppression resources and services.

(d) TERMS AND CONDITIONS.—The Secretary of Agriculture may prescribe the terms and conditions determined to be necessary to carry out subsection (b).

(e) EFFECT ON PRIOR REIMBURSEMENTS.—Any acceptance of funds or reimbursements made by the Secretary of Agriculture before the date of enactment of this Act that otherwise would have been authorized under this section shall be considered to have been made in accordance with this section.

SEC. 8406. ABILITY OF NATIONAL FOREST SYSTEM LANDS TO MEET NEEDS OF LOCAL WOOD PRODUCING FACILITIES FOR RAW MATERIALS.

Not later than one year after the date of the enactment of this Act, the Secretary of Agriculture shall submit to Congress a report containing—

(1) an assessment of the raw material needs of wood producing facilities located within the boundaries of each unit of the National Forest System or located outside of the unit, but within 100 miles of such boundaries;

(2) the volume of timber which would be available if the unit of the National Forest System annually sold its Allowable Sale Quantity in the current Forest Plan;

(3) the volume of timber actually sold and harvested from each unit of the National Forest System for the previous decade,

(4) a comparison of the volume actually sold and harvested from the previous decade to the Allowable Sale Quantity calculated in that decade by preceding or current forest plans; and

(5) an assessment of the ability of each unit of National Forest System to meet the needs of these facilities for raw materials.

SEC. 8407. REPORT ON THE NATIONAL FOREST SYSTEM ROADS.

Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the following:

(1) The total mileage of National Forest System roads and trails not meeting forest plan standards and guidelines.

(2) The total amount, in dollars, of Capital Improvement & Maintenance deferred maintenance needs for National Forest System roads, including a five-year analysis in the trend in total deferred maintenance costs.

(3) The sources of funds used for capital improvement & maintenance roads, including appropriated funds, mandatory funds, and receipts from activities on National Forest System lands.

(4) The impact of road closures on recreational activities and timber harvesting.

(5) The impact on land acquisitions, whether through fee acquisition, donation, or easement, on the maintenance backlog.

TITLE IX—ENERGY

SEC. 9001. DEFINITION OF RENEWABLE ENERGY SYSTEM.

Section 9001 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101) is amended by—

(1) striking paragraph (4) and inserting the following new paragraph:

''(4) BIOBASED PRODUCT.—

''(A) IN GENERAL.—The term 'biobased product' means a product determined by the Secretary to be a commercial or industrial product (other than food or feed) that is—

''(i) composed, in whole or in significant part, of biological products, including renewable domestic agricultural materials and forestry materials; or

''(ii) an intermediate ingredient or feedstock.

''(B) INCLUSION.—The term 'biobased product', with respect to forestry materials, includes forest products that meet biobased content requirements, notwithstanding the market share the product holds, the age of the product, or whether the market for the product is new or emerging.'';

(2) redesignating paragraphs (9), (10), (11), (12), (13), and (14) as paragraphs (10), (11), (12), (13), (14), and (16);

(3) inserting after paragraph (8), the following new paragraph:

''(9) FOREST PRODUCT.—

''(A) IN GENERAL.—The term 'forest product' means a product made from materials derived from the practice of forestry or the management of growing timber.

''(B) INCLUSIONS.—The term 'forest product' includes—

''(i) pulp, paper, paperboard, pellets, lumber, and other wood products; and

''(ii) any recycled products derived from forest materials.''; and

(4) inserting after paragraph (14) (as so redesignated), the following new paragraph:

''(15) RENEWABLE ENERGY SYSTEM.—

''(A) IN GENERAL.—Subject to subparagraph (B), the term 'renewable energy system' means a system that—

''(i) produces usable energy from a renewable energy source; and

''(ii) may include distribution components necessary to move energy produced by such system to the initial point of sale.

''(B) LIMITATION.—A system described in subparagraph (A) may not include a mechanism for dispensing energy at retail.''.

SEC. 9002. BIOBASED MARKETS PROGRAM.

Section 9002(h) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8102(h)) is amended by—

(1) striking ''(h) FUNDING.—'' and all that follows through ''to carry out this section, there'' and inserting ''(h) FUNDING.—There''; and

(2) striking ''2013'' and inserting ''2018''.

SEC. 9003. BIOREFINERY ASSISTANCE.

(a) PROGRAM ADJUSTMENTS.—Section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103) is amended—

(1) in subsection (c), by striking ''to eligible entities'' and all that follows through ''guarantees for loans'' and inserting ''to eligible entities guarantees for loans'';

(2) by striking subsection (d);

(3) by redesignating subsections (e), (f), (g), and (h) as subsections (d), (e), (f), and (g), respectively; and

(4) in subsection (d) (as so redesignated)—

(A) by striking ''subsection (c)(2)'' each place it appears and inserting ''subsection (c)''; and

(B) in paragraph (2)(C), by striking ''subsection (h)'' and inserting ''subsection (g)''.

(b) FUNDING.—Section 9003(g) of the Farm Security and Rural Investment Act of 2002, as redesignated by subsection (a)(3), is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraph (2) as paragraph (1);

(3) in paragraph (1) (as so redesignated)—

(A) in the heading, by striking ''DISCRETIONARY FUNDING'' and inserting ''FISCAL YEARS 2009 THROUGH 2013''; and

(B) by striking ''In addition to any other funds made available to carry out this section, there'' and inserting ''There''; and

(4) by adding at the end the following new paragraph:

''(2) FISCAL YEARS 2014 THROUGH 2018.—There are authorized to be appropriated to carry out this section $75,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 9004. REPOWERING ASSISTANCE PROGRAM.

Section 9004(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8104(d)) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraph (2) as paragraph (1);

(3) in paragraph (1) (as so redesignated)—

(A) in the heading, by striking ''DISCRETIONARY FUNDING'' and inserting ''FISCAL YEARS 2009 THROUGH 2013''; and

(B) by striking ''In addition to any other funds made available to carry out this section, there'' and inserting ''There''; and

(4) by adding at the end the following new paragraph:

''(2) FISCAL YEARS 2014 THROUGH 2018.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 9005. BIOENERGY PROGRAM FOR ADVANCED BIOFUELS.

Section 9005(g) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8105(c)) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraph (2) as paragraph (1);

(3) in paragraph (1) (as so redesignated)—

(A) in the heading, by striking ''DISCRETIONARY FUNDING'' and inserting ''FISCAL YEARS 2009 THROUGH 2013''; and

(B) by striking ''In addition to any other funds made available to carry out this section, there'' and inserting ''There''; and

(4) by inserting after paragraph (1) (as so redesignated) the following new paragraph:

''(2) FISCAL YEARS 2014 THROUGH 2018.—There are authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 9006. BIODIESEL FUEL EDUCATION PROGRAM.

Section 9006(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106(d)) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraph (2) as paragraph (1);

(3) in the heading of paragraph (1) (as so redesignated), by striking ''AUTHORIZATION OF APPROPRIATIONS'' and inserting ''FISCAL YEAR 2013''; and

(4) by adding at the end the following new paragraph:

''(2) FISCAL YEARS 2014 THROUGH 2018.—There are authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 9007. RURAL ENERGY FOR AMERICA PROGRAM.

(a) PROGRAM ADJUSTMENTS.—

(1) REPEAL OF FEASIBILITY STUDIES.—Section 9007(c) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107(c)) is amended by striking paragraph (3).

(2) TIERED APPLICATION PROCESS.—Section 9007(c) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107(c)) is further amended—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following new paragraph:

''(2) TIERED APPLICATION PROCESS.—In carrying out this subsection, the Secretary shall establish a three-tiered application, evaluation, and oversight process that varies based on the

cost of the proposed project with the process most simplified for projects referred to in subparagraph (A), more comprehensive for projects referred to in subparagraph (B), and most comprehensive for projects referred to in subparagraph (C). The three tiers for such process shall be as follows:

''(A) TIER 1.—Projects for which the cost of the project funded under this subsection is not more than $80,000.

''(B) TIER 2.—Projects for which the cost of the project funded under this subsection is more than $80,000 but less than $200,000.

''(C) TIER 3.—Projects for which the cost of the project funded under this subsection is $200,000 or more.''.

(b) FUNDING.—Section 9007(g) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107(g)) is amended—

(1) by striking paragraphs (1) and (2);

(2) by redesignating paragraph (3) as paragraph (1);

(3) in paragraph (1) (as so redesignated)—

(A) in the heading, by striking ''DISCRETIONARY FUNDING'' and inserting ''FISCAL YEARS 2009 THROUGH 2013''; and

(B) by striking ''In addition to any other funds made available to carry out this section, there'' and inserting ''There''; and

(4) by adding at the end the following new paragraph:

''(2) FISCAL YEARS 2014 THROUGH 2018.—There are authorized to be appropriated to carry out this section $45,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 9008. BIOMASS RESEARCH AND DEVELOPMENT.

Section 9008(h) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8108(h)) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraph (2) as paragraph (1);

(3) in paragraph (1) (as so redesignated)—

(A) in the heading, by striking ''DISCRETIONARY FUNDING'' and inserting ''FISCAL YEARS 2009 THROUGH 2013''; and

(B) by striking ''In addition to any other funds made available to carry out this section, there'' and inserting ''There''; and

(4) by adding at the end the following new paragraph:

''(2) FISCAL YEARS 2014 THROUGH 2018.—There are authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 9009. FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS.

Section 9010(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110(b)) is amended—

(1) in paragraph (1)(A), by striking ''2013'' and inserting ''2018''; and

(2) in paragraph (2)(A), by striking ''2013'' and inserting ''2018''.

SEC. 9010. BIOMASS CROP ASSISTANCE PROGRAM.

Section 9011 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111) is amended—

(1) in subsection (a)—

(A) by striking paragraph (6); and

(B) by redesignating paragraphs (7) and (8) as paragraphs (6) and (7), respectively;

(2) in subsection (b)—

(A) by striking ''Program to'' and all that follows through ''support the establishment'' and inserting ''Program to support the establishment'';

(B) by striking ''; and'' and inserting a period; and

(C) by striking paragraph (2);

(3) in subsection (c)—

(A) in paragraph (2)(B)—

(i) in clause (viii), by striking ''; and'' and inserting a semicolon;

(ii) by redesignating clause (ix) as clause (x); and

(iii) by inserting after clause (viii) the following new clause:

''(ix) existing project areas that have received funding under this section and the continuation of funding of such project areas to advance the maturity of such project areas; and''; and

(B) in paragraph (5)(C)(ii)—

(i) by striking subclause (III); and

(ii) by redesignating subclauses (IV) and (V) as subclauses (III) and (IV), respectively;

(4) by striking subsection (d);

(5) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively; and

(6) in subsection (e) (as so redesignated)—

(A) by striking paragraph (1);

(B) by redesignating paragraph (2) as paragraph (1);

(C) in paragraph (1) (as so redesignated)—

(i) by striking ''FISCAL YEAR 2013'' and all that follows through ''There is authorized'' and inserting ''FISCAL YEAR 2013.—There is authorized''; and

(ii) by redesignating subparagraph (B) as paragraph (3) and moving the margin of such paragraph (as so redesignated) two ems to the left;

(D) by inserting after paragraph (1), the following new paragraph:

''(2) FISCAL YEARS 2014 THROUGH 2018.—There are authorized to be appropriated to carry out this section $75,000,000 for each of fiscal years 2014 through 2018.''; and

(E) in paragraph (3) (as redesignated by subparagraph (C)(ii) of this paragraph), by striking ''this paragraph'' and inserting ''this subsection''.

SEC. 9011. COMMUNITY WOOD ENERGY PROGRAM.

Section 9013(e) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113(e)) is amended by striking ''carry out this section'' and all that follows and inserting the following: ''carry out this section—

''(1) $5,000,000 for each of fiscal years 2009 through 2013; and

''(2) $2,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 9012. REPEAL OF BIOFUELS INFRASTRUCTURE STUDY.

Section 9002 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2095) is repealed.

SEC. 9013. REPEAL OF RENEWABLE FERTILIZER STUDY.

Section 9003 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2096) is repealed.

TITLE X—HORTICULTURE

SEC. 10001. SPECIALTY CROPS MARKET NEWS ALLOCATION.

Section 10107(b) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1622b(b)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 10002. REPEAL OF GRANT PROGRAM TO IMPROVE MOVEMENT OF SPECIALTY CROPS.

Effective October 1, 2013, section 10403 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1622c) is repealed.

SEC. 10003. FARMERS MARKET AND LOCAL FOOD PROMOTION PROGRAM.

Section 6 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005) is amended—

(1) in the heading of such section, by inserting ''**AND LOCAL FOOD**'' after ''**FARMERS' MARKET**'';

(2) in subsection (a)—

(A) by inserting ''and Local Food'' after ''Farmers' Market'';

(B) by striking ''farmers' markets and to promote''; and

(C) by striking the period and inserting ''and assist in the development of local food business enterprises.'';

(3) by striking subsection (b) and inserting the following new subsection:

''(b) PROGRAM PURPOSES.—The purposes of the Program are to increase domestic consumption of, and consumer access to, locally and regionally produced agricultural products by assisting in the development, improvement, and expansion of—

''(1) domestic farmers' markets, roadside stands, community-supported agriculture programs, agritourism activities, and other direct producer-to-consumer market opportunities; and

''(2) local and regional food business enterprises that process, distribute, aggregate, and store locally or regionally produced food products.'';

(4) in subsection (c)(1)—

(A) by inserting ''or other agricultural business entity'' after ''cooperative''; and

(B) by inserting '', including a community supported agriculture network or association'' after ''association'';

(5) by redesignating subsection (e) as subsection (f);

(6) by inserting after subsection (d) the following new subsection:

''(e) FUNDS REQUIREMENTS FOR ELIGIBLE ENTITIES.—

''(1) MATCHING FUNDS.—An entity receiving a grant under this section for a project to carry out a purpose described in subsection (b)(2) shall provide matching funds in the form of cash or an in-kind contribution in an amount equal to 25 percent of the total cost of such project.

''(2) LIMITATION ON USE OF FUNDS.—An eligible entity may not use a grant or other assistance provided under this section for the purchase, construction, or rehabilitation of a building or structure.''; and

(7) in subsection (f) (as redesignated by paragraph (5))—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking ''and'' at the end;

(ii) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following new subparagraph:

''(D) $30,000,000 for each of fiscal years 2014 through 2018.'';

(B) by striking paragraphs (3) and (5);

(C) by redesignating paragraph (4) as paragraph (6); and

(D) by inserting after paragraph (2) the following new paragraphs:

''(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2014 through 2018.

''(4) USE OF FUNDS.—Of the funds made available to carry out this section for a fiscal year, 50 percent of such funds shall be used for the purposes described in paragraph (1) of subsection (b) and 50 percent of such funds shall be used for the purposes described in paragraph (2) of such subsection.

''(5) LIMITATION ON ADMINISTRATIVE EXPENSES.—Not more than 3 percent of the total amount made available to carry out this section for a fiscal year may be used for administrative expenses.''.

SEC. 10004. ORGANIC AGRICULTURE.

(a) ORGANIC PRODUCTION AND MARKET DATA INITIATIVES.—Section 7407(d)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5925c(d)(2)) is amended—

(1) in the heading of such paragraph, by striking ''2008 THROUGH 2012'' and inserting ''2014 THROUGH 2018''; and

(2) by striking ''2008 through 2012'' and inserting ''2014 through 2018''.

(b) MODERNIZATION AND TECHNOLOGY UPGRADE FOR NATIONAL ORGANIC PROGRAM.—Section 2122 of the Organic Foods Production Act of 1990 (7 U.S.C. 6521) is amended by adding at the end the following new subsection:

''(c) MODERNIZATION AND TECHNOLOGY UPGRADE FOR NATIONAL ORGANIC PROGRAM.—The Secretary shall modernize database and technology systems of the national organic program.''.

(c) AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL ORGANIC PROGRAM.—Effective October 1, 2013, section 2123(b)(6) of the Organic Foods Production Act of 1990 (7 U.S.C. 6522(b)(6)) is amended to read as follows:

''(6) $11,000,000 for each of fiscal years 2014 through 2018.''.

(d) NATIONAL ORGANIC CERTIFICATION COST-SHARE PROGRAM.—Effective October 1, 2013, section 10606 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 6523) is repealed.

(e) EXEMPTION OF CERTIFIED ORGANIC PRODUCTS FROM PROMOTION ORDER ASSESSMENTS.—Subsection (e) of section 501 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7401) is amended to read as follows:

''(e) EXEMPTION OF CERTIFIED ORGANIC PRODUCTS FROM PROMOTION ORDER ASSESSMENTS.—

''(1) IN GENERAL.—Notwithstanding any provision of a commodity promotion law, a person that produces, handles, markets, or imports organic products may be exempt from the payment of an assessment under a commodity promotion law with respect to any agricultural commodity that is certified as 'organic' or '100 percent organic' (as defined in part 205 of title 7, Code of Federal Regulations or a successor regulation).

''(2) SPLIT OPERATIONS.—The exemption described in paragraph (1) shall apply to the certified 'organic' or '100 percent organic' (as defined in part 205 of title 7 of the Code of Federal Regulations (or a successor regulation) products of a producer, handler, or marketer regardless of whether the agricultural commodity subject to the exemption is produced, handled, or marketed by a person that also produces, handles, or markets conventional or nonorganic agricultural products, including conventional or nonorganic agricultural products of the same agricultural commodity as that for which the exemption is claimed.

''(3) APPROVAL.—The Secretary shall approve the exemption of a person under this subsection if the person maintains a valid organic certificate issued under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.).

''(4) TERMINATION OF EFFECTIVENESS.—This subsection shall be effective until the date on which the Secretary issues an organic commodity promotion order in accordance with subsection (f).

''(5) REGULATIONS.—The Secretary shall promulgate regulations concerning eligibility and compliance for an exemption under paragraph (1).''.

(f) ORGANIC COMMODITY PROMOTION ORDER.—Section 501 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7401) is amended by adding at the end the following new subsection:

''(f) ORGANIC COMMODITY PROMOTION ORDER.—

''(1) DEFINITIONS.—In this subsection:

''(A) CERTIFIED ORGANIC FARM.—The term 'certified organic farm' has the meaning given the term in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502).

''(B) COVERED PERSON.—The term 'covered person' means a producer, handler, marketer, or importer of an organic agricultural commodity.

''(C) DUAL-COVERED AGRICULTURAL COMMODITY.—The term 'dual-covered agricultural commodity' means an agricultural commodity that—

''(i) is produced on a certified organic farm; and

''(ii) is covered under both—

''(I) an organic commodity promotion order issued pursuant to paragraph (2); and

''(II) any other agricultural commodity promotion order issued under section 514.

''(2) AUTHORIZATION.—The Secretary may issue an organic commodity promotion order under section 514 that includes any agricultural commodity that—

''(A) is produced or handled (as defined in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502)) and that is certified to be sold or labeled as 'organic' or '100 percent organic' (as defined in part 205 of title 7, Code of Federal Regulations or a successor regulation)); or

''(B) is imported with a valid organic certificate (as defined in such part).

''(3) ELECTION.—If the Secretary issues an organic commodity promotion order described in paragraph (2), a covered person may elect, for applicable dual-covered agricultural commodities and in the sole discretion of the covered person, whether to be assessed under the organic commodity promotion order or another applicable agricultural commodity promotion order.

''(4) REGULATIONS.—The Secretary shall promulgate regulations concerning eligibility and compliance for an exemption under paragraph (1).''.

(g) DEFINITION OF AGRICULTURAL COMMODITY.—Section 513(1) of the Commodity Promotion, Research, and Information Act of 1996 (7 U.S.C. 7412(1)) is amended—

(1) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(2) by inserting after subparagraph (D) the following new subparagraph:

''(E) products, as a class, that are produced on a certified organic farm (as defined in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502)) and that are certified to be sold or labeled as 'organic' or '100 percent organic' (as defined in part 205 of title 7, Code of Federal Regulations or a successor regulation));''.

SEC. 10005. INVESTIGATIONS AND ENFORCEMENT OF THE ORGANIC FOODS PRODUCTION ACT OF 1990.

The Organic Foods Production Act of 1990 is amended by inserting after section 2122 (7 U.S.C. 6521) the following new section:

''SEC. 2122A. INVESTIGATION AND ENFORCEMENT.

''(a) EXPEDITED ADMINISTRATIVE HEARING.—The Secretary shall establish an expedited administrative hearing procedure under which the Secretary may suspend or revoke the organic certification of a producer or handler or the accreditation of a certifying agent in accordance with subsection (d). Such a hearing may be conducted in addition to a hearing conducted pursuant to section 2120.

''(b) INVESTIGATION.—

''(1) IN GENERAL.—The Secretary may take such investigative actions as the Secretary considers to be necessary to carry out this title—

''(A) to verify the accuracy of any information reported or made available under this title; and

''(B) to determine, with regard to actions, practices, or information required under this title, whether a person covered by this title has committed a violation of this title.

''(2) INVESTIGATIVE POWERS.—The Secretary may administer oaths and affirmations, subpoena witnesses, compel attendance of witnesses, take evidence, and require the production of any records required to be maintained under section 2112(d) or 2116(c) that are relevant to the investigation.

''(c) UNLAWFUL ACT.—It shall be unlawful and a violation of this title for any person covered by this title—

''(1) to refuse to provide information required by the Secretary under this title; or

''(2) to violate—

''(A) a suspension or revocation of the organic certification of a producer or handler; or

''(B) a suspension or revocation of the accreditation of a certifying agent.

''(d) ENFORCEMENT.—

''(1) SUSPENSION.—

''(A) IN GENERAL.—The Secretary may, after notice and opportunity for an expedited administrative hearing, suspend the organic certification of a producer, handler or the accreditation of a certifying agent if—

''(i) the Secretary, during such expedited administrative hearing, proved that—

''(I) in the case of a producer or handler, the producer or handler—

''(aa) has recklessly committed a violation of a term, condition, or requirement of the organic plan to which the producer or handler is subject; or

''(bb) has recklessly committed, or is recklessly committing, a violation of this title; or

''(II) in the case of a certifying agent, the agent has recklessly committed, or is recklessly committing, a violation of this title; or

''(ii) the producer, handler, or certifying agent has waived such expedited administrative hearing.

''(B) ISSUANCE OF SUSPENSION.—A suspension issued under this paragraph shall be issued not later than five days after the date on which—

''(i) the expedited administrative hearing referred to in clause (i) of subparagraph (A) concludes; or

''(ii) the Secretary receives notice of the waiver referred to in clause (ii) of such subparagraph.

''(C) DURATION OF SUSPENSION.—The period of a suspension issued under this paragraph shall be not more than 90 days, beginning on the date on which the Secretary issues the suspension.

''(D) CURING OF VIOLATIONS.—

''(i) IN GENERAL.—The Secretary may not issue a suspension of a certification or accreditation under this paragraph if the producer, handler, or certifying agent subject to such suspension—

''(I) before the date on which the suspension would otherwise have been issued, cures, or corrects the deficiency giving rise to, the violation for which the certification or accreditation would have been suspended; or

''(II) within a reasonable timeframe (as determined by the Secretary), enters into a settlement with the Secretary regarding a deficiency referred to in subclause (I).

''(ii) DURING SUSPENSION.—The Secretary shall terminate the suspension of an organic certification or accreditation issued under this paragraph if the producer, handler, or certifying agent subject to such suspension cures the violation for which the certification or accreditation was suspended under this paragraph before the date on which the period of the suspension ends.

''(2) REVOCATION.—

''(A) IN GENERAL.—The Secretary may, after notice and opportunity for an expedited administrative hearing under this section and an expedited administrative appeal under section 2121, revoke the organic certification of a producer or handler, or the accreditation of a certifying agent if—

''(i) the Secretary, during such hearing, proved that—

''(I) in the case of a producer or handler, the producer or handler—

''(aa) has knowingly committed an egregious violation of a term, condition, or requirement of

the organic plan to which the producer or handler is subject; or

''(bb) has knowingly committed, or is knowingly committing, an egregious violation of this title; or

''(II) in the case of a certifying agent, the agent has knowingly committed, or is knowingly committing, an egregious violation of this title; or

''(ii) the producer, handler, or certifying agent has waived such expedited administrative hearing and such an expedited administrative appeal.

''(B) INITIATION OF REVOCATION PROCEEDINGS.—

''(i) IN GENERAL.—If the Secretary finds, during an investigation or during the period of a suspension under paragraph (1), that a producer, handler, or certifying agent has knowingly committed an egregious violation of this title, the Secretary shall initiate revocation proceedings with respect to such violation not later than 30 days after the date on which the producer, handler, or certifying agent receives notice of such finding in accordance with clause (ii). The Secretary may not initiate revocation proceedings with respect to such violation after the date on which that 30-day period ends.

''(ii) NOTICE.—Not later than five days after the date on which the Secretary makes the finding described in clause (i), the Secretary shall provide to the producer, handler, or certifying agent notice of such finding.

''(e) APPEAL.—

''(1) SUSPENSIONS.—

''(A) IN GENERAL.—The suspension of a certification or accreditation under subsection (d)(1) by the Secretary may be appealed to a United States district court in accordance with section 2121(b) not later than 30 business days after the date on which the person subject to such suspension receives notice of the suspension.

''(B) SUSPENSION FINAL AND CONCLUSIVE.—A suspension of a certification or accreditation under subsection (d)(1) by the Secretary shall be final and conclusive—

''(i) in the case of a suspension that is appealed under subparagraph (A) within the 30-day period specified in such subparagraph, on the date on which judicial review of such suspension is complete; or

''(ii) in the case of a suspension that is not so appealed, the date on which such 30-day period ends.

''(2) REVOCATIONS.—

''(A) IN GENERAL.—The revocation of a certification or an accreditation under subsection (d)(2) by the Secretary may be appealed to a United States district court in accordance with section 2121(b) not later than 30 business days after the date on which the person subject to such revocation receives notice of the revocation.

''(B) REVOCATION FINAL AND CONCLUSIVE.—A revocation of a certification or an accreditation under subsection (d)(2) by the Secretary shall be final and conclusive—

''(i) in the case of a revocation that is appealed under subparagraph (A) within the 30-day period specified in such subparagraph, on the date on which judicial review of such revocation is complete; or

''(ii) in the case of a revocation that is not so appealed, the date on which such 30-day period ends.

''(3) STANDARDS FOR REVIEW OF SUSPENSIONS AND REVOCATIONS.—A suspension or revocation of a certification or an accreditation under subsection (d) shall be reviewed in accordance with the standards of review specified in section 706(2) of title 5, United States Code.

''(f) NONCOMPLIANCE.—

''(1) IN GENERAL.—If a person covered by this title fails to obey a revocation of a certification or an accreditation under subsection (d)(2) after such revocation has become final and conclusive or after the appropriate United States district court has entered a final judgment in favor of the Secretary, the United States may apply to the appropriate United States district court for enforcement of such revocation.

''(2) ENFORCEMENT.—If the court determines that the revocation was lawfully made and duly served and that the person violated the revocation, the court shall enforce the revocation.

''(3) CIVIL PENALTY.—If the court finds that the person violated the revocation of a certification or an accreditation under subsection (d)(2), the person shall be subject to one or more of the penalties provided in subsections (a) and (b) of section 2120.

''(g) VIOLATION OF THIS TITLE DEFINED.—In this section, the term 'violation of this title' means a violation specified in section 2120.''.

SEC. 10006. FOOD SAFETY EDUCATION INITIATIVES.

Section 10105(c) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7655a(c)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 10007. SPECIALTY CROP BLOCK GRANTS.

Section 101 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108–465) is amended—

(1) in subsection (a)—

(A) by striking ''subsection (j)'' and inserting ''subsection (l)''; and

(B) by striking ''2012'' and inserting ''2018'';

(2) by striking subsection (b) and inserting the following new subsection:

''(b) GRANTS BASED ON VALUE AND ACREAGE.—Subject to subsection (c), for each State whose application for a grant for a fiscal year that is accepted by the Secretary under subsection (f), the amount of the grant for such fiscal year to the State under this section shall bear the same ratio to the total amount made available under subsection (l)(1) for such fiscal year as—

''(1) the average of the most recent available value of specialty crop production in the State and the acreage of specialty crop production in the State, as demonstrated in the most recent Census of Agriculture data; bears to

''(2) the average of the most recent available value of specialty crop production in all States and the acreage of specialty crop production in all States, as demonstrated in the most recent Census of Agriculture data.'';

(3) in subsection (d)—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(4) an assurance that any grant funds received under this section that are used for equipment or capital-related research costs determined to enhance the competitiveness of specialty crops—

''(A) shall be supplemented by the expenditure of State funds in an amount that is not less than 50 percent of such costs during the fiscal year in which such costs were incurred; and

''(B) shall be completely replaced by State funds on the day after the date on which such fiscal year ends.'';

(4) by redesignating subsection (j) as subsection (l);

(5) by inserting after subsection (i) the following new subsections:

''(j) MULTISTATE PROJECTS.—Not later than 180 days after the effective date of the Federal Agriculture Reform and Risk Management Act of 2013, the Secretary of Agriculture shall issue guidance for the purpose of making grants to multistate projects under this section for projects involving—

''(1) food safety;

''(2) plant pests and disease;

''(3) research;

''(4) crop-specific projects addressing common issues; and

''(5) any other area that furthers the purposes of this section, as determined by the Secretary.

''(k) ADMINISTRATION.—

''(1) DEPARTMENT.—The Secretary of Agriculture may not use more than 3 percent of the funds made available to carry out this section for a fiscal year for administrative expenses.

''(2) STATES.—A State receiving a grant under this section may not use more than 8 percent of the funds received under the grant for a fiscal year for administrative expenses.''; and

(6) in subsection (l) (as redesignated by paragraph (4))—

(A) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and moving the margins of such subparagraphs two ems to the right;

(B) by striking ''Of the funds'' and inserting the following:

''(1) IN GENERAL.—Of the funds'';

(C) in paragraph (1) (as so designated)—

(i) in subparagraph (B) (as redesignated by subparagraph (A)), by striking ''and'' at the end;

(ii) in subparagraph (C) (as redesignated by subparagraph (A)), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following new subparagraphs:

''(D) $72,500,000 for fiscal years 2014 through 2017; and

''(E) $85,000,000 for fiscal year 2018.''; and

(D) by adding at the end the following new paragraph:

''(2) MULTISTATE PROJECTS.—Of the funds made available under paragraph (1), the Secretary may use to carry out subsection (j), to remain available until expended—

''(A) $1,000,000 for fiscal year 2014;

''(B) $2,000,000 for fiscal year 2015;

''(C) $3,000,000 for fiscal year 2016;

''(D) $4,000,000 for fiscal year 2017; and

''(E) $5,000,000 for fiscal year 2018.''.

SEC. 10008. REPORT ON HONEY.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture, in consultation with persons affected by the potential establishment of a Federal standard for the identity of honey, shall submit to the Commissioner of Food and Drugs a report describing how an appropriate Federal standard for the identity of honey would be in the interest of consumers, the honey industry, and United States agriculture.

(b) CONSIDERATIONS.—In preparing the report required under subsection (a), the Secretary shall take into consideration the March 2006, Standard of Identity citizens petition filed with the Food and Drug Administration, including any current industry amendments or clarifications necessary to update such petition.

SEC. 10009. BULK SHIPMENTS OF APPLES TO CANADA.

(a) BULK SHIPMENT OF APPLES TO CANADA.—Section 4 of the Export Apple Act (7 U.S.C. 584) is amended—

(1) by striking ''Apples in'' and inserting ''(a) Apples in''; and

(2) by adding at the end the following new subsection:

''(b) Apples may be shipped to Canada in bulk bins without complying with the provisions of this Act.''.

(b) DEFINITION OF BULK BIN.—Section 9 of the Export Apple Act (7 U.S.C. 589) is amended by adding at the end the following new paragraph:

''(5) The term 'bulk bin' means a bin that contains a quantity of apples weighing more than 100 pounds.''.

(c) REGULATIONS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Agriculture shall issue regulations to carry out the amendments made by this section.

SEC. 10010. INCLUSION OF OLIVE OIL IN IMPORT CONTROLS UNDER THE AGRICULTURAL ADJUSTMENT ACT.

Section 8e(a) of the Agricultural Adjustment Act (7 U.S.C. 608e–1(a)) is amended by inserting ''olive oil,'' after ''olives (other than Spanish-style green olives),''.

SEC. 10011. CONSOLIDATION OF PLANT PEST AND DISEASE MANAGEMENT AND DISASTER PREVENTION PROGRAMS.

(a) RELOCATION OF LEGISLATIVE LANGUAGE RELATING TO NATIONAL CLEAN PLANT NETWORK.—Section 420 of the Plant Protection Act (7 U.S.C. 7721) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following new subsection:

''(e) NATIONAL CLEAN PLANT NETWORK.—

''(1) IN GENERAL.—The Secretary shall establish a program to be known as the 'National Clean Plant Network' (referred to in this subsection as the 'Program').

''(2) REQUIREMENTS.—Under the Program, the Secretary shall establish a network of clean plant centers for diagnostic and pathogen elimination services—

''(A) to produce clean propagative plant material; and

''(B) to maintain blocks of pathogen-tested plant material in sites located throughout the United States.

''(3) AVAILABILITY OF CLEAN PLANT SOURCE MATERIAL.—Clean plant source material may be made available to—

''(A) a State for a certified plant program of the State; and

''(B) private nurseries and producers.

''(4) CONSULTATION AND COLLABORATION.—In carrying out the Program, the Secretary shall—

''(A) consult with—

''(i) State departments of agriculture; and

''(ii) land-grant colleges and universities and NLGCA Institutions (as those terms are defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)); and

''(B) to the extent practicable and with input from the appropriate State officials and industry representatives, use existing Federal or State facilities to serve as clean plant centers.

''(5) FUNDING FOR FISCAL YEAR 2013.—There is authorized to be appropriated to carry out the Program $5,000,000 for fiscal year 2013.''.

(b) FUNDING.—Subsection (f) of section 420 of the Plant Protection Act (7 U.S.C. 7721) (as so redesignated) is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) in paragraph (4), by striking ''and each fiscal year thereafter.'' and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(5) $62,500,000 for fiscal years 2014 through 2017; and

''(6) $75,000,000 for fiscal year 2018.''.

(c) REPEAL OF EXISTING PROVISION.—Section 10202 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7761) is repealed.

(d) CLARIFICATION OF USE OF FUNDS FOR TECHNICAL ASSISTANCE.—Section 420 of the Plant Protection Act (7 U.S.C. 7721), as amended by subsection (a), is amended by adding at the end the following new subsection:

''(g) RELATIONSHIP TO OTHER LAW.—The use of Commodity Credit Corporation funds under this section to provide technical assistance shall not be considered an allotment or fund transfer from the Commodity Credit Corporation for purposes of the limit on expenditures for technical assistance imposed by section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i).''.

(e) USE OF FUNDS FOR CLEAN PLANT NETWORK.—Section 420 of the Plant Protection Act (7 U.S.C. 7721), as amended by subsections (a) and (d), is amended by adding at the end the following new subsection:

''(h) USE OF FUNDS FOR CLEAN PLANT NETWORK.—Of the funds made available under subsection (f) to carry out this section for a fiscal year, not less than $5,000,000 shall be available to carry out the national clean plant network under subsection (e).''.

SEC. 10012. MODIFICATION, CANCELLATION, OR SUSPENSION ON BASIS OF A BIOLOGICAL OPINION.

(a) IN GENERAL.—Except in the case of a voluntary request from a pesticide registrant to amend a registration under section 3 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a), a registration of a pesticide may be modified, canceled, or suspended on the basis of the implementation of a Biological Opinion issued by the National Marine Fisheries Service or the United States Fish and Wildlife Service prior to the date of completion of the study referred to in subsection (b), or January 1, 2015, whichever is earlier, only if—

(1) the modification, cancellation, or suspension is undertaken pursuant to section 6 of such Act (7 U.S.C. 136d); and

(2) the Biological Opinion complies with the recommendations contained in the study referred to in subsection (b).

(b) NATIONAL ACADEMY OF SCIENCES STUDY.—The study commissioned by the Administrator of the Environmental Protection Agency on March 10, 2011, shall include, at a minimum, each of the following:

(1) A formal, independent, and external peer review, consistent with Office of Management and Budget policies, of each Biological Opinion described in subsection (a).

(2) Assessment of economic impacts of measures or alternatives recommended in each such Biological Opinion.

(3) An examination of the specific scientific and procedural questions and issues pertaining to economic feasibility contained in the June 23, 2011, letter sent to the Administrator (and other Federal officials) by the Chairmen of the Committee on Agriculture, the Committee on Natural Resources, and the Subcommittee on Interior, Environment, and Related Agencies of the Committee on Appropriations, of the House of Representatives.

SEC. 10013. USE AND DISCHARGES OF AUTHORIZED PESTICIDES.

(a) SHORT TITLE.—This section may be cited as the ''Reducing Regulatory Burdens Act of 2013''.

(b) USE OF AUTHORIZED PESTICIDES.—Section 3(f) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(f)) is amended by adding at the end the following:

''(5) USE OF AUTHORIZED PESTICIDES.—Except as provided in section 402(s) of the Federal Water Pollution Control Act, the Administrator or a State may not require a permit under such Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under this Act, or the residue of such a pesticide, resulting from the application of such pesticide.''.

(c) DISCHARGES OF PESTICIDES.—Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following:

''(s) DISCHARGES OF PESTICIDES.—

''(1) NO PERMIT REQUIREMENT.—Except as provided in paragraph (2), a permit shall not be required by the Administrator or a State under this Act for a discharge from a point source into navigable waters of a pesticide authorized for sale, distribution, or use under the Federal Insecticide, Fungicide, and Rodenticide Act, or the residue of such a pesticide, resulting from the application of such pesticide.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to the following discharges of a pesticide or pesticide residue:

''(A) A discharge resulting from the application of a pesticide in violation of a provision of the Federal Insecticide, Fungicide, and Rodenticide Act that is relevant to protecting water quality, if—

''(i) the discharge would not have occurred but for the violation; or

''(ii) the amount of pesticide or pesticide residue in the discharge is greater than would have occurred without the violation.

''(B) Stormwater discharges subject to regulation under subsection (p).

''(C) The following discharges subject to regulation under this section:

''(i) Manufacturing or industrial effluent.

''(ii) Treatment works effluent.

''(iii) Discharges incidental to the normal operation of a vessel, including a discharge resulting from ballasting operations or vessel biofouling prevention.''.

SEC. 10014. SEED NOT PESTICIDE OR DEVICE FOR PURPOSES OF IMPORTATION.

Section 17(c) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136o(c)) is amended by adding at the end the following new sentences: ''Solely for purposes of notifications of arrival upon importation, for purposes of this subsection, seed, including treated seed, shall not be considered a pesticide or device. Nothing in this subsection shall be construed as precluding or limiting the authority of the Secretary of Agriculture, with respect to the importation or movement of plants, plant products, or seeds, under the Plant Protection Act (7 U.S.C. 7701 et seq.) or the Federal Seed Act (7 U.S.C. 1551 et seq.).''.

SEC. 10015. STAY OF REGULATIONS RELATED TO CHRISTMAS TREE PROMOTION, RESEARCH, AND INFORMATION ORDER.

Not later than 60 days after the date of the enactment of this Act, the Secretary of Agriculture shall lift the administrative stay that was imposed by the rule entitled ''Christmas Tree Promotion, Research, and Information Order; Stay of Regulations'' and published by the Department of Agriculture on November 17, 2011 (76 Fed. Reg. 71241), on the regulations in subpart A of part 214 of title 7, Code of Federal Regulations, establishing an industry-funded promotion, research, and information program for fresh cut Christmas trees.

SEC. 10016. STUDY ON PROPOSED ORDER PERTAINING TO SULFURYL FLUORIDE.

Not later than two years after the date of enactment of this Act, the Administrator of the Environmental Protection Agency, in conjunction with the Secretary of Agriculture, shall submit to the Committee on Agriculture of the House of Representatives a report on the potential economic and public health effects that would result from finalization of the proposed order published in the January 19, 2011, Federal Register (76 Fed. Reg. 3422) pertaining to the pesticide sulfuryl fluoride, including the anticipated impacts of such finalization on the production of an adequate, wholesome, and economical food supply and on farmers and related agricultural sectors.

SEC. 10017. STUDY ON LOCAL AND REGIONAL FOOD PRODUCTION AND PROGRAM EVALUATION.

(a) IN GENERAL.—The Secretary of Agriculture shall—

(1) collect data on the production and marketing of locally or regionally produced agricultural food products;

(2) facilitate interagency collaboration and data sharing on programs related to local and regional food systems; and

(3) monitor the effectiveness of programs designed to expand or facilitate local food systems.

(b) REQUIREMENTS.—In carrying out this section, the Secretary shall—

(1) collect and distribute comprehensive reporting of prices of locally or regionally produced agricultural food products;

(2) conduct surveys and analysis and publish reports relating to the production, handling, distribution, and retail sales of, and trend studies (including consumer purchasing patterns) on, locally or regionally produced agricultural food products;

(3) evaluate the effectiveness of existing programs in growing local and regional food systems, including—

(A) the impact of local food systems on job creation and economic development;

(B) the level of participation in the Farmers' Market and Local Food Promotion Program established under section 6 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005), including the percentage of projects funded in comparison to applicants and the types of eligible entities receiving funds;

(C) the ability for participants to leverage private capital and a synopsis of the places from which non-Federal funds are derived; and

(D) any additional resources required to aid in the development or expansion of local and regional food systems;

(4) expand the Agricultural Resource Management Survey to include questions on locally or regionally produced agricultural food products; and

(5) seek to establish or expand private-public partnerships to facilitate, to the maximum extent practicable, the collection of data on locally or regionally produced agricultural food products, including the development of a nationally coordinated and regionally balanced evaluation of the redevelopment of locally or regionally produced food systems.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter until September 30, 2018, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the progress that has been made in implementing this section and identifying any additional needs related to developing local and regional food systems.

TITLE XI—CROP INSURANCE

SEC. 11001. INFORMATION SHARING.

Section 502(c) of the Federal Crop Insurance Act (7 U.S.C. 1502(c)) is amended by adding at the end the following new paragraph:

''(4) INFORMATION.—

''(A) REQUEST.—Subject to subparagraph (B), the Farm Service Agency shall, in a timely manner, provide to an agent or an approved insurance provider authorized by the producer any information (including Farm Service Agency Form 578s (or any successor form) or maps (or any corrections to those forms or maps) that may assist the agent or approved insurance provider in insuring the producer under a policy or plan of insurance under this subtitle.

''(B) PRIVACY.—Except as provided in subparagraph (C), an agent or approved insurance provider that receives the information of a producer pursuant to subparagraph (A) shall treat the information in accordance with paragraph (1).

''(C) SHARING.—Nothing in this section prohibits the sharing of the information of a producer pursuant to subparagraph (A) between the agent and the approved insurance provider of the producer.''.

SEC. 11002. PUBLICATION OF INFORMATION ON VIOLATIONS OF PROHIBITION ON PREMIUM ADJUSTMENTS.

Section 508(a)(9) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)(9)) is amended by adding at the end the following new subparagraph:

''(C) PUBLICATION OF VIOLATIONS.—

''(i) PUBLICATION REQUIRED.—Subject to clause (ii), the Corporation shall publish in a timely manner on the website of the Risk Management Agency information regarding each violation of this paragraph, including any sanctions imposed in response to the violation, in sufficient detail so that the information may serve as effective guidance to approved insurance providers, agents, and producers.

''(ii) PROTECTION OF PRIVACY.—In providing information under clause (i) regarding violations of this paragraph, the Corporation shall redact the identity of the persons and entities committing the violations in order to protect their privacy.''.

SEC. 11003. SUPPLEMENTAL COVERAGE OPTION.

(a) AVAILABILITY OF SUPPLEMENTAL COVERAGE OPTION.—Paragraph (3) of section 508(c) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) is amended to read as follows:

''(3) YIELD AND LOSS BASIS OPTIONS.—A producer shall have the option of purchasing additional coverage based on—

''(A)(i) an individual yield and loss basis; or

''(ii) an area yield and loss basis;

''(B) an individual yield and loss basis, supplemented with coverage based on an area yield and loss basis to cover a part of the deductible under the individual yield and loss policy, as described in paragraph (4)(C); or

''(C) a margin basis alone or in combination with the coverages available in subparagraph (A) or (B).''.

(b) LEVEL OF COVERAGE.—Paragraph (4) of section 508(c) of the Federal Crop Insurance Act (7 U.S.C. 1508(c)) is amended to read as follows:

''(4) LEVEL OF COVERAGE.—

''(A) DOLLAR DENOMINATION AND PERCENTAGE OF YIELD.—Except as provided in subparagraph (C), the level of coverage—

''(i) shall be dollar denominated; and

''(ii) may be purchased at any level not to exceed 85 percent of the individual yield or 95 percent of the area yield (as determined by the Corporation).

''(B) INFORMATION.—The Corporation shall provide producers with information on catastrophic risk and additional coverage in terms of dollar coverage (within the allowable limits of coverage provided in this paragraph).

''(C) SUPPLEMENTAL COVERAGE OPTION.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), in the case of the supplemental coverage option described in paragraph (3)(B), the Corporation shall offer producers the opportunity to purchase coverage in combination with a policy or plan of insurance offered under this subtitle that would allow indemnities to be paid to a producer equal to a part of the deductible under the policy or plan of insurance—

''(I) at a county-wide level to the fullest extent practicable; or

''(II) in counties that lack sufficient data, on the basis of such larger geographical area as the Corporation determines to provide sufficient data for purposes of providing the coverage.

''(ii) TRIGGER.—Coverage offered under paragraph (3)(B) and clause (i) shall be triggered only if the losses in the area exceed 10 percent of normal levels (as determined by the Corporation).

''(iii) COVERAGE.—Subject to the trigger described in clause (ii), coverage offered under paragraph (3)(B) and clause (i) shall not exceed the difference between—

''(I) 90 percent; and

''(II) the coverage level selected by the producer for the underlying policy or plan of insurance.

''(iv) INELIGIBLE CROPS AND ACRES.—Crops for which the producer has elected under section 1107(c)(1) of the Federal Agriculture Reform and Risk Management Act of 2013 to receive revenue loss coverage and acres that are enrolled in the stacked income protection plan under section 508B shall not be eligible for supplemental coverage under this subparagraph.

''(v) CALCULATION OF PREMIUM.—Notwithstanding subsection (d), the premium for coverage offered under paragraph (3)(B) and clause (i) shall—

''(I) be sufficient to cover anticipated losses and a reasonable reserve; and

''(II) include an amount for operating and administrative expenses established in accordance with subsection (k)(4)(F).''.

(c) PAYMENT OF PORTION OF PREMIUM BY CORPORATION.—Section 508(e)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(2)) is amended by adding at the end the following new subparagraph:

''(H) In the case of the supplemental coverage option authorized in subsection (c)(4)(C), the amount shall be equal to the sum of—

''(i) 65 percent of the additional premium associated with the coverage; and

''(ii) the amount determined under subsection (c)(4)(C)(vi)(II), subject to subsection (k)(4)(F), for the coverage to cover operating and administrative expenses.''.

(d) EFFECTIVE DATE.—The Federal Crop Insurance Corporation shall begin to provide additional coverage based on an individual yield and loss basis, supplemented with coverage based on an area yield and loss basis, not later than for the 2014 crop year.

SEC. 11004. PREMIUM AMOUNTS FOR CATASTROPHIC RISK PROTECTION.

Subparagraph (A) of section 508(d)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(d)(2)) is amended to read as follows:

''(A) In the case of catastrophic risk protection, the amount of the premium established by the Corporation for each crop for which catastrophic risk protection is available shall be reduced by the percentage equal to the difference between the average loss ratio for the crop and 100 percent, plus a reasonable reserve.''.

SEC. 11005. REPEAL OF PERFORMANCE-BASED DISCOUNT.

(a) REPEAL.—Section 508(d) of the Federal Crop Insurance Act (7 U.S.C. 1508(d)) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraph (4) as paragraph (3).

(b) CONFORMING AMENDMENT.—Section 508(a)(9)(B) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)(9)(B)) is amended—

(1) by inserting ''or'' at the end of clause (i);

(2) by striking clause (ii); and

(3) by redesignating clause (iii) as clause (ii).

SEC. 11006. PERMANENT ENTERPRISE UNIT SUBSIDY.

Subparagraph (A) of section 508(e)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(5)) is amended to read as follows:

''(A) IN GENERAL.—The Corporation may pay a portion of the premiums for plans or policies of insurance for which the insurable unit is defined on a whole farm or enterprise unit basis that is higher than would otherwise be paid in accordance with paragraph (2).''.

SEC. 11007. ENTERPRISE UNITS FOR IRRIGATED AND NONIRRIGATED CROPS.

Section 508(e)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(5)) is amended by adding at the end the following new subparagraph:

''(D) NONIRRIGATED CROPS.—Beginning with the 2014 crop year, the Corporation shall make

available separate enterprise units for irrigated and nonirrigated acreage of crops in counties.''.

SEC. 11008. DATA COLLECTION.

Section 508(g)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(g)(2)) is amended by adding at the end the following new subparagraph:

''(E) SOURCES OF YIELD DATA.—To determine yields under this paragraph, the Corporation—

''(i) shall use county data collected by the Risk Management Agency or the National Agricultural Statistics Service, or both; or

''(ii) if sufficient county data is not available, may use other data considered appropriate by the Secretary.''.

SEC. 11009. ADJUSTMENT IN ACTUAL PRODUCTION HISTORY TO ESTABLISH INSURABLE YIELDS.

Section 508(g)(4)(B) of the Federal Crop Insurance Act (7 U.S.C. 1508(g)(4)(B)) is amended by striking ''60'' each place it appears and inserting ''70''.

SEC. 11010. SUBMISSION AND REVIEW OF POLICIES.

(a) IN GENERAL.—Section 508(h) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(B) by striking ''(1) IN GENERAL.—In addition'' and inserting the following:

''(1) AUTHORITY TO SUBMIT.—

''(A) IN GENERAL.—In addition''; and

(C) by adding at the end the following new subparagraph:

''(B) REVIEW AND SUBMISSION BY CORPORATION.—The Corporation shall review any policy developed under section 522(c) or any pilot program developed under section 523 and submit the policy or program to the Board under this subsection if the Corporation, at the sole discretion of the Corporation, finds that the policy or program—

''(i) will likely result in a viable and marketable policy consistent with this subsection;

''(ii) would provide crop insurance coverage in a significantly improved form; and

''(iii) adequately protects the interests of producers.''; and

(2) in paragraph (3)—

(A) by striking ''A policy'' and inserting the following:

''(A) IN GENERAL.—A policy''; and

(B) by adding at the end the following new subparagraph:

''(B) SPECIFIED REVIEW AND APPROVAL PRIORITIES.—In reviewing policies and other materials submitted to the Board under this subsection for approval, the Board—

''(i) shall make the development and approval of a revenue policy for peanut producers a priority so that a revenue policy is available to peanut producers in time for the 2014 crop year;

''(ii) shall make the development and approval of a margin coverage policy for rice producers a priority so that a margin coverage policy is available to rice producers in time for the 2014 crop year; and

''(iii) may approve a submission that is made pursuant to this subsection that would, beginning with the 2014 crop year, allow producers that purchase policies in accordance with subsection (e)(5)(A) to separate enterprise units by risk rating for acreage of crops in counties.''.

(b) ADVANCE PAYMENTS.—Section 522(b)(2)(E) of the Federal Crop Insurance Act (7 U.S.C. 1522(b)(2)(E)) is amended by striking ''50 percent'' and inserting ''75 percent''.

SEC. 11011. EQUITABLE RELIEF FOR SPECIALTY CROP POLICIES.

Section 508(k)(8)(E) of the Federal Crop Insurance Act of 1938 (7 U.S.C. 1508(k)(8)(E)) is amended by adding at the end the following new clause:

''(iii) EQUITABLE RELIEF FOR SPECIALTY CROP POLICIES.—

''(I) IN GENERAL.—For each of the 2011 through 2015 reinsurance years, in addition to the total amount of funding for reimbursement of administrative and operating costs that is otherwise required to be made available in each such reinsurance year pursuant to an agreement entered into by the Corporation, the Corporation shall use $41,000,000 to provide additional reimbursement with respect to eligible insurance contracts for any agricultural commodity that is not eligible for a benefit under subtitles A, B or C of title I of the Federal Agriculture Reform and Risk Management Act of 2013.

''(II) TREATMENT.—Additional reimbursements made under this clause shall be included as part of the base level of administrative and operating expense reimbursement to which any limit on compensation to persons involved in the direct sale and service of any eligible crop insurance contract required under an agreement entered into by the Corporation is applied.

''(III) RULE OF CONSTRUCTION.—Nothing in this clause shall be construed as statutory assent to the limit described in subclause (II).''.

SEC. 11012. BUDGET LIMITATIONS ON RENEGOTIATION OF THE STANDARD REINSURANCE AGREEMENT.

Section 508(k)(8) of the Federal Crop Insurance Act of 1938 (7 U.S.C. 1508(k)(8)) is amended by adding at the end the following new subparagraph:

''(F) BUDGET.—

''(i) IN GENERAL.—The Board shall ensure that any Standard Reinsurance Agreement negotiated under subparagraph (A)(ii), as compared to the previous Standard Reinsurance Agreement—

''(I) to the maximum extent practicable, shall be budget neutral; and

''(II) in no event, may significantly depart from budget neutrality.

''(ii) USE OF SAVINGS.—To the extent that any budget savings is realized in the renegotiation of a Standard Reinsurance Agreement under subparagraph (A)(ii), and the savings are determined not to be a significant departure from budget neutrality under clause (i), the savings shall be used to increase the obligations of the Corporation under subsections (e)(2) or (k)(4) or section 523.''.

SEC. 11013. CROP PRODUCTION ON NATIVE SOD.

(a) FEDERAL CROP INSURANCE.—Section 508(o) of the Federal Crop Insurance Act (7 U.S.C. 1508(o)) is amended—

(1) in paragraph (1)(B), by inserting '', or the producer cannot substantiate that the ground has ever been tilled,'' after ''tilled'';

(2) in paragraph (2)—

(A) in the paragraph heading, by striking ''INELIGIBILITY FOR'' and inserting ''REDUCTION IN''; and

(B) in subparagraph (A), by striking ''for benefits under—'' and all that follows through the period at the end and inserting ''for—

''(i) a portion of crop insurance premium subsidies under this subtitle in accordance with paragraph (3);

''(ii) benefits under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); and

''(iii) payments described in subsection (b) or (c) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308).''; and

(3) by striking paragraph (3) and inserting the following new paragraphs:

''(3) ADMINISTRATION.—

''(A) IN GENERAL.—During the first 4 crop years of planting on native sod acreage by a producer described in paragraph (2)—

''(i) paragraph (2) shall apply to 65 percent of the transitional yield of the producer; and

''(ii) the crop insurance premium subsidy provided for the producer under this subtitle shall be 50 percentage points less than the premium subsidy that would otherwise apply.

''(B) YIELD SUBSTITUTION.—During the period native sod acreage is covered by this subsection, a producer may not substitute yields for the native sod acreage.

''(4) APPLICATION.—This subsection shall only apply to native sod in the Prairie Pothole National Priority Area.''.

(b) NONINSURED CROP DISASTER ASSISTANCE.—Section 196(a)(4) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333(a)(4)) is amended—

(1) in the paragraph heading, by striking ''INELIGIBILITY'' and inserting ''BENEFIT REDUCTION'';

(2) in subparagraph (A)(ii), by inserting '', or the producer cannot substantiate that the ground has ever been tilled,'' after ''tilled'';

(3) in subparagraph (B)—

(A) in the subparagraph heading, by striking ''INELIGIBILITY'' and inserting ''REDUCTION IN''; and

(B) in clause (i), by striking ''for benefits under—'' and all that follows through the period at the end and inserting ''for—

''(I) benefits under this section;

''(II) a portion of crop insurance premium subsidies under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) in accordance with subparagraph (C); and

''(III) payments described in subsection (b) or (c) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308).''; and

(4) by striking subparagraph (C) and inserting the following new subparagraphs:

''(C) ADMINISTRATION.—

''(i) IN GENERAL.—During the first 4 crop years of planting on native sod acreage by a producer described in subparagraph (B)—

''(I) subparagraph (B) shall apply to 65 percent of the transitional yield of the producer; and

''(II) the crop insurance premium subsidy provided for the producer under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) shall be 50 percentage points less than the premium subsidy that would otherwise apply.

''(ii) YIELD SUBSTITUTION.—During the period native sod acreage is covered by this paragraph, a producer may not substitute yields for the native sod acreage.

''(D) APPLICATION.—This paragraph shall only apply to native sod in the Prairie Pothole National Priority Area.''.

(c) CROPLAND REPORT.—

(1) BASELINE.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the cropland acreage in each applicable county and State, and the change in cropland acreage from the preceding year in each applicable county and State, beginning with calendar year 2000 and including that information for the most recent year for which that information is available.

(2) ANNUAL UPDATES.—Not later than January 1, 2015, and each January 1 thereafter through January 1, 2018, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

(A) the cropland acreage in each applicable county and State as of the date of submission of the report; and

(B) the change in cropland acreage from the preceding year in each applicable county and State.

SEC. 11014. COVERAGE LEVELS BY PRACTICE.

Section 508 of the Federal Crop Insurance Act of 1938 (7 U.S.C. 1508) is amended by adding at the end the following new subsection:

''(p) COVERAGE LEVELS BY PRACTICE.—Beginning with the 2015 crop year, a producer that produces an agricultural commodity on both dry land and irrigated land may elect a different coverage level for each production practice.''.

SEC. 11015. BEGINNING FARMER AND RANCHER PROVISIONS.

(a) DEFINITION.—Section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)) is amended—

(1) by redesignating paragraphs (3) through (9) as paragraphs (4) through (10), respectively; and

(2) by inserting after paragraph (2) the following:

''(3) BEGINNING FARMER OR RANCHER.—The term 'beginning farmer or rancher' means a farmer or rancher who has not actively operated and managed a farm or ranch with a bona fide insurable interest in a crop or livestock as an owner-operator, landlord, tenant, or sharecropper for more than 5 crop years, as determined by the Secretary.''.

(b) PREMIUM ADJUSTMENTS.—Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) is amended—

(1) in subsection (b)(5)(E), by inserting ''and beginning farmers or ranchers'' after ''limited resource farmers'';

(2) in subsection (e), by adding at the end the following new paragraph:

''(8) PREMIUM FOR BEGINNING FARMERS OR RANCHERS.—Notwithstanding any other provision of this subsection regarding payment of a portion of premiums, a beginning farmer or rancher shall receive premium assistance that is 10 percentage points greater than premium assistance that would otherwise be available under paragraphs (2) (except for subparagraph (A) of that paragraph), (5), (6), and (7) for the applicable policy, plan of insurance, and coverage level selected by the beginning farmer or rancher.''; and

(3) in subsection (g)—

(A) in paragraph (2)(B)—

(i) in clause (i), by striking ''or'' at the end;

(ii) in clause (ii)(III), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(iii) if the producer is a beginning farmer or rancher who was previously involved in a farming or ranching operation, including involvement in the decisionmaking or physical involvement in the production of the crop or livestock on the farm, for any acreage obtained by the beginning farmer or rancher, a yield that is the higher of—

''(I) the actual production history of the previous producer of the crop or livestock on the acreage determined under subparagraph (A); or

''(II) a yield of the producer, as determined in clause (i).''; and

(B) in paragraph (4)(B)(ii) (as amended by section 11009)—

(i) by inserting ''(I)'' after ''(ii)'';

(ii) by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(II) in the case of beginning farmers or ranchers, replace each excluded yield with a yield equal to 80 percent of the applicable transitional yield.''.

SEC. 11016. STACKED INCOME PROTECTION PLAN FOR PRODUCERS OF UPLAND COTTON.

(a) AVAILABILITY OF STACKED INCOME PROTECTION PLAN FOR PRODUCERS OF UPLAND COTTON.—The Federal Crop Insurance Act is amended by inserting after section 508A (7 U.S.C. 1508a) the following new section:

''SEC. 508B. STACKED INCOME PROTECTION PLAN FOR PRODUCERS OF UPLAND COTTON.

''(a) AVAILABILITY.—Beginning not later than the 2014 crop of upland cotton, the Corporation shall make available to producers of upland cotton an additional policy (to be known as the 'Stacked Income Protection Plan'), which shall provide coverage consistent with the Group Risk Income Protection Plan (and the associated Harvest Revenue Option Endorsement) offered by the Corporation for the 2011 crop year.

''(b) REQUIRED TERMS.—The Corporation may modify the Stacked Income Protection Plan on a program-wide basis, except that the Stacked Income Protection Plan shall comply with the following requirements:

''(1) Provide coverage for revenue loss of not less than 10 percent and not more than 30 percent of expected county revenue, specified in increments of 5 percent. The deductible is the minimum percent of revenue loss at which indemnities are triggered under the plan, not to be less than 10 percent of the expected county revenue.

''(2) Be offered to producers of upland cotton in all counties with upland cotton production—

''(A) at a county-wide level to the fullest extent practicable; or

''(B) in counties that lack sufficient data, on the basis of such larger geographical area as the Corporation determines to provide sufficient data for purposes of providing the coverage.

''(3) Be purchased in addition to any other individual or area coverage in effect on the producer's acreage or as a stand-alone policy, except that if a producer has an individual or area coverage for the same acreage, the maximum coverage available under the Stacked Income Protection Plan shall not exceed the deductible for the individual or area coverage.

''(4) Establish coverage based on—

''(A) the expected price established under existing Group Risk Income Protection or area wide policy offered by the Corporation for the applicable county (or area) and crop year; and

''(B) an expected county yield that is the higher of—

''(i) the expected county yield established for the existing area-wide plans offered by the Corporation for the applicable county (or area) and crop year (or, in geographic areas where area-wide plans are not offered, an expected yield determined in a manner consistent with those of area-wide plans); or

''(ii) the average of the applicable yield data for the county (or area) for the most recent 5 years, excluding the highest and lowest observations, from the Risk Management Agency or the National Agricultural Statistics Service (or both) or, if sufficient county data is not available, such other data considered appropriate by the Secretary.

''(5) Use a multiplier factor to establish maximum protection per acre (referred to as a 'protection factor') of not less than the higher of the level established on a program wide basis or 120 percent.

''(6) Pay an indemnity based on the amount that the expected county revenue exceeds the actual county revenue, as applied to the individual coverage of the producer. Indemnities under the Stacked Income Protection Plan shall not include or overlap the amount of the deductible selected under paragraph (1).

''(7) In all counties for which data are available, establish separate coverage levels for irrigated and non-irrigated practices.

''(c) PREMIUM.—Notwithstanding section 508(d), the premium for the Stacked Income Protection Plan shall—

''(1) be sufficient to cover anticipated losses and a reasonable reserve; and

''(2) include an amount for operating and administrative expenses established in accordance with section 508(k)(4)(F).

''(d) PAYMENT OF PORTION OF PREMIUM BY CORPORATION.—Subject to section 508(e)(4), the amount of premium paid by the Corporation for all qualifying coverage levels of the Stacked Income Protection Plan shall be—

''(1) 80 percent of the amount of the premium established under subsection (c) for the coverage level selected; and

''(2) the amount determined under subsection (c)(2), subject to section 508(k)(4)(F), for the coverage to cover administrative and operating expenses.

''(e) RELATION TO OTHER COVERAGES.—The Stacked Income Protection Plan is in addition to all other coverages available to producers of upland cotton.''.

(b) CONFORMING AMENDMENT.—Section 508(k)(4)(F) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)(F)) is amended by inserting ''or authorized under subsection (c)(4)(C) or section 508B'' after ''of this subparagraph''.

SEC. 11017. PEANUT REVENUE CROP INSURANCE.

The Federal Crop Insurance Act is amended by inserting after section 508B, as added by the previous section, the following new section:

''SEC. 508C. PEANUT REVENUE CROP INSURANCE.

''(a) IN GENERAL.—Effective beginning with the 2014 crop year, the Risk Management Agency and the Corporation shall make available to producers of peanuts a revenue crop insurance program for peanuts.

''(b) EFFECTIVE PRICE.—Subject to subsection (c), for purposes of the revenue crop insurance program and the multiperil crop insurance program under this Act, the effective price for peanuts shall be equal to the Rotterdam price index for peanuts, as adjusted to reflect the farmer stock price of peanuts in the United States.

''(c) ADJUSTMENTS.—

''(1) IN GENERAL.—The effective price for peanuts established under subsection (b) may be adjusted by the Risk Management Agency and the Corporation to correct distortions.

''(2) ADMINISTRATION.—If an adjustment is made under paragraph (1), the Risk Management Agency and the Corporation shall—

''(A) make the adjustment in an open and transparent manner; and

''(B) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the reasons for the adjustment.''.

SEC. 11018. AUTHORITY TO CORRECT ERRORS.

Section 515(c) of the Federal Crop Insurance Act (7 U.S.C. 1515(c)) is amended—

(1) in the first sentence, by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary'';

(2) in the second sentence, by striking ''Beginning with'' and inserting the following:

''(2) FREQUENCY.—Beginning with''; and

(3) by adding at the end the following new paragraph:

''(3) CORRECTIONS.—

''(A) IN GENERAL.—In addition to the corrections permitted by the Corporation as of the date of enactment of the Federal Agriculture Reform and Risk Management Act of 2013, the Corporation shall allow an agent or an approved insurance provider, subject to subparagraph (B)—

''(i) within a reasonable amount of time following the applicable sales closing date, to correct unintentional errors in information that is provided by a producer for the purpose of obtaining coverage under any policy or plan of insurance made available under this subtitle to ensure that the eligibility information is correct;

''(ii) within a reasonable amount of time following—

''(I) the acreage reporting date, to correct unintentional errors in factual information that is provided by a producer after the sales closing

date to reconcile the information with the information reported by the producer to the Farm Service Agency; or

''(II) the date of any subsequent correction of data by the Farm Service Agency made as a result of the verification of information; and

''(iii) at any time, to correct unintentional errors that were made by the Farm Service Agency or an agent or approved insurance provider in transmitting the information provided by the producer to the approved insurance provider or the Corporation.

''(B) LIMITATION.—In accordance with the procedures of the Corporation, correction to the information described in clauses (i) and (ii) of subparagraph (A) may only be made if the corrections do not allow the producer—

''(i) to avoid ineligibility requirements for insurance;

''(ii) to obtain, enhance, or increase an insurance guarantee or indemnity, or avoid premium owed, if a cause of loss exists or has occurred before any correction has been made; or

''(iii) to avoid an obligation or requirement under any Federal or State law.

''(C) EXCEPTION TO LATE FILING SANCTIONS.—Any corrections made pursuant to this paragraph shall not be subject to any late filing sanctions authorized in the reinsurance agreement with the Corporation.''.

SEC. 11019. IMPLEMENTATION.

Section 515 of the Federal Crop Insurance Act (7 U.S.C. 1515) is amended—

(1) in subsection (j), by striking paragraph (1) and inserting the following new paragraph:

''(1) SYSTEMS MAINTENANCE AND UPGRADES.—

''(A) IN GENERAL.—The Secretary shall maintain and upgrade the information management systems of the Corporation used in the administration and enforcement of this subtitle.

''(B) REQUIREMENT.—

''(i) IN GENERAL.—In maintaining and upgrading the systems, the Secretary shall ensure that new hardware and software are compatible with the hardware and software used by other agencies of the Department to maximize data sharing and promote the purposes of this section.

''(ii) ACREAGE REPORT STREAMLINING INITIATIVE PROJECT.—As soon as practicable, the Secretary shall develop and implement an acreage report streamlining initiative project to allow producers to report acreage and other information directly to the Department.''; and

(2) in subsection (k), by striking paragraph (1) and inserting the following new paragraph:

''(1) INFORMATION TECHNOLOGY.—

''(A) IN GENERAL.—For purposes of subsection (j)(1), the Corporation may use, from amounts made available from the insurance fund established under section 516(c), not more than—

''(i)(I) for fiscal year 2014, $25,000,000; and

''(II) for each of fiscal years 2015 through 2018, $10,000,000; or

''(ii) if the Acreage Crop Reporting Streamlining Initiative (ACRSI) project is substantially completed by September 30, 2015, not more than $15,000,000 for each of the fiscal years 2015 through 2018.

''(B) NOTIFICATION.—The Secretary shall notify the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate of the substantial completion of the Acreage Crop Reporting Streamlining Initiative (ACRSI) project not later than July 1, 2015.''.

SEC. 11020. RESEARCH AND DEVELOPMENT PRIORITIES.

(a) AUTHORITY TO CONDUCT RESEARCH AND DEVELOPMENT, PRIORITIES.—Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) is amended—

(1) in the subsection heading by striking ''CONTRACTING'';

(2) in paragraph (1), in the matter preceding subparagraph (A), by striking ''may enter into contracts to carry out research and development to'' and inserting ''may conduct activities or enter into contracts to carry out research and development to maintain or improve existing policies or develop new policies to'';

(3) in paragraph (2)—

(A) in subparagraph (A), by inserting ''conduct research and development or'' after ''The Corporation may''; and

(B) in subparagraph (B), by inserting ''conducting research and development or'' after ''Before'';

(4) in paragraph (5), by inserting ''after expert review in accordance with section 505(e)'' after ''approved by the Board''; and

(5) in paragraph (6), by striking ''a pasture, range, and forage program'' and inserting ''policies that increase participation by producers of underserved agricultural commodities, including sweet sorghum, biomass sorghum, rice, peanuts, sugarcane, alfalfa, and specialty crops''.

(b) FUNDING.—Section 522(e) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)) is amended—

(1) in paragraph (2)—

(A) by striking ''(A) AUTHORITY.—'' and inserting ''(A) CONDUCTING AND CONTRACTING FOR RESEARCH AND DEVELOPMENT.—'';

(B) in subparagraph (A), by inserting ''conduct research and development and'' after ''the Corporation may use to''; and

(C) in subparagraph (B), by inserting ''conduct research and development and'' after ''for the fiscal year to'';

(2) in paragraph (3), by striking ''to provide either reimbursement payments or contract payments''; and

(3) by striking paragraph (4).

SEC. 11021. ADDITIONAL RESEARCH AND DEVELOPMENT CONTRACTING REQUIREMENTS.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) is amended—

(1) by redesignating paragraph (17) as paragraph (24); and

(2) by inserting after paragraph (16), the following new paragraphs:

''(17) MARGIN COVERAGE FOR CATFISH.—

''(A) IN GENERAL.—The Corporation shall offer to enter into a contract with a qualified entity to conduct research and development regarding a policy to insure producers against reduction in the margin between the market value of catfish and selected costs incurred in the production of catfish.

''(B) ELIGIBILITY.—Eligibility for the policy described in subparagraph (A) shall be limited to freshwater species of catfish that are propagated and reared in controlled or selected environments.

''(C) IMPLEMENTATION.—The Board shall review the policy described in subparagraph (B) under subsection 508(h) and approve the policy if the Board finds that the policy—

''(i) will likely result in a viable and marketable policy consistent with this subsection;

''(ii) would provide crop insurance coverage in a significantly improved form;

''(iii) adequately protects the interests of producers; and

''(iv) the proposed policy meets other requirements of this subtitle determined appropriate by the Board.

''(18) BIOMASS AND SWEET SORGHUM ENERGY CROP INSURANCE POLICIES.—

''(A) AUTHORITY.—The Corporation shall offer to enter into 1 or more contracts with qualified entities to carry out research and development regarding—

''(i) a policy to insure biomass sorghum that is grown expressly for the purpose of producing a feedstock for renewable biofuel, renewable electricity, or biobased products; and

''(ii) a policy to insure sweet sorghum that is grown for a purpose described in clause (i).

''(B) RESEARCH AND DEVELOPMENT.—Research and development with respect to each of the policies required in subparagraph (A) shall evaluate the effectiveness of risk management tools for the production of biomass sorghum or sweet sorghum, including policies and plans of insurance that—

''(i) are based on market prices and yields;

''(ii) to the extent that insufficient data exist to develop a policy based on market prices and yields, evaluate the policies and plans of insurance based on the use of weather indices, including excessive or inadequate rainfall, to protect the interest of crop producers; and

''(iii) provide protection for production or revenue losses, or both.

''(19) STUDY ON SWINE CATASTROPHIC DISEASE PROGRAM.—

''(A) IN GENERAL.—The Corporation shall contract with a qualified person to conduct a study to determine the feasibility of insuring swine producers for a catastrophic event.

''(B) REPORT.—Not later than 1 year after the date of the enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).

''(20) WHOLE FARM DIVERSIFIED RISK MANAGEMENT INSURANCE PLAN.—

''(A) IN GENERAL.—The Corporation shall conduct activities or enter into contracts to carry out research and development to develop a whole farm risk management insurance plan, with a liability limitation of $1,250,000, that allows a diversified crop or livestock producer the option to qualify for an indemnity if actual gross farm revenue is below 85 percent of the average gross farm revenue or the expected gross farm revenue that can reasonably be expected of the producer, as determined by the Corporation.

''(B) ELIGIBLE PRODUCERS.—The Corporation shall permit producers (including direct-to-consumer marketers and producers servicing local and regional and farm identity-preserved markets) who produce multiple agricultural commodities, including specialty crops, industrial crops, livestock, and aquaculture products, to participate in the plan in lieu of any other plan under this subtitle.

''(C) DIVERSIFICATION.—The Corporation may provide diversification-based additional coverage payment rates, premium discounts, or other enhanced benefits in recognition of the risk management benefits of crop and livestock diversification strategies for producers that grow multiple crops or that may have income from the production of livestock that uses a crop grown on the farm.

''(D) MARKET READINESS.—The Corporation may include coverage for the value of any packing, packaging, or any other similar on-farm activity the Corporation determines to be the minimum required in order to remove the commodity from the field.

''(E) REPORT.—Not later than 2 years after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results and feasibility of the research and development conducted under this paragraph, including an analysis of potential adverse market distortions.

''(21) STUDY ON POULTRY CATASTROPHIC DISEASE PROGRAM.—

''(A) IN GENERAL.—The Corporation shall contract with a qualified person to conduct a study to determine the feasibility of insuring poultry producers for a catastrophic event.

''(B) REPORT.—Not later than 1 year after the date of the enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).

''(22) POULTRY BUSINESS INTERRUPTION INSURANCE POLICY.—

''(A) AUTHORITY.—The Corporation shall offer to enter into a contract or cooperative agreement with a university or other legal entity to carry out research and development regarding a policy to insure the commercial production of poultry against business interruptions caused by integrator bankruptcy.

''(B) RESEARCH AND DEVELOPMENT.—As part of the research and development conducted pursuant to a contract or cooperative agreement entered into under subparagraph (A), the entity shall—

''(i) evaluate the market place for business interruption insurance that is available to poultry growers;

''(ii) determine what statutory authority would be necessary to implement a business interruption insurance through the Corporation;

''(iii) assess the feasibility of a policy or plan of insurance offered under this subtitle to insure against losses due to the bankruptcy of an business integrator; and

''(iv) analyze the costs to the Federal Government of a Federal business interruption insurance program for poultry growers.

''(C) DEFINITIONS.—In this paragraph, the terms 'poultry' and 'poultry grower' have the meanings given those terms in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)).

''(D) DEADLINE FOR CONTRACT OR COOPERATIVE AGREEMENT.—Not later than six months after the date of the enactment of this paragraph, the Corporation shall enter into the contract or cooperative agreement required by subparagraph (A).

''(E) DEADLINE FOR COMPLETION OF RESEARCH AND DEVELOPMENT.—Not later than one year after the date of the enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the research and development conducted pursuant to the contract or cooperative agreement entered into under subparagraph (A).

''(23) STUDY OF FOOD SAFETY INSURANCE.—

''(A) IN GENERAL.—The Corporation shall offer to enter into a contract with 1 or more qualified entities to conduct a study to determine whether offering policies that provide coverage for specialty crops from food safety and contamination issues would benefit agricultural producers.

''(B) SUBJECT.—The study described in subparagraph (A) shall evaluate policies and plans of insurance coverage that provide protection for production or revenue impacted by food safety concerns including, at a minimum, government, retail, or national consumer group announcements of a health advisory, removal, or recall related to a contamination concern.

''(C) REPORT.—Not later than 1 year after the date of enactment of this paragraph, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subparagraph (A).''.

SEC. 11022. PROGRAM COMPLIANCE PARTNERSHIPS.

Paragraph (1) of section 522(d) of the Federal Crop Insurance Act (7 U.S.C. 1522(d)) is amended to read as follows:

''(1) PURPOSE.—The purpose of this subsection is to authorize the Corporation to enter into partnerships with public and private entities for the purpose of either—

''(A) increasing the availability of loss mitigation, financial, and other risk management tools for producers, with a priority given to risk management tools for producers of agricultural commodities covered by section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333), specialty crops, and underserved agricultural commodities; or

''(B) improving analysis tools and technology regarding compliance or identifying and using innovative compliance strategies.''.

SEC. 11023. PILOT PROGRAMS.

Section 523(a) of the Federal Crop Insurance Act (7 U.S.C. 1523(a)) is amended—

(1) in paragraph (1), by inserting '', at the sole discretion of the Corporation,'' after ''may''; and

(2) by striking paragraph (5).

SEC. 11024. TECHNICAL AMENDMENTS.

(a) ELIGIBILITY FOR DEPARTMENT PROGRAMS.—Section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)) is amended—

(1) by striking paragraph (7); and

(2) by redesignating paragraphs (8) through (11) as paragraphs (7) through (10), respectively.

(b) EXCLUSIONS TO ASSISTANCE FOR LOSSES DUE TO DROUGHT CONDITIONS.—

(1) IN GENERAL.—Section 531(d)(3)(A) of the Federal Crop Insurance Act (7 U.S.C. 1531(d)(3)(A)) is amended—

(A) by striking ''(A) ELIGIBLE LOSSES.—'' and all that follows through ''An eligible'' in clause (i) and inserting the following:

''(A) ELIGIBLE LOSSES.—An eligible'';

(B) by striking clause (ii); and

(C) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively, and indenting appropriately.

(2) CONFORMING AMENDMENT.—Section 901(d)(3)(A) of the Trade Act of 1974 (19 U.S.C. 2497(d)(3)(A)) is amended—

(A) by striking ''(A) ELIGIBLE LOSSES.—'' and all that follows through ''An eligible'' in clause (i) and inserting the following:

''(A) ELIGIBLE LOSSES.—An eligible'';

(B) by striking clause (ii); and

(C) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively, and indenting appropriately.

TITLE XII—MISCELLANEOUS

Subtitle A—Livestock

SEC. 12101. NATIONAL SHEEP INDUSTRY IMPROVEMENT CENTER.

Section 375(e)(6)(C) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j(e)(6)(C)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 12102. REPEAL OF CERTAIN REGULATIONS UNDER THE PACKERS AND STOCKYARDS ACT, 1921.

(a) REPEAL OF CERTAIN REGULATION REQUIREMENT.—Section 11006 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2120) is repealed.

(b) REPEAL OF CERTAIN EXISTING REGULATION.—Subsection (n) of section 201.2 of title 9, Code of Federal Regulations, is repealed.

(c) PROHIBITION ON ENFORCEMENT OF CERTAIN REGULATIONS OR ISSUANCE OF SIMILAR REGULATIONS.—Notwithstanding any other provision of law, the Secretary of Agriculture shall not—

(1) enforce subsection (n) of section 201.2 of title 9, Code of Federal Regulations;

(2) finalize or implement sections 201.2(l), 201.2(t), 201.2(u), 201.3(c), 201.210, 201.211, 201.213, and 201.214 of title 9, Code of Federal Regulations, as proposed to be added by the proposed rule entitled ''Implementation of Regulations Required Under Title XI of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act'' published by the Department of Agriculture on June 22, 2010 (75 Fed. Reg. 35338); or

(3) issue regulations or adopt a policy similar to the provisions—

(A) referred to in paragraph (1) or (2); or

(B) rescinded by the Secretary pursuant to section 742 of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113–6).

SEC. 12103. TRICHINAE CERTIFICATION PROGRAM.

(a) ALTERNATIVE CERTIFICATION PROCESS.—The Secretary of Agriculture shall amend the rule made under paragraph (2) of section 11010(a) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8304(a)) to implement the voluntary trichinae certification program established under paragraph (1) of such section, to include a requirement to establish an alternative trichinae certification process based on surveillance or other methods consistent with international standards for categorizing compartments as having negligible risk for trichinae.

(b) FINAL REGULATIONS.—Not later than one year after the date on which the international standards referred to in subsection (a) are adopted, the Secretary shall finalize the rule amended under such subsection.

(c) REAUTHORIZATION.—Section 10405(d)(1) of the Animal Health Protection Act (7 U.S.C. 8304(d)(1)) is amended in subparagraphs (A) and (B) by striking ''2012'' each place it appears and inserting ''2018''.

SEC. 12104. NATIONAL AQUATIC ANIMAL HEALTH PLAN.

Section 11013(d) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8322(d)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 12105. COUNTRY OF ORIGIN LABELING.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture, acting through the Office of the Chief Economist, shall conduct an economic analysis of the proposed rule entitled ''Mandatory Country of Origin Labeling of Beef, Pork, Lamb, Chicken, Goat Meat, Wild and Farm-raised Fish and Shellfish, Perishable Agricultural Commodities, Peanuts, Pecans, Ginseng and Macadamia Nuts'' published by the Department of Agriculture on March 12, 2013 (76 Fed. Reg. 15645).

(b) CONTENTS.—The economic analysis described in subsection (a) shall include, with respect to the labeling of beef, pork, and chicken, an analysis of the impact on consumers, producers, and packers in the United States of—

(1) the implementation of subtitle D of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638 et seq.); and

(2) the proposed rule referred to in subsection (a).

SEC. 12106. NATIONAL ANIMAL HEALTH LABORATORY NETWORK.

Subtitle E of title X of the Farm Security and Rural Investment Act of 2002 is amended by inserting after section 10409 (7 U.S.C. 8308) the following new section:

''SEC. 10409A. NATIONAL ANIMAL HEALTH LABORATORY NETWORK.

''(a) IN GENERAL.—The Secretary shall enter into contracts, grants, cooperative agreements, or other legal instruments with eligible laboratories for any of the following purposes:

''(1) To enhance the capability of the Secretary to detect, and respond in a timely manner to, emerging or existing threats to animal health and to support the protection of public health, the environment, and the agricultural economy of the United States.

''(2) To provide the capacity and capability for standardized—

''(A) test procedures, reference materials, and equipment;

''(B) laboratory biosafety and biosecurity levels;

''(C) quality management system requirements;

''(D) interconnected electronic reporting and transmission of data; and

''(E) evaluation for emergency preparedness.

''(3) To coordinate the development, implementation, and enhancement of national veterinary diagnostic laboratory capabilities, with special emphasis on surveillance planning and vulnerability analysis, technology development and validation, training, and outreach.

''(b) ELIGIBILITY.—An eligible laboratory under this section is a diagnostic laboratory meeting specific criteria developed by the Secretary, in consultation with State animal health officials and State and university veterinary diagnostic laboratories.

''(c) PRIORITY.—To the extent practicable and to the extent capacity and specialized expertise may be necessary, the Secretary shall give priority to existing Federal, State, and university facilities.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 12107. REPEAL OF DUPLICATIVE CATFISH INSPECTION PROGRAM.

(a) IN GENERAL.—Effective on the date of the enactment of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8701 et seq.), section 11016 of such Act (Public Law 110–246; 122 Stat. 2130) and the amendments made by such section are repealed.

(b) APPLICATION.—The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) and the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) shall be applied and administered as if section 11016 (Public Law 110–246; 122 Stat. 2130) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8701 et seq.) and the amendments made by such section had not been enacted.

SEC. 12108. NATIONAL POULTRY IMPROVEMENT PROGRAM.

The Secretary of Agriculture shall ensure that the Department of Agriculture continues to administer the diagnostic surveillance program for H5/H7 low pathogenic avian influenza with respect to commercial poultry under section 146.14 of title 9, Code of Federal Regulations (or a successor regulation) without amending the regulations in section 147.43 of title 9, Code of Federal Regulations (or a successor regulation) with respect to the governance of the General Conference Committee established under such section. The Secretary of Agriculture shall maintain—

(1) the operations of the General Conference Committee—

(A) in the physical location at which the Committee was located on the date of the enactment of this Act; and

(B) with the organizational structure within the Department of Agriculture in effect as of such date; and

(2) the funding levels for the National Poultry Improvement Plan for Commercial Poultry (established under part 146 of title 9, Code of Federal Regulations or a successor regulation) at the fiscal year 2013 funding levels for the Plan.

SEC. 12109. REPORT ON BOVINE TUBERCULOSIS IN TEXAS.

Not later than December 31, 2014, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the incidence of bovine tuberculosis in cattle in Texas. The report shall cover the period beginning on January 1, 1997, and ending on December 31, 2013.

Subtitle B—Socially Disadvantaged Producers and Limited Resource Producers

SEC. 12201. OUTREACH AND ASSISTANCE FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS AND VETERAN FARMERS AND RANCHERS.

(a) OUTREACH AND ASSISTANCE FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS AND VETERAN FARMERS AND RANCHERS.—Section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279) is amended—

(1) in the section heading, by inserting ''**AND VETERAN FARMERS AND RANCHERS**'' after ''**RANCHERS**'';

(2) in subsection (a)—

(A) in paragraph (1), by inserting ''and veteran farmers or ranchers'' after ''ranchers'';

(B) in paragraph (2)(B)(i), by inserting ''and veteran farmers or ranchers'' after ''ranchers''; and

(C) in paragraph (4)—

(i) in subparagraph (A)—

(I) in the heading of such subparagraph, by striking ''2012'' and inserting ''2018'';

(II) in clause (i), by striking ''and'' at the end;

(III) in clause (ii), by striking the period at the end and inserting ''; and''; and

(IV) by adding at the end the following new clause:

''(iii) $10,000,000 for each of fiscal years 2014 through 2018.''; and

(ii) by adding at the end the following new subparagraph:

''(E) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2014 through 2018.'';

(3) in subsection (b)(2), by inserting ''or veteran farmers and ranchers'' after ''socially disadvantaged farmers and ranchers'';

(4) in subsection (c)—

(A) in paragraph (1)(A), by inserting ''veteran farmers or ranchers and'' before ''members''; and

(B) in paragraph (2)(A), by inserting ''veteran farmers or ranchers and'' before ''members''; and

(5) in subsection (e)(5)(A)—

(A) in clause (i), by inserting ''and veteran farmers or ranchers'' after ''ranchers''; and

(B) in clause (ii), by inserting ''and veteran farmers or ranchers'' after ''ranchers''.

(b) DEFINITION OF VETERAN FARMER OR RANCHER.—Section 2501(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(e)) is amended by adding at the end the following new paragraph:

''(7) VETERAN FARMER OR RANCHER.—The term 'veteran farmer or rancher' means a farmer or rancher who served in the active military, naval, or air service, and who was discharged or released from the service under conditions other than dishonorable.''.

SEC. 12202. OFFICE OF ADVOCACY AND OUTREACH.

Paragraph (3) of section 226B(f) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934(f)) is amended to read as follows:

''(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection—

''(A) such sums as are necessary for each of fiscal years 2009 through 2013; and

''(B) $2,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 12203. SOCIALLY DISADVANTAGED FARMERS AND RANCHERS POLICY RESEARCH CENTER.

Section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), as amended by section 12201, is amended by adding at the end the following new subsection:

''(i) SOCIALLY DISADVANTAGED FARMERS AND RANCHERS POLICY RESEARCH CENTER.—The Secretary shall award a grant to a college or university eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee University, to establish a policy research center to be known as the 'Socially Disadvantaged Farmers and Ranchers Policy Research Center' for the purpose of developing policy recommendations for the protection and promotion of the interests of socially disadvantaged farmers and ranchers.''.

Subtitle C—Other Miscellaneous Provisions

SEC. 12302. GRANTS TO IMPROVE SUPPLY, STABILITY, SAFETY, AND TRAINING OF AGRICULTURAL LABOR FORCE.

Subsection (d) of section 14204 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2008q–1) is amended to read as follows:

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) such sums as are necessary for each of fiscal years 2008 through 2013; and

''(2) $10,000,000 for each of fiscal years 2014 through 2018.''.

SEC. 12303. PROGRAM BENEFIT ELIGIBILITY STATUS FOR PARTICIPANTS IN HIGH PLAINS WATER STUDY.

Section 2901 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1818) is amended by striking ''this Act or an amendment made by this Act'' and inserting ''this Act, an amendment made by this Act, the Federal Agriculture Reform and Risk Management Act of 2013, or an amendment made by the Federal Agriculture Reform and Risk Management Act of 2013''.

SEC. 12304. OFFICE OF TRIBAL RELATIONS.

(a) IN GENERAL.—Title III of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 is amended by adding after section 308 (7 U.S.C. 3125a note; Public Law 103–354) the following new section:

''SEC. 309. OFFICE OF TRIBAL RELATIONS.

''The Secretary shall establish in the Office of the Secretary an Office of Tribal Relations to advise the Secretary on policies related to Indian tribes.''.

(b) CONFORMING AMENDMENT.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended by inserting after paragraph (9), as added by section 4207, the following new paragraph:

''(10) the authority of the Secretary to establish in the Office of the Secretary the Office of Tribal Relations in accordance with section 309; and''.

SEC. 12305. MILITARY VETERANS AGRICULTURAL LIAISON.

(a) IN GENERAL.—Subtitle A of the Department of Agriculture Reorganization Act of 1994 is amended by inserting after section 218 (7 U.S.C. 6918) the following new section:

''SEC. 219. MILITARY VETERANS AGRICULTURAL LIAISON.

''(a) AUTHORIZATION.—The Secretary shall establish in the Department the position of Military Veterans Agricultural Liaison.

''(b) DUTIES.—The Military Veterans Agricultural Liaison shall—

''(1) provide information to returning veterans about, and connect returning veterans with, beginning farmer training and agricultural vocational and rehabilitation programs appropriate to the needs and interests of returning veterans, including assisting veterans in using Federal veterans educational benefits for purposes relating to beginning a farming or ranching career;

''(2) provide information to veterans concerning the availability of and eligibility requirements for participation in agricultural programs, with particular emphasis on beginning farmer and rancher programs;

''(3) serve as a resource for assisting veteran farmers and ranchers, and potential farmers and ranchers, in applying for participation in agricultural programs; and

''(4) advocate on behalf of veterans in interactions with employees of the Department.''.

(b) CONFORMING AMENDMENT.—Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended by inserting after paragraph (10), as added by section 12304, the following new paragraph:

''(11) the authority of the Secretary to establish in the Department the position of Military Veterans Agricultural Liaison in accordance with section 219.''.

SEC. 12306. PROHIBITION ON KEEPING GSA LEASED CARS OVERNIGHT.

Effective immediately, a Federal employee of a State office of the Farm Service Agency in the field and non-Federal employees of county and area committees established under section 8(b)(5) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)(5)) shall keep leased interagency motor pool vehicles at a location listed on the General Services Administration inventory of owned and leased properties or a location owned or leased by the Department of Agriculture overnight unless the employee assigned the vehicle is on overnight, approved travel status involving per diem.

SEC. 12307. NONINSURED CROP ASSISTANCE PROGRAM.

Section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333), as amended by section 11013(b), is further amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following new paragraph:

''(1) IN GENERAL.—

''(A) COVERAGES.—In the case of an eligible crop described in paragraph (2), the Secretary of Agriculture shall operate a noninsured crop disaster assistance program to provide coverages based on individual yields (other than for value-loss crops) equivalent to—

''(i) catastrophic risk protection available under section 508(b) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)); or

''(ii) additional coverage available under subsections (c) and (h) of section 508 of that Act (7 U.S.C. 1508) that does not exceed 65 percent.

''(B) ADMINISTRATION.—The Secretary shall carry out this section through the Farm Service Agency (referred to in this section as the 'Agency').''; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) in clause (i), by striking ''and'' after the semicolon at the end;

(II) by redesignating clause (ii) as clause (iii); and

(III) by inserting after clause (i) the following new clause:

''(ii) for which additional coverage under subsections (c) and (h) of section 508 of that Act (7 U.S.C. 1508) is not available; and''; and

(ii) in subparagraph (B), by inserting ''sweet sorghum, biomass sorghum,'' before ''and industrial crops'';

(2) in subsection (d), by striking ''The Secretary'' and inserting ''Subject to subsection (l), the Secretary''; and

(3) by adding at the end the following new subsection:

''(l) PAYMENT EQUIVALENT TO ADDITIONAL COVERAGE.—

''(1) IN GENERAL.—The Secretary shall make available to a producer eligible for noninsured assistance under this section a payment equivalent to an indemnity for additional coverage under subsections (c) and (h) of section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) that does not exceed 65 percent of the established yield for the eligible crop on the farm, computed by multiplying—

''(A) the quantity that is not greater than 65 percent of the established yield for the crop, as determined by the Secretary, specified in increments of 5 percent;

''(B) 100 percent of the average market price for the crop, as determined by the Secretary; and

''(C) a payment rate for the type of crop, as determined by the Secretary, that reflects—

''(i) in the case of a crop that is produced with a significant and variable harvesting expense, the decreasing cost incurred in the production cycle for the crop that is, as applicable—

''(I) harvested;

''(II) planted but not harvested; or

''(III) prevented from being planted because of drought, flood, or other natural disaster, as determined by the Secretary; or

''(ii) in the case of a crop that is produced without a significant and variable harvesting expense, such rate as shall be determined by the Secretary.

''(2) PREMIUM.—To be eligible to receive a payment under this subsection, a producer shall pay—

''(A) the service fee required by subsection (k); and

''(B) a premium for the applicable crop year that is equal to the product obtained by multiplying—

''(i) the number of acres devoted to the eligible crop;

''(ii) the established yield for the eligible crop, as determined by the Secretary under subsection (e);

''(iii) the coverage level elected by the producer;

''(iv) the average market price, as determined by the Secretary; and

''(v) .0525.

''(3) LIMITED RESOURCE, BEGINNING, AND SOCIALLY DISADVANTAGED FARMERS.—The additional coverage made available under this subsection shall be available to limited resource, beginning, and socially disadvantaged producers, as determined by the Secretary, in exchange for a premium that is 50 percent of the premium determined for a producer under paragraph (2).

''(4) PREMIUM PAYMENT AND APPLICATION DEADLINE.—

''(A) PREMIUM PAYMENT.—A producer electing additional coverage under this subsection shall pay the premium amount owed for the additional coverage by September 30 of the crop year for which the additional coverage is purchased.

''(B) APPLICATION DEADLINE.—The latest date on which additional coverage under this subsection may be elected shall be the application closing date described in subsection (b)(1).

''(5) EFFECTIVE DATE.—Additional coverage under this subsection shall be available beginning with the 2015 crop.''.

SEC. 12308. ENSURING HIGH STANDARDS FOR AGENCY USE OF SCIENTIFIC INFORMATION.

(a) REQUIREMENT FOR FINAL GUIDELINES.—Not later than January 1, 2014, each Federal agency shall have in effect guidelines for ensuring and maximizing the quality, objectivity, utility, and integrity of scientific information relied upon by such agency.

(b) CONTENT OF GUIDELINES.—The guidelines described in subsection (a), with respect to a Federal agency, shall ensure that—

(1) when scientific information is considered by the agency in policy decisions—

(A) the information is subject to well-established scientific processes, including peer review where appropriate;

(B) the agency appropriately applies the scientific information to the policy decision;

(C) except for information that is protected from disclosure by law or administrative practice, the agency makes available to the public the scientific information considered by the agency;

(D) the agency gives greatest weight to information that is based on experimental, empirical, quantifiable, and reproducible data that is developed in accordance with well-established scientific processes; and

(E) with respect to any proposed rule issued by the agency, such agency follows procedures that include, to the extent feasible and permitted by law, an opportunity for public comment on all relevant scientific findings;

(2) the agency has procedures in place to make policy decisions only on the basis of the best reasonably obtainable scientific, technical, economic, and other evidence and information concerning the need for, consequences of, and alternatives to the decision; and

(3) the agency has in place procedures to identify and address instances in which the integrity of scientific information considered by the agency may have been compromised, including instances in which such information may have been the product of a scientific process that was compromised.

(c) APPROVAL NEEDED FOR POLICY DECISIONS TO TAKE EFFECT.—No policy decision issued after January 1, 2014, by an agency subject to this section may take effect prior to such date that the agency has in effect guidelines under subsection (a) that have been approved by the Director of the Office of Science and Technology Policy.

(d) POLICY DECISIONS NOT IN COMPLIANCE.—

(1) IN GENERAL.—Subject to paragraph (2), a policy decision of an agency that does not comply with guidelines approved under subsection (c) shall be deemed to be arbitrary, capricious, an abuse of discretion, and otherwise not in accordance with law.

(2) EXCEPTION.—This subsection shall not apply to policy decisions that are deemed to be necessary because of an imminent threat to health or safety or because of another emergency.

(e) DEFINITIONS.—For purposes of this section:

(1) AGENCY.—The term ''agency'' has the meaning given such term in section 551(1) of title 5, United States Code.

(2) POLICY DECISION.—The term ''policy decision'' means, with respect to an agency, an agency action as defined in section 551(13) of title 5, United States Code, (other than an adjudication, as defined in section 551(7) of such title), and includes—

(A) the listing, labeling, or other identification of a substance, product, or activity as hazardous or creating risk to human health, safety, or the environment; and

(B) agency guidance.

(3) AGENCY GUIDANCE.—The term ''agency guidance'' means an agency statement of general applicability and future effect, other than a regulatory action, that sets forth a policy on a statutory, regulatory, or technical issue or on an interpretation of a statutory or regulatory issue.

SEC. 12309. EVALUATION REQUIRED FOR PURPOSES OF PROHIBITION ON CLOSURE OR RELOCATION OF COUNTY OFFICES FOR THE FARM SERVICE AGENCY.

(a) PROHIBITION ON CLOSURE OR RELOCATION OF OFFICES WITH HIGH WORKLOAD VOLUME.—Section 14212 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 6932a) is amended by striking subsection (a) and inserting the following new subsection:

''(a) PROHIBITION ON CLOSURE OR RELOCATION OF OFFICES WITH HIGH WORKLOAD VOLUME.—The Secretary of Agriculture may not close or relocate a county or field office of the Farm Service Agency in a State if the Secretary determines, after conducting the evaluation required

under subsection (b)(1)(B), that the office has a high workload volume compared with other county offices in the State.''.

(b) WORKLOAD EVALUATION.—Section 14212(b)(1) of such Act (7 U.S.C. 6932a(b)(1)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and moving the margins of such clauses two ems to the right;

(2) by striking ''the Farm Service Agency, to the maximum extent practicable'' and inserting ''the Farm Service Agency—

''(A) to the maximum extent practicable'';

(3) in clause (ii) (as redesignated by paragraph (1))—

(A) by inserting ''as of the date of the enactment of this Act'' after ''employees''; and

(B) by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following new subparagraph:

''(B) conduct and complete an evaluation of all workload assessments for Farm Service Agency county offices that were open and operational as of January 1, 2012, during the period that begins on a date that is not later than 180 days after the date of the enactment of the Federal Agriculture Reform and Risk Management Act of 2013 and ends on the date that is 18 months after such date of enactment.''.

(c) NOTICE REQUIRED.—Section 14212(b)(2) of such Act (7 U.S.C. 6932a(b)(2)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''After the period referred to in subsection (a)(1), the Secretary of Agriculture may not close a county or field office of the Farm Service Agency unless—'' and inserting ''After carrying out each of the activities required under paragraph (1), the Secretary of Agriculture shall, before closing a county or field office of the Farm Service Agency—'';

(2) in subparagraph (A), by striking ''the Secretary holds'' and inserting ''hold''; and

(3) in subparagraph (B), by striking ''the Secretary notifies'' and inserting ''notify''.

(d) CONFORMING AMENDMENT.—Section 14212(b)(1) of such Act (7 U.S.C. 6932a(b)(1)) is amended by striking ''After the period referred to in subsection (a)(1), the Secretary'' and inserting ''The Secretary''.

SEC. 12310. ACER ACCESS AND DEVELOPMENT PROGRAM.

(a) GRANTS AUTHORIZED.—The Secretary of Agriculture may make competitive grants to States, tribal governments, and research institutions to support the efforts of such States, tribal governments, and research institutions to promote the domestic maple syrup industry through the following activities:

(1) Promotion of research and education related to maple syrup production.

(2) Promotion of natural resource sustainability in the maple syrup industry.

(3) Market promotion for maple syrup and maple-sap products.

(4) Encouragement of owners and operators of privately-held land containing species of trees in the genus Acer—

(A) to initiate or expand maple-sugaring activities on the land; or

(B) to voluntarily make the land available, including by lease or other means, for access by the public for maple-sugaring activities.

(b) APPLICATION.—In submitting an application for a competitive grant under this section, a State, tribal government, or research institution shall include—

(1) a description of the activities to be supported using the grant funds;

(2) a description of the benefits that the State, tribal government, or research institution intends to achieve as a result of engaging in such activities; and

(3) an estimate of the increase in maple-sugaring activities or maple syrup production that the State, tribal government, or research institution anticipates will occur as a result of engaging in such activities.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed so as to preempt a State or tribal government law, including a State or tribal government liability law.

(d) DEFINITION OF MAPLE-SUGARING.—In this section, the term ''maple-sugaring'' means the collection of sap from any species of tree in the genus Acer for the purpose of boiling to produce food.

(e) REGULATIONS.—The Secretary of Agriculture shall promulgate such regulations as are necessary to carry out this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2014 through 2018.

SEC. 12311. REGULATORY REVIEW BY THE SECRETARY OF AGRICULTURE.

(a) REVIEW OF REGULATORY AGENDA.—The Secretary of Agriculture shall review publications that may give notice that the Environmental Protection Agency is preparing or plans to prepare any guidance, policy, memorandum, regulation, or statement of general applicability and future effect that may have a significant impact on a substantial number of agricultural entities, including—

(1) any regulatory agenda of the Environmental Protection Agency published pursuant to section 602 of title 5, United States Code;

(2) any regulatory plan or agenda published by the Environmental Protection Agency or the Office of Management and Budget pursuant to an Executive order, including Executive Order 12866; and

(3) any other publication issued by the Environmental Protection Agency or the Office of Management and Budget that may reasonably be foreseen to contain notice of plans by the Environmental Protection Agency to prepare any guidance, policy, memorandum, regulation, or statement of general applicability and future effect that may have a significant impact on a substantial number of agricultural entities.

(b) INFORMATION GATHERING.—For a publication item reviewed under subsection (a) that the Secretary determines may have a significant impact on a substantial number of agricultural entities, the Secretary shall—

(1) solicit from the Administrator of the Environmental Protection Agency any information the Administrator may provide to facilitate a review of the publication item;

(2) utilize the Chief Economist of the Department of Agriculture to produce an economic impact statement for the publication item that contains a detailed estimate of potential costs to agricultural entities;

(3) identify individuals representative of potentially affected agricultural entities for the purpose of obtaining advice and recommendations from such individuals about the potential impacts of the publication item; and

(4) convene a review panel for analysis of the publication item that includes the Secretary, any full-time Federal employee of the Department of Agriculture appointed to the panel by the Secretary, and any employee of the Environmental Protection Agency or the Office of Information and Regulatory Affairs within the Office of Management and Budget that accepts an invitation from the Secretary to participate in the panel.

(c) DUTIES OF THE REVIEW PANEL.—A review panel convened for a publication item under subsection (b)(4) shall—

(1) review any information or material obtained by the Secretary and prepared in connection with the publication item, including any draft proposed guidance, policy, memorandum, regulation, or statement of general applicability and future effect;

(2) collect advice and recommendations from agricultural entity representatives identified by the Administrator after consultation with the Secretary;

(3) compile and analyze such advice and recommendations; and

(4) make recommendations to the Secretary based on the information gathered by the review panel or provided by agricultural entity representatives.

(d) COMMENTS.—

(1) IN GENERAL.—Not later than 60 days after the date the Secretary convenes a review panel pursuant to subsection (b)(4), the Secretary shall submit to the Administrator comments on the planned or proposed guidance, policy, memorandum, regulation, or statement of general applicability and future effect for consideration and inclusion in any related administrative record, including—

(A) a report by the Secretary on the concerns of agricultural entities;

(B) the findings of the review panel;

(C) the findings of the Secretary, including any adopted findings of the review panel; and

(D) recommendations of the Secretary.

(2) PUBLICATION.—The Secretary shall publish the comments in the Federal Register and make the comments available to the public on the public Internet website of the Department of Agriculture.

(e) WAIVERS.—The Secretary may waive initiation of the review panel under subsection (b)(4) as the Secretary determines appropriate.

(f) DEFINITION OF AGRICULTURAL ENTITY.—In this section, the term ''agricultural entity'' means any entity involved in or related to agricultural enterprise, including enterprises that are engaged in the business of production of food and fiber, ranching and raising of livestock, aquaculture, and all other farming and agricultural related industries.

SEC. 12312. AGRICULTURAL COMMODITY DEFINITION.

Section 513(1) of the Commodity Promotion, Research, and Information Act of 1996 (7 U.S.C. 7412(1)), as amended by section 10004(g), is amended—

(1) by redesignating subparagraphs (E), (F), and (G) (as added or redesignated by such section 10004(g), as the case may be) as subparagraphs (F), (G), and (H), respectively; and

(2) by inserting after subparagraph (D) the following new subparagraph:

''(E) the products of natural stone;''.

SEC. 12313. PROHIBITION ON ATTENDING AN ANIMAL FIGHTING VENTURE OR CAUSING A MINOR TO ATTEND AN ANIMAL FIGHTING VENTURE.

Section 26(a)(1) of the Animal Welfare Act (7 U.S.C. 2156(a)(1)) is amended by striking the period and inserting ''or to knowingly attend or knowingly cause a minor to attend an animal fighting venture.''.

SEC. 12314. PROHIBITION AGAINST INTERFERENCE BY STATE AND LOCAL GOVERNMENTS WITH PRODUCTION OR MANUFACTURE OF ITEMS IN OTHER STATES.

(a) IN GENERAL.—Consistent with Article I, section 8, clause 3 of the Constitution of the United States, the government of a State or locality therein shall not impose a standard or condition on the production or manufacture of any agricultural product sold or offered for sale in interstate commerce if—

(1) such production or manufacture occurs in another State; and

(2) the standard or condition is in addition to the standards and conditions applicable to such production or manufacture pursuant to—

(A) Federal law; and

(B) the laws of the State and locality in which such production or manufacture occurs.

(b) AGRICULTURAL PRODUCT DEFINED.—In this section, the term ''agricultural product'' has the meaning given such term in section 207 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1626).

SEC. 12315. INCREASED PROTECTION FOR AGRICULTURAL INTERESTS IN THE MISSOURI RIVER BASIN.

(a) FINDINGS.—Congress finds the following:

(1) Record runoff occurred in the Missouri River basin during 2011 as a result of historic rainfall over portions of the upper basin coupled with heavy plains and mountain snowpack.

(2) Runoff above Sioux City, Iowa, during the 5-month period of March through July totaled an estimated 48.4 million acre-feet (referred to in this section as ''MAF''). This runoff volume was more than 20 percent greater than the design storm for the Missouri River Mainstem Reservoir System (referred to in this section as the ''System''), which was based on the 1881 runoff of 40.0 MAF during the same 5-month period.

(3) During the 2011 runoff season, nearly 61 million acre-feet of water entered the Missouri River system, far surpassing the previous record of 49 MAF in runoff that was set during the flood of 1997.

(4) Given the incredible amount of water entering the System, the summer months were spent working to evacuate as much water from the System as possible, ultimately leading to record high water releases from Gavins Point Dam of 160,000 cubic feet per second, a rate that more than doubled the previous release record of 70,000 cubic feet per second set in 1997.

(5) For nearly four months, those extremely high releases from Gavins Point were maintained, resulting in severe and sustained flooding, with much of western Iowa and eastern Nebraska as well as portions of South Dakota, Kansas, and Missouri inundated by a flooding river three to five feet deep, up to 11 miles wide, and flowing at a rate of 4 to 11 miles per hour.

(6) Thousands of homes and businesses were damaged or destroyed and hundreds of millions of dollars in damage was done to roads and other public infrastructure.

(7) In addition to the homes, businesses, and infrastructure impacted by the flooding, hundreds of thousands of acres of cropland were affected.

(8) The Department of Agriculture has estimated that 400,000 to 500,000 acres of some of the most productive crop land in the world was flooded in 2011.

(9) Local Farm Services Agency representatives have estimated that $82,100,000 was lost in 2011 alone due to damaged or lost crops and unplanted acres.

(10) Not only did the flooding eliminate the 2011 crop, but it is highly unlikely that many farmers will be able to put that land back into production at any point in the near future.

(11) Producers will have to contend with large piles of sand, silt, and other debris that have been deposited in their fields, meaning the impact of the 2011 flood will be felt in the agricultural communities up and down the Missouri River for many years to come.

(12) Currently, the amount of storage capacity in the System that is set aside for flood control is based upon the vacated space required to control the 1881 flood, because prior to the 2011 flood, the 1881 flood was seen as the ''high water mark''.

(13) Given the historic flooding that took place in 2011, it is clear that that year's flooding now represents a new ''high water mark'', surpassing the flooding of even the 1881 flood.

(14) It is important that the flood control related functions of the System management be adjusted to reflect the reality of the 2011 flood as the new ''worst case scenario'' for flooding along the Missouri River.

(15) System management may begin to be adjusted to account for the 2011 flood through a recalculation of the amount of storage space within the System that is allocated to flood control, using the model not of the 1881 flood, but of the greatest flood experienced—the flood of 2011.

(16) As a result of the flooding in 2011, many States received disaster declarations from the Department of Agriculture to help farmers and producers recover from the damage done by the high water.

(17) Though helpful, even the assistance provided by the Department of Agriculture will not provide many in the agriculture community with the resources to put their land back into production any time soon.

(18) Without the protection that will come from a fundamental change in the System's flood control storage allocations, farmers, producers, and other agricultural interests who may be in a position to restart their operations will find it difficult to justify doing so, given the fact that they will not be protected from similar flooding in the future.

(b) UPDATED MANAGEMENT OF THE MISSOURI RIVER TO PROTECT AGRICULTURAL INTERESTS.—In order to strengthen the agricultural economy, revitalize the rural communities, and conserve the natural resources of the Missouri River basin, the Congress directs that the Secretary of Agriculture take action to promote immediate increased flood protection to farmers, producers, and other agricultural interests in the Missouri River basin by working within its jurisdiction to support efforts—

(1) to recalculate the amount of space within the System that is allocated to flood control storage using the 2011 flood as the model; and

(2) to increase the Missouri River's channel capacity between the reservoirs and below Gavins Point.

SEC. 12316. INCREASED PROTECTION FOR AGRICULTURAL INTERESTS IN THE BLACK DIRT REGION.

In order to strengthen the agricultural economy, revitalize the rural communities, and conserve the natural resources of the Black Dirt region, the Congress directs that the Secretary of Agriculture take action to promote immediate increased flood protection to farmers, producers, and other agricultural interests around the Wallkill River and in the Black Dirt region.

The Acting CHAIR. No amendment to the amendment in the nature of a substitute made in order as original text shall be in order except those printed in part B of House Report 113–117 and amendments en bloc described in section 3 of House Resolution 271.

Except as specified in the order of the House of today, each amendment printed in part B of House Report 113–117 shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by its proponent at any time before action thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Agriculture or his designee to offer amendments en bloc consisting of amendments printed in part B of House Report 113–117 not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Agriculture or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The original proponent of an amendment included in such amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before the disposition of the amendments en bloc.

AMENDMENT NO. 1 OFFERED BY MR. MCGOVERN

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 113–117.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 1101(c), 1105, 1106, 1107, 1108, and 1109.

In section 1501(f), add the following new paragraph:

(4) DELAY IN INITIAL PAYMENTS.—Payments required under this section for fiscal years 2012, 2013, and 2014 shall not be distributed before October 1, 2014.

Strike sections 4005, 4007, 4018, and 4027.

Strike section 11003.

In section 11016(a), strike ''2014'' after ''Beginning not later than the'' and insert ''2015''.

In section 11016(d)(1), strike ''80 percent'' and insert ''65 percent''.

In section 11017, strike ''2014'' after ''Effective beginning with the'' and insert ''2015''.

At the end of title XI, add the following new section:

SEC. 11025. CAP ON OVERALL RATE OF RETURN FOR CROP INSURANCE PROVIDERS AND ON REIMBURSEMENTS FOR ADMINISTRATIVE AND OPERATING EXPENSES.

(a) CAP ON OVERALL RATE OF RETURN.—Section 508(k)(3) of the Federal Crop Insurance Act 26 (7 U.S.C. 1508(k)(3)) is amended—

(1) by designating paragraph (3) as subparagraph (A) and, before such subparagraph, by inserting ''(3) RISK.—''; and

(2) by adding at the end the following new subparagraph:

''(B) CAP ON OVERALL RATE OF RETURN.—The target rate of return for all the companies combined for the 2013 and subsequent reinsurance years shall be 12 percent of retained premium.''.

(b) ADDITIONAL CAP ON REIMBURSEMENTS.—Section 508(k)(4) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)) is amended by adding at the end the following new subparagraph:

''(G) ADDITIONAL CAP ON REIMBURSEMENTS.—Notwithstanding subparagraphs (A) through (F), total reimbursements for administrative and operating costs for the 2013 insurance year for all types of policies and plans of insurance shall not exceed $900,000,000. For each subsequent insurance year, the dollar amount in effect pursuant to the preceding sentence shall be increased by the same inflation factor as established for the administrative and operating costs cap in the 2011 Standard Reinsurance Agreement.''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Massachusetts (Mr. MCGOVERN) and a Member opposed each will control 10 minutes.

Mr. LUCAS. Mr. Chairman, I rise in opposition to the amendment by the gentleman from Massachusetts (Mr. MCGOVERN).

The Acting CHAIR. The gentleman from Oklahoma will be recognized.

The Chair recognizes the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Chairman, I submit for the RECORD a list of cosponsors to McGovern amendment No. 1.

Cosponsors

DeLauro, Negrete McLeod, Jackson Lee, Moore, Connolly, Grijalva, Schakowsky, Delaney, Wilson, Grayson, Meeks, Chu, Lee, Conyers, Wasserman Schultz, Deutch, Esty, Capuano, Tsongas, Fudge, Cárdenas.

Langevin, Doggett, Ellison, Welch, DelBene, Cicilline, Doyle, Bonamici, Gallego, Blumenauer, Holt, Kennedy, Horsford, DeGette, Courtney, Pallone, Serrano, Tonko, Kilmer, Pingree, Hastings.

Edwards, DeFazio, Cohen, Sires, McDermott, Brown (FL), Clarke, Tierney, Veasey, Gene Green, Johnson (GA), Norton, Frankel, Titus, Pocan, Sarbanes, Danny Davis (IL), Roybal-Allard, Brady (PA), Lowenthal, Ben Ray Luján.

Crowley, Matsui, Beatty, Meng, Waters, Honda, Al Green, Himes, Bera, Huffman, Engel, Kuster, O'Rourke, Jeffries, Rush, Loebsack, Castor, Smith (WA), Markey, Payne Jr.

Mr. MCGOVERN. Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentleman from Minnesota (Mr. NOLAN).

Mr. NOLAN. Mr. Chairman, I rise in support of the McGovern amendment.

Mr. Chair, I rise in support of the Supplemental Nutrition Assistance Program and in opposition to some of the arguments we have heard against the program.

First, I want to point out that the average SNAP recipient receives assistance for less than one year. And, more importantly, the people who do depend on assistance for a longer period of time are populations such as the elderly, children, or the disabled: people who can't work their way out of poverty as easily.

The SNAP program faces a great deal of criticism, but I believe much of it is undeserved. The program is not perfect, but a few bad actors should not give us reason to push millions out of the system. The simple fact is, SNAP is not an isolate acronym. It represents real children and hardworking families who are just trying to make ends meet.

About 1 in 10 Minnesota residents receive SNAP benefits. That might be below the national average, but for those Minnesotans who do receive benefits, they are absolutely critical. In my state, more than 68 percent of all SNAP participants are in families with children. More than ¼ of all SNAP participants are in families with elderly or disabled members. And finally, 44 percent of all SNAP participants in Minnesota are in working families.

Now is not the time to rip assistance away from those who need it most. I will join Congressman MCGOVERN in voting to restore funding for SNAP.

Mr. MCGOVERN. Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Chairman, I rise in support of the McGovern amendment.

Mr. Chair, cuts to SNAP will devastate the most vulnerable in our communities.

550,000 Minnesotans rely on SNAP to put food on their tables.

Cuts to SNAP take away benefits for 32,000 Minnesotans.

While the FARRM Bill gives hundreds of billions of dollars to producers and processors at the very top, it balances these benefits on the backs of America's poorest citizens.

These cuts are not just statistics. They are the stories of real people in my District.

Jessica, a single mother whose SNAP benefits are essential in keeping her children clothed, fed, and in school while she takes online classes towards a degree, and works as a housekeeper. She would be living on $47 a month without the help of SNAP.

Justina and her husband, a homeless couple in Minneapolis, are both unable to work due to disability and are expecting a child. Justina relies on SNAP to stay healthy and strong throughout her pregnancy, and could not afford adequate nutrition without the help. Justina's life and the life of her baby depend on this program.

Lashonda, a mother of three who works hard at a minimum wage job and still lives below the poverty line. Without SNAP, she would have to choose between food, heat, and electricity. She depends on the SNAP program to keep the lights and heat on in her small apartment, and without it she could not provide for her family.

SNAP is good policy. SNAP works. SNAP saves lives. Do not cut funding for this program.

Mr. MCGOVERN. Mr. Chairman, I yield myself 3 minutes.

This is a debate about values and priorities.

This amendment would restore the $20.5 billion in cuts to the Supplemental Nutrition Assistance Program, or SNAP, formerly known as ''food stamps.'' It would restore those cuts by eliminating or reducing some of the wasteful, excessive subsidies to the highly profitable big agribusiness. Not only that, the amendment would actually reduce the deficit by $12 billion beyond the base bill.

At a time when millions of Americans are struggling with unemployment, with poverty and with hunger, the FARRM Bill before us today would cause 2 million of our neighbors to lose their SNAP benefits. It would kick 210,000 kids off of the free school breakfast and lunch program. That's a rotten thing to do.

Mr. LUCAS and others will argue that these SNAP cuts will only force poor people to fill out a few more forms, to jump through a few more hoops to get the assistance that they need to qualify for.

Let's think about that for a minute. Aren't we a country that reaches out to those in need? When Americans see their neighbors having a hard time, don't we show up to help without being asked? Our churches and our food banks are doing extraordinary work, but they are already stretched to the limits.

Values and priorities.

Critics of the SNAP program talk about waste, fraud and abuse, but SNAP is one of the most efficiently run government programs we have, and some of the errors in SNAP are as a result of people getting less help than they qualify for. The base bill would cut $2 billion per year from a program that helps struggling families put food on the table—$2 billion.

□ 1500

I would remind my colleagues that we spend more than $2 billion every single week propping up a corrupt Karzai government in Afghanistan. Some people who have no problem with nation-building in Afghanistan, turn their backs on nation building here at home.

Values and priorities.

Fifty million Americans struggle with hunger; 17 million of those are our children. Hunger costs our Nation dearly. There is over $100 billion a year in avoidable health care costs, lost productivity, and hungry kids who can't learn in school. SNAP is one tool to address hunger in America. Like every other human endeavor, it is not perfect. It can be improved. But it would be shortsighted and cruel to make hunger worse in America, which is exactly what this bill would do.

If we want to reduce spending on SNAP, the best way to do that is to strengthen our economy, to invest in putting people back to work.

Values and priorities.

Mr. Chair, let us stay true to our values of compassion and decency and justice. Let us give priority to those among us who are struggling in these hard times, to the least of these.

I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I yield 2 minutes to the subcommittee chairman of primary jurisdiction from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I thank the chairman of the Agriculture Committee for yielding, and I want to also thank him for his leadership on this bill.

This is a carefully balanced bill that we have, and I don't challenge the convictions of the gentleman from Massachusetts. We've had enough exchanges on this topic to know that we have a difference of opinion without a difference in disagreeable personalities by any means.

However, when I came to this Congress a little more than a decade ago, I

was looking already at this growth in, then, food stamps. The number that I memorized at the time was that there were 19 million people on food stamps. That was a lot of people. Our population hasn't grown so much that it ought to grow to 48 million people. But when we see the expansion of the dependency class in America and you add this to the 79 other means-tested welfare programs that we have in the United States and each time you add another brick to that wall, it's a barrier to people that might go out and succeed.

We're of the same heart here. We don't want people who need them and people who deserve them to go without SNAP benefits. On the other hand, we don't want to hand these out to people that are gaming the system, so to speak. So we've tightened the qualifications down on SNAP, and we've done so for a number of reasons. One of them is reports of a neon sign up on a tattoo parlor that says, ''We take EBT cards.'' You also have the report of an individual who bailed himself out of jail with an EBT card. I don't think that we want to borrow money from the Chinese to fund such a thing. I think those people can figure out how to bail themselves out and how to pay for their own tattoos.

Instead, we tighten this down, and it's a savings of $20.5 billion. It was a tough enough negotiation to get to that point. I don't know what the gentleman from Massachusetts would say is enough, and maybe I don't know what I would say is too little. Someplace in between his opinion and mine is where we've settled today on this $20.5 billion that came out of this top line that is roughly 80 percent of the overall benefits that are in this bill.

It's carefully balanced. It's carefully negotiated. It's something that has had the cooperation with the ranking member, as well. And I think it's an important thing for us to understand that you can't simply be spending advertising dollars out there to sign more people up on food stamps. That's what our Secretary of Agriculture has been doing. In this bill, we eliminate the advertising to sign people up on food stamps. That's a good thing. If people need it, they're going to figure out how to sign up without somebody knocking on their door and advertising in the newspaper, on the radio, or on the TV.

So we tighten up the system. We keep the resources for the people that need them, and we reduce this to say it's a 2.5 percent reduction in this massive growth from 19 million to 48 million. That's not too much to ask.

Mr. MCGOVERN. Mr. Chairman, I yield myself 30 seconds.

Let me again remind my colleagues that the reason why we've seen an uptick in the number of people registered for SNAP is because we are coming out of this recession, the worst economy we've had since the Great Depression.

The gentleman from Iowa says it's a carefully negotiated, carefully studied compromise. We didn't have a single hearing on it, not in his subcommittee and not in the full committee. And the people we're talking about here are people who are good, honorable, decent Americans who are going to lose their benefit.

The Congressional Budget Office says 2 million people will lose their benefits. These aren't targeted at people who somehow abuse the system. These are just 2 million people who lose their benefits, 200,000 kids off the free breakfast and lunch. That's wrong.

I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. RIBBLE).

Mr. RIBBLE. Mr. Chairman, I thank Chairman LUCAS for yielding.

SNAP is an incredibly important program in the United States. I don't think there's anybody that I've met on my side of the aisle or on theirs—and I particularly appreciate Mr. MCGOVERN's position on the fact that we need to make sure that hungry children in this country get food to eat. We want them to have good, healthy meals.

On behalf of the taxpayer, however, the data doesn't support that we continue to increase funding for SNAP. In fact, if you follow the red line here, that's unemployment in America. You see during the recession unemployment went up, as did SNAP spending. It was almost exactly at the same ratio. And as the economy began to recover and unemployment went down, as did poverty go down, SNAP funding continued to go up. In fact, from 2008 to 2011, SNAP funding went up 119 percent while poverty went up only 16 percent. Between 2010 and 2011, poverty actually went down while SNAP spending went up.

It's not just an either/or, Mr. Chairman, that we can either provide food for the poor or charge the taxpayer money. We need to do both. But as fiduciaries of the taxpayers' dollars, we must do it reasonably.

We don't want any child to go without food, but we recognize that the economy has begun to recover since 2009, where we were spending only $53 billion on SNAP. ''Only'' is the appropriate word. Today we're going to be spending $82 billion on SNAP. Unemployment went from 10.2 percent in 2009 down to 7.6 percent today. Under this basis, I wonder at what point could we ever have SNAP go down.

Here's the reality. We keep talking about $20 billion. In fact, next year, with a $2 billion cut annually, we won't even roll SNAP back effectively 1 year.

Mr. MCGOVERN. Mr. Chairman, I'm proud to yield 2 minutes to the gentleman from Oregon, a member of the Agriculture Committee, Mr. SCHRADER.

Mr. SCHRADER. Mr. Chairman, I believe strongly that we've got a deficit problem. I think most Americans agree with that. But I don't think most Americans would agree that we balance our deficit on the backs of the most vulnerable people out there, particularly the children. As was alluded to a moment ago by my good friend from Wisconsin, half the people on food stamps are children. They didn't get a job. They're still hungry.

The other point I think that is well-known by Americans is that while unemployment may have gone down, there's a lot of underemployed people and there are a lot of people that have given up searching for work because the recession lingers.

The real world is that the SNAP program is a lagging indicator. People struggle. They try and keep their job, they go into savings, they rely on friends; and then after several years, they lose their house, maybe they've already lost their job, and then they need food stamps.

I think it's egregious that we would deny them that.

There may be some inefficiencies in the program. We've been working on that for years. There's an error rate in my home State of Oregon that we're proud to say we've driven down. We were guilty of not overseeing the program. That's been driven down. We should be rewarding good behavior, not penalizing it at the end of the day.

I still have over 20 percent of my folks in Oregon that are on food stamps, and that has not changed. That's not because they're glad to be on food stamps. My folks want a job. They want to be able to feed their own families. But the real world is this was a horrible recession, the worst recession since the Great Depression, and you don't balance that budget on the backs of these kids.

If we had had a chance to vote on another food stamp bill that may have gotten down to the Senate levels of reductions, I think you wouldn't see some folks here worried about it. But this is the only game in town in trying to protect vulnerable Americans.

There's other ways to cut the program. The direct payments that we did in the Agriculture Committee, that's the way to go about it, not with the most vulnerable population.

Mr. LUCAS. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. LAMALFA).

□ 1510

Mr. LAMALFA Mr. Chairman, the changes made to SNAP are directed at reducing fraud, not at those in true need. And affecting inefficiencies that we've been dealing with for years, we have a chance to affect those inefficiencies right now in this year's farm bill, not 5 years from now.

Without the changes proposed by the committee, and made with bipartisan support, Congress tells the American

people that taxpayers should support fraudulent payments. Are we seriously debating a 2 percent reduction that centers on fraud elimination and ensuring that those we help actually qualify?

This farm bill eliminates advertising for food stamps, eliminates recruitment bonuses and payments to lottery winners, all of which divert funds away from the program's actual goal. Any individual can apply or reapply by simply meeting the income and asset requirements. These are simple, commonsense reforms that save taxpayers billions and continue to protect those truly in need. I ask my colleagues to oppose this amendment.

Mr. MCGOVERN. I insert in the RECORD CBO's statement that shows the number of people on SNAP going from 47 million to 34 million over the next 10 years.

CBO'S FEBRUARY 2013 BASELINE FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

[By fiscal year, in millions of dollars]

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
BASELINE											
Budget Authority	82,563	79,574	79,075	79,107	77,774	76,323	75,086	74,093	73,361	72,914	72,776
Outlays	82,472	79,672	79,091	79,106	77,816	76,368	75,125	74,124	73,384	72,928	72,780
PROGRAM COMPONENTS (budget authority)											
Total Benefits	76,370	73,198	72,663	72,551	71,066	69,455	68,058	66,898	65,994	65,371	65,052
Nutrition Assistance for Puerto Rico and AS	2,009	2,009	1,966	2,005	2,045	2,086	2,128	2,171	2,214	2,258	2,303
Administrative Costs/Other	4,185	4,368	4,446	4,551	4,663	4,782	4,900	5,025	5,153	5,285	5,420
MAJOR ASSUMPTIONS											
Average monthly benefits (dollars per person)	133.42	128.15	130.22	133.46	136.77	140.14	143.58	147.09	150.67	154.32	158.05
Average monthly, participation (millions of people)	47.7	47.6	46.5	45.3	43.3	41.3	39.5	37.9	36.5	35.3	34.3
Thrifty Food Plan estimated change June/June preceding year lagged [a]	102.6%	102.5%	101.6%	102.0%	102.0%	102.0%	102.0%	102.0%	102.0%	102.0%	102.0%
Unemployment rate fiscal year average	7.9%	7.9%	7.3%	6.5%	5.7%	5.5%	5.5%	5.4%	5.4%	5.3%	5.3%

Notes: Components may not sum to totals because of rounding.
AS = American Samoa
[a] The American Recovery and Reinvestment Act of 2009 (ARRA) raised the maximum benefit to 113.6% of the Thrifty Food Plan in FY 2009 and froze it at that level until regular inflation adjustments exceed it. Subsequent legislation sunsets that increase after October 31, 2013. FY 2014 number below includes the full year effect for Puerto Rico block grant.
Estimated spending from ARRA (in millions) $6,113 374.

DETAIL OF SNAP BUDGET AUTHORITY OTHER THAN BENEFITS AND NUTRITION ASSISTANCE FOR PUERTO RICO AND AMERICAN SAMOA

[By fiscal year, in millions of dollars]

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
State Administration Other Than E&T	3,068	3,123	3,182	3,261	3,347	3,438	3,527	3,623	3,721	3,821	3,925
Employment and Training (E&T)	323	327	331	336	342	349	355	362	368	376	383
Other Program Costs	124	123	125	128	131	135	138	142	145	149	153
Nutrition Education	285	401	407	416	425	434	444	454	464	475	486
Northern Mariana Islands	12	12	12	12	12	12	12	12	12	12	12
Community Food Projects	5	5	5	5	5	5	5	5	5	5	5
Program Access Grants	5	5	5	5	5	5	5	5	5	5	5
Emergency Food Assistance Commodities	267	274	278	284	289	295	301	307	313	320	326
Food Donations on Indian Reservations	96	99	101	104	107	109	112	115	119	122	125
Total	4,185	4,368	4,446	4,551	4,663	4,782	4,900	5,025	5,153	5,285	5,420
DETAIL OF EMPLOYMENT AND TRAINING FUNDS, BUDGET AUTHORITY											
100 Percent Federal Funds	99	99	99	99	99	99	99	99	99	99	99
50 Percent Federal Funds	224	228	232	237	243	250	256	263	269	277	284
Total Budget Authority	323	327	331	336	342	349	355	362	368	376	383

Note: Details may not sum to totals because of rounding.

I yield 1 minute to the distinguished Democratic leader, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding; but more importantly, I thank him for his outstanding leadership for helping us live the Bible here in the Congress. He has been a relentless, dissatisfied, persistent champion for feeding the hungry in America and throughout the world. He is the living example, personification of the Gospel of Matthew, and I appreciate the statements you made earlier about priorities and the least of our brethren.

I thank you, Mr. MCGOVERN, for your leadership day in and day out of the task force on hunger and working with Congresswoman DELAURO, an appropriator, who shares your value on this subject. You both have been magnificent.

And I thank you as a mom, because we all have our motivation for going into politics or deciding that we're going to run for office, and my motivation can be described in three words: the children, the children, the children. As a mother of five myself and as a grandmother, I know how children thrive when they have the attention, the love, the food, and the care that they need.

It is always a wonderment to me that in this, the greatest country that ever existed in the history of the world, that one in four or one in five children goes to sleep hungry at night. So it is another wonderment to me why we should even have to have this conversation on the floor of the House as to whether we, as a nation, are prepared to feed our children.

We are all familiar with the comment, ''from the mouths of babes.'' From the mouth of babes. It's sometimes followed by ''come gems.'' In this case, ''from the mouths of babes comes food.'' Food to live, to be sustained, to be healthy, food to study and do well in school, food to have respect in their family and their friends and all the rest.

What's really interesting about it, though, for all the sentiment that is involved about feeding the children of our country, it makes economic sense to do so as well. The CBO, the Congressional Budget Office, says that rate increases of SNAP benefits is one of the two best options to boost growth and jobs in a weak economy. For every $1 invested in the SNAP program, for every $1 invested in that initiative, $1.70 is injected into the economy for economic activity. This purchasing power given to families who will spend it immediately because this is a necessity, this purchasing, injects demand into the economy, creating jobs. Don't take it from me. The Congressional Budget Office says this is one of the two best ways to boost growth.

Another economic aspect of this is that, as has been said over and over again, nearly 20 million children—20 million children—are the beneficiaries of food stamps.

Why do those families need food stamps? Well, some of them are families that are making the minimum wage. In fact, if you're a family of four and you have two wage earners, Mr. Chairman, the income you make from two wage earners making the minimum wage still has you below the poverty line and eligible for food stamps. Two wage earners making the minimum wage cannot afford to put food on the table; hence, they qualify for food stamps.

These food stamps in some ways are subsidizing a too low minimum wage in our country. So, speaking of the children, the children, the children, I hope that one of the other things that we will do here is to raise minimum wage, because that is the decent thing to do.

But many of the same people who want to cut food stamps—in fact, 2 million families out of food stamps—are the same people who are opposed to increasing the minimum wage. So it's a question of fairness. It's a question of decency. It's a question of respect for all of God's children. It's also a question of doing the right thing not only for the children but for our economy—$1.70 of economic growth injected for every $1 spent on food stamps.

Now, to cut food stamps and, therefore, reduce that economic growth might be considered one of the least smart ideas that you will hear here, but there is so much competition for that designation that it just fits comfortably among initiatives to suppress the wages and to cut food stamps. It's all part of a package, and it is not a pretty sight.

That's why, Mr. MCGOVERN, your relentless, persistent, dissatisfied advocacy is such a beautiful thing in this arena where people take very lightly cutting 2 million people off of food stamps.

I urge our colleagues to support the McGovern amendment.

Mr. LUCAS. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Mr. Chairman, I rise in strong opposition to the gentleman's amendment.

The Ag Committee has worked diligently in a bipartisan manner to craft these reforms to the food stamp program that this amendment would strip out totally. The argument that somehow we can food stamp our way into a great economy is a bit false in the sense that it doesn't reflect that we are borrowing 40 cents of every dollar that we are putting into the program.

The families that the previous speaker referenced will still remain on food stamps. If you qualify on the income and asset side, you'll stay on the program. If you make too much money to qualify directly for food stamps, those are the folks who will be getting out as part of the $20 billion that we'll save in this program. It's a 2 percent reduction. I'm hard pressed to understand how we could have a near 5 percent reduction in the beneficiaries by cutting only 2 percent of the spending. We'll trim it from $80 billion a year to $78 billion a year.

Much of the conversation you'll hear and justification for not going along with these reforms sounds like we're gutting and destroying the entire program. We are not. These are modest reforms that we believe are appropriate at this time, and I urge my colleagues to vote against the McGovern amendment and support what the bipartisan Committee on Agriculture did.

Mr. MCGOVERN. I yield 1 minute to the gentlewoman from California (Ms. LEE) who has been a champion on this issue, and I'm proud that she's here.

Ms. LEE of California. Let me thank Congressman MCGOVERN for yielding and also for your tremendous leadership, not only in preserving our safety net, but your tireless work to eliminate hunger, which really should be an oxymoron in America.

I'm a proud cosponsor and rise in strong support of this amendment to safeguard hungry children and families across America.

Mr. Chairman, this farm bill would make heartless and harmful cuts to our Nation's frontline defense against hunger, the SNAP program. Oftentimes, people need a safety net, a bridge over troubled waters to help them through difficult economic times.

□ 1520

And yet these huge cuts come, even while they preserve wasteful subsidies for huge agribusiness, that really don't need corporate subsidies to continue with their huge profits.

Taking away food from hungry children hurts their health, their educational outcome, and restricts their economic prospects for their entire adult lives. And the Federal Government will end up paying more for their health care and their education, and get less revenue from their taxes.

As a former food stamp recipient, I know for a fact no one wants to be on food stamps. People want to work.

Mr. LUCAS. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Dr. YOHO).

Mr. YOHO. I thank the gentleman from Oklahoma.

Mr. Chairman, I stand in opposition to Mr. MCGOVERN's amendment because the amount removed from the food stamp program will not remove one calorie off anyone's plate that deserves it or requires this assistance.

And I know the importance, personally, of having to go on food stamps. When my wife and I first got married, we were 19½. The interest rates in the economy went to 20 percent, and we had to get on food stamps for a short period of time. So I understand the need for those.

But yet let's look at the facts here. Out of the whole bill, of $940 billion being spent over 10 years we're looking at here, 80 percent of that goes to the food stamp program, which is approximately $752 billion. Eighty percent of the farm bill is going to that. Only 20 percent is actually going to the farmers, and we've cut that drastically over the last couple of years.

And so this is just a commonsense approach of reducing the amount of money that we're spending in this country. And I stand in opposition to this amendment.

Mr. MCGOVERN. Mr. Chairman, I'd like to yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Let me just say to my colleague a few minutes ago who was up on this floor and talking against the food stamp program and against the McGovern amendment, I think it's important to note this is not my making this up, but this is an individual who has received almost $4.7 million in farm subsidies since 1995, including nearly $1.2 million in direct payments.

Now, I don't know whether that is a program that is means tested, that's asset tested, and that has a cap on it. No, this is free money for people who serve in this body. And these are the same folks who want to cut the food stamp program.

I rise in strong support of this amendment to replace those deep cuts to the food stamp program, which is our Nation's most important anti-hunger program. All across the country, cities, suburbs, rural communities, from the coast to the heartland, nearly 50 million Americans are struggling with hunger, and almost 20 million of them are our children. No part of the country is immune.

We should not destroy what has been a longstanding, bipartisan tradition to give crucial nutrition assistance. This is what this farm bill does. It cuts out the nutrition program for 2 million people, a million of whom are children.

And the research has shown us that the food stamp program is the most effective program pushing against the steep rise in poverty. Ninety-nine percent of recipients live under the poverty line. They're not getting $4.7 million in subsidies from the Federal Government.

By the way, when my colleagues on the other side of the aisle talk about waste, fraud and abuse, this is a program with a 3.8 percent error rate. I defy you to go to any other agency of the Federal Government and find that they have as low an error rate.

You want to talk about a program that really ought to be challenged in this farm bill?

Let's take a look at the crop insurance program. Look at the crop insurance program.

Support the McGovern amendment.

Mr. LUCAS. Mr. Chairman, can I inquire about how much time remains on both sides on this amendment.

The Acting CHAIR. The gentleman from Oklahoma has 3 minutes remaining. The gentleman from Massachusetts has 1 minute remaining.

Mr. LUCAS. That being the case, Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I think it's worth noting that, when the Ag Committee put

this bill together, a bill which had bipartisan support, overwhelming support from both sides of the aisle in the process, we understood that reform had to be achieved across the board.

We have reforms in the commodity title. The direct payment program goes away. We have reforms in the conservation program, $6 billion worth of savings through reforms. And, yes, we address the nutrition title.

We tried, in good faith, to pick programs that would not, in the eyes of the committee as a whole, create huge hardship on citizens.

How did we do that?

Well, categorical eligibility. If you receive some other Federal welfare benefit, under present law, you automatically get food stamps. We simply say, you have to apply. Demonstrate your income, demonstrate your assets. If you qualify, we help you. But you've got to prove you qualify.

Now, some may argue about what those assets and income levels are, but that's not the debate today. It's automatic food stamps.

Something called LIHEAP, where a number of States use the flexibility of the '96 law to say we'll help you with your home heating, and then you can automatically qualify for food stamps. There are actually some States that send out a dollar to qualify for a free month's worth of automatic food stamps.

We simply say in the bill, States, if you want to do this, power to you. But put $20 a month out. Buy more than just a cup or a pint of home heating oil. Actually put something up. That saves about $8 billion.

We tried very hard to come up with ways that would not deny the needy the help they need but, by the same token, make sure those who qualified got the help. That's only fair to the recipients who need help. It's only fair to their fellow citizens who pay for that help.

We tried, in the best way we could, to achieve reform and to help those who need the help.

Now, will these CBO numbers be in fruition when it's all calculated?

I suspect a number of people who receive automatic food stamps will be eligible. They'll fill out the paperwork, they'll demonstrate the need, they'll qualify.

But I can only work with the CBO numbers that are given to me under the rules of the House. And the rules say these two changes save $20.5 billion, half of the approximate $40 billion we save out of the overall FARRM Bill.

It's tough economic times. It's a challenging Federal budget. We're trying to do the right thing. We're trying to do it in the most difficult of circumstances.

I respect my friends, my colleagues. We just happen to disagree about how the policy will work. I sincerely believe the perspective I've offered is accurate. If my friends are accurate and I'm wrong, then we'll address this issue sometime in the very near future. If I'm right, then the people who need help will continue to get help. The Treasury will have $20-some billion of a $40 billion package to spend in other places.

I yield back the balance of my time.

Mr. MCGOVERN. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, because of prior cuts in the program already, even if we do nothing in terms of this farm bill, in terms of reducing SNAP, a family of three, on average, would lose about $30 a month in SNAP benefits. That's if we do nothing. They're already going to receive a reduction come November.

Then, on top of that is what we have in this farm bill. The CBO says that 2 million people will be thrown off the benefit. They say that over 200,000 kids will lose their free breakfast and lunch at school.

I have great respect for Chairman LUCAS. I wanted very much to support a bill that he put together; but, to me, this cut is too big and is too harsh and is going to hurt too many people.

All of us came here to help people. We all came here to help our constituents, rich and poor alike. But this here will hurt people, and that is why I urge my colleagues to support this amendment.

This cut is too big. It is too harsh. We don't need to do this. The price for a farm bill should not be to result in more hunger in America. We can do so much better. Our country is better than this.

So I urge all my colleagues, Republican and Democrat, to come together and support this amendment. Let's not make hunger worse in America.

I yield back the balance of my time.

Ms. BONAMICI. Mr. Chair, I rise in support of the McGovern amendment, which I am proud to cosponsor, and I thank the gentleman from Massachusetts for his leadership on this issue of vital importance to my constituents and to struggling families across the country.

It has been nearly six months since we voted on an eight month Farm Bill extension, and in that time I have spoken with people across Oregon's First Congressional District about their priorities. In those conversations, three central goals emerged for reauthorization. Provide certainty to the agriculture community through a five year extension, support specialty crop producers in Oregon, and fully fund the nutrition programs that provide a safety net for our friends and neighbors who are still trying to bounce back from the hard times of the latest economic recession.

The bill before us today accomplishes two of these goals, but on the third, it falls absolutely flat. To remove more than $20 billion from the SNAP program at a time when economic conditions mean that even more families are becoming eligible, is irresponsible and unfair.

Our economy continues to recover, but millions of American children and families remain in poverty. According to the Oregon Food Bank, the SNAP cuts in this year's farm bill will cause about 90,000 Oregonians to lose the assistance they rely on to put food on the table. If we're really concerned about the cost of this program, we should focus addressing the root cause. Let's cut poverty, not nutrition assistance.

For this reason I have joined the gentleman from Massachussetts, Mr. MCGOVERN, in cosponsoring this amendment that will restore funding for the SNAP program in the bill. I urge compassion for those families who are still struggling and ask that my colleagues vote in favor of the amendment.

Mrs. BEATTY. Mr. Chair, the proposed SNAP cuts in this bill will be devastating to our most vulnerable populations.

Many of the poorest Americans depend on SNAP as their only means of assistance to feed their families.

We should not turn our backs on low-income families, children, seniors and disabled.

Today, I was told a story about one of my constituents—a mother who receives a very small amount of food stamp assistance.

She said that if SNAP is cut, her kids will starve. Period.

This is the reality that so many families face, including the 2 million this bill would leave to face hunger if this amendment is not adopted.

In Franklin County, Ohio alone, there are an estimated 59,450 kids who live daily with the threat of hunger.

Without inclusion of this amendment, the current farm bill will destroy our efforts to relieve hunger within our districts and will dramatically increase the number of children, families, and older adults who are already struggling and push them to below the poverty level.

This is a commonsense amendment.

It will restore the $20.5 billion cuts in SNAP by offsetting the Farm Risk Management Election Program and the Supplemental Coverage Option.

We cannot leave our most vulnerable children and families without basic access to food.

If we do, I think we violate a core American value.

I urge my colleagues to vote to save SNAP by supporting the McGovern amendment.

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

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

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

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

□ 1530

AMENDMENT NO. 2 OFFERED BY MR. GIBBS

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 113–117.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 18, beginning on line 21, strike ''total acres planted for the year'' and insert ''base acres''.

Page 21, strike lines 1 through 22 and insert the following:

(16) REFERENCE PRICE.—The term ''reference price'', with respect to a covered commodity for a crop year, means the product obtained by multiplying—

(A) 55 percent; by

(B) the average of the national marketing year average price for the five most recent crop years, excluding each of the crop years with the highest and lowest prices.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Ohio (Mr. GIBBS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. GIBBS. Mr. Chairman, I rise today to offer the Gibbs-Kind amendment to title I of the FARRM Bill that sets the target price for all crops at 55 percent of the 5-year rolling Olympic average and changes the acreage available for target price support to 85 percent of the farmer's base acres.

At this time, I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I seek to claim time in opposition.

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

Mr. GIBBS. At this time, I yield 90 seconds to Representative KIND from the great State of Wisconsin.

Mr. KIND. Mr. Chairman, I thank my friend from Ohio for yielding me this time.

I thought his summary was very accurate on what our amendment would do. What Mr. GIBBS didn't point out, though, is this would also save $12 billion over 10 years by a more fiscally responsible approach, one that we feel is market-based, and one that we think is economically feasible, one that also maintains an important safety net for farmers if commodity prices do drop.

But, listen, the supporters of the Price Loss Coverage program, as currently drafted, will claim the program is necessary to ensure farmers have a safety net for when the market collapses. But, instead, the program in the FARRM Bill before us sets target prices so high that some commodities are guaranteed an 8 percent profit. We don't guarantee any other business in the country that type of a profit margin other than crop insurance companies that are guaranteed a 14 percent profit under this bill.

By setting the target prices for programs at this historically high level, it will all but ensure a much higher likelihood of government payouts in the future.

In fact, implementation of the Price Loss Coverage program will already require government payouts for the five top commodity crops. Rice alone would pay out $14 per hundred while the current price is at $10.50 today. So it's outrageous that while we're cutting over $20 billion in the nutrition title of the FARRM Bill, we're adding on this additional high target price with additional taxpayer subsidies in an area where it's not economically needed or feasible.

And since farmers receive these payouts on their planted acres, we are encouraging them to overplant and to plant marginal lands that probably wouldn't be brought into production anyway because their losses would be covered and the profit margin would be assured.

Also, given the fact that we're still trying to work our way out of the WTO complaint from Brazil on the cotton subsidy program, this program sets up another potential WTO trade case against us.

I encourage our colleagues to keep working with us to improve the program.

Mr. LUCAS. Mr. Chairman, I continue to reserve the balance of my time.

Mr. GIBBS. Mr. Chairman, I yield the balance of my time to myself.

Mr. Chairman, I'm going to talk a little bit. Back in the 1995 farm bill, Congress made a decision to move the programs to be more market-oriented, where farmers would plant towards the market and not towards the program.

As past-State Farm Bureau president and also a farmer, when I talk to my farmer colleagues, they want the check to come from the market and not the government. And my fear is, my concern is that the House-marked bill will distort the market prices by setting the target prices, as Representative KIND said, too high.

Let's take corn, for example. We had a drought. We saw the prices scoot up to very high levels. Well, we're seeing some rainfall, the weather kind of moderates over and averages out over a several-year period, and it's possible we could see the prices of corn, for example, come down and drop below these very high-set target rates, and farmers could still be profitable, still be making some money on a per-bushel basis, depending on their yield—yield has to be a factor. And when you have price loss coverage, yield is not factored in, where they could actually still be making some money on a per-bushel basis per acre and still get a government payout. That's market distortion.

It's interesting to note that the organizations that support my amendment, the National Corn Growers, the Soybean Association, many national organizations and State organizations that represent thousands of farmers out there strongly support my amendment, which, as Representative KIND said, cuts $12 billion from the committee-marked bill.

You find that kind of odd. The reason is they don't want to go back to the previous policies of 1995 where we have market distortions and farmers are planting for the program and the market is not dictating it, and they never get out of that rut.

Another concern I have is WTO concerns. When we change this to planted acres, direct benefits paid to planted acres, that's ripe for a WTO complaint and for a trade war. And this will increase, I believe, overplanting and farmers reacting for the wrong reasons and not the market reasons.

So, on that basis, Mr. Chairman, with the strong support of many of the national commodity organizations that represent thousands of farmers and strongly do not want this, we can save taxpayers $12 billion and keep a market-oriented bill and not risk exposure to taxpayers if the markets collapse to more historical levels.

Mr. KIND. Will the gentleman yield an additional 30 seconds?

Mr. GIBBS. I yield to the gentleman from Wisconsin.

Mr. KIND. I want to thank the gentleman for his leadership on this issue. As the former past Farm Bureau president in the State of Ohio and someone who is intimately familiar with these commodity programs, his lead has been crucial. He knows how the market works. And I think this program is setting up a lot of market distortions, unnecessary taxpayer subsidies that aren't economically justifiable. Our Amendment is a way of providing a safety net in a fiscally responsible manner. I hope we can continue working with the leadership of this committee to make this right.

Mr. GIBBS. I think it is very important that we do have a safety net. But the safety net can't be at a level where prices are set at or close or even above the cost of production. That distorts markets. But we need a safety net to protect our American farmers and our rural communities and continue to ensure that we have the safest and most affordable food supply in the world.

Mr. LUCAS. Mr. Chairman, I yield myself as much time as I my consume.

If Mr. GIBBS is willing, I'd like to request that he withdraw his amendment with my commitment that we would continue to work on these issues as we move forward to produce an equitable and market-oriented farm bill.

I yield to the gentleman for any response he might have.

Mr. GIBBS. Thank you, Mr. Chairman. With that commitment, I will respectfully withdraw my amendment from consideration, and I look forward to working with you and the rest of the committee, and I yield back the balance of my time.

Mr. LUCAS. I appreciate the gentleman's time, and I yield back the balance of my time.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 55 OFFERED BY MS. HERRERA BEUTLER

The Acting CHAIR. It is now in order to consider amendment No. 55 printed in part B of House Report 113–117.

Ms. HERRERA BEUTLER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title XII, add the following:

SEC. 123___. SILVICULTURAL ACTIVITIES.

Section 402(l) of the Federal Water Pollution Control Act (33 U.S.C. 1342(l)) is amended by adding at the end the following:

''(3) SILVICULTURAL ACTIVITIES.—

''(A) NPDES PERMIT REQUIREMENTS FOR SILVICULTURAL ACTIVITIES.—The Administrator shall not require a permit or otherwise promulgate regulations under this section or directly or indirectly require any State to require a permit under this section for a discharge of stormwater runoff resulting from the conduct of the following silviculture activities: nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, and road use, construction, and maintenance.

''(B) PERMITS FOR DREDGED OR FILL MATERIAL.—Nothing in this paragraph exempts a silvicultural activity resulting in the discharge of dredged or fill material from any permitting requirement under section 404.''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentlewoman from Washington (Ms. HERRERA BEUTLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. HERRERA BEUTLER. Mr. Chairman, I'm here today to join in the effort to promote this farm bill and request that my amendment be added to it.

I'm here to protect millions of jobs across the country, millions—110,000 in my home State of Washington alone—by doing something we don't hear much of in this Chamber, particularly on this side of the aisle. I'm here to say that I agree with the EPA. With respect to treating forest roads, the EPA has it right and has had it right now for nearly 40 years.

This bipartisan amendment that I'm very proud to offer with my colleague, KURT SCHRADER, simply codifies the EPA's silviculture rule that says mud and rock runoff from forest roads should not be categorized the same as industrial parking lots or factories. It makes no changes to the Clean Water Act, nor does it restrict the EPA from enforcing current law.

In a recent Ninth Circuit Court decision, a judge—not the EPA—decided this rule needed to be changed and directed the EPA to require NPDES permits for all forest roads on public or private land. This ruling would have cost private, Federal, and State and tribal landowners billions of dollars, and it would have helped kill thousands of jobs across the country.

Fortunately, the U.S. Supreme Court ultimately overturned this outrageous ruling and also believes the EPA treatment of forest roads is the correct approach.

□ 1540

However, extremist lawsuits continue to roll in, and all of them are threatening the viability of forests by potentially costing private and public landowners millions in unnecessary, unscientifically proven expenses.

Mr. Chairman, unless Congress acts, our forests will remain under the attack of baseless lawsuits that simply serve no purpose in protecting our rivers, streams, and waterways but are highly effective in killing real jobs. We're talking about jobs in wood product manufacturing: pulp, paper, forest harvesting, forest management, and the list goes on.

This provision enjoys a wide range of bipartisan support in both the House and the Senate. I urge my colleagues to stand with private landowners, job creators, Republicans and Democrats in Congress, the administration, and the Supreme Court in supporting this amendment.

I reserve the balance of my time.

Mr. SCHRADER. Mr. Chairman, I claim the time in opposition, although I am in support of the amendment.

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

There was no objection.

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

Mr. Chairman, this is a bill that's long overdue. I join in support of my colleague and friend from Washington State to lend a little rationality to the discussion about how we operate in our forests.

This legislation hopefully would not be necessary. As the gentlewoman alluded to, we've had a Supreme Court decision that would seem to indicate that the EPA rule for the last 37 years has been a good rule. Indeed, agriculture and forestry aren't classically nonpoint source polluters. They are not a factory; they are not a municipality's sewer system. They are nonpoint source emitters, if you will. I think that's the way to look at this. When you have a decision by the Supreme Court, I think it's time to hopefully verify that decision.

The concern I have and the reason why this legislation is necessary is that, while it agreed that the rule should stand, it did not really rule on the merits of the issue. We're already facing additional lawsuits from different organizations that have a misguided view of what actually goes on in the forest system.

And I find it particularly egregious that when there is a great concern about forest runoff, agricultural runoff into our streams and our rivers, that when the industry steps up and does the right thing by pushing culverts, making the roads safer and cleaner, dumping that stuff onto the forest floor, not in the river, that they get sued and asked to come up with additional permits that would cost jobs and not help us get out of this Great Recession.

So I am a strong proponent of this amendment—I think it will get overwhelming support in this great, august body—and look forward to bringing it forward.

I urge an ''aye'' vote, and I yield back the balance of my time.

Ms. HERRERA BEUTLER. I yield such time as he may consume to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN. I thank my colleagues from Oregon and Washington for their work on this amendment, bringing it forward. Look, this is extraordinarily important to men and women who work in the woods in the Northwest and across the United States.

As you've heard, for nearly four decades the Environmental Protection Agency said that driving down a forest road was not the same as pumping raw sewage into a river. They're much different activities. This amendment would prevent the Federal Government from subjecting forested communities and businesses to further costly permits for everyday activities like driving down a road.

Rural forested communities in the Northwest have been hurting for a very long time. Those who live there, we know about all the high unemployment rate, we know about the high poverty rate, we know about the percentage of kids on free and reduced lunch because of burdensome Federal regulations that have shut down activity on our Federal forests. Now lawsuits threaten to do this on our private forests as well. The last thing we need is more costly and lawsuit-prone regulations that will further impact rural communities and the good people who live there that simply want the opportunity to work in the woods, raise their families, and grow in the communities.

Passing this bipartisan amendment will provide some certainty moving forward for rural forested communities, forest managers, and the people who work in the woods. So I urge my colleagues to stand for jobs, stand for rural America, and vote for this bipartisan amendment.

Ms. HERRERA BEUTLER. I yield such time as he may consume to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. I thank the gentlelady and simply want to note for the record that I support this amendment, this bipartisan amendment. We should all vote for it.

Ms. HERRERA BEUTLER. With that, I urge my colleagues to join in this bipartisan, bicameral effort to protect jobs and protect our forest health.

I urge adoption of the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. HERRERA BEUTLER).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. FOXX

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 113–117.

Ms. FOXX. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of section 1107, add the following new subsection:

(e) CAP ON TOTAL OBLIGATIONS AND EXPENDITURES.—Notwithstanding any other provision of this section, the total amount of price loss coverage payments and revenue loss coverage payments made under this section during the period of fiscal years 2014 through 2020 shall not exceed $16,956,500. Producer agreements required by section 1108 shall specifically state that payments made under this section shall be reduced as necessary to comply with this subsection.

The Acting CHAIR. Pursuant to House Resolution 271, the gentlewoman from North Carolina (Ms. FOXX) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from North Carolina.

Ms. FOXX. Mr. Chairman, this amendment is one I've taken to calling the ''Spending Safeguard'' amendment, because it will protect taxpayers in the event CBO predictions relating to the Farm Risk Management Election program are horribly wrong.

This particular program is basically an expansion of overly generous crop insurance subsidies for producers, and it's predicted to cost about $23 billion over 10 years. But it could potentially cost more—much more. That's because the program's costs are linked to high target price estimates that well exceed historical averages. If prices fall, taxpayers will be forced to make up the difference.

As many of us are aware, the 2008 farm bill cost taxpayers 51 percent more than its drafters predicted. None of us, from Members of Congress to the budget wizards at CBO, can predict the future. That is why we must put a safeguard in place to prevent unappropriated spending from eating taxpayers alive.

My amendment will cap spending on this program at 110 percent of CBO predicted levels for the first 5 years in which payments are dispersed—fiscal years 2016 through 2020. If CBO predictions are reasonably accurate, nothing will happen; but if the predictions are horribly wrong, this amendment ensures taxpayers won't be forced to pay for another costly Washington mistake.

This is a simple amendment, but one that I hope will set an important precedent. If Congress creates new mandatory spending programs, it must put a mechanism in place to make sure costs don't spiral out of control.

As our national debt approaches $17 trillion, we simply can't afford to create new, open-ended, mandatory spending programs and set them on autopilot.

When I talk to constituents about the Federal budget, nearly all are puzzled by the concept of mandatory spending. Virtually no one of any political stripe can understand the idea of creating a law one year that imposes an unlimited, unchecked, unaccountable lien on the Treasury for all time.

Even with all the handwringing over the discretionary spending reductions called for in sequestration, we all know that, in the end, budgetary problems on the spending side of the ledger will never be resolved until we confront mandatory spending.

My amendment quells all of the uncertainties created by mandatory spending with one beautifully simple proposal that, for the first time in the memory of everyone we've talked to, puts a finite number on an otherwise infinite liability.

To be clear, this amendment applies only to one single provision—the Farm Risk Management Election program. It does not apply to SNAP and will not affect food stamp benefits or other mandatory spending programs in any way.

My amendment will safeguard taxpayers if the Farm Risk Management Election program ends up costing significantly more than advertised, prevent automatic and unappropriated spending under this program from skyrocketing, and set a striking new precedent for fiscal responsibility.

This amendment should pass with broad, bipartisan support, Mr. Chairman. Over the past few days, I've noticed that many of my Democratic colleagues share my concern about the uncertain budgetary impacts of this program. Republicans and Democrats alike should rally around this idea, which simultaneously protects taxpayers and ensures the fiscal viability of this program.

The time has come to put an end to reckless, unchecked, mandatory spending programs in the farm bill. This amendment may make those unaccustomed to the way things are done uncomfortable, but the simple truth is that the way things are done just doesn't work anymore—in fact, it never has.

Congresses of old had no problem creating obligations for future generations to fulfill. Today we have an opportunity to change course, to set things right, to take the first step toward reining in out-of-control mandatory spending. I urge my colleagues to take this step with me and support this amendment.

I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I rise in opposition to the amendment.

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

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

I rise in strong opposition to this amendment and ask my colleagues to join me in rejecting it.

I appreciate the intent of the gentlelady's amendment, which is obviously to restrain Federal spending, but being fiscally responsible has been my focus from the very beginning.

□ 1550

That is why we brought forth a bill that cuts traditional farm spending by $23 billion. That's 36 percent.

Over the last 17 years, farmers have received substantial fixed payments with 100 percent certainty. We eliminated those payments and replaced them with a risk management framework that provides support only when farmers face significant losses. Under this amendment, farmers would go from 100 percent guaranteed direct loans to a 100 percent guarantee that the safety net would fall short when they need it the most.

I urge my colleagues to consider a few key points:

Number one, we built restraint into the new farm policies. The reference prices are all below cost of production estimates. Farmers are only paid 80 on 85 percent of their acres. In the case of the PLC, they are only paid on 90 percent of their yield. Total payments on a farm are kept at total historic program acres. Ensuring that no new acres are added to the program, we have very binding payment limitations and reduced AGI limits. And if that weren't enough, the formulas that established assistance levels are constrained themselves.

Second, the programs are designed to only turn on when they're needed. The assistance is provided directly in proportion to need. We are no longer making payments for the sake of making payments. Even though it is incredibly unlikely that spending levels were ever to reach 110 percent of CBO's projected spending levels, it would be so because there has been a catastrophic drop in the market.

And the third and final point on this amendment—and I say this respectfully to my dear friend—it would be an absolute nightmare to administer. Some would say administering it is the administration's problem; but unlike a lot of legislation that flows through this town, every provision of this bill

has undergone extensive technical review to ensure its ability to be implemented. Every crop is on its own marketing year and every State has a slightly different growing season. Administering an overall program cap on a risk management tool that is designed to respond to unique risk management challenges is an incredibly challenging problem. It will tie USDA in knots.

I argue that there's a great discussion to have when we debate the technical merits of the Budget Act, but let's use the newly reformed farm safety net as a testing ground for—let's just not do that. Let's just not use it for this experiment.

I urge my colleagues to vote ''no'' on this amendment, and I reserve the balance of my time.

Ms. FOXX. Mr. Chairman, could I inquire as to how much time I have remaining.

The ACTING CHAIR. The gentlewoman has 1 minute remaining.

Ms. FOXX. Thank you, Mr. Chairman.

I am really disappointed in the chairman of the Agriculture Committee's response to this amendment. This is a really good amendment that will help us be able to predict in the future how much money is going to be spent. It will hold the CBO accountable.

If the numbers presented to us are accurate, this will never hit. I believe the chairman did not dispute my comments that the last farm bill went over budget 51 percent. We are constantly hearing that the CBO predicted something and comes in with a totally different number.

If by any chance the CBO is wrong here, then the chairman will do good work in getting us to understand why more money needs to be appropriated for these programs.

I applaud the chairman for what he has done, identifying problems and appropriate solutions, but this is a good amendment. It deserves to be passed, it has bipartisan support, and it will take us in the right direction.

I yield back the balance of my time.

Mr. LUCAS. Mr. Chairman, I yield the balance of my time to the gentleman from Arkansas (Mr. CRAWFORD).

The ACTING CHAIR. The gentleman from Arkansas is recognized for 2½ minutes.

Mr. CRAWFORD. Mr. Chairman, I also rise respectfully in opposition to the gentlelady's amendment.

My district located in the Mississippi Delta region grows nearly half all rice produced in the United States. This amendment jeopardizes the safety net row crop producers in my district depend on to manage risk and stay in business.

Given the fact that price volatility is the primary risk mid-South farmers face, and the cost of production is extremely high, the Price Loss Coverage program is the only viable option to provide producers adequate protection. Leading experts and ag economists at Texas A&M University show the average cost of production for rice is $14.92 per hundredweight. The $14 per hundredweight reference price established in the FARRM Bill is realistic and will not kick in unless the producer experiences a loss.

What is more, CBO projections already take into account the probability of price movements that can impact the overall cost productions of the PLC policy, and U.S. farm policy has come in well under budget projections for at least the last 7 years. This amendment is unnecessary and will do nothing but create more uncertainty for agriculture producers.

The House Agriculture Committee has made a good-faith bipartisan effort to craft a farm bill that reflects a farmer's risk across all regions of the country. This amendment is a step backwards.

With all due respect, I urge my colleagues to oppose the gentlelady's amendment.

Mr. LUCAS. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX).

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

Ms. FOXX. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 4 OFFERED BY MR. ELLISON

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 113–117.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of section 1107(b), add the following new paragraph:

(8) REPORT REQUIRED.—Not later than three years after the date of the enactment of this Act, the Secretary shall complete a study reviewing the climate impacts of the availability of price loss coverage, including (but not limited to) the impact from increased crop production, land use change, farm equipment use, and increased input of agricultural chemicals.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chairman, my amendment is simple. It would simply ask us to learn more. It would ask us to know more than we know now about an important subject affecting our society and, indeed, our whole world.

In fact, my amendment would simply require a study to review climate impacts of the Price Loss Coverage program. I can't understand why we wouldn't want to know the effects of such a program. I think learning more so that we can do better is a good idea.

Climate change is a defining issue of this century. It is negatively impacting our economy, our health, and security. There is an international consensus that climate change is real, is caused and influenced by mankind, and is affecting our world in a negative way.

Decisions Congress makes on this day, Mr. Chairman, in this farm bill, in fact, will have a direct impact on greenhouse gas emissions in the United States; and, of course, this world doesn't know the borders that these nations do, so it will affect the entire globe.

Agriculture does contribute to climate change. In fact, 8 percent of all U.S. greenhouse gas emissions come from agriculture. Agriculture also brings great gains to humanity as well.

We need to understand what greenhouse gas emissions from agriculture mean so that we can formulate better policy and utilize better technology. The emissions from agriculture result from fertilizer application, livestock, land use, soil management, farm equipment, and rice production.

The new Price Loss Coverage program provides farmers raising major crops with subsidies if the crop prices drop below current historic levels. Farmers are already plowing up marginal lands and native grasslands in response to record crop prices and crop insurance subsidies; 23 million acres of natural land were plowed up between 2008 and 2011. Almost 20 million of these were corn, soybeans, and wheat alone.

The Price Loss Coverage program will further incentivize increased crop production.

Converting land to cropland releases millions of tons of CO_2 in the United States every year. Converting more land to agriculture will increase greenhouse gas emissions. But, Mr. Chairman, we don't know how much, we don't know the extent, we don't know the effects. It is important that we do know so that we can incentivize more green-friendly agriculture production methods so that we can know the impact in our world, and we can know why it is important to take action now in this farm bill today.

A study shouldn't harm anybody, and I urge support for this amendment.

I reserve the balance of my time.

□ 1600

Mr. LUCAS. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR (Mr. HULTGREN). The gentleman from Oklahoma is recognized for 5 minutes.

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

Mr. Chairman, I would simply say that I have the greatest respect for my good colleague from Minnesota, but at the present time and in the present set of circumstances, I must, in good faith, oppose his amendment. I believe he is very sincere in his efforts, but, again, I must oppose his amendment.

I yield back the balance of my time.

Mr. ELLISON. I yield back the balance of my time.

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

The amendment was rejected.

AMENDMENT NO. 5 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 113–117.

Mr. BROUN of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of part II of subtitle D of title I, add the following new section:

SEC. 1487. REPEAL OF PERMANENT PRICE SUPPORT AUTHORITY FOR MILK.

(a) REPEAL.—Section 201 of the Agricultural Act of 1949 (7 U.S.C. 1446) is amended—

(1) in subsection (a), by striking ''milk,''; and

(2) by striking subsections (c) and (d).

(b) EXCLUSION FROM PRICE SUPPORT FOR OTHER NONBASIC AGRICULTURAL COMMODITIES.—Section 301 of the Agricultural Act of 1949 (7 U.S.C. 1447) is amended by inserting ''(other than milk)'' after ''agricultural commodity''.

Page 144, lines 19 and 20, strike ''during the period beginning on the date of enactment of this Act through December 31, 2018''.

Page 145, lines 8, 9, and 10, strike ''during the period beginning on the date of enactment of this Act through December 31, 2018''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Georgia (Mr. BROUN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BROUN of Georgia. Mr. Chairman, my amendment would simply repeal the outdated and expensive dairy price support law enacted as part of the Agriculture Act of 1949.

This provision created a commodity support policy for dairy production that, though suspended upon the enactment of each farm bill that has been reauthorized, it still remains on the books as permanent law. That this old law is still technically in effect is a problem for two reasons:

First, the price support calculations essentially establish a ''floor'' for milk prices, which is set at twice the current market price. This means that the Federal Government would be required to step in and purchase surplus milk at double the current purchase price, which would drive up costs for taxpayers but would also result in a higher cost at the grocery store, potentially making a typical gallon of milk cost $7. This will hurt the most vulnerable in our society—poor children and seniors on a limited income.

This potential and likely unintended consequence is troubling, but more troubling is that this old law threatens to rear its ugly head every time the farm bill expires before it is reauthorized. In fact, we faced this very issue at the beginning of this year, though it was buried in the larger ''fiscal cliff'' deal that passed on January 1.

Mr. Chairman, in this time of congressional gridlock, we've seen bailouts, failed stimulus bills, near-government shutdowns, and panic about sequestration and tax hikes. The last thing we need is one more ''cliff'' for Americans to fall off of.

This law is outdated, it is unused and is ultimately a nuisance which requires a patch every time Congress fails to renew the larger farm bill, which, unfortunately, is a frequent occurrence.

I urge my colleagues to support this commonsense amendment, and I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I rise to claim the time in opposition.

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

Mr. LUCAS. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON. I thank the chairman.

When I was chairman and did the last farm bill, we maintained the permanent law, and we did it for a reason, which is that it is very hard to get these farm bills done, and sometimes you need some motivation to get people to move. That's the main reason we left it there.

I have a question of the author of the amendment if he would be willing to engage me in a discussion.

I guess I was curious as to why you are only repealing the dairy provision of the permanent law and not the entire permanent law. Is there some reason for that?

Mr. BROUN of Georgia. Will the gentleman from Oklahoma yield?

Mr. PETERSON. I yield to the gentleman.

Mr. BROUN of Georgia. The reason is that the milk price support is actually a ''floor'' for the cost at which the government buys surplus milk. What that will do is raise the cost that the government is going to have to pay for this surplus milk, which is just going to cost the taxpayers more money.

Mr. PETERSON. What it does is it sets the price of dairy at 85 percent of parity, and that would have been about 39 bucks. It also sets the price of wheat and corn and soybeans at anywhere from—I don't know. It's 80 to 95 percent of parity. Those prices are just as problematic. You know what happened last December. The law expired on September 30, but nothing actually happens until that current year's crop is harvested. Wheat does not harvest until May, and corn doesn't harvest until October or November, but milk is harvested every day. That's why it became an issue.

So I am against getting rid of the permanent law, but I was just curious as to why you picked on just dairy. I mean, I see your point that you're going to raise costs to the government, but if you want to really raise costs to the government, support the Goodlatte-Scott amendment because that's really going to stick it to the government.

Mr. LUCAS. Mr. Chairman, I yield myself my remaining time.

I thank my colleagues for having a good faith discussion. I do appreciate the point that the ranking member brings. If we're going to address one part of the '49 Act, we probably should address all of it. There have been ongoing discussions as long as I've been here about how to do that.

Many provisions of Federal law have an underlying base law. We do laws then that build off of that, and when they expire you revert to permanent law. That's the case of the '49 law. Maybe the 2013 farm bill should become the permanent law to give us at least a realistic, modern thing to come from, but that's probably a discussion for a different amendment.

I would say, quite simply, that I respect my colleague but that I, too, cannot vote to undo things by piecemeal. I've got to have a systematic way about it.

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

Mr. BROUN of Georgia. Mr. Chairman, how much time do I have left?

The Acting CHAIR. The gentleman has 2½ minutes remaining.

Mr. BROUN of Georgia. From the comments my good friend from Minnesota and my good friend from Oklahoma stated, maybe we should repeal the whole '49 law. I would be all in favor of working with both gentlemen to try to find some way to do that. I'm sure both gentlemen would be very eager to not have the incentive to go back to that law as a piecemeal way of trying to deal with these problems.

My friend from Minnesota is exactly right. I used to farm. I've been a dairy farmer. I had Holstein cows. I was a true farmer—I've raised feeder steers; I've hay-farmed; I've truck-farmed; and I've row-cropped. I know agriculture. I wasn't a gentleman farmer. I'd climb in the back of the combine between stops and change the air drum. So I know agriculture.

I know the biggest problem agriculture faces today is the regulation, particularly from EPA. I'd like to see those regulations rolled back because

that would help our agriculture more than any other thing that we could do, and I would be all in favor of doing that.

The reason I brought the milk part of the old law forward was exactly the reason my good friend from Minnesota stated, in that you have to milk cows not once a day but at least twice a day, sometimes three. The milk support price that is guaranteed in this underlying law will raise costs if we go back to that and it stays in place. If we don't have the farm bill suspended or reauthorized, then what happens is the Federal Government is going to pay much higher prices for milk, and that's going to increase the cost in the grocery store for all Americans, and it's going to hurt the poor people, particularly poor children and senior citizens.

Mr. Chair, how much time do I have left?

The Acting CHAIR. The gentleman has 20 seconds remaining.

□ 1610

Mr. PETERSON. Will the gentleman yield?

Mr. BROUN of Georgia. I yield to the gentleman from Minnesota.

Mr. PETERSON. Just a point. I understand what you're saying, but you need to look at the Goodlatte-Scott amendment. What it does is allow them to buy insurance at $18 a hundredweight, and if the price goes to $11 like it did in 2009, the taxpayers are on the hook. So you've got the same problem going on with what Goodlatte and Scott are trying to do in this bill.

Mr. BROUN of Georgia. Reclaiming my time, I yield back the balance of my time.

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

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

Mr. BROUN of Georgia. Mr. Chair, I demand a recorded vote.

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

AMENDMENT NO. 6 OFFERED BY MR. ENYART

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 113–117.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title I, add the following new section:

SEC. 1502. NATIONAL DROUGHT COUNCIL AND NATIONAL DROUGHT POLICY ACTION PLAN.

(a) DEFINITIONS.—In this section:

(1) COUNCIL.—The term ''Council'' means the National Drought Council established by this section.

(2) DROUGHT.—The term ''drought'' means a natural disaster that is caused by a deficiency in precipitation—

(A) that may lead to a deficiency in surface and subsurface water supplies (including rivers, streams, wetlands, ground water, soil moisture, reservoir supplies, lake levels, and snow pack); and

(B) that causes or may cause—

(i) substantial economic or social impacts; or

(ii) physical damage or injury to individuals, property, or the environment.

(3) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(4) MEMBER.—The term ''member'', with respect to the National Drought Council, means a member of the Council specified or appointed under this section or, in the absence of the member, the member's designee.

(5) MITIGATION.—The term ''mitigation'' means a short- or long-term action, program, or policy that is implemented in advance of or during a drought to minimize any risks and impacts of drought.

(6) SECRETARY.—The term ''Secretary'' ″means the Secretary of Agriculture.

(7) STATE.—The term ''State'' means the several States, the District of Columbia, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, and the United States Virgin Islands.

(8) TRIGGER.—The term ''trigger'' means the thresholds or criteria that must be satisfied before mitigation or emergency assistance may be provided to an area—

(A) in which drought is emerging; or

(B) that is experiencing a drought.

(9) WATERSHED.—The term ''watershed'' means a region or area with common hydrology, an area drained by a waterway that drains into a lake or reservoir, the total area above a given point on a stream that contributes water to the flow at that point, or the topographic dividing line from which surface streams flow in two different directions. In no case shall a watershed be larger than a river basin.

(10) WATERSHED GROUP.—The term ''watershed group'' means a group of individuals, formally recognized by the appropriate State or States, who represent the broad scope of relevant interests within a watershed and who work together in a collaborative manner to jointly plan the management of the natural resources contained within the watershed.

(b) EFFECT OF SECTION.—This section does not affect—

(1) the authority of a State to allocate quantities of water under the jurisdiction of the State; or

(2) any State water rights established as of the date of enactment of this Act.

(c) NATIONAL DROUGHT COUNCIL.—

(1) ESTABLISHMENT.—There is established in the Office of the Secretary of Agriculture a council to be known as the ''National Drought Council''.

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Council shall be composed of—

(i) the Secretary (or the designee of the Secretary);

(ii) the Secretary of Commerce (or the designee of the Secretary of Commerce);

(iii) the Secretary of the Army (or the designee of the Secretary of the Army);

(iv) the Secretary of the Interior (or the designee of the Secretary of the Interior);

(v) the Director of the Federal Emergency Management Agency (or the designee of the Director);

(vi) the Administrator of the Environmental Protection Agency (or the designee of the Administrator);

(vii) 4 members appointed by the Secretary, in coordination with the National Governors Association, each of whom shall be the Governor of a State (or the designee of the Governor) and who collectively shall represent the geographic diversity of the Nation;

(viii) 1 member appointed by the Secretary, in coordination with the National Association of Counties;

(ix) 1 member appointed by the Secretary, in coordination with the United States Conference of Mayors;

(x) 1 member appointed by the Secretary of the Interior, in coordination with Indian tribes, to represent the interests of tribal governments; and

(xi) 1 member appointed by the Secretary, in coordination with the National Association of Conservation Districts, to represent local soil and water conservation districts.

(B) DATE OF APPOINTMENT.—The appointment of each member of the Council shall be made not later than 120 days after the date of enactment of this Act.

(3) TERM; VACANCIES.—

(A) TERM.—A non-Federal member of the Council appointed under paragraph (2) shall be appointed for a term of two years.

(B) VACANCIES.—A vacancy on the Council—

(i) shall not affect the powers of the Council; and

(ii) shall be filled in the same manner as the original appointment was made.

(C) TERMS OF MEMBERS FILLING VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term.

(4) MEETINGS.—

(A) IN GENERAL.—The Council shall meet at the call of the co-chairs.

(B) FREQUENCY.—The Council shall meet at least semiannually.

(5) QUORUM.—A majority of the members of the Council shall constitute a quorum, but a lesser number may hold hearings or conduct other business.

(6) COUNCIL LEADERSHIP.—

(A) IN GENERAL.—There shall be a Federal co-chair and non-Federal co-chair of the Council.

(B) APPOINTMENT.—

(i) FEDERAL CO-CHAIR.—The Secretary shall be Federal co-chair.

(ii) NON-FEDERAL CO-CHAIR.—The non-Federal members of the Council shall elect, on a biannual basis, a non-Federal co-chair of the Council from among the members appointed under paragraph (2).

(d) DUTIES OF THE COUNCIL.—

(1) IN GENERAL.—The Council shall— (A) not later than one year after the date of the first meeting of the Council, develop a comprehensive National Drought Policy Action Plan that—

(i)(I) delineates and integrates responsibilities for activities relating to drought (including drought preparedness, mitigation, research, risk management, training, and emergency relief) among Federal agencies; and

(II) ensures that those activities are coordinated with the activities of the States, local governments, Indian tribes, and neighboring countries;

(ii) is consistent with—

(I) this Act and other applicable Federal laws; and

(II) the laws and policies of the States for water management;

(iii) is integrated with drought management programs of the States, Indian tribes, local governments, watershed groups, and private entities; and

(iv) avoids duplicating Federal, State, tribal, local, watershed, and private drought preparedness and monitoring programs in existence on the date of enactment of this Act;

(B) evaluate Federal drought-related programs in existence on the date of enactment of this Act and make recommendations to Congress and the President on means of eliminating—

(i) discrepancies between the goals of the programs and actual service delivery;

(ii) duplication among programs; and

(iii) any other circumstances that interfere with the effective operation of the programs;

(C) make recommendations to the President, Congress, and appropriate Federal Agencies on—

(i) the establishment of common interagency triggers for authorizing Federal drought mitigation programs; and

(ii) improving the consistency and fairness of assistance among Federal drought relief programs;

(D) encourage and facilitate the development of drought preparedness plans under subtitle C, including establishing the guidelines under this section;

(E) based on a review of drought preparedness plans, develop and make available to the public drought planning models to reduce water resource conflicts relating to water conservation and droughts;

(F) develop and coordinate public awareness activities to provide the public with access to understandable and informative materials on drought, including—

(i) explanations of the causes of drought, the impacts of drought, and the damages from drought;

(ii) descriptions of the value and benefits of land stewardship to reduce the impacts of drought and to protect the environment;

(iii) clear instructions for appropriate responses to drought, including water conservation, water reuse, and detection and elimination of water leaks;

(iv) information on State and local laws applicable to drought; and

(v) opportunities for assistance to resource-dependent businesses and industries in times of drought; and

(G) establish operating procedures for the Council.

(2) CONSULTATION.—In carrying out this subsection, the Council shall consult with groups affected by drought emergencies.

(3) REPORTS TO CONGRESS.—

(A) ANNUAL REPORT.—

(i) IN GENERAL.—Not later than one year after the date of the first meeting of the Council, and annually thereafter, the Council shall submit to Congress a report on the activities carried out under this section.

(ii) INCLUSIONS.—

(I) IN GENERAL.—The annual report shall include a summary of drought preparedness plans.

(II) INITIAL REPORT.—The initial report submitted under subparagraph (A) shall include any recommendations of the Council.

(B) FINAL REPORT.—Not later than seven years after the date of enactment of this Act, the Council shall submit to Congress a report that recommends—

(i) amendments to this section; and

(ii) whether the Council should continue.

(e) POWERS OF THE COUNCIL.—

(1) HEARINGS.—The Council may hold hearings, meet and act at any time and place, take any testimony and receive any evidence that the Council considers advisable to carry out this section.

(2) INFORMATION FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—The Council may obtain directly from any Federal agency any information that the Council considers necessary to carry out this section.

(B) PROVISION OF INFORMATION.—

(i) IN GENERAL.—Except as provided in clause (ii), on request of the Secretary or the non-Federal co-chair of the Council, the head of a Federal agency may provide information to the Council.

(ii) LIMITATION.—The head of a Federal agency shall not provide any information to the Council that the Federal agency head determines the disclosure of which may cause harm to national security interests.

(3) POSTAL SERVICES.—The Council may use the United States mail in the same manner and under the same conditions as other agencies of the Federal Government.

(4) GIFTS.—The Council may accept, use, and dispose of gifts or donations of services or property.

(f) COUNCIL PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—

(A) NON-FEDERAL EMPLOYEES.—A member of the Council who is not an officer or employee of the Federal Government shall serve without compensation.

(B) FEDERAL EMPLOYEES.—A member of the Council who is an officer or employee of the United States shall serve without compensation in addition to the compensation received for services of the member as an officer or employee of the Federal Government.

(2) TRAVEL EXPENSES.—A member of the Council shall be allowed travel expenses at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Council.

(g) TERMINATION OF COUNCIL.—The Council shall terminate at the end of the eighth fiscal year beginning on or after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Illinois (Mr. ENYART) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

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

Mr. Chairman, today I rise to offer an amendment to this bill to help agriculture in southern Illinois, my State of Illinois and, indeed, in the entire Nation the next time drought strikes.

After Hurricane Sandy, the drought of 2012 was the second most costly natural disaster in the world. The drought cost upwards of $35 billion in total losses. It devastated southern Illinois crops and crops throughout the Midwest. The fact that there is no national response or preparedness plan for drought increases these costs by at least 25 percent. Indeed, FEMA is not even authorized to address drought even when areas are declared natural disasters due to drought.

In the 110th Congress, my colleague from Florida, Congressman ALCEE HASTINGS, offered legislation to establish a national drought council. I applaud his foresight and his work, which was included in the House version of the farm bill. Unfortunately, House and Senate conferees failed to include it in the final bill. Had it been included, perhaps the Federal response to last year's drought would have been streamlined and devastating losses mitigated.

My amendment, which is based on Congressman HASTINGS' work, would give the Secretary of Agriculture an important tool to help our farmers more quickly. The council would be tasked to develop a comprehensive national drought action plan that defines responsibilities for drought preparedness, mitigation, research, risk management, training, and emergency relief programs. The plan provides guidance to Federal agencies to ensure their activities are coordinated with the activities of States, local governments, Indian tribes, and neighboring countries.

Through an annual report to Congress, the council will make recommendations to eliminate duplication and to establish common interagency triggers to authorize Federal drought programs.

Based on a review of drought preparedness plans, the council will develop and make available to the public drought planning models. What this appointed council would not do is draw a paycheck, establish a new office, or increase the Federal bureaucracy.

It's not a question of will a drought strike; it's a question of when. When it does, we need to be better prepared.

I urge adoption of this amendment and ask the support of my colleagues.

Mr. LUCAS. Will the gentleman yield?

Mr. ENYART. I yield to the gentleman from Oklahoma.

Mr. LUCAS. I thank the gentleman.

I simply want to note, as being an Oklahoman, I have an appreciation for drought issues, and I thank the gentleman for bringing this important topic to our attention. I think we should all vote for the gentleman's amendment.

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

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

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. GRAVES OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 113–117.

Mr. GRAVES of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of section 1603, add the following new subsection:

(d) EFFECT OF CORN SALES TO ETHANOL PRODUCTION FACILITIES.—Notwithstanding any other provision of law, a producer on a farm that sells corn, directly or through a third party, to an ethanol production facility is ineligible to receive any payment or benefit described in section 1001D(b)(2) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(b)(2)) for that corn.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Georgia (Mr. GRAVES) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. GRAVES of Georgia. Mr. Chairman, I bring amendment No. 7 to the consideration of the House here as we debate this very important issue.

When I think about the issue that's before us—I know there are a lot of good Members on both sides of it, for and against, and there's going to be a lot great debate about whether or not this bill should move forward in any fashion or another.

There's one particular portion that I really wanted to discuss today, and it deals with the incentives and the benefits that go to corn producers for the production of corn that goes to ethanol. To me, I don't believe that is something that should be provided to these producers whatsoever, these incentives or benefits.

In fact, when the bill was originally crafted many years ago back in 1933, I have to ask: Did the original architects of the farm bill ever imagine that what they were creating at that time would go to benefit the producers of corn that would go to fuel and not food?

So my amendment is rather simple. It just eliminates the opportunity for any producer to benefit from producing corn that would go to fuel. Instead, it focuses back on what the original intent of the legislation was, and that was to exclusively be for food production or feed production.

So as we debate this bill, folks are going to be on all different sides of all these amendments. I think it's really important to get back to the original intent. If you're going to support the bill, get back to the original intent of what was intended back in 1933 and the years since then.

But let me just remind the House of why this is so important. Estimates tell us that more than one-third of all our corn in the United States is used for feed livestock; another 13 percent is exported, mostly for feed livestock; but another 40 percent of all corn produced in this Nation is for ethanol. And of all of that, nearly half of all corn in our Nation that is produced, those producers receive those same benefits that those that were intending to create corn for food and feed would benefit from, as well.

Mr. Chairman, my amendment is rather simple. I would urge the House's consideration of this amendment, and I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I rise to claim time in opposition.

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

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

I would note to my colleague that I appreciate his issue of concern. I appreciate what I think he is trying to do. But in the nature of the FARRM Bill and the nature of the debate we're at right now, this is not really the environment, and I would ask him to consider withdrawing his amendment in good faith for a discussion sometime in the near future.

Mr. GRAVES of Georgia. Will the gentleman yield?

Mr. LUCAS. I yield to the gentleman.

Mr. GRAVES of Georgia. I thank the chairman. I thank you for your good work on this. I know we've all had a lot of discussions, and I'll take you for your word that we can continue this conversation, because I think it's a very important topic.

With your intent that I know to be true, that we can continue this, I would be willing to withdraw the amendment and continue the debate at a further time.

Mr. LUCAS. Reclaiming my time, I thank the gentleman, and I yield back the balance of my time.

Mr. GRAVES of Georgia. Mr. Chairman, my intention would be to withdraw the amendment. But let me just close with this and say that, as we debate the various policies within this bill, it is very important to note that there are areas such as this in which I hear the other side talk about the importance of food being provided for our citizens all across the country. I don't disagree with them at all. I think that's very important.

So, therefore, why would we, as a House, stand to incentivize those who are producing nearly half of the corn that could be going to the food supply of our great Nation, but incentivize half the corn, almost, in our Nation rather for fuel instead of food?

I look forward to continuing this debate, Mr. Chairman, I yield back the balance of my time and withdraw my amendment.

The Acting CHAIR. The amendment is withdrawn.

□ 1620

AMENDMENT NO. 8 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 113–117.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 162, line 14, strike the closed quotation mark and the final period.

Page 162, after line 14, insert the following:

''(3) RESERVATION.—Effective beginning in fiscal year 2015, the Secretary, to the maximum extent feasible, shall manage the conservation reserve to ensure that, on an annual basis, not less than 20.5 percent of land maintained in the program shall be—

''(A) described in subparagraphs (B) through (E) of subsection (b)(4); and

''(B) enrolled under—

''(i) the special conservation reserve enhancement program authority under section 1234(f)(4); or

''(ii) the pilot program for the enrollment of wetland and buffer acreage under section 1231B.''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, the Conservation Reserve Program has sparked major improvements in water quality, wildlife habitat and wetlands. However, high crop and land prices are spurring landowners to once again pull millions of vulnerable acres back under the plow as their CRP leases expire.

In the last 10 years, we've seen a number of acres equal to the area of the State of Indiana taken out of the Conservation Reserve Program and put back into production. This means that the CRP's environmental benefits are not well leveraged, and taxpayer dollars don't earn the return they should because they've spent 5 years protecting land simply to have it disappear at the end of the easement period.

This amendment makes a set of simple revenue-neutral changes to the CRP to provide more lasting protection of water, wildlife, and soil, and to make sure that we are fully leveraging Federal spending. It requires, to the extent possible, 20 percent of the funds dedicated to the Conservation Reserve Program to be used in the Continuous Conservation Reserve Program, the CCRP, and the Conservation Reserve Enhancement Program, CREP. These programs are a subset of the Conservation Reserve Program and help leverage State matching funds to produce even greater conservation benefits.

In particular, the CREP program gives States flexibility to target high-priority conservation and environmentally sensitive areas, which helps coordinate Federal and local priorities and spending and ensures that any spending is targeted to produce the best results.

The Continuous Conservation Reserve Program is a program that is consistently oversubscribed that helps farmers re-enroll in the program continuously, rather than just once a year. Adding acreage to this program gives

farmers more flexibility. It also protects the long-term conservation benefits of the CRP program so that taxpayers get what they pay for. These small changes are revenue neutral and will help CRP produce better outcomes for the environment and for taxpayers, leverage State matching funds, and provide long-term stability for farmers.

I respectfully ask my colleagues to join me in supporting this amendment.

I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I rise in opposition to the amendment.

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

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

H.R. 1947 will step down the acreage cap of the CRP program from 32 million acres to 24 million acres. Designating in law the required amount of acres for subprograms of CRP will reduce the FSA's flexibility in administering the program. I do understand that the set-aside in the amendment is consistent with how FSA currently runs the program. However, when crafting the conservation title, we tried to leave as much flexibility as possible. I fear the set-aside could limit future general sign-ups or tie FSA's hands in future targeted initiatives.

I will work with the gentleman to ensure that CRP targets the most environmentally sensitive lands, but I must urge my colleagues to oppose the amendment.

I reserve the balance of my time.

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

Mr. LUCAS. Mr. Chairman, I yield the balance of my time to the ranking member, the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON. Mr. Chairman, I want to assure Mr. BLUMENAUER that the chairman and I share his concerns and philosophy. But in my judgment, this is not an amendment that is necessary because there has never been a situation that I'm aware of where the continuous sign-up has been limited by anything going on. In fact, they can't get enough continuous acres signed up to meet the goals that they've had. The same thing with the CREP acres.

So the Department has administratively always made room for any continuous and any CREP requests that are out there. There's never been a limitation. There's never been a backlog. There's never been any impediment to signing up these acres.

The issue we have now with CRP is these high land prices and high commodity prices. You're right about that. And we are seeing acres come out all over the country, and that concerns me. I've been the biggest champion of CRP, and I reluctantly agreed to lower these acres to 24 million acres because that's what's going to happen anyway. These acres are going to be reduced. But it's not going to be continuous, and it's not going to be in CREP. It's going to be in the regular CRP program. And if I could figure out how to stop that, I would. But you'd have to literally triple or quadruple the amount of money that's paid for the general sign-up in order to get those acres back into the program, given my understanding of what's going on.

So, you know, I just don't see why we need to have this in there. We have always accommodated this. If we're going to do anything in CRP, what we should be doing is figuring out how we can raise the rental rates to get the general CRP sign-up back up to where it needs to be. I'm very concerned about losing this big tract CRP because this is what has brought wildlife around the country back, and we're losing it.

Anyway, there is not an impediment to continuous or CREP, and there won't be in the future. If there is anything left over that isn't up to the 24 million acres, it's going to be out of the general sign-up. It isn't going to be out of CREP or continuous. So I oppose the amendment. I don't think there is any reason to do this because the Department has been taking care of it.

Mr. LUCAS. I yield back the balance of my time.

Mr. BLUMENAUER. How much time do I have remaining?

The Acting CHAIR. The gentleman from Oregon as 2½ minutes remaining.

Mr. BLUMENAUER. Mr. Chairman, the purpose of the amendment is to help focus on more long-lasting protection for the water, wildlife, and soil. I appreciate what the ranking member said in terms of issues for additional funding for wildlife habitat, and I have another amendment coming forward which I think helps address that.

In the meantime, having an opportunity here to—and I mentioned in the amendment ''to the extent possible,'' the 20 percent is dedicated for the Continuous Reserve Program and the Conservation Reserve Enhancement Program. Being able to focus and leverage the local funds seems to me to provide long-term stability and leveraging the State matching. I see my colleague from Virginia is here, but he wants to speak to the next amendment.

I respectfully request that Members join with me in an amendment that is supported by the Environmental Working Group, the National Sustainable Agricultural Coalition, Defenders of Wildlife, Pew Trust, Organic Trade Association, Slow Food, Food Democracy Now, Organic Consumers Union, and Union of Concerned Scientists. Allowing us to be able to move forward in this regard, I think, would be a positive. I didn't hear any compelling reasons from my friends other than they thought it would be taken care of. I think this amendment will ensure that it will move forward and respectfully ask that it be approved.

I yield back the balance of my time.

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

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

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

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

□ 1630

AMENDMENT NO. 9 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part B of House Report 113–117.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Beginning on page 197, strike line 18 and all that follows through page 198, line 10 and insert the following:

SEC. 2201. PURPOSES.

Section 1240 of the Food Security Act of 1985 (16 U.S.C. 3839aa) is amended to read as follows:

''SEC. 1240. PURPOSES.

''The purpose of the environmental quality incentives program established by this chapter is to assist producers in implementing conservation systems, practices, and activities on their operations in order to—

''(1) improve water quality, with special emphasis on reducing nutrient pollution and protecting sources of drinking water;

''(2) avoid, to the maximum extent practicable, the need for resource and regulatory programs by assisting producers in protecting soil, water, air, and related natural resources and meeting environmental quality criteria established by Federal, State, tribal, and local agencies;

''(3) conserve ground and surface water to sustain or improve in-stream flows;

''(4) enhance soil quality;

''(5) control invasive species;

''(6) enhance critical aquatic and terrestrial wildlife habitat for at-risk species;

''(7) reduce the amount and toxicity of pesticides and other agricultural chemicals found on food and in water or the air;

''(8) reduce the nontherapeutic use of medically important antibiotics in food-producing animals in order to preserve the effectiveness of antibiotics used in the treatment of human and animal disease;

''(9) help producers adapt to a changing and unpredictable climate and increase resiliency to climate change impacts, including rising temperatures and extreme weather events, while reducing greenhouse gas emissions; and

''(10) address additional priority resource concerns, as determined by the Secretary.''.

Page 198, line 19, strike ''10 years'' and insert ''5 years''.

Page 198, after line 19, insert the following:

(3) by amending subsection (c) to read as follows:

''(c) PRIORITY.—If the Secretary determines that the environmental values of two or more applications for payments are comparable, the Secretary shall assign a higher priority to a program application which will achieve the environment and conservation values using practices and systems the assessed cost of which is lower.'';

(4) by amending subsection (d)(3) to read as follows:

''(3) INCREASED PAYMENTS FOR CERTAIN PRACTICES.—The Secretary shall provide supplemental payments and enhanced technical assistance to producers implementing land management and vegetative practices at a level that, as determined by the Secretary, results in highly cost-effective treatment of priority resource concerns, including—

''(A) residue and tillage management;

''(B) contour farming;

''(C) cover cropping;

''(D) integrated pest management;

''(E) nutrient management;

''(F) stream corridor improvement;

''(G) invasive plant species control;

''(H) contour buffer strips;

''(I) riparian herbaceous and forest buffers;

''(J) filterstrips;

''(K) stream habitat improvement and management;

''(L) grassed waterways;

''(M) wetland restoration and enhancement;

''(N) pollinator habitat; or

''(O) conservation crop rotation.'';

Page 199, after line 16, insert the following:

(4) by adding at the end of subsection (d) the following new paragraph:

''(7) LIMITATION ON PAYMENTS FOR CERTAIN PRACTICES.—A producer who owns or operates a large confined animal feeding operation (as defined by the Secretary) shall not be eligible for payments under this chapter to construct an animal waste management facility or any associated waste transport or transfer device.''.

Page 199, line 21, strike ''60 percent'' and insert ''50 percent''.

Page 200, line 2, strike ''5 percent'' and insert ''not less than 10 percent''.

Page 200, line 17, strike ''and'' and insert the following:

(6) by amending subsection (h) to read as follows:

''(h) WATER CONSERVATION OR IRRIGATION EFFICIENCY PRACTICE.—

''(1) AVAILABILITY OF PAYMENTS.—The Secretary may provide payments under this subsection to a producer for a water conservation or irrigation practice that promotes ground and surface water conservation on the agricultural operation of the producer by—

''(A) improvements to irrigation systems;

''(B) enhancement of irrigation efficiencies;

''(C) conversion of the agricultural operation to—

''(i) the production of less water-intensive agricultural commodities; or

''(ii) dryland farming;

''(D) improvement of the storage and conservation of water through measures such as water banking and groundwater recharge;

''(E) enhancement of fish and wildlife habitat associated with irrigation systems including pivot corners and areas with irregular boundaries;

''(F) enhancement of in-stream flows in associated rivers and streams; or

''(G) establishment of other measures, as determined by the Secretary, that improve groundwater and surface water conservation in agricultural operations.

''(2) PRIORITY.—In providing payments to a producer for a water conservation or irrigation practice, the Secretary shall give priority to applications in which—

''(A) consistent with the law of the State in which the eligible land of the producer is located, there is a reduction in water use in the operation of the producer; and

''(B) the practice reduces the amount of water consumed in a producer's operation or reduces the amount of water diverted without increasing the water consumed.

''(3) DUTY OF PRODUCERS.—The Secretary may not provide payments to a producer for a water conservation or irrigation practice under this chapter unless the producer agrees not to use any associated water savings to bring new land, other than incidental land needed for efficient operations, under irrigated production, unless the producer is participating in a watershed-wide project that will effectively conserve water, as determined by the Secretary.'';

(7) in subsection (i)—

(A) in paragraph (1), by striking ''subsection'' and inserting ''chapter'';

(B) by amending paragraph (2) to read as follows:

''(2) ELIGIBILITY REQUIREMENTS.—As a condition for receiving payments under this chapter, a producer shall agree to develop and implement conservation practices for certified organic production that are consistent with the regulations promulgated under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) and the purposes of this chapter.'';

(C) by striking paragraph (3) and redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(D) by inserting after paragraph (2) the following new paragraphs:

''(3) COORDINATION WITH ORGANIC CERTIFICATION.—The Secretary shall establish a transparent means by which producers may initiate organic certification under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) while participating in a contract under this chapter.

''(4) PLANNING.—

''(A) IN GENERAL.—The Secretary shall provide planning assistance to producers transitioning to certified organic production consistent with the requirements of the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.) and the purposes of this chapter.

''(B) AVOIDANCE OF DUPLICATION.—The Secretary shall, to the maximum extent practicable, eliminate duplication of planning activities for a producer participating in a contract under this chapter and initiating or maintaining organic certification consistent with the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.).''; and

Page 201, line 8, strike the closed quotation mark and the final period.

Page 201, after line 8, insert the following:

''(k) PAYMENTS FOR CONSERVATION PRACTICES RELATED TO ANTIBIOTIC USE.—

''(1) PAYMENTS AUTHORIZED.—The Secretary shall provide payments under this chapter to livestock producers for three years, to assist in a transition to modified animal management and production systems, for practices leading to the reduction in the need for antibiotics, including modification of systems and spaces to—

''(A) improve sanitation;

''(B) improve ventilation; or

''(C) support the implementation of improved animal management techniques at the operation.

''(2) DUTY OF PRODUCER.—The Secretary shall not make payments under this chapter for practices related to antibiotic use unless the producer agrees to provide information to the Secretary documenting the resulting reduction in antibiotic use in the operation of the producer.

''(l) COMPREHENSIVE CONSERVATION PLANNING.—The Secretary shall provide technical and financial assistance to producers under the program to develop a comprehensive conservation plan for the agricultural operation of the producer.''.

Page 201, strike lines 9 through 17 and insert the following:

SEC. 2203. EVALUATION OF APPLICATIONS.

(a) EVALUATION CRITERIA.—Section 1240C(a) of the Food Security Act of 1985 (16 U.S.C. 3839aa–3(a)) is amended by striking '', national, State, and local conservation priorities'' and inserting ''priority resource concerns identified under subsection (d)''.

(b) PRIORITIZATION OF APPLICATIONS.—Section 1240C(b) of the Food Security Act of 1985 (16 U.S.C. 3839aa–3(b)) is amended—

(1) in paragraph (1), by striking ''achieving the anticipated environmental benefits of the project'' and inserting ''priority resource concerns identified under subsection (d)'';

(2) in paragraph (2), by striking ''designated resource concern or resource concerns'' and inserting ''priority resource concerns identified under subsection (d), including, in the case of applications from nutrient-impacted watersheds, the degree to which nutrient loadings would be reduced as a result of the proposed project''; and

(3) in paragraph (3), by striking ''purpose of the environmental quality incentives program specified in section 1240(1)'' and inserting ''purposes of the program''.

(c) GROUPING OF APPLICATIONS.—Section 1240C(c) of the Food Security Act of 1985 (16 U.S.C. 3839aa–3(c)) is amended by striking ''for evaluation purposes or otherwise evaluate applications relative to other applications for similar farming operations'' and inserting ''proposing to address the same priority resource concerns for evaluation purposes''.

(d) PRIORITY RESOURCE CONCERNS.—Section 1240C of the Food Security Act of 1985 (16 U.S.C. 3839aa–3) is amended by adding at the end the following new subsection:

''(d) PRIORITY RESOURCE CONCERNS.—For the purposes of this section, the Secretary shall identify priority resource concerns in a particular watershed or other appropriate region or area within a State.''.

Beginning on page 201, strike line 22 and all that follows through page 202, line 8 and insert the following:

SEC. 2205. ENVIRONMENTAL QUALITY INCENTIVES PROGRAM PLAN.

(a) PLAN OF OPERATIONS.—Section 1240E(a) of the Food Security Act of 1985 (16 U.S.C. 3839aa–5(a)) is amended to read as follows:

''(a) PLAN OF OPERATIONS.—To be eligible to receive payments under the program, a producer shall submit to the Secretary for approval a plan of operations that—

''(1) specifies the priority resource concerns to be addressed;

''(2) specifies the type, number, and sequencing of conservation systems, practices, or activities to be implemented to address the priority resource concerns;

''(3) includes such terms and conditions as the Secretary considers necessary to carry out the program, including a description of the purposes to be met by the implementation of the plan and a statement of how the plan will achieve or take significant steps toward achieving the relevant resource management system quality criteria;

''(4) in the case of a confined livestock feeding operation, provides for development

and implementation of a comprehensive nutrient management plan, if applicable;

''(5) in the case of a producer located within a nutrient-impacted watershed, identifies methods by which the producer will limit nutrient loss; and

''(6) in the case of forest land, is consistent with the provisions of a forest management plan that is approved by the Secretary, which may include—

''(A) a forest stewardship plan described in section 5 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103a);

''(B) another practice plan approved by the State forester; or

''(C) another plan determined appropriate by the Secretary.''.

(b) AVOIDANCE OF DUPLICATION.—Section 1240E(b)(1) of the Food Security Act of 1985 (16 U.S.C. 3839aa–5(b)(1))) is amended by striking ''plan of operations'' and inserting ''resource management system plan''.

SEC. 2206. DUTIES OF THE SECRETARY.

Section 1240F(2) of the Food Security Act of 1985 (16 U.S.C. 3839aa–6(2)) is amended by striking ''information'' and inserting ''technical assistance, information,''.

SEC. 2207. LIMITATION ON PAYMENTS.

Section 1240G of the Food Security Act of 1985 (16 U.S.C. 3839aa–7) is amended to read as follows:

''SEC. 1240G. LIMITATION ON PAYMENTS.

''(a) LIMITATION ON TOTAL PAYMENTS.—Subject to subsection (b), a person or legal entity may not receive, directly or indirectly, cost-share or incentive payments under this chapter, in the aggregate, for all contracts entered into under this chapter by the person or entity (excluding funding arrangements with federally recognized Native American Indian Tribes or Alaska Native Corporations under section 1240B(h)), regardless of the number of contracts entered into under this chapter by the person or entity, that—

''(1) during any fiscal year exceed $30,000; and

''(2) during any five-year period exceed $150,000.

''(b) WAIVER AUTHORITY.—In the case of contracts under this chapter for projects of special environmental significance, as determined by the Secretary, the Secretary may waive the limitation otherwise applicable under subsection (a)(1).

''(c) PREVENTION OF DUPLICATION.—The Secretary shall not approve a contract or provide payments to any individual for a practice that has already been paid for as part of a previously approved and completed contract for any particular parcel of land.''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. I yield myself 2½ minutes.

I appreciate the Rules Committee having made this amendment in order. It makes important revenue-neutral changes to the EQIP program to protect the original intent of the program, to use tax dollars better to help more farmers, and to produce better results for the taxpayers.

In difficult budget times, we must prioritize maximizing value and saving money. This amendment makes several changes to the Environmental Quality Incentives Program to restore the 1996 language. It implements stricter payment limits to make sure we're not spending too much money on any one project. And at a time when demand for conservation funding is as much as four times greater than the supply, we can't afford to let a few huge projects crowd out available funding.

This amendment also reinstates the original 1996 EQIP language which eliminated spending for factory farms. That language was included in 1996 because Members were nervous that too much of the EQIP would end up going to just a few family farm projects, and they were right.

The legislation also provides additional support for farmers who want to transition to production techniques that use fewer pesticides or antibiotics. As the United States doctors and scientists become increasingly concerned about the use of nontherapeutic antibiotics in meat production, we should be doing everything we can to make it easier for farmers and ranchers to reduce their dependence on antibiotics.

Finally, it clarifies that EQIP is intended to be used as a short-term program and protects the Wildlife Habitat Incentive Program set-aside, which has been in place since the program began.

The opposition comes from those who are using conservation dollars for purposes that most Americans would not consider to be conservation related. Recent data shows that one in four EQIP dollars in the last 10 years has been spent on large structural projects that produce limited conservation benefits and are extremely expensive. I noted in the press this last week one project, almost $2 million, yet the average is about $13,500.

I appreciate the opportunity to start this discussion and think about how best to spend limited conservation dollars for maximum conservation benefits. I respectfully suggest that that's to be found with this amendment, and I urge its adoption.

I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. LUCAS. Mr. Chairman, I yield myself as much time as I might consume.

I rise in strong opposition to this amendment.

The conservation title has gone through many reforms by combining and eliminating duplicative programs. The result, I believe, is a fair, balanced, and flexible conservation title that addresses the natural resource concerns of farmers, ranchers, and landowners. However, the gentleman's amendment seeks to undo this balance by stripping the EQIP program of the authorities that make it unique.

The EQIP program is arguably the most successful conservation program administered by the NRCS. Through cost share assistance, these programs help farmers and ranchers meet and exceed national, State, and local environmental regulations.

Known as the bricks and mortar of the program, farmers and ranchers depend on EQIP for assistance to build waste storage facilities, eliminate nutrient runoff, and purchase equipment like methane digesters.

The gentleman's amendment would fundamentally change EQIP with arbitrary limits that would reduce livestock producers' participation and restrict the types of conservation programs that could be implemented. With EPA and environmental groups targeting livestock operations, we should not diminish the program's current authorities.

The amendment would make EQIP no different than any other working lands program and eliminate an essential tool that farmers and ranchers depend on to meet increasing environmental regulations.

I urge my colleagues to oppose the amendment and reserve the balance of my time.

Mr. BLUMENAUER. I yield 75 seconds to my friend from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Chairman, I rise in support of this amendment because it would improve the Environmental Quality Incentives Program by targeting support for the smaller and midsize farms where the investment will buy a bigger bang for the buck.

Just 1 percent of agribusinesses get more than 20 percent of EQIP payments, and about 70 percent of that funding is used to build structures to store manure and lay irrigation pipeline, purchase sprinkler systems and other equipment.

This amendment doesn't do anything to prohibit or restrict large farming operations. In fact, the limits in this amendment would have impacted less than half a percent of all EQIP contracts between 1997 and 2010, where we have statistics.

Our limited Federal funding, I think, would be better targeted by helping small and midsize farms engage in more sustainable practices, such as transitioning to farming methods that use fewer antibiotics and pesticides.

I think it makes sense to target where we can get the biggest bang for the buck because more intensive production practices, if not properly managed and mitigated, contaminate our drinking water, pollute the air, and diminish the quality of the soil, placing future production yields at risk.

And it seems to me in austere budget times we ought not cut or do away with conservation incentives but, instead, make them more efficient. And that's what the gentleman's amendment would do, so I rise in support of

it. I think it's a good amendment. It helps small and medium-sized farms.

Mr. LUCAS. Mr. Chairman, I yield the balance of my time to the gentleman from Minnesota (Mr. PETERSON), the ranking member of the House Agriculture Committee.

Mr. PETERSON. I thank the gentleman.

I rise in opposition to the amendment, not that I disagree with the intent here, and I think that if you look at the EQIP program, you will see that it has primarily been utilized by smaller producers around the country. But I just want to give you an example of the real world here of how this works in my district.

We have the Sauk River in my district, which is a beautiful river that has probably 100 dairy farms located alongside this river. These dairy farms have been there for 75, 100 years. You know, these have been in the family. A lot of these farms are 50 cows, 75 cows, probably 100 cows would be the largest one. So these are small family farms. They've been in their families for generations.

The problem is that the barns and the pastures and the barnyards were located next to the river, all along this river. That's just how they did things 75 years ago. And so what happened is that river got polluted from the manure running off, and the Sauk Lake, which is a beautiful lake, became overfertilized and it grew up with weeds and so forth. And you've seen that in the Chesapeake Bay and so forth.

Well, what we did is we went in there with EQIP money and moved these barnyards and moved these cattle out away from the river. We didn't build any huge structures or anything. We built some to try to dam up things and so forth.

But the point is that, even with the limitations that we had on that of the $300,000, we still had to—this was not a cheap thing to do on these farms, and these weren't big farms. So it took us 2, 3, 4 years to move each of these operations, and to move 100 of them, you know, took us, I don't know, 20, 25 years. But we have basically accomplished that, and we've cleaned up the river, cleaned up the lake.

And if you had this amendment, we'd never be able to get that done. We wouldn't have—$30,000 a year would not get us anywhere near what we needed to do to get that accomplished in that area. And that's just one example.

So the NRCS people and the FSA people that are involved in this, you know, they monitor these things. They're kind of prioritizing where they go. And you can see, when you look at the statistics, they've been focusing on the smaller projects. But there are times when you have to deal with things that have been put out there, not because of anybody doing anything with any ill intent, it's just what they did 100 years ago, and we're trying to clean it up.

So I would caution the Members to be careful about putting any limitations on these programs because a lot of times it can have a consequence that wasn't intended. So I oppose this amendment and would urge my colleagues to do the same.

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

□ 1640

The Acting CHAIR. The gentleman from Oregon has 1¼ minutes remaining.

Mr. BLUMENAUER. I yield 45 seconds to the distinguished gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. I support this amendment. We've seen natural disasters from droughts to heat waves to floods affecting farmers from coast to coast because of the climate change issue. We spend billions of dollars on crop insurance subsidies to cover the cost of these climate disasters.

This amendment expands and improves the USDA Environmental Quality Incentives Program to bring support to farmers to adjust to a changing climate. It adds climate mitigation as an eligible EQIP program expense. I think it makes sense, and I would urge my colleagues to support it.

Mr. BLUMENAUER. I appreciate my friend's joining me. The crux of this issue is, who's going to get the benefit? There were over 300,000 contracts, and 92 projects took 20 percent of the money. This amendment would target it for those far greater number. Most of the large, confined animal feedlot operations manage on their own—the rest of them can. Focus it for people who need it the most, not have a bunch of the money sucked up by large, industrial agricultural activities.

Provide more benefit for more farmers and ranchers. Approve this amendment.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 10 OFFERED BY MR. BEN RAY LUJÁN OF NEW MEXICO

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 113–117.

Mr. BEN RAY LUJAN of New Mexico. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 201, line 8, strike the closed quotation mark and the final period.

Page 201, after line 8, insert the following:

''(k) FUNDING FOR COMMUNITY IRRIGATION ASSOCIATIONS.—

''(1) IN GENERAL.—The Secretary may enter into an alternative funding arrangement with an eligible irrigation association if the Secretary determines that—

''(A) the purposes of the program will be met by such an arrangement; and

''(B) statutory limitations regarding contracts with individual producers will not be exceeded by any member of the irrigation association.

''(2) ELIGIBLE IRRIGATION ASSOCIATIONS.—In this subsection, the term 'eligible irrigation association' means an irrigation association that is—

''(A) comprised of producers; and

''(B) a local government entity, but does not have the authority to impose taxes or levies.''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from New Mexico (Mr. BEN RAY LUJÁN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, thank you very much. For many years, local farmers in New Mexico have been asking for an amendment that would allow local acequia and community ditch associations to access EQIP funds. An ''acequia'' is a centuries-old irrigation structure that is still in use today in primarily Hispanic communities across New Mexico, and it is governed by a small board made up of private landowners.

The board of private landowners, also called the acequia and community ditch association, is in charge of administering maintenance of the irrigation infrastructure, which often requires work on sections of infrastructure residing on private land. Because of current EQIP rules, individual producers can apply for assistance under the program but are not allowed to include the community ditch association to help with the work, even though the community ditch association is charged with maintaining the infrastructure for all water users.

Mr. Chairman, you can see the dilemma that we're facing in New Mexico.

This translates into burdensome roadblocks to improve conservation practices or manage scarce water resources.

Mr. Chairman, in New Mexico, we are seeing one of the worst droughts in our history, and improving water use and conservation practices are key to keeping our agricultural communities alive.

The Natural Resources Conservation Service, NRCS, charged with administering the EQIP program, has indicated this language in my amendment would create the administrative efficiency needed when working with

small producers in New Mexico who irrigate their crops via acequia and community ditches.

This amendment does not open up the program to large irrigation districts or government entities but simply affords local Hispanic farmers in rural New Mexico equal eligibility to compete for funding. Acequia community ditch associations, which are comprised solely of private landowners, do not have the authority to impose taxes or levees, and are in need of this clarifying language.

Mr. Chairman, these programs are put together State by State and funded State by State, and it's my hope that through the work with the committee staff—and, Mr. Chairman, I really want to thank the minority staff and the majority staff because they really took the time with my team to take a look at this, and I think everyone understands the need, although there still may be some questions.

Mr. LUCAS. Will the gentleman yield?

Mr. BEN RAY LUJÁN of New Mexico. I yield to the gentleman from Oklahoma.

Mr. LUCAS. The chair would just note to the gentleman that I think he's got a very interesting concept here. Clearly, we need to talk more about this as we go along. But if my ranking member would nod his head over there, I certainly would be willing to accept this amendment.

Mr. BEN RAY LUJÁN of New Mexico. Mr. Chairman, I yield back the balance of my time, and I thank everyone for their help on this.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. BEN RAY LUJÁN of New Mexico).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part B of House Report 113–117.

AMENDMENT NO. 12 OFFERED BY MR. GARDNER

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 113–117.

Mr. GARDNER. Mr. Chairman, I seek recognition to offer an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 256, after line 17, insert the following:

SEC. 2507. EMERGENCY WATERSHED PROTECTION PROGRAM.

Section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203) is amended by adding at the end the following new sentence: ''In evaluating requests for assistance under this section, the Secretary shall give priority consideration to projects that address runoff retardation and soil-erosion preventive measures needed to mitigate the risks and remediate the effects of catastrophic wildfire on land that is the source of drinking water for landowners and land users.''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Colorado (Mr. GARDNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. GARDNER. I thank the chairman of the Agriculture Committee for the opportunity to be here and for his leadership on this amendment, and also Congressman JARED POLIS from Colorado. We worked together on this Emergency Watershed Protection Program.

Over the past couple of years, we've seen incredible wildfires ravage the West in New Mexico, in Colorado, in Wyoming, in Montana, and the Northwest. Millions of acres have been lost. Just this past month alone, over 500 homes have been lost in Colorado in the Black Forest fire.

We know one thing occurs as a result of wildfires, and it's not just the event that occurs during the fire, and it's not just the impact of the burning itself of the fire to the homes, but it's what happens in the days, months and years following a forest fire that leads to millions of dollars worth of damage from a single incident.

In the case of the Hyde Park fire last year, in the case of the Waldo Canyon fire last year and indeed in the case of the Black Forest fire coming up in the coming weeks, we know that when there's moisture, when there's rain and when there's snow, erosion will occur. I'm holding a vial of sediment from a river. It looks like dirt. It's black. But it actually came from a river after a forest fire in Colorado. Millions of dollars of damage has been done to the ecosystem as a result of a fire making runoff destroy transportation systems, clog culverts and impact drinking water systems.

The Emergency Watershed Protection Program has been a critical program that helps communities prepare for and mitigate damage from natural disaster. As wildfires continue to hit the Western United States, this program will continue to do great good.

Last year was an unusually devastating year for wildfires in the United States. Across the country, 67,000 wildfires burned over 9 million acres. Significant wildfires occurred in almost every State of the Nation.

Our amendment today is simple. It requires the Secretary of Agriculture to give priority consideration for the use of the Emergency Watershed Protection funding for projects that prevent and mitigate the impacts of catastrophic wildfires. It does not prevent Emergency Watershed Program funding from being used for other types of disasters, but the EWP program has aided countless communities to protect public safety in the wake of the West's most destructive wildfires.

Before a wildfire, the Emergency Watershed Protection Program helps communities mitigate future wildfire damage by protecting critical watersheds. After a wildfire, EWP helps communities stabilize burned slopes to protect drinking water and infrastructure, prevent erosion and minimize potential hazards that cause immediate threats to people and property.

The amendment is supported by the entire Colorado House delegation, and I thank Congressman POLIS for his support and work on this amendment. I urge a ''yes'' vote.

I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I rise to claim the time in opposition.

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

Mr. LUCAS. I yield 4¾ minutes to the gentleman from Mississippi (Mr. THOMPSON).

□ 1650

Mr. THOMPSON of Mississippi. While I'm not in opposition to the proposed amendment, I do have an amendment that I had planned to offer. However, the process is going so fast and I was not here in time, but it speaks to the Wetlands Reserve Program at USDA, commonly referred to as the WRP program.

To date, WRP has restored over 2.5 million acres with over 12,000 private landowners. WRP benefits private landowners by restoring land that should have never been cleared for agriculture. The public benefits from the reduced financial demand for disaster assistance and/or crop insurance funds from lands that experience repeated losses; significant long-term conservation benefits obtained from the protection of wildlife habitat; the improvement of water quality; the increase of flood storage; and the reduction of soil erosion.

The House farm bill we are considering today consolidates into a new Agricultural Conservation Easement Program. This new program will consist of agricultural easements and wetlands easements.

The components of the amendment that I have offered today are simple. First, it makes the ownership eligibility requirement for wetland easements equal to the other conservation programs by returning to the pre-2008 farm bill requirements of 1-year ownership instead of 7 years.

My amendment's last change excludes the wettest soils from the county enrollment caps. Soils in these classes frequently flood and retain moisture at levels that severely impair or prevent farming. By allowing the lands that are the least economical to farm to be enrolled in a wetland easement, we will save in potential publicly funded disaster assistance and reduce the overall cost of crop insurance.

Mr. Chairman, all of these changes have been adopted in the Senate farm

bill. The WRP is reshaping how wetland conservation is carried out on private lands and is doing so in a cost-effective manner.

Had I had the opportunity, I would have offered this amendment. However, after consultation with the chair and ranking member, there is agreement that I will withdraw the amendment, and we will ensure that these important changes are considered in conference.

Mr. GARDNER. I thank the chairman, and at this point I yield 2 minutes to my colleague from Colorado (Mr. POLIS). Congressman POLIS and I have worked closely together over the past couple of years as wildfires have affected our districts. His district currently has a wildfire burning as we enter this debate right now.

The Acting CHAIR. The gentleman from Colorado (Mr. POLIS) is recognized for the remainder of the time, 2 minutes.

Mr. POLIS. I thank the gentleman from Colorado.

There is a new fire near Bailey, Colorado. In addition, just in this last week, the Black Forest fire has already destroyed 500 homes and killed two Coloradans. Last year was an unusually devastating year for wildfires, where there were 67,000 wildfires across the country.

Look, this Emergency Watershed Protection Program is absolutely critical for communities that are impacted by fires. That's why our entire delegation from Colorado—Democrats, Republicans—led by Mr. GARDNER and I are all cosponsors of this amendment.

I'm proud to offer this commonsense amendment which would simply require that the Secretary of Agriculture give priority consideration to emergency watershed project funding for projects that prevent and mitigate the impacts of catastrophic wildfires. It simply establishes that as a priority.

For those of us who come from communities that have been impacted, we see firsthand the need for these funds to help protect drinking water, to help prevent erosion, to minimize potential hazards that can cause additional threats to people and property long after the fires have been extinguished. Now, we know we can't stop wildfires, but we can take measures to reduce their impacts on our communities both before and after the wildfire.

To be clear, this amendment doesn't prevent emergency watershed protection funding from being used for other types of disasters—and it will. It just stipulates that in the wake of severe fire emergencies, the Secretary of Agriculture will give priority to considering emergency watershed projects that impact these areas.

I strongly urge my colleagues to vote ''yes'' on the Gardner-Polis-Lamborn-Coffman-Perlmutter-DeGette-Tipton amendment—I don't think I've ever said all of our names before. I say to the gentleman from Colorado, our entire delegation is standing strong behind this amendment. I hope that we adopt amendment 119, the Emergency Watershed Protection amendment.

Mr. LUCAS. Mr. Chairman, I yield myself the balance of my time.

I appreciate the endeavor of the delegation from Colorado. I understand they're dealing with very challenging circumstances out there. I'm not necessarily sure this is the final form this language should be in, but I would suggest to my colleagues that we support them and that we pass this amendment.

I yield back the balance of my time.

Mr. GARDNER. I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. FORTENBERRY

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 113–117.

Mr. FORTENBERRY. Mr. Chairman, I have an amendment at the desk as the designee of the gentleman from California (Mr. THOMPSON).

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 260, line 11, strike the closed quotation mark and the final period.

Page 260, after line 11, insert the following:

''(3) PRIORITY.—

''(A) IN GENERAL.—In the delivery of technical assistance under the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590a et seq.), the Secretary shall give priority to producers who request technical assistance from the Secretary in order to comply for the first time with the requirements of subtitle B and subtitle C of this title as a result of the amendments made by section 2801 of the Federal Agriculture Reform and Risk Management Act of 2013.

''(B) REPORT.—Not later than 270 days after the date of enactment of the Federal Agriculture Reform and Risk Management Act of 2013, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report regarding the extent to which the conservation compliance requirements contained in the amendments made by section 2801 of the Federal Agriculture Reform and Risk Management Act of 2013 apply to and impact specialty crop growers, including national analysis and surveys to determine the extent of specialty crop acreage on highly erodible land and wetlands.''.

Page 274, after line 18, insert the following:

Subtitle H—Highly Erodible Land and Wetland Conservation for Crop Insurance

SEC. 2801. HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION FOR CROP INSURANCE.

(a) HIGHLY ERODIBLE LAND PROGRAM INELIGIBILITY.—

(1) IN GENERAL.—Section 1211(a)(1) of the Food Security Act of 1985 (16 U.S.C. 3811(a)(1)) is amended—

(A) in subparagraph (C), by striking ''or'' at the end;

(B) in subparagraph (D), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(E) any portion of the premium paid by the Federal Crop Insurance Corporation for a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), on the condition that if a person is determined to have committed a violation under this subsection during a crop year, ineligibility under this subparagraph shall—

''(i) only apply to reinsurance years subsequent to the date of final determination of a violation, including all administrative appeals; and

''(ii) not apply to the existing reinsurance year or any reinsurance year prior to the date of final determination.''.

(2) EXEMPTIONS.—Section 1212(a)(2) of the Food Security Act of 1985 (16 U.S.C. 3812(a)(2)) is amended—

(A) in the first sentence, by striking ''(2) If,'' and inserting the following:

''(2) ELIGIBILITY BASED ON COMPLIANCE WITH CONSERVATION PLAN.—

''(A) IN GENERAL.—If,'';

(B) in the second sentence, by striking ''In carrying'' and inserting the following:

''(B) MINIMIZATION OF DOCUMENTATION.—In carrying''; and

(C) by adding at the end the following:

''(C) CROP INSURANCE.—

''(i) IN GENERAL.—Notwithstanding section 1211(a)—

''(I) in the case of a person that is subject to section 1211 for the first time after May 1, 2013, due to the amendment made by section 2801(a) of the Federal Agriculture Reform and Risk Management Act of 2013, any person who produces an agricultural commodity on the land that is the basis of the payments described in section 1211(a)(1)(E) shall have 5 reinsurance years after the date on which such payments become subject to section 1211 to develop and comply with an approved conservation plan so as to maintain eligibility for such payments; and

''(II) in the case of a person that the Secretary determines would have been in violation of section 1211(a) if the person had continued participation in the programs requiring compliance at any time after the date of enactment of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8701 et seq.) and is currently in violation of section 1211(a), the person shall have 2 reinsurance years after the date on which the payments described in section 1211(a)(1)(E) become subject to section 1211 to develop and comply with an approved conservation plan, as determined by the Secretary, so as to maintain eligibility for such payments.

''(ii) CERTIFICATION.—

''(I) IN GENERAL.—Beginning with the first full reinsurance year immediately following the date of enactment of this subparagraph, all persons seeking eligibility for the payment of a portion of the premium paid by the Federal Crop Insurance Corporation for a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) shall provide certification of compliance with section 1211(a), as determined by the Secretary.

''(II) TIMELY EVALUATION.—The Secretary shall evaluate the certification in a timely manner and—

''(aa) a person who has properly complied with certification shall be held harmless with regard to eligibility during the period of evaluation; and

''(bb) if the Secretary fails to evaluate the certification in a timely manner and the person is subsequently found to be in violation of section 1211(a), ineligibility shall not apply to the person for that violation.

''(III) EQUITABLE CONTRIBUTION.—

''(aa) IN GENERAL.—If a person fails to provide certification of compliance to the Secretary as required and is subsequently found in violation of section 1211(a), the Secretary shall determine the amount of an equitable contribution to conservation in accordance with section 1241(e) by the person for the violation.

''(bb) LIMITATION.—The contribution shall not exceed the total of the portion of the premium paid by the Federal Crop Insurance Corporation for a policy or plan of insurance for all years the person is determined to have been in violation subsequent to the date on which certification was first required under this clause.''.

(b) WETLAND CONSERVATION PROGRAM INELIGIBILITY.—Section 1221 of the Food Security Act of 1985 (16 U.S.C. 3821) is amended—

(1) in subsection (b), by adding at the end the following:

''(4) CROP INSURANCE.—

''(A) IN GENERAL.—Except as provided in this paragraph, a person subject to a final determination, including all administrative appeals, of a violation of subsection (c) shall have 1 reinsurance year to initiate a conservation plan to remedy the violation, as determined by the Secretary, before becoming ineligible under that subsection in the following reinsurance year to receive any payment of any portion of the premium paid by the Federal Crop Insurance Corporation for a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

''(B) APPLICABILITY.—In the case of a person that is subject to this subsection or subsection (d) for the first time due to the amendment made by section 2801(b) of the Federal Agriculture Reform and Risk Management Act of 2013, the person shall have 2 reinsurance years after the date of final determination, including all administrative appeals, to take such steps as the Secretary determines appropriate to remedy or mitigate the violation in accordance with subsection (c).

''(C) GOOD FAITH.—If the Secretary determines that a person subject to a final determination, including all administrative appeals, of a violation of subsection (c) acted in good faith and without intent to violate this section as described in section 1222(h), the Secretary shall give the person 1 reinsurance year to begin mitigation, restoration, or such other steps as are determined necessary by the Secretary.

''(D) TENANT RELIEF.—

''(i) IN GENERAL.—If a tenant is determined to be ineligible for payments and other benefits under this section, the Secretary may limit the ineligibility only to the farm that is the basis for the ineligibility determination if the tenant has established, to the satisfaction of the Secretary that—

''(I) the tenant has made a good faith effort to meet the requirements of this section, including enlisting the assistance of the Secretary to obtain a reasonable conservation plan for restoration or mitigation for the farm;

''(II) the landlord on the farm refuses to comply with the plan on the farm; and

''(III) the Secretary determines that the lack of compliance is not a part of a scheme or device to avoid the compliance.

''(ii) REPORT.—The Secretary shall provide an annual report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate concerning the ineligibility determinations limited during the previous 12-month period under this subparagraph.

''(E) CERTIFICATION.—

''(i) IN GENERAL.—Beginning with the first full reinsurance year immediately following the date of enactment of this paragraph, all persons seeking eligibility for the payment of a portion of the premium paid by the Federal Crop Insurance Corporation for a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) shall provide certification of compliance with this section as determined by the Secretary.

''(ii) TIMELY EVALUATION.—The Secretary shall evaluate the certification in a timely manner and—

''(I) a person who has properly complied with certification shall be held harmless with regard to eligibility during the period of evaluation; and

''(II) if the Secretary fails to evaluate the certification in a timely manner and the person is subsequently found to be in violation of subsection (c), ineligibility shall not apply to the person for that violation.

''(iii) EQUITABLE CONTRIBUTION.—

''(I) IN GENERAL.—If a person fails to provide certification of compliance to the Secretary as required and is subsequently found in violation of subsection (c), the Secretary shall determine the amount of an equitable contribution to conservation in accordance with section 1241(e) by the person for the violation.

''(II) LIMITATION.—The contribution shall not exceed the total of the portion of the premium paid by the Federal Crop Insurance Corporation for a policy or plan of insurance for all years the person is determined to have been in violation subsequent to the date on which certification was first required under this subparagraph.'';

(2) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively; and

(3) by inserting after subsection (b) the following:

''(c) INELIGIBILITY FOR CROP INSURANCE PREMIUM ASSISTANCE.—

''(1) IN GENERAL.—If a person is determined to have committed a violation under subsection (a) or (d) during a crop year, the person shall be ineligible to receive any payment of any portion of the premium paid by the Federal Crop Insurance Corporation for a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

''(2) APPLICABILITY.—Ineligibility under this subsection shall—

''(A) only apply to reinsurance years subsequent to the date of final determination of a violation, including all administrative appeals; and

''(B) not apply to—

''(i) the existing reinsurance year; or

''(ii) any reinsurance year prior to the date of final determination.

''(3) DATE OF CONVERSION.—Notwithstanding subsection (d), ineligibility for crop insurance premium assistance shall apply as follows:

''(A) In the case of wetland that the Secretary determines was converted after the date of enactment of the Food, Conservation and Energy Act of 2008 (7 U.S.C. 8701 et seq.) but on or before May 1, 2013, and continues to be in violation, the person shall have 2 reinsurance years after the date on which this subsection applies, to begin the mitigation process, as determined by the Secretary.

''(B) In the case of wetland that the Secretary determines was converted after May 1, 2013—

''(i) subject to clause (ii), the person shall be ineligible to receive crop insurance premium subsidies in subsequent reinsurance years unless section 1222(b) applies; and

''(ii) for any violation that the Secretary determines impacts less than 5 acres of the entire farm, the person may pay a contribution in accordance with section 1241(e) in an amount equal to 150 percent of the cost of mitigation, as determined by the Secretary, for wetland restoration in lieu of ineligibility to receive crop insurance premium assistance.

''(C) In the case of a wetland that the Secretary determines was converted prior to the date of enactment of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8701 et seq.), ineligibility under this subsection shall not apply.

''(D) In the case of an agricultural commodity for which an individual policy or plan of insurance is available for the first time to the person after the date of enactment of the Federal Agriculture Reform and Risk Management Act of 2013—

''(i) ineligibility shall apply only to conversions that take place after the date on which the policy or plan of insurance first becomes available to the person; and

''(ii) the person shall take such steps as the Secretary determines appropriate to mitigate any prior conversion in a timely manner but not to exceed 2 calendar years.

''(4) CERTIFICATION.—

''(A) IN GENERAL.—In enforcing eligibility under this subsection, the Secretary shall use existing processes and procedures for certifying compliance.

''(B) RESPONSIBILITY.—The Secretary, acting through the agencies of the Department of Agriculture, shall be solely responsible for determining whether a producer is eligible to receive crop insurance premium subsidies in accordance with this subsection.

''(C) LIMITATION.—The Secretary shall ensure that no agent, approved insurance provider, or employee or contractor of an agency or approved insurance provider, bears responsibility or liability for the eligibility of an insured producer under this subsection, other than in cases of misrepresentation, fraud, or a scheme or device to avoid compliance.''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Nebraska (Mr. FORTENBERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nebraska.

Mr. FORTENBERRY. Mr. Chairman, I've been pleased to work with Congressman THOMPSON in providing this commonsense amendment to enhance the conservation goals in our country.

Our farmers and ranchers are the first stewards of the land. This amendment would simply continue the practice of conservation planning on our most fragile lands to ensure that we meet important land and stewardship goals. The concept is widely upheld as an important conservation initiative by many in the agricultural and environmental communities.

The amendment does call upon farmers and ranchers to develop unique conservation plans when seeking to receive Federal crop insurance subsidies

on highly erodible lands. I believe this to be a reasonable measure that is consistent with our current conservation policies.

It is also important to emphasize that this is not a new idea. In fact, this approach has a long track record of proven results. Conservation compliance was linked with crop insurance in the 1985 farm bill and has been tied to direct payments since 1996.

According to a report by the USDA's Economic Research Service:

An estimated 295 million tons of erosion reduction per year could be directly attributed to implementation of conservation compliance policy.

In addition, conservation compliance has resulted in a significant reduction in the annual loss of wetlands. I believe this is a strategy that has worked.

Given some late-hour complications that have arisen, I'm going to ask that the amendment be withdrawn; but I hope that we can look forward to continuing dialogue with the chairman, particularly since this is in the underlying Senate bill.

I yield back the balance of my time.

The Acting CHAIR. The amendment is withdrawn.

□ 1700

AMENDMENT NO. 14 OFFERED BY MS. KAPTUR

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part B of House Report 113–117.

Ms. KAPTUR. Mr. Chairman, I have an amendment at the desk.

The ACTING CHAIR. Is the gentlewoman a designee of the gentleman from Florida?

Ms. KAPTUR. Yes, I am the designee of the gentleman from Florida.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 263, line 3, strike ''; and'' and insert a semicolon.

Page 263, after line 3, insert after paragraph (3) the following new paragraph:

(4) in subsection (h)(2), by inserting '', including, to the extent practicable, practices that maximize benefits for honey bees'' after ''pollinators''; and

At the end of subtitle C of title XII, add the following:

SEC. 12____. PROTECTION OF HONEY BEES AND OTHER POLLINATORS.

(a) IN GENERAL.—The Secretary, in consultation with the Secretary of the Interior and the Administrator of the Environmental Protection Agency, shall carry out such activities as the Secretary determines to be appropriate to protect and ensure the long-term viability of populations of honey bees, wild bees, and other beneficial insects of agricultural crops, horticultural plants, wild plants, and other plants, including—

(1) providing technical expertise relating to proposed agency actions that may threaten pollinator health or jeopardize the long-term viability of populations of pollinators;

(2) providing formal guidance on national policies relating to—

(A) permitting managed honey bees to forage on National Forest Service lands where compatible with other natural resource management priorities; and

(B) planting and maintaining managed honey bee and native pollinator forage on National Forest Service lands where compatible with other natural resource management priorities;

(3) making use of the best available peer-reviewed science regarding environmental and chemical stressors on pollinator health; and

(4) regularly monitoring and reporting on the health and population status of managed and native pollinators including bees, birds, bats, and other species.

(b) TASK FORCE ON BEE HEALTH AND COMMERCIAL BEEKEEPING.—

(1) ESTABLISHMENT.—The Secretary shall establish a task force—

(A) to coordinate Federal efforts carried out on or after the date of enactment of this Act to address the serious worldwide decline in bee health, especially honey bees and declining native bees; and

(B) to assess Federal efforts to mitigate pollinator losses and threats to the United States commercial beekeeping industry.

(2) AGENCY CONSULTATION.—The task force established under this subsection shall seek ongoing consultation from any Federal agency carrying out activities important to bee health and commercial beekeeping, including officials from—

(A) the Department of Agriculture;

(B) the Department of the Interior;

(C) the Environmental Protection Agency;

(D) the Food and Drug Administration;

(E) the Department of Commerce; and

(F) U.S. Customs and Border Protection.

(3) STAKEHOLDER CONSULTATION.—The task force established under this subsection shall consult with beekeeper, conservation, scientist, and agricultural stakeholders.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the task force established under subsection (b) shall submit to Congress a report that—

(1) summarizes Federal activities carried out pursuant to section 1672(h) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925(h)) or any other provision of law (including regulations) to address bee decline;

(2) summarizes international efforts to address the decline of managed honey bees and native pollinators; and

(3) provides recommendations to Congress regarding how to better coordinate Federal agency efforts to address the decline of managed honey bees and native pollinators.

(d) POLLINATOR RESEARCH LAB FEASIBILITY STUDY.—

(1) IN GENERAL.—The Secretary, acting through the Administrator of the Agricultural Research Service, may conduct feasibility studies regarding—

(A) re-locating existing honey bee and native pollinator research from Federal laboratories to a cooperator-run facility in a location most geographically appropriate for pollinator research; and

(B) modernizing existing honey bee research laboratories identified by the Agricultural Research Service in the capital investment strategy document dated 2012.

(2) CONSULTATION.—In conducting the feasibility studies under paragraph (1), the Secretary shall consult with—

(A) beekeeper, native bee, agricultural, research institution, and bee conservation stakeholders regarding new research laboratory needs under paragraph (1)(A); and

(B) commercial beekeepers regarding modernizing existing honey bee laboratories under paragraph (1)(B).

The Acting CHAIR. Pursuant to House Resolution 271, the gentlewoman from Ohio (Ms. KAPTUR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio.

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

First, I would like to offer my highest commendation to Congressman HASTINGS for his work on this vital issue.

Let me begin with the words of Congressman HASTINGS: ''No bees, no food.''

The amendment being offered today will help coordinate the Federal response to the sudden, massive, and frightening decline in our Nation's bee population. Specifically, the amendment would allow the Secretary of Agriculture to work with the Secretary of Interior and Administrator of the Environmental Protection Agency to ensure the long-term viability of our bee population.

The amendment would allow the establishment of a task force on bee health and commercial beekeeping to coordinate Federal efforts in addressing the significant bee population decline.

Preliminary results from a survey by the U.S. Department of Agriculture show that over nearly a third of managed honeybee colonies in our country were lost during the 2012–2013 winter. That is an increase of 42 percent in honeybee losses. On average, U.S. beekeepers lost nearly half of their colonies during this past winter. This was an increase nationally of over 78 percent from the previous winter. Traditionally, the average loss had only been about 10 to 15 percent, and there have been significant honeybee losses in 22 different States.

This amendment will help coordinate the Federal response to the sudden massive decline of our Nation's bee population. Since 2006, we have lost 10 million beehives, costing beekeepers more than $2 billion. No one knows what is causing these dramatic losses, which was formally referred to as ''colony collapse disorder.'' We don't know if it is a natural phenomenon, we don't know if it is the result of changes in the environment, we don't know if it is due to interactions with genetically modified crops, we don't know if it is due to pesticides.

I can tell you one thing it is due to, because I've seen it myself in Ohio. It is due to mites that were shipped in to our nation from foreign countries in imported material. The critters got into these hives as they intermingled with our native hives. The mites came from foreign countries—from China, and from South Africa by way of Brazil—varroa mites among them—

these mites are just crippling these colonies that have pollinated our orchards and our fields for generations.

We need to take this seriously because the massive decline in these populations threatens us all. Without sufficient bee pollination we will not be able to meet the demands of U.S. agricultural crops that require pollination to grow. It isn't by magic that all this happens. Not every plant is a self-pollinator.

That means if we do not have proper bee pollination, we will not be able to grow the food we need to feed our country. We are already importing too much food, food that could be grown here at home. China, but the way, is now shipping a product they call honey into our country. But it is not honey. It is corn syrup diluted with water. We need better honey labeling.

The decline in the bee population has been occurring over a period of time. But listen to these losses. In 1947, when America only had about 146 million people, we had 6 million bee colonies. In 1970, that number dropped to 4 million. And in 1990, the number fell to 3 million. Today, there are only 2.5 million bee colonies in our country. We have a population of 310 million, and it is projected by 2050 we will have a population of 500 million people. These numbers are not moving in the right direction.

Bee health is vitally important for our food system, as bee pollination helps produce about a third of what we eat—one-third. This adds $125 billion in global agricultural production value and 20 to $30 billion in United States agricultural production value.

Of the 100 crops that provide 90 percent of the world's food, over 70 percent are pollinated by bees. Are we listening? Of the 100 crops that provide 90 percent of the world's food, over 70 are pollinated by bees. That's 70%.

In North America, honeybees pollinate nearly 95 different kinds of fruits, including many specialty crops like almonds, avocados, cranberries, oranges, raspberries and apples, and so much more. The current Federal response to this problem is entirely inadequate. People are somnambulant. They think this is nonexistent because the bee is so small it can fly right by you and you don't even see it. In fact, most people don't know the difference between a honeybee and a bumblebee. Well, let me tell you, there is a big difference.

It is so bad that one professor was quoted as saying:

''We are one poor weather event or high winter bee loss away from a pollination disaster.''

Why have we let it get to this point where one bad storm could essentially wipe out our bee population? It is clear what we are doing is not working.

The amendment is supported by: American Honey Producers Association, American Beekeeping Federation, Pollinator Partnership, American Farm Bureau, Florida Farm Bureau, National Farmers Union, Blue Diamond Growers, Center for Food Safety, National Wildlife Federation.

In closing, I hope we can come together on a bipartisan basis to help stem the decline in our Nation's bee populations.

I urge adoption of the amendment.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. LUCAS. Mr. Chairman, I rise in opposition to the amendment.

The ACTING CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

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

I appreciate the gentlelady's very sincere interest, and of course our colleague Congressman HASTINGS' work and concern about pollinator health. He has been a champion on these issues for quite some time.

While we are all aware of the need for Federal cooperation in addressing the issues related to pollinators, I believe this amendment is costly and duplicative.

I am likewise concerned with the broad nature of the authority granted to the Secretary to implement new policies without the necessary statutory structure to direct the Secretary's agenda.

I am aware that several constituent groups have raised concerns since this language first surfaced last month as a proposed Boxer amendment to the Senate farm bill, but as yet, few, if any, have had a chance to clearly evaluate it, and none have had a chance to be heard in a hearing process to evaluate their concerns.

I, therefore, must respectfully oppose the amendment and urge my colleagues otherwise. I would like to work with the both the lady and the distinguished gentleman to see if we can come up with a mutually desirable outcome to address this. When I say ''I'm concerned about the authority given to the Secretary,'' in the language it says:

The Secretary, in consultation with the Secretary of the Interior and the administrator of the Environmental Protection Agency, shall carry out such activities as the Secretary determines to be appropriate to protect and ensure long-term viability of populations.

''Determine.'' I just have concerns about the nature of this language. Therefore, I must respectfully oppose the amendment, and yield back the balance of my time.

Mr. HASTINGS of Florida. Mr. Chair, my amendment today is simple: No bees, no food. The amendment improves federal coordination in addressing the documented decline of managed and native pollinators, as well as promotes the long-term viability of honey bees, wild bees, and other beneficial insects in agriculture.

Beekeepers and their honey bees are vitally important partners in American agriculture.

They provide essential pollination services to a diverse array of important agricultural commodities. Bee pollinated crops represent an estimated $20 billion in value annually.

Furthermore, one in three bites of food that we eat directly or indirectly comes from pollinators.

Unfortunately, our honey bees, native bees and other pollinating partners are showing signs of decline.

Colony collapse Disorder (CCD), multiple pests and diseases continue to plague beekeepers and their honey bees, as well as affect agriculture producers who depend on their pollination services.

This means that our food and job security, and healthy ecosystems are also at risk.

A recent study released by the National Academy of Sciences on the status of pollinators in North America, highlighted the lack of research and coordination in the federal government when it comes to pollinator health and protection.

In 2008, I offered an amendment to the Farm Bill aimed at protecting pollinators through additional research at the U.S. Department of Agriculture (USDA).

Those provisions went a long way in highlighting the seriousness of pollinator health decline and Colony Collapse Disorder.

I am pleased to see those provisions preserved and extended in this year's Farm Bill. While progress has been made, we still have a long way to go. My amendment will help address these issues.

Bee health is affected by the activities of a number of federal agencies who are dedicated to finding a solution.

But this is a complex problem and it requires a sophisticated and multi-agency response.

For example, USDA activities alone include the Agricultural Research Service (ARS), the National Institutes of Food and Agriculture (NIFA), the Farm Services Agency (FSA), the Animal and Plant Health Inspection Service (APHIS), and the U.S. Forest Service.

Forage area for bees can be enhanced through federal programs on conservation and public lands that are managed by the U.S. Departments of Interior and Transportation.

The U.S. Environmental Protection Agency (EPA) is responsible for striking the delicate balance between pollinator health and the ability of our nation's growers to produce strong crop yields.

And, of course, agencies such as the Food and Drug Administration (FDA), the U.S. Department of Commerce (DOC), as well as the U.S. Customs and Border Protection Agency all have a role in ensuring a safe food supply and level playing field capable of supporting our nation's commercial beekeepers.

Specifically, my amendment: promotes cooperation between federal agencies to support the long-term viability and health of pollinator populations including to share guidance and technical expertise, establishes a task force on bee health and commercial beekeeping to coordinate federal efforts; requires the production of a report on the United States' and international efforts to address the decline; requests regular monitoring and reporting on health and population status of pollinators (including bees, birds, bats, and other species);

encourages agencies to utilize the best available peer-reviewed science on environmental and chemical stressors to pollinators, including giving consideration to international efforts addressing pollinator declines; as well as encourages the Secretary of Agriculture to conduct feasibility studies for the creation of a new bee lab at ARS, and the modernization of current facilities.

Mr. Chair, I thank you for the time and urge the Committee to make my amendment in order.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

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

Ms. KAPTUR. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 15 OFFERED BY MR. ROYCE

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in part B of House Report 113–117.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 275, line 1, strike ''paragraph (1), by'' and insert the following: ''paragraph (1)—''

Page 275, after line 3, insert the following new subparagraph:

(B) by striking ''agricultural commodities'' and inserting ''assistance, including agricultural commodities,''; and

Page 275, after line 8, insert the following new section:

SEC. 30__. PROVISION OF ASSISTANCE.

Section 202 of the Food for Peace Act (7 U.S.C. 1722) is amended—

(1) in the section heading, by striking ''**AGRICULTURAL COMMODITIES**'' and inserting ''**ASSISTANCE**'';

(2) in subsection (a), by striking ''agricultural commodities'' and inserting ''assistance, including agricultural commodities,'';

(3) in subsection (b)(1), by striking ''agricultural commodities'' and inserting ''assistance, including agricultural commodities,''; and

(4) by adding at the end the following new subsection:

''(i) LIMITATION.—Of the funds authorized to be appropriated to carry out this title, not more than 45 percent shall be used for assistance other than agricultural commodities and associated costs under subsections (a) and (b).''.

Page 277, after line 10, insert the following new section:

SEC. 30__. MINIMUM LEVEL OF LOCAL SALES.

Section 203(b) of the Food for Peace Act (7 U.S.C. 1723(b)) is amended—

(1) by striking ''shall'' and inserting ''may''; and

(2) by striking ''equal to not less than'' and inserting ''up to''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from California (Mr. ROYCE) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from California.

□ 1710

Mr. ROYCE. I yield myself 3 minutes.

Before beginning, I ask unanimous consent that the gentleman from New York (Mr. ENGEL) be permitted to control 5 minutes of the debate time allocated to me.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Chairman, I appreciate the very hard work of Chairman LUCAS, but there is one program in glaring need of reform. This bipartisan amendment will make our well-intentioned, but grossly outdated, international food aid programs more flexible, more efficient, and far more effective.

Under the current system, which was designed 60 years ago, all of our food aid must be purchased in the U.S., and at least 50 percent has to be shipped on U.S.-flagged vessels. Yet, today, 60 years later, food prices and U.S. agricultural exports have reached historic highs, and this makes this program of negligible value to the U.S. farm economy. Food aid purchases now account for less than half a percent of net farm income. Businesses at the ports are booming, and there are only a handful of U.S.-flagged ships.

When asked how the proposed reforms would impact American farmers, the Secretary of Agriculture stated:

Far from ending a partnership between our Nation's humanitarian and development mission and our world-class agricultural and food system, we are recommitting to the role that American agriculture plays in food security and tapping into the ingenuity of American farmers and the powers of science and innovation to avoid future shortages and global hunger.

Mr. Chairman, these subsidies can no longer be justified. They only add to the cost of the program, and they delay by months the time that it takes for food aid to reach desperate disaster victims. The Royce-Engel amendment would enact two commonsense reforms:

First, the amendment would allow up to 45 percent food aid to be purchased closer to the crisis. This change will yield an estimated $215 million in efficiency savings; it's going to reduce mandatory spending by $150 million over the bill's life; and it's going to allow us to reach 4 million more disaster victims.

Second, the amendment curtails a process called ''monetization,'' which the Government Accountability Office found is inefficient and disrupts local markets. In other words, it wastes money; it slows economic growth; and it harms those we are trying to help. In recent years, it has wasted $215 million.

There are real-life consequences to clinging to an inflexible, inefficient program that puts the interests of the few over those of the taxpayers, not to mention over those of the millions in desperate need of humanitarian aid globally. With this reform, by investing in local markets, we help nations become more food secure; we develop more U.S. trade partners; we break the cycle of aid dependency.

This amendment enjoys wide bipartisan support. Both administrations—this one and the last—have sought these changes. The amendment is supported by a long list of relief organizations. Mr. Chairman, the question is not: Why should we reform food aid? It is: Why have we waited so long?

I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Oklahoma is recognized for 10 minutes.

Mr. LUCAS. I yield 1 minute to the gentleman from the great State of Texas (Mr. CONAWAY).

Mr. CONAWAY. Mr. Chairman, I appreciate the time.

I respectfully disagree with my good colleagues, both of whom are sincere in their efforts.

I believe this amendment is wrongheaded. If it had been enacted last year, it would have placed $928 million in cash assistance into largely unstable regions of the world and with no clear guidelines on how the money should be spent or tracked. We saw a rampant waste of cash in Iraq when we tried to use cash to further our means there. It's a whole lot harder to steal a sack of rice with ''USA'' written on the side of it than it is to steal a sack of currency. This program is meant to help folks in need of food. There is no better producer and no cheaper producer than the American farmer.

I respectfully disagree with my colleagues, and I would urge a ''no'' vote on the amendment.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. ENGEL. Mr. Chairman, I rise in strong support of the Royce-Engel amendment to H.R. 1947.

Let me say that I am pleased to stand with the chairman of our Foreign Affairs Committee in a bipartisan amendment which is common sense.

Since 1954, the Food for Peace program has fed more than a billion people around the world and has saved countless lives. This program embodies the compassion and generosity of the American people, and it's something of which we can all be proud. However, the world has changed in the 59 years since Food for Peace was enacted, and our food aid should be reformed to reflect the new realities.

The biggest problem with our current food aid is that it takes too long to deliver. Food grown in the U.S., which

makes up the vast majority of our assistance, takes an average of 130 days to deliver. By purchasing food closer to the recipient countries, we can cut the delivery time in half and, in the process, get food to starving people before it's too late.

Food aid is also too expensive. Shipping and transportation costs account for half of the food aid budget. By purchasing food locally or providing vouchers, we can save hundreds of millions of dollars, which can be used to feed more needy people. By passing our amendment, we can reach 4 million more people without spending an extra dime.

Mr. Chairman, the easy thing to do is to do nothing on the issue of food aid reform, but the right thing to do is to enact sensible reforms that save taxpayer money and, most importantly, save lives.

I urge my colleagues to support this bipartisan, commonsense amendment, and I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas (Mr. CRAWFORD).

Mr. CRAWFORD. I thank the chairman.

I would just like to respectfully oppose the gentleman's amendment.

Mr. Chair, this amendment would dismantle one of the most effective diplomatic tools available to the United States. Food for Peace promotes the good will of the American people by providing American-grown food supplies to the poorest and most vulnerable populations in the world. This program has been in place for nearly 60 years and is the cornerstone of the United States' diplomatic and humanitarian efforts.

If there are any inefficiencies, as the sponsors of this amendment suggest, then USDA and USAID must be held accountable for them because they coordinate the program's implementation. I reject the idea that direct cash assistance from the Local and Regional Purchase Program, or LRP, is a better way to go because it will simply provide food vouchers used to buy foreign-sourced food. This sounds less like reform and more like a proposal to provide food stamps to the world.

Instead of giving USAID free rein to spend cash however they see fit, Congress must recognize that Food for Peace allows our farmers to serve as ambassadors. As you can see on the sign beside me, the first thing starving people see when they receive a bag of rice—and it likely came from Arkansas—is the stamp of the American flag. We are concerned about what the contents of that bag are. That American flag means something, and we don't want to diminish the brand and the quality of the product contained in that bag.

I respectfully urge my colleagues to reject this amendment.

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

Mr. LUCAS. Mr. Chairman, I wish to yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Chairman, my colleagues from California and New York are sincere, and like, I think, all 435 of us, they possess a deep sense of humanity and the necessity for America to reach out in our best spirit to help those in need.

This is the reality: this is a picture that my wife took in Eritrea a few years back. That's the American Food for Peace program. It is not broken. The American Food for Peace program is really about humanitarian, economic, and national security. It is extremely important. My wife and I have spent many years and many days in the famine camps around the world.

This is the statement of America. It's not a check and it's not cash, and it's not a credit card or a debit card. It's the delivery of food. The Food for Peace program really does work. It's not broken. It is not broken at all. Prepositioning food overseas does work. When the great flood occurred in Pakistan just a couple of years ago, it was this program—the delivery of American food in sacks—that actually arrived before there was any local food that was purchased.

□ 1720

The Food for Peace program is not broken.

I agree about the need for flexibility and we actually have it. We have the International Disaster Assistance program which is in place and can be used, and it can be cash purchases.

You don't need to change the Food for Peace program to deal with it. You preposition food. You send American products, American food overseas. It is the very best way that we can help. And it turns out that in the Pakistan disaster, this program, the Food for Peace program, delivered food faster and better than the local programs because the local programs had totally broken down. And that will happen over and over.

We don't need to destroy something that's worked for 50 years.

Mr. LUCAS. Mr. Chairman, I yield 1 minute to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Chairman, I thank the chairman for yielding.

While I support efforts to make our foreign food aid programs as efficient and effective as possible, I cannot support the amendment by the gentlemen from California and New York, Mr. ROYCE and Mr. ENGEL. However well-intentioned the sponsors might be, the effect of this amendment would be to undermine the integrity of the U.S. merchant marine and U.S. flag fleet, which serve our Nation in times of war and peace.

The effect of this amendment would be to reduce the volume of U.S. Government-impelled cargoes shipped overseas under the Food for Peace program. No one disputes that fact. However, many of the militarily useful vessels that provide this needed sealift capacity for our military also participate in the food aid programs under cargo preference.

For example, all 19 vessels owned by Maersk Line, Limited and enrolled in the Maritime Security Program also carry foreign food aid. And for that matter, the U.S. mariners that serve on these vessels come from the same common pool that serves both needs. You cannot cut one without also harming the other. And once these jobs are gone, they're gone forever.

Plain and simple, this amendment will mean fewer voyages for U.S. carriers and fewer jobs for our U.S. merchant seafarers at a time when our military is reducing the sealift demand as it draws down from its deployment in Afghanistan.

Mr. ENGEL. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS. Mr. Chairman, as an American, I am proud that for six decades our great Nation has been a leader in the global effort to fight hunger and malnutrition. I have seen for myself what we have been able to do, helping Haiti, Pakistan, Sudan, Kyrgyzstan, Botswana, and so many more nations, yet we can do better. We can reach millions more. We can enable local and regional producers to do more, and we can alleviate hunger while at the same time promoting agriculture development that is so desperately needed in many low-income and high-risk developing nations.

I've seen how much more we can do if we enable in-country producers with local procurement and technical assistance. Millions more can be reached more efficiently and effectively and we can better empower nations and their people with the ability to self-sustain.

Food reform makes sense. If our goal is to help as many people as possible with funds that are dedicated to fighting hunger, why not reach millions more for what we are spending today? I want it to be the case that we have reached many. When I go on future trips, I want to know that there is progress for recipient nations on how many we have reached. But I also want the capacity of those to have increased to help themselves.

Support and vote for the Royce-Engel amendment.

Mr. LUCAS. Mr. Chairman, I wish to yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Chairman, I deeply respect the authors of this amendment and respect their effort to try to balance competing concerns, but I respectfully believe that they've struck the wrong balance.

One concern that I have here is that money is fungible and food is not. The possibility of corruption occurring—not because of the good-faith NGOs, but because of some of the forces at work in the countries we're talking about—is a problem. At the same time, I believe the effect of this amendment would be to undercut our merchant marine activities, our agricultural exporters, and ultimately undercut support within this country for a robust program of food aid to the rest of the world.

The present structure of the program is inclusive; it builds support. I respectfully think this amendment would detract from that support. For that reason, I would urge a ''no'' vote.

Mr. ENGEL. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Chairman, I rise in support of this amendment.

I've always been a strong supporter of America's global food aid programs, and I've made it a point to visit these programs in the field in Africa and Latin America.

After seeing firsthand these emergency response and development programs, one thing is clear to me: we need to do whatever works best for each situation. One size does not fit all.

We should provide U.S. commodities and pre-position them in the field, cash for local purchase, vouchers and fortified foods for children, and we need grants for projects that address chronic hunger. That's exactly what the Royce-Engel amendment does. It provides flexibility. It expands U.S. options in responding to crises. It reaches more people for the same amount of dollars, and it continues the engagement of U.S. producers and shippers in alleviating global hunger.

Our food aid programs are designed to end hunger. We can do better. It's not all one way or the other. We should do what works. This amendment provides the flexibility.

I urge my colleagues to support the Royce-Engel amendment on food aid reform.

Mr. LUCAS. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I rise today to oppose the Royce-Engel amendment.

For nearly six decades, the Food for Peace program has used U.S. taxpayer funding to benefit those in need around the world, as well as U.S. agriculture and the United States Merchant Marines.

This amendment would gut the program by allowing 45 percent of its funding to be sent as cash payments to foreign nations. As a former chairman of the Subcommittee on Coast Guard, I can assure you this would be devastating to the U.S. Merchant Marine and to the domestic sealift capacity that moves 90 percent of the cargo supporting our military in Iraq and Afghanistan.

Let me paint a picture. In 2012, just over 9,000 ships visited U.S. ports. Approximately only 100 of those vessels sailed under the United States flag. I emphasize that these 100 vessels include militarily useful vessels that carry food aid. Policies such as the one embodied in this amendment would drive more vessels from the U.S. flag fleet, which exceeded 850 ships as recently as 1975.

I urge a ''no'' vote.

Mr. ENGEL. I now yield 1 minute to the gentlewoman from California, the ranking member of the Africa Subcommittee of the House Foreign Affairs Committee, Ms. BASS.

Ms. BASS. Mr. Chairman, this amendment modernizes and makes critical reforms to the U.S. Food for Peace program.

While this amendment will feed millions more people, it importantly ends policies that have depressed local markets and, in some instances, hurt, rather than helped, those in need.

In Africa, where we see food emergencies in the Sahel and the Horn of Africa, creating greater flexibility to purchase food commodities from local and regional farmers will strengthen local markets and ensure African nations are less reliant on U.S. foreign aid.

Too often, we Americans see Africa as a land of crisis. This amendment shifts this outlook and will show that Africans, themselves, can and will play a critical role in addressing hunger and malnutrition. This amendment saves money and assists countries to be self-sufficient.

Let's put an end to backward policies that are harmful to local markets and allow the continent of Africa and many other nations—Africa, with six of the fastest growing economies in the world—to help solve local food emergencies.

I urge my colleagues to support this amendment.

Mr. LUCAS. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Oklahoma has 2½ minutes remaining

Mr. LUCAS. I yield 1 minute to the gentleman from Tennessee (Mr. FINCHER).

Mr. FINCHER. Mr. Chairman, I rise in opposition to this amendment.

This amendment favors our foreign competitors over American-grown products, American-grown industries, and jobs filled by Americans.

Unlike foreign aid programs, the Food for Peace program is American-made through and through, and it's tied to approximately 44,000 American jobs in the agriculture, transportation, and maritime industries.

An American is employed at every step in this process of the Food for Peace program. Americans grow the crops. The commodities are processed and packaged in the United States. Those packages are carried by our railroads and barges to American seaports and finally delivered to the receiving nations by U.S.-flagged vessels.

□ 1730

I urge my colleagues to vote ''no'' on this amendment and support American farmers, American workers, and American taxpayers.

Mr. ENGEL. Mr. Chairman, I yield my remaining 30 seconds to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Chairman, I thank the gentleman for yielding.

I rise in support of this amendment. Look, the way the program works now, it's the most expensive food in the world. This keeps the buying of American food, shipping it on American flagships. It preserves all of the American jobs. But it also frees up money to allow countries to learn how to fish, how to be able to go out and buy food and also develop the markets.

As a return Peace Corps volunteer, this is a really smart investment. And for those fiscal conservatives here, this is a much better amendment than keeping the status quo. I urge its support.

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

Mr. LUCAS. Mr. Chairman, I yield my remaining 1¾ minutes to Mr. GREEN of Texas.

Mr. GENE GREEN of Texas. I rise in opposition to the amendment offered by my good friends, Congressmen ROYCE and ENGEL. This amendment would cripple the Food for Peace Program, our Nation's premier foreign aid program, and endanger tens of thousands of jobs in agriculture and the maritime industry.

Since 1954, Food for Peace has enabled the United States to play a leading role in responding to international food assistance needs and ensuring global food security, reaching more than 3 billion people in 150 countries.

In 2012 alone, the Food for Peace Program shipped million of tons of American food aid abroad aboard dozens of U.S.-flagged and crewed ships.

Food for Peace also helps maintain our domestic merchant marine by ensuring a steady flow of American cargo shipped by Americans on U.S.-flagged ships. Unfortunately, many benefits from the Food for Peace Program are being threatened by this amendment, which would redirect 45 percent of the program's budget to send direct cash payments overseas with little accountability, scant transparency, and no benefit to U.S. farmers and merchant marines.

Mr. ROYCE. Mr. Chairman, the gentleman has expressed concern about accountability. With all due respect, allow me to dispel a myth. We are not

talking about sending bags of cash to foreign governments so they can spend it on whatever they want. No matter the form, U.S. food assistance is now and will continue to be subject to multiple levels of scrutiny and monitoring and evaluation. The Food for Peace Program maintains strong accountability for funds. Food aid will continue to be branded with U.S. aid logos, prominently displayed on all program-related materials regardless of whether the food is purchased in the United States or in the affected region. That is the way this program works.

And according to the Secretary of Defense, the Defense Department supports the President's proposed reform, supports this reform of the food aid program, and the Defense Department has assessed that it will not affect U.S. maritime readiness or national security obviously in any way since these are non-militarily useful ships under foreign ownership anyway, for the most part.

Mr. Chairman, this is about fixing a broken system. Our food aid takes too long to arrive and costs too much to get there. A former top aid official told our committee last week that in fast-onset famines such as Somalia and wars involving mass population displacements, such as Darfur: ''I watched people die waiting for food aid to arrive.'' He wants a change so that the aid can be purchased right there, and during that first month when they are waiting for the ship to arrive, to feed those people before they starve to death. That's what's driving this amendment.

In Syria, a shipment of U.S. food just arrived, yes it did, 2 years after the onset of this—2 years afterwards. It would have been helpful if we'd had a little ability in the program to handle this on the ground. U.S. interests are being undermined here by archaic food aid programs, and I urge adoption.

I yield back the balance of my time.

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

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

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

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

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

AMENDMENT NO. 16 OFFERED BY MR. CHABOT

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in part B of House Report 113–117.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 3102, relating to extension of funding for the market access program.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Ohio (Mr. CHABOT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. CHABOT. Mr. Chairman, the rationale behind this amendment is simple: hardworking taxpayers should not have to subsidize the world's most successful companies and trade groups for their business and advertising overseas, yet that's exactly what the Market Access Program does. Every year, the Federal Government takes millions from taxpayers and hands it to multi-million-dollar corporations. These funds end up financing lavish international travel and marketing expenses for corporations that could most certainly afford to do it themselves. In my view, this is corporate cronyism for the well-connected, and with a $17 trillion debt, almost, it's time to end this misuse of tax dollars.

Just a few of the more egregious examples of waste include a taxpayer-funded Japanese Tweet While You Eat campaign to promote U.S. beef; an animated series in Spain promoting walnuts that chronicles the adventures of a squirrel named Super Twiggy and his nemesis the Colesterator; educational wine tastings in London, Denmark, Dublin, and Mexico; American whiskey tastings in Hong Kong; an elaborate outdoor dinner party in New Delhi, India, so that food critics could discuss prunes.

The list goes on and on, and the trend is disturbing. Billion-dollar-industries are padding their bottom line with American tax dollars. They ought to do these things, but they ought to do them on their own dime, not on the backs of the American taxpayers.

Take, for example, Blue Diamond Almonds, which despite their billion-dollar year in 2012, still received $3.3 million from the Market Access Program.

Or the U.S. Meat Export Federation which received $19 million from MAP last year, even though the value of pork and beef exports was at the highest level in history.

Or Sunkist Growers, Inc., which recorded its third consecutive billion-dollar year, but still received $2.2 million from American taxpayers.

So we have billion-dollar enterprises and million-dollar recipients of aid from the American taxpayer.

The bottom line is Congress should not spend hard-earned tax dollars this way. Republicans don't believe in it; Democrats don't believe in it. So let's stop doing it. Don't get me wrong, these businesses ought to be doing this. They ought to be advertising their own products, but they shouldn't do it on the backs of the American taxpayers. For the sake of the taxpayers, who are earning the money that we're spending here, I urge passage of this amendment.

I yield such time as he may consume to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Chairman, I thank the gentleman for yielding. I rise in strong support of the amendment.

This is one of the most indefensible programs in the entire Federal Government. As Mr. CHABOT said, it pays to market U.S. agricultural products in foreign countries, which invites the question of why should American taxpayers pay the advertising costs of some of the biggest corporations in the world?

Who are we talking about here—plucky little startup companies like Archer Daniels Midland, Dole, Del Monte, Sunkist. Companies that are big enough to export produce overseas are certainly big enough to advertise that produce without picking the pockets of every small shopkeeper and worker in America.

□ 1740

This amendment, thankfully, ends this program. It would save taxpayers about $2 billion over the next 10 years.

And as the gentleman said, these expenditures are completely out of the realm of reason:

Two million dollars to the California Prune Board for an evening dining experience for food critics in New Delhi to discuss prunes. Two million dollars, that must have been quite an evening;

$18.9 million going to the Cotton Council so it could advertise on India's reality TV show, ''Let's Design,'' now in its fifth season, by the way. This advertising isn't even being done in America. It is being done overseas, and it is being done to supplement the advertising budgets of giant corporations.

Mr. Chairman, the Republican majority was supposed to end this kind of nonsense, not perpetuate it. I support this amendment, and I believe that it is a test of the determination and sincerity of the House majority in meeting its mandate to stop wasting people's money.

Mr. LUCAS. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. LUCAS. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. BARROW).

Mr. BARROW of Georgia. Mr. Chairman, I represent one of the most diverse agricultural areas of the country. Farmers in the 12th District of Georgia grow almost everything you can imagine, fruits and vegetables, including one of the largest blueberry crops in the Nation and the world-famous Vidalia onion, commodities like cotton and corn, pecans and peanuts, chickens and cows.

Georgia is also home to one of the largest container ports in the country. One of the real bright spots of the American economy is that, thanks in large part to the Market Access Program, farmers have been able to expand their exports to foreign markets and ship their crops through the Port of Savannah to thriving markets overseas. These are opportunities that these small businesses probably would not have if it were not for the MAP connections they had.

The people I represent, farmers and nonfarmers alike, understand that growing markets add tremendous value to what farmers grow. The Market Access Program expands our access into larger world markets, and access to these markets is what helps our farmers compete in the global economy. I think that's worth preserving, so I urge my colleagues to oppose this amendment.

Mr. LUCAS. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas (Mr. CRAWFORD), one of the subcommittee chairmen.

Mr. CRAWFORD. I most respectfully oppose the gentleman's amendment.

Mr. Chair, the MAP program has been a critical tool for producers in my district to access foreign markets. The program forms a private-public partnership that shares the cost of overseas marketing and promotional activities.

The current agriculture export forecast for FY13 is estimated to be nearly $140 billion, which smashes our export records. For a country that operates under a net trade deficit, agriculture has been a bright spot and generates a surplus.

Independent studies show that the MAP program is directly responsible for $6.1 billion of these exports. This is a 35 to 1 return on investment.

How many other Federal programs have this type of economic benefit? Not many.

With our trade forecast expected to increase this year, this reinforces the need for valuable programs such as the Market Access Program. I urge my colleagues most respectfully to oppose the amendment.

Mr. LUCAS. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. COSTA), a State with the most amazingly diverse agriculture.

Mr. COSTA. Mr. Chairman, I rise in strong opposition to this amendment.

The Market Access Program provides matching grants. These are matching grants for technical assistance and other activities that help our family farmers expand their market access overseas.

Let's face it. We are in a global market, and our farmers are not always facing a level playing field. Since the creation of this extremely successful agricultural export program, it has increased America's export by over 500 percent. That is a success story by any measure.

The USDA's commissioned study conducted in 2010 found that, for every dollar that MAP spent, it generates, as was noted just a moment ago, $35 in additional exports. This creates an additional $6.1 billion in economic activity annually.

Billions and billions of dollars have been achieved as increased exports as a result of this program and thousands and thousands of jobs. That includes safeguards to the taxpayers.

The statements by the proponents of this measure, I believe, are overreaching because they ignore the fact that it is a matching grant. And the particular statements they make ignore the fact that these were personal expenditures by these organizations, not the money of the Market Access Program.

So I would urge you to defeat this amendment. The processors have matched over 100 percent of the funds that we have provided in this program. It's been a success by any measure, and I would urge the defeat of this amendment.

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

Mrs. LOWEY. Mr. Chair, I rise in support of the Royce/Engel amendment to make U.S. International food aid programs more efficient. The United States is a generous nation and since the 1950s has fed billions of people around the world through the Food for Peace program. However, nearly sixty years later, the world has changed and the program needs to change with it. The status quo is no longer an option. We must act now to change with the times.

The United States does not have the surpluses it did decades ago and it is now forced to purchase food on the commercial markets. Near record-high farm prices have meant our food aid dollars do not go as far. According to independent analyses, the number of direct recipients of our food aid has dropped from 74 million in 2006 to an average of 30 million more recently. Research has shown that famine and hunger are not necessarily caused by the lack of food, but frequently by the lack of access to available food, and quite often driven by conflict. According to a 2009 report by GAO, this locally-available food is a quarter to a third less expensive than in-kind food aid.

Another important benefit of the increased flexibility this amendment provides is that U.S. assistance could be used to purchase the nutrient dense foods that are critical to pregnant mothers and their young children. By providing the right inputs at the right time, our assistance will not just alleviate hunger, but ensure that recipients have healthy and productive futures.

Our constituents demand that we take a critical and judicious look at each and every government program to determine whether it is efficient and effective in reaching its objective. With the lack of agricultural surpluses in our country, the sole remaining objective of our food aid programs should be to serve the maximum number of people in need in the most cost effective way possible. While this amendment is a good start, I think we need to do more. I wish we could adopt the Administration's proposal—reforms that could feed an additional 10 million people.

The crisis in the Horn of Africa, the current devastation of the communities in Syria, and the fragile nature of chronically hungry places like the Sahel region of Africa call us to be responsible stewards of resources, both for United States taxpayers and the people around the world who depend on our assistance. These reforms are proven. For example, monetization programs in the Democratic Republic of the Congo are only earning $0.51 for every dollar of commodities provided. The only responsible action is to find a better way to serve the mothers and young children that depend on these programs.

Reducing the enormous suffering associated with hunger and famine is a goal rooted in the fundamental generosity of the American people and is the right thing to do.

I strongly urge my colleagues to support this important amendment.

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

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

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

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

AMENDMENT NO. 17 OFFERED BY MS. TITUS

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in part B of House Report 113–117.

Ms. TITUS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 3102, and insert the following new section:

SEC. 3102. FUNDING FOR MARKET ACCESS PROGRAM.

Section 211(c)(1)(A) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(c)(1)(A)) is amended by striking ''and $200,000,000 for each of fiscal years 2008 through 2012'' and inserting ''$200,000,000 for each of fiscal years 2008 through 2013, $185,000,000 for fiscal year 2014, $180,000,000 for each of fiscal years 2015 through 2017, and $175,000,000 for fiscal year 2018''.

At the end of subtitle C of title IV, insert the following:

SEC. 4208. HUNGER-FREE COMMUNITIES.

Section 4405 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7517) is amended to read as follows:

''SEC. 4405. HUNGER-FREE COMMUNITIES.

''(a) IN GENERAL.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a nonprofit organization (including an emergency feeding organization);

''(B) an agricultural cooperative;

''(C) a producer network or association;

''(D) a community health organization;

''(E) a public benefit corporation;

''(F) an economic development corporation;

''(G) a farmers' market;

''(H) a community-supported agriculture program;

''(I) a buying club;

''(J) a retail food store participating in the supplemental nutrition assistance program;

''(K) a State, local, or tribal agency; and

''(L) any other entity the Secretary designates.

''(2) EMERGENCY FEEDING ORGANIZATION.—The term 'emergency feeding organization' has the meaning given the term in section 201A of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501).

''(3) SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—The term 'supplemental nutrition assistance program' means the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).

''(b) HUNGER-FREE COMMUNITIES INCENTIVE GRANTS.—

''(1) AUTHORIZATION.—

''(A) IN GENERAL.—In each of the years specified in subsection (c), the Secretary shall make grants to eligible entities in accordance with paragraph (2).

''(B) FEDERAL SHARE.—The Federal share of the cost of carrying out an activity under this subsection shall not exceed 50 percent of the total cost of the activity.

''(C) NON-FEDERAL SHARE.—

''(i) IN GENERAL.—The non-Federal share of the cost of an activity under this subsection may be provided—

''(I) in cash or in-kind contributions as determined by the Secretary, including facilities, equipment, or services; and

''(II) by a State or local government or a private source.

''(ii) LIMITATION.—In the case of a for-profit entity, the non-Federal share described in clause (i) shall not include services of an employee, including salaries paid or expenses covered by the employer.

''(2) CRITERIA.—

''(A) IN GENERAL.—For purposes of this subsection, an eligible entity is a governmental agency or nonprofit organization that—

''(i) meets the application criteria set forth by the Secretary; and

''(ii) proposes a project that, at a minimum—

''(I) has the support of the State agency;

''(II) would increase the purchase of fruits and vegetables by low-income consumers participating in the supplemental nutrition assistance program by providing incentives at the point of purchase;

''(III) agrees to participate in the evaluation described in paragraph (4);

''(IV) ensures that the same terms and conditions apply to purchases made by individuals with benefits issued under this Act and incentives provided for in this subsection as apply to purchases made by individuals who are not members of households receiving benefits, such as provided for in section 278.2(b) of title 7, Code of Federal Regulations (or a successor regulation); and

''(V) includes effective and efficient technologies for benefit redemption systems that may be replicated in other for States and communities.

''(B) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to projects that—

''(i) maximize the share of funds used for direct incentives to participants;

''(ii) use direct-to-consumer sales marketing;

''(iii) demonstrate a track record of designing and implementing successful nutrition incentive programs that connect low-income consumers and agricultural producers;

''(iv) provide locally or regionally produced fruits and vegetables;

''(v) are located in underserved communities; or

''(vi) address other criteria as established by the Secretary.

''(3) APPLICABILITY.—

''(A) IN GENERAL.—The value of any benefit provided to a participant in any activity funded under this subsection shall not be considered income or resources for any purpose under any Federal, State, or local law.

''(B) PROHIBITION ON COLLECTION OF SALES TAXES.—Each State shall ensure that no State or local tax is collected on a purchase of food under this subsection.

''(C) NO LIMITATION ON BENEFITS.—A grant made available under this subsection shall not be used to carry out any project that limits the use of benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) or any other Federal nutrition law.

''(D) HOUSEHOLD ALLOTMENT.—Assistance provided under this subsection to households receiving benefits under the supplemental nutrition assistance program shall not—

''(i) be considered part of the supplemental nutrition assistance program benefits of the household; or

''(ii) be used in the collection or disposition of claims under section 13 of the Food and Nutrition Act of 2008 (7 U.S.C. 2022).

''(4) EVALUATION.—

''(A) INDEPENDENT EVALUATION.—The Secretary shall provide for an independent evaluation of projects selected under this subsection that measures the impact of each project on—

''(i) improving the nutrition and health status of participating households receiving incentives under this subsection; and

''(ii) increasing fruit and vegetable purchases in participating households.

''(B) REQUIREMENT.—The independent evaluation under subparagraph (A) shall use rigorous methodologies capable of producing scientifically valid information regarding the effectiveness of a project.

''(C) COSTS.—The Secretary may use funds not to exceed 10 percent of the funding provided to carry out this section to pay costs associated with administering, monitoring, and evaluating each project.

''(c) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (b) $5,000,000 for each of fiscal years 2014 through 2018.

''(2) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out subsection (b)—

''(A) $15,000,000 for fiscal year 2014;

''(B) $20,000,000 for each of fiscal years 2015 through 2017; and

''(C) $25,000,000 for fiscal year 2018.''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentlewoman from Nevada (Ms. TITUS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Nevada.

Ms. TITUS. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, first I want to thank the leadership of the Rules and Agriculture Committees for making this amendment in order.

Right here in the United States, the richest country in the world, one in four children is at risk of going hungry. Last year, 50.1 million Americans lived in food insecure households, including 16.7 million children. In my home State of Nevada, one in six households struggles with food security, and 170,000 schoolchildren in southern Nevada go to school hungry, leaving them unprepared to learn.

So you can see, hunger is not some crisis that is just happening in remote, faraway lands. It's happening right here, all across our own country, and we must address it.

That's why I've offered this important amendment that would restore funding to USDA's Hunger-Free Communities Grant program. This program has received wide bipartisan support and is included, or was included, without dissent in the Senate farm bill.

The amendment is a commonsense proposal to ensure that children and their families have access to the nutritious food they need to survive and to thrive. It continues a grant program that includes assistance with food distribution, community outreach, and initiatives that improve access to food.

The Hunger-Free Communities Grant program has helped facilitate public-private partnerships across the country, from New York City to Ajo, Arizona. The grants enable local communities to root out the causes of hunger and build strategies to eliminate food insecurity.

With the proposed cuts of $20.5 billion to the SNAP benefits, which I oppose, this amendment becomes even more important.

It's morally unacceptable to allow children to go hungry in the wealthiest country in the world, so I would encourage my colleagues to support this amendment to ensure that our communities have the resources they need to tackle hunger at the local level and create healthy, hunger-free communities.

Again, I thank Chairman LUCAS and Ranking Member PETERSON for their consideration of this amendment.

Mr. CONAWAY. Mr. Chairman, I rise in opposition and claim the time.

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

Mr. CONAWAY. Mr. Chairman, we all have deep concerns about hunger in America and hunger around the world, and every effort to abate that is worthy; however, I must oppose this amendment.

One of our efforts at the committee, over the last several years, is to look for duplicative processes, duplicative programs to eliminate. Reducing this duplication in these agencies has been a major priority for the committee over the last 2½ years, and we've held audits for implementing agencies, field hearings across the countryside and hearings here in Washington to receive stakeholder input on the effectiveness and, more importantly, the inefficiencies of programs within our jurisdiction.

□ 1750

While I support providing access to healthy foods for low-income communities, I believe that our base bill makes significant strides in addressing these concerns, both the inefficiencies as well as the effectiveness of the programs.

What is even more concerning than authorizing this duplicative program is the offset that is used to pay for more government redundancy. Exports are vital to the U.S. agricultural economy. Nearly one-third of our agricultural sales come from exports. In the last 25 years, the Market Access Program has proven to be highly successful in helping to boost U.S. agricultural exports, expanding jobs and increasing rural income.

The amount of money sought is about $20 million a year over the 5-year program for a total of $100 million. We must look at programs that are effective on a big enough scale to have a really big impact; and this is a program that, while perhaps impactful on a few very small communities and small issues, it will not affect hunger widely across this country.

I respectfully ask for a ''no'' vote on this amendment, and I reserve the balance of my time.

Ms. TITUS. I reserve the balance of my time.

Mr. CONAWAY. Mr. Chairman, I yield 1 minute to the ranking member of the committee, Mr. PETERSON.

Mr. PETERSON. I thank the gentleman for yielding.

I, too, must reluctantly rise to oppose this amendment. The Hunger-Free Community Program is in the Senate bill, and I think there's wide support for this.

The problem is what's happening here with this amendment is we're taking mandatory money from the Market Access Program, which is an important program for a lot of different reasons that were discussed just in the last amendment, and we're taking money from that program, which is in title III, and moving it to this hunger-free community program which is in title IV. And I just don't think that we want to be taking mandatory money and moving it between titles.

So I think this is something we can consider when we get to conference. It's in the Senate bill. I encourage people to oppose this amendment at this time.

Ms. TITUS. Mr. Chairman, I would just urge that my colleagues support this important amendment, and I yield back the balance of my time.

Mr. CONAWAY. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Nevada (Ms. TITUS).

The amendment was rejected.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 113–117 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. MCGOVERN of Massachusetts.

Amendment No. 3 by Ms. FOXX of North Carolina.

Amendment No. 5 by Mr. BROUN of Georgia.

Amendment No. 8 by Mr. BLUMENAUER of Oregon.

Amendment No. 9 by Mr. BLUMENAUER of Oregon.

Amendment No. 14 by Ms. KAPTUR of Ohio.

Amendment No. 15 by Mr. ROYCE of California.

Amendment No. 16 by Mr. CHABOT of Ohio.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. MCGOVERN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 188, noes 234, not voting 12, as follows:

[Roll No. 256]

AYES—188

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Grimm
Hahn
Hanabusa
Heck (WA)
Higgins
Himes
Hinojosa
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Matheson
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth
Young (AK)

NOES—234

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Bustos
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Long
Lucas
Luetkemeyer
Lummis
Maloney, Sean
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster

Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (FL)
Young (IN)

NOT VOTING—12

Cleaver
Duckworth
Gutiérrez
Hastings (FL)
Holt
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Pallone
Rogers (KY)

□ 1818

Mrs. BLACK and Messrs. MEEHAN and DUFFY changed their vote from ''aye'' to ''no.''

Mr. RANGEL changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. DUCKWORTH. Mr. Chair, during rollcall vote No. 256 on June 19, 2013, I was unavoidably detained. Had I been present, I would have voted ''yes.''

AMENDMENT NO. 3 OFFERED BY MS. FOXX

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 267, noes 156, not voting 11, as follows:

[Roll No. 257]

AYES—267

Amash
Andrews
Bachmann
Bachus
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Burgess
Calvert
Camp
Cantor
Capito
Capuano
Cárdenas
Carter
Cartwright
Chabot
Chaffetz
Cicilline
Clarke
Clay
Coble
Coffman
Cohen
Cole
Collins (GA)
Conaway
Connolly
Cook
Cooper
Cotton
Culberson
Daines
Davis (CA)
Delaney
DeLauro
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Doggett
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Esty
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Fudge
Gabbard
Garamendi
Gardner
Garrett
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Griffin (AR)
Griffith (VA)
Grijalva
Guthrie
Hahn
Hall
Hanna
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Himes
Holding
Horsford
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jeffries
Jenkins
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Keating
Kelly (IL)
Kelly (PA)
Kilmer
King (IA)
King (NY)
Kingston
Kline
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Lankford
Larson (CT)
Latta
Lee (CA)
LoBiondo
Long
Lowenthal
Lucas
Lummis
Lynch
Maffei
Maloney, Carolyn
Marchant
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McGovern
McHenry
McKinley
McMorris Rodgers
Meadows
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, George
Moran
Mullin
Mulvaney
Murphy (PA)
Napolitano
Neal
Neugebauer
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Palazzo
Pascrell
Paulsen
Pearce
Pelosi
Perry
Peters (CA)
Peters (MI)
Petri
Pingree (ME)
Pittenger
Pitts
Polis
Pompeo
Posey
Price (GA)
Radel
Ribble
Rice (SC)
Rigell
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Sanford
Scalise
Schakowsky
Schiff
Schneider
Schweikert
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sherman
Shuster
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stockman
Stutzman
Terry
Thornberry
Tierney
Tipton
Tsongas
Turner
Upton
Valadao
Van Hollen
Velázquez
Wagner
Walberg
Walorski
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—156

Aderholt
Alexander
Amodei
Barber
Barletta
Barrow (GA)
Bera (CA)
Bishop (GA)
Bonner
Boustany
Braley (IA)
Brownley (CA)
Bustos
Butterfield
Campbell
Capps
Carney
Carson (IN)
Cassidy
Castor (FL)
Castro (TX)
Chu
Clyburn
Collins (NY)
Costa
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Davis, Danny
Davis, Rodney
DeFazio
DeGette
DelBene
Denham
Deutch
Duckworth
Engel
Enyart
Eshoo
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Gallego
Garcia
Gerlach
Graves (MO)
Grayson
Green, Al
Green, Gene
Grimm
Gutiérrez
Hanabusa
Harper
Harris
Hartzler
Higgins
Hinojosa
Hoyer
Jackson Lee
Johnson (GA)
Joyce
Kaptur
Kennedy
Kildee
Kind
Kinzinger (IL)
Kirkpatrick
Latham
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowey
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McIntyre
McKeon
McNerney
Meehan
Meeks
Moore
Murphy (FL)
Nadler
Negrete McLeod
Noem
Nolan
Owens
Pastor (AZ)
Payne
Perlmutter
Peterson
Pocan
Poe (TX)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Richmond
Roby
Rogers (AL)
Ruiz
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Sewell (AL)
Shea-Porter
Shimkus
Simpson
Sinema
Slaughter
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Titus
Tonko
Vargas
Veasey
Vela
Visclosky
Walden
Walz
Wasserman Schultz
Whitfield
Wilson (FL)
Yarmuth
Yoho
Young (AK)

NOT VOTING—11

Cleaver
Conyers
Hastings (FL)
Holt
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Pallone
Rogers (KY)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1823

Mr. DEFAZIO changed his vote from ''aye'' to ''no.''

Messrs. CICILLINE, KEATING, LATTA, and BACHUS changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. BROUN OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. BROUN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 112, noes 309, not voting 13, as follows:

[Roll No. 258]

AYES—112

Amash
Amodei
Bachmann
Barr
Barton
Benishek
Bentivolio
Bilirakis
Black
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Burgess
Campbell
Cantor
Chabot
Chaffetz
Coffman
Collins (GA)
Cook
Cotton
Culberson
Daines
DeSantis
DesJarlais
Doggett
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fleischmann
Fleming
Flores
Foxx
Franks (AZ)
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Graves (GA)
Griffith (VA)

Guthrie
Harris
Hensarling
Holding
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Johnson (OH)
Jones
Jordan
Kingston
Kline
Lamborn
Latta
Lummis
Marchant
Massie
McCaul
McClintock
McHenry
Meadows
Messer
Mica
Miller (FL)
Mulvaney
Nunnelee
Palazzo
Paulsen
Perry
Petri
Pittenger
Pitts
Polis
Pompeo
Posey
Price (GA)
Radel
Ribble
Rice (SC)
Rigell
Rohrabacher
Rokita
Rooney
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Sensenbrenner
Shuster
Smith (WA)
Stewart
Stivers
Stockman
Stutzman
Terry
Tiberi
Upton
Weber (TX)
Westmoreland
Woodall
Young (FL)
Young (IN)

NOES—309

Aderholt
Alexander
Andrews
Bachus
Barber
Barletta
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Camp
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Clyburn
Coble
Cohen
Cole
Collins (NY)
Conaway
Connolly
Cooper
Costa
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
Deutch
Diaz-Balart
Dingell
Doyle
Duckworth
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Forbes
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibson
Gosar
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Grimm
Gutiérrez
Hahn
Hall
Hanabusa
Hanna
Harper
Hartzler
Hastings (WA)
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Horsford
Hoyer
Hudson
Huffman
Israel
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Labrador
LaMalfa
Lance
Langevin
Lankford
Larson (CT)
Latham
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marino
Matheson
Matsui
McCarthy (CA)
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Meng
Michaud
Miller (MI)
Miller, George
Moore
Moran
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
O'Rourke
Olson
Owens
Pascrell
Pastor (AZ)
Payne
Pearce
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Poe (TX)
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Valadao
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Webster (FL)
Welch
Wenstrup
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Yarmuth
Yoder
Yoho
Young (AK)

NOT VOTING—13

Cleaver
Conyers
Hastings (FL)
Holt
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Pallone
Rogers (KY)
Slaughter
Vela

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1828

Mr. CÁRDENAS changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. VELA. Mr. Chair, during rollcall vote No. 258 on the Brown (GA) amendment H.R. 1947, I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT NO. 8 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 179, noes 242, not voting 13, as follows:

[Roll No. 259]

AYES—179

Andrews
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Clyburn
Cohen
Connolly
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Garamendi
Garcia
Gerlach
Grayson
Grijalva
Hahn
Hanabusa
Harris
Heck (WA)
Higgins
Himes
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Lance
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Petri
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Rooney
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—242

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Bustos
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Enyart
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foster
Foxx
Franks (AZ)
Gallego
Gardner
Garrett
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Hinojosa

Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (IL)
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Maloney, Sean
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Peterson
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Turner
Upton
Valadao
Vela
Velázquez
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—13

Cleaver
Conyers
Gutiérrez
Hastings (FL)
Holt
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Pallone
Rogers (KY)
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1832

Ms. JACKSON LEE of Texas changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 157, noes 266, not voting 11, as follows:

[Roll No. 260]

AYES—157

Andrews
Bass
Beatty
Becerra
Bera (CA)
Blumenauer
Bonamici
Brady (PA)
Brown (FL)
Brownley (CA)
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graves (MO)
Grayson
Green, Al
Grijalva
Grimm
Gutiérrez
Hahn
Hanabusa
Heck (WA)
Himes
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pascrell
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Pingree (ME)
Pocan
Polis
Quigley
Rangel
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Scott, David
Serrano
Shea-Porter
Sherman
Sinema
Sires
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tsongas
Van Hollen
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Wilson (FL)
Yarmuth

NOES—266

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Enyart
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Gene
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Higgins
Hinojosa
Holding
Horsford
Hoyer
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
Maffei
Maloney, Sean
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Perry
Peterson
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Price (NC)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Turner
Upton
Valadao
Vargas
Veasey
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—11

Cleaver
Hastings (FL)
Holt
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Pallone
Rogers (KY)
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1836

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 14 OFFERED BY MS. KAPTUR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 273, noes 149, not voting 12, as follows:

[Roll No. 261]

AYES—273

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Buchanan
Bustos
Butterfield
Calvert
Camp
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Clyburn
Coble
Cohen
Collins (NY)
Connolly
Conyers
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duncan (TN)
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Forbes
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gerlach
Gibson
Gohmert
Goodlatte
Grayson
Green, Al
Green, Gene
Grijalva
Grimm
Gutiérrez
Hahn
Hanabusa
Hanna
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Horsford
Hoyer
Huffman
Huizenga (MI)
Hultgren
Hurt
Israel
Issa
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lance
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCarthy (CA)
McCollum
McDermott
McGovern
McIntyre
McKinley
McMorris Rodgers
McNerney
Meeks
Meng
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
Nugent
Nunes
O'Rourke
Owens
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pitts
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Richmond
Rigell
Roe (TN)
Rogers (MI)
Rohrabacher
Rooney
Ros-Lehtinen
Ross
Rothfus
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (NJ)
Smith (WA)
Southerland
Speier
Stivers
Stockman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Webster (FL)
Welch
Whitfield
Wilson (FL)
Wittman
Wolf
Woodall
Yarmuth
Yoder
Yoho
Young (FL)

NOES—149

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Bucshon
Burgess
Campbell
Cantor
Carter
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Conaway
Cook
Cotton
Crawford
Daines
DeSantis
DesJarlais
Duffy
Duncan (SC)
Ellmers
Farenthold
Fincher
Fleischmann
Fleming
Flores
Fortenberry
Foxx
Franks (AZ)
Gardner
Garrett
Gibbs
Gingrey (GA)
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Hunter
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (PA)
Kingston
Labrador
Lamborn
Lankford
Latham
Latta
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCaul
McClintock
McHenry
McKeon
Meadows
Meehan
Messer
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Nunnelee
Olson
Palazzo
Pearce
Perry
Pittenger
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reichert
Renacci
Ribble
Rice (SC)
Roby
Rogers (AL)
Rokita
Roskam
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Shuster
Simpson
Smith (MO)
Smith (TX)
Stewart
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Wagner
Walberg
Weber (TX)
Wenstrup
Westmoreland
Williams
Wilson (SC)
Womack
Young (AK)
Young (IN)

NOT VOTING—12

Cleaver
Hastings (FL)
Holt
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Pallone
Rogers (KY)
Slaughter
Smith (NE)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1840

Mr. WOODALL changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 15 OFFERED BY MR. ROYCE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ROYCE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 203, noes 220, not voting 11, as follows:

[Roll No. 262]

AYES—203

Amash
Amodei
Bachmann
Bachus
Barr
Bass
Becerra
Bentivolio
Bera (CA)
Bilirakis
Black
Blackburn
Blumenauer
Bonamici
Bonner
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Burgess
Butterfield
Cantor
Capps
Cárdenas
Carson (IN)
Cartwright
Castro (TX)
Chabot
Chaffetz
Cicilline
Clarke
Cohen
Collins (GA)
Conyers
Cooper
Costa
Crenshaw
Crowley
Culberson
Daines
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
Dent
DeSantis
Deutch
Doggett
Duckworth
Duffy
Duncan (SC)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fitzpatrick
Fleischmann
Flores
Foster
Foxx
Frankel (FL)
Franks (AZ)
Garrett
Gingrey (GA)
Gohmert
Gosar
Gowdy
Graves (GA)
Grayson
Guthrie
Gutiérrez
Hall
Hanna
Hastings (WA)
Heck (NV)
Hensarling
Himes
Holding
Horsford
Hoyer
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hurt
Israel
Jeffries
Jordan
Kennedy
Kind
Kingston
Kuster
Labrador
Lamborn
Lance
Langevin
Larson (CT)
Lee (CA)
Lewis
Lofgren
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maloney, Carolyn
Marchant
Marino
Massie
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McGovern
McHenry
McMorris Rodgers
Meadows
Meeks
Meng
Messer
Mica
Miller (FL)
Moore
Moran
Mulvaney
Murphy (FL)
Nadler
Nugent
O'Rourke
Olson
Paulsen
Payne
Pelosi
Perry
Peters (CA)
Petri
Pingree (ME)
Pittenger
Pitts
Polis
Pompeo
Price (GA)
Price (NC)
Quigley
Radel
Rangel
Ribble
Rice (SC)
Roe (TN)
Rohrabacher
Rokita
Ross
Roybal-Allard
Royce
Ruiz
Rush
Ryan (WI)
Salmon
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schock
Schweikert
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Smith (NJ)
Smith (WA)
Speier
Stewart
Takano
Terry
Thompson (CA)
Tierney
Tipton
Tsongas
Van Hollen
Velázquez
Walberg
Walden
Walorski
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Welch
Wenstrup
Wilson (FL)
Wilson (SC)
Wolf
Yarmuth
Yoho
Young (FL)
Young (IN)

NOES—220

Aderholt
Alexander
Andrews
Barber
Barletta
Barrow (GA)
Barton
Beatty
Benishek
Bishop (GA)
Bishop (NY)
Bishop (UT)
Boustany
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Calvert
Camp
Campbell
Capito
Capuano
Carney
Carter
Cassidy
Castor (FL)
Chu
Clay
Clyburn
Coble
Coffman
Cole
Collins (NY)

Conaway
Connolly
Cook
Cotton
Courtney
Cramer
Crawford
Cuellar
Cummings
Davis, Rodney
DelBene
Denham
DesJarlais
Diaz-Balart
Dingell
Doyle
Duncan (TN)
Ellmers
Enyart
Farenthold
Fattah
Fincher
Fleming
Forbes
Fortenberry
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibbs
Gibson
Goodlatte
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Hahn
Hanabusa
Harper
Harris
Hartzler
Heck (WA)
Herrera Beutler
Higgins
Hinojosa
Hudson
Hunter
Issa
Jackson Lee
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
LaMalfa
Lankford
Latham
Latta
Levin
Lipinski
LoBiondo
Loebsack
Long
Lowenthal
Lucas
Luetkemeyer
Lynch
Maffei
Maloney, Sean
Matheson
McDermott
McIntyre
McKeon
McKinley
McNerney
Meehan
Michaud
Miller (MI)
Miller, George
Mullin
Murphy (PA)
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nunes
Nunnelee
Owens
Palazzo
Pascrell
Pastor (AZ)
Pearce
Perlmutter
Peters (MI)
Peterson
Pocan
Poe (TX)
Posey
Rahall
Reed
Reichert
Renacci
Richmond
Rigell
Roby
Rogers (AL)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Rothfus
Runyan
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Scalise
Schrader
Schwartz
Scott, Austin
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (TX)
Southerland
Stivers
Stockman
Stutzman
Swalwell (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Turner
Upton
Valadao
Vargas
Veasey
Vela
Visclosky
Wagner
Walz
Webster (FL)
Westmoreland
Whitfield
Williams
Wittman
Womack
Woodall
Yoder
Young (AK)

NOT VOTING—11

Cleaver
Hastings (FL)
Holt
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Pallone
Rogers (KY)
Slaughter

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1845

Mr. COFFMAN changed his vote from ''aye'' to ''no.''

Messrs. OLSON, GUTIERREZ, and LARSON of Connecticut changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 16 OFFERED BY MR. CHABOT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. CHABOT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 98, noes 322, not voting 14, as follows:

[Roll No. 263]

AYES—98

Amash
Amodei
Andrews
Bachmann
Barton
Bentivolio
Black
Bridenstine
Brooks (AL)
Broun (GA)
Burgess
Campbell
Cantor
Capito
Carson (IN)
Chabot
Chaffetz
Cohen
Cook
Cooper
Cotton
Culberson
DeSantis
Doggett
Duncan (SC)
Duncan (TN)
Fleischmann
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gohmert
Gowdy
Graves (GA)
Hall
Harris
Hensarling
Holding
Hudson
Huelskamp
Hultgren
Jenkins
Johnson, Sam
Jones
Jordan
Kingston
Kline
Labrador
Lamborn
Lance
Marchant
Massie
McCaul
McClintock
McHenry
McKinley
Meadows
Messer
Mica
Miller (FL)
Mulvaney
Murphy (PA)
O'Rourke
Olson
Paulsen
Perry
Pittenger
Pitts
Polis
Pompeo
Price (GA)
Radel
Rice (SC)
Rigell
Rohrabacher
Rokita
Roskam
Rothfus
Royce
Ryan (OH)
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Sensenbrenner
Sessions
Shuster
Stewart
Stockman
Stutzman
Van Hollen
Wagner
Walberg
Wenstrup
Wilson (SC)
Yoder
Young (IN)

NOES—322

Aderholt
Alexander
Bachus
Barber
Barletta
Barr
Barrow (GA)
Beatty
Becerra
Benishek
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Camp
Capps
Capuano
Cárdenas
Carney
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Clyburn
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Costa
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dingell
Doyle
Duckworth
Duffy
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleming
Flores
Forbes
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hanabusa
Hanna
Harper
Hartzler
Hastings (WA)
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Horsford
Hoyer
Huffman
Huizenga (MI)
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
LaMalfa
Langevin
Lankford
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marino
Matheson
Matsui
McCarthy (CA)
McCollum
McDermott
McGovern
McIntyre
McKeon
McMorris Rodgers
McNerney
Meehan
Meeks
Meng
Michaud
Miller (MI)
Miller, George
Moore
Moran
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
Owens
Palazzo
Pascrell
Pastor (AZ)
Payne
Pearce
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pocan
Poe (TX)
Posey
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (MI)
Rooney
Ros-Lehtinen
Ross
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stivers
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walorski
Walz
Wasserman Schultz
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Westmoreland
Whitfield
Williams
Wilson (FL)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoho
Young (AK)
Young (FL)

NOT VOTING—14

Bass
Cleaver
Hastings (FL)
Holt
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Pallone
Rogers (KY)
Rush
Slaughter
Waters

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1851

Messrs. WESTMORELAND, WOODALL, COLLINS of Georgia and GINGREY of Georgia changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 18 OFFERED BY MR. BROOKS OF ALABAMA

The Acting CHAIR (Mr. BISHOP of Utah). It is now in order to consider amendment No. 18 printed in part B of House Report 113–117.

Mr. BROOKS of Alabama. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 3203, relating to promotion of agricultural exports to emerging markets, strike subsection (b) and insert the following new subsection:

(b) TERMINATION OF PROGRAM TO DEVELOP AGRICULTURAL MARKETS IN EMERGING MARKETS.—Section 1542(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 7 U.S.C. 5622 note) is amended by striking paragraph (1).

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Alabama (Mr. BROOKS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BROOKS of Alabama. Mr. Chairman, the amendment that I propose would eliminate the funding for the Emerging Markets Program.

For those of you who are not familiar, the Emerging Markets Program assists United States private and public organizations with agriculture marketing in low- to middle-income countries in Africa, the Caribbean, Central and South America, Eurasia and the Middle East.

The Emerging Markets Program funding is $10 million per year in this food stamp and farm bill. Over the 5-year life of this legislation, funding is $50 million.

The Emerging Markets Program duplicates and overlaps the Federal Government's much larger Marketing Agricultural Program. By way of example, in 2010, at least 27 of the 82 projects funded by the Emerging Markets Program went to entities that also received funding from the Federal Government's Marketing Agricultural Program.

Emerging Markets Program expenditures are quite informative:

$30,000 was spent on ''Brazil Craft Beer School Seminars for the Brewers Association.''

$468,000 in hard-earned taxpayers' money was spent studying food consumption in China's second-tier cities, the new frontier for U.S. agricultural export opportunities.

$212,000 of taxpayers' hard-earned money was spent concerning, ''Hotel, Restaurant and Institutional Sector Development for the United States Department of Agriculture/Foreign Services/Chengdu, China.''

$174,431 was spent on a ''Global Food Safety Forum China Exchange for the GIC Group.''

$35,000 was spent on ''China Beer Distributors Education Program for the Brewers Association.''

$142,356 was spent on a ''Central American Microbiological Standards Program for USDA Foreign Agricultural Service.'' And the list goes on and on and on.

Mr. Chairman, since, first, the Emerging Markets Program overlaps and duplicates America's Marketing Agricultural Program, and since, second, the private sector's ability to do this work without Federal Government intervention or assistance, and since, third, America's out-of-control deficit and debt situation slowly but surely increased America's risk of a debilitating insolvency and bankruptcy, and since, finally, America's financial condition forces us to borrow every penny of the $50 million being spent on the Emerging Markets Program, I urge this body to be financially responsible by adopting my amendment to eliminate funding for the Emerging Markets Program.

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

Mr. LUCAS. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. LUCAS. Mr. Chairman, I yield myself as much time as I may consume.

The Emerging Markets Program, EMP, provides funding for technical assistance to aid public and private agricultural organizations in their efforts to improve market opportunities in low- and middle-income nations that offer viable markets for our U.S. commodities.

□ 1900

This program truly focuses on promoting U.S. products to build repeat customers in markets where incomes are growing to the point that they can import high-quality products. Program resources may only be used to broadly support export of U.S. commodities and products, and promoting a company's own branded product is strictly prohibited.

The Emerging Markets Program requires the participating entities to commit a portion of their own resources to seek export opportunities in emerging markets, and a priority is given to the applications which bring the greatest amount of cost-share funds to the project.

Mr. Chairman, there are a number of studies about the amount of dollars that this generates in U.S. agricultural exports. It's one of those things that helps us move into markets that have the potential and the growing potential to buy our products. I believe it is a good use of resources, and it's subject, of course, to the oversight of the appropriators.

I would ask my colleagues to reject the amendment rather respectfully; and with that, I yield back the balance of my time.

Mr. BROOKS of Alabama. Mr. Chairman, I yield myself the balance of my time.

The Acting CHAIR. The gentleman is recognized for 2 minutes.

Mr. BROOKS of Alabama. Mr. Chairman, the gentleman from Oklahoma's response—and he's a good friend of mine—is reflective, unfortunately, of the financial irresponsibility that jeopardizes America's future solvency. Let's keep in mind that we're in a triage situation. We've had four consecutive trillion-dollar deficits. We are looking at blowing through the $17 billion total accumulated debt mark. If we cannot eliminate a program of this magnitude—only $10 million per year—a program that is duplicative of other Federal Government programs, well, I would submit to this body that that suggests and reflects, in a very strong way, the financial irresponsibility that has put America into the position we are in where we are at risk long term of a debilitating financial insolvency and bankruptcy.

I yield back the balance of my time.

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

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

Mr. BROOKS of Alabama. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 19 OFFERED BY MS. CASTOR OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in part B of House Report 113–117.

Ms. CASTOR of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title III, add the following new section:

SEC. 32__. DEPARTMENT OF AGRICULTURE CERTIFICATES OF ORIGIN.

The Secretary of Agriculture shall seek to ensure that Department of Agriculture certificates of origin are accepted by any country with respect to which the United States has entered into a free trade agreement providing for preferential duty treatment.

The Acting CHAIR. Pursuant to House Resolution 271, the gentlewoman from Florida (Ms. CASTOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. CASTOR of Florida. Mr. Chairman, I rise today to offer an amendment that addresses a problem relating to the American citrus industry and implementation of the U.S.-Korea Free Trade Agreement.

Mr. Chairman, the Congress approved the U.S.-South Korea Free Trade

Agreement, and it was signed by the President in 2011. The agreement has increased opportunities for U.S. businesses, farmers, and workers through an important access to a vital foreign market.

Under this agreement, over 95 percent of bilateral trade in consumer and industrial products will become duty-free within 5 years of the date of the agreement. For American agricultural products, the U.S.-Korea agreement immediately phases out tariffs and quotas on a broad range of products.

The U.S. International Trade Commission estimates that annual U.S. agricultural exports to South Korea will increase by a minimum of $1.9 billion upon full implementation. In particular, the free trade agreement eliminated South Korea's 54 percent tariff on frozen concentrated orange juice, and it phases out the tariffs on fresh grapefruit and freshly squeezed orange juice over 5 years.

The negotiated removal of such tariffs will allow the American citrus industry to grow and expand. It will create jobs in America, including jobs related to citrus growers, maritime businesses and ports such as my home port, the Port of Tampa. This is great news for my home State of Florida and other States across the U.S. where they grow citrus. It's vital to our economy and local communities.

But we have hit a little bit of a stumbling block with South Korea during the implementation of the free trade agreement. South Korea is resisting the USDA's country-of-origin certification for U.S. citrus.

My amendment, the Castor amendment, seeks to correct this problem by directing the Secretary of Agriculture to ensure that the Department's certificates of origin are accepted by any country with respect to which the United States has entered into a free trade agreement providing for preferential duty treatment.

Fortunately, the Congressional Budget Office says there's no new cost for this amendment. I would like to thank my colleagues from Florida, Congressman WEBSTER and Congressman HASTINGS on the Rules Committee, for their support in getting this amendment made in order. I'd like to thank Chairman LUCAS and Ranking Member PETERSON for their fair consideration.

I urge a ''yes'' vote on the Castor amendment.

Mr. LUCAS. Will the gentlelady yield?

Ms. CASTOR of Florida. I yield to the gentleman from Oklahoma.

Mr. LUCAS. I would just note to the gentlelady I think by the expression on my ranking member's face we both agree this is a good-faith effort to try to make something happen. Therefore we would accept the language.

Ms. CASTOR of Florida. I thank the chairman of the Agriculture Committee and the ranking member and thank them for including the Castor amendment in the farm bill.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. CASTOR).

The amendment was agreed to.

The Acting CHAIR (Mr. HASTINGS of Washington). It is now in order to consider amendment No. 20 printed in part B of House Report 113–117.

AMENDMENT NO. 21 OFFERED BY MR. GRIMM

The Acting CHAIR. It is now in order to consider amendment No. 21 printed in part B of House Report 113–117.

Mr. GRIMM. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 318, at the end of line 3, add the following:

''At least 1 such pilot project shall be carried out in an urban area that is among the 10 largest urban areas in the United States (based on population) if the supplemental nutrition assistance program is separately administered in such area and if the administration of such program in such area complies with the other applicable requirements of such program.''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from New York (Mr. GRIMM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. GRIMM. Mr. Chairman, I rise today to offer an amendment that would reduce fraud in the SNAP program.

The farm bill currently requires the USDA to create pilot programs around the Nation that leverage Federal-State partnerships to combat SNAP retailer fraud.

My amendment requires the USDA to include at least one of the top 10 largest urban areas as one of the pilot program locations. To be clear, the bill specifically states that any State or large urban area chosen for a pilot program would not be able to divert resources away from recipient anti-fraud efforts; thus, this program only supplements those recipient fraud efforts.

This is a critically important amendment because we must ensure that the pilot programs account for the unique structure of SNAP programs within large urban areas. For instance, in one Midwest State, 75 percent of SNAP benefits were redeemed in just eight large supermarkets or publicly owned convenience store chains.

But the urban environment is distinctly different. As an example, New York City has over 10,000 SNAP retailers—of which 80 percent are small, privately owned retailers. According to recent statistics, while 87 percent of SNAP transactions occur in large supermarkets, they account for only 5.4 percent of retailer trafficking.

□ 1910

Conversely, 9 percent of SNAP retailers are privately owned—small convenience stores in local neighborhoods—but they account for 80 percent of SNAP fraud.

Therefore, to be successful in combating retailer fraud, we must ensure that we're able to investigate fraudulent activities at these small, privately owned stores. To do this, we must ensure that a large urban area is included in at least one of these pilot programs, in one location. If we fail to include a large urban area in the pilot program, we will miss a large portion of retailers responsible for 80 percent of the retailer fraud.

This amendment will not take a pilot program away from any other State or determine which large urban area must receive a program. It only says that to ensure we receive fully accurate information from the pilots, that we must include at least one large urban area.

Mr. LUCAS. Will the gentleman yield?

Mr. GRIMM. I yield to the gentleman from Oklahoma.

Mr. LUCAS. I would note to my good friend and colleague that I think he is involved here in a good government measure, and I would encourage my colleagues to support the amendment.

Mr. GRIMM. I thank the chairman of the Ag Committee, and I yield back the balance of my time.

The Acting CHAIR. Does any Member seek time in opposition? If not, the question is on the amendment offered by the gentleman from New York (Mr. GRIMM).

The amendment was agreed to.

AMENDMENT NO. 22 OFFERED BY MR. HUDSON

The Acting CHAIR. It is now in order to consider amendment No. 22 printed in part B of House Report 113–117.

Mr. HUDSON. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title IV (page 346, after line 17), insert the following new section:

SEC. 4033. TESTING APPLICANTS FOR UNLAWFUL USE OF CONTROLLED SUBSTANCES.

Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015), as amended by section 4009. is amended by adding at the end the following:

''(s) TESTING APPLICANTS FOR UNLAWFUL USE OF CONTROLLED SUBSTANCES.—

''(1) Nothing in this Act, or in any other Federal law, shall be considered to prevent a State, at the full cost to such State, from—

''(A) enacting legislation to provide for testing any individual who is a member of a household applying for supplemental nutrition assistance benefits, for the unlawful use of controlled substances as a condition for receiving such benefits; and

''(B) finding an individual ineligible to participate in the supplemental nutrition assistance program on the basis of the positive result of the testing conducted by the State under such legislation.

''(2) For purposes of this subsection, term 'controlled substance' has the meaning given such term in section 102 of the Controlled Substances Act ((21 U.S.C. 802).''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from North Carolina (Mr. HUDSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. HUDSON. Mr. Chairman, I urge my colleagues to support our commonsense amendment to allow the States to conduct drug screening on applicants for welfare. If adopted, this amendment would join a list of good government reforms contained in the FARRM Bill that save taxpayer money and ensure integrity and accountability within our nutrition system.

From preventing lottery winners from receiving food stamps to closing loopholes and preventing illegal immigrants from receiving benefits, I commend the chairman and ranking member on the work done to reform the food stamps program in the FARRM Bill.

Mr. Chairman, our amendment simply allows the States to conduct drug testing to ensure addicts and criminals are not taking food out of the mouths of hungry children. This debate is not about hungry children. We all agree that we need to take care of the least among us, those who need this type of assistance. We all agree that we don't want children to go hungry. What this amendment is about is making sure that addicts and criminals are not taking what is not theirs, taking food from the mouths of these children, taking food from those who are in need.

So I ask my colleagues to just consider this as a simple measure, a commonsense measure, and I reserve the balance of my time.

Ms. MOORE. Mr. Chairman, I claim time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Wisconsin is recognized for 5 minutes.

Ms. MOORE. Mr. Chairman, I guess I would rebut several of the arguments the gentleman has made.

First of all, you know, common sense really ain't that common, and this amendment is an example of that. First of all, it uses very fallacious arguments that presume that most of the people who use food stamps also use drugs. I would just remind the body that 46 percent of the people who use food stamps are hungry children. And as the author of this amendment has suggested—quite incorrectly—this is not about hungry children, it is; because if that person in the household who is the applicant is denied food stamps, hungry children will be affected.

This is unconstitutional. This has been through court. It violates the Fourth Amendment to the Constitution against illegal searches and seizures. It costs a lot of public money just to humiliate people. They found in Florida, for example, that people who don't use public assistance programs are three times more likely to be drug users; and nationwide, they have found that recipients don't use drugs at any greater rate than the general population. This is a slippery slope in violating one of the basic tenets of our Constitution.

Mandatory drug testing laws are not based on individualized suspicion, and the Supreme Court has held that it doesn't pass the constitutional measure. It will cost $75 for one of these drug tests, and for what purpose? Just to criminalize and humiliate poor people.

So with that, I would reserve the balance of my time.

Mr. HUDSON. At this point, I yield 1 minute to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. I thank my colleague from North Carolina.

Mr. Chairman, I rise today with my colleagues, Congressmen HUDSON and LAMALFA, in offering this amendment.

Under current law, States are not allowed to test SNAP recipients. This amendment would give States the authority to do the testing only if they want to, so it gives States States' rights.

Law-abiding citizens who are most in need are those who the program is meant to serve. We're cutting waste to protect this program so we make sure that the SNAP dollars are going to those who truly need it, not to those who are able to spend funds on illegal purchases.

With a $17 trillion national debt, we must give States all the tools they need in order to make sure SNAP funding goes to the people most in need.

I thank my colleagues, Congressman HUDSON and Congressman LAMALFA, for working with me on this and encourage my colleagues to vote in favor of this amendment.

Ms. MOORE. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentlewoman from Wisconsin has 3 minutes remaining.

Ms. MOORE. I just would like to remind the body and the sponsors of this bill that SNAP already has an option to target and punish drug offenders. States right now, without this amendment, can require individuals who have been convicted of a drug felony to submit to a drug test before they can receive SNAP benefits—totally in line with our Constitution.

At this time, I would like to yield 1 minute to the gentleman from Massachusetts (Mr. MCGOVERN), a great member on the Ag Committee.

Mr. MCGOVERN. I thank the gentlelady, and I rise along with her to oppose this amendment.

I just want to say, Really? This is what we're debating here right now? I mean, I'm curious why the amendment doesn't include drug testing for people who get benefits of crop insurance or who receive direct payments, agricultural benefits from the Federal Government. Why aren't we requiring that they be drug tested, too? Why don't we drug test all the Members of Congress here, force everybody to go urinate in a cup to see whether or not anybody is on drugs? Maybe that will explain why some of these amendments are coming up or why some of the votes are turning out the way they are.

Bottom line is this is about demeaning poor people, and we've been doing this time and time again on this House floor. Enough is enough. We don't need this amendment. This is a bad idea. Please vote it down.

Mr. HUDSON. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from North Carolina has 2½ minutes remaining.

Mr. HUDSON. At this point, I'd like to yield 1½ minutes to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA Mr. Chairman, I'm pleased to join my colleagues, Representatives HUDSON and YOHO, to again offer a commonsense amendment that will further assist in diminishing the abuse in the SNAP program.

This is a no-nonsense amendment. If you have enough money to buy drugs, you do not need taxpayer money to buy food. This amendment protects the taxpayer from directly subsidizing the purchase of drugs. Without this amendment, drug users will continue to use their money to buy drugs and your money to buy food.

This amendment gives States the ability to implement a drug screening program in the way that works best for them, but it needs to be part of the SNAP benefit qualification application. There are already 29 States that have proposals to do this, and eight States have already passed this type of legislation for this type of screening.

Letting drug users abuse the SNAP program diverts funds from those who truly need it. That's what we're about here. Of course, this is what taxpayers, when you talk to regular folks, this is the kind of thing they complain about around the kitchen table, like, ''Why are my tax dollars going towards this?'' If I had a dime for every time I've heard this.

□ 1920

People want this sort of thing to happen for those that are abusing this program. Taxpayers deserve better; the folks that really need the benefits of food stamps deserve better.

I ask for an ''aye'' vote on this amendment.

Ms. MOORE. Mr. Chairman, how much time do I have remaining?

The ACTING CHAIR. The gentlewoman from Wisconsin has 1½ minutes remaining.

Ms. MOORE. Thank you, Mr. Chairman.

I would like to yield 1¼ minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I thank the gentlelady.

I think that this is really the height of temerity here to make reference to people who are on a food stamp program and make a presumption that because they're on a food stamp program that they are using drugs and that they should be tested.

My gosh, I would just say that what about those people who are getting $4.7 million in direct payments from the Federal Government—as the gentleman from California does—and an additional $1.2 million from direct payments from the Federal Government? Maybe we ought to start drug testing all of the people who get some sort of a benefit from the Federal Government, and particularly those folks in this program, like the folks who are on crop insurance.

We can't find out the names of the 26 individuals on crop insurance that get at least $1 million—$1 million they get in a premium subsidy. And do you know what, my friends? There is no cap on the amount of money, there is no threshold on what they can receive, they have no eligibility criteria. They just get the money, and they don't have to even farm the land. Why don't we drug test those folks today and not demean people who have fallen on hard times?

Mr. HUDSON. Mr. Chairman, may I inquire as to the amount of time remaining.

The ACTING CHAIR. The gentleman from North Carolina has 1 minute remaining.

Mr. HUDSON. Thank you, Mr. Chairman. I would yield myself the balance of my time.

Again, I ask my colleagues to consider this as a commonsense measure that does nothing to take food away from those who need it, but it makes sure the integrity of this program is upheld. We don't make any presumptions about folks on the program, but we think that States need this tool so that they can make sure that folks who are on the program are the folks that need to be on that program.

I thank the gentlelady, my colleague, from Connecticut for endorsing this farm bill this year because we do eliminate direct payments. As she alluded, I agree, that is a practice that we should end, and so I appreciate her endorsement of that piece of it.

Mr. Chairman, with that, I will conclude by just saying I urge my colleagues to support this commonsense measure that does nothing but allow the States to have the tool to use drug testing should they see fit when administering this program.

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

The ACTING CHAIR. The gentlewoman from Wisconsin is recognized for 15 seconds.

Ms. MOORE. Thank you, Mr. Chairman. This is not commonsensical; this is unconstitutional. The majority wants to excuse itself from taking food away from 46 million people who are hungry, and it is a proxy for criminalizing the food stamp program in order to get away with it.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. HUDSON).

The amendment was agreed to.

AMENDMENT NO. 23 OFFERED BY MR. CONAWAY

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in part B of House Report 113–117.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title IV, insert the following:

SEC. 4033. REDUCTION IN BENEFITS PAID WITH UNAUTHORIZED APPROPRIATIONS.

Section 8(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2017(a)) is amended—

(1) by striking ''(a) The'' and inserting the following:

''(a)(1) Subject to paragraph (2), the''; and

(2) by adding at the end the following:

''(2) For any fiscal year for which funds are not authorized under section 18(a)(1), the thrifty food plan shall be reduced by 10 percent only for the purpose of determining the value of allotments under paragraph (1) for such fiscal year.''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Texas (Mr. CONAWAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

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

I offer this amendment because serious reforms to the SNAP program are difficult because the program continues on autopilot even after the FARRM Bill expires.

SNAP is defined as an appropriated entitlement, meaning that appropriations can continue to fund the program regardless of action taken by the Ag Committee.

This amendment is about the accountability of SNAP. While SNAP funding is provided in the annual appropriations act, the level of spending for appropriated entitlements is not controlled through the annual appropriations process. Instead, the level of spending for appropriated entitlements, like other entitlements, is based on the benefits and the eligibility criteria established in law.

The amount provided in the appropriations act is based on the projected level. In general, the maximum SNAP benefit is set at 100 percent of the USDA's Thrifty Food Plan. TFP is calculated each year by USDA as the lowest cost food plan and varies by household size. Benefits are further reduced by 30 percent of a qualifying family's annual income on the expectation that families contribute to their own food purchases.

This amendment will simply reduce by 10 percent the Thrifty Food Plan calculation in any year that SNAP is not authorized, otherwise bringing the Agriculture Committee back into the operations. In this way, all parties would have an incentive to come to the table and negotiate SNAP reforms while drafting the next FARRM Bill.

It is important to note that this amendment does not end SNAP; nor is it expected this amendment will actually ever go into force. It simply lowers the benefit if, and only if, Congress fails to reach an agreement on how to reauthorize the SNAP program. Further, it does not impact the baseline for this year's FARRM Bill and does not cost any money to implement.

Mr. Chairman, I urge adoption of this amendment and reserve the balance of my time.

Ms. DELAURO. Mr. Chairman, I rise to claim time in opposition to this amendment.

The ACTING CHAIR. The gentlewoman from Connecticut is recognized for 5 minutes.

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

This is unprecedented. This far-reaching amendment would quite literally hold millions of our country's poorest children, working families, seniors, and the disabled hostage to this Congress' ability to compromise and pass a farm bill. That is almost laughable. This Congress hasn't been able to come to an agreement or a compromise on anything.

If the farm bill is not reauthorized by September 30, food stamps for all families of four would be cut about $64 a month. Right now, more than 47 million Americans, including more than 19 million children, rely on food stamps to put food on the table. They don't rely on the program because they want to; they rely on the food stamp program because they have no other choice. They either do not make enough money to afford food for their family because of the paltry minimum wage or they are temporarily unemployed because of the historic economic recession this country has experienced.

This is a misguided amendment. It would impose deep cuts for each and every one of the households. The nonpartisan Center on Budget and Policy

Priorities estimated that passing this amendment could result in a nearly 15 percent cut for households. That is $64 for a family of four when they only receive an average of less than $430 a month.

Already, 90 percent of SNAP benefits are redeemed by the third week of the month, around the same time that food banks see more and more men, women, and children enrolled in the program turning to the food bank because their benefits ran out.

All social safety net programs, including food stamps, have historically been protected from automatic across-the-board cuts. This was true when the law was enacted in 1985, 1987, 1990, 2010, and the Budget Control Act of 2011. SNAP was also protected in Simpson-Bowles, which recognizes the need not to reduce the deficit on the backs of the poor and the most vulnerable in this country.

Christian leaders continue to call on this body to form a circle of protection around programs that help the neediest Americans, including those on food stamps. That circle of protection should surround this amendment.

I urge my colleagues to heed that request and to oppose this amendment.

I reserve the balance of my time.

Mr. CONAWAY. Mr. Chairman, I don't have any other speakers, and I reserve the balance of my time.

Ms. DELAURO. Mr. Chairman, can you tell me how much time remains.

The ACTING CHAIR. The gentlewoman from Connecticut has 2½ minutes remaining.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts (Mr. MCGOVERN).

□ 1930

Mr. MCGOVERN. I want to thank the gentlelady for yielding.

Let me get this straight. So, if Congress doesn't do its job, we don't get punished—poor people get punished. I think we have it backwards here. Why should we hold poor people hostage to the fact that somehow this Congress can't get its act together? For our lack of ability to get things done around here, we don't hold people accountable who receive other subsidies who are, quite frankly, well off.

This is yet another in a series of amendments to diminish the plight of poor people, to demonize programs like SNAP; and I really think it's unfortunate. I mean, we're going to punish poor people because we can't reauthorize the Supplemental Nutrition Assistance Program. What a terrible idea. I hope that my colleagues on both sides of the aisle will agree with us on this and reject this.

Ms. DELAURO. How much time remains, Mr. Chairman?

The Acting CHAIR. The gentlelady from Connecticut has 1½ minutes remaining.

Ms. DELAURO. I think it's really rather incredible that we, once again, in the prior amendment have singled out a group of people, many of whom today are people who were working but who lost their jobs through no fault of their own and who find themselves in a situation in which they have to access the food stamp program in order to feed their families.

On the other hand, those people whom I singled out earlier—the 26 individuals—will get at least $1 million in a premium subsidy for crop insurance, and they have no income threshold at all. These folks, if we can't get to a compromise, will continue to get what they're getting. They're eating well. I would bet they have more than three squares a day.

Let's think about who this amendment targets—76 percent of SNAP households, including child, senior or disabled individuals. The average household on SNAP has a gross monthly income of $744. The average SNAP allocation is already less than $1.50 per meal, and 55 percent of SNAP dollars go to households with incomes below half of the Federal poverty line. This targets the poorest. It asks them to pay a price for congressional farm bill politics.

Let's talk about the Members of Congress. If they can't get it to a compromise, let's make sure they don't get their salaries and that we do something to those who are responsible for not getting the job done. Don't take it out on the poorest people in this Nation. This is unprecedented. It is immoral. I urge my colleagues to oppose this amendment.

I yield back the balance of my time.

Mr. CONAWAY. Many of the arguments that have just been made speak to why we need to do this deal. We need that sense of urgency that is portrayed on the other side in order to get this FARRM Bill done.

Now, this amendment won't take effect until the next FARRM Bill; but right now, this FARRM Bill's only production agriculture and conservation programs are trying to drag this program across the finish line with 219 votes. The nutrition program and its supporters couldn't give a rat's rear end whether or not it gets passed because its program goes forward without any effect if we don't do anything. They're really at an advantage to production agriculture.

This is not about the SNAP program, and this is not about the benefits. This is simply saying, I don't necessarily think SNAP is perfect, and the only way to get out of SNAP reform is to bring the SNAP beneficiaries—who are in every single congressional district, as opposed to farmers who are not in every single congressional district—to the table, to have some skin in the game, to make sure that they are communicating to their Members of Congress that they want them to get something done.

Right now, they're just simply on the take side. They're not part of the process, and they don't have to be because of the way we've done these rules. Arguing against the rules of the House don't argue about the idea that we must do our jobs. As Congressmen, we do our jobs. I've got folks back home who motivate me to do it far more than anything else that's up here. This amendment is simply saying that SNAP has a role and that the SNAP beneficiaries have a role in communicating to their Members of Congress to get this work done on a timely basis.

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

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

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

Mr. CONAWAY. Mr. Chair, I demand a recorded vote.

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

It is now in order to consider amendment No. 24 printed in part B of House Report 113–117.

AMENDMENT NO. 25 OFFERED BY MR. BUTTERFIELD

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in part B of House Report 113–117.

Mr. BUTTERFIELD. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title IV, add the following:

SEC. 4033. SNAP ENHANCEMENT.

(a) AMENDMENT.—Section 3(k) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(k)) is amended—

(1) by striking ''and (9)'' the last place it appears and inserting ''(9)'', and

(2) by inserting '', and (10) items of personal hygiene for household use'' before the period at the end.

(b) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the 1st day of the 1st month that begins not less than 180 days after the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from North Carolina (Mr. BUTTERFIELD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. BUTTERFIELD. Mr. Chairman, I rise to propose an amendment to the nutrition title of this bill. I will mention at the outset that my amendment has been scored by the Congressional Budget Office as budget neutral and not adding to direct spending.

Mr. Chairman, my amendment is very simple. It will expand the items available for purchase under the SNAP program to include items of personal hygiene.

Historically, the purpose of the SNAP program has been to provide financial assistance to poor individuals to purchase food. Nearly 50 million people in this country currently rely on SNAP benefits to provide food for themselves and their families. No one wants to depend on SNAP for one's next meal, but we have a responsibility to our neighbors to provide and care for them in their time of need; but for the poor, need does not just stop at food.

While SNAP currently provides financial assistance to purchase certain types of food, there is no mechanism to help needy people purchase personal hygiene items like toothbrushes and toothpaste and toilet paper and feminine items, among other items used for their personal care, items that they cannot afford. My amendment expands SNAP-eligible purchases to include personal hygiene items to be determined by the Secretary of Agriculture.

Ensuring that poor families have access to personal hygiene products is the right thing to do. Giving families the ability to purchase personal hygiene products will save us money in the long run. Poor personal hygiene can have far-reaching consequences on an individual's health and result in more trips to the emergency room, and it increases uncompensated care. Research indicates that a lack of proper dental hygiene can increase the risk of heart attack and stroke, can exacerbate diabetes and kidney disease and, for expectant mothers, can increase the risk of delivering a pre-term, low-birth-weight baby.

Mr. Chairman, at a time when we are coming out of this recession and when State governments across the country, like the one in my home State of North Carolina, are refusing to expand Medicaid, now is the time to give our most vulnerable citizens some flexibility to buy products that will improve their long-term health. It is especially critical as we stand here today to debate this $20.5 billion cut to the SNAP program.

So, Chairman LUCAS and all of those responsible for this bill, thank you for the work that you have done.

I reserve the balance of my time.

Mr. CRAWFORD. I rise to claim the time in opposition.

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

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

The Supplemental Nutrition Assistance Program is just that—a nutrition assistance program—which is designed to provide nutrition assistance to eligible low-income individuals and their families. Personal hygiene items never have been eligible for purchase under a Supplemental Nutrition Assistance Program transaction and should never be eligible under SNAP. We should be devoting our scarce resources to providing food to hungry Americans, not personal hygiene items.

I urge my colleagues to join me in the opposition of this amendment and to vote ''no.''

I reserve the balance of my time.

Mr. BUTTERFIELD. How much time is remaining, Mr. Chairman?

The Acting CHAIR. The gentleman from North Carolina has 2½ minutes remaining.

Mr. BUTTERFIELD. I yield such time as she may consume to the gentlelady from Wisconsin (Ms. MOORE).

Ms. MOORE. I thank the gentleman from North Carolina.

I think that the majority has really raised the point that, historically, we have not allowed purchases beyond food for the food stamp program, but it's not that poor people don't really need to be able to do that.

□ 1940

This amendment is very narrow, and I can recall from personal experience some of the things that many families run out of in a family that are directly related to their nutritional needs, like a baby bottle. You've never seen a family frantically trying to find the last baby bottle or nipple that the baby has bitten off and not be able to deliver the formula to the child because they don't have a baby bottle and it'll cost over $2 to be able to make that purchase.

Certainly, toilet paper is sort of inversely related to eating. The need for feminine hygiene products or deodorant is something that adds to the dignity of being alive. It's quite true that many Americans during our Great Recession only had food stamps to depend on, not even TANF benefits. So if you're looking for a job, you really do want to have deodorant and toothpaste.

I think that this is budget neutral, and it is a small concession to make given the draconian cuts we're making in the program already.

Mr. CRAWFORD. I reserve the balance of my time, as I'm prepared to close if the gentleman has no further speakers.

Mr. BUTTERFIELD. Mr. Chairman, I'm going to ask my colleagues if they would look very closely at this amendment. It's not a radical amendment. It simply empowers those recipients of SNAP to buy very simple and basic items that are related to nutrition, such as toilet paper and toothpaste and toothbrushes and the like.

I ask my colleagues to please allow an up-or-down vote on this and to vote ''aye'' on the amendment.

I yield back the balance of my time.

Mr. CRAWFORD. Mr. Chairman, I respect the initiative here. I appreciate that. I think that we're kind of wandering into uncharted waters here because we're talking about a farm bill and nutrition title, and this is not, I don't believe, in our purview to authorize the use of nutrition funds to address personal hygiene items, and that's why I have reservations about this.

I appreciate the effort put forth here and totally recognize the value of personal hygiene. I'm a big believer in personal hygiene. I just don't think that it's appropriate for us to address personal hygiene items in the context of nutrition.

For that reason, I would respectfully request a ''no'' vote on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. BUTTERFIELD).

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

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

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

AMENDMENT NO. 26 OFFERED BY MR. MARINO

The Acting CHAIR. It is now in order to consider amendment No. 26 printed in part B of House Report 113–117.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A, of title IV, insert the following:

SEC. 4033. GAO PILOT PROGRAM TO COLLECT AND PUBLISH SUPPLEMENTAL NUTRITION ASSISTANCE BENEFIT REDEMPTION DATA.

(a) PILOT PROGRAM.—After the enactment of this Act, the Comptroller General shall carry out a pilot program as follows:

(1) The program shall collect the data that is currently required to be reported under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) and under the benefit redemption requirements applicable to households under such Act.

(2) The program shall be carried out in 9 States, selected by the Comptroller General in the discretion of the Comptroller General, based on a good variety of demographics, economics and geographics.

(3) The program shall conclude after the expiration of the 9-month period, and before the expiration of the 1-year period, beginning on the date of the enactment of this Act.

(b) RESULTS OF PROGRAM.—Promptly after the conclusion of the program, the Comptroller General shall—

(1) describe the extent to which data collected under subsection (a) can be analyzed under current reporting requirements to identify the aggregate number and aggregate cost of each specific food item purchased with supplemental nutrition assistance benefits;

(2) indicate which additional information should be collected in order to obtain the aggregate number of and cost of each specific food item purchased with supplemental nutrition assistance benefits;

(3) make recommendations necessary to improve the current benefit redemption data reporting requirements to enable the Secretary to publish on the Internet in a searchable, comparable database available to the public, the aggregate number and aggregate cost of each specific food item purchased with supplemental nutrition assistance benefits; and

(4) publish the data collected under subsection(a) on the Internet in a searchable, comparable database available to the public.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Pennsylvania (Mr. MARINO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MARINO. Mr. Chairman, I yield myself as much time as I may consume.

My amendment is simple. This amendment finally brings some transparency and public accountability to the 80-plus billion dollar food stamp program. It directs the Government Accountability Office to establish a pilot program in nine States that will allow the GAO to collect and make public information showing how our food stamp dollars are being spent.

As a prosecutor, I presented all of the facts to the jury so that they were able to make an accurate decision based on the evidence. It is inconceivable to me that at a time when all Americans are demanding accountability and transparency in government, we are allowing 80-plus billion dollars a year to go out the door with virtually no idea on how it is being spent. To put that into context, $80 billion a year is more than double the amount of money the Department of Homeland Security received in the appropriation bill we approved on June 6 and roughly the same amount that was cut by sequester.

I have had several interesting arguments made to me against this bill, driven primarily by Big Business, who are more interested in protecting profits rather than taxpayers. Opponents have argued that this would be costly for retailers to implement.

First, the information required to be reported and made public is information that retailers are already required to keep under existing law. I also find it ironic that opponents are arguing that because there may be a compliance cost for a program that is voluntary for retailers, we should just forego any meaningful oversight over how these taxpayer dollars are being spent.

Some opponents claim that this is food surveillance. This amendment is not food surveillance; it is oversight and accountability. At a time of high debt and deficit, it is incumbent on Congress to scrutinize fully every Federal dollar spent.

I have also heard opponents argue that SNAP is efficient because USDA says that it only has a 3.8 percent error rate. This is a false, red herring argument that is meant to distract from what this amendment would do. The error rate referred to involves the percentage of benefits that either went to ineligible households or went to eligible households, but in excessive amounts. The error rate has nothing to do with how the taxpayer dollars are spent.

Having that information is critical, especially as we debate things like how much to scale back the SNAP program or whether it is inappropriate to allow the purchase of certain items with SNAP dollars. I have heard that there were no hearings about the SNAP program in conjunction with this FARRM Bill. I agree that there should have been hearings. Nevertheless, those hearings would be more productive if they had all the information as to how programs are operating.

My amendment would give us and the American people the ability to make informed policy decisions about the program. That is why my amendment is supported by a range of groups from the Physicians Committee for Responsible Medicine to Americans for Limited Government.

Mr. Chairman, I want to again emphasize that this amendment is about transparency. It is about oversight and accountability. We have to have the facts at our disposal to determine what, if anything, to do. It is about good government.

I urge my colleagues to join me in support of this commonsense amendment, and I reserve the balance of my time.

Mr. DAVID SCOTT of Georgia. Mr. Chairman, I claim time in opposition.

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

Mr. DAVID SCOTT of Georgia. Mr. Chairman, this is one of the most terrible amendments that has ever been brought before this House of Representatives. It goes against the very grain of what America is about.

I don't care if you're rich. I don't care if you're poor. I don't care if you're in the service. I don't care if you have to have SNAP. You are an American. And Americans today if they're tired of one thing, they're tired of the government prying into their lives under surveillance that's happening right now on the 6 o'clock news, in our major papers. The one thing is the mistrust of a government-surveillance program. This has everything to do with surveillance. That's exactly what it is. It's a food surveillance program from my good friend, Mr. TOM MARINO.

What this will do—you tell me if it isn't—it will require retail food stores to monitor, to put in a surveillance system, to collect and report back to the Secretary of Agriculture detailed information that identifies what food items, what type, what size of purchase by those who are on SNAP.

This isn't about SNAP. You've gone into the grocery stores. Everybody goes into that grocery store as an American to purchase, to buy the food, the basic things that he needs to survive. You can't put surveillance on the SNAP person without putting surveillance on every American that goes into that store. How asinine such an amendment this is in this eagerness of this declaring of war on SNAP recipients.

□ 1950

We are declaring a war on the soul of America itself. And I don't care if you're liberal; I don't care if you're moderate or you are conservative. Every American ought to be concerned about this. You're not going to be able to put a surveillance program over what the SNAP folks get without putting a surveillance program over all Americans. Just think about how big our system is, and the statistics bear it out. Right now, there are 460,000 different items on the market shelves. There are 15,000 new ones going on every year. What's going to happen there?

And for the consumers, there's going to be a cost. Yes, there's going to be a cost. These retailers don't go and print money and make it. Do you know who is going to pay for the cost of this surveillance program that is unneeded? It's going to be the customers.

And so, ladies and gentlemen, and with all due respect to the gentleman, let us ease this war against the poorest who are among us. I remind everybody every day that the fastest growing group of recipients who are receiving benefits from food stamps are our veterans, the very ones who've gone and put their lives on the line, who come back maimed, that have to depend on food stamps, who went and fought overseas so we could be free from surveillance, and here's an amendment that wants to put surveillance on them.

Let's look at this and see it for what it is. It is an awful surveillance program. And I have respect for the gentleman, but this amendment is totally misguided and does great damage to the heart and the soul of this Nation, because you cannot discriminate going into those grocery stores against the poor recipient of SNAP without discriminating and taking away the freedoms of every single American.

I yield back the balance of my time.

Mr. MARINO. How much time do I have remaining?

The Acting CHAIR. The gentleman from Pennsylvania has 1 minute remaining.

Mr. MARINO. You know, keeping track of this, it's already done by a bar code, so there's no additional cost. And there's no surveillance. There's no

cameras. There's nothing checking on anybody. We're not asking who is buying. We're asking what is being purchased. With my colleagues, it's always a war. It's a war on women, and now it's a war on people using food stamps.

We should be doing this anyhow. It's a law that should be done by the stores. It is just not being enforced. Hardworking taxpayers deserve accountability. They deserve to know how their $80 billion is being spent and on what. I wonder what my friend across the aisle is concerned about, perhaps what the results will show. But we don't know at this point. The American people are entitled to know how their money is being spent.

As I said, there's no cost associated with this. They're doing it by bar code anyhow. Everything that goes through a store now is bar coded, so it's just reporting the information. If anything is misguided, what is misguided is $80 billion in 2012 and $82.5 billion projected in 2013 that's going to be spent and there is no accountability for it.

I yield back the balance of my time.

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

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

Mr. DAVID SCOTT of Georgia. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 27 OFFERED BY MR. CHABOT

The Acting CHAIR. It is now in order to consider amendment No. 27 printed in part B of House Report 113–117.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title IV, insert the following:

SEC. 4033. EXPUNGEMENT OF UNSUED SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS.

Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020), as amended by section 4015, is amended by adding at the end the following:

''(w) EXPUNGEMENT OF UNUSED BENEFTIS.—The State agency shall expunge from the EBT account of a household benefits that are not used before the expiration of the 60-day period beginning on the date such benefits are posted to such account.''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Ohio (Mr. CHABOT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

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

I introduced this amendment to reform the Supplemental Nutrition Assistance Program, or SNAP program, and specifically the electronic benefit transfer account program within the SNAP or within the food stamp program.

The SNAP, or food stamp program, is in dire need of reform, and I think most people realize that and many have spoken out about that already. Under the current administration, the Obama administration, the number of people on food stamps has increased by 16.5 million persons. In 2011, the SNAP program handed out $84 billion in food stamps in 1 year alone. The SNAP program is now the second most expensive—after Medicaid—program, and it is the fastest growing of all the Federal Government's 80 welfare programs. This cost is unsustainable. Reforms can be made without impacting, in my belief, those who truly need assistance; and there are some who truly need assistance, and we ought to help them.

Under current law, unused benefits are rolled over each month and can pile up for an entire year. The current law is terribly flawed and encourages fraud and abuse. My amendment would increase the integrity of the program by ending the rollover and recouping leftover benefits. Instead of allowing benefits to remain unused in an account for an entire year, my amendment would return unused SNAP or unused food stamp money or benefits to the U.S. Treasury after 60 days, 2 months, which I believe is a reasonable period of time.

Those actually using the benefits or those truly in need would not be impacted. The intent of SNAP, or food stamps, is to assist those in need on an as-needed basis. If a recipient hasn't utilized all their benefits, those benefits could be used to help others who do need them or used to reduce our almost $17 trillion national debt.

Clearly, this is a program in need of reform. My amendment addresses the out-of-control growth we have witnessed with this program over the past 4 years, and I urge my colleagues to support this amendment.

Mr. CRAWFORD. Will the gentleman yield?

Mr. CHABOT. I yield to the gentleman from Arkansas.

Mr. CRAWFORD. I thank the gentleman for yielding.

I would just like to say, on behalf of the chairman of the Agriculture Committee, I thank the gentleman from Ohio for bringing this good government amendment before us today. Current law states that a State agency must return unused benefits to the Treasury after a 12-month period of inactivity. The gentleman's amendment simply shortens that time period that a SNAP recipient has to claim their benefits to 60 days.

I urge my colleagues to vote ''yes'' on this commonsense amendment.

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

The Acting CHAIR. Does any Member wish to claim the time in opposition? If not, the gentleman from Ohio is recognized.

Mr. CHABOT. Mr. Chairman, I would also note that almost 80 percent of the farm bill—we're spending about a trillion dollars overall—goes to the food stamp program. So we're talking about a very significant part of the overall farm bill.

The GAO notes in a report:

It's inconclusive regarding whether SNAP, or food stamps, alleviates hunger and malnutrition in low-income households.

Think about that. It's inconclusive whether it actually reduces hunger or malnutrition. And the people that it's supposed to be helping, which is low-income households, if that's the case, why are we spending all these dollars? This doesn't go to the entire food stamp program, obviously; it just goes to a certain item, and that is reducing from a year, allowing those dollars to pile up, to a reasonable time, which is 2 months.

I would also note that the GAO report goes on to say that the amount of SNAP money paid in error is substantial, totaling in the billions of dollars.

□ 2000

So it's clearly something that should be reformed.

I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 28 OFFERED BY MRS. BLACK

The Acting CHAIR. It is now in order to consider amendment No. 28 printed in part B of House Report 113–117.

Mrs. BLACK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title IV, insert the following:

SEC. 4033. TERMINATION OF EXISTING AGREEMENT.

Effective on the date of the enactment of this Act, the memorandum of understanding entered into on July 22, 2004, by the Secretary of Agriculture of the United States Department of Agriculture and the Secretary of Foreign Affairs of the Republic of Mexico and known as the ''Partnership for Nutrition Assistance Initiative'' is null and void.

The Acting CHAIR. Pursuant to House Resolution 271, the gentlewoman from Tennessee (Mrs. BLACK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACK. Mr. Chairman, I yield myself as much time as I may consume.

I rise today to speak in support of my amendment to officially end the agreement between the USDA and the Mexican Government known as the Partnership for Nutrition Assistance Initiative.

Now, this partnership began back in 2004, but it has greatly expanded under the Obama administration. It's an aggressive outreach program funded by U.S. taxpayer dollars which promotes SNAP enrollment in targeted communities by partnering with Mexican Government officials to hold meetings, health fairs, and coordinate other outreach initiatives designed to bring working-class families into public assistance and dependence programs.

Not only is this an ill-conceived partnership with Mexico promoting a life of dependency rather than upward mobility, there is no reason to believe that the Obama administration isn't just using this partnership as a way to get illegal immigrants enrolled in the SNAP program.

This current partnership is among the most egregious examples of policies contributing to the 46 percent expansion in SNAP recipients under the Obama administration, and it must stop now.

My amendment today is an opportunity for Congress to be good stewards of our taxpayer dollars, our hardworking taxpayer dollars, and to get the U.S. Government out of the business of promoting dependence.

I urge my colleagues today to vote in support of my amendment to terminate this partnership with the Mexican Government. Let's stop this blatant misuse of the taxpayer dollars so that SNAP is there for those who have fallen on hard times and truly need temporary assistance, not for exploitation by foreign governments.

Mr. Chairman, I yield such time as he may consume to the gentleman from Arkansas (Mr. CRAWFORD).

Mr. CRAWFORD. I thank the gentlelady from Tennessee for yielding.

And on behalf of the chairman of the Agriculture Committee, I would like to thank her for bringing this amendment to void the partnership with the Mexican Government that promotes participation in the SNAP program.

We support this amendment, and urge our colleagues to vote ''yes.''

Mrs. BLACK. Mr. Chairman, I reserve the balance of my time.

The Acting CHAIR. Does any Member seek time in opposition? If not, the gentlewoman from Tennessee is recognized.

Mrs. BLACK. Mr. Chairman, this is so important that we are assured that our hardworking taxpayer dollars are used for those that are the most in need, as a safety net, and not to be given to foreign governments. And so I ask support for this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACK).

The amendment was agreed to.

AMENDMENT NO. 29 OFFERED BY MS. KAPTUR

The Acting CHAIR. It is now in order to consider amendment No. 29 printed in part B of House Report 113–117.

Ms. KAPTUR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 4402(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007(a)), as added by section 4201 of subtitle C of title IV—

(1) in paragraph (2) strike the close quotation and the period at the end, and

(2) add at the end the following:

''(3) REQUIREMENT.—Not less than 50 percent of the funds made available to carry out this section in any fiscal year shall be used to provide assistance to seniors.''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentlewoman from Ohio (Ms. KAPTUR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Ohio.

Ms. KAPTUR. I thank the chairman, and yield myself such time as I may consume.

Mr. Chairman, the amendment I'm offering today would create a clear set-aside for senior citizens in the Farmers Market Nutrition Program.

Senior hunger is a serious and growing problem, sadly, in our country. Feeding America estimates nearly 5 million seniors—5 million; 1 in 12—in 2011 were food insecure, double the number in 2001. With prices up and with what's happening across this country, we know that that number is not the top, but probably the base, and it's probably more.

So, senior hunger is a growing problem, and we know the costs of food are up. In fact, 6 percent of households with an elderly person are definitely food insecure, and we know that women over the age of 85 have a poverty rate of 13.8 percent. That means elderly women have the second-highest poverty rate in the Nation.

This is a great country. No single senior citizen in our country should ever have to worry about food.

I remember one senior center that I went to for a small little lunch, and they put these tiny sandwiches on the plate, and they cut them in half. And I remember a senior woman, very frail, very elderly, she took half a sandwich and ate it, and then when she thought no one else was looking, she wrapped up the other half of the sandwich and put it in her purse.

Unless you really see it, you don't realize how painful it is for millions of seniors across our country. Senior hunger has a health impact because food insecurity among elders causes more headaches, more dehydration, more disability, more decreases in resistance to infection, more high blood pressure and extended hospital stays.

In fact, food-insecure elderly persons have been found to be over two times more likely to report poor or fair health. Ultimately, the health impact of hunger results in higher health care costs.

In an effort to help address this serious problem of senior hunger, Congress created the Senior Farmers' Market Nutrition Program. It is a very popular and very effective program. It is so small and meagerly funded it doesn't even function in every congressional district in this country.

But the program is a home run for seniors who need help, and it's a home run for local producers. The program brings together needy seniors, who purchase fresh and nutritious, locally-grown fruits, vegetables, honey and herbs at their local farmers markets, roadside stands and community-supported agriculture programs.

In effect, seniors help farmers and farmers help seniors. Farmers expand their customer base, and seniors buy fresh vegetables, fresh fruits, fresh honey, locally produced, which helps to combat many allergies which are growing across this country and, obviously, herbs.

The program helps local food production because farmers sell their agricultural products locally, at local places, with direct marketing.

There are similar programs for WIC participants but, unfortunately, the discretionary funding for the program has been declining. It is my hope that as we go to conference with the Senate we can look at the changes in the underlying bill and increase mandatory funding for a unified program.

From my perspective, a unified program holds the potential to serve the more needy seniors, which will help combat senior hunger. Given the damage sequestration is doing to Meals on Wheels and other senior assistance programs, I hope we can work on a bipartisan basis to support our seniors, the most vulnerable among us.

I urge adoption of the amendment, and reserve the balance of my time.

The Acting CHAIR. Who claims time in opposition?

Ms. KAPTUR. Mr. Chairman, I have been given every indication that this amendment is going to be acceptable to both sides, and I would urge my colleagues to support it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Ohio (Ms. KAPTUR).

The amendment was agreed to.

AMENDMENT NO. 30 OFFERED BY MR. SCHWEIKERT

The Acting CHAIR. It is now in order to consider amendment No. 30 printed in part B of House Report 113–117.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In subtitle C of title IV, strike section 4207.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Arizona (Mr. SCHWEIKERT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

□ 2010

Mr. SCHWEIKERT. Mr. Chairman, I yield myself as much time as I might consume.

Mr. Chairman, I'm sure this is true for all of us in the body, both on the right and the left. As we grind through the amendments and look at them, we, on occasion, come across an amendment that you can actually see where it was well meaning. It may have had a good heart behind it, but when you sort of dice it up, you start to actually understand both something from a personal basis almost borders on the humorous side but also structurally has some real problems.

I stand up today trying to remove some language, the Healthy Food Financing Initiative. Look, we will have some Members who will say it's only $125 million, but understand that $125 million may be used to buy a grocery store to subsidize certain healthy food products in areas where the program deems there is a shortage of such.

Where there is an amazing irony is, okay, we want healthy foods. There are some areas that the products that may be available in those areas we deem not to be particularly nutritious, but that may be because in our commodity subsidy system, what's in our grocery stores? The fact of the matter, processed foods, because we subsidize commodities. Then I go in and say, But my solution is I'm going to create another subsidy to take care of the problem on the other side. At some point, you've got to be willing to take a step back and see the irony of this.

But there are also other structural problems. We're basically taking taxpayer money, and through a sort of a network, you may find a private grocery store being financed by taxpayer money. You may be finding the system where certain foods and certain retailers are being financed by taxpayer money just because it's designated as an area where these products don't exist.

So with that, I reserve the balance of my time.

Ms. FUDGE. Mr. Chairman, I rise in opposition.

The Acting CHAIR. The gentlewoman from Ohio is recognized for 5 minutes.

Ms. FUDGE. I rise in opposition to the Schweikert amendment to strike the Healthy Food Financing Initiative.

Let me just say that not only is it well meaning, it works. And it's about time this Congress does something that is proven to work.

This amendment removes from the farm bill bipartisan language that I successfully championed during the House farm bill markup. The Healthy Food Financing Initiative outlines a comprehensive Federal response to addressing the limited and inequitable access to healthy foods in low-income communities in both rural and urban America.

It does this through the creation of a national fund manager housed within USDA that would improve access to healthy foods, create quality jobs, and revitalize low-income communities by providing loans and grants to eligible food retailers.

Nearly 30 million people live in low-income areas more than 1 mile from a supermarket, which means they lack adequate access to fresh, healthy, and affordable food. It comes as no surprise that these same people are less likely to have a healthy diet than those with better access. Barriers to healthy food have worsened the growing epidemic of obesity, diabetes, and other diet-related health problems in these communities.

The Healthy Food Financing Initiative would combat the lack of healthy food retail through a public-private initiative that would allow for the leveraging of millions of private capital at the national level—something that my colleagues talk about all of the time.

HFFI provides one-time loans and grant financing to attract grocery stores and other fresh fruit retail to renovate and expand existing stores so they can provide the healthy foods that communities want and need. This financing will help local businesses through loans and tailored financing packages that are not readily available.

Healthy food retail increases and stabilizes home values in nearby neighborhoods. It generates local tax revenues, provides workforce training and development, and promotes additional spending in the local economy generated by the store and the new jobs it creates. It actually has a multiplier effect.

To know that this works, we just need to look at Pennsylvania. A similar program that began there in 2004 resulted in 88 projects being built or renovated in underserved urban and rural communities across the State. Today, more than 5,000 jobs have been created—and I know we all want to create jobs—have been created or retained, and 400,000 people now have increased access to healthy food. Thirty million invested by the State has resulted in projects totalling more than $190 million.

The Pennsylvania program success rate has been better than the grocery industry overall. Federal, State, and many city governments are enacting legislation and policies to attract healthy food retail. There is tremendous momentum around the country right now to bring grocery stores to places that need them.

Also, a diverse group of nearly 100 stakeholders support this bill, including PolicyLink, The Reinvestment Fund, The Food Trust, and the National Grocers Association; and numerous agriculture, health, civil rights, and industry groups support this bill.

The Senate supports HFFI—not his bill. The Senate has recognized the case for HFFI and included this text in their bill.

Food access is a critical problem. The good news is that we know what to do and we can do it. I ask that you stand with me in defending this HFFI by opposing the Schweikert amendment.

I reserve the balance of my time.

Mr. SCHWEIKERT. Mr. Chairman, I reserve to close.

The Acting CHAIR. The gentlewoman from Ohio has the right to close as a member of the committee.

Mr. SCHWEIKERT. Mr. Chairman, to the gentlelady from Ohio, you hit a couple points that I absolutely agree on.

We have a horrible obesity epidemic. We have a crisis of nutrition of what people consume. If you really care about those things, then you would actually look at the farm bill overall and what we do in this country to distort what we consume. Walk down your grocery store aisles and you will see what we've done by more government policy.

But the fact of the matter is you, in many ways, make your own argument. If there is actually a program that you believe is working at all in Pennsylvania, then you've demonstrated the States are capable of doing this. But, once again, to take another $125 million of Federal money to create another program that ultimately actually does things like buys a grocery store, I mean actually competes with a private business, I see something that's almost absurd in that if that's the way that this amendment ultimately works.

With that, Mr. Chairman, I reserve the balance of my time.

Ms. FUDGE. I thank the gentleman.

First, let me just say that certainly we can agree to disagree. But let's be honest. We are not buying grocery stores. It is not accurate to say to the American people that is what we are doing, Mr. Chairman. So let me just make that clear.

Secondly, if we have something that works and we know that our people are in need, then I think that we should make it something that all of us can agree to do.

Now, every State is not in the same situation. Every State doesn't have the same kind of vision that maybe the State of Pennsylvania had, but there

are a lot of things that the States can do that they don't do and that all States don't do. So we want to make sure that every American has the opportunity to have decent, healthy food.

So I think that this is, in fact, a good start. My bill was passed bipartisan. I think it's good. I think that for someone to just come up and take potshots at something that they don't even clearly understand is unfair to the American people, because if it was understood, they would know that we are not buying grocery stores.

Mr. BURGESS. Will the gentlelady yield?

Ms. FUDGE. I yield to the gentleman from Texas.

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

The Acting CHAIR. The gentlewoman has 15 seconds remaining.

Mr. BURGESS. Mr. Chairman, I would just say, Members, you know your districts. Some of you do have food deserts, whether you be in rural or urban areas.

This is important. We want people to spend those food stamp dollars wisely. This gives them an opportunity to do so. This is not a Democrat or Republican issue. This is a commonsense, good health issue. We should defeat the Schweikert amendment.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. SCHWEIKERT. May I request my remaining time?

The Acting CHAIR. The gentleman has 2 minutes remaining.

Mr. SCHWEIKERT. Mr. Chairman, it may be a little unprecedented, but I wanted to actually give my friend, Dr. BURGESS, even though he is on the other side, 30 seconds of my time.

Mr. BURGESS. I thank the gentleman for yielding.

It seems a little strange for me to be lecturing you about a desert, but, Mr. Chairman, it is true. There are food deserts in both Republican and Democratic districts all over this country, people without access to fresh foods or healthy foods.

Look, I don't think it's right that people buy processed foods and soft drinks with food stamps, but if they've got no other choice, what are they going to do?

□ 2020

This initiative allows people to have the option to purchase healthy foods, get those micronutrients that they need to keep them healthy. Let's keep them out of the doctor's office. Let's keep them out of the hospital.

I thank the gentleman for the recognition. I urge defeat of the Schweikert amendment.

The Acting CHAIR. The gentleman from Arizona has 1½ minutes remaining.

Mr. SCHWEIKERT. I will try to be fast at this.

To the gentlewoman from Ohio, actually, I want to be careful in my language because I did say purchase grocery stores. It's basically finance their acquisitions through loans and other mechanics. It would be unfair to use the Solyndra type, but it is that mechanic of doing those loan mechanics and those things. And functionally, the taxpayers do have money out and risk in that fashion.

Look, for many of us here, we see an amendment like this, we see the well-meaning nature of it, but the underlying cause of much of this is the global policy we engage in—and we have for 60, 70 years.

We seem to be, if you look at all the amendments and really dig through this farm bill, I believe you will see layer after layer after layer where we're trying to fix sins that we created with our last attempt to fix a mistake.

I appreciate we have a crisis in parts of our country—whether it be access to healthy foods, whether it be obesity—but a $125 million program that creates special grants, special purchases, special loans, this isn't the way you get there to fix that.

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

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

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

Ms. FUDGE. Mr. Chairman, I demand a recorded vote.

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

The Chair understands that amendment No. 31 will not be offered.

AMENDMENT NO. 32 OFFERED BY MR. TIERNEY

The Acting CHAIR. It is now in order to consider amendment No. 32 printed in part B of House Report 113–117.

Mr. TIERNEY. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 375, line 5, insert ''(a) IN GENERAL.—'' before ''Section''.

Page 375, after line 6, insert the following:

(1) by inserting ''or commercial fishing'' after ''aquaculture'' the 1st place it appears;

(2) by striking ''or aquaculture'' each place it appears and inserting ''aquaculture, or commercial fishing'';

Page 375, line 7, strike ''(1)'' and insert ''(3)''.

Page 375, line 15, strike ''(2)'' and insert ''(4)''.

Page 375, line 19, strike ''(3)'' and insert ''(5)''.

Page 375, line 22, strike ''(4)'' and insert ''(6)''.

Page 376, line 1, strike ''(5)'' and insert ''(7)''.

Page 376, line 3, strike ''(6)'' and insert ''(8)''.

Page 376, after line 10, insert the following:

(b) CONFORMING AMENDMENT.—Section 329 of such Act (7 U.S.C. 1970) is amended by striking ''or aquaculture'' and inserting ''aquaculture, or commercial fishing''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Massachusetts (Mr. TIERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. TIERNEY. Mr. Chairman, right now, fishermen in Gloucester, Massachusetts—which is in my district—and across the country are facing dire circumstances. There have been devastating cuts to the allowable catch of a number of crucial stocks; for instance, a 78 percent cut in Gulf of Maine cod, a 61 percent cut to Georges Bank cod. Consequently, some of these fishermen already have been forced to sell their boats and their permits, while others feel that they will soon be out of business.

Many of my Massachusetts colleagues and I have been doing everything we can to help these fishermen and their families. We've offered amendments to last year's disaster relief appropriations bill for those fishermen in Massachusetts and the several other States that were officially declared fisheries disasters by the Department of Commerce, but to no avail.

I filed legislation to redirect a portion of the tariffs that the United States collects on imported fish to provide urgently needed financial assistance for our fishermen, but that matter has yet to come up.

A number of us are working to responsibly reform the underlying Federal statute—the Magnuson-Stevens Act—that governs our Nation's fisheries so the law is more flexible and fairer toward our fishermen, but of course that is somewhere down the road.

I don't think we can stop there, and that's why I—along with Mr. MARKEY, Mr. LYNCH, Mr. KEATING, Mr. TIM BISHOP and Ms. SHEA-PORTER—am offering this amendment today to ensure our fishermen have access to the USDA's emergency disaster loan program.

We're essentially doing away with an inequity in the law that denies fishermen the ability to apply through the normal procedures for a loan under Federal emergency standards. A similar provision was included in the Senate-approved farm bill, and our work to provide financial relief to our fishermen and reform the law will certainly continue in the weeks and months ahead. But in the meantime, this is a small and important step that's intended to help those in our local community who are struggling.

I reserve the balance of my time.

Mr. CRAWFORD. Mr. Chairman, I claim the time in opposition to the amendment.

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

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

Mr. Chairman, I must oppose, with respect, the gentleman's amendment.

The addition of commercial fishing operations, which have traditionally not been recognized in FSA lending programs, unnecessarily extend the limits of an already oversubscribed lender. Commercial fishermen in need of disaster assistance are already able to apply for loans from both Farm Credit and the Small Business Administration.

Mr. Chairman, with that, I reserve the balance of my time.

Mr. TIERNEY. Mr. Chairman, we are basically trying to settle an inequity here where the loans that are available to the fishermen of course are at 3 percent or 4 percent, not the 2.25 percent. That would make a substantial difference to them if they were there. And we're not giving them any preference over anybody else, they would just get the equitable right to apply for and seek those loans.

With that, I reserve the balance of my time.

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

Mr. TIERNEY. I just reiterate what I said earlier, Mr. Chairman. These people are in dire straits. There has been nothing that we've been able to do. Even though they've been declared eligible for disaster relief, this Congress has yet to afford them any of that relief.

The fleets are shrinking. They are going out of business. They have all sorts of debt and problems with their gear and their property on that. They need the access to this low-interest loan at 2.25 percent. It gives them no more preference than anybody else on this, and it makes available to them a much needed supply. It is passed, it's in the Senate version. The Senate version score showed there was no increase in the scoring on that.

I would hope that my colleagues would have some compassion for the fishing industry as they do for others in this country that are in this type of situation.

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

Mr. CRAWFORD. I thank the gentleman from Massachusetts for his input on this.

I continue to oppose the amendment. I certainly sympathize with those affected by disaster. But given the current fiscal environment, it just defies common sense to implement new, duplicative lending programs.

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

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

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

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

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

AMENDMENT NO. 33 OFFERED BY MR. COSTA

The Acting CHAIR. It is now in order to consider amendment No. 33 printed in part B of House Report 113–117.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 379, line 23, insert ''(a) IN GENERAL.—'' before ''Section''.

Page 380, after line 2, insert the following:

(b) PILOT PROGRAM FOR TECHNCAL ASSISTANCE TO ADDRESS NITRATE CONTAMINATION OF RURAL DRINKING WATER.—Section 306(a)(2)(B) of such Act (7 U.S.C. 1926(a)(2)(B)) is amended by adding at the end the following:

''(viii) PILOT PROGRAM FOR TECHNCAL ASSISTANCE TO ADDRESS NITRATE CONTAMINATION OF RURAL DRINKINGWATER.—Using amounts made available to carry out this subparagraph, the Secretary, acting through the Rural Utilities Service, shall conduct a pilot program under which the Secretary shall provide grants and technical assistance for disadvantaged communities in rural areas and in cities and towns with a population of less than 10,000 individuals where drinking water is impaired by nitrate contamination.''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from California (Mr. COSTA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. COSTA. Mr. Chairman, it is oftentimes the poorest and some of the most underrepresented communities in the country that have the greatest impacts—for historical reasons, in part—on public health, communities across the country we all represent.

I represent a number of those communities in California in the San Joaquin Valley that are experiencing enormous challenges as it relates to their water quality and contamination that has existed because of decades-past experiences in many cases with nitrates, in which at the time it was not well understood, but today it is, that in fact it has tremendous impacts on our drinking water supply as it relates to our aquifers.

The amendment that is proposed is intended to address this problem by creating a pilot program for severely disadvantaged communities that would provide funds in this FARRM Bill for the Rural Utility Service that would address this nitrate contamination for rural drinking water communities, those communities that we all represent that have 10,000 population or less.

The San Joaquin Valley that Congressman VALADAO and I and others represent has almost 4 million people. It's almost 10 percent of California's population. Twenty percent of those folks live below the poverty line. They reflect a broad cross-range of folks—immigrants past, immigrants present—who have come here to live the American Dream and work so hard, so many in our agriculture economy.

While nitrates occur naturally at low levels, crop fertilizers and practices with both dairy and other animal husbandry practices create nitrates that in fact impact the elevation of the contamination within our drinking water sources within our aquifers.

□ 2030

In fact, California's Central Valley is especially vulnerable to that nitrate contamination since it accounts for more than half of the agriculture production in California and aquifers are the primary source of drinking water for 90 percent of the residents.

Unfortunately, in the past, we didn't have strong controls, and we didn't really understand the science. Today, we do.

It is often difficult to identify a single party that is responsible for the impacts; but what is most important is that we fix the problem, that we clean the water supply for those residents.

Today, we have, I think, a better balance between public health and the impact of agricultural practices.

This amendment, if adopted, would provide the opportunity to focus on assisting disadvantaged communities with improving their drinking water that has been contaminated by nitrates.

I would like to yield such time as he may consume to the gentleman from California (Mr. VALADAO).

Mr. VALADAO. Mr. Chairman, I rise in support of the gentleman from California (Mr. COSTA) and his amendment.

Groundwater provides drinking water for more than one-half of the Nation's population and is the only source of drinking water for many rural communities, like those in my Central Valley congressional district. Many do not have access to a clean, safe supply of water and are unable to access the funding or resources necessary to develop sustainable water supplies and improve their water infrastructure.

In the Central Valley, nitrate contamination is all too common. While contamination can occur for many reasons, oftentimes no one is directly responsible. Clean-up costs are then borne by the affected community.

Through my position on the House Appropriations Committee, I worked to ensure language was included in the

House agricultural appropriations bill to require the Department of Agriculture to provide a report to the Appropriations Committee regarding their programs and outreach efforts to disadvantaged communities who are impacted by water supply issues.

Every family in America should have clean drinking water. Anything less is unacceptable.

Mr. CRAWFORD. Will the gentleman yield?

Mr. COSTA. I yield to the gentleman from Arkansas.

Mr. CRAWFORD. I thank the gentleman. I appreciate that.

On behalf of Chairman LUCAS, I certainly want to extend my appreciation for the gentleman's work on this issue. If the gentleman will be willing to withdraw his amendment, I have been assured by the chairman that he is more than willing to work with you on this important issue.

Mr. COSTA. Yes, Congressman CRAWFORD, I will be more than willing to yield to Chairman LUCAS and to Ranking Member PETERSON. We appreciate your willingness to work with us together on this effort to ensure that we can deliver resources that are important to our small communities throughout the country that are impacted in this way. I will withdraw the amendment and continue to work with you.

The ACTING CHAIR. The amendment is withdrawn.

AMENDMENT NO. 34 OFFERED BY MR. GINGREY OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 34 printed in part B of House Report 113–117.

Mr. GINGREY of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 394, strike line 11 and all that follows through page 396, line 17.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Georgia (Mr. GINGREY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. GINGREY of Georgia. Mr. Chairman, I yield myself such time as I may consume.

I rise this evening to urge my colleagues to support my commonsense amendment to H.R. 1947, the FARRM Act of 2013. My amendment is very straightforward in that it would simply strike section 6105 from the underlying bill. This is the section of the FARRM Bill that reauthorizes the Rural Broadband Access Loan and Loan Guarantee Program at RUS, Rural Utilities Services, at USDA at a cost of $25 million each fiscal year over the next 5, subject to appropriations.

Mr. Chairman, this program was first authorized by the 2002 farm bill with the goal of deploying broadband to rural and unserved areas. Despite this goal, the rural broadband loan program has been riddled—riddled—with numerous problems.

In the 112th Congress, I was a member of the Energy and Commerce Subcommittee on Communications and Technology. During a hearing held in the subcommittee in February of 2011, I first learned of problems within this program. USDA Inspector General Phyllis Fong testified on a variety of issues at RUS that prevented it from being effective. She testified that in the 2005 OIG audit of the program, of the 159 of the 240 communities associated with loans in 2004, 66 percent of the loans already had preexisting broadband service in contravention of the statutory intention of these funds.

Unfortunately, Mr. Chairman, the problems were only exacerbated in the 2009 OIG audit. Of the 14 recommendations made by OIG in 2005, RUS only took action on six of them. Between 2005 and 2009, RUS made loans to broadband providers serving 148 communities within 30 miles of urban areas with 200,000 or more residents. Furthermore, RUS approved 34 of 37 applications for providers with service lines already existing.

Mr. Chairman, although there were reforms made in the 2008 farm bill that were finally enacted earlier this year, I am still very skeptical of the need for this program when it has consistently demonstrated its inability to achieve its objective.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. GIBSON. Mr. Chairman, I claim the time in opposition.

The ACTING CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. GIBSON. Mr. Chairman, I want to say to our chairman of the Agriculture Committee and to our staff, I deeply appreciate all the work on this farm bill. I am proud to have been associated with it.

I will say to the gentleman from Georgia, who just moments ago cited data from about a decade ago and then a report from 2009, I acknowledge the challenges with the program. However, as the gentleman mentioned, a couple of developments that have occurred are, first of all, implementation that has occurred just several months ago that addressed the points that were made in an IG report, and also the fact that in the underlying language—and I will thank the chairman—we incorporated other measures that deal with transparency and clarification that were talking about unserved areas.

So I would say to the gentleman, and I appreciate him very much, but I want to tell you that this program is really important to districts like mine. The FCC claims that there are up to 19 million Americans who do not have access to high-speed broadband. The place that I represent in upstate New York, we've got many communities that don't have access to high-speed broadband. A program such as this has been helpful and will be helpful going forward.

I want to remind everyone—it is worth pointing out—that this is a loan program that is paid back with interest. This expanding broadband helps us not only with job creation, but it helps us with health care delivery, it helps us with education, and overall quality of life. I know that even in your own State this has been a program that has done some good, certainly needed reform, and has happened, reform has come about.

What I would say to the gentleman is I appreciate his concern for the taxpayer, I share that concern, and believe that we have made significant progress with regard to transparency, efficacy in the program, and want to see us continue this program because we need to move forward and continue to—just as we did with electrification for this country—to see all communities have access to high-speed broadband.

With that, I reserve the balance of my time.

Mr. GINGREY of Georgia. Mr. Chairman, at this time, I would like to yield myself such time as I may consume.

I remind my good friend from New York that Solyndra was a loan program, too, that was supposed to be paid back with interest. I offer this amendment because there is something better—there is something better.

□ 2040

I certainly understand and I appreciate the efforts taken by the chairman of the Agriculture Committee for creating further transparency with the RUS Rural Broadband Loan Program. However, despite these improvements, I am still incredibly skeptical of this program.

Mr. Chairman, since its inception, Congress has appropriated nearly $130 million in taxpayer dollars towards this program, and I feel that RUS has consistently missed the mark. On the other hand—and this is the alternative—in 2011, the FCC, the Federal Communications Commission, under existing statutory authority, fundamentally changed the nature of the Universal Service Fund and created the Connect America Fund with essentially the same goal as the Rural Broadband Loan Program. The Connect America Fund is a different entity, and the FCC announced last month that $485 million of that fund, which is rooted not in increased taxes but in user fees, will be dedicated to unserved areas for broadband deployment.

Mr. Chairman, I do believe that the FCC is in a better position than the USDA to implement telecommunications policy, and over the life of the

Rural Broadband Loan Program, USDA has only confirmed my cynicism.

The Acting CHAIR. The time of the gentleman has expired.

Mr. GIBSON. Mr. Chairman, may I inquire as to how much time I have remaining.

The Acting CHAIR. The gentleman from New York has 2¾ minutes remaining.

Mr. GIBSON. At this time, I yield 2 minutes to my friend from Virginia (Mr. WITTMAN).

Mr. WITTMAN. I thank the gentleman from New York for yielding.

Mr. Chairman, I have the privilege every evening to travel back to the northern neck of Virginia. It's just an hour and a half from D.C., and that area is not served by broadband. We all know how important it is to have that service. Folks there are stuck with 1990s' technology—dial-up. If you've ever had to deal with that, you know how frustrating that is. We know for rural areas that economic development, job creation and educational opportunities are all tied to broadband access. Granted, there may be challenges with the Rural Utilities Service program, but, nonetheless, those areas need that particular service. I want to make sure that they get that.

That's why I oppose this amendment, and I understand the gentleman's frustration with that. The RUS Broadband Loan Program does provide the needed leverage to fund construction. It also provides the ability to improve our systems in these areas and to acquire the facilities and equipment that are needed to provide broadband to these communities.

Folks, this is absolutely critical. This amendment, unfortunately, takes us away from that. I want to make sure that reforms are put in place so the system works, not taking away that opportunity for our rural areas.

Mr. GINGREY of Georgia. Might I ask the gentleman to yield 15 seconds to me for closing?

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

The Acting CHAIR. The gentleman from Georgia's time has expired.

The gentleman from New York is the only one who has time at this point.

Mr. GIBSON. How much time do I have, Mr. Chairman?

The Acting CHAIR. The gentleman from New York has 1½ minutes remaining.

Mr. GIBSON. In order to demonstrate the bipartisan nature of this amendment, I yield 30 seconds to my friend from California (Mr. GARAMENDI).

Mr. GARAMENDI. I thank my friend from New York.

I thought it so very unfair that the majority party would be fighting this out without somebody from the minority party jumping in in opposition to the proposal.

I am delighted that the FCC has provided $400-plus million for what is a very essential service. I am also very happy that the Department of Agriculture continues with the program in which they have a unique ability to reach out to these rural communities. The Department of Agriculture has the men, the women and the organizational structure to provide direct access and direct service. Perhaps—just perhaps—the Department of Agriculture program, together with the FCC program, might actually get the job done. It's very, very important.

Mr. GINGREY of Georgia. I ask the gentleman again if he would yield 15 seconds.

Mr. GIBSON. I will yield in just a second. I will be happy to do it. Let me first yield 30 seconds to our acting chairman, the gentleman from Arkansas (Mr. CRAWFORD).

Mr. CRAWFORD. I thank the gentleman from New York.

I had the opportunity to discuss this with the gentleman from Georgia prior to debate.

As I understand it, if you are still of the mind and would like to consider withdrawing your amendment, I would gladly yield the balance of my time to allow you to do that.

The Acting CHAIR. The gentleman from New York controls the time.

Mr. GIBSON. I yield to the gentleman.

Mr. GINGREY of Georgia. I thank the gentleman from New York for yielding.

Mr. Chairman, I will go ahead and do that.

I believe that it is critically important to eliminate duplicative programs. It was just mentioned from the other side of the aisle that, with both programs, duplication is unnecessary with the changes in the Connect America Fund. I believe that the Rural Broadband Loan Program will only become more obsolete. Therefore, I believe that we must act now to eliminate the authorization of this program, and I do urge all of my colleagues to support this amendment.

The Acting CHAIR. The gentleman from New York has 30 seconds remaining.

Mr. GIBSON. I appreciate the debate here, but I will just end where I began.

I think that there have been significant improvements that have been made over time. I appreciate both the chairman and the ranking member for allowing us to improve this program.

This is a program that's going to particularly help small companies so that we can build out broadband. It will be good for job creation and good for rural America. It's going to be good for health care delivery, and it's going to be good for education. I urge my colleagues to defeat this amendment.

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

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

The amendment was rejected.

The Acting CHAIR. It is now in order to consider amendment No. 35 printed in part B of House Report 113–117.

AMENDMENT NO. 36 OFFERED BY MR. PALAZZO

The Acting CHAIR. It is now in order to consider amendment No. 36 printed in part B of House Report 113–117.

Mr. PALAZZO. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 444, after line 18, insert the following:

SEC. 73___. AGRICULTURAL TECHNOLOGY INNOVATION PARTNERSHIP PILOT PROGRAM FOR REGIONAL COLLABORATION AND INNOVATIVE VENTURE DEVELOPMENT TRAINING.

Subtitle A of title VI of the Agricultural Research, Extension, and Education Reform Act of 1998 is amended by adding after section 604 (7 U.S.C. 7642) the following:

''SEC. 605. AGRICULTURAL TECHNOLOGY INNOVATION PARTNERSHIP PILOT PROGRAM FOR REGIONAL COLLABORATION AND INNOVATIVE VENTURE DEVELOPMENT TRAINING.

''(a) IN GENERAL.—Funds made available under this section shall be used to provide regional collaborations, technology transfer and commercialization, and innovative venture development training under the Agricultural Technology Innovation Partnership program of the Office of Technology Transfer in the Agricultural Research Service.

''(b) FUNDING.—Of the funds made available to the Agricultural Research Service, the Secretary shall use to carry out this section $500,000 for each of fiscal years 2014 through 2018.''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Mississippi (Mr. PALAZZO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Mississippi.

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

I rise today to discuss my amendment, which ensures adequate funding for a valuable program already authorized within this farm bill.

My amendment would simply provide the funding of the Agricultural Technology Innovation Partnership from the funds already available for that purpose. As a member of the Science, Space, and Technology Committee, we often discuss the significant role technological advancements play in maintaining U.S. competitiveness among global industries and growing our economy. My amendment is simple. It adds absolutely no extra cost to this bill or to the taxpayer. It authorizes existing funds within the agricultural research program budget to support the ATIP program, which has already been established by the USDA.

For those of you unfamiliar with the program, the Agricultural Technology Innovation Partnership, ATIP, is a partnership set up to harness the research and development capabilities and innovations of USDA's research

programs for technology-based economic development.

Adequate funding for the program will enable the integration of research from academic, government and industry institutes, and will help develop relationships with outside businesses and private investors. Establishing these relationships will allow the agriculture industry to assist in guiding USDA to conduct research most beneficial to the industry as well as providing the agriculture industry quick access to new and innovative findings within USDA's research as it becomes available.

The program allows the advancement of transferring groundbreaking ideas and results from research labs into the commercial sector, which will maintain the growth of the industry as well as our economy. It is important for the U.S. to remain competitive in today's global agriculture marketplace, and in order to do this, we must lead the way in research and innovation. I believe this amendment is a step to ensure that this tool is being fully utilized.

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

Mr. CRAWFORD. I rise to claim the time in opposition.

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

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

Mr. Chairman, this amendment would statutorily authorize a pilot program at $500,000. It's my understanding that USDA is already doing this without statutory capability. I appreciate the gentleman's interest in this matter, but there is really no reason to legislate on an issue that the administration has the capability to do.

□ 2050

With that, I yield 2 minutes to the ranking member from Minnesota (Mr. PETERSON).

Mr. PETERSON. I'm not sure I'll need 2 minutes.

This is basically an earmark, and basically all kinds of people want to put in bills to allocate their money to ARS. We don't have enough research money for wheat and whatever else.

We can't be doing this because it's going against everything else that was agreed to. I thought you guys had decided we weren't going to have any earmarks, we weren't going to do these kinds of things. So I would hope that we would not support this amendment, and I join the gentleman from Arkansas in opposing it.

Mr. PALAZZO. Mr. Chairman, in drafting this amendment, I saw nowhere where it would actually be considered an earmark. I'm definitely opposed to earmarks in this Congress, and it doesn't specify an entity in a certain State or a certain location.

If you just want to tag something as an earmark just to kill an amendment, explain why this amendment may be bad, but don't just sit there and say this is an earmark just because everybody is going to run from it. I see no reason why it would be considered such.

But if the gentleman from Arkansas will work with me in addressing this to possibly pursue this in the final legislation, I would definitely consider withdrawing my amendment.

With that, I reserve the balance of my time.

Mr. CRAWFORD. I thank the gentleman from Mississippi, and I feel like the chairman would certainly be of the mind to work with the gentleman from Mississippi on this if he is inclined to withdraw the amendment.

Mr. PALAZZO. I am, Mr. Chairman.

So with that, I withdraw my amendment and yield back the balance of my time.

The Acting CHAIR. The amendment is withdrawn.

AMENDMENT NO. 37 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 37 printed in part B of House Report 113–117.

Mr. POLIS. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 475, after line 15, add the following new section:

SEC. 7605. LEGITIMACY OF INDUSTRIAL HEMP RESEARCH.

(a) IN GENERAL.—Notwithstanding the Controlled Substances Act (21 U.S.C. 801 et seq.), the Drug-Free Workplace Act of 1988 (41 U.S.C. 8101 et seq.), the Safe and Drug-Free Schools and Communities Act of 1986 (20 U.S.C. 7101 et seq.), or any other Federal law, an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) may grow or cultivate industrial hemp if—

(1) the industrial hemp is grown or cultivated for purposes of agricultural research or other academic research; and

(2) the growing or cultivating of industrial hemp is allowed under the laws of the State in which such institution of higher education is located and such research occurs.

(b) INDUSTRIAL HEMP DEFINED.—In this section, the term ''industrial hemp'' means the plant *Cannabis sativa L.* and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

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

In 1794, George Washington, our founding father, wrote to his gardener that he should ''make the most of the hemp seed and sow it everywhere.''

He wasn't alone. Thomas Jefferson grew hemp. Betsy Ross even made the first American flag out of hemp fiber. In fact, here is a flag right here that's made entirely from hemp.

Today, U.S. retailers sell over $300 million worth of hemp-related goods. It's not just flags. Hemp is found in over 25,000 products from lotions to soaps, to protein bars, to auto parts, to fuel. Yet somehow it's caught up in a completely unrelated drug war that prevents American farmers from growing this crop and forces us to import it from other countries. Our institutions of higher education can't even grow or cultivate hemp for research purposes.

Mr. Chairman, my bipartisan amendment, which I'm offering with my good friends Mr. THOMAS MASSIE and EARL BLUMENAUER is simple. It would allow colleges and universities to grow and cultivate hemp for research purposes. Our amendment would only apply in States where hemp cultivation is already legal, such as my home State of Colorado.

I recently had an exchange with the premiere agriculture research university in my district, Colorado State University. This is an area that they want to get into it, but they feel that they're prohibited; and their attorneys are telling them that unless we can make this change, they can't actually do research on what has great potential to be an important crop for Colorado.

Mr. Chairman, let me be clear about something because there's been some misleading information that's been put out there by the Drug Enforcement Agency. Hemp is not marijuana. I'm very disappointed to hear that the DEA is circulating misleading talking points that claim that somehow hemp could be used as marijuana. At the concentration levels specified in our amendment, it is physically impossible to use hemp as a drug. Let me emphasize that. It is physically impossible to use hemp as a drug.

Voters in my home State of Colorado and across the country have made it clear that they believe industrial hemp is an agricultural commodity, not a drug. Our colleges and universities are the best in the world. This is a modest step to simply allow them to research the potential benefits, downsides, strains to grow of this important agricultural commodity. There's been technology in France that allows tracers to be put in to ensure that it doesn't get contaminated with anything that includes narcotics. There's lots of research that can be done, and this amendment is a very simple and pragmatic step to do it.

I reserve the balance of my time.

Mr. KING of Iowa. I seek time in opposition.

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

Mr. KING of Iowa. Mr. Chairman, I appreciate the gentleman's interest in

the issue, but it's clear that the Agriculture Committee is not the committee of jurisdiction to be addressing the provisions of the Safe and Drug-Free Schools and Communities Act.

While some may consider the growth of hemp to be an agricultural endeavor, I think that there are many who feel quite differently. I would therefore oppose this amendment and urge the gentleman to seek a hearing on the issue within the appropriate committee.

I point out also that one of the concerns that we have long had is that even though the gentleman says hemp is not marijuana, I don't know if one can tell the difference when it's planted row by row out in the field. I know that's been a problem within my State when the residue of the leftover hemp from World War II became companions with the marijuana that was raised for a different purpose.

Mr. PETERSON. Will the gentleman yield?

Mr. KING of Iowa. I yield to the gentleman from Minnesota.

Mr. PETERSON. On that last point, the University of North Dakota, one of their ag guys up there came up with a way to splice a fluorescent gene into hemp, and North Dakota is a State where it's legal. So now the hemp that grows is fluorescent. So you can clearly tell the difference between the hemp and the marijuana. So we have solved that problem through research.

Mr. KING of Iowa. Reclaiming my time in amazement, I reserve the balance of my time.

Mr. POLIS. This is, of course, germane. It was ruled in order by the Rules Committee. There's no issue with the committee of jurisdiction.

I yield 1 minute to the cosponsor of the amendment, the gentleman from Kentucky (Mr. MASSIE).

Mr. MASSIE. Mr. Chairman, I'd like to talk about some of the legal products that you can buy in the United States that are made with hemp.

You can buy paper, clothes, rope, food, hundreds of products. Even car panels are made out of hemp. But the great tragedy is that we cannot grow hemp in Kentucky. We can't grow industrial hemp anywhere in the United States, and so we have to import it. Where do we import it from? It comes from China. It comes from Canada. It comes from Europe.

There are many uses for hemp. There are 30 countries on this globe that can grow hemp. In fact, I believe every industrialized country in the world grows hemp. Farmers in Kentucky grew hemp during World War II. Hemp was grown in large quantities in my State of Kentucky. Canvas and rope made from hemp helped with the war effort.

So this is not about drugs. This is not about a drugs bill. This is about jobs. And for Kentucky farmers, we need the opportunity. We need the opportunity to compete globally in a global market, and we shouldn't be denied this outlet for another productive crop in Kentucky.

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

I would like to remark to the gentleman from Colorado that it wasn't a surprise to me to see that Colorado is the State that has legalized marijuana and so we also see the advocacy for this coming from the safe place. Perhaps it's a coincidence, but I'll give you two things to respond to.

The other one is the reference to George Washington and Thomas Jefferson and Betsy Ross. That's quite curious. And I don't think we advocate all the things that they might have participated in. Two out of three of those would have fit within a category of an ownership that I don't really care to bring up today, even though today is Juneteenth.

Mr. POLIS. Will the gentleman yield?

Mr. KING of Iowa. I yield to the gentleman from Colorado.

Mr. POLIS. In addition, Colorado did legalize recreational use of marijuana. It also separately has legalized industrial hemp. There are more States that have legalized industrial hemp than have done anything with regard to recreational use of marijuana or even medicinal use of marijuana. All very different issues, and States are taking them up as we speak.

Mr. KING of Iowa. Reclaiming my time, I recognize that the gentleman's amendment only applies to States that have already legalized it, and that's true.

Nonetheless, I urge opposition to this amendment, Mr. Chairman, under the basis that we haven't had a full hearing on this; we don't have a knowledge base behind it; we each have our own understanding of it. Mine is a debate that I have seen that's gone on for years, which is, when you plant hemp alongside marijuana, you can't tell the difference. So it opens up the door for the recreational agriculture of the marijuana drug, and for that reason alone I oppose it. So I'd urge the gentleman to seek a hearing in the appropriate committee, and I urge the defeat of this amendment.

With that, I reserve the balance of my time.

□ 2100

Mr. POLIS. How much time remains on both sides?

The Acting CHAIR. The gentleman from Colorado has 1½ minutes remaining. The gentleman from Iowa has 2 minutes remaining.

Mr. POLIS. I yield 1 minute to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. Mr. Chairman, we should explore the opportunity to produce industrial hemp here in the United States. This amendment would allow us to take a first step carefully and deliberately. It will allow research institutions in our States, including my home State of Kentucky, to grow industrial hemp for the purpose of agricultural research, helping provide the information we need to consider future expansion of production.

Our States deserve this opportunity to demonstrate the usefulness and viability of this crop for our farmers. Kentucky was once the Nation's leading producer of industrial hemp. I encourage and support the passage of this amendment.

Mr. KING of Iowa. I reserve the balance of my time.

Mr. POLIS. I yield the balance of my time to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the leadership of my friend from Colorado and my friend from Kentucky in moving this forward. Nineteen States have passed pro-industrial hemp legislation; nine States removing barriers to its production altogether. As has been pointed out, these products are perfectly legal in the United States, some $300 million a year, but it just has to be grown someplace else.

It's outrageous that American farmers can't produce it, but what this amendment does is to simply permit the research opportunities for colleges and universities to grow and cultivate hemp for academic and agricultural research purposes.

If this amendment passes and we're able to do this research in agricultural colleges and universities, then we're not going to have stupid talking points coming from DEA, and we won't have misleading statements that are made. People will understand why other countries have been able to figure this out, and the United States will be able. Nobody, regardless of your position on this, should be opposed to allowing our research colleges and universities to be able to do a deep dive to be able to find out what's possible.

Mr. POLIS. I yield back the balance of my time.

Mr. KING of Iowa. I yield myself the balance of my time.

Mr. Chairman, I appreciate the arguments that come forward from the Members here. They do come from States that have voted and expressed their support for, let's say, for the husbandry of hemp. It has a long history and it has been a useful product, but we have outlawed it for clear reasons; and that is, as I said, you can plant it alongside the recreational use marijuana and you can't tell the difference. If we are going to legalize the farming and the experimental agriculture with industrial hemp on our college campuses, that really wouldn't be the first place I would choose.

Mr. PETERSON. Will the gentleman yield?

Mr. KING of Iowa. I yield to the gentleman from Minnesota.

Mr. PETERSON. I'd say to the gentleman, and we may have differing views on this, but again, the University of North Dakota has spliced a gene into hemp; and I will work with the gentleman to say, if we ever do anything with this, that we'll require that that be done. And if it's grown in the United States, it has to have the gene spliced into it so it is fluorescent so you'll clearly be able to tell the difference between hemp and marijuana. I don't really know anything about marijuana, but I've been told that if you put hemp in with marijuana, it ruins it. I don't know if that's true or not. But anyway, I think there's a way to solve this.

You know, 35 percent of our cars are made out of hemp. This is a big market. We should be doing this. So let's work together, and I would like to bring you this information from North Dakota. We can solve that problem and maybe move forward.

Mr. KING of Iowa. Reclaiming my time, I might want to do a night field trip up there and see that fluorescent hemp field.

Mr. PETERSON. We'll take you up there in January when it's 40 below.

Mr. KING of Iowa. This is a new piece of information for me, glow-in-the-dark hemp. I know that they have spliced a gene from a jellyfish into a monkey and it glows also in the dark, so I'm confident that the gentleman's science is accurate. But whether we can keep those who raise recreational marijuana from splicing an identical gene into their's, we've got to deal with the GMO recreational marijuana problem that would be created by this, too.

In any case, I oppose the gentleman's amendment and I urge its defeat.

I yield back the balance of my time.

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

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

Mr. KING of Iowa. Mr. Chairman, I demand a recorded vote.

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

AMENDMENT NO. 38 OFFERED BY MR. GARAMENDI

The Acting CHAIR. It is now in order to consider amendment No. 38 printed in part B of House Report 113–117.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 8102, relating to the Forest Legacy Program, insert before the existing text ''(a) AUTHORIZATION OF APPROPRIATIONS.—'' and add at the end the following:

(b) AUTHORIZING STATES TO ALLOW QUALIFIED ORGANIZATIONS TO ACQUIRE, HOLD, AND MANAGE CONSERVATION EASEMENTS.—Subsection (l) of section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c) is amended by adding at the end the following new paragraph:

''(4) STATE AUTHORIZATION.—

''(A) IN GENERAL.—At the request of a State acting through the State Lead Agency, the Secretary shall authorize the State to allow qualified organizations, as defined in section 170(h)(3) of the Internal Revenue Code of 1986, and organized for one or more of the purposes described in section 170(h)(4)(A) of that Code, to acquire, hold, and manage conservation easements, using funds granted to the State under this subsection, for purposes of the Forest Legacy Program in the State.

''(B) ELIGIBILITY.—To be eligible to acquire and manage conservation easements under this paragraph, a qualified organization described in subparagraph (A) must demonstrate to the Secretary the abilities necessary to acquire, monitor, and enforce interests in forestland consistent with the Forest Legacy Program and the assessment of need for the State.

''(C) REVERSION.—If the Secretary, or a State acting through the State Lead Agency, makes any of the determinations described in subparagraph (D) with respect to a conservation easement acquired by a qualified organization under the authority of subparagraph (A)—

''(i) all right, title, and interest of the qualified organization in and to the conservation easement shall terminate; and

''(ii) all right, title, and interest in and to the conservation easement shall revert to the State or other qualified designee as approved by the State.

''(D) DETERMINATIONS.—The determinations required for operation of the reversionary interest retained in subparagraph (C) are that—

''(i) the qualified organization is unable to carry out its responsibilities under the Forest Legacy Program in the State with respect to the conservation easement;

''(ii) the conservation easement has been modified in a way that is inconsistent with the purposes of the Forest Legacy Program or the assessment of need for the State; or

''(iii) the conservation easement has been conveyed to another person (other than a qualified organization approved by the State and the Secretary).''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

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

To the disappointment, I suppose, of everybody that is here, this isn't nearly as much fun as the last amendment. This is a rather simple amendment. It deals with a 1990 law, the Forest Legacy Act. It simply allows the Forest Legacy Act to be much more efficient and effective. It would allow those States that would like to participate in the Forest Legacy Act to also allow within that State a qualified trust, a land trust, to hold the easement.

The benefit of this is that it reduces the burden on the State government. The State government doesn't have to manage that easement. It would be managed by a qualified land trust, and it also allows for greater leverage of the money that would be available from the forest legacy projects from both the State and the Federal Government. It's a win all the way around. This program has been very, very successful in protecting forest lands all around the Nation, and this amendment simply would provide another opportunity to do even more to protect our forests.

Now, these forests are not going to be held as national parks or wilderness. These are operating forests. These are forests that would be operating with good, modern forest practices, providing wood and fiber into the community and the jobs that go with it.

With that, I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. THOMPSON of Pennsylvania. Mr. Chairman, while I appreciate and share the gentleman's desire to preserve forests in danger of conversion—that's very important to me. I chair the Agriculture Subcommittee on Conservation, Energy, and Forestry, but I don't believe that this is the best way to do it. I respectfully oppose the amendment.

The Forest Legacy Program has been successful, to date, due to its unique structure, partnering with States to preserve forested land threatened by development. Since its creation in the 1990 farm bill, the Forest Legacy Program has more than been successful in fulfilling that purpose. The program has protected more than 2.2 million acres in 43 States and has leveraged $739 million of non-Federal funding over the last 20 years.

By opening the program to nongovernmental programs, we're doing nothing to promote the program's purpose. Demand is quite high for the program. For the last 3 years, USDA has only been able to fund roughly a quarter of the funding requests under this program. Additionally, this change only has the effect of making the program more similar to other conservation programs.

In the 2008 farm bill, we created the Community Forest Program with the purpose of allowing groups such as land trusts and Indian tribes the authority to manage forest easements. This was done in part to allow nongovernment groups to participate in protecting local forests.

While I'm certain the gentleman from California has the best of intentions, I don't agree we have a problem with this program that justifies opening it for alteration; and, therefore, I will oppose the amendment.

I reserve the balance of my time.

Mr. GARAMENDI. May I inquire as to how much time I have available?

The Acting CHAIR. The gentleman from California has 3½ minutes remaining.

Mr. GARAMENDI. I yield 1½ minutes to my colleague from the State of New York (Mr. GIBSON).

Mr. GIBSON. I thank my friend for yielding, and I am honored to join with him in support of this amendment. And I would say to my good friend from Pennsylvania, absolutely, and I believe I speak for my friend Mr. GARAMENDI as well, we think the program is working very well. We think it can work even better.

□ 2110

We've got land trusts in my area of upstate New York that are highly confident. In fact, you know, I'll tell you that they played a major role in preparing me for this farm bill. I'm thinking of Teri Platchek out in Washington County, and Peter Paden from Columbia County at the Columbia Land Conservancy, and Ned Sullivan and Andy Bickening with the Scenic Hudson, Becky Thornton, Duchess Land Conservancy.

These are folks that are passionate about finding that nexus between agriculture and tourism where conservation plays a key role; and, you know, their insight to me helped me influence this farm bill. They're ready to step up and be more involved. That's going to help.

As my friend from California said, it's going to help us use our money in even a more efficient manner and to reach out more in this program.

So I urge support of this amendment. This only allows States the authority. You know, it really empowers States to make this decision. I think it's a good choice, and let's do it.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I just note that my good friend from New York—and I appreciate his passion on this—but the organizations you named already have opportunities under the Community Forest Program.

And we have two rather unique programs, one that already, well, as of the last farm bill that was done in 2008, provides the opportunity for nongovernmental groups to be able to participate.

I continue to reserve the balance of my time.

Mr. GARAMENDI. Mr. Chairman, my colleague from Pennsylvania, I thought, was making a wonderful argument in support of this legislation, in that you talked about the success of the Forest Legacy Program, and it really has been eminently successful.

And you also talked about the demands on the program, and that's true. Many, many States want to implement this program.

But you didn't mention the fact that many States don't have the resources to manage additional properties, to manage additional trusts that they've taken. This would allow those States to make a decision. It's a State decision, it's not a Federal decision, it's not a decision by a private nonprofit qualified trust. This is a decision by the State to welcome into their program a private, nonprofit, qualified trust that does this kind of work that could then manage the trust without the State having to spend the money.

The State maintains oversight and, should something happen that the trust is unable to continue, it would then revert to the State. But this is a way of really expanding what, apparently, the three of us want to have happen.

You mentioned another program that does exist. Wonderful. Those programs could work in unison with the Federal Government participating, the State government participating, and the private.

But the problem here is that, under the Forest Legacy Program, the private, nonprofit qualified trust can't participate in that program.

I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, let me restate again, I recognize there's two different programs. There is one program that was created in 2008 that nongovernmental programs can participate in.

There's no capacity within the Forest Legacy Program, Mr. Chairman, to add nongovernmental programs in. It is specifically designed for partnering with States to preserve forest lands that are threatened by development.

And just as a reminder, over the last 3 years, USDA's only been able to fund roughly a quarter of those funding requests at this point, and by extending this would not serve a purpose.

I continue to reserve the balance of my time.

Mr. GARAMENDI. I wish we had time to sit down and talk about this. It's really a shame that we're here on the floor at this moment. Really, I think, both of us are in support of protecting our forests, of enhancing their ability to continue to produce jobs, the food, the fiber and the wood that we need in our economy and in our society.

We're not very far apart. If there's something here that needs to be worked out between these two programs, I'm sure we could do it. But this really gives us an opportunity to really do what I think all of us want, and that is to preserve our forests, keep them in operating production, and allow the nonprofits to participate together with the States.

I yield back the balance of my time.

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

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

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

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

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

AMENDMENT NO. 39 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 39 printed in part B of House Report 113–117.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike sections 8301 through 8303 (page 481, line 20, through page 485, line 23) and insert the following:

SEC. 8301. INSECT AND DISEASE INFESTATION.

Title VI of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591 et seq.) is amended by adding at the end the following:

"SEC. 602. DESIGNATION OF TREATMENT AREAS.

''(a) DEFINITION OF DECLINING FOREST HEALTH.—In this section, the term 'declining forest health' means a forest that is experiencing—

''(1) substantially increased tree mortality due to insect or disease infestation; or

''(2) dieback due to infestation or defoliation by insects or disease.

''(b) DESIGNATION OF TREATMENT AREAS.—

''(1) INITIAL AREAS.—Not later than 60 days after the date of enactment of the Agriculture Reform, Food, and Jobs Act of 2013, the Secretary shall, if requested by the Governor of the State, designate as part of an insect and disease treatment program 1 or more subwatersheds (sixth-level hydrologic units, according to the System of Hydrologic Unit Codes of the United States Geological Survey) in at least 1 national forest in each State that is experiencing an insect or disease epidemic.

''(2) ADDITIONAL AREAS.—After the end of the 60-day period described in paragraph (1), the Secretary may designate additional subwatersheds under this section as needed to address insect or disease threats.

''(c) REQUIREMENTS.—To be designated a subwatershed under subsection (b), the subwatershed shall be—

''(1) experiencing declining forest health, based on annual forest health surveys conducted by the Secretary;

''(2) at risk of experiencing substantially increased tree mortality over the next 15 years due to insect or disease infestation, based on the most recent National Insect and Disease Risk Map published by the Forest Service; or

''(3) in an area in which the risk of hazard trees poses an imminent risk to public infrastructure, health, or safety.

''(d) TREATMENT OF AREAS.—

''(1) IN GENERAL.—The Secretary may carry out priority projects on Federal land in the subwatersheds designated under subsection (b) to reduce the risk or extent of, or increase the resilience to, insect or disease infestation in the subwatersheds.

''(2) AUTHORITY.—Any project under paragraph (1) for which a public notice to initiate scoping is issued on or before September 30,

2018, may be carried out in accordance with subsections (b), (c), and (d) of section 102, and sections 104, 105, and 106.

''(3) EFFECT.—Projects carried out under this subsection shall be considered authorized hazardous fuel reduction projects for purposes of the authorities described in paragraph (2).

''(4) REPORT.—Not later than September 30, 2018, the Secretary shall issue a report on actions taken to carry out this subsection, including—

''(A) an evaluation of the progress towards project goals; and

''(B) recommendations for modifications to the projects and management treatments.

''(e) TREE RETENTION.—The Secretary shall carry out projects under subsection (d) in a manner that maximizes the retention of old-growth and large trees, as appropriate for the forest type, to the extent that the trees promote stands that are resilient to insects and disease.''.

Page 485, line 24, strike ''**8304**'' and insert ''**8302**''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chair, in my district in Colorado, and in other States across the West and Northwest, our trees, in my district, primarily lodgepole pines, have been plagued by pine beetle. Dendroctonus ponderosae has infected our trees. They're killed by a related fungus.

We have entire mountainsides for miles and miles where trees are dead and are now beginning to rot. It's really transformed, sadly, the landscape of Colorado.

The reason for the rise of the beetle is that we haven't had cold enough winters over the last several years to kill off the larva in the winter. It requires a certain number of days below a certain temperature.

So, again, this is not about preventing the spread of pine beetles. We have some ability to do that in small areas on private land. They can wrap trees, but we don't have a cost-effective way to do that across large areas.

What we do need to do, though, is once the trees have been killed, they represent a tremendous risk for forest fires, particularly when they're near power lines and other sensitive areas.

So what my amendment does is it adds language that makes it easier to access Federal land. In the West, much of our land, as the Chair knows, is owned by the Federal Government, and there's been varying difficulties in getting on to the Federal land, being able to make sure that they do mitigation where necessary, take down pine beetle infested trees near power lines, near watersheds, near populated areas, a very important but more active part of forest management.

Frankly, we'd love to find economically viable uses for the pine beetle kill. I have a desk in my office that's made from pine beetle kill. We also use it for biomass and other purposes. But many of it is back-country areas, and they're on Federal land.

And so this amendment is simply an amendment that allows a lease on lands under the jurisdiction of the Department of Agriculture, an expedited way that we can engage in some of the necessary clearing and forest maintenance to prevent the pine beetle kill from causing ancillary damage.

There is similar language in the Senate bill. I'm hopeful that we can work with KRISTI NOEM from South Dakota and others to achieve this important goal, increasing access to Federal lands for purposes of mitigating pine beetle damage.

We plan to continue to work on this issue, one of the top priorities from my district.

At this time I withdraw my amendment, and I yield back the balance of my time.

The Acting CHAIR. The amendment is withdrawn.

The Chair understands that amendment No. 40 will not be offered.

AMENDMENT NO. 41 OFFERED BY MR. MARINO

The Acting CHAIR. It is now in order to consider amendment No. 41 printed in part B of House Report 113–117.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 9006 and insert the following new section:

SEC. 9006. REPEAL OF BIODIESEL FUEL EDUCATION PROGRAM.

Section 9006 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106) is repealed.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Pennsylvania (Mr. MARINO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. MARINO. Mr. Chairman I yield myself as much time as I may consume.

Mr. Chairman, my amendment would provide for the elimination of the Biodiesel Fuel Education Program subsidy. This is one of a series of duplicative programs.

□ 2120

This program gives money to not-for-profit organizations that inform fleet operators and the public on the so-called benefits of using biodiesel fuels rather than fossil fuels.

Mr. Chairman, this program is yet another example of corporate welfare—taxpayer dollars not being used wisely. The American taxpayer should not be forced to foot the bill for a proposed program in an industry that would be nonexistent if it were not for government subsidies.

The Biodiesel Fuel Education Program incorrectly informs the public that biodiesel fuel is ''better'' than fossil fuels, oil, or natural gas. I am supportive of an all-of-the-above energy strategy, but Congress need not be in the business of picking winners and losers. These industries should stand on their own merit, and the consumer should decide what is the best product. We should not be wasting hard-earned taxpayer dollars on groups that have a bias against fossil fuels. We should use this money to develop our current natural resources and create jobs.

My district is in the heart of the Marcellus shale, and I have seen the jobs and opportunities created by domestic energy. The unemployment rate is below the national average. I cannot support any program that favors any one type of energy over another.

I am not debating the merits of biofuels, and I am not against or opposed to biofuels; but there are over 20 other energy programs in the FARRM Bill alone. By continuing to funnel money to these programs to not-for-profit organizations going toward salaries, we are preventing other new energy technologies from breaking ground.

We are $17 trillion in debt and borrowing more and more money every day. Let the taxpayers determine what they prefer, what source of energy to use, not the government using hard-working taxpayer dollars. This program is nothing but a colossal government subsidy that is not profitable at all.

Again, I am not against the biofuel itself. I am against using taxpayer moneys going to not-for-profit organizations to promote this.

I reserve the balance of my time.

Mrs. NOEM. Mr. Chairman, I rise to speak in opposition to the amendment.

The Acting CHAIR. The gentlewoman from South Dakota is recognized for 5 minutes.

Mrs. NOEM. Essentially what this amendment does, Mr. Chairman, is it eliminates an extremely effective program. Biodiesel is a clean-burning product that's produced by a mix of feedstocks, including soybean oil, wasted grease, and recycled animal fats. The byproducts of biodiesel is protein meal that is often made from soy and is used as livestock feed. It's a protein-rich livestock feed, as well.

The more animal fat as biodiesel feedstock demand increases, livestock value increases, and this program is a grant education that's used to educate engine manufacturers, fleet operators, and the public on the benefits of biodiesel. The program plays a vital role in making sure it helps expand marketplace acceptance and the use of biodiesel as a low-carbon, renewable diesel replacement fuel.

Mr. Chairman, what this amendment does is it doesn't save any money; what it does is it eliminates a program that is out there telling the story of what an all-of-the-above energy supply means that prioritizes American energy. We absolutely need to make sure that we are prioritizing the types of energy that we can produce in this country right here from renewable sources as well as petroleum products.

I'm a farmer and a rancher. I utilize petroleum products every single day in our operation. But I also recognize the value in being able to have a program that promotes the use of renewable sources that we can regenerate and prioritize over other sources that come from other countries.

So with that, Mr. Chairman, I will yield 1 minute to Mr. KING from Iowa if he would like to speak, as well.

Mr. KING of Iowa. I thank the gentlelady from South Dakota for yielding to me, and I wanted to come to the floor in opposition, also, of this amendment.

I've seen what this research does, and I've watched as we've gone from no industry to an industry now that's utilizing the products that the gentlelady from South Dakota has said, from animal fats, for soy oil, and it has cheapened up our energy supply and has cleaned up our air, and it's made us a better country because of it. This research that gets done—we should remember that there isn't always a return on that research investment. That's why we do research. That's why we do research in our universities, for example. And so with that research we can find those things that make us more efficient.

I remember when the research labs said it was impossible to get the energy out of the feed grains that we now turn into energy. We've exceeded that because of research. And to utilize these animal fats has dramatically been changed a lot because of the research that takes place here with this fund.

So I think this is a piece that we need to preserve so that we can preserve the efficiency that's there and we can preserve the education.

Mrs. NOEM. Mr. Chairman, that is one of the things that we don't talk about enough is the fact that this research brings us benefits and cost savings in many other industries that we see reflected every day such as lower costs in energy areas, also lower costs in livestock feeds.

With that, Mr. Chairman, I would like to yield 1 minute to Mr. PETERSON from Minnesota if he would like to speak in opposition to the amendment, as well.

Mr. PETERSON. I thank the gentlelady.

I, too, oppose this amendment. People need to realize that the diesel engine was invented by a German fellow named Diesel, and it ran on peanut oil. It didn't run on diesel fuel. And the internal combustion engine ran on ethanol. It didn't run on gasoline. They had to reengineer those motors to get them to run on gasoline and diesel fuel. It takes a different type of engine to run those kinds of fuels.

One of the things you do with this type of a program is you help those manufacturers develop engines that can utilize the fuel. The same thing with a car engine. Down in Brazil, they're burning 30 percent ethanol with cars that are made by General Motors that are engineered to run on that fuel, and they get better mileage with that 30 percent ethanol than they get with gasoline because they engineered the engines right.

That's what we're trying to do with this program is help the industry be able to utilize these fuels which are renewable and are made by Americans and are creating jobs. So this is a good program, and I oppose the amendment.

Mrs. NOEM. Mr. Chairman, I reserve the balance of my time.

Mr. MARINO. I reserve the balance of my time, and if my colleague is ready, to close then.

The Acting CHAIR. The gentlewoman from South Dakota, a member of the committee, has the right to close.

The gentleman from Pennsylvania is recognized for 2 minutes.

Mr. MARINO. Once again, I'm not against the use of biofuels. I'm against the use of taxpayer dollars going to not-for-profit organizations to promote the use of biofuels. There is not one vehicle that runs 100 percent on biofuel that I know of at this point. And it does save money. If this program is eliminated of hundreds of thousands of dollars and millions of dollars per year, then that money should go back into the taxpayers' pockets, or at least pay the debt down.

We should use taxpayer dollars to create jobs like building the Keystone XL pipeline and like developing natural gas exploration that we have an abundant supply of. So let's stop borrowing money to promote a product where we pick the winners and losers. As I said earlier, that's up to the consumer. They can choose what best product to use.

But I just oppose the fact that hardworking, middle class taxpayer dollars are going for propaganda and advertising.

I yield back the balance of my time.

Mrs. NOEM. Mr. Chairman, I certainly appreciate the gentleman's concerns and all that he has brought to this House today.

I will just reiterate that this is an extremely effective program. What it does is it lets the consumers know that they do have a choice. It lets them know about the benefits of the fuel, lets them know that it actually can have an impact on their efficiency levels that they are able to enjoy with their engines, that it gives them another market that they can go to to lower their energy costs. It lowers our livestock feed costs.

What this program essentially does is it goes out there and it tells the consumer that there are options that are renewable right here in the United States that we can grow, that we can produce, and that we can put out there in the marketplace that will actually be something that is sustainable without the volatility of relying on the Middle East for our energy needs.

I will reiterate that this program does not have a cost score as it relates to the underlying bill. Even though that was mentioned in some of the comments, there will be no money saved in the underlying bill if this amendment is adopted, and that is why I oppose it because of the effectiveness of the program and ask that we would oppose this amendment when it comes to a vote.

Mr. PETERSON. Will the gentlelady yield?

Mrs. NOEM. Absolutely.

Mr. PETERSON. I just wanted to say that Willie Nelson's bus runs on B–100.

Mrs. NOEM. There we go.

I yield back the balance of my time.

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

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

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

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

□ 2130

It is now in order to consider amendment No. 42 printed in part B of House Report 113–117.

AMENDMENT NO. 43 OFFERED BY MR. MCCLINTOCK

The Acting CHAIR. It is now in order to consider amendment No. 43 printed in part B of House Report 113–117.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 509, strike line 15 and all that follows through page 512, line 22.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from California (Mr. MCCLINTOCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCCLINTOCK. Mr. Chairman, this amendment addresses a very simple question: Why are we spending millions of dollars advertising and promoting farmers markets?

The Farmers Market and Local Food Promotion Program spends $40 million on such trivialities as redecorating farmers' market stalls and roadside stands to attract yuppie customers. In Colorado, funds from this program paid for a chef competition and bike tour. More than $120,000 in two grants under this program were spent for beer seminars in China.

This program duplicates four other Federal programs that also promote various aspects of farmers markets, and God knows how many State and local programs that also do the same thing. My amendment simply eliminates this program.

I would challenge the supporters of the program to answer three questions.

First: Why should a taxpayer in Latimer, Iowa, for example, pay for a farmer in Lancaster, California to advertise his produce?

Second: Why should a shopkeeper in Lancaster, who has to pay for his own advertising, also pay for the local farmers advertising as well?

And third, and most importantly: How can any Member look his or her constituents in the eye and tell them that a beer seminar in China is worth spending more of their earnings than they make in a year?

We keep hearing how draconian is the sequester. We keep hearing how it's cutting deeply into vital public services. I dare say at least a dozen speeches on this floor this week were dedicated to the painful cutbacks caused by the sequester. We tell schoolchildren they can't tour the White House because we don't have the money due to the sequester. We tell our constituents that they'll have to wait in insufferable lines just to see us in the House office buildings because we don't have the money due to the sequester. And yet we seem to have plenty of money to fund travesties like those that are crammed into this farm bill. Doesn't that bother anybody here?

I believe that rooting out wasteful programs like this one is the principle reason that voters entrusted Republicans with majority control of the House—the House that's supposed to hold the purse strings of this government. I ask my colleagues if we're being true to our campaign promises that we made to our constituents by continuing to fund such obscene wastes of their money as this one.

I reserve the balance of my time.

Ms. PINGREE of Maine. Mr. Chairman, I rise to claim the time in opposition to the amendment.

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

Ms. PINGREE of Maine. Mr. Chairman, I rise in opposition to this amendment and want to speak in favor of the Farmers Market Promotion Program.

I have a very different perspective. While I appreciate my colleague's opposition or concerns raised about the sequester, I do not think those same concerns apply to what is a very good program.

You know, when I moved to Maine about 40 years ago and started a small farm, growing and selling healthy food, locally grown food, was a little bit out of the mainstream. We had gone in a different direction. But I can tell you today, wherever I go, whether I'm talking to a group of bankers or a group of school teachers or a group of school kids or their parents, people nod in very strong support when I say we need to have more locally grown, sustainable food.

People want to know where their food comes from. They want to see farmers in their communities. They want to help those farmers make ends meet. This amendment would take us backwards. It would further undo our weakened infrastructure of local food support.

The Farmers Market Promotion Program—which is reformed in this bill to be the Farmers Market and Local Food Promotion Program—helps communities support local food systems through direct marketing. There are not price guarantees, there isn't income support. This helps farmers understand the best practices for marketing their food. It helps them understand how to get the best price from the market for their product in this growing opportunity that truly supports rural communities.

It's not an either/or proposition. You don't have to have just locally grown food or nationally grown food. You can support re-growing our local food infrastructure, helping rural communities, and also support conventional agriculture. You can buy California lettuce and also buy in-season tomatoes from the farmers who live down the road and support your community.

The truth is I come from a State like Maine, and Maine is like many other States around the country; we have very, very few farmers who will be able to take advantage of the biggest programs in this bill, the biggest programs that are worth billions of dollars—the Revenue Loss Program, the Price Loss Program, the Stacked Income Protection Plan. They don't apply to farmers in my State. They get very little support to help these growing opportunities in rural communities. That's okay with them. They're not asking for a price guarantee; they're asking for some parity, for USDA programs to once and finally apply to them. They're not asking to be at a tremendous disadvantage because they are diversified and sustainable farmers, people who live and work in rural communities, whose kids go to our schools, who serve on local boards, who are part of the rural fiber of our country. That's all this program is asking for, a little bit of parity, a little bit of assistance in this billion-dollar program for big corporate farms.

I cannot imagine how anyone could come to the floor and say, I don't want to help the fiber and fabric of rural States like mine, programs like Cultivating Community, which helped promote six local farm stands in low-income areas. This program helps people to support farm stands that accept SNAP benefits, that do a tremendous amount of things to get more people eating healthy, local food and promoting them. As I said, it's a critical part of our local infrastructure. I can't imagine why anyone would go against that.

I'll pause there and reserve the balance of my time.

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

Ms. PINGREE of Maine. I'm happy to yield 1 minute to the gentleman from Georgia (Mr. AUSTIN SCOTT).

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I rise in opposition to this amendment as well.

While we all share the desire to get rid of the fraud, waste and abuse, I think we've reached a delicate balance in the committee with the language that we've done here.

This is a competitive grant process. It will improve direct producer-to-consumer market opportunities. I think it's very valuable for our small farmers and our small communities.

Ms. PINGREE of Maine. I would just like to say one more time that this is a vital program.

Let me again reinforce the good words of my colleague and thank him for speaking on the other side of the aisle in support of this program. This helps communities through direct marketing. This helps roadside stands, farmers markets, CSA, agritourism, other direct producer-to-consumer marketing opportunities.

It's a competitive grant. It's not a boondoggle. It's not direct payments to a farmer. And once again, I just want to say, I come from the State of Maine, which like many States is full of rural communities, rural communities who are seeing this renewed interest in buying food locally—a great way to expand this economy, to provide jobs, to get more money into our rural economies, to make sure people are eating healthier food, getting to know their farmers in their communities, making better, healthier decisions.

I strongly oppose this amendment, and I urge my colleagues to do so.

I yield back the balance of my time.

The Acting CHAIR. The gentleman from California has 2¼ minutes remaining.

Mr. MCCLINTOCK. Mr. Chairman, I begin by asking the supporters to answer three simple questions:

Why should a taxpayer in one community pay to advertise produce for a farmer in another community? I heard no answer.

□ 2140

I asked why should a shopkeeper in one community who has to pay for his own advertising also pay for the local farmer's advertising as well. I heard no answer.

And third, I asked how can any of us look our constituents in the eye and tell them that $120,000, more than most of our constituents make in a year, is a worthwhile expenditure to hold a beer seminar in China. Once again, I heard no answer.

I forgive my Democratic colleagues the error of their ways. They never promised to be careful with the people's money. The Republicans made that promise. And because of that promise, the Republicans were entrusted with the majority of this House. Allowing programs like this to continue on our watch dishonors those promises, and I appeal to my Republican colleagues not to repeat the conduct that turned the Nation's stomach the last time we held the majority.

I yield back the balance of my time.

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

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

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

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

AMENDMENT NO. 44 OFFERED BY MR. GIBSON

The Acting CHAIR. It is now in order to consider amendment No. 44 printed in part B of House Report 113–117.

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

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 10010.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from New York (Mr. GIBSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

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

This is a bipartisan amendment addressing some underlying language in the bill pertaining to olive oil advanced by my good friends from California and Georgia who are here today to defend and to advance their olive growers. They are very proud of them.

I just want to say how proud I am of their olive growers, as well, and also to address fraud. I want to also express my commitment to combating fraud as well.

Regrettably, this underlying language misses the mark. In fact, it is going to significantly drive up costs. It is going to cost hundreds, in fact thousands, of jobs across America, including hundreds of jobs in my home State.

I think it is important to focus in on what this underlying language does. We should face the facts that at least at the moment 98 percent of the olive oil that we consume in America is imported from overseas. In fact, we've got hundreds of jobs in New York State that deal with that. But 98 percent of the olive oil is imported. The underlying language will require 100 percent of that 98 percent to be chemical- and taste-tested at the port. Now you have about 5 to 8 percent that's spot checked. We're talking about going to 100 percent. I don't even think the United States Government has the capacity to do that. I certainly would fear if it ended up with the capacity to do that.

Look, the way that we should deal with fraud is strike this language. We should look to the FDA for standards. We did this in New York. We have standards in New York. The olive oil distributors are certainly complying with it. They were part of making it come about. But what we've done in this underlying bill, I want to make sure it is very clear that this is going to drive up costs for all of our consumers, millions of dollars according to the CBO, and we are going to end up crushing jobs.

With that, I want to reserve the balance of my time, Mr. Chairman.

Mr. SCHRADER. Mr. Chairman, I claim the time in opposition to the amendment.

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

Mr. SCHRADER. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Chairman, after three debates in support of my colleague from New York, I find myself on the opposite side of this issue.

We are in the process of developing a very viable American olive oil industry, one that has great potential. At the same time, that industry faces a question from the consumers about the quality of the oil that is available, both domestically produced, as well as internationally produced.

There have been numerous studies done that indicate that there is a lot of misrepresentation as to the quality and the nature of olive oil. This bill, the FARRM Bill, simply establishes the opportunity for the creation of a marketing order that would eventually provide a farmer-oriented regulation of the quality and the type of olive oil that's going to be on the market. That would apply both to imported, as well as domestically produced, olive oil.

The cost of this need not be as high as my colleague from New York suggests. It is probable, and most feasible, that the olive oil that's imported would be checked as to its quality and consistency at the point of export, certainly not at the retail and probably not at the point of import.

This can be done. This is done in many, many products that are produced in America, as well as imported—quality controls, consumer awareness.

This is a very important bill for the domestic nascent olive oil industry.

Mr. GIBSON. At this time, I would like to yield 1 minute to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS. Mr. Chairman, today, I rise to demonstrate my strong support for this amendment, led by my colleague from New York, Mr. GIBSON, to strike the olive oil price increase.

This amendment is needed to stop the unnecessary increase in olive oil pricing. The unfair marketing order being considered would place heavy restrictions and burdens on the importation of olive oil.

The United States is the largest importer of oil, importing approximately 97 percent of the olive oil Americans consume. The marketing order would result in tens of millions of dollars of costs for inspections a year, in turn raising the price of olive oil and making it incredibly expensive.

The inspection would occur only when it is produced, not once the product enters the United States. This tax on American consumers will hinder trade and undermine our international trade relations. It is clearly a non-tariff trade barrier, which will further complicate U.S. trade and export relations with our Transatlantic partners.

Just this week, the President has launched the Transatlantic Trade and Investment Partnership negotiations. This provision is against the spirit of the talks and trade with our largest trading partner. Current European Union free trade talks would be compromised, resulting in the loss of greater U.S. exports.

I urge my colleagues to support this amendment to strike the olive oil price increase.

Mr. SCHRADER. Mr. Chairman, at this time, I yield 2 minutes to the gentleman from Georgia (Mr. SCOTT).

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I rise in opposition of this amendment. This current farm bill, the olive oil provision, will simply require that both domestic and imported olive oil will be subject to the same labeling requirements. Let me restate that: the same labeling requirements for domestic and imported olive oil. Americans deserve to know that the product that is advertised on the label is the product that they are buying when they are pulling it off the shelf.

As the gentleman from New York stated, it is spot-checked right now. Less than 5 percent of the 98 percent of the oil sold in this country is actually

checked as to whether or not it is labeled accurately.

U.S. growers and ethical importers have a strong interest in developing this program of cost-effective solutions since you are saving high-quality standards for the consumer.

Mr. GIBSON. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. HANNA).

Mr. HANNA. Mr. Chairman, I thank my friend from New York for yielding and for his work on this amendment.

I rise in support of this bipartisan amendment to strike the new trade barrier on imported olive oil included in this farm bill.

This would place a new effective tax rate on olive oil imports, which hurts small businesses like restaurants, retailers, and especially consumers. It will seriously threaten good jobs in many communities, including my own.

Roughly 98 percent of the olive oil consumed in the United States is imported. Only 2 percent—2 percent—is produced here. This new barrier would benefit a very small segment of the olive oil producers in very few States at the expense of all 50 States.

CBO pegged the new olive oil regulation as a private sector mandate—an earmark effectively—potentially costing businesses and consumers tens of millions of dollars.

□ 2150

Now is not the time to implement trade barriers with our allies as we begin new trade negotiations with the European Union. This amendment protects small businesses, consumers, and robust trade. I urge the support of this amendment.

Mr. SCHRADER. I yield the balance of my time to the gentleman from California (Mr. LAMALFA).

The Acting CHAIR. The gentleman from California is recognized for 2½ minutes.

Mr. LAMALFA I must rise in opposition to this amendment from my colleague from New York.

In my family, olive oil was something that was very heavily used, my being of Italian descent. We purchased it locally in northern California by vendors just right nearby, and we always got top quality oil. I think we need to have that same opportunity for everybody across the country, not just the opportunity to buy the oil, but to know that the advertising—the labeling of it—is correct. Unfortunately, much imported oil does not have to meet the same standards for labeling, either using European standards or ours, especially by the time it's shipped here.

So what we're looking for is not knocking out jobs or knocking out imported oil or any of that; it's just simply the truth in labeling that people would expect. When a label says ''extra virgin,'' then what should be in that container should be extra virgin. Unfortunately, much of it, by the time it gets here, is rancid. Maybe the label should say ''extra rancid.'' What we're after here is not to cause problems for our friends who would like to market it; it's more just the truth in advertising that's necessary. There shouldn't be anything to worry about if you're an importer if your oil is meeting that standard.

Reasonable standards can be worked out for what the testing is, so let's move forward with blocking this amendment for today and, instead, allowing for a good labeling standard to be put in place for American olive oil users whether the olive oil is domestic or imported. So I ask for people to deny this amendment today.

Mr. GIBSON. Mr. Chairman, may I inquire as to how much time I have remaining.

The Acting CHAIR. The gentleman from New York has 1 minute remaining, and the gentleman from Oregon has 1 minute remaining and has the right to close.

Mr. GIBSON. I yield my last minute to my good friend from New York (Mr. GRIMM).

Mr. GRIMM. I thank my colleague from New York.

I respect my colleagues from California and from Georgia, but let's just stop the nonsense and call it what it is.

I have a district that consumes more Greek oil and Italian oil than you can ever imagine. It's not rancid, and they don't have any problems. The producers here are the ones with the problems. The people buying it, the distributors, all the different restaurants—their costs would go up exponentially. They know good oil, and they haven't had a problem. Of course, there is always going to be a problem in every industry, but this is nothing more than a multimillion-dollar earmark, so let's call it what it is; but I respect the fact that they're sticking up for their States.

Olives, just like oranges, are tested, but we don't test orange juice. Grapes are tested, but we don't test the wine. We do test olives, but we shouldn't be testing olive oil. It would be the only manufactured good tested as a commodity. That would be a mistake. Even the CBO says it would be tens of millions of dollars in costs. We can't afford that for our jobs throughout the country. We can't afford that for our industry. This is a specialty earmark. I respect the intent, but it is bad policy, and I would ask everyone to oppose it.

Mr. SCHRADER. I yield the last 1 minute to the other gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. This is a marketing order. The underlying law establishes a marketing order. A marketing order allows the producers to come together and decide how they're going to market their products and do it in a way that sets up standards for their products. This is common across virtually every aspect of American agriculture. This is nothing new. When you have a marketing order that involves imported as well as domestically produced, those imports are also affected by the qualifications and the standards set on that marketing order. This is not new.

In fact, virtually everything you'll find in the produce, including many of the products that were described a moment ago, are controlled by a marketing order. We're not exactly sure, until the marketing order, what kind of regulations and quality standards will be put in place; but once they're in place, then whether it's an imported or a domestically produced oil, they'll have to abide by the same regulations.

With regard to the cost, this is not new either. This happens in virtually most of the kinds of commodities and products that are imported and produced domestically. We're not talking about something radical.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. GIBSON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GIBSON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 45 OFFERED BY MRS. WALORSKI

The Acting CHAIR. It is now in order to consider amendment No. 45 printed in part B of House Report 113–117.

Mrs. WALORSKI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 541, strike line 21 and all that follows through page 542, line 8.

The Acting CHAIR. Pursuant to House Resolution 271, the gentlewoman from Indiana (Mrs. WALORSKI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Indiana.

Mrs. WALORSKI. Mr. Chairman, I rise in support of my amendment—to prevent the Christmas tree tax from taking effect. This amendment prevents President Obama's proposed Christmas tree tax from being implemented.

The administration already tried to enforce this tax right before the Christmas season in 2011. In response to a resounding outcry from the American people, the tax was put on hold.

When I'm at home in Indiana, I hear from Hoosier families firsthand about their daily struggles due to the sluggish economy—moms and dads and single parents who are struggling to make

ends meet to pay their monthly bills and to pay their mortgages and still have enough left in their budgets to put food on the tables and fill up the gas tanks.

Americans are seeking commonsense solutions from Washington to jumpstart the economy, to provide more jobs, and to ensure that our children and grandchildren have the same opportunities that we enjoy in this great Nation. Now, as we focus on passing a comprehensive 5-year farm bill, some of my colleagues are looking to revive this unnecessary tax.

There is no justification to impose another tax on the American people. There is certainly no justification to impose a tax on a commodity that symbolizes an historic Christmas tradition to many American families. The administration has denied that this is a ''tax,'' but I think most Americans would agree that, when the Federal Government forces us to pay something, it's a tax—a tax imposed on every American family the next time one goes to pick out a Christmas tree.

Christmas tree growers opposed to this tax cannot opt out. This tax will be charged to the grower, passed on to the consumer, adding to the cost printed at the bottom of your receipt, and increasing the amount of your hard-earned dollars owed to the Federal Government. Supporters of this tax will call it ''nominal'' and will argue that it's only 15 to 20 cents, but with around 33 million fresh cut Christmas trees sold in the U.S. each year, this little tax adds up to millions of dollars in tax revenues.

Our families save up for months to provide gifts for their families, to donate to charities, or to purchase a flight home to spend the holidays with their loved ones. This is not the time to raise taxes on our hardworking families, especially during the Christmas season. The President and Congress should, instead, focus on reducing government spending and finding commonsense solutions to lower taxes to provide relief for Americans.

I urge my colleagues to support this amendment in order to make sure that our Christmas trees remain a symbol of Christmas and of the holiday spirit, not a symbol of more Big Government taxation.

I reserve the balance of my time.

Mr. SCHRADER. I rise to claim the time in opposition.

The Acting CHAIR (Mr. CHAFFETZ). The gentleman from Oregon is recognized for 5 minutes.

Mr. SCHRADER. I appreciate the opportunity to set the record straight.

With all due respect, the good and gentlelady from Indiana is completely and totally misinformed as to what this Christmas tree checkoff bill does.

If we were to strip this out of the FARRM Bill, millions of Americans would lose jobs. This is about protecting American agriculture. I did not see the gentlelady or any of her friends on the other side of the aisle get up and talk about the beef checkoff program or the dairy checkoff program or the cotton checkoff program, all of which help to promote American industry and American jobs and American research.

□ 2200

With all due respect, the idea that this is a tax is absolutely ludicrous. This is a fee that the industry has come to us for, just like the cattlemen did, just like the cotton growers did, and just like the dairymen did, to help promote their industry.

Perhaps the gentlelady is unaware of the fact that the Christmas tree industry is under siege in this country. What's more American than Christmas? You know what's happening? The Chinese are exporting to our country, and we are importing fake Chinese trees. It's devastating the American industry right now. We can be in favor of Chinese jobs, or we can be in favor of American agriculture jobs and silviculture jobs.

This is pretty straightforward, folks. This is something that's not new. It's been done for years and years. With all due respect again, the gentlelady's talking points talk about this Christmas season—well, I don't think it's Christmas season. We are now into June. It's time to get updated and understand where this country is coming from.

American agriculture has worked hard trying to stay competitive. What are the States that are going to be affected if we don't do this? What are the States that are going to be affected? We've got North Carolina. We've got Tennessee. We've got Michigan. We've got Washington. We've got Oregon. I could go on. Pennsylvania. All 50 States produce Christmas trees.

This industry needs to survive. This is an American industry producing Christmas trees. I'm shocked actually, that there's anyone that is willing to take this off the agenda.

With that, I reserve the balance of my time.

Mrs. WALORSKI. Mr. Chairman, may I inquire as to the remaining time?

The Acting CHAIR. The gentlewoman from Indiana has 2½ minutes remaining.

Mrs. WALORSKI. With all due respect to the gentleman and his point on all these ''checkoffs,'' this is a tax that the American people themselves resoundingly in 2011 have said, absolutely not. In fact, the American people put so much pressure on President Obama, he actually backed off and rescinded this and moved it into a different time slot, which is what we're looking at today.

The people in my district are hardworking Americans. They're double-income households, single moms with kids under the age of 18 that are trying to raise up households, they're trying to pay for their bills, they're trying to pay their mortgage and they're trying to put gas in their car. And I think that we have a government and a Washington that is out of control when it comes to taxation. We don't need another tax coming out of Washington. We need help for American families.

With that, I would again urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. SCHRADER. Mr. Chairman, how much time do I have left?

The Acting CHAIR. The gentleman from Oregon has 2¾ minutes remaining.

Mr. SCHRADER. I would again like to continue to set the record straight.

The American people did not vote in any, way, shape or form on this promotion research program for American Christmas trees. If they had, I think they would vote in favor of American agricultural jobs in rural America.

I don't know if the gentlelady knows this, but the unemployment rate in rural America is easily still in the double digits. This is an industry that needs severe help and our time. If the American government can't come to their aid by letting them assess themselves a fee that is overwhelmingly supported by the industry to keep it alive, to keep it producing American jobs, I don't know what our government is all about at the end of the day.

This should be a straightforward ''no'' vote on this amendment.

As a matter of fact, this was so noncontroversial in the Agriculture Committee on which I serve, that it passed unanimous en bloc. This was not a controversial issue. So I guess I'd like to think we've moved forward out of the election season. It's now time to get real. It's now time to put some jobs on the table for Americans, particularly in rural America.

With that, I reserve the balance of my time.

Mrs. WALORSKI. Mr. Chairman, again I would just like to add, as I close, that this is a time—and I agree with the gentleman in one sense. This is a time for us to be talking here about things like jobs and a struggling, sluggish economy. Because of that, the hardworking people in my district, the last thing they expect to see, the last thing they want to see—and Americans did resoundingly cry out in 2011 to not send another tax their way.

This is a tax. When the Federal Government says to Americans you must pay ''X,'' that's a tax. In my district, it's hardworking Hoosiers that have resoundingly said, No more taxes from this government. They are taxed enough, and they don't want to be taxed at the Christmas season.

I again urge my colleagues to stand in support of this amendment, and I yield back the balance of my time.

Mr. SCHRADER. I guess what I would like to close with here is that I can't say it often enough and more accurate enough, that this is nothing about taxation. This is about the promotion of an industry that we would like to support in America: Christmas. What's more American than Christmas? I can't believe the opposition is seeking to attack Christmas and Christmas tree producers.

It's tough out there. The recession isn't over. The recession isn't over in rural America right now. Over 70 percent of the folks in the Christmas tree industry easily favor this bill. I'd love to see my approval rating come even up to 15 percent or 20 percent. These guys are at 70 percent wanting to get something done.

I think we owe it to them to back them. The producers across this country need our help. We did it for beef. We did it for dairy. We've done it for cotton. We've done it for a number of other industries. I don't see why Christmas trees should be discriminated against and we should be encouraging Chinese jobs and Chinese fake trees in our Christmas tree pageants. I think that's terrible.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Indiana (Mrs. WALORSKI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. WALORSKI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Indiana will be postponed.

AMENDMENT NO. 46 OFFERED BY MR. COURTNEY

The Acting CHAIR. It is now in order to consider amendment No. 46 printed in part B of House Report 113–117.

Mr. COURTNEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title X, insert the following new section:

SEC. 10018. FARMED SHELLFISH AS SPECIALTY CROPS.

Section 3(1) of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108–465) is amended by inserting ''farmed shellfish'' after ''fruits,''.

In the table of contents in section 1(b), insert after the item relating to section 10017 the following new item:

Sec. 10018. Farmed shellfish as specialty crops.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Connecticut (Mr. COURTNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut.

Mr. COURTNEY. Mr. Chairman, this bipartisan amendment, which I've introduced with my friend, Mr. WITTMAN from Virginia, is a budget neutral amendment. It does not change any authorized level of spending. It very simply adds shellfish farming to the Specialty Crops Competitiveness Act programs, the block grants and the crop research initiative, which is again, I think, a reasonable addition given the history of the block grants and the research initiative program prior to 2004.

Again, I want to just emphasize at the outset what we're talking about here is shellfish farming. We are not talking about fishing. Shellfish farming is a cultivated process from seed which in many instances starts offshore and proceeds to harvest in beds just adjacent to a coast. It actually goes back into antiquity in terms of the process and the farming technique that surrounds shellfish farming.

Again, prior to 2004, the specialty crop programs were administered through the USDA to States, and States had discretion to determine specialty crop programs which they wanted to fund. In some instances, shellfish farming was included along with fruit and nuts and other forms of specialty crops.

In 2004, Congress changed the program and gave specific definitions which take away that discretion to States in terms of the block grants program. And the block grants in many instances provide marketing assistance.

Shellfish farming—oysters, clams, mussels—is a growing industry. In fact, for people who have become exposed to it, it is considered a very high quality industry in terms of U.S. shellfish that actually provides opportunities for export growth around the world. And what this amendment will do is to give that growing area of aquaculture an opportunity to expand and grow. It affects the Pacific coast, gulf coast and the eastern coast.

Again, this is a cost neutral amendment to extend very important marketing assistance and research assistance to a part of American agriculture, which clearly aquaculture is. Again, this is cultivated growing of food, unlike fishing. And I think for the hardworking men and women who get up every single day, just like dairy farmers or people who pick apples or other forms of specialty crops who pay taxes, they should be allowed to have access to this program, a competitive grant program, which they would have to demonstrate their eligibility for.

With that, I would reserve the balance of my time.

□ 2210

Mr. LUCAS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Mr. Chairman, I yield myself such time as I may consume.

While I appreciate the interest of the gentlemen in advancing shellfish fishermen in their districts, I think the premise of their amendment is wrong. While other definitions of specialty crops may have included shellfish, the definition under the Specialty Crops Competitiveness Act was designed specifically for fruit, vegetable, and horticulture producers. The programs under this act were new, so nothing that shellfish were previously eligible for had been taken away by them. Being animals, shellfish have simply not been included in the program specifically designed for plant products.

Now, while some minor aspects of a limited number of programs developed under the Specialty Crops Competitiveness Act may be generic enough that the addition of animal species would not be overly problematic, this definition has been used multiple times since 2004 in a variety of plant protection laws; and as has been pointed out to the amendment sponsors, the simple modification of the definition they are seeking would create potentially massive confusion in a variety of critical programs.

Therefore, as fond as I am of both authors, and as appreciative as I am of the product that they are attempting to endeavor, I must respectfully request that we oppose the amendment.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. COURTNEY. Again, first of all, I just want to salute the great work the chairman of the committee has done. It has been magnificent to see regular order in this Congress.

Secondly, I would just point out that the 2004 specialty crop law was amended in the last farm bill in 2008 to add horticulture. So again, what was done in 2004 is hardly a sacred text. We have the ability to, again with good reason and evidence, to amend this law. And again, I think given the history of it pre-2004, this is not an unreasonable change.

To help make that point, I yield to my good friend, the gentleman from Virginia (Mr. WITTMAN), for such time as he may consume.

Mr. WITTMAN. I thank the gentleman for yielding.

Just as he said, this is an effort just to modernize the list of eligible products under the Specialty Crops Competitiveness Act. It is just about making sure that those folks in rural coastal areas have the same opportunities as those farmers on land. In those coastal areas, shellfish, molluscan shellfish, are extraordinarily important as a part of the economy.

Modern practices take the watermen from wild harvest now to farming shellfish products, just like on-land farmers do. What this does is it makes sure that those coastal economies have

the same access to resources under this program as those farmers on land do. It really is just the situation of making sure that we have parity there.

This doesn't add a new checkoff program. It doesn't add new taxes. It purely puts in place access to those dollars competitively, just like those farmers that farm other crops on land.

Again, this is extraordinarily important to coastal communities in those areas where those watermen are now converting to being farmers on the water. So it really is, again, about making sure that we are fair in treating those farmers on the water the same as we do the farmers on the land.

Mr. COURTNEY. Mr. Chairman, I yield back the balance of my time.

Mr. LUCAS. Mr. Chairman, I yield myself the balance of my time.

There is a difference, I think, in the way that the act was created between animals and plants. I think this is an issue certainly that we need to address and look at, but in the context that it is put here, I don't think that this is an appropriate amendment. I would simply ask my colleagues in a very respectful fashion to decline this amendment.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Connecticut (Mr. COURTNEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. COURTNEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Connecticut will be postponed.

AMENDMENT NO. 47 OFFERED BY MR. KIND

The Acting CHAIR. It is now in order to consider amendment No. 47 printed in part B of House Report 113–117.

Mr. KIND. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In title XI, insert after the title heading the following:

Subtitle A—In General

At the end of title XI, add the following new subtitle:

Subtitle B—Assisting Family Farmers Through Insurance Reform Measures

SEC. 11041. ADJUSTED GROSS INCOME AND PER PERSON LIMITATIONS ON SHARE OF INSURANCE PREMIUMS PAID BY CORPORATION.

Section 508(e)(1) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(1)) is amended—

(1) by striking ''For the purpose'' and inserting the following:

''(A) PAYMENT AUTHORITY.—For the purpose''; and

(2) by adding at the end the following new subparagraphs:

''(B) ADJUSTED GROSS INCOME LIMITATION.—Notwithstanding any other provision of this title, the Corporation shall not pay a part of the premium for additional coverage for any person or legal entity that has an average adjusted gross income (as defined in section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308-3a)) in excess of $250,000.

''(C) PER PERSON LIMITATION.—Notwithstanding any other provision of this title, the total amount of premium paid by the Corporation on behalf of a person or legal entity, directly or indirectly, with respect to all policies issued to the person or legal entity under this title for a crop year shall be limited to a maximum of $50,000. To the maximum extent practicable, the Corporation shall carry out this subparagraph in accordance with sections 1001 through 1001F of the Food Security Act of 1985 (7 U.S.C. 1308 et seq.).''.

SEC. 11042. CAP ON OVERALL RATE OF RETURN FOR CROP INSURANCE PROVIDERS.

Section 508(k)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(3)) is amended—

(1) by designating paragraph (3) as subparagraph (A) (and adjusting the margin two ems to the right);

(2) by inserting before subparagraph (A) (as so designated) the following:

''(3) RISK.—''; and

(3) by adding at the end the following new subparagraph:

''(B) CAP ON OVERALL RATE OF RETURN.—The target rate of return for all the companies combined for the 2013 and subsequent reinsurance years shall be 12 percent of retained premium.''.

SEC. 11043. CAP ON REIMBURSEMENTS FOR ADMINISTRATIVE AND OPERATING EXPENSES OF CROP INSURANCE PROVIDERS.

Section 508(k)(4) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)(4)) is amended by adding at the end the following new subparagraph:

''(G) ADDITIONAL CAP ON REIMBURSEMENTS.—Notwithstanding subparagraphs (A) through (F), total reimbursements for administrative and operating costs for the 2013 insurance year for all types of policies and plans of insurance shall not exceed $900,000,000. For each subsequent insurance year, the dollar amount in effect pursuant to the preceding sentence shall be increased by the same inflation factor as established for the administrative and operating costs cap in the 2011 Standard Reinsurance Agreement.''.

SEC. 11044. BUDGET LIMITATIONS ON RENEGOTIATION OF STANDARD REINSURANCE AGREEMENT.

Section 508(k)(8) of the Federal Crop Insurance Act of 1938 (7 U.S.C. 1508(k)(8)) is amended by adding at the end the following new subparagraph:

''(F) REDUCTION IN CORPORATION OBLIGATIONS.—The Board shall ensure that any Standard Reinsurance Agreement negotiated under subparagraph (A)(ii), when compared to the immediately preceding Standard Reinsurance Agreement, shall reduce, to the maximum extent practicable, the obligations of the Corporation under subsections (e)(2) or (k)(4) or section 523.''.

SEC. 11045. CROP INSURANCE PREMIUM SUBSIDIES DISCLOSURE IN THE PUBLIC INTEREST.

Section 502(c)(2) of the Federal Crop Insurance Act (7 U.S.C. 1502(c)(2)) is amended—

(1) by redesignating subparagraphs (A) and (B) as subparagraphs (C) and (D) respectively; and

(2) by inserting before subparagraph (C) (as so redesignated) the following:

''(A) DISCLOSURE IN THE PUBLIC INTEREST.—Notwithstanding paragraph (1) or any other provision of law, except as provided in subparagraph (B), the Secretary shall on an annual basis make available to the public—

''(i)(I) the name of each individual or entity who obtained a federally subsidized crop insurance, livestock, or forage policy or plan of insurance during the previous fiscal year;

''(II) the amount of premium subsidy received by the individual or entity from the Corporation; and

''(III) the amount of any Federal portion of indemnities paid in the event of a loss during that fiscal year for each policy associated with that individual or entity; and

''(ii) for each private insurance provider, by name—

''(I) the underwriting gains earned through participation in the federally subsidized crop insurance program; and

''(II) the amount paid under this subtitle for—

''(aa) administrative and operating expenses;

''(bb) any Federal portion of indemnities and reinsurance; and

''(cc) any other purpose.

''(B) LIMITATION.—The Secretary shall not disclose information pertaining to individuals and entities covered by a catastrophic risk protection plan offered under section 508(b).''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Wisconsin (Mr. KIND) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. KIND. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I offer this bipartisan amendment with my friend and colleague, Representative PETRI from Wisconsin, that would call for further reforms in tightening of the crop insurance program. By the steps we take with this reform amendment, we would save the American taxpayer over $11 billion over the next 10 years. It was based on bipartisan legislation that Representative PETRI and I offered earlier this year that was supported by Representatives MCGOVERN, SENSENBRENNER, DELAURO, RADEL, BLUMENAUER, CONYERS, COOPER, DEFAZIO, CONNOLLY, and WAXMAN, and supported by a variety of outside groups.

What we're trying to do is maintain an element of risk in farming, again, in a fiscally responsible manner, by tightening up crop insurance programs that we feel have become too excessive with the shifting of title I commodity money and direct payments into the crop insurance category. We'd save over $11 billion over the next 10 years by doing the following:

We'd call for a limit of Federal crop insurance subsidies to $50,000 per farmer per year. Currently, there are no limits, no cap on the amount of taxpayer subsidies going to farm entities. Last year alone, over 26 entities received over $1 million in taxpayer premium subsidies alone. We think that's wrong, and we're trying to correct it with this amendment.

We'd also extend the adjusted gross income limit of $250,000 per farm entity to apply to crop insurance programs. The concept there is simple. If you're a farm entity with a gross profit of over a quarter of a million dollars, you really ought not be receiving taxpayer subsidies. This is after you back out the operating expenses of doing business. We're talking a quarter of a million dollars worth of profit.

It would promote crop insurance company efficiency by ending the 100 percent government subsidy of the administrative and operating costs that the private insurance companies currently enjoy today. Last year we spent over $1.3 billion on these insurance companies just for their A&O expenses alone. We're asking them to live with the total spending of $900 million, which is consistent with what the Obama administration is offering in its budget.

This would also guarantee that the crop insurance companies do not pass along the riskiest policies back to the American taxpayer, which is currently the practice.

It would lower the profit guaranteed to these private insurance companies from 14 percent to 12 percent. We don't offer that type of guarantee for any other business anywhere else in the country, and yet now they're guaranteed a 14 percent profit. We're saying can you at least live with a 12 percent profit for the sake of some savings within this program.

And it would also promote transparency to help the taxpayer know where the money is going and who's benefiting from it. It opens the sunshine up so we have greater disclosure of these programs and, therefore, greater scrutiny.

So we think this is commonsense reform. We think this is something that maintains the risk management tool of crop insurance. We're not proposing eliminating it, but we're just trying to propose making it more market sensitive and maintaining that element of risk.

Finally, one of the reasons we feel that this is so important is because of current commodity prices. There is great pressure on farmers now to plant everywhere, in the most fallow, highly sensitive, highly erodible land because they know if they experience any loss, their loss is covered. Therefore, the risk is taken out of it. That is leading to bad stewardship practices throughout our country. With this reform, we're trying to introduce that element of some second guessing, some risk in the most fallow, unproductive land that's right now being brought back into production.

So I would encourage my colleagues to support this amendment.

I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Oklahoma is recognized for 10 minutes.

Mr. LUCAS. Mr. Chairman, I yield 2 minutes to the subcommittee chairman of primary jurisdiction, Mr. CONAWAY of Texas.

Mr. CONAWAY. Mr. Chairman, I thank the gentleman for yielding.

I rise in strong opposition to this attack on a very important piece of the safety net that production agriculture relies upon. There are two possible outcomes for this amendment, and both are bad.

The first is that we're going to put the government back in the business of delivering crop insurance. We tried that. It didn't work. Government employees don't act nearly as responsibly as the private sector does. That comes with a cost, but the farmers like it. They get response from these folks that is appropriate.

Secondly, we would go back to the possibility of days when we spent billions of dollars on unbudgeted, ad hoc disaster relief.

□ 2220

And that's the least efficient way that we ought to go about this. And that's what this amendment does. It is bad for taxpayers. In spite of my colleagues' comments, this amendment won't save money. It will end up costing us untold billions in this ad hoc disaster spending that's the norm in that regard.

I know that the Environmental Working Group and other radical environment groups want to run our farmers and ranchers out of business. I get that. This amendment would certainly help them accomplish their goal.

So if your aim today is to stick the American taxpayer with billions of dollars to pay for ad hoc disaster bills, this is your kind of amendment. If you want to give the extreme environmentalist group, the crowd that gave us Meatless Mondays, a win in their effort to ruin American farming and ranching families, this will get right at it.

So I have farmers and ranchers struggling with 3 years of successive and severe drought. This is a slap in the face to those farmers and ranchers in west Texas and across this country. This amendment is not good, and I urge my colleagues to vote against it.

Mr. KIND. Mr. Chairman, I yield myself 30 seconds. Unless my good friend wants to include the National Taxpayer Union, Taxpayers for Common Sense, Citizens Against Government Waste, Americans for Tax Reform, Committee for Responsible Taxation, American Commitment for the Center for Individual Liberty, ''R'' Street Competitive Enterprise Institute in that category of radical environmental groups, they've all come out in support, endorsing this legislation.

But we're not taking the private insurance companies out. We're just asking them to carry some risk and to reduce their guaranteed profit margin from 14 to 12.

With that, I yield 1½ minutes to my good friend and colleague from Wisconsin, Representative PETRI.

Mr. PETRI. I thank my colleague for yielding.

As the House considers the FARRM Act of 2013, I believe it's important that we offer the proper support for farmers, while ensuring that these support programs are responsible for the American taxpayer.

As you may know, the Federal Crop Insurance Program is the most expensive government program supporting farm income and is the only farm income support program that is not subject to some form of payment limitation or means testing.

This amendment, which incorporates the language in the AFFIRM Act that Representative KIND and I introduced last month, works to reform the crop insurance program. Capping crop insurance subsidies at $50,000 per person per year does not prohibit farmers from purchasing crop insurance, nor does it eliminate all taxpayer support for the program.

In fact, most farmers would not be affected by this cap at all. According to the GAO, in 2011, only 4 percent of farmers would have been impacted by this $50,000 cap on subsidy for insurance.

For 2001 to 2012, the total cost of premium subsidies jumped fourfold, from $1.8 billion to $7.5 billion. The Congressional Budget Office projects even higher costs in the future, averaging $9.1 billion annually. The subsidy cap, combined with the $250,000 means testing requirement, will assist in preventing fraud, waste and abuse in the Federal Crop Insurance Program.

The Acting CHAIR. The time of the gentleman has expired.

Mr. KIND. I yield the gentleman an additional 30 seconds.

Mr. PETRI. This amendment also reforms administrative and operating reimbursements that the government pays to private insurance companies by capping those payments at $900 million, which is a fairly moderate cap and below what's currently being spent. It also lowers the reimbursement to insurance companies to the President's target of 12 percent return from 14 percent return.

Mr. LUCAS. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. CRAWFORD).

Mr. CRAWFORD. I thank the chairman.

Farm policy is intended to provide support when needed, based on production. U.S. farms have been forced to become larger to increase efficiency and remain competitive in the global marketplace. Arbitrarily limiting policies

ultimately limits the ability of farms to grow and gain efficiencies, thereby penalizing U.S. farmers and putting them at a distinct disadvantage to our global competitors.

Adjusted gross income is different than farm profit. There are a number of expenses that must be covered. In addition to personal expenses, farmers must service debt, given the cost of today's machinery and land can easily reach into the millions.

AGI rules penalize spouses who oftentimes take off-farm jobs to help make ends meet when farmers are struggling with their farm income. An unreasonable AGI means test creates uncertainty for growers and their lenders by creating a ping-pong effect of being eligible one year and ineligible the next, making it difficult or impossible for lenders to measure, with any certainty, the future cash flow of thousands of farm and ranch families in order to make both short and long-term lending decisions.

In short, an unreasonable AGI means test would make U.S. farm policy unpredictable, inequitable and punitive for thousands of American farm and ranch families.

Mr. KIND. Mr. Chairman, how much time do I have?

The Acting CHAIR. The gentleman has 4 minutes.

Mr. KIND. Mr. Chairman, at this time I'd like to yield 1 minute to the gentlelady from Connecticut (Ms. DELAURO), a champion for family farmers and for the nutrition program in the farm bill.

Ms. DELAURO. I rise in support of this amendment, strong support of this amendment, because it aims to reform a broken crop insurance program. This is a program where taxpayers foot an average of 60 percent of the premiums for beneficiaries, plus there's the reimbursement of the administrative and operating costs, 100 percent of those efforts.

These are for private companies that sell the plans, including multinational corporations, some of whom trace back to companies who are in tax havens. And essentially, what it does, it works to improve crop insurance, it limits taxpayer subsidized profits of companies that sell crop insurance.

It does not harm the ability of the companies to sell these policies in any way. It would ensure that taxpayers do not continue to subsidize these administrative and operating expenses.

It's a bipartisan amendment. It enjoys broad support from a number of groups across the political spectrum, as has been laid out. It caps the amount of crop insurance premium support individual producers receive.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. KIND. I yield the gentlewoman an additional 15 seconds.

Ms. DELAURO. GAO said that the cap would affect just under 4 percent. Crop insurance is the only farm support program subsidized by taxpayers and not subject to a payment limitation. This would bring this in line with other farm programs, and it would shine a little long overdue sunlight on the crop insurance program.

Mr. LUCAS. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. BARROW).

Mr. BARROW of Georgia. I rise in opposition to the amendment. The people I represent value American agriculture and understand that food doesn't grow on grocery store shelves. It takes the hard work and high risk of farmers to get that food to market. I believe all of those farmers are worth supporting.

This amendment will undermine the safety net for many of those farmers, large and small. Many people don't realize it, but farm operations are made up of as many different kinds of farms as people. Different farms have different sizes, different ownership structures, different crop mixes and different equipment, and that diversity makes our domestic farming portfolio strong.

It's often the big guys who act as the hub of a farm community and offer the smaller farmers in the area access to expensive equipment that they could never afford on their own. These are all family farms in the best sense of the word, and they depend on each other for their livelihood.

This amendment effectively ends the safety net for the large family farmer, without whom many of our small family farms couldn't produce. I, therefore, urge my colleagues to oppose the amendment.

Mr. KIND. How much time remains, Mr. Chairman?

The Acting CHAIR. The gentleman from Wisconsin has 2¾ minutes. The gentleman from Oklahoma has 6½ minutes.

Mr. KIND. I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I yield 1 minute to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I appreciate your yielding also to me.

I rise in opposition to the Kind amendment, and do I so because I don't want to see agriculture distorted.

We've watched as equipment's gotten larger, farms have gotten larger. And when you start locking this thing down and tying it to an AGI, what you really have is a means test for the first time. It pits neighbors against neighbors.

Here's what I remember. Back in the eighties, when we had a farm crisis and we had a real disaster, I saw on the front page of the paper, $26 billion in farm subsidy disaster money to deal with drought and the climate that we had and the bad economic climate.

We haven't had those calls. 2011 we had a big flood. No calls for disaster money. 2012 we had a big drought. No calls for disaster money.

Crop insurance is working. Eighty-six percent of the crop is insured today. I recall it being 13 percent back then when I saw the $26 billion bill hit the headlines in the Des Moines Register.

So I urge opposition to the Kind amendment.

Mr. LUCAS. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. PETERSON), the ranking member of the House Agriculture Committee.

Mr. PETERSON. Mr. Chairman, thank you for yielding.

You know, what this amendment's going to do is undermine the crop insurance system and take a whole bunch of people out of the crop insurance system that we need to make it actuarially sound.

Now, it was just said here that there's no other program that doesn't have a payment limit. Well, let me tell you something. Mr. KIND is cosponsor of the Goodlatte-Scott dairy provision, which has no payment limits.

□ 2230

The 6,000 cow dairies in Mr. KIND's district are going to get $600,000 of benefit from our subsidies in the dairy program, and there's no payment limitation. So, come on. If you really believe in payment limits, why isn't it on the Goodlatte-Scott scheme?

So this amendment undermines everything that we've been trying to do in the Agriculture Committee. We had the biggest disaster last year, drought, that we've ever had. We had no significant call for an ad hoc disaster for the first time that I can remember since I've been here, and the reason is because crop insurance worked.

Agriculture is working. In my district, we have 3 percent unemployment because agriculture is working. The one part of the economy that's actually working, and all these people that want to create jobs and want to create government programs so we can create jobs, they want to take the one thing that's working in the country and screw it up. And I'm not going to be part of it.

So vote ''no'' on this amendment.

Mr. LUCAS. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Oklahoma has 2¾ minutes remaining. The gentleman from Wisconsin has 2¾ minutes remaining.

Mr. LUCAS. I yield to myself, Mr. Chairman, 2 minutes.

The ranking member makes very valid points. When you look at the way Federal crop insurance works, it shifts the risk from the Treasury to the private companies to the reinsurers to the farmers and ranchers. If you look at how these premiums and payments have gone over the last decade—not just the really tough weather last year—you'll find that, in reality, 70 percent of the policies over the last 10

years have not returned one single penny—70 percent.

And if you look at how the program has worked in the 7 years prior to the onset of the drought of 2011, basically the Federal Government actually made money on Federal crop insurance. Now, I can't help the anomaly that the superdrought was in the Midwest. But I can tell you that's a pretty good track record.

The ranking member is entirely right: it works. Let's not mess up something that works. With that, I reserve the balance of my time, Mr. Chairman.

Mr. KIND. Mr. Chairman, I yield myself such time as I may consume in response.

To my good friend in Minnesota, my average dairy herd size in western Wisconsin is 125 cows. I don't have the mega-dairy operations and that. So we'll have plenty of time to debate the federally run supply management program that he's been advocating for in the FARRM Bill, which I think will be a disaster and won't work.

But to my friend from Iowa, we're not talking about eliminating the crop insurance program. This risk-management tool will be in place. It won't touch 96 percent of the producers out there.

The last time I checked, we're running some record budget deficits, and there are areas in this farm program, especially in crop insurance, that we can go to for sensible, commonsense savings that's economically justifiable while maintaining risk within the program today.

It's a little ironic that we have such defenders of this crop insurance program when last year alone, the typical insurance company received $1.46 in taxpayer subsidies to every dollar that went into the pocket of our farmers. And five of the 10 biggest insurance companies offering these programs are foreign-owned entities. As the gentlelady from Connecticut just pointed out, many of them are using tax havens on the taxpayer dime. And how they can get up here and justify this program with a straight face is really beyond me.

With that, I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I yield the remainder of my time to the gentleman from Illinois (Mr. DAVIS).

Mr. RODNEY DAVIS of Illinois. Thank you to my colleague, Chairman LUCAS. Thank you to Ranking Member PETERSON.

We agree: crop insurance is not broken. I stand here today to remind my colleagues on the other side of the aisle that recently Secretary of Agriculture Tom Vilsack sat in our Agriculture Committee hearing and said that crop insurance is not broken. Crop insurance is one of the most successful programs we have in the Midwest as you heard in this debate. We see that we're not doing off-budget disaster assistance. We see that farmers are willing to give up direct payments to have better risk-management tools like crop insurance.

Let's also get to the point, too, that bankers, our creditors, will not give loans to our farmers and keep our family farms in business without a strong risk-management program like the effective crop insurance program that we have.

I urge all of my colleagues to oppose this amendment. We need to ensure that this risk-management tool, crop insurance, stays as viable and as effective as it is; and I stand here today and agree with Secretary of Agriculture Tom Vilsack and agree that crop insurance is not broken. Please oppose this amendment.

Mr. KIND. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Wisconsin has 1½ minutes remaining.

Mr. KIND. Mr. Chairman, at this time, I'd like to yield 1 minute to my good friend, the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE of Maine. Thank you, Mr. KIND, for giving up some of your valuable time. I will try to be quick. First, I want to thank the chair and the ranking member. They've worked hard on the FARRM bill, and I appreciate many of the good pieces that are in this bill.

But there are a lot of unconscionable cuts that hit deeply into the working poor in this country, particularly the SNAP benefits cuts, which is a means-tested program.

I want to rise in support of this amendment because unlike the cuts on the SNAP benefits for low-income families, this amendment just asks the richest agricultural business in America to pay a little more and receive a little less, just this one portion of the amendment, the $250,000 cap for farmers who clear more than $250,000 a year. We have a lot of farmers in our State and a growing number of farmers in our State, but there are very few that clear more money than that.

This mostly affects corporate farms. Ninety-six percent of the farmers will never be affected by this amendment, but for a very few, this is a huge benefit.

I urge my colleagues to support this amendment, and I thank my colleague for his time.

Mr. KIND. I believe the chairman has the right to close.

The Acting CHAIR. The gentleman from Oklahoma has the right to close and does still have time.

Mr. KIND. Mr. Chairman, let me close by saying that, listen, I understand there's a lot of hard work that goes into the committee in producing a farm bill. I get that. But there are areas of cost savings that we can justify to the American taxpayer without jeopardizing the risk-management tools.

Crop insurance is ripe for that type of reform. And, again, what we're offering and what we're setting out is very commonsense, economically justifiable, and would save the American taxpayer over $11 billion over the next 10 years.

If the average taxpayer knew just how this crop insurance program is set up today, they'd be aghast in horror. It's not right. We're trying to correct that right now while maintaining the safety net in a viable crop insurance program that can work.

I encourage my colleagues to support the amendment.

Mr. LUCAS. I yield myself whatever time I may have left.

I would just simply say to my colleagues, the system works. As my colleague also noted, it is critically important that farmers be able to secure their financing. And while ultimately like most provisions in the FARRM Bill that raise the food and fiber, the consumers at the end of the chain benefit from the highest quality, most affordable price of food and fiber in the history of the world.

Please protect this important resource to production agriculture. Please continue it to enable farmers to farm. Vote ''no'' on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. KIND).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. KIND. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

AMENDMENT NO. 48 OFFERED BY MR. CARNEY

The Acting CHAIR. It is now in order to consider amendment No. 48 printed in part B of House Report 113–117.

Mr. CARNEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 11012.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Delaware (Mr. CARNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Delaware.

Mr. CARNEY. Mr. Chairman, I rise in support of a bipartisan, straightforward amendment that I introduced with my colleague, Congressman RADEL of Florida, that will help maximize the efficiency of taxpayer dollars

used in the Federal crop insurance program.

Periodically, the USDA, through the Risk Management Agency, renegotiates its agreement with private crop insurers for the delivery and administration of Federal crop insurance. These negotiations, known as Standard Reinsurance Agreements, do not affect the premium subsidies paid to farmers and instead focus on the percent of gains or losses assumed by taxpayers and the level of crop insurance administrative and operating costs paid by the Federal Government.

□ 2240

The most recent negotiation was finalized in 2010 and yielded $6 billion in savings. Of these savings, $4 billion was used to reduce the Federal deficit, and the remaining $2 billion was put back into farm programs to supplement conservation efforts and improve certain products provided through the Federal crop insurance program.

Our amendment simply maintains current law by striking a provision in the bill requiring that any savings from future Standard Reinsurance Agreements be put back into the Federal crop insurance program. This amendment continues to respect the importance of a robust farm safety net while maintaining USDA's tools to improve Federal crop insurance, reduce the deficit, and strengthen conservation programs within the farm bill.

Our amendment is supported by taxpayer advocates as well as the environmental community who share the same goal of ensuring that the Federal crop insurance program works for farmers and for taxpayers.

I want to thank my colleague from Florida for working with me on this amendment, and I urge its support. Thank you for your consideration.

I yield to the gentleman from Florida (Mr. RADEL).

Mr. RADEL. Mr. Chairman, I rise in support of this amendment because I believe that American taxpayers should be considered when their money is basically being divvied up here in Washington. That's what we're deciding. This amendment—which I thank the gentleman from Delaware for offering with me—simply allows for savings to occur in a renegotiation of crop insurance agreements.

I love the fact that we're working on both sides of the aisle. This is as bipartisan as you can get, Mr. Chair. Oftentimes on our side, as fiscal conservatives, we are accused of ''cut, cut, cut.'' But what this is really about is save, save, save. The Members of this House should be encouraging this administration to save, save, save when we can.

This amendment allows for the USDA to attempt to find savings when negotiating. So let's not tie the hands of our negotiators, as this current bill does. Let's allow them to pursue savings on behalf of the hardworking American taxpayer working day in and day out right now.

All around the country people are struggling to get by. So instead of requiring the maximum amount of taxpayer dollars to be spent on this government program, all we're asking is let's just try and save some money with this, and that's what this amendment does.

So a vote for this amendment is a vote to keep the taxpayer—the hardworking American taxpayer—in mind, what is fair for them, when we set up this crop insurance policy. It's plain. It's simple.

I encourage my colleagues to vote ''yes'' on this amendment.

Mr. CARNEY. Mr. Chairman, may I inquire as to how much time I have remaining?

The Acting CHAIR. The gentleman from Delaware has 1½ minutes remaining.

Mr. CARNEY. Mr. Chairman, I would just like to close by thanking the gentleman from Florida for his assistance on this amendment and just to ask my colleagues to think about what we've been trying to do since I came to this House in 2011, which is to get a budget balanced and to find savings wherever we can.

This is an opportunity to use savings from the renegotiations of these agreements for deficit reduction and other things that the USDA might deem appropriate. So I want to thank my colleague for that, and I yield back the balance of my time.

Mr. CONAWAY. Mr. Chairman, I rise to claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Mr. Chairman, first off, a couple of points.

One, the 40-some-odd hearings we had in the last couple of years, at every single one of them, whether it blocked crop insurance or not, the producers said: Don't screw up crop insurance. Crop insurance is the one risk management tool that we know works, it's the one our bankers understand the best, and don't screw that up.

A little history lesson. The 2008 farm bill cut $6 billion out of the crop insurance program and out of the hides of the folks that these folks have been talking about. A re-rating process that USDA went through and RMA went through cut an additional $3 billion. And then the Standard Reinsurance Agreement renegotiation—that Congress had nothing to do with—trimmed another $8 billion. So $17 billion has been reduced out of the crop insurance program since the last time we reauthorized this.

Nothing in the base bill stops the USDA from finding savings in the crop insurance program, nothing. They are still able to do that. What we would like to happen with those savings though is we would like for Congress to control those. We don't want the pet projects of the administration, the pet projects of the USDA to get funded.

Now, my colleagues threw the words ''deficit reduction'' around in good faith, but that's not what happens with this money. USDA and this administration finds other places to spend the money. We don't think that's the right idea.

So I understand the intent of this, but there's nothing in the base bill that restricts USDA from finding those savings if they can find them. We just want Congress to control how that money gets spent and not the pet projects that the administration does.

So I urge a ''no'' vote on this. I believe it was done in good faith, but it won't accomplish what they want. It simply further empowers this executive branch and the administration to do what they will with these savings.

So the savings are still going to be there, still you're going to be able to find them. So I would urge a ''no'' vote on this, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Delaware (Mr. CARNEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CARNEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Delaware will be postponed.

AMENDMENT NO. 49 OFFERED BY MR. RADEL

The Acting CHAIR. It is now in order to consider amendment No. 49 printed in part B of House Report 113–117.

Mr. RADEL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 590, beginning on line 18, strike section 12101 and insert the following new section:

SEC. 12101. REPEAL OF THE NATIONAL SHEEP INDUSTRY IMPROVEMENT CENTER.

Effective October 1, 2013, section 375 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008j) is repealed.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Florida (Mr. RADEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. RADEL. Mr. Chairman, I've only been here a few months. In my short time I've witnessed firsthand just how we spend your money here in Washington—your money, the hardworking, tax-paying American.

Even I was shocked though to learn about something that is hidden very, very deep in this year's farm bill. It's actually filed under miscellaneous. It is for sheep shearing. Sheep shearing. Sheep shearing. We have already spent $50 million—$50 million—on sheep shearing, an industry that basically goes back to the Old Testament. Moses was sheep shearing. So my amendment right here—one page, one sentence—will stop another $50 million from being wasted.

But let's take a look at what $50 million of your money has purchased you as a hardworking, tax-paying American. This program funded a trip to Australia for the Tri-Lambs. It's kind of a play off of ''Revenge of the Nerds,'' if anyone saw that movie in the eighties.

Look, as much as I love that flick, the purpose of this trip was to get people to eat lamb. And Mr. Chair, I'm sorry, but I think that we can find a better way to use our money here in the United States.

In another grant, two beginner sheep shearers were given—here we go—free combs, brushes, razors and scissors with our $50 million. What we're talking about here are startup costs. Think about that. If you are a business owner and you had $50 million, what you could do with that kind of money. It was startup money. And here again in Washington, where the people of the United States of America are so sick and tired of us picking and choosing who will succeed or who will lose, that's debatable right now when we look at this.

It's not fair. You're struggling to make ends meet. We have Democrats right now and Republicans who are debating our social safety net in this country right now about how hungry children are, and we're talking about $50 million to shave sheep. It would be laughable if it was not so sad. This could be your money that you could be saving up for your rent, for your mortgage, for your next vacation.

This is as bipartisan as you can get. We are looking for places to save and show how we here in Congress can be more efficient with your money, accountable and transparent with your money—you, who are working 40, 50, 60 hours a week.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. CONAWAY. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. CONAWAY. Mr. Chairman, I started to go down one path, but the disdain with which my good colleague from Florida insulted the folks in this industry is unacceptable.

I rise in opposition. I wish he would get his facts correct. The total appropriation, actual money spent since '96 is $1 million. He has confused authorizations with appropriations. So if he will go and check his records, the $50 million he blasted out over and over and over was just simply incorrect. That is not the money that was spent.

Sheep shearing is an important issue with respect to growing the wool industry in this country. It is about jobs. Sheep shearing is hard work, and we're trying to figure out ways to make that happen.

This board is housed at the U.S. Department of Agriculture's Agriculture Marketing Service. It's a board appointed by the Secretary of Agriculture. It's composed of seven members—four active sheep growers, two finance and management members, and then two folks out of the USDA to make a total of nine.

□ 2250

The National Sheep Industry Improvement Center provides small grant projects to assist in the improvement of the sheep industry and the expansion of markets.

Throughout the farm bill, we have attempted over and over and over again to promote production agriculture and the jobs associated with it. While sheep shearing may not be particularly exotic and folks from Florida may think it is beneath them, the folks from west Texas take a whole different view of that.

The author of the amendment has disparaged these grants saying that they are for razors and combs for beginning shearers. That's how you do it, Mr. Chairman. The truth is that a shortage of properly trained wool harvesting professionals, this shortage is critical and one of the difficulties for producers who wish to participate in the production of wool.

A major barrier for beginning sheep shearing professionals is an initial cost of purchasing the equipment. These small grants assist to create these jobs in an industry that needs our help.

With that, I reserve the balance of my time.

Mr. RADEL. Mr. Chairman, we are defending sheep shearing: ''$50 million in appropriations, $1 million under government accounting.''

When we look at the industry ''best practices''—again, those quotes dripping with practically sarcasm—they could have been written by Moses with how old this industry is. The proposal funds ''an informational video describing recommended goat handling practices.''

When we look at the positions in this, the nine, seven are from the industry itself, two are from the Federal Government. They're using this money on social media. Mr. Chairman, you know as well as I do, we're talking this is free—social media, the Internet. This doesn't cost money to ''create a buzz'' among consumers. This is their quotes about lamb.

I love lamb. Sure, I'll have dinner with lamb any night, but I don't think that the Federal Government needs to fund a PR campaign for one industry.

Again, this is why the American people are so frustrated with both Democrats and Republicans picking and choosing industries. Congress has wasted $50 million, yes, in appropriations since 1996 on this program. It is time that this House elected to save taxpayer dollars at a time where we have record deficits and runaway spending. Put our votes where the Americans, the hardworking, taxpaying American's money is.

I urge my colleagues to vote for this amendment, and I reserve the balance of my time.

Mr. CONAWAY. Again, Mr. Chairman, it is $1 million since 1996, not $50 million. He's exaggerating again.

With that, I yield 2 minutes to the ranking member of the committee, the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON. Mr. Chairman, I thank the gentleman for yielding.

I, too, rise in opposition to this amendment. I would reiterate what my good friend Mr. CONAWAY said, that we did not spend $50 million; we spent $1 million.

I was part of putting this in the 2008 farm bill. The reason is that we almost killed off the sheep and goat industry in this country. With what we did back in the nineties and so forth, there was hardly anybody left in the industry. We basically gave it away to New Zealand and Australia.

What we're trying to do, and what we tried to do in the 2008 bill for this little bit amount of money that we put in there was give this industry a chance to get back on its feet and start producing lamb products and goat products in this country instead of importing them from some other place. That's what this is all about.

You can make fun of it all you want, but at the end of the day, this is about American jobs and about keeping the production here in the United States.

Let's be clear about what this is. It is $1 million. I think it is money that's well spent. We can go into all of the reasons for the demise of the sheep industry. A lot of it had to do with what we did at the Federal level and the government level to screw this industry up, especially in Montana, Wyoming, and places like that, but we don't have time to go into all of that. This is a modest effort to help that industry get back on its feet and make sure that those jobs are in the U.S.

Mr. RADEL. Mr. Chairman, only in Washington, D.C., can someone call $1 million a modest amount. There's one thing that I live by that I hope I can serve the American people with, and it is that the individual raindrop does not blame itself for the flood.

Mr. Chairman, we are in a time of record deficits, a debt that hangs over

to the point that it is a national security problem for our country. I encourage my colleagues to vote for this amendment and slow the torrent of wasteful spending.

With that, I yield back the balance of my time.

Mr. CONAWAY. I would reiterate my opposition. This is a good investment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. RADEL).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. RADEL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 50 OFFERED BY MR. WALBERG

The Acting CHAIR. It is now in order to consider amendment No. 50 printed in part B of House Report 113–117.

Mr. WALBERG. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 12312.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Michigan (Mr. WALBERG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. WALBERG. Mr. Chairman, if it weren't for the lateness of the hour, I would be tempted to ask if any of my colleagues have had constituents call or write their offices to ask whether Congress has lost its marbles. I won't do that.

But I would point out the fact that the underlying bill we are considering tonight contains a provision to create a checkoff program, like many others, but this is a checkoff program for natural stone on behalf of the marble and granite industry.

To those of my friends who are supporters of the checkoff program—and again, there are many checkoff programs—I would simply ask for you to take a close look at my amendment.

Proponents of this checkoff have argued that stone is a natural product, and yes, it is. But is it just like the other products covered in the checkoff program in the agriculture arena?

To anyone unfamiliar, here's a sampling of the some of the other checkoff programs currently run by the USDA: dairy, eggs, beef, blueberries, pork, sorghum, watermelons, et cetera.

The common denominator between the some 20 checkoff programs run by the USDA is that they are all agricultural commodities. They all grow. They all can be raised. The statutory authority for this program defines precisely what an acceptable agricultural commodity is, and rock, no matter how natural it is, is not one of them.

Mr. Chairman, farmers in my district do not grow rocks. In fact, they don't like it when frost heaves and pushes new rocks up in their fields, as in my farm field.

□ 2300

My amendment is more than fair, Mr. Chairman, and is necessary for maintaining the integrity of the farm bill and not for expanding—for which our chairman earlier this evening expressed concern—more farm bill programs in assorted prior amendments. There are no laws preventing this industry from imposing a voluntary tax on their membership. If they are really insistent on having a government-run checkoff, they could have pursued a program under a more appropriate agency like the Department of Commerce or the Department of the Interior.

I would hope my colleagues, Mr. Chairman, would agree that rocks have no place in a farm bill, and would join me in removing this provision from the bill.

I reserve the balance of my time.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. AUSTIN SCOTT of Georgia. The underlying language of the farm bill simply provides this industry the same opportunity that many other industries have been provided through the checkoff.

I share a similar concern with the gentleman who has the amendment. Commerce or the Interior might have been an appropriate place to put this, other than they simply don't have the infrastructure to handle such a program. The infrastructure is already there at the USDA. There are other examples of products outside of agriculture that have been handled there.

It simply gives the U.S. stone industry the opportunity to come together with a voluntary payment to support a marketing program to help their industry. Again, it is voluntary. A ''tax,'' by definition, is an involuntary payment to support the government. This is a voluntary payment to support an industry.

With that, I reserve the balance of my time.

Mr. WALBERG. I would suggest that it's not voluntary for all of those in an industry, and I am certain that not all of them in the industry are asking for this checkoff.

Again, I understand there may not be the best infrastructure like the agriculture at the USDA programs for a checkoff like this. But again, I would ask the sponsor of this proposal: When have we grown rocks? Do we seed rocks?

When we look at the agriculture commodity as a term described and defined, it says that the agriculture commodity means agricultural, horticultural, viticultural, and dairy products, livestock and the products of livestock, the products of poultry and bee raising, the products of forestry. I could go on, but it nowhere says ''rocks.'' To expand the program in a farm bill issue and in dealing with something we can't grow, I think, establishes the wrong precedent.

I ask for support for the amendment, and I reserve the balance of my time.

The Acting CHAIR. The Chair would remind Members to address their remarks to the Chair rather than to other Members.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Mr. Chairman, I've got great respect for the author of the amendment, and he knows that, but I do stand in opposition to the amendment.

The checkoff programs on a generic basis are very successful. The industry itself votes on them and comes together to decide how they're used in the promotion of the products.

I respectfully disagree with my good colleague, but I have to oppose this amendment. We handled this in committee, and it passed in committee. We gave it a good scrubbing there. So I would ask my colleagues to oppose the amendment.

Mr. AUSTIN SCOTT of Georgia. I continue to reserve the balance of my time.

Mr. WALBERG. Mr. Chairman, may I inquire of the time remaining.

The Acting CHAIR. The gentleman from Michigan has 1 minute remaining, and the gentleman from Georgia has 3½ minutes remaining.

Mr. WALBERG. Mr. Chairman, I appreciate the respect, and I understand that. I appreciate the fact that the USDA has a good record of dealing with checkoffs. I'm not necessarily opposed to all checkoffs, but they ought to fit. Growing rocks—marble, granite—just does not fit in an agricultural program. I think that's apparent. So I ask my colleagues to support this amendment in order to keep the integrity of the farm bill in growing agriculture.

I reserve the balance of my time.

Mr. AUSTIN SCOTT of Georgia. Again, Mr. Chairman, I would be happy to put it in the Departments of Commerce or the Interior, but the infrastructure is already there to put it in the USDA.

With that, I yield 1 minute to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. I thank the chairman.

The chairman and I have had several small businesses in Alabama—marble

businesses, granite businesses, stone businesses—that have contacted me and have told me that this discretionary permission to request a research order or a promotion is very important to them.

They've been struggling over the past several years since our what was almost a depression, and they're small businesses. I'm talking about businesses of 10 people, 30 people, 100 people. This is predominantly a small business venture, and we all have them in our communities.

I would urge a ''no'' vote, although I do respect the gentleman from Michigan and many of his endeavors.

Mr. AUSTIN SCOTT of Georgia. I continue to reserve the balance of my time.

Mr. WALBERG. Mr. Chairman, propane and oil heat function as checkoff programs under the Department of Commerce and under the Department of Energy. The statutory authority for the USDA checkoff also does not include rock. So I respectfully request that my colleagues in this body support this amendment, which keeps free those things that don't grow and are not part of agriculture out of a farm bill.

I yield back the balance of my time.

Mr. AUSTIN SCOTT of Georgia. Mr. Chairman, the industry has simply asked for a chance to participate in a no-cost-to-the-taxpayer, voluntary program in which they can use that to help promote their product. I as a conservative think that this is good for some of our small business owners, and I respectfully ask that we oppose the amendment.

With that, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. WALBERG).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. WALBERG. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. LUCAS

Mr. LUCAS. Mr. Chairman, pursuant to section 3 of House Resolution 271, I offer the following amendments en bloc which I have placed at the desk.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 53, 59, 60, 62 through 97, and 103, printed in part B of House Report 113–117, offered by Mr. LUCAS of Oklahoma:

AMENDMENT NO. 53 OFFERED BY MS. SINEMA OF ARIZONA

Page 629, after line 4, insert the following:

SEC. 12317. PRODUCE REPRESENTED AS GROWN IN THE UNITED STATES WHEN IT IS NOT IN FACT GROWN IN THE UNITED STATES.

(a) TECHNICAL ASSISTANCE TO CBP.—The Secretary of Agriculture shall make available to U.S. Customs and Border Protection technical assistance related to the identification of produce represented as grown in the United States when it is not in fact grown in the United States.

(b) REPORT TO CONGRESS.—The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on produce represented as grown in the United States when it is not in fact grown in the United States.

AMENDMENT NO. 59 OFFERED BY MS. KUSTER OF NEW HAMPSHIRE

Page 200, line 2, strike ''5 percent'' and insert ''7.5 percent''.

AMENDMENT NO. 60 OFFERED BY MR. THOMPSON OF MISSISSIPPI

Page 238, after line 13, insert the following:

''(D) The healthy forests reserve program established under section 501 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6571).

AMENDMENT NO. 62 OFFERED BY MR. PEARCE OF NEW MEXICO

At the end of subtitle G of title II, insert the following new section:

SEC. 2609. LESSER PRAIRIE-CHICKEN CONSERVATION REPORT.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition, and Forestry a report containing the results of a review and analysis of each of the programs administered by the Secretary that pertain to the conservation of the lesser prairie-chicken, including the conservation reserve program, the environmental quality incentives program, the wildlife habitat incentive program, and the Lesser Prairie-Chicken Initiative.

(b) CONTENTS.—The Secretary shall include in the report required by this section, at a minimum—

(1) with respect to each program described in subsection (a) as it relates to the conservation of the lesser prairie-chicken, findings regarding—

(A) the cost of the program to the Federal Government, impacted State governments, and the private sector;

(B) the conservation effectiveness of the program; and

(C) the cost-effectiveness of the program; and

(2) a ranking of the programs described in subsection (a) based on their relative cost-effectiveness.

AMENDMENT NO. 63 OFFERED BY MR. CRAMER OF NORTH DAKOTA

Page 265, after line 22, insert the following:

SEC. 2609. WETLANDS MITIGATION.

Section 1222 of the Food Security Act of 1985 (16 U.S.C. 3822) is amended—

(1) in subsection (f)—

(A) in paragraph (2)(D), by striking ''unless more acreage is needed to provide equivalent functions and values that will be lost as a result of the wetland conversion to be mitigated''; and

(B) in paragraph (2)(E)—

(i) by inserting ''not'' before ''greater than''; and

(ii) by striking ''if more acreage is needed to provide equivalent functions and values that will be lost as a result of the wetland conversion that is mitigated''; and

(2) by striking subsection (g).

AMENDMENT NO. 64 OFFERED BY MR. KEATING OF MASSACHUSETTS

Page 290, after line 9, insert the following new subsection:

(c) U.S. ATLANTIC SPINY DOGFISH STUDY.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall conduct an economic study on the existing market in the United States for U.S. Atlantic Spiny Dogfish.

AMENDMENT NO. 65 OFFERED BY MR. REED OF NEW YORK

Strike section 4015 and insert the following:

SEC. 4015. DATA EXCHANGE STANDARDIZATION FOR IMPROVED INTEROPERABILITY.

(a) DATA EXCHANGE STANDARDIZATION.—Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020) is amended by adding at the end the following:

''(v) DATA EXCHANGE STANDARDS FOR IMPROVED INTEROPERABILITY.—

''(1) Designation.—The Secretary shall, in consultation with an interagency work group established by the Office of Management and Budget, and considering State government perspectives, designate data exchange standards to govern, under this part—

''(A) necessary categories of information that State agencies operating such programs are required under applicable law to electronically exchange with another State agency; and

''(B) Federal reporting and data exchange required under applicable law.

''(2) Requirements.—The data exchange standards required by paragraph (1) shall, to the extent practicable—

''(A) incorporate a widely accepted, nonproprietary, searchable, computer-readable format, such as the eXtensible Markup Language;

''(B) contain interoperable standards developed and maintained by intergovernmental partnerships, such as the National Information Exchange Model;

''(C) incorporate interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance;

''(D) be consistent with and implement applicable accounting principles;

''(E) be implemented in a manner that is cost-effective and improves program efficiency and effectiveness; and

''(F) be capable of being continually upgraded as necessary.

''(3) RULES OF CONSTRUCTION.—Nothing in this subsection shall be construed to require a change to existing data exchange standards for Federal reporting found to be effective and efficient.''.

(b) EFFECTIVE DATE.—The Secretary shall issue a proposed rule within 24 months after the date of the enactment of this Act. The rule shall identify federally-required data exchanges, include specification and timing of exchanges to be standardized, and address the factors used in determining whether and when to standardize data exchanges. It should also specify state implementation options and describe future milestones.

AMENDMENT NO. 66 OFFERED BY MR. YOUNG OF ALASKA

At the end of subtitle A of title IV, insert the following:

SEC. 4033. SERVICE OF TRADITIONAL FOODS IN PUBLIC FACILITIES.

(a) DEFINITIONS.—In this section:

(1) FOOD SERVICE PROGRAM.—The term ''food service program'' includes—

(A) food service at a residential child care facility with a license from an appropriate State agency;

(B) a child nutrition program (as defined in section 25(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769f (b));

(C) food service at a hospital or clinic or long term care facility; and

(D) a senior meal program.

(2) INDIAN; INDIAN TRIBE; INDIAN TRIBAL ORGANIZATION.—The terms ''Indian''; ''Indian tribe''; and ''Indian Tribal Organization'' have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) TRADITIONAL FOOD.—

(A) IN GENERAL.—The term ''traditional food'' means food that has traditionally been prepared and consumed by an Indian tribe.

(B) INCLUSIONS.—The term ''traditional food'' includes—

(i) wild game meat;

(ii) fish;

(iii) seafood;

(iv) marine mammals;

(iv) plants; and

(v) berries.

(b) PROGRAM.—Notwithstanding any other provision of law, the Secretary shall allow the donation to and serving of traditional food through a food service program at a public facility, nonprofit facility, including facilities operated by an Indian tribe or tribal organization that primarily serves Indians if the operator of the food service program—

(1) ensures that the food is received whole, gutted, gilled, as quarters, or as a roast, without further processing;

(2) makes a reasonable determination that—

(A) the animal was not diseased;

(B) the food was butchered, dressed, transported, and stored to prevent contamination, undesirable microbial growth, or deterioration; and

(C) the food will not cause a significant health hazard or potential for human illness;

(3) carries out any further preparation or processing of the food at a different time or in a different space from the preparation or processing of other food for the applicable program to prevent cross-contamination;

(4) cleans and sanitizes food-contact surfaces of equipment and utensils after processing the traditional food; and

(5) labels donated traditional food with the name of the food and stores the traditional food separately from other food for the applicable program, including through storage in a separate freezer or refrigerator or in a separate compartment or shelf in the freezer or refrigerator.

(c) LIABILITY.—Liability for damages from donated traditional food and products to the participating food service program shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of donated food.

AMENDMENT NO. 67 OFFERED BY MRS. NEGRETE MCLEOD OF CALIFORNIA

At the end of subtitle A of title IV, insert the following:

SEC. 4033. FEASIBILITY STUDY FOR INDIAN TRIBES.

Section 4 of the Food and Nutrition Act of 2008 (7 U.S.C. 2013) is amended by adding at the end the following:

''(d) FEASIBILITY STUDY FOR INDIAN TRIBES.—

''(1) STUDY.—The Secretary shall conduct a study to determine the feasibility of a tribal demonstration project for tribes to administer all Federal food assistance programs, services, functions, and activities (or portions thereof) of the agency.

''(2) CONSIDERATIONS.—In conducting the study, the Secretary shall consider—

''(A) the probable effects on specific programs and program beneficiaries of such a demonstration project;

''(B) statutory, regulatory, or other impediments to implementation of such a demonstration project;

''(C) strategies for implementing such a demonstration project;

''(D) probable costs or savings associated with such a demonstration project;

''(E) methods to assure quality and accountability in such a demonstration project; and

''(F) such other issues that may be determined by the Secretary or developed through consultation with pursuant to paragraph (4).

''(3) REPORT.—Not later than 18 months after the effective date of this subsection, the Secretary shall submit a report to the Committee on Agriculture, Nutrition and Forestry of the Senate and the Committee on Agriculture of the House of Representatives. The report shall contain—

''(A) the results of the study under this subsection;

''(B) a list of programs, services, functions, and activities (or portions thereof) within each agency with respect to which it would be feasible to include in a tribal demonstration project;

''(C) a list of programs, services, functions, and activities (or portions thereof) included in the list provided pursuant to subparagraph (B) that could be included in a tribal demonstration project without amending a statute, or waiving regulations that the Secretary may not waiver; and

''(D) a list of legislative actions required in order to include those programs, services, function, and activities (or portions thereof) included in the list provided pursuant to subparagraph (B) but not included in the list provided pursuant to subparagraph (C), in a tribal demonstration project.

''(4) CONSULTATION WITH INDIAN TRIBES.—The Secretary shall consult with Indian tribes to determine a protocol for consultation under paragraph (1) prior to consultation under such paragraph with the other entities described in such paragraph. The protocol shall require, at a minimum, that—

''(A) the government-to-government relationship with Indian tribes forms the basis for the consultation process;

''(B) the Indian tribes and the Secretary jointly conduct the consultations required by this subsection; and

''(C) the consultation process allows for separate and direct recommendations from the Indian tribes and other entities described in paragraph (1).

''(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this subsection. Such sums shall remain available until expended.''.

AMENDMENT NO. 68 OFFERED BY MS. DUCKWORTH OF ILLINOIS

Page 366, after line 20, insert the following:

SEC. 4208. STUDY ON FUNDING FOR EMERGENCY FEEDING ORGANIZATIONS.

(a) IN GENERAL.—Subject to the availability of appropriations for such purpose, the Secretary shall conduct a study of the impact on emergency feeding organizations of cuts made to the supplemental nutrition assistance program pursuant to this Act and the Healthy, Hunger Free Kids Act of 2010 (Public Law 111–296).

(b) MATTERS TO BE ASSESSED.—In carrying out the study under subsection (a), the Secretary shall assess the following:

(1) In the month preceding the implementation of the cuts described in subsection (a)—

(A) a baseline of the number of clients served by emergency feeding organizations;

(B) a baseline of the frequency that clients visit an emergency feeding organization during the month; and

(C) a baseline of the amount of food distributed by emergency feeding organizations during the month.

(2) Two months and four months following the implementation of such cuts (or at such other times the Secretary determines appropriate to best measure the impact of such cuts)—

(A) the change in the number of clients seeking food assistance from emergency feeding organizations;

(B) the change in the frequency that clients seek food assistance from emergency feeding organizations;

(C) the adequacy of supply of donated food to emergency feeding organizations to meet demand for food assistance; and

(D) the total number of clients served and number of clients turned away or reductions in the amount of food distributed to clients by emergency feeding organizations because of the lack of resources to meet the need for food assistance.

(c) REPORT.—Not later than September 30, 2014, the Secretary shall submit to Congress a report describing—

(1) the impact of cuts described in subsection (a) on demand at emergency feeding organizations; and

(2) the ability of emergency feeding organizations to meet changes in need resulting from such cuts.

(d) EMERGENCY FEEDING ORGANIZATION DEFINED.—In this section, the term ''emergency feeding organization'' has the meaning given the term in section 201A of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501).

AMENDMENT NO. 69 OFFERED BY MR. CROWLEY OF NEW YORK

At the end of subtitle C of title IV, add the following new section:

SEC. 4208. PURCHASE OF HALAL AND KOSHER FOOD FOR EMERGENCY FOOD ASSISTANCE PROGRAM.

Section 202 of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7502) is amended by adding at the end the following:

''(h) KOSHER AND HALAL FOOD.—As soon as practicable after the date of enactment of this subsection, the Secretary shall finalize and implement a plan—

''(1) to increase the purchase of Kosher and Halal food from food manufacturers with a Kosher or Halal certification to carry out the program established under this Act if the Kosher and Halal food purchased is cost neutral as compared to food that is not from food manufacturers with a Kosher or Halal certification; and

''(2) to modify the labeling of the commodities list used to carry out the program in a manner that enables Kosher and Halal food bank operators to identify which commodities to obtain from local food banks.''.

AMENDMENT NO. 70 OFFERED BY MR. HUIZENGA OF MICHIGAN

At the end of subtitle C of title IV, insert the following:

SEC. 4208. REVIEW OF SOLE-SOURCE CONTRACTS IN FEDERAL NUTRITION PROGRAMS.

The Secretary shall conduct an evaluation of sole-source contracts in Federal nutrition programs, and the effect such contracts have on program participation, program goals, nonprogram consumers, retailers, and free market dynamics. Not later than 1 year after the date of the enactment of this Act, the Secretary shall report the findings of this review to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

AMENDMENT NO. 71 OFFERED BY MR. GARDNER OF COLORDAO

Page 393, after line 22, insert the following:

SEC. _____. RURAL UTILITIES SERVICE CONTRACTING AUTHORITY.

Section 18(c) of the Rural Electrification Act of 1936 (7 U.S.C. 918(c)) is amended—

(1) in paragraph (1), by striking ''Rural Electrification Administration'' each place it appears and inserting ''Rural Utilities Service''; and

(2) in paragraph (4)—

(A) in the paragraph heading, by insertiong ''COOPERATIVE'' before ''AGREEMENTS''; and

(B) by inserting after the 1st sentence the folllowing: ''A contract funded by a borrower that is to be paid for out of the general funds of the borrower is not a public contract within the meaning of title 41, United States Code''.

AMENDMENT NO. 72 OFFERED BY MR. RUIZ OF CALIFORNIA

Page 401, after line 4, insert the following:

SEC. _____. TELEMEDICINE AND DISTANCE LEARNING SERVICES IN RURAL AREAS.

Section 2333(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa-2(d)) is amended—

(1) by striking ''and'' at the end of paragraph (12); and

(2) by redesignating paragraph (13) as paragraph (14) and inserting after paragraph (12) the following:

''(13) whether the applicant for assistance is located in a designated health professional shortage area (within the meaning of section 332 of the Public Health Service Act)''.

AMENDMENT NO. 73 OFFERED BY MR. MICHAUD OF MAINE

Page 401, after line 4, insert the following:

SEC. _____. REGIONAL ECONOMIC AND INFRASTRUCTURE DEVELOPMENT.

Section 15751 of title 40, United States Code, is amended—

(1) in subsection (a), by striking ''2012'' and inserting ''2018''; and

(2) in subsection (b)—

(A) by striking ''Not more than'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), not more than''; and

(B) by adding at the end the following:

''(2) LIMITED FUNDING.—In a case in which less than $10,000,000 is made available to a Commission for a fiscal year under this section, paragraph (1) shall not apply.''.

AMENDMENT NO. 74 OFFERED BY MR. TURNER OF OHIO

At the end of subtitle A of title VII (page 430, after line 18), add the following:

SEC. 7129. SENSE OF CONGRESS REGARDING EXPANSION OF THE LAND GRANT PROGRAM TO INCLUDE ENHANCED FUNDING AND ADDITIONAL INSTITUTIONS.

It is the sense of the Congress that—

(1) institutions of higher education designated under the Act of August 30, 1890 (commonly known, and referred to in this section, as the ''Second Morrill Act''; 7 U.S.C. 321 et seq.) have played an integral role in the education and advancement of agriculture and mechanic arts for over a century;

(2) in addition to those institutions, a number of colleges and universities have fulfilled similar and parallel missions in successfully training and graduating generations of students who have gone on to be leaders in their field;

(3) the colleges and universities, both with and without designation under the Second Morrill Act, fulfill a vital role to the future of industry, opportunities for increased job creation, and the strength of American agriculture;

(4) Congress must ensure that the United States' higher education framework and policies meet the needs of young Americans, and that students from across the country are able to choose from a variety of institutions and programs that will equip them with the skills and training necessary to achieve their individual goals; and

(5) as Congress and the agricultural community generally consider policies and approaches to improve research, extension, and education in the agricultural sciences, expansion of the land grant program under the Second Morrill Act to include enhanced funding and additional institutions should be considered.

AMENDMENT NO. 75 OFFERED BY MS. GABBARD OF HAWAII

Page 433, line 17, strike '' 'subsections (e) and (f)' '' and insert '' 'subsections (e), (f), and (g)' ''.

Page 433, line 20, strike '' 'subsections (e) and (f)' '' and insert '' 'subsections (e), (f), and (g)' ''.

Page 433, line 23, strike ''subsections (e), (f), and (g)'' and insert ''subsections (e), (f), and (h)''.

Page 434, line 10, strike ''and'' at the end.

Page 434, after line 10, insert the following new paragraph:

(6) by inserting after subsection (f) (as redesignated by paragraph (4)) the following new subsection:

''(g) COFFEE PLANT HEALTH INITIATIVE.—

''(1) ESTABLISHMENT.—The Secretary shall establish a coffee plant health initiative to address the critical needs of the coffee industry by—

''(A) developing and disseminating science-based tools and treatments to combat the coffee berry borer (*Hypothenemus hampei*); and

''(B) establishing an area-wide integrated pest management program in areas affected by or areas at risk of being affected by the coffee berry borer.

''(2) ELIGIBLE ENTITIES.—The Secretary may carry out the coffee plant health initiative through—

''(A) Federal agencies, including the Agricultural Research Service and the National Institute of Food and Agriculture;

''(B) National Laboratories;

''(C) institutions of higher education;

''(D) research institutions or organizations;

''(E) private organizations or corporations;

''(F) State agricultural experiment stations;

''(G) individuals; or

''(H) groups consisting of 2 or more entities or individuals described in subparagraphs (A) through (G).

''(3) PROJECT GRANTS AND COOPERATIVE AGREEMENTS.—In carrying out this subsection, the Secretary shall—

''(A) enter into cooperative agreements with eligible entities, as appropriate; and

''(B) award grants on a competitive basis.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $2,000,000 for each of fiscal years 2014 through 2018.''; and

Page 434, line 11, strike ''(6) in subsection (g)'' and insert ''(7) in subsection (h)''.

AMENDMENT NO. 76 OFFERED BY MR. FALEOMAVAEGA OF AMERICAN SAMOA

Page 460, line 1, insert ''**AMERICAN SAMOAM FEDERATED STATES OF MICRONESIA, AND**'' before ''**NORTHERN MARIANA**''.

Page 460, line 7, insert ''american samoa, the Federated States of Micronesia,'' before ''and the Commonwealth''.

AMENDMENT NO. 77 OFFERED BY MS. SLAUGHTER OF NEW YORK

Strike section 7514 and insert the following new section:

SEC. 7514. RESEARCH AND EDUCATION GRANTS FOR THE STUDY OF ANTIBIOTIC-RESISTANT BACTERIA.

Section 7521(c) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 3202(c)) is amended by striking ''2012'' and inserting ''2018''.

AMENDMENT NO. 78 OFFERED BY MR. GOSAR OF ARIZONA

Page 481, line 17, strike the closing quotation marks and the second period.

Page 481, after line 17, insert the following:

''(7) FIRE LIABILITY PROVISIONS.—Not later than 90 days after the date of enactment of this paragraph, the Chief and the Director shall issue for use in all contracts and agreements under this section fire liability provisions that are in substantially the same form as the fire liability provisions contained in—

''(A) integrated resource timber contracts, as described in the Forest Service contract numbered 2400–13, part H, section H.4; and

''(B) timber sale contracts conducted pursuant to section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a).''.

AMENDMENT NO. 79 OFFERED BY MR. COTTON OF ARKANSAS

Page 486, lines 15 and 19, insert '', management,'' after ''restoration''.

Page 486, line 22, strike ''trees'' and insert ''forests''.

Page 486, line 24, strike ''and'' and insert the following:vegetative treatments; or

Page 487, line 1, strike ''(C)'' and insert ''(D)''.

Page 487, lines 8, 13, and 24 insert '', management,'' after ''restoration''.

Page 488, line 4, insert '', management,'' after ''restoration''.

AMENDMENT NO. 80 OFFERED BY MR. TIPTON OF COLORADO

At the end of subtitle E of title VIII, add the following:

SEC. 8408. FOREST SERVICE LARGE AIRTANKER AND AERIAL ASSET FIREFIGHTING RECAPITALIZATION PILOT PROGRAM.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Chief of the Forest Service, may establish a large airtanker and aerial asset lease program in accordance with this section.

(b) AIRCRAFT REQUIREMENTS.—In carrying out the program described in subsection (a), the Secretary may enter into a multiyear lease contract for up to five aircraft that meet the criteria—

(1) described in the Forest Service document entitled ''Large Airtanker Modernization Strategy'' and dated February 10, 2012, for large airtankers; and

(2) determined by the Secretary, for other aerial assets.

(c) LEASE TERMS.—The term of any individual lease agreement into which the Secretary enters under this section shall be—

(1) up to five years, inclusive of any options to renew or extend the initial lease term; and

(2) in accordance with section 3903 of title 41, United States Code.

(d) PROHIBITION.—No lease entered into under this section shall provide for the purchase of the aircraft by, or the transfer of ownership to, the Forest Service.

AMENDMENT NO. 81 OFFERED BY MR. GRIFFITH OF VIRGINIA

At the end of title VIII, add the following new section:

SEC. 8408. LAND CONVEYANCE, JEFFERSON NATIONAL FOREST IN WISE COUNTY, VIRGINIA.

(a) CONVEYANCE REQUIRED.—Upon payment by the Association of the consideration under subsection (b) and the costs under subsection (d), the Secretary shall, subject to valid existing rights, convey to the Association all right, title, and interest of the United States in and to a parcel of National Forest System land in the Jefferson National Forest in Wise County, Virginia, consisting of approximately 0.70 acres and containing the Mullins and Sturgill Cemetery and an easement to provide access to the parcel, as generally depicted on the map.

(b) CONSIDERATION.—

(1) FAIR MARKET VALUE.—As consideration for the land conveyed under subsection (a), the Association shall pay to the Secretary cash in an amount equal to the market value of the land, as determined by an appraisal approved by the Secretary and conducted in conformity with the Uniform Appraisal Standards for Federal Land Acquisitions and section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(2) DEPOSIT.—The consideration received by the Secretary under paragraph (1) shall be deposited into the general fund of the Treasury of the United States for the purposes of deficit reduction.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the land to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(d) COSTS.—The Association shall pay to the Secretary at closing the reasonable costs of the survey, the appraisal, and any administrative and environmental analyses required by law.

(e) DEFINITIONS.—In this section:

(1) ASSOCIATION.—The term ''Association'' means the Mullins and Sturgill Cemetery Association of Pound, Virginia.

(2) MAP.—The term ''map'' means the map titled ''Mullins and Sturgill Cemetery'' dated March 1, 2013.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

AMENDMENT NO. 82 OFFERED BY MR. MEADOWS OF NORTH CAROLINA

At the end of title VIII, add the following new section:

SEC. 8408. CATEGORICAL EXCLUSION FOR FOREST PROJECTS IN RESPOSE TO EMERGENCIES.

In the case of National Forest System land damaged by a natural disaster regarding which the President declares a disaster or emergency pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), any forest project carried out to clean up or restore the damaged National Forest System land during the two-year period beginning on the date of the declaration shall be categorically excluded from the requirements relating to environmental assessments or environmental impact statements under section 1508.4 of title 40, Code of Federal Regulations.

AMENDMENT NO. 83 OFFERED BY MR. LOEBSACK OF IOWA

Page 502, strike lines 20 through 24.

Page 503, line 1, redesignate paragraph (2) as subsection (a) and conform the margins accordingly.

Page 503, line 5, redesignate subparagraph (A) as paragraph (1) and conform the margins accordingly.

Page 503, beginning on line 5, strike ''paragraph (2) as paragraph (3)'' and insert ''paragraphs (2) and (3) as paragraphs (3) and (4), respectively''.

Page 503, line 7, redesignate subparagraph (B) as paragraph (2) and conform the margins accordingly.

AMENDMENT NO. 84 OFFERED BY MR. GRIMM OF NEW YORK

At the end of title IX, add the following new section:

SEC. ___. ENERGY EFFICIENCY REPORT FOR USDA FACILITIES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on energy use and energy efficiency projects at Department of Agriculture facilities.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) An analysis of energy use by Department of Agriculture facilities.

(2) A list of energy audits that have been conducted at such facilities.

(3) A list of energy efficiency projects that have been conducted at such facilities.

(4) A list of energy savings projects that could be achieved with enacting a consistent, timely, and proper mechanical insulation maintenance program and upgrading mechanical insulation at such facilities.

AMENDMENT NO. 85 OFFERED BY MR. CÁRDENAS OF CALIFORNIA

Page 527, strike lines 20 through 23 and insert the following:

SEC. 10006. FOOD SAFETY EDUCATION INITIATIVES.

Section 10105 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7655) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting '', including farm workers'' after ''industry'';

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(3) practices that prevent bacterial contamination of food, how to identify sources of food contamination, and other means of decreasing food contamination.''; and

(2) in subsection (c), by striking ''2012'' and inserting ''2018''.

AMENDMENT NO. 86 OFFERED BY MR. AUSTIN SCOTT OF GEORGIA

After section 10007, insert the following new section (and redesignate succeeding sections and conform the table of contents accordingly):

SEC. 10008. DEPARTMENT OF AGRICULTURE CONSULTATION REGARDING ENFORCEMENT OF CERTAIN LABOR LAW PROVISIONS.

Not later than 60 days after the date of enactment of this Act, the Secretary of Agriculture shall consult with the Secretary of Labor regarding the restraining of shipments of agricultural commodities, or the confiscation of such commodities, by the Department of Labor for actual or suspected labor law violations in order to consider—

(1) the perishable nature of such commodities;

(2) the impact of such restraining or confiscation on the economic viability of farming operations; and

(3) the competitiveness of specialty crops through grants awarded to States under section 101 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note).

AMENDMENT NO. 87 OFFERED BY MS. KAPTUR OF OHIO

Page 545, after line 9, insert the following:

SEC. 10018. ANNUAL REPORT ON INVASIVE SPECIES.

(a) INITIAL REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on invasive species.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) A list of each invasive species that is in the United States as of the date of the report.

(B) For each invasive species listed under subparagraph (A)—

(i) the country that the species originated;

(ii) the means in which the species entered the United States;

(iii) the year in which the species entered the United States;

(iv) the rate by which the entry of the species is increasing or decreasing;

(v) cost estimates, covering both the date of the report and future periods, of the cost of such species to the public and private sectors;

(vi) if cost estimates cannot be conducted under clause (iv), a detailed explanation of why;

(vii) environmental impact estimates, covering both the date of the report and future periods, of the environmental impact of the species;

(viii) if environmental impact estimates cannot be conducted under clause (iv), a detailed explanation of why;

(ix) recommendations as to what steps are needed to combat the species;

(x) a description of the ongoing research occurring to combat the species; and

(xi) a description of any legal recourse available to people affected by the species.

(C) Any other matter the Secretary determines appropriate.

(3) PERIOD COVERED.—The report under paragraph (1) shall cover the period beginning in 1980 and ending on the date on which the report is submitted.

(b) ANNUAL UPDATED REPORTS.—Not later than October 1 of each fiscal year beginning after the date on which the report under paragraph (1) of subsection (a) is submitted, the Secretary shall submit annually to Congress an updated report, including an update to each of the matters described in paragraph (2) of such subsection.

(c) PUBLIC AVAILABILITY.—The Secretary shall make each report under this section available to the public.

AMENDMENT NO. 88 OFFERED BY MS. FOXX OF NORTH CAROLINA

In section 11001, insert ''(a) IN GENERAL.—'' before ''Section 502(c)'' and add at the end the following new subsection:

(b) DISCLOSURE OF CROP INSURANCE PREMIUM SUBSIDIES MADE ON BEHALF OF MEMBERS OF CONGRESS AND CERTAIN OTHER INDIVIDUALS AND ENTITIES.—Section 502(c)(2) of the Federal Crop Insurance Act (7 U.S.C. 1502(c)(2)) is amended—

(1) by redesignating subparagraphs (A) and (B) as subparagraphs (D) and (E) respectively; and

(2) by inserting before subparagraph (C) (as so redesignated) the following:

''(A) DISCLOSURE IN THE PUBLIC INTEREST.—Notwithstanding paragraph (1) or any other provision of law, except as provided in subparagraph (B), the Secretary shall on an annual basis make available to the public—

''(i)(I) the name of each individual or entity specified in subparagraph (C) who obtained a federally subsidized crop insurance, livestock, or forage policy or plan of insurance during the previous fiscal year;

''(II) the amount of premium subsidy received by that individual or entity from the Corporation; and

''(III) the amount of any Federal portion of indemnities paid in the event of a loss during that fiscal year for each policy associated with that individual or entity; and

''(ii) for each private insurance provider, by name—

''(I) the underwriting gains earned through participation in the federally subsidized crop insurance program; and

''(II) the amount paid under this subtitle for—

''(aa) administrative and operating expenses;

''(bb) any Federal portion of indemnities and reinsurance; and

''(cc) any other purpose.

''(B) LIMITATION.—The Secretary shall not disclose information pertaining to individuals and entities covered by a catastrophic risk protection plan offered under section 508(b).

''(C) COVERED INDIVIDUALS AND ENTITIES.—Subparagraph (A) applies with respect to the following:

''(i) Members of Congress and their immediate families.

''(ii) Cabinet Secretaries and their immediate families.

''(iii) Entities of which any individual described in clause (i) or (ii), or combination of such individuals, is a majority shareholder.''.

AMENDMENT NO. 89 OFFERED BY MR. SCHOCK OF ILLINOIS

Page 578, line 20, insert ''pennycress,'' after ''alfalfa,''.

AMENDMENT NO. 90 OFFERED BY MR. BARR OF KENTUCKY

Page 590, after line 15, insert the following:

SEC. 11025. ADVANCE PUBLIC NOTICE OF CROP INSURANCE POLICY AND PLAN CHANGES.

Section 505(e) of the Federal Crop Insurance Act (7 U.S.C. 1505(e)) is amended—

(1) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7); respectively; and

(2) by inserting after paragraph (4) the following new paragraph (5):

''(5) ADVANCE NOTICE OF MODIFICATION BEFORE IMPLEMENTATION.—

''(A) IN GENERAL.—Any modification to be made in the terms or conditions of any policy or plan of insurance offered under this subtitle shall not take effect for a crop year unless the Secretary publishes the modification in the Federal Register and on the website of the Corporation and provides for a subsequent period of public comment—

''(i) with respect to fall-planted crops, not later than 60 days before June 30 during the preceding crop year; and

''(ii) with respect to spring-planted crops, not later than 60 days before November 30 during the preceding crop year.

''(B) WAIVER.—The Secretary may waive the application of subparagraph (A) in an emergency situation declared by the Secretary upon notice to Congress of the nature of the emergency and the need for immediate implementation of the policy or plan modification referred to in such subparagraph.''.

AMENDMENT NO. 91 OFFERED BY MR. TAKANO OF CALIFORNIA

At the end of subtitle A of title XII, add the following new section:

SEC. ___. ECONOMIC FRAUD IN WILD AND FARM-RAISED SEAFOOD.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture, acting through the Office of the Chief Economist, shall submit to Congress a report on the economic implications for consumers, fishermen, and aquaculturists of fraud and mislabeling in wild and farmed seafood.

(b) CONTENTS.—The report required under subsection (a) shall include, with respect to fraud and mislabeling in wild and farm-raised seafood, an analysis of the impact on consumers and producers in the Unites States of—

(1) sales of imported seafood that is misrepresented as domestic product;

(2) country of origin labeling that allows seafood harvested outside the United States to be labeled as a product of the United States;

(3) the lack of seafood product traceability through the supply chain; and

(4) the inadequate use of DNA testing and other technology to address seafood safety and fraud, including traceability.

AMENDMENT NO. 92 OFFERED BY MS. FUDGE OF OHIO

Page 601, after line 18, insert the following new section:

SEC. 12204. RECEIPT FOR SERVICE OR DENIAL OF SERVICE FROM CERTAIN DEPARTMENT OF AGRICULTURE AGENCIES.

Section 2501A(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279–1(e)) is amended by striking ''and, at the time of the request, also requests a receipt''.

AMENDMENT NO. 93 OFFERED BY MS. VELÁZQUEZ OF NEW YORK

Page 629, after line 4, insert the following:

SEC. _____. URBAN AGRICULTURE COORDINATION.

The Secretary of Agriculture shall coordinate opportunities for urban agriculture, by—

(1) compiling a list of all programs administered by the Secretary or by the head of any other department, agency, or instrumentality of the United States to which urban farmers can apply for assistance or participation;

(2) examining and implementing opportunities to adjust the regulations governing the programs to enable urban farmers to participate in more of the programs;

(3) developing a process for streamlining the process by which urban farmers may apply for assistance from, or for participation in, the programs, including through the use of a single, harmonized application for multiple programs; and

(4) such other methods as the Secretary deems appropriate.

AMENDMENT NO. 94 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 629, after line 4, insert the following:

SEC. 12317. SENSE OF CONGRESS ON INCREASED BUSINESS OPPORTUNITIES FOR BLACK FARMERS, WOMEN, MINORITIES, AND SMALL BUSINESSES.

It is the sense of Congress that the Federal Government should increase the number of contracts the Federal Government awards to Black farmers, businesses owned and controlled by women, businesses owned and controlled by minorities, and small business concerns.

AMENDMENT NO. 95 OFFERED BY MR. ROSS OF FLORIDA

Page 629, after line 4, insert the following:

SEC. 12317. SENSE OF CONGRESS REGARDING AGRICULTURE SECURITY PROGRAMS.

It is the sense of Congress that—

(1) agricultural nutrients and other agricultural chemicals are essential to ensuring the most efficient production of food, fuel, and fiber;

(2) these products must be properly stored, handled, transported, and used to ensure that they are not misused or cause harm either accidentally or intentionally;

(3) the Department of Agriculture is the Federal agency with the staffing and technical expertise to understand the important role these products play in agriculture;

(4) other Federal departments and agencies have been given lead responsibility to develop and implement security programs affecting the availability, storage, transportation, and use of a variety of chemicals and products used in agriculture;

(5) it is critical that the Department of Agriculture participate fully in the development of any such security programs to ensure that they do not unnecessarily restrict the availability of the most efficient and beneficial products needed to sustain American agriculture;

(6) the Secretary of Agriculture should review staffing at the Department to ensure that the agency has senior employees within the Department at the Senior Executive Service level or higher, who have responsibility for coordinating with other Federal, State, and international agencies in the development of regulations, guidance, and procedures for the secure handling of agricultural chemicals; and

(7) that such employees shall—

(A) work with manufacturers, retailers, and the general farm community to review existing and proposed Federal, State, and international agricultural chemical security regulations;

(B) coordinate with manufacturers, retailers, transporters, and farmers to evaluate how existing and proposed security regulations, including systems to track the sale, transportation, delivery, and use of agricultural products, can be designed to minimize any adverse impact on agricultural productivity;

(C) evaluate how existing and proposed security regulations will affect the ability of agricultural producers to have timely access to nutrients, chemicals, and other products that are affordable and best suited to the producers' operations;

(D) develop recommendations on best practices, policies, and regulatory mechanisms relating to existing and proposed security programs to ensure that there is minimal adverse impact on agricultural productivity; and

(E) engage with Federal agencies with responsibility for establishing security programs to ensure that they have the information needed to develop procedures for effective security administration and enforcement that minimize any adverse impact on domestic or international agricultural productivity.

AMENDMENT NO. 96 OFFERED BY MR. CONAWAY OF TEXAS

At the end of subtitle C of title XII, add the following:

SEC. 12317. REPORT ON WATER SHARING.

Not later than 120 days after the date of the enactment of this Act and annually thereafter, the Secretary of State shall submit to Congress a report on—

(1) efforts by Mexico to meet its treaty deliveries of water to the Rio Grande in accordance with the Treaty between the United States and Mexico Respecting Utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande (done at Washington, February 3, 1944); and

(2) the benefits to the United States of the Interim International Cooperative Measures in the Colorado River Basin through 2017 and Extension of Minute 318 Cooperative Measures to Address the Continued Effects of the April 2010 Earthquake in the Mexicali Valley, Baja, California (done at Coronado, California, November 20, 2012; commonly referred to as ''Minute No. 319'').

AMENDMENT NO. 97 OFFERED BY MR. FLORES OF TEXAS

At the end of title XII, add the following new section:

SEC. ___. REPORT ON NATIONAL OCEAN POLICY.

(a) FINDINGS.—Congress finds the following:

(1) Executive Order 13547, issued on July 19, 2010, established the national policy for the Stewardship of the Ocean, Our Coasts, and the Great Lakes and requires—

(A) Federal implementation of ''ecosystem-based management'' to achieve a ''fundamental shift'' in how the United States manages ocean, coastal, and Great Lakes resources; and

(B) the establishment of nine new governmental ''Regional Planning Bodies'' and ''Coastal and Marine Spatial Plans'' in every region of the United States.

(2) Executive Order 13547 created a 54-member National Ocean Council led by the White House Council on Environmental Quality and Office of Science and Technology Policy that includes 54 principal and deputy-level representatives from Federal entities, including the Department of Agriculture.

(3) Executive Order 13547 requires National Ocean Council members, including the Department of Agriculture, to take action to implement the Policy and participate in coastal and marine spatial planning to the maximum extent possible.

(4) The Final Recommendations of the Interagency Ocean Policy Task Force that were adopted by Executive Order 13547 state that ''effective'' implementation of the National Ocean Policy will ''require clear and easily understood requirements and regulations, where appropriate, that include enforcement as a critical component''.

(5) Despite repeated Congressional requests, the National Ocean Council, which is charged with overseeing implementation of the policy, has still not provided a complete accounting of Federal activities under the policy and resources expended and allocated in furtherance of implementation of the policy.

(6) The continued economic and budgetary challenges of the United States underscore the necessity for sound, transparent, and practical Federal policies.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Department of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report detailing—

(1) all activities engaged in and resources expended in furtherance of Executive Order 13547 since July 19, 2010; and

(2) any budget requests for fiscal year 2014 for support of implementation of Executive Order 13547.

AMENDMENT NO. 103 OFFERED BY MR. REED OF NEW YORK

At the end of subtitle A of title IV, insert the following:

SEC. 4033. ELIGIBILITY DISQUALIFICATIONS FOR CERTAIN CONVICTED FELONS.

(a) AMENDMENT.—Section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015), as amended by section 4009, is amended by adding at the end the following:

''(s) DISQUALIFICATION FOR CERTAIN CONVICTED FELONS.—

''(1) IN GENERAL.—An individual shall not be eligible for benefits under this Act if the individual is convicted of—

''(A) aggravated sexual abuse under section 2241 of title 18, United States Code;

''(B) murder under section 1111 of title 18, United States Code;

''(C) an offense under chapter 110 of title 18, United States Code;

''(D) a Federal or State offense involving sexual assault, as defined in 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or

''(E) an offense under State law determined by the Attorney General to be substantially similar to an offense described in subparagraph (A), (B), or (C).

''(2) EFFECTS ON ASSISTANCE AND BENEFITS FOR OTHERS.—The amount of benefits otherwise required to be provided to an eligible household under this Act shall be determined by considering the individual to whom paragraph (1) applies not to be a member of such household, except that the income and resources of the individual shall be considered to be income and resources of the household.

''(3) ENFORCEMENT.—Each State shall require each individual applying for benefits under this Act, during the application process, to state, in writing, whether the individual, or any member of the household of the individual, has been convicted of a crime described in paragraph (1).''.

(b) CONFORMING AMENDMENT.—Section 5(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(a)), as amended by section 4009, is amended in the 2d sentence by striking ''and (r)'' and inserting '', (r), and (s)''.

(c) INAPPLICABILITY TO CONVICTIONS OCCURRING ON OR BEFORE ENACTMENT.—The amendments made by this section shall not apply to a conviction if the conviction is for conduct occurring on or before the date of the enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Oklahoma (Mr. LUCAS) and the gentleman from Minnesota (Mr. PETERSON) each will control 10 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. LUCAS. Mr. Chairman, I yield 1 minute to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. Mr. Chairman, I rise in support of an amendment, one to ensure certainty and advance notice of any changes to crop insurance eligibility for our family farmers.

On December 18, 2012, the RMA made a decision to alter the 2013 provisions of insurance for flue-cured and burley tobacco to impose a more stringent rotation schedule on tobacco farmers. Starting this year, farms have to rotate land every 2 years to qualify for crop insurance coverage. Farmers had already made their preparations for spring planting at the time of this untimely announcement, and there was no public involvement or formal rulemaking process. Many farmers had already purchased fertilizer, signed leases and made other business decisions under the impression that the land they were making preparations for would be covered under the previous requirements.

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Had these farmers been made aware in advance of these changes that rendered many ineligible for crop insurance coverage, they would have had sufficient time to make alternative plans. This amendment would prevent this problem for any commodity moving forward.

The Acting CHAIR. The time of the gentleman has expired.

Mr. LUCAS. Mr. Chairman, I yield the gentleman from Kentucky an additional 1 minute.

Mr. BARR. Mr. Chairman, this amendment is very simple. It would not overturn any existing crop insurance requirements, but it would simply give our family farmers, including those in Kentucky, particularly Burley tobacco growers, the time they need to adjust to future changes in crop insurance requirements. It would require that any changes to current crop insurance policies be published and open for public comment at least 60 days before June 30, and at least 60 days before November 30 of the preceding year. These dates are the self-imposed deadlines the risk management agency sets each year to announce any changes to existing policies for the ensuing crop season.

I encourage my colleagues to support the amendment.

Mr. PETERSON. Mr. Chairman, I reserve the balance of my time.

Mr. LUCAS. I yield 2 minutes to the subcommittee chairman, the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Mr. Chairman, thank you for including this amendment in the en bloc section.

Mr. Chairman, I rise to support an amendment that will require the Secretary of State to submit a report on water sharing with Mexico as defined by the 1944 Water Treaty. This amendment has bipartisan support, and I would like to thank my good colleague

Mr. VELA from Texas for supporting this important legislation.

This amendment addresses Mexico's failure to uphold its water obligations to the United States by seeking to increase accountability in water management by requiring the State Department to provide regular reports to Congress outlining the management of the Rio Grande system. The Rio Grande plays an important role in meeting the water needs of businesses and families all across west and south Texas.

This is a result of the 1944 water treaty between the United States and Mexico which outlines the obligations of both parties in the lower Rio Grande. Both the U.S. and Mexico are obligated to jointly manage and derive benefit from the water resources located across the binational border.

Mexico is required to provide 350,000 acre-feet of water on average each year over a 5-year term. Currently, Mexico has failed to meet this obligation as they owe nearly half a million acre-feet to the United States.

It's not a secret that Texas has suffered a terrible drought and there is really no relief in sight. Mexico needs to begin fulfilling its obligations. Our farming and ranching communities depend on it.

Again, I appreciate the chairman for including it in the en bloc amendment and obviously support passage of the en bloc amendment.

Mr. PETERSON. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I would like the chairman to know that I support his efforts to keep this process moving, but I'm hearing concerns apparently on our side about the reach of amendments Nos. 79 and 82 and some potential labor concerns. I'm not exactly sure what it is. Apparently, the Natural Resources Committee has got some forestry issues.

So I inquire if the gentleman is willing to work with us in this regard. I'm not sure exactly what the concerns are.

Mr. LUCAS. Will the gentleman yield?

Mr. PETERSON. I yield to the gentleman from Oklahoma.

Mr. LUCAS. I would say to the ranking member that of course I will work with and cooperate with the ranking member in the minority. We have accomplished so much together in that spirit, and I would be happy to continue to on those particular issues of concern.

Mr. PETERSON. I'm not even sure what the concern is, but we'll work it out.

We've notified Members that this is going on, but nobody has shown up, so I yield back the balance of my time.

Mr. LUCAS. In closing, I just offer the observation that this en bloc amendment will move us substantially towards completion. I believe we'll continue to work longer this evening. But most assuredly I think now—and the ranking member would probably agree—that it's possible to meet our departure deadline tomorrow, thank goodness.

With that, I yield back the balance of my time.

Ms. SLAUGHTER. Mr. Chair, I rise in support of the Slaughter/Polis amendment to H.R. 1947, the Federal Agriculture Reform and Risk Management Act of 2013, which reauthorizes the study of antibiotic resistant bacteria through 2018.

Since 2008, the U.S. Department of Agriculture has funded important research on antibiotic resistant bacteria in agriculture and the development of strategies to mitigate them. For example, the Department has funded research into the development of vaccines and probiotics that reduce the need for antibiotics in agriculture, research tracking the transmission of dangerous and antibiotic-resistant bacteria in agriculture, and the development of strategies for mitigating antibiotic resistance in food-animal production systems.

This type of research is more important today than it has ever been before. Eighty percent of all antibiotics sold in the United States are used in agriculture. We are throwing away the greatest scientific advancement of the 20th century on healthy animals—and in the process creating a massive public health emergency. Science has clearly demonstrated that this type of overuse contributes to the rise of antibiotic resistant infections, which kill 70,000 Americans each year. We must fund research to identify ways antibiotic use on farms can be eliminated to ensure that our Nation's food supply is safe. The type of research authorized under this grants does just that.

When we go to the grocery store to pick up dinner, we should be able to buy our food without the worry that eating it will expose our family to potentially deadly bacteria that will no longer respond to our medical treatments. Unless we act now to develop better surveillance and strategies to reduce the use of antibiotics in agriculture, we will unwittingly be permitting animals to serve as incubators for resistant bacteria and do irreparable damage to our ability to fight disease and protect the health of our fellow Americans.

It is time for Congress to stand with scientists and do something to stop the spread of antibiotic resistant bacteria. Protecting the public's health is one of the greatest responsibilities of this body. I urge my colleagues to stand with me to support the Slaughter/Polis amendment reauthorizing research into antibiotic-resistant bacteria.

Mr. PIERLUISI. Mr. Chair, I rise in support of the amendment offered by the gentlewoman from Hawaii, Ms. GABBARD. This amendment establishes a coffee plant health initiative to be led by the U.S. Department of Agriculture, with the goal of addressing the pressing needs of the coffee industry in the United States.

The U.S. coffee industry is principally based in my district, Puerto Rico, and in the State of Hawaii, given that both jurisdictions offer natural conditions ideally suited for cultivation of the coffee crop. The industry in both Puerto Rico and Hawaii is increasingly threatened by a nonnative insect commonly known as the coffee berry borer or the Broca del Café in Spanish. This agricultural pest arrived in Puerto Rico in 2007 and in Hawaii in 2010. The insect has emerged as the primary threat facing the coffee industry, adversely impacting both the yield and the market value of coffee crops.

The insect damages coffee plants by boring and depositing eggs into the berries. The larvae then hatch inside the berries and feed on the coffee beans, destroying them by creating holes. The Agricultural Research Service estimates that the coffee berry borer has caused over $500 million in losses worldwide. In Puerto Rico, production of coffee has recently fallen to an historic low, and the coffee berry borer is partially responsible. Annual coffee production in Puerto Rico is now valued at $21 million, less than half of what it was just five years ago and about a third of what it was at its peak in the mid–1990s. Most hard hit are the rural and mountainous municipalities where coffee has traditionally been a cash crop—Adjuntas, Lares, Utuado, Maricao, Jayuya, Yauco, Orocovis, Ciales, Las Marías, and San Sebastian.

Why should we care about this situation? Because without a coffee berry borer-free and controlled environment in which to plant coffee trees, our agricultural economies in Puerto Rico and Hawaii are in jeopardy. This means higher unemployment, reduced exports and increased reliance on imports. Simply put, we must protect the U.S. interests in this worldwide commodity. So research on the coffee berry borer should be made a high priority at the USDA.

This amendment is relevant not only to residents of Puerto Rico and Hawaii, but also to millions of coffee consumers around the country, who should be able to enjoy American-made coffee, such as Puerto Rico's 58 gourmet brands or the world famous coffee from the Big Island in Hawaii. Economically speaking, the United States benefits if we can increase the worldwide market share and quality of coffee that is produced in Puerto Rico and in Hawaii.

The latest statistics available reveal that my constituents consume about 30 million pounds of coffee each year. Local production in Puerto Rico, though, is roughly 10 million pounds, leaving 20 million to be imported—typically from countries in the Caribbean and Central America.

Since the berry borer emerged as a threat in Puerto Rico and Hawaii, the local governments in these two jurisdictions have worked diligently with farmers and the extension agents of our land grant universities to control the spread of the insect and to mitigate its impact. However, more must be done. Now that the insect is affecting more than just one jurisdiction, a Federal response is especially appropriate.

The amendment requires USDA to develop and provide science-based tools and treatments to combat the coffee berry borer and to establish area-wide integrated pest management programs in Puerto Rico, Hawaii, and anywhere else in the U.S. that the coffee berry borer may affect. USDA would be authorized to collaborate with the land-grant universities of Puerto Rico and Hawaii, as well as with the state governments and outside organizations, to carry out scientific research and to develop and implement the integrated pest management programs.

For years, USDA has sponsored applied research targeted toward the Nation's most challenging agricultural pests and diseases. Targeted research has spanned the range of commodities and crops. The needs in tropical and subtropical agriculture are many, and the needs facing our coffee industry are pressing. Cutting edge research continues to be conducted at the U.S. Tropical Agriculture Research Station in Mayagüez, Puerto Rico, and at the U.S. Pacific Basin Agricultural Research Center in Hilo, Hawaii, by a cadre of dedicated scientists, technicians, and agronomists.

This amendment is designed to buttress their mission and to give them the authority in law they need to expand their work to help local producers. The amendment also improves the capacity of the land-grant universities to address the problems presented by the coffee berry borer.

Finally, I would note that the research conducted at the ARS research stations and by the land-grant universities in Puerto Rico and Hawaii has national application. The techniques and technology developed there have proven their utility for increasing food production and controlling agricultural pests in the U.S. mainland. The research that stands to be enhanced through this amendment has a high probability of application benefiting agricultural production beyond coffee and beyond Puerto Rico and Hawaii.

For these reasons, I urge adoption of the amendment and I thank my colleague, Ms. GABBARD, for her leadership in bringing it forward for consideration.

Mr. ROSS. Mr. Chair, farmers work hard to produce the abundant food supply that our nation, and much of the world, needs. However, they could not make it on their own.

They owe much of their productivity to the equipment, practices, and inputs, including nutrients and crop protection products, which we have in the U.S.

Sadly, terrorists who will stop at nothing to undermine our way of life have illegally manipulated certain agricultural nutrients and chemicals.

In response, the Department of Homeland Security has been developing, and implementing a set of security regulations to secure and limit access to these products, such as ammonium nitrate.

The agricultural community understands this and understands the need to be vigilant to ensure that we not only have the most productive agriculture industry in the world—but also the safest.

Ammonium nitrate is used as a fertilizer on crops and pastures, especially in warm, moist climates like Florida. It is incredibly important to the many citrus growers in my district.

I think all of us want to see effective and prudent regulations implemented; however, we also do not want to interfere with legitimate access to the nutrients needed by the farmer during the growing season.

The amendment I am offering with my good friend from Florida, Mr. ROONEY, would simply ask that the U.S. Department of Agriculture participate fully and at senior levels in the development of any security regulations regarding a variety of agricultural chemicals developed by DHS, or any other agency.

Once again, I want to thank the Chair and Ranking Member for their work on this legislation, and encourage my colleagues to join me in passing this important amendment.

Mr. GRIMM. Mr. Chair, I rise today to express my sincere thanks to Chairman FRANK LUCAS for his acceptance of the amendment to the Farm Bill that I offered with my colleagues from New York Reps. CHRIS GIBSON and TIM BISHOP. Our amendment would require the Secretary of Agriculture to conduct a study and no later than 180 days after enactment report back to the relevant committees in the House and Senate an analysis of energy use in USDA facilities, a list of energy audits that have been conducted at USDA facilities, a list of energy efficiency projects that have been conducted at USDA facilities and a list of energy savings projects that could be achieved with additional mechanical insulation at USDA facilities.

Thermal Insulation for piping, equipment, and other mechanical devices, known as mechanical insulation, is a proven energy efficiency and emission reduction technology that will reduce costs, save energy, and improve personnel safety. It is also important to point out that 95 percent of all mechanical insulation products used in the United States are manufactured in the United States.

As you are well aware, buildings are responsible for 40 percent of the United States energy demand and emissions, which makes efficiency gains in this area crucial if we are to markedly reduce America's energy consumption. To give you a sense of the impact mechanical insulation can have on our country, the National Insulation Association estimates that implementing a comprehensive mechanical insulation maintenance program in the commercial and industrial market segments would lead to annual energy savings of 1.22 quads of primary energy or $3.8 billion and returns on investment ranging from 25–100 percent.

We, as Members of Congress, should be taking a leading role in ensuring energy efficiency is a priority in our country. What better way to lead than to look in our federal buildings at the ways we utilize, or unfortunately, the ways we all too often do not utilize and maintain a low cost, high impact American product that is proven to save energy and money.

By passing this amendment we are asking the Department of Agriculture to help lead the way for others to follow by reducing its energy cost and emissions with the increased use of a proven technology, simply known as mechanical insulation.

Ms. DUCKWORTH. Mr. Chair, the Farm Bill that we are considering today includes massive cuts to the Supplemental Nutrition Assistance Program (SNAP) program—$20.5 billion to be exact.

I am offering an amendment that will help us understand the repercussions of these drastic cuts.

My amendment will require the Secretary of Agriculture to report to Congress on the effects of SNAP cuts on charitable food providers, like food banks and soup kitchens. Should these devastating cuts become law, it is common sense that we should know the consequences—my amendment is about taking responsibility.

There is little room to cut this vital program. The average SNAP benefit is now only $4.50 a day. That's just $1.50 a meal. And this benefit will get even lower in November when the 2009 Recovery Act increase expires.

The reality is that these cuts will significantly increase demand on charitable food providers who are already stretched to the limit trying to meet the needs of our communities during this tough economic time.

These providers are facing the perfect storm—over the past few years demand for their services has been increasing as the federal, state and local, and private funding they depend on has dwindled. Higher food and fuel prices are also making it harder for them to purchase and distribute food.

Charities simply do not have the resources to fill the growing funding gaps. This means that when the SNAP program faces further cuts, hungry Americans will have nowhere else to turn.

I hope every Member in this body will agree that in the wealthiest nation in the world, no American child should go to school hungry and no parent should have to make the difficult decision between paying rent or paying for groceries. This is simply unconscionable.

At this point we've all heard the numbers—these cuts will end food aid for nearly 2 million Americans and cut 210,000 children off of school lunch and breakfast programs.

This is a very personal issue for me. I was one of those hungry children. My father lost his job when I was a teenager and it was food stamps that kept me from going hungry. Food stamps, school breakfast and school lunch were there for me so I could worry about school instead of hunger. They nourished me so I could develop the skills to serve our country in the Army, the VA, and here in Congress.

This is also very personal for many of my constituents like Christine from Elgin, Illinois. It is because of her SNAP benefits and the Willow Creek Community Church's Food Pantry that Christine is able to provide food for her family. Her husband was laid off from the manufacturing company he worked at for 29 years. Christine, who is now disabled, can no longer work as a Nursing Assistant. Theirs is one of 3,000 families that Willow Creek Community Church in South Barrington, Illinois serves per month.

It is personal for the husband and wife who now count on SNAP benefits and the Church of the Holy Spirit Food Pantry in Schaumburg, IL after the husband lost his job as an electrician due to nerve damage in his hand, and they saw their savings quickly drain.

It is personal for the hard working employees and volunteers at the Greater Chicago Food Depository who serve 77 percent more people today than they did in 2008.

These stories are just a tiny sample. Forty-seven million Americans—most of whom are children, elderly or disabled—rely on the SNAP program.

These cuts are not just numbers on a page. They affect real human beings. They will have devastating consequences for real families.

I urge my colleagues to support this amendment and face the reality of what these devastating cuts will mean for families and charities all across the country.

Ms. JACKSON LEE. Madam Chair, I rise to speak in support of Jackson Lee Amendment #94, which will be in the en bloc for H.R.

1947, the ''Federal Agriculture Reform and Risk Management Act of 2013.'' My thanks to Agriculture Committee Chair FRANK D. LUCAS and Ranking Member COLLIN C. PETERSON for including the Jackson Lee Amendment in the en block.

I appreciate the work of Rules Committee Chair and Rules Committee members Congressman MCGOVERN for managing the debate on amendments to H.R. 1947.

I offered amendments to H.R. 1947 for deliberation by the Rules Committee for approval for consideration by the Full House. Only one of my Amendments was made in order and will be included in the en bloc for the bill.

Jackson Lee #94 will be included in the en bloc and is a sense of Congress that the Federal Government should increase business opportunities for small businesses, black farmers, women and minority businesses.

Small farm businesses, black farmers, women and minority agriculture related businesses could benefit from partnerships with federal office location in receiving support for farmers markets. This would assist with eliminating food deserts, which are urban neighborhoods and rural towns without easy access to fresh, healthy and affordable food. These communities may have no food access or are served only by fast food restaurants and convenience stores.

Other Amendments, I request that the Rules Committee favorably consider included Amendment #1, the McGovern Amendment, which was joined by over 80 members of the House. This important amendment would have restored $20.5 billion in cuts in SNAP funding by offsetting the Farm Risk Management Election Program and the Supplemental Coverage Option.

Jackson Lee Amendments not included in the Rule for the bill include:

Jackson Lee Amendment #182 was a sense of Congress that the Federal Government should increase financial support provided to urban community gardens and victory gardens to heighten awareness of nutrition.

The knowledge shared with urban dwellers can have a long term benefit to the health of our nation by increasing awareness regarding the link between what we each and health. This would also be a means of expanding the diet options for persons who live in areas where the cost of fresh fruits and vegetables can be prohibitive.

Jackson Lee #183 is a sense of the Congress regarding funding for nutrition program for disabled and older Americans. Accessible and affordable nutrition is especially important when dietary needs change or must accommodate life's changes. Older Americans and persons with disabilities often must live with restricted diets.

Jackson Lee Amendment #184 was a sense of the Congress that encourages food items being provided pursuant to the Federal school breakfast and school lunch program should be selected so as to reduce the incidence of juvenile obesity and to maximize nutritional value.

This amendment passed the House by a substantial margin in the 110th Congress by a recorded vote of 422 to 3. The inclusion of this amendment in the Rule for H.R. 1947 would affirm Congressional commitment to fight juvenile obesity and to maximize nutritional value. The amendment should have been made in order considering the epidemic of juvenile and adult obesity.

Finally, I sought support by the Rules Committee of an Amendment offered by Congresspersons KILDEE, FUDGE, PETERS, TIM RYAN and Jackson Lee Amendment #53.

This amendment was not included in the final Rule for the bill. This amendment would have brought healthy food to those with limited access to fresh fruits and vegetables through a public-private partnership. It would increase funding for SNAP incentive programs for fresh fruits and vegetables by $5 million per year, which is offset by decreasing the adjusted gross income limit for certain Title and Title II programs.

Food is not an option—it is a right that all people living in this nation must have to exist and to prosper. The $20.5 billion cuts in the Supplemental Nutrition Assistance Program also known as SNAP would remove 2 million Americans from this important food assistance program, and 210,000 children would lose access to free or reduced priced school meals.

The course of our nation's history led to changes in our economy first from agricultural, to industrial and now technological. These economic changes impacted the availability and affordability of food. Today our nation is still one of the wealthiest in the world, but we now have food deserts. A food desert is a place where access to food may not be available and certainly access to health sustaining food is not available.

The US Department of Agriculture defines a food desert as a ''low-access community,'' where at least 500 people and/or at least 33 percent of the census tract's population live more than one mile from a supermarket or large grocery store. The USDA defines a food desert for rural communities as a census tract where the distance to a grocery store is more than 10 miles.

Food deserts exist in rural and urban areas and are spreading as a result fewer farms as well as fewer places to access fresh fruits, vegetables, proteins, and other foods as well as a poor economy.

The result of food deserts are increases in malnutrition and other health disparities that impact minority and low income communities in rural and urban areas. Health disparities occur because of a lack of access to critical food groups that provide nutrients that support normal metabolic functions.

Poor metabolic function leads to malnutrition that causes breakdown in tissue. For example, a lack of protein in a diet leads to disease and decay of teeth and bones. Another example of health disparities in food deserts are the presence of fast food establishments instead of grocery stores. If someone only consumes energy dense foods like fast foods this will lead to clogged arteries, which is a precursor for arterial disease a leading cause of heart disease. A person eating a constant diet of fast foods are also vulnerable to higher risks of insulin resistance which results in diabetes.

In Harris County, Texas, 149 out of 920 households or 20 percent of residents do not have automobiles and live more than one-half mile from a grocery store.

At the beginning of the third millennium of this nation's existence we should know better. Denying a higher quality of life that would result from better access to healthier food choices is shortsighted—it is also economically unsound and threatens our national security.

Social stability is threatened when people's basic needs are not met—food, clean drinking water and breathable air or the least of the requirements for life. Denying access to sufficient amounts of the right kinds of food means people will become less productive, more prone to disease and will not be able to function as contributing members of a society.

For one in six Americans hunger is real and far too many people assume that the problem of hunger is isolated. One in six men, women or children you see every day may not know where their next meal is coming from or may have missed one or two meals yesterday.

Hunger is silent—most victims of hunger are ashamed and will not ask for help, they work to hide their situation from everyone. Hunger is persistent and impacts millions of people who struggle to find enough to eat. Food insecurity causes parents to skip meals so that their children can eat.

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In 2009–2010 the Houston, Sugar Land and Baytown area had 27.6 percent of households with children experiencing food hardship. In households without children food hardship was experienced by 16.5. Houston, Sugar Land and Baytown rank 22 among the areas surveyed.

In 2011, according to Feeding America: 46.2 million people were in poverty, 9.5 million families were in poverty, 26.5 million of people ages 18–64 were in poverty. 16.1 million children under the age of 18 were in poverty. 3.6 million (9.0 percent) seniors 65 and older were in poverty.

In the State of Texas: 34% of children live in poverty in Texas. 21% of adults (19–64) live in poverty in Texas. 17% of elderly live in poverty in Texas.

In my city of Houston, Texas the U.S. census reports that over the last 12 months 442,881 incomes were below the poverty level.

In 2011: 50.1 million Americans lived in food insecure households, 33.5 million adults and 16.7 million children. Households with children reported food insecurity at a significantly higher rate than those without children, 20.6 percent compared to 12.2 percent.

Eighteen percent of households in the state of Texas from 2009 through 2011 ranked second in the highest rate of food insecurity—only the state of Mississippi exceed the ratio of households struggling with hunger.

In the 18th Congressional District an estimated 151,741 families lived in poverty.

There are charitable organizations that many of us contribute to that provide food assistance to people in need, but their resources would not be able to fill the gap created by a

$20.5 billion dollar cut to Federal food assistance programs.

Food banks and pantries fill an important role by helping the working poor, disabled and the poor gain access to food assistance when government subsidized food assistance or budgets fall short of basic needs. Food pantries also help when an unforeseen circumstance occurs and more food is needed for a family to make it until payday or government assistance arrives. However, food pantries cannot carry the full burden of a communities' need for food on their own.

During these difficult economic times, people who once gave to food pantries may now seek donations from them. Millions of low income persons and families receive food assistance through SNAP. This program represents the nation's largest program that combats domestic hunger.

For more than 40 years, SNAP has offered nutrition assistance to millions of low income individuals and families. Today, the SNAP program serves over 46 million people each month.

SNAP STATISTICS

Households with children receive about 75 percent of all food stamp benefits.

23 percent of households include a disabled person and 18 percent of households include an elderly person.

The FSP increases household food spending, and the increase is greater than what would occur with an equal benefit in cash.

Every $5 in new food stamp benefits generates almost twice as much ($9.20) in total community spending.

The economics of SNAP food support programs benefit everyone by preventing new food deserts from developing. The impact of SNAP funds coming into local and neighborhood grocery stores is more profitable supermarkets. SNAP funds going into local food economies also make the cost of food for everyone less expensive and assure a variety and abundance of food selections found in grocery stores.

SNAP is the largest program in the American domestic hunger safety net. The Food and Nutrition Service programs supported by SNAP work with State agencies, nutrition educators, and neighborhood as well as faith-based organizations to assist those eligible for nutrition assistance. Food and Nutrition Service programs also work with State partners and the retail community to improve program administration and work to ensure the program's integrity.

Yes, more can be done to assure that food distribution from the fields to the tables of Americans in most need can be improved. To begin the process of improving our nations ability to be more efficient and effective in meeting the food needs of citizens must begin with understanding the problem and acting on facts. I strongly support hearings on the subject and encourage all oversight committees to consider taking up the matter during this Congress.

However, we cannot ignore the safety process in place to prevent abuse or misuse of the program. The Federal SNAP law provides two basic pathways for financial eligibility to the program: (1) meeting federal eligibility requirements, or (2) being automatically or ''categorically'' eligible for SNAP based on being eligible for or receiving benefits from other specified low-income assistance programs. Categorical eligibility eliminated the requirement that households who already met financial eligibility rules in one specified low-income program go through another financial eligibility determination in SNAP.

However, since the 1996 welfare reform law, states have been able to expand categorical eligibility beyond its traditional bounds. That law created TANF to replace the Aid to Families with Dependent Children (AFDC) program, which was a traditional cash assistance program. TANF is a broad-purpose block grant that finances a wide range of social and human services.

TANF gives states flexibility in meeting its goals, resulting in a wide variation of benefits and services offered among the states. SNAP allows states to convey categorical eligibility based on receipt of a TANF ''benefit,'' not just TANF cash welfare. This provides states with the ability to convey categorical eligibility based on a wide range of benefits and services. TANF benefits other than cash assistance typically are available to a broader range of households and at higher levels of income than are TANF cash assistance benefits.

Congress cannot afford to forget that by the year 2050, the world population is expected to be 9 billion persons. We cannot build our nation's food security on an uncertain future. Domestic food production and access to healthy nutritious food is essential to our nation's long term national security.

Until we see the final farm bill, including the amendment adopted by the Full House, I cannot offer my support for the legislation as it is written.

The bill is too shortsighted about the realities of hunger in our nation—the fact that it proposes to cut $20.5 billion from the SNAP program is of great concern. We should work to create certainty for farmers who run high risk businesses that are vulnerable to weather changes, insects or blight.

We should be equally concerned about providing long term food security for all of our nation's citizens, which include rural, suburban and urban dwellers.

My colleagues on both sides of the aisle should have supported the McGovern Amendment to prevent the $20.5 billion in cuts to the SNAP program. Food is not an option—and people who need help from their government should not be treated like they committed a crime.

My support for this bill will be greatly influenced by the decisions made this week in the House and the willingness of members of good will to work to fix what is wrong with how we treat the working poor, disabled, which include veterans, and the elderly. Otherwise I will not vote for this bill. Today I did not vote for this bill!

Ms. KAPTUR. Mr. Chair, I would like to thank the majority and minority for accepting my amendment to the farm bill on invasive species en bloc.

My amendment requires the U.S. Department of Agriculture (USDA) to submit an annual report to Congress on invasive species.

The report would include a list of invasive species in the country, their country of origin, how they got into the country, what year they entered the country, rate of entry, cost estimates, and a description of the ongoing research occurring to combat the species.

More importantly, the report must include a description of any legal recourse available to people affected by the species.

A 2005 study shows that invasive species cost the United States more than $120 billion in damages every year.

U.S. agriculture loses $13 billion annually in crops from invasive insects.

Every farmer, rancher, local government, non-profit or small business deserves to know what legal avenues are available to compensate them for dealing with an invasive species that was brought into their backyard through no fault of their own.

Invasive species are not just harmful to humans or our food supply. They affect our endangered animals.

More than 400 of the over 1,300 species currently protected under the Endangered Species Act, and more than 180 candidate species for listing are considered to be at risk at least partly due to displacement by, competition with, or predation by invasive species.

My amendment seeks to bring an understanding to the challenge we are facing in combating invasive species.

Currently, no single clearinghouse exists to find out how many invasive species there are in the country, where those species came from, and what research is ongoing to combat that particular species.

How are we ever going to come up with a national strategy to combat invasive species if we don't know how what we are up against.

This information needs to be available to the public so we can begin a national conversation and put our best and brightest to the task of coming up with solutions for combating invasive species.

Again, I would like to thank the Members of the Agriculture Committee and I look forward to the remaining 2013 Farm Bill debates.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Oklahoma (Mr. LUCAS).

The en bloc amendments were agreed to.

AMENDMENT NO. 51 OFFERED BY MR. BENISHEK.

The Acting CHAIR. It is now in order to consider amendment No. 51 printed in part B of House Report 113–117.

Mr. BENISHEK. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title XII, add the following:

SEC. 12317. SCIENTIFIC AND ECONOMIC ANALYSIS OF THE FDA FOOD SAFETY MODERNIZATION ACT.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') may not enforce any regulations promulgated under the FDA Food Safety Modernization Act (Public Law 111–353) until the Secretary publishes in the Federal Register the following:

(1) An analysis of the scientific information used in the final rule to implement the

FDA Food Safety Modernization Act with a particular focus on—

(A) agricultural businesses of a variety of sizes;

(B) regional differences of agriculture production, processing, marketing, and value added production;

(C) agricultural businesses that are diverse livestock and produce producers; and

(D) what, if any, negative impact on the agricultural businesses would be created, or exacerbated, by implementation of the FDA Food Safety Modernization Act.

(2) An analysis of the economic impact of the proposed final rule to implement the FDA Food Safety Modernization Act with a particular focus on—

(A) agricultural businesses of a variety of sizes; and

(B) small and mid-sized value added food processors.

(3) A plan to systematically evaluate the regulations by surveying farmers and processors and developing an ongoing process to evaluate and address business concerns.

(b) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Secretary shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report on the impact of implementation of the regulations promulgated under the FDA Food Safety Modernization Act.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Michigan (Mr. BENISHEK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. BENISHEK. I would like to thank the chairman for the opportunity to speak on this amendment and to bring this issue to the floor.

As many of my constituents and colleagues know, I'm a doctor, not a farmer. So what they taught me in medical school is, when you don't understand something or you need a second opinion, you ask the experts.

Since becoming a Member of Congress in January 2011, I began talking to farmers in my district when I needed to learn more about agricultural issues. In fact, I realized how much farming and agribusiness contributed not only to my district, but to Michigan's economy. I asked to join the Agriculture Committee so I could better represent them in Congress.

Earlier this spring, I began to hear about a regulation that some of the farmers in my district were really concerned about. Now, if you don't have farmers in your district, let me tell you something; they will make sure that you know there's an issue.

Gradually, they began to talk to me more and more about a rule that had been proposed by the FDA that would make farming fruits and vegetables, better known as specialty crops, much more difficult in the near future. This rule, better known as Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption, was imposed by the FDA as a result of the 2011 Food Safety Modernization Act.

Before I go any further, I want to make one thing crystal clear. I support access to clean, safe, and healthy food, but this proposed rulemaking will have widespread consequences for American family farmers. For example, farmers will have to comply with a new set of rules as determined by the FDA when cleaning and storing their equipment—meaning tractors, harvesters, knives, et cetera—so that domesticated animals may be prevented from contaminating them. In addition, the same rules suggest that farmers inspect each individual piece of fruit or vegetable for bird excreta and refuse to harvest it if they find any evidence.

Mr. Chairman, I don't know if you've ever seen a cherry harvester or picked an apple, but if you had to hand inspect each individual piece of fruit for bird feces and throw it out before sending it to a packer, well, let's just say that most of our growers would go to a pick-it-yourself system or simply stop growing.

Let's move on to some other aspects of this rule.

The FDA suggests continuous soil and water monitoring. While that might not sound like a bad idea, we've already heard that some growers will have to completely redesign their irrigation systems to meet the new set of standards.

I spent the last few years visiting with farmers in my district. I know that they want to provide clean, safe foods for the American public. All specialty crop growers I have met eat the foods that they grow. So my point is that if the FDA estimates that this rule will cost at a minimum $460 million to the industry, why not make sure we're doing this right?

My amendment simply asks that the Secretary of HHS delay implementation of any final regulations resulting from the Food Safety Modernization Act until a scientific and economic analysis of the rule can be completed. This analysis will focus on both the science behind and the economic impact of these regulations. In particular, the study will look at the regional differences in agriculture production to see how producers will be impacted by these rules. If we take the time to study the proposed rules, I think the FDA will be able to see that some changes may be in order.

I urge my colleagues to support this amendment, and I reserve the balance of my time.

Ms. DELAURO. Mr. Chairman, I rise to claim time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Connecticut is recognized for 5 minutes.

Ms. DELAURO. Mr. Chairman, I yield myself such time as I may consume.

I think it's very interesting that the Food Safety Modernization Act was passed by the Energy and Commerce Committee, which has jurisdiction, as well as the FDA; and, quite frankly, it does not have any jurisdiction under this piece of legislation, and I'm disappointed that it made it through the Rules Committee.

However, in January 2011, the President signed a transformative food safety law that Congress had passed in a bipartisan manner to improve the health of our constituents.

□ 2320

The legislation was supported by a broad coalition of consumer, public health, and industry groups, groups including the Grocery Manufacturers Association and the National Restaurant Association.

When we crafted the final food safety bill, we struck a compromise, a compromise on the scope of the bill so that the vast majority of truly small farms and processors are excluded, including those that sell most of their food directly to the public through farmers markets and farm stands; in addition to which regional considerations were also taken into consideration.

The integrity of that compromise has been maintained in the proposals released by the FDA to date. I can speak to this compromise and the agreement we reached at the time because, in fact, I helped to craft and negotiate the final language.

The law also requires that the FDA take regional differences into account when crafting its proposed rules. Let us be clear: that legislation was needed. Foodborne illness remains a threat to the public health. According to the Centers for Disease Control, each year 48 million Americans become sick from the very food they eat; 128,000 are hospitalized; and 3,000 die. These figures are far too high and simply unacceptable, so we acted. We passed the first major improvement to the FDA's food safety laws in more than 70 years.

Under the guise of seeking a report, this amendment seeks to further slow down the implementation of the law, a law with the potential to improve the very health of our constituents by reducing their risk of becoming sick from food. Yet nowhere in the text of this amendment or in the intent of these reports do I see a mention of the public health or consumer safety.

All of the FDA's proposals to implement this critical law already go through the official rulemaking process, meaning that the agency must consider the costs and the benefit of the rules, and that every one of us and our constituents can weigh in and submit comments on the rules already. The amendment before us now simply intends to slow down the process of implementing the law.

Rather than working to obstruct and delay implementation, we should be working to encourage strong implementation. Let's look at what has happened since the bill was signed into

law. In that short period of time, there have been almost 20 multi-State outbreaks positively linked to food products regulated by the FDA. One of those was an outbreak of listeria associated with cantaloupe, a product that had not previously been identified as associated with that dangerous pathogen. The same outbreak killed 33 Americans, the largest number of Americans lost to a single outbreak in a quarter of a century.

Right now there is a multi-State outbreak of hepatitis A that may have been caused by a contaminated product regulated by the FDA. More than 115 people in eight States have become ill, and more than 50 of them have required hospitalization.

It continues to be supported by the majority of Americans. A recent poll showed that more than 75 percent of Americans surveyed supported the food safety law, which is why so many respected organizations that work to improve the public health, including the Consumer Federation of America, Center for Science in the Public Interest, Pew Charitable Trusts, and Consumer Unions, oppose this amendment. I urge my colleagues to heed their advice and oppose this amendment.

I reserve the balance of my time.

Mr. BENISHEK. I yield to the gentleman from Oklahoma (Mr. LUCAS).

Mr. LUCAS. Mr. BENISHEK, I appreciate you yielding to me.

The gentleman's amendment, by requiring FDA to conduct scientific and economic analysis prior to enforcing these regulations, is a step in the right direction. Simply put, it is a step in the right direction. I commend him and support his amendment.

Mr. BENISHEK. Mr. Chairman, I appreciate the gentlewoman's comments, and I am certainly willing to work with you in the future on this issue, but we are just concerned that we are not going to make food any safer, and it is not going to help the jobs and the cost of our food because some of the rules are very difficult to comply with at the local level. There is difficulty in keeping wildlife away from apple orchards, for example. It is very difficult and more costly than I think the gentlelady suspects. I encourage everyone to vote ''yes'' on this amendment.

I reserve the balance of my time.

Ms. DELAURO. I would just say to my colleague that all of those arguments were debated and discussed during the time of the Food Safety Modernization Act. As I said, I worked very, very hard, along with members of the Energy and Commerce Committee, in which jurisdiction this actually resides. It does not reside in the jurisdiction of the farm bill.

The fact of the matter is that we've had industry support of the legislation. I have a white paper, a summary by the United Fresh Producers Association issued in January 2011, which talks about all of the flexibility that exists for small farmers.

The issue here is about public health and public safety. I recommended that we oppose this amendment.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. BENISHEK. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. BENISHEK).

The amendment was agreed to.

AMENDMENT NO. 52 OFFERED BY MR. BACHUS

The Acting CHAIR. It is now in order to consider amendment No. 52 printed in part B of House Report 113–117.

Mr. BACHUS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title XII, add the following new section:

SEC. 12317. IMPROVED DEPARTMENT OF AGRICULTURE CONSIDERATION OF ECONOMIC IMPACT OF REGULATIONS ON SMALL BUSINESS.

The Secretary of Agriculture shall complete procedures consistent with the requirements of subsection (b) of section 609 of title 5, United States Code, whenever the Department of Agriculture promulgates any rule which will have a significant economic impact on a substantial number of small entities.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Alabama (Mr. BACHUS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BACHUS. Mr. Chairman, I bring a very simple but a very important amendment for consideration.

Several agencies of government have small business review panels. They are advisory in nature; and as our agencies go through the rulemaking process, they get input on how their regulations will affect small businesses. This amendment really takes advantage of the Regulatory Flexibility Act, which was signed into law by President Clinton in 1996, which allows the agencies to form these panels.

Mr. BARROW of Georgia, myself, Mr. GRAVES of Missouri, and Mr. MATHESON, actually in the next week or two, will be introducing language to really improve these small business panels. The SBA Advocacy Office recently said that small businesses pay about 45 percent more in annual cost in complying with regulations. They spoke very favorably of these panels.

I have a letter I will include from the NFIB urging strong support for this amendment.

NATIONAL FEDERATION
OF INDEPENDENT BUSINESS,
Washington, DC, June 17, 2013.

Hon. SPENCER BACHUS,
House of Representatives,
Rayburn Building, Washington, DC.

DEAR REPRESENTATIVE BACHUS: The National Federation of Independent Business is pleased to support your amendment to the Federal Agriculture Reform and Risk Management Act of 2013 (H.R. 1947). This amendment would expand critical small business regulatory impact analyses and outreach requirements to the U.S. Department of Agriculture (USDA).

Farming remains an integral part of the American economy and is at its core one of the most basic entrepreneurial endeavors. The federal government needs to be sure to use care when regulating the farming industry to ensure its viability.

Our farming members continually tell us about the difficulty and expense of complying with ever-increasing federal regulation. In fact, in our most recent Small Business Problems and Priorities, unreasonable government regulations ranked third out of 75 issues important to small businesses in the agriculture industry.

This amendment would help address this problem by requiring the USDA to conduct important small business impact analyses and outreach to small farmers. Specifically, the amendment would require USDA to convene Small Business Advocacy Review panels for rules that the department determines would have a ''significant economic impact on a substantial number of small entities.'' These panels are critical tools that allow small businesses to provide feedback to the agency before rules are proposed, therefore allowing the opportunity for more compliance flexibility.

NFIB supports this commonsense amendment because it will help alleviate compliance burden on small farmers while at the same time ensuring USDA can meet its regulatory aims. We urge the House of Representatives to approve the amendment to help America's agricultural community.

Sincerely,

SUSAN ECKERLY,
Senior Vice President,
Public Policy.

Mr. LUCAS. Will the gentleman yield?

Mr. BACHUS. I yield to the gentleman from Oklahoma.

Mr. LUCAS. I thank the gentleman for yielding just to note that the ranking member and I have discussed your amendment, and we are supportive.

Mr. BACHUS. I do want to say, as the chairman knows, the Judiciary Committee, as well as the Small Business Committee, has been looking at the effect of regulations on small businesses, and we've heard several horror stories. I welcome and applaud the Agriculture Committee and its leadership for being in support of this amendment.

I yield back the balance of my time.

□ 2330

The Acting CHAIR. Does any Member claim time in opposition?

The question is on the amendment offered by the gentleman from Alabama (Mr. BACHUS).

The amendment was agreed to.

AMENDMENT NO. 54 OFFERED BY MR. WITTMAN

The Acting CHAIR. It is now in order to consider amendment No. 54 printed in part B of House Report 113–117.

Mr. WITTMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title XII, add the following new subtitle:

Subtitle D—Chesapeake Bay Accountability and Recovery

SECTION 12401. SHORT TITLE.

This subtitle may be cited as the ''Chesapeake Bay Accountability and Recovery Act of 2013''.

SEC. 12402. CHESAPEAKE BAY CROSSCUT BUDGET.

(a) CROSSCUT BUDGET.—The Director, in consultation with the Chesapeake Executive Council, the chief executive of each Chesapeake Bay State, and the Chesapeake Bay Commission, shall submit to Congress a financial report containing—

(1) an interagency crosscut budget that displays—

(A) the proposed funding for any Federal restoration activity to be carried out in the succeeding fiscal year, including any planned interagency or intra-agency transfer, for each of the Federal agencies that carry out restoration activities;

(B) to the extent that information is available, the estimated funding for any State restoration activity to be carried out in the succeeding fiscal year;

(C) all expenditures for Federal restoration activities from the preceding 2 fiscal years, the current fiscal year, and the succeeding fiscal year; and

(D) all expenditures, to the extent that information is available, for State restoration activities during the equivalent time period described in subparagraph (C);

(2) a detailed accounting of all funds received and obligated by all Federal agencies for restoration activities during the current and preceding fiscal years, including the identification of funds which were transferred to a Chesapeake Bay State for restoration activities;

(3) to the extent that information is available, a detailed accounting from each State of all funds received and obligated from a Federal agency for restoration activities during the current and preceding fiscal years; and

(4) a description of each of the proposed Federal and State restoration activities to be carried out in the succeeding fiscal year (corresponding to those activities listed in subparagraphs (A) and (B) of paragraph (1)), including the—

(A) project description;

(B) current status of the project;

(C) Federal or State statutory or regulatory authority, programs, or responsible agencies;

(D) authorization level for appropriations;

(E) project timeline, including benchmarks;

(F) references to project documents;

(G) descriptions of risks and uncertainties of project implementation;

(H) adaptive management actions or framework;

(I) coordinating entities;

(J) funding history;

(K) cost sharing; and

(L) alignment with existing Chesapeake Bay Agreement and Chesapeake Executive Council goals and priorities.

(b) MINIMUM FUNDING LEVELS.—The Director shall only describe restoration activities in the report required under subsection (a) that—

(1) for Federal restoration activities, have funding amounts greater than or equal to $100,000; and

(2) for State restoration activities, have funding amounts greater than or equal to $50,000.

(c) DEADLINE.—The Director shall submit to Congress the report required by subsection (a) not later than 30 days after the submission by the President of the President's annual budget to Congress.

(d) REPORT.—Copies of the financial report required by subsection (a) shall be submitted to the Committees on Appropriations, Natural Resources, Energy and Commerce, and Transportation and Infrastructure of the House of Representatives and the Committees on Appropriations, Environment and Public Works, and Commerce, Science, and Transportation of the Senate.

(e) EFFECTIVE DATE.—This section shall apply beginning with the first fiscal year after the date of enactment of this Act for which the President submits a budget to Congress.

SEC. 12403. RESTORATION THROUGH ADAPTIVE MANAGEMENT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with other Federal and State agencies, and with the participation of stakeholders, shall develop a plan to provide technical and financial assistance to Chesapeake Bay States to employ adaptive management in carrying out restoration activities in the Chesapeake Bay watershed.

(b) PLAN DEVELOPMENT.—The plan referred to in subsection (a) shall include—

(1) specific and measurable objectives to improve water quality, habitat, and fisheries identified by Chesapeake Bay States;

(2) a process for stakeholder participation;

(3) monitoring, modeling, experimentation, and other research and evaluation technical assistance requested by Chesapeake Bay States;

(4) identification of State restoration activities planned by Chesapeake Bay States to attain the State's objectives under paragraph (1);

(5) identification of Federal restoration activities that could help a Chesapeake Bay State to attain the State's objectives under paragraph (1);

(6) recommendations for a process for modification of State and Federal restoration activities that have not attained or will not attain the specific and measurable objectives set forth under paragraph (1); and

(7) recommendations for a process for integrating and prioritizing State and Federal restoration activities and programs to which adaptive management can be applied.

(c) IMPLEMENTATION.—In addition to carrying out Federal restoration activities under existing authorities and funding, the Administrator shall implement the plan developed under subsection (a) by providing technical and financial assistance to Chesapeake Bay States using resources available for such purposes that are identified by the Director under section 12402.

(d) UPDATES.—The Administrator shall update the plan developed under subsection (a) every 2 years.

(e) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 60 days after the end of a fiscal year, the Administrator shall transmit to Congress an annual report on the implementation of the plan required under this section for such fiscal year.

(2) CONTENTS.—The report required under paragraph (1) shall contain information about the application of adaptive management to restoration activities and programs, including level changes implemented through the process of adaptive management.

(3) EFFECTIVE DATE.—Paragraph (1) shall apply to the first fiscal year that begins after the date of enactment of this Act.

(f) INCLUSION OF PLAN IN ANNUAL ACTION PLAN AND ANNUAL PROGRESS REPORT.—The Administrator shall ensure that the Annual Action Plan and Annual Progress Report required by section 205 of Executive Order 13508 includes the adaptive management plan outlined in subsection (a).

SEC. 12404. INDEPENDENT EVALUATOR FOR THE CHESAPEAKE BAY PROGRAM.

(a) IN GENERAL.—There shall be an Independent Evaluator for restoration activities in the Chesapeake Bay watershed, who shall review and report on restoration activities and the use of adaptive management in restoration activities, including on such related topics as are suggested by the Chesapeake Executive Council.

(b) APPOINTMENT.—

(1) IN GENERAL.—The Independent Evaluator shall be appointed by the Administrator from among nominees submitted by the Chesapeake Executive Council.

(2) NOMINATIONS.—The Chesapeake Executive Council may submit to the Administrator 4 nominees for appointment to any vacancy in the office of the Independent Evaluator.

(c) REPORTS.—The Independent Evaluator shall submit a report to the Congress every 2 years in the findings and recommendations of reviews under this section.

(d) CHESAPEAKE EXECUTIVE COUNCIL.—In this section, the term ''Chesapeake Executive Council'' has the meaning given that term by section 307 of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102–567; 15 U.S.C. 1511d).

SEC. 12405. DEFINITIONS.

In this subtitle, the following definitions apply:

(1) ADAPTIVE MANAGEMENT.—The term ''adaptive management'' means a type of natural resource management in which project and program decisions are made as part of an ongoing science-based process. Adaptive management involves testing, monitoring, and evaluating applied strategies and incorporating new knowledge into programs and restoration activities that are based on scientific findings and the needs of society. Results are used to modify management policy, strategies, practices, programs, and restoration activities.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(3) CHESAPEAKE BAY STATE.—The term ''Chesapeake Bay State'' or ''State'' means the States of Maryland, West Virginia, Delaware, and New York, the Commonwealths of Virginia and Pennsylvania, and the District of Columbia.

(4) CHESAPEAKE BAY WATERSHED.—The term ''Chesapeake Bay watershed'' means the Chesapeake Bay and the geographic area, as determined by the Secretary of the Interior, consisting of 36 tributary basins, within the Chesapeake Bay States, through which precipitation drains into the Chesapeake Bay.

(5) CHIEF EXECUTIVE.—The term ''chief executive'' means, in the case of a State or Commonwealth, the Governor of each such State or Commonwealth and, in the case of the District of Columbia, the Mayor of the District of Columbia.

(6) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

(7) STATE RESTORATION ACTIVITIES.—The term ''State restoration activities'' means any State programs or projects carried out under State authority that directly or indirectly protect, conserve, or restore living resources, habitat, water resources, or water quality in the Chesapeake Bay watershed, including programs or projects that promote responsible land use, stewardship, and community engagement in the Chesapeake Bay watershed. Restoration activities may be categorized as follows:

(A) Physical restoration.
(B) Planning.
(C) Feasibility studies.
(D) Scientific research.
(E) Monitoring.
(F) Education.
(G) Infrastructure development.

(8) FEDERAL RESTORATION ACTIVITIES.—The term ''Federal restoration activities'' means any Federal programs or projects carried out under existing Federal authority that directly or indirectly protect, conserve, or restore living resources, habitat, water resources, or water quality in the Chesapeake Bay watershed, including programs or projects that provide financial and technical assistance to promote responsible land use, stewardship, and community engagement in the Chesapeake Bay watershed. Restoration activities may be categorized as follows:

(A) Physical restoration.
(B) Planning.
(C) Feasibility studies.
(D) Scientific research.
(E) Monitoring.
(F) Education.
(G) Infrastructure development.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Virginia (Mr. WITTMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. WITTMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as the largest estuary in the United States, the Chesapeake Bay watershed is home to more than 16 million people. The watershed encompasses six States and the District of Columbia; well over 1,000 local governments; 150 major tributaries; 100,000 streams and rivers; and more than 11,600 miles of shoreline, plus thousands of plant and animal species.

In addition to generating billions of dollars in economic activity and recreational revenue, the bay provides tens of thousands of jobs in the commercial seafood and recreational fishing industries alone and is the site of multiple major ports and military bases.

The bay draws millions of tourists each year. Clean and healthy waters encourage boating, fishing, and swimming, activities that are of great intrinsic value to the surrounding States and to our Nation.

The bay watershed is also home to many farmers and agricultural lands. Virginia forestry and agriculture alone account for $79 billion in economic output and employ over 500,000 workers.

Farmers have a vested interest in a clean Chesapeake Bay. Their commitment to the land and waters is reflected by multi-generational stewardship of farms across the watershed.

My amendment includes similar legislation that passed in a bipartisan way in the House of Representatives in the 111th Congress by a vote of 418–1.

Better accounting and more flexible management are essential to restoring the Chesapeake Bay. Crosscut budgeting and adaptive management provide performance-based measures to ensure Federal dollars currently being spent on bay restoration activities produce results.

Both techniques will ensure that we're coordinating how restoration dollars are spent and making sure that everyone understands how individual projects fit into the bigger picture. That way, we're not duplicating efforts, spending money we don't need to or, worse, working at cross purposes. Crosscut budgeting, adaptive management, and an independent evaluator should be key components for the complex restoration activities for the Chesapeake Bay.

Mr. LUCAS. Will the gentleman yield?

Mr. WITTMAN. I yield to the chairman.

Mr. LUCAS. I thank the gentleman for yielding. Clearly the gentleman is working diligently to do good things; and, therefore, I would be supportive of his amendment.

Mr. WITTMAN. Mr. Chairman, I reserve the balance of my time.

The Acting CHAIR. Does any Member claim time in opposition to the amendment?

Mr. WITTMAN. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. WITTMAN).

The amendment was agreed to.

AMENDMENT NO. 56 OFFERED BY MR. CRAWFORD

The Acting CHAIR. It is now in order to consider amendment No. 56 printed in part B of House Report 113–117.

Mr. CRAWFORD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title XII, add the following:

SEC. 12317. APPLICABILITY OF SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.

(a) IN GENERAL.—The Administrator, in implementing the Spill Prevention, Control, and Countermeasure rule with respect to any farm, shall—

(1) require certification of compliance with such rule by—

(A) a professional engineer for a farm with—

(i) an individual tank with an aboveground storage capacity greater than 10,000 gallons;

(ii) an aggregate aboveground storage capacity greater than or equal to 42,000 gallons; or

(iii) a history that includes a spill, as determined by the Administrator; or

(B) the owner or operator of the farm (via self-certification) for a farm with—

(i) an aggregate aboveground storage capacity greater than 10,000 gallons but less than 42,000 gallons; and

(ii) no history of spills, as determined by the Administrator; and

(2) exempt from all requirements of such rule any farm—

(A) with an aggregate aboveground storage capacity of less than or equal to 10,000 gallons; and

(B) no history of spills, as determined by the Administrator.

(b) CALCULATION OF AGGREGATE ABOVEGROUND STORAGE CAPACITY.—For the purposes of subsection (a), the aggregate aboveground storage capacity of a farm excludes—

(1) all containers on separate parcels that have a capacity that is less than 1,320 gallons; and

(2) all storage containers holding animal feed ingredients approved for use in livestock feed by the Food and Drug Administration.

(c) DEFINITIONS.—In this section, the following definitions apply:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) FARM.—The term ''farm'' has the meaning given such term in section 112.2 of title 40, Code of Federal Regulations.

(3) GALLON.—The term ''gallon'' refers to a United States liquid gallon.

(4) HISTORY OF SPILLS.—The term ''history of spills'' has the meaning used to describe the term ''reportable discharge history'' in section 112.7(k)(1) of title 40, Code of Federal Regulations (or successor regulations).

(5) SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.—The term ''Spill Prevention, Control, and Countermeasure rule'' means the regulation promulgated by the Environmental Protection Agency under part 112 of title 40, Code of Federal Regulations.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Arkansas (Mr. CRAWFORD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. CRAWFORD. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, first I want to thank the 71 Members from both parties who joined in cosponsoring the bill that is identical to this amendment, H.R. 311, the FUELS Act. That bill also passed the House unanimously last year.

The EPA-mandated spill prevention and containment countermeasure rules require that oil storage facilities with a capacity of over 1,320 gallons make costly infrastructure modification to reduce the possibility of oil spills.

This bill simply changes those standards, makes them considerably more workable. We have 71 cosponsors that agree with me.

I reserve the balance of my time.

The Acting CHAIR. Does any Member claim time in opposition to the amendment?

Mr. CRAWFORD. I am happy to yield to the distinguished chairman of the Agriculture Committee for such time as he may consume.

Mr. LUCAS. I thank the subcommittee chairman and, once again, outstanding working being done.

I would encourage all of our fellow Members of this great body to vote for your wonderful amendment.

Mr. CRAWFORD. I thank the chairman.

With that, I'd urge a ''yes'' vote and yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arkansas (Mr. CRAWFORD).

The amendment was agreed to.

AMENDMENT NO. 57 OFFERED BY MR. CRAWFORD

The Acting CHAIR. It is now in order to consider amendment No. 57 printed in part B of House Report 113–117.

Mr. CRAWFORD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title XII, add the following:

SEC. 123___. AGRICULTURAL PRODUCER INFORMATION DISCLOSURE.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) AGENCY.—The term ''Agency'' means the Environmental Protection Agency.

(3) AGRICULTURAL OPERATION.—The term ''agricultural operation'' includes any operation where an agricultural commodity crop is raised, including livestock operations.

(4) LIVESTOCK OPERATION.—The term ''livestock operation'' includes any operation involved in the raising or finishing of livestock or poultry.

(b) DISCLOSURE OF INFORMATION.—

(1) PROHIBITION.—Except as provided in paragraph (2), the Administrator, any officer or employee of the Agency, or any contractor of the Agency, shall not make public the information of any owner, operator, or employee of an agricultural operation provided to the Agency by a farmer, rancher, or livestock producer or a State agency that has been obtained in accordance with the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) or any other law, including—

(A) names;

(B) telephone numbers;

(C) email addresses;

(D) physical addresses;

(E) Global Positioning System coordinates; or

(F) other identifying location information.

(2) EFFECT.—Nothing in paragraph (1) affects—

(A) the disclosure of information described in paragraph (1) if—

(i) the information has been transformed into a statistical or aggregate form at the county level or higher without any information that identifies the agricultural operation or agricultural producer; or

(ii) the producer consents to the disclosure; or

(B) the authority of any State agency to collect information on livestock operations.

(3) CONDITION OF PERMIT OR OTHER PROGRAMS.—The approval of any permit, practice, or program administered by the Administrator shall not be conditioned on the consent of the agricultural producer or livestock producer under paragraph (2)(A)(ii).

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Arkansas (Mr. CRAWFORD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. CRAWFORD. Mr. Chairman, I yield myself such time as I may consume.

I want to thank my colleague from Nebraska for joining me in sponsoring this amendment.

Earlier this year, as most of us already know, the EPA violated the privacy rights of producers across the country by releasing the personal information of livestock and poultry producers to various environmental activist groups. This information included names, addresses, phone numbers, GPS coordinates of over 80,000 producers over 30 States, including my home State of Arkansas. It was obtained by the EPA through State environmental quality agencies and released to the environmental groups through FOIA requests.

We all know this story, and I'll be brief, and I will yield such time as my friend from Nebraska (Mr. TERRY) will consume.

Mr. TERRY. Well, I thank you, my friend from Arkansas.

It's too bad that the E in EPA now means ''espionage'' because the EPA rents airplanes and videotapes from the air farmers and ranchers and feedlots in their daily activities without any reason to think that they're violating any rule or regulation.

So not only are they spying, but what is most concerning to those that have been videotaped by the EPA is that the EPA released the documents. We don't know how the environmental and animal rights groups found out that they were doing this because the farmers didn't know it was going on.

But through a FOIA request, the EPA turned over all of the documents about the farmers, ranchers and food lot owners, with their personal identifiable information, their names and their addresses. And this has to stop.

The people that have been victims of this videotaping and giving this information are really concerned; and so I thank the gentleman for his good amendment here, and allowing me to join, because this protects their privacy rights in the future.

It doesn't stop them from spying yet. That will be done in a different bill. But this at least protects their privacy, and I really appreciate it.

Mr. CRAWFORD. I thank the gentleman from Nebraska, and I appreciate his leadership on this as well.

The Crawford-Terry amendment would prevent the EPA from making public the private information of producers, including their names, telephone numbers, addresses, email and physical, GPS coordinates or other identifying location information.

This measure will protect the individual privacy rights of ag producers and allow farm families to live without the threats of harassment and targeting.

I urge adoption of the amendment.

I reserve the balance of my time.

Mr. COSTA. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. COSTA. Not to oppose the measure, but actually to speak on behalf of the amendment. The issues that have been raised here by this amendment, I think, are valid. There are concerns that have been raised by cattlemen and cattlewomen across the country. I think that, obviously, we all feel that there ought to be a level playing field when it comes to the protection of the Freedom of Information Act.

But on the other hand, cattlemen and cattlewomen every day are working really hard to try to do their best to produce the safest and the highest quality beef that Americans do every day and is the best in the world.

□ 2340

So we think this amendment is a step in the right direction and would like to support the amendment.

I yield back the balance of my time.

Mr. CRAWFORD. I thank the gentleman from California for his support.

I yield to the distinguished chairman of the Agriculture Committee for such time as he may consume.

Mr. LUCAS. This is clearly a very important issue and the gentleman has made great headway on it. Thank you for those efforts. Of course I'm very supportive of what you're endeavoring to do.

Mr. CRAWFORD. I thank the chairman. With that, I would urge a ''yes'' vote and yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arkansas (Mr. CRAWFORD).

The amendment was agreed to.

AMENDMENT NO. 58 OFFERED BY MS. FOXX

The Acting CHAIR. It is now in order to consider amendment No. 58 printed in part B of House Report 113–117.

Ms. FOXX. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title XII, add the following new section:

SEC. 12____. SUNSETTING OF PROGRAMS.

(a) IN GENERAL.—Subject to subsection (b), each fiscal year the Secretary of Agriculture may not carry out any program—

(1) for which an authorization of appropriations is established or extended under this Act; and

(2) that is funded by discretionary appropriations (as defined in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c))).

(b) EFFECTIVE DATE.—Subsection (a) shall take effect with respect to a program referred to in such subsection on the date on which the authorization of appropriations under this Act for such program expires.

(c) EXISTING OBLIGATIONS.—Subsection (a) does not affect the ability of the Secretary to carry out responsibilities with regard to loans, grants, or other obligations made or in existence before an applicable effective date under subsection (b).

The Acting CHAIR. Pursuant to House Resolution 271, the gentlewoman from North Carolina (Ms. FOXX) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from North Carolina.

Ms. FOXX. Mr. Chairman, President Ronald Reagan once said:

No government ever voluntarily reduces itself in size. So government's programs, once launched, never disappear. Actually, a government bureau is the nearest thing to eternal life we'll ever see on this Earth.

Mr. Chairman, it's hard to argue with the Gipper.

This amendment to H.R. 1947, the Federal Agriculture Reform and Risk Management, FARRM, Act of 2013, will bring accountability to our work here in the House of Representatives. What it does is it sunsets discretionary programs in this bill upon the expiration of the 5-year authorization period.

Now, some people might think that is the normal thing to happen in the Federal Government: you authorize a program; once the authorization goes away, the program either gets reauthorized or it goes away. But that isn't what happens, Mr. Chairman.

The purpose of this program is to force Congress to justify the continued existence of these programs through regular reauthorization efforts. Mr. Chairman, it forces us to do our jobs.

If these programs and subsidies are left unchallenged, they will continue to consume taxpayer dollars forever without being approved explicitly by the Members of Congress. As our national debt approaches $17 trillion, we can't afford to put all these programs on autopilot.

This commonsense amendment would require Congress to explicitly revive expired programs at the end of the authorization period and prevent the covert continuance of sometimes wasteful, ineffective, and duplicative programs. Ultimately, this amendment will prompt Congress—and the public—to reexamine thoughtfully these programs when the farm bill's authorization expires.

Finally, this amendment will send a strong message to stakeholders, lobbyists, and special interests that many of these Federal programs have an expiration date.

Let me hasten to add, this commonsense amendment would not eliminate or undermine the Supplemental Nutrition Assistance Program, SNAP, and would not apply to the FARRM Bill's mandatory spending provisions.

I hope my colleagues will support this amendment, and I reserve the balance of my time.

Mr. COSTA. Mr. Chairman, I rise to oppose the amendment before us.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. COSTA. Mr. Chairman, before I state my opposition, I'd like to first thank Chairman FRANK LUCAS for the hard work that he and his committee staff have done today and throughout this year and last year in trying to put together not one, but two farm bills for the consideration of the House and for America's heartland, and thank Ranking Member COLLIN PETERSON and his staff for the hard work that they have done as well.

These are never easy, but as both the chairman and the ranking member like to remind us, and I think it's an important underlying point, the farm bill that we reauthorize every 4 years is among the most bipartisan efforts that we ever do. And both the chair and the ranking member and their staff are to be commended.

As it relates to this measure before us, this amendment, we believe that it uses a meat cleaver approach to the legislation. Like sequester, it doesn't discriminate among programs. It's blind between those programs which deserve longer authorization periods and those that could use trimming, and clearly we understand the author's intent.

The whole purpose of the farm bill, though, is to review programs under our jurisdiction to determine whether or not they should continue, whether they should be changed, or whether they should be eliminated. And, once again, to commend the chair and the ranking member, we have done a very good job on that oversight on determining what areas ought to be trimmed, what programs ought to be consolidated, and which should be eliminated. Our bill already does that. Actually, as the chair has indicated and the ranking member, it terminates hundreds of programs and consolidates, and the committee did the work in a thoughtful and careful manner.

So we can't support the amendment that undoes the careful work that the committee has pursued. I urge my colleagues to reject this haphazard approach—or shotgun approach, we might say back home—and vote ''no'' on this amendment.

Ms. FOXX. Mr. Chairman, let me add my thanks to the chairman also for his good work. I know that he has worked very, very hard on getting a bill here to us to vote on, and I commend him and the staff for doing that. I was negligent in not saying that in the beginning of my remarks. So I thank the gentleman from California for his remarks and for reminding me that I should have done that.

I want to say that this amendment does not limit in any way the ability of Congress to reauthorize an expired program. Congress is Congress and can pass any laws it wants, in accordance with the Constitution, of course. But this amendment would require Congress to explicitly revive expired programs at the end of the authorization period.

What we are trying to prevent is the covert continuance of programs that have not been authorized. We should hold ourselves to a high standard here, Mr. Chairman. We shouldn't be funding programs that aren't authorized. It's just saying we should abide by the laws we pass, and that's what this does. We need to ensure that Congress and the public will thoughtfully reexamine these programs and revive them where they need to be.

With that, Mr. Chairman, I yield to the chairman of the Ag Committee.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. COSTA. As a member of the committee, I reserve the right to close.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. COSTA. I yield to the chairman.

Mr. LUCAS. I thank the gentleman for yielding.

First, let me state the persuasive powers of the gentlelady are to be much respected and appreciated, occasionally even feared. While perhaps not every syllable of her amendments in their present form do I necessarily agree with, I am supportive. I believe she is on the right vein, and we will work together to accomplish the ultimate goal.

That said, though, I must also express my appreciation to all my colleagues, to the professional staff of both the majority and the professional staff of the minority.

□ 2350

When we started this process earlier, I noted to all of you that I felt like if we would work this in regular order, if we would have discussion and amendment and great debate, we could achieve consensus.

Now, we have approximately five more amendments to go tomorrow. We will conclude this experience on time—hurray—and I believe in a fashion that is appropriate for this august body, which means I think we'll pass the bill, but we shall see tomorrow.

That said, thank you all. This is the way the process is supposed to work.

Mr. COSTA. I think we've conducted the people's work today and this evening.

I yield back the balance of my time and thank the chair and, again, all those involved in this process. Hopefully, tomorrow we can conclude our work.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from North Carolina (Ms. FOXX).

The amendment was agreed to.

The Acting CHAIR. It is now in order to consider amendment No. 61 printed in part B of House Report 113–117.

Mr. LUCAS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. FOXX) having assumed the chair, Mr. CHAFFETZ, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes, had come to no resolution thereon.

HOUR OF MEETING ON TOMORROW

Mr. LUCAS. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ADJOURNMENT

Mr. LUCAS. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 53 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, June 20, 2013, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1907. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule — Final priority--National Institute on Disability and Rehabilitation Research--Rehabilitation Research and Training Centers [CDFA Numbers: 84.133B-10.] received June 13, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1908. A letter from the Secretary, Department of Health and Human Services, transmitting written notification of the determination that a public health emergency exists that has significant potential to affect national security or the health and security of United States citizens living abroad and that involves the Middle East respiratory syndrome coronavirus (MERS-CoV); to the Committee on Energy and Commerce.

1909. A letter from the Assistant Secretary, Department of Defense, transmitting the Department's Cooperative Threat Reduction (CTR) Annual Report to Congress for Fiscal Year 2014, pursuant to Public Law 106-398, section 1308 (114 Stat. 1654A-341); to the Committee on Foreign Affairs.

1910. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report on progress toward a negotiated solution of the Cyprus question covering the period February 1, 2013 through March 31, 2013; to the Committee on Foreign Affairs.

1911. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

1912. A letter from the Inspector General, Department of the Treasury, transmitting the Department's semiannual report from the Treasury Inspector General for the period of October 1, 2012 — March 31, 2013; to the Committee on Oversight and Government Reform.

1913. A letter from the Acting Administrator, Environmental Protection Agency, transmitting the Agency's semiannual report from the Office of the Inspector General during the 6-month period ending March 31, 2013; to the Committee on Oversight and Government Reform.

1914. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Cincinnati, transmitting the 2012 management report and statements on system of internal controls of the Federal Home Loan Bank of Cincinnati; to the Committee on Oversight and Government Reform.

1915. A letter from the Chairman, Federal Labor Relations Authority, transmitting the semiannual report of the Inspector General of the Federal Labor Relations Board for the period beginning October 1, 2012 and ending March 31, 2013; to the Committee on Oversight and Government Reform.

1916. A letter from the Attorney General, Department of Justice, transmitting the Department's decision not to appeal the decision of the district court Dynalantic Corp. v. United States Department of Defense, Nos. 95-2301 (D.D.C. Aug. 15, 2012); to the Committee on the Judiciary.

1917. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Safety precautions to protect the public from the effects of a potential catastrophic failure of the Marseilles Dam; Illinois River [Docket No.: USCG-2013-0334] (RIN: 1625-AA00) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1918. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Low Country Splash, Wando River, Cooper River, and Charleston Harbor; Charleston, SC [Docket No.: USCG-2013-0052] (RIN: 1625-AA08) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1919. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Melrose Pyrotechnics Fireworks Display; Chicago Harbor, Chicago, IL [Docket No.: USCG-2013-0328] (RIN: 1625-AA00) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1920. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Wy-Hi Rowing Regatta, Trenton Channel; Detroit River, Wyandotte, MI [Docket No.: USCG-2013-0287] (RIN: 1625-AA08) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1921. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Figure Eight Causeway Channel; Figure Eight Island, NC [Docket No.: USCG-2013-0258] (RIN: 1625-AA00) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1922. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; High Water Conditions; Illinois River [Docket No.: USCG-2013-0323] (RIN: 1625-AA00) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1923. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation, 50 Aniversario Balneario de Boqueron, Bahia de Boqueron; Boqueron, PR [Docket Number: USCG-2013-0297] (RIN: 1625-AA08) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1924. A letter from the Deputy Director of Regulation Policy and Management, Department of Veterans Affairs, transmitting the Department's final rule — Community Residential Care (RIN: 2900-AO62) received May 28, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1925. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Mexican Land Trust (Rev. Rul. 2013-14) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1926. A letter from the Under Secretary, Department of Defense, transmitting a ''Report to Congress on Defense Environmental Restoration Cost and Schedule Estimating''; jointly to the Committees on Armed Services and Energy and Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. RAHALL (for himself, Mr. LARSEN of Washington, Mr. DEFAZIO, Ms. NORTON, Mr. NADLER, Ms. BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, Mr. CAPUANO, Mr. BISHOP of New York, Mr. MICHAUD, Mrs. NAPOLITANO, Mr. LIPINSKI, Mr. WALZ, Mr. COHEN, Mr. SIRES, Ms. EDWARDS, Mr. GARAMENDI, Mr. CARSON of Indiana, Ms. HAHN, Mr. NOLAN, Mrs. KIRKPATRICK, Ms. ESTY, Ms. FRANKEL of Florida, and Mrs. BUSTOS):

H.R. 2428. A bill to direct the Secretary of Transportation to assist States to rehabilitate or replace certain bridges, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BRADY of Texas (for himself, Mr. MCINTYRE, Mrs. NOEM, Mr. NUNES, Mr. SAM JOHNSON of Texas, Mr. MARCHANT, Mr. GERLACH, Mr. GRIFFIN of Arkansas, Mr. AUSTIN SCOTT of Georgia, Mr. DUNCAN of Tennessee, Mr. MCKINLEY, Mr. JOHNSON of Ohio, Mr. WALBERG, and Mr. ADERHOLT):

H.R. 2429. A bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes; to the Committee on Ways and Means.

By Mr. PASCRELL (for himself, Mr. ANDREWS, Mr. FRELINGHUYSEN, Mr. GARRETT, Mr. HOLT, Mr. LANCE, Mr. LOBIONDO, Mr. PALLONE, Mr. PAYNE, Mr. RUNYAN, Mr. SIRES, and Mr. SMITH of New Jersey):

H.R. 2430. A bill to adjust the boundaries of Paterson Great Falls National Historical Park to include Hinchliffe Stadium, and for other purposes; to the Committee on Natural Resources.

By Mr. HALL (for himself, Mr. SMITH of Texas, and Mr. BEN RAY LUJÁN of New Mexico):

H.R. 2431. A bill to reauthorize the National Integrated Drought Information System; to the Committee on Science, Space, and Technology.

By Mr. NOLAN:

H.R. 2432. A bill to prohibit the obligation or expenditure of funds made available to any Federal department or agency for any fiscal year to provide military assistance to any of the armed combatants in Syria absent express prior statutory authorization from Congress; to the Committee on Foreign Affairs.

By Ms. DEGETTE (for herself and Mr. DENT):

H.R. 2433. A bill to amend the Public Health Service Act to provide for human stem cell research, including human embryonic stem cell research, and for other purposes; to the Committee on Energy and Commerce.

By Ms. JACKSON LEE (for herself, Mr. STOCKMAN, Mr. LEWIS, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. DANNY K. DAVIS of Illinois, Mr. CUMMINGS, Mr. MCGOVERN, Mr. CASTRO of Texas, Ms. BASS, Mr. JEFFRIES, Ms. FUDGE, and Mr. CICILLINE):

H.R. 2434. A bill to require the Director of National Intelligence to conduct a study on the use of contractors for intelligence activities, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Mr. CAPUANO:

H.R. 2435. A bill to provide for the repayment of amounts borrowed by Fannie Mae and Freddie Mac from the Treasury of the United States, together with interest, over a 30-year period, and for other purposes; to the Committee on Financial Services.

By Ms. CHU (for herself, Ms. LINDA T. SÁNCHEZ of California, Mrs. NAPOLITANO, Mr. SCHIFF, Mr. CÁRDENAS, Mr. LOWENTHAL, Ms. ROYBAL-ALLARD, and Ms. HAHN):

H.R. 2436. A bill to prepare a feasibility study and implement demonstration projects to restore the San Gabriel River Watershed in California; to the Committee on Transportation and Infrastructure.

By Mr. FATTAH:

H.R. 2437. A bill to authorize the Secretary of Housing and Urban Development to establish a national program to create jobs and increase economic development by promoting cooperative development; to the Committee on Financial Services.

By Mr. ISSA (for himself, Mr. MEADOWS, Mr. NUNNELEE, and Mr. ENYART):

H.R. 2438. A bill to require an adequate process in preplanned lethal operations that deliberately target citizens of the United States or citizens of strategic treaty allies of the United States, to limit the use of cluster munitions generally, including when likely to unintentionally harm such citizens, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on the Judiciary, Intelligence (Permanent Select), and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KUSTER (for herself and Mrs. HARTZLER):

H.R. 2439. A bill to promote permanent families for children, privacy and safety for unwed mothers, responsible fatherhood, and security for adoptive parents by establishing a National Responsible Father Registry and encouraging States to enter into agreements to contribute the information contained in the State's Responsible Father Registry to the National Responsible Father Registry, and for other purposes; to the Committee on Ways and Means.

By Ms. JACKSON LEE (for herself, Mr. MORAN, Ms. CLARKE, Mr. LEWIS, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. DANNY K. DAVIS of Illinois, Mr. MCGOVERN, Ms. BASS, Mr. RANGEL, and Mr. CICILLINE):

H.R. 2440. A bill to require the Attorney General to disclose each decision, order, or opinion of a Foreign Intelligence Surveillance Court that includes significant legal interpretation of section 501 or 702 of the Foreign Intelligence Surveillance Act of 1978 unless such disclosure is not in the national security interest of the United States and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LUMMIS (for herself and Ms. TSONGAS):

H.R. 2441. A bill to amend the Small Business Act to permit agencies to count certain contracts toward contracting goals; to the Committee on Small Business.

By Mr. MCDERMOTT:

H.R. 2442. A bill to extend Federal recognition to the Duwamish Tribe, and for other purposes; to the Committee on Natural Resources.

By Mr. MESSER (for himself, Mr. ROKITA, and Mrs. BROOKS of Indiana):

H.R. 2443. A bill to amend the Internal Revenue Code of 1986 to exempt certain educational institutions from the employer health insurance mandate; to the Committee on Ways and Means.

By Mr. TONKO (for himself and Ms. SPEIER):

H.R. 2444. A bill to implement common sense controls on the taxpayer-funded salaries of government contractors by limiting reimbursement for excessive compensation; to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WILLIAMS:

H.R. 2445. A bill to repeal the corporate average fuel economy standards; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. RAHALL:

H.R. 2428.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Clause 18 of the Constitution.

By Mr. BRADY OF TEXAS:

H.R. 2429.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. PASCRELL:

H.R. 2430.

Congress has the power to enact this legislation pursuant to the following:

Art. IV, Section 3, clause 2: ''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States. . . .''

Art. I, Section 8, clause 18: ''The Congress shall have Power. . .To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.''

By Mr. HALL:

H.R. 2431.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3—To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; and

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. NOLAN:

H.R. 2432.

Congress has the power to enact this legislation pursuant to the following:

Congress's constitutional power over the nation's Armed Forces arguably provides ample authority to legislate with respect to how they may be employed. Under Article I, Section 8, Congress has the power ''To lay and collect Taxes . . . to . . . pay the Debts and provide for the common Defence,'' ''To raise and support Armies,'' ''To provide and Maintain a Navy,'' ''To make Rules for the Government and Regulation of the land and naval Forces,'' and ''To declare War, grant letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water,'' as well as ''To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions'' and ''To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States.'' Further, Congress is empowered ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers . . .'' as well as ''all other Powers vested by this Constitution in the Government of the United States, or in any Department or officer thereof.''

Congress has virtually plenary constitutional power over appropriations, one that is not qualified with reference to its powers in Section 8. Article I, Section 9 provides that ''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.''

By Ms. DEGETTE:
H.R. 2433.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution.
By Ms. JACKSON LEE:
H.R. 2434.
Congress has the power to enact this legislation pursuant to the following:
Commerce clause of the Constitution and Amendment 4 of the Constitution under the Bill of Rights.
By Mr. CAPUANO:
H.R. 2435.
Congress has the power to enact this legislation pursuant to the following:
Article I, section 8, clause 1 (relating to the general welfare of the United States); and
Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).
By Ms. CHU:
H.R. 2436.
Congress has the power to enact this legislation pursuant to the following:
Pursuant to Article 1, Section 8.
By Mr. FATTAH:
H.R. 2437.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I Section 8 Clause 3 of the United States Constitution, which states the United States Congress shall have power ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes''.
By Mr. ISSA:
H.R. 2438.
Congress has the power to enact this legislation pursuant to the following:
Because this bill regulates the use of military and paramilitary force by the United States, Congress has the power to enact this legislation pursuant to Article 1, Section 8, Clause 14 of the United States Constitution which empowers Congress ''To make Rules for the Government and Regulation of the land and naval Forces'' and Article 1, Section 8, Clause 18, which empowers Congress to ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.''
By Ms. KUSTER:
H.R. 2439.
Congress has the power to enact this legislation pursuant to the following:
Article, I, Section 8, Clause 1 (relating to the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States) of the United States Constitution.
By Ms. JACKSON LEE:
H.R. 2440.
Congress has the power to enact this legislation pursuant to the following:
Commerce clause of the Constitution and Amendment 4 of the Constitution under the Bill of Rights.
By Mrs. LUMMIS:
H.R. 2441.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.
And,
Article 1, Section 8, Clause 18: The Congress shall have Power To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.
By Mr. MCDERMOTT:
H.R. 2442.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 Clause 3—To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes
By Mr. MESSER:
H.R. 2443.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1, which empowers Congress, in part, to ''lay and collect Taxes'' and ''provide for the common Defence and general Welfare of the United States. . .'' The bill will exempt certain educational institutions from taxes imposed by public Law 111–148, as amended. Congress has the power to repeal such taxes and provide for the general welfare of those who have been and will be harmed by their imposition.
By Mr. TONKO:
H.R. 2444.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18.
By Mr. WILLIAMS:
H.R. 2445.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 171: Mr. PETERSON, Mr. YOUNG of Alaska, and Mr. HASTINGS of Florida.
H.R. 272: Mr. NUNES and Mr. MCCARTHY of California.
H.R. 401: Mrs. WAGNER and Mr. PAYNE.
H.R. 509: Mr. PAYNE.
H.R. 510: Mr. PAYNE.
H.R. 511: Mr. PAYNE.
H.R. 523: Ms. SINEMA.
H.R. 526: Ms. MCCOLLUM.
H.R. 543: Mr. KILMER.
H.R. 574: Ms. FRANKEL of Florida.
H.R. 578: Mr. BISHOP of Utah.
H.R. 601: Mr. HOLT.
H.R. 633: Mr. OWENS.
H.R. 685: Mr. LATHAM, Mr. ISRAEL, and Mr. SCALISE.
H.R. 698: Mr. BRADY of Pennsylvania, Ms. SHEA-PORTER, Ms. SPEIER, and Mr. HASTINGS of Florida.
H.R. 736: Ms. WILSON of Florida.
H.R. 744: Ms. FRANKEL of Florida.
H.R. 755: Mr. SCHNEIDER, Mr. ISRAEL, Mr. BISHOP of New York, Mr. WAXMAN, Mr. BECERRA, Mr. BRADY of Pennsylvania, Mr. BUTTERFIELD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KENNEDY, Mr. LEWIS, Mr. MEEKS, Mr. PASTOR of Arizona, Mr. PAYNE, Mr. RICHMOND, Mr. RYAN of Ohio, Mr. SCHRADER, Mr. SERRANO, and Mr. THOMPSON of Mississippi.
H.R. 792: Mr. GIBBS, Mr. SESSIONS, Mr. PETERSON, Mr. FINCHER, Mr. BRADY of Pennsylvania, and Mr. MURPHY of Florida.
H.R. 850: Mr. TONKO.
H.R. 855: Mr. BRALEY of Iowa.
H.R. 891: Mr. RICHMOND.
H.R. 904: Ms. MENG.
H.R. 949: Ms. KAPTUR.
H.R. 980: Mr. GEORGE MILLER of California.
H.R. 1001: Mr. HUNTER, Mr. ROONEY, and Ms. WASSERMAN SCHULTZ.
H.R. 1020: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. LEWIS.
H.R. 1024: Mrs. BROOKS of Indiana.
H.R. 1129: Mr. BARR, Mrs. NOEM, and Mr. ROSKAM.
H.R. 1255: Mr. SIRES.
H.R. 1317: Mr. LANCE.
H.R. 1339: Ms. MATSUI and Mr. CICILLINE.
H.R. 1354: Mr. POE of Texas, Mr. FARR, and Mr. OWENS.
H.R. 1397: Ms. SLAUGHTER.
H.R. 1413: Mr. CASTRO of Texas.
H.R. 1431: Mr. HECK of Washington.
H.R. 1461: Ms. FOXX, Mr. GRIFFIN of Arkansas, Mr. HANNA, and Mr. BRIDENSTINE.
H.R. 1473: Mrs. CAPITO and Mr. O'ROURKE.
H.R. 1494: Mr. KILMER and Mr. BENTIVOLIO.
H.R. 1508: Mr. MORAN and Ms. ESHOO.
H.R. 1698: Mr. ELLISON and Mr. HINOJOSA.
H.R. 1701: Mr. PRICE of Georgia.
H.R. 1717: Mr. GARDNER.
H.R. 1732: Mr. LATHAM.
H.R. 1761: Mr. KIND, Mr. PETRI, and Mr. BLUMENAUER.
H.R. 1771: Mr. BRIDENSTINE, Mr. UPTON, and Mr. BONNER.
H.R. 1779: Mr. FLEISCHMANN and Mr. OWENS.
H.R. 1786: Ms. GRANGER.
H.R. 1793: Mr. MORAN.
H.R. 1795: Ms. DELBENE, Mr. KENNEDY, Mr. YOUNG of Florida, Mr. ENYART, Mr. TURNER, and Mr. POE of Texas.
H.R. 1798: Mr. HUFFMAN and Mr. HARRIS.
H.R. 1825: Mr. BENTIVOLIO and Mr. JOHNSON of Ohio.
H.R. 1830: Mr. LOWENTHAL.
H.R. 1838: Mr. ROE of Tennessee and Mr. PAULSEN.
H.R. 1857: Ms. PINGREE of Maine and Mr. MICHAUD.
H.R. 1908: Mr. POE of Texas and Mr. FARENTHOLD.
H.R. 1916: Mr. LOWENTHAL.
H.R. 1966: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FATTAH, Mr. DANNY K. DAVIS of Illinois, Mr. WATT, Mr. CLAY, Mr. JEFFRIES, Mr. THOMPSON of Mississippi, Mr. RICHMOND, Mr. PAYNE, Mr. RANGEL, Ms. EDWARDS, Mr. CLYBURN, Mr. VEASEY, Mr. BUTTERFIELD, Ms. FUDGE, Ms. CLARKE, Ms. BASS, and Ms. MOORE.
H.R. 1975: Mr. SARBANES and Mrs. MCCARTHY of New York.
H.R. 2000: Mr. CICILLINE, Ms. LEE of California, Mr. LARSON of Connecticut, Mr. LEWIS, Mr. BRADY of Pennsylvania, Mr. PRICE of North Carolina, Mr. VARGAS, Mr. PETERS of Michigan, Mrs. CAPPS, and Mr. MCDERMOTT.
H.R. 2009: Mr. FLEISCHMANN.
H.R. 2016: Mr. POSEY, Mr. SMITH of New Jersey, Mr. MARKEY, and Ms. WASSERMAN SCHULTZ.
H.R. 2019: Mrs. ROBY, Mr. MCKINLEY, Mr. ISSA, Mr. DAINES, and Mr. LAMBORN.
H.R. 2022: Mr. AMODEI and Mr. ROSKAM.
H.R. 2023: Mr. HASTINGS of Florida, Mr. CONYERS, Mrs. CHRISTENSEN, and Mr. FARR.
H.R. 2026: Mr. GIBBS.
H.R. 2053: Mr. POMPEO.
H.R. 2060: Mr. CICILLINE.
H.R. 2064: Mr. DIAZ-BALART, Mr. HORSFORD, and Mr. HECK of Washington.
H.R. 2094: Mr. MCKINLEY.
H.R. 2162: Mrs. LUMMIS.
H.R. 2218: Mr. SCHOCK, Mr. HUIZENGA of Michigan, and Mr. DAINES.
H.R. 2237: Mr. HINOJOSA.

H.R. 2265: Mr. CHABOT, Mr. BISHOP of Utah, Mr. STEWART, Mr. HARRIS, Mr. COLE, Mr. PEARCE, Mr. WALBERG, Mr. MEADOWS, Mr. FRANKS of Arizona, Mr. PITTS, and Mr. BARTON.

H.R. 2267: Mr. CASTRO of Texas.

H.R. 2273: Mr. PETRI and Mr. DUFFY.

H.R. 2300: Mr. HECK of Nevada.

H.R. 2308: Mr. ANDREWS.

H.R. 2328: Mr. POE of Texas and Mr. FORTENBERRY.

H.R. 2346: Mr. SALMON.

H.R. 2347: Mr. SALMON.

H.R. 2385: Mrs. BACHMANN.

H.R. 2389: Mr. HOLDING, Mr. MULVANEY, Mrs. BACHMANN, Mr. WILSON of South Carolina, Mr. SMITH of New Jersey, Mr. DESANTIS, Mr. BENTIVOLIO, Mr. KINGSTON, Mr. POSEY, Mr. HUELSKAMP, and Mr. BISHOP of Utah.

H.R. 2403: Mr. KINGSTON and Mr. PITTS.

H.R. 2422: Mr. TAKANO.

H. Res. 30: Ms. SCHWARTZ.

H. Res. 35: Mr. LOBIONDO, Mr. BRIDENSTINE, Mr. WENSTRUP, Mr. WALBERG, and Mr. WILSON of South Carolina.

H. Res. 187: Mr. SHERMAN.

H. Res. 213: Ms. BROWN of Florida and Ms. MENG.

H. Res. 268: Mrs. BEATTY and Mr. DANNY K. DAVIS of Illinois.

EXTENSIONS OF REMARKS

HONORING CONGRESSIONAL AWARD RECIPIENTS

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. BOEHNER. Mr. Speaker, the Congressional Awards recognize four avenues of individual growth—community service, physical fitness, exploration, and personal development—and how the fulfillment of these goals forms balanced and promising young citizens.

In their pursuit of these goals, recipients of the Congressional Awards have gained new skills and greater confidence. For many, these projects will be the cornerstone for future endeavors, further enriching their lives and encouraging others to follow their lead.

The recipients of the 2013 Congressional Awards set the finest example and demonstrate dedication to improving their communities and the Nation as a whole.

On behalf of the U.S. House of Representatives, it is my privilege to recognize the honored recipients of the 2013 Congressional Award Gold Medal—the highest achievement for America's youth:

Gareth Evans, Martha Costello, Max Benning, Emily Burns, Aimee Miller, Courtney Hayes, Brooke Vittimberga, Matthieu Kaman, Katherine Liu, Alexander Schnorr, Harry Chung, Woody Chung, Austin Devine, Jason Flahie, Diana Kwok, Katarina Mayers, Kyle Kearney, Brandon Hsiu, Jackee Lee, Lauren Cochran, Max Kaplan, Taehyung ''Kevin'' Kim, Han John Tse, Quinn Hatoff, Anna Najor, Katherine Najor, Samantha Stafford, Austin Threadgill, Nicholas Cousino, Alouette Greenidge, Daniel Greenidge, James Bilko, Brittney Calloway, Brianna Goley, Hannah Foster, Milan Patel, Alexander Smith, Ryan Sutherland, Jake Bakkedahl, Mikaela Balzer, Ilana Berghash, Christine Brookshire, Kathryn Dowling, Steve Glener, Benjamin Horowitz, Rebecca Meiser, Caitlin Melnyk, Joshua Newell.

Kyle Panton, Brady Pere, Cassidy Poirier, Hiren Prajapati, Kethan Rao, Lauren Rousseau, Erin Tufano, Jamie Wilkinson, Nicky Wood, Katherine Panskyy, Sarah Murray, Riley McDonough, Hannah Howard, Haritha Pavuluri, Megan Chambers, Esther Frederick, Rachel Hooper, Talia Merrill, Emily Peel, Angela Renn, Taylor Adler, Madison Dahlquist, Bryce Ervin, Claire Goss, Micyla Huston, Carmen Perez, Thane Seward, Rebecca Tweedie, Linda Wells, Kimber Sable, Nicholas Oliva, (Joshua) Luke Durell, Chesley Rowlett, Vaibhav Vavilala, David Wintermeyer, Adam Campbell, Seth Campbell, Austin Bachar, Emilio Fajardo, Ryan Fajardo, Lissa Leibson, Darah Pourakbar, Priyanka Rao, Lexi Shealy, Andrea Clarkson, Olivia Foster, Christopher Loucif, Rachel Green, Shabnam Ahmed, Veronica Whelan, Jared Lichtman.

Olivia Stanhope, Kayla Nicole Peabody, Pranita Balusu, Gabrielle Herin, Bronson Bruneau, Gabriela Anderson, Gregory Botts, Zohra Coday, Henry Bair, Molly Burton, Annika Fredrikson, Brett Hodgins, Theresa Jabouri, Natalie O'Loughlin, Griffin Reed, Glenn Lane, Canary Brooks, Paulina Hinton, Bridget Bergin, Carol Ann Schwarzenbach, Caroline Fay, Elizabeth Van Eerden, Michael Brienza, Terrell Chestnutt, Randall Schroeder, Wilmoth Kerns III, Lukas Stewart, Jacob Grabowski, Rebecca Sis, Matthew Ostdiek, Aaron Clark, Kristin Davis, Chad Kahn, Sean Platt, Erin Price, Francis Uzzolina, Niral Desai, Nora Laberee, Rishi Sharma, David Wu, Christina Coleburn, Shivangi Goel, Sera Lim, Eric O'Hare, Spencer Holmsborg, Melissa Louie, Kathleen O'Donnell-Pickert, Smitha Pallaki, Neeraj Shekhar, Aparna Sundaram.

Olivia Lascari, Zachary Certner, Robert Harvey, Catherine Wong, Eva Boal, Reema Chopra, Kunaal Patade, Lindsay Ramsland, Divya Ramakrishnan, Taylor Miller, Michael Farese, Courtney Stiles, Christopher Kunkel, Samuel Lam, Sachit Singal, Dan Wang, Jonathan Gidley, Tushar Goswami, Katherine Ervin, Alexandra Gritta, Stephen Christianto, Karika Gnep, Irene Thio, Albertus Nugroho, Elyse McMahon, Geoffrey Pyke, Nayeli Avalos, Evangeline Cai, Daniel Castellanos-Mendez, Thalia Medina, Christopher Merken, Jonathan Rosenbaum, J. Cameron Barge, Natalie Domeisen, Seung Jin Bae, Won Chang, Ana Cvetkovic, David Ha, Chae-Eon Jang, Samuel Joo, Grace Kim, Julianne Lowenstein, Quincy Morgan, Channouch Morn, Christine Palazzolo, Kara Schoch, Zachary Schwarz, Abbie Starker, Michael Tershakovec, Andrew Van Buren.

Sereipong Yoeurn, Ellizabeth Gahman, Valerie Poutous, Madison Thomas, Robert Cook, Rachel Park, Andrew Barry, Taiyi Ouyang, Daniel Hux, Angela Fan, Eric Menees, Joseph Rosenberger, Timothy Harakal, Nicholas Cruz, Hunter Behrends, R. Adrian De Leon, Abby McAnany, Sharon Li, Nevin Shah, Niloy Shah, Nicholas Cen, Karsyn Robb, Abby Mietchen, Caroline Dunmire, Joshua Tubb, Elizabeth Bird, Jonathan Rintels, Meagan Bedsaul, Truman Custer, Isaac Grunstra, Megan Ganley, Jane Willner, Dev Lakhia, Chase Robinett, Erik Edwards, Elisha Gentry, Katrina Freeland, Samantha Below, Samuel Brackett, Reed Dickerson, Bailey Dolph, Zachary Griffith, Daulton Grube, Jaimie Lee, Kayleigh Skolnick, Grant Thompson, and Sara Vestal.

FOUR STUDENTS HONORED WITH CONGRESSIONAL GOLD MEDAL AWARD FOR THEIR COMMITMENT TO SERVING PINELLAS COUNTY

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. YOUNG of Florida. Mr. Speaker, I rise to commend four students who are being honored today with the Congressional Award Gold Medal for individual achievement in volunteer public service, personal development, physical fitness, and exploration. For the benefit of my colleagues, I would like to outline some of their accomplishments.

Hannah Foster, a resident of Seminole, Florida, volunteered with the Largo Library and the Florida Gulf Coast Center for Fishing & Interactive Museum in Florida's 13th congressional district where she arranged exhibits and hosted a summer camp for students. She tested her endurance through kayaking voyages and attended the Student Leadership University to enhance her ability to inspire others. She has studied history extensively in order to widen her international perspective. Hannah reconnected with her heritage through a seven-day Mandarin language immersion trip to Chinatown in San Francisco.

Another one of my constituents, Milan Patel of Clearwater, Florida, volunteered more than 400 hours for Suncoast Hospice, a valued center in the community, for more than 35 years. She founded the Suncoast Hospice Teen Music Program and played the guitar daily at the bedside of terminally ill patients. In addition, Milan traveled to Boca Raton every weekend to hone her fencing skills. She also fenced in the Junior Olympics for the past two years and journeyed to Cambodia and Laos to learn the art of meditation while living with a group of monks.

Alexander Smith of St. Petersburg volunteered with Habitat for Humanity of Pinellas County. He worked both in a warehouse and on job sites to build houses in low-income communities. Alexander also hiked for seven days in the Blue Ridge Mountains to refine his survival and team-building skills and played the bagpipe competitively. A skilled athlete, he also participated in his high school's rowing team, won a United States Rowing Silver Medal, and is currently rowing for Cornell University.

Ryan Sutherland volunteered at Bay Pines Veterans Administration hospital, and he also served as a sailing instructor for underprivileged youth. Because of his deep interest in healthcare and his experience as a boy scout, he completed both an advanced emergency medical technician and American Red Cross lifeguard course and dedicated 1,000 hours to focusing on expanding his healthcare, music, and leadership knowledge. Ryan aided in Pinellas County's humanitarian efforts through his own organization, Water for Africa. He served as the president of the Inklings Book Club, which sought to promote literacy in my district. Ryan reached the summit of Mount Washington and spent 300 hours hiking, cycling, and running. He also sailed a 34-foot sailboat to Key West and the Dry Tortugas.

Mr. Speaker, these four young people serve as models of patriotism and principle for the rest of our nation's youth. Their goals of self-motivation will continue to guide them throughout their lives, and I have no doubt they will make great contributions to our country in the future. The Congressional Award program is

essential to our nation, and I commend these students for attaining this high level of community service and personal responsibility for which it stands.

IN MEMORY OF DR. JOHN M. SMITH

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to pay tribute to a World War II Veteran and tremendous leader in rural healthcare, the late Dr. John M. Smith.

Dr. Smith was quite a pioneer in his time. He was one of the first graduates from Caney Creek College, now know as Alice Lloyd College in Pippa Passes, Kentucky. After graduating from the University of Kentucky in 1942, he enlisted in the United States Navy and valiantly served as a first lieutenant aboard the U.S.S. *Weeden*, serving in both the Atlantic and Pacific campaigns. Smith was later selected as one of the first recipients of the Rural Kentucky Medical Scholarship Fund and graduated from the University of Louisville School of Medicine in 1949. After completing medical school, Dr. Smith decided to extend his service to our country by volunteering as a medical officer during the Korean War at the Louisville, Kentucky recruitment station.

In 1951, Dr. Smith began his mission to provide healthcare to the people of southeastern Kentucky, in a rural region plagued by high rates of health disparities and limited access to healthcare. He opened his first medical practice in Beattyville, Kentucky where he faithfully treated patients for eleven years. However, his passion for additional education in the medical field also led him to practice radiology at Morehead Hospital, Woodford County Hospital, and the Lexington Clinic for a little more than a decade. In 1974, he returned to Beattyville as a general practitioner where he dedicated nearly 40 years of quality healthcare for the people of Lee and surrounding counties until the age of 90.

He was involved in numerous civic activities, serving as a member of the Masonic Proctor Lodge 213, the Lee County Shrine Club, VFW Post 11296, and the Kentucky Medical Association. He served as the Medical Director of the Lee County Constant Care and Geri Young House, and a member of the Lee County Board of Health.

Dr. Smith leaves behind a devoted family: his loving wife, Patty of 54 years; seven children, 17 grandchildren, and 11 great-grandchildren. His son, William, has been one of my most trusted advisers, working on my team since 1995, and now serving as my Chief Clerk of the U.S. House Appropriations Committee. Will's extensive policy knowledge and legislative wisdom has been vital for our nation's economy and for projects supporting the good people of southern and eastern Kentucky. On behalf of my wife Cynthia and myself, I want to extend our deepest heartfelt sympathies to the entire Smith family.

Mr. Speaker, I ask my colleagues to join me in honoring a tireless leader in rural healthcare and a true patriot, the late Dr. John M. Smith.

THE FUTURE OF RELIGIOUS MINORITIES IN THE MIDDLE EAST

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. WOLF. Mr. Speaker, yesterday I delivered the following remarks at a Wilson Center event focused on the future of religious minorities in the Middle East.

I'd like to begin by thanking my former colleague, Congresswoman Jane Harman, and the Wilson Center for hosting this discussion on such a timely issue. I have long been focused on international religious freedom—specifically on the plight of persecuted people of faith wherever they may be.

Martin Luther King Jr. famously said, 'In the end, we will remember not the words of our enemies, but the silence of our friends.'

America has always been a friend to the oppressed, the persecuted, the forgotten. But sadly today, that allegiance is in question as religious freedom and human rights abuses around the globe increasingly go unaddressed and unanswered.

Looking to the Middle East there is often societal and communal violence and repression against religious communities which specifically targets religious minorities.

Too often the governments of these lands foster an atmosphere of intolerance or in some cases such as Iran, outright criminality as it relates to different faith traditions like the Baha'is.

Tragically, Since 1979, the Iranian government has killed more than 200 Baha'i leaders and dismissed over 10,000 from government and university jobs. Further, throughout the region, there is impunity surrounding acts of religiously targeted violence, onerous registration requirements for houses of worship, and a general climate of fear which isolates and too often drives out religious minorities.

These realities have been exasperated by the so-called Arab Spring—a Spring which has devolved into Winter for many of the most vulnerable in these societies—foremost among them the ancient Christian communities.

The future of religious minorities in the Middle East is of course the focus of our discussion today. I would argue that if the current trajectory holds true, the future of these communities—communities which are woven into the very fabric of the region—is uncertain at best.

In February I travelled to the Middle East—specifically to Lebanon and Egypt. One of the main purposes of the trip was to spend time with the Syrian Christian community—a community with ancient roots dating back to the 1st century. We read in the Bible about Paul on the road to Damascus.

According to the latest estimates the brutal civil war, which continues to rage, has taken nearly 93,000 lives.

With the Syrian crisis entering its third year, the eventual outcome, including how many will perish in or be displaced by the continued violence and who will step into the power vacuum, is far from certain. Moreover, what that will mean for the Christian community in Syria is largely unknown and, unfortunately, rarely addressed by Western media.

I wanted to hear firsthand from Syrian Christians about their concerns and to put this issue in the larger context of an imperiled Christian community in the broader Middle East, specifically in Egypt and Iraq.

Coptic Christians and other minorities in Egypt have increasingly been marginalized with the ascendancy of the Muslim Brotherhood. The recently drafted constitution, which made blasphemy a criminal offense, is highly problematic.

A February 5 Associated Press article reported, '[p]rovisions in the document allow for a far stricter implementation of Islamic Shariah law than in the past, raising opponents' fears that it could bring restrictions on many civil liberties and the rights of women and Christians.'

Increasingly these fears are being born out. Just last month, a young Christian teacher in Egypt was accused of insulting Islam while teaching a social studies class.

In a Christian Science Monitor article about this case and the trend more broadly, a local human rights activist reportedly said, 'All Coptic teachers are scared here now that any child who fights with them could accuse them of blasphemy and drag them to court.'

The issues I've just outlined must be viewed not simply as today's news but rather through the lens of history.

A phrase not often heard outside the majority Muslim world is 'First the Saturday people, then the Sunday people.' The 'Saturday people' are, of course, the Jews.

Except for Israel, their once vibrant communities in countries throughout the region are now decimated. In 1948 there were roughly 150,000 Jews in Iraq; today 4 remain. In Egypt, there were once as many as 80,000 Jews; now roughly 20 remain.

It appears a similar fate may await the ancient Christian community in these same lands.

Consider this observation by author and adjunct fellow at the Center for Religious Freedom, Lela Gilbert, who recently wrote in the Huffington Post: ''Between 1948 and 1970, between 80,000 and 100,000 Jews were expelled from Egypt—their properties and funds confiscated, their passports seized and destroyed.

They left, stateless, with little more than the shirts on their backs to show for centuries of Egyptian citizenship. . . .''

One of my last meetings in Egypt was with 86-year-old Carmen Weinstein, the president of the Jewish Community of Cairo (JCC). She was born and raised in Egypt and had lived her entire life there—a life set against the backdrop of a great Jewish emigration out of Egypt, namely the departure of thousands of Egyptian Jews from the 1940s—60s. She led a small community of mostly elderly Jewish women in Cairo, who with their sister community in Alexandria, represent Egypt's remaining Jews.

There are 12 synagogues left in Cairo. Some, along with a landmark synagogue in Alexandria, have been refurbished by the government of Egypt and/or US. Agency for International Development (USAID) and have received protection as cultural and religious landmarks—many have not. Further, the 900 year old Bassatine Jewish Cemetery is half overrun with squatters and sewage.

Ms. Weinstein sought to preserve these historic landmarks as well as the patrimony records of the Egyptian Jewish community.

Not long after my return to the US., Ms. Weinstein passed away and is now buried in the very cemetery she sought to protect. Meanwhile, with the fall of Hosni Mubarak, Coptic Christians, numbering roughly 8–10 million, are leaving in droves in the face of increased repression, persecution and violence.

A January 8 National Public Radio (NPR) story reported 'Coptic Christians will celebrate Christmas on Monday, and many will

do so outside their native Egypt. Since the revolution there, their future in the country has looked uncertain and many are resettling in the United States.'

A May 15 New York Times piece with the headline, 'Christians Uneasy in Morsi's Egypt,' reported that, 'Since the ouster of Mr. Mubarak in February 2011, a growing number of Copts, including some of the most successful businessmen, have left Egypt or are preparing to do so, fearing persecution by an Islamist-controlled government as much as the stagnant economy that is smothering their industries.'

And yet our government continues to give increasingly scarce U.S. foreign assistance to the Egyptian government without a single string attached.

Just last month, weeks before an Egyptian court sentenced more than 40 pro-democracy NGO workers, several of whom are American, including Transportation Secretary Ray LaHood's son, to jail, Secretary Kerry quietly waived the law that would have prevented the $1.3 billion, BILLION, in U.S. taxpayer money from going to Egypt absent concrete steps toward true democracy and respect for basic human rights and religious freedom.

Similarly, Iraq's Christian population has fallen from as many as 1.4 million in 2003 to roughly 500,000 today. Churches have been targeted, believers kidnapped for ransom and families threatened with violence if they stay.

In October 2010, Islamist extremists laid siege on Our Lady of Salvation Catholic Church in Baghdad, killing over 50 hostages and police, and wounding dozens more.

The head of the Chaldean Catholic Church in Iraq reportedly told MidEast Christian News that the number of Christian church declined precipitously in the last decade. There are roughly 60 Christian churches in the entire country, down from more than 300 as recently as 2003.

Of course other, much smaller but no less vulnerable, religious minorities have also suffered greatly in Iraq. The U.S. Commission on International Religious Freedom, in its recently release annual report found that, 'Large percentages of the country's smallest religious minorities—which include Chaldo-Assyrian and other Christians, Sabean Mandaeans, and Yezidis—have fled the country in recent years, threatening these communities' continued existence in Iraq.'

And yet, last year, the General Accounting Office (GAO) released a report titled, 'U.S. Assistance to Iraq's Minority Groups in Response to Congressional Directive,' which it had conducted at the request of several Members of Congress, including Congresswoman Anna Eshoo and myself after hearing from representatives of the Iraqi Diaspora community that despite targeted congressional funding intended to assist these religious communities, little tangible proof or impact was being seen on the ground.

Over multiple years, Congress directed the State Department and USAID to dedicate certain funds to help Iraq's minority populations. But GAO found that these agencies couldn't prove they spent the funds as Congress intended.

Perhaps this failure to follow a clear congressional directive was attributable in part to a refusal on the part of this administration, and frankly the previous administration, to acknowledge that minorities were being targeted, rather than merely victims of generalized violence in Iraq.

In short, over the span of a few decades, the Middle East, with the exception of Israel, has virtually been emptied of Jews. In my conversations with Syrian Christian refugees, Lebanese Christians and Coptic Christians in Egypt, a resounding theme emerged: a similar fate may await the 'Sunday People.'

While it remains to be seen whether the historic exodus of Christians from the region will prove to be as dramatic as what has already happened to the Jewish community, it is without question devastating, as it threatens to erase Christianity from its very roots.

Consider Iraq. With the exception of Israel, the Bible contains more references to the cities, regions and nations of ancient Iraq than any other country. The patriarch Abraham came from a city in Iraq called Ur. Isaac's bride, Rebekah, came from northwest Iraq.

Jacob spent 20 years in Iraq, and his sons (the 12 tribes of Israel) were born in northwest Iraq. A remarkable spiritual revival as told in the book of Jonah occurred in Nineveh. The events of the book of Esther took place in Iraq as did the account of Daniel in the Lion's Den. Furthermore, many of Iraq's Christians still speak Aramaic the language of Jesus.

In fact a February 2013 Smithsonian Magazine story noted '[a]s Jesus died on the cross, he cried in Aramaic, ''My God, my God, why have you forsaken me?''

Further, in Egypt, some 2,000 years ago, Mary, Joseph and Jesus sought refuge in this land from the murderous aims of King Herod. Egypt's Coptic community traces its origins to the apostle Mark.

If, as appears to be happening, the Middle East is effectively emptied of the Christian faith, this will have grave geopolitical implications and does not bode well for the prospects of pluralism and democracy in the region. These developments demand our attention as policymakers.

But rather than being met with urgency, vision or creativity, our government's response, both Executive and Congressional, has been anemic and at times outright baffling especially to the communities most impacted by the changing Middle East landscape.

We would do well to recall the words of Holocaust survivor Elie Wiesel, ''We must take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented.''

Prior to February, I was last in Egypt in June 2011 four months after Hosni Mubarak stepped down as president and turned over power to the military.

In the face of decades of human rights and religious freedom abuses under the Mubarak regime, successive U.S. administrations, including the Obama Administration, failed to advocate for those whose voices were being silenced. Many pro-democracy activists and religious minorities that I spoke with during that trip felt abandoned by the West. Their disillusionment with the U.S. and general trepidation about the rise of Islamists in the lead up to the elections was tempered by a palpable sense of anticipation, and in some cases, even hope about what the future might hold for the Egyptian people.

That hope has long since faded and fear has taken up residence.

In conversation after conversation Coptic Christians, reformers, secularist, women and others told me that the U.S. was perceived as the largest supporter of the Muslim Brotherhood-led government. Further, there was a widely held perception that the U.S. was either disengaged or simply uninterested in advocating for religious freedom and other basic human rights.

This is a perception informed by reality. Briefly turning from the Middle East for a moment consider the following:

Genocide persists in Darfur; the Sudan Special Envoy position has been vacant for 3 month; an internationally indicted war criminal, Sudanese president Bashir, travels the globe with impunity; meanwhile the administration actively worked to undermine congressional attempts to isolate Bashir by cutting off non-humanitarian aid to countries who host him, and then in April rewarded a notorious Sudanese government official, accused of torturing enemies and seeking to block U.N. peacekeepers in Darfur, with an invitation to Washington for high-level meetings.

In China, human rights issues are consistently relegated to the back-burner as seen in the recent summit.

This administration and the previous administration have ignored bipartisan Congressional calls to place Vietnam on the State Department's list of the most egregious religious freedom violators, despite crackdowns on people of faith and an overall deteriorating human rights situation, preferring instead a policy defined simply by trade.

Consecutive administrations have been silent about the brutal gulags enslaving thousands in North Korea and can barely muster an objection when the Chinese government flouts its international obligations to North Korean refugees by deporting them to an almost certain death sentence.

The examples are too numerous to cite.

In 1998 I authored the International Religious Freedom Act (IRFA) which created a dedicated office at the State Department headed by an Ambassador-at-Large who was intended to serve as the primary advisor to the Secretary of State on matters of religious freedom.

It also created the U.S. Commission on International Religious Freedom (USCIRF), an independent, bipartisan advisory body distinct from the State Department which can make clear-eyed policy recommendations unfettered by other diplomatic or bureaucratic considerations.

The legislation created the ''Countries of Particular Concern'' designation, reserved for those countries with the most severe systematic, ongoing and egregious violations.

A designation which has been grossly under-utilized—this administration has failed to even designate ANY CPC's since 2011.

At the time of introduction, as is their institutional inclination, the State Department was adamantly opposed to the legislation and sought to undermine it at every turn.

Just last week, the National Security subcommittee of the House Oversight and Government Reform Committee held a hearing which examined the government's record on implementing IRFA, at which panelist Chris Seiple testified.

There was near unanimity that over the course of successive administrations, both Republican and Democrat, IRFA had not been implemented as Congress intended.

The IRE office is presently buried in the bureaucracy. The ambassador, a fine person, is marginalized. The issue itself America's first freedom, is viewed as periphery.

Fast forward to 2011. I worked with Congresswoman Anna Eshoo to introduce bipartisan legislation to create a high-level special envoy charged with advocating on behalf of religious minorities in the Middle East and South Central Asia.

At the time of introduction, the IRE ambassador post had been vacant for two years,

sending a clear message globally that this issue simply was not a priority.

The legislation overwhelmingly passed the House last Congress only to stall in the Senate. Then Senators Webb and Kerry blocked it from moving forward largely at the request of the State Department.

Congresswoman Eshoo and myself along with Senators Roy Blunt and Carl Levin have reintroduced the legislation this year.

The legislation mandates that the envoy would have a priority focus on Egypt, Iraq, Iran, Pakistan and Afghanistan—countries where Christians, Baha'is, Ahdmadiya Muslims, Jews and more face incredible repression, persecution, violence and even death.

There is a historic precedent for effective special envoys advancing seemingly intractable issues. Consider former Sudan Special Envoy John Danforth. His laser beam focus on the peace process, high-level access to the White House and undivided attention to his mission was incredibly effective.

I don't pretend to think that a special envoy will single-handedly solve the problem, but it certainly can't hurt to have a high-level person within the State Department bureaucracy who is exclusively focused on the protection and preservation of these ancient communities.

This will send an important message to both our own foreign policy establishment and to suffering communities in the Middle East and elsewhere that religious freedom is a priority—that America will be a voice for the voiceless.

Let me conclude by sharing the quote of a Coptic priest who was recently interviewed about the blasphemy charges facing the young Coptic teacher I mentioned earlier.

He said, ''Today, despite this repression, we can live. But tomorrow, what will we do? The coming days will be much worse.''

This much is clear: absent strong, principled U.S. leadership on this fundamental human right, the future for religious minorities in the Middle East will indeed be much worse.

In a Constitution Day speech, President Ronald Reagan described the United States Constitution as ''a covenant we have made not only with ourselves, but with all of mankind.''

We have an obligation to keep that covenant for it is a covenant that transcends time and place—it is a covenant with the beleaguered Coptic Christian in Egypt, the imprisoned Baha'i in Iran, the fearful Chaldean nun in Iraq.

We would do well to remember that repressive governments the world over fear the words of the Constitution and the promise they hold as much as they fear the aspirations of their own people.''

REMEMBERING THE LIFE OF JANET BLAUFUSS

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Ms. KAPTUR. Mr. Speaker, I rise to pay tribute to Janet Blaufuss, a woman of vision. She passed from this life in May 2013, in Toledo, Ohio.

Janet was born in Minneapolis on July 6, 1941 to Mary Vonda and George Bernard Boutlinghouse. She graduated from the University of Illinois College of Nursing. During the 1960s, she worked in juvenile and psychiatric nursing, and was instrumental in establishing the first sheltered care homes in central Illinois. She served as president of the Illinois Association of Local Health Department Nursing Administrators.

Janet then moved to Toledo to work for the Visiting Nurse Service. She worked for the agency for eleven years and was its executive director for the last four years. In 1978, Janet Blaufuss teamed with other leaders in the American hospice movement to found Hospice of Northwest Ohio. ''She believed strongly in it because it allowed people to remain at home with more dignity and comfort'' her son explained.

In 1989, Janet Blaufuss moved to North Carolina to become director of nursing for the Iredell County Health Department. Fourteen years later, she returned to Toledo and family.

Janet Blaufuss invested her life in caring for people and taking care of others. Her legacy has lifted up countless others and their families in their time of need. We offer our condolences to her family, and hope they may draw strength from Janet Blaufuss' memory and the gift of her life.

RECOGNIZING NEUQUA VALLEY HIGH SCHOOL, NAPERVILLE, ILLINOIS

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. FOSTER. Mr. Speaker, it is with great pride that I rise today to congratulate students from Neuqua Valley High School, in Naperville, Illinois, for placing 2nd in the 10th annual national SIFMA Foundation Stock Market Game or ''Capitol Hill Challenge.'' This marks the 3rd year in a row that students from Neuqua Valley High School have placed either 1st or 2nd, earning them a trip to Washington, D.C.

Under the guidance of Kevin Geers, this year's participating team members, Manas Gosavi, Fahad Khan, Manish Lakkamsani, Colin Pinto and Tyler Rund, produced a portfolio with a value of $246,823.00, a return of over 138 percent.

During the 14-week competition, students invest a hypothetical $100,000 in listed stocks, bonds, and mutual funds, with the objective of learning the value of investing and saving. The Capitol Hill Challenge allows students to enhance their understanding of the global economy, while simultaneously strengthening their knowledge of our government.

I am delighted to see students taking an interest in expanding their financial literacy and awareness of the capital markets. As a businessman who understands the value of financial planning, I know how rewarding it can be to discover what you can accomplish if you start with a plan.

Mr. Speaker, I ask my colleagues to join me in recognizing Neuqua Valley High School, not only on this remarkable feat, but also on their ongoing efforts to generate enthusiasm in the fields of economics and business. They truly embody their mission of ''commitment to excellence.''

PERSONAL EXPLANATION

HON. JOHN A. YARMUTH

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. YARMUTH. Mr. Speaker, I was in my district participating in the groundbreaking of the downtown crossing of the Ohio River Bridges Project during the series of recorded votes leading up to final passage of H.R. 1797, the so-called Pain-Capable Unborn Child Protection Act. Had I been present I would have voted no on H.R. 1791 because this legislation would endanger the health of women and chip away at a woman's right to choose.

Consideration of H.R. 1797 and General Debate of H.R. 1947—Motion on Ordering the Previous Question on the Rule: roll No. 248; ''no'';

Rule Providing for Consideration of H.R. 1797 and General Debate of H.R. 1947—H. Res. 266: roll No. 249; ''no'';

Passage of Suspension Bill—H.R. 1151: roll No. 250; ''yes''; and

Final Passage—H.R. 1797: roll No. 251; ''no.''

RECOGNIZING RUSSEL EFIRD

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. COSTA. Mr. Speaker, I rise today to recognize Mr. Russel Efird as he is honored with the Distinguished Service Award by the Fresno County Farm Bureau (FCFB) for his contributions to agriculture. His decades of service and dedication to the farming community are to be greatly commended.

Russel's passion for farming began at a young age when he would help on his parents' farm in Caruthers, California. The Efird family has run a successful farming operation for over 70 years. They are hard-working and understand what it takes to produce quality crops.

Russel joined the FCFB Young Farmers and Ranchers Program when he was a teenager. Russel has been a member of the FCFB for over 18 years, and has served in various leadership positions within the bureau which ultimately earned him a presidency from 2006–2008. As president of the Farm Bureau, Russel did a great job leading the organization. His focus was on immigration and water which are two issues that affect the agriculture industry daily. Russel's knowledge coupled with his love for agriculture, make him a great advocate for the farming community.

In addition to all of his work at the Farm Bureau, Russel has been a member of various boards including the Western Cotton Growers Association, Fresno County Fire Protection District Board of Directors, Laton Co-op Cotton Gin Board, and the Caruthers Unified School District. Additionally he was a graduate of the Ag Leadership Program's Class X.

Farming is a huge part of Russel's life, but family is most important. He has been married

to his wife, Kathleen, for almost 40 years, and they have four grown children: Matthew, John, Adam, and Elizabeth.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Russel Efird for the contributions he has made to the Central Valley and the entire State of California. He serves as pillar in the community, and I thank him for his hard work and devotion to maintaining Fresno County's valuable agricultural strength.

CONGRATULATING DANIELLE L. SCOTT, THE RECIPIENT OF THE BEACON FOUNDATION, INC. SCHOLARSHIP AWARD

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join with me in congratulating Danielle L. Scott, the recipient of the Beacon Foundation, Inc. Scholarship Award. The scholarship, which is awarded to college students aspiring to become future leaders, was awarded to Ms. Scott based on her exemplary academic performance and extensive community service. I also commend the Beacon Foundation, a relatively new foundation, for its record in education.

Danielle is currently a junior at Howard University studying Political Science with a minor in Community Development. Prior to her enrollment at Howard University, she attended Monticello High School in Charlottesville, Virginia. During her time at Monticello, she held numerous leadership positions and was very involved in her community. She oversaw the school's Peer Mediation Program and Big Brother Big Sister mentoring program, and was class president all four years. Upon her graduation in 2011, she received the $10,000 Congressional Harry F. Byrd Jr. Leadership Award, the Susan N. Gilkey Award for Leadership, and the Alpha Kappa Alpha Sorority Incorporated Leadership Scholarship.

With her acceptance to Howard University, she was awarded the Legacy Scholarship and was accepted into the College of Arts and Sciences Honors Program. Since her arrival at the University, she has continued her service and is active in the university. She serves as the Chief of Staff for the Howard University Student Association and is also a member of Alpha Chapter, Delta Sigma Theta Sorority Incorporated. In addition, she mentors young girls on a weekly basis as a cheerleading coach at the George Ferris Jr. Clubhouse 6 Boys and Girls Club. Maintaining a 3.95 grade point average, she is on the College of Arts and Science's Dean's List. Currently, Ms. Scott holds an internship at the Economic Development Administration in the Department of Commerce.

After Howard, Ms. Scott hopes to continue her education in pursuit of a Master's degree and potentially a PhD. She hopes to help underserved communities in the United States. Specifically, she would like to help urban black communities by reinvigorating the basic infrastructure, function, and atmosphere of these areas. She lives by the words of Mary McLeod Bethune, ''Faith is the first factor in a life devoted to service, without it nothing is possible, with it, nothing is impossible.''

Mr. Speaker, I ask the House of Representatives to congratulate Ms. Danielle L. Scott as this year's recipient of the Beacon Foundation, Inc. Scholarship Award.

CELEBRATING THE 100TH ANNIVERSARY OF THE OREGON CATTLEMEN'S ASSOCATION

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. WALDEN. Mr. Speaker, I rise today to recognize the rich history and successes of the Oregon Cattlemen's Association as they celebrate their 100th anniversary this week in their birthplace: Baker City, Oregon. I commend the Oregon Cattlemen's Association for their century of commitment to producing high quality livestock, managing our natural resources, and being a highly respected voice for Oregon's livestock industry.

On May 14th, 1913, over 100 ranchers met in Baker City with concerns about the high rate of livestock theft. They sought to create an organization that would represent the livestock industry, guard against theft, and implement a brand inspection program for livestock markets. During that inaugural meeting, 51 attendees joined as charter members of the ''Oregon Cattle and Horse Raiser Association,'' which eventually became the Oregon Cattlemen's Association.

In 1913, the new association provided a much-needed voice to an industry facing chronic outbreaks of livestock theft across the range. It was reported that a rancher could turn out 500 horses for the summer, and only gather up 150 before winter. The organization brought its concern to local and state leaders, who worked with them to implement a system of brand laws and a brand inspection program. This effort cemented the Oregon Cattlemen's Association as an indispensable part of the state's livestock industry.

Ranching runs deep in Oregon's history. Way back in 1834, nearly a decade before the first of the famous covered wagons came via the Oregon Trail, Ewing Young drove a herd of cattle from California to Oregon, establishing one of the first large commercial cattle grazing operations in Oregon. Ranchers today continue in many centuries-old traditions like moving cattle horseback, grazing cattle on large tracts of land, and raising prized horses. Much of the work is physically demanding, occurring from ''dawn to done''.

These communities, and the ranchers that support them, understand that raising livestock takes more than just hard hands and a stubborn will. Today, ranchers must look towards the needs of their customers, the protection of the environment, building collaborative relationships with the government and non-governmental partners, and care for their livestock.

Like many other areas of the West, ranchers in Oregon face many of the same challenges as their counterparts did in 1913—from Mother Nature's inconsistent attitude, loss of livestock to theft and predatory animals, ever changing markets, to burdensome costs and an overabundance of government involvement in the cattle business. Like in the past, ranchers have a horseback view, up close and personal, regarding the effect that management practices have on the land, cattle, and ultimately the consumer. Advances in science including range and meadow management, veterinary medicine, and nutrition offer new avenues for building on tradition.

Additionally, ranchers have something in common with many city dwellers: they have a passion for healthy soils, plants, water, and wildlife, maintaining large open spaces, and ensuring a future place to share with family and friends. The Oregon Cattlemen's Association and its members continue to work towards solutions so they can to keep producing the high quality livestock that feeds the world. As the younger generation take over their families' operations, they will continue that legacy well into the next century.

Mr. Speaker, I ask that my colleagues join me in congratulating the Oregon Cattlemen's Association on their century of commitment to livestock producers in Oregon and recognize them for all they have done for livestock producers, the state of Oregon, and those across the West that make their living off the land. I am very proud to represent them in the United States Congress, and I wish them the very best for their next 100 years and beyond.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $16,738,653,639,711.53. We've added $6,111,776,590,799.45 to our debt in 4 and a half years. This is $6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

CONGRATULATING THE UNIVERSITY OF CALIFORNIA, IRVINE'S MEN'S VOLLEYBALL TEAM

HON. JOHN CAMPBELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. CAMPBELL. Mr. Speaker, I would like to congratulate the University of California, Irvine's (UCI) men's volleyball team for winning the 2013 National Collegiate Athletic Association (NCAA) Division I Men's Volleyball National Championship. This is UCI's fourth Men's Volleyball Championship in the last seven years. They previously won in 2007, 2009 and 2012. UCI is the first school to win

back-to-back NCAA Championships since UCLA in 1995 and 1996. This marks the 28th overall NCAA Division I Championship for UC Irvine overall.

UCI, which swept USC in the final a year ago, is the first school to sweep in the NCAA Championship match in back-to-back years since UCLA in 1982 and 1983. UCI joins UCLA, Pepperdine and USC as the only programs to have won four titles. UCI is now 4–0 in NCAA championship matches and 8–1 all-time in the NCAA Tournament.

UCI' s Connor Hughes was named the tournament's Most Outstanding Player. He joined Chris Austin, Michael Brinkley, Collin Mehring and Kevin Tillie on the All-Tournament Team. Hughes, Austin and Tillie were selected for the second consecutive year.

UCI was 25–7 overall, the second most wins in the country this season. They finished second in the Mountain Pacific Sports Federation (MPSF) with an 18–6 mark. The Anteaters' 25 wins this year are fifth most in a season, while the 18 league wins were third. They began the year ranked No. 1 and end the year ranked No. 1. They were also ranked either No. 1 or No. 2 for 13 of 17 weeks this season.

UCI was 21–0 on the year when producing more kills than its opponent and 25–0 when out-hitting its opponent. They had 17 blocks in the title match, the second most in a match this season. The Anteaters hit .500 against Loyola in the semifinals, their second-best hitting percentage on the year.

Sophomore libero Michael Brinkley had 290 digs this season which was third on UCI's single-season digs list. Kevin Tillie and Michael Brinkley were named first team All-Americans, while Collin Mehring was a second team All-American selection. Tillie and Brinkley were also named to the All-MPSF first team, while Mehring and Scott Kevorken were named to the second team.

UCI started the season by winning the UCSB Invitational where Collin Mehring was named MVP. Jeremy Dejno was named AVCA National Player of the Week on Jan. 8, while Klye Russell garnered the award on April 9.

Congratulations to head coach, David Kniffin, who is just the second coach in the 44-year history of NCAA men's volleyball to coach a team to the NCAA Championship in his first season, and the men's volleyball team of UCI, for winning the 2013 NCAA Division I Men's Volleyball National Championship. I am proud to recognize the achievements of the players, coaches, students, alumni, and staff who were instrumental in helping UCI win the national title.

It is an honor to represent University of California, Irvine, under the leadership of Chancellor Michael V. Drake, M.D., as it continues to establish itself as a world-class research university, and as one of the top universities in the Nation.

TRIBUTE TO ERIC GOLDBERG AND ERIKA GRAY FOR THE SELECTION TO THE NATIONAL YOUTH ORCHESTRA OF THE UNITED STATES

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to congratulate Eric Goldberg and Erika Gray for their achievement in being selected for the National Youth Orchestra of the United States of America. The National Youth Orchestra, spearheaded by Carnegie Hall, showcases America's finest young musicians and reinvigorates interest in youth musicianship at home and abroad. This achievement is the culmination of Eric and Erika's hard work, dedication, and training to hone their talent and develop their skills as musicians.

The National Youth Orchestra provides Eric and Erika the opportunity to build upon their experiences in studying music at the Percussion Scholarship Group of the Chicago Symphony Orchestra and New Trier High School, respectively. They will join an elite group of young musicians from across this country on an international tour that highlights the vast musical talent that exists in the United States. Their whirlwind tour will include performances at the Kennedy Center in Washington, DC; Bolshoi Hall of the Moscow Conservatory in Moscow, Russia; the Mariinsky Theatre Concert Hall in St. Petersburg, Russia; and the Royal Albert Hall in London, England.

I am so proud that these talented young people will represent my congressional district, Illinois, and the United States as cultural ambassadors during their time with the National Youth Orchestra. I wish Eric, Erika, and other members of the National Youth Orchestra the best of luck on their tour and in their future musical endeavors.

HONORING THE 40TH ANNIVERSARY OF SPECIAL OLYMPICS MINNESOTA

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Ms. MCCOLLUM. Mr. Speaker, today I rise to pay tribute to the athletes, volunteers and fans of Special Olympics Minnesota in honor of their 40th anniversary. This weekend, thousands of people will be gathering in Stillwater, Minnesota to celebrate this momentous milestone with a variety of activities, including athletic competitions and live music.

Founded just five years after Special Olympics was established nationally, thousands upon thousands of Minnesota athletes with intellectual or physical disabilities have had the opportunity to compete in 17 Olympic style sports year round, including alpine skiing, volleyball, golf, snowboarding and tennis. The Special Olympics message is simple and profound: ''Through sports, our athletes are seeing themselves for their abilities, not disabilities. Their world is opened with acceptance and understanding. They become confident and empowered by their accomplishments.'' Rather than focusing on what they can't do, Special Olympics Minnesota focuses on what the individual can do.

Respect, accomplishment, choice, quality, partnership and integrity are the six core values represented by Special Olympics Minnesota. These values contribute to an understanding of the whole person and the whole athlete.

This year, members of our law enforcement in Minnesota are participating in the Law Enforcement Torch Run, which has taken place annually across the country since it was founded in 1981 by Police Chief Richard LaMunyon, of Wichita, Kansas. In 2012, more than 1,200 law enforcement officers throughout the State of Minnesota participated in this special torch run for Special Olympics Minnesota. Thanks to the hard work and commitment of the officers, $3 million was successfully raised for Special Olympics Minnesota in 2012.

Mr. Speaker, in honor of the athletes, volunteers, donors and staff of Special Olympics Minnesota, I proudly submit this statement to the CONGRESSIONAL RECORD in recognition of their 40th anniversary as an organization, and I commend all those joining in celebration this weekend in Stillwater, Minnesota.

HONORING LARRY POWELL

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. NUNES. Mr. Speaker, I rise today alongside my colleagues, Representatives COSTA and VALADAO, to honor the accomplishments of outgoing Fresno County Superintendent of Schools Larry Powell, who has dedicated forty-three years to public education in the Sanger Unified, Fresno Unified, and Central Unified school districts.

Mr. Powell began his career in education with a B.A. in Political Science from California State University Fresno and later received his M.A. in Educational Administration from Fresno Pacific University. He was named Superintendent of the Year in 2003 by the Association of California Administrators Region 9 and received the prestigious designation of ''Top Dog'' in 2007 from California State University Fresno.

A dedicated public servant, Mr. Powell has served on the boards of numerous community and educational organizations, including the California County Superintendents Educational Services Association, Break the Barriers, the Sequoia Council of the Boy Scouts, the Fresno Sports Council, the Fresno Athletic Hall of Fame, the Economic Development Corporation, the Fresno Compact, SALT-Fresno, the Highway City Development Corporation, the School Employers Association of California, CSUF President's Commission on Education, and Rachel's Challenge.

Characteristic of his courage and determination, Mr. Powell was diagnosed with Polio as an infant but overcame all challenges, became

a champion wrestler and coach, and has shared his inspirational story in over 1,600 speeches nationwide. He lives by the message that the only things you cannot do are the things you do not attempt.

Mr. Speaker, we commend and applaud Larry Powell for his dedicated career in public education and congratulate him on a well-deserved retirement.

REINTRODUCING DUWAMISH TRIBAL RECOGNITION ACT

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. McDERMOTT. Mr. Speaker, I rise today to reintroduce the Duwamish Tribal Recognition Act affecting the indigenous people of metropolitan Seattle. Nearly 150 years after the Duwamish Tribe signed the Point Elliott Treaty in 1855, they are still seeking federal recognition, which was granted to them in 2001 but denied under dubious circumstances eight months later.

On March 22, 2013, U.S. District Judge John Coughenour vacated the September 2001 denial of the Duwamish Tribe's recognition by George W. Bush administration officials in the Interior Department. As Judge Coughenour stated, ''plaintiffs should not be left to wonder why one administration thought their petition should be considered under both sets of rules, but a second did not.'' I agree.

This issue of Duwamish recognition has been pending for so long that the Interior Department's rules for federal recognition of tribes have changed from the original regulations set in 1978 to those that were revised in 1994. There is significant evidence to support Duwamish recognition that is not in current record, which was filed 20 years ago.

I have asked the new Secretary of the Interior Sally Jewell to look into this matter. Meanwhile, this bill would provide federal recognition to the Duwamish Tribe.

I urge my colleagues to support this measure. Thank you.

RECOGNIZING ENTERPRISES OF WASHINGTON STATE AND THE ABILITYONE PROGRAM

HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. KILMER. Mr. Speaker, I rise today to recognize Skookum Contract Services and the AbilityOne Program. AbilityOne partners with over 600 non-profit agencies across the United States to provide services and sell products to the U.S. government. AbilityOne and Skookum empower people with disabilities by providing training and job placement services that help disabled folks in our region achieve gainful employment. Organizations like Skookum employ nearly 40,000 disabled Americans.

I applaud the work of these organizations to offer skills training and opportunities for people that are blind or have significant disabilities. By directly matching employers with well-qualified employees with disabilities, AbilityOne is helping employers address their workforce needs and creating opportunities that help people with disabilities become more productive and self-reliant.

In Washington State, Skookum partners with the Naval Bremerton Hospital and Jefferson County General Hospital to provide housekeeping services and ensure that hospitals are clean and sanitary for patients, doctors, and health care workers. In addition, they contract with Joint Base Lewis-McChord and Naval Base Kitsap to provide fleet management, janitorial, and grounds maintenance. Last year, I had the opportunity to see firsthand the important work of Skookum and their employees through visiting some of their work sites and can attest to the quality of their work. The agency also provides several other services to the community including warehouse and distribution, sanitation, and recycling services. ''Skookum'' is a Chinook word that means stronger or well-made in a better or unique way. The products that come out of Skookum demonstrate how effectively their employees are able to craft unique, high quality items.

Mr. Speaker, our community is a better place because of the work of Skookum employees. I commend the work of Jeff Dolven, the President and CEO of Skookum, and his staff in helping to uplift the disabled community and place them in meaningful employment that brings this region together. I applaud the work of Skookum employees in providing several meaningful services to the people of Washington State. I am pleased today to recognize this extraordinary service today in the United States Congress.

RECOGNIZING JORGE ARIAS ON THE OCCASION OF HIS RETIREMENT FROM FAIRFAX COUNTY

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. CONNOLLY. Mr. Speaker, I rise to recognize and commend Jorge Arias, the famous mosquito hunter of Fairfax County, on the occasion of his retirement after a decorated career in the field of medical entomology, which culminated in his 10–year tenure as the Supervisor of the Fairfax County Health Department's Disease Carrying Insects Program.

When most people hear the familiar buzz of a fly or mosquito, their natural instinct is to swat them away or reach for the repellent. Not Jorge. He welcomes the pests of summer with open, exposed arms, inviting them to creep, crawl, and chomp on him. It is that passion which made him an easy selection when Fairfax County was looking to start its insects program in 2003.

Clearly the feeling was mutual. In a 2006 profile in The Washington Post, Jorge said at the time, ''I thought, 'Oh my lord, this is heaven.' I get to play with mosquitoes!'' It is that zeal for entomology that has made Jorge a respected expert in international circles. Along the way he has suffered multiple infections, mentored countless students in the field of biology, and even had several bugs named in his honor.

Jorge is a native Virginian, born in Charlottesville. He was the son of a doctor and survived polio as a young child growing up in Panama. He went to college thinking he would follow in his father's footsteps, but that changed once he sat down for his first entomology class. Some people claim to have been ''bitten by the bug'' when describing their career choice. For Jorge, it was quite literal. He was known for offer himself up in ''live bait'' experiments, sitting out in the rain forests for hours unprotected. He became so close to his subjects that he could identify the species of fly or mosquito feasting on him even in the dark. He has dedicated not only his career, but his very health, to the study of insects. Through the years, he has survived bouts with multiple diseases, including malaria and, remarkably, hepatitis.

He received a Bachelor of Arts and Master of Science degrees in biology from Whittier College in California, and he went on to receive his doctorate of philosophy in medical entomology from the University of California Riverside. From there, he and his wife, Kathy, joined the Peace Corps. They were posted in Brazil, where Jorge helped found graduate degree programs in entomology. He later pursued research activities in Brazil, Panama, and Venezuela, and then continued that work as a consultant with the Pan American Health Organization.

In Fairfax, Jorge led the creation of an insect identification and surveillance program, targeting mosquitoes, ticks, and other insects. He has helped raise public awareness about the public health risks of West Nile Virus and Lyme Disease and offered helpful tips for precaution, particularly among the County's diverse immigrant community and in our school classrooms. He also has helped train a new generation of ''mosquito hunters'' to carry on this important work.

The American Mosquito Control Association recognized Jorge in 2011 with its Volunteer of the Year Award, ''for his outstanding contributions to the furtherance of mosquito control education and outreach programs in Fairfax County Virginia and to communities around the world.'' Last year, the Mid-Atlantic Mosquito Control Association recognized him with its 2012 R. E. Dorer award for his ''exceptional contributions to mosquito control in the Mid-Atlantic Mosquito Control region.''

Mr. Speaker, when I was a member of the Fairfax County Board of Supervisors, we often joked that we should not allow such talented and dedicated community servants to retire. We certainly wish that was the case here. I wish Jorge, his wife, Kathy, his children, and grandchildren, all the best in this well-deserved retirement, and I ask that my colleagues in the House join me in expressing our appreciation to Jorge for his commitment to public health service and for keeping the bugs at bay for the rest of us.

IN CELEBRATION OF JUNETEENTH

HON. BILL FOSTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. FOSTER. Mr. Speaker, I rise today to commemorate Juneteenth, the oldest known celebration marking the end of slavery in the United States.

It was not until June 19, 1865, two and a half years after President Lincoln's Emancipation Proclamation, that Major General Gordon Granger arrived in Galveston, Texas, and announced that the war had ended and the slaves were freed. Since then, Juneteenth has been celebrated nationally, serving as an important opportunity for friends, families and neighbors to come together and rejoice in our shared heritage. It's an important reminder both of the great tragedy of slavery and of the courage and resilience of all those who fought for change.

I am proud to look back on this day at my own family's tradition of fighting for civil rights in this country. My great grandfather led one of the first units of African-American soldiers into battle, where they risked their lives and their own freedom to bring greater freedom to all Americans of every skin color. That tradition carried on through my family to my father who joined the civil rights struggle of the 1960s and went on to write much of the enforcement language behind the Civil Rights Act of 1964.

Recently, I attended a ceremony commemorating the life of civil rights leader Medgar Wiley Evers on the 50th anniversary of his assassination. His legacy is a reminder of the courage of individuals who fight for freedom and opportunity. While we have made great strides since that day in 1865, the struggle for equality is not over.

As I commemorate this historic day, I would like to urge my colleagues to honor the memory of all who have fought for freedom and equality and stand with all who continue the struggle today.

REMEMBERING THE LIFE OF BETTY MORAIS

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Ms. KAPTUR. Mr. Speaker, I rise to pay tribute to a woman of substance: Betty Morais passed from this life in May 2013, in Toledo, Ohio.

Betty was born in Minneapolis on March 5, 1923, to Esther and Lewis Himmelman. She received her undergraduate degree from the University of Minnesota and her graduate degree from Ohio State University. She worked in New York City of the Army Adjutant General's Office, then made her way to Toledo where she worked for Lasalle & Koch. It was at the downtown department store that she met her husband, Harold. They married in 1950 and together raised three children, sons Peter and Anthony, and daughter Nina. Harold and Betty enjoyed 49 happy years until his passing. Betty met further heartache when her son Anthony passed away a decade later.

Betty spent twenty years as a committed volunteer for the Toledo section of the National Council of Jewish Women, the Junior League and the League of Women Voters. She volunteered with groups assisting children in need and worked for the Economic Opportunity Planning Association of Toledo. Betty's calling, however, was to lead Planned Parenthood of Northwest Ohio.

Betty Morais became the executive director of Planned Parenthood and ably guided the agency for eighteen years until retiring in 1993. Under her leadership, the agency grew from a storefront to its own clinic, expanded educational initiatives and medical services, and growing into the rural areas of the region. She was open, compassionate and a visionary. It was important to Betty to serve people who needed her help. Her efforts brought her recognition from the Junior League, receiving its Community Service Award; the YWCA, receiving its Milestones Award; and the legal aid associations' Community Advocacy Award.

Betty Morais gave fully of herself. She was a pioneer in many ways, and a focused advocate. She has left her mark on our community. We offer our condolences to her family, and hope they may draw strength from Betty Morais' memory and the gift of her life.

NOBODY HOME ON SUDAN

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. WOLF. Mr. Speaker, more than three months since the departure of Sudan Special Envoy Princeton Lyman, this administration has yet to fill his position.

A June 11 UPI story covered a recently released Amnesty International report which underscored that, ''Indiscriminate bombing has been the Sudanese government's signature tactic in Blue Nile state, to devastating effect.''

Amnesty reported on the desperate humanitarian situation facing the people of the region—including acute food shortages and virtually non-existent access to medical care.

The report underscored the fact that an internationally indicted war criminal, Sudanese President Omar Bashir, continues to evade justice and concludes: ''With no accountability for past crimes, there is little deterrence for those of the present.''

I couldn't agree more which is why I attempted to restrict non-humanitarian foreign assistance to countries that diplomatically welcomed an architect of genocide in an effort to isolate a man who undoubtedly has blood on his hands. I offered an amendment to that effect to last year's appropriations bill—an amendment which the Obama Administration sought to defeat as the appropriations process moved forward.

These realities beg certain questions: What is this administration's policy on Sudan? Is it to isolate Bashir? Apparently not. Is it to pursue justice for the Sudanese people? Not if it risks ruffling diplomatic feathers. Is it to elevate the issue within our own foreign policy establishment? Not really—how else to explain a prolonged vacancy of the Special Envoy post?

RECOGNIZING THE 30TH ANNIVERSARY OF THE VISITING NURSE ASSOCIATION OF PORTER COUNTY HOSPICE PROGRAM

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. VISCLOSKY. Mr. Speaker, it is with great respect and admiration that I recognize the Visiting Nurse Association, VNA, of Porter County Hospice Program as the organization celebrates its 30th anniversary. In honor of this momentous occasion, the VNA Hospice is hosting a celebratory event on Saturday, June 22, 2013 at Central Park Plaza in Valparaiso, Indiana.

The VNA Hospice Program was established in 1983 with the goal of providing comfort, care, and compassion to terminally ill patients and their families in and around the communities of Porter County. The program started with only 22 patients and has quickly grown over the years, caring for 742 patients in 2012. In 1994, in order to meet the growing need for inpatient hospice care, the VNA of Porter County opened the 10-bed Mary E. Bartz Hospice Center in Valparaiso, which was the first self-supporting hospice center in Indiana. Due to the tremendous support of the community through a $2.85 million capital campaign, the Arthur B. and Ethel V. Horton 20-bed hospice center was built to replace the Bartz Hospice Center in 2002. Throughout the last 30 years, the VNA Hospice Program has been able to help more than 11,000 patients live their final days with peace and dignity.

The VNA of Porter County Hospice Program has been successful due to the unwavering dedication of its leadership, volunteers, and staff, including nurses, social workers, home health aides, clergy, and therapists. Northwest Indiana is not only grateful, but proud to have had the organization's support and help during the past 30 years.

Mr. Speaker, at this time, I ask you and my other distinguished colleagues to join me in congratulating the VNA of Porter County Hospice Program on their 30th anniversary. For their remarkable leadership, commitment, and compassion shown through their service to so many in need throughout Northwest Indiana, they are worthy of the highest praise.

HONORING DR. STEVEN BREM

HON. C. W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. YOUNG of Florida. Mr. Speaker, I rise today to pay tribute to Dr. Steven Brem and all those who have come to America, worked hard and embraced this great country as their own. We are truly a nation of immigrants and

many of us have a story to tell about how our families came here, some dating back to the discovery and settlement of the continent and others more recent, but all are proud of the day they or their ancestors were welcomed as citizens and finally called themselves Americans. The process can be hard, and the journey difficult, but the stories of immigrants like Steven and his family continue to enrich our country and exemplify what so many seek to achieve when they come here.

Dr. Steven Brem was born Szmul Szaja Brem, in a displaced persons camp in Germany following World War II. His parents were survivors of the Holocaust and, in 1949, the family traveled to the United States on a troop support boat. The Brem family embraced this country as their own and they were grateful for the opportunities they were provided, especially the access to an education, which was denied in the concentration camps. His parents instilled the value of education in Steven and maintained that in America success would come to those willing to work hard to achieve their goals. Steven took his parents philosophy to heart and, upon deciding he wanted to pursue a degree in medicine, worked hard, and received his degree from Harvard Medical School in 1972.

I first met Steven when he was helping one of my employees fight a brain tumor. He was serving as the Chair of Neuro-Oncology at Moffitt Cancer Center in Tampa and proved an invaluable resource during that difficult time. Although she ultimately lost her battle, Steven was there for her during her struggle, exemplifying all the traits one could wish for in a doctor. His kindness and caring for his patients made a lasting impression, and our families have become good friends. Steven has since moved to Pennsylvania and is now serving in the Department of Neurosurgery at Penn Medicine as Professor of Neurosurgery, Chief of Surgical Neuro-oncology and Co-Director of the Penn Brain Tumor Center. He is recognized as one of the preeminent doctors for the treatment of brain tumors, recently receiving the Joel A. Gingras, Jr. award from the American Brain Tumor Association for his work to advance the understanding and treatment of brain tumors.

Mr. Speaker, I believe that the story of the Brem family is one of the most positive stories of the American experience I have ever heard. As Steven has said to me many times ''we want to make a stronger, more beautiful America by passing down from generation to generation the love of learning and service to our fellow man.'' I am proud to call Steven my friend and ask my colleagues to join with me today in recognizing the contribution he and his family have made to our great nation.

SPENCER WEST SUMMIT ANNIVERSARY

HON. CYNTHIA M. LUMMIS

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mrs. LUMMIS. Mr. Speaker, I rise today to recognize the anniversary of Spencer West's summit of Mount Kilimanjaro. A man of many talents: relentless climber, accomplished speaker, motivating author, thriving philanthropist and activist. This Wyoming native from Rock Springs is a man who is inspiring the world to follow in his path and redefine possible.

''Redefining Possible'' is the phrase that West has chosen to embody his life. At age of 5, he was diagnosed with sacral agenesis, a genetic disorder which led to the amputation of both his legs. The 32 years old man today is an inspiration, proving no handicap can hold you back from changing the world.

Just one year ago, West climbed Mt. Kilimanjaro in Tanzania, the highest peak in Africa on his hands and in his wheelchair. West's climb was dedicated to the fundraising campaign for Free the Children's sustainable water initiative, which raised more than half a million dollars committed to create clean water programs in Kenya. He now shares with audiences the struggles he has overcome. His motivational speeches have reached over 150,000 people where he captures audiences with his charismatic and dynamic personality.

His powerful message continued to reach a larger audience when West teamed up with Nelly Furtado in her lyrical video for her single titled Spirit Indestructible. Furtado's video chronicles West's astonishing journey during his week-long climb to the summit of one of the world's most famous mountains.

Since his climb, West has not slowed down in his efforts to raise awareness and additional funds for the clean water project in Kenya. He recently finished a 300 kilometer trek between Edmonton and Calgary in Alberta, Canada. He completed the journey in 11 days, undertaking nearly an entire marathon every day.

Mr. Speaker, I hope that my colleagues will join me in congratulating Spencer West for his inspiring achievements for powerful social change. Through his determined work and optimism, he has demonstrated that the impossible is indeed possible.

JOSEPH A. PIERANGELI, FORMER UNICO PRESIDENT

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. BARLETTA. Mr. Speaker, I rise to honor Joseph A. Pierangeli, the former president of the UNICO Wilkes-Barre, Pennsylvania Chapter.

Mr. Pierangeli has served as a member of UNICO for 10 years. UNICO is the largest Italian American organization in the United States. Members seek to improve their communities by providing assistance to area and national charities through fundraisers and donations. Additionally, they strive to honor and educate others about their Italian culture and ethnic heritage.

Currently, Mr. Pierangeli serves as the Chief Executive Officer of United Rehabilitation Services in Wilkes-Barre, Pennsylvania. A graduate of Penn State University, Mr. Pierangeli is a proud husband and father who plays an active role in many civic organizations throughout Luzerne and Lackawanna Counties.

Mr. Speaker, for his dedicated service to both his Italian heritage and our community, I commend Joseph A. Pierangeli, former president of the UNICO Wilkes-Barre, Pennsylvania Chapter.

A TRIBUTE TO CONGRESSMAN JOHN D. DINGELL JR.

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Ms. ESHOO. Mr. Speaker, on June 7, 2013, Congressman JOHN DINGELL became the longest-serving Member of Congress in the history of our country.

To put Congressman DINGELL's tenure into perspective mathematically, one would need a calculator. The Washington Post reported that since the American Revolution, Congressman DINGELL has been a Member of Congress for 24 percent of that time. That's over 20,000 days.

I measure his tenure in far greater terms . . . his contributions to our country.

Nearly every major law one can point to today bears the imprint of Congressman DINGELL. From fighting for civil rights and clean water, to improving labor laws and health care, JOHN DINGELL is the epitome of effective service to our country.

He has seen Popes pass and Presidents elected, wars won and wars lost, championship sports teams and the first email.

Much in the world has changed since Congressman DINGELL was first elected in 1955, but he has been the ''constant'' in Congress to count on. He fights for what's right, putting his constituents first and politics second. He sets his sights on his goals and relentlessly pursues them. He is a prudent and wise man.

So thank you, Mr. DINGELL. Thank you for inspiring us, and thank you for all you've done for our country.

It's an honor to serve with you.

RECOGNIZING THE 148TH ANNIVERSARY OF JUNETEENTH AND THE 20TH CELEBRATION OF THE JUNETEENTH FREEDOM & HERITAGE FESTIVAL IN MEMPHIS, TENNESSEE

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Mr. COHEN. Mr. Speaker, I rise today to recognize the 148th anniversary of the observance of Juneteenth in the United States. Even though the Emancipation Proclamation was signed by President Abraham Lincoln in September 1862, it was not until June 19, 1865, that Union Soldiers led by Major General Gordon Granger granted freedom to the last slaves in Galveston, Texas. This year also marks the 20th annual Juneteenth Freedom and Heritage Festival in Memphis. To commemorate this day in our history and the contributions of many African-Americans to our

nation, this year the festival has chosen the theme, ''Honoring African-American Medical Doctors.''

Over the course of history, there have been many obstacles in the path to success for African-Americans in many fields, and the medical field is no exception. In fact, the nation's first African-American doctor, Dr. James McCune Smith was barred from attending medical school in New York City, where he lived, so he attended medical school in Scotland and obtained his degree in 1837. He then returned to New York, set up a medical practice in lower Manhattan, and became the resident physician at an orphanage. In addition to his medical practice, Dr. Smith served as a schoolteacher, a prolific writer and a strong abolitionist. The bravery of Dr. Smith paved the way for more African-American doctors to climb the ranks to prominence.

Because Memphis is a medical center, the city has seen its own share of African-American doctors who have made a difference in the lives of their patients and left their respective marks on the medical community. Dr. Edward Reed was the first black general surgeon to set up practice in Memphis and to integrate the surgical staffs of Memphis hospitals during the 1960s. Dr. Lawrence Seymour was a pioneer in the fight against prostate cancer, developing several new treatments for the disease, including one that shrinks the prostate gland before surgery. Dr. Linkwood Williams moved to Memphis, after his tenure training many of the 450 pilots who served in the 332nd Fighter Group at Tuskegee University, and began an OB–GYN practice, becoming the first African-American OB–GYN in the city. Dr. Vasco Smith, a civil rights leader and the first African-American elected to the Shelby County Commission, also served the medical community as a well-respected dentist and an instrumental founder of the Regional Medical Center at Memphis. Dr. Ethelyn Williams-Neal worked to become one of the first black pediatricians in Memphis, and she continues to serve as a prominent pediatrician in the Memphis community.

Mr. Speaker, it is in the spirit of these great medical professionals that I ask my colleagues to join me in observing our nation's 148th anniversary of Juneteenth and the celebrations in Memphis. This is a time to reflect upon the end of slavery in America and to recognize the many contributions of African-American citizens. As Dr. Martin Luther King, Jr. said, the Emancipation Proclamation ''came as a joyous daybreak to end the long night of their captivity.''

PERSONAL EXPLANATION

HON. DONNA F. EDWARDS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 2013

Ms. EDWARDS. Mr. Speaker, I was absent from votes in the House on Friday afternoon, June 14th, due to attending a family funeral out of town. The House considered amendments to H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. Had I been present, I would have voted: ''aye'' on rollcall No. 230 (Holt amendment); ''aye'' on rollcall No. 231 (McCollum amendment); ''aye'' on rollcall No. 232 (Nolan amendment); ''aye'' on rollcall No. 233 (Larsen amendment); ''aye'' on rollcall No. 234 (Gibson amendment); ''aye'' on rollcall No. 235 (Coffman amendment); ''aye'' on rollcall No. 237 (Smith amendment); ''aye'' on rollcall No. 238 (Polis amendment); ''aye'' on rollcall No. 239 (Polis amendment); ''aye'' on rollcall No. 240 (Van Hollen amendment); ''aye'' on rollcall No. 241 (Blumenauer amendment); ''aye'' on rollcall No. 242 (DeLauro amendment); ''aye'' on rollcall No. 243 (Motion to Recommit H.R. 1960 with Instructions); ''no'' on rollcall No. 229 (Turner amendment); ''no'' on rollcall No. 236 (Walorski amendment); and ''no'' on rollcall No. 244 (final passage of H.R. 1960).

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 20, 2013 may be found in the Daily Digest of today's record.

MEETINGS SCHEDULED

JUNE 24

3 p.m.

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine curbing drug abuse in Medicare.

SD–342

5:30 p.m.

Committee on Homeland Security and Governmental Affairs

Business meeting to consider the nominations of Howard A. Shelanski, of Pennsylvania, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, and Daniel M. Tangherlini, of the District of Columbia, to be Administrator of General Services.

S–216

JUNE 25

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine private student loans, focusing on regulatory perspectives.

SD–538

Committee on Energy and Natural Resources

To hold an oversight hearing to examine the challenges and opportunities for improving forest management on Federal lands.

SD–366

Committee on Finance

To hold an oversight hearing to examine recovery audit contractors, focusing on program integrity.

SD–215

Committee on Homeland Security and Governmental Affairs

Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia

To hold hearings to examine measuring the impact of preparedness grants since 9/11.

SD–342

12 noon

Committee on Appropriations

Subcommittee on Transportation and Housing and Urban Development, and Related Agencies

Business meeting to markup proposed legislation making appropriations for fiscal year 2014 for Transportation, Housing and Urban Development, and Related Agencies.

SD–124

2:15 p.m.

Committee on Foreign Relations

Business meeting to consider S. 718, to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, S. 559, to establish a fund to make payments to the Americans held hostage in Iran, and to members of their families, who are identified as members of the proposed class in case number 1:08-CV–00487 (EGS) of the United States District Court for the District of Columbia, S. Res. 144, concerning the ongoing conflict in the Democratic Republic of the Congo and the need for international efforts supporting long-term peace, stability, and observance of human rights, S. Res. 167, reaffirming the strong support of the United States for the peaceful resolution of territorial, sovereignty, and jurisdictional disputes in the Asia-Pacific maritime domains, S. Res. 165, calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko in light of the recent European Court of Human Rights ruling, S. Res. 166, commemorating the 50th anniversary of the founding of the Organization of African Unity (OAU) and commending its successor, the African Union, and any pending nominations.

S–116

2:30 p.m.

Committee on Energy and Natural Resources

Subcommittee on Energy

To hold an oversight hearing to examine S. 1084, to amend the Energy Policy and Conservation Act to establish the Office of Energy Efficiency and Renewable Energy as the lead Federal agency for coordinating Federal, State, and local assistance provided to promote the energy retrofitting of schools, S. 717, to direct the Secretary of Energy to establish a pilot program to award grants to nonprofit organizations for the purpose of retrofitting nonprofit

buildings with energy-efficiency improvements, and other pending energy efficiency legislation.
SD–366

Committee on Health, Education, Labor, and Pensions
To hold hearings to examine 75 years of the Federal minimum wage.
SD–430

Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

3 p.m.
Committee on Appropriations
Subcommittee on Financial Services and General Government
To hold hearings to examine proposed budget estimates for fiscal year 2014 for the Commodity Futures Trading Commission and the Securities and Exchange Commission.
SD–138

JUNE 26

10 a.m.
Committee on Finance
To hold hearings to examine health care quality, focusing on the path forward.
SD–215

Joint Economic Committee
To hold hearings to examine reducing red tape through smarter regulations.
SD–G50

10:30 a.m.
Committee on the Budget
To hold hearings to examine the impact of Federal budget decisions on children, focusing on investing in our future.
SD–608

2 p.m.
Special Committee on Aging
To hold hearings to examine respecting patients' wishes and advance care planning. SD–124

2:30 p.m.
Committee on Commerce, Science, and Transportation
To hold hearings to examine advancing the science and standards of forensics.
SR–253

JUNE 27

10:30 a.m.
Committee on Homeland Security and Governmental Affairs
Subcommittee on Financial and Contracting Oversight
To hold hearings to examine contract management by the Department of Energy.
SD–342

2:30 p.m.
Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

JULY 16

2:30 p.m.
Committee on Energy and Natural Resources
Subcommittee on Water and Power
To hold hearings to examine the Bureau of Reclamation's Colorado River Basin Water Supply and Demand Study.
SD–366

HOUSE OF REPRESENTATIVES—*Thursday, June 20, 2013*

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Ms. ROS-LEHTINEN).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 20, 2013.

I hereby appoint the Honorable ILEANA ROS-LEHTINEN to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

We pause now in Your presence and acknowledge our dependence on You.

We ask Your blessing upon the men and women of this, the people's House. Keep them aware of Your presence as they face the tasks of this day, that no burden be too heavy, no duty too difficult, and no work too wearisome.

Help them, and indeed help us all, to obey Your law, to do Your will, and to walk in Your way. Grant that they might be good in thought, gracious in word, generous in deed, and great in spirit.

Make this a glorious day in which all are glad to be alive, eager to work, and ready to serve You, our great Nation, and all our fellow brothers and sisters.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. POE of Texas. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POE of Texas. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Illinois (Ms. DUCKWORTH) come forward and lead the House in the Pledge of Allegiance.

Ms. DUCKWORTH led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

CELEBRATING HOOSIER SMALL BUSINESSES

(Mrs. WALORSKI asked and was given permission to address the House for 1 minute.)

Mrs. WALORSKI. Madam Speaker, in recognition of the 50th Annual National Small Business Week, I rise today to celebrate the Hoosier small businesses that have been serving our communities for decades.

Growing up in South Bend, my parents owned a small appliance repair shop in town, and I learned the value of hard work firsthand. Many of our small businesses were started in Hoosier families and passed on to the next generation.

One such place sits right in Elkhart at Bullard's Farm Market. Owned by Kevin Bullard and his wife, Cindy Reardon, Bullard's was started by his father, a sweet corn grower. It began as eight rows of corn and has grown to cover many acres, including a bakery, greenhouse, and antiques. Bullard's provides fresh, healthy food and local products to Hoosier families. It creates jobs and contributes to our economic engine. Awarded Business of the Year by the Greater Elkhart Chamber of Commerce, Bullard's is a shining example of a Hoosier business.

On Small Business Saturday, I look forward to visiting Bullard's and hope you'll join me in supporting all small businesses to make sure their doors stay open for generations to come.

FEDERAL LEADERS SHOULD LEAD BY EXAMPLE

(Mr. BARROW of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARROW of Georgia. Madam Speaker, very soon thousands of folks in my district in Georgia, and even more across the State, will be furloughed as a result of the budget sequester. Studies have shown that the sequester will cost the Georgia economy approximately $107 million. Meanwhile, reports circulated this week that President Obama's upcoming trip to Africa will cost the taxpayers nearly $100 million.

Madam Speaker, no one here questions the need for security for our Commander in Chief, but we do question the need for such expensive trips when so many folks across the country are being forced to cut back because Congress can't get its act together. A trip of this magnitude isn't unusual, but these are hard times. $100 million could be better used to keep folks on the job.

I urge the President and everyone at the Federal level to lead by example and not take the fact that Congress can't get its act together and rub that in the faces of hardworking Americans.

FBI USES DRONES DOMESTICALLY TO PEEP ON AMERICANS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Madam Speaker, recently we've learned that the NSA, what I call the ''National Surveillance Agency,'' seized millions of phone records of Americans to try to find a few bad guys. Overreaching and unconstitutional, in my opinion, it violates the right of privacy.

FBI Director Mueller has now confirmed what many of us already believe, that the FBI has used drones domestically to peep on Americans. Who are they spying on? Do they have probable cause? Do they have a warrant from a judge? We don't know.

Madam Speaker, by 2030, there will be 30,000 drones cruising, filming, looking, spying, snooping, and hovering over America's sky. Congress needs to regulate drone use to protect the right

of privacy and ensure the Fourth Amendment is actually protected.

Congresswoman LOFGREN and I have filed the Preserving American Privacy Act (PAPA) to make government snoops and private entities follow the Constitution in the use of drones. We must regulate lawful and unlawful drone use because drone laws are needed to keep the peeping tomcrats out of our business.

And that's just the way it is.

NO CHILD IN AMERICA SHOULD GO TO SCHOOL HUNGRY

(Ms. DUCKWORTH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DUCKWORTH. Madam Speaker, the cuts we are considering to SNAP—$20.5 billion—will be devastating for many American families. There is little room to cut this vital program. The average benefit is only $4.50 a day, just $1.50 a meal. These cuts will slash benefits to 2 million Americans and cut more than 200,000 children off the school lunch and school breakfast program.

This is a very personal issue for me. I was one of those children. After my father lost his job for several years when I was a teenager, food stamps, school breakfast, and school lunch were the only things that saved me. They were there for me so I could worry about school instead of my empty stomach. They nourished me so I could develop the skills to serve my country for the next 20 years—all of the way here to Congress.

I believe that in the wealthiest Nation in the world, no American child should go to school hungry, and no parent should have to make the difficult decision between paying rent or paying for groceries.

Charities, like the Church of the Holy Sprit food pantry in Schaumburg, are already stretched to the limit, trying to meet the needs of our communities during these tough economic times. This means that hungry Americans will have nowhere else to turn.

I ask my colleagues to reject these draconian cuts.

□ 0910

CELEBRATING WEST VIRGINIA'S 150TH BIRTHDAY

(Mr. MCKINLEY asked and was given permission to address the House for 1 minute.)

Mr. MCKINLEY. Madam Speaker, today, the great State of West Virginia is celebrating its 150th year birthday.

The unique history of the Mountain State is a source of pride for all West Virginians. On this day in 1863, West Virginia entered the Union to become the 35th State. It is the only State born during that divisive War Between the States, and the only State formed by Presidential decree.

From these challenging years, our State has become a significant contributor to America's economy. West Virginia's natural resources—coal, oil, natural gas, and timber—have played an integral role in the industrialization of our country. Now, in addition to providing energy to continue fueling our Nation's economy, West Virginia has grown into a leader in health care, research, education, biotech, aerospace, and many other diverse industries.

The Mountain State's natural beauty also attracts people from all around the world to visit and enjoy its breathtaking scenery.

Madam Speaker, today West Virginia takes special pride in our wild and wonderful State. We celebrate our past and look forward to the future.

Happy birthday, West Virginia. Here's to the next 150 years.

SNAP ISN'T A HANDOUT; IT'S AN ASSIST

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Madam Speaker, I rise today on behalf of many Illinois residents and one in seven American families in opposing the $20.5 billion cut to the Supplemental Nutrition Assistance Program in this year's FARRM Bill.

I have always believed that an America where we're in this together is much better than an America where we're on our own.

For 46 million low-income Americans, SNAP is a helping hand, and it's our Nation's most important antihunger program. It's also the most effective defense against the steep rise in extreme poverty in America. Between 1996 and 2011, SNAP kept more households with children out of extreme poverty than any other government program.

I have ended my participation in the SNAP challenge, where I lived on $4.50 worth of food a day. While I merely participated in this as a challenge, I often thought about the many families for whom this is an everyday reality.

SNAP isn't a bailout. SNAP isn't a handout. SNAP is an assist. It's a bridge over troubled water, and there is still more we can do.

RECOGNIZING THE GIRLS EDINA GOLF TEAM FOR THEIR 2013 STATE GOLF TOURNAMENT WIN

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Madam Speaker, I want to recognize the achievements of the Edina High School girls golf team. This talented group of young ladies recently demonstrated extreme passion and dedication and intensity in a commanding win in this year's Minnesota State High School Golf Tournament.

The Edina girls team should be proud, not only for being named winners of this year's tournament, but also for having the lowest overall score in State tournament history. This now brings the Hornets' championship total to eight, the most ever in Minnesota.

These student athletes are great role models, and they're also setting themselves up to be a positive standard for all of their classmates.

Congratulations to the team, and congratulations to the coaches for their hard work and their dedication and for this year's big win.

Go Hornets.

PROPOSED CUTS TO THE SNAP PROGRAM

(Mr. FOSTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOSTER. Madam Speaker, today I rise to speak out against the drastic cuts proposed to the SNAP program, a lifeline that millions of Americans rely on.

The FARRM Bill being debated today would cut over $20 billion over 10 years from SNAP, a program that ensures that children, seniors, and families struggling to make ends meet don't have to go without food.

The Center on Budget and Policy Priorities estimates that these cuts would leave 2 million Americans without essential food assistance and cut 200,000 children from the school lunch program.

Food pantries in all corners of my district tell me that they are already struggling to keep up with the need. The Interfaith Food Pantry in Aurora, Illinois, provides food assistance to 750 families each week. Forty percent of those families also get SNAP benefits, which are, unfortunately, insufficient to meet their food needs.

If these SNAP cuts are implemented, more families will be forced to turn to volunteer-run pantries, which are already stretched dangerously thin, and many people will have nowhere to turn.

Madam Speaker, there is a long list of Federal programs for which the benefits are uncertain or for which the benefits are certain to be delivered to narrow groups for which the need is unclear. SNAP is not one of these, and I urge my colleagues to reconsider these drastic cuts.

2013 ELECTRIC COOPERATIVE YOUTH TOUR

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Madam Speaker, today I rise to recognize the more than 1,600 young men and women who have come to our Capitol from across America this week to participate in the 49th annual Electric Cooperative Youth Tour.

These high school juniors and seniors that you see around the Capitol this week are here to get firsthand insights about our Nation's government and its political process and gain a greater understanding of our history. They will meet with their Representatives and Senators and watch Congress in action from the galleries and also visit many memorials and the museums.

I look forward to meeting with the 106 students from the State of Georgia, and I urge my colleagues to do the same.

These students coming from the Electric Cooperative Tour are part of a great tradition. In 1957, Texas Senator Lyndon Baines Johnson inspired the youth tour when he addressed the National Rural Electric Cooperative Association meeting in Chicago. The Senator and future President declared:

If one thing comes out of this meeting, it will be sending youngsters to the Nation's capital where they can actually see what the flag stands for and represents.

So every June, for the past 49 years, over 50,000 young citizens and future leaders have put those words into action, and you can see the results of this tradition right here in the Capitol. Several of the groups have spawned congressional aides and elected Representatives themselves.

Back home in Georgia, the chairman of our State House Appropriations Committee, Terry England, is a prime example of someone who had the desire for public office and ran for elective office when it was fueled as a student when he came up here on the electric co-op tour some 20 years ago.

I congratulate Terry and thousands of others just like him who have engaged in this great tour. And I commend the national Electric Cooperative Youth Tour and thank the Georgia EMCs for all the great work they are doing in developing America's youth.

COMMEMORATING THE LIVES LOST IN THE SHOOTING RAMPAGE AT SANTA MONICA

(Mr. WAXMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WAXMAN. Madam Speaker, today I rise to commemorate the lives lost in the tragic shooting rampage on the streets of Santa Monica and at Santa Monica College. On June 7, Samir Zawahri, Chris Zawahri, Marcela Franco, Carlos Navarro Franco, and Margarita Gomez lost their lives. We take a moment to honor them, and make a promise that we will remember them.

I want to express my condolences to the victims' families. Your losses are Los Angeles' losses, and we grieve with you.

There were many wounded, and we send our best wishes for a full and speedy recovery.

I also rise to commend the heroic actions of our first responders. Without their fearless response, many more lives could have been lost. We thank these first responders who arrived on the scene and bravely protected us all. Our Nation expresses its gratitude.

We are losing too many of our fellow citizens to gun violence. We must stop this cycle. My colleagues in Congress must come together to enact commonsense reforms, including comprehensive background checks. We must address the mental health needs of our community.

We cannot allow the tragedy that occurred in Santa Monica to be repeated. The lives lost in Santa Monica cannot just be another statistic. They must inspire us to make our community and our Nation safer and more secure for everyone.

□ 0920

FEDERAL AGRICULTURE REFORM AND RISK MANAGEMENT ACT OF 2013

The SPEAKER pro tempore (Mr. CASSIDY). Pursuant to House Resolution 271 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1947.

Will the gentlewoman from Florida (Ms. ROS-LEHTINEN) kindly resume the chair.

□ 0924

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes, with Ms. ROS-LEHTINEN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, June 19, 2013, amendment No. 58, printed in part B of House Report 113–117, offered by the gentlewoman from North Carolina (Ms. FOXX), had been disposed of.

AMENDMENT NO. 98 OFFERED BY MR. PITTS

The Acting CHAIR. It is now in order to consider amendment No. 98 printed in part B of House Report 113–117.

Mr. PITTS. Madam Chairman, I rise to offer my amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike subtitle C of title I (sugar) and insert the following:

Subtitle C—Sugar

SEC. 1301. SUGAR PROGRAM.

(a) SUGARCANE.—Section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)) is amended—

(1) in paragraph (4), by striking ''and'' after the semicolon at the end;

(2) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(6) 18 cents per pound for raw cane sugar for each of the 2014 through 2018 crop years.''.

(b) SUGAR BEETS.—Section 156(b)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(b)(2)) is amended by striking ''2012'' and inserting ''2018''.

(c) EFFECTIVE PERIOD.—Section 156(i) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(i)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 1302. FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR.

(a) IN GENERAL.—Section 359b of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb) is amended—

(1) in subsection (a)(1)—

(A) in the matter before subparagraph (A), by striking ''2012'' and inserting ''2018''; and

(B) in subparagraph (B), by inserting ''at reasonable prices'' after ''stocks''; and

(2) in subsection (b)(1)—

(A) in subparagraph (A), by striking ''but'' after the semicolon at the end and inserting ''and''; and

(B) by striking subparagraph (B) and inserting the following:

''(B) appropriate to maintain adequate domestic supplies at reasonable prices, taking into account all sources of domestic supply, including imports.''.

(b) ESTABLISHMENT OF FLEXIBLE MARKETING ALLOTMENTS.—Section 359c of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359cc) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''but'' after the semicolon at the end and inserting ''and''; and

(ii) by striking subparagraph (B) and inserting the following:

''(B) appropriate to maintain adequate supplies at reasonable prices, taking into account all sources of domestic supply, including imports.''; and

(B) in paragraph (2)(B), by inserting ''at reasonable prices'' after ''market''; and

(2) in subsection (g)(1)—

(A) by striking ''ADJUSTMENTS.—'' and all that follows through ''Subject to subparagraph (B), the'' and inserting ''ADJUSTMENTS.—The''; and

(B) by striking subparagraph (B).

(c) SUSPENSION OR MODIFICATION OF PROVISIONS.—Section 359j of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359jj) is amended by adding at the end the following:

''(c) SUSPENSION OR MODIFICATION OF PROVISIONS.—Notwithstanding any other provision of this part, the Secretary may suspend or modify, in whole or in part, the application of any provision of this part if the Secretary determines that the action is appropriate, taking into account—

''(1) the interests of consumers, workers in the food industry, businesses (including small businesses), and agricultural producers; and

''(2) the relative competitiveness of domestically produced and imported foods containing sugar.''.

(d) ADMINISTRATION OF TARIFF RATE QUOTAS.—Section 359k of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359kk) is amended to read as follows:

''SEC. 359k. ADMINISTRATION OF TARIFF RATE QUOTAS.

''(a) ESTABLISHMENT.—Notwithstanding any other provision of law, at the beginning of the quota year, the Secretary shall establish the tariff-rate quotas for raw cane sugar and refined sugar at no less than the minimum level necessary to comply with obligations under international trade agreements that have been approved by Congress.

''(b) ADJUSTMENT.—

''(1) IN GENERAL.—Subject to subsection (a), the Secretary shall adjust the tariff-rate quotas for raw cane sugar and refined sugar to provide adequate supplies of sugar at reasonable prices in the domestic market.

''(2) ENDING STOCKS.—Subject to paragraphs (1) and (3), the Secretary shall establish and adjust tariff-rate quotas in such a manner that the ratio of sugar stocks to total sugar use at the end of the quota year will be approximately 15.5 percent.

''(3) MAINTENANCE OF REASONABLE PRICES AND AVOIDANCE OF FORFEITURES.—

''(A) IN GENERAL.—The Secretary may establish a different target for the ratio of ending stocks to total use if, in the judgment of the Secretary, the different target is necessary to prevent—

''(i) unreasonably high prices; or

''(ii) forfeitures of sugar pledged as collateral for a loan under section 156 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272).

''(B) ANNOUNCEMENT.—The Secretary shall publicly announce any establishment of a target under this paragraph.

''(4) CONSIDERATIONS.—In establishing tariff-rate quotas under subsection (a) and making adjustments under this subsection, the Secretary shall consider the impact of the quotas on consumers, workers, businesses (including small businesses), and agricultural producers.

''(c) TEMPORARY TRANSFER OF QUOTAS.—

''(1) IN GENERAL.—To promote full use of the tariff-rate quotas for raw cane sugar and refined sugar, notwithstanding any other provision of law, the Secretary shall promulgate regulations that provide that any country that has been allocated a share of the quotas may temporarily transfer all or part of the share to any other country that has also been allocated a share of the quotas.

''(2) TRANSFERS VOLUNTARY.—Any transfer under this subsection shall be valid only on voluntary agreement between the transferor and the transferee, consistent with procedures established by the Secretary.

''(3) TRANSFERS TEMPORARY.—

''(A) IN GENERAL.—Any transfer under this subsection shall be valid only for the duration of the quota year during which the transfer is made.

''(B) FOLLOWING QUOTA YEAR.—No transfer under this subsection shall affect the share of the quota allocated to the transferor or transferee for the following quota year.''.

(e) EFFECTIVE PERIOD.—Section 359l(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ll(a)) is amended by striking ''2012'' and inserting ''2018''.

SEC. 1303. REPEAL OF FEEDSTOCK FLEXIBILITY PROGRAM FOR BIOENERGY PRODUCERS.

(a) IN GENERAL.—Section 9010 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) Section 359a(3)(B) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359aa(3)(B)) is amended—

(A) in clause (i), by inserting ''and'' after the semicolon at the end;

(B) in clause (ii), by striking ''; and'' at the end and inserting a period; and

(C) by striking clause (iii).

(2) Section 359b(c)(2)(C) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb(c)(2)(C)) is amended by striking '', except for'' and all that follows through '' of 2002''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Pennsylvania (Mr. PITTS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PITTS. Madam Speaker, for those of us in support of my amendment, I will divide 5 minutes under the control of Congressman DANNY DAVIS, 5 minutes on my side.

I rise in support of my amendment, one that would reform our government's sugar program. For too long, we've seen these subsidies and market protections drive up costs on taxpayers, consumers, and businesses. Let me highlight some of the costs now:

Consumers are paying an extra $3.5 billion a year to subsidize this policy.

Taxpayers are set to foot a bill of $239 million over the next several years, according to the CBO. The CBO estimated our amendment would save $73 million.

American workers are paying the price in job losses. Nearly 127,000 jobs were lost by sugar-using industries between 1997 and 2011. At risk are an additional 600,000 manufacturing jobs.

My amendment would help get the price of sugar closer to the world price. It does so by reforming the sugar program, not repealing it. American sugar is still going to have its support program much the same as it did before the 2008 farm bill. We're simply returning to those policies in order to get a more competitive price, one that will help consumers, manufacturers, and even growers.

Under the 2008 farm bill, refined sugar prices have averaged 68 percent more than under the 2002 farm bill. Our detractors are quick to point out that sugar prices are falling, but then they neglected to tell the taxpayer that they are set to bail out the sugar industry, possibly by amounts of $100 million a year in the coming years. So at the same time this reckless policy sticks the costs of subsidies to consumers, we are set to start spending taxpayer money on supporting sugar farmers, even while the price of U.S. sugar was 64 percent higher than the world price last year.

All we are seeking to do is to return the sugar program to what it was under the 2002 farm bill policy. I'm not sure about you, but I don't remember having any trouble getting sugar into my coffee in 2008. But since the last farm bill, companies have been struggling to find affordable sugar, so much so that Canada has actively been advertising to our manufacturing base that they have access to cheaper sugar. Furthermore, the inflated price of sugar has incentivized Mexico to dump sugar into our market.

So, we're losing jobs to the north, and we're getting hit from foreign sugar from the south due to this reckless policy. So let's reform it. Let's get back into the free market, into the sugar market. Let's get American jobs to stay here. Let's save consumers and taxpayers money. Let's reform our sugar policy.

I reserve the balance of my time.

Mr. PETERSON. Madam Chair, I'd like to claim the time in opposition.

The Acting CHAIR. The gentleman from Minnesota is recognized for 10 minutes.

Mr. PETERSON. Madam Chair, I yield 1 minute to the chairman of the House Agriculture Committee.

Mr. LUCAS. Madam Chairman, we hear a lot from the proponents of this amendment about moving American companies to Mexico and to Canada. But that has nothing to do with the price of sugar. It has everything to do with labor costs, health care costs, and trying to get every penny out of the American farmer.

□ 0930

Have any of you seen the price of sugar, cakes or cookies plummet over the last few years as sugar prices have decreased by 55 percent? No, you haven't.

You will hear a lot from the proponents of this amendment about the high prices of sugar—so high indeed that restaurants give it away and that you can buy a five-pound bag of sugar for almost nothing. The idea that adopting this amendment is going to somehow create a free market for sugar is ludicrous.

The world sugar market is one of the most distorted markets in the world. Adopting this amendment or even repealing sugar policy would do nothing but subject the U.S. to that distorted market even more than we are today, cost a lot of farmers their livelihoods, and cost this country an industry with all the jobs and economic activity that go with it. Let's be quite clear, the U.S. is already one of the largest sugar importers in the world.

The Acting CHAIR. The time of the gentleman has expired.

Mr. PETERSON. I yield the gentleman 1 minute.

Mr. LUCAS. The second argument is that we are all of a sudden going to have cheaper sugar if we adopt this amendment.

What bothers me the most about this argument is that it was made when

sugar prices were 55 percent higher, and it is made just the same when prices are in the tank. How cheap is cheap enough for those who are backing this amendment?

They claim that consumers are being bilked by the high price of sugar, but have any of our colleagues noticed a drop in the price of candy bars as manufacturers faithfully pass along to consumers the savings from a 55 percent drop in sugar prices? Of course not.

Sugar policy has operated at zero cost to the taxpayers for 10 years now. Our farmers are efficient and competitive. Consumers in this country enjoy cheaper sugar than anywhere else in the world, and sugar users enjoy a reliable source of safe sugar.

Candy makers are reporting strong profits as sugar farmers and processors struggle. Neither today's climate nor the climate of 55 percent higher prices was caused by sugar policy. It was caused by conditions in a distorted market. All sugar policy does is provide a low-level safety net so farmers can repay their loan principal plus interest and farm another day.

I urge my colleagues to reject the amendment.

Mr. PITTS. Madam Chairman, I yield 5 minutes to the gentleman from Illinois (Mr. DANNY K. DAVIS.)

The Acting CHAIR. Without objection, the gentleman from Illinois will control 5 minutes.

There was no objection.

Mr. DANNY K. DAVIS of Illinois. Madam Chairman, let's be clear: unequivocally, and without a doubt, we know that the sugar subsidy raises the price of sugar on the domestic market in this country.

I know that I have lost out of my congressional district major candy makers and food processors who left town—not because of labor costs, not because of any rifts, but because they were paying so much for the price of sugar that they knew that if they went to Mexico, if they went to Canada that they could get sugar at a much lower price.

I don't know why we help 4,000 sugar growers at the expense of 600,000 workers in America. I say vote ''yes'' for the Pitts-Davis-Blumenauer-Goodlatte amendment. When you do that, you are helping the guy who gets a cup of coffee and needs to use sugar for the sweetener.

I reserve the balance of my time.

Mr. PETERSON. I yield 1 minute to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Madam Chair, I rise in opposition to this amendment. This is nothing but an attack on the thousands of family farms in my district and across the country.

The district I represent is home to Michigan Sugar, a co-op owned by 900 American family farmers. The idea of Big Sugar is flat-out false. To compare a co-op, a growers' co-op such as Michigan Sugar, to a large, multinational corporation is fallacy and wrong.

Back in my district, when I visit these hardworking third- and fourth-generation farmers, all they ask for is a fair and even playing field. These farmers work hard, they play by the rules, and they shouldn't be punished, as this amendment would do. That's why I stand with the American family farms and not foreign government-subsidized sugar.

Big corporate food processors are not moving overseas because of sugar costs; they are moving overseas to avoid providing health care and living wages to their workers. Furthermore, if Big Business is able to target one crop at a time, the entire farm bill loses its worth.

If you support family farms, you will oppose this amendment.

Mr. PITTS. Madam Chairman, at this time I yield 1½ minutes to the distinguished vice chair of the Ag Committee, the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Madam Chairman, this FARRM Bill reforms many commodity programs. It makes major policy changes that leave no commodity untouched except for one. This bill makes absolutely no change to the sugar program. In fact, the sugar program wasn't even given the scrutiny of an audit hearing.

Under this bill, we are being asked to demand sacrifices from farmers in our districts. Wheat, corn, soybeans, cotton, peanuts, and rice—these commodities and more are undergoing major changes and contributing to the deficit reduction in this bill. But we're asked to believe that the sugar program and the sugar program alone is so perfect that it must be left untouched, it cannot be reformed or even discussed. I respectfully disagree.

The sugar program needs to be reformed for many reasons:

First, all serious studies show that the sugar program increases food costs. Economists at Iowa State University put this consumer cost at up to $3.5 billion a year for the first 4 years of the 2008 farm bill.

Second, because it harms the competitiveness of U.S. food manufacturing, the sugar program costs jobs. The Iowa State study estimated that as many as 20,000 new jobs a year could be created if sugar policy were fully reformed. The U.S. Department of Commerce found that for every sugar industry job saved by the program, three good manufacturing jobs were lost.

Third, current sugar policy may not have cost taxpayers at the moment, but the Congressional Budget Office projects that it will in the future. The Feedstock Flexibility Program—which was added to the sugar policy in 2008—is forecast to cost $193 million.

I urge my colleagues to support this amendment.

Fourth, the sugar program constitutes an almost unbelievable government intrusion into private business decisions. Under the marketing allotment system, the federal government tells every sugar company the exact amount of sugar that it is legal for the company to sell, down to the pound. USDA issues press releases every year with each private company's exact sales quota listed. Can you imagine what my colleagues would call that if we did it in any other industry in America? It is a pure command-and-control regime.

For all these reasons, I believe we need a serious discussion about sugar policy. A case could be made to repeal it completely. But that is not what I am proposing.

This amendment does not repeal the sugar program or sugar import quotas.

Instead, the amendment removes several features that were added to sugar policy in 2008, and makes some additional program reforms. Specifically, it eliminates—new restrictions that prevent Secretary Vilsack from increasing import quotas between October 1 and April 1, and require that he set the import quota at the bare minimum allowed under our international obligations, regardless of market needs; the Feedstock Flexibility Program, which requires the government to buy up surplus sugar and re-sell it to ethanol plants at a loss to taxpayers; a de facto domestic content requirement, which prevents USDA from reducing marketing allotments below 85% of the market, even if that would save the government money; and price support increases that were mandated in 2008. This part of the amendment is scored by CBO as contributing to a net savings of $73 million.

The amendment also makes the sugar program more flexible and transparent: first, by permitting developing countries to lease one another's sugar quotas temporarily, thus allowing small quota-holding countries that no longer produce sugar to derive some benefit from their quotas, and ensuring that all quota sugar will actually be imported; second, by setting a goal that ending stocks of sugar will be approximately 15.5% of total demand, thereby making policies more transparent; and third, by restoring Secretary Vilsack's authority to suspend marketing allotments in emergency conditions, authority taken away in 2008.

In 2008, Congress went too far in shackling sugar policy with new market-shorting provisions. We have seen the results in the four years after enactment of the farm bill.

With USDA unable to increase imports even when supplies were tight, both wholesale and retail sugar prices in the United States have set all-time records.

At the same time, the gap between U.S. and world sugar prices widened far beyond historic levels.

Supplies were so tight in the summer of 2010 that the United States imported 200,000 tons of ''high-tier'' or ''over-quota'' sugar. This means the importer willingly paid a tariff that is deliberately set so high as to be prohibitive in normal conditions. There was simply no other sugar available from U.S., Mexican or quota sources.

Once again, our amendment does not change the basic tenets of sugar policy. A good case can be made to do that, but I fully understand that many of my colleagues would

not support a repeal. Instead, this amendment rolls back counterproductive policies that have distorted markets and increased consumer costs since they were enacted in 2008.

The amendment's scope is modest, but it is genuine reform. I once again ask my colleagues: Do you really believe that we should cut programs for farmers in your district, but leave sugar policy absolutely untouched? If you do not believe that, please vote for the sugar reform amendment.

Mr. PETERSON. Madam Chairman, I am pleased now to yield 1 minute to the chairman of the subcommittee that deals with this, the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Madam Chairman, I rise in opposition to the gentleman's amendment.

Sugar users and folks who buy it by the ton are not going broke. If you look at Hershey, which is one of the main proponents for changing this policy, in 2007 they made $217 million—I don't begrudge them that; I wish I were a shareholder. In 2012, they made $660 million—a threefold increase in their prices. Their own annual report says that sugar costs went from 54 cents a pound to 37 cents a pound, and that that would not be reflected in their prices because of the way they manage the rest of their business. If the sugar buyers were actually going broke, then that would be reflected in one of the largest sugar users, which is Hershey.

This is about protecting American producers, men and women who get up every morning to fight the fight for American agriculture and grow sugar, process sugar, so that you and I can pick it up off a table free and walk out of a restaurant with it.

The current policy works. Often, if it's not broke, don't fix it. This also fits in the category that if a fellow is down, you don't kick him. The sugar industry is down right now because of a 52 percent decrease in the price of sugar. Let's don't kick them while they're down.

This current policy works. Let's don't fix it, because it's not broken. And the $38 million pro-rated over 10 years is a bargain.

Oppose this amendment.

Mr. DANNY K. DAVIS of Illinois. Madam Chairman, I now yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Madam Chairwoman, I don't have any sugar manufacturing jobs in my district, let alone any sugar beet farms or sugar cane fields, but all of my constituents and all of the constituents of every Member of this body pay a share of the $3.5 billion annual hidden food tax on consumers. So it seems to me that's what this is about.

And to go from the personal to the national, according to the U.S. Department of Commerce, for each sugar production job saved, this sugar program has eliminated three jobs in food manufacturing. Three jobs lost for every job saved. So if we're really about creating jobs and not losing them, we ought to reform this sugar program.

□ 0940

Current policy keeps sugar prices higher than the world market price and that encourages food manufacturing jobs to move offshore. As a result, between 1997 and 2011, 127,000 jobs were lost in segments of the food and beverage industries that use sugar to make their products.

I also object, Madam Chairman, to the idea of paying $239 million in taxpayer purchases for a sugar-to-ethanol mandate. It ought to be eliminated, which this amendment would do.

Mr. PETERSON. Madam Chair, I am now pleased to yield 1 minute to a good friend of the American farmer and agriculture, the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Madam Chairman, I rise in opposition to the Pitts amendment.

The proponents of the amendment claim that sugar prices are too high, but U.S. raw sugar prices have dropped by more than half just since the fall of 2011.

In 2004, more than 200 people lost their jobs when the Domino sugar plant in Brooklyn, New York, closed its doors. That plant predated the Brooklyn Bridge, it outlasted the Brooklyn Dodgers, and now it is gone. So are the paychecks that its employees used to collect.

I have a sugar refinery in my district in Yonkers, New York, and I don't want the same thing to happen to them. The sugar industry supports 142,000 jobs in 22 States, including 300 at this plant in my district.

Our current policy supports this industry at no cost to the taxpayers. In fact, the USDA has predicted a zero cost increase over the next 10 years.

I come from the school that ''if it ain't broke, don't fix it.'' Until we have a level playing field on the world market, we must continue our current sugar policy.

I urge my colleagues to vote ''no'' on the amendment.

The Acting CHAIR. The gentleman from Minnesota has 5 minutes remaining. The gentleman from Pennsylvania has 30 seconds remaining. And the gentleman from Illinois has 2½ minutes remaining.

Mr. PITTS. Madam Chairman, I yield the balance of my time to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Madam Chairman, we have all heard the phrase ''American as apple pie,'' but it is shameful to think that every American pie has baked into it Soviet-style sugar. We have a Byzantine array of government production quotas, import quotas, mandatory target prices. And what does it do? It destroys three jobs for every one it creates and transfers millions of dollars from working Americans to 6,000 sugar growers.

It is time for us to put ''American'' back into ''American as apple pie.'' Let's support the gentleman from Pennsylvania's amendment.

Mr. PETERSON. Madam Chairman, I am now pleased to yield 1 minute to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. Madam Chairman, I thank the gentleman for yielding.

Food and candy opponents of U.S. sugar policy would like to expose American sugar farmers to distorted world market for sugar. But the United States sugar growers are already exposed. Mexico has unlimited access to the United States market.

One thing that hasn't been said: 20 percent of the Mexican sugar industry is owned by the Mexican Government. Mexico owns and operates its sugar industry, which is five times larger than the Texas sugar-producing industry. As this chart shows, since 2008, Mexico has gotten unlimited access to the United States sugar market, and, in fact, the prices of sugar are the same prices as they were in the 1980s.

My friends on both sides that propose this amendment say that we need a more free market. The United States cannot unilaterally disarm. That jeopardizes 142,000 jobs and leaves us dependent on the Brazilian and Mexican food industry that is run by the Mexican Government.

This amendment does not promote free trade or free market; it promotes a government-run industry from Mexico and Brazil.

Mr. DANNY K. DAVIS of Illinois. Madam Chairman, I keep hearing ''if it is not broken, don't fix it.'' Well, I can tell you for the 600,000 people whose jobs are at risk when their companies move out of the country, that seems like broken to me.

I would now like to yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Madam Chairman, there have been assertions that somehow the American sugar industry is down. Because of the changes that were made in the last farm bill, prices soared up to 92 percent. And so there was a temporary increase in American sugar, which created some downward pressure, which in fact is going to require the American taxpayer to bail out in the next several years because of the sugar program's feedstock flexibility.

We are talking about returning to the 2002 law. Every independent economist agrees that the American consumer is paying from $2 billion to $3.5 billion excess.

The reason jobs are going to Canada is not because their jobs pay less, it is because the sugar price is less. There are far more jobs in the industries that use sugar than those who produce it.

We are merely asking to return to the 2002 provisions, which were generous enough. Someday—someday—we

will deregulate. Someday we will truly reform. But in the short term this is a reasonable accommodation.

Mr. DANNY K. DAVIS of Illinois. Madam Chairman, I yield the balance of my time, 1½ minutes, to the gentleman from Pennsylvania (Mr. PITTS).

The Acting CHAIR. Without objection, the gentleman from Pennsylvania will control the time.

There was no objection.

Mr. PETERSON. Madam Chairman, I am now pleased to yield 1 minute to the gentleman from Louisiana (Mr. CASSIDY).

Mr. CASSIDY. Madam Chairman, I oppose this amendment.

We advocates for American farmers know that we need free world markets. The proponents of this amendment ignore that other countries, such as Brazil, subsidize their sugar industry as much as $3 billion per year.

This amendment unilaterally disarms our economy. By doing so it threatens 142,000 farming jobs and potentially places the U.S. consumer at the mercy of market manipulation by foreign governments. At stake is our food security, 142,000 jobs, and the American consumer.

By eliminating this program, which operates at zero cost to the American taxpayer, we hamstring the ability of our farmers to provide food security for our people.

I urge my colleagues to reject this amendment.

Mr. PITTS. Madam Chairman, there is nothing in the amendment that will bring an additional ounce of sugar under our shores without explicit approval of the Secretary of Agriculture.

At this time, I yield 1 minute to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Madam Chairman, I must take exception to some of the remarks I've heard here today. This amendment is absolutely necessary for this country, for the consumer. We are talking about saving consumers $3.5 billion a year and saving 20,000 manufacturing jobs.

I must strenuously object to those who say the price of sugar is so low. Let me tell you what is going to happen. When the price of sugar drops below a certain level, the Federal Government will buy that excess sugar, then sell it to ethanol producers at a loss. The taxpayer and the consumer is royally abused twice.

This is protectionism at its worse. We all know it. It is time to reform this program.

This is not a zero-zero policy as the proponents claim. This is going to cost taxpayers $239 million over the next several years. That is according to CBO. $80 million of taxpayer-funded bailout could come later this year.

This issue is about protecting manufacturing jobs, making sure that we have something closer to a market-based price.

I represent Hershey, Pennsylvania. I just heard a statement saying, no sugar packets handed out to restaurants are free. Well, that cost is built into the meal that you eat. It is absurd. It is absolutely absurd. We are losing jobs to countries that have more market-based sugar policies.

I urge strong support for the Pitts-Goodlatte-Davis-Blumenauer amendment.

Mr. PETERSON. Madam Chairman, I am now pleased to yield 1 minute to the gentlelady from Hawaii (Ms. HANABUSA).

□ 0950

Ms. HANABUSA. Madam Chair, I represent a State that was literally built on sugar, and we are now down to one sugar-producing company in the whole State. We do not have the sugarcane blowing in the wind as we had in the past. What this amendment is going to do is really, when you think about it, do away with a program that doesn't cost the taxpayers anything. It is an agreement between the USDA and the sugar producers to ensure that the agriculture industry remains stable.

Think about it.

Why do you want to do away with something that doesn't cost us anything at this point in time, that produces jobs and is essential and, instead, give away to world markets that are subsidized? What will happen when those subsidies are deemed to be no longer necessary because of the fact that there is nothing in the United States anymore?

Think about it.

We need to keep agriculture strong. That is what this is all about. It doesn't cost taxpayers anything. This is a program that clearly works and that keeps this industry alive and well, so it makes no sense.

Mr. PITTS. Madam Chair, I yield the balance of my time to the gentleman from Tennessee (Mr. FLEISCHMANN).

The SPEAKER pro tempore. The gentleman from Tennessee is recognized for 30 seconds.

Mr. FLEISCHMANN. I represent the Third District of Tennessee. We've heard a great debate today. Let's be clear. The numbers are self-evident.

When the world price of sugar compared to the United States' price of sugar is so out of kilter since reform—72, 91, 77, and 63 percent since 2008—we cannot compete in America based on the world price. It's a commodity. It's an agreement. I urge strong support of this amendment. We've got American jobs at stake. We cannot compete if this program continues. Jobs will leave America. Let's support this amendment.

Mr. PETERSON. Madam Chair, may I inquire as to how much time I have remaining.

The Acting CHAIR. The gentleman has 2 minutes remaining.

Mr. PETERSON. I am now pleased to yield 1 minute to my good friend from across the border in North Dakota (Mr. CRAMER).

Mr. CRAMER. I thank the gentleman for yielding.

The idea that somehow this amendment creates free and fair trade is a fallacy, and the idea that somehow sugar has not been reformed in recent years and decades is also a fallacy.

The greatest reformation of the sugar program is the North American Free Trade Agreement, which gave access to U.S. markets completely, not only to the sugar farmers south of us, but to the Governments of Mexico and Brazil. The idea that a no-net-cost program like the American sugar program is somehow a great advantage over countries like Brazil, which is subsidized with tax dollars of $2.5 to $3 billion per year, I think is the most distorting fact in this entire debate.

I rise to oppose this amendment, and I encourage my colleagues to do the same.

Mr. PETERSON. Madam Chair, in closing, I want to thank my colleagues for their statements. I represent the biggest sugar-producing area in the country, and I agree with what has been said by my colleagues.

People need to understand that every country that produces sugar in the world has some intervention in the sugar market. For us to unilaterally disarm, all we are going to do is give away our jobs and our industry to other countries. We import sugar from 41 countries, sugar that we could make in the United States. Fifteen percent of our market we have given to other people. We have opened up the market to Mexico, and yet we haven't had a no-net-cost program until this year when sugar prices collapsed, which is not our fault. It's what's going on in Brazil and other places. So, for people to be complaining that sugar prices are too high when, right now, they're about as low as they've ever been is kind of crazy.

I ask my colleagues to reject this amendment and to continue a policy that works—that's good for America, that's good for the farmers, that's good for the workers, and that's good for the economy.

I yield back the balance of my time.

Mr. YOHO. Madam Chair, I rise today against this job killing amendment. Madam Chair, for years people have rallied against our domestic sugar program because they felt it artificially increased prices here at home. Nothing could be further from the truth. Prices have dropped dramatically over the past year, with the culprit being an influx of sugar from foreign countries.

Worldwide agriculture is a distorted market due to foreign price and supply control programs, but sugar takes the cake as being the most distorted commodity in the world. Each year countries like Brazil and Mexico dump millions of tons onto export markets dropping the price of sugar below the cost of producing

sugar. This is price manipulation at its worst. That is why I have joined with many of my colleagues in calling for a ''Zero-For-Zero'' policy that would reduce subsidies world wide. But until our trading partners agree with this policy, we should not place our farmers in direct competition with massive government controlled production by changing our already modest domestic program.

I urge my colleagues to vote for thousands of American jobs by defeating this amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PITTS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. PITTS. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 113–117 on which further proceedings were postponed, in the following order:

Amendment No. 18 by Mr. BROOKS of Alabama.

Amendment No. 25 by Mr. BUTTERFIELD of North Carolina.

Amendment No. 26 by Mr. MARINO of Pennsylvania.

Amendment No. 30 by Mr. SCHWEIKERT of Arizona.

Amendment No. 32 by Mr. TIERNEY of Massachusetts.

Amendment No. 37 by Mr. POLIS of Colorado.

Amendment No. 38 by Mr. GARAMENDI of California.

Amendment No. 41 by Mr. MARINO of Pennsylvania.

Amendment No. 43 by Mr. MCCLINTOCK of California.

Amendment No. 44 by Mr. GIBSON of New York.

Amendment No. 45 by Mrs. WALORSKI of Indiana.

Amendment No. 46 by Mr. COURTNEY of Connecticut.

Amendment No. 47 by Mr. KIND of Wisconsin.

Amendment No. 48 by Mr. CARNEY of Delaware.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 18 OFFERED BY MR. BROOKS OF ALABAMA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Alabama (Mr. BROOKS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 103, noes 322, not voting 9, as follows:

[Roll No. 264]

AYES—103

Amash
Bachmann
Barr
Bentivolio
Bishop (UT)
Black
Blackburn
Bridenstine
Brooks (AL)
Broun (GA)
Burgess
Campbell
Cantor
Capito
Cassidy
Chabot
Chaffetz
Coble
Cook
Cooper
Cotton
Culberson
Daines
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Fleischmann
Flores
Foxx
Franks (AZ)
Garrett
Gohmert
Gosar
Gowdy
Graves (GA)
Guthrie
Hall
Hensarling
Holding
Huizenga (MI)
Hurt
Issa
Jenkins
Jones
Jordan
Kingston
Kline
Labrador
Lamborn
Lance
Lankford
Long
Lummis
Marchant
Massie
McCaul
McClintock
McHenry
McKinley
Meadows
Messer
Miller (FL)
Mulvaney
Murphy (PA)
Nugent
Palazzo
Paulsen
Perry
Petri
Pitts
Polis
Pompeo
Price (GA)
Radel
Ribble
Rice (SC)
Rigell
Roe (TN)
Rohrabacher
Rokita
Rooney
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Sensenbrenner
Sessions
Shuster
Stockman
Tiberi
Wagner
Walberg
Wenstrup
Westmoreland
Woodall
Yoder
Young (FL)
Young (IN)

NOES—322

Aderholt
Alexander
Amodei
Andrews
Bachus
Barber
Barletta
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Camp
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Costa
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleming
Forbes
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Gutiérrez
Hahn
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Hultgren
Hunter
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
LaMalfa
Langevin
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marino
Matheson
Matsui
McCarthy (CA)
McCollum
McDermott
McGovern
McIntyre
McKeon
McMorris Rodgers
McNerney
Meehan
Meeks
Meng
Mica
Michaud
Miller (MI)
Miller, George
Moore
Moran
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nunes
Nunnelee
O'Rourke
Olson
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pearce
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pittenger
Pocan
Poe (TX)
Posey
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Richmond
Roby
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Yarmuth
Yoho

NOT VOTING—9

Hastings (FL)
Herrera Beutler
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Slaughter
Young (AK)

□ 1022

Messrs. GUTIÉRREZ, KELLY of Pennsylvania, and MEEKS changed their vote from ''aye'' to ''no.''

Mr. ROONEY, Mrs. CAPITO, Messrs. COOPER, MULVANEY, ROKITA, NUGENT, and Mrs. BACHMANN changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 25 OFFERED BY MR. BUTTERFIELD

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. BUTTERFIELD) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 123, noes 297, not voting 14, as follows:

[Roll No. 265]

AYES—123

Andrews
Bass
Beatty
Becerra
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Butterfield
Carson (IN)
Cartwright
Castor (FL)
Chu
Clarke
Clay
Clyburn
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeLauro
Deutch
Doggett
Doyle
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Fattah
Fitzpatrick
Frankel (FL)
Fudge
Garamendi
Grayson
Green, Al
Green, Gene
Gutiérrez
Hahn
Higgins
Holt
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Kelly (IL)
Kirkpatrick
Kuster
Labrador
Langevin
Larson (CT)
Lee (CA)
Lewis
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Marchant
McDermott
McNerney
Meeks
Meng
Miller, George
Moore
Moran
Nadler
Napolitano
Negrete McLeod
Noem
O'Rourke
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Pocan
Price (NC)
Quigley
Rangel
Richmond
Rohrabacher
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schwartz
Scott (VA)
Serrano
Shea-Porter
Sires
Smith (WA)
Speier
Takano
Thompson (MS)
Titus
Tonko
Tsongas
Veasey
Vela
Velázquez
Visclosky
Watt
Waxman
Wilson (FL)

NOES—297

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Bustos
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carter
Cassidy
Castro (TX)
Chabot
Chaffetz
Cicilline
Coble
Coffman
Cohen
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
DeGette
Delaney
DelBene
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dingell
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Farr
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Gallego
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Himes
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Keating
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Levin
Lipinski
LoBiondo
Loebsack
Long
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neal
Neugebauer
Nolan
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Paulsen
Pearce
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Radel
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Terry
Thompson (CA)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Turner
Upton
Valadao
Van Hollen
Vargas
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (FL)
Young (IN)

NOT VOTING—14

Cleaver
Cole
Hastings (FL)
Herrera Beutler
Hinojosa
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Scott, David
Sewell (AL)
Slaughter
Young (AK)

□ 1026

Ms. WATERS changed her vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. NOEM. Madam Chair, on rollcall No. 265, I inadvertently voted "yea" when I intended to oppose the amendment.

Mr. HINOJOSA. Mr. Chair, on rollcall No. 265, had I been present, I would have voted "no."

AMENDMENT NO. 26 OFFERED BY MR. MARINO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. MARINO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 79, noes 346, not voting 9, as follows:

[Roll No. 266]

AYES—79

Amodei
Bachmann
Barletta
Barton
Bentivolio
Bilirakis
Bishop (UT)
Brady (TX)
Buchanan
Burgess
Cantor
Chabot
Chaffetz
Coffman
Cooper
Cotton
Culberson
Daines
Dent
DeSantis
Franks (AZ)
Garrett
Gerlach
Gohmert
Goodlatte
Gowdy
Granger
Graves (MO)
Guthrie
Hall
Hanna
Hastings (WA)
Hensarling
Hunter
Kinzinger (IL)
Labrador
Lamborn
Lankford
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McKeon
McMorris Rodgers
Messer
Mica
Miller (FL)
Murphy (FL)
Neugebauer
Nugent
Olson
Peters (CA)
Peters (MI)
Petri
Pitts
Poe (TX)
Reed
Rice (SC)
Rigell
Ross
Royce
Rush
Ryan (WI)
Scalise
Schweikert
Sensenbrenner
Shimkus
Shuster
Stockman
Stutzman
Thornberry
Walberg
Weber (TX)
Westmoreland
Wilson (SC)
Wolf
Young (FL)
Young (IN)

NOES—346

Aderholt
Alexander
Amash
Andrews
Bachus
Barber
Barr
Barrow (GA)
Bass
Beatty
Becerra
Benishek
Bera (CA)
Bishop (GA)
Bishop (NY)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Calvert
Camp
Campbell
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Costa
Courtney
Cramer
Crawford
Crenshaw
Cuellar
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)

Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Gibbs
Gibson
Gingrey (GA)
Gosar
Graves (GA)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Gutiérrez
Hahn
Hanabusa
Harper
Harris
Hartzler
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Holding
Holt
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kirkpatrick
Kline
Kuster
LaMalfa
Lance
Langevin
Larson (CT)
Latham
Latta
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Massie
Matheson
Matsui
McCollum
McDermott
McGovern
McHenry
McIntyre
McKinley
McNerney
Meadows
Meehan
Meeks
Meng
Michaud
Miller (MI)
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
Nunes
Nunnelee
O'Rourke
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peterson
Pingree (ME)
Pittenger
Pocan
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reichert
Renacci
Ribble
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Rothfus
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stivers
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Webster (FL)
Welch
Wenstrup
Whitfield
Williams
Wilson (FL)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho

NOT VOTING—9

Hastings (FL)
Herrera Beutler
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Slaughter
Young (AK)

□ 1031

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. CICILLINE. Madam Chair, during rollcall vote No. 266 on H.R. 1947, I mistakenly recorded my vote as "no" when I should have voted "yes."

Stated against:

Mr. POE of Texas. Madam Chair, on rollcall No. 266 I inadvertently voted "yea" and I intended to vote "nay."

AMENDMENT NO. 30 OFFERED BY MR. SCHWEIKERT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. SCHWEIKERT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 194, noes 232, not voting 8, as follows:

[Roll No. 267]

AYES—194

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Crawford
Culberson
Daines
Denham
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Harris
Hartzler
Hastings (WA)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kline
Labrador
LaMalfa
Lamborn
Lankford
Latham
Latta
LoBiondo
Long
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Southerland
Stewart
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoho
Young (FL)
Young (IN)

NOES—232

Andrews
Barber
Barletta
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Burgess
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Connolly
Conyers
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gerlach
Gibbs
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Grimm
Gutiérrez
Hahn
Hanabusa
Hanna
Harper
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kinzinger (IL)
Kirkpatrick
Kuster
Lance
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McKeon
McNerney
Meehan
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pearce
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Sinema
Sires
Smith (NJ)
Smith (WA)
Speier
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wolf
Yarmuth
Yoder
Young (AK)

NOT VOTING—8

Hastings (FL)
Herrera Beutler
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Slaughter

□ 1036

Mr. JOYCE changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 32 OFFERED BY MR. TIERNEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. TIERNEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 211, noes 215, not voting 8, as follows:

[Roll No. 268]

AYES—211

Alexander
Andrews
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gibson
Green, Al
Green, Gene
Grijalva
Grimm
Gutiérrez
Hahn
Hanabusa
Hanna
Harris
Heck (WA)
Higgins
Himes
Holt
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Joyce
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Mica
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Posey
Price (NC)
Quigley
Rahall
Rangel
Richmond
Rooney
Ros-Lehtinen
Roybal-Allard
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (NJ)
Smith (WA)
Southerland
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth
Young (AK)

NOES—215

Aderholt
Amash
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Chabot
Chaffetz
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Harper
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly (PA)
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Long
Lucas
Luetkemeyer
Lujan Grisham (NM)
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Royce
Ruiz
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (FL)
Young (IN)

NOT VOTING—8

Hastings (FL)
Herrera Beutler
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Slaughter

□ 1041

Mr. GUTHRIE changed his vote from ''aye'' to ''no.''

Messrs. SHERMAN and PALAZZO changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 37 OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 225, noes 200, not voting 9, as follows:

[Roll No. 269]

AYES—225

Amash
Andrews
Bachus
Barr
Bass
Becerra
Benishek
Bentivolio
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Brownley (CA)
Butterfield
Campbell
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chaffetz
Chu
Cicilline
Clarke
Clay
Cleaver
Coffman
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSantis
Deutch
Dingell
Doggett
Doyle
Duffy
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fortenberry
Frankel (FL)
Gabbard
Garamendi
Gardner
Garrett
Gibson
Gowdy
Graves (GA)
Grayson
Green, Al
Griffith (VA)
Grijalva
Guthrie
Gutiérrez
Hahn
Hanabusa
Hanna
Harris
Hastings (WA)
Heck (WA)
Higgins
Himes
Holt
Horsford
Hoyer
Huelskamp
Huffman
Hunter
Hurt
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kline
Kuster
Labrador
Langevin
Larson (CT)
Lee (CA)
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
McNerney
Meehan
Meng
Michaud
Miller, George
Moore
Moran
Mulvaney
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Petri

Pingree (ME)
Pocan
Poe (TX)
Polis
Price (NC)
Quigley
Radel
Reed
Ribble
Rice (SC)
Rohrabacher
Rokita
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Schweikert
Scott (VA)
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Smith (WA)
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Tierney
Tipton
Titus
Tonko
Tsongas
Valadao
Van Hollen
Vargas
Vela
Velázquez
Visclosky
Walden
Walz
Watt
Waxman
Welch
Wenstrup
Westmoreland
Whitfield
Wilson (FL)
Woodall
Yarmuth
Young (AK)
Young (IN)

NOES—200

Aderholt
Alexander
Amodei
Bachmann
Barber
Barletta
Barrow (GA)
Barton
Beatty
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Bustos
Calvert
Camp
Cantor
Capito
Carter
Cassidy
Chabot
Clyburn
Coble
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Crawford
Crenshaw
Denham
Dent
DesJarlais
Diaz-Balart
Duckworth
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gallego
Garcia
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Granger
Graves (MO)
Green, Gene
Griffin (AR)
Grimm
Hall
Harper
Hartzler
Heck (NV)
Hensarling
Hinojosa
Holding
Hudson
Huizenga (MI)
Hultgren
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kaptur
Keating
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
Levin
Lewis
LoBiondo
Long
Lucas
Luetkemeyer
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meadows
Meeks
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell
Pearce
Perry
Pittenger
Pitts
Pompeo
Posey
Price (GA)
Rahall
Rangel
Reichert
Renacci
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ryan (WI)
Scalise
Schock
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Turner
Upton
Veasey
Wagner
Walberg
Walorski
Wasserman Schultz
Weber (TX)
Webster (FL)
Williams
Wilson (SC)
Wittman
Wolf
Womack
Yoder
Yoho
Young (FL)

NOT VOTING—9

Hastings (FL)
Herrera Beutler
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Slaughter
Waters

□ 1045

Mrs. BEATTY changed her vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 38 OFFERED BY MR. GARAMENDI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GARAMENDI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 206, noes 219, not voting 9, as follows:

[Roll No. 270]

AYES—206

Andrews
Bachus
Barber
Bass
Beatty
Becerra
Benishek
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Brady (TX)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DelBene
Dent
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Enyart
Eshoo
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Gallego
Garamendi
Garcia
Gerlach
Gibson
Goodlatte
Gosar
Grayson
Green, Al
Green, Gene
Griffin (AR)
Grijalva
Hahn
Hanabusa
Hanna
Heck (WA)
Higgins
Holt
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Lance
Langevin
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maffei
Maloney, Carolyn
Maloney, Sean
Massie
Matheson
Matsui
McCarthy (CA)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pitts
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Richmond
Rigell
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Sherman
Sinema
Sires
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Womack
Yarmuth
Young (IN)

NOES—219

Aderholt
Alexander
Amash
Amodei
Bachmann
Barletta
Barr
Barrow (GA)
Barton
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Courtney
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
DeLauro
Denham
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Engel
Esty
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Fudge
Gabbard
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith (VA)
Grimm
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Himes
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lankford
Larson (CT)
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lynch
Marchant
Marino
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Pastor (AZ)
Paulsen
Pearce
Perry
Petri
Pittenger
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ryan (OH)
Ryan (WI)
Salmon
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Velázquez
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman

Wolf
Woodall
Yoder
Yoho
Young (AK)
Young (FL)

NOT VOTING—9

Gutiérrez
Hastings (FL)
Herrera Beutler
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Slaughter

□ 1050

Ms. MOORE changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 41 OFFERED BY MR. MARINO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. MARINO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 194, noes 230, not voting 10, as follows:

[Roll No. 271]

AYES—194

Aderholt
Alexander
Amash
Amodei
Bachmann
Barletta
Barton
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Capuano
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Culberson
Daines
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gabbard
Gardner
Garrett
Gerlach
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (PA)
Kingston
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latta
Long
Lummis
Marchant
Marino
Massie
Matheson
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quigley
Radel
Rahall
Ribble
Rice (SC)
Rigell
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Smith (TX)
Southerland
Stewart
Stockman
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Upton
Valadao
Wagner
Walberg
Walden
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOES—230

Andrews
Bachus
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fincher
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Fudge
Gallego
Garamendi
Garcia
Gibbs
Gibson
Gingrey (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Harper
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Horsford
Hoyer
Huelskamp
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Langevin
Larson (CT)
Latham
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matsui
McCarthy (CA)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meng
Michaud
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Price (NC)
Rangel
Reed
Reichert
Renacci
Richmond
Roby
Rogers (AL)
Rooney
Ros-Lehtinen
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stivers
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Wolf
Yarmuth

NOT VOTING—10

Barr
Hastings (FL)
Herrera Beutler
Honda
Larsen (WA)
Markey
McCarthy (NY)
Meeks
Miller, Gary
Slaughter

□ 1054

Mr. FINCHER changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. BARR. Madam Chair, on rollcall No. 271, I was unavoidably detained with a constituent and unable to vote. Had I been present, I would have voted ''no.''

AMENDMENT NO. 43 OFFERED BY MR. MC CLINTOCK

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCCLINTOCK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 156, noes 269, not voting 9, as follows:

[Roll No. 272]

AYES—156

Aderholt
Amash
Amodei
Bachmann
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Carter
Cassidy
Chabot
Chaffetz
Coffman
Collins (GA)
Conaway
Cotton
Culberson
Daines
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Foxx
Franks (AZ)
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Gosar
Gowdy
Granger
Graves (GA)
Hall
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
Kingston
Kline
Labrador
LaMalfa
Lamborn
Lankford
Latta
Long
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McMorris Rodgers
Meadows
Messer
Mica
Miller (MI)
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Ribble
Rice (SC)
Rigell
Roby
Rogers (MI)

Rohrabacher
Rokita
Roskam
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Sensenbrenner
Sessions
Shuster
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stockman
Stutzman
Terry
Thornberry
Tipton
Upton
Wagner
Walberg
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Williams
Wilson (SC)
Woodall
Yoder
Yoho
Young (FL)
Young (IN)

NOES—269

Alexander
Andrews
Bachus
Barber
Barletta
Barr
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Buchanan
Bustos
Butterfield
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Collins (NY)
Connolly
Conyers
Cook
Cooper
Costa
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Forbes
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gerlach
Gibson
Goodlatte
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hanabusa
Hanna
Harper
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Lance
Langevin
Larson (CT)
Latham
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Meng
Michaud
Miller (FL)
Miller, George
Moore
Moran
Mullin
Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pittenger
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Renacci
Richmond
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney
Ros-Lehtinen
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Simpson
Sinema
Sires
Smith (NJ)
Smith (WA)
Southerland
Speier
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Titus
Tonko
Tsongas
Turner
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Yarmuth
Young (AK)

NOT VOTING—9

Hastings (FL)
Herrera Beutler
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Ryan (OH)
Slaughter

□ 1058

Mr. TIBERI changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. PITTENGER. Madam Chair, on rollcall No. 272, McClintock Amendment No. 92, I inadvertently voted ''no'' and intended to vote ''yes.'' Had I been present, I would have voted ''yes.''

AMENDMENT NO. 44 OFFERED BY MR. GIBSON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. GIBSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 343, noes 81, answered ''present'' 1, not voting 9, as follows:

[Roll No. 273]

AYES—343

Aderholt
Alexander
Amash
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barton
Beatty
Benishek
Bentivolio
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Cantor
Capito
Capuano
Carney
Carter
Cartwright
Cassidy
Castor (FL)
Chabot
Chaffetz
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (NY)
Conyers
Cooper
Cotton
Courtney
Cramer
Crenshaw
Crowley
Culberson
Cummings
Daines
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Engel
Enyart
Esty
Farenthold
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutiérrez
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Higgins
Himes
Holding
Holt
Horsford
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Israel
Issa
Jeffries
Jenkins
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
Lance
Langevin
Lankford
Larson (CT)
Latham
Latta
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Long
Lowey
Luetkemeyer
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Massie
Matheson
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Neal
Neugebauer
Noem
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Perlmutter
Perry
Peters (CA)
Petri
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Rothfus
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schakowsky
Schneider
Schock
Schwartz
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sewell (AL)
Shea-Porter
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (MS)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Van Hollen
Veasey
Vela
Velázquez
Wagner
Walberg
Walden
Walorski
Wasserman Schultz
Watt
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—81

Barrow (GA)
Bass
Becerra
Bera (CA)
Brownley (CA)
Campbell
Capps
Cárdenas
Carson (IN)
Chu
Collins (GA)
Conaway
Connolly
Cook
Costa
Crawford
Cuellar
Davis (CA)
Denham
Eshoo
Farr

Gallego
Garamendi
Garcia
Graves (MO)
Hahn
Hanabusa
Hinojosa
Hudson
Huffman
Hunter
Jackson Lee
Johnson (GA)
Kaptur
Kildee
Kuster
LaMalfa
Lee (CA)
Lofgren
Lowenthal
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Matsui
McCarthy (CA)
McIntyre
McNerney
Michaud
Miller, George
Moore
Napolitano
Negrete McLeod
Nolan
Nugent
Pelosi
Peters (MI)
Peterson
Pingree (ME)
Rohrabacher
Ross
Roybal-Allard
Ruiz
Sanchez, Loretta
Schiff
Schrader
Scott, Austin
Scott, David
Sessions
Sherman
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (PA)
Valadao
Vargas
Visclosky
Walz
Waters
Waxman
Yoho

ANSWERED ''PRESENT''—1

Castro (TX)

NOT VOTING—9

Hastings (FL)
Herrera Beutler
Honda
Lamborn
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Slaughter

□ 1101

Mr. POE of Texas changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 45 OFFERED BY MRS. WALORSKI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Indiana (Mrs. WALORSKI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 197, noes 227, not voting 10, as follows:

[Roll No. 274]

AYES—197

Aderholt
Alexander
Amash
Amodei
Bachmann
Barletta
Barr
Barrow (GA)
Barton
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Cook
Cotton
Cramer
Crawford
Culberson
Daines
Davis, Rodney
Delaney
Dent
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Ellmers
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gosar
Gowdy
Graves (GA)
Griffin (AR)
Guthrie
Hall
Harris
Heck (NV)
Hensarling
Holding
Hudson
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (PA)
King (IA)
King (NY)
Kingston
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latta
Lipinski
LoBiondo
Long
Luetkemeyer
Lummis
Maffei
Maloney, Sean
Marchant
Marino
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
Meehan
Messer
Mica
Miller (FL)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Nugent
Nunes
Olson
Palazzo
Paulsen
Pearce
Perry
Peters (CA)
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Radel
Rahall
Reichert
Renacci
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schneider
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stockman
Stutzman
Terry
Tiberi
Tipton
Valadao
Wagner
Walberg
Walorski
Webster (FL)
Wenstrup
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—227

Andrews
Bachus
Barber
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Conaway
Connolly
Conyers
Cooper
Costa
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLauro
DelBene
Denham
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Goodlatte
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith (VA)
Grimm
Hahn
Hanabusa
Hanna
Harper
Hartzler
Hastings (WA)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Horsford
Hoyer
Huffman
Huizenga (MI)
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kinzinger (IL)
Kirkpatrick
Kuster
Langevin
Larson (CT)
Latham
Lee (CA)
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Matsui
McCollum
McDermott
McGovern
McIntyre
McMorris Rodgers
McNerney
Meadows
Meeks
Meng
Michaud
Miller (MI)
Miller, George
Moore
Moran
Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
Nunnelee
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (MI)
Peterson
Petri
Pingree (ME)
Pocan
Price (NC)
Quigley
Rangel
Reed
Ribble
Richmond
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Simpson
Sinema
Sires
Smith (WA)
Speier
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tierney
Titus
Tonko
Tsongas
Turner
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Welch
Westmoreland
Whitfield
Wilson (FL)
Yarmuth
Yoho

NOT VOTING—10

Grijalva
Gutiérrez
Hastings (FL)
Herrera Beutler
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Slaughter

□ 1105

Mr. WESTMORELAND changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. ROBY. Madam Chair, on rollcall No. 274 I inadvertently voted "yes" when I intended to oppose the amendment. I would have voted "no."

AMENDMENT NO. 46 OFFERED BY MR. COURTNEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Connecticut (Mr. COURTNEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 208, noes 218, not voting 8, as follows:

[Roll No. 275]

AYES—208

Alexander
Andrews
Bachus
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Bustos
Butterfield
Cantor
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Doggett
Doyle
Edwards
Ellison
Engel
Enyart
Eshoo

Esty
Farr
Fattah
Forbes
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Grayson
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Grimm
Gutiérrez
Hahn
Hanabusa
Hanna
Harris
Heck (WA)
Higgins
Himes
Horsford
Hoyer
Huffman
Hurt
Israel
Issa
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Joyce
Kaptur
Keating
Kelly (IL)
Kennedy
Kilmer
Kind
King (NY)
Kuster
Lance
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lowenthal
Lowey
Lynch
Maloney, Carolyn
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Miller (FL)
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
Nugent
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peterson
Pingree (ME)
Pocan
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Richmond
Rigell
Ros-Lehtinen
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Wittman
Wolf
Yarmuth
Young (AK)

NOES—218

Aderholt
Amash
Amodei
Bachmann
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brownley (CA)
Bucshon
Burgess
Calvert
Camp
Campbell
Capito
Carter
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Costa
Cotton
Cramer
Crawford
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Deutch
Diaz-Balart
Dingell
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Fortenberry
Foxx
Franks (AZ)
Gardner
Garrett
Gerlach
Gibbs
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Guthrie
Hall
Harper
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Hinojosa
Holding
Holt
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly (PA)
Kildee
King (IA)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lamborn
Lankford
Latham
Latta
Lofgren
Long
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maffei
Maloney, Sean
Marchant
Marino
Massie
Matheson
Matsui
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peters (MI)
Petri
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Radel
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Ryan (WI)
Salmon
Sanford
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Upton
Valadao
Wagner
Walberg
Walden
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Womack
Woodall
Yoder
Yoho
Young (FL)
Young (IN)

NOT VOTING—8

Hastings (FL)
Herrera Beutler
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Slaughter

□ 1109

Mr. GOODLATTE changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 47 OFFERED BY MR. KIND

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. KIND) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 208, noes 217, not voting 9, as follows:

[Roll No. 276]

AYES—208

Amash
Andrews
Bachus
Bass
Beatty
Becerra
Bentivolio
Bilirakis
Bishop (NY)
Black
Blackburn
Blumenauer
Bonamici
Brady (PA)
Bridenstine
Brooks (AL)
Broun (GA)
Brown (FL)
Burgess
Capps
Cárdenas
Carney
Cartwright
Castor (FL)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Coffman
Cohen
Collins (GA)
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
Dent
DeSantis
Dingell
Doggett
Doyle
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Fattah
Fleischmann
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Garrett
Gingrey (GA)
Graves (GA)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Harris
Heck (WA)
Hensarling
Higgins
Himes
Holding
Holt
Horsford
Hoyer
Hudson
Huffman
Hunter
Israel
Issa
Jackson Lee
Jeffries
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly (IL)
Kennedy
Kilmer
Kind
Kingston
Kline
Kuster
Lamborn
Lance
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
LoBiondo
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lummis
Lynch
Maloney, Carolyn
Marchant
Massie
Matheson
McClintock
McCollum
McDermott
McGovern
McKinley
Meadows
Meeks
Meng
Mica
Michaud
Miller (FL)
Miller, George
Moore
Moran
Nadler
Napolitano
O'Rourke
Olson
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perry
Peters (CA)
Peters (MI)
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Polis
Price (GA)
Price (NC)
Quigley
Radel
Rangel
Rigell
Rogers (MI)
Rohrabacher
Rokita
Rothfus
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Shea-Porter
Sherman
Sires
Smith (WA)
Speier
Stockman
Swalwell (CA)
Terry
Tierney
Titus
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Wilson (FL)
Wolf
Woodall
Yarmuth
Young (FL)
Young (IN)

NOES—217

Aderholt
Alexander
Amodei
Bachmann
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bera (CA)
Bishop (GA)
Bishop (UT)
Bonner
Boustany
Brady (TX)
Braley (IA)
Brooks (IN)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capuano
Carson (IN)
Carter
Cassidy
Castro (TX)
Cleaver
Clyburn
Coble
Cole
Collins (NY)
Conaway
Cook
Costa
Cotton
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Daines
Davis, Rodney
DelBene
Denham
DesJarlais
Deutch
Diaz-Balart
Duckworth
Duffy
Duncan (SC)
Ellmers
Enyart
Farenthold
Farr
Fincher
Fitzpatrick
Fleming
Flores
Forbes
Fortenberry
Foster
Frankel (FL)
Gabbard
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Hartzler
Hastings (WA)
Heck (NV)
Hinojosa
Huelskamp
Huizenga (MI)
Hultgren
Hurt
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Joyce
Kelly (PA)
Kildee
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Labrador
LaMalfa
Lankford
Latham
Latta
Lipinski
Loebsack
Long
Lucas
Luetkemeyer

Lujan Grisham (NM)
Maffei
Maloney, Sean
Marino
Matsui
McCarthy (CA)
McCaul
McHenry
McIntyre
McKeon
McMorris Rodgers
McNerney
Meehan
Messer
Miller (MI)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
Owens
Pastor (AZ)
Pearce
Perlmutter
Peterson
Poe (TX)
Pompeo
Posey
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney
Ros-Lehtinen
Roskam
Ross
Ruiz
Sanchez, Loretta
Schock
Scott, Austin
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stutzman
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Veasey
Vela
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Yoder
Yoho
Young (AK)

NOT VOTING—9

Hastings (FL)
Herrera Beutler
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Slaughter
Vargas

□ 1114

Mr. CLEAVER changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 48 OFFERED BY MR. CARNEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Delaware (Mr. CARNEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 174, noes 252, not voting 8, as follows:

[Roll No. 277]

AYES—174

Amash
Andrews
Bass
Becerra
Bilirakis
Bishop (NY)
Bishop (UT)
Blumenauer
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Broun (GA)
Brown (FL)
Cantor
Capps
Capuano
Carney
Cartwright
Cassidy
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Coffman
Connolly
Cook
Cooper
Cotton
Courtney
Crowley
Daines
Davis (CA)
Davis, Danny
DeFazio
DeLauro
Dent
DeSantis
Dingell
Doyle
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Eshoo
Fattah
Fleischmann
Fleming
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Garamendi
Garcia
Garrett
Gingrey (GA)
Goodlatte
Gowdy
Graves (GA)
Grijalva
Gutiérrez
Hahn
Hanabusa
Hanna
Heck (WA)
Hensarling
Higgins
Himes
Holt
Hoyer
Huffman
Hurt
Israel
Issa
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kennedy
Kilmer
Kind
Kingston
Kuster
Lamborn
Lance
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Lowey
Lynch
Maloney, Carolyn
Massie
Matheson
McCaul
McClintock
McGovern
Meadows
Meehan
Meeks
Meng
Michaud
Miller (FL)
Miller, George
Moore
Moran
Mulvaney
Murphy (FL)
Napolitano
Neal
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters (CA)
Petri
Pingree (ME)
Pitts
Pocan
Poe (TX)
Polis
Price (GA)
Quigley
Radel
Rangel
Rigell
Rohrabacher
Royce
Runyan
Ruppersberger
Ryan (WI)
Salmon
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schwartz
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Shea-Porter
Sherman
Sires
Smith (WA)
Swalwell (CA)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Velázquez
Wagner
Watt
Waxman
Webster (FL)
Welch
Westmoreland
Wilson (FL)
Woodall
Young (FL)

NOES—252

Aderholt
Alexander
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Beatty
Benishek
Bentivolio
Bera (CA)
Bishop (GA)
Black
Blackburn
Bonamici
Bonner
Boustany
Braley (IA)
Brooks (IN)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Campbell
Capito
Cárdenas
Carson (IN)
Carter
Castor (FL)
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Conyers
Costa
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Cummings
Davis, Rodney
DeGette
Delaney
DelBene
Denham
DesJarlais
Deutch
Diaz-Balart
Doggett
Duckworth
Duffy
Ellmers
Engel
Enyart
Esty
Farenthold
Farr
Fincher
Fitzpatrick
Flores
Forbes
Fortenberry
Foster
Frankel (FL)
Gallego
Gardner
Gerlach
Gibbs
Gibson
Gohmert
Gosar
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hinojosa
Holding
Horsford
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Joyce
Kelly (IL)
Kelly (PA)
Kildee
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lankford
Latham
Latta
Loebsack
Lofgren
Long
Lowenthal
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maffei
Maloney, Sean
Marchant
Marino
Matsui
McCarthy (CA)
McCollum
McDermott
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Messer
Mica
Miller (MI)
Mullin
Murphy (PA)
Nadler
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pastor (AZ)
Pearce
Perry
Peters (MI)
Peterson
Pittenger
Pompeo
Posey
Price (NC)
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Schock
Schrader
Scott, Austin
Scott, David
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Stewart
Stivers
Stockman
Stutzman
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vargas
Veasey
Vela
Visclosky
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Weber (TX)
Wenstrup
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NOT VOTING—8

Hastings (FL)
Herrera Beutler
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Slaughter

□ 1118

Mrs. BLACK changed her vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 23 OFFERED BY MR. CONAWAY

Mr. CONAWAY. Mr. Chairman, I ask unanimous consent to withdraw my request for a recorded vote on amendment No. 23 to the end that the amendment stand rejected in accordance with the previous voice vote thereon.

The Acting CHAIR (Mr. SIMPSON). The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

Without objection, the request for a recorded vote on amendment No. 23 is withdrawn, and the amendment stands rejected in accordance with the previous voice vote thereon.

AMENDMENT NO. 99 OFFERED BY MR. GOODLATTE

The Acting CHAIR. It is now in order to consider amendment No. 99 printed in part B of House Report 113–117.

Mr. GOODLATTE. Mr. Chairman, I have amendment No. 99 at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike part I of subtitle D (Dairy) of title I and insert the following new part:

PART I—DAIRY PRODUCER MARGIN INSURANCE PROGRAM

SEC. 1401. DAIRY PRODUCER MARGIN INSURANCE PROGRAM.

Subtitle E of title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8771 et

seq.) is amended by adding at the end the following new section:

"SEC. 1511. DAIRY PRODUCER MARGIN INSURANCE PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) ACTUAL DAIRY PRODUCER MARGIN.—The term 'actual dairy producer margin' means the difference between the all-milk price and the average feed cost, as calculated under subsection (b)(2).

''(2) ALL-MILK PRICE.—The term 'all-milk price' means the average price received, per hundredweight of milk, by dairy producers for all milk sold to plants and dealers in the United States, as reported by the National Agricultural Statistics Service.

''(3) AVERAGE FEED COST.—The term 'average feed cost' means the average cost of feed used by a dairy operation to produce a hundredweight of milk, determined under subsection (b)(1) using the sum of the following:

''(A) The product determined by multiplying—

''(i) 1.0728; by

''(ii) the price of corn per bushel.

''(B) The product determined by multiplying—

''(i) 0.00735; by

''(ii) the price of soybean meal per ton.

''(C) The product determined by multiplying—

''(i) 0.0137; by

''(ii) the price of alfalfa hay per ton.

''(4) CONSECUTIVE 2-MONTH PERIOD.—The term 'consecutive 2-month period' refers to the 2-month period consisting of the months of January and February, March and April, May and June, July and August, September and October, or November and December, respectively.

''(5) DAIRY PRODUCER.—The term 'dairy producer' means an individual or entity that directly or indirectly (as determined by the Secretary)—

''(A) shares in the risk of producing milk; and

''(B) makes contributions (including land, labor, management, equipment, or capital) to the dairy operation of the individual or entity that are at least commensurate with the share of the individual or entity of the proceeds of the operation.

''(6) MARGIN INSURANCE PROGRAM.—The term 'margin insurance program' means the dairy producer margin insurance program required by this section.

''(7) PARTICIPATING DAIRY PRODUCER.—The term 'participating dairy producer' means a dairy producer that registers under subsection (d)(2) to participate in the margin insurance program.

''(8) PRODUCTION HISTORY.—The term 'production history' means the quantity of annual milk marketings determined for a dairy producer under subsection (e)(1).

''(9) UNITED STATES.—The term 'United States', in a geographical sense, means the 50 States.

''(b) CALCULATION OF AVERAGE FEED COST AND ACTUAL DAIRY PRODUCER MARGINS.—

''(1) CALCULATION OF AVERAGE FEED COST.—The Secretary shall calculate the national average feed cost for each month using the following data:

''(A) The price of corn for a month shall be the price received during that month by agricultural producers in the United States for corn, as reported in the monthly Agriculture Prices report by the Secretary.

''(B) The price of soybean meal for a month shall be the central Illinois price for soybean meal, as reported in the Market News – Monthly Soybean Meal Price Report by the Secretary.

''(C) The price of alfalfa hay for a month shall be the price received during that month by agricultural producers in the United States for alfalfa hay, as reported in the monthly Agriculture Prices report by the Secretary.

''(2) CALCULATION OF ACTUAL DAIRY PRODUCER MARGINS.—The Secretary shall calculate the actual dairy producer margin for each consecutive 2-month period by subtracting—

''(A) the average feed cost for that consecutive 2-month period, determined in accordance with paragraph (1); from

''(B) the all-milk price for that consecutive 2-month period.

''(c) ESTABLISHMENT OF DAIRY PRODUCER MARGIN INSURANCE PROGRAM.—The Secretary shall establish and administer a dairy producer margin insurance program for the purpose of protecting dairy producer income by paying participating dairy producers margin insurance payments when actual dairy producer margins are less than the threshold levels for the payments.

''(d) ELIGIBILITY AND REGISTRATION OF DAIRY PRODUCERS FOR MARGIN INSURANCE PROGRAM.—

''(1) ELIGIBILITY.—All dairy producers in the United States shall be eligible to participate in the margin insurance program.

''(2) REGISTRATION PROCESS.—

''(A) REGISTRATION.—

''(i) ANNUAL REGISTRATION.—On an annual basis, the Secretary shall register all interested dairy producers in the margin insurance program.

''(ii) MANNER AND FORM.—The Secretary shall specify the manner and form by which a dairy producer shall register for the margin insurance program.

''(B) TREATMENT OF MULTI-PRODUCER OPERATIONS.—If a dairy operation consists of more than 1 dairy producer, all of the dairy producers of the operation shall be treated as a single dairy producer for purposes of—

''(i) purchasing margin insurance; and

''(ii) payment of producer premiums under subsection (f)(4).

''(C) TREATMENT OF PRODUCERS WITH MULTIPLE DAIRY OPERATIONS.—If a dairy producer operates 2 or more dairy operations, each dairy operation of the producer shall require a separate registration to participate and purchase margin insurance.

''(3) TIME FOR REGISTRATION.—

''(A) EXISTING DAIRY PRODUCERS.—During the 1-year period beginning on the date of enactment of this section, and annually thereafter, a dairy producer that is actively engaged in a dairy operation as of that date may register with the Secretary to participate in the margin insurance program.

''(B) NEW ENTRANTS.—A dairy producer that has no existing interest in a dairy operation as of the date of enactment of this section, but that, after that date, establishes a new dairy operation, may register with the Secretary during the 180-day period beginning on the date on which the dairy operation first markets milk commercially to participate in the margin insurance program.

''(4) RETROACTIVITY.—

''(A) NOTICE OF AVAILABILITY OF RETROACTIVE PROTECTION.—Not later than 30 days after the effective date of this section, the Secretary shall publish a notice in the Federal Register to inform dairy producers of the availability of retroactive margin insurance, subject to the condition that interested producers must file a notice of intent (in such form and manner as the Secretary specifies in the Federal Register notice) to participate in the margin insurance program.

''(B) RETROACTIVE MARGIN INSURANCE.—

''(i) AVAILABILITY.—If a dairy producer files a notice of intent under subparagraph (A) to participate in the margin insurance program before the initiation of the sign-up period for the margin insurance program and subsequently signs up for the margin insurance program, the producer shall receive margin insurance retroactive to the effective date of this section.

''(ii) DURATION.—Retroactive margin insurance under this paragraph for a dairy producer shall apply from the effective date of this section until the date on which the producer signs up for the margin insurance program.

''(C) NOTICE OF INTENT AND OBLIGATION TO PARTICIPATE.—In no way does filing a notice of intent under this paragraph obligate a dairy producer to sign up for the margin insurance program once the program rules are final, but if a producer does file a notice of intent and subsequently signs up for the margin insurance program, that dairy producer is obligated to pay premiums for any retroactive margin insurance selected in the notice of intent.

''(5) RECONSTITUTION.—The Secretary shall ensure that a dairy producer does not reconstitute a dairy operation for the sole purpose of purchasing margin insurance.

''(e) PRODUCTION HISTORY OF PARTICIPATING DAIRY PRODUCERS.—

''(1) DETERMINATION OF PRODUCTION HISTORY.—

''(A) IN GENERAL.—The Secretary shall determine the production history of the dairy operation of each participating dairy producer in the margin insurance program.

''(B) CALCULATION.—Except as provided in subparagraphs (C) and (D), the production history of a participating dairy producer shall be equal to the highest annual milk marketings of the dairy producer during any 1 of the 3 calendar years immediately preceding the registration of the dairy producer for participation in the margin insurance program.

''(C) UPDATING PRODUCTION HISTORY.—So long as participating producer remains registered, the production history of the participating producer shall be annually updated based on the highest annual milk marketings of the dairy producer during any one of the 3 immediately preceding calendar years.

''(D) NEW PRODUCERS.—If a dairy producer has been in operation for less than 1 year, the Secretary shall determine the initial production history of the dairy producer under subparagraph (B) by extrapolating the actual milk marketings for the months that the dairy producer has been in operation to a yearly amount.

''(2) REQUIRED INFORMATION.—A participating dairy producer shall provide all information that the Secretary may require in order to establish the production history of the dairy operation of the dairy producer.

''(3) TRANSFER OF PRODUCTION HISTORY.—

''(A) TRANSFER BY SALE.—

''(i) REQUEST FOR TRANSFER.—If an existing dairy producer sells an entire dairy operation to another party, the seller and purchaser may jointly request that the Secretary transfer to the purchaser the interest of the seller in the production history of the dairy operation.

''(ii) TRANSFER.—If the Secretary determines that the seller has sold the entire dairy operation to the purchaser, the Secretary shall approve the transfer and, thereafter, the seller shall have no interest in the

production history of the sold dairy operation.

''(B) TRANSFER BY LEASE.—

''(i) REQUEST FOR TRANSFER.—If an existing dairy producer leases an entire dairy operation to another party, the lessor and lessee may jointly request that the Secretary transfer to the lessee for the duration of the term of the lease the interest of the lessor in the production history of the dairy operation.

''(ii) TRANSFER.—If the Secretary determines that the lessor has leased the entire dairy operation to the lessee, the Secretary shall approve the transfer and, thereafter, the lessor shall have no interest for the duration of the term of the lease in the production history of the leased dairy operation.

''(C) COVERAGE LEVEL.—A purchaser or lessee to whom the Secretary transfers a production history under this paragraph may not obtain a different level of margin insurance coverage held by the seller or lessor from whom the transfer was obtained.

''(D) NEW ENTRANTS.—The Secretary may not transfer the production history determined for a dairy producer described in subsection (d)(3)(B) to another person.

''(4) MOVEMENT AND TRANSFER OF PRODUCTION HISTORY.—

''(A) MOVEMENT AND TRANSFER AUTHORIZED.—Subject to subparagraph (B), if a dairy producer moves from 1 location to another location, the dairy producer may maintain the production history associated with the operation.

''(B) NOTIFICATION REQUIREMENT.—A dairy producer shall notify the Secretary of any move of a dairy operation under subparagraph (A).

''(C) SUBSEQUENT OCCUPATION OF VACATED LOCATION.—A party subsequently occupying a dairy operation location vacated as described in subparagraph (A) shall have no interest in the production history previously associated with the operation at that location.

''(f) MARGIN INSURANCE.—

''(1) IN GENERAL.—At the time of the registration of a dairy producer in the margin insurance program under subsection (d) and annually thereafter during the duration of the margin insurance program, an eligible dairy producer may purchase margin insurance.

''(2) SELECTION OF PAYMENT THRESHOLD.—A participating dairy producer purchasing margin insurance shall elect a coverage level in any increment of $0.50, with a minimum of $4.00 and a maximum of $8.00.

''(3) SELECTION OF COVERAGE PERCENTAGE.—A participating dairy producer purchasing margin insurance shall elect a percentage of coverage, equal to not more than 80 percent nor less than 25 percent, of the production history of the dairy operation of the participating dairy producer.

''(4) PRODUCER PREMIUMS.—

''(A) PREMIUMS REQUIRED.—A participating dairy producer that purchases margin insurance shall pay an annual premium equal to the product obtained by multiplying—

''(i) the percentage selected by the dairy producer under paragraph (3);

''(ii) the production history applicable to the dairy producer; and

''(iii) the premium per hundredweight of milk, as specified in the applicable table under paragraph (B) or (C).

''(B) PREMIUM PER HUNDREDWEIGHT FOR FIRST 4 MILLION POUNDS OF PRODUCTION.—For the first 4,000,000 pounds of milk marketings included in the annual production history of a participating dairy operation, the premium per hundredweight corresponding to each coverage level specified in the following table is as follows:

''Coverage Level	Premium per Cwt.
$4.00	$0.000
$4.50	$0.01
$5.00	$0.02
$5.50	$0.035
$6.00	$0.045
$6.50	$0.09
$7.00	$0.18
$7.50	$0.60
$8.00	$0.95

''(C) PREMIUM PER HUNDREDWEIGHT FOR PRODUCTION IN EXCESS OF 4 MILLION POUNDS.—For milk marketings in excess of 4,000,000 pounds included in the annual production history of a participating dairy operation, the premium per hundredweight corresponding to each coverage level is as follows:

''Coverage Level	Premium per Cwt.
$4.00	$0.030
$4.50	$0.045
$5.00	$0.066
$5.50	$0.11
$6.00	$0.185
$6.50	$0.29
$7.00	$0.38
$7.50	$0.83
$8.00	$1.06

''(D) TIME FOR PAYMENT.—

''(i) FIRST YEAR.—As soon as practicable after a dairy producer registers to participate in the margin insurance program and purchases margin insurance, the dairy producer shall pay the premium determined under subparagraph (A) for the dairy producer for the first calendar year of the margin insurance.

''(ii) SUBSEQUENT YEARS.—

''(I) IN GENERAL.—When the dairy producer first purchases margin insurance, the dairy producer shall also elect the method by which the dairy producer will pay premiums under this subsection for subsequent years in accordance with 1 of the schedules described in subclauses (II) and (III).

''(II) SINGLE ANNUAL PAYMENT.—The participating dairy producer may elect to pay 100 percent of the annual premium determined under subparagraph (A) for the dairy producer for a calendar year by not later than January 15 of the calendar year.

''(III) SEMI-ANNUAL PAYMENTS.—The participating dairy producer may elect to pay—

''(aa) 50 percent of the annual premium determined under subparagraph (A) for the dairy producer for a calendar year by not later than January 15 of the calendar year; and

''(bb) the remaining 50 percent of the premium by not later than June 15 of the calendar year.

''(5) PRODUCER PREMIUM OBLIGATIONS.—

''(A) PRO-RATION OF FIRST YEAR PREMIUM.—A participating dairy producer that purchases margin insurance after initial registration in the margin insurance program shall pay a pro-rated premium for the first calendar year based on the date on which the producer purchases the coverage.

''(B) SUBSEQUENT PREMIUMS.—Except as provided in subparagraph (A), the annual premium for a participating dairy producer shall be determined under paragraph (4) for each year in which the margin insurance program is in effect.

''(C) LEGAL OBLIGATION.—

''(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), a participating dairy producer that purchases margin insurance shall be legally obligated to pay the applicable premiums for the entire period of the margin insurance program (as provided in the payment schedule elected under paragraph (4)(B)), and may not opt out of the margin insurance program.

''(ii) DEATH.—If the dairy producer dies, the estate of the deceased may cancel the margin insurance and shall not be responsible for any further premium payments.

''(iii) RETIREMENT.—If the dairy producer retires, the producer may request that Secretary cancel the margin insurance if the producer has terminated the dairy operation entirely and certifies under oath that the producer will not be actively engaged in any dairy operation for at least the next 7 years.

''(6) PAYMENT THRESHOLD.—A participating dairy producer with margin insurance shall receive a margin insurance payment whenever the average actual dairy producer margin for a consecutive 2-month period is less than the coverage level threshold selected by the dairy producer under paragraph (2).

''(7) MARGIN INSURANCE PAYMENTS.—

''(A) IN GENERAL.—The Secretary shall make a margin insurance protection payment to each participating dairy producer whenever the average actual dairy producer margin for a consecutive 2-month period is less than the coverage level threshold selected by the dairy producer under paragraph (2).

''(B) AMOUNT OF PAYMENT.—The margin insurance payment for the dairy operation of a participating dairy producer shall be determined as follows:

''(i) The Secretary shall calculate the difference between—

''(I) the coverage level threshold selected by the dairy producer under paragraph (2); and

''(II) the average actual dairy producer margin for the consecutive 2-month period.

''(ii) The amount determined under clause (i) shall be multiplied by—

''(I) the percentage selected by the dairy producer under paragraph (3); and

''(II) the lesser of—

''(aa) the quotient obtained by dividing—

''(AA) the production history applicable to the producer under subsection (e)(1); by

''(BB) 6; and

''(bb) the actual quantity of milk marketed by the dairy operation of the dairy producer during the consecutive 2-month period.

''(g) EFFECT OF FAILURE TO PAY PREMIUMS.—

''(1) LOSS OF BENEFITS.—A participating dairy producer that is in arrears on premium payments for margin insurance—

''(A) remains legally obligated to pay the premiums; and

''(B) may not receive margin insurance until the premiums are fully paid.

''(2) ENFORCEMENT.—The Secretary may take such action as is necessary to collect premium payments for margin insurance.

''(h) USE OF COMMODITY CREDIT CORPORATION.—The Secretary shall use the funds, facilities, and the authorities of the Commodity Credit Corporation to carry out this section.

''(i) DURATION.—The Secretary shall conduct the margin insurance program during the period beginning on October 1, 2013, and ending on September 30, 2018.''.

SEC. 1402. RULEMAKING.

(a) PROCEDURE.—The promulgation of regulations for the initiation of the margin insurance program, and for administration of the margin insurance program, shall be made—

(1) without regard to chapter 35 of title 44, United States Code (commonly known as the Paperwork Reduction Act);

(2) without regard to the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) subject to subsection (b), pursuant to section 553 of title 5, United States Code.

(b) SPECIAL RULEMAKING REQUIREMENTS.—

(1) INTERIM RULES AUTHORIZED.—With respect to the margin insurance program, the Secretary may promulgate interim rules under the authority provided in subparagraph (B) of section 553(b) of title 5, United States Code, if the Secretary determines such interim rules to be needed. Any such interim rules for the margin insurance program shall be effective on publication.

(2) FINAL RULES.—With respect to the margin insurance program, the Secretary shall promulgate final rules, with an opportunity for public notice and comment, no later than 21 months after the date of the enactment of this Act.

(c) INCLUSION OF ADDITIONAL ORDER.—Section 143(a)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7253(a)(2)) is amended by adding at the end the following new sentence: ''Subsection (b)(2) does not apply to the authority of the Secretary under this subsection.''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I ask unanimous consent to yield 5 minutes of my 10 minutes to the gentleman from Georgia (Mr. DAVID SCOTT) so he may manage that time.

The Acting CHAIR. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Chairman, I yield 1 minute to myself.

Mr. Chairman, like Ranking Member PETERSON, I have been closely involved in the debate to modernize our dairy system. In fact, at his request, I joined him and other Members to seek a solution to fix our dairy safety net after our current programs failed our producers. We agree that dairy farmers deserve access to a Dairy Margin Protection Program to ensure their production. However, I cannot support a Dairy Supply Management Program, and that's why I've joined with Congressman SCOTT, Congressman COLLINS, Congressman MORAN, Congressman DUFFY, Congressman POLIS, Congressman COFFMAN, Congressman MEEKS, Congressman ISSA, Congresswoman DEGETTE, Congressman SESSIONS, and Congresswoman LEE to offer this amendment to take out the dairy provision and substitute for it what we have in all of our other commodity programs, and that is an insurance program that will save the taxpayers money, will save the consumers a lot of money, and not have a policy where we are actually having the government go to dairy farmers and say, If you want to get your check, you have to reduce the size of your herd.

I urge Members to support this amendment.

I reserve the balance of my time.

I offer amendment #99 to remove the Dairy Market Stabilization Program with a bipartisan group of members—D. SCOTT/C. COLLINS/MORAN/DUFFY/POLIS/COFFMAN/MEEKS/ISSA/DEGETTE/SESSIONS/B. LEE.

Like Ranking Member PETERSON, I have been closely involved in the debate to modernize our dairy system. In fact at his request, I joined him and other members to seek a solution to fix our dairy safety net after our current programs failed our producers. We agree that dairy farmers deserve access to a Dairy Margin Protection Program, to insure their production. However, I cannot support a Dairy Supply Management Program.

This highly controversial program would attempt to manage the U.S. milk supply, and in the process penalize both consumers of dairy products, as well as dairy farmers who want to expand their operations. Production controls or quotas, programs like the stabilization program are designed to limit milk supply in order to raise milk prices. Programs that directly interfere with free and open markets to raise prices will hurt exports, encourage imports, increase dairy prices for consumers and limit industry growth.

Our amendment is better for farmers. Our amendment gives farmers the tools to manage their risk without requiring them to participate in yet another government program. The new Title I programs and our existing insurance programs do not require producers to participate in government supply management, why is dairy different? A lot has been said that supply management has to be included to save the taxpayers' money. Frankly, the Congressional Budget Office has proven this inaccurate. Our bipartisan amendment without supply management saves the taxpayers $15 million. Farmers, consumers and taxpayers are better without Supply Management and I ask my colleagues to vote for our amendment.

Mr. PETERSON. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from Minnesota is recognized for 10 minutes.

Mr. PETERSON. Mr. Chairman, I yield 2 minutes to Mr. VALADAO from California, a new Member who's actually been in the dairy business and is probably the one guy in this place that understands how this works.

Mr. VALADAO. Mr. Chairman, this has been a tough one for me because I am the only dairy farmer in this room, and it has been a tough issue because I've lived it for the last 15 years. I have seen how programs created by this body have hurt dairy farmers. There have been a lot of programs eliminated in this current farm bill, and that's a good thing. It takes us in a more market-oriented direction.

But what I see here is we're continuing that same path in a small way. This margin insurance, by definition, is an insurance when you lose money. You lose money because you're producing a product consumers aren't buying. If government is going to continue to push money in that direction, we have to make sure that they don't continue to produce that product consumers don't want.

The argument that we're going to miss out on an opportunity to export, if there's an export market and they're producing for that, they will sell that product. But you can't have a subsidized product coming into the marketplace and want to grow that export market again on a subsidized product because you can't continue to produce that product for that price. If we can't compete, we shouldn't be producing it. If it's going to require that margin insurance to make sure it's produced, it's not a long-term market. It's not a stable market. It's not something that we should spend billions of dollars investing in infrastructure that will not compete.

So I think, at the end of the day, that this is probably the best program. We've gotten rid of MILC. We got rid of the price support. We've gotten rid of a lot of programs that continued production when consumers weren't buying that product.

And with this one, there's a choice. If they choose to take an opportunity to protect their margins so they can stay afloat—because we have to protect American products and make sure that consumers are buying the safest and the greatest product in the world, which I believe is American dairy product—you can't have them continue to produce that product in the name of exports or in the name of whatever. At the end of the day, consumers pay for it because consumers are taxpayers. If you're going to give them money on the backside out of their back pocket through taxes, you're again paying for that product. The product still has to be paid for.

Dairy farmers have to make a profit, but it has to be the right way. And if they're going to get that dollar to continue to produce that product that consumers aren't buying, there has to be somewhere along the line where they cut back and contract in the market.

So I rise in opposition. Mr. GOODLATTE has been a friend of mine and I have watched from afar. I appreciate everything he has done for the industry over the years, but I rise in strong opposition to this amendment.

Mr. DAVID SCOTT of Georgia. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Chairman, I rise in support of this amendment. It is a very complicated issue, and I have great respect for our ranking member, but it

does seem that we ought to be removing government production limits from our dairy program. Expanding distribution markets throughout the world is one of the best ways to grow American business and create jobs, and that should be one of the roles of government: to remove barriers to expansion and growth.

The fact is that the world demand for dairy products is growing at a faster rate than milk production increases in those regions that produce the most milk, like New Zealand and Australia. The U.S. dairy industry is best positioned to benefit from this growing world dairy demand, but this export growth is threatened by the proposed Dairy Market Stabilization Program in this bill. This provision would give USDA the ability to require every dairy producer enrolled in any level of margin insurance protection to reduce production to meet supply quotas.

The Acting CHAIR. The time of the gentleman has expired.

Mr. DAVID SCOTT of Georgia. I yield an additional 15 seconds to the gentleman.

Mr. MORAN. As a result, domestic dairy producers would be constrained in their ability to respond to international market opportunities, and that results in lower growth and fewer American jobs. It's this type of supply management plan that has failed in previous farm bills and would have the dangerous effect of stifling export growth. That is why I ask support for the Goodlatte-Scott amendment.

Mr. PETERSON. Mr. Chairman, I am now pleased to yield 2 minutes to one of our ranking members, the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, the Dairy Security Act in this bill is as a result of 4 years of hard work on a bipartisan basis.

□ 1130

It's intended to provide a strong, market-based safety net that will keep dairy producers afloat while providing stable prices to our consumers.

Simply put, the amendment being offered here, the Goodlatte-Scott amendment, is about American taxpayers fully paying the bill for down prices that occur in down cycles in the dairy industry.

The dairy industry, especially producers, have been victims of these down cycles and the volatility in recent years because the old programs simply don't work and they encourage overproduction.

At the same time, producers have been forced to deal with increased feed costs that have increased from $2 a bushel to $7 a bushel, further impacting their bottom line.

The Goodlatte-Scott amendment will neither provide a safety net for producers, nor prevent the volatility in the market because of unpredictable swings. And, again, it's important to understand reform is in the bill.

This amendment would put the taxpayers footing the bill for the insurance program. This amendment will continue to foster the outdated, tired dairy programs that haven't worked.

In California, my home State, the Nation's leading dairy State in the Nation, we've seen over 100 bankruptcies in the last 18 months. The current program isn't good for the dairymen and -women, nor is it good for American consumers.

The Dairy Security Act not only provides more stability for the producer, but the consumer benefits as well. And you should understand this is voluntary. If you want to grow, you can grow. If you don't want to enter the program, you don't have to enter the program. It is voluntary.

I strongly urge, as a third-generation dairy family in California, my colleagues to oppose this amendment and to bring our Federal dairy policies into the 21st century, so dairymen and -women can compete, and American consumers can have milk prices at reasonable levels.

Mr. GOODLATTE. Mr. Chairman, I'm pleased to yield 1 minute to the gentleman from Wisconsin (Mr. RIBBLE), America's dairy land, with more dairy farms than any other in the country.

Mr. RIBBLE. Mr. Chairman, I appreciate the comments from Mr. VALADAO, my colleague from California, earlier when he said that they didn't have enough consumers to buy their milk. Well, we've got the opposite problem in Wisconsin.

People want Wisconsin milk, and they want Wisconsin cheese. And it shows the geographical difficulty with this problem and with this underlying bill.

Mr. GOODLATTE seeks to correct those geographical differences by taking the most controversial piece of it out, and I stand here in support of doing that.

You know, our Founders kind of instructed us and said, if you can find agreement in this Chamber, do those things; but if you can't find agreement—and we can't find agreement here—don't do those things.

And so what Mr. GOODLATTE is trying to do is go to the place where we have the most and most broad agreement, leaving the margin insurance element in place for farmers, but stripping out the supply management element where some regions of the country would be damaged by it.

I support the Goodlatte amendment because it's the right type of reform for all Wisconsans and all of this country's dairy producers and processors, not one or the other, but both.

Mr. PETERSON. Mr. Chairman, I'm now pleased to yield 1 minute to the gentleman from Vermont (Mr. WELCH), one of our hard workers on this issue.

Mr. WELCH. The question facing this Congress is, Will we have a farm bill that respects farm families?

This is about individual families that are working hard to try to survive, not to get rich.

Market stabilization is exactly what Apple Computer does. If they make and sell more iPods, they produce more. If sales go down, they taper off.

Why not give that market signal to our farmers with second-, third-, fourth-generation families in Vermont, the Kennett family, the Richardson family, the Rowell family?

All they want to do is produce good, nutritious milk for the people in their community. This market stabilization gets them out of the death spiral, where they have absolutely no control over what that price is. And when it plunges, the only opportunity they have to try to survive is to increase production. The price goes down again.

This market stabilization is using the market. It's an ally of the farmer, as it should be. So this makes sense.

And what I am so proud of is that America's farmers, from Vermont to California, worked together to come up with something that would help pass that farm on to the next generation, and it saves money for the taxpayers.

Mr. DAVID SCOTT of Georgia. I yield myself such time as I may consume.

Let me just correct one thing. The Goodlatte-Scott amendment has a very robust safety net program in it. As a matter of fact, it's the same safety net program that is in the bill itself.

Let me make one other point right quick, Mr. Chairman. With the recent study by Professor Scott Brown, the University of Missouri put in a study that showed if this plan in this bill, this management supply bill, goes into effect, in the first month alone, school lunch program costs will go up $14 million, and the price of a gallon of milk will go up 32 cents.

Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Mr. Chairman, I rise in strong support of this bipartisan amendment which I am proud to cosponsor.

The underlying farm bill is designed to artificially raise the price of milk. This will have negative consequences for consumers, and that's why the Consumer Federation of America, the National Consumers League, the Consumers Union and other consumer groups, also the Teamsters, oppose the underlying language in this bill and support this amendment.

And when milk prices increase, it disproportionately harms America's poor, working families.

Now, there's a lot in this bill that I cannot support, including the heartless cuts to SNAP. Without this amendment, this bill adds insult to injury. Without this amendment, 246,000

women and children will lose access to milk because of the decrease of milk supply, and also prices, as the Representative from Georgia has so eloquently laid out, the milk prices will rise about 32 cents.

So this amendment protects families whose budgets are already stretched to the limit and they're already being cut in this bill.

So I hope that people understand this bill. There's been a lot of confusion, but this is a good bill that consumers support, that teamsters support; and I urge an ''aye'' vote on the amendment, not the bill, but the amendment.

Mr. PETERSON. Mr. Chairman, I'm going to take 30 seconds right now, and then I'm going to reserve because I'm ahead.

But I just need to stand up and say that this is not true. Scott Brown put out a study on this bill, and they said the effect of this was going to be a half a cent a gallon, maybe a couple of cents a gallon. So where they're coming up with this 30 cents or 50 cents, I have no idea. This is complete fabrication that's made up out of something that I don't know where it comes from.

So people need to understand that. Scott Brown is probably the most respected economist in dairy in the country, and he did not say it was 30 cents or 50 cents.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, what Mr. Brown said was up to 32 cents a gallon.

At this time I am happy to yield 1 minute to the gentleman from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. Mr. Chairman, I appreciate the opportunity to visit on this. I do believe in an individual's right to earn a living, to start a business, to earn a profit, to grow that business, and to expand to meet new market opportunities without government interference.

And I also believe that should be specifically available to dairy farmers as well.

But in the dairy program before us today, that flies in the face of this right. Government should not have the power to tell dairy farmers that they won't be paid for the milk they produce.

I think it's completely hypocritical for Members of this body to come to the floor and rail against market manipulation by Big Business, then turn around and say Washington should do the same thing.

We should support the Goodlatte-Scott amendment. We should oppose government control and interference in the marketplace, and we should support dairy freedom, growth, and opportunity.

There are numerous dairy families across this country, but one in particular in my district, the McCarty family, please let them have the opportunity to grow their business. Give them that chance. If we adopt the language as is, it will restrict their ability to grow their business.

Mr. PETERSON. I reserve the balance of my time.

Mr. DAVID SCOTT of Georgia. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Chairman, haven't we done enough already in this bill to impact low-income families' access to food?

The U.S. Government purchases 20 percent of domestic milk production for use in anti-hunger programs. So if the price of milk goes up, so does the cost of our nutrition programs like the Supplemental Assistance Nutrition Program; Special Supplemental Nutrition Program for Women, Infants and Children, or the WIC program; and the National School Lunch program.

Everybody admits that the effect of the underlying language in the bill will be to raise milk prices.

□ 1140

This is a burden that our low-income families simply cannot afford. We need a balance. We need a balance that will give a safety net to our dairy families but won't take it off of the backs of our low-income folks.

So I would urge a ''yes'' vote on this amendment. Just like the Consumer Federation of America and so many other groups that Ms. LEE talked about, this is a good thing for consumers, it's a good thing for Americans, and we should have that balance. Vote ''yes.''

Mr. PETERSON. I'm now pleased to yield 1 minute to the gentlewoman from Washington (Ms. DELBENE).

Ms. DELBENE. Thank you, Mr. PETERSON.

I rise in strong opposition to the Goodlatte-Scott amendment which would create unnecessary market volatility and uncertainty for our farmers. The Dairy Security Act creates a new, voluntary insurance program and will help consumers by eliminating the price spikes that are common today, ensuring stable milk prices.

There has been a great deal of misinformation about how the Dairy Security Act would affect consumers, but researchers like Dr. Brown at the University of Missouri, estimated milk prices will only rise between one-half of 1 cent to a few cents per gallon. The current volatility in the market is far more harmful to consumers than that very slight increase.

Simply put, it is poor policy to commit funds to a dairy program without fixing the underlying problem of oversupply, which is what this amendment would do. An insurance-only model poorly addresses the symptom of low margins and completely misses the issues of supply and demand. The stabilization program also has safeguards that will protect the U.S. export market, which is critical for dairy producers.

In my district, I've had long conversations with local dairy farmers, been to their farms, and the sentiment is unanimous: dairy farmers oppose this amendment because it will hurt them and consumers. I urge my colleagues to follow their advice and vote ''no.''

Mr. GOODLATTE. At this time, it's my pleasure to yield 1 minute to the gentleman from New York (Mr. GRIMM).

Mr. GRIMM. Thank you, chairman.

Today, I rise in strong support of the Goodlatte-Scott amendment. The farm bill, as is, artificially increases the price of milk and cheese. And where I come from, this will devastate my local delis, my specialty food stores and restaurants throughout Staten Island, Brooklyn and throughout our Nation.

As for oversupply, today, New York is America's yogurt capital. That industry accounts for almost $1 billion—with a B—in economic growth, revenue and 15,000 jobs.

Yet while we repeatedly talk about jobs and entrepreneurship, Chobani yogurt exemplifies this as a true American success story. Started in 2005, Chobani has transformed a groundbreaking new industry of Greek yogurt in America. But without an adequate milk supply at reasonable prices, Chobani, local delis and other companies will have a limited ability to grow and keep their products reasonably priced.

For this reason, I urge my colleagues to support the Goodlatte amendment.

Mr. PETERSON. Mr. Chairman, I'm now pleased to yield 1 minute to the gentleman from New York (Mr. OWENS), one of our good champions of the dairy industry.

Mr. OWENS. Mr. Chairman, I thank Mr. GRIMM for mentioning the yogurt industry. That is very prominent in my district, and we supply milk to many of the yogurt plants. There is no question that Mr. GOODLATTE's amendment would negatively impact that, whereas the Dairy Security Act would have a positive impact on our ability to supply milk to a growing industry that does, in fact, create jobs.

I rise in support of the Dairy Security Act and opposed to this amendment because it represents 4 years of bipartisan compromise worked out between Mr. LUCAS and Mr. PETERSON, and those are the kinds of activities we should be doing in this Congress.

Mr. DAVID SCOTT of Georgia. I now yield 1 minute to the distinguished lady from Florida, Ms. CORRINE BROWN.

Ms. BROWN of Florida. Mr. Chairman, to the Members of the House, let me be clear, I will not be voting for this bill. I will vote for no bill that

cuts $20.5 billion from the SNAP program, but I will be voting for this amendment.

We had a hideous bill on the floor a couple of days ago. And I want to be clear. I support all children, and it does not end at birth. It is ludicrous that we're here and the goody goody two shoes are now cutting the SNAP program and an attack on children. The families of three can earn no modern $24,000 per year in income. Seventy-six percent of the SNAP households include a child, an elderly person or a disabled person. Because of the insensitivity of this Congress, there was an announcement in my paper that Meals on Wheels for seniors are being cut.

I am fighting for babies who need milk and families that cannot afford food for their children. Support this amendment and vote against this bad bill.

The Acting CHAIR. The Chair will inform the Members that the gentleman from Minnesota has 2½ minutes remaining. The gentleman from Virginia has 1 minute remaining. The gentleman from Georgia's time has expired.

Mr. PETERSON. Mr. Chairman, I now yield 30 seconds to my colleague from Minnesota (Mr. WALZ).

Mr. WALZ. Mr. Chairman, dairy farming is risky business. You've heard that from them themselves. These are the folks that are up at 4 a.m., rain, shine, snow or sleet—doesn't matter—7 days a week, 365 days a year milking cows, and then they do it again 12 hours later. They don't get rich off this. They don't get sick time, and they don't get paid holidays. They get no time off if you want to get to it.

The one thing we can provide them is certainty and take the volatility out of the market to make sure that when they have a bad year, we don't end up liquidating these, consolidating into large dairies and harming the very people that the people who support this amendment claim to support.

I ask my colleagues to reject this amendment and do the right thing for these hardworking Americans.

Mr. GOODLATTE. Mr. Chairman, I'm pleased to yield 1 minute to the gentleman from Ohio, a member of the Agriculture Committee, to close our debate.

Mr. GIBBS. Thank you, Mr. Chairman.

I rise in support of this amendment. This amendment builds on the reforms in the underlying bill and scraps the proposed ''supply management'' program. Doing so will allow farmers and dairy producers to expand and meet the growing global demand for American dairy products. It will grow our exports and grow our economy.

It also will protect families and farmers. Families are already having enough trouble making ends meet. This amendment will help bring down prices for our constituents by providing more opportunity and fairness to dairy farmers across the country.

It also will save taxpayers dollars. This amendment saves taxpayers another $15 million on top of the savings in the underlying bill. Every penny counts.

This amendment will create better and more market-driven policies for our farmers. Supply management is not the way to go. I support the Goodlatte-Scott amendment.

The Acting CHAIR. The gentleman from Minnesota has 2 minutes remaining.

Mr. PETERSON. Mr. Chairman, I yield myself the balance of the time.

As has been said, we've been working on this for 4 years. Clearly, the current policy doesn't work because we've got all this volatility. If you adopt this Goodlatte-Scott amendment, you're going to continue to have that volatility.

Now, those people that are concerned about the price of milk, when we had high prices, the processors raised the prices. When the prices collapse $11, they didn't cut the prices. I've sent out charts to you to explain that. So what people need to understand is what we're trying to do here is give farmers a way to protect themselves against the feed costs and this volatility.

Now, this program is voluntary. Nobody has to get into this program. If they don't like the stabilization fund, they don't have to take the insurance and they don't have to be involved in it. But what we're saying is, if you're going to have the government subsidize your insurance, which is what we're doing, then you're going to have to be responsible if this thing gets out of whack. And what the Goodlatte-Scott amendment does is it puts that responsibility on the taxpayers, not on the farmers, which is irresponsible in my opinion.

The other thing you need to understand is, in regular crop insurance, the prices, you can only ensure the price for that year. But in this amendment, in the Goodlatte-Scott amendment, you ensure the price not based on what the market is, it's based on the feed costs plus the margin. So you're going to insure milk for $18 per 100 weight, but if the price goes to $11, the farmer still can have $18 insurance. He doesn't care if it's $11, the government is going to pay for that, not him.

This is a crazy thing that we're talking about doing here. We're putting the responsibility on the taxpayer. We're actually probably going to raise costs to consumers. It's the wrong way to go, and I urge my colleagues to oppose the Goodlatte-Scott amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GOODLATTE. Mr. Speaker, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

□ 1150

AMENDMENT NO. 100 OFFERED BY MR. FORTENBERRY

The Acting CHAIR. It is now in order to consider amendment No. 100 printed in part B of House Report 113–117.

Mr. FORTENBERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 1603 and insert the following new sections:

SEC. 1603. PAYMENT LIMITATIONS.

(a) IN GENERAL.—Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended—

(1) in subsection (a), by striking paragraph (3) and inserting the following:

''(3) LEGAL ENTITY.—

''(A) IN GENERAL.—The term 'legal entity' means—

''(i) an organization that (subject to the requirements of this section and section 1001A) is eligible to receive a payment under a provision of law referred to in subsection (b), (c), or (d);

''(ii) a corporation, joint stock company, association, limited partnership, limited liability company, limited liability partnership, charitable organization, estate, irrevocable trust, grantor of a revocable trust, or other similar entity (as determined by the Secretary); and

''(iii) an organization that is participating in a farming operation as a partner in a general partnership or as a participant in a joint venture.

''(B) EXCLUSION.—The term 'legal entity' does not include a general partnership or joint venture.'';

(2) by striking subsections (b) through (d) and inserting the following:

''(b) LIMITATION ON PAYMENTS FOR COVERED COMMODITIES AND PEANUTS.—The total amount of payments received, directly or indirectly, by a person or legal entity for any crop year for 1 or more covered commodities and peanuts under title I of the Federal Agriculture Reform and Risk Management Act of 2013 may not exceed $125,000, of which—

''(1) not more than $75,000 may consist of marketing loan gains and loan deficiency payments under subtitle B of title I of the Federal Agriculture Reform and Risk Management Act of 2013; and

''(2) not more than $50,000 may consist of any other payments made for covered commodities and peanuts under title I of the Federal Agriculture Reform and Risk Management Act of 2013.

''(c) SPOUSAL EQUITY.—

''(1) IN GENERAL.—Notwithstanding subsection (b), except as provided in paragraph (2), if a person and the spouse of the person are covered by paragraph (2) and receive, directly or indirectly, any payment or gain covered by this section, the total amount of payments or gains (as applicable) covered by this section that the person and spouse may jointly receive during any crop year may not exceed an amount equal to twice the applicable dollar amounts specified in subsection (b).

''(2) EXCEPTIONS.—

''(A) SEPARATE FARMING OPERATIONS.—In the case of a married couple in which each spouse, before the marriage, was separately engaged in an unrelated farming operation, each spouse shall be treated as a separate person with respect to a farming operation brought into the marriage by a spouse, subject to the condition that the farming operation shall remain a separate farming operation, as determined by the Secretary.

''(B) ELECTION TO RECEIVE SEPARATE PAYMENTS.—A married couple may elect to receive payments separately in the name of each spouse if the total amount of payments and benefits described in subsection (b) that the married couple receives, directly or indirectly, does not exceed an amount equal to twice the applicable dollar amounts specified in those subsections.'';

(3) in paragraph (3)(B) of subsection (f), by adding at the end the following:

''(iii) IRREVOCABLE TRUSTS.—In promulgating regulations to define the term 'legal entity' as the term applies to irrevocable trusts, the Secretary shall ensure that irrevocable trusts are legitimate entities that have not been created for the purpose of avoiding a payment limitation.''; and

(4) in subsection (h), in the second sentence, by striking ''or other entity'' and inserting ''or legal entity''.

(b) CONFORMING AMENDMENTS.—

(1) Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended—

(A) in subsection (e), by striking ''subsections (b) and (c)'' each place it appears in paragraphs (1) and (3)(B) and inserting ''subsection (b)'';

(B) in subsection (f)—

(i) in paragraph (2), by striking ''Subsections (b) and (c)'' and inserting ''Subsection (b)'';

(ii) in paragraph (4)(B), by striking ''subsection (b) or (c)'' and inserting ''subsection (b)'';

(iii) in paragraph (5)—

(I) in subparagraph (A), by striking ''subsection (d)''; and

(II) in subparagraph (B), by striking ''subsection (b), (c), or (d)'' and inserting ''subsection (b)''; and

(iv) in paragraph (6)—

(I) in subparagraph (A), by striking ''Notwithstanding subsection (d), except as provided in subsection (g)'' and inserting ''Except as provided in subsection (f)''; and

(II) in subparagraph (B), by striking ''subsections (b), (c), and (d)'' and inserting ''subsection (b)'';

(C) in subsection (g)—

(i) in paragraph (1)—

(I) by striking ''subsection (f)(6)(A)'' and inserting ''subsection (e)(6)(A)''; and

(II) by striking ''subsection (b) or (c)'' and inserting ''subsection (b)''; and

(ii) in paragraph (2)(A), by striking ''subsections (b) and (c)'' and inserting ''subsection (b)''; and

(D) by redesignating subsections (e) through (h) as subsections (d) through (g), respectively.

(2) Section 1001A of the Food Security Act of 1985 (7 U.S.C. 1308–1) is amended—

(A) in subsection (a), by striking ''subsections (b) and (c) of section 1001'' and inserting ''section 1001(b)''; and

(B) in subsection (b)(1), by striking ''subsection (b) or (c) of section 1001'' and inserting ''section 1001(b)''.

(3) Section 1001B(a) of the Food Security Act of 1985 (7 U.S.C. 1308–2(a)) is amended in the matter preceding paragraph (1) by striking ''subsections (b) and (c) of section 1001'' and inserting ''section 1001(b)''.

(c) APPLICATION.—The amendments made by this section shall apply beginning with the 2014 crop year.

SEC. 1603A. PAYMENTS LIMITED TO ACTIVE FARMERS.

Section 1001A of the Food Security Act of 1985 (7 U.S.C. 1308–1) is amended—

(1) in subsection (b)(2)—

(A) by striking ''or active personal management'' each place it appears in subparagraphs (A)(i)(II) and (B)(ii); and

(B) in subparagraph (C), by striking '', as applied to the legal entity, are met by the legal entity, the partners or members making a significant contribution of personal labor or active personal management'' and inserting ''are met by partners or members making a significant contribution of personal labor, those partners or members''; and

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking subparagraph (A) and inserting the following:

''(A) the landowner share-rents the land at a rate that is usual and customary;'';

(ii) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(C) the share of the payments received by the landowner is commensurate with the share of the crop or income received as rent.'';

(B) in paragraph (2)(A), by striking ''active personal management or'';

(C) in paragraph (5)—

(i) by striking ''(5)'' and all that follows through ''(A) IN GENERAL.—A person'' and inserting the following:

''(5) CUSTOM FARMING SERVICES.—A person'';

(ii) by inserting ''under usual and customary terms'' after ''services''; and

(iii) by striking subparagraph (B); and

(D) by adding at the end the following:

''(7) FARM MANAGERS.—A person who otherwise meets the requirements of this subsection other than (b)(2)(A)(i)(II) shall be considered to be actively engaged in farming, as determined by the Secretary, with respect to the farming operation, including a farming operation that is a sole proprietorship, a legal entity such as a joint venture or general partnership, or a legal entity such as a corporation or limited partnership, if the person—

''(A) makes a significant contribution of management to the farming operation necessary for the farming operation, taking into account—

''(i) the size and complexity of the farming operation; and

''(ii) the management requirements normally and customarily required by similar farming operations;

''(B)(i) is the only person in the farming operation qualifying as actively engaged in farming by using the farm manager special class designation under this paragraph; and

''(ii) together with any other persons in the farming operation qualifying as actively engaged in farming under subsection (b)(2) or as part of a special class under this subsection, does not collectively receive, directly or indirectly, an amount equal to more than the applicable limits under section 1001(b);

''(C) does not use the management contribution under this paragraph to qualify as actively engaged in more than 1 farming operation; and

''(D) manages a farm operation that does not substantially share equipment, labor, or management with persons or legal entities that with the person collectively receive, directly or indirectly, an amount equal to more than the applicable limits under section 1001(b).''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Nebraska (Mr. FORTENBERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nebraska.

Mr. FORTENBERRY. Mr. Chairman, first, I would like to begin by recognizing the hard work that Chairman LUCAS has put into this bill, as well as Ranking Member PETERSON. A complex bill such as this requires time, dedication, and a willingness to work with Members from a very diverse range of agricultural communities across this Nation, and I appreciate the effort.

I also recognize that many were here very late last night and there is a certain urgency to our deliberations. But I believe it is critically important that we also have a meaningful discussion and debate on the issue of payment limits.

The other legislative body has seen fit to include the language in this amendment in its version of the farm bill, and this amendment gives us the opportunity to send a message that some reform in this area is necessary.

While there is much to commend in this farm bill, Mr. Chairman, I am concerned that it falls short of successfully reforming the payment limit system. Without a doubt, agricultural payments are lopsided. Based on the USDA's annual Agricultural Resource Management Survey, the largest 12 percent of farms in terms of gross receipts received more than 62 percent of all government payments in 2009. Such a skewed system, Mr. Chairman, is simply not sustainable in the long run. It leads to the escalation of land prices and accelerates the concentration of land and resources into fewer hands. This is not healthy for rural America.

Continuation of the current system will only lead to greater concentration in agriculture and fewer opportunities for young and beginning farmers. We need a thoughtful and balanced approach here, one that encourages young people to take a chance and gives them some support when they need it, one that doesn't lend itself to the trend of fewer and fewer farms.

Mr. Chairman, we pride ourselves that agriculture is the main bright spot in America's economy. And how did we get here? By ensuring that we have a vibrant marketplace which depends upon large numbers of producers actively engaged in stewardship of the land.

The amendment I am offering will help farm supports reach their intended recipients as well and close loopholes that benefit investors not actively engaged in farming. It levels the playing field for farm families facing competition from larger operations

that do collect the lion's share of government payments.

The amendment reduces farm payment limits, capping commodity payments at $250,000 for any one farm. That's a lot of subsidy. The legislation will also close loopholes in current law to ensure payments reach their intended recipient, that is, working farmers.

The savings from reforms established in this legislation help ensure that the farm payment system is also set on a more fiscally sustainable trajectory. It's fair to farmers, fair to the taxpayer, and fair to America because it incorporates good governing principles.

This amendment has wide support from a diverse range of agricultural groups, such as the National Farmers Union, the Center for Rural Affairs, National Sustainable Agriculture Coalition, Heritage Action, and Citizens Against Government Waste. They recognize the opportunity we have for meaningful reform here.

Now, it is important, Mr. Chairman, to emphasize that this does not address crop insurance subsidies. That is a completely separate matter, and I recognize the need to differentiate between a program in which producers must contribute their own dollars toward the actuarial success of the program and one that is directly coming from the government.

Mr. Chairman, I have been through two farm bills now, and I've talked to hundreds of farmers in rural America. What they're looking for is simply a chance to compete, and compete well, not a guarantee of unlimited money from the government. We owe it to our hardworking farmers to sustain that fair and robust marketplace.

With that, I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. I yield 2 minutes to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Mr. Chairman, I stand in strong opposition to this amendment.

One particular troubling issue is the predefinition of ''actively engaged in farming.'' My good colleague should know that this will alter, fundamentally, the normal operations on a farm.

Take two quick examples, a brother and a sister. The sister runs the tractors, plants the crops, harvests the crops; the brother, on the other hand, does all the bookkeeping, files tax returns, works with FSA, arranges the loans at the bank. He would no longer be actively engaged in farming. That makes no sense whatsoever.

The broader spread one, though, is the generational shift in farming operations. As parents and grandparents age, they take less of a physical role in farming operations and hand that off to the younger generation—the folks that my good colleague was speaking to. This redefinition would say that as they age out and quit doing the actual physical labor, and yet their wisdom and knowledge and vast experience has added to the success of those farming operations, they would no longer be considered actively engaged in farming and would be excluded from the program itself. This is wrongheaded. It adds additional regulatory burdens on family farms across this country in an unnecessary manner and doesn't get to what my good colleague is trying to get to.

I would strongly urge my colleagues to reject this amendment and vote ''no'' on the Fortenberry amendment.

Mr. FORTENBERRY. May I can inquire, Mr. Chairman, as to how much time I have remaining.

The Acting CHAIR. The gentleman from Nebraska has 1¼ minutes remaining.

Mr. FORTENBERRY. Mr. Chairman, I'm not out to punish anyone's success. In fact, I celebrate it.

A $250,000 subsidy is a lot of money to come directly from the government. I think many Americans would agree. We put caps and limits on virtually every other program, so why not this one? What I'm saying is that amount of money should be sufficient.

I would like to offer another example regarding direct engagement in farming that helps clarify the issue that my colleague just raised.

A farm in the Deep South recently received $440,000—again, none of it to someone actually working the farm, but to six general partners and five spouses, all of whom claim to be providing the management needed to running the farm.

What this bill does, in addition to capping payments, it provides a more enforceable working definition for those actively engaged in farm management, and that's an important reform as well.

Again, this has been worked out in the other legislative body from Members who represent diverse agricultural districts all over this country. I think this is a reasonable reform that, again, is fair to the taxpayers, fair to the farm family, and consistent with good governing principles. It's a balanced, reasonable approach.

Mr. Chairman, I yield back the balance of my time.

Mr. LUCAS. Mr. Chairman, I yield 1½ minutes to the subcommittee chairman of the Agriculture Committee from Arkansas (Mr. CRAWFORD).

Mr. CRAWFORD. Mr. Chairman, I respectfully oppose the gentleman's amendment.

In order for farmers in my district to compete, their operations must be economies of scale. This is largely due to the high cost of production, expensive machinery, and razor-thin margins.

In order to remain economically viable, a mid-South farmer must produce a high quantity of crops and then sell that crop at an adequate price, which doesn't always work out so well. Some years in Arkansas a farmer might do very well if conditions are right and the prices don't drop too low, but in other years times can be absolutely brutal. This amendment takes the wrong approach because it adds even more uncertainty to the farmer's operation.

Most farmers go to the bank for loans to pay production costs and purchases of new technology and machinery. Once you introduce a restrictive AGI, it becomes much more difficult to obtain the financing necessary to sustain an operation and stay in business.

Through a careful approach, the Ag Committee has already brought significant reforms to AGI eligibility, which has already been difficult on some of my producers. We certainly don't need to go a step further.

Additionally, requiring active, on-farm labor is counterproductive for two reasons: one, it discourages farms from improving and becoming more efficient; and, two, it discourages the participation of young farmers, and that could mean that they're out of a job. Farm owners and operators need to focus their attention on the management of the overall farm and key management decisions.

I strongly urge defeat of this amendment, with all due respect.

Mr. LUCAS. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. BARROW).

Mr. BARROW of Georgia. I thank the gentleman for the time. I rise in opposition to the amendment.

Farming in 2013 can be a very complicated, high-tech and high-risk business. For example, there are many farmers in my district who farm thousands of acres that they don't own. They might grow cotton, peanuts, grains and specialty crops. They need a whole fleet of different equipment for each one of these crops. They're probably irrigating a whole lot of their crops. They likely employ dozens of people. These might be multimillion-dollar enterprises, and yet they still fit in the definition of a family farm. For these kinds of crops, it simply takes that kind of scale to be sustainable. Many farmers simply cannot afford to farm on that scale unless they have a safety net that can cover their risk.

This bill includes sustainable reforms of our farm safety net to make sure it's available to the people who need it most. It's not fair, nor in our best interest, to limit the participation of these larger family farms by undercutting their safety net, as this amendment would do. We need these farmers and they need us.

I, therefore, urge my colleagues to oppose the amendment.

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Mr. LUCAS. Mr. Chairman, might I inquire how much time I have remaining.

The Acting CHAIR. The gentleman from Oklahoma has 1¼ minutes remaining.

Mr. LUCAS. Mr. Chairman, I would like to yield the balance of my time to the ranking member of the House Ag Committee, the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON. Mr. Chairman, I thank the gentleman.

I rise in opposition to this amendment.

If you like the Department of Labor's overreach on child labor when they prevented 4–H kids from helping mom and dad on the farm, you're going to love this amendment. What this amendment does is it puts bureaucrats in charge of deciding who is a farmer and who isn't.

When we put this AGI test on, they developed 430 pages of regulations to try to figure out how to implement that. If this amendment passes, I would be hard-pressed to figure out how many pages of regulations they're going to come up with to try to figure out whether you're actually a farmer or not.

We're changing this ''actively engaged'' definition, which we've been struggling with for years, and which I think we did a pretty good job with in 2008, putting in new requirements, new tests, stuff that we really don't understand how it's going to work. I think it is just going to totally screw up the safety net, especially for our friends in the South that have a different situation than we do up in my part of the world.

This is an overreach. It's getting into areas that we've never done before with payment limitations at a time when we're changing these programs. We don't really even understand how this would work, other than to know it's going to really screw things up.

I would strongly urge my colleagues to oppose this amendment.

Mr. LUCAS. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Nebraska (Mr. FORTENBERRY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FORTENBERRY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 101 OFFERED BY MR. HUELSKAMP

The Acting CHAIR. It is now in order to consider amendment No. 101 printed in part B of House Report 113–117.

Mr. HUELSKAMP. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In subtitle A of title IV, strike section 4007 and insert the following:

SEC. 4007. ELIMINATING THE LOW-INCOME HOME ENERGY ASSISTANCE LOOPHOLE.

(a) IN GENERAL.—Section 5 of the Food and Nutrition Act of 2008 (7 U.S.C. 2014) is amended—

(1) in subsection (d)(11)(A), by striking ''(other than'' and all that follows through ''et seq.))'' and inserting ''(other than payments or allowances made under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) or any payments under any other State program funded with qualified State expenditures (as defined in section 409(a)(7)(B)(i) of that Act (42 U.S.C. 609(a)(7)(B)(1))))'';

(2) in subsection (e)(6)(C), by striking clause (iv); and

(3) in subsection (k)—

(A) in paragraph (2)—

(i) by striking subparagraph (C);

(ii) by redesignating subparagraphs (D) through (G) as subparagraphs (C) through (F), respectively; and

(iii) by striking paragraph (4).

(b) CONFORMING AMENDMENTS.—Section 2605(f) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(f)) is amended—

(1) in paragraph (1), by striking ''(1)''; and

(2) by striking paragraph (2).

At the end of subtitle A of title IV, insert the following:

SEC. 4033. PROJECTS TO PROMOTE WORK AND INCREASE STATE AGENCY ACCOUNTABILITY.

Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020), as amended by section 4015, is amended by adding at the end the following:

''(w) PROJECTS TO PROMOTE WORK AND INCREASE STATE AGENCY ACCOUNTABILITY.—The State agency shall create a work activation program that operates as follows:

''(1) Each able-bodied individual participating in the program—

''(A) shall at the time of application for supplemental food and nutrition assistance and every 12 months thereafter, register for employment in a manner prescribed by the chief executive officer of the State;

''(B) shall, each month of participation in the program, participate in—

''(i) 2 days of supervised job search for 8 hours per day at the program site; and

''(ii) 5 days of off-site activity for 8 hours per day;

''(C) shall not refuse without good cause to accept an offer of employment, at a site or plant not subject to a strike or lockout at the time of the refusal, at a wage not less than the higher of—

''(i) the applicable Federal or State minimum wage; or

''(ii) 80 percent of the wage that would have governed had the minimum hourly rate under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) been applicable to the offer of employment;

''(D) shall not refuse without good cause to provide a State agency with sufficient information to allow the State agency to determine the employment status or the job availability of the individual; and

''(E) shall not voluntarily—

''(i) quit a job; or

''(ii) reduce work effort and, after the reduction, the individual is working less than 30 hours per week, unless another adult in the same family unit increases employment at the same time by an amount equal to the reduction in work effort by the first adult.

''(2) An able-bodied individual participating in the work activation program who fails to comply with 1 or more of the requirements described in paragraph(1)—

''(A) shall be subject to a sanction period of not less than a 2-month period beginning the day of the individual's first failure to comply with such requirements during which the individual shall not receive any supplemental food and nutrition assistance; and

''(B) may receive supplemental food and nutrition assistance after the individual is in compliance with such requirements for not less than a 1-month period beginning after the completion of such sanction period, except that such assistance may not be provided retroactively.''.

SEC. 4034. REPEAL OF CERTAIN AUTHORITY TO WAIVE WORK REQUIREMENT.

The Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amended—

(1) in section 6(o) by striking paragraph (4); and

(2) in section 16(b)(1)(E)(ii)—

(A) in subclause (II) by adding ''and'' at the end;'

(B) by striking subclause (III); and

(C) by redesignating subclause (IV) as subclause (III).

SEC. 4035. ELIMINATING DUPLICATIVE EMPLOYMENT AND TRAINING.

(a) FUNDING OF EMPLOYMENT AND TRAINING PROGRAMS.—Section 16 of Food and Nutrition Act of 2008 (7 U.S.C. 2025) is amended by striking subsection (h).

(b) ADMINISTRATIVE COST-SHARING.—

(1) IN GENERAL.—Section 16(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(a)) is amended in the first sentence, in the matter preceding paragraph (1), by inserting ''(other than a program carried out under section 6(d)(4))'' after ''supplemental nutrition assistance program''.

(2) CONFORMING AMENDMENTS.—

(A) Section 17(b)(1)(B)(iv)(III)(hh) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(b)(1)(B)(iv)(III)(hh)) is amended by striking ''(g), (h)(2), or (h)(3)'' and inserting ''or (g)''.

(B) Section 22(d)(1)(B)(ii) of the Food and Nutrition Act of 2008 (7 U.S.C. 2031(d)(1)(B)(ii)) is amended by striking '', (g), (h)(2), and (h)(3)'' and inserting ''and (g)''.

(c) WORKFARE.—

(1) IN GENERAL.—Section 20 of the Food and Nutrition Act of 2008 (7 U.S.C. 2029) is amended by striking subsection (g).

(2) CONFORMING AMENDMENT.—Section 17(b)(1)(B)(iv)(III)(jj) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(b)(1)(B)(iv)(III)(jj)) is amended by striking ''or (g)(1)''.

SEC. 4036. ELIMINATING THE NUTRITION EDUCATION GRANT PROGRAM.

Section 28 of the Food and Nutrition Act of 2008 (7 U.S.C. 2036a) is repealed.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Kansas (Mr. HUELSKAMP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas.

Mr. HUELSKAMP. Mr. Chairman, I yield myself such time as I may consume.

I rise today along with several of my colleagues to offer what we believe should be the first step in serious reform of a SNAP program, also known as food stamps.

It has been said we should judge the success of government programs not by the number of people receiving the benefits but by the number of people who no longer need them.

As a result of the bipartisan work reforms in the TANF program in 1996, after that period we saw a 57 percent reduction in the number of people on TANF. This amendment would take the most successful welfare reform in the history of this country, signed into law by President Bill Clinton and passed by a Republican Congress, and apply it to now the largest means-tested assistance program we have. That's what that amendment would do.

In addition to applying that successful work requirement, we would have additional reforms in terms of LIHEAP and a few other items that would provide additional savings in the food stamp program.

With that, I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Mr. Chairman, I would like to yield 2 minutes to the gentlelady from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Chairman, I speak in opposition to this amendment.

This is really a very poorly conceived amendment that would require all nondisabled individuals to participate in a job search every month or immediately lose benefits, even if the individual is already working or even if the individual is a child, a minor.

This amendment would increase the SNAP cuts by 50 percent to $31 billion, instead of the $21.5 billion. It would immediately subject 2 million jobless, childless adults to harsh benefit cuts. It would slash benefits for 2 million people about $90 a month. It would eliminate all the SNAP employment and training funds, eliminate nutrition education, impose new job search requirements on all people, even if they're working, and it would send people into a deep, deep depression.

I think that this is an amendment that we should oppose.

Mr. HUELSKAMP. Mr. Chairman, I would like to yield 1 minute to a member of the Ag Committee, the gentleman from Texas (Mr. NEUGEBAUER).

Mr. NEUGEBAUER. Mr. Chairman, I thank the gentleman.

I rise in strong support of this amendment. In fact, part of the language of a bill that I had introduced is incorporated in this bill, and I appreciate the gentleman for including that.

What is this amendment about? It's about making sure that people that are on these programs qualify for them. That they're not automatically put on them because they're on some other program. It's also about reducing duplicative programs in the government, such as nutrition education and job training. We have job training in other programs.

But more importantly, what the American people understand is that our entitlement programs are growing at an unsustainable rate, and so we need to make sure that people that are on food stamps are actively looking for work. I don't think anybody argues with that.

The second thing is making sure that people that are on this program are the people that need it, and secondly, that qualify for it.

So this is a commonsense amendment and the American taxpayers deserve this kind of accountability. Anything less is unacceptable.

Mr. LUCAS. Mr. Chairman, I now yield 1 minute to the gentlelady from California (Ms. LEE).

Ms. LEE of California. Mr. Chairman, I want to thank the gentleman for yielding.

I rise in strong opposition to this amendment.

This is yet another heartless cut on the backs of hungry families all across America. How much is enough for those who are relentless—relentless—in attacking low-income families and hungry children. Cutting over $20 billion in SNAP benefits is bad enough, but this amendment would add insult to injury. This is mind-boggling.

Let me tell you, I know from personal experience, no one wants to be on food stamps. Many who are on SNAP are hardworking people making minimum wage, and others are desperately looking for a job in these difficult economic times.

This amendment demands that hungry families search for a job even while it eliminates all employment assistance and job-training funds for those very families. Let's not pretend that by making a family suffer more hunger and more desperation and more hardship that a job will suddenly appear for them.

I urge my colleagues to vote ''no'' on this very, very heartless, cruel, and inhumane amendment.

Mr. HUELSKAMP. Mr. Chairman, I reserve the balance of my time.

Mr. LUCAS. Mr. Chairman, I yield 15 seconds to the gentleman from Minnesota (Mr. PETERSON).

Mr. PETERSON. Mr. Chairman, I rise in opposition to this amendment.

We have worked this out between the chairman and myself and this is breaking the deal that we had. I would say a vote for this amendment is a vote against the farm bill, so oppose it.

Mr. HUELSKAMP. Mr. Chairman, may I inquire of the balance of the time.

The Acting CHAIR. The gentleman from Kansas has 3 minutes remaining. The gentleman from Oklahoma has 2½ minutes remaining.

Mr. HUELSKAMP. Thank you, Mr. Chairman. I appreciate waiting on a few other folks to speak.

One thing I would like to point out, I appreciate the arguments of my colleague from Texas that indicates these are commonsense reforms. I think most Americans agree, let's help folks that are in need, but we probably shouldn't help those who don't actually qualify for food stamps. With the adoption of this amendment, it will require folks that would like to receive food stamps—SNAP benefits—to actually have to qualify for them instead of being qualified through another program.

It was also noted about the impact of these reforms and their potential impact on cuts. Let's look at a little history of this particular program. In 2002, in the 2002 farm bill, $270 billion was the spending level—$270 billion. In the 2008 farm bill, it was approximately $400 billion. If this amendment is adopted, the spending level would be $733 billion. Only in Washington could you say going from $270 billion to $733 billion is a cut.

These are commonsense reforms. These a few decades ago were considered bipartisan reforms to encourage people to look for work, to encourage people to get a job.

I agree with my colleagues: there isn't a person in America I don't think that wouldn't rather have a paycheck rather than a SNAP check or a SNAP card, or a Vision card if you're in the State of Kansas.

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These are very commonsense reforms. They will work. They are good for Americans. They are good for our taxpayers. They are good for the people receiving benefits. We have 47 million Americans receiving food stamps today. Please, let's ask them—require them—to actually go out and look for jobs. They might actually find them.

I yield back the balance of my time.

The Acting CHAIR. The gentleman from Oklahoma has 2½ minutes remaining.

Mr. LUCAS. Mr. Chairman, I yield myself the balance of my time.

Colleagues, the process of crafting this farm bill has entailed much effort by the committee. We've looked at everything within our jurisdictions. We've come up with ways of saving money and reforming things and making things more efficient across the board in every title. Let me touch, for just a moment, on the nutrition title.

The committee agreed to $20.5 billion in savings: ending categorical eligibility, compelling States to the tune of $8 billion worth of savings to make adjustments in how they address LIHEAP. We have gone a tremendous distance in a bipartisan way to achieve the first real reform since 1996.

Now, I appreciate my colleagues' efforts to try and increase those savings, but I say to you that the number in the bill is workable, that it is something that we can achieve, that it is something through which I believe—and we don't all necessarily see eye to eye on this—we will still allow those folks who are qualified under Federal law to receive the help they need, that they deserve.

Please turn this amendment back. Please move forward with the reforms we have. Let's do things that we've not been able to do since 1996. Let's not go so far that nothing is the end result. Defeat the amendment. Support the bill. Let us move forward.

With that, Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kansas (Mr. HUELSKAMP).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HUELSKAMP. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Kansas will be postponed.

AMENDMENT NO. 102 OFFERED BY MR. SOUTHERLAND

The Acting CHAIR. It is now in order to consider amendment No. 102 printed in part B of House Report 113–117.

Mr. SOUTHERLAND. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 336, line 8, strike ''$375,000,000'' and insert ''$372,000,000''.

At the end of subtitle A of title IV, insert the following:

SEC. 4033. PILOT PROJECTS TO PROMOTE WORK AND INCREASE STATE ACCOUNTABILITY IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

Effective October 1, 2013, section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026), as amended by sections 4021 and 4022, is amended by adding at the end the following:

''(n) PILOT PROJECTS TO PROMOTE WORK AND INCREASE STATE ACCOUNTABILITY IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.—

''(1) IN GENERAL.—The Secretary shall carry out pilot projects to develop and test methods allowing States to run a work program with certain features comparable to the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), with the intent of increasing employment and self-sufficiency through increased State accountability and thereby reducing the need for supplemental nutrition assistance benefits.

''(2) AGREEMENTS.—

''(A) IN GENERAL.—In carrying out this subsection, the Secretary shall enter into cooperative agreements with States in accordance with pilot projects that meet the criteria required under this subsection.

''(B) APPLICATION.—To be eligible for a cooperative agreement under this paragraph, a State shall submit to the Secretary a plan that complies with requirements of this subsection beginning in fiscal year 2014. The Secretary may not disapprove applications which meet the requirements of this subsection as described through its amended supplemental nutrition assistance State Plan.

''(C) ASSURANCES.—A State shall include in its plan assurances that its pilot project will—

''(i) operate for at least three 12-month periods but not more than five 12-month periods;

''(ii) have a robust data collection system for program administration that is designed and shared with project evaluators to ensure proper and timely evaluation; and

''(iii) intend to offer a work activity described in paragraph (4) to adults assigned and required to participate under paragraph (3)(A) and who are not exempt under paragraph (3)(F).

''(D) NUMBER OF PILOT PROJECTS.—Any State may carry out a pilot project that meets the requirements of this subsection.

''(E) EXTENT OF PILOT PROJECTS.—Pilot projects shall cover no less than the entire State.

''(F) OTHER PROGRAM WAIVERS.—Waivers for able-bodied adults without dependents provided under section 6(o) are void for States covered by a pilot project carried out under paragraph (1).

''(3) WORK ACTIVITY.—(A) For purposes of this subsection, the term 'work activity' means any of the following:

''(i) Employment in the public or private sector that is not subsidized by any public program.

''(ii) Employment in the private sector for which the employer receives a subsidy from public funds to offset some or all of the wages and costs of employing an adult.

''(iii) Employment in the public sector for which the employer receives a subsidy from public funds to offset some or all of the wages and costs of employing an adult.

''(iv) A work activity that—

''(I) is performed in return for public benefits;

''(II) provides an adult with an opportunity to acquire the general skills, knowledge, and work habits necessary to obtain employment;

''(III) is designed to improve the employability of those who cannot find unsubsidized employment; and

''(IV) is supervised by an employer, work site sponsor, or other responsible party on an ongoing basis.

''(v) Training in the public or private sector that is given to a paid employee while he or she is engaged in productive work and that provides knowledge and skills essential to the full and adequate performance of the job.

''(vi) Job search, obtaining employment, or preparation to seek or obtain employment, including—

''(I) life skills training;

''(II) substance abuse treatment or mental health treatment, determined to be necessary and documented by a qualified medical, substance abuse, or mental health professional; or

''(III) rehabilitation activities;

supervised by a public agency or other responsible party on an ongoing basis.

''(vii) Structured programs and embedded activities—

''(I) in which adults perform work for the direct benefit of the community under the auspices of public or nonprofit organizations;

''(II) that are limited to projects that serve useful community purposes in fields such as health, social service, environmental protection, education, urban and rural redevelopment, welfare, recreation, public facilities, public safety, and child care;

''(III) that are designed to improve the employability of adults not otherwise able to obtain unsubsidized employment; and

''(IV) that are supervised on an ongoing basis; and

''(V) with respect to which a State agency takes into account, to the extent possible, the prior training, experience, and skills of a recipient in making appropriate community service assignments.

''(viii) Career and technical training programs (not to exceed 12 months with respect to any adult) that are directly related to the preparation of adults for employment in current or emerging occupations and that are supervised on an ongoing basis.

''(ix) Training or education for job skills that are required by an employer to provide an adult with the ability to obtain employment or to advance or adapt to the changing demands of the workplace and that are supervised on an ongoing basis.

''(x) Education that is related to a specific occupation, job, or job offer and that is supervised on an ongoing basis.

''(xi) In the case of an adult who has not completed secondary school or received such a certificate of general equivalence, regular attendance—

''(I) in accordance with the requirements of the secondary school or course of study, at a secondary school or in a course of study leading to such certificate; and

''(II) supervised on an ongoing basis.

''(xii) Providing child care to enable another recipient of public benefits to participate in a community service program that—

''(I) does not provide compensation for such community service;

''(II) is a structured program designed to improve the employability of adults who participate in such program; and

''(III) is supervised on an ongoing basis.

''(B) PROTECTIONS.—Work activities under this subsection shall be subject to all applicable health and safety standards. Except as described in clauses (i), (ii), and (iii) of subparagraph (A), the term 'work activity' shall be considered work preparation and not defined as employment for purposes of other law.

''(4) PILOT PROJECTS.—Pilot projects carried out under paragraph (1) shall include interventions to which adults are assigned that are designed to reduce unnecessary dependence, promote self sufficiency, increase work levels, increase earned income, and reduce supplemental nutrition assistance benefit expenditures among households eligible for, applying for, or participating in the supplemental nutrition assistance program.

''(A) Adults assigned to interventions by the State shall—

''(i) be subject to mandatory participation in work activities specified in paragraph (4), except those with 1 or more dependent children under 1 year of age;

''(ii) participate in work activities specified in paragraph (4) for a minimum of 20 hours per week per household;

''(iii) be a maximum age of not less than 50 and not more than 60, as defined by the State;

''(iv) be subject to penalties during a period of nonparticipation without good cause ranging from, at State option, a minimum of the removal of the adults from the household benefit amount, up to a maximum of the discontinuance of the entire household benefit amount; and

''(v) not be penalized for nonparticipation if child care is not available for 1 or more children under 6 years of age.

''(B) The State shall allow certain individuals to be exempt from work requirements—

''(i) those participating in work programs under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) for an equal or greater number of hours;

''(ii) 1 adult family member per household who is needed in the home to care for a disabled family member;

''(iii) a parent who is a recipient of or becomes eligible for Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI); and

''(iv) those with a good cause reason for nonparticipation, such as victims of domestic violence, as defined by the State.

''(5) EVALUATION AND REPORTING.—

''(A) EVALUATION.—

''(i) INDEPENDENT EVALUATION.—

''(I) IN GENERAL.—The Secretary shall provide for each State that enters into an agreement under paragraph (2) an independent, longitudinal evaluation of its pilot project under this subsection to determine total program savings over the entire course of the pilot project with results reported in consecutive 12-month increments.

''(II) PURPOSE.—The purpose of the evaluation is to measure the impact of interventions provided by the State under the pilot project on the ability of adults in households eligible for, applying for, or participating in the supplemental nutrition assistance program to find and retain employment that leads to increased household income and reduced dependency.

''(III) REQUIREMENT.—The independent evaluation under subclause (I) shall use valid statistical methods which can determine the difference between supplemental nutrition assistance benefit expenditures, if any, as a result of the interventions as compared to a control group that—

''(aa) is not subject to the interventions provided by the State under the pilot project under this subsection; and

''(bb) maintains services provided under 16(h) in the year prior to the start of the pilot project under this subsection.

''(IV) OPTION.—States shall have the option to evaluate pilot projects by matched counties or matched geographical areas using a constructed control group design to isolate the effects of the intervention of the pilot project.

''(V) DEFINITION.—Constructed control group means there is no random assignment, and instead program participants (those subject to interventions) and non-participants (control) are equated using matching or statistical procedures on characteristics that may be associated with program outcomes.

''(B) REPORTING.—Not later than 90 days after the end of fiscal year 2014 and of each fiscal year thereafter, until the completion of the last evaluation under subparagraph (A), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, a report that includes a description of—

''(i) the status of each pilot project carried out under paragraph (1);

''(ii) the results of the evaluation completed during the previous fiscal year; and

''(iii) to the maximum extent practicable—

''(I) baseline information relevant to the stated goals and desired outcomes of the pilot project;

''(II) the impact of the interventions on appropriate employment, income, and public benefit receipt outcomes among households participating in the pilot project;

''(III) equivalent information about similar or identical measures among control or comparison groups;

''(IV) the planned dissemination of the report findings to State agencies; and

''(V) the steps and funding necessary to incorporate into State employment and training programs the components of pilot projects that demonstrate increased employment and earnings.

''(C) PUBLIC DISSEMINATION.—In addition to the reporting requirements under subparagraph (B), evaluation results shall be shared broadly to inform policy makers, service providers, other partners, and the public in order to promote wide use of successful strategies, including by posting evaluation results on the Internet website of the Department of Agriculture.

''(6) FUNDING.—

''(A) AVAILABLE FUNDS.—From amounts made available under section 18(a)(1), the Secretary shall make available—

''(i) up to $1,000,000 for each of the fiscal years 2014 through 2017 for evaluations described in paragraph (5) to carry out this subsection, with such amounts to remain available until expended; and

''(ii) amounts equal to one-half of the accumulated supplemental nutrition assistance benefit dollars saved over each consecutive 12-month period according to the evaluation under paragraph (5) for bonus grants to States under paragraph (7)(B).

''(B) LIMITATION.—A State operating a pilot project under this subsection shall not receive more funding under section 16(h) than the State received the year prior to commencing a project under this subsection and shall not claim funds under 16(a) for expenses that are unique to the pilot project under this subsection.

''(C) OTHER FUNDS.—Any additional funds required by a State to carry out a pilot project under this subsection may be provided by the State from funds made available to the State for such purpose and in accordance with State and other Federal laws, including the following:

''(i) Section 403 of the Social Security Act (42 U.S.C. 603).

''(ii) The Workforce Investment Act of 1998 (29 U.S.C. 9201 et seq.).

''(iii) The Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) and section 418 of the Social Security Act (42 U.S.C. 618).

''(iv) The social services block grant under subtitle A of title XX of the Social Security Act (42 U.S.C. 1397 et seq,).

''(7) USE OF FUNDS.—

''(A) SPECIFIC USES.—Funds provided under this subsection for evaluation of pilot projects shall be used only for—

''(i) pilot projects that comply with this subsection;

''(ii) the costs incurred in gathering and providing information and data used to conduct the independent evaluation under paragraph (5); and

''(iii) the costs of the evaluation under paragraph (5).

''(B) LIMITATION.—Funds provided for bonus grants to States for pilot projects under this subsection shall be used only for—

''(i) pilot projects that comply with this subsection;

''(ii) amounts equal to one-half of the accumulated supplemental nutrition assistance benefit dollars saved over each consecutive 12-month period according to the evaluation under paragraph (5); and

''(iii) any State purpose, not to be restricted to the supplemental nutrition assistance program or its beneficiary population.''.

SEC. 4034. IMPROVED WAGE VERIFICATION USING THE NATIONAL DIRECTORY OF NEW HIRES.

Effective October 1, 2013, section 11(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)) is amended—

(1) in paragraph (3) by inserting ''and after compliance with the requirement specified in paragraph (24)'' after ''section 16(e) of this Act'',

(2) in paragraph (22) by striking ''and'' at the end,

(3) in paragraph (23 by striking the period at the end and inserting ''; and'', and

(4) by adding at the end the following:

''(24) that the State agency shall request wage data directly from the National Directory of New Hires established under section 453(i) of the Social Security Act (42 U.S.C. 653(i)) relevant to determining eligibility to receive supplemental nutrition assistance program benefits and determining the correct amount of such benefits.''.

The Acting CHAIR. Pursuant to House Resolution 271, the gentleman from Florida (Mr. SOUTHERLAND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. SOUTHERLAND. Mr. Chairman, the numbers don't lie. America's welfare system is broken.

Food stamp benefits have tripled in the past decade. There are more Americans living in poverty today than when the war on poverty was launched a half century ago. Instead of incentivizing work, we are reinforcing the same government dependency and cyclical poverty that we all wish to eliminate. It is clear that an important variable has been missing from America's anti-poverty equation, and that is the element of work.

History has proven that work is the surest way to empower able-bodied Americans to advance from welfare to self-sufficiency. When a Republican-controlled Congress and a Democrat President joined together to pass welfare reform requiring work, the results were dramatic. Nationwide, welfare rolls dropped by 67 percent. In my home State of Florida, the number was higher—approximately 85 percent. Work participation by never-married single moms and household earnings skyrocketed. Child poverty rates plummeted. This true bipartisan success story is what my amendment is based upon.

My amendment empowers the States to require work for Supplemental Nutrition Assistance Program, or SNAP,

benefits. We apply the same sensible work preparation, job training, and community service activities that are at the heart of welfare reform. Our plan is endorsed by several States' Human Services Secretaries who approached us because they understand how important work can be for individuals truly in need.

The simple fact, Mr. Chairman, is that ''work'' works. We must have a system in place that provides a helping hand to the most vulnerable among us. By requiring work for able-bodied SNAP recipients, we can ensure that the resources get to those in need more effectively and efficiently.

I encourage my colleagues to join me in supporting my amendment and in renewing the God-given opportunity for earned success in America.

Mr. Chairman, with that, I reserve the balance of my time.

Ms. MOORE. I rise to claim the time in opposition to the gentleman's amendment.

The Acting CHAIR. The gentlewoman from Wisconsin is recognized for 5 minutes.

Ms. MOORE. Despite what we have heard from the author of this program, there is no work in this bill. This amendment would more appropriately be called ''The State Bonuses for Terminating SNAP Benefits for People Who Want to Work but Can't Find a Job Because They're in a Recession,'' and it ends benefits for children, disabled people, yes, and even for disabled veterans.

I think the most egregious thing about this amendment is that there is no funding for worker training programs in this bill at all even though we are ordering people to do it, and there is a perverse incentive for States to end SNAP benefits for people because, suddenly, food stamps, or SNAP benefits, become fungible.

We just rejected an amendment in our last series of votes that would have allowed people to get toothpaste and toothbrushes with SNAP benefits; but what this amendment does is allow the States to pocket these sanctions and use them for whatever they want to—to balance the budget with it or to convert SNAP benefits into tax breaks for corporations or for wealthy people.

With that, I reserve the balance of my time.

Mr. SOUTHERLAND. Mr. Chairman, I now yield 1 minute to the gentleman from Virginia, Majority Leader CANTOR, who represents a State in which, as a result of the 1996 work requirement, welfare rolls were reduced by over 84 percent.

Mr. CANTOR. I thank the gentleman from Florida.

Mr. Chairman, I rise today in support of this amendment.

In 1996, the Congress came together in a bipartisan way to change the incentive structure in our basic cash welfare program that helps needy families. The results were nothing but a success. Within 5 years, welfare caseloads fell by more than 60 percent, and the economic prospects of many former welfare families were substantially improved. America saw increased earnings by low-income families and significant reductions in child poverty. The incentives were right, and even in the depths of the worst economic turmoil of a few years ago, the reforms were succeeding at moving families from dependency into work.

Those changes made in welfare reform resulted from a foundation laid before 1996 in which States experimented with different approaches to determine which ones were the most effective at increasing workforce participation and boosting earnings. Prior to enactment of welfare reform, States had been given waivers of the old law to become laboratories of innovation.

The amendment by Mr. SOUTHERLAND before us today builds on that successful approach and will give States the opportunity to test whether the same successful strategies that were used in cash welfare programs in the 1990s will help food stamp recipients gain and retain employment and boost their earnings today. Mr. SOUTHERLAND's amendment provides for a pilot program, which will allow States, if they choose, to apply the TANF work requirements to their able-bodied working age adult food stamp caseload.

□ 1220

States have come forward asking us for the ability to enter into these demonstration projects. But unless we adopt the gentleman's amendment, these States won't be able to launch these demonstration projects.

This amendment is well crafted and takes into consideration the availability of child care for mothers with young children and hardship situations like families facing domestic violence.

The Southerland amendment also tells States that if they're successful at increasing work participation and families' earnings among the food stamp caseload, they will share in the savings that would otherwise end up in the hands of the Federal Government.

If enacted, this amendment will help reduce Federal expenditures, provide assistance to the States, and most importantly it will help struggling families who find themselves relying on public assistance to get back on their feet.

Right now, many American families are struggling, and the SNAP program is in place to help these families who find themselves in dire economic circumstances. While this program is an important part of our safety net, our overriding goal should be to help our citizens with the education and skills they need to get back on their feet so that they can provide for themselves and their families.

I'd like to thank the gentleman from Florida (Mr. SOUTHERLAND) for his work on this issue, and I urge my colleagues to support his amendment.

Ms. MOORE. I would like to inquire as to how much time I have remaining.

The Acting CHAIR. The gentlewoman from Wisconsin has 3½ minutes remaining, and the gentleman from Florida has 1½ minutes remaining.

Ms. MOORE. Just because we keep saying that the 1996 welfare program was successful, doesn't make it so. Poverty has increased among women and children. A quarter of all children in this country are poor.

With that, I yield 2 minutes to the gentlelady from Connecticut (Ms. DELAURO).

Ms. DELAURO. I rise in strong opposition to this amendment, the effect of which would be to increase hunger and hardship across America. We have experienced the most devastating recession since the Great Depression.

Unemployment is at 7.5 percent. One in seven people today is availing himself of food stamps because there is a need to. People are struggling in our economy today. They want to work. They cannot find a job. Everyone is experiencing that in their own communities.

This amendment would allow an unlimited number of States to require an adult to receive or even apply for food stamps to be working or in job training, or else they lose their food stamp benefits. Why would a State want to do this? Because the amendment also allows States to keep part of the savings from cutting people off the program, use the money for whatever purpose the State officials want, instead of feeding people with those dollars.

States can cut taxes for companies or even maybe support special interest subsidies. And as my colleagues said, there is no funding in this bill for the creation of jobs; and my colleagues on the other side of the aisle, they refuse to deal with the issue of job creation and there is no worker-training money in this bill. So there is no funding to do what they would like to do.

Let's take the crop insurance program, my friends. We just voted on an amendment that voted down reforming that program. We have 26 individuals in this Nation. We can't find out who they are. They get at least a million dollars in a subsidy. Do you think they're eating well? Three squares or better a day. You know what? They have no income threshold, no asset test, no cap. They don't even have to farm the land, and they don't have to follow conservation practices. Do you want to go and find out where we can save money here? Let's find out who these 26 people are or those people who are on the crop insurance program, and let's make sure that they are working otherwise we will cut their benefits.

I urge my colleagues to vote ''no'' on this unbelievably misguided amendment.

Mr. SOUTHERLAND. Mr. Chairman, I yield 45 seconds to the gentleman from Washington (Mr. REICHERT), whose welfare rolls were reduced by over 55 percent due to the 1996 work requirement.

Mr. REICHERT. Mr. Speaker, I rise in support of this amendment.

My colleague was absolutely right, the unemployment rate is 7.5 percent. People do want to go back to work. This is what this bill does: it helps people go back to work. Currently, the government has 83 programs to help people.

I'm the chairman of the Subcommittee on Human Resources. We just had a hearing last week with Sada Randolph. Sada Randolph testified before our committee that she was under a government program. All they did was provide benefits to her until she got under TANF. That's where she got the help to find a job. We need to help people find jobs, keep jobs, support their families and give them hope.

I support this bill wholeheartedly because it gives the American people who are out of work today hope.

Ms. MOORE. We reduced welfare rolls because we literally threw people off. We did not help them find sustainable jobs, which is why poverty has increased.

I yield 30 seconds to the ranking member of the committee, Mr. PETERSON.

Mr. PETERSON. I thank the gentlelady, and I strongly oppose this amendment.

This amendment breaks the deal that we had and is offensive in the way that it treats the unemployed in this country.

In short what this proposal does is it takes money from benefits and hands it over to the States, and they can do with it what they want, as was said earlier in the debate, with no strings attached, no accountability.

This Republican Congress has been vocal in support of block grants, and I suppose that's why they're supporting this amendment. But I'd like to point out that it was block-granting that is the very reason that we got into the LIHEAP situation and the categorical eligibility situation that we're trying to attempt in this bill.

Vote ''no'' on this amendment.

Mr. SOUTHERLAND. Mr. Chairman, I now yield 45 seconds to the gentleman from Georgia (Mr. KINGSTON), whose welfare rolls were reduced by over 85 percent in the 1996 work requirements.

Mr. KINGSTON. I thank the gentleman for yielding and stand in support of the amendment.

There's two very major points of this. Number one is that we cannot continue to deny able-bodied people the dignity of work. There seems to be a belief in the nanny state that there's something wrong with requiring able-bodied people to work. That's what this amendment does. It says to you that if you can work, you ought to be working so that other people who are unable to, they can get the needed assistance.

Number two, it gives States flexibility. I trust the people in Florida. I trust the people in Wisconsin. I trust the people in Georgia and Florida and all over the country to do what's best for their State. That's what we need in America today: less centralized, Washington bureaucratic planners and more State flexibility because what might work in your State might be different in mine, but this is a requirement for able-bodied people to get a job in order to receive public assistance benefits.

It's very common sense, and I yield back the balance of my time.

Ms. MOORE. Mr. Chairman, I yield the last 30 seconds to our good friend and colleague, Mr. WELCH.

Mr. WELCH. I thank the gentlelady.

This amendment is not on the level. It uses a word that is important to all of us: work.

Of course people want to work, but there is no money for a work program. There is an obligation on the person who has no income, who has children, to somehow magically create their own work program. Any of the work programs have to have some support to get people to be able to move from poverty to work.

This is a political statement. It's not a work program.

How poor is poor? This is telling folks they're not poor enough. Grind them and their children down; 1-year-old children will lose food as a result of this.

Ms. MOORE. With that, Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. SOUTHERLAND).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. SOUTHERLAND. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

□ 1230

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 113–117 on which further proceedings were postponed, in the following order:

Amendment No. 99 by Mr. GOODLATTE of Virginia.

Amendment No. 49 by Mr. RADEL of Florida.

Amendment No. 50 by Mr. WALBERG of Michigan.

Amendment No. 98 by Mr. PITTS of Pennsylvania.

Amendment No. 100 by Mr. FORTENBERRY of Nebraska.

Amendment No. 101 by Mr. HUELSKAMP of Kansas.

Amendment No. 102 by Mr. SOUTHERLAND of Florida.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 99 OFFERED BY MR. GOODLATTE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 291, noes 135, answered ''present'' 1, not voting 8, as follows:

[Roll No. 278]

AYES—291

Alexander	Conaway	Green, Gene
Amash	Connolly	Griffin (AR)
Amodei	Conyers	Griffith (VA)
Bachmann	Cook	Grijalva
Bachus	Cotton	Grimm
Barber	Crawford	Guthrie
Barletta	Crenshaw	Gutiérrez
Barr	Cuellar	Hahn
Barton	Culberson	Hanna
Bass	Daines	Heck (NV)
Beatty	Davis (CA)	Hensarling
Becerra	Davis, Danny	Himes
Bentivolio	Davis, Rodney	Holding
Bilirakis	DeGette	Holt
Bishop (GA)	Denham	Horsford
Black	Dent	Hudson
Blackburn	DeSantis	Huelskamp
Blumenauer	DesJarlais	Huizenga (MI)
Boehner	Deutch	Hultgren
Bonner	Diaz-Balart	Hunter
Boustany	Dingell	Hurt
Brady (PA)	Doggett	Issa
Brady (TX)	Doyle	Jackson Lee
Bridenstine	Duckworth	Jeffries
Brooks (AL)	Duffy	Johnson (OH)
Brooks (IN)	Duncan (SC)	Johnson, E. B.
Broun (GA)	Duncan (TN)	Johnson, Sam
Brown (FL)	Ellmers	Jones
Brownley (CA)	Farenthold	Jordan
Buchanan	Fattah	Joyce
Bucshon	Fitzpatrick	Kelly (IL)
Burgess	Fleischmann	Kelly (PA)
Butterfield	Flores	Kind
Calvert	Forbes	King (IA)
Campbell	Fortenberry	King (NY)
Cantor	Foster	Kingston
Capito	Foxx	Kinzinger (IL)
Cárdenas	Frankel (FL)	Kirkpatrick
Carney	Franks (AZ)	Kline
Carson (IN)	Frelinghuysen	LaMalfa
Cassidy	Gabbard	Lamborn
Castor (FL)	Garcia	Lance
Castro (TX)	Gardner	Lankford
Chabot	Garrett	Latham
Chaffetz	Gerlach	Latta
Clarke	Gibbs	Lee (CA)
Clay	Gibson	Levin
Clyburn	Gingrey (GA)	Lewis
Coble	Gohmert	Lipinski
Coffman	Goodlatte	LoBiondo
Cohen	Gowdy	Lowey
Cole	Graves (GA)	Luetkemeyer
Collins (GA)	Grayson	Marchant
Collins (NY)	Green, Al	Marino

Massie
McCarthy (CA)
McCaul
McClintock
McDermott
McHenry
McKeon
McKinley
Meadows
Meehan
Meeks
Messer
Mica
Miller (FL)
Moore
Moran
Mulvaney
Murphy (FL)
Murphy (PA)
Napolitano
Neugebauer
Noem
Nugent
O'Rourke
Olson
Pallone
Pascrell
Paulsen
Payne
Perlmutter
Perry
Peters (CA)
Petri
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quigley
Radel
Rangel
Reed
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (WI)
Salmon
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shuster
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stivers
Stockman
Stutzman
Swalwell (CA)
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Turner
Upton
Van Hollen
Veasey
Velázquez
Wagner
Walberg
Walden
Walorski
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOES—135

Aderholt
Andrews
Barrow (GA)
Benishek
Bera (CA)
Bishop (NY)
Bishop (UT)
Bonamici
Braley (IA)
Bustos
Camp
Capps
Capuano
Carter
Cartwright
Chu
Cicilline
Cleaver
Cooper
Costa
Courtney
Cramer
Crowley
Cummings
DeFazio
Delaney
DeLauro
DelBene
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fincher
Fleming
Fudge
Gallego
Garamendi
Gosar
Granger
Graves (MO)
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (WA)
Heck (WA)
Herrera Beutler
Higgins
Hinojosa
Hoyer
Huffman
Israel
Jenkins
Johnson (GA)
Kaptur
Keating
Kennedy
Kildee
Kilmer
Kuster
Labrador
Langevin
Larson (CT)
Loebsack
Lofgren
Long
Lowenthal
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McGovern
McIntyre
McMorris Rodgers
McNerney
Meng
Michaud
Miller (MI)
Miller, George
Mullin
Nadler
Neal
Negrete McLeod
Nolan
Owens
Palazzo
Pastor (AZ)
Pearce
Pelosi
Peters (MI)
Peterson
Pingree (ME)
Pocan
Price (NC)
Rahall
Reichert
Rogers (AL)
Ruiz
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Schrader
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Simpson
Sinema
Smith (MO)
Stewart
Takano
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Valadao
Vargas
Vela
Visclosky
Walz
Welch
Williams

ANSWERED ''PRESENT''—1

Nunes

NOT VOTING—8

Hastings (FL)
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Nunnelee
Slaughter

□ 1254

Mr. HALL changed his vote from ''aye'' to ''no.''

Messrs. SIRES, LaMALFA, WAXMAN, LEWIS, GRIJALVA, Ms. CLARKE, Messrs. JONES, MEEKS, and Ms. WATERS changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. BLUMENAUER. Mr. Chair, I support the Dairy Security Act language as it was included in the Committee-passed draft of the Federal Agriculture Reform and Risk Management Act. Inadvertently, I voted in support of Amendment No. 99, sponsored by Rep. GOODLATTE to H.R. 1947. My intention was to vote against the amendment and to support the dairy provisions in the underlying bill.

AMENDMENT NO. 49 OFFERED BY MR. RADEL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. RADEL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 192, not voting 7, as follows:

[Roll No. 279]

AYES—235

Amash
Amodei
Andrews
Bachmann
Barletta
Barrow (GA)
Barton
Beatty
Bentivolio
Bera (CA)
Bilirakis
Black
Blackburn
Blumenauer
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Clarke
Clay
Coble
Coffman
Cohen
Collins (GA)
Collins (NY)
Connolly
Cook
Cooper
Cotton
Crenshaw
Culberson
Cummings
Delaney
DeSantis
DesJarlais
Diaz-Balart
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Esty
Farenthold
Fattah
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Garcia
Gardner
Garrett
Gingrey (GA)
Gohmert
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Guthrie
Hanna
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Higgins
Holding
Holt
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kilmer
Kind
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Lankford
Latta
Lee (CA)
Levin
Lipinski
LoBiondo
Lofgren
Long
Luetkemeyer
Lynch
Maffei
Maloney, Sean
Marchant
Massie
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Meeks
Messer
Mica
Miller (FL)
Miller (MI)
Moore
Mulvaney
Murphy (FL)
Neal
Negrete McLeod
Neugebauer
Nugent
Nunnelee
O'Rourke
Olson
Palazzo
Pallone
Pascrell
Paulsen
Perry
Peters (CA)
Petri
Pittenger
Pitts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Radel
Rangel
Reed
Reichert
Ribble
Rice (SC)
Rigell
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sanford
Scalise
Schneider
Schock
Schwartz
Schweikert
Scott (VA)
Scott, David
Sensenbrenner
Sessions
Shuster
Smith (MO)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stewart
Stutzman
Terry
Thornberry
Tiberi
Tierney
Titus
Upton
Van Hollen
Wagner
Walorski
Wasserman Schultz
Waters
Watt
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOES—192

Aderholt
Alexander
Bachus
Barber
Barr
Bass
Becerra
Benishek
Bishop (GA)
Bishop (NY)
Bishop (UT)
Bonamici
Bonner
Boustany
Braley (IA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castro (TX)
Chu
Cicilline
Cleaver
Clyburn
Cole
Conaway
Conyers
Costa
Courtney
Cramer
Crawford
Crowley
Cuellar
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
DeLauro
DelBene
Denham
Dent
Deutch
Dingell
Ellison
Ellmers
Engel
Enyart
Eshoo
Farr
Fincher
Fortenberry
Foster
Gallego
Garamendi
Gerlach
Gibbs
Gibson
Goodlatte
Griffith (VA)
Grijalva
Grimm
Gutiérrez
Hahn
Hall
Hanabusa
Harper
Heck (WA)
Himes
Hinojosa
Horsford
Hoyer
Huffman
Jackson Lee
Jeffries
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
King (IA)
King (NY)
Kirkpatrick
Kuster
LaMalfa
Langevin
Larson (CT)
Latham
Lewis
Loebsack
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maloney, Carolyn
Marino
Matheson
Matsui
McCarthy (CA)
McCollum
McDermott
McGovern
McIntyre
McKeon
McNerney
Meng
Michaud
Miller, George
Moran
Mullin

Murphy (PA)
Nadler
Napolitano
Noem
Nolan
Nunes
Owens
Pastor (AZ)
Payne
Pearce
Pelosi
Perlmutter
Peters (MI)
Peterson
Pingree (ME)
Pocan
Price (NC)
Quigley
Rahall
Renacci
Richmond
Roby
Rogers (AL)
Rogers (KY)
Rooney
Roybal-Allard
Ruppersberger
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott, Austin
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Simpson
Sinema
Sires
Smith (NE)
Stivers
Stockman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tipton
Tonko
Tsongas
Turner
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walden
Walz
Waxman
Welch
Whitfield
Wilson (FL)
Wolf
Yarmuth

NOT VOTING—7

Hastings (FL)
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Slaughter

□ 1303

Messrs. CASSIDY, JOHNSON of Georgia, MEEKS, Ms. LEE of California, Messrs. RANGEL and DOGGETT, Ms. EDWARDS, Ms. CLARKE, Ms. FUDGE, Mrs. BEATTY, Ms. WATERS, Mr. LYNCH, Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. AL GREEN of Texas and NUNNELEE changed their vote from ''no'' to aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 50 OFFERED BY MR. WALBERG

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. WALBERG) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 215, noes 211, not voting 8, as follows:

[Roll No. 280]

AYES—215

Alexander
Amash
Amodei
Andrews
Bachmann
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bilirakis
Black
Blackburn
Blumenauer
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Butterfield
Calvert
Camp
Campbell
Cantor
Carter
Cassidy
Chabot
Chaffetz
Coffman
Cole
Collins (NY)
Cook
Cotton
Crawford
Cuellar
Culberson
Cummings
Daines
Davis, Rodney
DeFazio
Delaney
DeSantis
DesJarlais
Deutch
Doggett
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Fincher
Fleischmann
Fleming
Flores
Fortenberry
Foxx
Frelinghuysen
Gabbard
Gardner
Garrett
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (MO)
Grayson
Green, Al
Griffin (AR)
Hanabusa
Hanna
Harris
Hastings (WA)
Heck (NV)
Hensarling
Himes
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kelly (PA)
Kilmer
Kind
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Latta
Lofgren
Long
Lujan Grisham (NM)
Maloney, Sean
Marchant
Massie
Matheson
McCarthy (CA)
McCaul
McClintock
McCollum
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moore
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Nugent
Nunes
O'Rourke
Olson
Palazzo
Paulsen
Payne
Pearce
Peters (CA)
Pittenger
Pitts
Polis
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Royce
Ruiz
Runyan
Rush
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Stewart
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Turner
Upton
Valadao
Van Hollen
Vela
Wagner
Walberg
Walden
Walorski
Wasserman Schultz
Waters
Watt
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Williams
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—211

Aderholt
Bachus
Barber
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Bishop (UT)
Bonamici
Bonner
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Collins (GA)
Conaway
Connolly
Conyers
Cooper
Costa
Courtney
Cramer
Crenshaw
Crowley
Davis (CA)
Davis, Danny
DeGette
DeLauro
DelBene
Denham
Dent
Diaz-Balart
Dingell
Doyle
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Forbes
Foster
Frankel (FL)
Fudge
Gallego
Garamendi
Garcia
Gerlach
Granger
Green, Gene
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutiérrez
Hahn
Hall
Harper
Hartzler
Heck (WA)
Herrera Beutler
Higgins
Hinojosa
Holding
Holt
Horsford
Hoyer
Hudson
Huffman
Israel
Jackson Lee
Jeffries
Jenkins
Joyce
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
King (NY)
Kirkpatrick
Kuster
LaMalfa
Lance
Langevin
Lankford
Larson (CT)
Latham
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Marino
Matsui
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Meng
Michaud
Miller, George
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
Nunnelee
Owens
Pallone
Pascrell
Pastor (AZ)
Pelosi
Perlmutter
Perry
Peters (MI)
Peterson
Petri
Pingree (ME)
Pocan
Poe (TX)
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roby
Rogers (AL)
Rogers (KY)
Rooney
Ros-Lehtinen
Roybal-Allard
Ruppersberger
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Tsongas
Vargas
Veasey
Velázquez
Visclosky
Walz
Waxman
Welch
Whitfield
Wilson (FL)
Wilson (SC)
Yarmuth
Yoho

NOT VOTING—8

Franks (AZ)
Hastings (FL)
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Slaughter

□ 1307

Mr. POLIS and Ms. WATERS changed their vote from ''no'' to ''aye.''

Mr. CONNOLLY changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 98 OFFERED BY MR. PITTS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. PITTS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 206, noes 221, not voting 7, as follows:

[Roll No. 281]

AYES—206

Amash
Amodei
Andrews
Bachmann
Barletta
Barr
Barton
Beatty
Bentivolio
Bishop (UT)
Black
Blackburn
Blumenauer
Brady (PA)
Brady (TX)
Bridenstine
Brooks (IN)
Broun (GA)
Bucshon
Burgess
Campbell
Cantor
Capito
Carney
Cartwright
Chabot
Chaffetz
Cicilline
Clay
Coffman
Collins (GA)
Collins (NY)
Cook
Cooper
Cotton
Davis, Danny
Delaney
Dent
DeSantis
DesJarlais
Doggett
Duncan (SC)

Duncan (TN)
Esty
Fattah
Fitzpatrick
Fleischmann
Flores
Forbes
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Garrett
Gerlach
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Griffin (AR)
Griffith (VA)
Guthrie
Gutiérrez
Hanna
Harris
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Holding
Holt
Horsford
Huelskamp
Hultgren
Hurt
Israel
Issa
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Jordan
Joyce
Kelly (IL)
Kelly (PA)
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kuster
Lance
Langevin
Lankford
Latta
Lee (CA)
Lipinski
LoBiondo
Long
Lowey
Marino
Massie
Matheson
McCaul
McClintock
McHenry
McKinley
McNerney
Meadows
Meehan
Meeks
Messer
Miller (FL)
Moore
Moran
Mulvaney
Murphy (PA)
Neugebauer
O'Rourke
Olson
Pallone
Pascrell
Payne
Perry
Peters (CA)
Petri
Pittenger
Pitts
Polis
Pompeo
Price (GA)
Quigley
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roe (TN)
Rogers (MI)
Rohrabacher
Rokita
Rothfus
Royce
Ruppersberger
Rush
Ryan (WI)
Salmon
Sanford
Schakowsky
Schiff
Schneider
Schock
Schwartz
Schweikert
Scott (VA)
Scott, David
Sensenbrenner
Sessions
Shea-Porter
Shuster
Sinema
Sires
Smith (MO)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stewart
Stivers
Stockman
Stutzman
Swalwell (CA)
Terry
Thompson (PA)
Tiberi
Titus
Tonko
Tsongas
Turner
Upton
Van Hollen
Veasey
Visclosky
Wagner
Walberg
Walorski
Waters
Watt
Waxman
Wenstrup
Westmoreland
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOES—221

Aderholt
Alexander
Bachus
Barber
Barrow (GA)
Bass
Becerra
Benishek
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bonamici
Bonner
Boustany
Braley (IA)
Brooks (AL)
Brown (FL)
Brownley (CA)
Buchanan
Bustos
Butterfield
Calvert
Camp
Capps
Capuano
Cárdenas
Carson (IN)
Carter
Cassidy
Castor (FL)
Castro (TX)
Chu
Clarke
Cleaver
Clyburn
Coble
Cohen
Cole
Conaway
Connolly
Conyers
Costa
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Rodney
DeFazio
DeGette
DeLauro
DelBene
Denham
Deutch
Diaz-Balart
Dingell
Doyle
Duckworth
Duffy
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Farenthold
Farr
Fincher
Fleming
Fortenberry
Frankel (FL)
Gabbard
Gallego
Garcia
Gardner
Gibbs
Gibson
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Grimm
Hahn
Hall
Hanabusa
Harper
Hartzler
Hastings (WA)
Hinojosa
Hoyer
Hudson
Huffman
Huizenga (MI)
Hunter
Jackson Lee
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Keating
Kennedy
Kildee
Kinzinger (IL)
Kirkpatrick
Kline
Labrador
LaMalfa
Lamborn
Larson (CT)
Latham
Levin
Lewis
Loebsack
Lofgren
Lowenthal
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Matsui
McCarthy (CA)
McCollum
McDermott
McGovern
McIntyre
McKeon
McMorris Rodgers
Meng
Mica
Michaud
Miller (MI)
Miller, George
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
Nugent
Nunes
Nunnelee
Owens
Palazzo
Pastor (AZ)
Paulsen
Pearce
Pelosi
Perlmutter
Peters (MI)
Peterson
Pingree (ME)
Pocan
Poe (TX)
Posey
Price (NC)
Radel
Rahall
Rangel
Reed
Richmond
Roby
Rogers (AL)
Rogers (KY)
Rooney
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruiz
Runyan
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schrader
Scott, Austin
Serrano
Sewell (AL)
Sherman
Shimkus
Simpson
Smith (NE)
Southerland
Takano
Thompson (CA)
Thompson (MS)
Thornberry
Tierney
Tipton
Valadao
Vargas
Vela
Velázquez
Walden
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Welch
Whitfield
Wilson (FL)
Yarmuth
Yoho
Young (AK)

NOT VOTING—7

Hastings (FL)
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Slaughter

□ 1311

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 100 OFFERED BY MR. FORTENBERRY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Nebraska (Mr. FORTENBERRY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 230, noes 194, not voting 10, as follows:

[Roll No. 282]

AYES—230

Amash
Andrews
Barton
Bass
Beatty
Becerra
Bentivolio
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Bridenstine
Broun (GA)
Brownley (CA)
Burgess
Cantor
Capps
Capuano
Cárdenas
Carney
Cartwright
Castor (FL)
Chabot
Chaffetz
Chu
Cicilline
Clarke
Clay
Coffman
Cohen
Collins (GA)
Connolly
Conyers
Cook
Cooper
Courtney
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSantis
Dingell
Doggett
Doyle
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Engel
Esty
Farr
Fattah
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Garrett
Gibson
Gingrey (GA)
Gohmert
Gowdy
Graves (GA)
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hanna
Heck (NV)
Heck (WA)
Hensarling
Higgins
Himes
Holding
Holt
Horsford
Hoyer
Huffman
Huizenga (MI)
Hunter
Israel
Issa
Jeffries
Johnson (GA)
Jones
Jordan
Kaptur
Keating
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kuster
Labrador
Lamborn
Lance
Langevin
Lankford
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maloney, Sean
Marchant
Matheson
McClintock
McCollum
McDermott
McGovern
McHenry
McNerney
Meadows
Meeks
Meng
Mica
Michaud
Miller (FL)
Moore
Moran
Mulvaney
Nadler
Napolitano
Neal
Noem
Nolan
Nunes
O'Rourke
Owens
Pallone
Pascrell
Paulsen
Pelosi
Peters (CA)
Peters (MI)
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Polis
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rangel
Reichert
Ribble
Rice (SC)
Rigell
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Roskam
Rothfus
Roybal-Allard
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schwartz
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Shea-Porter
Sherman
Smith (NJ)
Smith (WA)
Speier
Stewart
Stockman
Swalwell (CA)
Terry
Tiberi
Tierney
Titus
Tonko
Tsongas
Van Hollen
Visclosky
Waters
Watt
Waxman
Welch
Westmoreland
Wilson (FL)
Wilson (SC)
Wolf
Yarmuth
Young (FL)
Young (IN)

NOES—194

Aderholt
Alexander
Amodei
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Benishek
Bera (CA)
Bishop (GA)
Black
Bonner
Boustany
Brady (TX)
Brooks (AL)
Brooks (IN)
Brown (FL)
Buchanan
Bucshon
Bustos
Butterfield
Calvert
Camp
Campbell
Capito
Carson (IN)
Carter
Cassidy
Castro (TX)
Cleaver
Clyburn
Coble
Cole
Collins (NY)
Conaway
Costa
Cotton
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Daines
Davis, Rodney
Denham
DesJarlais
Deutch
Diaz-Balart
Duckworth
Ellmers
Enyart
Eshoo
Farenthold
Fincher
Fleming
Forbes
Foster
Frankel (FL)
Gallego
Garamendi
Garcia
Gardner
Gerlach
Gibbs
Goodlatte
Gosar
Granger
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Gutiérrez
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (WA)
Herrera Beutler
Hinojosa
Hudson
Huelskamp
Hultgren
Hurt

Jackson Lee
Jenkins
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Joyce
Kelly (IL)
Kinzinger (IL)
Kirkpatrick
Kline
LaMalfa
Latham
Latta
Long
Lowey
Lucas
Luetkemeyer
Maffei
Maloney, Carolyn
Marino
Massie
Matsui
McCarthy (CA)
McCaul
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Messer
Miller (MI)
Mullin
Murphy (FL)
Murphy (PA)
Negrete McLeod
Neugebauer
Nugent
Nunnelee
Olson
Palazzo
Pastor (AZ)
Payne
Pearce
Perlmutter
Perry
Peterson
Poe (TX)
Pompeo
Rahall
Reed
Renacci
Richmond
Roby
Rogers (AL)
Rooney
Ros-Lehtinen
Ross
Ruiz
Rush
Sanchez, Loretta
Schock
Schrader
Scott, Austin
Scott, David
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (TX)
Southerland
Stivers
Stutzman
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Wenstrup
Whitfield
Williams
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)

NOT VOTING—10

Cramer
Gabbard
Hastings (FL)
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Miller, George
Slaughter

□ 1314

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 101 OFFERED BY MR. HUELSKAMP

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Kansas (Mr. HUELSKAMP) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 175, noes 250, not voting 9, as follows:

[Roll No. 283]

AYES—175

Aderholt
Amash
Amodei
Bachmann
Barletta
Barr
Barton
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Camp
Campbell
Cantor
Cassidy
Chabot
Chaffetz
Coble
Coffman
Collins (GA)
Cook
Cotton
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
DeSantis
DesJarlais
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Guthrie
Hall
Harris
Hartzler
Hastings (WA)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
King (IA)
Kingston
Labrador
LaMalfa
Lamborn
Latta
Long
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Neugebauer
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney
Roskam
Ross
Rothfus
Royce
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (TX)
Southerland
Stewart
Stockman
Stutzman
Terry
Thornberry
Tipton
Upton
Wagner
Walberg
Walden
Weber (TX)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (FL)
Young (IN)

NOES—250

Alexander
Andrews
Bachus
Barber
Barrow (GA)
Bass
Beatty
Becerra
Benishek
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Calvert
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole
Collins (NY)
Conaway
Connolly
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gerlach
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Grimm
Hahn
Hanabusa
Hanna
Harper
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
Lance
Langevin
Lankford
Larson (CT)
Latham
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McKeon
McNerney
Meehan
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Noem
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pearce
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Reichert
Richmond
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Roybal-Allard
Ruiz
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Shea-Porter
Sherman
Simpson
Sinema
Sires
Smith (NJ)
Smith (WA)
Speier
Stivers
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Titus
Tonko
Tsongas
Turner
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Webster (FL)
Welch
Wilson (FL)
Wolf
Yarmuth
Young (AK)

NOT VOTING—9

Gutiérrez
Hastings (FL)
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Sewell (AL)
Slaughter

□ 1317

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Chair, I was inadvertently absent and would like to show that, had I been present, I would have voted "yea" on rollcall vote 270, "nay" on rollcall vote 274, and "nay" on rollcall vote 283.

AMENDMENT NO. 102 OFFERED BY MR. SOUTHERLAND

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. SOUTHERLAND) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 227, noes 198, not voting 9, as follows:

[Roll No. 284]

AYES—227

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)

Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (PA)
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOES—198

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gibson
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hanna
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—9

Carson (IN)
Hastings (FL)
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Slaughter
Speier

□ 1320

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Ms. SPEIER. Mr. Chair, on rollcall No. 284 the vote was gaveled down before I could record my vote. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Mr. HASTINGS of Florida. Mr. Chair, had I been present for the following votes, I would have voted accordingly: roll No. 264 on agreeing to the amendment Brooks of Alabama Part B Amendment No. 18—"no" vote; roll No. 265 on agreeing to the amendment Butterfield of North Carolina Part B Amendment No. 25—"yes" Vote; roll No. 266 on agreeing to the amendment Marino of Pennsylvania Part B Amendment No. 26—"no" Vote; roll No. 267 on agreeing to the amendment Schweikert of Arizona Part B Amendment No. 30—"no" Vote roll No. 268 on agreeing to the amendment Tierney of Massachusetts Part B Amendment No. 32—"yes" Vote; roll No. 269 on agreeing to the amendment Polis of Colorado Part B Amendment No. 37—"yes" Vote; roll No. 270 on agreeing to the amendment Garamendi of California Part B Amendment No. 38—"yes" Vote; roll No. 271 on agreeing to the amendment Marino of Pennsylvania Part B Amendment No. 41—"no" Vote; roll No. 272 on agreeing to the amendment McClintock of California Part B Amendment No. 43—"no" Vote; roll No. 273 on agreeing to the amendment Gibson/Meeks/Sean Maloney of New York Part B Amendment No. 44—"yes" Vote; roll No. 274 on agreeing to the amendment Walorski of Indiana Part B Amendment No. 45—"no" Vote; roll No. 275 on agreeing to the amendment Courtney of Connecticut Part B Amendment No. 46—"yes" Vote; roll No. 276 on agreeing to the amendment Kind of Wisconsin Part B Amendment No. 47—"no" Vote; roll No. 277 on agreeing to the amendment Carney/Radel of Delaware Part B Amendment No. 48—"no" Vote; roll No. 278 on agreeing to the amendment Goodlatte/Scott (GA)/Moran/Polis/Meeks/DeGette/Lee of Virginia Part B Amendment No. 99—"yes" Vote; roll No. 279 on agreeing to the amendment Radel of Florida Part B Amendment No. 49—"no" Vote; roll No. 280 on agreeing to the amendment Walberg of Michigan Part B Amendment No. 50—"yes" Vote; roll No. 281 on agreeing to the amendment Pitts/Davis (IL) of Pennsylvania Part B Amendment No. 98—"no" Vote; roll No. 282 on agreeing to the amendment Fortenberry of Nebraska Part B Amendment No. 100—"no" Vote; roll No. 283 on agreeing to the amendment Huelskamp of Kansas Part B Amendment No. 101—"no" Vote; roll No. 284 on agreeing to the amendment Southerland of Florida Part B Amendment No. 102—"no" Vote.

The Acting CHAIR. The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. YODER) having assumed the chair, Mr. SIMPSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1947) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2018, and for other purposes, and, pursuant to House Resolution 271, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. BROWNLEY of California. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. BROWNLEY of California. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Page 496, after line 14, add the following:

SEC. 8408. PROTECTING HOMEOWNERS FROM THE DEVASTATING EFFECTS OF WILDFIRES IN THE WILDLAND-URBAN INTERFACE.

The Act of June 4, 1897 (30 Stat. 11) is amended by adding at the end of the second full paragraph at 30 Stat. 35 (16 U.S.C. 551) the following new sentence: ''To ensure there are sufficient funds to provide the most modern equipment available for wildfire suppression and to ensure there are adequate numbers of personnel to manage and suppress wildfires, there is authorized to be appropriated to the Secretary of Agriculture such sums as may be necessary for fire suppression equipment and personnel to conduct forest fire presuppression activities on National Forest System lands and emergency fire suppression on or adjacent to such lands or other lands regarding which the Secretary has entered into a fire protection agreement.''.

Page 379, strike line 21 and all that follows through page 380, line 8.

Page 384, strike lines 3 through 9.

Page 391, strike lines 19 through 24 and insert the following:

SEC. _____. CREATING JOBS AND SMALL BUSINESSES IN RURAL AMERICA, AND PROTECTING SAFE DRINKING WATER.

(a) WATER, WASTE DISPOSAL, AND WASTEWATER FACILITY GRANTS.—Section 306(a)(2)(B)(vii) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(2)(B)(vii)) is amended by striking ''$30,000,000 for each of fiscal years 2008 through 2012'' and inserting ''$40,000,000 for each of fiscal years 2014 through 2018''.

(b) RURAL BUSINESS OPPORTUNITY GRANTS.—Section 306(a)(11)(D) of such Act (7 U.S.C. 1926(a)(11)(D)) is amended by striking ''$15,000,000 for each of fiscal years 2008 through 2012'' and inserting ''$20,000,000 for each of fiscal years 2014 through 2018''.

(c) EMERGENCY AND IMMINENT COMMUNITY WATER ASSISTANCE GRANT PROGRAM.—Section 306A(i)(2) of such Act (7 U.S.C. 1926a(i)(2)) is amended by striking ''2008 through 2012'' and inserting ''fiscal years 2014 through 2018''.

Ms. BROWNLEY of California (during the reading). I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

Mr. LUCAS. Mr. Speaker, I object to the dispensing of the reading.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

Mr. LUCAS (during the reading). I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 5 minutes.

Ms. BROWNLEY of California. Mr. Speaker, this is the final amendment to H.R. 1947. It will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

My amendment is a straightforward improvement that I believe both sides can agree is absolutely necessary.

First, the amendment would protect homes and businesses nationwide from devastating fires by funding wildfire suppression, personnel and firefighting equipment. Second, the amendment will help create jobs and small businesses throughout rural America and will provide safe drinking water to these communities as well.

Mr. Speaker, I proudly represent Ventura County in California. In May, we had a dangerous wildfire that burned over 24,000 acres. It threatened homes in Camarillo, surrounded Cal State University at Channel Islands, and burned parts of Naval Base Ventura County.

As the Springs Fire raged, we looked for help from the brave men and women serving as firefighters, not only from my district, but throughout California and the Western States. Due to their tireless efforts, homes and businesses were saved, and not one life was lost.

Following the Springs Fire, I had the opportunity and occasion to thank the firefighters in my county.

They showed me the real time computer equipment they used to successfully fight this fire. With this equipment, firefighters could predict the direction of the fire and the terrain they would face next in real time. They asked that Congress make this life-saving communications equipment available to firefighters across this great Nation.

This is precisely the type of equipment my amendment would help provide along with aerial tankers and other firefighting aircraft.

So many Americans rely on the selfless help of firefighters across the Nation, most recently and courageously in fighting the recent fires in Colorado that have caused so much damage and loss of precious lives.

□ 1330

Our firefighters put their lives on the line, and we owe it to them and to our communities to provide adequate resources for fire suppression, personnel and state-of-the-art equipment.

My amendment would also support three critical rural development programs: water, waste disposal and wastewater facility grants; emergency and imminent water assistance grants; and rural business opportunity grants.

These grants help to provide critical water supplies to rural areas experiencing drought or other disasters. They also promote sustainable economic development, create jobs and build stronger communities.

Not only would these programs help in Ventura County, which was recently declared a rural disaster area by USDA, they would help in districts across the Nation suffering from similar and tragic hardships.

I came to Congress not to engage in partisan bickering but to work with my colleagues on both sides of the aisle to solve the many critical challenges facing our Nation. Partnering with the States and our local communities during natural disasters and with communities that lack critical resources in difficult economic times is both a moral and economic imperative of this body.

It is with this in mind that I ask my colleagues to support this important amendment to help fight wildfires and to support our communities when they need it most.

Mr. Speaker, I yield back the balance of my time.

Mr. LUCAS. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. LUCAS. Mr. Speaker, I will not dwell on the points made by the good lady, but I would like to take this time to discuss for just a moment the process that we've gone through here and the nature of what we are trying to do in crafting another 5-year comprehensive farm bill.

We have gone through the most amazing open process in the House Agriculture Committee 2 years in a row, and we achieved consensus.

The bill this year might not be quite the same as the bill last year, and we have gone through, I think, an open process here on the floor where 103 or 104 amendments were considered by this body in open debate and open discussion and recorded votes in once again trying to achieve a consensus.

I know that not everyone has in this final bill exactly what they want. I know some of my very conservative friends think that it doesn't go far enough in the name of reform. I know some of my liberal friends think it goes too far in the name of addressing the needs of people.

But I would say to all of you that ultimately this body has to do its work. Ultimately, we have to move a product that we can go to conference with. Ultimately, we have to work out a consensus with the United States Senate so that we will have a final document that we can all consider together that hopefully the President will sign into law.

Now, I have tried in good faith, working with my ranking member and each and every one of you in every facet of these issues, to achieve that consensus. I have tried, and I hope that you recognize and acknowledge that.

We're at this critical moment. Whether you believe the bill has too much reform or not enough, or you believe it cuts too much or it doesn't cut

enough, we have to move this document forward to achieve a common goal, to meet the needs of our citizens. No matter what part of the country, no matter whether they produce the food or consume the food, we have to meet those common needs in a responsible fashion.

I plead to you, I implore you to put aside whatever the latest email is or the latest flyer is or whatever comment or rumor you've heard from people near you or around you. Assess the situation. Look at the bill. Vote with me to move this forward. If you care about the consumers, the producers, the citizens of this country, move this bill forward. If it fails today, I can't guarantee you that you will see in this session of Congress another attempt, but I would assure each and every one of you, whether it's the appropriations process or amendments to other bills, the struggles will go on, but it won't be done in a balanced way.

If you care about your folks, if you care about this institution, if you care about utilizing open order, vote with us, vote with me on final. If you don't, when you leave here they'll just say it's a dysfunctional body, a broken institution full of dysfunctional people. That's not true. You know that's not true.

Cast your vote in a responsible fashion. That's all I can ask.

Thank you, my friends. I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. BROWNLEY of California. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on passage of the bill, if ordered, and approval of the Journal, if ordered.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 188, noes 232, not voting 14, as follows:

[Roll No. 285]

AYES—188

Andrews
Barber
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Connolly
Conyers
Costa
Crowley
Cuellar
Cummings
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Duckworth
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Holt
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Meng
Michaud
Moore
Moran
Murphy (FL)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peters (CA)
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Yarmuth

NOES—232

Aderholt
Alexander
Amash
Amodei
Bachmann
Bachus
Barletta
Barr
Barton
Benishek
Bentivolio
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Buchanan
Bucshon
Burgess
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McCaul
McClintock
McHenry
McKeon
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Perry
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—14

Brown (FL)
Cohen
Courtney
Davis (CA)
Hinojosa
Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Miller, George
Pelosi
Slaughter
Tierney

□ 1341

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mrs. DAVIS of California. Mr. Speaker, on rollcall No. 285, had I been present, I would have voted "yes."

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. TONKO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 195, noes 234, not voting 6, as follows:

[Roll No. 286]

AYES—195

Aderholt
Alexander
Amodei
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Benishek
Bentivolio
Bera (CA)
Bishop (UT)
Black
Blackburn
Boehner
Bonner
Boustany
Braley (IA)
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Calvert
Camp
Campbell
Cantor
Capito
Carter
Cassidy
Chaffetz
Coble
Cole
Collins (NY)
Conaway
Costa
Cramer
Crawford
Crenshaw
Cuellar
Daines
Davis, Rodney
Denham
Dent
DesJarlais

Diaz-Balart
Duffy
Ellmers
Enyart
Farenthold
Farr
Fincher
Fitzpatrick
Fleischmann
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garamendi
Garcia
Gardner
Gerlach
Gibbs
Gibson
Gosar
Granger
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Herrera Beutler
Holding
Hudson
Huizenga (MI)
Hultgren
Hunter
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
LaMalfa
Lankford
Latham
Latta
Loebsack
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
McCarthy (CA)
McCaul
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Messer
Mica
Miller (MI)
Mullin
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Peters (MI)
Peterson
Petri
Poe (TX)
Rahall
Reed
Reichert
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Runyan
Schock
Schrader
Scott, Austin
Sessions
Shimkus
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Southerland
Stewart
Stivers
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walorski
Walz
Weber (TX)
Webster (FL)
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IN)

NOES—234

Amash
Andrews
Bachmann
Bass
Beatty
Becerra
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Brady (TX)
Bridenstine
Broun (GA)
Brown (FL)
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chu
Cicilline
Clarke
Clay
Cleaver
Clyburn
Coffman
Cohen
Collins (GA)
Connolly
Conyers
Cook
Cooper
Cotton
Courtney
Crowley
Culberson
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
DeSantis
Deutch
Dingell
Doggett
Doyle
Duckworth
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Engel
Eshoo
Esty
Fattah
Fleming
Foster
Frankel (FL)
Franks (AZ)
Fudge
Gabbard
Gallego
Garrett
Gingrey (GA)
Gohmert
Goodlatte
Gowdy
Graves (GA)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (NV)
Heck (WA)
Hensarling
Higgins
Himes
Hinojosa
Holt
Horsford
Hoyer
Huelskamp
Huffman
Hurt
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Jordan
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Labrador
Lamborn
Lance
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
LoBiondo
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Massie
Matheson
Matsui
McClintock
McCollum
McDermott
McGovern
Meehan
Meeks
Meng
Michaud
Miller (FL)
Miller, George
Moore
Moran
Mulvaney
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Perry
Peters (CA)
Pingree (ME)
Pittenger
Pitts
Pocan
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rangel
Richmond
Rigell
Rohrabacher
Rothfus
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schwartz
Schweikert
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Shea-Porter
Sherman
Shuster
Sires
Smith (NJ)
Smith (WA)
Speier
Stockman
Stutzman
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wenstrup
Wilson (FL)
Wolf
Yarmuth
Young (FL)

NOT VOTING—6

Honda
Larsen (WA)
Markey
McCarthy (NY)
Miller, Gary
Slaughter

□ 1354

Messrs. COFFMAN and SHUSTER changed their vote from ''aye'' to ''no.''

So the bill was not passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

PERSONAL EXPLANATION

Ms. CLARKE. Mr. Speaker, yesterday I was unavoidably detained at a meeting and missed the first votes of the day.

Had I been present, I would have voted ''no'' on rollcall No. 254, the motion on ordering the previous question on the rule; and ''no'' on rollcall No. 253, H. Res. 271, the rule providing for further consideration of H.R. 1947, Federal Agriculture Reform and Risk Management Act.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the House of the following title:

H.R. 475. An act to amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 23. An act to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes.

S. 25. An act to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District and for other purposes.

S. 26. An act to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project.

S. 112. An act to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, and for other purposes.

S. 130. An act to require the Secretary of the Interior to convey certain Federal land to the Powell Recreation District in the State of Wyoming.

S. 157. An act to provide for certain improvements to the Denali National Park and Preserve in the State of Alaska, and for other purposes.

S. 230. An act to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

S. 244. An act to amend the Energy Policy Act of 2005 to modify the Pilot Project offices of the Federal Permit Streamlining Pilot Project.

S. 276. An act to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir.

S. 304. An act to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, and for other purposes.

S. 352. An act to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild rivers, and for other purposes.

S. 383. An act to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System.

S. 393. An act to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System.

S. 459. An act to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes.

S. 579. An act to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

□ 1400

REAPPOINTMENT AS MEMBER TO ADVISORY COMMITTEE ON THE RECORDS OF CONGRESS

The SPEAKER pro tempore (Mr. FLEISCHMANN). The Chair announces the Speaker's reappointment, pursuant to 44 U.S.C. 2702 and the order of the House of January 3, 2013, of the following individual on the part of the House to the Advisory Committee on the Records of Congress, effective June 24, 2013:

Mr. Jeffrey W. Thomas, Columbus, Ohio.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. I yield to the gentleman from Virginia, the majority leader, for the purpose of inquiring about the schedule for the week to come.

Mr. CANTOR. I thank the gentleman from Maryland, the Democratic whip, for yielding.

Mr. Speaker, on Monday, the House will meet in pro forma session at 11 a.m.; no votes are expected. On Tuesday, the House will meet at noon for morning-hour and 2 p.m. for legislative business; votes will be postponed until 6:30 p.m. On Wednesday and Thursday, the House will meet at 10 a.m. for morning-hour and noon for legislative business. On Friday, the House will meet at 9 a.m. for legislative business. Last votes of the week are expected no later than 3 p.m.

Mr. Speaker, the House will consider a few bills under suspension of the rules, a complete list of which will be announced by close of business tomorrow.

In addition, I expect the House to take up and pass two bills from the Natural Resources Committee: H.R. 2231, the Offshore Energy and Jobs Act, authored by Chairman DOC HASTINGS; and H.R. 1613, the Outer Continental Shelf Transboundary Hydrocarbon Agreements Authorization Act, sponsored by Representative JEFF DUNCAN of South Carolina. These two bills continue our efforts to increase domestic energy production to foster an environment of economic growth and lower energy costs for working families.

Finally, Mr. Speaker, I anticipate bringing to the floor H.R. 2410, the Agriculture appropriations bill authored by Representative ROBERT ADERHOLT of Alabama.

Mr. HOYER. I thank the gentleman for his comments.

I would ask him a couple of questions about bills that are not on the announcement. The gentleman and I had a colloquy last week about student loans, that there's no action on those on the calendar for next week, if I'm correct.

Knowing, as we know, that student loan rates will double in July from 3.4 percent to 6.8 percent, and in light of our discussion last week, can the gentleman tell me whether there is any thought that there will be some action taken by us prior to the July 4 break?

I yield to my friend.

Mr. CANTOR. Mr. Speaker, the gentleman knows that the House has acted, that the position of the House is one very close to where the President's public position on student loans has been. We don't want to see student loan rates double. We also want a long-term solution to the problem on the fiscal end while helping students.

And if the gentleman witnesses what just happened on the floor, it just seems that on bills where there are solutions and bipartisan indications of support, there seems to be a decision by the part of his leadership, perhaps himself, to say, Hey, we're not going to go along with bipartisan work and success, and maybe we're just going to make this a partisan issue. I'm fearful the same is at work on the student loan issue, Mr. Speaker.

I hope that that is not the case, because I know the gentleman shares with me a desire not to allow students to be put in the position of facing a doubling of interest rates if they decide to incur additional student loans.

□ 1410

So I would say to the gentleman, his question, we will stand ready to work in a bipartisan fashion—I've indicated so to the White House. The Senate doesn't seem to be able to produce anything. The House is the only one that produced something—very close to what the President's position is—to make student rates variable, to allow for those rates to be capped so the exposure is not what it would be otherwise. Unfortunately, no movement yet. We stand ready to work though.

Mr. HOYER. I thank the gentleman for his comments.

Very frankly, I wasn't going to mention what happened on the floor today, but the gentleman has brought it up.

The gentleman is correct; the committee passed out a bipartisan bill. A lot of Democrats voted for that bill. The problem, of course, is that 62 Republicans voted against the bill as it was amended, notwithstanding the fact they voted for the last amendment that was adopted, which we think was a draconian amendment that would have hurt the poorest citizens in our country very badly.

So we turned a bipartisan bill into a partisan bill. I will tell my friend, very frankly, you did the same thing—not you personally, but your side of the aisle did the same thing with respect to the Homeland Security bill, which was reported out on a voice vote from the Appropriations Committee, that we would have voted for on a bipartisan basis, except an amendment was adopted with your side voting overwhelmingly for it, knowing full well that our side could not support that.

So I tell you, with all due respect, Mr. Majority Leader, I wasn't going to bring up what happened today. But what happened today is you turned a bipartisan bill—necessary for our farmers, necessary for our consumers, necessary for the people of America—that many of us would have supported and you turned it into a partisan bill.

Very frankly, 58 of the 62 Republicans who voted against your bill voted for the last amendment, which made the bill even more egregious—we disagreed with the $20 billion cut. And you upped the—not you personally, but your side upped the ante.

So I will tell you, my friend, we're prepared to work in a bipartisan fashion. Very frankly, with respect to the student loan bill, it was very close to the President's bill. And we would have supported it had it been even closer to the President's bill.

What your bill does, as you know, puts those taking out a student loan at risk of having their interest rates substantially increased in the future. The President suggested, yes, let's get a variable rate that reflects market rates, but then when you take out the loan, just like you do with your house loan, you know what your interest rate is going to be. So we have a difference on that. I think it's a good faith disagreement on that.

But I will say to you that, yes, I have been concerned about the inability to take a bill reported out of the committee that is bipartisan in nature and not turn it into a partisan bill. That's what happened on this floor today. It was unfortunate, as I say, for farmers; it was unfortunate for consumers; and it was unfortunate for our country.

If the gentleman wants to pursue that, I will yield to him.

Mr. CANTOR. I appreciate the gentleman, Mr. Speaker. And allow me to just to respond.

The Southerland amendment to which the gentleman speaks is an amendment that had been discussed for some time with the ranking member, with the chairman—the gentleman himself, I'm sure, Mr. Speaker, was aware of Mr. SOUTHERLAND's amendment.

Mr. SOUTHERLAND's amendment reflects what many of us believe is a successful formula to apply to a program that has, in the eyes of the GAO, in the eyes of the independent auditors who look at these programs, a program that is in dire need of improvement because of the error rates and the waste and the other things that are occurring in this program.

In addition to that, it reflects our strong belief that able-bodied people should have the opportunity and should go in and be a productive citizen. That's what this amendment

says. It gives States an option. It was a pilot project because it reflects a winning formula from the welfare reform program back in 1996 that was put into place, with unequivocal success—able-bodied people going back to work, working families beginning to have productive income, not just taking a check from the government.

There was never an intention at all for our side to say we want to take away the safety net of the food stamp program, absolutely not. This was a pilot project, that was it. It was up to the States whether they wanted to participate to see if they could get more people back to work. Again, consistent with what the GAO reports have said over and over again, these programs are in need of reform.

Again, it was not as if this amendment came out of thin air. The gentleman, the ranking member, the entire leadership on the minority side knew this amendment was there. And the gentleman forever is on this floor, Mr. Speaker, talking about regular order, talking about the need for us to have open process, perhaps to let the will of the House be worked and then go to conference. That was what the goal here was, let the will of the House allowed to be seen through, work its will, and then go to conference. And then we would try and participate in a robust discussion with the other side of the Capitol to see if we could see clear on some reform measures to a bill and a program that is in desperate need of that.

Mr. Speaker, again, what we saw today was a Democratic leadership in the House that was insistent to undo years and years of bipartisan work on an issue like a farm bill and decide to make it a partisan issue.

Mr. Speaker, it is unfortunate that that is the case, I do agree with the gentleman. But I hope that we can see our way to working on other issues where there is potential agreement. Yes, we have fundamental disagreements on many things, but we're all human beings, representing the 740-some thousand people that put us here and expect us to begin to learn to set aside those disagreements and find ways we can work together.

Today was an example. The other side, Mr. Speaker, did not think that was their goal, did not think that was an appropriate mission, and instead decided to emphasize where they perhaps differed when we wanted to reform in a certain area.

Mr. HOYER. I thank the gentleman. We clearly have a profound disagreement.

When we were in the majority, we got no help on your side, Mr. Majority Leader—you remember that, zero, one, two, three, four—on programs that we felt very strongly about. There was no opportunity to have bipartisan dialogue. There was no opportunity to have bipartisan agreement.

The gentleman refers to regular order. Very frankly, the person who talks about regular order most is your Speaker. And you talk about regular order. We ought to pass a bill, and then we ought to go and have an agreement.

Some 90 days ago, I believe, we passed a budget. At your insistence, the Senate passed a budget. Good for them. We have not gone to conference. You have not provided an opportunity to go to conference. You haven't appointed conferees. That's regular order. The gentleman wants it on one bill but apparently not all bills.

I tell my friend we want regular order. We want to go to conference. We want to undo the breaking of an agreement that we made in the Budget Control Act, which said there would be a firewall between domestic and defense. You have eliminated that firewall.

You have assumed sequester is in place. Sequester is bad for this country. You and I tend to agree on that, I think. But the fact is there's no legislation to undo that sequester—except the legislation you talked about passing in the last Congress, which is dead, gone and buried. Yes, we want regular order.

The reason the bill lost today is because 62 of your Members rejected Mr. LUCAS' plea—which I thought was a very eloquent plea—in which he said: I know some of you don't think there's enough reform in this bill, and some of you think there's too much reform. But Mr. PETERSON and I brought out a bill that was a bipartisan bill, supported by the majority of Democrats and the majority of—I think all Republicans, maybe, on the committee; I'm not sure of that, Mr. Leader. But the fact of the matter is it was a bipartisan bill—just as Homeland Security was a bipartisan bill—and it was turned into a partisan bill.

You respond that the Southland amendment was for reforms. That's exactly what Mr. LUCAS was talking about. He was saying some people don't think we went far enough and some people think we went too far. Mr. SOUTHERLAND thought we hadn't gone far enough. And 58 Republicans voted for SOUTHERLAND and then turned around and voted against the bill, the very reforms you're talking about.

So don't blame Democrats for the loss today. You didn't bring up the farm bill when it was reported out on a bipartisan basis. Last year you didn't even bring it to the floor because your party couldn't come together supporting their chairman's bill.

□ 1420

So that's where we find ourselves, Mr. Speaker. I wasn't going to bring up that bill at all. What happened, happened.

Very frankly, when we lost on the floor, it was because we lost on the floor when we were in the majority. We produced 218 votes for almost everything we put on this floor. Don't blame Democrats for the failure to bring 218 Republicans to your bipartisan Lucas-supported and Peterson-supported piece of legislation on the floor. We believe that that loss, that partisanship on this bill, hurt farmers, hurt consumers, hurt our country.

Let's bring that bill back to the floor and have a vote on it as it was reported out on a bipartisan basis. I think it would pass. Maybe not because of your votes. That's been your problem all along.

Don't blame Democrats for the loss of that bill. Don't blame Democrats for being partisan.

We knew about those amendments, Mr. Leader, just as you knew about them. You knew we were very much opposed to some of those amendments, notwithstanding the fact all the leadership, I believe—I haven't looked at the record—voted for those amendments just as they voted for the King amendment on Homeland Security.

Yeah, you pushed my button.

I'm prepared to work in a bipartisan fashion, but I'm not prepared to work in a bipartisan fashion when it's said, This is what we agree on—meaning your side—so you better take it if we're going to have any agreement. That's not the way it works. It never worked that way in America. That's not what America is about. America is about expecting us to work together.

This bill was reported out overwhelmingly on a bipartisan basis. It could have been passed on a very large bipartisan vote, and was precluded by the actions taken through these amendments on the floor, most of which we did not support. You knew we did not—not only you. Your party knew that we did not support.

So I'm surprised when you talk to me about regular order and there's nothing—nothing—to do on the budget conference that you wanted the Senate to pass a budget. They did. You have just told me that you wanted regular order and that we should have passed the farm bill so we could work together.

You're assuming, of course, that the Senate would have gone to conference. I hope they would have, and I think they would have, because I talked to the chair. She would have wanted to go to conference, assuming we got votes on the Republican side of the aisle.

But we also wanted to go to conference in regular order on the budget to solve the stark differences between the two parties. That's the only way you are going to get from where we are to where you need to be, by having a conference and trying to come to an agreement.

My own premise is, Mr. Leader, that you don't have a conference because there is nothing to which PATTY MURRAY could agree, that Mr. RYAN could agree, that he could bring back to your

caucus and get a majority of votes for, because they are for what you passed and nothing more than that. We are $91 billion apart. If we divide it in two and just said, ''Okay, we'll split the difference,'' you couldn't pass it on your side of the aisle, and I think you know that.

I don't know that I have any more questions that would be particularly useful, but I yield to my friend.

Mr. CANTOR. I thank the gentleman for yielding.

I would just say, as far as the budget conference is concerned, the budget is something that traditionally, as he notes, has been a partisan affair. It is a document that each House produces, reflecting the philosophy of the majority of those bodies.

The budget contains a lot of different issues, two of which I think the parties have disagreed on vehemently over the last several years: taxes and health care.

We understand, Mr. Speaker, that the other side rejects our prescription on how to fix the deficit in terms of the unfunded liabilities on the health care programs. We've said we want to work toward a balance. We think a balanced budget is a good thing.

Unfortunately, Mr. Speaker, the partisan position on the other side of the Capitol is no balance—no balance—and raise taxes. So when you know that is the situation, there is no construct in which to even begin a discussion.

Again, the budget has traditionally been that, a partisan document, whether who is in charge of which House, and then to be a guide by which you go about spending bills after that.

The farm bill, frankly, is a little different. It's for working farmers. It's for, frankly, individuals who need the benefit of the food stamp program. We believe that you need to reform the SNAP program and reduce some of the costs, because even the GAO—the independent auditors that we bring in—year in and year out say that that program is rife with error rates, waste, and others that we should be ashamed of.

So we put forward our idea through the Southerland amendment to try and reform, put in place, those reforms; but it's still in the construct of the farm bill.

Again, to the gentleman's point, we do want to work together, but it's going to have to be about setting aside differences instead of saying, as the minority leadership did today, You disagree with us on that program, we're out of here. The entire farm bill then does not have a chance to go to conference, be reconciled, hopefully reforms adopted, so we can make some progress, according to what even the independent analysts say should be done.

It really is a disappointing day. I think that the minority has been a disappointing player today, Mr. Speaker, on the part of the people. We remain ready to work with the gentleman. I'm hopeful that tomorrow, perhaps next week, will be a better week.

Mr. HOYER. I thank the gentleman.

Mr. Speaker, the majority leader continues to want to blame the Democrats for his inability, and the Republicans' inability, to give a majority vote to their own bill.

Maybe the American people, he thinks, can be fooled. You're in charge of the House. You have 234 Members. Sixty-two of your Members voted against your bill. That's why it failed. We didn't whine, very frankly, when we were in charge, when I was the majority leader, about we didn't pass the bill. We got 218 votes for our bills, and it was pretty tough. We got zero from your side. You got 24 from our side to help you. Mr. PETERSON stuck to his deal.

Now, on the budget, you say we've got different philosophies. Yes, we do. Mr. Gingrich gave a speech on this floor about different philosophies in 1997 or '98. He was speaking to your side of the aisle. He was talking about the ''perfectionist caucus.'' He made an agreement with President Clinton, which to some degree was responsible for having balanced budgets, but your side thought it was not a good deal. Not all of your side. In a bipartisan vote, frankly, we passed the deal, the agreement, the compromise, that was reached between Mr. Gingrich and Mr. Clinton.

A lot of your folks said, No, no. Our way or the highway.

He gave a speech that he called the ''Perfectionist Caucus'' speech. That's what, in my view, I'm hearing on the budget. Yes, we have differences. The American people elected a Democratic President. They elected a Democratic Senate and a Republican House. The only way America's board of directors and President will work is if we come together and compromise.

The place to compromise under regular order is in a conference with our ideas and their ideas meeting in conference. The most central document that we need to do every year is to do a budget. But you're not going to conference. Your side will not appoint conferees. Your side will not move to go to conference. PATTY MURRAY wants to go to conference. Senator REID wants to go to conference. Your side over on the Senate won't go to conference, in my view, largely because they know you don't want to go to conference and they don't want to make a deal, they don't want to compromise on what their position is.

We will take no blame for the failure of the FARRM Bill—none, zero. As much as you try to say it, you can't get away from the statistic. Sixty-two, otherwise known as 25 percent, of your party voted against a bill, which is why we didn't bring it to the floor last year when it was also reported out in a bipartisan fashion.

I know you are going to continue and your side is going to continue to blame us that you couldn't get the votes on your side for your bill because you took a bipartisan bill. That's what Mr. LUCAS was saying—I thought he was very articulate, I thought he was compelling—in pleading with your side: Join us, join us. It doesn't go as far as you would like.

And on reform, you talk about reform, and that's a good thing to talk about, like we're against reform.

□ 1430

The Senate bill has reform in it, Mr. Leader. The Senate bill has reform in it. Now, it's not in terms of dollars cutting poor people as much as this bill does, but it cuts. It has reform in it. What some of them want—what apparently your side wants—is your reform, not compromised reform. Mr. LUCAS brought to the floor $20 billion and couched it as reform and said on the floor it may not be enough for some and it may be too much for others, but it is a compromise. He was right, but it was rejected by 25 percent of your party—they rejected the chairman—and that's why this bill failed.

Unless the gentleman wants to say something further, I yield back the balance of my time.

ADJOURNMENT TO MONDAY, JUNE 24, 2013

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m. on Monday, June 24, 2013.

The SPEAKER pro tempore (Mr. GOHMERT). Is there objection to the request of the gentleman from Virginia?

There was no objection.

FARM BILL

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, politics trumped good government today in the U.S. House of Representatives. The Members of this body demonstrated a failure to lead by voting down the farm bill.

The Federal Government currently operates a costly maze of duplicative and outdated agriculture spending programs. The farm bill crafted by the House reflected a fiscally responsible plan that would have ended the abuses of food stamps, ended wasteful agriculture spending programs and, achieved a level of efficiency for existing programs that should be replicated in all areas of government.

The farm bill would have eliminated automatic enrollment in food stamps

and prevented fraudulent benefit payments by requiring States to verify eligibility for the program. The farm bill would have ended the economically disruptive policies that have worked to further destabilize our dairy markets. The bill transitioned to a more free market approach that's better for farmers and taxpayers alike.

In the absence of this comprehensive reform package, the overspending and taxpayer waste will now continue.

DENHAM-SCHRADER AMENDMENT

(Mr. CÁRDENAS asked and was given permission to address the House for 1 minute.)

Mr. CÁRDENAS. Ladies and gentlemen, what we have here today is a failure to communicate.

I am truly disappointed in this House because the farm bill that we just voted on and that did not pass was not ready because it was not balanced and it did not follow the rules as it should have.

$20 billion from the mouths of the poorest children and families in America—that's one of the reasons I voted ''no'' on that bill. I also voted against the bill, in part, because we did not even debate an amendment that I also endorsed, which was the Denham-Schrader amendment. That would have been the appropriate thing to do, the proper order. We didn't take the proper order.

I think it's very important for all of us to understand that what we witnessed here today wasn't a failure of government; it was a failure of some individuals to do the right thing and to even follow the rules that they say they want to follow. That's why we don't have a farm bill that passed. Hopefully, we can get back on track, follow the rules and pass a farm bill very soon.

50TH ANNIVERSARY OF NATIONAL SMALL BUSINESS WEEK

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. This week marks the 50th anniversary of National Small Business Week.

Each year, we devote one week to recognize the importance of small businesses and to honor their successes. While it is admirable to devote a week to small businesses, what we have to remember is that every week is small business week and that the family farm, which we discussed here on the floor today, was, in fact, the original small business. Small businesses are the backbone of our economy and the engines of job creation. Over half of Americans own or are employed by a small business.

Mr. Speaker, there are 30 million small businesses in the United States, and they create seven out of every 10 new American jobs each and every year. Small businesses are the key to economic prosperity. The government does not create jobs; American small businesses create jobs.

The government and its lawmakers should do everything in their power to cultivate an ideal environment for small businesses to grow and prosper by removing roadblocks to growth and by building economic certainty. We need to keep the focus on the American worker and on small businesses. We need to remember that every week is small business week.

THE FARM BILL—A PARTISAN PRODUCT

(Mr. GALLEGO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GALLEGO. I rise reluctantly to express my disappointment in today's proceedings. I am one of those Democrats who voted for a bipartisan product coming out of committee; but unfortunately, today, the bill that we saw come out of committee became an extremely partisan product towards the end.

One of the challenges for me was that I am a firm believer in the SNAP program. It's an anti-hunger safety net that serves vulnerable children and seniors across our country. The average benefit is $4.50 a day. That's a lifeline. That's not a luxury. In 2010, SNAP helped more than 3.6 million people in Texas afford food. It's critical to children and seniors. In the 23rd Congressional District, there are 36,000 households receiving SNAP. The vast majority is of households with working class families and working class families with young kids.

Today was a disappointment. I was perfectly prepared to work for a product that we could get to conference—I had my card to vote green—but it seemed, in watching the debate here and the finger-pointing immediately—the blame of who did what to whom—was just so frustrating.

The truth is that we've got to get somewhere in the middle. When you continually offer these amendments that move us further and further off the middle and that move us further and further and further to the right, it makes it increasingly difficult to support what should be a bipartisan product.

DON'T TAKE FOOD FROM ME

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Most of America would ask the question: What happened here today?

I can probably say that what happened here today is a little hand of a hungry child that was raised up, and the child said: What about me?

You can talk about farms—little ones and big ones. I am a big supporter of our agricultural production in this Nation—it is from the soil—but I am very glad that we stood up for the children who are faced and confronted with $20 billion in cuts from something that stamps out hunger. Households with children receive about 75 percent of all food stamp benefits.

Mr. Speaker, we didn't want to just stop there.

We didn't want to just take food from 200,000 hungry children. We wanted to make sure that, if you are a disabled parent with a young child—and if you don't have child care and if you can't find a job—your SNAP money would not be given to you by the State, and the State would be able to keep it. We didn't just want to take food out of a hungry child's mouth. We wanted to slap him down. We wanted to make sure that the State would be grinning by saying, Ha, ha, ha, not only do you not get food, but—in the same breath—we get to keep the money.

We are better than this as America. We can do better. This bill was defeated because the hand of a hungry child was able to be heard on the floor of this House. I am glad that I stood with the hungry child and stamped out hunger in that child's heart, stomach and mind. Today, a child's voice, as sweet and quiet as it is, Mr. Speaker, was loud and clear: don't take food from me.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

□ 1440

JUNETEENTH AND SNAP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentlewoman from Texas (Ms. JACKSON LEE) is recognized for 60 minutes as the designee of the minority leader.

Ms. JACKSON LEE. Mr. Speaker, it's not often that one is able to come back to the podium as soon as I have, and I thank the gentleman for his courtesy.

I started to speak about unfinished business, but first I want to celebrate and acknowledge a day this week that many of us commemorate. In fact, it is moving to become nationally recognized. It's something that is called ''Juneteenth.''

Today is June 20. So yesterday, June 19, was Juneteenth. I didn't get a chance to explain what Juneteenth meant on the floor of the House, and I wanted to do so.

In 1865, the captain of a Union army arose and arrived on the shores of Galveston, Texas, to let the then slaves

who had not been notified, who had not been freed in 1863, on January 1 when President Lincoln signed the Emancipation Proclamation, finally the Union came to our shores in Texas and let a whole swath of slaves who were still working and toiling unpaid in conditions that were obviously unsatisfactory, because no one should hold slaves. Finally, in 1865, on June 19, those in Texas and places to the west were freed. So it is a day of freedom.

When I talk to children about Juneteenth, I say it is living freedom. It is accepting the values of this great Nation that has turned, I hope, forever against the idea of holding others as slaves. And it moved this Nation forward, even in difficulty, with women not being able to vote and African Americans moving from Reconstruction into Jim Crowism and the terrible times of the 1900s and, as well, moving into the time of second-class citizenship all the way through World War II as President Truman integrated the United States military. But it moved the country to a lust and a desire for freedom and opportunity.

So Juneteenth is a day of jubilation. It is a day when families gather together. But it is a very important historic time. It is a historic time, if you will, to be able to, in fact, acknowledge that what has been wrong can be fixed. It wasn't a pleasant time to, in essence, work as a slave, to be held as a slave, to be captured as a slave some 18 months to almost 2 years after the Emancipation Proclamation.

I say that because I wanted to explain further why something that had traditionally been bipartisan—we love the farm life for those who have experienced it, those who read about it. Often in my tenure here in the United States Congress, urban Members and rural Members came together to pass a bill that generated not only food for America but food for the world. Let it be very clear that we took pride today to vote ''no,'' because sometimes you have to listen and understand that there are things greater than your own interests.

I don't know what reason caused the implementation or the addition of a $20 billion cut to the SNAP program. Who had to be satisfied to put that gigantic, unsympathetic, cruel taking of food from the plates of Americans on the floor? SNAP has no region, it has no racial identity, it has no age identity. It is, frankly, Americans who are in need.

Let me share with you some numbers. Households with children receive about 75 percent of all food stamp benefits. That immediately quashes the stereotype that deadbeats get food stamps. Twenty-three percent of households include a disabled person. Eighteen percent of households include an elderly person. The food stamp program increases household spending. The increase is greater than would occur with an equal benefit in cash. These people are not asking for cash. They're asking for you to allow them to be able to buy decent food so there is nutrition and nourishment.

But again, what motivated a $20 billion cut that had never been implemented in an agricultural bill that many of us voted on in a bipartisan manner? Did anybody listen to the chairman of the Federal Reserve? The Chairman of the Federal Reserve said just yesterday that the economy is percolating, that it's doing all that it needs to do, that they're not going to reduce interest rates yet, and they're monitoring it because jobs are being created—not enough—but the economy is finding ways to restore itself.

It was good news for some of our college students, finding more jobs than they found last year as a college graduate.

So the idea that we need to continue to punish the American people, to wound ourselves because there is something out there called the deficit, this imaginary ''continue to undermine the government'' standard bearer that everyone wants to use—there is a deficit, but it has been steadily coming down because of the belt tightening.

Now we want to go beyond the belt tightening. We want to go beyond the family of four that says, We are not going to go out as much. We aren't going to have more cereal than we used to have. No, we are going to tell the family of four, You're not going to have any cereal. Just wake up in the morning and drink water. We're going to take everything away, and maybe you'll have one meal a day.

This is absurd, and it is not the American way.

Every $5 in new food stamp benefits generates almost twice as much—$9.20—in total community spending. The economics of SNAP and food support programs benefit everyone by preventing new food deserts from developing. The impact of SNAP funds coming into local and neighborhood grocery stores is more profitable. We'll have areas of grocery stores and supermarkets, more jobs for people. SNAP funds going into local food economies also make the cost of food for everyone less expensive.

It is clear that the SNAP program is a valuable program. In fact, SNAP is the largest domestic program in the American domestic hunger safety net. The Food and Nutrition Service program supported by SNAP works with State agencies, nutrition educators and neighborhoods, as well as faith-based organizations, to assist those eligible for nutrition assistance. Food and Nutrition Service programs also work with State partners in the retail community to improve program administration and work to ensure the program's integrity.

Let me tell you beyond the $20 billion what else occurred. Not only did it involve the $20 billion in the underlying bill, but that wasn't enough. They offered an amendment on the floor to make it an estimated $31 billion in cuts. If that isn't outrageous, I don't know what is. Literally, not only have they taken the food, but they've taken the table, the utensils, and are leaving you with a good-looking floor, if that's what you have, or rough floor, to simply go there and admire food.

□ 1450

This is an outrageous addition. Cutting off benefits of 2 million Americans extra who struggle to find work, severing the tie between LIHEAP and SNAP, which is the dollars that supplement those who are not able to pay their energy bills in the cold of the winter, how could you? Penalizing those who don't abide by an unnecessary, burdensome job search if you have a disabled child, this is what was on the floor. Not just taking food away, but literally dismantling the table.

Oh, that wasn't enough. Then they wanted to do this. This looks like a great idea. As you well know, varying States have different economic positions. Some States are thriving because of the industry they have. A State like Texas has an energy-based, oil-based economy. Some States have other kinds of economies, and those economies are coming back, but there are still poor people and people without jobs. And this is what the SNAP program is for. It is not for fraud, waste, and abuse. I don't have any problem with oversight. But how dare you take food away from children, cutting out school lunches, cutting out school breakfasts that sometimes are the difference between a child learning and surviving.

But that wasn't enough. Listen to another amendment that was offered and passed on the floor of the House. It makes the SNAP policies, this amendment, even worse than what I've just discussed. It would allow States to pocket, put in their pocket, smack their lips, roll their hands, the savings if they cut people off of the Supplemental Nutrition program. That means the disabled, parents with young children who don't have child care, those who are unable to find work in the area they're in because there are no jobs available in that community. And there are census data and census tracts where you cannot find jobs. This amendment would find no funding for job search or job creation to help recipients of the SNAP program find work, and it places no restrictions on what States can use the bonus moneys that they put in their pocket for.

Oh, they can throw it for all kinds of unnecessary extras, if you will. Maybe they can do extra security for roaming

elected officials. And when I say that, my State is quarreling over whether it should pay security costs for our Governor. Maybe it can throw a few extra parties. Maybe it can build another bridge to nowhere. What will they do when they take money—money—out of the mouths of babes into their pocket?

Mr. SEAN PATRICK MALONEY of New York. Will the gentlelady yield?

Ms. JACKSON LEE. I am happy to yield to the gentleman.

Mr. SEAN PATRICK MALONEY of New York. I thank the gentlelady, because it is with a full heart that I come to the well of the House and address the Members to say that the gentlelady from Texas and I didn't see eye to eye on every part of this bill, although we are in the same party. And those of us who are new to this Congress, who came here to work because we heard that the American people wanted us to work together and solve problems, those of us on the Agriculture Committee approached this bill with an open mind and with a willingness to compromise, and we did so.

We worked together to include in this bill the best combination of things that we thought would help the American people, and in my case, the people of the Hudson Valley. And that meant that we also tolerated things that we disagreed with very strongly, Mr. Speaker, but we moved the process forward because we believed if we brought it to the floor of the House, and if the House passed it and we sent it to conference with the Senate, that we would be able to accept the compromise in good faith that this body worked out.

But what happened today on the floor of the House of Representatives was that the extremism of a small number of people has set back progress for the rest of us. Once again, the insistence on something so extreme has defeated good-faith efforts, like those of my colleagues, particularly the new Members of Congress on the Agriculture Committee who wanted to reach an honorable compromise, to make progress for our farmers, to help our dairy farmers in particular, to help our conservation efforts, to help our beginning farmers, to help folks with flood mitigation, particularly in the black dirt region of Orange County, New York, that I represent. We thought we could work together.

And what we saw today, what we learned today, was that extremism is still alive and well on the floor of this House, and that there are those who would rather destroy the fragile efforts of bipartisan cooperation than work together on something that we can all move forward together with that will help the American people and help our farmers.

The Southerland amendment, which the gentlelady has properly described, is so punitive, so mean spirited that it would deny basic food assistance to women with small children, to people with disabilities. It would require work where there is no work. It is not designed to be reform. It was designed to kill this bill, and it succeeded in that purpose today, by destroying the good-faith efforts of those who worked together.

Once again, tea party extremism has destroyed the efforts of people of good faith to make progress and get results. It is a sad day in the House of Representatives, and it's a tough education for those of us who have come here ready to work together across the aisle and who have much proven that with our votes in a bipartisan fashion to move this bill forward, despite the presence of things we didn't like.

I call on my colleagues on both sides of the aisle to bring this bill back to floor because it matters. It matters for our farmers. It matters for our communities in the Hudson Valley. We can work together to improve it, but we must stop these destructive efforts to stop all progress.

I thank the gentlelady.

Ms. JACKSON LEE. I applaud the gentleman for his honesty and for his work, because as I began this debate, we have always voted in a bipartisan manner on the farm bill. For those of us in the urban areas that touch a little rural area or live in States that have large pockets of rural areas, we are well aware that we are the breadbasket of the world. When we travel the world, we are always eager to see the food products. That has been our nomenclature. That has been our name. That's been what America is known for, not only its generosity and its heart, but its willingness to feed the hungry.

As I indicated, who could craft an amendment that would deep-six this bill, adding insult to the $20 billion that I know the gentleman indicated we were looking to compromise on in the conference. But to say to the gentleman, we all would hope the bill will come back. Maybe it might even come back with the recognition that the $20 billion is spiking too high. But certainly the Southerland amendment, and the one previously that did not pass that wanted to cut even more from the $20 billion, if I might say, it's an oxymoron between the farm and those who need to eat. We always work together, and we were able to produce products and enough food to give those who were hungry and those who could not find work.

I want to make mention of the fact, as the gentleman said, that included in taking their food away from them, as the gentleman said, was the disabled and the parents with young children.

And so I want to thank the gentleman for his words and, of course, for his leadership for his area and also on this topic.

So that is two Members from two distinct places, Democrats, who would have been able to come and find a reasoned way to address this bill.

Might I also say that I do thank the committee for acknowledging an amendment to be able to reach out, my amendment, the Jackson Lee amendment that was included; but I'm willing to sacrifice that amendment that was to reach out and create opportunities for minority businesses, women-owned businesses, family farmers, Black farmers who have been discriminated against for eons under the Agriculture Department. My amendment would have caused a specific outreach to these individuals, and I'm glad for it.

I was able to support the McGovern amendment, which had an offset that I believe was a proper offset that would have put the money, $20 billion, back in.

Again, I want to remind my colleagues, our deficit is going down. Our economy is percolating. I didn't say it was perfect. I didn't say everyone had a job. But what I did say is we're making progress. Why are we continuing to do injury for those who cannot speak for themselves? I do not know.

Again, I was eager to see in this bill, to be able to work with more urban gardens, community gardens, what we call victory gardens.

□ 1500

They've been successful in the city of Houston, in Acres Homes, in fact, in Fifth Ward. I see them as progress, the growing of food, the putting food on the tables, healthy food, of people who don't have the means to get good vegetables and to be able to use those urban gardens to teach children to help families come together and to be able to take home good food.

I want to pay tribute to the Houston Food Bank in my congressional district that has brought so many people together. But I can tell you that they're not lacking in business, and the $20 billion of this SNAP program going down, meaning, being taken away, one of the largest food banks in America, would have been impacted negatively by the idea of the lack of the supplemental nutrition program.

I wanted to also make sure that we had an assessment of helping the older Americans have accessible and affordable nutrition, one of my amendments that did not get in. But when we see older Americans, we can tell sometimes that they're making choices between food and, obviously, their medicine, their prescriptions.

I wanted to make sure that we had had a special commitment to helping them build up their access to nutritious food, along with those who suffer with disabilities. I wish that had gotten in.

And then I wanted to make sure that we did not turn our backs on obesity and juvenile obesity. Just this week

the medical community has joined and named obesity as a disease; and my amendment would have had a sense of Congress that encourages food items being provided pursuant to the Federal school breakfast and school lunch program, and that the kind of nutritious items should be selected, and so we can bring down the incidence of juvenile obesity and maximize nutritional value and take away the possibility of our children not having the right kind of nutrition.

So I am eager to get back to the drawing board. But I walked through neighborhoods that suffer from the lack of access to food, and, as well, I'm aware of something called food deserts, where the only place that you can buy is the local gasoline, gas station location.

And maybe you can find an apple or a banana, but mostly what you're going to find is a lot of, if you will, the other kind of food. Some have called it junk food. Pretty tasty. Make sure there's a market for it. It's always good to have fun, but it's not what you have to raise children, to provide for those who are ill, disabled, parents who cannot work. That's not where they should be shopping.

Food deserts exist in rural and urban areas and are spreading, as a result, fewer farms, as well as fewer places to access fresh fruit, vegetables, proteins and other foods, and that's why this bill is important, to help our small farmers, but also to help those get assistance.

And by the way, the supplemental nutrition program is not welfare, because there are many people who are working who are on food stamps, but their income is such that they cannot provide the nutritious food for their children.

But the main insult is the loss of these dollars for our breakfast and lunch program, that no matter whether you're living in rural America or urban America, your child has the ability to have a good, warm, hot meal for lunch and for breakfast to get them started and ready to learn.

And, therefore, it avoids the metabolic function that comes from malnutrition that causes the breakdown in tissue. For example, the lack of protein in the diet leads to disease and decay of teeth and bones.

Another example of health disparities in food deserts are the presence of fast-food establishments. Again, it's good to have fun; but if that is all that you eat, then you know that that is not going to make for a healthy young person, child, in the growing years, the maturing years, the years that their cognitive skills are growing, the years that they're strengthening their physical being in order to grow into an adult that will be healthy.

And so many of us took the SNAP challenge, the supplemental nutrition challenge, to live on $4.50. And I went to the grocery store, and I was so scared about going over. I bought one apple, one banana, two apricots. I bought an avocado and a tomato and two potatoes, and I was calculating in my mind, because this was $4.50 for the day.

And I went to the meat area and looked at, of all things, chopped meat, hamburger meat. I couldn't find anything that would even fit. They were all $5, $4.

I kept looking, cheese, too expensive. And I found something in a package called smoked chicken. And in this store, they had it for 58 cents, processed smoked chicken. And I said that I can use for protein.

And so the meal, in my mind, was going to be an apricot, and a banana for breakfast; lunch, you boil a potato with sliced tomatoes, which you would save for your big meal, your dinner.

But every day, a family has to look at $4.50 to have their meals. And so for anyone that thinks that this is a bunch of folk who enjoy getting these food stamps to have a jolly good time, I'm glad that I experienced that purchase and what you get for $4.50.

And yet on the floor of the House today, there were those who were willing to put up a bill that would take $20 billion and, literally, as I started to say, and have said, dismantle the kitchen, dismantle the table, take the utensils and just say, plop down on the floor.

And as we came to the end of the bill, that was not enough. The Southerland amendment came forward and said, not only are we going to insult you and take all the utensils and table away, but we're going to make it a boondoggle.

We're going to give incentives. We're going to make it a gambling opportunity for our States. We're going to let them throw the dice. How many can you get off of SNAP? And if you get them off, you'll be able to pocket the money.

We don't want to control what you do with it. We're not going to suggest that you put it in education, or maybe give back to the schools so they can get a different kind of meal for the child that's lost the breakfast program. No, we don't care.

You're just going to pocket the money and run off into the hills.

States have many burdens. I'm a champion of our States. I love my State. But I've seen the tough debates that my State legislators have had, fighting to get a few parcels for food, for education dollars, for infrastructure dollars.

So I know it's tough; but as I said, some States are a little bit more better off than others. It's all about priorities.

And I can only say, Mr. Speaker, that today we didn't commend ourselves well. I want to go back. I want to be able to, if you will, I want to be able to put the table, the utensils back, the table cloth.

I want to be able to have a poor family have a nutritious meal. I want to be able to have a child have a lunch or breakfast. I want a disabled person to be able to have the right kind of food to help them in their illness. I want an elderly person to be able to have their prescription drugs and, as well, to be able to have food that will nourish them.

I close, Mr. Speaker, by saying that I spoke about unfinished business. And as we go forward, I join my colleague from New York, call upon the good people of this House, who represent the good Americans of this Nation, to come back together and find a way that passes a farm bill that does not put on the sacrificial table of destruction poor people who, through no fault of their own, are unemployed or disabled, or have children, or are only able to support the children and provide for them in this way because they live in an area where there are no jobs.

They hope there'll be jobs. They want there to be jobs but, at this point, it hasn't come.

□ 1510

I conclude my remarks by saying in a list of things that we must do as unfinished business, I look forward, as well, to our being able to join some mothers that stood with me earlier this week, mothers that demand action, and they ask me about the idea of protecting their children with sensible gun legislation that would prevent gun violence. I hope, among other initiatives, a universal background check will also look to laws that will require the storage of one's guns, none of which impact or take away from the Second Amendment.

Then I hope in unfinished business that we will continue to find, in a bipartisan way, a pathway forward for helping those individuals who came to this country, through no fault of their own, who come to this country and are working and don't want to do us harm, but simply want to find a way to stay in a country that they love, and, as well, to say to the American people that we take no shortness in your need and commitment for border security.

I don't see why we can't do it all. That is not unheard of. It is not impossible. It frankly is something that we can go do.

I want to close by saying that I am a person that loves the Constitution, believes in the Bill of Rights, the First Amendment, the freedom of press, speech, the Fourth Amendment that protects you against unreasonable search and seizure, the Griswold v. Connecticut Supreme Court case along with the Ninth Amendment on the question of privacy. So I'm going to

make a commitment to my colleagues that we work together on the issue of ensuring the American people's civil liberties while we ensure our national security. We can do both.

I have introduced legislation that would ask for a study of all of the outside contractors that are in the intelligence business and to present that study to the United States Congress and ensure that all those who have top-secret clearance are doing it in the name of this Nation, otherwise to present a plan to reduce that usage by 25 percent by 2014. That is only the fair way because certainly we must have oversight to who has access to your private information and is it access in order to secure this Nation. I stand with them if that is the case.

But I ask the question, why are persons far-flung and unsupervised with top-secret credentials such as the individual who has decided to leak information that is now being assessed? We have to ask the question, are credentials, do they meet the test? Are private contractors making a review of these individuals and assessing them and giving them clearance or if not, not supervising them? I have to ask that question.

And then I would say that it is important that where you can be presented opinions that deal with something we call the FISA court, which is the court that we go into to protect your rights and to be able to go into and make determinations about whether or not there is surveillance, I would say to you that opinions that will not impact on national security or classified information can be shown to the American people. There's nothing wrong with that.

So I am looking forward to working in a bipartisan way on unfinished business. And I can only say, Mr. Speaker, in my final entreat to this body, the one thing that we should not do is to take the little hand of a child and to push it back from the table or from food. And what we did today was just that.

I want a farm bill, but today I was proud to stand with the children of America who are better off because they've been able to stamp out hunger through a program called SNAP, the Supplemental Nutrition Assistance Program, and will continue to do so until we get it right. Our children are our precious resource.

With that, Mr. Speaker, I yield back the balance of my time.

IMMIGRATION REFORM

The SPEAKER pro tempore (Mr. ROTHFUS). Under the Speaker's announced policy of January 3, 2013, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege of being recognized to address you here on the floor of the United States House of Representatives. I won't, at this time, take up all the issues that were raised in the previous 45 minutes or so, Mr. Speaker. Instead, I'd like to talk about two topics, though, and one of those topics is the topic of the farm bill which historically, in a sad way, failed here on the floor of the House of Representatives within the last hour or so, hour and a half.

The first thing I want to say about that is that the chairman of the Ag Committee, FRANK LUCAS of Oklahoma, has conducted himself in a fashion that is deserving of and he receives my admiration and should receive that of his constituents and the people of this country.

One of the most difficult balances to achieve in any bill that we produce here in Congress is that 5-year—we call it the ''farm bill''—the 5-year farm bill that has roughly 80 percent nutrition in it and about 20 percent agriculture in it. And each 5 years, we try to write the best formula and look into the crystal ball for the next 5 years as well as we can, and it takes the chairman of the Ag Committee, which is the least partisan of the committees here on the Hill, to direct the committee staff—which are very experienced and some of the best staff people we have here on the Hill—to work with the ag staff of the Democrat side, or the opposite party, and work with the ranking member to try to bring together such a variety of issues that have to do with sugar, dairy, crop insurance, nutrition and the qualifications for nutrition, piece after piece of this.

It's like a huge accordion, and the chairman of that committee has got to make decisions on each component of that huge accordion to try to get it lined up in a way that if you go a little too far into the necessary reduction in the food stamp side, you lose votes over here on the Democrat side. If you don't take enough out of there, you lose votes on the Republican side. If you don't take enough money out of agriculture, you lose it over here on some of the conservative side. And on the other hand, if you don't have enough subsidy, you lose votes on the Democrat side.

This is a very difficult balance, Mr. Speaker, and the marriage between the farm bill and the nutrition component of this, or the agriculture component and the nutrition component that we erroneously call the ''farm bill'' here because of history, that marriage was created out of necessity because the farm program could not be passed on its own. There were too many opponents to that, and the nutrition program had too much opposition on its own. And they married the two together, and each 5 years or so—and it hasn't always happened in 5 years. I don't know when it's ever happened perfectly—it's been dialed together as closely as possible and cooperation was asked from Democrats and Republicans to finally come together and pass a bill.

FRANK LUCAS put that together as perfectly as I think it could be done. I think, Mr. Speaker, that he was a maestro in the way he orchestrated all of this. And I watched as we went through the committee markup. We did one last year and couldn't get floor time to debate a bill. And so the work of the committee wasn't necessarily wasted because we started again this year. We began to put the pieces together again. We had a long markup of the bill, an extended markup of the bill, not as long as it was the previous year, and the pieces came together.

Here's what it needed: it needed to have a strong, bipartisan support coming out of committee before it was going to get floor time, and it needed to have a prospect, a reasonable prospect, of 218 votes here on the floor of the House before that floor time would be granted. And as we have seen from the Speaker, he has consistently said that he wants to see the House work its will.

Now, he let that happen on a continuing resolution in January, or I'll say February of 2011, and we did 92 hours of debate here on the floor under an open rule. And every aspect of the budget was the House working its will, and that was the longest and most expressive way that I have seen this House work its will.

But the Rules Committee here on the farm bill that came out of the Ag Committee allowed a full series of amendments here on the floor. The chairman spoke to that number. I think he said there were over 100 amendments here on the floor. And, yes, there was an agreement made under unanimous consent to pass a group of them that were not contentious, ''en bloc'' as we say. I think there was a real sincere effort to work a bill out here on the floor that would come to a conclusion that received 218 votes.

Today, Mr. Speaker, we saw an example of when that didn't work, when an amendment or two or three went on that were more of an objection to that careful and delicate balance that had been put together by FRANK LUCAS. In the end, when the votes could not come together—in a very rare thing—a 5-year bill—that actually has been 6 years since we passed one—failed here on the floor of the House of Representatives.

Mr. Speaker, I won't forget this day. I hope that this Congress, I hope the American people, and I hope, especially, the constituents of FRANK LUCAS remember the job that he has done. I don't ever remember seeing anybody in this Congress work so wisely, so honestly, so justly and so carefully to put together something that

had to be so carefully balanced to have a glass of cold water thrown in his face is what happened here, I think, on the floor today.

□ 1520

So I wanted to express my regret that the farm bill failed here today, and my appreciation for FRANK LUCAS, for the subcommittee chairs and the ranking members that worked with us on this. Those that gave their word and kept it, I thank all of them. And Mr. Speaker, I'm hopeful that the day will come that that work that has been earned is exonerated by a vote here on the floor of the House. In either case, I want the RECORD to reflect my opinion and my appreciation for FRANK LUCAS.

We've had a big week here, Mr. Speaker. In this big week and this big day that I'll just call yesterday, I look back on it after a full day and I've wondered how one could actually do all of the things that were accomplished yesterday. I just want to run through that narrative because it's fresh in my mind. And that is that yesterday we did the longest press conference in the history of Congress. I don't know what competition there might have been for that—now, who would want to have a long press conference? Well, somebody that wanted to have a long time to air out a huge issue, and the issue was immigration.

I have believed for some weeks now—in fact, 2 or 3 months—that the machinery of this Congress was set up to push immigration—and I'll call it ''comprehensive immigration reform,'' which is of course the euphemism for amnesty—through this Congress faster than the Congress could adjust to it, learn about the policy within the issues, and faster than the American people could learn about it and weigh in. We always need to move at the pace of the American people so that they have a chance to let us know what they think and we have a chance to digest that policy and make those decisions.

This immigration issue was moving too fast. I believed, and I believe that it was accelerated too quickly in the United States Senate. I believe that today. It's moving too quickly without enough debate. It's too big a decision to be made. I believed, and I believe that it's still moving too quickly through the House of Representatives.

I would point out that there was a Gang of Eight in the Senate—there remains a Gang of Eight in the Senate—that had been meeting in private and holding some press conferences, talking about the things that they were attempting to do, that finally rolled out a bill. I believe it was rolled out at 844 pages long.

The debate and the markup that took place in the Judiciary Committee in the United States Senate was relatively long. There were a good number of amendments that were offered. But most of those votes—some might even say all of those votes—just came down the lines of whether they were part of the deal or whether they weren't part of the deal. So it looked like the Gang of Eight had a deal going into the Judiciary Committee markup. They certainly came out of that with their deal intact, and it's to the floor of the United States Senate today. That's fast and fast track.

While that's going on, the attention of the American people on this issue has been split between the United States Senate and the House. There has been a working group, a bipartisan working group, in the House also. In the Senate, it's four Democrats and four Republicans in the Gang of Eight. In the House, I learned not that long ago that the working group was four Democrats and four Republicans. I also learned that the Speaker encouraged their work, and I learned that they were working in secret for perhaps the last 4 years.

Well, it was in secret. I have, I believe, served more time in the seat, listening and hearing immigration information and reading through reports, probably than anybody else on my side of the aisle over the last decade—although there are two or three that I think have a high level of expertise on immigration policy.

My antennae aren't that weak here, Mr. Speaker, that I'm not picking up the signals of what's going on behind closed doors. We talk, we flow through here to vote, we meet with each other, but I didn't know that there was a secret committee working here out of the House of Representatives that had the blessing of the Speaker. I didn't know that until it was announced by the press some weeks ago. And the secret committee that didn't admit to its existence, some of them facetiously spoke about it as ''that secret committee'' even though they finally admitted—and the press, I think, ferreted this out—that they were on that committee. This committee of four Republicans and four Democrats in the House of Representatives that was secret—now it's not a committee of eight any longer, it's a committee of eight minus one, at least as far as I know—their ability to produce a bill seems to have been stalled here in this Congress. I'm not sorry about that.

About the same time that conclusion may have been drawn, I heard our Speaker, I believe it was 2 weeks ago on Friday at his press conference, say he hoped to see immigration legislation pass out of the Judiciary Committee in the month of June. Well, that was a surprise to me. And when the announcement came shortly thereafter that we should clear our schedules for this week and next week as members of the Judiciary Committee to prepare for a markup on immigration, I saw that as a green flag that was dropped that moves the immigration policy more quickly here in the House of Representatives than I'm comfortable with.

But I do not criticize the conduct of our chairman of the Judiciary Committee. BOB GOODLATTE is one of the more astute people on policy that we have in this Congress. He is a seasoned and knowledgeable and smart legislator, and he sees the pieces that are moving and understands what he needs to do to move the right pieces. And I have served with him on two committees now for more than 10 years.

And yet the pace that's going through this Congress may be a wise one. It may be a wise one if enforcement first is what emerges here from the House of Representatives, and if the bill in the Senate can be slowed down or stopped in the Senate.

The consensus that I hear among the Republican Conference in the House of Representatives is this, Mr. Speaker: Stop the bleeding at the border. Shut off the bleeding at the border. Close the border. Get that done. And when you get that done, then come back and talk about the other things.

I'd make the point that when I came here a little more than 10 years ago, I said then let's stop the bleeding at the border. We've got to close the border. I came to this floor, and when people said, well, we can't—I've advocated long that we should build a fence, a wall and a fence on our southern border. And that fence, wall and fence that we can build on the border would be what will help to secure our border. I agree that we would add to that sensory devices, vibration sensors, motion detectors, you name it, add all that to it. But you simply cannot have enough border patrol agents to control 2,000 miles of border with the conditions that we have. They have to rotate shifts, they get their vacations, there's time off. It takes a lot of people on payroll to have enough people on the ground. And we know that there's bleeding through that border, a lot that's crossing through the border.

Mr. Speaker, I went down and did a surprise visit to a point of entry at Sasabe, Arizona. When I walked in there—they didn't know a Member of Congress was showing up there—I spoke with the shift supervisor, and his name was Mike Kring. He has since passed away, sadly. I think that he was a strong enforcement officer. He was well respected by his men that I saw around him. But I asked him about the frequency of the crossing there, at the legal crossing at the point of entry which is pretty much a rural port of entry in Sasabe, Arizona. And he said, well, this crossing isn't the busiest crossing near here. There is an illegal crossing east of me that's far busier and an illegal crossing west of me that's far busier. This is just our formal crossing. That tells you something about what's going on on the border.

We can close the border. We can do it with the resources that we have. I have long said that. I have not changed my position—I think it's stronger rather than weaker.

I may be the only one that's actually gone back and done the work to calculate what we're spending to defend our southern border. These numbers are old, Mr. Speaker, that I'm about to quote here this afternoon. They come to this: there's a 50-mile area north of our southwest border. Within that 50 miles, you will see Border Patrol agents, Custom and Border Protection agents, you will see ICE agents in there also. The effort that's done to control our border also is the cost of their vehicles, their communications, their benefits package, all of the things that we invest in that area. When you add that all up and you divide it out by the 2,000 miles—which is pretty close to it, it's the best number to use for the length of the border, the southern border—you end up with this number—and this number would be adjusted upward, not downward, to get it more current than the roughly 3 years ago that I'm talking about: $6 million a mile. We're spending $6 million a mile, at a minimum, every year to control our southern border. And we're getting, according to Border Patrol testimony before the Immigration Subcommittee, about 25 percent enforcement.

□ 1530

They think that of the 100 people that would try to cross the border they might be stopping about 25 percent. Now, it's probably gotten a little better in the last couple of years. But when I go down to the border, Mr. Speaker, and I ask the agents there candidly, without identifying themselves and without going on public record, what percentage of the illegal border crossers are we interdicting, the most consistent number I get is 10 percent, not 25. Some will smirk and say—or not really smirk, but they will just kind of snort and say, well, 3 or 4 percent. The real answer is we don't know. They know more than we do.

The 10 percent number seems to me to be more likely to be an accurate number than the 25 percent number. But think of this. At the peak of the illegal border crossings, we would have about 11,000 a night. That comes to 4 million illegal crossing attempts a year. Eleven thousand a night. Twice the size of Santa Anna's army coming across our border every night, on average. And maybe those illegal crossings have been reduced by half—maybe. That's still the size of Santa Anna's army every night.

We are talking about whether we should legalize the people that came across that border. And we're assuming by the argument of, say, Mr. GUTIÉRREZ of Illinois and many others that they're all innocent people that were brought in by their parents—maybe against their will, certainly without their knowledge that there was anything wrong with it or illegal with it, that that's the universe of all the people that are unlawfully present in the United States are just simply those that wanted to come to America for a better life.

Mr. Speaker, I go down to the border. I sit alongside that fence at night. I don't have night vision, but I have ears. I can sit in the dark and I can hear the vehicles come down through the mesquite. In fact, when you hear the one with the bad muffler come back a second time and a third time, you know they're shuttling people to come across the border at night. Within, say, an hour after dark to the next 2 or 3 or 4 hours after dark is when the highest traffic is, because they know they've got to walk across the desert a long ways and they want to make as much time as they can before it turns daylight where they might hole up or where they might be picked up if they can get to the highway north of there.

So I listen and I hear the vehicles come through across the desert. I hear the mesquite scratch alongside the vehicle, and you hear the doors open. Maybe 70, 80, 90, 100 yards south of the border you can hear the doors open. You can hear people get out. First, they open the door. You can hear them drop their pack on the ground. Then they get out and then they close the door, kind of quietly, but it is still a quiet slam of the door. You can hear them pick up their packs, whisper. You hear them walk through the brush, and you can hear them cross the fence.

When you're down there at night without night vision, you sometimes think you see some things you don't see. Have you ever sat around at night in the pitch-black dark and watched? Your mind will play tricks on you.

I can't say into the RECORD, Mr. Speaker, that I saw good numbers of people walk across the border. I know I heard them. That's the only place they could have been going. I heard them go through the fence. I believe I saw the shadows, but I'm not certain of that particular component.

I'm very confident that there are hundreds and hundreds of people that pour across that border at night. That number that I said is roughly half of 11,000, the size of Santa Anna's army, which was 5,000 to 6,000, is roughly the number that we will see every night.

Now, this border is wide open from that perspective. All of the people that came into America aren't those that are coming through that path. All of those people that are coming into America across that border, sometimes you will see a pack train of 75. Every one of them will have a pack of marijuana on their back and they're carrying it into the United States, smuggling it into the United States. Those people fit under the DREAM Act definition, too, if they came into the United States before they were 16 and had been here whatever the length of time might be. If they came here before December 31, 2011, it would be the Senate version of the bill.

I've been on the border, Mr. Speaker, and seen the shadow wolves interdict a smuggler, a marijuana smuggler, coming through with a false bed in the box of a pick-up truck that was extended downward about 7 to 9 inches. Underneath that were the bales of marijuana. I unloaded them myself and took them up to the scales where they were weighed. They weighed approximately 240 pounds.

The reason for that, Mr. Speaker—240 pounds—is because in some sectors of the border they don't have the ability to prosecute drug smugglers and so they set a limit, the prosecutors will set a limit. Sometimes it's you have to have more than 500 pounds of marijuana to be prosecuted; sometimes you have to have more than 250 pounds of marijuana to be prosecuted. The smugglers know that.

I'm going to guess that the sector that I was in that day, the limit was, at least anticipated by the smugglers, to be 250 pounds. So they dialed it under 250 to about 240 pounds and sent their guy through, and he was caught. What we don't know is, was that a decoy so that when all converged on that smuggler, that there wasn't a straight truck through with a couple of tons of marijuana in it. I don't know that. Those are tactics that we see. That's tactics of using sometimes illegal crossings, sometimes going through the legal crossings that we have.

A lot of the border isn't marked. Across New Mexico, there's a concrete pylon from horizon to the next horizon that's just set there, and you would have to know what you were looking for to know where the border is. It's just open desert. I've flown most of that, a lot of that at night. I've also traveled—I'll say that I've traveled probably every mile of our southern border, with the exception of some of the miles along the Texas border, which zigzags quite a lot, and I haven't covered all of that.

Mr. Speaker, we can build a fence, a wall, and a fence, and we can do it with less money than we're spending today on the southern border, over $6 million a mile on the southern border.

To put this in perspective, to build an interstate across Iowa cornfield—expensive now, today, expensive Iowa cornfield—we can buy the right-of-way, we can pay for the engineering, we can do the grading and the drainage work and the paving and the shouldering and the painting and the signage and the seeding and the fencing, all of that, and open up a four-lane interstate highway for about $4 million a mile. We're spending $6 million on every single

mile of our southern border, and we're getting something like 25 percent or less efficiency with what we have there.

Part of it is because the President has declared, by executive edict, amnesty. Even though I think the Border Patrol is doing their job as well as they can within those limits, it's clear that ICE has been handcuffed. We have had the President of the ICE union, Chris Crane, testify before this Congress—I think he's been nine times into this city within the last year and a half or so—doing a stellar job of pointing out that the law requires the Federal immigration officers to place into removal proceedings those people that they encounter that are unlawfully present in the United States. It's their judgment on that that dictates.

Well, the President has prohibited them from doing so through the Morton Memos, the Morton Memos that have been rejected by this Congress in two ways within the last 3 weeks or so. One is a full vote in the House on the King amendment, and the other is a vote in the Judiciary Committee on the King amendment. So we have, every way that we've had the opportunity, rejected the idea that the President can simply make up immigration law out of thin air, decide that he can issue work permits, that he can legalize people that are here illegally, that he can, by executive edict, destroy the rule of law—destroy the rule of law.

I often talk about the pillars of American exceptionalism. We are a great country, Mr. Speaker. This great country that we are relies upon this America that Ronald Reagan described as the ''shining city on a hill.'' This city is built on the beautiful marble pillars of American exceptionalism. Many of them are within the Bill of Rights:

Freedom of speech, religion, the press, and assembly, all wrapped up in the First Amendment to our Constitution;

There are property rights in the Fifth Amendment;

There is a prohibition on double jeopardy. You get to be faced by an accuser and a jury of your peers;

The States' and personal rights that are reserved in the Ninth and Tenth Amendments.

All of those are pillars of American exceptionalism. So is free enterprise capitalism.

If we had none of that, we wouldn't have the Nation we are. If you build—and I want to add to that, the core of our culture is Judeo-Christianity. We welcome people of all religions. The foundation of the American civilization is Judeo-Christianity. Without it, we can't be the America we are either.

□ 1540

So think of this beautiful shining city on the hill—which Reagan so eloquently described for us—sitting on the beautiful marble pillars of American exceptionalism, but I can't think of that city sitting there without also thinking of an essential pillar of exceptionalism called the rule of law.

Now, if you would take a jackhammer and chisel away that marble pillar of American exceptionalism, which is freedom of speech, and destroy freedom of speech, the beautiful edifice of our shining city on the hill would crumble and fall. If you did the same thing to freedom of the press, our shining city on the hill would crumble and fall. If you took away our Second Amendment rights, which I didn't mention but which are a pillar of American exceptionalism, eventually our other freedoms would crumble and fall, and tyrants would take over. If you put people subject to double jeopardy, we wouldn't be the civilization we are, and the rule of law wouldn't mean what it does. It would crumble and fall just as it would if you destroyed the rule of law, if you have contempt for the rule of law, if the Supreme Court disregarded the rule of law, and if they ruled on interpreting their law to be their whim, their wish—not the very definition of the supreme law of the land, being our Constitution.

It is as the President so well described on March 28, 2011, before a high school here in Washington, D.C., when he was asked: Why don't you just implement the DREAM Act by executive order?

His answer was to the students who were listening: I don't have the constitutional authority to do that. You've been studying the Constitution. You students know that it's the job of the legislature to pass the laws, the job of the executive branch to enforce the laws and the job of the judicial branch to interpret the laws.

Now, that is an accurate description as should aptly come from a former adjunct professor of constitutional law at the University of Chicago. That is our President. He knew what he was talking about, and that description was consistent with his oath of office, Mr. Speaker.

The oath of office is defined within our Constitution. It's specific. It has been concluded with ''so help me God'' for a long time, but within that oath is also the oath to preserve and protect and defend the Constitution of the United States. In the Constitution, it requires the President of the United States—our chief executive law enforcement officer and Commander in Chief—''to take care that the laws be faithfully executed.'' That doesn't mean, Mr. Speaker, execute the law. That doesn't mean execute the rule of law. That doesn't mean execute the Constitution itself. It means you take an oath, and your job is to uphold the law, to take care that the law is being faithfully executed.

The President has defied his own oath of office. He has defied the rule of law. He has defied the Constitution, and he said, I'm not going to enforce the law. I'm not going to enforce the laws that I don't like. I disagree with some of the immigration policy that has been passed by Congress and signed by one of his predecessors—in fact, signed by Bill Clinton. He is refusing to enforce those kinds of laws.

That does great damage to the Constitution, and it throws the balance of the three branches of government out of whack. Our Founding Fathers imagined that there would be competition for power and influence between the three branches of government. They envisioned it always with three branches of government—the legislative branch, the executive branch and the judicial branch.

This Congress is in article I. That means we are more the voice of the people than any other branch of government. It was the first and most important branch. They also knew that they had to have a strong chief executive—a strong President, a strong Commander in Chief. The experiences they went through in fighting a Revolutionary War with the Continental Congress told them you can't have a strong national defense without a strong Commander in Chief, so they established that. They established the balance between the legislative branch in article I and the executive branch in article II and also the balance—and, I think, to a slightly lesser degree—between the judicial branch. Think of it as a triangle.

They envisioned that each branch of government would seek to expand its power. That's human nature. You always want more power than you actually have, whether you take this thing from the Pope to the President, right on down the line to the Senators, who have a one one-hundredth of the power of the Senate Chamber, and to the House Members, who have a one four-hundred-thirty-fifth of the House Chamber. We always want to have a little more leverage, a little more influence—get your hands on a gavel or maybe become the majority leader, the minority leader, the Speaker of the House. Actually, the former Speaker of the House, Speaker PELOSI, just walked across this floor, Mr. Speaker, and she would understand that as we all do. In a family, you always want to have more influence. If the patriarch of the family is the one who writes the rules, you always grate a little bit underneath that. That's a natural thing to always try to grab a little bit more power.

They knew it was human nature, so they set up this balance between the three branches of government, but they envisioned that each branch of government would jealously protect its constitutional authority and not concede it to the usurpation of some other

branch of government. They envisioned that Congress would try to grow in its influence and authority, and they gave the President veto power so that he could veto the overreach, potentially, of the House and the Senate together.

They balanced the House and the Senate so that this hot cup of coffee—or hot cup of tea, they were thinking here in the House of Representatives—could be a quick reaction force when things go wrong in America. A new crop of House Members comes in with the freshest of vigor that comes from the American people, and they set about changing things. That's a 2-year election cycle. We saw that in 2010 when 87 new freshmen Republicans came into the House of Representatives—every single one of them having run for office on the promise to repeal ObamaCare, every single one. Meanwhile, while the House was being heated up, the Senate itself—which, if all of the Senators rather than roughly a third of them were up for election each cycle, I think we would have seen the majority turn over in the United States Senate, but it didn't quite do that.

So the Senate has been the cooling saucer to the hot cup of tea or coffee that is the House. Our Founding Fathers saw that, and they wanted to balance that. They wanted to have the longer view in the Senate. They wanted the quick reaction forces in the House. They wanted to blend them together, and they did. I think they did a very good job of that.

They also wanted to then check an overreach of article I, the legislative branch, the Congress, by giving the President of the United States veto power. At the same time, they put constraints on the President because we can control the activities of the executive branch through the appropriations if we can actually control the appropriations here in the House of Representatives. So they granted that authority, but they expected that there would be like a tug of war for that power. They did not think that the President of the United States would take an oath of office to preserve, protect and defend the Constitution of the United States and be required to take care that the laws be faithfully executed and then go out and execute the law rather than enforce the law, but that's what has happened.

The President has with impunity defied the rule of law, and has simply canceled immigration law that existed on the books that requires ICE and Federal immigration law enforcement officers to place those individuals unlawfully here in removal proceedings. That's the law. The President suspended it.

And what has happened here in Congress?

There was an election after he did that. On March 28, 2011, he said, I don't have the power to by executive order implement the DREAM Act. On June 15, 2012, he assumed that authority, and he simply suspended the rule of law and imposed his will, his wish, on America.

And what happened?

The people who took an oath to uphold the Constitution and the rule of law decided that they were going to honor the lawlessness. They decided that they were going to comply with the President's order because, well, their jobs were on the line, for one thing, but I say also they have an oath of office for another.

When that happens, when there is a dispute between the legislative branch and the executive branch of government, the judicial branch needs to step in to sort out that dispute. I know they don't like to do that, Mr. Speaker. In any case, I asked for a meeting and invited people to come to the table, which they did, and we discussed how we move forward to put a block on the President's unconstitutional assumption of legislative authority—a violation of the separation of powers.

□ 1550

I had been through that litigation in the past on an issue that I'll not take up here, but it had to do with a State issue and the State chief executive officer. I knew the arguments. Out of that meeting came the lawsuit of Crane v. Napolitano. That's Chris Crane, the president of the ICE union as the lead plaintiff. Of course, now Napolitano is the Secretary of the Department of Homeland Security, Janet Napolitano. That case went before the Northern District of Texas, the Federal court, where Judge Reed O'Connor ruled in favor of the plaintiffs—that's the ICE union and the list of plaintiffs that are there—ruled in favor of it in nine of 10 arguments and sent the other argument back to the executive branch to reword it in such a way—I'll just use my terms, Mr. Speaker—it's more intelligible so he can answer and respond on that particular point.

Generally, the decision was this: Judge Reed O'Connor essentially wrote: shall means shall, not may. If it requires that the agents put people that are unlawfully present in the United States in removal proceedings, if it says they ''shall do so,'' then they shall do so. Shall means shall. It doesn't mean may. And there is no word in our language that is more definitive that can replace the word shall, at least as far as legal parlance is concerned. That's essentially the decision.

So it seems to be—and I'm optimistic that it's moving in the direction—that we will get a final decision in a Federal court and perhaps the administration will appeal this all the way up the line to the Supreme Court.

But in the end, I can't imagine how a judicial branch of government, how a Supreme Court could come down on the side of the President and decide that the President of the United States has the authority to make up law as he goes along or disregard law as he goes along.

The President has argued—at least the President and his spokesmen and spokeswomen have argued—that they have prosecutorial discretion. Prosecutorial discretion means that they can't enforce the law against every person who might violate the law because they don't have the resources, so the resources need to be targeted where they do the most good. That's prosecutorial discretion.

I agree that that exists and that it's necessary that the discretion of prosecution exists. But I don't agree that the President can define broad classes of people that include hundreds of thousands in a single class and then decide that he's not going to enforce the law against any of them. That is what he has done. He's manufactured four classes of people and decided he's going to waive the law on all of these classes of people, suspend its enforcement. That turns out to be an invitation to more and more people to violate the law, even ''to the extent of.''

We have had illegal aliens in the halls of the congressional offices that have lobbied Members of Congress with impunity. And they will come in boldly and say, I'm exempted from the law by the President of the United States, so I can be here. And I demand that you agree with me and get me my college education. They have been inside the Judiciary Committee room. They have been introduced by the ranking member of the Judiciary Committee. That's how far this has gotten, Mr. Speaker. The contempt for the law, the contempt for the rule of law and the sense of entitlement have gone beyond the pale.

So this rule of law, which must be reconstructed now, because the verbal and keyboard jackhammers of the left have chiseled away at that beautiful marble pillar of American exceptionalism called the rule of law. And because they have done that, we must reconstruct it. And if we can't hold the rule of law together, if we can't restore it, if we can't reconstruct it, then it crumbles. If the rule of law, according to the Gang of Eight's bill in the Senate, according to some of what seems to be moving here in the House, destroys the rule of law at least with regard to immigration, it destroys it.

There would be no enforcement of the rule of law with regard to immigration unless you committed a felony. You're here unlawfully, you commit a felony or you commit a combination of three mysterious misdemeanors, that happens to qualify you for removal proceedings. Those are exemptions that are part of it. They claim that they will enforce the law on that.

The balance of it is if you cross the border illegally and come into the United States, that is a crime, Mr. Speaker. If you overstay your visa, which is about, let's say, a number that approaches 40 percent of those who are unlawfully present in the United States, that's a civil misdemeanor, not a crime, at least today. If you do either one of those things only, they're not going to put you in removal proceedings. And if you come across into the United States and you defraud your employer and you come up with fraudulent documents and you use that in order to get a job, this administration isn't going to enforce document fraud, which is a felony against you.

Essentially it said if you can get into the United States legally or illegally, if you can stay in the United States, you can cheat to get a job, you can lie to your employer, you can use document fraud and there won't be a penalty to any of these things. Essentially, nonviolent, peaceful crimes are not going to be a problem. But if you get engaged in some of the serious things like maybe drug smuggling or the crimes of violence that we all know about or the threat of violence even, then it makes the administration uncomfortable, and they might decide to send you back and put you in the condition that you were in before you broke the law.

But peaceful people have been granted amnesty by the President of the United States. And this Congress has sat here almost placidly and accepted it as if he has that constitutional authority, and he does not. That's why the lawsuit of Crane v. Napolitano was filed, and it's a clear understanding from my standpoint. But the confusion seems to be that too many Members that take an oath of office to preserve, protect, and defend this Constitution, as well, don't have a clear enough understanding of the brighter line between article I and article II.

Our job is to legislate, write the laws. The President's job is to enforce them. It's that simple. Yet there was an interpretation that came out to us on the morning of November 7. Wednesday morning, November 7, Mr. Speaker—and a lot of people will understand and remember what that date was. That was the day after the election.

I was engaged in this election as much as I've been engaged in any election. And as a Member of Congress from Iowa, I was also engaged in the Presidential nomination and election process. I was engaged in the debate. And I've done events that have to do with Presidential candidates on a relatively regular basis. I think I understood what the debate was about for the election for President of the United States.

As I listened to that, it was about jobs and the economy. If you would put jobs and the economy in quotes and then put Barack Obama's name in the search engine of Google, or if you would put jobs and the economy in quotes and then put Romney or Mitt there in the search engine of Google and send that off, you're going to get hundreds of thousands of hits altogether because that was the topic of the election last November 6, jobs and the economy. I told the Romney people I've heard ''jobs and the economy'' so many times it puts me to sleep. Don't you think you're putting the American people to sleep by beating the same drum over and over again?

But remembering the mantra jobs and the economy until we were just drubbed into numbness with it also reminds us that the election was not, Mr. Speaker, about the immigration issue. I don't remember a debate between Barack Obama and Mitt Romney that went into any depth or substance on the immigration issue. Yet before the sun came up on November 7, some of the leading pundits and experts concluded that Mitt Romney would be President-elect by now before the sun came up on November 7 if he just hadn't said the two words ''self-deport,'' or if he had not been such a defender of the rule of law on immigration.

That was a surprise to me. I wish he'd have talked about it more. Well, he didn't. The election wasn't about immigration, but talking heads and, let me say, erroneously pragmatic individuals in my party who decided that they would contribute to this argument that came from both parties. And they drove the argument to the point where some people were convinced the election really was about immigration when it was not. And they argued that Mitt Romney would be President-elect if he had just gotten a larger percentage of the Hispanic vote.

He would not, Mr. Speaker. If he had won the majority of the Hispanic vote in the swing States, he still would not have won the Presidency. If he had won 70 percent, he might have; but that didn't happen. And no one really thinks that's going to happen in the near future. So they came to a conclusion and thought they could support it with facts. They've learned now that they can't support their conclusion with facts, but they're determined to go forward with granting amnesty to initially—they think—11 million people that are here in this country unlawfully while providing the emptiest and most vacuous of promises that one day they're going to get around to putting a plan together, and if the plan happens to be implemented they might secure the border.

□ 1600

That's what's going on. And I don't know how in the world they can say this to the American people with a straight face and believe that there's going to be border security in exchange for law enforcement. It's not going to happen, Mr. Speaker. It didn't happen in 1986, one of only two times that Ronald Reagan let me down.

But in 1986, the promise was this:

We had about a million people in the country illegally. Actually, it started at 700,000 to 800,000. That sounds like a minuscule number today. So roughly a million people, and debate raged in the House and the Senate. I believed all along that good sense would prevail. I believed that people who gave their oath to uphold the Constitution in the House and in the Senate would understand that they were undermining the rule of law if they granted amnesty to people who came into America illegally. I believed all along that they would understand that if they grant amnesty, they would get more lawbreakers, more illegal border crossers, a less manageable situation than the one that they had in 1986.

But the argument for clemency, for amnesty prevailed in the House and the Senate. But I believe that Ronald Reagan would understand the principles of rule of law clearly enough and the long-term implications of such an act of amnesty in 1986 clearly enough that he would take the authority that was vested in him and the United States Congress to veto that legislation and require the Congress to pass amnesty by a two-thirds majority in the House and Senate and overturn his veto. I don't believe they could have done that in 1986.

I believed Ronald Reagan would veto the Amnesty Act in 1986. Instead, to my great disappointment, he signed it. The calculation at the time was, if we just grant amnesty to these million people, we're going to get full cooperation to enforce the border and never again will there be another Amnesty Act—never again. This was the Amnesty Act to end all Amnesty Acts. It was going to be law enforcement from that point forward. The border was going to be secured. There would be a clear prohibition on hiring illegal employees. They were going to shut off the jobs magnet, and they created the I–9 form, the I–9 form which requires an employer to fill out the form, make sure that you have the documentation, the identification, and make sure that you have all of the ''I's'' dotted and the ''T's'' crossed on the I–9 form because a Federal agent is going to come inspect your paperwork. An INS agent would come and inspect your paperwork.

I did all of those things as carefully as I could. I had a fear that I would slip up and not meet the standard, Mr. Speaker. And so we very carefully documented our job applicants in my construction company to make sure that we were in compliance with the law, all the while expecting that that INS agent was just around the corner taking a look at the paperwork of our

competition or our neighboring business. Of course, they never showed up to check my paperwork. I'm not disappointed by that. I'm disappointed that they didn't show up to check the paperwork of thousands of employers with millions of employees.

The enforcement didn't really happen. It didn't happen in shutting off the jobs magnet. The litigation began. The ACLU began litigating, as did other organizations. They began to argue, You're requiring an employer to make a judgment call when he looks at the documents and the picture and the face of the person that's applying. And you cannot require an employer to make a judgment call because it makes them liable for the lawsuit that we're going to sue them with.

So the litigation of immigration turned it into a mess, intentionally, I believe, so that they could provide for open borders, which was the intention of the Teddy Kennedys and others at the time. They undermined the enforcement effort politically. And they undermined it in the courts, and they undermined it culturally, and they began to convert the people who came here illegally into a victims' group.

If you understand the politics of victimology, you understand that there is a certain amount of sainthood that gets attached to these victims, for people that are in victims' groups. That conversion has been taking place since probably before 1986, but I remember it from that point forward.

What Ronald Reagan learned and what today his Attorney General at the time, Attorney General Ed Meese knows and has three times written about, and what another member of the Reagan administration, Gary Bauer, knows and has spoken openly of is that if you grant amnesty, if you suspend the rule of law and you tell people, We're not going to enforce the law against you, continue to break it, you'll get more law breakers.

More law breakers means more lawlessness, and more lawlessness erodes the rule of law. And when they bring a bill to the Senate that legalizes, aside from the felons, the three mysterious misdemeanor committers, aside from that, it legalizes everybody here in the United States that's here illegally. Not only that, they send an invitation by the bill out to anybody that has been deported in the past that says: Reapply. Come back into the United States. We really didn't mean it.

They say if you came here after December 31, 2011, you're not going to be exempted by this Amnesty Act that is coming through the Senate, so presumably they are going to enforce the law against those who came here after December 31, 2011.

Mr. Speaker, they're not going to do that. If they were going to do that, you would see a news story about somebody who was put back and the condition they were in before they broke the law that came here after December 31, 2011. No, ICE is prohibited from enforcing the law against people who fit these definitions, and I asked that specific question of the president of the ICE union before the Judiciary Committee under oath. And he said, If they're in jail, I can't put them in removal proceedings.

Even if they're in jail, he can't go into jail and say, Listen, I'm required to put you in removal proceedings. I'm going to take you back to the port of entry. He can't do that.

Who's in handcuffs now? ICE, the Border Patrol, in handcuffs today. They can't enforce the law the way it's written in even the 1986 Amnesty Act, let alone the 1996 Immigration Reform Act of which LAMAR SMITH of Texas had such a huge role in. Good legislation; glad they did it. 1986 was flawed; it should have never been passed.

But if ICE can't enforce the law today, even if someone is in jail, and they are essentially handcuffed from doing their job, and there is a legalization of the people that came into the United States before December 31, 2011, and an invitation to those who have since been removed to come back again, and no prospect that they're going to enforce the law against those who come in after December 31, 2011, that makes it, Mr. Speaker, the always is, always was, and always will be Amnesty Act.

I use a little bit of, let me say, license here to speak of it this way: always is, always was, and always will be. If you is in America, you gets to stay. If you was in America, you gets to come back. And if you will be in America, you also get to stay.

This is the perpetual and retroactive Amnesty Act. It's perpetual; it goes on forever. You could never enforce immigration law again. You could never say to people, Well, you came here after our deadline; now we're going to enforce the law.

Not after you flow 11 million or 22 million or 33 million people into this country, or a number that results from this that may perhaps be over 50 million people over time. Numbers USA's number is 33 million people that get legalized as an effect of the legislation in the Senate.

Robert Rector's study at the Heritage Foundation—and both of them, by the way, did stellar work yesterday. His study only contemplates 11.5 million, which is the lowest number, the reduced number, the boiled-down number of those we know are here that essentially reflects off the United States census. That's the people that admit they're here when you ask them, Are you here illegally? A number approaching 11 million said, Yes, I am. I confess.

We know that in the '86 Amnesty Act that was roughly a million people anticipated. It became over 3 million people. So use the three-to-one multiplier. That does reflect pretty close. It's not the formula used by Numbers USA. That formula is a careful formula that calculates family unification and the record we have of human activity on how they react to the legislative changes that take place.

But if the formula was 1 million in '86, it became 3 million because of document fraud and other reasons. Those who gamed the system, those who came in before the Amnesty Act was signed, or even after the Amnesty Act was signed, to take part in that and lied about when they came here, the 1 million became 3 million. It doesn't stretch my imagination to see the 11 million become 33 million. That seems to me to match up in two different types of formulas.

□ 1610

So do we really want to legalize 33 million people, or even 11 million people?

Do we want to give them access to all of the government benefits that we have?

Do we want to let them have access immediately to, I'd say, at least to and their children to the systems that we have, the health care system, the education system we have, the public security systems we have?

Do we want to put them in a place where their tax return makes them eligible for the Earned Income Tax Credit, so that all of their children that may not live in the United States even at the time, they get a check from the Federal Treasury for that?

Do we want to see this pour out to where the number that came from Robert Rector's study is that, on average, the people that would be included in this amnesty act in the Senate, over the course of the time they would live in the United States, the average comes in at 34 years old, and a 34-year old, by the time they reach that age, will live to the age of about 84. That's 50 years in the United States. That's a net cost to the taxpayer of $580,000 per person.

Do we want to really write a check or borrow the money from the Chinese to fund that?

Do we need that many more people in the United States doing the work they say Americans won't do, for a price of $580,000 per person?

Do we want to rent cheap labor for the price of $12,000 a year? That's what the math works out to. I think it's $11,600 a year.

Do we really want to—do the taxpayers care that much about having somebody to cut the grass and somebody to weed the garden and somebody to do all this work that they claim Americans won't do?

By the way, I don't think anybody in this Congress can find work that I haven't been willing to do, and I think

my sons would certainly reinforce that statement. They remind me that they've been out in 126-degree heat index and poured concrete on these days, and they've been driving sheet piling across the swamp at 60 below wind chill. They tell me that's a 186 degrees temperature change, and no species on the planet could survive what they went through growing up in our family. And I say, well, no species other than my sons. And I remind them that, and me too, guys.

We did work like that in the heat, in the cold, in the rain and the snow. We did work underground. We do the sanitary sewer work. We do earth work. We do all kinds of things. We do demolition. All of the work that they say Americans won't do, we've done a whole lot of that and will do more.

No one's too proud to do work in this country. We're just sometimes not willing to do work for the price that's offered. And we know that free enterprise capitalism takes us to this. The value of anything, including labor, is determined by the supply and demand in the marketplace.

Corn prices go up and down, depending on how much there is, how much corn there is, the supply, and how many customers there are to buy it, the demand. That's true for gold and oil and platinum and soybeans and labor.

And because we have an oversupply of unskilled labor, and underskilled labor is why we have such low wages and benefits at low- and unskilled labor. The highest unemployment's in the lowest of skills.

And yet people in this Congress think you have to expand the low-skilled labor numbers, bring people in, low- and unskilled, Senate version of the bill, seven unskilled people and undereducated people, for every one that's going to be able to pay their going rate on what it costs to sustain them in society.

For every person that would come in under the Senate bill, that would pay as much or more in taxes as they draw down in government benefits, there are seven who will not be able to do that.

The universe of those in the 11 million people cannot sustain themselves in this society that we have, not in a single year of their projected existence in this culture, in this society, in this economy. So why would we do that?

Why, if we need more people to pull on the oars, would we allow 100 million Americans, that are of working age and simply not in the work force, to sit up there in steerage, while we bring people on board to pull the oars and wait on the people sitting in steerage?

That defies any kind of rational logic, Mr. Speaker.

So to destroy the rule of law, to, I'll say, subsidize a non-work ethic, and now it turns into three generations of Americans that are drawing down some of the 80 different means-tested welfare programs, it is foolish for us to consider such a proposal. And I'm hopeful that the good sense of the American people can do something about the spell that has been cast over too many Republicans in the House and the Senate.

And so, Mr. Speaker, I urge the American people to save this Congress from themselves and restore the rule of law.

I yield back the balance of my time.

CLIMATE CHANGE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from California (Mr. WAXMAN) for 30 minutes.

Mr. WAXMAN. Mr. Speaker, today the Speaker of the House, not the presiding officer at the moment, but the Speaker of the House, JOHN BOEHNER, made some irresponsible remarks about climate change. He was asked about the reports that the President is prepared to act to protect the planet and future generations from climate change impacts.

And here's what the Speaker had to say:

> I think this is absolutely crazy. Why would you want to increase the cost of energy and kill more American jobs at a time when the American people are still asking, where are the jobs? Clear enough.

Well, I could not disagree more strongly with Speaker BOEHNER. Presidential action to protect the climate and future generations is absolutely essential. The House is controlled by leaders who deny the science and are recklessly ignoring the risks of a rapidly changing climate.

The House has become the last refuge of the Flat Earth Society. That is why the President must act, using his existing authorities under the law.

The Speaker's assertion that acting to reduce emissions will hurt the economy is absolutely wrong. We need to act to lead the world in the clean energy economy of the future. If we don't act, initiative, leadership, and economic growth will go to countries that do.

Now, I've been in Congress for over three decades. I worked on the Clean Air Act reauthorization of 1990. I remember the testimony we received in the 1980s about how, if we tried to do more in the environmental area, we would lose our jobs and our economy would be set back. We would face another depression.

Well, on a bipartisan basis, we adopted the Clean Air Act. We had the bill sponsored and signed by President George H.W. Bush, and that legislation led to accomplishments of reducing air pollution in some of our heavily polluted urban areas, including my own home of Los Angeles.

We were able to stop the ravages of acid rain, which were causing destruction of our forests and rivers and ponds in the Northeast and in Canada. We were able to do something about toxic pollution, which was causing birth defects and cancer in large numbers of people who lived near industrial facilities. And we were able to get legislation passed and moved forward to stop the destruction of the upper ozone of our planet.

We accomplished these goals because we didn't pay attention to the naysayers who told us our economy would be ruined, we would lose jobs, we should forget about a healthy environment, we should forget about pristine air in our national parks.

Luckily, we had leadership, from Republicans and Democrats, to do something, and we can now talk about the great accomplishments that we achieved. And at the same time, we created more jobs. We created more industries. We created new technological developments.

But let me talk about why the President needs to act on this question of climate change. On Monday, the International Energy Agency, IEA, released a report concluding that the world is not on track to meet the goal of limiting global average temperatures below 3.6 degrees Fahrenheit, or 2 degrees Celsius.

Now, that is a tremendous concern because the scientists are telling us that if we don't achieve the goal of reducing the temperature rise, we are going to see some very severe impacts: flooding of our coastal cities, increased risk to our food supply, unprecedented heat waves, exacerbated water scarcity in many regions, increased frequency of high-intensity tropical cyclones, irreversible loss of biodiversity, including coral reefs.

□ 1620

Recognizing this danger, our country and other countries around the world joined together in 2010 and said that we've got to do what we can to keep the temperature rise below 3.6 degrees Fahrenheit. The IEA concluded that the world is failing to meet this goal. Greenhouse gas emissions are driving climate change, and it's happening with increasing rapidity. So can we just deny this is happening? Can we say, oh, it will cost jobs and we shouldn't pay any attention to it?

On our committee, the Energy and Commerce Committee, which has jurisdiction over this whole question, the Democratic leaders on the committee have asked that we have hearings to bring in the scientists because some of our Republican members have said they don't believe in the science. We sent over 26 letters asking that the scientists be brought before the committee to tell us why they think these terrible things may happen, and we

have never gotten a response from a single letter of request for hearings.

Can you imagine the people running the Congress denying the scientists and then refusing to hear from the scientists or claiming the science is uncertain and not resolved and then refusing to hear from scientists who can come in and talk about what they have learned?

Now, if we're facing a world where all the accumulated greenhouse gases stay in that atmosphere and to the point where our planet is heating up and we're facing terrible consequences, you don't have to buy everything they say, but what are the chances that they're right? Ten percent? Would we take the risk that we're going to face a 10 percent chance of all these catastrophic consequences and do nothing about it? Well, that seems to be what the Republican leaders are saying, including the primary leader of the House, the Speaker.

Now, let's look at some other more recent examples. When the President announced historic fuel economy standards, critics said cars would get smaller and more expensive, and it would hurt the sales of our automobiles. Well, they were completely wrong. Vehicle sales are booming. They are at high levels now. Consumers are saving money because cars are more fuel efficient. This is an accomplishment—an accomplishment—despite all the naysayers. When the Obama administration issued mercury standards for power plants and other sources, House Republicans said it would cost jobs and raise electricity prices.

Well, that hasn't happened. Implementation has gone smoothly, and electricity prices have not gone up. In fact, wholesale prices actually went down, and there have been no rolling blackouts as predicted by the doomsday scenarios.

In 2011, the EPA issued a report on the benefits of the Clean Air Act over the period from 1990 to 2020. According to the study, the direct benefits of the Clean Air Act in the form of cleaner air and a healthier population, more productive Americans, are estimated to reach nearly $2 trillion in the year 2020. We're talking about saving money by protecting our environment.

So when the Speaker says that we shouldn't pay attention and that it's crazy to pay attention to the concerns about climate change, he's absolutely wrong. When he says action to reduce carbon emissions would harm the economy, just the opposite will happen. We will create new clean energy businesses and more economic growth.

The President has said that if Congress won't act, he must act; and he is absolutely right. The President must act, and he has the authority to act under existing laws. Congress will not act because the leadership of the House of Representatives denies reality. They want to politicize science. They want to politicize science by ignoring it. Well, science is not another political opinion. Science is looking at the evidence. Turn on the television news any day of the week, and you will hear stories about droughts, superstorms, new hurricanes, new climate events, and new record levels of temperatures. Don't we think that something might be happening and that we have some responsibility in government to try to do something about this issue?

Addressing climate change will require actions over the long term, but the IEA report highlights four policies that can be implemented now and through 2020 at no economic cost, policies that will help reduce local air pollution and increase energy security.

First, that report recommended that countries adopt specific energy-efficiency measures. We don't have to build new power plants if we use our energy resources more efficiently. We can have more efficient heating and cooling systems in residential and commercial buildings, more efficient appliances and lighting in residential and commercial buildings. Energy-efficiency measures can account for half of the emissions reductions that the report proposes through the year 2020.

Secondly, the report said that if countries limit the construction and use of inefficient subcritical coal-fired power plants and switch instead to cleaner and more efficient plants, we will see the air get cleaner and the threat from climate change be dramatically reduced.

Thirdly, the report recommended that countries reduce emissions of methane, a potent greenhouse gas from upstream oil and gas production, by installing readily available technologies in the short term and pursuing additional long-term reduction strategies.

And, fourth, the report proposed that countries accelerate the phase-out of fossil fuel subsidies which exacerbate climate change by encouraging consumption of carbon pollution emitting energy. Why are we subsidizing the oil companies with special tax breaks? Is a tax break for an oil company any different from appropriations of dollars for the oil companies? They're doing very well on their own.

What we need to do is to provide a level playing field for competition for renewable fuels, alternatives and efficiency. These are the things that we ought to be focusing on rather than keeping oil and coal the predominant sources of our energy for electricity and fueling our motor vehicles.

Things are changing. They're changing because investors don't want to buy into stranded investments because they know climate change is happening. The American people are getting a clear sense that something is happening in the climate, but they don't hear Congress even talking about it. And around the world, others are moving forward. Why should we allow others, whether it's the Chinese or the Europeans, to develop the technologies? We have always been the leader in developing technologies for the future. We developed the catalytic converter to control pollution from automobiles. We invented the scrubbers that could be used on power plants to reduce the emissions that come from these power plants. We have made all these advances over the years because we've given a clear incentive for anti-pollution control devices because we wanted to reduce pollution, and now we have a Congress where they want to deny at the highest levels of leadership in this Congress that climate change exists and the President shouldn't take any action.

Imagine the top leader of the House of Representatives saying:

> I think it's absolutely crazy. Why would you want to increase the cost of energy and kill more American jobs at a time when the American people are still asking, where are the jobs?

□ 1630

Well, the jobs can come along with efforts to reduce pollution. We have always seen the economy and our protection of the environment go hand in hand. We shouldn't say that we have to choose. We can have both. We have a long history in this country of bipartisan support for the proposition and the reality that we can preserve the environment and protect our economy and prosper, if we are willing to adopt policies and show some leadership.

Mr. Speaker, I remember when the compliance costs were being thought of, when we were trying to deal with the acid rain problem. Industry after industry on the record—and it's all available to review—claimed the costs would be enormous. Then when we passed the law, the actual costs were a small fraction of what was being predicted. When they were told that they had to accomplish the goal under a cap-and-trade program to reduce sulfur emissions that were causing acid rain, we accomplished the goal at a fraction of the original estimates—which I think were highly inflated for scare purposes—but we accomplished the goal because we said this is the goal, accomplish that goal. You can benefit from new technologies and new ways to accomplish our environmental objectives. And that's exactly what we did, we moved out with the acid rain pollution problem.

So my colleagues and Mr. Speaker, let's not have leaders who say we have to say that we're going to ignore the threat from climate change in order to protect jobs. We can protect and promote jobs and protect our environment at the same time.

And Mr. President, you were so right when you said if the Congress will not

act, you must act, you must lead. We are looking to the President to show that leadership because we're not going to get it from this House of Representatives.

Mr. Speaker, I yield back the balance of my time.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE DISPOSITION OF RUSSIAN HIGHLY ENRICHED URANIUM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113–38)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the emergency declared in Executive Order 13617 of June 25, 2012, with respect to the disposition of Russian highly enriched uranium is to continue in effect beyond June 25, 2013.

The risk of nuclear proliferation created by the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13617 with respect to the disposition of Russian highly enriched uranium.

BARACK OBAMA.

THE WHITE HOUSE, *June 20, 2013.*

WEEK IN REVIEW

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Texas (Mr. GOHMERT) for 30 minutes.

Mr. GOHMERT. Mr. Speaker, today we did vote on the farm bill, as it's been referred to, the Federal Agriculture Reform and Risk Management Act. But as some of us have pointed out—and I attempted to establish through an amendment—this was not a farm bill. Eighty percent was about food stamps.

It was a very brilliant move by Members of Congress back when the Democrats controlled the majority—the seventies, the eighties—in fact, after Vietnam, the post-Watergate era, the most liberal Congress until Speaker PELOSI took the gavel. They did a brilliant thing. They were able to take so much in the form of welfare, public assistance of all kinds, and put it into so many different budgets under the jurisdiction of different committees so that if at any one time someone went after one area that was multiplicitous, it was simply a duplication of other agencies' funds, then they could be marginalized and demeaned and have it said, you don't care about women or veterans or children or the poor, or whatever. It's worked well, in fact, to the point that we now obviously have about $17 trillion in debt more than we've had revenue coming in. Basically, we would be, perhaps, Greece or Cyprus, other countries that are basically on the verge of bankruptcy except that we produce our own money. And the dollar is the international currency, so it's allowed all this reckless overspending.

So I think it's time—and I know there are many others that agree—that we reform Congress to the point where all public assistance comes in one single committee, one area where all public assistance can be located. It will be easy to see all the duplications, all the waste, so much easier to see areas where fraud is running rampant when you put all of those public assistance measures in the same bill.

I actually proposed an amendment that would strike title IV—which was the food stamp program, although it's been cleverly renamed the Supplemental Nutrition Assistance Program, SNAP—has a real snap to it. But the goal was not to do away with that program. In fact, my friend across the aisle, Mr. MCGOVERN, asked me: Are you wanting to do away entirely with the food stamp or the Supplemental Nutrition Assistance Program? And I replied before the Rules Committee, on the record, before a television camera, into a microphone, no, I didn't want to do away with that program. But I did feel it needed to have its own time, its own discussion, and not be 80 percent of a farm bill.

But what is really heartbreaking is not that children are not going to have food in America—because whether we bring a farm bill back that separates out the food stamp program so we can deal with that separately—not do away with it, but deal with it separately—or whether it comes back and we're into the rut of continuing to extend and extend, children will not be allowed to go hungry.

But I think back about the Presidential campaign last year and about how much the politics around here has degenerated, such that when a Republican like Mitt Romney—or JOHN MCCAIN, back in 2008—says I disagree with my friend, my opponent, but I know he's a good man and he has a good heart. He wants to do good things for the country, we just disagree with how to get there. And yet what we have coming back, as Mitt Romney saw, was Mitt Romney, after saying he's a good man, a good family man, but I think he's wrong on these issues, what came back from the drones—the human drones that were speaking on behalf of the President—was, gee, he wants to push people off a cliff; he wants people to die of cancer; he wants them to get cancer. He's obviously painted as a very evil man.

□ 1640

That came back to mind today during some of the discussions. I heard our friend from Maryland, minority whip here, talking about the farm bill, blaming Republicans for not being bipartisan when three-fourths of the Republicans had voted for the farm bill. Yet our friends across the aisle did make it a very partisan measure, and not only made it partisan in the rhetoric condemning Republicans for not reaching out, things were said in the subsequent discussions when my friend from Texas had been here on the House floor, but comments from friends across the aisle like children were crying out here for food and Republicans, in essence, not only voted down their help but wanted to slap them down.

I would never say that about a friend across the aisle. I think they're wrong in the way they want to spend so much more money than we have coming in. It's bankrupting the country. I would never think for a moment that one of my friends from across the aisle wanted to slap down children. I just wouldn't bring myself to say that because I know it's not true. I think they're very wrongheaded on so many issues. But comments like taking not only food, but their utensils or table and just leave them with the floor, how could we do such a thing?

Yet, when we look at the food stamp bill that had 20 percent farm in it that did not pass today, it certainly wasn't for a lack of work by the chairman of the Agriculture Committee, FRANK LUCAS. Chairman LUCAS and I don't always agree on things, but I know that man and he is a good man, and I did appreciate hearing Mr. HOYER commenting as much. FRANK LUCAS worked very, very hard on this bill and he actually got reforms in here.

There were actually amendments passed that some didn't like, but it was a bipartisan bill. There were some Democrats that voted for this bill. That makes it bipartisan. Not like ObamaCare that was rammed down the throats of Americans and the Republicans, without having input, without having any opportunity for amendment

really, just forced upon Republicans in the country.

In fact, there's never been a Congress that has been as closed to amendment, as closed to input from the other side, as we witnessed when the Democrats took the majority in January of 2007 until they lost the majority in November of 2010. Those years saw more closed rules, no amendments possible. It was unbelievable the way our friends across the aisle were so abusive with the process and preventing almost half of the country from having any voice in anything that went on.

When I hear our friends across the aisle talk about a lack of bipartisanship, it's a little difficult. What really is a bit heartbreaking is to hear people across the aisle speak so eloquently as I sat here listening today, hearing people speak with such incredibly persuasive words and expressions and with such venom and passion that, if I did not know the truth, I actually would be believing how horrible and evil and nasty and child hating Republicans really are.

However, I know people on this side of the aisle as well. There is not anybody that has been elected to Congress—there's no other way to get to the House. There is nobody that's been elected on either side of the aisle that wants to see a child suffer because of anything we do. It is very offensive to have people on one side of the aisle attribute those kinds of feelings that we wanted to hurt children. Really? It sounds so real and so true.

How can we ever have legitimate debate in this House of Representatives when anybody can stand and attribute such evil motivation on the side of the other and make it sound so real? Do we have any chance of saving this country when people can come to the floor and make such ridiculous allegations sound so persuasive and true? You can't have debate like that.

On the other hand, I have looked in the eyes of constituents of mine. As I go all over my district, down to a wonderful little community, it brought us recently for a town hall. I go all over the district. One of the things that really makes me proud is to be introduced as having been to some community more than any other Member of Congress. They thought, Oh, well, he is from Tyler. He wouldn't care about us here. I care about the whole district. I know all of the people that are elected, they do care about their district.

But when I look into the eyes of constituents who want to provide for their children, they want them to have the best that they can provide for them, and they talk about standing in line—I've heard this story so many times from people who are brokenhearted about it and sometimes get angry just thinking about what they've seen and what they've heard.

But standing in line at a grocery store behind people with a food stamp card, and they look in their basket—as one individual said, I love crab legs, you know, the big king crab legs. I love those. But we haven't been able to have them in our house since who knows when. But I'm standing behind a guy who has those in his basket and I'm looking longingly, like, When can I ever make enough again where our family can have something like that, and then sees the food stamp card pulled out and provided. He looks at the king crab legs and looks at his ground meat and realizes, because he does pay income tax, he doesn't get more back than he pays in, he is actually helping pay for the king crab legs when he can't pay for them for himself.

People across the aisle want to condemn anyone who is working and scraping and can't save any money and is trying to decide how in the world do we ever get ahead, can we ever get ahead. They're cutting back my hours at work. We're doing the best we can, and yet I stand in line and see multiple people paying with food stamp cards for things I cannot afford.

How can you begrudge somebody who feels that way? How can you begrudge anyone who steps up on behalf of constituents who feel that way? We don't want anyone to go hungry. And from the amount of obesity in this country by people we are told do not have enough to eat, it does seem like we could have a debate about this issue without allegations about wanting to slap down or starve children.

Because when I think of children, I think about those also who are growing up right now. They have no say in the amount of money we're spending in this Chamber right here, billions and billions and billions, with so much waste, fraud, and abuse.

□ 1650

Yet those very little children who have no voice in what we're doing are going to have to pay for our extravagance and our waste and our fraud and abuse. What kind of parent would want that? I don't know of anybody on either side of the aisle who would want that, but it is what we are producing.

I didn't vote for the farm bill—because it's not a farm bill. I believe we need to have a debate where we bring all the public assistance into one place so we see what's there and so we can cut out as much waste, fraud and abuse as possible, where we can make those cuts, because when we're spending the billions and billions and billions we are for food supplement, whatever you want to call it, and when there is story after story of people who are caught selling interest in their food stamp cards or what they buy with their food stamp cards, can we really not come and have a discussion about how we can quit putting a heavier and heavier burden on children who have no voice in this Congress?

Can we not have a debate and a discussion without demonizing people who say, Look, I care about the children who are growing up and who are going to be born and who shouldn't have to pay for the extravagance and the narcissism within this generation? Can't we have that discussion without demonizing one another? I would hope that we could get to that point.

One comment about Tea Party extremism killing the farm bill. When a small reform is made to the food stamp program and when this additional requirement is added that, for those who are able to work, they will need to work, is that evil and mean and just so totally in disregard of those who are ''getting'' from everyone else?

We heard this when Congress wasn't a blip on my radar. We heard this over and over as Newt Gingrich and the new Republican majority after 40 years or so came into this body as the majority, and they said, We are going to reform welfare—and they did. President Clinton didn't want it. He fought it tooth and nail. Just like the balanced budgets, he fought it, he fought it—and he used his veto more than once—but finally, it's signed into law. When it's clear to President Clinton that there are votes here in a bipartisan way to override his veto, he might as well sign it. Now, today, how wonderful it is when he extols the virtues of his two terms as President—the virtues of what the Republican majority did when they finally reined things in.

Now, I was told as a freshman and as a very staunch conservative, don't even bother to go to the Harvard orientation for new Members of Congress because it's just so liberal. They vilify those of us who think like we do in that we need to be more conservative in our spending, but I went anyway as I enjoy a good debate, and we had several. I was struck, even at the liberal Harvard Law School, where they've totally forgotten the reason for their founding and of what was required of students in those early days as they prepared them to live a life in total submission to their savior Jesus Christ. It's amazing when you go back and read the things that the students were taught and what they had to take an oath to believe, but they're at Harvard.

We had a dean come in with charts, who explained, ever since the Great Society legislation in the sixties—I know some think maybe it was born out of less than noble ideas, but I believe it was born out of the best of intentions. They saw people needing help, so let's give them money, let's give them help. Gee, there were deadbeat dads around the country, so let's give the single moms a check for every child they have out of wedlock. Back then, when there was between 6 and 7 percent single moms who were struggling to get by, over the years, we have paid for more and more children out of wedlock. As philosophers have said, if you

pay for some activity, you're going to get more of that activity. Now in this country we are getting what we've paid for.

We are past 40 percent single moms and are on our way to 50 percent, in large part, I think, because this Congress decided—well-intentioned—to try to help single moms instead of trying to help them reach their God-given potential. Maybe help them with daycare. Get back in high school. Finish high school. You can earn so much more if you finish high school than if you never do. Get a little college, and you'll make more. That's what the statistics tell us. If we care about the people, why wouldn't we want to push them?

These charts from this dean at Harvard showed that, since the Great Society legislation, a single mom's income when adjusted for inflation for about 30 years was a flat line. Single moms on average did not ever improve their situations.

Then along came what was portrayed as being these evil Republican Congressmen and Senators who said, We're going to reform welfare. We're going to require people to work who can. They pushed people out of being on the dole of the Federal Government, and they pushed them into starting to pursue their God-given potential and what they could do for themselves and to feel good about themselves because they're providing for themselves.

He pulled out a chart to show a single mother's income when adjusted for inflation and after welfare reform—when people were forced to work, they could—and wow. For the first time in about 30 years, a single mom's income went up when adjusted for inflation.

So who cared more—those who said, You Republicans are evil for trying to make people work who are getting child support from the government or are getting welfare? How evil you are. Are they in the more virtuous position? Or those who say, I know this will work. I know every human being has potential that God put there, and we want them to move toward that. We do not want to pay them to be a couch potato and to pay them to keep having children out of wedlock and to pay them for not pursuing what they're capable of pursuing for themselves and that wonderful feeling when you accomplish something for yourself? Who is more virtuous in that situation?

I can tell you, from the rhetoric, that my friends on the Democratic side were the virtuous ones and that the Republicans were the evil, mean-spirited, self-involved people because they wanted single moms to reach their potential and make more money—and it happened just like that. So then President Obama comes in, and what does he do? Right off the bat, he wants to eliminate the work requirement. I think he was motivated out of good intentions, but we're back to where we were.

We want for the people who have been getting food stamps, if they can work, to work. Let's push people toward reaching their potential. That's not evil. That's a good thing. People are also free to worship whoever, whatever or no one if they wish in America, but there are those who say, Well, gee, you're a Christian. The Christian thing is to give people money if they need it.

□ 1700

In Romans 13, it talks about the government is supposed to be an encourager of good conduct. An encourager, it would seem, to reach your potential, not to kill your potential. To encourage people to reach for the stars, not kill a NASA program and force people to teach to a test.

If we want to keep having a country that is worthy of so many places around the world trying any way they can to get into this country, then we must protect this country. That's what our oath involves: protect the country so it's not overwhelmed. Prevent this country from becoming one massive welfare state, but encourage the greatness in people.

We're not going to help that when we see a leader of a country like Syria, an Assad, who has killed so many people, who we would not want to support to stay in that position, but he's being challenged by people who we know are involved with al Qaeda and al Qaeda-type groups and who want to subjugate other Muslims and Christians or kill Coptic Christians, as we've seen in some places, kill others, Jews, Christians, with whom they disagree. Do we really want to help either one of those?

Back before they had to teach to the test, people learned a little bit about history, and they had to learn before World War I. You don't find enough people that can talk intelligently about World War I any more.

In fact, we see the polls that say there are more people that can name the Three Stooges than can name the three branches of government because the tests they've been teaching to have the same requirements for everyone. We were doing better when they were local requirements. The local people knew best. But back when people were learning history, they found out and we were tested on and taught that World War I came about because of what we were told were entangling alliances.

What do we see around Syria? Well, Iran is propping up Assad. Russia says we are going to send in the best anti-aircraft defense if you start a no-fly zone there. Yet this President, without the support of Congress, just like he did not have when he went into Libya—and we know how that's turned out. At least four people are dead that wouldn't be otherwise. But giving money to Syria, really? A billion dollars is what I was reading today. How about taking that billion dollars that's going to cause all kinds of death and that will probably in some way, some day end up causing the deaths of Americans and Israelis, allies of ours, Coptic children, Jewish friends, they're going to kill people that were never intended because it's not well enough thought out of this administration rushing into Syria.

Well, we didn't rush in. That's for sure. Perhaps if the President had decided early on to go in, then it wouldn't have been so massive an al Qaeda movement within the rebels. But we know they're there.

This is not the thing to do, to get involved in a country where the United States national interests will not be served if Assad stays in power, and they will not be served if the al Qaeda rebels take over. So why are we spending a billion dollars? Why are we sending help to either side in that scenario?

Let's help people at home. Let's use that money to secure our borders. Because when it comes to immigration, if we really want to care, it's time to secure the borders so legal people coming in do so legally and then we'll get an immigration bill passed in no time flat.

With that, Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GARY G. MILLER of California (at the request of Mr. CANTOR) for June 19 and the balance of the week on account of medical reasons.

Mr. HASTINGS of Florida (at the request of Ms. PELOSI) for June 19 and today until 1 p.m.

Mr. HONDA (at the request of Ms. PELOSI) for June 19 and 20 on account of official business in the district.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 23. An act to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes; to the committee on Natural Resources.

S. 112. An act to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, and for other purposes; to the committee on Natural Resources.

S. 130. An act to require the Secretary of the Interior to convey certain Federal land to the Powell Recreation District in the State of Wyoming; to the committee on Natural Resources.

S. 157. An act too provide for certain improvements to the Denali National Park and Preserve in the State of Alaska, and for other purposes; to the committee on Natural Resources.

S. 230. An act to authorize the Peace Corps Commemorative Foundation to establish a

commemorative work in the District of Columbia and its environs, and for other purposes; to the committee on Natural Resources; in addition to the committee on the Budget for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 276. An act to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir; to the committee on Energy and Commerce.

S. 304. An act to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, and for other purposes; to the committee on Natural Resources.

S. 352. An act to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild rivers, and for other purposes; to the committee on Natural Resources.

S. 393. An act to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System; to the committee on Natural Resources.

S. 459. An act to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes; to the committee on Natural Resources.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until Monday, June 24, 2013, at 11 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1927. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Larry D. James, United States Air Force, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1928. A letter from the Under Secretary, Department of Defense, transmitting the 2013 Major Automated Information System (MAIS) Annual Reports (MARs); to the Committee on Armed Services.

1929. A letter from the Assistant Secretary, Department of Defense, transmitting a copy of the Department of Defense (DoD) Chemical and Biological Defense Program (CBDP) Annual Report to Congress for 2013; to the Committee on Armed Services.

1930. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Pub. L. 107-243), the Authorization for the Use of Military Force Against Iraq Resolution of 1991 (Pub. L. 102-1), and in order to keep the Congress fully informed, a report prepared by the Department of State for the February 20, 2013 — April 20, 2013 reporting period including matters relating to post-liberation Iraq, pursuant to Public Law 107-243, section 4(a) (116 Stat. 1501); to the Committee on Foreign Affairs.

1931. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a memorandum of Justification for Action Under Section 5(a)(8) of the Iran Sanctions Act (ISA) as Amended; to the Committee on Foreign Affairs.

1932. A letter from the Deputy Secretary, Department of Defense, transmitting the Department of Defense Inspector General Semiannual Report, October 1, 2012 — March 31, 2013; to the Committee on Oversight and Government Reform.

1933. A letter from the Chairman, National Credit Union Administration, transmitting the Administration's semiannual report from the office of the Inspector General for the period October 1, 2012 through March 31, 2013; to the Committee on Oversight and Government Reform.

1934. A letter from the Director, Equal Employment Opportunity, National Endowment for the Humanities, transmitting the Endowment's annual report for FY 2012 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1935. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting 2008 ODCA Audit Report Titled ''Review of the District's Cash Advance Fund''; to the Committee on Oversight and Government Reform.

1936. A letter from the Acting Director, Office of Regulatory Affairs & Collaborative Action, Department of the Interior, transmitting the Department's final rule — Acquisition Regulations; Buy Indian Act; Procedures for Contracting (RIN: 1090-AB03) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1937. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Thea Foss Waterway previously known as City Waterway, Tacoma, WA [Docket No.: USCG-2012-0911] (RIN: 1625-AA09) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1938. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; USA Triathlon; Milwaukee Harbor, Milwaukee, WI [Docket No.: USCG-2013-0140] (RIN: 1625-AA00) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1939. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 2013 Fish Festival Fireworks, Lake Erie, Vermilion, OH [Docket No.: USCG-2013-0163] (RIN: 1625-AA00) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1940. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bay Village Independence Day Fireworks, Lake Erie, Bay Village, OH [Docket No.: USCG-2013-0313] (RIN: 1625-AA00) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1941. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations and Safety Zones; Recurring Marine Events and Fireworks Displays within the Fifth Coast Guard District [Docket No.: USCG-2012-0970] (RIN: 1625-AA00, AA08) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1942. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Waldo-Hancock Bridge Demolition, Penobscot River, between Prospect and Verona, ME [Docket Number: USCG-2012-0394] (RIN: 1625-AA11) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1943. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Sea World San Diego Fireworks 2013 Season; Mission Bay, San Diego, CA [Docket No.: USCG-2013-0274] (RIN: 1625-AA00) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1944. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Tennessee River, Mile 463.5 to 464.5; Chattanooga, TN [Docket No.: USCG-2013-0075] (RIN: 1625-AA00) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1945. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Annual Firework Displays within the Captain of the Port, Puget Sound Area of Responsibility [Docket Number: USCG-2012-1001] (RIN: 1625-AA00) received June 12, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1946. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 7(a) of the Jerusalem Embassy Act of 1995 (Pub. L. 104-45), a copy of Presidential Determination No. 2013-09 suspending the limitation on the obligation of the State Department Appropriations contained in sections 3(b) and 7(b) of that Act for six months as well as the periodic report provided for under Section 6 of the Act covering the period from December 5, 2012 to the present, pursuant to Public Law 104-45, section 6 (109 Stat. 400); jointly to the Committees on Foreign Affairs and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 1133. A bill to amend title 44, United States Code, to require information on contributors to Presidential library fundraising organizations, and for other purposes (Rept. 113–118). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

[The following action occurred on June 6, 2013]

By Mr. GOWDY (for himself, Mr. GOODLATTE, Mr. SMITH of Texas, Mr. FORBES, Mrs. BLACKBURN, Mr. BISHOP of Utah, Mr. COBLE, Mr. POE of Texas, Mr. WESTMORELAND, Mr. CHAFFETZ, Mr. SENSENBRENNER, Mrs. BACHMANN, Mr. COLLINS of Georgia, Mr. WOODALL, Mr. MULVANEY, Mr. FRANKS of Arizona, Mr. PEARCE, Mr. DESANTIS, Mr. CHABOT, Mr. LABRADOR, Mr. ISSA, Mr. HOLDING, and Mr. MARINO):

H.R. 2278. A bill to amend the Immigration and Nationality Act to improve immigration law enforcement within the interior of the United States, and for other purposes; referred to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, Agriculture, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

[Submitted June 20, 2013]

By Mr. BACHUS:

H.R. 2446. A bill to replace the Director of the Bureau of Consumer Financial Protection with a five person Commission; to the Committee on Financial Services.

By Mr. LIPINSKI (for himself, Mr. KINZINGER of Illinois, Mr. DINGELL, Mr. WOLF, Mr. MICHAUD, Mr. HULTGREN, and Mr. RYAN of Ohio):

H.R. 2447. A bill to direct the Committee on Technology under the National Science and Technology Council to develop a national manufacturing competitiveness strategic plan, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committees on Energy and Commerce, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANKFORD:

H.R. 2448. A bill to end unemployment payments to jobless millionaires; to the Committee on Ways and Means.

By Mr. ROYCE (for himself, Mr. ENGEL, Mr. CHABOT, Mr. FALEOMAVAEGA, Mr. POE of Texas, Mr. KINZINGER of Illinois, and Mr. COLLINS of Georgia):

H.R. 2449. A bill to authorize the President to extend the term of the Agreement for Cooperation between the Government of the United States of America and the Government of the Republic of Korea Concerning Civil Uses of Nuclear Energy for a period not to exceed March 19, 2016; to the Committee on Foreign Affairs.

By Mr. CARTWRIGHT (for himself, Mr. FATTAH, Mr. BRADY of Pennsylvania, Ms. SCHWARTZ, and Mr. MARINO):

H.R. 2450. A bill to amend title 5, United States Code, to limit the number of local wage areas allowable within a General Schedule pay locality; to the Committee on Oversight and Government Reform.

By Ms. VELÁZQUEZ (for herself, Mr. PAYNE, Ms. CHU, and Ms. CLARKE):

H.R. 2451. A bill to direct the Administrator of the Small Business Administration to establish and carry out a direct lending program for small business concerns, and for other purposes; to the Committee on Small Business.

By Ms. VELÁZQUEZ (for herself, Mr. PAYNE, Mr. BARBER, Ms. CHU, Ms. CLARKE, and Ms. MENG):

H.R. 2452. A bill to amend the Small Business Act with respect to the procurement program for women-owned small business concerns, and for other purposes; to the Committee on Small Business.

By Mr. ROTHFUS (for himself and Mr. SCHRADER):

H.R. 2453. A bill to preserve Medicare beneficiary choice by restoring and expanding the Medicare open enrollment and disenrollment opportunities repealed by section 3204(a) of the Patient Protection and Affordable Care Act; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LOFGREN (for herself, Mr. SENSENBRENNER, Mr. POLIS, Ms. CLARKE, and Mr. DOYLE):

H.R. 2454. A bill to amend title 18, United States Code, to provide for clarification as to the meaning of access without authorization, and for other purposes; to the Committee on the Judiciary.

By Mr. AMODEI:

H.R. 2455. A bill to provide for the sale or transfer of certain Federal lands in Nevada, and for other purposes; to the Committee on Natural Resources.

By Mr. BISHOP of Utah (for himself, Mr. DUNCAN of South Carolina, Mr. JONES, Mr. AMODEI, Mr. LANKFORD, Mr. STUTZMAN, Mr. WALDEN, Mr. WILSON of South Carolina, Mr. HUIZENGA of Michigan, Mr. NUNNELEE, Mr. CHABOT, Mr. POE of Texas, Mr. ISSA, Mr. SESSIONS, Mr. GOSAR, Mr. GARDNER, Mr. PITTENGER, Mr. LABRADOR, Mr. MCHENRY, Mr. KINZINGER of Illinois, Mr. RYAN of Wisconsin, and Mr. GINGREY of Georgia):

H.R. 2456. A bill to allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students; to the Committee on Education and the Workforce.

By Mr. BERA of California (for himself, Mrs. NAPOLITANO, Ms. LEE of California, Ms. NORTON, Mr. RANGEL, Ms. MOORE, Ms. SLAUGHTER, Ms. SPEIER, Ms. SCHAKOWSKY, Mr. CONNOLLY, Mr. PAYNE, Ms. BROWNLEY of California, Ms. TITUS, Mr. SWALWELL of California, Mrs. CAPPS, Mr. GRIJALVA, Mr. CONYERS, Mrs. CAROLYN B. MALONEY of New York, Ms. ROYBAL-ALLARD, Mr. ELLISON, Mr. LEVIN, Mr. CICILLINE, Ms. PINGREE of Maine, Ms. WILSON of Florida, Mr. LOWENTHAL, Mr. HONDA, Ms. HAHN, Ms. LINDA T. SÁNCHEZ of California, Mr. FARR, Mr. SHERMAN, Mr. COSTA, Mrs. NEGRETE MCLEOD, Mr. PERLMUTTER, Ms. LOFGREN, Mr. CÁRDENAS, and Mr. MCDERMOTT):

H.R. 2457. A bill to provide for a national public outreach and education campaign to raise public awareness of women's preventive health; to the Committee on Energy and Commerce.

By Mr. BROOKS of Alabama:

H.R. 2458. A bill to terminate any Federal employee who refuses to answer questions or gives false testimony in a congressional hearing; to the Committee on Oversight and Government Reform.

By Ms. DELAURO (for herself, Mr. SCHIFF, Mr. HIGGINS, Mr. GRIJALVA, Mr. MICHAUD, Mr. VARGAS, Ms. LEE of California, Ms. HAHN, Mrs. NAPOLITANO, Ms. LORETTA SANCHEZ of California, Ms. SLAUGHTER, Ms. KAPTUR, Ms. TITUS, Ms. BROWN of Florida, Mr. KEATING, Mr. SIRES, Ms. ESTY, Mr. PASCRELL, Mr. BRADY of Pennsylvania, Mr. ISRAEL, Mr. ELLISON, Mr. TONKO, Mr. BARBER, Mr. POCAN, Mr. WALZ, Mr. GRIMM, Ms. SCHAKOWSKY, Mr. BEN RAY LUJÁN of New Mexico, Ms. SINEMA, Mr. ANDREWS, Mr. MARKEY, Mr. VELA, Mr. HUFFMAN, Mr. CONYERS, Ms. CLARKE, Mr. PAYNE, Mr. MCGOVERN, Ms. SHEA-PORTER, Mr. TAKANO, Mr. DEFAZIO, Mrs. DAVIS of California, Mr. RUSH, Ms. ESHOO, Mr. WELCH, Ms. SEWELL of Alabama, Ms. BASS, Ms. PINGREE of Maine, Ms. JACKSON LEE, Ms. MCCOLLUM, Mr. NOLAN, Mr. CÁRDENAS, Ms. CHU, Ms. SCHWARTZ, Mr. BLUMENAUER, Mr. HASTINGS of Florida, Mr. LEWIS, Mr. RUIZ, Mr. SERRANO, Mr. COURTNEY, Mr. ENGEL, Mr. LARSON of Connecticut, Mr. MEEKS, Mr. PETERSON, Ms. BONAMICI, and Mr. VEASEY):

H.R. 2459. A bill to reinstate overnight delivery standards for market-dominant products, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. HAHN:

H.R. 2460. A bill to amend the Small Business Act to provide for the establishment of the Ports as Small Business Incubators Program to provide eligible small businesses with access to commercial real property, and for other purposes; to the Committee on Small Business.

By Ms. HAHN:

H.R. 2461. A bill to amend the Small Business Act to make permanent the Small Loan Advantage program, and for other purposes; to the Committee on Small Business.

By Ms. HAHN:

H.R. 2462. A bill to amend subsection (a) of section 7 of the Small Business Act to eliminate guarantee fees for loans guaranteed under that subsection where the total loan amount is not more than $150,000; to the Committee on Small Business.

By Mr. HUNTER (for himself, Mr. HANNA, Mr. WALZ, Mr. YOUNG of Alaska, Mr. THOMPSON of Mississippi, Mr. LATTA, Mr. THOMPSON of California, Mr. GOSAR, Mr. MCINTYRE, Mr. KINZINGER of Illinois, Mr. LAMALFA, Mr. BROUN of Georgia, Mr. JOHNSON of Ohio, Mr. HARRIS, Mr. PALAZZO, and Mr. WITTMAN):

H.R. 2463. A bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States; to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KELLY of Illinois:

H.R. 2464. A bill to amend the Consumer Product Safety Act to remove the exclusion of pistols, revolvers, and other firearms from the definition of ''consumer product'' in order to permit the issuance of safety standards for such articles by the Consumer Product Safety Commission; to the Committee on Energy and Commerce.

By Ms. KELLY of Illinois:

H.R. 2465. A bill to require the Surgeon General of the Public Health Service to submit to Congress an annual report on the effects of gun violence on public health; to the Committee on Energy and Commerce.

By Ms. LOFGREN:

H.R. 2466. A bill to amend title 18, United States Code to provide for strengthened protections against theft of trade secrets, and for other purposes; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. HOLT, and Mr. GRIJALVA):

H.R. 2467. A bill to provide that production of all locatable minerals from mining claims located under the general mining laws, or mineral concentrates or products derived from locatable minerals from such mining claims, shall be subject to a royalty of 12.5 percent of the gross income from mining, and for other purposes; to the Committee on Natural Resources.

By Ms. MATSUI (for herself and Mr. JOYCE):

H.R. 2468. A bill to ensure the safety of all users of the transportation system, including pedestrians, bicyclists, transit users, children, older individuals, and individuals with disabilities, as they travel on and across federally funded streets and highways; to the

Committee on Transportation and Infrastructure.

By Ms. NORTON:

H.R. 2469. A bill to direct the Mayor of the District of Columbia to establish a District of Columbia National Guard Educational Assistance Program to encourage the enlistment and retention of persons in the District of Columbia National Guard by providing financial assistance to enable members of the National Guard of the District of Columbia to attend undergraduate, vocational, or technical courses; to the Committee on Oversight and Government Reform.

By Mr. PETRI (for himself and Ms. TSONGAS):

H.R. 2470. A bill to establish the National Commission on Effective Marginal Tax Rates for Low-Income Families; to the Committee on Ways and Means, and in addition to the Committees on Agriculture, Veterans' Affairs, Financial Services, Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself and Mr. HALL):

H.R. 2471. A bill to amend the Department of Energy Organization Act to transfer regulatory authority over exports of natural gas from the Secretary of Energy to the Federal Energy Regulatory Commission, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of Georgia (for himself, Mr. BENTIVOLIO, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. FRANKS of Arizona, Mr. KINGSTON, Mr. PITTS, Mr. WESTMORELAND, and Mr. WILSON of South Carolina):

H.R. 2472. A bill to amend the National Labor Relations Act and the Railway Labor Act to prohibit the preemption of State stalking laws; to the Committee on Education and the Workforce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of Georgia (for himself, Mr. BENTIVOLIO, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. FRANKS of Arizona, Mr. KINGSTON, Mr. PITTS, Mr. WESTMORELAND, and Mr. WILSON of South Carolina):

H.R. 2473. A bill to amend the National Labor Relations Act and the Railway Labor Act to prohibit the preemption of State identity theft laws; to the Committee on Education and the Workforce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RICHMOND (for himself, Ms. BROWN of Florida, Ms. JACKSON LEE, Mr. PAYNE, Mr. CÁRDENAS, Mr. RUSH, Mr. CARSON of Indiana, Mr. ENYART, Mr. THOMPSON of Mississippi, Ms. CHU, Mr. CLAY, Mr. LEWIS, and Ms. CLARKE):

H.R. 2474. A bill to transfer funds to the Community Development Financial Institutions Fund to increase the availability of credit for small businesses, to improve the microenterprise technical assistance and capacity building grant program, to establish an Office of Youth Entrepreneurship in the Small Business Administration, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Small Business, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHIFF (for himself, Mr. ROKITA, Mr. ENYART, Mr. HOLT, Ms. SPEIER, Mr. O'ROURKE, Mr. WAXMAN, and Mr. JOHNSON of Georgia):

H.R. 2475. A bill to require the Attorney General to disclose each decision, order, or opinion of a Foreign Intelligence Surveillance Court that includes significant legal interpretation of section 501 or 702 of the Foreign Intelligence Surveillance Act of 1978 unless such disclosure is not in the national security interest of the United States and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES:

H. Con. Res. 40. Concurrent resolution expressing the sense of Congress that the President is prohibited under the Constitution from initiating war against Syria without express congressional authorization and the appropriation of funds for the express purpose of waging such a war; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUNTER (for himself, Ms. BORDALLO, Mr. RUPPERSBERGER, Mr. KING of New York, Mr. RANGEL, Mr. GRIMM, Mr. MCINTYRE, Mr. PIERLUISI, Ms. LORETTA SANCHEZ of California, Mr. WOLF, and Mr. PETERSON):

H. Res. 272. A resolution honoring the Drug Enforcement Administration on the occasion of its 40th anniversary; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BACHUS:

H.R. 2446.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3. To regulate Commerce with foreign Nations, among the several States, and with the Indian Tribes.

By Mr. LIPINSKI:

H.R. 2447.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to regulate foreign and interstate commerce, as enumerated in Article 1, Section 8, Clause 3 of the United States Constitution.

By Mr. LANKFORD:

H.R. 2448.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. ROYCE:

H.R. 2449.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. CARTWRIGHT:

H.R. 2450.

Congress has the power to enact this legislation pursuant to the following:

Article I; Section 8 of the Constitution states ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;''

By Ms. VELÁZQUEZ:

H.R. 2451.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to. . .provide for the. . .general Welfare of the United States: . . .

Article I, Section 8, Clause 3

The Congress shall have Power. . .To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. VELÁZQUEZ:

H.R. 2452.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to. . .provide for the. . .general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have Power. . .To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. ROTHFUS:

H.R. 2453.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. LOFGREN:

H.R. 2454.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. AMODEI:

H.R. 2455.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution, specifically clause 1 (relating to providing for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. BISHOP of Utah:

H.R. 2456.

Congress has the power to enact this legislation pursuant to the following:

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited

by it to the States, are reserved to the States respectively, or to the people.

By Mr. BERA of California:

H.R. 2457.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. BROOKS of Alabama:

H.R. 2458.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8. To make all laws which shall be necessary and proper . . .

By Ms. DELAURO:

H.R. 2459.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. HAHN:

H.R. 2460.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 3 and 18 of the United States Constitution.

By Ms. HAHN:

H.R. 2461.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 3 and 18 of the United States Constitution.

By Ms. HAHN:

H.R. 2462.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clauses 3 and 18 of the United States Constitution.

By Mr. HUNTER:

H.R. 2463.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2, which states, ''the Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.''

By Ms. KELLY of Illinois:

H.R. 2464.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the U.S. Constitution.

By Ms. KELLY of Illinois:

H.R. 2465.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the Constitution.

By Ms. LOFGREN:

H.R. 2466.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MARKEY:

H.R. 2467.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. MATSUI:

H.R. 2468.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Ms. NORTON.

H.R. 2469.

Congress has the power to enact this legislation pursuant to the following:

Clauses 12, 13, 14, 16, 17, and 18 of section 8 of article I of the Constitution.

By Mr. PETRI:

H.R. 2470.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I, which grants Congress the power ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the government of the United States or in any Department or Officer thereof.''

By Mr. POE of Texas:

H.R. 2471.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. PRICE of Georgia:

H.R. 2472.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution: ''To regulate Commerce with foreign Nations, and among the several States and with the Indian Tribes.''

By Mr. PRICE of Georgia:

H.R. 2473.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution: ''To regulate Commerce with Foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. RICHMOND:

H.R. 2474.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority for this bill stems from Article 1, Section 8, Clause 3 of the United States Constitution.

By Mr. SCHIFF:

H.R. 2475.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clauses 1, 3, and 18 of the Constitution of the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. WILSON of South Carolina.

H.R. 25: Mr. YODER.

H.R. 36: Mr. PAULSEN.

H.R. 129: Mr. SCHRADER.

H.R. 272: Mr. HUNTER, Mr. CAMPBELL, and Mr. ROYCE.

H.R. 303: Mr. CRENSHAW.

H.R. 312: Mr. CÁRDENAS.

H.R. 366: Mr. MICHAUD.

H.R. 460: Mr. HUFFMAN and Mr. WITTMAN.

H.R. 485: Mr. HIGGINS.

H.R. 506: Mrs. LOWEY, Mr. HOLT, Mr. CARSON of Indiana, Mr. GEORGE MILLER of California, and Mr. RANGEL.

H.R. 532: Mr. BUTTERFIELD, Ms. TITUS, Mr. PETERS of California, and Ms. EDWARDS.

H.R. 543: Mr. BROUN of Georgia.

H.R. 594: Mrs. MCCARTHY of New York.

H.R. 647: Mr. SALMON.

H.R. 685: Mrs. MILLER of Michigan and Mr. RUNYAN.

H.R. 688: Mrs. KIRKPATRICK, Mr. WOODALL, Mr. RANGEL, and Mr. PASCRELL.

H.R. 708: Mr. PAYNE and Mr. RUSH.

H.R. 721: Mr. MICA, Mr. ENYART, and Mr. LARSON of Connecticut.

H.R. 724: Mr. HALL, Mr. CULBERSON, and Mr. CUELLAR.

H.R. 755: Ms. CHU, Ms. CLARKE, Mr. COSTA, Mr. CLYBURN, Mr. CROWLEY, Mr. FATTAH, Ms. JACKSON LEE, Mr. GEORGE MILLER of California, Mr. NADLER, Ms. SEWELL of Alabama, Ms. TITUS, Ms. BASS, Mr. CLEAVER, Mr. DINGELL, Ms. KAPTUR, Mr. KEATING, Mr. KILDEE, Mr. LANGEVIN, Mr. MURPHY of Florida, Ms. ROYBAL-ALLARD, Ms. SPEIER, Mr. THOMPSON of California, Mr. VISCLOSKY, Ms. WATERS, Ms. HANABUSA, Mr. LEVIN, Mr. SABLAN, Mr. TIERNEY, Mr. SESSIONS, and Mrs. ELLMERS.

H.R. 762: Mr. WITTMAN.

H.R. 792: Mr. DUNCAN of South Carolina, Mr. KELLY of Pennsylvania, and Mr. UPTON.

H.R. 828: Mr. BARR.

H.R. 846: Mr. PETERS of California, Mr. WESTMORELAND, Mr. GOSAR, Mr. DENT, Mrs. MCCARTHY of New York, Mr. WHITFIELD, Mr. SESSIONS, and Ms. FRANKEL of Florida.

H.R. 847: Mr. RAHALL and Mr. COURTNEY.

H.R. 850: Mr. NEAL.

H.R. 879: Mr. TERRY.

H.R. 920: Mr. WITTMAN and Mr. RODNEY DAVIS of Illinois.

H.R. 938: Mr. KELLY of Pennsylvania, Mr. NEAL, Mrs. ROBY, Mr. FLEMING, Mr. DOYLE, Mr. SCALISE, and Ms. BROWN of Florida.

H.R. 942: Mr. THOMPSON of Mississippi, Mr. PALAZZO, and Mr. FARR.

H.R. 961: Mr. DELANEY.

H.R. 983: Mr. SWALWELL of California.

H.R. 1012: Ms. LEE of California.

H.R. 1015: Ms. LEE of California.

H.R. 1020: Mr. PASCRELL.

H.R. 1024: Mr. BARLETTA.

H.R. 1070: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. STIVERS, Ms. SHEA-PORTER, Mr. PRICE of North Carolina, Ms. BORDALLO, Mr. ELLISON, Ms. LEE of California, and Mr. BISHOP of Georgia.

H.R. 1077: Mr. MEEHAN.

H.R. 1078: Mr. COTTON.

H.R. 1148: Mr. PERLMUTTER.

H.R. 1179: Mr. BACHUS.

H.R. 1180: Mr. YOUNG of Florida, Mr. HASTINGS of Florida, Mr. RUIZ, Mr. HINOJOSA, Mr. SIRES, Ms. FRANKEL of Florida, and Mr. BEN RAY LUJÁN of New Mexico.

H.R. 1186: Mr. RUIZ.

H.R. 1201: Mr. WELCH and Mr. O'ROURKE.

H.R. 1209: Mr. BUCSHON and Ms. MCCOLLUM.

H.R. 1226: Mr. CAMP and Mr. VALADAO.

H.R. 1250: Mr. MAFFEI.

H.R. 1252: Mr. MEEHAN, Mr. CUMMINGS, and Mr. MAFFEI.

H.R. 1254: Mr. SALMON, Mr. PETRI, Mr. HECK of Nevada, Mr. MARCHANT, and Mr. MCHENRY.

H.R. 1288: Mr. ROHRABACHER and Mr. CUELLAR.

H.R. 1310: Ms. JENKINS.

H.R. 1324: Mr. BONNER.

H.R. 1339: Ms. LEE of California.

H.R. 1351: Ms. BASS.

H.R. 1362: Mr. ISRAEL.

H.R. 1370: Mr. ISRAEL.

H.R. 1416: Mr. PERLMUTTER.

H.R. 1428: Mr. FITZPATRICK, Mr. RUNYAN and Ms. SPEIER.

H.R. 1507: Mr. SCHOCK and Mr. HASTINGS of Florida.

H.R. 1508: Mr. MICHAUD, Mr. PAYNE, and Ms. LEE of California.

H.R. 1528: Ms. LOFGREN and Mr. WHITFIELD.

H.R. 1566: Mr. RUSH.

H.R. 1588: Ms. KUSTER.

H.R. 1595: Mr. BERA of California.

H.R. 1620: Mr. POCAN.

H.R. 1635: Mr. GRIJALVA.

H.R. 1666: Mr. PERLMUTTER.

H.R. 1692: Ms. SINEMA.

H.R. 1701: Mr. BACHUS.

H.R. 1705: Mr. JOHNSON of Ohio and Mr. ENYART.

H.R. 1717: Mr. LAMBORN.
H.R. 1725: Mr. TAKANO, Mr. QUIGLEY, and Ms. BASS.
H.R. 1726: Mr. HIGGINS, Ms. DUCKWORTH, Ms. MCCOLLUM, Mr. LOWENTHAL, Mr. DANNY K. DAVIS of Illinois, Mr. CROWLEY, and Mr. KING of New York.
H.R. 1731: Mr. NEAL and Mr. PALLONE.
H.R. 1750: Mr. NUNNELEE, Mr. DESJARLAIS, and Ms. JENKINS.
H.R. 1767: Ms. MOORE.
H.R. 1779: Mr. BRIDENSTINE.
H.R. 1787: Mr. ROE of Tennessee and Mr. KIND.
H.R. 1814: Ms. KUSTER.
H.R. 1830: Ms. EDWARDS and Mr. NEAL.
H.R. 1843: Mr. HASTINGS of Florida.
H.R. 1845: Ms. LEE of California and Mr. CARTWRIGHT.
H.R. 1846: Mrs. CAROLYN B. MALONEY of New York.
H.R. 1851: Mr. ISRAEL and Mr. PASCRELL.
H.R. 1861: Mr. JOHNSON of Ohio.
H.R. 1891: Mr. CÁRDENAS and Mr. MICHAUD.
H.R. 1908: Mr. STEWART.
H.R. 1921: Ms. HANABUSA.
H.R. 1931: Mr. WALBERG.
H.R. 1953: Ms. SHEA-PORTER.
H.R. 1962: Mr. DUFFY.
H.R. 2009: Mr. STUTZMAN, Mr. POE of Texas, and Mr. WOMACK.
H.R. 2019: Mr. WILSON of South Carolina.
H.R. 2026: Mrs. LUMMIS, Mr. ENYART, and Mr. MULLIN.
H.R. 2027: Mr. FARENTHOLD.
H.R. 2056: Mrs. MCCARTHY of New York.
H.R. 2068: Mr. STEWART.
H.R. 2089: Mr. FINCHER.
H.R. 2203: Mr. TURNER and Mr. REED.
H.R. 2247: Mr. FARENTHOLD and Mr. MCINTYRE.
H.R. 2268: Mr. RANGEL.
H.R. 2273: Mr. NOLAN.
H.R. 2288: Mr. THOMPSON of California and Mr. HONDA.
H.R. 2289: Mr. CONAWAY, Mr. FARENTHOLD, Mr. HALL, Mr. HENSARLING, Mr. CARTER, Mr. SMITH of Texas, and Mr. WILLIAMS.
H.R. 2296: Mr. LOWENTHAL and Mr. POLIS.
H.R. 2300: Mr. FRANKS of Arizona, Mr. BISHOP of Utah, Mr. HUELSKAMP, Mr. MEADOWS, and Mr. MCKINLEY.
H.R. 2302: Ms. HERRERA BEUTLER, Mr. TIBERI, and Mr. PERLMUTTER.
H.R. 2305: Mr. PAULSEN.
H.R. 2309: Mr. WOMACK, Mr. DEUTCH, Mr. BARROW of Georgia, and Mr. MCCAUL.
H.R. 2315: Mr. BURGESS.
H.R. 2324: Mr. VISCLOSKY.
H.R. 2328: Mr. WITTMAN, Mrs. MCMORRIS RODGERS, and Mr. GUTHRIE.
H.R. 2346: Mr. POE of Texas.
H.R. 2350: Mr. BRADY of Pennsylvania, Mr. TAKANO, and Mr. RUPPERSBERGER.
H.R. 2375: Mr. MURPHY of Florida, Mr. GUTHRIE, Mr. FARENTHOLD, Mr. FORBES, Mr. COFFMAN, Mr. WITTMAN, and Mr. LAMBORN.
H.R. 2379: Mrs. CAPITO.
H.R. 2383: Mrs. BUSTOS.
H.R. 2384: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. PAYNE.
H.R. 2389: Mr. PITTENGER and Mr. MCHENRY.
H.R. 2403: Mr. BROUN of Georgia.
H.R. 2407: Mr. NADLER and Mr. RANGEL.
H.R. 2408: Mr. FRANKS of Arizona.
H.R. 2409: Mr. BRIDENSTINE, Mr. WALBERG, Mr. BROUN of Georgia, Mr. HUELSKAMP, Mr. BISHOP of Utah, Mr. CRAMER, Mr. HARRIS, Mr. POSEY, Mr. KINGSTON, Mr. BRADY of Texas, Mr. WEBER of Texas, Mr. BARTON, Mr. GOHMERT, Mr. COLLINS of New York, Mr. STOCKMAN, and Mr. ROHRABACHER.
H.R. 2415: Mrs. CAPITO.
H.R. 2417: Mr. STOCKMAN.
H.R. 2429: Mr. CONAWAY, Mr. CARTER, Mr. RIBBLE, Mr. CHABOT, Mr. FLEMING, Mr. BISHOP of Utah, Mr. HUELSKAMP, Mr. FLEISCHMANN, Mr. STUTZMAN, Mr. COLE, Mrs. HARTZLER, Mr. BARTON, Mr. FRANKS of Arizona, Mr. HARRIS, Mr. PEARCE, Mr. LAMBORN, Mr. MEADOWS, Mr. PITTS, Mr. KINGSTON, Mr. HUIZENGA of Michigan, and Mr. MASSIE.
H.R. 2434: Mr. CONYERS, Mr. GOHMERT, Mr. JONES, and Mr. PETRI.
H.R. 2440: Mr. JONES.
H.J. Res. 43: Ms. BROWNLEY of California, Ms. FRANKEL of Florida, Mr. SCHIFF, Mr. SCHRADER, Mr. SCOTT of Virginia, Mr. SIRES, and Mr. WELCH.
H. Res. 35: Mr. GIBBS, Mr. COBLE, Mr. ROGERS of Alabama, Mr. CULBERSON, Mr. CHABOT, Mr. ROHRABACHER, Ms. GRANGER, Mr. DUFFY, Mr. GERLACH, and Mr. NUNES.
H. Res. 72: Mr. WILLIAMS.
H. Res. 229: Mr. MICHAUD.

DISCHARGE PETITIONS

Under clause 2 of rule XV,the following discharge petition was filed:

Petition 3, June 20, 2013, by Mr. CHRIS VAN HOLLEN on House Resolution 174, was signed by the following Members:

Chris Van Hollen, Bill Foster, Tammy Duckworth, Marc A. Veasey, Daniel T. Kildee, Henry A. Waxman, Joe Courtney, Allyson Y. Schwartz, Theodore E. Deutch, Jim Costa, Kurt Schrader, Michelle Lujan Grisham, Karen Bass, Zoe Lofgren, James P. McGovern, Gwen Moore, Michael F. Doyle, Marcia L. Fudge, Mark Takano, Melvin L. Watt, Eddie Bernice Johnson, John A. Yarmuth, Barbara Lee, Steve Israel, Robert C. ''Bobby'' Scott, Bruce L. Braley, David N. Cicilline, Rush Holt, Mike Quigley, Joseph P. Kennedy III, Steven A. Horsford, Betty McCollum, Steve Cohen, Lois Frankel, Julia Brownley, Jim Cooper, Charles B. Rangel, Nydia M. Velázquez, Keith Ellison, Suzanne Bonamici, Eric Swalwell, Ann M. Kuster, Donna F. Edwards, Alan S. Lowenthal, Doris O. Matsui, Grace Meng, Henry C. ''Hank'' Johnson Jr., Hakeem S. Jeffries, William L. Enyart, Dina Titus, Susan A. Davis, Kathy Castor, Matt Cartwright, Danny K. Davis, Mark Pocan, Robert E. Andrews, André Carson, Robin L. Kelly, Ann Kirkpatrick, Cheri Bustos, William R. Keating, Henry Cuellar, Juan Vargas, C. A. Dutch Ruppersberger, Frederica S. Wilson, Colleen W. Hanabusa, Gene Green, Brad Sherman, Lucille Roybal-Allard, Grace F. Napolitano, Elizabeth H. Esty, Steny H. Hoyer, Jared Polis, Joyce Beatty, John B. Larson, Albio Sires, Mike McIntyre, Elijah E. Cummings, Janice D. Schakowsky, Brian Higgins, Bobby L. Rush, Nick J. Rahall II, Timothy H. Bishop, Xavier Becerra, Lloyd Doggett, Wm. Lacy Clay, Yvette D. Clarke, Robert A. Brady, Derek Kilmer, Chaka Fattah, Al Green, Gregory W. Meeks, John D. Dingell, Ed Pastor, Jerrold Nadler, Suzan K. DelBene, Denny Heck, Rosa L. DeLauro, John Conyers, Jr., Emanuel Cleaver, James R. Langevin, Donald M. Payne Jr., Tony Cárdenas, Tim Ryan, Michael E. Capuano, Sanford D. Bishop Jr., Peter A. DeFazio, G. K. Butterfield, Anna G. Eshoo, Judy Chu, George Miller, James P. Moran, Linda T. Sánchez, Jared Huffman, Kyrsten Sinema, Beth O'Rourke, Nancy Pelosi, Adam B. Schiff, Frank Pallone Jr., Michael H. Michaud, Nita M. Lowey, Maxine Waters, Niki Tsongas, John Lewis, Earl Blumenauer, Paul Tonko, Chellie Pingree, Gloria Negrete McLeod, David Loebsack, Peter Welch, Timothy J. Walz, Sheila Jackson Lee, Diana DeGette, David Scott, Adam Smith, Scott H. Peters, Ami Bera, Loretta Sanchez, Debbie Wasserman Schultz, Ed Perlmutter, Rubén Hinojosa, Bill Pascrell Jr., Carol Shea-Porter, Joaquin Castro, Richard M. Nolan, John P. Sarbanes, James E. Clyburn, Corrine Brown, Terri A. Sewell, John C. Carney, Jr., Lois Capps, Ron Barber, Joe Garcia, William L. Owens, James A. Himes, Gerald E. Connolly, Raul Ruiz, Tulsi Gabbard, Daniel B. Maffei, Sander M. Levin, Filemon Vela, Patrick Murphy, David E. Price, Ron Kind, Ben Ray Luján, Janice Hahn, Joseph Crowley, Alcee L. Hastings, José E. Serrano, Alan Grayson, Stephen F. Lynch, Carolyn B. Maloney, Jim McDermott, Mike Thompson, and Gary C. Peters.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following petition:

Petition 2 by Mr. COURTNEY on H.R. 1595: Judy Chu, Richard E. Neal, Barbara Lee, John Conyers Jr., Marc A. Veasey, Ron Kind, Carol Shea-Porter, Lloyd Doggett, and Jim Cooper.

SENATE—*Thursday, June 20, 2013*

The Senate met at 9:30 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O Divine Redeemer, who stands outside the closed doors of human hearts, knocking repeatedly, give our lawmakers the grace to open themselves to You. May they open their ears in order to receive Your wisdom and to follow Your plan. May they open their eyes so that they can see the unfolding of Your loving providence in our Nation and world. Lord, may they open their minds to welcome creative strategies for making America a shining example of Your purposes. May they open their hands, sharing their blessings, to enrich humankind. May they open their hearts so that You can keep them from deviating from the path of integrity.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 20, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. SCHATZ thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. REID. Mr. President, following leader remarks, I ask unanimous consent that the Senate resume consideration of S. 744, the comprehensive immigration bill, and that the time until 12 noon be equally divided and controlled between the two leaders or their designees and that I be recognized at 12 noon.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SCHEDULE

Mr. REID. Mr. President, I indicated last night that I was going to create a vote at 11:30 this morning, but Senators MIKULSKI and SHELBY have asked that we put that over a little bit, so we are going to do that at noon because they are having an important markup in the Appropriations Committee.

We will continue to work through amendments to the bill today. Hopefully, we could have, at that time—at noon—a path forward on this legislation. We have a number of amendments that are now pending. We hope to have a way of disposing of those, and I hope there is something that can be worked out. Senator LANDRIEU and others have indicated they want some amendments, and I hope we can work that out so we can move forward on the bill.

So we will continue to work through the amendments, as I indicated, today. The first rollcall vote, as I have indicated, will be at about noon today.

Mr. President, we have made some significant advances on the historic immigration legislation that is now before us. I am confident and I am hopeful that we can pass this bill. I have indicated on a number of occasions that we are going to do everything within our power to finish this bill before the July 4 recess.

I have had conversations with the Republican leader and other Republican Senators, and, of course, with my Democratic Senators, and I think that is the goal, and I have no reason that we should not be able to meet that goal.

We have made progress on amendments. I expect and I hope that a group of Republican Senators working with the Gang of 8 will come forward with a way that they think we can move forward on this bill dealing with the border. As I have said all along, I am willing to look at any reasonable amendment—I think we all are—and I hope something can be worked out with my Republican colleagues and the Gang of 8.

I have said before, and I say it again, I appreciate very much the Gang of 8 for their diligent work, both in crafting this legislation and in shepherding it through this transparent and thorough process. It goes without saying that the chairman of the committee Senator LEAHY has been remarkably focused on how to get this done.

One of my favorite Senators I have had the opportunity to work with over the years is CHUCK GRASSLEY, the Senator from Iowa. He is the ranking member of that committee. Even though we disagree on occasion on how to move forward, I never remember having an unpleasant conversation with CHUCK GRASSLEY. So I appreciate his working on this.

As I have indicated, he and Senator LEAHY do not agree on parts of this immigration bill, but that is the way things are and should be on this legislation—all legislation. But he has been cooperative in helping us meet his expectations and move forward.

SEQUESTRATION

Mr. REID. Mr. President, a century ago, a person born in the United States could reasonably expect to live to their late forties. I repeat, 100 years ago, a person born in the United States could reasonably expect to live to their late forties. Today, most people born in the United States can live into their late seventies or early eighties. That is the way it is.

Look how things have changed over these last 100 years. Imagine adding more than three decades to life expectancy just in this period of time. This gift is due to a number of reasons. But the most significant reason is we have had 125 years of research done by one of the great institutions of America: the National Institutes of Health.

Due to their research, fewer people die of cancer, for example, each year than the year before. It is stunning, the advances we have made. If one looks at their personal life, the things that happen in their family, think what it would have been a few years ago, such as with a terrible automobile accident or a dread disease like cancer. Think of the work that has been done by these scientists to help us advance the cause of curing people.

Over the last half century, deaths from heart disease and stroke have fallen by 60 percent. That is just in 50 years. Because of the work done, thanks to the Institutes of Health, scientists understand the heart about as well as any part of your body.

Now these wonderful scientists are beginning to study the brain, which is

much more complicated than the heart, but still the heart is very complicated. They are going to begin a study to find out everything they can about the brain. The most extensive research project in the world is dealing with the brain, which is going to be—and it has already started—at the National Institutes of Health.

Because of antiviral therapies developed by NIH-funded projects and researchers, now they have diagnosed HIV/AIDS to the extent that—I was out there on Monday, and I talked to them about that when I first came to the Senate, when someone was diagnosed with AIDS, it was a death sentence. Not anymore because of the work done there. They can count their life expectancy in multiple decades, when in the past it was months.

It would be impossible to count the lives NIH innovation has already saved, and researchers are not close to realizing the limits of modern medicine.

I was fortunate to have the opportunity, as I indicated, to visit the facility on Monday morning. These facilities in Bethesda, MD, are stunningly important to visit, to witness, the fascinating work they do there.

I toured one of the clinics where the best medical researchers in the world are trying to solve the world's most elusive medical mysteries. There are 27 different institutes that make up the National Institutes of Health. They are studying diseases that have yet to be identified, let alone be cured. They have one institute where that is what they deal with. On diseases, they do not know what the cause is.

I met a little girl there who is 7 years old—a beautiful child. They are trying to figure out why she has the problems she has. They have made some progress, but they do not know yet. Once they identify—and they have. They have found reasons why in that young lady and others certain things are missing. I am not a scientist and I cannot probably do justice to this, but there are certain things in the body—gene sequencing in the body—where something is missing or something is added, such as a protein that should not be there. Now they can identify this. It is tremendous that they can do that, but on a number of these diseases they are still—even though they have identified what causes it, they do not know for sure how to fix it. That is what they are doing there.

In addition to the work being conducted by the nearly 6,000 scientists who work there—these are labs located on their campus; it is a huge campus—they award not only the work they do there, but they award thousands of grants each year to more than 300,000 researchers across the country. Most of them are university based, but not all of them.

These scientists are seeking the next breakthrough for treatments they can do with drugs and even cures. They are reaching out for the next advancement that will—to borrow Abraham Lincoln's words—add years to our lives as well as life to our years.

But today the crucial lifesaving work at NIH is in jeopardy. The arbitrary, across-the-board cuts of the mean and arbitrary sequester have hit NIH very hard. The institutes have cut $1.55 billion from their budget this year alone.

Think of the work that is not being done there because of that. The little girl who I met there—think of the work that is not going to be done with little girls and boys like her because, this year alone, $1.5 billion is cut from their program.

What that means, among other things, is that NIH will award 700 fewer grants this year than last, putting the next revolutionary treatment at risk, whatever it might be. And faced with diminished funding opportunities and an uncertain future, promising young scientists are abandoning the research field altogether.

The Director of the National Institutes of Health is Dr. Francis Collins, the father of the gene sequencing that we now look to in the future to curing literally every disease. This wonderful man, who could make a fortune by moving out of his scientific endeavors, has decided that is his life's work. Not only does Dr. Collins feel that way, but everyone who works there. They are doing things to help us, our families, our friends, America, and literally the world.

It is very sad to me that these wonderful people, who are dedicating their lives to not how much money they can make but how much better they can make people feel and what they can do to cure diseases, are looking for other places.

The best friend of someone who works for me here in Washington is one of the leading experts, if not the leading expert, in the world on a disease called melanoma—cancer.

He is not applying for grants anymore at NIH because you cannot do this work on a 1- to 2-year basis; it has to be long-term or you would not do the research. It is happening all over. Not only that, people who work there are leaving the institution.

NIH researchers are currently studying cancer drugs that zero in on a tumor more, with fewer sickening side effects. I say that—sickening side effects.

The Capitol physician, Dr. Brian Monahan, is a wonderful man. He was a professor, taught medicine. He is a Navy admiral. He is board certified in hematology, internal medicine, and oncology. As some know, my wife has been through a pretty brutal bout with breast cancer. He told me, when Landra was really sick lots of times—really, really sick—he said just a few years ago that they had to admit women to the hospital because they could not stop vomiting because of the medicine they were taking. We have made progress. That does not happen often anymore. As sick as my wife was, she was not as sick as she would have been a few years ago.

At this wonderful facility, they are developing a vaccine to fight every strain of influenza without a yearly shot, saving money and lives. A man at the institute there, on a blackboard—really a greenboard—with a piece of chalk, drew a picture which showed me and my staff what happens when influenza strikes and the reason we need now a yearly shot for the flu. But we are very close to having one shot to take care of flu all the time.

This flu is not anything to not worry about. In 1918, 100 million people died because of flu around the world—100 million. We have a couple types of flu right now that are potentially very damaging. These scientists are very close to having a vaccine that will take care of the flu with one shot for always.

They are conducting clinical trials to help identify and treat those at risk of developing early-onset Alzheimer's, leading to more successful treatment of this costly and debilitating disease. Many years ago I was at an event in Las Vegas. Next to me was a physician. I was a new Senator. He said: You and Congress need to do something about Alzheimer's; otherwise, you are going to bankrupt America. With people living longer, there is more Alzheimer's coming all the time. We have made progress. We still have a long way to go.

These innovations have the possibility not only to save lives but to save us all billions of dollars each year on medical care. The NIH is an intellectual and economic leader the world over. Everybody looks at the NIH as the premier research facility for disease.

But the senseless meat ax, unfair cuts we call sequester, puts all that NIH does at risk. As we, this wonderful, great country of ours, are slashing investments in medical research—slashing—our competitors are redoubling their efforts: China, 25 percent increase in medical research; we are cutting billions. In just 2 years, with the sequester deal, we will cut almost $4 billion. China is increasing theirs by 25 percent; India by 20 percent; South Korea, Germany, Brazil, 10 percent. We are whacking ours, cutting these wonderful scientists. These countries, all they are trying to do is duplicate our success, replicate our success. While they are doing that, we are abandoning investments that brought us to where we are.

But medical innovation does not happen overnight. It takes years of research, years of trial and years of error, quite frankly, years of the process of elimination. One of the institute

Directors—we talked about spinal cord injuries. They are making progress with something they thought a few years ago worked really well, but further tests said it works only a little bit, not the way they thought it would.

Even when scientists know the cause of a disease—as I have indicated, they have figured out some of this with gene sequencing—it takes an average of 13 years to develop a drug to treat that. These shortsighted cuts in the research funding will cost us valuable cures tomorrow. While these costs may not be felt this month, this year, or even this decade, their long-term consequences will be grave.

Now, we say it may not be felt this month. To the scientists working there, they are going to feel it very quickly because some of them are leaving. Imagine if we had neglected our commitment to finding effective treatments for cancer, heart disease, or stroke a few decades ago. Imagine if we had abandoned investments in treatment for HIV/AIDS in the 1980s and 1990s. Think of the burden that would have been not only on the people who were sick and dying but the burden it would have been on our economy because of the huge cost, the lost time at work, and all the medical stuff. We do not have to worry about that anymore. Imagine lives cut short.

We can all agree that reducing our deficit is a valuable goal. We have done a good job—$2.5 trillion. But we should reduce the deficit by making smart investments, not by the making shortsighted cuts that cause pain and suffering and death. There is simply no price tag you can put on that.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader.

HEALTH CARE

Mr. MCCONNELL. Mr. President, a few months back one of our Democratic colleagues warned of a huge train wreck on the horizon—the implementation of ObamaCare. Yesterday we received another warning as ObamaCare speeds down the tracks. This one came from the Government Accountability Office, which highlighted a number of missed deadlines that cast doubt on the ability of the administration to even get the law up and running by October 1.

Of course, the GAO is not the first to issue such warnings. Some of us have been sounding a similar call literally for years. What we have said is that ObamaCare is set to become a bureaucratic nightmare. Most of the law's key provisions have not even been implemented yet. Not a single American has signed up for an exchange. Already it is turning into one big mess.

It was not hard to see this coming. We are talking about a 2,700-page piece of legislation. We are talking about a law that has already generated more than 20,000 pages of regulations—literally a redtape tower 7 feet tall. We are talking about an edict that proposes to alter one of the most personal, most private aspects of our lives in a fundamental way. So it does not take an expert to understand what that leads to—reams of paperwork; a massive new bureaucracy; the coordination of numerous, hulking government agencies, including, of course, the IRS.

It cannot be done without the people the government is attempting to regulate—the doctors, the hospitals, States, small businesses, hundreds of millions of Americans—actually having a clue how to comply. Nobody knows how to comply. The law is maddeningly complex. So, of course, ObamaCare is going to be a mess—going to be a mess. We said it would be. Actually, it already is. Yet earlier this month the President said that ObamaCare was ''working the way it is supposed to.'' That is literally what he said.

Maybe that is why just yesterday a survey of Americans showed that only 19 percent—fewer than one in five—believe ObamaCare will make their family better off—only 19 percent. It found that a much greater number—roughly half of Americans—worried about losing the health care coverage they already have.

There was another survey released too, a survey of small business owners. It found that 41 percent of small business owners said they had frozen hiring, literally quit hiring people because of ObamaCare—41 percent of small businesses. About 20 percent said they had already reduced their workforces because of it. Forty percent quit hiring people and 20 percent reduced their workforce because of ObamaCare. Remember, this is a law that is still being implemented, and many businesses already seem to be laying people off. I hope that is not a preview of what we will see once ObamaCare actually comes online. But given the evidence thus far, it is hard to draw a different conclusion.

The Kentucky Retail Federation recently cited ObamaCare as the thing having the most impact on their businesses' ability to grow. As the leader of that group put it, the companies in his federation are hesitant to take on new staff or to invest in their own business growth until they know how much health care reform is going to cost.

So if this is the law that is ''working the way it is supposed to,'' then it is obviously a very bad law. It is Congress's duty to repeal bad laws. I hope that it will. I hope my Democratic friends here in the Senate will finally work with us to do just that because we cannot do it without them. They have the majority. If they can muster the will to admit their mistake, I hope they can also find the will to work with us to start fresh on health care. This time, I hope they will actually work together with Republicans to get something done for the American people. In my view, that means pursuing effective, step-by-step reforms that cannot only lower costs but they can also be implemented effectively and understood completely by the constituents we were sent here to serve. I know my constituents back in Kentucky would expect as much of us, and frankly they should expect that much of us.

SENATE RULES

Mr. MCCONNELL. Mr. President, as I have talked about repeatedly over the last few weeks, there is a cloud hanging over the Senate, an unease throughout the Senate entirely on the Republican side and some on the Democratic side as well, and that is this: We had a discussion at the beginning of this Congress about what the rules of the Senate would be for this Congress this year and next year. After that bipartisan discussion, we passed two rules changes and two standing orders. The majority leader said we had determined what the rules of the Senate were going to be for the next 2 years. He gave his word that we would not break the rules of the Senate in order to change the rules of the Senate—the so-called nuclear option. Yet he has continued to hint that maybe that was not what he had in mind.

So what my colleagues and I are asking the majority leader to do is to stand by his word. Your word is the currency of the realm here in the Senate. We expect the majority leader to keep his word. His word was given unequivocally in January of this year. In fact, it was given in January 2 years before that for the next two Congresses.

So it is time to lift this cloud which is hanging over the Senate so all the Members of the Senate can understand what the rules are for this Congress because we already made that decision back in January. We await the majority leader finally addressing the matter and making it clear that his word is good.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the

Senate will resume consideration of S. 744, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 744) to provide for comprehensive immigration reform, and for other purposes.

Pending:

Leahy/Hatch amendment No. 1183, to encourage and facilitate international participation in the performing arts.

Boxer/Landrieu amendment No. 1240, to require training for National Guard and Coast Guard officers and agents in training programs on border protection, immigration law enforcement, and how to address vulnerable populations, such as children and victims of crime.

Cruz amendment No. 1320, to replace title I of the bill with specific border security requirements, which shall be met before the Secretary of Homeland Security may process applications for registered immigrant status or blue card status and to avoid Department of Homeland Security budget reductions.

Cornyn amendment No. 1251, Requiring Enforcement, Security and safety while Upgrading Lawful Trade and travel Simultaneously (RESULTS).

Leahy (for Reed) amendment No. 1224, to clarify the physical present requirements for merit-based immigrant visa applicants.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until noon will be equally divided between the majority and the minority.

The ACTING PRESIDENT pro tempore. The Republican whip.

AMENDMENT NO. 1251

Mr. CORNYN. Mr. President, I ask unanimous consent to speak for up to 45 minutes between now and the time our vote is scheduled this morning on my amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CORNYN. I won't be taking all of that time right now. I will reserve some time and hopefully other colleagues will come down to the floor and engage in a discussion.

As you know, the past few days I have been talking about the importance of border security in this immigration bill. To remind anybody who happens to be listening, I come from a State, Texas, that has the longest common border with the country of Mexico, 1,200 miles.

While many of our colleagues or some of our colleagues come from States such as California where in San Diego they have the fence there that they view as restricting illegal immigration and entry into the country, Tucson, Arizona, has a little different situation because much of the land is Federal land. In Texas, our 1,200-mile common border with Mexico is largely private property on the Texas side. It also is enormously diverse. You can go out to West Texas near Alpine where Big Bend National Park is where you will see huge cliffs that go some 1,000 feet down to the Rio Grande River. While some have said we need a fence across the entire border, I daresay that putting a fence on a 1,000-foot cliff is not going to enhance border security much. What I have argued for from the beginning is the need for a comprehensive border security plan and for Congress to make a sincere and enforceable commitment to follow through on that plan.

I do believe, in the 6 years since the last time we debated immigration reform in 2007, there is an emerging consensus in the country. Many people are mad, and they deserve to be mad, about the Federal Government's failure to live up to its promises when it comes to our broken immigration system.

We can go back to 1986 when Ronald Reagan, the father of modern conservatism in the Republican Party, signed an amnesty for 3 million people. His rationale was we are going to enforce our immigration system so this will be the first and last time any President will have to sign an amnesty.

We know the enforcement component didn't work, that promise was not kept, causing a lot of deeply seated skepticism in the American people as to whether Congress and Washington can be depended upon to keep their commitments when it comes to enforcing our laws and securing our borders.

My amendment that we will be voting on perhaps as early as noon today is designed to turn border security rhetoric into reality. More specifically, what it adds is a trigger. We have been talking about triggers to the Gang of 8 bill, the underlying bill, but it would require the Federal Government to have 100-percent situational awareness of our border, the southwestern border. We can do that from Border Patrol, radar, ground sensors, and using all of the magnificent technology the Defense Department and our military have produced—amazing American innovators—that our military has used effectively in places such as Iraq and Afghanistan.

I don't believe there is any doubt, and I know our Gang of 8, the people who wrote the underlying bill, believe that 100-percent situational awareness of our border is possible and attainable if we have the political will to make it happen and if our law enforcement authorities are provided the appropriate resources to do it. And 100-percent situational awareness is one of the requirements.

The second is operational control. Right now we don't have control of our southwestern border. The latest Government Accountability Office estimate is only about 45 percent of our southwestern border is under operational control.

For example, a few weeks ago I was in South Texas in Brooks County in deep Rio Grande Valley, the Rio Grande Valley sector of the Border Patrol, visiting with them. On 1 day they detained 700 people coming across the southwestern border in the Rio Grande sector and 400 of them came from countries other than Mexico. Some of the rescue beacons they have down there for people who are in distress—immigrants coming from Central America, coming from around the world through our southwestern border into the United States—the rescue beacons they have down there that I saw with my own eyes, where if people get in big trouble and they realize they may lose their life unless they call the Border Patrol in to help them, are in English, Spanish and, get this, Chinese. Chinese. This is in the Rio Grande Valley in Texas.

I asked the local law enforcement authorities, why Chinese? They said: Well, for a while, we got a whole lot of Chinese immigrants coming across the border, being smuggled across into the United States.

I said: What is the going rate you have to pay the coyotes, as they call them, the smugglers?

They said: About $30,000.

For $30,000 somebody from China can get somebody to smuggle them into the United States, which is the reason why those rescue beacons were in English, Spanish, and Chinese.

Indeed, the Border Patrol statistics reveal we have people who have come across the border in the last year from 100 different countries around the world. A couple of years ago I had the opportunity, as a member of the Armed Services Committee, to ask the Director of National Intelligence James Clapper and the head of the Defense Intelligence Agency whether this porous border was a national security issue. Both of them said it was, which is pretty obvious.

We know if people from 100 different countries can penetrate our southwestern border because of a lack of appropriate security there, if they have the money and they are determined enough, they can come from anywhere in the world, including countries that are state sponsors of terrorism. Operational control of the border is very important.

Third, my amendment offers a real trigger that requires a nationwide biometric entry-exit system. That sounds a little obscure. Basically, what happens when you come to the United States from another country is you are required to give fingerprints. That is a biometric identifier because you can't use phony documents or a fuzzy picture to claim to be somebody you are not and get into the country illegally.

The importance of the biometric entry-exit system was noted particularly by the 9/11 Commission, because several of the people who were involved in the plot to kill 3,000 Americans on September 11, 2001, entered the country legally, but they never left. Hence, the importance of a biometric entry-exit

system to document not just when people come to America as tourists or students or whatever, but that they actually leave when their visa is expired.

Right now, 40 percent of illegal immigration is a product of a failure to have an effective entry-exit system because people come legally and they simply stay and melt into the great American landscape. Unless they come into contact with our law enforcement officials, commit a crime—driving while intoxicated, domestic violence, or the like—they are never going to be caught.

Fourth, my amendment requires nationwide E-Verify. E-Verify is the name given to a system with which all Federal offices have to comply. For example, when somebody wants to be hired in my Senate office, either in Texas or up here in DC, we are required by law to run their name through the E-Verify system to verify this person is legally eligible to work in the United States. That is an important part of the provisions in my amendment that provide real triggers.

Let me talk a moment about triggers, because you are going to hear a lot of discussion about a trigger. A trigger is more than a promise. We know there is a litany—indeed, there is a trail of broken promises—when it comes to our immigration system that dates back to at least 1986.

What a trigger means is there is an enforceable mechanism that will prevent people from transitioning, in the case of my amendment, from probationary status to legal permanent residency until the objectives set out in the underlying bill, 100 percent of situational awareness and operational control, are met, together with a biometric entry-exit system and nationwide E-Verify.

I wish to emphasize that my amendment uses the same standard, metrics, and targets as the underlying bill. The difference between my amendment and their bill is their bill promises the Sun and the Moon when it comes to border security, E-Verify, and entry-exit, but it has no enforceable mechanism.

I ask the question, why should the American people trust Congress? Why should the American people trust Washington to enforce this part of the essential bargain, the security part of the bargain, if it has failed to do so in the past?

I would suggest to you that given the current trust deficit here in Washington, with scandals everywhere, that we can't reasonably expect the American people to rely on ''trust us.'' We need something enforceable, which is what my amendment provides.

The trigger in my amendment is not designed to punish people. It is designed to realign incentives. Everybody from conservatives to liberals to people in the middle of the road—Republicans, Democrats, you name it—everybody is incentivized to hit the standard set out in the underlying bill, 100-percent situational awareness and operational control.

Over the past few days I have cited a number of experts. We in the Senate have a lot of experts. We have people from different States, some of whom, to be honest, know more about the subject than others. I have cited a couple of experts, including the former head of Customs and Border Protection and the former Under Secretary for Border and Transportation Security at the Department of Homeland Security, all of whom believe the border security requirements in my amendment—and again I stress in the underlying bill—are reasonable and realistic.

No fewer than three members of the Gang of 8—Senator BENNET of Colorado, a Democrat; Senator FLAKE of Arizona, a Republican; and Senator MCCAIN, a Republican from Arizona—have said the 90-percent apprehension rate for illegal border crossers is a perfectly attainable goal.

Senator MCCAIN 2 days ago said he had talked to the head of the Border Patrol who said this is a perfectly realistic goal, 100-percent situational awareness and operational control. I agree with that.

If the goal is attainable, why not make it mandatory? Why not make it go beyond the usual promises and platitudes and demand actual results? That is what my amendment does. It demands results, and it creates a mechanism that ensures those results will be delivered.

Again, this is designed to realign all of the incentives so all of us are absolutely focused like a laser in ensuring that the executive branch and the bureaucracy will do what the bill promises will be done. If we are able to accomplish that—I believe the American people are a compassionate people and understand we have a very difficult hand to play here because we haven't enforced our immigration laws for many years now. If they believe sincerely this will end the illegality in our broken immigration system, if this will return law and order to our broken immigration system, I believe they will accept dealing with the 11 million people here in a humane and compassionate way.

If you think our immigration system is broken, as I do, and if you think the status quo is unacceptable, that doing nothing is not the answer, then I strongly urge my colleagues to support this amendment. It is the only way, I believe, to get truly bipartisan and, even more important than that, truly effective immigration reform.

Mr. President, may I ask the Chair how much time I have remaining.

The ACTING PRESIDENT pro tempore. Thirty minutes.

Mr. CORNYN. I thank the Chair.

As I mentioned a few moments ago, I wish to spend a few additional minutes talking about a portion of my amendment that hasn't received much attention because we have been focused so much on the border security component. Indeed, I think most Americans would be shocked to learn the underlying bill—the Gang of 8 bill—would allow eligibility for immediate legalization of people with multiple drunk driving convictions. Indeed, the bill even legalizes drunk drivers who have already been deported, amazingly enough.

Just for perspective, in the year 2011, Immigration and Customs Enforcement deported nearly 36,000 people with DUI—driving under the influence—convictions. The problem is especially bad in Houston, TX, where I was born. Just last month, a Harris County Sheriff's Office sergeant named Dwayne Polk was killed by an illegal immigrant drunk driver who had previously been arrested for driving under the influence and illegally carrying a weapon. After his earlier arrest he was deported, but he eventually came back to Houston and once again drove while intoxicated, with the tragic results of SGT Dwayne Polk losing his life.

In May of 2011, Houston police officer Kevin Will was killed by an illegal immigrant drunk driver who had been deported to Mexico on several occasions. In August 2007, an illegal immigrant drunk driver, with a blood alcohol level three times above the legal limit, killed three people on a Houston area freeway, including a husband, a wife, and their 2-year-old son. The driver who killed them was out on bail at the time of the accident after having been arrested for domestic violence.

For that matter, not only does the underlying bill legalize immigrants with multiple drunk driving convictions, it also legalizes people with multiple domestic violence convictions—domestic violence convictions. That is mind-boggling.

I realize some people, when they hear the word ''misdemeanor,'' think we are talking about jaywalking or a speeding ticket or something similar to that or driving a car without a functioning taillight, but the truth is—and the former prosecutors in this Chamber know—the technical difference between a misdemeanor and a felony can be as little as 1 day additional time in prison.

Typically, a misdemeanor is punished, potentially, with up to 1 year in jail. Anything over that is traditionally called a felony. More clearly, felonious conduct is often pleaded down to a misdemeanor, particularly in instances such as domestic violence, where the victim is either married to or lives with the assailant and there is difficulty getting cooperation. Sometimes the only thing the prosecutor can do, even in a case of a very serious physical or other assault, is to get a misdemeanor conviction, even though

the underlying circumstances are very serious indeed.

There are numerous States that classify certain domestic violence crimes as misdemeanors, and there is a lot of variety in this, but that doesn't mean the conduct at issue is any less of a domestic violence offense. By my count, 23 States have specific misdemeanor domestic violence offenses. These include California, Hawaii, Illinois, Iowa, Minnesota, Rhode Island, and South Carolina.

Minnesota, for example, defines misdemeanor domestic assault this way:

> Whoever . . . against a family or household member: (1) commits an act with intent to cause fear and another of immediate bodily harm or death; or (2) intentionally inflict or attempts to inflict bodily harm upon another.

As I am sure my colleagues from Minnesota know, crimes that qualify as misdemeanor domestic violence under Minnesota law include domestic abuse with a deadly weapon—even domestic abuse with a gun. While it is called a misdemeanor in the statute books, it is obviously a very serious underlying offense.

I would love it if some Member of this Chamber would explain why conduct such as this should not be a bar to the generous opportunity afforded in the bill to obtain probationary status and eventually earn a pathway to citizenship. Why should we include people such as this, who have shown so much contempt for our laws?

We are not just talking about people who have come here to work in violation of our immigration laws, we are talking about people who have come in violation of our immigration laws and who have also committed serious offenses. We should have zero tolerance for anyone who enters our country and commits such a heinous act.

America has always been a deeply compassionate and understanding society, and nothing has changed, but when it comes to granting legal status to people who have violated our immigration laws, our criteria should be very clear: no drunk drivers and no violent criminals, period. My amendment guarantees that, which is just one more reason why this Chamber should embrace it.

For now, I wish to conclude by saying I read in the press, including the New York Times, a story by Ashley Parker, dated June 19, 2013, that says, ''Two GOP Senators are close to a deal on border security.'' It cites the efforts of my colleagues BOB CORKER of Tennessee and JOHN HOEVEN of North Dakota, who have been working behind the scenes to try to improve the border security component of the underlying bill.

I applaud them for their efforts, and I applaud them for moving the underlying bill in a more positive direction when it comes to border security. I am going to wait to pass final judgment until I actually see language because the devil is so often in the details on things such as this. But I would point out that just before their efforts, which now reportedly would include an additional 20,000 Border Patrol agents, the underlying bill had zero additional Border Patrol agents—zero additional boots on the ground.

My amendment adds 5,000 Border Patrol agents. Reportedly—and, again, we need to see the details of the proposal—Senators CORKER and HOEVEN would add 20,000 additional Border Patrol agents.

To show what a dramatic change that has been, Senator SCHUMER, one of the chief architects of the underlying bill, in a speech on June 12, said: Whatever CBO—the Congressional Budget Office—says, 6,500 border agents is a multibillion-dollar proposition, unpaid for, which is why I know my colleagues on the other side rue the day when we vote for unpaid obligations.

Again, he said—and this is on June 12—how can you manufacture 3,500 new personnel and say it doesn't add to the cost and will be reallocated? I want to know where it is going to be reallocated from.

Similarly, my colleague Senator MCCAIN said: But those who think we need more people, we do need more people to facilitate movement across ports of entry, but we have 21,000 Border Patrol agents. Today there are, at the Mexico-Arizona border, people sitting in vehicles in 120-degree heat.

He said, in a speech on June 18: What we need is not more people. He went on to say: But the fact is, we can get this border secured, and the answer, my friend, is as is proposed in the Cornyn amendment; that we hire 10,000 more Border Patrol agents. He said: That is not a recognition of what we need.

Finally, he said: No expert I have talked to, to say the best way to control people from crossing the border illegally, which I desperately want to do, works better with a huge amount of personnel.

So I point out those comments by Senator SCHUMER and Senator MCCAIN, two of the leading members of the Gang of 8—their comments on June 12. So if it is true, as reported in the New York Times and elsewhere, that Senator CORKER and Senator HOEVEN have moved them off the zero additional Border Patrol agents to doubling the size of the Border Patrol agents, that is a substantial movement in terms of boots on the ground.

I will conclude, for now, by saying this: I am looking forward to seeing the language that is being proposed, the alternative language. But for now, I believe my amendment deserves the support of the Members of this Chamber because I believe it is the only way we have available to us to ensure our constituents, to look them in the face and say: We know we have broken promises in the past when it comes to border security. We know we promised 17 years ago there would be a biometric entry-exit system, when President Clinton signed that into law. But you know what, we didn't do it. But we are serious about doing the enforcement and security measures now and, in fact, we have put a provision in the bill which will guarantee it.

That is what my amendment will do.

I reserve the remainder of my time, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I ask unanimous consent that the time during the quorum calls be equally divided among the Democrats and Republicans in the Chamber.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CORNYN. Again, Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, we are looking at a lot of amendments right now, and I just want to call attention to one that I think is significant. It is one where, when people find out about it, they are just outraged that something like this could happen, and it is something that could be corrected with a very simple amendment.

My amendment addresses the 2001 U.S. Supreme Court decision of Zavidas. There, the Court held that immigrants admitted to the United States and then ordered removed couldn't be detained for more than 6 months. So something has to happen after a 6-month period.

Four years later, the Supreme Court extended the decision to people here illegally as well. That is what we are talking about today. As a result, the Department of Justice and Homeland Security had no choice but to release thousands of criminal immigrants into our neighborhoods. The problem with these decisions is that the criminal immigrants ordered to be removed can't be deported back to their country if that country refuses to issue the necessary travel documents. In other words, if the country doesn't want to

take them back, they don't have to take them back. Yet we have to release them.

More importantly, these decisions have a serious impact on public safety, as recent cases have illustrated.

Six years ago, a Vietnamese immigrant was ordered deported after serving time in prison for armed robbery and assault. He was never removed because this Supreme Court decision handicapped our authorities. Our immigration officials couldn't deport him without the cooperation of the Vietnamese Government—which they did not—and his deportation was never processed. Now, this same immigrant, Binh Thai Luc, is suspected of killing five people in a San Francisco home in March of 2012.

The story of Qian Wu puts this situation in perspective. Qian Wu felt a little safer after the man who had stalked, choked, punched, and pointed a knife at her was locked up and ordered removed from the country. The man, Huang Chen, was a Chinese citizen who had illegally entered the United States. As has been the case at least 8,500 times in the last 4 years, Mr. Chen's home country refused to let its violent criminal return home.

Frankly, you can understand how this could happen—and it did happen. So, handcuffed by the Supreme Court decision, immigrant officials released Mr. Chen back into the community, here in the United States, when they had nowhere else to send him.

As you can imagine, the story also does not have a happy ending. Upon his release in 2010, Huang Chen murdered Qian Wu, the very person that was concerned during this time.

As you can see, this is a real problem with serious consequences. There are others like these people out there. According to statistics provided by the Department of Homeland Security, there are many countries that are not cooperating or that take longer to repatriate their nationals. Countries such as Iran, Pakistan, China, Somalia, Liberia are on the list.

The Supreme Court, in making their decision, said Congress should clarify the law. My amendment No. 1203, which I hope is going to be voted on in the next short while, does exactly what we need to do by creating a framework that allows immigration officials to detain dangerous criminal immigrants such as Binh Thai Luc and Huang Chen.

Specifically, immigrants can be detained beyond 6 months if they are under order of removal but can't be deported due to the country's unwillingness to accept them back if several conditions are met, including if their release would, one, threaten national security; or, two, threaten the safety of the community and the alien either is an aggravated felon or has committed a crime of violence.

I understand that the ACLU is scoring against my amendment. I view that as a badge of honor and an additional reason to support my amendment. It seems that the ACLU is only concerned with protecting the rights of criminals. It is time that we stop this nonsense. Again, all you have to do is go out in public and tell people that we have this situation where we are forced to release these criminals into our society merely because their country will not repatriot them.

So I ask support of my amendment No. 1203.

Mr. President, I yield the floor.

Mr. BLUMENTHAL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KING. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KING. Mr. President, I ask unanimous consent to speak in morning business for up to 12 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KING. Mr. President, I quote:

> He has endeavored to prevent the population of these States; for that purpose obstructing the laws of Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands.

That is the language of the Declaration of Independence.

One of the grievances against King George III, in the immortal words of Thomas Jefferson, was limitations on immigration: ''Endeavoring to prevent the population of these States.'' That was an original formulation, an original idea at the heart of the United States.

Looked at in the context of our history, this debate we are having this week is somewhat disappointing but not surprising. It is serious in its particulars, but it is amazing in its totality.

Here we have a roomful of descendants of immigrants arguing about the conditions of immigration. Sure, most of our ancestors in this room entered the country legally, but that was because there were virtually no laws about immigration for the majority of our history. For most of our history, if a person could pay the cost, a person could enter the country. That is the fundamental premise of America.

What are we afraid of? Are we afraid of people with courage, people with imagination, people with initiative, people with perseverance?

Before coming to this body, I taught at Bowdoin College in Maine a course on leaders and leadership and we attempted to define the qualities of leadership. At the end of the course each year we took an analysis of what we had seen, and people with courage, imagination, initiative, and perseverance are leaders. Those are the people we want in this country. That is what it takes to come here. That is what it has taken to come here throughout our history.

And why are they coming? They are coming for opportunity. They are coming for freedom. They are coming for a better life for their children, the same reason our ancestors came here. Isn't this what we all want—opportunity, freedom, and a better life for our kids?

Does this discussion affect the State of Maine? Well, yes, it does. We have migrants and immigrants picking our crops in northern Maine, blueberries and potatoes and broccoli. We have a vibrant refugee and asylum-seeking community in Portland, ME, and in Lewiston. Many of those from Africa come here with very different cultures. We have 52 languages spoken in the Portland public schools. Yes, we have strains and difficulties adjusting one culture to another. But we are making it work and it is making our State richer spiritually, culturally, intellectually, and, yes, financially. It is working.

But isn't this discussion all about amnesty? I keep hearing about amnesty. The mail I get says, Don't let them get amnesty. No, it is not about amnesty. In my book, amnesty is a free pass. Amnesty is a ''get out of jail free'' card; it is a forgiveness. If a person is convicted of what we call in our State OUI—other places call it DWI—if a person is convicted of driving under the influence, that person pays a fine, loses their license, and sometimes they spend a few days in jail and they are under a suspension or a probationary period for several months or perhaps even several years. But when it is all over—when a person has paid their fine and had their suspension—they get their license back and they move on with their life and go from there. Nobody calls that amnesty when a person gets their license back at the end of that period after they have paid their debt to society.

I would argue that a fine, which is contained in this bill, and 13 years of what constitutes probation is not amnesty. It is not amnesty in anybody's book. People who are talking about calling it amnesty—that is not accurate.

Why is this debate so important? Why is this issue so important? Why is this bill so important? In my view, immigration is the mainspring of America. It is our secret sauce. It is what has made us who we are. No other country in the history of the world has been built the way this country was built. Except for the African Americans who were brought here against

their will and the Native Americans who were here when the Europeans arrived, everybody else here came by virtue of immigration, and that immigration is, I believe, what has separated us from the rest of the world. It is the constant flow of new energy, initiative, and ideas, different cultures, different religions, different backgrounds, and different creative energies that have made this country what it is today. If we unduly limit it or cut it off, we are sunk.

We are living in a negative demographic timebomb. Last year, I believe for the first time in American history, we had more deaths than births of White Americans. One doesn't have to be a mathematician to know if that continues, we will shrink and shrivel as a society. We need immigration to add to our population, to add to the ideas and creativity.

What would we lose if we unduly limited immigration in this country? Well, I am standing in the shoes of Olympia Snowe, the daughter of Greek immigrants. Before Olympia Snowe, the holder of this office was George Mitchell, the son of immigrants. Before George Mitchell it was Ed Muskie, one of the great legislators of the 20th century in America and the son of an immigrant Polish tailor. We have among our number now a brilliant young Senator from Texas who himself is the son of an immigrant.

Immigrants are always going to be different and a little scary, and that has been true throughout American history. We have had waves of immigrations: Italians, Germans, Scottish people, Chinese, Irish. It is hard for us to believe, but a lot of the same sort of uneasiness about new immigrants was applied to those groups. In New York in the 1800s, if a person went to apply for a job there might be a sign in the window of the store that said ''employees needed, jobs available,'' and then in parentheses it might say in big letters, ''NINA''—N-I-N-A. NINA stood for ''No Irish Need Apply.'' So uneasiness and fear and, yes, some prejudice against immigrants has been a part of our history. But in the end, those people are the very people who have built this country, literally, and who have made this country what it is.

It is who we are.

There is also talk I have heard about wages and how all of these new people are going to depress wages. Indeed, a couple of weeks ago I had a meeting on my schedule in Maine with a union group and all it said was ''union group to discuss immigration.'' I thought, These folks are going to be worried about wages and they are going to tell me this is a bad idea. Just the opposite. What they said was, We support the bill, Senator. We want immigration reform because now we have millions of people in this country who are in the shadows who don't have the benefits of the labor protections and that is what is drawing wages down. That is what is providing a downward motion on wages and benefits. When an employer knows he or she has that kind of leverage over an employee—if a person doesn't take the low salary or sometimes no salary at all—they may say, I am going to report you; you will be gone and deported, and that is an inherently uneven and unfair playing field.

That is why I believe, and I think the CBO report has confirmed, that fixing this problem—putting the people who are here on a pathway to earn citizenship—will actually be a gigantic stimulus to our country.

So what we are doing here is very important. Yes, I know, we need controls, we need border controls. We need to control terrorism and criminals coming into our country. And, yes, I know we shouldn't reward breaking the law. But 13 years of probation and a fine is not rewarding law-breaking. Again, we have to ask, Why did these people break the law? They broke the law for the same reason our ancestors came here, and the only reason they didn't break the law was there was no law to break at that time. But they came here for opportunity and for a better life for their children.

I have quoted Mark Twain before on this floor and I will probably do so repeatedly because he captures so many thoughts so succinctly. In this case, what he said was: ''History doesn't always repeat itself, but it usually rhymes.''

This discussion we are having here today is nothing new in American history. It has arisen time after time. It arose in the 1840s and 1850s when indeed a whole political party came up that was designed to keep people out. It was called the Know-Nothing Party. The reason it was called that was because when people asked the members of the party what they stood for, the members of the party would say they didn't know anything about that because they didn't want to talk about it. But they were antiforeigner and anti-Catholic and it was designed to lock in the ethnic and cultural society as it stood in 1850.

Abraham Lincoln was asked, when he was a member of the Illinois legislature—I wish he had been a member of the Maine legislature but I have to concede him to Illinois—how he felt about the Know-Nothings and whether he in fact was a Know-Nothing. Here is what he said:

> I am not a Know-Nothing. How could I be? How can anyone who abhors the oppression of Negroes be in favor of degrading other classes of white people? Our progress in degeneracy appears to me to be pretty rapid. As a nation we began by declaring ''all men are created equal.'' We now practically read it, ''all men are created equal except Negroes.'' With the Know-Nothings in charge it will read, ''all men are created equal, except Negroes and foreigners and Catholics.''

He ended pretty toughly. He said:

> When it comes to this I should prefer emigrating to some country where they make no pretense of loving liberty—to Russia, for example, where despotism can be taken pure and without the base alloy of hypocrisy.

I am not suggesting hypocrisy on the part of the people who are debating this bill, but I do think this is not a new debate and we can't fear new people coming into our country.

I believe this bill represents a fair-minded resolution of the current conflict over immigration: control of the border to stem the tide of illegal immigration; penalties applied to those who broke the law; but an opportunity to earn citizenship after paying the penalty and a lengthy period of what amounts to probation.

I don't think this debate is about fences and fines and learning English. It is about America itself: confusing, chaotic, creative, at times unsettling, but always erring on the side of freedom and opportunity.

We have young people coming to this country who want and will achieve an education and then we send them home. In my view, we should staple a green card to every diploma of every foreign student the moment they walk through that graduation line so they can bring their ideas and creativity to our society.

The constant infusion of new blood, new people, and new ideas isn't a threat, it is who we are and it is what made us what we are—again, in the words of Abraham Lincoln—''the last, best hope of Earth.''

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I would ask notice from the Chair after I have expended 10 minutes of my 12-minute time so I know I have a couple of minutes remaining, please.

The ACTING PRESIDENT pro tempore. The Senator has 8 minutes remaining.

Mr. CORNYN. I thank the Chair. I wish to get a 2-minute notice, please.

The ACTING PRESIDENT pro tempore. The Senator will be notified.

Mr. CORNYN. Mr. President, I have been here numerous times over the last couple of weeks to talk about why the essential bargain that needs to underlie this bill has to be one that is not based on phony promises such as the ones made in the past about restoring legality and order to our broken immigration system. It actually needs a

mechanism that will compel results and realign all of the incentives for people across the political spectrum, Republicans and Democrats alike, to make sure Congress, and the executive branch in particular, keep their promises when it comes to border security. That is what my amendment is about and that is what we will be voting on perhaps in the next half-hour.

The underlying metrics contained in my amendment are derived from those in the underlying bill: 100-percent situational awareness and 90-percent apprehension. Some people may question that and say, How can we have 100-percent situational awareness? The fact is by using the technology currently deployed in places such as Afghanistan and Iraq. Technology such as that was featured in a Los Angeles Times article a few weeks ago called the VADER, a type of radar pilot that was being tested on the western part of the border. With it we can do a comprehensive job of seeing the border.

I am not talking about a Border Patrol agent seeing three people coming across the border and not seeing a handful of others who scamper across in some other place. I am not talking about that sort of imprecision. I am talking about using available technology such as that, for example, demonstrated by AT&T. AT&T recently came in and demonstrated in my office the use of fiber optic cable to create, in essence, an acoustic system which will identify people crossing the border and which then will trigger cameras to focus on the individual coming across to make sure it is not a deer or a javelina, that it is actually what the Border Patrol should be focused on; that is, people crossing the border illegally.

They could basically lay that cable down the entire U.S.-Mexican border for, I think they told me, somewhere on the order of $80 million. It is a lot of money, but it is not too much when it comes to securing our border.

Likewise, I mentioned the VADER technology. I know there are fixed towers and radar systems and camera systems that are being used by the military that need to be used by the Department of Homeland Security when it comes to protecting our border and keeping our commitments to keeping America safe.

There are dirigibles, I will call them, blimps that are used successfully in places such as Afghanistan and which should provide an ability to see a huge stretch of the border, using, again, radar and cameras. So this idea of situational awareness—that that is somehow not possible—simply ignores the technological advances that have been made and deployed by our U.S. military in Afghanistan and Iraq and which could be deployed if we had the political will to make it happen along the southwestern border.

I do not think it is too much to ask that of the people you actually see, that the Border Patrol ought to detain 90 percent. Right now, according to the Government Accountability Office—in 2011—our border is only 45 percent under operational control—45 percent. So that means, if you do the rough arithmetic, out of the 350,000 people who were detained coming across our border last year maybe the Border Patrol seizes and detains half of the people. Who knows what it is. We are guessing. We know the enumerator, but we do not know the denominator. So we need to deploy the technology and assets we have in order to meet that goal.

Again, I would refer to the New York Times article I talked about a moment ago of June 19. The headline: ''Two G.O.P. Senators Are Close to a Deal on Border Security.'' This refers to the efforts of our colleagues Senator CORKER and Senator HOEVEN. I have applauded them publicly, and I will do so again in making sure under their agreement—which we have not yet seen, and we understand we will see language maybe tonight—they have helped make sure that we focus more assets on the border security issue. I think they have added very constructively to this process, but I think the problem is—and we will have to wait until we see the language—under this pending agreement it says they have agreed to make the 90-percent apprehension rate a goal rather than a requirement—a goal.

Well, the American people will not be fooled. When Congress says to the American people, on something as important as border security: Trust us, it reminds me of the old sort of lame joke that the most feared words in the English language are: I am from the government, and I am here to help.

The ACTING PRESIDENT pro tempore. The Senator has 2 minutes remaining.

Mr. CORNYN. We are saying, in essence, on border security: We are from the government. Trust us. We have an aspirational goal to actually secure the border, but you have no guarantee that it will be done.

That is why my amendment is so important, because what it does is not create any sort of punitive effect, but it realigns all of the incentives for people across the political spectrum—Republicans and Democrats alike—to make sure the executive branch and the bureaucracy keep their commitments when it comes to border security. Then I believe the American people, demonstrating their typical generosity and compassion, will say: Yes, we need to find a humane way to deal with the 11 million people who are here.

Mr. President, I have a sheet in front of me entitled ''What They Are Saying About Border Security Metrics.'' This sheet has excerpts from a number of experts in the border security area who talk about the importance not just of measuring inputs—how many Border Patrol agents, how many drones, how many radar; I call those inputs—what they say is that we actually need outputs, we need results, and we need metrics or measuring sticks to be able to show we are making progress toward the intended goal.

I ask unanimous consent that this document citing these experts be printed in the RECORD at the conclusion of my remarks.

I hope my colleagues will vote to take up my amendment. I understand the majority leader will likely move to table it in short order. I hope my colleagues will vote no on that motion to table because I think this is an important building block in terms of restoring Congress's and the Federal Government's credibility when it comes to our broken immigration system.

Mr. President, I yield the floor and reserve the remainder of my time.

There being no objection, the material was ordered to be printed in the RECORD as follows:

WHAT THEY ARE SAYING ABOUT BORDER SECURITY METRICS

''Immigration reform proposals need to identify clearer goals for border security and ways to measure success rather than simply increasing resources.''—Greg Chen & Su Kim, Border Security: Moving Beyond Past Benchmarks (Amer. Immigration Lawyers Ass'n, Jan. 2013), at 1.

''Strategic planning is necessary if [DHS] is to carry out its border-security missions effectively and efficiently. As part of that, DHS leadership must define concrete and sensible objectives and measures of success.''—Henry Willis, Joel Predd, Paul Davis & Wayne P. Brown, Measuring the Effectiveness of Border Security Between Ports-of-Entry (RAND Corp.: Homeland Security and Defense Center, 2010), at xi.

''At present, evidence of significant improvements in border control relies primarily on metrics regarding resource increases and reduced apprehension levels, rather than on actual deterrence measures, such as size of illegal flows, share of the flow being apprehended, or changing recidivism rates of unauthorized crossers. The ability of immigration agencies and DHS to reliably assess and persuasively communicate border enforcement effectiveness will require more sophisticated measures and analyses of enforcement outcomes.''—Doris Meissner et al., Immigration Enforcement in the United States: The Rise of a Formidable Machinery, (Migration Policy Inst., Jan. 2013), at 6.

''Consternation and skepticism have been among the main reactions to the Border Patrol's new border security strategy. The Border Patrol's failure to define what was really new about the strategy, the plan's lack of details, and the absence of any metrics to measure the agency's progress underscored existing concerns about the Border Patrol's fuzzy strategic focus and lack of accountability.''—Tom Barry, The Border Patrol's Strategic Muddle: How the Nation's Border Guardians Got Stuck in a Policy Conundrum, and How They Can Get Out (Center for Int'l Policy, Dec. 2012), at 8.

''For two decades, the only issue for border security has been 'how much more?' A shift

in the debate is overdue. Congress should be demanding the best answers on what all those enforcement dollars have purchased, and insist on better performance measures in the future.''—Edward Alden, Time to Measure Progress at the Border With Mexico (Geo. Washington Univ. Homeland Security Policy Inst.) May 2012.

''Congress should direct the administration to develop and report a full set of performance measures for immigration enforcement . . . Better data and analyses—to assist lawmakers in crafting more successful [border security] policies and to assist administration officials in implementing those policies—are long overdue.''—Bryan Roberts et al., Managing Illegal Immigration to the United States: How Effective is Enforcement? (Council on Foreign Relations, May 2013), at 3, 52.

''[C]learer metrics for border security must be established so we can ensure limited resources are directed to where they can best protect the nation.''—Eric Olson & Christopher Wilson, Defining Border Security (Politico, Feb. 10, 2013).

Mr. CORNYN. May I ask, Mr. President, how much of my time remains?

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. CORNYN. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, this legislation has been pending on the floor since the beginning of last week. We should have started disposing of amendments during the first week the bill was on the Senate floor. But we have seen objection after objection by those who are opposed—and they are very much in the minority—to this legislation. They objected to proceeding to comprehensive immigration reform. That cost us several days. To show that they are a minority, we finally ended that filibuster so we could proceed to the bill with 84 Senators voting to proceed.

I realize some would rather not have any votes one way or the other. That allows someone to go home and say, whether they are for or against it, yes, I am working on that because I voted maybe. Well, is there any wonder why we are at such a low level of approval in the American people's eyes, the whole Congress? They expect us to vote yes or no. Sometimes you have to vote for something that is unpopular. Well, we are elected to 6-year terms. We are supposed to do that. We are supposed to represent over 300 million Americans, 100 of us. The American people do not want us to delay and delay so we do not have to vote, so we can go back home and say: Oh, I am on your side, no matter what your side is. No. They expect us to vote yes or no even though it may be controversial.

Last week and this week I have been working closely with the majority leader and Senator GRASSLEY and others to make progress. We started voting on amendments in an orderly fashion, but we still faced objections. There have been 250 amendments filed to this bill. So far, we have considered 11—11 votes, endless delays. We could be spending months on it. The American people expect us to have the courage to vote yes or no.

A lot of Senators who are not on the Judiciary Committee have amendments. Some of these amendments are noncontroversial. Many have widespread support. There ought to be a way to just adopt those. Some of these amendments are controversial. Well, then, let's vote on them. In the Judiciary Committee, we considered a total of 212 amendments over an extensive markup, 35 hours of debate. More than half of the amendments considered were offered by Republican members of the committee. We adopted 135 amendments to improve this legislation. All but three were passed with both Democratic and Republican votes.

I hope Republicans will join me in making an effort to dispose of the many noncontroversial items. The amendments, including the managers' amendment, are noncontroversial. They have widespread support. They have been filed by Senators on both sides over the past two weeks, and many have already been discussed at length on the Senate floor. The package contains bipartisan amendments to improve oversight of certain immigration programs. It also contains noncontroversial technical amendments.

I see the distinguished majority leader on the floor. I am going to yield the floor. I am going to speak on this further, but my whole point is that we have all kinds of noncontroversial amendments cosponsored by Republicans and Democrats alike, both Republicans and Democrats on the same amendment. We ought to be adopting them and not stalling because a stall says: I want to vote maybe. I do not want to vote yes or no, I want to vote maybe.

I have served in this body longer than any current Member. I have served here with nearly one-fifth of the Senators who have had the privilege of serving in the body since the beginning of the country. I have known great Republicans and great Democrats who must be wondering—in the past—what are we doing?

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I have not heard all of my friend's statement. We have a list of 27 amendments that the chair has come up with that are noncontroversial. One of them I was surprised we could not put on the list because a Republican Senator objected because they thought it was controversial that we should do things in this bill, the immigration bill, for the best interests of the child. That is controversial. That surprised me.

Mr. LEAHY. You know, I hear a lot of speeches that we should support family values, as both the Senator from Nevada and I do, but when you try to put it in a bill—that it is obviously a family value, protecting children—then we have an objection. Well, if you do not like the amendment, vote against it. Let's vote on it.

Mr. REID. While Senator LANDRIEU was here on the floor last night, we had a colloquy back and forth for a little bit. My friend the chairman of the committee and I can lament about the days when we would bring a bill to the floor and—the Energy and Water appropriations bill. The two of us have been longtime members of the Appropriations Committee. Senators BENNETT, JOHNSON, and I, Pete Domenici, when he was the ranking member with me—we would do the Energy and Water bill in a couple of hours, a bill that was extremely important for the country. It provided security for nuclear weaponry. But now we do not do that anymore. We have 27 amendments here. It is a sad commentary on things. But these things would be accepted not in a managers' amendment, they would just be done by unanimous consent. But, anyway, we cannot do that.

Mr. President, I call for regular order with respect to the Cornyn amendment No. 1251.

The ACTING PRESIDENT pro tempore. The amendment is now pending.

Mr. REID. I move to table the Cornyn amendment. I ask unanimous consent that there be 2 minutes equally divided prior to the vote on my motion to table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The ACTING PRESIDENT pro tempore. The Republican whip.

Mr. CORNYN. Mr. President, the majority leader has moved to table my amendment which provides a guarantee of actual results rather than false promises, which have been the sad litany of most of our history when it comes to immigration reform and border security.

Starting in 1986, when Ronald Reagan signed an amnesty for 3 million people premised on enforcement, the American people, in their typical generosity and compassion, accepted that based on the representation it would never happen again. In 1996, 17 years ago, President Bill Clinton signed into law the requirement for a biometric entry-

exit system, which would address the 40 percent of illegal immigration that occurs because people enter legally, simply stay, and melt into the great American landscape, unless they happen to commit a crime or are otherwise caught by law enforcement.

We cannot ask the American people to trust us because of this litany and sad story of broken promises when it comes to immigration reform. That is why we need real enforcement, why my amendment needs to pass and not be tabled.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Mr. President, I support the tabling of the amendment. There may be some good parts in it, but most of it is bad. The billions of additional taxpayer dollars I cannot support, with all of the billions we already have in here.

The biggest reason I will not support it is because it imposes new unrealistic triggers. It says to people, we want to give you the pathway to citizenship, but, guess what. We are going to keep the door closed. You can pretend you are going to get citizenship, but we are going to make it impossible as we have a fully biometric entry-exit system at all air and seaports as a trigger.

Most airports will not be able to do this, certainly not the little airports many of us use to fly in and out. That is unrealistic.

I appreciate the effort the Senator from Texas has put into this amendment. But I must strongly oppose it.

This amendment would impose new, unrealistic triggers that must be met before the pathway to citizenship becomes a reality.

To take one example, the amendment includes a fully biometric exit system at all air and seaports as a trigger before those in provisional status can earn green cards. But this presents extensive technological and infrastructure challenges that could take many years to fully address. U.S. airports were not designed to accommodate immigration exit lanes, where biometrics could be collected.

This approach will not work. An attainable pathway to citizenship is a central component of this bill. It is how we will bring people out of the shadows so that we know who is here and can focus instead on who is dangerous—a critical step if we are serious about national security.

The triggers in this amendment will have the opposite effect. They are unrealistic. People will not come forward and register if they believe that they will remain in limbo.

In addition to making the triggers unattainable, the amendment also makes the pathway to citizenship unfair and irrationally difficult. It would make immigrants ineligible for Registered Provisional Immigrant (RPI) status if they have been convicted of a single misdemeanor offense related to domestic violence and child abuse.

I know this may sound reasonable on its face and we all agree that domestic violence is unacceptable and that abusers should be punished for their crimes. I am concerned, however, that this amendment may have the unintended consequence of harming the very victims it seeks to protect.

When we considered a similar proposal in committee, more than 150 organizations who work with the victims of domestic violence expressed their concerns that such a measure would have a chilling effect on reporting, and could even lead to victims getting caught up in the criminal justice system. That's why the committee rejected the proposal.

The amendment would also dramatically increase the cost of the bill. It would require billions of additional taxpayer dollars be spent on the border each year. At some point, we must simply say that is too much. This amendment reaches that point.

This amendment does have some good provisions in it. It takes steps that would help facilitate cross-border travel and commerce by improving land ports of entry. I would welcome the opportunity to work with the Senator from Texas on a few of those proposals.

But overall, the amendment goes much too far, and I cannot support it.

I strongly oppose this amendment, and I would vote to table the amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion.

The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Idaho (Mr. RISCH).

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 43, as follows:

[Rollcall Vote No. 159 Leg.]

YEAS—54

Baldwin	Flake	McCaskill
Baucus	Franken	Menendez
Begich	Gillibrand	Merkley
Bennet	Graham	Mikulski
Blumenthal	Hagan	Murphy
Boxer	Harkin	Murray
Brown	Heinrich	Nelson
Cantwell	Heitkamp	Paul
Cardin	Hirono	Reed
Carper	Johnson (SD)	Reid
Casey	Kaine	Sanders
Coons	King	Schatz
Cowan	Landrieu	Schumer
Donnelly	Leahy	Shaheen
Durbin	Levin	Stabenow
Feinstein	McCain	Tester
Udall (CO)	Warner	Whitehouse
Udall (NM)	Warren	Wyden

NAYS—43

Alexander	Cruz	Moran
Ayotte	Enzi	Murkowski
Barrasso	Fischer	Portman
Blunt	Grassley	Pryor
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Chiesa	Inhofe	Sessions
Coats	Isakson	Shelby
Coburn	Johanns	Thune
Cochran	Johnson (WI)	Toomey
Collins	Kirk	Vitter
Corker	Lee	Wicker
Cornyn	Manchin	
Crapo	McConnell	

NOT VOTING—3

Klobuchar	Risch	Rockefeller

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, the managers of this bill and floor staff are working to try to come up with a path forward on this legislation.

We have a number of Senators who are concerned about amendments that they feel are not controversial, and that is one track we are trying to come up with.

The other track is a number of Senators are working with the Gang of 8 to come up with a major amendment dealing with, as I understand, border security and a number of other things. I am also told that amendment is being drafted by legislative counsel. So I hope we can have that amendment soon so people can look at it, and I hope we can do something with the noncontroversial amendments.

In the meantime, we have to understand this is not easy to do. But I think we have a path forward. I am grateful to everyone for being as understanding as they are, because legislation is not easy, especially on a major piece of legislation such as this.

But I do say this: This is not one of those bills that suddenly appeared on the Senate floor. People have been working on this legislation for months. For months the Gang of 8 has been working on this. We had one of the most thorough markups in recent history in the Senate. Hundreds of amendments were considered, scores were accepted—Democratic amendments, Republican amendments. So this legislation we have on the floor is not as if suddenly it is here and not much has been done about it.

Again, I repeat what I said before: We are trying to find a way forward.

Mr. President, in the meantime, I ask unanimous consent that Senator TOOMEY, Senator LANDRIEU, and then Senator CRUZ be recognized for 10 minutes each in the sequence I just mentioned.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I wish to begin by commending my many colleagues who put a lot of time and effort

into this bill and attempts to refine it through this amendment process. But I have to say, with all due respect, I think a great portion of the debate we have been having in this body misses the fundamental point, the most important aspect of what we ought to be addressing in immigration.

We have spent a lot of time working on and talking about what we do with the people who are here illegally, and there is a path to citizenship in this underlying bill for these folks.

We have talked an awful lot about border security. And border security is an important issue. But I am strongly of the view that while that is important, border security reform is not sufficient to solve the immigration problem we have. I would point out that however high we choose to build a wall on our border, someone can always build a ladder that is 1 foot taller.

I think the most important part of this whole debate ought to be about, What do we do about the next wave of immigrants, the next group of people who want to come to this country—future immigration that is certainly going to happen? I think to address that we have to think about what drives the immigration that has been happening, much of which has been illegal.

I think what drives it is poor people who have very meager prospects who want to come to a rich country where there are great opportunities. It is people who want to work hard and build a better life for themselves and their families. It happens to be the exact same thing that drove every previous wave of immigration.

I think about the 25-year-old Mexican guy in central Mexico who lives in a poor community where prospects are grim and the standard of living is miserable. He wants to come here to build a better life, and he does so in the same way my grandparents in Ireland and my great-grandparents in Portugal wanted to come here, for the exact same reason.

My ancestors had very little education and no skills. They came to this country to work, and that is what they did. When they did that, they didn't weaken America, they didn't weaken our economy. They helped to build this country, they helped to build this economy, as all of our ancestors did. That is true of immigrants who want to come here and work, and we ought to have a legal avenue that allows these people who want to build a better life for themselves and, in the process, will build a better America—we ought to allow that to happen.

In my view, this bill doesn't go nearly far enough in accommodating the legal immigration we could and should have in this country, especially with respect to low-skilled workers.

I will be the first to say the bill makes a lot of progress for high-skilled workers in two big areas: the H–1B visa. The cap that has been too low for too long is significantly raised. And although we have created hoops that people have to go through that are probably unnecessary, it is progress that we have a much higher cap.

There is also a new opportunity for graduate students in the STEM fields to get green cards, in time, and that is very constructive. These people come here with a great deal of human capital, intellectual capital, they are trained in fields where we need these skills, and the last thing we should do is send them home to compete against us. It is terrific that this bill addresses that by welcoming these folks.

But for the category of low-skilled nonagricultural legal immigration, this bill is wildly inadequate. I say that because the visa that is created to accommodate these folks I think has terribly low caps. In the first year, the cap is a mere 20,000 people. The next year it is 35. It goes up to 75 eventually. These are absurdly low numbers by any reasonable measure. Frankly, you could consider this the anti-immigration bill because these numbers are so low, and this is the category where there is the greatest interest in immigrating.

I would point out that early in the last decade, according to the Pew Hispanic Center, there were 800,000 people coming here every year. In 2007, the Kennedy-McCain immigration reform bill was reported out of committee with the support of Senator Kennedy, and that allowed for 400,000 guest worker visas each year.

Yesterday or the day before, the CBO came out with a score of this underlying bill, and interestingly they predict that fully 75 percent of all future illegal immigration that is expected under current law will occur under this bill. I think part of the reason is because we are not providing an adequate legal avenue for people who want to come here and work hard.

So I have an amendment. I will have more to say about this later, but I want to mention this to my colleagues and urge their consideration. It is an amendment that lifts the cap each year. The first year it takes the cap up to 200,000. It then goes to 250,000, 300,000, and finally 350,000 in the fourth year.

I would point out that these caps on the W visas—the low-skilled worker visas—would still be lower in the fourth year than Senator Kennedy agreed to in the first year, a few years ago. It doesn't change the wage protections that are in the underlying bill. A worker would still need a sponsoring employer. All of those provisions stay the same. But we at least would increase the opportunity of people who want to come here legally and work hard to build a better life.

I know some of my friends, especially on the other side, are going to oppose this. But I will tell you, if we do not raise the caps for the low-skilled workers who want to come to this country, then the next wave of illegal immigration is guaranteed regardless of what we do at the border. Anybody who thinks more legal immigration of people who want to come here and work hard for themselves and their family is harmful to our economy or to America and we need to keep those people out, as, I am afraid to say, this bill does, that is a profound misreading of American history. Throughout all of our history, from before we even became an independent Republic, the story of America has been one wave of immigrants after another. And while millions of people were coming to this country, what was happening to America? We were becoming richer. Wages were rising, our economy was growing, our standard of living was increasing. That is what happens when people come here to work; they increase the size of our economy.

We shouldn't view our economy as a pie where we are all fighting for a slice and we don't want somebody else to get a bigger slice, because what happens when people come here through a legal system to work hard is they increase the size of the pie. They are consumers, they become investors, they become contributors to our economy and to our country, just as every single wave previous to them—including my grandparents and all of our ancestors—did as well.

I think this is the central challenge: Fix the broken immigration system so we won't have the next wave of illegal immigration, so we can continue to build a stronger economy that these folks will help to build. I think we need to address these caps as a part of the process of doing that.

I want to thank my colleague, Senator JOHNSON from Wisconsin, for cosponsoring this amendment. I know a number of other colleagues are interested in sponsoring this. I will have more to say about this later in the week or next week, but I think this is a very important topic that we need to address in this debate.

Mr. President, I appreciate the time and I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I came to the floor to speak about and follow up on a 2-hour debate we had last night on the floor about amendments pending to this bill that are uncontested.

But before I do, let me acknowledge the leadership for allowing Senator TOOMEY to come to the floor and offer his amendment. It is not one—although he has made some good points—that I can agree with or others will agree with. But at least he had the opportunity to come to the floor, present his amendment and ideas, make his arguments, and hopefully at some time the

Senate can vote on that amendment. That is the process.

In the underlying bill, these quotas and goals and numbers of visas were carefully and very fragilely compromised among Democrats and Republicans that serve as the basis of the underlying bill. So any major adjustments to that would undermine a comprehensive immigration bill.

The bill we have to consider is not the perfect bill. We could have all written it differently. But the overriding objective to fix a system that is broken, to secure the border, to require taxes be paid, English spoken, behind the line after people who have come here legally, close these borders, improve technology, and give an economic impact to this country overrides, in my view, these important but not major issues.

Having said that, there is an issue that I think deserves a tremendous amount of attention, and it is not just one amendment, it is 27 amendments. The issue is there are currently 278 amendments filed, including Senator TOOMEY's amendment. So besides his, there are 277 amendments pending to this bill.

Senator HARRY REID has said actually for 6 weeks now that he wants this bill finished by July 4. Because the leadership has not been able to negotiate—which is very difficult, I understand; some of these are very controversial amendments and who is going to get votes on what, et cetera, et cetera—it has really slowed us down.

I am not new to the Senate. I have seen this happen before. I am not whining about it; I am acknowledging that is the world in which we live. There is no magic button that can be pushed to fix this, but what we can do is come together in a trusting way to pass uncontested amendments—amendments that are not contested on the Republican side and that are not contested on the Democratic side. I am aware of about 27.

The staff, both Republicans and Democrats, has been working through the night to identify off the list of 277 amendments besides that of Senator TOOMEY, some of those that are actually really good ideas that Republicans and Democrats agree to, that do not upset the balance of the bill, do not spend any major additional funding or minor funding, that are in the principle and scope of the bill. It is our responsibility as Senators to legislate. That is what we are trying to do.

I would like to read this list of amendments that to my knowledge have no contest. No one is opposing them. This is a list that was put together by Republicans and Democrats. Perhaps there is another list of which I am unaware. My only goal is to get the Senate to accept amendments that are uncontested, that improve the bill, because that is what we are sent here to do.

I see the ranking member on the floor. I will yield in a minute, but I am going to take my full time and I will stay on the floor until we can resolve these things.

But I point out that there are only 17 members of the Judiciary Committee. I am not one of them. Those 17 members of the Judiciary Committee, led by Senator LEAHY and ably by Ranking Member GRASSLEY, met for 2 weeks, morning, noon, and night, hours and hours. Senator GRASSLEY himself filed 77 amendments, and 38 were considered, 16 were adopted, and 22 were rejected. Senator GRASSLEY as the ranking member is entitled to more amendments than anyone. The chair gets the most, the ranking member gets the second most, and I think that is actually what happened.

The problem for those of us who are not members of the Judiciary Committee, who are not authorized to offer amendments at the committee level because we are not on the committee—although we can informally work with members, and I did that, as many Members did because we know what our job is around here—the only way we can have input into this bill acting on behalf of constituents who have come to us with very good ideas.

Let me say the best ideas come not only from the little group here in Washington. We have very smart people out in the rest of the United States who follow things very carefully. They call their Senators and Representatives—elected officials, nonprofit groups, citizens, businesspeople—and say: I read the bill. I am thinking this might be a better idea.

We get our staffs to work on it, and, voila, that is how many amendments come forward.

What I am so angry about—and I will use the power I have as a Senator to push this point—is that when these ideas come and we have Republicans and Democrats supporting them, we cannot even get a process to get these uncontested good ideas forward because we give all the time and attention to the most controversial amendments. They are usually the ones that have no chance of passing whatsoever, that are message amendments for both sides, that undermine the bill we are trying to work on, and our ability to legislate has gone out the window. I am not going to be a Senator with that window closed, so I plan to open it. I am going to use all the power of my office to open the window of opportunity to legislate.

I am going to ask for 3 more minutes to read something into the RECORD. I have a list of amendments in front of me, starting with Senator BEGICH, 1285; Cardin and Kirk, 1286; Carper, 1408; Carper-Coburn, 1344; Collins, as modified, 1255; Coats, 1288; Feinstein, 1250; Hagan, 1386; Heinrich, 1342, Heller, 1234; Kirk and Coons, 1239; Klobuchar and Coats, 1261; Landrieu, 1338; Landrieu, 1382; Leahy and Hatch, 1183; a Leahy technical amendment that has no number; Leahy, EB–5 clarification that has no number but is technical; Murray-Crapo, 1368; Landrieu, 1341; Landrieu-Cochran 1383; Nelson, 1253; Reed, 1223; Schatz and Kirk, 1416; Shaheen, 1272; Stabenow, Collins, and King, 1405; Udall, 1241; and Udall, 1242.

To my knowledge, none of these amendments are contested. Some of them are Democratic amendments, and some of them are Republican amendments. At some point I am going to ask for these amendments to be included in the base of this bill. I am not going to ask that at this exact moment, but I am going to ask—well, I might ask the chair and ranking member, is this a list the Senator recognizes? If not, is there another list I could see, observe, and put into the RECORD for this discussion? I ask the ranking member of the committee, the Senator from Iowa.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Has the Senator yielded the floor? I don't think I want to speak until I have it.

Ms. LANDRIEU. No, I have not. I understand these amendments to be noncontroversial. It is my understanding that there is no Republican opposition to the substance of these amendments. I could be wrong. If someone can tell me what the substantive objections to these amendments are, I will go back to work. I am happy to work on this all day. It is very important. We have several days to finish this. If somebody could tell me either in writing or verbally what are any substantive objections to these amendments, I promise I will do the work necessary to see what can be done to work them out.

I am going to ask because no one has come to me. I filed this list, talked about this 2 hours last night. Everyone knows these amendments. Everyone has had a chance to look at them. No one has come to me to say they object to any of these amendments. I am going to simply ask unanimous consent for them to be added to the bill.

Let me say that after these are added to the bill, we still will have—let me do my math—we still will have 251 amendments to fight about. So, you know, we will really enjoy the fight. I can fight as tough as the next guy. But could we possibly get amendments that Members have worked together on?

How fascinating that Democrats and Republicans actually worked together to answer constituent letters and phone calls and concerns about immigration and found a way to work together and put an amendment together. But, you know what. We go to the back of the line while everybody who has not worked, who just wants headlines—and I am not speaking of Senator GRASSLEY. He has done a great job in his leadership. But there are others who want to have press conferences

and headlines. I do not. I just want to legislate on behalf of the constituents who have sent me here now for three terms.

I am going to ask unanimous consent to agree to these uncontested, to my knowledge, amendments.

The PRESIDING OFFICER. Is there objection?

Mr. GRASSLEY. Reserving the right to object, Mr. President.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Is there a time limit for me to speak?

The PRESIDING OFFICER. The Senator from Louisiana had 10 minutes, which has now expired. The Senator from Iowa has no time allocated to him.

Mr. GRASSLEY. Reserving the right to object, and I probably will have to object, but let me explain first of all that this is a rare moment that Senator LANDRIEU and I might be on the opposite side of the fence. And maybe when this is all done, we will not be on the opposite side of the fence because 99 percent of the time that she and I have conversations, it is about foster care and adoption and all those things. But let me speak to my reservation.

First of all, we have had this list that she speaks of since at least this morning and maybe even earlier than this morning and we have been going through it. I will give a bottom line, but I want further opportunity to explain.

There is now to the chairman's staff a counteroffer that we have that I would like to have Senator LANDRIEU and other Senators take a look at. I had an opportunity last night to spend some time speaking with Senator LANDRIEU about this, trying to get a process in place. I guess that process is in place now. We went through these amendments. But let's say, first of all, when there are noncontroversial amendments presented to us by the majority party, it means they have stated that they are noncontroversial and we go through the list. We may have a different judgment on some of them because it is my conclusion that not all of the 27 so-called noncontroversial amendments are, in fact, noncontroversial. Some of them are in another committee's jurisdiction, and we always take the leadership of other committees, when they are under other jurisdictions, into consideration.

Normally amendments like this would take place in a managers' amendment that comes near the end of the process because it takes time to go through. We could have 100 amendments on a list that somebody thinks are noncontroversial, so it takes some time to clear.

Despite what has been said, many of these on the list of 27 are not necessarily easy, but we worked on them, we presented an alternative, and I ask for that to be discussed. In the meantime, then, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. LANDRIEU. Will the Senator yield for a question?

Mr. GRASSLEY. Yes.

Ms. LANDRIEU. Is there a physical copy of the list you have presented to the Democrats? Could it be submitted to the RECORD?

Mr. GRASSLEY. The chairman's staff has it, and I ask the Senator to consult the chairman.

Ms. LANDRIEU. I would like to ask that that list be read into the CONGRESSIONAL RECORD.

Mr. GRASSLEY. I will not submit that list until after the chairman responds.

Ms. LANDRIEU. I ask unanimous consent for that list to be submitted to the RECORD.

Mr. GRASSLEY. I object.

The PRESIDING OFFICER. Objection is heard.

Ms. LANDRIEU. Mr. President, do I have the floor?

The PRESIDING OFFICER. The time of the Senator has expired.

Ms. LANDRIEU. I ask unanimous consent that the time until 2 o'clock be equally divided between the two leaders or their designees and that the majority leader be recognized at 2 p.m.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, I ask that I take the Democratic leader's time for 10 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. LANDRIEU. Well, I am next because there was just a Republican on the floor.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Texas is in order to be recognized.

Ms. LANDRIEU. What is the next order, please, after the Senator from Texas?

The PRESIDING OFFICER. There is no order.

Ms. LANDRIEU. I ask unanimous consent to speak for 10 minutes after the Senator from Texas.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Texas.

SYRIA

Mr. CRUZ. Mr. President, I rise today to express my strong concern about President Obama's decision to arm the rebels in Syria. That decision was signaled last week by Deputy National Security Adviser Ben Rhodes. According to Mr. Rhodes the United States will start supplying arms to selected rebel groups.

I fully understand the seriousness of the situation in Syria. Bashar al-Asad is a brutal dictator. Syria has been on the State Department's state sponsor of terrorism list since 1979. For 2 years this brutal civil war has raged, leaving at least 93,000 dead—100 reportedly through chemical weapons attack. The humanitarian situation in Syria is a calamity. Millions of people have been displaced.

Iran and Russia stand to gain a major strategic victory if Asad remains in power, and we have to be concerned about the danger this war poses to our allies Israel and Jordan.

All Americans would like to see secular, democracy-minded forces in Syria come to power, but President Obama's failed policy over the last 2 years has left us with no good options at this time. In the beginning of the uprising, there was a moment when the peaceful protesters could have used the vocal energetic support of the United States. Instead, the Obama administration stood by for months apparently in the hopes they could make Asad see reason. Before long, military hostilities broke out, but President Obama chose not to act, hoping instead to lead from behind.

In the course of the war, Asad has benefited from weapons from Iran, Russia, and fighters from Hezbollah. Our repeated entreaties to the Russians to help us resolve this crisis have fallen on deaf ears—most recently this week when President Obama tried to reach a diplomatic solution with President Putin, to have him once again refuse to be the good-faith partner the administration seems to think he could be.

Meanwhile, the most effective, organized Syrian rebels are affiliated with al-Qaida. There are two main al-Qaida entities active in Syria: Jabhat al-Nusra and the resurgent al-Qaida in Iraq. While recent plans to merge them have foundered, they are both powerful and well armed.

In recent weeks a training video has been posted on an al-Qaida Web site showing young rebel recruits in Syria singing not only about overthrowing Asad, but how ''the World Trade Center was turned into rubble.'' To commemorate the 65th anniversary of the founding of Israel on June 6, al-Qaida leader Ayman al-Zawahiri released a video calling for Syrians to unite, bring down the Asad government, and to create a radical Islamic state.

On June 9, Zawahiri posted a letter on Al-Jazeera announcing that Jabhat al-Nusra would be acting on his direct orders. As many as seven of the nine rebel groups that have been identified may have ties to al-Qaida. Yet these murky connections make them all the more difficult to properly vet.

As is normally the case when al-Qaida moves in, more and more stories are spreading about the desecration of churches, kidnappings, rapes, and beheadings. These forces are engaged in a deadly struggle with the Asad regime, and President Obama has chosen this

moment to signal that it is now suddenly in our vital national security interests to intervene in Syria. It seems far more likely a recipe for disaster.

We are told the United States will provide only small arms and ammunition and only to the more secular democracy-minded rebels, and that they will not fall into the hands of those who attacked us on September 11—not to mention more recently in Fort Hood, Benghazi, and Boston—although there are no details as to how the President plans to differentiate between good and bad actors.

Even if we could clearly identify the good rebels, so to speak, we would be backing the weakest of the factions in Syria, and the support the Obama administration has proposed will not be sufficient to bring down Asad and put them in power. Once committed to this path, we risk either being forced to incrementally increase our support or face the humiliation of losing to either al-Qaida groups or Asad or both, which would delight both Iran and Russia. We could also see the factions of the opposition use our weapons to turn on each other and see Asad triumph in the chaos.

It is far from clear we could get the weapons to the so-called good rebels, even if we could figure out who they were. President Obama has just announced another $300 million in humanitarian aid for Syria, but only about half of the aid already pledged has been delivered. The other hasn't been delivered because of logistical issues and the challenges of keeping these resources out of the hands of bad actors. How on Earth can we expect to deliver guns if we cannot even get MREs into the country?

Regardless, let me suggest a simple rule: Don't give weapons to people who hate us. Don't give weapons to people who want to kill us. U.S. foreign policy should be directed at one central purpose: protecting the vital national security interests of the United States. Arming potential al-Qaida rebels is not furthering those interests, but there is something that is: preventing Syria's large stockpile of chemical weapons from falling into the hands of terrorists.

We know Asad has used these weapons, and there is good reason to suspect the al-Qaida affiliated rebels would use them as well if they could get their hands on them. This poses an intolerable threat not only to our friends in the region but also to the United States. Right now we need to develop a clear, practical plan to go in, locate the weapons, secure or destroy them, and then get out. We might work in concert with our allies, but this needs to be an operation driven by the mission, not by a coalition.

The United States should be firmly in the lead to make sure the job is done right, but our British allies, for example, are actively bolstering the units that could be used for chemical weapons removal. President Obama needs to assure us that the dangerous, arbitrary cuts to our defense budget caused by sequester have not eroded our ability to execute this vital mission.

News reports suggest that what planning has gone on involves outsourcing parts of this work to the rebel groups. This makes no sense. Moreover, it is deeply disturbing that President Obama has chosen not to communicate his decision directly to Congress or the American people and, I would note, communicating not through a junior staffer or a spokesperson. He, himself, needs to communicate to the American people.

According to a Pew poll taken over the weekend, 70 percent of Americans oppose arming the Syrian rebels—quite sensibly. In a case where his policy is so at odds with the will of the people, it is beholden on the President to make his case and persuade us this proposed intervention is necessary. But just yesterday in his long speech on national security at the Brandenburg Gate, President Obama did not even mention his planned intervention in Syria. He told us he is a ''citizen of the world,'' but he is also President of the United States, and he owes the American people an explanation.

President Obama needs to explain why arming the Syrian rebels is now worth our intervention when it wasn't 2 years ago. He needs to explain how he has established which rebels are the appropriate recipients of this support. He needs to explain how this limited support will make a material difference in Syria, and he needs to assure us that his team is proactively planning to protect our national security by keeping Syria's chemical weapons out of the hands of either Hezbollah or al-Qaida. But we don't know any of these specifics. We are apparently just supposed to trust the President to manage Syria policy more effectively than he has over the last 2 years and more effectively than he has managed events in Iran, Libya, and Egypt.

During the Green Revolution in 2009, the Obama administration stood by and allowed the Supreme Leader of Iran to brutally suppress his people as they protested in the streets. Four years later, we have witnessed the installation of the Supreme Leader's most recent selection for President of Iran. Some of the mainstream media refer to him as a ''moderate,'' but he is a man who has referred to Israel as ''the great Zionist Satan,'' and who vows to continue Iran's nuclear program. That is some moderate.

During the uprising in Tahrir Square in Cairo, President Obama cheered on the demonstrators but refused to take a leading role in helping Egypt make the difficult transition to democracy, thereby opening the door to a Muslim Brotherhood regime that is now taking systematic steps to hollow out that country's fragile constitution while turning a blind eye to the persecution of Christians and the discrimination against women. Just like the rebels in Syria, President Obama is also working to arm the Muslim Brotherhood in Egypt.

During the revolution in Libya, President Obama decided removing Muammar Kaddafi was a vital national security issue, and he participated in NATO's mission to overturn him. But his strategy of leading from behind meant Kaddhafi's weapons stockpiles went unsecured and had been transferred to militants from Lebanon to Mali. The new government in Libya, however well intentioned, proved incapable of managing the security threat from terrorist militias in the country, and tragically 9 months ago four U.S. personnel were brutally murdered in a terrorist attack. We have yet to track down and punish any of the terrorists who killed our personnel in that attack in Benghazi. With this track record of incoherent and indecisive action resulting in setback after setback to the United States, we are supposed to just trust President Obama to do a better job managing the situation in Syria?

It seems to me if we are determined to confront Iran's nuclear program, we would do so better in Iran. Even if Hezbollah is defeated in Syria, there is little prospect that this would halt Iran's nuclear program.

I am also concerned about our ability to successfully negotiate what seems to have become a Sunni-Shiite civil war in Syria. It seems to me we have no business in the middle of such a civil war. From what we know of the President's policy, it seems we are backing into an intractable crisis where there are no good actors but plenty of bad outcomes for America.

Let me close with two simple observations: No. 1, don't arm al-Qaida. Don't arm those who hate us, and don't arm those who want to kill us. That is basic common sense.

No. 2, when it comes to matters of vital national security, the President of the United States needs to come to the American people. We, the people, hold sovereignty in this country, and it is not acceptable for the President to simply send out staffers to pass on his decision. He needs to come before Congress and the American people and explain those decisions.

All of us have deep concerns about arming the rebels in Syria, and I hope the administration will reconsider its policy.

I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, before the Senator from Texas leaves the

floor, could I ask a question unrelated to his speech? I am sorry I didn't get to hear most of it. I stepped off the floor temporarily.

The Senator has been so active on the debate on immigration, I wonder if the Senator is aware of a list of 27 noncontroversial amendments that are from both Republicans and Democrats. Has the Senator from Texas had a chance to look at that list? And if not, could the Senator look at it? If he has looked at it, does the Senator have any objections to the amendments on the list?

Mr. CRUZ. I thank my friend from Louisiana. I was handed that list about an hour and a half ago today. I looked at the titles on the list but I have not had the time to study the specifics. I don't know if I have any substantive objections to those specified amendments.

Ms. LANDRIEU. I thank the Senator for his answer. I ask the Senator and any other Senators who have not had a chance to look at this list that has been widely circulated to take the time to look at the list. I know my colleague is very busy and has many important issues to debate on this bill, but these are important amendments to colleagues on both sides of the aisle.

Again, I thank the Senator from Texas for agreeing to look at the list and let us know.

I am going to come back to the floor in a few minutes and ask unanimous consent for this list of amendments. I want to read the amendments into the RECORD. These are noncontroversial amendments. What I mean by noncontroversial is, to my knowledge, is they are uncontested. They are Republican and Democratic amendments that seek to improve the bill in response to communications from our constituents at home. It is not just people around Washington and the beltway who have good ideas about immigration issues. I am sure people in New Mexico have great ideas, and people have very good ideas in Louisiana. The way they get their ideas into the debate is by calling their Member of Congress, calling their Senators' office, writing letters, sending e-mails, giving us suggestions. This list represents some of that communication. That is why we come here, to represent those interests and to say: Look, this was an idea I had; it will strengthen the bill. One of these ideas which I am very excited about came up through our small business roundtable for small businesses. They said: Senator, why don't you mandate a mobile app for us, particularly in rural areas, because we don't have high-speed Internet. We can't run back 200 miles to check the local Internet to do this E-Verify. Why doesn't Homeland Security have a mobile device for the iPhone which everybody is carrying—either iPhones or BlackBerrys—where a person hits a button or a mobile app for E-Verify. What an amazing, wonderful idea.

This bill is going to spend billions and billions and billions of dollars securing the border. Could we spend just a little bit of effort helping every small businessperson in America to use the E-Verify system smartly and efficiently? It would be such a relief to them to know they don't have to put themselves at risk hiring people who don't have the right certification. They can just go to the mobile app and pull it up. That is what we are hoping.

We have 3 years to put this system into place. No small business is mandated to use the E-Verify system under the bill until these new systems are in place. That is one of our amendments. There is no one who has come to me to say: We hate the mobile app idea. We don't want to do the mobile app idea. It is a terrible idea. So let's put it in the bill.

There are some other amendments in here—I don't know all of them because only some of them are mine. Let me read one from TOM UDALL. I don't know it specifically, but it says it makes $5 million available for strengthening the border infectious disease surveillance project.

I know $5 million is a good amount of money, but compared to the billions of dollars we are spending in some of our rural States—including New Mexico, Colorado, Arizona, and Louisiana is rural—I don't think there is anybody objecting to spending $5 million to strengthen the border infectious disease surveillance project. That kind of smart investment—I am sure the Senator has done his homework. That kind of smart investment could save taxpayers and the livelihoods of farmers everywhere. What a wonderful idea. We can't even get that adopted by a voice vote because we have broken down the trust and respect of the Senate. I am going to do my very best, as calmly as I can, to try to get that trust and respect back.

One of the other amendments prohibits the shackling of pregnant women. Now, we shackle a lot of people—and this is Senator MURRAY's amendment—when they do wrong things. But I think people can understand the benefit of expressing some strong views to not put shackles on the ankles or wrists of a woman who is pregnant. It is a very stressful situation. We want to support healthy births even in conditions where the mother may not have all the legal paperwork. I think we can understand why that would be a sensitive thing to do, and I don't think there is any Republican who would object to that. I don't think there is a Democrat who would object to that. That is on the list.

There are a lot of people who wish to speak, so I will just take 5 more minutes.

There is a great amendment by Senators KLOBUCHAR and COATS that requires certification of citizenship and other Federal documents to reflect the name and date of birth determinations made by a State court in the situation of intercountry adoption. Some of our parents are getting really hassled, American parents are getting hassled by American courts because they have done God's will, adopted children from overseas. They have followed all the rules, all the laws, at tremendous expense to themselves, trying to help a child who is orphaned or unparented, only to come back to the United States and because of some technical difficulties with our law, their birth certificates are not honored.

This isn't right. I realize the Judiciary Committee cannot spend their time talking about this matter. In the scheme of things, it is minor. But let me tell my colleagues as an adoptive mother, to an adoptive American parent who has spent thousands of dollars and days and months trying to do what their pastors and ministers asked them to do, to take in the orphaned, this is an outrageous situation, and with one breath—just a breath—this could be done. But we don't have the breath anymore because we have just completely fallen apart.

This can be fixed. There is nobody objecting to it, and that is what I am going to stand here and argue for.

How much time do I have remaining?

The PRESIDING OFFICER. There is no set amount of time.

Ms. LANDRIEU. I see my colleague so I am going to wrap up in 30 seconds and then yield the floor.

I will come to the floor again this afternoon and talk about these amendments.

These Members have worked very hard, Republicans and Democrats, amazingly, together, coming up with amendments that improve the bill. Some of these amendments are from Senators who are going to vote no on the bill; some of these amendments are from people who are going to vote yes on the bill. It is not going to change the outcome of the vote. That is why I am so aggravated. If it did, then I could understand not taking them up. The acceptance of these amendments, yes or no, is not going to change the outcome of this bill, but it will change the outcome of situations on the ground that are not good for American citizens.

We are here to fix things, to help, to streamline, to save money, to improve, to relieve pain, to help and expand opportunity. I am tired of being around here and not being able to do that. So I am going to ask for this list—of course, it has been circulated widely and publicly. It is on our Web site. It is on several Web sites. People can look at what we are talking about. If anybody on the Senate floor has an objection, let us know.

Let me say one thing in closing. The counterlist that I am still not in physical receipt of but have seen, but it is a part of the CONGRESSIONAL RECORD because I required it to be, is a list of seven amendments that are very controversial. So the Republicans have given us a list of seven very controversial amendments. That is not the list I am looking for. Maybe Senator LEAHY is looking for that. Maybe Senator REID is looking for that. I am not in charge of controversial amendments. I don't even know how we are going to vote on those controversial amendments. I am not on the committee. I am not the leader of the floor. I don't know—I will take that and I will be happy to give it to the leadership.

I am just here on a list of noncontroversial amendments that I think Republicans and Democrats can agree to that will not change the outcome of the bill, that will improve the bill. I hope we can make progress.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

NUCLEAR ARMS REDUCTIONS

Mrs. FISCHER. Mr. President, I rise today to express great concern about the announcement regarding plans to drastically reduce the U.S. nuclear deterrent by over one-third.

The strategic basis for this reduction is entirely unclear. The President must provide Members of Congress additional information on the basis and the implications of his announcement. General Chilton, then-commander of U.S. Strategic Command, testified before the Senate Foreign Relations Committee in 2010. He said the New START treaty gave the United States ''exactly what is needed'' to achieve its national security objectives.

Given the assessments of our commanders, I am highly skeptical and gravely concerned about such dramatic reductions in a world of increasing danger and proliferating threats. Regardless of how one feels about these particular force levels, I believe there is broad concern about any unilateral reductions in U.S. nuclear forces.

Mr. President, 2½ years ago, after lengthy deliberation and contentious debate, this body ratified the New START treaty which reduced deployed U.S. nuclear weapons from between 2,200 and 1,700 to no more than 1,550. This debate was good for the Nation and produced a bipartisan consensus on arms control and nuclear modernization. Now this administration is calling for reducing U.S. nuclear forces by one-third, and it remains an open question if the Senate will even have a chance to weigh in on this decision. I sure hope we have the opportunity.

As Commander in Chief, it is the President's prerogative to adjust nuclear forces. But as Vice President BIDEN, then serving in this body as chairman of the Foreign Relations Committee, wrote in a 2002 letter to then-Secretary of State Colin Powell:

> With the exception of the SALT I agreement, every significant arms control agreement during the past three decades has been transmitted pursuant to the treaty clause of the Constitution . . . we see no reason whatsoever to alter this practice.

Secretaries of Defense Panetta and Hagel also testified before Congress that nuclear reductions, if undertaken at all, should be the product of negotiated, bilateral, verifiable agreements.

I believe a change of this magnitude must be reviewed by Congress and such dramatic reductions must only be made in concert with other nuclear powers and the input of our allies.

Moreover, I believe it is premature to announce such dramatic reductions when the United States has yet to fulfill its obligations under the New START treaty. Currently, our nuclear force levels exceed the New START limits. Instead of providing a plan to implement the reductions required to comply with that treaty—something I and numerous other Members of Congress have repeatedly asked for—the President opted to promise the world massive additional cuts.

I wish to repeat: We don't know how we are going to go from about 1,650 to 1,550 warheads—a reduction of about 100. But instead of answering that question, the President has stated his intention to get rid of another 500 or so warheads. That is one-third of our arsenal.

What is more, the President has apparently disregarded the advice of Congress, the bipartisan 2009 Perry-Schlesinger Commission, and his own Nuclear Posture Review that additional nuclear reductions address the dramatic imbalance of Russian tactical nuclear weapons. Congress has expressed its view on this subject several times, and the National Defense Authorization Act for fiscal year 2012 clearly stated the sense of Congress that:

> If the United States pursues arms control negotiations with the Russian Federation, such negotiations should be aimed at the reduction of Russian deployed and nondeployed nonstrategic nuclear weapons and increased transparency of such weapons.

While the announcement mentioned these weapons, their reduction was clearly a separate afterthought, not the primary arms control objective this body insisted it be.

In closing, I must remind my colleagues that the Senate approved the New START treaty on the condition of modernizing our aging nuclear deterrent. Although the promise was made before I entered the Senate, it was a promise made to this body and to the American people, and it is a promise I will make sure is kept. Modernization funding is more than 30 percent below the target set by the President during New START's ratification. That is unacceptable.

I hope the President will address these issues in the coming days and focus on building a strong bipartisan consensus on these issues and pursuing commonsense objectives. Rushing toward dramatic reduction is a bad policy. It is a bad policy for any President, and it could have grave consequences for our national security.

Thank you, Mr. President. I yield the floor.

Mr. ISAKSON. Mr. President, I want to commend the distinguished—oh, I am sorry.

Mr. UDALL of New Mexico. I say to Senator ISAKSON, I think I am next in order.

Mr. ISAKSON. I apologize.

Mr. UDALL of New Mexico. No problem. I thank the Senator.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Mr. President, I rise today to speak about comprehensive immigration reform. I believe the Senate is engaged in a crucial debate to see if we can fix the system that we all know is broken.

It has been a long road, not just because of the partisan climate here, but because of the complex challenges we face—the challenge of 11 million undocumented immigrants who live and work and raise families in communities across our Nation kept uncertain in the shadows; the challenge of children brought here through no fault of their own, who love this country as their own; and the challenge of securing our border.

The majority of Americans know these challenges have to be met. Immigration reform has to be comprehensive. That is the reality of any long-term solution.

It is also a reality that such reform will not be perfect, will not satisfy everyone in every case. That is what compromise means. That is what bipartisan effort requires. But the American people are not asking for perfection, they are asking for results; for an immigration system that works, that makes sense, that secures our borders, that strengthens families, and supports our economy.

I commend Chairman LEAHY and the bipartisan authors of this bill for their leadership.

The committee made sure the process was open, was transparent, and was inclusive. Many of the amendments adopted had bipartisan support, and over two-thirds of the committee voted for this bill. I hope the full Senate will follow their example.

America has a rich history of immigrants helping to create a culture and economy that is the envy of the world. I am proud to come from a State where we celebrate our diversity. Native American, Hispanic, and European traditions define my State.

We are a border State, and New Mexicans understand what is at stake with border security. They know how important comprehensive immigration reform is.

This bill has the essential elements of that reform. It creates a pathway to earned citizenship for undocumented individuals. This is not an amnesty. Folks have to pass criminal background checks, pay back taxes and penalties, learn English, and must go to the back of the line behind those who came here legally.

This road to citizenship takes 13 years—not an easy road but one that will bring millions of people out of the shadows and into the hope and promise of the American dream.

This legislation also makes securing our border a priority. Much of the debate has centered on this issue. In my opinion, the record is clear. As Senators from a border State—and I know the Presiding Officer, Senator HEINRICH, also from my great State of New Mexico and a border-State Senator—we have seen firsthand how things have changed.

Over the past 12 years we have made some real progress. Is the job finished? Of course not. But that is not a reason to oppose this bill. It is a reason, in fact, to support it.

We spend a lot of resources on immigration and customs enforcement—more than all other Federal criminal law enforcement combined. We have more Border Patrol agents on our southern border than ever before. Illegal crossings are near their lowest levels in decades. We have ramped up law enforcement and are deporting more criminals than ever before.

This legislation will build on that progress with a strong plan and with the money to pay for it. It does not just call for 90 percent apprehension of illegal border crossings, it provides $6.5 billion to do it.

Commitment to border security is real, and this bill will improve on it with new technology and targeted resources. It makes a difference. It changes the game plan. This is not conjecture, not pie in the sky. For example, Congress appropriated $600 million for emergency border security in 2010, and the effectiveness rate increased from 72 percent to 82 percent a year later.

So there is a proven record here, an impressive record. With border security, this legislation has clear goals, has committed resources, and builds on a demonstrated success. But for some on the other side, this is not enough. They demand absolute effectiveness or toss out the path to citizenship.

But let's be clear. No border can be completely secure—not ours, not anyone else's. So some may still cross illegally, may slip through.

We can do more. I believe additional border security should focus on violent drug and firearms traffickers and should do more at ports of entry. But most undocumented immigrants come here to work. This bill will change that dynamic with an effective universal employment verification system and crack down on employers who hire undocumented immigrants. This is as crucial as fences and checkpoints, as crucial as agents patrolling the border or drones scanning the horizon because the lure of illegal immigration is jobs, and the jobs will not be there.

There is still work to be done. No one is arguing this bill is perfect. I have filed and cosponsored several amendments. I will just mention a few of them. Several of them, I know, are on the list that Senator LANDRIEU talks about as noncontroversial amendments. I know Senator HEINRICH, the Presiding Officer, has an amendment on that list also.

The first adds a Federal district judge in New Mexico. In the committee markup, a bipartisan amendment was adopted to add Federal judges to the southwest border States. Unfortunately, New Mexico was not included, even though it has a significant immigration caseload, one that will increase with the additional enforcement provided by the bill. My amendment remedies this oversight.

I have also filed an amendment to expand the Border Enforcement Security Task Force units in the four southwest border States. BEST units are teams of Federal, State, and local law enforcement focused on disrupting serious border-related criminal activity, such as drug smuggling and human trafficking.

Finally, I have filed an amendment that provides resources to all 20 border States for vital early warning infectious disease surveillance. This Federal funding program was created in 2003 to detect, identify, and report outbreaks of infectious diseases at the borders. But this important funding has ceased. We need to restore it.

I would urge the bill managers and authors to work with me on these amendments to improve this bill and to protect New Mexico's interests as a key border State.

I again commend the members of the Judiciary Committee. I saw Senator GRASSLEY in the Chamber a moment ago. I want to congratulate him and our chairman, PATRICK LEAHY. This legislation arrived on the Senate floor with support from both sides of the aisle. I hope it will move forward in the same spirit of cooperation.

This bill is a historic moment for families, for our security, and it will benefit our economy. As the nonpartisan Congressional Budget Office just reported on Tuesday, this bill would reduce our deficit by $197 billion over the first 10 years and by at least $700 billion in the second decade.

This bill speaks to the best of our traditions and our values. This is our opportunity to govern, to fix an immigration system that is broken, and to move our Nation forward in the 21st century.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I have refrained from being on the floor during this debate, as I listened to it and watched, and I would compliment my colleagues in trying to solve a very difficult problem. But I just heard a speech by my colleague from New Mexico that quotes all sorts of statistics that are not accurate.

I am the ranking member on Homeland Security. Here is what we know: We have estimates, and that is all we have. But we do not know the total attempts to cross our border. We do not know what they are. So when somebody quotes 70 percent to 80 percent, and you have no idea what the denominator is, you do not know what the numbers are.

Here is what the Council on Foreign Relations says about our border. How did they get this data? They went out and interviewed 6,700 illegal immigrants to find out their frequency of attempts, whether they have gone home, what their difficulty was, what their communities were like. Here is what they say right now is the control of our border: It is somewhere between 40 and 65 percent.

So we have the administration that says one thing, but when you ask them for details—as I have, as ranking member on Homeland Security—you cannot get the facts because we do not know.

So I applaud my colleagues for bringing this bill forward. I would love to get to yes on this bill.

I also want to raise the issue on the CBO scoring. What the CBO scoring said was we are still going to have 7.5 million people in the next 10 years come across the border under this plan. So in reaction to that, we have people who—other than one person on Homeland Security who actually has sat through the hearings, who knows what is going on with Homeland Security—we are going to come forward with a bill that is going to increase Border Patrol by 20,000 people. I can tell you, we do not need 20,000 Border Patrol agents. What we need is a coherent, smart strategy, with transparency, in the agency, Homeland Security, so we as Members of Congress can actually see what is going on.

All we have to do is listen to what the administration says and then listen to the people who are actually doing the work—who are the Border Patrol agents, who are the ICE agents, who are the USCIS agents, who are the CBP agents. When we talk with them, we get a totally different story.

Why is it that the people who are actually doing the work are telling us a different story than what the administration is telling us? There is a disconnect there, and we need to understand what that is.

So I look forward to reading the details of the supposed border security

amendment. But ask yourself the question: Is it possible to secure our border? If we were to have a terrible outbreak on either our northern or southern border that had a high fatality rate, a high infectious rate, and we decided we were going to close the border tomorrow, could we do it.

There are great things in this base bill that will eliminate a large portion of the draw coming into our Nation through illegal immigration. Those are creating a decline in the attitude of those coming. They know if they come across, they are going to have to be able to prove they are a citizen to be able to get a job. I think that is absolutely right. There is some increase in the work visa programs and the special visa programs—probably not enough.

But if you think, let's just believe the administration, let's believe what people say about this bill, if you can cut it down to 8, 9, 10 percent, then the people coming across the border are not the people looking for a job. The people coming across the border are the people who tend to hurt our society—the drug runners, the human traffickers, the terrorists.

So the question I would ask is, Shouldn't we know that what we are doing as we establish a border security amendment will actually send confidence to the people of this country; that, in fact, we are going to secure our border?

The vast majority of people in this country want to solve this problem. I want to solve this problem.

The way we are going to go about it is we are going to get to see an amendment sometime late tonight and then on Saturday we are going to have to vote on whether to proceed with that amendment, not having had the full time to actually consider what the outcome of the recommendations of that amendment are.

So some of the mistakes have been made as we have brought this bill forward. This bill came through the Judiciary Committee. But almost every other major thing that is of controversy in this bill is under the purview and the control of the Homeland Security and Governmental Affairs Committee which got no sequential referral on this bill.

Where we are hung up on this bill is because we did not do regular order. We did not allow the process to work. We did not let the knowledgeable members of the Homeland Security and Governmental Affairs Committee have an opportunity to impact this bill in a committee process. So now we are hung up with people who are not on that committee writing an amendment for Homeland Security.

We can write a good amendment for Homeland Security. I told CHUCK SCHUMER and other Members of the Gang of 8 that. But we cannot do it in 2 weeks. We cannot do it with one amendment. What we are going to get is waste, loopholes, and problems. The last thing we need to do is waste another $5 or $6 billion on things that are not going to have a difference in terms of solving the real problem, but we are going to claim it solves the problem so we can pass a bill.

So I wish to get to yes on this bill. I wish to get to a way where we solve this problem and do not create it again in the future. But my concerns are both process and factually; that we are claiming things that are not true. All you have to do is sit before the committees or go talk to the leadership of the Border Patrol, ICE units, CPB, go talk to them. They are sitting there in amazement.

Three weeks ago, I had breakfast with Janet Napolitano. She said she would send me their border control plan by area, by region, the next day. A piece of paper came, but there was no border control plan. So the question I have is, where is the plan?

Of all the good recommendations that are in this bill, it is all going to be contingent on execution of what is in there. So we are going to pass a bill and pass an amendment and then we are going to ask the very committee that was excluded from making proper recommendations of the bill to oversight it. We will oversight it. But the fact is we will not have any control to control it. So we will be raising the questions and the ineffectiveness. Yet we will not have accomplished what we are telling the American people we are going to accomplish.

What is that? It is that we are going to solve the problems with the illegals who are here. We are going to decrease the demand and draw across our border. We are going to control our border, even though we will not put that as a condition for granting people a movement from the shadows to the open. We will not put that as a condition, even though now with the supposed new border amendment the Border Patrol says they can get us to 90 percent. We will not make that a condition.

So my feeling is, right now, there is a great attempt by eight of my colleagues to try to solve this problem because we are in a hurry and we are in a time crunch. We should not be because the House is not going to take up this bill, but they are going to bring their own. So we ought to do it right. I have a lot of amendments. I would love to have votes on them, would love to have them considered. I understand we cannot call up amendments right now, which is the same dysfunction the Senate has been operating under for the last 7½, 8 years.

People who are knowledgeable on the committees of jurisdiction do not have the opportunity to improve the bill, to raise questions about the bill through their amendments, to refine the bill. It means we just want to get a bill passed. It does not mean we truly want to solve the problem. I look forward to a time to be able to come back to the floor and offer amendments that will actually improve this bill, that will give transparency to the American public about what we are doing, that will give transparency on how we are going to spend all this money that we are going to take from the very people we are trying to move out of the shadows, and we are not just going to throw money up against a wall and say we did something when, in fact, we are not going to accomplish the very purpose that we put forward in this bill.

People who come to this country—and I would put myself in the same category. If I was caught in the lack of economic opportunity, I would try any way I could to get into this country of opportunity. But what makes this country a land of opportunity is the rule of law. What we are doing is we are saying—the irony is the people who come here and break the law to get the opportunity from the rule of law, if we do not fix it to where that does not happen again, we are going to unwind the rule of law in this country.

That is the glue that holds this Nation together. It goes something like this: If they do not have to abide by the law, neither do I. So we get an unwinding of the fabric and the confidence in the rule of law in this country. We ought to be very careful with what we do as we say laws do not apply. That is what we are saying with this bill, to a certain group of people, the laws we had on the books are not going to apply. We ought to make sure that does not happen again.

I wish to come back at some time when I can present the ideas of a lot of people who actually have a lot of experience and a lot of knowledge on homeland security and how it operates and how the different divisions within homeland security operate.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that the time until 4 p.m. be equally divided between the two leaders or their designees and that I be recognized at 4 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WICKER. Mr. President, I was scheduled to come in at 2 o'clock. I appreciate the leader accommodating me 5 minutes early. There is talk about an imminent compromise among the Gang of 8 and perhaps a couple of others that would move this bill along. I have made it clear that the bill, as currently

written, is flawed and would not be something that would get my vote. So anything that would move us toward a better solution, toward better enforcement of the border, such as 20,000 additional security agents on the border, would be a positive step.

I do wish to make it clear, however, that the bill as written would not stem the tide of illegal immigration. The bill as written would not provide a solution to our broken immigration system. Without further amendment, my understanding of the new compromise that is about to come forward also would be deficient.

I appreciate people working toward a consensus. I look forward to reading the amendment as it is presented, if it is indeed presented later this afternoon or later this weekend. But there are still changes that need to be made so we can improve the bill. I would point out to my colleagues that a Congressional Budget Office report released the day before yesterday indicates that border security components of the immigration bill as written will not stem the tide of illegal immigration in a meaningful way, because large numbers of people are projected still to overstay their visas.

Should the legislation pass in that form, even the Congressional Budget Office, a bipartisan, independent call-it-by-the-numbers office, predicts that the reforms agreed to by the so-called Gang of 8 would reduce illegal immigration by only 25 percent, far short of what the bill's supporters have contended.

Dependable border security and interior security are crucial to the success of the entire immigration system. This means putting in place the proper infrastructure and technology, including a national E-Verify system for employers. I congratulate and commend and encourage the junior Senator from Ohio Mr. PORTMAN for his efforts to move toward a consensus in that very important area of the bill too. These steps, securing the border and strengthening E-Verify, should proceed efforts to grant legal status. I think most Americans agree with that.

I have offered a number of amendments. I wish to take these few minutes to make my suggestions about how to improve this bill. But first and foremost, I wish to urge my colleagues, urge the leadership of the committee on both sides of the aisle and the leadership of this Senate to give this Senate an opportunity to speak on the issue of sanctuary cities.

Most people are aware that one of the great ways to flout the law, as it has been, has been for a local jurisdiction to say to people who have overstayed their visas, to people who have come here illegally or stayed here illegally: Come to our city and we will provide you sanctuary. Come to our city and we will ignore the law of the land and make sure we do our part that it is not enforced against you—so-called sanctuary cities.

As a Member of the other body, I voted for legislation and amendments to crack down on this.

If this bill works as it should work, then there should be no illegals in the country seeking sanctuary in a sanctuary city. My legislation to prohibit the practice of sanctuary cities, in my view, should be accepted by consensus. If the authors of this bill believe it is a solution to our broken immigration system, then there should be no need for a city to say we are going to take in people who are not here legally because, by definition under this bill, we will have said the system is fixed.

Under my amendment, these jurisdictions would be denied State Criminal Alien Assistance Program funds if they insist on continuing to be sanctuary cities. We would deny, under my amendment, law enforcement grants from the Departments of Homeland Security and Justice for the continuation of so-called sanctuary cities.

My amendment would also encourage information-sharing by law enforcement officials and stipulate that individuals who violate the immigration law should be included in the National Crime Information Center database. Why would that be the least bit controversial? It would also ensure States have access to Federal technology that is helpful in identifying immigrants who are not here by permission and who are deported.

I would say to my colleagues, any bill that comes out of the House of Representatives will almost surely have a sanctuary cities provision. We need a vote on this Senate floor so our constituents back home and our individual States can know where we stand on this issue.

I would again emphasize if we believe the law will work, if we believe this new plan will fix the broken system, then there should be no need for any jurisdiction to call itself a sanctuary city.

Secondly, I have a separate amendment that would double penalty fees. It would double from $1,000 to $2,000 the fee illegal immigrants must pay at various steps of the process. We all know $1,000 amounts to far less than what is often paid to so-called coyotes who smuggle people across the border. Penalties are supposed to hold people accountable for breaking the law and not serve as merely an inconvenience.

I have a second amendment that would increase the penalty in the legislation from $1,000 to $2,000.

I have a third amendment that would require the Secretary to adjust these statutory fees and penalties for inflation, index them for inflation. What could be simpler than that? A $1,000 penalty in 2013 might not amount to the same degree of penalty in 2015 or 2019. We index many of our amounts and figures under statute according to inflation. My third amendment would simply allow for annual inflation adjustment.

Fourthly, I have an amendment that would strike the ability of illegal immigrants to apply for provisional legal status if they have previously filed a frivolous application for asylum, one that has been determined by the authorities to be frivolous. By law those who have knowingly filed a frivolous application, for example, containing statements that are deliberately fabricated, or responses that are deliberately fabricated, should be permanently barred from receiving any benefit under the new act.

Another amendment I have would expedite removal proceedings of illegal immigrants with serious criminal offenses. What could be simpler and more straightforward than that. It would require the Secretary of Homeland Security to initiate expedited removal proceedings against those who are deemed ineligible for provisional legal status, for example, by law, because they would belong to a gang or they have committed an aggravated felony, committed an offense against a child or a domestic violence offense. It would seem to me this sort of an amendment should be the sort of amendment the Senator from Louisiana, Senator LANDRIEU, was speaking about only a few moments ago that should be accepted by consensus through a voice vote.

Finally, I have an amendment to ensure that those found ineligible have their provisional legal status revoked. If an application is submitted and the duly constituted authorities under this new act determine the individual is not entitled to the relief requested, then provisional legal status should be revoked. For example, this would be if he or she is found to be ineligible, if he or she used fraudulent documentation or did not fulfill the continuous physical presence requirement of the bill, then that status is denied and the individual should then have conditional status revoked.

I conclude by saying I appreciate the good-faith effort that has been made by the leadership on both sides of the aisle, by the leadership of the committee, and by people acting ad hoc as a self-appointed group of 8 or group of 10. We need to make it clear that any agreement announced with great fanfare this afternoon, or perhaps this weekend, is not the end of it.

We have a lot of time left for excellent ideas to improve this bill, to bring it around to the point where people such as myself could vote for it, where people such as my constituents back home can feel that it is, in fact, a solution to a broken system, and we can forward this legislation on to the House of Representatives with a national consensus behind it.

No great changes have been made in the Congress to broad policy disagreements without bipartisan consensus. I hope that amendments such as the six I have described, particularly my amendment with regard to sanctuary cities, would be adopted so we can move toward a consensus that we do not have at this point.

I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from North Dakota.

Mr. HOEVEN. I appreciate the comments of the distinguished Senator from Mississippi.

I rise to speak on immigration reform and to discuss an amendment I will be introducing to S. 744, the comprehensive immigration reform legislation the Senate body is carefully considering and debating. That amendment is the Hoeven-Corker border security amendment. It is being finalized, and I plan to introduce it this afternoon, along with the Senator from the great State of Tennessee, Senator BOB CORKER, who is here with me. I want to thank him for the tremendous work he has done on this legislation. He has been absolutely inspirational to work with, a great leader, and somebody who is working to do immigration reform the right way, to get a bipartisan solution that truly addresses the challenges we face with immigration reform and to get it done the right way.

In addition to Senator CORKER and myself, other sponsors include Senator JOHN MCCAIN, Senator LINDSEY GRAHAM, Senator MARCO RUBIO, Senator JEFF FLAKE, Senator KELLY AYOTTE, Senator DEAN HELLER, and others who are joining us on this legislation. I believe a number of them will be down here to provide their comments as well.

I believe the first order of business for immigration reform is to secure the border. I will repeat that. I believe the first order of business for immigration reform is to secure the border. Americans want immigration reform, of that there is no doubt, but they want us to get it right. That means, first and foremost, securing the border.

In 1986, President Ronald Reagan and the Congress granted legalized status to between 3 and 4 million illegal immigrants. The intent was to once and for all resolve the illegal immigration problem, but obviously it didn't. Here we are today with more than 11 million illegal immigrants in this country. Here we are today with a border that has still not been secured.

Ironically, illegal immigrants continue to come into our country because we have not secured the border at the same time—at the same time—our immigration laws do not meet the needs of our modern-day workforce for STEM-trained workers, other specialty and high-demand areas. In fact, one of the strengths of the underlying bill, the underlying legislation drafted by the Gang of 8 on a bipartisan basis, along with amendments that have already been added in committee, one of the strengths is it includes provisions that will help us with our workforce needs. These provisions were adopted from legislation myself and other Senators fostered, such as legislation led by the esteemed Senator from Texas JOHN CORNYN, which would allow an increased number of college graduates, postgraduate degreed individuals with degrees in STEM—science, technology, engineering, math-trained individuals—and other highly skilled, highly trained people who could stay in this country. These are people we need to help grow our economy and to help create jobs.

We also want people who can bring capital and job-creating opportunities to come to our country. I believe the underlying bill has captured these concepts. The immigration innovation legislation I was proud to cosponsor with Senators HATCH, KLOBUCHAR, COONS, and others is included in this bill.

We are not done. We must do more to secure the border in this legislation. That is exactly what we are offering here today. It is a very straightforward way to secure our border and to do so before allowing a pathway to legal permanent residency for those who came here illegally.

Furthermore, it will ensure that we do not repeat the error we made before, failure to secure our border while at the same time fixing our immigration laws. It builds on what is already in the underlying bill, and it provides objective, verifiable standards and metrics to do so.

Our legislation will provide significantly more resources to secure the border, more manpower, more fencing, more technology. Those resources must be fully deployed and operational before green card status is allowed. The legislation provides five specific conditions which must be met before anyone in RPI status, registered provisional immigrant status, can be adjusted or transitioned to LPR, lawful permanent resident status, green cards.

These conditions are: First, we are including a comprehensive southern border security plan right in the legislation. This is a $3.2 billion high-tech plan. The plan is detailed border sector by border sector, and it includes combinations of conventional security infrastructure such as observation towers, fixed and mobile camera systems, helicopters, planes, and other physical surveillance equipment to secure the border.

The plan also includes high-tech tools such as mobile surveillance systems, seismic imaging, infrared ground sensors, and unmanned aerial systems equipped with infrared radar cameras, VADER radar, and long-range thermal-imaging cameras. The Secretary of Homeland Security, together with the Secretary of Defense and the Comptroller General of the United States, the GAO, must certify to the Congress that this comprehensive southern border security strategy is deployed and operational. That means in place and operating, other than routine maintenance. That is the first requirement before the adjustment to LPR status.

Second, DHS must deploy and maintain 20,000 additional Border Patrol agents on the southern border. That is in addition to the number of Border Patrol agents on the border now, which is right at about 20,000. So we will double the number of armed Border Patrol agents to detect and turn back those individuals who would try to cross our border illegally.

Third, DHS must build 700 miles of fencing. That is double the amount required in the underlying bill, which calls for 350 miles of fencing. So 700 miles of fencing—that compares to about 42 miles of fencing we have in place right now.

Fourth, the Secretary of Homeland Security must verify that the mandatory E-Verify system has been implemented to enforce workplace laws so that illegal immigrants are not employed.

Fifth, the electronic entry-exit identification system must be in place at all international airports and seaports in the United States where U.S. Customs and Border Protection officers are currently deployed.

So these are the requirements. These are the requirements, and they must be met before lawful permanent residency is allowed. No green cards, other than for DREAMers and blue card ag workers, until these requirements are met.

Once again, simply put, we must secure the border first. That is what Americans demand, and that is what we must do to get comprehensive immigration reform right. That is what this legislation does, and it does it with objective and verifiable methods. We ask our colleagues on both sides of the aisle to join with us and pass this legislation.

Madam President, at this point I would like to turn to my distinguished colleague from Tennessee, whom I want to thank again for his tremendous work, which is ongoing. I can't say how much I appreciate his good efforts and his good faith on a bipartisan basis. I turn to him now for his comments as well as to then enter into a colloquy with our colleagues who have worked so hard and played such a leadership role in this legislation.

Mr. CORKER. Madam President, I thank the Senator from North Dakota for his outstanding leadership. One would expect that from someone who served in such a distinguished way as Governor of his State. He has done an outstanding job on this issue, and I thank him for being a greater partner.

I know we still have some work to do. The fact is that we still have to introduce this amendment, and work is underway right now, but I want to thank him, his staff, and those all around him for the way he has dug into this issue, solved the problems that I think Americans are looking at relative to security issues, and for working with us in the way he has. So I thank him very much.

I thank the Gang of 8 for the work they have done over the last multiple months to bring us to the place we are, where we have an opportunity to do something America needs; that is, solve the immigration issue we have and also ensure that in doing so we absolutely have secured the border.

One of my colleagues called this amendment—and again, it is being vetted right now. We hope to introduce it a little later today. There is a broad agreement about what the content is, and it is being vetted and will be introduced later today.

Some people have described this as a border surge. The fact is that we are investing resources in securing our border that have never been invested before—a doubling, again, of the Border Patrol and $3.2 billion worth of technology that the Chief of the Border Patrol says is the technology he needs to have 100 percent awareness and to secure our border; dealing with the exit program and dealing with E-Verify. So all these things are in place.

I thank Senator CORNYN of Texas, who began the process of focusing on border security. I realize his amendment failed earlier, but I think what he helped us do is build momentum toward an amendment that I consider to be far stronger and even better. But his efforts in looking at a border security measure helped us in this regard.

I am not the kind of person who speaks for a long time—I think people understand that—but I want to say that the Senator from North Dakota has done an outstanding job of laying out the many elements of this amendment that hopefully will be voted on in the very near future. And I do think the American people have asked us, if we pass an immigration bill off the Senate floor, to do everything we can to be sure we have secured the border. That is what people in Tennessee have asked for, that is what people in North Dakota have asked for, that is what people in Arizona have asked for, and that is what this amendment does.

This amendment has the ability, if passed, to bring a bipartisan effort behind immigration reform that would then send the bill to the House. Look, I do wish this amendment had some other measures relative to interior security, but I think the House can improve this. I think a conference can improve this. So I hope we have the opportunity down the road to see that occur.

I thank all those involved in crafting an amendment that tries to deal with the sensibilities on both sides and at the same time secures our border in such a way that we can put this issue mostly behind us and we can have an immigration system in our country that meets the needs of a growing economy—the biggest economy in the world—and that focuses on making our country stronger, not weaker, and hopefully we will put this debate behind us.

Mr. MCCAIN. Madam President, will the Senator yield for a question?

Mr. CORKER. Yes.

Mr. MCCAIN. First of all, could I say that all of us who have had the honor of working with the Senator from Tennessee and the Senator from North Dakota are greatly appreciative of the work they have done. If there is going to be broad bipartisan support for the final product, it will be because of what the Senators from Tennessee and North Dakota have done, and I am very grateful for that.

I think it is important—wouldn't the Senator from Tennessee agree—that people understand that this is a very tough bill, and it required a lot of cooperation from our friends on the other side of the aisle to go along and agree with this. I think they have shown a great deal of compromise in order to reach this point and agree with us on this legislation, for which clearly we need bipartisan support.

But I would like to ask the Senator for a couple of specifics because, again, I think it is important that we understand how tough this legislation is. Is it not true that we know already that E-Verify must be used by every employer in the country before anyone under this plan could be eligible for a green card? Isn't that true? It is already there?

Mr. CORKER. That is correct.

Mr. MCCAIN. And the electronic entry-exit system at all international airports and seaports has to be up and operational before anyone is eligible for a green card; is that true?

Mr. CORKER. That is correct.

Mr. MCCAIN. Now, thanks to the Senator from Tennessee and the Senator from North Dakota, is it true that additional technology must be deployed and operational in the field—and that includes new VADER radar systems, integrated fixed towers, unmanned aerial systems, fixed cameras, mobile surveillance systems, ground sensors—to the point where the head of the Border Patrol has assured us that if these technologies are in place and operational, we can have 100 percent situational awareness and 90 percent effective control of the border?

Mr. CORKER. That is correct.

Mr. MCCAIN. So to put the final piece of this puzzle together, is it not true that the Senator from Tennessee and the Senator from North Dakota have called for 350 miles of additional border fencing in addition to the 350 miles already there and that 20,000 new, full-time Border Patrol agents be hired and deployed before someone is eligible for a green card? Is that a fact?

Mr. CORKER. That is correct. I don't know of anybody who has proposed a tougher measure, when we look at it all combined, than the measure that hopefully will be on the floor in the very near future.

Mr. MCCAIN. I wonder if the Senator from North Dakota would like to respond to that.

Mr. HOEVEN. Well, I appreciate the esteemed Senator from Arizona again emphasizing these points. That is what this is all about. This is about securing the border. And all of the things the Senator from Arizona just identified are in the bill. They are requirements. The plan itself, this $3.2 billion comprehensive southern border strategic plan, is detailed border sector by border sector. And again, this puts everybody in the same place saying that we are going to secure the border first because there are no green cards until we secure the border.

Mr. MCCAIN. And is it not true, I say to my two colleagues—Madam President, I ask unanimous consent to engage in a colloquy with both the Senator from Tennessee and the Senator from North Dakota.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Is it not true, I say to my friends, that on our side of the aisle there is understandable skepticism—and well-founded skepticism on the part of my friend from Texas—because we have seen this movie before. In 1986 we gave amnesty to 3 million people and we said we would secure the border. Then in 2006 we passed a border security appropriations, and there was going to be plenty of money. Yet it was never funded.

So for those of us from the Southwest particularly but people all over America, is it not true that there is understandable skepticism that we would not pass legislation that is binding? And is it not true that we can't make this, as far as border patrol and as far as miles of fencing, any more binding than it is in my colleagues' amendment?

Mr. CORKER. Absolutely.

Mr. HOEVEN. I would like to add that it is not just all these things that we are putting on the border and that we are requiring that these things be in place and certified and operating before we go to green card status, but also it is about eliminating the incentive to try to get across the border. When we put E-Verify in place and we have a proper guest worker program, we take away the incentive to try to get across the border. So we secure the border, but we also take away the incentive to come across because someone can come across legally through

the guest worker program. And if they come across illegally, we are going to find them and they can't get a job. So it is both. That is what we mean when we talk about comprehensive border security and a comprehensive approach.

Mr. MCCAIN. I would ask my colleagues one more question. With all due respect to every Member of this body, when we look at this legislation and we look at these triggers and the technology that is going to be required, which, if operational, the head of the Border Patrol has said will give 100 percent awareness and 90 percent effective control, plus this increase in fencing, plus Border Patrol agents and the already existing in legislation E-Verify—and I think the Senator from North Dakota is very correct. If we remove the incentive, if people know they can't get a job in this country unless they have the proper documents, then people will stop coming illegally. It also addresses the issue of the 40 percent who are here who never crossed our border illegally but came on a visa and overstayed it.

So I would just ask for maybe a subjective opinion. Is it possible that one could ever argue against this legislation now by saying that it does not give us a secure border?

Mr. CORKER. I think it would be very difficult. And I thank the Senator from Arizona for raising this issue. If the issue one has is securing the border, with this immigration bill, if this amendment passes, which I hope it will, I don't know how anybody could argue that the reason they are not supporting this legislation is because we haven't addressed securing the border. We have addressed that. We have addressed that in spades in this legislation.

Again, I thank the Senator from North Dakota for his leadership on this issue and the other side of the aisle for working with us. I don't think anyone who votes against this bill could argue as their reason, if we pass this amendment—and we need to get it to the floor. We are still working out some issues, and hopefully we will be done in a few hours. But I don't know how anyone could argue that we haven't dealt with the issue that many people have been concerned about, many people in Tennessee, and that is we have—if this legislation passes in the form it is, with this amendment as we have agreed, we have secured the border.

Mr. CORNYN. Would the Senator yield for a question?

Mr. MCCAIN. Could I have the Senator from North Dakota finish answering this question?

Mr. HOEVEN. I would respond to the good Senator from Arizona and say, look, all of the ideas that have been brought forward to secure the border we have worked to include in this package. We have tried in a bipartisan way to listen to everybody and say: What can we do? What can we put on the border to secure the border? We have tried to bring all those resources to bear.

To the good Senator from Arizona I would say we want to bring in our Senator from Florida, who has worked so hard, along with the Senator from Arizona, to provide truly the right kind of leadership for comprehensive reform on a bipartisan basis. I also want to reach out to the good Senator from Texas. A lot of the ideas in this bill came from legislation he put forward. Look, this is about all of us putting our ideas into securing this border. We have tried to include everybody's ideas in this effort. That is exactly what we did.

I would yield for the Senator from Texas.

Mr. CORNYN. Madam President, I honestly respect and value the work the so-called Gang of 8 has done on this legislation, as well as the contributions made by my colleagues from North Dakota and from Tennessee. I think they have moved this bill in a constructive direction to give people more confidence that we are actually serious about dealing with border security.

But I want to ask them to distinguish, if they will, between the provision I know they both supported in my amendment that was tabled earlier which makes the progress from probationary status to green card contingent upon 100-percent situational awareness of the border and a 90-percent apprehension rate which is defined as operational control. How does their amendment differ from that?

I know it hasn't been completed yet, but my understanding is Senator SCHUMER and the Democrats would not agree to that. I know they object to it. Senator SCHUMER has been quite clear in his telling me that. But my impression is this is a promise of future performance, and there is no contingency in the same sense that there was a trigger that prohibited the transition from probationary status to legal permanent residence.

Could the Senator please clarify?

Mr. HOEVEN. Madam President, I appreciate very much the question from the Senator from the great State of Texas. I thank him for the work he did and the work we did together, and the fact that we absolutely tried here to build on concepts the Senator put forward. It is not the same, but we tried to build on those concepts.

In terms of the actual border security plan, the comprehensive southern border security strategy, the $3.2 billion plan that includes technology, helicopters, planes, all these different things I detailed, that is exactly what the Senator was talking about in his legislation. Physically we do deploy all the things the Senator laid out in his legislation, and then we add to it 20,000 agents, and an additional 350 miles of fence on top of the 350 miles of fence called for in the underlying bill. We put all of the physical resources out there, and then we add all of the fencing and all the manpower to make sure we accomplish exactly what the Senator was laying out. In terms of the trigger, all those things are triggers before going to a green card.

It is different in that the discussion was, How do we set up verifiable metrics? And that is what we are doing by clearly delineating all these things we are putting in, and then we actually add to what the Senator had in the legislation.

Mr. CORNYN. I have one last question, because I know there are others who want to talk and it is not my intention to interfere with their colloquy here.

The 20,000 additional Border Patrol agents, here is an area where the movement has been pretty dramatic, because we started with zero additional Border Patrol agents. My amendment was disparaged by the distinguished senior Senator from Arizona and the distinguished senior Senator from New York as being a budget amendment buster, 5,000 Border Patrol agents. I was told we don't need more boots, we need technology. Now I find, to my shock and amazement, the distinguished senior Senator from Arizona saying we need 20,000 more Border Patrol agents. How much is it going to cost? That is the question.

Mr. HOEVEN. And if I may respond to that. Again, that makes my point.

I say to the Senator from Texas, I want to thank him for his work. That is a great example of how we have built on the foundation he laid. That was a great example. He asked for 5,000 Border Patrol agents and we got 20,000. So this is a great example. It is all paid for, and this is important.

Mr. CORNYN. I would repeat my question: How much is it going to cost?

Mr. HOEVEN. That is where I am going right now.

Remember, in the CBO score, in the first 10 years, $197 billion. We use about $30 billion to make sure that border is secure. But overall, this bill with this amendment creates border security and more than pays for itself.

Here is the other point. Remember, in that CBO score it showed $197 billion in terms of revenue creation. So we used $30 billion of that to add the border agents and secure the border.

But here is the other thing we have to look at in that CBO score. It said without our amendment, with the underlying bill, we would have 7 million more illegal immigrants in this country in 10 years. Without the bill we would have 10 million more. So what does that say? It didn't get the job done on border security. That is exactly why we are adding this amendment, and it will get the job done.

Mr. CORNYN. Let me express my appreciation to the Senators for their answer to the question.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I thank the Senator from Texas for his engagement.

As usual, the Senator from South Carolina has a very busy schedule. I ask unanimous consent that he be allowed 10 minutes and then I regain the floor.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GRAHAM. I thank all who made this better.

To Senator CORNYN's question about cost: I never objected to more Border Patrol agents. I didn't know how we would pay for the bill. I hoped it would be deficit neutral. Boy, did my hopes come true. It is not deficit neutral. According to the Congressional Budget Office, we reduce the deficit in the first 10 years by $190 billion and over a 20-year period $700 billion. So the reason I didn't want to agree to 5,000 agents without somebody showing me how we would pay for it, we are borrowing enough money from our grandchildren and great-grandchildren to run the government. We don't need to do any more borrowing unless we absolutely have to.

The good news is the bill we have written will create economic growth in the country at a time when we need economic growth. It will allow employers access to labor they don't have today so they won't be tempted to cheat in the future. This bill helps the economy. Don't take my word for it, take CBO's word for it.

If you had some more money to spend in this bill, how would you want to spend it? Let me tell you what Senator GRAHAM would wish to do. He would wish to hire 20,000 Border Patrol agents to let everybody in the country know I get it when we say we have got to secure the border.

You are right, we have had two waves of illegal immigration. We don't need a third. And why are we doing this? Why 20,000 Border Patrol agents? That is three brigades of troops. That is taking the equivalent of three brigades of Army troops, trained law enforcement officers, to supplement the 20,000 we have. We will have a Border Patrol agent every thousand feet on the border 24 hours a day, 7 days a week. It costs over $20 billion, but I can tell you this: It is money well spent, because it makes the border more secure, which helps us with our sovereignty.

Why are we hiring 20,000 agents on top of the 20,000 we have? Because our country can't control who comes in. We cannot maintain our sovereignty if every 10 and 20 years 3 million to 11 million illegal immigrants come into our country. If you want the border secure, as I do, your ship has come in. The 20,000 are now affordable and they are needed. The 700 miles of fence will be built because it is needed. The $3.2 billion of technology that has been proven to work in Iraq and Afghanistan will go to the border because it will help back up the Border Patrol agents.

As to my good friend from Texas: How do we know all this works? The bill requires us to hire the agents and put them on the border before you can transition to green card. It is not talking about hiring the agents, it is not talking about training them. You have got to hire and deploy.

The bill also says the fence has to be built. The bill says the $3.2 billion of new technology that worked in Iraq and Afghanistan has to be purchased, deployed, and operational.

Here is my belief: If you hire the Border Patrol agents and you put them on the border, they are not going to read a comic book. They are going to do their job. You don't need to prove to me they are going to do their job. You just need to get them on the border so they can do their job.

And if you have the 18 drones versus the 6, you don't need to prove to me somebody will fly them. They will fly them. If you have the technology deployed and operational in addition to the drones, the VADER radar and the sensors, people will look at the radar because they want to protect our country.

What has been missing is capacity. This is a border surge. We have militarized our border, almost. Why? Because we have lost our sovereignty. We have lost the ability to control who comes into America.

My belief is if you can't get a green card until all of this is purchased and deployed, that is enough. There will come a point to where it is enough.

Ladies and gentlemen, I have been working on this for almost a decade with Senator MCCAIN. I can look anybody in the eye and tell them that if you put 20,000 Border Patrol agents on the border in addition to the 20,000 we have—that is one every thousand feet—that will work. If you buy technology that helped us fight and create success in Iraq when we did the surge, that will help the Border Patrol agents. If you build a fence, that all helps. So I don't need any more than getting it in place.

Finally, to my good friend from Tennessee and my good friend from North Dakota: The bill when we wrote it I thought was good, but they have made it a lot better. To anybody in America who believes border security should be robust and it is a national security priority, we have in every sense of the term ''reasonable'' met that goal. We couldn't have done it without more people.

To the Gang of 8 Members, it has been a joy to work on this bill.

To our colleagues who have weighed in and tried to get the bill better and get to yes, you are doing this country a great service.

I hope Monday night we will pass legislation that will mandate that 20,000 additional Border Patrol agents will be on the border working before you can get a green card; that the technology that worked in Afghanistan and Iraq will be up and operational before you can get a green card; the fence will be built before you get a green card. And to me, ladies and gentlemen, that is enough. That is enough.

The people we are talking about deserve a hard-earned process to get into America. They need to pay a fine, learn our language, get in the back of the line, and they need to earn their way into good standing. But they are people.

I am very pleased to support what I think is the most dramatic amendment in the history of our country to secure our border at a time when we need it secured.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. SESSIONS. What is the order, if I might ask?

The PRESIDING OFFICER. The order was to recognize the Senator from Arizona after the Senator from South Carolina.

Mr. MCCAIN. I thank my friend from South Carolina for his usual eloquent exposition of what this situation is all about.

I have other colleagues who are waiting to speak, but I want to say again, the Senator from North Dakota and the Senator from Tennessee have shown the best of what this institution can be all about. Not only did they reach agreement between the two of them, not only did they reach agreement with I believe a significant number of our colleagues but they also reached agreement with my colleagues on the other side of the aisle. In this day and age, that is a signal success. I thank them for not only what they produced but the many compromises they had to make along the way.

I won't try to embellish what the Senator from South Carolina said, except to say I come from a State that has probably been torn apart more than any other by this issue. We passed legislation in reaction to our broken borders, where ranchers in the southern part of my State were actually murdered; where our wildlife refuges were destroyed; where people died in the desert by the hundreds, their bodies were found months later; where coyotes bring people across the border and then hold them in drop houses in Phoenix for ransom under the most unspeakable conditions; where drugs are brought freely across the border and guided by guides on mountaintops, guiding these drug cartels as they bring the drugs to Phoenix. The drug people will tell you that Phoenix, AZ, is still the major drug distribution center in the United States of America.

So I take a backseat to no one, even from the great State of Texas, of the enormous challenges and controversies associated with illegal immigration.

We tried before and we failed. I won't go into why we failed and all the people who were responsible. I will take responsibility. I didn't do a good enough job in selling my colleagues on the absolute need for immigration reform. The fact is 11 million people live in the shadows, they live here in de facto amnesty, and they are being exploited every single day.

Should not it be for a nation founded on Judeo-Christian principles to bring these people out of the shadows? Yes, punish them because they committed crimes by crossing our border illegally. But isn't it in our Nation to come together and pass this legislation and not manufacture reasons for not doing that? Isn't there enough of a penalty? Isn't there enough border security now, thanks to my colleagues from North Dakota and from Tennessee—isn't there enough now?

All I can say is I urge my colleagues to vote overwhelmingly in favor of this hard-fought, well-crafted amendment and let's move on to other issues that face this Nation. Then I believe we can look back years from now and say to our children and our grandchildren that we did the right thing.

I yield floor.

The PRESIDING OFFICER (Mr. DONNELLY). The Senator from New York.

Mr. SCHUMER. Mr. President, I understand that both my colleagues from New Hampshire and Florida wish to speak. I will be happy to have each of them speak for 5 minutes and then me speak for 5 minutes, if that is OK. I ask unanimous consent: 5, 5, and 5.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and, the Senator from New Hampshire is recognized.

Ms. AYOTTE. Mr. President, I thank my colleague from New York for giving us that courtesy. I rise in support of the amendment that will be offered by my colleagues from Tennessee and North Dakota. I appreciate the hard work they have done to enhance the border security provisions in the current pending immigration bill on the floor. To all of us, securing our border is very important to preventing another wave of illegal immigration in this country.

But what they have done is incredibly important. It is very strong, the strongest measure that I think this body has considered—20,000 Border Patrol agents, essentially doubling those agents that will be along the southern border; in addition to that, significantly increasing the fencing. In fact, at least 700 miles of fencing will have to be completed along the southern border, almost doubling what was already in the bill for fencing and specifying what types of technology the Department of Homeland Security will have to deploy, including the best technology, using sensors and drones, to make sure we can apprehend those who are illegally trying to cross our border and then making very sure we prevent a further wave of illegal immigration, along with the strong reforms in this bill to our legal immigration system, making sure we can keep the best and the brightest here to help us grow our economy, to make sure we have the workforce we need to ensure that we will create jobs here.

Let us not forget we are a country of immigrants. I daresay for most of my colleagues either their parents or their grandparents came from another country and worked very hard in this country. We need legal immigration that works for our country, that makes sure our economy continues to grow and that we have people here who want to work hard and live the American dream. But we also cannot ignore securing our southern border.

That is why I am proud to cosponsor the amendment that will be offered by Senator CORKER and Senator HOEVEN. This doubles the number of border agents, doubles the amount of fencing, specifies the type of technology that is required, and gives the resources to finally secure our border.

To my Republican colleagues, I think there was an op-ed in the Wall Street Journal today that is worth mentioning. I share their concerns about securing the border, but I hope—with the strong enhancements that have been put in this amendment to double the amount of border security, to strengthen and double, almost, the amount of fencing, to make sure the right technologies are in place to secure our border, this will prevent another wave of illegal immigration—they will not use border security as a ruse not to vote for a bill to fix an immigration system that is absolutely broken.

The status quo is not working for anyone. None of us wants to find ourselves, another 5 years from now, debating this issue again and finding that we have a larger population of illegal immigrants and we have legal immigration that is not working for our country and is not making sure we have the right people here, people who are working hard, living the American dream to grow our economy and great American jobs.

I think today the Wall Street Journal has said this border security issue cannot be used as a trick not to want to support a strong bill which is on the floor—and this amendment will make it very strong on the border security provisions—and finally work in a bipartisan manner to fix a broken immigration system that is not working for anyone and not working for our country.

I yield the floor for my colleague from Florida. I commend my colleague from Florida who has worked—along with the other Members of the group, the Senators from Arizona as well as the Senator from South Carolina—but the Senator from Florida, I know how focused he is on making sure our borders are secure. I appreciate his strong leadership in fixing this broken immigration system and making sure we do not have another wave of illegal immigration in this country.

Mr. INHOFE. Parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. INHOFE. My inquiry is it was my understanding we were getting equal time back and forth. My question is, is this based on party, so Democrats and then Republicans will alternate time; is that correct?

The PRESIDING OFFICER. There is no agreement for alternation.

Mr. INHOFE. There is no agreement? Because all I have heard in the last hour is those in support of the bill. My question is, when can someone be heard who is not in support of the bill?

The PRESIDING OFFICER. The time is equally divided between majority and minority, not between proponents and opponents.

Mr. INHOFE. I see.

Mr. SESSIONS. There you go.

Mr. INHOFE. All right.

Mr. SESSIONS. Inquiry. Was that by unanimous consent?

The PRESIDING OFFICER. It was.

Mr. SESSIONS. That explains it, then.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, I appreciate this opportunity and I will be brief. My colleagues have already stated what this entails and the details of it. I think that is important.

I got involved in this issue earlier this year after spending the better part of my first 2 years in the Senate thinking about this issue because, frankly, not just from being from Florida but living in south Florida I am surrounded by the reality of it every single day. When I started this effort, I became deeply convinced this is something that needed to be fixed and needed to be dealt with, but from the very beginning, the early days of my involvement, I made clear border security was an essential component of it.

This is not against anybody. Border security is not an anti-anyone effort. That is not what it is. We understand that America is a special country. It is so special that people want to come from all over the world and they do. One million people a year come here legally, every single year.

We also understand it is so special, unique, some people are willing to risk their lives to come here illegally. As compassionate people, we understand that reality and our heart breaks at the stories of what people are having to go through to come. But we also understand the United States of America is a sovereign country. Every single sovereign country on the planet, every

single one, tries to or does control its borders and who comes into the country and who leaves. Every country in the world does that. The United States of America should not be any different.

At the end of the day, that is what this issue is about. It is that we have a sovereign right to protect our border and we have a crisis on the southern border of the United States. For many different reasons, people have chosen to cross that border illegally, consistently, for the 20 or 30 years, and the results are obvious to all of us. That is why border security is such an important part of this bill and this measure.

When we introduced our bill, the bill said basically the Department of Homeland Security would be given some money, and they would get to decide what the border security plan looked like. Many people in the public and many of our colleagues were unhappy with that proposal. They raised valid concerns that we were turning over border security and deciding what the plan would be to people who claim it is already secure. What this amendment does is it takes that back and it says that we, instead, we in the Senate, will decide what that plan is after we get input from border agents and others about what will work.

What this amendment reflects is what we know will work. We know that adding border agents, doubling the size of the U.S. Border Patrol, that will work. We know that completing fence work will work. We know an entry-exit tracking system, since 40 percent of our illegal immigrants are those who overstay their visas, will work. We know E-Verify will work. It is something many of my colleagues in my party have asked for, for the better part of 10 years. It will work because it takes away the magnet of employment.

We know these new technologies that were not available to us in 1986 or 2006 or even 5 years ago will work. What this bill says is you must do all of those things, and it is linked to legal permanent residence. In essence, someone who has violated our immigration laws cannot become a legal permanent resident in the United States until all five of those actions happen. That is the guarantee this will happen.

Let me close by saying I understand the frustration. I truly do. I know these promises have been made in the past. In a moment, the Senator from Alabama whose position on this is well stated will point out these promises were also made in 1986. By the way, in 1986, I was 15 years old, and I have to tell you immigration was the last thing on my mind at that time. But here is the reality of it. The choice before us is to try to fix this or to leave it the way it is. What we have is a disaster of epic proportions. We have 10 or 11 million human beings living among us. We don't know who they are. They are working but not paying taxes. There are criminals among them. That has to be solved. A legal immigration system built on the 19th century? We need to fix this and this is our chance to fix it.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I thank my colleagues, first from New York and Tennessee, for the good work they have done. My Gang of 8 colleagues—seven of the Gang of 8 colleagues who are my colleagues, we are working real hard to get a bill done and it is not easy. It is one of the hardest things I have ever done as a legislator. But we keep making progress and we keep improving. Today I think is a breakthrough day.

Let me go over it. First, speaking on behalf of the Democratic Members of my bipartisan group, let's say this. There is still some drafting of the legislative language to be completed. We are continuing to inform all our allies on our side about the contours of the proposal. But barring something unexpected, we are extremely enthusiastic that a bipartisan agreement is at hand.

I know there have been a number of news reports this morning. It is accurate. We are on the verge of a huge breakthrough on border security. With this agreement, we believe we have the makings of a strong bipartisan final vote in favor of this immigration reform bill.

From the beginning of the floor debate on this bill, we have known there were a group of our colleagues on the other side of the aisle who were inclined to vote for immigration reform but first wanted to see a strengthening of the bill's border security section. That makes sense because most Americans will be fair and apply common sense toward the 11 million in the shadows and future immigration if and only if they we will not have future flows of illegal immigration.

We took those concerns seriously. Our bill is tough on this stuff. We wanted it tough. The amendment makes it tougher still.

Last week, Senators CORKER and HOEVEN emerged as leaders of the group of like-minded colleagues from the other side of the aisle seeking a tougher approach. My friends Senators GRAHAM and MCCAIN and I sat down with them and we began talking, along with Senator MENENDEZ. We began meetings with them ourselves this week.

For us on the Democratic side, it has been an important bottom line throughout this process that the path to citizenship not be put in jeopardy. The path is tough, as it should be, but must always be fair. So we could not go along with efforts, such as in the bill of my colleague from Texas, that would tie the path to citizenship to unachievable benchmarks for the border. Senator CORNYN's amendment, which was defeated on this day, went too far in that regard, and I was not sure whether the new negotiations would produce agreement either. As recently as Tuesday night, Senator HOEVEN and I had an extended phone conversation that lasted 45 minutes. It would probably best be described as spirited. But about 24 hours ago we had a breakthrough. The idea that broke the logjam is the so-called border surge plan.

The border surge is breathtaking in its size and scope. This deal will deploy an unprecedented number of boots on the ground and drones in the air. It would double the size of Border Patrol agents from its current level to over 40,000. It will finish the job of completing the fence along the entire 700-mile stretch of the southwest border, and it will enumerate, on a sector-by-sector basis, lists of cutting-edge tools and equipment that will boost surveillance and apprehension efforts, including sensors, surveillance towers, and more unmanned drones. In other words, the border surge plan calls for a breathtaking show of force that will discourage future waves of illegal immigration.

This compromise will inundate the southwest border with manpower and equipment. It not only calls for finishing a literal fence, it will create a virtual human fence of Border Patrol agents. Under the border surge, the Border Patrol will have the capacity to deploy an armed agent 24 hours a day, 7 days a week to stand guard every 1,000 feet from San Diego, CA, to Brownsville, TX.

We came up with this idea of the border surge Wednesday morning after the CBO report was released. My colleague from Texas asked: Why not a week ago? We didn't have the CBO report. We didn't know we had the dollars. We have them now, and we still keep to our goal of not costing the Treasury a nickel. The CBO report was the game changer. It gave us the budgetary flexibility to consider massive new investments in border security that we didn't think we could previously afford.

The surge shows the commitment to border security our colleagues have been asking for. I was heartened to see that our friend the junior Senator from Illinois already announced that based on this agreement he is prepared to support final passage of the bill. This is a significant development considering Senator KIRK initially opposed the motion to proceed. It is safe to say this agreement has the power to change minds in the Senate.

This agreement on border security continues the spirit of bipartisan compromise that has marked this legislation from the beginning. In fact, in the forthcoming Corker-Hoeven amendment, it will be a vehicle for accommodating some other compromises in other areas of Republican concern as well.

With this agreement, we have now answered every criticism that has come forward about the immigration bill.

First, critics expressed worry that the process would be closed and that no amendments would be allowed. The bill was available for perusal weeks before we went to committee. Under Senator LEAHY's leadership, the committee was an open process, with 300 amendments filed, and now we are spending weeks on the floor trying to move as many amendments as possible. Some on the other side of the aisle have blocked that from happening as quickly as we would like—as well as some on our side too—but we are moving through these amendments.

The next criticism was that it would cost a fortune. CBO debunked that one pretty well. This adds to the Treasury. It cuts the deficit $900 billion over the next 20 years, $175 billion over the next 10 years.

Finally, the last argument: We have to secure the border. Securing the border is vital before anyone could support the bill—or some could support the bill. We have answered that resoundingly with the Corker-Hoeven amendment.

We have much more work to do, but I am more confident than ever before that the Senate will pass a strong bipartisan immigration reform bill and that it will ultimately reach the desk of the President for signature. It is a great day for the cause of immigration reform and for the Senate.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Alabama.

Mr. SESSIONS. Madam President, I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, I know Senator SCHUMER and the Gang of 8 have worked hard on this legislation. I respect their efforts and goals. I share their goals, and I share many of the principles they stated. But what we learned is that the legislation came nowhere close to fulfilling those goals. That is why, here in the middle of the debate after the bill has been exposed, after it has been hammered for failure after failure, they have come up with a bill that says: Don't worry now. We are going to throw 20,000 agents at the border, and now you all have to vote for it because we fixed it. Now you got what you wanted.

I say to my colleagues, too often the phrase ''border security'' has been used to include all legal and illegal activities that occur. What we know is that not only do we have problems at the border, 40 percent of the people who are here illegally today are visa overstays. CBO's report, which just came out, indicates that is going to grow—as I had predicted it would—in the future. We are going to have twice as many people come to the country on visas, and they are coming to take jobs—jobs that Americans need to be prepared to take. We need to get them prepared if they are not already prepared. We need to get them off of welfare and into self-sufficiency so they can make good wages that allow them to pay for their health care and have a retirement plan with enough left over to take care of their families. That has not been happening. Wages for average American workers have been declining since 1999, and it is a serious problem. I thought perhaps initially with the Republican agenda that this was a temporary thing and might bounce back, but we have seen that sustained.

Senator SCHUMER referred to the Congressional Budget Office score, but he didn't refer to this: This bill will accelerate that decline. Wages will drop more than they would have if the bill didn't pass. CBO found that unemployment would go up. They found that although there would be some increase in the economy, with millions of people coming, per capita, per person, the GDP would decrease. So this is a real problem we need to be honest about.

How large a flow of people can we sustain and create jobs for? Do we want to invite good people to come to America to take jobs and then they are not here for them? Do we want to bring in so many people that wages for American workers decline or Americans can't get the jobs? But somebody who comes from a very poor country, willing to work at the lowest possible wage—won't that pull down the wages of Americans who were hoping to get a pay raise instead of a pay cut?

I submit that this is a serious issue, and that is why Professor Borjas at Harvard has said it will adversely impact the wages of American workers, particularly low-income American workers. They will face the most adverse economic impact. This fact has not been disputed so far as I can see.

Now, the Senator says the bill is paid for. Know what they do? They count the off-budget money. This is what happened. Under the score the Congressional Budget Office gave to us, they found that it would increase the on-budget deficit by $14 billion. It will increase the on-budget debt of America by $14 billion over a period of 10 years. But they say they have a surplus over 10 years in the off-budget accounts—some $200 billion. They have counted that up and said: We have a net surplus. Hallelujah.

What is the off-budget money? What are we talking about for the off-budget money? That is Social Security money. Everybody who pays into Social Security, when they get ready to retire, is going to draw out that money. It doesn't add to the net financial benefit of America if a person who is here illegally is given a Social Security card, starts paying into Social Security, and will end up drawing from Social Security.

We cannot count the off-budget money. That is how this country has been going broke. We have been using that budget gimmick for way too long, and that is not correct. We should not be doing that, and it is not going to improve the deficit over 10 years. The statement of the Congressional Budget Office and their important report are quite clear about that.

It says some other things. With regard to wages for American workers, the Congressional Budget Office report says that if this bill passes, wages will go down. It says that if this bill passes, unemployment will go up. That is their analysis of it. It has a chart in there that shows that for over 10 or 20 years per capita GDP is below what it would be if the bill had not passed and that wages are going to be low for years to come.

Why in the world would we as Americans want to dramatically increase the legal flow of immigration above our current generous rate and double the guest worker program? In addition to legalizing the 11 million people who would be legalized under the legislation, there are 4.5 million people who will be given speeded-up allocation under the chain migration system. So there will be 4.5 million accelerated under the chain migration as a result of lifting limits on those individuals and the people who are here illegally. In addition to that, we will have a large flow of other workers.

Now, I have an amendment. This is a number of pages of it, some 30 pages, very similar to what the House is working on today. It deals with the visa overstay issue. It deals with people who get into the country legally but don't go home and don't cross the border. It is a growing percentage of the illegality we see today, and it will soon be over half of the illegality, and it certainly will be if this legislation is passed. Does this legislation Senator SCHUMER refers to fix that problem?

With the amendment, does this legislation solve the complaints of the Immigration and Customs Enforcement agents? They have written us multiple times. They pleaded to be allowed to meet with the Gang of 8 and to be able to explain the realities of enforcement difficulties in America. We are having an impossible time making enforcement work. Why is this administration blocking them from actual enforcement of the law as they are sworn to do? They voted no confidence in their supervisor, Mr. Morton. They filed a lawsuit against Secretary Napolitano, and they asserted to her that she is blocking them through regulations and policies from enforcing the law they are sworn to enforce. The matter has been in the court, and the court is considering this lawsuit. I have never

heard of Federal agents suing because they are not allowed to enforce the law. That is going on in America today. The ICE agents have written us a letter, and they said this legislation will make it worse. They said it will endanger national security.

What about the other part of the immigration process? Citizenship and Immigration Services is a group of officers who have to review the amnesty applications, review applications from abroad, and do those sort of things. Well, what do they say about it? They say the bill will make the situation worse, it will make it impossible for them to do their job. They do not have the capacity to process the 11 million people who are going to be asking for amnesty. It is not going to work. It will make the system worse. They have not been listened to in this process either.

Now, Senator SCHUMER said—and I hope everybody heard it—we have a plan. Don't worry. We are going to throw 20,000 agents at the border, and now you can quit complaining, you complainers, and just be happy and vote for our bill.

Well, then he said something like: Well, we don't have it written yet. We don't have it written yet, and we are working on it. We are sharing it with our allies, and we have not shown it to anybody else yet. But trust us, we have a bill that will work.

That is what they said when the bill was originally filed. They said they had a sufficient fencing system at the border. We read the bill, and there was no requirement in the bill to build any fences at the border. It was totally up to the Secretary. So now he seems quite happy—not having been able to run that past the Senate, having been caught on that deal—he is now willing to enhance some fencing. But current law, the law we passed a decade ago, required 700 miles of double-layered fencing, which would actually be very effective. This bill now, after having had the bill endangered, they ran out and said, well, we will do 700 miles of single-layer fencing, which is quite less secure and not what we voted on in the Senate 10 years ago. President Obama voted for it and Vice President BIDEN voted for it and former Secretary of State Hillary Clinton voted for it. That has never been done. We promised to do that too. We passed a law, we even passed funding for it, and it never got built. Only 30 miles of the 700 miles of double-layer fencing was ever built.

So this is a problem we have, along with the American people. So I say to Senator SCHUMER: I want to read this Corker amendment. Who is writing it, Senator CORKER, Senator HOEVEN, or Senator SCHUMER? Senator SCHUMER is telling us what is in it. He is saying he is still working on it. He is saying he is sharing it with his allies but not with those who have doubts about it. I would like to see this bill we have heard so much about. Also, will it deal with other issues?

So we know this: We know the legislation gives amnesty first. We were told originally by the Gang of 8 we were going to have border security first, right? They finally had to acknowledge that isn't so. That is a pretty big promise.

Border security first. Not so in the bill, not so in the Hoeven-Corker amendment. The toughest enforcement ever. Clearly, the bill was weaker than the 2007 bill. Members of the Gang of 8 have acknowledged that. It is nowhere close.

On visas, current law requires that under the visa policy of the United States, we have entry-exit visas, biometric at land, sea, and airports. What does this bill say? This bill says, well, we will have electronic entry-exit visas at air and seaports but not at land ports. And if we don't have the land ports in the mix, then we never know who came into the country if they left by land.

The 9/11 Commission says the system will not work. The system will not work.

Proponents of the bill said an individual would have to pay back taxes. That is so ridiculous. That is utterly unenforceable. It is just a talking point. It has no reality whatsoever.

They said a person has to learn English. Not so. A person can be in a English course 6 months before their time comes up. They don't have to complete the course. That is all it requires.

They say no welfare benefits, but there are benefits as scored by the Congressional Budget Office, the largest of which I suppose is the earned-income tax credit.

They said it would end illegal immigration, and the Congressional Budget Office report, amazingly——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SESSIONS. I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Amazingly, the Congressional Budget Office said the bill that is before us would only reduce illegal immigration by 25 percent. So we are going to give amnesty for the toughest bill ever, and all of this. Then the bill gets in trouble on the floor and they scurry around and they get an amendment that throws in, say, 20,000 agents who are going to be hired somewhere on the border in the future. We promise. We are going to give amnesty first, though, and we promise that these agents will all be hired and the problem will be fixed. They promised to build a fence in 2008. It never happened.

So we are going to read this Hoeven-Corker amendment. We are going to evaluate it fairly. It seems to me it doesn't come close to touching all of the issues necessary to have a lawful system of immigration that serves the national interests in a way that Americans can be proud of.

We believe in immigration. We want to be compassionate and helpful to people who have been here a long time, but we have to have a system we can count on in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Madam President, yesterday we received some very positive news about the future potential impact of this bill that is being debated on the floor today from the Congressional Budget Office regarding the expected economic impact of this bill. I think it is worth repeating. It has been discussed and debated, but I think it is worth repeating for the benefit of those who are watching and for the benefit of those who are crafting a path forward.

The CBO report details how successful reforms to our immigration system called for in this bill will, in fact, boost our economy not only in the next 10 years but in the 10 years to follow. Specifically, the report details how immigration reform will cut the deficit by nearly $200 billion—I think it is $197 billion over the next decade—and then $700 billion in the following decade. CBO projects over 20 years, nearly $1 trillion in savings.

While economic growth and deficit reduction are both great things and important for our country, what is particularly interesting and valuable about this bill is that the growth and jobs, according to CBO, will be experienced by Americans all across the country and all along the labor spectrum. The CBO report is consistent with a statement last month from the Social Security Administration that this bill would create over 3 million jobs in the next 10 years. Simply put, this is a jobs bill.

The immigration bill before us creates jobs in a number of different ways that I think are worth taking a minute to look at. First, the bill creates jobs by making needed investments, as we have heard at great length today, in border security. The brave men and women who defend our country's borders will get the support they need to reduce illegal immigration and save lives. Many of these men and women, in fact, will have served honorably and previously in our Armed Forces abroad, and this bill provides a specific opportunity at which our heroes will excel.

The bill also creates jobs by creating and enhancing immigration programs that encourage investment in American companies and in American workers.

The permanent authorization of such demonstrated programs such as EB–5 and the new INVEST visa, which build

upon years of demonstrated success and create years of jobs through targeted investment capital, is another benefit of this bill.

In the last Congress I worked with a bipartisan group, including Senators WARNER, RUBIO, and MORAN, in crafting something called the Startup visa, and I am thrilled this includes the INVEST visa, quite similar to the Startup visa idea, that encourages foreign nationals with capital who are entrepreneurs to come to the United States and invest in job growth in our country.

New companies create new jobs, and the contributions of immigrant entrepreneurs are well known in every corner of this country, including in my own home State of Delaware. By encouraging rather than limiting immigrant entrepreneurs, this bill will ensure the American dream remains alive and well for future generations.

This bill also, in my view, will create jobs in the short term and in the long term by encouraging companies to invest in growth in the United States rather than abroad. It balances the need to attract and retain high-skilled foreign-born individuals, many of whom are currently trained at American universities at public expense, while also ensuring that companies recruit Americans for open positions in high-skilled jobs—typically those who focus in the engineering and science, math and technology areas.

The reforms in this bill to our employment-based visa system are long overdue. It does a wide range of things, including clears backlogs, eliminates the per-country caps, and permits so-called dual-intent for students. I think all of these are positive for improving the quality and the availability of the American workforce. I think we should get this done.

At the same time, this bill makes an important contribution to the health and welfare of American workers by cracking down on unauthorized illegal employment and bringing workers out of the shadows and into our open economy. I am particularly happy this bill includes clear guidance that immigrants authorized to work in this country are able to provide services in all parts of the economy by accessing appropriate licensure standards. This provision will ensure that once legally authorized to work, immigrants who abide by the same laws and safety measures as Americans will be able to bring their full skills and talents into our economy.

For the long-term health of our economy, this bill also contains an important investment in training our children. I had the pleasure of working with Senators HATCH, RUBIO, and KLOBUCHAR on a STEM fund concept in our immigration innovation bill, and I am glad to see the inclusion of that STEM education fund that will improve the science, technology, engineering, and math education of U.S. national children in schools across this country.

At a time when we have to make difficult decisions about how best to cut the deficit and grow the economy, this bill is perhaps the best chance we have at making significant, bipartisan progress while also making our country more fair, more just, and more secure.

If I might for another few minutes, I wish to also speak about what it means to make our immigration system more just.

America has earned its place in the world in part because of the immigrants who have come before us bringing their culture, their passion, their ideas, and their skills to our shores. When I ask Americans what they expect of our immigration system as we try to fix this badly broken system, they say they want one that keeps us safe from foreign threats, from terrorism, and dangerous individuals. They want a system that protects the American workforce and that grows our economy. They want a system that is fair and transparent and that reflects our most basic values.

It is clear to me, as it is, I suspect, to the Presiding Officer and many of our colleagues that our current immigration system just isn't consistent with our most sacred values. We are failing to resolve legal disputes through a judicial process worthy of our world-renowned justice system, and we are failing to safeguard taxpayer dollars which we are needlessly wasting with a slow and inefficient and poorly managed immigration legal system.

Our immigration system jeopardizes our values and mistreats those who would adopt them as their own. So I think we must act.

Fortunately, this bill before us today better aligns our immigration system with our most basic values. It is not perfect, but it is a vital and needed step forward. It makes critical progress, for example, in the treatment of children who are forced into our immigration courts. Under our current system, children as young as 8 years old—often with limited English language skills—are forced to stand in front of immigration judges and argue whether they have some basis to remain in our country. These children aren't represented by counsel. The proceeding is adversarial. The judge is an employee of the same agency as the prosecutor. This, in my view, doesn't look anything like America, and in some essential ways it must change.

By expanding access to representation for children, this bill will not only seek better justice for immigrant children, but also help administer cases in a more efficient manner. In our immigration courts where immigrants are regularly brought before judges without information central to their own cases, this bill will ensure immigrants have access to their own case files before they appear in court. In our own civil and criminal court systems, this sort of basic information exchange is the bare minimum.

This is an improvement that reflects our values, by letting people understand the consequences before them when they step into a courtroom. It is also a commonsense way to save money by expediting immigration proceedings where dockets are currently backlogged not just weeks and months but years. While immigration courts deal with mounting backlogs, many immigrants remain in detention at enormous cost to taxpayers.

Finally, this bill also proposes a rational detention policy that keeps immigrants who pose a real threat to society in detention while recognizing the value, the capability of modern technology to provide alternatives to detention when the only concern is appearing for a hearing. Our values tell us that individuals who pose no threat to society don't belong in protracted detention, and technology has allowed us to exercise better alternatives.

By addressing the backlog of cases through improvements to the court system and by making steps toward a more rational detention policy, I believe this bill in its current form will save money while reflecting our shared values.

I wish to draw the attention of my colleagues to one amendment that raises concerns for me on this exact point. It is amendment No. 1203, and Senator INHOFE is the lead sponsor. It would, in my view, require essentially mandatory indefinite detention of those who are currently detained in the American immigration system for whom we can find no country that would accept them, but with no pathway, no alternative to discretion for an immigration judge to choose to use technology to allow them out of detention while ensuring that they pose no threat to security for our communities. I think this takes away necessary opportunities for immigration judges to exercise discretion as to who belongs in detention for very long periods of time at great public expense. It is my hope my colleagues will act to defeat this amendment.

In closing, in my view, it is critical for the future of our country that we address all of these issues now. I look forward to the passage of this legislation. When our laws are so inconsistent with our basic values, we should act without delay. When we have right in front of us an opportunity to reduce the deficit and to grow jobs, to make this country safer, stronger, fairer, and more prosperous, we should act in a bipartisan and progressive way.

With that, I thank the Chair, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. VITTER. I would ask unanimous consent to vitiate the quorum call.

The PRESIDING OFFICER. Without objection.

Mr. VITTER. I would ask to go to regular order to the Leahy amendment.

The PRESIDING OFFICER. Without objection.

The amendment is pending.

Mr. VITTER. Great, Madam President.

AMENDMENT NO. 1507 TO AMENDMENT NO. 1183

At this point, I would send a second-degree amendment to the desk to make that pending.

The PRESIDING OFFICER. The clerk will report.

Mr. CARPER. Madam President, I suggest the absence of a quorum.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 1507 to amendment No. 1183.

The amendment is as follows:

(Purpose: To ensure that aliens convicted of crimes of violence against women and children are ineligible for registered provisional immigrant status)

On page 945, between lines 20 and 21, insert the following:

''(III) an offense, unless the applicant demonstrates to the Secretary, by clear and convincing evidence, that he or she is innocent of the offense, that he or she is the victim of such offense, or that no offense occurred, that—

''(aa) is classified as a misdemeanor, in the convicting jurisdiction; and

''(bb) involved—

''(AA) domestic violence) (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or

''(BB) child abuse and neglect (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HEITKAMP). Is there objection?

Mr. LEAHY. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, what is the pending amendment?

The PRESIDING OFFICER. The Vitter amendment No. 1507 to the Leahy amendment No. 1183.

Mr. REID. I raise a point of order against the Vitter amendment that it is improperly drafted to the Leahy amendment.

The PRESIDING OFFICER. The point of order is well taken. The amendment falls.

Mr. REID. The Vitter amendment falls; is that right?

The PRESIDING OFFICER. It falls.

Mr. REID. Madam President, I now ask unanimous consent that there be a period of debate only until 6:30 p.m., with the time equally divided between the two leaders or their designees, and that I be recognized at 6:30 this evening.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I don't know if there is any particular order. I see other colleagues on the floor. I am not in a particular rush. I would be happy for them to speak, but I wish to speak for 5 minutes as in morning business.

I thank the Senators.

I know the leadership—Senator LEAHY and Senator GRASSLEY—are working very hard to negotiate some very controversial and serious amendments to the underlying bill, and there have been negotiations going on all day on the immigration bill, and actually for weeks, both in the Judiciary Committee, where 17 Members serve, and then here on the Senate floor, where the rest of us have our only opportunity to engage and to be part of legislating a bill that is likely to pass. There is no guarantee, but it looks as though it is moving in that direction.

The bill has been strengthened as it has gone on, and we have had a very vigorous debate. But I have come to the floor several times only to say this: There is a series of amendments that are completely uncontested. In other words, there is no opposition to them. The list is approximately, from what we can tell at this point, potentially around 30 to 35. It could be more, but there are clearly 30 to 35 amendments that have been filed by Republicans, by Democrats, and some of these amendments are cosponsored by Republicans and Democrats, each together.

I have been talking about this for a couple of days because I think we have to get back to trusting each other and working together across party lines on major bills such as this and actually working to pass amendments that nobody objects to. Wouldn't that be amazing. We used to do that routinely through a practice called the managers' amendment. In the last couple of months or years everybody is so angry and aggravated at the end of the debate there is no managers' package. So I have decided to start early identifying amendments while the leadership is focused on the more controversial amendments both sides are still arguing about that are significantly meritorious. I have been focused on amendments that are very good ideas, and to which, to my knowledge, there is literally no opposition.

I want to adjust the list and remove from the Landrieu list Collins amendment No. 1255. There has been some objection on our side to that. Heller No. 1234, there has been some objection to that. Now, this is not final. I am not managing the bill. I am just saying, to be honest, we have heard objections as to these two.

There are additional amendments that come to our attention that may not have any opposition that I may want to add to this list. One is Toomey No. 1236 which clarifies that personnel, infrastructure, and technology used in the comprehensive border security strategy is procured through existing or new programs. It is a clarification to the underlying bill. I don't think anyone objects to that.

Senator GRASSLEY has an amendment No. 1306 that he is well aware of that authorizes the Attorney General to appoint counsel to represent an unaccompanied alien child with serious mental disabilities. I most certainly would support that. He and I have worked together on many pieces of child welfare legislation. There is no one opposing that amendment.

Johanns amendment No. 1345 requires CBO to report on revenues and costs generated by the bill and requires the DHS Secretary to generally adjust fees under the bill to cover costs that are not fully offset. As the cosponsors of this bill have said, this bill will not cost taxpayers any money. It is offset by fees. This amendment is simply clarifying that statement. It would be a good amendment. I think that is an example.

Senator COATS' amendment No. 1372 requires, similar to Senator GRASSLEY, to consult on children coming through with mental disabilities to make sure they have legal counsel. No one would object to that.

Finally, Senator FLAKE, amendment No. 1472, requires the GAO to study the use of non-Federal roads by Customs and Border Protection.

These amendments are not striking lightning anywhere, not upsetting Western civilization. These are perfecting amendments that we came here to legislate on behalf of our constituents because there are people or groups or entities in our States that are following the big bill and the big controversies of it, but some people are actually following the specifics and want to make suggestions to make the bill better. So people who are going to vote against the bill can still vote against it. People who are going to vote for it can still vote for it. But we can make the bill better. That is what we are here to do.

I can't, under the order, have any motions, but I will just bring it to the attention of the Senate that I am going to submit this to the RECORD. If there are any objections to those that I have talked about, please let us know.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Ohio.

Mr. PORTMAN. Madam President, I rise today to talk about a couple amendments that I hope will make it on the Landrieu list. I think they are entirely consistent with what she has talked about; that is, amendments where there should not be any controversy, where we can come together as Republicans and Democrats and support them, in order to improve this underlying piece of legislation on immigration reform.

I do think it is important for us to resolve this issue of an immigration system that is broken—a legal system that fails to actually uphold the laws within it.

As the Presiding Officer knows, and I talked about it yesterday, I still have concerns about the legislation in a number of areas.

One is the internal enforcement of the legislation, particularly with regard to the workplace. I think the magnet of work that encourages illegal immigration can be addressed through a stronger and more comprehensive E-Verify system, and we plan to offer an amendment to that effect, and will work with both sides of the aisle.

I also have concerns about Federal benefits going to noncitizens. I know that Senator HATCH has been working diligently on that issue as have Senator RUBIO and others, and I am hopeful that we will be able to work something out to address that issue.

Border security, of course, is an issue which we have talked a lot about today. It is important, but the provisions concerning it are not sufficient, in my view.

Finally, I do have concerns about the eligibility for legal status of convicted criminals. That is what I want to talk about today.

Again, Senator LANDRIEU has talked about supporting a number of uncontested amendments that will improve the underlying bill. I think these two amendments that I am going to talk about today fit well into that category.

These amendments would apply a uniform and fair standard to anyone convicted of a felony. I think that is, at a minimum, what we have to be doing. If you are convicted of a felony crime, there ought to be a fair standard applied, and you ought not to be able to obtain a legal status. They would also ensure that dangerous criminals who prey on the most vulnerable among us are not given legal status under this legislation.

Yesterday I talked in general terms about what these amendments would accomplish. One problem I identified is that the underlying bill requires an applicant for legal status to have served at least 1 year in prison in order to make that person ineligible, regardless of the crime, even if the crime they committed was a felony.

I think it is also important to understand the kinds of criminal convictions that, under the current bill before us, would not prevent someone from beginning the process of becoming a citizen, so I am going to give a couple examples. These are the kinds of incidents that we see on the nightly news and that fill us with disgust and outrage. They are not hypothetical:

A man convicted of felony child abuse for beating his children ages 6 and 8 with a riding crop, shooting them with BB guns and bottle rockets, and choking and burning them with cigarettes; a woman convicted of aggravated child abuse for giving alcohol to an 8-pound, 7-week-old infant to the point that its blood alcohol level was more than four times the legal limit for an adult; a man convicted of felony domestic violence when he broke into the home of his ex-girlfriend, choked her, pulled out her hair, and beat her to keep her from getting help.

All of these criminals were convicted of felonies; none of them served the full year imprisonment required to be inadmissible under S. 744, the underlying bill. So if somebody were convicted of these horrible crimes, they could still be admissible to go into legal status because they didn't serve that 1 year minimum.

By the way, this can result from several different factors. One is the disposition of the sentencing judge. Another is the recommendation made by prosecutors, possibly for reasons that were valid such as to get more information out of these criminals. It could also be because of overcrowding in our State prisons, which, unfortunately, is endemic in this country.

So I think making decisions based on time served is not the right way to go. It means that if two individuals are convicted of the same crime of violence—in this case domestic violence—but one serves 1 year in prison, and the other is sentenced to 6 months; the first person is barred from citizenship while the second would still be eligible. It is unfair, it is illogical, and it is not in keeping with the spirit of the legislation before us to treat all violent felons in the same manner.

My very simple amendment would ensure that those convicted of domestic violence, stalking, or child abuse, who could have been sentenced to not less than 1 year imprisonment for the crime at the time of conviction, are not eligible for citizenship.

My second amendment ensures that crimes against children involving moral turpitude—things like child abuse, child neglect, and contributing to the delinquency of a minor through sexual acts—are not subject to the discretionary authority of the Secretary of the Department of Homeland Security and the immigration judges with respect to removal, deportation, or admissibility of an individual. Crimes involving moral turpitude look past a conviction and the elements of a crime because these acts are conclusively against our values as a people.

This amendment would continue the standards we have always had enshrined in our immigration system. For that reason, just like the previous amendment, I believe, in a sense, that this is just a clarification that is necessary to make this underlying law work.

A quirk in the bill before us would change that. It weakens the laws designed to protect our kids. That is the kind of reform we don't need.

Discretionary authority has its place, I acknowledge that, but there is no excuse for committing acts of violence against children, and those who would do so are not worthy of citizenship. But under the legislation as currently written, someone who commits a felony assault—for example, a man who gets in a bar fight with another man—would be deported, but a father who goes home from that same bar and beats his children or hits his wife would not necessarily face the same consequences.

I can't believe that this was the intention of this legislation or that anybody in this Chamber would find that acceptable.

We want to make sure that this immigration bill only benefits those who are worthy of it. This bill is for the men and women who have come to this country to build a better life for themselves and their families, not those who would abuse them. It is for those who are willing to work hard, not for those who have served hard time. It seeks to open the door to American citizenship for those who share our values of respecting and protecting human life, not those who would commit crimes against the most vulnerable among us.

The debate on immigration reform has been long and at some points it has been difficult. I saw that on the Senate floor earlier today. And many of the amendments that have been offered have been highly contentious.

Again, I will be offering some amendments on ensuring that there is proper enforcement of the legislation later in this process. But I would say that these amendments we have offered, which are before the Senate, amendments Nos. 1389 and 1390, are amendments that shouldn't be contentious. They are intended only to protect our children and to ensure that the creation of a path to citizenship does not leave the victims of domestic violence as second-class citizens.

There will be hard votes in the days to come. This is not one of them. I urge my colleagues to support both of these amendments.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Madam President, I appreciate the recognition, and I ensure

my colleagues I will be brief. I appreciate very much the work of the Senator from Ohio on this bill.

I wanted to come to the floor this afternoon to talk about the agreement that we have reached with Senators CORKER and HOEVEN that will significantly increase security measures taken at our borders.

We have spent a lot of time talking about this issue over the last months with some proposals that would have simply gone too far by sacrificing the path to citizenship, perhaps completely, in some of these proposals.

I thank Senator CORKER, Senator HOEVEN, and the other Senators who have been involved in this discussion for striking the balance in a different place and giving us a path to another bipartisan agreement that has required compromise—principled compromise—on all sides throughout this process.

A number of us have said that this bill is not the bill each of us would have written left to our own devices. But the nature of this place, when it is working, is that it is a place where people make principled compromises and come together.

I want to thank Chairman LEAHY, who is on the floor today, for the process that he led in the Judiciary Committee to get us here. There were over 300 amendments considered. I think there were 141 amendments adopted by both Democrats and Republicans.

This is the way Colorado expects the Senate to work—a State that is one-third Democratic, one-third Republican, and one-third Independent, and doesn't care very much about what labels people put on each other or themselves but would like the institutions in Washington to actually reflect their priorities and reflect the way they do business, which is by coming together and figuring out how to deal with principled disagreements.

So while we have said this bill isn't the bill that I would have written alone, it is a good bill. It is a bill that has gotten stronger in the committee and stronger on the Senate floor. That is the way it is supposed to work.

People at home know that doing big things means we are going to have to be willing to come together from time to time on compromised solutions, and that is what we are doing here. We are protecting the principles the eight of us laid out when we started this process, which includes ensuring a pathway to citizenship that is real and attainable, in addition to preventing future illegal immigration through, among other measures, securing our borders.

Our agreement had additional support for securing the border even after the improvements we have seen over the last 10 years. But now what we have before us is what some have called a border surge plan that will significantly expand resources at the border beyond what is already in the bill.

It will double the number of border agents—an agent, it has been estimated, every 1,000 feet on the border. It will significantly expand fencing. It will implement new technology and resources such as fixed towers, surveillance cameras, and aerial surveillance units. It will provide for full monitoring of our southern border.

We have already dramatically increased security at the border. This bill will double the number of border agents on our southern border. And while these items will add more cost to the bill, we know such costs are offset by fees and fines on visas throughout our bill.

Yesterday's news from the Congressional Budget Office that the bill as written would achieve nearly $900 billion in deficit savings over the next 20 years—coupled with the gigantic steps we are already taking at the border, along with the growing coalition of support for fixing our broken immigration system—is leaving opponents with less and less to undercut the bill. The case is simply slipping away for maintaining the status quo that is holding back our economy, keeping us less secure, and tearing apart families.

At home, people actually think securing the border is a virtue. They support securing the border at home. People at home think a pathway to citizenship that resolves the question for the 11 million people working in this shadow economy, in this cash economy, is a virtue. People at home believe both of those things would be positive. In Washington, somehow it becomes a trade: border security for citizenship, depending on which side you are on.

I want to say how grateful I am to the other Members of the Gang of 8, particularly to Senator MCCAIN, Senator GRAHAM, Senator RUBIO, and Senator FLAKE, my Republican colleagues, and to Senator HOEVEN and Senator CORKER for creating the opportunity for us to have a big bipartisan vote on this Senate floor next week; to be able to show the American people there is hope, that we can finally resolve not just the issue for the 11 million, but we can also begin as a country to have the talents of people from all over the world who want to contribute to our economy, who want to build their businesses here.

I thank them for legislating in such a constructive way, so as we move forward, to have the chance for each of us to vote to reaffirm two essential principles that make our country so special: One, that we are committed to the rule of law and the other that we are a nation of immigrants.

I yield the floor. I thank the Senator from Utah for his patience.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, I ask unanimous consent to set aside the pending amendment and call up an amendment, No. 1207.

Mr. LEAHY. Madam President, I object.

Mr. BENNET. I object.

Madam President, I did not know that was the purpose of the Senator rising, so I will keep going on another topic.

Through the Chair, does the Senator from Utah want to speak?

Mr. LEE. Through the Chair, the Senator from Utah would like to speak.

THE FARM BILL

Mr. BENNET. Through the Chair, two sentences, which are: Our farmers and ranchers in Colorado have been suffering through the worst drought that we have had in a generation. This is the third year in a row of that drought. We have passed a bipartisan farm bill twice on the floor of the Senate, I think with over 70 votes. It is not perfect. There are things in it I would change. It is the only bipartisan deficit reduction, other than the immigration bill, that has been achieved by a committee in this Congress, either on the Senate side or House side—the only one.

We make important reforms to our conservation title. We end direct payments to producers. The Senate bill is not a perfect bill, but it is a good bill. Today the House of Representatives voted their own bill down. Farmers and ranchers in Colorado who are working hard to try to support their families, to create a condition where they can leave their farms and ranches to the next generation of Coloradans, are left to scratch their heads once again why Washington cannot get its work done.

I urge the House of Representatives to pass the bipartisan Senate farm bill so our farmers and ranchers can get the relief they need.

I yield the floor.

Mr. LEAHY. Madam President, will the Senator, before he yields the floor, yield for a question?

The PRESIDING OFFICER. The Senator from Vermont.

Mr. BENNET. I yield.

Mr. LEAHY. Madam President, I believe the Senator is aware of this. I ask, does he know when we passed the farm bill last year by a huge bipartisan margin, and again this year, that on the Senate committee are several former chairs of that committee in both parties as well as a former Secretary of Agriculture, and we came together as Republicans and Democrats to pass a bill that saves $23 billion to $28 billion? I believe the Senator is aware of that.

Mr. BENNET. Through the Chair, I am aware of that. I appreciate the Senator from Vermont, the former chair of the committee and now the chair of the Judiciary Committee, reminding the Chamber that the Senator from Vermont has been here longer than I have been, just being honest about it.

But I wonder sometimes what it would have been like to serve in this body when it did not have a 10-percent approval rating. The chairman was here when the Congress did not have a 10-percent approval rating. I don't know why anybody in the world would want to work in a place that had that level of approval.

I came down to the floor once with a slide that tried to find other enterprises that had the kind of approval rating we have in this Congress. It is very hard to do. The IRS had a 40-percent approval rating. There is an actress who had a 15-percent approval rating. Eleven percent of the American people say they want the country to be a Communist country—I don't, by the way. I think Fidel Castro had a 5- or 6-percent approval rating.

We have to start working together. That is what the American people want. That is what the people in my State want. They know we are not always going to agree on everything, but they expect us to actually get things done. One of the matters we have in front of us, this immigration bill, is an excellent example of Republicans and Democrats coming together to do their work.

The chairman is exactly right. The Senator from Vermont is exactly right. We have differences on the Agriculture Committee sometimes, but they are not partisan differences. They are not differences between Republicans and Democrats. They are regional differences, and we find a way to hash those out. We were able to pass this bill on the floor with broad bipartisan support. That is what we should do with this immigration bill and that is what the House of Representatives should do with our Senate farm bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, I certainly share the concern of my friend and colleague from Colorado, and I thank him for his remarks. We do, as an institution, have an alarmingly low approval rating. I have even said we are slightly less popular in America than the Castro brothers and slightly more popular than the influenza virus, but the virus is gaining on us rapidly.

There are many reasons for this. One thing is we are trying to gain too much control over too may aspects of the lives of the American people. There is so much of what the American people do that is governed, even micromanaged by the Federal Government and by what it does every single day. So much of their wealth has to go to pay their taxes to the Federal Government. So many of their communications are potentially susceptible to being monitored. So much of what they do is in one way or another restricted by the Federal Government.

I would like to discuss amendment No. 1207, which would address one of the many implications of the fact that we have a Federal Government that is simply too big. It deals specifically with the ownership of Federal land.

In my State, the State of Utah, the Federal Government owns about two-thirds of the land. That is two-thirds of the land that has to be managed by bureaucrats, bureaucrats ultimately working out of Washington, DC, who, for the most part, don't tend to share the same values or the same interests in land development as do people from my own State. That is land we cannot tax and land we therefore cannot access as a resource. It is land that, because it cannot be taxed, cannot provide tax revenue for local governments to fund fire departments, police services, and schools.

It has other implications too when the Federal Government owns this much land. It is significant that about 40 percent of the land along our border is owned by the Federal Government. It is significant that in a lot of that stretch of border, Federal agents from the Bureau of Customs and Border Protection, or CBP, are not allowed to do their job. Even our own Federal officers cannot do that which they need to do, that which they have sworn an oath to do, at least not very effectively, for the simple reason that this is Federal land and there are a whole host of environmental restrictions that often accompany the use of Federal land or traversing on Federal land of any kind.

This is foreign to many of my colleagues, many of whom come from States where there is very little Federal land. It is significant that in every State in the Rocky Mountains or west of the Rocky Mountains the Federal Government owns 15 percent or more of the land in those States, and in every State east of the Rocky Mountains the Federal Government owns less than 15 percent. In many cases it is much less than that—in some cases ½ of 1 percent.

I don't expect all of my colleagues to sympathize with this immediately, but I hope, in time, when they come to understand what we face in these States where there is so much Federal land ownership, they would be sympathetic to this amendment.

The idea of this amendment is we have a problem. We have a problem when CBP agents cannot adequately enforce the law, cannot adequately enforce the border, protect it for national security purposes and immigration purposes and the like, simply because of the fact the land is federally owned and environmental restrictions get in their way and interfere with their ability to do that.

The net result of this is not environmental protection because, as we have seen, in many of these areas, because coyotes and others who bring people illegally across the border are well aware of these restrictions, they will make sure illegal immigrants come across these very same tracts of land in order to get into the United States illegally. They leave in their wake, in some cases, a trail of destruction or at least a trail of litter as they drop things along the way.

This also, by the way, creates very dangerous conditions for many of these immigrants who are trying to cross very remote sections of land. It makes it difficult, not just for the agents but also for the immigrants alike. It is not good for anyone.

This amendment tries to change that. This amendment would provide immediate access to land at the border for the purpose of maintaining or building roads, fences, also driving patrol vehicles, and for installing surveillance equipment. It is interesting. People are dying on the border as a result of the fact that immigrants very often will cross these very remote sections of land. They run out of water. They run out of food. They run out of other supplies. They get lost.

It is scary. This would happen less if we were adequately enforcing our border. Again, border lands are littered with the trash left behind by these illegally crossing illegal aliens.

This has not gone completely unnoticed in the past. In fact, this has been reported in the press. Just a few years ago, the Washington Post reported, November 16, 2009, the following:

> In a remarkably candid letter to members of Congress, Homeland Security Secretary Janet Napolitano said her department could have to delay pursuits of illegal immigrants while waiting for horses to be brought in so agents don't trample protected lands, and warns that illegal immigrants will increasingly make use of remote, protected areas to avoid being caught.
>
> The documents also show the Interior Department has charged the Homeland Security Department $10 million over the past two years as a ''mitigation'' penalty to pay for damage to public lands that agencies say has been caused by Border Patrol agents chasing illegal immigrants.

Every one of us in this body whom I am aware of has been saying we need to secure the border and that we do. I am here to reiterate that very point. If we are serious about that, as we claim to be, then we have a certain obligation to make sure our CBP agents, officers have the ability to enforce the law; that they are not fighting this battle with one hand or perhaps both hands tied behind their back; that we are not ordering them to make bricks without straw. We have to give them the ability to do their job and certainly not interfere with it.

It is not just that we are placing a minor incidental burden on their ability to enforce the laws, we are talking about 40 percent of the land along the southern border that is federally owned. So we are dealing with an awful lot of land. Everyone knows if we enforce the border in some areas but

make it impossible to enforce in others, we are going to drive the illegal immigration traffic toward those areas of the border where enforcement is not ongoing.

That is what my amendment does. This has been debated and discussed in the House of Representatives. My understanding is that in prior legislation the House of Representatives has even adopted this provision.

I urge each and every one of my colleagues to take a close look at amendment No. 1207, which I hope to call up in the near future, and I hope we will pass this measure.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, first, let me thank my very good friend from Iowa who graciously allowed me to make a very short statement. I am concerned about this. Several of us have amendments we have been trying to get up for a long period of time. Frankly, I do not know what the current status of the amendments and the bill are right now, whether we will be getting to some votes sooner or later. I have no way of knowing. But I have one amendment that is one I thought would be so acceptable that there would not be any opposition to it. Let me just briefly tell you what it is.

My amendment addresses the 2001 U.S. Supreme Court decision in Zadvydas. This is one where the Court held—we all remember this—that immigrants admitted to the United States and then ordered removed could not be detained for more than 6 months.

Four years later, the Supreme Court came along and extended the decision to people here illegally as well. That is what we are talking about right now. We are talking about illegals who come into this country. As a result, the Departments of Justice and Homeland Security have no choice but to release thousands of criminal immigrants into our neighborhoods. The problem with these decisions is the criminal immigrants ordered to be removed cannot be deported back to their country if that country refuses to accept them back.

Let's stop and think about that. I certainly could not criticize a country for not taking back a hardened criminal into their country, and that is what happens. More importantly, these decisions have a serious impact on public safety, as recent cases have illustrated.

Six years ago a Vietnamese immigrant was ordered to be deported after serving time in prison for armed robbery and assault. He was never removed because the Supreme Court decision handicapped our authorities. Our immigration officials couldn't deport him without the cooperation of the Vietnamese Government, which they didn't get. The Vietnamese Government said, we don't want this guy back. As a result, his deportation was never processed.

This same immigrant, Binh Thai Luc, is suspected of killing five people in a San Francisco home in March of 2012.

The story of Qian Wu puts this situation in perspective. Qian Wu felt a little safer after the man who had stalked, choked, punched her, and pointed a knife at her was locked up and ordered to be removed from the country. She naturally felt better at that time because the guy was behind lock and key and then was going to be ordered back to his country. The man, Huang Chen, was a Chinese citizen who had illegally entered the United States. As has been the case at least 8,000 times in the last 4 years, Mr. Chen's home country refused to let its violent criminal return. So here is a guy who is a violent criminal, ordered to be sent back to his country, but his country didn't want him.

Handcuffed by the Supreme Court decision, immigration officials released Mr. Chen back into the community when they had no place else to send him. They released the guy. As anyone can imagine, this story does not have a happy ending. Upon his release in 2010, Huang Chen murdered Qian Wu. He murdered her. She suspected this was going to happen. As we can see, this is a real problem with serious consequences, and there are others like these people out there.

According to statistics provided by the Department of Homeland Security, there are many countries that are not cooperating or take longer to repatriate their nationals. Countries such as Iran, Pakistan, China, Somalia, and Liberia are all on that list. The Supreme Court, in making their decision, said Congress should clarify the law. I have an amendment that clarifies the law by creating a framework that allows immigration officials to detain dangerous criminals and immigrants such as Binh Thai Luc and Huang Chen.

This is specifically what this amendment does: Immigrants can be detained beyond 6 months if they are under orders of removal but cannot be deported due to the country's unwillingness to accept them back into their country.

There are several conditions that have to be made, including if the release would threaten national security—keep in mind that a determination has been made that they threaten national security, threaten the safety of the community, and the alien either is an aggravated felon or has committed a crime of violence.

I understand the ACLU is opposed to this, and that should make everyone excited about getting this passed. By the way, we are going to hear people say there are no conditions. There are a lot of safeties built into this.

For example, in order for the Secretary to keep someone past 6 months, they will have to certify every 6 months that this is not indefinite and certify the threat is still there. The alien still has access to our Federal courts. So this would be in effect only under the condition of the person being a threat to the safety of the community and that person must have also committed a crime of violence or aggravated felony.

I cannot imagine that anyone would object to this and as a result potentially put all of these people in danger. We have already had some deaths. I think it is very reasonable that we go ahead and take care of some of these things that would be acceptable.

So for that reason, I ask unanimous consent that amendment No. 1203 be brought before us for its immediate consideration.

Mr. LEAHY. Mr. President, I object.

The PRESIDING OFFICER (Mr. COWAN). Objection is heard.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I am not going to make a unanimous consent request. I want to speak about a piece of legislation I hope to introduce before we finish the bill on immigration.

This is a Grassley-Kirk amendment numbered 1299, and I am having a difficult time getting it put in place so we can get it brought up. I believe there is a lack of understanding of what my amendment does. I want to take this time to explain it so everyone can fully understand it and get it to a rollcall vote.

I thank Senator KIRK for joining me on this amendment as a cosponsor.

This amendment would address language in the bill that creates a convoluted and ineffective process for determining whether a foreign national in a street gang should be deemed inadmissible or deported. I offered a similar amendment in committee because I believe this to be such a dangerous loophole that requires closing.

My amendment even had the support of two Members of the Group of 8. Specifically, in order to deny entry or remove a gang member, section 3701 of the bill requires the Department of Homeland Security prove a foreign national: one, has a prior Federal felony conviction for drug trafficking or violent crime; two, has knowledge that the gang is continuing to commit crimes; and three, has acted in furtherance of gang activity.

Even if all of these provisions could be proven under the bill, the Secretary could still issue a waiver. That is just one of many opportunities for the Secretary of Homeland Security to forget about what the legislation says. As such, the proposed process is limited only to criminal gang members with prior Federal drug trafficking and Federal violent crime convictions and does not—can you believe this—include State convictions such as rape and murder.

The trick here is that while the bill wants everyone to believe there is a strong provision, foreign nationals who have Federal felony drug convictions or violent crime convictions are already subject to deportation if they are already here or denied entry as being inadmissible. So the gang provision written in this bill adds nothing to current law and obviously will not be used. It is, at best, a feel-good measure to say we are being tough on criminal gangs while doing nothing to remove or deny entry to criminal gang members. It is easier to prove someone is a convicted drug trafficker than both a drug trafficker and a gang member. So as currently written, why would this provision ever be used? Simply put, it would not be used.

My amendment would strike this do-nothing provision and issue a new, clear, simple standard to address the problem of gang members. My amendment would strike this do-nothing provision and create a process to address criminal gang members where the Secretary of Homeland Security must prove: one, criminal street gang membership; and two, that the person is a danger to the community. Once the Secretary proves these two things, the burden then shifts, as it should, to the foreign national to prove that either he is not dangerous, not in a street gang, or that he did not know the group was a street gang. It is straightforward and will help remove dangerous criminal gang members.

My amendment also eliminates the possibility of a waiver. Under my amendment, the vast majority of people here illegally who could be excluded based upon criminal gang membership would be able to appeal that determination to an immigration judge. Even if they are found to be a gang member, if they can show they are not a danger to society, they can gain status. This gives the Secretary—in the event they appeal to an immigration judge—the ability to make these two determinations before denying entry or starting deportation. It is a real solution to dangerous criminal gang members who are either here in the country now seeking legal status or who are attempting to enter from abroad.

I urge my colleagues to look at this amendment and hopefully get it on the list of issues we can discuss and vote on before we have final passage.

To summarize, the current bill is simply a feel-good measure that has very limited impact. It will rarely be used because it is written in a way with many loopholes. And, even if it is, the Secretary can waive the deportation.

To a greater extent, we ought to be emphasizing how many waivers there are in this bill, which give too much delegation to the Secretary. We ought to be legislating more in these areas and making more determinations here instead of leaving it up to the Secretary. A vote against my amendment is a vote against commonsense legislation to address criminal gang members.

I am sure somebody is going to argue this might be too high of a burden. My amendment simply requires the Secretary make the initial determination for purposes of admissibility. Under my amendment, the vast majority of people here illegally who could be excluded based upon criminal gang membership would be able to appeal that determination to an immigration judge. So there is review of these decisions to deny status if the Secretary believes the individual to be a gang member.

Criminal street gangs, as everyone knows, are dangerous. They survive by robbing their community of safety. They are involved in drug trafficking, human trafficking, and prostitution. The way the bill deals with criminal gang members would allow gang members to simply say they are no longer a gang member, with no further determination, and they would be able to gain admission.

In reality, it is hard to walk away from a gang, and some will claim they did gain status. The only way to prevent gang members from gaming the system is through my amendment. It provides the Secretary and immigration judges the discretion they need. Even if they are a gang member, if they can show they are not a danger to society, they can gain status. This is a reasonable standard that allows the alien to argue they are not a gang member and/or dangerous.

There is a precedent in the immigration code related to group membership as a bar: namely, membership or association with a terrorist organization. Criminal gangs—although not legally terrorist organizations—can be just as dangerous as terrorists. Why would we not want to give the Secretary this authority?

This bill provides sweeping waiver authority and discretion to the Secretary to make all sorts of decisions. I don't know why the sponsors would oppose discretion to the Secretary to deny gang member admission. A vote against this amendment—if it is brought up—is a vote to allow dangerous gang members a path into our country.

Some may argue that it should be tied to some sort of criminal conviction. Well, criminal gang members are not often convicted of a crime of gang membership. In fact, the Federal crime of being a gang member is almost never used. To only limit gang member restrictions to those convicted would be a huge loophole given the difficulty of prosecuting someone for simply gang membership. The underlying bill doesn't even consider State-level convictions for gang membership as my amendment would.

Simply put, my amendment will help prevent gang members from getting into this country, and the bill will not. I hope we can get this amendment on the list to be voted upon.

I yield the floor.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I yield to the distinguished Senator from Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I rise to speak on my amendment No. 1504, cosponsored by Senators MURRAY, MURKOWSKI, BOXER, GILLIBRAND, CANTWELL, STABENOW, KLOBUCHAR, WARREN, BALDWIN, MIKULSKI, LANDRIEU, SHAHEEN, and LEAHY. I ask unanimous consent to set aside the pending amendment.

Mr. LEAHY. Mr. President, I object.

Ms. HIRONO. Mr. President, the immigration bill clearly and inadvertently disadvantages women who are trying to immigrate to the United States. The bill, S. 744, reduces the opportunities for immigrants to come under the family-based green cards system.

The new merit-based point system for employment green cards will significantly disadvantage women who want to come to this country, particularly unmarried women.

Many women overseas do not have the same educational or career-advancement opportunities available to men in those countries. This new merit-based system will prioritize green cards for immigrants with high levels of education or experience. By favoring these immigrants, the bill in effect cements into U.S. immigration law unfairness against women. That is not the way to go.

The bill inadvertently restricts the opportunities available to women across the globe. Currently, approximately 70 percent of immigrant women come to this country through the family-based system. Employment-based visas favor men over women by nearly a 4-to-1 margin as they place a premium on male-dominated fields such as engineering and computer science. But across the globe women do not have the same educational or career opportunities as men.

Immigrant women make many contributions and positive impacts to communities. Economically, women are increasingly the primary breadwinners in immigrant families. They often bring additional income, making it more likely for the family to open small businesses and purchase homes. In addition, women provide stability and

permanent roots, as they are more likely to follow through on the citizenship application process for themselves and their families.

Ensuring that women have an equal opportunity to come here is not an abstract policy cause to me. When I was a young girl, my mother brought my brothers and me to this country in order to escape an abusive marriage. My life would be completely different if my mother wasn't able to take on that courageous journey. I want women like her—women like my mother—who don't have the opportunities to succeed in their own countries to be able to build a better life for themselves here.

The Hirono-Murray-Murkowski amendment evens the playing field for women. This amendment would establish a tier 3 merit-based point system that would provide a fair opportunity for women to compete for merit-based green cards. Complementary to the high-skilled tier 1 and lower skilled tier 2, the new tier 3 would include professions commonly held by women so as not to limit women's opportunities for economic-focused immigration to this country. This system would provide 30,000 tier 3 visas and would not reduce the visas available in the other two merit-based tiers, while maintaining the overall cap on merit-based visas.

This amendment is supported by We Belong Together: Women for Common-Sense Immigration Reform; the Asian-American Justice Center; the National Domestic Workers Association; the Leadership Conference on Civil and Human Rights; Church World Service; Family Values at Work; National Asian Pacific American Women's Forum; MomsRising; National Immigration Law Center; American Immigration Lawyers Association; National Organization for Women; Center for Community Change; Lutheran Immigration and Refugee Services; the Episcopal Church; Unitarian Universalist Association; United States Conference of Catholic Bishops; Catholic Charities USA; Caring Across Generations; Coalition for Humane Immigrant Rights of Los Angeles; American Federation of State, County, and Municipal Employees; Sisters of Mercy; Asian Pacific American Labor Alliance; AFL–CIO; the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America; the National Council of La Raza; the United Methodist Church; National Queer Asian Pacific Islander Alliance; Hispanic Federation; Service Employees International Union; Immigration Equality Action Fund; Out4Immigration; Sojourners; and Communications Workers of America, AFL–CIO.

I believe our amendment would address the disparities for women in the new merit-based system, and the dozens of organizations I mentioned believe likewise.

Let's work together to improve the new merit-based immigration system and make this bill better for women.

I yield the floor and note the absence of a quorum.

Mr. LEAHY. Would the Senator withhold, please.

Ms. HIRONO. Yes.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, I wish to speak about the immigration bill as we approach the end of this week because we are obviously hearing from many people outside of the building who are concerned about this issue, and I think it is important to make a few things clear as we head into next week and what I hope will be final passage of this measure.

First, let me describe how this program works because immigration is complicated. It can sometimes even be confusing. We throw around these terms here, and we assume everybody understands what they mean, so I want to explain. The way I will explain it is how this bill will work if we pass the amendment filed by Senators HOEVEN and CORKER, which I believe will pass and should pass with significant bipartisan support.

First, let's describe the problem we have today. No. 1, we have a broken legal immigration system. We have a system of legal immigration. About 1 million people a year come here legally. But the system is broken because it is designed, for example, solely based on primarily family reunification, which, by the way, is how my parents came in 1956. The problem is that the world has changed, and as a result, because we live in a global economy where we are competing for talent and not just workforce, we need to have more of a merit-based and career-based immigration system, and this bill would move us in that direction.

We have a broken legal immigration system, by the way, because it is cumbersome and complicated and bureaucratic. One really has to lawyer up to legally immigrate to the United States, especially in certain categories.

If we look at the agriculture sector, there is no reliable, sustainable way for agriculture to get foreign labor. By and large, while there are Americans who will do labor in the agriculture industry, there is a significant shortage of Americans who will work in the agriculture industry. And we don't have a program for agriculture that works for people to come legally here, but the jobs are there, so people are coming illegally.

So we have a broken legal immigration system, and that has to be fixed and modernized, and this bill does that. That is why we haven't heard a lot of discussion about it.

The second problem we have is that our immigration laws are only as good as our ability to enforce those laws. If we want to get to the heart of the problem we are facing in terms of opposition to the bill, it is because in the past, both Republicans and Democrats have promised to enforce the immigration laws and then have refused or have been unable to do it. Part of it has just been an unwillingness, to be frank.

We have talked about 1986 and 2006 and other efforts. In the past, people have been told we are going to enforce the immigration laws, and then we don't do it. As time goes on, the problem gets bigger and people say: We have been told this before, and we are not going to do it again. That really is standing in the way of more support for this measure.

Another problem we have is the systems we use to enforce the law are broken. For example, on the border there are sectors that have dramatically improved, and so from that experience we have learned what works, but there are sectors that have actually gotten worse or have not improved significantly. So to say the entire southern border has been secured is not true, and we really shouldn't say that to Americans, especially those living near that border who understand that is not true.

We also have a problem with visa overstays. What that means is people come into the United States legally on a tourist visa, and then when it expires they don't leave. So they came in legally—they didn't jump a fence or cross the border—but then they get here and they stay. That is a visa overstay. That is 40 percent of our problem. We don't have a system to track that. Even though it is mandated by law, we do not have a system to track that. We track people when they come in, but we don't track them when they leave in real-time, so we don't have a running tally of who has overstayed their visas, leading to 40 percent of our illegal immigration problem.

The third problem we have is the magnet that brings people here. I am not saying every single person who comes here illegally is coming looking for jobs and opportunity, but I am saying the enormous majority of people who come here are coming because they believe there is a job in the United States for them so they can feed their families. That is a magnet. We have jobs and we have people willing to do those jobs, and those two things are going to meet. They are going to come. The choice we have is, do they come through a legal process that is organized and secure or do they come in a chaotic way that contributes to illegal immigration? And that is how they are coming now.

So that is why in this bill we have an entry-exit tracking system but also have something called E-Verify, which simply means that employers—any business, any company, anyone who hires someone, when they hire them,

they have to ask their name. The employee has to produce their identification. The employer runs that name through the Internet on a system called E-Verify, and it will confirm whether that person is legally here. If they are hired after that person says they are illegally here, we double and sometimes even triple the penalties for employers who do that.

So those are important measures this bill takes. And that is the second problem we face.

The third problem we face is even more fundamental. As we speak, as I stand here before my colleagues today, estimates are there are upwards of 11 million human beings living in these United States who are here illegally. They have overstayed visas, they were brought as children, they crossed the border, they are here. They don't qualify for welfare, they don't qualify for any Federal benefits, but they are here. They are here and they are working. They are working for cash. They are working under someone else's identification, but they are here. The vast majority of them have been here for longer than a decade. They are here.

Let me tell my colleagues, that is not good for them because when a person doesn't have documents, they are unprotected. When a person is here illegally, that person can be exploited, and that happens. But it is also not good for the country. It is not good for this country to have that many people. We don't know who they are. They are not paying taxes. They are working, but they are not paying taxes. We have no idea—the vast majority of them are not criminals, but a handful of them are, and we don't know where they live, who they are, how long they have been here. We know very little about them. That is not good for our country either. We have to deal with that.

That is my point. If we don't do anything—let's say this bill fails or let's say we pass it and the House doesn't do it or let's say we decide not to do anything at all on immigration. All of those things I just described stay in place. If we don't do anything, the border stays the way it is, we still don't have E-Verify, we still don't have an entry-exit tracking system, and we don't have any idea who the 11 million people are, and we still don't have an immigration system that works. That is what happens if we do nothing.

That is why I got involved in this issue. It isn't politics, and I disagree with my colleagues who have said this is about politics. This is not about saving the Republican Party or anybody else. This is about correcting something that is hurting the United States of America.

I can certainly say it is not about my personal politics because this is an issue that makes a lot of people unhappy, a lot of people who have supported me and support me now, people whom I agree with on every other issue. If you pull out a list of issues facing this country, I agree with them on every other issue, but they disagree with me on this issue, and I respect and understand why. They are frustrated because they have been told in the past that this is going to get fixed, and it hasn't, because they feel and see and know that this is the most generous country in the world on immigration, and it has been taken advantage of and they are frustrated by it.

I have seen some describe opponents of immigration reform as haters and anti-Hispanic and anti-immigration. That is just not true. It is not true.

These are people who are just frustrated that the laws have not been followed and they do not want to reward it. I honestly do understand that. What I would say to them is, look, I get it. I do. I do not like this either.

I do not like the fact that we have 11 million people here illegally. I do not like the fact that people have ignored our laws and crossed our borders or overstayed visas. I do not like it either. But that is what we are going to get stuck with if we do not do anything about it. That is what this bill tries to do. Let me explain how it does it.

First we outlined—because when we filed this bill, what was said was, Department of Homeland Security, here is $6.5 billion. Go out and design a border fence plan and a border plan. Submit it to Congress. Issue a letter of commencement. And then you can begin the process of identifying these people who are here illegally. That was our bill.

Then I went around my State, sometimes the country—and my colleagues did as well—and people told us: Look, we don't trust the Department of Homeland Security. These people say the border is already secure, and you are going to tell them to design a plan?

I thought that was a good point. So now we have an amendment before us by Senator HOEVEN and Senator CORKER that actually defines the plan. Let me describe this new plan because I think it is the most substantial border security plan we have ever had before any body of Congress.

No. 1, it does not say you can, it does not say you should, it says you must have universal E-Verify for every business in America, and you have to wrap that up within 4 years. It starts with the big businesses, until it gets to ag and the small businesses. The reason why you need 3 to 4 years is because for a really small business, it is going to take them time to buy the technology to do this. That is No. 1.

No. 2, it says you have to finish the entry-exit tracking system. After this bill was amended in committee, it says that eventually the 30 major international airports in this country will have it biometrically—this entry-exit tracking system.

The third thing it says is that you have to deploy upwards of $3 billion in technology. This is technology that was not around in 1986. This is technology that was not around in 2006.

Let me describe that technology: radar, sensors on the ground, night vision goggles, motion detectors, even unarmed drones—things that allow you to see people, and even if they get past you at the first stop on the border, you can follow them and then apprehend them a few miles down the road. This technology did not used to exist.

We go further than that in the amendment. We do not just say you have to deploy this technology, we tell you where you have to deploy it. We do not even leave that to DHS. And those ideas did not come from Senators, they came from members of the Border Patrol on the frontlines. They have told us: Here is where we need this stuff. So in a level of detail unprecedented in the history of this body, we actually say: 50 goggles in this sector, 100 radar in this sector. That is the third thing this bill requires you to do.

The fourth thing it requires you to do is to double the size of the Border Patrol, adding 20,000 new border agents. This is a dramatic increase in the number of people because cameras and sensors are great, but if you do not have people to actually do the apprehension, it does not work.

The last thing it says is that you have to complete this fencing. That includes, where it is practical, where it is possible, getting rid of these vehicle barriers because one of the things they did with the fencing is they would put up some barrier on the road and say that is a fence. The problem is that may keep a vehicle out, but it does not keep somebody from climbing over it. We actually say that, where it is possible, where the terrain allows it—there are places where the terrain does not let you build a fence, but where the terrain allows it, you have to put a fence there. In some places the fence is doubled, especially in urban areas. It has been very successful in San Diego.

These are five things we require. We do not say you can, you might—you must. You must do these five things before anyone who has violated our immigration laws can even apply for permanent legal residency in the United States of America—10 years from now, by the way.

One of the criticisms people have said is that this bill is legalization first. It is not that simple. Real legalization is permanent legalization; it is what we call a green card. You have to have a green card before you can apply to become a citizen of the United States.

Under this bill, illegal immigrants cannot get a green card, cannot even apply for a green card until 10 years have passed and these five things I have just described—E-Verify, entry-

exist tracking system, full technology implementation, 20,000 new border agents, finishing the fence—all five of those things have to happen.

People say: Well, why are you linking the two things?

Here is the answer: Because of the problems we had in the past. The only way we can make sure that a future President or a future Congress does not go back on these promises is if we tie it to something we know people want. That is why they are linked.

So no one who is here illegally—they cannot apply for that permanent residency until these five things happen, and that is the trigger that is going to guarantee that this happens.

Their argument is, though, legalization first because you are allowing the people who are here illegally now to stay in the meantime.

Let me tell you the problem with that issue. The problem with that issue—first of all, we are talking about 11 million people who are already here. They are already here. We are not talking about 11 million new people. We are not talking about people who are outside the country who might come in in the meantime. We are talking about people who are already here. More than half of them have been here longer than a decade, so that means the chances are they have children who are U.S. citizens. They are definitely working because somehow they are eating. They do not qualify for Federal benefits because—we do not even know who they are. OK. They are already here. You have to do something about them in the meantime.

You cannot build a fence and you cannot hire 20,000 border agents in 6 weeks. It takes a little bit of time. It does not take 10 years, but it takes some time to do that. So here is what we do. We say: If you are illegally here and you have been here for—you could not have come last week or even last year—if you have been here for a while and you are illegally here, you have to come forward. You are going to have to pass a national security background check. You are going to have to pass a criminal background check. You are going to have to pay a fine because you broke the law. You are going to have to start paying taxes and working. And the only thing you get—to the extent you get something, the only thing you get is you get a work permit that allows you to do three things: work, travel, and pay taxes. When you get this work permit, you do not qualify for food stamps, you do not qualify for welfare, you do not qualify for ObamaCare subsidies, you do not qualify for any of these things.

People may say: Well, we are rewarding them. But I want people to think about this for a second. They are already here. They are already working. We are not going to round up and deport 11 million people, so it is basically de facto amnesty. The only thing that is going to change in their lives is they are going to start paying taxes, they are going to have to pay a fine, and we are going to know who they are.

By the way, this work permit is not permanent. It expires every 6 years. So if you come forward and get this work permit, which is temporary, in 6 years you have to go back and apply for it again. If it is not renewed because you have broken a condition, you are illegally here, but now we know who you are, and you will not be able to find a job because of E-Verify. And when you go back and renew it after 6 years, you are going to have to pass another background check, pay another fine, pay another application fee, and you are going to have to prove that in the previous 6 years you have been here working and paying taxes. You are going to have to prove that, that you are self-sustaining, that you are not dependent. This whole time, you do not qualify to apply for permanent status, not to mention citizenship.

After 10 years have gone by in this status—not 10 years after the passage of the bill, 10 years after you, the applicant, have been in this status—then—and only if those five things I talked about—E-Verify, entry-exit tracking system, the technology plan, the border fence, and the 20,000 new agents—only if those five things have happened, then you can apply for a green card through the green card process.

That is another mistake people are making. They think, all right, 10 years is here, you made the five conditions, they are going to hand you a green card. Not true. You can apply for it. It is not awarded to you.

Now, is this perfect? I do not think this problem has a perfect solution. But I can tell you, if we do not do anything—let's suppose immigration reform fails. Suppose we do nothing. We are still going to have the 11 million people here. We are still not going to know who they are. They are still not going to be paying taxes. They still will not have undergone a background check. And you will not have E-Verify. You will not have border security. You will not have the agents. You will not have the technology. You will not have the entry-exit tracking system. You will not have any of that.

Life is about choices. Legislating is about choices. And the choice cannot be between what you wish things were like and this bill. The choice is between the way things are and this bill—or some alternative to it. Again, if we defeat it, then we are stuck with what we have. And what we have is a disaster. It is a disaster.

I want to make clear another point. People have said: Boy, all this border security is overkill and so much stuff. Look, the United States is a special country. That is why people want to come here. A million people a year come here legally—1 million people a year. There is no other country in the world that comes close to that. Do you understand what that means? Other countries do not want people coming or people do not want to go. When is the last time you heard of a boatload of American refugees arriving on the shores of another country? People want to come here. We understand that. In fact, this country is so special that there are people who are willing to risk their lives to come here and willing to come illegally to come here. We are compassionate. Our heart breaks when we hear stories about that.

But I also have to remind people that we are also a sovereign country. Every country in the world secures their border or tries to. Many of the countries that people come here from secure their border—sometimes viciously. We are not advocating that. We have a right as a sovereign country to secure our border. We have a right to do that. While we are compassionate, no one has a right to come here illegally.

So I will close by saying that I know this is a tough issue. I do. I really do. I understand that on the one side there are the human stories of people you have met. And this issue really changes when you meet somebody. It is one thing to read about 11 million people who are here illegally; it is another thing to meet one of them: a father, a mother, a son, or a daughter, someone whom you know as a human being and you know about their hopes and dreams and how much they are struggling. It is one thing to know about that. It changes your perspective.

But I also understand the frustration people have—that they have heard all these promises before, that people have violated our laws, they have ignored them, and that is wrong, and we should not reward that. I do understand that. But ultimately I ran for the Senate because I wanted to make a difference. I know I could have just stayed back on this issue and come to the floor and—I am not making any criticism of anybody else, but that I could have just come to the floor and offered up what I would have done instead and be critical of efforts that others were making. That was an option for me, but I could not stand it. I could not stand to see how this problem is hurting our country and leaving it the way it is. How is this good for us?

We have to do something about this. That is what we are trying to do. With this new amendment, we will do more for border security than anyone has ever tried to do before. All I would ask my colleagues and members of the public to do is to think about that. Think about it. What do you want? Do you want things to stay the way they are or do you want to try to fix it? I will just say to you, our country desperately needs to fix it.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX REFORM

Mr. BAUCUS. Mr. President, just outside this Chamber is a bust of President Theodore Roosevelt. When I walk past it, I am often reminded of one of my favorite T.R. quotes, which is, ''Far and away the best prize that life has to offer is the chance to work hard at work worth doing.''

For the past 3 years, I have been working with my colleagues on the Senate Finance Committee on comprehensive tax reform. It has been hard work, but it has certainly been work worth doing. We have had more than 30 hearings. We have heard from hundreds of experts about how tax reform can simplify the system for families, help businesses innovate, and make the U.S. more competitive.

Our efforts have been ramping up over the past several weeks, and we are starting to build momentum. Senator HATCH and I have been working very closely with members of the Finance Committee on a series of 10 discussion papers, examining key aspects of the Tax Code—each of the discussion papers on a different aspect of the Code. We began back in March, with a discussion on simplifying the system for families and businesses.

There have been nine others. We then met as a full committee every week the Senate has been in session to go through different topics, presenting a range of options, and sitting around a table asking questions of staff, what about this and that, and asking questions of each other. It is a very informative process that is bringing us even closer together, establishing trust and confidence in what we are doing and learning a lot more about what the code is and is not.

We concluded these meetings this morning with a discussion on non-income tax issues; for example, payroll taxes and excise taxes. That is not income taxes. The meetings have been very beneficial. We are building trust and getting everyone's buy-in. I also speak weekly with the Treasury Secretary about tax reform, getting his ideas and what seems to make sense for him and for the administration.

I have been working for quite some time with my counterpart in the House, Chairman DAVID CAMP. In fact, we have been meeting weekly, Chairman CAMP and I, face to face for more than a year now discussing matters that apply to the Finance Committee, as well as Ways and Means, but especially tax reform. He is working just as hard on his side in the other body.

Our shared goal is to make the code more simple, to make it more fair for families to spark a more prosperous economy. I believe very strongly if we can simplify the code, as well as other measures that need to be taken, people will feel better about it. They will not think the other guy has a big loophole that he cannot take advantage of. It will help people feel better about themselves. It will certainly help small businesses because the code is so complex for small business. I think that in and of itself will help create some innovation, some entrepreneurship and energy for more jobs.

Together, Chairman CAMP and I have also recently launched a Web site. It is called taxreform.gov. The site will enable us to get even more ideas and to hear directly from the American people, not people in Washington, DC, but from around the country. People all around can tell us what they think. We want to know what people think, what they think the Nation's tax system should look like, how we can make families' lives easier, and how we can ensure a less burdensome Tax Code.

We have received a lot of hits, if you will, to the Web site. Over 30,000 so far, 10,000 submissions. That is ideas people have from every State in the Nation. People are overwhelmingly—I must tell you, if you were to categorize the character of the submissions, overwhelmingly they are calling for a much more simple code. People want the code a lot more simple. It is too complex.

For example, a fellow named David from Redmond, WA, wrote:

> I'm a retired lawyer and I cannot prepare my own tax returns—
>
> Why—
>
> because of the technical and incomprehensible language of the code. I commend you and hope you are successful.

That is just an example. Richard, from my hometown of Helena, MT, noted that the current Tax Code is outdated and does not work effectively or efficiently. He said, ''It needs to be simple, effective, and fair.''

Again, another representative submission. I think Richard and David hit the nail on the head. Over and over, that is what we are hearing: simple, effective, and fair.

Chairman CAMP and I are going to be making a big push in the coming weeks to further engage our colleagues in Washington, as well as people all across America. How are we going to do that? Well, we are going to travel. We are going to travel to other cities, Chairman CAMP and I together. We are going to travel outside of Washington, DC, where the real Americans reside. We are going to talk to individuals, we are going to talk to families, business owners, big and small, to hear directly what the people have in mind.

Again, we are doing this because we want to hear directly from the American people, not just people in Washington, DC. We will be announcing our first visit outside of Washington, DC, next week. We want to hear what people think.

Momentum is building. Now is the time to do reform. I might say, in my view, if we cannot get tax reform passed in the Congress, I do not think we will ever be able to address the issue for maybe 3 years. I doubt we will do it next Congress because that will be a Presidential election year. We will have to wait for the new President. It is going to take a long time. That is critically dangerous because the last time the code was significantly reformed was 1986.

The world has changed dramatically since 1986. The code is too dated. I might say this: Since 1986, the last time the Tax Code was reformed, there have been 15,000 changes to the code—15,000. No wonder it is complex. No wonder people want it more simple and more fair. I think working together we in Congress can improve the code and update it to the 21st century.

This comes down to working together. It comes down to building trust on both sides of the aisle, both bodies. It is going to help the American people when we do reform the code in this Congress. I do not know how many months it is going to take, but we are going to do all we can. As Teddy Roosevelt said: Hard work is worth doing if it is for a good cause. This is clearly hard work, I can tell you that, but it is also for a good cause.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I know things seem like they are speeding by us at the speed of light on this bill. We received an announcement of a breakthrough on the part of some of our colleagues that is going to give this bill the momentum to pass and come out of here with a bunch of votes. But I think there are some questions we need to ask.

First of all, I see the distinguished chairman of the Finance Committee. I know he has probably looked at this. The underlying bill provides that $8.3 billion is immediately appropriated as emergency spending to fund the trust fund that will fund at least some of the operations in this immigration reform bill. But when I started to look at it a little more closely and consider the fact that even though the underlying bill had zero funds for new Border Patrol personnel, this new bill—this new proposal, I should say, that we have yet to see—supposedly it is going to come around 6 o'clock—has an additional

20,000 Border Patrol. That is doubling the size of the Border Patrol.

Senator HOEVEN, the distinguished Senator from North Dakota, said earlier in response to a question I asked him, that would cost an additional $30 billion. So we have $8.3 billion, if my arithmetic is correct, and $30 billion. That is $38 billion.

I noticed on page 48 of the Congressional Budget Office cost estimate, the CBO estimates that implementing this bill, the underlying bill, would result in net discretionary costs of about $22 billion more. That is starting to be real money, it seems to me, $60 billion. I know we have been having some spirited debates about whether the 85 or so billion dollars that was sequestered under the Budget Control Act was something we could live without or not, or whether it had to be made up through additional revenue. But this strikes me as very significant that we are talking about $60 billion of additional deficit spending—or additional spending, adding to the deficit, which has not been paid for, if my numbers are correct.

I would welcome anyone else to come help me figure that out.

Now, one of the rationales, as I was talking to our colleagues—they looked at the original score and said this actually generates additional revenue because people who come out of the shadows and are working will begin to pay Social Security taxes. But the $211 billion in the score is Social Security trust fund money, which, of course, must someday be paid in terms of benefits to these very same people.

So it appears that there is double counting going on here. Our colleagues are saying: Hey, we have additional revenue because of the negative score. But that is money that is going to require an IOU to the Social Security trust fund and will have to be paid back at some point in the future.

So, as Senator SESSIONS, the ranking member of the Senate Budget Committee pointed out, the on-budget deficit will increase by $14.2 billion. That is before you add the additional $30 billion for 20,000 Border Patrol and $22 billion in additional spending to fund this underlying bill.

So my only point is I think we need to take a deep breath. First, we need to read the proposal that is coming out supposedly at 6 o'clock. But already there is talk about what the end game in the Senate is. Potentially, the majority leader will file cloture on this Corker-Hoeven amendment. Then we will have a vote on Monday or maybe Tuesday. I think it is extraordinarily important when you are talking about numbers like this, and a bill this big, that we take our time and are careful and we know exactly what the impact of this bill is because if, in fact, what is happening is double counting, which is my suspicion based on my review of this CBO documentation, that is a serious matter, indeed, because that money is going to need to be paid back.

On another but related note, I would say we have been told this surge that is going to be funded under the Corker-Hoeven amendment, and the additional 20,000 Border Patrol agents and a whole bunch of new technology and other assets, that this will be sufficient to secure our borders and make illegal immigration a thing of the past. We have been told that supporters of the bill welcome a robust and extensive debate over its provisions. Yet when we look at the way this is happening, where people are announcing breakthroughs, people are saying, well, I am going to cosponsor that, only to find out the bill itself has not even been written or released, it seems to me we have the cart ahead of the horse. We better be careful about what we are doing.

We have Members of the Chamber calling for a vote this weekend on an as yet unreleased amendment. I know, I, for one, and others, I suspect, would like to read it and know what is in it.

I commend our colleagues—I mean this in all sincerity—for trying to do their best to improve this bill. But I worry their solution amounts to throwing more money at the problem without any real system of accountability. We have talked about how important it is to have inputs into the bill. But really what we all want are results or outputs. And what we have under this amendment, as I understand it and as I asked the distinguished Senators from Tennessee and North Dakota, they conceded that because our colleagues on the other side of the aisle object to any sort of contingency between the probationary status and legal permanent residency based on accomplishing the situational awareness requirements in the underlying bill or operational control, because they object to that, then all we have are more promises about future performance.

I must say our record of keeping our promises when it comes to immigration reform are beyond pathetic, starting back in 1986 with the amnesty and promise of enforcement, then in 1996 where, as I mentioned earlier, President Clinton signed a requirement of a biometric entry-exit system which has still not been deployed at the exits, at airports and seaports even though the 9/11 Commission noted that some of the terrorists who killed 3,000 Americans on September 11, 2001, included people who came into the country legally but simply overstayed their visas, and we lost track of them because we had no effective entry-exit system. The 9/11 Commission said this is something we need to fix. That was 2001. Still it has not been done.

Until today, our colleagues on the so-called Gang of 8 argued that it was too expensive and too impractical to add even 5,000 Border Patrol agents, to say nothing of 20,000 agents. As I pointed out earlier in asking some questions of our distinguished colleagues, Senator MCCAIN from Arizona, and Senator SCHUMER, the senior Senator from New York, it is amazing how quickly their tune changed.

Their underlying bill had zero Border Patrol agents. When my amendment had 5,000 Border Patrol agents, they said that was a budget buster. Imagine my surprise when their amendment comes out with 20,000 Border Patrol agents, doubling the Border Patrol, $30 billion.

I wish to know whether the proposals that have been made here are being sufficiently vetted. I don't know exactly what all the new border patrol is going to be doing. While I think it is important we get the advice of the experts in terms of what sorts of new technology can be deployed here, I worry that by being overly prescriptive about both the number of the boots on the ground and the technology they are going to use that we are going to freeze in place legislatively a solution that will quickly become antiquated and become inefficient.

That is why I prefer, and why I think it is much better, an output for a result metric we could look at. Let the experts—let the Border Patrol, let the Department of Homeland Security, let the technology experts who developed great technology we have already paid for and deployed in places such as Iraq and Afghanistan through the Department of Defense—advise us and the Border Patrol what they need in order to accomplish the goals in order to meet the mark. Let's not let a bunch of generalists such as ourselves, who are not expert in this field, prescribe this solution for a 10-year period of time when it will become quickly outdated.

From everything I have heard and everything I have read—and I think it was confirmed by the Senators this afternoon—the Hoeven-Corker amendment creates a border security trigger based on inputs rather than outputs. It is, I think it is accurate to say, aspirational. In other words, they promise to try to meet those goals.

Ten years from now, I daresay half the Members of this Chamber will not even be here. Since 2007 we have had 43 new Senators. The promises we make today in exchange for the extraordinary generosity toward the 11 million people—to provide them an opportunity to gain probationary status and then potentially earn legal permanent residency and citizenship—that extraordinary offer made in the underlying bill—we have no idea whether the border security, whether the entry-exit system or the E-Verify will actually work and accomplish the goals we all hope they will accomplish.

Once again, Washington is saying trust me, trust us. We mean well. We are going to try.

Do you know what. We have no means to compel the bureaucracy and the executive branch to actually do what we say they should do here. This is why we need a trigger, a hard trigger, to realign the incentives so that all of us, from the left to the right, Republicans and Democrats, join together in putting the focus on the problem like a laser and making the bureaucracy hit those objectives.

We have promised a lot of things. We have had 27 years of inputs into our immigration system since the 1986 amnesty, and we still don't have secure borders. There were 350,000-plus people detained at the southwestern border last year.

GAO says we have about 45-percent operational control of the border. Who knows how many people actually made their way across—although we do know that among those who made it across who were detained, they came from 100 different countries, including state sponsors of international terrorism.

I am not suggesting there are massive incursions of terrorists coming from other countries, although I am saying the same porous borders that will allow people to come into this country from other countries around the world can be exploited by our enemies. It is a national security issue.

When I go home to Texas, people tell me they simply don't trust the Federal Government when it comes to securing our borders. Why would they? Based on the historical experience, there is no reason for them to do so. Three decades of broken promises have destroyed Washington's credibility. The only way to regain that credibility is to demand real results on border security and create a mechanism that incentivizes all of us to make sure it happens.

I am afraid this amendment, the Corker-Hoeven amendment, no matter how well-intentioned—and I do believe it is well-intentioned; everyone is eager to find a solution to the broken immigration system, including me. The status quo is unacceptable, and it benefits no one.

In the rush to try to come up with something that seems good at the moment, in failing to take the care to look at the detail, whether it is financial or whether it will actually produce results, and based on text we haven't even seen yet, I think we are rushing to judgment here. I think it is something we ought to reconsider.

Looking beyond border security, I am eager to know whether the proposed amendment includes other issues that were contained in my amendment that was tabled earlier today.

I know, speaking to Senator HOEVEN and Senator CORKER, they did include a border security component. As I understand it, there are other Senators who are coming to them and saying we want to be included in your amendment, so we don't know what subjects are also included in that amendment.

I wish to know whether it includes things such as does it prohibit illegal immigrants with multiple drunk driving convictions from receiving legal status? What about people who have been guilty of multiple instances of domestic violence? What about immigrants who fall into one of those categories and have already been deported?

Believe it or not, under the underlying bill, people could have actually been deported for committing a misdemeanor and be eligible to reenter the country and register for RPI status. I think that would be shocking to most people if they think about it, if they knew about it. Under the Gang of 8 bill, all of the people I have just described are available for immediate registered provisional immigrant status.

Earlier this year, I mentioned a remarkable statistic, at least it is to me. In fiscal year 2011, Immigration and Customs Enforcement, ICE, deported nearly 6,000 people with DUI convictions, driving under the influence. I challenge any Member of this Chamber to come down to the floor and explain why drunk drivers and people who committed domestic violence should be eligible for immediate probationary status. I doubt anyone will take me up on that challenge, because who would want to defend the indefensible?

As I have said before—and I will conclude my comments with this because I see other Senators on the floor who want to speak. As I said before, the American people are generous, they are compassionate, but they don't want to—it is the old adage: Fool me once, shame on you. Fool me twice, shame on me. They don't want to be fooled again when it comes to unkept promises in fixing our broken immigration system.

I know we are committed to finding a reasonable, responsible, and humane way to solve the problem of illegal immigration, but we should never ever grant legal status to people with multiple drunk driving or domestic violence convictions. I don't know, but I will certainly be careful to read and learn whether the proposed alternative to the amendment that was tabled earlier today contains some of these provisions that were in the tabled amendment. If they don't, we will be filing—we have filed separate amendments, on which we will urge an up-or-down vote.

I yield the floor.

Mr. SESSIONS. Mr. President, would the Senator yield for a question?

Mr. CORNYN. I yield to the Senator.

Mr. SESSIONS. I think the Senator was very wise in raising the question of the budget score. Our colleagues have been blithely asserting that this bill is going to pay for itself. The CBO produced a report. They have cited that report that says it will pay for itself. That is not exactly what the report says, it seems to me. This is the line in the report the CBO prepared: Net increases or decreases in the deficit resulting from changes in direct spending and revenue from the bill. How will it impact increasing the deficit or not? The on-budget deficit, even before the 20,000 new agents, adds billions of dollars in costs. Netted out, it would add $14 billion to the on-budget debt. That is negative. It makes more debt.

Then there is the other one, the off-budget. What is the off-budget? The off-budget is Social Security and Medicare. This is the trust fund money that comes out of your payroll taxes. People pay payroll taxes. The average age of the legalized group is about 35, so most of them aren't going to be drawing Social Security right away. They pay into this and the government gets some extra money. They are counting that money as the money to show the bill is paid for.

Let me ask the Senator one simple thing. If the individuals who are now given legal status are immediately given a Social Security number, immediately eligible to compete for any job in America, isn't the money they will be paying for Social Security and Medicare going to be used by them when they start drawing it? Aren't they going to be eligible now for Social Security and Medicare? Won't this money be available for them? Isn't it double counting to say it is going to be available for their Social Security and then available to pay for all the spending in their bill?

Mr. CORNYN. Mr. President, I would say to the Senator from Alabama that he reads it the same way I read it. You can't do both. You can't raise the money to pay for the bill and say you don't have to pay Social Security benefits. These very same people are going to expect some day that they will get those benefits. What happens, as I understand it—and the distinguished ranking member of the Budget Committee can correct me if I am wrong—when we borrow money, in essence, from the Social Security trust fund, there is an IOU there that is going to have to be paid back.

It does appear to me there is double counting here. I would say the $14.2 billion on-budget deficit, that is before you add in the $30 billion of additional cost for 20,000 Border Patrol agents.

As I read page 48 of the CBO, they estimate that implementing the underlying bill would result in net discretionary costs of about $22 billion over the 2014-to-2023 period. It sounds to me as if the costs keep mounting and there is double counting going on. I think we have to get to the bottom of it. Given our rush, we need to slow down, understand the numbers, and understand the financial impact, because that is not going to go away if we get it wrong.

Mr. SESSIONS. I couldn't agree more. The truth is, that is how this country is going broke. There are two

ways the counting is done in our budget. One is a unified accounting process, and the other one shows these numbers in the fashion you and I put forward. They assume the money that comes in for the newly legalized people, Medicare and Social Security, is going to be available for their Social Security and Medicare. They can't then assume it is available to spend on something else. The weakness in our system has been manipulated before. We need to stop it.

I thank the Senator for raising that.

Of course, I remember well how many good years you spent on the Budget Committee, and the Senator understands it very well.

I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of Colorado). The Senator from Maine.

Ms. COLLINS. Mr. President, the United States has always been a country of refuge for the persecuted, a protector of life and individual freedoms. This is evident in the entire purpose of our Nation's asylum program under which foreign nationals who can show a credible fear of persecution in their home country may apply for and receive shelter here. But flaws in the asylum program leave it vulnerable and open to exploitation by those who mean us harm. I have, therefore, proposed two amendments to the immigration reform bill, amendments No. 1391 and 1393, that are designed to lessen those flaws by giving asylum officers the tools they need to dismiss frivolous claims and, more important, to ensure that derogatory information about applicants who may wish to harm us is reviewed during the application process.

Before I outline those amendments in detail, I would like to discuss the circumstances under which the suspects in the Boston Marathon terrorist attack came to be in the United States and how that terrible attack underscores the need for reform of our asylum process.

According to media reports, the younger of the two Tsarnaev brothers came to the United States on a tourist visa in 2002 and was granted asylum on his father's petition shortly thereafter.

As I mentioned before, asylum is supposed to be only available to those who can show a credible fear of persecution in their home country.

Curiously, and notwithstanding his supposed fear of persecution back home, the father came to the United States with only one of his four children, leaving his wife and three other children behind in the land he claimed to fear.

I can't help but wonder whether the asylum officer who reviewed Mr. Tsarnaev's application was aware of that fact and to what extent this was considered in determining whether he met the burden of proving a credible fear of persecution by his country, since, after all, he had left his wife and three of his four children behind.

Whatever the circumstances that caused Mr. Tsarnaev to seek asylum in 2002, after the Boston Marathon bombing, the international media caught up with him back in the land where he came from and now lives.

Even more curious are the questions surrounding the grant of asylum to another Chechen immigrant, the individual who was shot dead while being questioned by the FBI agents and local law enforcement regarding his association with the Tsarnaevs and a 2011 triple homicide. After his death, reports indicated this individual came to the United States in 2008 on a J–1 visa, the type of visa intended to promote cultural understanding that allows foreign students to work and study in our country, and that individual was granted asylum sometime later that year in 2008.

The way in this particular case the visa operated is he was supposed to work for 4 months and then travel for 1 month in our country, but that is not what happened. Last month, I was contacted by the Council on International Educational Exchange, or CIEE, a J–1 visa sponsor organization located in my home State of Maine. CIEE told me they had learned this individual had come to the United States through their program, arriving in June of 2008. From the start, it appears he had no intention of complying with CIEE's J–1 visa rules and, thus, on July 29 of 2008, CIEE withdrew its sponsorship of him because he failed to provide the required documentation with respect to his employment.

That very day, CIEE, which is a very responsible organization, instructed him to make immediate plans to leave the country because they could not verify his employment, a key condition of the J–1 visa rules. CIEE then recorded this information in the Student and Exchange Visitor Information System, or SEVIS, the database used by the Department of Homeland Security and the Department of State to keep track of foreign visitors who travel to the United States on exchange visas.

As I understand the facts, CIEE did everything right. It followed the rules. When this individual was clearly out of compliance with the conditions of his visa, it alerted DHS and the State Department he was out of compliance. I have spoken to the President of CIEE, who told me his organization was shocked to learn this individual had been granted asylum and later given a green card.

I find this very curious. How is it that a young man from Chechnya comes to the United States to participate in a cultural exchange program, immediately violates the conditions of that program, is told to leave our country but then is able to be granted asylum? The fact that he was out of compliance with his visa was correctly recorded in the SEVIS database. Did the asylum officer who approved his application review that information? Did he check the database for derogatory information? Were any other databases, such as that maintained by the National Counterterrorism Center, consulted during the review of this asylum applicant? When and where was his asylum application reviewed and approved and by whom?

More than 2 weeks ago, I asked these fundamental questions of the Department of Homeland Security through staff and by letters I personally sent to the Office of Legislative Affairs and to Secretary Janet Napolitano. Despite repeated phone calls and e-mails from my staff, the Department has still not provided me with the answers. Instead, what I have received are excuses, despite the fact the subject of my inquiry is dead and my questions are directly relevant to the asylum provisions in the immigration bill before us.

Think about the failure of the DHS to provide the basic information I have requested. I have not asked about the individual's relationship to the terrorist attack in Boston, nor have I asked about his alleged connection to the triple homicide. The questions I have asked relate only to when he applied for and received asylum, whether the information related to his violation of his visa requirements was available and reviewed by the officer who granted him asylum, and I have asked who made the decision to grant him asylum.

We know from media reports his asylum application was acted on in 2008, 5 years ago. Is the Department saying, through its silence, that information related to this individual's asylum application did, in fact, foreshadow the terrorist attack in Boston in April and his ultimate death last month? Why was his application approved? Why didn't the Department deport him from our country when it was clear he was no longer in compliance with his J–1 visa?

The basic question is: Why wasn't this individual deported from our country when it was clear he was no longer in compliance with the requirements of his J–1 visa? Instead, what happens? He is granted asylum and then later given a green card.

I can only take the Department's refusal to provide answers as a tacit admission that a flawed asylum process allowed a dangerous man to get into our country on false pretenses and to stay. That possibility, that likelihood, underscores the importance of the two amendments I am offering.

The first of my amendments, No. 1391, would require that before an individual can be granted asylum, biographic and biometric information about that individual must be checked against the appropriate records and

databases of the Federal Government, including those maintained by the National Counterterrorism Center. In addition, this amendment requires the asylum officer find that the information in those records and databases supports the applicant's claim of asylum or, if derogatory information is uncovered, that the applicant is still able to meet the burden of proof required by law.

The second of my two amendments, No. 1393, would provide asylum officers with the authority to dismiss what are clearly frivolous claims, without prejudice to the applicant, and requires asylum officers and immigration judges to obtain more detailed information from the State Department on the conditions in the country from which asylum is sought.

In other words, what we have discovered is this is another example of one department not talking to another department. It is very difficult for an asylum officer to make a correct decision if he or she lacks information about conditions in the originating country.

This amendment also calls for increased staffing for the Fraud Detection and National Security Directorate at asylum offices funded through fees in this bill.

We can never know for sure whether the reforms I am calling for in these two amendments would have kept these dangerous individuals out of this country and perhaps even prevented the terrorist attack in Boston and the triple murder in another town in Massachusetts.

But the way in which they use the asylum process clearly demonstrates that it can be and will be abused. My amendments will give asylum officers the tools they need to help prevent that kind of fraudulent use of a very important and worthwhile system, and it will help to protect the American public from those who would do us harm.

With these modest reforms, America's asylum process will continue to shelter those who legitimately fear persecution in their home countries, but it will be less easily taken advantage of by those who seek to harm us.

I urge my colleagues to support these commonsense amendments.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that the period for debate only be extended for 1 hour, until 7:30, with the time equally divided.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I am happy to report that there has been a lot of progress made in the last few hours on the package of amendments that are completely uncontested and there is no objection on any side.

I wish to thank the Members who have been attentive and supportive of trying to get back to a more normal way of operating, which is, simply, we can argue about the big controversial issues. There are always going to be those on every bill we debate. But there will be some amendments that absolutely have no opposition because they are very well-thought-out ideas that do not generate any heartburn on either side, that people can reason and say it helps the bill; it does something that improves the bill.

We used to do that all the time around here. We have gotten away from it, and it is hurtful. It is not just hurtful to the individual Members, it is hurtful to our constituents who would like their ideas brought up for consideration.

As I said earlier in the day—and before the Senator from Maine leaves the floor, I wish to make this perfectly clear. I am not holding up the debate on any controversial amendments. I am not objecting to any controversial amendments. Anybody who wants to debate an amendment, whether it is 60 votes or 50 votes, that is the leadership's job, and they are managing this bill very well. I have no complaints or criticism about it at all.

But as they are managing these very controversial amendments that are part of any debate, what I am simply saying is that of the hundreds of amendments that have been filed—and we have been spending a lot of time on this with Republican and Democratic staff—there are potentially about 25 to 30 amendments that have absolutely no objection.

The list has changed a little bit, and I am not going to go over all the details. I have put it in the RECORD. There could potentially be 7 Democratic amendments, 5 Republican amendments, and 10 bipartisan amendments that have no known opposition. All I am asking is sometime between now and when the leadership managing this bill calls cloture, we have these votes en bloc, by voice. There would be no reason to have any more debate on them. No one is objecting to them. So we could take them en bloc, by voice. It will improve the bill. Then people can vote on the bill.

Many people already know they are going to vote against the bill. Some people are going to vote for the bill. That is the process. I think it would be very healthy for the Senate to get back to this kind of negotiation. But for these amendments that are noncontroversial, that simply have been worked on across the aisle in good faith, to be held hostage until somebody can get a vote on an amendment that causes one side or the other lots of political difficulties is not right.

There are 350 amendments filed on this bill. I am only talking about 35 or less. All the other amendments have pros and cons; people are for them, people are against them. I don't know how the leadership is going to decide on how we vote or dispense of those, but I am not managing the bill. Senator LEAHY is doing a very good job of that with Senator GRASSLEY, Leader MCCONNELL, and Leader REID. But there are approximately 35 amendments, maybe a little more, that have bipartisan support that people have really worked on—people such as myself—who are not on the Judiciary Committee. The Senator had his hands full with the 17 Members he has on the committee. There were 228 amendments filed on the Judiciary Committee. Senator GRASSLEY himself filed 34, and he had 13 that passed and 21 that failed. That is a lot of amendments.

Some of us who are not on the Judiciary Committee have been very fortunate. At least I have had one of my eight, which the Senator from Vermont helped with adopting.

Mr. LEAHY. Would the Senator yield?

Ms. LANDRIEU. I would love to.

Mr. LEAHY. Mr. President, the Senator has several excellent amendments which I support and agreed to.

We have given the other side over and over again a list of amendments that under normal circumstances would be agreed to in about 5 minutes by voice vote, including a number of the amendments of the distinguished Senator from Louisiana. I keep hoping we might do that.

We had more than 200 amendments in the Judiciary Committee that were voted on. Of those that were adopted, all but three passed with bipartisan votes. We demonstrated we were willing to do this on a bipartisan basis.

To assure the Senator from Louisiana—who is a wonderful Senator and dear friend—that I support these, I keep trying to get them accepted. I hope, after 2 weeks on this bill—and realizing we did the very extensive and open markup in the Judiciary Committee—that we can get to the point where we could start accepting a number of amendments—both Democratic and Republican—that we all agree on, including those from the Senator from Louisiana.

I am sorry to interrupt her. But she has worked so hard on this. She has gotten bipartisan support. She has talked to all of us. At some point, she should be allowed to have her amendments.

I yield the floor.

Ms. LANDRIEU. I thank the Senator from Vermont, and I appreciate his support.

But actually, having started out wanting to get a vote on my amendments—and I still do—I am now more focused on this principle of getting uncontested amendments adopted because I am not the only one in this

vote. I have friends such as Senator BEGICH, Senator CARPER, Senator HAGAN, Senator HEINRICH, Senator COONS, Senator KIRK, Senator COATS—from both sides of the aisle—Senator HATCH, Senator SHAHEEN—I could go on and on—who are in the same boat I am.

We fashioned amendments with bipartisan support. We have done our due diligence with the leaders of the committee of jurisdiction, which is what you are supposed to do, which is normal. We have gotten their blessing, if you will. We have published the details of our amendments. We have circulated the amendments. There is no opposition.

So to the Senator from Vermont, I wish to be very clear. I have four amendments on this list. I am not here just arguing for the four Landrieu amendments. I am here arguing for all amendments by anybody, Republican or Democrat, that are noncontroversial, uncontested, germane to this bill. They should go on the bill.

We need to get back to legislating in the Senate. This is not a theater. It is a legislative body, and I came to legislate. It will be 18 years that I have been here at the end of this term, a long time. There are Members who have been here longer than I have. But it has been a while now, 2 or 3 years, that we just sort of stopped legislating. We give speeches. We do headlines. We posture. We position. That has always been a part of the Senate. I have no problem with it. What I do have a problem with is doing that and nothing else. That is where I have a serious problem. Those of us who did not come here to be on the stage have had to sit on the sidelines and watch this theater for a long time. The people I represent are tired of it.

We should know that, since the rating for Congress is now at 10 percent, I think the lowest level ever or at least in the last 50 years, ten percent—this could have something to do with it.

Contrary to popular opinion on the floor, many people in America are very interested in this bill and are actually sending suggestions in through e-mail, through telephone, through all sorts of communications saying, look, I read the bill. You all should think about this. This could be improved. Some of us actually take those suggestions, work with Members on the other side of the aisle, and fashion them into amendments. The people we represent deserve respect.

If anyone thinks my amendments are controversial and you cannot vote for them because they upset the balance of power in the world or upset Western civilization, then come tell me. I will work with you on it. I will take the amendments off the list. I will put my amendments on a list to be debated.

But the days of us coming to the floor and absolutely not accepting bipartisan amendments so we can spend all of our time talking about partisan amendments that have no chance of passing are over with because I have enough power—just as Senators on the other side have enough power to push us the other way, I have enough power to push back and I plan to use it. Those days are over.

When we come to the floor, you can have all of your controversial amendments. We can set aside as many hours of the day to vote on controversial amendments, an equal number on both sides or none. But the uncontroversial amendments, the ones Members actually do the work of the Senate—research, writing, talking, debating privately, and coming up with good ideas—no longer are those going to be swept under the rug. It is not respectful to our constituents, it dishonors the Senate, and it causes the public to have serious doubts as to whether anybody around here is actually working in a bipartisan way to improve the bill.

These are minor amendments. None of these amendments undermine the bargains, the tough negotiations by Republicans and Democrats, on this bill. I wish to give a lot of respect to the Gang of 8. They have taken on the tough big issues, very controversial. Those are not these. These are amendments that would help parents who are trying to adopt children. Now I have to wait for a bill to come to the floor to help these parents. They may be waiting 10 years. They are American citizens. They have a right for Senators to represent their interests and I intend to do it. There are amendments here that would make sure children with mental illness or who are mentally disabled—this is not my amendment but it is a good one—make sure they have a lawyer. Why can't we do that? Because we are so angry with each other that we will not help a child? That is cruel and it is not correct.

I am going to end here. There are other Members who want to speak. I have no idea when the cloture vote will be. I am not sure. But if these noncontroversial amendments are not adopted by voice vote or by rollcall vote, en bloc or separately, before cloture, all of them will fall away, which means we will not be able to consider any of them. That is because after cloture they are no longer germane because we cannot get them pending. OK?

So this is the problem. I thank my colleagues for being understanding. I actually think it might help us move forward.

I yield the floor and I will be back when the cloture motion is propounded.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I want to make a few points in response to the Senator from Louisiana who has been pushing to get a number of so-called noncontroversial amendments adopted. There have been a number of misrepresentations. A major incorrect point made is that our side responded with only a list of controversial amendments. The fact is we sent over, for consideration by the other side, a number of amendments on our list but we did not hear that we could just get a vote. But in addition to sending back a list of noncontroversial amendments we did ask if we could have a vote on a number of our amendments. So talk about breakdowns, we cannot even get a vote on our amendments.

In regard to some of the amendments the Senator from Louisiana has suggested, they are not as easy as appears. Some are badly drafted, so we tried to fix them and send them back. We have not heard yet. The list we sent over does not say we will not agree to more amendments later, but we have to work through these and fix those that are messed up, frankly.

The latest problem is that the Democrats want to pick which Republican amendments we can vote on. I have, for instance, an anti-gang amendment the Democrats do not want to vote on. Their bill allows gang members to become citizens. We should get votes on our amendments in addition to this whole process of approving a list of noncontroversial amendments that can be adopted en bloc.

I yield the floor.

Ms. LANDRIEU. Mr. President, may I respond?

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, as I said many times, I have the deepest respect for the Senator from Iowa. He and I hardly ever disagree so this is quite unusual. We cosponsor so many amendments together for foster care, adoption—his work is legendary. But I do want to say this. I have tried to be extremely constructive here. Again, this is not about our list or their list. I am not even in charge of our list or their list. I literally am not a floor manager of this bill. I am not even a member of the committee. I do not even have access to our list or their list. I don't want it. I do not want to review the 200 amendments that are pro-gay, anti-gay, pro-fence, anti-fence. I am not interested—I am interested, but it is not in my lane. I have issues that I have to focus on as chair of Homeland Security. I am not a Gang of 8 Member, I am not on the Judiciary Committee, but I am a Senator and I came here to legislate.

There are amendments. I am not sure this list is perfect but I promise you, out of 350 amendments filed, just by the nature of averages, at least 10 percent of them have to be noncontroversial. Not every amendment that is filed is going to arouse suspicion or concern or violate any principles we hold. Just

by nature you are going to have 10 percent or 15 or 20 percent of all amendments that actually, with a little bit of work, should be adopted.

What Senator LEAHY said is absolutely correct. We used to do that when we trusted each other, when we respected our constituents.

I intend to push this body back to that place. I may be unsuccessful because I am only one Senator, but Senators have a lot of power, if you haven't noticed. We have been held up for weeks over one Senator because they did not get everything they wanted every day.

Again, I want to say to my colleagues, I am not fighting for Landrieu amendments. I am fighting for a principle and a process that is vital to the functioning of this body. I am going to continue to fight and hope we get a breakthrough.

Please, the other side, do not send me your list or the Democratic list. I am not interested. I am interested in a list of amendments that I believe, based on conversations with Senators, are not controversial and would improve the bill. We were sent here to do that. I intend to do it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, I take the floor today to speak in support of the Hoeven-Corker amendment that will soon be filed. Let me say the goal of the so-called Gang of 8 has always been to bring forward from Congress a solution to our broken immigration system. We introduced our bill knowing full well it was to be a starting point for this legislative process.

We had, under Senator LEAHY and Senator GRASSLEY's purview, a great markup in the Judiciary Committee. It went on for days. There were more than 300 amendments filed, more than 100 adopted. We had a full-throated debate in this Chamber already on this bill.

Out of this vetting and this debate we have had, we have had several consistent messages on things that need to be improved in the legislation. What we are doing right now is going a long way to deal with these concerns.

We have heard that we have allowed too much discretion to write the strategy for the border security plan. We have given too much to the Department of Homeland Security, that they will simply spend the billions of dollars that will be appropriated eventually. This amendment includes a detailed list of technologies that will have to be put in place by the Department. We will set a minimum floor of what they have to do. Then they can go beyond that.

In the underlying legislation, we require that a strategy is deployed in the underlying legislation, that an entry-exit system for all airports and seaports be in place, and that E-Verify be up and running for all businesses in the United States before anyone is granted legal permanent residency.

There are persistent concerns that that still will not be sufficient to ensure a secure border, that we need more incentive there. This amendment filed by Senators HOEVEN and CORKER will require 700 miles of fence be completed and that we have double the number of border agents that we currently have. These things have to be done before anybody in provisional status adjusts to get a green card.

This is important. This amendment dramatically increases the trigger that will have to be met in order for anyone, as I said, who is in provisional status to adjust to get a green card.

This is a product of the ongoing scrutiny this bill has received, scrutiny it deserves. We said from the very beginning this bill deserves debate, due process through committee and on the floor in this Chamber, and it is receiving that today and it is a better bill for it. It is going to be considerably improved, particularly after the Hoeven-Corker amendment is introduced and hopefully adopted.

I hope in the coming days we will also have as much scrutiny on the positive aspects of this bill. State and local governments currently deal with a sizable undocumented population; all of them, particularly in Arizona. Businesses are looking for a legal workforce they simply do not have access to right now. Right now the best and the brightest come here, we educate them in our universities, and then we send them home to compete against us because we will not allow them to stay on a visa.

The U.S. economy overall could use the boost that will come if we can pass meaningful immigration reform.

Again, I support this amendment. I commend my colleagues from Tennessee and North Dakota and all those who are working in the Gang of 8 and elsewhere. There are some who say many people are trying to kill this bill and bring poison pill amendments. For the most part what I have seen is people who want to improve this legislation, to make it better, to deal with this problem in a way that will solve it for good so we do not have to return to this a couple of years from now.

Again, I appreciate my colleagues offering the amendments. I look forward to discussing it either this weekend or next week.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, several Senators have mentioned this legislation has been pending on the Senate floor since the beginning of last week. Now we are here at the end of this week. If everybody here had been in favor of at least getting a vote one way or the other on the immigration bill, we would have started disposing of amendments during the first week the bill was on the Senate floor.

Unfortunately, there are some who do not want any bill, no matter what we write. They will have every objection to every amendment; they will use every delaying tactic possible. But they are a tiny minority. What we ought to do is show the majority—Republicans and Democrats—who is for and who is against the bill. The people who object to it, they objected to proceeding to comprehensive immigration reform—that cost us several days. Then when we proceeded, we got 84 Senators who voted in favor of proceeding. That should tell the American people something.

This week I have been working closely with the majority leader and the ranking member, Senator GRASSLEY, and others to make progress. But every time we try to bring matters up and get them passed we face objection. So far, there about 350 amendments that have been filed. In a week and a half we have gotten to 12. That is not progress. That is not. No wonder the American people wonder what is going on. If we continue at this rate, we are going to be singing Christmas carols as we come to the end of this legislation and we will have done nothing else. Some would like that. They would like to have this take up all the time. We do not do judges, we do not do the budget. The other side objects even going to a conference on the budget, which would have more Republicans on it than Democrats. What is this? If people are that opposed to government at all, to any form of democratic government, let them set up an alternative government. But this is ridiculous.

We have a system. The people who claim ''we are for the Constitution''—let the Constitution work. Let people vote up or down. This is important. It is long overdue legislation to repair our immigration system. Let's vote on it.

Senator LANDRIEU came to the floor last night. She came again today to talk about the delays we have had. I agree with her. Senators on both sides of the aisle worked hard on the amendments that were filed on this legislation. Senators who are not on the Judiciary Committee have been waiting for their opportunity to contribute to this bill.

Many of the amendments are bipartisan and ought to be heard. Many of the amendments are noncontroversial and have widespread support. Some of the amendments are controversial, but

the amendments that have been proposed to me as noncontroversial all are intended to improve and strengthen this legislation.

In the past we would take them up quickly and vote them all through. Except we have some who give great speeches about worrying about people coming into this country, but they are determined not to let anybody into this country. The Presiding Officer and I—and virtually everybody in this body—would not be here if these had been the rules when our parents or our grandparents or our great grandparents came to this country.

Let's vote. The Judiciary Committee considered a total of 212 amendments over an extensive markup that involved more than 35 hours of debate, and we made sure it was public. We streamed it live. People all over the Nation watched it. About half of the amendments considered were offered by the Republican members of the committee. I went back and forth, one Democrat, one Republican, one Democrat, one Republican. We adopted over 135 amendments to this legislation all but three were bipartisan votes.

We set a gold standard. This body should do the same thing the 18 of us did.

I filed a managers' amendment that combines a number of the noncontroversial amendments that have been offered to this legislation. I hope the Republicans and Senator GRASSLEY, the Judiciary Committee's ranking member, will join with me in disposing of these noncontroversial amendments. We did it in the committee. Incidentally, when the bill finally came out of the committee, it was by a bipartisan vote.

Look at what the managers' amendments includes. They are noncontroversial and have widespread support. They have been filed by Senators on both sides of the aisle over the last 2 weeks. Many have been discussed at length on the Senate floor. We improve oversight of certain immigration programs.

There is an amendment from the chair and ranking member of the Committee on Homeland Security and Government Affairs, Senators CARPER and COBURN, to establish an office of statistics within the Department of Homeland Security. There is an amendment by Senator COCHRAN and Senator LANDRIEU, chairwoman of the Appropriations Subcommittee on Homeland Security, that requires increased reporting on the EB–5 program. There is an amendment by Senator HELLER requiring DHS to report to Congress about an implementation of the biometric exit program that was added to the bill in committee by Senator HATCH.

There are bipartisan amendments offered by Senators KIRK and COONS to support the naturalization process for Active-Duty members in the Armed Forces who receive military awards. Who could possibly disagree with that? It contains a trio of amendments championed by Senators COATS, LANDRIEU, and KLOBUCHAR to ease the process for international adoptions. There is an amendment by Senator HAGAN to reauthorize the Bulletproof Vest Program.

Incidentally, that program had begun as a bipartisan program. There is an amendment by Senator NELSON to provide additional research for maritime security. Chairman CARPER has an amendment that requires DHS to submit a strategy to prevent unauthorized immigration transiting through Mexico.

These are sensible, noncontroversial amendments. If we had a rollcall vote of these amendments, they would get 90 or 95 votes, or even 100 votes. Well, let's vote on them. Let's adopt them. Let's show the American people we actually care about having immigration reform.

The Senator from Louisiana and others are right. We ought to take up those amendments where we share common ground. We so often get bogged down by divisive amendments. Why not join together and pass those that we agree on—Republicans and Democrats? If we do that, we might actually fix our immigration system.

The one thing everybody agrees on is that the system does not work today. We are trying to fix it. Let's at least bring up, vote on, and pass those provisions that both Republicans and Democrats support—more importantly, the American people support—and get them passed.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that the time for debate only be extended until 8:30 and that I be recognized at that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. And that we would have the time equally divided between the majority and the minority for the next hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I would also say this: The amendment we have been waiting for I think is done. We finally got the last signoff just a few minutes ago.

Mr. SESSIONS. Mr. President, could I inquire as to what UC just got agreed to?

Mr. REID. To extend the time for debate only until 8:30 with the time equally divided.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I appreciate the Senator from Nevada getting this unanimous consent agreement and that it was agreed to. I commend the majority leader for the work he is doing. It is a slow process. It would be an awful lot slower if it wasn't for the very accomplished hand of our majority leader.

I yield the floor.

Mr. REID. Mr. President, I appreciate the distinguished chairman of the committee for saying some nice things about me, but my involvement in this is minimal compared to many other people.

Mr. President, if we have someone suggest the absence of a quorum over the next 2 minutes, I ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Are there any other questions anyone has?

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I appreciate the majority leader. He speaks softly, and I don't hear as well as I should, so I am not sure what we agreed to or what he propounded.

Mr. REID. Has the Senator from Alabama heard now? It is that we extend the time for debate only equally divided between the majority and minority until 8:30 tonight.

Mr. SESSIONS. I thank the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. REID. I note the absence of a quorum.

Mr. LEAHY. Mr. President, I ask unanimous consent that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, here we are with an intent to have an amendment that is supposed to solve all the problems of this legislation, and we had it announced earlier this morning, and we have not seen it yet. So we are now here.

Earlier today we thought we had an agreement to have as many as half-a-dozen votes tonight. So we had some today, and we were going to have some more tonight. We have only had nine votes on this legislation as of today. This is really odd.

So we have not seen this bill. We do not know what is in it. Everything has been stopped, waiting on some agreement, as Senator SCHUMER said, among

the allies. He said they are showing the bill to allies. Apparently, they have not shown it to Senator LEE, they have not shown it to me. So the allies of the Gang of 8 are going through the bill. I do not know if they are going to have Nebraska kickbacks in it or ''Cornhusker kickbacks'' or whatever else they are going to put in it to get somebody's vote on it. I hope that is not where we are going.

But what I am concerned about, having been around here a few years now, is that we will have a vote on cloture on this amendment—they are going to file the amendment, immediately file cloture, apparently, and then have that vote early next week—and then have a couple more votes, and the next thing you know, we are at final passage and no amendments of significance have been allowed to occur.

I have a number of amendments. The House has done a really good job on working on the interior enforcement weaknesses of our current law. They put together some good language. I have taken a lot of it and put it into an amendment. I would like to have a vote on that. We ought to talk about it because there is some feeling around here that the only thing that matters is the border, but that is not so. Forty percent of the illegal entries into America today come by visa overstays, and that is not dealt with at all or in any significant way that I am aware of in this new amendment which we have not seen.

So I am worried about this whole process. The American people deserve an open process. It was promised. I do not know how many amendments we had in committee, I say to Senator LEE. Lots of them. But we have only had nine now, and we lost a group that we were going to have today. And we cannot tell from our discussions with Senator REID and others if there will be any more amendments next week because, I guess, the powers that be, the masters of the universe, have all gotten together and they have decided this: They have decided that everything is fixed by Hoeven-Corker, and we will just pass that amendment and nobody else will be heard. But that amendment, from what I read in the papers about it, in general, does not fix anything like the loopholes and weaknesses of the legislation.

I say to Senator LEE, I appreciate his elegance on this issue, but I did want to share that I feel as if something is going awry in the open, debatable process we thought we were going to have for a day or two. It seems to have jumped off the tracks completely.

Mr. LEE. It does indeed. I was disappointed by the fact that in the Judiciary Committee, on which the Senator and I both serve, we had a lot of amendments. I do not remember exactly how many votes we had in the committee, but it was in the dozens, if not scores, and we had extensive discussion. Now, not all the votes turned out the way the Senator and I wanted them to, but the important thing is we had a lot of discussion, we had on-the-record debate, we had amendments proposed and discussed and debated, and that is not how it has happened this time.

To my understanding—I was not here, unlike my friend from Alabama, in 2007, the last time we had a comparable discussion of a bill like this one, but my understanding is that there were 50-something, perhaps 53 amendments that were debated, discussed, and received votes in 2007. To my understanding, this time around we have had nine votes and maybe two or three that were taken by voice vote. That is not enough, and it certainly is not enough when we are talking about a bill that is more than 1,000 pages long, a bill that is going to affect many millions of Americans, and it is going to do so for many generations to come.

The American people deserve more. They deserve more than just debate and discussion, rollcall votes that can be measured in the single digits. They call this the greatest deliberative legislative body in the world, and yet we make a mockery of that description when we do things like this, when we allow a 1,000-page bill to be rammed through in a matter of days with only a small handful of amendments debated, discussed, and amended.

So through the Chair I would like to ask my friend and my distinguished colleague from Alabama whether he has seen anything like this in his career, whether this is something I should anticipate moving forward. As I look forward to my years in the Senate, is this something I should expect on a regular basis with legislation such as this, of this complexity, of this level of importance? Is this something that is just par for the course?

Mr. SESSIONS. I am afraid it is becoming par for the course. I remember we had a bill, a bankruptcy bill, a fourth of this in size. I think it was on the floor 3 weeks, and we had maybe nearly 100 amendments. Everybody had their chance to speak, and we ended up passing the bill with well over 80 votes.

But the point is that in this new mood in the Senate we have a situation in which the majority leader too often fills the tree and controls even the amendments that are brought up.

Does the Senator think it odd, as a new Member of the Senate and as a student of law and Washington governmental processes, that a Senator cannot come to the floor and offer an amendment without seeking permission of the majority leader? And he says: No, I will not take your amendment; I will only take this amendment. Does that strike the Senator as contrary to what his understanding is historically as to how the Senate should operate?

Mr. LEE. Yes. In fact, I find it appalling. I find it repugnant to the system of government under which we are supposed to be operating. I find it even repugnant to article VI in the Constitution, which makes clear that there is one kind of constitutional amendment that is never appropriate. You cannot amend the Constitution to deny any State its equal representation in the Senate. If at any moment we end up with a situation in which we have second-class Senators, Senators who may submit and propose for debate and discussion and a vote an amendment—if we have to go to the majority leader and say: Mother may I, then perhaps we have lost something, perhaps we have lost the environment in which each of the States was supposed to receive equal representation.

It also seems to me to take on a certain character, a certain banana republic quality that we are asked to vote on legislation in many circumstances just hours or even minutes after we have received it. We take on a certain rubberstamp quality when we do that.

I remember a few months ago, in connection with the fiscal cliff debate—as we approached the fiscal cliff on New Year's Eve, we were told by our respective leaders: Just wait. Something is coming. Go back to your offices. Watch your televisions. Play with your toys. Do whatever it is you do, but, you know, be good Senators, run along and stay out of trouble. We are taking care of this. We will send you legislation as soon as we are ready.

Well, at 1:36 a.m. we received an e-mail, and attached to that e-mail was a 153-page document. That was the bill on which we would be voting. That bill was one we would be called to vote on exactly 6 minutes later, at 1:42 a.m. So to my utter astonishment and dismay, Senators flocked into this room and with very, very little objection ended up passing that legislation overwhelmingly.

This is just one of many examples I can point to in the 2½ years since I have been here when Members have been asked to vote and did, in fact, vote enthusiastically, willingly, and hardly without a whimper of objection to legislation that they had never seen, to legislation that they were familiar with only to the extent it had been summarized for them.

That brings us back to this legislation. We have had this in front of us in one form or another for the last couple of months, but for a long time before we even had it, what we had was a summary of this. We had a series of bullet points. Those bullet points were very favorable, and for a long time the bullet points were all we had. The bullet points—I exaggerate slightly to prove a point, but they read something like this: Is this bill outstanding? Yes. Will this bill solve all of our immigration

problems? Absolutely. Is there anything wrong with the bill? Heavens no. That is how the bullet points read.

It was on that basis that groups around the country supported and some Members even of our own body decided they would vote for S. 744, even before S. 744 even existed. We had groups across the country, some even in my home State, that came out strongly in favor of the yet-to-be-released Gang of 8 bill, saying: We are going to support it, and anyone who does not vote for it in the U.S. Senate is a backward fool. Well, they had not read it. They could not have read it because the bill did not yet exist.

Now, in some respects, what happened with this is very similar to what we are now facing with the yet-to-be-released Corker amendment. I have not seen it. But I will tell you what I have seen. I have seen a set of very brief bullet points about the Corker amendment.

The bullet point reads something like this. Is this amendment outstanding?

Yes.

Will this amendment solve our border security problems?

Absolutely.

Is there any problem presented by this amendment?

Absolutely not.

So I say to my friend from Alabama, if this is what I can expect in my career in the Senate, I am a little bit troubled. But I would ask my friend from Alabama if there is anything we can do about this, if there is any way we can right this ship, if there is any way we can turn this around, this disturbing trend? Separate and apart from the policies underlying this bill, is there anything we can do to make this a real legislative body and not a rubber stamp, the kind of legislative body that actually does debate and discuss things?

We do not really have a true deliberative legislative body unless we have enough time to debate things before we vote on them, to where the Members can actually read them before they come up.

Mr. SESSIONS. Yes, we can do that if we just follow the traditional rules of the Senate. The Senator is exactly right. Here we are being told this legislation, this 1,000 pages, is all decided because somebody has an amendment somewhere that nobody has seen—at least nobody who has any skepticism about it has seen. That is going to solve all of the problems. It is just rather remarkable.

On the fundamental question the Senator raised about the Senate, I do believe that we need to begin to appeal across party lines and think more clearly about what has happened. I talked with one of the great historians of the Senate, someone I have known and has been here, worked on the floor, and has written a book about it. He said he hated to say it, but it is kind of getting like the old Russian Soviet Duma where a group of people met in secret and put out the word, then they all went in and voted 990 to 10 for whatever it was their little group decided.

I am worried that has too much relevance to what has been happening here. I really do. A Senator, as the Senator said, is equal to any other Senator. The majority leader has the power of first recognition, but it was never intended that the majority leader should say: You cannot get your amendment, Senator from Alabama; only the one from Maine can get their amendment, and actually be able to execute that.

It is rather stunning. That was not the way it was when I came. This filling-the-tree process started maybe not long after I came. Both parties have used it. But it has now gone to an extent which we have never seen before, and it adversely impacts the whole Senate. I think the Senator is right about that.

I just saw Senator PORTMAN from Ohio. He had worked extremely hard on a very significant amendment dealing with E-Verify in the workplace. He is not sure he is going to get a vote on it. He thought he was going to get a vote on it. It is very frustrating for him that will not be the case.

What is this? We are not going to be in session tomorrow, apparently. Nobody gets their amendments. Maybe, virtually, no more amendments get brought up of significance.

So I am concerned about it. I have a couple of key amendments. I know Senator CRUZ has an amendment too. The Senator may have amendments. Amendments are valuable in that they point out weaknesses in legislation. They provide a fix for that weakness. Why would we want to deny people the right to make a piece of legislation better?

Mr. LEE. One of the distinguishing characteristics of a democracy is that you have choices, you have options. I am not intimately familiar with the inner workings of the Soviet government. But I have it on good authority that they had elections in the Soviet Union. But the big difference was the government decided who was on the ballot. They decided that very carefully. Only those candidates who had been very carefully screened by the Communist Party officials could appear on the ballot.

So people had choices. It was just the choices were very limited. They were limited so as to guarantee a certain foreordained outcome.

Now, if you will forgive the analogy, what we have here makes sense. It makes sense that all of the 50 States are represented but only if, in fact, we are presented with actual legitimate choices, with actual legitimate options.

One of the reasons we have seen legislation pushed through at the very last minute, and our colleagues in this body vote for that legislation overwhelmingly, is they are told at the moment they have no other option: You have a binary choice. You can vote yes or you can vote no, but you do not really have the option of making any changes. So a lot of times people vote for something, even if it is a bill they otherwise did not like, or if it had a lot of problems with it, they will vote for it because they conclude that on balance, voting yes is better than voting no. The problem is, we are supposed to have more options than that. In this body, we are supposed to have the opportunity to propose amendments and in theory to have unlimited debate and discussion.

Unlimited debate and discussion necessarily entails more or less unlimited opportunities to amend, to make it better. That is what real compromise is. Real compromise involves allowing all of the stakeholders to come together and explain what is important to each member of the group, to each stakeholder. We do not have that here. We are supposed to have that in the Senate. Historically, it has existed.

I know that not from my service here, but I know it from reading books and from talking to colleagues who have been here a little bit longer than I have. But it is time to restore that. It is time we restore what once existed but has since been lost so that our democratic system of government actually functions as it was designed.

Mr. SESSIONS. The Senator led a press conference this afternoon with a group of tea party patriots. Jenny Beth Martin and a number of other people were there. They came to Washington and had a number of people who had immigrated to America. They spoke from their hearts about laws and rules and proper procedure. Maybe the Senator could share with our colleagues and those who might be listening the gist of that.

I thought it was very moving to have people who came to America, some from countries where they had been persecuted and were so proud of the rule of law, who felt deeply that we need to be careful about what we do in the Senate to preserve the rule of law here.

I thank the Senator for leading that press conference today and letting those individuals, those Americans, speak their minds. Just in general, I would say that whole tea party movement, which many have tried to demean, came right from the heart of America. It represented a deep concern that people in Washington were out of touch, were not connected with the real world, were not following the constitutional processes, were meeting in secret with special interests and trying to win elections and not serving the people in effective ways.

I thought it was good to have them speak out today as they did in opposition to this monstrosity.

Mr. LEE. That is exactly right. The movement described is a spontaneous grass roots movement that started in 2009 in response to an observation that swept across the country that the Federal Government has become too big and too expensive, in part because it is doing too many things it was never designed to do, in part because it has lost sight of the fact that it was always created at the outset to be a limited-purpose government, one in charge of just a few basic things: national defense, establishing a uniform system of weights and measures, declaring war; otherwise providing for our national defense, protecting trademarks, copyrights, and patents granting letters of mark and reprisal, which are fascinating instruments. Basically, you get a hall pass issued by Congress in the name of the United States that entitles the bearer to engage in state-sponsored acts of piracy on the high seas.

So regardless of how long I might serve in the Senate, I do want to get a letter of mark and reprisal someday. I am going to be a pirate. I hope my friend from Alabama and my friend from Colorado will join me.

Among those other powers was a power to establish uniform laws governing naturalization, what today we would perhaps more broadly call immigration. That is one of our jobs. So it was appropriate at this gathering today, where we were joined by a lot of supporters of this grass roots movement—we had some immigrants to this country, people who came here legally, people who sacrificed much, put a lot at risk in order to come to this country.

They explained that one of the things that attracted them to this country, one of the unifying reasons all of them came to the United States, despite the sacrifices they had to make to get here and the risks they undertook in coming here, was the fact that they loved the rule of law. They see the difference, as all of us do anytime we travel to a country where the rule of law is absent, that the rule of law makes all the difference. You can tell almost immediately after you step off the plane whether you are in a country where the rule of law is respected, where it is honored. There are relatively few countries in the world where it is. Fortunately, this is one of them. It is our job to make sure it continues to be that way.

Many of these immigrants commented on the fact that they find it distressing that while they expended the time and effort and resources to make sure they immigrated legally, they are disturbed about the fact that under this legislation, well-intentioned as it may have been, under this legislation 11 million people who came here illegally, for whatever reason, will eventually find themselves in a position of not only being able to stay here, not only being able to keep their current jobs, maintain their current circle of friends, they will actually become citizens.

This reminds me of a letter that I received not too long ago from a schoolteacher in Utah, a schoolteacher who explained that she had come here on a visa, a visa that will expire in 2017. She explained to me that she has every expectation that she will be unable to renew and extend that visa. So, she said: I expect effectively to be deported in 2017 because I do not intend to break the law of the country whose laws I promised to uphold if they would grant me this visa. She said: It is very distressing to me that meanwhile people who broke your laws, people who did not respect the rule of law, as I did, people who did not expend a lot of time and money and resources and took a lot of risk in applying for and obtaining the necessary visa to come here, a lot of people who broke all of those same laws will get to stay here, they will get to become citizens. That is not fair.

Mr. SESSIONS. I thought that group reflected those concerns very well. I think the whole grass roots movement did. As I recall, Senator LEE was involved in the election in many ways. It was a ramming through of the massive health care bill that nobody had read. We were told: Well, you have to pass it to find out what is in it. That generated that whole movement. Is this not in many ways similar? In the Senator's view, does it feel the same that we are moving rapidly through a bill, a massive consequence of over 1,000 pages, and there is a lack of understanding fully of what is in it?

Mr. LEE. There certainly are some similarities. I will point out at the outset there are some differences, one of them being we have, fortunately, actually had the text of this for a little bit longer than I think Congress had the text of the Affordable Care Act when it passed. We have had some opportunity to amend it in committee. That has been nice. But, yes, there are a lot of similarities.

Both bills are very lengthy. Both bills involve excessive—remarkably excessive—delegation of authority to decisionmakers in another branch of government, within the executive branch.

There are, by one count, something like 490 instances of delegated discretionary decisionmaking authority. You know, this is a problem because for centuries, great thinkers, including our Founding Fathers but really going back even before them, have warned that legislative power involves the power to make laws, not the power to make lawmakers.

To a very significant degree, the lawmaking power is not subject to delegation. It should not be delegated to someone else. Obviously, we have to delegate a lot of tasks to the executive branch. It is the executive branch's job to implement, to enforce, to apply the laws that we pass. But on some level there is a difference that we can tell between giving someone the task of implementing and enforcing a law and giving someone else the task of coming up with policy, either policy as embodied in the Code of Federal Regulations or policy as embodied in the exercise of pure discretion that will evolve and over time become its own form of laws.

This law, much like the Affordable Care Act, involves hundreds and hundreds of instances of delegated policymaking authority.

One of the problems with that is when you delegate the policymaking authority to the executive branch, to the executive branch regulatory state, so to speak, you give it to people, however well-intentioned, however well-educated, however wise, who are not themselves elected by the people. They themselves don't stand accountable to the people at regular intervals. They themselves can act in much the same way as despots might have centuries ago.

Sure, their actions could be subject to challenge in court under the Administrative Procedures Act, challenge them in court under a standard that is very deferential and not to the challenger, to the government. One thing that is certain, we can't go to them and say: Look, if you don't change this law, I am not going to vote for you again. They will laugh at us if you tell them that because they don't work for us. They don't ever have to stand for election. That is one of the problems I have with it.

One of the problems it shares in common with ObamaCare is this excessive delegation of authority. It also shares in common with ObamaCare the fact that it is long. It is not quite as long as ObamaCare, but it is still long. Very often we find that long bills go hand in hand with bills that have an excessive delegation of power to the executive branch of government. This is what we have here.

I find it significant that James Madison warned us in Federalist No. 62, it will be of little benefit to the American people that their laws may be written by men and women of their own choosing if those laws are so voluminous and complex that they can't be easily read and understood by those governed by the same laws.

Madison was right to point that out. It is true it is difficult to pick up a law like that, or twice its size, in the case of ObamaCare. It is difficult for the American people to pick that up, read

through it and say: Yes, I get it, I understand what my obligations are. I understand what the obligations of government officials are. I can understand it.

It is 10 times worse than that when this is just the tip of the iceberg, when this will be a tiny fraction of the paperwork that will be entailed and the laws that actually implement laws such as this one and laws such as ObamaCare. To put it in Madison's words, it is bad enough when the laws are so voluminous and complex they can't reasonably be read and understood and read by those governed by them. It is that much worse when most of the actual law isn't even made or chosen by the voters.

Mr. SESSIONS. I thank the Senator for sharing those insights. It is important, because we are getting to a situation where we are delegating extraordinary power to unelected bureaucrats. What we have seen with regard to the current administration and their enforcement laws is one of the most dramatic, willful, deliberate failures to enforce the law I have ever seen.

It has resulted in a most amazing circumstance. The ICE agents, the Immigration, Customs, and Enforcement agents, who are out there trying to enforce the law every day, who took an oath to enforce the law, have been so directed by their unelected supervisors to not enforce the law. They have reached the point where they have filed a lawsuit in Federal court against their supervisors. They sued Secretary Napolitano, and they said she is issuing directives and orders that contradict with our sworn duty as law officers to enforce the law and follow what Congress directed. Some of this simply came down to the fact that they are required to deport certain people if they are apprehended doing certain things. They just issue guidelines that say don't deport people.

Think about it. Secretary Napolitano and John Morton, her ICE Director, who has now resigned, were directing these agents to do things that undermined their ability to do the most basic part of law. They filed a lawsuit in Federal court. The judge has heard the lawsuit and heard the complaints. The Department of Justice sought to dismiss the complaint initially, and it has not been dismissed. The judge has let it proceed. He, in effect, as I read the news article about it, basically said the Secretary is not above the law. I thought we learned that from Richard Nixon. No President is above the law. Nobody is above the law in America. This lawsuit is still ongoing.

It is one of the most amazing things I have seen, and how little it has been commented on and how significant that is.

We have the Citizenship and Immigration Services officers. Like the ICE officers, they have written Congress and told us they cannot do what the law requires them to do in this bill. They can't do what the law is requiring them to do now. They are overwhelmed by the requirements that have been placed upon them. They said the law that is being considered today, S. 744, makes the situation worse. Both of those agencies have written to Congress and said it would weaken our national security and place our safety at risk in America. It wouldn't make things better, it would make them worse.

I think we need to say how did we get here? I believe we got here fundamentally because well-meaning Senators decided if you are going to pass a bill—we had to have La Raza happy, we had to have the unions happy, we had to have the business groups happy, and we had to have the chicken processors happy, and they all met with them. They met with their pollsters, their political consultants, and the politicians.

Chris Crane, the head of the ICE officers association, wrote them repeatedly, saying: Let me come tell you what it is really like out there. They refused to hear from him. They refused to hear from him and his ideas. He tried everything he could. He wrote them and asked if they would meet with him, and they wouldn't do that.

The legislation was written by people not connected to how the immigration system actually operates. The people tried their best every day to make this system lawful, make it effective, and make it something we can be proud of.

Even under the legislation, it does not require people who want to be citizens and want to be given legal status in America to have a face-to-face meeting with a single person.

In fact, the DREAM Act, the DACA cases that are out there, they are not meeting with them face to face. They just give papers, read those papers, and process them in a way that they have no capability of ascertaining whether those claims of legality are legitimate.

It is very clear from experts in the 9/11 Commission that face-to-face interviews make a huge difference. One of the hijackers who was supposed to be the terrorist, who was supposed to be on the plane that may have hit the Capitol of the United States or the White House, the one that went down in Pennsylvania, one of those was identified in a face-to-face meeting by an alert officer. He held him up, and he was not on that plane. Who knows, one more terrorist on that plane might have enabled them to control that plane and succeed in wreaking devastation on Washington, DC. Maybe those patriots who brought that plane down, giving their lives to save this Capitol, may not have been able to do so had there been one more terrorist on that plane. I have to say this is important material. I don't know what the language is about the border and how many agents they have there.

I know this, we have had testimony from witnesses and the 9/11 Commission that we need an entry-exit visa system. We already have most of it. When you come into the country, they take your fingerprints, and you are clocked into the country. We are not clocking people out of the country.

The 9/11 Commission, in a followup meeting of that commission to review how America had complied with their original suggestions, repeated their concern that we need this entry-exit visa system. The current law that has been passed, about six times, and is current law today, says we should have a biometric entry-exit visa system at all air, land, and sea ports.

This legislation guts that requirement. It eliminates the biometric, which means you don't use something like a fingerprint, which would be the most common thing to use. It would be some sort of an electronic system that is recognized to be weaker, and it doesn't require it to be in place at the land ports. The 9/11 Commission explicitly reviewed that, and they said the system won't work because people can fly in to Houston, fly in to Los Angeles, go back across the border, fly in to New York and exit through New Mexico. They can do these things and, therefore, the system won't work. We don't know who overstayed and who didn't overstay.

What we learned was it is not too expensive. They claimed it was going to be $25 billion. Where did this figure come from? It was raised in committee, you may remember. Senator SCHUMER said it will be $25 billion. What we found was they did a pilot project in Atlanta and I believe Philadelphia. People came through to get on a plane to depart America. They put their fingerprints on a machine. They go right on by, and those who are in violation have warrants out for their arrest or are on a terrorist watch list, are picked up.

Amazingly, amazingly, in Atlanta they did 20,000 people as a pilot project. They failed 134, I believe, who had warrants for their arrest and got hits on the watch list. Some of these could be serious offenders.

I think that is one more example of weaknesses in the legislation that apparently are not being addressed. This is one more proof that the bill before us today weakens current law, directly weakening our entry-exit visa system that the 9/11 Commission has said we must complete.

There are a lot of things I am concerned about in the legislation. This is one of them. It has to be fixed. I am afraid we are not on the path to do that. Special interests have opposed that over the years. It has been debated, debated, and debated. Finally a decision has been made. Multiple times Congress has directed this to occur, but it still has not occurred.

I wanted to share that. Maybe the Senator has other thoughts he wishes to share.

Mr. LEE. The Senator mentioned a few moments ago that in some circumstances there has been some indication that perhaps the Secretary of Homeland Security believes she is above the law. In some respects, when reading through this bill, we can conclude that if it passes she will become the law. She will be the law. With hundreds and hundreds of instances in which she will be given vast discretion to make all kinds of determinations about who stays and who doesn't, what happens under what circumstance and what program, she actually sort of becomes the law. This becomes an active administrative discretion, rather than an act that helps bolster the rule of law. That certainly is a concern we have over time.

We do wonder at times also why it is we have legislation that remains secret for so long. In other words, we have commented on the fact that we have been waiting for this mysterious amendment. We have wondered why we haven't seen it. I wonder if the reason why we haven't seen it is because they are still negotiating in secret trying to sweeten the pot so they can ram it through. It makes me wonder whether we can anticipate another ''cornhusker kickback,'' another ''Louisiana purchase,'' yet another parallel between the Affordable Care Act and this legislation we have before us today. It is another concern I have.

I am also concerned about the same talking points to which I alluded earlier, the same talking points we have had since before we even had this bill—the talking points I alluded to earlier that I described as being to the effect of saying: Is there anything wrong with this bill? No. Is this bill excellent? Yes, absolutely it is. Those are the same talking points that convinced a lot of people to come out and support the bill before the bill even existed.

Mr. SESSIONS. If the Senator will remember, in committee my able colleague Senator SCHUMER said this was the toughest bill ever, as I recall. And it was tough as nails. But it looks like now we are being told it wasn't so tough because we have added an amendment that is going to make it tough.

So is that kind of what the Senator is saying when he refers to the talking points, that we have to go beyond the bill? If it was so tough to begin with, why did they have to pass another amendment now to make it a lot tougher now?

Mr. LEE. I guess it wasn't tough enough and they are trying to make it even tougher. Yes, that is an interesting point. A lot of people got caught up in that kind of mindset even before the bill was released.

The Salt Lake Chamber of Commerce, an institution in my own home State, came out overwhelmingly in support of this bill. But the problem was the bill didn't even exist. They were going off the talking points. And here is the problem: The talking points were wrong. The talking points proved to be grossly misleading.

The talking points told us—and the proponents of the bill have continued to tell us for months, even after the bill text came out and even after we had reason to know better—quite a few things. They told us, No. 1, illegal aliens who would be legalized and who would be put on the path to citizenship under this bill would have to pay back taxes as a condition of their legalization. Did that turn out to be true? Absolutely not.

When we read the fine print, one thing is very clear. They have to pay only those back taxes that have previously been assessed by the Internal Revenue Service. What does that mean? Well, they have to be found due and owing. They have to have been assessed by the IRS. An individual doesn't have taxes assessed by the IRS if, as is often the case for someone who has been working here illegally, they are working off the books.

This is what we call an illusory promise. They offered us the sleeves off their vest. They offered us something that didn't exist in the first place.

We were also told a number of other things about this bill. We were told there would be a lot of people who would be excluded. Yet we discovered there are a lot of people who, even after having committed crimes in this country, even after having illegally reentered the country following a previous deportation, which, by the way, is a felony, many of those people will still be able to get legalized and not just remain in this country and continue working but also continue on the path to citizenship and eventually become voting citizens of this country.

We were told those people who are illegal aliens currently, who would be eligible for legalization and eventual citizenship, would not be eligible during their provisional status, during their interim status, or RPI status, as we call it under the bill, wouldn't be eligible for means-tested welfare benefits.

Did that turn out to be true? No. They are still eligible, for example, for the earned-income tax credit, which some have described as the most generous and largest, in some respects, means-tested program we have.

So these things turned out not to be true. Yet a lot of people are still asking their Members of Congress to support this very same legislation, and not because they have read it, not because any of those promises are true, but because they are still believing the promises contained in the original set of talking points, which most people think are the bill. That is disturbing.

Mr. SESSIONS. It is. I think it is like smelling the sizzling steak that turns out to be shoe leather. It sounds good when they talk about it. I said: Wow, that sounds good. And if it accomplished all the things they promised, I would be intrigued by that legislation. It would have a chance to get my vote.

Well, we made a list, just as Senator LEE did, of some of the things we were told repeatedly about this legislation. We were told it was border security first. Now, I don't think anybody denies that amnesty is the one thing that will happen. Everything else is going to be promised to occur in the future. So that was not an honest and correct promise.

Then it was said it was going to be the toughest enforcement ever. Well, I would just say to my colleague, this legislation is not as tough as the 2007 bill. As an example, it weakened the standard of enforcement at the border from current law that they are still debating and can't reach an agreement over. It weakens the current law's standard.

As I just established earlier, it weakened the entry-exit visa system absolutely on a key and fundamental point, making the entry-exit visa system not workable; whereas today, if the administration did it properly, it would work.

The Senator just mentioned back taxes. That is a flimflam if there ever was one. We hear that over and over—people are going to pay their back taxes. The IRS is not going to go out and try to run down 11 million people who have been here illegally and have been working and try to find out how much they owe and then collect taxes from them. It is not physically practical. It will never happen. It is a talking point, just as the Senator said, and not reality.

They are going to learn English. That sounds good. We are for making people learn English. But if a person is going to get legal status, a Social Security number, the ability to go to work almost immediately, and 10 years later, if they haven't learned English, under the language of the bill all they have to do is to enroll in a course. They do not have to complete the course or anything. It only occurs when they are at the point of becoming a legal permanent resident. That is 10 years later.

Then no welfare benefits. The Senator just mentioned the biggest is the earned-income tax credit. I offered an amendment to validate the sponsors' promise in the Judiciary Committee, if the Senator will recall, and it was voted down. So they said we are not going to have any welfare, but the Congressional Budget Office—well, it is obvious. The earned-income tax credit is not a tax deduction, it is a direct payment from the U.S. Treasury to people

who qualify for this subsidy. So that is one of the biggest ones we have, and it is still protected. They can still obtain it.

Then they say: We will end illegal immigration. That was a firm promise—to end illegal immigration. The toughest bill ever. The Congressional Budget Office report that came out yesterday said it would only reduce illegal immigration by 25 percent. I think it was a difference of we would have 7.5 million people enter the country illegally instead of 10 million people entering the country illegally over the next 10 years. How pathetic is that?

So we are going to give amnesty, benefits, and all of this, and we are going to promise the American people we are going to fix the broken border, but it is not there. The promises aren't there.

We haven't even seen this new amendment. Now we are going to have all these agents, we are going to fix the border, everything is going to be taken care of, and we say: Well, we would like to read your bill. The last time you weren't so accurate, were you? Last time the promises weren't fulfilled in your bill. Now you are scrambling around, your bill is in big trouble, people are asking some real tough questions, you don't have answers for them, and so a group comes together. They are secretly meeting over here today, and now they have the toughest amendment ever, I guess. But when do we read it? When do we see it? We were told we were going to have it at 6 o'clock. It is now 8:30.

So I agree with the Senator from Utah. I don't think talking points are going to cut it. Doesn't the Senator agree the power is in the legislation and not in talking points?

Mr. LEE. Yes. Yes.

One of the most galling aspects of this entire debate and what has occurred today, as this amendment is being crafted behind closed doors in secret, we have had dozens and dozens of amendments that are written, that have been filed, that have been prepared, some of which are now pending before the Senate. Have we had a chance to have a vote on those? No. We are told we have to wait for the Corker amendment, which isn't even written.

So those who have been working on this for months and months and months, who have written our own amendments and have aired them publicly, allowed our constituents and people throughout the country to view our amendments, we are shut out. We are shut out and we are shut down and we are told we don't get a vote on them because we have to wait for the Corker amendment. That doesn't seem fair or just to me.

Now, let's look around the room. It is not as though this place is jam-packed with people. It looks like we have kind of been abandoned. A few hours ago we had all of us here and we were ready to vote on those amendments. We could have had a lot of votes. We were told to expect votes. I was hoping to have votes. I had a very important amendment on which I wanted to get a vote. It was a vote on an amendment to make sure the 40 percent of the border owned by the Federal Government could be accessed by our own Border Patrol agents so they can do their jobs.

The Senator referred earlier to a problem we have had with our law enforcement personnel being told they can't do their jobs. This is one of those many instances where they can't. Forty percent of our border is owned by the Federal Government. I am sympathetic to this because two-thirds of the land in my State is owned by the Federal Government, and it is terrible because we can't access most of that land. We can't even walk on that land without saying ''Mother, may I.'' And most of the time, to walk on it, it is like a sand trap on a golf course. You have to walk in with a rake behind you. You rake your way in, rake your way out, and ask permission for everything you do. The border is kind of the same way. There are federally owned areas of the border. We have huge stretches of border—40 percent of it—where they can't enforce the law because it is owned by the Federal Government and there are environmental laws that prohibit these agents from doing their jobs.

It would be one thing if that actually protected the environment, but it doesn't because what happens is those same areas—those same environmentally sensitive, federally owned areas—are the ones illegal immigrants most prefer when they choose to cross into this country. So what do we have? We have a long trail of litter and environmental destruction in the areas where they cross through illegally.

This is just one of many amendments that have been filed, that are already written, that we could have and should have been voting on and we haven't been.

I have a dire prediction to make. I suspect when we come back next week, we might be told, even though the place doesn't seem to be in any hurry right now, all of a sudden we will be in a hurry next week. So much so I fear we will be told we have to pass this bill now. It all has to be passed now. We don't have time for any more of these pesky amendments from these pesky Senators from all over this great country of the United States of America. We have to pass this now.

Well, we have had time to vote on other amendments, and we have squandered that opportunity or we have had it squandered for us. The Senator from Alabama and I, and a number of others, have been ready to vote on our amendments—amendments that have been prepared for a long time, that have been aired for the public to view for a long time—and we haven't been allowed a vote. I have a problem with that.

Mr. SESSIONS. Well, it is going to be that way, it does look like. We have been talking about trying to find out what the plan is and what kind of process we can use to go forward, but the ability to get amendments does seem to be slipping away. And there are a lot of excuses and reasons, but all I would say is we are getting ready to vote on a huge important bill that will change immigration law in America, and the American people deserve to have their Representatives fix it and make it better, if they can.

I truly think there will be no excuse if we get into a rush, as the Senator correctly predicts, I am afraid, next week. That will just slide by if we have to pass the bill essentially as is, after the experts tell us it has all been fixed now.

So I just would ask the Senator about this border situation. Just as a normal citizen, I would think if the U.S. Government wanted to have the ability to work on the border and do things on the border, it would be easier if the government already owned the land than if it were in the hands of someone else. At a very minimum we ought to be able to protect the border of the United States, our national sovereignty, in that fashion. Not to even be able to use land the government already owns is pretty baffling to me.

The PRESIDING OFFICER. The Senator's time has expired.

There is an order to recognize the majority leader at 8:30 p.m.

Mr. SESSIONS. I thank the Chair. That is correct.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I ask unanimous consent that the previous order be extended; that is, that there be 1 additional hour for debate only equally divided between the two parties; and that any quorum calls during this period of time be charged to both sides.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, the previous order said I would be recognized when the time ran out. So I ask that it be the case that I be recognized at 9:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Vermont.

Mr. LEAHY. Mr. President, again, I thank the majority leader.

I have heard some talk tonight from some saying they wished there would be votes.

I finally have given up handing long lists of amendments we are prepared to vote on to the Republican side, both Republican and Democratic amendments. Each time, that was rejected. Most of them were amendments with

no controversy, Republican and Democratic alike, and would have been accepted.

I think back to the debate we had in the Senate Judiciary Committee where we actually voted on amendments. We brought up 140 or so. All but two or three passed with bipartisan votes. About 40 Republican amendments passed on bipartisan votes. Yet when it came onto the floor of the Senate, my friends on the other side, time and time again, objected to bringing up amendments that would pass unanimously, both Republican and Democratic.

I suppose in one case we have some who don't want any immigration bill, and others are probably waiting for a cloture vote.

I suggest the absence of a quorum, and I ask the time be equally divided.

The PRESIDING OFFICER. That is the order.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, we have another hour waiting now to get this magic amendment we have been waiting for that is going to cause us all to be able to sleep well tonight, and everything is going to be taken care of if the Hoeven-Corker amendment is blessed. Apparently, they are running people into a secret room trying to get them to sign up to vote for it and vote for final passage and promising them some corn, I guess, a Louisiana Purchase or something to try to line them up and get the system done.

But I would indicate that this side had agreed to about as many as 16 amendments earlier. As this exciting new ''superamendment'' came along, it does seem what has happened is the train jumped the track. The amendments we thought we would be voting on even later in the afternoon got jumped off the track. Now we are all waiting on the favored amendment, the amendment that everyone seems to think has to get preference over everybody else; whereas, we could be voting right this minute on many of the amendments. If we started voting on the ones that had been agreed to and cleared on this side, I think we would even be finished long before now.

I would look to Senator LEE.

Mr. LEE. It certainly would have been the case that had we started voting earlier today, I think we could have gotten through the list.

I was surprised by what our friend from Vermont said a few minutes ago, suggesting that Republicans have held up all this.

My understanding is that last night we were close to a unanimous consent on a proposal to bring some 16 amendments to the floor for a vote. We were getting closer and closer to that.

It was at that point when the senior Senator from Louisiana came to the floor and demanded that all of this cease, unless or until such time as 27 amendments that she was pushing for not only would be brought to the floor for a vote but be passed by unanimous consent.

It was a rather unusual request, from what I can tell. I am still a new Senator. I have only been here 2½ years, but it seems to me to be something that doesn't happen very often. But it certainly was a different sequence of events than what was described by our friend from Vermont a few minutes ago.

Look, we wanted amendments. Some of us have been working on this bill for many months, and we have prepared amendments. We have had those amendments. We have made them available to members of the public for a long time so they can be reviewed. We just want to debate them, discuss them, vote on them, and move on.

I suppose it is important that we proceed, with a matter of legislation as important as this one—this very significant bill that will affect many millions of Americans and will do so for many generations to come. It is important that we proceed with all deliberate speed, meaning we proceed just quickly enough but not so quickly as to blow past important opportunities to consider every option, every possible amendment that needs to be brought forward.

So perhaps it is with that in mind that we have suspended things a little bit, we have slowed things down a little to wait for this one amendment. I still don't understand why we couldn't have been voting on other amendments—amendments that are already written.

But still, just the same, if this is what we need to do—and the place doesn't appear to be in any hurry—we can do it that way. I hope I can take that with some encouragement, as an encouraging indication that this is how we are going to proceed on this bill because it is so important and that is perhaps some indication that next week we will still be able to vote on other amendments, amendments that preceded the Corker amendment in time and in preparation—that we will still get votes on those. Because if we are willing to wait this long for one amendment that is just being written now, we ought to have those other votes on other amendments that are ahead of it in time, that were filed previously, that were made public much earlier.

Mr. SESSIONS. I think the Senator is making a valuable point. I don't believe there is any justification for the process stopping today.

I would say it is convenient to say to the press and the American people: A big development has occurred. Everything is on hold. We are going to move this amendment. It is going to fix everything that you are concerned about.

That is part of the drive, the vision, the message being put out here.

I suspect a number of Senators—maybe in the majority party particularly—felt like they didn't want to vote on these 16 amendments. Some of them would actually make the bill work better. Some of them have some tough law enforcement provisions in them, tough in the sense they are fair and will work and actually tighten this system that is so out of control, and they didn't want to vote on those amendments. So I am sure maybe they complained to the distinguished majority leader and others.

But all I know is that we were moving along. People were saying from the other side let's get some votes. I said I am ready to vote. Let's vote. So agreements were being reached, and all of a sudden it stopped—on one favored amendment. That is what we are all focused on today.

I agree with Senator LEE that somehow all of us are supposed to be equal in this spot, that one Senator is not supposed to be better than the others, and we all ought to be able to come to the floor and offer a legitimate amendment, debate it, and get a vote.

Mr. LEE. I suppose in that respect all Senators are equal, but some are simply more equal than others. It is disturbing that happens from time to time, when we discover that the equality that is supposed to serve as the hallmark of this institution, that is supposed to separate it from the House just down the hall from us and from other legislative bodies throughout the country and throughout the world is, perhaps, faded a little bit in our public consciousness. Perhaps that is faded a little bit in the way it operates, but it should not be and we ought to be able to restore it. We ought to be able to focus on the real, pressing needs of this country.

Immigration reform is something I think every one of us can agree needs to happen. There is not one Member of this body—at least not one of whom I am aware—who does not want real, robust immigration reform, nor do I believe there is one Member of this body who would dispute that there is a real opportunity for broad-based bipartisan consensus when it comes to immigration reform. I think the best way we could achieve that is to start in those areas in which there is the most broad-based bipartisan consensus.

I have yet to meet a single Senator or single Representative from either political party who is willing to say, for example, that we don't need to bolster border security. Maybe such a Senator or maybe such a Representative exists. If that is the case, I have yet to

meet that Senator or that Representative. I have yet to meet a single Senator or Representative from either political party, by the same token, who has said we don't need to update and modernize our legal immigration system, we don't need to review our visa programs—which, as I have said before, are sort of stuck in the Buddy Holly era. These are things we need to do, and I think we could pass bills dealing with each of those. I think we could pass both of them with overwhelming bipartisan consensus.

So that begs the question: Why, then, would you want to wrap those up and tie them up with the single most controversial element of immigration reform, which deals with the pathway to legalization and citizenship? Why do you suppose it is so important that we move directly to that?

Mr. SESSIONS. It does raise a question. It has really not been properly discussed. I believe my colleague makes a reference to the citizenship path? Is that what the Senator said?

I have given a lot of thought to it over the years. In 2007 it was discussed. I reached a serious conclusion. Other people might disagree. This is what I concluded. I concluded that after 1986, when every benefit the Nation could give was given to people who came here illegally and it did not work and we had even more people come and enforcement never occurred, then really a great nation such as the United States, which is in a position to allow somebody legal status in their country, is not required to give every single benefit to somebody who comes illegally as somebody who comes legally.

In fact, I believe it is very important, as a matter of principle, that the United States say, based on our experience in 1986: You come to the United States lawfully, we will allow you to have a path to citizenship; your children born here, they will be citizens. But if you do not come lawfully, we might agree out of compassion, out of concern to allow you to live here the rest of your life and work and give you a Social Security card and allow you to benefit in America, but you don't get everything. You don't get every honor this Nation can give if you did not follow the law when you came here.

I think that is legitimate as a matter of principle, as a matter of fairness, as a matter of the Constitution and law. That is where I am on that subject.

Mr. LEE. Perhaps it is for that reason that for many people the pathway to citizenship component of this bill is perhaps the single most contentious issue. I don't think there is any issue that even comes close to the pathway to citizenship in terms of its ability to divide Americans along partisan lines or along other ideological lines. It makes me wonder why it is so important for us to pack this all in one bill. Why do we need a single thousand-page bill? Why can't we pass this in steps, especially when we come to an understanding of the fact that if we do it in the proper sequence, much of the problem will be easier to resolve? Much of the problem will be more amenable to a more clear solution.

Many of those among us who are undocumented are here in an undocumented state not necessarily because they want to become citizens, not necessarily because they want to live here in perpetuity. In many instances I am told a lot of these people are here year in and year out because they are afraid that if they leave and go home, they will not be able to get back in.

But if we had updated and modernized our legal immigration system—if we could do that, if we could get those laws implemented, I suspect a lot of those people would choose to be able to go back home to their home countries, be with families and loved ones, knowing that the next time they wanted to come back to the United States to work, they would have a fair shot at doing it, that there would be a clear pathway for them to apply for some kind of legal status coming into this country to work for a time. If they had greater certainty that they would actually be able to get back in, perhaps they would not choose to remain here year in and year out. At that point, we might have a different circumstance on our hands. Rather than 11 million people, perhaps the number would be different than that. I am not sure.

But one thing I do know is that if there is one way to make it more difficult to enact immigration reform, if there is one way to make it less likely that we will have broad-based bipartisan consensus for immigration reform, the one way to do that, the one way to ensure that it is going to be as contentious, as partisan, as difficult as possible is to fold it all into one, put it in a thousand-page bill and say: You have to take all of it. You have to take every bit of it, all of it, or you get none of it.

We are told in this town all the time that we have to compromise. It is interesting. I get a lot of phone calls in my office from constituents. Some of those phone calls say: You need to compromise; make sure you compromise. Other phone calls say: Never, ever, ever compromise. Those in the first group are inclined to say: Compromise in a box with a fox in the rain on a train—all kinds of things. Anytime you get a chance to compromise, do it. But both sets of callers making one point or the other are sort of missing the point. Compromise is not an end destination, it is not a substantive end in itself, it is a process.

In the case of a legislative body consisting of more than one person, it is an inevitability. The question is not where to compromise or whether; the point of compromise is under what circumstance are you willing to and, more importantly, under what circumstance are you not willing to compromise.

If the objective is to find those areas where there is the greatest possibility of compromise, what we ought to be doing is passing a series of bills in a proper sequence: one bill dealing with border security; another perhaps dealing with an entry-exit system; another dealing with an update to our existing visa programs. In time, once those things are passed and they have been implemented, I think we will be in a much better position to achieve broad-based bipartisan consensus.

On the vexing, difficult question of how best to treat the 11 million undocumented workers in this country in a manner that is both compassionate and just, I think we can get there. I know we can. And I am equally certain that this bill—this bill that tries to lump everything into one, tries to ram the entire issue right through this body—is not the answer. This is not how we are going to get immigration reform.

If what you want to do is to stall out true immigration reform, then by all means put all your eggs in this basket right here. But if you want real immigration reform, proceed with the step-by-step path. That is where you are going to get bipartisanship. That is where you are going to get compromise. In fact, that is where compromise is to be found because that is where more people will get more of what they want out of government.

Would the Senator tend to agree with that analysis, that we would be better off with a step-by-step approach?

Mr. SESSIONS. I really do. I think the American people would feel better about it. I remember after the immigration bill last time, and the ObamaCare, Senator LAMAR ALEXANDER, one of our more respected Members, said: We don't do comprehensive very well in the Senate. I think that is right because these matters are so complex. For example, I have offered a very detailed amendment dealing with simply how the ICE agents will have to identify and deport people they apprehend who came in violation of the law. That is very difficult. We talked earlier about the entry-exit visa system. We have been working on it for years. The law requires it now. We simply need to go the last distance and get it done. But this bill backs away from it. It would take some time. It really should be a separate piece of legislation to deal with the entire visa system.

Then you have how many people come and what skills they should bring and should they not be more merit-based. The bill claims to make progress in that regard, but it is very—it is really not because the nonskilled percentage goes up even though we do have more skilled workers. But the percentage still is out of whack because most

people will be coming without reference to their skills. That really needs a lot of time, thought, and effort.

Then the border itself is a complex issue.

Then, how should we best create a seasonal worker, guest worker program for our agricultural industry, which does need seasonal workers? And we can create something that will work for them, but, boy, that takes a lot of care too.

This bill says people come—many of them in these guest worker programs—for 3 years with their family, and they get to stay another 3 years and maybe another 3 years. Presumably, if they do not have a job, they are supposed to go home. Do you think we are going to try to round up people and deport people who have been here for 6, 9 years, deport them and send them home if they are out of work for a while? It just doesn't sound like a practical solution. So a real temporary guest worker program, it seems to me, should be drafted with great care, and to the extent possible a person would come without family to do a specific job and then return.

There are lots of other examples in the bill that should have fundamentally separate pieces of legislation, thoughtfully considered, with law enforcement officers participating, economists being considered, and studies being conducted to see the best way to serve the American interests. That should be our goal—serving the legitimate national interests of America, including security. That could be the subject of another bit of it, how to enhance our national security from terrorists and other dangerous people who would enter the country.

Mr. LEE. It is interesting. When I have individuals and groups come through my office telling me they would like me to support this bill, I ask them, of course, why. Inevitably they will point to usually just one or two of the countless provisions in this thousand-page bill. It is almost always because of one very discrete component within the bill that they like. Perhaps they like the high-skilled visa reform. Perhaps they like the low-skilled visa reform. Perhaps they like some piece here or there. But it is always one or two very discrete provisions. That is what caused them to say: I want you to vote for this thousand-page bill.

Inevitably I will ask them: Have you read the whole bill? If you haven't read the whole bill, have you at least studied the whole bill? Have you studied each of the constituent parts? Have you studied the implications of all the other provisions for which you would be asking me to vote?

Inevitably the answer is no. It is an unqualified, unapologetic no, and in many cases it is a no that is uttered in a way that makes me realize they have not considered the question. I don't fault them for that. Their job is not to legislate, their job is to advocate. In many instances, they are advocates. In other instances, they are citizen groups who are just expressing their opinions, and they have every right to do so. But my job is to legislate. Before I am asked to vote for a bill, before I am going to vote yes on something to make it law, I have to read it. I have to understand it. And I have to like not just one or two provisions, I have to be convinced that on balance this bill makes sense for the American people and it will do considerably more good than harm. At a minimum, it won't do more harm than good. I can't answer that question that way with this bill. I just cannot get there.

So I invite all of the American people, anyone who might be hearing my voice, to join me in this dialog, to join in this discussion. If you want to be part of the immigration solution, read the bill. If you don't want to read the whole bill, just study the whole bill. At least read a robust summary—not the cheerleading talking points put out by the bill's principal advocates, but read a really robust synopsis that tells you how all the pieces connect together, and then tell me whether you think I should vote for it.

Most of the time, if people do it that way, they are going to come at this with a very different conclusion.

Mr. SESSIONS. I had the pleasure to talk a little with Congressman GOODLATTE, the chairman of the House Judiciary Committee, and have followed some of the work they are doing over there. I think they are doing exactly what the Senator has referred to.

The first piece of legislation they are working on—and they have a large number of experienced House Members who signed on to it: former chairman of the Judiciary Committee, LAMAR SMITH of Texas, JIM SENSENBRENNER, and others such as TREY GOWDY, who was a Federal prosecutor for many years, so he understands the law. They have written a bill that deals with the internal interior enforcement.

They heard from ICE officers, they heard from Border Patrol officers, and they studied the reality of the situation. They carefully worked through it, and they produced a piece of legislation that I believe would be a tremendous asset to the effective enforcement of law in America on the internal side—one of the aspects of reform that ought to be done right if we do reform at all. If we do a comprehensive reform, every part has to be done right.

They can't have a bucket, fix two holes, and leave three more or the water will run out. I think that is where we go off base. If you bite off more than you can chew, it becomes a political thing.

So I am selling a vision. My vision is that my bill is going to end illegality, make everybody happy, make money for America, reduce our deficit, and everybody should thank me. But the bill, as the Senator and I have studied it, doesn't do that. There are too many flaws in it because it is too big.

The Members who worked on this bill are busy Senators. They are involved in tax reform, they are involved in Libya and Syria, they have defense issues, and all kinds of issues. They don't have time to rewrite the entire immigration law of America in a detailed, effective way all at one time. So that is what we have. We have a document that seeks to justify talking points, visions, images, and feel-good approaches.

The Senator from Utah is a good lawyer and the Senator knows that what is in the bill is what counts. Will the words actually and effectively accomplish what has been promised for it?

I was a Federal prosecutor for almost 15 years. My judgment tells me it will not work. It is not what has been promised, and we ought not to have the American people saddled with a bill that promises good, but in reality is not good. So that is my fundamental concern about this.

Mr. LEE. That is one of the reasons why I think if we were to break it up into its constituent parts and debate and vote on each one as a separate bill, I think the American people would be better served. I think more of the American people would get more of what they want out of immigration reform if we were to do it that way.

So in many ways the people who come into my office and tell me: I want you to support this bill, and I want you to support it because I like section 345, or whatever section they are talking about, in a lot of ways they are making my point for me. We ought to address this one piece at a time, just as they are addressing it with me.

They are not really saying: I want you to vote for S. 744. I mean, technically, they are saying that; but in reality what they are saying is, I want you to vote for the section I like. That is exactly what we ought to be doing. We ought to vote for the section they like, and we ought to vote for it one section at a time, one piece at a time. We will be in a much better position if we do it that way.

I want to commend our chairman who is with us in the Chamber right now. I commend him for the manner in which he conducted the markup within the Judiciary Committee.

After being in the Senate now for just 2½ years, I have been disappointed at the number of instances in which we have debated, discussed, and ultimately voted on the bills on the floor without a lot of opportunities for amendments. Our chairman did a good job in the way he ran the markup. We had countless opportunities to introduce amendments, which our chairman allowed, and I appreciated that. I think he did the right thing by opening that

up and saying: Look, if you have an amendment, I, as the chairman of this committee, want to be sure you have the chance to air your amendment. I think that is the way we ought to work here.

It is not the way things have been working here. Perhaps we can take some hope in the fact that since things have slowed down for about 12 hours now with this one single amendment—perhaps that is an indication that our friends in the majority are willing to slow down and give this the time it needs to make sure we all have adequate time for our amendments. Perhaps not to give this much time to all other amendments someone wants to write on the fly, but at a minimum it ought to mean we get enough time to vote on all of those amendments that were prepared before the Corker amendment came to be an issue.

Yet I fear and I worry a little bit that it might not mean that. I worry a little bit, based on what I have seen over the last 2½ years, that come next week, we might all of a sudden transform from a very sleepy Chamber, which we are now—practically vacant and moving very slowly, if at all—to a Chamber that is being told we have to run as fast as we possibly can, that we have to pass this 1,000-page bill in haste, that there simply is not time to consider amendments that have been prepared and aired publicly for weeks because we have to pass it right now.

We will not be given specific reasons as to why we have to pass it right now, but I fear we could be told we have to pass it this week, and it cannot wait a single additional week, it cannot wait a single additional day. At that moment I hope we will remind our friends in the majority—particularly our friend the majority leader—that on days like today, the Senate was moving really slowly, and most of the time the Senate was moving not at all.

I hope he will give us time to air the amendments that the American people deserve to have considered fully.

Mr. SESSIONS. Well, it is now 10 minutes after 9. We were told that this special amendment that is going to fix everything in the bill would be produced at 6 p.m. Apparently, Senators have been going out of the secret room somewhere and being hot-boxed or had their arms twisted or given promises to get them to sign on to this new train that will move rapidly forward. At least that is what it looks like to me.

What we are hearing is—and I don't doubt it—as soon as that amendment is brought forth and filed tonight, some may ask: Why do you want to file it tonight? Well, they want to file it tonight so they can file cloture immediately. They want to file cloture so they can shut off debate immediately so they would be able to move the bill forward early next week. So that is the process, and it is favoring one amendment above everything else.

I am willing to look at it, and I look forward to receiving it, but it is almost past my bedtime. I normally would like to think I was heading to slumberland at this time, if not in the bed, and try to start earlier around here in the mornings.

So here we are, waiting for the bill to be filed. Senators have gone home for the most part. They have already gone home for the weekend. There is no real business or votes going to occur, but they could have if we had started earlier today like the plans were, as I understood it.

I am uneasy, as is my colleague, that this place is not going to be relaxed next week. I think the speed is going to pick up, and we are going to be told: We have to move, move, move, so there is not enough time for your amendment. Sorry.

That is the pattern too often here, and we end up with just a piddly few amendments that are not worthy of the great subject of this debate, and I am just sad about it. I thought for a while there we were going to really get into some amendments this week, and I thought it would be the right thing. We will see what happens.

Mr. LEE. We will see, indeed. There have been just a couple of occasions when I have seen the Senate work as I think it should work and casting a lot of votes. That is how it is supposed to function. That is the kind of body we all thought we were joining when we were elected to the Senate—a body that debates, discusses, and most importantly, votes.

The legislative process doesn't mean a whole heck of a lot if all that happens is we wait for just a few people to emerge from a back room with a document that no one has read, and people are told to vote up or down on this, and this is the only vote we are going to get on this issue, or this is one of only a small handful of votes we are going to get on this issue. It doesn't mean a whole lot.

When it means a whole lot is when we have an opportunity to cast a lot of votes and every Senator is given an opportunity to have an input on a piece of legislation, every Senator is given an opportunity to express his or her mind, and to express the views, the concerns, the needs, of his or her respective constituents from around the country.

Remember a few weeks ago when we were discussing the budget resolution, we stayed here all night. We stayed here until about 5:30 in the morning, as I recall, casting vote after vote after vote. It was exhilarating. It was refreshing. It was necessary. I thought: This is how a republic is supposed to operate.

Mr. SESSIONS. Constituents have a right to hold us accountable. It has become the mood of the leadership—really of both parties—to protect Members from tough votes. Members say: Of those 16 amendments, there are 2 that I don't want to vote on because I will make somebody mad back home. But we are paid to vote. We are paid to be representatives. We are paid to be accountable.

The American people ought to be able to hold us accountable, and if we don't vote, they have a difficult time knowing what we are actually doing up here. They have a difficult time of holding us accountable—as they have a right to do in a democratic republic where elections count—and they need to be able to judge us before they reelect us or vote us out of office. I think this is a big part of this trend to avoid voting to protect Members.

Now Senator MCCONNELL—a very experienced Senator who loves the Senate—used to always say that the burden of the majority was they have to move legislation. They have to actually move bills, and that means they have to subject the bill to amendments on the floor and Members have to vote. They have to be held accountable. There is no avoiding it. That is what they have to do.

The majority has the responsibility—if they are going to be a leader and actually change the country and advance their agenda—they have to bring legislation to the floor, and traditionally then the Senator would be subject to debate, criticism, and amendment. We have curtailed that in a way that I don't think is healthy for the Republic, as well as making the legislation better, which can occur with votes and amendments.

So I think the Senator has raised some valid points there.

Mr. LEE. I think that is an important observation my friend has made. In so many ways, this practice that the Senator has described—a practice that results in minimizing rather than maximizing the number of votes we cast—has as its ultimate objective, not the enhancement of the finished legislative product, but instead the perpetual protection of incumbency.

We were not chosen by our constituents just to come here and stay here for as long as we possibly could. We were chosen by our constituents to come here and to make law, and to make the law as good as we could possibly make it. We were brought here to improve it to the greatest extent of our ability regardless of the consequences to us personally.

It is interesting what the Senator said just a few minutes ago. We are paid to vote. In a very real sense I think that is right. Wouldn't it be interesting if we were literally paid according to how many votes we cast?

As a lawyer, the Senator is probably familiar with what may well be anecdotal, but some have suggested that one of the reasons why certain types of contracts in olden times were so long is

that sometimes lawyers were paid not by the hour but by the word in a contract. Sometimes, as a result, the vestigial remains persist to this very day. They were so long because lawyers were trying to maximize their fee for the contract they were writing up. I am sure that wasn't helpful to clients back then and it wasn't necessarily good for the practice of law, but it did result in a lot of words. I am sure if we were paid according to each vote, if we got paid more for each vote we cast, we would be casting thousands and thousands of votes every single year.

Don't get me wrong, I am not necessarily suggesting that is how it ought to work. I am not necessarily suggesting that is a good way to run things here. But at least in that circumstance, we would have an incentive to do what we were sent here to do, which is to vote. At least in that respect, there would be something to offset what has apparently become an instinct that is inherent in serving in this place, an instinct which at least perhaps the majority shares or the majority leader believes in, which is we should in some cases cast as few votes as possible.

Look, we have known this was a problem for a long time. We have known we have needed to fix our immigration system for a long time. We could have been casting votes this entire week. We haven't. We could have been casting votes throughout much or all of last week and we didn't. So I hope in the coming week we will cast a lot of votes and we will more closely resemble the productive markup we had in the Judiciary Committee thanks to our chairman who has now joined us on the floor.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. KING). The Senator from Vermont.

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The time for debate goes until 9:30. The Senator from Vermont has 13 minutes.

Mr. LEAHY. I thank the distinguished Presiding Officer and my neighbor.

I thank the Senator from Utah for his kind words about the markup in the Senate Judiciary Committee. As he knows, we had some 300 amendments before the committee and I brought them up and had them all filed online a week and a half prior to our committee meeting. I called them all up one by one, Republicans and Democrats. We debated them and voted on them. But the difference between what we were able to do in the committee—incidentally, we voted on something like 140 or so amendments. About 40 of them were Republican amendments that were accepted. Of the 140 amendments accepted, all but 2 or 3 were accepted with both Democratic and Republican votes. Then we passed the immigration bill by a bipartisan majority. The difference is people cooperated when we would bring them up.

I have given the Republicans a list of 20 or 30 amendments, both Republican and Democratic amendments, most of which could be accepted by voice vote, if they would allow us to bring them up. There are actually 29 of them. They won't let us bring them up. Talk about regular order in voting.

We have Begich amendment No. 1285 regarding the Social Security Administration. We have Cardin-Kirk No. 1286, providing social service agencies the resources to help holocaust survivors. We have Carper-Hoeven-Pryor No. 1408, preventing unauthorized immigration transiting through Mexico. We have Carper-Coburn No. 1344, establishing a DHS office of statistics; amendment No. 1255, as modified; a Coats amendment No. 1288, changing alternatives to detention programs. We have Feinstein-Kirk No. 1250, authorization for the use of the CIR trust fund; Hagan No. 1386, reauthorizing the bulletproof vest program—something that began as a bipartisan bill, Ben Nighthorse Campbell, a Republican from Colorado and myself. We have Heinrich No. 1342, extending hours of operation at port of entry in Santa Teresa, NM; another requiring DHS to submit a report to Congress on how the 10 airport biometric exit pilots impact wait times. We have Kirk-Coons No. 1239, allows certain naturalization requirements be waived for U.S. Air Force active-duty members to receive military awards; Klobuchar-Coats, adoption amendment; a Landrieu No. 1338 about E-Verify; Landrieu-Murkowski No. 1302, public-private partnerships expanding land ports of entry; Landrieu-Cochran No. 1383, requires reports on EB–5 programs. We have Landrieu No. 1341, requiring DHS to attempt to reduce detention daily bed rate; Leahy-Hatch No. 1183, and I mention that one only because it is cosponsored by the senior Democrat and the senior Republican. Leahy No. 1454, a technical amendment; Leahy No. 1455, EB–5 clarification; Murray-Crapo No. 1368, prohibiting the shackling of pregnant women absent extraordinary circumstance in all DHS detention facilities. Gosh, there is one we can pass unanimously. We have Nelson No. 1253, providing additional resources for maritime security; Reed 1223, increasing the role of public libraries in the integration of immigrants; Schatz-Kirk No. 1416, GAO report on visa processing; Shaheen-Ayotte No. 1272, expands the INVEST visa program; Stabenow-Collins No. 1405, requiring a number of administrative changes; Tom Udall No. 1241, expanding the Border Enforcement Security Task Force; Tom Udall No. 1242, $5 million available to strengthen border infectious disease surveillance.

We have a few others. These are all totally noncontroversial, both Republican and Democrat. Normally—and I hate to sound like here is the way we did it in the old days, but normally on a bill of this complexity, we take all the noncontroversial Republican and Democratic amendments, lump them together, voice vote them, and then start voting on the controversial ones.

There is the list we gave the other side. We said they are all noncontroversial, can't we accept them? It takes 10 minutes, 20 minutes, to do a unanimous consent request and accept them all. They said no. They said, We have to have controversial amendments. Well, why not do the noncontroversial ones and then set up a time for boom, boom, boom, controversial ones. We did it in the committee and it worked.

I see my colleague from Utah. I will yield to him without losing my right to the floor.

Mr. LEE. Mr. President, if I may ask my friend from Vermont, we would love to see us move forward. Why don't we both propose three of our respective side's top amendments, come up with a unanimous consent agreement right now, and there would be six amendments we could take up for a vote.

Mr. LEAHY. I would say to the distinguished Senator from Utah, I made such suggestions to the Republican side. They were unable to accept it, or unwilling. That was not objected to by the distinguished Senator from Utah but by some on his side who have said they won't accept any agreement, and that is why we are here.

It makes me think when the distinguished Republican came to the floor and asked the majority leader: What is holding up the judge from my State?

The leader said: Every single Democrat is prepared to vote for your judge.

And we said, Let's have a unanimous consent and let's bring up the judge that the Republican Senator asked for and we will have a vote on it right now. Now, to his credit, that Republican Senator was perfectly willing to, but he was told no by his leadership. And weeks and months and a long time later we finally voted on that judge. I think it was a unanimous vote.

But we have cleared every one of the amendments I have talked about, Republicans and Democrats. There are 28 or 29 amendments. If we are really serious, let's pass them all and then take whatever is left that is controversial and take them up one by one. I am happy to vote all night long, all day tomorrow, an hour equally divided on each vote. But the fact is, with the distinguished majority leader's concurrence, we proposed 29 or more amendments that could be done in 2 minutes and we were told by the other side they don't want to bring up any of these amendments.

We have to understand, a majority of Senators in both parties—we had 84 who voted for cloture—want to finish

this bill. The fact is there are a small number on the other side who want no immigration law and they will try to stall it forever.

I talked about us all being here in December singing Christmas carols. I hope we can avoid that for two reasons. One, it would be a terrible way to legislate. Secondly, now that we have TV coverage in the Senate—something that wasn't here when I came here—for the American people to be subjected to my singing voice, it would be cruel and unusual punishment. I believe it is something that is prohibited by the Constitution. And as chairman of the Senate Judiciary Committee, I would hate to be the one to violate the Constitution by inflicting such cruel and unusual punishment.

So I would suggest as an alternative we listen to the distinguished majority leader, the senior Senator from Nevada: Get an agreement, go forward, vote on all of these things, avoid my friend from Utah and others having to hear me sing Christmas carols as we wrap this thing up, and do as we did in the Judiciary Committee.

I think it was about this time, the Senator from Utah may remember, or maybe it was a little bit earlier than this, the last evening we were voting and we finished. I had provided so-so pizza in the back room. I think some liked it, some didn't, but it encouraged everybody to finish and we finished. We passed out a bill to the floor.

I see the distinguished majority leader has arrived.

The PRESIDING OFFICER. The majority leader.

Mr. REID. The hour of 9:30 being momentarily here, I ask unanimous consent that the prior agreement that was in effect the last hour be continued for another hour until 10:30. It means I will be recognized at 10:30, that we will—this will be for debate only, the time will be divided between the two sides, and that any quorums called during the hour will be equally divided.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, before we wrap up, we were told that this special amendment—the one with the highest priority that the leadership all seems to think is so valuable—would be filed at 6 o'clock. Now it is 9:40 p.m. and we still have not seen it. Perhaps they are adding special clauses in to get special Senators' votes before they file it. But I suspect it will be done tonight because the plan, obviously, is to file cloture on it immediately and try to move it to a vote as soon as possible.

I want to conclude my remarks tonight on one subject. The American people are good and decent people. They believe in immigration. They have always supported immigration in this country. But they have been demanding, pleading, praying for this government to develop a good and decent system of immigration that serves our national interests and makes them proud. And for 30, 40 years we have had a situation in which people have been coming in massive numbers illegally, and it is not right. The American people are not happy about it. They are angry with their politicians.

I remember saying in 2007 that the people were not mad at immigrants. They were mad at those of us in Congress and in the White House and in the departments and agencies of government for not doing our jobs.

That is what they are angry about. I saw a poll not long ago that said 88 percent of the people said they were angry at Congress and only 12 percent said they were angry at people who entered the country illegally. I think that is where the American people are. So we promised and promised and promised that we would pass legislation that would end the illegality and that we would make the American people proud of the system we have. It has not happened.

So this amendment claims it has 700 miles of fencing in it, according to the newspapers, although we have not seen the amendment that is about to be here. It was not in the original bill. But now, after it ran into tough sledding—people started reading it, and it began to sink in popularity with the people and with Members of the Senate—they came up with, they say, a bill that adds fencing in it. Not long ago they were saying it was stupid to have a fence. Now we have an amendment that says 700 miles of fencing. Well, let share a thought or two about that.

In 2007, 2008, we passed bills to build fences—700 miles. I was one of the main sponsors. I think I was the sponsor of 700 miles of double-wide fencing. Eventually, it came out of the House, I believe. We did not have money in our appropriations bill to pay for it. We had voted for having a fence, but they did not put up the money. We complained about that and complained about that, so they got embarrassed, and I remember saying: Boy, isn't this clever? You go home and say you voted to authorize a fence, and when it came time to put money up, you did not vote for it. So we put up the money, actually agreed to fund it.

Oh, then they decided: Well, we did not really want to build a fence. We would have a virtual fence. I believe Senator MCCAIN said the other night that we spent $800-and-something million on a virtual fence that never worked. Every bit of it had to be abandoned—some high-tech scheme—and the fence never got built. This was in 2008.

Now, the first bill comes forward, they claim they had fencing in it. But when you read the bill, do you know what it said? Secretary Napolitano was supposed to send forward a plan for fencing—a plan for fencing. But the truth is that Secretary Napolitano is on record publicly—more than once—saying she did not think we needed any fencing. So what kind of plan was she going to submit under this bill?

So we mocked that, made fun of it. But that was their goal. The goal was to pass an immigration bill that pretended to say we are going to build barriers and fencing at the border and not have it in there. That is what the plan was when they offered the bill. But after it hit tough sledding, now we have 700 miles. But it is single fencing, not double, and that is not nearly as good because a person can penetrate a single fence and get by pretty quickly, but if they have to do double-fencing, they have a real problem, and you can run a government vehicle on a roadway between them, and it is very effective.

That was done fundamentally in San Diego a number of years ago. San Diego's area at the border was lawless—drugs, crime, degradation of real estate values, and it was just awful.

They built a good, solid double fence. All of a sudden property values went up, crime dropped, and the area is doing so much better today. So the fences in these kinds of areas are not damaging. Fences can make things better. As they say sometimes, good fences make good neighbors.

I am not impressed with that so much. I do think it is important for us to ask ourselves will it actually get built this time if we pass it. I have my doubts because they do not have the trigger on it, as I understand from the reports; the trigger being you do not get the amnesty until you get the fence built. Then you might get some fencing.

Senator THUNE offered a good amendment. Senator THUNE's amendment said, before we give the first bit of amnesty, we should build at least 350 miles of the double fencing. Then the other 300 has to be built after that. That was voted down. But after the bill got in trouble, now they have 700 miles in there of at least a single fence.

So that is the why this process has worked. I believe the American people are absolutely right to be unhappy with their government because we have not served them well. They have asked us and pleaded with us to produce a legal system of immigration to end the illegality, and we have failed time and time again to do that which they have

asked us to do. That is the truth. I have been here. I have seen the amendments.

What happens time and again is amendments that do not make much difference but sound good, do not work. They pass. But you put up an amendment that would actually have a substantial impact, such as actually building substantial fencing, and it goes down. It gets voted down. It is almost unbelievable. But I have seen it. My first experience of that was when I learned that people who come for visa overstays—it is not same kind of crime that crossing a border is. It is a civil penalty of some kind.

Some people have contended—I do not think correctly because I did a law review article on it—they have concluded, I don't think correctly, that the local police who apprehend somebody for drunk driving or speeding, they find they are here illegally as a result of a visa overstay, and they cannot hold them. They have to let them go, and they cannot turn them over to Federal law enforcement officers.

So I offered an amendment to make it a misdemeanor to overstay your visa. It does not have to be long. But we need to clarify any confusion that arises from that subject. I thought everybody was going to pass it, until, lo, they figured it out. Someone who was watching the legislation said: Wait a minute. If you pass that, it will help them apprehend and deport people. You cannot pass that. All of a sudden the opposition arose and it went down. That would have worked. It would not have cost us any money. It would have given greater power to do the right thing to the law enforcement community. Boom, it went down.

So under President Bush, he reluctantly came along and got more favorable to a lawful system of immigration. After his bill failed, he agreed to establish a 287(g) program. Governor KING may be familiar with that. It was a situation in which local law enforcement officers, people who work in prisons, people at the State trooper headquarters and other officers could go to a Federal training for up to 2 weeks, or maybe more than that, and they would then be trained to properly help the Federal officers do their duty with regard to people who entered the country illegally.

President Bush signed off on it. The program was growing. It was very popular. Alabama was one of the States that sent people to be trained because we did not want to violate anyone's rights. President Obama has basically killed it. They basically ended the program. I will just say to my colleagues, if we do—and at some point I think we will provide legal status for millions of people who are in our country illegally in a compassionate way and try to do what we can—be generous to them, even though they violated the law. If we do that, are we not going to have the ability to enforce the law for somebody in the future who comes illegally?

Is that where we are heading? Because if we do not fix interior enforcement, we are not ever going to be able to do that. We have a larger and larger number each year coming legally by visa and overstaying. Some 40 percent now of the immigrants illegally in our country are here by virtue of overstaying their visa after coming legally. So what do you do about that?

We have to have a system in which we welcome the assistance of State and local law officers. They are not entitled to prosecute people. They are not entitled to deport people. That can only be done by Federal judges and Federal officers. But they have always been able to take somebody who came in across the border illegally, detain them, and then turn them over to the Federal officers for deportation. They do not want that to happen.

This has been blocked systematically. Groups such as La Raza have made this a high priority. Members of the Senate have responded every time they have asked for help and blocked all legislation that would in any way advance the ability of good State law officers to assist the Federal Government in enforcing the law. A State law officer can arrest a bank robber and turn him over so they can be prosecuted in Federal court for bank robbery. They can arrest them on any misdemeanor and turn them over to the Federal Government. They can arrest them on illegal immigration charges and turn them over to the Federal Government. There is no doubt about that.

But the government will not take them, will not come and get them. Ask your local officers what happens if they arrest somebody they know is in the country illegally. They will tell you nothing happens. ICE officers are undermanned. They have policies and rules that do not even allow them to come out and participate. Nobody is participating in the joint Federal-State 287(g) training program anymore. This is over.

In fact, what we have is the Attorney General of the United States suing States that want to be helpful to the Federal Government and try to enforce Federal law. So this is the area to which we have sunk. This is how far we have gotten away from having integrity in the legal process of immigration. The American people are not happy. I hope they are watching this debate because I have spent a lot of time looking at this, this legislation, 1,000 pages.

Who knows what this amendment will be tonight, how many more pages will be added. It will not accomplish what the American people have pleaded with Congress to do. It is focused overwhelmingly, totally has been focused on getting the amnesty first, even though they told us it would be enforcement first. They have to admit it is amnesty first. That is what it is and then a promise of enforcement in the future.

So that is where we are. I wish we could do better. I know we can do better. We can make the border lawful. We can make the entry-exit visa system lawful. We can make the workplace E-Verify system serve the national interests and make it much harder for illegal workers to get jobs.

Remember, under the bill, we will legalize the people who are here illegally. We are talking about people coming here in the future. Are we going to allow them to get jobs? Are we not going to allow ICE to do their job in the future? Are we not going to empower them? Oddly, all of the resources are going to the border but none to deal effectively with the visa overstays.

The Congressional Budget Office that analyzed the bill and gave us a report 2 days ago, the CBO report says this legislation that we have heard is so marvelous will only reduce the number of people entering the country illegally by 25 percent. Can you believe that? Just 25 percent. That is unthinkable, especially after we have been hearing the great promises of how effective it is.

I wonder about that. One of the concerns CBO expresses, the experts whom they have who do the best they can, one of the concerns they express is one I have been talking about since this legislation has hit the floor: We are going to see a great increase in visa overstays if, for no other reason, there are going to be twice as many people coming to America on visas to work under this bill for temporary periods of time than there are today.

Many of them are not going home when they are supposed to go home. That is what the numbers show. Many of them in these programs will come with their families, be able to stay several years, and then they are asked to go home. Fewer of them are going home. They may have children in junior high school. They are not going to go home when the law says, unfortunately. That is the experience we have been seeing. They could go home. They should have every moral obligation to go home, every legal obligation to go home.

A very fine lawyer here wrote a piece I was pleased to read recently. It was the editor of the Yale Law Review, a marine. He said: We tell our soldiers to go and they go. We tell them, go to Iraq in harm's way, 1 year, 15 months, 18 months, and they go. What do you mean, someone comes to America for 1 year should not be made to follow the commitment and the contract we signed? We make our soldiers do it. We are in some sort of deal here. We cannot expect anybody to follow the law.

But my experience, and the experience I have seen over the years with immigration is a large number of people are not complying with the law. We can expect that to happen.

So we are going to see a large increase in visa overstays. It is going to be more than the border—over illegal entries at the border. That is going to be a larger and larger part of the problem. CBO basically found that in their recent report. I think that is truly accurate.

This legislation comes nowhere close to fixing it. The key to it is an entry-exit visa. Current law requires that there be an entry-exit biometric visa that covers air, sea, and land ports. This bill eliminates the biometric fingerprint requirement—eliminates that and says it only has to be effective at air and seaports and not land ports.

This bill is dramatically weaker than current law. We passed six pieces of legislation calling for entry-exit visa systems over the last decade. Never been done. So why should we have enforcement first? That is the reason. We pass a law to build a fence, it does not get built. We pass a law repeatedly that says, let's have an entry-exit visa system. It does not get built. It does not occur.

So we need to put the heat on the people who run this government, including us, to make sure that if we pass something it is going to actually occur. That is why there has been a broad consensus. There needs to be a requirement that enforcement occur before legality occurs. That is why the sponsors were originally saying their bill was enforcement first. There is every reason for the American people to doubt that this Nation will follow through on those commitments.

I am concerned about where we are. I am pleased with the way the House is proceeding. They are moving step by step taking individual parts of our immigration problem and fixing them.

The first one they are dealing with is interior enforcement. I have taken a good bit from their bill, and I have an amendment pending. It will be hugely beneficial to the ability of our ICE officers to enforce law in the United States and help bring this whole system under control. It is a very large part of what we do. I am not sure we will ever get a vote on it. I think I was in the 16 amendments that were going to be approved for a vote.

What is happening? Everything was put on hold today waiting for the favorite amendment. It was supposed to be here at 6 o'clock. Now it is 10 p.m. We still haven't seen it. When are we going to get it? Well, how long will it be? What all will they have in it? We don't know, but it is not going to be a pristine document, I can tell you that.

My staff and I intend to look at it. We are going to evaluate it, and we are going to see if it solves all the immigration problems. We are going to find out if it is great, and we can go home and go to bed at night and know this problem has been fixed. That is what we are being told, but I don't think it is going to show that. Why? Because this bill doesn't, and they said it did. They said it fixed all the problems, but it does not.

They said they didn't believe in a fence. They said the Senator said it was stupid to have a fence. Now all of a sudden we have 700 miles of fence.

They said Senator CORNYN was overreaching. He wanted 5,000 new border agents. Now the bill gets in trouble and they come in with 20,000 border agents and say it is paid for. There is plenty of money to pay for all of this, $30 billion, this article says it is going to go for that. If it was actually needed and it would work out, I would help deal with that.

I have my doubts that this is the best way to spend our money. I think this is a political response to a failing piece of legislation, a dramatic, desperate attempt to pass a dramatic piece of amendment so they can say it does everything you want and more.

We will see. Hopefully it does improve the border. Again, the border is just one part of the overall failure of our immigration system.

The right thing for America to do is to continue to welcome immigrants, to have a legal system that is based on the national interests of America, very much like Canada, where they give points. If you are younger, you get points. If you have more education, you get points. If you speak the language, you get points. If you have special skills, you get points. You get points for that.

I think a majority, maybe 60 percent of Canadian immigration, is based on a merit-based competitive system. People apply, and the ones who are most qualified, the ones who are going to be likely to be the most successful in Canada, are the ones who get admitted—not the ones that aren't able to speak the language, who don't have skills that Canada needs, and who are going to struggle in Canada.

Why shouldn't you choose the ones who have the best opportunity to be successful? This is so basic. We were told this is a move to merit-based immigration.

We have done an analysis of that. I did a speech on it. They said they were moving away from brothers and family connections, and they were going to have a merit-based system. We have looked at it. About 10 to 15 percent of the total flow is based on this merit-based system.

Then we looked at the details of it in this long 1,000 pages. Clever people had written it. If you are two children, two young people in Honduras or Argentina who wish to come to America, one of them has a brother in America, one of them has dropped out of high school, does not speak English, has not held a job before, and has no real skills, the other one was valedictorian of his high school class, he has 2 years of college, speaks English well, studied hard, and is preparing himself to come to America. Let's say he has 4 years, a college degree. Under this merit-based point system, the brother gets 10 points and the young man with the college degree gets 5. It is chain migration by another name. It takes a master's degree to get as many points as having a brother in the United States. We were told we were going to move away from that and more to an honest and competitive system. Even that small part of the bill that focuses on a merit-based, point-based system has huge advantages for people with family connections, and very large advantages for people who come from countries that do not have many people come to America. They get points and things of that nature that don't make much sense, frankly.

I am hopeful the legislation that we are going to have filed tonight, at least we have been promised it will be filed tonight, will enhance enforcement at our border. I am going to read it carefully to make sure it does. Then I am going to be looking very carefully to see if it improves all the other flaws in this system. If it doesn't, I am not impressed. If it doesn't make this system one that is likely to work, I am not impressed. That is not enough, to fix one part of the system.

Finally, let me close by saying what the Congressional Budget Office, our own best advisers on economic matters, told us 2 days ago in their report. This is what they said. They said this legislation that is before us today will reduce the amount of illegal immigration by only 25 percent, not what we were promised, only 25 percent.

They said this legislation that is before us today will reduce the average wage of Americans in this country, reduce wages at a time when wages have been declining regularly. They have said if passed, this bill before us today, and unlikely to be changed by the Corker-Hoeven amendment, would increase unemployment. It would make more people out of work, make more people go on unemployment compensation, go on food stamps, go on SSI, and maybe go on disability if they can get it, because they can't find a job. We will have this very large flow of workers into our country, beyond I think what the country can absorb at a time of high unemployment. Wages will go down. Unemployment will go up. Illegality in this system is only marginally reduced.

I don't think that is a bargain. I don't see how we can go to our constituents and say that is what we are going to pass. I really don't think so.

Let's don't do this, colleagues. Let's stop and push back here. Let's let the

House proceed, as they seem to be doing. Let's send our bill back to committee and consider some of these issues such as will it help people get jobs or will it hurt people's ability to get jobs. Will it help their wages go up or will their wages go down? If it is pulling wages down, why are we doing it? This is where I think we are. I believe it ought to be reviewed, reviewed carefully. The American people need to know what is happening here. They are going to have to watch what happens because there is a politically correct movement in this body to move this bill out for all kinds of reasons unrelated to the substance of the legislation.

We are here to pass legislative substance, not some political vision, not some scheme to get votes. That is what we need to be doing. We are not doing that effectively, in my opinion.

This legislation is defective. It should not be passed, and I am confident tonight, if we get an amendment that deals with the border, it still will leave huge parts of this legislation defective and unworthy of support.

Mr. LEAHY. Mr. President, I urge all Senators who say that deficit reduction is important to them to join us and support the Border Security, Economic Opportunity and Immigration Modernization Act as reported by the Senate Judiciary Committee. Our bill will help us achieve nearly $1 trillion in deficit reduction according to the estimation of the Congressional Budget Office, CBO.

To those Senators who are interested in growing our economy, I say join us and support this bill that CBO expects will lead to hundreds of billions of dollars of economic activity, and help increase our gross domestic product by 5.4 percent when its full impact is reached over the next 20 years. If we are able to pass and implement a fair program reflective of American values, the beneficial economic impact should be even better. I think passing comprehensive immigration reform is the right thing to do and will be good for the economy and the country.

One of the themes of the Senator from Alabama throughout committee consideration of the bill and now before the Senate is his contention that bringing undocumented people out of the shadows and into the economy as full participants will hurt the wages of American workers at the lowest end of the pay scale. I disagree because I believe that wages are already being depressed by the reality that undocumented workers are often forced to work for subminimum pay and that already depresses wages and job opportunities for other American workers.

The recent CBO report uses conservative assumptions to estimate that once immigration reform is implemented, average wages would actually increase and be one-half of 1 percent higher than they would be if we did not pass it. That is their estimate of the longer term impact of the legislation.

It is also notable, if not surprising, that opponents of comprehensive immigration reform focus on isolated numbers without acknowledging the overall impact of the bill. Senators need to remember that CBO has estimated that the bill will decrease Federal deficits by nearly $1 trillion when implemented.

Moreover, the CBO report explains that the limited period in which average wages are estimated to be slightly lower is ''primarily because the amount of capital available to workers would not increase as rapidly as the number of workers.'' It concludes, however, that ''the rate of return on capital would be higher under the legislation . . . throughout the next two decades.''

Further, CBO expressly notes that it does not mean to imply what opponents contend; namely, that current U.S. residents would be worse off, on average, under the legislation. Finally, CBO concludes that the legislation would result in raising the productivity of both labor and capital and boost the amount of capital investment in this country.

That is not what the Senator from Alabama said on Wednesday afternoon. Instead, he incorrectly asserted a number of points. In particular, he said that the CBO report indicates that the comprehensive immigration reform legislation ''will reduce the wages of American citizens.'' That is not true. The CBO report does not say that. I wish the Senator from Alabama were more precise in his analysis and his statements.

The CBO cost estimate and report go out of their way to note that the initial estimate is on ''average wages'' and ''do[es] not imply that current U.S. residents would be worse off, on average, under the legislation.'' The estimate is a ''difference between the averages of all U.S. residents under the legislation.''

The report continues to clarify that ''the additional people who would become residents under the legislation would earn lower wages, on average, than other residents, which would pull down the average wage.'' That does not mean that current U.S. citizens will be paid any less than they are currently making or be worse off, which is what the Senator from Alabama was implying.

Here is what I think this all means. Those coming out of the shadows, who had been exploited and working for less than even minimum wage, would as registered provisional immigrants be expected to make more than they had been making.

Adding them to the work force would nonetheless mean that ''average wages'' for the working population would be slightly lower at the outset of the implementation period. Average wages do not mean that any American citizen's wages will be ''reduce[d],'' which is what the Senator from Alabama said. He made it sound like passing the bill will mean a pay cut for citizens. That is not true.

Moreover, the Senator from Alabama either stopped reading or stopped caring when the report went on to say that average wages would increase thereafter. The report goes on to say that ''over time, as capital investment increased,'' ''average wages would be higher than under current law.'' Opponents of the bill should stop trying to use scare tactics and misleading statements to stir up emotional reactions against the bill and against the undocumented immigrants we should be encouraging to come out of the shadows and fully join American life.

America protects the most vulnerable among us, which include survivors of domestic violence and human trafficking, as well as pregnant women, and children. I am proud to report that there are strong protections in this bill for the treatment of kids caught in the broken immigration enforcement system.

I know that some may want to punish the 11 million undocumented people currently living here in the shadows, and the bill specifically contains a steep financial penalty for that purpose. The undocumented also need to go to the back of the line and take classes to learn English, but those tough steps are not enough for those who oppose the bipartisan bill.

While some may want to look like they are being even tougher on the undocumented population, we all need to consider how further punitive measures may deter people from coming out of the shadows. When kids and pregnant women are put at risk by an urge to punish millions of people who are trying to make a better life for their families, we do not live up to our American values and we do not make this a safer country.

I oppose amendments to deny or delay protections for the millions of people who will apply for Registered Provisional Immigrant status. If we are talking about programs that literally feed the hungry or provide vaccinations to children, we hear lectures about how we cannot afford those programs in the current fiscal environment. It is a cruel irony that when some on the other side of the aisle consider programs that help kids who live near the poverty line, they raise fiscal concerns, but they have no problems with massive Government expenditures on fencing and expensive visa exit technology and programs.

The bill we are considering prohibits immigrants in Registered Provisional Immigrant status from access to any Federal means-tested public benefit

programs throughout their time in provisional status.

In addition, as a result of the Personal Responsibility and Work Opportunity Reconciliation Act, even qualified Legal Permanent Resident immigrants must wait an additional 5 years after they are legalized to receive any safety net protections. Most immigrants who are working their way through the path to legalization will have to wait anywhere from 13 to 15 years before having any access to safety net programs. Given the penalties and fines they have to pay, it is wrong to further deny these low-income families protections that some may desperately need.

I have seen similarly harmful amendments on the issues of the Earned Income Tax Credit, EITC, and the Child Tax Credit, CTC, which were designed to help hardworking families who pay taxes. The Earned Income Tax Credit is available only to families that are working and paying payroll taxes. The EITC is a core part of the tax code—like any other tax credit that adjusts Federal tax liability based on families' circumstances. It is not, and has never been considered a ''public benefit.''

Yet, amendments have been filed seeking to deny the EITC for all registered immigrants for eternity, even after the individual has obtained legal status. One of these amendments was offered during the committee process, and was rightly rejected. I will strongly oppose any amendment to deny hard working families from participating in these tax credits when they are paying payroll taxes.

While CBO estimates refundable tax credits may total $127 million during the first 10 years after passage of comprehensive immigration reform, those tax credits are more than fully offset by the payment of taxes. Remember that revenues increase and the deficit decreases under our legislation. So when those tax credits are seen in the context of the increased taxes being paid, they are offset by increased revenues every year.

Some who oppose comprehensive immigration reform had raised the false alarm that this immigration bill would drain our Social Security Trust Fund and bankrupt our Medicare system. Nothing could be further from the truth. In an editorial dated June 2, 2013, entitled ''A 4.6 Trillion Dollar Opportunity,'' The Wall Street Journal stated unequivocally that ''Immigration reform will improve Social Security's finances.'' That has now been substantiated by the CBO report, which estimates decreases in the off-budget deficit every year beginning in 2014 following enactment this year.

The goal of this bill is to encourage undocumented immigrants to come out of the shadows so we can bring them into our legal system and so everyone will play by the same rules. If we create a reason for people not to come out and register, then it will defeat the purpose of this bill. Amendments that seek to further penalize the undocumented will encourage them to stay in the shadows. These steps will not make us safer and will not spur our economy.

One of the many reasons we need immigration reform is to ensure that there is not a permanent underclass in this great Nation. As part of this effort, we need to continue the vital safety net programs that protect children, pregnant women, and other vulnerable populations. Too often, immigrants have been unfairly blamed and demonized as a drain on our resources. The facts are—as substantiated by the CBO report—just the opposite. Immigrants reinvigorate and grow our economy.

The bottom line is that enacting our judiciary committee reported bill will significantly reduce our budget deficit and grow the economy. It is the smart thing to do and the right thing to do.

VOTE EXPLANATION

● Ms. KLOBUCHAR. Mr. President, I was unable to cast a vote on the motion to table the Cornyn amendment No. 1251 to S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act. I missed the vote today because I joined my family at my daughter's high school graduation ceremony. Had I been present, I would have voted to table the Cornyn amendment.

We all agree that we need to do what is necessary to secure our border, but I would have voted to table the amendment for several reasons. One of the cornerstones of this legislation is bringing the roughly 11 million undocumented immigrants out of the shadows by creating a fair, tough and accountable path to citizenship. Delaying this pathway by several years would be a disservice to our economy, our safety, and our identity as a Nation of immigrants.

This amendment could delay or even prevent undocumented immigrants from starting on the path to citizenship, and cost taxpayers up to $25 billion. It is important to commit more resources and build on the progress we have already made on the border, and that is exactly what the bill already does. In the underlying bill, the Department of Homeland Security must submit two border security strategies to Congress within 180 days after enactment, one for achieving effective control of the entire southern border and another plan specifically for improving fencing on the border. The bill will immediately appropriate a total of $4.5 billion for these two plans to be implemented.●

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators allowed to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMEMBERING FRANK R. LAUTENBERG

Mr. HARKIN. Mr. President, with the passing of Senator Frank Lautenberg this month, the Senate lost one of its most respected and accomplished members—a great progressive driven by a passion for justice and a deep love for this country.

Indeed, Frank Lautenberg's remarkable life is the American dream personified. He was the son of poor, hardworking immigrant parents who entered America through Ellis Island. He served in the U.S. Army in World War II, attended Columbia University thanks to the GI bill, founded an enormously successful company, and was elected five times to the U.S. Senate.

Senator Lautenberg will be remembered here in the Senate for his tenacity and fearlessness in pursuit of his ambitious legislative goals. Frank was a fighter. Time and again, he took on powerful interests to improve the health and safety of the American people, and countless individuals have led longer, healthier lives as a result of his tireless advocacy.

One of Senator Lautenberg's great early accomplishments came in 1984, just 2 years into his first term. As a freshman Senator in the minority party, he successfully passed legislation establishing a national drinking age of 21. That law alone is estimated to have saved more than 25,000 lives. Sixteen years later, he championed legislation effectively creating a nationwide ban on driving by anyone with a blood-alcohol content of .08 or higher, a change that also dramatically reduced alcohol-related traffic fatalities.

I was proud to work closely with Senator Lautenberg in the fight to combat the public health threat posed by tobacco usage. He will forever be remembered as the author of the landmark 1989 law that banned smoking on all domestic airlines flights—and that law was just the beginning of his efforts to curb smoking in a broad range of public places. In the current Congress, I was proud to join him in an effort to stop tobacco smuggling and to increase and equalize tobacco taxes.

Throughout his career, Senator Lautenberg championed women's health issues. He worked to ensure that students have access to comprehensive sex education; that woman who go to their neighborhood pharmacy to fill a prescription for birth control cannot be turned away because of the objections of the pharmacist; and that Peace Corps volunteers have access to insurance coverage for abortion services in cases of rape, incest, and life

endangerment. He also fought for women's reproductive rights internationally and was a long-time advocate for repealing the ''global gag rule'' on federally funded family planning organizations.

Even in his final months as he battled cancer, Frank was unstoppable. He continued the fight to secure relief for victims of Superstorm Sandy. In April, using a wheelchair, he insisted on coming to the Senate floor to cast votes in favor of tougher gun safety legislation. And, to the end, he continued to lead the fight for long overdue legislation to keep Americans safe from thousands of toxic chemicals we encounter in our daily lives, including in furniture, fabrics and cleaning products. I can think of no better way for Senators to honor our late colleague than by passing chemical safety legislation for the first time in nearly four decades.

Frank Lautenberg began his career in public service as a citizen soldier in Europe in World War II. It must be noted that Frank was the last veteran of World War II to serve in the Senate. In January, we lost another distinguished veteran of World War II, Senator Dan Inouye. The fact is, for nearly six decades, this institution has been enriched and ennobled by members of the ''greatest generation''—people like Philip Hart, Bob Dole, George McGovern, Fritz Hollings, Dan Inouye, and Frank Lautenberg—who began their public service in uniform in wartime, and who brought a special dimension to the Senate. They had a unique perspective on matters of war and peace. They were motivated by a patriotism not of words, but of deeds and sacrifice. And they were determined advocates for veterans, including veterans of our most recent wars.

Here in the Senate and across the Nation, there have been many tributes to our friend Frank Lautenberg. As I said, he was a passionate progressive. He was a tenacious fighter. He was a Senator of many landmark legislative accomplishments. But knowing Frank as a true gentleman and great family man, I can think of no greater tribute than to note that Senator Frank Lautenberg was a man of enormous honor, decency, and graciousness. He was a wonderful friend. May he rest in peace.

Mr. REED. Mr. President, I would like to offer some brief reflections on the distinguished service and accomplishments of Senator Frank Lautenberg.

He possessed an unwavering commitment to our country and its highest ideals of duty and fairness.

His achievements over a lifetime well lived are impressive. He came from very humble beginnings but showed tremendous determination and tenacity as he achieved success in business and politics.

Senator Lautenberg was a World War II veteran—serving honorably in the U.S. Army Signal Corps from 1942 to 1946, posted in Europe with so many other young Americans to fight in a war that had to be fought. In fact, he was the last World War II veteran to serve in the U.S. Senate.

After the war, he like so many benefited from the GI bill and graduated from Columbia University. He had seen the hard work of his parents and began a career in business where he recognized the importance of computer technology well before the advent of many innovations we take for granted today. His success in helping create the Nation's first payroll services company, Automatic Data Processing, could have led Senator Lautenberg anywhere, but it was his desire to give back to his community and to his country that had given him an education and a promising future that led him to the Senate.

When he set his eye on doing something, being on the other side of him meant you were in for a battle. That resolve may be a reason why he had so many legislative achievements. Indeed, he knew how important infrastructure is to the economy, and his work to preserve and improve Amtrak has helped millions of Americans who rely on rail for commuting, travel, and commerce every day. Growing up in an industrial area, he knew how important it was to respect the environment, so he fought, even when the odds were against him, for cleaning up Superfund sites, improving air quality, and ensuring better oversight of toxic chemicals. And when he saw the health damage that smoking can cause, he led the way to ban smoking on airplanes.

The issue of gun safety is where I worked most closely with him. Those efforts to stem the flow of guns to criminals, terrorists, and others who shouldn't have access to firearms gave me a deeper appreciation for the strength of his principles and beliefs. There was no one more engaged in this issue, and I know that as the effort continues to close the gun show loophole, his commitment to reducing gun violence in our country will serve as a true guidepost.

As so many pointed out in the wonderful service remembering Senator Lautenberg, he was tenacious as well as humorous. Indeed, he fought for New Jersey and for what he believed was right each and every single day.

The Senate and our country have lost an important voice on so many issues, but his work will carry on and not be forgotten. Indeed, the benefits to our Nation of all his efforts and dedication will last for years to come.

I extend my deepest condolences to Bonnie; his children, Ellen Lautenberg, Nan Morgart, Lisa Birer, and Joshua Lautenberg; his stepchildren, Danielle Englebardt and Lara Englebardt Metz; and his 13 grandchildren, on behalf of myself, my constituents, and the State of Rhode Island. Their loss is greater than ours because they have lost a husband, father, and grandfather. He will be missed.

Mr. UDALL of Colorado. Mr. President, earlier this month, we lost one of our Nation's most beloved public servants. Senator Frank Lautenberg was a World War II hero, a successful businessman, a statesman—and above all else, a kind and generous man, one that I am honored to have called a friend. Frank will be greatly missed by New Jerseyans, his colleagues in Washington and his family and friends across the Nation.

Much can be said about Frank and the priorities he championed. But what struck me most is that Frank fought for the little guy. His public career was built on the foundation of being a champion for a safe, clean, healthy and economically stable America. In the U.S. Senate, he championed efforts to preserve America's landscape and natural beauty. Like me, he believed that America's precious land and resources should be protected and conserved for future generations to honor and enjoy. Frank knew that we don't inherit the land from our ancestors, we borrow it from our children. And Frank believed in a sustainable American energy system—one that increases energy independence and prioritizes renewable energy efforts such as wind, solar and geothermal. As a leading voice in Congress on climate change, Frank was acutely aware of the harmful effects global warming has on our planet, and he led the charge to ensure Americans—and his colleagues—were aware that the overwhelming science should spur us to reverse this dangerous trend.

Frank's contribution to his State and our Nation extends far beyond his environmental accomplishments. He led policy reforms that are too numerous to catalogue here. For example, Frank fought hard to establish health and safety standards and ensured that public health in America was a priority for legislators. A key player behind landmark legislation establishing a federal blood-alcohol level limit and banning smoking on airplanes, Frank's public health initiatives have improved the lives of millions of Americans. Generations to come will benefit and live longer and healthier lives because of this great American statesman.

Frank was a real champion for the people of New Jersey, but what many people may not know is that he is also a true friend to the state of Colorado, my home State. From the initial planning stages to the final product, the existence of Denver International Airport can be largely attributed to Frank Lautenberg. DIA received an unprecedented amount of Federal financial help, largely in part to Frank's unwavering support of the project. He also publicly supported the construction of C–470, maintaining that the major highway was an essential addition to

Colorado commerce and industry. Throughout the country, he supported the development of urban public transportation and pushed to strengthen Amtrak. Without Frank's dedication, our national transportation system would have not kept pace with our growing population.

After casting his 9000th vote in 2011, Majority Leader HARRY REID recognized Senator Lautenberg as one of the most productive Senators in the history of this country. Frank's wisdom and tenacity made him an influential figure in the U.S. Senate for nearly 30 years. I am grateful to have served alongside him. His enduring spirit and strong character will not be forgotten within the halls of Congress.

My sincerest condolences go out to Frank's family, including his wife, Bonnie Englebardt; six children and their spouses, Ellen Lautenberg and Doug Hendel, Nan and Joe Morgart, Josh and Christina Lautenberg, Lisa and Doug Birer, Danielle Englebardt and Stuart Katzoff, Lara Englebardt Metz and Corey Metz; and 13 grandchildren.

Mr. BLUMENTHAL. Mr. President, it is a great privilege to rise and honor the late Senator Frank Lautenberg. I think I speak for many of my colleagues when I say he was a true hero to New Jersey and in the Senate, a self-made man, and an inspiration to us all.

I was proud to count Frank as a good friend and mentor. We shared similar backgrounds—children of Eastern European immigrations—and similar convictions. I will never forget Senator Lautenberg's courage when he cast important votes on gun violence prevention just a few months before his death. He had a renewed hope that we could save many lives and prevent more Americans from facing the senseless violence that we all experienced with the tragedy at Sandy Hook Elementary School. In tribute to Frank, and to the Newtown families, I will continue to fight for gun violence legislation. I am sure that Frank would agree that this battle will be a marathon, not a sprint, and we need to keep pushing forward.

Many have risen over the last few weeks to pay tribute to Frank. I am similarly humbled by his many years of service and the number of accomplishments that we can attribute to his leadership. As the last serving World War II veteran, his bravery in battle will never be forgotten. He was a relentless and unremitting fighter for public health causes, such as controlling the harmful effects of public tobacco use, raising the drinking age to 21, and banning toxic household chemicals. He was determined to witness the effects of his legislative efforts, and many times he did live to see his tremendous work.

Frank was a champion of the rail community for many years, leading transportation safety issues. Throughout his tenure he improved passenger rail systems, protected Amtrak, and pushed for improvements to high-speed rail. Frank was certainly in my thoughts as I chaired a hearing of the Committee on Commerce, Science, and Transportation yesterday on rail safety. I am grateful for his tenacity and proactivity on these issues.

We have lost Frank Lautenberg's stirring presence on the floor, but never in our hearts. For 28 years, he pushed for important changes as a force for good, refusing to give up the public fight for his steadfast convictions. Cynthia and I send our love to Bonnie and the Lautenberg family.

WORLD REFUGEE DAY 2013

Mr. CARDIN. Mr. President, I rise today to mark the 12th World Refugee Day, a day we honor the courage, strength, and determination of those who are forced to flee their homes under threat of persecution, conflict, and violence. Our nation's role as a safe haven for the persecuted is an integral part of our history. The United States was founded as a beacon of freedom and tolerance—freedom of speech and religion, and tolerance of all creeds and cultures. And throughout the years, Americans have fought to ensure that those rights are upheld for all of us.

Too often, we take these bedrocks of our society for granted. We forget that most of the freedoms we now enjoy are still being fought for in too many places around the world.

Today, there are over 43.7 million refugees and internally displaced people around the world. The protracted conflict in Syria has only exacerbated this problem.

To date, UNHCR estimates that 1.6 million Syrians have fled into neighboring Turkey, Jordan, Lebanon, Iraq and Egypt. With the vast majority of refugees—1 million—fleeing within the first 5 months of this year.

This past February I visited the Kilis refugee camp in Turkey, which is currently sheltering over 15,000 Syrian refugees. I was able to witness firsthand the remarkable bravery of the Syrian refugee population. Many of these families relocated several times within Syria before ultimately making the heart wrenching decision to leave their homes and their country, to seek food, medical attention and safety outside of Syria.

But I also recognize the enormous economic strain this influx has caused on host countries. In Jordan, for example, the Syrian refugee crisis has increased the country's overall population by 10 percent, and the crisis has had profound social, economic, and political implications. We know that this is not easy, but we applaud Jordan and other refugee host nations for their actions and we have pledged humanitarian support for these communities.

The Syrian crisis is just one example of a troubling global problem. There are millions of refugees around the world—many of whom have been living in camps and settlements for decades. Whether from Iraq, Afghanistan, Mali or South Sudan, this diverse group, scattered across the globe, has one overarching commonality: they once lived in a place they called home, but by ill-fated circumstances were forced to flee, often with no hope of returning.

I know many of you agree with me when I say that addressing the refugee crisis is not a luxury, it is a necessity. As history has shown us, unstable and poverty stricken countries are very vulnerable to dictators and other extreme forms of government. Therefore it is imperative that our development and foreign assistance programs continue to have the resources necessary to ensure that the United States remains the nation that preserves and protects freedoms around the world, and the nation that supports our friends and allies when they do the same.

As United States citizens we enjoy so much that is rare in other parts of the world. Apart from reminding ourselves of all that we are thankful for, today should also spur us to action. As a global leader, the United States should lead the charge in aiding refugees around the world, and by our example inspire others to do the same.

OBSERVING WORLD REFUGEE DAY

Mr. UDALL of Colorado. Mr. President, I rise today in observance of World Refugee Day. Established by the United Nations on June 20, 2001, World Refugee Day honors the courage, strength, and perseverance of those forced to leave their homes under threat of persecution and conflict, as well as those escaping extreme poverty or environmental degradation. This annual commemoration recognizes the tremendous challenges faced by millions of displaced persons throughout the world and pays tribute to their invaluable contributions to the communities that have provided them shelter.

Ongoing violence and the harmful effects of climate change have forced millions of people across the globe to make the impossible decision between risking their lives at home and leaving behind everything in search of safety. Refugees are individuals and families whose lives have been uprooted, whose communities have been destroyed, and whose future remains unclear. While these displaced people struggle for the most basic services, they are also looking for an opportunity to lay down new roots and provide for themselves and their families.

For over 30 years, Coloradans have welcomed refugees into their communities, offering safety, security, and a

place to call home. Our great State has provided them with an opportunity to use their diverse skills and expertise to make meaningful contributions to our way of life in the West. Today, we have over 48,000 refugees who have settled in Colorado from countries all across the globe. I would like to acknowledge this population for adding to our rich cultural heritage, for expanding our understanding of the world, and for strengthening our economy.

While we will never be able to fully understand the sacrifices made by these vulnerable individuals and families, it should be a top priority to remember their struggles and recognize their strength. As a U.S. Senator, I reaffirm the commitment of Colorado and our Nation to the refugees, and I pledge to continue to work to address the underlying causes of refugee flows.

On behalf of a grateful nation and State, I commend those who have risked their lives working individually, or with the multitude of dedicated nongovernmental organizations, to provide life-saving assistance and shelter to those displaced around the world. Let today serve as a reminder of our international responsibility to help our neighbors and of the importance of our shared humanity.

ALPINE LAKES WILDERNESS

Mrs. MURRAY. Mr. President, I rise today to speak about my bill, S. 112, the Alpine Lakes Wilderness Additions and Pratt and Middle Fork Snoqualmie Rivers Protection Act. I have introduced similar legislation in previous Congresses; in fact, this is the third time I have made a legislative push to protect these treasured spaces. It passed the Senate by unanimous consent on Wednesday, June 19, 2013, for the first time, and I wish to thank my colleague from Oregon for all his tremendous work to get a package of public lands bills through the Senate for the first time in over 4 years.

Passage of this bill is a tremendous step forward and is the result of over 5 years of work by me, my staff, and Congressman REICHERT, who has introduced companion legislation in the House of Representatives several times, and Congresswoman DELBENE, who now represents the lands this bill would protect. We are fortunate to have bipartisan support for this effort, and we are fortunate as Washingtonians to have unique and beautiful natural landscapes that deserve protection from unrequited development and pressure.

This legislation would protect, in perpetuity, over 22,000 acres and provide the protections of the Wilderness Act to a richer diversity of ecosystems and lower elevation lands. These protections will ensure diverse recreational opportunities and protect one of the closest blocks of wild forests to an urban center in the country.

As I mentioned, Congressional action on public lands have been stymied in recent years. I was pleasantly surprised we were able to find a path forward, and today I wish to confirm my support for tribal treaty rights and for access to these spaces to be designated as wilderness for traditional uses by tribal members. I firmly believe the Federal government has a responsibility to uphold the treaties signed by our predecessors with Native American tribes—a fact that has been upheld by the Federal courts. As the author of this legislation I want to reaffirm that regarding lands defined within the bill located in the Mount Baker Snoqualmie National Forest, nothing in this act alters, modifies, diminishes, or extinguishes the treaty rights of an Indian tribe with respect to hunting, fishing, and gathering rights as protected by a treaty.

Again, I wish to thank Chairman WYDEN and ranking member MURKOWSKI for working together to find a path forward to protect public spaces. And I wish to thank Senator CANTWELL for her steadfast support of this proposal. I look forward to working with my House colleagues to protect this important landscape.

I thank the Chair.

TRIBUTE TO COLONEL HAROLD R. VAN OPDORP

Mr. ROBERTS. Mr. President, I rise today to honor a true patriot, and fellow U.S. Marine, Col. Harold R. Van Opdorp. While some know him as ''Odie'' and others as Colonel V, we all know him as Marine. After more than 3 years of service leading the Marine Corps' Office of Legislative Affairs in the U.S. Senate, Colonel Van Opdorp has assumed the responsibilities as commanding officer of the Marine Corps' Officer Candidate School. I would like to recognize Colonel Van Opdorp's distinguished service and dedication to fostering a relationship of mutual benefit between the U.S. Marine Corps and the U.S. Senate.

With more than 2 decades of dedicated service to his country, Colonel Van Opdorp has selflessly given to the cause of freedom across the globe, from Somalia to Iran, from Norway to the South Pacific. His service leading young Marines as a platoon, company, and battalion commander, in garrison and in combat, is emblematic of the caliber of his character. His diverse service reflects the traditions of the Eagle, Globe, and Anchor that he wears and the nature of the Corps.

Over the course of the last 3 years, Colonel Van Opdorp has been instrumental to facilitating the oversight responsibilities of the Senate. Known for his in-depth knowledge of legislative issues and the operational requirements of the Marine Corps, he ensured that Members of the U.S. Senate with an interest in national security were armed with timely information on Operation Enduring Freedom, humanitarian assistance in Haiti, flood relief operations in Pakistan, Marine Security Guards at our diplomatic missions around the globe, and other forward-deployed Marine forces. Colonel Van Opdorp worked hard to ensure all Senators were fully briefed of the programs which make our Corps special, programs such as the Joint Strike Fighter, the Amphibious Combat Vehicle, and the MV–22 Osprey. In 2011, I had the pleasure of working closely with Colonel Van Opdorp during our efforts to recognize the significant contributions of the Montford Point Marines, our Nation's first African American Marines, with the Congressional Gold Medal.

Colonel Van Opdorp's absence will be felt in the Senate. I join many past and present Senators in my gratitude and appreciation for his outstanding leadership and unwavering support of the missions of the U.S. Marine Corps. I know my colleagues on the Senate Armed Services Committee wholeheartedly join me in this tribute. I wish Colonel Van Opdorp and his wife, Rebecca, fair winds and following seas as he continues to serve his Nation, charged with the great responsibility of molding our future Marine Officers. ''Ooh-rah'' and Semper Fi, Marine.

RECOGNIZING PRINCE HALL GRAND LODGE AND THE LOUISIANA ORDER OF THE EASTERN STAR

Ms. LANDRIEU. Mr. President, I rise today to ask my colleagues to join me in recognizing the M.W. Prince Hall Grand Lodge of Louisiana and the State of Louisiana Order of the Eastern Star, who have collectively provided 225 years of continuous service and devotion to the State of Louisiana.

For 150 years and 75 years respectively, the Prince Hall Grand Lodge, formed in 1863, and the Order of the Eastern Star, formed in 1938, have served the State of Louisiana through their tireless leadership and dedication. During this tenure, members of the grand lodge have served in community and elected leadership positions both in the State and throughout the Nation. During the Civil Rights movement, members provided invaluable management, direction, and guidance to countless organizations that contributed to the effort. Throughout their illustrious years of service, the grand lodge has worked with local partners to invest in and improve communities, strengthen opportunities, and expand the impact of public service. The passing of each year brings a greater appreciation for the values of community, education, and civic activism that the grand lodge and order provide to the State of Louisiana.

The Prince Hall Grand Lodge and Order of the Eastern Star inspire noble principles, moral values, and profound convictions in the lives of each individual they touch. Through commitment they teach the principles of family; through charity and volunteerism they teach the values of community and philanthropy; and through honor, integrity, and respect, they teach the convictions of acceptance and compassion. Their teachings and work have provided outstanding support and service to the citizens of Louisiana and will continue to benefit generations to come.

The M.W. Prince Hall Grand Lodge of Louisiana and the State of Louisiana Order of the Eastern Star have been and continues to be an inspiration to all those who have been impacted by their tireless efforts. It is with my heartfelt and greatest sincerity that I ask my colleagues to join me in recognizing the service, heritage, and tradition of the Prince Hall Grand Lodge and the Louisiana Order of the Eastern Star.

ADDITIONAL STATEMENTS

RECOGNIZING JHPIEGO'S 40TH ANNIVERSARY

● Mr. CARDIN. Mr. President, today I wish to congratulate Jhpiego, a nonprofit global health affiliate of Johns Hopkins University, on the occasion of its 40th anniversary and recognize the organization for its tireless service in preventing the needless deaths of women and children throughout the developing world.

Dr. Theodore M. King, the former chairman of the Johns Hopkins Department of Obstetrics and Gynecology, founded Jhpiego in 1973. The original intention was to share the latest technology, skills, and knowledge of women's health with health professionals from Latin America, Africa, and Asia by bringing them to Baltimore for training. But Jhpiego officials realized that they could have a greater impact by educating health care providers in the providers' own countries, so Jhpiego changed its focus to sustainability, to developing the capacity of countries to create a well-prepared network of health care professionals and a strong health system that they can build upon to care for themselves. As a result, Jhpiego and its more than 1,500 employees have brought the resources and technical expertise of Johns Hopkins to over 150 countries around the globe, creating tens of thousands of health champions who will deliver skilled care for generations to come.

Jhpiego has proudly participated in the U.S. Government's flagship maternal and child health efforts for the past 15 years. The program, now known as the Maternal and Child Health Integrated Program, MCHIP, has made incredible progress in reducing maternal and child mortality, increasing access to reproductive health services and HIV testing and improving immunization and nutrition education in vulnerable countries such as Afghanistan, South Africa, and Rwanda.

For 40 years, Jhpiego has worked in some of the most remote areas of the world—places without hospitals, electricity, or running water. Jhpiego officials and staff know the challenges of working and living in such conditions and use that insight to develop the next generation of extremely low-cost solutions that address many of the leading causes of death, such as cervical cancer, for women in low-resource settings. With regard to cervical cancer, Jhpiego has developed the ''single visit approach,'' SVA, which combines screening and, if abnormal cells are detected, treatment. The screening costs $5, and screening with treatment is $30.

When Jhpiego began its work in Afghanistan in 2002 after the fall of the Taliban, the country's maternal death rate was the second highest in the world. There were only 467 midwives in a country with a population of 22 million and one functioning midwifery school. Today, more than 3,000 new midwives have graduated from 29 accredited, community, and hospital midwifery schools located throughout Afghanistan. This development has helped dramatically improve maternal mortality rates in Afghanistan and bring women into the workforce.

In Mozambique, fewer than 25 percent of Mozambique's 22 million people currently know their HIV status. To address this problem, Jhpiego has helped over 900,000 people to be tested for HIV and counseled on their status by members of local health groups and faith-based organizations in their homes.

Mr. President, I ask the Senate to join me in recognizing the incredible accomplishments of Jhpiego, currently under the outstanding leadership of Dr. Leslie Mancuso, and congratulating the organization on its 40th anniversary. I am proud that Jhpiego is based in Maryland but has a truly global reach with regard to the lifesaving work it does.●

TRIBUTE TO CHUCK CLARKE

● Mr. MURPHY. Mr. President, today I wish to recognize a distinguished and outstanding citizen of the State of Connecticut, Charles J. ''Chuck'' Clarke, on the eve of his retirement from Travelers. In 1958, Chuck joined Travelers as a property casualty underwriter. He has lived and raised a family in the Hartford area since 1963, currently residing in Glastonbury. Chuck's responsibilities grew steadily during his long tenure with the company, as he moved up from the position of underwriter, to vice president, to senior vice president, to president of the Travelers Property Casualty Corp., and most recently to vice chairman of The Travelers Companies, Inc. Chuck is a leader in the insurance industry and a legend among his co-workers at Travelers. For 55 years, he has provided leadership, sound judgment, and a passion for the business of insurance that has benefited Travelers and the State of Connecticut.

I ask my colleagues to join me in paying tribute to this outstanding man. A leader in action and by the example he set for others. A humble man who always referred to himself as ''just an underwriter,'' when those who worked with him knew that he was much more. The State of Connecticut has been enriched by his service, and I truly wish him happiness and enjoyment after his long tenure.●

RECOGNIZING WESTERN IDAHO CABINETS

● Mr. RISCH. Mr. President, some of the most successful small businesses in America originate with an entrepreneur who takes a leap of faith to try something new. Dale Wilson and Brett Hatfield, the owners of Western Idaho Cabinets, had no prior experience working in a cabinet shop. Brett has a degree in production, while Dale has a degree in information studies. Despite their initial inexperience, Western Idaho Cabinets, since its founding in 1993, has grown to be the largest cabinet manufacturer in Idaho. This remarkable story is why I wish to honor Western Idaho Cabinets in Boise, ID as the Idaho Small Business of the Day as part of National Small Business Week.

Western Idaho Cabinets is a great example of job creation and expansion, starting as a two-man shop in Dale's garage to a company whose annual sales will reach nearly $15 million this year. This is the American dream. Currently, Western Idaho Cabinets is the premier kitchen cabinet supplier in the State, housed in a state of the art facility and boasting 170 employees. Last year, the company took first place in four out of seven categories at the 2012 Parade of Homes.

In addition to delivering quality products, Western Idaho Cabinets works hard to streamline the process of manufacturing, optimize usage, and eliminate waste—perhaps Western Idaho Cabinets should teach the Federal Government a thing or two about this. Co-owners Dale and Brett traveled internationally to learn from different countries' manufacturing processes in order to develop the most efficient methods. In doing so, the company was able to cut waste by 60 percent, meaning they could make twice the amount of product with the same amount of labor. They continue to invest in equipment that will automate the production process and help to save money

and allow them to meet their customers' demands. This lean production model has led to Western Idaho Cabinets' reputation as the local expert on the manufacturing process and the company is frequently approached by others who want to learn their methods. Western Idaho Cabinets enjoys great success that seemed an improbable feat from the early days of constructing cabinets out of a two-car garage.

With the willpower to achieve success and the commitment to perfecting their business model, Western Idaho Cabinets proves that a small business can start from a basic idea and evolve to be at the top of their industry. Small businesses around the country and globally could stand to learn much from Western Idaho Cabinets and I am proud to honor them today as a part of National Small Business Week.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13617 OF JUNE 25, 2012, WITH RESPECT TO THE DISPOSITION OF RUSSIAN HIGHLY ENRICHED URANIUM—PM 14

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the emergency declared in Executive Order 13617 of June 25, 2012, with respect to the disposition of Russian highly enriched uranium is to continue in effect beyond June 25, 2013.

The risk of nuclear proliferation created by the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13617 with respect to the disposition of Russian highly enriched uranium.

BARACK OBAMA.
THE WHITE HOUSE, *June 20, 2013.*

MESSAGE FROM THE HOUSE

At 4:12 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to 44 U.S.C. 2702 and the order of the House of January 3, 2013, the Speaker reappoints the following individual on the part of the House of Representatives to the Advisory Committee on the Records of Congress: Mr. Jeffrey W. Thomas of Columbus, Ohio.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2004. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2013–0002)) received in the Office of the President of the Senate on June 19, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2005. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Final Flood Elevation Determinations'' ((44 CFR Part 67) (Docket No. FEMA–2013–0002)) received in the Office of the President of the Senate on June 19, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2006. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled ''Technical Amendments'' (RIN3133–AE20) received in the Office of the President of the Senate on June 19, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–2007. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Energy Conservation Standards for Standby Mode and Off Mode for Microwave Ovens'' (RIN1904–AC07) received in the Office of the President of the Senate on June 19, 2013; to the Committee on Energy and Natural Resources.

EC–2008. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Conclusive Presumption of Worthlessness of Bad Debts'' (Notice 2013–35) received in the Office of the President of the Senate on June 18, 2013; to the Committee on Finance.

EC–2009. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Purchase Price Safe Harbors for sections 143 and 25'' (Notice 2013–28) received in the Office of the President of the Senate on June 18, 2013; to the Committee on Finance.

EC–2010. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Patient Protection and Affordable Care Act; Establishment of Exchanges and Qualified Health Plans; Small Business Health Options Program'' (RIN0938–AR76) received in the Office of the President of the Senate on June 3, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–2011. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Incentives for Nondiscriminatory Wellness Programs in Group Health Plans'' ((RIN1545–BL07) (TD 9620)) received in the Office of the President of the Senate on June 12, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–2012. A communication from the Division Chief of the Policy Division, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Review of Foreign Ownership Policies for Common Carrier and Aeronautical Radio Licensees under Section 310 (b) (4) of the Communications Act of 1934, as Amended'' (FCC 13–50) received in the Office of the President of the Senate on June 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2013. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Part 15 of the Commission's Rules to Amend the Definition of Auditory Assistance Devices in Support of Simultaneous Language Interpretation'' ((FCC 13–59) (ET Doc. No. 10–26)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2014. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Energy Labeling Rule; Final Rule'' (RIN3084–AB15) received during adjournment of the Senate in the Office of the President of the Senate on June 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2015. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Telemarketing Sales Rule Fees'' (RIN3084–AA98) received during adjournment of the Senate in the Office of the President of the Senate on June 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2016. A communication from the Secretary of the Federal Trade Commission,

transmitting, pursuant to law, the report of a rule entitled ''Used Motor Vehicle Trade Regulation Rule'' (RIN3084–AB05) received during adjournment of the Senate in the Office of the President of the Senate on June 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2017. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Labeling Requirements for Alternative Fuels and Alternative Fueled Vehicles'' (RIN3084–AB21) received during adjournment of the Senate in the Office of the President of the Senate on June 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2018. A communication from the Acting Chief of the Division of Restoration and Recovery, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Marine Mammals; Incidental Take During Specified Activities'' (RIN1018–AY67) received during adjournment of the Senate in the Office of the President of the Senate on June 14, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2019. A communication from the Executive Director, Consumer Product Safety Commission, transmitting, pursuant to law, the Commission's 2012 Annual Report to the President and Congress; to the Committee on Commerce, Science, and Transportation.

EC–2020. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1161)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2021. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1316)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2022. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2008–0614)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2023. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1109)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2024. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1231)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2025. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Diamond Aircraft Industries GmbH Powered Gliders'' ((RIN2120–AA64) (Docket No. FAA–2012–1172)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2026. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1068)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2027. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0855)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2028. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0445)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2029. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1072)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2030. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Twin Commander Aircraft LLC Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0393)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2031. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Agusta S.p.A. Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2012–0695)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2032. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Slingsby Sailplanes Ltd. Sailplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0220)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2033. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Spectrolab Nightsun XP Searchlight'' ((RIN2120–AA64) (Docket No. FAA–2012–0221)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2034. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Revo, Incorporated Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0845)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2035. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Aircraft Industries a.s. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0456)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2036. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0808)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

EC–2037. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–1163)) received in the Office of the President of the Senate on June 17, 2013; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEVIN, from the Committee on Armed Services, without amendment:

S. 1197. An original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes (Rept. No. 113–44).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 162. A bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. TOOMEY (for himself, Mr. KING, Mr. THUNE, Mr. HELLER, Mr. BLUNT, Mr. RUBIO, Mr. COATS, and Mr. ROBERTS):

S. 1193. A bill to require certain entities that collect and maintain personal information of individuals to secure such information and to provide notice to such individuals in the case of a breach of security involving such information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER (for himself, Ms. MURKOWSKI, Mr. BEGICH, Mr. CRAPO, Mr. ENZI, and Mr. PRYOR):

S. 1194. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for the donation of wild game meat; to the Committee on Finance.

By Mr. BARRASSO (for himself, Mr. PRYOR, Mr. TOOMEY, Mr. CHAMBLISS, Mr. CRUZ, Mr. ENZI, Mr. BOOZMAN, and Mr. SCOTT):

S. 1195. A bill to repeal the renewable fuel standard; to the Committee on Environment and Public Works.

By Mr. WYDEN:

S. 1196. A bill to amend title 18, United States Code, to provide for clarification as to the meaning of access without authorization, and for other purposes; to the Committee on the Judiciary.

By Mr. LEVIN:

S. 1197. An original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; from the Committee on Armed Services; placed on the calendar.

By Mrs. MCCASKILL (for herself and Mr. COBURN):

S. 1198. A bill to amend title XVIII of the Social Security Act to provide for adjustments to Medicare part B and D premiums for high-income beneficiaries; to the Committee on Finance.

By Mr. HOEVEN (for himself and Mr. MANCHIN):

S. 1199. A bill to improve energy performance in Federal buildings, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANDERS (for himself and Mr. WYDEN):

S. 1200. A bill to amend the Energy Policy and Conservation Act to promote energy efficiency and energy savings in residential buildings; to the Committee on Energy and Natural Resources.

By Mr. UDALL of New Mexico (for himself, Mr. LEE, Mr. MURPHY, and Mr. PAUL):

S. 1201. A bill to restrict funds related to escalating United States military involvement in Syria; to the Select Committee on Intelligence.

By Mr. WHITEHOUSE (for himself and Mr. BAUCUS):

S. 1202. A bill to establish an integrated Federal program to respond to ongoing and expected impacts of extreme weather and climate change by protecting, restoring, and conserving the natural resources of the United States, and to maximize government efficiency and reduce costs, in cooperation with State, local, and tribal governments and other entities; to the Committee on Environment and Public Works.

By Ms. LANDRIEU (for herself and Mr. INHOFE):

S. 1203. A bill to promote permanent families for children, privacy and safety for unwed mothers, responsible fatherhood, and security for adoptive parents by establishing a National Responsible Father Registry and encouraging States to enter into agreements to contribute the information contained in the States Responsible Father Registry, and for other purposes; to the Committee on Finance.

By Mr. COBURN (for himself and Mrs. FISCHER):

S. 1204. A bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services, to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FRANKEN:

S. 1205. A bill to reduce energy waste, strengthen energy system resiliency, increase industrial competitiveness, and promote local economic development by helping public and private entities to assess and implement energy systems that recover and use waste heat and local renewable energy resources; to the Committee on Energy and Natural Resources.

By Mr. FRANKEN:

S. 1206. A bill to encourage benchmarking and disclosure of energy information for commercial buildings; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself, Mr. GRASSLEY, Ms. KLOBUCHAR, Mr. CORNYN, and Mr. BLUMENTHAL):

S. 1207. A bill to permit the televising of Supreme Court proceedings; to the Committee on the Judiciary.

By Mr. TESTER (for himself and Mr. MORAN):

S. 1208. A bill to require meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WARNER (for himself and Mr. MANCHIN):

S. 1209. A bill to establish a State Energy Race to the Top Initiative to assist energy policy innovation in the States to promote the goal of doubling electric and thermal energy productivity by January 1, 2030; to the Committee on Energy and Natural Resources.

By Mr. CORNYN (for himself, Mr. COBURN, Mr. GRASSLEY, Mr. INHOFE, Mr. RUBIO, Mr. SCOTT, Mr. JOHNSON of Wisconsin, Mr. CRUZ, Mr. LEE, Mr. WICKER, and Mr. BOOZMAN):

S. 1210. A bill to allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER (for herself, Mr. HARKIN, Mr. FRANKEN, Ms. MIKULSKI, Mrs. HAGAN, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mr. CARPER, Mr. CARDIN, Mr. BEGICH, and Mr. SCHATZ):

S. 1211. A bill to amend title 38, United States Code, to prohibit the use of the phrases GI Bill and Post-9/11 GI Bill to give a false impression of approval or endorsement by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. UDALL of Colorado (for himself, Mr. RISCH, Mr. BENNET, Mrs. HAGAN, Ms. KLOBUCHAR, Mr. TESTER, Mr. BARRASSO, Mr. CRAPO, Mr. THUNE, Mr. BEGICH, Mr. PRYOR, Mr. ENZI, and Mr. HELLER):

S. 1212. A bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States; to the Committee on Environment and Public Works.

By Mr. COONS (for himself, Ms. COLLINS, and Mr. REED):

S. 1213. A bill to reauthorize the weatherization and State energy programs, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. FEINSTEIN (for herself and Mr. GRASSLEY):

S. Res. 178. A resolution honoring the men and women of the Drug Enforcement Administration on the occasion of the 40th anniversary of the agency; to the Committee on the Judiciary.

By Mr. REID:

S. Res. 179. A resolution to constitute the majority party's membership on certain committees for the One Hundred Thirteenth Congress, or until their successors are chosen; considered and agreed to.

By Mr. MCCONNELL:

S. Res. 180. A resolution making minority party appointments for the 113th Congress; considered and agreed to.

ADDITIONAL COSPONSORS

S. 109

At the request of Mr. VITTER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 109, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 195

At the request of Mr. FRANKEN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 195, a bill to amend the Public Health Service Act to revise and extend projects relating to children and violence to provide access to school-based comprehensive mental health programs.

S. 541

At the request of Ms. LANDRIEU, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 541, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 568

At the request of Mr. MENENDEZ, the names of the Senator from Colorado (Mr. BENNET), the Senator from California (Mrs. BOXER), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 568, a bill to establish within the Smithsonian Institution the Smithsonian American Latino Museum, and for other purposes.

S. 674

At the request of Mr. HELLER, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 674, a bill to require prompt responses from the heads of covered Federal agencies when the Secretary of Veterans Affairs requests information necessary to adjudicate claims for benefits under laws administered by the Secretary, and for other purposes.

S. 742

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 742, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 749

At the request of Mr. CASEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 749, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 772

At the request of Mr. NELSON, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 772, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 824

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 824, a bill to amend the Securities Exchange Act of 1934 to require shareholder authorization before a public company may make certain political expenditures, and for other purposes.

S. 842

At the request of Mr. SCHUMER, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 842, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 953

At the request of Mr. REED, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 953, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for undergraduate Federal Direct Stafford Loans, to modify required distribution rules for pension plans, to limit earnings stripping by expatriated entities, to provide for modifications related to the Oil Spill Liability Trust Fund, and for other purposes.

S. 967

At the request of Mrs. GILLIBRAND, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 967, a bill to amend title 10, United States Code, to modify various authorities relating to procedures for courts-martial under the Uniform Code of Military Justice, and for other purposes.

S. 968

At the request of Mr. UDALL of Colorado, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 968, a bill to amend the Federal Credit Union Act, to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes.

S. 981

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 981, a bill to direct the Federal Trade Commission to prescribe rules prohibiting deceptive advertising of abortion services, and for other purposes.

S. 1032

At the request of Mrs. MCCASKILL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1032, a bill to amend title 10, United States Code, to make certain improvements in the Uniform Code of Military Justice related to sex-related offenses committed by members of the Armed Forces, and for other purposes.

S. 1114

At the request of Mr. BROWN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1114, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 1133

At the request of Mr. BLUNT, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1133, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 1141

At the request of Mr. CARDIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1141, a bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes.

S. 1154

At the request of Mr. ROBERTS, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1154, a bill to provide that certain requirements of the Patient Protection and Affordable Care Act do not apply if the American Health Benefit Exchanges are not operating on October 1, 2013.

S. 1158

At the request of Mr. WARNER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1158, a bill to require the Secretary of the Treasury to mint coins commemorating the 100th anniversary of the establishment of the National Park Service, and for other purposes.

S. 1181

At the request of Mr. ENZI, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1181, a bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes.

S.J. RES. 15

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S.J. Res. 15, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S.J. RES. 19

At the request of Mr. UDALL of New Mexico, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. RES. 172

At the request of Mr. BLUNT, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. Res. 172, a resolution designating the first Wednesday in September 2013 as ''National Polycystic Kidney Disease Awareness Day'' and raising awareness and understanding of polycystic kidney disease.

AMENDMENT NO. 1250

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of amendment No. 1250 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1255

At the request of Ms. COLLINS, the name of the Senator from Montana

(Mr. TESTER) was added as a cosponsor of amendment No. 1255 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1257

At the request of Mrs. BOXER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of amendment No. 1257 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1261

At the request of Ms. KLOBUCHAR, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of amendment No. 1261 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1267

At the request of Mr. CARDIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 1267 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1275

At the request of Mr. CARPER, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of amendment No. 1275 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1294

At the request of Mr. CARDIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 1294 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1308

At the request of Mr. WYDEN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of amendment No. 1308 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1379

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 1379 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1381

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 1381 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1382

At the request of Ms. LANDRIEU, the names of the Senator from Alaska (Mr. BEGICH) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of amendment No. 1382 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1389

At the request of Mr. PORTMAN, the names of the Senator from New Jersey (Mr. CHIESA) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of amendment No. 1389 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1390

At the request of Mr. PORTMAN, the names of the Senator from New Jersey (Mr. CHIESA) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of amendment No. 1390 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1403

At the request of Ms. HIRONO, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of amendment No. 1403 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1405

At the request of Ms. STABENOW, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 1405 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1408

At the request of Mr. CARPER, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of amendment No. 1408 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. GRASSLEY, Ms. KLOBUCHAR, Mr. CORNYN, and Mr. BLUMENTHAL):

S. 1207. A bill to permit the televising of Supreme Court proceedings; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1207

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Cameras in the Courtroom Act''.

SEC. 2. AMENDMENT TO TITLE 28.

(a) IN GENERAL.—Chapter 45 of title 28, United States Code, is amended by inserting at the end the following:

''§ 678. Televising Supreme Court proceedings

''The Supreme Court shall permit television coverage of all open sessions of the Court unless the Court decides, by a vote of the majority of justices, that allowing such coverage in a particular case would constitute a violation of the due process rights of 1 or more of the parties before the Court.''.

(b) CLERICAL AMENDMENT.—The chapter analysis for chapter 45 of title 28, United States Code, is amended by inserting at the end the following:

''678. Televising Supreme Court proceedings.''.

By Mr. CORNYN (for himself, Mr. COBURN, Mr. GRASSLEY, Mr. INHOFE, Mr. RUBIO, Mr. SCOTT, Mr. JOHNSON of Wisconsin, Mr. CRUZ, Mr. LEE, Mr. WICKER, and Mr. BOOZMAN):

S. 1210. A bill to allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1210

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS; PURPOSE; DEFINITIONS.

(a) SHORT TITLE.—This Act may be cited as the ''Academic Partnerships Lead Us to Success Act'' or the ''A PLUS Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

(c) PURPOSE.—The purposes of this Act are as follows:

(1) To give States and local communities maximum flexibility to determine how to improve academic achievement and implement education reforms.

(2) To reduce the administrative costs and compliance burden of Federal education programs in order to focus Federal resources on improving academic achievement.

(3) To ensure that States and communities are accountable to the public for advancing the academic achievement of all students, especially disadvantaged children.

(d) DEFINITIONS.—

(1) IN GENERAL.—Except as otherwise provided, the terms used in this Act have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801 et seq.).

(2) OTHER TERMS.—In this Act:

(A) ACCOUNTABILITY.—The term ''accountability'' means that public schools are answerable to parents and other taxpayers for

the use of public funds and shall report student progress to parents and taxpayers regularly.

(B) DECLARATION OF INTENT.—The term ''declaration of intent'' means a decision by a State, as determined by State Authorizing Officials or by referendum, to assume full management responsibility for the expenditure of Federal funds for certain eligible programs for the purpose of advancing, on a more comprehensive and effective basis, the educational policy of such State.

(C) STATE.—The term ''State'' has the meaning given such term in section 1122(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332(e)).

(D) STATE AUTHORIZING OFFICIALS.—The term ''State Authorizing Officials'' means the State officials who shall authorize the submission of a declaration of intent, and any amendments thereto, on behalf of the State. Such officials shall include not less than 2 of the following:

(i) The governor of the State.

(ii) The highest elected education official of the State, if any.

(iii) The legislature of the State.

(E) STATE DESIGNATED OFFICER.—The term ''State Designated Officer'' means the person designated by the State Authorizing Officials to submit to the Secretary, on behalf of the State, a declaration of intent, and any amendments thereto, and to function as the point-of-contact for the State for the Secretary and others relating to any responsibilities arising under this Act.

SEC. 2. DECLARATION OF INTENT.

(a) IN GENERAL.—Each State is authorized to submit to the Secretary a declaration of intent permitting the State to receive Federal funds on a consolidated basis to manage the expenditure of such funds to advance the educational policy of the State.

(b) PROGRAMS ELIGIBLE FOR CONSOLIDATION AND PERMISSIBLE USE OF FUNDS.—

(1) SCOPE.—A State may choose to include within the scope of the State's declaration of intent any program for which Congress makes funds available to the State if the program is for a purpose described in the Elementary and Education Secondary Act of 1965 (20 U.S.C. 6301). A State may not include any program funded pursuant to the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(2) USES OF FUNDS.—Funds made available to a State pursuant to a declaration of intent under this Act shall be used for any educational purpose permitted by State law of the State submitting a declaration of intent.

(c) CONTENTS OF DECLARATION.—Each declaration of intent shall contain—

(1) a list of eligible programs that are subject to the declaration of intent;

(2) an assurance that the submission of the declaration of intent has been authorized by the State Authorizing Officials, specifying the identity of the State Designated Officer;

(3) the duration of the declaration of intent;

(4) an assurance that the State will use fiscal control and fund accounting procedures;

(5) an assurance that the State will meet the requirements of applicable Federal civil rights laws in carrying out the declaration of intent and in consolidating and using the funds under the declaration of intent;

(6) an assurance that in implementing the declaration of intent the State will seek to advance educational opportunities for the disadvantaged; and

(7) a description of the plan for maintaining direct accountability to parents and other citizens of the State.

(d) DURATION.—The duration of the declaration of intent shall not exceed 5 years.

(e) REVIEW AND RECOGNITION BY THE SECRETARY.—

(1) IN GENERAL.—The Secretary shall review the declaration of intent received from the State Designated Officer not more than 60 days after the date of receipt of such declaration, and shall recognize such declaration of intent unless the declaration of intent fails to meet the requirements under subsection (c).

(2) RECOGNITION BY OPERATION OF LAW.—If the Secretary fails to take action within the time specified in paragraph (1), the declaration of intent, as submitted, shall be deemed to be approved.

(f) AMENDMENT TO DECLARATION OF INTENT.—

(1) IN GENERAL.—The State Authorizing Officials may direct the State Designated Officer to submit amendments to a declaration of intent that is in effect. Such amendments shall be submitted to the Secretary and considered by the Secretary in accordance with subsection (e).

(2) AMENDMENTS AUTHORIZED.—A declaration of intent that is in effect may be amended to—

(A) expand the scope of such declaration of intent to encompass additional eligible programs;

(B) reduce the scope of such declaration of intent by excluding coverage of a Federal program included in the original declaration of intent;

(C) modify the duration of such declaration of intent; or

(D) such other modifications that the State Authorizing Officials deem appropriate.

(3) EFFECTIVE DATE.—The amendment shall specify an effective date. Such effective date shall provide adequate time to assure full compliance with Federal program requirements relating to an eligible program that has been removed from the coverage of the declaration of intent by the proposed amendment.

(4) TREATMENT OF PROGRAM FUNDS WITHDRAWN FROM DECLARATION OF INTENT.—Beginning on the effective date of an amendment executed under paragraph (2)(B), each program requirement of each program removed from the declaration of intent shall apply to the State's use of funds made available under the program.

SEC. 3. TRANSPARENCY FOR RESULTS OF PUBLIC EDUCATION.

(a) IN GENERAL.—

(1) INFORMING THE PUBLIC ABOUT ASSESSMENT AND PROFICIENCY.—Each State operating under a declaration of intent under this Act shall inform parents and the general public regarding the student achievement assessment system, demonstrating student progress relative to the State's determination of student proficiency, as described in paragraph (2), for the purpose of accountability.

(2) ASSESSMENT AND STANDARDS.—Each State operating under a declaration of intent under this Act shall establish and implement a single system of academic standards and academic assessments, including the development of student proficiency goals. Such State may apply the academic assessments and standards described under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) or establish and implement different academic assessments and standards.

(b) ACCOUNTABILITY SYSTEM.—The State shall determine and establish an accountability system to ensure accountability under this Act.

(c) REPORT ON STUDENT PROGRESS.—Not later than 1 year after the effective date of the declaration of intent, and annually thereafter, a State shall disseminate widely to parents and the general public a report that describes student progress. The report shall include—

(1) student performance data disaggregated in the same manner as data are disaggregated under section 1111(b)(3)(C)(xiii) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)(C)(xiii)); and

(2) a description of how the State has used Federal funds to improve academic achievement, reduce achievement disparities between various student groups, and improve educational opportunities for the disadvantaged.

SEC. 4. MAINTENANCE OF FUNDING LEVELS SPENT BY STATES ON EDUCATION.

(a) IN GENERAL.—For each State consolidating and using funds pursuant to a declaration of intent under this Act, for each school year of the declaration of intent, the aggregate amount of funds spent by the State on elementary and secondary education shall be not less than 90 percent of the aggregate amount of funds spent by the State on elementary and secondary education for the school year that coincides with the date of enactment of this Act.

(b) EXCEPTION.—

(1) STATE WAIVER CLAIM.—The requirement of subsection (a) may be waived by the State Authorizing Officials if the State having a declaration of intent in effect makes a determination, supported by specific findings, that uncontrollable or exceptional circumstances, such as a natural disaster or extreme contraction of economic activity, preclude compliance for a specified period, which may be extended. Such determination shall be presented to the Secretary by the State Designated Officer.

(2) ACTION BY THE SECRETARY.—The Secretary shall accept the State's waiver, as described in paragraph (1), if the State has presented evidence to support such waiver. The Secretary shall review the waiver received from the State Designated Officer not more than 60 days after the date of receipt. If the Secretary fails to take action within that time frame, the waiver, as submitted, shall be deemed to be approved.

SEC. 5. ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—Except as provided in subsection (b), the amount that a State with a declaration of intent may expend for administrative expenses shall be limited to 1 percent of the aggregate amount of Federal funds made available to the State through the eligible programs included within the scope of such declaration of intent.

(b) STATES NOT CONSOLIDATING FUNDS UNDER PART A OF TITLE I.—If the declaration of intent does not include within its scope part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), the amount spent by the State on administrative expenses shall be limited to 3 percent of the aggregate amount of Federal funds made available to the State pursuant to such declaration of intent.

SEC. 6. EQUITABLE PARTICIPATION OF PRIVATE SCHOOLS.

Each State consolidating and using funds pursuant to a declaration of intent under this Act shall provide for the participation of private school children and teachers in the activities assisted under the declaration of intent in the same manner as participation is provided to private school children and

teachers under section 9501 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7881).

By Mr. UDALL of Colorado (for himself, Mr. RISCH, Mr. BENNET, Mrs. HAGAN, Ms. KLOBUCHAR, Mr. TESTER, Mr. BARRASSO, Mr. CRAPO, Mr. THUNE, Mr. BEGICH, Mr. PRYOR, Mr. ENZI, and Mr. HELLER):

S. 1212. A bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States; to the Committee on Environment and Public Works.

Mr. UDALL of Colorado. Mr. President, I rise today to re-introduce the bipartisan Target Practice and Marksmanship Training Support Act with my friend Senator RISCH of the great state of Idaho. We are proud to be joined by a long list of original co-sponsors including Senators BENNET, HAGAN, KLOBUCHAR, TESTER, BARRASSO, CRAPO, THUNE, BEGICH, PRYOR, ENZI, and HELLER. I thank my colleagues for joining me in this bipartisan effort.

This bill would amend the Pittman-Robertson Wildlife Restoration Act to adjust certain funding limitations and provide states with greater flexibility over the use of funds available for the creation and maintenance of public shooting ranges—designated public lands where people can both safely engage in sport shooting and responsibly sharpen their marksmanship skills.

The Pittman-Robertson Wildlife Restoration Act established an excise tax on sporting equipment and ammunition, which provides each state with funds for a variety of wildlife restoration and hunter education and safety programs. Pittman-Robertson funds can also be used for the development and maintenance of shooting ranges. Unfortunately, however, current restrictions in the Pittman-Robertson Act disproportionately underfund the creation and maintenance of shooting range opportunities in comparison with other programs funded by the Act. In addition, opportunities for American sportsmen and women to safely engage in recreational shooting on public lands have significantly declined in recent years.

In an effort to reverse this trend and establish, maintain and promote safe spaces for target practice and sport shooting, this legislation would allow states to allocate a greater proportion of their federal wildlife funds for these purposes.

To be clear, the bill would not allocate any new funding, it would not raise any fees or taxes, nor would it require states to apply their allocated Pittman-Robertson funds to shooting ranges. Rather, this bill gives states the flexibility to allocate their existing Pittman-Robertson funds in the manner they deem most beneficial by reducing the amount of other matching dollars States would have to raise and permits states to ''bank'' Pittman-Robertson funds for 5 years so that they can save enough money to build new shooting ranges.

Hunting and recreational shooting are an integral part of the Colorado way of life. The Target Practice and Marksmanship Training Support Act is designed to promote our western way of life, acknowledging not only the need for safe places for hunters and sportsmen to responsibly practice their sport, but also the jobs and economic growth supported by sport shooters in Colorado and throughout the nation. Hunting and outdoor sports generate billions of dollars each year and support countless American jobs. In addition to the improvements this bill contains, it is my hope that the public land management agencies will continue to work with the states, sportsmen and women, recreational shooting interests, local communities, and others so that these opportunities are safe and available.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 178—HONORING THE MEN AND WOMEN OF THE DRUG ENFORCEMENT ADMINISTRATION ON THE OCCASION OF THE 40TH ANNIVERSARY OF THE AGENCY

Mrs. FEINSTEIN (for herself and Mr. GRASSLEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 178

Whereas the Drug Enforcement Administration (referred to in this preamble as the ''DEA'') was established by an Executive Order on July 1, 1973, and given the responsibility to coordinate all activities of the Federal government directly related to the enforcement of the drug laws of the United States;

Whereas the more than 9,500 men and women of the DEA, including special agents, intelligence analysts, diversion investigators, program analysts, forensic chemists, attorneys, and administrative support staff, as well as more than 2,000 task force officers and hundreds of vetted foreign drug law enforcement officers, serve our Nation with courage and help protect the people of the United States from drug trafficking, drug abuse, and related violence;

Whereas the DEA has targeted and brought to justice numerous criminals around the world over the 40 years since the establishment of the agency;

Whereas throughout the 40-year history of the DEA, the agency has continually adapted to evolving trends of drug trafficking organizations by targeting those involved in the manufacturing, distribution, and sale of drugs, including cocaine, heroin, methamphetamine, marijuana, ecstasy, and controlled prescription drugs;

Whereas in the decade immediately preceding the date of agreement to this resolution, DEA special agents seized more than 21,000 kilograms of heroin, 825,000 kilograms of cocaine, 4,500,000 kilograms of marijuana, over 21,000 kilograms of methamphetamine, and more than 50,000,000 dosage units of controlled prescription drugs;

Whereas with 86 foreign offices located in 67 countries, the DEA has the largest international presence of any Federal law enforcement agency, facilitating close collaboration with international partners around the world, including in Colombia, Mexico, and Afghanistan through information sharing, training, technology, and other resources that have resulted in the disruption or dismantling of 216 priority target drug trafficking organizations in Colombia, 20 in Afghanistan, and 108 in Mexico;

Whereas throughout the history of the DEA, employees and members of the agency's task forces have given their lives in the line of duty, including Emir Benitez, Gerald Sawyer, Leslie S. Grosso, Nickolas Fragos, Mary M. Keehan, Charles H. Mann, Anna Y. Mounger, Anna J. Pope, Martha D. Skeels, Mary P. Sullivan, Larry D. Wallace, Ralph N. Shaw, James T. Lunn, Octavio Gonzalez, Francis J. Miller, Robert C. Lightfoot, Thomas J. Devine, Larry N. Carwell, Marcellus Ward, Enrique S. Camarena, James A. Avant, Charles M. Bassing, Kevin L. Brosch, Susan M. Hoefler, William Ramos, Raymond J. Stastny, Arthur L. Cash, Terry W. McNett, George M. Montoya, Paul S. Seema, Everett E. Hatcher, Rickie C. Finley, Joseph T. Aversa, Wallie Howard, Jr., Eugene T. McCarthy, Alan H. Winn, George D. Althouse, Becky L. Dwojeski, Stephen J. Strehl, Richard E. Fass, Frank Fernandez, Jr., Jay W. Seale, Meredith Thompson, Juan C. Vars, Frank S. Wallace, Jr., Shelly D. Bland, Rona L. Chafey, Carrol June Fields, Carrie A. Lenz, Kenneth G. McCullough, Shaun E. Curl, Larry Steilen, Royce D. Tramel, Alice Faye Hall-Walton, Elton Lee Armstead, Terry Loftus, Donald C. Ware, Jay Balchunas, Thomas J. Byrne, Jr., Samuel Hicks, Forrest N. Leamon, Chad L. Michael, and Michael E. Weston; and

Whereas many other DEA employees and task force officers have been wounded or injured in the line of duty, including 91 who have received the Purple Heart Award of the DEA; Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Drug Enforcement Administration on the occasion of the 40th anniversary of the agency;

(2) honors the heroic sacrifice of the employees of the agency who have given their lives or have been wounded or injured in the service of the United States; and

(3) gives heartfelt thanks to all the men and women of the Drug Enforcement Administration for their past and continued efforts to protect the people of the United States from the dangers of drug abuse.

SENATE RESOLUTION 179—TO CONSTITUTE THE MAJORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED THIRTEENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. REID submitted the following resolution; which was considered and agreed to:

S. RES. 179

Resolved, That the following shall constitute the majority party's membership on the following committees for the One Hundred Thirteenth Congress, or until their successors are chosen:

COMMITTEE ON APPROPRIATIONS: Ms. Mikulski (Chairman), Mr. Leahy, Mr. Harkin, Mrs. Murray, Mrs. Feinstein, Mr. Durbin, Mr. Johnson of South Dakota, Ms. Landrieu, Mr. Reed, Mr. Pryor, Mr. Tester, Mr. Udall of New Mexico, Mrs. Shaheen, Mr. Merkley, Mr. Begich, Mr. Coons

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mr. Rockefeller (Chairman), Mrs. Boxer, Mr. Nelson, Ms. Cantwell, Mr. Pryor, Mrs. McCaskill, Ms. Klobuchar, Mr. Warner, Mr. Begich, Mr. Blumenthal, Mr. Schatz, Mr. Cowan, Mr. Heinrich

COMMITTEE ON ENERGY: Mr. Wyden (Chairman), Mr. Johnson of South Dakota, Ms. Landrieu, Ms. Cantwell, Mr. Sanders, Ms. Stabenow, Mr. Udall of Colorado, Mr. Franken, Mr. Manchin, Mr. Schatz, Mr. Heinrich, Ms. Baldwin

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS: Mrs. Boxer (Chairman), Mr. Baucus, Mr. Carper, Mr. Cardin, Mr. Sanders, Mr. Whitehouse, Mr. Udall of New Mexico, Mr. Merkley, Mrs. Gillibrand, Ms. Hirono

SENATE RESOLUTION 180—MAKING MINORITY PARTY APPOINTMENTS FOR THE 113TH CONGRESS

Mr. MCCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 180

Resolved, That the following be the minority membership on the following committees for the remainder of the 113th Congress, or until their successors are appointed:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mr. Thune, Mr. Wicker, Mr. Blunt, Mr. Rubio, Ms. Ayotte, Mr. Heller, Mr. Coats, Mr. Scott, Mr. Cruz, Mrs. Fischer, Mr. Johnson of Wisconsin, and Mr. Chiesa.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. Coburn, Mr. McCain, Mr. Johnson of Wisconsin, Mr. Portman, Mr. Paul, Mr. Enzi, Ms. Ayotte, and Mr. Chiesa.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP: Mr. Risch, Mr. Vitter, Mr. Rubio, Mr. Paul, Mr. Scott, Mrs. Fischer, Mr. Enzi, Mr. Johnson of Wisconsin, and Mr. Chiesa.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1428. Mr. BLUMENTHAL (for himself, Ms. MURKOWSKI, Mr. LEAHY, Mr. ROCKEFELLER, Mr. BEGICH, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1429. Mr. BLUMENTHAL (for himself, Mrs. MURRAY, and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1430. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1431. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1432. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1433. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1434. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1435. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1436. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1437. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1438. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1439. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1440. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1441. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1442. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1443. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1444. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1445. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1446. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1447. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1448. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1449. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1450. Ms. HEITKAMP (for herself, Mr. HOEVEN, Mr. JOHNSON of South Dakota, and Mr. THUNE) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1451. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1452. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1453. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1454. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1455. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1456. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1457. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1458. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1459. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1460. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1461. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1462. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1463. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1464. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1465. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1466. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1467. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1468. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1469. Mr. MCCAIN (for himself, Mr. CARDIN, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1470. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1471. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1472. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1473. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1474. Mr. VITTER submitted an amendment intended to be proposed by him to the

bill S. 744, supra; which was ordered to lie on the table.

SA 1475. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1476. Ms. HEITKAMP (for herself and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1477. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1478. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1479. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1480. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1481. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1482. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1483. Mr. JOHNSON of Wisconsin (for himself, Mr. KING, Mr. BLUNT, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1484. Mr. JOHNSON of Wisconsin (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1485. Ms. HEITKAMP (for herself, Mr. TESTER, Mr. BAUCUS, and Mr. LEVIN) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1486. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1487. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1488. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1489. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1490. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1491. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1492. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1493. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1494. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1495. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1496. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1497. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1498. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1499. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1500. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1501. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1502. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1503. Mr. KIRK (for himself, Mrs. FISCHER, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1504. Ms. HIRONO (for herself, Mrs. MURRAY, Ms. MURKOWSKI, Mrs. BOXER, Mrs. GILLIBRAND, Ms. CANTWELL, Ms. STABENOW, Ms. KLOBUCHAR, Ms. WARREN, Ms. BALDWIN, Ms. MIKULSKI, Ms. LANDRIEU, Mrs. SHAHEEN, and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1505. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1506. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1507. Mr. VITTER proposed an amendment to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra.

SA 1508. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1509. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1510. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1511. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1512. Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1513. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1514. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1515. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1516. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1517. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1518. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1519. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1520. Mr. GRASSLEY (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1521. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1522. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1523. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1524. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1525. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1526. Ms. KLOBUCHAR (for herself, Mr. COATS, Ms. LANDRIEU, and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1527. Mr. KING (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1528. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1529. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1530. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1531. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1532. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1533. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1534. Mr. WARNER (for himself, Ms. MIKULSKI, Mr. WICKER, Mr. KAINE, and Ms.

MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1535. Mr. BROWN (for himself, Mr. ENZI, Mr. CASEY, Mr. BEGICH, Mr. PRYOR, Mr. TESTER, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1536. Mr. HATCH (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1537. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1538. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1539. Mr. WYDEN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1540. Mr. WYDEN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1541. Mr. WYDEN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1542. Mr. WYDEN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1543. Mr. WYDEN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1544. Mr. WYDEN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1545. Mr. WYDEN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1546. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1547. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1548. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1549. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1550. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1428. Mr. BLUMENTHAL (for himself, Ms. MURKOWSKI, Mr. LEAHY, Mr. ROCKEFELLER, Mr. BEGICH, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1004, between lines 4 and 5, insert the following:

''(F) SPECIAL RULE FOR CHILDREN.—Notwithstanding subparagraph (A), the Secretary may adjust the status of a registered provisional immigrant to the status of an alien lawfully admitted for permanent residence if the alien—

''(i) satisfies the requirements under clauses (i) and (ii) of subparagraph (A); and

''(ii) is under 18 years of age on the date the alien submits an application for such adjustment.

On page 1007, between lines 2 and 3, insert the following:

(2) WAIVER.—Section 334 (8 U.S.C. 1445) is amended—

(A) in subsection (b), by striking ''person'' and inserting ''person, other than a person who received an adjustment of status pursuant to section 245D,''; and

(B) in subsection (f), by inserting ''who received an adjustment of status pursuant to section 245D or an alien'' after ''An alien''.

SA 1429. Mr. BLUMENTHAL (for himself, Mrs. MURRAY, and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. WHISTLEBLOWER PROTECTIONS.

(a) IN GENERAL.—Section 214(c) (8 U.S.C. 1184(c)) is amended by adding at the end the following:

''(15) WHISTLEBLOWER PROTECTIONS.—

''(A) PROHIBITIONS.—A person may not discharge, demote, suspend, threaten, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because such employee—

''(i) has filed or is about to file a complaint, instituted or caused to be instituted any proceeding, testified, assisted, or will testify, or cooperated or seeks to cooperate, in an investigation or other proceeding concerning compliance with the requirements under this title or any rule or regulation pertaining to this title or any covered claim;

''(ii) has disclosed or is about to disclose information to the person or to any other person or entity, that the employee reasonably believes evidences a violation of this title or any rule or regulation pertaining to this title, or grounds for any covered claim;

''(iii) has assisted or participated, or is about to assist or participate, in any manner in a proceeding or in any other action to carry out the purposes of this title or any covered claim;

''(iv) furnished, or is about to furnish, information to the Department of Labor, the Department of Homeland Security, the Department of Justice, or any Federal, State, or local regulatory or law enforcement agency relating to a violation of this title or any covered claim; or

''(v) objected to, or refused to participate in, any activity, policy, practice, or assigned task that the employee (or other such person) reasonably believed to be in violation of any provision of this Act or any other Act, or any order, rule, regulation, standard, or ban under any Act.

''(B) ENFORCEMENT.—

''(i) IN GENERAL.—An employee who believes that he or she has suffered a violation of subparagraph (A) may seek relief in accordance with the procedures, notifications, burdens of proof, remedies, and statutes of limitation set forth in section 1514A of title 18, United States Code.

''(ii) STAY OF REMOVAL.—The Attorney General and the Secretary of Homeland Security, after consulting with the Secretary of Labor and the Secretary of Labor has determined that a claim filed under this section for a violation of subparagraph (A) is not frivolous and demonstrates a prima facie case that a violation has occurred, may stay the removal of the nonimmigrant from the United States for time sufficient to participate in an action taken pursuant to this section. Upon the final disposition of the claim filed under this section, either by the Secretary of Labor or by a Federal court, the Secretary of Homeland Security shall adjust the employee's status consistent with such disposition. A determination to deny a stay of removal under this clause shall not deprive an individual of the right to pursue any other avenue for relief from removal proceedings.

''(iii) APPEAL.—

''(I) JURISDICTION.—Any person adversely affected or aggrieved by a final order issued under clause (i) may obtain review of the order in the United States Court of Appeals for—

''(aa) the circuit in which the violation, with respect to which the order was issued, allegedly occurred; or

''(bb) the circuit in which the complainant resided on the date of such violation.

''(II) FILING DEADLINE.—A petition for review under this subparagraph shall be filed not later than 60 days after the date on which the final order was issued by the Secretary of Labor.

''(III) APPLICABLE LAW.—A review under this subparagraph shall conform to the provisions set forth in chapter 7 of title 5, United States Code.

''(IV) STAY OF ORDER.—Unless ordered by the court, the commencement of proceedings under this subparagraph shall not operate as a stay of the order by the Secretary of Labor.

''(C) EDUCATION.—Each person, entity, and institution covered by this Act shall—

''(i) prominently communicate to all sectors and ranks of its labor force the rights and responsibilities under this Act; and

''(ii) provide associated education and training to all sectors and ranks of its labor force through notifications, postings, mailings, and training classes, supplemented with publicly accessible online materials on the requirements of, and developments that would affect the implementation of this Act.

''(D) NO LIMITATION ON RIGHTS.—Nothing in this paragraph may be construed to diminish the rights, privileges, or remedies of any person under any Federal or State law, equity, or under any collective bargaining agreement. The rights and remedies set forth in this paragraph may not be waived by any agreement, policy, form, or condition of employment.

''(E) DEFINITIONS.—In this paragraph:

''(i) COVERED CLAIM.—The term 'covered claim' means any claim, petition, charge, complaint, or grievance filed with, or submitted to, a Federal, State, or local agency or court, relating to the violation of applicable Federal or State labor or employment laws.

''(ii) DISCLOSE.—The term 'disclose' means to make a formal or informal communication or transmission.

''(iii) EMPLOYEE.—The term 'employee' means—

''(I) a current or former nonimmigrant alien admitted pursuant to section 101(a)(15)(H)(ii)(B); or

''(II) persons performing or formerly performing substantially the same work as such nonimmigrants in a related workplace.''.

(b) RULEMAKING.—Not later than 180 days after the date of the enactment of this Act, and after an opportunity for notice and comment, the Secretary of Labor shall promulgate regulations to carry out the amendment made by subsection (a).

SA 1430. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SECTION _____. PROHIBITION OF SALE OF FIREARMS TO, OR POSSESSION OF FIREARMS BY, ALIENS NOT LAWFULLY ADMITTED FOR PERMANENT RESIDENCE.

Section 922 of title 18, United States Code, is amended—

(1) in subsection (d)(5)(B), by striking ''(y)(2)'' and all that follows and inserting ''(y), is in the United States not as an alien lawfully admitted for permanent residence;'';

(2) in subsection (g)(5)(B), by striking ''(y)(2)'' and all that follows and inserting ''(y), is in the United States not as an alien lawfully admitted for permanent residence;''; and

(3) in subsection (y)—

(A) in the heading by striking ''ADMITTED UNDER NONIMMIGRANT VISAS'' and inserting ''NOT LAWFULLY ADMITTED FOR PERMANENT RESIDENCE'';

(B) in paragraph (1), by amending subparagraph (B) to read as follows:

''(B) the term 'lawfully admitted for permanent residence' has the same meaning as in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)).'';

(C) in paragraph (2), by striking ''under a nonimmigrant visa'' and inserting ''but not lawfully admitted for permanent residence''; and

(D) in paragraph (3)(A), by striking ''admitted to the United States under a nonimmigrant visa'' and inserting ''lawfully admitted to the United States but not as an alien lawfully admitted for permanent residence''.

SA 1431. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1421, between lines 12 and 13, insert the following:

''(D) The compensation or terms, conditions, or privileges of employment of the individual.

On page 1422, line 5, strike ''law enforcement;'' and insert ''eligibility requirements for law enforcement officers;''.

SA 1432. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title III, add the following:

SEC. 3722. NOTIFICATION WHEN BACKGROUND CHECK FAILS DUE TO STATUS AS PROHIBITED ALIEN.

Section 922(t) of title 18, United States Code, is amended by adding at the end the following:

''(7) If the national instant background check system notifies the licensee that the receipt of a firearm by such other person would violate subsection (g)(5), the Attorney General shall notify the Secretary of Homeland Security.''.

SEC. 3723. NOTIFICATION AFTER MULTIPLE FIREARMS PURCHASES.

Section 923(g)(3) of title 18, United States Code, is amended—

(1) by redesignating subparagraph (B) as subparagraph (C); and

(2) by inserting after subparagraph (A) the following:

''(B) Each licensee shall prepare a report of multiple sales or other dispositions whenever the licensee sells or otherwise disposes of, at one time or during any 5 consecutive business days, 2 or more pistols, or revolvers, or any combination of pistols and revolvers totaling 2 or more, to a non-citizen. The report shall be prepared on a form specified by the Attorney General and forwarded to the office specified thereon and to the Department of Homeland Security, not later than the close of business on the day that the multiple sale or other disposition occurs.''.

SA 1433. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 970, strike lines 15 through 19, and insert the following:

''(ii) is able to demonstrate—

''(I) average income or resources that are not less than 100 percent of the Federal poverty level throughout the period of admission as a registered provisional immigrant; or

''(II) that average income was adversely impacted due to a violation of applicable Federal, State, or local labor or employment laws.

On page 986, strike lines 11 through 15, and insert the following:

''(ii) can demonstrate—

''(I) average income or resources that are not less than 125 percent of the Federal poverty level throughout the period of admission as a registered provisional immigrant; or

''(II) that average income was adversely impacted due to a violation of applicable Federal, State, or local labor or employment laws.

SA 1434. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1439, between lines 10 and 11, insert the following:

(c) SUSPENSION OF ENFORCEMENT ACTIONS DURING WORKPLACE INVESTIGATIONS OF PROTECTED WORKPLACE ACTIVITIES..—Section 274A (8 U.S.C. 12324a), as amended by section 3101, is further amended by adding at the end of subsection (e) the following:

''(10) SUSPENSION OF CIVIL WORKSITE ENFORCEMENT ACTIONS DURING WORKPLACE INVESTIGATIONS OR PROTECTED WORKPLACE ACTIVITIES FOR PROTECTION OF WORKERS' RIGHTS.—

''(A) IN GENERAL.—To ensure that enforcement actions of U.S. Immigrations and Customs Enforcement are consistent with laws protecting the rights of workers and workplace rights, the Secretary may not initiate or continue a civil worksite enforcement action—

''(i) at a facility where an investigation of violations of workplace rights by another government agency or body is ongoing; or

''(ii) directed at employees who are engaged in a protected workplace activity.

''(B) REQUIREMENTS BEFORE COMMENCEMENT OF ENFORCEMENT ACTIONS.—

''(i) NO INITIATION WITHOUT DETERMINATION.—Whenever the Secretary contemplates initiating a civil worksite enforcement action, the Secretary shall first determine whether either conditions set forth in clause (i) or (ii) of subparagraph (A) are met.

''(ii) MANNER OF MAKING DETERMINATION.—The Secretary shall make each determination required by clause (i) by all means reasonably available to the Secretary and appropriate under the circumstances, including, but not limited to—

''(I) by contacting the Department of Labor, which shall act as a repository for reports or claims filed concerning protected workplace activity (including reports and claims filed with government agencies or bodies); and

''(II) by reviewing records of the Secretary of previous enforcement actions, if any, at the facility concerned.

''(iii) DEPARTMENT OF LABOR ASSISTANCE.—The Secretary of Labor shall assist the Secretary in making determinations under this subparagraph by providing timely and accurate information to allow for identification of civil worksite enforcement actions at facilities.

''(C) DEFINITIONS.—In this paragraph:

''(i) ENFORCEMENT ACTION.—The term 'enforcement action' includes the civil authority of Immigration and Customs Enforcement to inspect Forms I-9, to investigate referrals received from the electronic employment eligibility verification program of the U.S. Citizenship and Immigration Services, to investigate, to search, to fine, and to make civil arrests for violations of immigration law relating to employment of aliens without work authorization.

''(ii) GOVERNMENT AGENCY OR BODY.—The term 'government agency or body' including any Federal, State, or local government entity.

''(iii) PROTECTED WORKPLACE ACTIVITY.—The term 'protected workplace activity' includes the assertion or exercise of any workplace rights.

''(iv) WORKPLACE RIGHTS.—The term 'workplace rights' has the meaning given that term in section 274A(b)(8).''.

On page 1439, strike lines 11 through 13 and insert the following:

(d) TEMPORARY STAY OF REMOVAL.—Section 274A (8 U.S.C. 1324a), as amended by section 3101 and subsection (c), is further amended—

On page 1439, line 16, strike ''(10)'' and insert ''(11)''.

On page 1442, line 4, strike ''(d)'' and insert ''(e)''.

On page 1442, line 21, strike ''(e)'' and insert ''(f)''.

On page 1443, line 3, strike ''(f)'' and insert ''(g)''.

On page 1445, line 5, strike ''(g)'' and insert ''(h)''.

SA 1435. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DEFINITIONS OF CONVICTION AND TERM OF IMPRISONMENT.

(a) IN GENERAL.—Section 101(a)(48) (8 U.S.C. 1101(a)(48)(A)) is amended—

(1) by striking subparagraph (A) and inserting the following:

''(A) The term 'conviction' means, with respect to an alien, a formal judgment of guilt of the alien entered by a court. An adjudication or judgment of guilt that has been expunged, deferred, annulled, invalidated, withheld, or vacated, an order of probation without entry of judgment, or any similar disposition shall not be considered a conviction for purposes of this Act.''; and

(2) in subparagraph (B)—

(A) by inserting ''only'' after ''deemed to include''; and

(B) by striking ''court of law'' and all that follows and inserting ''court of law. Any such reference shall not be deemed to include any suspension of the imposition or execution of that imprisonment or sentence in whole or in part.''.

(b) EFFECTIVE DATE AND APPLICATION.—

(1) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

(2) APPLICATION.—The amendments made by subsection (a) shall apply to convictions and sentences entered before, on, or after the date of the enactment of this Act.

SEC. _____. RETROACTIVE APPLICATION.

(a) GROUNDS OF DEPORTABILITY.—Section 237 (8 U.S.C. 1227) is amended by adding at the end the following

''(e) DATE OF OFFENSE.—Notwithstanding any other provision of this section, an alien is not deportable by reason of committing any offense that was not a ground of deportability on the date on which the offense occurred.''.

(b) GROUNDS OF INADMISSIBILITY.—Section 212 (8 U.S.C. 1182), as amended by sections 2312(d), 2313(b), and 4211(a)(3), is further amended by adding at the end the following:

''(y) DATE OF OFFENSE.—Notwithstanding any other provision of this section, an alien is not inadmissible by reason of committing any offense that was not a ground of inadmissibility on the date on which the offense occurred.''.

On page 1494, between lines 17 and 18, insert the following:

(d) EXECUTION OF ORDER OF REMOVAL.—Section 240(b)(5)(C) (8 U.S.C. 1229a(b)(5)(C)) is amended to read as follows:

''(C) EXECUTION OF ORDER.—

''(i) IN GENERAL.—An order of removal under subparagraph (A) may be executed only after an immigration judge makes findings, by clear and convincing evidence, that—

''(I) the alien's failure to appear was not because of exceptional circumstances;

''(II) the alien received notice in accordance with paragraph (1) or (2) of section 239(a);

''(III) the alien was not in Federal, State, or local custody; and

''(IV) failure to appear was not otherwise due to circumstances beyond the alien's control.

''(ii) NOTICE.—Before the immigration judge enters the findings set forth in clause (i), the alien or the alien's representative shall be given notice and an opportunity to make oral and written submissions regarding the applicability of subclauses (I) through (IV) of clause (i).

''(iii) ORDER OF REMOVAL IN ABSENTIA.—If the judge enters the findings set forth in clause (i), the judge may enter an order in absentia under this paragraph.

''(iv) MOTION TO RESCIND PROCEEDINGS PERMITTED.—Findings set forth in clause (i) shall not bar the subsequent filing of a motion to rescind, including a motion filed at any time based on evidence that the alien's failure to appear was due to a lack of notice in accordance with paragraph (1) or (2) of section 239(a).

''(v) REOPEN PROCEEDINGS REQUIRED.—If the immigration judge does not enter findings, by clear and convincing evidence, that subclauses (I) through (IV) of clause (i) have been satisfied, the judge shall reopen the proceedings.

''(vi) FINDINGS REQUIRED BEFORE REMOVAL.—No alien may be removed pursuant to the authority of an in absentia removal order described in clause (iii) before the immigration judge issues the findings set forth in clause (i).''.

On page 1566, strike lines 7 through 19, and insert the following:

(a) INADMISSIBILITY.—Section 212(a)(2)(A) (8 U.S.C. 1182(a)(2)(A)) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking '', or'' at the end and inserting a semicolon;

(B) in subclause (II), by striking the comma at the end and inserting ''; or''; and

(C) by inserting after subclause (II) the following:

''(III) a violation of section 1541, 1545, and subsection (b) of section 1546 of title 18, United States Code,''; and

(2) in clause (ii)—

(A) in the matter preceding subclause (I), by striking ''(I)'';

(B) in subclause (I), by striking ''when the alien was under 18 years of age, and the crime was committed (and the alien released from any confinement to a prison or correctional institution imposed for the crime)''; and

(C) by amending subclause (II) to read as follows:

''(II) the crime resulted in a conviction for which the alien was incarcerated for a period of 1 year or less.''.

(b) REMOVAL.—Section 237(a) (8 U.S.C. 1227(a)) is amended—

(1) in paragraph (2)(A), by amending clause (i) to read as follows:

''(i) CRIMES OF MORAL TURPITUDE.—Any alien who is convicted of a crime involving moral turpitude committed within 5 years (or 10 years in the case of an alien provided lawful permanent resident status under section 245(j)) after the date of admission for which the alien was incarcerated for a period exceeding 1 year, is deportable.''; and

(2) in paragraph (3)(B), by amending clause (iii) to read as follows:

SA 1436. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 943, line 2, strike ''**BEFORE DECEMBER 31, 2011,**''.

On page 944, beginning on line 6, strike ''December 31, 2011;'' and insert ''April 17, 2013;''.

On page 944, line 10, strike ''December 31, 2011,'' and insert ''April 17, 2013,''.

On page 944, beginning on line 24, strike ''December 31, 2011,'' and insert ''April 17, 2013,''.

On page 950, beginning on line 8, strike ''December 31, 2012.'' and insert ''April 17, 2013,''.

On page 956, beginning on line 2, strike ''December 31, 2011'' and insert ''April 17, 2013''.

On page 1020, strike line 3 and all that follows through the first 2 undesignated lines after line 5, and insert the following:

(e) CLERICAL AMENDMENT.—The table of contents is amended by inserting after the item relating to section 245A the following:

''Sec. 245B. Adjustment of status of eligible entrants to that of registered provisional immigrant.

SA 1437. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title IV, add the following:

SEC. 4416. SHORT-TERM STUDY ON TOURIST VISAS.

Section 101(a)(15)(B) (8 U.S.C. 1101(a)(15)(B)) is amended to read as follows:

''(B) an alien (other than an alien coming to the United States to pursue a course of study exceeding 90 days, to perform skilled or unskilled labor, or as a representative of foreign press, radio, film, or other foreign information media engaged in such vocation) having a residence in a foreign country, which the alien has no intention of abandoning, who is visiting the United States temporarily—

''(i) for business purposes;

''(ii) for pleasure; or

''(iii) to pursue a course of study for up to 90 days at an accredited institution of higher education.''.

SA 1438. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. WHISTLEBLOWER PROTECTIONS.

(a) IN GENERAL.—Section 214(c) (8 U.S.C. 1184(c)) is amended by adding at the end the following:

''(15) WHISTLEBLOWER PROTECTIONS.—

''(A) PROHIBITIONS.—A person may not discharge, demote, suspend, threaten, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because such employee—

''(i) has filed or is about to file a complaint, instituted or caused to be instituted any proceeding, testified, assisted, or will testify, or cooperated or seeks to cooperate, in an investigation or other proceeding concerning compliance with the requirements under this title or any rule or regulation pertaining to this title or any covered claim;

''(ii) has disclosed or is about to disclose information to the person or to any other person or entity, that the employee reasonably believes evidences a violation of this title or any rule or regulation pertaining to this title, or grounds for any covered claim;

''(iii) has assisted or participated, or is about to assist or participate, in any manner in a proceeding or in any other action to carry out the purposes of this title or any covered claim;

''(iv) furnished, or is about to furnish, information to the Department of Labor, the Department of Homeland Security, the Department of Justice, or any Federal, State, or local regulatory or law enforcement agency relating to a violation of this title or any covered claim; or

''(v) objected to, or refused to participate in, any activity, policy, practice, or assigned task that the employee (or other such person) reasonably believed to be in violation of any provision of this Act or any other Act, or any order, rule, regulation, standard, or ban under any Act.

''(B) ENFORCEMENT.—

''(i) IN GENERAL.—An employee who believes that he or she has suffered a violation of subparagraph (A) may seek relief in accordance with the procedures, notifications, burdens of proof, remedies, and statutes of limitation set forth in section 1514A of title 18, United States Code.

''(ii) APPEAL.—

''(I) JURISDICTION.—Any person adversely affected or aggrieved by an order issued under clause (i) may obtain review of the order in the United States Court of Appeals for—

''(aa) the circuit in which the violation, with respect to which the order was issued, allegedly occurred; or

''(bb) the circuit in which the complainant resided on the date of such violation.

''(II) FILING DEADLINE.—A petition for review under this subparagraph shall be filed not later than 60 days after the date on which the final order was issued by the Secretary of Labor.

''(III) APPLICABLE LAW.—A review under this subparagraph shall conform to the provisions set forth in chapter 7 of title 5, United States Code.

''(IV) STAY OF ORDER.—Unless ordered by the court, the commencement of proceedings under this subparagraph shall not operate as a stay of the order by the Secretary of Labor.

''(C) EDUCATION.—Each person, entity, and institution covered by this Act shall—

''(i) prominently communicate to all sectors and ranks of its labor force the rights and responsibilities under this Act; and

''(ii) provide associated education and training to all sectors and ranks of its labor force through notifications, postings, mailings, and training classes, supplemented with publicly accessible online materials on the requirements of, and developments that would affect the implementation of this Act.

''(D) NO LIMITATION ON RIGHTS.—Nothing in this paragraph may be construed to diminish the rights, privileges, or remedies of any employee under any Federal or State law, equity, or under any collective bargaining agreement. The rights and remedies set forth in this paragraph may not be waived by any agreement, policy, form, or condition of employment.

''(E) DEFINITIONS.—In this paragraph:

''(i) COVERED CLAIM.—The term 'covered claim' means any claim, petition, charge, complaint, or grievance filed with, or submitted to, a Federal, State, or local agency or court, relating to the violation of applicable Federal or State labor or employment laws.

''(ii) DISCLOSE.—The term 'disclose' means to make a formal or informal communication or transmission.

''(iii) EMPLOYEE.—The term 'employee' means—

''(I) a current or former nonimmigrant alien admitted pursuant to section 101(a)(15)(H)(ii)(B); or

''(II) persons performing or formerly performing substantially the same work as such nonimmigrants in a related workplace.''.

(b) RULEMAKING.—Not later than 180 days after the date of the enactment of this Act, and after an opportunity for notice and comment, the Secretary of Labor shall promulgate regulations to carry out the amendment made by subsection (a).

SA 1439. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ALIEN CREWMAN.

Section 258(c)(4) (8 U.S.C. 1288(c)(4)) is amended—

(1) in subsection (c)(4)—

(A) in subparagraph (B)—

(i) in clause (i), by inserting ''to file an attestation in accordance with paragraph (1) or subsection (d)(1) or'' after ''failure''; and

(ii) in clause (iii), by inserting ''an entity has failed to file an attestation in accordance with paragraph (1) or subsection (d)(1),'' after ''believe that'';

(B) in subparagraph (C)(i), by inserting ''or failure to file an attestation'' after ''attestation''; and

(C) in subparagraph (E)(i), by inserting ''has failed to file an attestation in accordance with paragraph (1) or subsection (d)(1) or'' after ''an entity''; and

(2) in subsection (d)(1)(A), by striking ''except that—'' and all that follows through ''(ii)'' and inserting ''except that''.

SA 1440. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1829, line 8, strike ''20,000'' and insert ''200,000''.

On page 1829, line 9, strike ''35,000'' and insert ''250,000''.

On page 1829, line 10, strike ''55,000'' and insert ''300,000''.

On page 1829, line 11, strike ''75,000'' and insert ''350,000''.

On page 1833, lines 1 and 2, strike ''20,000 nor more than 200,000'' and replace with ''200,000 nor more than 400,000''.

SA 1441. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title III, add the following:

SEC. 3722. BREACHED BOND/DETENTION FUND DEPOSITS.

Section 286(r) (8 U.S.C. 1356(r)) is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) There shall be deposited—

''(A) as offsetting receipts into the Fund all breached cash and surety bonds, posted under this Act which are recovered by the Department of Homeland Security, and amounts described in section 245(i)(3)(B).; and

''(B) into the Fund unclaimed moneys from the 'Unclaimed Moneys of Individuals Whose Whereabouts are Unknown' account established pursuant to 31 U.S.C. 1322, from cash received as security on immigration bonds and interest that accrued on such cash, that remains unclaimed for a period of at least 10 years from the date it was first transferred into Treasury's Unclaimed Moneys account if the transfer of the unclaimed moneys will occur only after electronic notice is posted for six months and the moneys remain unclaimed after such notice.'';

(2) in paragraph (3), by striking ''Attorney General'' and inserting ''Secretary of Homeland Security'';

(3) in paragraph (5)—

(A) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security''; and

(B) by striking ''transfers to the general fund,''; and

(4) by striking paragraph (6).

SA 1442. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 855, strike line 24 and all that follows through ''(i)'' on page 856, line 23, and insert the following:

(1) PROCESSING OF APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—

(A) IN GENERAL.—Not earlier than the date on which the Secretary submits to Congress a certification that the Secretary has maintained effective control of high-risk border sectors along the Southern border for a period of not less than 6 months, the Secretary may commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act.

(B) HIGH-RISK BORDER SECTOR DEFINED.—In this paragraph, the term ''high-risk border sector'' means a border sector in which more than 30,000 individuals were apprehended by the Department during the most recent fiscal year.

(2) ADJUSTMENT OF STATUS OF REGISTERED PROVISIONAL IMMIGRANTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary may not adjust the status of aliens who have been granted registered provisional immigrant status, except for aliens granted blue card status under section 2201 of this Act or described in section 245D(b) of the Immigration and Nationality Act, until the Secretary, after consultation with the Comptroller General of the United States, submits to the President and Congress a written certification that—

(i) the Secretary has maintained effective control of the Southern border for a period of not less than 6 months;

(ii)

SA 1443. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 133, strike line 20 and all that follows through page 136, line 17.

SA 1444. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 397, strike line 11 and all that follows through page 399, line 8.

SA 1445. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. STATUS VERIFICATION FOR REMITTANCE TRANSFERS.

(a) IN GENERAL.—Section 919 of the Electronic Fund Transfer Act (relating to remittance transfers) (12 U.S.C. 1692o-1) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

''(g) STATUS VERIFICATION OF SENDER.—

''(1) REQUEST FOR PROOF OF STATUS.—

''(A) IN GENERAL.—Each remittance transfer provider shall request from each sender of a remittance transfer, the recipient of which is located in any country other than the United States, proof of the status of that sender under the immigration laws, prior to the initiation of the remittance transfer.

''(B) ACCEPTABLE DOCUMENTATION.—Acceptable documentation of the status of the sender under this paragraph—

''(i) shall be, in any State that requires proof of legal residence—

''(I) a State-issued driver's license or Federal passport; or

''(II) the same documentation as required by the State for proof of identity for the issuance of a driver's license, or as required for a passport; and

''(ii) shall be, in any State that does not require proof of legal residence, such documentation as the Bureau shall require, by rule; and

''(iii) does not include any matricula consular card.

''(2) FINE FOR NONCOMPLIANCE.—Each remittance transfer provider shall impose on any sender who is unable to provide the proof of status requested under paragraph (1) at the time of transfer, a fine equal to 7 percent of the United States dollar amount to be transferred (excluding any fees or other charges imposed by the remittance transfer provider).

''(3) SUBMISSION OF FINES TO BUREAU.—All fines imposed and collected by a remittance transfer provider under paragraph (2) shall be submitted to the Bureau, in such form and in such manner as the Bureau shall establish, by rule.

''(4) ADMINISTRATIVE AND ENFORCEMENT COSTS.—The Bureau shall use fines submitted under paragraph (3) to pay the administrative and enforcement costs to the Bureau in carrying out this subsection.

''(5) USE OF FINES FOR BORDER PROTECTION.—Amounts from the collection of fines under this subsection that remain available after the payment of expenses described in paragraph (4), shall be transferred by the Bureau to the Treasury, to be used to pay expenses relating to United States Customs and Border Protection for border security fencing, infrastructure, and technology.

''(6) DEFINITION RELATING TO IMMIGRATION STATUS.—In this subsection, the term 'immigration laws' has the same meaning as in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).''.

(b) STUDY AND REPORT REGARDING REMITTANCE TRANSFER PROCESSING FINES AND IDENTIFICATION PROGRAM.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study to determine the effects of the enactment of section 919(g) of the Electronic Fund Transfer Act, as amended by this Act.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Homeland Security and Government Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the results of the study conducted under paragraph (1) that includes—

(A) an analysis of the costs and benefits of complying with section 919(g) of the Electronic Fund Transfer Act, as amended by this Act; and

(B) recommendations about whether the fines imposed under that section 919(g) should be extended or increased.

SA 1446. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 979, between lines 22 and 23, insert the following:

''(D) MANDATORY REMOVAL.—The Secretary shall revoke the status of, and commence special removal proceedings under section 238 against, any registered provisional immigrant who is convicted of—

''(i) any felony;

''(ii) a crime of violence that results in death or serious bodily injury; or

''(iii) an offense relating to drug trafficking.

SA 1447. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 967, strike line 22 and all that follows through page 968, line 8, and insert the following:

''(C) CLEARANCES AND OTHER PREREQUISITES.—

''(i) IN GENERAL.—Before any alien may be granted registered provisional immigrant status, the Secretary shall—

''(I) enable all aliens applying for such status to file applications electronically;

''(II) ensure that in addition to the submission of biometric and biographic data under subparagraph (A), an alien applying for such status submits to national security and law enforcement clearances, which shall be paid for with the fees collected under paragraph (10)(A) and shall include—

''(aa) a State and local criminal background check through the National Law Enforcement Telecommunication System, including the exchange of interstate driver license photos, if available;

''(bb) a fingerprint check by the Federal Bureau of Investigation;

''(cc) verification that the alien is not listed on the consolidated terrorist watch list of the Federal Government;

''(dd) screening by the Office of Biometric and Identity Management (formerly known as 'US-VISIT'); and

''(ee) a check against the TECS system (formerly known as the 'Treasury Enforcement Communications System');

''(III) ensure that an official of the agency performing each such clearance documents the results of the clearance; and

''(IV) establish procedures to ensure that a minimum of 5 percent of the aggregate pool of applicants for registered provisional immigrant status at any time are randomly selected for interviews.

''(ii) ADDITIONAL SECURITY SCREENING.—The Secretary, in consultation with the Secretary of State and other interagency partners, shall conduct an additional security screening upon determining, in the Secretary's opinion based upon information related to national security, that an alien or alien dependent spouse or child is or was a citizen or long-term resident of a region or country known to pose a threat, or that contains groups or organizations that pose a threat, to the national security of the United States.''.

On page 971, line 20, insert ''clearances, and other prerequisites required under paragraph (8)(C),'' after ''checks,''.

SA 1448. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1083, strike lines 3 and 4 and insert the following:

''*(C) REGIONAL CONSIDERATIONS.—*

''*(i) IN GENERAL.—In determining the distribution of visas described in subparagraph (A), the Secretary shall consider the needs of various geographical regions and the current and historical demand for agriculture workers evidenced by the usage of each State of the H-2A worker program pursuant to section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)) .*

''*(ii) COORDINATION.—In making the determinations required by clause (i), the Secretary shall annually solicit input from State and local authorities, including State Commissioners, Secretaries, and Directors of Agriculture.*

''*(D) EFFECT OF 2ND OR SUBSEQUENT DESIGNATED AGRICULTURAL EMPLOYER.—A non-*

SA 1449. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1636, line 18, strike ''$1,000'' and insert ''$2,500''.

On page 1649, line 7, strike ''or'' and insert the following:

(F) providing funding to public institutions of higher education, as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), to strengthen and increase capacity for computer science and computer engineering programs offered by the institutions;

(G) to support student loan repayment programs for kindergarten through grade 12 mathematics or science teachers who have received baccalaureate or postbaccalaureate degrees in STEM fields from institutions of higher education, as defined in such section 101(a), for the student loans incurred by the teachers for such degrees; or

SA 1450. Ms. HEITKAMP (for herself, Mr. HOEVEN, Mr. JOHNSON of South Dakota, and Mr. THUNE) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1145, strike line 3 and insert the following:

SEC. 2244. BEEKEEPERS IN AGRICULTURAL WORKER PROGRAMS.

(a) IN GENERAL.—Section 4 of the Migrant and Seasonal Agricultural Worker Protection Act (7 U.S.C. 1803) is amended by adding at the end the following:

''(c)(1) In this subsection, the term 'beekeeper' means any person [who is a producer, or who engages in honey production,] as such terms are defined in section 3 of the Honey Research, Promotion, and Consumer Information Act (7 U.S.C. 4602).

''(2) The provisions of title I requiring registration as a farm labor contractor do not apply to a beekeeper, for purposes of determining whether the beekeeper or employees of the beekeeper are eligible to participate in a program under section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act, section 245F of the Immigration and Nationality Act, as added by section 2212 of the Border Security, Economic Opportunity, and Immigration Modernization Act, or section 218A of the Immigration and Nationality Act, as added by section 2232 of the Border Security, Economic Opportunity, and Immigration Modernization Act.''.

(b) EFFECTIVE DATE.—Notwithstanding section 2245, this section takes effect on the date of enactment of this Act.

SEC. 2245. EFFECTIVE DATE.

SA 1451. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1626, strike line 5, and insert the following:

SEC. 3807. PROTECTION OF DETAINED CHILDREN.

(a) PROHIBITION ON HOUSING CHILDREN IN ADULT DETENTION FACILITIES.—

(1) IN GENERAL.—The Secretary shall not house any child who is younger than 18 years of age in any adult detention facility unless the child is detained pursuant to section 236A of the Immigration and Nationality Act (8 U.S.C. 1226a).

(2) TRANSFER REQUIREMENTS.—Upon any notice or suspicion that an alien in the custody of the Department may be younger than 18 years of age at any time after apprehension, the Secretary shall—

(A) immediately, or as soon as practicable, but in no case later than 24 hours after such notice or suspicion, initiate an age determination assessment in accordance with section 3612, unless the Secretary determines an alien is a child;

(B) release or transfer the child out of any adult detention facility where the child is being housed, as soon as practicable, but in no case later than 72 hours after the determination of the child's age; and

(C) give primary consideration to the best interests of the child and utilize the least restrictive means available in carrying out the transfer or release of the child.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to abrogate or limit any rights, protections, or requirements under section 3612 and 3717(b) of this Act, section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279), or section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232).

(4) DEFINED TERM.—In this subsection, the term ''detention facility'' has the meaning given the term in section 3802, except that family residential facilities and units in which the child is housed with family members shall not be deemed a detention facility for purposes of this subsection.

(b) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—

(1) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Comptroller General of the United States, after consultation with the appropriate committees and nongovernmental organizations, shall submit a report to the appropriate congressional committees on the housing and detention practices of children.

(2) CONTENTS.—The report submitted under paragraph (1) shall include an assessment of the Department's compliance with Federal statutes and Department regulations and policies on the housing and transfer of child detainees in and from detention facilities.

SEC. 3808. SEVERABILITY.

On page 1606, between lines 17 and 18, insert the following:

(12) For any alien child who is younger than 18 years of age at any stage in the child's bond and removal proceedings, on at least a quarterly basis—

(A) each facility where the child is being housed;

(B) the duration of the child's stay at each facility; and

(C) the conditions of confinement for the child at each facility housed, including—

(i) whether the child is placed in solitary confinement; and

(ii) whether the conditions of confinement for the detained child meet the applicable policies and standards of the Department.

(13) On at least a quarterly basis, whether each child who has been housed in custody at any point during the child's bond and removal proceedings was represented by an attorney.

On page 1609, between lines 3 and 4, insert the following:

(9) For any alien child who is younger than 18 years of age at any point during the removal process, on at least a quarterly basis—

(A) each facility where the child is being or has been housed;

(B) the duration of the child's stay at each facility; and

(C) the conditions of confinement for the child at each facility housed, including—

(i) whether the child is placed in solitary confinement; and

(ii) whether the conditions of confinement for the detained child meet the applicable policies and standards of the Department.

(10) On at least a quarterly basis, whether each child who has been housed in custody at any point during the child's removal process was represented by an attorney.

SA 1452. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 897, strike line 14 and insert the following:

(b) REASSIGNMENTS.—

(1) BETWEEN SECTORS.—The Secretary is authorized to reassign U.S. Customs and Border Protection officers and Border Patrol agents from 1 border sector to another border sector.

(2) CONSTRUCTION.—Nothing in subsection (a) may

SA 1453. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table, as follows:

At the end of subtitle D of title IV, add the following:

SEC. 4416. NATIONAL SECURITY INVESTIGATIONS.

(a) S NONIMMIGRANT STATUS.—Section 101(a)(15)(S)(i)(III) (8 U.S.C. 1101(a)(15)(S)(i)(III)) is amended by inserting ''or national security investigation'' after ''authorized criminal investigation''.

(b) REPORT ON S NONIMMIGRANTS.—Section 214(k)(4) (8 U.S.C. 1184(k)(4)) is amended—

(1) in subparagraph (B), by inserting ''or national security investigations'' after ''prosecutions or investigations''; and

(2) in subparagraph (D), by striking ''successful criminal prosecution or investigation'' inserting ''successful criminal prosecution or investigation, successful national security investigation,''.

(c) ADJUSTMENT TO PERMANENT RESIDENT STATUS.—Section 245(j)(1)(B) (8 U.S.C. 1255(j)(1)(B)) is amended by inserting ''national security investigation or'' after ''criminal investigation or''.

SA 1454. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table, as follows:

On page 852, strike the item relating to section 4409 and insert the following:

''Sec. 4409. F–1 Visa admission fee.''.

On page 852, strike the item relating to section 4509 and insert the following:

''Sec. 4509. B Visa admission fee.''.

On page 892, lines 14 and 15, strike ''Inspector Generals'' and insert ''Inspectors General''.

On page 940, line 23, strike ''migrant'' and insert ''alien''.

On page 941, line 3, strike ''migrant'' and insert ''alien''.

On page 941, line 13, strike ''migrant'' and insert ''alien''.

On page 941, line 14, strike ''migrant'' and insert ''alien''.

On page 941, line 17, strike ''migrant'' and insert ''alien''.

On page 942, line 6, strike ''migrants'' and insert ''aliens''.

On page 942, line 14, strike ''migrant'' and insert ''alien''.

On page 942, line 16, strike ''migrant'' and insert ''alien''.

On page 990, line 24, strike ''(3)(2)'' and insert ''(3)(1)''.

On page 991, line 1, strike ''12102(2)'' and insert ''12102(1)''.

On page 1043, line 18, insert ''is not represented or'' after ''applicant''.

On page 1162, strike lines 7 through 11 and insert the following:

(B) has been lawfully present in the United States, in a status that allows for employment authorization, for a continuous period

of not less than 10 years, not counting brief, casual, and innocent absences.

On page 1163, lines 1 and 2, strike ''the effective date specified in section 2307(a)(3) of this Act'' and insert ''the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act''.

On page 1181, line 12, insert ''or lawful permanent resident'' after ''citizen''.

On page 1181, line 20, insert ''or lawful permanent residence'' after ''citizenship''.

On page 1187, line 2, strike ''minute'' and insert ''day''.

On page 1191, strike lines 14 through 16 and insert the following:

(iii) by amending subsection (h) to read as follows:

''(h) SURVIVAL OF RIGHTS TO PETITION.—The legal termination of a marriage may not be the sole basis for revocation under section 205 of a petition filed under subsection (a)(1)(C) pursuant to conditions described in subsection (a)(1)(C)(i). Remarriage of an alien whose petition was approved under subsection (a)(1)(C) or marriage of an alien described in subparagraphs (D) or (F) of subsection (a)(1) shall not be the basis for revocation of a petition approval under section 205.''.

On page 1198, line 24, strike ''(1)(A)'' and insert ''(1)(B)''.

On page 1200, line 9, strike ''2212(d)'' and insert ''2212(b)''.

On page 1214, line 25, strike ''the United States'' and insert ''a State''.

On page 1220, line 13, insert ''Federal'' after ''any''.

On page 1247, line 4, ''the Attorney General, and the Director of the National Counterterrorism Center,'' after ''Defense,''.

On page 1258, line 14, ''the Attorney General, and the Director of the National Counterterrorism Center,'' after ''Defense,''.

On page 1277, line 23, strike ''institutions'' and insert ''instruction''.

On page 1287, line 1, strike ''**DIRECTORS**'' and insert ''**TRUSTEES**''.

On page 1287, line 4, strike ''Directors'' and insert ''Trustees''.

On page 1287, line 10, strike ''directors'' and insert ''trustees''.

On page 1287, lines 10 and 11, strike ''directors'' and insert ''trustees''.

On page 1358, lines 1 and 2, strike ''Secretary'' and insert ''Attorney General''.

On page 1600, line 24, '', to citizens, subjects, nationals, or residents of that country'' after ''classes of visas''.

On page 1612, strike lines 3 through 6 and insert the following:

''(2)(A) An enforcement action may not take place at, or be focused on, a sensitive location except—

''(i) under exigent circumstances; or

''(ii) if prior approval is obtained.''.

On page 1736, line 4, strike ''clause (iv) or (v)'' and insert ''clause (iii), (iv), or (v)''.

On page 1744, line 17, strike ''**f–1 visa fee**'' and insert ''**F–1 VISA ADMISSION FEE**''.

On page 1745, line 1, strike ''Fees'' and insert the following:

''(2) DEPOSIT.—Fees''.

On page 1745, strike lines 6 through 17.

On page 1783, line 21, strike ''**B VISA FEE**'' and insert ''**B VISA ADMISSION FEE**''.

On page 1784, line 1, strike ''B VISA FEE'' and insert ''B VISA ADMISSION FEE''.

On page 1793, line 7, strike ''FEE'' and insert ''ADMISSION FEE''.

On page 1853, line 4, strike ''application'' and insert ''applicable''.

On page 1855, line 7, strike ''or'' and insert ''of''.

On page 1855, strike line 11.

On page 1855, line 12, strike ''(dd)'' and insert ''(cc)''.

On page 1855, line 14, strike ''(ee)'' and insert ''(dd)''.

On page 1855, line 17, insert ''business'' before ''entity''.

On page 1855, line 18, strike ''(ff)'' and insert ''(ee)''.

On page 1855, line 21, strike ''(gg)'' and insert ''(ff)''.

On page 1855, line 23, strike ''(ff)'' and insert ''(ee)''.

On page 1861, strike lines 4 through 7 and insert the following:

''(III) is managed by an investment adviser (as defined in section 202(a)(11) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–2(a)(11))) that—''.

On page 1862, lines 6 and 7, strike ''includes the position of'' and insert ''shall include such positions as''.

On page 1864, line 5, insert ''interest'' after ''ownership''.

On page 1864, line 16, strike ''devoted'' and insert ''made''.

On page 1864, line 19, strike ''to'' and insert ''in''.

On page 1865, line 2, insert '', the alien's United States business entity'' after ''date''.

On page 1866, line 9, strike ''devoted'' and insert ''made''.

On page 1866, line 12, strike ''to'' and insert ''in''.

On page 1866, line 19, insert '', the alien's United States business entity'' after ''date''.

SA 1455. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1869, strike line 22 and all that follows through page 1910, line 5, and insert the following:

SEC. 4804. PERMANENT AUTHORIZATION OF EB–5 REGIONAL CENTER PROGRAM.

(a) REPEAL.—Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is repealed.

(b) AUTHORIZATION.—Section 203(b)(5) (8 U.S.C. 1153(b)(5)) is amended by adding at the end the following:

''(E) REGIONAL CENTER PROGRAM.—

''(i) IN GENERAL.—Visas under this paragraph shall be made available to qualified immigrants participating in a program implementing this paragraph that involves a regional center in the United States, which has been designated by the Secretary of Homeland Security, in consultation with the Secretary of Commerce, on the basis of a general proposal for the promotion of economic growth, including—

''(I) increased export sales;

''(II) improved regional productivity;

''(III) job creation; or

''(IV) increased domestic capital investment.

''(ii) ESTABLISHMENT OF A REGIONAL CENTER.—A regional center shall have jurisdiction over a defined geographic area, which shall be described in the proposal and consistent with the purpose of concentrating pooled investment in defined economic zones. The establishment of a regional center may be based on general predictions, contained in the proposal, concerning—

''(I) the kinds of commercial enterprises that may receive investments from aliens without limiting the scope of regional center activity to any specific industry or industries referenced in the proposal;

''(II) the jobs that may be created directly or indirectly as a result of such investments; and

''(III) other positive economic effects such investments may have.

''(iii) INDIRECT JOB CREATION.—The Secretary of Homeland Security shall permit immigrants admitted under this paragraph to satisfy the requirements under subparagraph (A)(ii) with jobs that are estimated to be created indirectly through investment under this paragraph in accordance with this subparagraph.

''(iv) COMPLIANCE.—In determining compliance with subparagraph (A)(ii), the Secretary of Homeland Security shall permit aliens admitted under the program described in this subparagraph to establish reasonable methodologies for determining the number of jobs created by the program, including jobs estimated to have been created indirectly through revenues generated from increased exports, improved regional productivity, job creation, and increased domestic capital investment resulting from the program, including jobs created outside of the geographic boundary of the regional center as a result of the immigrant's investment in regional center associated commercial enterprises.

''(v) AMENDMENTS.—The Secretary of Homeland Security—

''(I) may require approved regional centers to give notice to the Secretary of significant changes to their organization;

''(II) may approve or disapprove the changes referred to in subclause (I); and

''(III) shall not suspend the Secretary's adjudication of any filings by, or related to, a regional center, including investor petitions under section 203(b)(5), regardless of whether such regional center has given notice to the Secretary pursuant to subclause (I).

''(F) PREAPPROVAL OF BUSINESS PLANS FOR REGIONAL CENTER INVESTMENTS.—

''(i) PETITION.—Before the filing of a petition under this subparagraph by an alien investor, a commercial enterprise associated with a regional center may file a petition with the Secretary of Homeland Security to preapprove a particular investment in the commercial enterprise, as provided in—

''(I) a business plan for a specific capital investment project;

''(II) investment documents, such as subscription, investment, partnership, and operating agreements; and

''(III) a credible economic analysis regarding estimated job creation that is based upon reasonable methodologies.

''(ii) PREAPPROVAL PROCEDURE.—The Secretary shall establish a process to facilitate the preapproval of business plans under this subparagraph related to investment in a regional center commercial enterprise, which shall include an opportunity for the applicant to address and cure any deficiencies identified by the Secretary in the applicant's business plan, investment documents, or statement regarding job creation prior to a final determination. The Secretary shall impose a fee for the use of the process described in this clause sufficient to recover the costs of its administration pursuant to subsections (m) and (n) of section 286.

''(iii) EFFECT OF PREAPPROVAL OF BUSINESS PLAN FOR INVESTMENT IN REGIONAL CENTER COMMERCIAL ENTERPRISE.—The preapproval of a petition under this subparagraph shall be binding for purposes of the adjudication of subsequent petitions seeking classification

under this paragraph by immigrants investing in the same commercial enterprise concerning the same economic activity, and of petitions filed under section 216A, unless the Secretary determines that there is evidence of fraud, misrepresentation, criminal misuse, a threat to national security, a material change that affects the approved economic model, or other evidence affecting program eligibility that was not disclosed by the petitioner during the preapproval process.

''(iv) EXPEDITED PROCESSING OPTION FOR ALIEN INVESTOR PETITIONS ASSOCIATED WITH PREAPPROVED BUSINESS PLANS.—The Secretary may establish a premium processing option for business plan preapproval and for petitions by alien investors who are investing in a commercial enterprise that has received preapproval under this subparagraph pursuant to section 286(u).

''(v) CONSIDERATION OF CRIMINAL ACTIVITY IN ESTABLISHING ELIGIBILITY CRITERIA.—The Secretary shall consider the potential for fraud, misrepresentation, criminal misuse, and threats to national security in establishing eligibility criteria for any program the Secretary may establish under this subparagraph.

''(vi) EFFECT OF PRIOR DETERMINATIONS.—If a commercial enterprise does not file a petition for preapproval under this subparagraph, or files a petition under this subparagraph that is denied, the approval of any of the items described in clause (i) submitted in support of a petition seeking classification of an alien as an alien investor under this paragraph shall be binding for purposes of the adjudication of subsequent petitions seeking classification under this paragraph by aliens investing in the same commercial enterprise concerning the same economic activity, and of petitions filed under section 216A, unless the Secretary determines that there is evidence of fraud, misrepresentation, criminal misuse, a threat to national security, a material change that affects the approved economic model, or evidence affecting program eligibility that was not disclosed.

''(G) REGIONAL CENTER FINANCIAL STATEMENTS.—

''(i) IN GENERAL.—Each regional center designated under subparagraph (E) shall annually submit, to the Director of U.S. Citizenship and Immigration Services (referred to in this subparagraph as the 'Director'), in a manner prescribed by the Secretary of Homeland Security, financial statements, including—

''(I) an accounting of all foreign investor money invested in association with the regional center or associated conventional, enterprise; and

''(II) for each capital investment project—

''(aa) an accounting of the aggregate capital invested in association with the regional center or associated commercial enterprises by immigrants under this paragraph;

''(bb) a description of how such funds are being used to execute the approved business plan;

''(cc) evidence that 100 percent of such investor funds have been dedicated to the project;

''(dd) detailed evidence of the progress made toward the completion of the project;

''(ee) an accounting of the aggregate direct and indirect jobs created or preserved; and

''(ff) a certification by the regional center that such statements are accurate.

''(ii) AMENDMENT OF FINANCIAL STATEMENTS.—If the Director determines that a financial statement required under clause (i) is deficient, or if the Director otherwise deems appropriate, the Director may require the regional center to amend or supplement such financial statement.

''(iii) SANCTIONS.—

''(I) EFFECT OF VIOLATION.—If the Director determines that a regional center, director, or other individual involved with a regional center (other than an alien investor) has violated any requirement under clause (i) or that the regional center is conducting itself in a manner inconsistent with its designation, the Director, after giving the regional center an opportunity to rebut the alleged violations, may sanction the violating entity or individual under subclause (II).

''(II) AUTHORIZED SANCTIONS.—The Director shall establish a graduated set of sanctions for violations referred to in subclause (I), including—

''(aa) fines equal to not more than 5 percent of the total capital invested by immigrant investors in the commercial enterprise's approved business plan, the payment of which shall not in any circumstance utilize any of such immigrant investors' capital investment;

''(bb) temporary suspension from participation in the program described in subparagraph (E), which may be lifted by the Director if the individual or entity cures the alleged violation after being provided such an opportunity by the Director;

''(cc) permanent bar from program participation for 1 or more individuals affiliated with the regional center; and

''(dd) termination of regional center status.

''(H) BONA FIDES OF PERSONS INVOLVED IN REGIONAL CENTERS OR REGIONAL CENTER ASSOCIATED COMMERCIAL ENTERPRISES.—

''(i) IN GENERAL.—No person shall be permitted by any regional center or regional center associated commercial enterprise to be involved with the regional center or commercial enterprise as its principal, representative, administrator, owner, officer, board member, manager, executive, general partner, fiduciary, marketer, promoter, or other similar position of substantive authority for the operations, management or promotion of the regional center or commercial enterprise if the Secretary of Homeland Security—

''(I) determines such person has been found liable within the previous 5 years for any criminal or civil violation of any law relating to fraud or deceit, or at any time if such violation involved a criminal conviction with a term of imprisonment of at least 1 year or a criminal or civil violation of any law or agency regulation in connection with the purchase or sale of a security, unless the Secretary determines that the past violation should not prevent involvement with the regional center or regional center associated commercial enterprise; or

''(II) knows or has reasonable cause to believe that the person is engaged in, has ever been engaged in, or seeks to engage in any—

''(aa) illicit trafficking in any controlled substance;

''(bb) activity relating to espionage or sabotage;

''(cc) activity related to money laundering (as described in section 1956 or 1957 of title 18, United States Code);

''(dd) terrorist activity (as defined in clauses (iii) and (iv) of section 212(a)(3)(B));

''(ee) human trafficking or human rights offense; or

''(ff) violation of any statute, regulation, or Executive Order regarding foreign financial transactions or foreign asset control.

''(ii) INFORMATION REQUIRED.—The Secretary shall require such attestations and information, including, the submission of fingerprints to the Federal Bureau of Investigation, and shall perform such criminal record checks and other background checks with respect to a regional center or regional center associated commercial enterprise, and persons involved in a regional center or regional center associated commercial enterprise as described in clause (i), as the Secretary considers appropriate to determine whether the regional center or regional center associated commercial enterprise is in compliance with clause (i). The Secretary may require the information and attestations described in this clause from such regional center or regional center associated commercial enterprise, and any person involved in the regional center or regional center associated commercial enterprise, at any time on or after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(iii) TERMINATION.—The Secretary is authorized, in the Secretary's unreviewable discretion, to terminate any regional center or regional center associated commercial enterprise from the program under this paragraph if the Secretary determines that—

''(I) the regional center or regional center associated commercial enterprise is in violation of clause (i);

''(II) the regional center, a regional center associated commercial enterprise, or any person involved with the regional center or regional center associated commercial enterprise has provided any false attestation or information under clause (ii);

''(III) the regional center, regional center associated commercial enterprise, or any person involved with the regional center or regional center associated commercial enterprise, fails to provide an attestation or information requested by the Secretary under clause (ii); or

''(IV) the regional center, a regional center associated commercial enterprise, or any person involved with the regional center or regional center associated commercial enterprise is engaged in fraud, misrepresentation, criminal misuse, or threats to national security.

''(iv) TREATMENT OF INVESTORS IF REGIONAL CENTER TERMINATED.—An alien who previously invested in a commercial enterprise associated with a regional center that is subsequently terminated under subclause (iii) shall be provided an opportunity to invest in another approved regional center. The termination of the regional center shall not affect the alien's status.

''(I) REGIONAL CENTER COMPLIANCE WITH SECURITIES LAWS.—

''(i) CERTIFICATION REQUIRED.—The Secretary of Homeland Security shall not approve an application for regional center designation or regional center amendment that does not certify that the regional center and, to the best knowledge of the applicant, all parties to the regional center are in, and will maintain, compliance with the securities laws of the United States.

''(ii) EXCEPTION FOR GOVERNMENTAL ENTITY.—If the regional center described in clause (i) is operated by a State or municipal entity, the regional center may obtain the certifications required under subclause (i) for any commercial enterprises associated with the regional center.

''(iii) OVERSIGHT REQUIRED.—In furtherance of the certification described in clause (i), any regional center not operated by a State or municipal entity shall monitor and supervise all offers and sales of securities made by associated commercial enterprises to ensure

compliance with the securities laws of the United States, and to maintain records, data ,and information relating to all such offers and sales of securities.

''(iv) TERMINATION OR SUSPENSION.—The Secretary shall terminate the designation of any regional center that does not provide the certification described in subclause (i) on an annual basis. In addition to any other authority provided to the Secretary regarding the regional center program described in subparagraph (E), the Secretary may, in his or her unreviewable discretion, suspend or terminate the designation of any regional center if he or she determines that the regional center or any party to the regional center—

''(I) is permanently or temporarily enjoined by order, judgment, or decree of any court of competent jurisdiction in connection with the purchase or sale of a security;

''(II) is subject to any final order of the Securities and Exchange Commission that—

''(aa) bars such person from association with an entity regulated by the Securities and Exchange Commission; or

''(bb) constitutes a final order based on violations in connection with the purchase or sale of a security; or

''(III) knowingly submitted or caused to be submitted a certification described in clause (i) that contained an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading.

''(v) SAVINGS PROVISION.—Nothing in this subparagraph may be construed to impair or limit the authority of the Securities and Exchange Commission under the Federal securities laws.

''(vi) DEFINED TERM.—In this subparagraph, the term 'party to the regional center' includes the regional center, its agents, employees, and attorneys, and any persons in active concert or participation with the regional center.

''(J) DENIAL OR REVOCATION.—If the Secretary of Homeland Security determines, in his or her unreviewable discretion, that the approval of a petition, application, or benefit described in this subparagraph is contrary to the national interest of the United States for reasons relating to fraud, misrepresentation, criminal misuse, or threats to national security, the Secretary may deny or revoke the approval of—

''(i) a petition seeking classification of an alien as an alien investor under this paragraph;

''(ii) a petition to remove conditions under section 216A before granting lawful permanent resident status or any other petition, application, or benefit based upon the previous or concurrent filing or approval of a petition for classification of an alien under this paragraph; or

''(iii) an application for designation as a regional center.''.

(c) ASSISTANCE BY THE SECRETARY OF COMMERCE.—

(1) IN GENERAL.—The Secretary of Commerce, upon the request of the Secretary, shall provide consultation assistance for determining whether—

(A) a proposed regional center should be designated, terminated, or subject to other adjudicative action; or

(B) a petitioner or applicant for a benefit under section 203(b)(5) of the Immigration and Nationality Act, as amended by subsection (b), has met the requirements under such paragraph with respect to job creation.

(2) RULEMAKING.—The Secretary and the Secretary of Commerce may each adopt such rules and regulations as are necessary to carry out the consultation process provided for in paragraph (1).

(3) SAVINGS PROVISION.—The consultation provided under paragraph (1) shall be voluntary. Nothing in this subsection may be construed to require consultation with the Secretary of Commerce to continue the designation of a regional center approved before the date of the enactment of this Act or to impede or delay the adjudication petitions by the Secretary.

(d) EFFECTIVE DATE.—The amendments made by this section—

(1) shall be effective upon the enactment of this Act; and

(2) shall apply to—

(A) any application to designate a regional center, and any person involved with the regional center, that is pending or approved on or after the date of the enactment of this Act; and

(B) any regional center approved before the date of the enactment of this Act, on or after a delayed effective date that is 1 year after such date of enactment with respect to any person involved in the regional center on or after such delayed effective date.

SEC. 4805. CONDITIONAL PERMANENT RESIDENT STATUS FOR CERTAIN EMPLOYMENT-BASED IMMIGRANTS, SPOUSES, AND CHILDREN.

(a) IN GENERAL.—Section 216A (8 U.S.C. 1186b) is amended to read as follows:

''SEC. 216A. CONDITIONAL PERMANENT RESIDENT STATUS FOR CERTAIN EMPLOYMENT-BASED IMMIGRANTS, SPOUSES, AND CHILDREN.

''(a) IN GENERAL.—

''(1) CONDITIONAL BASIS FOR STATUS.—Notwithstanding any other provision of this Act, employment-based immigrants (as defined in subsection (g)(4)), alien spouses, and alien children (as such terms are defined in subsection (g)(2)) shall be considered, at the time of obtaining the status of an alien lawfully admitted for permanent residence, to have obtained such status on a conditional basis subject to the provisions of this section.

''(2) NOTICE OF REQUIREMENTS.—

''(A) AT TIME OF OBTAINING PERMANENT RESIDENCE.—At the time an employment-based immigrant, alien spouse, or alien child obtains permanent resident status on a conditional basis under paragraph (1), the Secretary of Homeland Security shall provide for notice to the alien, spouse, or child respecting the provisions of this section and the requirements of subsection (c)(1) to have the conditional basis of such status removed.

''(B) AT TIME OF REQUIRED PETITION.—In addition, the Secretary of Homeland Security shall attempt to provide notice to an employment-based immigrant, alien spouse, or alien child, at or about the beginning of the 90-day period described in subsection (d)(3), of the requirements of subsection (c)(1).

''(C) EFFECT OF FAILURE TO PROVIDE NOTICE.—The failure of the Secretary of Homeland Security to provide a notice under this paragraph shall not affect the enforcement of the provisions of this section with respect to an employment-based immigrant, alien spouse, or alien child.

''(b) TERMINATION OF STATUS IF FINDING THAT QUALIFYING EMPLOYMENT IMPROPER.—

''(1) ALIEN INVESTOR.—In the case of an alien investor with permanent resident status on a conditional basis under subsection (a), if the Secretary of Homeland Security determines, before the second anniversary of the alien's obtaining the status of lawful admission for permanent residence, that—

''(A) the investment in the commercial enterprise was intended as a means of evading the immigration laws of the United States;

''(B)(i) the alien did not invest, or was not actively in the process of investing, the requisite capital; or

''(ii) the alien was not sustaining the actions described in clause (i) throughout the period of the alien's residence in the United States; or

''(C) subject to the exception in subsection (d)(5), the alien was otherwise not conforming to the requirements under section 203(b)(5),

the Secretary shall so notify the alien investor and, subject to paragraph (3), shall terminate the permanent resident status of the alien (and the alien spouse and alien child) involved as of the date of the determination.

''(2) EMPLOYEE OF A FEDERAL NATIONAL SECURITY, SCIENCE, AND TECHNOLOGY LABORATORY, CENTER OR AGENCY.—In the case of an employee of a Federal national security, science, and technology laboratory, center, or agency (as defined pursuant to section 203(b)(2)(C)) with permanent resident status on a conditional basis under subsection (a), if the Secretary of Homeland Security, in consultation with the relevant employing department or agency, determines, before the first anniversary of the alien's obtaining the status of lawful admission for permanent residence, that—

''(A) the qualifying employment was intended as a means of evading the immigration laws of the United States;

''(B) the alien has not completed or is not likely to complete 12 months of qualifying continuous employment; or

''(C) the alien did not otherwise conform with the requirements of section 203(b)(2),

the Secretary shall so notify the alien involved and, subject to paragraph (3), shall terminate the permanent resident status of the alien (and the alien spouse and alien child) involved as of the date of the determination.

''(3) HEARING IN REMOVAL PROCEEDING.—Any alien whose permanent resident status is terminated under paragraph (1) or (2) may request a review of such determination in a proceeding to remove the alien. In such proceeding, the burden of proof shall be on the Secretary of Homeland Security to establish, by a preponderance of the evidence, that a condition described in paragraph (1) or (2), as appropriate, is met.

''(c) REQUIREMENTS OF TIMELY PETITION AND INTERVIEW FOR REMOVAL OF CONDITION.—

''(1) IN GENERAL.—

''(A) PETITION AND INTERVIEW.—In order for the conditional basis established under subsection (a) for an employment-based immigrant, alien spouse, or alien child to be removed—

''(i) the employment-based immigrant shall submit to the Secretary of Homeland Security, during the period described in subsection (d)(3), a petition which requests the removal of such conditional basis and which states, under penalty of perjury, the facts and information described in paragraph (1) or (2) of subsection (d), as appropriate; and

''(ii) in accordance with subsection (d)(3), the employment-based immigrant must appear for a personal interview before an officer or employee of U.S. Citizenship and Immigration Services respecting such facts and information.

''(B) SEPARATE PETITION NOT REQUIRED.—An alien spouse or alien child shall not be required to file separate petitions under subparagraph (A)(i) if the employment-based immigrant's petition includes such alien spouse or alien child.

''(C) ADDITIONAL FEE.—Notwithstanding any other provision under this section, the Secretary may require the employment-based immigrant to pay an additional fee for a petition filed under subparagraph (A)(i) that includes the alien's spouse and child or children.

''(2) TERMINATION OF PERMANENT RESIDENT STATUS FOR FAILURE TO FILE PETITION OR HAVE PERSONAL INTERVIEW.—

''(A) IN GENERAL.—In the case of an alien with permanent resident status on a conditional basis under subsection (a), if—

''(i) no petition is filed with respect to the alien in accordance with the provisions of paragraph (1)(A); or

''(ii) unless there is good cause shown, the employment-based immigrant fails to appear at the interview described in paragraph (1)(B) (if required under subsection (d)(4)),

the Secretary of Homeland Security shall terminate the permanent resident status of the alien (and the alien's spouse and children if it was obtained on a conditional basis under this section or section 216) as of the second anniversary of the alien's lawful admission for permanent residence.

''(B) HEARING IN REMOVAL PROCEEDING.—In any removal proceeding with respect to an alien whose permanent resident status is terminated under subparagraph (A), the burden of proof shall be on the alien to establish compliance with the conditions of paragraphs (1)(A) and (1)(B).

''(3) DETERMINATION AFTER PETITION AND INTERVIEW.—

''(A) IN GENERAL.—If—

''(i) a petition is filed in accordance with the provisions of paragraph (1)(A); and

''(ii) the employment-based immigrant appears at any interview described in paragraph (1)(B),

the Secretary of Homeland Security shall make a determination, not later than 90 days after the date of such filing or interview (whichever is later), as to whether the facts and information described in paragraph (1) or (2) of subsection (d), as appropriate, and alleged in the petition are true.

''(B) REMOVAL OF CONDITIONAL BASIS IF FAVORABLE DETERMINATION.—

''(i) REMOVAL OF CONDITIONAL BASIS FOR ALIEN INVESTOR.—If the Secretary of Homeland Security determines with respect to a petition filed by an alien investor that such facts and information are true, the Secretary shall so notify the alien investor and shall remove the conditional basis of the alien's status effective as of the second anniversary of the alien's lawful admission for permanent residence.

''(ii) REMOVAL OF CONDITIONAL BASIS FOR EMPLOYEE OF A FEDERAL NATIONAL SECURITY, SCIENCE, AND TECHNOLOGY LABORATORY, CENTER OR AGENCY.—If the Secretary of Homeland Security determines with respect to a petition filed by an employee of a Federal national security, science, and technology laboratory, center, or agency that such facts and information are true, the Secretary shall so notify the alien and shall remove the conditional basis of the alien's status effective as of the first anniversary of the alien's lawful admission for permanent residence.

''(C) TERMINATION IF ADVERSE DETERMINATION.—If the Secretary of Homeland Security determines that such facts and information are not true, the Secretary shall so notify the alien involved and, subject to subparagraph (D), shall terminate the permanent resident status of an employment-based immigrant, alien spouse, or alien child as of the date of the determination.

''(D) HEARING IN REMOVAL PROCEEDING.—Any alien whose permanent resident status is terminated under subparagraph (C) may request a review of such determination in a proceeding to remove the alien. In such proceeding, the burden of proof shall be on the Secretary of Homeland Security to establish, by a preponderance of the evidence, that the facts and information described in subsection (d)(1) and alleged in the petition are not true.

''(d) DETAILS OF PETITION AND INTERVIEW.—

''(1) CONTENTS OF PETITION BY ALIEN INVESTOR.—Each petition filed by an alien investor under section (c)(1)(A) shall contain facts and information demonstrating that the alien—

''(A)(i) invested, or is actively in the process of investing, the requisite capital; and

''(ii) sustained the actions described in clause (i) throughout the period of the alien's residence in the United States; and

''(B) except as provided in paragraph (4), is otherwise conforming to the requirements under section 203(b)(5).

''(2) CONTENTS OF PETITION BY EMPLOYEE OF A FEDERAL NATIONAL SECURITY, SCIENCE, AND TECHNOLOGY LABORATORY, CENTER, OR AGENCY.—Each petition under subsection (c)(1)(A) filed by an employee of a Federal national security, science, and technology laboratory, center, or agency shall contain facts and information demonstrating that the alien is conforming to the requirements of section 203(b)(2).

''(3) PERIOD FOR FILING PETITION.—

''(A) 90-DAY PERIOD BEFORE ANNIVERSARY.—Except as provided in subparagraph (B), the petition under subsection (c)(1)(A) must be filed as follows:

''(i) In the case of an alien investor, during the 90-day period before the second anniversary of the alien's lawful admission for permanent residence.

''(ii) In the case of an employee of a Federal national security, science, and technology laboratory, center, or agency, during the 90-day period before the first anniversary of the alien's lawful admission for permanent residence.

''(B) LATE PETITIONS.—Such a petition may be considered if filed after such date, but only if the alien establishes to the satisfaction of the Secretary of Homeland Security good cause and extenuating circumstances for failure to file the petition during the period described in subparagraph (A).

''(C) FILING OF PETITIONS DURING REMOVAL.—In the case of an alien who is the subject of removal hearings as a result of failure to file a petition on a timely basis in accordance with subparagraph (A), the Secretary of Homeland Security may stay such removal proceedings against an alien pending the filing of the petition under subparagraph (B).

''(4) PERSONAL INTERVIEW.—The interview under subsection (c)(1)(B) shall be conducted within 90 days after the date of submitting a petition under subsection (c)(1)(A) and at a local office of U.S. Citizenship and Immigration Services, designated by the Secretary of Homeland Security, which is convenient to the parties involved. The Secretary, in the discretion of the Secretary, may waive the deadline for such an interview or the requirement for such an interview in such cases as may be appropriate.

''(5) SPECIAL RULE FOR ALIEN INVESTORS IN A REGIONAL CENTER.—Each petition under subsection (c)(1)(A) filed by an alien investor who invests in accordance with section 203(b)(5)(E) shall contain facts and information demonstrating that the alien is complying with the requirements under section 203(b)(5), except—

''(A) the alien shall not be subject to the requirements under section 203(b)(5)(A)(ii); and

''(B) the petition shall—

''(i) refer to the most recent financial statement filed by the regional center in which the alien has invested in accordance with section 203(b)(5)(G); and

''(ii) contain a certification that the petitioner has read the financial statement to which the alien's petition refers.

''(6) EFFECT OF PRIOR DETERMINATIONS.—The approval of any of the items described in section 203(b)(5)(F)(i) submitted in support of a petition seeking classification of an alien as an alien investor under section 203(b)(5) shall be binding for purposes of the adjudication of the alien investor's petition filed under this section 216A, unless the Secretary determines that there is evidence of fraud, misrepresentation, criminal misuse, a threat to national security, a material change that affects the approved economic model, or evidence affecting program eligibility that was not disclosed by the petitioner.

''(e) TREATMENT OF PERIOD FOR PURPOSES OF NATURALIZATION.—For purposes of title III, in the case of an alien who is in the United States as a lawful permanent resident on a conditional basis under this section, the alien shall be considered to have been admitted as an alien lawfully admitted for permanent residence and to be in the United States as an alien lawfully admitted to the United States for permanent residence, if the alien has had the conditional basis removed pursuant to this section.

''(f) FRAUD, MISREPRESENTATION, CRIMINAL MISUSE, OR THREATS TO THE PUBLIC SAFETY OR NATIONAL SECURITY.—If the Secretary of Homeland Security determines, in his or her sole and unreviewable discretion, that the conditional permanent resident status granted to an employment-based immigrant under subsection (a), or to an alien researcher described in section 203(b)(2)(A)(ii) is contrary to the national interest of the United States for reasons relating to fraud, misrepresentation, criminal misuse, or threats to national security, the Secretary shall—

''(1) notify the immigrant involved of such determination; and

''(2) terminate the permanent resident status of the immigrant involved (and the alien spouse and alien children of such immigrant) as of the date of such determination.

''(g) DEFINITIONS.—In this section:

''(1) The term 'alien investor' means an alien who obtains the status of an alien lawfully admitted for permanent residence (whether on a conditional basis or otherwise) under section 203(b)(5).

''(2) The term 'alien spouse' and the term 'alien child' mean an alien who obtains the status of an alien lawfully admitted for permanent residence (whether on a conditional basis or otherwise) by virtue of being the spouse or child, respectively, of an alien investor or an employee of a Federal national security, science, and technology laboratory, center, or agency.

''(3) The term 'commercial enterprise' includes a limited partnership.

''(4) The term 'employment-based immigrant' means an alien described in paragraph (1) or (5).

''(5) The term 'employee of a Federal national security, science, and technology laboratory, center, or agency' means an alien

who obtains the status of an alien lawfully admitted for permanent residence (whether on a conditional basis or otherwise) under section 203(b)(2)(A)(ii).''.

(b) CONFORMING AMENDMENT.—Section 216(e) (8 U.S.C. 1186a(e)) is amended by inserting before the period at the end the following: '', if the alien has had the conditional basis removed pursuant to this section''.

(c) CLERICAL AMENDMENT.—The table of contents is amended by striking the item relating to section 216A and inserting the following:

''Sec. 216A. Conditional permanent resident status for certain employment-based immigrants, spouses, and children.''.

SEC. 4806. EB–5 VISA REFORMS.

(a) ALIENS NOT SUBJECT TO DIRECT NUMERICAL LIMITATION.—Section 201(b)(1) (8 U.S.C. 1151(b)(1)), as amended by sections 2103(c)(2), 2212(d)(2), 2307(b), and 2402, is further amended by adding at the end the following:

''(P) Aliens who are the spouse or a child of an alien admitted as an employment-based immigrant under section 203(b)(5).''.

(b) TECHNICAL AMENDMENT.—Section 203(b)(5), as amended by this Act, is further amended by striking ''Attorney General'' each place it appears and inserting ''Secretary of Homeland Security''.

(c) TARGETED EMPLOYMENT AREAS.—

(1) IN GENERAL.—Section 203(b)(5)(B) (8 U.S.C. 1153(b)(5)(B)) is amended to read as follows:

''(B) SET-ASIDE FOR TARGETED EMPLOYMENT AREAS.—

''(i) IN GENERAL.—Not fewer than 5,000 of the visas made available under this paragraph in each fiscal year shall be reserved for qualified immigrants who invest in a new commercial enterprise described in subparagraph (A), which—

''(I) is investing such capital in a targeted employment area; and

''(II) will create employment in such targeted employment area.

''(ii) DURATION OF HIGH UNEMPLOYMENT AREA DESIGNATION.—A designation of a high unemployment area as a targeted employment area shall be valid for 5 years and may be renewed for additional 5-year periods if the area continues to meet the definition of a high unemployment area. An investor who has made the required amount of investment in such a targeted employment area during its period of designation shall not be required to increase the amount of investment based upon expiration of the designation.''.

(d) ADJUSTMENT OF MINIMUM EB–5 INVESTMENT AMOUNT.—Section 203(b)(5)(C)(i) (8 U.S.C. 1153(b)(5)(C)(i)) is amended—

(1) by striking ''The Attorney General'' and inserting ''The Secretary of Commerce'';

(2) by striking ''Secretary of State'' and inserting ''Secretary of Homeland Security''; and

(3) by adding at the end the following: ''Unless adjusted by the Secretary of Commerce, the amount specified in this clause shall automatically adjust, on January 1, 2016, by the percentage change in the Consumer Price Index (CPI–U) during fiscal year 2015, and on every fifth subsequent January 1 by the cumulative percentage change in the CPI–U during the previous 5 fiscal years, for any petition filed to classify an alien under this paragraph on or after the date of each automatic adjustment.''.

(e) DEFINITIONS.—

(1) IN GENERAL.—Section 203(b)(5) (8 U.S.C. 1153(b)(5)), as amended by subsections (b) and (c) and by section 4804, is further amended—

(A) by striking subparagraph (D) and inserting following:

''(D) CALCULATION OF FULL-TIME EMPLOYMENT.—Job creation under this paragraph may consist of employment measured in full-time equivalents, including intermittent or seasonal employment opportunities and construction jobs. A full-time employment position is not a requirement for indirect job creation.''; and

(B) by adding at the end the following:

''(K) DEFINITIONS.—In this paragraph:

''(i) The term 'capital' means all real, personal, or mixed assets, whether tangible or intangible, owned or controlled by the investor, or held in trust for the benefit of the investor, to which the investor has unrestricted access, which shall be valued at fair market value in United States dollars, in accordance with Generally Accepted Accounting Principles, at the time it is invested under this paragraph.

''(ii) The term 'full-time employment' means employment in a position that requires at least 35 hours of service per week, regardless of how many employees fill the position.

''(iii) The term 'high unemployment area' means—

''(I) an area consisting of a census tract or contiguous census tracts that has an unemployment rate that is at least 150 percent of the national average unemployment rate; or

''(II) an area that is within the boundaries established for purposes of a Federal or State economic development incentive program, including areas defined as Enterprise Zones, Renewal Communities, Promise Zones, and Empowerment Zones, and other programs for the purposes of job creation, small business creation, and neighborhood revitalization.

''(iv) The term 'rural area' means—

''(I) any area other than an area within a metropolitan statistical area or within the outer boundary of any city or town having a population of 20,000 or more (based on the most recent decennial census of the United States); or

''(II) any city or town having a population of fewer than 20,000 (based on the most recent decennial census of the United States) that is located within a State having a population of fewer than 1,500,000 (based on the most recent decennial census of the United States).

''(v) The term 'targeted employment area' means a rural area, any community adversely affected by a recommendation by the Defense Base Closure and Realignment Commission, or a high unemployment area.''.

(2) RULEMAKING.—The Secretary, in consultation with the Secretary of Defense, shall issue appropriate regulations to account for the modified definition of targeted employment area in section 203(b)(5)(K)(v), as amended by paragraph (1)(B).

(3) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to any application for a visa under section 204(a)(7) of the Immigration and Nationality Act that is filed on or after the date that is 1 year after the date of the enactment of this Act, unless the petitioner requests in the petition that they take immediate effect.

(4) RULE OF CONSTRUCTION.—None of the amendments made by paragraph (1) may be construed to deny any petition under section 216A filed by an alien who filed a petition under section 203(b)(5) before the date of the enactment of this Act.

(f) AGE DETERMINATION FOR CHILDREN OF ALIEN INVESTORS.—Section 203(h) (8 U.S.C. 1153(h)) is amended by adding at the end the following:

''(5) AGE DETERMINATION FOR CHILDREN OF ALIEN INVESTORS.—An alien admitted under subsection (d) as a lawful permanent resident on a conditional basis as the child of an alien lawfully admitted for permanent residence under subsection (b)(5), whose lawful permanent resident status on a conditional basis is terminated under section 216A, shall continue to be considered a child of the principal alien for the purpose of a subsequent immigrant petition by such alien under subsection (b)(5) if the alien remains unmarried and the subsequent petition is filed by the principal alien not later than 1 year after the termination of conditional lawful permanent resident status. No alien shall be considered a child under this paragraph with respect to more than 1 petition filed after the alien's 21st birthday.''.

(g) ENHANCED PAY SCALE FOR CERTAIN FEDERAL EMPLOYEES ADMINISTERING THE EB–5 PROGRAM.—The Secretary may establish, fix the compensation of, and appoint individuals to, designated critical administrative, technical, and professional positions needed to administer sections 203(b)(5) and 216A of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5) and 1186b).

(h) DELEGATION OF CERTAIN EB–5 AUTHORITY.—

(1) IN GENERAL.—The Secretary of Homeland Security may delegate to the Secretary of Commerce authority and responsibility for determinations under sections 203(b)(5) and 216A (with respect to alien entrepreneurs) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5) and 1186a), including determining whether an alien has met employment creation requirements.

(2) REGULATIONS.—The Secretary of Homeland Security and the Secretary of Commerce may each adopt such rules and regulations as are necessary to carry out the delegation authorized under paragraph (1), including regulations governing the eligibility criteria for obtaining benefits pursuant to the amendments made by this section.

(3) USE OF FEES.—Adjudication fees described in section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)) shall remain available until expended to reimburse the Secretary of Commerce for the costs of any determinations made by the Secretary of Commerce under paragraph (1).

(i) CONCURRENT FILING OF EB–5 PETITIONS AND APPLICATIONS FOR ADJUSTMENT OF STATUS.—Section 245 (8 U.S.C. 1255), as amended by section 4237(b), is further amended—

(1) in subsection (k), in the matter preceding paragraph (1), by striking ''or (3)'' and inserting ''(3), (5), or (7)''; and

(2) by adding at the end the following:

''(o) At the time a petition is filed for classification under section 203(b)(5), if the approval of such petition would make a visa immediately available to the alien beneficiary, the alien beneficiary's application for adjustment of status under this section shall be considered to be properly filed whether the application is submitted concurrently with, or subsequent to, the visa petition.''.

On page 852, strike the item relating to section 4409 and insert the following:

''Sec. 4409. F–1 Visa admission fee.''.

On page 852, strike the item relating to section 4509 and insert the following:

''Sec. 4509. B Visa admission fee.''.

On page 892, lines 14 and 15, strike ''Inspector Generals'' and insert ''Inspectors General''.

On page 940, line 23, strike ''migrant'' and insert ''alien''.

On page 941, line 3, strike ''migrant'' and insert ''alien''.

On page 941, line 13, strike ''migrant'' and insert ''alien''.

On page 941, line 14, strike ''migrant'' and insert ''alien''.

On page 941, line 17, strike ''migrant'' and insert ''alien''.

On page 942, line 6, strike ''migrants'' and insert ''aliens''.

On page 942, line 14, strike ''migrant'' and insert ''alien''.

On page 942, line 16, strike ''migrant'' and insert ''alien''.

On page 990, line 24, strike ''(3)(2)'' and insert ''(3)(1)''.

On page 991, line 1, strike ''12102(2)'' and insert ''12102(1)''.

On page 1043, line 18, insert ''is not represented or'' after ''applicant''.

On page 1162, strike lines 7 through 11 and insert the following:

(B) has been lawfully present in the United States, in a status that allows for employment authorization, for a continuous period of not less than 10 years, not counting brief, casual, and innocent absences.

On page 1163, lines 1 and 2, strike ''the effective date specified in section 2307(a)(3) of this Act'' and insert ''the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act''.

On page 1181, line 12, insert ''or lawful permanent resident'' after ''citizen''.

On page 1181, line 20, insert ''or lawful permanent residence'' after ''citizenship''.

On page 1187, line 2, strike ''minute'' and insert ''day''.

On page 1191, strike lines 14 through 16 and insert the following:

(iii) by amending subsection (h) to read as follows:

''(h) SURVIVAL OF RIGHTS TO PETITION.—The legal termination of a marriage may not be the sole basis for revocation under section 205 of a petition filed under subsection (a)(1)(C) pursuant to conditions described in subsection (a)(1)(C)(i). Remarriage of an alien whose petition was approved under subsection (a)(1)(C) or marriage of an alien described in subparagraphs (D) or (F) of subsection (a)(1) shall not be the basis for revocation of a petition approval under section 205.''.

On page 1198, line 24, strike ''(1)(A)'' and insert ''(1)(B)''.

On page 1200, line 9, strike ''2212(d)'' and insert ''2212(b)''.

On page 1214, line 25, strike ''the United States'' and insert ''a State''.

On page 1220, line 13, insert ''Federal'' after ''any''.

On page 1247, line 4, ''the Attorney General, and the Director of the National Counterterrorism Center,'' after ''Defense,''.

On page 1258, line 14, ''the Attorney General, and the Director of the National Counterterrorism Center,'' after ''Defense,''.

On page 1277, line 23, strike ''institutions'' and insert ''instruction''.

On page 1287, line 1, strike ''**DIRECTORS**'' and insert ''**TRUSTEES**''.

On page 1287, line 4, strike ''**DIRECTORS**'' and insert ''**TRUSTEES**''.

On page 1287, line 10, strike ''directors'' and insert ''trustees''.

On page 1287, lines 10 and 11, strike ''directors'' and insert ''trustees''.

On page 1358, lines 1 and 2, strike ''Secretary'' and insert ''Attorney General''.

On page 1600, line 24, '', to citizens, subjects, nationals, or residents of that country'' after ''classes of visas''.

On page 1612, strike lines 3 through 6 and insert the following:

''(2)(A) An enforcement action may not take place at, or be focused on, a sensitive location except—

''(i) under exigent circumstances; or

''(ii) if prior approval is obtained.''.

On page 1736, line 4, strike ''clause (iv) or (v)'' and insert ''clause (iii), (iv), or (v)''.

On page 1744, line 17, strike ''**F–1 VISA FEE**'' and insert ''**F–1 VISA ADMISSION FEE**''.

On page 1745, line 1, strike ''Fees'' and insert the following:

''(2) DEPOSIT.—Fees''.

On page 1745, strike lines 6 through 17.

On page 1783, line 21, strike ''**B VISA FEE**'' and insert ''**B VISA ADMISSION FEE**''.

On page 1784, line 1, strike ''B VISA FEE'' and insert ''B VISA ADMISSION FEE''.

On page 1793, line 7, strike ''FEE'' and insert ''ADMISSION FEE''.

On page 1853, line 4, strike ''application'' and insert ''applicable''.

On page 1855, line 7, strike ''or'' and insert ''of''.

On page 1855, strike line 11.

On page 1855, line 12, strike ''(dd)'' and insert ''(cc)''.

On page 1855, line 14, strike ''(ee)'' and insert ''(dd)''.

On page 1855, line 17, insert ''business'' before ''entity''.

On page 1855, line 18, strike ''(ff)'' and insert ''(ee)''.

On page 1855, line 21, strike ''(gg)'' and insert ''(ff)''.

On page 1855, line 23, strike ''(ff)'' and insert ''(ee)''.

On page 1861, strike lines 4 through 7 and insert the following:

''(III) is managed by an investment adviser (as defined in section 202(a)(11) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–2(a)(11))) that—''.

On page 1862, lines 6 and 7, strike ''includes the position of'' and insert ''shall include such positions as''.

On page 1864, line 5, insert ''interest'' after ''ownership''.

On page 1864, line 16, strike ''devoted'' and insert ''made''.

On page 1864, line 19, strike ''to'' and insert ''in''.

On page 1865, line 2, insert '', the alien's United States business entity'' after ''date''.

On page 1866, line 9, strike ''devoted'' and insert ''made''.

On page 1866, line 12, strike ''to'' and insert ''in''.

On page 1866, line 19, insert '', the alien's United States business entity'' after ''date''.

On page 883, strike lines 19 through 22 and insert the following:

funding level provided in this Act;

(xviii) costs to the Judiciary estimated to be caused by the implementation of this Act and the amendments made by this Act, as the Secretary and the Judicial Conference of the United States shall jointly determine in consultation with the Attorney General; and

(xix) the operations and maintenance costs associated with the implementation of clauses (i) through (xvii).

On page 903, lines 5 through 12, strike ''Not less than 90 percent of the amounts made available under section 6(a)(3)(C)(ii) shall be allocated for grants and reimbursements to law enforcement agencies in the States in the Southwest border region for personnel, overtime, travel, and other costs related to combating illegal immigration'' and insert the following: ''Grants under this subsection shall be allocated based on sector-specific border risk methodology, based on factors including threat, vulnerability, miles of border, and other border-specific information.''.

On page 905, line 10, strike ''(d)'' and insert the following:

(d) DONATIONS FOR LAND PORTS OF ENTRY FACILITIES.—

(1) DONATIONS PERMITTED.—Notwithstanding any other provision of law, including chapter 33 of title 40, United States Code, the Secretary, for purposes of constructing, altering, operating, or maintaining a new or existing land port of entry facility, may accept donations of real and personal property (including monetary donations) and nonpersonal services from private parties and State and local government entities.

(2) ALLOWABLE USES OF DONATIONS.—The Secretary, with respect to any donation provided pursuant to paragraph (1), may—

(A) use such property or services for necessary activities related to the construction, alteration, operation, or maintenance of a new or existing land port of entry facility under the custody and control of the Secretary, including expenses related to—

(i) land acquisition, design, construction, repair and alteration;

(ii) furniture, fixtures, and equipment;

(iii) the deployment of technology and equipment; and

(iv) operations and maintenance; or

(B) transfer such property or services to the Administrator of General Services for necessary activities described in paragraph (1) related to a new or existing land port of entry facility under the custody and control of the Administrator.

(3) EVALUATION PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Administrator, shall establish procedures for evaluating a proposal submitted by any person described in paragraph (1) to make a donation of real or personal property (including monetary donations) or nonpersonal services to facilitate the construction, alteration, operation, or maintenance of a new or existing land port of entry facility under the custody and control of the Secretary.

(4) CONSIDERATIONS.—In determining whether or not to approve a proposal described in paragraph (3), the Secretary or the Administrator shall consider—

(A) the impact of the proposal on reducing wait times at that port of entry and other ports of entry on the same border;

(B) the potential of the proposal to increase trade and travel efficiency through added capacity;

(C) the potential of the proposal to enhance the security of the port of entry; and

(D) other factors that the Secretary determines to be relevant.

(5) CONSULTATION.—

(A) LOCATIONS FOR NEW PORTS OF ENTRY.—The Secretary is encouraged to consult with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of State, the International Boundary and Water Commission, and appropriate representatives of States, local governments, Indian tribes, and property owners—

(i) to determine locations for new ports of entry; and

(ii) to minimize the adverse impacts from such ports on the environment, historic and cultural resources, commerce, and the quality of life for the communities and residents located near such ports.

(B) SAVINGS PROVISION.—Nothing in this paragraph may be construed—

(i) to create any right or liability of the parties described in subparagraph (A); and

(ii) to affect any consultation requirement under any other law.

(6) SUPPLEMENTAL FUNDING.—Property (including monetary donations) and services provided pursuant to paragraph (1) may be used in addition to any other funding (including appropriated funds), property, or services made available for the same purpose.

(7) UNCONDITIONAL DONATIONS.—A donation provided pursuant to paragraph (1) shall be made unconditionally, although the donor may specify—

(A) the land port of entry facility or facilities to be benefitted from such donation; and

(B) the timeframe during which the donated property or services shall be used.

(8) RETURN OF DONATIONS.—If the Secretary or the Administrator does not use the property or services donated pursuant to paragraph (1) for the specific land port of entry facility or facilities designated by the donor or within the timeframe specified by the donor, such donated property or services shall be returned to the entity that made the donation. No interest shall be owed to the donor with respect to any donation of funding provided under paragraph (1) that is returned pursuant to this paragraph.

(9) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary, in consultation with the Administrator, shall submit a report to the congressional committees listed in subparagraph (B) that describes—

(i) the accepted donations received under this subsection;

(ii) the ports of entry that received such donations; and

(iii) how each donation helped facilitate the construction, alteration, operation, or maintenance of a new or existing land port of entry.

(B) CONGRESSIONAL COMMITTEES.—The congressional committees listed in this subparagraph are—

(i) the Committee on Appropriations of the Senate;

(ii) the Committee on Homeland Security and Governmental Affairs of the Senate;

(iii) the Committee on Finance of the Senate;

(iv) the Committee on Appropriations of the House of Representatives;

(v) the Committee on Homeland Security of the House of Representatives; and

(vi) the Committee on Ways and Means of the House of Representatives.

(10) SAVINGS PROVISION.—Nothing in this subsection may be construed to affect or alter the existing authority of the Secretary or the Administrator of General Services to construct, alter, operate, and maintain land port of entry facilities.

On page 908, between lines 7 and 8, insert the following:

(e) BORDER ENFORCEMENT SECURITY TASK FORCE.—

(1) IN GENERAL.—The Secretary shall enhance law enforcement preparedness and operational readiness in the Southwest border region by expanding the Border Enforcement Security Task Force (referred to in this section as ''BEST''), established under section 432 of the Homeland Security Act of 2002 (6 U.S.C. 240).

(2) UNITS TO BE EXPANDED.—The Secretary shall expand the BEST units operating on the date of the enactment of this Act in New Mexico, Texas, Arizona, and California by increasing the funding available for operational, administrative, and technological costs associated with the participation of Federal, State, local, and tribal law enforcement agencies in BEST.

(3) FUNDING.—There are authorized to be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this subsection.

On page 942, between lines 17 and 18, insert the following:

SEC. 1122. BORDER INFECTIOUS DISEASE SURVEILLANCE PROJECT.

(a) FUNDING FOR BORDER STATES.—Of the amount in the Comprehensive Immigration Reform Trust Fund established by section 6(a), $5,000,000 shall be made available to health authorities of States along the Northern border or the Southern border to strengthen the Border Infectious Disease Surveillance project.

(b) USE OF FUNDS.—Amounts made available under subsection (a) shall be used to implement priority surveillance, epidemiology, and preparedness activities in the regions along the Northern border or the Southern border to respond to potential outbreaks and epidemics, including those caused by potential bioterrorism agents.

(c) ALLOCATION OF FUNDS.—Of the amounts made available under subsection (a)—

(1) $1,500,000 shall be made available to States along the Northern border, which may use the infrastructure of the Assistant Secretary for Preparedness and Response of the Department of Health and Human Services; and

(2) $3,500,000 shall be made available to States along the Southern border.

On page 942, between lines 17 and 18, insert the following:

SEC. 1123. BETTER ENFORCEMENT THROUGH TRANSPARENCY AND ENHANCED REPORTING ON THE BORDER ACT.

(a) SHORT TITLE.—This section may be cited as the ''Better Enforcement Through Transparency and Enhanced Reporting on the Border Act'' or the ''BETTER Border Act''.

(b) OFFICE OF HOMELAND SECURITY STATISTICS.—

(1) ESTABLISHMENT.—There is established within the Department an Office of Homeland Security Statistics (referred to in this section as the ''Office''), which shall be headed by a Director.

(2) TRANSFER OF FUNCTIONS.—

(A) ABOLISHMENT OF OFFICE OF IMMIGRATION STATISTICS.—The Office of Immigration Statistics of the Department is abolished.

(B) TRANSFER OF FUNCTIONS.—All functions and responsibilities of the Office of Immigration Statistics as of the day before the date of the enactment of this Act, including all of the personnel, assets, components, authorities, programs, and liabilities of the Office of Immigration Statistics, are transferred to the Office of Homeland Security Statistics.

(3) DUTIES.—The Director of the Office shall—

(A) collect information from agencies of the Department, including internal databases used to—

(i) undertake border inspections;

(ii) identify visa overstays;

(iii) undertake immigration enforcement actions; and

(iv) grant immigration benefits;

(B) produce the annual report required to be submitted to Congress under subsection (c); and

(C) collect the information described in section 103(d) of the Immigration and Nationality Act (8 U.S.C. 1103(d)) and disseminate such information to Congress and to the public;

(D) produce any other reports and conduct any other work that the Office of Immigration Statistics was required to produce or conduct before the date of the enactment of this Act; and

(E) produce such other reports or conduct such other work as the Secretary determines to be necessary.

(4) INTRADEPARTMENTAL DATA SHARING.—Agencies and offices of the Department shall share any data that is required to comply with this section.

(5) CONSULTATION.—In carrying out this subsection, the Director of the Office shall consult with the Ombudsman for Immigration Related Concerns to the greatest extent practicable.

(6) PLACEMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall notify Congress where the Office has been established within the Department.

(7) CONFORMING AMENDMENT.—Section 103(d) (8 U.S.C. 1103(d)) is amended by striking ''Commissioner'' and inserting ''Director of the Office of Homeland Security Statistics''.

(c) REPORT ON PERFORMANCE METRICS.—

(1) IN GENERAL.—In addition to any reports required to be produced by the Office of Immigration Statistics before the date of enactment of this Act, the Director, on an annual basis, shall submit to Congress a report on performance metrics that will enable—

(A) the Department to develop an understanding of—

(i) the security of the border;

(ii) efforts to enforce immigration laws within the United States; and

(iii) the overall working of the immigration system; and

(B) policy makers, including Congress—

(i) to make more effective investments in order to secure the border;

(ii) to enforce the immigration laws of the United States; and

(iii) to ensure that the Federal immigration system is working efficiently at every level.

(2) CONTENTS.—The report required under paragraph (1) shall contain outcome performance measures, for the year covered by the report, including—

(A) for the areas between ports of entry—

(i) the estimated number of attempted illegal entries, the estimated number of successful entries, and the number of apprehensions, categorized by sector;

(ii) the number of individuals that attempted to cross the border and information concerning how many times individuals attempted to cross, categorized by sector;

(iii) the number of individuals returned to Mexico voluntarily, criminally prosecuted, and receiving any other form of sanctions, categorized by sector; and

(iv) the recidivism rates for all classes of individuals apprehended, including individuals returned to Mexico voluntarily, criminally prosecuted, and receiving any other form of sanctions, categorized by sector;

(B) for ports of entry—

(i) the estimated number of attempted illegal entries, the number of apprehensions, and the estimated number of successful entries, categorized by field office; and

(ii) information compiled based on random samples of secondary inspections, including estimates of the effectiveness of inspectors in identifying civil and criminal immigration and customs violations, categorized by field office; and

(iii) enforcement outcomes for individuals denied admission, including the number of—

(I) individuals allowed to withdraw their application for admission or voluntarily return to their country of origin;

(II) individuals referred for criminal prosecution; and

(III) individuals receiving any other form of administrative sanction;

(C) for visa overstays—

(i) the number of people that overstay the terms of their admission into the United States, categorized by—

(I) nationality;

(II) type of visa or entry; and

(III) length of time an individual overstayed, including—

(aa) the number of individuals who overstayed less than 180 days;

(bb) the number of individuals who overstayed less than 1 year; and

(cc) the number of individuals who overstayed for 1 year or longer; and

(ii) estimates of the total number of unauthorized aliens in the United States that entered legally and overstayed the terms of their admission;

(D) for interior enforcement—

(i) the number of arrests made by U.S. Immigration and Customs Enforcement for civil violations of immigration laws and the number of arrests made for criminal violations, categorized by Special Agent in Charge field office;

(ii) the legal basis for the arrests pursuant to criminal statutes described in clause (i);

(iii) the ultimate disposition of the arrests described in clause (i);

(iv) the overall number of removals and the number of removals, by nationality;

(v) the overall average length of detention and the length of detention, by nationality; and

(vi) the number of referrals from U.S. Citizenship and Immigration Services to Immigration and Customs Enforcement, and the ultimate outcome of these referrals, including how many resulted in removal proceedings;

(E) for immigration benefits—

(i) the number of applications processed, rejected, and accepted each year for all categories of immigration benefits, categorized by visa type;

(ii) the mean and median processing times for all categories of immigration benefits, categorized by visa type; and

(iii) data relating to fraud uncovered in applications for all categories of immigration benefits, categorized by visa type; and

(F) for the Employment Verification System established under section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a)—

(i) the total number of tentative nonconfirmations (further action notices);

(ii) the number of tentative nonconfirmations issued to workers who were subsequently found to be authorized for employment in the United States;

(iii) the total number of final nonconfirmations;

(iv) the number of final nonconfirmations issued to workers who were subsequently found to be authorized for employment in the United States;

(v) the total number of confirmations; and

(vi) the estimated number of confirmations issued to unauthorized workers.

(d) EARLY WARNING SYSTEM.—Using the data collected by the Office under this section, the Secretary shall establish an early warning system to estimate future illegal immigration, which shall monitor the outcome performance measures described in subsection (c)(2), along with political, economic, demographic, law enforcement, and other trends that may affect such outcomes.

(e) SYSTEMATIC MODELING OF ILLEGAL IMMIGRATION TRENDS.—The Secretary shall provide for the systematic modeling of illegal immigration trends to develop forecast models of illegal immigration flows and estimates for the undocumented population residing within the United States.

(f) EXTERNAL REVIEW OF HOMELAND SECURITY DATA.—

(1) IN GENERAL.—The Secretary, in consultation with the National Academy of Sciences, shall make raw data collected by the Department, including individual-level data subject to the requirements in paragraph (3), on border security, immigration enforcement, and immigration benefits available for research on immigration trends, to—

(A) appropriate academic institutions and centers of excellence;

(B) the Congressional Research Service; and

(C) the Government Accountability Office.

(2) PUBLIC RELEASE OF DATA.—The Secretary shall ensure that data of the Department on border security, immigration enforcement, and immigration benefits is released to the public to the maximum degree permissible under Federal law to increase the confidence of the public in the credibility and objectivity of measurements related to the management and outcomes of immigration and border control processes.

(3) REQUIREMENTS.—In carrying out this subsection, the Secretary, in consultation with the National Academy of Sciences—

(A) shall ensure that the data described in paragraphs (1) and (2) is anonymized to safeguard individual privacy;

(B) may mask location data below the sector, district field office, or special agent in charge office level to protect national security; and

(C) shall not be required to provided classified information to individuals other than to those individuals who have appropriate security clearances.

(g) AVAILABILITY OF FUNDS.—The Secretary may use such sums as may be necessary from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1)—

(1) to establish the Office; and

(2) to produce reports related to securing the border and enforcing the immigration laws of the United States.

On page 942, between lines 17 and 18, insert the following:

SEC. 1124. BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM.

(a) SHORT TITLE.—This section may be cited as the ''Bulletproof Vest Partnership Grant Program Reauthorization Act of 2013''.

(b) REAUTHORIZATION.—Section 1001(a)(23) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(23)) is amended by striking ''2012'' and inserting ''2018''.

(c) SENSE OF CONGRESS ON 5-YEAR LIMITATION ON FUNDS.—It is the sense of Congress that amounts made available to carry out part Y of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll et seq.) should be made available through the end of the 4th fiscal year following the fiscal year for which amounts are awarded and should not be made available until expended.

(d) UNIQUELY FITTED ARMOR VESTS.—Section 2501(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ll(c)) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3) by striking ''; or'' and inserting ''; and'';

(3) by redesignating paragraph (4) as paragraph (5); and

(4) by inserting after paragraph (3) the following:

''(4) provides armor vests to law enforcement officers that are uniquely fitted for such officers, including armor vests uniquely fitted to individual female law enforcement officers; or''.

SEC. 1125. BORDER CRIME PREVENTION PROGRAM.

(a) GRANTS AUTHORIZED.—The Secretary shall establish a Border Crime Prevention Program to assist units of local governments and tribal governments—

(1) to better prevent crime and promote public safety and criminal justice in border areas; and

(2) to enhance coordination between Federal and local law enforcement agencies.

(b) APPLICATION.—Each eligible entity may apply for a grant under this section by submitting an application containing such information as the Secretary may reasonably require.

(c) ELIGIBILITY.—For purposes of this section, an ''eligible entity'' includes—

(1) any State or unit of local government in the United States, including cities, towns, and counties, that—

(A) touches the Southern border or the Northern border; or

(B) is located within 100 miles of the Southern border or the Northern border; and

(2) tribal governments in the United States that own land that is located within 100 miles of the Southern border or the Northern border.

(d) DIRECT FUNDING.—Each grant awarded under this section shall be provided directly to the eligible entity that applied for such grant.

(e) USES OF GRANT FUNDS.—

(1) IN GENERAL.—Except as provided in paragraph (2), grant funds under this section may be expended—

(A) to hire and train additional career law enforcement officers for deployment to the border;

(B) to procure equipment, technology, or support systems;

(C) to pay for overtime, mileage reimbursements, fuel, and similar costs;

(D) to provide specialized training to law enforcement officers;

(E) to build or sustain law enforcement facilities or equipment;

(F) to provide for first responders and emergency response services;

(G) to provide support for local prosecutors and probation officers; and

(H) for any other purpose authorized by the Secretary.

(2) LIMITATION.—Grants awarded under this section may not be used to enforce Federal immigration laws.

(3) FEDERAL SHARE.—The Federal share of the cost of any activity described in paragraph (1) for which grant funds are expended under this section—

(A) shall be 100 percent; and

(B) may be used to cover indirect costs.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated, from the Comprehensive Immigration Trust Fund established under section 6(a)(1), $50,000,000 for each of the fiscal years 2014 through 2018 to carry out this section.

At the end of title I, add the following:

SEC. 1126. TRADE FACILITATION AND SECURITY ENHANCEMENT.

The Secretary shall extend the hours of operation at the port of entry in Santa Teresa, New Mexico, to 24 hours a day—

(1) for private vehicles, not later than 180 days after the date of the enactment of this Act; and

(2) for commercial vehicles, not later than 1 year after the date of the enactment of this Act.

At the end of title I, add the following:

SEC. 1127. MARITIME BORDER SECURITY ENHANCEMENTS.

(a) IN GENERAL.—The Commissioner of U.S. Customs and Border Protection, working through the Office of Air and Marine, shall —

(1) acquire and deploy such additional vessels and aircraft as may be necessary to provide for enhanced maritime border security along—

(A) the coastal areas of the Southeastern United States, including Florida, Puerto Rico, and the Gulf Coast; and

(B) the California coast;

(2) increase unarmed, unmanned aircraft deployments to the Caribbean region;

(3) acquire, upgrade, and maintain sensor systems for the aircraft and vessel fleet;

(4) increase air and maritime patrols to gain and enhance maritime domain awareness;

(5) increase and upgrade facilities as necessary to accommodate personnel and asset needs;

(6) perform whatever additional maintenance as may be necessary to preserve the operational capability of any additional air or marine assets;

(7) modernize and appropriately staff the Air and Marine Operations Center in order to enhance maritime domain awareness; and

(8) hire and deploy such personnel as may be necessary to provide maritime border security along—

(A) the coastal areas of the Southeastern United States, including Florida, Puerto Rico, and the Gulf Coast; and

(B) the California coast.

(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated, there is authorized to be appropriated, to U.S. Customs and Border Protection, such sums as may be necessary to carry out subsection (a) during fiscal years 2014 through 2018.

At the end of title I, add the following:

SEC. 1128. PREVENTING UNAUTHORIZED IMMIGRATION TRANSITING THROUGH MEXICO.

(a) IN GENERAL.—The Secretary of State, in coordination with the Secretary, shall develop and submit to Congress a strategy to address the unauthorized immigration of individuals who transit through Mexico to the United States.

(b) REQUIREMENTS.—The strategy developed under subsection (a) shall include specific steps—

(1) to enhance the training, resources, and professionalism of border and law enforcement officials in Mexico, Honduras, El Salvador, Guatemala, and other countries, as appropriate; and

(2) to educate nationals of the countries described in paragraph (1) about the perils of the journey to the United States, including how this Act will increase the likelihood of apprehension, increase criminal penalties associated with illegal entry, and make finding employment in the United States more difficult.

(c) IMPLEMENTATION OF STRATEGY.—In carrying out the strategy developed under subsection (a)—

(1) the Secretary, in conjunction with the Secretary of State, shall produce an educational campaign and disseminate information about the perils of the journey across Mexico, the likelihood of apprehension, and the difficulty of finding employment in the United States; and

(2) the Secretary of State, in coordination with the Secretary, shall offer—

(A) training to border and law enforcement officials to enable these officials to operate more effectively, by using, to the greatest extent practicable, Department personnel to conduct the training; and

(B) technical assistance and equipment to border officials, including computers, document readers, and other forms of technology that may be needed, as appropriate.

(d) AVAILABILITY OF FUNDS.—The Secretary may use such sums as are necessary from the Comprehensive Immigration Trust Fund established under section 6(a)(1) to carry out this section.

On page 1021, line 17, insert ''or public library'' after ''organization''.

On page 1226, line 3, strike ''Section'' and insert the following:

(a) IN GENERAL.—Section

On page 1226, after line 25, add the following:

(b) RECOGNITION OF STATE COURT DETERMINATIONS OF NAME AND BIRTH DATE.—Section 320 (8 U.S.C. 1431) is amended by adding at the end the following:

''(c) A Certificate of Citizenship or other Federal document issued or requested to be amended under this section shall reflect the child's name and date of birth as indicated on a birth certificate, certificate of birth facts, certificate of birth abroad, or similar State vital records document issued by the child's State of residence in the United States after the child has been adopted or readopted in that State.''.

On page 1282, beginning on line 3, strike ''and'' and all that follows through line 4, and insert the following:

(14) the National Security Advisor; and

(15) the Director of the Institute of Museum and Library Services.

On page 1282, beginning on line 24, strike ''and'' and all that follows through line 25, and insert the following:

(E) community development challenges; and

(F) civics education; and

On page 1286, beginning on line 21, strike ''and'' and all that follows through line 23, and insert the following:

(10) awarding grants to State and local governments under section 2538; and

(11) entering into agreements with other Federal agencies to promote and assist the eligible organizations and activities.

On page 1288, line 17, insert ''(as defined in section 2106(b))'' before the period at the end.

On page 1293, line 2, insert ''public libraries,'' after ''municipalities,''.

On page 1300, between lines 11 and 12, insert the following:

SEC. 2554. TREATMENT OF CERTAIN PERSONS AS HAVING SATISFIED ENGLISH AND CIVICS, GOOD MORAL CHARACTER, AND HONORABLE SERVICE AND DISCHARGE REQUIREMENTS FOR NATURALIZATION.

(a) IN GENERAL.—Chapter 2 of title III (8 U.S.C. 1421 et seq.) is amended by inserting after section 329A the following:

''SEC. 329B. PERSONS WHO HAVE RECEIVED AN AWARD FOR ENGAGEMENT IN ACTIVE COMBAT OR ACTIVE PARTICIPATION IN COMBAT.

''(a) IN GENERAL.—For purposes of naturalization and continuing citizenship under the following provisions of law, a person who has received an award described in subsection (b) shall be treated—

''(1) as having satisfied the requirements in sections 312(a), 316(a)(3), and subsections (b)(3), (c), and (e) of section 328; and

''(2) under sections 328 and 329, as having served honorably in the Armed Forces for (in the case of section 328) a period or periods aggregating one year, and, if separated from such service, as having been separated under honorable conditions.

''(b) APPLICATION.—This section shall apply with respect to the following awards from the Armed Forces of the United States:

''(1) The Combat Infantryman Badge from the Army.

''(2) The Combat Medical Badge from the Army.

''(3) The Combat Action Badge from the Army.

''(4) The Combat Action Ribbon from the Navy, the Marine Corps, or the Coast Guard.

''(5) The Air Force Combat Action Medal.

''(6) Any other award that the Secretary of Defense determines to be an equivalent award for engagement in active combat or active participation in combat.''.

(b) CLERICAL AMENDMENT.—The table of contents is amended by inserting after the item relating to section 329A the following:

''Sec. 329B. Persons who have received an award for engagement in active combat or active participation in combat.''.

On page 1341, line 2, insert ''The Commissioner, in consultation with the Secretary, shall establish alternative procedures for updating or correcting records maintained by the Commissioner for the purposes of verifying the individual's identity and employment eligibility if the individual resides more than 150 highway miles from the nearest office of the Social Security Administration or in a location that is inaccessible by road from the nearest office of the Social Security Administration.'' after ''eligibility.''.

On page 1409, line 1, insert '', in consultation with the Chief Counsel of the Office of Advocacy of the Small Business Administration,'' after ''Secretary''.

On page 1410, line 23, insert '', conducted in consultation with the Chief Counsel of the Office of Advocacy of the Small Business Administration,'' after ''assessment''.

On page 1411, between lines 12 and 13, insert the following:

(e) EARLY ADOPTION FOR SMALL EMPLOYERS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall create a mobile application and utilize other available smart-phone technology for employers utilizing the System, to encourage small employers to utilize the System prior to the time at which utilization becomes mandatory for all employers.

(2) MARKETING.—Not later than 1 year after the date of enactment of this Act, the Secretary shall, in consultation with the Administrator of the Small Business Administration, make available marketing and other incentives to small business concerns to encourage small employers to utilize the System prior to the time at which utilization of the System becomes mandatory for all employers.

On page 1411, line 13, strike ''(e)'' and insert ''(f)''.

On page 1413, line 3, strike ''(f)'' and insert ''(g)''.

On page 1455, strike line 8, and insert the following:

(3) IMPLEMENTATION REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report the implementation of the biometric exit data system referred to in paragraph (2), the impact of such system on any additional wait times for travelers, and projections for new officer personnel, including U.S. Customs and Border Protection officers.

(4) EFFECTIVENESS REPORT.—Not later than 3 years after the

On page 1469, between lines 4 and 5, insert the following:

CHAPTER 1—IMPROVEMENTS TO ASYLUM AND REFUGEE PROGRAMS

On page 1490, between lines 2 and 3, insert the following:

CHAPTER 2—DOMESTIC REFUGEE RESETTLEMENT

SEC. 3421. SHORT TITLE.

This chapter may be cited as the ''Domestic Refugee Resettlement Reform and Modernization Act of 2013''.

SEC. 3422. DEFINITIONS.

In this chapter:

(1) COMMUNITY-BASED ORGANIZATION.—The term ''community-based organization'' means a nonprofit organization providing a variety of social, health, educational and community services to a population that includes refugees resettled into the United States.

(2) DIRECTOR.—The term ''Director'' means the Director of the Office of Refugee Resettlement.

(3) NATIONAL RESETTLEMENT AGENCY.—The term ''national resettlement agency'' means a voluntary agency contracting with the Department of State to provide sponsorship and initial resettlement services to refugees entering the United States.

SEC. 3423. ASSESSMENT OF THE REFUGEE DOMESTIC RESETTLEMENT PROGRAM.

(a) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study regarding the effectiveness of the domestic refugee resettlement programs operated by the Office of Refugee Resettlement.

(b) MATTERS TO BE STUDIED.—In the study required under subsection (a), the Comptroller General shall determine and analyze—

(1) how the Office of Refugee Resettlement defines self-sufficiency and if this definition is adequate in addressing refugee needs in the United States;

(2) the effectiveness of Office of Refugee Resettlement programs in helping refugees to meet self-sufficiency and integration;

(3) the Office of Refugee Resettlement's budgetary resources and project the amount of additional resources needed to fully address the unmet needs of refugees with regard to self-sufficiency and integration;

(4) the role of community-based organizations in serving refugees in areas experiencing a high number of new refugee arrivals;

(5) how community-based organizations can be better utilized and supported in the Federal domestic resettlement process; and

(6) recommended statutory changes to improve the Office of Refugee Resettlement and the domestic refugee program in relation to the matters analyzed under paragraphs (1) through (5).

(c) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit the results of the study required under subsection (a) to Congress.

SEC. 3424. REFUGEE ASSISTANCE.

(a) ASSISTANCE MADE AVAILABLE TO SECONDARY MIGRANTS.—Section 412(a)(1) (8 U.S.C. 1522(a)(1)) is amended by adding at the end the following:

''(C) When providing assistance under this section, the Director shall ensure that such assistance is provided to refugees who are secondary migrants and meet all other eligibility requirements for such services.''.

(b) REPORT ON SECONDARY MIGRATION.—Section 412(a)(3) (8 U.S.C. 1522(a)(3)) is amended—

(1) by inserting ''(A)'' after ''(3)'';

(2) by striking ''a periodic'' and inserting ''an annual''; and

(3) by adding at the end the following:

''(B) At the end of each fiscal year, the Director shall submit a report to Congress that includes—

''(i) States experiencing departures and arrivals due to secondary migration;

''(ii) likely reasons for such migration;

''(iii) the impact of secondary migration on States hosting secondary migrants;

''(iv) the availability of social services for secondary migrants in those States; and

''(v) the unmet needs of those secondary migrants.''.

(c) AMENDMENTS TO THE SOCIAL SERVICES FUNDING.—Section 412(c)(1)(B) (8 U.S.C. 1522(c)(1)(B)) is amended—

(1) by inserting ''a combination of—'' after ''based on''; and

(2) by striking ''the total number'' and inserting the following:

''(i) the total number''; and

(3) by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(ii) the total number of all other eligible populations served by the Office during the period described who are residing in the State as of the beginning of the fiscal year; and

''(iii) projections on the number and nature of incoming refugees and other populations served by the Office during the subsequent fiscal year.''.

(d) NOTICE AND RULEMAKING.—Not later than 90 days after the date of the enactment of this Act nor later than 30 days before the effective date set forth in subsection (e), the Director shall—

(1) issue a proposed rule for a new formula by which grants and contracts are to be allocated pursuant to the amendments made by subsection (c); and

(2) solicit public comment with respect to such proposed rule.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first fiscal year that begins after the date of the enactment of this Act.

SEC. 3425. RESETTLEMENT DATA.

(a) IN GENERAL.—The Director shall expand the Office of Refugee Resettlement's data analysis, collection, and sharing activities in accordance with the requirements set forth in subsections (b) through (e).

(b) DATA ON MENTAL AND PHYSICAL MEDICAL CASES.—The Director shall—

(1) coordinate with the Centers for Disease Control, national resettlement agencies, community based organizations, and State refugee health programs to track national and State trends on refugees arriving with Class A medical conditions and other urgent medical needs; and

(2) in collecting information under this subsection, utilize initial refugee health screening data, including—

(A) history of severe trauma, torture, mental health symptoms, depression, anxiety and posttraumatic stress disorder recorded during domestic and international health screenings; and

(B) Refugee Medical Assistance utilization rate data.

(c) DATA ON HOUSING NEEDS.—The Director shall partner with State refugee programs, community based organizations, and national resettlement agencies to collect data relating to the housing needs of refugees, including—

(1) the number of refugees who have become homeless; and

(2) the number of refugees who are at severe risk of becoming homeless.

(d) DATA ON REFUGEE EMPLOYMENT AND SELF-SUFFICIENCY.—The Director shall gather longitudinal information relating to refugee self-sufficiency, integration, and employment status during the 2-year period beginning on the date that is 1 year after the refugees' arrival in the United States.

(e) AVAILABILITY OF DATA.—The Director shall—

(1) annually update the data collected under this section; and

(2) submit an annual report to Congress that contains the updated data.

SEC. 3426. GUIDANCE REGARDING REFUGEE PLACEMENT DECISIONS.

(a) CONSULTATION.—The Secretary of State shall provide guidance to national resettlement agencies and State refugee coordinators on consultation with local stakeholders pertaining to refugee resettlement.

(b) BEST PRACTICES.—The Secretary of Health and Human Services, in collaboration with the Secretary of State, shall collect best practices related to the implementation of the guidance on stakeholder consultation on refugee resettlement from voluntary agencies and State refugee coordinators and disseminate such best practices to such agencies and coordinators.

SEC. 3427. EFFECTIVE DATE.

This chapter, and the amendments made by this chapter, shall take effect on the date that is 90 days after the date of the enactment of this Act.

On page 1583, line 19, insert '', in addition to for-profit entities,'' before ''to conduct''.

On page 1589, between lines 9 and 10, insert the following:

(f) COST EFFECTIVENESS IN DETENTION FACILITY CONTRACTING.—The Director of U.S. Immigration and Customs Enforcement shall take appropriate measures to minimize, and if possible reduce, the daily bed rate charged to the Federal Government through a competitive process in contracting for or otherwise obtaining detention beds while ensuring that the most recent detention standards, including health standards, and management practices employed by the agency are met.

On page 1618, between lines 11 and 12, insert the following:

SEC. 3722. PROHIBITION ON RESTRAINTS ON PREGNANT DETAINEES.

(a) PROHIBITION ON RESTRAINT OF PREGNANT DETAINEES.—

(1) PROHIBITION.—A detention facility shall not use restraints on a detainee known to be pregnant, including during labor, transport to a medical facility or birthing center, delivery, and postpartum recovery, unless the facility administrator makes an individualized determination that the detainee presents an extraordinary circumstance as described in paragraph (2).

(2) EXTRAORDINARY CIRCUMSTANCE.—Restraints for an extraordinary circumstance are only permitted if a medical officer has directed the use of restraints for medical reasons or if the facility administrator makes an individualized determination that—

(A) credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff or others; or

(B) reasonable grounds exist to believe the detainee presents an immediate and credible risk of escape that cannot be reasonably minimized through any other method.

(3) REQUIREMENT FOR LEAST RESTRICTIVE RESTRAINTS.—In the rare event that one of the extraordinary circumstances in paragraph (2) applies, medical staff shall determine the safest method and duration for the use of restraints and the least restrictive restraints necessary shall be used for a pregnant detainee, except that—

(A) if a doctor, nurse, or other health professional treating the detainee requests that restraints not be used, the detention officer accompanying the detainee shall immediately remove all restraints;

(B) under no circumstance shall leg or waist restraints be used;

(C) under no circumstance shall wrist restraints be used to bind the detainee's hands behind her back; and

(D) under no circumstances shall any restraints be used on any detainee in labor or childbirth.

(4) RECORD OF EXTRAORDINARY CIRCUMSTANCES.—

(A) REQUIREMENT.—If restraints are used on a detainee pursuant to paragraph (2), the facility administrator shall make a written finding within 10 days as to the extraordinary circumstance that dictated the use of the restraints.

(B) RETENTION.—A written find made under subparagraph (A) shall be kept on file by the detention facility for at least 5 years and be made available for public inspection, except that no individually identifying information of any detainee shall be made public without the detainee's prior written consent.

(b) PROHIBITION ON PRESENCE OF DETENTION OFFICERS DURING LABOR OR CHILDBIRTH.—Upon a detainee's admission to a medical facility or birthing center for labor or childbirth, no detention officer shall be present in the room during labor or childbirth, unless specifically requested by medical personnel. If a detention officer's presence is requested by medical personnel, the detention officer shall be female, if practicable. If restraints are used on a detainee pursuant to subsection (a)(2), a detention officer shall remain immediately outside the room at all times so that the officer may promptly remove the restraints if requested by medical personnel, as required by subsection (a)(3)(A).

(c) DEFINITIONS.—In this section:

(1) DETAINEE.—The term ''detainee'' includes any adult or juvenile person detained under the Immigration and Nationality Act (8 U.S.C. 1101) or held by any Federal, State, or local law enforcement agency under an immigration detainer.

(2) DETENTION FACILITY.—The term ''detention facility'' means a Federal, State, or local government facility, or a privately owned and operated facility, that is used, in whole or in part, to hold individuals under the authority of the Director of U.S. Immigration and Customs Enforcement or the Commissioner of U.S. Customs and Border Protection, including facilities that hold such individuals under a contract or agreement with the Director or Commissioner, or that is used, in whole or in part, to hold individuals pursuant to an immigration detainer.

(3) FACILITY ADMINISTRATOR.—The term ''facility administrator'' means the official that is responsible for oversight of a detention facility or the designee of such official.

(4) LABOR.—The term ''labor'' means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix.

(5) POSTPARTUM RECOVERY.—The term ''postpartum recovery'' mean, as determined by her physician, the period immediately following delivery, including the entire period a woman is in the hospital or infirmary after birth.

(6) RESTRAINT.—The term ''restraint'' means any physical restraint or mechanical device used to control the movement of a detainee's body or limbs, including flex cuffs, soft restraints, hard metal handcuffs, a black box, Chubb cuffs, leg irons, belly chains, a security (tether) chain, or a convex shield.

(d) ANNUAL REPORT.—

(1) REQUIREMENT.—Not later than 30 days before the end of each fiscal year, the facility administrator of each detention facility in whose custody a pregnant detainee had been subject to the use of restraints during the previous fiscal year shall submit to the Secretary a written report that includes an account of every instance of such a use of restraints. No such report may contain any individually identifying information of any detainee.

(2) PUBLIC INSPECTION.—Each report submitted under paragraph (1) shall be made available for public inspection.

(e) RULEMAKING.—The Secretary shall adopt regulations or policies to carry out this section at every detention facility.

At the end of title III, add the following:

Subtitle I—Resources for Holocaust Survivors

CHAPTER 1—RESPONDING TO THE NEEDS OF HOLOCAUST SURVIVORS

SEC. 3901. DEFINITION.

Section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002) is amended—

(1) in paragraph (24)—

(A) in subparagraph (B), by striking ''and'';

(B) in subparagraph (C)(ii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) status as a Holocaust survivor.'';

(2) by redesignating paragraphs (26) through (54) as paragraphs (27) through (55); and

(3) by inserting after paragraph (25) the following:

''(26) The term 'Holocaust survivor' means an individual who—

''(A)(i) lived in a country between 1933 and 1945 under a Nazi regime, under Nazi occupation, or under the control of Nazi collaborators; or

''(ii) fled from a country between 1933 and 1945 under a Nazi regime, under Nazi occupation, or under the control of Nazi collaborators;

''(B) was persecuted between 1933 and 1945 on the basis of race, religion, physical or mental disability, sexual orientation, political affiliation, ethnicity, or other basis; and

''(C) was a member of a group that was persecuted by the Nazis.''.

SEC. 3902. ORGANIZATION.

Section 305(a) of the Older Americans Act of 1965 (42 U.S.C. 3025(a)) is amended—

(1) in paragraph (1)(E), by inserting ''older individuals who are Holocaust survivors,'' after ''proficiency,'' each place it appears; and

(2) in paragraph (2)(E), by inserting ''older individuals who are Holocaust survivors,'' after ''proficiency,''.

SEC. 3903. AREA PLANS.

Section 306 of the Older Americans Act of 1965 (42 U.S.C. 3026) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''older individuals who are Holocaust survivors,'' after ''proficiency,'' each place it appears;

(B) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (i)(I)(bb), by inserting ''older individuals who are Holocaust survivors,'' after ''proficiency,''; and

(II) in clause (ii), by inserting ''older individuals who are Holocaust survivors,'' after ''proficiency,'' each place it appears;

(ii) in subparagraph (B)(i)—

(I) in subclause (VI), by striking ''and'' at the end; and

(II) by inserting after subclause (VII) the following:

''(VIII) older individuals who are Holocaust survivors; and''; and

(iii) in subparagraph (B)(ii), by striking ''subclauses (I) through (VI)'' and inserting ''subclauses (I) through (VIII)''; and

(C) in paragraph (7)(B)(iii), by inserting '', in particular, older individuals who are Holocaust survivors,'' after ''placement''; and

(2) in subsection (b)(2)(B), by inserting ''older individuals who are Holocaust survivors,'' after ''areas,''.

SEC. 3904. STATE PLANS.

Section 307(a) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)) is amended—

(1) in paragraph (4), by inserting ''older individuals who are Holocaust survivors,'' after ''proficiency,'';

(2) in paragraph (16)—

(A) in subparagraph (A)—

(i) in clause (v), by striking ''and'' at the end; and

(ii) by adding at the end the following:

''(vii) older individuals who are Holocaust survivors; and''; and

(B) in subparagraph (B), by striking ''clauses (i) through (vi)'' and inserting ''clauses (i) through (vii)''; and

(3) in paragraph (28)(B)(ii), by inserting ''older individuals who are Holocaust survivors,'' after ''areas,''.

SEC. 3905. CONSUMER CONTRIBUTIONS.

Section 315 of the Older Americans Act of 1965 (42 U.S.C. 3030c–2) is amended—

(1) in subsection (c)(2), by inserting ''older individuals who are Holocaust survivors,'' after ''proficiency,''; and

(2) in subsection (d), by inserting ''older individuals who are Holocaust survivors,'' after ''proficiency,''.

SEC. 3906. PROGRAM AUTHORIZED.

Section 373(c)(2)(A) of the Older Americans Act of 1965 (42 U.S.C. 3030s–1(c)(2)(A)) is

amended by striking ''individuals)'' and inserting ''individuals and older individuals who are Holocaust survivors)''.

SEC. 3907. PREVENTION OF ELDER ABUSE, NEGLECT, AND EXPLOITATION.

Section 721(b)(12) of the Older Americans Act of 1965 (42 U.S.C. 3058i(b)(12)) is amended—

(1) in subparagraph (B), by striking ''or'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(D) older individuals who are Holocaust survivors.''.

CHAPTER 2—FUNCTIONS WITHIN ADMINISTRATION FOR COMMUNITY LIVING TO ASSIST HOLOCAUST SURVIVORS

SEC. 3911. DESIGNATION OF INDIVIDUAL WITHIN THE ADMINISTRATION.

The Administrator for Community Living is authorized to designate within the Administration for Community Living a person who has specialized training, background, or experience with Holocaust survivor issues to have responsibility for implementing services for older individuals who are Holocaust survivors.

SEC. 3912. ANNUAL REPORT TO CONGRESS.

The Administrator for Community Living, with assistance from the individual designated under section 3911, shall prepare and submit to Congress an annual report on the status and needs, including the priority areas of concern, of older individuals (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)) who are Holocaust survivors.

CHAPTER 3—NUTRITION SERVICES FOR ALL OLDER INDIVIDUALS

SEC. 3921. NUTRITION SERVICES.

(a) IN GENERAL.—Section 339(2) of the Older Americans Act of 1065 (42 U.S.C. 3030g–21(2)) is amended—

(1) in subparagraph (A), by amending clause (iii) to read as follows:

''(iii) to the maximum extent practicable, are adjusted and appropriately funded to meet any special health-related or other dietary needs of program participants, including needs based on religious, cultural, or ethnic requirements,'';

(2) in subparagraph (J), by striking '', and'' and inserting a comma;

(3) in subparagraph (K), by striking the period and inserting '', and''; and

(4) by adding at the end the following:

''(L) encourages and educates individuals who distribute nutrition services under subpart 2 to engage in conversation with homebound older individuals and to be aware of the warning signs of medical emergencies, injury or abuse in order to reduce isolation and promote well-being.''.

(b) STUDY OF NUTRITION PROJECTS.—Section 317(a)(2) of the Older Americans Act Amendments of 2006 (Public Law 109–365) is amended—

(1) in subparagraph (B), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) an analysis of service providers' abilities to obtain viable contracts for special foods necessary to meet a religious requirement, required dietary need, or ethnic consideration.''.

CHAPTER 4—TRANSPORTATION

SEC. 3931. TRANSPORTATION SERVICES AND RESOURCES.

Section 411(a) of the Older Americans Act of 1965 (42 U.S.C. 3032(a)) is amended—

(1) by redesignating paragraph (13) as paragraph (14);

(2) in paragraph (12), by striking ''; and'' and inserting a semicolon; and

(3) by inserting after paragraph (12) the following:

''(13) supporting programs that enable the mobility and self-sufficiency of older individuals with the greatest economic need and older individuals with the greatest social need by providing transportation services and resources; and''.

At the end of subtitle D of title IV, add the following:

SEC. 4416. INTERNATIONAL PARTICIPATION IN THE PERFORMING ARTS.

Section 214(c)(6)(D) (8 U.S.C. 1184(c)(6)(D)) is amended—

(1) in the first sentence, by inserting ''(i)'' before ''Any person'';

(2) in the second sentence—

(A) by striking ''Once'' and inserting ''Except as provided in clause (ii), once''; and

(B) by striking ''Attorney General shall'' and inserting ''Secretary of Homeland Security shall'';

(3) in the third sentence, by striking ''The Attorney General'' and inserting ''The Secretary''; and

(4) by adding at the end the following:

''(ii) The Secretary of Homeland Security shall adjudicate each petition for an alien with extraordinary ability in the arts (as described in section 101(a)(15)(O)(i)), an alien accompanying such an alien (as described in clauses (ii) and (iii) of section 101(a)(15)(O)), or an alien described in section 101(a)(15)(P) (other than an alien described in paragraph (4)(A) (relating to athletes)) not later than 14 days after—

''(I) the date on which the petitioner submits the petition with a written advisory opinion, letter of no objection, or request for a waiver; or

''(II) the date on which the 15-day period described in clause (i) has expired, if the petitioner has had an appropriate opportunity to supply rebuttal evidence.

''(iii) If a petition described in clause (ii) is not adjudicated before the end of the 14-day period described in clause (ii) and the petitioner is an arts organization described in paragraph (3), (5), or (6) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code for the taxable year preceding the calendar year in which the petition is submitted, or an individual or entity petitioning primarily on behalf of such an organization, the Secretary of Homeland Security shall provide the petitioner with the premium processing services referred to in section 286(u), without a fee.''.

At the end of subtitle D of title IV, add the following:

SEC. 4417. REPORT ON PROCESSING OF VISAS FOR NONIMMIGRANTS AT UNITED STATES EMBASSIES AND CONSULATES.

(a) INITIAL REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on visa processing for nonimmigrants at United States embassies and consulates that—

(1) assesses the efforts of the Department of State to expand its capacity for processing of visas for nonimmigrants in the People's Republic of China and Brazil;

(2) provides recommendations, if warranted, for improving the effectiveness of those efforts;

(3) identifies the challenges to meeting staffing requirements with respect to the processing of visas for nonimmigrants at United States embassies and consulates, including staffing shortages and foreign language proficiency requirements;

(4) discusses how those challenges affect the ability of the Department of State to carry out operations relating to the processing of visas for nonimmigrants;

(5) describes what actions the Department of State has taken to address those challenges; and

(6) provides recommendations, if warranted, for improving the efforts of the Department of State to meet staffing requirements at United States embassies and consulates.

(b) SUBSEQUENT REPORT.—Not later than 2 years after submitting the report required by subsection (a), the Comptroller General shall submit to Congress a report assessing the progress made by the Department of State with respect to the matters included in the report required by subsection (a) since the submission of that report.

On page 1861, beginning on line 24, strike ''each of the most recent 2 years.'' and insert ''at least 2 of the most recent 3 years.''.

Beginning on page 1869, strike line 22 and all that follows through page 1910, line 5, and insert the following:

SEC. 4804. PERMANENT AUTHORIZATION OF EB–5 REGIONAL CENTER PROGRAM.

(a) REPEAL.—Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is repealed.

(b) AUTHORIZATION.—Section 203(b)(5) (8 U.S.C. 1153(b)(5)), as amended by sections 2307 and 2308, is further amended by adding at the end the following:

''(E) REGIONAL CENTER PROGRAM.—

''(i) IN GENERAL.—Visas under this paragraph shall be made available to qualified immigrants participating in a program implementing this paragraph that involves a regional center in the United States, which has been designated by the Secretary of Homeland Security, in consultation with the Secretary of Commerce, on the basis of a general proposal for the promotion of economic growth, including—

''(I) increased export sales;

''(II) improved regional productivity;

''(III) job creation; or

''(IV) increased domestic capital investment.

''(ii) ESTABLISHMENT OF A REGIONAL CENTER.—A regional center shall have jurisdiction over a defined geographic area, which shall be described in the proposal and consistent with the purpose of concentrating pooled investment in defined economic zones. The establishment of a regional center may be based on general predictions, contained in the proposal, concerning—

''(I) the kinds of commercial enterprises that may receive investments from aliens without limiting the scope of regional center activity to any specific industry or industries referenced in the proposal;

''(II) the jobs that may be created directly or indirectly as a result of such investments; and

''(III) other positive economic effects such investments may have.

''(iii) INDIRECT JOB CREATION.—The Secretary of Homeland Security shall permit immigrants admitted under this paragraph to satisfy the requirements under subparagraph (A)(ii) with jobs that are estimated to be created indirectly through investment under this paragraph in accordance with this subparagraph.

''(iv) COMPLIANCE.—In determining compliance with subparagraph (A)(ii), the Secretary of Homeland Security shall permit aliens admitted under the program described in this subparagraph to establish reasonable methodologies for determining the number of jobs created by the program, including jobs estimated to have been created indirectly through revenues generated from increased exports, improved regional productivity, job creation, and increased domestic capital investment resulting from the program, including jobs created outside of the geographic boundary of the regional center as a result of the immigrant's investment in regional center associated commercial enterprises.

''(v) AMENDMENTS.—The Secretary of Homeland Security—

''(I) may require approved regional centers to give notice to the Secretary of significant changes to their organization;

''(II) may approve or disapprove the changes referred to in subclause (I); and

''(III) shall not suspend the Secretary's adjudication of any filings by, or related to, a regional center, including investor petitions under section 203(b)(5), regardless of whether such regional center has given notice to the Secretary pursuant to subclause (I).

''(F) PREAPPROVAL OF BUSINESS PLANS FOR REGIONAL CENTER INVESTMENTS.—

''(i) PETITION.—Before the filing of a petition under this subparagraph by an alien investor, a commercial enterprise associated with a regional center may file a petition with the Secretary of Homeland Security to preapprove a particular investment in the commercial enterprise, as provided in—

''(I) a business plan for a specific capital investment project;

''(II) investment documents, such as subscription, investment, partnership, and operating agreements; and

''(III) a credible economic analysis regarding estimated job creation that is based upon reasonable methodologies.

''(ii) PREAPPROVAL PROCEDURE.—The Secretary shall establish a process to facilitate the preapproval of business plans under this subparagraph related to investment in a regional center commercial enterprise, which shall include an opportunity for the applicant to address and cure any deficiencies identified by the Secretary in the applicant's business plan, investment documents, or statement regarding job creation prior to a final determination. The Secretary shall impose a fee for the use of the process described in this clause sufficient to recover the costs of its administration pursuant to subsections (m) and (n) of section 286.

''(iii) EFFECT OF PREAPPROVAL OF BUSINESS PLAN FOR INVESTMENT IN REGIONAL CENTER COMMERCIAL ENTERPRISE.—The preapproval of a petition under this subparagraph shall be binding for purposes of the adjudication of subsequent petitions seeking classification under this paragraph by immigrants investing in the same commercial enterprise concerning the same economic activity, and of petitions filed under section 216A, unless the Secretary determines that there is evidence of fraud, misrepresentation, criminal misuse, a threat to national security, a material change that affects the approved economic model, or other evidence affecting program eligibility that was not disclosed by the petitioner during the preapproval process.

''(iv) EXPEDITED PROCESSING OPTION FOR ALIEN INVESTOR PETITIONS ASSOCIATED WITH PREAPPROVED BUSINESS PLANS.—The Secretary may establish a premium processing option for business plan preapproval and for petitions by alien investors who are investing in a commercial enterprise that has received preapproval under this subparagraph pursuant to section 286(u).

''(v) CONSIDERATION OF CRIMINAL ACTIVITY IN ESTABLISHING ELIGIBILITY CRITERIA.—The Secretary shall consider the potential for fraud, misrepresentation, criminal misuse, and threats to national security in establishing eligibility criteria for any program the Secretary may establish under this subparagraph.

''(vi) EFFECT OF PRIOR DETERMINATIONS.—If a commercial enterprise does not file a petition for preapproval under this subparagraph, or files a petition under this subparagraph that is denied, the approval of any of the items described in clause (i) submitted in support of a petition seeking classification of an alien as an alien investor under this paragraph shall be binding for purposes of the adjudication of subsequent petitions seeking classification under this paragraph by aliens investing in the same commercial enterprise concerning the same economic activity, and of petitions filed under section 216A, unless the Secretary determines that there is evidence of fraud, misrepresentation, criminal misuse, a threat to national security, a material change that affects the approved economic model, or evidence affecting program eligibility that was not disclosed.

''(G) REGIONAL CENTER FINANCIAL STATEMENTS.—

''(i) IN GENERAL.—Each regional center designated under subparagraph (E) shall annually submit, to the Director of U.S. Citizenship and Immigration Services (referred to in this subparagraph as the 'Director'), in a manner prescribed by the Secretary of Homeland Security, financial statements, including—

''(I) an accounting of all foreign investor money invested in association with the regional center or associated commercial enterprise; and

''(II) for each capital investment project—

''(aa) an accounting of the aggregate capital invested in association with the regional center or associated commercial enterprises by immigrants under this paragraph;

''(bb) a description of how such funds are being used to execute the approved business plan;

''(cc) evidence that 100 percent of such investor funds have been dedicated to the project;

''(dd) detailed evidence of the progress made toward the completion of the project;

''(ee) an accounting of the aggregate direct and indirect jobs created or preserved; and

''(ff) a certification by the regional center that such statements are accurate.

''(ii) AMENDMENT OF FINANCIAL STATEMENTS.—If the Director determines that a financial statement required under clause (i) is deficient, or if the Director otherwise deems appropriate, the Director may require the regional center to amend or supplement such financial statement.

''(iii) SANCTIONS.—

''(I) EFFECT OF VIOLATION.—If the Director determines that a regional center, director, or other individual involved with a regional center (other than an alien investor) has violated any requirement under clause (i) or that the regional center is conducting itself in a manner inconsistent with its designation, the Director, after giving the regional center an opportunity to rebut the alleged violations, may sanction the violating entity or individual under subclause (II).

''(II) AUTHORIZED SANCTIONS.—The Director shall establish a graduated set of sanctions for violations referred to in subclause (I), including—

''(aa) fines equal to not more than 5 percent of the total capital invested by immigrant investors in the commercial enterprise's approved business plan, the payment of which shall not in any circumstance utilize any of such immigrant investors' capital investment;

''(bb) temporary suspension from participation in the program described in subparagraph (E), which may be lifted by the Director if the individual or entity cures the alleged violation after being provided such an opportunity by the Director;

''(cc) permanent bar from program participation for 1 or more individuals affiliated with the regional center; and

''(dd) termination of regional center status.

''(H) BONA FIDES OF PERSONS INVOLVED IN REGIONAL CENTERS OR REGIONAL CENTER ASSOCIATED COMMERCIAL ENTERPRISES.—

''(i) IN GENERAL.—No person shall be permitted by any regional center or regional center associated commercial enterprise to be involved with the regional center or commercial enterprise as its principal, representative, administrator, owner, officer, board member, manager, executive, general partner, fiduciary, marketer, promoter, or other similar position of substantive authority for the operations, management or promotion of the regional center or commercial enterprise if the Secretary of Homeland Security—

''(I) determines such person has been found liable within the previous 5 years for any criminal or civil violation of any law relating to fraud or deceit, or at any time if such violation involved a criminal conviction with a term of imprisonment of at least 1 year or a criminal or civil violation of any law or agency regulation in connection with the purchase or sale of a security, unless the Secretary determines that the past violation should not prevent involvement with the regional center or regional center associated commercial enterprise; or

''(II) knows or has reasonable cause to believe that the person is engaged in, has ever been engaged in, or seeks to engage in any—

''(aa) illicit trafficking in any controlled substance;

''(bb) activity relating to espionage or sabotage;

''(cc) activity related to money laundering (as described in section 1956 or 1957 of title 18, United States Code);

''(dd) terrorist activity (as defined in clauses (iii) and (iv) of section 212(a)(3)(B));

''(ee) human trafficking or human rights offense; or

''(ff) violation of any statute, regulation, or Executive Order regarding foreign financial transactions or foreign asset control.

''(ii) INFORMATION REQUIRED.—The Secretary shall require such attestations and information, including, the submission of fingerprints to the Federal Bureau of Investigation, and shall perform such criminal record checks and other background checks with respect to a regional center or regional center associated commercial enterprise, and persons involved in a regional center or regional center associated commercial enterprise as described in clause (i), as the Secretary considers appropriate to determine whether the regional center or regional center associated commercial enterprise is in compliance with clause (i). The Secretary may require the information and attestations described in this clause from such regional center or regional center associated commercial enterprise, and

any person involved in the regional center or regional center associated commercial enterprise, at any time on or after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(iii) TERMINATION.—The Secretary is authorized, in the Secretary's unreviewable discretion, to terminate any regional center or regional center associated commercial enterprise from the program under this paragraph if the Secretary determines that—

''(I) the regional center or regional center associated commercial enterprise is in violation of clause (i);

''(II) the regional center, a regional center associated commercial enterprise, or any person involved with the regional center or regional center associated commercial enterprise has provided any false attestation or information under clause (ii);

''(III) the regional center, regional center associated commercial enterprise, or any person involved with the regional center or regional center associated commercial enterprise, fails to provide an attestation or information requested by the Secretary under clause (ii); or

''(IV) the regional center, a regional center associated commercial enterprise, or any person involved with the regional center or regional center associated commercial enterprise is engaged in fraud, misrepresentation, criminal misuse, or threats to national security.

''(iv) TREATMENT OF INVESTORS IF REGIONAL CENTER TERMINATED.—An alien who previously invested in a commercial enterprise associated with a regional center that is subsequently terminated under subclause (iii) shall be provided an opportunity to invest in another approved regional center. The termination of the regional center shall not affect the alien's status.

''(I) REGIONAL CENTER COMPLIANCE WITH SECURITIES LAWS.—

''(i) CERTIFICATION REQUIRED.—The Secretary of Homeland Security shall not approve an application for regional center designation or regional center amendment that does not certify that the regional center and, to the best knowledge of the applicant, all parties to the regional center are in, and will maintain, compliance with the securities laws of the United States.

''(ii) EXCEPTION FOR GOVERNMENTAL ENTITY.—If the regional center described in clause (i) is operated by a State or municipal entity, the regional center may obtain the certifications required under subclause (i) for any commercial enterprises associated with the regional center.

''(iii) OVERSIGHT REQUIRED.—In furtherance of the certification described in clause (i), any regional center not operated by a State or municipal entity shall monitor and supervise all offers and sales of securities made by associated commercial enterprises to ensure compliance with the securities laws of the United States, and to maintain records, data ,and information relating to all such offers and sales of securities.

''(iv) TERMINATION OR SUSPENSION.—The Secretary shall terminate the designation of any regional center that does not provide the certification described in subclause (i) on an annual basis. In addition to any other authority provided to the Secretary regarding the regional center program described in subparagraph (E), the Secretary may, in his or her unreviewable discretion, suspend or terminate the designation of any regional center if he or she determines that the regional center or any party to the regional center—

''(I) is permanently or temporarily enjoined by order, judgment, or decree of any court of competent jurisdiction in connection with the purchase or sale of a security;

''(II) is subject to any final order of the Securities and Exchange Commission that—

''(aa) bars such person from association with an entity regulated by the Securities and Exchange Commission; or

''(bb) constitutes a final order based on violations in connection with the purchase or sale of a security; or

''(III) knowingly submitted or caused to be submitted a certification described in clause (i) that contained an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading.

''(v) SAVINGS PROVISION.—Nothing in this subparagraph may be construed to impair or limit the authority of the Securities and Exchange Commission under the Federal securities laws.

''(vi) DEFINED TERM.—In this subparagraph, the term 'party to the regional center' includes the regional center, its agents, employees, and attorneys, and any persons in active concert or participation with the regional center.

''(J) DENIAL OR REVOCATION.—If the Secretary of Homeland Security determines, in his or her unreviewable discretion, that the approval of a petition, application, or benefit described in this subparagraph is contrary to the national interest of the United States for reasons relating to fraud, misrepresentation, criminal misuse, or threats to national security, the Secretary may deny or revoke the approval of—

''(i) a petition seeking classification of an alien as an alien investor under this paragraph;

''(ii) a petition to remove conditions under section 216A before granting lawful permanent resident status or any other petition, application, or benefit based upon the previous or concurrent filing or approval of a petition for classification of an alien under this paragraph; or

''(iii) an application for designation as a regional center.''.

(c) ASSISTANCE BY THE SECRETARY OF COMMERCE.—

(1) IN GENERAL.—The Secretary of Commerce, upon the request of the Secretary, shall provide consultation assistance for determining whether—

(A) a proposed regional center should be designated, terminated, or subject to other adjudicative action; or

(B) a petitioner or applicant for a benefit under section 203(b)(5) of the Immigration and Nationality Act, as amended by subsection (b), has met the requirements under such paragraph with respect to job creation.

(2) RULEMAKING.—The Secretary and the Secretary of Commerce may each adopt such rules and regulations as are necessary to carry out the consultation process provided for in paragraph (1).

(3) SAVINGS PROVISION.—The consultation provided under paragraph (1) shall be voluntary. Nothing in this subsection may be construed to require consultation with the Secretary of Commerce to continue the designation of a regional center approved before the date of the enactment of this Act or to impede or delay the adjudication petitions by the Secretary.

(d) EFFECTIVE DATE.—The amendments made by this section—

(1) shall be effective upon the enactment of this Act; and

(2) shall apply to—

(A) any application to designate a regional center, and any person involved with the regional center, that is pending or approved on or after the date of the enactment of this Act; and

(B) any regional center approved before the date of the enactment of this Act, on or after a delayed effective date that is 1 year after such date of enactment with respect to any person involved in the regional center on or after such delayed effective date.

SEC. 4805. CONDITIONAL PERMANENT RESIDENT STATUS FOR CERTAIN EMPLOYMENT-BASED IMMIGRANTS, SPOUSES, AND CHILDREN.

(a) IN GENERAL.—Section 216A (8 U.S.C. 1186b) is amended to read as follows:

''SEC. 216A. CONDITIONAL PERMANENT RESIDENT STATUS FOR CERTAIN EMPLOYMENT-BASED IMMIGRANTS, SPOUSES, AND CHILDREN.

''(a) IN GENERAL.—

''(1) CONDITIONAL BASIS FOR STATUS.—Notwithstanding any other provision of this Act, employment-based immigrants (as defined in subsection (g)(4)), alien spouses, and alien children (as such terms are defined in subsection (g)(2)) shall be considered, at the time of obtaining the status of an alien lawfully admitted for permanent residence, to have obtained such status on a conditional basis subject to the provisions of this section.

''(2) NOTICE OF REQUIREMENTS.—

''(A) AT TIME OF OBTAINING PERMANENT RESIDENCE.—At the time an employment-based immigrant, alien spouse, or alien child obtains permanent resident status on a conditional basis under paragraph (1), the Secretary of Homeland Security shall provide for notice to the alien, spouse, or child respecting the provisions of this section and the requirements of subsection (c)(1) to have the conditional basis of such status removed.

''(B) AT TIME OF REQUIRED PETITION.—In addition, the Secretary of Homeland Security shall attempt to provide notice to an employment-based immigrant, alien spouse, or alien child, at or about the beginning of the 90-day period described in subsection (d)(3), of the requirements of subsection (c)(1).

''(C) EFFECT OF FAILURE TO PROVIDE NOTICE.—The failure of the Secretary of Homeland Security to provide a notice under this paragraph shall not affect the enforcement of the provisions of this section with respect to an employment-based immigrant, alien spouse, or alien child.

''(b) TERMINATION OF STATUS IF FINDING THAT QUALIFYING EMPLOYMENT IMPROPER.—

''(1) ALIEN INVESTOR.—In the case of an alien investor with permanent resident status on a conditional basis under subsection (a), if the Secretary of Homeland Security determines, before the second anniversary of the alien's obtaining the status of lawful admission for permanent residence, that—

''(A) the investment in the commercial enterprise was intended as a means of evading the immigration laws of the United States;

''(B)(i) the alien did not invest, or was not actively in the process of investing, the requisite capital; or

''(ii) the alien was not sustaining the actions described in clause (i) throughout the period of the alien's residence in the United States; or

''(C) subject to the exception in subsection (d)(5), the alien was otherwise not conforming to the requirements under section 203(b)(5),

the Secretary shall so notify the alien investor and, subject to paragraph (3), shall terminate the permanent resident status of the

alien (and the alien spouse and alien child) involved as of the date of the determination.

''(2) EMPLOYEE OF A FEDERAL NATIONAL SECURITY, SCIENCE, AND TECHNOLOGY LABORATORY, CENTER OR AGENCY.—In the case of an employee of a Federal national security, science, and technology laboratory, center, or agency (as defined pursuant to section 203(b)(2)(C)) with permanent resident status on a conditional basis under subsection (a), if the Secretary of Homeland Security, in consultation with the relevant employing department or agency, determines, before the first anniversary of the alien's obtaining the status of lawful admission for permanent residence, that—

''(A) the qualifying employment was intended as a means of evading the immigration laws of the United States;

''(B) the alien has not completed or is not likely to complete 12 months of qualifying continuous employment; or

''(C) the alien did not otherwise conform with the requirements of section 203(b)(2),

the Secretary shall so notify the alien involved and, subject to paragraph (3), shall terminate the permanent resident status of the alien (and the alien spouse and alien child) involved as of the date of the determination.

''(3) HEARING IN REMOVAL PROCEEDING.—Any alien whose permanent resident status is terminated under paragraph (1) or (2) may request a review of such determination in a proceeding to remove the alien. In such proceeding, the burden of proof shall be on the Secretary of Homeland Security to establish, by a preponderance of the evidence, that a condition described in paragraph (1) or (2), as appropriate, is met.

''(c) REQUIREMENTS OF TIMELY PETITION AND INTERVIEW FOR REMOVAL OF CONDITION.—

''(1) IN GENERAL.—

''(A) PETITION AND INTERVIEW.—In order for the conditional basis established under subsection (a) for an employment-based immigrant, alien spouse, or alien child to be removed—

''(i) the employment-based immigrant shall submit to the Secretary of Homeland Security, during the period described in subsection (d)(3), a petition which requests the removal of such conditional basis and which states, under penalty of perjury, the facts and information described in paragraph (1) or (2) of subsection (d), as appropriate; and

''(ii) in accordance with subsection (d)(3), the employment-based immigrant must appear for a personal interview before an officer or employee of U.S. Citizenship and Immigration Services respecting such facts and information.

''(B) SEPARATE PETITION NOT REQUIRED.—An alien spouse or alien child shall not be required to file separate petitions under subparagraph (A)(i) if the employment-based immigrant's petition includes such alien spouse or alien child.

''(C) ADDITIONAL FEE.—Notwithstanding any other provision under this section, the Secretary may require the employment-based immigrant to pay an additional fee for a petition filed under subparagraph (A)(i) that includes the alien's spouse and child or children.

''(2) TERMINATION OF PERMANENT RESIDENT STATUS FOR FAILURE TO FILE PETITION OR HAVE PERSONAL INTERVIEW.—

''(A) IN GENERAL.—In the case of an alien with permanent resident status on a conditional basis under subsection (a), if—

''(i) no petition is filed with respect to the alien in accordance with the provisions of paragraph (1)(A); or

''(ii) unless there is good cause shown, the employment-based immigrant fails to appear at the interview described in paragraph (1)(B) (if required under subsection (d)(4)),

the Secretary of Homeland Security shall terminate the permanent resident status of the alien (and the alien's spouse and children if it was obtained on a conditional basis under this section or section 216) as of the second anniversary of the alien's lawful admission for permanent residence.

''(B) HEARING IN REMOVAL PROCEEDING.—In any removal proceeding with respect to an alien whose permanent resident status is terminated under subparagraph (A), the burden of proof shall be on the alien to establish compliance with the conditions of paragraphs (1)(A) and (1)(B).

''(3) DETERMINATION AFTER PETITION AND INTERVIEW.—

''(A) IN GENERAL.—If—

''(i) a petition is filed in accordance with the provisions of paragraph (1)(A); and

''(ii) the employment-based immigrant appears at any interview described in paragraph (1)(B),

the Secretary of Homeland Security shall make a determination, not later than 90 days after the date of such filing or interview (whichever is later), as to whether the facts and information described in paragraph (1) or (2) of subsection (d), as appropriate, and alleged in the petition are true.

''(B) REMOVAL OF CONDITIONAL BASIS IF FAVORABLE DETERMINATION.—

''(i) REMOVAL OF CONDITIONAL BASIS FOR ALIEN INVESTOR.—If the Secretary of Homeland Security determines with respect to a petition filed by an alien investor that such facts and information are true, the Secretary shall so notify the alien investor and shall remove the conditional basis of the alien's status effective as of the second anniversary of the alien's lawful admission for permanent residence.

''(ii) REMOVAL OF CONDITIONAL BASIS FOR EMPLOYEE OF A FEDERAL NATIONAL SECURITY, SCIENCE, AND TECHNOLOGY LABORATORY, CENTER OR AGENCY.—If the Secretary of Homeland Security determines with respect to a petition filed by an employee of a Federal national security, science, and technology laboratory, center, or agency that such facts and information are true, the Secretary shall so notify the alien and shall remove the conditional basis of the alien's status effective as of the first anniversary of the alien's lawful admission for permanent residence.

''(C) TERMINATION IF ADVERSE DETERMINATION.—If the Secretary of Homeland Security determines that such facts and information are not true, the Secretary shall so notify the alien involved and, subject to subparagraph (D), shall terminate the permanent resident status of an employment-based immigrant, alien spouse, or alien child as of the date of the determination.

''(D) HEARING IN REMOVAL PROCEEDING.—Any alien whose permanent resident status is terminated under subparagraph (C) may request a review of such determination in a proceeding to remove the alien. In such proceeding, the burden of proof shall be on the Secretary of Homeland Security to establish, by a preponderance of the evidence, that the facts and information described in subsection (d)(1) and alleged in the petition are not true.

''(d) DETAILS OF PETITION AND INTERVIEW.—

''(1) CONTENTS OF PETITION BY ALIEN INVESTOR.—Each petition filed by an alien investor under section (c)(1)(A) shall contain facts and information demonstrating that the alien—

''(A)(i) invested, or is actively in the process of investing, the requisite capital; and

''(ii) sustained the actions described in clause (i) throughout the period of the alien's residence in the United States; and

''(B) except as provided in paragraph (4), is otherwise conforming to the requirements under section 203(b)(5).

''(2) CONTENTS OF PETITION BY EMPLOYEE OF A FEDERAL NATIONAL SECURITY, SCIENCE, AND TECHNOLOGY LABORATORY, CENTER, OR AGENCY.—Each petition under subsection (c)(1)(A) filed by an employee of a Federal national security, science, and technology laboratory, center, or agency shall contain facts and information demonstrating that the alien is conforming to the requirements of section 203(b)(2).

''(3) PERIOD FOR FILING PETITION.—

''(A) 90-DAY PERIOD BEFORE ANNIVERSARY.—Except as provided in subparagraph (B), the petition under subsection (c)(1)(A) must be filed as follows:

''(i) In the case of an alien investor, during the 90-day period before the second anniversary of the alien's lawful admission for permanent residence.

''(ii) In the case of an employee of a Federal national security, science, and technology laboratory, center, or agency, during the 90-day period before the first anniversary of the alien's lawful admission for permanent residence.

''(B) LATE PETITIONS.—Such a petition may be considered if filed after such date, but only if the alien establishes to the satisfaction of the Secretary of Homeland Security good cause and extenuating circumstances for failure to file the petition during the period described in subparagraph (A).

''(C) FILING OF PETITIONS DURING REMOVAL.—In the case of an alien who is the subject of removal hearings as a result of failure to file a petition on a timely basis in accordance with subparagraph (A), the Secretary of Homeland Security may stay such removal proceedings against an alien pending the filing of the petition under subparagraph (B).

''(4) PERSONAL INTERVIEW.—The interview under subsection (c)(1)(B) shall be conducted within 90 days after the date of submitting a petition under subsection (c)(1)(A) and at a local office of U.S. Citizenship and Immigration Services, designated by the Secretary of Homeland Security, which is convenient to the parties involved. The Secretary, in the discretion of the Secretary, may waive the deadline for such an interview or the requirement for such an interview in such cases as may be appropriate.

''(5) SPECIAL RULE FOR ALIEN INVESTORS IN A REGIONAL CENTER.—Each petition under subsection (c)(1)(A) filed by an alien investor who invests in accordance with section 203(b)(5)(E) shall contain facts and information demonstrating that the alien is complying with the requirements under section 203(b)(5), except—

''(A) the alien shall not be subject to the requirements under section 203(b)(5)(A)(ii); and

''(B) the petition shall—

''(i) refer to the most recent financial statement filed by the regional center in which the alien has invested in accordance with section 203(b)(5)(G); and

''(ii) contain a certification that the petitioner has read the financial statement to which the alien's petition refers.

''(6) EFFECT OF PRIOR DETERMINATIONS.—The approval of any of the items described in section 203(b)(5)(F)(i) submitted in support of a petition seeking classification of an alien

as an alien investor under section 203(b)(5) shall be binding for purposes of the adjudication of the alien investor's petition filed under this section 216A, unless the Secretary determines that there is evidence of fraud, misrepresentation, criminal misuse, a threat to national security, a material change that affects the approved economic model, or evidence affecting program eligibility that was not disclosed by the petitioner.

''(e) TREATMENT OF PERIOD FOR PURPOSES OF NATURALIZATION.—For purposes of title III, in the case of an alien who is in the United States as a lawful permanent resident on a conditional basis under this section, the alien shall be considered to have been admitted as an alien lawfully admitted for permanent residence and to be in the United States as an alien lawfully admitted to the United States for permanent residence, if the alien has had the conditional basis removed pursuant to this section.

''(f) FRAUD, MISREPRESENTATION, CRIMINAL MISUSE, OR THREATS TO THE PUBLIC SAFETY OR NATIONAL SECURITY.—If the Secretary of Homeland Security determines, in his or her sole and unreviewable discretion, that the conditional permanent resident status granted to an employment-based immigrant under subsection (a), or to an alien researcher described in section 203(b)(2)(A)(ii) is contrary to the national interest of the United States for reasons relating to fraud, misrepresentation, criminal misuse, or threats to national security, the Secretary shall—

''(1) notify the immigrant involved of such determination; and

''(2) terminate the permanent resident status of the immigrant involved (and the alien spouse and alien children of such immigrant) as of the date of such determination.

''(g) DEFINITIONS.—In this section:

''(1) The term 'alien investor' means an alien who obtains the status of an alien lawfully admitted for permanent residence (whether on a conditional basis or otherwise) under section 203(b)(5).

''(2) The term 'alien spouse' and the term 'alien child' mean an alien who obtains the status of an alien lawfully admitted for permanent residence (whether on a conditional basis or otherwise) by virtue of being the spouse or child, respectively, of an alien investor or an employee of a Federal national security, science, and technology laboratory, center, or agency.

''(3) The term 'commercial enterprise' includes a limited partnership.

''(4) The term 'employment-based immigrant' means an alien described in paragraph (1) or (5).

''(5) The term 'employee of a Federal national security, science, and technology laboratory, center, or agency' means an alien who obtains the status of an alien lawfully admitted for permanent residence (whether on a conditional basis or otherwise) under section 203(b)(2)(A)(ii).''.

(b) CONFORMING AMENDMENT.—Section 216(e) (8 U.S.C. 1186a(e)) is amended by inserting before the period at the end the following: '', if the alien has had the conditional basis removed pursuant to this section''.

(c) CLERICAL AMENDMENT.—The table of contents is amended by striking the item relating to section 216A and inserting the following:

''Sec. 216A. Conditional permanent resident status for certain employment-based immigrants, spouses, and children.''.

SEC. 4806. EB–5 VISA REFORMS.

(a) ALIENS NOT SUBJECT TO DIRECT NUMERICAL LIMITATION.—Section 201(b)(1) (8 U.S.C. 1151(b)(1)), as amended by sections 2103(c)(2), 2212(d)(2), 2307(b), and 2402, is further amended by adding at the end the following:

''(P) Aliens who are the spouse or a child of an alien admitted as an employment-based immigrant under section 203(b)(5).''.

(b) TECHNICAL AMENDMENT.—Section 203(b)(5), as amended by this Act, is further amended by striking ''Attorney General'' each place it appears and inserting ''Secretary of Homeland Security''.

(c) TARGETED EMPLOYMENT AREAS.—

(1) IN GENERAL.—Section 203(b)(5)(B) (8 U.S.C. 1153(b)(5)(B)) is amended to read as follows:

''(B) SET-ASIDE FOR TARGETED EMPLOYMENT AREAS.—

''(i) IN GENERAL.—Not fewer than 5,000 of the visas made available under this paragraph in each fiscal year shall be reserved for qualified immigrants who invest in a new commercial enterprise described in subparagraph (A), which—

''(I) is investing such capital in a targeted employment area; and

''(II) will create employment in such targeted employment area.

''(ii) DURATION OF HIGH UNEMPLOYMENT AREA DESIGNATION.—A designation of a high unemployment area as a targeted employment area shall be valid for 5 years and may be renewed for additional 5-year periods if the area continues to meet the definition of a high unemployment area. An investor who has made the required amount of investment in such a targeted employment area during its period of designation shall not be required to increase the amount of investment based upon expiration of the designation.''.

(d) ADJUSTMENT OF MINIMUM EB–5 INVESTMENT AMOUNT.—Section 203(b)(5)(C)(i) (8 U.S.C. 1153(b)(5)(C)(i)) is amended—

(1) by striking ''The Attorney General'' and inserting ''The Secretary of Commerce'';

(2) by striking ''Secretary of State'' and inserting ''Secretary of Homeland Security''; and

(3) by adding at the end the following: ''Unless adjusted by the Secretary of Commerce, the amount specified in this clause shall automatically adjust, on January 1, 2016, by the percentage change in the Consumer Price Index (CPI–U) during fiscal year 2015, and on every fifth subsequent January 1 by the cumulative percentage change in the CPI–U during the previous 5 fiscal years, for any petition filed to classify an alien under this paragraph on or after the date of each automatic adjustment.''.

(e) DEFINITIONS.—

(1) IN GENERAL.—Section 203(b)(5) (8 U.S.C. 1153(b)(5)), as amended by subsections (b) and (c) and by section 4804, is further amended—

(A) by striking subparagraph (D) and inserting following:

''(D) CALCULATION OF FULL-TIME EMPLOYMENT.—Job creation under this paragraph may consist of employment measured in full-time equivalents, including intermittent or seasonal employment opportunities and construction jobs. A full-time employment position is not a requirement for indirect job creation.''; and

(B) by adding at the end the following:

''(K) DEFINITIONS.—In this paragraph:

''(i) The term 'capital' means all real, personal, or mixed assets, whether tangible or intangible, owned or controlled by the investor, or held in trust for the benefit of the investor, to which the investor has unrestricted access, which shall be valued at fair market value in United States dollars, in accordance with Generally Accepted Accounting Principles, at the time it is invested under this paragraph.

''(ii) The term 'full-time employment' means employment in a position that requires at least 35 hours of service per week, regardless of how many employees fill the position.

''(iii) The term 'high unemployment area' means—

''(I) an area consisting of a census tract or contiguous census tracts that has an unemployment rate that is at least 150 percent of the national average unemployment rate; or

''(II) an area that is within the boundaries established for purposes of a Federal or State economic development incentive program, including areas defined as Enterprise Zones, Renewal Communities, Promise Zones, and Empowerment Zones, and other programs for the purposes of job creation, small business creation, and neighborhood revitalization.

''(iv) The term 'rural area' means—

''(I) any area other than an area within a metropolitan statistical area or within the outer boundary of any city or town having a population of 20,000 or more (based on the most recent decennial census of the United States); or

''(II) any city or town having a population of fewer than 20,000 (based on the most recent decennial census of the United States) that is located within a State having a population of fewer than 1,500,000 (based on the most recent decennial census of the United States).

''(v) The term 'targeted employment area' means a rural area, any community adversely affected by a recommendation by the Defense Base Closure and Realignment Commission, or a high unemployment area.''.

(2) RULEMAKING.—The Secretary, in consultation with the Secretary of Defense, shall issue appropriate regulations to account for the modified definition of targeted employment area in section 203(b)(5)(K)(v), as amended by paragraph (1)(B).

(3) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to any application for a visa under section 204(a)(7) of the Immigration and Nationality Act that is filed on or after the date that is 1 year after the date of the enactment of this Act, unless the petitioner requests in the petition that they take immediate effect.

(4) RULE OF CONSTRUCTION.—None of the amendments made by paragraph (1) may be construed to deny any petition under section 216A filed by an alien who filed a petition under section 203(b)(5) before the date of the enactment of this Act.

(f) AGE DETERMINATION FOR CHILDREN OF ALIEN INVESTORS.—Section 203(h) (8 U.S.C. 1153(h)), as amended by section 2305(d), is further amended by adding at the end the following:

''(5) AGE DETERMINATION FOR CHILDREN OF ALIEN INVESTORS.—An alien admitted under subsection (d) as a lawful permanent resident on a conditional basis as the child of an alien lawfully admitted for permanent residence under subsection (b)(5), whose lawful permanent resident status on a conditional basis is terminated under section 216A, shall continue to be considered a child of the principal alien for the purpose of a subsequent immigrant petition by such alien under subsection (b)(5) if the alien remains unmarried and the subsequent petition is filed by the principal alien not later than 1 year after the termination of conditional lawful permanent resident status. No alien shall be considered a child under this paragraph with respect to more than 1 petition filed after the alien's 21st birthday.''.

(g) ENHANCED PAY SCALE FOR CERTAIN FEDERAL EMPLOYEES ADMINISTERING THE EB–5

PROGRAM.—The Secretary may establish, fix the compensation of, and appoint individuals to, designated critical administrative, technical, and professional positions needed to administer sections 203(b)(5) and 216A of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5) and 1186b).

(h) DELEGATION OF CERTAIN EB–5 AUTHORITY.—

(1) IN GENERAL.—The Secretary of Homeland Security may delegate to the Secretary of Commerce authority and responsibility for determinations under sections 203(b)(5) and 216A (with respect to alien entrepreneurs) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5) and 1186a), including determining whether an alien has met employment creation requirements.

(2) REGULATIONS.—The Secretary of Homeland Security and the Secretary of Commerce may each adopt such rules and regulations as are necessary to carry out the delegation authorized under paragraph (1), including regulations governing the eligibility criteria for obtaining benefits pursuant to the amendments made by this section.

(3) USE OF FEES.—Adjudication fees described in section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)) shall remain available until expended to reimburse the Secretary of Commerce for the costs of any determinations made by the Secretary of Commerce under paragraph (1).

(i) CONCURRENT FILING OF EB–5 PETITIONS AND APPLICATIONS FOR ADJUSTMENT OF STATUS.—Section 245 (8 U.S.C. 1255), as amended by sections 2305(d), 2310(c), 3201(e), and 4237(b), is further amended—

(1) in subsection (k), in the matter preceding paragraph (1), by striking ''or (3)'' and inserting ''(3), (5), or (7)''; and

(2) by adding at the end the following:

''(o) At the time a petition is filed for classification under section 203(b)(5), if the approval of such petition would make a visa immediately available to the alien beneficiary, the alien beneficiary's application for adjustment of status under this section shall be considered to be properly filed whether the application is submitted concurrently with, or subsequent to, the visa petition.''.

At the end of section 4806, add the following:

(j) REPORTS.—

(1) REQUIREMENT FOR REPORTS.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a report on the EB-5 program carried out pursuant to section 203(b)(5) of the Immigration and Nationality (8 U.S.C. 1153(b)(5)), as amended by this section.

(2) CONTENT.—Each report required by paragraph (1) shall include the following:

(A) The number of applications pending for an immigrant visa described in section 203(b)(5) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5)), disaggregated by State.

(B) The period of time each such application has been pending.

(C) The average length of time required to conduct an economic evaluation of a project and suitability of a petitioner for such a visa and the Secretary's goals for these timeframes.

(D) A description of any additional resources necessary to efficiently administer the EB-5 program carried out pursuant to such section 203(b)(5).

(E) The number of applications that have been approved or denied for such a visa in the most recent reporting period with an accompanying explanation of reasons for such approval or denial, disaggregated by State.

(F) The number of jobs created by such EB-5 program in each 180-day period, disaggregated by State.

(G) The types of projects proposed and the number of aliens granted such a visa in each 180-day period, disaggregated by State and by North American Industry Classification System (NAICS) code.

SA 1457. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1389, line 5, strike ''$5,000 and not more than $15,000'' and insert ''$10,000 and not more than $25,000''.

On page 1389, line 12, ''$10,000 and not more than $25,000'' and insert ''$25,000 and not more than $50,000''.

On page 1390, line 18, strike ''$1,000 and not more than $4,000'' and insert ''$5,000 and not more than $15,000''.

On page 1390, lines 22 and 23, strike ''$2,000 and not more than $8,000'' and insert ''$6,000 and not more than $20,000''.

SA 1458. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 901, between lines 4 and 5, insert the following:

(f) CONSULTATIONS WITH TRIBAL GOVERNMENTS.—Before ordering a unit or personnel of the National Guard of a State to be deployed to an area on or near Indian lands (as defined in section 3 of the Native American Business Development, Trade Promotion, and Tourism Act of 2000 (25 U.S.C. 4302)), the Governor of the State shall consult and coordinate with the tribal government with jurisdiction over those lands with respect to the deployment.

On page 904, between lines 18 and 19, insert the following:

(3) CONSULTATIONS WITH TRIBAL GOVERNMENTS.—Before constructing a Border Patrol station under paragraph (1) or establishing a forward operating base for the U.S. Border Patrol under paragraph (2) on or near Indian lands (as defined in section 3 of the Native American Business Development, Trade Promotion, and Tourism Act of 2000 (25 U.S.C. 4302)), the Secretary shall consult and coordinate with the tribal government with jurisdiction over those lands with respect to the construction of the station or establishment of the base, as the case may be.

SA 1459. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1122. BORDER PATROL RATE OF PAY.

(a) PURPOSE.—The purposes of this section are—

(1) to strengthen U.S. Border Patrol and ensure border patrol agents are sufficiently ready to conduct necessary work and that agents will perform overtime hours in excess of a 40 hour work week based on the needs of the employing agency; and

(2) to ensure U.S. Border Patrol has the flexibility to cover shift changes and retains the right to assign scheduled and unscheduled work for mission requirements and planning based on operational need.

(b) RATES OF PAY.—Subchapter V of chapter 55 of title 5, United States Code, is amended by inserting after section 5549 the following:

''§ 5550. Border patrol rate of pay

''(a) DEFINITIONS.—In this section—

''(1) the term 'available to work' means a border patrol agent is generally and reasonably accessible by U.S. Customs and Border Protection to perform unscheduled duty based on the needs of U.S. Customs and Border Protection;

''(2) the term 'border patrol agent' means an individual who is performing functions included under position classification series 1896 (Border Patrol Enforcement) of the Office of Personnel Management, or any successor thereto, including performing covered border patrol activities;

''(3) the term 'covered border patrol activities' means a border patrol agent is—

''(A) detecting and preventing illegal entry and smuggling of aliens, commercial goods, narcotics, weapons, or contraband into the United States;

''(B) arresting individuals suspected of conduct described in subparagraph (A);

''(C) attending training authorized by U.S. Customs and Border Protection;

''(D) on approved annual, sick, or administrative leave;

''(E) on ordered travel status;

''(F) on official time, within the meaning of section 7131;

''(G) on excused absence with pay for relocation purposes;

''(H) on light duty due to injury or disability;

''(I) performing administrative duties or mission critical work assignments while maintaining law enforcement authority;

''(J) caring for the canine assigned to the border patrol agent, which may not exceed 1 hour per day; or

''(K) engaged in an activity similar to an activity described in subparagraphs (A) through (J) while temporarily away from the regular duty assignment of the border patrol agent;

''(4) the term 'level 1 border patrol rate of pay' means the hourly rate of pay equal to 1.25 times the otherwise applicable hourly rate of pay of the applicable border patrol agent;

''(5) the term 'level 2 border patrol rate of pay' means the hourly rate of pay equal to 1.125 times the otherwise applicable hourly rate of pay of the applicable border patrol agent; and

''(6) the term 'work period' means a 14-day biweekly pay period.

''(b) RECEIPT OF BORDER PATROL RATE OF PAY.—

''(1) VOLUNTARY ELECTION.—

''(A) IN GENERAL.—Not later than 30 days before the first day of each year beginning after the date of enactment of this section, a border patrol agent shall make an election whether the border patrol agent shall, for the following year—

''(i) be assigned to the level 1 border patrol rate of pay;

''(ii) be assigned the level 2 border patrol rate of pay; or

''(iii) decline to be assigned the level 1 border patrol rate of pay or the level 2 border patrol rate of pay.

''(B) PROCEDURES.—The Director of the Office of Personnel Management shall establish procedures for elections under subparagraph (A).

''(C) INFORMATION REGARDING ELECTION.—Not later than 60 days before the first day of each year beginning after the date of enactment of this section, U.S. Border Patrol shall provide each border patrol agent with information regarding each type of election available under subparagraph (A) and how to make such an election.

''(D) FAILURE TO ELECT.—A border patrol agent who fails to make a timely election under subparagraph (A) shall be deemed to have made an election to be assigned to the level 1 border patrol rate of pay under subparagraph (A)(i).

''(E) SENSE OF CONGRESS.—It is the sense of Congress that U.S. Border Patrol should take such action as is necessary to ensure that not more than 10 percent of the border patrol agents stationed at a location decline to be assigned to the level 1 border patrol rate of pay or the level 2 border patrol rate of pay.

''(2) LEVEL 1 BORDER PATROL RATE OF PAY.—For a border patrol agent who has in effect an election under paragraph (1)(A)(i), the border patrol agent—

''(A) shall be scheduled to work 10 hours per day and 5 days per week;

''(B) shall receive pay at the level 1 border patrol rate of pay for the hours of scheduled work described in subparagraph (A);

''(C) shall receive pay at the level 1 border patrol rate of pay for the number of hours during which the border patrol agent is available to work during a work period; and

''(D) shall receive compensatory time off or pay at the overtime hourly rate of pay for hours of work in excess of 100 hours during a work period, as determined in accordance with section 5542(a)(7).

''(3) LEVEL 2 BORDER PATROL RATE OF PAY.—For a border patrol agent who has in effect an election under paragraph (1)(A)(ii), the border patrol agent—

''(A) shall be scheduled to work 9 hours per day and 5 days per week;

''(B) shall receive pay at the level 2 border patrol rate of pay for the hours of scheduled work described in subparagraph (A);

''(C) shall receive pay at the level 2 border patrol rate of pay for the number of hours during which the border patrol agent is available to work during a work period; and

''(D) shall receive compensatory time off or pay at the overtime hourly rate of pay for hours of work in excess of 90 hours during a work period, as determined in accordance with section 5542(a)(7).

''(4) BASIC BORDER PATROL RATE OF PAY.—For a border patrol agent who has in effect an election under paragraph (1)(A)(iii), the border patrol agent—

''(A) shall be scheduled to work 8 hours per day and 5 days per week;

''(B) shall receive pay at the applicable hourly rate of basic pay of the applicable border patrol agent for the number of hours during which the border patrol agent is available to work during a work period; and

''(C) shall receive compensatory time off or pay at the overtime hourly rate of pay for hours of work in excess of 80 hours during a work period, as determined in accordance with section 5542(a)(7).

''(c) ELIGIBILITY FOR OTHER PREMIUM PAY.—A border patrol agent shall receive premium pay in accordance with sections 5545 and 5546, without regard to the election of the border patrol agent under subsection (b)(1)(A).

''(d) TREATMENT AS BASIC PAY.—Any pay received at the level 1 border patrol rate of pay or the level 2 border patrol rate of pay or pay described in subsection (b)(3)(B) shall be treated as part of basic pay for—

''(1) purposes of sections 5595(c), 8114(e), 8331(3), and 8704(c);

''(2) any other purpose that the Office of Personnel Management may by regulation prescribe; and

''(3) any other purpose expressly provided for by law.

''(e) AUTHORITY TO REQUIRE OVERTIME WORK.—Nothing in this section shall be construed to limit the authority of U.S. Border Protection to require a border patrol agent to perform hours of overtime work in the event of a local or national emergency.''.

(c) OVERTIME WORK.—Section 5542(a) of title 5, United States Code, is amended by adding at the end the following:

''(7)(A) In this paragraph, the term 'border patrol agent' has the meaning given that term in section 5550.

''(B) Notwithstanding the matter preceding paragraph (1) or paragraphs (1) and (2), for a border patrol agent who has in effect an election to be assigned to the level 1 border patrol rate of pay under section 5550(b)(1)(A)(i)—

''(i) except as provided in subparagraph (E), hours of work in excess of 100 hours during a 14-day biweekly pay period shall be overtime work; and

''(ii) the border patrol agent—

''(I) shall receive pay at the overtime hourly rate of pay for hours of overtime work that are officially ordered or approved; and

''(II) shall receive compensatory time off for any hours of overtime work that are not hours of overtime work described in subclause (I).

''(C) Notwithstanding the matter preceding paragraph (1) or paragraphs (1) and (2), for a border patrol agent who has in effect an election to be eligible for the level 2 border patrol rate of pay under section 5550(b)(1)(A)(ii)—

''(i) except as provided in subparagraph (E), hours of work in excess of 90 hours during a 14-day biweekly pay period shall be overtime work; and

''(ii) the border patrol agent—

''(I) shall receive pay at the overtime hourly rate of pay for hours of overtime work that are officially ordered or approved; and

''(II) shall receive compensatory time off for any hours of overtime work that are not hours of overtime work described in subclause (I).

''(D) Notwithstanding the matter preceding paragraph (1) or paragraphs (1) and (2), for a border patrol agent who has in effect an election under section 5550(b)(1)(A)(iii)—

''(i) except as provided in subparagraph (E), hours of work in excess of 80 hours during a 14-day biweekly pay period shall be overtime work; and

''(ii) the border patrol agent—

''(I) shall receive pay at the overtime hourly rate of pay for hours of overtime work that are officially ordered or approved; and

''(II) shall receive compensatory time off for any hours of overtime work that are not hours of overtime work described in subclause (I).

''(E) During a 14-day biweekly pay period, a border patrol agent shall not perform and may not receive compensatory time off for more than 8 hours of overtime work that is not officially approved.

''(F) A border patrol agent—

''(i) may not accrue more than 240 hours of compensatory time off during a year; and

''(ii) shall use any hours of compensatory time off not later than 1 year after the date on which the compensatory time off is accrued.''.

(d) STEP INCREASES.—

(1) IN GENERAL.—Effective on the first day of the first pay period beginning after December 31, 2013, each border patrol agent (as defined in section 5550 of title 5, United States Code, as added by subsection (b)) in a position at or below GS-12 of the General Schedule under section 5332 of title 5, United States Code, shall be granted a step-increase of 2 steps, except that an increase under this section may not increase the rate of pay of a border patrol agent to be more than the highest pay rate within the GS grade of the border patrol agent on the date of enactment of this Act.

(2) EFFECT ON PERIODIC STEP-INCREASES.—The date on which a border patrol agent who receives a step-increase under paragraph (1) is eligible for a periodic step-increase under section 5335 of title 5, United States Code, shall be determined based on the effective date of the step-increase under paragraph (1).

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 13(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)) is amended—

(A) in paragraph (16), by striking ''or'' after the semicolon;

(B) in paragraph (17), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(18) any employee who is a border patrol agent, as defined in section 5550(a) of title 5, United States Code.''.

(2) The table of sections for chapter 55 of title 5, United States Code, is amended by inserting after the item relating to section 5549 the following:

''5550. Border patrol rate of pay.''.

SA 1460. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Section 2103 is amended by adding at the end the following:

(g) DREAMER ACCESS GRANTS.—

(1) IN GENERAL.—Subpart 4 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070c et seq.) is amended by adding at the end the following:

''SEC. 415G. DREAMER ACCESS GRANTS.

''(a) PURPOSE.—The purpose of this section is to provide grants to eligible States for the following:

''(1) To promote increased access and affordability for DREAM Act students.

''(2) To discourage legal discrimination against DREAM Act students.

''(b) DREAM ACT STUDENTS.—In this section, the term 'DREAM Act student' means an individual who is a registered provisional immigrant who meets the requirements of clauses (ii) and (iii) of section 245D(b)(1)(A) of the Immigration and Nationality Act.

''(c) GRANTS TO STATES.—

''(1) RESERVATION FOR ADMINISTRATION.—From the amounts appropriated to carry out this section for each fiscal year, the Secretary may reserve not more than 1 percent of such amounts to administer this section.

''(2) GRANTS AUTHORIZED.—

''(A) IN GENERAL.—From the amounts appropriated to carry out this section for each

fiscal year and not reserved under paragraph (1), the Secretary shall award grants to eligible States to enable the States to carry out the activities described in this section for DREAM Act students.

''(B) SUBMISSION AND CONTENTS OF APPLICATIONS.—A State that desires to obtain a grant payment under this section for any fiscal year shall submit annually an application that shall contain such information as may be required by, or pursuant to, regulation for the purpose of enabling the Secretary to make the determinations required under this section.

''(C) PAYMENT OF FEDERAL SHARE OF GRANTS MADE BY QUALIFIED PROGRAM.—From a State's allotment under this section for any fiscal year the Secretary is authorized to make payments to such State for paying up to 50 percent of the amount of student grants pursuant to a State program which—

''(i) is administered by a single State agency;

''(ii) provides that such grants will be in amounts not to exceed the lesser of $12,500 or the student's cost of attendance per academic year—

''(I) for attendance on a full-time basis at an institution of higher education; and

''(II) for campus-based community service work learning study jobs;

''(iii) provides that—

''(I) not more than 20 percent of the allotment to the State for each fiscal year may be used for the purpose described in clause (ii)(II);

''(II) grants for the campus-based community work learning study jobs may be made only to students who are otherwise eligible for assistance under this section; and

''(III) grants for such jobs be made in accordance with the provisions of section 443(b)(1);

''(iv) provides for the selection of recipients of such grants or of such State work-study jobs on the basis of substantial financial need determined annually on the basis of criteria established by the State and approved by the Secretary, except that for the purpose of collecting data to make such determination of financial need, no student or parent shall be charged a fee that is payable to an entity other than such State;

''(v) provides that all nonprofit institutions of higher education in the State are eligible to participate in the State program, except in any State in which participation of nonprofit institutions of higher education is in violation of the constitution of the State or in any State in which participation of nonprofit institutions of higher education is in violation of a statute of the State which was enacted prior to October 1, 1978;

''(vi) provides for the payment of the non-Federal portion of such grants or of such work-study jobs from funds supplied by such State which represent an additional expenditure for such year by such State for grants or work-study jobs for students attending institutions of higher education over the amount expended by such State for such grants or work-study jobs, if any, during the second fiscal year preceding the fiscal year in which such State initially received funds under this section;

''(vii) provides that if the State's allocation under this section is based in part on the financial need demonstrated by students who are independent students or attending the institution less than full time, a reasonable proportion of the State's allocation shall be made available to such students;

''(viii) provides for State expenditures under such program of an amount not less than the average annual aggregate expenditures for the preceding three fiscal years or the average annual expenditure per full-time equivalent student for such years;

''(ix) provides—

''(I) for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State agency under this section; and

''(II) for the making of such reports, in such form and containing such information, as may be reasonably necessary to enable the Secretary to perform the Secretary's functions under this section;

''(x) provides the non-Federal share of the amount of student grants or work-study jobs under this section through State funds for the program under this section; and

''(xi) provides notification to eligible students that such grants are funded by the Federal Government, the State, and, where applicable, other contributing partners.

''(D) RESERVATION AND DISBURSEMENT OF ALLOTMENTS AND REALLOTMENTS.—Upon the Secretary's approval of any application for a payment under this section, the Secretary shall reserve from the applicable allotment (including any applicable reallotment) available therefor, the amount of such payment, which (subject to the limits of such allotment or reallotment) shall be equal to the Federal share of the cost of the students' incentive grants or work-study jobs covered by such application. The Secretary shall pay such reserved amount, in advance or by way of reimbursement, and in such installments as the Secretary may determine. The Secretary may amend the reservation of any amount under this section, either upon approval of an amendment of the application or upon revision of the estimated cost of the student grants or work-study jobs with respect to which such reservation was made. If the Secretary approves an upward revision of such estimated cost, the Secretary may reserve the Federal share of the added cost only from the applicable allotment (or reallotment) available at the time of such approval.

''(3) ELIGIBLE STATES.—A State is eligible to receive a grant under this section if the State—

''(A) increases access and affordability to higher education for DREAM Act students by—

''(i) offering in-state tuition for DREAM Act students; or

''(ii) expanding in-state financial aid to DREAM Act students; and

''(B) submits an application to the Secretary that contains an assurance that the State has made significant progress establishing a longitudinal data system that includes the elements described in section 6201(e)(2)(D) of the America COMPETES Act (20 U.S.C. 9871(e)(2)(D)).

''(4) ALLOTMENTS.—The Secretary shall allot the amount appropriated to carry out this section for each fiscal year and not reserved under paragraph (1) among the eligible States in proportion to the number of DREAM Act students enrolled at least half-time in postsecondary education who reside in the State for the most recent fiscal year for which satisfactory data are available, compared to the number of such students who reside in all eligible States for that fiscal year.

''(d) SUPPLEMENT NOT SUPPLANT.—Grant funds awarded under this section shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this section.

''(e) AUTHORIZATION AND APPROPRIATION OF FUNDS.—There are authorized to be appropriated, and there are appropriated, to carry out this section—

''(1) $55,000,000 for fiscal year 2014;

''(2) $55,000,000 for fiscal year 2015;

''(3) $60,000,000 for fiscal year 2016;

''(4) $60,000,000 for fiscal years 2017;

''(5) $75,000,000 for fiscal years 2018;

''(6) $75,000,000 for fiscal years 2019;

''(7) $85,000,000 for fiscal years 2020;

''(8) $85,000,000 for fiscal years 2021;

''(9) $100,000,000 for fiscal years 2022; and

''(10) $100,000,000 for fiscal years 2023.''.

(2) OFFSET.—Section 281(f)(1) (8 U.S.C. 1351(f)(1)), as added by section 4409, is further amended by adding at the end the following: ''In addition to the fees authorized under subsection (a) and the preceding sentence, the Secretary of Homeland Security shall collect a $150 fee from each nonimmigrant admitted under section 101(a)(15)(F)(i), which fee shall be deposited in the general fund of the Treasury.''.

SA 1461. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1543, lines 15 and 16, strike ''STATUS.—'' and all that follows through ''An alien'' and insert ''STATUS.—An alien''.

On page 1543, line 20, strike ''(A)'' and insert ''(1)''.

On page 1544, line 1, strike ''(i)'' and insert ''(A)''.

On page 1544, line 5, strike ''(ii)'' and insert ''(B)''.

On page 1544, line 9, strike ''(B)'' and insert ''(2)''.

On page 1544, strike lines 18 through 22.

On page 1618, between lines 11 and 12, insert the following:

SEC. 3722. MANDATORY DETENTION AND EXPEDITED REMOVAL OF CERTAIN CRIMINAL ALIENS.

(a) MANDATORY DETENTION.—Section 236(c) (8 U.S.C. 1226(c)) is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(2) in paragraph (1)—

(A) in subparagraph (B), by striking ''section 237(a)(2)(A)(ii), (A)(iii), (B), (C), or (D),'' and inserting ''subparagraph (A)(ii), (A)(iii), (B), (C), (D), (E), or (G) of section 237(a)(2);''; and

(B) in subparagraph (C), by striking ''sentence'' and inserting ''sentenced''.

(b) EXPEDITED REMOVAL.—Section 238 (8 U.S.C. 1228) is amended—

(1) by striking the section heading and inserting the following:

''SEC. 238. EXPEDITED REMOVAL PROCEEDINGS FOR ALIENS CONVICTED OF SERIOUS CRIMINAL OFFENSES.'';

(2) by striking ''Attorney General'' each place such term appears and insert ''Secretary of Homeland Security'';

(3) in subsection (a)—

(A) by striking paragraph (3);

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—The Secretary of Homeland Security shall provide for special removal proceedings at certain Federal, State, and local correctional facilities for any alien convicted of—

''(A) any criminal offense set forth in subparagraph (A)(iii), (B), (C), (D), (E), or (G) of section 237(a)(2); or

''(B) 2 or more crimes involving moral turpitude, as described in clause (ii) of section 237(a)(2)(A), for which both predicate offenses are, without regard to the date of their commission, otherwise described in clause (i) of such section.

''(2) CONDUCT OF PROCEEDINGS.—

''(A) IN GENERAL.—Except as otherwise provided in this section, removal proceedings authorized under this section—

''(i) shall be conducted in accordance with section 240;

''(ii) shall eliminate the need for additional detention at any U.S. Immigration and Customs Enforcement processing center; and

''(iii) shall ensure the expeditious removal of the alien following the alien's incarceration for the underlying crime.

''(B) SAVINGS PROVISIONS.—Nothing in this paragraph may be construed—

''(i) to create any substantive or procedural right or benefit that is legally enforceable by any party against the United States, its agencies or officers, or any other person; or

''(ii) to require the Secretary of Homeland Security to effect the removal of any alien sentenced to actual incarceration before the alien is scheduled to be released from incarceration for the underlying crime.''; and

(4) by striking subsection (c), as redesignated by section 671(b)(13) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208), and inserting the following:

''(6) An alien convicted of an offense for which an element was active participation in a criminal street gang, an aggravated felony, or a crime of domestic violence or child abuse shall be conclusively presumed to be deportable from the United States.''.

(c) CLERICAL AMENDMENT.—The table of contents is amended by striking the item relating to section 238 and inserting the following:

''Sec. 238. Expedited removal proceedings for aliens convicted of serious criminal offenses.''.

SA 1462. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1618, between lines 11 and 12, insert the following:

SEC. 3722. LISTING OF IMMIGRATION VIOLATORS IN THE NATIONAL CRIME INFORMATION CENTER DATABASE.

(a) PROVISION OF INFORMATION TO THE NCIC.—Not later than 180 days after the last day of the application period for registered provisional immigrant status, as specified in section 245B(c)(3) of the Immigration and Nationality Act, as added by section 2101 of this Act, and periodically thereafter as updates may require, the Secretary shall provide the National Crime Information Center of the Department of Justice with all the information in the possession of the Secretary regarding—

(1) any alien against whom a final order of removal has been issued;

(2) any alien who has entered into a voluntary departure agreement;

(3) any alien who has overstayed his or her authorized period of stay; and

(4) any alien whose visa has been revoked.

(b) INCLUSION OF INFORMATION IN IMMIGRATION VIOLATORS FILE.—The Secretary and the Attorney General shall establish a system for ensuring that the information provided pursuant to subsection (a) for entry into the Immigration Violators File of the National Crime Information Center database is updated regularly to reflect whether—

(1) the alien received notice of a final order of removal;

(2) the alien has already been removed; or

(3) the legal status of the alien has otherwise changed.

(c) CONFORMING AMENDMENT.—

(1) IN GENERAL.—Section 534(a) of title 28, United States Code, is amended—

(A) in paragraph (3), by striking ''and'' at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

''(4) acquire, collect, classify, and preserve records of violations by aliens of the immigration laws of the United States, regardless of whether any such alien has received notice of the violation or whether sufficient identifying information is available with respect to any such alien or whether any such alien has already been removed from the United States; and''.

(2) EFFECTIVE DATE.—The Attorney General and the Secretary shall ensure that the amendment made by paragraph (1) is implemented not later than 6 months after the last day of the application period for registered provisional immigrant status.

(d) TECHNOLOGY ACCESS.—States shall have access to Federal programs or technology directed broadly at identifying inadmissible or deportable aliens.

SEC. 3723. STATE AND LOCAL LAW ENFORCEMENT PROVISION OF INFORMATION ABOUT APPREHENDED ALIENS.

(a) PROVISION OF INFORMATION.—As a condition of receiving compensation for the incarceration of undocumented criminal aliens pursuant to section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)), grants under the ''Cops on the Beat'' program authorized under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.), or other law enforcement grants from the Department or the Department of Justice, each State, and each political subdivision of a State, shall, in a timely manner, provide the Secretary with the information specified in subsection (b) with respect to each alien who is arrested by law enforcement officers in the course of carrying out the officers' routine law enforcement duties in the jurisdiction of the State, or in the political subdivision of the State, who is believed to be inadmissible or deportable.

(b) INFORMATION REQUIRED.—The information required under this subsection is—

(1) the alien's name;

(2) the alien's address or place of residence;

(3) a physical description of the alien;

(4) the date, time, and location of the encounter with the alien and the reason for arresting the alien;

(5) the alien's driver's license number, if applicable, and the State of issuance of such license;

(6) the type of any other identification document issued to the alien, if applicable, any designation number contained on the identification document, and the issuing entity for the identification document;

(7) the license plate number, make, and model of any automobile registered to, or driven by, the alien, if applicable;

(8) a photo of the alien, if available or readily obtainable; and

(9) the alien's fingerprints, if available or readily obtainable.

(c) ANNUAL REPORT ON REPORTING.—The Secretary shall maintain, and annually submit to the Congress, a detailed report listing the States, or the political subdivisions of States, that have provided information under subsection (a) in the preceding year.

(d) REIMBURSEMENT.—The Secretary shall reimburse States, and political subdivisions of a State, for all reasonable costs, as determined by the Secretary, incurred by the State, or the political subdivision of a State, as a result of providing information under subsection (a).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(f) RULE OF CONSTRUCTION.—Nothing in this section may be construed to require law enforcement officials of a State, or of a political subdivision of a State, to provide the Secretary with information related to a victim of a crime or witness to a criminal offense.

(g) EFFECTIVE DATE.—This section shall—

(1) take effect on the date that is 120 days after the last day of the application period for registered provisional immigrant status; and

(2) apply with respect to aliens apprehended on or after such date.

SEC. 3724. STATE VIOLATIONS OF ENFORCEMENT OF IMMIGRATION LAWS.

(a) IN GENERAL.—Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended—

(1) by striking ''Immigration and Naturalization Service'' each place it appears and inserting ''Department of Homeland Security'';

(2) in subsection (a), by striking ''may'' and inserting ''shall'';

(3) in subsection (b)—

(A) by striking ''no person or agency may'' and inserting ''a person or agency shall not'';

(B) by striking ''doing any of the following with respect to information'' and inserting ''undertaking any of the following law enforcement activities''; and

(C) by striking paragraphs (1) through (3) and inserting the following:

''(1) Notifying the Federal Government regarding the presence of inadmissible and deportable aliens who are encountered by law enforcement personnel of a State or political subdivision of a State.

''(2) Complying with requests for immigration-related information from Federal law enforcement.

''(3) Complying with detainers issued by the Department of Homeland Security.

''(4) Issuing policies in the form of a resolutions, ordinances, administrative actions, general or special orders, or departmental policies that violate Federal immigration law or restrict a State or political subdivision of a State from complying with Federal immigration law or coordinating with Federal immigration law enforcement.''; and

(4) by adding at the end the following:

''(d) COMPLIANCE.—

''(1) IN GENERAL.—A State, or a political subdivision of a State, that has in effect a statute, policy, or practice that prohibits law enforcement officers of the State, or of a political subdivision of the State, from assisting or cooperating with Federal immigration law enforcement in the course of carrying out the officers' routine law enforcement duties shall not be eligible to receive, for a minimum period of 1 year—

''(A) any of the funds that would otherwise be allocated to the State or political subdivision under section 241(i) of the Immigration

and Nationality Act (8 U.S.C. 1231(i)) or the 'Cops on the Beat' program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.); or

''(B) any other law enforcement or Department of Homeland Security grant.

''(2) ANNUAL DETERMINATION AND REPORT.—The Secretary shall—

''(A) annually determine which States or political subdivisions of a State are ineligible for certain Federal funding pursuant to paragraph (1); and

''(B) submit a report to Congress by March 1st of each year that lists such States and political subdivisions.

''(3) OTHER REPORTS.—The Attorney General shall issue a report concerning the compliance of any particular State or political subdivision at the request of the Committee on the Judiciary of the Senate or the Committee on the Judiciary of the House of Representatives.

''(4) CERTIFICATION.—Any jurisdiction that is described in paragraph (1) shall be ineligible to receive Federal financial assistance described in paragraph (1) until after the Attorney General certifies that the jurisdiction no longer prohibits its law enforcement officers from assisting or cooperating with Federal immigration law enforcement.

''(5) REALLOCATION.—Any funds that are not allocated to a State or to a political subdivision of a State pursuant to paragraph (1) shall be reallocated to States, or to political subdivisions of States, that comply with such subsection.

''(e) CONSTRUCTION.—Nothing in this section shall require law enforcement officials from States, or from political subdivisions of States, to report or arrest victims or witnesses of a criminal offense.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, except that subsection (d) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373), as added by this section, shall take effect beginning on the date that is 1 year after the date of the enactment of this Act.

SA 1463. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1137, line 20, strike ''(8)'' and insert the following:

''(8) RELATED WORK.—An alien admitted as a nonimmigrant agricultural worker for employment as a sheepherder or goat herder may also perform other work that is typically performed in the range production of livestock, but is not typically listed on the application for employment certification, if such work—

''(A) involves farm or ranch chores related to the production and husbandry of sheep and or goats, including—

''(i) herding, feeding, and guarding flocks;

''(ii) examining animals for illness and administering treatments, as instructed;

''(iii) handling irrigation equipment; and

''(iv) assisting in lambing, docking, and shearing; and

''(B) is related to the range production of livestock for which the alien was sought.

''(9)

SA 1464. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1137, strike lines 4 through 8 and insert the following:

''(5) HOUSING.—

''(A) IN GENERAL.—The Secretary shall allow for the provision of—

''(i) housing or a housing allowance by employers in Special Procedures Industries; and

''(ii) housing suitable for workers employed in remote locations.

''(B) SHEEPHERDERS AND GOAT HERDERS.—An alien admitted as a nonimmigrant agricultural worker for employment as a sheepherder or goat herder shall be provided temporary mobile housing in accordance with part III of 'Special Procedures: Labor Certification Process for Sheepherders and Goatherders Under the H-2A Program', as adopted and enforced by the Department of Labor before June 14, 2011, for the duration of employment in sheepherding and goat herding occupations.

SA 1465. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1137, line 20, strike ''(8)'' and insert the following:

''(8) EXEMPTION FROM NUMERICAL LIMITATIONS.—An nonimmigrant agricultural worker employed in a Special Procedures Industry shall be not subject to the numerical limitations set forth in subsection (c).

''(9)

SA 1466. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1389, beginning on line 21, strike ''who'' and all that follows through page 1390, line 7, and insert the following: ''who fails to query the System to verify the identity and work authorized status of an individual.''.

SA 1467. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PREEMPTION OF STATE OR LOCAL CRIMINAL LAWS.

Nothing in this Act may be construed as preempting any State or local criminal law.

SA 1468. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 49, strike line 19 and all that follows through page 50, line 16.

SA 1469. Mr. MCCAIN (for himself, Mr. CARDIN, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1603, after line 25, add the following:

(d) IDENTIFICATION OF ALIENS RESPONSIBLE FOR GROSS VIOLATIONS OF HUMAN RIGHTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list identifying each alien who the President determines, based on credible information—

(A) planned, ordered, assisted, aided and abetted, committed or otherwise knowingly participated in, including through command responsibility, extrajudicial killings, torture, or other gross violations of internationally recognized human rights committed against individuals seeking—

(i) to expose illegal activity carried out by government officials;

(ii) to obtain, exercise, defend, or promote internationally recognized human rights and freedoms, including—

(I) the freedoms of religion, expression, association, and assembly; and

(II) the rights to a fair trial and to democratic elections; or

(iii) acted as an agent of or on behalf of a person in a matter relating to an activity described in this subparagraph;

(B) planned, ordered, assisted, aided and abetted, committed or otherwise knowingly participated in, including through command responsibility, widespread or systematic violence against any civilian population based in whole or in part on race, color, descent, sex, disability, membership in an indigenous group, language, religion, political opinion, national origin, ethnicity, membership in a particular social group, birth, sexual orientation, or gender identity, or who attempted or conspired to commit an act described in this subparagraph; or

(C) planned, ordered, assisted, aided and abetted, committed or otherwise participated in, including through command responsibility, war crimes, crimes against humanity, or other serious violations of human rights, or who attempted or conspired to commit an act described in this subparagraph.

(2) FORM OF LIST.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the list required by paragraph (1) shall be submitted in unclassified form.

(B) CLASSIFIED ANNEX.—The list required by paragraph (1) may include a classified annex if the President—

(i) determines that it is necessary for the national security interests of the United States to do so; and

(ii) before submitting the list including a classified annex, provides to the appropriate congressional committees notice of, and a justification for, including each person in the classified annex.

(3) DURESS.—The President shall not include an alien on the list required under paragraph (1) if the President determines that the alien's actions were committed under duress. In determining whether an alien was subject to duress, the President may consider relevant factors, including the age of the alien at the time such actions were committed.

(4) UPDATES.—The President shall submit to the appropriate congressional committees an update of the list required under paragraph (1) as additional relevant information becomes available.

(5) CONSIDERATION OF DATA FROM OTHER COUNTRIES AND NONGOVERNMENTAL ORGANIZATIONS.—In preparing the list required under paragraph (1), the President shall consider—

(A) information provided by the chairperson or ranking member of each of the appropriate congressional committees; and

(B) credible information obtained by other countries and nongovernmental organizations that monitor human rights abuses.

(6) PUBLIC AVAILABILITY.—

(A) IN GENERAL.—Any unclassified portion of the list required under paragraph (1) shall be made available to the public and published in the Federal Register.

(B) NONAPPLICABILITY OF CONFIDENTIALITY REQUIREMENT WITH RESPECT TO VISA RECORDS.—The President shall publish any portion of the list described in subparagraph (A) without regard to the requirements of section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)) with respect to confidentiality of records pertaining to the issuance or refusal of visas or permits to enter the United States.

(7) REMOVAL FROM LIST.—An alien may be removed from the list required under paragraph (1) if the President determines, and reports to the appropriate congressional committees not later than 15 days before the removal of the alien from the list, that—

(A) credible information exists that the alien did not engage in the activity for which the alien was added to the list; or

(B) the alien has been prosecuted appropriately for the activity in which the alien engaged.

(e) INADMISSIBILITY.—

(1) INELIGIBILITY FOR VISAS.—An alien is ineligible to receive a visa to enter the United States and ineligible to be admitted to the United States if the alien is on the list required by subsection (d)(1).

(2) CURRENT VISAS REVOKED.—The Secretary of State shall revoke, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), the visa or other documentation of any alien who would be ineligible to receive such a visa or documentation under paragraph (1).

(3) WAIVER FOR NATIONAL SECURITY INTERESTS.—The Secretary of State may waive the application of paragraph (1) or (2) in the case of an alien if—

(A) the Secretary determines that such a waiver is in the national security interests of the United States; and

(B) before granting such a waiver, the Secretary provides to the appropriate congressional committees notice of, and a justification for, the waiver.

(f) REGULATORY AUTHORITY.—The President shall prescribe such regulations as may be necessary to carry out subsections (d) and (e), including regulatory exceptions to permit the United States to comply with the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed June 26, 1947, and entered into force November 21, 1947, and other applicable international obligations.

(g) ANNUAL REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of State and the Secretary of Homeland Security shall jointly submit to the appropriate congressional committees a report, in unclassified or classified form, that describes the actions taken to carry out this section, including—

(1) the number of persons added to or removed from the list required under section (d)(1) during the year preceding the report;

(2) the dates on which such persons were added or removed;

(3) the reasons for adding or removing such persons; and

(4) if few or no such persons have been added to the list during that year, the reasons for not adding more such persons to the list.

(h) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN.—The terms ''admitted'' and ''alien'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs, the Committee on Homeland Security, and the Committee on the Judiciary of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate.

SA 1470. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 945, strike line 21 and all that follows through page 946, line 13 and insert the following:

''(III) an offense, unless the applicant demonstrates, by clear and convincing evidence, that the applicant is innocent of the offense, that applicant is the victim of such offense, or that no offense occurred, which is classified as a misdemeanor in the convicting jurisdiction which involved—

''(aa) domestic violence (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(bb) child abuse and neglect (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(cc) assault resulting in bodily injury (as defined in section 2266 of title 18, United States Code);

''(dd) the violation of a protection order (as defined in section 2266 of title 18, United States Code); or

''(ee) driving while intoxicated (as defined in section 164 of title 23, United States Code);

''(IV) 3 or more misdemeanor offenses (other than minor traffic offenses or State or local offenses for which an essential element was the alien's immigration status, or a violation of this Act);

''(V) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) (excluding the paragraphs set forth in clause (ii)) or removable under section 237(a), except as provided in paragraph (3) of section 237(a); or

''(VI) unlawful voting (as defined

On page 948, beginning on line 13, strike ''subparagraph (A)(i)(III) or''.

On page 955, strike lines 1 through 5 and insert the following:

''(C) INTERVIEW.—In order to determine whether an applicant meets the eligibility requirements set forth in subsection (b), the Secretary—

''(i) shall interview each applicant who—

''(I) has been convicted of any criminal offense;

''(II) has previously been deported; or

''(III) without just cause, has failed to respond to a notice to appear as required under section 239; and

''(ii) may, in the sole discretion of the Secretary, interview any other applicant for registered provisional immigrant status under this section.

SA 1471. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 859, strike line 24 and all that follows through page 860, line 6, and insert the following:

(a) ESTABLISHMENT.—

(1) IN GENERAL.—No later than the date that is 1 year after the date of the enactment of this Act, there is established a commission to be known as the ''Southern Border Security Commission'' (referred to in this section as the ''Commission'').

(2) EXPENDITURES AND REPORT.—Only if the Secretary cannot certify that the Department has achieved effective control in all border sectors for at least 1 fiscal year before the date that is 5 years after the date of the enactment of this Act—

(A) the report described in subsection (d) shall be submitted; and

(B) 60 days after such report is submitted, the funds made available in section 6(a)(3)(A)(ii) may be expended (except as provided in subsection (i)).

On page 861, strike lines 15 through 19, and insert the following:

(2) QUALIFICATIONS FOR APPOINTMENT.—The members of the Commission shall be distinguished individuals noted for their knowledge and experience in the field of border security at the Federal, State, or local level and may also include reputable individuals who are landowners in the Southern border area with first-hand experience with border issues.

On page 861, lines 22 and 23, strike ''60 days after the Secretary makes a certification described in subsection (a).'' and insert ''no later than 1 year after the date of the enactment of this Act.''.

On page 862, strike lines 11 through 20, and insert the following:

(c) DUTIES.—

(1) IN GENERAL.—The Commission's primary responsibility shall be to make recommendations to the President, the Secretary, and Congress on policies to achieve and maintain the border security goal specified in section 3(b) by achieving and maintaining—

(A) the capability to engage in, and engaging in, persistent surveillance in border sectors along the Southern border; and

(B) an effectiveness rate of 90 percent or higher in all border sectors along the Southern border.

(2) PUBLIC HEARINGS.—

(A) IN GENERAL.—The Commission shall convene at least 1 public hearing each year on border security.

(B) REPORT.—The Commission shall provide a summary of each hearing convened pursuant to subparagraph (A) to the entities set out in subparagraphs (A) through (G) of section 5(a)(1).

On page 862, beginning on line 21, strike ''Not later than 180 days after the end of the 5-year period described in subsection (a),'' and insert ''If required pursuant to subsection (a)(2)(B) and in no case earlier than the date that is 5 years after the date of the enactment of this Act,''.

On page 864, strike lines 5 through 7, and insert the following:

(h) TERMINATION.—The Commission shall terminate 10 years after the date of the enactment of this Act.

(i) FUNDING.—The amounts made available under section 6(a)(3)(A)(ii) to carry out programs, projects, and activities recommended by the Commission may not be expended prior to the date that is 60 days after a report required by subsection (d) is submitted and, in no case, prior to 60 days after the date that is 5 years after the date of the enactment of this Act, except that funds made available under section 6(a)(3)(A)(ii) may be used for minimal administrative expenses directly associated with convening the public hearings required by subsection (c)(2)(A) and preparing and providing summaries of such hearings required by subsection (c)(2)(B).

On page 876, line 21, strike ''3(b)'' and insert ''3(b), and for the administrative expenses directly associated with convening the public hearings required by section 3(c)(2)(A) and preparing and providing summaries of such hearings required by section 3(c)(2)(B).''.

SA 1472. Mr. FLAKE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 898, after line 22, add the following:

(e) STUDY AND REPORT ON THE USE OF NONFEDERAL ROADS BY U.S. CUSTOMS AND BORDER PROTECTION.—The Comptroller General of the United States shall conduct a study of, and prepare a report on—

(1) the extent to which U.S. Customs and Border Protection (referred to in this subsection as ''CBP'') uses nonfederal roads along the Southern border, including State, county, or locally-maintained primitive roads;

(2) the places where CBP use represents a significant percentage of the use of the roads described in paragraph (1);

(3) the extent to which the CBP use of such roads causes increased degradation and increased maintenance costs for State, county, or local entities; and

(4) possible ways for CBP to assist State, county, and local entities with the maintenance of the nonfederal roads adversely affected by CBP use.

SA 1473. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 946, between lines 12 and 13, insert the following:

''(V) an offense for driving under the influence or driving while intoxicated; or

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SA 1474. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. INELIGIBILITY FOR UNITED STATES CITIZENSHIP OF PERSONS WHO HAVE PREVIOUSLY BEEN WILLFULLY IN UNITED STATES IN UNLAWFUL STATUS.

Notwithstanding any other provision of law, no person who is or has previously been willfully present in the United States while not in lawful status under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) shall be eligible for United States citizenship.

SA 1475. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1829, strike line 7, and all that follows through page 1833, line 2, and insert the following:

''(i) For the first year aliens are admitted as W nonimmigrants, 200,000.

''(ii) For the second such year, 250,000.

''(iii) For the third such year, 300,000.

''(iv) For the fourth such year, 350,000.

''(v) For each year after the fourth such year, the level calculated for that year under paragraph (2).

''(B) DATES.—The first year referred to in subparagraph (A)(i) shall begin on April 1, 2015, and end on March 31, 2016, unless the Secretary determines that such first year shall begin on October 1, 2015, and end on September 30, 2016.

''(2) YEARS AFTER YEAR 4.—

''(A) CURRENT YEAR AND PRECEDING YEAR.—In this paragraph—

''(i) the term current year shall refer to the 12-month period for which the calculation of the numerical limits under this paragraph is being performed; and

''(ii) the term preceding year shall refer to the 12-month period immediately preceding the current year.

''(B) NUMERICAL LIMITATION.—Subject to subparagraph (D), the number of registered positions that may be approved by the Secretary for a year after the fourth year referred to in paragraph (1)(A)(iv) shall be equal to the sum of—

''(i) the number of such registered positions available under this paragraph for the preceding year; and

''(ii) the product of—

''(I) the number of such registered positions available under this paragraph for the preceding year; multiplied by

''(II) the index for the current year calculated under subparagraph (C).

''(C) INDEX.—The index calculated under this subparagraph for a current year equals the sum of—

''(i) one-fifth of a fraction—

''(I) the numerator of which is the number of registered positions that registered employers applied to have approved under subsection (e)(1) for the preceding year minus the number of registered positions approved under subsection (e) for the preceding year; and

''(II) the denominator of which is the number of registered positions approved under subsection (e) for the preceding year;

''(ii) one-fifth of a fraction—

''(I) the numerator of which is the number of registered positions the Commissioner recommends be available under this subparagraph for the current year minus the number of registered positions available under this subsection for the preceding year; and

''(II) the denominator of which is the number of registered positions available under this subsection for the preceding year;

''(iii) three-tenths of a fraction—

''(I) the numerator of which is the number of unemployed United States workers for the preceding year minus the number of unemployed United States workers for the current year; and

''(II) the denominator of which is the number of unemployed United States workers for the preceding year; and

''(iv) three-tenths of a fraction—

''(I) the numerator of which is the number of job openings as set out in the Job Openings and Labor Turnover Survey of the Bureau of Labor Statistics for the current year minus such number of job openings for the preceding year; and

''(II) the denominator of which is the number of such job openings for the preceding year;

''(D) MINIMUM AND MAXIMUM LEVELS.—The number of registered positions calculated under subparagraph (B) for a 12-month period may not be less than 200,000 nor more than 400,000.

SA 1476. Ms. HEITKAMP (for herself and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1122. SECURITY AND TRADE FACILITATION ON THE NORTHERN BORDER.

(a) AUTHORITY TO ENTER INTO LAW ENFORCEMENT PARTNERSHIPS WITH FOREIGN GOVERNMENTS.—Section 629(g) of the Tariff Act of 1930 (19 U.S.C. 1629(g)) is amended to read as follows:

''(g) PRIVILEGES AND IMMUNITIES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any person designated to perform the duties of an officer of the customs pursuant to section 401(i) shall be entitled to the same privileges and immunities as an officer of the customs with respect to any actions taken by the person in the performance of those duties.

''(2) FOREIGN LAW ENFORCEMENT OFFICERS.—A law enforcement officer of a foreign government designated to perform the duties of an officer of the customs pursuant to section 401(i) shall be entitled to such privileges and immunities as are afforded to the law enforcement officer pursuant to the law of the United States or an agreement between the United States and the foreign government authorized under paragraph (3).

''(3) AUTHORIZATION OF AGREEMENTS WITH FOREIGN GOVERNMENTS.—The Secretary of State, in coordination with the Secretary of Homeland Security, may enter into an agreement with the government of a foreign country to extend to law enforcement officers of that government that are designated to perform the duties of an officer of the customs under section 401(i) such privileges and immunities as are necessary for those law enforcement officers to carry out those duties.''.

(b) STATIONING OF FOREIGN LAW ENFORCEMENT OFFICERS IN THE UNITED STATES.—

(1) IN GENERAL.—Subtitle H of the Homeland Security Act of 2002 (6 U.S.C. 451 et seq.) is amended by adding at the end the following:

''SEC. 890A. STATIONING OF FOREIGN LAW ENFORCEMENT OFFICERS AND ASSOCIATED PERSONNEL.

''(a) IN GENERAL.—The Secretary or the Attorney General may authorize the stationing of law enforcement officers and associated personnel of a foreign government in the United States for the purpose of enhancing law enforcement cooperation and operations with the foreign government.

''(b) EXTENSION OF PRIVILEGES AND IMMUNITIES.—The Secretary of State, in coordination with the Secretary or the Attorney General, or both, as appropriate, may extend

privileges and immunities, as negotiated pursuant to an international agreement or treaty with a particular foreign government, to law enforcement officers and associated personnel of the foreign government stationed in the United States in accordance with subsection (a) as may be necessary for those law enforcement officers and associated personnel to carry out the functions authorized under subsection (a).''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by inserting after the item relating to section 890 the following:

''Sec. 890A. Stationing of foreign law enforcement officers and associated personnel.''.

(c) FEDERAL JURISDICTION OVER PERSONNEL WORKING AS PART OF BORDER SECURITY INITIATIVES.—

(1) IN GENERAL.—Chapter 93 of title 18, United States Code, is amended by adding at the end the following:

''§ 1925. Offenses committed by personnel working in furtherance of border security initiatives outside the United States

''(a) OFFENSE.—It shall be unlawful for any individual who is employed by the Department of Homeland Security or the Department of Justice and stationed or deployed in a foreign country in furtherance of a border security initiative pursuant to a treaty, agreement, or other arrangement to engage in conduct that would constitute an offense under Federal law if the conduct had been engaged in within the United States or within the special maritime and territorial jurisdiction of the United States.

''(b) PENALTY.—Any individual who violates subsection (a) shall be punished as provided for that offense.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 93 of title 18, United States Code, is amended by adding at the end the following:

''1925. Offenses committed by personnel working in furtherance of border security initiatives outside the United States.''.

SA 1477. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. 2323. RELIEF FOR VICTIMS OF NOTARIO FRAUD.

(a) WITHDRAWAL OF SUBMISSION.—

(1) IN GENERAL.—An alien may withdraw, without prejudice, an application or other submission for immigration status or other immigration benefit if the alien demonstrates the application or submission was prepared or submitted by an individual engaged in the unauthorized practice of law or immigration practitioner fraud.

(2) CORRECTED FILINGS.—The Secretary, the Secretary of State, and the Attorney General shall develop a mechanism for submitting corrected applications or other submissions withdrawn under paragraph (1).

(b) WAIVER OF BAR TO REENTRY.—Section 212(a)(9)(B)(iii) (8 U.S.C. 1182(a)(9)(B)(ii)), as amended by section 2315(a), is further amended by adding at the end the following:

''(VII) IMMIGRATION PRACTITIONER FRAUD.—Clause (i) shall not apply to an alien who departed the United States based on the erroneous advice of an individual engaged in the unauthorized practice of law or immigration practitioner fraud.''.

(c) REVIEW OF DENIAL OF RPI STATUS.—Section 245B of the Immigration and Nationality Act, as added by section 2101(a), is amended by adding at the end of subsection (c)(11) the following:

''(C) REVIEW FOR IMMIGRATION PRACTITIONER FRAUD.—The Secretary shall establish a procedure for the review or reconsideration of an application for registered provisional immigrant status that was denied if the applicant demonstrates that the application was prepared or submitted by an individual engaged in the unauthorized practice of law or immigration practitioner fraud.''.

SA 1478. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1565, strike line 14 and insert the following:

(c) OUTREACH TO IMMIGRANT COMMUNITIES.—

(1) AUTHORITY TO CONDUCT.—The Attorney General, acting through the Director of the Executive Office for Immigration Review, shall carry out a program to educate aliens regarding who may provide legal services and representation to aliens in immigration proceedings through cost-effective outreach to immigrant communities.

(2) PURPOSE.—The purpose of the program authorized under paragraph (1) is to prevent aliens from being subjected to fraud by immigration consultants, visa consultants, and other individuals who are not authorized to provide legal services or representation to aliens.

(3) AVAILABILITY.—The Attorney General shall, to the extent practicable, make information regarding fraud by immigration consultants, visa consultants, and other individuals who are not authorized to provide legal services or representation to aliens available—

(A) at appropriate offices that provide services or information to aliens; and

(B) through websites that are—

(i) maintained by the Attorney General; and

(ii) intended to provide information regarding immigration matters to aliens.

(4) FOREIGN LANGUAGE MATERIALS.—Any educational materials used to carry out the program authorized under paragraph (1) shall, to the extent practicable, be made available to immigrant communities in appropriate languages, including English and Spanish.

(5) AUTHORIZATION OF APPROPRIATIONS.—For each of fiscal years 2014 through 2018, there is authorized to be appropriated $1,000,000 from the Comprehensive Immigration Reform Trust Fund established under section 6 to carry out this subsection.

(d) DEFINITIONS.—In this section:

SA 1479. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1154, between lines 20 and 21, insert the following:

''(J) HUMANITARIAN CRITERIA.—An alien shall be allocated 10 points if the alien can demonstrate that there is a pattern in the alien's country of nationality, or, if the alien is stateless, in the country of the alien's last habitual residence, of discrimination or discriminatory practices against a group of individuals similarly situated to the alien on account of race, religion, nationality, membership in a particular social group, or political opinion.

SA 1480. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1154, between lines 20 and 21, insert the following:

''(J) WOMEN WHO ARE NATIONALS OF COUNTRIES THAT DISCRIMINATE AGAINST WOMEN.—A female alien who is a national of a country that restricts the access of women to educational or employment opportunities or discourages women from pursuing such opportunities, or that otherwise discriminates against women based on sex or gender, shall be allocated 10 points.

SA 1481. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 896, between lines 10 and 11, insert the following:

SEC. 10. IMMIGRATION REFORM IMPLEMENTATION COUNCIL.

(a) ESTABLISHMENT.—Not later than 30 days after the date of enactment of this Act, the Secretary shall establish a coordinating body, to be known as the Immigration Reform Implementation Council (in this section referred to as the ''Implementation Council''), to oversee implementation of those portions of this Act and the amendments made by this Act that lie within the responsibilities of the Department.

(b) CHAIRPERSON.—The Deputy Secretary of Homeland Security shall serve as Chairperson of the Implementation Council, reporting to and under the authority of the Secretary and in keeping with the authorities specified by the Homeland Security Act of 2002 (Public Law 107–296).

(c) MEMBERSHIP.—The members of the Implementation Council shall include the following:

(1) The Commissioner for Customs and Border Protection.

(2) The Assistant Secretary for Immigration and Customs Enforcement.

(3) The Director of U.S. Citizenship and Immigration Services.

(4) The Under Secretary for Management.

(5) The General Counsel of the Department.

(6) The Assistant Secretary for Policy.

(7) The Director of the Office of International Affairs.

(8) The Officer for Civil Rights and Civil Liberties.

(9) The Privacy Officer.

(10) The Director of the Office of Biometric Identity Management.

(11) Other appropriate officers or employees of the Department, as determined by the Secretary or the Chairperson of the Implementation Council.

(d) DUTIES.—The Implementation Council shall—

(1) meet regularly to coordinate implementation of this Act and the amendments made by this Act, with particular regard to—

(A) broad policy coordination of immigration reform under this Act and the amendments made by this Act;

(B) policy and operational concerns regarding the Comprehensive Immigration Reform Trust Fund established under section 6;

(C) timely development of regulations required by this Act or an amendment made by this Act and related guidance; and

(D) participating in interagency decisionmaking with the Executive Office of the President, the Office of Management and Budget, the Department of State, the Department of Justice, the Department of Labor, and other agencies regarding implementation of this Act and the amendments made by this Act;

(2) establish liaisons to other agencies responsible for implementing significant portions of this Act or the amendments made by this Act, including the Department of State, the Department of Justice, the Department of Labor;

(3) establish liaisons to key stakeholders, including employer associations and labor unions;

(4) provide regular briefings to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, and other appropriate committees of Congress;

(5) provide timely information regarding Department-wide implementation of this Act and the amendments made by this Act through a single, centralized location on the website of the Department; and

(6) conduct such other activities as the Secretary or Chairperson of the Implementation Council determine appropriate.

(e) MAINTENANCE OF COUNCIL.—The Implementation Council shall terminate at the end of the period necessary for the Department to implement substantially the responsibilities of the Department under this Act and the amendments made by this Act, as determined by the Secretary, but in no event earlier than 10 years after the date of enactment of this Act.

(f) STAFF.—The Deputy Secretary of Homeland Security shall appoint a full-time executive director and such other employees as are necessary for the Implementation Council.

(g) AVAILABILITY OF FUNDS.—Amounts made available to the Secretary under section 6(b) may be used to support the activities of the Implementation Council in implementing this Act and the amendments made by this Act.

SA 1482. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON FINDING.

(a) IN GENERAL.—Notwithstanding any other provision of law, no Federal funds shall be made available to carry out the Patient Protection and Affordable Care Act (Public Law 111–148) or title I and subtitle B of title II of the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), or the amendments made by either such Act, until such time as there are no aliens remaining in registered provisional immigrant status.

(b) LIMITATION.—No entitlement to benefits under any provision referred to in subsection (a) shall remain in effect on and after the date of the enactment of this Act until such time as there are no aliens remaining in registered provisional immigrant status.

SA 1483. Mr. JOHNSON of Wisconsin (for himself, Mr. KING, Mr. BLUNT, and Mr. BEGICH) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1741, strike line 22 and all that follows through line 22 on page 1742, and insert the following:

''(e) J-1 VISA EXCHANGE VISITOR PROGRAM FEE.—In addition to the fees authorized under subsection (a), the Secretary of State shall collect from designated program sponsors, a $100 fee for each nonimmigrant entering under the Summer Work Travel program conducted by the Secretary of State pursuant to the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–761). Fees collected under this subsection shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act. The Secretary of Homeland Security, in conjunction with the Secretary of State, shall promulgate regulations ensuring that a fee required by this subsection is paid on behalf of all summer work travel nonimmigrants under section 101(a)(15)(J) seeking entry into the United States.''.

SA 1484. Mr. JOHNSON of Wisconsin (for himself and Mr. BLUNT) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 4407.

SA 1485. Ms. HEITKAMP (for herself, Mr. TESTER, Mr. BAUCUS, and Mr. LEVIN) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 897, strike lines 14 through 18 and insert the following:

(b) STUDY AND REPORT ON NORTHERN BORDER.—

(1) LIMITATION ON RESOURCE SHIFTING.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the Secretary may not reduce the levels of Department personnel, resources, technological assets or funding for operations on the Northern border below such levels as of the date of the enactment of this Act, including by reassigning or stationing U.S. Customs and Border Protection Officers and U.S. Border Patrol Agents from the Northern border to the Southern border.

(B) LIMITED PERSONNEL TRANSFER AUTHORITY.—Notwithstanding subparagraph (A), the Secretary may reassign or station personnel from a location along the Northern border to the Southern border if—

(i) the most recent report submitted under paragraph (3) indicates excess personnel exist at such Northern border location beyond what is needed to meet and maintain appropriate staffing levels; and

(ii) the Secretary notifies the appropriate congressional committees and the Governor of each State from which such personnel will be transferred.

(C) TEMPORARY EMERGENCY AUTHORITY.—

(i) IN GENERAL.—The Secretary may transfer personnel from along the Northern border if the Secretary notifies and provides justification to the appropriate congressional committees that an emergency need due to a critical personnel shortage exists in the location or locations where the Secretary proposes to transfer the personnel to, and that the location or locations from which the personnel are to be transferred, has at the time of the proposed transfer a level of personnel that is greater than the level needed to meet and maintain the mission of Department along the Northern Border.

(ii) DURATION OF AUTHORITY.—Any authority exercised under clause (i) shall extend until the next report required under paragraph (3) is submitted, but may be extended for the duration of one or more reporting periods provided that the most recent report so submitted states that the transfer was appropriate and that the border region from which the personnel were transferred currently has a sufficient level of personnel.

(2) STUDY REQUIRED.—

(A) IN GENERAL.—The Secretary shall conduct a study on the Northern border focusing on the following priorities:

(i) Ensuring the efficient flow of cross-border economic and personal traffic between States along the Northern border and Canada.

(ii) Preventing individuals from illegally crossing over the Northern border.

(iii) Preventing the flow of illegal goods and illicit drugs across the Northern Border.

(iv) Ensuring an appropriate level of national security measures is in place to thwart acts of terrorism.

(B) SCOPE.—The study required under this paragraph shall include the following:

(i) An examination of the strategies that the Department is using to secure the border, including an assessment of their current effectiveness and recommendations on how their effectiveness could be enhanced.

(ii) A determination of the appropriate personnel, resource, technological asset, and funding requirements for all Department elements deployed on the Northern border, including interior enforcement. This should include a description of measures the Department needs to take to either meet those needs or shift excess personnel, resources, technological assets, or funding to a different region as well as a description of the challenges the Department faces in meeting the identified needs or shifting excess personnel, resources, technological assets, or funding.

(iii) A State-by-State assessment of the Northern border States and a description of the personnel, resource, technological asset, and funding needs for each location as determined by the Department.

(iv) With respect to the four priorities described in subparagraph (A), a description of the following issues:

(I) The use of technology, including low-altitude radar, ground-based fiber optic sensors, and unmanned aircraft, for each of the Department elements involved in Northern border operations, including whether the elements need additional technological assets.

(II) The impact of operation and maintenance funds on Northern border protection,

including whether elements have sufficient operation and maintenance funds to accomplish their missions, and if additional local flexibility regarding funds is needed to accomplish core Department missions.

(III) Strategies for dealing with smuggling operations of illegal goods and illicit drugs, both at ports and in non-port areas.

(IV) Options for the Department to develop and enhance local, State, and tribal partnerships along the Northern border.

(V) The geographic challenges of the Northern border.

(3) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary shall submit to the appropriate congressional committees a report on the study conducted under paragraph (2).

(B) CONTENT.—The report required under subparagraph (A) shall include the following elements:

(i) The findings of the study conducted under paragraph (2).

(ii) Input from other Federal agencies operating in the Northern border States, such as the Bureau of Indian Affairs, the Federal Bureau of Investigations, the Drug Enforcement Agency, the Food and Drug Administration, and the Bureau of Alcohol, Tobacco, Firearms and Explosives, that could be impacted by any reallocation, increase, or decrease of Department personnel, resources, technological assets, or funding along the Northern border.

(iii) A description of any changes along the Southern border that are impacting the Northern border.

(iv) Recommendations for enhancing security along the Northern border.

(v) An explanation of why the Department is not implementing any recommendations contained in the study.

(vi) Recommendations for additional legislation necessary to implement recommendations contained in the study.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(A) the Committee on the Judiciary, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Committee on Finance of the Senate; and

(B) the Committee on the Judiciary, the Committee on Homeland Security, the Committee on Appropriations, and the Committee on Ways and Means of the House of Representatives.

SA 1486. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1492, strike line 13 and all that follows through page 1493, line 24, and insert the following:

''(B) the alien, at a reasonable time after service of the charging document on the alien, shall automatically receive from the Department of Homeland Security a complete copy of all relevant documents in the possession of the Department of Homeland Security, including all documents (other than documents protected from disclosure by privilege, including national security information referenced in subparagraph (C), law enforcement sensitive information, and information prohibited from disclosure pursuant to any other provision of law) contained in the file maintained by the Department of Homeland Security that includes information with respect to all transactions involving the alien during the immigration process (commonly referred to as an 'A file'), and all documents pertaining to the alien that the Department of Homeland Security has obtained or received from other government agencies, unless the alien waives the right to receive such documents by submitting to the Department of Homeland Security an executed knowing and voluntary waiver in a language that he or she understands fluently;''; and

(D) by adding at the end the following:

''The Government is not required to provide counsel to aliens under this paragraph. However, the Attorney General may, in the Attorney General's sole and unreviewable discretion, appoint or provide counsel at Government expense to aliens in immigration proceedings.''; and

(2) by adding at the end the following:

''(8) FAILURE TO PROVIDE ALIEN WITH REQUIRED DOCUMENTS.—The immigration judge may set reasonable time limits for the Department of Homeland Security to provide the documents specified in paragraph (4)(B). In the absence of a waiver by the alien, a removal proceeding may not proceed until the alien has received such documents. The immigration judge shall consider terminating the proceeding without prejudice if the Department of Homeland Security does not provide the documents to the alien within such time limits.''.

SA 1487. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 866, between lines 11 and 12, insert the following:

(D) the resources and other measures that are necessary to achieve a 50 percent reduction in the average wait times for commercial and passenger vehicles at land ports of entry along Southern border and the Northern border.

On page 897, line 9, strike ''3,500'' and insert ''5,000 (not less than 50 percent of which shall be designated to serve on all inspection lanes (primary, secondary, incoming, and outgoing) and enforcement teams at land ports of entry on the Northern border and the Southern border)''.

At the end of title I, add the following:

SEC. 1122. EMERGENCY PORT OF ENTRY PERSONNEL AND INFRASTRUCTURE FUNDING.

(a) STAFF ENHANCEMENTS.—In addition to positions authorized before the date of the enactment of this Act and any existing officer vacancies within U.S. Customs and Border Protection on such date, the Secretary shall, by not later than September 30, 2018, and subject to the availability of appropriations for such purpose, hire, train, and assign to duty 350 additional full-time support staff, compared to the number of such employees on the date of the enactment of this Act, to be distributed among all United States ports of entry.

(b) WAIVER OF PERSONNEL LIMITATION.—The Secretary may waive any limitation on the number of full-time equivalent personnel assigned to the Department in order to fulfill the requirements under subsection (a).

(c) REPORTS TO CONGRESS.—

(1) OUTBOUND INSPECTIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report containing the Department's plans for ensuring the placement of sufficient officers of U.S. Customs and Border Protection on outbound inspections, and adequate outbound infrastructure, at all Southern and Northern border land ports of entry.

(2) AGRICULTURAL SPECIALISTS.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of Agriculture, shall submit to the appropriate committees of Congress a report that contains the Department's plans for ensuring the placement of sufficient agriculture specialists at all Southern border and Northern border land ports of entry.

(3) ANNUAL IMPLEMENTATION REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the appropriate committees of Congress a report that—

(A) describes in detail the Department's implementation plan for staff enhancements required under subsection (a);

(B) includes the number of additional personnel assigned to duty at land ports of entry by location; and

(C) describes the methodology used to determine the distribution of additional personnel to address northbound and southbound cross-border inspections.

(4) APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on the Judiciary and the Committee on Homeland Security of the House of Representatives.

(d) SECURE COMMUNICATION.—The Secretary shall ensure that each officer of U.S. Customs and Border Protection is equipped with a secure 2-way communication and satellite-enabled device, supported by system interoperability, that allows such officers to communicate between ports of entry and inspection stations, and with other Federal, State, local, and tribal law enforcement entities.

(e) BORDER AREA SECURITY INITIATIVE GRANT PROGRAM.—The Secretary shall establish a grant program for the purchase of detection equipment at land ports of entry and mobile, hand-held, 2-way communication and biometric devices for State and local law enforcement officers serving on the Southern border and Northern border.

(f) PORT OF ENTRY INFRASTRUCTURE IMPROVEMENTS.—In order to aid in the enforcement of Federal customs, immigration, and agriculture laws, the Commissioner responsible for U.S. Customs and Border Protection may—

(1) design, construct, and modify United States ports of entry, living quarters for officers, agents, and personnel, and other structures and facilities, including those owned by municipalities, local governments, or private entities located at land ports of entry;

(2) acquire, by purchase, donation, exchange, or otherwise, land or any interest in land determined to be necessary to carry out the Commissioner's duties under this section; and

(3) construct additional ports of entry along the Southern border and the Northern border.

(g) CONSULTATION.—

(1) LOCATIONS FOR NEW PORTS OF ENTRY.—The Secretary shall consult with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of State, the International Boundary and Water Commission, the International Joint Commission, and appropriate representatives of States, local governments, Indian tribes, and property owners—

(A) to determine locations for new ports of entry; and

(B) to minimize adverse impacts from such ports on the environment, historic and cultural resources, commerce, and quality of life for the communities and residents located near such ports.

(2) SAVINGS PROVISION.—Nothing in this subsection may be construed—

(A) to create any right or liability of the parties described in paragraph (1);

(B) to affect the legality and validity of any determination under this Act by the Secretary; or

(C) to affect any consultation requirement under any other law.

(h) AUTHORITY TO ACQUIRE LEASEHOLDS.—Notwithstanding any other provision of law, the Secretary may acquire a leasehold interest in real property, and may construct or modify any facility on the leased property, if the Secretary determines that the acquisition of such interest, and such construction or modification, are necessary to facilitate the implementation of this Act.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, for each of the fiscal years 2014 through 2018, $1,000,000,000, of which $5,000,000 shall be used for grants authorized under subsection (e).

(j) OFFSET; RESCISSION OF UNOBLIGATED FEDERAL FUNDS.—

(1) IN GENERAL.—There is hereby rescinded, from appropriated discretionary funds that remain available for obligation as of the date of the enactment of this Act (other than the unobligated funds described in paragraph (4)), amounts determined by the Director of the Office of Management and Budget such that the aggregate amount of the rescission equals the amount authorized to be appropriated under subsection (i).

(2) IMPLEMENTATION.—The Director of the Office of Management and Budget shall determine and identify—

(A) the appropriation accounts from which the rescission under paragraph (1) shall apply; and

(B) the amount of the rescission that shall be applied to each such account.

(3) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit a report to Congress and to the Secretary of the Treasury that describes the accounts and amounts determined and identified under paragraph (2) for rescission under paragraph (1).

(4) EXCEPTIONS.—This subsection shall not apply to unobligated funds of—

(A) the Department of Defense;

(B) the Department of Veterans Affairs; or

(C) the Department of Homeland Security.

SEC. 1123. CROSS-BORDER TRADE ENHANCEMENT.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATION.—The term ''Administration'' means the General Services Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the General Services Administration.

(3) PERSON.—The term ''person'' means an individual or any corporation, partnership, trust, association, or any other public or private entity, including a State or local government.

(b) AGREEMENTS AUTHORIZED.—Notwithstanding any other provision of law, upon the request of any persons, the Administrator may, for purposes of facilitating construction, alteration, operation or maintenance of a new or existing facility or other infrastructure at a port of entry, enter into cost-sharing or reimbursement agreements or accept a donation of real and personal property (including monetary donations) and nonpersonal services.

(c) EVALUATION PROCEDURES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator, in consultation with the Secretary, shall establish procedures for evaluating a proposal submitted by any person under subsection (b)—

(A) to enter into a cost-sharing or reimbursement agreement with the Administration to facilitate the construction, alteration, operation, or maintenance of a new or existing facility or other infrastructure at a land border port of entry; or

(B) to provide the Administration with a donation of real and personal property (including monetary donations) and nonpersonal services to be used in the construction, alteration, operation, or maintenance of a facility or other infrastructure at a land border port of entry under the control of the Administration.

(2) SPECIFICATION.—Donations made under paragraph (1)(B) may specify—

(A) the land port of entry facility or facilities in support of which the donation is being made; and

(B) the time frame in which the donated property or services shall be used.

(3) RETURN OF DONATION.—If the Administrator does not use the property or services donated pursuant to paragraph (1)(B) for the specific facility or facilities designated pursuant to paragraph (2)(A) or within the time frame specified pursuant to paragraph (2)(B), such donated property or services shall be returned to the person that made the donation.

(4) DETERMINATION AND NOTIFICATION.—

(A) IN GENERAL.—Not later than 90 days after receiving a proposal pursuant to subsection (b) with respect to the construction or maintenance of a facility or other infrastructure at a land border port of entry, the Administrator shall—

(i) make a determination with respect to whether or not to approve the proposal; and

(ii) notify the person that submitted the proposal of—

(I) the determination; and

(II) if the Administrator did not approve the proposal, the reasons for such disapproval.

(B) CONSIDERATIONS.—In determining whether or not to approve a proposal under this subsection, the Administrator shall consider—

(i) the impact of the proposal on reducing wait times at that port of entry and other ports of entry on the same border;

(ii) the potential of the proposal to increase trade and travel efficiency through added capacity; and

(iii) the potential of the proposal to enhance the security of the port of entry.

(d) DELEGATION.—For facilities where the Administrator has delegated or transferred to the Secretary, operations, ownership, or other authorities over land border ports of entry, the authorities and requirements of the Administrator under this section shall be deemed to apply to the Secretary.

SA 1488. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1579, line 11, insert ''less than 5 years and not'' after ''not''.

On page 1579, line 15, insert ''not less than 10'' after ''term of''.

On page 1579, between lines 15 and 16, insert the following:

''(8) in the case of a violation that is the third or more subsequent offense committed by such person under this section or section 274, be fined under title 18, imprisoned not less than 5 years and not more than 40 years, or both; or

''(9) in the case of a violation that negligently, recklessly, knowingly, or intentionally results in a victim being involuntarily forced into labor or prostitution, be fined under title 18, imprisoned not less than 5 years and not more than 40 years, or both.

On page 1582, between lines 14 and 15, insert the following:

(d) TARGETING TRANSNATIONAL CRIMINAL ORGANIZATIONS THAT ENGAGE IN MONEY LAUNDERING.—Section 1956(c)(7) of title 18, United States Code, is amended—

(1) in subparagraph (E), by striking ''or'' after the semicolon;

(2) in subparagraph (F), by inserting ''or'' after the semicolon; and

(3) by adding at the end the following:

''(G) any act that is indictable under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), including section 274 of such Act (relating to bringing in and harboring certain aliens), section 277 of such Act (relating to aiding or assisting certain aliens to enter the United States), or section 278 of such Act (relating to importation of an alien for an immoral purpose);''.

SEC. 3713. DANGEROUS HUMAN SMUGGLING, HUMAN TRAFFICKING, AND HUMAN RIGHTS VIOLATIONS.

(a) BRINGING IN AND HARBORING CERTAIN ALIENS.—Section 274 (8 U.S.C. 1324) is amended—

(1) in subsection (a)(1)(B)—

(A) by redesignating clauses (iii) and (iv) as clauses (vi) and (vii), respectively;

(B) by inserting after clause (ii) the following:

''(iii) in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) that is the third or subsequent offense committed by such person under this section, be fined under title 18, United States Code, imprisoned not less than 5 years and not more than 25 years, or both;

''(iv) in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) that negligently, recklessly, knowingly, or intentionally results in a victim being involuntarily forced into labor or prostitution, be fined under title 18, United States Code, imprisoned not less than 5 years and not more than 25 years, or both;

''(v) in the case of a violation of subparagraph (A)(i),(ii),(iii),(iv),or (v) during and in relation to which any person is subjected to an involuntary sexual act (as defined in section 2246(2) of title 18, United States Code), be fined under title 18, United States Code, imprisoned for not less than 5 years and not more than 25 years, or both;'' and

(C) in clause (vi), as redesignated, by striking inserting ''and not less than 10'' before ''years''; and

(2) by amending subsection (b)(1) to read as follows:

''(1) IN GENERAL.—Any property, real or personal, involved in or used to facilitate the commission of a violation or attempted violation of subsection (a), the gross proceeds of such violation or attempted violation, and any property traceable to such property or proceeds, shall be seized and subject to forfeiture.''.

SEC. 3714. RESPECT FOR VICTIMS OF HUMAN SMUGGLING.

(a) VICTIM REMAINS.—The Attorney General shall appoint an official to ensure that information regarding missing aliens and unidentified remains found in the covered area are included in a database of the National Missing and Unidentified Persons System.

(b) REIMBURSEMENT.—The Secretary shall reimburse county, municipal, and tribal governments in the United States that are located in the covered area for costs associated with the transportation and processing of unidentified remains, found in the desert or on ranch lands, on the condition that the remains are transferred either to an official medical examiner's office, or a local university with the capacity to analyze human remains using forensic best practices.

(c) BORDER CROSSING DATA.—The National Institute of Justice shall encourage genetic laboratories receiving Federal grant monies to process samples from unidentified remains discovered within the covered area and compare the resulting genetic profiles against samples from the relatives of any missing individual, including those provided by foreign consulates or authorized entities.

(d) COVERED AREA DEFINED.—In this section, the term ''covered area'' means the area of United States within 200 miles of the international border between the United States and Mexico.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2014 through 2018 to carry out this section.

SEC. 3715. PUTTING THE BRAKES ON HUMAN SMUGGLING ACT.

(a) SHORT TITLE.—This section may be cited as the ''Putting the Brakes on Human Smuggling Act''.

(b) FIRST VIOLATION.—Paragraph (1) of section 31310(b) of title 49, United States Code, is amended—

(1) in subparagraph (D), by striking the ''or'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting a semicolon and ''or''; and

(3) by adding at the end the following:

''(F) using a commercial motor vehicle in willfully aiding or abetting an alien's illegal entry into the United States by transporting, guiding, directing, or attempting to assist the alien with the alien's entry in violation of section 275 of the Immigration and Nationality Act (8 U.S.C. 1325), regardless of whether the alien is ultimately fined or imprisoned for an act in violation of such section.''.

(c) SECOND OR MULTIPLE VIOLATIONS.—Paragraph (1) of section 31310(c) of title 49, United States Code, is amended—

(1) in subparagraph (E), by striking the ''or'' at the end;

(2) by redesignating subparagraph (F) as subparagraph (G);

(3) in subparagraph (G), as so redesignated, by striking ''(E)'' and inserting ''(F)''; and

(4) by inserting after subparagraph (E) the following:

''(F) using a commercial motor vehicle on more than one occasion in willfully aiding or abetting an alien's illegal entry into the United States by transporting, guiding, directing and attempting to assist the alien with alien's entry in violation of section 275 of the Immigration and Nationality Act (8 U.S.C. 1325), regardless of whether the alien is ultimately fined or imprisoned for an act in violation of such section; or''.

(d) LIFETIME DISQUALIFICATION.—Subsection (d) of section 31310 of title 49, United States Code, is amended to read as follows:

''(d) LIFETIME DISQUALIFICATION.—The Secretary shall disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle—

''(1) in committing a felony involving manufacturing, distributing, or dispensing a controlled substance, or possessing with the intent to manufacture, distribute, or dispense a controlled substance; or

''(2) in committing an act for which the individual is convicted under—

''(A) section 274 of the Immigration and Nationality Act (8 U.S.C. 1324); or

''(B) section 277 of such Act (8 U.S.C. 1327).''.

(e) REPORTING REQUIREMENTS.—

(1) COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM.—Paragraph (1) of section 31309(b) of title 49, United States Code, is amended—

(A) in subparagraph (E), by striking ''and'' at the end;

(B) in subparagraph (F), by striking the period at the end and inserting a semicolon and ''and''; and

(C) by adding at the end the following new subparagraph:

''(G) whether the operator was disqualified, either temporarily or for life, from operating a commercial motor vehicle under section 31310, including under subsection (b)(1)(F), (c)(1)(F), or (d) of such section.''.

(2) NOTIFICATION BY THE STATE.—Paragraph (8) of section 31311(a) of title 49, United States Code, is amended by inserting ''including such a disqualification, revocation, suspension, or cancellation made pursuant to a disqualification under subsection (b)(1)(F), (c)(1)(F), or (d) of section 31310,'' after ''60 days,''.

SEC. 3716. FREEZING BANK ACCOUNTS OF INTERNATIONAL CRIMINAL ORGANIZATIONS AND MONEY LAUNDERERS.

Section 981(b) of title 18, United States Code, is amended by adding at the end the following:

''(5)(A) If a person is arrested or charged in connection with an offense described in subparagraph (C) involving the movement of funds into or out of the United States, the Attorney General may apply to any Federal judge or magistrate judge in the district in which the arrest is made or where the charges are filed for an ex parte order restraining any account held by the person arrested or charged for not more than 30 days, except that such 30-day time period may be extended for good cause shown at a hearing conducted in the manner provided in Rule 43(e) of the Federal Rules of Civil Procedure. The court may receive and consider evidence and information submitted by the Government that would be inadmissible under the Federal Rules of Evidence.

''(B) The application for the restraining order referred to in subparagraph (A) shall—

''(i) identify the offense for which the person has been arrested or charged;

''(ii) identify the location and description of the accounts to be restrained; and

''(iii) state that the restraining order is needed to prevent the removal of the funds in the account by the person arrested or charged, or by others associated with such person, during the time needed by the Government to conduct such investigation as may be necessary to establish whether there is probable cause to believe that the funds in the accounts are subject to forfeiture in connection with the commission of any criminal offense.

''(C) A restraining order may be issued pursuant to subparagraph (A) if a person is arrested or charged with any offense for which forfeiture is authorized under this title, title 31, or the Controlled Substances Act (21 U.S.C. 801 et seq.).

''(D) For purposes of this section—

''(i) the term 'account' includes any safe deposit box and any account (as defined in paragraphs (1) and (2) of section 5318A(e) of title 31, United States Code) at any financial institution; and

''(ii) the term 'account held by the person arrested or charged' includes an account held in the name of such person, and any account over which such person has effective control as a signatory or otherwise.

''(E) Restraint pursuant to this paragraph shall not be deemed a 'seizure' for purposes of subsection 983(a) of this title.

''(F) A restraining order issued pursuant to this paragraph may be executed in any district in which the subject account is found, or transmitted to the central authority of any foreign State for service in accordance with any treaty or other international agreement.''.

SEC. 3717. CRIMINAL PROCEEDS LAUNDERED THROUGH PREPAID ACCESS DEVICES, DIGITAL CURRENCIES, OR OTHER SIMILAR INSTRUMENTS.

(a) IN GENERAL.—Section 5312(a) of title 31, United States Code, is amended—

(1) by striking paragraph (2)(K) and inserting the following:

''(K) an issuer, redeemer, or cashier or travelers' checks, checks, money orders, prepaid access devices, digital currencies, or other similar instruments;'';

(2) in paragraph (3)(B), by inserting ''prepaid access devices,'' after ''delivery,'';

(3) by redesignating paragraph (6) as paragraph (7); and

(4) by inserting after paragraph (5) the following:

''(6) 'prepaid access device' means an electronic device or vehicle, such as a card, plate, code, number, electronic serial number, mobile identification number, personal identification number, or other instrument that provides a portal to funds or the value of funds that have been paid in advance and can be retrievable and transferable at some point in the future.''.

(b) GAO REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on—

(1) the impact the amendments made by subsection (a) has had on law enforcement, the prepaid access industry, and consumers; and

(2) the implementation and enforcement by the Department of Treasury of the final rule on Definitions and Other Regulations Relating to Prepaid Access (76 Fed. Reg. 45403), issued July 26, 2011.

(c) CUSTOMS AND BORDER PROTECTION STRATEGY FOR PREPAID ACCESS DEVICES.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Commissioner responsible for U.S. Customs and Border Protection, shall submit to Congress a report detailing a strategy to interdict and detect prepaid access devices, digital currencies, or other similar instruments, at border crossings and other ports of entry

for the United States. The report shall include an assessment of infrastructure needs to carry out the strategy detailed in the report.

SEC. 3718. FIGHTING MONEY SMUGGLING THROUGH BLANK CHECKS IN BEARER FORM.

Section 5316 of title 31, United States Code, is amended by adding at the end the following:

''(e) MONETARY INSTRUMENTS WITH AMOUNT LEFT BLANK.—For purposes of this section, a monetary instrument in bearer form that has the amount left blank, such that the amount could be filled in by the bearer, shall be considered to have a value in excess of $10,000 if the instrument was drawn on an account that contained or was intended to contain more than $10,000 at the time the instrument was transported or the time period it was negotiated or was intended to be negotiated.''.

SEC. 3719. CLOSING THE LOOPHOLE ON DRUG CARTEL ASSOCIATES ENGAGED IN MONEY LAUNDERING.

(a) PROCEEDS OF A FELONY.—Section 1956(c)(1) of title 18, United States Code, is amended by inserting '', and regardless of whether or not the person knew that the activity constituted a felony'' before the semicolon at the end.

(b) INTENT TO CONCEAL OR DISGUISE.—Section 1956(a) of title 18, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''(B) knowing that'' and all that follows through ''Federal law,'' and inserting the following:

''(B) knowing that the transaction—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''; and

(2) in paragraph (2)(B), by striking ''(B) knowing that'' and all that follows through ''Federal law,'' and inserting the following:

''(B) knowing that the monetary instrument or funds involved in the transportation, transmission, or transfer represent the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, or transfer—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''.

SEC. 3720. DIRECTIVE TO UNITED STATES SENTENCING COMMISSION; EMERGENCY AUTHORITY.

(a) IN GENERAL.—The United States Sentencing Commission shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements as the Commission considers appropriate to respond to this Act.

(b) EMERGENCY AUTHORITY.—In carrying out subsection (a), the Commission may promulgate amendments to the Federal sentencing guidelines and policy statements in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note), as though the authority under that Act had not expired.

SA 1489. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1794, strike lines 3 through 7.

On page 1797, strike lines 17 through 21.

On page 1801, strike lines 20 through 24.

Beginning on page 1825, strike line 9 and all that follows through page 1826, line 5, and insert the following:

''(B) RETURNING WORKER AND RENEWING EMPLOYER EXEMPTION.—Renewals of approved job slots and W visas by employers or workers in good standing shall not be counted toward the limits established under subsection (g)(1)(A) or factored into the formulaic determinations made under subparagraphs (A) through (D) of subsection (g)(2).

''(C) INTENDING IMMIGRANTS.—

''(i) EXTENSION OF PERIOD.—A registered visa holder shall continue to be a registered visa holder at the end of the 3-year period referred to in subparagraph (A) if the W nonimmigrant is the beneficiary of a petition for immigrant status filed pursuant to this Act.

''(ii) TERMINATION OF PERIOD.—The term of a registration position extended under clause (i) shall terminate on the date that is the earlier of—

''(I) the date an application or petition by or for a W nonimmigrant to obtain immigrant status is approved or denied by the Secretary; or

''(II) the date of the termination of such W nonimmigrant's employment with the registered employer.

Beginning on page 1839, strike line 3 and all that follows through page 1840, line 10.

SA 1490. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1008, strike line 18 and all that follows through page 1009, line 22, and insert the following:

''(2) REQUIRED DISCLOSURES.—The Secretary shall provide the information furnished in an application filed under section 245B, 245C, 245D, or 245F of this Act or section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act, and any other information derived from such furnished information to—

''(A) a law enforcement agency, intelligence agency, national security agency, a component of the Department of Homeland Security, court, or grand jury, in each instance about an individual suspect or group of suspects, consistent with law, in connection with—

''(i) a criminal investigation or prosecution;

''(ii) a national security investigation or prosecution; or

''(iii) a duly authorized investigation of a civil violation; and

''(B) an official coroner for purposes of affirmatively identifying a deceased individual, whether or not the death of such individual resulted from a crime.

''(3) INAPPLICABILITY AFTER DENIAL.—The limitations set forth in paragraph (1)—

''(A) shall apply only until—

''(i) an application filed under section 245B, 245C, 245D, or 245F of this Act or section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act is denied; and

''(ii) all opportunities for administrative appeal of the denial have been exhausted; and

''(B) shall not apply to the use of the information furnished pursuant to such application in any removal proceeding or other criminal or civil case or action relating to an alien whose application has been granted that is based upon any violation of law committed or discovered after such grant.

''(4) CRIMINAL CONVICTIONS.—Notwithstanding any other provision of this section, information concerning whether the applicant has, at any time, been convicted of a crime may be used or released for immigration enforcement and law enforcement purposes.

''(5) AUDITING AND EVALUATION OF INFORMATION.—The Secretary may—

''(A) audit and evaluate information furnished as part of any application filed under section 245B, 245C, 245D, or 245F for purposes of identifying immigration fraud or fraud schemes; and

''(B) use any evidence detected by means of audits and evaluations for purposes of investigating, prosecuting, referring for prosecution, or denying or terminating immigration benefits.

''(6) USE OF INFORMATION IN PETITIONS AND APPLICATIONS SUBSEQUENT TO ADJUSTMENT OF STATUS.—If the Secretary has adjusted an alien's status to that of an alien lawfully admitted for permanent residence pursuant to section 245C, 245D, or 245F, the Secretary, at any time thereafter, may use the information furnished by the alien in the application for adjustment of status or in an application for status under section 245B, 245C, 245D, or 245F to make a determination on any petition or application.

''(7) CONSTRUCTION.—Nothing in this section may be construed to limit the use or release, for immigration enforcement purposes, of information contained in files or records of the Secretary or the Attorney General pertaining to applications filed under section 245B, 245C, 245D, or 245F other than information furnished by an applicant in the application, or any other information derived from the application, that is not available from any other source.''.

On page 1038, between lines 9 and 10, insert the following:

SEC. 2110. VISA INFORMATION SHARING.

Section 222(f) (8 U.S.C. 1202(f)) is amended—

(1) in the matter preceding paragraph (1), by striking ''issuance or refusal'' and inserting ''issuance, refusal, or revocation''; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''discretion and on the basis of reciprocity,'' and inserting ''discretion,'';

(B) by striking subparagraph (A) and inserting the following:

''(A) with regard to individual aliens, at any time on a case-by-case basis for the purpose of—

''(i) preventing, investigating, or punishing acts that would constitute a crime in the United States, including terrorism or trafficking in controlled substances, persons, or illicit weapons; or

''(ii) determining a person's removability or eligibility for a visa, admission, or other immigration benefit;'';

(C) in subparagraph (B)—

(i) by striking ''for the purposes'' and inserting ''for one of the purposes''; and

(ii) by striking ''or to deny visas to persons who would be inadmissible to the United States.'' and inserting ''; or''; and

(D) by adding at the end the following:

''(C) with regard to any or all aliens in the database-specified data elements from each record, if the Secretary of State determines that it is in the national interest to provide such information to a foreign government.''.

SA 1491. Mr. TESTER submitted an amendment intended to be proposed by

him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1318, line 8, strike ''Services database'' and insert ''Services or other appropriate database. U.S. Citizenship and Immigration Services shall not maintain photos provided by a participating State in a Services database except for photos of individuals about whom a verification query is made using a State-issued covered identity document, which may be maintained only during the verification process, including any appeals. The photos shall not be disclosed except for verification purposes as authorized by this section.''.

On page 1324, line 11, insert ''or system'' after ''card''.

On page 1366, line 9 strike ''and''.

On page 1366, line 15, strike the period and insert ''; and''.

On page 1366, between lines 15 and 16, insert the following:

''(x) provide appropriate administrative safeguards to ensure compliance with the limitation contained in paragraph (9).''.

On page 1378, lines 15 through 18 strike ''nothing in this subsection may be construed to permit or allow any department, bureau, or other agency of the United States Government or any other entity to'' and insert ''no department, bureau, or other agency of the United States Government or any other entity shall''.

On page 1378, line 19, insert ''share, or transmit'' after ''lize''.

SA 1492. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORTS AND OTHER DOCUMENTS REQUIRED TO BE SUBMITTED TO THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS OF THE SENATE AND THE COMMITTEE ON HOMELAND SECURITY OF THE HOUSE OF REPRESENTATIVES.

Each report, plan, strategy, study, or document required to be submitted to Congress or any committee of Congress under this Act, or under any amendment made by this Act, shall be submitted to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives at the same time the report is required to be submitted to Congress or the committee of Congress.

SA 1493. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1794, strike lines 13 through 19, and insert the following:

(5) SHORTAGE OCCUPATION.—The term ''shortage occupation'' means—

(A) an occupation that the Commissioner determines is experiencing a shortage of labor—

(i) throughout the United States; or

(ii) in a specific metropolitan statistical area; and

(B) a zone 1, zone 2, or zone 3 occupation involving seafood processing in Alaska.

SA 1494. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1115, strike line 14 and all that follows through page 1118, line 9, and insert the following:

''(2) JOB CATEGORIES.—

''(A) IN GENERAL.—For purposes of paragraph (1), each nonimmigrant agricultural worker employed by such employer shall be assigned to 1 of the following occupational classifications:

''(i) High-skilled agricultural workers, including the following, as defined by the Bureau of Labor Statistics:

''(I) Agricultural equipment operators (45–2091).

''(II) Farmworkers, Farm, Ranch, and Aquacultural Animals (45–2093).

''(ii) Low-skilled agricultural workers, including the following, as defined by the Bureau of Labor Statistics:

''(I) Graders and Sorters, Agricultural Products (45–2041).

''(II) Farmworkers and Laborers, Crops, Nursery, and Greenhouse (45–2092).

''(B) DETERMINATION OF CLASSIFICATION.—A nonimmigrant agricultural worker is employed in an occupational classification described in clause (i) or (ii) of subparagraph (A) if the worker performs activities associated with that occupational classification, as specified on the employee's petition, for at least 75 percent of the time in a semiannual employment period.

''(3) DETERMINATION OF WAGE RATE.—

''(A) CALENDAR YEARS 2014 THROUGH 2016.—The wage rate under this paragraph for calendar years 2014 through 2016 shall be the following:

''(i) For the category described in paragraph (2)(A)(i)—

''(I) $11.06 for calendar year 2014;

''(II) $11.34 for calendar year 2015; and

''(III) $11.62 for calendar year 2016.

''(ii) For the category described in paragraph (2)(A)(ii)—

''(I) $9.27 for calendar year 2014;

''(II) $9.50 for calendar year 2015; and

''(III) $9.74 for calendar year 2016.

''(B) SUBSEQUENT YEARS.—The Secretary shall increase the hourly wage rates set forth in clause (i) and (ii) of subparagraph (A), for

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SA 1495. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1123, between lines 22 and 23, insert the following:

''(ii) LIMITATION.—Notwithstanding clause (i), an alien who is or was a nonimmigrant agricultural worker is not eligible for legal services under the Legal Services Corporation Act (42 U.S.C. 2996 et seq.) if such alien is located outside the United States.

Beginning on page 1124, strike line 21, and all that follows through page 1125, line 4 and insert the following:

''(iv) 90-DAY LIMIT.—The Federal Mediation and Conciliation Service may conduct mediation or other binding dispute resolution activities for a period not to exceed 90 days beginning on the date on which the Federal Mediation and Conciliation Service receives a request for assistance under clause (ii) unless the parties agree to an extension of such period.

''(v) BINDING MEDIATION.—Mediation or other dispute resolution activities carried out under this subparagraph shall be binding on the parties.

SA 1496. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1082, strike line 19 and all that follows through page 1083, line 2, and insert the following:

''(B) ALLOCATION OF VISAS.—

''(i) IN GENERAL.—The allocation of visas described in subparagraph (A) for a year shall be allocated as follows:

''(I) 70 percent shall be available January 1.

''(II) 30 percent shall be available July 1.

''(ii) UNUSED VISAS.—Any visas available on January 1 of a year under clause (i)(I) that are unused as of July 1 of that year shall be added to the allocation available to allocation available on July 1 of that year under clause (i)(II).

SA 1497. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1042, line 12, strike ''575 hours or 100 work days'' and insert ''1000 hours or 180 work days''.

On page 1071, strike line 24 and all that follows through page 1072, line 5, and insert the following:

''(C) SUFFICIENT EVIDENCE.—An alien who cannot meet the burden of proof otherwise required by subparagraph (A) may, in an interview with the Secretary, establish that the alien has performed the days or hours of work referred to in subparagraph (A) by producing sufficient evidence to show the extent of that employment as a matter of just and reasonable inference.

SA 1498. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1064, line 15, strike ''5 years'' and insert ''7 years''.

SA 1499. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1043, line 14, add after the period the following: ''The Secretary shall ensure that those aliens residing outside of the United States who are eligible to submit an application are able to do so through the United States Consulate in the alien's country of residence.''.

SA 1500. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1064, strike line 22, and all that follows through page 1065, line 8, and insert the following:

''(1) QUALIFYING EMPLOYMENT.—Except as provided in paragraph (3), during the 8-year period beginning on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act the alien performed not less than 180 work days of agricultural employment during each of 5 years.

SA 1501. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1054, line 17, strike ''$100'' and insert ''$500''.

On page 1067, line 6, strike ''$400'' and insert ''$500''.

SA 1502. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1140, line 7, strike ''1 year'' and insert ''5 years''.

On page 1140, strike lines 10 through 13.

On page 1141, line 6, strike ''1 year'' and insert ''5 years''.

SA 1503. Mr. KIRK (for himself, Mrs. FISCHER, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. TREATMENT OF CERTAIN PERSONS AS HAVING SATISFIED ENGLISH AND CIVICS, GOOD MORAL CHARACTER, AND HONORABLE SERVICE AND DISCHARGE REQUIREMENTS FOR NATURALIZATION.

(a) IMMIGRATION AND NATIONALITY ACT.—The Immigration and Nationality Act is amended by inserting after section 329A (8 U.S.C. 1440–1) the following new section:

''SEC. 329B. PERSONS WHO HAVE RECEIVED AN AWARD FOR ENGAGEMENT IN ACTIVE COMBAT OR ACTIVE PARTICIPATION IN COMBAT.

''(a) IN GENERAL.—

''(1) IN GENERAL.—For purposes of naturalization and continuing citizenship under the following provisions of law, a person who has received an award described in subsection (b) shall be treated—

''(A) as having satisfied the requirements in sections 312(a), 316(a)(3), and subsections (b)(3), (c), and (e) of section 328; and

''(B) except as provided in paragraph (2), under sections 328 and 329, as having served honorably in the Armed Forces for (in the case of section 328) a period or periods aggregating one year, and, if separated from such service, as having been separated under honorable conditions.

''(2) REVOCATION.—Notwithstanding paragraph (1)(B), any person who separated from the Armed Forces under other than honorable conditions may be subject to revocation of citizenship under section 328(f) or 329(c) if the other requirements of such section are met.

''(b) APPLICATION.—This section shall apply with respect to the following awards from the Armed Forces of the United States:

''(1) The Combat Infantryman Badge from the Army.

''(2) The Combat Medical Badge from the Army.

''(3) The Combat Action Badge from the Army.

''(4) The Combat Action Ribbon from the Navy, the Marine Corps, or the Coast Guard.

''(5) The Air Force Combat Action Medal.

''(6) Any other award that the Secretary of Defense determines to be an equivalent award for engagement in active combat or active participation in combat.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 329A the following:

''Sec. 329B. Persons who have received an award for engagement in active combat or active participation in combat.''.

SA 1504. Ms. HIRONO (for herself, Mrs. MURRAY, Ms. MURKOWSKI, Mrs. BOXER, Mrs. GILLIBRAND, Ms. CANTWELL, Ms. STABENOW, Ms. KLOBUCHAR, Ms. WARREN, Ms. BALDWIN, Ms. MIKULSKI, Ms. LANDRIEU, Mrs. SHAHEEN, and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1145, strike line 10 and all that follows through ''(9)'' on page 1155, line 15, and insert the following:

SEC. 2301. MERIT-BASED POINTS TRACK ONE.

(a) IN GENERAL.—

(1) WORLDWIDE LEVEL OF MERIT-BASED IMMIGRANTS.—Section 201(e) (8 U.S.C. 1151(e)) is amended to read as follows:

''(e) WORLDWIDE LEVEL OF MERIT-BASED IMMIGRANTS.—

''(1) IN GENERAL.—

''(A) NUMERICAL LIMITATION.—Subject to paragraphs (2), (3), and (4), the worldwide level of merit-based immigrants is equal to 150,000 for each fiscal year.

''(B) STATUS.—An alien admitted on the basis of a merit-based immigrant visa under this section shall have the status of an alien lawfully admitted for permanent residence.

''(2) ANNUAL INCREASE.—

''(A) IN GENERAL.—Subject to subparagraph (B) and paragraph (3), if in any fiscal year the worldwide level of visas available for merit-based immigrants under this section—

''(i) is less than 75 percent of the number of applicants for such fiscal year, the worldwide level shall increase by 5 percent for the next fiscal year; and

''(ii) is equal to or more than 75 percent of such number, the worldwide level for the next fiscal year shall be the same as the worldwide level for such fiscal year, minus any amount added to the worldwide level for such fiscal year under paragraph (4).

''(B) LIMITATION ON INCREASE.—The worldwide level of visas available for merit-based immigrants shall not exceed 250,000.

''(3) EMPLOYMENT CONSIDERATION.—The worldwide level of visas available for merit-based immigrants may not be increased for a fiscal year under paragraph (2) if the annual average unemployment rate for the civilian labor force 18 years or over in the United States, as determined by the Bureau of Labor Statistics, for such previous fiscal year is more than 81/2 percent.

''(4) RECAPTURE OF UNUSED VISAS.—The worldwide level of merit-based immigrants described in paragraph (1) for a fiscal year shall be increased by the difference (if any) between the worldwide level established under paragraph (1) for the previous fiscal year and the number of visas actually issued under this subsection during that fiscal year. Such visas shall be allocated for the following year pursuant to section 203(c)(3).''.

(2) MERIT-BASED IMMIGRANTS.—Section 203 (8 U.S.C. 1153) is amended by inserting after subsection (b) the following:

''(c) MERIT-BASED IMMIGRANTS.—

''(1) FISCAL YEARS 1 THROUGH 4.—For the first 4 fiscal years beginning after the date of enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the worldwide level of merit-based immigrant visas made available under section 201(e)(1) shall be available for aliens described in section 203(b)(3) and in addition to any visas available for such aliens under such section.

''(2) SUBSEQUENT FISCAL YEARS.—Beginning with the fifth fiscal year beginning after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, aliens subject to the worldwide level specified in section 201(e) for merit-based immigrants shall be allocated as follows:

''(A) 50 percent of the visas remaining after the allocation under subparagraph (C) shall be available to applicants with the highest number of points allocated under tier 1 in paragraph (4).

''(B) 50 percent of the visas remaining after the allocation under subparagraph (C) shall be available to applicants with the highest number of points allocated under tier 2 in paragraph (5).

''(C) 30,000 shall be available to applicants with the highest number of points allocated under tier 3 in paragraph (6).

''(3) UNUSED VISAS.—If the total number of visas allocated under tier 1, tier 2, or tier 3 for a fiscal year are not granted during that fiscal year, such number may be added to the number of visas available under section 201(e)(1) for the following fiscal year and allocated as follows:

''(A) If the unused visas were allocated for tier 1 in a fiscal year, 2/3 of such visas shall be available for aliens allocated visas under tier 1 in the following fiscal year and 1/3 of such visas shall be available for aliens allocated visas under either tier 1 or tier 2 in the following fiscal year.

''(B) If the unused visas were allocated for tier 2 in a fiscal year, 2/3 of such visas shall be available for aliens allocated visas under tier 2 in the following fiscal year and 1/3 of such visas shall be available for aliens allocated visas under either tier 1 or tier 2 in the following fiscal year.

''(4) TIER 1.—The Secretary shall allocate points to each alien seeking to be a tier 1 merit-based immigrant as follows:

''(A) EDUCATION.—

''(i) IN GENERAL.—An alien may receive points under only 1 of the following categories:

''(I) An alien who has received a doctorate degree from an institution of higher education in the United States or the foreign equivalent shall be allocated 15 points.

''(II) An alien who has received a master's degree from an institution of higher education in the United States or the foreign equivalent shall be allocated 10 points.

''(ii) An alien who has received a bachelor's degree from an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) shall be allocated 5 points.

''(B) EMPLOYMENT EXPERIENCE.—An alien shall be allocated not more than 20 points as follows:

''(i) 3 points for each year the alien has been lawfully employed in a zone 5 occupation in the United States.

''(ii) 2 points for each year the alien has been lawfully employed in a zone 4 occupation in the United States.

''(C) EMPLOYMENT RELATED TO EDUCATION.—An alien who is in the United States and is employed full-time or has an offer of full-time employment in a field related to the alien's education—

''(i) in a zone 5 occupation shall be allocated 10 points; or

''(ii) in a zone 4 occupation shall be allocated 8 points.

''(D) ENTREPRENEURSHIP.—An alien who is an entrepreneur in business that employs at least 2 employees in a zone 4 occupation or a zone 5 occupation shall be allocated 10 points.

''(E) HIGH DEMAND OCCUPATION.—An alien who is employed full-time in the United States or has an offer of full-time employment in a high demand tier 1 occupation shall be allocated 10 points.

''(F) CIVIC INVOLVEMENT.—An alien who has attested that he or she has engaged in a significant amount of community service, as determined by the Secretary, shall be allocated 2 points.

''(G) ENGLISH LANGUAGE.—An alien who received a score of 80 or more on the Test of English as a Foreign Language, or an equivalent score on a similar test, as determined by the Secretary, shall be allocated 10 points.

''(H) SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.—An alien who is the sibling of a citizen of the United States or who is over 31 years of age and is the married son or married daughter of a citizen of the United States shall be allocated 10 points.

''(I) AGE.—An alien who is—

''(i) between 18 and 24 years of age shall be allocated 8 points;

''(ii) between 25 and 32 years of age shall be allocated 6 points; or

''(iii) between 33 and 37 years of age shall be allocated 4 points.

''(J) COUNTRY OF ORIGIN.—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted to permanent residence in the United States in the previous 5 years shall be allocated 5 points.

''(5) TIER 2.—The Secretary shall allocate points to each alien seeking to be a tier 2 merit-based immigrant as follows:

''(A) EMPLOYMENT EXPERIENCE.—An alien shall be allocated 2 points for each year the alien has been lawfully employed in the United States, for a total of not more than 20 points.

''(B) SPECIAL EMPLOYMENT CRITERIA.—An alien who is employed full-time in the United States, or has an offer of full-time employment—

''(i) in a high demand tier 2 occupation shall be allocated 10 points; or

''(ii) in a zone 1, zone 2, or zone 3 occupation shall be allocated 10 points.

''(C) CAREGIVER.—An alien who is or has been a primary caregiver shall be allocated 10 points.

''(D) EXCEPTIONAL EMPLOYMENT RECORD.—An alien who has a record of exceptional employment, as determined by the Secretary, shall be allocated 10 points. In determining a record of exceptional employment, the Secretary shall consider factors including promotions, longevity, changes in occupations from a lower job zone to a higher job zone, participated in safety training, and increases in pay.

''(E) CIVIC INVOLVEMENT.—An alien who has demonstrated significant civic involvement shall be allocated 2 points.

''(F) ENGLISH LANGUAGE.—

''(i) ENGLISH PROFICIENCY.—An alien who has demonstrated English proficiency, as determined by a standardized test designated by the Secretary of Education, shall be allocated 10 points.

''(ii) ENGLISH KNOWLEDGE.—An alien who has demonstrated English knowledge, as determined by a standardized test designated by the Secretary of Education, shall be allocated 5 points.

''(G) SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.—An alien who is the sibling of a citizen of the United States or is over the age of 31 and is the married son or married daughter of a citizen of the United States shall be allocated 10 points.

''(H) AGE.—An alien who is—

''(i) between 18 and 24 years of age shall be allocated 8 points;

''(ii) between 25 and 32 years of age shall be allocated 6 points; or

''(iii) between 33 and 37 years of age shall be allocated 4 points.

''(I) COUNTRY OF ORIGIN.—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted to permanent residence in the United States in the previous 5 years shall be allocated 5 points.

''(6) TIER 3.—The Secretary shall allocate points to each alien seeking to be a tier 3 merit-based immigrant as follows:

''(A) EMPLOYMENT EXPERIENCE.—An alien shall be allocated 2 points for each year the alien has been lawfully employed in the United States, for a total of not more than 10 points.

''(B) SPECIAL EMPLOYMENT CRITERIA.—An alien who is employed full-time in the United States (or has an offer of full-time employment) in a health services occupation, including direct caregiver, informal caregiver, home health provider, or nurse; a clerical or professional services occupation; a teaching occupation, including early or informal learning provider, teacher assistant, and elementary or secondary teacher; a culinary occupation; an environmental service and maintenance occupation; a retail customer services occupation; or a small business operated by a sibling or parent who is a United States citizen, shall be allocated 10 points.

''(C) CAREGIVER.—An alien who is, has been, or will be a primary caregiver shall be allocated 10 points.

''(D) CIVIC INVOLVEMENT.—An alien who has demonstrated significant civic involvement, including humanitarian and volunteer activities, shall be allocated 2 points.

''(E) SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.—An alien who is the sibling of a United States citizen or is older than 31 years of age and is the married son or married daughter of a United States citizen shall be allocated 10 points.

''(F) HUMANITARIAN CONCERNS.—An alien who is, has been, or will be the primary caregiver of a United States citizen suffering an extreme hardship or the last surviving sibling or last surviving son or daughter of a United States citizens shall be allocated 10 points.

''(G) AGE.—An alien who is—

''(i) between 18 and 25 years of age shall be allocated 8 points;

''(ii) between 25 and 33 years of age shall be allocated 6 points; or

''(iii) between 33 and 37 years of age shall be allocated 4 points.

''(H) COUNTRY OF ORIGIN.—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted for permanent residence in the United States in the previous 5 years shall be allocated 5 points.

''(7) FEE.—An alien who is allocated a visa under this subsection shall pay a fee of $1,500 in addition to any fee assessed to cover the costs to process an application under this subsection. Fees collected under this paragraph shall be deposited by the Secretary into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(8) ELIGIBILITY OF ALIENS IN REGISTERED PROVISIONAL IMMIGRANT STATUS.—An alien who was granted registered provisional immigrant status under section 245B is not eligible to receive a merit-based immigrant visa under section 201(e).

''(9) INELIGIBILITY OF ALIENS WITH PENDING OR APPROVED PETITIONS.—An alien who has a petition pending or approved in another immigrant category under this section or section 201 may not apply for a merit-based immigrant visa.

''(10)

SA 1505. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1355, line 10, insert before the period the following '', except that an individual who did not timely contest a further action notice for good cause may be granted review under this paragraph''.

SA 1506. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

After section 4105, insert the following:

SEC. 4106. AMENDMENTS TO THE AMERICAN COMPETITIVENESS AND WORKFORCE IMPROVEMENT ACT OF 1998.

Section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 2916a)(as contained in title IV of division C of Public Law 105-277; 112 Stat. 2681-653) is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) USE OF FUNDS.—

''(A) TRAINING PROVIDED.—Funds under this subsection may be used to provide job training services and related activities that are designed to assist workers (including unemployed and employed workers) in gaining the skills, competencies, and industry-recognized credentials needed to obtain or upgrade career ladder employment positions in the industries and economic sectors identified pursuant to paragraph (4). Such job training services may include on-the-job training, customized training, and apprenticeships, as well as training in the fields of science, technology (including computer and information technology), engineering, and mathematics.

''(B) ENHANCED TRAINING PROGRAMS AND INFORMATION.—In order to facilitate the provision of job training services described in subparagraph (A), funds under this subsection may be used to—

''(i) assist in the development and implementation of model activities such as developing appropriate curricula to build core competencies;

''(ii) assist in obtaining industry-recognized credentials and training workers;

''(iii) identify and disseminate career and skill information, labor market information and guidance, and information about training providers; and

''(iv) increase the integration of community and technical higher education activities with activities of businesses and the public workforce investment system to meet the training needs for the industries and economic sectors identified pursuant to paragraph (4), which may include the development of partnerships by grantees with employers and employer associations to provide work-based training opportunities.

''(C) TECHNICAL ASSISTANCE AND EVALUATION.—The Secretary of Labor may reserve not more than 5 percent of the funds available to carry out this subsection to provide technical assistance and to evaluate projects.'';

(2) in paragraph (6)(A)(i), by inserting '', including resources of employers and philanthropic organizations,'' after ''provided under this subsection''; and

(3) by striking paragraph (7) and inserting the following:

''(7) PERFORMANCE ACCOUNTABILITY.—

''(A) REPORTS.—The Secretary of Labor shall require grantees to report on the employment-related outcomes obtained by workers receiving training under this subsection using indicators of performance that are consistent with other indicators used for employment and training programs administered by the Secretary, such as entry into employment, retention in employment, attainment of industry-recognized credentials, and increases in earnings.

''(B) EVALUATIONS.—The Secretary of Labor may require grantees to participate in evaluations of projects carried out under this subsection.

''(C) REPORTS AND EVALUATIONS PUBLICLY AVAILABLE.—The reports and evaluations described under this paragraph shall be made available to the public through the appropriate one-stop service delivery systems and other means the Secretary determines are appropriate.''.

SA 1507. Mr. VITTER proposed an amendment to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; as follows:

On page 945, between lines 20 and 21, insert the following:

''(III) an offense, unless the applicant demonstrates to the Secretary, by clear and convincing evidence, that he or she is innocent of the offense, that he or she is the victim of such offense, or that no offense occurred, that—

''(aa) is classified as a misdemeanor in the convicting jurisdiction; and

''(bb) involved—

''(AA) domestic violence (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)); or

''(BB) child abuse and neglect (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

SA 1508. Mr. HELLER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 897, line 11, insert after ''this Act.'' the following: ''In allocating any new officers to international land ports of entry and high volume international airports, the primary goals shall be reducing average wait times of commercial and passenger vehicles at international land ports of entry and primary processing wait times at high volume international airports by 50 percent by fiscal year 2104 and screening all air passengers within 45 minutes under normal operating conditions or 80 percent of passengers within 30 minutes by fiscal year 2016.''.

On page 898, line 15, insert '', for the purpose of implementing subsection (a)'' before the period.

On page 898, after line 22, add the following:

(e) REPORT.—Prior to the hiring and training of additional U.S. Customs and Border Protection officers under subsection (a), the Secretary shall submit to Congress a report on current wait times at land, air, and sea ports of entry, officer staffing at land, air, and sea ports of entry and projections for new officer allocation at land, air, and sea ports of entry designed to implement subsection (a), including the need to hire non-law enforcement personnel for administrative duties.

SA 1509. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1032, strike line 3 and all that follows through ''Notwithstanding'' on page 1033, lines 6 and 7, and insert the following:

(a) EXEMPTION FROM HIRING RULES.—Notwithstanding

SA 1510. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1102, line 24, add ''and'' after the semicolon.

On page 1103, strike lines 3 through 6, and insert the following: ''recent 4-year period.''.

SA 1511. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1214, line 25, strike ''the United States,'' and insert ''a State,''.

SA 1512. Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1122. PILOT PROGRAM TO DESIGNATE ADDITIONAL 24-HOUR COMMERCIAL PORTS OF ENTRY.

(a) ESTABLISHMENT OF PILOT PROGRAM.—The President shall establish a pilot program under which the President shall—

(1) pursuant to the Act of August 1, 1914 (38 Stat. 623, chapter 223; 19 U.S.C. 2), designate certain land border crossings as 24-hour commercial ports of entry in accordance with subsections (b) and (c); and

(2) ensure that each land border crossing designated as a commercial port of entry under the pilot program has sufficient resources—

(A) to carry out the functions of a commercial port of entry, including accepting entries of merchandise, collecting duties, and enforcing the customs and trade laws of the United States; and

(B) to perform those functions 24 hours a day.

(b) DESIGNATION.—Not later than 180 days after the date of the enactment of this Act, the President shall, after considering the criteria set forth in subsection (c) and any input provided by the public, designate not fewer than 2 and not more than 6 land border crossings, equally divided between land border crossings on the northern and southern borders of the United States, as 24-hour commercial ports of entry under the pilot program established under subsection (a).

(c) CRITERIA.—In designating a land border crossing as a 24-hour commercial port of entry under the pilot program established under subsection (a), the President shall consider the following:

(1) The number of 24-hour commercial ports of entry already located in the State in which the land border crossing is located.

(2) The costs associated with operating the land border crossing as a 24-hour commercial port of entry, including whether the Federal Government would be required to acquire or lease additional land.

(3) The positive economic impact of designating the land border crossing as a 24-hour commercial port of entry on the community in which the land border crossing is located.

(4) Any commitment of resources by the government of Canada or Mexico, as applicable, to a similar designation of a corresponding foreign port of entry.

(5) The support demonstrated by the government of the State or locality in which the land border crossing is located, including through infrastructure improvements, to facilitate the operation of the land border crossing as a 24-hour commercial port of entry.

(d) TERMINATION.—

(1) DETERMINATION OF ECONOMIC BENEFIT.—Not later than the date that is 2 years after the date on which a land border crossing designated as a 24-hour commercial port of entry under the pilot program established under subsection (a) becomes fully operational as a 24-hour commercial port of entry, the President shall—

(A) determine whether the operation of the land border crossing as a port of entry 24 hours a day provides a net economic benefit to the United States; and

(B) submit to the Committee on Finance of the Senate and Committee on Ways and Means of the House of Representatives a report on that determination and the reasons for that determination.

(2) TERMINATION.—If the President determines under paragraph (1) that operating a land border crossing as a port of entry 24 hours a day does not provide a net economic benefit to the United States, the land border crossing shall cease to operate as a port of

entry 24 hours a day on the date on which the President submits the report under paragraph (1)(B).

(e) REPORT.—Not later than 90 days before the President makes a determination under subsection (d)(1) with respect to a land border crossing designated as a 24-hour commercial port of entry under the pilot program established under subsection (a), the President shall submit to the Committee on Finance of the Senate and Committee on Ways and Means of the House of Representatives a report that provides—

(1) a comparison of the vehicle traffic, the estimated total volume of commercial merchandise entered, and the wait times at the land border crossing—

(A) during the 2-year period preceding the designation of the land border crossing as a 24-hour commercial port of entry; and

(B) after the land border crossing becomes fully operational as a 24-hour commercial port of entry;

(2) a comparison of the total value of commercial merchandise transported through the land border crossing—

(A) during the 2-year period preceding the designation of the land border crossing as a 24-hour commercial port of entry; and

(B) after the land border crossing becomes fully operational as a 24-hour commercial port of entry; and

(3) a comparison of wait times at other ports of entry in the State in which the land border crossing is located—

(A) during the 2-year period preceding the designation of the land border crossing as a 24-hour commercial port of entry; and

(B) after the land border crossing becomes fully operational as a 24-hour commercial port of entry.

SA 1513. Mr. DONNELLY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1646, strike lines 6 through 16 and insert the following:

(5) JOB TRAINING AND RELATED ACTIVITIES.—

(A) ALLOCATION.—The Secretary of Education shall allocate 5 percent of the amounts deposited into the STEM Education and Training Account to the Secretary of Labor for grants awarded under section 414(c) of division C of the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 2916a) to provide job training and related activities for workers, which may include providing such training and activities for veterans and their spouses.

(B) APPLICATION.—To be eligible to receive a grant under that section 414(c) with amounts made available under this section, an eligible entity shall submit an application to the Secretary of Labor at such time, in such manner, and containing such information as the Secretary may require, including (for a grant involving a program leading to a recognized postsecondary credential) information demonstrating the quality of the program leading to the credential.

(C) PRIORITY.—In awarding grants under that section 414(c) with amounts made available under this section, the Secretary of Labor shall give priority to funding programs that lead to recognized postsecondary credentials that are aligned with in-demand occupations or industries in the local area (as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)) involved.

(D) DEFINITIONS.—

(i) INDUSTRY-RECOGNIZED.—The term ''industry-recognized'', used with respect to a credential, means a credential that—

(I) is sought or accepted by employers within the industry sector involved as recognized, preferred, or required for recruitment, screening, hiring, or advancement;

(II) may be endorsed by a trade or professional association or organization, representing a significant part of the industry sector; and

(III) is a portable credential, meaning a credential that is sought or accepted, by employers in multiple States, as described in subclause (I).

(ii) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term ''recognized postsecondary credential'' means a credential consisting of an industry-recognized credential for postsecondary training, a certificate that meets the requirements of subclauses (I) and (III) of clause (i) for postsecondary training, a certificate of completion of a postsecondary apprenticeship through a program described in section 122(a)(2)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2842(a)(2)(B)), or an associate degree or baccalaureate degree awarded by an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))).

SA 1514. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 972, line 10, strike ''section 245B(c)(13)'' and insert ''paragraph (13) and individuals who have experienced or would experience severe hardship, which shall be determined based on criteria established by the Secretary''.

On page 973, line 12, strike ''(iii)'' and insert the following:

(iii) AUTHORITY TO LIMIT PENALTIES.—The Secretary, by regulation, may—

(I) limit the maximum penalties payable under clause (i) by a family, including spouses and unmarried children younger than 21 years of age; and

(II) exempt defined classes of individuals, including individuals described in paragraph (13) and individuals who have experienced or would experience severe hardship, which shall be determined based on criteria established by the Secretary, from the payment of the penalty authorized under clause (i).

(iv)

On page 997, line 23, strike the end quote and final period and insert the following:

''(iv) AUTHORITY TO LIMIT PENALTIES.—The Secretary, by regulation, may—

''(I) limit the maximum penalties payable under clause (i) by a family, including spouses and unmarried children younger than 21 years of age; and

''(II) exempt individuals who have experienced or would experience severe hardship, which shall be determined based on criteria established by the Secretary, from the payment of the penalty authorized under clause (i).''.

SA 1515. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title IV, add the following:

SEC. 4416. COMPETITIVE CHESS PLAYERS.

Section 214(c)(4)(A) (8 U.S.C. 1184(c)(4)(A)) is amended—

(1) in clause (i)—

(A) in subclause (III), by striking ''or'' at the end;

(B) in subclause (IV), by striking ''; and'' and inserting ''; or''; and

(C) by adding at the end the following new subclause:

''(V) is a professional or amateur chess player competing in a chess competition; and''; and

(2) in clause (ii)—

(A) in subclause (I), by striking ''or'' at the end;

(B) in subclause (II), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following new subclause:

''(III) in the case of an individual described in clause (i)(V), in a specific competition.''.

SA 1516. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1338, between lines 5 and 6, insert the following:

''(vi) BEFORE HIRING.—An employer may use the System to confirm the identity and employment authorized status of any individual before the individual is hired, recruited, or referred if the individual consents to such verification. If an employer receives a tentative nonconfirmation for such individual, the employer shall comply with procedures prescribed by the Secretary, including—

''(I) providing the individual employees with private, written notification of the finding and written referral instructions;

''(II) allowing the individual to contest the finding; and

''(III) not taking adverse action against the individual if the individual chooses to contest the finding.

SA 1517. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1328, strike line 9 and all that follows through ''(I)'' on page 1330, line 15, and insert the following:

''(D) GENERAL PARTICIPATION REQUIREMENT FOR NEW EMPLOYEES.—All employers in the United States shall participate in the System, with respect to all employees hired by such employers on or after the date that is 18 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(E)

SA 1518. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1413, between lines 7 and 8, insert the following:

(g) INFORMATION SHARING.—The Commissioner of Social Security, the Secretary, and the Secretary of the Treasury shall jointly establish a program to share information among such agencies that may lead to the

identification of unauthorized aliens (as described in section 274A of the Immigration and Nationality Act, as amended by subsection (a)), including—

(1) no-match letters; and

(2) any information in the earnings suspense file.

SA 1519. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1338, between lines 5 and 6, insert the following:

''(vi) EXISTING EMPLOYEES.—An employer that elects to verify the employment eligibility of existing employees—

''(I) shall verify the employment eligibility of all such employees not later than 10 days after notifying the Secretary of such election;

''(II) may only verify all employees for whom a Form I-9 is required; and

''(III) may not verify individuals who have already been verified through the System.

SA 1520. Mr. GRASSLEY (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 976, between lines 2 and 3, insert the following:

''(14) DISCLOSURE OF SOCIAL SECURITY INFORMATION.—

''(A) IN GENERAL.—The Secretary may not grant registered provisional immigrant status to an alien under this section unless the alien fully discloses to the Secretary all the names and Social Security account numbers that the alien has ever used to obtain employment in the United States.

''(B) REVOCATION OF GRANTED STATUS.—If the Secretary determines that an alien previously granted registered provisional immigrant status under this section has not complied with the requirement in subparagraph (A), the Secretary shall revoke the status of the alien as a registered provisional immigrant.

''(C) NOTIFICATION OF RIGHTFUL ASSIGNEES.—The Secretary may disclose information received from an alien pursuant to a disclosure under subparagraph (A) to any Federal or State agency authorized to collect such information in order to enable such agency to notify each named individual or rightful assignee of the Social Security account number concerned of the alien's misuse of such name or number to obtain employment.

SA 1521. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1331, strike lines 9 through 13 and insert ''the Secretary or other appropriate authority has reasonable cause to believe that the employer is, or has been, engaged in a material violation of this section.''.

SA 1522. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1404, line 1, strike ''The'' and insert ''Beginning on the date on which all employers are required to use the System pursuant to subsection (d)(2), the''.

SA 1523. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1307, strike lines 2 and 3 and insert ''States.''.

SA 1524. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1330, line 18, strike ''may, in the Secretary's discretion,'' and insert ''shall''.

On page 1331, line 4, strike ''may'' and insert ''shall''.

SA 1525. Mr. JOHANNS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 994, beginning on line 14, strike ''until after the Secretary'' and all that follows through line 20 and insert the following: ''until after—

''(A) the Secretary of State certifies that immigrant visas have become available for all approved petitions for immigrant visas that were filed under sections 201 and 203 before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; and

''(B) the Inspector General of the Department of State has prepared an audit of such certification.

SA 1526. Ms. KLOBUCHAR (for herself, Mr. COATS, Ms. LANDRIEU, and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1226, line 3, strike ''Section'' and insert the following:

(a) IN GENERAL.—Section

On page 1226, after line 25, add the following:

(b) EFFECT OF ADOPTION DOCUMENTATION.—

(1) IN GENERAL.—For purposes of all immigration laws of the United States, the 2-year legal custody and joint residence requirements set forth in section 101(b)(1)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)(E)) shall not apply if the documentation submitted on behalf of a child includes—

(A)(i) an adoption decree issued by a competent authority (as such term is used in the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, done at the Hague on May 29, 1993) of the child's sending country; and

(ii) evidence that the adoption was granted in compliance with the Convention; or

(B)(i) a custody or guardianship decree issued by a competent authority of the child's sending country to the adoptive parents;

(ii) a final adoption decree, verifying that the adoption of the child was later finalized outside the United States by the adoptive parents; and

(iii) evidence that the custody or guardianship was granted in compliance with the Convention.

(2) APPLICABILITY.—

(A) SUBSTANTIAL COMPLIANCE WITH HAGUE CONVENTION.—Paragraph (1) shall not apply unless—

(i) on the date on which the underlying adoption, custody, or guardianship decree was issued by the child's sending country, that country's adoption procedures complied with the requirements of the Convention, as determined by the U.S. Central Authority; and

(ii) the competent authority of the child's country of origin certified the adoption in accordance with Article 23 of the Convention.

(B) CONVENTION ADOPTIONS.—Paragraph (1) shall only apply to Convention adoptions completed between 2 Convention countries other than the United States.

SA 1527. Mr. KING (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1505, strike lines 11 through 13, and insert the following:

(1) WORKER.—The term ''worker'' means an individual who is the subject of foreign labor contracting activity and does not include an exchange visitor (as defined in section 62.2 of title 22, Code of Federal Regulations, or any similar successor regulation).

At the end of title III, add the following:

Subtitle I—Providing Tools to Exchange Visitors and Exchange Visitor Sponsors to Protect Exchange Visitor Program Participants and Prevent Trafficking

SEC. 3901. DEFINITIONS.

(a) IN GENERAL.—Except as otherwise provided by this subtitle, the terms used in this subtitle shall have the same meanings, respectively, as are given those terms in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203), except that the term ''employer'' shall also include a prospective employer seeking to hire exchange visitors with which the sponsor has a contractual relationship.

(b) OTHER DEFINITIONS.—

(1) EXCHANGE VISITOR.—The term ''exchange visitor'' means a foreign national who is inquiring about or applying to participate in the exchange visitor program or who has successfully applied and has completed or is completing an exchange visitor programs not funded by the United States Government as governed by sections 2.22, 62.24, 62.30, 62.31, and 62.32 of title 22, Code of Federal Regulations.

(2) EXCHANGE VISITOR PROGRAM.—The term ''exchange visitor program'' means the international exchange program administered by the Department of State to implement the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.), by means of educational and cultural programs.

(3) EXCHANGE VISITOR PROGRAM RECRUITMENT ACTIVITIES.—The term ''exchange visitor program recruitment activities'' means activities related to recruiting, soliciting,

transferring, providing, obtaining, or facilitating participation of individuals who reside outside the United States in an exchange visitor program including when such activity occurs wholly outside the United States.

(4) EXCHANGE VISITOR PROGRAM SPONSOR; SPONSOR.—The term ''exchange visitor program sponsor'' or ''sponsor'' means a legal entity designated by the Secretary of State, in the Secretary's discretion, to conduct an exchange visitor program governed by sections 62.22, 62.24, 62.30, 62.31, and 62.32 of title 22, Code of Federal Regulations).

(5) FOREIGN ENTITY.—The term ''foreign entity'' means a person contracted by a sponsor to engage in exchange visitor program recruitment activities on the sponsor's behalf and any subcontractors thereof.

(6) HOST ENTITY.—The term ''host entity'' means ''host organization'', ''primary or secondary accredited educational institution'', ''camp facility'', ''host family'', or ''employer/host employer'' as used in sections 62.22, 62.24, 62.30, 62.31, and 62.32 of title 22, Code of Federal Regulations, respectively.

(7) REGULATIONS.—Any reference to any provision of regulations shall include any successor provision addressing the same subject matter.

SEC. 3902. DISCLOSURE.

(a) REQUIREMENT FOR DISCLOSURE AT TIME OF EXCHANGE VISITOR PROGRAM RECRUITMENT ACTIVITY.—Any person who engages in exchange visitor program recruitment activity shall develop certain information, previously approved by and on file with the exchange visitor program sponsor, to be disclosed in writing in English to the exchange visitor before the exchange visitor pays fees described in section 3904, other than refundable fees and a reasonable non-refundable deposit, or otherwise detrimentally relies on information provided by an exchange program sponsor or foreign entity. This information shall be made available to the Secretary of State, or an exchange visitor requesting his or her own file, within 5 business days of request, consistent with program regulations in part 62 of title 22, Code of Federal Regulations. Not later than 18 months after the date of the enactment of this Act, the Secretary of State shall, in consultation with the Secretary of Labor, amend such regulations to reflect the information to be disclosed, including the following:

(1) The identity and address of the exchange visitor program sponsor, host entity, and any foreign entity with authority to charge fees and costs under section 3904.

(2) All assurances and terms and conditions of employment, from the prospective host entity of the exchange visitor, including place and period of employment, job duties, number of work hours, wages and compensation, and any deductions from wages and benefits, including deductions for housing and transportation. Nothing in this paragraph shall be construed to permit any charge, deduction, or expense prohibited by this or any other law.

(3) A copy of the prospective agreement between the exchange visitor program sponsor, exchange visitor, and the host entity.

(4) Information regarding the terms and conditions of the nonimmigrant status under which the exchange visitor is to be admitted, and the period of stay in the United States allowed for such nonimmigrant status.

(5) A copy of the fee disclosure form as described in section 3904(d) listing the mandatory and optional costs or expenses to be charged to the exchange visitor.

(6) The existence of any labor organizing effort, collective bargaining agreement, labor contract, strike, lockout, or other labor dispute at the host entity.

(7) Whether and the extent to which exchange visitors will be compensated through workers' compensation, private insurance, or otherwise for injuries or death, including work-related injuries and death, during the period of employment.

(8) A description of the sanctions the exchange visitor program sponsor is currently subject to, if any, as imposed by the Department of State.

(9) A statement in a form specified by the Secretary of State—

(A) stating that in accordance with guidelines and regulations promulgated by the Secretary —

(i) the costs and fees charged by the exchange program sponsor, foreign entity, and host entity do not exceed those permitted by section 3904 and are legal under the laws of the United States and the home country of the exchange visitor; and

(ii) the exchange visitor program sponsor, foreign entity, or host entity may bear costs or fees not provided for in section 3904, but that fees under that section cannot be passed along to the exchange visitor.

(10) Any education or training to be provided or required, other than education or training provided in accordance with section 62.10 (b) and (c) of title 22, Code of Federal Regulations, as ''pre-arrival information'' or ''orientation'' and additional orientation and training requirements as described in each relevant category under sections 62.22, 62.24, 62.30, 62.31, and 62.32 of that title.

(11) A clear statement explaining that—

(A) except as provided in subparagraph (B), no additional significant requirements or significant changes may be made to the original contract signed with a handwritten, electronic, or digital pin code signature by the exchange visitor without at least 24 hours to consider such changes and the specific consent of the exchange visitor, obtained voluntarily and without threat of penalty; and

(B) changes may be made to the conditions of employment contained in the original contract even if the exchange visitor has not had 24 hours to consider such changes, provided the exchange visitor has specifically consented to the changes, voluntarily and without threat of penalty, and such changes must be implemented without giving the exchange visitor 24 hours to consider them in order to protect the health or welfare of the exchange visitor.

(b) REQUIREMENT FOR RULES.—The Secretary of State shall define by rule or guidance what constitutes ''refundable fees'' and a ''reasonable non-refundable deposit'' for the purpose subsection (a).

(c) RELATIONSHIP TO LABOR AND EMPLOYMENT LAWS.—Nothing in the disclosure required by subsection (a) shall constitute a legal conclusion as to the exchange visitor's status or rights under the labor and employment laws.

(d) PROHIBITION ON FALSE AND MISLEADING INFORMATION AND CERTAIN FEES.—No exchange visitor program sponsor, foreign entity, or host entity who engages in any exchange visitor program activity shall knowingly provide materially false or misleading information to any exchange visitor concerning any matter required to be disclosed under subsection (a). Charging fees for services not provided or assessing fees that exceed the amounts established by the Secretary of State pursuant to section 3904 is a violation of this section. The disclosure required by this section is a document concerning the proper administration of a matter within the jurisdiction of a department or agency of the United States for the purposes of section 1519 of title 18, United States Code, and other provisions of such title.

(e) PUBLIC AVAILABILITY OF INFORMATION.—The Secretary of State shall amend its regulations at part 62 of title 22, Code of Federal Regulations, to require sponsors to make publicly available, including on their websites and in recruiting materials, information regarding fees, costs, and services associated with their exchange visitor programs, including foreign entity names and contact points, and other factors relevant to exchange visitors' choice of sponsor or foreign entity.

SEC. 3903. PROHIBITION ON DISCRIMINATION.

(a) IN GENERAL.—It shall be unlawful for an exchange visitor program sponsor, foreign entity, or host entity to fail or refuse to select, hire, discharge, intimidate, threaten, restrain, coerce, or blacklist any individual or otherwise discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's race, color, creed, sex, national origin, religion, age, or disability.

(b) DETERMINATIONS OF DISCRIMINATION.—For the purposes of determining the existence of unlawful discrimination under subsection (a)—

(1) in the case of a claim of discrimination based on race, color, sex, national origin, or religion, the same legal standards shall apply as are applicable under title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.);

(2) in the case of a claim of discrimination based on age, the same legal standards shall apply as are applicable under the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.); and

(3) in the case of a claim of discrimination based on disability, the same legal standards shall apply as are applicable under title I of the Americans With Disabilities Act of 1990 as amended (42 U.S.C. 12111 et seq.).

SEC. 3904. FEES.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Labor, shall promulgate regulations to set limits on the mandatory fees charged by exchange visitor program sponsors, host entities, and their foreign entities to the exchange visitor. In promulgating such regulations, the Secretary of State shall conduct public meetings with exchange visitor program sponsors, organizations representing exchange visitors, and members of the public with expertise in public diplomacy, educational and cultural exchange, labor markets, labor relations, migration, civil rights, human rights, and prohibiting human trafficking. The Secretary of State may, in the Secretary's discretion, consider factors including what costs are within the control of sponsors, differences among programs and countries, level and amount of educational and cultural activities included, and services rendered.

(b) MAXIMUM FEES.—It shall be unlawful for any person to charge a fee higher than the maximum allowable fee as established by regulations promulgated under subsection (a), and any person who charges a higher fee shall be liable under this subtitle. If a fee higher than the maximum is charged by a sponsor or foreign entity, the sponsor shall be liable. If a fee higher than the maximum allowable is charged by the host entity or a host entity's agent, the host entity shall be liable.

(c) UPDATE OF MAXIMUM FEES.—The Secretary of State shall update the maximum allowable fees described in subsection (a) in response to changing economic conditions and other factors as needed.

(d) FEE TRANSPARENCY.—The Secretary of State shall amend its regulations at part 62 of title 22, Code of Federal Regulations, to require exchange visitor program sponsors to—

(1) provide the Department of State annually with an itemized list of fees charged to exchange visitor program participants including by their foreign entities, subcontractors, or foreign entity's agents; and

(2) require a 3-party document signed by the exchange visitor, foreign entity, and sponsor that outlines a basic level fee structure and itemizes mandatory and optional fees.

SEC. 3905. ANNUAL NOTIFICATION.

(a) ANNUAL EXCHANGE VISITOR PROGRAM SPONSOR NOTIFICATION.—

(1) IN GENERAL.—Subject to paragraph (2), prior to engaging in any exchange visitor program activity, any person who seeks to be an exchange visitor program sponsor shall be designated by the Secretary of State pursuant to regulations that the Secretary of State has prescribed or shall prescribe after the date of the enactment of this Act.

(2) NOTIFICATION.—Each exchange visitor program sponsor shall notify the Secretary of State, not less frequently than once every year, of the identity of any third party, agent, or exchange visitor program sponsor employee involved in any exchange visitor program recruitment activity for, or on behalf of, the exchange visitor program sponsor.

(3) PERSONAL JURISDICTION OVER FOREIGN ENTITIES.—As a condition of initial and continued registration, each program sponsor shall obtain a written and signed agreement from any foreign entity. In that agreement, the foreign entity shall stipulate and agree, as a condition for receiving any payment or compensation for performing any work or service for the program sponsor, that the laws of the United States shall govern any and all disputes among and between the parties or the United States, including any enforcement actions, and that any dispute or enforcement action shall be brought in the United States District Court for the District of Columbia. The agreement shall be in such form and contain such other information as the Secretary of State shall prescribe.

(4) NONCOMPLIANCE NOTIFICATION.—An host entity shall notify the Secretary of State upon gaining knowledge of noncompliance with this subtitle by an exchange visitor program sponsor. An exchange visitor program sponsor shall notify the Secretary of State upon gaining knowledge of noncompliance with this subtitle by a host entity or foreign entity.

(b) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall amend its regulations at part 62 of title 22, Code of Federal Regulations, regarding the annual exchange visitor program sponsor notification.

(c) REFUSAL TO ISSUE AND REVOCATION OF DESIGNATION.—The Secretary of State shall amend its regulations at part 62 of title 22, Code of Federal Regulations, to include the following bases for refusing to issue or renew, or for revoking a sponsor's designation for a period of not greater than 5 years:

(1) The applicant for, or holder of, the designation has knowingly made a material misrepresentation in the application for such designation.

(2) The applicant for, or holder of, the designation has committed any felony under State or Federal law or any crime involving fraud, robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, trafficking in persons, assault with intent to kill, assault which inflicts grievous bodily injury, prostitution, peonage, or smuggling or harboring individuals who have entered the United States illegally.

(3) The applicant for, or holder of, the designation has committed any crime relating to gambling, or to the sale, distribution, or possession of alcoholic beverages, in connection with or incident to any exchange visitor recruitment activities.

(4) Such other criteria as the Secretary of State may, in the Secretary's discretion, establish.

SEC. 3906. BONDING REQUIREMENT.

(a) IN GENERAL.—The Secretary of State may assess a bond amount sufficient to ensure the ability of a sponsor to discharge its responsibilities and to ensure protection of exchange visitors, including wages or stipends. In requiring a sponsor to post the bond, the Secretary of State shall take into account the degree to which the sponsor's assets can be reached by United States courts.

(b) REGULATIONS.—The Secretary of State, by regulation, shall establish the conditions under which the bond amount is determined, paid, and forfeited, which shall include the sponsor's history of compliance.

(c) RELATIONSHIP TO OTHER REMEDIES.—The bond requirements and forfeiture of the bond under this section shall be in addition to or, pursuant to court order, in conjunction with, other remedies under 3910 or any other provision of law.

SEC. 3907. MAINTENANCE OF LISTS.

(a) IN GENERAL.—The Secretary of State shall work with the Secretary of Homeland Security to ensure that the information described in paragraphs (1) through (4) of subsection (b) is included on the foreign entity list kept and updated pursuant to section 3607 and shall share that list with the Department of Labor.

(b) INFORMATION.—Not later than 1 year after the date of the enactment of this Act, each sponsor shall compile and share with the Secretary of State on a regular basis a list that includes the following information:

(1) The countries from which the sponsor recruits.

(2) The host entities for whom the sponsor recruits.

(3) The occupations for which the sponsor recruits.

(4) The States where recruited exchange visitors are employed.

(c) LIMITATION ON PUBLIC AVAILABILITY.—Neither the Secretary of State nor the Secretary of Homeland Security shall make the information described in paragraphs (1) through (4) of subsection (b) public as part of the list described in section 3607.

SEC. 3908. AMENDMENT TO THE IMMIGRATION AND NATIONALITY ACT.

Section 214 (8 U.S.C. 1184), as amended by title IV, is further amended by adding at the end the following:

''(bb) A visa shall not be issued under section 101(a)(15) until the consular officer—

''(1) has confirmed that the applicant has received, read, and understood the information and resources pamphlet required by section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375b); and

''(2) has reviewed and made a part of the visa file the exchange visitor program sponsor disclosures required by section 3902 of the Border Security, Economic Opportunity, and Immigration Modernization Act, including whether the exchange visitor program sponsor is designated pursuant to that section.''.

SEC. 3909. RESPONSIBILITIES OF SECRETARY OF STATE.

(a) IN GENERAL.—The Secretary of State shall ensure that each United States diplomatic mission has a person who is responsible for receiving information from any exchange visitor who has been subject to violations of this subtitle.

(b) PROVISION OF INFORMATION.—The responsible person referred to in subsection (a) shall ensure that the information received is provided to the Department of State. The Department of State may share that information as necessary with the Department of Justice, the Department of Labor, and any other relevant Federal agency.

(c) MECHANISMS.—The Attorney General and the Secretary of State shall ensure that there is a mechanism for any actions that need to be taken in response to information received under subsection (a).

(d) ASSISTANCE FROM FOREIGN GOVERNMENT.—The person designated for receiving information pursuant to subsection (a) is strongly encouraged to coordinate with governments and civil society organizations in the countries of origin to ensure the exchange visitor receives additional support.

(e) MAINTENANCE AND AVAILABILITY OF INFORMATION.—The Secretary of State shall ensure that consulates coordinate with the Department of State to have access to information regarding the identities of sponsors and the foreign entities with whom sponsors contract for exchange visitor program recruitment activities. The Secretary of State shall ensure information on the identity of sponsors is publicly available in written form on the Department of State website, and information on the identity of foreign entities in each individual country is publicly available on the websites of United States embassies in each of those countries.

SEC. 3910. ENFORCEMENT PROVISIONS.

(a) INVESTIGATIONS.—The Secretary of State shall undertake compliance actions and sanctions against exchange visitor program sponsors in accordance with part 62 of title 22, Code of Federal Regulations.

(b) REPRESENTATION.—Except as provided in section 518(a) of title 28, United States Code, the Attorney General may appear for and represent the Secretary in any civil litigation brought under this paragraph. All such litigation shall be subject to the direction and control of the Attorney General. Exchange visitor sponsors shall be allowed a reasonable period of inquiry and response before civil litigation is initiated.

(c) ENFORCEMENT.—The Secretary of State or an exchange visitor who is subject to any violation of this subtitle may bring a civil action against an exchange visitor program sponsor, foreign entity, or host entity in a court of competent jurisdiction and recover appropriate relief, including injunctive relief, damages, reasonable attorneys' fees and costs, and any other remedy that would effectuate the purposes of this subtitle. Any action must be filed within 3 years after the date on which the exchange visitor became aware of the violation, but under no circumstances more than 5 years after the date on which the violation occurred.

(d) ACTIONS BY THE SECRETARY OF STATE OR AN EXCHANGE VISITOR.—If the court finds in a civil action filed under this section that the defendant has violated any provision of this subtitle (or any regulation issued pursuant to this subtitle), the court may award

damages, up to and including an amount equal to the amount of actual damages, and statutory damages of up to $1,000 per plaintiff per violation, or other equitable relief, except that with respect to statutory damages—

(1) multiple infractions of a single provision of this subtitle (or of a regulation under this subtitle) shall constitute only 1 violation for purposes of section 3902(a) to determine the amount of statutory damages due a plaintiff; and

(2) if such complaint is certified as a class action the court may award—

(A) damages up to an amount equal to the amount of actual damages; and

(B) statutory damages of not more than the lesser of up to $1,000 per class member per violation, or up to $500,000;

(C) other equitable relief;

(D) reasonable attorneys' fees and costs; and

(E) such other and further relief, including declaratory and injunctive relief, as necessary to effectuate the purposes of this subtitle.

(e) BOND.—To satisfy the damages, fees, and costs found owing under this section, as much of the bond held pursuant to section 3906 shall be released as necessary.

(f) APPEAL.—Any civil action brought under this section shall be subject to appeal as provided in chapter 83 of title 28, United States Code.

(g) SAFE HARBOR.—A host entity shall not have any liability under this section for the actions or omissions of an exchange visitor program sponsor that has a valid designation with the State Department pursuant to section 3905, unless and to the extent that the host entity has engaged in conduct that violates this subtitle.

(h) LIABILITY FOR FOREIGN ENTITIES.—Exchange visitor program sponsors shall be liable for violations of this subtitle by any foreign employees, agents, foreign entities, or subcontractees of any level in relation to the exchange visitor program recruitment activities of the foreign employees, agents, foreign entities, or subcontractees to the same extent as if the exchange visitor program sponsor had committed the violation, unless the exchange visitor program sponsor—

(1) uses reasonable procedures to protect against violations of this subtitle by foreign employees, agents, foreign entities, or subcontractees (including contractually forbidding in writing any foreign employees, agents, foreign entities, or subcontractees from seeking or receiving prohibited fees from workers);

(2) does not act with reckless disregard of the fact that foreign employees, agents, foreign entities, or subcontractees have violated any provision of this subtitle; and

(3) timely reports any potential violations to the Secretary of State.

(i) WAIVER OF RIGHTS.—Agreements between exchange visitors with sponsors, foreign entities, or host entities purporting to waive or to modify their rights under this subtitle shall be void as contrary to public policy.

(j) RETALIATION.—No person shall intimidate, threaten, restrain, coerce, discharge, or in any other manner discriminate or retaliate against any exchange visitor or his or her family members (including a former exchange visitor or an applicant for employment) because such exchange visitor disclosed information to any person that the exchange visitor reasonably believes evidences a violation of this section (or any rule or regulation pertaining to this section), including speaking with a worker organization, seeking legal assistance of counsel, or cooperating with an investigation or other proceeding concerning compliance with this section (or any regulation pertaining to this section).

(k) PROHIBITION ON RETALIATION.—It shall be unlawful for an exchange visitor program sponsor or foreign entity to terminate or remove from the exchange visitor program, ban from the program, adversely annotate an exchange visitor's SEVIS (as defined in section 4902) record, fire, demote, take other adverse employment action, or evict, or to threaten to take any of such actions against an exchange visitor in retaliation for the act of complaining about program conditions, including housing and job placements, wages, hours, and general treatment, or for disclosing retaliation by an exchange visitor sponsor, exchange visitor foreign entity, or host entity against any exchange visitor.

(l) PRESENCE DURING PENDENCY OF ACTIONS.—If other immigration relief is not available to the exchange visitor, the Secretary of Homeland Security may permit, only on the basis of proof, the exchange visitor to remain lawfully in the United States for the time sufficient to allow the exchange visitor to fully and effectively participate in all legal proceedings related to any action taken pursuant to this section.

(m) ACCESS TO LEGAL SERVICES CORPORATION.—Notwithstanding any other provision of law, the Legal Services Corporation and recipients of its funding may provide legal assistance on behalf of any alien with respect to any provision of this subtitle.

(n) HOST ENTITY VIOLATIONS.—The Secretary, in consultation with the Secretary of Labor, shall maintain a list of host entities against whom there has been a complaint substantiated by the Department of State for significant program violations. Information from that list shall be made available to sponsors upon request.

SEC. 3911. AUDITS AND TRANSPARENCY.

(a) COMPLIANCE AUDITS.—

(1) IN GENERAL.—The Secretary of State shall by regulation require audit reports to be filed by exchange visitor program sponsors operating under the following specific program categories, as described under subpart B of part 62 of title 22, Code of Federal Regulations, and any successor regulations:

(A) Summer work travel.

(B) Trainees and interns.

(C) Camp counselors.

(D) Au pairs.

(E) Teachers.

(2) AUDIT REPORTS.—Audit reports shall be filed with the Department of State and be conducted by a certified public accountant, pursuant to a format designated by the Secretary of State, attesting to the sponsor's compliance with the regulatory and reporting requirements set forth in part 62 of title 22, Code of Federal Regulations. The report shall be conducted at the expense of the sponsor and no more frequently than on a biannual basis.

(b) ANNUAL REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit to Congress a report on the exchange visitor program, which shall detail for each specific program category—

(1) summary data on the number of exchange visitors and countries participating in that category;

(2) public diplomacy outcomes; and

(3) recent sanctions imposed by the Department of State.

SA 1528. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

SEC. 4106. PRECERTIFICATION PROCEDURES FOR EMPLOYERS.

Section 214(c) of the Immigration and Nationality Act (8 U.S.C. 1184(c)), as amended by section 4103(a), is further amended by adding at the end the following new paragraph:

''(16)(A) PRECERTIFICATION PROCEDURES FOR EMPLOYERS.—Not later than 180 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary of Homeland Security shall establish and implement a precertification procedure for employers who file multiple petitions described in this subsection or section 203(b). Such precertification procedure shall enable an employer to avoid repeatedly submitting documentation that is common to multiple petitions and establish criteria relating to the employer and the offered employment opportunity through a single filing.

''(B) FEES.—(i) The Secretary shall impose a fee on each employer that uses the precertification procedure under subparagraph (A).

''(ii) In determining the amount of the fee to be imposed under clause (i), the Secretary shall establish a lower rate for small business concerns (as defined by section 3(a) of the Small Business Act (15 U.S.C. 632(a))).

''(iii) Fees collected under this subparagraph shall be available to reimburse the Secretary for the costs of the precertification procedure.''.

SA 1529. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1566, between lines 4 and 5, insert the following:

(3) NOTARIO FRAUD.—The term ''notario fraud'' means immigration service providers engaging in fraudulent conduct or willful misrepresentation of the provider's legal authority to provide representation to immigrant clientele and in Federal immigration proceedings.

(d) COMBATING NOTARIO FRAUD GRANT PROGRAM.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall establish a program, to be known as the ''Combating Notario Fraud Grant Program'', under which the Attorney General shall award incentive grants to eligible entities to support the adoption of dual scheme of State criminal laws and Board of Law Examiners authorization to combat notario fraud.

(2) ELIGIBLE ENTITIES.—In this subsection, an ''eligible entity'' is—

(A) a State; or

(B) a regional partnership.

(3) MAXIMUM AMOUNT.—An incentive grant awarded by the Attorney General may not exceed $25,000,000.

(4) APPLICATION.—

(A) IN GENERAL.—An eligible entity seeking an incentive grant under this subsection shall submit an application to the Attorney General at such time, in such form, and in such manner as the Attorney General may require.

(B) CONTENTS.—Each application submitted under subparagraph (A) shall include—

(i) the current enforcement scheme to combat notario fraud under the laws of the State or States represented by the eligible entity;

(ii) the additional changes to the criminal laws of the State, the State Board of Law Examiners authority, and staffing levels to better address notario fraud in the State or States represented by the eligible entity; and

(iii) such other information as the Attorney General considers appropriate.

(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this subsection.

SA 1530. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE V—ANALYSIS OF MIGRATION TRENDS AND FOREIGN ASSISTANCE PRIORITIZATION

SEC. 5001. DEVELOPMENT OF ASSESSMENT AND STRATEGY ADDRESSING FACTORS DRIVING MIGRATION.

(a) DEVELOPMENT OF ASSESSMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on migration to the United States from the countries specified in paragraph (2) that includes—

(A) a baseline assessment of the primary factors driving migration from those countries;

(B) an assessment of the impact of United States foreign assistance, trade, and foreign policy on migration trends in those countries; and

(C) an assessment of ongoing migrant protection issues and measures to address humanitarian and safety concerns in current migration flows, particularly such measures taken by the United States, the Government of Mexico, and the governments of countries in Central America to address such issues in Mexico and on the Southern border of the United States.

(2) COUNTRIES SPECIFIED.—The countries specified in this paragraph are the 10 countries determined by the Comptroller Genera to have the highest rates of irregular migration to the United States.

(3) CONSULTATIONS.—In preparing the report required by paragraph (1), the Comptroller General may consult with civil society organizations in the United States and the countries specified in paragraph (2).

(b) STRATEGY TO ADDRESS FACTORS DRIVING IMMIGRATION.—

(1) IN GENERAL.—The Secretary of State, working with the Administrator of the United States Agency for International Development, and in consultation with the entities specified in paragraph (2), shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a strategy for addressing the economic, social, and security factors driving high rates of irregular migration from the countries specified in subsection (a)(2).

(2) ENTITIES SPECIFIED.—The entities specified in this paragraph are the following:

(A) The Millennium Challenge Corporation.

(B) The Bureau of Population, Refugees, and Migration of the Department of State.

(C) The Department of Homeland Security.

(D) The Department of Labor.

(E) The Department of Agriculture.

(F) The Office of the United States Trade Representative.

(G) Civil society organizations in the United States.

(H) Civil society organizations in the countries specified in subsection (a)(2).

(3) ELEMENTS OF STRATEGY.—The strategy required paragraph (1) shall include—

(A) a summary and evaluation of current assistance provided by the United States to the countries specified in subsection (a)(2);

(B) an identification of the regions and municipalities in those countries experiencing the highest emigration rates and the current level of United States assistance or investment in those regions and municipalities; and

(C) recommendations for future United States Government assistance and technical support to address key economic, social, and development factors identified in those countries that are designed to ensure appropriate engagement of national and local governments and civil society organizations.

SEC. 5002. PRIORITIZATION OF MIGRATION SOURCE COUNTRIES BY THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

(a) IN GENERAL.—The Administrator of the United States Agency for International Development (in this section referred to as the ''Administrator'') shall coordinate with relevant agencies of the United States and agencies of the countries specified in section 5001(a)(2) to promote public policies that prioritize inclusive growth, poverty reduction, and sustainable alternatives to emigration.

(b) MIGRATION AND DEVELOPMENT PROGRAMMING.—The Administrator shall provide migration and development programming to assist communities and economic sectors in the countries specified in section 5001(a)(2), including communities—

(1) that currently experience, or are projected to soon experience, high rates of population loss due to international migration to the United States;

(2) experiencing or at high risk of trafficking in persons;

(3) that are receiving high rates of returned or deported migrants from the United States;

(4) affected by destabilizing levels of generalized violence, or violence associated with gangs, drug trafficking, or other criminal activity; and

(5) that currently have developed partnerships with migrant associations and federations based in the United States.

(c) TARGETED ASSISTANCE.—The Secretary of State and the Administrator shall work with the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives to increase, beginning in fiscal year 2014, financial assistance to the communities described in subsection (b) with the goal of—

(1) alleviating rural poverty and revitalizing agricultural production by supporting public and private investment in comprehensive rural development strategies, which should include—

(A) strengthening the quality and sustainability of rural extension services;

(B) expansion of agro-enterprise and agricultural value chain initiatives;

(C) investment in farm-to-market roads and storage facilities for small farmers and cooperatives; and

(D) assistance to protect the environment, promote safe and sustainable natural resource development, strengthen climate change adaptation, and expand access to credit and micro-finance opportunities for small farmers;

(2) fully funding micro-finance and micro-enterprise initiatives, ensuring mechanisms for access to rural credit and micro-insurance, and targeting available funding to traditionally marginalized groups and at risk populations, particularly youth and indigenous populations;

(3) promoting public-private partnerships for income generation, employment, and violence reduction, and prioritizing urban youth;

(4) incorporating mechanisms to adapt and expand financial (savings and credit) and non-financial (property and livelihood insurance) opportunities for vulnerable families in disaster risk reduction and recovery strategies; and

(5) increasing public-private diaspora partnerships for development in the Western Hemisphere, through the United States Agency for International Development's Global Development Alliance model and multilateral initiatives.

SEC. 5003. SENSE OF CONGRESS ON INCREASED UNITED STATES FOREIGN POLICY COHERENCE IN THE WESTERN HEMISPHERE.

(a) FINDINGS.—Congress makes the following findings:

(1) More than 80 percent of the current unauthorized immigration to the United States originates in Latin America, primarily in Mexico and Central America.

(2) Mexico and Central America have made strides in economic growth in recent years, but the majority of their populations, particularly in the rural sector, live in poverty, a factor that continues to drive emigration.

(3) The Mexico and Central America migration corridor maintains strong historic and current ties to the United States through trade and economic integration, labor flows, and geographic proximity, and will require particular bilateral and multilateral efforts to address shared concerns and promote shared opportunities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should review United States foreign policy toward Latin America in order to strengthen hemispheric security through the reduction of poverty and inequality, expansion of equitable trade, and support for democratic institutions, citizen security, and the rule of law, as essential elements of a consolidated and well-managed regional migration policy.

SA 1531. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REPORT BY THE CHIEF ACTUARY OF THE CENTERS FOR MEDICARE & MEDICAID SERVICES ON ANY INCREASED COSTS TO THE MEDICARE PROGRAM THAT WILL RESULT FROM THE PROVISIONS OF, AND THE AMENDMENTS MADE BY, THIS ACT.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Chief Actuary of the Centers for Medicare & Medicaid Services shall submit to

Congress a report on any increased costs to the Medicare program under title XVIII of the Social Security Act that will result from the provisions of, and the amendments made by, this Act (including regulations to carry out such provisions and amendments).

(b) CONTENTS.—

(1) IN GENERAL.—The report under subsection (a) shall include—

(A) an estimate by the Chief Actuary of any increased costs to the Medicare program that will result from such provisions and amendments during—

(i) the 10-year period that begins on the date that is 10 years after the date of the enactment of this Act; and

(ii) the 75-year period that begins on such date of enactment; and

(B) any other items determined appropriate by the Secretary.

(2) REQUIREMENT.—The estimates under paragraph (1)(A) shall include the total impact on the Medicare program (dedicated revenues less expenditures), including the impact of individuals made newly-eligible for benefits under the Medicare program by reason of such provisions and amendments.

SA 1532. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1197, strike lines 8 through 10, and insert the following:

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first fiscal year beginning after the date of the enactment of this Act.

On page 1204, strike lines 4 through 11, and insert the following:

''(II)(aa) has an offer of employment from a United States employer in a field related to such degree; or

''(bb) in the case of an immigrant who is qualified under subclause (III)(bb), is employed by a United States employer in a field related to such degree; and

''(III) earned the qualifying graduate degree—

''(aa) during the 5-year period immediately before the initial filing date of the petition under which the immigrant is a beneficiary; or

''(bb) in the case of an immigrant who has been lawfully employed by a United States employer in each year since earning the qualifying degree, during the 10-year period immediately before the initial filing date of the petition under which the immigrant is a beneficiary; and

Beginning on page 1707, strike line 12 and all that follows through page 1708, line 6, and insert the following:

(b) IMMIGRATION DOCUMENTS.—Section 204 (8 U.S.C. 1154) is amended by adding at the end the following:

''(m) EMPLOYER TO PROVIDE IMMIGRATION PAPERWORK EXCHANGED WITH FEDERAL AGENCIES.—

''(1) IN GENERAL.—An employer shall provide an employee or beneficiary of an application filed under section 212(n)(1) who is seeking immigrant status under section 203(b) or nonimmigrant status under subparagraph (H)(i)(b) or (L) of section 101(a)(15) with a copy of the original of all applications and petitions filed by the employer with the Department of Labor or the Department of Homeland Security for the employee or beneficiary and with a copy of the original of all approval and denial notices received by employer in response to such applications or petitions—

''(A) not later than 30 days after filing or receiving the communications; or

''(B) in the case of applications pending on, or approved before, the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, not later than 90 days after receiving a written request from the employee or beneficiary.

''(2) WITHHOLDING OF FINANCIAL OR PROPRIETARY INFORMATION.—If a document required to be provided to an employee or beneficiary under paragraph (1) includes any financial or propriety information of the employer or confidential information of any other employee, including salary information, the employer may redact such information from the copies provided to such employee or beneficiary.''.

On page 1712, strike lines 14 through 17, and insert the following:

(2) by striking ''A petition'' and all that follows through the end and inserting the following:

''(1) LONG DELAYED APPLICANTS FOR ADJUSTMENT OF STATUS.—A petition under subsection (a)(1)(F) for an individual whose immigrant petition is approved and whose application for adjustment of status pursuant to section 245 has been filed and remained unadjudicated for 180 days or more shall remain valid with respect to a new job if the individual changes jobs or employers if the new job is in a related area or field for which the petition was filed.''; and

On page 1713, beginning on line 3, strike ''the same or a similar occupational classification'' and insert ''a related area or field''.

On page 1713, beginning on line 13, strike ''the same or similar occupation'' and insert ''a related area or field''.

On page 1713, between lines 20 and 21, insert the following:

(b) INADMISSIBILITY CRITERIA.—Section 212(a)(5)(A) (8 U.S.C. 1182(a)(5)(A)) is amended by striking clause (iv) and inserting the following:

''(iv) LONG DELAYED ADJUSTMENT APPLICANTS.—A certification made under clause (i) with respect to an individual whose petition is covered by section 204(j) shall remain valid with respect to a new job accepted by the individual after the individual changes jobs or employers if the new job is in an area or field that is related to the job for which the certification was issued.''.

SA 1533. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. DETERMINATIONS UNDER THE HAITIAN REFUGEE IMMIGRATION FAIRNESS ACT OF 1998.

(a) IN GENERAL.—Section 902(d) of the Haitian Refugee Immigration Fairness Act of 1998 (8 U.S.C. 1255 note) is amended by adding at the end the following:

''(3) DETERMINATIONS WITH RESPECT TO CHILDREN.—

''(A) USE OF APPLICATION FILING DATE.—Determinations made under this subsection as to whether an individual is a child of a parent shall be made using the age and marital status of the individual on October 21, 1998.

''(B) APPLICATION SUBMISSION BY PARENT.—Notwithstanding paragraph (1)(C), an application under this subsection filed based on status as a child may be filed for the benefit of such child by a parent or guardian of the child, if the child is physically present in the United States on such filing date.''.

(b) NEW APPLICATIONS AND MOTIONS TO REOPEN.—

(1) NEW APPLICATIONS.—Notwithstanding section 902(a)(1)(A) of the Haitian Refugee Immigration Fairness Act of 1998, an alien who is eligible for adjustment of status under such Act may submit an application for adjustment of status under such Act not later than the later of—

(A) 2 years after the date of the enactment of this Act; or

(B) 1 year after the date on which final regulations are promulgated to implement this section and the amendment made by subsection (a).

(2) MOTIONS TO REOPEN.—The Secretary shall establish procedures for the reopening and reconsideration of applications for adjustment of status under the Haitian Refugee Immigration Fairness Act of 1998 that are affected by the amendment made by subsection (a).

(3) RELATIONSHIP OF APPLICATION TO CERTAIN ORDERS.—Section 902(a)(3) of the Haitian Refugee Immigration Fairness Act of 1998 shall apply to an alien present in the United States who has been ordered excluded, deported, removed, or ordered to depart voluntarily, and who files an application under paragraph (1) or a motion under paragraph (2), in the same manner as such section 902(a)(3) applied to aliens filing applications for adjustment of status under such Act prior to April 1, 2000.

(c) INADMISSIBILITY DETERMINATION.—Section 902 of the Haitian Refugee Immigration Fairness Act of 1998 (8 U.S.C. 1255 note) is amended—

(1) in subsection (a)(1)(B), by inserting ''(6)(C)(i),'' after ''(6)(A),''; and

(2) in subsection (d)(1)(D), by inserting ''(6)(C)(i),'' after ''(6)(A),''.

SA 1534. Mr. WARNER (for himself, Ms. MIKULSKI, Mr. WICKER, Mr. KAINE, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1787, between lines 10 and 11, and insert the following:

''(3) FLEXIBILITY WITH RESPECT TO CROSSING OF H–2B NONIMMIGRANTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), if an employer files a petition for H–2B nonimmigrants and that petition is granted, the employer may bring the H–2B nonimmigrants for which the petition was granted into the United States at any time during the 120-day period beginning on the start date for which the employer is seeking the services of the nonimmigrants without filing another petition.

''(B) REQUIREMENTS FOR CROSSINGS AFTER 90TH DAY.—An employer may not bring H–2B nonimmigrants into the United States under subparagraph (A) after the date that is 90 days after the start date for which the employer is seeking the services of the nonimmigrants unless the employer—

''(i) completes a new assessment of the local labor market by—

''(I) listing job orders on local newspapers on 2 separate Sundays; and

''(II) posting the job opportunity on the appropriate Department of Labor Electronic Job Registry and at the employer's place of employment; and

''(ii) offers the job to an equally or better qualified United States worker who will be

available at the time and place of need and who applies for the job.

''(C) EXEMPTION FROM RULES WITH RESPECT TO STAGGERING.—The Secretary of Labor shall not consider an employer who brings H–2B nonimmigrants into the United States during the 120-day period specified in subparagraph (A) to be staggering the date of need in violation of any applicable provision of law.

SA 1535. Mr. BROWN (for himself, Mr. ENZI, Mr. CASEY, Mr. BEGICH, Mr. PRYOR, Mr. TESTER, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1630, line 22, insert ''or accounting,'' after ''physical sciences,''.

SA 1536. Mr. HATCH (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 952, strike lines 4 through 21 and insert the following:

''(2) PAYMENT OF TAXES.—

''(A) IN GENERAL.—An alien may not file an application for registered provisional immigrant status under paragraph (1) unless the applicant has established the payment of all applicable Federal tax liability owed by the applicant for the 5-taxable year period ending with the taxable year preceding the taxable year in which such alien submits an application under subsection (a).

''(B) DEMONSTRATION OF COMPLIANCE.—An applicant shall demonstrate compliance with this paragraph by establishing that—

''(i) no applicable Federal tax liability exists for the period described in subparagraph (A);

''(ii) all outstanding applicable Federal tax liabilities have been paid for such period; or

''(iii) the applicant has entered into an agreement for payment of all outstanding applicable Federal tax liabilities for such period with the Secretary of the Treasury.

''(C) APPLICABLE FEDERAL TAX LIABILITY.—In this paragraph, the term 'applicable Federal tax liability' means liability for Federal taxes, including penalties and interest, for which the statutory period for assessment of any deficiency for such taxes has not expired.

''(D) IRS COOPERATION.—The Secretary of the Treasury shall establish rules and procedures under which the Commissioner of Internal Revenue shall provide documentation to an alien upon request to establish payment of all taxes required under this paragraph.

On page 970, beginning on line 23, strike ''has satisfied any applicable tax liability in accordance with paragraph (2)'' and insert ''has established the payment, in accordance with paragraph (2)(B), of all applicable Federal tax liability (as defined in paragraph (2)(C)) of the applicant for the period beginning with the taxable year in which such applicant submitted an application for registered provisional immigrant status and ending with the taxable year preceding the taxable year in which such applicant submitted an application for an extension under this paragraph''.

On page 985, strike lines 1 through 19 and insert the following:

''(2) PAYMENT OF TAXES.—An applicant may not file an application for adjustment of status under this section unless the applicant has established the payment, in accordance with section 245B(c)(2)(B), of all applicable Federal tax liability (as defined in section 245B(c)(2)(C)) owed by the applicant for the period—

''(A) beginning with the later of—

''(i) the taxable year in which such applicant submitted an application for registered provisional immigrant status; or

''(ii) the taxable year in which such applicant submitted an application for an extension of such registered provisional immigrant status; and

''(B) ending with the taxable year preceding the taxable year in which such applicant submitted an application for an adjustment of status under this section.

Beginning on page 1068, strike line 11 and all that follows through page 1069, line 3, and insert the following:

''(4) PAYMENT OF TAXES.—An applicant may not file an application for adjustment of status under this section unless the applicant has established the payment, in accordance with section 245B(c)(2)(B), of all applicable Federal tax liability (as defined in section 245B(c)(2)(C)) owed by the applicant for the period beginning with the taxable year in which such applicant submitted an application for blue card status and ending with the taxable year preceding the taxable year in which such applicant submitted an application for an adjustment of status under this section.

On page 1448, between lines 5 and 6, insert the following:

SEC. 3204. LIMITATION ON CERTAIN ALIENS CLAIMING EARNED INCOME TAX CREDIT IN PRIOR YEARS.

(a) IN GENERAL.—Paragraph (1) of section 32(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(G) PROHIBITION ON RETROACTIVE CREDIT FOR CERTAIN IMMIGRANTS.—

''(i) IN GENERAL.—In the case of an individual who is granted registered provisional immigrant status under section 245B of the Immigration and Nationality Act, no credit shall be allowed under this section for any taxable year prior to the year such individual was granted such status unless such individual —

''(I) was an eligible individual for such prior taxable year, and

''(II) was authorized to engage in employment in the United States for such prior taxable year.

''(ii) MARRIED INDIVIDUALS.—In the case of an eligible individual who is married (within the meaning of section 7703) to an individual who is granted registered provisional immigrant status or registered provisional immigrant dependent status under section 245B of the Immigration and Nationality Act, no credit shall be allowed under this section for any taxable year—

''(I) in which such individual was married (within the meaning of section 7703) to the eligible individual, and

''(II) which is prior to the year the spouse of such individual was granted such status,

unless such spouse was authorized to engage in employment in the United States for such prior taxable year.''.

(b) QUALIFYING CHILDREN.—Subparagraph (D) of section 32(c)(3) of such Code is amended by redesignating clause (ii) as clause (iii) and by inserting after clause (i) the following new clause:

''(ii) PRIOR YEARS.—In the case of an individual who is granted registered provisional immigrant status or registered provisional immigrant dependent status under section 245B of the Immigration and Nationality Act, such individual shall not be taken into account as a qualifying child under subsection (b) for any taxable year prior the year such individual was granted such status unless such individual was authorized to engage in employment in the United States for such prior taxable year.''.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SA 1537. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1404, line 1, strike ''The'' and insert ''Beginning on the date on which all employers are required to use the System pursuant to subsection (d)(2), the''.

SA 1538. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1680, line 5, insert ''; however, if the outplacement is a formal part of the H–1B nonimmigrant's graduate medical education or training, the employer is not required to pay the $500 fee'' after ''worker''.

SA 1539. Mr. WYDEN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 870, strike line 22 and all that follows through page 871, line 6, and insert the following:

(A) IN GENERAL.—In implementing the Southern Border Fencing Strategy required by this subsection, the Secretary shall consult with the Secretary of the Interior, the Secretary of Agriculture, States, local governments, Indian tribes, and property owners in the United States to minimize and reasonably mitigate the impact on the environment, culture, commerce, and quality of life for the communities and residents located near the sites at which such fencing is to be constructed, except in such cases where the Secretary, in consultation with the Secretary of the Interior, the Secretary of Agriculture, States, local governments, Indian tribes, and property owners in the United States, determines that the Strategy would have a net beneficial impact to an area's environmental and cultural resources through the reduction of illegal cross-border traffic.

SA 1540. Mr. WYDEN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 885, between lines 2 and 3, insert the following:

(H) TRANSFERS TO OTHER FEDERAL AGENCIES.—Notwithstanding any other provision

of law, the Secretary may transfer amounts in the Trust Fund to the other Federal agencies to carry out the activities described in subparagraph (A), including the purchase of real property from willing sellers.

SA 1541. Mr. WYDEN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 877, line 6, insert before the semicolon at the end ''and carry out associated mitigation measures identified in the Southern Border Fencing Strategy and through consultation conducted pursuant to section 5(b)(4)(A) of this Act''.

SA 1542. Mr. WYDEN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 870, line 10, before the period at the end insert ''and any measures necessary to mitigate impacts to landowners, communities, and the environment associated with implementation of the Southern Border Fencing Strategy''.

SA 1543. Mr. WYDEN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 870, line 10, before the period at the end insert ''and any measures necessary to mitigate impacts to landowners, communities, and the environment associated with implementation of the Southern Border Fencing Strategy''.

On page 870, strike line 22 and all that follows through page 871, line 6, and insert the following:

(A) IN GENERAL.—In implementing the Southern Border Fencing Strategy required by this subsection, the Secretary shall consult with the Secretary of the Interior, the Secretary of Agriculture, States, local governments, Indian tribes, and property owners in the United States to minimize and reasonably mitigate the impact on the environment, culture, commerce, and quality of life for the communities and residents located near the sites at which such fencing is to be constructed, except in such cases where the Secretary, in consultation with the Secretary of the Interior, the Secretary of Agriculture, States, local governments, Indian tribes, and property owners in the United States, determines that the Strategy would have a net beneficial impact to an area's environmental and cultural resources through the reduction of illegal cross-border traffic.

On page 877, line 6, insert before the semicolon at the end ''and carry out associated mitigation measures identified in the Southern Border Fencing Strategy and through consultation conducted pursuant to section 5(b)(4)(A) of this Act''.

On page 885, between lines 2 and 3, insert the following:

(H) TRANSFERS TO OTHER FEDERAL AGENCIES.—Notwithstanding any other provision of law, the Secretary may transfer amounts in the Trust Fund to the other Federal agencies to carry out the activities described in subparagraph (A), including the purchase of real property from willing sellers.

SA 1544. Mr. WYDEN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 911, between lines 3 and 4, insert the following:

(e) EFFECTIVE PERIOD.—This section shall be in effect during the period beginning on the date of the enactment of this Act and ending on the date that the certification described in section 3(c)(2)(A) is submitted to the President and Congress.

SA 1545. Mr. WYDEN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 859, line 4, after the period at the end, insert the following: ''In this subsection, the term 'physical tactical infrastructure' means roads, vehicle and pedestrian fences, port of entry barriers, lights, bridges, and towers for technology and surveillance.''.

SA 1546. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1582, between lines 14 and 15, insert the following:

(d) ADMINISTRATIVE FORFEITURE AUTHORITY.—Section 607(a) of the Tariff Act of 1930 (19 U.S.C. 1607(a)) is amended—

(1) in paragraph (3), by striking ''or'' at the end;

(2) in paragraph (4), by inserting ''or'' after the semicolon; and

(3) by adding at the end the following:

''(5) such seized merchandise comprises funds accessible through a prepaid access device or other portable storage device,''.

(e) REAL PROPERTY USED IN ALIEN SMUGGLING AND HARBORING.—Section 274(b)(1) (8 U.S.C. 1324(b)(1)) is amended—

(1) by striking ''Any conveyance, including any vessel, vehicle, or aircraft, which has been or is being used in the commission of a violation'' and inserting ''Any property, real or personal, used or intended to be used to commit or to facilitate the commission of a violation''; and

(2) striking ''such conveyance'' and inserting ''such property''.

(f) PROCEEDS OF ALIEN SMUGGLING AND HARBORING.—

(1) IN GENERAL.—Section 274(b) (8 U.S.C. 1324(b)), as amended by subsection (e), is further amended by adding at the end the following:

''(4) PROCEEDS DEFINED.—In this subsection, the term 'proceeds' means any property derived from or obtained or retained, directly or indirectly, as a consequence of an act or omission in violation of this section, including the gross receipts of such activity.''.

(2) CONFORMING AMENDMENT.—Section 982(a)(6) of title 18, United States Code, is amended by insert ''(as defined in section 274(b)(4) of the Immigration and Nationality Act (8 U.S.C. 1324(b)(4)))'' after ''proceeds''.

SA 1547. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1692, beginning on line 16, strike ''and'' and all that follows through ''(bb)'' on line 17, and insert the following:

''(bb) conduct annual audits of not less than .05 percent of employers (other than employers covered by item (aa)) that employ H–1B nonimmigrants during the applicable calendar year; and

''(cc)

On page 1726, beginning on line 3, strike ''and'' and all that follows through ''(bb)'' on line 4, and insert the following:

''(bb) conduct annual audits of not less than .05 percent of employers (other than employers covered by item (aa)) who employ nonimmigrants described in section 101(a)(15)(L) during the applicable calendar year; and

''(cc)

SA 1548. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1704, after line 20, insert the following:

SEC. 4226. SUSPENSION OF EMPLOYER PARTICIPATION IN H–1B VISA PROGRAM.

Section 212(n)(2) (8 U.S.C. 1182(n)(2), as amended by this chapter, is further amended—

(1) by redesignating subparagraph (I) as subparagraph (L); and

(2) by inserting after subparagraph (H) the following:

''(I) The Secretary of Homeland Security shall suspend an employer's ability to petition for H–1B nonimmigrants for not less than 2 years if such employer violates this subsection or if the Secretary determines the existence of 1 or more of the following conditions with respect to the employer:

''(i) The employer has not taken good faith efforts to recruit United States workers.

''(ii) An H–1B nonimmigrant is working at locations not covered by a valid labor condition application.

''(iii) An H–1B nonimmigrant is not receiving the wage that the petitioning employer attested to in the labor condition application.

''(iv) An H–1B nonimmigrant has been benched without pay or with reduced pay.

''(v) An H–1B nonimmigrant is performing job duties that were not consistent with the position description provided by the employer.

''(vi) The employer deducts the fees associated with filing the H–1B petition from the H–1B nonimmigrant's salary.

''(vii) The employer forged signatures or documents relating to the Form I-129 petition, including documents relating to degree and work experience letters.''.

SA 1549. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1680, line 24, strike ''(A)''.

On page 1681, line 1, strike ''(i)'' and insert ''(A)''.

On page 1681, line 5, strike ''(ii)'' and insert ''(B)''.

On page 1681, line 9, strike ''(iii)'' and insert ''(C)''.

Beginning on page 1681, strike line 14 and all that follows through page 1684, line 2, and insert an end quote and final period.

Beginning on page 1688, strike lines 23 and all that follows through page 1689, line 13.

On page 1710, strike line 9 and all that follows through ''(4)'' on line 13, and insert ''(3)''.

On page 1710, strike line 19 and all that follows through ''(d)'' on line 24, and insert ''(c)''.

On page 1720, strike lines 20 through 23.

On page 1722, strike line 16 and all that follows through ''(d)'' on line 22, and insert ''(c)''.

SA 1550. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1632, line 24, strike ''Upon the request of the Secretary of State, the Secretary of Homeland Security may suspend employment authorizations under clause (ii)'' and insert ''The Secretary of Homeland Security shall suspend employment authorizations under clauses (i) and (ii)''.

On page 1633, line 10, strike ''section 101(a)(15)(H)(i)(b)'' and insert ''subparagraph (H)(i)(b) or (L) of section 101(a)(15)''.

On page 1669, strike line 11 and all that follows through ''(ii)'' on line 15, and insert ''(i)''.

On page 1669, line 17, strike ''(iii)'' and insert ''(ii)''.

On page 1669, line 20, strike ''(iv)'' and insert ''(iii)''.

On page 1670, lines 1 and 2, strike ''if the employer is an H–1B-dependent employer,''.

Beginning on page 1676, strike line 16 and all that follows through page 1678, line 21, and insert the following:

''(E) The employer did not displace and will not displace a United States worker employed by the employer within the period beginning 180 days before the date on which a visa petition supported by the application is filed and ending 180 days after such filing.''.

On page 1687, lines 6 through 8, strike ''participating in optional practical training pursuant to section 101(a)(15)(F)(i)'' and insert ''described in subparagraph (F) or (M) of section 101(a)(15)''.

On page 1687, lines 10 and 11, strike ''participant in such optional practical training'' and insert ''an alien described in subparagraph (F) or (M) of section 101(a)(15)''.

On page 1687, lines 16 and 17, strike ''participants in optional practical training pursuant to section 101(a)(15)(F)(i)'' and insert ''aliens described in subparagraph (F) or (M) of section 101(a)(15)''.

On page 1690, line 6, strike ''may conduct'' and insert ''shall conduct''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, June 20, 2013, at 2:45 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 20, 2013, at 9:30 a.m., in room 216 of the Hart Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 20, 2013, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 20, 2013, at 3:30 p.m., to hold a hearing entitled ''Briefing on Syria.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, in order to conduct a hearing entitled ''Developing a Skilled Workforce for a Competitive Economy: Reauthorizing the Workforce Investment Act'' on June 20, 2013, at 2:30 p.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on the Efficiency and Effectiveness of Federal Programs and the Federal Workforce and Subcommittee on Financial and Contracting Oversight be authorized to meet during the session of the Senate on June 20, 2013, at 2:30 p.m. to conduct a hearing entitled ''Examining the Workforce of the U.S. Intelligence Community and the Role of Private Contractors.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on June 20, 2013, at 10 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on June 20, 2013, at 10 a.m., in room 428A Russell Senate Office Building to conduct a roundtable entitled ''Sequestration: Small Business Contractors Weathering the Storm in a Climate of Fiscal Uncertainty.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 20, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. REID. Mr. President, for the benefit of all Senators and staff, people have worked very hard. Lots of Senators, 20 Senators, have been involved, and many more off and on, but 20 on a continual basis all day today and even last night. The amendment is ready but we have to make sure it is truly ready. I have been to a few of these rodeos, and we want to make sure the amendment that has been worked on all day is going to be one that is the final one. We don't want to have an amendment and then have to deal with it in some other way.

So what we are going to do tomorrow is we are going to come in at 10:30 and, hopefully, at that time we will be in a position to move forward on this legislation. Right now, it seems it would be senseless for us to stay any longer tonight because it is simply not going to be ready before midnight.

CONSTITUTING MAJORITY PARTY MEMBERSHIP ON CERTAIN COMMITTEES

MAKING MINORITY APPOINTMENTS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 179 and S. Res. 180.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolutions by title en bloc.

The bill clerk read as follows:

A resolution (S. Res. 179) to constitute the majority party's membership on certain committees for the One Hundred Thirteenth Congress, or until their successors are chosen.

A resolution (S. Res. 180) making minority party appointments for the 113th Congress.

There being no objection, the Senate proceeded to consider the resolutions.

Mr. REID. Mr. President, I ask unanimous consent that the resolutions be agreed to and the motions to reconsider be laid upon the table en bloc, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions (S. Res. 179 and S. Res. 180) were agreed to.

(The resolutions are printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR FRIDAY, JUNE 21, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:30 a.m., Friday, June 21; that following the prayer and pledge the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate resume consideration of S. 744, the immigration bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

THANKING THE PRESIDING OFFICER

Mr. REID. Mr. President, I really appreciate the Presiding Officer being here for this extended period of time. I am very grateful, and, as always, the State of Maine is very fortunate to have such an accomplished statesman in the Senate.

ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 10:32 p.m., adjourned until Friday, June 21, 2013, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

JAMES DONATO, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA, VICE JAMES WARE, RETIRED.

BETH LABSON FREEMAN, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA, VICE AN ADDITIONAL POSITION IN ACCORDANCE WITH 28 USC 133(B) (1).

JENNIFER PRESCOD MAY-PARKER, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NORTH CAROLINA, VICE MALCOM J. HOWARD, RETIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. STEPHEN W. WILSON

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. EDWARD C. CARDON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE DEPUTY JUDGE ADVOCATE GENERAL, UNITED STATES ARMY, AND FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED IN ACCORDANCE WITH TITLE 10, U.S.C., SECTIONS 3037 AND 3064:

To be major general

BRIG. GEN. THOMAS E. AYRES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE JUDGE ADVOCATE GENERAL, UNITED STATES ARMY AND FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE SERVING AS THE JUDGE ADVOCATE GENERAL IN ACCORDANCE WITH TITLE 10, U.S.C., SECTIONS 3037 AND 3064:

To be lieutenant general

BRIG. GEN. FLORA D. DARPINO

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

ADM. CECIL E.D. HANEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

VICE ADM. HARRY B. HARRIS, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF NAVAL PERSONNEL, UNITED STATES NAVY, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5141:

To be vice admiral

REAR ADM. WILLIAM F. MORAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JAMES F. CALDWELL, JR.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

ANDREW G. BOSTON
JAMES D. COVELLI
VALERIE G. SAMS

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant colonel

LOUIS A. BARTON
JENNIFER A. BROOKS
MARTY J. BUCHANAN
BRUNO J. HIMMLER
EDWARD K. KANKAM

To be major

DAVID L. HOWARD
ANTHONY M. MUSARRA
EARLYNE L. RODRIGUEZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

CRAIG S. BERG
MELISSA A. DEWOLFE
JONATHAN A. FORBES
HYAEHWAN KIM
IAN A. MAKEY
JASON A. MASSIGNAN
REID N. ORTH
SCOTT B. PHILLIPS
DANE H. SALAZAR
TIMOTHY J. STRIGENZ
JONATHAN D. TIDWELL

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MICHAEL D. PAYNE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MARLON E. LEWIS

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

RONALD E. BERESKY

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY CHAPLAIN'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

JAMES B. COLLINS

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

DAVID R. MAXWELL

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

THOMAS A. JARRETT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

JONATHAN H. CODY
JUSTIN M. MARCHESI

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

BRENT E. HAVEY

EXTENSIONS OF REMARKS

OKAWVILLE 175TH JUBILEE

HON. JOHN SHIMKUS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. SHIMKUS. Mr. Speaker, I rise today to honor The Village of Okawville on its 175th Anniversary. The village will celebrate this special jubilee on June 28 and 29, 2013, with a variety of community events, including a soapbox derby, children's parade, live music, and fireworks with the theme, ''Celebrate Okawville.''

The Village of Okawville was founded in 1838 as the Village of Bridgeport and was renamed Okawville in 1870 by a wave of German immigrants. The village became popular for its mineral springs, where many visitors would come to relieve their ailments in the therapeutic waters.

The village is now home to 1,400 residents and still boasts a strong German heritage. Besides the Original Springs Hotel, which offers spa services, the village also is home to the Heritage House Museum sites, which draw tourists to the area today.

I extend my congratulations to The Village of Okawville upon this special occasion. It is my prayer that the Lord blesses them with many more years of extending hospitality.

RECOGNIZING JACK VANDER MEULEN AND HIS 40 YEARS AT VANDER MEULEN BUILDERS

HON. BILL HUIZENGA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. HUIZENGA of Michigan. Mr. Speaker, I rise today to recognize the outstanding accomplishment of Jack Vander Meulen on his 40th anniversary working at Vander Meulen Builders.

Jack Vander Meulen is a resident of Holland, Michigan and a 1973 graduate of Holland Christian High School. Immediately following graduation, Jack joined Vander Meulen Builders as a carpenter and was able to work with his father Jay and uncle Earl. Exhibiting hard work and dedication to his craft Jack became a project manager in 1986. Jack was named President of Vander Meulen Builders ten years later in 1996.

Vander Meulen Builders was founded in 1924 by Rhine Vander Meulen and traces its roots back seven generations in the Netherlands. They developed a niche building custom residences and summer cottages in the harbor towns of Lake Michigan. Their high-quality work was readily recognized by the West Michigan community and in 1967 Vander Meulen Builders became a charter member of the Home Builders Association of Holland. Their reputation landed them the opportunity to work on several historic West Michigan projects such as, renovating Marigold Lodge, the Holland Museum, several churches in the area, and many other downtown Holland landmarks.

Jack and the Vander Meulen family have built more than a successful business—they are leaders in the Holland community. Vander Meulen Builders is known for working on unique custom projects throughout the community and have developed superior problem solving skills through their many years of experiences on a variety of projects. Their company has a great reputation for astounding customer service working with people who truly care about the homes they own. Vander Meulen Builders know that they do more than just build homes, they develop lasting relationships with the families they have worked with throughout the community. Jack and his wife Brenda have two sons, one who is also working for Vander Meulen Builders, the fourth generation in the family business.

Jack and his leadership in Vander Meulen Builders is a great example of the area's hard work ethic, high-skill level in their professions and great family values that are always prevalent throughout the second district of Michigan and make it the great community that it is today. Citizens like Jack and Vander Meulen Builder's family embody the spirit of Holland and the West Michigan community.

I ask my colleagues to join me in honoring Jack Vander Meulen and Vander Meulen Builders for their great service in West Michigan through the many decades.

CONGRATULATING DEERFIELD PUBLIC LIBRARY ON ITS GRAND REOPENING

HON. BRADLEY S. SCHNEIDER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. SCHNEIDER. Mr. Speaker, I rise today to honor the Deerfield Public Library, my hometown library, on the occasion of its grand reopening, and for its outstanding service to the community.

Over its almost 80 years, the Deerfield Library has grown from a few-hundred-book operation to a thriving, diversified community institution. With thousands of books, movies, e-books, magazines and games, the library has enriched the lives of so many in the area, including my family.

I treasure the memories of bringing my sons to the Deerfield Library and sharing my personal love of reading, and I am overjoyed that the next generation will also be able to cultivate that passion in this engaging new space.

In today's hyper-connected world, libraries have become far more than places to simply check out books. The Deerfield Library has, with this renovation, embraced that new paradigm and raised the bar for excellence in service to its patrons.

The reinvented library now offers a place to meet, a place to learn and a place to relax. Myriad programs, from early literacy to e-book assistance and recreational programs for the entire family exemplify the commitment that Deerfield Library has made to offering the finest services possible.

The dedicated men and women who make the library so special are a remarkable group who routinely amaze. Kids excite their wonder and adults explore at ease at the library, and this is a credit to the fantastic staff.

Mr. Speaker, as libraries' roles in our communities continue to evolve, Deerfield Public Library is at the cutting edge and has taken bold strides to maintain its leadership in the field.

IN CELEBRATION OF HO-CHUNK NATION'S 50 YEAR ANNIVERSARY OF SOVEREIGNTY

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. KIND. Mr. Speaker, I rise before you today to celebrate the 50th anniversary of Ho-Chunk Nation's sovereignty. The people of the Ho-Chunk Nation trace their origins to a time before the arrival of Columbus to lands throughout Wisconsin and surrounding states. In these lands, the Ho-Chunk people provided for themselves through hunting, gathering, and farming. Their rich cultural heritage is defined by a reverence for the land along with a pride and strength that has persevered through tremendous hardships.

In 1634, the French explorer Jean Nicolet became the first European to make contact with the Ho-Chunk people. Welcoming Nicolet, the Ho-Chunk began trade with the French who referred to them as the Winnebago, a name that became their official title in the United States until 1993. Though the United States government initially recognized the Ho-Chunk as a sovereign nation holding title to several million acres of farmland, this position was reversed in the midst of westward expansion in the early 19th century. As lead miners began taking over the choice land of southern Wisconsin, the Ho-Chunk were forced to sell their remaining territory for a fraction of its worth.

Beginning in 1836, the Ho-Chunk were subjected to a series of forced relocations pushing them westward onto small desolate plots of land. In spite of the continuing, often violent, efforts by authorities to expel the Ho-Chunk

from their native land, many continued to return to Wisconsin. Through persistence and perseverance, the Wisconsin Ho-Chunk prevailed and was eventually given 40 acre homestead plots to farm.

In 1962, the first Wisconsin Winnebago Tribal Constitution was drafted and redrafted. On March 19, 1963, the Constitution and Bylaws of the Wisconsin Winnebago Tribe was approved by the Assistant Secretary of the Interior marking the beginning of the sovereign government known today as the Ho-Chunk Nation.

Known as ''People of the Big Voice,'' or ''People of the Sacred Language,'' the Ho-Chunk Nation are a people rich with culture and a resolute spirit. It is with great pride that I rise today to recognize them for 50 years of self-governance and thank them for their contributions to communities in Wisconsin and beyond.

JACK ''YOGI'' BACHTELL, MILLERSBURG FIRE COMPANY NO. 1

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. BARLETTA. Mr. Speaker, I rise to honor Jack ''Yogi'' Bachtell of Millersburg Fire Company No. 1 in Millersburg, Pennsylvania.

Mr. Bachtell has been a dedicated member of the Millersburg Fire Company since 1972. In addition to his role as a firefighter and driver, he held the positions of Assistant Chief and Head Trustee, a post in which he was responsible for all fire company property. Throughout his time with the organization, he has played a crucial role in protecting the community from the devastation of fire and other disastrous events.

Mr. Bachtell's service and dedication to the safety of others extends beyond his time working for Millersburg Fire Company No. 1. He served in the Army from 1966 to 1972, deploying for two tours in Vietnam. His first tour was extended by twelve months and his second was extended by six months. Although he was prepared to return to Vietnam to serve our country for a third tour, Mr. Bachtell was discharged in 1972 due to the Army force reduction after the war. His unwavering devotion and bravery to defend our freedom is truly admirable.

Mr. Speaker, for his service and commitment to protect both the people of Millersburg and the citizens of the United States, I commend Jack ''Yogi'' Bachtell.

HONORING THE LIFE AND LEGACY OF JUSTICE FRANK A. SEDITA, JR.

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to honor the remarkable life and legacy of retired New York State Supreme Court Justice Frank A. Sedita, Jr., who passed away on June 16, 2013, at the age of 78.

Judge Sedita was a key member of a long-respected local political family in my hometown of Buffalo, New York. He was the son of the late three-term Buffalo Mayor Frank A. Sedita and was the father of Erie County's current District Attorney, Frank A. Sedita III.

He started off as an impressive student, graduating summa cum laude from Canisius College, and subsequently earned his law degree from the University at Buffalo, gaining admission to the bar in 1961.

Judge Sedita's dedication and work ethic led to great professional success, as he started in private practice, working in trial and family law until 1968, when he achieved a 99 on a civil service test and was named an assistant city corporation counsel. From 1970–76, he served as senior deputy corporation counsel.

While in the midst of a stint as an Erie County Family Court judge, Mr. Sedita ran unopposed for the position of Buffalo Chief City Court judge. Unafraid to tackle a tough job, Judge Sedita named himself a Housing Court judge in 1992, when no one else wanted to take the position, and received praise for his no-nonsense tack with slumlords, cracking down with a record number of fines and jailing many. He quickly became known as ''Maximum Frank.'' Following his service as the city's top jurist, he was elected to serve as a Justice of the New York State Supreme Court.

On several occasions, the Western New York community recognized the great work of Judge Sedita as he was named the recipient of many awards for his successes in Housing Court, including the Buffalo News Outstanding Citizen award in 1992, the Buffalo Urban League Stewardship Award in 1993, and the West Side Business Association's Citizen of the Year Award, in 1994.

Mr. Speaker, I ask that you join me and with Members of the House to express our deepest condolences to the family of the late Judge Frank A. Sedita, Jr., and join with me in recognizing the many good works he performed during his long and full career and life.

TRIBUTE TO ABRAHAM LINCOLN DiBACCO

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mrs. CAPITO. Mr. Speaker, I rise today to recognize the distinguished military career of United States Navy World War II Veteran Yeoman First Class Abraham Lincoln DiBacco along with his two brothers Albert and Vincent DiBacco who are also WWII U.S. Army Veterans. Yeoman First Class DiBacco's service was one of respect and dedication; to which the people of West Virginia and the United States of America owe a tremendous debt of gratitude.

Abraham DiBacco began serving his country in 1941 when he enlisted in the United States Navy. He honorably served on the USS *George Clymer*, the first United States Navy Attack Transport to participate in World War II, and embarked on his tour of service. He was stationed in the both the Europe-Africa-Middle East Campaign and the Asiatic-Pacific Campaign. He proudly sailed alongside the USS *Missouri* when General Douglas MacArthur arrived in Tokyo Bay to sign the Formal Surrender of Japan in September 1945. Another instance of merit was his participation in preparations to land in Japan to backup the *Enola Gay* as it dropped its pay load on Hiroshima. From the ship they witnessed and felt the intense heat of the atomic bomb.

Yeoman First Class DiBacco has received a host of awards and decorations throughout his to our nation, including the European-African-Middle Eastern Campaign Medal with Bronze Star, The Asiatic-Pacific Campaign Medal with Silver and Bronze Stars, a Navy Presidential Unit Citation * American Campaign Medal, the Philippine Liberation Ribbon with Bronze Star, and a Philippine Presidential Unit Citation.

Yeoman First Class DiBacco lives in Martinsburg, WV with his wife, Ellen. Together they have been married for 65 years and have adopted two children. Today he continues to honor his fellow Veterans by creating floral baskets, with his fellow Veteran and friend Fran Erwin, and distributing them to Veterans across West Virginia, Ohio, and Virginia. Abraham DiBacco's life-long dedication to serving his country and his community is an example we should all follow.

ACKNOWLEDGING THE ADVOCACY OF THE PANCREATIC CANCER ACTION NETWORK

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. WEBSTER of Florida. Mr. Speaker, it is my pleasure to take this opportunity to recognize and thank Central Floridians Amy Di Bella, Taylor Kennedy, Thuy Phan, and Rose Quinlan from the Pancreatic Cancer Action Network for taking the time to meet with me this week to share their families' struggles with pancreatic cancer. The Pancreatic Cancer Action Network is a nationwide network of people dedicated to working together to advance research, advocate for a cure, support patients, and create hope for those affected by pancreatic cancer.

Pancreatic cancer is one of the most deadly forms of cancer, with only a six percent five-year survival rate. As the fourth leading cause of death from cancer for both men and women in the United States, pancreatic cancer is also the tenth most commonly diagnosed cancer in men and the ninth most commonly diagnosed cancer in women. While the overall cancer incidence and death rates are declining, the number of Americans who are diagnosed with pancreatic cancer is increasing. Sadly, there are currently no curative treatments for pancreatic cancer.

Investing in groundbreaking cancer research is about improving the lives of loved ones afflicted with the disease, and about fostering a healthier future for our sons and daughters. On behalf of the citizens of Central Florida, it is an honor to stand alongside the medical

community in the fight against cancer. The continuous support of medical research initiatives are imperative to both advancing new treatments that improve the lives of patients afflicted with cancer and bringing our nation closer to finding a cure. I thank the Pancreatic Cancer Action Network for their tireless advocacy to end pancreatic cancer.

HONORING CARLENE MAKAWSKI

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Carlene Makawski of Saint Joseph, Missouri. Carlene is active in the community and has been chosen to receive the YWCA Women of Excellence Lifetime Achievement Award.

Carlene is described as an enthusiastic and inspirational volunteer whose commitment and enthusiasm never waiver. Carlene has provided a lifetime of service and contributions to a great variety of organizations and initiatives throughout her life. Carlene is a Life Member and Board Vice President for the Girl Scouts. She has over 50 years of service to the PEO Sisterhood. Over the course of 20 years she has served as both Treasurer and President for the Heartland Health Auxiliary.

Carlene served as a two term President of the YWCA, overseeing construction of the Aquatic Center. She has worked with United Way, the American Red Cross and March of Dimes. She has dedicated over two decades volunteering at the Open Door Food Kitchen where she has done everything from scrubbing pots and pans to serving on its board of directors. One Carlene's most beloved volunteer position comes from the many roles that she fills at the Pony Express National Museum where she has once again done everything from tour guide to serving as the Great Pumpkin.

Mr. Speaker, I proudly ask you to join me in recognizing Carlene Makawski. She has made an amazing impact on countless individuals and remains as a blessing to everyone in the St. Joseph community. I am honored to represent her in the United States Congress.

INTRODUCTION OF THE MAKING WORK AND MARRIAGE PAY ACT

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. PETRI. Mr. Speaker, today, along with Rep. NIKI TSONGAS of Massachusetts, I am introducing the Making Work and Marriage Pay Act of 2013. This legislation will establish a bipartisan commission to study the negative impact that high effective marginal rates can have on families as they attempt to improve their circumstances through work or marriage. The National Commission on Effective Marginal Tax Rates for Low-Income Families would provide an important opportunity for removing the disincentives that hold many back, in spite of their personal efforts to get ahead.

Federal and state governments provide financial assistance to low-income families through many means-tested programs and a variety of income tax credits. Each of these benefits is income-based, and as income rises benefits are reduced through phase-outs. These reductions occur at various earnings levels and on differing schedules.

While it is appropriate for benefits to be withdrawn as family income increases, not enough thought has been given to the combined impact on behavior of these multiple phase-outs. Different programs are created within separate Congressional committees and are implemented by assorted federal and state agencies. No one entity has the authority to consider our vast system as a whole. The Commission established under this Act would be given this task and charged with the responsibility to propose a legislative package to remove the disincentives to work and marriage that these high effective marginal rates impose.

Marginal rates matter. Economists have long contended that high tax rates affect the investment decisions of affluent individuals. People at all income levels, however, respond rationally to economic incentives and disincentives. If we want people to work their way into the middle class, we need to change a system which says that if you're poor and you struggle to earn a higher income, you won't be able to keep enough of it to make it all seem really worthwhile.

I have looked at the impact these marginal rates have on a typical single mother with two children living in Wisconsin. From $17,000 to $40,000 in earnings, this single parent would experience combined effective marginal tax rates in excess of 50 percent—averaging 59 percent between $24,000 and $41,000. At lower income levels, she even approaches a rate of 100 percent. Putting this into perspective, the U.S. corporate tax rate is 35 percent (the highest in the industrialized world). The top U.S. income tax rate for individuals is 39.6 percent.

Thus, for every dollar of new income earned by increased effort or the acquisition of new skills, this single mother finds herself only incrementally ahead and, perhaps, wondering whether her hard work is being justly rewarded. Despite the good intentions, these programs, in effect, offer no incentive to get ahead. Rather, the incentives are backwards and low-income workers often are encouraged to stay where they are.

The same dynamic can also affect an individual's decision whether to marry. Experts from across the political divide agree that marriage is good. Government policy, however, as enacted in this assortment of programs and phase-outs actually discourages marriage among low-income couples.

Varying benefit levels across the fifty states produce different results, but in Wisconsin, for a married couple with two children, the marriage penalty starts rising from about zero at $19,000 of combined income to $7,000 in after-tax income at $28,000 of combined earnings, which is what you get if two people earn minimum wage. At $42,000, the cost of being married reaches $8,154. That's a high price for a marriage license.

This penalty results from the high effective marginal tax rates produced by taxes and the phaseout of various benefit programs. As income rises, taxes go up and benefits go down. The couple that has combined their lives and their income sees a steeper loss of income than does the comparable couple that has remained unmarried. If marriage is a recognized good for both society and for individual couples, then government policy should not stand in the way of people choosing to marry.

It's time that Congress rationalizes this web of programs to ensure that hard work brings rewards by removing the punishingly high effective marginal tax rates faced by low-income individuals and families.

This is why I am introducing the Making Work and Marriage Pay Act.

My bill would authorize a Commission made up of Cabinet Secretaries, Governors, and recognized policy experts to recommend solutions for the problems posed by these high effective marginal tax rates. The Commission would be constructed to achieve partisan balance, input from states offering varying levels of income support, and expert participation from government and private sector experts.

The Commission would be charged with seeking a solution along certain policy lines, but would have full authority to offer additional policy recommendations. The Commission's recommendations would be in the form of a legislative blueprint to ease consideration of its comprehensive solution by the wide range of Congressional committees.

For too long, Congress has neglected to clean up the mess of uncoordinated federal benefit programs. The Making Work and Marriage Pay Act is the first step toward a benefit structure that rewards work and effort and reflects our shared belief that marriage is the basis of stable communities. I urge my colleagues to support this important legislation.

SUPPORTING LGBT PRIDE MONTH

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Ms. CLARKE. Mr. Speaker, I stand with my colleagues in the Congressional Progressive Caucus in honor of LBGT Pride Month.

We have had many achievements to celebrate in recent years—the end of ''Don't Ask, Don't Tell,'' the extension of many benefits to the same-sex partners of federal employees, the enactment of marriage equality in several states and here in the District of Columbia.

These achievements have been critical in our effort to create a society in which we fulfill the promise of the Declaration of Independence that all persons are created equal and the promise of the Fourteenth Amendment that every person has a right to the equal protection of the law.

The foundation of these achievements was not built here in Washington, D.C. Instead, it was the work of activists around this nation, it was the conversations between families at the dinner table, it was the realization of millions of Americans that ''I know a gay person, I

know a transgender person,'' and that he or she remains my son, my daughter, my brother, my sister, my friend.

For who among us would accept a society in which our children and our friends are allowed to become victims of legalized discrimination?

Who among us would not allow our brothers and sisters who are in committed relationships to sanctify their love in the form of marriage?

Who among us would exclude our neighbors and our colleagues from full participation in this civil society?

When we celebrate Pride Month, we celebrate these relationships, relationships in which parents come to know who their children really are, in which friends come to know their friends, in which Americans have come to know and accept their fellow Americans regardless of their sexual orientation.

It is these relationships that have provided the foundation for many of the achievements of the LGBT community. Today, we have much to celebrate.

SMALL BUSINESS OPPORTUNITY ACCELERATION ACT OF 2013

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Ms. HAHN. Mr. Speaker, whenever we get to go back to our districts, I always try to make time to meet some more small businesses—to hear direct from them, what is standing in their way, what the need to hire and grow. And over and over again, I hear that the difficulty accessing capital is holding back the businesses of my district, and across the nation.

Interest rates are low, but the upfront costs of capital can push away many small businesses that would otherwise be able to seize an opportunity in the market that would strengthen and even expand their business. The Small Business Administration has worked to make it easier and less costly for small businesses to access capital with the 7(a) loans. However, the SBA charges an upfront fee for its loan guarantee that can deter small businesses from pursuing small loans to take advantage of fleeting opportunities that require a quick influx of capital.

By targeting the small loans that are so critical to the entrepreneurs and small businesses in my district, we can make it easier for these job creators to succeed and grow. That's why I am introducing legislation that would eliminate the upfront guarantee fee for SBA 7(a) loans of $150,000 or less.

As we continue to work to strengthen the small businesses that are the backbone of our nation's economy, and to combat the many obstacles to their accessing the capital they need to succeed, I hope my colleagues will support this legislation.

CONGRATULATING JULIUS CIACCIA

HON. DAVID P. JOYCE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. JOYCE, Mr. Speaker, I wish to congratulate Mr. Julius Ciaccia, Executive Director of Northeast Ohio Regional Sewer District on his election as the new President of the National Association of Clean Water Agencies, NACWA.

Mr. Ciaccia is an accomplished leader and committed environmental steward who plays a prominent role in the water industry, exemplifying what it means to be a public servant. He is ideally suited to serve as President of one of the Nation's leading proponents of responsible policies that advance clean water. Mr. Ciaccia has served the people of the Cleveland area for decades, and in his new role, will continue to ensure that Ohio's, and the Nation's clean water agencies continue to improve to protect public health and the environment.

Mr. Ciaccia began his career in public utilities in 1977 when he was appointed as Assistant Director of the Public Utilities Department for the City of Cleveland. In 1979 he took on the temporary role of Commissioner of Cleveland Water until 1981 when he assumed the role of Deputy Commissioner of Cleveland Water and was eventually appointed Commissioner in 1988.

During the 25 years in the Division of Water, Mr. Ciaccia oversaw the management of over $1 billion worth of capital improvement projects and maintained the Division of Water's very favorable financial position. He was appointed Director of the city's Department of Public Utilities in 2004 and began his current role at the Northeast Ohio Regional Sewer District in November 2007.

In his current role at the District, he oversees all aspects of managing one of the nation's largest wastewater management utilities. Under his leadership, the District has received two awards from the Commission on Economic Inclusion including a 2009 award for Supplier Diversity which highlights the success of one of Mr. Ciaccia's initiatives to craft and implement a supplier inclusion program; and a 2012 award for Senior Management Inclusion, recognizing diversity of Senior Staff.

As the District's Executive Director, Mr. Ciaccia was also responsible for a recently entered consent order for a long term control plan to significantly reduce combined sewer overflows, as well as the successful development and implementation of a new Regional Stormwater Management Program. Additionally, one of Mr. Ciaccia's many accomplishments as Executive Director has been the transformation of the District's culture to one of transparency and ethical financial practices.

As member of NACWA's Board of Directors, Mr. Ciaccia has served as the Secretary, Treasurer, and Vice President. Mr. Ciaccia has selflessly shared his time, passion, energy and ideas to carry out the objectives of the Clean Water Act.

It is my sincere pleasure to congratulate Julius Ciaccia on becoming President of NACWA. I am certain his actions will ensure continued water quality progress for the Cleveland area, the State of Ohio and the Nation.

HONORING DR. MELODY SMITH

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Dr. Melody Smith of Saint Joseph, Missouri. Melody is active in the community and has been chosen to receive the YWCA Women of Excellence Woman in the Workplace Award.

Melody has been the Superintendent of the Saint Joseph School District since 2006. Under Melody's leadership the Saint Joseph School District has earned the Missouri Distinction in Performance rating six times. Melody is also credited with bringing State recognition to Saint Joseph for excellence in Early Childhood Education. As Superintendent, Melody has been a true leader and mentor encouraging teachers to pursue national board certification and to work toward postgraduate degrees.

During her tenure in that position she developed the PACT program to give the people of the school district a voice in guiding the educational future of the community. Thanks to those efforts, Saint Joseph will be enjoying two new schools in the very near future. If asked she will simply say that she has viewed the job of Superintendent as an opportunity to serve. With all of these accomplishments, one distinction will always remain for Melody; that she was the first woman to serve as Superintendent for the Saint Joseph School District.

Mr. Speaker, I proudly ask you to join me in recognizing Dr. Melody Smith. She has made an amazing impact on countless individuals in the St. Joseph community. I am honored to represent her in the United States Congress.

AGAINST THE NAME OF THE NATIONAL FOOTBALL LEAGUE'S WASHINGTON FOOTBALL FRANCHISE

HON. ENI F. H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in opposition to the name of the National Football League's Washington, D.C. franchise, the ''Redskins,'' which I will refer to as the ''R-word.'' In particular, I want to recognize the national media coverage of this very important and sensitive issue. While the media has no doubt contributed to the alleged normalcy of the ''R-word'' among NFL fans, it must be acknowledged that the tide of public opinion—as recently evidenced through well-known media outlets—is changing.

Mr. Jarrett Bell, an NFL columnist for USA Today, penned an article stating that the Washington franchise ''[has] a history of bigotry.'' In Mr. Bell's words: ''[Dan Snyder] has an opportunity to make a bold statement in the

name of social progress by discarding the racially offensive nickname of his team—and he won't budge an inch. Shame on him.'' Mr. Bell continues: ''Changing the franchise's nickname would be the next step after the monumental gesture of implementing the Rooney Rule a decade ago, and another show of corporate leadership that might inspire teams in other sports that trivialize Native Americans with their nicknames to break tradition.''

Mr. Michael Wilbon and Mr. Tony Kornheiser, sports columnists for the Washington Post and co-hosts of ESPN's ''Pardon the Interruption,'' recently ran a segment on the controversy over the ''R-word.'' Mr. Wilbon stated: ''I don't have any faith in the NFL. But what really disappoints me is [NFL Commissioner] Roger Goodell, because now I don't have any faith in him. I know Roger Goodell, long before he became commissioner. He's a bright man, he's an educated man, he's a man of conviction. And in this instance, he has no courage. What he's done is gutless.''

Mr. Wilbon continues: ''Let's not mince our words here. Roger Goodell sounds like a fool. He sounds like someone who doesn't have the courage to confront one of his own member-institutions and its owner, Dan Snyder. . . . In the NFL you can do what you want, when you want. You're accountable to nobody.''

Mr. Kornheiser states: ''I'm surprised, because I thought he would go to the owner, Daniel Snyder, and force him to change the name, give him cover by saying 'I'm making you change the name.' '' Mr. Kornheiser, in calling the ''R-word'' a racial epithet, continues: ''It's not even about being politically correct; it's being fair, it's being equitable. I mean, you cannot go to a reservation and say, 'Hi, Redskins.' You cannot do this.''

In a poignant letter directed the owner of the Washington franchise, sports columnist for the ESPN affiliate Grantland, Mr. David Zirin, states: ''You have made it crystal clear that you believe there is nothing wrong with the name of our region's beloved franchise and probably perceive Webster's dictionary to have some politically correct, liberal agenda when it defines redskin as 'usually offensive.' You've never commented on its past use in this country as a term of derision, humiliation, and violence.''

''You have not commented on the devastating letter from 10 members of Congress [last] month, including Oklahoma Republican Tom Cole of the Chickasaw Nation, who said that the name was similar to having a team called 'the Washington N-words' and that it 'diminishes feelings of community and worth among the Native American tribes.' ''

''You say the name represents the team's history of great players, but I've never heard you respond to former [Washington] Pro Bowler Tre' Johnson, who said, 'It's an ethnically insensitive moniker that offends an entire race of displaced people. That should be reason enough to change it.' ''

''I know you don't think the name is racist and wrong, and therefore I have to assume that you disagree with Suzan Shown Harjo, a woman of Cheyenne and Muscogee descent who is president of the Morning Star Institute, a national indigenous-rights organization in D.C. Harjo said to me, 'For most Native Americans, there's no more offensive name in English. That non-Native folks think they get to measure or decide what offends us is adding insult to injury.' ''

''People like Suzan Harjo, Tre' Johnson, and Tom Cole talk and you just hear—pardon the expression—white noise. I know you're dug in. What I don't know is whether you realize that this change is going to happen, and soon.''

Mr. Speaker, it is my hope, the hope of Native American citizens everywhere, and now the hope of the national media, that our fellow colleagues and Members of this Chamber stand up against the disparaging name of Washington's NFL franchise.

RECOGNIZING RONALD STARKE III

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. WEBSTER of Florida. Mr. Speaker, I am pleased to recognize Ronald Starke III of Davenport, Florida, on his acceptance to attend a People to People World Leadership Forum in Washington, D.C. this week.

The People to People Leadership Ambassadors program brings together middle and high school students from over 140 countries and offers unique, hands-on educational experiences that prepare students to assume the mantle of leadership in the future. While in Washington, D.C., students will participate in daily educational activities constructed around a leadership development focused curriculum to assist students in identifying and applying their personal leadership style.

To be selected for a People to People World Leadership Forum, Ronald has demonstrated the requirements of academic excellence, leadership potential and exemplary citizenship. His commitment of his time and dedication to his education and future is outstanding. I wish the best for Ronald as he continues to advance toward even higher pursuits.

On behalf of the citizens of Central Florida, I am pleased to congratulate Ronald on his acceptance to a People to People World Leadership Forum this summer. May his hard work and steadfastness inspire others to follow in his footsteps.

IN HONOR OF LES BOWEN DURING NATIONAL SMALL BUSINESS WEEK

HON. NIKI TSONGAS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Ms. TSONGAS. Mr. Speaker, this week we celebrate National Small Business Week, honoring the businessmen and -women whose sacrifices and hard work have helped build our economy from the ground up. I want to take a moment to honor one such entrepreneur, Leslie John Bowen of Concord, Massachusetts, who passed away last November following a courageous battle with pancreatic cancer.

Les was a remarkable individual on so many levels. As an expert in the fields of materials, science and business, he held numerous U.S. and foreign patents and he coauthored over 30 publications. Earning his Ph.D. in Materials Science and Ceramics in 1977, Les went on to do postdoctoral research at the Materials Research Laboratory at The Pennsylvania State University, contributing to the development of piezocomposite materials and other acoustic transducer technologies. Following a move to Massachusetts in 1980, Les worked at GTE Laboratories in Waltham, MA, where his research focused on electronic ceramics and devices. In 1984, he became Manager of Ceramics R&D, overseeing research into structural and optical ceramics. In 1991, Les left GTE to found Material Systems Inc. (MSI). Today MSI employs 40 people in my district in Littleton, Massachusetts, and serves as a powerful example of the kind of high-tech research, development and manufacturing that we must continue to foster here at home.

I first met Les as a newly-elected member of Congress. With my background in law and higher education, I was not well-versed in the Small Business Innovation Research (SBIR) program. Les made a compelling case for the need to enact a long-term reauthorization to provide stability to the innovative companies in Massachusetts and nationwide that use the program to create jobs and provide the Federal Government with the best possible technology. It took multiple years, many short-term extensions, and a number of hard-fought battles, but with Les's diligent engagement of the SBIR community, we were able to enact such a reauthorization in late 2011.

Throughout our friendship, I knew Les as a forceful and thoughtful advocate for small business, one willing to give his time in service to the boards of the Smaller Business Association of New England, SBANE, and the National Small Business Association, and to the President's Export Council Subcommittee on Export Administration, PECSEA. Les took seriously his role in advocating for American small businesses and in mentoring others. For his work, he was recognized by his peers with multiple awards, including being named the NSBA's Champion of Small Business Innovation in February 2012 for his tireless efforts on SBIR.

Although he hailed originally from England, he was deeply committed to advancing our nation's competitiveness by encouraging innovation in the small growth companies that are the backbone of our economy.

Les was a beloved husband to his wife Carol, and father to his daughters, Stephanie and Kimberly. Today Carol leads MSI and has continued Les's legacy of service and advocacy. I am grateful to have the privilege of knowing Les and Carol, and Les continues to serve as an inspiration. It is with great appreciation that we honor him today on the Floor of the House of Representatives during National Small Business Week.

NATIONAL SMALL BUSINESS WEEK—SULLIVAN'S ADVANCED PAINT AND BODY SHOP

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. POE of Texas. Mr. Speaker, this week is National Small Business Week, a week dedicated to honoring the important contributions of America's entrepreneurs and small business owners. Small businesses are what this country was built on; they are what hold our nation together; and they will help get America's economy back on track.

One exemplary small business that stands strong is Sullivan's Advanced Paint and Body Shop in Kingwood, Texas. Operating since 1985, Sullivan's has become a local institution in the Greater Houston area, and it's not difficult to see why. Sullivan's began when Danny Sullivan, who moved to Kingwood in 1977, decided to use his knowledge and skills for auto repair and open up a local body shop. Danny partnered with his brother to make their dream of owning their own auto shop a reality. Through the brothers' hard work and determination, Sullivan's was born. Since then, the family-run business has provided superior service and personal care to anyone who walks through their doors. The Sullivan family has made their shop a place where locals can come and feel comfortable; the lobby of the body shop is always stocked with snacks and hot coffee and has become a location where neighbors come to chat and have their engine repaired at the same time.

The people who work for Sullivan's Advanced Paint and Body Shop are not just friendly—they are excellent at what they do—fixing cars. The Sullivan brothers knew that a successful small business can't be run on friendly personalities alone. Danny Sullivan himself was the number one ranked technician in the country in 1981, 1982, and 1983, and he made it a priority to hire individuals with a talent for repairing automobiles. In other words, there is no doubt that they know what they are doing.

Sullivan's is an excellent example of what makes our nation great and is well deserving of recognition during National Small Business Week. Small businesses are the backbone of our economy, and shops like Sullivan's are what keep us going.

At Sullivan's, the motto is: ''Excellence doesn't just happen, it's a decision we make every day.'' Their actions and attitudes certainly reflect their motto In America, successful businesses come from business owners like the Sullivan brothers.

And that's just the way it is.

HONORING THE LIFE AND DEDICATED SERVICE OF STAFF SERGEANT JESSE LAMAR THOMAS, JR., UNITED STATES ARMY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. MILLER of Florida. Mr. Speaker, it is with profound sadness and deepest sympathy that I rise to pay tribute to a fallen American soldier. Army Staff Sergeant Jesse Lamar Thomas, Jr. of Pensacola, Florida died on June 10, 2013, in Helmand Province, Afghanistan, while in support of Operation Enduring Freedom. SSG Thomas was assigned to the 66th Transportation Company, 39th Transportation Battalion, 16th Sustainment Brigade, 21st Theater Sustainment Command, Kaiserslautern, Germany.

SSG Thomas enlisted into the Army in October 17, 2003, and most recently served his country as a Human Resources Specialist, where he always fought for the resources and well-being of his fellow soldiers to ensure they had the tools required to accomplish the mission. SSG Thomas is remembered by his Company Command as a great mentor, a dedicated noncommissioned officer, and a true professional committed to a life of service to his fellow soldiers, to the United States Army, and to the United States of America. SSG Thomas is also remembered as a talented musician and a man with a deep dedication and love for his family and God.

SSG Thomas lived to support and lift up those around him. He dedicated his life helping to ensure those who would do our Nation harm were defeated, while also working to secure the blessings of freedom for the Afghan people. We will never forget his service toward that honorable end. To SSG Thomas' loving wife Michelle; his children Jamie, Justin, and Jordan; mother, Irma Jean; his siblings, Sheldra, Geneen, Shandrea, and Darrin; his extended family and friends, my wife Vicki joins me in offering our most sincere condolences and prayers.

Mr. Speaker, on behalf of a grateful United States Congress and Nation, I stand here today to honor SSG Jesse Lamar Thomas, Jr. and all of the warriors we have lost. May God continue to bless them and the men and women of our United States Armed Forces.

EMMA COBURN TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. TIPTON. Mr. Speaker, I rise today to recognize Emma Coburn of Crested Butte, Colorado. This month, Ms. Coburn won her second NCAA national title in the steeplechase.

Emma was born in Boulder, Colorado on October 19th, 1990, and raised in Crested Butte. In high school Ms. Coburn set the pace for an excellent athletic career, earning All-American honors on two separate occasions, setting five high school records, and winning eight 2A state championships. At the University of Colorado, she had an excellent showing at the NCAA championship finishing 11th in the steeplechase in her freshman year. Emma's excellence on the track, also extends into the classroom where she has earned a place on the Big 12 Commissioner's Honor Roll.

She won her first national title in 2011 for the steeplechase before going on to compete for the U.S. World Championship team. In the World Championship meet she was the only American in the steeplechase to make it to the finals, and placed 12th overall. In 2012 Coburn prepared to compete for her country again, this time at the Olympics. While training for the Olympics she ran a time of 9:25.28, the fastest time an American has ever ran inside of the United States. Later that year she went on to be the only American to make it the finals, finishing in 9th place.

This year Emma finished her spectacular collegiate track career with another NCAA national title in the steeplechase. Mr. Speaker, it is an honor to recognize Emma for her devotion to athletic and academic excellence as well as to thank her for representing our country at the 2012 summer Olympics.

HONORING THE LIFE AND LEGACY OF SERGEANT JUSTIN JOHNSON

HON. PATRICK MURPHY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. MURPHY of Florida. Mr. Speaker, I rise today with a heavy heart to honor the life and legacy of U.S. Army Sergeant Justin Johnson, who was killed during an attack at Bagram Air Base in Afghanistan on Tuesday, June 18th Sgt. Johnson was on his third tour of duty at the age of 25. He enlisted in the Army immediately following his graduation from South Fork High School in Stuart, Florida, speaking to his commitment to serving our nation.

As we remember Sgt. Johnson here today, let us also pay tribute to the sacrifices made by the military families who support our brave men and women in uniform, all the while knowing that their loved ones may not return home. Sgt. Johnson leaves behind his mother, Sonia Randolph, and a four-year-old son, Justin Johnson, Jr. Even faced with the loss of her son, Ms. Randolph remarked that she is ''blessed that he was happy and willing to do what he needed to do for his country.'' This strength and dedication speaks volumes to the man that Sgt. Johnson was—a true American hero.

Mr. Speaker, Sgt. Justin Johnson bravely served our nation and ultimately gave his life to defend this country. I extend my most heartfelt condolences to his friends and family during this most difficult time. It is an honor and privilege to recognize his life of service here today.

IN RECOGNITION OF THE OUTSTANDING COMMITMENT OF DR. NAZMUL HASSAN TO THE BANGLADESHI-AMERICAN COMMUNITY IN MICHIGAN AND ACROSS THE COUNTRY

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. PETERS of Michigan. Mr. Speaker, I rise today to recognize my longtime friend, Dr. Nazmul Hassan, as he is recognized by the Bangladeshi-American community in Michigan for his many years of stalwart guidance and leadership. Known to friends as Shahin, Dr. Hassan has been a strong voice for Bangladeshi-Americans, not just in Michigan, but across the United States of America. As an immigrant to our nation, Shahin is emblematic of one of the greatest strengths of our nation, our ability to bring the best and brightest from across the world.

Before coming to Michigan, Shahin was a leader in his birth country of Bangladesh. His commitment to service is an ideal he learned at a young age, from watching his father, who was an educator and prominent elected leader in Bangladesh having served as a Member of Parliament for four terms. The value of service to the community is one that Shahin brought with him when he arrived in the United States as a student in 1991. Shahin later went on to earn a Masters of Science in Industrial and Manufacturing Engineering in 1996, and in 2011, he completed his Doctorate in Industrial Engineering from Wayne State University. In his professional work, he worked for both Delphi Automotive and Ford Motor Company.

While his educational and professional pursuits are impressive, nowhere has his passion been felt more greatly than in his tireless advocacy for the Bangladeshi-American population. In his tenure as the President and Chairman of the Michigan Bangladeshi American Democratic Caucus (BADC), Shahin has worked within his community to organize its members and raise issues of importance to them in the public arena. His work has included assisting community members with a wide range of issues, from immigration to helping families in need obtain basic necessities. He has been a source of information for his community on pressing policy issues such as human rights, foreign affairs and health care. In particular, during the debate on the Patient Protection and Affordable Care Act he organized discussions within the Bangladeshi community to raise awareness of health care issues.

In my time representing Michigan in the United States Congress, I have been fortunate to call Shahin a valued friend and trusted advisor. Thanks to his leadership, I have developed close relationships with Bangladeshi constituents and am honored to serve as a leader of the Bangladeshi Congressional Caucus in Washington, D.C. Shahin's passion for his community and his support of cross-cultural dialogue, both in Michigan and across the country, have earned him numerous accolades, including the 2011 Rev. Dr. Martin Luther King, Jr. Freedom Award from the Michigan Democratic Party.

Mr. Speaker, our unparalleled ability to attract the best and the brightest from around the world and bring them to our country, where they make significant contributions to our future, is one of our nation's greatest strengths. Dr. Nazmul Hassan's life is an embodiment of the American Dream and for his work, our nation is a better place. I am grateful to both Shahin and his family for the many experiences they have shared with me and I wish Dr. Hassan well as he continues to represent the interests of Bangladeshi-Americans in his new endeavors.

PERSONAL EXPLANATION

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. HASTINGS of Florida. Mr. Speaker, had I been present for votes on June 19, 2013, I would have cast the following votes:

Roll No. 253 Motion on Ordering the Previous Question on H. Res. 271—"No" Vote.

Roll No. 254 Motion on Agreeing to the Resolution H. Res. 271—"No" Vote.

Roll No. 255 Motion on Approving the Journal—"No" Vote.

Roll No. 256 On Agreeing to the Amendment McGovern of Massachusetts Part B Amendment No. 1—"Yes" Vote.

Roll No. 257 On Agreeing to the Amendment Foxx of North Carolina Part B Amendment No. 3—"No" Vote.

Roll No. 258 On Agreeing to the Amendment Broun of Georgia Part B Amendment No. 5—"No" Vote.

Roll No. 259 On Agreeing to the Amendment Blumenauer of Oregon Part B Amendment No. 8—"Yes" Vote.

Roll No. 260 On Agreeing to the Amendment Blumenauer of Oregon Part B Amendment No. 9—"Yes" Vote.

Roll No. 261 On Agreeing to the Amendment Kaptur of Ohio/Hastings of Florida Part B Amendment No. 14—"Yes" Vote.

Roll No. 262 On Agreeing to the Amendment Royce of California/Engel of New York Part B Amendment No. 15—"Yes" Vote.

Roll No. 263 On Agreeing to the Amendment Chabot of Ohio Part B Amendment No. 16—"No" Vote.

PERSONAL EXPLANATION

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. CLEAVER. Mr. Speaker, due to a commitment in my district, I had to miss votes on H.R. 1947. Had I been present, I would have voted Aye on Amendment 1, No on Amendment 3, No on Amendment 5, Aye on Amendment 8, Aye on Amendment 9, Aye on Amendment 14, Yes on Amendment 15, No on Amendment 16.

HONORING BROOKE WARD

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Brooke Ward of Saint Joseph, Missouri. Brooke is active in the community and in her school and has been chosen to receive the YWCA Women of Excellence Future Leader Award.

Brooke Ward is a perfect example of leading through example. She graduated second in her class at Lafayette High School, while excelling in both AP and Honors level classes. She received letters in both volleyball and basketball, mentored other students, volunteered throughout the community and has advocated for Drug and Alcohol Free living. Brooke's writing skills allowed her to be one of two nationally selected students to participate in a study of Mao's Long March through Eastern China.

Brooke has also been active through roles in student government and she served as the Senate Minority Floor Leader at Girls State. I had the privilege of having Brooke work in my Saint Joseph office as an intern. As a high school student, she set an incredibly high standard for the interns that followed her to try and live up to. To say that Brooke is an impressive young woman with a bright and successful future in front of her is a complete understatement.

Mr. Speaker, I proudly ask you to join me in recognizing Brooke Ward. She is an amazing individual and a tremendous asset to the Saint Joseph community. I am honored to represent her in the United States Congress.

PERSONAL EXPLANATION

HON. RUSH HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. HOLT. Mr. Speaker, yesterday, during debate of the rule (H. Res. 271) and during consideration of amendments to H.R. 1947, Federal Agriculture Reform and Risk Management Act and of 2013, I was not able to be present for Recorded Votes. Had I been present during the vote series, I would have voted as follows:

"No" on rollcall vote 254, On Ordering the Previous Question;

"No" on rollcall vote 254, On Agreeing to the Resolution to provide for consideration of H.R. 1947;

"No" on rollcall vote 255, On Approving the Journal;

"Yes" on rollcall vote 256, On Amendment No. 1 offered by Mr. McGovern of Massachusetts to restore the $20.5 billion in SNAP by offsetting the Farm Risk Management Election Program and the Supplemental Coverage Option;

"Yes" on rollcall vote 257, On Amendment No. 3 offered by Ms. Foxx of North Carolina to cap spending on the Farm Risk Management Election program at 110% of CBO-predicted levels for the first five years in which payments are distributed;

"No" on rollcall vote 258, On Amendment No. 5 offered by Mr. Broun of Georgia to repeal permanent law from the Agriculture Act of 1949 that pertains to dairy support and to prevent the currently suspended law from becoming reactivated should Congress not reauthorize programs under the Department of Agriculture;

"Yes" on rollcall vote 259, On Amendment No. 8 offered by Mr. Blumenauer of Oregon to require that twenty percent of the acreage enrolled in the Conservation Reserve Program be set aside for the Conservation Reserve Enhancement Program and the Continuous Conservation Reserve Program, which allows states to target high priority and environmentally sensitive land and to continually reenroll that land in CRP;

"Yes" on rollcall vote 260, On Amendment No. 9 by Mr. Blumenauer of Oregon to reform the Environmental Quality Incentives Program (EQIP) to increase access for farmers and to eliminate payments to projects that do not show strong conservation benefits;

"Yes" on rollcall vote 261, On Amendment No. 14 by Ms. Kaptur of Ohio to improve federal coordination in addressing the documented decline of managed and native pollinators and to promote the long-term viability of honey bees, wild bees, and other beneficial insects in agriculture;

"Yes" on rollcall vote 262, On Amendment No. 15 offered by Mr. Royce of California to reform U.S. international food aid to allow for not more than 45 percent of authorized funds to be used for assistance other than U.S. agricultural commodities, yielding $215 million in annual efficiency savings, enabling the U.S. to reach an additional 4 million disaster victims. Curtails the practice of "monetization" which, according to the GAO, is inefficient and led to a loss of $219 million over three years. Reductions in mandatory spending result in $150 million in deficit reduction over the life of the bill;

"No" on rollcall vote 263, On Amendment No. 16 offered by Mr. Chabot of Ohio to repeal section 3102, which reauthorizes the Market Access Program (MAP) until 2018.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. GRAVES of Missouri. Mr. Speaker, on June 19, 2013, on rollcall vote #260, Blumenauer amendment 8, I voted "yea." I intended to vote "nay" on the amendment.

IN HONOR OF THE STATE OF WEST VIRGINIA'S SESQUICENTENNIAL

HON. DAVID B. McKINLEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. MCKINLEY. Mr. Speaker, I rise today to celebrate the 150th birthday of West Virginia's statehood. As a seventh generation West Virginian, I am proud of the special history of the Mountain State.

On June 20, 1863, West Virginia became the 35th state in the country. While the Civil War divided the nation, few states faced more internal strife because of the conflict than Virginia. Bitter relations between eastern and western Virginians had been growing for years before the Civil War as people living in both regions were divided geographically, culturally, economically and politically. After Virginia voted to secede from the Union on April 17, 1861, people living in western Virginia pushed for the creation of a new state by formally petitioning President Abraham Lincoln for statehood.

A public referendum on the issue of statehood passed on October 24, 1861, and a constitutional convention held in my hometown of Wheeling in February 1862 produced a constitution that was intensely debated, with one controversial issue being the emancipation of slaves. The first draft of the new state constitution was not well received by the U.S. Senate because it contained no emancipation clause, so the Willey Amendment, which called for the gradual emancipation of slaves, was added. It apparently worked. The measure passed by a vote of 23 to 17. After another contentious debate, the measure passed the House on December 10, 1862, by a vote of 96 to 55.

In late December 1862, President Lincoln turned to his Cabinet for advice on whether the legislation that would create the state of West Virginia was constitutional. He received contradictory opinions, and no consensus. Lincoln agonized over his decision and weighed arguments from both sides before announcing his decision. On New Year's Eve 1862 he signed the bill that gave birth to West Virginia.

It was a controversial decision that scholars continue to debate to this day, mainly because the petition for statehood was approved by the government representing the territory that would become West Virginia and not the territory that would remain Virginia. Lincoln recognized the questionable nature of the state's creation, noting that "a measure made expedient by a war, is no precedent for times of peace." But he said he signed the bill because he could not afford to lose the support of loyal West Virginians.

"Her brave and good men regard her admission into the Union as a matter of life and death," the president said in his written opinion. "They have been true to the Union under very severe trials. We have so acted as to justify their hopes; and we cannot fully retain their confidence, and cooperation, if we seem to break faith with them."

After the Civil War, the new state experienced an era of unprecedented industrial development with burgeoning industries based on its rich natural resources—coal, oil, natural gas and timber—along with the construction of hundreds of miles of new railroads that helped to open up the Mountain State to trade with the world. By the turn of the century, West Virginia had grown to become a significant contributor to the nation's industrialization and expansion.

While the state remains a leader in energy, it also is a global supplier of chemicals and a national hub for biotech industries. Its diverse economy now includes aerospace, automotive, healthcare and education, metals and steels, media and telecommunications, manufacturing, hospitality, biometrics, forestry, and tourism.

West Virginia also is a great place for outdoor recreation with 32 state parks, Alpine and Nordic ski areas, whitewater rafting, and other attractions, such as The Greenbrier resort in White Sulphur Springs and the Summit Bechtel Family National Scout Reserve in Glen Jean. The state's beautiful mountains, lakes and rivers, low crime rate, and other lifestyle factors continue to draw tourists and retirees alike.

From its difficult beginnings until today, West Virginians have remained "true to the Union," as Lincoln said. More than 500,000 West Virginians have answered the call of duty since the Revolutionary War. More than 10,000 West Virginians have given their lives in combat, and the state, though only 1.8 million strong, leads the country in the number of military veterans per capita.

As the only state born of the Civil War and the only state formed by presidential decree, West Virginia proudly celebrates its sesquicentennial.

LETTER TO THE SPEAKER URGING THE CREATION OF A HOUSE SELECT COMMITTEE ON THE TERRORIST ATTACK ON THE U.S. CONSULATE IN BENGHAZI, LIBYA

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. WOLF. Mr. Speaker, I submit a copy of my June 19, 2013 letter again urging the creation of a bipartisan Select Committee to investigate the terrorist attack on the U.S. consulate and annex in Benghazi last September.

There are only five legislative weeks left before the one-year anniversary of the attacks. Yet there remain too many unanswered questions resulting from too few public hearings with key witnesses who were present the night of the attack.

That's why 158 Members have cosponsored H. Res. 36 to create a Select Committee to conduct a full investigation with public hearings. The Select Committee has also been endorsed by family members of the Benghazi victims, more than 700 retired Special Operations officials and the Federal Law Enforcement Officers Association.

I urge the prompt creation of a Select Committee to ensure the American people learn the truth.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
June 19, 2013.

Hon. JOHN A. BOEHNER,
Speaker of the House, House of Representatives, The Capitol.

DEAR MR. SPEAKER: The American people are losing confidence in their government. The tragedy in Benghazi, along with a stream of recent controversies, including the IRS and the Justice Department's targeting of reporters at Fox News and the Associated

Press, as well as the ambiguity about recently disclosed programs at the National Security Agency, are eroding public trust in the institutions of government.

This diminishing of public confidence isn't limited to the Executive Branch. Congress' approval rating is at an all-time low. A June 14 National Journal article said, ''Nearly 8 in 10 Americans told Gallup pollsters this month that they disapprove of the way Congress is handling its job, the 45th consecutive month that more than two-thirds of Americans graded Congress poorly. The problem isn't as much what Congress is doing as what it is not getting done.'' I believe most Americans would agree that one of the items ''not getting done'' is a thorough, comprehensive and ultimately definitive investigation into the response to the Benghazi attacks.

That is why I have been pushing so hard for a bipartisan Select Committee to investigate the September 11, 2012 terrorist attack in Benghazi. The response among most of our colleagues and the public has been overwhelming. Since January, when I proposed including the Select Committee in the House Rules package for the 113th Congress, more than two-thirds of House Republicans—a majority of the majority—have cosponsored my bill, H. Res. 36, to create the Select Committee. Since that time, there has been a growing chorus of support. The bill has been endorsed by the parents of some of the victims, by more than 700 retired Special Operations officials, by the Federal Law Enforcement Officers Associations, which represents the State Department security officers who were on the ground in Benghazi, and by The Wall Street Journal editorial page in addition to dozens of other commentators, former diplomats and military officials. I believe this broad support speaks to the public's hunger for clear answers on Benghazi—answers which to date have been elusive. That is why more than nine months after the devastating attack, my resolution continues to add new cosponsors; it now has the support of 158 Republicans.

I recognize that ''regular order'' has made some progress over the last six months; most notably Chairman Issa's constructive hearing with several State Department whistleblowers. I also understand that Chairman McKeon has planned a hearing with Gen. Carter Ham for next week, but like so many of these hearings, this, too, will be held behind closed doors. There is no reason Gen. Ham's testimony shouldn't be public. This latest classified hearing is symptomatic of a broader problem with respect to the current congressional approach to investigating Benghazi: Too much has been done in a piecemeal fashion, behind closed doors, thereby robbing the American people of clear answers to important questions surrounding the murder of a sitting U.S. ambassador and three civilian employees, and the grievous injury of untold others.

Deuteronomy 16:20 tells us, ''Justice, justice shalt thou pursue.'' As we quietly marked the nine-month anniversary of the attacks last week, I know many people wondered if there will ever be any clear resolution to this investigation, let alone justice.

Writing about Benghazi in The Wall Street Journal last month, columnist Peggy Noonan pondered, ''Was all this incompetence? Or was it politics disguised as the fog of war? Who called these shots and made these decisions? Who decided to do nothing?''

More than nine months later, the Congress still cannot answer these questions. No one has been held responsible for the failure to respond that night. A few mid-level career officials have been penalized, but ultimately those senior officials who were in the position to actually say the buck stops here—cabinet secretaries and political appointees at the White House, State Department, Defense Department and CIA—have emerged unscathed, and in some cases, seemingly the better for it.

Consider that former Secretary Clinton now earns hundreds of thousands of dollars for every speech she gives, former Secretary Panetta just signed a $3 million book deal and former CIA Director Petraeus recently joined an investment firm in New York.

Similarly, several other administration officials associated with the Benghazi response to the attack have been promoted. Ambassador Rice has been promoted to national security advisor, then-deputy national security advisor Dennis McDonough has been promoted to White House chief of staff, and then-White House chief of staff Jack Lew has been promoted to Treasury Secretary.

If all responsible for the government's response to Benghazi have been rewarded with lucrative contracts or promotions within the administration, what signal does this send to the American people about accountability?

Mr. Speaker, we're fast approaching the Independence Day recess. We will only have four legislative weeks in July before the August recess. When we return in September we will be just days away from the one-year anniversary of the Benghazi attacks.

We must not wait until the second year of this investigation to commit the focused resources of a Select Committee in pursuit of government accountability and, ultimately, truth. Sources are disappearing and leads are drying up. The Select Committee legislation needs to be Swiftly brought to the floor for a vote, so the House can hold public hearings over the summer—focused exclusively on the core issues about why no assistance was sent to the Americans under fire in Benghazi—and attempt to provide a final public report by the first anniversary of this attack.

You have a number of committee chairman who would be excellent at leading the Select Committee. Chairman Issa has shown in his hearing with the State Department whistleblowers that he would be a good chairman. Similarly, Chairman Royce, Chairman Rogers, Chairman McKeon, Chairman Goodlatte and Chairman McCaul are all strong leaders and would ably chair a Select Committee. Further, we have a lot of talent in our conference to draw from. There are a number of newer members who have proven themselves to be capable and insightful investigators. You could consider appointing some of them to the Select Committee, too.

As I mentioned earlier, a number of new controversies involving the Obama Administration have surfaced in recent months that demand the committees' full attention. This is all the more reason to take the best of the best under a Select Committee to build, at no additional cost, on the work that has already been done through regular order. There would be no need to start over, as some have tried to say. Nor would there be additional costs—the resolution specifically states that we should use existing resources.

We owe it to the families of the Benghazi victims and to the not yet named survivors, whose lives will be indelibly marked by the wounds they endured protecting the annex, to honor their sacrifice and their service. Harkening back to Deuteronomy, we must pursue justice on their behalf, recognizing their heroism and an accounting for the failures in leadership that left them exposed and vulnerable. We also owe it to the men and women who serve our country now and in the years ahead to restore confidence that if they come under fire, we will make every effort to come to their defense. For these reasons alone, we should not give up on this issue.

I am afraid that if we don't move on a Select Committee, we'll never find out the truth. Just as The Wall Street Journal editorial page in May said, ''A Select Committee is the only means available now for the U.S. political system to extricate itself from the labyrinth called Benghazi.''

The need for a Select Committee is underscored by the difficulty we're having getting answers on a number of current investigations. Consider that in the case of the IRS scandal, both the Ways and Means Committee and the Oversight and Government Reform Committee have opened up independent investigations that will likely take significant resources for months to come. It is important that they investigate, and they are doing an excellent job. But despite these efforts, much remains unknown about the IRS scandal—which involves only a single agency and does not have to deal with sensitive, classified information—including whether the political targeting of groups was confined to the Cincinnati office or was actually directed by Washington. We still don't have a clear answer.

In comparison, the Benghazi case cuts across multiple national security agencies and the White House involving sensitive information, thereby putting it in a league of its own among the various scandal investigations. Also of great interest is the increasing concern that the FBI is being used by various agencies as an excuse to avoid answering questions on Benghazi, especially as this investigation drags on longer. The American people should be troubled by the anemic pace of the FBI's investigation of those responsible for the attacks. Nearly a year later, the U.S. does not have a single suspect in custody. The Tunisians released one suspect earlier this year, after making the FBI wait for months to interview him. Another person of significant interest has been held since last fall by the Egyptian government, a recipient of billions of dollars in U.S. foreign assistance, but they will not allow the FBI to interview him.

Even more concerning, last month the Associated Press reported that the FBI allegedly has identified five men believed to be responsible for the Benghazi attacks, but won't detain them because it does not have enough evidence to try them in a U.S. civilian court. For the U.S. to know the identities and possible locations of those who killed four Americans and fail to take action immediately because the administration insists on an Article III trial is shameful. For these reasons, any worthwhile Benghazi investigation must also consider how the Justice Department has managed its investigation into the terrorists over the last year.

Despite these serious issues, much of the House's investigation on Benghazi to date has centered on secondary discussions like the ''talking points'' and the Accountability Review Board process, to the detriment of more fundamental issues like the administration's apparent abandonment of Americans who were facing a deadly siege.

On the issues that matter most, there is nothing that happened that deadly night in Benghazi that can't be addressed in a public hearing and accompanying report of findings. There are ways to protect classified information while still allowing the public to learn what actually happened that night.

There is no legitimate reason that the public shouldn't know what calls for help were made from Benghazi, who received those calls and, most importantly, why no support was sent to the Americans under siege. There is no reason that officials in the chain of command at various agencies shouldn't be asked to answer publicly why no effort was made to rescue those in Benghazi.

It has been repeated often that there were no military assets in the region that could have responded in time to stop the initial attack on the consulate. But when the attacks started, no one could have known whether it would last eight minutes, eight hours, or eight days, or longer. It appears that not even a single plane was scrambled. We can't help but draw the deeply troubling conclusion that within minutes of the attack, the decision was made that the battle was lost and the Americans left there would be collateral damage in the greater War on Terror.

If our government never sent a plane to help defend the annex, it begs the question: Did they even send an American plane to get the bodies and survivors out of Benghazi after the attacks? There's no reason the public should not learn the answer to this question, too.

As Lt. Gen. William G. Boykin (ret.) and other former Special Operations officials have noted, a bedrock American ethos—that our nation never leaves anyone behind on the battlefield—was shattered that night in Benghazi. No one came to rescue them despite pleas for help. More than nine months later, too many questions remain unanswered: Who took the call that night? What were they told and how did they respond? Why was the determination made not to intervene in a horrific assault on a U.S. diplomat and his brave support staff?

In the dangerous world in which we live there are undoubtedly hard fought battles where American blood is spilled, and lives lost—our nation is painfully aware of this reality through our experience in distant lands like Iraq and Afghanistan. But Benghazi was an unanticipated battlefield where terrorist elements seized on the occasion of the anniversary of 9/11 to strike at an American outpost abroad. They did so with deadly consequence, and their attack was met with silence from a superpower.

This is a black mark on our national history. It emboldens others with similarly gruesome aims. It leaves vulnerable Americans serving in dangerous posts. And ultimately, the lack of transparency from the various government agencies and entities involved undermines the faith of the American people in their government.

This is a less obvious ''casualty'' of that dark day, but it has lasting implications which we as public servants know well. For in a functioning democracy there is a sacred trust that must exist between the government and the governed and that trust is precipitously eroding.

As the Wall Street Journal noted in its May editorial, ''Let Benghazi's chips fall. The House should appoint a Select Committee.''

Best wishes.
Sincerely,

FRANK R. WOLF,
Member of Congress.

PERSONAL EXPLANATION

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. ROGERS of Kentucky. Mr. Speaker, on rollcall No. 251 on the passage of the District of Columbia Pain-Capable Unborn Child Protection Act, I am not recorded because I was absent due to illness. Had I been present, I would have voted ''aye.''

PANCREATIC CANCER AWARENESS

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to draw awareness to the impact of pancreatic cancer in the United States.

My staff and I have had recent conversations with individuals from my district on the effects of pancreatic cancer on their lives and their loved ones.

Last Congress, we came together to support the Recalcitrant Cancer Research Act which provides the strategic direction and guidance needed to make true progress.

These strategic plans are desperately needed in these types of cancers for which we have made so little progress.

Pancreatic cancer is still the only major cancer with a five-year survival rate in the single digits at just 6 percent; there are still no early detection tools or life-saving treatments.

The answers that could lead to changing the statistics for pancreatic cancer could lie in one of the grants currently under review at the National Cancer Institute (NCI). However, we may never realize the potential because cuts to the NCI's budget are resulting in good grants being thrown out with the trash.

We cannot let this situation continue. I therefore urge my colleagues to support a permanent fix to sequestration and provide the resources needed to conquer these deadly cancers.

ALAMOSA COUNTY COLORADO TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. TIPTON. Mr. Speaker, I rise today to recognize the 100th anniversary of Alamosa County, Colorado. In these fast-paced times, we often overlook the foundations of America—small towns with hard-working people.

Since 1913, Alamosa has been a model of American values, with a proud heritage of honest, hard work, perseverance and community. As the legend goes, Alamosa, originally intended as a rail center for the Rio Grande Railroad, was built from the ground up practically over-night. Industrious from the outset, the citizens of Alamosa built the town with bricks forged from local clay and fired in the city's own kiln.

It's this spirit of industry that drives Alamosa County's 9,000 residents today. It provides opportunities for the next generation to grow and prosper at Adams State College and Trinidad State College, in one of Colorado's most diverse landscapes that boasts the Great Sand Dunes National Park and the Alamosa National Wildlife Refuge.

Mr. Speaker, it is an honor to recognize the 100th anniversary of Alamosa County and pay tribute to the people, past and present, who have built this community and continue to embody hard work and dedication, values which have made our country strong.

COMMEMORATING THE 50TH ANNIVERSARY OF ACDI/VOCA

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. GARAMENDI. Mr. Speaker, it is my great pleasure to congratulate ACDI/VOCA on the occasion of their 50th anniversary. This outstanding organization was founded in 1963 with the mission of empowering people around the world to take advantage of economic opportunities and improve quality of life for their families and communities. To this date, ACDI/VOCA continues to fulfill this mission, as they help millions of individuals and families fight their way out of poverty. Their notable accomplishments include contributing to the launch of the Green Revolution in India, strengthening Ethiopian co-ops to bring their coffee into global prominence, and pioneering grassroots financial services across the former Soviet Union. With a staff comprised of 90 percent locally-hired employees, and working through a network of over 3,000 local partner organizations, ACDI/VOCA combines the best in international development expertise with powerful grassroots capacities to implement effective programming that has a real and sustained impact. I commend ACDI/VOCA on their history of outstanding service and am confident that they will continue to make a difference in people's lives around the world long into the future.

A TRIBUTE TO W.A. ''BILL'' KRAUSE

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. LATHAM. Mr. Speaker, I rise today to honor the life and memory of Kum and Go founder W.A. ''Bill'' Krause who passed away on Wednesday, June 19, 2013.

Bill was born on January 13, 1935, and was raised near Hampton and Eldora, Iowa. After graduating from Eldora-New Providence High School, Bill went on to receive a degree in Journalism and Public Affairs from the University of Iowa where he developed his renowned

passion for Hawkeye athletics. Just two years later in 1959, Bill embarked on two journeys that would change his life forever. The first was marrying the love of his life, Nancy, and the second was forming a business partnership with his new father-in-law to pioneer the idea of a ''convenience store.'' Together, Bill Krause and Tony Gentle began the Krause Gentle Corporation that offered customers a one-stop shop to fill their vehicles with gasoline and buy essentials such as milk, bread, and eggs. Once Bill and Tony acquired Hampton, Iowa-based Viking Oil, the wheels were set in motion to develop one of the greatest and most widespread businesses our State has ever seen. By 1976, the Kum and Go brand was developed and today has spread to more than 440 stores in 11 States. From humble Iowa beginnings, Bill's leadership and intelligence has driven his business to become one of the largest family-owned chains in the country.

In addition to his successful professional life, Bill consistently served his community in a variety of meaningful capacities. A strong advocate for the Catholic Church, Bill was an active member of West Des Moines' St. Francis of Assisi parish. Bill also served on the Holy Family School Foundation Board and was named a Lifetime Member of the Dowling Catholic High School Honorary Foundation Board. Last year, Bill and Nancy were chosen to receive Dowling's highest honor, the Civitas Award.

Of course, one could never speak of Bill without mentioning his numerous contributions to his alma mater. As a lifelong and die-hard fan of the University of Iowa, Bill served his school in numerous ways including the National I-Club Board and the Tippie School of Business Board. In 1993, Bill earned the coveted ''Hawk of the Year'' title, and today the Krause Family Pavilion at Kinnick Stadium continues to serve as a reminder of his enthusiasm and support for the school he loved.

Mr. Speaker, Mr. Krause lived his life in an extraordinary fashion and he is a testament to the power of a strong Iowa work ethic and commitment to family. It has truly been an honor to represent such an exemplary Iowan in the United States Congress, and his contributions to our great State will be deeply missed. I offer Nancy and the entire Krause family my sincerest sympathies and best wishes in this difficult time as we mourn the passing of a true Iowa legend.

RECENT EXPERT REPORTS, DISPARITY STUDIES AND CONGRESSIONAL HEARINGS ADDRESSING PUBLIC PROCUREMENT AND MINORITY- AND WOMEN-OWNED BUSINESS ENTERPRISES

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. CUMMINGS. Mr. Speaker, I submit the following information:

CONGRESSIONAL HEARINGS

2013

Strengthening the Entrepreneurial Ecosystem for Minority Women, Hearing Before the S. Comm. on Small Business and Entrepreneurship, 113th Cong. (2013)

2012

Closing the Wealth Gap Through the African-American Entrepreneurial Ecosystem: Roundtable Discussion with the U.S. House Comm. on Small Business, 112th Cong. (Sept. 9, 2012).

2011

Closing the Gap: Exploring Minority Access to Capital and Contracting Opportunities: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 112th Cong. (2011)

2010

Assessing Access: Obstacles and Opportunities for Minority Small Business Owners in Today's Capital Markets, Hearing Before the S. Comm. on Small Business and Entrepreneurship, 111th Cong. (2010)

Minority Contracting Opportunities: Challenges for Current and Future Minority-Owned Businesses: Hearing before the U.S. House Committee on Oversight & Gov't Reform, Subcommittee on Government Management, Organization and Procurement, 111 Cong. (Sept. 22, 2010)

Minorities and Women in Financial Regulatory Reform: The Need for Increasing Participation and Opportunities for Qualified Persons and Businesses: Hearing Before the U.S. House Comm. on Financial Services, Subcomm. on Oversight and Investigations and Subcomm. on Housing and Community Opportunity, 111th Cong. (2010)

Full Committee Hearing on Small Business Participation in Federal Procurement Marketplace: Hearing Before the U.S. House Comm. on Small Business, 111th Cong. (2010)

2009

Infrastructure Investment: Ensuring an Effective Economic Recovery Program: Hearing Before the H. Comm. on Transportation and Infrastructure, 111th Cong. (2009)

The Federal Aviation Administration Reauthorization Act of 2009: Hearing Before the H. Subcomm. on Aviation of the H. Comm. on Transportation and Infrastructure, 111th Cong. (2009)

Full Committee Hearing on the State of the SBA's Entrepreneurial Development Programs and Their Role in Promoting an Economic Recovery: Hearing Before the H. Comm. on Small Business, 111th Cong. (2009)

Full Committee Hearing on Oversight of the Small Business Administration and its Programs: Hearing Before the H. Comm. on Small Business, 111th Cong. (2009)

The Department of Transportation's Disadvantaged Business Enterprise Programs: Hearing Before the H. Comm. on Transportation and Infrastructure, 111th Cong. (2009)

The Role of Small Business in Recovery Act Contracting: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 111th Cong. (2009)

Trends Affecting Minority Broadcast Ownership: Hearing Before the H. Judiciary Comm., 111th Cong. (2009)

Roundtable on Healthcare Reform: Small Business Concerns and Priorities: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 111th Cong. (2009)

Doing Business with the Government: The Record and Goals for Small, Minority and Disadvantaged Businesses: Hearing Before the H. Comm. On Transportation and Infrastructure, 111th Cong. (2009)

Minority Entrepreneurship: Evaluating Small Business Resources and Programs: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 111th Cong. (2009)

The Minority Business Development Agency: Enhancing the Prospects for Success: Hearing Before the H. Subcomm. on Commerce, Trade, and Consumer Protection of the H. Comm. on Energy and Commerce, 111th Cong. (2009)

2008

Full Committee Hearing on SBA's Progress in Implementing the Women's Procurement Program: Hearing Before the H. Comm. on Small Business, 110th Cong. (2008)

Holding the Small Business Administration Accountable: Women's Contracting and Lender Oversight: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 110th Cong. (2008)

Diversity in the Financial Services Sector: Hearing Before the H. Subcomm. on Oversight and Investigations of the H. Comm. on Financial Services, 110th Cong. (2008)

Military Base Realignment: Contracting Opportunities for Impacted Communities: Hearing Before the H. Comm. on Government Management, Organization, and Procurement of the H. Comm. on Oversight and Government Reform, 110th Cong. (2008)

Community Reinvestment Act: Thirty Years of Accomplishments, But Challenges Remain: Hearing Before the H. Comm. on Financial Services, 110th Cong. (2008)

Doing Business with the Government: The Record and Goals for Small, Minority, and Disadvantaged Businesses: Hearing Before the H. Subcomm. on Economic Development, Public Buildings, and Emergency Management of the H. Comm. on Transportation and Infrastructure, 110th Cong. (2008)

Subcommittee Hearing on Oversight of the Entrepreneurial Development Programs Implemented by the Small Business Administration and National Veterans Business Development Corporation: Hearing Before the H. Subcomm. on Rural and Urban Entrepreneurship of the H. Comm. on Small Business, 110th Cong. (2008)

Women in Business: Leveling the Playing Field: Roundtable Before the S. Comm. on Small Business and Entrepreneurship, 110th Cong. (2008)

Subcommittee Hearing on Minority and Hispanic Participation in the Federal Workforce and the Impact on the Small Business Community: Hearing Before the H. Subcomm. on Regulations, Health Care, and Trade of the H. Comm. on Small Business, 110th Cong. (2008)

Opportunities and Challenges for Women Entrepreneurs on the 20th Anniversary of the Women's Business Ownership Act: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 110th Cong. (2008)

Business Start-Up Hurdles in Underserved Communities: Access to Venture Capital and Entrepreneurship Training: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 110th Cong. (2008)

How Information Policy Affects Competitive Viability of Small and Disadvantaged Business in Federal Contracting: Hearing Before the H. Subcomm. on Information Policy, Census, and National Archives of the H. Comm. on Oversight and Government Reform, 110th Cong. (2008)

2007

Full Committee Field Hearing on Participation of Small Business in Hurricane Katrina Recovery Contracts: Hearing Before the H. Comm. on Small Business, 110th Cong. (2007)

Minority Entrepreneurship: Assessing the Effectiveness of SBA's Programs for the Minority Business Community: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 110th Cong. (2007)

Full Committee Hearing on the Small Business Administration's Microloan Program: Hearing Before the H. Comm. on Small Business, 110th Cong. (2007)

Increasing Government Accountability and Ensuring Fairness in Small Business Contracting: Hearing Before the S. Comm. on Small Business & Entrepreneurship, 110th Cong. (2007)

Diversifying Native Economies: Oversight Hearing Before the H. Comm. on Natural Resources, 110th Cong. (2007)

Expanding Opportunities for Women Entrepreneurs: The Future of Women's Small Business Programs: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 110th Cong. (2007)

Federal Contracting: Removing Hurdles for Minority-Owned Small Businesses: Hearing Before the H. Subcomm. on Government Management, Organization, and Procurement of the H. Comm. on Oversight and Government Reform, 110th Cong. (2007)

Full Committee Hearing to Consider Legislation Updating and Improving the SBA's Contracting Programs: Hearing Before the H. Comm. on Small Business, 110th Cong. (2007)

Mortgage Lending Discrimination: Field Hearing Before the H. Comm. on Financial Services, 110th Cong. (2007)

Access to Federal Contracts: How to Level the Playing Field: Field Hearing Before the S. Comm. on Small Business and Entrepreneurship, 110th Cong. (2007)

Preserving and Expanding Minority Banks: Hearing Before the H. Subcomm. on Oversight and Investigations of the H. Comm. on Financial Services, 110th Cong. (2007)

2006

Reauthorization of Small Business Administration Financing and Entrepreneurial Development Programs: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 109th Cong. (2006)

Northern Lights and Procurement Plights: The Effect of the ANC Program on Federal Procurement and Alaska Native Corporation: Joint Hearing Before the H. Comm. on Government Reform and the H. Comm. on Small Business, 109th Cong. (2006)

Diversity: The GAO Perspective: Hearing Before the H. Subcomm. on Oversight and Investigations of the H. Comm. on Financial Services, 109th Cong. (2006)

Strengthening Participation of Small Businesses in Federal Contracting and Innovation Research Programs: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 109th Cong. (2006)

RECENT STATE AND LOCAL GOVERNMENT DISPARITY STUDIES

CALIFORNIA

Metro Disparity Study Final Report, Prepared by BBC Research & Consulting for the Los Angeles County Metropolitan Transportation Authority (2009)

Metrolink Disparity Study Draft Report, Prepared by BBC Research & Consulting for the Southern California Regional Rail Authority (2009)

OCTA Disparity Study Final Report, Prepared by BBC Research & Consulting for the Orange County Transportation Authority (2010)

SANDAG Disparity Study Final Report, Prepared by BBC Research & Consulting for the San Diego Association of Governments (2010)

San Diego County Regional Airport Authority Disparity Authority, Prepared by BBC Research & Consulting for the San Diego County Regional Airport Authority (2010)

FLORIDA

The State of Minority and Women Owned Enterprise: Evidence from Broward County, Prepared by NERA Economic Consulting for Broward County, Florida (2010)

GEORGIA

Georgia Department of Transportation Disparity Study, Prepared by BBC Research & Consulting for the Georgia Department of Administration (2012)

HAWAII

The State of Minority and Women Owned Enterprise: Evidence from Hawai'i, Prepared by NERA Economic Consulting for the Hawaii Department of Transportation (2010)

INDIANA

Indiana Disparity Study: Final Report, Prepared by BBC Research & Consulting for the Indiana Department of Administration (2010)

MARYLAND

The State of Minority and Women Owned Enterprise: Evidence from Maryland, Prepared by NERA Economic Consulting for the Maryland Department of Transportation (2011)

MINNESOTA

The State of Minority and Women Owned Enterprise: Evidence from Minneapolis, Prepared by NERA Economic Consulting for the City of Minneapolis (2010)

The State of Minnesota Joint Availability and Disparity Study, Prepared by MGT of America, Inc., for the Minnesota Department of Transportation (2008)

NORTH CAROLINA

City of Charlotte: Disparity Study, Prepared by MGT of America, Inc., for the City of Charlotte (2011)

OHIO

The State of Minority and Women Owned Enterprise: Evidence from Northeast Ohio, Prepared by NERA Economic Consulting for the Northeast Ohio Regional Sewer District (2010)

OKLAHOMA

City of Tulsa Business Disparity Study, Prepared by MGT of America, Inc. for the City of Tulsa (2010)

OREGON

A Disparity Study for the Port of Portland, Oregon, Prepared by MGT for America, Inc., for the Port of Portland, Oregon (2009)

City of Portland Disparity Study, Prepared by BBC Research & Consulting for the Portland Development Commission (2011)

PENNSYLVANIA

City of Philadelphia, Fiscal Year 2009 Annual Disparity Study, Prepared by Econosult Corporation for the City of Philadelphia (2010)

City of Philadelphia, Fiscal Year 2010 Annual Disparity Study, Prepared by Econosult Corporation for the City of Philadelphia (2011)

City of Philadelphia, Fiscal Year 2011 Annual Disparity Study, Prepared by Econosult Corporation for the City of Philadelphia (2012)

TENNESSEE

City of Memphis, Tennessee, Comprehensive Disparity Study, Prepared by Griffin and Strong, P.C., for the City of Memphis (2010)

TEXAS

The State of Minority and Women Owned Enterprise in Construction: Evidence from Houston, Prepared by NERA Economic Consulting for the Northeast Ohio Regional Sewer District (2012)

VIRGINIA

A Disparity Study for the Commonwealth of Virginia, Prepared by MGT of America, Inc. for the Commonwealth of Virginia (2010)

WASHINGTON, D.C.

2010 Disparity Study, Final Report, Prepared by Mason Tillman Associates, Ltd., for the Washington Suburban Sanitary Commission (2011)

WISCONSIN

Disparity Study for the City of Milwaukee, Prepared by D. Wilson Consulting Group, LLC for the City of Milwaukee (2010)

HONORING KAPPY HODGES

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Kappy Hodges of Saint Joseph, Missouri. Kappy is active in the community through her work and has been chosen to receive the YWCA Women of Excellence Emerging Leader Award.

Kappy Hodges is a walking testament to the power of volunteerism and what a positive affect it can have on a community. Kappy was a founding board member of the Saint Joseph chapter of Big Brothers/Big Sisters. She has been recognized for her work with the Junior League and has been praised for her work to support Animal Shelter and Rescue. She has also been a diligent fund raiser and coordinator for large community projects like Trails West! and the Apple Blossom Pageant.

Mr. Speaker, I proudly ask you to join me in recognizing Kappy Hodges. She has already made an amazing impact on countless individuals in the St. Joseph community. I am honored to represent her in the United States Congress.

THE INTRODUCTION OF THE MAJOR GENERAL DAVID F. WHERLEY, JR., DISTRICT OF COLUMBIA NATIONAL GUARD RETENTION AND COLLEGE ACCESS GRANT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Ms. NORTON. Mr. Speaker, as we approach the four-year anniversary of the tragic June 22, 2009, Metro crash, in which Major General David F. Wherley, former Commanding General of the D.C. National Guard, his wife, Ann, and seven others were killed when Metro trains collided on the Red Line, I introduce a bill, the Major General David F. Wherley, Jr., District of Columbia National Guard Retention and College Access Act (NGRCA), to permanently authorize funding for a program that provides grants for higher education to members of the D.C. National Guard. In 2010, I renamed this bill after General Wherley because he worked tirelessly

with me to get funding for the program for many years, and because of his devotion to the youth of the District of Columbia.

The NGRCA authorizes an education incentive program, recommended by the late Major General David F. Wherley, Jr., and his successor, Major General Errol Schwartz, to stem the troublesome loss of members of the D.C. Guard to other units. Surrounding states offer such educational benefits to their Guards. I am grateful that the Appropriations committees have provided funds for the program in some years, most recently in fiscal year 2013. Naming a permanently authorized program after General Wherley would memorialize his service to the country and to the Guard in a way that I believe he would have appreciated. Authorizing funding is necessary to ensure that D.C. Guard members receive the same treatment and benefits as other National Guard members, especially those in states that provide the higher education benefits we seek for D.C. Guard members. The Guard for the nation's capital has a limited ability to compete for regional residents, who find membership in the Maryland and Virginia Guards more beneficial. A competitive tuition assistance program for the D.C. Guard will provide significant incentives and leverage to help maintain enrollment and level the field of competition. The D.C. Guard is a federal instrument not under the control of the mayor of the District of Columbia. The federal government supports most other D.C. Guard functions and should support this small benefit as well.

The small education incentives in my bill would not only encourage high-quality recruits, but would have the important benefit of helping the D.C. Guard to maintain the force necessary to protect the federal presence, including members of Congress and the Supreme Court, and visitors if a terrorist attack or natural disaster should occur. I am pleased to introduce the bill based on the advice of Guard personnel, who best know what is necessary.

It is especially important for the D.C. Guard to be able to attract the best soldiers, given its unique mission to protect the federal presence here, in addition to D.C. residents. This responsibility distinguishes the D.C. Guard from all other National Guards. The D.C. Guard is specially trained to meet its unique mission.

I urge my colleagues to support the bill.

CELEBRATING THE CENTENNIAL ANNIVERSARY OF LAKE WORTH, FLORIDA

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to celebrate the centennial anniversary of Lake Worth, Florida, a diverse and vibrant city in my district. Since its incorporation on June 4th, 1913, Lake Worth has grown into a lively community of 36,000 people.

Currently under the leadership of Mayor Pam Triolo, Lake Worth is a world-class tourist destination. It boasts one of the longest municipal piers on Florida's Atlantic Coast, a unique downtown, and over 1,000 historical buildings. Lake Worth is also home to the Palm Beach County Cultural Center, which has delighted art-lovers and patrons of all ages since its founding in 1978.

Founded by former slaves, Lake Worth is one of the most diverse cities in Florida. Today, it boasts over 50 different nationalities. Its rich cultural history continues to promote a sense of hard work, diversity, and inclusiveness.

In honor of Lake Worth's centennial anniversary, I am proud to recognize this dynamic community for their past successes and wish them a bright and prosperous future.

CANCEL THE SEQUESTER: LET DR. WOODRUFF IMPROVE OUR UNDERSTANDING OF THE EFFECTS OF EXPOSURE TO METALS ON HUMAN REPRODUCTIVE HEALTH

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise to tell my colleagues about the deleterious effect that sequestration is having on biomedical research and our ability to improve the health of people in communities across this country.

This week, Dr. Teresa Woodruff, a reproductive endocrinologist and the Chief of the Division of Fertility Preservation at the Feinberg School of Medicine at Northwestern University, contacted me to explain how the sequester is harming her ability to perform critical research into the effects of toxins on female reproductive health and fertility.

Last year, Dr. Woodruff applied for a grant from the Superfund Research Program, a joint program of the National Institute of Environmental Health Sciences and the National Institutes of Health, to investigate and develop strategies to combat the proliferation of toxins at the DePue, Illinois Superfund site. Her application received a positive score and, after revising her research plan after being told that NIH lacked the resources needed to fully fund the project, she expected to receive funding and begin work this summer.

Unfortunately, Dr. Woodruff's team will be unable to start this critical research. In May, she was told that NIEHS cannot award the Superfund grant because of the sequester—an additional across-the-board cut to an already-modest research budget. The NIEHS administrator responsible for awarding these grants indicated that he had never seen anything like this before in his career—never before was he unable to fund a grant after a positive award decision was made.

Sequestration has pulled the rug out from under our researchers. Instead of working to understand the threats posed by environmental toxins, Dr. Woodruff's team is forced to delay this extremely valuable research. She is not giving up—and she will spend many more hours completing grant applications in hopes that funding will be available in the future. But, in the meantime, research that could result in real improvements for women's health and the environment is being put on hold.

I hope my colleagues will take the time to read a summary of the important research that Dr. Woodruff's team is unable to perform due to the unnecessary and harmful sequester cuts. I urge my colleagues to restore vital research funding by supporting H.R. 900, the Cancel the Sequester Act, so that our researchers can get back to doing their work.

NORTHWESTERN UNIVERSITY REPRODUCTIVE HEALTH HAZARDS SUPERFUND RESEARCH CENTER

SUMMARY

There is limited understanding of the effects of exposure to metals on human reproductive health. The proposed Northwestern University Reproductive Health Hazards Superfund Research Center was designed to investigate the effects of metal contaminants on reproductive function in DePue, Illinois and in Northwestern University laboratories.

In the village of DePue, which was designated a Superfund site in 1999, the Center would investigate the longitudinal risk of heavy metal contamination on human reproductive health and track how such contaminants are dispersed through the food chain and microbial environments. Additionally, the Center would work with the village of DePue to educate the local community and translate new knowledge into policy changes to improve public health.

At Northwestern University laboratories, Center researchers would also investigate the impact of metals on gamete (egg and sperm) function and reproductive health. Additionally, the team would develop new assays to assess the reproductive health risks of heavy metals and mitigation strategies for metal removal and environmental remediation. The knowledge gained by the Center would be applicable to the village of DePue, Superfund sites, and other contaminated sites across the United States.

HISTORY

Our team initially applied to the Superfund Research Program, a joint program of the National Institute of Environmental Health Sciences and the National Institutes of Health, in the spring of 2012. In the fall of 2012, we were awarded a positive score with a good chance or receiving funding in response to our application, and we were asked to supply a letter of information responding to the limited criticisms from the peer review.

In March 2013, we were offered an option informally to receive funding at a reduced amount for a reduced time period since our application was well reviewed and deemed meritorious but available funding was limited. We elected to accept this funding rather than resubmit and provided approximately 80 pages of revised budgets and supporting materials toward this option. That material was well-received, but two weeks prior to the annual resubmission deadline, it was suggested that we also resubmit our original application with revisions because the informally offered funding was in jeopardy due to sequestration and rescission. Even on this limited time-frame we managed to resubmit our application. Despite the continued confidence of the NIH program officers that the reduced grant would be funded as of July or August, in May we were formally informed that it would not be. It is important to note that the NIH receives funding for Superfund Research through the Interior Appropriations Subcommittee rather than the standard Labor/HHS/Education Appropriations Subcommittee, which funds the majority of the NIH budget. We are now awaiting review of the resubmitted grant proposal in November and hope to obtain funding in April 2014.

Sequestration, and the unpredictable nature of funding during this time, has not only delayed the creation of a critical research program but has consumed hundreds of man hours for the research team at Northwestern University.

CONTACT INFORMATION

Kate Timmerman, PhD, Program Director, Oncofertility Consortium, Northwestern University.

Teresa K. Woodruff, PhD, Vice Chair for Research, Department of Obstetrics and Gynecology; Director, Oncofertility Consortium, Northwestern University.

HONORING KAREN GRAVES

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Karen Graves of Saint Joseph, Missouri. Karen is active in the community through her work and has been chosen to receive the YWCA Women of Excellence Lifetime Achievement Award.

Although she wasn't born in Saint Joseph, the moment that she arrived Karen has been involved in the community and shows no signs of stopping. Karen has been responsible for the creation of Trails West!, one of Missouri's premiere art, music and cultural festivals. Karen also spearheaded Saint Joseph's designation as an All American City in 1997. As a member of the Saint Joseph Symphony board of directors and co-founder of the Missouri Western State University Art Society Karen strives to ensure that Saint Joseph residents benefit from a full spectrum exposure to all of the arts.

Karen was also one of the founding visionaries of the Community Foundation of Northwest Missouri. This non-profit organization allows individuals a simple way to support their favorite charities and successfully raised $15 million to that end. She serves as co-chair for the current YWCA capitol funds drive and was recently named one of 50 Missourians You Should know by Ingram's Magazine.

Mr. Speaker, I proudly ask you to join me in recognizing Karen Graves. She has made an amazing impact on countless individuals in the St. Joseph community. I am honored to represent her in the United States Congress.

IN HONOR OF NATIONAL SMALL BUSINESS WEEK

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. CUMMINGS. Mr. Speaker, I rise today to recognize the 50th Anniversary of National Small Business Week.

Growing a small business is a difficult task that requires dedication and perseverance.

For a minority business owner or a woman business owner, it can be even more difficult—as demonstrated by study after study.

Because of discrimination, minorities and women frequently do not have the history of entrepreneurship, the employment background, or the wealth to start their own businesses.

And then, when they try to borrow funds to grow their businesses, woman and minorities often face discrimination yet again. Studies show us that lenders are more likely to reject minority loan applications or to charge higher interest rates to minority borrowers—even when the minority-owned or woman-owned business is similar to a white-owned business.

Finally, minority and women business owners often have a hard time breaking into the closed networks of contracting and are overlooked or even intentionally excluded when opportunities do arise. Again, study after study demonstrates that minority-owned and women-owned businesses do not participate in public contracting in the numbers that we would expect given their availability.

Programs that help level the playing field for women- and minority-owned businesses remain critical to ensuring that taxpayer money is not used to support exclusionary ''business as usual'' practices.

Today, therefore, I am submitting for the record a list of studies that substantiate these fundamental points—just as I did during the May 8, 2012, meeting of the House-Senate Conference Committee that considered the surface transportation bill that became the MAP–21 legislation, when conferees accepted the materials by unanimous consent.

IN RECOGNITION OF THE WHALEMAN

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. KEATING. Mr. Speaker, I rise today to recognize the one hundredth anniversary of the iconic The Whaleman statue's unveiling in New Bedford, Massachusetts.

One hundred years ago today, on June 20, 1913, prominent New Bedford citizen and former Congressman William W. Crapo stood outside the New Bedford Public Library and, surrounded by thousands of local residents, officially presented the statue that would soon become an icon of the city. Standing in the bow of a skiff, with waves crashing over its hull, The Whaleman's subject is poised with his harpoon, watchfully looking ahead. The statue's inscription quotes Herman Melville's Moby Dick and reads ''A Dead Whale or a Stove Boat,'' referring to the danger inherent in a profession in which the desired catch was just as likely as an overturned, or ''stove,'' vessel.

Mr. Crapo had commissioned the statue one year earlier, in 1912, as an acknowledgment of the city's rich history in the whaling industry and to pay homage to the whalemen whose hard labor had contributed so much to New Bedford's growth. With the approval of New Bedford mayor Charles Ashley, famed Boston sculptor Bela Lyon Pratt was initially paid $25,000 to create the statue, and The Whaleman was completed in less than a year. Pratt recruited local boatsteerer Richard McLachlan to stand as his model, in an effort to capture the true spirit of those who worked in this industry. Since its unveiling in 1913, The Whaleman has become one of the most recognizable icons of New Bedford. Its likeness has found its way onto everything from coffee mugs to Christmas ornaments, and it has been viewed by visitors to the city from around the world. The statue remains in its original home outside the New Bedford Public Library, and its centennial this June will be celebrated in the very spot on which it was first presented.

On the one hundredth anniversary of The Whaleman, it is also important to remember those whom the statue itself was created to honor—the countless individuals whose work contributed to the growth of New Bedford in its early years. These pioneers were truly responsible for the strong foundation on which the region would rest for decades to come, and New Bedford's story would have been far different without their many contributions.

Mr. Speaker, I am honored to recognize the one hundredth anniversary of The Whaleman. I ask that my colleagues join me in marking this important celebration.

RECOGNIZING AMERICAN EAGLE DAY

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. ROE of Tennessee. Mr. Speaker, I rise today in support of designating June 20, 2013 as American Eagle Day and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States. On June 20, 1782, the eagle was designated as the national emblem of the U.S. by the Founding Fathers at the Second Continental Congress.

The bald eagle is the central image of the Great Seal of the United States and is displayed in the official seal of many branches and departments of the Federal Government.

The bald eagle is an inspiring symbol of the spirit of freedom and the democracy of the United States. Since the founding of the Nation, the image, meaning and symbolism of the eagle have played a significant role in art, music, history, commerce, literature, architecture and culture of the United States. The bald eagle's habitat only exists in North America.

Over the years, several members of Congress have introduced and passed resolutions in support of the designation of American Eagle Day.

I hope my colleagues will join in celebrating today, June 20, 2013 as American Eagle Day, which marks the recovery and restoration of the bald eagle.

A TRIBUTE TO PRIVATE KENNETH L. MILLER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. LATHAM. Mr. Speaker, I rise today to honor the service to our nation by Iowan and

World War II veteran Private Kenneth Miller, and recognize the great work being done by the Pottawattamie County Veteran Affairs office.

On Monday, June 24th, the Pottawattamie County Veteran Affairs office will be assisting in honoring Private Miller with several medals he earned for his brave service in World War II. Private Miller will be presented with the World War II Victory Medal, and the Asiatic-Pacific Campaign Medal with Bronze Star Attachment, as well as the Honorable Service Lapel Button, Marksman Badge and Rifle Bar. Most notably however, Private Miller will be honored with the Purple Heart for the injuries he sustained on June 4, 1944 as a part of the New Guinea Campaign. It goes without saying that Private Miller's dedication and service to his grateful country was nothing short of exemplary.

Mr. Speaker, it is a great honor to represent the people of Iowa, the city of Council Bluffs, and veterans like Private Miller in the United States Congress. His heroic contribution to our nation's largest war effort represents just one example of the long tradition of selflessness and service upheld by Iowans serving in the U.S. Armed Forces. I invite my colleagues in the House to join me in acknowledging Private Miller for his actions and thanking the Pottawattamie County Veteran Affairs office for their assistance in this ceremony. I humbly express my sincere gratitude to all of our nation's veterans, servicemembers and their families for their service and sacrifice.

TRIBUTE TO FORMER ALABAMA CIVIL APPEALS JUDGE JOHN CRAWLEY

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. BONNER. Mr. Speaker, I rise to pay tribute to the service of a distinguished Alabamian who was known for his unshakeable integrity and fairness on the judicial bench.

Judge John Crawley of Brundidge, a former long-time judge on the Alabama Court of Civil Appeals, passed away after a long illness on June 1, 2013, at the age of 73.

Judge Crawley was born on February 28, 1940 into a family of four children in Troy, Alabama. He received his undergraduate and law degrees from the University of Alabama.

After college, he served as a law clerk on the Court of Appeals of Alabama for Judge George Johnson, and then served as an Assistant Attorney General assigned to the Alabama Department of Revenue. In 1969, he returned to Pike County. While practicing law in Troy, he helped establish Hand-In-Hand, a nonprofit organization devoted to helping handicapped students.

In April 1991, he was appointed Circuit Judge of the 12th Judicial Circuit for Pike and Coffee Counties by Governor Guy Hunt and served until January 1993.

In 1994, Judge Crawley made his mark on state political history as one of the first Republicans elected to Alabama's Civil Appeals Court. He accomplished this feat without asking for a single campaign donation or buying any advertisements. He reportedly only made one campaign speech. His reputation as an impartial, hard-working judge ensured his re-election in November 2000.

During his tenure, Judge Crawley served on the Alabama Supreme Court's Task Force on Judicial Elections. Additionally, he served on the Supreme Court Standing Committee on the Alabama Rules of Juvenile Procedure, the Alabama State Bar Committee on Alternative Methods of Dispute Resolution, and the State Agency ADR Task Force. He was also a member of the Judicial Inquiry Commission, having been appointed to that position by the Alabama Supreme Court.

Judge Crawley was associated with over 3,000 decisions during his tenure on the court and he is still quoted by the Alabama Supreme Court on a number of issues. He was also known to have had more of his dissents adopted by the Alabama Supreme Court than any other judge on the Court of Civil Appeals.

He retired in 2007 after serving two six-year terms on the Court of Civil Appeals, including two years as Presiding Judge (2005 to 2007).

Judge Crawley was an active member, deacon, and former Sunday school teacher of the Banks Baptist Church in his native Pike County. He was said to have affected thousands of lives in his rulings and by his relationships with others. He wanted to make a difference and he left the world a better place.

On behalf of the people of Alabama, I wish to extend my condolences to his wife, Sherrie, and their son, Brantley; his brother, Larry; and sister, Nancy and their entire family. You are all in our thoughts and prayers.

IN HONOR OF SPC. SETH PACK

HON. ROB BISHOP

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. BISHOP of Utah. Mr. Speaker, I rise today to honor one of Utah's most heroic sons and one of my constituents from Ogden, Utah, Spc. Seth Pack of the United States Army, 10th Mountain Division.

While out on patrol on July 1, 2011, Seth was almost mortally wounded when he stepped on an improvised explosive device. Losing his leg and close to death, he has since led the way to recovery. Next week, Seth is leaving Walter Reed Military Medical Center to start the next phase of his young life. The man who entered this hospital on the edge of death has now regained his strength, and has returned to his former self. I submit this poem, penned in his honor by Albert Caswell, and let us all take time to remember and thank the men and women of the Armed Forces, and their families, who volunteer to keep freedom alive and sacrifice for us every day.

AHEAD OF THE PACK

(By Albert Carey Caswell)

Out in front . . .
All on that hunt!
In times of war . . .
There are but all of those for sure!
Who are out ahead of The Pack . . .
Who lock and load!
Who so live by such a code!
A Rat! A Rat . . . A Rat Tat . . . Tat . . . Tat!
Taking the lead,
As so for sure all to speed!
10th Mountain Men,
upon which our Nation now so depends!
Who after the enemy will so run into caves,
and kick doors in so very brave!
Out . . . ahead of The Pack!
As from where you have so led Seth,
a fact!
For you are a grunt!
Ever out on the hunt!
To our freedoms to so bring!
Of thee I sing!
To so live by a code!
To lock and load!
A Rat! A Rat! A Rat Tat . . . Tat . . . Tat!
The United States Army,
Who with his band of Brothers are but ready to bare the load!
And 10th Mountain Men,
who into the face evil do so go!
The ones who so live by a code!
Where you go!
I go!
Who so lock and load!
A Rat! A Rat! A Rat Tat . . . Tat . . . Tat!
Lock and load!
For Seth, U . . . R . . . Tall!
Because,
you have so answered that most noble of calls!
That Call To Arms!
That Call to War!
That Call to Death,
as so for sure!
To so march off so bravely with clenched fists!
To lock and load!
A Rat! A Rat! A Rat Tat . . . Tat . . . Tat!
As all around you such death and gore appears!
As has your fine young life,
been so all so here!
For such men of honor!
For such men of might!
Surely they will one day so see Heaven's light!
Where you Go!
I Go!
All in that blood that binds you so!
As it was while out on patrol!
That you so almost lost your young life,
but not your soul!
Standing so close to death,
right on that very edge . . .
To a place where courage crests!
As when Seth,
you so reached so deep down inside . . .
To a place where only courage so lies!
As you so began your climb!
To lock and load!
A Rat! A Rat! A Rat Tat . . . Tat . . . Tat!
As you got up out of that bed!
With such Strength In Honor,
with no regrets!
All in your actions what was so said!
All at speed,
as somehow you became even Army Stronger so indeed!
Because 10th Mountain do not follow,
they lead!
They lead!
For you are Army Strong!
As your fine heart beats loud and long!
That's right,
For only The Few,
have so led such a most
courageous life as have all of you!
Who so Lock and Load,
who all in the face of death so come shining through!

Who so live by a code!
A code of honor!
A code of war!
All for your Brothers In Arms,
So Ready All So To Die For!
A Rat! A Rat! A Rat Tat . . . Tat. . . Tat!
As I remember on those first early days,
as you were but a shell of what you are today!
As you got up and told pity to get out of your way!
For you had mountains to so climb!
Because 10th Mountain do it all the time!
And Seth,
you have so many hearts to so heal!
Yea, Seth,
you are Ahead of The Pack we can feel . . .
For that's where we will so find you out on attack!
Leading us all so in time!
And where would our Nation all so be,
if it were but not for such men and families as all of these?
Who, where you go!
I go with speed!
Who so live by a code!
Who so lock and load!
Who so look into the face so we can all be free!
A Rat! A Rat! A Rat Tat . . . Tat . . . Tat!
Way out in front,
ahead of the Pack!
To so teach us!
To so beseech us!
To so reach us!
As one of Utah's brightest of all sons
Who so shines this one!
And if ever I had a son,
I'd wish that he could walk as tall,
as this one!
Ahead of The Pack!
A Rat! A Rat! A Rat . . . Tat . . . Tat . . . Tat!
Who so shines as one of America's most heroic sons!
Who to all of our hearts so run!

IN RECOGNITION OF MR. JAMES ''BUCK'' KOONCE

HON. ERIC SWALWELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. SWALWELL of California. Mr. Speaker, I rise today to recognize Mr. James "Buck" Koonce. Buck recently retired from Lawrence Livermore National Laboratory (LLNL). There he served as the Director of Economic Development and assisted with the management of the Livermore Valley Open Campus (LVOC).

LLNL and Sandia National Laboratories have partnered with the Department of Energy (DOE) to establish the LVOC in order to leverage resources and create a bridge between these national labs and the broader scientific community. Through public-private partnerships with industry, government, and academia, the LVOC involves scientists and engineers from around the world with its unique science facilities, major research and development efforts, industrial collaborations, educational programs, and technology incubators to solve national security challenges.

Buck's economic development efforts have leveraged LLNL functions such as intellectual property management, licensing, and sponsored research, to cultivate partnerships with businesses, industries, entrepreneurs, economic development organizations, community stakeholders, and institutions of higher education. This proactive engagement enables the LLNL management team to set priorities and leverage investments in pilot projects, collaborations, equipment, and facilities to ensure continued growth and improved effectiveness.

Prior to LLNL, Buck held several senior management positions throughout his 35 year career with the University of California. Buck has been an integral part of the management and governance of Lawrence Berkeley National Laboratory (LBNL), Los Alamos National Laboratory, and LLNL.

Buck began his career at the University of California at Berkeley's Molecular Biology and Virus Laboratory in 1974, and he then moved to LBNL where he held positions of increasing responsibility in the Offices of Energy and Environment, Computing, and Engineering Divisions, and finally the Director's Office where he lead the development of LBNL's first Long-Range Development Plan. Buck has been active in many DOE-wide initiatives and is well respected by DOE, National Nuclear Security Administration (NNSA), and the national laboratory community.

On a more personal note, Mr. Speaker, Buck has played a vital role in assisting me in the development of my own thinking on economic policy strategies and the appropriate role of our national labs. I was honored when he agreed to serve on my Economic Development Advisory Committee, and I have learned a great deal from him. I want to thank Buck for his helping me and for his contributions to the East Bay, and I wish him the very best as he begins this new chapter of his life.

SBA LOAN PAPERWORK REDUCTION ACT OF 2013

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Ms. HAHN. Mr. Speaker, in my time in Congress, I have met with over 200 small businesses in my district, touring their businesses, sitting down with them in round tables. And one of the biggest things that they tell me is standing in the way of their success and growth is the difficulty they have in accessing capital.

That's why the work of the Small Business Administration's loan guaranty programs is so important. But often, the paperwork it takes to apply to these programs discourages small businesses from seeking this assistance. Over and over again, small businesses tell me that their biggest obstacle in working with the Small Business Administration is the arduous amounts of paperwork needed to access SBA loans. If we are going to get our economy back on track, we need to make sure our small business owners and entrepreneurs have access to capital.

That is why I am re-introducing the SBA Loan Paperwork Reduction Act, which will make permanent the SBA's pilot Small Loan Advantage Program which features streamlined paperwork, with a two-page application for borrowers and a faster approval time .I have updated this bill to allow the SBA further flexibility to expand the program in future.

Small business owners are having a hard enough time in this economy without having to spend their valuable time and resources wading through a mountain of paperwork.

By passing this bill, we will ensure that our entrepreneurs are given the chance to succeed and our small business owners can access the capital they need to grow and hire more workers.

H.R. 1595, THE STUDENT LOAN RELIEF ACT OF 2013

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in support of extending the 3.4 interest rate on Stafford Student loans to protect students from seeing their interest rates double on July 1, 2013. As the cost of higher education continues to climb and total student loan debt eclipsed credit card debt for the first time, the consequences of inaction are unacceptable. We need to be making college more affordable for all students, not putting it further out of reach.

As an advanced degree becomes more and more of a requirement for well paying jobs, it is vital that low interest loans be available so that students can access an affordable college education. Approximately 60 percent of students take out loans to attend college and increasing the cost of borrowing will prevent millions from being able to obtain a degree.

H.R. 1595, the Student Loan Relief Act of 2013, is a clean extension that would freeze the 3.4 interest rate on Stafford loans for two years. I urge my colleagues to pass this legislation to prevent a crippling hike in rates and give Congress time to find a true long-term solution to student loans and college affordability that is worthy of our nation's young people.

A strong middle-class, well educated workforce and the opportunity for upward mobility are the building blocks of a thriving economy. To maintain and strengthen each, every student must have the opportunity to pursue higher education, not just the privileged few.

College educated students are the future engine of our country, and anyone who wants to pursue a post-secondary education should have the opportunity to do so without going into crushing debt. I urge my colleagues to stop rates from doubling and extend the current interest rate of 3.4 percent.

EN BLOC PACKAGE: AMENDMENT 60—MILITARY FAMILY HOME PROTECTION H.R. 1960, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. CUMMINGS. Mr. Speaker, I want to thank the bill's managers for including in this

en bloc amendment a provision I submitted to amend the Servicemembers Civil Relief Act.

Under current law, certain disabled veterans, servicemembers and their families are not receiving the critical protection they need. As a result, banks are foreclosing on their homes at the very moment when our heroes most deserve our support.

Our amendment extends foreclosure protections to all servicemembers receiving hostile fire or imminent danger pay, to the surviving spouses of servicemembers killed in the line of duty, and to veterans who become disabled due to service-connected injuries.

Last Congress, I introduced a similar amendment that passed the house with overwhelming bipartisan support.

I ask Members to vote in favor of this amendment.

HONORING LOES HEDGE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Loes Hedge of Saint Joseph, Missouri. Loes is active in the community and has been chosen to receive the YWCA Women of Excellence Woman in Volunteerism Award.

Loes Hedge is a retired educator that continues to have a positive influence in the Saint Joseph community to this day. Loes has served as the President of Saint Joseph's NAACP and continues her work with them today as it's current secretary. Recently she was awarded the YWCA's Racial Justice Award in recognition of her many efforts to bridge diversity, empower at risk students and to strengthen education universally. Loes has also been honored as an inductee to the Black Archives Museum Hall of Fame.

Loes also continues in her role as mentor for young educators and serves as a Co-Chair for the Saint Joseph School District Long-Range Planning Committee. She has served on the YWCA Board of Directors, has been involved in voter registration efforts throughout Saint Joseph.

Mr. Speaker, I proudly ask you to join me in recognizing Loes Hedge. She has made an amazing impact on countless individuals in the St. Joseph community. I am honored to represent her in the United States Congress.

IN RECOGNITION OF LINDA BEST UPON HER RETIREMENT

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. GEORGE MILLER of California. Mr. Speaker, I rise with my colleagues Congressman MIKE THOMPSON, Congressman JERRY MCNERNEY, Congressman JOHN GARAMENDI and Congressman ERIC SWALWELL to recognize the outstanding career of Ms. Linda Best, a dynamic leader in the community, and congratulate her as she retires after more than thirty-two years in service to the people of Contra Costa County.

In 1981, after earning a Bachelor of Arts and a Master of Arts degree from Stanford University, Linda began her successful career as the Executive Director of the Coalition of Labor and Business. Three years later she became Executive Director for the Contra Costa Council, an organization she would help shape and expand throughout her tenure. From 2004 on, Linda has served as President and CEO of the Council and continued her strong commitment to the organization and the communities which it serves.

In her nine years as President, Linda has been the heartbeat of the organization and shown a remarkable command of the issues most critical to business, education, the environment, transportation, and workforce development. Under her leadership, the Council has been an engine for economic development, public policy formation, and an informed decision-making voice for the region. Linda has been instrumental in building the Workforce Development Initiative, which brings together business and education in support of high school academics. What was once an organization only affiliated with business has now grown to include labor, education, health care, and nonprofit interests. In fact, the Contra Costa Council's scope has become so widespread, that it recently changed its official name to the East Bay Leadership Council.

Linda's spirit and energy is not only apparent in her work with the Council, but also encompasses her work with the many Boards on which she has served. Included in this long list are; the Board of Directors for John Muir Health, the Eugene O'Neill Foundation, the DVC Foundation, Opportunity Junction, the West Contra Costa Business Development Center, STAND for Families Free of Violence, and the United Way Leadership Council.

Throughout Linda's tenure, she earned many awards and distinctions, including the San Ramon Valley Chamber of Commerce "Woman of the Year Award," the Eugene O'Neill Foundation Open Gate Award, the Contra Costa Child Care Council Kiddie Award, and the Contra Costa Times Woman of Achievement Award for Business and Technology.

We invite our colleagues to join us in commending President & Chief Executive Officer Linda Best for her committed and diligent service to the citizens of Contra Costa County. We are pleased to congratulate Linda on an outstanding career and wish her the very best as she begins a well-deserved retirement.

HONORING THE TOWN OF MACHIAS, MAINE

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. MICHAUD. Mr. Speaker, I rise today to honor the town of Machias, Maine as it celebrates its 250th anniversary.

Located in the heart of Washington County and known as the "Blueberry Capital of the World," Machias is one of our state's most historic and picturesque communities. It serves as the county seat and is a regional center for Downeast Maine, with agricultural, commercial, and educational resources that are utilized and embraced by thousands of nearby Mainers.

The town was settled in 1763 and is home to the Burnham Tavern, a National Historic Site carefully maintained by members of the Hannah Weston Chapter of the Daughters of the American Revolution. In 1775, Machias was the site of the first naval battle of the American Revolution. Author James Fenimore Cooper described the infamous battle and the capture of the English schooner HMS *Margaretta* in his History Of The Navy Of The United States Of America, as "the Lexington of the seas, for like that celebrated land conflict, it was a rising of the people against a regular force, was characterized by a long chase, a bloody struggle, and a triumph."

The residents of Machias embody the values of the hardworking people of Maine, and they may take great pride in the rich heritage they have created over the past 250 years. It is an honor and a privilege to represent the people of Machias in Congress, and I am pleased to have this opportunity to help the town celebrate its 250th anniversary.

Mr. Speaker, please join me in congratulating the people of Machias and wishing them well on this joyous occasion.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $16,738,642,755,073.31. We've added $6,111,765,706,160.23 to our debt in 4 and a half years. This is $6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Monday, June 17. Had I been present, I would have voted "yea" on rollcall vote 245, "yea" on rollcall vote 246, and "yea" on rollcall vote 247.

I was also inadvertently absent for the following votes. Had I been present, I would have voted "yea" on rollcall vote 256, and "yea" on rollcall vote 259.

IN RECOGNITION OF TERRY BUTTON'S APPOINTMENT TO THE NATIONAL FREIGHT ADVISORY COUNCIL

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. REED. Mr. Speaker, I rise today to recognize Terry Button, a resident of Rushville, New York and the 23rd Congressional district that I am proud to represent. Terry is an owner-operator truck driver who has spent decades in the trucking industry; he personally understands the challenges facing the freight and trucking industry present in America today.

Terry is the owner of a one-truck operation and deals firsthand as the broker, shipper, and receiver of all of the loads he moves. He is a hay farmer who has spent years involved in the selling and shipment of agricultural goods and his combined knowledge of farming and trucking places him in a very specialized field of experienced individuals. Terry sits on the Board of Directors of the Owner-Operator Independent Drivers Association, an organization dedicated to upholding the rights and operational standards of truck drivers. In that capacity his knowledge of the trucking industry makes him an invaluable resource for mapping out the future of freight movement.

Recently, Terry was selected by the Secretary of Transportation to be a member of the National Freight Advisory Council (NFAC). The NFAC was established to ensure that all stakeholders in the freight industry would have a voice in shaping freight policy for the 21st century. I applaud the Secretary for selecting an established and successful businessman like Terry for this important role and further acknowledge the important position he will play as a member of the NFAC.

I am honored to congratulate Terry on his recent selection to be a member of this important panel and look forward to working with both Terry and the Department of Transportation as we move forward establishing freight movement policy for the coming years. Terry's knowledge of the freight industry will prove to be a powerful and insightful tool for policymakers and I am proud to officially recognize him here today.

IN RECOGNITION OF BISHOP L.D. SKINNER, SR. AND LADY RUTH SKINNER

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to Bishop L.D. Skinner, Sr. and Lady Ruth Skinner who will celebrate 20 years as Founders, Leaders, and Servants of the Bread of Life Christian Center and Explosion Ministries Fellowship Association of Churches. They will be honored at a Leadership Appreciation Banquet on Friday, June 21, 2013 at 7:00 p.m. at the Columbus Convention and Trade Center in Columbus, Georgia.

Bishop Skinner was born in Elizabeth City, North Carolina, to the late Richard and Alethia Skinner. He holds a Bachelor of Arts in Biblical Studies, a Master of Arts in Theology and a Doctor of Theology in Biblical Studies, all from North Carolina College of Theology.

The Founder and Senior Pastor of Bread of Life Christian Center, Bishop Skinner is also the Founder and Presiding Prelate of Explosion Ministries Fellowship Association of Churches (EMFAC), a fellowship of interdenominational ministers, pastors and bishops who look to Bishop Skinner for instruction, covering and counsel. Bishop Skinner has several ''Timothys,'' ministerial students that he has trained, now actively pastoring. In addition, Bishop Skinner has served in various other ministerial and civic capacities, including Vice President of the Columbus Interdenominational Ministerial Alliance and Vice President of the Columbus NAACP. He is the author of three books, Overcoming Grasshopper Mentality: How to Whip Negative Thinking in Eleven Easy Steps, Prayer: An Awesome Weapon, and Encounters with God: My Life, My Story, All for His Glory, as well as several manuals on leadership, marriage and finances.

The daughter of the late Deacon Charles McDaniel and Elder Jessie Pearl McDaniel, Lady Ruth Skinner is the First Lady of the Bread of Life Christian Center and the National First Lady for EMFAC, both roles that allow her to serve as a matriarch and nurturer to men and women at large. She also performs the role of Ruling Elder and President of the Women's Department at Bread of Life. In addition, she has served as Adult Choir President and Minister of Music, among other capacities within the church.

Bread of Life Christian Center was established in 1984 with an initial group of twenty souls meeting in the basement of Bishop Skinner's home. In the intervening years, the congregation moved several times, outgrowing each facility, until May of 1996, when they moved into their current home, a $1.2 million facility with a 600-seat sanctuary and 30 classrooms to house an ever-growing congregation.

Bishop and Lady Skinner are a dynamic force of life, spirit and faith. Bishop Skinner's understanding, compassion, and kindness have made him a guiding light within the community. Lady Skinner, a woman of striking conviction, unconditional sincerity and impeccable integrity, is looked to by the congregation for nurture and example. Just like fruit trees are often planted in pairs so as to produce more fruit, God planted the lives of Bishop and Lady Skinner together so they could bring the fruit of the Word to more of His children to satiate and sustain them throughout the journey of life.

Bishop Skinner and his lovely wife, Lady Skinner, have together cultivated a large family of dedicated and faithful Christ followers. They also have raised a beautiful family of their own—three sons, Elder Darnel Skinner, Jr., Darrell L. Skinner, Darius L. Skinner and eight grandchildren.

Mr. Speaker, I ask my colleagues to join me in paying tribute to Bishop L.D. Skinner and his wife, Lady Ruth Skinner for their many, many outstanding years of Pastoral Ministry. They have transformed the lives of countless people and their leadership has inspired many others to also help lead the way to eternal life.

IN HONOR OF ANDREW ''ANDY'' A. D'ARRIGO

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. FARR. Mr. Speaker, I rise today to honor Andrew ''Andy'' A. D'Arrigo, on the occasion of his recognition by the Grower-Shipper Association with the E.E. ''Gene'' Harden Award for Lifetime Achievement. Andy is a remarkable American whose hard work and innovation has helped to shape the Salinas Valley and build one of the largest and most innovative family-owned produce companies in the world.

The son of Italian immigrants, Andy was born in Stockton, California, in 1924. His family later moved to the Salinas Valley where his father Stefano and uncle Andrew began a small produce business in 1932. The advent of new ice and refrigeration technologies sparked a boom in California's produce industry and the D'Arrigo brothers stepped into this opportunity and helped push the envelope even further. Andy essentially grew up in the produce business. Indeed, the D'Arrigo Brothers iconic ''Andy Boy'' featured Andy's face and name. In his spare time, Andy was an active Boy Scout, even earning Eagle Scout status in high school. During WWII, Andy served in the Navy. Once out of the service, Andy earned a Bachelor of Science degree from the University of California at Davis and soon after married his wife of 64 years, Phyllis.

After the death of his father in 1951, Andy took over the West Coast operations of the D'Arrigo Bros. Company. The business had been built on shipping produce east from California. Under the D'Arrigos' leadership, it introduced new crops to the American menu, including broccoli, broccoli rabe, and cactus pears, to name a few. Under Andy's leadership, the company grew into a full-service, vertically integrated, produce supplier—growing, marketing, and shipping fresh fruits and vegetables across North America, and beyond. In acknowledgement of the agricultural expertise of the D'Arrigo family, three generations of the D'Arrigo family, including Andy, have been elected president and other leadership positions of the Western Growers Association, the Grower-Shipper Association, and other agriculture industry organizations.

The D'Arrigo family has always believed in giving back to their community. Over the years they have supported organizations such as Natividad Hospital, the United Way, the Boys and Girls Club, the American Cancer Society, the National Steinbeck Center, the Rancho Cielo Youth Campus, the YMCA, and the Breast Cancer Research Foundation, among others. As adoptive parents themselves, Andy and his wife are strong supporters of the Salinas based Kinship Center adoption services center, including its special needs counseling clinic that bears the D'Arrigo name.

Mr. Speaker, I know I speak for the whole House in commending Andy D'Arrigo for helping Americans eat better food and the people of the Central Coast live better lives.

HONORING NANCY JOE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Nancy Joe of Saint Joseph, Missouri. Nancy is active in the community through her work and has been chosen to receive the YWCA Women of Excellence Support Services Award.

Nancy Joe, who is affectionately referred to as 'mom' by her co-workers has established herself as a treasured fixture at Commerce Bank. Nancy has been praised for no only knowing how things need to be done, but for taking time to help train and mentor others rise to meet her exacting standards.

Nancy also carries those same standards of excellence into the Saint Joseph community through her time volunteering. Whether she is serving her community in her church, delivering meals through Meals on Wheels or as the long standing co-chair for Open Door Food Kitchen Nancy can be counted on to do her very best.

Mr. Speaker, I proudly ask you to join me in recognizing Nancy Joe. She has made an amazing impact on countless individuals in the St. Joseph community. I am honored to represent her in the United States Congress.

PERSONAL EXPLANATION

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mrs. MCCARTHY of New York. Mr. Speaker, I was unavoidably absent during the week of June 10, 2013. If I were present, I would have voted on the following.

Tuesday, June 11, 2013: rollcall No. 212: H.R. 251, South Utah Valley Electric Conveyance Act, ''yea''; rollcall No. 213: H.R. 1157, Rattlesnake Mountain Public Access Act, ''yea ''.

Wednesday June 12, 2013: rollcall No. 214: H. Res. 256—Rule Providing for consideration of H.R. 1256 and H.R. 1960, ''nay''; rollcall No. 215: H.R. 634—Business Risk Mitigation and Price Stabilization Act of 2013, ''yea''; rollcall No. 216: H.R. 742—Swap Data Repository and Clearing House Indemnification Correction Act of 2013, ''yea''; rollcall No. 217: Democratic Motion to Recommit H.R. 1256, ''yea''; rollcall No. 218: Final Passage of H.R. 1256—Swap Jurisdiction Certainty Act, ''yea''; rollcall No. 219: H.R. 1038—Public Power Risk Management Act of 2013, ''yea''.

Thursday June 13, 2013: rollcall No. 220: Motion on Ordering the Previous Question on the Rule for H.R. 1960, ''nay''; rollcall No. 221: H. Res. 260—Rule providing for further consideration of H.R. 1960, ''no''; rollcall No. 222: Blumenauer of Oregon Part B, ''no''; rollcall No. 223: Lummis of Wyoming Amendment, ''no''; rollcall No. 224: Coffman of Colorado, ''no''; 'rollcall No. 225: Rigell of Virginia Amendment, ''no''; rollcall No. 226: McGovern of Massachusetts Amendment, ''aye''; rollcall No. 227: Goodlatte of Virginia Amendment, ''no''; rollcall No. 228: Smith of Washington Amendment, ''aye''.

Friday, June 14, 2013: rollcall No. 229: Turner of Ohio Amendment, ''no''; rollcall No. 230: Holt of New Jersey Amendment, ''no''; rollcall No. 231: McCollum of Minnesota Amendment, ''aye''; rollcall No. 232: Nolan of Minnesota Amendment, ''no''; rollcall No. 233: Larsen of Washington Amendment, ''aye'' rollcall No. 234: Gibson of New York Amendment, ''no''; rollcall No. 235: Coffman of Colorado Amendment, ''no''; rollcall No. 236: Walorski of Indiana Amendment, ''no''; rollcall No. 237: Smith of Washington Amendment, ''aye'' rollcall No. 238: Polis/Andrews Amendment, ''aye''; rollcall No. 239: Polis Amendment, ''no''; rollcall No. 240: Van Hollen of Maryland Amendment, ''aye''; rollcall No. 241: Blumenauer of Oregon Amendment, ''aye''; rollcall No. 242: DeLauro of Connecticut Amendment, ''aye''; rollcall No. 243: Democratic Motion to Recommit H.R. 1960, ''aye''; rollcall No. 244: H.R. 1960—National Defense Authorization Act for Fiscal Year 2014, ''aye''.

COMMEMORATING WORLD REFUGEE DAY

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. LEVIN. Mr. Speaker, I rise today to commemorate World Refugee Day and recognize the more than 43 million forcibly displaced people around the world, a number of whom—in search of a better life in America—have resettled in Michigan's Macomb and Oakland counties, which I proudly represent.

World Refugee Day is observed June 20 of each year and is dedicated to raising awareness of the plight of the millions of refugees and internally displaced persons who have been forced to flee their homes due to conflict, persecution, and strife. This day serves as a special reminder of the courage of these resilient individuals and provides us the opportunity to draw attention to their struggle.

The United States is by far the largest donor to the UN Refugee Agency (UNHCR), and this commitment from the American people has helped deliver critical humanitarian aid to the world's most vulnerable populations. U.S.-supported work of the UNHCR includes providing safe food, clean drinking water, shelter, education, security in dangerous situations, and ultimately durable placement options—voluntary repatriation, local integration, or resettlement.

Today is also a time to recognize the positive contributions of refugees who have created new lives in this country. Due to America's historic commitment to welcoming and resettling victims of persecution from around the world, communities all over the country have benefited from refugees' enthusiasm, entrepreneurial spirit, and sense of civic engagement.

Over the last ten years, thousands of Iraqi refugees have resettled in my district—a development that has had a positive impact on the region. I value their contributions and am proud to support the work of local resettlement organizations to integrate new arrivals into American society. This past April, I had the opportunity to visit with the Chaldean American Ladies of Charity at their food bank and home goods warehouse. There I met a young Iraqi mother and her son, both of whom had recently arrived in the United States and resettled in Metro Detroit. The efforts of the established Chaldean community to assist recent refugees were truly impressive, and I was struck by how grateful the mother was for the opportunity to start a new life for her family in the United States.

Today, as we mark World Refugee Day, I urge my colleagues to renew their commitment to providing humanitarian aid and resettlement assistance to victims of ethnic, religious and political persecution as well as other vulnerable people who have been forced to flee their homes due to natural or man-made disasters.

THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FY 2014

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. VAN HOLLEN. Mr. Speaker, I rise today in reluctant opposition to H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014.

The NDAA offers Congress an opportunity to provide the resources we need for our Armed Forces and a chance to address some of the significant challenges that must be confronted—like the mechanisms for confronting cases of sexual abuse in the military. While I appreciate the House Armed Services Committee's continued support of our servicemembers and our national defense, this bill contains a number of serious flaws. These include providing over $5 billion in OCO funding that the Pentagon did not request, imposing funding restrictions that would prohibit the construction or modification of a detention facility in the United States to house Guantanamo detainees, and establishing an unnecessary missile defense site on the East Coast.

I was particularly disappointed that a bipartisan amendment I introduced—which would have ensured that the FY2014 funding for the war in Afghanistan and other overseas contingences is at the level the DoD and military leaders say is necessary for the mission—was not adopted. The funding level in the National Defense Authorization bill for Overseas Contingency Operations (OCO) for Fiscal Year 2014 is set at $85.8—$5 billion more than the $80.7 billion the Defense Department says is necessary to achieve the mission. Defense Secretary Chuck Hagel and Chairman of the Joint Chiefs of Staff General Martin Dempsey both testified before the House Budget Committee that the FY2014 OCO level of $80.7 billion requested in the President's budget was sufficient to meet our military's needs. At a time of fiscal constraint, we simply cannot afford to provide more funding than our military leaders say is needed.

Part of the reason some may have hesitated to support the amendment was due to claims

that it would have eliminated funding for National Guard and Reserve Component Equipment modernization. But, that was simply not true.

As we continue to search for a way to turn off the sequester by replacing it with a more rational deficit reduction package, we shouldn't allow the OCO designation to be used as a loophole to get around spending caps that are written in law as the defense authorization bill did. That is not a solution to the sequester. Instead, we should find a balanced deficit reduction plan to replace sequestration so that we can provide adequate funding to maintain a military that is second to none and make the investments in education, scientific research, and infrastructure necessary to keep our economy strong, which is the foundation of our security. Unfortunately, the House Republican budget takes the opposite approach. It cuts even more deeply into vital investments in our kids' education and in the investments in innovation and technology that help grow our economy. It cuts the part of the budget that funds education and vital medical research by 19 percent below the sequester. And despite claims to want to strengthen our embassy security in the aftermath of tragedies like Benghazi, it slashes State Department operations by over 15 percent.

Despite my opposition to the overall legislation, I was pleased to see that this bill incorporated initiatives that begin to address the problem of sexual assault in the military. Unfortunately, the measures adopted were inadequate to meet the challenge. I was especially disappointed that Congresswoman JACKIE SPEIER was denied the opportunity to offer an important amendment to strengthen accountability and improve the process.

I also share many of the other concerns that were outlined in the President's Statement of Administration Policy. This includes a misguided provision in the bill which would continue funding restrictions that prohibit the construction or modification of a detention facility in the United States to house Guantanamo detainees, and would constrain DoD's ability to transfer Guantanamo detainees, including those who have already been designated for transfer to other countries. In addition, I strongly object to a requirement in this bill which would limit the President's ability to implement the New START Treaty and to set the country's nuclear policy.

I am also opposed to sections 232 and 233 in this bill, which authorize the establishment of a missile defense site on the East Coast that the Pentagon says is unnecessary. These provisions disregard the advice of the Joint Chiefs of Staff and seek to tie the President's hands in determining military requirements in other parts of the world. Finally, this bill contains provisions which ignore DoD recommendations and block the Administration's ability to retire aging and unnecessary military aircraft, including the C–130 AMP, when less expensive options are readily available.

This year's NDAA does authorize much needed funding for vital programs that benefit our men and women in uniform, their civilian colleagues, and our veterans. It is my hope that many of my objections to this legislation will be resolved in Conference with the Senate and that I will be able to support its final passage.

EN BLOC PACKAGE: ENSURING COMPLIANCE WITH USE OF CIVILIAN PERSONNEL AMENDMENT H.R. 1960, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. CUMMINGS. Mr. Speaker, I want to thank the bill's managers for including in this en bloc amendment a provision Congressman LANGEVIN and I submitted to ensure the Department of Defense complies with the law.

The defense authorization act of fiscal year 2010 included a mandate that the Department make funding available to use civilian employees for requirements that last more than five years, thereby saving taxpayer dollars.

The Department's Comptroller's office was required to issue regulations on implementing this mandate. Yet, three years later they have still failed to do so.

This provision reinforces the law by requiring that within 45 days of enactment the Department finally issue these long-awaited regulations.

I ask my colleagues to vote in favor of this en bloc amendment, which includes this important provision.

PORTS AS SMALL BUSINESS INCUBATORS ACT OF 2013

HON. JANICE HAHN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Ms. HAHN. Mr. Speaker, our nation's ports are more than gateways of trade—they are economic engines in their own right. Ports support 13.3 million American jobs and generate $3.15 trillion in economic activity. That is why I founded the PORTS Caucus to educate Members of Congress on the importance of ports to our national economy. As a member of the Small Businesses Committee, I also understand that economic recovery is going to be fueled by the job-creating power of our small businesses.

That is why I am re-introducing the ''Ports as Small Business Incubators Act,'' which will join these two economic forces and further strengthen our economy. In 2005 alone, North American incubation programs assisted more than 27,000 companies that provided employment for more than 100,000 workers and generated annual revenues of $17 billion. My bill creates a grant program available to Port Authorities interested in creating their own small business incubators.

The Ports as Small Business Incubators Act will allow port authorities to apply for a grant to create a small business incubator. This program will encourage port authorities to give opportunities to entrepreneurs who need them most. These newly-created small business incubators will be designed to foster small businesses owned by women, veterans, and minorities. Finally, this program will also encourage businesses that develop a crucial part of our economy: green jobs. Port authorities can work with small business that focus on clean energy and improved air and water quality.

By passing this bill, we will ensure that our entrepreneurs are given the chance to succeed. This program will nurture our new businesses and provide a much-needed boost to our recovering economy.

IN RECOGNITION OF THE OUTSTANDING COMMITMENT OF THE FACULTY, STAFF, STUDENTS, PARENTS AND ALUMNI OF EALY ELEMENTARY SCHOOL IN WEST BLOOMFIELD, MICHIGAN

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. PETERS of Michigan. Mr. Speaker, I rise today to recognize the administrators, educators and students of Ealy Elementary School in West Bloomfield, Michigan as they gather to reflect on the 47 years the school has served the community. For nearly five decades, the education professionals of Ealy have been making an impact at some of the most important moments in children's lives.

Opened in 1966 to meet the needs of a rapidly booming population in West Bloomfield, the faculty and staff of Ealy have diligently carried out the school's mission of providing an educational environment that creates a cooperative link between students' home, school, and community. As part of its mission, the educators of Ealy focus on providing each student with a uniquely challenging curriculum to unlock their fullest potential. This focus not only includes, a strong curriculum in the classroom, but also extends into initiatives and programs that reach students beyond the walls of the school.

In the classroom, the teachers at Ealy have been committed to using technology to enhance the educational experience of their students. With classrooms equipped with the latest computers, Ealy has focused on creating an interactive educational environment for its students. Additionally, each classroom at Ealy features an interactive smart board that further improves the learning experience for its students. The school's commitment to employing technology in the learning process also provided its students with some unique educational opportunities, such as a direct connection to NASA which allowed them to communicate with astronauts during their missions.

Furthermore the faculty and staff of Ealy Elementary understand how the development of good communications skills early in life is an important tool for youth as they develop into adults. As part of the school's commitment to honing this skill in its students, they are required to each complete and publish a non-fiction book annually.

Beyond the walls of their classrooms, Ealy students are exposed to programs which engrain the importance of involvement in their community and world. Students have organized events that support our men and women

in uniform, including adoptions of soldiers serving overseas and organizing care packages for entire units of soldiers. The educators of Ealy have also worked with their students to organize fundraising drives that have supported the victims of hurricanes and tsunamis, as well as create donations drives.

Mr. Speaker, I commend the administration and faculty of Ealy Elementary for the dedication to their students—working day in and day out to ensure that each student has the opportunity to discover and unlock their full potential. Thanks to their hard work, and the support of their parents, Ealy alumni have gone on to make significant contributions to communities around the world. While Ealy may be closing its doors at the end of this school year, the spirit it has imbued in the community will live on as its alumni continue to make a difference in the lives of others and as its dedicated educators continue to impact new students in their future endeavors.

SAINT JOSEPH HABITAT FOR HUMANITY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Habitat for Humanity of Saint Joseph, Missouri. This business has been chosen to receive the YWCA Women of Excellence Employer of Excellence Award.

The Saint Joseph Habitat for Humanity is a place where families come first. The organization is committed to helping needy families in the Saint Joseph area realize the dream of home ownership. The families that are served by Habitat are often headed by single mothers who are inspired and encouraged that through hard work and perseverance, things can change in a positive way.

Even as Habitat seeks to empower women and bless children everyday, it also seeks to provide a family friendly environment for their employees. In staff meetings, personal concerns are given time in addition to agenda items. Employees are given opportunities for personal growth and development. This allows for the staff at Habitat to not only feel good about the work that they do, but who they are doing it for. Every day Saint Joseph Habitat for Humanity demonstrates its commitment to strengthening families in every way possible.

Mr. Speaker, I proudly ask you to join me in recognizing Saint Joseph Habitat for Humanity. This business is a tremendous asset to the St. Joseph community, and I am honored to represent this business in the United States Congress.

A TRIBUTE TO SERGEANT WILLIAM LEE BERG

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 2013

Mr. LATHAM. Mr. Speaker, I rise today to honor the invaluable service to our nation by Sergeant William Lee Berg, and to recognize the great work being done by the Pottawattamie County Veteran Affairs office.

On Monday, June 24th, the Pottawattamie County Veteran Affairs office will be assisting in honoring Sergeant Berg's legacy by presenting his family with several medals he earned during service in Vietnam, including the Vietnam Campaign Medal and the Vietnam Service Medal with a Silver Star. Most notably, however, Sergeant Berg will be posthumously awarded the Purple Heart for the injuries he sustained in a helicopter crash as a door gunman while on a war mission on June 18, 1968, and the Air Medal for his participation in more than two dozen aerial missions in counterinsurgency operations. It goes without saying that Sergeant Berg's service to our nation was nothing short of exemplary.

Mr. Speaker, it is a great honor to represent the people of Iowa, the city of Council Bluffs, and the important legacy of Sergeant Berg in the United States Congress. His heroic contribution to our nation's efforts in Vietnam represents just one example of the long tradition of selflessness and service upheld by Iowans serving in the U.S. Armed Forces. I invite my colleagues in the House to join me in acknowledging Sergeant Berg's actions and thanking the Pottawattamie County Veteran Affairs office for their assistance in this ceremony. I humbly express my sincere gratitude to all of our nation's veterans, service members and their families for their service and sacrifice.

SENATE—*Friday, June 21, 2013*

The Senate met at 10:30 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, who inhabits eternity, help us to honor Your Name. Today, inspire our Senators to do Your will. May they remember that life is a rehearsal, a pilgrimage, and a time of testing. Remind them, therefore, of their accountability to You and that You will bring every work into judgment, with every secret thing, whether good or evil. Lord, enable them to be in the world but not of it, as they understand the vanity of the temporal and the glory of the eternal. May gratitude to You be the motive for their work, as they make a renewed commitment to excellence in everything they do and say.

We pray in Your righteous Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, if any, the Senate will resume consideration of the immigration bill.

Mr. President, we finished here late last night. We had a lot of issues that were unresolved then. We have just a couple this morning, and we hope we can resolve those very quickly. I certainly hope that is the case. I am going to ask a consent agreement that will put us into some activity here for the next several hours, but I hope we do not have to use all this time.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that the time until 2:30 p.m. this afternoon be for debate only, with the time equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each, with the exception of Senator SESSIONS, who will control up to 2 hours, and that at 2:30 p.m. I be recognized. I would ask that consent be approved by the body.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, Senator SESSIONS has always been very courteous to me, and if I have some agreement that we have as to that amendment, I am certain he would let me be recognized. But if he does not, I will wait until he uses the 2 hours. So we are going to try to wrap this up very quickly, but very quickly in Senate time sometimes is not like everybody else's time. So we will do the best we can to move as quickly as possible.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that my consent agreement be modified to the extent that if someone suggests the absence of a quorum, it be charged equally against both sides.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HIRONO). Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 744, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 744) to provide comprehensive immigration reform, and for other purposes.

Pending:

Leahy/Hatch amendment No. 1183, to encourage and facilitate international participation in the performing arts.

Boxer/Landrieu amendment No. 1240, to require training for National Guard and Coast Guard officers and agents in training programs on border protection, immigration law enforcement, and how to address vulnerable populations, such as children and victims of crime.

Cruz amendment No. 1320, to replace title I of the bill with specific border security requirements, which shall be met before the Secretary of Homeland Security may process applications for registered immigrant status or blue card status and to avoid Department of Homeland Security budget reductions.

Leahy (for Reed) amendment No. 1224, to clarify the physical present requirements for merit-based immigrant visa applicants.

The PRESIDING OFFICER. Under the previous order, the time until 2:30 p.m. will be for debate only, with the time equally divided and controlled between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each except that the Senator from Alabama Mr. SESSIONS will control up to 2 hours.

The Senator from Alabama.

Mr. SESSIONS. Madam President, to me it is rather astonishing the extent to which we are discussing this historic immigration bill and how little our focus has been on the real impact of it, what immigration means, how to make it better, how to serve the national interests to do the kinds of things the American people want us to do. We really talked about a lot of hot-button issues, but we have not focused on the substance of what we are doing, how many people the country can absorb legally every year. We do 1 million legally every year. How many more can we assimilate effectively and have reasonable expectations that they would find good work in America, to be able to have them find work but not put Americans out of work, and what kinds of skill sets do we need most? Will our system of enforcement work? And there are many other questions like that.

So I would say that to some degree we have missed that discussion. We are told that today—now we are going on 11 o'clock—we will see a magic amendment, the amendment that fixes everything, that we can just relax and go home and take a good nap because we have an amendment that is going to fix all of the problems in the legislation. Well, that is odd because we were told when the bill was announced that it was the toughest legislation ever, that it fixed everything, it did not need any improvement, we are all OK with it, you all just pass it, and if you raise

questions about it—as I did—then you are not a good fellow, you are not being nice if you point out problems.

Apparently, now the sponsors of the bill have realized that they have a lot of problems, that as the bill has been examined and actually read—the thousand pages of it here, it has been read and studied—more and more and more problems have been found with it.

We have had a great deal of discussion about the border. The border security issue is a very important issue, but it is one of the issues in establishing a good lawful immigration system that serve the national interests. It's just one of the issues. It was nothing like the bill's sponsors promised. It would not have accomplished the job.

Those of us who were asking the tough questions—people tried to dismiss the concerns. They finally had to deal with the issue that it did not do what they promised. It was a big problem. So now they have accepted an amendment, it appears, that would change the legislation quite a bit—at least with regard to the border. That was talked about a lot because it always symbolizes whether we are serious about enforcement.

It was so weak in the legislation. When the bill first started, they proposed spending $6.5 billion on border security. Then, as it went through committee and complaints arose, they went up to $8.3 billion—about a 30-percent increase. Then the bill hit the floor and the American people began to find out how weak it was, and our phones started ringing—almost in a panic, it seems.

A group has met in secret. They have announced the Corker-Hoeven agreement to spend $38 billion, to add 20,000 agents. It is all fixed. Vote for the bill. Now you have no excuse. You have to vote for the bill. But if you are holding a bucket of water and it has a bunch of holes in it and you close one of the holes, all of the water is still going to run out of the bucket.

There are other problems with the legislation. There was just one problem that was so dramatic and so plainly contrary to the promises the sponsors had made for their bill that it was really devastating. Now, in total retreat and capitulation, they have talked about adding 20,000 agents and spending $38 billion on the border.

We do not want to hear you guys complain anymore. Now you just hush and pass our bill. Do not talk about what else is in it. Do not talk about the policy issues that are raised by the legal flow of immigration we have. You just pass the bill now because we answered the border security problem.

Well, this is not the way it is going to be. We should be able to do dramatic things and effective things at the border with $38 billion, but, as I will point out in a little bit, we are not sure at all that is going to happen in an effective, smart way, especially when it has come up in this fashion and especially since we have passed laws repeatedly that mainly require certain things to happen and then they never happen, such as fencing.

We said the last time we passed a bill that we had to build 700 miles of double-layer fencing. Well, that was in 2008, I believe. Today we have 36 miles of double-layer fencing and about 300 miles of pedestrian fencing. So now they say they have their 700 miles. Well, it remains to be seen if that will ever happen, No. 1, but, No. 2, it is not double-layer, as we passed in law previously. That never happened. It is just a single-layered fence, which is much easier to penetrate. A double-layered fencing system with a vehicular ability to move between the fences is very, very effective. It has proven effective before. That is why it was put in the bill—not because someone wanted to sound tough but because it will work.

Things that really work tend to be blocked in the Senate. Things that would actually make the system transform from illegality to legality have always been blocked, in my experience, since I have been in the Senate. It is amazing to me in that regard.

We have not seen the amendment. We were told we would have it last night at 6 o'clock. We were on track to have a series of amendment votes, some important amendments to be voted on. We were getting ready to do that. All of a sudden, it was announced that an agreement had been reached and a new amendment had been offered. This amendment was going to fix the border. It was going to spend more money than ever. Nobody now had a right to complain about the immigration bill before us, S. 744. We had it fixed. The series of amendments we thought we had—no votes were cast on them.

Actually, the night before, a tentative agreement had been reached to vote on as many as 16 amendments. That would have been a nice start to begin the discussion, allow people to point out that there is a weakness in the bill and propose a solution to fix it. That is the way legislation is supposed to go. You bring forth an amendment and you say: This bill lacks this. This provision in the bill is wrong. I have a fix for it. This is my offer. This is my amendment.

That is the way good legislation should be processed in the Senate. That was all stopped.

So we waited—6 o'clock, 7 o'clock, 8 o'clock, 9 o'clock, 10 o'clock. I think it was 10:30 when we departed and still there appeared no magic amendment that is going to fix every problem with the legislation. No magic amendment. Here we are at 11 o'clock and we still have not seen it. Frankly, I would like to read it. I am going to read it. We read this one. It did not do what the sponsors said. They had good talking points. I could have voted for the talking points. I liked what they said, basically, in the talking points, but it was not in the bill. That is the problem.

I have been a Federal prosecutor for many years. It is the law that gets enforced, not some Senator's talking point. That is worthless. It is what is in the bill. It requires and directs agents to do this and that. It requires judges to do this and that. It requires law enforcement officers to do this and that. So what counts is what is in that bill.

With regard to this new amendment, I would like to ask a couple of things to Senators HOEVEN and CORKER. Does your amendment put enforcement before the legality? Does it put enforcement before amnesty?

Is this before the first legalization is allowed to occur, or is the amnesty still first? They told us initially they were going to have enforcement first. By a 4-to-1 margin the American people have said they are prepared to treat with compassion the people who have entered the country illegally, have been here for a long time and done, otherwise, the right things. We are prepared to be compassionate and deal with them—but we don't trust Washington. We want to see you do the enforcement before you give this legal status.

This is common sense. There is nothing wrong with that. The American people aren't mean spirited when they say that. They have seen this game before. They have seen how it has been played before. They don't have confidence in us. I can cite example after example after example of laws, rules, promises made, and never carried out.

That is why we have such a massive, illegal flow into America and how we have accumulated 11 million people, many of them wonderful people. This isn't the way we want the system to work. I think that is the question, why do we have amnesty first again.

Senator GRASSLEY, our ranking member on the Judiciary Committee, has repeatedly said: I was here in 1986, and I voted for the amnesty in 1986. I thought it was going to work, and it was a mistake. We should have seen it was not going to work. We had the amnesty first. We had promised to do all kinds of enforcement in the future, and that never happened. This is why we are at this spot again today. That is the history of it.

What about the fencing that is promised in the bill? Does the amendment require any fence to be built before the amnesty is granted? I want to know that when we see your amendment. Do we have any confidence that we will ever see the fence built any more than we saw it when we passed laws previously to build fences that never occurred?

Does your amendment require a biometric exit system as required by current law? Under current law the Congress of the United States has required that the executive branch create an entry-exit visa system that is biometric. It basically means you use your fingerprints. Your fingerprints are read so you can't bring in a document and say I am John Doe and not be John Doe. When you come into the country, your fingerprints are recorded. When you go out of the country, your fingerprints are recorded. You clock out like many companies do in the workplace. You put your card in and your time is accounted for. We know when you came, when you left, did you overstay, or did you depart as required by law.

Current law says we will do that. You will be fingerprinted when you enter, and that is done. You are fingerprinted when you enter the country, but what has never been done is the exit system when you depart the country. Every kind of excuse has been made for that, but the truth is there is no excuse for not doing that.

Does this amendment fix that problem? The experts tell us, and the Congressional Budget Office reported a few days ago, that we are going to see an increase in visa overstays under this bill and the trends we are facing. There are several reasons for this. One big one is the legal flow of workers into our country; guest workers who come to take jobs, work for certain periods of time, will double. CBO predicts you are going to have an increase of the number of people who overstay their visas.

Since we have no ability to clock people when they depart, it becomes unenforceable. I think they are exactly right about that. Right now the entry visa system is responsible for 40 percent of illegal entries into the United States. Visa overstays account for approximately 40 percent of the current illegal population.

I think we can expect, with the large increase in guest worker programs—well over 50 percent in the future responsible for illegal entries into the country.

Does this amendment fix that, Senator HOEVEN and Senator CORKER? This is half of the problem, more than half of the problem, frankly, if this bill passes. I don't believe it is likely to do so.

Current law says there shall be a biometric entry-exit at all air, sea, and land ports. What does this bill say? The toughest bill ever, they say. Does that make it stronger? Does it fix the weakness in the current system? No. It says you have to have an electronic system—much weaker than biometric. It says you have to have it only at air and sea ports but not at land ports.

This bill is plainly weaker than current law.

I will ask this to the amendment sponsors: Does it actually have a mechanism to require those who receive the amnesty to pay back Federal, State, and local taxes? Is that part of the deal? That is what has been touted, we have been told repeatedly. They are going to pay back taxes. Let me say, it is not going to happen under this legislation. There is no way this is even going to create an attempt by the IRS to go back and try to investigate persons to see who owes more taxes.

That is a talking point. Talking points aren't law. Talking points aren't reality. They are political weapons used to advance the agenda of those who have special interests.

I would ask this question: Does your amendment require those who receive amnesty to learn English? They say our bill requires people to learn English, but it doesn't, as you can plainly tell if you read the legislation. Illegal immigrants will immediately receive legal status under this bill. After they have been here for ten years or, for some, only five years, they can adjust to legal permanent resident status. At the end of 10 years in RPI status, if you speak English, then you can adjust to LPR status. If you are not speaking English and you are in a course, then they have to give you permanent legal status. You don't have to pass the course. All you have to do in your 9th year, the 10th month, is sign up for an English course somewhere, and get your legal status under the bill. Would that loophole be fixed?

Does the amendment, my colleagues, prohibit people with multiple DUIs from receiving amnesty? Do you do anything about that loophole?

Does your amendment require that anyone applying for amnesty actually be interviewed? This is one of the big shocking weaknesses in the legislation.

When a person is transformed from a person in illegal status to an RPI status, the legal status, which happens in a few months, what do we do to make sure that person isn't a known criminal? That person could be a terrorist. What do we do about that? Normally, one of the most valuable things that can be done in these processes is to interview the person.

It appears quite plainly this bill—the bill certainly does not require interviews. It is almost certain that DHS will not undertake them voluntarily either, having seen how Homeland Security is handling the DACA program. There are reports that USCIS is not interviewing those applicants face to face. This is a big weakness in the system. It is almost guaranteed that nobody is going to be interviewed face to face and actually examined to see if the paperwork they are submitting has any validity at all. Many times that meeting can identify a weakness in the paperwork and lead to further investigation. If you don't have interviews and you otherwise aren't smart about how you administer it, large numbers of people can get status they don't deserve through utilizing fake documents. We can expect that to happen, and it should not happen.

We are being generous under this bill with regard to the people who would be given legal status, but only those who qualify should get it. People who don't qualify should not get it, or we are perpetuating illegality again indefinitely into the future.

Does the amendment prohibit those who have domestic violence convictions from receiving the legal status? Not so in the bill today.

Does the amendment ensure those who do not receive amnesty would actually be deported in the future? A lot of people will not qualify. They should not have amnesty. We come to find out they have been convicted of a felony, drug dealing, assault with intent to murder, robbery. Should they be given amnesty? No, we say, they shouldn't be given amnesty. Well, do they get to stay here if they are identified, found, and arrested for some other crime? Shouldn't they be deported? We need to be sure the persons who do not qualify are going to be deported.

I have an amendment that is a serious amendment that would help move us from this present failed system, to one that could actually work, to deal with interior enforcement and deportation in a proper manner.

I have a letter that came in from June 19, 2013, addressed to Senators CORKER and HOEVEN from the National Immigration Customs Enforcement Council of the American Federation of Government Employees, signed by Mr. Chris Crane, their very able, competent president. This is what Mr. Crane said, writing on behalf of the 7,600 agents and officers:

> According to the National Journal, you are working on an amendment with members of the Gang of Eight to ''help pass a bill.'' I am concerned that your amendment as outlined in the article not only provides immediate legalization before enforcement, but also appears to completely neglect interior enforcement. S. 744 drastically reduces the ability of ICE officers to do their jobs while providing legal status to convicted criminals, including gang members, drunk drivers, and sex offenders.

I can assure you these are not the types of ''reforms'' sought by the American public, in fact, these are not reforms at all but, instead provisions written by special interest groups concerned only with their own political agendas and future financial gains.

This is a man who heads the law officers association, who has had his officers blocked from enforcing the law by political directives from the supervisor. It is a plain fact. They have negated the ability of the law of America to be enforced.

He continues:

> Any plan is doomed to fail that does not empower ICE agents to enforce the laws enacted by Congress—and that does not put an

end to the unlawful abuse of prosecutorial discretion by political appointees.

There is some history to this. The ICE officers are in an uproar. The morale of the ICE officers was ranked near the absolute bottom of 170-something government agencies. They are out there risking their lives dealing with criminals and people in violation of the law. What did they hear from their political supervisors? Don't enforce the law. Don't follow through on what you are required to do by congressional action. They have actually filed a lawsuit against their supervisors because they are being told by the supervisors not to do what they took an oath to do, which is to enforce the law.

Mr. Crane states:

Yet, instead of cracking down on the Administration's abuse of power, S. 744 places unprecedented new restrictions on interior enforcement—making the current situation much worse and much more hazardous. It is as if S. 744 were explicitly written to handcuff law enforcement officers—binding their hands while giving virtually unchecked authority to executive branch officials to prevent future removals, including removals of criminal aliens.

These are the people doing the job every day. They were never talked to. They asked to meet with the Gang of 8. No, they didn't want to hear from them. The Gang of 8 wanted to hear from their special friends. They wanted to hear from the special business groups who wanted cheap labor. They wanted to hear from big labor. They wanted to hear from La Raza. They wanted to hear from special interest groups, and they heard from them—the chamber of commerce and ag industrial groups. That is who met with them. That is who wrote the bill—those special interests along with the American Immigration Lawyers Association. I assure you they have put into this bill, in place after place after place, where now they can file cases, appeals, and create disorder within the normal operating system of immigration.

Mr. Crane goes on to say:

Absent drastic improvements to the interior enforcement provisions, there is no doubt that S. 744 will undermine the constitutional rule of law, guarantee future illegal immigration, and place the public at risk.

That is a dramatic statement, and I am not seeing it anywhere close to being refuted. As to the question, does it guarantee future illegal immigration, look, the Congressional Budget Office did the report for us. They are nonpartisan. They serve all of us. We have a Democratic Senate majority and Mr. Elmendorf was picked by them, but he is a fair man. He said we would only see a 25-percent reduction in the number of illegal entries into America if this bill is passed.

Our colleagues promised it was going to end the illegality; that it was going to be the toughest bill ever. The Congressional Budget Office this week said this legislation will reduce illegality only by 25 percent. That is just not acceptable. That is not acceptable. We have been told so much different, and Mr. Chris Crane says the same thing. He goes on to say this:

S. 744 not only fails to contain needed interior enforcement provisions, but weakens interior enforcement. This is because powerful special interests involved in crafting the bill's language are opposed to interior enforcement—a fact ICE officers are all too familiar with. The political agendas of these groups place the public safety and security of our Nation at risk.

I believe he is accurate. I know he cares about what he is doing. Mr. Crane is a very impressive young leader—a marine. He loves his country. He believes this bill is bad for America and he has had the courage to state that and his association has backed him up on it. They are all in it together, I guess. He goes on to say this, in addressing the sponsors of the amendment:

As respected political leaders, I am asking you both to work with me and others in Congress and law enforcement in ensuring that this bill puts the safety of America before powerful special interests.

I think that is a very important letter. It cannot be that our colleagues can promote a piece of legislation as being the most effective improvement in history when our own officers who are out there trying to enforce the law say it makes it worse. It is very disappointing.

I wanted to kind of tease my colleagues a little bit about this amendment that we are still waiting to see. It hasn't appeared yet. We thought we were going to have it at 6 o'clock last night, then 7, then 8, then 9, then 10, then 10:30, and now it is 11:20 the next morning and we still haven't seen it. Presumably it must be OK, though, because it is going to fix everything we need to be concerned about.

Senator SCHUMER, in the markup in the Judiciary Committee, in talking about enforcement, said this. This was all about Mr. CORNYN, our able Senator from Texas, who offered an amendment in the markup in the Judiciary Committee to enhance enforcement at the border and do a lot of different things he thought were important and add 5,000 new Border Patrol agents. So what did our colleagues who had written the bill—the Gang of 8—who said they were going to stick together and fight off any amendment that had any significance to it—and they all rallied and fought off the Cornyn amendment, too—what did they say about Senator CORNYN's steps to make the legal system work better and to add some new agents to the border? Being a Texas Senator, he is familiar with those issues. Senator SCHUMER said this:

Just on the border alone, Senator MCCAIN and I had an amendment a few months ago that spent—a few years ago, rather, that spent about $600 to $800 million on the border and effectiveness rate went up from 68 to 82. We spent much more than that, as much as $6.5 billion.

In other words, they spend in this bill, they say, $6.5 billion, as I mentioned earlier.

This is what he goes on to say:

The border will effectively be closed, we believe, with these expenditures, in the way they will be done.

If he is going to spend a total of $6.5 billion in this bill and effectively close the border, how is it he is now supporting an amendment that would add 20,000 agents to the border? Because the bill is in trouble and they are in panic mode, I would suggest.

A little later, in the same markup, referring to the Border Patrol agents, he said this:

Their numbers have gone way, way up and most people think they're an adequate number.

Why, that was just May 9, a little over 1 month ago. He said they were an adequate number; that we don't need any more Border Patrol agents, and they attacked Senator CORNYN for having the temerity to suggest we needed 5,000 more. Now, when the bill is in trouble and they are in panic mode, they are coming in with an amendment—though we haven't seen it yet—they claim will add 20,000 Border Patrol agents.

Back in the markup on May 9, Senator SCHUMER said this:

Look, our goal is to make the border much more secure and we do. We do dramatically.

If it does all that, why do we need a new amendment? The point I am making, what I am saying is the talking points of the bill sponsors have been positive, positive, positive throughout. They say the things people want to hear. The question is, does our legislation do what people want done? That is the question.

Back then he said we are doing all you want, the border is effectively closed, we don't need any more agents.

Senator FLAKE, in talking about Senator CRUZ from Texas, who offered an amendment in the Judiciary Committee markup on the border, and ably did so, said this:

We add in our legislation 3,500 new customs agents. That's at a cost of about $6 billion—3,500. What we're talking about here is tripling border patrol. It's currently at about 21,000. Take it to 60,000. So 40,000 new agents. We're talking about $30, $40 billion to do that. . . . and I know it's sincere—a desire to—to put more resources on the border, but we have fiscal restraints here.

So he opposed it, one of the Gang of 8 Members.

At the markup, Senator SCHUMER said:

And so, to simply for us to dictate, when we are not the experts, to quadruple border patrol, is, in my opinion, something, you know, that you might accuse me of: throwing money at a problem without really knowing what its effect would be.

He goes on to say on the floor, in talking about this bill on June 11, just

a week or so ago, before the Corker amendment had ever been dreamed of:

Make no mistake our border will be secured as a result of this bill. We appropriate $6.5 billion upfront in this bill to bolster our security efforts. That is in addition to the annual appropriations made for each year of border security.

That must not have been accurate. He said the bill had taken care of it; that they have an adequate amount in the bill as it is, and now this would add 20,000 more Border Patrol agents. Again, the point is, we get positive spin no matter what the circumstances are because they are out to sell this bill. They are out to promote their creation, and they have lost sight of what it actually does. They have truly lost sight, in my opinion, of the fundamental responsibility of important legislation, which is not to achieve a political end but to achieve a better America, to serve the national interest.

I am going to continue to ask: Does this bill serve the interest of the people of the United States of America? Not economically and not legally, in my opinion.

Now this is Senator MCCAIN, on June 18, just the other day:

But those who think we need more people—we do need more people to facilitate movement across our ports of entry.

He says it is too slow; that we want more people to come in quicker. Continuing to quote Senator MCCAIN:

But we have 21,000 border patrol. Today there are, on the Arizona-Mexico, there are people sitting in vehicles in 120-degree heat. What we need is not more people, because we've gone—in 1986 we had 4,000 border patrol to 21,000, but what we need is the technology that has been developed in the intervening years.

So he says what we need is not more people, and what he means is we don't need more Border Patrol agents, that we need some more technology. That is what they said last time when they undermined the fence. Some may remember the phrase they used then was that we are going to create a ''virtual fence.'' We are going to create a high-tech fence. We don't need to build those old fences. That is not good. We are going to take care of it with technology. So we spent, as Senator MCCAIN said on the floor, I think it was $980 million on a virtual fence at our borders that utterly failed. We got nothing for it. What else didn't we get? We didn't get the fence. We wasted $1 billion on a failed technology and didn't build the fence that was promised.

This is why the American people are not confident that anything politicians tell them, about immigration particularly, will ever happen, and the American people are right. Time and again, politicians have promised, promised, promised and never delivered, delivered, delivered. That is just a fact. I think this bill and these statements say a lot.

With regard to Senator CORNYN's amendment that would add 5,000 agents and do some other things, this is what Senator SCHUMER said back in the committee in May, just this last month:

And what we have learned, and it was hit home to me when Senator Flake and Senator McCain took me to the Arizona portion of the border, it's vast. We have more people on the border patrol. What's the number? 21,000. I think it was triple what it was 5 years ago. But you can't have—yeah, if you want to have the whole Federal budget, you guys figure out how you're going to spend and get that money, the whole Federal budget on just the border patrol? You could probably have 100 percent operational control.

So he was saying then don't question our bill. This does all we need. We don't have the money to spend more on it. Now, apparently, he is trumpeting the great bipartisan agreement that would add 20,000 more Border Patrol people.

Maybe we need more Border Patrol agents and we need to use technology and we need to use fences wisely, but what we need is a Secretary of Homeland Security who knows what they are doing, who is committed to ending the illegality and using every resource we have wisely to confront this illegality and ending it.

If we had that the last 4 years, we would have had far more reduction in illegality on the border than we have seen, and we would be in a much better position to go to the American people and say let's talk about amnesty now because we have proven we have made real progress. But they have never wanted to do that. They have been listening to the voices out there and the political interests and the special interests, and they have not done it.

Now we have 11 million people here. What is their solution? Surrender to the illegality. Just give up. We will just give amnesty to everybody here and we will pass a law and we promise it will fix things and we do not really worry whether it does or not. I can tell you it will not, it will not fix it.

There are a lot of things that are noteworthy. I would like to talk about them as we go forward on this legislation. One of them I think is interesting, and I am just going to raise it because it is an issue we need to confront. We hear it a lot. People are talking like this out there. Bill O'Reilly's talking points memo is consistently a high-grade memo that has valuable insights that I think Americans would do well to listen to on a regular basis. He is a very insightful individual.

In regard to what he said last night, I got a transcript of it. I think it shows some of the misconceptions about the legislation that we simply have to correct. It is not sufficient to pass this legislation based on talking points, on spin from the sponsors of the bill. We have to say: OK, does it really do that? How does it do it? Can it be made better? Are there weaknesses?

This is what Bill O'Reilly said last night:

Senator Rubio told me on the phone today that it would be at least 13 years—13—before people in the country illegally right now could gain full legal working status and even longer to achieve citizenship.

We will talk about that. He goes on to say:

''Talking Points'' support immigration reform even though I well understand the new law will be somewhat chaotic and it will be a magnet for even more people to come here illegally, which is why we need stepped up security.

Let's go back to that first statement. It said there ''would be at least 13 years before people in the country illegally right now could gain full legal working status.'' Not so. Not so at all. Not even close. Within a few months everyone who applies for the RPI status, the provisional status, will be given a Social Security card and the right to go to work and be lawful in the country and they cannot be deported unless they commit a serious crime. It is virtually immediately, not 13 years.

It says ''even longer to achieve citizenship.'' That is not accurate either. This is how the citizenship and green card status works, the permanent legal status: Within months, everybody who qualifies under the 11 million will be given RPI, provisional status, virtually immediately. They will be able to take any job in America, move anywhere they want to in America, displace workers in America, and compete for jobs wherever. That is what will happen under the bill.

For about 2.5 million who were people who came here as teenagers, the so-called DREAMers, they get citizenship in 5 years. They will have citizenship in 5 years. That is 2.5 million. Certain agricultural workers, those individuals who are illegally here, become permanent legal residents. They get their legal right to work immediately. But in 5 years they get permanent legal status, and the other 8 to 10 million illegal immigrants would be eligible for green cards or legal permanent residence in 10 years, not 13.

There is an immediate amnesty that precedes all this. Legal status and the right to work is immediate. It is not 13 years. A large number of persons will be able to have citizenship within 5 years—25 percent, maybe, will be getting that.

I think our people who are commenting about this need to get away from the spin of the sponsors and spin of those who are vested in trying to pass the bill and get down to what the bill actually says. That is very important.

The sponsors of the bill, Senator SCHUMER and others, claim the bill is paid for, and they have all the money needed to fund the legislation. They claim this Congressional Budget Office report that came out the other day

backs them up. But it does not. It does not back them up.

I am ranking member on the Budget Committee, and we need to talk about that in some detail because it is a very important matter. CBO does not back that up. The CBO report showed this bill reducing deficits in the next decade, according to the sponsors of the bill, but in fact CBO plainly states on page 12 of the report that the legislation will increase on-budget deficits over that time—increase deficits of the on-budget accounts.

Why? Because the newly legalized immigrants will be paying some payroll taxes—they will be paying the payroll taxes, Social Security, FICA, Medicare taxes that are withheld from workers' pay—but they are not drawing Social Security benefits at this time because most of them are younger than that and they are not yet past 65.

So that creates a surplus flow, right? Of the $459 billion in new taxes and fees, only about half of that comes from the income taxes these workers are going to pay. Why? Because most of the workers are low-income workers. Over half of the people who are here illegally do not have a high school diploma and they are not making real high wages. You have to earn a pretty sizable wage before you pay any income tax, although you do pay your Social Security, Medicare withholding—the payroll tax.

How do they then say they have money created to pay for all this stuff? They count the money from the payroll taxes, OK? That makes sense, you think, at first glance. But that, by rights, though, belongs to the Social Security trust fund. That is not money available for the government to spend on trips to Africa or some summit somewhere or for Solyndras. That is Social Security money. Using this money to offset other spending is an accounting trick that was used to pass ObamaCare, and it is not right.

Let's go back over that again. The on-budget account—income tax coming in from the legalization because some people who are legalized are going to pay more income tax—but there are a lot of expenses out there too. The earned-income tax credit is a direct payment, not a tax deduction but a direct welfare means-tested payment to poorer workers. That is a big cost. And there are other costs.

So the CBO said income taxes that are paid will be less than the cost of the immigration; therefore, adding $14 billion to the on-budget debt of America. But the sponsors of the bill want to claim their legislation pays for itself. They say: But they are going to be paying Social Security and Medicare taxes; therefore, we want to count that money and that will prove that we paid for the bill.

Really? Aren't the individuals who are now given a Social Security number, allowed to work and pay the payroll taxes—aren't those taxes supposed to be put into a trust fund for their Social Security and Medicare benefits when they do get to be 65? Absolutely. Any surplus money that goes into Social Security and Medicare is not free money given to the U.S. Treasury to spend to pay for border control agents. That money is loaned by the trust funds. They get a Treasury bill in exchange for it. The U.S. Government pays them interest on the money that the Social Security loaned to them. It is their money. It is the trust fund's money.

A lot of people try to deny that, but there actually is one. There are debt instruments showing the transfer of this money, and interest payments are paid by the U.S. Treasury. So you can't count the money that people pay into Social Security as being money that can be used to spend on other programs of the government. That is an important issue.

Mr. Elmendorf, the Director of CBO, the night before the President's health care bill passed—I prevailed upon him to write a letter to explain that. He wrote a letter and said you can't simultaneously—what had happened in ObamaCare was they cut Medicare costs and increased Medicare payroll taxes and used that money to fund his new health care program. They claimed that it strengthened Medicare and at the same time provided money to fund ObamaCare. Mr. Elmendorf used a sentence that I thought was very powerful. I think I can recall it.

He said: You can't simultaneously use the money to strengthen Medicare and pay for a new program. He used the phrase ''double count,'' the kind of things people in business go to jail for. He said that is double counting the money.

This is exactly what has happened here. The money that goes to people's Social Security and Medicare trust fund accounts is not enough now to pay for the amount of money the individual will claim when they become 65 and start retiring and using health care and Social Security checks every month. There is not enough now. You certainly can't claim that this is going to strengthen these programs and provide money for the government to use outside of these programs. According to CBO, that is precisely what this immigration bill does with respect to Social Security. I feel strongly about that.

Mr. President, I see no one else here. I yield the floor at this time and reserve the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MURPHY). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, there certainly is a lot of discussion—and understandably so—about the fact that so often there really aren't bipartisan efforts here in the Senate on major issues. We can turn on practically any talk show in America, and the constant refrain is, they are just not working together down there. The Democrats and Republicans can't find common ground and in many instances aren't even trying.

The issue before the Senate right now shows that is certainly not the case. We all understand how important this immigration issue is. It is an economic issue. It is a justice issue. It affects scores and scores of communities across the country. And for many months now here in the Senate, four Democrats and four Republicans, hour after hour after hour, have sought to come together in a bipartisan way to tackle a major issue. I certainly don't support every single provision in the bill. I am sure that is the case for most Senators. But I think in terms of its large implications, this is an extraordinarily important effort.

The immigration system is broken. Our country knows it needs to be fixed. And what this shows is that we can find some common ground to really address principled bipartisanship—not just bipartisanship for the sake of patting ourselves on the back but bipartisanship in terms of actually showing that the values important to both sides of the aisle can be addressed and at the same time the Senate can come together, work together, and pass a law and actually succeed in the business we are sent here to do, which is to pass legislation.

I particularly wish to commend three on our side of the aisle whom I have worked with on these and many other issues—Chairman LEAHY, Senator SCHUMER, and, of course, our majority leader. They have constantly put the focus on trying to show that Senators will have a chance to be heard on this issue. We have had a lot of debate on it. They had literally scores and scores of amendments in the Judiciary Committee. We have had a lot of debate here on the floor of the Senate. Chairman LEAHY, Senator SCHUMER, and Senator REID have all indicated that Senators are going to have an extensive opportunity to be heard. But, yes, when there is a bipartisan bill produced by four Democratic leaders and four Republican leaders, those three have been resolute in saying that we are actually going to get it in front of the Senate, and I commend them for their very important work.

In addition to making it clear that I think bipartisanship is valuable, I wish to highlight for a moment three amendments that I hope that I will be able to make pending and that we will

be able to get votes on. In particular, I am troubled by the fact that the bill as written waives our country's environmental laws in order to secure the border.

I am of the view that strengthening our immigration system should not come at the cost of throwing our environmental laws aside. These are bedrock principles with respect to protecting our environment, our public lands, and our natural resources. So I and seven other colleagues in the Senate have introduced an amendment that would strike several of the unnecessary provisions in the bill that thwart the rule of law and ensure, as we go forward with the very important security agenda in securing the border, that, as I have indicated, we don't do long-term damage to our environment that may take generations to recover from, if at all.

If we are talking about waiving the laws that protect our public resources—and I know the distinguished Presiding Officer cares a great deal about these issues—we ought to waive those laws only where there is compelling evidence that it is necessary, and even then it ought to be done in a narrow and targeted way.

So my first amendment I hope to be able to get pending and hope to be able to offer is amendment No. 1543. It would allow the Secretary of Homeland Security to work with the Department of the Interior and the Department of Agriculture, local landowners, and State and Indian tribes to determine if any negative impacts can be mitigated. This means that if in order to secure the border there is damage to important environmental concerns—private property, public lands, tribal lands—the Secretary could take action to reduce that damage. So if, for example, the wall along the border causes unintended flooding in a city, the Secretary would be able to look at measures such as new infrastructure, dikes, or drainage systems to prevent flooding. If a road has to be built through a wetland or the habitat of an endangered species, the Secretary would have the authority to restore wetlands or conserve habitat for that species elsewhere.

All I want understood is that the Department has testified—Secretary Napolitano has testified several times before the Congress, including recent testimony before the Judiciary Committee, that the Department of Homeland Security does not need these blanket authorities to waive the environmental law. They have not requested blanket authority to waive the environmental law.

I think the Secretary's view in this regard speaks volumes to the need to carefully review what the legislation does so as to make sure, when we are talking about a matter of such enormous concern—and really also setting a precedent—that we think through how to ensure that we provide the security the American people want, and at the same time, if we are talking about waiving environmental laws, at least we provide the authority to the Department to mitigate the damages in doing that, particularly given the fact that the Department has not sought the authority in the first place. They didn't seek the authority in the first place, so let's at least give them the authority to mitigate the damages.

Another amendment I seek to offer is amendment No. 1544, which would simply sunset this provision to waive the environmental laws when what is called the second trigger in the legislation is met. There has been considerable interest in the committee with respect to sunset authority and provisions to do that in one additional area. We ought to make sure we sunset the provision to waive the environmental laws when the second trigger is met.

Finally, I hope to be able to offer amendment No. 1545, which creates a definition for ''physical tactical infrastructure'' in the waiver of all of the environmental laws. The amendment would define it as ''roads; vehicles and pedestrian fences; port of entry barriers; lights; bridges; and towers for technology and surveillance.''

So, again, what we are talking about is not getting rid of the waiver. I understand that isn't going to happen. But let's at least mitigate these damages that I think are very real threats, and let's set forward some unambiguous terms that relate to how this waiver is going to be used.

In my view these are amendments that improve the bill. They don't take away any of the authorities that are granted in this bill, but they are going to ensure that private property, public lands, and our environmental values are also going to be a priority while allowing the border to be secured as quickly as possible.

So in wrapping up, let me say again for all those who may be following this debate and who have been skeptical about whether there was enough good will to do anything bipartisan here, I think the Senate, in a bipartisan way, with a pretty significant vote next week—I will not join the parlor debates of speculating about how many Senators will vote for the bill, but I believe it is going to be a very substantial majority. It will, in fact, be a bipartisan law that is passed, that responds to a significant issue, not just some kind of issue du jour that may have come up in the last few days and all of a sudden a few Senators get interested and come to the floor. This is a major, substantive issue. It has gone on and on. It has been tackled in a bipartisan way. Initially, eight Senators were willing to stick their necks out and take a fair amount of flak, as invariably happens when trying to work on a partisan issue in a bipartisan way.

Again, it is also important to acknowledge, particularly on our side of the aisle, Chairman LEAHY, Senator SCHUMER, and Leader REID, who have tirelessly focused on trying to make sure Senators have a chance to be heard, and have done so, and I commend them for that effort.

I will conclude today by saying I think the three amendments I seek to make pending and get votes on will deal with another important issue. The bill as written waives the environmental laws in order to secure the border, and I and a number of other Senators would like, at a minimum, to make sure the Department of Homeland Security has the legal authority to mitigate the damage associated with that waiver wherever possible. We think it is particularly important that those provisions that would mitigate the damages be allowed since the Secretary has actually testified she does not need those authorities in the first place.

Mr. President, with that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, as this discussion and debate over the immigration reform has gone on, I have made a number of statements. I think many of them, unfortunately, have been proven true. I said the bill did not promise enforcement at the border. Now apparently we are waiting again to see where this amendment comes. They claim it will dramatically improve enforcement at the border. And we have not seen it yet. Maybe it will not appear. But they say it will. It was in the newspapers yesterday and said it would fix everything with the bill. Well, of course, it will only deal with the border, apparently, in any significant way. There are many other serious flaws in this legislation that simply have to be addressed.

I also complained that we had all these secret meetings and groups there, and the public interest, the law enforcement interest, was excluded. The only people who were there were special interests. I have talked about that. And I talked about the influence of the White House meetings and directing the agenda and how the bill was all written.

Well, today's New York Times has a story about that. I think it is relevant for us to read because it is further confirmation that we have an elite group of people with special agendas meeting to draft legislation that is going to impact all Americans. It is going to impact the entire country, and nobody is

speaking up for the average American citizen in any effective way that I can see. They are not even being thought about. They are talking to pollsters and consultants and political gurus and advocacy groups—open borders groups, low-wage labor groups.

All right, here it is, today's ''New York Times.'' The headline is: ''White House Offers Stealth Campaign to Support Immigration Bill.'' They are stealthy? This is a secret campaign? Apparently so.

The hide-out—

''The hide-out''—

has no sign on the door, but inside Dirksen 201 is a spare suite of offices the White House has transformed into its covert immigration war room on Capitol Hill.

Dirksen 201. I did not know that is where they were meeting. Last night on the floor I said: I wonder where they are meeting, plotting all these things. Right now, I presume, they are plotting this amendment, trying to get more votes, and wheeling and dealing and giving Louisiana purchases and cornhusker kickbacks, I suppose, to get votes. Where is the public interest?

Meeting secretly over there in a covert war room in Dirksen.

Strategically located down the hall from the Senate Judiciary Committee—

The Judiciary Committee room is on the second floor too.

in one of the city's massive Congressional office buildings, the work space normally reserved for the vice president is now the hub of a stealthy legislative operation run by President Obama's staff. Their goal is to quietly secure passage of the first immigration overhaul in a quarter century.

So that is where the driving force is coming from. I have been wondering where they have been meeting. Now the New York Times tells us.

It goes on:

''We are trying hard not to be heavy handed about what we are doing,'' said Cecilia Munoz, the director of the White House Domestic Policy Council and the president's point person on immigration.

Director Munoz is an able person, but she has an agenda on immigration. She was one of the leaders in La Raza a number of years ago and publicly stated that workplace verification—the things this bill claims to have in it, but not very effectively, I am afraid; and we have never implemented it effectively before—but there was a workplace verification plan in the 1986 amnesty bill that was supposed to keep illegal entrants from getting jobs in America. It was under fierce criticism and basically never worked. Ms. Munoz said that workplace verification was discrimination. In other words, to have a policy that would require businesses to provide jobs only to people who were legally in America is discrimination. She attacked it and said Congress had a moral obligation to repeal that law. I want to say, this is the White House director of the immigration policy. This is not an evenhanded policy we have. It is being driven by this kind of agenda. It just is.

The article goes on to say:

Six years ago President George W. Bush publicly sent cabinet secretaries to roam the Capitol building daily to try to woo Republican senators for a similar immigration bill. But this time, high-profile help from the White House is anathema to many Republicans who do not want to be seen by constituents as carrying out the will of Mr. Obama.

So Republicans are sneaking over there. Maybe somebody ought to sit outside room 201 and see how many Republicans go in.

It goes on to say:

So while lawmakers from both parties are privately relying on the White House—

''Privately relying on the White House''—both parties—

and its agencies to provide technical information to draft scores of amendments to the immigration bill, few Republicans are willing to admit it.

Well, I would think—I do not know why they would not want to admit the President is basically drafting this bill and it is President Obama's legislation fundamentally. That has been obvious to me, but I did not have any proof of it until we read the New York Times today.

Quoting:

So while lawmakers from both parties are privately relying on the White House . . . to provide technical information . . . [s]ome are so eager to prove that the White House is not pulling the strings that their aides say the administration is not playing any role at all.

And they quote Mr. Alex Conant, a spokesman for Senator RUBIO, to that effect.

Well, who is writing this? Who is involved? The White House or not? It is pretty clear to me the White House is.

It goes on to say this:

Inside Room 201, the administration has gathered a collection of its own Congressional lobbyists, policy specialists and experts from an alphabet soup of the agencies that will have to put the immigration legislation into effect if it passes. They all moved into the vice president's offices on June 10, setting up laptop computers and thick binders filled with proposed amendments on an oval conference table.

There is no doubt about that, this bunch is prepared. This legislation was put together haphazardly, in my opinion; fundamentally, not well written. But everything else about it has been carefully, meticulously planned with every kind of force they can bring to bear—money to run ads nationwide, sending people into living rooms in Alabama and Indiana and Illinois saying this is the toughest bill ever. It is nowhere close to being as tough as the 2007 bill. It is weaker than current law, as it lays before us today. They said all kinds of things and how it was brought in committee, how it was brought to the floor, that they have studied every bitty bit of it.

They have drafted talking points that they believe are poll tested. They have talking points that people want to hear: that we are going to treat compassionately people who are here illegally. Americans want to do that. They do not want to try to uproot families who have been here for years, who have children here, who have deep roots here. But they want the lawlessness to end.

So they promised that. They have all kinds of promises in their talking points, but they are not accurate, as I have pointed out repeatedly. Senator LEE said last night it is not the talking points that becomes law; it is these 1,000 pages that become law. What impact will it have on the ability of law enforcement to have a lawful system in the future? That is the question.

Well, what do we know? Chris Crane with the association of ICE officers, interior enforcement officers, said it will make the situation worse, not better.

The article goes on to say:

''We have folks who know the Senate really well, who know the players, who have been through this before so they know exactly what Senate staff needs,'' Ms. Munoz said. ''We are deeply, deeply engaged.''

Well, maybe Ms. Munoz could not keep it to herself, she could not keep the secret. The secret was supposed to be: We don't tell anybody President Obama is writing the bill because his administration has weakened law enforcement systematically. He has no credibility with the American people on immigration reform. So even though they have been writing it, doing all the staff work and supporting it continuously, they did not want anybody to know. But maybe she is getting a little nervous. Maybe she and the President are afraid folks will not know it is their effort and so they could not keep it quiet any longer. I do not know. Washington is a funny place.

It goes on to say in the article:

At one point, Mr. Pagano, Ms. Escobar and the other White House advisers huddled for 45 minutes in the smaller of the two rooms with Mr. Leahy's top aides. Working from spreadsheets, they discussed each of the 10 amendments that Mr. Leahy was likely to bring to the floor for a vote that day.

''When Republican amendments are filed and we are trying to decide, 'Can we accept this? Can we accept this without some modifications?' they are the ones who tell us—

''They are the ones who tell us''—

'This is quite doable,'' said one Democratic Senate leadership aide, who requested anonymity to talk about legislative strategy.

Well, that is very much affirming of the little overheard statement on the hot mic in the Judiciary Committee. When an amendment came up that would have some effect on the Gang of 8's bill—and they had all agreed they would vote down anything that was bad—Senator SCHUMER was heard to ask one of his staffers: Do the Republicans have a pass on this?

What was he saying? He was saying: We will let these Republicans vote for this tougher amendment because we have the votes to kill it anyway. We are going to give them a pass so they do not have to stick with us.

And we had multiple references in the committee—members not of the Gang of 8 saying: Well, I would like to vote for this amendment. I think it is good for America. But I really cannot vote for it because it would upset the Gang of 8 and all their agreements that they have.

By the way, there is a misunderstanding of these agreements. The agreements are understood by most people to be agreements among the Senators. But that is not so. They met in exceedingly great length with Mr. Zuckerberg and the high-tech industry. They met with the agriculture business, the farming interests for large corporate farms.

They met with La Raza. They met with the Immigration Lawyers Association. They met with groups wanting cheap labor. They met with all of those folks. Each one of them was asked to sign on to the bill. They would not sign on to the bill until they got language in it that advocated what they wanted. So they wanted to get their benefits in the bill. Once they got that, one for all, all for one, they signed in blood. We are going to support the bill, but don't you change my special interest.

So the Senators said: Ok. We got all of you special interests to agree, we all agree, we are not going to accept any substantial change to what you have in the bill. We will fight off any amendments. They can make all of the arguments they want about what is good for America, but we have told you, if you will support this bill, we are going to give you what you want.

That is what the deal was all about. It is not good because the American people are the ones who are not being taken care of in this legislation. They discuss in this article, they asked themselves, can we accept this or have we got some conflict out there we cannot accept? The article goes on, ''Mr. Obama's political advisers say they are confident he will get the credit he deserves if the bill passes this summer. . . . ''

That is of big importance to him. They wanted to get credit. They have a political agenda. But what is liable to happen is if the bill passes in its present form, it will do damage to the American working person, families, legal residents, legal immigrants who are here trying to get a better payday. They are getting hammered. It could very well be dangerous to be taking credit for the bill.

Finally, it concludes this way:

But White House and administration officials have been in frequent touch with Republican senators as the lawmakers have to come up with dozen of amendments on tighter border security and other parts of the bill they deem insufficient. White House officials declined to name them.

Declined to say which Republican Senators are over there begging and scraping to try to get their amendments approved. It goes on to say finally, ''Mr. Pagano's team is planning to remain in Dirksen 201 for as long as the immigration bill remains on the Senate floor—clandestine, but not completely invisible.''

Another Democratic aide said:

People know where to find them. It's like going to the nurse's office. They know where it is.

That is a complete revelation of what I have been saying all along; that this is the way this bill has been put together and put together in secret by people not in connection with the American people. They are talking about polling data. They are talking about special agendas they want to accomplish with the legislation. Somehow we have lost sight of the simple values the American people want to see in an immigration bill. They wanted to see a lawful system. They want to see those who wait in line be rewarded. They want a system that serves American interests, a system that emphasizes immigration by people who are most likely to flourish in our society and be able to be successful and not be on welfare, not be dependent. Why, if we cannot accept everybody, why do we not create a system that substantially rewards those who are going to be successful, who are going to pay more in taxes than they will take out in revenue from the government and help create American wealth.

This bill claims to do that. But it is nowhere close to the Canadian bill which has about 70 percent of people there or 60-plus percent of people coming into Canada on a merit-based system. But this bill will be no more than 15 percent, maybe closer to 10 actually. But they claim it is a big move in that direction.

There has been further evidence on who wrote the bill. I will mention this article, June 13 in the Miami Herald about Mr. Leon Fresco, a very talented staff person who works for Senator SCHUMER who apparently has become the top person writing the bill. Mr. Fresco is from Miami originally and apparently a man of talent and ability. But he is a key guy who is actually writing the bill. Who is writing the bill? Are not Senator MCCAIN and Senator GRAHAM trying to defend America, helping to decide what to do in Libya and Syria? CHUCK SCHUMER is writing tax policy and doing Democratic campaigns. People are busy here. Who is actually writing the bill?

Fresco, now 35—

The article says—

led the brutal negotiating sessions, some of which lasted until 2 a.m., with staffers of the so-called Gang of Eight bipartisan team.

Staffers of the Gang of 8, bipartisan team.

He orchestrated several of the most delicate compromises, including the final and most difficult agreement between the labor and business interests, which allowed both Democrats and Republicans to claim victory. It was his hands on the keyboard drafting passages of the original 844-page bill that the group ratified.

Now 1,000 pages.

He put in the longest of the long hours, said Chandler Morse, the immigration staff negotiator for Republican Sen. Jeff Flake of Arizona. He was the one that everyone called. He was the one the Republicans called when they were mad about how things were going—

Morse said—

and he was the one the Democrats called when they were mad about how things were going. As most often is the case in Washington, the most significant work on the deal happened behind closed doors, far from the cameras. Senators gave—

This is important for us all to understand how legislation is drafted, especially when it gets this big, this complicated, and attempts to be comprehensive on a matter that is as broad and as important and complex as immigration.

Senators gave their negotiators the principles to follow, a framework, compromises they could and could not accept, and then sent them off to find the solution on matters that have plagued the nation for decades.

That is the way it has worked—turned it over to the staff. So when I asked my good friend, and I respect his ability and his skill, Senator SCHUMER, how many people would be admitted into America if the bill passed—I asked him that in Judiciary Committee—he would not say. I do not know that he knew. I had estimated it would be over 30 million—absolutely confident that was correct. CBO this past week has said it would be 30 million in the first 10 years, three times the number of people given legal status in America in the next 10 years over what the law says should be.

Under the current law, it should be 1 million a year, 10 million over 10. If this bill is passed, 30 million over 10 will receive legal status and be put on a permanent path to citizenship—I mean a permanent path to citizenship. They may not get it in 10 years, but they are close to it and on a path to it. Many of them will receive citizenship—probably 5 million will receive citizenship within 5 years.

The Herald goes on to say, Senator SCHUMER's good staff person—''Fresco set the group's agenda.'' He really went about driving the bill. So this impression that somehow it was a ''coming together'' of interested people without a real agenda that is seeking to fix our immigration system is not exactly correct, in my view.

My friend Karl Rove, from the Center for American Progress or something like that, raised a bunch of money for

Crossroads to run ads in the last election that was supposed to elect Mr. Romney. Did not do so well, Karl. Sorry about that. Wish it had been more effective. I think if Mr. Romney had looked the American people in the eye and said one thing he might have been elected. I am sure Mr. Rove advised him not to do this. If he had just simply said we are going to treat compassionately the people who are in our country a long time, who are here illegally, and we are going to work out something for them. But if you elect me President, we are going to have a lawful system of immigration, that is enforced. We are going to end the lawlessness and we are going to serve the national interest. If you elect me, that is what is going to happen—just might have been Mr. Romney would have been elected President.

But the crew, the Crossroads guys who go to the country clubs and drink with each other and plot and think they knew something about politics, they have not been out talking to real people in decades. They thought they knew better. They have been telling us all what we are supposed to do and what good politics is.

I think good politics is serving the American people's legitimate interests. We are going to ask: Will this impact people's wages? It will impact them in a way businesses like, because the wages will go down so the employers will get to hire more people at lower wages.

Will unemployment—if this bill passes—go up or will more people be unemployed? Unemployment is going up if this bill passes. What about GDP? Of course, if we have 30 million new people in the country, we are going to have some increase in GDP. But per person, will GDP per person go up or down? It goes down. That means wages will go down. This is what I have been saying, and what Professor Borjas at Harvard, Professor Hero, Professor Matloff, and others have been saying repeatedly.

The Congressional Budget Office just asserted that. The Congressional Budget Office said if this bill passes, unemployment goes up, wages go down, GDP per capita goes down. What Professor Borjas said was, yes, certain businesses will profit. They will get the benefit of increased GDP. But the working person will see their wages decline, and the poorer person will have the most decline.

I do not think this can be defended economically. But the fat cats who fund American Crossroads, I am sure, see it differently. Obviously, they do. Mr. Rove said this in his op-ed recently, just last week or so, ''It is also important that Republicans avoid calling a pathway to citizenship amnesty.''

Thank you, Mr. Rove. I appreciate that advice. I have known Karl since college. We were friends in college. I think he is one of the most talented people I know. But I am not taking his advice about this matter. I am still meeting with average American people every week.

He said Republicans should not use the word ''amnesty.'' Do not call the pathway to citizenship amnesty.

We can call it amnesty, I think. He said:

> Amnesty is the forgiveness of wrongdoing without penalty, something President Ronald Reagan advocated and signed into law with the 1986 Immigration Reform and Control Act. The law essentially told those here illegally that if they had arrived in the United States prior to 1982 and wanted to become citizens, simply raise your right hand.

He said Reagan didn't do that and that they had a much weaker plan than this one. This one has penalties. This bill has penalties in it. He says, ''They must pay $2,000 in fines: $500 when they surface, $500 if they want to remain in America after 6 years, and $1,000 when finally eligible to apply for a green card'' 10 years later. So that is $2,000 to be paid over 10 years. This is the big fine that is going to be paid. Under the 1987 law, the fine was I believe about $6,000 minimum, $8,000 maximum per person.

This bill is much weaker on fines and penalties than the 2007 bill. This bill is much weaker. These fines are token fines—about $18 a month total. That is the penalty you are paying to be given a guaranteed pathway to citizenship.

I would say it is certainly not a very big penalty, but it is kind of interesting. Ed Meese, a great Attorney General and a friend of Ronald Reagan's, wrote a letter to the Wall Street Journal to respond to Mr. Rove's recollection of the Ronald Reagan amnesty bill. I think he was Attorney General at that time—if not, he soon would be. I believe he was Attorney General at that time, and before that, he was one of President Reagan's closest advisors from California, a former prosecutor, and was very knowledgeable about how the legal and prosecutorial system worked. He said this:

> I recall the 1986 Immigration Act rather differently. Karl Rove's recollection of the 1986 Immigration Reform and Control Act is, shall we say, highly selective. That law, he writes, ''essentially told those here illegally that if they had arrived in the U.S. prior to 1982 and wanted to become citizens, simply raise your right hand.''

That is what Karl Rove said.

Mr. Meese goes on to say:

> [Karl Rove] asserts that the Gang of Eight bill is different because it ''has plenty of penalties and hurdles for those here illegally who seek citizenship.''
>
> Well, I was there in '86. I read that bill carefully. (We did that back then.) And I can tell you that Mr. Rove's blithe description of the bill is way off the mark. The 1986 act didn't turn illegal immigrants into citizens on the spot. It granted temporary resident status only to those who could prove they had resided continuously in America for five years.

Let me say what this bill does. If you could prove in 1986 that you had been here for 5 years, then you could stay even though you had entered illegally. This bill says that if you entered the United States illegally December 31, 2011, 18 months ago, you will be put on a path to guaranteed citizenship and given immediate legal status. You don't have to prove that you have a job, that you ever had a job. You don't have to prove you have family here, roots here, or any connection here.

Mr. Meese goes on to say, referring to the 1986 law:

> After 18 months, their status could be upgraded to permanent residency, and only after another five years could they become U.S. citizens.

This bill delays citizenship further because when you become a citizen, you are entitled to all the welfare programs. The government and the sponsors of the bill really felt they wanted to push citizenship out so they could say that immigrants won't receive welfare. It won't impact the Treasury in the first 10 years of the bill, and we normally score costs to the government over 10 years. They moved it outside the 10-year window.

Mr. Meese goes on to say:

> But advancement to citizenship was not automatic. Immigrants had to satisfy various requirements along the way. They had to pay application fees, learn to speak English, understand civics, pass a medical exam and register for military selective service. Those with convictions for a felony or three misdemeanors were ineligible.
>
> Sound familiar? It's pretty much the same ''penalties and hurdles'' set forth by the Gang of Eight. Today they call it a ''roadmap to citizenship.'' Ronald Reagan called it ''amnesty.''

Apparently Ronald Reagan himself in 1986 called the bill amnesty. They didn't try to deny that.

Continuing:

> The '86 reform bill also had supposedly ''rigorous'' border security and immigration law enforcement provisions. So how did that pan out? On the day Reagan signed ''comprehensive'' reform into law, only one thing changed: Millions of unlawful immigrants gained ''legal'' status. The promised crackdowns on security and enforcement never happened. Only amnesty prevailed.

That is what we are afraid is going to happen with this bill. It is so similar, isn't it, in the way they have laid it out.

Mr. Meese said:

> Since the '86 amnesty, the number of illegal immigrants has quadrupled. That should teach Congress a very important lesson: Amnesty ''bends'' the rule of law. And bending the rule of law to reach a ''comprehensive'' deal winds up provoking wholesale breaking of the law. Ultimately, it encourages millions more to risk entering the country illegally in the hope that one day they, too, might receive amnesty.
>
> On legislation as important as this, lawmakers must take the time to read the bill, not rely on others' characterizations of what it says. We can't have Congress ''pass the bill to find out what's in it.''

That is what the former Attorney General of the United States said. He served Ronald Reagan, and he was there actively when that happened, when that bill passed the last time. It is very similar to what Senator GRASSLEY, who is here in the Senate, said happened and why he can't vote for this bill today.

I believe there has been far too little discussion about the most important value of this bill, the most important result; that is, what will be the impact on the American people? Whose interests are we serving?

One witness before the Judiciary Committee a number of years ago said: You tell me what you want. If it is to serve the interests of people who are here illegally and those who want to come here, I can tell you how to do that—let them come. It tends to be in their interest. Personal safety is better in America than most places in the world. Opportunities to make money are better. The welfare benefits and the Social Security safety net are stronger here. It is to their benefit to come to America. We know that. If you want to serve the national interests of America, then we can talk about that. I can tell you some principles that you should include in your bill if you want to do that.

Of course, one of the things he talked about was a merit-based system—the way you try to identify the people who have the skills educationally, academically, and the language proficiency that would allow them to have the best chance to succeed. We haven't talked about that enough. We need to be asking what the impact will be on the American people. That has not been discussed in any serious way.

It does not appear that the Gang of 8 ever sat down with the Nation's leading economists who have studied these issues because there are various issues that are crystal clear as we analyze these issues from an economic standpoint—peer-reviewed studies, not one-page op-eds by some part-time economist opining to advance the agenda of this administration or this legislation. Those are not the kinds of things we need to be relying on. Those are just talking points. They are just putting out talking points. What do real economist who have actually studied the Department of Labor statistics—what do they say? That has not been discussed. Indeed, our sponsors of the bill won't even tell us how many people will be admitted under this bill. We have had to get the data from studying the language, talking to experts, and now this week, finally, the CBO score.

Let me be frank. The reality is, the cold reality is, I think, this: that Mr. Trumka, the top union man, he was involved, as his designees were, to bless the bill finally. And he eventually did so, placing his goal of citizenship for millions who have entered the country illegally over the welfare of American workers. I am afraid that is what he did. He decided that political advancement for labor interests was more important than the impact it would have on American workers today.

And the business interests—what do they favor? Do you read the business pages? They are always talking about wages—wages going up, wages going down. For a businessman, wages going down is good news; wages going up, bad news.

What should Senators seek? What is the goal for the American people? Wages go up. Wages go down. Unemployment—do we want it to go up, therefore making more labor available, resulting inevitably in lower wages, or do we want unemployment to go down so more American people are finding jobs? Do we want a tight labor market or do we want a loose labor market? What is the public policy that the Congress of the United States should be advocating? I understand what the business guys would want. They want more great workers out there. They want to have 10 of them apply for every job. They want to pick the very best one, and they want to pay as low a wage as they can pay and still get that good worker. That is free market. I tend to favor free market. I believe in that. But nobody can ever suggest that bringing in large amounts of foreign labor doesn't create more labor in the United States and inevitably reduce wages. The Congressional Budget Office found that. Professor Borjas and others have found that. It is indisputable.

So Mr. Zuckerberg and the group out there in the West in Silicon Valley and the agribusiness groups that want to continue to move this forward—they have their interests in getting workers at the lowest price. I asked the other day if Mr. Zuckerberg would put clearly on his site, Facebook, actual job openings from corporations all over the country and the salaries they would pay. I think these businesses would find a lot more American workers than they say they can find. I don't believe he has to hire so many people from abroad to come over and work for 3 years, go back to their home countries, and provide, basically, a large supply of low-wage labor for these jobs.

Maybe I am wrong. Maybe Mr. Zuckerberg should try. If he clearly put it out there, he might find that in this time of high unemployment, with college graduates wondering where their next job is going to be, he might find he and others in Silicon Valley have some pretty good job applicants out there.

La Raza wants amnesty and citizenship. They are the advocacy group. They are not interested in borders and they are not interested in sovereignty issues. They are interested simply in being able to have everybody come. And they are against enforcement.

Ms. Munoz, who is now a top director for immigration policy in the White House for President Obama, said a number of years ago when she was at La Raza that it was immoral to have workplace enforcement. So the person who is supposed to be in charge of all of this believes that requiring a business only to hire people who are here lawfully—that that it is immoral, and she demanded that the law be changed?

This is the status we are in today. We need to understand the forces that are at work. There are a whole lot on the far left, and they want to have a North American union. That is not talked about much now, but in 2007 it was out there. There is an open borders crowd, a survival-of-the-fittest crowd. These are people who believe in bringing in more people, and believe that those who end up on the top will get cheaper wages. I will do fine, and I am not worried about other folks, whether their wages go up or not—the vast majority of American citizens. I am just not worried about that, I am going to end up on top. We are going to make more money if we have more people here. I don't think that is a healthy approach.

National Review, a great conservative organization, wrote a recent editorial and made this observation. It caught my attention because I have been thinking a lot about it lately. It said we are a nation—a nation—with an economy that we want to see do well. We are not an economy with a nation. A nation creates a binding series of interests, and we call on our citizens to go fight wars and their children to go fight wars and put their lives on the line for the Nation. They serve our country, and the country owes them certain protections and a chance to be successful and a chance to be able to make a decent wage with a health care plan, with a retirement plan, so they can take care of their families, take care of their children, to raise them and send them to college. A nation has those obligations.

So to simply say that millions can come to our country illegally, millions can come legally in levels that jeopardize, perhaps, the working majority of American citizens, that pulls down their salaries and does not allow them to prosper, is difficult for me to understand. How can that be justified? I don't see how we can justify that.

I am not against immigration. We do 1 million people a year in this country. I think that is about right. We need to shift it some so we are getting people who have a better chance to succeed in America, and we need to end the illegal flow, and then we would see, perhaps, a little tightening of the job market and maybe we would see some wages start going up for a change. Wages have been dropping consistently since 1999. This bill, according to the Congressional Budget Office, will drive down wages more over the next decade than if it wasn't passed.

I think we have a responsibility as national leaders not to radicalize some survival of the fittest, utterly open-borders theory of American law and policy. I don't think that is right. We have the conservative establishment, some of them in the business crowd, and my friend, Karl Rove, and we just disagree on this issue. I love Karl. He is so smart and he is so committed to America, but I think he doesn't get this correctly. He is not thinking clearly. He is rubbing shoulders and elbows with folks who have different agendas and haven't thought through the impact on the American citizen.

The only interest being ignored in this whole process, it seems to me, is the public interest—the interest of the American people, the middle class who are struggling today. These special groups have had their special interests heard. They have been meeting in secret. They got the Gang of 8 to agree, they got the Gang of 8 to accept what they wanted, and they have agreed to put up money. They have agreed to advocate for the legislation and to keep pushing for it. But where are the law enforcement officers? Where were the good folks who represent the working people of America? So the missing interest throughout this process has been the people's interest.

I look forward to seeing—we are now at 1 o'clock—if we are going to get a special amendment that is going to fix things. Actually, I don't think the sponsors of this amendment have claimed to fix everything. It doesn't have anything to do with the fundamental issues I just talked about, about the ability of a nation to prosper, to take care of its citizens in an effective way. This amendment doesn't deal with that in any effective way, but we will see what it includes, whether it makes the situation better.

We are going to look past the talking points. We are going to look to the actual language of this amendment that—at now 1:05 p.m.—we haven't seen, but which we thought we would see last night at 6 o'clock.

I thank the Chair, I reserve the remainder of my time, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DONNELLY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I understand the Leahy amendment No. 1183 is now pending; is that correct?

The PRESIDING OFFICER. That is correct.

AMENDMENT 1183, AS MODIFIED

Mr. LEAHY. Mr. President, I modify my amendment with the changes I have at the desk.

The PRESIDING OFFICER. The Senator has that right.

The amendment is so modified.

The amendment (No. 1183), as modified, is as follows:

Strike section 3 and all that follows through the end, and insert the following:

SEC. 3. EFFECTIVE DATE TRIGGERS.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Southern Border Security Commission established pursuant to section 4.

(2) COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY.—The term ''Comprehensive Southern Border Security Strategy'' means the strategy established by the Secretary pursuant to section 5(a) to achieve and maintain an effectiveness rate of 90 percent or higher in all border sectors.

(3) EFFECTIVE CONTROL.—The term ''effective control'' means the ability to achieve and maintain, in a Border Patrol sector—

(A) persistent surveillance; and

(B) an effectiveness rate of 90 percent or higher.

(4) EFFECTIVENESS RATE.—The ''effectiveness rate'', in the case of a border sector, is the percentage calculated by dividing the number of apprehensions and turn backs in the sector during a fiscal year by the total number of illegal entries in the sector during such fiscal year.

(5) SOUTHERN BORDER.—The term ''Southern border'' means the international border between the United States and Mexico.

(6) SOUTHERN BORDER FENCING STRATEGY.—The term ''Southern Border Fencing Strategy'' means the strategy established by the Secretary pursuant to section 5(b) that identifies where fencing (including double-layer fencing), infrastructure, and technology, including at ports of entry, should be deployed along the Southern border.

(b) BORDER SECURITY GOAL.—The Department's border security goal is to achieve and maintain effective control in all border sectors along the Southern border.

(c) TRIGGERS.—

(1) PROCESSING OF APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—Not earlier than the date upon which the Secretary has submitted to Congress the Notice of Commencement of implementation of the Comprehensive Southern Border Security Strategy and the Southern Border Fencing Strategy under section 5 of this Act, the Secretary may commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act.

(2) ADJUSTMENT OF STATUS OF REGISTERED PROVISIONAL IMMIGRANTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary may not adjust the status of aliens who have been granted registered provisional immigrant status, except for aliens granted blue card status under section 2201 of this Act or described in section 245D(b) of the Immigration and Nationality Act, until 6 months after the date on which the Secretary, after consultation with the Attorney General, the Secretary of Defense, the Inspector General of the Department, and the Comptroller General of the United States, submits to the President and Congress a written certification that—

(i) the Comprehensive Southern Border Security Strategy—

(I) has been submitted to Congress and includes minimum requirements described under paragraph (3), (4), and (5) of section 5(a);

(II) is deployed and operational (for purposes of this clause the term ''operational'' means the technology, infrastructure, and personnel, deemed necessary by the Secretary, in consultation with the Attorney General and the Secretary of Defense, and the Comptroller General, and includes the technology described under section 5(a)(3) to achieve effective control of the Southern border, has been procured, funded, and is in current use by the Department to achieve effective control, except in the event of routine maintenance, de minimis non-deployment, or natural disaster that would prevent the use of such assets);

(ii) the Southern Border Fencing Strategy has been submitted to Congress and implemented, and as a result the Secretary will certify that there is in place along the Southern Border no fewer than 700 miles of pedestrian fencing which will include replacement of all currently existing vehicle fencing on non-tribal lands on the Southern Border with pedestrian fencing where possible, and after this has been accomplished may include a second layer of pedestrian fencing in those locations along the Southern Border which the Secretary deems necessary or appropriate;

(iii) the Secretary has implemented the mandatory employment verification system required by section 274A of the Immigration and Nationality Act (8 U.S.C.1324a), as amended by section 3101, for use by all employers to prevent unauthorized workers from obtaining employment in the United States;

(iv) the Secretary is using the electronic exit system created by section 3303(a)(1) at all international air and sea ports of entry within the United States where U.S. Customs and Border Protection officers are currently deployed; and

(v) no fewer than 38,405 trained full-time active duty U.S. Border Patrol agents are deployed, stationed, and maintained along the Southern Border.

(B) EXCEPTION.—The Secretary shall permit registered provisional immigrants to apply for an adjustment to lawful permanent resident status if—

(i)(I) litigation or a force majeure has prevented 1 or more of the conditions described in clauses (i) through (iv) of subparagraph (A) from being implemented; or

(II) the implementation of subparagraph (A) has been held unconstitutional by the Supreme Court of the United States or the Supreme Court has granted certiorari to the litigation on the constitutionality of implementation of subparagraph (A); and

(ii) 10 years have elapsed since the date of the enactment of this Act.

(d) WAIVER OF LEGAL REQUIREMENTS NECESSARY FOR IMPROVEMENT AT BORDERS.—Notwithstanding any other provision of law, the Secretary is authorized to waive all legal requirements that the Secretary determines to be necessary to ensure expeditious construction of the barriers, roads, or other physical tactical infrastructure needed to fulfill the requirements under this section. Any determination by the Secretary under this section shall be effective upon publication in the Federal Register of a notice that specifies each law that is being waived and the Secretary's explanation for the determination to waive that law. The waiver shall expire on the later of the date on which the Secretary submits the written certification that the Southern Border Fencing Strategy is substantially completed as specified in subsection (c)(2)(A)(ii) or the date that the Secretary submits the written certification that

the Comprehensive Southern Border Security Strategy is substantially deployed and substantially operational as specified in subsection (c)(2)(A)(i).

(e) FEDERAL COURT REVIEW.—

(1) IN GENERAL.—The district courts of the United States shall have exclusive jurisdiction to hear all causes or claims arising from any action undertaken, or any decision made, by the Secretary under subsection (d). A cause of action or claim may only be brought alleging a violation of the Constitution of the United States. The court does not have jurisdiction to hear any claim not specified in this paragraph.

(2) TIME FOR FILING COMPLAINT.—If a cause or claim under paragraph (1) is not filed within 60 days after the date of the contested action or decision by the Secretary, the claim shall be barred.

(3) APPELLATE REVIEW.—An interlocutory or final judgment, decree, or order of the district court may be reviewed only upon petition for a writ of certiorari to the Supreme Court of the United States.

SEC. 4. SOUTHERN BORDER SECURITY COMMISSION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—No later than the date that is 1 year after the date of the enactment of this Act, there is established a commission to be known as the ''Southern Border Security Commission'' (referred to in this section as the ''Commission'').

(2) EXPENDITURES AND REPORT.—Only if the Secretary cannot certify that the Department has achieved effective control in all border sectors for at least 1 fiscal year before the date that is 5 years after the date of the enactment of this Act—

(A) the report described in subsection (d) shall be submitted; and

(B) 60 days after such report is submitted, the funds made available in section 6(a)(3)(A)(iii) may be expended (except as provided in subsection (i)).

(b) COMPOSITION.—

(1) IN GENERAL.—The Commission shall be composed of—

(A) 2 members who shall be appointed by the President;

(B) 2 members who shall be appointed by the President pro tempore of the Senate, of which—

(i) 1 shall be appointed upon the recommendation of the leader in the Senate of the political party that is not the political party of the President; and

(ii) 1 shall be appointed upon the recommendation of the leader in the Senate of the other political party;

(C) 2 members who shall be appointed by the Speaker of the House of Representatives, of which—

(i) 1 shall be appointed upon the recommendation of the leader in the House of Representatives of the political party that is not the political party of the President; and

(ii) 1 shall be appointed upon the recommendation of the leader in the House of Representatives of the other political party; and

(D) 5 members, consisting of 1 member from the Southwestern State of Nevada and 1 member from each of the States along the Southern border, who shall be—

(i) the Governor of such State; or

(ii) appointed by the Governor of each such State.

(2) QUALIFICATIONS FOR APPOINTMENT.—The members of the Commission shall be distinguished individuals noted for their knowledge and experience in the field of border security at the Federal, State, or local level and may also include reputable individuals who are landowners in the Southern border area with first-hand experience with border issues.

(3) TIME OF APPOINTMENT.—The appointments required by paragraph (1) shall be made not later than 1 year after the date of the enactment of this Act.

(4) CHAIR.—At the first meeting of the Commission, a majority of the members of the Commission present and voting shall elect the Chair of the Commission.

(5) VACANCIES.—Any vacancy of the Commission shall not affect its powers, but shall be filled in the manner in which the original appointment was made.

(6) RULES.—The Commission shall establish the rules and procedures of the Commission which shall require the approval of at least 6 members of the Commission.

(c) DUTIES.—

(1) IN GENERAL.—The Commission's primary responsibility shall be to make recommendations to the President, the Secretary, and Congress on policies to achieve and maintain the border security goal specified in section 3(b) by achieving and maintaining—

(A) the capability to engage in, and engaging in, persistent surveillance in border sectors along the Southern border; and

(B) an effectiveness rate of 90 percent or higher in all border sectors along the Southern border.

(2) PUBLIC HEARINGS.—

(A) IN GENERAL.—The Commission shall convene at least 1 public hearing each year on border security.

(B) REPORT.—The Commission shall provide a summary of each hearing convened pursuant to subparagraph (A) to the entities set out in subparagraphs (A) through (G) of section 5(a)(1).

(d) REPORT.—If required pursuant to subsection (a)(2)(B) and in no case earlier than the date that is 5 years after the date of the enactment of this Act, the Commission shall submit to the President, the Secretary, and Congress a report setting forth specific recommendations for policies for achieving and maintaining the border security goals specified in subsection (c). The report shall include, at a minimum, recommendations for the personnel, infrastructure, technology, and other resources required to achieve and maintain an effectiveness rate of 90 percent or higher in all border sectors.

(e) TRAVEL EXPENSES.—Members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(f) ADMINISTRATIVE SUPPORT.—The Secretary shall provide the Commission such staff and administrative services as may be necessary and appropriate for the Commission to perform its functions. Any employee of the executive branch of Government may be detailed to the Commission without reimbursement to the agency of that employee and such detail shall be without interruption or loss of civil service or status or privilege.

(g) COMPTROLLER GENERAL REVIEW.—The Comptroller General of the United States shall review the recommendations in the report submitted under subsection (d) in order to determine—

(1) whether any of the recommendations are likely to achieve effective control in all border sectors;

(2) which recommendations are most likely to achieve effective control; and

(3) whether such recommendations are feasible within existing budget constraints.

(h) TERMINATION.—The Commission shall terminate 10 years after the date of the enactment of this Act.

(i) FUNDING.—The amounts made available under section 6(a)(3)(A)(iii) to carry out programs, projects, and activities recommended by the Commission may not be expended prior to the date that is 60 days after a report required by subsection (d) is submitted and, in no case, prior to 60 days after the date that is 5 years after the date of the enactment of this Act, except that funds made available under section 6(a)(3)(A)(iii) may be used for minimal administrative expenses directly associated with convening the public hearings required by subsection (c)(2)(A) and preparing and providing summaries of such hearings required by subsection (c)(2)(B).

SEC. 5. COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY AND SOUTHERN BORDER FENCING STRATEGY.

(a) COMPREHENSIVE SOUTHERN BORDER SECURITY STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Attorney General and the Secretary of Defense, shall submit a strategy, to be known as the ''Comprehensive Southern Border Security Strategy'', for achieving and maintaining effective control between and at the ports of entry in all border sectors along the Southern border, to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Appropriations of the House of Representatives;

(E) the Committee on the Judiciary of the Senate;

(F) the Committee on the Judiciary of the House of Representatives;

(G) the Committee on Armed Services of the Senate;

(H) the Committee on Armed Services of the House of Representatives; and

(I) the Comptroller General of the United States.

(2) ELEMENTS.—The Comprehensive Southern Border Security Strategy shall specify—

(A) the priorities that must be met for the strategy to be successfully executed; and

(B) the capabilities required to meet each of the priorities referred to in subparagraph (A), including—

(i) surveillance and detection capabilities developed or used by the various Departments and Agencies for the Federal government for the purposes of enhancing the functioning and operational capability to conduct continuous and integrated manned or unmanned, monitoring, sensing, or surveillance of 100 percent of Southern border mileage or the immediate vicinity of the Southern border;

(ii) the requirement for stationing sufficient Border Patrol agents and Customs and Border Protection officers between and at ports of entry along the Southern border; and

(iii) the necessary and qualified staff and equipment to fully utilize available unarmed, unmanned aerial systems and unarmed, fixed wing aircraft.

(3) MINIMUM REQUIREMENTS.—The Comprehensive Southern Border Security Strategy shall require, at a minimum, the deployment of the following technologies for each Border Patrol sector along the Southern Border:

(A) ARIZONA (YUMA AND TUCSON SECTORS).—For Arizona (Yuma and Tucson Sectors) between ports of entry the following:

(i) 50 integrated fixed towers.

(ii) 73 fixed camera systems (with relocation capability), which include Remote Video Surveillance Systems.

(iii) 28 mobile surveillance systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems.

(iv) 685 unattended ground sensors, including seismic, imaging, and infrared.

(v) 22 handheld equipment devices, including handheld thermal imaging systems and night vision goggles.

(B) SAN DIEGO, CALIFORNIA.—For San Diego, California the following:

(i) BETWEEN PORTS OF ENTRY.—Between ports of entry the following:

(I) 3 integrated fixed towers.

(II) 41 fixed camera systems (with relocation capability), which include Remote Video Surveillance Systems.

(III) 14 mobile surveillance systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems.

(IV) 393 unattended ground sensors, including seismic, imaging, and infrared.

(V) 83 handheld equipment devices, including handheld thermal imaging systems and night vision goggles.

(ii) AT POINTS OF ENTRY, CHECKPOINTS.—At points of entry, checkpoints the following:

(I) 2 non-intrusive inspection systems, including fixed and mobile.

(II) 1 radiation portal monitor.

(III) 1 littoral detection and classification network

(C) EL CENTRO, CALIFORNIA.—For El Centro, California the following:

(i) BETWEEN PORTS OF ENTRY.—Between ports of entry the following:

(I) 66 fixed camera systems (with relocation capability), which include Remote Video Surveillance Systems.

(II) 18 mobile surveillance systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems.

(III) 85 unattended ground sensors, including seismic, imaging, and infrared.

(IV) 57 handheld equipment devices, including handheld thermal imaging systems and night vision goggles.

(V) 2 sensor repeaters.

(VI) 2 communications repeaters.

(ii) AT POINTS OF ENTRY, CHECKPOINTS.—At points of entry, checkpoints the following:

(I) 5 fiber-optic tank inspection scopes.

(II) 1 license plate reader.

(III) 1 backscatter.

(IV) 2 portable contraband detectors.

(V) 2 radiation isotope identification devices.

(VI) 8 radiation isotope identification devices updates.

(VII) 3 personal radiation detectors.

(VIII) 16 mobile automated targeting systems.

(D) EL PASO, TEXAS.—For El Paso, Texas the following:

(i) BETWEEN PORTS OF ENTRY.—Between ports of entry the following:

(I) 27 integrated fixed towers.

(II) 71 fixed camera systems (with relocation capability), which include Remote Video Surveillance Systems.

(III) 31 mobile surveillance systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems.

(IV) 170 unattended ground sensors, including seismic, imaging, and infrared.

(V) 24 handheld equipment devices, including handheld thermal imaging systems and night vision goggles.

(VI) 1 communications repeater.

(VII) 1 sensor repeater.

(VIII) 2 camera refresh.

(ii) AT POINTS OF ENTRY, CHECKPOINTS.—At points of entry, checkpoints the following:

(I) 4 non-intrusive inspection systems, including fixed and mobile.

(II) 23 fiber-optic tank inspection scopes.

(III) 1 portable contraband detectors.

(IV) 19 radiation isotope identification devices updates.

(V) 1 real time radioscopy version 4.

(VI) 8 personal radiation detectors.

(E) BIG BEND, TEXAS.—For Big Bend, Texas the following:

(i) BETWEEN PORTS OF ENTRY.—Between ports of entry the following:

(I) 7 fixed camera systems (with relocation capability), which include remote video surveillance systems.

(II) 29 mobile surveillance systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems.

(III) 1105 unattended ground sensors, including seismic, imaging, and infrared.

(IV) 131 handheld equipment devices, including handheld thermal imaging systems and night vision goggles.

(V) 1 mid-range camera refresh.

(VI) 1 improved surveillance capabilities for existing aerostat.

(VII) 27 sensor repeaters.

(VIII) 27 communications repeaters.

(ii) AT POINTS OF ENTRY, CHECKPOINTS.—At points of entry, checkpoints the following:

(I) 7 fiber-optic tank inspection scopes.

(II) 3 license plate readers, including mobile, tactical, and fixed.

(III) 12 portable contraband detectors.

(IV) 7 radiation isotope identification devices.

(V) 12 radiation isotope identification devices updates.

(VI) 254 personal radiation detectors.

(VII) 19 mobile automated targeting systems.

(F) DEL RIO, TEXAS.—For Del Rio, Texas the following:

(i) BETWEEN PORTS OF ENTRY.—Between ports of entry the following:

(I) 3 integrated fixed towers.

(II) 74 fixed camera systems (with relocation capability), which include remote video surveillance systems.

(III) 47 mobile surveillance systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems.

(IV) 868 unattended ground sensors, including seismic, imaging, and infrared.

(V) 174 handheld equipment devices, including handheld thermal imaging systems and night vision goggles.

(VI) 26 mobile/handheld inspection scopes and sensors for checkpoints.

(VII) 1 improved surveillance capabilities for existing aerostat.

(VIII) 21 sensor repeaters.

(IX) 21 communications repeaters.

(ii) AT POINTS OF ENTRY, CHECKPOINTS.—At points of entry, checkpoints the following:

(I) 4 license plate readers, including mobile, tactical, and fixed.

(II) 13 radiation isotope identification devices updates.

(III) 3 mobile automated targeting systems.

(IV) 6 land automated targeting systems.

(G) LAREDO, TEXAS.—For Laredo, Texas the following:

(i) BETWEEN THE PORTS OF ENTRY.—Between ports of entry the following:

(I) 2 integrated fixed towers.

(II) 69 fixed camera systems (with relocation capability), which include remote video surveillance systems.

(III) 38 mobile surveillance systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems.

(IV) 573 unattended ground sensors, including seismic, imaging, and infrared.

(V) 124 handheld equipment devices, including handheld thermal imaging systems and night vision goggles.

(VI) 38 sensor repeaters.

(VII) 38 communications repeaters.

(ii) AT POINTS OF ENTRY, CHECKPOINTS.—At points of entry, checkpoints the following:

(I) 1 non-intrusive inspection system.

(II) 7 fiber-optic tank inspection scopes.

(III) 19 license plate readers, including mobile, tactical, and fixed.

(IV) 2 backscatter.

(V) 14 portable contraband detectors.

(VI) 2 radiation isotope identification devices.

(VII) 18 radiation isotope identification devices updates.

(VIII) 16 personal radiation detectors.

(IX) 24 mobile automated targeting systems.

(X) 3 land automated targeting systems.

(H) RIO GRANDE VALLEY.—For Rio Grande Valley the following:

(i) BETWEEN PORTS OF ENTRY.—Between ports of entry the following:

(I) 1 integrated fixed towers.

(II) 87 fixed camera systems (with relocation capability), which include remote video surveillance systems.

(III) 27 mobile surveillance systems, which include mobile video surveillance systems, agent-portable surveillance systems, and mobile surveillance capability systems.

(IV) 716 unattended ground sensors, including seismic, imaging, and infrared.

(V) 205 handheld equipment devices, including handheld thermal imaging systems and night vision goggles.

(VI) 4 sensor repeaters.

(VII) 1 communications repeater.

(VIII) 2 camera refresh.

(ii) AT POINTS OF ENTRY, CHECKPOINTS.—At points of entry, checkpoints the following:

(I) 1 mobile non-intrusive inspection system.

(II) 11 fiberoptic tank inspection scopes.

(III) 1 license plate reader.

(IV) 2 backscatter.

(V) 2 card reader system.

(VI) 8 portable contraband detectors.

(VII) 5 radiation isotope identification devices.

(VIII) 18 radiation isotope identification devices updates.

(IX) 135 personal radiation detectors.

(iii) AIR AND MARINE ACROSS THE SOUTHWEST BORDER.—For air and marine across the Southwest border the following:

(I) 4 unmanned aircraft systems.

(II) 6 VADER radar systems.

(III) 17 UH-1N helicopters.

(IV) 8 C-206H aircraft upgrades.

(V) 8 AS-350 light enforcement helicopters.

(VI) 10 Blackhawk helicopter 10 A-L conversions, 5 new Blackhawk M Model.

(VII) 30 marine vessels.

(4) REDEPLOYMENT OF RESOURCES TO ACHIEVE EFFECTIVE CONTROL.—The Secretary may reallocate the personnel, infrastructure, and technologies required in the Southern Border Security Strategy to achieve effective control of the Southern border.

(5) ALTERNATE TECHNOLOGY.—If the Secretary determines that an alternate or new technology is at least as effective as the technologies described in paragraph (3) and provides a commensurate level of security, the Secretary may deploy that technology in its place and without regard to the minimums in this section. The Secretary shall notify Congress within 60 days of any such determination.

(6) ANNUAL REPORT.—Beginning 1 year after the enactment of this Act, and annually thereafter, the Secretary shall provide to Congress a written report to Congress on the sector-by-sector deployment of infrastructure and technologies.

(7) ADDITIONAL ELEMENTS REGARDING EXECUTION.—The Comprehensive Southern Border Security Strategy shall describe—

(A) how the resources referred to in paragraph (2)(C) will be properly aligned with the priorities referred to in paragraph (2)(A) to ensure that the strategy will be successfully executed;

(B) the interim goals that must be accomplished to successfully implement the strategy; and

(C) the schedule and supporting milestones under which the Department will accomplish the interim goals referred to in subparagraph (B).

(8) IMPLEMENTATION.—

(A) IN GENERAL.—The Secretary shall commence the implementation of the Comprehensive Southern Border Security Strategy immediately after submitting the strategy under paragraph (1).

(B) NOTICE OF COMMENCEMENT.—Upon commencing the implementation of the strategy, the Secretary shall submit a notice of commencement of such implementation to—

(i) Congress; and

(ii) the Comptroller General of the United States.

(9) SEMIANNUAL REPORTS.—

(A) IN GENERAL.—Not later than 180 days after the Comprehensive Southern Border Security Strategy is submitted under paragraph (1), and every 180 days thereafter, the Secretary shall submit a report on the status of the Department's implementation of the strategy to—

(i) the Committee on Homeland Security and Governmental Affairs of the Senate;

(ii) the Committee on Homeland Security of the House of Representatives;

(iii) the Committee on Appropriations of the Senate;

(iv) the Committee on Appropriations of the House of Representatives;

(v) the Committee on the Judiciary of the Senate;

(vi) the Committee on the Judiciary of the House of Representatives; and

(vii) the Comptroller General of the United States.

(B) ELEMENTS.—Each report submitted under subparagraph (A) shall include—

(i) a detailed description of the steps the Department has taken, or plans to take, to execute the strategy submitted under paragraph (1), including the progress made toward achieving the interim goals and milestone schedule established pursuant to subparagraphs (B) and (C) of paragraph (3);

(ii) a detailed description of—

(I) any impediments identified in the Department's efforts to execute the strategy;

(II) the actions the Department has taken, or plans to take, to address such impediments; and

(III) any additional measures developed by the Department to measure the state of security along the Southern border; and

(iii) for each Border Patrol sector along the Southern border—

(I) the effectiveness rate for each individual Border Patrol sector and the aggregated effectiveness rate;

(II) the number of recidivist apprehensions, sorted by Border Patrol sector; and

(III) the recidivism rate for all unique subjects that received a criminal consequence through the Consequence Delivery System process.

(C) ANNUAL REVIEW.—The Comptroller General of the United States shall conduct an annual review of the information contained in the semiannual reports submitted by the Secretary under this paragraph and submit an assessment of the status and progress of the Southern Border Security Strategy to the committees set forth in subparagraph (A).

(b) SOUTHERN BORDER FENCING STRATEGY.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a strategy, to be known as the ''Southern Border Fencing Strategy'', to identify where 700 miles of fencing (including double-layer fencing), infrastructure, and technology, including at ports of entry, should be deployed along the Southern border.

(2) SUBMISSION.—The Secretary shall submit the Southern Border Fencing Strategy to Congress and the Comptroller General of the United States for review.

(3) NOTICE OF COMMENCEMENT.—Upon commencing the implementation of the Southern Border Fencing Strategy, the Secretary shall submit a notice of commencement of the implementation of the Strategy to Congress and the Comptroller General of the United States.

(4) CONSULTATION.—

(A) IN GENERAL.—In implementing the Southern Border Fencing Strategy required by this subsection, the Secretary shall consult with the Secretary of the Interior, the Secretary of Agriculture, States, local governments, Indian tribes, and property owners in the United States to minimize the impact on the environment, culture, commerce, and quality of life for the communities and residents located near the sites at which such fencing is to be constructed.

(B) SAVINGS PROVISION.—Nothing in this paragraph may be construed to—

(i) create or negate any right of action for a State or local government or other person or entity affected by this subsection; or

(ii) affect the eminent domain laws of the United States or of any State.

(5) LIMITATION ON REQUIREMENTS.—Notwithstanding paragraph (1), nothing in this subsection shall require the Secretary to install fencing, or infrastructure that directly results from the installation of such fencing, in a particular location along the Southern border, if the Secretary determines that the use or placement of such resources is not the most appropriate means to achieve and maintain effective control over the Southern border at such location.

SEC. 6. COMPREHENSIVE IMMIGRATION REFORM FUNDS.

(a) COMPREHENSIVE IMMIGRATION REFORM TRUST FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury a separate account, to be known as the Comprehensive Immigration Reform Trust Fund (referred to in this section as the ''Trust Fund''), consisting of—

(A) amounts transferred from the general fund of the Treasury under paragraph (2)(A); and

(B) proceeds from the fees described in paragraph (2)(B).

(2) DEPOSITS.—

(A) INITIAL FUNDING.—On the later of the date of the enactment of this Act or October 1, 2013, $46,300,000,000 shall be transferred from the general fund of the Treasury to the Trust Fund.

(B) ONGOING FUNDING.—Notwithstanding section 3302 of title 31, United States Code, in addition to the funding described in subparagraph (A), and subject to paragraphs (3)(B) and (4), the following amounts shall be deposited in the Trust Fund:

(i) ELECTRONIC TRAVEL AUTHORIZATION SYSTEM FEES.—Fees collected under section 217(h)(3)(B)(i)(II) of the Immigration and Nationality Act, as added by section 1102(c).

(ii) REGISTERED PROVISIONAL IMMIGRANT PENALTIES.—Penalties collected under section 245B(c)(10)(C) of the Immigration and Nationality Act, as added by section 2101.

(iii) BLUE CARD PENALTY.—Penalties collected under section 2211(b)(9)(C).

(iv) FINE FOR ADJUSTMENT FROM BLUE CARD STATUS.—Fines collected under section 245F(a)(5) of the Immigration and Nationality Act, as added by section 2212(a).

(v) PENALTIES FOR FALSE STATEMENTS IN APPLICATIONS.—Fines collected under section 245F(f) of the Immigration and Nationality Act, as added by section 2212(a).

(vi) MERIT SYSTEM GREEN CARD FEES.—Fees collected under section 203(c)(6) of the Immigration and Nationality Act, as amended by section 2301(a)(2).

(vii) H–1B AND L VISA FEES.—Fees collected under section 281(d) of the Immigration and Nationality Act, as added by section 4105.

(viii) H–1B OUTPLACEMENT FEE.—Fees collected under section 212(n)(1)(F)(ii) of the Immigration and Nationality Act, as amended by section 4211(d).

(ix) H–1B NONIMMIGRANT DEPENDENT EMPLOYER FEES.—Fees collected under section 4233(a)(2).

(x) L NONIMMIGRANT DEPENDENT EMPLOYER FEES.—Fees collected under section 4305(a)(2).

(xi) J–1 VISA MITIGATION FEES.—Fees collected under section 281(e) of the Immigration and Nationality Act, as added by section 4407.

(xii) F–1 VISA FEES.—Fees collected under section 281(f) of the Immigration and Nationality Act, as added by section 4409.

(xiii) RETIREE VISA FEES.—Fees collected under section 214(w)(1)(B) of the Immigration and Nationality Act, as added by section 4504(b).

(xiv) VISITOR VISA FEES.—Fees collected under section 281(g) of the Immigration and Nationality Act, as added by section 4509.

(xv) H–2B VISA FEES.—Fees collected under section 214(x)(5)(A) of the Immigration and Nationality Act, as added by section 4602(a).

(xvi) NONIMMIGRANTS PERFORMING MAINTENANCE ON COMMON CARRIERS.—Fees collected under section 214(z) of the Immigration and Nationality Act, as added by section 4604.

(xvii) X–1 VISA FEES.—Fees collected under section 214(s)(6) of the Immigration and Nationality Act, as added by section 4801.

(xviii) PENALTY FOR ADJUSTMENT FROM REGISTERED PROVISIONAL IMMIGRANT STATUS.—Penalties collected under section 245C(c)(5)(B) of the Immigration and Nationality Act, as added by section 2102.

(C) AUTHORITY TO ADJUST FEES.—As necessary to carry out the purposes of this Act, the Secretary may adjust the amounts of the fees and penalties set out under subparagraph (B), except for the fines and penalties referred to in clauses (ii), (iii), (iv), or (xviii) of such subparagraph; provided further that the Secretary shall adjust the amounts of

the fees and penalties set out under subparagraph (B), except for the fines and penalties referred to in clauses (ii), (iii), (iv), or (xviii) of such subparagraph to result in no less than $500,000,000 being available for fiscal year 2014 and $1,000,000,000 for fiscal years 2015 through 2023 for appropriations for activities authorized under this Act. If the Secretary determines that adjusting the fees and penalties set out under subparagraph (B) will be insufficient or impractical to cover the costs of the mandatory enforcement expenditures in this Act, the Secretary may charge an additional surcharge on every immigrant and nonimmigrant petition filed with the Secretary in an amount designed to be the minimum proportional surcharge necessary to recover the annual mandatory enforcement expenditures in this legislation.

(3) USE OF FUNDS.—

(A) INITIAL FUNDING.—Of the amounts transferred to the Trust Fund pursuant to paragraph (2)(A)—

(i) $30,000,000,000 shall remain available for the 10-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary in hiring and deploying at least 19,200 additional trained full-time active duty U.S. Border Patrol agents along the Southern Border;

(ii) $4,500,000,000 shall remain available for the 5-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary to carry out the Comprehensive Southern Border Security Strategy;

(iii) $2,000,000,000 shall remain available for the 10-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary to carry out programs, projects, and activities recommended by the Commission pursuant to section 4(d) to achieve and maintain the border security goal specified in section 3(b), and for the administrative expenses directly associated with convening the public hearings required by section 3(c)(2)(A) and preparing and providing summaries of such hearings required by section 3(c)(2)(B);

(iv) $8,000,000,000 shall be made available to the Secretary, during the 5-year period beginning on the date of the enactment of this Act, to procure and deploy fencing, infrastructure, and technology in accordance with the Southern Border Fencing Strategy established pursuant to section 5(b), not less than $7,500,000,000 of which shall be used to deploy, repair, or replace fencing;

(v) $750,000,000 shall remain available for the 6-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary to expand and implement the mandatory employment verification system, which shall be used as required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101;

(vi) $900,000,000 shall remain available for the 8-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary of State to pay for one-time and startup costs necessary to implement this Act; and

(vii) $150,000,000 shall remain available for the 2-year period beginning on the date specified in paragraph (2)(A) for use by the Secretary for transfer to the Secretary of Labor, the Secretary of Agriculture, or the Attorney General, for initial costs of implementing this Act.

(B) REPAYMENT OF TRUST FUND EXPENSES.—The first $8,300,000,000 collected pursuant to' the fees, penalties, and fines referred to in clauses (ii), (iii), (iv), (vi), (xiii), (xvii), and (xviii) of paragraph (2)(B) shall be collected, deposited in the general fund of the Treasury, and used for Federal budget deficit reduction. Collections in excess of $8,300,000,000 shall be deposited into the Trust Fund, as specified in paragraph (2)(B).

(C) PROGRAM IMPLEMENTATION.—Amounts deposited into the Trust Fund pursuant to paragraph (2)(B) shall be available during each of fiscal years 2014 through 2018 as follows:

(i) $50,000,000 to carry out the activities referenced in section 1104(a)(1).

(ii) $50,000,000 to carry out the activities referenced in section 1104(b).

(D) ONGOING FUNDING.—Subject to the availability of appropriations, amounts deposited in the Trust Fund pursuant to paragraph (2)(B) are authorized to be appropriated as follows:

(i) Such sums as may be necessary to carry out the authorizations included in this Act, including the costs, including pay and benefits, associated with the additional personnel required by section 1102.

(ii) Such sums as may be necessary to carry out the operations and maintenance of border security and immigration enforcement investments referenced in subparagraph (A).

(E) EXPENDITURE PLAN.—The Secretary, in consultation with the Attorney General and the Secretary of Defense, shall submit to the Committee on Appropriations of the Senate, the Committee on the Judiciary of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on the Judiciary of the House of Representatives, in conjunction with the Comprehensive Southern Border Strategy and the Southern Border Fencing Strategy, a plan for expenditure that describes—

(i) the types and planned deployment of fixed, mobile, video, and agent and officer portable surveillance and detection equipment, including those recommended or provided by the Department of Defense;

(ii) the number of Border Patrol agents and Customs and Border Protection officers to be hired, including a detailed description of which Border Patrol sectors and which land border ports of entry they will be stationed;

(iii) the numbers and type of unarmed, unmanned aerial systems and unarmed, fixed-wing and rotary aircraft, including pilots, air interdiction agents, and support staff to fly or otherwise operate and maintain the equipment;

(iv) the numbers, types, and planned deployment of marine and riverine vessels, if any, including marine interdiction agents and support staff to operate and maintain the vessels;

(v) the locations, amount, and planned deployment of fencing, including double layer fencing, tactical and other infrastructure, and technology, including but not limited to fixed towers, sensors, cameras, and other detection technology;

(vi) the numbers, types, and planned deployment of ground-based mobile surveillance systems;

(vii) the numbers, types, and planned deployment of tactical and other interoperable law enforcement communications systems and equipment;

(viii) required construction, including repairs, expansion, and maintenance, and location of additional checkpoints, Border Patrol stations, and forward operating bases;

(ix) the number of additional attorneys and support staff for the Office of the United States Attorney for Tucson;

(x) the number of additional support staff and interpreters in the Office of the Clerk of the Court for Tucson;

(xi) the number of additional personnel, including Marshals and Deputy Marshals for the United States Marshals Office for Tucson;

(xii) the number of additional magistrate judges for the southern border United States District Courts;

(xiii) activities to be funded by the Homeland Security Border Oversight Task Force;

(xiv) amounts and types of grants to States and other entities;

(xv) amounts and activities necessary to hire additional personnel and for start-up costs related to upgrading software and information technology necessary to transition from a voluntary E-Verify system to mandatory employment verification system under section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) within 5 years;

(xvi) the number of additional personnel and other costs associated with implementing the immigration courts and removal proceedings mandated in subtitle E of title III;

(xvii) the steps the Commissioner of Social Security plans to take to create a fraud-resistant, tamper-resistant, wear-resistant, and identity-theft resistant Social Security card, including—

(I) the types of equipment needed to create the card;

(II) the total estimated costs for completion that clearly delineates costs associated with the acquisition of equipment and transition to operation, subdivided by fiscal year and including a description of the purpose by fiscal year for design, pre-acquisition activities, production, and transition to operation;

(III) the number and type of personnel, including contract personnel, required to research, design, test, and produce the card; and

(IV) a detailed schedule for production of the card, including an estimated completion date at the projected funding level provided in this Act; and

(xviii) the operations and maintenance costs associated with the implementation of clauses (i) through (xvii).

(F) ANNUAL REVISION.—The expenditure plan required in (E) shall be revised and submitted with the President's budget proposals for fiscal year 2016, 2017, 2018, and 2019 pursuant to the requirements of section 1105(a) of title 31, United States Code.

(G) COMMISSION EXPENDITURE PLAN.—

(i) REQUIREMENT FOR PLAN.—If the Southern Border Security Commission referenced in section 4 is established, the Secretary shall submit to the appropriate committees of Congress, not later than 60 days after the submission of the review required by section 4(g), a plan for expenditure that achieves the recommendations in the report required by section 4(d) and the review required by section 4(g).

(ii) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In clause (i), the term ''appropriate committees of Congress'' means—

(I) the Committee on Appropriations, the Committee on the Judiciary, and the Committee on Finance of the Senate; and

(II) the Committee on Appropriations, the Committee on the Judiciary, and the Committee on Ways and Means of the House of Representatives.

(4) LIMITATION ON COLLECTION.—

(A) IN GENERAL.—No fee deposited in the Trust Fund may be collected except to the extent that the expenditure of the fee is provided for in advance in an appropriations Act only to pay the costs of activities and services for which appropriations are authorized to be funded from the Trust Fund.

(B) RECEIPTS COLLECTED AS OFFSETTING RECEIPTS.—Until the date of the enactment of an Act making appropriations for the activities authorized under this Act through September 30, 2014, the fees authorized by paragraph (2)(B) that are not deposited into the general fund pursuant to paragraph (3)(B) may be collected and shall be credited as to the Trust Fund to remain available until expended only to pay the costs of activities and services for which appropriations are authorized to be funded from the Trust Fund.

(b) COMPREHENSIVE IMMIGRATION REFORM STARTUP ACCOUNT.—

(1) ESTABLISHMENT.—There is established in the Treasury a separate account, to be known as the ''Comprehensive Immigration Reform Startup Account,'' (referred to in this section as the ''Startup Account''), consisting of amounts transferred from the general fund of the Treasury under paragraph (2).

(2) DEPOSITS.—There is appropriated to the Startup Account, out of any funds in the Treasury not otherwise appropriated, $3,000,000,000, to remain available until expended on the later of the date that is—

(A) the date of the enactment of this Act; or

(B) October 1, 2013.

(3) REPAYMENT OF STARTUP COSTS.—

(A) IN GENERAL.—Notwithstanding section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), 50 percent of fees collected under section 245B(c)(10)(A) of the Immigration and Nationality Act, as added by section 2101 of this Act, shall be deposited monthly in the general fund of the Treasury and used for Federal budget deficit reduction until the funding provided by paragraph (2) has been repaid.

(B) DEPOSIT IN THE IMMIGRATION EXAMINATIONS FEE ACCOUNT.—Fees collected in excess of the amount referenced in subparagraph (A) shall be deposited in the Immigration Examinations Fee Account, pursuant to section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)), and shall remain available until expended pursuant to section 286(n) of the Immigration and Nationality Act (8 U.S.C. 1356(n)).

(4) USE OF FUNDS.—The Secretary shall use the amounts transferred to the Startup Account to pay for one-time and startup costs necessary to implement this Act, including—

(A) equipment, information technology systems, infrastructure, and human resources;

(B) outreach to the public, including development and promulgation of any regulations, rules, or other public notice;

(C) grants to community and faith-based organizations; and

(D) anti-fraud programs and actions related to implementation of this Act.

(5) EXPENDITURE PLAN.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Attorney General and the Secretary of Defense, shall submit to the Committee on Appropriations and the Committee on the Judiciary of the Senate and the Committee on Appropriations and the Committee on the Judiciary of the House of Representatives, a plan for expenditure of the one-time and startup funds in the Startup Account that provides details on—

(A) the types of equipment, information technology systems, infrastructure, and human resources;

(B) the plans for outreach to the public, including development and promulgation of any regulations, rules, or other public notice;

(C) the types and amounts of grants to community and faith-based organizations; and

(D) the anti-fraud programs and actions related to implementation of this Act.

(c) ANNUAL AUDITS.—

(1) AUDITS REQUIRED.—Not later than October 1 each year beginning on or after the date of the enactment of this Act, the Chief Financial Officer of the Department of Homeland Security shall, in conjunction with the Inspector General of the Department of Homeland Security, conduct an audit of the Trust Fund.

(2) REPORTS.—Upon completion of each audit of the Trust Fund under paragraph (1), the Chief Financial Officer shall, in conjunction with the Inspector General, submit to Congress, and make available to the public on an Internet website of the Department available to the public, a jointly audited financial statement concerning the Trust Fund.

(3) ELEMENTS.—Each audited financial statement under paragraph (2) shall include the following:

(A) The report of an independent certified public accountant.

(B) A balance sheet reporting admitted assets, liabilities, capital and surplus.

(C) A statement of cash flow.

(D) Such other information on the Trust Fund as the Chief Financial Officer, the Inspector General, or the independent certified public accountant considers appropriate to facilitate a comprehensive understanding of the Trust Fund during the year covered by the financial statement.

(d) DETERMINATION OF BUDGETARY EFFECTS.—

(1) EMERGENCY DESIGNATION FOR CONGRESSIONAL ENFORCEMENT.—In the Senate, amounts appropriated by or deposited in the general fund of the Treasury pursuant to this section are designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(2) EMERGENCY DESIGNATION FOR STATUTORY PAYGO.—Amounts appropriated by or deposited in the general fund of the Treasury pursuant to this section are designated as an emergency requirement under section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139; 2 U.S.C. 933(g)).

SEC. 7. REFERENCE TO THE IMMIGRATION AND NATIONALITY ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

SEC. 8. DEFINITIONS.

In this Act:

(1) DEPARTMENT.—Except as otherwise provided, the term ''Department'' means the Department of Homeland Security.

(2) SECRETARY.—Except as otherwise provided, the term ''Secretary'' means the Secretary of Homeland Security.

SEC. 9. GRANT ACCOUNTABILITY.

(a) DEFINITIONS.—In this section:

(1) AWARDING ENTITIES.—The term ''awarding entities'' means the Secretary of Homeland Security, the Director of the Federal Emergency Management Agency (FEMA), the Chief of the Office of Citizenship and New Americans, as designated by this Act, and the Director of the National Science Foundation.

(2) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(3) UNRESOLVED AUDIT FINDING.—The term ''unresolved audit finding'' means a finding in a final audit report conducted by the Inspector General of the Department of Homeland Security, or the Inspector General for the National Science Foundation for grants awarded by the Director of the National Science Foundation, that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 1 year from the date when the final audit report is issued.

(b) ACCOUNTABILITY.—All grants awarded by awarding entities pursuant to this Act shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) AUDITS.—Beginning in the first fiscal year beginning after the date of the enactment of this section, and in each fiscal year thereafter, the Inspector General of the Department of Homeland Security, or the Inspector General for the National Science Foundation for grants awarded by the Director of the National Science Foundation, shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector Generals shall determine the appropriate number of grantees to be audited each year.

(B) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the first 2 fiscal years beginning after the end of the 1-year period described in subsection (a)(3).

(C) PRIORITY.—In awarding grants under this Act, the awarding entities shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this Act.

(D) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (B), the awarding entity shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) PROHIBITION.—An awarding entity may not award a grant under this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(B) DISCLOSURE.—Each nonprofit organization that is awarded a grant under this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the awarding entity, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the awarding entity shall make the information disclosed under this subparagraph available for public inspection.

(3) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Homeland Security or the National Science Foundation for grant programs under this Act may be used by an awarding entity or by any individual or entity awarded discretionary funds through a cooperative agreement under this Act to host or support any expenditure for conferences that uses more than $20,000 in funds made available by the Department of Homeland Security or the National Science Foundation unless the Deputy Secretary for Homeland Security, or the Deputy Director of the National Science Foundation, or their designee, provides prior written authorization that the funds may be expended to host the conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(C) REPORT.—The Deputy Secretary of Homeland Security and the Deputy Director of the National Science Foundation shall submit an annual report to Congress on all conference expenditures approved under this paragraph.

(4) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this subsection, each awarding entity shall submit to Congress a report—

(A) indicating whether—

(i) all audits issued by the Offices of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate individuals;

(ii) all mandatory exclusions required under paragraph (1)(B) have been issued; and

(iii) all reimbursements required under paragraph (1)(D) have been made; and

(B) including a list of any grant recipients excluded under paragraph (1) from the previous year.

TITLE I—BORDER SECURITY AND OTHER PROVISIONS

Subtitle A—Border Security

SEC. 1101. DEFINITIONS.

In this title:

(1) NORTHERN BORDER.—The term ''Northern border'' means the international border between the United States and Canada.

(2) RURAL, HIGH-TRAFFICKED AREAS.—The term ''rural, high-trafficked areas'' means rural areas through which drugs and undocumented aliens are routinely smuggled, as designated by the Commissioner of U.S. Customs and Border Protection.

(3) SOUTHERN BORDER.—The term ''Southern border'' means the international border between the United States and Mexico.

(4) SOUTHWEST BORDER REGION.—The term ''Southwest border region'' means the area in the United States that is within 100 miles of the Southern border.

SEC. 1102. ADDITIONAL U.S. BORDER PATROL AND U.S. CUSTOMS AND BORDER PROTECTION OFFICERS.

(a) U.S. BORDER PATROL.—Not later than September 30, 2021, the Secretary shall increase the number of trained full-time active duty U.S. Border Patrol agents deployed to the Southern border to 38,405.

(b) U.S. CUSTOMS AND BORDER PROTECTION.—Not later than September 30, 2017, the Secretary shall increase the number of trained U.S. Customs and Border Protection officers by 3,500, compared to the number of such officers as of the date of the enactment of this Act. In allocating any new officers to international land ports of entry and high volume international airports, the primary goals shall be to increase security and reduce wait times of commercial and passenger vehicles at international land ports of entry and primary processing wait times at high volume international airports by 50 percent by fiscal year 2104 and screening all air passengers within 45 minutes under normal operating conditions or 80 percent of passengers within 30 minutes by fiscal year 2016. The Secretary shall make progress in increasing such number of officers during each of the fiscal years 2014 through 2017.

(c) AIR AND MARINE UNMANNED AIRCRAFT SYSTEMS CREW.—Not later than September 30, 2015, the Secretary shall increase the number of trained U.S. Customs and Border Protection Air and Marine unmanned aircraft systems crew, marine agent, and personnel by 160 compared to the number of such officers as of the date of the enactment of this Act. The Secretary shall increase and maintain Customs and Border Protection Office of Air and Marine flight hours to 130,000 annually.

(d) CONSTRUCTION.—Nothing in subsection (a) may be construed to preclude the Secretary from reassigning or stationing U.S. Customs and Border Protection Officers and U.S. Border Patrol Agents from the Northern border to the Southern border.

(e) FUNDING.—Section 217(h)(3)(B) (8 U.S.C. 1187(h)(3)(B)) is amended—

(1) in clause (i)—

(A) by striking ''No later than 6 months after the date of enactment of the Travel Promotion Act of 2009, the'' and inserting ''The'';

(B) in subclause (I), by striking ''and'' at the end;

(C) by redesignating subclause (II) as subclause (III); and

(D) by inserting after subclause (I) the following:

''(II) $16 for border processing; and'';

(2) in clause (ii), by striking ''Amounts collected under clause (i)(II)'' and inserting ''Amounts collected under clause (i)(II) shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act, for the purpose of implementing section 1102(b) of such Act. Amounts collected under clause (i)(III)''; and

(3) by striking clause (iii).

(f) CORPORATION FOR TRAVEL PROMOTION.—Section 9(d)(2)(B) of the Travel Promotion Act of 2009 (22 U.S.C. 2131(d)(2)(B)) is amended by striking ''For each of fiscal years 2012 through 2015,'' and inserting ''For each fiscal year after 2012,''.

(g) RECRUITMENT OF FORMER MEMBERS OF THE ARMED FORCES AND MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—

(1) REQUIREMENT FOR PROGRAM.—The Secretary, in conjunction with the Secretary of Defense, shall establish a program to actively recruit members of the reserve components of the Armed Forces and former members of the Armed Forces, including the reserve components, to serve in United States Customs and Border Protection and United States Immigration and Customs Enforcement.

(2) RECRUITMENT INCENTIVES.—

(A) STUDENT LOAN REPAYMENTS FOR UNITED STATES BORDER PATROL AGENTS WITH A THREE-YEAR COMMITMENT.—Section 5379(b) of title 5, United States Code, is amended by adding at the end the following new paragraph:

''(4) In the case of an employee who is otherwise eligible for benefits under this section and who is serving as a full-time active-duty United States border patrol agent within the Department of Homeland Security—

''(A) paragraph (2)(A) shall be applied by substituting '$20,000' for '$10,000'; and

''(B) paragraph (2)(B) shall be applied by substituting '$80,000' for '$60,000'.''.

(B) RECRUITMENT AND RELOCATION BONUSES AND RETENTION ALLOWANCES FOR PERSONNEL OF THE DEPARTMENT OF HOMELAND SECURITY.—The Secretary of Homeland Security shall ensure that the authority to pay recruitment and relocation bonuses under section 5753 of title 5, United States Code, the authority to pay retention bonuses under section 5754 of such title, and any other similar authorities available under any other provision of law, rule, or regulation, are exercised to the fullest extent allowable in order to encourage service in the Department of Homeland Security.

(3) REPORT ON RECRUITMENT INCENTIVES.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary and the Secretary of Defense shall jointly submit to the appropriate committees of Congress a report including an assessment of the desirability and feasibility of offering incentives to members of the reserve components of the Armed Forces and former members of the Armed Forces, including the reserve components, for the purpose of encouraging such members to serve in United States Customs and Border Protection and Immigration and Customs Enforcement.

(B) CONTENT.—The report required by subparagraph (A) shall include—

(i) a description of various monetary and non-monetary incentives considered for purposes of the report; and

(ii) an assessment of the desirability and feasibility of utilizing any such incentive.

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Homeland Security of the House of Representatives.

(h) REPORT.—Prior to the hiring and training of additional U.S. Customs and Border Protection officers under subsection (a), the Secretary shall submit to Congress a report on current wait times at land, air, and sea ports of entry, officer staffing at land, air, and sea ports of entry and projections for new officer allocation at land, air, and sea ports of entry designed to implement subsection (a), including the need to hire non-law enforcement personnel for administrative duties.

SEC. 1103. NATIONAL GUARD SUPPORT TO SECURE THE SOUTHERN BORDER.

(a) IN GENERAL.—With the approval of the Secretary of Defense, the Governor of a State may order any unit or personnel of the National Guard of such State to perform operations and missions under section 502(f) of title 32, United States Code, in the Southwest Border region for the purposes of assisting U.S. Customs and Border Protection in securing the Southern border.

(b) ASSIGNMENT OF OPERATIONS AND MISSIONS.—

(1) IN GENERAL.—National Guard units and personnel deployed under subsection (a) may be assigned such operations and missions specified in subsection (c) as may be necessary to secure the Southern border.

(2) NATURE OF DUTY.—The duty of National Guard personnel performing operations and

missions described in paragraph (1) shall be full-time duty under title 32, United States Code.

(c) RANGE OF OPERATIONS AND MISSIONS.—The operations and missions assigned under subsection (b) shall include the temporary authority—

(1) to construct fencing, including double-layer and triple-layer fencing;

(2) to increase ground-based mobile surveillance systems;

(3) to deploy additional unmanned aerial systems and manned aircraft sufficient to maintain continuous surveillance of the Southern border;

(4) to deploy and provide capability for radio communications interoperability between U.S. Customs and Border Protection and State, local, and tribal law enforcement agencies;

(5) to construct checkpoints along the Southern border to bridge the gap to long-term permanent checkpoints; and

(6) to provide assistance to U.S. Customs and Border Protection, particularly in rural, high-trafficked areas, as designated by the Commissioner of U.S. Customs and Border Protection.

(d) MATERIEL AND LOGISTICAL SUPPORT.—The Secretary of Defense shall deploy such materiel and equipment and logistical support as may be necessary to ensure success of the operations and missions conducted by the National Guard under this section.

(e) EXCLUSION FROM NATIONAL GUARD PERSONNEL STRENGTH LIMITATIONS.—National Guard personnel deployed under subsection (a) shall not be included in—

(1) the calculation to determine compliance with limits on end strength for National Guard personnel; or

(2) limits on the number of National Guard personnel that may be placed on active duty for operational support under section 115 of title 10, United States Code.

SEC. 1104. ENHANCEMENT OF EXISTING BORDER SECURITY OPERATIONS.

(a) BORDER CROSSING PROSECUTIONS.—

(1) IN GENERAL.—From the amounts made available pursuant to the appropriations in paragraph (3), funds shall be made available—

(A) to increase the number of border crossing prosecutions in the Tucson Sector of the Southwest border region to up to 210 prosecutions per day through increasing funding available for—

(i) attorneys and administrative support staff in the Office of the United States Attorney for Tucson;

(ii) support staff and interpreters in the Office of the Clerk of the Court for Tucson;

(iii) pre-trial services;

(iv) activities of the Federal Public Defender Office for Tucson; and

(v) additional personnel, including Deputy United States Marshals in the United States Marshals Office for Tucson to perform intake, coordination, transportation, and court security; and

(B) reimburse Federal, State, local, and tribal law enforcement agencies for any detention costs related to the border crossing prosecutions carried out pursuant to subparagraph (A).

(2) ADDITIONAL MAGISTRATE JUDGES TO ASSIST WITH INCREASED CASELOAD.—The chief judge of the United States District Court for the District of Arizona is authorized to appoint additional full-time magistrate judges, who, consistent with the Constitution and laws of the United States, shall have the authority to hear cases and controversies in the judicial district in which the respective judges are appointed.

(3) FUNDING.—There are authorized to be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this subsection.

(b) OPERATION STONEGARDEN.—

(1) IN GENERAL.—The Federal Emergency Management Agency shall enhance law enforcement preparedness and operational readiness along the borders of the United States through Operation Stonegarden. The amounts available under this paragraph are in addition to any other amounts otherwise made available for Operation Stonegarden. Grants shall be allocated based on sector-specific border risk methodology, based on factors including threat, vulnerability, miles of border, and other border-specific information. '' Allocations for grants and reimbursements to law enforcement agencies under this paragraph shall be made by the Federal Emergency Management Agency through a competitive process.

(2) FUNDING.—There are authorized to be appropriated, from the amounts made available under section 6(a)(3)(A)(i), such sums as may be necessary to carry out this subsection.

(c) INFRASTRUCTURE IMPROVEMENTS.—

(1) BORDER PATROL STATIONS.—The Secretary shall—

(A) construct additional Border Patrol stations in the Southwest border region that U.S. Border Patrol determines are needed to provide full operational support in rural, high-trafficked areas; and

(B) analyze the feasibility of creating additional Border Patrol sectors along the Southern border to interrupt drug trafficking operations.

(2) FORWARD OPERATING BASES.—The Secretary shall enhance the security of the Southwest border region by—

(A) establishing additional permanent forward operating bases for the U.S. Border Patrol, as needed;

(B) upgrading the existing forward operating bases to include modular buildings, electricity, and potable water; and

(C) ensuring that forward operating bases surveil and interdict individuals entering the United States unlawfully immediately after such individuals cross the Southern border.

(3) SAFE AND SECURE BORDER INFRASTRUCTURE.—The Secretary and the Secretary of Transportation, in consultation with the governors of the States in the Southwest border region and the Northern border region, shall establish a grant program, which shall be administered by the Secretary of Transportation and the General Services Administration, to construct transportation and supporting infrastructure improvements at existing and new international border crossings necessary to facilitate safe, secure, and efficient cross border movement of people, motor vehicles, and cargo.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for each of fiscal years 2014 through 2018 such sums as may be necessary to carry out this subsection.

(d) ADDITIONAL PERMANENT DISTRICT COURT JUDGESHIPS IN SOUTHWEST BORDER STATES.—

(1) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate—

(A) 2 additional district judges for the district of Arizona;

(B) 3 additional district judges for the eastern district of California;

(C) 2 additional district judges for the western district of Texas; and

(D) 1 additional district judge for the southern district of Texas.

(2) CONVERSIONS OF TEMPORARY DISTRICT COURT JUDGESHIPS.—The existing judgeships for the district of Arizona and the central district of California authorized by section 312(c) of the 21st Century Department of Justice Appropriations Authorization Act (28 U.S.C. 133 note; Public Law 107–273; 116 Stat. 1788), as of the effective date of this Act, shall be authorized under section 133 of title 28, United States Code, and the incumbents in those offices shall hold the office under section 133 of title 28, United States Code, as amended by this Act.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—The table contained in section 133(a) of title 28, United States Code, is amended—

(A) by striking the item relating to the district of Arizona and inserting the following:

''Arizona	15'';

(B) by striking the item relating to California and inserting the following:

''California:	
Northern	14
Eastern	9
Central	28
Southern	13''; and

(C) by striking the item relating to Texas and inserting the following:

''Texas:	
Northern	12
Southern	20
Eastern	7
Western	15''.

(4) INCREASE IN FILING FEES.—

(A) IN GENERAL.—Section 1914(a) of title 28, United States Code, is amended by striking ''$350'' and inserting ''$360''.

(B) EXPENDITURE LIMITATION.—Incremental amounts collected by reason of the enactment of this paragraph shall be deposited as offsetting receipts in the ''Judiciary Filing Fee'' special fund of the Treasury established under section 1931 of title 28, United States Code. Such amounts shall be available solely for the purpose of facilitating the processing of civil cases, but only to the extent specifically appropriated by an Act of Congress enacted after the date of the enactment of this Act.

(5) WHISTLEBLOWER PROTECTION.—

(A) IN GENERAL.—No officer, employee, agent, contractor, or subcontractor of the judicial branch may discharge, demote, threaten, suspend, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because of any lawful act done by the employee to provide information, cause information to be provided, or otherwise assist in an investigation regarding any possible violation of Federal law or regulation, or misconduct, by a judge, justice, or any other employee in the judicial branch, which may assist in the investigation of the possible violation or misconduct.

(B) CIVIL ACTION.—An employee injured by a violation of subparagraph (A) may, in a civil action, obtain appropriate relief.

SEC. 1105. BORDER SECURITY ON CERTAIN FEDERAL LAND.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LANDS.—The term ''Federal lands'' includes all land under the control of

the Secretary concerned that is located within the Southwest border region in the State of Arizona along the international border between the United States and Mexico.

(2) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

(b) SUPPORT FOR BORDER SECURITY NEEDS.—To achieve effective control of Federal lands—

(1) the Secretary concerned, notwithstanding any other provision of law, shall authorize and provide U.S. Customs and Border Protection personnel with immediate access to Federal lands for security activities, including—

(A) routine motorized patrols; and

(B) the deployment of communications, surveillance, and detection equipment;

(2) the security activities described in paragraph (1) shall be conducted, to the maximum extent practicable, in a manner that the Secretary determines will best protect the natural and cultural resources on Federal lands; and

(3) the Secretary concerned may provide education and training to U.S. Customs and Border Protection personnel on the natural and cultural resources present on individual Federal land units.

(c) PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—

(1) IN GENERAL.—After implementing subsection (b), the Secretary, in consultation with the Secretaries concerned, shall prepare and publish in the Federal Register a notice of intent to prepare a programmatic environmental impact statement in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) to analyze the impacts of the activities described in subsection (b).

(2) EFFECT ON PROCESSING APPLICATION AND SPECIAL USE PERMITS.—The pending completion of a programmatic environmental impact statement under this section shall not result in any delay in the processing or approving of applications or special use permits by the Secretaries concerned for the activities described in subsection (b).

(3) AMENDMENT OF LAND USE PLANS.—The Secretaries concerned shall amend any land use plans, as appropriate, upon completion of the programmatic environmental impact statement described in subsection (b).

(4) SCOPE OF PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT.—The programmatic environmental impact statement described in paragraph (1)—

(A) may be used to advise the Secretary on the impact on natural and cultural resources on Federal lands; and

(B) shall not control, delay, or restrict actions by the Secretary to achieve effective control on Federal lands.

(d) INTERMINGLED STATE AND PRIVATE LAND.—This section shall not apply to any private or State-owned land within the boundaries of Federal lands.

SEC. 1106. EQUIPMENT AND TECHNOLOGY.

(a) ENHANCEMENTS.—The Commissioner of U.S. Customs and Border Protection, working through U.S. Border Patrol, shall—

(1) deploy additional mobile, video, and agent-portable surveillance systems, and unarmed, unmanned aerial vehicles in the Southwest border region as necessary to provide 24-hour operation and surveillance;

(2) operate unarmed unmanned aerial vehicles along the Southern border for 24 hours per day and for 7 days per week;

(3) deploy unarmed additional fixed-wing aircraft and helicopters along the Southern border;

(4) acquire new rotorcraft and make upgrades to the existing helicopter fleet;

(5) increase horse patrols in the Southwest border region; and

(6) acquire and deploy watercraft and other equipment to provide support for border-related maritime anti-crime activities.

(b) LIMITATION.—

(1) IN GENERAL.—Notwithstanding paragraphs (1) and (2) of subsection (a), and except as provided in paragraph (2), U.S. Border Patrol may not operate unarmed, unmanned aerial vehicles in the San Diego and El Centro Sectors, except within 3 miles of the Southern border.

(2) EXCEPTION.—The limitation under this subsection shall not restrict the maritime operations of U.S. Customs and Border Protection.

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated, there is authorized to be appropriated to U.S. Customs and Border Protection such sums as may be necessary to carry out subsection (a) during fiscal years 2014 through 2018.

SEC. 1107. ACCESS TO EMERGENCY PERSONNEL.

(a) SOUTHWEST BORDER REGION EMERGENCY COMMUNICATIONS GRANTS.—

(1) IN GENERAL.—The Secretary, in consultation with the governors of the States in the Southwest border region, shall establish a 2-year grant program, to be administered by the Secretary, to improve emergency communications in the Southwest border region.

(2) ELIGIBILITY FOR GRANTS.—An individual is eligible to receive a grant under this subsection if the individual demonstrates that he or she—

(A) regularly resides or works in the Southwest border region;

(B) is at greater risk of border violence due to the lack of cellular service at his or her residence or business and his or her proximity to the Southern border.

(3) USE OF GRANTS.—Grants awarded under this subsection may be used to purchase satellite telephone communications systems and service that—

(A) can provide access to 9–1–1 service; and

(B) are equipped with global positioning systems.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out the grant program established under this subsection.

(b) INTEROPERABLE COMMUNICATIONS FOR LAW ENFORCEMENT.—

(1) FEDERAL LAW ENFORCEMENT.—There are authorized to be appropriated, to the Department, the Department of Justice, and the Department of the Interior, during the 5-year period beginning on the date of the enactment of this Act, such sums as may be necessary—

(A) to purchase, through a competitive procurement process, P25-compliant radios, which may include a multi-band option, for Federal law enforcement agents working in the Southwest border region in support of the activities of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, including law enforcement agents of the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Department of the Interior, and the Forest Service; and

(B) to upgrade, through a competitive procurement process, the communications network of the Department of Justice to ensure coverage and capacity, particularly when immediate access is needed in times of crisis, in the Southwest Border region for appropriate law enforcement personnel of the Department of Justice (including the Drug Enforcement Administration and the Bureau of Alcohol, Tobacco, Firearms and Explosives), the Department (including U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection), the United States Marshals Service, other Federal agencies, the State of Arizona, tribes, and local governments.

(2) STATE AND LOCAL LAW ENFORCEMENT.—

(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Justice, during the 5-year period beginning on the date of the enactment of this Act, such sums as may be necessary to purchase, through a competitive procurement process, P25-compliant radios, which may include a multi-band option, for State and local law enforcement agents working in the Southwest border region.

(B) ACCESS TO FEDERAL SPECTRUM.—If a State, tribal, or local law enforcement agency in the Southwest border region experiences an emergency situation that necessitates immediate communication with the Department of Justice, the Department, the Department of the Interior, or any of their respective subagencies, such law enforcement agency shall have access to the spectrum assigned to such Federal agency for the duration of such emergency situation.

(c) DISTRESS BEACONS.—

(1) IN GENERAL.—The Commissioner of U.S. Customs and Border Protection, working through U.S. Border Patrol, shall—

(A) identify areas near the Northern border and the Southern border where migrant deaths are occurring due to climatic and environmental conditions; and

(B) deploy up to 1,000 beacon stations in the areas identified pursuant to subparagraph (A).

(2) FEATURES.—Beacon stations deployed pursuant to paragraph (1)should—

(A) include a self-powering mechanism, such as a solar-powered radio button, to signal U.S. Border Patrol personnel or other emergency response personnel that a person at that location is in distress;

(B) include a self-powering cellular phone relay limited to 911 calls to allow persons in distress in the area who are unable to get to the beacon station to signal their location and access emergency personnel; and

(C) be movable to allow U.S. Border Patrol to relocate them as needed—

(i) to mitigate migrant deaths;

(ii) to facilitate access to emergency personnel; and

(iii) to address any use of the beacons for diversion by criminals.

SEC. 1108. SOUTHWEST BORDER REGION PROSECUTION INITIATIVE.

(a) REIMBURSEMENT TO STATE AND LOCAL PROSECUTORS FOR FEDERALLY INITIATED CRIMINAL CASES.—The Attorney General shall reimburse State, county, tribal, and municipal governments for costs associated with the prosecution, pretrial services and detention, clerical support, and public defenders' services associated with the prosecution of federally initiated immigration-related criminal cases declined by local offices of the United States Attorneys.

(b) EXCEPTION.—Reimbursement under subsection (a) shall not be available, at the discretion of the Attorney General, if the Attorney General determines that there is reason to believe that the jurisdiction seeking reimbursement has engaged in unlawful conduct in connection with immigration-related apprehensions.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out subsection (a) during fiscal years 2014 through 2018.

SEC. 1109. INTERAGENCY COLLABORATION.

The Assistant Secretary of Defense for Research and Engineering shall collaborate with the Under Secretary of Homeland Security for Science and Technology to identify equipment and technology used by the Department of Defense that could be used by U.S. Customs and Border Protection to improve the security of the Southern border by—

(1) detecting border tunnels;

(2) detecting the use of ultralight aircraft;

(3) enhancing wide aerial surveillance; and

(4) otherwise improving the enforcement of such border.

SEC. 1110. STATE CRIMINAL ALIEN ASSISTANCE PROGRAM.

(a) SCAAP REAUTHORIZATION.—Section 241(i)(5)(C) (8 U.S.C. 1231(i)(5)) is amended by striking ''2011.'' and inserting ''2015.''.

(b) SCAAP ASSISTANCE FOR STATES.—

(1) ASSISTANCE FOR STATES INCARCERATING UNDOCUMENTED ALIENS CHARGED WITH CERTAIN CRIMES.—Section 241(i)(3)(A) (8 U.S.C. 1231(i)(3)(A)) is amended by inserting ''charged with or'' before ''convicted''.

(2) ASSISTANCE FOR STATES INCARCERATING UNVERIFIED ALIENS.—Section 241(i) (8 U.S.C. 1231(i)), as amended by subsection (a), is further amended—

(A) by redesignating paragraphs (4), (5), and (6), as paragraphs (5), (6), and (7), respectively;

(B) in paragraph (7), as so redesignated, by striking ''(5)'' and inserting ''(6)''; and

(C) by adding after paragraph (3) the following:

''(4) In the case of an alien whose immigration status is unable to be verified by the Secretary of Homeland Security, and who would otherwise be an undocumented criminal alien if the alien is unlawfully present in the United States, the Attorney General shall compensate the State or political subdivision of the State for incarceration of the alien, consistent with subsection (i)(2).''.

SEC. 1111. USE OF FORCE.

Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Assistant Attorney General for the Civil Rights Division of the Department of Justice, shall issue policies governing the use of force by all Department personnel that—

(1) require all Department personnel to report each use of force; and

(2) establish procedures for—

(A) accepting and investigating complaints regarding the use of force by Department personnel;

(B) disciplining Department personnel who violate any law or Department policy relating to the use of force; and

(C) reviewing all uses of force by Department personnel to determine whether the use of force—

(i) complied with Department policy; or

(ii) demonstrates the need for changes in policy, training, or equipment.

SEC. 1112. TRAINING FOR BORDER SECURITY AND IMMIGRATION ENFORCEMENT OFFICERS.

(a) IN GENERAL.—The Secretary shall ensure that U.S. Customs and Border Protection officers, U.S. Border Patrol agents, U.S. Immigration and Customs Enforcement officers and agents, United States Air and Marine Division agents, and agriculture specialists stationed within 100 miles of any land or marine border of the United States or at any United States port of entry receive appropriate training, which shall be prepared in collaboration with the Assistant Attorney General for the Civil Rights Division of the Department of Justice, in—

(1) identifying and detecting fraudulent travel documents;

(2) civil, constitutional, human, and privacy rights of individuals;

(3) the scope of enforcement authorities, including interrogations, stops, searches, seizures, arrests, and detentions;

(4) the use of force policies issued by the Secretary pursuant to section 1111;

(5) immigration laws, including screening, identifying, and addressing vulnerable populations, such as children, victims of crime and human trafficking, and individuals fleeing persecution or torture;

(6) social and cultural sensitivity toward border communities;

(7) the impact of border operations on communities; and

(8) any particular environmental concerns in a particular area.

(b) TRAINING FOR BORDER COMMUNITY LIAISON OFFICERS.—The Secretary shall ensure that border communities liaison officers in Border Patrol sectors along the international borders between the United States and Mexico and between the United States and Canada receive training to better—

(1) act as a liaison between border communities and the Office for Civil Rights and Civil Liberties of the Department and the Civil Rights Division of the Department of Justice;

(2) foster and institutionalize consultation with border communities;

(3) consult with border communities on Department programs, policies, strategies, and directives; and

(4) receive Department performance assessments from border communities.

(c) HUMANE CONDITIONS OF CONFINEMENT FOR CHILDREN IN U.S. CUSTOMS AND BORDER PROTECTION CUSTODY.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish standards to ensure that children in the custody of U.S. Customs and Border Protection—

(1) are afforded adequate medical and mental health care, including emergency medical and mental health care, when necessary;

(2) receive adequate nutrition;

(3) are provided with climate-appropriate clothing, footwear, and bedding;

(4) have basic personal hygiene and sanitary products; and

(5) are permitted to make supervised phone calls to family members.

SEC. 1113. DEPARTMENT OF HOMELAND SECURITY BORDER OVERSIGHT TASK FORCE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established an independent task force, which shall be known as the Department of Homeland Security Border Oversight Task Force (referred to in this section as the ''DHS Task Force'').

(2) DUTIES.—The DHS Task Force shall—

(A) review and make recommendations regarding immigration and border enforcement policies, strategies, and programs that take into consideration their impact on border and tribal communities;

(B) recommend ways in which the Border Communities Liaison Offices can strengthen relations and collaboration between communities in the border regions and the Department, the Department of Justice, and other Federal agencies that carry out such policies, strategies, and programs;

(C) evaluate how the policies, strategies, and programs of Federal agencies operating along the international borders between the United States and Mexico and between the United States and Canada protect the due process, civil, and human rights of border residents, visitors, and migrants at and near such borders; and

(D) evaluate and make recommendations regarding the training of border enforcement personnel described in section 1112.

(3) MEMBERSHIP.—

(A) IN GENERAL.—The DHS Task Force shall be composed of 33 members, appointed by the President, who have expertise in migration, local crime indices, civil and human rights, community relations, cross-border trade and commerce, quality of life indicators, or other pertinent experience, of whom—

(i) 14 members shall be from the Northern border region and shall include—

(I) 2 local government elected officials;

(II) 2 local law enforcement officials;

(III) 2 tribal government officials;

(IV) 2 civil rights advocates;

(V) 1 business representative;

(VI) 1 higher education representative;

(VII) 1 private land owner representative;

(VIII) 1 representative of a faith community; and

(IX) 2 representatives of U.S. Border Patrol; and

(ii) 19 members shall be from the Southern border region and include—

(I) 3 local government elected officials;

(II) 3 local law enforcement officials; (aa)

(III) 2 tribal government officials;

(IV) 3 civil rights advocates;

(V) 2 business representatives;

(VI) 1 higher education representative;

(VII) 2 private land owner representatives;

(VIII) 1 representative of a faith community; and

(IX) 2 representatives of U.S. Border Patrol.

(B) TERM OF SERVICE.—Members of the Task Force shall be appointed for the shorter of—

(i) 3 years; or

(ii) the life of the DHS Task Force.

(C) CHAIR, VICE CHAIR.—The members of the DHS Task Force shall elect a Chair and a Vice Chair from among its members, who shall serve in such capacities for the life of the DHS Task Force or until removed by the majority vote of at least 16 members.

(b) OPERATIONS.—

(1) HEARINGS.—The DHS Task Force may, for the purpose of carrying out its duties, hold hearings, sit and act, take testimony, receive evidence, and administer oaths.

(2) RECOMMENDATIONS.—The DHS Task Force may make findings or recommendations to the Secretary related to the duties described in subsection (a)(2).

(3) RESPONSE.—Not later than 180 days after receiving the findings and recommendations from the DHS Task Force under paragraph (2), the Secretary shall issue a response that describes how the Department has addressed, or will address, such findings and recommendations. If the Secretary disagrees with any finding of the DHS Task Force, the Secretary shall provide an explanation for the disagreement.

(4) INFORMATION FROM FEDERAL AGENCIES.—The Chair, or 16 members of the DHS Task Force, may request statistics relating to the duties described in subsection (a)(2) directly from any Federal agency, which shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the DHS Task Force.

(5) COMPENSATION.—Members of the DHS Task Force shall serve without pay, but shall be reimbursed for reasonable travel and subsistence expenses incurred in the performance of their duties.

(c) REPORT.—Not later than 2 years after its first meeting, the DHS Task Force shall submit a final report to the President, Congress, and the Secretary that contains—

(1) findings with respect to the duties of the DHS Task Force; and

(2) recommendations regarding border and immigration enforcement policies, strategies, and programs, including—

(A) a recommendation as to whether the DHS Task Force should continue to operate; and

(B) a description of any duties for which the DHS Task Force should be responsible after the termination date described in subsection (e).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section for each of the fiscal years 2014 through 2017.

(e) SUNSET.—The DHS Task Force shall terminate operations 60 days after the date on which the DHS Task Force submits the report described in subsection (c).

SEC. 1114. OMBUDSMAN FOR IMMIGRATION RELATED CONCERNS OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) ESTABLISHMENT.—Title I of the Homeland Security Act of 2002 (6 U.S.C. 111 et seq.) is amended by adding at the end the following new section:

"SEC. 104. OMBUDSMAN FOR IMMIGRATION RELATED CONCERNS.

''(a) IN GENERAL.—There shall be within the Department an Ombudsman for Immigration Related Concerns (in this section referred to as the 'Ombudsman'). The individual appointed as Ombudsman shall have a background in immigration law as well as civil and human rights law. The Ombudsman shall report directly to the Deputy Secretary.

''(b) FUNCTIONS.—The functions of the Ombudsman shall be as follows:

''(1) To receive and resolve complaints from individuals and employers and assist in resolving problems with the immigration components of the Department.

''(2) To conduct inspections of the facilities or contract facilities of the immigration components of the Department.

''(3) To assist individuals and families who have been the victims of crimes committed by aliens or violence near the United States border.

''(4) To identify areas in which individuals and employers have problems in dealing with the immigration components of the Department.

''(5) To the extent practicable, to propose changes in the administrative practices of the immigration components of the Department to mitigate problems identified under paragraph (4).

''(6) To review, examine, and make recommendations regarding the immigration and enforcement policies, strategies, and programs of U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and U.S. Citizenship and Immigration Services.

''(c) OTHER RESPONSIBILITIES.—In addition to the functions specified in subsection (b), the Ombudsman shall—

''(1) monitor the coverage and geographic allocation of local offices of the Ombudsman, including appointing a local ombudsman for immigration related concerns; and

''(2) evaluate and take personnel actions (including dismissal) with respect to any employee of the Ombudsman.

''(d) REQUEST FOR INVESTIGATIONS.—The Ombudsman shall have the authority to request the Inspector General of the Department of Homeland Security to conduct inspections, investigations, and audits.

''(e) COORDINATION WITH DEPARTMENT COMPONENTS.—The Director of U.S. Citizenship and Immigration Services, the Assistant Secretary of Immigration and Customs Enforcement, and the Commissioner of Customs and Border Protection shall each establish procedures to provide formal responses to recommendations submitted to such official by the Ombudsman.

''(f) ANNUAL REPORTS.—Not later than June 30 of each year, the Ombudsman shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the objectives of the Ombudsman for the fiscal year beginning in such calendar year. Each report shall contain full and substantive analysis, in addition to statistical information, and shall set forth any recommendations the Ombudsman has made on improving the services and responsiveness of U.S. Citizenship and Immigration Services, U.S. Immigration and Customs Enforcement, and U.S. Customs and Border Protection and any responses received from the Department regarding such recommendations.''.

(b) REPEAL OF SUPERSEDED AUTHORITY.—Section 452 of the Homeland Security Act of 2002 (6 U.S.C. 272) is repealed.

(c) CLERICAL AMENDMENTS.—The table of contents for the Homeland Security Act of 2002 is amended—

(1) by inserting after the item relating to section 103 the following new item:

''Sec. 104. Ombudsman for Immigration Related Concerns.''; and

(2) by striking the item relating to section 452.

SEC. 1115. PROTECTION OF FAMILY VALUES IN APPREHENSION PROGRAMS.

(a) DEFINITIONS.—In this section:

(1) APPREHENDED INDIVIDUAL.—The term ''apprehended individual'' means an individual apprehended by personnel of the Department of Homeland Security or of a cooperating entity pursuant to a migration deterrence program carried out at a border.

(2) BORDER.—The term ''border'' means an international border of the United States.

(3) CHILD.—Except as otherwise specifically provided, the term ''child'' has the meaning given to the term in section 101(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)).

(4) COOPERATING ENTITY.—The term ''cooperating entity'' means a State or local entity acting pursuant to an agreement with the Secretary.

(5) MIGRATION DETERRENCE PROGRAM.—The term ''migration deterrence program'' means an action related to the repatriation or referral for prosecution of 1 or more apprehended individuals for a suspected or confirmed violation of the Immigration and Nationality Act (8 U.S.C. 1001 et seq.) by the Secretary or a cooperating entity.

(b) PROCEDURES FOR MIGRATION DETERRENCE PROGRAMS AT THE BORDER.—

(1) PROCEDURES.—In any migration deterrence program carried out at a border, the Secretary and cooperating entities shall for each apprehended individual—

(A) as soon as practicable after such individual is apprehended—

(i) inquire as to whether the apprehended individual is—

(I) a parent, legal guardian, or primary caregiver of a child; or

(II) traveling with a spouse or child; and

(ii) ascertain whether repatriation of the apprehended individual presents any humanitarian concern or concern related to such individual's physical safety; and

(B) ensure that, with respect to a decision related to the repatriation or referral for prosecution of the apprehended individual, due consideration is given—

(i) to the best interests of such individual's child, if any;

(ii) to family unity whenever possible; and

(iii) to other public interest factors, including humanitarian concerns and concerns related to the apprehended individual's physical safety.

(c) MANDATORY TRAINING.—The Secretary, in consultation with the Secretary of Health and Human Services, the Attorney General, the Secretary of State, and independent immigration, child welfare, family law, and human rights law experts, shall—

(1) develop and provide specialized training for all personnel of U.S. Customs and Border Protection and cooperating entities who come into contact with apprehended individuals in all legal authorities, policies, and procedures relevant to the preservation of a child's best interest, family unity, and other public interest factors, including those described in this Act; and

(2) require border enforcement personnel to undertake periodic and continuing training on best practices and changes in relevant legal authorities, policies, and procedures pertaining to the preservation of a child's best interest, family unity, and other public interest factors, including those described in this Act.

(d) ANNUAL REPORT ON THE IMPACT OF MIGRATION DETERRENCE PROGRAMS AT THE BORDER.—

(1) REQUIREMENT FOR ANNUAL REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report that describes the impact of migration deterrence programs on parents, legal guardians, primary caregivers of a child, individuals traveling with a spouse or child, and individuals who present humanitarian considerations or concerns related to the individual's physical safety.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include for the previous 1-year period an assessment of—

(A) the number of apprehended individuals removed, repatriated, or referred for prosecution who are the parent, legal guardian, or primary caregiver of a child who is a citizen of the United States;

(B) the number of occasions in which both parents, or the primary caretaker of such a child was removed, repatriated, or referred for prosecution as part of a migration deterrence program;

(C) the number of apprehended individuals traveling with close family members who are removed, repatriated, or referred for prosecution.

(D) the impact of migration deterrence programs on public interest factors, including humanitarian concerns and physical safety.

(e) REGULATIONS.—Not later than 120 days after the date of the enactment of this Act,

the Secretary shall promulgate regulations to implement this section.

SEC. 1116. OVERSIGHT OF POWER TO ENTER PRIVATE LAND AND STOP VEHICLES WITHOUT A WARRANT AT THE NORTHERN BORDER.

(a) IN GENERAL.—Section 287(a) (8 U.S.C. 1357(a)) is amended—

(1) in paragraph (5), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(2) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(3) by redesignating paragraphs (4) and (5) as subparagraphs (F) and (G), respectively;

(4) in the matter preceding subparagraph (A), as so redesignated—

(A) by inserting ''(1)'' before ''Any officer'';

(B) by striking ''Service'' and inserting ''Department of Homeland Security''; and

(C) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security'';

(5) in paragraph (1)(C), as so redesignated, by inserting the following at the beginning: ''except as provided in subparagraphs (D) and (E),'';

(6) by inserting after paragraph (1)(C) the following:

''(D) with respect to the Northern border, as defined in section 1101 of the Border Security, Economic Opportunity, and Immigration Enforcement Act, within a distance of 25 air miles from the Northern border, or such distance from the Northern border as may be prescribed by the Secretary pursuant to paragraph (2) of this subsection, to board and search for aliens any vessel within the territorial waters of the United States and any railway car, aircraft, conveyance, or vehicle for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States;

''(E) with respect to the Northern border, as defined in section 1101 of the Border Security, Economic Opportunity, and Immigration Enforcement Act, within a distance of 10 air miles from the Northern border, or such distance from the Northern border as may be prescribed by the Secretary pursuant to paragraph (2) of this subsection, to have access to private lands, but not dwellings, for the purpose of patrolling the border to prevent the illegal entry of aliens into the United States;'';

(7) by inserting after the flush text at the end of subparagraph (F), as so redesignated, the following:

''(2)(A)(i) The Secretary of Homeland Security may establish for a Northern border sector or district a distance less than or greater than 25 air miles, but in no case greater than 100 air miles, as the maximum distance from the Northern border in which the authority described in paragraph (1)(C) may be exercised, if the Secretary certifies that such a distance is necessary for the purpose of patrolling the Northern border to prevent the illegal entry of aliens into the United States, and justified by the considerations listed in subparagraph (B).

''(ii) The Secretary of Homeland Security may establish for a Northern border sector or district a distance less than or greater than 10 air miles, but in no case greater than 25 air miles, as the maximum distance from the Northern border of the United States in which the authority described in paragraph (1)(D) may be exercised, if the Secretary certifies that such a distance is necessary for the purpose of patrolling the Northern border to prevent the illegal entry of aliens into the United States, and justified by the considerations listed in subparagraph (B).

''(B) In making the certifications described in subparagraph (A), the Secretary shall consider, as appropriate, land topography, confluence of arteries of transportation leading from external boundaries, density of population, possible inconvenience to the traveling public, types of conveyances used, reliable information as to movements of persons effecting illegal entry into the United States, effects on private property and quality of life for relevant communities and residents, consultations with affected State, local, and tribal governments, including the governor of any relevant State, and other factors that the Secretary considers appropriate.

''(C) A certification made under subparagraph (A) shall be valid for a period of 5 years and may be renewed for additional 5-year periods. If the Secretary finds at any time that circumstances no longer justify a certification, the Secretary shall terminate the certification.

''(D) The Secretary shall report annually to the Committee on the Judiciary and Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on the Judiciary and Committee on Homeland Security of the House of Representatives the number of certifications made under subparagraph (A), and for each such certification, the Northern border sector or district and reasonable distance prescribed, the period of time the certification has been in effect, and the factors justifying the certification.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) AUTHORITIES WITHOUT A WARRANT.—In section 287(a) (8 U.S.C. 1357(a)), the undesignated matter following paragraph (2), as added by subsection (a)(5), is amended—

(A) by inserting ''(3)'' before ''Under regulations'';

(B) by striking ''paragraph (5)(B)'' both places that term appears and inserting ''subparagraph (F)(ii)'';

(C) by striking ''(i)'' and inserting ''(A)'';

(D) by striking ''(ii) establish'' and inserting ''(B) establish'';

(E) by striking ''(iii) require'' and inserting ''(C) require''; and

(F) by striking ''clause (ii), and (iv)'' and inserting ''subparagraph (B), and (D)''.

(2) CONFORMING AMENDMENT.—Section 287(e) (8 U.S.C. 1357(e)) is amended by striking ''paragraph (3) of subsection (a),'' and inserting ''subsection (a)(1)(D),''.

SEC. 1117. REPORTS.

(a) REPORT ON CERTAIN BORDER MATTERS.—The Secretary shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives that sets forth—

(1) the effectiveness rate (as defined in section 2(a)(4)) for each Border Patrol sector along the Northern border and the Southern border;

(2) the number of miles along the Southern border that are under persistent surveillance;

(3) the monthly wait times per passenger, including data on averages and peaks, for crossing the Northern border and the Southern border, and the staffing of such border crossings;

(4) the allocations at each port of entry along the Northern border and the Southern border; and

(5) the number of migrant deaths occurring near the Northern border and the Southern border and the efforts that have been undertaken to mitigate such deaths.

(b) REPORT ON INTERAGENCY COLLABORATION.—The Under Secretary of Defense for Acquisition, Technology, and Logistics and the Under Secretary of Homeland Security for Science and Technology shall jointly submit a report on the results of the interagency collaboration under section 1109 to—

(1) the Committee on Armed Services of the Senate;

(2) the Committee on Homeland Security and Governmental Affairs of the Senate;

(3) the Committee on the Judiciary of the Senate;

(4) the Committee on Armed Services of the House of Representatives;

(5) the Committee on Homeland Security of the House of Representatives; and

(6) the Committee on the Judiciary of the House of Representatives.

SEC. 1118. SEVERABILITY AND DELEGATION.

(a) SEVERABILITY.—If any provision of this Act or any amendment made by this Act, or any application of such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of the provisions of this Act and the amendments made by this Act and the application of the provision or amendment to any other person or circumstance shall not be affected.

(b) DELEGATION.—The Secretary may delegate any authority provided to the Secretary under this Act or an amendment made by this Act to the Secretary of Agriculture, the Attorney General, the Secretary of Defense, the Secretary of Health and Human Services, the Secretary of State, or the Commissioner of Social Security.

SEC. 1119. PROHIBITION ON NEW LAND BORDER CROSSING FEES.

(a) IN GENERAL.—Beginning on the date of the enactment of this Act, the Secretary shall not—

(1) establish, collect, or otherwise impose any new border crossing fee on individuals crossing the Southern border or the Northern border at a land port of entry; or

(2) conduct any study relating to the imposition of a border crossing fee.

(b) BORDER CROSSING FEE DEFINED.—In this section, the term ''border crossing fee'' means a fee that every pedestrian, cyclist, and driver and passenger of a private motor vehicle is required to pay for the privilege of crossing the Southern border or the Northern border at a land port of entry.

SEC. 1120. HUMAN TRAFFICKING REPORTING.

(a) SHORT TITLE.—This section may be cited as the ''Human Trafficking Reporting Act of 2013''.

(b) FINDINGS.—Congress finds the following:

(1) Human trafficking is a form of modern-day slavery.

(2) According to the Trafficking Victims Protection Act of 2000 ''severe forms of trafficking in persons'' means—

(A) sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; or

(B) the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

(3) There is an acute need for better data collection of incidents of human trafficking across the United States in order to effectively combat severe forms of trafficking in persons.

(4) The State Department's 2012 Trafficking in Persons report found that—

(A) the United States is a ''source, transit and destination country for men, women, and children, subjected to forced labor, debt bondage, domestic servitude and sex trafficking,''; and

(B) the United States needs to ''improve data collection on human trafficking cases at the federal, state and local levels''.

(5) The International Organization for Migration has reported that in order to effectively combat human trafficking there must be reliable and standardized data, however, the following barriers for data collection exist:

(A) The illicit and underground nature of human trafficking.

(B) The reluctance of victims to share information with authorities.

(C) Insufficient human trafficking data collection and research efforts by governments worldwide.

(6) A 2009 report to the Department of Health and Human Services entitled Human Trafficking Into and Within the United States: A Review of the Literature found that ''the data and methodologies for estimating the prevalence of human trafficking globally and nationally are not well developed, and therefore estimates have varied widely and changed significantly over time''.

(7) The Federal Bureau of Investigation compiles national crime statistics through the Uniform Crime Reporting Program.

(8) Under current law, State and local governments receiving Edward Byrne Memorial Justice Assistance grants are required to share data on part 1 violent crimes with the Federal Bureau of Investigation for inclusion in the Uniform Crime Reporting Program.

(9) The addition of severe forms of trafficking in persons to the definition of part 1 violent crimes will ensure that statistics on this heinous crime will be compiled and available through the Federal Bureau of Investigation's Uniform Crime Report.

(c) HUMAN TRAFFICKING TO BE INCLUDED IN PART 1 VIOLENT CRIMES FOR PURPOSES OF BYRNE GRANTS.—Section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) is amended by adding at the end the following new subsection:

''(i) PART 1 VIOLENT CRIMES TO INCLUDE HUMAN TRAFFICKING.—For purposes of this section, the term 'part 1 violent crimes' shall include severe forms of trafficking in persons, as defined in section 103(8) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(8)).''.

SEC. 1121. RULE OF CONSTRUCTION.

Nothing in this Act may be construed to authorize the deployment, procurement, or construction of fencing along the Northern border.

SEC. 1122. LIMITATIONS ON DANGEROUS DEPORTATION PRACTICES.

(a) CERTIFICATION REQUIRED.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and every 180 days thereafter, the Secretary, except as provided in paragraph (2), shall submit written certification to Congress that the Department has only deported or otherwise removed a migrant from the United States through an entry or exit point on the Southern border during daylight hours.

(2) EXCEPTION.—The certification required under paragraph (1) shall not apply to the deportation or removal of a migrant otherwise described in that paragraph if—

(A) the manner of the deportation or removal is justified by a compelling governmental interest;

(B) the manner of the deportation or removal is in accordance with an applicable Local Arrangement for the Repatriation of Mexican Nationals entered into by the appropriate Mexican Consulate; or

(C) the migrant is not an unaccompanied minor and the migrant—

(i) is deported or removed through an entry or exit point in the same sector as the place where the migrant was apprehended; or

(ii) agrees to be deported or removed in such manner after being notified of the intended manner of deportation or removal.

(b) ADDITIONAL INFORMATION REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to Congress a study of the Alien Transfer Exit Program, which shall include—

(1) the specific locations on the Southern border where lateral repatriations have occurred during the 1-year period preceding the submission of the study;

(2) the performance measures developed by U.S. Customs and Border Protection to determine if the Alien Transfer Exit Program is deterring migrants from repeatedly crossing the border or otherwise reducing recidivism; and

(3) the consideration given, if any, to the rates of violent crime and the availability of infrastructure and social services in Mexico near such locations.

(c) PROHIBITION ON CONFISCATION OF PROPERTY.—Notwithstanding any other provision of law, lawful, nonperishable belongings of a migrant that are confiscated by personnel operating under Federal authority shall be returned to the migrant before repatriation, to the extent practicable. (1)

SEC. 1123. MAXIMUM ALLOWABLE COSTS OF SALARIES OF CONTRACTOR EMPLOYEES.

Section 4304(a)(16) of title 41, United States Code, is amended by inserting before the period at the end the following: '', except that in the case of contracts with the Department of Homeland Security or the National Guard while operating in Federal status that relate to border security, the limit on the costs of compensation of all executives and employees of contractors is the annual amount payable under the aggregate limitation on pay as established by the Office of Management and Budget (currently $230,700)''.

Subtitle B—Other Matters

SEC. 1201. REMOVAL OF NONIMMIGRANTS WHO OVERSTAY THEIR VISAS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall initiate removal proceedings, in accordance with chapter 4 of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.), confirm that immigration relief or protection has been granted or is pending, or otherwise close 90 percent of the cases of nonimmigrants who—

(1) were admitted to the United States as nonimmigrants after the date of the enactment of this Act; and

(2) during the most recent 12-month period, have entered the category of having exceeded their authorized period of admission by more than 180 days.

(b) SEMIANNUAL REPORT.—Every 6 months after the date of the enactment of this Act, the Secretary shall submit a report to Congress that identifies—

(1) the total number of nonimmigrants who the Secretary has determined have exceeded their authorized period of admission by more than 180 days after the date of the enactment of this Act, categorized by—

(A) the type of visa that authorized their entry into the United States;

(B) their country of origin; and

(C) the length of time since their visa expired.

(2) an estimate of the total number of nonimmigrants who are physically present in the United States and have exceeded their authorized period of admission by more than 180 days after the date of the enactment of this Act;

(3) for the most recent 6-month and 12-month periods—

(A) the total number of removal proceedings that were initiated against nonimmigrants who were physically present in the United States more than 180 days after the expiration of the period for which they were lawfully admitted; and

(B) as a result of the removal proceedings described in paragraph (A)—

(i) the total number of removals pending;

(ii) the total number of nonimmigrants who were ordered to be removed from the United States;

(iii) the total number of nonimmigrants whose removal proceedings were cancelled; and

(iv) the total number of nonimmigrants who were granted immigration relief or protection in removal proceedings.

(c) ESTIMATED POPULATION.—Each report submitted under subsection (b) shall include a comprehensive, detailed explanation of and justification for the methodology used to estimate the population described in subsection (a).

SEC. 1202. VISA OVERSTAY NOTIFICATION PILOT PROGRAM.

(a) ESTABLISHMENT OF PILOT PROGRAM.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a pilot program to explore the feasibility and effectiveness of notifying individuals who have traveled to the United States from a foreign nation that the terms of their admission to the United States are about to expire, including individuals that entered with a visa or through the visa waiver program.

(b) REQUIREMENTS.—In establishing the pilot program required under subsection (a), the Secretary shall—

(1) provide for the collection of contact information, including telephone numbers and email addresses, as appropriate, of individuals traveling to the United States from a foreign nation; and

(2) randomly select a pool of participants in order to form a statistically significant sample of people who travel to the United States each year to receive notification by telephone, email, or other electronic means that the terms of their admission to the United States is about to expire.

(c) REPORT.—Not later than 1 year after the date on which the Secretary establishes the pilot program under subsection (a), the Secretary shall submit to Congress a report on whether the telephone or email notifications have a statistically significant effect on reducing the rates of visa overstays in the United States.

SEC. 1203. PREVENTING UNAUTHORIZED IMMIGRATION TRANSITING THROUGH MEXICO.

(a) IN GENERAL.—The Secretary of State, in coordination with the Secretary of Homeland Security, shall develop, in consultation with the relevant Committees of Congress, a strategy to address the unauthorized immigration of individuals who transit through Mexico to the United States.

(b) REQUIREMENTS.—The strategy developed under subsection (a) shall include specific steps—

(1) to enhance the training, resources, and professionalism of border and law enforcement officials in Mexico, Honduras, El Salvador, Guatemala, and other countries, as appropriate; and

(2) to educate nationals of the countries described in paragraph (1) about the perils of the journey to the United States, including how this Act will increase the likelihood of apprehension, increase criminal penalties associated with illegal entry, and make finding employment in the United States more difficult.

(c) IMPLEMENTATION OF STRATEGY.—In carrying out the strategy developed under subsection (a)—

(1) the Secretary of Homeland Security, in conjunction with the Secretary of State, shall produce an educational campaign and disseminate information about the perils of the journey across Mexico, the likelihood of apprehension, and the difficulty of finding employment in the United States; and

(2) the Secretary of State, in coordination with the Secretary of Homeland Security, shall offer—

(A) training to border and law enforcement officials to enable these officials to operate more effectively, by using, to the greatest extent practicable, Department of Homeland Security personnel to conduct the training; and

(B) technical assistance and equipment to border officials, including computers, document readers, and other forms of technology that may be needed, as appropriate.

(d) AVAILABILITY OF FUNDS.—The Secretary of Homeland Security may use such sums as are necessary from the Comprehensive Immigration Trust Fund established under section 6(a)(1) to carry out this section.

TITLE II—IMMIGRANT VISAS

Subtitle A—Registration and Adjustment of Registered Provisional Immigrants

SEC. 2101. REGISTERED PROVISIONAL IMMIGRANT STATUS.

(a) AUTHORIZATION.—Chapter 5 of title II (8 U.S.C. 1255 et seq.) is amended by inserting after section 245A the following:

"SEC. 245B. ADJUSTMENT OF STATUS OF ELIGIBLE ENTRANTS BEFORE DECEMBER 31, 2011, TO THAT OF REGISTERED PROVISIONAL IMMIGRANT.

''(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Homeland Security (referred to in this section and in sections 245C through 245F as the 'Secretary'), after conducting the national security and law enforcement clearances required under subsection (c)(8), may grant registered provisional immigrant status to an alien who—

''(1) meets the eligibility requirements set forth in subsection (b);

''(2) submits a completed application before the end of the period set forth in subsection (c)(3); and

''(3) has paid the fee required under subsection (c)(10)(A) and the penalty required under subsection (c)(10)(C), if applicable.

''(b) ELIGIBILITY REQUIREMENTS.—

''(1) IN GENERAL.—An alien is not eligible for registered provisional immigrant status unless the alien establishes, by a preponderance of the evidence, that the alien meets the requirements set forth in this subsection.

''(2) PHYSICAL PRESENCE.—

''(A) IN GENERAL.—The alien—

''(i) shall be physically present in the United States on the date on which the alien submits an application for registered provisional immigrant status;

''(ii) shall have been physically present in the United States on or before December 31, 2011; and

''(iii) shall have maintained continuous physical presence in the United States from December 31, 2011, until the date on which the alien is granted status as a registered provisional immigrant under this section.

''(B) BREAK IN PHYSICAL PRESENCE.—

''(i) IN GENERAL.—Except as provided in clause (ii), an alien who is absent from the United States without authorization after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act does not meet the continuous physical presence requirement set forth in subparagraph (A)(iii).

''(ii) EXCEPTION.—An alien who departed from the United States after December 31, 2011, will not be considered to have failed to maintain continuous presence in the United States if the alien's absences from the United States are brief, casual, and innocent whether or not such absences were authorized by the Secretary.

''(3) GROUNDS FOR INELIGIBILITY.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an alien is ineligible for registered provisional immigrant status if the Secretary determines that the alien—

''(i) has a conviction for—

''(I) an offense classified as a felony in the convicting jurisdiction (other than a State or local offense for which an essential element was the alien's immigration status, or a violation of this Act);

''(II) an aggravated felony (as defined in section 101(a)(43) at the time of the conviction);

''(III) 3 or more misdemeanor offenses (other than minor traffic offenses or State or local offenses for which an essential element was the alien's immigration status, or violations of this Act) if the alien was convicted on different dates for each of the 3 offenses;

''(IV) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) (excluding the paragraphs set forth in clause (ii)) or removable under section 237(a), except as provided in paragraph (3) of section 237(a);

''(V) unlawful voting (as defined in section 237(a)(6));

''(ii) is inadmissible under section 212(a), except that in determining an alien's inadmissibility—

''(I) paragraphs (4), (5), (7), and (9)(B) of section 212(a) shall not apply;

''(II) subparagraphs (A), (C), (D), (F), and (G) of section 212(a)(6) and paragraphs (9)(C) and (10)(B) of section 212(a) shall not apply unless based on the act of unlawfully entering the United States after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; and

''(III) paragraphs (6)(B) and (9)(A) of section 212(a) shall not apply unless the relevant conduct began on or after the date on which the alien files an application for registered provisional immigrant status under this section;

''(iii) is an alien who the Secretary knows or has reasonable grounds to believe, is engaged in or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iv)); or

''(iv) was, on April 16, 2013—

''(I) an alien lawfully admitted for permanent residence;

''(II) an alien admitted as a refugee under section 207 or granted asylum under section 208; or

''(III) an alien who, according to the records of the Secretary or the Secretary of State, is lawfully present in the United States in any nonimmigrant status (other than an alien considered to be a nonimmigrant solely due to the application of section 244(f)(4) or the amendment made by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229)), notwithstanding any unauthorized employment or other violation of nonimmigrant status.

''(B) WAIVER.—

''(i) IN GENERAL.—The Secretary may waive the application of subparagraph (A)(i)(III) or any provision of section 212(a) that is not listed in clause (ii) on behalf of an alien for humanitarian purposes, to ensure family unity, or if such a waiver is otherwise in the public interest. Any discretionary authority to waive grounds of inadmissibility under section 212(a) conferred under any other provision of this Act shall apply equally to aliens seeking registered provisional status under this section.

''(ii) EXCEPTIONS.—The discretionary authority under clause (i) may not be used to waive—

''(I) subparagraph (B), (C), (D)(ii), (E), (G), (H), or (I) of section 212(a)(2);

''(II) section 212(a)(3);

''(III) subparagraph (A), (C), (D), or (E) of section 212(a)(10); or

''(IV) with respect to misrepresentations relating to the application for registered provisional immigrant status, section 212(a)(6)(C)(i).

''(C) CONVICTION EXPLAINED.—For purposes of this paragraph, the term 'conviction' does not include a judgment that has been expunged, set aside, or the equivalent.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to require the Secretary to commence removal proceedings against an alien.

''(4) APPLICABILITY OF OTHER PROVISIONS.—Sections 208(d)(6) and 240B(d) shall not apply to any alien filing an application for registered provisional immigrant status under this section.

''(5) DEPENDENT SPOUSE AND CHILDREN.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may classify the spouse or child of a registered provisional immigrant as a registered provisional immigrant dependent if the spouse or child—

''(i) was physically present in the United States on or before December 31, 2012, and has maintained continuous presence in the United States from that date until the date on which the registered provisional immigrant is granted such status, with the exception of absences from the United States that are brief, casual, and innocent, whether or not such absences were authorized by the Secretary; and

''(ii) meets all of the eligibility requirements set forth in this subsection, other than the requirements of clause (ii) or (iii) of paragraph (2)(A).

''(B) EFFECT OF TERMINATION OF LEGAL RELATIONSHIP OR DOMESTIC VIOLENCE.—If the spousal or parental relationship between an alien who is granted registered provisional immigrant status under this section and the alien's spouse or child is terminated due to death or divorce or the spouse or child has been battered or subjected to extreme cruelty by the alien (regardless of whether the legal relationship terminates), the spouse or child may apply for classification as a registered provisional immigrant.

''(C) EFFECT OF DISQUALIFICATION OF PARENT.—Notwithstanding subsection (c)(3), if

the application of a spouse or parent for registered provisional immigrant status is terminated or revoked, the husband, wife, or child of that spouse or parent shall be eligible to apply for registered provisional immigrant status independent of the parent or spouse.

''(c) APPLICATION PROCEDURES.—

''(1) IN GENERAL.—An alien, or the dependent spouse or child of such alien, who meets the eligibility requirements set forth in subsection (b) may apply for status as a registered provisional immigrant or a registered provisional immigrant dependent, as applicable, by submitting a completed application form to the Secretary during the application period set forth in paragraph (3), in accordance with the final rule promulgated by the Secretary under the Border Security, Economic Opportunity, and Immigration Modernization Act. An applicant for registered provisional immigrant status shall be treated as an applicant for admission.

''(2) PAYMENT OF TAXES.—

''(A) IN GENERAL.—An alien may not file an application for registered provisional immigrant status under paragraph (1) unless the applicant has satisfied any applicable Federal tax liability.

''(B) DEFINITION OF APPLICABLE FEDERAL TAX LIABILITY.—In this paragraph, the term 'applicable Federal tax liability' means all Federal income taxes assessed in accordance with section 6203 of the Internal Revenue Code of 1986.

''(C) DEMONSTRATION OF COMPLIANCE.—An applicant may demonstrate compliance with this paragraph by submitting appropriate documentation, in accordance with regulations promulgated by the Secretary, in consultation with the Secretary of the Treasury.

''(3) APPLICATION PERIOD.—

''(A) INITIAL PERIOD.—Except as provided in subparagraph (B), the Secretary may only accept applications for registered provisional immigrant status from aliens in the United States during the 1-year period beginning on the date on which the final rule is published in the Federal Register pursuant to paragraph (1).

''(B) EXTENSION.—If the Secretary determines, during the initial period described in subparagraph (A), that additional time is required to process applications for registered provisional immigrant status or for other good cause, the Secretary may extend the period for accepting applications for such status for an additional 18 months.

''(4) APPLICATION FORM.—

''(A) REQUIRED INFORMATION.—

''(i) IN GENERAL.—The application form referred to in paragraph (1) shall collect such information as the Secretary determines to be necessary and appropriate, including, for the purpose of understanding immigration trends—

''(I) an explanation of how, when, and where the alien entered the United States;

''(II) the country in which the alien resided before entering the United States; and

''(III) other demographic information specified by the Secretary.

''(ii) PRIVACY PROTECTIONS.—Information described in subclauses (I) through (III) of clause (i), which shall be provided anonymously by the applicant on the application form referred to in paragraph (1), shall be subject to the same confidentiality provisions as those set forth in section 9 of title 13, United States Code.

''(iii) REPORT.—The Secretary shall submit a report to Congress that contains a summary of the statistical data about immigration trends collected pursuant to clause (i).

''(B) FAMILY APPLICATION.—The Secretary shall establish a process through which an alien may submit a single application under this section on behalf of the alien, his or her spouse, and his or her children who are residing in the United States.

''(C) INTERVIEW.—The Secretary may interview applicants for registered provisional immigrant status under this section to determine whether they meet the eligibility requirements set forth in subsection (b).

''(5) ALIENS APPREHENDED BEFORE OR DURING THE APPLICATION PERIOD.—If an alien who is apprehended during the period beginning on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act and the end of the application period described in paragraph (3) appears prima facie eligible for registered provisional immigrant status, to the satisfaction of the Secretary, the Secretary—

''(A) shall provide the alien with a reasonable opportunity to file an application under this section during such application period; and

''(B) may not remove the individual until a final administrative determination is made on the application.

''(6) ELIGIBILITY AFTER DEPARTURE.—

''(A) IN GENERAL.—An alien who departed from the United States while subject to an order of exclusion, deportation, or removal, or pursuant to an order of voluntary departure and who is outside of the United States, or who has reentered the United States illegally after December 31, 2011 without receiving the Secretary's consent to reapply for admission under section 212(a)(9), shall not be eligible to file an application for registered provisional immigrant status.

''(B) WAIVER.—The Secretary, in the Secretary's sole and unreviewable discretion, subject to subparagraph (D), may waive the application of subparagraph (A) on behalf of an alien if the alien—

''(i) is the spouse or child of a United States citizen or lawful permanent resident;

''(ii) is the parent of a child who is a United States citizen or lawful permanent resident;

''(iii) meets the requirements set forth in clauses (ii) and (iii) of section 245D(b)(1)(A); or

''(iv) meets the requirements set forth in section 245D(b)(1)(A)(ii), is 16 years or older on the date on which the alien applies for registered provisional immigrant status, and was physically present in the United States for an aggregate period of not less than 3 years during the 6-year period immediately preceding the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(C) ELIGIBILITY.—Subject to subparagraph (D) and notwithstanding subsection (b)(2), section 241(a)(5), or a prior order of exclusion, deportation, or removal, an alien described in subparagraph (B) who is otherwise eligible for registered provisional immigrant status may file an application for such status.

''(D) CRIME VICTIMS' RIGHTS TO NOTICE AND CONSULTATION.—Prior to applying, or exercising, any authority under this paragraph, or ruling upon an application allowed under subparagraph (C) the Secretary shall—

''(i) determine whether or not an alien described under subparagraph (B) or (C) has a conviction for any criminal offense;

''(ii) in consultation with the agency that prosecuted the criminal offense under clause (i), if the agency, in the sole discretion of the agency, is willing to cooperate with the Secretary, make all reasonable efforts to identify each victim of a crime for which an alien determined to be a criminal under clause (i) has a conviction;

''(iii) in consultation with the agency that prosecuted the criminal offense under clause (i), if the agency, in the sole discretion of the agency, is willing to cooperate with the Secretary, make all reasonable efforts to provide each victim identified under clause (ii) with written notice that the alien is being considered for a waiver under this paragraph, specifying in such notice that the victim may—

''(I) take no further action;

''(II) request written notification by the Secretary of any subsequent application for waiver filed by the criminal alien under this paragraph and of the final determination of the Secretary regarding such application; or

''(III) not later than 60 days after the date on which the victim receives written notice under this clause, request a consultation with the Secretary relating to whether the application of the offender should be granted and if the victim cannot be located or if no response is received from the victim within the designated time period, the Secretary shall proceed with adjudication of the application; and

''(iv) at the request of a victim under clause (iii), consult with the victim to determine whether or not the Secretary should, in the case of an alien who is determined under clause (i) to have a conviction for any criminal offense, exercise waiver authority for an alien described under subparagraph (B), or grant the application of an alien described under subparagraph (C).

''(E) CRIME VICTIMS' RIGHT TO INTERVENTION.—In addition to the victim notification and consultation provided for in subparagraph (D), the Secretary shall allow the victim of a criminal alien described under subparagraph (B) or (C) to request consultation regarding, or notice of, any application for waiver filed by the criminal alien under this paragraph, including the final determination of the Secretary regarding such application.

''(F) CONFIDENTIALITY PROTECTIONS FOR CRIME VICTIMS.—The Secretary and the Attorney General may not make an adverse determination of admissibility or deportability of any alien who is a victim and not lawfully present in the United States based solely on information supplied or derived in the process of identification, notification, or consultation under this paragraph.

''(G) REPORTS REQUIRED.—Not later than September 30 of each fiscal year in which the Secretary exercises authority under this paragraph to rule upon the application of a criminal offender allowed under subparagraph (C), the Secretary shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report detailing the execution of the victim identification and notification process required under subparagraph (D), which shall include—

''(i) the total number of criminal offenders who have filed an application under subparagraph (C) and the crimes committed by such offenders;

''(ii) the total number of criminal offenders whose application under subparagraph (C) has been granted and the crimes committed by such offenders; and

''(iii) the total number of victims of criminal offenders under clause (ii) who were not provided with written notice of the offender's application and the crimes committed against the victims.

''(H) DEFINITION.—In this paragraph, the term 'victim' has the meaning given the

term in section 503(e) of the Victims' Rights and Restitution Act of 1990 (42 U.S.C. 10607(e)).

''(7) SUSPENSION OF REMOVAL DURING APPLICATION PERIOD.—

''(A) PROTECTION FROM DETENTION OR REMOVAL.—A registered provisional immigrant may not be detained by the Secretary or removed from the United States, unless—

''(i) the Secretary determines that—

''(I) such alien is, or has become, ineligible for registered provisional immigrant status under subsection (b)(3); or

''(II) the alien's registered provisional immigrant status has been revoked under subsection (d)(2).

''(B) ALIENS IN REMOVAL PROCEEDINGS.—Notwithstanding any other provision of this Act—

''(i) if the Secretary determines that an alien, during the period beginning on the date of the enactment of this section and ending on the last day of the application period described in paragraph (3), is in removal, deportation, or exclusion proceedings before the Executive Office for Immigration Review and is prima facie eligible for registered provisional immigrant status under this section—

''(I) the Secretary shall provide the alien with the opportunity to file an application for such status; and

''(II) upon motion by the Secretary and with the consent of the alien or upon motion by the alien, the Executive Office for Immigration Review shall—

''(aa) terminate such proceedings without prejudice to future proceedings on any basis; and

''(bb) provide the alien a reasonable opportunity to apply for such status; and

''(ii) if the Executive Office for Immigration Review determines that an alien, during the period beginning on the date of the enactment of this section and ending on the last day of the application period described in paragraph (3), is in removal, deportation, or exclusion proceedings before the Executive Office for Immigration Review and is prima facie eligible for registered provisional immigrant status under this section—

''(I) the Executive Office of Immigration Review shall notify the Secretary of such determination; and

''(II) if the Secretary does not dispute the determination of prima facie eligibility within 7 days after such notification, the Executive Office for Immigration Review, upon consent of the alien, shall—

''(aa) terminate such proceedings without prejudice to future proceedings on any basis; and

''(bb) permit the alien a reasonable opportunity to apply for such status.

''(C) TREATMENT OF CERTAIN ALIENS.—

''(i) IN GENERAL.—If an alien who meets the eligibility requirements set forth in subsection (b) is present in the United States and has been ordered excluded, deported, or removed, or ordered to depart voluntarily from the United States under any provision of this Act—

''(I) notwithstanding such order or section 241(a)(5), the alien may apply for registered provisional immigrant status under this section; and

''(II) if the alien is granted such status, the alien shall file a motion to reopen the exclusion, deportation, removal, or voluntary departure order, which motion shall be granted unless 1 or more of the grounds of ineligibility is established by clear and convincing evidence.

''(ii) LIMITATIONS ON MOTIONS TO REOPEN.—The limitations on motions to reopen set forth in section 240(c)(7) shall not apply to motions filed under clause (i)(II).

''(D) PERIOD PENDING ADJUDICATION OF APPLICATION.—

''(i) IN GENERAL.—During the period beginning on the date on which an alien applies for registered provisional immigrant status under paragraph (1) and the date on which the Secretary makes a final decision regarding such application, the alien—

''(I) may receive advance parole to reenter the United States if urgent humanitarian circumstances compel such travel;

''(II) may not be detained by the Secretary or removed from the United States unless the Secretary makes a prima facie determination that such alien is, or has become, ineligible for registered provisional immigrant status under subsection (b)(3);

''(III) shall not be considered unlawfully present for purposes of section 212(a)(9)(B); and

''(IV) shall not be considered an unauthorized alien (as defined in section 274A(h)(3)).

''(ii) EVIDENCE OF APPLICATION FILING.—As soon as practicable after receiving each application for registered provisional immigrant status, the Secretary shall provide the applicant with a document acknowledging the receipt of such application.

''(iii) CONTINUING EMPLOYMENT.—An employer who knows that an alien employee is an applicant for registered provisional immigrant status or will apply for such status once the application period commences is not in violation of section 274A(a)(2) if the employer continues to employ the alien pending the adjudication of the alien employee's application.

''(iv) EFFECT OF DEPARTURE.—Section 101(g) shall not apply to an alien granted—

''(I) advance parole under clause (i)(I) to reenter the United States; or

''(II) registered provisional immigrant status.

''(8) SECURITY AND LAW ENFORCEMENT CLEARANCES.—

''(A) BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary may not grant registered provisional immigrant status to an alien or an alien dependent spouse or child under this section unless such alien submits biometric and biographic data in accordance with procedures established by the Secretary.

''(B) ALTERNATIVE PROCEDURES.—The Secretary shall provide an alternative procedure for applicants who cannot provide the biometric data required under subparagraph (A) because of a physical impairment.

''(C) CLEARANCES.—

''(i) DATA COLLECTION.—The Secretary shall collect, from each alien applying for status under this section, biometric, biographic, and other data that the Secretary determines to be appropriate—

''(I) to conduct national security and law enforcement clearances; and

''(II) to determine whether there are any national security or law enforcement factors that would render an alien ineligible for such status.

''(ii) ADDITIONAL SECURITY SCREENING.—The Secretary, in consultation with the Secretary of State and other interagency partners, shall conduct an additional security screening upon determining, in the Secretary's opinion based upon information related to national security, that an alien or alien dependent spouse or child is or was a citizen or long-term resident of a region or country known to pose a threat, or that contains groups or organizations that pose a threat, to the national security of the United States.

''(iii) PREREQUISITE.—The required clearances and screenings described in clauses (i)(I) and (ii) shall be completed before the alien may be granted registered provisional immigrant status.

''(9) DURATION OF STATUS AND EXTENSION.—

''(A) IN GENERAL.—The initial period of authorized admission for a registered provisional immigrant—

''(i) shall remain valid for 6 years unless revoked pursuant to subsection (d)(2); and

''(ii) may be extended for additional 6-year terms if—

''(I) the alien remains eligible for registered provisional immigrant status;

''(II) the alien meets the employment requirements set forth in subparagraph (B);

''(III) the alien has successfully passed background checks that are equivalent to the background checks described in section 245D(b)(1)(E); and

''(IV) such status was not revoked by the Secretary for any reason.

''(B) EMPLOYMENT OR EDUCATION REQUIREMENT.—Except as provided in subparagraphs (D) and (E) of section 245C(b)(3), an alien may not be granted an extension of registered provisional immigrant status under this paragraph unless the alien establishes that, during the alien's period of status as a registered provisional immigrant, the alien—

''(i)(I) was regularly employed throughout the period of admission as a registered provisional immigrant, allowing for brief periods lasting not more than 60 days; and

''(II) is not likely to become a public charge (as determined under section 212(a)(4)); or

''(ii) is able to demonstrate average income or resources that are not less than 100 percent of the Federal poverty level throughout the period of admission as a registered provisional immigrant.

''(C) PAYMENT OF TAXES.—An applicant may not be granted an extension of registered provisional immigrant status under subparagraph (A)(ii) unless the applicant has satisfied any applicable Federal tax liability in accordance with paragraph (2).

''(10) FEES AND PENALTIES.—

''(A) STANDARD PROCESSING FEE.—

''(i) IN GENERAL.—Aliens who are 16 years of age or older and are applying for registered provisional immigrant status under paragraph (1), or for an extension of such status under paragraph (9)(A)(ii), shall pay a processing fee to the Department of Homeland Security in an amount determined by the Secretary.

''(ii) RECOVERY OF COSTS.—The processing fee authorized under clause (i) shall be set at a level that is sufficient to recover the full costs of processing the application, including any costs incurred—

''(I) to adjudicate the application;

''(II) to take and process biometrics;

''(III) to perform national security and criminal checks, including adjudication;

''(IV) to prevent and investigate fraud; and

''(V) to administer the collection of such fee.

''(iii) AUTHORITY TO LIMIT FEES.—The Secretary, by regulation, may—

''(I) limit the maximum processing fee payable under this subparagraph by a family, including spouses and unmarried children younger than 21 years of age; and

''(II) exempt defined classes of individuals, including individuals described in section 245B(c)(13), from the payment of the fee authorized under clause (i).

''(B) DEPOSIT AND USE OF PROCESSING FEES.—Fees collected under subparagraph (A)(i)—

''(i) shall be deposited into the Immigration Examinations Fee Account pursuant to section 286(m); and

''(ii) shall remain available until expended pursuant to section 286(n).

''(C) PENALTY.—

''(i) PAYMENT.—In addition to the processing fee required under subparagraph (A), aliens not described in section 245D(b)(A)(ii) who are 21 years of age or older and are filing an application under this subsection shall pay a $1,000 penalty to the Department of Homeland Security.

''(ii) INSTALLMENTS.—The Secretary shall establish a process for collecting payments required under clause (i) that permits the penalty under that clause to be paid in periodic installments that shall be completed before the alien may be granted an extension of status under paragraph (9)(A)(ii).

''(iii) DEPOSIT.—Penalties collected pursuant to this subparagraph shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(11) ADJUDICATION.—

''(A) FAILURE TO SUBMIT SUFFICIENT EVIDENCE.—The Secretary shall deny an application submitted by an alien who fails to submit—

''(i) requested initial evidence, including requested biometric data; or

''(ii) any requested additional evidence by the date required by the Secretary.

''(B) AMENDED APPLICATION.—An alien whose application for registered provisional immigrant status is denied under subparagraph (A) may file an amended application for such status to the Secretary if the amended application—

''(i) is filed within the application period described in paragraph (3); and

''(ii) contains all the required information and fees that were missing from the initial application.

''(12) EVIDENCE OF REGISTERED PROVISIONAL IMMIGRANT STATUS.—

''(A) IN GENERAL.—The Secretary shall issue documentary evidence of registered provisional immigrant status to each alien whose application for such status has been approved.

''(B) DOCUMENTATION FEATURES.—Documentary evidence provided under subparagraph (A)—

''(i) shall be machine-readable and tamper-resistant, and shall contain a digitized photograph;

''(ii) shall, during the alien's authorized period of admission, and any extension of such authorized admission, serve as a valid travel and entry document for the purpose of applying for admission to the United States;

''(iii) may be accepted during the period of its validity by an employer as evidence of employment authorization and identity under section 274A(b)(1)(B);

''(iv) shall indicate that the alien is authorized to work in the United States for up to 3 years; and

''(v) shall include such other features and information as may be prescribed by the Secretary.

''(13) DACA RECIPIENTS.—Unless the Secretary determines that an alien who was granted Deferred Action for Childhood Arrivals (referred to in this paragraph as 'DACA') pursuant to the Secretary's memorandum of June 15, 2012, has engaged in conduct since the alien was granted DACA that would make the alien ineligible for registered provisional immigrant status, the Secretary may grant such status to the alien if renewed national security and law enforcement clearances have been completed on behalf of the alien.

''(d) TERMS AND CONDITIONS OF REGISTERED PROVISIONAL IMMIGRANT STATUS.—

''(1) CONDITIONS OF REGISTERED PROVISIONAL IMMIGRANT STATUS.—

''(A) EMPLOYMENT.—Notwithstanding any other provision of law, including section 241(a)(7), a registered provisional immigrant shall be authorized to be employed in the United States while in such status.

''(B) TRAVEL OUTSIDE THE UNITED STATES.—A registered provisional immigrant may travel outside of the United States and may be admitted, if otherwise admissible, upon returning to the United States without having to obtain a visa if—

''(i) the alien is in possession of—

''(I) valid, unexpired documentary evidence of registered provisional immigrant status that complies with subsection (c)(12); or

''(II) a travel document, duly approved by the Secretary, that was issued to the alien after the alien's original documentary evidence was lost, stolen, or destroyed;

''(ii) the alien's absence from the United States did not exceed 180 days, unless the alien's failure to timely return was due to extenuating circumstances beyond the alien's control;

''(iii) the alien meets the requirements for an extension as described in subclauses (I) and (III) of paragraph (9)(A); and

''(iv) the alien establishes that the alien is not inadmissible under subparagraph (A)(i), (A)(iii), (B), or (C) of section 212(a)(3).

''(C) ADMISSION.—An alien granted registered provisional immigrant status under this section shall be considered to have been admitted and lawfully present in the United States in such status as of the date on which the alien's application was filed.

''(D) CLARIFICATION OF STATUS.—An alien granted registered provisional immigrant status—

''(i) is lawfully admitted to the United States; and

''(ii) may not be classified as a nonimmigrant or as an alien who has been lawfully admitted for permanent residence.

''(2) REVOCATION.—

''(A) IN GENERAL.—The Secretary may revoke the status of a registered provisional immigrant at any time after providing appropriate notice to the alien, and after the exhaustion or waiver of all applicable administrative review procedures under section 245E(c), if the alien—

''(i) no longer meets the eligibility requirements set forth in subsection (b);

''(ii) knowingly used documentation issued under this section for an unlawful or fraudulent purpose;

''(iii) is convicted of fraudulently claiming or receiving a Federal means-tested benefit (as defined and implemented in section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613)) after being granted registered provisional immigrant status; or

''(iv) was absent from the United States—

''(I) for any single period longer than 180 days in violation of the requirements set forth in paragraph (1)(B)(ii); or

''(II) for more than 180 days in the aggregate during any calendar year, unless the alien's failure to timely return was due to extenuating circumstances beyond the alien's control.

''(B) ADDITIONAL EVIDENCE.—In determining whether to revoke an alien's status under subparagraph (A), the Secretary may require the alien—

''(i) to submit additional evidence; or

''(ii) to appear for an interview.

''(C) INVALIDATION OF DOCUMENTATION.—If an alien's registered provisional immigrant status is revoked under subparagraph (A), any documentation issued by the Secretary to such alien under subsection (c)(12) shall automatically be rendered invalid for any purpose except for departure from the United States.

''(3) INELIGIBILITY FOR PUBLIC BENEFITS.—

''(A) IN GENERAL.—An alien who has been granted registered provisional immigrant status under this section is not eligible for any Federal means-tested public benefit (as defined and implemented in section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613)).

''(B) AUDITS.—The Secretary of Health and Human Services shall conduct regular audits to ensure that registered provisional immigrants are not fraudulently receiving any of the benefits described in subparagraph (A).

''(4) TREATMENT OF REGISTERED PROVISIONAL IMMIGRANTS.—A noncitizen granted registered provisional immigrant status under this section shall be considered lawfully present in the United States for all purposes while such noncitizen remains in such status, except that the noncitizen—

''(A) is not entitled to the premium assistance tax credit authorized under section 36B of the Internal Revenue Code of 1986 for his or her coverage;

''(B) shall be subject to the rules applicable to individuals not lawfully present that are set forth in subsection (e) of such section;

''(C) shall be subject to the rules applicable to individuals not lawfully present that are set forth in section 1402(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18071); and

''(D) shall be subject to the rules applicable to individuals not lawfully present set forth in section 5000A(d)(3) of the Internal Revenue Code of 1986.

''(5) ASSIGNMENT OF SOCIAL SECURITY NUMBER.—

''(A) IN GENERAL.—The Commissioner of Social Security, in coordination with the Secretary, shall implement a system to allow for the assignment of a Social Security number and the issuance of a Social Security card to each alien who has been granted registered provisional immigrant status under this section.

''(B) USE OF INFORMATION.—The Secretary shall provide the Commissioner of Social Security with information from the applications filed by aliens granted registered provisional immigrant status under this section and such other information as the Commissioner determines to be necessary to assign a Social Security account number to such aliens. The Commissioner may use information received from the Secretary under this subparagraph to assign Social Security account numbers to such aliens and to administer the programs of the Social Security Administration. The Commissioner may maintain, use, and disclose such information only as permitted under section 552a of title 5, United States Code (commonly known as the Privacy Act of 1974) and other applicable Federal laws.

''(e) DISSEMINATION OF INFORMATION ON REGISTERED PROVISIONAL IMMIGRANT PROGRAM.—As soon as practicable after the date of the enactment of the Border Security, Economic Opportunity, and Immigration

Modernization Act, the Secretary, in cooperation with entities approved by the Secretary, and in accordance with a plan adopted by the Secretary, shall broadly disseminate, in the most common languages spoken by aliens who would qualify for registered provisional immigrant status under this section, to television, radio, print, and social media to which such aliens would likely have access—

''(1) the procedures for applying for such status;

''(2) the terms and conditions of such status; and

''(3) the eligibility requirements for such status.''.

(b) ENLISTMENT IN THE ARMED FORCES.—Section 504(b)(1) of title 10, United States Code, is amended by adding at the end the following:

''(D) An alien who has been granted registered provisional immigrant status under section 245B of the Immigration and Nationality Act.''.

SEC. 2102. ADJUSTMENT OF STATUS OF REGISTERED PROVISIONAL IMMIGRANTS.

(a) IN GENERAL.—Chapter 5 of title II (8 U.S.C. 1255 et seq.) is amended by inserting after section 245B, as added by section 2101 of this title, the following:

''SEC. 245C. ADJUSTMENT OF STATUS OF REGISTERED PROVISIONAL IMMIGRANTS.

''(a) IN GENERAL.—Subject to section 245E(d) and section 2302(c)(3) of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary may adjust the status of a registered provisional immigrant to that of an alien lawfully admitted for permanent residence if the registered provisional immigrant satisfies the eligibility requirements set forth in subsection (b).

''(b) ELIGIBILITY REQUIREMENTS.—

''(1) REGISTERED PROVISIONAL IMMIGRANT STATUS.—

''(A) IN GENERAL.—The alien was granted registered provisional immigrant status under section 245B and remains eligible for such status.

''(B) CONTINUOUS PHYSICAL PRESENCE.—The alien establishes, to the satisfaction of the Secretary, that the alien was not continuously absent from the United States for more than 180 days in any calendar year during the period of admission as a registered provisional immigrant, unless the alien's absence was due to extenuating circumstances beyond the alien's control.

''(C) MAINTENANCE OF WAIVERS OF INADMISSIBILITY.—The grounds of inadmissibility set forth in section 212(a) that were previously waived for the alien or made inapplicable under section 245B(b) shall not apply for purposes of the alien's adjustment of status under this section.

''(D) PENDING REVOCATION PROCEEDINGS.—If the Secretary has notified the applicant that the Secretary intends to revoke the applicant's registered provisional immigrant status under section 245B(d)(2)(A), the Secretary may not approve an application for adjustment of status under this section unless the Secretary makes a final determination not to revoke the applicant's status.

''(2) PAYMENT OF TAXES.—

''(A) IN GENERAL.—An applicant may not file an application for adjustment of status under this section unless the applicant has satisfied any applicable Federal tax liability.

''(B) DEFINITION OF APPLICABLE FEDERAL TAX LIABILITY.—In subparagraph (A), the term 'applicable Federal tax liability' means all Federal income taxes assessed in accordance with section 6203 of the Internal Revenue Code of 1986 since the date on which the applicant was authorized to work in the United States as a registered provisional immigrant under section 245B(a).

''(C) COMPLIANCE.—The applicant may demonstrate compliance with subparagraph (A) by submitting such documentation as the Secretary, in consultation with the Secretary of the Treasury, may require by regulation.

''(3) EMPLOYMENT REQUIREMENT.—

''(A) IN GENERAL.—Except as provided in subparagraphs (D) and (E), an alien applying for adjustment of status under this section shall establish that, during his or her period of status as a registered provisional immigrant, he or she—

''(i)(I) was regularly employed throughout the period of admission as a registered provisional immigrant, allowing for brief periods lasting not more than 60 days; and

''(II) is not likely to become a public charge (as determined under section 212(a)(4)); or

''(ii) can demonstrate average income or resources that are not less than 125 percent of the Federal poverty level throughout the period of admission as a registered provisional immigrant.

''(B) EVIDENCE OF EMPLOYMENT.—

''(i) DOCUMENTS.—An alien may satisfy the employment requirement under subparagraph (A)(i) by submitting, to the Secretary, records that—

''(I) establish, by the preponderance of the evidence, compliance with such employment requirement; and

''(II) have been maintained by the Social Security Administration, the Internal Revenue Service, or any other Federal, State, or local government agency.

''(ii) OTHER DOCUMENTS.—An alien who is unable to submit the records described in clause (i) may satisfy the employment or education requirement under subparagraph (A) by submitting to the Secretary at least 2 types of reliable documents not described in clause (i) that provide evidence of employment or education, including—

''(I) bank records;

''(II) business records;

''(III) employer records;

''(IV) records of a labor union, day labor center, or organization that assists workers in employment;

''(V) sworn affidavits from nonrelatives who have direct knowledge of the alien's work or education, that contain—

''(aa) the name, address, and telephone number of the affiant;

''(bb) the nature and duration of the relationship between the affiant and the alien; and

''(cc) other verification or information;

''(VI) remittance records; and

''(VII) school records from institutions described in subparagraph (D).

''(iii) ADDITIONAL DOCUMENTS AND RESTRICTIONS.—The Secretary may—

''(I) designate additional documents that may be used to establish compliance with the requirement under subparagraph (A); and

''(II) set such terms and conditions on the use of affidavits as may be necessary to verify and confirm the identity of any affiant or to otherwise prevent fraudulent submissions.

''(C) SATISFACTION OF EMPLOYMENT REQUIREMENT.—An alien may not be required to satisfy the employment requirements under this section with a single employer.

''(D) EDUCATION PERMITTED.—An alien may satisfy the requirement under subparagraph (A), in whole or in part, by providing evidence of full-time attendance at—

''(i) an institution of higher education (as defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)));

''(ii) a secondary school, including a public secondary school (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

''(iii) an education, literacy, or career and technical training program (including vocational training) that is designed to lead to placement in postsecondary education, job training, or employment through which the alien is working toward such placement; or

''(iv) an education program assisting students either in obtaining a high school equivalency diploma, certificate, or its recognized equivalent under State law (including a certificate of completion, certificate of attendance, or alternate award), or in passing a General Educational Development exam or other equivalent State-authorized exam or completed other applicable State requirements for high school equivalency.

''(E) AUTHORIZATION OF EXCEPTIONS AND WAIVERS.—

''(i) EXCEPTIONS BASED ON AGE OR DISABILITY.—The employment and education requirements under this paragraph shall not apply to any alien who—

''(I) is younger than 21 years of age on the date on which the alien files an application for the first extension of the initial period of authorized admission as a registered provisional immigrant;

''(II) is at least 60 years of age on the date on which the alien files an application for an extension of registered provisional immigrant status or at least 65 years of age on the date on which the alien's application for adjustment of status is filed under this section; or

''(III) has a physical or mental disability (as defined in section 3(2) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(2))) or as a result of pregnancy if such condition is evidenced by the submission of documentation prescribed by the Secretary.

''(ii) FAMILY EXCEPTIONS.—The employment and education requirements under this paragraph shall not apply to any alien who is a dependent registered provisional immigrant under subsection (b)(5).

''(iii) TEMPORARY EXCEPTIONS.—The employment and education requirements under this paragraph shall not apply during any period during which the alien—

''(I) was on medical leave, maternity leave, or other employment leave authorized by Federal law, State law, or the policy of the employer;

''(II) is or was the primary caretaker of a child or another person who requires supervision or is unable to care for himself or herself; or

''(III) was unable to work due to circumstances outside the control of the alien.

''(iv) WAIVER.—The Secretary may waive the employment or education requirements under this paragraph with respect to any individual alien who demonstrates extreme hardship to himself or herself or to a spouse, parent, or child who is a United States citizen or lawful permanent resident.

''(4) ENGLISH SKILLS.—

''(A) IN GENERAL.—Except as provided under subparagraph (C), a registered provisional immigrant who is 16 years of age or older shall establish that he or she—

''(i) meets the requirements set forth in section 312; or

''(ii) is satisfactorily pursuing a course of study, pursuant to standards established by

the Secretary of Education, in consultation with the Secretary, to achieve an understanding of English and knowledge and understanding of the history and Government of the United States, as described in section 312(a).

''(B) RELATION TO NATURALIZATION EXAMINATION.—A registered provisional immigrant who demonstrates that he or she meets the requirements set forth in section 312 may be considered to have satisfied such requirements for purposes of becoming naturalized as a citizen of the United States.

''(C) EXCEPTIONS.—

''(i) MANDATORY.—Subparagraph (A) shall not apply to any person who is unable to comply with the requirements under that subparagraph because of a physical or developmental disability or mental impairment.

''(ii) DISCRETIONARY.—The Secretary may waive all or part of subparagraph (A) for a registered provisional immigrant who is 70 years of age or older on the date on which an application is filed for adjustment of status under this section.

''(5) MILITARY SELECTIVE SERVICE.—The alien shall provide proof of registration under the Military Selective Service Act (50 U.S.C. App. 451 et seq.), if the alien is subject to such registration on or after the date on which the alien's application for registered provisional immigrant status is granted.

''(c) APPLICATION PROCEDURES.—

''(1) IN GENERAL.—Beginning on the date described in paragraph (2), a registered provisional immigrant, or a registered provisional immigrant dependent, who meets the eligibility requirements set forth in subsection (b) may apply for adjustment of status to that of an alien lawfully admitted for permanent residence by submitting an application to the Secretary that includes the evidence required, by regulation, to demonstrate the applicant's eligibility for such adjustment.

''(2) BACK OF THE LINE.—The status of a registered provisional immigrant may not be adjusted to that of an alien lawfully admitted for permanent residence under this section until after the Secretary of State certifies that immigrant visas have become available for all approved petitions for immigrant visas that were filed under sections 201 and 203 before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(3) INTERVIEW.—The Secretary may interview applicants for adjustment of status under this section to determine whether they meet the eligibility requirements set forth in subsection (b).

''(4) SECURITY AND LAW ENFORCEMENT CLEARANCES.—The Secretary may not adjust the status of a registered provisional immigrant under this section until renewed national security and law enforcement clearances have been completed with respect to the registered provisional immigrant, to the satisfaction of the Secretary.

''(5) FEES AND PENALTIES.—

''(A) PROCESSING FEES.—

''(i) IN GENERAL.—The Secretary shall impose a processing fee on applicants for adjustment of status under this section at a level sufficient to recover the full cost of processing such applications, including costs associated with—

''(I) adjudicating the applications;

''(II) taking and processing biometrics;

''(III) performing national security and criminal checks, including adjudication;

''(IV) preventing and investigating fraud; and

''(V) the administration of the fees collected.

''(ii) AUTHORITY TO LIMIT FEES.—The Secretary, by regulation, may—

''(I) limit the maximum processing fee payable under this subparagraph by a family, including spouses and children; and

''(II) exempt other defined classes of individuals from the payment of the fee authorized under clause (i).

''(iii) DEPOSIT AND USE OF FEES.—Fees collected under this subparagraph—

''(I) shall be deposited into the Immigration Examinations Fee Account pursuant to section 286(m); and

''(II) shall remain available until expended pursuant to section 286(n).

''(B) PENALTIES.—

''(i) IN GENERAL.—In addition to the processing fee required under subparagraph (A) and the penalty required under section 245B(c)(6)(D), an alien who was 21 years of age or older on the date on which the Border Security, Economic Opportunity, and Immigration Modernization Act was originally introduced in the Senate and is filing an application for adjustment of status under this section shall pay a $1,000 penalty to the Secretary unless the alien meets the requirements under section 245D(b).

''(ii) INSTALLMENTS.—The Secretary shall establish a process for collecting payments required under clause (i) through periodic installments.

''(iii) DEPOSIT, ALLOCATION, AND SPENDING OF PENALTIES.—Penalties collected under this subparagraph—

''(I) shall be deposited into the Comprehensive Immigration Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act; and

''(II) may be used for the purposes set forth in section 6(a)(3)(B) of such Act.''.

(b) LIMITATION ON REGISTERED PROVISIONAL IMMIGRANTS.—An alien admitted as a registered provisional immigrant under section 245B of the Immigration and Nationality Act, as added by subsection (a), may only adjust status to an alien lawfully admitted for permanent resident status under section 245C or 245D of such Act or section 2302.

(c) NATURALIZATION.—Section 319 (8 U.S.C. 1430) is amended—

(1) in the section heading, by striking ''**AND EMPLOYEES OF CERTAIN NONPROFIT ORGANIZATIONS**'' and inserting ''**, EMPLOYEES OF CERTAIN NONPROFIT ORGANIZATIONS, AND OTHER LONG-TERM LAWFUL RESIDENTS**''; and

(2) by adding at the end the following:

''(f) Any lawful permanent resident who was lawfully present in the United States and eligible for work authorization for not less than 10 years before becoming a lawful permanent resident may be naturalized upon compliance with all the requirements under this title except the provisions of section 316(a)(1) if such person, immediately preceding the date on which the person filed an application for naturalization—

''(1) has resided continuously within the United States, after being lawfully admitted for permanent residence, for at least 3 years;

''(2) during the 3-year period immediately preceding such filing date, has been physically present in the United States for periods totaling at least 50 percent of such period; and

''(3) has resided within the State or in the jurisdiction of the U.S. Citizenship and Immigration Services field office in the United States in which the applicant filed such application for at least 3 months.''.

SEC. 2103. THE DREAM ACT.

(a) SHORT TITLE.—This section may be cited as the ''Development, Relief, and Education for Alien Minors Act of 2013'' or the ''DREAM Act 2013''.

(b) ADJUSTMENT OF STATUS FOR CERTAIN ALIENS WHO ENTERED THE UNITED STATES AS CHILDREN.—Chapter 5 of title II (8 U.S.C. 1255 et seq.) is amended by inserting after section 245C, as added by section 2102 of this title, the following:

''SEC. 245D. ADJUSTMENT OF STATUS FOR CERTAIN ALIENS WHO ENTERED THE UNITED STATES AS CHILDREN.

''(a) DEFINITIONS.—In this section:

''(1) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002), except that the term does not include institutions described in subsection (a)(1)(C) of such section.

''(2) SECRETARY.—The term 'Secretary' means the Secretary of Homeland Security.

''(3) UNIFORMED SERVICES.—The term 'Uniformed Services' has the meaning given the term 'uniformed services' in section 101(a)(5) of title 10, United States Code.

''(b) ADJUSTMENT OF STATUS FOR CERTAIN ALIENS WHO ENTERED THE UNITED STATES AS CHILDREN.—

''(1) REQUIREMENTS.—

''(A) IN GENERAL.—The Secretary may adjust the status of a registered provisional immigrant to the status of a lawful permanent resident if the immigrant demonstrates that he or she—

''(i) has been a registered provisional immigrant for at least 5 years;

''(ii) was younger than 16 years of age on the date on which the alien initially entered the United States;

''(iii) has earned a high school diploma, a commensurate alternative award from a public or private high school or secondary school, or has obtained a general education development certificate recognized under State law, or a high school equivalency diploma in the United States;

''(iv)(I) has acquired a degree from an institution of higher education or has completed at least 2 years, in good standing, in a program for a bachelor's degree or higher degree in the United States; or

''(II) has served in the Uniformed Services for at least 4 years and, if discharged, received an honorable discharge; and

''(v) has provided a list of each secondary school (as that term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) that the alien attended in the United States.

''(B) HARDSHIP EXCEPTION.—

''(i) IN GENERAL.—The Secretary may adjust the status of a registered provisional immigrant to the status of a lawful permanent resident if the alien—

''(I) satisfies the requirements under clauses (i), (ii), (iii), and (v) of subparagraph (A); and

''(II) demonstrates compelling circumstances for the inability to satisfy the requirement under subparagraph (A)(iv).

''(C) CITIZENSHIP REQUIREMENT.—

''(i) IN GENERAL.—Except as provided in clause (ii), the Secretary may not adjust the status of an alien to lawful permanent resident status under this section unless the alien demonstrates that the alien satisfies the requirements under section 312(a).

''(ii) EXCEPTION.—Clause (i) shall not apply to an alien whose physical or developmental disability or mental impairment prevents the alien from meeting the requirements such section.

''(D) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary may not adjust the status of an alien to lawful permanent resident status unless the alien—

''(i) submits biometric and biographic data, in accordance with procedures established by the Secretary; or

''(ii) complies with an alternative procedure prescribed by the Secretary, if the alien is unable to provide such biometric data because of a physical impairment.

''(E) BACKGROUND CHECKS.—

''(i) REQUIREMENT FOR BACKGROUND CHECKS.—The Secretary shall utilize biometric, biographic, and other data that the Secretary determines appropriate—

''(I) to conduct national security and law enforcement background checks of an alien applying for lawful permanent resident status under this section; and

''(II) to determine whether there is any criminal, national security, or other factor that would render the alien ineligible for such status.

''(ii) COMPLETION OF BACKGROUND CHECKS.—The Secretary may not adjust an alien's status to the status of a lawful permanent resident under this subsection until the national security and law enforcement background checks required under clause (i) have been completed with respect to the alien, to the satisfaction of the Secretary.

''(2) APPLICATION FOR LAWFUL PERMANENT RESIDENT STATUS.—

''(A) IN GENERAL.—A registered provisional immigrant seeking lawful permanent resident status shall file an application for such status in such manner as the Secretary may require.

''(B) ADJUDICATION.—

''(i) IN GENERAL.—The Secretary shall evaluate each application filed by a registered provisional immigrant under this paragraph to determine whether the alien meets the requirements under paragraph (1).

''(ii) ADJUSTMENT OF STATUS IF FAVORABLE DETERMINATION.—If the Secretary determines that the alien meets the requirements under paragraph (1), the Secretary shall notify the alien of such determination and adjust the status of the alien to lawful permanent resident status, effective as of the date of such determination.

''(iii) ADVERSE DETERMINATION.—If the Secretary determines that the alien does not meet the requirements under paragraph (1), the Secretary shall notify the alien of such determination.

''(C) DACA RECIPIENTS.—The Secretary may adopt streamlined procedures for applicants for adjustment to lawful permanent resident status under this section who were granted Deferred Action for Childhood Arrivals pursuant to the Secretary's memorandum of June 15, 2012.

''(3) TREATMENT FOR PURPOSES OF NATURALIZATION.—

''(A) IN GENERAL.—An alien granted lawful permanent resident status under this section shall be considered, for purposes of title III—

''(i) to have been lawfully admitted for permanent residence; and

''(ii) to have been in the United States as an alien lawfully admitted to the United States for permanent residence during the period the alien was a registered provisional immigrant.

''(B) LIMITATION ON APPLICATION FOR NATURALIZATION.—An alien may not apply for naturalization while the alien is in registered provisional immigrant status, except for an alien described in paragraph (1)(A)(ii) pursuant to section 328 or 329.''.

(c) EXEMPTION FROM NUMERICAL LIMITATIONS.—Section 201(b)(1) (8 U.S.C. 1151(b)(1)) is amended—

(1) by redesignating subparagraph (E) as subparagraph (F); and

(2) by inserting after subparagraph (D) the following:

''(E) Aliens whose status is adjusted to permanent resident status under section 245C or 245D.''.

(d) RESTORATION OF STATE OPTION TO DETERMINE RESIDENCY FOR PURPOSES OF HIGHER EDUCATION.—

(1) REPEAL.—Section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1623) is repealed.

(2) EFFECTIVE DATE.—The repeal under paragraph (1) shall take effect as if included in the original enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208).

(e) NATURALIZATION.—Section 328(a) (8 U.S.C. 1439(a)) is amended by inserting '', without having been lawfully admitted to the United States for permanent resident, and'' after ''naturalized''.

(f) LIMITATION ON FEDERAL STUDENT ASSISTANCE.—Notwithstanding any other provision of law, aliens granted registered provisional immigrant status and who initially entered the United States before reaching 16 years of age and aliens granted blue card status shall be eligible only for the following assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.):

(1) Student loans under parts D and E of such title IV (20 U.S.C. 1087a et seq. and 1087aa et seq.), subject to the requirements of such parts.

(2) Federal work-study programs under part C of such title IV (42 U.S.C. 2751 et seq.), subject to the requirements of such part.

(3) Services under such title IV (20 U.S.C. 1070 et seq.), subject to the requirements for such services.

SEC. 2104. ADDITIONAL REQUIREMENTS.

(a) IN GENERAL.—Chapter 5 of title II (8 U.S.C. 1255 et seq.) is amended by inserting after section 245C, as added by section 2102 of this title, the following:

''SEC. 245E. ADDITIONAL REQUIREMENTS RELATING TO REGISTERED PROVISIONAL IMMIGRANTS AND OTHERS.

''(a) DISCLOSURES.—

''(1) PROHIBITED DISCLOSURES.—Except as otherwise provided in this subsection, no officer or employee of any Federal agency may—

''(A) use the information furnished in an application for lawful status under section 245B, 245C, or 245D for any purpose other than to make a determination on any application by the alien for any immigration benefit or protection;

''(B) make any publication through which information furnished by any particular applicant can be identified; or

''(C) permit anyone other than the sworn officers, employees, and contractors of such agency or of another entity approved by the Secretary to examine any individual application for lawful status under section 245B, 245C, or 245D.

''(2) REQUIRED DISCLOSURES.—The Secretary shall provide the information furnished in an application filed under section 245B, 245C, or 245D and any other information derived from such furnished information to—

''(A) a law enforcement agency, intelligence agency, national security agency, a component of the Department of Homeland Security, court, or grand jury, consistent with law, in connection with—

''(i) a criminal investigation or prosecution of any felony not related to the applicant's immigration status; or

''(ii) a national security investigation or prosecution; and

''(B) an official coroner for purposes of affirmatively identifying a deceased individual, whether or not the death of such individual resulted from a crime.

''(3) AUDITING AND EVALUATION OF INFORMATION.—The Secretary may—

''(A) audit and evaluate information furnished as part of any application filed under section 245B, 245C, or 245D for purposes of identifying immigration fraud or fraud schemes; and

''(B) use any evidence detected by means of audits and evaluations for purposes of investigating, prosecuting, referring for prosecution, or denying or terminating immigration benefits.

''(b) EMPLOYER PROTECTIONS.—

''(1) USE OF EMPLOYMENT RECORDS.—Copies of employment records or other evidence of employment provided by an alien or by an alien's employer in support of an alien's application for registered provisional immigrant status under section 245B may not be used in a civil or criminal prosecution or investigation of that employer under section 274A or the Internal Revenue Code of 1986 for the prior unlawful employment of that alien regardless of the adjudication of such application or reconsideration by the Secretary of such alien's prima facie eligibility determination. Employers that provide unauthorized aliens with copies of employment records or other evidence of employment pursuant to an application for registered provisional immigrant status shall not be subject to civil and criminal liability pursuant to section 274A for employing such unauthorized aliens.

''(2) LIMIT ON APPLICABILITY.—The protections for employers and aliens under paragraph (1) shall not apply if the aliens or employers submit employment records that are deemed to be fraudulent.

''(c) ADMINISTRATIVE REVIEW.—

''(1) EXCLUSIVE ADMINISTRATIVE REVIEW.—Administrative review of a determination respecting an application for status under section 245B, 245C, 245D, or 245F or section 2211 of the Agricultural Worker Program Act of 2013 shall be conducted solely in accordance with this subsection.

''(2) ADMINISTRATIVE APPELLATE REVIEW.—

''(A) ESTABLISHMENT OF ADMINISTRATIVE APPELLATE AUTHORITY.—The Secretary shall establish or designate an appellate authority to provide for a single level of administrative appellate review of a determination with respect to applications for, or revocation of, status under sections 245B, 245C, and 245D.

''(B) SINGLE APPEAL FOR EACH ADMINISTRATIVE DECISION.—

''(i) IN GENERAL.—An alien in the United States whose application for status under section 245B, 245C, or 245D has been denied or revoked may file with the Secretary not more than 1 appeal of each decision to deny or revoke such status.

''(ii) NOTICE OF APPEAL.—A notice of appeal filed under this subparagraph shall be filed not later than 90 days after the date of service of the decision of denial or revocation, unless the delay was reasonably justifiable.

''(C) REVIEW BY SECRETARY.—Nothing in this paragraph may be construed to limit the authority of the Secretary to certify appeals for review and final administrative decision.

''(D) DENIAL OF PETITIONS FOR DEPENDENTS.—Appeals of a decision to deny or revoke a petition filed by a registered provisional immigrant pursuant to regulations promulgated under section 245B to classify a spouse or child of such alien as a registered provisional immigrant shall be subject to the administrative appellate authority described in subparagraph (A).

''(E) STAY OF REMOVAL.—Aliens seeking administrative review shall not be removed from the United States until a final decision is rendered establishing ineligibility for status under section 245B, 245C, or 245D.

''(3) RECORD FOR REVIEW.—Administrative appellate review under paragraph (2) shall be de novo and based solely upon—

''(A) the administrative record established at the time of the determination on the application; and

''(B) any additional newly discovered or previously unavailable evidence.

''(4) UNLAWFUL PRESENCE.—During the period in which an alien may request administrative review under this subsection, and during the period that any such review is pending, the alien shall not be considered 'unlawfully present in the United States' for purposes of section 212(a)(9)(B).

''(d) PRIVACY AND CIVIL LIBERTIES.—

''(1) IN GENERAL.—The Secretary, in accordance with subsection (a)(1), shall require appropriate administrative and physical safeguards to protect the security, confidentiality, and integrity of personally identifiable information collected, maintained, and disseminated pursuant to sections 245B, 245C, and 245D.

''(2) ASSESSMENTS.—Notwithstanding the privacy requirements set forth in section 222 of the Homeland Security Act (6 U.S.C. 142) and the E-Government Act of 2002 (Public Law 107–347), the Secretary shall conduct a privacy impact assessment and a civil liberties impact assessment of the legalization program established under sections 245B, 245C, and 245D during the pendency of the interim final regulations required to be issued under section 2110 of the Border Security, Economic Opportunity, and Immigration Modernization Act.''.

(b) JUDICIAL REVIEW.—Section 242 (8 U.S.C. 1252) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (B), by inserting ''the exercise of discretion arising under'' after ''no court shall have jurisdiction to review'';

(B) in subparagraph (D), by striking ''raised upon a petition for review filed with an appropriate court of appeals in accordance with this section'';

(2) in subsection (b)(2), by inserting ''or, in the case of a decision rendered under section 245E(c), in the judicial circuit in which the petitioner resides'' after ''proceedings''; and

(3) by adding at the end the following:

''(h) JUDICIAL REVIEW OF ELIGIBILITY DETERMINATIONS RELATING TO STATUS UNDER CHAPTER 5.—

''(1) DIRECT REVIEW.—If an alien's application under section 245B, 245C, 245D, or 245F or section 2211 of the Agricultural Worker Program Act of 2013 is denied, or is revoked after the exhaustion of administrative appellate review under section 245E(c), the alien may seek review of such decision, in accordance with chapter 7 of title 5, United States Code, before the United States district court for the district in which the person resides.

''(2) STATUS DURING REVIEW.—While a review described in paragraph (1) is pending—

''(A) the alien shall not be deemed to accrue unlawful presence for purposes of section 212(a)(9);

''(B) any unexpired grant of voluntary departure under section 240B shall be tolled; and

''(C) the court shall have the discretion to stay the execution of any order of exclusion, deportation, or removal.

''(3) REVIEW AFTER REMOVAL PROCEEDINGS.—An alien may seek judicial review of a denial or revocation of approval of the alien's application under section 245B, 245C, or 245D in the appropriate United States court of appeal in conjunction with the judicial review of an order of removal, deportation, or exclusion if the validity of the denial has not been upheld in a prior judicial proceeding under paragraph (1).

''(4) STANDARD FOR JUDICIAL REVIEW.—

''(A) BASIS.—Judicial review of a denial, or revocation of an approval, of an application under section 245B, 245C, or 245D shall be based upon the administrative record established at the time of the review.

''(B) AUTHORITY TO REMAND.—The reviewing court may remand a case under this subsection to the Secretary for consideration of additional evidence if the court finds that—

''(i) the additional evidence is material; and

''(ii) there were reasonable grounds for failure to adduce the additional evidence before the Secretary.

''(C) SCOPE OF REVIEW.—Notwithstanding any other provision of law, judicial review of all questions arising from a denial, or revocation of an approval, of an application under section 245B, 245C, or 245D shall be governed by the standard of review set forth in section 706 of title 5, United States Code.

''(5) REMEDIAL POWERS.—

''(A) JURISDICTION.—Notwithstanding any other provision of law, the United States district courts shall have jurisdiction over any cause or claim arising from a pattern or practice of the Secretary in the operation or implementation of the Border Security, Economic Opportunity, and Immigration Modernization Act, or the amendments made by such Act, that is arbitrary, capricious, or otherwise contrary to law.

''(B) SCOPE OF RELIEF.—The United States district courts may order any appropriate relief in a clause or claim described in subparagraph (A) without regard to exhaustion, ripeness, or other standing requirements (other than constitutionally-mandated requirements), if the court determines that—

''(i) the resolution of such cause or claim will serve judicial and administrative efficiency; or

''(ii) a remedy would otherwise not be reasonably available or practicable.

''(6) CHALLENGES TO THE VALIDITY OF THE SYSTEM.—

''(A) IN GENERAL.—Except as provided in paragraph (5), any claim that section 245B, 245C, 245D, or 245E or any regulation, written policy, or written directive, issued or unwritten policy or practice initiated by or under the authority of the Secretary to implement such sections, violates the Constitution of the United States or is otherwise in violation of law is available exclusively in an action instituted in United States District Court in accordance with the procedures prescribed in this paragraph.

''(B) SAVINGS PROVISION.—Except as provided in subparagraph (C), nothing in subparagraph (A) may be construed to preclude an applicant under 245B, 245C, or 245D from asserting that an action taken or a decision made by the Secretary with respect to the applicant's status was contrary to law.

''(C) CLASS ACTIONS.—Any claim described in subparagraph (A) that is brought as a class action shall be brought in conformity with—

''(i) the Class Action Fairness Act of 2005 (Public Law 109–2); and

''(ii) the Federal Rules of Civil Procedure.

''(D) PRECLUSIVE EFFECT.—The final disposition of any claim brought under subparagraph (A) shall be preclusive of any such claim asserted by the same individual in a subsequent proceeding under this subsection.

''(E) EXHAUSTION AND STAY OF PROCEEDINGS.—

''(i) IN GENERAL.—No claim brought under this paragraph shall require the plaintiff to exhaust administrative remedies under section 245E(c).

''(ii) STAY AUTHORIZED.—Nothing in this paragraph may be construed to prevent the court from staying proceedings under this paragraph to permit the Secretary to evaluate an allegation of an unwritten policy or practice or to take corrective action. In determining whether to issue such a stay, the court shall take into account any harm the stay may cause to the claimant.''.

(c) RULE OF CONSTRUCTION.—Section 244(h) of the Immigration and Nationality Act (8 U.S.C. 1254a(h)) shall not limit the authority of the Secretary to adjust the status of an alien under section 245C or 245D of the Immigration and Nationality Act, as added by this subtitle.

(d) EFFECT OF FAILURE TO REGISTER ON ELIGIBILITY FOR IMMIGRATION BENEFITS.—Failure to comply with section 264.1(f) of title 8, Code of Federal Regulations or with removal orders or voluntary departure agreements based on such section for acts committed before the date of the enactment of this Act shall not affect the eligibility of an alien to apply for a benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(e) CLERICAL AMENDMENT.—The table of contents is amended by inserting after the item relating to section 245A the following:

SEC. 2105. CRIMINAL PENALTY.

(a) IN GENERAL.—Chapter 69 of title 18, United States Code, is amended by adding at the end the following:

''§ 1430. Improper use of information relating to registered provisional immigrant applications

''Any person who knowingly uses, publishes, or permits information described in section 245E(a) of the Immigration and Nationality Act to be examined in violation of such section shall be fined not more than $10,000.''.

(b) DEPOSIT OF FINES.—All criminal penalties collected under section 1430 of title 18, United States Code, as added by subsection (a), shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1).

(c) CLERICAL AMENDMENT.—The table of sections in chapter 69 of title 18, United States Code, is amended by adding at the end the following:

SEC. 2106. GRANT PROGRAM TO ASSIST ELIGIBLE APPLICANTS.

(a) ESTABLISHMENT.—The Secretary may establish, within U.S. Citizenship and Immigration Services, a program to award grants, on a competitive basis, to eligible nonprofit organizations that will use the funding to assist eligible applicants under section 245B, 245C, 245D, or 245F of the Immigration and Nationality Act or section 2211 of this Act by providing them with the services described in subsection (c).

(b) ELIGIBLE NONPROFIT ORGANIZATION.—The term ''eligible nonprofit organization'' means a nonprofit, tax-exempt organization, including a community, faith-based or other immigrant-serving organization, whose staff has demonstrated qualifications, experience, and expertise in providing quality services to immigrants, refugees, persons granted asylum, or persons applying for such statuses.

(c) USE OF FUNDS.—Grant funds awarded under this section may be used for the design and implementation of programs that provide—

(1) information to the public regarding the eligibility and benefits of registered provisional immigrant status authorized under section 245B of the Immigration and Nationality Act and blue card status authorized under section 2211, particularly to individuals potentially eligible for such status;

(2) assistance, within the scope of authorized practice of immigration law, to individuals submitting applications for registered provisional immigrant status or blue card status, including—

(A) screening prospective applicants to assess their eligibility for such status;

(B) completing applications and petitions, including providing assistance in obtaining the requisite documents and supporting evidence;

(C) applying for any waivers for which applicants and qualifying family members may be eligible; and

(D) providing any other assistance that the Secretary or grantees consider useful or necessary to apply for registered provisional immigrant status or blue card status;

(3) assistance, within the scope of authorized practice of immigration law, to individuals seeking to adjust their status to that of an alien admitted for permanent residence under section 245C or 245F of the Immigration and Nationality Act; and

(4) assistance, within the scope of authorized practice of immigration law, and instruction, to individuals—

(A) on the rights and responsibilities of United States citizenship;

(B) in civics and civics-based English as a second language; and

(C) in applying for United States citizenship.

(d) SOURCE OF GRANT FUNDS.—

(1) APPLICATION FEES.—The Secretary may use up to $50,000,000 from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) to carry out this section.

(2) AUTHORIZATION OF APPROPRIATIONS.—

(A) AMOUNTS AUTHORIZED.—In addition to the amounts made available under paragraph (1), there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2014 through 2018 to carry out this section.

(B) AVAILABILITY.—Any amounts appropriated pursuant to subparagraph (A) shall remain available until expended.

SEC. 2107. CONFORMING AMENDMENTS TO THE SOCIAL SECURITY ACT.

(a) CORRECTION OF SOCIAL SECURITY RECORDS.—

(1) IN GENERAL.—Section 208(e)(1) of the Social Security Act (42 U.S.C. 408(e)(1)) is amended—

(A) in subparagraph (B)(ii), by striking ''or'' at the end;

(B) in subparagraph (C), by striking the comma at the end and inserting a semicolon;

(C) by inserting after subparagraph (C) the following:

''(D) who is granted status as a registered provisional immigrant under section 245B or 245D of the Immigration and Nationality Act; or

''(E) whose status is adjusted to that of lawful permanent resident under section 245C of the Immigration and Nationality Act,''; and

(D) in the undesignated matter at the end, by inserting '', or in the case of an alien described in subparagraph (D) or (E), if such conduct is alleged to have occurred before the date on which the alien submitted an application under section 245B of such Act for classification as a registered provisional immigrant'' before the period at the end.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on the first day of the tenth month that begins after the date of the enactment of this Act.

(b) STATE DISCRETION REGARDING TERMINATION OF PARENTAL RIGHTS.—

(1) IN GENERAL.—A compelling reason for a State not to file (or to join in the filing of) a petition to terminate parental rights under section 475(5)(E) of the Social Security Act (42 U.S.C. 675(5)(E)) shall include—

(A) the removal of the parent from the United States, unless the parent is unfit or unwilling to be a parent of the child; or

(B) the involvement of the parent in (including detention pursuant to) an immigration proceeding, unless the parent is unfit or unwilling to be a parent of the child.

(2) CONDITIONS.—Before a State may file to terminate the parental rights under such section 475(5)(E), the State (or the county or other political subdivision of the State, as applicable) shall make reasonable efforts—

(A) to identify, locate, and contact (including, if appropriate, through the diplomatic or consular offices of the country to which the parent was removed or in which a parent or relative resides)—

(i) any parent of the child who is in immigration detention;

(ii) any parent of the child who has been removed from the United States; and

(iii) if possible, any potential adult relative of the child (as described in section 471(a)(29));

(B) to notify such parent or relative of the intent of the State (or the county or other political subdivision of the State, as applicable) to file (or to join in the filing of) a petition referred to in paragraph (1); or

(C) to reunify the child with any such parent or relative; and

(D) to provide and document appropriate services to the parent or relative.

(3) CONFORMING AMENDMENT.—Section 475(5)(E)(ii) of the Social Security Act (42 U.S.C. 675(5)(E)) is amended by inserting '', including the reason set forth in section 2107(b)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act'' after ''child''.

(c) CHILDREN SEPARATED FROM PARENTS AND CAREGIVERS.—

(1) STATE PLAN FOR FOSTER CARE AND ADOPTION ASSISTANCE.—Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is amended—

(A) by amending paragraph (19) to read as follows:

''(19) provides that the State shall give preference to an adult relative over a nonrelated caregiver when determining a placement for a child if—

''(A) the relative caregiver meets all relevant State child protection standards; and

''(B) the standards referred to in subparagraph (A) ensure that the immigration status alone of a parent, legal guardian, or relative shall not disqualify the parent, legal guardian, or relative from being a placement for a child;''; and

(B) in paragraph (32), by striking ''and'' at the end;

(C) in paragraph (33), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(34) provides that the State shall—

''(A) ensure that the case manager for a separated child is capable of communicating in the native language of such child and of the family of such child, or an interpreter who is so capable is provided to communicate with such child and the family of such child at no cost to the child or to the family of such child;

''(B) coordinate with the Department of Homeland Security to ensure that parents who wish for their child to accompany them to their country of origin are given adequate time and assistance to obtain a passport and visa, and to collect all relevant vital documents, such as birth certificate, health, and educational records and other information;

''(C) coordinate with State agencies regarding alternate documentation requirements for a criminal records check or a fingerprint-based check for a caregiver that does not have Federal or State-issued identification;

''(D) preserve, to the greatest extent practicable, the privacy and confidentiality of all information gathered in the course of administering the care, custody, and placement of, and follow up services provided to, a separated child, consistent with the best interest of such child, by not disclosing such information to other government agencies or persons (other than a parent, legal guardian, or relative caregiver or such child), except that the head of the State agency (or the county or other political subdivision of the State, as applicable) may disclose such information, after placing a written record of the disclosure in the file of the child—

''(i) to a consular official for the purpose of reunification of a child with a parent, legal guardian, or relative caregiver who has been removed or is involved in an immigration proceeding, unless the child has refused contact with, or the sharing of personal or identifying information with, the government of his or her country of origin;

''(ii) when authorized to do so by the child (if the child has attained 18 years of age) if the disclosure is consistent with the best interest of the child; or

''(iii) to a law enforcement agency if the disclosure would prevent imminent and serious harm to another individual; and

''(E) not less frequently than annually, compile, update, and publish a list of entities in the State that are qualified to provide legal representation services for a separated child, in a language such that a child can read and understand.''.

(2) ADDITIONAL INFORMATION TO BE INCLUDED IN CASE PLAN.—Section 475 of such Act (42 U.S.C. 675) is amended—

(A) in paragraph (1), by adding at the end the following:

''(H) In the case of a separated child with respect to whom the State plan requires the State to provide services under section 471(a)(34)—

''(i) the location of the parent or legal guardian described in paragraph (9)(A) from whom the child has been separated; and

''(ii) a written record of each disclosure to a government agency or person (other than such a parent, legal guardian, or relative) of information gathered in the course of tracking the care, custody, and placement of, and follow-up services provided to, the child.''; and

(B) by adding at the end the following:

''(9) The term 'separated child' means an individual who—

''(A) has a parent or legal guardian who has been—

''(i) detained by a Federal, State, or local law enforcement agency in the enforcement of an immigration law; or

''(ii) removed from the United States as a result of a violation of such a law; and

''(B) is in foster care under the responsibility of a State.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the 1st day of the 1st calendar quarter that begins after the 1-year period that begins on the date of the enactment of this Act.

(d) PRECLUSION OF SOCIAL SECURITY CREDITS FOR PERIODS WITHOUT WORK AUTHORIZATION.—

(1) INSURED STATUS.—Section 214 of the Social Security Act (42 U.S.C. 414) is amended by adding at the end the following new subsection:

''(d) INSURED STATUS.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), for purposes of subsections (a) and (b), no quarter of coverage shall be credited for any calendar year—

''(A) beginning after December 31, 2003, and before January 1, 2014, with respect to an individual who has been granted registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act; or

''(B) beginning after December 31, 2003, and before January 1, 2014, in which an individual earned such quarter of coverage while present under an expired nonimmigrant visa, unless the Commissioner of Social Security determines, on the basis of information provided to the Commissioner by the individual, that the individual was authorized to be employed in the United States during such quarter.

''(2) EXCEPTION.—Paragraph (1) shall not apply to an individual who was assigned a social security account number before January 1, 2004.

''(3) ATTESTATION OF WORK AUTHORIZATION.—

''(A) IN GENERAL.—For purposes of paragraph (1), if an individual is unable to obtain or produce sufficient evidence or documentation that the individual was authorized to be employed in the United States during a quarter, the individual may submit an attestation to the Commissioner of Social Security that the individual was authorized to be employed in the United States during such quarter and that sufficient evidence or documentation of such authorization cannot be obtained by the individual.

''(B) PENALTY.—Any individual who knowingly submits a false attestation described in subparagraph (A) shall be subject to the penalties under section 1041 of title 18, United States Code.''.

(2) BENEFIT COMPUTATION.—Section 215(e) of the Social Security Act (42 U.S.C. 415(e)) is amended—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) in computing the average indexed monthly earnings of an individual, there shall not be counted any wages or self-employment income for any year for which no quarter of coverage may be credited to such individual as a result of the application of section 214(d).''.

(3) CONFORMING AMENDMENT.—Section 223(c)(1) of the Social Security Act (42 U.S.C. 423(c)(1)) is amended in the flush matter at the end by inserting ''the individual does not satisfy the criterion specified in section 214(d) or'' after ''part of any period if''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall apply to benefit applications filed on or after the date that is 180 days after the date of the enactment of this Act based on the wages or self-employment income of an individual with respect to whom a primary insurance amount has not been determined under title II of the Social Security Act (42 U.S.C. 401 et seq.) before such date.

SEC. 2108. GOVERNMENT CONTRACTING AND ACQUISITION OF REAL PROPERTY INTEREST.

(a) EXEMPTION FROM GOVERNMENT CONTRACTING AND HIRING RULES.—

(1) IN GENERAL.—A determination by a Federal agency to use a procurement competition exemption under section 253(c) of title 41, United States Code, or to use the authority granted in paragraph (2), for the purpose of implementing this title and the amendments made by this title is not subject to challenge by protest to the Government Accountability Office under sections 3551 and 3556 of title 31, United States Code, or to the Court of Federal Claims, under section 1491 of title 28, United States Code. An agency shall immediately advise the Congress of the exercise of the authority granted under this paragraph.

(2) GOVERNMENT CONTRACTING EXEMPTION.—The competition requirement under section 253(a) of title 41, United States Code, may be waived or modified by a Federal agency for any procurement conducted to implement this title or the amendments made by this title if the senior procurement executive for the agency conducting the procurement—

(A) determines that the waiver or modification is necessary; and

(B) submits an explanation for such determination to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

(3) HIRING RULES EXEMPTION.—Notwithstanding any other provision of law, the Secretary is authorized to make term, temporary limited, and part-time appointments of employees who will implement this title and the amendments made by this title without regard to the number of such employees, their ratio to permanent full-time employees, and the duration of their employment. Nothing in chapter 71 of title 5, United States Code, shall affect the authority of any Department management official to hire term, temporary limited or part-time employees under this paragraph.

(b) AUTHORITY TO WAIVE ANNUITY LIMITATIONS.—Section 824(g)(2)(B) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)(2)(B)) is amended by striking ''2009'' and inserting ''2017''.

(c) AUTHORITY TO ACQUIRE LEASEHOLDS.—Notwithstanding any other provision of law, the Secretary may acquire a leasehold interest in real property, and may provide in a lease entered into under this subsection for the construction or modification of any facility on the leased property, if the Secretary determines that the acquisition of such interest, and such construction or modification, are necessary in order to facilitate the implementation of this title and the amendments made by this title.

SEC. 2109. LONG-TERM LEGAL RESIDENTS OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

Section (6)(e) of the Joint Resolution entitled ''A Joint Resolution to approve the 'Covenant to Establish a Commonwealth of the Northern Mariana Islands in Political Union with the United States of America', and for other purposes'', approved March 24, 1976 (48 U.S.C. 1806(e)), as added by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229; 122 Stat. 854), is amended by adding at the end the following:

''(6) SPECIAL PROVISION REGARDING LONG-TERM RESIDENTS OF THE COMMONWEALTH.—

''(A) CNMI-ONLY RESIDENT STATUS.—Notwithstanding paragraph (1), an alien described in subparagraph (B) may, upon the application of the alien, be admitted as an immigrant to the Commonwealth subject to the following rules:

''(i) The alien shall be treated as an immigrant lawfully admitted for permanent residence in the Commonwealth only, including permitting entry to and exit from the Commonwealth, until the earlier of the date on which—

''(I) the alien ceases to permanently reside in the Commonwealth; or

''(II) the alien's status is adjusted under this paragraph or section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) to that of an alien lawfully admitted for permanent residence in accordance with all applicable eligibility requirements.

''(ii) The Secretary of Homeland Security shall establish a process for such aliens to apply for CNMI-only permanent resident status during the 90-day period beginning on the first day of the sixth month after the date of the enactment of this paragraph.

''(iii) Nothing in this subparagraph may be construed to provide any alien granted status under this subparagraph with public assistance to which the alien is not otherwise entitled.

''(B) ALIENS DESCRIBED.—An alien is described in this subparagraph if the alien—

''(i) is lawfully present in the Commonwealth under the immigration laws of the United States;

''(ii) is otherwise admissible to the United States under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.);

''(iii) resided continuously and lawfully in the Commonwealth from November 28, 2009, through the date of the enactment of this paragraph;

''(iv) is not a citizen of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau; and

''(v)(I) was born in the Northern Mariana Islands between January 1, 1974 and January 9, 1978;

''(II) was, on May 8, 2008, and continues to be as of the date of the enactment of this paragraph, a permanent resident (as defined in section 4303 of title 3 of the Northern Mariana Islands Commonwealth Code, in effect on May 8, 2008);

''(III) is the spouse or child (as defined in section 101(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1))), of an alien described in subclauses (I) or (II);

''(IV) was, on May 8, 2008, an immediate relative (as defined in section 4303 of title 3 of the Northern Mariana Islands Commonwealth Code, in effect on May 8, 2008, of a

United States citizen, notwithstanding the age of the United States citizen, and continues to be such an immediate relative on the date of the application described in subparagraph (A);

''(V) resided in the Northern Mariana Islands as a guest worker under Commonwealth immigration law for at least 5 years before May 8, 2008 and is presently resident under CW–1 status; or

''(VI) is the spouse or child (as defined in section 101(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1))), of the alien guest worker described in subclause (V) and is presently resident under CW–2 status.

''(C) ADJUSTMENT FOR LONG TERM AND PERMANENT RESIDENTS.—Beginning on the date that is 5 years after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, an alien described in subparagraph (B) may apply to receive an immigrant visa or to adjust his or her status to that of an alien lawfully admitted for permanent residence.''.

SEC. 2110. RULEMAKING.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary, the Attorney General, and the Secretary of State separately shall issue interim final regulations to implement this subtitle and the amendments made by this subtitle, which shall take effect immediately upon publication in the Federal Register.

(b) APPLICATION PROCEDURES; PROCESSING FEES; DOCUMENTATION.—The interim final regulations issued under subsection (a) shall include—

(1) the procedures by which an alien, and the dependent spouse and children of such alien may apply for status under section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, as a registered provisional immigrant or a registered provisional immigrant dependent, as applicable, including the evidence required to demonstrate eligibility for such status or to be included in each application for such status;

(2) the criteria to be used by the Secretary to determine—

(A) the maximum processing fee payable under sections 245B(c)(10)(B) and 245C(c)(5)(A) of such Act by a family, including spouses and unmarried children younger than 21 years of age; and

(B) which individuals will be exempt from such fees;

(3) the documentation required to be submitted by the applicant to demonstrate compliance with section 245C(b)(3) of such Act; and

(4) the procedures for a registered provisional immigrant to apply for adjustment of status under section 245C or 245D of such Act, including the evidence required to be submitted with such application to demonstrate the applicant's eligibility for such adjustment.

(c) EXEMPTION FROM NATIONAL ENVIRONMENTAL POLICY ACT.—Any decision by the Secretary concerning any rulemaking action, plan, or program described in this section shall not be considered to be a major Federal action subject to review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 2111. STATUTORY CONSTRUCTION.

Except as specifically provided, nothing in this subtitle, or any amendment made by this subtitle, may be construed to create any substantive or procedural right or benefit that is legally enforceable by any party against the United States or its agencies or officers or any other person.

Subtitle B—Agricultural Worker Program

SEC. 2201. SHORT TITLE.

This subtitle may be cited as the ''Agricultural Worker Program Act of 2013''.

SEC. 2202. DEFINITIONS.

In this subtitle:

(1) BLUE CARD STATUS.—The term ''blue card status'' means the status of an alien who has been lawfully admitted into the United States for temporary residence under section 2211.

(2) AGRICULTURAL EMPLOYMENT.—The term ''agricultural employment'' has the meaning given such term in section 3 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1802), without regard to whether the specific service or activity is temporary or seasonal.

(3) CHILD.—The term ''child'' has the meaning given the term in section 101(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)).

(4) EMPLOYER.—The term ''employer'' means any person or entity, including any farm labor contractor and any agricultural association, that employs workers in agricultural employment.

(5) QUALIFIED DESIGNATED ENTITY.—The term ''qualified designated entity'' means—

(A) a qualified farm labor organization or an association of employers designated by the Secretary; or

(B) any other entity that the Secretary designates as having substantial experience, demonstrated competence, and a history of long-term involvement in the preparation and submission of application for adjustment of status under title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.).

(6) WORK DAY.—The term ''work day'' means any day in which the individual is employed 5.75 or more hours in agricultural employment.

CHAPTER 1—PROGRAM FOR EARNED STATUS ADJUSTMENT OF AGRICULTURAL WORKERS

Subchapter A—Blue Card Status

SEC. 2211. REQUIREMENTS FOR BLUE CARD STATUS.

(a) REQUIREMENTS FOR BLUE CARD STATUS.—Notwithstanding any other provision of law, the Secretary, after conducting the national security and law enforcement clearances required under section 245B(c)(4), may grant blue card status to an alien who—

(1)(A) performed agricultural employment in the United States for not fewer than 575 hours or 100 work days during the 2-year period ending on December 31, 2012; or

(B) is the spouse or child of an alien described in subparagraph (A) and was physically present in the United States on or before December 31, 2012, and has maintained continuous presence in the United States from that date until the date on which the alien is granted blue card status, with the exception of absences from the United States that are brief, casual, and innocent, whether or not such absences were authorized by the Secretary;

(2) submits a completed application before the end of the period set forth in subsection (b)(2); and

(3) is not ineligible under paragraph (3) or (4) of section 245B(b) of the Immigration and Nationality Act (other than a nonimmigrant alien admitted to the United States for agricultural employment described in section 101(a)(15)(H)(ii)(a) of such Act.

(b) APPLICATION.—

(1) IN GENERAL.—An alien who meets the eligibility requirements set forth in subsection (a)(1), may apply for blue card status and that alien's spouse or child may apply for blue card status as a dependent, by submitting a completed application form to the Secretary during the application period set forth in paragraph (2) in accordance with the final rule promulgated by the Secretary pursuant to subsection (e).

(2) SUBMISSION.—The Secretary shall provide that the alien shall be able to submit an application under paragraph (1)—

(A) if the applicant is represented by an attorney or a nonprofit religious, charitable, social service, or similar organization recognized by the Board of Immigration Appeals under section 292.2 of title 8, Code of Federal Regulations; or

(B) to a qualified entity if the applicant consents to the forwarding of the application to the Secretary.

(3) APPLICATION PERIOD.—

(A) INITIAL PERIOD.—Except as provided in subparagraph (B), the Secretary may only accept applications for blue card status for a 1-year period from aliens in the United States beginning on the date on which the final rule is published in the Federal Register pursuant to subsection (f), except that qualified nonimmigrants who have participated in the H–2A Program may apply from outside of the United States.

(B) EXTENSION.—If the Secretary determines, during the initial period described in subparagraph (A), that additional time is required to process applications for blue card status or for other good cause, the Secretary may extend the period for accepting applications for an additional 18 months.

(4) APPLICATION FORM.—

(A) REQUIRED INFORMATION.—The application form referred to in paragraph (1) shall collect such information as the Secretary determines necessary and appropriate.

(B) FAMILY APPLICATION.—The Secretary shall establish a process through which an alien may submit a single application under this section on behalf of the alien, his or her spouse, and his or her children, who are residing in the United States.

(C) INTERVIEW.—The Secretary may interview applicants for blue card status to determine whether they meet the eligibility requirements set forth in subsection (a)(1).

(5) ALIENS APPREHENDED BEFORE OR DURING THE APPLICATION PERIOD.—If an alien, who is apprehended during the period beginning on the date of the enactment of this Act and ending on the application period described in paragraph (3), appears prima facie eligible for blue card status, the Secretary—

(A) shall provide the alien with a reasonable opportunity to file an application under this section during such application period; and

(B) may not remove the individual until a final administrative determination is made on the application.

(6) SUSPENSION OF REMOVAL DURING APPLICATION PERIOD.—

(A) PROTECTION FROM DETENTION OR REMOVAL.—An alien granted blue card status may not be detained by the Secretary or removed from the United States unless—

(i) such alien is, or has become, ineligible for blue card status; or

(ii) the alien's blue card status has been revoked.

(B) ALIENS IN REMOVAL PROCEEDINGS.—Notwithstanding any other provision of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.)—

(i) if the Secretary determines that an alien, during the period beginning on the date of the enactment of this section and ending on the last day of the application period described in paragraph (2), is in removal,

deportation, or exclusion proceedings before the Executive Office for Immigration Review and is prima facie eligible for blue card status under this section—

(I) the Secretary shall provide the alien with the opportunity to file an application for such status; and

(II) upon motion by the Secretary and with the consent of the alien or upon motion by the alien, the Executive Office for Immigration Review shall—

(aa) terminate such proceedings without prejudice to future proceedings on any basis; and

(bb) provide the alien a reasonable opportunity to apply for such status; and

(ii) if the Executive Office for Immigration Review determines that an alien, during the application period described in paragraph (2), is in removal, deportation, or exclusion proceedings before the Executive Office for Immigration Review and is prima facie eligible for blue card status under this section—

(I) the Executive Office of Immigration Review shall notify the Secretary of such determination; and

(II) if the Secretary does not dispute the determination of prima facie eligibility within 7 days after such notification, the Executive Office for Immigration Review, upon consent of the alien, shall—

(aa) terminate such proceedings without prejudice to future proceedings on any basis; and

(bb) permit the alien a reasonable opportunity to apply for such status.

(C) TREATMENT OF CERTAIN ALIENS.—

(i) IN GENERAL.—If an alien who meets the eligibility requirements set forth in subsection (a) is present in the United States and has been ordered excluded, deported, or removed, or ordered to depart voluntarily from the United States under any provision of this Act—

(I) notwithstanding such order or section 241(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(5)), the alien may apply for blue card status under this section; and

(II) if the alien is granted such status, the alien shall file a motion to reopen the exclusion, deportation, removal, or voluntary departure order, which motion shall be granted unless 1 or more of the grounds of ineligibility is established by clear and convincing evidence.

(ii) LIMITATIONS ON MOTIONS TO REOPEN.—The limitations on motions to reopen set forth in section 240(c)(7) of the Immigration and Nationality Act (8 U.S.C. 1229a(c)(7)) shall not apply to motions filed under clause (i)(II).

(D) PERIOD PENDING ADJUDICATION OF APPLICATION.—

(i) IN GENERAL.—During the period beginning on the date on which an alien applies for blue card status under this subsection and the date on which the Secretary makes a final decision regarding such application, the alien—

(I) may receive advance parole to reenter the United States if urgent humanitarian circumstances compel such travel;

(II) may not be detained by the Secretary or removed from the United States unless the Secretary makes a prima facie determination that such alien is, or has become, ineligible for blue card status;

(III) shall not be considered unlawfully present for purposes of section 212(a)(9)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(B)); and

(IV) shall not be considered an unauthorized alien (as defined in section 274A(h)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(3))).

(ii) EVIDENCE OF APPLICATION FILING.—As soon as practicable after receiving each application for blue card status, the Secretary shall provide the applicant with a document acknowledging the receipt of such application.

(iii) CONTINUING EMPLOYMENT.—An employer who knows an alien employee is an applicant for blue card status or will apply for such status once the application period commences is not in violation of section 274A(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1324a(a)(2)) if the employer continues to employ the alien pending the adjudication of the alien employee's application.

(iv) EFFECT OF DEPARTURE.—Section 101(g) of the Immigration and Nationality Act (8 U.S.C. 1101(g)) shall not apply to an alien granted—

(I) advance parole under clause (i)(I) to reenter the United States; or

(II) blue card status.

(7) SECURITY AND LAW ENFORCEMENT CLEARANCES.—

(A) BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary may not grant blue card status to an alien or an alien dependent spouse or child under this section unless such alien submits biometric and biographic data in accordance with procedures established by the Secretary.

(B) ALTERNATIVE PROCEDURES.—The Secretary shall provide an alternative procedure for applicants who cannot provide the standard biometric data required under subparagraph (A) because of a physical impairment.

(C) CLEARANCES.—

(i) DATA COLLECTION.—The Secretary shall collect, from each alien applying for status under this section, biometric, biographic, and other data that the Secretary determines to be appropriate—

(I) to conduct national security and law enforcement clearances; and

(II) to determine whether there are any national security or law enforcement factors that would render an alien ineligible for such status.

(ii) PREREQUISITE.—The required clearances described in clause (i)(I) shall be completed before the alien may be granted blue card status.

(8) DURATION OF STATUS.—After the date that is 8 years after the date regulations are published under this section, no alien may remain in blue card status.

(9) FEES AND PENALTIES.—

(A) STANDARD PROCESSING FEE.—

(i) IN GENERAL.—Aliens who are 16 years of age or older and are applying for blue card status under paragraph (2), or for an extension of such status, shall pay a processing fee to the Department in an amount determined by the Secretary.

(ii) RECOVERY OF COSTS.—The processing fee authorized under clause (i) shall be set at a level that is sufficient to recover the full costs of processing the application, including any costs incurred—

(I) to adjudicate the application;

(II) to take and process biometrics;

(III) to perform national security and criminal checks, including adjudication;

(IV) to prevent and investigate fraud; and

(V) to administer the collection of such fee.

(iii) AUTHORITY TO LIMIT FEES.—The Secretary, by regulation, may—

(I) limit the maximum processing fee payable under this subparagraph by a family, including spouses and unmarried children younger than 21 years of age; and

(II) exempt defined classes of individuals from the payment of the fee authorized under clause (i).

(B) DEPOSIT AND USE OF PROCESSING FEES.—Fees collected pursuant to subparagraph (A)(i)—

(i) shall be deposited into the Immigration Examinations Fee Account pursuant to section 286(m); and

(ii) shall remain available until expended pursuant to section 286(n).

(C) PENALTY.—

(i) PAYMENT.—In addition to the processing fee required under subparagraph (A), aliens who are 21 years of age or older and are applying for blue card status under paragraph (2) shall pay a $100 penalty to the Department.

(ii) DEPOSIT.—Penalties collected pursuant to clause (i) shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1).

(10) ADJUDICATION.—

(A) FAILURE TO SUBMIT SUFFICIENT EVIDENCE.—The Secretary shall deny an application submitted by an alien who fails to submit—

(i) requested initial evidence, including requested biometric data; or

(ii) any requested additional evidence by the date required by the Secretary.

(B) AMENDED APPLICATION.—An alien whose application for blue card status is denied under subparagraph (A) may file an amended application for such status to the Secretary if the amended application—

(i) is filed within the application period described in paragraph (3); and

(ii) contains all the required information and fees that were missing from the initial application.

(11) EVIDENCE OF BLUE CARD STATUS.—

(A) IN GENERAL.—The Secretary shall issue documentary evidence of blue card status to each alien whose application for such status has been approved.

(B) DOCUMENTATION FEATURES.—Documentary evidence provided under subparagraph (A)—

(i) shall be machine-readable and tamper-resistant, and shall contain a digitized photograph;

(ii) shall, during the alien's authorized period of admission, and any extension of such authorized admission, serve as a valid travel and entry document for the purpose of applying for admission to the United States;

(iii) may be accepted during the period of its validity by an employer as evidence of employment authorization and identity under section 274A(b)(1)(B) of the Immigration and Nationality Act (8 U.S.C. 1324a(b)(1)(B)); and

(iv) shall include such other features and information as the Secretary may prescribe.

(c) TERMS AND CONDITIONS OF BLUE CARD STATUS.—

(1) CONDITIONS OF BLUE CARD STATUS.—

(A) EMPLOYMENT.—Notwithstanding any other provision of law, including section 241(a)(7) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(7)), an alien with blue card status shall be authorized to be employed in the United States while in such status.

(B) TRAVEL OUTSIDE THE UNITED STATES.—An alien with blue card status may travel outside of the United States and may be admitted, if otherwise admissible, upon returning to the United States without having to obtain a visa if—

(i) the alien is in possession of—

(I) valid, unexpired documentary evidence of blue card status that complies with subsection (b)(11); or

(II) a travel document that has been approved by the Secretary and was issued to the alien after the alien's original documentary evidence was lost, stolen, or destroyed;

(ii) the alien's absence from the United States did not exceed 180 days, unless the alien's failure to timely return was due to extenuating circumstances beyond the alien's control; and

(iii) the alien establishes that the alien is not inadmissible under subparagraph (A)(i), (A)(iii), (B), or (C) of section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)).

(C) ADMISSION.—An alien granted blue card status shall be considered to have been admitted in such status as of the date on which the alien's application was filed.

(D) CLARIFICATION OF STATUS.—An alien granted blue card status—

(i) is lawfully admitted to the United States; and

(ii) may not be classified as a nonimmigrant or as an alien who has been lawfully admitted for permanent residence.

(2) REVOCATION.—

(A) IN GENERAL.—The Secretary may revoke blue card status at any time after providing appropriate notice to the alien, and after the exhaustion or waiver of all applicable administrative review procedures under section 245E(c) of the Immigration and Nationality Act, as added by section 2104(a) of this Act, if the alien—

(i) no longer meets the eligibility requirements for blue card status;

(ii) knowingly used documentation issued under this section for an unlawful or fraudulent purpose; or

(iii) was absent from the United States for—

(I) any single period longer than 180 days in violation of the requirement under paragraph (1)(B)(ii); or

(II) for more than 180 days in the aggregate during any calendar year, unless the alien's failure to timely return was due to extenuating circumstances beyond the alien's control.

(B) ADDITIONAL EVIDENCE.—

(i) IN GENERAL.—In determining whether to revoke an alien's status under subparagraph (A), the Secretary may require the alien—

(I) to submit additional evidence; or

(II) to appear for an interview.

(ii) EFFECT OF NONCOMPLIANCE.—The status of an alien who fails to comply with any requirement imposed by the Secretary under clause (i) shall be revoked unless the alien demonstrates to the Secretary's satisfaction that such failure was reasonably excusable.

(C) INVALIDATION OF DOCUMENTATION.—If an alien's blue card status is revoked under subparagraph (A), any documentation issued by the Secretary to such alien under subsection (b)(11) shall automatically be rendered invalid for any purpose except for departure from the United States.

(3) INELIGIBILITY FOR PUBLIC BENEFITS.—An alien who has been granted blue card status is not eligible for any Federal means-tested public benefit (as such term is defined and implemented in section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613)).

(4) TREATMENT OF BLUE CARD STATUS.—A noncitizen granted blue card status shall be considered lawfully present in the United States for all purposes while such noncitizen remains in such status, except that the noncitizen—

(A) is not entitled to the premium assistance tax credit authorized under section 36B of the Internal Revenue Code of 1986 for his or her coverage;

(B) shall be subject to the rules applicable to individuals who are not lawfully present set forth in subsection (e) of such section;

(C) shall be subject to the rules applicable to individuals who are not lawfully present set forth in section 1402(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18071(e)); and

(D) shall be subject to the rules applicable to individuals not lawfully present set forth in section 5000A(d)(3) of the Internal Revenue Code of 1986.

(5) ADJUSTMENT TO REGISTERED PROVISIONAL IMMIGRANT STATUS.—The Secretary may adjust the status of an alien who has been granted blue card status to the status of a registered provisional immigrant under section 245B of the Immigration and Nationality Act if the Secretary determines that the alien is unable to fulfill the agricultural service requirement set forth in section 245F(a)(1) of such Act.

(d) RECORD OF EMPLOYMENT.—

(1) IN GENERAL.—Each employer of an alien granted blue card status shall annually provide—

(A) a written record of employment to the alien; and

(B) a copy of such record to the Secretary of Agriculture.

(2) CIVIL PENALTIES.—

(A) IN GENERAL.—If the Secretary finds, after notice and an opportunity for a hearing, that an employer of an alien granted blue card status has knowingly failed to provide the record of employment required under paragraph (1) or has provided a false statement of material fact in such a record, the employer shall be subject to a civil penalty in an amount not to exceed $500 per violation.

(B) LIMITATION.—The penalty under subparagraph (A) for failure to provide employment records shall not apply unless the alien has provided the employer with evidence of employment authorization provided under subsection (c).

(C) DEPOSIT OF CIVIL PENALTIES.—Civil penalties collected under this paragraph shall be deposited in the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1).

(3) TERMINATION OF OBLIGATION.—The obligation under paragraph (1) shall terminate on the date that is 8 years after the date of the enactment of this Act.

(4) EMPLOYER PROTECTIONS.—

(A) USE OF EMPLOYMENT RECORDS.—Copies of employment records or other evidence of employment provided by an alien or by an alien's employer in support of an alien's application for blue card status may not be used in a civil or criminal prosecution or investigation of that employer under section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) or the Internal Revenue Code of 1986 for the prior unlawful employment of that alien regardless of the adjudication of such application or reconsideration by the Secretary of such alien's prima facie eligibility determination. Employers that provide unauthorized aliens with copies of employment records or other evidence of employment pursuant to an application for blue card status shall not be subject to civil and criminal liability pursuant to such section 274A for employing such unauthorized aliens.

(B) LIMIT ON APPLICABILITY.—The protections for employers and aliens under subparagraph (A) shall not apply if the aliens or employers submit employment records that are deemed to be fraudulent.

(e) RULEMAKING.—Not later than 1 year after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of Agriculture, shall issue final regulations to implement this chapter.

SEC. 2212. ADJUSTMENT TO PERMANENT RESIDENT STATUS.

(a) IN GENERAL.—Chapter 5 of title II (8 U.S.C. 1255 et seq.) is amended by inserting after section 245E, as added by section 2104 of this Act, the following:

"SEC. 245F. ADJUSTMENT TO PERMANENT RESIDENT STATUS FOR AGRICULTURAL WORKERS.

''(a) IN GENERAL.—Except as provided in subsection (b), and not earlier than 5 years after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary shall adjust the status of an alien granted blue card status to that of an alien lawfully admitted for permanent residence if the Secretary determines that the following requirements are satisfied:

''(1) QUALIFYING EMPLOYMENT.—Except as provided in paragraph (3), the alien—

''(A) during the 8-year period beginning on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, performed not less than 100 work days of agricultural employment during each of 5 years; or

''(B) during the 5-year period beginning on such date of enactment, performed not less than 150 work days of agricultural employment during each of 3 years.

''(2) EVIDENCE.—An alien may demonstrate compliance with the requirement under paragraph (1) by submitting—

''(A) the record of employment described in section 2211(d) of the Border Security, Economic Opportunity, and Immigration Modernization Act;

''(B) documentation that may be submitted under subsection (e)(4); or

''(C) any other documentation designated by the Secretary for such purpose.

''(3) EXTRAORDINARY CIRCUMSTANCES.—

''(A) IN GENERAL.—In determining whether an alien has met the requirement under paragraph (1), the Secretary may credit the alien with not more than 12 additional months of agricultural employment in the United States to meet such requirement if the alien was unable to work in agricultural employment due to—

''(i) pregnancy, disabling injury, or disease that the alien can establish through medical records;

''(ii) illness, disease, or other special needs of a child that the alien can establish through medical records;

''(iii) severe weather conditions that prevented the alien from engaging in agricultural employment for a significant period of time; or

''(iv) termination from agricultural employment, if the Secretary determines that—

''(I) the termination was without just cause; and

''(II) the alien was unable to find alternative agricultural employment after a reasonable job search.

''(B) EFFECT OF DETERMINATION.—A determination under subparagraph (A)(iv), with respect to an alien, shall not be conclusive, binding, or admissible in a separate or subsequent judicial or administrative action or proceeding between the alien and a current or prior employer of the alien or any other party.

''(4) APPLICATION PERIOD.—The alien applies for adjustment of status before the alien's blue card status expires.

''(5) FINE.—The alien pays a fine of $400 to the Secretary, which shall be deposited into

the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(b) GROUNDS FOR DENIAL OF ADJUSTMENT OF STATUS.—

''(1) IN GENERAL.—The Secretary may not adjust the status of an alien granted blue card status if the alien—

''(A) is no longer eligible for blue card status; or

''(B) failed to perform the qualifying employment requirement under subsection (a)(1), considering any amount credited by the Secretary under subsection (a)(3).

''(2) MAINTENANCE OF WAIVERS OF INADMISSIBILITY.—The grounds of inadmissibility set forth in section 212(a) that were previously waived for the alien or made inapplicable shall not apply for purposes of the alien's adjustment of status under this section.

''(3) PENDING REVOCATION PROCEEDINGS.—If the Secretary has notified the applicant that the Secretary intends to revoke the applicant's blue card status, the Secretary may not approve an application for adjustment of status under this section unless the Secretary makes a final determination not to revoke the applicant's status.

''(4) PAYMENT OF TAXES.—

''(A) IN GENERAL.—An applicant may not file an application for adjustment of status under this section unless the applicant has satisfied any applicable Federal tax liability.

''(B) DEFINITION OF APPLICABLE FEDERAL TAX LIABILITY.—In this paragraph, the term 'applicable federal tax liability' means all Federal income taxes assessed in accordance with section 6203 of the Internal Revenue Code of 1986 since the date on which the applicant was authorized to work in the United States in blue card status.

''(C) COMPLIANCE.—The applicant may demonstrate compliance with subparagraph (A) by submitting such documentation as the Secretary, in consultation with the Secretary of the Treasury, may require by regulation.

''(c) SPOUSES AND CHILDREN.—Notwithstanding any other provision of law, the Secretary shall grant permanent resident status to the spouse or child of an alien whose status was adjusted under subsection (a) if—

''(1) the spouse or child (including any individual who was a child on the date such alien was granted blue card status) applies for such status;

''(2) the principal alien includes the spouse and children in an application for adjustment of status to that of a lawful permanent resident; and

''(3) the spouse or child is not ineligible for such status under section 245B.

''(d) NUMERICAL LIMITATIONS DO NOT APPLY.—The numerical limitations under sections 201 and 202 shall not apply to the adjustment of aliens to lawful permanent resident status under this section.

''(e) SUBMISSION OF APPLICATIONS.—

''(1) INTERVIEW.—The Secretary may interview applicants for adjustment of status under this section to determine whether they meet the eligibility requirements set forth in this section.

''(2) FEES.—

''(A) IN GENERAL.—Applicants for adjustment of status under this section shall pay a processing fee to the Secretary in an amount that will ensure the recovery of the full costs of adjudicating such applications, including—

''(i) the cost of taking and processing biometrics;

''(ii) expenses relating to prevention and investigation of fraud; and

''(iii) costs relating to the administration of the fees collected.

''(B) AUTHORITY TO LIMIT FEES.—The Secretary, by regulation—

''(i) may limit the maximum processing fee payable under this paragraph by a family, including spouses and unmarried children younger than 21 years of age; and

''(ii) may exempt individuals described in section 245B(c)(10) and other defined classes of individuals from the payment of the fee under subparagraph (A).

''(3) DISPOSITION OF FEES.—All fees collected under paragraph (2)(A)—

''(A) shall be deposited into the Immigration Examinations Fee Account pursuant to section 286(m); and

''(B) shall remain available until expended pursuant to section 286(n).

''(4) DOCUMENTATION OF WORK HISTORY.—

''(A) BURDEN OF PROOF.—An alien applying for blue card status under section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act or for adjustment of status under subsection (a) shall provide evidence that the alien has worked the requisite number of hours or days required under subsection (a)(1) of such section 2211 or subsection (a)(3) of this section, as applicable.

''(B) TIMELY PRODUCTION OF RECORDS.—If an employer or farm labor contractor employing such an alien has kept proper and adequate records respecting such employment, the alien's burden of proof under subparagraph (A) may be met by securing timely production of those records under regulations to be promulgated by the Secretary.

''(C) SUFFICIENT EVIDENCE.—An alien may meet the burden of proof under subparagraph (A) to establish that the alien has performed the days or hours of work referred to in subparagraph (A) by producing sufficient evidence to show the extent of that employment as a matter of just and reasonable inference.

''(f) PENALTIES FOR FALSE STATEMENTS IN APPLICATIONS.—

''(1) CRIMINAL PENALTY.—Any person who—

''(A) files an application for blue card status under section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act or an adjustment of status under this section and knowingly and willfully falsifies, conceals, or covers up a material fact or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry; or

''(B) creates or supplies a false writing or document for use in making such an application,

shall be fined in accordance with title 18, United States Code, imprisoned not more than 5 years, or both.

''(2) INADMISSIBILITY.—An alien who is convicted of a crime under paragraph (1) shall be deemed inadmissible to the United States on the ground described in section 212(a)(6)(C)(i).

''(3) DEPOSIT.—Fines collected under paragraph (1) shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(g) ELIGIBILITY FOR LEGAL SERVICES.—Section 504(a)(11) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996 (Public Law 104–134; 110 Stat. 1321–55) may not be construed to prevent a recipient of funds under the Legal Services Corporation Act (42 U.S.C. 2996 et seq.) from providing legal assistance directly related to an application for blue card status under section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act, to an individual who has been granted blue card status, or for an application for an adjustment of status under this section.

''(h) ADMINISTRATIVE AND JUDICIAL REVIEW.—Aliens applying for blue card status under section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act or adjustment to permanent resident status under this section shall be entitled to the rights and subject to the conditions applicable to other classes of aliens under sections 242(h) and 245E.

''(i) APPLICABILITY OF OTHER PROVISIONS.—The provisions set forth in section 245E which are applicable to aliens described in section 245B, 245C, and 245D shall apply to aliens applying for blue card status under section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act or adjustment to permanent resident status under this section.

''(j) LIMITATION ON BLUE CARD STATUS.—An alien granted blue card status under section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act may only adjust status to an alien lawfully admitted for permanent residence under this section, section 245C of this Act, or section 2302 of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(k) DEFINITIONS.—In this section:

''(1) BLUE CARD STATUS.—The term 'blue card status' means the status of an alien who has been lawfully admitted into the United States for temporary residence under section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(2) AGRICULTURAL EMPLOYMENT.—The term 'agricultural employment' has the meaning given such term in section 3 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1802), without regard to whether the specific service or activity is temporary or seasonal.

''(3) EMPLOYER.—The term 'employer' means any person or entity, including any farm labor contractor and any agricultural association, that employs workers in agricultural employment.

''(4) WORK DAY.—The term 'work day' means any day in which the individual is employed 5.75 or more hours in agricultural employment.''.

(b) CONFORMING AMENDMENT.—Section 201(b)(1) (8 U.S.C. 1151(b)(1), as amended by section 2103(c), is further amended by adding at the end the following:

''(G) Aliens granted lawful permanent resident status under section 245F.''.

(c) CLERICAL AMENDMENT.—The table of contents, as amended by section 2104(e), is further amended by inserting after the item relating to section 245E the following:

''Sec. 245F. Adjustment to permanent resident status for agricultural workers.''.

SEC. 2213. USE OF INFORMATION.

Beginning not later than the first day of the application period described in section 2211(b)(3), the Secretary, in cooperation with qualified designated entities, shall broadly disseminate information respecting the benefits that aliens may receive under this subchapter and the requirements that an alien is required to meet to receive such benefits.

SEC. 2214. REPORTS ON BLUE CARDS.

Not later than September 30, 2013, and annually thereafter for the next 8 years, the

Secretary shall submit a report to Congress that identifies, for the previous fiscal year—

(1) the number of aliens who applied for blue card status;

(2) the number of aliens who were granted blue card status;

(3) the number of aliens who applied for an adjustment of status pursuant to section 245F(a) of the Immigration and Nationality Act, as added by section 2212; and

(4) the number of aliens who received an adjustment of status pursuant such section 245F(a).

SEC. 2215. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary such sums as may be necessary to implement this subchapter, including any sums needed for costs associated with the initiation of such implementation, for fiscal years 2013 and 2014.

Subchapter B—Correction of Social Security Records

SEC. 2221. CORRECTION OF SOCIAL SECURITY RECORDS.

(a) IN GENERAL.—Section 208(e)(1) of the Social Security Act (42 U.S.C. 408(e)(1)) is amended—

(1) in subparagraph (B)(ii), by striking ''or'' at the end;

(2) in subparagraph (C), by inserting ''or'' at the end;

(3) by inserting after subparagraph (C) the following:

''(D) who is granted blue card status under the Agricultural Worker Program Act of 2013,''; and

(4) by striking ''1990.'' and inserting ''1990, or in the case of an alien described in subparagraph (D), if such conduct is alleged to have occurred before the date on which the alien was granted blue card status under section 2211(a) of the Agricultural Worker Program Act of 2013.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the first day of the seventh month that begins after the date of the enactment of this Act.

CHAPTER 2—NONIMMIGRANT AGRICULTURAL VISA PROGRAM

SEC. 2231. NONIMMIGRANT CLASSIFICATION FOR NONIMMIGRANT AGRICULTURAL WORKERS.

Section 101(a)(15) (8 U.S.C. 1101(a)(15)) is amended by adding at the end the following:

''(W) an alien having a residence in a foreign country who is coming to the United States for a temporary period—

''(iii)(I) to perform services or labor in agricultural employment and who has a written contract that specifies the wages, benefits, and working conditions of such full-time employment in an agricultural occupation with a designated agricultural employer for a specified period of time; and

''(II) who meets the requirements under section 218A for a nonimmigrant visa described in this clause; or

''(iv)(I) to perform services or labor in agricultural employment and who has an offer of full-time employment in an agricultural occupation from a designated agricultural employer for such employment and is not described in clause (i); and

''(II) who meets the requirements under section 218A for a nonimmigrant visa described in this clause.''.

SEC. 2232. ESTABLISHMENT OF NONIMMIGRANT AGRICULTURAL WORKER PROGRAM.

(a) IN GENERAL.—Chapter 2 of title II (8 U.S.C. 1181 et seq.) is amended by inserting after section 218 the following:

''SEC. 218A. NONIMMIGRANT AGRICULTURAL WORKER PROGRAM.

''(a) DEFINITIONS.—In this section and in clauses (iii) and (iv) of section 101(a)(15)(W):

''(1) AGRICULTURAL EMPLOYMENT.—The term 'agricultural employment' has the meaning given such term in section 3 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1802), without regard to whether the specific service or activity is temporary or seasonal.

''(2) AT-WILL AGRICULTURAL WORKER.—The term 'at-will agricultural worker' means an alien present in the United States pursuant to section 101(a)(15)(W)(iv).

''(3) BLUE CARD.—The term 'blue card' means an employment authorization and travel document issued to an alien granted blue card status under section 2211(a) of the Agricultural Worker Program Act of 2013.

''(4) CONTRACT AGRICULTURAL WORKER.—The term 'contract agricultural worker' means an alien present in the United States pursuant to section 101(a)(15)(W)(iii).

''(5) DESIGNATED AGRICULTURAL EMPLOYER.—The term 'designated agricultural employer' means an employer who is registered with the Secretary of Agriculture pursuant to subsection (e)(1).

''(6) ELECTRONIC JOB REGISTRY.—The term 'Electronic Job Registry' means the Electronic Job Registry of a State workforce agency (or similar successor registry).

''(7) EMPLOYER.—Except as otherwise provided, the term 'employer' means any person or entity, including any farm labor contractor and any agricultural association, that employs workers in agricultural employment.

''(8) NONIMMIGRANT AGRICULTURAL WORKER.—The term 'nonimmigrant agricultural worker' mean a nonimmigrant described in clause (iii) or (iv) of section 101(a)(15)(W).

''(9) PROGRAM.—The term 'Program' means the Nonimmigrant Agricultural Worker Program established under subsection (b).

''(10) SECRETARY.—Except as otherwise specifically provided, the term 'Secretary' means the Secretary of Agriculture.

''(11) UNITED STATES WORKER.—The term 'United States worker' means an individual who—

''(A) is a national of the United States; or

''(B) is an alien who—

''(i) is lawfully admitted for permanent residence;

''(ii) is admitted as a refugee under section 207;

''(iii) is granted asylum under section 208;

''(iv) holds a blue card; or

''(v) is an immigrant otherwise authorized by this Act or by the Secretary of Homeland Security to be employed in the United States.

''(b) REQUIREMENTS.—

''(1) EMPLOYER.—An employer may not employ an alien for agricultural employment under the Program unless such employer is a designated agricultural employer and complies with the terms of this section.

''(2) WORKER.—An alien may not be employed for agricultural employment under the Program unless such alien is a nonimmigrant agricultural worker and complies with the terms of this section.

''(c) NUMERICAL LIMITATION.—

''(1) FIRST 5 YEARS OF PROGRAM.—

''(A) IN GENERAL.—Subject to paragraph (2), the worldwide level of visas for nonimmigrant agricultural workers for the fiscal year during which the first visa is issued to a nonimmigrant agricultural worker and for each of the following 4 fiscal years shall be equal to—

''(i) 112,333; and

''(ii) the numerical adjustment made by the Secretary for such fiscal year in accordance with paragraph (2).

''(B) QUARTERLY ALLOCATION.—The annual allocation of visas described in subparagraph (A) shall be evenly allocated between the 4 quarters of the fiscal year unless the Secretary determines that an alternative allocation would better accommodate the seasonal demand for visas. Any unused visas in a quarter shall be added to the allocation for the subsequent quarter of the same fiscal year.

''(C) EFFECT OF 2ND OR SUBSEQUENT DESIGNATED AGRICULTURAL EMPLOYER.—A nonimmigrant agricultural worker who has a valid visa issued under this section that counted against the allocation described in subparagraph (A) shall not be recounted against the allocation if the worker is petitioned for by a subsequent designated agricultural employer.

''(2) ANNUAL ADJUSTMENTS FOR FIRST 5 YEARS OF PROGRAM.—

''(A) IN GENERAL.—The Secretary, in consultation with the Secretary of Labor, and after reviewing relevant evidence submitted by agricultural producers and organizations representing agricultural workers, may increase or decrease, as appropriate, the worldwide level of visas under paragraph (1) for each of the 5 fiscal years referred to in paragraph (1) after considering appropriate factors, including—

''(i) a demonstrated shortage of agricultural workers;

''(ii) the level of unemployment and underemployment of agricultural workers during the preceding fiscal year;

''(iii) the number of applications for blue card status;

''(iv) the number of blue card visa applications approved;

''(v) the number of nonimmigrant agricultural workers sought by employers during the preceding fiscal year;

''(vi) the estimated number of United States workers, including blue card workers, who worked in agriculture during the preceding fiscal year;

''(vii) the number of nonimmigrant agricultural workers issued a visa in the most recent fiscal year who remain in the United States in compliance with the terms of such visa;

''(viii) the number of United States workers who accepted jobs offered by employers using the Electronic Job Registry during the preceding fiscal year;

''(ix) any growth or contraction of the United States agricultural industry that has increased or decreased the demand for agricultural workers; and

''(x) any changes in the real wages paid to agricultural workers in the United States as an indication of a shortage or surplus of agricultural labor.

''(B) NOTIFICATION; IMPLEMENTATION.—The Secretary shall notify the Secretary of Homeland Security of any change to the worldwide level of visas for nonimmigrant agricultural workers. The Secretary of Homeland Security shall implement such changes.

''(C) EMERGENCY PROCEDURES.—The Secretary shall establish, by regulation, procedures for immediately adjusting an annual allocation under paragraph (1) for labor shortages, as determined by the Secretary. The Secretary shall make a decision on a petition for an adjustment of status not later than 30 days after receiving such petition.

''(3) SIXTH AND SUBSEQUENT YEARS OF PROGRAM.—The Secretary, in consultation with

the Secretary of Labor, shall establish the worldwide level of visas for nonimmigrant agricultural workers for each fiscal year following the fiscal years referred to in paragraph (1) after considering appropriate factors, including—

''(A) a demonstrated shortage of agricultural workers;

''(B) the level of unemployment and underemployment of agricultural workers during the preceding fiscal year;

''(C) the number of applications for blue card status;

''(D) the number of blue card visa applications approved;

''(E) the number of nonimmigrant agricultural workers sought by employers during the preceding fiscal year;

''(F) the estimated number of United States workers, including blue card workers, who worked in agriculture during the preceding fiscal year;

''(G) the number of nonimmigrant agricultural workers issued a visa in the most recent fiscal year who remain in the United States in compliance with the terms of such visa;

''(H) the number of United States workers who accepted jobs offered by employers using the Electronic Job Registry during the preceding fiscal year;

''(I) any growth or contraction of the United States agricultural industry that has increased or decreased the demand for agricultural workers; and

''(J) any changes in the real wages paid to agricultural workers in the United States as an indication of a shortage or surplus of agricultural labor.

''(4) EMERGENCY PROCEDURES.—The Secretary shall establish, by regulation, procedures for immediately adjusting an annual allocation under paragraph (3) for labor shortages, as determined by the Secretary. The Secretary shall make a decision on a petition for an adjustment of status not later than 30 days after receiving such petition

''(d) REQUIREMENTS FOR NONIMMIGRANT AGRICULTURAL WORKERS.—

''(1) ELIGIBILITY FOR NONIMMIGRANT AGRICULTURAL WORKER STATUS.—

''(A) IN GENERAL.—An alien is not eligible to be admitted to the United States as a nonimmigrant agricultural worker if the alien—

''(i) violated a material term or condition of a previous admission as a nonimmigrant agricultural worker during the most recent 3-year period (other than a contract agricultural worker who voluntarily abandons his or her employment before the end of the contract period or whose employment is terminated by the employer for cause);

''(ii) has not obtained successful clearance of any security and criminal background checks required by the Secretary of Homeland Security or any other examination required under this Act; or

''(iii)(I) departed from the United States while subject to an order of exclusion, deportation, or removal, or pursuant to an order of voluntary departure; and

''(II)(aa) is outside of the United States; or

''(bb) has reentered the United States illegally after December 31, 2012, without receiving consent to the alien's reapplication for admission under section 212(a)(9).

''(B) WAIVER.—The Secretary of Homeland Security may waive the application of subparagraph (A)(iii) on behalf of an alien if the alien—

''(i) is the spouse or child of a United States citizen or lawful permanent resident;

''(ii) is the parent of a child who is a United States citizen or lawful permanent resident;

''(iii) meets the requirements set forth in clause (ii) or (iii) of section 245D(b)(1)(A); or

''(iv)(I) meets the requirements set forth in section 245D(b)(1)(A)(ii);

''(II) is 16 years or older on the date on which the alien applies for nonimmigrant agricultural status; and

''(III) was physically present in the United States for an aggregate period of not less than 3 years during the 6-year period immediately preceding the date of the enactment of this section.

''(2) TERM OF STAY FOR NONIMMIGRANT AGRICULTURAL WORKERS.—

''(A) IN GENERAL.—

''(i) INITIAL ADMISSION.—A nonimmigrant agricultural worker may be admitted into the United States in such status for an initial period of 3 years.

''(ii) RENEWAL.—A nonimmigrant agricultural worker may renew such worker's period of admission in the United States for 1 additional 3-year period.

''(B) BREAK IN PRESENCE.—A nonimmigrant agricultural worker who has been admitted to the United States for 2 consecutive periods under subparagraph (A) is ineligible to renew the alien's nonimmigrant agricultural worker status until such alien—

''(i) returns to a residence outside the United States for a period of not less than 3 months; and

''(ii) seeks to reenter the United States under the terms of the Program as a nonimmigrant agricultural worker.

''(3) LOSS OF STATUS.—

''(A) IN GENERAL.—An alien admitted as a nonimmigrant agricultural worker shall be ineligible for such status and shall be required to depart the United States if such alien—

''(i) after the completion of his or her contract with a designated agricultural employer, is not employed in agricultural employment by a designated agricultural employer; or

''(ii) is an at-will agricultural worker and is not continuously employed by a designated agricultural employer in agricultural employment as an at-will agricultural worker.

''(B) EXCEPTION.—Subject to subparagraph (C), a nonimmigrant agricultural worker has not violated subparagraph (A) if the nonimmigrant agricultural worker is not employed in agricultural employment for a period not to exceed 60 days.

''(C) WAIVER.—Notwithstanding subparagraph (B), the Secretary of Homeland Security may waive the application of clause (i) or (ii) of subparagraph (A) for a nonimmigrant agricultural worker who was not employed in agricultural employment for a period of more than 60 days if such period of unemployment was due to—

''(i) the injury of such worker; or

''(ii) a natural disaster declared by the Secretary.

''(D) TOLLING OF EMPLOYMENT REQUIREMENT.—A nonimmigrant agricultural worker may leave the United States for up to 60 days in any fiscal year while in such status. During the period in which the worker is outside of the United States, the 60-day limit specified in subparagraph (B) shall be tolled.

''(4) PORTABILITY OF STATUS.—

''(A) CONTRACT AGRICULTURAL WORKERS.—

''(i) IN GENERAL.—Except as provided in clause (ii), an alien who entered the United States as a contract agricultural worker may—

''(I) seek employment as a nonimmigrant agricultural worker with a designated agricultural employer other than the designated agricultural employer with whom the employee had a contract described in section 101(a)(15)(W)(iii)(I); and

''(II) accept employment with such new employer after the date the contract agricultural worker completes such contract.

''(ii) VOLUNTARY ABANDONMENT; TERMINATION FOR CAUSE.—A contract agricultural worker who voluntarily abandons his or her employment before the end of the contract period or whose employment is terminated for cause by the employer—

''(I) may not accept subsequent employment with another designated agricultural employer without first departing the United States and reentering pursuant to a new offer of employment; and

''(II) is not entitled to the 75 percent payment guarantee described in subsection (e)(4)(B).

''(iii) TERMINATION BY MUTUAL AGREEMENT.—The termination of an employment contract by mutual agreement of the designated agricultural employer and the contract agricultural worker shall not be considered voluntary abandonment for purposes of clause (ii).

''(B) AT-WILL AGRICULTURAL WORKERS.—An alien who entered the United States as an at-will agricultural worker may seek employment as an at-will agricultural worker with any other designated agricultural employer referred to in section 101(a)(15)(W)(iv)(I).

''(5) PROHIBITION ON GEOGRAPHIC LIMITATION.—A nonimmigrant visa issued to a nonimmigrant agricultural worker—

''(A) shall not limit the geographical area within which such worker may be employed;

''(B) shall not limit the type of agricultural employment such worker may perform; and

''(C) shall restrict such worker to employment with designated agricultural employers.

''(6) TREATMENT OF SPOUSES AND CHILDREN.—A spouse or child of a nonimmigrant agricultural worker—

''(A) shall not be entitled to a visa or any immigration status by virtue of the relationship of such spouse or child to such worker; and

''(B) may be provided status as a nonimmigrant agricultural worker if the spouse or child is independently qualified for such status.

''(e) EMPLOYER REQUIREMENTS.—

''(1) DESIGNATED AGRICULTURAL EMPLOYER STATUS.—

''(A) REGISTRATION REQUIREMENT.—Each employer seeking to employ nonimmigrant agricultural workers shall register for designated agricultural employer status by submitting to the Secretary, through the Farm Service Agency in the geographic area of the employer or electronically to the Secretary, a registration that includes—

''(i) the employer's employer identification number; and

''(ii) a registration fee, in an amount determined by the Secretary, which shall be used for the costs of administering the program.

''(B) CRITERIA.—The Secretary shall grant designated agricultural employer status to an employer who submits a registration for such status that includes—

''(i) documentation that the employer is engaged in agriculture;

''(ii) the estimated number of nonimmigrant agricultural workers the employer will need each year;

''(iii) the anticipated periods during which the employer will need such workers; and

''(iv) documentation establishing need for a specified agricultural occupation or occupations.

''(C) DESIGNATION.—

''(i) REGISTRATION NUMBER.—The Secretary shall assign each employer that meets the criteria established pursuant to subparagraph (B) with a designated agricultural employer registration number.

''(ii) TERM OF DESIGNATION.—Each employer granted designated agricultural employer status under this paragraph shall retain such status for a term of 3 years. At the end of such 3-year term, the employer may renew the registration for another 3-year term if the employer meets the requirements set forth in subparagraphs (A) and (B).

''(D) ASSISTANCE.—In carrying out the functions described in this subsection, the Secretary may work through the Farm Service Agency, or any other agency in the Department of Agriculture—

''(i) to assist agricultural employers with the registration process under this paragraph by providing such employers with—

''(I) technical assistance and expertise;

''(II) internet access for submitting such applications; and

''(III) a nonelectronic means for submitting such registrations; and

''(ii) to provide resources about the Program, including best practices and compliance related assistance and resources or training to assist in retention of such workers to agricultural employers.

''(E) DEPOSIT OF REGISTRATION FEE.—Fees collected pursuant to subparagraph (A)(ii)—

''(i) shall be deposited into the Immigration Examinations Fee Account pursuant to section 286(m); and

''(ii) shall remain available until expended pursuant to section 286(n).

''(2) NONIMMIGRANT AGRICULTURAL WORKER PETITION PROCESS.—

''(A) IN GENERAL.—Not later than 45 days before the date on which nonimmigrant agricultural workers are needed, a designated agricultural employer seeking to employ such workers shall submit a petition to the Secretary of Homeland Security that includes the employer's designated agricultural employer registration number.

''(B) ATTESTATION.—An petition submitted under subparagraph (A) shall include an attestation of the following:

''(i) The number of named or unnamed nonimmigrant agricultural workers the designated agricultural employer is seeking to employ during the applicable period of employment.

''(ii) The total number of contract agricultural workers and of at-will agricultural workers the employer will require for each occupational category.

''(iii) The anticipated period, including expected beginning and ending dates, during which such employees will be needed.

''(iv) Evidence of contracts or written disclosures of employment terms and conditions in accordance with the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.), which have been disclosed or provided to the nonimmigrant agricultural workers, or a sample of such contract or disclosure for unnamed workers.

''(v) The information submitted to the State workforce agency pursuant to paragraph (3)(A)(i).

''(vi) The record of United States workers described in paragraph (3)(A)(iii) on the date of the request.

''(vii) Evidence of offers of employment made to United States workers as required under paragraph (3)(B).

''(viii) The employer will comply with the additional program requirements for designated agricultural employers described in paragraph (4).

''(C) EMPLOYMENT AUTHORIZATION WHEN CHANGING EMPLOYERS.—Nonimmigrant agricultural workers in the United States who are identified in a petition submitted pursuant to subparagraph (A) and are in lawful status may commence employment with their designated agricultural employer after such employer has submitted such petition to the Secretary of Homeland Security.

''(D) REVIEW.—The Secretary of Homeland Security shall review each petition submitted by designated agricultural employers under this paragraph for completeness or obvious inaccuracies. Unless the Secretary of Homeland Security determines that the petition is incomplete or obviously inaccurate, the Secretary shall accept the petition. The Secretary shall establish a procedure for the processing of petitions filed under this subsection. Not later than 7 working days after the date of the filing, the Secretary, by electronic or other means assuring expedited delivery, shall submit a copy of notice of approval or denial of the petition to the petitioner and, in the case of approved petitions, to the appropriate immigration officer at the port of entry or United States consulate, as appropriate, if the petitioner has indicated that the alien beneficiary or beneficiaries will apply for a visa or admission to the United States.

''(3) EMPLOYMENT OF UNITED STATES WORKERS.—

''(A) RECRUITMENT.—

''(i) FILING A JOB OPPORTUNITY WITH LOCAL OFFICE OF STATE WORKFORCE AGENCY.—Not later than 60 days before the date on which the employer desires to employ a nonimmigrant agricultural worker, the employer shall submit the job opportunity for such worker to the local office of the State workforce agency where the job site is located and authorize the posting of the job opportunity on the appropriate Department of Labor Electronic Job Registry for a period of 45 days.

''(ii) CONSTRUCTION.—Nothing in clause (i) may be construed to cause a posting referred to in clause (i) to be treated as an interstate job order under section 653.500 of title 20, Code of Federal Regulations (or similar successor regulation).

''(iii) RECORD OF UNITED STATES WORKERS.—An employer shall keep a record of all eligible, able, willing, and qualified United States workers who apply for agricultural employment with the employer for the agricultural employment for which the nonimmigrant agricultural nonimmigrant workers are sought.

''(B) REQUIREMENT TO HIRE.—

''(i) UNITED STATES WORKERS.—An employer may not seek a nonimmigrant agricultural worker for agricultural employment unless the employer offers such employment to any equally or better qualified United States worker who will be available at the time and place of need and who applies for such employment during the 45-day recruitment period referred to in subparagraph (A)(i).

''(ii) EXCEPTION.—Notwithstanding clause (i), the employer may offer the job to a nonimmigrant agricultural worker instead of an alien in blue card status if—

''(I) such worker was previously employed by the employer as an H–2A worker;

''(II) such worker worked for the employer for 3 years during the most recent 4-year period; and

''(III) the employer pays such worker the adverse effect wage rate calculated under subsection (f)(5)(B).

''(4) ADDITIONAL PROGRAM REQUIREMENTS FOR DESIGNATED AGRICULTURAL EMPLOYERS.—Each designated agricultural employer shall comply with the following requirements:

''(A) NO DISPLACEMENT OF UNITED STATES WORKERS.—

''(i) IN GENERAL.—The employer shall not displace a United States worker employed by the employer, other than for good cause, during the period of employment of the nonimmigrant agricultural worker and for a period of 30 days preceding such period in the occupation and at the location of employment for which the employer seeks to employ nonimmigrant agricultural workers.

''(ii) LABOR DISPUTE.—The employer shall not employ a nonimmigrant agricultural worker for a specific job for which the employer is requesting a nonimmigrant agricultural worker because the former occupant of the job is on strike or being locked out in the course of a labor dispute.

''(B) GUARANTEE OF EMPLOYMENT FOR CONTRACT AGRICULTURAL WORKERS.—

''(i) OFFER TO CONTRACT WORKER.—The employer shall guarantee to offer contract agricultural workers employment for the hourly equivalent of at least 75 percent of the work days of the total period of employment, beginning with the first work day after the arrival of the worker at the place of employment and ending on the expiration date specified in the job offer. In this clause, the term 'hourly equivalent' means the number of hours in the work days as stated in the job offer and shall exclude the worker's Sabbath and Federal holidays. If the employer affords the contract agricultural worker less employment than the number of hours required under this subparagraph, the employer shall pay such worker the amount the worker would have earned had the worker worked the guaranteed number of hours.

''(ii) FAILURE TO WORK.—Any hours which the worker fails to work, up to a maximum of the number of hours specified in the job offer for a work day, when the worker has been offered an opportunity to do so, and all hours of work actually performed (including voluntary work in excess of the number of hours specified in the job offer in a work day, on the worker's Sabbath, or on Federal holidays) may be counted by the employer in calculating whether the period of guaranteed employment has been met.

''(iii) CONTRACT IMPOSSIBILITY.—If, before the expiration of the period of employment specified in the job offer, the services of a contract agricultural worker are no longer required for reasons beyond the control of the employer due to any form of natural disaster, including a flood, hurricane, freeze, earthquake, fire, drought, plant or animal disease or pest infestation, or regulatory drought, before the guarantee in clause (i) is fulfilled, the employer—

''(I) may terminate the worker's employment;

''(II) shall fulfill the employment guarantee described in clause (i) for the work days that have elapsed from the first work day after the arrival of the worker to the termination of employment;

''(III) shall make efforts to transfer the worker to other comparable employment acceptable to the worker; and

''(IV) if such a transfer does not take place, shall provide the return transportation required under subparagraph (J).

''(C) WORKERS' COMPENSATION.—

''(i) REQUIREMENT TO PROVIDE.—If a job referred to in paragraph (3) is not covered by the State workers' compensation law, the employer shall provide, at no cost to the nonimmigrant agricultural worker, insurance covering injury and disease arising out of, and in the course of, such job.

''(ii) BENEFITS.—The insurance required to be provided under clause (i) shall provide benefits at least equal to those provided under and pursuant to the State workers' compensation law for comparable employment.

''(D) PROHIBITION FOR USE FOR NON-AGRICULTURAL SERVICES.—The employer may not employ a nonimmigrant agricultural worker for employment other than agricultural employment.

''(E) WAGES.—The employer shall pay not less than the wage required under subsection (f).

''(F) DEDUCTION OF WAGES.—The employer shall make only deductions from a nonimmigrant agricultural worker's wages that are authorized by law and are reasonable and customary in the occupation and area of employment of such worker.

''(G) REQUIREMENT TO PROVIDE HOUSING OR A HOUSING ALLOWANCE.—

''(i) IN GENERAL.—Except as provided in clauses (iv) and (v), a designated agricultural employer shall offer to provide a nonimmigrant agricultural worker with housing at no cost in accordance with clause (ii) or (iii).

''(ii) HOUSING.—An employer may provide housing to a nonimmigrant agricultural worker that meets—

''(I) applicable Federal standards for temporary labor camps; or

''(II) applicable local standards (or, in the absence of applicable local standards, State standards) for rental or public accommodation housing or other substantially similar class of habitation.

''(iii) HOUSING PAYMENTS.—

''(I) PUBLIC HOUSING.—If the employer arranges public housing for nonimmigrant agricultural workers through a State, county, or local government program and such public housing units normally require payments from tenants, such payments shall be made by the employer directly to the landlord.

''(II) DEPOSITS.—Deposits for bedding or other similar incidentals related to housing shall not be collected from workers by employers who provide housing for such workers.

''(III) DAMAGES.—The employer may require any worker who is responsible for damage to housing that did not result from normal wear and tear related to habitation to reimburse the employer for the reasonable cost of repairing such damage.

''(iv) HOUSING ALLOWANCE ALTERNATIVE.—

''(I) IN GENERAL.—The employer may provide a reasonable housing allowance instead of providing housing under clause (i). Upon the request of a worker seeking assistance in locating housing, the employer shall make a good faith effort to assist the worker in identifying and locating housing in the area of intended employment. An employer who offers a housing allowance to a worker or assists a worker in locating housing, which the worker occupies, shall not be deemed a housing provider under section 203 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1823) solely by virtue of providing such housing allowance. No housing allowance may be used for housing that is owned or controlled by the employer.

''(II) CERTIFICATION REQUIREMENT.—Contract agricultural workers may only be provided a housing allowance if the Governor of the State in which the place of employment is located certifies to the Secretary that there is adequate housing available in the area of intended employment for migrant farm workers and contract agricultural workers who are seeking temporary housing while employed in agricultural work. Such certification shall expire after 3 years unless renewed by the Governor of the State.

''(III) AMOUNT OF ALLOWANCE.—

''(aa) NONMETROPOLITAN COUNTIES.—If the place of employment of the workers provided an allowance under this clause is a nonmetropolitan county, the amount of the housing allowance under this clause shall be equal to the average fair market rental for existing housing in nonmetropolitan counties in the State in which the place of employment is located, as established by the Secretary of Housing and Urban Development pursuant to section 8(c) of the United States Housing Act of 1937 (42 U.S.C. 1437f(c)), based on a 2-bedroom dwelling unit and an assumption of 2 persons per bedroom.

''(bb) METROPOLITAN COUNTIES.—If the place of employment of the workers provided an allowance under this clause is a metropolitan county, the amount of the housing allowance under this clause shall be equal to the average fair market rental for existing housing in metropolitan counties in the State in which the place of employment is located, as established by the Secretary of Housing and Urban Development pursuant to section 8(c) of the United States Housing Act of 1937 (42 U.S.C. 1437f(c)), based on a 2-bedroom dwelling unit and an assumption of 2 persons per bedroom.

''(v) EXCEPTION FOR COMMUTING WORKERS.—Nothing in this subparagraph may be construed to require an employer to provide housing or a housing allowance to workers who reside outside of the United States if their place of residence is within normal commuting distance and the job site is within 50 miles of an international land border of the United States.

''(H) WORKSITE TRANSPORTATION FOR CONTRACT WORKERS.—During the period a designated agricultural employer employs a contract agricultural worker, such employer shall, at the employer's option, provide or reimburse the contract agricultural worker for the cost of daily transportation from the contract worker's living quarters to the contract agricultural worker's place of employment.

''(I) REIMBURSEMENT OF TRANSPORTATION TO THE PLACE OF EMPLOYMENT.—

''(i) IN GENERAL.—A nonimmigrant agricultural worker shall be reimbursed by the first employer for the cost of the worker's transportation and subsistence from the place from which the worker came from to the place of first employment.

''(ii) LIMITATION.—The amount of reimbursement provided under clause (i) to a worker shall not exceed the lesser of—

''(I) the actual cost to the worker of the transportation and subsistence involved; or

''(II) the most economical and reasonable common carrier transportation charges and subsistence costs for the distance involved.

''(J) REIMBURSEMENT OF TRANSPORTATION FROM PLACE OF EMPLOYMENT.—

''(i) IN GENERAL.—A contract agricultural worker who completes at least 27 months under his or her contract with the same designated agricultural employer shall be reimbursed by that employer for the cost of the worker's transportation and subsistence from the place of employment to the place from which the worker came from abroad to work for the employer.

''(ii) LIMITATION.—The amount of reimbursement required under clause (i) shall not exceed the lesser of—

''(I) the actual cost to the worker of the transportation and subsistence involved; or

''(II) the most economical and reasonable common carrier transportation charges and subsistence costs for the distance involved.

''(f) WAGES.—

''(1) WAGE RATE REQUIREMENT.—

''(A) IN GENERAL.—A nonimmigrant agricultural worker employed by a designated agricultural employer shall be paid not less than the wage rate for such employment set forth in paragraph (3).

''(B) WORKERS PAID ON A PIECE RATE OR OTHER INCENTIVE BASIS.—If an employer pays by the piece rate or other incentive method and requires 1 or more minimum productivity standards as a condition of job retention, such standards shall be specified in the job offer and be no more than those which have been normally required (at the time of the employee's first application for designated employer status) by other employers for the activity in the geographic area of the job, unless the Secretary approves a higher standard.

''(2) JOB CATEGORIES.—

''(A) IN GENERAL.—For purposes of paragraph (1), each nonimmigrant agricultural worker employed by such employer shall be assigned to 1 of the following standard occupational classifications, as defined by the Bureau of Labor Statistics:

''(i) First-Line Supervisors of Farming, Fishing, and Forestry Workers (45–1011).

''(ii) Animal Breeders (45–2021).

''(iii) Graders and Sorters, Agricultural Products (45–2041).

''(iv) Agricultural equipment operator (45–2091).

''(v) Farmworkers and Laborers, Crop, Nursery, and Greenhouse (45–2092).

''(vi) Farmworkers, Farm, Ranch and Aquacultural Animals (45–2093).

''(B) DETERMINATION OF CLASSIFICATION.—A nonimmigrant agricultural worker is employed in a standard occupational classification described in clause (i), (ii), (iii), (iv), (v), or (vi) of subparagraph (A) if the worker performs activities associated with that occupational classification, as specified on the employer's petition, for at least 75 percent of the time in a semiannual employment period.

''(3) DETERMINATION OF WAGE RATE.—

''(A) CALENDAR YEARS 2014 THROUGH 2016.—The wage rate under this subparagraph for calendar years 2014 through 2016 shall be the higher of—

''(i) the applicable Federal, State, or local minimum wage; or

''(ii)(I) for the category described in paragraph (2)(A)(iii)—

''(aa) $9.37 for calendar year 2014;

''(bb) $9.60 for calendar year 2015; and

''(cc) $9.84 for calendar year 2016;

''(II) for the category described in paragraph (2)(A)(iv)—

''(aa) $11.30 for calendar year 2014;

''(bb) $11.58 for calendar year 2015; and

''(cc) $11.87 for calendar year 2016;

''(III) for the category described in paragraph (2)(A)(v)—

''(aa) $9.17 for calendar year 2014;

''(bb) $9.40 for calendar year 2015; and

''(cc) $9.64 for calendar year 2016; and

''(IV) for the category described in paragraph (2)(A)(vi)—

''(aa) $10.82 for calendar year 2014;

''(bb) $11.09 for calendar year 2015; and

''(cc) $11.37 for calendar year 2016.

''(B) SUBSEQUENT YEARS.—The Secretary shall increase the hourly wage rates set forth in clauses (i) through (iv) of subparagraph (A), for each calendar year after the calendar years described in subparagraph (A) by an amount equal to—

''(i) 1.5 percent, if the percentage increase in the Employment Cost Index for wages and salaries during the previous calendar year, as calculated by the Bureau of Labor Statistics, is less than 1.5 percent;

''(ii) the percentage increase in such Employment Cost Index, if such percentage increase is between 1.5 percent and 2.5 percent, inclusive; or

''(iii) 2.5 percent, if such percentage increase is greater than 2.5 percent.

''(C) AGRICULTURAL SUPERVISORS AND ANIMAL BREEDERS.—Not later than September 1, 2015, and annually thereafter, the Secretary, in consultation with the Secretary of Labor, shall establish the required wage for the next calendar year for each of the job categories set out in clauses (i) and (ii) of paragraph (2)(A).

''(D) SURVEY BY BUREAU OF LABOR STATISTICS.—Not later than April 15, 2015, the Bureau of Labor Statistics shall consult with the Secretary to expand the Occupational Employment Statistics Survey to survey agricultural producers and contractors and produce improved wage data by State and the job categories set out in clauses (i) through (vi) of subparagraph (A).

''(4) CONSIDERATION.—In determining the wage rate under paragraph (3)(C), the Secretary may consider appropriate factors, including—

''(A) whether the employment of additional alien workers at the required wage will adversely affect the wages and working conditions of workers in the United States similarly employed;

''(B) whether the employment in the United States of an alien admitted under section 101(a)(15)(H)(ii)(a) or unauthorized aliens in the agricultural workforce has depressed wages of United States workers engaged in agricultural employment below the levels that would otherwise have prevailed if such aliens had not been employed in the United States;

''(C) whether wages of agricultural workers are sufficient to support such workers and their families at a level above the poverty thresholds determined by the Bureau of Census;

''(D) the wages paid workers in the United States who are not employed in agricultural employment but who are employed in comparable employment;

''(E) the continued exclusion of employers of nonimmigrant alien workers in agriculture from the payment of taxes under chapter 21 of the Internal Revenue Code of 1986 (26 U.S.C. 3101 et seq.) and chapter 23 of such Code (26 U.S.C. 3301 et seq.);

''(F) the impact of farm labor costs in the United States on the movement of agricultural production to foreign countries;

''(G) a comparison of the expenses and cost structure of foreign agricultural producers to the expenses incurred by agricultural producers based in the United States; and

''(H) the accuracy and reliability of the Occupational Employment Statistics Survey.

''(5) ADVERSE EFFECT WAGE RATE.—

''(A) PROHIBITION OF MODIFICATION.—The adverse effect wage rates in effect on April 15, 2013, for nonimmigrants admitted under 101(a)(15)(H)(ii)(a)—

''(i) shall remain in effect until the date described in section 2233 of the Agricultural Worker Program Act of 2013; and

''(ii) may not be modified except as provided in subparagraph (B).

''(B) EXCEPTION.—Until the Secretary establishes the wage rates required under paragraph (3)(C), the adverse effect wage rates in effect on the date of the enactment of the Agricultural Worker Program Act of 2013 shall be—

''(i) deemed to be such wage rates; and

''(ii) after September 1, 2015, adjusted annually in accordance with paragraph (3)(B).

''(C) NONPAYMENT OF FICA AND FUTA TAXES.—An employer employing nonimmigrant agricultural workers shall not be required to pay and withhold from such workers—

''(i) the tax required under section 3101 of the Internal Revenue Code of 1986; or

''(ii) the tax required under section 3301 of the Internal Revenue Code of 1986.

''(6) PREFERENTIAL TREATMENT OF ALIENS PROHIBITED.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), employers seeking to hire United States workers shall offer the United States workers not less than the same benefits, wages, and working conditions that the employer is offering, intends to offer, or will provide to nonimmigrant agricultural workers. No job offer may impose on United States workers any restrictions or obligations that will not be imposed on the employer's nonimmigrant agricultural workers.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), a designated agricultural employer is not required to provide housing or a housing allowance to United States workers.

''(g) WORKER PROTECTIONS AND DISPUTE RESOLUTION.—

''(1) EQUALITY OF TREATMENT.—Nonimmigrant agricultural workers shall not be denied any right or remedy under any Federal, State, or local labor or employment law applicable to United States workers engaged in agricultural employment.

''(2) APPLICABILITY OF THE MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION ACT.—

''(A) MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION ACT.—Nonimmigrant agricultural workers shall be considered migrant agricultural workers for purposes of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.).

''(B) ELIGIBILITY OF NONIMMIGRANT AGRICULTURAL WORKERS FOR CERTAIN LEGAL ASSISTANCE.—A nonimmigrant agricultural worker shall be considered to be lawfully admitted for permanent residence for purposes of establishing eligibility for legal services under the Legal Services Corporation Act (42 U.S.C. 2996 et seq.) on matters relating to wages, housing, transportation, and other employment rights.

''(C) MEDIATION.—

''(i) FREE MEDIATION SERVICES.—The Federal Mediation and Conciliation Service shall be available to assist in resolving disputes arising under this section between nonimmigrant agricultural workers and designated agricultural employers without charge to the parties.

''(ii) COMPLAINT.—If a nonimmigrant agricultural worker files a complaint under section 504 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1854), not later than 60 days after the filing of proof of service of the complaint, a party to the action may file a request with the Federal Mediation and Conciliation Service to assist the parties in reaching a satisfactory resolution of all issues involving all parties to the dispute.

''(iii) NOTICE.—Upon filing a request under clause (ii) and giving of notice to the parties, the parties shall attempt mediation within the period specified in clause (iv).

''(iv) 90-DAY LIMIT.—The Federal Mediation and Conciliation Service may conduct mediation or other nonbinding dispute resolution activities for a period not to exceed 90 days beginning on the date on which the Federal Mediation and Conciliation Service receives a request for assistance under clause (ii) unless the parties agree to an extension of such period.

''(v) AUTHORIZATION OF APPROPRIATIONS.—

''(I) IN GENERAL.—Subject to clause (II), there are authorized to be appropriated to the Federal Mediation and Conciliation Service $500,000 for each fiscal year to carry out this subparagraph.

''(II) MEDIATION.—Notwithstanding any other provision of law, the Director of the Federal Mediation and Conciliation Service is authorized—

''(aa) to conduct the mediation or other dispute resolution activities from any other account containing amounts available to the Director; and

''(bb) to reimburse such account with amounts appropriated pursuant to subclause (I).

''(vi) PRIVATE MEDIATION.—If all parties agree, a private mediator may be employed as an alternative to the Federal Mediation and Conciliation Service.

''(3) OTHER RIGHTS.—Nonimmigrant agricultural workers shall be entitled to the rights granted to other classes of aliens under sections 242(h) and 245E.

''(4) WAIVER OF RIGHTS.—Agreements by nonimmigrant agricultural workers to waive or modify any rights or protections under this section shall be considered void or contrary to public policy except as provided in a collective bargaining agreement with a bona fide labor organization.

''(h) ENFORCEMENT AUTHORITY.—

''(1) INVESTIGATION OF COMPLAINTS.—

''(A) AGGRIEVED PERSON OR THIRD-PARTY COMPLAINTS.—

''(i) PROCESS.—The Secretary of Labor shall establish a process for the receipt, investigation, and disposition of complaints respecting a designated agricultural employer's failure to meet a condition specified in subsection (e), or an employer's misrepresentation of material facts in a petition under subsection (e)(2).

''(ii) FILING.—Any aggrieved person or organization, including bargaining representatives, may file a complaint referred to in clause (i) not later than 1 year after the date of the failure or misrepresentation, respectively.

''(iii) INVESTIGATION OR HEARING.—The Secretary of Labor shall conduct an investigation if there is reasonable cause to believe that such failure or misrepresentation has occurred.

''(B) DETERMINATION ON COMPLAINT.—Under such process, the Secretary of Labor shall provide, not later than 30 days after the date on which such a complaint is filed, for a determination as to whether or not a reasonable basis exists to make a finding described in subparagraph (C), (D), (E), or (F). If the Secretary of Labor determines that such a reasonable basis exists, the Secretary of Labor shall provide for notice of such determination to the interested parties and an opportunity for a hearing on the complaint, in accordance with section 556 of title 5, United States Code, within 60 days after the date of the determination. If such a hearing is requested, the Secretary of Labor shall make a finding concerning the matter not later than 60 days after the date of the hearing. In the case of similar complaints respecting the same applicant, the Secretary of Labor may consolidate the hearings under this subparagraph on such complaints.

''(C) FAILURE TO MEET CONDITIONS.—If the Secretary of Labor finds, after notice and opportunity for a hearing, a failure to meet a condition under subsection (e) or (f), or a material misrepresentation of fact in a petition under subsection (e)(2)—

''(i) the Secretary of Labor shall notify the Secretary of such finding and may, in addition, impose such other administrative remedies (including civil money penalties in an amount not to exceed $1,000 per violation) as the Secretary of Labor determines to be appropriate; and

''(ii) the Secretary may disqualify the designated agricultural employer from the employment of nonimmigrant agricultural workers for a period of 1 year.

''(D) WILLFUL FAILURES AND WILLFUL MISREPRESENTATIONS.—If the Secretary of Labor finds, after notice and opportunity for hearing, a willful failure to meet a condition under subsection (e) or (f) or a willful misrepresentation of a material fact in an registration or petition under paragraph (1) or (2) of subsection (e)—

''(i) the Secretary of Labor shall notify the Secretary of such finding and may, in addition, impose such other administrative remedies (including civil money penalties in an amount not to exceed $5,000 per violation) as the Secretary of Labor determines to be appropriate;

''(ii) the Secretary of Labor may seek appropriate legal or equitable relief; and

''(iii) the Secretary may disqualify the designated agricultural employer from the employment of nonimmigrant agricultural workers for a period of 2 years.

''(E) DISPLACEMENT OF UNITED STATES WORKERS.—If the Secretary of Labor finds, after notice and opportunity for hearing, a willful failure to meet a condition under subsection (e) or (f) or a willful misrepresentation of a material fact in an registration or petition under paragraph (1) or (2) of subsection (e), in the course of which failure or misrepresentation the employer displaced a United States worker employed by the employer during the period of employment on the employer's petition under subsection (e)(2) or during the period of 30 days preceding such period of employment—

''(i) the Secretary of Labor shall notify the Secretary of such finding and may, in addition, impose such other administrative remedies (including civil money penalties in an amount not to exceed $15,000 per violation) as the Secretary of Labor determines to be appropriate; and

''(ii) the Secretary may disqualify the employer from the employment of nonimmigrant agricultural workers for a period of 3 years.

''(F) FAILURES TO PAY WAGES OR REQUIRED BENEFITS.—If the Secretary of Labor finds, after notice and opportunity for a hearing, that the employer has failed to pay the wages, or provide the housing allowance, transportation, subsistence reimbursement, or guarantee of employment required under subsections (e)(4) and (f), the Secretary of Labor shall assess payment of back wages, or other required benefits, due any United States worker or nonimmigrant agricultural worker employed by the employer in the specific employment in question. The back wages or other required benefits required under subsections (e) and (f) shall be equal to the difference between the amount that should have been paid and the amount that actually was paid to such worker.

''(G) DISPOSITION OF PENALTIES.—Civil penalties collected under this paragraph shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(2) LIMITATIONS ON CIVIL MONEY PENALTIES.—The Secretary of Labor shall not impose total civil money penalties with respect to a petition under subsection (e)(2) in excess of $90,000.

''(3) ELECTION.—A nonimmigrant agricultural worker who has filed an administrative complaint with the Secretary of Labor may not maintain a civil action unless a complaint based on the same violation filed with the Secretary of Labor under paragraph (1) is withdrawn before the filing of such action, in which case the rights and remedies available under this subsection shall be exclusive.

''(4) PRECLUSIVE EFFECT.—Any settlement by a nonimmigrant agricultural worker, a designated agricultural employer, or any person reached through the mediation process required under subsection (g)(2)(C) shall preclude any right of action arising out of the same facts between the parties in any Federal or State court or administrative proceeding, unless specifically provided otherwise in the settlement agreement.

''(5) SETTLEMENTS.—Any settlement by the Secretary of Labor with a designated agricultural worker on behalf of a nonimmigrant agricultural worker of a complaint filed with the Secretary of Labor under this section or any finding by the Secretary of Labor under this subsection shall preclude any right of action arising out of the same facts between the parties under any Federal or State court or administrative proceeding, unless specifically provided otherwise in the settlement agreement.

''(6) STATUTORY CONSTRUCTION.—Nothing in this subsection may be construed as limiting the authority of the Secretary of Labor to conduct any compliance investigation under any other labor law, including any law affecting migrant and seasonal agricultural workers, or, in the absence of a complaint under this section.

''(7) DISCRIMINATION PROHIBITED.—It is a violation of this subsection for any person who has filed a petition under subsection (e) or (f) to intimidate, threaten, restrain, coerce, blacklist, discharge, or in any other manner discriminate against an employee, including a former employee or an applicant for employment, because the employee—

''(A) has disclosed information to the employer, or to any other person, that the employee reasonably believes evidences a violation of subsection (e) or (f), or any rule or regulation relating to subsection (e) or (f); or

''(B) cooperates or seeks to cooperate in an investigation or other proceeding concerning the employer's compliance with the requirements under subsection (e) or (f) or any rule or regulation pertaining to subsection (e) or (f).

''(8) ROLE OF ASSOCIATIONS.—

''(A) VIOLATION BY A MEMBER OF AN ASSOCIATION.—

''(i) IN GENERAL.—If an association acting as the agent of an employer files an application on behalf of such employer, the employer is fully responsible for such application, and for complying with the terms and conditions of subsection (e). If such an employer is determined to have violated any requirement described in this subsection, the penalty for such violation shall apply only to that employer except as provided in clause (ii).

''(ii) COLLECTIVE RESPONSIBILITY.—If the Secretary of Labor determines that the association or other members of the association participated in, had knowledge of, or reason to know of a violation described in clause (i), the penalty shall also be invoked against the association and complicit association members.

''(B) VIOLATIONS BY AN ASSOCIATION ACTING AS AN EMPLOYER.—

''(i) IN GENERAL.—If an association filing an application as a sole or joint employer is determined to have violated any requirement described in this section, the penalty for such violation shall apply only to the association except as provided in clause (ii).

''(ii) MEMBER RESPONSIBILITY.—If the Secretary of Labor determines that 1 or more association members participated in, had knowledge of, or reason to know of the violation described in clause (i), the penalty shall be invoked against all complicit association members.

''(i) SPECIAL NONIMMIGRANT VISA PROCESSING AND WAGE DETERMINATION PROCEDURES FOR CERTAIN AGRICULTURAL OCCUPATIONS.—

''(1) FINDING.—Certain industries possess unique occupational characteristics that necessitate the Secretary of Agriculture to adopt special procedures relating to housing, pay, and visa program application requirements for those industries.

''(2) SPECIAL PROCEDURES INDUSTRY DEFINED.—In this subsection, the term 'Special Procedures Industry' means—

''(A) sheepherding and goat herding;

''(B) itinerant commercial beekeeping and pollination;

''(C) open range production of livestock;

''(D) itinerant animal shearing; and

''(E) custom combining industries.

''(3) WORK LOCATIONS.—The Secretary shall allow designated agricultural employers in a Special Procedures Industry that do not operate in a single fixed-site location to provide, as part of its registration or petition under the Program, a list of anticipated work locations, which—

''(A) may include an anticipated itinerary; and

''(B) may be subsequently amended by the employer, after notice to the Secretary.

''(4) WAGE RATES.—The Secretary may establish monthly, weekly, or biweekly wage rates for occupations in a Special Procedures Industry for a State or other geographic area. For an employer in those Special Procedures Industries that typically pay a monthly wage, the Secretary shall require that workers will be paid not less frequently than monthly and at a rate no less than the legally required monthly cash wage for such employer as of the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act and in an amount as re-determined annually by the Secretary of Agriculture through rulemaking.

''(5) HOUSING.—The Secretary shall allow for the provision of housing or a housing allowance by employers in Special Procedures Industries and allow housing suitable for workers employed in remote locations.

''(6) ALLERGY LIMITATION.—An employer engaged in the commercial beekeeping or pollination services industry may require that an applicant be free from bee pollen, venom, or other bee-related allergies.

''(7) APPLICATION.—An individual employer in a Special Procedures Industry may file a program petition on its own behalf or in conjunction with an association of employers. The employer's petition may be part of several related petitions submitted simultaneously that constitute a master petition.

''(8) RULEMAKING.—The Secretary or, as appropriate, the Secretary of Homeland Security or the Secretary of Labor, after consultation with employers and employee representatives, shall publish for notice and comment proposed regulations relating to housing, pay, and application procedures for Special Procedures Industries.

''(j) MISCELLANEOUS PROVISIONS.—

''(1) DISQUALIFICATION OF NONIMMIGRANT AGRICULTURAL WORKERS FROM FINANCIAL ASSISTANCE.—An alien admitted as a nonimmigrant agricultural worker is not eligible for any program of financial assistance under Federal law (whether through grant, loan, guarantee, or otherwise) on the basis of financial need, as such programs are identified by the Secretary in consultation with other agencies of the United States.

''(2) MONITORING REQUIREMENT.—

''(A) IN GENERAL.—The Secretary shall monitor the movement of nonimmigrant agricultural workers through—

''(i) the Employment Verification System described in section 274A(b); and

''(ii) the electronic monitoring system established pursuant to subparagraph (B).

''(B) ELECTRONIC MONITORING SYSTEM.—Not later than 2 years after the effective date of this section, the Secretary of Homeland Security, through the Director of U.S. Citizenship and Immigration Services, shall establish an electronic monitoring system, which shall—

''(i) be modeled on the Student and Exchange Visitor Information System (SEVIS) and the SEVIS II tracking system administered by U.S. Immigration and Customs Enforcement;

''(ii) monitor the presence and employment of nonimmigrant agricultural workers; and

''(iii) assist in ensuring the compliance of designated agricultural employers and nonimmigrant agricultural workers with the requirements of the Program.''.

(b) RULEMAKING.—The Secretary of Agriculture shall issue regulations to carry out section 218A of the Immigration and Nationality Act, as added by subsection (a), not later than 1 year after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of contents is amended by inserting after the item relating to section 218 the following:

''Sec. 218A. Nonimmigrant agricultural worker program.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2014.

SEC. 2233. TRANSITION OF H-2A WORKER PROGRAM.

(a) SUNSET OF PROGRAM.—

(1) IN GENERAL.—Except as provided in paragraph (2), an employer may not petition to employ an alien pursuant to section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)) after the date that is 1 year after the date on which the regulations issued pursuant to section 2241(b) become effective.

(2) EXCEPTION.—An employer may employ an alien described in paragraph (1) for the shorter of—

(A) 10 months; or

(B) the time specified in the position.

(b) CONFORMING AMENDMENTS.—

(1) REPEAL OF H-2A NONIMMIGRANT CATEGORY.—Section 101(a)(15)(H)(ii) (8 U.S.C. 1101(a)(15)(H)(ii)) is amended by striking subclause (a).

(2) REPEAL OF ADMISSION REQUIREMENTS FOR H-2A WORKER.—Section 218 (8 U.S.C. 1188) is repealed.

(3) CONFORMING AMENDMENTS.—

(A) AMENDMENT OF PETITION REQUIREMENTS.—Section 214(c)(1) (8 U.S.C. 1184(c)(1)) is amended by striking ''For purposes of this subsection'' and all that follows.

(B) CLERICAL AMENDMENT.—The table of contents is amended by striking the item relating to section 218.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date that is 1 year after the effective date of the regulations issued pursuant to section 2241(b).

SEC. 2234. REPORTS TO CONGRESS ON NONIMMIGRANT AGRICULTURAL WORKERS.

(a) ANNUAL REPORT BY SECRETARY OF AGRICULTURE.—Not later than September 30 of each year, the Secretary of Agriculture shall submit a report to Congress that identifies, for the previous year, the number, disaggregated by State and by occupation, of—

(1) job opportunities approved for employment of aliens admitted pursuant to clause (iii) or clause (iv) of section 101(a)(15)(W) of the Immigration and Nationality Act, as added by section 2231; and

(2) aliens actually admitted pursuant to each such clause.

(b) ANNUAL REPORT BY SECRETARY OF HOMELAND SECURITY.—Not later than September 30 of each year, the Secretary shall submit a report to Congress that identifies, for the previous year, the number of aliens described in subsection (a)(2) who—

(1) violated the terms of the nonimmigrant agricultural worker program established under section 218A(b) of the Immigration and Nationality Act, as added by section 2232; and

(2) have not departed from the United States.

CHAPTER 3—OTHER PROVISIONS

SEC. 2241. RULEMAKING.

(a) CONSULTATION REQUIREMENT.—In the course of promulgating any regulation necessary to implement this subtitle, or the amendments made by this subtitle, the Secretary, the Secretary of Agriculture, the Secretary of Labor, and the Secretary of State shall regularly consult with each other.

(b) DEADLINE FOR ISSUANCE OF REGULATIONS.—Except as provided in section 2232(b), all regulations to implement this subtitle and the amendments made by this subtitle shall be issued not later than 6 months after the date of the enactment of this Act.

SEC. 2242. REPORTS TO CONGRESS.

Not later than 180 days after the date of the enactment of this Act, the Secretary and the Secretary of Agriculture shall jointly submit a report to Congress that describes the measures being taken and the progress made in implementing this subtitle and the amendments made by this subtitle.

SEC. 2243. BENEFITS INTEGRITY PROGRAMS.

(a) IN GENERAL.—Without regard to whether personal interviews are conducted in the adjudication of benefits provided for by section 210A, 218A, 245B, 245C, 245D, 245E, or 245F of the Immigration and Nationality Act, or in seeking a benefit under section 101(a)(15)(U) of the Immigration and Nationality Act, section 1242 of the Refugee Crisis in Iraq Act of 2007 (8 U.S.C. 1157 note), section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note), or section 2211 of this Act, the Secretary shall uphold and maintain the integrity of those benefits by carrying out for each of them, within the Fraud Detection and National Security Directorate of U.S. Citizenship and Immigration Services, programs as follows:

(1) A benefit fraud assessment program to quantify fraud rates, detect ongoing fraud trends, and develop appropriate countermeasures, including through a random sample of both pending and completed cases.

(2) A compliance review program, including site visits, to identify frauds and deter fraudulent and illegal activities.

(b) REPORTS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, U.S. Citizenship and Immigration Services shall annually submit to Congress a report on the programs carried out pursuant to subsection (a).

(2) ELEMENTS IN FIRST REPORT.—The initial report submitted under paragraph (1) shall include the methodologies to be used by the Fraud Detection and National Security Directorate for each of the programs specified in paragraphs (1) and (2) of subsection (a).

(3) ELEMENTS IN SUBSEQUENT REPORTS.—Each subsequent report under paragraph (1) shall include, for the calendar year covered by such report, a descriptions of examples of fraud detected, fraud rates for programs and types of applicants, and a description of the disposition of the cases in which fraud was detected or suspected.

(c) USE OF FINDINGS OF FRAUD.—Any instance of fraud or abuse detected pursuant to a program carried out pursuant to subsection (a) may be used to deny or revoke benefits, and may also be referred to U.S. Immigration and Customs Enforcement for investigation of criminal violations of section 266 of the Immigration and Nationality Act (8 U.S.C. 1306).

(d) FUNDING.—There are authorized to be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this section.

SEC. 2244. EFFECTIVE DATE.

This subtitle and the amendments made by this subtitle, except for sections 2231, 2232, and 2233, shall take effect on the date on which the regulations required under section 2241 are issued, regardless of whether such regulations are issued on an interim basis or on any other basis.

Subtitle C—Future Immigration

SEC. 2301. MERIT-BASED POINTS TRACK ONE.

(a) IN GENERAL.—

(1) WORLDWIDE LEVEL OF MERIT-BASED IMMIGRANTS.—Section 201(e) (8 U.S.C. 1151(e)) is amended to read as follows:

''(e) WORLDWIDE LEVEL OF MERIT-BASED IMMIGRANTS.—

''(1) IN GENERAL.—

''(A) NUMERICAL LIMITATION.—Subject to paragraphs (2), (3), and (4), the worldwide level of merit-based immigrants is equal to 120,000 for each fiscal year.

''(B) STATUS.—An alien admitted on the basis of a merit-based immigrant visa under this section shall have the status of an alien lawfully admitted for permanent residence.

''(2) ANNUAL INCREASE.—

''(A) IN GENERAL.—Subject to subparagraph (B) and paragraph (3), if in any fiscal year the worldwide level of visas available for merit-based immigrants under this section—

''(i) is less than 75 percent of the number of applicants for such fiscal year, the worldwide level shall increase by 5 percent for the next fiscal year; and

''(ii) is equal to or more than 75 percent of such number, the worldwide level for the next fiscal year shall be the same as the worldwide level for such fiscal year, minus any amount added to the worldwide level for such fiscal year under paragraph (4).

''(B) LIMITATION ON INCREASE.—The worldwide level of visas available for merit-based immigrants shall not exceed 250,000.

''(3) EMPLOYMENT CONSIDERATION.—The worldwide level of visas available for merit-based immigrants may not be increased for a fiscal year under paragraph (2) if the annual average unemployment rate for the civilian labor force 18 years or over in the United States, as determined by the Bureau of Labor Statistics, for such previous fiscal year is more than 8½ percent.

''(4) RECAPTURE OF UNUSED VISAS.—The worldwide level of merit-based immigrants described in paragraph (1) for a fiscal year shall be increased by the difference (if any) between the worldwide level established under paragraph (1) for the previous fiscal year and the number of visas actually issued under this subsection during that fiscal year. Such visas shall be allocated for the following year pursuant to section 203(c)(3).''.

(2) MERIT-BASED IMMIGRANTS.—Section 203 (8 U.S.C. 1153) is amended by inserting after subsection (b) the following:

''(c) MERIT-BASED IMMIGRANTS.—

''(1) FISCAL YEARS 2015 THROUGH 2017.—During each of the fiscal years 2015 through 2017, the worldwide level of merit-based immigrant visas made available under section 201(e)(1) shall be available for aliens described in section 203(b)(3) and in addition to any visas available for such aliens under such section.

''(2) SUBSEQUENT FISCAL YEARS.—During fiscal year 2018 and each subsequent fiscal year, aliens subject to the worldwide level specified in section 201(e) for merit-based immigrants shall be allocated as follows:

''(A) 50 percent shall be available to applicants with the highest number of points allocated under tier 1 in paragraph (4).

''(B) 50 percent shall be available to applicants with the highest number of points allocated under tier 2 in paragraph (5).

''(3) UNUSED VISAS.—If the total number of visas allocated to tier 1 or tier 2 for a fiscal year are not granted during that fiscal year, such number may be added to the number of visas available under section 201(e)(1) for the following fiscal year and allocated as follows:

''(A) If the unused visas were allocated for tier 1 in a fiscal year, ⅔ of such visas shall be available for aliens allocated visas under tier 1 in the following fiscal year and ⅓ of such visas shall be available for aliens allocated visas under either tier 1 or tier 2 in the following fiscal year.

''(B) If the unused visas were allocated for tier 2 in a fiscal year, ⅔ of such visas shall be available for aliens allocated visas under tier 2 in the following fiscal year and ⅓ of such visas shall be available for aliens allocated visas under either tier 1 or tier 2 in the following fiscal year.

''(4) TIER 1.—The Secretary shall allocate points to each alien seeking to be a tier 1 merit-based immigrant as follows:

''(A) EDUCATION.—

''(i) IN GENERAL.—An alien may receive points under only 1 of the following categories:

''(I) An alien who has received a doctorate degree from an institution of higher education in the United States or the foreign equivalent shall be allocated 15 points.

''(II) An alien who has received a master's degree from an institution of higher education in the United States or the foreign equivalent shall be allocated 10 points.

''(ii) An alien who has received a bachelor's degree from an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) shall be allocated 5 points.

''(B) EMPLOYMENT EXPERIENCE.—An alien shall be allocated not more than 20 points as follows:

''(i) 3 points for each year the alien has been lawfully employed in a zone 5 occupation in the United States.

''(ii) 2 points for each year the alien has been lawfully employed in a zone 4 occupation in the United States.

''(C) EMPLOYMENT RELATED TO EDUCATION.—An alien who is in the United States and is employed full-time or has an offer of full-time employment in a field related to the alien's education—

''(i) in a zone 5 occupation shall be allocated 10 points; or

''(ii) in a zone 4 occupation shall be allocated 8 points.

''(D) ENTREPRENEURSHIP.—An alien who is an entrepreneur in business that employs at least 2 employees in a zone 4 occupation or a zone 5 occupation shall be allocated 10 points.

''(E) HIGH DEMAND OCCUPATION.—An alien who is employed full-time in the United States or has an offer of full-time employment in a high demand tier 1 occupation shall be allocated 10 points.

''(F) CIVIC INVOLVEMENT.—An alien who has attested that he or she has engaged in a significant amount of community service, as determined by the Secretary, shall be allocated 2 points.

''(G) ENGLISH LANGUAGE.—An alien who received a score of 80 or more on the Test of English as a Foreign Language, or an equivalent score on a similar test, as determined by the Secretary, shall be allocated 10 points.

''(H) SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.—An alien who is the sibling of a citizen of the United States or who is over 31 years of age and is the married son or married daughter of a citizen of the United States shall be allocated 10 points.

''(I) AGE.—An alien who is—

''(i) between 18 and 24 years of age shall be allocated 8 points;

''(ii) between 25 and 32 years of age shall be allocated 6 points; or

''(iii) between 33 and 37 years of age shall be allocated 4 points.

''(J) COUNTRY OF ORIGIN.—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted to permanent residence in the United States in the previous 5 years shall be allocated 5 points.

''(5) TIER 2.—The Secretary shall allocate points to each alien seeking to be a tier 2 merit-based immigrant as follows:

''(A) EMPLOYMENT EXPERIENCE.—An alien shall be allocated 2 points for each year the alien has been lawfully employed in the United States, for a total of not more than 20 points.

''(B) SPECIAL EMPLOYMENT CRITERIA.—An alien who is employed full-time in the United States, or has an offer of full-time employment—

''(i) in a high demand tier 2 occupation shall be allocated 10 points; or

''(ii) in a zone 1, zone 2, or zone 3 occupation shall be allocated 10 points.

''(C) CAREGIVER.—An alien who is or has been a primary caregiver shall be allocated 10 points.

''(D) EXCEPTIONAL EMPLOYMENT RECORD.—An alien who has a record of exceptional employment, as determined by the Secretary, shall be allocated 10 points. In determining a record of exceptional employment, the Secretary shall consider factors including promotions, longevity, changes in occupations from a lower job zone to a higher job zone, participated in safety training, and increases in pay.

''(E) CIVIC INVOLVEMENT.—An alien who has demonstrated significant civic involvement shall be allocated 2 points.

''(F) ENGLISH LANGUAGE.—

''(i) ENGLISH PROFICIENCY.—An alien who has demonstrated English proficiency, as determined by a standardized test designated by the Secretary of Education, shall be allocated 10 points.

''(ii) ENGLISH KNOWLEDGE.—An alien who has demonstrated English knowledge, as determined by a standardized test designated by the Secretary of Education, shall be allocated 5 points.

''(G) SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.—An alien who is the sibling of a citizen of the United States or is over the age of 31 and is the married son or married daughter of a citizen of the United States shall be allocated 10 points.

''(H) AGE.—An alien who is—

''(i) between 18 and 24 years of age shall be allocated 8 points;

''(ii) between 25 and 32 years of age shall be allocated 6 points; or

''(iii) between 33 and 37 years of age shall be allocated 4 points.

''(I) COUNTRY OF ORIGIN.—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted to permanent residence in the United States in the previous 5 years shall be allocated 5 points.

''(6) APPLICATION PROCEDURES.—

''(A) SUBMISSION.—During the 30-day period beginning on the first October 1 occurring at least 3 years after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and during each 30-day period beginning on October 1 in subsequent years, eligible aliens may submit, to U.S. Citizenship and Immigration Services, an application for a merit-based immigrant visa that contains such information as the Secretary may reasonably require.

''(B) ADJUDICATION.—Before the last day of each fiscal year in which applications are filed pursuant to subparagraph (A), the Director, U.S. Citizenship and Immigration Services, shall—

''(i) review the applications to determine which aliens will be granted a merit-based immigrant visa in the following fiscal year in accordance with this subsection; and

''(ii) in coordination with the Secretary of State, provide such visas to all successful applicants.

''(C) FEE.—An alien who is allocated a visa under this subsection shall pay a fee of $1,500 in addition to any fee assessed to cover the costs to process an application under this subsection. Fees collected under this paragraph shall be deposited by the Secretary into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(7) ELIGIBILITY OF ALIENS IN REGISTERED PROVISIONAL IMMIGRANT STATUS.—An alien who was granted registered provisional immigrant status under section 245B is not eligible to receive a merit-based immigrant visa under section 201(e).

''(8) INELIGIBILITY OF ALIENS WITH PENDING OR APPROVED PETITIONS.—An alien who has a petition pending or approved in another immigrant category under this section or section 201 may not apply for a merit-based immigrant visa.

''(9) DEFINITIONS.—In this subsection:

''(A) HIGH DEMAND TIER 1 OCCUPATION.—The term 'high demand tier 1 occupation' means 1 of the 5 occupations for which the highest number of nonimmigrants described in section 101(a)(15)(H)(i) were sought to be admitted by employers during the previous fiscal year.

''(B) HIGH DEMAND TIER 2 OCCUPATION.—The term 'high demand tier 2 occupation' means 1 of the 5 occupations for which the highest number of positions were sought to become registered positions by employers under section 220(e) during the previous fiscal year.

''(C) SECRETARY.—The term 'Secretary' means the Secretary of Homeland Security.

''(D) ZONE 1 OCCUPATION.—The term 'zone 1 occupation' means an occupation that requires little or no preparation and is classified as a zone 1 occupation on—

''(i) the Occupational Information Network Database (O*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.

''(E) ZONE 2 OCCUPATION.—The term 'zone 2 occupation' means an occupation that requires some preparation and is classified as a zone 2 occupation on—

''(i) the Occupational Information Network Database (O*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.

''(F) ZONE 3 OCCUPATION.—The term 'zone 3 occupation' means an occupation that requires medium preparation and is classified as a zone 3 occupation on—

''(i) the Occupational Information Network Database (O*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.

''(G) ZONE 4 OCCUPATION.—The term 'zone 4 occupation' means an occupation that requires considerable preparation and is classified as a zone 4 occupation on—

''(i) the Occupational Information Network Database (O*NET) on the date of the enactment of theBorder Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.

''(H) ZONE 5 OCCUPATION.—The term 'zone 5 occupation' means an occupation that requires extensive preparation and is classified as a zone 5 occupation on—

''(i) the Occupational Information Network Database (O*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.''.

(3) GAO STUDY AND REPORT.—

(A) STUDY.—The Comptroller General of the United States shall conduct a study of the merit-based immigration system established under section 203(c) of the Immigration and Nationality Act, as amended by paragraph (2), to determine, during the first 7 years of such system—

(i) how the points described in paragraphs (4)(H), (4)(J), (5)(G), and (5)(I) of section 203(c) of such Act were utilized;

(ii) how many of the points allocated to people lawfully admitted for permanent residence were allocated under such paragraphs;

(iii) how many people who were allocated points under such paragraphs were not lawfully admitted to permanent residence;

(iv) the countries of origin of the people who applied for a merit-based visa under section 203(c) of such Act;

(v) the number of such visas issued under tier 1 and tier 2 to males and females, respectively;

(vi) the age of individuals who were issued such visas; and

(vii) the educational attainment and occupation of people who were issued such visas.

(B) REPORT.—Not later than 7 years after the date of the enactment of this Act, the Comptroller General shall submit a report to Congress that describes the results of the study conducted pursuant to subparagraph (A).

(b) MODIFICATION OF POINTS.—The Secretary may submit to Congress a proposal to modify the number of points allocated under subsection (c) of section 203 of the Immigration and Nationality Act (8 U.S.C. 1153), as amended by subsection (a).

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2014.

SEC. 2302. MERIT-BASED TRACK TWO.

(a) IN GENERAL.—In addition to any immigrant visa made available under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), as amended by this Act, the Secretary of State shall allocate merit-based immigrant visas as described in this section.

(b) STATUS.—An alien admitted on the basis of a merit-based immigrant visa under this section shall have the status of an alien lawfully admitted for permanent residence (as that term is defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)).

(c) ELIGIBILITY.—Beginning on October 1, 2014, the following aliens shall be eligible for merit-based immigrant visas under this section:

(1) EMPLOYMENT-BASED IMMIGRANTS.—An alien who is the beneficiary of a petition filed before the date of the enactment of this Act to accord status under section 203(b) of the Immigration and Nationality Act, if the visa has not been issued within 5 years after the date on which such petition was filed.

(2) FAMILY-SPONSORED IMMIGRANTS.—Subject to subsection (d), an alien who is the beneficiary of a petition filed to accord status under section 203(a) of the Immigration and Nationality Act—

(A) prior to the date of the enactment of this Act, if the visa was not issued within 5 years after the date on which such petition was filed; or

(B) after such date of enactment, to accord status under paragraph (3) or (4) of section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)), as in effect the minute before the effective date specified in section 2307(a)(3) of this Act, and the visa was not issued within 5 years after the date on which petition was filed.

(3) LONG-TERM ALIEN WORKERS AND OTHER MERIT-BASED IMMIGRANTS.—An alien who—

(A) is not admitted pursuant to subparagraph (W) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)); and

(B) has been lawfully present in the United States in a status that allows for employment authorization for a continuous period, not counting brief, casual, and innocent absences, of not less than 10 years.

(d) ALLOCATION OF EMPLOYMENT-SPONSORED MERIT-BASED IMMIGRANT VISAS.—In each of the fiscal years 2015 through and including 2021, the Secretary of State shall allocate to aliens described in subsection (c)(1) a number of merit-based immigrant visas equal to 1/7 of the number of aliens described in subsection (c)(1) whose visas had not been issued as of the date of the enactment of this Act.

(e) ALLOCATION OF FAMILY-SPONSORED MERIT-BASED IMMIGRANT VISAS.—The visas authorized by subsection (c)(2) shall be allocated as follows:

(1) SPOUSES AND CHILDREN OF PERMANENT RESIDENTS.—Petitions to accord status under section 203(a)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1153(a)(2)(A)), as in effect the minute before the effective date specified in section 2307(a)(3) of this Act, are automatically converted to petitions to accord status to the same beneficiaries as immediate relatives under section 201(b)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(2)(A)).

(2) OTHER FAMILY MEMBERS.—In each of the fiscal years 2015 through and including 2021, the Secretary of State shall allocate to the aliens described in subsection (c)(2)(A), other than those aliens described in paragraph (1), a number of transitional merit-based immigrant visas equal to 1/7 of the difference between—

(A) the number of aliens described in subsection (c)(2)(A) whose visas had not been issued as of the date of the enactment of this Act; and

(B) the number of aliens described in paragraph (1).

(3) ORDER OF ISSUANCE FOR PREVIOUSLY FILED APPLICATIONS.—Subject to paragraphs (1) and (2), the visas authorized by subsection (c)(2)(A) shall be issued without regard to a per country limitation in the order described in section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)), as amended by section 2305(b), in the order in which the petitions to accord status under such section 203(a) were filed prior to the date of the enactment of this Act.

(4) SUBSEQUENTLY FILED APPLICATIONS.—In fiscal year 2022, the Secretary of State shall allocate to the aliens described in subsection (c)(2)(B), the number of merit-based immigrant visas equal to 1/2 of the number of aliens described in subsection (c)(2)(B) whose visas had not been issued by October 1, 2021. In fiscal year 2023, the Secretary of State shall allocate to the aliens described in subsection (c)(2)(B), the number of merit-based immigrant visas equal to the number of aliens described in subsection (c)(2)(B) whose visas had not been issued by October 1, 2022.

(5) ORDER OF ISSUANCE FOR SUBSEQUENTLY FILED APPLICATIONS.—Subject to paragraph (4), the visas authorized by subsection (c)(2)(B) shall be issued in the order in which the petitions to accord status under section 203(a) of the Immigration and Nationality Act were filed, as in effect the minute before the effective date specified in section 2307(a)(3) of this Act.

(f) APPLICABILITY OF CERTAIN GROUNDS OF INADMISSIBILITY.—In determining an alien's inadmissibility under this section, section 212(a)(9)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(B)) shall not apply.

(g) ELIGIBILITY IN YEARS AFTER 2028.—Beginning in fiscal year 2029, aliens eligible for adjustment of status under subsection (c)(3) must be lawfully present in an employment

authorized status for 20 years prior to filing an application for adjustment of status.

SEC. 2303. REPEAL OF THE DIVERSITY VISA PROGRAM.

(a) IN GENERAL.—Title II (8 U.S.C. 1151 et seq.) is amended—

(1) in section 201(a) (8 U.S.C. 1151(a))—

(A) in paragraph (1), by adding ''and'' at the end;

(B) in paragraph (2), by striking ''; and'' at the end and inserting a period; and

(C) by striking paragraph (3);

(2) in section 203 (8 U.S.C. 1153)—

(A) by striking subsection (c);

(B) in subsection (e)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraph (3) as paragraph (2);

(C) in subsection (f), by striking ''(a), (b), or (c) of this section'' and inserting ''(a) or (b)''; and

(D) in subsection (g), by striking ''(a), (b), and (c)'' and inserting ''(a) and (b)''; and

(3) in section 204 (8 U.S.C. 1154)—

(A) in subsection (a), as amended by section 2305(d)(6)(A)(i), by striking paragraph (8); and

(B) in subsection (e), by striking ''(a), (b), or (c)'' and inserting ''(a) or (b)''.

(b) EFFECTIVE DATE AND APPLICATION.—

(1) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2014.

(2) APPLICATION.—An alien who receives a notification from the Secretary that the alien was selected to receive a diversity immigrant visa under section 203(c) of the Immigration and Nationality Act (8 U.S.C. 1153(c)) for fiscal year 2013 or fiscal year 2014 shall remain eligible to receive such visa under the rules of such section, as in effect on September 30, 2014. No alien may be allocated such a diversity immigrant visa for a fiscal year after fiscal year 2015.

SEC. 2304. WORLDWIDE LEVELS AND RECAPTURE OF UNUSED IMMIGRANT VISAS.

(a) EMPLOYMENT-BASED IMMIGRANTS.—Section 201(d) (8 U.S.C. 1151(d)) is amended to read as follows:

''(d) WORLDWIDE LEVEL OF EMPLOYMENT-BASED IMMIGRANTS.—

''(1) IN GENERAL.—

''(A) WORLDWIDE LEVEL.—For a fiscal year after fiscal year 2015, the worldwide level of employment-based immigrants under this subsection is equal to the sum of—

''(i) 140,000; and

''(ii) the number computed under paragraph (2).

''(B) FISCAL YEAR 2015.—For fiscal year 2015, the worldwide level of employment-based immigrants under this subsection is equal to the sum of—

''(i) 140,000;

''(ii) the number computed under paragraph (2); and

''(iii) the number computed under paragraph (3).

''(2) PREVIOUS FISCAL YEAR.—The number computed under this paragraph for a fiscal year is the difference, if any, between the maximum number of visas which may be issued under section 203(a) (relating to family-sponsored immigrants) during the previous fiscal year and the number of visas issued under that section during that year.

''(3) UNUSED VISAS.—The number computed under this paragraph is the difference, if any, between—

''(A) the sum of the worldwide levels established under paragraph (1), as in effect on the day before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, for fiscal years 1992 through and including 2013; and

''(B) the number of visas actually issued under section 203(b) during such fiscal years.''.

(b) FAMILY-SPONSORED IMMIGRANTS.—Section 201(c) (8 U.S.C. 1151(c)) is amended to read as follows:

''(c) WORLDWIDE LEVEL OF FAMILY-SPONSORED IMMIGRANTS.—

''(1) IN GENERAL.—

''(A) WORLDWIDE LEVEL.—Subject to subparagraph (C), for each fiscal year after fiscal year 2015, the worldwide level of family-sponsored immigrants under this subsection for a fiscal year is equal to the sum of—

''(i) 480,000 minus the number computed under paragraph (2); and

''(ii) the number computed under paragraph (3).

''(B) FISCAL YEAR 2015.—Subject to subparagraph (C), for fiscal year 2015, the worldwide level of family-sponsored immigrants under this subsection is equal to the sum of—

''(i) 480,000 minus the number computed under paragraph (2);

''(ii) the number computed under paragraph (3); and

''(iii) the number computed under paragraph (4).

''(C) LIMITATION.—The number computed under subparagraph (A)(i) or (B)(i) may not be less than 226,000, except that beginning on the date that is 18 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the number computed under subparagraph (A)(i) or (B)(i) may not be less than 161,000.

''(2) IMMEDIATE RELATIVES.—The number computed under this paragraph for a fiscal year is the number of aliens described in subparagraph (A) or (B) of subsection (b)(2) who were issued immigrant visas, or who otherwise acquired the status of an alien lawfully admitted to the United States for permanent residence, in the previous fiscal year.

''(3) PREVIOUS FISCAL YEAR.—The number computed under this paragraph for a fiscal year is the difference, if any, between the maximum number of visas which may be issued under section 203(b) (relating to employment-based immigrants) during the previous fiscal year and the number of visas issued under that section during that year.

''(4) UNUSED VISAS.—The number computed under this paragraph is the difference, if any, between—

''(A) the sum of the worldwide levels established under paragraph (1) for fiscal years 1992 through and including 2013; and

''(B) the number of visas actually issued under section 203(a) during such fiscal years.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first fiscal year beginning after the date of the enactment of this Act.

SEC. 2305. RECLASSIFICATION OF SPOUSES AND MINOR CHILDREN OF LAWFUL PERMANENT RESIDENTS AS IMMEDIATE RELATIVES.

(a) IMMEDIATE RELATIVES.—Section 201(b)(2) (8 U.S.C. 1151(b)(2)) is amended to read as follows:

''(2)(A) Aliens who are immediate relatives.

''(B) In this paragraph, the term 'immediate relative' means—

''(i) a child, spouse, or parent of a citizen of the United States, except that in the case of such a parent such citizen shall be at least 21 years of age;

''(ii) a child or spouse of an alien lawfully admitted for permanent residence;

''(iii) a child or spouse of an alien described in clause (i), who is accompanying or following to join the alien;

''(iv) a child or spouse of an alien described in clause (ii), who is accompanying or following to join the alien;

''(v) an alien admitted under section 211(a) on the basis of a prior issuance of a visa to the alien's accompanying parent who is an immediate relative; and

''(vi) an alien born to an alien lawfully admitted for permanent residence during a temporary visit abroad.

''(C) If an alien who was the spouse or child of a citizen of the United States or of an alien lawfully admitted for permanent residence and was not legally separated from the citizen or lawful permanent resident at the time of the citizen's or lawful permanent resident's death files a petition under section 204(a)(1)(B), the alien spouse (and each child of the alien) shall remain, for purposes of this paragraph, an immediate relative during the period beginning on the date of the citizen's or permanent resident's death and ending on the date on which the alien spouse remarries.

''(D) An alien who has filed a petition under clause (iii) or (iv) of section 204(a)(1)(A) shall remain, for purposes of this paragraph, an immediate relative if the United States citizen or lawful permanent resident spouse or parent loses United States citizenship on account of the abuse.''.

(b) ALLOCATION OF IMMIGRANT VISAS.—Section 203(a) (8 U.S.C. 1153(a)) is amended—

(1) in paragraph (1), by striking ''23,400,'' and inserting ''20 percent of the worldwide level of family-sponsored immigrants under section 201(c)'';

(2) by striking paragraph (2) and inserting the following:

''(2) UNMARRIED SONS AND UNMARRIED DAUGHTERS OF PERMANENT RESIDENT ALIENS.—Qualified immigrants who are the unmarried sons or unmarried daughters (but are not the children) of an alien lawfully admitted for permanent residence shall be allocated visas in a number not to exceed 20 percent of the worldwide level of family-sponsored immigrants under section 201(c), plus any visas not required for the class specified in paragraph (1).'';

(3) in paragraph (3)—

(A) by striking ''23,400,'' and inserting ''20 percent of the worldwide level of family-sponsored immigrants under section 201(c)''; and

(B) by striking ''classes specified in paragraphs (1) and (2).'' and inserting ''class specified in paragraph (2).''; and

(4) in paragraph (4)—

(A) by striking ''65,000,'' and inserting ''40 percent of the worldwide level of family-sponsored immigrants under section 201(c)''; and

(B) by striking ''classes specified in paragraphs (1) through (3).'' and inserting ''class specified in paragraph (3).''.

(c) TERMINATION OF REGISTRATION.—Section 203(g) (8 U.S.C. 1153(g)) is amended to read as follows:

''(g) LISTS.—

''(1) IN GENERAL.—For purposes of carrying out the orderly administration of this title, the Secretary of State may make reasonable estimates of the anticipated numbers of immigrant visas to be issued during any quarter of any fiscal year within each of the categories under subsections (a), (b), and (c) and may rely upon such estimates in authorizing the issuance of visas.

''(2) TERMINATION OF REGISTRATION.—

''(A) INFORMATION DISSEMINATION.—Not later than 180 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary of Homeland Security and the Secretary of State shall adopt a plan to broadly disseminate information to the public regarding termination of registration procedures described in subparagraphs (B) and (C), including procedures for notifying the Department of Homeland Security and the Department of State of any change of address on the part of a petitioner or a beneficiary of an immigrant visa petition.

''(B) TERMINATION FOR FAILURE TO ADJUST.—The Secretary of Homeland Security shall terminate the registration of any alien who has evidenced an intention to acquire lawful permanent residence under section 245 and who fails to apply to adjust status within 1 year following notification to the alien of the availability of an immigrant visa.

''(C) TERMINATION FOR FAILURE TO APPLY.—The Secretary of State shall terminate the registration of any alien not described in subparagraph (B) who fails to apply for an immigrant visa within 1 year following notification to the alien of the availability of such visa.

''(3) REINSTATEMENT.—The registration of any alien that was terminated under paragraph (2) shall be reinstated if, within 2 years following the date of notification of the availability of such visa, the alien demonstrates that such failure to apply was due to good cause.''.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) DEFINITIONS.—Section 101(a)(15)(K)(ii) (8 U.S.C. 1101(a)(15)(K)(ii)) is amended by striking ''section 201(b)(2)(A)(i)'' and inserting ''section 201(b)(2) (other than clause (v) or (vi) of subparagraph (B))''.

(2) PER COUNTRY LEVEL.—Section 202(a)(1)(A) (8 U.S.C. 1152(a)(1)(A)) is amended by striking ''section 201(b)(2)(A)(i)'' and inserting ''section 201(b)(2) (other than clause (v) or (vi) of subparagraph (B))''.

(3) RULES FOR DETERMINING WHETHER CERTAIN ALIENS ARE IMMEDIATE RELATIVES.—Section 201(f) (8 U.S.C. 1151(f)) is amended—

(A) in paragraph (1), by striking ''paragraphs (2) and (3),'' and inserting ''paragraph (2),'';

(B) by striking paragraph (2);

(C) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(D) in paragraph (3), as redesignated by subparagraph (C), by striking ''through (3)'' and inserting ''and (2)''.

(4) NUMERICAL LIMITATION TO ANY SINGLE FOREIGN STATE.—Section 202(a)(4) (8 U.S.C. 1152(a)(4)) is amended—

(A) by striking subparagraphs (A) and (B);

(B) by redesignating subparagraphs (C) and (D) as subparagraphs (A) and (B), respectively; and

(C) in subparagraph (A), as redesignated by clause (ii), by striking ''section 203(a)(2)(B)'' and inserting ''section 203(a)(2)''.

(5) ALLOCATION OF IMMIGRANT VISAS.—Section 203(h) (8 U.S.C. 1153(h)) is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''subsections (a)(2)(A) and (d)'' and inserting ''subsection (d)'';

(ii) in subparagraph (A), by striking ''becomes available for such alien (or, in the case of subsection (d), the date on which an immigrant visa number became available for the alien's parent),'' and inserting ''became available for the alien's parent,''; and

(iii) in subparagraph (B), by striking ''applicable'';

(B) by amending paragraph (2) to read as follows:

''(2) PETITIONS DESCRIBED.—The petition described in this paragraph is a petition filed under section 204 for classification of the alien's parent under subsection (a), (b), or (c).''; and

(C) by amending paragraph (3) to read as follows:

''(3) RETENTION OF PRIORITY DATE.—

''(A) PETITIONS FILED FOR CHILDREN.—For a petition originally filed to classify a child under subsection (d), if the age of the alien is determined under paragraph (1) to be 21 years of age or older on the date that a visa number becomes available to the alien's parent who was the principal beneficiary of the petition, then, upon the parent's admission to lawful permanent residence in the United States, the petition shall automatically be converted to a petition filed by the parent for classification of the alien under subsection (a)(2) and the petition shall retain the priority date established by the original petition.

''(B) FAMILY AND EMPLOYMENT-BASED PETITIONS.—The priority date for any family- or employment-based petition shall be the date of filing of the petition with the Secretary of Homeland Security (or the Secretary of State, if applicable), unless the filing of the petition was preceded by the filing of a labor certification with the Secretary of Labor, in which case that date shall constitute the priority date. The beneficiary of any petition shall retain his or her earliest priority date based on any petition filed on his or her behalf that was approvable when filed, regardless of the category of subsequent petitions.''.

(6) PROCEDURE FOR GRANTING IMMIGRANT STATUS.—

(A) PETITIONING PROCEDURE.—Section 204 (8 U.S.C. 1154) is amended—

(i) by striking subsection (a) and inserting the following:

''(a) PETITIONING PROCEDURE.—

''(1) IN GENERAL.—(A) Except as provided in subparagraph (H), any citizen of the United States or alien lawfully admitted for permanent residence claiming that an alien is entitled to classification by reason of a relationship described in subparagraph (A) or (B) of section 203(a)(1) or to an immediate relative status under section 201(b)(2)(A) may file a petition with the Secretary of Homeland Security for such classification.

''(B) An alien spouse or alien child described in section 201(b)(2)(C) may file a petition with the Secretary under this paragraph for classification of the alien (and the alien's children) under such section.

''(C)(i) An alien who is described in clause (ii) may file a petition with the Secretary under this subparagraph for classification of the alien (and any child of the alien) if the alien demonstrates to the Secretary that—

''(I) the marriage or the intent to marry the citizen of the United States or lawful permanent resident was entered into in good faith by the alien; and

''(II) during the marriage or relationship intended by the alien to be legally a marriage, the alien or a child of the alien has been battered or has been the subject of extreme cruelty perpetrated by the alien's spouse or intended spouse.

''(ii) For purposes of clause (i), an alien described in this clause is an alien—

''(I)(aa) who is the spouse of a citizen of the United States or lawful permanent resident;

''(bb) who believed that he or she had married a citizen of the United States or lawful permanent resident and with whom a marriage ceremony was actually performed and who otherwise meets any applicable requirements under this Act to establish the existence of and bona fides of a marriage, but whose marriage is not legitimate solely because of the bigamy of such citizen of the United States or lawful permanent resident; or

''(cc) who was a bona fide spouse of a citizen of the United States or a lawful permanent resident within the past 2 years and—

''(AA) whose spouse died within the past 2 years;

''(BB) whose spouse renounced citizenship status or renounced or lost status as a lawful permanent resident within the past 2 years related to an incident of domestic violence; or

''(CC) who demonstrates a connection between the legal termination of the marriage within the past 2 years and battering or extreme cruelty by a spouse who is a citizen of the United States or a lawful permanent resident spouse;

''(II) who is a person of good moral character;

''(III) who is eligible to be classified as an immediate relative under section 201(b)(2)(A) or who would have been so classified but for the bigamy of the citizen of the United States that the alien intended to marry; and

''(IV) who has resided with the alien's spouse or intended spouse.

''(D) An alien who is the child of a citizen or lawful permanent resident of the United States, or who was a child of a United States citizen or lawful permanent resident parent who within the past 2 years lost or renounced citizenship status related to an incident of domestic violence, and who is a person of good moral character, who is eligible to be classified as an immediate relative under section 201(b)(2)(A), and who resides, or has resided in the past, with the citizen or lawful permanent resident parent may file a petition with the Secretary of Homeland Security under this paragraph for classification of the alien (and any child of the alien) under such section if the alien demonstrates to the Secretary that the alien has been battered by or has been the subject of extreme cruelty perpetrated by the alien's citizen or lawful permanent resident parent. For purposes of this subparagraph, residence includes any period of visitation.

''(E) An alien who—

''(i) is the spouse, intended spouse, or child living abroad of a citizen or lawful permanent resident who—

''(I) is an employee of the United States Government;

''(II) is a member of the uniformed services (as defined in section 101(a) of title 10, United States Code); or

''(III) has subjected the alien or the alien's child to battery or extreme cruelty in the United States; and

''(ii) is eligible to file a petition under subparagraph (C) or (D),

shall file such petition with the Secretary of Homeland Security under the procedures that apply to self-petitioners under subparagraph (C) or (D), as applicable.

''(F) For the purposes of any petition filed under subparagraph (C) or (D), the denaturalization, loss or renunciation of citizenship or lawful permanent resident status, death of the abuser, divorce, or changes to the abuser's citizenship or lawful permanent resident status after filing of the petition shall not adversely affect the approval of the petition, and for approved petitions shall not preclude the classification of the eligible

self-petitioning spouse or child as an immediate relative or affect the alien's ability to adjust status under subsections (a) and (c) of section 245 or obtain status as a lawful permanent resident based on the approved self-petition under such clauses.

''(G) An alien may file a petition with the Secretary of Homeland Security under this paragraph for classification of the alien under section 201(b)(2)(A) if the alien—

''(i) is the parent of a citizen of the United States or was a parent of a citizen of the United States who, within the past 2 years, lost or renounced citizenship status related to an incident of domestic violence or died;

''(ii) is a person of good moral character;

''(iii) is eligible to be classified as an immediate relative under section 201(b)(2)(A);

''(iv) resides, or has resided, with the citizen daughter or son; and

''(v) demonstrates that the alien has been battered or subject to extreme cruelty by the citizen daughter or son.

''(H)(i) Subparagraph (A) shall not apply to a citizen of the United States who has been convicted of a specified offense against a minor, unless the Secretary of Homeland Security, in the Secretary's sole and unreviewable discretion, determines that the citizen poses no risk to the alien with respect to whom a petition described in subparagraph (A) is filed.

''(ii) For purposes of clause (i), the term 'specified offense against a minor' has the meaning given such term in section 111 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16911).

''(2) DETERMINATION OF GOOD MORAL CHARACTER.—Notwithstanding section 101(f), an act or conviction that is waivable with respect to the petitioner for purposes of a determination of the petitioner's admissibility under section 212(a) or deportability under section 237(a) shall not bar the Secretary of Homeland Security from finding the petitioner to be of good moral character under subparagraph (C) or (D) of paragraph (1), if the Secretary finds that the act or conviction was connected to the alien's having been battered or subjected to extreme cruelty.

''(3) PREFERENCE STATUS.—(A)(i) Any child who attains 21 years of age who has filed a petition under paragraph (1)(D) that was filed or approved before the date on which the child attained 21 years of age shall be considered (if the child has not been admitted or approved for lawful permanent residence by the date the child attained 21 years of age) a petitioner for preference status under paragraph (1), (2), or (3) of section 203(a), whichever paragraph is applicable, with the same priority date assigned to the self-petition filed under paragraph (1)(D). No new petition shall be required to be filed.

''(ii) Any individual described in clause (i) is eligible for deferred action and work authorization.

''(iii) Any derivative child who attains 21 years of age who is included in a petition described in subparagraph (B) that was filed or approved before the date on which the child attained 21 years of age shall be considered (if the child has not been admitted or approved for lawful permanent residence by the date the child attained 21 years of age) a VAWA self-petitioner with the same priority date as that assigned to the petitioner in any petition described in subparagraph (B). No new petition shall be required to be filed.

''(iv) Any individual described in clause (iii) and any derivative child of a petitioner described in subparagraph (B) is eligible for deferred action and work authorization.

''(B) The petition referred to in subparagraph (A)(iii) is a petition filed by an alien under subparagraph (C) or (D) of paragraph (1) in which the child is included as a derivative beneficiary.

''(C) Nothing in the amendments made by the Child Status Protection Act (Public Law 107–208; 116 Stat. 927) shall be construed to limit or deny any right or benefit provided under this paragraph.

''(D) Any alien who benefits from this paragraph may adjust status in accordance with subsections (a) and (c) of section 245 as an alien having an approved petition for classification under subparagraph (C) or (D) of paragraph (1).

''(E) For purposes of this paragraph, an individual who is not less than 21 years of age, who qualified to file a petition under paragraph (1)(D) as of the minute before the date on which the individual attained 21 years of age, and who did not file such a petition before such day, shall be treated as having filed a petition under such paragraph as of such day if a petition is filed for the status described in such paragraph before the individual attains 25 years of age and the individual shows that the abuse was at least 1 central reason for the filing delay. Subparagraphs (A) through (D) shall apply to an individual described in this subparagraph in the same manner as an individual filing a petition under paragraph (1)(D).

''(4) CLASSIFICATION AS ALIEN WITH EXTRAORDINARY ABILITY.—Any alien desiring to be classified under subparagraph (I), (J), (K), (L), or (M) of section 201(b)(1) or section 203(b)(1)(A), or any person on behalf of such an alien, may file a petition with the Secretary of Homeland Security for such classification.

''(5) CLASSIFICATION AS EMPLOYMENT-BASED IMMIGRANT.—Any employer desiring and intending to employ within the United States an alien entitled to classification under paragraph (1)(B), (1)(C), (2), or (3) of section 203(b) may file a petition with the Secretary of Homeland Security for such classification.

''(6) CLASSIFICATION AS SPECIAL IMMIGRANT.—(A) Any alien (other than a special immigrant under section 101(a)(27)(D)) desiring to be classified under section 203(b)(4), or any person on behalf of such an alien, may file a petition with the Secretary of Homeland Security for such classification.

''(B) Aliens claiming status as a special immigrant under section 101(a)(27)(D) may file a petition only with the Secretary of State and only after notification by the Secretary that such status has been recommended and approved pursuant to such section.

''(7) CLASSIFICATION AS IMMIGRANT INVESTOR.—Any alien desiring to be classified under paragraph (5) or (6) of section 203(b) may file a petition with the Secretary of Homeland Security for such classification.

''(8) DIVERSITY VISA.—(A) Any alien desiring to be provided an immigrant visa under section 203(c) may file a petition at the place and time determined by the Secretary of State by regulation. Only 1 such petition may be filed by an alien with respect to any petitioning period established. If more than 1 petition is submitted all such petitions submitted for such period by the alien shall be voided.

''(B)(i) The Secretary of State shall designate a period for the filing of petitions with respect to visas which may be issued under section 203(c) for the fiscal year beginning after the end of the period.

''(ii) Aliens who qualify, through random selection, for a visa under section 203(c) shall remain eligible to receive such visa only through the end of the specific fiscal year for which they were selected.

''(iii) The Secretary of State shall prescribe such regulations as may be necessary to carry out this subparagraph.

''(C) A petition under this paragraph shall be in such form as the Secretary of State may by regulation prescribe and shall contain such information and be supported by such documentary evidence as the Secretary of State may require.

''(D) Each petition to compete for consideration for a visa under section 203(c) shall be accompanied by a fee equal to $30. All amounts collected under this subparagraph shall be deposited into the Treasury as miscellaneous receipts.

''(9) CONSIDERATION OF CREDIBLE EVIDENCE.—In acting on petitions filed under subparagraph (C) or (D) of paragraph (1), or in making determinations under paragraphs (2) and (3), the Secretary of Homeland Security shall consider any credible evidence relevant to the petition. The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Secretary.

''(10) WORK AUTHORIZATION.—(A) Upon the approval of a petition as a VAWA self-petitioner, the alien—

''(i) is eligible for work authorization; and

''(ii) may be provided an 'employment authorized' endorsement or appropriate work permit incidental to such approval.

''(B) Notwithstanding any provision of this Act restricting eligibility for employment in the United States, the Secretary of Homeland Security shall grant employment authorization to an alien who has filed an application for status as a VAWA self-petitioner on the date that is the earlier of—

''(i) the date on which the alien's application for such status is approved; or

''(ii) a date determined by the Secretary that is not later than 180 days after the date on which the alien filed the application.

''(11) LIMITATION.—Notwithstanding paragraphs (1) through (10), an individual who was a VAWA petitioner or who had the status of a nonimmigrant under subparagraph (T) or (U) of section 101(a)(15) may not file a petition for classification under this section or section 214 to classify any person who committed the battery or extreme cruelty or trafficking against the individual (or the individual's child), which established the individual's (or individual's child's) eligibility as a VAWA petitioner or for such nonimmigrant status.'';

(ii) in subsection (c)(1), by striking ''or preference status''; and

(iii) in subsection (h), by striking ''or a petition filed under subsection (a)(1)(B)(ii)''.

(B) CONFORMING AMENDMENTS.—The Act (8 U.S.C. 1101 et seq.) is amended—

(i) in section 101(a)—

(I) in paragraph (15)(K), by striking ''204(a)(1)(A)(viii)(I)'' each place such term appears and inserting ''204(a)(1)(H)(i)'';

(II) in paragraph (50), by striking ''204(a)(1)(A)(iii)(II)(aa)(BB), 204(a)(1)(B)(ii)(II)(aa)(BB),'' and inserting ''204(a)(1)(C)(ii)(I)(bb) or''; and

(III) in paragraph (51)—

(aa) in subparagraph (A), by striking ''204(a)(1)(A)'' and inserting ''204(a)(1)'';

(bb) by striking subparagraph (B); and

(cc) by redesignating subparagraphs (C), (D), (E), (F), and (G) as subparagraphs (B), (C), (D), (E), and (F), respectively;

(ii) in section 212(a)(4)(C)(i)—

(I) in subclause (I), by striking ''clause (ii), (iii), or (iv) of section 204(a)(1)(A), or'' and inserting ''subparagraph (B), (C), or (D) of section 204(a)(1);'';

(II) by striking subclause (II); and

(III) by redesignating subclause (III) as subclause (II);

(iii) in section 216(c)(4)(D), by striking ''204(a)(1)(A)(iii)(II)(aa)(BB)'' and inserting ''204(a)(1)(C)(ii)(I)(bb)''; and

(iv) in section 240(c)(7)(C)(iv)(I), by striking ''clause (iii) or (iv) of section 204(a)(1)(A), clause (ii) or (iii) of section 204(a)(1)(B),'' and inserting ''subparagraph (C) or (D) of section 204(a)(1),''.

(7) EXCLUDABLE ALIENS.—Section 212(d)(12)(B) (8 U.S.C. 1182(d)(12)(B)) is amended by striking ''section 201(b)(2)(A)'' and inserting ''section 201(b)(2) (other than subparagraph (B)(vi))''.

(8) ADMISSION OF NONIMMIGRANTS.—Section 214(r)(3)(A) (8 U.S.C. 1184(r)(3)(A)) is amended by striking ''section 201(b)(2)(A)(i).'' and inserting ''section 201(b)(2) (other than clause (v) or (vi) of subparagraph (B)).''.

(9) REFUGEE CRISIS IN IRAQ ACT OF 2007.—Section 1243(a)(4) of the Refugee Crisis in Iraq Act of 2007 (8 U.S.C. 1157 note) is amended by striking ''section 201(b)(2)(A)(i)'' and inserting ''section 201(b)(2) (other than clause (v) or (vi) of subparagraph (B))''.

(10) PROCESSING OF VISA APPLICATIONS.—Section 233 of the Department of State Authorization Act, Fiscal Year 2003 (8 U.S.C. 1201 note) is amended by striking ''section 201(b)(2)(A)(i)'' and inserting ''section 201(b)(2) (other than clause (v) or (vi) of subparagraph (B))''.

(11) ADJUSTMENT OF STATUS.—Section 245(a) (8 U.S.C. 1255(a)) is amended to read as follows:

''(a)(1) The status of an alien who was inspected and admitted or paroled into the United States or the status of any other alien having an approved petition for classification as a VAWA self-petitioner may be adjusted by the Attorney General or the Secretary of Homeland Security, in the Attorney General's or the Secretary's discretion and under such regulations as the Attorney General or Secretary may prescribe, to that of an alien lawfully admitted for permanent residence (regardless of whether the alien has already been admitted for permanent residence) if—

''(A) the alien makes an application for such adjustment;

''(B) the alien is eligible to receive an immigrant visa and is admissible to the United States for permanent residence; and

''(C) subject to paragraph (2), an immigrant visa is immediately available to the alien at the time the alien's application is filed.

''(2)(A) An application that is based on a petition approved or approvable under subparagraph (A) or (B) of section 204(a)(1) may be filed without regard to the limitation set forth in paragraph (1)(C).

''(B) An application for adjustment filed for an alien under this paragraph may not be approved until such time as an immigrant visa becomes available for the alien.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 2306. NUMERICAL LIMITATIONS ON INDIVIDUAL FOREIGN STATES.

(a) NUMERICAL LIMITATION TO ANY SINGLE FOREIGN STATE.—Section 202(a)(2) (8 U.S.C. 1152(a)(2)) is amended—

(1) in the paragraph heading, by striking ''AND EMPLOYMENT-BASED'';

(2) by striking ''(3), (4), and (5),'' and inserting ''(3) and (4),'';

(3) by striking ''subsections (a) and (b) of section 203'' and inserting ''section 203(a)'';

(4) by striking ''7'' and inserting ''15''; and

(5) by striking ''such subsections'' and inserting ''such section''.

(b) CONFORMING AMENDMENTS.—Section 202 (8 U.S.C. 1152) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''both subsections (a) and (b) of section 203'' and inserting ''section 203(a)''; and

(B) by striking paragraph (5); and

(2) by amending subsection (e) to read as follows:

''(e) SPECIAL RULES FOR COUNTRIES AT CEILING.—If it is determined that the total number of immigrant visas made available under section 203(a) to natives of any single foreign state or dependent area will exceed the numerical limitation specified in subsection (a)(2) in any fiscal year, in determining the allotment of immigrant visa numbers to natives under section 203(a), visa numbers with respect to natives of that state or area shall be allocated (to the extent practicable and otherwise consistent with this section and section 203) in a manner so that, except as provided in subsection (a)(4), the proportion of the visa numbers made available under each of paragraphs (1) through (4) of section 203(a) is equal to the ratio of the total number of visas made available under the respective paragraph to the total number of visas made available under section 203(a).''.

(c) COUNTRY-SPECIFIC OFFSET.—Section 2 of the Chinese Student Protection Act of 1992 (8 U.S.C. 1255 note) is amended—

(1) in subsection (a), by striking ''subsection (e))'' and inserting ''subsection (d))''; and

(2) by striking subsection (d) and redesignating subsection (e) as subsection (d).

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year after the date of the enactment of this Act.

SEC. 2307. ALLOCATION OF IMMIGRANT VISAS.

(a) PREFERENCE ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS.—

(1) IN GENERAL.—Section 203(a) (8 U.S.C. 1153(a)), as amended by section 2305(b), is further amended to read as follows:

''(a) PREFERENCE ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS.—Aliens subject to the worldwide level specified in section 201(c) for family-sponsored immigrants shall be allotted visas as follows:

''(1) SONS AND DAUGHTERS OF CITIZENS.—Qualified immigrants who are—

''(A) the unmarried sons or unmarried daughters but not the children of citizens of the United States shall be allocated visas in a number not to exceed 35 percent of the worldwide level authorized in section 201(c), plus the sum of—

''(i) the number of visas not required for the class specified in paragraph (2) for the current fiscal year; and

''(ii) the number of visas not required for the class specified in subparagraph (B); or

''(B) the married sons or married daughters of citizens of the United States who are 31 years of age or younger at the time of filing a petition under section 204 shall be allocated visas in a number not to exceed 25 percent of the worldwide level authorized in section 201(c), plus the number of any visas not required for the class specified in subparagraph (A) current fiscal year.

''(2) SONS AND DAUGHTERS OF PERMANENT RESIDENTS.—Qualified immigrants who are the unmarried sons or unmarried daughters of aliens admitted for permanent residence shall be allocated visas in a number not to exceed 40 percent of the worldwide level authorized in section 201(c), plus any visas not required for the class specified in paragraph (1)(A).''.

(2) CONFORMING AMENDMENTS.—

(A) PROCEDURE FOR GRANTING IMMIGRANT STATUS.—Section 204(f)(1) (8 U.S.C. 1154(f)(1)) is amended by striking ''section 201(b), 203(a)(1), or 203(a)(3),'' and inserting ''section 201(b) or subparagraph (A) or (B) of section 203(a)(1)''.

(B) AUTOMATIC CONVERSION.—For the purposes of any petition pending or approved based on a relationship described—

(i) in subparagraph (A) of section 203(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1153(a)(1)), as amended by paragraph (1), and notwithstanding the age of the alien, such a petition shall be deemed reclassified as a petition based on a relationship described in subparagraph (B) of such section 203(a)(1) upon the marriage of such alien; or

(ii) in subparagraph (B) of such section 203(a)(1), such a petition shall be deemed reclassified as a petition based on a relationship described in subparagraph (A) of such section 203(a)(1) upon the legal termination of marriage or death of such alien's spouse.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the first day of the first fiscal year that begins at least 18 months following the date of the enactment of this Act.

(b) PREFERENCE ALLOCATION FOR EMPLOYMENT-BASED IMMIGRANTS.—

(1) IN GENERAL.—Section 201(b)(1) (8 U.S.C. 1151(b)(1)), as amended by sections 2103(c) and 2212(d), is further amended by adding at the end the following:

''(H) Derivative beneficiaries as described in section 203(d) of employment-based immigrants under section 203(b).

''(I) Aliens with extraordinary ability in the sciences, arts, education, business, or athletics which has been demonstrated by sustained national or international acclaim, if, with respect to any such alien—

''(i) the achievements of such alien have been recognized in the field through extensive documentation;

''(ii) such alien seeks to enter the United States to continue work in the area of extraordinary ability; and

''(iii) the entry of such alien into the United States will substantially benefit prospectively the United States.

''(J) Aliens who are outstanding professors and researchers if, with respect to any such alien—

''(i) the alien is recognized internationally as outstanding in a specific academic area;

''(ii) the alien has at least 3 years of experience in teaching or research in the academic area; and

''(iii) the alien seeks to enter the United States—

''(I) to be employed in a tenured position (or tenure-track position) within a not for profit university or institution of higher education to teach in the academic area;

''(II) for employment in a comparable position with a not for profit university or institution of higher education, or a governmental research organization, to conduct research in the area; or

''(III) for employment in a comparable position to conduct research in the area with a department, division, or institute of a private employer, if the department, division, or institute employs at least 3 persons full-time in research activities and has achieved documented accomplishments in an academic field.

''(K) Aliens who are multinational executives and managers if, with respect to any such alien—

''(i) in the 3 years preceding the time of the alien's application for classification and admission into the United States under this subparagraph, the alien has been employed for at least 1 year by a firm or corporation or other legal entity or an affiliate or subsidiary thereof; and

''(ii) the alien seeks to enter the United States in order to continue to render services to the same employer or to a subsidiary or affiliate thereof in a capacity that is managerial or executive.

''(L) Aliens who have earned a doctorate degree from an institution of higher education in the United States or the foreign equivalent.

''(M) Alien physicians who have completed the foreign residency requirements under section 212(e) or obtained a waiver of these requirements or an exemption requested by an interested State agency or by an interested Federal agency under section 214(l), including those alien physicians who completed such service before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(N) ADVANCED DEGREES IN A STEM FIELD.—

''(i) IN GENERAL.—An immigrant who—

''(I) has earned a master's or higher degree in a field of science, technology, engineering, or mathematics included in the Department of Education's Classification of Instructional Programs taxonomy within the summary groups of computer and information sciences and support services, engineering, mathematics and statistics, biological and biomedical sciences, and physical sciences, from a United States institution of higher education;

''(II) has an offer of employment from a United States employer in a field related to such degree; and

''(III) earned the qualifying graduate degree during the 5-year period immediately before the initial filing date of the petition under which the nonimmigrant is a beneficiary.

''(ii) DEFINITION.—In this subparagraph, the term 'United States institution of higher education' means an institution that—

''(I) is described in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) or is a proprietary institution of higher education (as defined in section 102(b) of such Act (20 U.S.C. 1002(b)));

''(II) was classified by the Carnegie Foundation for the Advancement of Teaching on January 1, 2012, as a doctorate-granting university with a very high or high level of research activity or classified by the National Science Foundation after the date of enactment of this subparagraph, pursuant to an application by the institution, as having equivalent research activity to those institutions that had been classified by the Carnegie Foundation as being doctorate-granting universities with a very high or high level of research activity; and

''(III) is accredited by an accrediting body that is itself accredited either by the Department of Education or by the Council for Higher Education Accreditation.''.

(2) EXCEPTION FROM LABOR CERTIFICATION REQUIREMENT FOR STEM IMMIGRANTS.—Section 212(a)(5)(D) (8 U.S.C. 1182(a)(5)(D)) is amended to read as follows:

''(D) APPLICATION OF GROUNDS.—

''(i) IN GENERAL.—Except as provided in clause (ii), the grounds for inadmissibility of aliens under subparagraphs (A) and (B) shall apply to immigrants seeking admission or adjustment of status under paragraph (2) or (3) of section 203(b).

''(ii) SPECIAL RULE FOR STEM IMMIGRANTS.—The grounds for inadmissibility of aliens under subparagraph (A) shall not apply to an immigrant seeking admission or adjustment of status under section 203(b)(2)(B) or 201(b)(1)(N).''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TREATMENT OF DERIVATIVE FAMILY MEMBERS.—Section 203(d) (8 U.S.C. 1153(d)) is amended to read as follows:

''(d) TREATMENT OF FAMILY MEMBERS.—If accompanying or following to join a spouse or parent issued a visa under subsection (a), (b), or (c), subparagraph (I), (J), (K), (L), or (M) of section 201(b)(1), or section 201(b)(2), a spouse or child (as defined in subparagraph (A), (B), (C), (D), or (E) of section 101(b)(1)) shall be entitled to the same immigrant status and the same order of consideration provided in the respective provision.''.

(2) ALIENS WHO ARE PRIORITY WORKERS OR MEMBERS OF THE PROFESSIONS HOLDING ADVANCED DEGREES.—Section 203(b) (8 U.S.C. 1153(b)) is amended—

(A) in the matter preceding paragraph (1), by striking ''Aliens'' and inserting ''Other than aliens described in paragraph (1) or (2)(B), aliens'';

(B) in paragraph (1), by striking the matter preceding subparagraph (A) and inserting ''Aliens described in any of the following subparagraphs may be admitted to the United States without respect to the worldwide level specified in section 201(d)''; and

(C) by amending paragraph (2) to read as follows:

''(2) ALIENS WHO ARE MEMBERS OF PROFESSIONS HOLDING ADVANCED DEGREES OR PROSPECTIVE EMPLOYEES OF NATIONAL SECURITY FACILITIES.—

''(A) IN GENERAL.—Visas shall be made available, in a number not to exceed 40 percent of the worldwide level authorized in section 201(d), plus any visas not required for the classes specified in paragraph (5) to qualified immigrants who are either of the following:

''(i) Members of the professions holding advanced degrees or their equivalent whose services in the sciences, arts, professions, or business are sought by an employer in the United States, including alien physicians holding foreign medical degrees that have been deemed sufficient for acceptance by an accredited United States medical residency or fellowship program.

''(ii) Prospective employees, in a research capacity, of Federal national security, science, and technology laboratories, centers, and agencies, if such immigrants have been lawfully present in the United States for two years prior to employment (unless the Secretary of Homeland Security determines, including upon request of the prospective laboratory, center, or agency, that exceptional circumstances exist justifying waiver of the presence requirement).

''(B) WAIVER OF JOB OFFER.—

''(i) NATIONAL INTEREST WAIVER.—Subject to clause (ii), the Secretary of Homeland Security may, if the Secretary deems it to be in the national interest, waive the requirements of subparagraph (A) that an alien's services in the sciences, arts, professions, or business be sought by an employer in the United States.

''(ii) PHYSICIANS WORKING IN SHORTAGE AREAS OR VETERANS FACILITIES.—

''(I) IN GENERAL.—The Secretary shall grant a national interest waiver pursuant to clause (i) on behalf of any alien physician with respect to whom a petition for preference classification has been filed under subparagraph (A) if—

''(aa) the alien physician agrees to work on a full- time basis practicing primary care, specialty medicine, or a combination thereof, in an area or areas designated by the Secretary of Health and Human Services as having a shortage of health care professionals or at a health care facility under the jurisdiction of the Secretary of Veterans Affairs; or

''(bb) the alien physician is pursuing such waiver based upon service at a facility or facilities that serve patients who reside in a geographic area or areas designated by the Secretary of Health and Human Services as having a shortage of health care professionals (without regard to whether such facility or facilities are located within such an area) and a Federal agency or a local, county, regional, or State department of public health determines that the alien physician's work at such facility was or will be in the public interest.

''(II) PROHIBITION.—

''(aa) No permanent resident visa may be issued to an alien physician described in subclause (I) by the Secretary of State under section 204(b), and the Secretary of Homeland Security may not adjust the status of such an alien physician from that of a nonimmigrant alien to that of a permanent resident alien under section 245, until such time as the alien has worked full time as a physician for an aggregate of 5 years (not including the time served in the status of an alien described in section 101(a)(15)(J)), in an area or areas designated by the Secretary of Health and Human Services as having a shortage of health care professionals or at a health care facility under the jurisdiction of the Secretary of Veterans Affairs, or at a facility or facilities meeting the requirements of subclause (I)(bb).

''(bb) The 5-year service requirement of item (aa) shall be counted from the date the alien physician begins work in the shortage area in any legal status and not the date an immigrant visa petition is filed or approved. Such service shall be aggregated without regard to when such service began and without regard to whether such service began during or in conjunction with a course of graduate medical education.

''(cc) An alien physician shall not be required to submit an employment contract with a term exceeding the balance of the 5-year commitment yet to be served, nor an employment contract dated within a minimum time period prior to filing of a visa petition pursuant to this subsection.

''(dd) An alien physician shall not be required to file additional immigrant visa petitions upon a change of work location from the location approved in the original national interest immigrant petition.

''(III) STATUTORY CONSTRUCTION.—Nothing in this subparagraph may be construed to prevent the filing of a petition with the Secretary of Homeland Security for classification under section 204(a), by an alien physician described in subclause (I) prior to the date by which such alien physician has completed the service described in subclause (II) or in section 214(l).

''(C) GUIDANCE AND RULES.—The Secretary may prescribe such policy guidance and rules as the Secretary considers appropriate for purposes of subparagraph (A) to ensure national security and promote the interests and competitiveness of the United States. Such rules shall include a definition of the term 'Federal national security, science, and

technology laboratories, centers, and agencies' for purposes of clause (ii) of subparagraph (A), which shall include the following:

''(i) The national security, science, and technology laboratories, centers, and agencies of the Department of Defense, the Department of Energy, the Department of Homeland Security, the elements of the intelligence community (as that term is defined in section 4(3) of the National Security Act of 1947), and any other department or agency of the Federal Government that conducts or funds research and development in the essential national interest.

''(ii) Federally funded research and development centers (FFRDCs) that are primarily supported by a department or agency of the Federal Government specified in clause (i).''.

(3) SKILLED WORKERS, PROFESSIONALS, AND OTHER WORKERS.—

(A) IN GENERAL.—Section 203(b)(3)(A) (8 U.S.C. 1153(b)(3)(A)) is amended by striking ''in a number not to exceed 28.6 percent of such worldwide level, plus any visas not required for the classes specified in paragraphs (1) and (2),'' and inserting ''in a number not to exceed 40 percent of the worldwide level authorized in section 201(d), plus any visas not required for the class specified in paragraph (2),''.

(B) MEDICAL LICENSE REQUIREMENTS.—Section 214(i)(2)(A) (8 U.S.C. 1184(i)(2)(A)) is amended by adding at the end ''including in the case of a medical doctor, the licensure required to practice medicine in the United States,''.

(C) REPEAL OF LIMITATION ON OTHER WORKERS.—Section 203(b)(3) (8 U.S.C. 1153(b)(3)) is amended—

(i) by striking subparagraph (B); and

(ii) redesignated subparagraph (C) as subparagraph (B).

(4) CERTAIN SPECIAL IMMIGRANTS.—Section 203(b)(4) (8 U.S.C. 1153(b)(4)) is amended by striking ''in a number not to exceed 7.1 percent of such worldwide level,'' and inserting ''in a number not to exceed 10 percent of the worldwide level authorized in section 201(d), plus any visas not required for the class specified in paragraph (3),''.

(5) EMPLOYMENT CREATION.—Section 203(b)(5)(A) (8 U.S.C. 1153(b)(5)(A)) is amended by striking ''in a number not to exceed 7.1 percent of such worldwide level,'' and inserting ''in a number not to exceed 10 percent of the worldwide level authorized in section 201(d), plus any visas not required for the class specified in paragraph (4),''.

(d) NATURALIZATION OF EMPLOYEES OF CERTAIN NATIONAL SECURITY FACILITIES WITHOUT REGARD TO RESIDENCY REQUIREMENTS.—Section 316 (8 U.S.C. 1427) is amended by adding at the end the following:

''(g)(1) Any person who, while an alien or a noncitizen national of the United States, has been employed in a research capacity at a Federal national security, science, and technology laboratory, center, or agency (as defined pursuant to section 203(b)(2)(C)) for a period or periods aggregating one year or more may, in the discretion of the Secretary, be naturalized without regard to the residence requirements of this section if the person—

''(A) has complied with all requirements as determined by the Secretary of Homeland Security, the Secretary of Defense, the Secretary of Energy, or the head of a petitioning department or agency of the Federal Government, including contractual requirements to maintain employment in a research capacity with a Federal national security, science, and technology laboratory, center, or agency for a period not to exceed five years; and

''(B) has favorably completed and adjudicated a background investigation at the appropriate level, from the employing department or agency of the Federal Government within the last five years.

''(2) The number of aliens or noncitizen nationals naturalized in any fiscal year under this subsection shall not exceed a number as defined by the Secretary of Homeland Security, in consultation with the head of the petitioning department or agency of the Federal Government.''.

SEC. 2308. INCLUSION OF COMMUNITIES ADVERSELY AFFECTED BY A RECOMMENDATION OF THE DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION AS TARGETED EMPLOYMENT AREAS.

(a) IN GENERAL.—Section 203(b)(5)(B)(ii) (8 U.S.C. 1153(b)(5)(B)(ii)) is amended by inserting '', any community adversely affected by a recommendation by the Defense Base Closure and Realignment Commission,'' after ''rural area''.

(b) REGULATIONS.—The Secretary, in consultation with the Secretary of Defense, shall implement the amendment made by subsection (a) through appropriate regulations.

SEC. 2309. V NONIMMIGRANT VISAS.

(a) NONIMMIGRANT ELIGIBILITY.—Subparagraph (V) of section 101(a)(15) (8 U.S.C. 1101(a)(15)) is amended to read as follows:

''(V)(i) subject to section 214(q)(1) and section 212(a)(4), an alien who is the beneficiary of an approved petition under section 203(a) as—

''(I) the unmarried son or unmarried daughter of a citizen of the United States;

''(II) the unmarried son or unmarried daughter of an alien lawfully admitted for permanent residence; or

''(III) the married son or married daughter of a citizen of the United States and who is 31 years of age or younger; or

''(ii) subject to section 214(q)(2), an alien who is—

''(I) the sibling of a citizen of the United States; or

''(II) the married son or married daughter of a citizen of the United States and who is older than 31 years of age;''.

(b) EMPLOYMENT AND PERIOD OF ADMISSION OF NONIMMIGRANTS DESCRIBED IN SECTION 101(A)(15)(V).—Section 214(q) (8 U.S.C. 1184(q)) is amended to read as follows:

''(q) NONIMMIGRANTS DESCRIBED IN SECTION 101(A)(15)(V).—

''(1) CERTAIN SONS AND DAUGHTERS.—

''(A) EMPLOYMENT AUTHORIZATION.—The Secretary shall—

''(i) authorize a nonimmigrant admitted pursuant to section 101(a)(15)(V)(i) to engage in employment in the United States during the period of such nonimmigrant's authorized admission; and

''(ii) provide such a nonimmigrant with an 'employment authorized' endorsement or other appropriate document signifying authorization of employment.

''(B) TERMINATION OF ADMISSION.—The period of authorized admission for such a nonimmigrant shall terminate 30 days after the date on which—

''(i) such nonimmigrant's application for an immigrant visa pursuant to the approval of a petition under subsection (a) or (c) of section 203 is denied; or

''(ii) such nonimmigrant's application for adjustment of status under section 245 pursuant to the approval of such a petition is denied.

''(2) SIBLINGS AND SONS AND DAUGHTERS OF CITIZENS.—

''(A) EMPLOYMENT AUTHORIZATION.—The Secretary may not authorize a nonimmigrant admitted pursuant to section 101(a)(15)(V)(ii) to engage in employment in the United States.

''(B) PERIOD OF ADMISSION.—The period of authorized admission as such a nonimmigrant may not exceed 60 days per fiscal year.

''(C) TREATMENT OF PERIOD OF ADMISSION.—An alien admitted under section 101(a)(15)(V) may not receive an allocation of points pursuant to section 203(c) for residence in the United States while admitted as such a nonimmigrant.''.

(c) PUBLIC BENEFITS.—A noncitizen who is lawfully present in the United States pursuant to section 101(a)(15)(V) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(V)) is not eligible for any means-tested public benefits (as such term is defined and implemented in section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613)). A noncitizen admitted under this section—

(1) is not entitled to the premium assistance tax credit authorized under section 36B of the Internal Revenue Code of 1986 for his or her coverage;

(2) shall be subject to the rules applicable to individuals not lawfully present that are set forth in subsection (e) of such section;

(3) shall be subject to the rules applicable to individuals not lawfully present that are set forth in section 1402(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18071(e)); and

(4) shall be subject to the rules applicable to individuals not lawfully present set forth in section 5000A(d)(3) of the Internal Revenue Code of 1986.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first fiscal year beginning after the date of the enactment of this Act.

SEC. 2310. FIANCÉE AND FIANCÉ CHILD STATUS PROTECTION.

(a) DEFINITION.—Section 101(a)(15)(K) (8 U.S.C. 1101(a)(15)(K), as amended by section 2305(d)(6)(B)(i)(I), is further amended—

(1) in clause (i), by inserting ''or of an alien lawfully admitted for permanent residence'' after ''204(a)(1)(H)(i))'';

(2) in clause (ii), by inserting ''or of an alien lawfully admitted for permanent residence'' after ''204(a)(1)(H)(i))''; and

(3) in clause (iii), by striking the semicolon and inserting '', provided that a determination of the age of such child is made using the age of the alien on the date on which the fiancé, fiancée, or immigrant visa petition is filed with the Secretary of Homeland Security to classify the alien's parent as the fiancée or fiancé of a United States citizen or of an alien lawfully admitted for permanent residence (in the case of an alien parent described in clause (i)) or as the spouse of a citizen of the United States or of an alien lawfully admitted to permanent residence under section 201(b)(2)(A) (in the case of an alien parent described in clause (ii));''.

(b) ADJUSTMENT OF STATUS AUTHORIZED.—Section 214(d) (8 U.S.C. 1184(d)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) in paragraph (1), by striking ''In the event'' and all that follows through the end; and

(3) by inserting after paragraph (1) the following:

''(2)(A) If an alien does not marry the petitioner under paragraph (1) within 3 months after the alien and the alien's children are admitted into the United States, the visa

previously issued under the provisions of section 1101(a)(15)(K)(i) shall automatically expire and such alien and children shall be required to depart from the United States. If such aliens fail to depart from the United States, they shall be placed in proceedings in accordance with sections 240 and 241.

''(B) Subject to subparagraphs (C) and (D), if an alien marries the petitioner described in section 101(a)(15)(K)(i) within 90 days after the alien is admitted into the United States, the Secretary or the Attorney General, subject to the provisions of section 245(d), may adjust the status of the alien, and any children accompanying or following to join the alien, to that of an alien lawfully admitted for permanent residence on a conditional basis under section 216 if the alien and any such children apply for such adjustment and are not determined to be inadmissible to the United States. If the alien does not apply for such adjustment within 6 months after the marriage, the visa issued under the provisions of section 1101(a)(15)(K) shall automatically expire.

''(C) Paragraphs (5) and (7)(A) of section 212(a) shall not apply to an alien who is eligible to apply for adjustment of the alien's status to an alien lawfully admitted for permanent residence under this section.

''(D) An alien eligible for a waiver of inadmissibility as otherwise authorized under this Act or the Border Security, Economic Opportunity, and Immigration Modernization Act shall be permitted to apply for adjustment of the alien's status to that of an alien lawfully admitted for permanent residence under this section.''.

(c) AGE DETERMINATION.—Section 245(d) (8 U.S.C. 1255(d)) is amended—

(1) by striking ''The Attorney General'' and inserting ''(1) The Secretary of Homeland Security'';

(2) in paragraph (1), as redesignated, by striking ''Attorney General'' and inserting ''Secretary''; and

(3) by adding at the end the following:

''(2) A determination of the age of an alien admitted to the United States under section 101(a)(15)(K)(iii) shall be made, for purposes of adjustment to the status of an alien lawfully admitted for permanent residence on a conditional basis under section 216, using the age of the alien on the date on which the fiancé, fiancée, or immigrant visa petition was filed with the Secretary of Homeland Security to classify the alien's parent as the fiancée or fiancé of a United States citizen or of an alien lawfully admitted to permanent residence (in the case of an alien parent admitted to the United States under section 101(a)(15)(K)(i)) or as the spouse of a United States citizen or of an alien lawfully admitted to permanent residence under section 201(b)(2)(A) (in the case of an alien parent admitted to the United States under section 101(a)(15)(K)(ii)).''.

(d) APPLICABILITY.—The amendments made by this section shall apply to all petitions or applications described in such amendments that are pending as of the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) DEFINITIONS.—Section 101(a)(15)(K) (8 U.S.C. 1101(a)(15)(K)), as amended by subsection (a), is further amended—

(A) in clause (ii), by striking ''section 201(b)(2)(A)(i)'' and inserting ''section 201(b)(2)''; and

(B) in clause (iii), by striking ''section 201(b)(2)(A)(i)'' and inserting ''section 201(b)(2)''.

(2) AGE DETERMINATION.—Paragraph (2) of section 245(d) (8 U.S.C. 1255(d)), as added by subsection (c), is amended by striking section ''201(b)(2)(A)(i)'' and inserting ''201(b)(2)''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the first day of the first fiscal year beginning no earlier than 1 year after the date of the enactment of this Act.

SEC. 2311. EQUAL TREATMENT FOR ALL STEP-CHILDREN.

Section 101(b)(1)(B) (8 U.S.C. 1101(b)(1)(B)) is amended by striking ''eighteen years'' and inserting ''21 years''.

SEC. 2312. MODIFICATION OF ADOPTION AGE REQUIREMENTS.

Section 101(b)(1) (8 U.S.C. 1101(b)(1)) is amended—

(1) in subparagraph (E)—

(A) by striking ''(E)(i)'' and inserting ''(E)'';

(B) by striking ''under the age of sixteen years'' and inserting ''younger than 18 years of age, or a child adopted when 18 years of age or older if the adopting parent or parents initiated the legal adoption process before the child reached 18 years of age'';

(C) by striking ''; or'' and inserting a semicolon; and

(D) by striking clause (ii);

(2) in subparagraph (F)—

(A) by striking ''(F)(i)'' and inserting ''(F)'';

(B) by striking ''sixteen'' and inserting ''18'';

(C) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security''; and

(D) by striking clause (ii); and

(3) in subparagraph (G), by striking ''16'' and inserting ''18''.

SEC. 2313. RELIEF FOR ORPHANS, WIDOWS, AND WIDOWERS.

(a) IN GENERAL.—

(1) SPECIAL RULE FOR ORPHANS AND SPOUSES.—In applying clauses (iii) and (iv) of section 201(b)(2)(B) of the Immigration and Nationality Act, as added by section 2305(a) of this Act, to an alien whose citizen or lawful permanent resident relative died before the date of the enactment of this Act, the alien relative may file the classification petition under section 204(a)(1)(A)(ii) of the Immigration and Nationality Act not later than 2 years after the date of the enactment of this Act.

(2) ELIGIBILITY FOR PAROLE.—If an alien was excluded, deported, removed, or departed voluntarily before the date of the enactment of this Act based solely upon the alien's lack of classification as an immediate relative (as defined in section 201(b)(2)(B)(iv) of the Immigration and Nationality Act, as amended by section 2305(a) of this Act) due to the death of such citizen or resident—

(A) such alien shall be eligible for parole into the United States pursuant to the Secretary's discretionary authority under section 212(d)(5) of such Act (8 U.S.C. 1182(d)(5)); and

(B) such alien's application for adjustment of status shall be considered by the Secretary notwithstanding section 212(a)(9) of such Act (8 U.S.C. 1182(a)(9)).

(3) ELIGIBILITY FOR PAROLE.—If an alien described in section 204(l) of the Immigration and Nationality Act (8 U.S.C. 1154(l)) was excluded, deported, removed, or departed voluntarily before the date of the enactment of this Act—

(A) such alien shall be eligible for parole into the United States pursuant to the Secretary's discretionary authority under section 212(d)(5) of such Act (8 U.S.C. 1182(d)(5)); and

(B) such alien's application for adjustment of status shall be considered by the Secretary notwithstanding section 212(a)(9) of such Act (8 U.S.C. 1182(a)(9)).

(b) PROCESSING OF IMMIGRANT VISAS AND DERIVATIVE PETITIONS.—

(1) IN GENERAL.—Section 204(b) (8 U.S.C. 1154(b)) is amended—

(A) by striking ''After an investigation'' and inserting ''(1) After an investigation''; and

(B) by adding at the end the following:

''(2)(A) Any alien described in subparagraph (B) whose qualifying relative died before the completion of immigrant visa processing may have an immigrant visa application adjudicated as if such death had not occurred. An immigrant visa issued before the death of the qualifying relative shall remain valid after such death.

''(B) An alien described in this subparagraph is an alien who—

''(i) is an immediate relative (as described in section 201(b)(2)(B));

''(ii) is a family-sponsored immigrant (as described in subsection (a) or (d) of section 203);

''(iii) is a derivative beneficiary of an employment-based immigrant under section 203(b) (as described in section 203(d)); or

''(iv) is the spouse or child of a refugee (as described in section 207(c)(2)) or an asylee (as described in section 208(b)(3)).''.

(2) TRANSITION PERIOD.—

(A) IN GENERAL.—Notwithstanding a denial or revocation of an application for an immigrant visa for an alien due to the death of the qualifying relative before the date of the enactment of this Act, such application may be renewed by the alien through a motion to reopen, without fee.

(B) INAPPLICABILITY OF BARS TO ENTRY.—Notwithstanding section 212(a)(9) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)), an alien's application for an immigrant visa shall be considered if the alien was excluded, deported, removed, or departed voluntarily before the date of the enactment of this Act.

(c) NATURALIZATION.—Section 319(a) (8 U.S.C. 1430(a)) is amended by striking ''States,'' and inserting ''States (or if the spouse is deceased, the spouse was a citizen of the United States),''.

(d) WAIVERS OF INADMISSIBILITY.—Section 212 (8 U.S.C. 1182) is amended by adding at the end the following:

''(v) CONTINUED WAIVER ELIGIBILITY FOR WIDOWS, WIDOWERS, AND ORPHANS.—In the case of an alien who would have been statutorily eligible for any waiver of inadmissibility under this Act but for the death of a qualifying relative, the eligibility of such alien shall be preserved as if the death had not occurred and the death of the qualifying relative shall be the functional equivalent of hardship for purposes of any waiver of inadmissibility which requires a showing of hardship.''.

(e) SURVIVING RELATIVE CONSIDERATION FOR CERTAIN PETITIONS AND APPLICATIONS.—Section 204(l)(1) (8 U.S.C. 1154(l)(1)) is amended—

(1) by striking ''who resided in the United States at the time of the death of the qualifying relative and who continues to reside in the United States''; and

(2) by striking ''related applications,'' and inserting ''related applications (including affidavits of support),''.

(f) FAMILY-SPONSORED IMMIGRANTS.—Section 212(a)(4)(C)(i) (8 U.S.C. 1182(a)(4)(C)(i)), as amended by section 2305(d)(6)(B)(iii), is

further amended by adding at the end the following:

''(III) the status as a surviving relative under 204(l); or''.

SEC. 2314. DISCRETIONARY AUTHORITY WITH RESPECT TO REMOVAL, DEPORTATION, OR INADMISSIBILITY OF CITIZEN AND RESIDENT IMMEDIATE FAMILY MEMBERS.

(a) APPLICATIONS FOR RELIEF FROM REMOVAL.—Section 240(c)(4) (8 U.S.C. 1229a(c)(4)) is amended by adding at the end the following:

''(D) JUDICIAL DISCRETION.—In the case of an alien subject to removal, deportation, or inadmissibility, the immigration judge may exercise discretion to decline to order the alien removable, deportable, or inadmissible from the United States and terminate proceedings if the judge determines that such removal, deportation, or inadmissibility is against the public interest or would result in hardship to the alien's United States citizen or lawful permanent resident parent, spouse, or child, or the judge determines the alien is prima facie eligible for naturalization except that this subparagraph shall not apply to an alien whom the judge determines—

''(i) is inadmissible or deportable under—

''(I) subparagraph (B), (C), (D)(ii), (E), (H), (I), or (J) of section 212(a)(2);

''(II) section 212(a)(3);

''(III) subparagraph (A), (C), or (D) of section 212(a)(10); or

''(IV) paragraph (2)(A)(ii), (2)(A)(v), (2)(F), (4), or (6) of section 237(a); or

''(ii) has—

''(I) engaged in conduct described in paragraph (8) or (9) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102); or

''(II) a felony conviction described in section 101(a)(43) that would have been classified as an aggravated felony at the time of conviction.''.

(b) SECRETARY'S DISCRETION.—Section 212 (8 U.S.C. 1182), as amended by section 2313(d), is further amended by adding at the end the following:

''(w) SECRETARY'S DISCRETION.—In the case of an alien who is inadmissible under this section or deportable under section 237, the Secretary of Homeland Security may exercise discretion to waive a ground of inadmissibility or deportability if the Secretary determines that such removal or refusal of admission is against the public interest or would result in hardship to the alien's United States citizen or permanent resident parent, spouse, or child. This subsection shall not apply to an alien whom the Secretary determines—

''(1) is inadmissible or deportable under—

''(A) subparagraph (B), (C), (D)(ii), (E), (H), (I), or (J) of subsection (a)(2);

''(B) subsection (a)(3);

''(C) subparagraph (A), (C), or (D) of subsection (a)(10);

''(D) paragraphs (2)(A)(ii), (2)(A)(v), (2)(F), or (6) of section 237(a); or

''(E) section 240(c)(4)(D)(ii)(II); or

''(2) has—

''(A) engaged in conduct described in paragraph (8) or (9) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102); or

''(B) a felony conviction described in section 101(a)(43) that would have been classified as an aggravated felony at the time of conviction.''.

(c) REINSTATEMENT OF REMOVAL ORDERS.—Section 241(a)(5) (8 U.S.C. 1231(a)(5)) is amended by striking the period at the end and inserting '', unless the alien reentered prior to attaining the age of 18 years, or reinstatement of the prior order of removal would not be in the public interest or would result in hardship to the alien's United States citizen or permanent resident parent, spouse, or child.''.

SEC. 2315. WAIVERS OF INADMISSIBILITY.

(a) ALIENS WHO ENTERED AS CHILDREN.—Section 212(a)(9)(B)(iii) (8 U.S.C. 1182(a)(9)(B)(iii)) is amended by adding at the end the following:

''(VI) ALIENS WHO ENTERED AS CHILDREN.—Clause (i) shall not apply to an alien who is the beneficiary of an approved petition under 101(a)(15)(H) and who has earned a baccalaureate or higher degree from a United States institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)), and had not yet reached the age of 16 years at the time of initial entry to the United States.''.

(b) ALIENS UNLAWFULLY PRESENT.—Section 212(a)(9)(B)(v) (8 U.S.C. 1181(a)(9)(B)(v) is amended—

(1) by striking ''spouse or son or daughter'' and inserting ''spouse, son, daughter, or parent'';

(2) by striking ''extreme''; and

(3) by inserting '', child,'' after ''lawfully resident spouse''.

(c) PREVIOUS IMMIGRATION VIOLATIONS.—Section 212(a)(9)(C)(i) (8 U.S.C. 1182(a)(9)(C)(i)) is amended by adding '', other than an alien described in clause (iii) or (iv) of subparagraph (B),'' after ''Any alien''.

(d) FALSE CLAIMS.—

(1) INADMISSIBILITY.—

(A) IN GENERAL.—Section 212(a)(6)(C) (8 U.S.C. 1182(a)(6)(C)) is amended to read as follows:

''(C) MISREPRESENTATION.—

''(i) IN GENERAL.—Any alien who, by fraud or willfully misrepresenting a material fact, seeks to procure (or within the last 3 years has sought to procure or has procured) a visa, other documentation, or admission into the United States or other benefit provided under this Act is inadmissible.

''(ii) FALSELY CLAIMING CITIZENSHIP.—

''(I) INADMISSIBILITY.—Subject to subclause (II), any alien who knowingly misrepresents himself or herself to be a citizen of the United States for any purpose or benefit under this chapter (including section 274A) or any other Federal or State law is inadmissible.

''(II) SPECIAL RULE FOR CHILDREN.—An alien shall not be inadmissible under this clause if the misrepresentation described in subclause (I) was made by the alien when the alien—

''(aa) was under 18 years of age; or

''(bb) otherwise lacked the mental competence to knowingly misrepresent a claim of United States citizenship.

''(iii) WAIVER.—The Attorney General or the Secretary of Homeland Security may, in the discretion of the Attorney General or the Secretary, waive the application of clause (i) or (ii)(I) for an alien, regardless whether the alien is within or outside the United States, if the Attorney General or the Secretary finds that a determination of inadmissibility to the United States for such alien would—

''(I) result in extreme hardship to the alien or to the alien's parent, spouse, son, or daughter who is a citizen of the United States or an alien lawfully admitted for permanent residence; or

''(II) in the case of a VAWA self-petitioner, result in significant hardship to the alien or a parent or child of the alien who is a citizen of the United States, an alien lawfully admitted for permanent residence, or a qualified alien (as defined in section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(b))).

''(iv) LIMITATION ON REVIEW.—No court shall have jurisdiction to review a decision or action of the Attorney General or the Secretary regarding a waiver under clause (iii).''.

(B) CONFORMING AMENDMENT.—Section 212 (8 U.S.C. 1182) is amended by striking subsection (i).

(2) DEPORTABILITY.—Section 237(a)(3)(D) (8 U.S.C. 1227(a)(3)(D)) is amended to read as follows:

''(D) FALSELY CLAIMING CITIZENSHIP.—Any alien described in section 212(a)(6)(C)(ii) is deportable.''.

SEC. 2316. CONTINUOUS PRESENCE.

Section 240A(d)(1) (8 U.S.C. 1229b(d)(1)) is amended to read as follows:

''(1) TERMINATION OF CONTINUOUS PERIOD.—For purposes of this section, any period of continuous residence or continuous physical presence in the United States shall be deemed to end, except in the case of an alien who applies for cancellation of removal under subsection (b)(2), on the date that a notice to appear is filed with the Executive Office for Immigration Review pursuant to section 240.''.

SEC. 2317. GLOBAL HEALTH CARE COOPERATION.

(a) TEMPORARY ABSENCE OF ALIENS PROVIDING HEALTH CARE IN DEVELOPING COUNTRIES.—

(1) IN GENERAL.—Title III (8 U.S.C. 1401 et seq.) is amended by inserting after section 317 the following:

''SEC. 317A. TEMPORARY ABSENCE OF ALIENS PROVIDING HEALTH CARE IN DEVELOPING COUNTRIES.

''(a) IN GENERAL.—Notwithstanding any other provision of this Act, the Secretary of Homeland Security shall allow an eligible alien and the spouse or child of such alien to reside in a candidate country during the period that the eligible alien is working as a physician or other health care worker in a candidate country. During such period the eligible alien and such spouse or child shall be considered—

''(1) to be physically present and residing in the United States for purposes of naturalization under section 316(a); and

''(2) to meet the continuous residency requirements under section 316(b).

''(b) DEFINITIONS.—In this section:

''(1) CANDIDATE COUNTRY.—The term 'candidate country' means a country that the Secretary of State determines to be—

''(A) eligible for assistance from the International Development Association, in which the per capita income of the country is equal to or less than the historical ceiling of the International Development Association for the applicable fiscal year, as defined by the International Bank for Reconstruction and Development;

''(B) classified as a lower middle income country in the then most recent edition of the World Development Report for Reconstruction and Development published by the International Bank for Reconstruction and Development and having an income greater than the historical ceiling for International Development Association eligibility for the applicable fiscal year; or

''(C) qualified to be a candidate country due to special circumstances, including natural disasters or public health emergencies.

''(2) ELIGIBLE ALIEN.—The term 'eligible alien' means an alien who—

''(A) has been lawfully admitted to the United States for permanent residence; and

''(B) is a physician or other healthcare worker.

''(c) CONSULTATION.—The Secretary of Homeland Security shall consult with the Secretary of State in carrying out this section.

''(d) PUBLICATION.—The Secretary of State shall publish—

''(1) not later than 180 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, a list of candidate countries;

''(2) an updated version of the list required by paragraph (1) not less often than once each year; and

''(3) an amendment to the list required by paragraph (1) at the time any country qualifies as a candidate country due to special circumstances under subsection (b)(1)(C).''.

(2) RULEMAKING.—

(A) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall promulgate regulations to carry out the amendments made by this subsection.

(B) CONTENT.—The regulations promulgated pursuant to subparagraph (A) shall—

(i) permit an eligible alien (as defined in section 317A of the Immigration and Nationality Act, as added by subsection (a)) and the spouse or child of the eligible alien to reside in a foreign country to work as a physician or other healthcare worker as described in subsection (a) of such section 317A for not less than a 12-month period and not more than a 24-month period, and shall permit the Secretary to extend such period for an additional period not to exceed 12 months, if the Secretary determines that such country has a continuing need for such a physician or other healthcare worker;

(ii) provide for the issuance of documents by the Secretary to such eligible alien, and such spouse or child, if appropriate, to demonstrate that such eligible alien, and such spouse or child, if appropriate, is authorized to reside in such country under such section 317A; and

(iii) provide for an expedited process through which the Secretary shall review applications for such an eligible alien to reside in a foreign country pursuant to subsection (a) of such section 317A if the Secretary of State determines a country is a candidate country pursuant to subsection (b)(1)(C) of such section 317A.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) DEFINITION.—Section 101(a)(13)(C)(ii) (8 U.S.C. 1101(a)(13)(C)(ii)) is amended by adding ''except in the case of an eligible alien, or the spouse or child of such alien, who is authorized to be absent from the United States under section 317A,'' at the end.

(B) DOCUMENTARY REQUIREMENTS.—Section 211(b) (8 U.S.C. 1181(b)) is amended by inserting '', including an eligible alien authorized to reside in a foreign country under section 317A and the spouse or child of such eligible alien, if appropriate,'' after ''101(a)(27)(A),''.

(C) INELIGIBLE ALIENS.—Section 212(a)(7)(A)(i)(I) (8 U.S.C. 1182(a)(7)(A)(i)(I)) is amended by inserting ''other than an eligible alien authorized to reside in a foreign country under section 317A and the spouse or child of such eligible alien, if appropriate,'' after ''Act,''.

(4) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 317 the following:

''Sec. 317A. Temporary absence of aliens providing health care in developing countries.''.

(b) ATTESTATION BY HEALTH CARE WORKERS.—

(1) ATTESTATION REQUIREMENT.—Section 212(a)(5) (8 U.S.C. 1182(a)(5)) is amended by adding at the end the following:

''(E) HEALTH CARE WORKERS WITH OTHER OBLIGATIONS.—

''(i) IN GENERAL.—An alien who seeks to enter the United States for the purpose of performing labor as a physician or other health care worker is inadmissible unless the alien submits to the Secretary of Homeland Security or the Secretary of State, as appropriate, an attestation that the alien is not seeking to enter the United States for such purpose during any period in which the alien has an outstanding obligation to the government of the alien's country of origin or the alien's country of residence.

''(ii) OBLIGATION DEFINED.—In this subparagraph, the term 'obligation' means an obligation incurred as part of a valid, voluntary individual agreement in which the alien received financial assistance to defray the costs of education or training to qualify as a physician or other health care worker in consideration for a commitment to work as a physician or other health care worker in the alien's country of origin or the alien's country of residence.

''(iii) WAIVER.—The Secretary of Homeland Security may waive a finding of inadmissibility under clause (i) if the Secretary determines that—

''(I) the obligation was incurred by coercion or other improper means;

''(II) the alien and the government of the country to which the alien has an outstanding obligation have reached a valid, voluntary agreement, pursuant to which the alien's obligation has been deemed satisfied, or the alien has shown to the satisfaction of the Secretary that the alien has been unable to reach such an agreement because of coercion or other improper means; or

''(III) the obligation should not be enforced due to other extraordinary circumstances, including undue hardship that would be suffered by the alien in the absence of a waiver.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date that is 180 days after the date of the enactment of this Act.

(3) APPLICATION.—Not later than the effective date described in paragraph (2), the Secretary shall begin to carry out subparagraph (E) of section 212(a)(5) of the Immigration and Nationality Act, as added by paragraph (1), including the requirement for the attestation and the granting of a waiver described in clause (iii) of such subparagraph (E), regardless of whether regulations to implement such subparagraph have been promulgated.

SEC. 2318. EXTENSION AND IMPROVEMENT OF THE IRAQI SPECIAL IMMIGRANT VISA PROGRAM.

The Refugee Crisis in Iraq Act of 2007 (8 U.S.C. 1157 note) is amended—

(1) in section 1242, by amending subsection (c) to read as follows:

''(c) IMPROVED APPLICATION PROCESS.—Not later than 120 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall improve the efficiency by which applications for special immigrant visas under section 1244(a) are processed so that all steps incidental to the issuance of such visas, including required screenings and background checks, are completed not later than 9 months after the date on which an eligible alien applies for such visa.'';

(2) in section 1244—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) by amending subparagraph (B) to read as follows:

''(B) was or is employed in Iraq on or after March 20, 2003, for not less than 1 year, by, or on behalf of—

''(i) the United States Government;

''(ii) a media or nongovernmental organization headquartered in the United States; or

''(iii) an organization or entity closely associated with the United States mission in Iraq that has received United States Government funding through an official and documented contract, award, grant, or cooperative agreement;'';

(II) in subparagraph (C), by striking ''the United States Government'' and inserting ''an entity or organization described in subparagraph (B)''; and

(III) in subparagraph (D), by striking by striking ''the United States Government.'' and inserting ''such entity or organization.''; and

(ii) in paragraph (4)—

(I) by striking ''A recommendation'' and inserting the following:

''(A) IN GENERAL.—Except as provided under subparagraph (B), a recommendation'';

(II) by striking ''the United States Government prior'' and inserting ''an entity or organization described in paragraph (1)(B) prior''; and

(III) by adding at the end the following:

''(B) REVIEW PROCESS FOR DENIAL BY CHIEF OF MISSION.—

''(i) IN GENERAL.—An applicant who has been denied Chief of Mission approval required by subparagraph (A) shall—

''(I) receive a written decision; and

''(II) be provided 120 days from the date of the decision to request reopening of the decision to provide additional information, clarify existing information, or explain any unfavorable information.

''(ii) SENIOR COORDINATOR.—The Secretary of State shall designate, in the Embassy of the United States in Baghdad, Iraq, a senior coordinator responsible for overseeing the efficiency and integrity of the processing of special immigrant visas under this section, who shall be given—

''(I) sufficiently high security clearance to review Chief of Mission denials in cases that appear to have relied upon insufficient or incorrect information; and

''(II) responsibility for ensuring that an applicant described in clause (i) receives the information described in clause (i)(I).''; and

(B) in subsection (c)(3), by adding at the end the following:

''(C) SUBSEQUENT FISCAL YEARS.—Notwithstanding subparagraphs (A) and (B), and consistent with subsection (b), any unused balance of the total number of principal aliens who may be provided special immigrant status under this section in fiscal years 2008 through 2012 may be carried forward and provided through the end of fiscal year 2018.''; and

(3) in section 1248, by adding at the end the following:

''(f) REPORT ON IMPROVEMENTS.—

''(1) IN GENERAL.—Not later than 120 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit a report, with a classified annex, if necessary, to—

''(A) the Committee on the Judiciary of the Senate;

''(B) the Committee on Foreign Relations of the Senate;

''(C) the Committee on the Judiciary of the House of Representatives; and

''(D) the Committee on Foreign Affairs of the House of Representatives.

''(2) CONTENTS.—The report submitted under paragraph (1) shall describe the implementation of improvements to the processing of applications for special immigrant visas under section 1244(a), including information relating to—

''(A) enhancing existing systems for conducting background and security checks of persons applying for special immigrant status, which shall—

''(i) support immigration security; and

''(ii) provide for the orderly processing of such applications without delay;

''(B) the financial, security, and personnel considerations and resources necessary to carry out this subtitle;

''(C) the number of aliens who have applied for special immigrant visas under section 1244 during each month of the preceding fiscal year;

''(D) the reasons for the failure to expeditiously process any applications that have been pending for longer than 9 months;

''(E) the total number of applications that are pending due to the failure—

''(i) to receive approval from the Chief of Mission;

''(ii) for U.S. Citizenship and Immigration Services to complete the adjudication of the Form I–360;

''(iii) to conduct a visa interview; or

''(iv) to issue the visa to an eligible alien;

''(F) the average wait times for an applicant at each of the stages described in subparagraph (E);

''(G) the number of denials or rejections at each of the stages described in subparagraph (E); and

''(H) a breakdown of reasons for denials at by the Chief of Mission based on the categories already made available to denied special immigrant visa applicants in the denial letter sent to them by the Chief of Mission.

''(g) PUBLIC QUARTERLY REPORTS.—Not later than 120 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and every 3 months thereafter, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall publish a report on the website of the Department of State that describes the efficiency improvements made in the process by which applications for special immigrant visas under section 1244(a) are processed, including information described in subparagraphs (C) through (H) of subsection (f)(2).''.

SEC. 2319. EXTENSION AND IMPROVEMENT OF THE AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.

Section 602(b) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)—

(i) by amending clause (ii) to read as follows:

''(ii) was or is employed in Afghanistan on or after October 7, 2001, for not less than 1 year, by, or on behalf of—

''(I) the United States Government;

''(II) a media or nongovernmental organization headquartered in the United States; or

''(III) an organization or entity closely associated with the United States mission in Afghanistan that has received United States Government funding through an official and documented contract, award, grant, or cooperative agreement;'';

(ii) in clause (iii), by striking ''the United States Government'' and inserting ''an entity or organization described in clause (ii)''; and

(iii) in clause (iv), by striking by striking ''the United States Government.'' and inserting ''such entity or organization.'';

(B) by amending subparagraph (B) to read as follows:

''(B) FAMILY MEMBERS.—An alien is described in this subparagraph if the alien is—

''(i) the spouse or minor child of a principal alien described in subparagraph (A) who is accompanying or following to join the principal alien in the United States; or

''(ii)(I) the spouse, child, parent, or sibling of a principal alien described in subparagraph (A), whether or not accompanying or following to join; and

''(II) has experienced or is experiencing an ongoing serious threat as a consequence of the qualifying employment of a principal alien described in subparagraph (A).''; and

(C) in subparagraph (D)—

(i) by striking ''A recommendation'' and inserting the following:

''(i) IN GENERAL.—Except as provided under clause (ii), a recommendation'';

(ii) by striking ''the United States Government prior'' and inserting ''an entity or organization described in paragraph (2)(A)(ii) prior''; and

(iii) by adding at the end the following:

''(ii) REVIEW PROCESS FOR DENIAL BY CHIEF OF MISSION.—

''(I) IN GENERAL.—An applicant who has been denied Chief of Mission approval shall—

''(aa) receive a written decision; and

''(bb) be provided 120 days from the date of receipt of such opinion to request reconsideration of the decision to provide additional information, clarify existing information, or explain any unfavorable information.

''(II) SENIOR COORDINATOR.—The Secretary of State shall designate, in the Embassy of the United States in Kabul, Afghanistan, a senior coordinator responsible for overseeing the efficiency and integrity of the processing of special immigrant visas under this section, who shall be given—

''(aa) sufficiently high security clearance to review Chief of Mission denials in cases that appear to have relied upon insufficient or incorrect information; and

''(bb) responsibility for ensuring that an applicant described in subclause (I) receives the information described in subclause (I)(aa).'';

(2) in paragraph (3)(C), by amending clause (iii) to read as follows:

''(iii) FISCAL YEARS 2014 THROUGH 2018.—For each of the fiscal years 2014 through 2018, the total number of principal aliens who may be provided special immigrant status under this section may not exceed the sum of—

''(I) 5,000;

''(II) the difference between the number of special immigrant visas allocated under this section for fiscal years 2009 through 2013 and the number of such allocated visas that were issued; and

''(III) any unused balance of the total number of principal aliens who may be provided special immigrant status in fiscal years 2014 through 2018 that have been carried forward.'';

(3) in paragraph (4)—

(A) in the heading, by striking ''PROHIBITION ON FEES.—'' and inserting ''APPLICATION PROCESS.—'';

(B) by striking ''The Secretary'' and inserting the following:

''(A) IN GENERAL.—Not later than 120 days after the date of enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall improve the efficiency by which applications for special immigrant visas under paragraph (1) are processed so that all steps incidental to the issuance of such visas, including required screenings and background checks, are completed not later than 6 months after the date on which an eligible alien applies for such visa.

''(B) PROHIBITION ON FEES.—The Secretary''; and

(4) by adding at the end the following:

''(12) REPORT ON IMPROVEMENTS.—Not later than 120 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress a report, with a classified annex, if necessary, that describes the implementation of improvements to the processing of applications for special immigrant visas under this subsection, including information relating to—

''(A) enhancing existing systems for conducting background and security checks of persons applying for special immigrant status, which shall—

''(i) support immigration security; and

''(ii) provide for the orderly processing of such applications without delay;

''(B) the financial, security, and personnel considerations and resources necessary to carry out this section;

''(C) the number of aliens who have applied for special immigrant visas under this subsection during each month of the preceding fiscal year;

''(D) the reasons for the failure to expeditiously process any applications that have been pending for longer than 9 months;

''(E) the total number of applications that are pending due to the failure—

''(i) to receive approval from the Chief of Mission;

''(ii) for U.S. Citizenship and Immigration Services to complete the adjudication of the Form I–360;

''(iii) to conduct a visa interview; or

''(iv) to issue the visa to an eligible alien;

''(F) the average wait times for an applicant at each of the stages described in subparagraph (E);

''(G) the number of denials or rejections at each of the stages described in subparagraph (E); and

''(H) a breakdown of reasons for denials by the Chief of Mission based on the categories already made available to denied special immigrant visa applicants in the denial letter sent to them by the Chief of Mission.

''(13) PUBLIC QUARTERLY REPORTS.—Not later than 120 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and every 3 months thereafter, the Secretary of State and the Secretary of Homeland Security, in consultation with the Secretary of Defense, shall publish a report on the website of the Department of State that describes the efficiency improvements made in the process by which applications for special immigrant visas under this subsection are processed, including information described in subparagraph (C) through (H) of paragraph (12).''.

SEC. 2320. SPECIAL IMMIGRANT NONMINISTER RELIGIOUS WORKER PROGRAM.

Section 101(a)(27)(C)(ii) (8 U.S.C. 1101 (a)(27)(C)(ii)) is amended in subclauses (II) and (III) by striking ''before September 30, 2015,'' both places such term appears.

SEC. 2321. SPECIAL IMMIGRANT STATUS FOR CERTAIN SURVIVING SPOUSES AND CHILDREN.

(a) IN GENERAL.—Section 101(a)(27) (8 U.S.C. 1101(a)(27)) is amended in subparagraph (D)—

(1) by inserting ''(i)'' before ''an immigrant who is an employee'';

(2) by inserting ''or'' after ''grant such status;''; and

(3) by inserting after clause (i), as designated by paragraph (1), the following:

''(ii) an immigrant who is the surviving spouse or child of an employee of the United States Government abroad killed in the line of duty, provided that the employee had performed faithful service for a total of 15 years, or more, and that the principal officer of a Foreign Service establishment (or, in the case of the American Institute of Taiwan, the Director thereof) in his or her discretion, recommends the granting of special immigrant status to the spouse or child and the Secretary of State approves such recommendation and finds that it is in the national interest to grant such status;''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect beginning on January 31, 2013, and shall have retroactive effect.

SEC. 2322. REUNIFICATION OF CERTAIN FAMILIES OF FILIPINO VETERANS OF WORLD WAR II.

(a) SHORT TITLE.—This section may be cited as the ''Filipino Veterans Family Reunification Act''.

(b) EXEMPTION FROM IMMIGRANT VISA LIMIT.—Section 201(b)(1) (8 U.S.C. 1151(b)(1)), as amended by sections 2103(c), 2212(d), and 2307(b), is further amended by adding at the end the following:

''(O) Aliens who—

''(i) are the sons or daughters of a citizen of the United States; and

''(ii) have a parent (regardless of whether the parent is living or dead) who was naturalized pursuant to—

''(I) section 405 of the Immigration Act of 1990 (Public Law 101–649; 8 U.S.C. 1440 note); or

''(II) title III of the Act of October 14, 1940 (54 Stat. 1137, chapter 876), as added by section 1001 of the Second War Powers Act, 1942 (56 Stat. 182, chapter 199).''.

SEC. 2323. ENSURING COMPLIANCE WITH RESTRICTIONS ON WELFARE AND PUBLIC BENEFITS FOR ALIENS.

(a) GENERAL PROHIBITION.—No officer or employee of the Federal Government may—

(1) waive compliance with any requirement in title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1601 et seq.) in effect on the date of enactment of this Act or with any restriction on eligibility for any form of assistance or benefit described in section 403(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(a)) established under a provision of this Act or an amendment made by this Act;

(2) waive the prohibition under subsection (d)(3) of section 245B of the Immigration and Nationality Act (as added by section 2101 of this Act) on eligibility for Federal means-tested public benefits for any alien granted registered provisional immigrant status under section 245B of the Immigration and Nationality Act;

(3) waive the prohibition under subsection (c)(3) of section 2211 of this Act on eligibility for Federal means-tested public benefits for any alien granted blue card status under that section;

(4) waive the prohibition under subsection (c) of section 2309 of this Act on eligibility for Federal means-tested public benefits for any noncitizen who is lawfully present in the United States pursuant to section 101(a)(15)(V) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(V)) (as amended by section 2309(a)); or

(5) waive the prohibition under subsection (w)(2)(C) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184(w)(2)(C)) (as added by section 4504(b) of this Act) on eligibility for any assistance or benefits described in section 403(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(a)) for any alien described in section 101(a)(15)(Y) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(Y) (as added by section 4504 of this Act) who is issued a nonimmigrant visa.

(b) ENSURING COMPLIANCE WITH FEDERAL WELFARE LAW.—

(1) NO WAIVER OF REQUIREMENTS.—Notwithstanding section 1115(a) of the Social Security Act (42 U.S.C. 1315(a)), the Secretary of Health and Human Services shall not waive compliance by a State, or otherwise permit a State to not comply, with the requirements for the temporary assistance for needy families program referenced in section 408(e) of the Social Security Act (42 U.S.C. 608(e)) and the requirements for that program in section 408(g) of such Act (42 U.S.C. 608(g)).

(2) NO WAIVER OF PENALTIES.—The Secretary of Health and Human Services shall apply section 409 of the Social Security Act (42 U.S.C. 609) to any State that fails to comply with any of the requirements specified in paragraph (1).

Subtitle D—Conrad State 30 and Physician Access

SEC. 2401. CONRAD STATE 30 PROGRAM.

Section 220(c) of the Immigration and Nationality Technical Corrections Act of 1994 (Public Law 103–416; 8 U.S.C. 1182 note) is amended by striking ''and before September 30, 2015''.

SEC. 2402. RETAINING PHYSICIANS WHO HAVE PRACTICED IN MEDICALLY UNDERSERVED COMMUNITIES.

Section 201(b)(1) (8 U.S.C. 1151(b)(1)), as amended by sections 2103(c), 2212(d)(2), 2307(b), and 2323(b) is further amended by adding at the end the following:

''(P)(i) Alien physicians who have completed service requirements of a waiver requested under section 203(b)(2)(B)(ii), including alien physicians who completed such service before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act and any spouses or children of such alien physicians.

''(ii) Nothing in this subparagraph may be construed—

''(I) to prevent the filing of a petition with the Secretary of Homeland Security for classification under section 204(a) or the filing of an application for adjustment of status under section 245 by an alien physician described in this subparagraph prior to the date by which such alien physician has completed the service described in section 214(l) or worked full-time as a physician for an aggregate of 5 years at the location identified in the section 214(l) waiver or in an area or areas designated by the Secretary of Health and Human Services as having a shortage of health care professionals; or

''(II) to permit the Secretary of Homeland Security to grant such a petition or application until the alien has satisfied all the requirements of the waiver received under section 214(l).''.

SEC. 2403. EMPLOYMENT PROTECTIONS FOR PHYSICIANS.

(a) IN GENERAL.—Section 214(l)(1)(C) (8 U.S.C. 1184(l)(1)(C)) is amended by striking clauses (i) and (ii) and inserting the following:

''(i) the alien demonstrates a bona fide offer of full-time employment, at a health care organization, which employment has been determined by the Secretary of Homeland Security to be in the public interest; and

''(ii) the alien agrees to begin employment with the health facility or health care organization in a geographic area or areas which are designated by the Secretary of Health and Human Services as having a shortage of health care professionals by the later of the date that is 90 days after receiving such waiver, 90 days after completing graduate medical education or training under a program approved pursuant to section 212(j)(1), or 90 days after receiving nonimmigrant status or employment authorization, provided that the alien or the alien's employer petitions for such nonimmigrant status or employment authorization within 90 days of completing graduate medical education or training and agrees to continue to work for a total of not less than 3 years in any status authorized for such employment under this subsection, unless—

''(I) the Secretary determines that extenuating circumstances exist that justify a lesser period of employment at such facility or organization, in which case the alien shall demonstrate another bona fide offer of employment at a health facility or health care organization, for the remainder of such 3-year period;

''(II) the interested agency that requested the waiver attests that extenuating circumstances exist that justify a lesser period of employment at such facility or organization in which case the alien shall demonstrate another bona fide offer of employment at a health facility or health care organization so designated by the Secretary of Health and Human Services, for the remainder of such 3-year period; or

''(III) if the alien elects not to pursue a determination of extenuating circumstances pursuant to subclause (I) or (II), the alien terminates the alien's employment relationship with such facility or organization, in which case the alien shall be employed for the remainder of such 3-year period, and 1 additional year for each termination, at another health facility or health care organization in a geographic area or areas which are designated by the Secretary of Health and Human Services as having a shortage of health care professionals; and''.

(b) PHYSICIAN EMPLOYMENT IN UNDERSERVED AREAS.—Section 214(l)(1) (8 U.S.C. 1184(l)(1)), as amended by subsection (a), is further amended by adding at the end the following:

''(E) If a physician pursuing graduate medical education or training pursuant to section 101(a)(15)(J) applies for a Conrad J–1 waiver with an interested State department of health and the application is denied because the State has requested the maximum number of waivers permitted for that fiscal year, the physician's nonimmigrant status shall be automatically extended for 6 months if the physician agrees to seek a waiver under this subsection (except for subparagraph (D)(ii)) to work for an employer in a State that has not yet requested the maximum number of waivers. The physician

shall be authorized to work only for such employer from the date on which a new waiver application is filed with the State until the date on which the Secretary of Homeland Security denies such waiver or issues work authorization for such employment pursuant to the approval of such waiver.''.

(c) GRADUATE MEDICAL EDUCATION OR TRAINING.—Section 214(h)(1), as amended by section 4401(b) of this Act, is further amended by inserting ''(J) (if entering the United States for graduate medical education or training),'' after ''(H)(i)(c),''.

(d) CONTRACT REQUIREMENTS.—Section 214(l) (8 U.S.C. 1184(l)) is amended by adding at the end the following:

''(4) An alien granted a waiver under paragraph (1)(C) shall enter into an employment agreement with the contracting health facility or health care organization that—

''(A) specifies the maximum number of on-call hours per week (which may be a monthly average) that the alien will be expected to be available and the compensation the alien will receive for on-call time;

''(B) specifies whether the contracting facility or organization will pay for the alien's malpractice insurance premiums, including whether the employer will provide malpractice insurance and, if so, the amount of such insurance that will be provided;

''(C) describes all of the work locations that the alien will work and a statement that the contracting facility or organization will not add additional work locations without the approval of the Federal agency or State agency that requested the waiver; and

''(D) does not include a non-compete provision.

''(5) An alien granted a waiver under paragraph (1)(C) whose employment relationship with a health facility or health care organization terminates during the 3-year service period required by such paragraph—

''(A) shall have a period of 120 days beginning on the date of such termination of employment to submit to the Secretary of Homeland Security applications or petitions to commence employment with another contracting health facility or health care organization in a geographic area or areas which are designated by the Secretary of Health and Human Services as having a shortage of health care professionals;

''(B) shall be considered to be maintaining lawful status in an authorized stay during the 120-day period referred to in subsection (A); and

''(C) shall not be considered to be fulfilling the 3-year term of service during the 120-day period referred to in subparagraph (A).''.

SEC. 2404. ALLOTMENT OF CONRAD 30 WAIVERS.

(a) IN GENERAL.—Section 214(l) (8 U.S.C. 1184(l)), as amended by section 2403, is further amended by adding at the end the following:

''(6)(A)(i) All States shall be allotted a total of 35 waivers under paragraph (1)(B) for a fiscal year if 90 percent of the waivers available to the States receiving at least 5 waivers were used in the previous fiscal year.

''(ii) When an allocation has occurred under clause (i), all States shall be allotted an additional 5 waivers under paragraph (1)(B) for each subsequent fiscal year if 90 percent of the waivers available to the States receiving at least 5 waivers were used in the previous fiscal year. If the States are allotted 45 or more waivers for a fiscal year, the States will only receive an additional increase of 5 waivers the following fiscal year if 95 percent of the waivers available to the States receiving at least 1 waiver were used in the previous fiscal year.

''(B) Any increase in allotments under subparagraph (A) shall be maintained indefinitely, unless in a fiscal year, the total number of such waivers granted is 5 percent lower than in the last year in which there was an increase in the number of waivers allotted pursuant to this paragraph, in which case—

''(i) the number of waivers allotted shall be decreased by 5 for all States beginning in the next fiscal year; and

''(ii) each additional 5 percent decrease in such waivers granted from the last year in which there was an increase in the allotment, shall result in an additional decrease of 5 waivers allotted for all States, provided that the number of waivers allotted for all States shall not drop below 30.''.

(b) ACADEMIC MEDICAL CENTERS.—Section 214(l)(1)(D) (8 U.S.C. 1184(l)(1)(D)) is amended—

(1) in clause (ii), by striking ''and'' at the end;

(2) in clause (iii), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(iv) in the case of a request by an interested State agency—

''(I) the head of such agency determines that the alien is to practice medicine in, or be on the faculty of a residency program at, an academic medical center (as that term is defined in section 411.355(e)(2) of title 42, Code of Federal Regulations, or similar successor regulation), without regard to whether such facility is located within an area designated by the Secretary of Health and Human Services as having a shortage of health care professionals; and

''(II) the head of such agency determines that—

''(aa) the alien physician's work is in the public interest; and

''(bb) the grant of such waiver would not cause the number of the waivers granted on behalf of aliens for such State for a fiscal year (within the limitation in subparagraph (B) and subject to paragraph (6)) in accordance with the conditions of this clause to exceed 3.''.

SEC. 2405. AMENDMENTS TO THE PROCEDURES, DEFINITIONS, AND OTHER PROVISIONS RELATED TO PHYSICIAN IMMIGRATION.

(a) ALLOWABLE VISA STATUS FOR PHYSICIANS FULFILLING WAIVER REQUIREMENTS IN MEDICALLY UNDERSERVED AREAS.—Section 214(l)(2)(A) (8 U.S.C. 1184(l)(2)(A)) is amended by striking ''an alien described in section 101(a)(15)(H)(i)(b).'' and inserting ''any status authorized for employment under this Act.''.

(b) SHORT TERM WORK AUTHORIZATION FOR PHYSICIANS COMPLETING THEIR RESIDENCIES.—A physician completing graduate medical education or training as described in section 212(j) of the Immigration and Nationality Act (8 U.S.C. 1182(j)) as a nonimmigrant described in section 101(a)(15)(H)(i) of such Act (8 U.S.C. 1101(a)(15)(H)(i)) shall have such nonimmigrant status automatically extended until October 1 of the fiscal year for which a petition for a continuation of such nonimmigrant status has been submitted in a timely manner and where the employment start date for the beneficiary of such petition is October 1 of that fiscal year. Such physician shall be authorized to be employed incident to status during the period between the filing of such petition and October 1 of such fiscal year. However, the physician's status and employment authorization shall terminate 30 days from the date such petition is rejected, denied, or revoked. A physician's status and employment authorization will automatically extend to October 1 of the next fiscal year if all visas as described in such section 101(a)(15)(H)(i) authorized to be issued for the fiscal year have been issued.

(c) APPLICABILITY OF SECTION 212(e) TO SPOUSES AND CHILDREN OF J–1 EXCHANGE VISITORS.—A spouse or child of an exchange visitor described in section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)) shall not be subject to the requirements of section 212(e) of the Immigration and Nationality Act (8 U.S.C. 1182(e)).

Subtitle E—Integration

SEC. 2501. DEFINITIONS.

In this subtitle:

(1) CHIEF.—The term ''Chief'' means the Chief of the Office.

(2) FOUNDATION.—The term ''Foundation'' means the United States Citizenship Foundation established pursuant to section 2531.

(3) IEACA GRANTS.—The term ''IEACA grants'' means Initial Entry, Adjustment, and Citizenship Assistance grants authorized under section 2537.

(4) IMMIGRANT INTEGRATION.—The term ''immigrant integration'' means the process by which immigrants—

(A) join the mainstream of civic life by engaging and sharing ownership in their local community, the United States, and the principles of the Constitution;

(B) attain financial self-sufficiency and upward economic mobility for themselves and their family members; and

(C) acquire English language skills and related cultural knowledge necessary to effectively participate in their community.

(5) LINGUISTIC INTEGRATION.—The term ''linguistic integration'' means the acquisition, by limited English proficient individuals, of English language skills and related cultural knowledge necessary to meaningfully and effectively fulfill their roles as community members, family members, and workers.

(6) OFFICE.—The term ''Office'' means the Office of Citizenship and New Americans established in U.S. Citizenship and Immigration Services under section 2511.

(7) RECEIVING COMMUNITIES.—The term ''receiving communities'' means the long-term residents of the communities in which immigrants settle.

(8) TASK FORCE.—The term ''Task Force'' means the Task Force on New Americans established pursuant to section 2521.

(9) USCF COUNCIL.—The term ''USCF Council'' means the Council of Directors of the Foundation.

CHAPTER 1—CITIZENSHIP AND NEW AMERICANS

Subchapter A—Office of Citizenship and New Americans

SEC. 2511. OFFICE OF CITIZENSHIP AND NEW AMERICANS.

(a) RENAMING OFFICE OF CITIZENSHIP.—

(1) IN GENERAL.—Beginning on the date of the enactment of this Act, the Office of Citizenship in U.S. Citizenship and Immigration Services shall be referred to as the ''Office of Citizenship and New Americans''.

(2) REFERENCES.—Any reference in a law, regulation, document, paper, or other record of the United States to the Office of Citizenship in U.S. Citizenship and Immigration Services shall be deemed to be a reference to the Office of Citizenship and New Americans.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—Section 451 of the Homeland Security Act of 2002 (6 U.S.C. 271) is amended—

(A) in the section heading, by striking ''**BUREAU OF**'' and inserting ''**U.S.**'';

(B) in subsection (a)(1), by striking ''the 'Bureau of'' and inserting '' 'U.S.'';

(C) by striking ''the Bureau of'' each place such terms appears and inserting ''U.S.''; and

(D) in subsection (f)—

(i) by amending the subsection heading to read as follows: ''OFFICE OF CITIZENSHIP AND NEW AMERICANS''; and

(ii) by striking paragraph (1) and inserting the following:

''(1) CHIEF.—The Office of Citizenship and New Americans shall be within U.S. Citizenship and Immigration Services and shall be headed by the Chief of the Office of Citizenship and New Americans.''.

(b) FUNCTIONS.—Section 451(f) of such Act (6 U.S.C. 271(f)), as amended by subsection (a)(3)(D), is further amended by striking paragraph (2) and inserting the following:

''(2) FUNCTIONS.—The Chief of the Office of Citizenship and New Americans shall—

''(A) promote institutions and provide training on citizenship responsibilities for aliens interested in becoming naturalized citizens of the United States, including the development of educational materials for such aliens;

''(B) provide general leadership, consultation, and coordination of the immigrant integration programs across the Federal Government and with State and local entities;

''(C) in coordination with the Task Force on New Americans established under section 2521 of the Border Security, Economic Opportunity, and Immigration Modernization Act—

''(i) advise the Director of U.S. Citizenship and Immigration Services, the Secretary of Homeland Security, and the Domestic Policy Council, on—

''(I) the challenges and opportunities relating to the linguistic, economic, and civic integration of immigrants and their young children and progress in meeting integration goals and indicators; and

''(II) immigrant integration considerations relating to Federal budgets;

''(ii) establish national goals for introducing new immigrants into the United States and measure the degree to which such goals are met;

''(iii) evaluate the scale, quality, and effectiveness of Federal Government efforts in immigrant integration and provide advice on appropriate actions; and

''(iv) identify the integration implications of new or proposed immigration policies and provide recommendations for addressing such implications;

''(D) serve as a liaison and intermediary with State and local governments and other entities to assist in establishing local goals, task forces, and councils to assist in—

''(i) introducing immigrants into the United States; and

''(ii) promoting citizenship education and awareness among aliens interested in becoming naturalized citizens of the United States;

''(E) coordinate with other Federal agencies to provide information to State and local governments on the demand for existing Federal and State English education programs and best practices for immigrants who recently arrived in the United States;

''(F) assist States in coordinating the activities of the grant programs authorized under sections 2537 and 2538 of the Border Security, Economic Opportunity, and Immigration Modernization Act;

''(G) submit a biennial report to the appropriate congressional committees that describes the activities of the Office of Citizenship and New Americans; and

''(H) carry out such other functions and activities as Secretary may assign.''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date that is 1 year after the date of the enactment of this Act.

Subchapter B—Task Force on New Americans

SEC. 2521. ESTABLISHMENT.

(a) IN GENERAL.—The Secretary shall establish a Task Force on New Americans.

(b) FULLY FUNCTIONAL.—The Task Force shall be fully functional not later than 18 months after the date of the enactment of this Act.

SEC. 2522. PURPOSE.

The purposes of the Task Force are—

(1) to establish a coordinated Federal program and policy response to immigrant integration issues; and

(2) to advise and assist the Federal Government in identifying and fostering policies to carry out the policies and goals established under this chapter.

SEC. 2523. MEMBERSHIP.

(a) IN GENERAL.—The Task Force shall be comprised of—

(1) the Secretary, who shall serve as Chair of the Task Force;

(2) the Secretary of the Treasury;

(3) the Attorney General;

(4) the Secretary of Commerce;

(5) the Secretary of Labor;

(6) the Secretary of Health and Human Services;

(7) the Secretary of Housing and Urban Development;

(8) the Secretary of Transportation;

(9) the Secretary of Education;

(10) the Director of the Office of Management and Budget;

(11) the Administrator of the Small Business Administration;

(12) the Director of the Domestic Policy Council;

(13) the Director of the National Economic Council; and

(14) the National Security Advisor.

(b) DELEGATION.—A member of the Task Force may delegate a senior official, at the Assistant Secretary, Deputy Administrator, Deputy Director, or Assistant Attorney General level, to perform the functions of a Task Force member described in section 2524.

SEC. 2524. FUNCTIONS.

(a) MEETINGS; FUNCTIONS.—The Task Force shall—

(1) meet at the call of the Chair; and

(2) perform such functions as the Secretary may prescribe.

(b) COORDINATED RESPONSE.—The Task Force shall work with executive branch agencies—

(1) to provide a coordinated Federal response to issues that impact the lives of new immigrants and receiving communities, including—

(A) access to youth and adult education programming;

(B) workforce training;

(C) health care policy;

(D) access to naturalization; and

(E) community development challenges; and

(2) to ensure that Federal programs and policies adequately address such impacts.

(c) LIAISONS.—Members of the Task Force shall serve as liaisons to their respective agencies to ensure the quality and timeliness of their agency's participation in activities of the Task Force, including—

(1) creating integration goals and indicators;

(2) implementing the biannual consultation process with the agency's State and local counterparts; and

(3) reporting on agency data collection, policy, and program efforts relating to achieving the goals and indicators referred to in paragraph (1).

(d) RECOMMENDATIONS.—Not later than 18 months after the end of the period specified in section 2521(b), the Task Force shall—

(1) provide recommendations to the Domestic Policy Council and the Secretary on the effects of pending legislation and executive branch policy proposals;

(2) suggest changes to Federal programs or policies to address issues of special importance to new immigrants and receiving communities;

(3) review and recommend changes to policies that have a distinct impact on new immigrants and receiving communities; and

(4) assist in the development of legislative and policy proposals of special importance to new immigrants and receiving communities.

CHAPTER 2—PUBLIC-PRIVATE PARTNERSHIP

SEC. 2531. ESTABLISHMENT OF UNITED STATES CITIZENSHIP FOUNDATION.

The Secretary, acting through the Director of U.S. Citizenship and Immigration Services, is authorized to establish a nonprofit corporation or a not-for-profit, public benefit, or similar entity, which shall be known as the ''United States Citizenship Foundation''.

SEC. 2532. FUNDING.

(a) GIFTS TO FOUNDATION.—In order to carry out the purposes set forth in section 2533, the Foundation may—

(1) solicit, accept, and make gifts of money and other property in accordance with section 501(c)(3) of the Internal Revenue Code of 1986;

(2) engage in coordinated work with the Department, including the Office and U.S. Citizenship and Immigration Services; and

(3) accept, hold, administer, invest, and spend any gift, devise, or bequest of real or personal property made to the Foundation.

(b) GIFTS TO OFFICE OF CITIZENSHIP AND NEW AMERICANS.—The Office may accept gifts from the Foundation to support the functions of the Office.

SEC. 2533. PURPOSES.

The purposes of the Foundation are—

(1) to expand citizenship preparation programs for lawful permanent residents;

(2) to provide direct assistance for aliens seeking provisional immigrant status, legal permanent resident status, or naturalization as a United States citizen; and

(3) to coordinate immigrant integration with State and local entities.

SEC. 2534. AUTHORIZED ACTIVITIES.

The Foundation shall carry out its purpose by—

(1) making United States citizenship instruction and naturalization application services accessible to low-income and other underserved lawful permanent resident populations;

(2) developing, identifying, and sharing best practices in United States citizenship preparation;

(3) supporting innovative and creative solutions to barriers faced by those seeking naturalization;

(4) increasing the use of, and access to, technology in United States citizenship preparation programs;

(5) engaging receiving communities in the United States citizenship and civic integration process;

(6) administering the New Citizens Award Program to recognize, in each calendar year, not more than 10 United States citizens who—

(A) have made outstanding contributions to the United States; and

(B) have been naturalized during the 10-year period ending on the date of such recognition;

(7) fostering public education and awareness;

(8) coordinating its immigrant integration efforts with the Office;

(9) awarding grants to eligible public or private nonprofit organizations under section 2537; and

(10) awarding grants to State and local governments under section 2538.

SEC. 2535. COUNCIL OF DIRECTORS.

(a) MEMBERS.—To the extent consistent with section 501(c)(3) of the Internal Revenue Code of 1986, the Foundation shall have a Council of Directors, which shall be comprised of—

(1) the Director of U.S. Citizenship and Immigration Services;

(2) the Chief of the Office of Citizenship and New Americans; and

(3) 10 directors, appointed by the ex-officio directors designated in paragraphs (1) and (2), from national community-based organizations that promote and assist permanent residents with naturalization.

(b) APPOINTMENT OF EXECUTIVE DIRECTOR.—The USCF Council shall appoint an Executive Director, who shall oversee the day-to-day operations of the Foundation.

SEC. 2536. POWERS.

The Executive Director is authorized to carry out the purposes set forth in section 2533 on behalf of the Foundation by—

(1) accepting, holding, administering, investing, and spending any gift, devise, or bequest of real or personal property made to the Foundation;

(2) entering into contracts and other financial assistance agreements with individuals, public or private organizations, professional societies, and government agencies to carry out the functions of the Foundation;

(3) entering into such other contracts, leases, cooperative agreements, and other transactions as the Executive Director considers appropriate to carry out the activities of the Foundation; and

(4) charging such fees for professional services furnished by the Foundation as the Executive Director determines reasonable and appropriate.

SEC. 2537. INITIAL ENTRY, ADJUSTMENT, AND CITIZENSHIP ASSISTANCE GRANT PROGRAM.

(a) AUTHORIZATION.—The Secretary, acting through the Director of U.S. Citizenship and Immigration Services, may award Initial Entry, Adjustment, and Citizenship Assistance grants to eligible public or private, nonprofit organizations.

(b) USE OF GRANT FUNDS.—IEACA grants shall be used for the design and implementation of programs that provide direct assistance, within the scope of the authorized practice of immigration law—

(1) to aliens who are preparing an initial application for registered provisional immigrant status under section 245B of the Immigration and Nationality Act and to aliens who are preparing an initial application for blue card status under section 2211, including assisting applicants in—

(A) screening to assess prospective applicants' potential eligibility or lack of eligibility;

(B) completing applications;

(C) gathering proof of identification, employment, residence, and tax payment;

(D) gathering proof of relationships of eligible family members;

(E) applying for any waivers for which applicants and qualifying family members may be eligible; and

(F) any other assistance that the Secretary or grantee considers useful to aliens who are interested in applying for registered provisional immigrant status;

(2) to aliens seeking to adjust their status under section 245, 245B, 245C, or 245F of the Immigration and Nationality Act;

(3) to legal permanent residents seeking to become naturalized United States citizens; and

(4) to applicants on—

(A) the rights and responsibilities of United States citizenship;

(B) civics-based English as a second language;

(C) civics, with a special emphasis on common values and traditions of Americans, including an understanding of the history of the United States and the principles of the Constitution; and

(D) applying for United States citizenship.

SEC. 2538. PILOT PROGRAM TO PROMOTE IMMIGRANT INTEGRATION AT STATE AND LOCAL LEVELS.

(a) GRANTS AUTHORIZED.—The Chief shall establish a pilot program through which the Chief may award grants, on a competitive basis, to States and local governments or other qualifying entities, in collaboration with State and local governments—

(1) to establish New Immigrant Councils to carry out programs to integrate new immigrants; or

(2) to carry out programs to integrate new immigrants.

(b) APPLICATION.—A State or local government desiring a grant under this section shall submit an application to the Chief at such time, in such manner, and containing such information as the Chief may reasonably require, including—

(1) a proposal to meet an objective or combination of objectives set forth in subsection (d)(3);

(2) the number of new immigrants in the applicant's jurisdiction; and

(3) a description of the challenges in introducing and integrating new immigrants into the State or local community.

(c) PRIORITY.—In awarding grants under this section, the Chief shall give priority to States and local governments or other qualifying entities that—

(1) use matching funds from non-Federal sources, which may include in-kind contributions;

(2) demonstrate collaboration with public and private entities to achieve the goals of the comprehensive plan developed pursuant to subsection (d)(3);

(3) are 1 of the 10 States with the highest rate of foreign-born residents; or

(4) have experienced a large increase in the population of immigrants during the most recent 10-year period relative to past migration patterns, based on data compiled by the Office of Immigration Statistics or the United States Census Bureau.

(d) AUTHORIZED ACTIVITIES.—A grant awarded under this subsection may be used—

(1) to form a New Immigrant Council, which shall—

(A) consist of between 15 and 19 individuals, inclusive, from the State, local government, or qualifying organization;

(B) include, to the extent practicable, representatives from—

(i) business;

(ii) faith-based organizations;

(iii) civic organizations;

(iv) philanthropic organizations;

(v) nonprofit organizations, including those with legal and advocacy experience working with immigrant communities;

(vi) key education stakeholders, such as State educational agencies, local educational agencies, community colleges, and teachers;

(vii) State adult education offices;

(viii) State or local public libraries; and

(ix) State or local governments; and

(C) meet not less frequently than once each quarter;

(2) to provide subgrants to local communities, city governments, municipalities, nonprofit organizations (including veterans' and patriotic organizations), or other qualifying entities;

(3) to develop, implement, expand, or enhance a comprehensive plan to introduce and integrate new immigrants into the State by—

(A) improving English language skills;

(B) engaging caretakers with limited English proficiency in their child's education through interactive parent and child literacy activities;

(C) improving and expanding access to workforce training programs;

(D) teaching United States history, civics education, citizenship rights, and responsibilities;

(E) promoting an understanding of the form of government and history of the United States and the principles of the Constitution;

(F) improving financial literacy; and

(G) focusing on other key areas of importance to integration in our society; and

(4) to engage receiving communities in the citizenship and civic integration process by—

(A) increasing local service capacity;

(B) building meaningful connections between newer immigrants and long-time residents;

(C) communicating the contributions of receiving communities and new immigrants; and

(D) engaging leaders from all sectors of the community.

(e) REPORTING AND EVALUATION.—

(1) ANNUAL REPORT.—Each grant recipient shall submit an annual report to the Office that describes—

(A) the activities undertaken by the grant recipient, including how such activities meet the goals of the Office, the Foundation, and the comprehensive plan described in subsection (d)(3);

(B) the geographic areas being served;

(C) the number of immigrants in such areas; and

(D) the primary languages spoken in such areas.

(2) ANNUAL EVALUATION.—The Chief shall conduct an annual evaluation of the grant program established under this section—

(A) to assess and improve the effectiveness of such grant program;

(B) to assess the future needs of immigrants and of State and local governments related to immigrants; and

(C) to ensure that grantees recipients and subgrantees are acting within the scope and purpose of this subchapter.

SEC. 2539. NATURALIZATION CEREMONIES.

(a) IN GENERAL.—The Chief, in consultation with the Director of the National Park Service, the Archivist of the United States, and other appropriate Federal officials, shall develop and implement a strategy to enhance the public awareness of naturalization ceremonies.

(b) VENUES.—In developing the strategy under subsection (a), the Secretary shall

consider the use of outstanding and historic locations as venues for select naturalization ceremonies.

(c) REPORTING REQUIREMENT.—The Secretary shall annually submit a report to Congress that contains—

(1) the content of the strategy developed under subsection (a); and

(2) the progress made towards the implementation of such strategy.

CHAPTER 3—FUNDING

SEC. 2541. AUTHORIZATION OF APPROPRIATIONS.

(a) OFFICE OF CITIZENSHIP AND NEW AMERICANS.—In addition to any amounts otherwise made available to the Office, there are authorized to be appropriated to carry out the functions described in section 451(f)(2) of the Homeland Security Act of 2002 (6 U.S.C. 271(f)(2)), as amended by section 2511(b)—

(1) $10,000,000 for the 5-year period ending on September 30, 2018; and

(2) such sums as may be necessary for fiscal year 2019 and subsequent fiscal years.

(b) GRANT PROGRAMS.—There are authorized to be appropriated to implement the grant programs authorized under sections 2537 and 2538, and to implement the strategy under section 2539—

(1) $100,000,000 for the 5-year period ending on September 30, 2018; and

(2) such sums as may be necessary for fiscal year 2019 and subsequent fiscal years.

CHAPTER 4—REDUCE BARRIERS TO NATURALIZATION

SEC. 2551. WAIVER OF ENGLISH REQUIREMENT FOR SENIOR NEW AMERICANS.

Section 312 (8 U.S.C. 1423) is amended by striking subsection (b) and inserting the following:

''(b) The requirements under subsection (a) shall not apply to any person who—

''(1) is unable to comply with such requirements because of physical or mental disability, including developmental or intellectual disability; or

''(2) on the date on which the person's application for naturalization is filed under section 334—

''(A) is older than 65 years of age; and

''(B) has been living in the United States for periods totaling at least 5 years after being lawfully admitted for permanent residence.

''(c) The requirement under subsection (a)(1) shall not apply to any person who, on the date on which the person's application for naturalization is filed under section 334—

''(1) is older than 50 years of age and has been living in the United States for periods totaling at least 20 years after being lawfully admitted for permanent residence;

''(2) is older than 55 years of age and has been living in the United States for periods totaling at least 15 years after being lawfully admitted for permanent residence; or

''(3) is older than 60 years of age and has been living in the United States for periods totaling at least 10 years after being lawfully admitted for permanent residence.

''(d) The Secretary of Homeland Security may waive, on a case-by-case basis, the requirement under subsection (a)(2) on behalf of any person who, on the date on which the person's application for naturalization is filed under section 334—

''(1) is older than 60 years of age; and

''(2) has been living in the United States for periods totaling at least 10 years after being lawfully admitted for permanent residence.''.

SEC. 2552. FILING OF APPLICATIONS NOT REQUIRING REGULAR INTERNET ACCESS.

(a) ELECTRONIC FILING NOT REQUIRED.—

(1) IN GENERAL.—The Secretary may not require that an applicant or petitioner for permanent residence or citizenship of the United States use an electronic method to file any application, or access to a customer account.

(2) SUNSET DATE.—This subsection shall cease to be effective on October 1, 2020.

(b) NOTIFICATION REQUIREMENT.—Beginning on October 1, 2020, the Secretary may not require that an applicant or petitioner for permanent residence or citizenship of the United States use an electronic method to file any application or access to a customer account unless the Secretary notifies the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives of such requirement not later than 30 days before the effective date of such requirement.

SEC. 2553. PERMISSIBLE USE OF ASSISTED HOUSING BY BATTERED IMMIGRANTS.

Section 214 of the Housing and Community Development Act of 1980 (42 U.S.C. 1436a) is amended—

(1) in subsection (a)—

(A) in paragraph (6), by striking ''; or'' and inserting a semicolon;

(B) by redesignating paragraph (7) as paragraph (8); and

(C) by inserting after paragraph (6) the following new paragraph:

''(7) a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)); or''; and

(2) in subsection (c)—

(A) in paragraph (1)(A), by striking ''paragraphs (1) through (6)'' and inserting ''paragraphs (1) through (7)''; and

(B) in paragraph (2)(A), by inserting ''(other than a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)))'' after ''any alien''.

SEC. 2554. UNITED STATES CITIZENSHIP FOR INTERNATIONALLY ADOPTED INDIVIDUALS.

(a) AUTOMATIC CITIZENSHIP.—Section 104 of the Child Citizenship Act of 2000 (Public Law 106–395; 8 U.S.C. 1431 note) is amended to read as follows:

''SEC. 104. APPLICABILITY.

''The amendments made by this title shall apply to any individual who satisfies the requirements under section 320 or 322 of the Immigration and Nationality Act, regardless of the date on which such requirements were satisfied.''.

(b) MODIFICATION OF PREADOPTION VISITATION REQUIREMENT.—Section 101(b)(1)(F)(i) (8 U.S.C. 1101(b)(1)(F)(i)), as amended by section 2312, is further amended by striking ''at least twenty-five years of age, who personally saw and observed the child prior to or during the adoption proceedings;'' and inserting ''who is at least 25 years of age, at least 1 of whom personally saw and observed the child before or during the adoption proceedings;''.

(c) AUTOMATIC CITIZENSHIP FOR CHILDREN OF UNITED STATES CITIZENS WHO ARE PHYSICALLY PRESENT IN THE UNITED STATES.—

(1) IN GENERAL.—Section 320(a)(3) (8 U.S.C. 1431(a)(3)) is amended to read as follows:

''(3) The child is physically present in the United States in the legal custody of the citizen parent pursuant to a lawful admission.''.

(2) APPLICABILITY TO INDIVIDUAL'S WHO NO LONGER HAVE LEGAL STATUS.—Notwithstanding the lack of legal status or physical presence in the United States, a person shall be deemed to meet the requirements under section 320 of the Immigration and Nationality Act, as amended by paragraph (1), if the person—

(A) was born outside of the United States;

(B) was adopted by a United States citizen before the person reached 18 years of age;

(C) was legally admitted to the United States; and

(D) would have qualified for automatic United States citizenship if the amendments made by paragraph (1) had been in effect at the time of such admission.

(d) RETROACTIVE APPLICATION.—Section 320(b) (8 U.S.C. 1431(b)) is amended by inserting '', regardless of the date on which the adoption was finalized'' before the period at the end.

(e) APPLICABILITY.—The amendments made by this section shall apply to any individual adopted by a citizen of the United States regardless of whether the adoption occurred prior to, on, or after the date of the enactment of the Child Citizenship Act of 2000.

SEC. 2555. TREATMENT OF CERTAIN PERSONS AS HAVING SATISFIED ENGLISH AND CIVICS, GOOD MORAL CHARACTER, AND HONORABLE SERVICE AND DISCHARGE REQUIREMENTS FOR NATURALIZATION.

(a) IMMIGRATION AND NATIONALITY ACT.—The Immigration and Nationality Act is amended by inserting after section 329A (8 U.S.C. 1440–1) the following new section:

''SEC. 329B. PERSONS WHO HAVE RECEIVED AN AWARD FOR ENGAGEMENT IN ACTIVE COMBAT OR ACTIVE PARTICIPATION IN COMBAT.

''(a) IN GENERAL.—

''(1) IN GENERAL.—For purposes of naturalization and continuing citizenship under the following provisions of law, a person who has received an award described in subsection (b) shall be treated—

''(A) as having satisfied the requirements in sections 312(a), 316(a)(3), and subsections (b)(3), (c), and (e) of section 328; and

''(B) except as provided in paragraph (2), under sections 328 and 329, as having served honorably in the Armed Forces for (in the case of section 328) a period or periods aggregating one year, and, if separated from such service, as having been separated under honorable conditions.

''(2) REVOCATION.—Notwithstanding paragraph (1)(B), any person who separated from the Armed Forces under other than honorable conditions may be subject to revocation of citizenship under section 328(f) or 329(c) if the other requirements of such section are met.

''(b) APPLICATION.—This section shall apply with respect to the following awards from the Armed Forces of the United States:

''(1) The Combat Infantryman Badge from the Army.

''(2) The Combat Medical Badge from the Army.

''(3) The Combat Action Badge from the Army.

''(4) The Combat Action Ribbon from the Navy, the Marine Corps, or the Coast Guard.

''(5) The Air Force Combat Action Medal.

''(6) Any other award that the Secretary of Defense determines to be an equivalent award for engagement in active combat or active participation in combat.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act (8 U.S.C. 1101 et seq.) is amended by inserting after the item relating to section 329A the following:

''Sec. 329B. Persons who have received an award for engagement in active combat or active participation in combat.''.

TITLE III—INTERIOR ENFORCEMENT

Subtitle A—Employment Verification System

SEC. 3101. UNLAWFUL EMPLOYMENT OF UNAUTHORIZED ALIENS.

(a) IN GENERAL.—Section 274A (8 U.S.C. 1324a) is amended to read as follows:

''SEC. 274A. UNLAWFUL EMPLOYMENT OF ALIENS.

''(a) MAKING EMPLOYMENT OF UNAUTHORIZED ALIENS UNLAWFUL.—

''(1) IN GENERAL.—It is unlawful for an employer—

''(A) to hire, recruit, or refer for a fee an alien for employment in the United States knowing that the alien is an unauthorized alien with respect to such employment; or

''(B) to hire, recruit, or refer for a fee for employment in the United States an individual without complying with the requirements under subsections (c) and (d).

''(2) CONTINUING EMPLOYMENT.—

''(A) PROHIBITION ON CONTINUED EMPLOYMENT OF UNAUTHORIZED ALIENS.—It is unlawful for an employer, after hiring an alien for employment, to continue to employ the alien in the United States knowing that the alien is (or has become) an unauthorized alien with respect to such employment.

''(B) PROHIBITION ON CONSIDERATION OF PREVIOUS UNAUTHORIZED STATUS.—Nothing in this section may be construed to prohibit the employment of an individual who is authorized for employment in the United States if such individual was previously an unauthorized alien.

''(3) USE OF LABOR THROUGH CONTRACT.—For purposes of this section, any employer that uses a contract, subcontract, or exchange to obtain the labor of an alien in the United States while knowing that the alien is an unauthorized alien with respect to performing such labor shall be considered to have hired the alien for employment in the United States in violation of paragraph (1)(A).

''(4) USE OF STATE EMPLOYMENT AGENCY DOCUMENTATION.—For purposes of paragraphs (1)(B), (5), and (6), an employer shall be deemed to have complied with the requirements under subsection (c) with respect to the hiring of an individual who was referred for such employment by a State employment agency (as defined by the Secretary) if the employer has and retains (for the period and in the manner described in subsection (c)(3)) appropriate documentation of such referral by such agency, certifying that such agency has complied with the procedures described in subsection (c) with respect to the individual's referral. An employer that relies on a State agency's certification of compliance with subsection (c) under this paragraph may utilize and retain the State agency's certification of compliance with the procedures described in subsection (d), if any, in the manner provided under this paragraph.

''(5) GOOD FAITH DEFENSE.—

''(A) DEFENSE.—An employer, person, or entity that hires, employs, recruits, or refers individuals for employment in the United States, or is otherwise obligated to comply with the requirements under this section and establishes good faith compliance with the requirements under paragraphs (1) through (4) of subsection (c) and subsection (d)—

''(i) has established an affirmative defense that the employer, person, or entity has not violated paragraph (1)(A) with respect to hiring and employing; and

''(ii) has established compliance with its obligations under subparagraph (A) and (B) of paragraph (1) and subsection (c) unless the Secretary demonstrates that the employer had knowledge that an individuals hired, employed, recruited, or referred by the employer, person, or entity is an unauthorized alien.

''(B) EXCEPTION FOR CERTAIN EMPLOYERS.—An employer who is not required to participate in the System or who is participating in the System on a voluntary basis pursuant to subsection (d)(2)(J) has established an affirmative defense under subparagraph (A) and need not demonstrate compliance with the requirements under subsection (d).

''(6) GOOD FAITH COMPLIANCE.—

''(A) IN GENERAL.—Except as otherwise provided in this subsection, an employer, person, or entity is considered to have complied with a requirement under this subsection notwithstanding a technical or procedural failure to meet such requirement if there was a good faith attempt to comply with the requirement.

''(B) EXCEPTION IF FAILURE TO CORRECT AFTER NOTICE.—Subparagraph (A) shall not apply if—

''(i) the failure is not de minimis;

''(ii) the Secretary of Homeland Security has explained to the employer, person, or entity the basis for the failure and why it is not de minimis;

''(iii) the employer, person, or entity has been provided a period of not less than 30 days (beginning after the date of the explanation) to correct the failure; and

''(iv) the employer, person, or entity has not corrected the failure voluntarily within such period.

''(C) EXCEPTION FOR PATTERN OR PRACTICE VIOLATORS.—Subparagraph (A) shall not apply to an employer, person, or entity that has engaged or is engaging in a pattern or practice of violations of paragraph (1)(A) or (2).

''(7) PRESUMPTION.—After the date on which an employer is required to participate in the System under subsection (d), the employer is presumed to have acted with knowledge for purposes of paragraph (1)(A) if the employer hires, employs, recruits, or refers an employee for a fee and fails to make an inquiry to verify the employment authorization status of the employee through the System.

''(8) CONTINUED APPLICATION OF WORKFORCE AND LABOR PROTECTION REMEDIES DESPITE UNAUTHORIZED EMPLOYMENT.—

''(A) IN GENERAL.—Subject only to subparagraph (B), all rights and remedies provided under any Federal, State, or local law relating to workplace rights, including but not limited to back pay, are available to an employee despite—

''(i) the employee's status as an unauthorized alien during or after the period of employment; or

''(ii) the employer's or employee's failure to comply with the requirements of this section.

''(B) REINSTATEMENT.—Reinstatement shall be available to individuals who—

''(i) are authorized to work in the United States at the time such relief is ordered or effectuated; or

''(ii) lost employment-authorized status due to the unlawful acts of the employer under this section.

''(b) DEFINITIONS.—In this section:

''(1) COMMISSIONER.—The term 'Commissioner' means the Commissioner of Social Security.

''(2) DEPARTMENT.—Except as otherwise provided, the term 'Department' means the Department of Homeland Security.

''(3) EMPLOYER.—The term 'employer' means any person or entity, including an agency or department of a Federal, State, or local government, an agent, or a System service provider acting on behalf of an employer, that hires, employs, recruits, or refers for a fee an individual for employment in the United States that is not casual, sporadic, irregular, or intermittent (as defined by the Secretary).

''(4) EMPLOYMENT AUTHORIZED STATUS.—The term 'employment authorized status' means, with respect to an individual, that the individual is authorized to be employed in the United States under the immigration laws of the United States.

''(5) SECRETARY.—Except as otherwise specifically provided, the term 'Secretary' means the Secretary of Homeland Security.

''(6) SYSTEM.—The term 'System' means the Employment Verification System established under subsection (d).

''(7) UNAUTHORIZED ALIEN.—The term 'unauthorized alien' means an alien who, with respect to employment in the United States at a particular time—

''(A) is not lawfully admitted for permanent residence; or

''(B) is not authorized to be employed under this Act or by the Secretary.

''(8) WORKPLACE RIGHTS.—The term 'workplace rights' means rights guaranteed under Federal, State, or local labor or employment laws, including laws concerning wages and hours, benefits and employment standards, labor relations, workplace health and safety, work-related injuries, nondiscrimination, and retaliation for exercising rights under such laws.

''(c) DOCUMENT VERIFICATION REQUIREMENTS.—Any employer hiring an individual for employment in the United States shall comply with the following requirements and the requirements under subsection (d) to verify that the individual has employment authorized status.

''(1) ATTESTATION AFTER EXAMINATION OF DOCUMENTATION.—

''(A) IN GENERAL.—

''(i) EXAMINATION BY EMPLOYER.—An employer shall attest, under penalty of perjury on a form prescribed by the Secretary, that the employer has verified the identity and employment authorization status of the individual—

''(I) by examining—

''(aa) a document specified in subparagraph (C); or

''(bb) a document specified in subparagraph (D) and a document specified in subparagraph (E); and

''(II) by utilizing an identity authentication mechanism described in clause (iii) or (iv) of subparagraph (F).

''(ii) PUBLICATION OF DOCUMENTS.—The Secretary shall publish a picture of each document specified in subparagraphs (C) and (E) on the U.S. Citizenship and Immigration Services website.

''(B) REQUIREMENTS.—

''(i) FORM.—The form referred to in subparagraph (A)(i)—

''(I) shall be prescribed by the Secretary not later than 6 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act;

''(II) shall be available as—

''(aa) a paper form;

''(bb) a form that may be completed by an employer via telephone or video conference;

''(cc) an electronic form; or

''(dd) a form that is integrated electronically with the requirements under subsection (d).

''(ii) ATTESTATION.—Each such form shall require the employer to sign an attestation with a handwritten, electronic, or digital pin

code signature, according to standards prescribed by the Secretary.

''(iii) COMPLIANCE.—An employer has complied with the requirements under this paragraph with respect to examination of the documents included in subclauses (I) and (II) of subparagraph (A)(i) if—

''(I) the employer has, in good faith, followed applicable regulations and any written procedures or instructions provided by the Secretary; and

''(II) a reasonable person would conclude that the documentation is genuine and relates to the individual presenting such documentation.

''(C) DOCUMENTS ESTABLISHING IDENTITY AND EMPLOYMENT AUTHORIZED STATUS.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

''(i) A United States passport or passport card issued to an individual pursuant to the Secretary of State's authority under the Act entitled 'An Act to regulate the issue and validity of passports, and for other purposes', approved July 3, 1926 (22 U.S.C. 211a).

''(ii) A document issued to an alien evidencing that the alien is lawfully admitted for permanent residence or another document issued to an individual evidencing the individual's employment authorized status, as designated by the Secretary, if the document—

''(I) contains a photograph of the individual, or such other personal identifying information relating to the individual as the Secretary determines, by regulation, to be sufficient for the purposes of this subparagraph;

''(II) is evidence of employment authorized status; and

''(III) contains security features to make the document resistant to tampering, counterfeiting, and fraudulent use.

''(iii) An enhanced driver's license or identification card issued to a national of the United States by a State, an outlying possession of the United States, or a federally recognized Indian tribe that—

''(I) meets the requirements under section 202 of the REAL ID Act of 2005 (division B of Public Law 109–13; 49 U.S.C. 30301 note); and

''(II) the Secretary has certified by notice published in the Federal Register and through appropriate notice directly to employers registered in the System 3 months prior to publication that such enhanced license or card is suitable for use under this subparagraph based upon the accuracy and security of the issuance process, security features on the document, and such other factors as the Secretary may prescribe.

''(iv) A passport issued by the appropriate authority of a foreign country accompanied by a Form I–94 or Form I–94A (or similar successor record), or other documentation as designated by the Secretary that specifies the individual's status in the United States and the duration of such status if the proposed employment is not in conflict with any restriction or limitation specified on such form or documentation.

''(v) A passport issued by the Federated States of Micronesia or the Republic of the Marshall Islands with evidence of nonimmigrant admission to the United States under the Compact of Free Association between the United States and the Federated States of Micronesia or the Republic of the Marshall Islands.

''(D) DOCUMENTS ESTABLISHING IDENTITY OF INDIVIDUAL.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

''(i) A driver's license or identity card that is not described in subparagraph (C)(iii) and is issued to an individual by a State or an outlying possession of the United States, a federally recognized Indian tribe, or an agency (including military) of the Federal Government if the driver's license or identity card includes, at a minimum—

''(I) the individual's photograph, name, date of birth, gender, and driver's license or identification card number; and

''(II) security features to make the license or card resistant to tampering, counterfeiting, and fraudulent use.

''(ii) A voter registration card.

''(iii) A document that complies with the requirements under section 7209(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 8 U.S.C. 1185 note).

''(iv) For individuals under 18 years of age who are unable to present a document listed in clause (i) or (ii), documentation of personal identity of such other type as the Secretary determines will provide a reliable means of identification, which may include an attestation as to the individual's identity by a parent or legal guardian under penalty of perjury.

''(E) DOCUMENTS EVIDENCING EMPLOYMENT AUTHORIZATION.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

''(i) A social security account number card issued by the Commissioner, other than a card which specifies on its face that the card is not valid to evidence employment authorized status or has other similar words of limitation.

''(ii) Any other documentation evidencing employment authorized status that the Secretary determines and publishes in the Federal Register and through appropriate notice directly to employers registered within the System to be acceptable for purposes of this subparagraph if such documentation, including any electronic security measures linked to such documentation, contains security features to make such documentation resistant to tampering, counterfeiting, and fraudulent use.

''(F) IDENTITY AUTHENTICATION MECHANISM.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) COVERED IDENTITY DOCUMENT.—The term 'covered identity document' means a valid—

''(aa) United States passport, passport card, or a document evidencing lawful permanent residence status or employment authorized status issued to an alien;

''(bb) enhanced driver's license or identity card issued by a participating State or an outlying possession of the United States; or

''(cc) photograph and appropriate identifying information provided by the Secretary of State pursuant to the granting of a visa.

''(II) PARTICIPATING STATE.—The term 'participating State' means a State that has an agreement with the Secretary to provide the Secretary, for purposes of identity verification in the System, with photographs and appropriate identifying information maintained by the State.

''(ii) REQUIREMENT FOR IDENTITY AUTHENTICATION.—In addition to verifying the documents specified in subparagraph (C), (D), or (E) and utilizing the System under subsection (d), each employer shall use an identity authentication mechanism described in clause (iii) or provided in clause (iv) after it becomes available to verify the identity of each individual the employer seeks to hire.

''(iii) PHOTO TOOL.—

''(I) USE REQUIREMENT.—An employer hiring an individual who has a covered identity document shall verify the identity of such individual using the photo tool described in subclause (II).

''(II) DEVELOPMENT REQUIREMENT.—The Secretary shall develop and maintain a photo tool that enables employers to match the photo on a covered identity document provided to the employer to a photo maintained by a U.S. Citizenship and Immigration Services database.

''(iv) ADDITIONAL SECURITY MEASURES.—

''(I) USE REQUIREMENT.—An employer seeking to hire an individual whose identity may not be verified using the photo tool described in clause (iii) shall verify the identity of such individual using the additional security measures described in subclause (II).

''(II) DEVELOPMENT REQUIREMENT.—The Secretary shall develop, after publication in the Federal Register and an opportunity for public comment, specific and effective additional security measures to adequately verify the identity of an individual whose identity may not be verified using the photo tool described in clause (iii). Such additional security measures—

''(aa) shall be kept up-to-date with technological advances; and

''(bb) shall provide a means of identity authentication in a manner that provides a high level of certainty as to the identity of such individual, using immigration and identifying information that may include review of identity documents or background screening verification techniques using publicly available information.

''(G) AUTHORITY TO PROHIBIT USE OF CERTAIN DOCUMENTS.—If the Secretary determines, after publication in the Federal Register and an opportunity for public comment, that any document or class of documents specified in subparagraph (B), (C), or (D) does not reliably establish identity or that employment authorized status is being used fraudulently to an unacceptable degree, the Secretary—

''(i) may prohibit or restrict the use of such document or class of documents for purposes of this subsection; and

''(ii) shall directly notify all employers registered within the System of the prohibition through appropriate means.

''(H) AUTHORITY TO ALLOW USE OF CERTAIN DOCUMENTS.—If the Secretary has determined that another document or class of documents, such as a document issued by a federally recognized Indian tribe, may be used to reliably establish identity or employment authorized status, the Secretary—

''(i) may allow the use of that document or class of documents for purposes of this subsection after publication in the Federal Register and an opportunity for public comment;

''(ii) shall publish a description of any such document or class of documents on the U.S. Citizenship and Immigration Services website; and

''(iii) shall directly notify all employers registered within the System of the addition through appropriate means.

''(2) INDIVIDUAL ATTESTATION OF EMPLOYMENT AUTHORIZATION.—An individual, upon commencing employment with an employer, shall—

''(A) attest, under penalty of perjury, on the form prescribed by the Secretary, that the individual is—

''(i) a citizen of the United States;

''(ii) an alien lawfully admitted for permanent residence;

''(iii) an alien who has employment authorized status; or

''(iv) otherwise authorized by the Secretary to be hired for such employment;

''(B) provide such attestation by a handwritten, electronic, or digital pin code signature; and

''(C) provide the individual's social security account number to the Secretary, unless the individual has not yet been issued such a number, on such form as the Secretary may require.

''(3) RETENTION OF VERIFICATION RECORD.—

''(A) IN GENERAL.—After completing a form for an individual in accordance with paragraphs (1) and (2), the employer shall retain a version of such completed form and make such form available for inspection by the Secretary or the Office of Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice during the period beginning on the hiring date of the individual and ending on the later of—

''(i) the date that is 3 years after such hiring date; or

''(ii) the date that is 1 year after the date on which the individual's employment with the employer is terminated.

''(B) REQUIREMENT FOR ELECTRONIC RETENTION.—The Secretary—

''(i) shall permit an employer to retain the form described in subparagraph (A) in electronic form; and

''(ii) shall permit an employer to retain such form in paper, microfiche, microfilm, portable document format, or other media.

''(4) COPYING OF DOCUMENTATION AND RECORDKEEPING.—The Secretary may promulgate regulations regarding—

''(A) copying documents and related information pertaining to employment verification presented by an individual under this subsection; and

''(B) retaining such information during a period not to exceed the required retention period set forth in paragraph (3).

''(5) PENALTIES.—An employer that fails to comply with any requirement under this subsection may be penalized under subsection (e)(4)(B).

''(6) PROTECTION OF CIVIL RIGHTS.—

''(A) IN GENERAL.—Nothing in this section may be construed to diminish any rights otherwise protected by Federal law.

''(B) PROHIBITION ON DISCRIMINATION.—An employer shall use the procedures for document verification set forth in this paragraph for all employees without regard to race, color, religion, sex, national origin, or, unless specifically permitted in this section, to citizenship status.

''(7) RECEIPTS.—The Secretary may authorize the use of receipts for replacement documents, and temporary evidence of employment authorization by an individual to meet a documentation requirement under this subsection on a temporary basis not to exceed 1 year, after which time the individual shall provide documentation sufficient to satisfy the documentation requirements under this subsection.

''(8) NO AUTHORIZATION OF NATIONAL IDENTIFICATION CARDS.—Nothing in this section may be construed to directly or indirectly authorize the issuance, use, or establishment of a national identification card.

''(d) EMPLOYMENT VERIFICATION SYSTEM.—

''(1) IN GENERAL.—

''(A) ESTABLISHMENT.—The Secretary, in consultation with the Commissioner, shall establish the Employment Verification System.

''(B) MONITORING.—The Secretary shall create the necessary processes to monitor—

''(i) the functioning of the System, including the volume of the workflow, the speed of processing of queries, the speed and accuracy of responses;

''(ii) the misuse of the System, including the prevention of fraud or identity theft;

''(iii) whether the use of the System results in wrongful adverse actions or discrimination based upon a prohibited factor against citizens or nationals of the United States or individuals who have employment authorized status; and

''(iv) the security, integrity, and privacy of the System.

''(C) PROCEDURES.—The Secretary—

''(i) shall create processes to provide an individual with direct access to the individual's case history in the System, including—

''(I) the identities of all persons or entities that have queried the individual through the System;

''(II) the date of each such query; and

''(III) the System response for each such query; and

''(ii) in consultation with the Commissioner, shall develop—

''(I) protocols to notify an individual, in a timely manner through the use of electronic correspondence or mail, that a query for the individual has been processed through the System; or

''(II) a process for the individual to submit additional queries to the System or notify the Secretary of potential identity fraud.

''(2) PARTICIPATION REQUIREMENTS.—

''(A) FEDERAL GOVERNMENT.—Except as provided in subparagraph (B), all agencies and departments in the executive, legislative, or judicial branches of the Federal Government shall participate in the System beginning on the earlier of—

''(i) the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, to the extent required under section 402(e)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a) and as already implemented by each agency or department; or

''(ii) the date that is 90 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(B) FEDERAL CONTRACTORS.—Federal contractors shall participate in the System as provided in the final rule relating to employment eligibility verification published in the Federal Register on November 14, 2008 (73 Fed. Reg. 67,651), or any similar subsequent regulation, for which purpose references to E-Verify in the final rule shall be construed to apply to the System.

''(C) CRITICAL INFRASTRUCTURE.—

''(i) IN GENERAL.—Beginning on the date that is 1 year after the date on which regulations are published implementing this subsection, the Secretary may authorize or direct any employer, person, or entity responsible for granting access to, protecting, securing, operating, administering, or regulating part of the critical infrastructure (as defined in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e))) to participate in the System to the extent the Secretary determines that such participation will assist in the protection of the critical infrastructure.

''(ii) NOTIFICATION TO EMPLOYERS.—The Secretary shall notify an employer required to participate in the System under this subparagraph not later than 90 days before the date on which the employer is required to participate.

''(D) EMPLOYERS WITH MORE THAN 5,000 EMPLOYEES.—Not later than 2 years after regulations are published implementing this subsection, all employers with more than 5,000 employees shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(E) EMPLOYERS WITH MORE THAN 500 EMPLOYEES.—Not later than 3 years after regulations are published implementing this subsection, all employers with more than 500 employees shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(F) AGRICULTURAL EMPLOYMENT.—Not later than 4 years after regulations are published implementing this subsection, employers of employees performing agricultural employment (as defined in section 218A of this Act and section 2202 of the Border Security, Economic Opportunity, and Immigration Modernization Act) shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents. An agricultural employee shall not be counted for purposes of subparagraph (D) or (E).

''(G) ALL EMPLOYERS.—Except as provided in subparagraph (H), not later than 4 years after regulations are published implementing this subsection, all employers shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(H) TRIBAL GOVERNMENT EMPLOYERS.—

''(i) RULEMAKING.—In developing regulations to implement this subsection, the Secretary shall—

''(I) consider the effects of this section on federally recognized Indian tribes and tribal members; and

''(II) consult with the governments of federally recognized Indian tribes.

''(ii) REQUIRED PARTICIPATION.—Not later than 5 years after regulations are published implementing this subsection, all employers owned by, or entities of, the government of a federally recognized Indian tribe shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(I) IMMIGRATION LAW VIOLATORS.—

''(i) ORDERS FINDING VIOLATIONS.—An order finding any employer to have violated this section or section 274C may, in the Secretary's discretion, require the employer to participate in the System with respect to newly hired employees and employees with expiring temporary employment authorization documents, if such employer is not otherwise required to participate in the System under this section. The Secretary shall monitor such employer's compliance with System procedures.

''(ii) PATTERN OR PRACTICE OF VIOLATIONS.—The Secretary may require an employer that is required to participate in the System with respect to newly hired employees to participate in the System with respect to the employer's current employees if the employer is determined by the Secretary or other appropriate authority to have engaged in a pattern or practice of violations of the immigration laws of the United States.

''(J) VOLUNTARY PARTICIPATION.—The Secretary may permit any employer that is not required to participate in the System under this section to do so on a voluntary basis.

''(3) CONSEQUENCE OF FAILURE TO PARTICIPATE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the failure, other than a de minimis or inadvertent failure, of an employer that is required to participate in the System to comply with the requirements of the System with respect to an individual—

''(i) shall be treated as a violation of subsection (a)(1)(B) with respect to that individual; and

''(ii) creates a rebuttable presumption that the employer has violated paragraph (1)(A) or (2) of subsection (a).

''(B) EXCEPTION.—

''(i) IN GENERAL.—Subparagraph (A) shall not apply in a criminal prosecution.

''(ii) USE AS EVIDENCE.—Nothing in this paragraph may be construed to limit the use in the prosecution of a Federal crime, in a manner otherwise consistent with Federal criminal law and procedure, of evidence relating to the employer's failure to comply with requirements of the System.

''(4) PROCEDURES FOR PARTICIPANTS IN THE SYSTEM.—

''(A) IN GENERAL.—An employer participating in the System shall register such participation with the Secretary and, when hiring any individual for employment in the United States, shall comply with the following:

''(i) REGISTRATION OF EMPLOYERS.—The Secretary, through notice in the Federal Register, shall prescribe procedures that employers shall be required to follow to register with the System.

''(ii) UPDATING INFORMATION.—The employer is responsible for providing notice of any change to the information required under subclauses (I), (II), and (III) of clause (v) before conducting any further inquiries within the System, or on such other schedule as the Secretary may prescribe.

''(iii) TRAINING.—The Secretary shall require employers to undergo such training as the Secretary determines to be necessary to ensure proper use, protection of civil rights and civil liberties, privacy, integrity, and security of the System. To the extent practicable, such training shall be made available electronically on the U.S. Citizenship and Immigration Services website.

''(iv) NOTIFICATION TO EMPLOYEES.—The employer shall inform individuals hired for employment that the System—

''(I) will be used by the employer;

''(II) may be used for immigration enforcement purposes; and

''(III) may not be used to discriminate or to take adverse action against a national of the United States or an alien who has employment authorized status.

''(v) PROVISION OF ADDITIONAL INFORMATION.—The employer shall obtain from the individual (and the individual shall provide) and shall record in such manner as the Secretary may specify—

''(I) the individual's social security account number;

''(II) if the individual does not attest to United States citizenship or status as a national of the United States under subsection (c)(2), such identification or authorization number established by the Department as the Secretary shall specify; and

''(III) such other information as the Secretary may require to determine the identity and employment authorization of an individual.

''(vi) PRESENTATION OF DOCUMENTATION.—The employer, and the individual whose identity and employment authorized status are being confirmed, shall fulfill the requirements under subsection (c).

''(B) SEEKING CONFIRMATION.—

''(i) IN GENERAL.—An employer shall use the System to confirm the identity and employment authorized status of any individual during—

''(I) the period beginning on the date on which the individual accepts an offer of employment and ending 3 business days after the date on which employment begins; or

''(II) such other reasonable period as the Secretary may prescribe.

''(ii) LIMITATION.—An employer may not make the starting date of an individual's employment or training or any other term and condition of employment dependent on the receipt of a confirmation of identity and employment authorized status by the System.

''(iii) REVERIFICATION.—If an individual has a limited period of employment authorized status, the individual's employer shall reverify such status through the System not later than 3 business days after the last day of such period.

''(iv) OTHER EMPLOYMENT.—For employers directed by the Secretary to participate in the System under paragraph (2)(C)(i) to protect critical infrastructure or otherwise specified circumstances in this section to verify their entire workforce, the System may be used for initial verification of an individual who was hired before the employer became subject to the System, and the employer shall initiate all required procedures on or before such date as the Secretary shall specify.

''(v) NOTIFICATION.—

''(I) IN GENERAL.—The Secretary shall provide, and the employer shall utilize, as part of the System, a method of notifying employers of a confirmation or nonconfirmation of an individual's identity and employment authorized status, or a notice that further action is required to verify such identity or employment eligibility (referred to in this subsection as a 'further action notice').

''(II) PROCEDURES.—The Secretary shall—

''(aa) directly notify the individual and the employer, by means of electronic correspondence, mail, text message, telephone, or other direct communication, of a nonconfirmation or further action notice;

''(bb) provide information about filing an administrative appeal under paragraph (6) and a filing for review before an administrative law judge under paragraph (7); and

''(cc) establish procedures to directly notify the individual and the employer of a confirmation.

''(III) IMPLEMENTATION.—The Secretary may provide for a phased-in implementation of the notification requirements under this clause, as appropriate. The notification system shall cover all inquiries not later than 1 year from the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(C) CONFIRMATION OR NONCONFIRMATION.—

''(i) INITIAL RESPONSE.—

''(I) IN GENERAL.—Except as provided in subclause (II), the System shall provide—

''(aa) a confirmation of an individual's identity and employment authorized status or a further action notice at the time of the inquiry; and

''(bb) an appropriate code indicating such confirmation or such further action notice.

''(II) ALTERNATIVE DEADLINE.—If the System is unable to provide immediate confirmation or further action notice for technological reasons or due to unforeseen circumstances, the System shall provide a confirmation or further action notice not later than 3 business days after the initial inquiry.

''(ii) CONFIRMATION UPON INITIAL INQUIRY.—If the employer receives an appropriate confirmation of an individual's identity and employment authorized status under the System, the employer shall record the confirmation in such manner as the Secretary may specify.

''(iii) FURTHER ACTION NOTICE AND LATER CONFIRMATION OR NONCONFIRMATION.—

''(I) NOTIFICATION AND ACKNOWLEDGMENT THAT FURTHER ACTION IS REQUIRED.—Not later than 3 business days after an employer receives a further action notice of an individual's identity or employment eligibility under the System, or during such other reasonable time as the Secretary may prescribe, the employer shall notify the individual for whom the confirmation is sought of the further action notice and any procedures specified by the Secretary for addressing such notice. The further action notice shall be given to the individual in writing and the employer shall acknowledge in the System under penalty of perjury that it provided the employee with the further action notice. The individual shall affirmatively acknowledge in writing, or in such other manner as the Secretary may specify, the receipt of the further action notice from the employer. If the individual refuses to acknowledge the receipt of the further action notice, or acknowledges in writing that the individual will not contest the further action notice under subclause (II), the employer shall notify the Secretary in such manner as the Secretary may specify.

''(II) CONTEST.—Not later than 10 business days after receiving notification of a further action notice under subclause (I), the individual shall contact the appropriate Federal agency and, if the Secretary so requires, appear in person for purposes of verifying the individual's identity and employment eligibility. The Secretary, in consultation with the Commissioner and other appropriate Federal agencies, shall specify an available secondary verification procedure to confirm the validity of information provided and to provide a confirmation or nonconfirmation. Any procedures for reexamination shall not limit in any way an employee's right to appeal a nonconfirmation.

''(III) NO CONTEST.—If the individual refuses to acknowledge receipt of the further action notice, acknowledges that the individual will not contest the further action notice as provided in subclause (I), or does not contact the appropriate Federal agency within the period specified in subclause (II), following expiration of the period specified in subclause (II), a nonconfirmation shall be issued. The employer shall record the nonconfirmation in such manner as the Secretary may specify and terminate the individual's employment. An individual's failure to contest a further action notice shall not be considered an admission of guilt with respect to any violation of this section or any provision of law.

''(IV) CONFIRMATION OR NONCONFIRMATION.—Unless the period is extended in accordance with this subclause, the System shall provide a confirmation or nonconfirmation not later than 10 business days after the date on which the individual contests the further action notice under subclause (II). If the Secretary determines that good cause exists, after taking into account adverse impacts to the employer, and including time to permit the individual to obtain and provide needed evidence of identity or employment eligibility, the Secretary shall extend the period for providing confirmation or nonconfirmation for stated periods beyond 10 business days. When confirmation or nonconfirmation is provided, the confirmation system shall

provide an appropriate code indicating such confirmation or nonconfirmation.

''(V) REEXAMINATION.—Nothing in this section shall prevent the Secretary from establishing procedures to reexamine a case where a confirmation or nonconfirmation has been provided if subsequently received information indicates that the confirmation or nonconfirmation may not have been correct. Any procedures for reexamination shall not limit in any way an employee's right to appeal a nonconfirmation.

''(VI) EMPLOYEE PROTECTIONS.—An employer may not terminate employment or take any other adverse action against an individual solely because of a failure of the individual to have identity and employment eligibility confirmed under this subsection until—

''(aa) a nonconfirmation has been issued;

''(bb) if the further action notice was contested, the period to timely file an administrative appeal has expired without an appeal or the contestation to the further action notice is withdrawn; or

''(cc) if an appeal before an administrative law judge under paragraph (7) has been filed, the nonconfirmation has been upheld or the appeal has been withdrawn or dismissed.

''(iv) NOTICE OF NONCONFIRMATION.—Not later than 3 business days after an employer receives a nonconfirmation, or during such other reasonable time as the Secretary may provide, the employer shall notify the individual who is the subject of the nonconfirmation, and provide information about filing an administrative appeal pursuant to paragraph (6) and a request for a hearing before an administrative law judge pursuant to paragraph (7). The nonconfirmation notice shall be given to the individual in writing and the employer shall acknowledge in the System under penalty of perjury that it provided the notice (or adequately attempted to provide notice, but was unable to do so despite reasonable efforts). The individual shall affirmatively acknowledge in writing, or in such other manner as the Secretary may prescribe, the receipt of the nonconfirmation notice from the employer. If the individual refuses or fails to acknowledge the receipt of the nonconfirmation notice, the employer shall notify the Secretary in such manner as the Secretary may prescribe.

''(D) CONSEQUENCES OF NONCONFIRMATION.—

''(i) TERMINATION OF CONTINUED EMPLOYMENT.—Except as provided in clause (iii), an employer that has received a nonconfirmation regarding an individual and has made reasonable efforts to notify the individual in accordance with subparagraph (C)(iv) shall terminate the employment of the individual upon the expiration of the time period specified in paragraph (7).

''(ii) CONTINUED EMPLOYMENT AFTER NONCONFIRMATION.—If the employer continues to employ an individual after receiving nonconfirmation and exhaustion of all appeals or expiration of all rights to appeal if not appealed, in violation of clause (i), a rebuttable presumption is created that the employer has violated paragraphs (1)(A) and (2) of subsection (a). Such presumption shall not apply in any prosecution under subsection (k)(1).

''(iii) EFFECT OF ADMINISTRATIVE APPEAL OR REVIEW BY ADMINISTRATIVE LAW JUDGE.—If an individual files an administrative appeal of the nonconfirmation within the time period specified in paragraph (6)(A), or files for review with an administrative law judge specified in paragraph (7)(A), the employer shall not terminate the individual's employment under this subparagraph prior to the resolution of the administrative appeal unless the Secretary or Commissioner terminates the stay under paragraph (6)(B) or (7)(B).

''(iv) WEEKLY REPORT.—The Director of U.S. Citizenship and Immigration Services shall submit a weekly report to the Assistant Secretary for Immigration and Customs Enforcement that includes, for each individual who receives final nonconfirmation through the System—

''(I) the name of such individual;

''(II) his or her social security number or alien file number;

''(III) the name and contact information for his or her current employer; and

''(IV) any other critical information that the Assistant Secretary determines to be appropriate.

''(E) OBLIGATION TO RESPOND TO QUERIES AND ADDITIONAL INFORMATION.—

''(i) IN GENERAL.—Employers shall comply with requests for information from the Secretary and the Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice, including queries concerning current and former employees, within the time frame during which records are required to be maintained under this section regarding such former employees, if such information relates to the functioning of the System, the accuracy of the responses provided by the System, or any suspected misuse, discrimination, fraud, or identity theft in the use of the System. Failure to comply with a request under this clause constitutes a violation of subsection (a)(1)(B).

''(ii) ACTION BY INDIVIDUALS.—

''(I) IN GENERAL.—Individuals being verified through the System may be required to take further action to address questions identified by the Secretary or the Commissioner regarding the documents relied upon for purposes of subsection (c).

''(II) NOTIFICATION.—Not later than 3 business days after the receipt of such questions regarding an individual, or during such other reasonable time as the Secretary may prescribe, the employer shall—

''(aa) notify the individual of any such requirement for further actions; and

''(bb) record the date and manner of such notification.

''(III) ACKNOWLEDGMENT.—The individual shall acknowledge the notification received from the employer under subclause (II) in writing, or in such other manner as the Secretary may prescribe.

''(iii) RULEMAKING.—

''(I) IN GENERAL.—The Secretary, in consultation with the Commissioner and the Attorney General, is authorized to issue regulations implementing, clarifying, and supplementing the requirements under this subparagraph—

''(aa) to facilitate the functioning, accuracy, and fairness of the System;

''(bb) to prevent misuse, discrimination, fraud, or identity theft in the use of the System; or

''(cc) to protect and maintain the confidentiality of information that could be used to locate or otherwise place at risk of harm victims of domestic violence, dating violence, sexual assault, stalking, and human trafficking, and of the applicant or beneficiary of any petition described in section 384(a)(2) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(a)(2)).

''(II) NOTICE.—The regulations issued under subclause (I) shall be—

''(aa) published in the Federal Register; and

''(bb) provided directly to all employers registered in the System.

''(F) DESIGNATED AGENTS.—The Secretary shall establish a process—

''(i) for certifying, on an annual basis or at such times as the Secretary may prescribe, designated agents and other System service providers seeking access to the System to perform verification queries on behalf of employers, based upon training, usage, privacy, and security standards prescribed by the Secretary;

''(ii) for ensuring that designated agents and other System service providers are subject to monitoring to the same extent as direct access users; and

''(iii) for establishing standards for certification of electronic I–9 programs.

''(G) REQUIREMENT TO PROVIDE INFORMATION.—

''(i) IN GENERAL.—No later than 3 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary, in consultation with the Secretary of Labor, the Secretary of Agriculture, the Commissioner, the Attorney General, the Equal Employment Opportunity Commission, and the Administrator of the Small Business Administration, shall commence a campaign to disseminate information respecting the procedures, rights, and remedies prescribed under this section.

''(ii) CAMPAIGN REQUIREMENTS.—The campaign authorized under clause (i)—

''(I) shall be aimed at increasing the knowledge of employers, employees, and the general public concerning employer and employee rights, responsibilities, and remedies under this section; and

''(II) shall be coordinated with the public education campaign conducted by U.S. Citizenship and Immigration Services.

''(iii) ASSESSMENT.—The Secretary shall assess the success of the campaign in achieving the goals of the campaign.

''(iv) AUTHORITY TO CONTRACT.—In order to carry out and assess the campaign under this subparagraph, the Secretary may, to the extent deemed appropriate and subject to the availability of appropriations, contract with public and private organizations for outreach and assessment activities under the campaign.

''(v) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this paragraph $40,000,000 for each of the fiscal years 2014 through 2016.

''(H) AUTHORITY TO MODIFY INFORMATION REQUIREMENTS.—Based on a regular review of the System and the document verification procedures to identify misuse or fraudulent use and to assess the security of the documents and processes used to establish identity or employment authorized status, the Secretary, in consultation with the Commissioner, after publication of notice in the Federal Register and an opportunity for public comment, may modify, if the Secretary determines that the modification is necessary to ensure that the System accurately and reliably determines the identity and employment authorized status of employees and maintain existing protections against misuse, discrimination, fraud, and identity theft—

''(i) the information that shall be presented to the employer by an individual;

''(ii) the information that shall be provided to the System by the employer; and

''(iii) the procedures that shall be followed by employers with respect to the process of verifying an individual through the System.

''(I) SELF-VERIFICATION.—Subject to appropriate safeguards to prevent misuse of the

system, the Secretary, in consultation with the Commissioner, shall establish a secure self-verification procedure to permit an individual who seeks to verify the individual's own employment eligibility to contact the appropriate agency and, in a timely manner, correct or update the information contained in the System.

''(5) PROTECTION FROM LIABILITY FOR ACTIONS TAKEN ON THE BASIS OF INFORMATION PROVIDED BY THE SYSTEM.—An employer shall not be liable to a job applicant, an employee, the Federal Government, or a State or local government, under Federal, State, or local criminal or civil law for any employment-related action taken with respect to a job applicant or employee in good faith reliance on information provided by the System.

''(6) ADMINISTRATIVE APPEAL.—

''(A) IN GENERAL.—An individual who is notified of a nonconfirmation may, not later than 10 business days after the date that such notice is received, file an administrative appeal of such nonconfirmation with the Commissioner if the notice is based on records maintained by the Commissioner, or in any other case, with the Secretary. An individual who did not timely contest a further action notice timely received by that individual for which the individual acknowledged receipt may not be granted a review under this paragraph.

''(B) ADMINISTRATIVE STAY OF NONCONFIRMATION.—The nonconfirmation shall be automatically stayed upon the timely filing of an administrative appeal, unless the nonconfirmation resulted after the individual acknowledged receipt of the further action notice but failed to contact the appropriate agency within the time provided. The stay shall remain in effect until the resolution of the appeal, unless the Secretary or the Commissioner terminates the stay based on a determination that the administrative appeal is frivolous or filed for purposes of delay.

''(C) REVIEW FOR ERROR.—The Secretary and the Commissioner shall develop procedures for resolving administrative appeals regarding nonconfirmations based upon the information that the individual has provided, including any additional evidence or argument that was not previously considered. Any such additional evidence or argument shall be filed within 10 business days of the date the appeal was originally filed. Appeals shall be resolved within 20 business days after the individual has submitted all evidence and arguments the individual wishes to submit, or has stated in writing that there is no additional evidence that the individual wishes to submit. The Secretary and the Commissioner may, on a case by case basis for good cause, extend the filing and submission period in order to ensure accurate resolution of an appeal before the Secretary or the Commissioner.

''(D) PREPONDERANCE OF EVIDENCE.—Administrative appeal under this paragraph shall be limited to whether a nonconfirmation notice is supported by a preponderance of the evidence.

''(E) DAMAGES, FEES, AND COSTS.—No money damages, fees or costs may be awarded in the administrative appeal process under this paragraph.

''(7) REVIEW BY ADMINISTRATIVE LAW JUDGE.—

''(A) IN GENERAL.—Not later than 30 days after the date an individual receives a final determination on an administrative appeal under paragraph (6), the individual may obtain review of such determination by filing a complaint with a Department of Justice administrative law judge in accordance with this paragraph.

''(B) STAY OF NONCONFIRMATION.—The nonconfirmation related to such final determination shall be automatically stayed upon the timely filing of a complaint under this paragraph, and the stay shall remain in effect until the resolution of the complaint, unless the administrative law judge determines that the action is frivolous or filed for purposes of delay.

''(C) SERVICE.—The respondent to complaint filed under this paragraph is either the Secretary or the Commissioner, but not both, depending upon who issued the administrative order under paragraph (6). In addition to serving the respondent, the plaintiff shall serve the Attorney General.

''(D) AUTHORITY OF ADMINISTRATIVE LAW JUDGE.—

''(i) RULES OF PRACTICE.—The Secretary shall promulgate regulations regarding the rules of practice in appeals brought pursuant to this subsection.

''(ii) AUTHORITY OF ADMINISTRATIVE LAW JUDGE.—The administrative law judge shall have power to—

''(I) terminate a stay of a nonconfirmation under subparagraph (B) if the administrative law judge determines that the action is frivolous or filed for purposes of delay;

''(II) adduce evidence at a hearing;

''(III) compel by subpoena the attendance of witnesses and the production of evidence at any designated place or hearing;

''(IV) resolve claims of identity theft; and

''(V) enter, upon the pleadings and any evidence adduced at a hearing, a decision affirming or reversing the result of the agency, with or without remanding the cause for a rehearing.

''(iii) SUBPOENA.—In case of contumacy or refusal to obey a subpoena lawfully issued under this section and upon application of the administrative law judge, an appropriate district court of the United States may issue an order requiring compliance with such subpoena and any failure to obey such order may be punished by such court as a contempt of such court.

''(iv) TRAINING.—An administrative law judge hearing cases shall have special training respecting employment authorized status verification.

''(E) ORDER BY ADMINISTRATIVE LAW JUDGE.—

''(i) IN GENERAL.—The administrative law judge shall issue and cause to be served to the parties in the proceeding an order which may be appealed as provided in subparagraph (G).

''(ii) CONTENTS OF ORDER.—Such an order shall uphold or reverse the final determination on the request for reconsideration and order lost wages and other appropriate remedies as provided in subparagraph (F).

''(F) COMPENSATION FOR ERROR.—

''(i) IN GENERAL.—In cases in which the administrative law judge reverses the final determination of the Secretary or the Commissioner made under paragraph (6), and the administrative law judge finds that—

''(I) the nonconfirmation was due to gross negligence or intentional misconduct of the employer, the administrative law judge may order the employer to pay the individual lost wages, and reasonable costs and attorneys' fees incurred during administrative and judicial review; or

''(II) such final determination was erroneous by reason of the negligence of the Secretary or the Commissioner, the administrative law judge may order the Secretary or the Commissioner to pay the individual lost wages, and reasonable costs and attorneys' fees incurred during the administrative appeal and the administrative law judge review.

''(ii) CALCULATION OF LOST WAGES.—Lost wages shall be calculated based on the wage rate and work schedule that prevailed prior to termination. The individual shall be compensated for wages lost beginning on the first scheduled work day after employment was terminated and ending 120 days after completion of the administrative law judge's review described in this paragraph or the day after the individual is reinstated or obtains employment elsewhere, whichever occurs first. If the individual obtains employment elsewhere at a lower wage rate, the individual shall be compensated for the difference in wages for the period ending 120 days after completion of the administrative law judge review process. No lost wages shall be awarded for any period of time during which the individual was not in employment authorized status.

''(iii) PAYMENT OF COMPENSATION.—Notwithstanding any other law, payment of compensation for lost wages, costs, and attorneys' fees under this paragraph, or compromise settlements of the same, shall be made as provided by section 1304 of title 31, United States Code. Appropriations made available to the Secretary or the Commissioner, accounts provided for under section 286, and funds from the Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund shall not be available to pay such compensation.

''(G) APPEAL.—No later than 45 days after the entry of such final order, any person adversely affected by such final order may seek review of such order in the United States Court of Appeals for the circuit in which the violation is alleged to have occurred or in which the employer resides or transacts business.

''(8) MANAGEMENT OF THE SYSTEM.—

''(A) IN GENERAL.—The Secretary is authorized to establish, manage, and modify the System, which shall—

''(i) respond to inquiries made by participating employers at any time through the internet, or such other means as the Secretary may designate, concerning an individual's identity and whether the individual is in employment authorized status;

''(ii) maintain records of the inquiries that were made, of confirmations provided (or not provided), and of the codes provided to employers as evidence of their compliance with their obligations under the System; and

''(iii) provide information to, and require action by, employers and individuals using the System.

''(B) DESIGN AND OPERATION OF SYSTEM.—The System shall be designed and operated—

''(i) to maximize its reliability and ease of use by employers consistent with protecting the privacy and security of the underlying information, and ensuring full notice of such use to employees;

''(ii) to maximize its ease of use by employees, including direct notification of its use, of results, and ability to challenge results;

''(iii) to respond accurately to all inquiries made by employers on whether individuals are authorized to be employed and to register any times when the system is unable to receive inquiries;

''(iv) to maintain appropriate administrative, technical, and physical safeguards to prevent unauthorized disclosure of personal information, misuse by employers and employees, and discrimination;

''(v) to require regularly scheduled refresher training of all users of the System to ensure compliance with all procedures;

''(vi) to allow for auditing of the use of the System to detect misuse, discrimination, fraud, and identity theft, to protect privacy and assess System accuracy, and to preserve the integrity and security of the information in all of the System, including—

''(I) to develop and use tools and processes to detect or prevent fraud and identity theft, such as multiple uses of the same identifying information or documents to fraudulently gain employment;

''(II) to develop and use tools and processes to detect and prevent misuse of the system by employers and employees;

''(III) to develop tools and processes to detect anomalies in the use of the system that may indicate potential fraud or misuse of the system;

''(IV) to audit documents and information submitted by employees to employers, including authority to conduct interviews with employers and employees, and obtain information concerning employment from the employer;

''(vii) to confirm identity and employment authorization through verification and comparison of records as determined necessary by the Secretary;

''(viii) to confirm electronically the issuance of the employment authorization or identity document and—

''(I) if such photograph is available, to display the digital photograph that the issuer placed on the document so that the employer can compare the photograph displayed to the photograph on the document presented by the employee; or

''(II) if a photograph is not available from the issuer, to confirm the authenticity of the document using such alternative procedures as the Secretary may specify; and

''(ix) to provide appropriate notification directly to employers registered with the System of all changes made by the Secretary or the Commissioner related to allowed and prohibited documents, and use of the System.

''(C) SAFEGUARDS TO THE SYSTEM.—

''(i) REQUIREMENT TO DEVELOP.—The Secretary, in consultation with the Commissioner and other appropriate Federal and State agencies, shall develop policies and procedures to ensure protection of the privacy and security of personally identifiable information and identifiers contained in the records accessed or maintained by the System. The Secretary, in consultation with the Commissioner and other appropriate Federal and State agencies, shall develop and deploy appropriate privacy and security training for the Federal and State employees accessing the records under the System.

''(ii) PRIVACY AUDITS.—The Secretary, acting through the Chief Privacy Officer of the Department, shall conduct regular privacy audits of the policies and procedures established under clause (i), including any collection, use, dissemination, and maintenance of personally identifiable information and any associated information technology systems, as well as scope of requests for this information. The Chief Privacy Officer shall review the results of the audits and recommend to the Secretary any changes necessary to improve the privacy protections of the program.

''(iii) ACCURACY AUDITS.—

''(I) IN GENERAL.—Not later than November 30 of each year, the Inspector General of the Department of Homeland Security shall submit a report to the Secretary, with a copy to the President of the Senate and the Speaker of the House of Representatives, that sets forth the error rate of the System for the previous fiscal year and the assessments required to be submitted by the Secretary under subparagraphs (A) and (B) of paragraph (10). The report shall describe in detail the methodology employed for purposes of the report, and shall make recommendations for how error rates may be reduced.

''(II) ERROR RATE DEFINED.—In this clause, the term 'error rate' means the percentage determined by dividing—

''(aa) the number of employment authorized individuals who received further action notices, contested such notices, and were subsequently found to be employment authorized; by

''(bb) the number of System inquiries submitted for employment authorized individuals.

''(III) REDUCTION OF PENALTIES FOR RECORDKEEPING OR VERIFICATION PRACTICES FOLLOWING PERSISTENT SYSTEM INACCURACIES.—Notwithstanding subsection (e)(4)(C)(i), in any calendar year following a report by the Inspector General under subclause (I) that the System had an error rate higher than 0.3 percent for the previous fiscal year, the civil penalty assessable by the Secretary or an administrative law judge under that subsection for each first-time violation by an employer who has not previously been penalized under this section may not exceed $1,000.

''(iv) RECORDS SECURITY PROGRAM.—Any person, including a private third party vendor, who retains document verification or System data pursuant to this section shall implement an effective records security program that—

''(I) ensures that only authorized personnel have access to document verification or System data; and

''(II) ensures that whenever such data is created, completed, updated, modified, altered, or corrected in electronic format, a secure and permanent record is created that establishes the date of access, the identity of the individual who accessed the electronic record, and the particular action taken.

''(v) RECORDS SECURITY PROGRAM.—In addition to the security measures described in clause (iv), a private third party vendor who retains document verification or System data pursuant to this section shall implement an effective records security program that—

''(I) provides for backup and recovery of any records maintained in electronic format to protect against information loss, such as power interruptions; and

''(II) ensures that employees are trained to minimize the risk of unauthorized or accidental alteration or erasure of such data in electronic format.

''(vi) AUTHORIZED PERSONNEL DEFINED.—In this subparagraph, the term 'authorized personnel' means anyone registered as a System user, or anyone with partial or full responsibility for completion of employment authorization verification or retention of data in connection with employment authorization verification on behalf of an employer.

''(D) AVAILABLE FACILITIES AND ALTERNATIVE ACCOMMODATIONS.—The Secretary shall make appropriate arrangements and develop standards to allow employers or employees, including remote hires, who are otherwise unable to access the System to use electronic and telephonic formats (including video conferencing, scanning technology, and other available technologies), Federal Government facilities, public facilities, or other available locations in order to utilize the System.

''(E) RESPONSIBILITIES OF THE SECRETARY.—

''(i) IN GENERAL.—As part of the System, the Secretary shall maintain a reliable, secure method, which, operating through the System and within the time periods specified, compares the name, alien identification or authorization number, or other information as determined relevant by the Secretary, provided in an inquiry against such information maintained or accessed by the Secretary in order to confirm (or not confirm) the validity of the information provided, the correspondence of the name and number, whether the alien has employment authorized status (or, to the extent that the Secretary determines to be feasible and appropriate, whether the records available to the Secretary verify the identity or status of a national of the United States), and such other information as the Secretary may prescribe.

''(ii) PHOTOGRAPH DISPLAY.—As part of the System, the Secretary shall establish a reliable, secure method, which, operating through the System, displays the digital photograph described in subparagraph (B)(viii)(I).

''(iii) TIMING OF NOTICES.—The Secretary shall have authority to prescribe when a confirmation, nonconfirmation, or further action notice shall be issued.

''(iv) USE OF INFORMATION.—The Secretary shall perform regular audits under the System, as described in subparagraph (B)(vi) and shall utilize the information obtained from such audits, as well as any information obtained from the Commissioner pursuant to part E of title XI of the Social Security Act (42 U.S.C. 1301 et seq.), for the purposes of this section and to administer and enforce the immigration laws.

''(v) IDENTITY FRAUD PROTECTION.—To prevent identity fraud, not later than 18 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary shall—

''(I) in consultation with the Commissioner, establish a program to provide a reliable, secure method for an individual to temporarily suspend or limit the use of the individual's social security account number or other identifying information for verification by the System; and

''(II) for each individual being verified through the System—

''(aa) notify the individual that the individual has the option to limit the use of the individual's social security account number or other identifying information for verification by the System; and

''(bb) provide instructions to the individuals for exercising the option referred to in item (aa).

''(vi) ALLOWING PARENTS TO PREVENT THEFT OF THEIR CHILD'S IDENTITY.—The Secretary, in consultation with the Commissioner, shall establish a program that provides a reliable, secure method by which parents or legal guardians may suspend or limit the use of the social security account number or other identifying information of a minor under their care for the purposes of the System. The Secretary may implement the program on a limited pilot program basis before making it fully available to all individuals.

''(vii) PROTECTION FROM MULTIPLE USE.—The Secretary and the Commissioner shall establish a procedure for identifying and handling a situation in which a social security account number has been identified to be subject to unusual multiple use in the System or is otherwise suspected or determined to have been compromised by identity fraud.

''(viii) MONITORING AND COMPLIANCE UNIT.—The Secretary shall establish or designate a

monitoring and compliance unit to detect and reduce identity fraud and other misuse of the System.

''(ix) CIVIL RIGHTS AND CIVIL LIBERTIES ASSESSMENTS.—

''(I) REQUIREMENT TO CONDUCT.—The Secretary shall conduct regular civil rights and civil liberties assessments of the System, including participation by employers, other private entities, and Federal, State, and local government entities.

''(II) REQUIREMENT TO RESPOND.—Employers, other private entities, and Federal, State, and local entities shall timely respond to any request in connection with such an assessment.

''(III) ASSESSMENT AND RECOMMENDATIONS.—The Officer for Civil Rights and Civil Liberties of the Department shall review the results of each such assessment and recommend to the Secretary any changes necessary to improve the civil rights and civil liberties protections of the System.

''(F) GRANTS TO STATES.—

''(i) IN GENERAL.—The Secretary shall create and administer a grant program to help provide funding for States that grant—

''(I) the Secretary access to driver's license information as needed to confirm that a driver's license presented under subsection (c)(1)(D)(i) confirms the identity of the subject of the System check, and that a driver's license matches the State's records; and

''(II) such assistance as the Secretary may request in order to resolve further action notices or nonconfirmations relating to such information.

''(ii) CONSTRUCTION WITH THE DRIVER'S PRIVACY PROTECTION ACT OF 1994.—The provision of a photograph to the Secretary as described in clause (i) may not be construed as a violation of section 2721 of title 18, United States Code, and is a permissible use under subsection (b)(1) of that section.

''(iii) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary $250,000,000 to carry out this subparagraph.

''(G) RESPONSIBILITIES OF THE SECRETARY OF STATE.—As part of the System, the Secretary of State shall provide to the Secretary access to passport and visa information as needed to confirm that a passport, passport card, or visa presented under subsection (c)(1)(C) confirms the identity of the subject of the System check, and that a passport, passport card, or visa photograph matches the Secretary of State's records, and shall provide such assistance as the Secretary may request in order to resolve further action notices or nonconfirmations relating to such information.

''(H) UPDATING INFORMATION.—The Commissioner, the Secretary, and the Secretary of State shall update their information in a manner that promotes maximum accuracy and shall provide a process for the prompt correction of erroneous information.

''(9) LIMITATION ON USE OF THE SYSTEM.—Notwithstanding any other provision of law, nothing in this subsection may be construed to permit or allow any department, bureau, or other agency of the United States Government or any other entity to utilize any information, database, or other records assembled under this subsection for any purpose other than for employment verification or to ensure secure, appropriate and nondiscriminatory use of the System.

''(10) ANNUAL REPORT AND CERTIFICATION.—Not later than 18 months after the promulgation of regulations to implement this subsection, and annually thereafter, the Secretary shall submit to Congress a report that includes the following:

''(A) An assessment, as submitted to the Secretary by the Inspector General of the Department of Homeland Security pursuant to paragraph (8)(C)(iii)(I), of the accuracy rates of further action notices and other System notices provided by employers to individuals who are authorized to be employed in the United States.

''(B) An assessment, as submitted to the Secretary by the Inspector General of the Department of Homeland Security pursuant to paragraph (8)(C)(iii)(I), of the accuracy rates of further action notices and other System notices provided directly (by the System) in a timely fashion to individuals who are not authorized to be employed in the United States.

''(C) An assessment of any challenges faced by small employers in utilizing the System.

''(D) An assessment of the rate of employer noncompliance (in addition to failure to provide required notices in a timely fashion) in each of the following categories:

''(i) Taking adverse action based on a further action notice.

''(ii) Use of the System for nonemployees or other individuals before they are offered employment.

''(iii) Use of the System to reverify employment authorized status of current employees except if authorized to do so.

''(iv) Use of the System selectively, except in cases in which such use is authorized.

''(v) Use of the System to deny employment or post-employment benefits or otherwise interfere with labor rights.

''(vi) Requiring employees or applicants to use any self-verification feature or to provide self-verification results.

''(vii) Discouraging individuals who receive a further action notice from challenging the further action notice or appealing a determination made by the System.

''(E) An assessment of the rate of employee noncompliance in each of the following categories:

''(i) Obtaining employment when unauthorized with an employer complying with the System in good faith.

''(ii) Failure to provide required documents in a timely manner.

''(iii) Attempting to use fraudulent documents or documents not related to the individual.

''(iv) Misuse of the administrative appeal and judicial review process.

''(F) An assessment of the amount of time taken for—

''(i) the System to provide the confirmation or further action notice;

''(ii) individuals to contest further action notices;

''(iii) the System to provide a confirmation or nonconfirmation of a contested further action notice;

''(iv) individuals to file an administrative appeal of a nonconfirmation; and

''(v) resolving administrative appeals regarding nonconfirmations.

''(11) ANNUAL GAO STUDY AND REPORT.—

''(A) REQUIREMENT.—The Comptroller General shall, for each year, undertake a study to evaluate the accuracy, efficiency, integrity, and impact of the System.

''(B) REPORT.—Not later than 18 months after the promulgation of regulations to implement this subsection, and yearly thereafter, the Comptroller General shall submit to Congress a report containing the findings of the study carried out under this paragraph. Each such report shall include, at a minimum, the following:

''(i) An assessment of System performance with respect to the rate at which individuals who are eligible for employment in the United States are correctly approved within the required periods, including a separate assessment of such rate for naturalized United States citizens, nationals of the United States, and aliens.

''(ii) An assessment of the privacy and confidentiality of the System and of the overall security of the System with respect to cybertheft and theft or misuse of private data.

''(iii) An assessment of whether the System is being implemented in a manner that is not discriminatory or used for retaliation against employees.

''(iv) An assessment of the most common causes for the erroneous issuance of nonconfirmations by the System and recommendations to correct such causes.

''(v) The recommendations of the Comptroller General regarding System improvements.

''(vi) An assessment of the frequency and magnitude of changes made to the System and the impact on the ability for employers to comply in good faith.

''(vii) An assessment of the direct and indirect costs incurred by employers in complying with the System, including costs associated with retaining potential employees through the administrative appeals process and receiving a nonconfirmation.

''(viii) An assessment of any backlogs or delays in the System providing the confirmation or further action notice and impacts to hiring by employers.

''(e) COMPLIANCE.—

''(1) COMPLAINTS AND INVESTIGATIONS.—The Secretary shall establish procedures—

''(A) for individuals and entities to file complaints respecting potential violations of subsections (a) or (f)(1);

''(B) for the investigation of those complaints which the Secretary deems appropriate to investigate; and

''(C) for providing notification to the Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice of potential violations of section 274B.

''(2) AUTHORITY IN INVESTIGATIONS.—In conducting investigations and proceedings under this subsection—

''(A) immigration officers shall have reasonable access to examine evidence of the employer being investigated;

''(B) immigration officers designated by the Secretary, and administrative law judges and other persons authorized to conduct proceedings under this section, may compel by subpoena the attendance of relevant witnesses and the production of relevant evidence at any designated place in an investigation or case under this subsection. In case of refusal to fully comply with a subpoena lawfully issued under this paragraph, the Secretary may request that the Attorney General apply in an appropriate district court of the United States for an order requiring compliance with the subpoena, and any failure to obey such order may be punished by the court as contempt. Failure to cooperate with the subpoena shall be subject to further penalties, including further fines and the voiding of any mitigation of penalties or termination of proceedings under paragraph (4)(E); and

''(C) the Secretary, in cooperation with the Commissioner and Attorney General, and in consultation with other relevant agencies, shall establish a Joint Employment Fraud Task Force consisting of, at a minimum—

''(i) the System's compliance personnel;

''(ii) immigration law enforcement officers;

''(iii) personnel of the Office of Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice;

''(iv) personnel of the Office for Civil Rights and Civil Liberties of the Department; and

''(v) personnel of Office of Inspector General of the Social Security Administration.

''(3) COMPLIANCE PROCEDURES.—

''(A) PRE-PENALTY NOTICE.—If the Secretary has reasonable cause to believe that there has been a civil violation of this section in the previous 3 years, the Secretary shall issue to the employer concerned a written notice of the Department's intention to issue a claim for a monetary or other penalty. Such pre-penalty notice shall—

''(i) describe the violation;

''(ii) specify the laws and regulations allegedly violated;

''(iii) disclose the material facts which establish the alleged violation;

''(iv) describe the penalty sought to be imposed; and

''(v) inform such employer that such employer shall have a reasonable opportunity to make representations as to why a monetary or other penalty should not be imposed.

''(B) EMPLOYER'S RESPONSE.—Whenever any employer receives written pre-penalty notice of a fine or other penalty in accordance with subparagraph (A), the employer may, within 60 days from receipt of such notice, file with the Secretary its written response to the notice. The response may include any relevant evidence or proffer of evidence that the employer wishes to present with respect to whether the employer violated this section and whether, if so, the penalty should be mitigated, and shall be filed and considered in accordance with procedures to be established by the Secretary.

''(C) RIGHT TO A HEARING.—Before issuance of an order imposing a penalty on any employer, person, or entity, the employer, person, or entity shall be entitled to a hearing before an administrative law judge, if requested within 60 days of the notice of penalty. The hearing shall be held at the nearest location practicable to the place where the employer, person, or entity resides or of the place where the alleged violation occurred.

''(D) ISSUANCE OF ORDERS.—If no hearing is so requested, the Secretary's imposition of the order shall constitute a final and unappealable order. If a hearing is requested and the administrative law judge determines, upon clear and convincing evidence received, that there was a violation, the administrative law judge shall issue the final determination with a written penalty claim. The penalty claim shall specify all charges in the information provided under clauses (i) through (iii) of subparagraph (A) and any mitigation of the penalty that the administrative law judge deems appropriate under paragraph (4)(E).

''(4) CIVIL PENALTIES.—

''(A) HIRING OR CONTINUING TO EMPLOY UNAUTHORIZED ALIENS.—Any employer that violates any provision of subsection (a)(1)(A) or (a)(2) shall—

''(i) pay a civil penalty of not less than $3,500 and not more than $7,500 for each unauthorized alien with respect to which each violation of either subsection (a)(1)(A) or (a)(2) occurred;

''(ii) if the employer has previously been fined as a result of a previous enforcement action or previous violation under this paragraph, pay a civil penalty of not less than $5,000 and not more than $15,000 for each unauthorized alien with respect to which a violation of either subsection (a)(1)(A) or (a)(2) occurred; and

''(iii) if the employer has previously been fined more than once under this paragraph, pay a civil penalty of not less than $10,000 and not more than $25,000 for each unauthorized alien with respect to which a violation of either subsection (a)(1)(A) or (a)(2) occurred.

''(B) ENHANCED PENALTIES.—After the Secretary certifies to Congress that the System has been established, implemented, and made mandatory for use by all employers in the United States, the Secretary may establish an enhanced civil penalty for an employer who—

''(i) fails to query the System to verify the identify and work authorized status of an individual; and

''(ii) violates a Federal, State, or local law related to—

''(I) the payment of wages;

''(II) hours worked by employees; or

''(III) workplace health and safety.

''(C) RECORDKEEPING OR VERIFICATION PRACTICES.—Any employer that violates or fails to comply with any requirement under subsection (a)(1)(B), other than a minor or inadvertent failure, as determined by the Secretary, shall pay a civil penalty of—

''(i) not less than $500 and not more than $2,000 for each violation;

''(ii) if an employer has previously been fined under this paragraph, not less than $1,000 and not more than $4,000 for each violation; and

''(iii) if an employer has previously been fined more than once under this paragraph, not less than $2,000 and not more than $8,000 for each violation.

''(D) OTHER PENALTIES.—The Secretary may impose additional penalties for violations, including cease and desist orders, specially designed compliance plans to prevent further violations, suspended fines to take effect in the event of a further violation, and in appropriate cases, the remedy provided by paragraph (f)(2).

''(E) MITIGATION.—The Secretary or, if an employer requests a hearing, the administrative law judge, is authorized, upon such terms and conditions as the Secretary or administrative law judge deems reasonable and just and in accordance with such procedures as the Secretary may establish or any procedures established governing the administrative law judge's assessment of penalties, to reduce or mitigate penalties imposed upon employers, based upon factors including, the employer's hiring volume, compliance history, good-faith implementation of a compliance program, the size and level of sophistication of the employer, and voluntary disclosure of violations of this subsection to the Secretary. The Secretary or administrative law judge shall not mitigate a penalty below the minimum penalty provided by this section, except that the Secretary may, in the case of an employer subject to penalty for recordkeeping or verification violations only who has not previously been penalized under this section, in the Secretary's or administrative law judge's discretion, mitigate the penalty below the statutory minimum or remit it entirely. In any case where a civil money penalty has been imposed on an employer under section 274B for an action or omission that is also a violation of this section, the Secretary or administrative law judge shall mitigate any civil money penalty under this section by the amount of the penalty imposed under section 274B.

''(F) EFFECTIVE DATE.—The civil money penalty amounts and the enhanced penalties provided by subparagraphs (A), (B), and (C) of this paragraph and by subsection (f)(2) shall apply to violations of this section committed on or after the date that is 1 year after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act. For violations committed prior to such date of enactment, the civil money penalty amounts provided by regulations implementing this section as in effect the minute before such date of enactment with respect to knowing hiring or continuing employment, verification, or indemnity bond violations, as appropriate, shall apply.

''(5) ORDER OF INTERNAL REVIEW AND CERTIFICATION OF COMPLIANCE.—

''(A) EMPLOYER COMPLIANCE.—If the Secretary has reasonable cause to believe that an employer has failed to comply with this section, the Secretary is authorized, at any time, to require that the employer certify that it is in compliance with this section, or has instituted a program to come into compliance.

''(B) EMPLOYER CERTIFICATION.—

''(i) REQUIREMENT.—Except as provided in subparagraph (C), not later than 60 days after receiving a notice from the Secretary requiring a certification under subparagraph (A), an official with responsibility for, and authority to bind the company on, all hiring and immigration compliance notices shall certify under penalty of perjury that the employer is in conformance with the requirements of paragraphs (1) through (4) of subsection (c), pertaining to document verification requirements, and with subsection (d), pertaining to the System (once the System is implemented with respect to that employer according to the requirements under subsection (d)(2)), and with any additional requirements that the Secretary may promulgate by regulation pursuant to subsection (c) or (d) or that the employer has instituted a program to come into compliance with these requirements.

''(ii) APPLICATION.—Clause (i) shall not apply until the date that the Secretary certifies to Congress that the System has been established, implemented, and made mandatory for use by all employers in the United States.

''(C) EXTENSION OF DEADLINE.—At the request of the employer, the Secretary may extend the 60-day deadline for good cause.

''(D) STANDARDS OR METHODS.—The Secretary is authorized to publish in the Federal Register standards or methods for such certification, require specific recordkeeping practices with respect to such certifications, and audit the records thereof at any time. This authority shall not be construed to diminish or qualify any other penalty provided by this section.

''(6) REQUIREMENTS FOR REVIEW OF A FINAL DETERMINATION.—With respect to judicial review of a final determination or penalty order issued under paragraph (3)(D), the following requirements apply:

''(A) DEADLINE.—The petition for review must be filed no later than 30 days after the date of the final determination or penalty order issued under paragraph (3)(D).

''(B) VENUE AND FORMS.—The petition for review shall be filed with the court of appeals for the judicial circuit where the employer's principal place of business was located when the final determination or penalty order was made. The record and briefs do not have to be printed. The court shall review the proceeding on a typewritten or electronically filed record and briefs.

''(C) SERVICE.—The respondent is the Secretary. In addition to serving the respondent, the petitioner shall serve the Attorney General.

''(D) PETITIONER'S BRIEF.—The petitioner shall serve and file a brief in connection with a petition for judicial review not later than 40 days after the date on which the administrative record is available, and may serve and file a reply brief not later than 14 days after service of the brief of the respondent, and the court may not extend these deadlines, except for good cause shown. If a petitioner fails to file a brief within the time provided in this paragraph, the court shall dismiss the appeal unless a manifest injustice would result.

''(E) SCOPE AND STANDARD FOR REVIEW.—The court of appeals shall conduct a de novo review of the administrative record on which the final determination was based and any additional evidence that the Court finds was previously unavailable at the time of the administrative hearing.

''(F) EXHAUSTION OF ADMINISTRATIVE REMEDIES.—A court may review a final determination under paragraph (3)(C) only if—

''(i) the petitioner has exhausted all administrative remedies available to the petitioner as of right, including any administrative remedies established by regulation, and

''(ii) another court has not decided the validity of the order, unless the reviewing court finds that the petition presents grounds that could not have been presented in the prior judicial proceeding or that the remedy provided by the prior proceeding was inadequate or ineffective to test the validity of the order.

''(G) ENFORCEMENT OF ORDERS.—If the final determination issued against the employer under this subsection is not subjected to review as provided in this paragraph, the Attorney General, upon request by the Secretary, may bring a civil action to enforce compliance with the final determination in any appropriate district court of the United States. The court, on a proper showing, shall issue a temporary restraining order or a preliminary or permanent injunction requiring that the employer comply with the final determination issued against that employer under this subsection. In any such civil action, the validity and appropriateness of the final determination shall not be subject to review.

''(7) CREATION OF LIEN.—If any employer liable for a fee or penalty under this section neglects or refuses to pay such liability after demand and fails to file a petition for review (if applicable) as provided in paragraph (6), the amount of the fee or penalty shall be a lien in favor of the United States on all property and rights to property, whether real or personal, belonging to such employer. If a petition for review is filed as provided in paragraph (6), the lien shall arise upon the entry of a final judgment by the court. The lien continues for 20 years or until the liability is satisfied, remitted, set aside, or terminated.

''(8) FILING NOTICE OF LIEN.—

''(A) PLACE FOR FILING.—The notice of a lien referred to in paragraph (7) shall be filed as described in 1 of the following:

''(i) UNDER STATE LAWS.—

''(I) REAL PROPERTY.—In the case of real property, in 1 office within the State (or the county, or other governmental subdivision), as designated by the laws of such State, in which the property subject to the lien is situated.

''(II) PERSONAL PROPERTY.—In the case of personal property, whether tangible or intangible, in 1 office within the State (or the county, or other governmental subdivision), as designated by the laws of such State, in which the property subject to the lien is situated, except that State law merely conforming to or reenacting Federal law establishing a national filing system does not constitute a second office for filing as designated by the laws of such State.

''(ii) WITH CLERK OF DISTRICT COURT.—In the office of the clerk of the United States district court for the judicial district in which the property subject to the lien is situated, whenever the State has not by law designated 1 office which meets the requirements of clause (i).

''(iii) WITH RECORDER OF DEEDS OF THE DISTRICT OF COLUMBIA.—In the office of the Recorder of Deeds of the District of Columbia, if the property subject to the lien is situated in the District of Columbia.

''(B) SITUS OF PROPERTY SUBJECT TO LIEN.—For purposes of subparagraph (A), property shall be deemed to be situated as follows:

''(i) REAL PROPERTY.—In the case of real property, at its physical location.

''(ii) PERSONAL PROPERTY.—In the case of personal property, whether tangible or intangible, at the residence of the taxpayer at the time the notice of lien is filed.

''(C) DETERMINATION OF RESIDENCE.—For purposes of subparagraph (B)(ii), the residence of a corporation or partnership shall be deemed to be the place at which the principal executive office of the business is located, and the residence of a taxpayer whose residence is outside the United States shall be deemed to be in the District of Columbia.

''(D) EFFECT OF FILING NOTICE OF LIEN.—

''(i) IN GENERAL.—Upon filing of a notice of lien in the manner described in this paragraph, the lien shall be valid against any purchaser, holder of a security interest, mechanic's lien, or judgment lien creditor, except with respect to properties or transactions specified in subsection (b), (c), or (d) of section 6323 of the Internal Revenue Code of 1986 for which a notice of tax lien properly filed on the same date would not be valid.

''(ii) NOTICE OF LIEN.—The notice of lien shall be considered a notice of lien for taxes payable to the United States for the purpose of any State or local law providing for the filing of a notice of a tax lien. A notice of lien that is registered, recorded, docketed, or indexed in accordance with the rules and requirements relating to judgments of the courts of the State where the notice of lien is registered, recorded, docketed, or indexed shall be considered for all purposes as the filing prescribed by this section.

''(iii) OTHER PROVISIONS.—The provisions of section 3201(e) of title 28, United States Code, shall apply to liens filed as prescribed by this paragraph.

''(E) ENFORCEMENT OF A LIEN.—A lien obtained through this paragraph shall be considered a debt as defined by section 3002 of title 28, United States Code and enforceable pursuant to chapter 176 of such title.

''(9) ATTORNEY GENERAL ADJUDICATION.—The Attorney General shall have jurisdiction to adjudicate administrative proceedings under this subsection. Such proceedings shall be conducted in accordance with requirements of section 554 of title 5, United States Code.

''(f) CRIMINAL AND CIVIL PENALTIES AND INJUNCTIONS.—

''(1) PROHIBITION OF INDEMNITY BONDS.—It is unlawful for an employer, in the hiring of any individual, to require the individual to post a bond or security, to pay or agree to pay an amount, or otherwise to provide a financial guarantee or indemnity, against any potential liability arising under this section relating to such hiring of the individual.

''(2) CIVIL PENALTY.—Any employer who is determined, after notice and opportunity for mitigation of the monetary penalty under subsection (e), to have violated paragraph (1) shall be subject to a civil penalty of $10,000 for each violation and to an administrative order requiring the return of any amounts received in violation of such paragraph to the employee or, if the employee cannot be located, to the general fund of the Treasury.

''(g) GOVERNMENT CONTRACTS.—

''(1) CONTRACTORS AND RECIPIENTS.—Whenever an employer who is a Federal contractor (meaning an employer who holds a Federal contract, grant, or cooperative agreement, or reasonably may be expected to submit an offer for or be awarded a government contract) is determined by the Secretary to have violated this section on more than 3 occasions or is convicted of a crime under this section, the employer shall be considered for debarment from the receipt of Federal contracts, grants, or cooperative agreements in accordance with the procedures and standards and for the periods prescribed by the Federal Acquisition Regulation. However, any administrative determination of liability for civil penalty by the Secretary or the Attorney General shall not be reviewable in any debarment proceeding.

''(2) INADVERTENT VIOLATIONS.—Inadvertent violations of recordkeeping or verification requirements, in the absence of any other violations of this section, shall not be a basis for determining that an employer is a repeat violator for purposes of this subsection.

''(3) OTHER REMEDIES AVAILABLE.—Nothing in this subsection shall be construed to modify or limit any remedy available to any agency or official of the Federal Government for violation of any contractual requirement to participate in the System, as provided in the final rule relating to employment eligibility verification published in the Federal Register on November 14, 2008 (73 Fed. Reg. 67,651), or any similar subsequent regulation.

''(h) PREEMPTION.—The provisions of this section preempt any State or local law, ordinance, policy, or rule, including any criminal or civil fine or penalty structure, relating to the hiring, continued employment, or status verification for employment eligibility purposes, of unauthorized aliens. A State, locality, municipality, or political subdivision may exercise its authority over business licensing and similar laws as a penalty for failure to use the System.

''(i) DEPOSIT OF AMOUNTS RECEIVED.—Except as otherwise specified, civil penalties collected under this section shall be deposited by the Secretary into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(j) CHALLENGES TO VALIDITY OF THE SYSTEM.—

''(1) IN GENERAL.—Any right, benefit, or claim not otherwise waived or limited pursuant to this section is available in an action instituted in the United States District Court for the District of Columbia, but shall be limited to determinations of—

''(A) whether this section, or any regulation issued to implement this section, violates the Constitution of the United States; or

''(B) whether such a regulation issued by or under the authority of the Secretary to implement this section, is contrary to applicable provisions of this section or was issued

in violation of chapter 5 of title 5, United States Code.

''(2) DEADLINES FOR BRINGING ACTIONS.—Any action instituted under this subsection must be filed no later than 180 days after the date the challenged section or regulation described in subparagraph (A) or (B) of paragraph (1) becomes effective. No court shall have jurisdiction to review any challenge described in subparagraph (B) after the time period specified in this subsection expires.

''(k) CRIMINAL PENALTIES AND INJUNCTIONS FOR PATTERN OR PRACTICE VIOLATIONS.—

''(1) PATTERN AND PRACTICE.—Any employer who engages in a pattern or practice of knowing violations of subsection (a)(1)(A) or (a)(2) shall be fined under title 18, United States Code, no more than $10,000 for each unauthorized alien with respect to whom such violation occurs, imprisoned for not more than 2 years for the entire pattern or practice, or both.

''(2) TERM OF IMPRISONMENT.—The maximum term of imprisonment of a person convicted of any criminal offense under the United States Code shall be increased by 5 years if the offense is committed as part of a pattern or practice of violations of subsection (a)(1)(A) or (a)(2).

''(3) ENJOINING OF PATTERN OR PRACTICE VIOLATIONS.—Whenever the Secretary or the Attorney General has reasonable cause to believe that an employer is engaged in a pattern or practice of employment in violation of subsection (a)(1)(A) or (a)(2), the Attorney General may bring a civil action in the appropriate district court of the United States requesting such relief, including a permanent or temporary injunction, restraining order, or other order against the employer, as the Secretary or Attorney General deems necessary.

''(l) CRIMINAL PENALTIES FOR UNLAWFUL AND ABUSIVE EMPLOYMENT.—

''(1) IN GENERAL.—Any person who, during any 12-month period, knowingly employs or hires, employs, recruits, or refers for a fee for employment 10 or more individuals within the United States who are under the control and supervision of such person—

''(A) knowing that the individuals are unauthorized aliens; and

''(B) under conditions that violate section 5(a) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 654(a) (relating to occupational safety and health), section 6 or 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206 and 207) (relating to minimum wages and maximum hours of employment), section 3142 of title 40, United States Code, (relating to required wages on construction contracts), or sections 6703 or 6704 of title 41, United States Code, (relating to required wages on service contracts),

shall be fined under title 18, United States Code, or imprisoned for not more than 10 years, or both.

''(2) ATTEMPT AND CONSPIRACY.—Any person who attempts or conspires to commit any offense under this section shall be punished in the same manner as a person who completes the offense.''.

(b) REPORT ON USE OF THE SYSTEM IN THE AGRICULTURAL INDUSTRY.—Not later than 18 months after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of Agriculture, shall submit a report to Congress that assesses implementation of the Employment Verification System established under section 274A(d) of the Immigration and Nationality Act, as amended by subsection (a), in the agricultural industry, including the use of such System technology in agriculture industry hiring processes, user, contractor, and third-party employer agent employment practices, timing and logistics regarding employment verification and reverification processes to meet agriculture industry practices, and identification of potential challenges and modifications to meet the unique needs of the agriculture industry. Such report shall review—

(1) the modality of access, training and outreach, customer support, processes for further action notices and secondary verifications for short-term workers, monitoring, and compliance procedures for such System;

(2) the interaction of such System with the process to admit nonimmigrant workers pursuant to section 218 or 218A of the Immigration and Nationality Act (8 U.S.C. 1188 et seq.) and with enforcement of the immigration laws; and

(3) the collaborative use of processes of other Federal and State agencies that intersect with the agriculture industry.

(c) REPORT ON IMPACT OF THE SYSTEM ON EMPLOYERS.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to Congress a report that assesses—

(1) the implementation of the Employment Verification System established under section 274A(d) of the Immigration and Nationality Act, as amended by subsection (a), by employers;

(2) any adverse impact on the revenues, business processes, or profitability of employers required to use such System; and

(3) the economic impact of such System on small businesses.

(d) GOVERNMENT ACCOUNTABILITY OFFICE STUDY OF THE EFFECTS OF DOCUMENT REQUIREMENTS ON EMPLOYMENT AUTHORIZED PERSONS AND EMPLOYERS.—

(1) STUDY.—The Comptroller General of the United States shall carry out a study of—

(A) the effects of the documentary requirements of section 274A of the Immigration and Nationality Act, as amended by subsection (a), on employers, naturalized United States citizens, nationals of the United States, and individuals with employment authorized status; and

(B) the challenges such employers, citizens, nationals, or individuals may face in obtaining the documentation required under that section.

(2) REPORT.—Not later than 4 years after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the findings of the study carried out under paragraph (1). Such report shall include, at a minimum, the following:

(A) An assessment of available information regarding the number of working age nationals of the United States and individuals who have employment authorized status who lack documents required for employment by such section 274A.

(B) A description of the additional steps required for individuals who have employment authorized status and do not possess the documents required by such section 274A to obtain such documents.

(C) A general assessment of the average financial costs for individuals who have employment authorized status who do not possess the documents required by such section 274A to obtain such documents.

(D) A general assessment of the average financial costs and challenges for employers who have been required to participate in the Employment Verification System established by subsection (d) of such section 274A.

(E) A description of the barriers to individuals who have employment authorized status in obtaining the documents required by such section 274A, including barriers imposed by the executive branch of the Government.

(F) Any particular challenges facing individuals who have employment authorized status who are members of a federally recognized Indian tribe in complying with the provisions of such section 274A.

(e) REPEAL OF PILOT PROGRAMS AND E-VERIFY AND TRANSITION PROCEDURES.—

(1) REPEAL.—Sections 401, 402, 403, 404, and 405 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note) are repealed.

(2) TRANSITION PROCEDURES.—

(A) CONTINUATION OF E-VERIFY PROGRAM.—Notwithstanding the repeals made by paragraph (1), the Secretary shall continue to operate the E-Verify Program as described in section 403 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note), as in effect the minute before the date of the enactment of this Act, until the transition to the System described in section 274A(d) of the Immigration and Nationality Act, as amended by subsection (a), is determined by the Secretary to be complete.

(B) TRANSITION TO THE SYSTEM.—Any employer who was participating in the E-Verify Program described in section 403 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note), as in effect the minute before the date of the enactment of this Act, shall participate in the System described in section 274A(d) of the Immigration and Nationality Act, as amended by subsection (a), to the same extent and in the same manner that the employer participated in such E-Verify Program.

(3) CONSTRUCTION.—The repeal made by paragraph (1) may not be construed to limit the authority of the Secretary to allow or continue to allow the participation in such System of employers who have participated in such E-Verify Program, as in effect on the minute before the date of the enactment of this Act.

(f) CONFORMING AMENDMENT.—Section 274(a) (8 U.S.C. 1324(a)) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraph (4) as paragraph (3).

SEC. 3102. INCREASING SECURITY AND INTEGRITY OF SOCIAL SECURITY CARDS.

(a) FRAUD-RESISTANT, TAMPER-RESISTANT, WEAR-RESISTANT, AND IDENTITY THEFT-RESISTANT SOCIAL SECURITY CARDS.—

(1) ISSUANCE.—

(A) PRELIMINARY WORK.—Not later than 180 days after the date of the enactment of this Act, the Commissioner of Social Security shall begin work to administer and issue fraud-resistant, tamper-resistant, wear-resistant, and identity theft-resistant social security cards.

(B) COMPLETION.—Not later than 5 years after the date of the enactment of this Act, the Commissioner of Social Security shall issue only social security cards determined to be fraud-resistant, tamper-resistant, wear-resistant, and identity theft-resistant.

(2) AMENDMENT.—

(A) IN GENERAL.—Section 205(c)(2)(G) of the Social Security Act (42 U.S.C. 405(c)(2)(G)) is amended by striking the second sentence and inserting the following: ''The social security card shall be fraud-resistant, tamper-resistant, wear-resistant, and identity theft-resistant.''.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall take effect on the date that is 5 years after the date of the enactment of this Act.

(3) AUTHORIZATION OF APPROPRIATION.—There are authorized to be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this section and the amendments made by this section.

(4) EMERGENCY DESIGNATION FOR CONGRESSIONAL ENFORCEMENT.—In the Senate, amounts made available under this subsection are designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(5) EMERGENCY DESIGNATION FOR STATUTORY PAYGO.—Amounts made available under this subsection are designated as an emergency requirement under section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139; 2 U.S.C. 933(g)).

(b) MULTIPLE CARDS.—Section 205(c)(2)(G) of the Social Security Act (42 U.S.C. 405(c)(2)(G)), as amended by subsection (a)(2), is amended—

(1) by inserting ''(i)'' after ''(G)''; and

(2) by adding at the end the following:

''(ii) The Commissioner of Social Security shall restrict the issuance of multiple replacement social security cards to any individual to 3 per year and 10 for the life of the individual, except that the Commissioner may allow for reasonable exceptions from the limits under this clause on a case-by-case basis in compelling circumstances.''.

(c) CRIMINAL PENALTIES.—

(1) SOCIAL SECURITY FRAUD.—

(A) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by inserting at the end the following:

''§ 1041. Social security fraud

''Any person who—

''(1) knowingly possesses or uses a social security account number or social security card knowing that the number or card was obtained from the Commissioner of Social Security by means of fraud or false statement;

''(2) knowingly and falsely represents a number to be the social security account number assigned by the Commissioner of Social Security to him or her or to another person, when such number is known not to be the social security account number assigned by the Commissioner of Social Security to him or her or to such other person;

''(3) knowingly, and without lawful authority, buys, sells, or possesses with intent to buy or sell a social security account number or a social security card that is or purports to be a number or card issued by the Commissioner of Social Security;

''(4) knowingly alters, counterfeits, forges, or falsely makes a social security account number or a social security card;

''(5) knowingly uses, distributes, or transfers a social security account number or a social security card knowing the number or card to be intentionally altered, counterfeited, forged, falsely made, or stolen; or

''(6) without lawful authority, knowingly produces or acquires for any person a social security account number, a social security card, or a number or card that purports to be a social security account number or social security card,

shall be fined under this title, imprisoned not more than 5 years, or both.''.

(B) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 47 of title 18, United States Code, is amended by adding after the item relating to section 1040 the following:

''Sec. 1041. Social security fraud.''.

(2) INFORMATION DISCLOSURE.—

(A) IN GENERAL.—Notwithstanding any other provision of law and subject to subparagraph (B), the Commissioner of Social Security shall disclose for the purpose of investigating a violation of section 1041 of title 18, United States Code, or section 274A, 274B, or 274C of the Immigration and Nationality Act (8 U.S.C. 1324a, 1324b, and 1324c), after receiving a written request from an officer in a supervisory position or higher official of any Federal law enforcement agency, the following records of the Social Security Administration:

(i) Records concerning the identity, address, location, or financial institution accounts of the holder of a social security account number or social security card.

(ii) Records concerning the application for and issuance of a social security account number or social security card.

(iii) Records concerning the existence or nonexistence of a social security account number or social security card.

(B) LIMITATION.—The Commissioner of Social Security shall not disclose any tax return or tax return information pursuant to subparagraph (A) except as authorized by section 6103 of the Internal Revenue Code of 1986.

SEC. 3103. INCREASING SECURITY AND INTEGRITY OF IMMIGRATION DOCUMENTS.

Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a report to Congress on the feasibility, advantages, and disadvantages of including, in addition to a photograph, other biometric information on each employment authorization document issued by the Department.

SEC. 3104. RESPONSIBILITIES OF THE SOCIAL SECURITY ADMINISTRATION.

Title XI of the Social Security Act (42 U.S.C. 1301 et seq.) is amended by adding at the end the following new part:

''PART E—EMPLOYMENT VERIFICATION

''RESPONSIBILITIES OF THE COMMISSIONER OF SOCIAL SECURITY

''SEC. 1186. (a) CONFIRMATION OF EMPLOYMENT VERIFICATION DATA.—As part of the employment verification system established by the Secretary of Homeland Security under the provisions of section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) (in this section referred to as the 'System'), the Commissioner of Social Security shall, subject to the provisions of section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), establish a reliable, secure method that, operating through the System and within the time periods specified in section 274A(d) of such Act—

''(1) compares the name, date of birth, social security account number, and available citizenship information provided in an inquiry against such information maintained by the Commissioner in order to confirm (or not confirm) the validity of the information provided regarding an individual whose identity and employment eligibility must be confirmed;

''(2) determines the correspondence of the name, date of birth, and number;

''(3) determines whether the name and number belong to an individual who is deceased according to the records maintained by the Commissioner;

''(4) determines whether an individual is a national of the United States, as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)); and

''(5) determines whether the individual has presented a social security account number that is not valid for employment.

''(b) PROHIBITION.—The System shall not disclose or release social security information to employers through the confirmation system (other than such confirmation or nonconfirmation, information provided by the employer to the System, or the reason for the issuance of a further action notice).''.

SEC. 3105. IMPROVED PROHIBITION ON DISCRIMINATION BASED ON NATIONAL ORIGIN OR CITIZENSHIP STATUS.

(a) IN GENERAL.—Section 274B(a) (8 U.S.C. 1324b(a)) is amended to read as follows:

''(a) PROHIBITION ON DISCRIMINATION BASED ON NATIONAL ORIGIN OR CITIZENSHIP STATUS.—

''(1) PROHIBITION ON DISCRIMINATION GENERALLY.—It is an unfair immigration-related employment practice for a person, other entity, or employment agency, to discriminate against any individual (other than an unauthorized alien defined in section 274A(b)) because of such individual's national origin or citizenship status, with respect to the following:

''(A) The hiring of the individual for employment.

''(B) The verification of the individual's eligibility to work in the United States.

''(C) The discharging of the individual from employment.

''(2) EXCEPTIONS.—Paragraph (1) shall not apply to the following:

''(A) A person, other entity, or employer that employs 3 or fewer employees, except for an employment agency.

''(B) A person's or entity's discrimination because of an individual's national origin if the discrimination with respect to that employer, person, or entity and that individual is covered under section 703 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–2), unless the discrimination is related to an individual's verification of employment authorization.

''(C) Discrimination because of citizenship status which—

''(i) is otherwise required in order to comply with a provision of Federal, State, or local law related to law enforcement;

''(ii) is required by Federal Government contract; or

''(iii) the Secretary or Attorney General determines to be essential for an employer to do business with an agency or department of the Federal Government or a State, local, or tribal government.

''(3) ADDITIONAL EXCEPTION PROVIDING RIGHT TO PREFER EQUALLY QUALIFIED CITIZENS.—Notwithstanding any other provision of this section, it is not an unfair immigration-related employment practice for an employer (as defined in section 274A(b)) to prefer to hire, recruit, or refer for a fee an individual who is a citizen or national of the United States over another individual who is an alien if the 2 individuals are equally qualified.

''(4) UNFAIR IMMIGRATION-RELATED EMPLOYMENT PRACTICES RELATING TO THE SYSTEM.—It is also an unfair immigration-related employment practice for a person, other entity, or employment agency—

''(A) to discharge or constructively discharge an individual solely due to a further action notice issued by the Employment Verification System created by section 274A until the administrative appeal described in section 274A(d)(6) is completed;

''(B) to use the System with regard to any person for any purpose except as authorized by section 274A(d);

''(C) to use the System to reverify the employment authorization of a current employee, including an employee continuing in employment, other than reverification upon expiration of employment authorization, or as otherwise authorized under section 274A(d) or by regulation;

''(D) to use the System selectively for employees, except where authorized by law;

''(E) to fail to provide to an individual any notice required in section 274A(d) within the relevant time period;

''(F) to use the System to deny workers' employment or post-employment benefits;

''(G) to misuse the System to discriminate based on national origin or citizenship status;

''(H) to require an employee or prospective employee to use any self-verification feature of the System or provide, as a condition of application or employment, any self-verification results;

''(I) to use an immigration status verification system, service, or method other than those described in section 274A for purposes of verifying employment eligibility; or

''(J) to grant access to document verification or System data, to any individual or entity other than personnel authorized to have such access, or to fail to take reasonable safeguards to protect against unauthorized loss, use, alteration, or destruction of System data.

''(5) PROHIBITION OF INTIMIDATION OR RETALIATION.—It is also an unfair immigration-related employment practice for a person, other entity, or employment agency to intimidate, threaten, coerce, or retaliate against any individual—

''(A) for the purpose of interfering with any right or privilege secured under this section; or

''(B) because the individual intends to file or has filed a charge or a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this section.

''(6) TREATMENT OF CERTAIN DOCUMENTARY PRACTICES AS EMPLOYMENT PRACTICES.—A person's, other entity's, or employment agency's request, for purposes of verifying employment eligibility, for more or different documents than are required under section 274A, or for specific documents, or refusing to honor documents tendered that reasonably appear to be genuine shall be treated as an unfair immigration-related employment practice.

''(7) PROHIBITION OF WITHHOLDING EMPLOYMENT RECORDS.—It is an unfair immigration-related employment practice for an employer that is required under Federal, State, or local law to maintain records documenting employment, including dates or hours of work and wages received, to fail to provide such records to any employee upon request.

''(8) PROFESSIONAL, COMMERCIAL, AND BUSINESS LICENSES.—An individual who is authorized to be employed in the United States may not be denied a professional, commercial, or business license on the basis of his or her immigration status.

''(9) EMPLOYMENT AGENCY DEFINED.—In this section, the term 'employment agency' means any employer, person, or entity regularly undertaking with or without compensation to procure employees for an employer or to procure for employees opportunities to work for an employer and includes an agent of such employer, person, or entity.''.

(b) REFERRAL BY EEOC.—Section 274B(b) (8 U.S.C. 1324b(b)) is amended by adding at the end the following:

''(3) REFERRAL BY EEOC.—The Equal Employment Opportunity Commission shall refer all matters alleging immigration-related unfair employment practices filed with the Commission, including those alleging violations of paragraphs (1), (4), (5), and (6) of subsection (a) to the Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 274B(l)(3) (8 U.S.C. 1324b(l)(3)) is amended by striking the period at the end and inserting ''and an additional $40,000,000 for each of fiscal years 2014 through 2016.''.

(d) FINES.—

(1) IN GENERAL.—Section 274B(g)(2)(B) (8 U.S.C. 1324b(g)(2)(B)) is amended by striking clause (iv) and inserting the following:

''(iv) to pay any applicable civil penalties prescribed below, the amounts of which may be adjusted periodically to account for inflation as provided by law—

''(I) except as provided in subclauses (II) through (IV), to pay a civil penalty of not less than $2,000 and not more than $5,000 for each individual subjected to an unfair immigration-related employment practice;

''(II) except as provided in subclauses (III) and (IV), in the case of an employer, person, or entity previously subject to a single order under this paragraph, to pay a civil penalty of not less than $4,000 and not more than $10,000 for each individual subjected to an unfair immigration-related employment practice;

''(III) except as provided in subclause (IV), in the case of an employer, person, or entity previously subject to more than 1 order under this paragraph, to pay a civil penalty of not less than $8,000 and not more than $25,000 for each individual subjected to an unfair immigration-related employment practice; and

''(IV) in the case of an unfair immigration-related employment practice described in paragraphs (4) through (7) of subsection (a), to pay a civil penalty of not less than $500 and not more than $2,000 for each individual subjected to an unfair immigration-related employment practice.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date that is 1 year after the date of the enactment of this Act and apply to violations occurring on or after such date of enactment.

SEC. 3106. RULEMAKING.

(a) INTERIM FINAL REGULATIONS.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act—

(A) the Secretary, shall issue regulations implementing sections 3101 and 3104 and the amendments made by such sections (except for section 274A(d)(7) of the Immigration and Nationality Act); and

(B) the Attorney General shall issue regulations implementing section 274A(d)(7) of the Immigration and Nationality Act, as added by section 3101, section 3105, and the amendments made by such sections.

(2) EFFECTIVE DATE.—Regulations issued pursuant to paragraph (1) shall be effective immediately on an interim basis, but are subject to change and revision after public notice and opportunity for a period for public comment.

(b) FINAL REGULATIONS.—Within a reasonable time after publication of the interim regulations under subsection (a), the Secretary, in consultation with the Commissioner of Social Security and the Attorney General, shall publish final regulations implementing this subtitle.

SEC. 3107. OFFICE OF THE SMALL BUSINESS AND EMPLOYEE ADVOCATE.

(a) ESTABLISHMENT OF SMALL BUSINESS AND EMPLOYEE ADVOCATE.—The Secretary shall establish and maintain within U.S. Citizenship and Immigration Services the Office of the Small Business and Employee Advocate (in this section referred to as the ''Office''). The purpose of the Office shall be to assist small businesses and individuals in complying with the requirements of section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by this Act, including the resolution of conflicts arising in the course of attempted compliance with such requirements.

(b) FUNCTIONS.—The functions of the Office shall include, but not be limited to, the following:

(1) Informing small businesses and individuals about the verification practices required by section 274A of the Immigration and Nationality Act, including, but not limited to, the document verification requirements and the employment verification system requirements under subsections (c) and (d) of that section.

(2) Assisting small businesses and individuals in addressing allegedly erroneous further action notices and nonconfirmations issued under subsection (d) of section 274A of the Immigration and Nationality Act.

(3) Informing small businesses and individuals of the financial liabilities and criminal penalties that apply to violations and failures to comply with the requirements of section 274A of the Immigration and Nationality Act, including, but not limited to, by issuing best practices for compliance with that section.

(4) To the extent practicable, proposing changes to the Secretary in the administrative practices of the employment verification system required under subsection (d) of section 274A of the Immigration and Nationality Act to mitigate the problems identified under paragraph (2).

(5) Making recommendations through the Secretary to Congress for legislative action to mitigate such problems.

(c) AUTHORITY TO ISSUE ASSISTANCE ORDER.—

(1) IN GENERAL.—Upon application filed by a small business or individual with the Office (in such form, manner, and at such time as the Secretary shall by regulations prescribe), the Office may issue an assistance order if—

(A) the Office determines the small business or individual is suffering or about to suffer a significant hardship as a result of the manner in which the employment verification laws under subsections (c) and (d) of section 274A of the Immigration and Nationality Act are being administered by the Secretary; or

(B) the small business or individual meets such other requirements as are set forth in regulations prescribed by the Secretary.

(2) DETERMINATION OF HARDSHIP.—For purposes of paragraph (1), a significant hardship shall include—

(A) an immediate threat of adverse action;

(B) a delay of more than 60 days in resolving employment verification system problems;

(C) the incurring by the small business or individual of significant costs if relief is not granted; or

(D) irreparable injury to, or a long-term adverse impact on, the small business or individual if relief is not granted.

(3) STANDARDS WHEN ADMINISTRATIVE GUIDANCE NOT FOLLOWED.—In cases where a U.S. Citizenship and Immigration Services employee is not following applicable published

administrative guidance, the Office shall construe the factors taken into account in determining whether to issue an assistance order under this subsection in the manner most favorable to the small business or individual.

(4) TERMS OF ASSISTANCE ORDER.—The terms of an assistance order under this subsection may require the Secretary within a specified time period—

(A) to determine whether any employee is or is not authorized to work in the United States; or

(B) to abate any penalty under section 274A of the Immigration and Nationality Act that the Office determines is arbitrary, capricious, or disproportionate to the underlying offense.

(5) AUTHORITY TO MODIFY OR RESCIND.—Any assistance order issued by the Office under this subsection may be modified or rescinded—

(A) only by the Office, the Director or Deputy Director of U.S. Citizenship and Immigration Services, or the Secretary or the Secretary's designee; and

(B) if rescinded by the Director or Deputy Director of U.S. Citizenship and Immigration Services, only if a written explanation of the reasons of such official for the modification or rescission is provided to the Office.

(6) SUSPENSION OF RUNNING OF PERIOD OF LIMITATION.—The running of any period of limitation with respect to an action described in paragraph (4)(A) shall be suspended for—

(A) the period beginning on the date of the small business or individual's application under paragraph (1) and ending on the date of the Office's decision with respect to such application; and

(B) any period specified by the Office in an assistance order issued under this subsection pursuant to such application.

(7) INDEPENDENT ACTION OF OFFICE.—Nothing in this subsection shall prevent the Office from taking any action in the absence of an application under paragraph (1).

(d) ACCESSIBILITY TO THE PUBLIC.—

(1) IN PERSON, ONLINE, AND TELEPHONE ASSISTANCE.—The Office shall provide information and assistance specified in subsection (b) in person at locations designated by the Secretary, online through an Internet website of the Department available to the public, and by telephone.

(2) AVAILABILITY TO ALL EMPLOYERS.—In making information and assistance available, the Office shall prioritize the needs of small businesses and individuals. However, the information and assistance available through the Office shall be available to any employer.

(e) AVOIDING DUPLICATION THROUGH COORDINATION.—In the discharge of the functions of the Office, the Secretary shall consult with the Secretary of Labor, the Secretary of Agriculture, the Commissioner, the Attorney General, the Equal Employment Opportunity Commission, and the Administrator of the Small Business Administration in order to avoid duplication of efforts across the Federal Government.

(f) DEFINITIONS.—In this section:

(1) The term ''employer'' has the meaning given that term in section 274A(b) of the Immigration and Nationality Act.

(2) The term ''small business'' means an employer with 49 or fewer employees.

(g) FUNDING.—There shall be appropriated, from the Comprehensive Immigration Reform Trust Fund established by section 6(a)(1) of this Act, such sums as may be necessary to carry out the functions of the Office.

Subtitle B—Protecting United States Workers

SEC. 3201. PROTECTIONS FOR VICTIMS OF SERIOUS VIOLATIONS OF LABOR AND EMPLOYMENT LAW OR CRIME.

(a) IN GENERAL.—Section 101(a)(15)(U) (8 U.S.C. 1101(a)(15)(U)) is amended—

(1) in clause (i)—

(A) by amending subclause (I) to read as follows:

''(I) the alien—

''(aa) has suffered substantial physical or mental abuse or substantial harm as a result of having been a victim of criminal activity described in clause (iii) or of a covered violation described in clause (iv); or

''(bb) is a victim of criminal activity described in clause (iii) or of a covered violation described in clause (iv) and would suffer extreme hardship upon removal;'';

(B) in subclause (II), by inserting '', or a covered violation resulting in a claim described in clause (iv) that is not the subject of a frivolous lawsuit by the alien'' before the semicolon at the end; and

(C) by amending subclauses (III) and (IV) to read as follows:

''(III) the alien (or in the case of an alien child who is younger than 16 years of age, the parent, legal guardian, or next friend of the alien) has been helpful, is being helpful, or is likely to be helpful to—

''(aa) a Federal, State, or local law enforcement official, a Federal, State, or local prosecutor, a Federal, State, or local judge, the Department of Homeland Security, the Equal Employment Opportunity Commission, the Department of Labor, or other Federal, State, or local authorities investigating or prosecuting criminal activity described in clause (iii); or

''(bb) any Federal, State, or local governmental agency or judge investigating, prosecuting, or seeking civil remedies for any cause of action, whether criminal, civil, or administrative, arising from a covered violation described in clause (iv) and presents a certification from such Federal, State, or local governmental agency or judge attesting that the alien has been helpful, is being helpful, or is likely to be helpful to such agency in the investigation, prosecution, or adjudication arising from a covered violation described in clause (iv); and

''(IV) the criminal activity described in clause (iii) or the covered violation described in clause (iv)—

''(aa) violated the laws of the United States; or

''(bb) occurred in the United States (including Indian country and military installations) or the territories and possessions of the United States;'';

(2) in clause (ii)(II), by striking ''and'' at the end;

(3) by moving clause (iii) 2 ems to the left;

(4) in clause (iii), by inserting ''child abuse; elder abuse;'' after ''stalking;'';

(5) by adding at the end the following:

''(iv) a covered violation referred to in this clause is—

''(I) a serious violation involving 1 or more of the following or any similar activity in violation of any Federal, State, or local law: serious workplace abuse, exploitation, retaliation, or violation of whistleblower protections;

''(II) a violation giving rise to a civil cause of action under section 1595 of title 18, United States Code; or

''(III) a violation resulting in the deprivation of due process or constitutional rights.''.

(b) SAVINGS PROVISION.—Nothing in section 101(a)(15)(U)(iv)(I) of the Immigration and Nationality Act, as added by subsection (a), may be construed as altering the definition of retaliation or discrimination under any other provision of law.

(c) TEMPORARY STAY OF REMOVAL.—Section 274A (8 U.S.C. 1324a), as amended by section 3101, is further amended—

(1) in subsection (e) by adding at the end the following:

''(10) CONDUCT IN ENFORCEMENT ACTIONS.—If the Secretary undertakes an enforcement action at a facility about which a bona fide workplace claim has been filed or is contemporaneously filed, or as a result of information provided to the Secretary in retaliation against employees for exercising their rights related to a bona fide workplace claim, the Secretary shall ensure that—

''(A) any aliens arrested or detained who are necessary for the investigation or prosecution of a bona fide workplace claim or criminal activity (as described in subparagraph (T) or (U) of section 101(a)(15)) are not removed from the United States until after the Secretary—

''(i) notifies the appropriate law enforcement agency with jurisdiction over such violations or criminal activity; and

''(ii) provides such agency with the opportunity to interview such aliens;

''(B) no aliens entitled to a stay of removal or abeyance of removal proceedings under this section are removed; and

''(C) the Secretary shall stay the removal of an alien who—

''(i) has filed a claim regarding a covered violation described in clause (iv) of section 101(a)(15)(U) and is the victim of the same violations under an existing investigation;

''(ii) is a material witness in any pending or anticipated proceeding involving a bona fide workplace claim or civil rights claim; or

''(iii) has filed for relief under such section if the alien is working with law enforcement as described in clause (i)(III) of such section.''; and

(2) by adding at the end the following:

''(m) VICTIMS OF CRIMINAL ACTIVITY OR LABOR AND EMPLOYMENT VIOLATIONS.—The Secretary of Homeland Security may permit an alien to remain temporarily in the United States and authorize the alien to engage in employment in the United States if the Secretary determines that the alien—

''(1) has filed for relief under section 101(a)(15)(U); or

''(2)(A) has filed, or is a material witness to, a bona fide claim or proceedings resulting from a covered violation (as defined in section 101(a)(15)(U)(iv)); and

''(B) has been helpful, is being helpful, or is likely to be helpful, in the investigation, prosecution of, or pursuit of civil remedies related to the claim arising from a covered violation, to—

''(i) a Federal, State, or local law enforcement official;

''(ii) a Federal, State, or local prosecutor;

''(iii) a Federal, State, or local judge;

''(iv) the Department of Homeland Security;

''(v) the Equal Employment Opportunity Commission; or

''(vi) the Department of Labor.''.

(d) CONFORMING AMENDMENTS.—Section 214(p) (8 U.S.C. 1184(p)) is amended—

(1) in paragraph (1), by striking ''in section 101(a)(15)(U)(iii).'' both places it appears and inserting ''in clause (iii) of section 101(a)(15)(U) or investigating, prosecuting, or seeking civil remedies for claims resulting from a covered violation described in clause (iv) of such section.''; and

(2) in the first sentence of paragraph (6)—

(A) by striking ''in section 101(a)(15)(U)(iii)'' and inserting ''in clause (iii) of section 101(a)(15)(U) or claims resulting from a covered violation described in clause (iv) of such section''; and

(B) by inserting ''or claim arising from a covered violation'' after ''prosecution of such criminal activity''.

(e) MODIFICATION OF LIMITATION ON AUTHORITY TO ADJUST STATUS FOR VICTIMS OF CRIMES.—Section 245(m)(1) (8 U.S.C. 1255(m)(1)) is amended, in the matter before subparagraph (A), by inserting ''or an investigation or prosecution regarding a workplace or civil rights claim'' after ''prosecution''.

(f) EXPANSION OF LIMITATION ON SOURCES OF INFORMATION THAT MAY BE USED TO MAKE ADVERSE DETERMINATIONS.—

(1) IN GENERAL.—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(a)(1)) is amended—

(A) in each of subparagraphs (A) through (D), by striking the comma at the end and inserting a semicolon;

(B) subparagraph (E), by striking ''the criminal activity,'' and inserting ''abuse and the criminal activity or bona fide workplace claim (as defined in subsection (e));'';

(C) in subparagraph (F), by striking '', the trafficker or perpetrator,'' and inserting ''), the trafficker or perpetrator; or''; and

(D) by inserting after subparagraph (F) the following:

''(G) the alien's employer; or''.

(2) WORKPLACE CLAIM DEFINED.—Section 384 of such Act (8 U.S.C. 1367) is amended by adding at the end the following:

''(e) WORKPLACE CLAIMS.—

''(1) WORKPLACE CLAIMS DEFINED.—

''(A) IN GENERAL.—In subsection (a)(1), the term 'workplace claim' means any claim, petition, charge, complaint, or grievance filed with, or submitted to, a Federal, State, or local agency or court, relating to the violation of applicable Federal, State, or local labor or employment laws.

''(B) CONSTRUCTION.—Subparagraph (A) may not be construed to alter what constitutes retaliation or discrimination under any other provision of law.

''(2) PENALTY FOR FALSE CLAIMS.—Any person who knowingly presents a false or fraudulent claim to a law enforcement official in relation to a covered violation described in section 101(a)(15)(U)(iv) of the Immigration and Nationality Act for the purpose of obtaining a benefit under this section shall be subject to a civil penalty of not more than $1,000.

''(3) LIMITATION ON STAY OF ADVERSE DETERMINATIONS.—In the case of an alien applying for status under section 101(a)(15)(U) of the Immigration and Nationality Act and seeking relief under that section, the prohibition on adverse determinations under subsection (a) shall expire on the date that the alien's application for status under such section is denied and all opportunities for appeal of the denial have been exhausted.''.

(g) REMOVAL PROCEEDINGS.—Section 239(e) (8 U.S.C. 1229(e)) is amended—

(1) in paragraph (1)—

(A) by striking ''In cases where'' and inserting ''If''; and

(B) by striking ''paragraph (2),'' and inserting ''paragraph (2) or as a result of information provided to the Secretary of Homeland Security in retaliation against individuals for exercising or attempting to exercise their employment rights or other legal rights,''; and

(2) in paragraph (2), by adding at the end the following:

''(C) At a facility about which a bona fide workplace claim has been filed or is contemporaneously filed.''.

SEC. 3202. EMPLOYMENT VERIFICATION SYSTEM EDUCATION FUNDING.

(a) DISPOSITION OF CIVIL PENALTIES.—Penalties collected under subsections (e)(4) and (f)(3) of section 274A of the Immigration and Nationality Act, amended by section 3101, shall be deposited, as offsetting receipts, into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1).

(b) EXPENDITURES.—Amounts deposited into the Trust Fund under subsection (a) shall be made available to the Secretary and the Attorney General to provide education to employers and employees regarding the requirements, obligations, and rights under the Employment Verification System.

(c) DETERMINATION OF BUDGETARY EFFECTS.—

(1) EMERGENCY DESIGNATION FOR CONGRESSIONAL ENFORCEMENT.—In the Senate, amounts made available under this section are designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(2) EMERGENCY DESIGNATION FOR STATUTORY PAYGO.—Amounts made available under this section are designated as an emergency requirement under section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139; 2 U.S.C. 933(g)).

SEC. 3203. DIRECTIVE TO THE UNITED STATES SENTENCING COMMISSION.

(a) IN GENERAL.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with subsection (b), the United States Sentencing Commission shall promulgate sentencing guidelines or amend existing sentencing guidelines to modify, if appropriate, the penalties imposed on persons convicted of offenses under—

(1) section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101;

(2) section 16 of the Fair Labor Standards Act of 1938 (29 U.S.C. 216); and

(3) any other Federal law covering similar conduct.

(b) REQUIREMENTS.—In carrying out subsection (a), the Sentencing Commission shall provide sentencing enhancements for any person convicted of an offense described in subsection (a) if such offense involves—

(1) the intentional confiscation of identification documents;

(2) corruption, bribery, extortion, or robbery;

(3) sexual abuse;

(4) serious bodily injury;

(5) an intent to defraud; or

(6) a pattern of conduct involving multiple violations of law that—

(A) creates, through knowing and intentional conduct, a risk to the health or safety of any victim; or

(B) denies payments due to victims for work completed.

Subtitle C—Other Provisions

SEC. 3301. FUNDING.

(a) ESTABLISHMENT OF THE INTERIOR ENFORCEMENT ACCOUNT.—There is hereby established in the Treasury of the United States an account which shall be known as the Interior Enforcement Account.

(b) APPROPRIATIONS.—There are authorized to be appropriated to the Interior Enforcement Account $1,000,000,000 to carry out this title and the amendments made by this title, including the following appropriations:

(1) In each of the 5 years beginning on the date of the enactment of this Act, the appropriations necessary to increase to a level not less than 5,000, by the end of such 5-year period, the total number of personnel of the Department assigned exclusively or principally to an office or offices in U.S. Citizenship and Immigration Services and U.S. Immigration and Customs Enforcement (and consistent with the missions of such agencies), dedicated to administering the System, and monitoring and enforcing compliance with sections 274A, 274B, and 274C of the Immigration and Nationality Act (8 U.S.C. 1324a, 1324b, and 1324c), including compliance with the requirements of the Electronic Verification System established under section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), as amended by section 3101. Such personnel shall perform compliance and monitoring functions, including the following:

(A) Verify compliance of employers participating in such System with the requirements for participation that are prescribed by the Secretary.

(B) Monitor such System for multiple uses of social security account numbers and immigration identification numbers that could indicate identity theft or fraud.

(C) Monitor such System to identify discriminatory or unfair practices.

(D) Monitor such System to identify employers who are not using such System properly, including employers who fail to make available appropriate records with respect to their queries and any notices of confirmation, nonconfirmation, or further action.

(E) Identify instances in which an employee alleges that an employer violated the employee's privacy or civil rights, or misused such System, and create procedures for an employee to report such an allegation.

(F) Analyze and audit the use of such System and the data obtained through such System to identify fraud trends, including fraud trends across industries, geographical areas, or employer size.

(G) Analyze and audit the use of such System and the data obtained through such System to develop compliance tools as necessary to respond to changing patterns of fraud.

(H) Provide employers with additional training and other information on the proper use of such System, including training related to privacy and employee rights.

(I) Perform threshold evaluation of cases for referral to the Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice or the Equal Employment Opportunity Commission, and other officials or agencies with responsibility for enforcing anti-discrimination, civil rights, privacy, or worker protection laws, as may be appropriate.

(J) Any other compliance and monitoring activities that the Secretary determines are necessary to ensure the functioning of such System.

(K) Investigate identity theft and fraud detected through such System and undertake the necessary enforcement or referral actions.

(L) Investigate use of or access to fraudulent documents and undertake the necessary enforcement actions.

(M) Perform any other investigations that the Secretary determines are necessary to ensure the lawful functioning of such System, and undertake any enforcement actions necessary as a result of such investigations.

(2) The appropriations necessary to acquire, install, and maintain technological equipment necessary to support the functioning of such System and the connectivity

between U.S. Citizenship and Immigration Services and U.S. Immigration and Customs Enforcement, the Department of Justice, and other agencies or officials with respect to the sharing of information to support such System and related immigration enforcement actions.

(3) The appropriations necessary to establish a robust redress process for employees who wish to appeal contested nonconfirmations to ensure the accuracy and fairness of such System.

(4) The appropriations necessary to provide a means by which individuals may access their own employment authorization data to ensure the accuracy of such data, independent of an individual's employer.

(5) The appropriations necessary to carry out the identity authentication mechanisms described in section 274A(c)(1)(F) of the Immigration and Nationality Act, as amended by section 3101(a).

(6) The appropriations necessary for the Office for Civil Rights and Civil Liberties and the Office of Privacy of the Department to perform the responsibilities of such Offices related to such System.

(7) The appropriations necessary to make grants to States to support the States in assisting the Federal Government in carrying out the provisions of this title and the amendments made by this title.

(c) ESTABLISHMENT OF REIMBURSABLE AGREEMENT BETWEEN THE DEPARTMENT OF HOMELAND SECURITY AND THE SOCIAL SECURITY ADMINISTRATION.—Effective for fiscal years beginning on or after the date of enactment of this Act, the Secretary and the Commissioner of Social Security shall enter into and maintain an agreement that—

(1) provides funds to the Commissioner for the full costs of the responsibilities of the Commissioner under this section, including—

(A) acquiring, installing, and maintaining technological equipment and systems necessary for the fulfillment of the responsibilities of the Commissioner under this section; and

(B) responding to individuals who contest a further action notice provided by the employment verification system established under section 274A of the Immigration and Nationality Act, as amended by section 3101;

(2) provides such funds quarterly in advance of the applicable quarter based on estimating methodology agreed to by the Commissioner and the Secretary; and

(3) requires an annual accounting and reconciliation of the actual costs incurred and the funds provided under the agreement which shall be reviewed by the Office of the Inspector General of the Social Security Administration and the Department.

(d) AUTHORIZATION OF APPROPRIATIONS TO THE ATTORNEY GENERAL.—There are authorized to be appropriated to the Attorney General such sums as may be necessary to carry out the provisions of this title and the amendments made by this title, including enforcing compliance with section 274B of the Immigration and Nationality Act, as amended by section 3105.

(e) AUTHORIZATION OF APPROPRIATIONS TO THE SECRETARY OF STATE.—There are authorized to be appropriated to the Secretary of State such sums as may be necessary to carry out the provisions of this title and the amendments made by this title.

SEC. 3302. EFFECTIVE DATE.

Except as otherwise specifically provided, this title and the amendments made by this title shall take effect on the date of the enactment of this Act.

SEC. 3303. MANDATORY EXIT SYSTEM.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than December 31, 2015, the Secretary shall establish a mandatory exit data system that shall include a requirement for the collection of data from machine-readable visas, passports, and other travel and entry documents for all categories of aliens who are exiting from air and sea ports of entry.

(2) BIOMETRIC EXIT DATA SYSTEM.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall establish a mandatory biometric exit data system at the 10 United States airports that support the highest volume of international air travel, as determined by Department of Transportation international flight departure data.

(3) IMPLEMENTATION REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report the implementation of the biometric exit data system referred to in paragraph (2), the impact of such system on any additional wait times for travelers, and projections for new officer personnel, including U.S. Customs and Border Protection officers.

(4) EFFECTIVENESS REPORT.—Not later than 3 years after the date of the enactment of this Act, the Secretary shall submit a report to Congress that analyzes the effectiveness of biometric exit data collection at the 10 airports referred to in paragraph (2).

(5) MANDATORY BIOMETRIC EXIT DATA SYSTEM.—Absent intervening action by Congress, the Secretary, not later than 6 years after the date of the enactment of this Act, shall establish a mandatory biometric exit data system at all the Core 30 international airports in the United States, as so designated by the Federal Aviation Administration.

(6) EXPANSION OF BIOMETRIC EXIT DATA SYSTEM TO MAJOR SEA AND LAND PORTS.—Not later than 6 years after the date of the enactment of this Act, the Secretary shall submit a plan to Congress for the expansion of the biometric exit system to major sea and land entry and exit points within the United States based upon—

(A) the performance of the program established pursuant to paragraph (2);

(B) the findings of the study conducted pursuant to paragraph (4); and

(C) the projected costs to develop and deploy an effective biometric exit data system.

(7) DATA COLLECTION.—There are authorized to be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this section

(b) INTEGRATION AND INTEROPERABILITY.—

(1) INTEGRATION OF DATA SYSTEM.—The Secretary shall fully integrate all data from databases and data systems that process or contain information on aliens, which are maintained by—

(A) the Department, at—

(i) the U.S. Immigration and Customs Enforcement;

(ii) the U.S. Customs and Border Protection; and

(iii) the U.S. Citizenship and Immigration Services;

(B) the Department of Justice, at the Executive Office for Immigration Review; and

(C) the Department of State, at the Bureau of Consular Affairs.

(2) INTEROPERABLE COMPONENT.—The fully integrated data system under paragraph (1) shall be an interoperable component of the exit data system.

(3) INTEROPERABLE DATA SYSTEM.—The Secretary shall fully implement an interoperable electronic data system to provide current and immediate access to information in the databases of Federal law enforcement agencies and the intelligence community that is relevant to determine—

(A) whether to issue a visa; or

(B) the admissibility or deportability of an alien.

(4) TRAINING.—The Secretary shall establish ongoing training modules on immigration law to improve adjudications at United States ports of entry, consulates, and embassies.

(c) INFORMATION SHARING.—The Secretary shall report to the appropriate Federal law enforcement agency, intelligence agency, national security agency, or component of the Department of Homeland Security any alien who was lawfully admitted into the United States and whose individual data in the integrated exit data system shows that he or she has not departed the country when he or she was legally required to do so, and shall ensure that—

(1) if the alien has departed the United States when he or she was legally required to do so, the information contained in the integrated exit data system is updated to reflect the alien's departure; or

(2) if the alien has not departed the United States when he or she was legally required to do so, reasonably available enforcement resources are employed to locate the alien and to commence removal proceedings against the alien.

SEC. 3304. IDENTITY-THEFT RESISTANT MANIFEST INFORMATION FOR PASSENGERS, CREW, AND NON-CREW ONBOARD DEPARTING AIRCRAFT AND VESSELS.

(a) DEFINITIONS.—Except as otherwise specifically provided, in this section:

(1) IDENTITY-THEFT RESISTANT COLLECTION LOCATION.—The term ''identity-theft resistant collection location'' means a location within an airport or seaport—

(A) within the path of the departing alien, such that the alien would not need to significantly deviate from that path to comply with exit requirements at which air or vessel carrier employees, as applicable, either presently or routinely are available if an alien needs processing assistance; and

(B) which is equipped with technology that can securely collect and transmit identity-theft resistant departure information to the Department.

(2) US-VISIT.—The term ''US-VISIT'' means the United States-Visitor and Immigrant Status Indicator Technology system.

(b) IDENTITY THEFT RESISTANT MANIFEST INFORMATION.—

(1) PASSPORT OR VISA COLLECTION REQUIREMENT.—Except as provided in subsection (c), an appropriate official of each commercial aircraft or vessel departing from the United States to any port or place outside the United States shall ensure transmission to U.S. Customs and Border Protection of identity-theft resistant departure manifest information covering alien passengers, crew, and non-crew. Such identity-theft resistant departure manifest information—

(A) shall be transmitted to U.S. Customs and Border Protection at the place and time specified in paragraph (3) by means approved by the Secretary; and

(B) shall set forth the information specified in paragraph (4) or other information as required by the Secretary.

(2) MANNER OF COLLECTION.—Carriers boarding alien passengers, crew, and noncrew subject to the requirement to provide information upon departure for US-VISIT processing shall collect identity-theft resistant departure manifest information from each alien at an identity-theft resistant collection location at the airport or seaport before boarding that alien on transportation for departure from the United States, at a time as close to the originally scheduled departure of that passenger's aircraft or sea vessel as practicable.

(3) TIME AND MANNER OF SUBMISSION.—

(A) IN GENERAL.—The appropriate official specified in paragraph (1) shall ensure transmission of the identity-theft resistant departure manifest information required and collected under paragraphs (1) and (2) to the Data Center or Headquarters of U.S. Customs and Border Protection, or such other data center as may be designated.

(B) TRANSMISSION.—The biometric departure information may be transmitted to the Department over any means of communication authorized by the Secretary for the transmission of other electronic manifest information containing personally identifiable information and under transmission standards currently applicable to other electronic manifest information.

(C) SUBMISSION ALONG WITH OTHER INFORMATION.—Files containing the identity-theft resistant departure manifest information—

(i) may be sent with other electronic manifest data prior to departure or may be sent separately from any topically related electronic manifest data; and

(ii) may be sent in batch mode.

(4) INFORMATION REQUIRED.—The identity-theft resistant departure information required under paragraphs (1) through (3) for each covered passenger or crew member shall contain alien data from machine-readable visas, passports, and other travel and entry documents issued to the alien.

(c) EXCEPTION.—The identity-theft resistant departure information specified in this section is not required for any alien active duty military personnel traveling as passengers on board a departing Department of Defense commercial chartered aircraft.

(d) CARRIER MAINTENANCE AND USE OF IDENTITY-THEFT RESISTANT DEPARTURE MANIFEST INFORMATION.—Carrier use of identity-theft resistant departure manifest information for purposes other than as described in standards set by the Secretary is prohibited. Carriers shall immediately notify the Chief Privacy Officer of the Department in writing in the event of unauthorized use or access, or breach, of identity-theft resistant departure manifest information.

(e) COLLECTION AT SPECIFIED LOCATION.—If the Secretary determines that an air or vessel carrier has not adequately complied with the provisions of this section, the Secretary may, in the Secretary's discretion, require the air or vessel carrier to collect identity-theft resistant departure manifest information at a specific location prior to the issuance of a boarding pass or other document on the international departure, or the boarding of crew, in any port through which the carrier boards aliens for international departure under the supervision of the Secretary for such period as the Secretary considers appropriate to ensure the adequate collection and transmission of biometric departure manifest information.

(f) FUNDING.—There shall be appropriated to the Interior Enforcement Account $500,000,000 to reimburse carriers for their reasonable actual expenses in carrying out their duties as described in this section.

(g) DETERMINATION OF BUDGETARY EFFECTS.—

(1) EMERGENCY DESIGNATION FOR CONGRESSIONAL ENFORCEMENT.—In the Senate, amounts made available under this section are designated as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(2) EMERGENCY DESIGNATION FOR STATUTORY PAYGO.—Amounts made available under this section are designated as an emergency requirement under section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139; 2 U.S.C. 933(g)).

SEC. 3305. PROFILING.

(a) PROHIBITION.—In making routine or spontaneous law enforcement decisions, such as ordinary traffic stops, Federal law enforcement officers may not use race or ethnicity to any degree, except that officers may rely on race and ethnicity if a specific suspect description exists.

(b) EXCEPTIONS.—

(1) SPECIFIC INVESTIGATION.—In conducting activities in connection with a specific investigation, Federal law enforcement officers may consider race and ethnicity only to the extent that there is trustworthy information, relevant to the locality or time frame, that links persons of a particular race or ethnicity to an identified criminal incident, scheme, or organization. This standard applies even where the use of race or ethnicity might otherwise be lawful.

(2) NATIONAL SECURITY.—In investigating or preventing threats to national security or other catastrophic events (including the performance of duties related to air transportation security), or in enforcing laws protecting the integrity of the Nation's borders, Federal law enforcement officers may not consider race or ethnicity except to the extent permitted by the Constitution and laws of the United States.

(3) DEFINED TERM.—In this section, the term ''Federal law enforcement officer'' means any officer, agent, or employee of the United States authorized by law or by a Government agency to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of Federal law.

(c) STUDY AND REGULATIONS.—

(1) DATA COLLECTION.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall begin collecting data regarding the individualized immigration enforcement activities of covered Department officers.

(2) STUDY.—Not later than 180 days after data collection under paragraph (1) commences, the Secretary shall complete a study analyzing the data.

(3) REGULATIONS.—Not later than 90 days after the date the study required by paragraph (2) is completed, the Secretary, in consultation with the Attorney General, shall issue regulations regarding the use of race, ethnicity, and any other suspect classifications the Secretary deems appropriate by covered Department officers.

(4) REPORTS.—Not later than 30 days after completion of the study required by paragraph (2), the Secretary shall submit the study to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Homeland Security of the House of Representatives;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Appropriations of the House of Representatives;

(E) the Committee on the Judiciary of the Senate; and

(F) the Committee on the Judiciary of the House of Representatives.

(5) DEFINED TERM.—In this subsection, the term ''covered Department officer'' means any officer, agent, or employee of United States Customs and Border Protection, United States Immigration and Customs Enforcement, or the Transportation Security Administration.

SEC. 3306. ENHANCED PENALTIES FOR CERTAIN DRUG OFFENSES ON FEDERAL LANDS.

(a) CULTIVATING OR MANUFACTURING CONTROLLED SUBSTANCES ON FEDERAL PROPERTY.—Section 401(b)(5) of the Controlled Substances Act (21 U.S.C. 841(b)(5)) is amended by striking ''as provided in this subsection'' and inserting ''for not more than 10 years, in addition to any other term of imprisonment imposed under this subsection,''.

(b) USE OF HAZARDOUS SUBSTANCES.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall amend the Federal Sentencing Guidelines and policy statements to ensure that the guidelines provide an additional penalty increase of 2 offense levels above the sentence otherwise applicable for a violation of section 401(a) of the Controlled Substances Act (21 U.S.C. 841(a)) if the offense—

(1) includes the use of a poison, chemical, or other hazardous substance to cultivate or manufacture controlled substances on Federal property;

(2) creates a hazard to humans, wildlife, or domestic animals;

(3) degrades or harms the environment or natural resources; or

(4) pollutes an aquifer, spring, stream, river, or body of water.

(c) STREAM DIVERSION OR CLEAR CUTTING ON FEDERAL PROPERTY.—

(1) PROHIBITION ON STREAM DIVERSION OR CLEAR CUTTING ON FEDERAL PROPERTY.—Section 401(b) of the Controlled Substances Act is amended by adding at the end the following:

''(8) DESTRUCTION OF BODIES OF WATER.—Any person who violates subsection (a) in a manner that diverts, redirects, obstructs, or drains an aquifer, spring, stream, river, or body of water or clear cuts timber while cultivating or manufacturing a controlled substance on Federal property shall be fined in accordance with title 18, United States Code.''.

(2) FEDERAL SENTENCING GUIDELINES ENHANCEMENT.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall amend the Federal Sentencing Guidelines and policy statements to ensure that the guidelines provide an additional penalty increase of 2 offense levels for above the sentence otherwise applicable for a violation of section 401(a) of the Controlled Substances Act (21 U.S.C. 841(a)) if the offense involves the diversion, redirection, obstruction, or draining of an aquifer, spring, stream, river, or body of water or the clear cut of timber while cultivating or manufacturing a controlled substance on Federal property.

(d) BOOBY TRAPS ON FEDERAL LAND.—Section 401(d)(1) of the Controlled Substances Act (21 U.S.C. 841(d)(1)) is amended by inserting ''cultivated,'' after ''is being''.

(e) USE OR POSSESSION OF FIREARMS IN CONNECTION WITH DRUG OFFENSES ON FEDERAL LANDS.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall amend the Federal Sentencing Guidelines

and policy statements to ensure that the guidelines provide an additional penalty increase of 2 offense levels above the sentence otherwise applicable for a violation of section 401(a) of the Controlled Substances Act (21 U.S.C. 841(a)) if the offense involves the possession of a firearm while cultivating or manufacturing controlled substances on Federal lands.

Subtitle D—Asylum and Refugee Provisions

SEC. 3400. SHORT TITLE.

This subtitle may be cited as the ''Frank R. Lautenberg Asylum and Refugee Reform Act''.

SEC. 3401. TIME LIMITS AND EFFICIENT ADJUDICATION OF GENUINE ASYLUM CLAIMS.

Section 208(a)(2) (8 U.S.C. 1158(a)(2)) is amended—

(1) in subparagraph (A), by inserting ''or the Secretary of Homeland Security'' after ''Attorney General'' both places such term appears;

(2) by striking subparagraphs (B) and (D);

(3) by redesignating subparagraph (C) as subparagraph (B);

(4) in subparagraph (B), as redesignated, by striking ''subparagraph (D)'' and inserting ''subparagraphs (C) and (D)''; and

(5) by inserting after subparagraph (B), as redesignated, the following:

''(C) CHANGED CIRCUMSTANCES.—Notwithstanding subparagraph (B), an application for asylum of an alien may be considered if the alien demonstrates, to the satisfaction of the Attorney General or the Secretary of Homeland Security, the existence of changed circumstances that materially affect the applicant's eligibility for asylum.

''(D) MOTION TO REOPEN CERTAIN MERITORIOUS CLAIMS.—Notwithstanding subparagraph (B) or section 240(c)(7), an alien may file a motion to reopen an asylum claim during the 2-year period beginning on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act if the alien—

''(i) was denied asylum based solely upon a failure to meet the 1-year application filing deadline in effect on the date on which the application was filed;

''(ii) was granted withholding of removal pursuant to section 241(b)(3) and has not obtained lawful permanent residence in the United States pursuant to any other provision of law;

''(iii) is not subject to the safe third country exception under subparagraph (A) or a bar to asylum under subsection (b)(2) and should not be denied asylum as a matter of discretion; and

''(iv) is physically present in the United States when the motion is filed.''.

SEC. 3402. REFUGEE FAMILY PROTECTIONS.

(a) CHILDREN OF REFUGEE OR ASYLEE SPOUSES AND CHILDREN.—A child of an alien who qualifies for admission as a spouse or child under section 207(c)(2)(A) or 208(b)(3) of the Immigration and Nationality Act (8 U.S.C. 1157(c)(2)(A) and 1158(b)(3)) shall be entitled to the same status as such alien if the child—

(1) is accompanying or following to join such alien; and

(2) is otherwise eligible under section 207(c)(2)(A) or 208(b)(3) of the Immigration and Nationality Act.

SEC. 3403. CLARIFICATION ON DESIGNATION OF CERTAIN REFUGEES.

(a) TERMINATION OF CERTAIN PREFERENTIAL TREATMENT IN IMMIGRATION OF AMERASIANS.—Section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988 (8 U.S.C. 1101 note) is amended by adding at the end the following:

''(f) No visa may be issued under this section if the petition or application for such visa is submitted on or after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.''.

(b) REFUGEE DESIGNATION.—Section 207(c)(1) (8 U.S.C. 1157(c)(1)) is amended—

(1) by inserting ''(A)'' before ''Subject to the numerical limitations''; and

(2) by adding at the end the following:

''(B)(i) The President, upon a recommendation of the Secretary of State made in consultation with the Secretary of Homeland Security, and after appropriate consultation, may designate specifically defined groups of aliens—

''(I) whose resettlement in the United States is justified by humanitarian concerns or is otherwise in the national interest; and

''(II) who—

''(aa) share common characteristics that identify them as targets of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion; or

''(bb) having been identified as targets as described in item (aa), share a common need for resettlement due to a specific vulnerability.

''(ii) An alien who establishes membership in a group designated under clause (i) to the satisfaction of the Secretary of Homeland Security shall be considered a refugee for purposes of admission as a refugee under this section unless the Secretary determines that such alien ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.

''(iii) A designation under clause (i) is for purposes of adjudicatory efficiency and may be revoked by the President at any time after notification to Congress.

''(iv) Categories of aliens established under section 599D of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167; 8 U.S.C. 1157 note)—

''(I) shall be designated under clause (i) until the end of the first fiscal year commencing after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; and

''(II) shall be eligible for designation thereafter at the discretion of the President, considering, among other factors, whether a country under consideration has been designated by the Secretary of State as a 'Country of Particular Concern' for engaging in or tolerating systematic, ongoing, and egregious violations of religious freedom.

''(v) A designation under clause (i) shall not influence decisions to grant, to any alien, asylum under section 208, protection under section 241(b)(3), or protection under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984.

''(vi) A decision to deny admission under this section to an alien who establishes to the satisfaction of the Secretary that the alien is a member of a group designated under clause (i) shall—

''(I) be in writing; and

''(II) state, to the maximum extent feasible, the reason for the denial.

''(vii) Refugees admitted pursuant to a designation under clause (i) shall be subject to the number of admissions and be admissible under this section.''.

SEC. 3404. ASYLUM DETERMINATION EFFICIENCY.

Section 235(b)(1)(B)(ii) (8 U.S.C. 1225(b)(1)(B)(ii)) is amended by striking ''asylum.'' and inserting ''asylum by an asylum officer. The asylum officer, after conducting a nonadversarial asylum interview and seeking supervisory review, may grant asylum to the alien under section 208 or refer the case to a designee of the Attorney General, for a de novo asylum determination, for relief under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984, or for protection under section 241(b)(3).''.

SEC. 3405. STATELESS PERSONS IN THE UNITED STATES.

(a) IN GENERAL.—Chapter 1 of title II (8 U.S.C. 1151 et seq.) is amended by adding at the end the following:

''SEC. 210A. PROTECTION OF CERTAIN STATELESS PERSONS IN THE UNITED STATES.

''(a) STATELESS PERSONS.—

''(1) IN GENERAL.—In this section, the term 'stateless person' means an individual who is not considered a national under the operation of the laws of any country.

''(2) DESIGNATION OF SPECIFIC STATELESS GROUPS.—The Secretary of Homeland Security, in consultation with the Secretary of State, may, in the discretion of the Secretary, designate specific groups of individuals who are considered stateless persons, for purposes of this section.

''(b) STATUS OF STATELESS PERSONS.—

''(1) RELIEF FOR CERTAIN INDIVIDUALS DETERMINED TO BE STATELESS PERSONS.—The Secretary of Homeland Security or the Attorney General may, in his or her discretion, provide conditional lawful status to an alien who is otherwise inadmissible or deportable from the United States if the alien—

''(A) is a stateless person present in the United States;

''(B) applies for such relief;

''(C) has not lost his or her nationality as a result of his or her voluntary action or knowing inaction after arrival in the United States;

''(D) except as provided in paragraphs (2) and (3), is not inadmissible under section 212(a); and

''(E) is not described in section 241(b)(3)(B)(i).

''(2) INAPPLICABILITY OF CERTAIN PROVISIONS.—The provisions under paragraphs (4), (5), (7), and (9)(B) of section 212(a) shall not apply to any alien seeking relief under paragraph (1).

''(3) WAIVER.—The Secretary or the Attorney General may waive any other provisions of such section, other than subparagraphs (B), (C), (D)(ii), (E), (G), (H), or (I) of paragraph (2), paragraph (3), paragraph (6)(C)(i) (with respect to misrepresentations relating to the application for relief under paragraph (1)), or subparagraphs (A), (C), (D), or (E) of paragraph (10) of section 212(a), with respect to such an alien for humanitarian purposes, to assure family unity, or if it is otherwise in the public interest.

''(4) SUBMISSION OF PASSPORT OR TRAVEL DOCUMENT.—Any alien who seeks relief under this section shall submit to the Secretary of Homeland Security or the Attorney General—

''(A) any available passport or travel document issued at any time to the alien (whether or not the passport or document has expired or been cancelled, rescinded, or revoked); or

''(B) an affidavit, sworn under penalty of perjury—

''(i) stating that the alien has never been issued a passport or travel document; or

''(ii) identifying with particularity any such passport or travel document and explaining why the alien cannot submit it.

''(5) WORK AUTHORIZATION.—The Secretary of Homeland Security may authorize an alien who has applied for and is found prima facie eligible for or been granted relief under paragraph (1) to engage in employment in the United States.

''(6) TRAVEL DOCUMENTS.—The Secretary may issue appropriate travel documents to an alien who has been granted relief under paragraph (1) that would allow him or her to travel abroad and be admitted to the United States upon return, if otherwise admissible.

''(7) TREATMENT OF SPOUSE AND CHILDREN.—The spouse or child of an alien who has been granted conditional lawful status under paragraph (1) shall, if not otherwise eligible for admission under paragraph (1), be granted conditional lawful status under this section if accompanying, or following to join, such alien if—

''(A) the spouse or child is admissible (except as otherwise provided in paragraphs (2) and (3)) and is not described in section 241(b)(3)(B)(i); and

''(B) the qualifying relationship to the principal beneficiary existed on the date on which such alien was granted conditional lawful status.

''(c) ADJUSTMENT OF STATUS.—

''(1) INSPECTION AND EXAMINATION.—At the end of the 1-year period beginning on the date on which an alien has been granted conditional lawful status under subsection (b), the alien may apply for lawful permanent residence in the United States if—

''(A) the alien has been physically present in the United States for at least 1 year;

''(B) the alien's conditional lawful status has not been terminated by the Secretary of Homeland Security or the Attorney General, pursuant to such regulations as the Secretary or the Attorney General may prescribe; and

''(C) the alien has not otherwise acquired permanent resident status.

''(2) REQUIREMENTS FOR ADJUSTMENT OF STATUS.—The Secretary of Homeland Security or the Attorney General, under such regulations as the Secretary or the Attorney General may prescribe, may adjust the status of an alien granted conditional lawful status under subsection (b) to that of an alien lawfully admitted for permanent residence if such alien—

''(A) is a stateless person;

''(B) properly applies for such adjustment of status;

''(C) has been physically present in the United States for at least 1 year after being granted conditional lawful status under subsection (b);

''(D) is not firmly resettled in any foreign country; and

''(E) is admissible (except as otherwise provided under paragraph (2) or (3) of subsection (b)) as an immigrant under this chapter at the time of examination of such alien for adjustment of status.

''(3) RECORD.—Upon approval of an application under this subsection, the Secretary of Homeland Security shall establish a record of the alien's admission for lawful permanent residence as of the date that is 1 year before the date of such approval.

''(4) NUMERICAL LIMITATION.—The number of aliens who may receive an adjustment of status under this section for a fiscal year shall be subject to the numerical limitation of section 203(b)(4).

''(d) PROVING THE CLAIM.—In determining an alien's eligibility for lawful conditional status or adjustment of status under this subsection, the Secretary of Homeland Security or the Attorney General shall consider any credible evidence relevant to the application. The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Secretary or the Attorney General.

''(e) REVIEW.—

''(1) ADMINISTRATIVE REVIEW.—No appeal shall lie from the denial of an application by the Secretary, but such denial will be without prejudice to the alien's right to renew the application in proceedings under section 240.

''(2) MOTIONS TO REOPEN.—Notwithstanding any limitation imposed by law on motions to reopen removal, deportation, or exclusion proceedings, any individual who is eligible for relief under this section may file a motion to reopen proceedings in order to apply for relief under this section. Any such motion shall be filed within 2 years of the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(f) LIMITATION.—

''(1) APPLICABILITY.—The provisions of this section shall only apply to aliens present in the United States.

''(2) SAVINGS PROVISION.—Nothing in this section may be construed to authorize or require—

''(A) the admission of any alien to the United States;

''(B) the parole of any alien into the United States; or

''(C) the grant of any motion to reopen or reconsider filed by an alien after departure or removal from the United States.''.

(b) JUDICIAL REVIEW.—Section 242(a)(2)(B)(ii) (8 U.S.C. 1252(a)(2)(B)(ii)) is amended by striking ''208(a).'' and inserting ''208(a) or 210A.''.

(c) CONFORMING AMENDMENT.—Section 203(b)(4) (8 U.S.C. 1153(b)(4)) is amended by inserting ''to aliens granted an adjustment of status under section 210A(c) or'' after ''level,''.

(d) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act is amended by inserting after the item relating to section 210 the following:

''Sec. 210A. Protection of stateless persons in the United States.''.

SEC. 3406. U VISA ACCESSIBILITY.

Section 214(p)(2)(A) (8 U.S.C. 1184(p)(2)(A)) is amended by striking ''10,000.'' and inserting ''18,000, of which not more than 3,000 visas may be issued for aliens who are victims of a covered violation described in section 101(a)(15)(U).''.

SEC. 3407. WORK AUTHORIZATION WHILE APPLICATIONS FOR U AND T VISAS ARE PENDING.

(a) U VISAS.—Section 214(p) (8 U.S.C. 1184(p)), as amended by section 3406 of this Act, is further amended—

(1) in paragraph (6), by striking the last sentence; and

(2) by adding at the end the following:

''(7) WORK AUTHORIZATION.—Notwithstanding any provision of this Act granting eligibility for employment in the United States, the Secretary of Homeland Security shall grant employment authorization to an alien who has filed an application for nonimmigrant status under section 101(a)(15)(U) on the date that is the earlier of—

''(A) the date on which the alien's application for such status is approved; or

''(B) a date determined by the Secretary that is not later than 180 days after the date on which the alien filed the application.''.

(b) T VISAS.—Section 214(o) (8 U.S.C. 1184(o)) is amended by adding at the end the following:

''(8) Notwithstanding any provision of this Act granting eligibility for employment in the United States, the Secretary of Homeland Security shall grant employment authorization to an alien who has filed an application for nonimmigrant status under section 101(a)(15)(T) on the date that is the earlier of—

''(A) the date on which the alien's application for such status is approved; or

''(B) a date determined by the Secretary that is not later than 180 days after the date on which the alien filed the application.''.

SEC. 3408. REPRESENTATION AT OVERSEAS REFUGEE INTERVIEWS.

Section 207(c) (8 U.S.C. 1157(c)) is amended by adding at the end the following:

''(5) The adjudicator of an application for refugee status under this section shall consider all relevant evidence and maintain a record of the evidence considered.

''(6) An applicant for refugee status may be represented, including at a refugee interview, at no expense to the Government, by an attorney or accredited representative who—

''(A) was chosen by the applicant; and

''(B) is authorized by the Secretary of Homeland Security to be recognized as the representative of such applicant in an adjudication under this section.

''(7)(A) A decision to deny an application for refugee status under this section—

''(i) shall be in writing; and

''(ii) shall provide, to the maximum extent feasible, information on the reason for the denial, including—

''(I) the facts underlying the determination; and

''(II) whether there is a waiver of inadmissibility available to the applicant.

''(B) The basis of any negative credibility finding shall be part of the written decision.

''(8)(A) An applicant who is denied refugee status under this section may file a request with the Secretary for a review of his or her application not later than 120 days after such denial.

''(B) A request filed under subparagraph (A) shall be adjudicated by refugee officers who have received training on considering requests for review of refugee applications that have been denied.

''(C) The Secretary shall publish the standard applied to a request for review.

''(D) A request for review may result in the decision being granted, denied, or reopened for a further interview.

''(E) A decision on a request for review under this paragraph—

''(i) shall be in writing; and

''(ii) shall provide, to the maximum extent feasible, information on the reason for the denial.''.

SEC. 3409. LAW ENFORCEMENT AND NATIONAL SECURITY CHECKS.

(a) REFUGEES.—Section 207(c)(1) (8 U.S.C. 1157(c)(1)) is amended by adding at the end the following: ''No alien shall be admitted as a refugee until the identity of the applicant, including biographic and biometric data, has been checked against all appropriate records or databases maintained by the Secretary of Homeland Security, the Attorney General, the Secretary of State, and other Federal records or databases that the Secretary of Homeland Security considers necessary, to determine any national security, law enforcement, or other grounds on which the

alien may be inadmissible to the United States or ineligible to apply for or be granted refugee status.''.

(b) ASYLEES.—Section 208(d)(5)(A)(i) (8 U.S.C. 1158(d)(5)(A)(i)) is amended to read as follows:

''(i) asylum shall not be granted until the identity of the applicant, using biographic and biometric data, has been checked against all appropriate records or databases maintained by the Secretary of Homeland Security, the Attorney General, the Secretary of State, and other Federal records or databases that the Secretary of Homeland Security considers necessary, to determine any national security, law enforcement, or other grounds on which the alien may be inadmissible to the United States or ineligible to apply for or be granted asylum;''.

SEC. 3410. TIBETAN REFUGEE ASSISTANCE.

(a) SHORT TITLE.—This section may be cited as the ''Tibetan Refugee Assistance Act of 2013''.

(b) TRANSITION FOR DISPLACED TIBETANS.—Notwithstanding the numerical limitations specified in sections 201 and 202 of the Immigration and Nationality Act (8 U.S.C. 1151 and 1152), 5,000 immigrant visas shall be made available to qualified displaced Tibetans described in subsection (c) during the 3-year period beginning on October 1, 2013.

(c) QUALIFIED DISPLACED TIBETAN DESCRIBED.—

(1) IN GENERAL.—An individual is a qualified displaced Tibetan if such individual—

(A) is a native of Tibet; and

(B) has been continuously residing in India or Nepal since before the date of the enactment of this Act.

(2) NATIVE OF TIBET DESCRIBED.—For purposes of paragraph (1)(A), an individual shall be considered a native of Tibet if such individual—

(A) was born in Tibet; or

(B) is the son, daughter, grandson, or granddaughter of an individual who was born in Tibet.

(d) DERIVATIVE STATUS FOR SPOUSES AND CHILDREN.—A spouse or child (as defined in subparagraphs (A), (B), (C), (D), or (E) of section 101(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1))) shall, if not otherwise entitled to an immigrant status and the immediate issuance of a visa under this section, be entitled to the same status, and the same order of consideration, provided under this section, if accompanying, or following to join, the spouse or parent of such spouse or child.

(e) DISTRIBUTION OF VISA NUMBERS.—The Secretary of State shall ensure that immigrant visas provided under subsection (b) are made available to qualified displaced Tibetans described in subsection (c) or (d) in an equitable manner, giving preference to those qualified displaced Tibetans who—

(1) are not resettled in India or Nepal; or

(2) are most likely to be resettled successfully in the United States.

SEC. 3411. TERMINATION OF ASYLUM OR REFUGEE STATUS.

(a) TERMINATION OF STATUS.—Except as provided in subsections (b) and (c), any alien who is granted asylum or refugee status under this Act or the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), who, without good cause as determined by the Secretary or the Attorney General, subsequently returns to the country of such alien's nationality or, in the case of an alien having no nationality, returns to any country in which such alien last habitually resided, and who applied for such status because of persecution or a well-founded fear of persecution in that country on account of race, religion, nationality, membership in a particular social group, or political opinion, shall have his or her refugee or asylum status terminated.

(b) WAIVER.—The Secretary has discretion to waive subsection (a) if it is established to the satisfaction of the Secretary or the Attorney General that the alien had good cause for the return. The waiver may be sought prior to departure from the United States or upon return.

(c) EXCEPTION FOR CERTAIN ALIENS FROM CUBA.—Subsection (a) shall not apply to an alien who is eligible for adjustment to that of an alien lawfully admitted for permanent residence pursuant to the Cuban Adjustment Act of 1966 (Public Law 89–732).

SEC. 3412. ASYLUM CLOCK.

Section 208(d)(2) (8 U.S.C. 1158(d)(2)) is amended by striking ''is not entitled to employment authorization'' and all that follows through ''prior to 180 days after'' and inserting ''shall be provided employment authorization 180 days after''.

Subtitle E—Shortage of Immigration Court Resources for Removal Proceedings

SEC. 3501. SHORTAGE OF IMMIGRATION COURT PERSONNEL FOR REMOVAL PROCEEDINGS.

(a) IMMIGRATION COURT JUDGES.—The Attorney General shall increase the total number of immigration judges to adjudicate current pending cases and efficiently process future cases by at least—

(1) 75 in fiscal year 2014;

(2) 75 in fiscal year 2015; and

(3) 75 in fiscal year 2016.

(b) NECESSARY SUPPORT STAFF FOR IMMIGRATION COURT JUDGES.—The Attorney General shall address the shortage of support staff for immigration judges by ensuring that each immigration judge has the assistance of the necessary support staff, including the equivalent of 1 staff attorney or law clerk and 1 legal assistant.

(c) ANNUAL INCREASES IN BOARD OF IMMIGRATION APPEALS PERSONNEL.—The Attorney General shall increase the number of Board of Immigration Appeals staff attorneys (including the necessary additional support staff) to efficiently process cases by at least—

(1) 30 in fiscal year 2014;

(2) 30 in fiscal year 2015; and

(3) 30 in fiscal year 2016.

(d) FUNDING.—There shall be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this section.

SEC. 3502. IMPROVING IMMIGRATION COURT EFFICIENCY AND REDUCING COSTS BY INCREASING ACCESS TO LEGAL INFORMATION.

(a) CLARIFICATION REGARDING THE AUTHORITY OF THE ATTORNEY GENERAL TO APPOINT COUNSEL TO ALIENS IN IMMIGRATION PROCEEDINGS.—Section 292 (8 U.S.C. 1362) is amended—

(1) by inserting ''(a)'' before ''In any'';

(2) by striking ''(at no expense to the Government)'';

(3) by striking ''he shall'' and inserting ''the person shall''; and

(4) by adding at the end the following:

''(b) The Government is not required to provide counsel to aliens under subsection (a). However, the Attorney General may, in the Attorney General's sole and unreviewable discretion, appoint or provide counsel to aliens in immigration proceedings conducted under section 240 of this Act.''.

(b) APPOINTMENT OF COUNSEL IN CERTAIN CASES; RIGHT TO REVIEW CERTAIN DOCUMENTS IN REMOVAL PROCEEDINGS.—Section 240(b) (8 U.S.C. 1229a(b)) is amended—

(1) in paragraph (4)—

(A) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively;

(B) in subparagraph (A), by striking '', at no expense to the Government,'';

(C) by inserting after subparagraph (A) the following new subparagraph:

''(B) the alien shall, at the beginning of the proceedings or at a reasonable time thereafter, automatically receive a complete copy of all relevant documents in the possession of the Department of Homeland Security, including all documents (other than documents protected from disclosure by privilege, including national security information referenced in subparagraph (C), law enforcement sensitive information, and information prohibited from disclosure pursuant to any other provision of law) contained in the file maintained by the Government that includes information with respect to all transactions involving the alien during the immigration process (commonly referred to as an 'A-file'), and all documents pertaining to the alien that the Department of Homeland Security has obtained or received from other government agencies, unless the alien waives the right to receive such documents by executing a knowing and voluntary waiver in a language that he or she understands fluently,''; and

(D) by adding at the end the following:

''The Government is not required to provide counsel to aliens under this paragraph. However, the Attorney General may, in the Attorney General's sole and unreviewable discretion, appoint or provide counsel at government expense to aliens in immigration proceedings.''; and

(2) by adding at the end the following new paragraph:

''(8) FAILURE TO PROVIDE ALIEN REQUIRED DOCUMENTS.—In the absence of a waiver under subparagraph (B) of paragraph (4), a removal proceeding may not proceed until the alien has received the documents as required under such subparagraph.''.

(c) APPOINTMENT OF COUNSEL FOR UNACCOMPANIED ALIEN CHILDREN AND ALIENS WITH A SERIOUS MENTAL DISABILITY.—Section 292 (8 U.S.C. 1362), as amended by subsection (a), is further amended by adding at the end the following:

''(c) Notwithstanding subsection (b), the Attorney General shall appoint counsel, at the expense of the Government if necessary, to represent an alien in a removal proceeding who has been determined by the Secretary to be an unaccompanied alien child, is incompetent to represent himself or herself due to a serious mental disability that would be included in section 3(1) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(1)), or is considered particularly vulnerable when compared to other aliens in removal proceedings, such that the appointment of counsel is necessary to help ensure fair resolution and efficient adjudication of the proceedings.''.

(d) FUNDING.—There shall be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this section and the amendments made by this section.

SEC. 3503. OFFICE OF LEGAL ACCESS PROGRAMS.

(a) ESTABLISHMENT OF OFFICE OF LEGAL ACCESS PROGRAMS.—The Attorney General shall maintain, within the Executive Office for Immigration Review, an Office of Legal Access Programs to develop and administer a

system of legal orientation programs to make immigration proceedings more efficient and cost effective by educating aliens regarding administrative procedures and legal rights under United States immigration law and to establish other programs to assist in providing aliens access to legal information.

(b) LEGAL ORIENTATION PROGRAMS.—The legal orientation programs—

(1) shall provide programs to assist detained aliens in making informed and timely decisions regarding their removal and eligibility for relief from removal in order to increase efficiency and reduce costs in immigration proceedings and Federal custody processes and to improve access to counsel and other legal services;

(2) may provide services to detained aliens in immigration proceedings under sections 235, 238, 240, and 241(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1225, 1228, 1229a, and 1231(a)(5)) and to other aliens in immigration and asylum proceedings under sections 235, 238, and 240 of the Immigration and Nationality Act (8 U.S.C. 1225, 1228, and 1229a); and

(3) shall identify unaccompanied alien children, aliens with a serious mental disability, and other particularly vulnerable aliens for consideration by the Attorney General pursuant to section 292(c) of the Immigration and Nationality Act, as added by section 3502(c).

(c) PROCEDURES.—The Secretary, in consultation with the Attorney General, shall establish procedures that ensure that legal orientation programs are available for all detained aliens within 5 days of arrival into custody and to inform such aliens of the basic procedures of immigration hearings, their rights relating to those hearings under the immigration laws, information that may deter such aliens from filing frivolous legal claims, and any other information deemed appropriate by the Attorney General, such as a contact list of potential legal resources and providers.

(d) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to create any substantive or procedural right or benefit that is legally enforceable by any party against the United States or its agencies or officers or any other person.

(e) FUNDING.—There shall be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this section.

SEC. 3504. CODIFYING BOARD OF IMMIGRATION APPEALS.

(a) DEFINITION OF BOARD MEMBER.—Section 101(a) (8 U.S.C. 1101(a)) is amended by adding at the end the following:

''(53) The term 'Board Member' means an attorney whom the Attorney General appoints to serve on the Board of Immigration Appeals within the Executive Office of Immigration Review, and is qualified to review decisions of immigration judges and other matters within the jurisdiction of the Board of Immigration Appeals.''.

(b) BOARD OF IMMIGRATION APPEALS.—Section 240(a)(1) (8 U.S.C. 1229a(a)(1)) is amended by adding at the end the following: ''The Board of Immigration Appeals and its Board Members shall review decisions of immigration judges under this section.''.

(c) APPEALS.—Section 240(b)(4) (8 U.S.C. 1229a(b)(4)), as amended by section 3502(b), is further amended—

(1) in subparagraph (B), by striking '', and'' and inserting a semicolon;

(2) in subparagraph (C), by striking the period and inserting ''; and''; and

(3) by inserting after subparagraph (C) the following:

''(D) the alien or the Department of Homeland Security may appeal the immigration judge's decision to a 3-judge panel of the Board of Immigration Appeals.''.

(d) DECISION AND BURDEN OF PROOF.—Section 240(c)(1)(A) (8 U.S.C. 1229a(c)(1)(A)) is amended to read as follows:

''(A) IN GENERAL.—At the conclusion of the proceeding, the immigration judge shall decide whether an alien is removable from the United States. The determination of the immigration judge shall be based only on the evidence produced at the hearing. On appeal, the Board of Immigration Appeals shall issue a written opinion. The opinion shall address all dispositive arguments raised by the parties. The panel may incorporate by reference the opinion of the immigration judge whose decision is being reviewed, provided that the panel also addresses any arguments made by the nonprevailing party regarding purported errors of law, fact, or discretion.''.

SEC. 3505. IMPROVED TRAINING FOR IMMIGRATION JUDGES AND BOARD MEMBERS.

(a) IN GENERAL.—Section 240 (8 U.S.C. 1229a) is amended by adding at the end the following:

''(f) IMPROVED TRAINING.—

''(1) IMPROVED TRAINING FOR IMMIGRATION JUDGES AND BOARD MEMBERS.—

''(A) IN GENERAL.—In consultation with the Attorney General and the Director of the Federal Judicial Center, the Director of the Executive Office for Immigration Review shall review and modify, as appropriate, training programs for immigration judges and Board Members.

''(B) ELEMENTS OF REVIEW.—Each such review shall study—

''(i) the expansion of the training program for new immigration judges and Board Members;

''(ii) continuing education regarding current developments in the field of immigration law; and

''(iii) methods to ensure that immigration judges are trained on properly crafting and dictating decisions.

''(2) IMPROVED TRAINING AND GUIDANCE FOR STAFF.—The Director of the Executive Office for Immigration Review shall—

''(A) modify guidance and training regarding screening standards and standards of review; and

''(B) ensure that Board Members provide staff attorneys with appropriate guidance in drafting decisions in individual cases, consistent with the policies and directives of the Director of the Executive Office for Immigration Review and the Chairman of the Board of Immigration Appeals.''.

(b) FUNDING.—There shall be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this section and the amendment made by this section.

SEC. 3506. IMPROVED RESOURCES AND TECHNOLOGY FOR IMMIGRATION COURTS AND BOARD OF IMMIGRATION APPEALS.

(a) IMPROVED ON-BENCH REFERENCE MATERIALS AND DECISION TEMPLATES.—The Director of the Executive Office for Immigration Review shall ensure that immigration judges are provided with updated reference materials and standard decision templates that conform to the law of the circuits in which they sit.

(b) PRACTICE MANUAL.—The Director of the Executive Office for Immigration Review shall produce a practice manual describing best practices for the immigration courts and shall make such manual available electronically to counsel and litigants who appear before the immigration courts.

(c) RECORDING SYSTEM AND OTHER TECHNOLOGIES.—

(1) PLAN REQUIRED.—The Director of the Executive Office for Immigration Review shall provide the Attorney General with a plan and a schedule to replace the immigration courts' tape recording system with a digital recording system that is compatible with the information management systems of the Executive Office for Immigration Review.

(2) AUDIO RECORDING SYSTEM.—Consistent with the plan described in paragraph (1), the Director shall pilot a digital audio recording system not later than 1 year after the enactment of this Act, and shall begin nationwide implementation of that system as soon as practicable.

(d) IMPROVED TRANSCRIPTION SERVICES.—Not later than 1 year after the enactment of this Act, the Director of the Executive Office for Immigration Review shall report to the Attorney General on the current transcription services utilized by the Office and recommend improvements to this system regarding quality and timeliness of transcription.

(e) IMPROVED INTERPRETER SELECTION.—Not later than 1 year after the enactment of this Act, the Director of the Executive Office for Immigration Review shall report to the Attorney General on the current interpreter selection process utilized by the Office and recommend improvements to this process regarding screening, hiring, certification, and evaluation of staff and contract interpreters.

(f) FUNDING.—There shall be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this section.

SEC. 3507. TRANSFER OF RESPONSIBILITY FOR TRAFFICKING PROTECTIONS.

(a) TRANSFER OF RESPONSIBILITY.—

(1) IN GENERAL.—All unexpended balances appropriated or otherwise available to the Department of Health and Human Services and its Office of Refugee Resettlement in connection with the functions provided for in paragraphs (5) and (6) of section 235(c) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)), shall, subject to section 202 of the Budget and Accounting Procedures Act of 1950, be transferred to the Department of Justice. Funds transferred pursuant to this paragraph shall remain available until expended and shall be used only for the purposes for which the funds were originally authorized and appropriated.

(2) CONTRACT AUTHORITY.—The Attorney General may award grants to, and enter into contracts to carry out the functions set forth in paragraphs (5) and (6) of Section 235(c) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008.

(b) CONFORMING AMENDMENTS.—Section 235(c) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)) is amended—

(1) in paragraph (5)—

(A) by striking ''Secretary of Health and Human Services'' each place it appears and inserting ''Attorney General''; and

(B) by striking the last sentence; and

(2) in paragraph (6)—

(A) by striking ''Secretary of Health and Human Services'' each place it appears and inserting ''Attorney General'';

(B) in subparagraphs (B)(ii), (D), and (F), by striking ''Secretary'' each place it appears and inserting ''Attorney General''; and

(C) in subparagraph (F), by striking ''and Human Services''.

Subtitle F—Prevention of Trafficking in Persons and Abuses Involving Workers Recruited Abroad

SEC. 3601. DEFINITIONS.

(a) IN GENERAL.—Except as otherwise provided by this subtitle, the terms used in this subtitle shall have the same meanings, respectively, as are given those terms in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).

(b) OTHER DEFINITIONS.—

(1) FOREIGN LABOR CONTRACTOR.—The term ''foreign labor contractor'' means any person who performs foreign labor contracting activity, including any person who performs foreign labor contracting activity wholly outside of the United States, except that the term does not include any entity of the United States Government.

(2) FOREIGN LABOR CONTRACTING ACTIVITY.—The term ''foreign labor contracting activity'' means recruiting, soliciting, or related activities with respect to an individual who resides outside of the United States in furtherance of employment in the United States, including when such activity occurs wholly outside of the United States.

(3) PERSON.—The term ''person'' means any natural person or any corporation, company, firm, partnership, joint stock company or association or other organization or entity (whether organized under law or not), including municipal corporations.

(4) WORKER.—The term ''worker'' means an individual who is the subject of foreign labor contracting activity and does not include an exchange visitor (as defined in section 62.2 of title 22, Code of Federal Regulations, or any similar successor regulation).

SEC. 3602. DISCLOSURE.

(a) REQUIREMENT FOR DISCLOSURE.—Any person who engages in foreign labor contracting activity shall ascertain and disclose in writing in English and in the primary language of the worker at the time of the worker's recruitment, the following information:

(1) The identity and address of the employer and the identity and address of the person conducting the recruiting on behalf of the employer, including any subcontractor or agent involved in such recruiting.

(2) All assurances and terms and conditions of employment, from the prospective employer for whom the worker is being recruited, including the work hours, level of compensation to be paid, the place and period of employment, a description of the type and nature of employment activities, any withholdings or deductions from compensation and any penalties for terminating employment.

(3) A signed copy of the work contract between the worker and the employer.

(4) The type of visa under which the foreign worker is to be employed, the length of time for which the visa will be valid, the terms and conditions under which the visa may be renewed, and a clear statement of any expenses associated with securing or renewing the visa.

(5) An itemized list of any costs or expenses to be charged to the worker and any deductions to be taken from wages, including any costs for housing or accommodation, transportation to and from the worksite, meals, health insurance, workers' compensation, costs of benefits provided, medical examinations, healthcare, tools, or safety equipment costs.

(6) The existence of any labor organizing effort, strike, lockout, or other labor dispute at the place of employment.

(7) Whether and the extent to which workers will be compensated through workers' compensation, private insurance, or otherwise for injuries or death, including work-related injuries and death, during the period of employment and, if so, the name of the State workers' compensation insurance carrier or the name of the policyholder of the private insurance, the name and the telephone number of each person who must be notified of an injury or death, and the time period within which such notice must be given.

(8) A statement, in a form specified by the Secretary—

(A) stating that—

(i) no foreign labor contractor, agent, or employee of a foreign labor contractor, may lawfully assess any fee (including visa fees, processing fees, transportation fees, legal expenses, placement fees, and other costs) to a worker for any foreign labor contracting activity; and

(ii) the employer may bear such costs or fees for the foreign labor contractor, but that these fees cannot be passed along to the worker;

(B) explaining that—

(i) no additional significant requirements or changes may be made to the original contract signed by the worker without at least 24 hours to consider such changes and the specific consent of the worker, obtained voluntarily and without threat of penalty; and

(ii) any significant changes made to the original contract that do not comply with clause (i) shall be a violation of this subtitle and be subject to the provisions of section 3610 of this Act; and

(C) describing the protections afforded the worker by this section and by section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375b) and any applicable visa program, including—

(i) relevant information about the procedure for filing a complaint provided for in section 3610; and

(ii) the telephone number for the national human trafficking resource center hotline number.

(9) Any education or training to be provided or required, including—

(A) the nature, timing, and cost of such training;

(B) the person who will pay such costs;

(C) whether the training is a condition of employment, continued employment, or future employment; and

(D) whether the worker will be paid or remunerated during the training period, including the rate of pay.

(b) RELATIONSHIP TO LABOR AND EMPLOYMENT LAWS.—Nothing in the disclosure required by subsection (a) shall constitute a legal conclusion as to the worker's status or rights under the labor and employment laws.

(c) PROHIBITION ON FALSE AND MISLEADING INFORMATION.—No foreign labor contractor or employer who engages in any foreign labor contracting activity shall knowingly provide materially false or misleading information to any worker concerning any matter required to be disclosed under subsection (a). The disclosure required by this section is a document concerning the proper administration of a matter within the jurisdiction of a department or agency of the United States for the purposes of section 1519 of title 18, United States Code.

SEC. 3603. PROHIBITION ON DISCRIMINATION.

(a) IN GENERAL.—It shall be unlawful for an employer or a foreign labor contractor to fail or refuse to hire, discharge, intimidate, threaten, restrain, coerce, or blacklist any individual or otherwise discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's race, color, creed, sex, national origin, religion, age, or disability.

(b) DETERMINATIONS OF DISCRIMINATION.—For the purposes of determining the existence of unlawful discrimination under subsection (a)—

(1) in the case of a claim of discrimination based on race, color, creed, sex, national origin, or religion, the same legal standards shall apply as are applicable under title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.);

(2) in the case of a claim of discrimination based on unlawful discrimination based on age, the same legal standards shall apply as are applicable under the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.); and

(3) in the case of a claim of discrimination based on disability, the same legal standards shall apply as are applicable under title I of the Americans With Disabilities Act of 1990 (42 U.S.C. 12111 et seq.).

SEC. 3604. RECRUITMENT FEES.

No employer, foreign labor contractor, or agent or employee of a foreign labor contractor, shall assess any fee (including visa fees, processing fees, transportation fees, legal expenses, placement fees, and other costs) to a worker for any foreign labor contracting activity.

SEC. 3605. REGISTRATION.

(a) REQUIREMENT TO REGISTER.—

(1) IN GENERAL.—Subject to paragraph (2), prior to engaging in any foreign labor contracting activity, any person who is a foreign labor contractor or who, for any money or other valuable consideration paid or promised to be paid, performs a foreign labor contracting activity on behalf of a foreign labor contractor, shall obtain a certificate of registration from the Secretary of Labor pursuant to regulations promulgated by the Secretary under subsection (c).

(2) EXCEPTION FOR CERTAIN EMPLOYERS.—An employer, or employee of an employer, who engages in foreign labor contracting activity solely to find employees for that employer's own use, and without the participation of any other foreign labor contractor, shall not be required to register under this section.

(b) NOTIFICATION.—

(1) ANNUAL EMPLOYER NOTIFICATION.—Each employer shall notify the Secretary, not less frequently than once every year, of the identity of any foreign labor contractor involved in any foreign labor contracting activity for, or on behalf of, the employer, including at a minimum, the name and address of the foreign labor contractor, a description of the services for which the foreign labor contractor is being used, whether the foreign labor contractor is to receive any economic compensation for the services, and, if so, the identity of the person or entity who is paying for the services.

(2) ANNUAL FOREIGN LABOR CONTRACTOR NOTIFICATION.—Each foreign labor contractor shall notify the Secretary, not less frequently than once every year, of the identity of any subcontractee, agent, or foreign labor contractor employee involved in any foreign labor contracting activity for, or on behalf of, the foreign labor contractor.

(3) NONCOMPLIANCE NOTIFICATION.—An employer shall notify the Secretary of the identity of a foreign labor contractor whose activities do not comply with this subtitle.

(4) AGREEMENT.—Not later than 7 days after receiving a request from the Secretary, an employer shall provide the Secretary with the identity of any foreign labor contractor with which the employer has a contract or other agreement.

(c) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall promulgate regulations to establish an efficient electronic process for the timely investigation and approval of an application for a certificate of registration of foreign labor contractors, including—

(1) a declaration, subscribed and sworn to by the applicant, stating the applicant's permanent place of residence, the foreign labor contracting activities for which the certificate is requested, and such other relevant information as the Secretary may require;

(2) a set of fingerprints of the applicant;

(3) an expeditious means to update registrations and renew certificates;

(4) providing for the consent of any foreign labor recruiter to the designation by a court of the Secretary as an agent available to accept service of summons in any action against the applicant, if the applicant has left the jurisdiction in which the action is commenced, otherwise has become unavailable to accept service, or is subject to personal jurisdiction in no State;

(5) providing for the consent of any foreign labor recruiter to jurisdiction in the Department or any Federal or State court in the United States for any action brought by any aggrieved individual or worker;

(6) providing for cooperation in any investigation by the Secretary or other appropriate authorities;

(7) providing for consent to the forfeiture of the bond for failure to cooperate with these provisions;

(8) providing for consent to be liable for violations of this subtitle by any agents or subcontractees of any level in relation to the foreign labor contracting activity of the agent or subcontractee to the same extent as if the foreign labor contractor had committed the violation; and

(9) providing for consultation with other appropriate Federal agencies to determine whether any reason exists to deny registration to a foreign labor contractor.

(d) TERM OF REGISTRATION.—Unless suspended or revoked, a certificate under this section shall be valid for 2 years.

(e) APPLICATION FEE.—

(1) REQUIREMENT FOR FEE.—In addition to any other fees authorized by law, the Secretary shall impose a fee, to be deposited in the general fund of the Treasury, on a foreign labor contractor that submits an application for a certificate of registration under this section.

(2) AMOUNT OF FEE.—The amount of the fee required by paragraph (1) shall be set at a level that the Secretary determines sufficient to cover the full costs of carrying out foreign labor contract registration activities under this subtitle, including worker education and any additional costs associated with the administration of the fees collected.

(f) REFUSAL TO ISSUE; REVOCATION.—In accordance with regulations promulgated by the Secretary, the Secretary shall refuse to issue or renew, or shall revoke and debar from eligibility to obtain a certificate of registration for a period of not greater than 5 years, after notice and an opportunity for a hearing, a certificate of registration under this section if—

(1) the applicant for, or holder of, the certification has knowingly made a material misrepresentation in the application for such certificate;

(2) the applicant for, or holder of, the certification is not the real party in interest in the application or certificate of registration and the real party in interest—

(A) is a person who has been refused issuance or renewal of a certificate;

(B) has had a certificate revoked; or

(C) does not qualify for a certificate under this section;

(3) the applicant for, or holder of, the certification has been convicted within the preceding 5 years of—

(A) any felony under State or Federal law or crime involving robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, prostitution, peonage, or smuggling or harboring individuals who have entered the United States illegally; or

(B) any crime relating to gambling, or to the sale, distribution or possession of alcoholic beverages, in connection with or incident to any labor contracting activities; or

(4) the applicant for, or holder of, the certification has materially failed to comply with this section.

(g) RE-REGISTRATION OF VIOLATORS.—The Secretary shall establish a procedure by which a foreign labor contractor that has had its registration revoked under subsection (f) may seek to re-register under this subsection by demonstrating to the Secretary's satisfaction that the foreign labor contractor has not violated this subtitle in the previous 5 years and that the foreign labor contractor has taken sufficient steps to prevent future violations of this subtitle.

SEC. 3606. BONDING REQUIREMENT.

(a) IN GENERAL.—The Secretary shall require a foreign labor contractor to post a bond in an amount sufficient to ensure the ability of the foreign labor contractor to discharge its responsibilities and to ensure protection of workers, including wages.

(b) REGULATIONS.—The Secretary, by regulation, shall establish the conditions under which the bond amount is determined, paid, and forfeited.

(c) RELATIONSHIP TO OTHER REMEDIES.—The bond requirements and forfeiture of the bond under this section shall be in addition to other remedies under 3610 or any other law.

SEC. 3607. MAINTENANCE OF LISTS.

(a) IN GENERAL.—The Secretary shall maintain—

(1) a list of all foreign labor contractors registered under this subsection, including—

(A) the countries from which the contractors recruit;

(B) the employers for whom the contractors recruit;

(C) the visa categories and occupations for which the contractors recruit; and

(D) the States where recruited workers are employed; and

(2) a list of all foreign labor contractors whose certificate of registration the Secretary has revoked.

(b) UPDATES; AVAILABILITY.—The Secretary shall—

(1) update the lists required by subsection (a) on an ongoing basis, not less frequently than every 6 months; and

(2) make such lists publicly available, including through continuous publication on Internet websites and in written form at and on the websites of United States embassies in the official language of that country.

(c) INTER-AGENCY AVAILABILITY.—The Secretary shall share the information described in subsection (a) with the Secretary of State.

SEC. 3608. AMENDMENT TO THE IMMIGRATION AND NATIONALITY ACT.

Section 214 (8 U.S.C. 1184) is amended by adding at the end the following:

''(s) A visa shall not be issued under the subparagraph (A)(iii), (B)(i) (but only for domestic servants described in clause (i) or (ii) of section 274a.12(c)(17) of title 8, Code of Federal Regulations (as in effect on December 4, 2007)), (G)(v), (H), (J), (L), (Q), (R), or (W) of section 101(a)(15) until the consular officer—

''(1) has provided to and reviewed with the applicant, in the applicant's language (or a language the applicant understands), a copy of the information and resources pamphlet required by section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375b); and

''(2) has reviewed and made a part of the visa file the foreign labor recruiter disclosures required by section 3602 of the Border Security, Economic Opportunity, and Immigration Modernization Act, including whether the foreign labor recruiter is registered pursuant to that section.''.

SEC. 3609. RESPONSIBILITIES OF SECRETARY OF STATE.

(a) IN GENERAL.—The Secretary of State shall ensure that each United States diplomatic mission has a person who shall be responsible for receiving information from any worker who has been subject to violations of this subtitle.

(b) PROVISION OF INFORMATION.—The responsible person referred to in subsection (a) shall ensure that the information received is provided to the Department of Justice, the Department of Labor, or any other relevant Federal agency.

(c) MECHANISMS.—The Attorney General and the Secretary shall ensure that there is a mechanism for any actions that need to be taken in response to information received under subsection (a).

(d) ASSISTANCE FROM FOREIGN GOVERNMENT.—The person designated for receiving information pursuant to subsection (a) is strongly encouraged to coordinate with governments and civil society organizations in the countries of origin to ensure the worker receives additional support.

(e) MAINTENANCE AND AVAILABILITY OF INFORMATION.—The Secretary of State shall ensure that consulates maintain information regarding the identities of foreign labor contractors and the employers to whom the foreign labor contractors supply workers. The Secretary of State shall make such information publicly available in written form and online, including on the websites of United States embassies in the official language of that country.

(f) ANNUAL PUBLIC DISCLOSE.—The Secretary of State shall make publicly available online, on an annual basis, data disclosing the gender, country of origin and state, if available, date of birth, wage, level of training, and occupation category, disaggregated by job and by visa category and subcategory.

SEC. 3610. ENFORCEMENT PROVISIONS.

(a) COMPLAINTS AND INVESTIGATIONS.—The Secretary—

(1) shall establish a process for the receipt, investigation, and disposition of complaints filed by any person, including complaints respecting a foreign labor contractor's compliance with this subtitle; and

(2) either pursuant to the process required by paragraph (1) or otherwise, may investigate employers or foreign labor contractors, including actions occurring in a foreign country, as necessary to determine compliance with this subtitle.

(b) ENFORCEMENT.—

(1) IN GENERAL.—A worker who believes that he or she has suffered a violation of this subtitle may seek relief from an employer by—

(A) filing a complaint with the Secretary within 3 years after the date on which the violation occurred or date on which the employee became aware of the violation; or

(B) if the Secretary has not issued a final decision within 120 days of the filing of the complaint and there is no showing that such delay is due to the bad faith of the claimant, bringing an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

(2) PROCEDURE.—

(A) IN GENERAL.—Unless otherwise provided herein, a complaint under paragraph (1)(A) shall be governed under the rules and procedures set forth in paragraphs (1) and (2)(A) of section 42121(b) of title 49, United States Code.

(B) EXCEPTION.—Notification of a complaint under paragraph (1)(A) shall be made to each person or entity named in the complaint as a defendant and to the employer.

(C) STATUTE OF LIMITATIONS.—An action filed in a district court of the United States under paragraph (1)(B) shall be commenced not later than 180 days after the last day of the 120-day period referred to in that paragraph.

(D) JURY TRIAL.—A party to an action brought under paragraph (1)(B) shall be entitled to trial by jury.

(c) ADMINISTRATIVE ENFORCEMENT.—

(1) IN GENERAL.—If the Secretary finds, after notice and an opportunity for a hearing, any foreign labor contractor or employer failed to comply with any of the requirements of this subtitle, the Secretary may impose the following against such contractor or employer—

(A) a fine in an amount not more than $10,000 per violation; and

(B) upon the occasion of a third violation or a failure to comply with representations, a fine of not more than $25,000 per violation.

(d) AUTHORITY TO ENSURE COMPLIANCE.—The Secretary is authorized to take other such actions, including issuing subpoenas and seeking appropriate injunctive relief and recovery of damages, as may be necessary to assure compliance with the terms and conditions of this subtitle.

(e) BONDING.—Pursuant to the bonding requirement in section 3606, bond liquidation and forfeitures shall be in addition to other remedies under this section or any other law.

(f) CIVIL ACTION.—

(1) IN GENERAL.—The Secretary or any person aggrieved by a violation of this subtitle may bring a civil action against any foreign labor contractor that does not meet the requirements under subsection (g)(2) in any court of competent jurisdiction—

(A) to seek remedial action, including injunctive relief;

(B) to recover damages on behalf of any worker harmed by a violation of this subsection; and

(C) to ensure compliance with requirements of this section.

(2) ACTIONS BY THE SECRETARY OF HOMELAND SECURITY.—

(A) SUMS RECOVERED.—Any sums recovered by the Secretary on behalf of a worker under paragraph (1) or through liquidation of the bond held pursuant to section 3606 shall be held in a special deposit account and shall be paid, on order of the Secretary, directly to each worker affected. Any such sums not paid to a worker because of inability to do so within a period of 5 years shall be credited as an offsetting collection to the appropriations account of the Secretary for expenses for the administration of this section and shall remain available to the Secretary until expended or may be used for enforcement of the laws within the jurisdiction of the wage and hour division or may be transferred to the Secretary of Health and Human Services for the purpose of providing support to programs that provide assistance to victims of trafficking in persons or other exploited persons. The Secretary shall work with any attorney or organization representing workers to locate workers owed sums under this section.

(B) REPRESENTATION.—Except as provided in section 518(a) of title 28, United States Code, the Attorney General may appear for and represent the Secretary in any civil litigation brought under this paragraph. All such litigation shall be subject to the direction and control of the Attorney General.

(3) ACTIONS BY INDIVIDUALS.—

(A) AWARD.—If the court finds in a civil action filed by an individual under this section that the defendant has violated any provision of this subtitle (or any regulation issued pursuant to this subtitle), the court may award—

(i) damages, up to and including an amount equal to the amount of actual damages, and statutory damages of up to $1,000 per plaintiff per violation, or other equitable relief, except that with respect to statutory damages—

(I) multiple infractions of a single provision of this subtitle (or of a regulation under this subtitle) shall constitute only 1 violation for purposes of section 3602(a) to determine the amount of statutory damages due a plaintiff; and

(II) if such complaint is certified as a class action the court may award—

(aa) damages up to an amount equal to the amount of actual damages; and

(bb) statutory damages of not more than the lesser of up to $1,000 per class member per violation, or up to $500,000; and other equitable relief;

(ii) reasonable attorneys' fees and costs; and

(iii) such other and further relief, including declaratory and injunctive relief, as necessary to effectuate the purposes of this subtitle.

(B) CRITERIA.—In determining the amount of statutory damages to be awarded under subparagraph (A), the court is authorized to consider whether an attempt was made to resolve the issues in dispute before the resort to litigation.

(C) BOND.—To satisfy the damages, fees, and costs found owing under this clause, the Secretary shall release as much of the bond held pursuant to section 3606 as necessary.

(D) APPEAL.—Any civil action brought under this section shall be subject to appeal as provided in chapter 83 of title 28, United States Code (28 U.S.C. 1291 et seq.).

(E) ACCESS TO LEGAL SERVICES CORPORATION.—Notwithstanding any other provision of law, the Legal Services Corporation and recipients of its funding may provide legal assistance on behalf of any alien with respect to any provision of this subtitle.

(g) AGENCY LIABILITY.—

(1) IN GENERAL.—Beginning 180 days after the Secretary has promulgated regulations pursuant to section 3605(c), an employer who retains the services of a foreign labor contractor shall only use those foreign labor contractors who are registered under section 3605.

(2) SAFE HARBOR.—An employer shall not have any liability under this section if the employer hires workers referred by a foreign labor contractor that has a valid registration with the Department pursuant to section 3604.

(3) LIABILITY FOR AGENTS.—Foreign labor contractors shall be subject to the provisions of this section for violations committed by the foreign labor contractor's agents or subcontractees of any level in relation to their foreign labor contracting activity to the same extent as if the foreign labor contractor had committed the violation.

(h) RETALIATION.—

(1) IN GENERAL.—No person shall intimidate, threaten, restrain, coerce, discharge, or in any other manner discriminate or retaliate against any worker or their family members (including a former employee or an applicant for employment) because such worker disclosed information to any person that the worker reasonably believes evidences a violation of this section (or any rule or regulation pertaining to this section), including seeking legal assistance of counsel or cooperating with an investigation or other proceeding concerning compliance with this section (or any rule or regulation pertaining to this section).

(2) ENFORCEMENT.—An individual who is subject to any conduct described in paragraph (1) may, in a civil action, recover appropriate relief, including reasonable attorneys' fees and costs, with respect to that violation. Any civil action under this subparagraph shall be stayed during the pendency of any criminal action arising out of the violation.

(i) WAIVER OF RIGHTS.—Agreements by employees purporting to waive or to modify their rights under this subtitle shall be void as contrary to public policy.

(j) PRESENCE DURING PENDENCY OF ACTIONS.—

(1) IN GENERAL.—If other immigration relief is not available, the Attorney General and the Secretary shall grant advance parole to permit a nonimmigrant to remain legally in the United States for time sufficient to fully and effectively participate in all legal proceedings related to any action taken pursuant to this section.

(2) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall promulgate regulations to carry out paragraph (1).

SEC. 3611. DETECTING AND PREVENTING CHILD TRAFFICKING.

The Secretary shall mandate the live training of all U.S. Customs and Border Protection personnel who are likely to come into contact with unaccompanied alien children. Such training shall incorporate the services of child welfare professionals with expertise in culturally competent, trauma-centered, and developmentally appropriate interviewing skills to assist U.S. Customs and Border Protection in the screening of children attempting to enter the United States.

SEC. 3612. PROTECTING CHILD TRAFFICKING VICTIMS.

(a) SHORT TITLE.—This section may be cited as the ''Child Trafficking Victims Protection Act''.

(b) DEFINED TERM.—In this section, the term ''unaccompanied alien children'' has the meaning given such term in section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279).

(c) CARE AND TRANSPORTATION.—Notwithstanding any other provision of law, the Secretary shall ensure that all unaccompanied alien children who will undergo any immigration proceedings before the Department or the Executive Office for Immigration Review are duly transported and placed in the care and legal and physical custody of the Office of Refugee Resettlement not later than 72 hours after their apprehension absent exceptional circumstances, including a natural disaster or comparable emergency beyond the control of the Secretary or the Office of Refugee Resettlement. The Secretary, to the extent practicable, shall ensure that female officers are continuously present during the transfer and transport of female detainees who are in the custody of the Department.

(d) QUALIFIED RESOURCES.—

(1) IN GENERAL.—The Secretary shall provide adequately trained and qualified staff and resources, including the accommodation of child welfare officials, in accordance with subsection (e), at U.S. Customs and Border Protection ports of entry and stations.

(2) CHILD WELFARE PROFESSIONALS.—The Secretary of Health and Human Services, in consultation with the Secretary, shall hire, on a full- or part-time basis, child welfare professionals who will provide assistance, either in person or by other appropriate methods of communication, in not fewer than 7 of the U.S. Customs and Border Protection offices or stations with the largest number of unaccompanied alien child apprehensions in the previous fiscal year.

(e) CHILD WELFARE PROFESSIONALS.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Health and Human Services, shall ensure that qualified child welfare professionals with expertise in culturally competent, trauma-centered, and developmentally appropriate interviewing skills are available at each major port of entry described in subsection (d).

(2) DUTIES.—Child welfare professionals described in paragraph (1) shall—

(A) develop guidelines for treatment of unaccompanied alien children in the custody of the Department;

(B) conduct screening of all unaccompanied alien children in accordance with section 235(a)(4) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(4));

(C) notify the Department and the Office of Refugee Resettlement of children that potentially meet the notification and transfer requirements set forth in subsections (a) and (b) of section 235 of such Act (8 U.S.C. 1232);

(D) interview adult relatives accompanying unaccompanied alien children;

(E) provide an initial family relationship and trafficking assessment and recommendations regarding unaccompanied alien children's initial placements to the Office of Refugee Resettlement, which shall be conducted in accordance with the time frame set forth in subsections (a)(4) and (b)(3) of section 235 of such Act (8 U.S.C. 1232); and

(F) ensure that each unaccompanied alien child in the custody of U.S. Customs and Border Protection—

(i) receives emergency medical care when necessary;

(ii) receives emergency medical and mental health care that complies with the standards adopted pursuant to section 8(c) of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607(c)) whenever necessary, including in cases in which a child is at risk to harm himself, herself, or others;

(iii) is provided with climate appropriate clothing, shoes, basic personal hygiene and sanitary products, a pillow, linens, and sufficient blankets to rest at a comfortable temperature;

(iv) receives adequate nutrition;

(v) enjoys a safe and sanitary living environment;

(vi) has access to daily recreational programs and activities if held for a period longer than 24 hours;

(vii) has access to legal services and consular officials; and

(viii) is permitted to make supervised phone calls to family members.

(3) FINAL DETERMINATIONS.—The Office of Refugee Resettlement in accordance with applicable policies and procedures for sponsors, shall submit final determinations on family relationships to the Secretary, who shall consider such adult relatives for community-based support alternatives to detention.

(4) REPORT.—Not later than 18 months after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit a report to Congress that—

(A) describes the screening procedures used by the child welfare professionals to screen unaccompanied alien children;

(B) assesses the effectiveness of such screenings; and

(C) includes data on all unaccompanied alien children who were screened by child welfare professionals;

(f) IMMEDIATE NOTIFICATION.—The Secretary shall notify the Office of Refugee Resettlement of an unaccompanied alien child in the custody of the Department as soon as practicable, but generally not later than 48 hours after the Department encounters the child, to effectively and efficiently coordinate the child's transfer to and placement with the Office of Refugee Resettlement.

(g) NOTICE OF RIGHTS AND RIGHT TO ACCESS TO COUNSEL.—

(1) IN GENERAL.—The Secretary shall ensure that all unaccompanied alien children, upon apprehension, are provided—

(A) an interview and screening with a child welfare professional described in subsection (e)(1); and

(B) an orientation and oral and written notice of their rights under the Immigration and Nationality Act, including—

(i) their right to relief from removal;

(ii) their right to confer with counsel (as guaranteed under section 292 of such Act (8 U.S.C. 1362)), family, or friends while in the temporary custody of the Department; and

(iii) relevant complaint mechanisms to report any abuse or misconduct they may have experienced.

(2) LANGUAGES.—The Secretary shall ensure that—

(A) the video orientation and written notice of rights described in paragraph (1) is available in English and in the 5 most common native languages spoken by the unaccompanied children held in custody at that location during the preceding fiscal year; and

(B) the oral notice of rights is available in English and in the most common native language spoken by the unaccompanied children held in custody at that location during the preceding fiscal year.

(h) CONFIDENTIALITY.—The Secretary of Health and Human Services shall maintain the privacy and confidentiality of all information gathered in the course of providing care, custody, placement, and follow-up services to unaccompanied alien children, consistent with the best interest of the unaccompanied alien child, by not disclosing such information to other government agencies or nonparental third parties unless such disclosure is—

(1) recorded in writing and placed in the child's file;

(2) in the child's best interest; and

(3)(A) authorized by the child or by an approved sponsor in accordance with section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) and the Health Insurance Portability and Accountability Act (Public Law 104–191); or

(B) provided to a duly recognized law enforcement entity to prevent imminent and serious harm to another individual.

(i) OTHER POLICIES AND PROCEDURES.—The Secretary shall adopt fundamental child protection policies and procedures—

(1) for reliable age determinations of children, developed in consultation with medical and child welfare experts, which exclude the use of fallible forensic testing of children's bone and teeth;

(2) to utilize all legal authorities to defer the child's removal if the child faces a risk of life-threatening harm upon return including due to the child's mental health or medical condition; and

(3) to ensure, in accordance with the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.), that unaccompanied alien children, while in detention, are—

(A) physically separated from any adult who is not an immediate family member; and

(B) separated from—

(i) immigration detainees and inmates with criminal convictions;

(ii) pretrial inmates facing criminal prosecution; and

(iii) inmates exhibiting violent behavior.

(j) REPATRIATION AND REINTEGRATION PROGRAM.—

(1) IN GENERAL.—The Administrator of the United States Agency for International Development, in conjunction with the Secretary, the Secretary of Health and Human Services, the Attorney General, international organizations, and nongovernmental organizations in the United States with expertise in repatriation and reintegration, shall create a multi-year program to develop and implement best practices and sustainable programs in the United States and within the country of return to ensure the safe and sustainable repatriation and reintegration of unaccompanied alien children into their country of nationality or of last habitual residence, including placement with their families, legal guardians, or other sponsoring agencies.

(2) REPORT ON REPATRIATION AND REINTEGRATION OF UNACCOMPANIED ALIEN CHILDREN.—Not later than 18 months after the date of the enactment of this Act, and annually thereafter, the Administrator of the Agency for International Development shall submit a substantive report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on efforts to improve repatriation and reintegration programs for unaccompanied alien children.

(k) TRANSFER OF FUNDS.—

(1) AUTHORIZATION.—The Secretary, in accordance with a written agreement between the Secretary and the Secretary of Health and Human Services, shall transfer such amounts as may be necessary to carry out the duties described in subsection (f)(2) from amounts appropriated for U.S. Customs and Border Protection to the Department of Health and Human Services.

(2) REPORT.—Not later than 15 days before any proposed transfer under paragraph (1), the Secretary of Health and Human Services,

in consultation with the Secretary, shall submit a detailed expenditure plan that describes the actions proposed to be taken with amounts transferred under such paragraph to—

(A) the Committee on Appropriations of the Senate; and

(B) the Committee on Appropriations of the House of Representatives.

SEC. 3613. RULE OF CONSTRUCTION.

Nothing in this subtitle shall be construed to preempt or alter any other rights or remedies, including any causes of action, available under any other Federal or State law.

SEC. 3614. REGULATIONS.

The Secretary shall, in consultation with the Secretary of Labor, prescribe regulations to implement this subtitle and to develop policies and procedures to enforce the provisions of this subtitle.

Subtitle G—Interior Enforcement

SEC. 3701. CRIMINAL STREET GANGS.

(a) INADMISSIBILITY.—Section 212(a)(2) (8 U.S.C. 1182(a)(2)) is amended by inserting after subparagraph (I) the following:

''(J) ALIENS IN CRIMINAL STREET GANGS.—

''(i) IN GENERAL.—Any alien is inadmissible—

''(I) who has been convicted of an offense for which an element was active participation in a criminal street gang (as defined in section 521(a) of title 18, United States Code) and the alien—

''(aa) had knowledge that the gang's members engaged in or have engaged in a continuing series of offenses described in section 521(c) of title 18, United States Code; and

''(bb) acted with the intention to promote or further the felonious activities of the criminal street gang or maintain or increase his or her position in the gang; or

''(II) subject to clause (ii), who is 18 years of age or older, who is physically present outside the United States, whom the Secretary determines by clear and convincing evidence, based upon law enforcement information deemed credible by the Secretary, has, since the age of 18, knowingly and willingly participated in a criminal street gang with knowledge that such participation promoted or furthered the illegal activity of the gang.

''(ii) WAIVER.—The Secretary may waive clause (i)(II) if the alien has renounced all association with the criminal street gang, is otherwise admissible, and is not a threat to the security of the United States.''.

(b) GROUNDS FOR DEPORTATION.—Section 237(a)(2) (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

''(G) ALIENS ASSOCIATED WITH CRIMINAL STREET GANGS.—Any alien is removable who has been convicted of an offense for which an element was active participation in a criminal street gang (as defined in section 521(a) of title 18, United States Code), and the alien—

''(i) had knowledge that the gang's members engaged in or have engaged in a continuing series of offenses described in section 521(c) of title 18, United States Code; and

''(ii) acted with the intention to promote or further the felonious activities the criminal street gang or increase his or her position in such gang.''.

(c) GROUND OF INELIGIBILITY FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—

(1) IN GENERAL.—An alien who is 18 years of age or older is ineligible for registered provisional immigrant status if the Secretary determines that the alien—

(A) has been convicted of an offense for which an element was active participation in a criminal street gang (as defined in section 521(a) of title 18, United States Code, and the alien—

(i) had knowledge that the gang's members engaged in or have engaged in a continuing series of offenses described in section 521(c) of title 18, United States Code; and

(ii) acted with the intention to promote or further the felonious activities of the criminal street gang or maintain or increase his or her position in such gang; or

(B) subject to paragraph (2), any alien who is 18 years of age or older whom the Secretary determines by clear and convincing evidence, based upon law enforcement information deemed credible by the Secretary, has, since the age of 18, knowingly and willingly participated in a such gang with knowledge that such participation promoted or furthered the illegal activity of such gang.

(2) WAIVER.—The Secretary may waive the application of paragraph (1)(B) if the alien has renounced all association with the criminal street gang, is otherwise admissible, and is not a threat to the security of the United States.

SEC. 3702. BANNING HABITUAL DRUNK DRIVERS FROM THE UNITED STATES.

(a) GROUNDS FOR INADMISSIBILITY.—Section 212(a)(2) (8 U.S.C. 1182(a)(2)), as amended by section 3701(a), is further amended—

(1) by redesignating subparagraph (F) as subparagraph (L); and

(2) by inserting after subparagraph (E) the following:

''(F) HABITUAL DRUNK DRIVERS.—An alien convicted of 3 or more offenses for driving under the influence or driving while intoxicated on separate dates is inadmissible.''.

(b) GROUNDS FOR DEPORTATION.—Section 237(a)(2) (8 U.S.C. 1227(a)(2)), as amended by section 3701(b), is further amended by adding at the end the following:

''(H) HABITUAL DRUNK DRIVERS.—An alien convicted of 3 or more offenses for driving under the influence or driving while intoxicated, at least 1 of which occurred after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, is deportable.''.

(c) IN GENERAL.—

(1) AGGRAVATED FELONY.—Section 101(a)(43)(F) (8 U.S.C. 1101(a)(43)(F)) is amended by striking ''for which the term of imprisonment'' and inserting '', including a third drunk driving conviction, for which the term of imprisonment is''.

(2) EFFECTIVE DATE AND APPLICATION.—

(A) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act.

(B) APPLICATION.—

(i) IN GENERAL.—Except as provided in subparagraph (ii), the amendment made by paragraph (1) shall apply to a conviction for drunk driving that occurred before, on, or after such date of enactment.

(ii) TWO OR MORE PRIOR CONVICTIONS.—An alien who received 2 or more convictions for drunk driving before the date of the enactment of this Act may not be subject to removal for the commission of an aggravated felony pursuant to section 237(a)(2)(A)(iii) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)(A)(iii)) on the basis of such convictions until the date on which the alien is convicted of a drunk driving offense after such date of enactment.

SEC. 3703. SEXUAL ABUSE OF A MINOR.

Section 101(a)(43)(A) (8 U.S.C. 1101(a)(43)(A)) is amended by striking ''murder, rape, or sexual abuse of a minor;'' and inserting ''murder, rape, or sexual abuse of a minor, whether or not the minority of the victim is established by evidence contained in the record of conviction or by credible evidence extrinsic to the record of conviction;''.

SEC. 3704. ILLEGAL ENTRY.

(a) IN GENERAL.—Section 275 (8 U.S.C. 1325) is amended to read as follows:

''SEC. 275. ILLEGAL ENTRY.

''(a) IN GENERAL.—

''(1) CRIMINAL OFFENSES.—An alien shall be subject to the penalties set forth in paragraph (2) if the alien—

''(A) enters or crosses the border into the United States at any time or place other than as designated by the Secretary of Homeland Security;

''(B) eludes examination or inspection by an immigration officer, or a customs or agriculture inspection at a port of entry; or

''(C) enters or crosses the border to the United States by means of a knowingly false or misleading representation or the concealment of a material fact.

''(2) CRIMINAL PENALTIES.—Any alien who violates any provision under paragraph (1)—

''(A) shall, for the first violation, be fined under title 18, United States Code, imprisoned not more than 12 months, or both;

''(B) shall, for a second or subsequent violation, or following an order of voluntary departure, be fined under such title, imprisoned not more than 3 years, or both;

''(C) if the violation occurred after the alien had been convicted of 3 or more misdemeanors with the convictions occurring on different dates or of a felony for which the alien served a term of imprisonment of 15 days or more, shall be fined under such title, imprisoned not more than 10 years, or both; and

''(D) if the violation occurred after the alien had been convicted of a felony for which the alien was sentenced to a term of imprisonment of not less than 30 months, shall be fined under such title, imprisoned not more than 15 years, or both.

''(3) PRIOR CONVICTIONS.—The prior convictions described in subparagraphs (C) and (D) of paragraph (2) are elements of the offenses described in that paragraph and the penalties in such subparagraphs shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

''(A) alleged in the indictment or information; and

''(B) proven beyond a reasonable doubt at trial or admitted by the defendant under oath as part of a plea agreement.

''(b) IMPROPER TIME OR PLACE; CIVIL PENALTIES.—Any alien older than 18 years of age who is apprehended while knowingly entering, attempting to enter, or crossing or attempting to cross the border to the United States at a time or place other than as designated by immigration officers shall be subject to a civil penalty, in addition to any criminal or other civil penalties that may be imposed under any other provision of law, in an amount equal to—

''(1) not less than $250 or more than $5,000 for each such entry, crossing, attempted entry, or attempted crossing; or

''(2) twice the amount specified in paragraph (1) if the alien had previously been subject to a civil penalty under this subsection.

''(c) FRAUDULENT MARRIAGE.—An individual who knowingly enters into a marriage for the purpose of evading any provision of the immigration laws shall be imprisoned for not more than 5 years, fined not more than $250,000, or both.

''(d) COMMERCIAL ENTERPRISES.—Any individual who knowingly establishes a commercial enterprise for the purpose of evading any

provision of the immigration laws shall be imprisoned for not more than 5 years, fined in accordance with title 18, United States Code, or both.''.

(b) CLERICAL AMENDMENT.—The table of contents is amended by striking the item relating to section 275 and inserting the following:

''Sec. 275. Illegal entry.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year after the date of the enactment of this Act.

SEC. 3705. REENTRY OF REMOVED ALIEN.

Section 276 (8 U.S.C. 1326) is amended to read as follows:

''SEC. 276. REENTRY OF REMOVED ALIEN.

''(a) REENTRY AFTER REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed, or who has departed the United States while an order of exclusion, deportation, or removal is outstanding, and subsequently enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, and imprisoned not more than 2 years.

''(b) REENTRY OF CRIMINAL OFFENDERS.—Notwithstanding the penalty provided in subsection (a), if an alien described in that subsection—

''(1) was convicted for 3 or more misdemeanors, with the convictions occurring on different dates, before such removal or departure, the alien shall be fined under title 18, United States Code, and imprisoned not more than 10 years, or both;

''(2) was convicted for a felony before such removal or departure for which the alien was sentenced to a term of imprisonment of not less than 30 months, the alien shall be fined under such title, and imprisoned not more than 15 years, or both;

''(3) was convicted for a felony before such removal or departure for which the alien was sentenced to a term of imprisonment of not less than 60 months, the alien shall be fined under such title, and imprisoned not more than 20 years, or both;

''(4) was convicted for 3 felonies, with the convictions occurring on different dates before such removal or departure, the alien shall be fined under such title, and imprisoned not more than 20 years, or both; or

''(5) was convicted, before such removal or departure, for murder, rape, kidnapping, or a felony offense described in chapter 77 (relating to peonage and slavery) or 113B (relating to terrorism) of such title, the alien shall be fined under such title, and imprisoned not more than 20 years, or both.

''(c) REENTRY AFTER REPEATED REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed 3 or more times and thereafter enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, and imprisoned not more than 10 years, or both.

''(d) PROOF OF PRIOR CONVICTIONS.—The prior convictions described in subsection (b) are elements of the offenses described in that subsection, and the penalties in such subsection shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

''(1) alleged in the indictment or information; and

''(2) proven beyond a reasonable doubt at trial or admitted by the defendant under oath as part of a plea agreement.

''(e) AFFIRMATIVE DEFENSES.—It shall be an affirmative defense to a violation of this section that—

''(1) prior to the alleged violation, the alien had sought and received the express consent of the Secretary of Homeland Security to reapply for admission into the United States; or

''(2) at the time of the prior exclusion, deportation, removal, or denial of admission alleged in the violation, the alien had not yet reached 18 years of age and had not been convicted of a crime or adjudicated a delinquent minor by a court of the United States, or a court of a state or territory, for conduct that would constitute a felony if committed by an adult.

''(f) LIMITATION ON COLLATERAL ATTACK ON UNDERLYING DEPORTATION ORDER.—In a criminal proceeding under this section, an alien may not challenge the validity of the deportation order described in subsection (a) or subsection (c) unless the alien demonstrates that—

''(1) the alien exhausted any administrative remedies that may have been available to seek relief against the order;

''(2) the deportation proceedings at which the order was issued improperly deprived the alien of the opportunity for judicial review; and

''(3) the entry of the order was fundamentally unfair.

''(g) REENTRY OF ALIEN REMOVED PRIOR TO COMPLETION OF TERM OF IMPRISONMENT.—Any alien removed pursuant to section 241(a)(4) who enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in, the United States shall be incarcerated for the remainder of the sentence of imprisonment which was pending at the time of deportation without any reduction for parole or supervised release unless the alien affirmatively demonstrates that the Secretary of Homeland Security has expressly consented to the alien's reentry or the alien is prima facie eligible for protection from removal. Such alien shall be subject to such other penalties relating to the reentry of removed aliens as may be available under this section or any other provision of law.

''(h) LIMITATION.—It is not aiding and abetting a violation of this section for an individual to provide an alien with emergency humanitarian assistance, including emergency medical care and food, or to transport the alien to a location where such assistance can be rendered without compensation or the expectation of compensation.

''(i) DEFINITIONS.—In this section:

''(1) FELONY.—The term 'felony' means any criminal offense punishable by a term of imprisonment of more than 1 year under the laws of the United States, any State, or a foreign government.

''(2) MISDEMEANOR.—The term 'misdemeanor' means any criminal offense punishable by a term of imprisonment of not more than 1 year under the applicable laws of the United States, any State, or a foreign government.

''(3) REMOVAL.—The term 'removal' includes any denial of admission, exclusion, deportation, or removal, or any agreement by which an alien stipulates or agrees to exclusion, deportation, or removal.

''(4) STATE.—The term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''.

SEC. 3706. PENALTIES RELATING TO VESSELS AND AIRCRAFT.

Section 243(c) (8 U.S.C. 1253(c)) is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security'';

(2) by striking ''Commissioner'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(3) in paragraph (1)—

(A) in subparagraph (A), by striking ''$2,000'' and inserting ''$5,000'';

(B) in subparagraph (B), by striking ''$5,000'' and inserting ''$10,000'';

(C) by amending subparagraph (C) to read as follows:

''(C) COMPROMISE.—The Secretary of Homeland Security, in the Secretary's unreviewable discretion and upon the receipt of a written request, may mitigate the monetary penalties required under this subsection for each alien stowaway to an amount equal to not less than $2,000, upon such terms that the Secretary determines to be appropriate.''; and

(D) by inserting at the end the following:

''(D) EXCEPTION.—A person, acting without compensation or the expectation of compensation, is not subject to penalties under this paragraph if the person is—

''(i) providing, or attempting to provide, an alien with humanitarian assistance, including emergency medical care or food or water; or

''(ii) transporting the alien to a location where such humanitarian assistance can be rendered without compensation or the expectation of compensation.''.

SEC. 3707. REFORM OF PASSPORT, VISA, AND IMMIGRATION FRAUD OFFENSES.

(a) TRAFFICKING IN PASSPORTS.—Section 1541 of title 18, United States Code, is amended to read as follows:

''§ 1541. Trafficking in passports

''(a) MULTIPLE PASSPORTS.—Subject to subsection (b), any person who, during any period of 3 years or less, knowingly—

''(1) and without lawful authority produces, issues, or transfers 3 or more passports;

''(2) forges, counterfeits, alters, or falsely makes 3 or more passports;

''(3) secures, possesses, uses, receives, buys, sells, or distributes 3 or more passports, knowing the passports to be forged, counterfeited, altered, falsely made, stolen, procured by fraud, or produced or issued without lawful authority; or

''(4) completes, mails, prepares, presents, signs, or submits 3 or more applications for a United States passport, knowing the applications to contain any materially false statement or representation,

shall be fined under this title, imprisoned not more than 20 years, or both.

''(b) USE IN A TERRORISM OFFENSE.—Any person who commits an offense described in subsection (a) to facilitate an act of international terrorism (as defined in section 2331) shall be fined under this title, imprisoned not more than 25 years, or both.

''(c) PASSPORT MATERIALS.—Any person who knowingly and without lawful authority produces, buys, sells, possesses, or uses any official material (or counterfeit of any official material) used to make 10 or more passports, including any distinctive paper, seal, hologram, image, text, symbol, stamp, engraving, or plate, shall be fined under this title, imprisoned not more than 20 years, or both.''.

(b) FALSE STATEMENT IN AN APPLICATION FOR A PASSPORTS.—Section 1542 of title 18, United States Code, is amended to read as follows:

''§ 1542. False statement in an application for a passport

''(a) IN GENERAL.—Any person who knowingly makes any material false statement or

representation in an application for a United States passport, or mails, prepares, presents, or signs an application for a United States passport knowing the application to contain any material false statement or representation, shall be fined under this title, imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)), 15 years (in the case of any other offense), or both.

''(b) VENUE.—

''(1) IN GENERAL.—An offense under subsection (a) may be prosecuted in any district—

''(A) in which the false statement or representation was made or the application for a United States passport was prepared or signed; or

''(B) in which or to which the application was mailed or presented.

''(2) OFFENSES OUTSIDE THE UNITED STATES.—An offense under subsection (a) involving an application prepared and adjudicated outside the United States may be prosecuted in the district in which the resultant passport was or would have been produced.

''(c) SAVINGS CLAUSE.—Nothing in this section may be construed to limit the venue otherwise available under sections 3237 and 3238 of this title.''.

(c) MISUSE OF A PASSPORT.—Section 1544 of title 18, United States Code, is amended to read as follows:

''§ 1544. Misuse of a passport

''Any person who knowingly—

''(1) misuses or attempts to misuse for their own purposes any passport issued or designed for the use of another;

''(2) uses or attempts to use any passport in violation of the laws, regulations, or rules governing the issuance and use of the passport;

''(3) secures, possesses, uses, receives, buys, sells, or distributes or attempts to secure, possess, use, receive, buy, sell, or distribute any passport knowing the passport to be forged, counterfeited, altered, falsely made, procured by fraud, or produced or issued without lawful authority; or

''(4) substantially violates the terms and conditions of any safe conduct duly obtained and issued under the authority of the United States,

shall be fined under this title, imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)), 15 years (in the case of any other offense), or both.''.

(d) SCHEMES TO PROVIDE FRAUDULENT IMMIGRATION SERVICES.—Section 1545 of title 18, United States Code, is amended to read as follows:

''§ 1545. Schemes to provide fraudulent immigration services

''(a) IN GENERAL.—Any person who knowingly executes a scheme or artifice, in connection with any matter that is authorized by or arises under any Federal immigration law or any matter the offender claims or represents is authorized by or arises under any Federal immigration law, to—

''(1) defraud any person; or

''(2) obtain or receive money or anything else of value from any person by means of false or fraudulent pretenses, representations, or promises,

shall be fined under this title, imprisoned not more than 10 years, or both.

''(b) MISREPRESENTATION.—Any person who knowingly and falsely represents that such person is an attorney or an accredited representative (as that term is defined in section 1292.1 of title 8, Code of Federal Regulations (or any successor regulation)) in any matter arising under any Federal immigration law shall be fined under this title, imprisoned not more than 15 years, or both.''.

(e) IMMIGRATION AND VISA FRAUD.—Section 1546 of title 18, United States Code, is amended—

(1) by amending the section heading to read as follows:

''§ 1546. Immigration and visa fraud'';

(2) by redesignating subsection (b) as subsection (d); and

(3) by inserting after subsection (a) the following new subsections:

''(b) TRAFFICKING.—Any person who, during any period of 3 years or less, knowingly—

''(1) and without lawful authority produces, issues, or transfers 3 or more immigration documents;

''(2) forges, counterfeits, alters, or falsely makes 3 or more immigration documents;

''(3) secures, possesses, uses, buys, sells, or distributes 3 or more immigration documents, knowing the immigration documents to be forged, counterfeited, altered, stolen, falsely made, procured by fraud, or produced or issued without lawful authority; or

''(4) completes, mails, prepares, presents, signs, or submits 3 or more immigration documents knowing the documents to contain any materially false statement or representation,

shall be fined under this title, imprisoned not more than 20 years, or both.

''(c) IMMIGRATION DOCUMENT MATERIALS.—Any person who knowingly and without lawful authority produces, buys, sells, possesses, or uses any official material (or counterfeit of any official material) used to make 10 or more immigration documents, including any distinctive paper, seal, hologram, image, text, symbol, stamp, engraving, or plate, shall be fined under this title, imprisoned not more than 20 years, or both.''.

(f) ALTERNATIVE IMPRISONMENT MAXIMUM FOR CERTAIN OFFENSES.—Section 1547 of title 18, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''(other than an offense under section 1545)'';

(2) in paragraph (1), by striking ''15'' and inserting ''20''; and

(3) in paragraph (2), by striking ''20'' and inserting ''25''.

(g) AUTHORIZED LAW ENFORCEMENT ACTIVITIES.—Chapter 75 of title 18, United States Code, is amended by adding after section 1547 the following:

''§ 1548. Authorized law enforcement activities

''Nothing in this chapter may be construed to prohibit—

''(1) any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or an intelligence agency of the United States; or

''(2) any activity authorized under title V of the Organized Crime Control Act of 1970 (Public Law 91–452; 84 Stat. 933).''.

(h) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 75 of title 18, United States Code, is amended to read as follows:

''Sec.
''1541. Trafficking in passports.
''1542. False statement in an application for a passport.
''1543. Forgery or false use of a passport.
''1544. Misuse of a passport.
''1545. Schemes to provide fraudulent immigration services.
''1546. Immigration and visa fraud.
''1547. Alternative imprisonment maximum for certain offenses.
''1548. Authorized law enforcement activities.''.

SEC. 3708. COMBATING SCHEMES TO DEFRAUD ALIENS.

(a) REGULATIONS, FORMS, AND PROCEDURES.—The Secretary and the Attorney General, for matters within their respective jurisdictions arising under the immigration laws, shall promulgate appropriate regulations, forms, and procedures defining the circumstances in which—

(1) persons submitting applications, petitions, motions, or other written materials relating to immigration benefits or relief from removal under the immigration laws will be required to identify who (other than immediate family members) assisted them in preparing or translating the immigration submissions; and

(2) any person or persons who received compensation (other than a nominal fee for copying, mailing, or similar services) in connection with the preparation, completion, or submission of such materials will be required to sign the form as a preparer and provide identifying information.

(b) CIVIL INJUNCTIONS AGAINST IMMIGRATION SERVICE PROVIDER.—The Attorney General may commence a civil action in the name of the United States to enjoin any immigration service provider from further engaging in any fraudulent conduct that substantially interferes with the proper administration of the immigration laws or who willfully misrepresents such provider's legal authority to provide representation before the Department of Justice or the Department.

(c) DEFINITIONS.—In this section:

(1) IMMIGRATION LAWS.—The term ''immigration laws'' has the meaning given that term in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).

(2) IMMIGRATION SERVICE PROVIDER.—The term ''immigration service provider'' means any individual or entity (other than an attorney or individual otherwise authorized to provide representation in immigration proceedings as provided in Federal regulation) who, for a fee or other compensation, provides any assistance or representation to aliens in relation to any filing or proceeding relating to the alien which arises, or which the provider claims to arise, under the immigration laws, executive order, or presidential proclamation.

SEC. 3709. INADMISSIBILITY AND REMOVAL FOR PASSPORT AND IMMIGRATION FRAUD OFFENSES.

(a) INADMISSIBILITY.—Section 212(a)(2)(A)(i) (8 U.S.C. 1182(a)(2)(A)(i)) is amended—

(1) in subclause (I), by striking '', or'' at the end and inserting a semicolon;

(2) in subclause (II), by striking the comma at the end and inserting ''; or''; and

(3) by inserting after subclause (II) the following:

''(III) a violation of section 1541, 1545, and subsection (b) of section 1546 of title 18, United States Code,''.

(b) REMOVAL.—Section 237(a)(3)(B)(iii) (8 U.S.C. 1227(a)(3)(B)(iii)) is amended to read as follows:

''(iii) of a violation of section 1541, 1545, and subsection (b) of section 1546 of title 18, United States Code,''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply to proceedings pending on or after the date of the enactment of this Act, with respect to conduct occurring on or after that date.

SEC. 3710. DIRECTIVES RELATED TO PASSPORT AND DOCUMENT FRAUD.

(a) DIRECTIVE TO THE UNITED STATES SENTENCING COMMISSION.—

(1) IN GENERAL.—Pursuant to the authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall promulgate or amend the sentencing guidelines, policy statements, and official commentaries, if appropriate, related to passport fraud offenses, including the offenses described in chapter 75 of title 18, United States Code, as amended by section 3707, to reflect the serious nature of such offenses.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the United States Sentencing Commission shall submit a report on the implementation of this subsection to—

(A) the Committee on the Judiciary of the Senate; and

(B) the Committee on the Judiciary of the House of Representatives.

(b) PROTECTION FOR LEGITIMATE REFUGEES AND ASYLUM SEEKERS.—

(1) IN GENERAL.—

(A) REQUIREMENT FOR GUIDELINES.—The Attorney General, in consultation with the Secretary, shall develop binding prosecution guidelines for Federal prosecutors to ensure that each prosecution of an alien seeking entry into the United States by fraud is consistent with the United States treaty obligations under Article 31(1) of the Convention Relating to the Status of Refugees, done at Geneva July 28, 1951 (as made applicable by the Protocol Relating to the Status of Refugees, done at New York January 31, 1967 (19 UST 6223)).

(B) NO PRIVATE RIGHT OF ACTION.—The guidelines developed pursuant to subparagraph (A), and any internal office procedures related to such guidelines—

(i) are intended solely for the guidance of attorneys of the United States; and

(ii) are not intended to, do not, and may not be relied upon to, create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter.

(2) PROTECTION OF VULNERABLE PERSONS.—A person described in paragraph (3) may not be prosecuted under chapter 75 of title 18, United States Code, or under section 275 or 276 of the Immigration and Nationality Act (8 U.S.C. 1325 and 1326), in connection with the person's entry or attempted entry into the United States until after the date on which the person's application for such protection, classification, or status has been adjudicated and denied in accordance with the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(3) PERSONS SEEKING PROTECTION, CLASSIFICATION, OR STATUS.—A person described in this paragraph is a person who—

(A) is seeking protection, classification, or status; and

(B)(i) has filed an application for asylum under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158), withholding of removal under section 241(b)(3) of such Act (8 U.S.C. 1231(b)(3)), or relief under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York, December 10, 1994, pursuant to title 8, Code of Federal Regulations;

(ii) indicates immediately after apprehension, that he or she intends to apply for such asylum, withholding of removal, or relief and promptly files the appropriate application;

(iii) has been referred for a credible fear interview, a reasonable fear interview, or an asylum-only hearing under section 235 of the Immigration and Nationality Act (8 U.S.C. 1225) or part 208 of title 8, Code of Federal Regulations; or

(iv) has filed an application for classification or status under—

(I) subparagraph (T) or (U) of paragraph (15), paragraph (27)(J), or paragraph (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)); or

(II) section 216(c)(4)(C) or 240A(b)(2) of such Act (8 U.S.C. 1186a(c)(4)(C) and 1229b(b)(2)).

SEC. 3711. INADMISSIBLE ALIENS.

(a) DETERRING ALIENS ORDERED REMOVED FROM REMAINING IN THE UNITED STATES UNLAWFULLY.—Section 212(a)(9)(A) (8 U.S.C. 1182(a)(9)(A)) is amended—

(1) in clause (i), by striking ''seeks admission within 5 years of the date of such removal (or within 20 years'' and inserting ''seeks admission not later than 5 years after the date of the alien's removal (or not later than 20 years after the alien's removal''; and

(2) in clause (ii), by striking ''seeks admission within 10 years of the date of such alien's departure or removal (or within 20 years of'' and inserting ''seeks admission not later than 10 years after the date of the alien's departure or removal (or not later than 20 years after''.

(b) BIOMETRIC SCREENING.—Section 212 (8 U.S.C. 1182) is amended—

(1) in subsection (a)(7), by adding at the end the following:

''(C) WITHHOLDING INFORMATION.—Except as provided in subsection (d)(2), any alien who willfully, through his or her own fault, refuses to comply with a lawful request for biometric information is inadmissible.''; and

(2) in subsection (d), by inserting after paragraph (1) the following:

''(2) The Secretary may waive the application of subsection (a)(7)(C) for an individual alien or a class of aliens.''.

(c) PRECLUDING ADMISSIBILITY OF ALIENS CONVICTED OF SERIOUS CRIMINAL OFFENSES AND DOMESTIC VIOLENCE, STALKING, CHILD ABUSE, AND VIOLATION OF PROTECTION ORDERS.—

(1) INADMISSIBILITY ON CRIMINAL AND RELATED GROUNDS; WAIVERS.—Section 212 (8 U.S.C. 1182), as amended by this Act, is further amended—

(A) in subsection (a)(2), as amended by sections 3401 and 3402, is further amended by inserting after subparagraph (J) the following:

''(K) CRIMES OF DOMESTIC VIOLENCE, STALKING, OR VIOLATION OF PROTECTIVE ORDERS; CRIMES AGAINST CHILDREN.—

''(i) DOMESTIC VIOLENCE, STALKING, AND CHILD ABUSE.—

''(I) IN GENERAL.—Any alien who has been convicted of a crime of domestic violence, a crime of stalking, or a crime of child abuse, child neglect, or child abandonment, provided the alien served at least 1 year imprisonment for the crime, or provided the alien was convicted of offenses constituting more than 1 such crime, not arising out of a single scheme of criminal misconduct, is inadmissible.

''(II) CRIME OF DOMESTIC VIOLENCE DEFINED.—In this clause, the term 'crime of domestic violence' means any crime of violence (as defined in section 16 of title 18, United States Code) against a person committed by a current or former spouse of the person, by an individual with whom the person shares a child in common, by an individual who is cohabiting with or has cohabited with the person as a spouse, by an individual similarly situated to a spouse of the person under the domestic or family violence laws of the jurisdiction where the offense occurs, or by any other individual against a person who is protected from that individual's acts under the domestic or family violence laws of the United States or any State, Indian tribal government, or unit of local or foreign government.

''(ii) VIOLATORS OF PROTECTION ORDERS.—

''(I) IN GENERAL.—Any alien who at any time is enjoined under a protection order issued by a court and whom the court determines has engaged in conduct that constitutes criminal contempt of the portion of a protection order that involves protection against credible threats of violence, repeated harassment, or bodily injury to the person or persons for whom the protection order was issued, is inadmissible.

''(II) PROTECTION ORDER DEFINED.—In this clause, the term 'protection order' means any injunction issued for the purpose of preventing violent or threatening acts of domestic violence, including temporary or final orders issued by civil or criminal courts (other than support or child custody orders or provisions) whether obtained by filing an independent action or as an independent order in another proceeding.

''(iii) APPLICABILITY.—This subparagraph shall not apply to an alien who has been battered or subjected to extreme cruelty and who is not and was not the primary perpetrator of violence in the relationship, upon a determination by the Attorney General or the Secretary of Homeland Security that—

''(I) the alien was acting in self-defense;

''(II) the alien was found to have violated a protection order intended to protect the alien; or

''(III) the alien committed, was arrested for, was convicted of, or pled guilty to committing a crime that did not result in serious bodily injury.''; and

(B) in subsection (h)—

(i) by striking ''The Attorney General may, in his discretion, waive the application of subparagraphs (A)(i)(I), (B), (D), and (E) of subsection (a)(2)'' and inserting ''The Attorney General or the Secretary of Homeland Security may waive the application of subparagraphs (A)(i)(I), (B), (D), and (E) of subsection (a)(2)''; and

(ii) by inserting ''or the Secretary of Homeland Security'' after ''the Attorney General'' each place that term appears.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to any acts that occurred on or after the date of the enactment of this Act.

SEC. 3712. ORGANIZED AND ABUSIVE HUMAN SMUGGLING ACTIVITIES.

(a) ENHANCED PENALTIES.—

(1) IN GENERAL.—Title II (8 U.S.C. 1151 et seq.) is amended by adding at the end the following:

''SEC. 295. ORGANIZED HUMAN SMUGGLING.

''(a) PROHIBITED ACTIVITIES.—Whoever, while acting for profit or other financial gain, knowingly directs or participates in an effort or scheme to assist or cause 5 or more persons (other than a parent, spouse, or child of the offender)—

''(1) to enter, attempt to enter, or prepare to enter the United States—

''(A) by fraud, falsehood, or other corrupt means;

''(B) at any place other than a port or place of entry designated by the Secretary; or

''(C) in a manner not prescribed by the immigration laws and regulations of the United States; or

''(2) to travel by air, land, or sea toward the United States (whether directly or indirectly)—

''(A) knowing that the persons seek to enter or attempt to enter the United States without lawful authority; and

''(B) with the intent to aid or further such entry or attempted entry; or

''(3) to be transported or moved outside of the United States—

''(A) knowing that such persons are aliens in unlawful transit from 1 country to another or on the high seas; and

''(B) under circumstances in which the persons are in fact seeking to enter the United States without official permission or legal authority;

shall be punished as provided in subsection (c) or (d).

''(b) CONSPIRACY AND ATTEMPT.—Any person who attempts or conspires to violate subsection (a) of this section shall be punished in the same manner as a person who completes a violation of such subsection.

''(c) BASE PENALTY.—Except as provided in subsection (d), any person who violates subsection (a) or (b) shall be fined under title 18, imprisoned for not more than 20 years, or both.

''(d) ENHANCED PENALTIES.—Any person who violates subsection (a) or (b) shall—

''(1) in the case of a violation during and in relation to which a serious bodily injury (as defined in section 1365 of title 18) occurs to any person, be fined under title 18, imprisoned for not more than 30 years, or both;

''(2) in the case of a violation during and in relation to which the life of any person is placed in jeopardy, be fined under title 18, imprisoned for not more than 30 years, or both;

''(3) in the case of a violation involving 10 or more persons, be fined under title 18, imprisoned for not more than 30 years, or both;

''(4) in the case of a violation involving the bribery or corruption of a U.S. or foreign government official, be fined under title 18, imprisoned for not more than 30 years, or both;

''(5) in the case of a violation involving robbery or extortion (as those terms are defined in paragraph (1) or (2), respectively, of section 1951(b)) be fined under title 18, imprisoned for not more than 30 years, or both;

''(6) in the case of a violation during and in relation to which any person is subjected to an involuntary sexual act (as defined in section 2246(2) of title 18), be fined under title 18, imprisoned for not more than 30 years, or both; or

''(7) in the case of a violation resulting in the death of any person, be fined under title 18, imprisoned for any term of years or for life, or both.

''(e) LAWFUL AUTHORITY DEFINED.—

''(1) IN GENERAL.—In this section, the term 'lawful authority'—

''(A) means permission, authorization, or license that is expressly provided for in the immigration laws of the United States or accompanying regulations; and

''(B) does not include any such authority secured by fraud or otherwise obtained in violation of law, nor does it include authority sought, but not approved.

''(2) APPLICATION TO TRAVEL OR ENTRY.—No alien shall be deemed to have lawful authority to travel to or enter the United States if such travel or entry was, is, or would be in violation of law.

''(f) EFFORT OR SCHEME.—For purposes of this section, 'effort or scheme to assist or cause 5 or more persons' does not require that the 5 or more persons enter, attempt to enter, prepare to enter, or travel at the same time so long as the acts are completed within 1 year.

''SEC. 296. UNLAWFULLY HINDERING IMMIGRATION, BORDER, AND CUSTOMS CONTROLS.

''(a) ILLICIT SPOTTING.—Whoever knowingly transmits to another person the location, movement, or activities of any Federal, State, or tribal law enforcement agency with the intent to further a Federal crime relating to United States immigration, customs, controlled substances, agriculture, monetary instruments, or other border controls shall be fined under title 18, imprisoned not more than 10 years, or both.

''(b) DESTRUCTION OF UNITED STATES BORDER CONTROLS.—Whoever knowingly and without lawful authorization destroys, alters, or damages any fence, barrier, sensor, camera, or other physical or electronic device deployed by the Federal Government to control the border or a port of entry or otherwise seeks to construct, excavate, or make any structure intended to defeat, circumvent or evade any such fence, barrier, sensor camera, or other physical or electronic device deployed by the Federal government to control the border or a port of entry shall be fined under title 18, imprisoned not more than 10 years, or both, and if, at the time of the offense, the person uses or carries a firearm or who, in furtherance of any such crime, possesses a firearm, that person shall be fined under title 18, imprisoned not more than 20 years, or both.

''(c) CONSPIRACY AND ATTEMPT.—Any person who attempts or conspires to violate subsection (a) or (b) of this section shall be punished in the same manner as a person who completes a violation of such subsection.''.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents is amended by adding after the item relating to section 294 the following:

''Sec. 295. Organized human smuggling.
''Sec. 296. Unlawfully hindering immigration, border, and customs controls.''.

(b) PROHIBITING CARRYING OR USE OF A FIREARM DURING AND IN RELATION TO AN ALIEN SMUGGLING CRIME.—Section 924(c) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by inserting '', alien smuggling crime,'' after ''crime of violence'' each place that term appears; and

(B) in subparagraph (D)(ii), by inserting '', alien smuggling crime,'' after ''crime of violence''; and

(2) by adding at the end the following:

''(6) For purposes of this subsection, the term 'alien smuggling crime' means any felony punishable under section 274(a), 277, or 278 of the Immigration and Nationality Act (8 U.S.C. 1324(a), 1327, and 1328).''.

(c) STATUTE OF LIMITATIONS.—Section 3298 of title 18, United States Code, is amended by inserting '', 295, 296, or 297'' after ''274(a)''.

SEC. 3713. PREVENTING CRIMINALS FROM RENOUNCING CITIZENSHIP DURING WARTIME.

Section 349(a) (8 U.S.C. 1481(a)) is amended—

(1) by striking paragraph (6) ; and

(2) redesignating paragraph (7) as paragraph (6).

SEC. 3714. DIPLOMATIC SECURITY SERVICE.

Paragraph (1) of section 37(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2709(a)) is amended to read as follows:

''(1) conduct investigations concerning—

''(A) illegal passport or visa issuance or use;

''(B) identity theft or document fraud affecting or relating to the programs, functions, and authorities of the Secretary of State;

''(C) violations of chapter 77 of title 18, United States Code; and

''(D) Federal offenses committed within the special maritime and territorial jurisdiction of the United States (as defined in section 7(9) of title 18, United States Code);''.

SEC. 3715. SECURE ALTERNATIVES PROGRAMS.

(a) IN GENERAL.—The Secretary shall establish secure alternatives programs that incorporate case management services in each field office of the Department to ensure appearances at immigration proceedings and public safety.

(b) CONTRACT AUTHORITY.—The Secretary shall contract with nongovernmental community-based organizations to conduct screening of detainees, provide appearance assistance services, and operate community-based supervision programs. Secure alternatives shall offer a continuum of supervision mechanisms and options, including community support, depending on an assessment of each individual's circumstances. The Secretary may contract with nongovernmental organizations to implement secure alternatives that maintain custody over the alien.

(c) INDIVIDUALIZED DETERMINATIONS.—In determining whether to use secure alternatives, the Secretary shall make an individualized determination, and for each individual placed on secure alternatives, shall review the level of supervision on a monthly basis. Secure alternatives shall not be used when release on bond or recognizance is determined to be a sufficient measure to ensure appearances at immigration proceedings and public safety.

(d) CUSTODY.—The Secretary may use secure alternatives programs to maintain custody over any alien detained under the Immigration and Nationality Act, except for aliens detained under section 236A of such Act (8 U.S.C. 1226a). If an individual is not eligible for release from custody or detention, the Secretary shall consider the alien for placement in secure alternatives that maintain custody over the alien, including the use of electronic ankle devices.

SEC. 3716. OVERSIGHT OF DETENTION FACILITIES.

(a) DEFINITIONS.—In this section:

(1) APPLICABLE STANDARDS.—The term ''applicable standards'' means the most recent version of detention standards and detention-related policies issued by the Secretary or the Director of U.S. Immigration and Customs Enforcement.

(2) DETENTION FACILITY.—The term ''detention facility'' means a Federal, State, or local government facility, or a privately owned and operated facility, that is used, in whole or in part, to hold individuals under the authority of the Director of U.S. Immigration and Customs Enforcement, including facilities that hold such individuals under a contract or agreement with the Director.

(b) DETENTION REQUIREMENTS.—The Secretary shall ensure that all persons detained pursuant to the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) are treated humanely and benefit from the protections set forth in this section.

(c) OVERSIGHT REQUIREMENTS.—

(1) ANNUAL INSPECTION.—All detention facilities shall be inspected by the Secretary

on a regular basis, but not less than annually, for compliance with applicable detention standards issued by the Secretary and other applicable regulations.

(2) ROUTINE OVERSIGHT.—In addition to annual inspections, the Secretary shall conduct routine oversight of detention facilities, including unannounced inspections.

(3) AVAILABILITY OF RECORDS.—All detention facility contracts, memoranda of agreement, and evaluations and reviews shall be considered records for purposes of section 552(f)(2) of title 5, United States Code.

(4) CONSULTATION.—The Secretary shall seek input from nongovernmental organizations regarding their independent opinion of specific facilities.

(d) COMPLIANCE MECHANISMS.—

(1) AGREEMENTS.—

(A) NEW AGREEMENTS.—Compliance with applicable standards of the Secretary and all applicable regulations, and meaningful financial penalties for failure to comply, shall be a material term in any new contract, memorandum of agreement, or any renegotiation, modification, or renewal of an existing contract or agreement, including fee negotiations, executed with detention facilities.

(B) EXISTING AGREEMENTS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall secure a modification incorporating these terms for any existing contracts or agreements that will not be renegotiated, renewed, or otherwise modified.

(C) CANCELLATION OF AGREEMENTS.—Unless the Secretary provides a reasonable extension to a specific detention facility that is negotiating in good faith, contracts or agreements with detention facilities that are not modified within 1 year of the date of the enactment of this Act will be cancelled.

(D) PROVISION OF INFORMATION.—In making modifications under this paragraph, the Secretary shall require that detention facilities provide to the Secretary all contracts, memoranda of agreement, evaluations, and reviews regarding the facility on a regular basis. The Secretary shall make these materials publicly available.

(2) FINANCIAL PENALTIES.—

(A) REQUIREMENT TO IMPOSE.—Subject to subparagraph (C), the Secretary shall impose meaningful financial penalties upon facilities that fail to comply with applicable detention standards issued by the Secretary and other applicable regulations.

(B) TIMING OF IMPOSITION.—Financial penalties imposed under subparagraph (A) shall be imposed immediately after a facility fails to achieve an adequate or the equivalent median score in any performance evaluation.

(C) WAIVER.—The requirements of subparagraph (A) may be waived if the facility corrects the noted deficiencies and receives an adequate score in not more than 90 days.

(D) MULTIPLE OFFENDERS.—In cases of persistent and substantial noncompliance, including scoring less than adequate or the equivalent median score in 2 consecutive inspections, the Secretary shall terminate contracts or agreements with such facilities within 60 days, or in the case of facilities operated by the Secretary, such facilities shall be closed within 90 days.

(e) REPORTING REQUIREMENTS.—

(1) OBJECTIVES.—Not later than June 30 of each year, the Secretary shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on inspection and oversight activities of detention facilities.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

(A) a description of each detention facility found to be in noncompliance with applicable detention standards issued by the Department and other applicable regulations;

(B) a description of the actions taken by the Department to remedy any findings of noncompliance or other identified problems, including financial penalties, contract or agreement termination, or facility closure; and

(C) information regarding whether the actions described in subparagraph (B) resulted in compliance with applicable detention standards and regulations.

SEC. 3717. PROCEDURES FOR BOND HEARINGS AND FILING OF NOTICES TO APPEAR.

(a) ALIENS IN CUSTODY.—Section 236 (8 U.S.C. 1226) is amended by adding at the end the following:

''(f) PROCEDURES FOR CUSTODY HEARINGS.—For any alien taken into custody under any provision of this Act, with the exception of minors being transferred to or in the custody of the Office of Refugee Resettlement, the following shall apply:

''(1) The Secretary of Homeland Security shall, without unnecessary delay and not later than 72 hours after the alien is taken into custody, file the Notice to Appear or other relevant charging document with the immigration court having jurisdiction over the location where the alien was apprehended, and serve such notice on the alien.

''(2) The Secretary shall immediately determine whether the alien shall remain in custody or be released and, without unnecessary delay and not later than 72 hours after the alien was taken into custody, serve upon the alien the custody decision specifying the reasons for continued custody and the amount of bond if any.

''(3) The Attorney General shall ensure the alien has the opportunity to appear before an immigration judge for a custody determination hearing promptly after service of the Secretary's custody decision. The immigration judge may, on the Secretary's motion and upon a showing of good cause, postpone a custody redetermination hearing for no more than 72 hours after service of the custody decision, except that in no case shall the hearing occur more than 6 days (including weekends and holidays) after the alien was taken into custody.

''(4) The immigration judge shall advise the alien of the right to postpone the custody determination hearing and shall, on the oral or written request of the individual, postpone the custody determination hearing for a period of not more than 14 days.

''(5) Except for aliens that the immigration judge has determined are deportable under section 236(c) or certified under section 236A, the immigration judge shall review the custody determination de novo and may continue to detain the alien only if the Secretary demonstrates that no conditions, including the use of alternatives to detention that maintain custody over the alien, will reasonably assure the appearance of the alien as required and the safety of any other person and the community. For aliens whom the immigration judge has determined are deportable under section 236(c), the immigration judge may review the custody determination if the Secretary agrees the alien is not a danger to the community, and alternatives to detention exist that ensure the appearance of the alien, as required, and the safety of any other person and the community.

''(6) In the case of any alien remaining in custody after a custody determination, the Attorney General shall provide de novo custody determination hearings before an immigration judge every 90 days so long as the alien remains in custody. An alien may also obtain a de novo custody redetermination hearing at any time upon a showing of good cause.

''(7) The Secretary shall inform the alien of his or her rights under this paragraph at the time the alien is first taken into custody.''.

(b) LIMITATIONS ON SOLITARY CONFINEMENT.—

(1) IN GENERAL.—Section 236(d) (8 U.S.C. 1226(d)) is amended by adding at the end the following:

''(3) NATURE OF DETENTION.—

''(A) DEFINITIONS.—In this paragraph:

''(i) ADMINISTRATIVE SEGREGATION.—The term 'administrative segregation' means a nonpunitive form of solitary confinement for administrative reasons.

''(ii) DISCIPLINARY SEGREGATION.—The term 'disciplinary segregation' means a punitive form of solitary confinement for disciplinary reasons.

''(iii) SERIOUS MENTAL ILLNESS.—The term 'serious mental illness' means a substantial disorder of thought or mood that significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life.

''(iv) SOLITARY CONFINEMENT.—The term 'solitary confinement' means cell confinement of 22 hours or more per day.

''(B) LIMITATIONS ON SOLITARY CONFINEMENT.—

''(i) IN GENERAL.—The use of solitary confinement of an alien in custody pursuant to this section, section 235, or section 241 shall be limited to situations in which such confinement—

''(I) is necessary—

''(aa) to control a threat to detainees, staff, or the security of the facility;

''(bb) to discipline the alien for a serious disciplinary infraction if alternative sanctions would not adequately regulate the alien's behavior; or

''(cc) for good order during the last 24 hours before an alien is released, removed, or transferred from the facility;

''(II) is limited to the briefest term and under the least restrictive conditions practicable and consistent with the rationale for placement and with the progress achieved by the alien; and

''(III) complies with the requirements set forth in this subparagraph.

''(ii) CHILDREN.—Children who are younger than 18 years of age may not be placed in solitary confinement.

''(iii) SERIOUS MENTAL ILLNESS.—

''(I) IN GENERAL.—An alien with a serious mental illness may not be placed in involuntary solitary confinement due to mental illness unless—

''(aa) such confinement is necessary for the alien's own protection; or

''(bb) if the alien requires emergency stabilization or poses a significant threat to staff or others in general population.

''(II) MAXIMUM PERIOD.—An alien diagnosed with serious mental illness may not be placed in solitary confinement for more than 15 days unless the Secretary of Homeland Security determines that—

''(aa) any less restrictive alternative is more likely than not to cause greater harm to the alien than the solitary confinement period imposed; or

''(bb) the likely harm to the alien is not substantial and the period of solitary confinement is the least restrictive alternative necessary to protect the alien, other detainees, or others.

''(iv) OWN PROTECTION.—

''(I) IN GENERAL.—Involuntary solitary confinement for an alien's own protection may be used only for the least amount of time practicable and if no readily available and less restrictive alternative will maintain the alien's safety.

''(II) MAXIMUM PERIOD.—An alien may not be placed in involuntary solitary confinement for the alien's own protection for longer than 15 days unless the Secretary of Homeland Security determines that any less restrictive alternative is more likely than not to cause greater harm to the alien than the solitary confinement period imposed.

''(III) PROHIBITED FACTORS.—The Secretary of Homeland Security may not rely solely on an alien's age, physical disability, sexual orientation, gender identity, race, or religion. The Secretary shall make an individualized assessment in each case.

''(v) MEDICAL CARE.—An alien placed in solitary confinement—

''(I) shall be visited by a medical professional at least 3 times each week;

''(II) shall receive at least weekly mental health monitoring by a licensed mental health clinician; and

''(III) shall be removed from solitary confinement if—

''(aa) a mental health clinician determines that such detention is having a significant negative impact on the alien's mental health; and

''(bb) an appropriate alternative is available.

''(vi) NOTIFICATION; ACCESS TO COUNSEL.—If an alien is placed in solitary confinement, the alien—

''(I) shall be informed verbally, and in writing, of the reason for such confinement and the intended duration of such confinement, if specified at the time of initial placement; and

''(II) shall be offered access to counsel on the same basis as detainees in the general population.

''(vii) LONGER SOLITARY CONFINEMENT PERIODS.—If an alien has been subject to involuntary solitary confinement for more than 14 consecutive days, the Secretary of Homeland Security shall conduct a timely review to determine whether continued placement is justified by an extreme disciplinary infraction or is the least restrictive means of protecting the alien or others. Any alien held in solitary confinement for more than 7 days shall be given a reasonable opportunity to challenge such placement with the detention facility administrator, which will promptly respond to such challenge in writing.

''(viii) OVERSIGHT.—The Secretary of Homeland Security shall ensure that—

''(I) he or she is regularly informed about the use of solitary confinement in all facilities at which aliens are detained; and

''(II) the Department fully complies with the provisions under this paragraph.

''(C) DISCIPLINARY SEGREGATION.—Disciplinary segregation is authorized only pursuant to the order of a facility disciplinary panel following a hearing in which the detainee is determined to have violated a facility rule.

''(D) ADMINISTRATIVE SEGREGATION.—Administrative segregation is authorized only as necessary to ensure the safety of the detainee or others, the protection of property, or the security or good order of the facility. Detainees in administrative segregation shall be offered programming opportunities and privileges consistent with those available in the general population, except where precluded by safety or security concerns.''.

(2) ANNUAL REPORT.—The Secretary shall—

(A) collect and compile information regarding the prevalence, reasons for, and duration of solitary confinement in all facilities described in paragraph (3);

(B) submit an annual report containing the information described in subparagraph (A) to Congress not later than 30 days after the end of the reporting period; and

(C) make the data contained in the report submitted under subparagraph (B) publicly available.

(3) RULEMAKING.—The Secretary shall adopt regulations or policies to carry out section 236(d)(3) of the Immigration and Nationality Act, as amended by paragraph (1), at all facilities at which aliens are detained pursuant to section 235, 236, or 241 of such Act.

(c) STIPULATED REMOVAL.—Section 240(d) (8 U.S.C. 1229a) is amended to read as follows:

''(d) STIPULATED REMOVAL.—The Attorney General shall provide by regulation for the entry by an immigration judge of an order of removal stipulated to by the alien (or the alien's representative) and the Service. An immigration judge may enter a stipulated removal order only upon a finding at an in-person hearing that the stipulation is voluntary, knowing, and intelligent. A stipulated order shall constitute a conclusive determination of the alien's removability from the United States.''.

SEC. 3718. SANCTIONS FOR COUNTRIES THAT DELAY OR PREVENT REPATRIATION OF THEIR NATIONALS.

Section 243(d) (8 U.S.C. 1253(d)) is amended to read as follows:

''(d) DISCONTINUING GRANTING VISAS TO NATIONALS OF COUNTRIES THAT DENY OR DELAY ACCEPTING ALIENS.—Notwithstanding section 221(c), if the Secretary of Homeland Security determines, in consultation with the Secretary of State, that the government of a foreign country denies or unreasonably delays accepting aliens who are citizens, subjects, nationals, or residents of that country after the Secretary asks whether the government will accept an alien under this section, or after a determination that the alien is inadmissible under paragraph (6) or (7) of section 212(a), the Secretary of State shall order consular officers in that foreign country to discontinue granting visas, or classes of visas, until the Secretary of Homeland Security notifies the Secretary of State that the country has accepted the aliens.''.

SEC. 3719. GROSS VIOLATIONS OF HUMAN RIGHTS.

(a) INADMISSIBILITY OF CERTAIN ALIENS.—Section 212(a)(3)(E) (8 U.S.C. 1182(a)(3)(E)) is amended by striking clause (iii) and inserting the following:

''(iii) COMMISSION OF ACTS OF TORTURE, EXTRAJUDICIAL KILLINGS, WAR CRIMES, OR WIDESPREAD OR SYSTEMATIC ATTACKS ON CIVILIANS.—Any alien who planned, ordered, assisted, aided and abetted, committed, or otherwise participated, including through command responsibility, in the commission of—

''(I) any act of torture (as defined in section 2340 of title 18, United States Code);

''(II) any extrajudicial killing (as defined in section 3(a) of the Torture Victim Protection Act of 1991 (28 U.S.C. 1350 note)) under color of law of any foreign nation;

''(III) a war crime (as defined in section 2441 of title 18, United States Code); or

''(IV) any of the following acts as a part of a widespread or systematic attack directed against a civilian population, with knowledge of the attack: murder, extermination, enslavement, forcible transfer of population, arbitrary detention, rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity; persecution on political racial, national, ethnic, cultural, religious, or gender grounds; enforced disappearance of persons; or other inhumane acts of a similar character intentionally causing great suffering or serious bodily or mental injury,

is inadmissible.

''(iv) LIMITATION.—Clause (iii) shall not apply to an alien if the Secretary of Homeland Security or the Attorney General determine that the actions giving rise to the alien's inadmissibility under such clause were committed under duress. In determining whether the alien was subject to duress, the Secretary may consider, among relevant factors, the age of the alien at the time such actions were committed.''.

(b) DENYING SAFE HAVEN TO FOREIGN HUMAN RIGHTS VIOLATORS.—Section 2(a)(2) of the Torture Victim Protection Act of 1991 (28 U.S.C. 1350 note) is amended—

(1) by inserting after ''killing'' the following: '', a war crime (as defined in subsections (c) and (d) of section 2441 of title 18, United States Code), a widespread or systematic attack on civilians (as defined in section 212(a)(3)(E)(iii)(IV) of the Immigration and Nationality Act), or genocide (as defined in section 1091(a) of such title 18)''; and

(2) by striking ''to the individual's legal representative'' and inserting ''to that individual or to that individual's legal representative''.

(c) NONAPPLICABILITY OF CONFIDENTIALITY REQUIREMENT WITH RESPECT TO VISA RECORDS.—The President may make public, without regard to the requirements under section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)), with respect to confidentiality of records pertaining to the issuance or refusal of visas or permits to enter the United States, the names of aliens deemed inadmissible on the basis of section 212(a)(3)(E)(iii) of such Act, as amended by subsection (a).

SEC. 3720. REPORTING AND RECORD KEEPING REQUIREMENTS RELATING TO THE DETENTION OF ALIENS.

(a) IN GENERAL.—In order for Congress and the public to assess the full costs of apprehending, detaining, processing, supervising, and removing aliens, and how the money Congress appropriates for detention is allocated by Federal agencies, the Assistant Secretary for Immigration and Customs and Enforcement (referred to in this section as the ''Assistant Secretary''), the Director of the Executive Office of Immigration Review, and the Commissioner responsible for U.S. Customs and Border Protection (referred to in this section as the ''Commissioner'') shall—

(1) maintain the information required under subsections (b), (c), and (d); and

(2) submit reports on that information to Congress and make that information available to the public in accordance with subsection (e).

(b) MAINTENANCE OF INFORMATION BY U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT.—The Assistant Secretary shall record and maintain, in the database of U.S. Immigration and Customs Enforcement relating to detained aliens, the following information with respect to each alien detained pursuant to the Immigration and Nationality Act (8 U.S.C. 1101 et seq.):

(1) The provision of law that provides specific authority for the alien's detention and the beginning and end dates of the alien's detention pursuant to that authority. If the alien's detention is authorized by different

provisions of law during different periods of time, the Assistant Secretary shall record and maintain the provision of law that provides authority for the alien's detention during each such period.

(2) The place where the alien was apprehended or where U.S. Immigration and Customs Enforcement assumed custody of the alien.

(3) Each location where U.S. Immigration and Customs Enforcement detains the alien until the alien is released from custody or removed from the United States, including any period of redetention.

(4) The gender and age of each detained alien in the custody of U.S. Immigration and Customs Enforcement.

(5) The number of days the alien is detained, including the number of days spent in any given detention facility and the total amount of time spent in detention.

(6) The immigration charges that are the basis for the alien's removal proceedings.

(7) The status of the alien's removal proceedings and each date on which those proceedings progress from 1 stage of proceeding to another.

(8) The length of time the alien was detained following a final administrative order of removal and the reasons for the continued detention.

(9) The initial custody determination or review made by U.S. Immigration and Customs Enforcement, including whether the alien received notice of a custody determination or review and when the custody determination or review took place.

(10) The risk assessment results for the alien, including if the alien is subject to mandatory custody or detention.

(11) The reason for the alien's release from detention and the conditions of release imposed on the alien, if applicable.

(c) MAINTENANCE OF INFORMATION BY EXECUTIVE OFFICE OF IMMIGRATION REVIEW.—The Director of the Executive Office of Immigration Review shall record and maintain, in the database of the Executive Office of Immigration Review relating to detained aliens in removal proceedings, the following information with respect to each such alien:

(1) The immigration charges that are the basis for the alien's removal proceedings, including any revision of the immigration charges and the date of each such revision.

(2) The gender and age of the alien.

(3) The status of the alien's removal proceedings and each date on which those proceedings progress from one stage of proceeding to another.

(4) The statutory basis for any bond hearing conducted and the outcomes of the bond hearing.

(5) Whether each court hearing is conducted in person, by audio link, or by video conferencing.

(6) The date of each attorney entry of appearance before an immigration judge using Form EOIR–28 and the scope of the appearance to which the form related.

(d) MAINTENANCE OF INFORMATION BY U.S. CUSTOMS AND BORDER PROTECTION.—The Commissioner shall record and maintain in the database of U.S. Customs and Border Protection relating to detained aliens the following information with respect to each alien detained pursuant to the Immigration and Nationality Act (8 U.S.C. 1101 et seq.):

(1) The provision of law that provides specific authority for the alien's detention and the beginning and end dates of the alien's detention.

(2) The place where the alien was apprehended.

(3) The gender and age of the alien.

(4) Each location where U.S. Customs and Border Protection detains the alien until the alien is released from custody or removed from the United States, including any period of redetention.

(5) The number of days that the alien is detained in the custody of U.S. Customs and Border Protection.

(6) The immigration charges that are the basis for the alien's removal proceedings while the alien is in the custody of U.S. Customs and Border Protection.

(7) The initial custody determination by U.S. Customs and Border Protection, including whether the alien received notice of a custody determination or review, when the custody determination or review took place, and whether U.S. Customs and Border Protection offered the option of stipulated removal to a detained alien.

(8) The reason for the alien's release from detention and the conditions of release to detention imposed on the alien, if applicable.

(e) REPORTING REQUIREMENTS.—

(1) PERIODIC REPORTS.—The Assistant Secretary, the Director of the Executive Office of Immigration Review, and the Commissioner shall periodically, but not less frequently than annually, submit to Congress a report containing a summary of the information required to be maintained by this section. Each such report shall include summaries of national-level data as well as summaries of the information required by this section by State and county.

(2) OTHER REPORTS.—The Assistant Secretary shall report to Congress not less frequently than annually on—

(A) the number of aliens detained for more than 3 months, 6 months, 1 year, and 2 years; and

(B) the average period of detention before receipt of a final administrative order of removal and after receipt of such an order.

(3) AVAILABILITY TO PUBLIC.—The reports required under this subsection and the information for each alien on which the reports are based shall be made available to the public without the need to submit a request under section 552 of title 5, United States Code (commonly referred to as the ''Freedom of Information Act'').

(4) PRIVACY PROTECTIONS.—No alien's identity may be disclosed when information described in paragraph (3) is made publicly available.

(f) DEFINITIONS.—In this section:

(1) CASE OUTCOME.—The term ''case outcome'' includes a grant of relief from deportation under section 240A of the Immigration and Nationality Act (8 U.S.C. 1229b), voluntary departure pursuant to section 240B of that Act (8 U.S.C. 1229c), removal pursuant to section 238 of that Act (8 U.S.C. 1228), judicial termination of proceedings, termination of proceedings by U.S. Immigration and Customs Enforcement, cancellation of the notice to appear, or permission to withdraw application for admission without any removal order being issued.

(2) PLACE WHERE THE ALIEN WAS APPREHENDED.—The term ''place where the alien was apprehended'' refers to the city, county, and State where an alien is apprehended.

(3) REASON FOR THE ALIEN'S RELEASE FROM DETENTION.—The term ''reason for the alien's release from detention'' refers to release on bond, on an alien's own recognizance, on humanitarian grounds, after grant of relief, or due to termination of proceedings or removal.

(4) REMOVAL PROCEEDINGS.—The term ''removal proceedings'' refers to a removal case of any kind, including expedited removal, administrative removal, stipulated removal, reinstatement, and voluntary removal and removals in which an applicant is permitted to withdraw his or her application for admission.

(5) STAGE.—The term ''stage'', with respect to a proceeding, refers to whether the alien is in proceedings before an immigration judge, the Board of Immigration Appeals, a United States court of appeals, or on remand from a United States court of appeals.

SEC. 3721. POWERS OF IMMIGRATION OFFICERS AND EMPLOYEES AT SENSITIVE LOCATIONS.

Section 287 (8 U.S.C. 1357) is amended by adding at the end the following:

''(i)(1) In order to ensure individuals' access to sensitive locations, this subsection applies to enforcement actions by officers and agents of U.S. Immigration and Customs Enforcement and officers and agents of U.S. Customs and Border Protection.

''(2)(A) An enforcement action may not take place at, or be focused on, a sensitive location, except as follows:

''(i) Under exigent circumstances.

''(ii) If prior approval is obtained.

''(B) If an enforcement action is taking place pursuant to subparagraph (A) and the condition permitting the enforcement action ceases, the enforcement action shall cease.

''(3)(A) When proceeding with an enforcement action at or near a sensitive location, officers and agents referred to in paragraph (1) shall conduct themselves as discreetly as possible, consistent with officer and public safety, and make every effort to limit the time at or focused on the sensitive location.

''(B) If, in the course of an enforcement action that is not initiated at or focused on a sensitive location, officers or agents are led to or near a sensitive location, and no exigent circumstance exists, such officers or agents shall conduct themselves in a discreet manner, maintain surveillance, and immediately consult their supervisor before taking any further enforcement action, in order to determine whether such action should be discontinued.

''(C) This section not apply to the transportation of an individual apprehended at or near a land or sea border to a hospital or healthcare provider for the purpose of providing such individual medical care.

''(4)(A) Each official specified in subparagraph (B) shall ensure that the employees under the supervision of such official receive annual training on compliance with the requirements of this subsection in enforcement actions at or focused on sensitive locations and enforcement actions that lead officers or agents to or near a sensitive location.

''(B) The officials specified in ths subparagraph are the following:

''(i) The Chief Counsel of U.S. Immigration and Customs Enforcement.

''(ii) The Field Office Directors of U.S. Immigration and Customs Enforcement.

''(iii) Each Special Agent in Charge of U.S. Immigration and Customs Enforcement.

''(iv) Each Chief Patrol Agent of U.S. Customs and Border Protection.

''(v) The Director of Field Operations of U.S. Customs and Border Protection.

''(vi) The Director of Air and Marine Operations of U.S. Customs and Border Protection.

''(vii) The Internal Affairs Special Agent in Charge of U.S. Customs and Border Protection.

''(5)(A) The Director of U.S. Immigration and Customs Enforcement and the Commissioner of U.S. Customs and Border Protection shall each submit to the appropriate

committees of Congress each year a report on the enforcement actions undertaken by U.S. Immigration and Customs Enforcement and U.S. Customs and Border Protection, respectively, during the preceding year that were covered by this subsection.

''(B) Each report on an agency for a year under this paragraph shall set forth the following:

''(i) The number of enforcement actions at or focused on a sensitive location.

''(ii) The number of enforcement actions where officers or agents were subsequently led to or near a sensitive location.

''(iii) The date, site, and State, city, and county in which each enforcement action covered by clause (i) or (ii) occurred.

''(iv) The component of the agency responsible for each such enforcement action.

''(v) A description of the intended target of each such enforcement action.

''(vi) The number of individuals, if any, arrested or taken into custody through each such enforcement action.

''(vii) The number of collateral arrests, if any, from each such enforcement action and the reasons for each such arrest.

''(viii) A certification of whether the location administrator was contacted prior to, during, or after each such enforcement action.

''(C) Each report under this paragraph shall be made available to the public without the need to submit a request under section 552 of title 5, United States Code (commonly referred to as the 'Freedom of Information Act').

''(6) In this subsection:

''(A) The term 'appropriate committees of Congress' means—

''(i) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(ii) the Committee on the Judiciary of the Senate;

''(iii) the Committee on Homeland Security of the House of Representatives; and

''(iv) the Committee on the Judiciary of the House of Representatives.

''(B) The term 'enforcement action' means an arrest, interview, search, or surveillance for the purposes of immigration enforcement, and includes an enforcement action at, or focused on, a sensitive location that is part of a joint case led by another law enforcement agency.

''(C) The term 'exigent circumstances' means a situation involving the following:

''(i) The imminent risk of death, violence, or physical harm to any person, including a situation implicating terrorism or the national security of the United States in some other manner.

''(ii) The immediate arrest or pursuit of a dangerous felon, terrorist suspect, or other individual presenting an imminent danger or public safety risk.

''(iii) The imminent risk of destruction of evidence that is material to an ongoing criminal case.

''(D) The term 'prior approval' means the following:

''(i) In the case of officers and agents of U.S. Immigration and Customs Enforcement, prior written approval for a specific, targeted operation from one of the following officials:

''(I) The Assistant Director of Operations, Homeland Security Investigations.

''(II) The Executive Associate Director of Homeland Security Investigations.

''(III) The Assistant Director for Field Operations, Enforcement, and Removal Operations.

''(IV) The Executive Associate Director for Field Operations, Enforcement, and Removal Operations.

''(ii) In the case of officers and agents of U.S. Customs and Border Protection, prior written approval for a specific, targeted operation from one of the following officials:

''(I) A Chief Patrol Agent.

''(II) The Director of Field Operations.

''(III) The Director of Air and Marine Operations

''(IV) The Internal Affairs Special Agent in Charge.

''(E) The term 'sensitive location' includes the following:

''(i) Hospitals and health clinics.

''(ii) Public and private schools (including pre-schools, primary schools, secondary schools, postsecondary schools (including colleges and universities), and other institutions of learning such as vocational or trade schools).

''(iii) Organizations assisting children, pregnant women, victims of crime or abuse, or individuals with mental or physical disabilities.

''(iv) Churches, synagogues, mosques, and other places of worship, such as buildings rented for the purpose of religious services.

''(v) Such other locations as the Secretary of Homeland Security shall specify for purposes of this subsection.''.

Subtitle H—Protection of Children Affected by Immigration Enforcement

SEC. 3801. SHORT TITLE.

This subtitle may be cited as the ''Humane Enforcement and Legal Protections for Separated Children Act'' or the ''HELP Separated Children Act''.

SEC. 3802. DEFINITIONS.

In this subtitle:

(1) APPREHENSION.—The term ''apprehension'' means the detention or arrest by officials of the Department or cooperating entities.

(2) CHILD.—The term ''child'' means an individual who has not attained 18 years of age.

(3) CHILD WELFARE AGENCY.—The term ''child welfare agency'' means a State or local agency responsible for child welfare services under subtitles B and E of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(4) COOPERATING ENTITY.—The term ''cooperating entity'' means a State or local entity acting under agreement with the Secretary.

(5) DETENTION FACILITY.—The term ''detention facility'' means a Federal, State, or local government facility, or a privately owned and operated facility, that is used, in whole or in part, to hold individuals under the authority of the Director of U.S. Immigration and Customs Enforcement, including facilities that hold such individuals under a contract or agreement with the Director.

(6) IMMIGRATION ENFORCEMENT ACTION.—The term ''immigration enforcement action'' means the apprehension of 1 or more individuals whom the Department has reason to believe are removable from the United States by the Secretary or a cooperating entity.

(7) PARENT.—The term ''parent'' means a biological or adoptive parent of a child, whose parental rights have not been relinquished or terminated under State law or the law of a foreign country, or a legal guardian under State law or the law of a foreign country.

SEC. 3803. APPREHENSION PROCEDURES FOR IMMIGRATION ENFORCEMENT-RELATED ACTIVITIES.

(a) APPREHENSION PROCEDURES.—In any immigration enforcement action, the Secretary and cooperating entities shall—

(1) as soon as possible, but generally not later than 2 hours after an immigration enforcement action, inquire whether an individual is a parent or primary caregiver of a child in the United States and provide any such individuals with—

(A) the opportunity to make a minimum of 2 telephone calls to arrange for the care of such child in the individual's absence; and

(B) contact information for—

(i) child welfare agencies and family courts in the same jurisdiction as the child; and

(ii) consulates, attorneys, and legal service providers capable of providing free legal advice or representation regarding child welfare, child custody determinations, and immigration matters;

(2) notify the child welfare agency with jurisdiction over the child if the child's parent or primary caregiver is unable to make care arrangements for the child or if the child is in imminent risk of serious harm;

(3) ensure that personnel of the Department and cooperating entities do not, absent medical necessity or extraordinary circumstances, compel or request children to interpret or translate for interviews of their parents or of other individuals who are encountered as part of an immigration enforcement action; and

(4) ensure that any parent or primary caregiver of a child in the United States—

(A) absent medical necessity or extraordinary circumstances, is not transferred from his or her area of apprehension until the individual—

(i) has made arrangements for the care of such child; or

(ii) if such arrangements are unavailable or the individual is unable to make such arrangements, is informed of the care arrangements made for the child and of a means to maintain communication with the child;

(B) absent medical necessity or extraordinary circumstances, and to the extent practicable, is placed in a detention facility either—

(i) proximate to the location of apprehension; or

(ii) proximate to the individual's habitual place of residence; and

(C) receives due consideration of the best interests of such child in any decision or action relating to his or her detention, release, or transfer between detention facilities.

(b) REQUESTS TO STATE AND LOCAL ENTITIES.—If the Secretary requests a State or local entity to hold in custody an individual whom the Department has reason to believe is removable pending transfer of that individual to the custody of the Secretary or to a detention facility, the Secretary shall also request that the State or local entity provide the individual the protections specified in paragraphs (1) and (2) of subsection (a), if that individual is found to be the parent or primary caregiver of a child in the United States.

(c) PROTECTIONS AGAINST TRAFFICKING PRESERVED.—The provisions of this section shall not be construed to impede, delay, or in any way limit the obligations of the Secretary, the Attorney General, or the Secretary of Health and Human Services under section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) or section 462 of the Homeland Security Act of 2002 (6 U.S.C. 279).

SEC. 3804. ACCESS TO CHILDREN, STATE AND LOCAL COURTS, CHILD WELFARE AGENCIES, AND CONSULAR OFFICIALS.

At all detention facilities, the Secretary shall—

(1) prominently post in a manner accessible to detainees and visitors and include in detainee handbooks information on the protections of this subtitle as well as information on potential eligibility for parole or release;

(2) absent extraordinary circumstances, ensure that individuals who are detained by the Department and are parents of children in the United States are—

(A) permitted regular phone calls and contact visits with their children;

(B) provided with contact information for child welfare agencies and family courts in the relevant jurisdictions;

(C) able to participate fully and, to the extent possible, in person in all family court proceedings and any other proceedings that may impact their right to custody of their children;

(D) granted free and confidential telephone calls to relevant child welfare agencies and family courts as often as is necessary to ensure that the best interest of their children, including a preference for family unity whenever appropriate, can be considered in child welfare agency or family court proceedings;

(E) able to fully comply with all family court or child welfare agency orders impacting custody of their children;

(F) provided access to United States passport applications or other relevant travel document applications for the purpose of obtaining travel documents for their children;

(G) afforded timely access to a notary public for the purpose of applying for a passport for their children or executing guardianship or other agreements to ensure the safety of their children; and

(H) granted adequate time before removal to obtain passports, apostilled birth certificates, travel documents, and other necessary records on behalf of their children if such children will accompany them on their return to their country of origin or join them in their country of origin; and

(3) where doing so would not impact public safety or national security, facilitate the ability of detained alien parents and primary caregivers to share information regarding travel arrangements with their consulate, children, child welfare agencies, or other caregivers in advance of the detained alien individual's departure from the United States.

SEC. 3805. MANDATORY TRAINING.

The Secretary, in consultation with the Secretary of Health and Human Services, the Secretary of State, the Attorney General, and independent child welfare and family law experts, shall develop and provide training on the protections required under sections 3803 and 3804 to all personnel of the Department, cooperating entities, and detention facilities operated by or under agreement with the Department who regularly engage in immigration enforcement actions and in the course of such actions come into contact with individuals who are parents or primary caregivers of children in the United States.

SEC. 3806. RULEMAKING.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall promulgate regulations to implement sections 3803 and 3804 of this Act.

SEC. 3807. SEVERABILITY.

If any provision of this subtitle or amendment made by this subtitle, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this subtitle and amendments made by this subtitle, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

Subtitle I—Providing Tools to Exchange Visitors and Exchange Visitor Sponsors to Protect Exchange Visitor Program Participants and Prevent Trafficking

SEC. 3901. DEFINITIONS.

(a) IN GENERAL.—Except as otherwise provided by this subtitle, the terms used in this subtitle shall have the same meanings, respectively, as are given those terms in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203), except that the term ''employer'' shall also include a prospective employer seeking to hire exchange visitors with which the sponsor has a contractual relationship.

(b) OTHER DEFINITIONS.—

(1) EXCHANGE VISITOR.—The term ''exchange visitor'' means a foreign national who is inquiring about or applying to participate in the exchange visitor program or who has successfully applied and has completed or is completing an exchange visitor programs not funded by the United States Government as governed by sections 2.22, 62.24, 62.30, 62.31, and 62.32 of title 22, Code of Federal Regulations.

(2) EXCHANGE VISITOR PROGRAM.—The term ''exchange visitor program'' means the international exchange program administered by the Department of State to implement the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.), by means of educational and cultural programs.

(3) EXCHANGE VISITOR PROGRAM RECRUITMENT ACTIVITIES.—The term ''exchange visitor program recruitment activities'' means activities related to recruiting, soliciting, transferring, providing, obtaining, or facilitating participation of individuals who reside outside the United States in an exchange visitor program including when such activity occurs wholly outside the United States.

(4) EXCHANGE VISITOR PROGRAM SPONSOR; SPONSOR.—The term ''exchange visitor program sponsor'' or ''sponsor'' means a legal entity designated by the Secretary of State, in the Secretary's discretion, to conduct an exchange visitor program governed by sections 62.22, 62.24, 62.30, 62.31, and 62.32 of title 22, Code of Federal Regulations).

(5) FOREIGN ENTITY.—The term ''foreign entity'' means a person contracted by a sponsor to engage in exchange visitor program recruitment activities on the sponsor's behalf and any subcontractors thereof.

(6) HOST ENTITY.—The term ''host entity'' means ''host organization'', ''primary or secondary accredited educational institution'', ''camp facility'', ''host family'', or ''employer/host employer'' as used in sections 62.22, 62.24, 62.30, 62.31, and 62.32 of title 22, Code of Federal Regulations, respectively.

(7) REGULATIONS.—Any reference to any provision of regulations shall include any successor provision addressing the same subject matter.

SEC. 3902. DISCLOSURE.

(a) REQUIREMENT FOR DISCLOSURE AT TIME OF EXCHANGE VISITOR PROGRAM RECRUITMENT ACTIVITY.—Any person who engages in exchange visitor program recruitment activity shall develop certain information, previously approved by and on file with the exchange visitor program sponsor, to be disclosed in writing in English to the exchange visitor before the exchange visitor pays fees described in section 3904, other than refundable fees and a reasonable non-refundable deposit, or otherwise detrimentally relies on information provided by an exchange program sponsor or foreign entity. This information shall be made available to the Secretary of State, or an exchange visitor requesting his or her own file, within 5 business days of request, consistent with program regulations in part 62 of title 22, Code of Federal Regulations. Not later than 18 months after the date of the enactment of this Act, the Secretary of State shall, in consultation with the Secretary of Labor, amend such regulations to reflect the information to be disclosed, including the following:

(1) The identity and address of the exchange visitor program sponsor, host entity, and any foreign entity with authority to charge fees and costs under section 3904.

(2) All assurances and terms and conditions of employment, from the prospective host entity of the exchange visitor, including place and period of employment, job duties, number of work hours, wages and compensation, and any deductions from wages and benefits, including deductions for housing and transportation. Nothing in this paragraph shall be construed to permit any charge, deduction, or expense prohibited by this or any other law.

(3) A copy of the prospective agreement between the exchange visitor program sponsor, exchange visitor, and the host entity.

(4) Information regarding the terms and conditions of the nonimmigrant status under which the exchange visitor is to be admitted, and the period of stay in the United States allowed for such nonimmigrant status.

(5) A copy of the fee disclosure form as described in section 3904(d) listing the mandatory and optional costs or expenses to be charged to the exchange visitor.

(6) The existence of any labor organizing effort, collective bargaining agreement, labor contract, strike, lockout, or other labor dispute at the host entity.

(7) Whether and the extent to which exchange visitors will be compensated through workers' compensation, private insurance, or otherwise for injuries or death, including work-related injuries and death, during the period of employment.

(8) A description of the sanctions the exchange visitor program sponsor is currently subject to, if any, as imposed by the Department of State.

(9) A statement in a form specified by the Secretary of State—

(A) stating that in accordance with guidelines and regulations promulgated by the Secretary —

(i) the costs and fees charged by the exchange program sponsor, foreign entity, and host entity do not exceed those permitted by section 3904 and are legal under the laws of the United States and the home country of the exchange visitor; and

(ii) the exchange visitor program sponsor, foreign entity, or host entity may bear costs or fees not provided for in section 3904, but that fees under that section cannot be passed along to the exchange visitor.

(10) Any education or training to be provided or required, other than education or training provided in accordance with section 62.10 (b) and (c) of title 22, Code of Federal Regulations, as ''pre-arrival information'' or ''orientation'' and additional orientation and training requirements as described in each relevant category under sections 62.22, 62.24, 62.30, 62.31, and 62.32 of that title.

(11) A clear statement explaining that—

(A) except as provided in subparagraph (B), no additional significant requirements or significant changes may be made to the original contract signed with a handwritten, electronic, or digital pin code signature by the exchange visitor without at least 24 hours to consider such changes and the specific consent of the exchange visitor, obtained voluntarily and without threat of penalty; and

(B) changes may be made to the conditions of employment contained in the original contract even if the exchange visitor has not had 24 hours to consider such changes, provided the exchange visitor has specifically consented to the changes, voluntarily and without threat of penalty, and such changes must be implemented without giving the exchange visitor 24 hours to consider them in order to protect the health or welfare of the exchange visitor.

(b) REQUIREMENT FOR RULES.—The Secretary of State shall define by rule or guidance what constitutes ''refundable fees'' and a ''reasonable non-refundable deposit'' for the purpose subsection (a).

(c) RELATIONSHIP TO LABOR AND EMPLOYMENT LAWS.—Nothing in the disclosure required by subsection (a) shall constitute a legal conclusion as to the exchange visitor's status or rights under the labor and employment laws.

(d) PROHIBITION ON FALSE AND MISLEADING INFORMATION AND CERTAIN FEES.—No exchange visitor program sponsor, foreign entity, or host entity who engages in any exchange visitor program activity shall knowingly provide materially false or misleading information to any exchange visitor concerning any matter required to be disclosed under subsection (a). Charging fees for services not provided or assessing fees that exceed the amounts established by the Secretary of State pursuant to section 3904 is a violation of this section. The disclosure required by this section is a document concerning the proper administration of a matter within the jurisdiction of a department or agency of the United States for the purposes of section 1519 of title 18, United States Code, and other provisions of such title.

(e) PUBLIC AVAILABILITY OF INFORMATION.—The Secretary of State shall amend its regulations at part 62 of title 22, Code of Federal Regulations, to require sponsors to make publicly available, including on their websites and in recruiting materials, information regarding fees, costs, and services associated with their exchange visitor programs, including foreign entity names and contact points, and other factors relevant to exchange visitors' choice of sponsor or foreign entity.

SEC. 3903. PROHIBITION ON DISCRIMINATION.

(a) IN GENERAL.—It shall be unlawful for an exchange visitor program sponsor, foreign entity, or host entity to fail or refuse to select, hire, discharge, intimidate, threaten, restrain, coerce, or blacklist any individual or otherwise discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment, because of such individual's race, color, creed, sex, national origin, religion, age, or disability.

(b) DETERMINATIONS OF DISCRIMINATION.—For the purposes of determining the existence of unlawful discrimination under subsection (a)—

(1) in the case of a claim of discrimination based on race, color, sex, national origin, or religion, the same legal standards shall apply as are applicable under title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.);

(2) in the case of a claim of discrimination based on age, the same legal standards shall apply as are applicable under the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.); and

(3) in the case of a claim of discrimination based on disability, the same legal standards shall apply as are applicable under title I of the Americans With Disabilities Act of 1990 as amended (42 U.S.C. 12111 et seq.).

SEC. 3904. FEES.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Labor, shall promulgate regulations to set limits on the mandatory fees charged by exchange visitor program sponsors, host entities, and their foreign entities to the exchange visitor. In promulgating such regulations, the Secretary of State shall conduct public meetings with exchange visitor program sponsors, organizations representing exchange visitors, and members of the public with expertise in public diplomacy, educational and cultural exchange, labor markets, labor relations, migration, civil rights, human rights, and prohibiting human trafficking. The Secretary of State may, in the Secretary's discretion, consider factors including what costs are within the control of sponsors, differences among programs and countries, level and amount of educational and cultural activities included, and services rendered.

(b) MAXIMUM FEES.—It shall be unlawful for any person to charge a fee higher than the maximum allowable fee as established by regulations promulgated under subsection (a), and any person who charges a higher fee shall be liable under this subtitle. If a fee higher than the maximum is charged by a sponsor or foreign entity, the sponsor shall be liable. If a fee higher than the maximum allowable is charged by the host entity or a host entity's agent, the host entity shall be liable.

(c) UPDATE OF MAXIMUM FEES.—The Secretary of State shall update the maximum allowable fees described in subsection (a) in response to changing economic conditions and other factors as needed.

(d) FEE TRANSPARENCY.—The Secretary of State shall amend its regulations at part 62 of title 22, Code of Federal Regulations, to require exchange visitor program sponsors to—

(1) provide the Department of State annually with an itemized list of fees charged to exchange visitor program participants including by their foreign entities, subcontractors, or foreign entity's agents; and

(2) require a 3-party document signed by the exchange visitor, foreign entity, and sponsor that outlines a basic level fee structure and itemizes mandatory and optional fees.

SEC. 3905. ANNUAL NOTIFICATION.

(a) ANNUAL EXCHANGE VISITOR PROGRAM SPONSOR NOTIFICATION.—

(1) IN GENERAL.—Subject to paragraph (2), prior to engaging in any exchange visitor program activity, any person who seeks to be an exchange visitor program sponsor shall be designated by the Secretary of State pursuant to regulations that the Secretary of State has prescribed or shall prescribe after the date of the enactment of this Act.

(2) NOTIFICATION.—Each exchange visitor program sponsor shall notify the Secretary of State, not less frequently than once every year, of the identity of any third party, agent, or exchange visitor program sponsor employee involved in any exchange visitor program recruitment activity for, or on behalf of, the exchange visitor program sponsor.

(3) PERSONAL JURISDICTION OVER FOREIGN ENTITIES.—As a condition of initial and continued registration, each program sponsor shall obtain a written and signed agreement from any foreign entity. In that agreement, the foreign entity shall stipulate and agree, as a condition for receiving any payment or compensation for performing any work or service for the program sponsor, that the laws of the United States shall govern any and all disputes among and between the parties or the United States, including any enforcement actions, and that any dispute or enforcement action shall be brought in the United States District Court for the District of Columbia. The agreement shall be in such form and contain such other information as the Secretary of State shall prescribe.

(4) NONCOMPLIANCE NOTIFICATION.—An host entity shall notify the Secretary of State upon gaining knowledge of noncompliance with this subtitle by an exchange visitor program sponsor. An exchange visitor program sponsor shall notify the Secretary of State upon gaining knowledge of noncompliance with this subtitle by a host entity or foreign entity.

(b) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall amend its regulations at part 62 of title 22, Code of Federal Regulations, regarding the annual exchange visitor program sponsor notification.

(c) REFUSAL TO ISSUE AND REVOCATION OF DESIGNATION.—The Secretary of State shall amend its regulations at part 62 of title 22, Code of Federal Regulations, to include the following bases for refusing to issue or renew, or for revoking a sponsor's designation for a period of not greater than 5 years:

(1) The applicant for, or holder of, the designation has knowingly made a material misrepresentation in the application for such designation.

(2) The applicant for, or holder of, the designation has committed any felony under State or Federal law or any crime involving fraud, robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, trafficking in persons, assault with intent to kill, assault which inflicts grievous bodily injury, prostitution, peonage, or smuggling or harboring individuals who have entered the United States illegally.

(3) The applicant for, or holder of, the designation has committed any crime relating to gambling, or to the sale, distribution, or possession of alcoholic beverages, in connection with or incident to any exchange visitor recruitment activities.

(4) Such other criteria as the Secretary of State may, in the Secretary's discretion, establish.

SEC. 3906. BONDING REQUIREMENT.

(a) IN GENERAL.—The Secretary of State may assess a bond amount sufficient to ensure the ability of a sponsor to discharge its responsibilities and to ensure protection of exchange visitors, including wages or stipends. In requiring a sponsor to post the bond, the Secretary of State shall take into account the degree to which the sponsor's assets can be reached by United States courts.

(b) REGULATIONS.—The Secretary of State, by regulation, shall establish the conditions under which the bond amount is determined, paid, and forfeited, which shall include the sponsor's history of compliance.

(c) RELATIONSHIP TO OTHER REMEDIES.—The bond requirements and forfeiture of the bond

under this section shall be in addition to or, pursuant to court order, in conjunction with, other remedies under 3910 or any other provision of law.

SEC. 3907. MAINTENANCE OF LISTS.

(a) IN GENERAL.—The Secretary of State shall work with the Secretary of Homeland Security to ensure that the information described in paragraphs (1) through (4) of subsection (b) is included on the foreign entity list kept and updated pursuant to section 3607 and shall share that list with the Department of Labor.

(b) INFORMATION.—Not later than 1 year after the date of the enactment of this Act, each sponsor shall compile and share with the Secretary of State on a regular basis a list that includes the following information:

(1) The countries from which the sponsor recruits.

(2) The host entities for whom the sponsor recruits.

(3) The occupations for which the sponsor recruits.

(4) The States where recruited exchange visitors are employed.

(c) LIMITATION ON PUBLIC AVAILABILITY.—Neither the Secretary of State nor the Secretary of Homeland Security shall make the information described in paragraphs (1) through (4) of subsection (b) public as part of the list described in section 3607.

SEC. 3908. AMENDMENT TO THE IMMIGRATION AND NATIONALITY ACT.

Section 214 (8 U.S.C. 1184), as amended by title IV, is further amended by adding at the end the following:

''(bb) A visa shall not be issued under section 101(a)(15) until the consular officer—

''(1) has confirmed that the applicant has received, read, and understood the information and resources pamphlet required by section 202 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375b); and

''(2) has reviewed and made a part of the visa file the exchange visitor program sponsor disclosures required by section 3902 of the Border Security, Economic Opportunity, and Immigration Modernization Act, including whether the exchange visitor program sponsor is designated pursuant to that section.''.

SEC. 3909. RESPONSIBILITIES OF SECRETARY OF STATE.

(a) IN GENERAL.—The Secretary of State shall ensure that each United States diplomatic mission has a person who is responsible for receiving information from any exchange visitor who has been subject to violations of this subtitle.

(b) PROVISION OF INFORMATION.—The responsible person referred to in subsection (a) shall ensure that the information received is provided to the Department of State. The Department of State may share that information as necessary with the Department of Justice, the Department of Labor, and any other relevant Federal agency.

(c) MECHANISMS.—The Attorney General and the Secretary of State shall ensure that there is a mechanism for any actions that need to be taken in response to information received under subsection (a).

(d) ASSISTANCE FROM FOREIGN GOVERNMENT.—The person designated for receiving information pursuant to subsection (a) is strongly encouraged to coordinate with governments and civil society organizations in the countries of origin to ensure the exchange visitor receives additional support.

(e) MAINTENANCE AND AVAILABILITY OF INFORMATION.—The Secretary of State shall ensure that consulates coordinate with the Department of State to have access to information regarding the identities of sponsors and the foreign entities with whom sponsors contract for exchange visitor program recruitment activities. The Secretary of State shall ensure information on the identity of sponsors is publicly available in written form on the Department of State website, and information on the identity of foreign entities in each individual country is publicly available on the websites of United States embassies in each of those countries.

SEC. 3910. ENFORCEMENT PROVISIONS.

(a) INVESTIGATIONS.—The Secretary of State shall undertake compliance actions and sanctions against exchange visitor program sponsors in accordance with part 62 of title 22, Code of Federal Regulations.

(b) REPRESENTATION.—Except as provided in section 518(a) of title 28, United States Code, the Attorney General may appear for and represent the Secretary in any civil litigation brought under this paragraph. All such litigation shall be subject to the direction and control of the Attorney General. Exchange visitor sponsors shall be allowed a reasonable period of inquiry and response before civil litigation is initiated.

(c) ENFORCEMENT.—The Secretary of State or an exchange visitor who is subject to any violation of this subtitle may bring a civil action against an exchange visitor program sponsor, foreign entity, or host entity in a court of competent jurisdiction and recover appropriate relief, including injunctive relief, damages, reasonable attorneys' fees and costs, and any other remedy that would effectuate the purposes of this subtitle. Any action must be filed within 3 years after the date on which the exchange visitor became aware of the violation, but under no circumstances more than 5 years after the date on which the violation occurred.

(d) ACTIONS BY THE SECRETARY OF STATE OR AN EXCHANGE VISITOR.—If the court finds in a civil action filed under this section that the defendant has violated any provision of this subtitle (or any regulation issued pursuant to this subtitle), the court may award damages, up to and including an amount equal to the amount of actual damages, and statutory damages of up to $1,000 per plaintiff per violation, or other equitable relief, except that with respect to statutory damages—

(1) multiple infractions of a single provision of this subtitle (or of a regulation under this subtitle) shall constitute only 1 violation for purposes of section 3902(a) to determine the amount of statutory damages due a plaintiff; and

(2) if such complaint is certified as a class action the court may award—

(A) damages up to an amount equal to the amount of actual damages; and

(B) statutory damages of not more than the lesser of up to $1,000 per class member per violation, or up to $500,000;

(C) other equitable relief;

(D) reasonable attorneys' fees and costs; and

(E) such other and further relief, including declaratory and injunctive relief, as necessary to effectuate the purposes of this subtitle.

(e) BOND.—To satisfy the damages, fees, and costs found owing under this section, as much of the bond held pursuant to section 3906 shall be released as necessary.

(f) APPEAL.—Any civil action brought under this section shall be subject to appeal as provided in chapter 83 of title 28, United States Code.

(g) SAFE HARBOR.—A host entity shall not have any liability under this section for the actions or omissions of an exchange visitor program sponsor that has a valid designation with the State Department pursuant to section 3905, unless and to the extent that the host entity has engaged in conduct that violates this subtitle.

(h) LIABILITY FOR FOREIGN ENTITIES.—Exchange visitor program sponsors shall be liable for violations of this subtitle by any foreign employees, agents, foreign entities, or subcontractees of any level in relation to the exchange visitor program recruitment activities of the foreign employees, agents, foreign entities, or subcontractees to the same extent as if the exchange visitor program sponsor had committed the violation, unless the exchange visitor program sponsor—

(1) uses reasonable procedures to protect against violations of this subtitle by foreign employees, agents, foreign entities, or subcontractees (including contractually forbidding in writing any foreign employees, agents, foreign entities, or subcontractees from seeking or receiving prohibited fees from workers);

(2) does not act with reckless disregard of the fact that foreign employees, agents, foreign entities, or subcontractees have violated any provision of this subtitle; and

(3) timely reports any potential violations to the Secretary of State.

(i) WAIVER OF RIGHTS.—Agreements between exchange visitors with sponsors, foreign entities, or host entities purporting to waive or to modify their rights under this subtitle shall be void as contrary to public policy.

(j) RETALIATION.—No person shall intimidate, threaten, restrain, coerce, discharge, or in any other manner discriminate or retaliate against any exchange visitor or his or her family members (including a former exchange visitor or an applicant for employment) because such exchange visitor disclosed information to any person that the exchange visitor reasonably believes evidences a violation of this section (or any rule or regulation pertaining to this section), including speaking with a worker organization, seeking legal assistance of counsel, or cooperating with an investigation or other proceeding concerning compliance with this section (or any regulation pertaining to this section).

(k) PROHIBITION ON RETALIATION.—It shall be unlawful for an exchange visitor program sponsor or foreign entity to terminate or remove from the exchange visitor program, ban from the program, adversely annotate an exchange visitor's SEVIS (as defined in section 4902) record, fire, demote, take other adverse employment action, or evict, or to threaten to take any of such actions against an exchange visitor in retaliation for the act of complaining about program conditions, including housing and job placements, wages, hours, and general treatment, or for disclosing retaliation by an exchange visitor sponsor, exchange visitor foreign entity, or host entity against any exchange visitor.

(l) PRESENCE DURING PENDENCY OF ACTIONS.—If other immigration relief is not available to the exchange visitor, the Secretary of Homeland Security may permit, only on the basis of proof, the exchange visitor to remain lawfully in the United States for the time sufficient to allow the exchange visitor to fully and effectively participate in all legal proceedings related to any action taken pursuant to this section.

(m) ACCESS TO LEGAL SERVICES CORPORATION.—Notwithstanding any other provision of law, the Legal Services Corporation and recipients of its funding may provide legal

assistance on behalf of any alien with respect to any provision of this subtitle.

(n) HOST ENTITY VIOLATIONS.—The Secretary, in consultation with the Secretary of Labor, shall maintain a list of host entities against whom there has been a complaint substantiated by the Department of State for significant program violations. Information from that list shall be made available to sponsors upon request.

SEC. 3911. AUDITS AND TRANSPARENCY.

(a) COMPLIANCE AUDITS.—

(1) IN GENERAL.—The Secretary of State shall by regulation require audit reports to be filed by exchange visitor program sponsors operating under the following specific program categories, as described under subpart B of part 62 of title 22, Code of Federal Regulations, and any successor regulations:

(A) Summer work travel.

(B) Trainees and interns.

(C) Camp counselors.

(D) Au pairs.

(E) Teachers.

(2) AUDIT REPORTS.—Audit reports shall be filed with the Department of State and be conducted by a certified public accountant, qualified auditor, or licensed attorney pursuant to a format designated by the Secretary of State, attesting to the sponsor's compliance with the regulatory and reporting requirements set forth in part 62 of title 22, Code of Federal Regulations. The report shall be conducted at the expense of the sponsor and no more frequently than on a biannual basis.

(b) ANNUAL REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit to Congress a report on the exchange visitor program, which shall detail for each specific program category—

(1) summary data on the number of exchange visitors and countries participating in that category;

(2) public diplomacy outcomes; and

(3) recent sanctions imposed by the Department of State.

TITLE IV—REFORMS TO NONIMMIGRANT VISA PROGRAMS

Subtitle A—Employment-based Nonimmigrant Visas

SEC. 4101. MARKET-BASED H–1B VISA LIMITS.

(a) IN GENERAL.—Section 214(g) (8 U.S.C. 1184(g)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''(beginning with fiscal year 1992)''; and

(B) by amending subparagraph (A) to read as follows:

''(A) under section 101(a)(15)(H)(i)(b) may not exceed the sum of—

''(i) the base allocation calculated under paragraph (9)(A); and

''(ii) the allocation adjustment calculated under paragraph (9)(B); and'';

(2) by redesignating paragraph (10) as subparagraph (D) of paragraph (9);

(3) by redesignating paragraph (9) as paragraph (10); and

(4) by inserting after paragraph (8) the following:

''(9)(A) Except as provided in subparagraph (C), the base allocation of nonimmigrant visas under section 101(a)(15)(H)(i)(b) for each fiscal year shall be equal to—

''(i) the sum of—

''(I) the base allocation for the most recently completed fiscal year; and

''(II) the allocation adjustment under subparagraph (B) for the most recently completed fiscal year;

''(ii) if the number calculated under clause (i) is less than 115,000, 115,000; or

''(iii) if the number calculated under clause (i) is more than 180,000, 180,000.

''(B)(i) If the number of cap-subject nonimmigrant visa petitions accepted for filing under section 101(a)(15)(H)(i)(b) during the first 45 days petitions may be filed for a fiscal year is equal to the base allocation for such fiscal year, an additional 20,000 such visas shall be made available beginning on the 46th day on which petitions may be filed for such fiscal year.

''(ii) If the base allocation of cap-subject nonimmigrant visa petitions accepted for filing under section 101(a)(15)(H)(i)(b) for a fiscal year is reached during the 15-day period ending on the 60th day on which petitions may be filed for such fiscal year, an additional 15,000 such visas shall be made available beginning on the 61st day on which petitions may be filed for such fiscal year.

''(iii) If the base allocation of cap-subject nonimmigrant visa petitions accepted for filing under section 101(a)(15)(H)(i)(b) for a fiscal year is reached during the 30-day period ending on the 90th day on which petitions may be filed for such fiscal year, an additional 10,000 such visas shall be made available beginning on the 91st day on which petitions may be filed for such fiscal year.

''(iv) If the base allocation of cap-subject nonimmigrant visa petitions accepted for filing under section 101(a)(15)(H)(i)(b) for a fiscal year is reached during the 185-day period ending on the 275th day on which petitions may be filed for such fiscal year, an additional 5,000 such visas shall be made available beginning on the date on which such allocation is reached.

''(v) If the number of cap-subject nonimmigrant visa petitions accepted for filing under section 101(a)(15)(H)(i)(b) for a fiscal year is at least 5,000 fewer than the base allocation, but is not more than 9,999 fewer than the base allocation, the allocation adjustment for the following fiscal year shall be -5,000.

''(vi) If the number of cap-subject nonimmigrant visa petitions accepted for filing under section 101(a)(15)(H)(i)(b) for a fiscal year is at least 10,000 fewer than the base allocation, but not more than 14,999 fewer than the base allocation, the allocation adjustment for the following fiscal year shall be -10,000.

''(vii) If the number of cap-subject nonimmigrant visa petitions accepted for filing under section 101(a)(15)(H)(i)(b) for a fiscal year is at least 15,000 fewer than the base allocation, but not more than 19,999 fewer than the base allocation, the allocation adjustment for the following fiscal year shall be -15,000.

''(viii) If the number of cap-subject nonimmigrant visa petitions accepted for filing under section 101(a)(15)(H)(i)(b) for a fiscal year is at least 20,000 fewer than the base allocation, the allocation adjustment for the following fiscal year shall be -20,000.

''(C) An allocation adjustment under clause (i), (ii), (iii), or (iv) of subparagraph (B)—

''(i) may not increase the numerical limitation contained in paragraph (9)(A) to a number above 180,000; and

''(ii) may not take place to make additional nonimmigrant visas available for any fiscal year in which the national occupational unemployment rate for 'Management, Professional, and Related Occupations', as published by the Bureau of Labor Statistics each month, averages 4.5 percent or greater over the 12-month period preceding the date of the Secretary's determination of whether the cap should be increased or decreased.''.

(b) INCREASE IN ALLOCATION FOR STEM NONIMMIGRANTS.—Section 214(g)(5)(C) (8 U.S.C. 1184(g)(5)(C)) is amended to read as follows:

''(C) has earned a master's or higher degree, in a field of science, technology, engineering, or math included in the Department of Education's Classification of Instructional Programs taxonomy within the summary groups of computer and information sciences and support services, engineering, mathematics and statistics, biological and biomedical sciences, and physical sciences, from a United States institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) until the number of aliens who are exempted from such numerical limitation during such year exceed 25,000.''.

(c) PUBLICATION.—

(1) DATA SUMMARIZING PETITIONS.—The Secretary shall timely upload to a public website data that summarizes the adjudication of nonimmigrant petitions under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)) during each fiscal year.

(2) ANNUAL NUMERICAL LIMITATION.—As soon as practicable and no later than March 2 of each fiscal year, the Secretary shall publish in the Federal Register the numerical limitation determined under section 214(g)(1)(A) for such fiscal year.

(d) EFFECTIVE DATE AND APPLICATION.—The amendments made by subsection (a) shall take effect on the first day of the first fiscal year beginning after the date of the enactment of this Act and apply to applications for nonimmigrant visas under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)) for such fiscal year.

SEC. 4102. EMPLOYMENT AUTHORIZATION FOR DEPENDENTS OF EMPLOYMENT-BASED NONIMMIGRANTS.

Section 214(c) (8 U.S.C. 1184(c)) is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(2) in paragraph (2), by amending subparagraph (E) to read as follows:

''(E)(i) In the case of an alien spouse admitted under section 101(a)(15)(L), who is accompanying or following to join a principal alien admitted under such section, the Secretary of Homeland Security shall—

''(I) authorize the alien spouse to engage in employment in the United States; and

''(II) provide the spouse with an 'employment authorized' endorsement or other appropriate work permit.

''(ii) In the case of an alien spouse admitted under section 101(a)(15)(H)(i)(b), who is accompanying or following to join a principal alien admitted under such section, the Secretary of Homeland Security shall—

''(I) authorize the alien spouse to engage in employment in the United States; and

''(II) provide such a spouse with an 'employment authorized' endorsement or other appropriate work permit, if appropriate.

''(iii)(I) Upon the request of the Secretary of State, the Secretary of Homeland Security may suspend employment authorizations under clause (ii) to nationals of a foreign country that does not permit reciprocal employment to nationals of the United States who are accompanying or following to join the employment-based nonimmigrant husband or wife of such spouse to be employed in such foreign country based on that status.

''(II) In subclause (I), the term 'employment-based nonimmigrant' means an individual who is admitted to a foreign country to perform employment similar to the employment described in section 101(a)(15)(H)(i)(b).''.

SEC. 4103. ELIMINATING IMPEDIMENTS TO WORKER MOBILITY.

(a) DEFERENCE TO PRIOR APPROVALS.—Section 214(c) (8 U.S.C. 1184(c)), as amended by section 4102, is further amended by adding at the end the following:

''(15) Subject to paragraph (2)(D) and subsection (g) and section 104(c) and subsections (a) and (b) of section 106 of the American Competitiveness in the Twenty-first Century Act of 2000 (Public Law 106–313; 8 U.S.C. 1184 note), the Secretary of Homeland Security shall give deference to a prior approval of a petition in reviewing a petition to extend the status of a nonimmigrant admitted under subparagraph (H)(i)(b) or (L) of section 101(a)(15) if the petition involves the same alien and petitioner unless the Secretary determines that—

''(A) there was a material error with regard to the previous petition approval;

''(B) a substantial change in circumstances has taken place;

''(C) new material information has been discovered that adversely impacts the eligibility of the employer or the nonimmigrant; or

''(D) in the Secretary's discretion, such extension should not be approved.''.

(b) EFFECT OF EMPLOYMENT TERMINATION.—Section 214(n) (8 U.S.C. 1184(n)) is amended by adding at the end the following:

''(3) A nonimmigrant admitted under section 101(a)(15)(H)(i)(b) whose employment relationship terminates before the expiration of the nonimmigrant's period of authorized admission shall be deemed to have retained such legal status throughout the entire 60-day period beginning on the date such employment is terminated. A nonimmigrant who files a petition to extend, change, or adjust their status at any point during such period shall be deemed to have lawful status under section 101(a)(15)(H)(i)(b) while that petition is pending.''.

(c) VISA REVALIDATION.—Section 222(c) (8 U.S.C. 1202(c)) is amended—

(1) by inserting ''(1)'' before ''Every alien''; and

(2) by adding at the end the following:

''(2) The Secretary of State may, at the Secretary's discretion, renew in the United States the visa of an alien admitted under subparagraph (A), (E), (G), (H), (I), (L), (N), (O), (P), (R), or (W) of section 101(a)(15) if the alien has remained eligible for such status and qualifies for a waiver of interview as provided for in subsection (h)(1)(D).''.

(d) INTERVIEW WAIVERS FOR LOW RISK VISA APPLICANTS.—Section 222(h)(1) (8 U.S.C. 1202(h)(1)) is amended—

(1) in subparagraph (B)(iv), by striking ''or'' at the end;

(2) in subparagraph (C)(ii), by striking ''and'' at the end and inserting ''or''; and

(3) by adding at the end the following:

''(D) by the Secretary of State, in consultation with the Secretary of Homeland Security, for such aliens or classes of aliens—

''(i) that the Secretary determines generally represent a low security risk;

''(ii) for which an in-person interview would not add material benefit to the adjudication process;

''(iii) unless the Secretary of State, after a review of all standard database and biometric checks, the visa application, and other supporting documents, determines that an interview is unlikely to reveal derogatory information; and

''(iv) except that in every case, the Secretary of State retains the right to require an applicant to appear for an interview; and''.

SEC. 4104. STEM EDUCATION AND TRAINING.

(a) FEE.—Section 212(a)(5)(A) (8 U.S.C. 1182(a)(5)(A)) is amended by adding at the end the following:

''(v) FEE.—An employer shall submit, along with an application for a certification under this subparagraph, a fee of $1,000, which shall be deposited in the STEM Education and Training Account established under section 286(w).''.

(b) H–1B NONIMMIGRANT PETITIONER ACCOUNT.—Section 286(s) (8 U.S.C. 1356(s)) is amended by striking paragraphs (3) and (4) and inserting the following:

''(3) LOW-INCOME STEM SCHOLARSHIP PROGRAM.—

''(A) IN GENERAL.—Thirty percent of the amounts deposited into the H–1B Nonimmigrant Petitioner Account shall remain available to the Director of the National Science Foundation until expended for scholarships described in section 414(d) of the American Competitiveness and Workforce Improvement Act of 1998 (42 U.S.C. 1869c) for low-income students enrolled in a program of study leading to a degree in science, technology, engineering, or mathematics.

''(B) STEM EDUCATION FOR UNDERREPRESENTED.—The Director shall work in consultation with, or direct scholarship funds through, national nonprofit organizations that primarily focus on science, technology, engineering, or mathematics education for underrepresented groups, such as women and minorities.

''(C) LOAN FORGIVENESS.—The Director may expend funds from the Account for purposes of loan forgiveness or repayment of student loans which led to a low-income student obtaining a degree in science, technology, engineering, mathematics, or other high demand fields.

''(4) NATIONAL SCIENCE FOUNDATION GRANT PROGRAM FOR K–12 SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS EDUCATION.—

''(A) IN GENERAL.—Ten percent of the amounts deposited into the H–1B Nonimmigrant Petitioner Account shall remain available to the Director of the National Science Foundation until expended to carry out a direct or matching grant program to support improvement in K–12 education, including through private-public partnerships. Grants awarded pursuant to this paragraph shall include formula based grants that target lower income populations with a focus on reaching women and minorities.

''(B) TYPES OF PROGRAMS COVERED.—The Director shall award grants to programs that—

''(i) support the development and implementation of standards-based instructional materials models and related student assessments that enable K–12 students to acquire an understanding of science, technology, engineering, and mathematics, and to develop critical thinking skills;

''(ii) provide systemic improvement in training K–12 teachers and education for students in science, technology, engineering, and mathematics, including by supporting efforts to promote gender-equality among students receiving such instruction;

''(iii) support the professional development of K–12 science, technology, engineering, and mathematics teachers in the use of technology in the classroom;

''(iv) stimulate systemwide K–12 reform of science, technology, engineering, and mathematics in urban, rural, and economically disadvantaged regions of the United States;

''(v) provide externships and other opportunities for students to increase their appreciation and understanding of science, technology, engineering, and mathematics (including summer institutes sponsored by an institution of higher education for students in grades 7 through 12 that provide instruction in such fields);

''(vi) involve partnerships of industry, educational institutions, and national or regional community based organizations with demonstrated experience addressing the educational needs of disadvantaged communities;

''(vii) provide college preparatory support to expose and prepare students for careers in science, technology, engineering, and mathematics; or

''(viii) provide for carrying out systemic reform activities under section 3(a)(1) of the National Science Foundation Act of 1950 (42 U.S.C. 1862(a)(1)).''.

(c) USE OF FEE.—Section 286 (8 U.S.C. 1356) is amended by adding at the end the following:

''(w) STEM EDUCATION AND TRAINING ACCOUNT.—

''(1) IN GENERAL.—There is established in the general fund of the Treasury a separate account, which shall be known as the 'STEM Education and Training Account'. Notwithstanding any other section of this title, there shall be deposited as offsetting receipts into the Account all of the fees collected under section 212(a)(5)(A)(v).

''(2) PURPOSES.—

''(A) IN GENERAL.—The purposes of the STEM Education and Training Account are to enhance the economic competitiveness of the United States by—

''(i) strengthening STEM education, including in computer science, at all levels;

''(ii) ensuring that schools have access to well-trained and effective STEM teachers;

''(iii) supporting efforts to strengthen the elementary and secondary curriculum, including efforts to make courses in computer science more broadly available; and

''(iv) helping colleges and universities produce more graduates in fields needed by American employers.

''(B) DEFINED TERM.—In this paragraph, the term 'STEM education' means instruction in a field of science, technology, engineering or math included in the Department of Education's Classification of Instructional Programs taxonomy within the summary groups of computer and information sciences and support services, engineering, mathematics and statistics, biological and biomedical sciences, and physical sciences.

''(3) ALLOCATIONS TO STATES AND TERRITORIES.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary of Education shall proportionately allocate 70 percent of the amounts deposited into the STEM Education and Training Account each fiscal year to the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, American Samoa, and the Northern Mariana Islands in an amount that bears the same relationship as the proportion the State, district, or territory received under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6331 et seq.) for the preceding fiscal year bears to the amount all States and territories received under that subpart for the preceding fiscal year.

''(B) MINIMUM ALLOCATIONS.—No State or territory shall receive less than an amount equal to 0.5 percent of the total amount made available to all States from the STEM Education and Training Account. If a State or territory does not request an allocation from the Account for a fiscal year, the Secretary shall reallocate the State's allocation to the remaining States and territories in accordance with this paragraph.

''(C) USE OF FUNDS.—Amounts allocated pursuant to this paragraph may be used for the activities described in section 4104(c) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(4) STEM CAPACITY BUILDING AT MINORITY-SERVING INSTITUTIONS.—

''(A) IN GENERAL.—The Secretary of Education shall allocate 20 percent of the amounts deposited into the STEM Education and Training Account to establish or expand programs to award grants to institutions described in subparagraph (C)—

''(i) to enhance the quality of undergraduate science, technology, engineering, and mathematics education at such institutions; and

''(ii) to increase the retention and graduation rates of students pursuing degrees in such fields at such institutions.

''(B) TYPES OF PROGRAMS COVERED.—Grants awarded under this paragraph shall be awarded to—

''(i) minority-serving institutions of higher education for—

''(I) activities to improve courses and curriculum in science, technology, engineering, and mathematics;

''(II) efforts to promote gender equality among students enrolled in such courses;

''(III) faculty development;

''(IV) stipends for undergraduate students participating in research; and

''(V) other activities consistent with subparagraph (A), as determined by the Secretary of Education; and

''(ii) to other institutions of higher education to partner with the institutions described in clause (i) for—

''(I) faculty and student development and exchange;

''(II) research infrastructure development;

''(III) joint research projects; and

''(IV) identification and development of minority and low-income candidates for graduate studies in science, technology, engineering, and mathematics degree programs.

''(C) INSTITUTIONS INCLUDED.—In this paragraph, the term 'institutions' shall include—

''(i) colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321–326a and 328), including Tuskegee University;

''(ii) 1994 Institutions, as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note);

''(iii) part B institutions (as defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061)); and

''(iv) Hispanic-serving institutions, as defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5)).

''(D) GRANTING OF BONDING AUTHORITY.—A recipient of a grant awarded under this paragraph is authorized to utilize such funds for the issuance of bonds to fund research infrastructure development.

''(E) LOAN FORGIVENESS.—The Director may expend funds from the allocation under this paragraph for purposes of loan forgiveness or repayment of student loans which led to a low-income student obtaining a degree in science, technology, engineering, mathematics, or other high demand fields.

''(5) WORKFORCE INVESTMENT.—The Secretary of Education shall allocate 5 percent of the amounts deposited into the STEM Education and Training Account to the Secretary of Labor until expended for statewide workforce investment activities that may also benefit veterans and their spouses, including youth activities and statewide employment and training and activities for adults and dislocated workers described in section 128(a) of the Workforce Investment Act of 1998 (29 U.S.C. 2853(a)), and the development of licensing and credentialing programs.

''(6) AMERICAN DREAM ACCOUNTS.—The Secretary of Education shall allocate 3 percent of the amounts deposited into the STEM Education and Training Account to award grants, on a competitive basis, to eligible entities to enable such eligible entities to establish and administer American Dream Accounts under section 4104(e) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

''(7) ADMINISTRATION EXPENSES.—The Secretary of Education may expend up to 2 percent of the amounts deposited into the STEM Education and Training Account for administrative expenses, including conducting an annual evaluation of the implementation and impact of the activities funded by the STEM Education and Training Account as required under section 4104(c)(3) of the Border Security, Economic Opportunity, and Immigration Modernization Act.''.

(d) STEM EDUCATION GRANTS.—

(1) APPLICATION PROCESS.—

(A) IN GENERAL.—Each Governor and Chief State School Officer desiring an allocation from the STEM Education and Training Account under section 286(w)(3) of the Immigration and Nationality Act, as added by subsection (b), shall jointly submit a plan, including a proposed budget, signed by the Governor and Chief State School Officer, to the Secretary of Education at such time, in such form, and including such information as the Secretary of Education may prescribe pursuant to subparagraph (B). The plan shall describe how the State plans to improve STEM education to meet the needs of students and employers in the State.

(B) RULEMAKING.—The Secretary of Education shall issue a rule, through a rulemaking procedure that complies with section 553 of title 5, United States Code, prescribing the information that should be included in the State plans submitted under subparagraph (A).

(2) ALLOWABLE ACTIVITIES.—A State, district, or territory that receives funding from the STEM Education and Training Account may use such funding to develop and implement science, technology, engineering, and mathematics (STEM) activities to serve students, including students of underrepresented groups such as minorities, economically disadvantaged, and females by—

(A) strengthening the State's STEM academic achievement standards;

(B) implementing strategies for the recruitment, training, placement, and retention of teachers in STEM fields, including computer science;

(C) carrying out initiatives designed to assist students in succeeding and graduating from postsecondary STEM programs;

(D) improving the availability and access to STEM-related worker training programs, including community college courses and programs;

(E) forming partnerships with higher education, economic development, workforce, industry, and local educational agencies; or

(F) engaging in other activities, as determined by the State, in consultation with businesses and State agencies, to improve STEM education.

(3) NATIONAL EVALUATION.—

(A) IN GENERAL.—Using amounts allocated under section 286(w)(7) of the Immigration and Nationality Act, as added by subsection (b), the Secretary of Education shall conduct, directly or through a grant or contract, an annual evaluation of the implementation and impact of the activities funded by the STEM Education and Training Account.

(B) ANNUAL REPORT.—The Secretary shall submit a report describing the results of each evaluation conducted under subparagraph (A) to—

(i) the President;

(ii) the Committee on the Judiciary of the Senate;

(iii) the Committee on the Judiciary of the House of Representatives;

(iv) the Committee on Health, Education, Labor, and Pensions of the Senate; and

(v) the Committee on Education and the Workforce of the House of Representatives.

(C) DISSEMINATION.—The Secretary shall make the findings of the evaluation widely available to educators, the business community, and the public.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to permit the Secretary of Education or any other Federal official to approve the content or academic achievement standards of a State.

(e) AMERICAN DREAM ACCOUNTS.—

(1) DEFINITIONS.—In this subsection:

(A) AMERICAN DREAM ACCOUNT.—The term ''American Dream Account'' means a personal online account for low-income students that monitors higher education readiness and includes a college savings account.

(B) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(i) the Committee on Health, Education, Labor, and Pensions of the Senate;

(ii) the Committee on Appropriations of the Senate;

(iii) the Committee on Finance of the Senate;

(iv) the Committee on Education and the Workforce of the House of Representatives;

(v) the Committee on Appropriations of the House of Representatives;

(vi) the Committee on Ways and Means of the House of Representatives; and

(vii) any other committee of the Senate or House of Representatives that the Secretary determines appropriate.

(C) COLLEGE SAVINGS ACCOUNT.—The term ''college savings account'' means a savings account that—

(i) provides some tax-preferred accumulation;

(ii) is widely available (such as Qualified Tuition Programs under section 529 of the Internal Revenue Code of 1986 or Coverdell Education Savings Accounts under section 530 of the Internal Revenue Code of 1986); and

(iii) contains funds that may be used only for the costs associated with attending an institution of higher education, including—

(I) tuition and fees;

(II) room and board;

(III) textbooks;

(IV) supplies and equipment; and

(V) internet access.

(D) DUAL ENROLLMENT PROGRAM.—The term ''dual enrollment program'' means an academic program through which a secondary school student is able simultaneously to earn credit toward a secondary school diploma and a postsecondary degree or credential.

(E) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(i) a State educational agency;

(ii) a local educational agency;

(iii) a charter school or charter management organization;

(iv) an institution of higher education;

(v) a nonprofit organization;

(vi) an entity with demonstrated experience in educational savings or in assisting low-income students to prepare for, and attend, an institution of higher education; or

(vii) a consortium of 2 or more of the entities described in clause (i) through (vi).

(F) ESEA DEFINITIONS.—The terms ''local educational agency'', ''parent'', and ''State educational agency'' have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) and the term ''charter school'' has the meaning given the term in section 5210 of such Act.

(G) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(H) LOW-INCOME STUDENT.—The term ''low-income student'' means a student who is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(2) GRANT PROGRAM.—

(A) PROGRAM AUTHORIZED.—The Secretary of Education is authorized to award grants, on a competitive basis, to eligible entities to enable such eligible entities to establish and administer American Dream Accounts for a group of low-income students.

(B) RESERVATION.—From the amount made available each fiscal year to carry out this section under section 286(w)(6) of the Immigration and Nationality Act, the Secretary of Education shall reserve not more than 5 percent of such amount to carry out the evaluation activities described in paragraph (5)(A).

(C) DURATION.—A grant awarded under this subsection shall be for a period of not more than 3 years. The Secretary of Education may extend such grant for an additional 2-year period if the Secretary of Education determines that the eligible entity has demonstrated significant progress, based on the factors described in paragraph (3)(B)(xi).

(3) APPLICATIONS; PRIORITY.—

(A) IN GENERAL.—Each eligible entity desiring a grant under this subsection shall submit an application to the Secretary of Education at such time, in such manner, and containing such information as the Secretary of Education may require.

(B) CONTENTS.—The application described in subparagraph (A) shall include—

(i) a description of the characteristics of a group of not less than 30 low-income public school students who—

(I) are, at the time of the application, attending a grade not higher than grade 9; and

(II) will, under the grant, receive an American Dream Account;

(ii) a description of how the eligible entity will engage, and provide support (such as tutoring and mentoring for students, and training for teachers and other stakeholders) either online or in person, to—

(I) the students in the group described in clause (i);

(II) the family members and teachers of such students; and

(III) other stakeholders such as school administrators and school counselors;

(iii) an identification of partners who will assist the eligible entity in establishing and sustaining American Dream Accounts;

(iv) a description of what experience the eligible entity or the eligible entity's partners have in managing college savings accounts, preparing low-income students for postsecondary education, managing online systems, and teaching financial literacy;

(v) a description of how the eligible entity will help increase the value of the college savings account portion of each American Dream Account, such as by providing matching funds or incentives for academic achievement;

(vi) a description of how the eligible entity will notify each participating student in the group described in subparagraph (A), on a semiannual basis, of the current balance and status of the student's college savings account portion of the student's American Dream Account;

(vii) a plan that describes how the eligible entity will monitor participating students in the group described in clause (i) to ensure that each student's American Dream Account will be maintained if a student in such group changes schools before graduating from secondary school;

(viii) a plan that describes how the American Dream Accounts will be managed for not less than 1 year after a majority of the students in the group described in clause (i) graduate from secondary school;

(ix) a description of how the eligible entity will encourage students in the group described in clause (i) who fail to graduate from secondary school to continue their education;

(x) a description of how the eligible entity will evaluate the grant program, including by collecting, as applicable, data about the students in the group described in clause (i) during the grant period, and, if sufficient grant funds are available, after the grant period, including

(I) attendance rates;

(II) progress reports;

(III) grades and course selections;

(IV) the student graduation rate (as defined in section 1111 (b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)));

(V) rates of student completion of the Free Application for Federal Student Aid described in section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090);

(VI) rates of enrollment in an institution of higher education; and

(VII) rates of completion at an institution of higher education;

(xi) a description of what will happen to the funds in the college savings account portion of the American Dream Accounts that are dedicated to participating students described in clause (i) who have not matriculated at an institution of higher education at the time of the conclusion of the period of American Dream Account management described in clause (viii);

(xii) a description of how the eligible entity will ensure that funds in the college savings account portion of the American Dream Accounts will not make families ineligible for public assistance; and

(xiii) a description of how the eligible entity will ensure that participating students described in clause (i) will have access to the Internet;

(C) PRIORITY.—In awarding grants under this subsection, the Secretary of Education shall give priority to applications from eligible entities that—

(i) are described in paragraph (1)(E)(vii);

(ii) serve the largest number of low-income students;

(iii) emphasize preparing students to pursue careers in science, technology, engineering, or mathematics; or

(iv) in the case of an eligible entity described in clause (i) or (ii) of paragraph (1)(E), provide opportunities for participating students described in clause (i) to participate in a dual enrollment program at no cost to the student.

(4) AUTHORIZED ACTIVITIES.—

(A) IN GENERAL.—An eligible entity that receives a grant under this subsection shall use such grant funds to establish an American Dream Account for each participating student described in paragraph (3)(B)(i), which will be used to—

(i) open a college savings account for such student;

(ii) monitor the progress of such student online, which—

(I) shall include monitoring student data relating to—

(aa) grades and course selections;

(bb) progress reports; and

(cc) attendance and disciplinary records; and

(II) may also include monitoring student data relating to a broad range of information, provided by teachers and family members, related to postsecondary education readiness, access, and completion;

(iii) provide opportunities for such students, either online or in person, to learn about financial literacy, including by—

(I) assisting such students in financial planning for enrollment in an institution of higher education; and

(II) assisting such students in identifying and applying for financial aid (such as loans, grants, and scholarships) for an institution of higher education;

(iv) provide opportunities for such students, either online or in person, to learn about preparing for enrollment in an institution of higher education, including by providing instruction to students about—

(I) choosing the appropriate courses to prepare for postsecondary education;

(II) applying to an institution of higher education;

(III) building a student portfolio, which may be used when applying to an institution of higher education;

(IV) selecting an institution of higher education;

(V) choosing a major for the student's postsecondary program of education or a career path, including specific instruction on pursuing science, technology, engineering, and mathematics majors; and

(VI) adapting to life at an institution of higher education; and

(v) provide opportunities for such students, either online or in person, to identify skills or interests, including career interests.

(B) ACCESS TO AMERICAN DREAM ACCOUNT.—

(i) IN GENERAL.—Subject to clause (iii) and (iv), and in accordance with applicable Federal laws and regulations relating to privacy of information and the privacy of children, an eligible entity that receives a grant under this subsection shall allow vested stakeholders described in clause (ii), to have secure access, through the Internet, to an American Dream Account.

(ii) VESTED STAKEHOLDERS.—The vested stakeholders that an eligible entity shall permit to access an American Dream Account are individuals (such as the student's teachers, school counselors, counselors at an institution of higher education, school administrators, or other individuals) that are designated, in accordance with the Family Educational Rights and Privacy Act of 1974

(20 U.S.C. 1232g), by the parent of a participating student in whose name such American Dream Account is held, as having permission to access the account. A student's parent may withdraw such designation from an individual at any time.

(iii) EXCEPTION FOR COLLEGE SAVINGS ACCOUNT.—An eligible entity that receives a grant under this subsection shall not be required to give vested stakeholders described in clause (ii), access to the college savings account portion of a student's American Dream Account.

(iv) ADULT STUDENTS.—Notwithstanding clause (i) through (iii), if a participating student is age 18 or older, an eligible entity that receives a grant under this subsection shall not provide access to such participating student's American Dream Account without the student's consent, in accordance with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g).

(v) INPUT OF STUDENT INFORMATION.—Student data collected pursuant to subparagraph (A)(ii)(I) may only be entered into an American Dream Account by a school administrator or such administrator's designee.

(C) PROHIBITION ON USE OF STUDENT INFORMATION.—An eligible entity that receives a grant under this subsection may not use any student-level information or data for the purpose of soliciting, advertising, or marketing any financial or nonfinancial consumer product or service that is offered by such eligible entity, or on behalf of any other person.

(D) LIMITATION ON THE USE OF GRANT FUNDS.—An eligible entity shall not use more than 25 percent of the grant funds provided under this subsection to provide the initial deposit into a college savings account portion of a student's American Dream Account.

(5) REPORTS AND EVALUATIONS.—

(A) IN GENERAL.—Not later than 1 year after the Secretary of Education has disbursed grants under this subsection, and annually thereafter, the Secretary of Education shall prepare and submit a report to the appropriate committees of Congress that includes an evaluation of the effectiveness of the grant program established under this subsection.

(B) CONTENTS.—The report described in subparagraph (A) shall—

(i) list the grants that have been awarded under paragraph (2)(A);

(ii) include the number of students who have an American Dream Account established through a grant awarded under paragraph (2)(A);

(iii) provide data (including the interest accrued on college savings accounts that are part of an American Dream Account) in the aggregate, regarding students who have an American Dream Account established through a grant awarded under paragraph (2)(A), as compared to similarly situated students who do not have an American Dream Account;

(iv) identify best practices developed by the eligible entities receiving grants under this subsection;

(v) identify any issues related to student privacy and stakeholder accessibility to American Dream Accounts;

(vi) provide feedback from participating students and the parents of such students about the grant program, including—

(I) the impact of the program;

(II) aspects of the program that are successful;

(III) aspects of the program that are not successful; and

(IV) any other data required by the Secretary of Education; and

(vii) provide recommendations for expanding the American Dream Accounts program.

(6) ELIGIBILITY TO RECEIVE FEDERAL STUDENT FINANCIAL AID.—Notwithstanding any other provision of law, any funds that are in the college savings account portion of a student's American Dream Account shall not affect such student's eligibility to receive Federal student financial aid, including any Federal student financial aid under the Higher Education Act of 1965 (20 U.S.C. 1001), and shall not be considered in determining the amount of any such Federal student aid.

(f) CONFORMING AMENDMENT.—Section 480(j) of the Higher Education Act of 1965 (20 U.S.C. 1087vv(j)) is amended by adding at the end the following:

''(5) Notwithstanding paragraph (1), amounts made available under the college savings account portion of an American Dream Account under section 4105(e)(4) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 shall not be treated as estimated financial assistance for purposes of section 471(3).''.

SEC. 4105. H–1B AND L VISA FEES.

Section 281 (8 U.S.C. 1351) is amended—

(1) by striking ''The fees'' and inserting the following:

''(a) IN GENERAL.—The fees'';

(2) by striking '': Provided, That nonimmigrant visas'' and inserting the following: ''.

''(b) UNITED NATIONS VISITORS.—Nonimmigrant visas'';

(3) by striking ''Subject to'' and inserting the following:

''(c) FEE WAIVERS OR REDUCTIONS.—Subject to''; and

(4) by adding at the end the following:

''(d) H–1B AND L VISA FEES.—In addition to the fees authorized under subsection (a), the Secretary of Homeland Security shall collect, from each employer (except for nonprofit research institutions and nonprofit educational institutions) filing a petition to hire nonimmigrants described in subparagraph (H)(i)(B) or (L) of section 101(a)(15), a fee in an amount equal to—

''(1) $1,250 for each such petition filed by any employer with not more than 25 full-time equivalent employees in the United States; and

''(2) $2,500 for each such petition filed by any employer with more than 25 such employees.''.

Subtitle B—H–1B Visa Fraud and Abuse Protections

CHAPTER 1—H–1B EMPLOYER APPLICATION REQUIREMENTS

SEC. 4211. MODIFICATION OF APPLICATION REQUIREMENTS.

(a) GENERAL APPLICATION REQUIREMENTS.—

(1) WAGE RATES.—Section 212(n)(1)(A) (8 U.S.C. 1182(n)(1)(A)) is amended—

(A) in clause (i)—

(i) in the matter preceding subclause (I), by inserting ''if the employer is not an H–1B-dependent employer,'' before ''is offering'';

(ii) in subclause (I), by striking ''question, or'' and inserting ''question; or'';

(iii) in subclause (II), by striking ''employment,'' and inserting ''employment;'' and

(iv) in the undesignated material following subclause (II), by striking ''application, and'' and inserting ''application;''; and

(B) by striking clause (ii) and inserting the following:

''(ii) if the employer is an H–1B-dependent employer, is offering and will offer to H–1B nonimmigrants, during the period of authorized employment for each H–1B nonimmigrant, wages that are not less than the level 2 wages set out in subsection (p); and

''(iii) will provide working conditions for H–1B nonimmigrants that will not adversely affect the working conditions of other workers similarly employed.''.

(2) STRENGTHENING THE PREVAILING WAGE SYSTEM.—Section 212(p) (8 U.S.C. 1182(p)) is amended to read as follows:

''(p) COMPUTATION OF PREVAILING WAGE LEVEL.—

''(1) IN GENERAL.—

''(A) SURVEYS.—For employers of nonimmigrants admitted pursuant to section 101(a)(15)(H)(i)(b), the Secretary of Labor shall make available to employers a governmental survey to determine the prevailing wage for each occupational classification by metropolitan statistical area in the United States. Such survey, or other survey approved by the Secretary of Labor, shall provide 3 levels of wages commensurate with experience, education, and level of supervision. Such wage levels shall be determined as follows:

''(i) The first level shall be the mean of the lowest two-thirds of wages surveyed, but in no case less than 80 percent of the mean of the wages surveyed.

''(ii) The second level shall be the mean of wages surveyed.

''(iii) The third level shall be the mean of the highest two-thirds of wages surveyed.

''(B) EDUCATIONAL, NONPROFIT, RESEARCH, AND GOVERNMENTAL ENTITIES.—In computing the prevailing wage level for an occupational classification in an area of employment for purposes of section 203(b)(1)(D) and subsections (a)(5)(A), (n)(1)(A)(i)(II), and (t)(1)(A)(i)(II) of this section in the case of an employee of—

''(i) an institution of higher education, or a related or affiliated nonprofit entity; or

''(ii) a nonprofit research organization or a governmental research organization;

the prevailing wage level shall only take into account employees at such institutions and organizations in the area of employment.

''(2) PAYMENT OF PREVAILING WAGE.—The prevailing wage level required to be paid pursuant to section 203(b)(1)(D) and subsections (a)(5)(A), (n)(1)(A)(i)(II), and (t)(1)(A)(i)(II) of this section shall be 100 percent of the wage level determined pursuant to those sections.

''(3) PROFESSIONAL ATHLETE.—With respect to a professional athlete (as defined in subsection (a)(5)(A)(iii)(II)) when the job opportunity is covered by professional sports league rules or regulations, the wage set forth in those rules or regulations shall be considered as not adversely affecting the wages of United States workers similarly employed and shall be considered the prevailing wage.

''(4) WAGES FOR H–2B EMPLOYEES.—

''(A) IN GENERAL.—The wages paid to H–2B nonimmigrants employed by the employer will be the greater of—

''(i) the actual wage level paid by the employer to other employees with similar experience and qualifications for such position; or

''(ii) the prevailing wage level for the occupational classification of the position in the geographic area of the employment, based on the best information available as of the time of filing the application.

''(B) BEST INFORMATION AVAILABLE.—In subparagraph (A), the term 'best information available', with respect to determining the prevailing wage for a position, means—

''(i) a controlling collective bargaining agreement or Federal contract wage, if applicable;

''(ii) if there is no applicable wage under clause (i), the wage level commensurate with the experience, training, and supervision required for the job based on Bureau of Labor Statistics data; or

''(iii) if the data referred to in clause (ii) is not available, a legitimate and recent private survey of the wages paid for such positions in the metropolitan statistical area.''.

(3) WAGES FOR EDUCATIONAL, NONPROFIT, RESEARCH, AND GOVERNMENTAL ENTITIES.—Section 212 (8 U.S.C. 1182), as amended by sections 2312 and 2313, is further amended by adding at the end the following:

''(x) DETERMINATION OF PREVAILING WAGE.—In the case of a nonprofit institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))), a related or affiliated nonprofit entity, a nonprofit research organization, or a governmental research organization, the Secretary of Labor shall determine such wage levels as follows:

''(1) If the Secretary of Labor uses, or makes available to employers, a governmental survey to determine the prevailing wage, such survey shall provide at least 4 levels of wages commensurate with experience, education, and the level of supervision.

''(2) If an existing government survey has only 2 levels, 2 intermediate levels may be created by dividing by 3, the difference between the 2 levels offered, adding the quotient thus obtained to the first level and subtracting that quotient from the second level.

''(3) For institutions of higher education, only teaching positions and research positions may be paid using this special educational wage level.

''(4) In computing the prevailing wage level for an occupational classification in an area of employment for purposes of subsections (a)(5)(A), (n)(1)(A)(i)(II), and (t)(1)(A)(i)(II) and section 203(b)(1)(D) for an employee of an institution of higher education, or a related or affiliated nonprofit entity or a nonprofit research organization or a governmental research organization, the prevailing wage level shall only take into account employees at such institutions and organizations in the area of employment.''.

(b) INTERNET POSTING REQUIREMENT.—Section 212(n)(1)(C) (8 U.S.C. 1182(n)(1)(C)) is amended—

(1) by redesignating clause (ii) as subclause (II);

(2) by striking ''(i) has provided'' and inserting the following:

''(ii)(I) has provided'';

(3) by striking ''sought, or'' and inserting ''sought; or''; and

(4) by inserting before clause (ii), as redesignated by paragraph (2), the following:

''(i) has advertised on the Internet website maintained by the Secretary of Labor for the purpose of such advertising, for at least 30 calendar days, a detailed description of each position for which a nonimmigrant is sought that includes a description of—

''(I) the wage ranges and other terms and conditions of employment;

''(II) the minimum education, training, experience, and other requirements for the position;

''(III) the process for applying for the position;

''(IV) the title and description of the position, including the location where the work will be performed; and

''(V) the name, city, and zip code of the employer; and''.

(c) APPLICATION OF REQUIREMENTS TO ALL EMPLOYERS.—

(1) NONDISPLACEMENT.—Section 212(n)(1)(E) (8 U.S.C. 1182(n)(1)(E)) is amended to read as follows:

''(E)(i)(I) In the case of an application filed by an employer that is an H–1B skilled worker dependent employer, and is not an H–1B dependent employer, the employer did not displace and will not displace a United States worker employed by the employer during the period beginning 90 days before the date on which a visa petition supported by the application is filed and ending 90 days after such filing.

''(II) An employer that is not an H–1B skilled worker dependent employer shall not be subject to subclause (I) unless—

''(aa) the employer is filing the H–1B petition with the intent or purpose of displacing a specific United States worker from the position to be occupied by the beneficiary of the petition; or

''(bb) workers are displaced who—

''(AA) provide services, in whole or in part, at 1 or more worksites owned, operated, or controlled by a Federal, State, or local government entity, other than a public institution of higher education, that directs and controls the work of the H–1B worker; or

''(BB) are employed as public school kindergarten, elementary, middle school, or secondary school teachers.

''(ii)(I) In the case of an application filed by an H–1B-dependent employer, the employer did not displace and will not displace a United States worker employed by the employer within the period beginning 180 days before the date on which a visa petition supported by the application is filed and ending 180 days after such filing.

''(II) An application described in this clause is an application filed on or after the date final regulations are first promulgated to carry out this subparagraph, and before by an H–1B-dependent employer (as defined in paragraph (3)) or by an employer that has been found, on or after the date of the enactment of the American Competitiveness and Workforce Improvement Act of 1998, under paragraph (2)(C) or (5) to have committed a willful failure or misrepresentation during the 5-year period preceding the filing of the application.

''(iii) In this subparagraph, the term 'job zone' means a zone assigned to an occupation by—

''(I) the Occupational Information Network Database (O*NET) on the date of the enactment of this Act; or

''(II) such database or a similar successor database, as designated by the Secretary of Labor, after the date of the enactment of Border Security, Economic Opportunity, and Immigration Modernization Act.''.

(2) RECRUITMENT.—Section 212(n)(1)(G) (8 U.S.C. 1182(n)(1)(G)) is amended to read as follows:

''(G) An employer, prior to filing the application—

''(i) has taken good faith steps to recruit United States workers for the occupational classification for which the nonimmigrant or nonimmigrants is or are sought, using procedures that meet industry-wide standards and offering compensation that is at least as great as that required to be offered to H–1B nonimmigrants under subparagraph (A);

''(ii) has advertised the job on an Internet website maintained by the Secretary of Labor for the purpose of such advertising; and

''(iii) if the employer is an H–1B skilled worker dependent employer, has offered the job to any United States worker who applies and is equally or better qualified for the job for which the nonimmigrant or nonimmigrants is or are sought.''.

(d) OUTPLACEMENT.—Section 212(n)(1)(F) (8 U.S.C. 1182(n)(1)(F)) is amended to read as follows:

''(F)(i) An H–1B-dependent employer may not place, outsource, lease, or otherwise contract for the services or placement of an H–1B nonimmigrant employee.

''(ii) An employer that is not an H–1B-dependent employer and not described in paragraph (3)(A)(i) may not place, outsource, lease, or otherwise contract for the services or placement of an H–1B nonimmigrant employee unless the employer pays a fee of $500 per outplaced worker.

''(iii) A fee collected under clause (ii) shall be deposited in the Comprehensive Immigration Reform Trust Fund established under section 6 of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(iv) An H–1B dependent employer shall be exempt from the prohibition on outplacement under clause (i) if the employer is a nonprofit institution of higher education, a nonprofit research organization, or primarily a health care business and is petitioning for a physician, a nurse, or a physical therapist or a substantially equivalent health care occupation. Such employer shall be subject to the fee set forth in clause (ii).''.

(e) H–1B-DEPENDENT EMPLOYER DEFINED.—Section 212(n)(3) (8 U.S.C. 1182(n)(3)) is amended to read as follows:

''(3)(A) The term 'H–1B-dependent employer' means an employer (other than nonprofit education and research institutions) that—

''(i) in the case of an employer that has 25 or fewer full-time equivalent employees who are employed in the United States, employs more than 7 H–1B nonimmigrants;

''(ii) in the case of an employer that has at least 26 but not more than 50 full-time equivalent employees who are employed in the United States, employs more than 12 H–1B nonimmigrants; or

''(iii) in the case of an employer that has at least 51 full-time equivalent employees who are employed in the United States, employs H–1B nonimmigrants in a number that is equal to at least 15 percent of the number of such full-time equivalent employees.

''(B) In determining the number of employees who are H–1B nonimmigrants under subparagraph (A)(ii), an intending immigrant employee shall not count toward such number.''.

(f) H–1B SKILLED WORKER DEPENDENT DEFINED.—Section 212(n)(3) (8 U.S.C. 1182(n)(3)) is amended—

(1) by redesignating subparagraph (B) as subparagraph (D); and

(2) by inserting after subparagraph (A) the following:

''(B)(i) For purposes of this subsection, an 'H–1B skilled worker dependent employer' means an employer (other than nonprofit education and research institutions) that employs H–1B nonimmigrants in the United States in a number that in total is equal to at least 15 percent of the number of its full-time equivalent employees in the United States employed in occupations contained within Occupational Information Network Database (O*NET) Job Zone 4 and Job Zone 5.

''(ii) An H–1B nonimmigrant who is an intending immigrant shall be counted as a United States worker in making a determination under clause (i).''.

(g) INTENDING IMMIGRANTS DEFINED.—Section 101(a) (8 U.S.C. 1101(a)), as amended by section 3504(a), is further amended by adding at the end the following:

''(54)(A) The term 'intending immigrant' means, with respect to the number of aliens employed by an employer, an alien who intends to work and reside permanently in the United States, as evidenced by—

''(i) a pending or approved application for a labor certification filed for such alien by a covered employer; or

''(ii) a pending or approved immigrant status petition filed for such alien by a covered employer.

''(B) In this paragraph:

''(i) The term 'covered employer' means an employer that has filed immigrant status petitions for not less than 90 percent of current employees who were the beneficiaries of applications for labor certification that were approved during the 1-year period ending 6 months before the filing of an application or petition for which the number of intending immigrants is relevant.

''(ii) The term 'immigrant status petition' means a petition filed under paragraph (1), (2), or (3) of section 203(b).

''(iii) The term 'labor certification' means an employment certification under section 212(a)(5)(A).

''(C) Notwithstanding any other provision of law—

''(i) for all calculations under this Act, of the number of aliens admitted pursuant to subparagraph (H)(i)(b) or (L) of paragraph (15), an intending immigrant shall be counted as an alien lawfully admitted for permanent residence and shall not be counted as an employee admitted pursuant to such a subparagraph; and

''(ii) for all determinations of the number of employees or United States workers employed by an employer, all of the employees in any group treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986 shall be counted.''.

SEC. 4212. REQUIREMENTS FOR ADMISSION OF NONIMMIGRANT NURSES IN HEALTH PROFESSIONAL SHORTAGE AREAS.

(a) EXTENSION OF PERIOD OF AUTHORIZED ADMISSION.—Section 212(m)(3) (8 U.S.C. 1182(m)(3)) is amended to read as follows:

''(3) The initial period of authorized admission as a nonimmigrant under section 101(a)(15)(H)(i)(c) shall be 3 years, and may be extended once for an additional 3-year period.''.

(b) NUMBER OF VISAS.—Section 212(m)(4) (8 U.S.C. 1182(m)(4)) is amended by striking ''500.'' and inserting ''300.''.

(c) PORTABILITY.—Section 214(n) (8 U.S.C. 1184(n)), as amended by section 4103(b), is further amended by adding at the end the following:

''(4)(A) A nonimmigrant alien described in subparagraph (B) who was previously issued a visa or otherwise provided nonimmigrant status under section 101(a)(15)(H)(i)(c) is authorized to accept new employment performing services as a registered nurse for a facility described in section 212(m)(6) upon the filing by the prospective employer of a new petition on behalf of such nonimmigrant as provided under subsection (c). Employment authorization shall continue for such alien until the new petition is adjudicated. If the new petition is denied, such authorization shall cease.

''(B) A nonimmigrant alien described in this paragraph is a nonimmigrant alien—

''(i) who has been lawfully admitted into the United States;

''(ii) on whose behalf an employer has filed a nonfrivolous petition for new employment before the date of expiration of the period of stay authorized by the Secretary of Homeland Security, except that, if a nonimmigrant described in section 101(a)(15)(H)(i)(c) is terminated or laid off by the nonimmigrant's employer, or otherwise ceases employment with the employer, such petition for new employment shall be filed during the 60-day period beginning on the date of such termination, lay off, or cessation; and

''(iii) who, subsequent to such lawful admission, has not been employed without authorization in the United States before the filing of such petition.''.

(d) APPLICABILITY.—

(1) IN GENERAL.—Beginning on the commencement date described in paragraph (2), the amendments made by section 2 of the Nursing Relief for Disadvantaged Areas Act of 1999 (Public Law 106–95; 113 Stat. 1313), and the amendments made by this section, shall apply to classification petitions filed for nonimmigrant status. This period shall be in addition to the period described in section 2(e) of the Nursing Relief for Disadvantaged Areas Act of 1999 (8 U.S.C. 1182 note).

(2) COMMENCEMENT DATE.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall determine whether regulations are necessary to implement the amendments made by this section. If the Secretary determines that no such regulations are necessary, the commencement date described in this paragraph shall be the date of such determination. If the Secretary determines that regulations are necessary to implement any amendment made by this section, the commencement date described in this paragraph shall be the date on which such regulations (in final form) take effect.

SEC. 4213. NEW APPLICATION REQUIREMENTS.

Section 212(n)(1) (8 U.S.C. 1182(n)(1)) is amended by inserting after clause (iii) of subparagraph (G), as amended by section 4211(c)(2), the following:

''(H)(i) The employer has not advertised any available position specified in the application in an advertisement that states or indicates that—

''(I) such position is only available to an individual who is or will be an H–1B nonimmigrant or an alien participating in optional practical training pursuant to section 101(a)(15)(F)(i); or

''(II) an individual who is or will be an H–1B nonimmigrant or participant in such optional practical training shall receive priority or a preference in the hiring process for such position.

''(ii) The employer has not solely recruited individuals who are or who will be H–1B nonimmigrants or participants in optional practical training pursuant to section 101(a)(15)(F)(i) to fill such position.

''(I)(i) If the employer (other than an educational or research employer) employs 50 or more employees in the United States, the sum of the number of such employees who are H–1B nonimmigrants plus the number of such employees who are nonimmigrants described in section 101(a)(15)(L) may not exceed—

''(I) 75 percent of the total number of employees, for fiscal year 2015;

''(II) 65 percent of the total number of employees, for fiscal year 2016; and

''(III) 50 percent of the total number of employees, for each fiscal year after fiscal year 2016.

''(ii) In this subparagraph:

''(I) The term 'educational or research employer' means an employer that is a nonprofit institution of higher education or a nonprofit research organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under 501(a) of that Code.

''(II) The term 'H–1B nonimmigrant' means an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(H)(i)(b).

''(III) The term 'L nonimmigrant' means an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(L) to provide services to his or her employer involving specialized knowledge.

''(iii) In determining the percentage of employees of an employer that are H–1B nonimmigrants or L nonimmigrants under clause (i), an intending immigrant employee shall not count toward such percentage.

''(J) The employer shall submit to the Secretary of Homeland Security an annual report that includes the Internal Revenue Service Form W–2 Wage and Tax Statement filed by the employer for each H–1B nonimmigrant employed by the employer during the previous year.''.

SEC. 4214. APPLICATION REVIEW REQUIREMENTS.

(a) TECHNICAL AMENDMENT.—Section 212(n)(1) (8 U.S.C. 1182(n)(1)), as amended by section 4213, is further amended in the undesignated paragraph at the end, by striking ''The employer'' and inserting the following:

''(K) The employer''.

(b) APPLICATION REVIEW REQUIREMENTS.—Subparagraph (K) of such section 212(n)(1), as designated by subsection (a), is amended—

(1) by inserting ''and through the Department of Labor's website, without charge.'' after ''D.C.'';

(2) by striking ''only for completeness'' and inserting ''for completeness and evidence of fraud or misrepresentation of material fact,'';

(3) by striking ''or obviously inaccurate'' and inserting '', presents evidence of fraud or misrepresentation of material fact, or is obviously inaccurate'';

(4) by striking ''within 7 days of the'' and inserting ''not later than 14 days after''; and

(5) by adding at the end the following: ''If the Secretary's review of an application identifies evidence of fraud or misrepresentation of material fact, the Secretary may conduct an investigation and hearing in accordance with paragraph (2).''.

(c) FILING OF PETITION FOR NONIMMIGRANT WORKER.—Section 212(n)(1) (8 U.S.C. 1182(n)(1)), as amended by section 4213, is further amended by adding at the end the following:

''(L) An I–129 Petition for Nonimmigrant Worker (or similar successor form)—

''(i) may be filed by an employer with the Secretary of Homeland Security prior to the date the employer receives an approved certification described in section 101(a)(15)(H)(i)(b) from the Secretary of Labor; and

''(ii) may not be approved by the Secretary of Homeland Security until the date such certification is approved.''.

CHAPTER 2— INVESTIGATION AND DISPOSITION OF COMPLAINTS AGAINST H–1B EMPLOYERS

SEC. 4221. GENERAL MODIFICATION OF PROCEDURES FOR INVESTIGATION AND DISPOSITION.

Section 212(n) (8 U.S.C. 1182(n)) is amended—

(1) in paragraph (2)(A)—

(A) by striking ''(A) Subject'' and inserting ''(A)(i) Subject'';

(B) by inserting after the first sentence the following: ''Such process shall include publicizing a dedicated toll-free number and publicly available Internet website for the submission of such complaints.'';

(C) by striking ''12 months'' and inserting ''24 months'';

(D) by striking the last sentence and inserting the following: ''The Secretary shall issue regulations requiring that employers that employ H–1B nonimmigrants, other than nonprofit institutions of higher education and nonprofit research organizations, through posting of notices or other appropriate means, inform their employees of such toll-free number and Internet website and of their right to file complaints pursuant to this paragraph.''; and

(E) by adding at the end the following:

''(ii)(I) Upon the receipt of such a complaint, the Secretary may initiate an investigation to determine if such a failure or misrepresentation has occurred.

''(II) The Secretary may conduct voluntary surveys of the degree to which employers comply with the requirements of this subsection.

''(III) The Secretary shall—

''(aa) conduct annual compliance audits of each employer with more than 100 employees who work in the United States if more than 15 percent of such employees are H–1B nonimmigrants; and

''(bb) make available to the public an executive summary or report describing the general findings of the audits carried out pursuant to this subclause.''; and

(2) by adding at the end the following new paragraph:

''(6) REPORT REQUIRED.—Not later than 1 year after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and every 5 years thereafter, the Inspector General of the Department of Labor shall submit a report regarding the Secretary's enforcement of the requirements of this section to the Committee on the Judiciary and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on the Judiciary and the Committee on Education and the Workforce of the House of Representatives.''.

SEC. 4222. INVESTIGATION, WORKING CONDITIONS, AND PENALTIES.

Subparagraph (C) of section 212(n)(2) (8 U.S.C. 1182(n)(2)) is amended—

(1) in clause (i)—

(A) in the matter preceding subclause (I)—

(i) by striking ''a condition of paragraph (1)(B), (1)(E), or (1)(F)'' and inserting ''a condition under subparagraph (A), (B), (C)(i), (E), (F), (G), (H), (I), or (J) of paragraph (1)''; and

(ii) by striking ''(1)(C)'' and inserting ''(1)(C)(ii)'';

(B) in subclause (I)—

(i) by striking ''$1,000'' and inserting ''$2,000''; and

(ii) by striking ''and'' at the end;

(C) in subclause (II), by striking the period at the end and inserting a semicolon and ''and''; and

(D) by adding at the end the following:

''(III) an employer that violates such subparagraph (A) shall be liable to any employee harmed by such violations for lost wages and benefits.''; and

(2) in clause (ii)—

(A) in subclause (I)—

(i) by striking ''may'' and inserting ''shall''; and

(ii) by striking ''$5,000'' and inserting ''$10,000'';

(B) in subclause (II), by striking the period at the end and inserting a semicolon and ''and''; and

(C) by adding at the end the following:

''(III) an employer that violates such subparagraph (A) shall be liable to any employee harmed by such violations for lost wages and benefits.'';

(3) in clause (iii)—

(A) in the matter preceding subclause (I), by striking ''90 days'' both places it appears and inserting ''180 days'';

(B) in subclause (I)—

(i) by striking ''may'' and inserting ''shall''; and

(ii) by striking ''and'' at the end;

(C) in subclause (II), by striking the period at the end and inserting a semicolon and ''and''; and

(D) by adding at the end the following:

''(III) an employer that violates subparagraph (A) of such paragraph shall be liable to any employee harmed by such violations for lost wages and benefits.'';

(4) in clause (iv)—

(A) by inserting ''to take, or threaten to take, a personnel action, or'' before ''to intimidate'';

(B) by inserting ''(I)'' after ''(iv)''; and

(C) by adding at the end the following:

''(II) An employer that violates this clause shall be liable to any employee harmed by such violation for lost wages and benefits.''; and

(5) in clause (vi)—

(A) by amending subclause (I) to read as follows:

''(I) It is a violation of this clause for an employer who has filed an application under this subsection—

''(aa) to require an H–1B nonimmigrant to pay a penalty for ceasing employment with the employer prior to a date agreed to by the nonimmigrant and the employer (the Secretary shall determine whether a required payment is a penalty, and not liquidated damages, pursuant to relevant State law); and

''(bb) to fail to offer to an H–1B nonimmigrant, during the nonimmigrant's period of authorized employment, on the same basis, and in accordance with the same criteria, as the employer offers to similarly situated United States workers, benefits and eligibility for benefits, including—

''(AA) the opportunity to participate in health, life, disability, and other insurance plans;

''(BB) the opportunity to participate in retirement and savings plans; and

''(CC) cash bonuses and noncash compensation, such as stock options (whether or not based on performance).''; and

(B) in subclause (III), by striking ''$1,000'' and inserting ''$2,000''.

SEC. 4223. INITIATION OF INVESTIGATIONS.

Subparagraph (G) of section 212(n)(2) (8 U.S.C. 1182(n)(2)) is amended—

(1) in clause (i), by striking ''if the Secretary'' and all that follows and inserting ''with regard to the employer's compliance with the requirements of this subsection.'';

(2) in clause (ii), by striking ''and whose identity'' and all that follows through ''failure or failures.'' and inserting ''the Secretary of Labor may conduct an investigation into the employer's compliance with the requirements of this subsection.'';

(3) in clause (iii), by striking the last sentence;

(4) by striking clauses (iv) and (v);

(5) by redesignating clauses (vi), (vii), and (viii) as clauses (iv), (v), and (vi), respectively;

(6) in clause (iv), as so redesignated, by striking ''meet a condition described in clause (ii), unless the Secretary of Labor receives the information not later than 12 months'' and inserting ''comply with the requirements under this subsection, unless the Secretary of Labor receives the information not later than 24 months'';

(7) by amending clause (v), as so redesignated, to read as follows:

''(v) The Secretary of Labor shall provide notice to an employer of the intent to conduct an investigation. The notice shall be provided in such a manner, and shall contain sufficient detail, to permit the employer to respond to the allegations before an investigation is commenced. The Secretary is not required to comply with this clause if the Secretary determines that such compliance would interfere with an effort by the Secretary to investigate or secure compliance by the employer with the requirements of this subsection. A determination by the Secretary under this clause shall not be subject to judicial review.'';

(8) in clause (vi), as so redesignated, by striking ''An investigation'' and all that follows through ''the determination.'' and inserting ''If the Secretary of Labor, after an investigation under clause (i) or (ii), determines that a reasonable basis exists to make a finding that the employer has failed to comply with the requirements under this subsection, the Secretary shall provide interested parties with notice of such determination and an opportunity for a hearing in accordance with section 556 of title 5, United States Code, not later than 120 days after the date of such determination.''; and

(9) by adding at the end the following:

''(vii) If the Secretary of Labor, after a hearing, finds a reasonable basis to believe that the employer has violated the requirements under this subsection, the Secretary shall impose a penalty under subparagraph (C).''.

SEC. 4224. INFORMATION SHARING.

Section 212(n)(2) (8 U.S.C. 1182(n)(2)), as amended by sections 4222 and 4223, is further amended by adding at the end the following:

''(J) The Director of U.S. Citizenship and Immigration Services shall provide the Secretary of Labor with any information contained in the materials submitted by employers of H–1B nonimmigrants as part of the adjudication process that indicates that the employer is not complying with visa program requirements for H–1B nonimmigrants. The Secretary of Labor may initiate and conduct an investigation related to H–1B nonimmigrants and a hearing under this paragraph after receiving information of noncompliance under this subparagraph. This subparagraph may not be construed to prevent the Secretary of Labor from taking action related to wage and hour and workplace safety laws.

''(K) The Secretary of Labor shall facilitate the posting of the descriptions described in paragraph (1)(C)(i) on the Internet website of the State labor or workforce agency for the State in which the position will be primarily located during the same period as the posting under paragraph (1)(C)(i).''.

SEC. 4225. TRANSPARENCY OF HIGH-SKILLED IMMIGRATION PROGRAMS.

Section 416(c) of the American Competitiveness and Workforce Improvement Act of 1998 (8 U.S.C. 1184 note) is amended—

(1) by amending paragraph (2) to read as follows:

''(2) ANNUAL H–1B NONIMMIGRANT CHARACTERISTICS REPORT.—The Bureau of Immigration and Labor Market Research shall submit an annual report to the Committee on

the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains—

''(A) information on the countries of origin of, occupations of, educational levels attained by, and compensation paid to, aliens who were issued visas or otherwise provided nonimmigrant status under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)) during the previous fiscal year;

''(B) a list of all employers who petition for H–1B visas, the number of such petitions filed and approved for each such employer, the occupational classifications for the approved positions, and the number of H–1B nonimmigrants for whom each such employer files for adjustment to permanent resident status;

''(C) the number of immigrant status petitions filed during the prior year on behalf of H–1B nonimmigrants;

''(D) a list of all employers who are H–1B-dependent employers;

''(E) a list of all employers who are H–1B skilled worker dependent employers;

''(F) a list of all employers for whom more than 30 percent of their United States workforce is H–1B or L–1 nonimmigrants;

''(G) a list of all employers for whom more than 50 percent of their United States workforce is H–1B or L–1 nonimmigrants;

''(H) a gender breakdown by occupation and by country of H–1B nonimmigrants;

''(I) a list of all employers who have been approved to conduct outplacement of H–1B nonimmigrants; and

''(J) the number of H–1B nonimmigrants categorized by their highest level of education and whether such education was obtained in the United States or in a foreign country.'';

(2) by redesignating paragraph (3) as paragraph (5);

(3) by inserting after paragraph (2) the following:

''(3) ANNUAL L–1 NONIMMIGRANT CHARACTERISTICS REPORT.—The Bureau of Immigration and Labor Market Research shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains—

''(A) information on the countries of origin of, occupations of, educational levels attained by, and compensation paid to, aliens who were issued visas or otherwise provided nonimmigrant status under section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)) during the previous fiscal year;

''(B) a list of all employers who petition for L–1 visas, the number of such petitions filed and approved for each such employer, the occupational classifications for the approved positions, and the number of L–1 nonimmigrants for whom each such employer files for adjustment to permanent resident status;

''(C) the number of immigrant status petitions filed during the prior year on behalf of L–1 nonimmigrants;

''(D) a list of all employers who are L–1 dependent employers;

''(E) a gender breakdown by occupation and by country of L–1 nonimmigrants;

''(F) a list of all employers who have been approved to conduct outplacement of L–1 nonimmigrants; and

''(G) the number of L–1 nonimmigrants categorized by their highest level of education and whether such education was obtained in the United States or in a foreign country.

''(4) ANNUAL EMPLOYER SURVEY.—The Bureau of Immigration and Labor Market Research shall—

''(A) conduct an annual survey of employers hiring foreign nationals under the L–1 visa program; and

''(B) shall issue an annual report that—

''(i) describes the methods employers are using to meet the requirement of taking good faith steps to recruit United States workers for the occupational classification for which the nonimmigrants are sought, using procedures that meet industry-wide standards;

''(ii) describes the best practices for recruiting among employers; and

''(iii) contains recommendations on which recruiting steps employers can take to maximize the likelihood of hiring American workers.''; and

(4) in paragraph (5), as redesignated, by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''.

CHAPTER 3—OTHER PROTECTIONS

SEC. 4231. POSTING AVAILABLE POSITIONS THROUGH THE DEPARTMENT OF LABOR.

(a) DEPARTMENT OF LABOR WEBSITE.—Section 212(n) (8 U.S.C. 1182(n)), as amended by section 4221(2), is further amended by adding at the end following:

''(7)(A) Not later than 90 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary of Labor shall establish a searchable Internet website for posting positions as required by paragraph (1)(C). Such website shall be available to the public without charge.

''(B) The Secretary may work with private companies or nonprofit organizations to develop and operate the Internet website described in subparagraph (A).

''(C) The Secretary may promulgate rules, after notice and a period for comment, to carry out the requirements of this paragraph.''.

(b) REQUIREMENT FOR PUBLICATION.—The Secretary of Labor shall submit to Congress and publish in the Federal Register and other appropriate media a notice of the date that the Internet website required by paragraph (6) of section 212(n) of the Immigration and Nationality Act, as amended by subsection (a), will be operational.

(c) APPLICATION.—The amendments made by subsection (a) shall apply to an application filed on or after the date that is 30 days after the date described in subsection (b).

SEC. 4232. REQUIREMENTS FOR INFORMATION FOR H–1B AND L NONIMMIGRANTS.

(a) IN GENERAL.—Section 214 (8 U.S.C. 1184), as amended by section 3608, is further amended by adding at the end the following:

''(t) REQUIREMENTS FOR INFORMATION FOR H–1B AND L NONIMMIGRANTS.—

''(1) IN GENERAL.—Upon issuing a visa to an applicant for nonimmigrant status pursuant to subparagraph (H)(i)(b) or (L) of section 101(a)(15) who is outside the United States, the issuing office shall provide the applicant with—

''(A) a brochure outlining the obligations of the applicant's employer and the rights of the applicant with regard to employment under Federal law, including labor and wage protections; and

''(B) the contact information for appropriate Federal agencies or departments that offer additional information or assistance in clarifying such obligations and rights.

''(2) PROVISION OF MATERIAL.—Upon the approval of an application of an applicant referred to in paragraph (1), the applicant shall be provided with the material described in subparagraphs (A) and (B) of paragraph (1)—

''(A) by the issuing officer of the Department of Homeland Security, if the applicant is inside the United States; or

''(B) by the appropriate official of the Department of State, if the applicant is outside the United States.

''(3) EMPLOYER TO PROVIDE IMMIGRATION PAPERWORK EXCHANGED WITH FEDERAL AGENCIES.—

''(A) IN GENERAL.—Not later than 30 days after a labor condition application is filed under section 212(n)(1), an employer shall provide an employee or beneficiary of such application who is or seeking nonimmigrant status under subparagraph (H)(i)(b) or (L) of section 101(a)(15) with a copy the original of all applications and petitions filed by the employer with the Department of Labor or the Department of Homeland Security for such employee or beneficiary.

''(B) WITHHOLDING OF FINANCIAL OR PROPRIETARY INFORMATION.—If a document required to be provided to an employee or beneficiary under subparagraph (A) includes any financial or propriety information of the employer, the employer may redact such information from the copies provided to such employee or beneficiary.''.

(b) REPORT ON JOB CLASSIFICATION AND WAGE DETERMINATIONS.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall prepare a report analyzing the accuracy and effectiveness of the Secretary of Labor's current job classification and wage determination system. The report shall—

(1) specifically address whether the systems in place accurately reflect the complexity of current job types as well as geographic wage differences; and

(2) make recommendations concerning necessary updates and modifications.

SEC. 4233. FILING FEE FOR H–1B-DEPENDENT EMPLOYERS.

(a) IN GENERAL.—Notwithstanding any other provision of law, there shall be a fee required to be submitted by an employer with an application for admission of an H–1B nonimmigrant as follows:

(1) For each fiscal year beginning in fiscal year 2015, $5,000 for applicants that employ 50 or more employees in the United States if more than 30 percent and less than 50 percent of the applicant's employees are H–1B nonimmigrants or L nonimmigrants.

(2) For each of the fiscal years 2015 through 2017, $10,000 for applicants that employ 50 or more employees in the United States if more than 50 percent and less than 75 percent of the applicant's employees are H–1B nonimmigrants or L nonimmigrants. Fees collected under this paragraph shall be deposited in the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1).

(b) DEFINITIONS.—In this section:

(1) EMPLOYER.—The term ''employer''—

(A) means any entity or entities treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986; and

(B) does not include a nonprofit institution of higher education or a nonprofit research organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under 501(a) of that Code that is—

(i) an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); or

(ii) a research organization.

(2) H–1B NONIMMIGRANT.—The term ''H–1B nonimmigrant'' means an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)).

(3) INTENDING IMMIGRANT.—The term ''intending immigrant'' has the meaning given that term in paragraph (54)(A) of section 101(a)(54)(A) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(4) L NONIMMIGRANT.—The term ''L nonimmigrant'' means an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)) to provide services to the alien's employer involving specialized knowledge.

(c) EXCEPTION FOR INTENDING IMMIGRANTS.—In determining the percentage of employees of an employer that are H–1B nonimmigrants or L nonimmigrants under subsection (a), an intending immigrant employee shall not count toward such percentage.

(d) CONFORMING AMENDMENT.—Section 402 of the Act entitled ''An Act making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes'', approved August 13, 2010 (Public Law 111–230; 8 U.S.C. 1101 note) is amended by striking subsection (b).

SEC. 4234. PROVIDING PREMIUM PROCESSING OF EMPLOYMENT-BASED VISA PETITIONS.

Pursuant to section 286(u) of the Immigration and Nationality Act (8 U.S.C. 1356(u)), the Secretary shall establish and collect—

(1) a fee for premium processing of employment-based immigrant petitions; and

(2) a fee for premium processing of an administrative appeal of any decision on a permanent employment-based immigrant petition.

SEC. 4235. TECHNICAL CORRECTION.

Section 212 (8 U.S.C. 1182) is amended by redesignating the second subsection (t), as added by section 1(b)(2)(B) of the Act entitled ''An Act to amend and extend the Irish Peace Process Cultural and Training Program Act of 1998'' (Public Law 108–449 (118 Stat. 3470)), as subsection (u).

SEC. 4236. APPLICATION.

(a) IN GENERAL.—Except as otherwise specifically provided, the amendments made by this subtitle shall apply to applications filed on or after the date of the enactment of this Act.

(b) SPECIAL REQUIREMENTS.—Notwithstanding any other provision of law, the amendments made by section 4211(c) shall not apply to any application or petition filed by an employer on behalf of an existing employee.

SEC. 4237. PORTABILITY FOR BENEFICIARIES OF IMMIGRANT PETITIONS.

(a) INCREASED PORTABILITY.—Section 204(j) (8 U.S.C. 1154(j)) is amended—

(1) by amending the subsection heading to read as follows:

''(j) INCREASED PORTABILITY.—'';

(2) by striking ''A petition'' and inserting the following:

''(1) LONG DELAYED APPLICANTS FOR ADJUSTMENT OF STATUS.—A petition''; and

(3) by adding at the end the following:

''(2) PORTABILITY FOR BENEFICIARIES OF IMMIGRANT PETITIONS.—Regardless of whether an employer withdraws a petition approved under paragraph (1), (2), or (3) of section 203(b)—

''(A) the petition shall remain valid with respect to a new job if—

''(i) the beneficiary changes jobs or employers after the petition is approved; and

''(ii) the new job is in the same or a similar occupational classification as the job for which the petition was approved; and

''(B) the employer's legal obligations with respect to the petition shall terminate at the time the beneficiary changes jobs or employers.

''(3) DOCUMENTATION.—The Secretary of Labor shall develop a mechanism to provide the beneficiary or prospective employer with sufficient information to determine whether a new position or job is in the same or similar occupation as the job for which the petition was approved. The Secretary of Labor shall provide confirmation of application approval if required for eligibility under this subsection. The Secretary of Homeland Security shall provide confirmation of petition approval if required for eligibility under this subsection.''.

(b) ADJUSTMENT OF STATUS FOR EMPLOYMENT-BASED IMMIGRANTS.—Section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended by adding at the end the following:

''(n) ADJUSTMENT OF STATUS FOR EMPLOYMENT-BASED IMMIGRANTS.—

''(1) PETITION.—An alien, and any eligible dependents of such alien, who has filed a petition for immigrant status, may concurrently, or at any time thereafter, file an application with the Secretary of Homeland Security for adjustment of status if such petition is pending or has been approved, regardless of whether an immigrant visa is immediately available at the time the application is filed.

''(2) SUPPLEMENTAL FEE.—If a visa is not immediately available at the time an application is filed under paragraph (1), the beneficiary of such application shall pay a supplemental fee of $500, which shall be deposited in the STEM Education and Training Account established under section 286(w). This fee shall not be collected from any dependent accompanying or following to join such beneficiary.

''(3) AVAILABILITY.—An application filed pursuant to paragraph (2) may not be approved until the date on which an immigrant visa becomes available.''.

Subtitle C—L Visa Fraud and Abuse Protections

SEC. 4301. PROHIBITION ON OUTPLACEMENT OF L NONIMMIGRANTS.

Section 214(c)(2)(F) (8 U.S.C. 1184(c)(2)(F)) is amended to read as follows:

''(F)(i) An employer who employs L-1 nonimmigrants in a number that is equal to at least 15 percent of the total number of full-time equivalent employees employed by the employer shall not place, outsource, lease, or otherwise contract for the services or placement of such alien with another employer. In determining the number of employees who are L-1 nonimmigrants, an intending immigrant shall count as a United States worker.

''(ii) The employer of an alien described in section 101(a)(15)(L) shall not place, outsource, lease, or otherwise contract for the services or placement of such alien with another employer unless—

''(I) such alien will not be controlled or supervised principally by the employer with whom such alien would be placed;

''(II) the placement of such alien at the worksite of the other employer is not essentially an arrangement to provide labor for hire for the other employer; and

''(III) the employer of such alien pays a fee of $500, which shall be deposited in the STEM Education and Training Account established under section 286(w).''.

SEC. 4302. L EMPLOYER PETITION REQUIREMENTS FOR EMPLOYMENT AT NEW OFFICES.

Section 214(c)(2) (8 U.S.C. 1184(c)(2)) is amended by adding at the end the following:

''(G)(i) If the beneficiary of a petition under this paragraph is coming to the United States to open, or be employed in, a new office, the petition may be approved for up to 12 months only if—

''(I) the alien has not been the beneficiary of 2 or more petitions under this subparagraph during the immediately preceding 2 years; and

''(II) the employer operating the new office has—

''(aa) an adequate business plan;

''(bb) sufficient physical premises to carry out the proposed business activities; and

''(cc) the financial ability to commence doing business immediately upon the approval of the petition.

''(ii) An extension of the approval period under clause (i) may not be granted until the importing employer submits an application to the Secretary of Homeland Security that contains—

''(I) evidence that the importing employer meets the requirements of this subsection;

''(II) evidence that the beneficiary of the petition is eligible for nonimmigrant status under section 101(a)(15)(L);

''(III) a statement summarizing the original petition;

''(IV) evidence that the importing employer has complied with the business plan submitted under clause (i)(I);

''(V) evidence of the truthfulness of any representations made in connection with the filing of the original petition;

''(VI) evidence that the importing employer has been doing business at the new office through regular, systematic, and continuous provision of goods and services;

''(VII) a statement of the duties the beneficiary has performed at the new office during the approval period under clause (i) and the duties the beneficiary will perform at the new office during the extension period granted under this clause;

''(VIII) a statement describing the staffing at the new office, including the number of employees and the types of positions held by such employees;

''(IX) evidence of wages paid to employees;

''(X) evidence of the financial status of the new office; and

''(XI) any other evidence or data prescribed by the Secretary.

''(iii) A new office employing the beneficiary of an L–1 petition approved under this paragraph shall do business only through regular, systematic, and continuous provision of goods and services.

''(iv) Notwithstanding clause (ii), and subject to the maximum period of authorized admission set forth in subparagraph (D), the Secretary of Homeland Security, in the Secretary's discretion, may approve a subsequently filed petition on behalf of the beneficiary to continue employment at the office described in this subparagraph for a period beyond the initially granted 12-month period if the importing employer has been doing business at the new office through regular, systematic, and continuous provision of goods and services for the 6 months immediately preceding the date of extension of petition filing and demonstrates that the failure to satisfy any of the requirements described in those subclauses was directly caused by extraordinary circumstances, as determined by the Secretary in the Secretary's discretion.''.

SEC. 4303. COOPERATION WITH SECRETARY OF STATE.

Section 214(c)(2) (8 U.S.C. 1184(c)(2)), as amended by section 4302, is further amended by adding at the end the following:

''(H) For purposes of approving petitions under this paragraph, the Secretary of Homeland Security shall work cooperatively with the Secretary of State to verify the existence or continued existence of a company or office in the United States or in a foreign country.''.

SEC. 4304. LIMITATION ON EMPLOYMENT OF L NONIMMIGRANTS.

Section 214(c)(2) (8 U.S.C. 1184(c)(2)), as amended by sections 4302 and 4303, is further amended by adding at the end the following:

''(I)(i) If the employer employs 50 or more employees in the United States, the sum of the number of such employees who are H–1B nonimmigrants plus the number of such employees who are L nonimmigrants may not exceed—

''(I) 75 percent of the total number of employees, for fiscal year 2015;

''(II) 65 percent of the total number of employees, for fiscal year 2016; and

''(III) 50 percent of the total number of employees, for each fiscal year after fiscal year 2016.

''(ii) In this subparagraph:

''(I) The term 'employer' does not include a nonprofit institution of higher education or a nonprofit research organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under 501(a) of that Code that is—

''(aa) an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); or

''(bb) a research organization.

''(II) The term 'H–1B nonimmigrant' means an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(H)(i)(b).

''(III) The term 'L nonimmigrant' means an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(L) to provide services to the alien's employer involving specialized knowledge.

''(iii) In determining the percentage of employees of an employer that are H–1B nonimmigrants or L nonimmigrants under clause (i), an intending immigrant employee shall not count toward such percentage.''.

SEC. 4305. FILING FEE FOR L NONIMMIGRANTS.

(a) IN GENERAL.—Notwithstanding any other provision of law, the filing fee for an application for admission of an L nonimmigrant shall be as follows:

(1) For each of the fiscal years beginning in fiscal year 2014, $5,000 for applicants that employ 50 or more employees in the United States if more than 30 percent and less than 50 percent of the applicant's employees are H–1B nonimmigrants or L nonimmigrants.

(2) For each of the fiscal years 2014 through 2017, $10,000 for applicants that employ 50 or more employees in the United States if more than 50 percent and less than 75 percent of the applicant's employees are H–1B nonimmigrants or L nonimmigrants. Fees collected under this paragraph shall be deposited in the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1).

(b) DEFINITIONS.—In this section:

(1) EMPLOYER.—The term ''employer'' does not include a nonprofit institution of higher education or a nonprofit research organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under 501(a) of that Code that is—

(A) an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); or

(B) a research organization.

(2) H–1B NONIMMIGRANT.—The term ''H–1B nonimmigrant'' means an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)).

(3) L NONIMMIGRANT.—The term ''L nonimmigrant'' means an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(L) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(L)) to provide services to the alien's employer involving specialized knowledge.

(c) EXCEPTION FOR INTENDING IMMIGRANTS.—In determining the percentage of employees of an employer that are H–1B nonimmigrants or L nonimmigrants under subsection (a), an intending immigrant employee (as defined in section 101(a)(54)(A) of the Immigration and Nationality Act shall not count toward such percentage.

(d) CONFORMING AMENDMENT.—Section 402 of the Act entitled ''An Act making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes'', approved August 13, 2010 (Public Law 111–230; 8 U.S.C. 1101 note), as amended by section 4233(d), is further amended by striking subsections (a) and (c).

SEC. 4306. INVESTIGATION AND DISPOSITION OF COMPLAINTS AGAINST L NONIMMIGRANT EMPLOYERS.

Section 214(c)(2) (8 U.S.C. 1184(c)(2)), as amended by sections 4302, 4303, and 4304 is further amended by adding at the end the following:

''(J)(i) The Secretary of Homeland Security may initiate an investigation of any employer that employs nonimmigrants described in section 101(a)(15)(L) with regard to the employer's compliance with the requirements of this subsection.

''(ii)(I) If the Secretary receives specific credible information from a source who is likely to have knowledge of an employer's practices, employment conditions, or compliance with the requirements under this subsection, the Secretary may conduct an investigation into the employer's compliance with the requirements of this subsection.

''(II) The Secretary may withhold the identity of a source referred to in subclause (I) from an employer and the identity of such source shall not be subject to disclosure under section 552 of title 5, United States Code.

''(iii) The Secretary shall establish a procedure for any person desiring to provide to the Secretary information described in clause (ii)(I) that may be used, in whole or in part, as the basis for the commencement of an investigation described in such clause, to provide the information in writing on a form developed and provided by the Secretary and completed by or on behalf of the person.

''(iv) No investigation described in clause (ii)(I) (or hearing described in clause (vi) based on such investigation) may be conducted with respect to information about a failure to comply with the requirements under this subsection, unless the Secretary receives the information not later than 24 months after the date of the alleged failure.

''(v)(I) Subject to subclause (III), before commencing an investigation of an employer under clause (i) or (ii), the Secretary shall provide notice to the employer of the intent to conduct such investigation.

''(II) The notice required by subclause (I) shall be provided in such a manner, and shall contain sufficient detail, to permit the employer to respond to the allegations before an investigation is commenced.

''(III) The Secretary is not required to comply with this clause if the Secretary determines that to do so would interfere with an effort by the Secretary to investigate or secure compliance by the employer with the requirements of this subsection.

''(IV) There shall be no judicial review of a determination by the Secretary under this clause.

''(vi) If the Secretary, after an investigation under clause (i) or (ii), determines that a reasonable basis exists to make a finding that the employer has failed to comply with the requirements under this subsection, the Secretary shall provide the interested parties with notice of such determination and an opportunity for a hearing in accordance with section 556 of title 5, United States Code, not later than 120 days after the date of such determination. If such a hearing is requested, the Secretary shall make a finding concerning the matter by not later than 120 days after the date of the hearing.

''(vii) If the Secretary, after a hearing, finds a reasonable basis to believe that the employer has violated the requirements under this subsection, the Secretary shall impose a penalty under subparagraph (K).

''(viii)(I) The Secretary may conduct voluntary surveys of the degree to which employers comply with the requirements under this section.

''(II) The Secretary shall—

''(aa) conduct annual compliance audits of each employer with more than 100 employees who work in the United States if more than 15 percent of such employees are nonimmigrants described in 101(a)(15)(L); and

''(bb) make available to the public an executive summary or report describing the general findings of the audits carried out pursuant to this subclause.''.

SEC. 4307. PENALTIES.

Section 214(c)(2) (8 U.S.C. 1184(c)(2)), as amended by sections 4302, 4303, 4304, and 4306, is further amended by adding at the end the following:

''(K)(i) If the Secretary of Homeland Security finds, after notice and an opportunity for a hearing, a failure by an employer to meet a condition under subparagraph (F), (G), or (L) or a misrepresentation of material fact in a petition to employ 1 or more aliens as nonimmigrants described in section 101(a)(15)(L)—

''(I) the Secretary shall impose such administrative remedies (including civil monetary penalties in an amount not to exceed $2,000 per violation) as the Secretary determines to be appropriate;

''(II) the Secretary may not, during a period of at least 1 year, approve a petition for that employer to employ 1 or more aliens as such nonimmigrants; and

''(III) in the case of a violation of subparagraph (J), the employer shall be liable to the employees harmed by such violation for lost wages and benefits.

''(ii) If the Secretary finds, after notice and an opportunity for a hearing, a willful failure by an employer to meet a condition under subparagraph (F), (G), or (L) or a willful misrepresentation of material fact in a petition to employ 1 or more aliens as nonimmigrants described in section 101(a)(15)(L)—

''(I) the Secretary shall impose such administrative remedies (including civil monetary penalties in an amount not to exceed $10,000 per violation) as the Secretary determines to be appropriate;

''(II) the Secretary may not, during a period of at least 2 years, approve a petition filed for that employer to employ 1 or more aliens as such nonimmigrants; and

''(III) in the case of a violation of subparagraph (J), the employer shall be liable to the employees harmed by such violation for lost wages and benefits.''.

SEC. 4308. PROHIBITION ON RETALIATION AGAINST L NONIMMIGRANTS.

Section 214(c)(2) (8 U.S.C. 1184(c)(2)), as amended by sections 4302, 4303, 4303, 4306, and 4307, is further amended by adding at the end the following:

''(L)(i) It is a violation of this subparagraph for an employer who has filed a petition to import 1 or more aliens as nonimmigrants described in section 101(a)(15)(L) to take, fail to take, or threaten to take or fail to take, a personnel action, or to intimidate, threaten, restrain, coerce, blacklist, discharge, or discriminate in any other manner against an employee because the employee—

''(I) has disclosed information that the employee reasonably believes evidences a violation of this subsection, or any rule or regulation pertaining to this subsection; or

''(II) cooperates or seeks to cooperate with the requirements of this subsection, or any rule or regulation pertaining to this subsection.

''(ii) In this subparagraph, the term 'employee' includes—

''(I) a current employee;

''(II) a former employee; and

''(III) an applicant for employment.''.

SEC. 4309. REPORTS ON L NONIMMIGRANTS.

Section 214(c)(8) (8 U.S.C. 1184(c)(8)) is amended by inserting ''(L),'' after ''(H),''.

SEC. 4310. APPLICATION.

The amendments made by this subtitle shall apply to applications filed on or after the date of the enactment of this Act.

SEC. 4311. REPORT ON L BLANKET PETITION PROCESS.

Not later than 6 months after the date of the enactment of this Act, the Inspector General of the Department shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the use of blanket petitions under section 214(c)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)(A)). Such report shall assess the efficiency and reliability of the process for reviewing such blanket petitions, including whether the process includes adequate safeguards against fraud and abuse.

Subtitle D—Other Nonimmigrant Visas

SEC. 4401. NONIMMIGRANT VISAS FOR STUDENTS.

(a) AUTHORIZATION OF DUAL INTENT FOR F NONIMMIGRANTS SEEKING BACHELOR'S OR GRADUATE DEGREES.—Section 101(a)(15)(F) (8 U.S.C. 1101(a)(15)(F)) is amended to read as follows:

''(F)(i) an alien having a residence in a foreign country who is a bona fide student qualified to pursue a full course of study and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study consistent with section 214(m) at an accredited college, university, or language training program, or at an established seminary, conservatory, academic high school, elementary school, or other academic institution in the United States, particularly designated by the alien and approved by the Secretary of Homeland Security after consultation with the Secretary of Education, which institution or place of study shall have agreed to report to the Secretary of Homeland Security the termination of attendance of each nonimmigrant student, and if any such institution of learning or place of study fails to make reports promptly the approval shall be withdrawn, except that such an alien who is not seeking to pursue a degree that is a bachelor's degree or a graduate degree shall have a residence in a foreign country that the alien has no intention of abandoning;

''(ii) the alien spouse and minor children of any alien described in clause (i) if accompanying or following to join such an alien; and

''(iii) an alien who is a national of Canada or Mexico, who maintains actual residence and place of abode in the country of nationality, who is described in clause (i) except that the alien's qualifications for and actual course of study may be full or part-time, and who commutes to the United States institution or place of study from Canada or Mexico.''.

(b) DUAL INTENT.—Section 214(h) (8 U.S.C. 1184(h)) is amended to read as follows:

''(h) DUAL INTENT.—The fact that an alien is, or intends to be, the beneficiary of an application for a preference status filed under section 204, seeks a change or adjustment of status after completing a legitimate period of nonimmigrant stay, or has otherwise sought permanent residence in the United States shall not constitute evidence of intent to abandon a foreign residence that would preclude the alien from obtaining or maintaining—

''(1) a visa or admission as a nonimmigrant described in subparagraph (E), (F)(i), (F)(ii), (H)(i)(b), (H)(i)(c), (L), (O), (P), (V), or (W) of section 101(a)(15); or

''(2) the status of a nonimmigrant described in any such subparagraph.''.

(c) REQUIREMENT OF STUDENT VISA DATA TRANSFER AND CERTIFICATION.—

(1) IN GENERAL.—The Secretary shall implement real-time transmission of data from the Student and Exchange Visitor Information System to databases used by U.S. Customs and Border Protection.

(2) CERTIFICATION.—

(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall certify to Congress that the transmission of data referred to in paragraph (1) has been implemented.

(B) TEMPORARY SUSPENSION OF VISA ISSUANCE.—If the Secretary has not made the certification referred to in subparagraph (A) during the 120-day period, the Secretary shall suspend issuance of visas under subparagraphs (F) and (M) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) until the certification is made.

SEC. 4402. CLASSIFICATION FOR SPECIALTY OCCUPATION WORKERS FROM FREE TRADE COUNTRIES.

(a) NONIMMIGRANT STATUS.—Section 101(a)(15)(E)(8 U.S.C. 1101(a)(15)(E)) is amended—

(1) in the matter preceding clause (i), by inserting '', bilateral investment treaty, or free trade agreement'' after ''treaty of commerce and navigation'';

(2) in clause (ii), by striking ''or'' at the end; and

(3) by adding at the end the following:

''(iv) solely to perform services in a specialty occupation in the United States if the alien is a national of a country, other than Chile, Singapore, or Australia, with which the United States has entered into a free trade agreement (regardless of whether such an agreement is a treaty of commerce and navigation) and with respect to whom the Secretary of Labor determines and certifies to the Secretary of Homeland Security and the Secretary of State that the intending employer has filed with the Secretary of Labor an attestation under section 212(t);

''(v) solely to perform services in a specialty occupation in the United States if the alien is a national of the Republic of Korea and with respect to whom the Secretary of Labor determines and certifies to the Secretary of Homeland Security and the Secretary of State that the intending employer has filed with the Secretary of Labor an attestation under section 212(t); or

''(vi) solely to perform services as an employee and who has at least a high school education or its equivalent, or has, during the most recent 5-year period, at least 2 years of work experience in an occupation which requires at least 2 years of training or experience if the alien is a national of a country—

''(I) designated as an eligible sub-Saharan African country under section 104 of the African Growth and Opportunity Act (19 U.S.C. 3703); or

''(II) designated as a beneficiary country for purposes of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.);''.

(b) NUMERICAL LIMITATION.—Section 214(g)(11) (8 U.S.C. 1184(g)(11)) is amended—

(1) in subparagraph (A), by striking ''section 101(a)(15)(E)(iii)'' and inserting ''clauses (iii) and (vi) of section 101(a)(15)(E)''; and

(2) by amending subparagraph (B) to read as follows:

''(B) The applicable numerical limitation referred to in subparagraph (A) for each fiscal year is—

''(i) 10,500 for each of the nationalities identified in clause (iii) of section 101(a)(15)(E); and

''(ii) 10,500 for all aliens described in clause (vi) of such section.''.

(c) FREE TRADE AGREEMENTS.—Section 214(g) (8 U.S.C. 1184(g)) is amended by adding at the end the following:

''(12)(A) The free trade agreements referred to in section 101(a)(15)(E)(iv) are defined as any free trade agreement designated by the Secretary of Homeland Security with the concurrence of the United States Trade Representative and the Secretary of State.

''(B) The Secretary of State may not approve a number of initial applications submitted for aliens described in clause (iv) or (v) of section 101(a)(15)(E) that is more than 5,000 per fiscal year for each country with which the United States has entered into a Free Trade Agreement.

''(C) The applicable numerical limitation referred to in subparagraph (A) shall apply only to principal aliens and not to the spouses or children of such aliens.''.

(d) NONIMMIGRANT PROFESSIONALS.—Section 212(t) (8 U.S.C. 1182(t)) is amended by striking ''section 101(a)(15)(E)(iii)'' each place that term appears and inserting ''clause (iv) or (v) of section 101(a)(15)(E)''.

SEC. 4403. E–VISA REFORM.

(a) NONIMMIGRANT CATEGORY.—Section 101(a)(15)(E)(iii) (8 U.S.C. 1101(a)(15)(E)(iii)) is amended by inserting '', or solely to perform services as an employee and who has at least a high school education or its equivalent, or has, within 5 years, at least 2 years of work experience in an occupation which requires at least 2 years of training or experience if the alien is a national of the Republic of Ireland,'' after ''Australia''.

(b) TEMPORARY ADMISSION.—Section 212(d)(3)(A) (8 U.S.C. 1182(d)(3)(A)) is amended to read as follows:

''(A) Except as otherwise provided in this subsection—

''(i) an alien who is applying for a nonimmigrant visa and who the consular officer

knows or believes to be ineligible for such visa under subsection (a) (other than subparagraphs (A)(i)(I), (A)(ii), (A)(iii), (C), (E)(i), and (E)(ii) of paragraph (3) of such subsection)—

''(I) after approval by the Secretary of Homeland Security of a recommendation by the Secretary of State or by the consular officer that the alien be admitted temporarily despite the alien's inadmissibility, may be granted such a visa and may be admitted into the United States temporarily as a nonimmigrant, in the discretion of the Secretary of Homeland Security; or

''(II) absent such recommendation and approval, be granted a nonimmigrant visa pursuant to section 101(a)(15)(E) if such ineligibility is based solely on conduct in violation of paragraph (6), (7), or (9) of section 212(a) that occurred before the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; and

''(ii) an alien who is inadmissible under subsection (a) (other than subparagraphs (A)(i)(I), (A)(ii), (A)(iii), (C), (E)(i), and (E)(ii) of paragraph (3) of such subsection), is in possession of appropriate documents or was granted a waiver from such document requirement, and is seeking admission, may be admitted into the United States temporarily as a nonimmigrant, in the discretion of the Secretary of Homeland Security, who shall prescribe conditions, including exaction of such bonds as may be necessary, to control and regulate the admission and return of inadmissible aliens applying for temporary admission under this paragraph.''.

(c) NUMERICAL LIMITATION.—Section 214(g)(11)(B) (8 U.S.C. 1184(g)(11)(B)) is amended by striking the period at the end and inserting ''for each of the nationalities identified under section 101(a)(15)(E)(iii).''.

SEC. 4404. OTHER CHANGES TO NONIMMIGRANT VISAS.

(a) PORTABILITY.—Paragraphs (1) and (2) of section 214(n) (8 U.S.C. 1184(n)) are amended to read as follows:

''(1) A nonimmigrant alien described in paragraph (2) who was previously issued a visa or otherwise provided nonimmigrant status under section 101(a)(15)(H)(i)(b) or 101(a)(15)(O)(i) is authorized to accept new employment pursuant to such section upon the filing by the prospective employer of a new petition on behalf of such nonimmigrant as provided under subsection (a). Employment authorization shall continue for such alien until the new petition is adjudicated. If the new petition is denied, such authorization shall cease.

''(2) A nonimmigrant alien described in this paragraph is a nonimmigrant alien—

''(A) who has been lawfully admitted into the United States;

''(B) on whose behalf an employer has filed a nonfrivolous petition for new employment before the date of expiration of the period of stay authorized by the Secretary of Homeland Security; and

''(C) who, subsequent to such lawful admission, has not been employed without authorization in the United States before the filing of such petition.''.

(b) WAIVER.—The undesignated material at the end of section 214(c)(3) (8 U.S.C. 1184(c)(3)) is amended to read as follows:

''The Secretary of Homeland Security shall provide by regulation for the waiver of the consultation requirement under subparagraph (A) in the case of aliens who have been admitted as nonimmigrants under section 101(a)(15)(O)(i) because of extraordinary ability in the arts or extraordinary achievement in motion picture or television production and who seek readmission to perform similar services within 3 years after the date of a consultation under such subparagraph provided that, in the case of aliens admitted because of extraordinary achievement in motion picture or television production, such waiver shall apply only if the prior consultations by the appropriate union and management organization were favorable or raised no objection to the approval of the petition. Not later than 5 days after such a waiver is provided, the Secretary shall forward a copy of the petition and all supporting documentation to the national office of an appropriate labor organization. In the case of an alien seeking entry for a motion picture or television production (i) any opinion under the previous sentence shall only be advisory; (ii) any such opinion that recommends denial must be in writing; (iii) in making the decision the Attorney General shall consider the exigencies and scheduling of the production; (iv) the Attorney General shall append to the decision any such opinion; and (v) upon making the decision, the Attorney General shall immediately provide a copy of the decision to the consulting labor and management organizations.''.

SEC. 4405. TREATMENT OF NONIMMIGRANTS DURING ADJUDICATION OF APPLICATION.

Section 214 (8 U.S.C. 1184), as amended by sections 3609 and 4233, is further amended by adding at the end the following:

''(u) TREATMENT OF NONIMMIGRANTS DURING ADJUDICATION OF APPLICATION.—A nonimmigrant alien granted employment authorization pursuant to sections 101(a)(15)(A), 101(a)(15)(E), 101(a)(15)(G), 101(a)(15)(H), 101(a)(15)(I), 101(a)(15)(J), 101(a)(15)(L), 101(a)(15)(O), 101(a)(15)(P), 101(a)(15)(Q), 101(a)(15)(R), 214(e), and such other sections as the Secretary of Homeland Security may by regulations prescribe whose status has expired but who has, or whose sponsoring employer or authorized agent has, filed a timely application or petition for an extension of such employment authorization and nonimmigrant status as provided under subsection (a) is authorized to continue employment with the same employer until the application or petition is adjudicated. Such authorization shall be subject to the same conditions and limitations as the initial grant of employment authorization.''.

SEC. 4406. NONIMMIGRANT ELEMENTARY AND SECONDARY SCHOOL STUDENTS.

Section 214(m)(1)(B) (8 U.S.C. 1184(m)(1)(B)) is amended striking ''unless—'' and all that follows through ''(ii)'' and inserting ''unless''.

SEC. 4407. J–1 SUMMER WORK TRAVEL VISA EXCHANGE VISITOR PROGRAM FEE.

Section 281 (8 U.S.C. 1351), as amended by section 4105, is further amended by adding at the end the following:

''(e) J-1 SUMMER WORK TRAVEL PARTICIPANT FEE.—In addition to the fees authorized under subsection (a), the Secretary of State shall collect a $100 fee from each nonimmigrant entering under the Summer Work Travel program conducted by the Secretary of State pursuant to the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–761). Fees collected under this subsection shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.''.

SEC. 4408. J VISA ELIGIBILITY.

(a) SPEAKERS OF CERTAIN FOREIGN LANGUAGES.—Section 101(a)(15)(J) (8 U.S.C. 1101(a)(15)(J)) is amended to read as follows:

''(J) an alien having a residence in a foreign country which he has no intention of abandoning who—

''(i) is a bona fide student, scholar, trainee, teacher, professor, research assistant, specialist, or leader in a field of specialized knowledge or skill, or other person of similar description, who is coming temporarily to the United States as a participant in a program designated by the Director of the United States Information Agency, for the purpose of teaching, instructing or lecturing, studying, observing, conducting research, consulting, demonstrating special skills, or receiving training and who, if such alien is coming to the United States to participate in a program under which such alien will receive graduate medical education or training, also meets the requirements of section 212(j), and the alien spouse and minor children of any such alien if accompanying such alien or following to join such alien; or

''(ii) is coming to the United States to perform work involving specialized knowledge or skill, including teaching on a full-time or part-time basis, that requires proficiency of languages spoken as a native language in countries of which fewer than 5,000 nationals were lawfully admitted for permanent residence in the United States in the previous year;''.

(b) REQUIREMENT FOR ANNUAL LIST OF COUNTRIES.—The Secretary of State shall publish an annual list of the countries described in clause (ii) of section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)), as added by subsection (a).

(c) SUMMER WORK TRAVEL PROGRAM EMPLOYMENT IN SEAFOOD PROCESSING.—Notwithstanding any other provision of law or regulation, including part 62 of title 22, Code of Federal Regulations, or any proposed rule, the Secretary of State shall permit participants in the Summer Work Travel program described in section 62.32 of such title 22 who are admitted under section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)), as amended by subsection (a), to be employed in seafood processing positions in Alaska.

SEC. 4409. F–1 VISA FEE.

Section 281 (8 U.S.C. 1351), as amended by sections 4105 and 4407, is further amended by adding at the end the following:

''(f) F–1 VISA FEE.—

''(1) IN GENERAL.—In addition to the fees authorized under subsection (a), the Secretary of Homeland Security shall collect a $100 fee from each nonimmigrant admitted under section 101(a)(15)(F)(i). Fees collected under this subsection shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(2) RULEMAKING.—The Secretary of Homeland Security, in conjunction with the Secretary of State, shall promulgate regulations to ensure that—

''(A) the fee authorized under paragraph (1) is paid on behalf of all J–1 nonimmigrants seeking entry into the United States;

''(B) a fee related to the hiring of a J–1 nonimmigrant is not deducted from the wages or other compensation paid to the J–1 nonimmigrant; and

''(C) not more than 1 fee is collected per J–1 nonimmigrant.''.

SEC. 4410. PILOT PROGRAM FOR REMOTE B NONIMMIGRANT VISA INTERVIEWS.

Section 222 (8 U.S.C. 1202) is amended by adding at the end the following:

''(i)(1) Except as provided in paragraph (3), the Secretary of State—

''(A) shall develop and conduct a pilot program for processing visas under section 101(a)(15)(B) using secure remote videoconferencing technology as a method for conducting any required in person interview of applicants; and

''(B) in consultation with the heads of other Federal agencies that use such secure communications, shall help ensure the security of the videoconferencing transmission and encryption conducted under subparagraph (A).

''(2) Not later than 90 days after the termination of the pilot program authorized under paragraph (1), the Secretary of State shall submit to the appropriate committees of Congress a report that contains—

''(A) a detailed description of the results of such program, including an assessment of the efficacy, efficiency, and security of the remote videoconferencing technology as a method for conducting visa interviews of applicants; and

''(B) recommendations for whether such program should be continued, broadened, or modified.

''(3) The pilot program authorized under paragraph (1) may not be conducted if the Secretary of State determines that such program—

''(A) poses an undue security risk; and

''(B) cannot be conducted in a manner consistent with maintaining security controls.

''(4) If the Secretary of State makes a determination under paragraph (3), the Secretary shall submit a report to the appropriate committees of Congress that describes the reasons for such determination.

''(5) In this subsection:

''(A) The term 'appropriate committees of Congress' means—

''(i) the Committee on the Judiciary, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

''(ii) the Committee on the Judiciary, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

''(B) The term 'in person interview' includes interviews conducted using remote video technology.''.

SEC. 4411. PROVIDING CONSULAR OFFICERS WITH ACCESS TO ALL TERRORIST DATABASES AND REQUIRING HEIGHTENED SCRUTINY OF APPLICATIONS FOR ADMISSION FROM PERSONS LISTED ON TERRORIST DATABASES.

Section 222 (8 U.S.C. 1202), as amended by section 4410, is further amended by adding at the end the following:

''(j) PROVIDING CONSULAR OFFICERS WITH ACCESS TO ALL TERRORIST DATABASES AND REQUIRING HEIGHTENED SCRUTINY OF APPLICATIONS FOR ADMISSION FROM PERSONS LISTED ON TERRORIST DATABASES.—

''(1) ACCESS TO THE SECRETARY OF STATE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary of State shall have access to all terrorism records and databases maintained by any agency or department of the United States for the purposes of determining whether an applicant for admission poses a security threat to the United States.

''(B) EXCEPTION.—The head of such an agency or department may only withhold access to terrorism records and databases from the Secretary of State if such head is able to articulate that withholding is necessary to prevent the unauthorized disclosure of information that clearly identifies, or would reasonably permit ready identification of, intelligence or sensitive law enforcement sources, methods, or activities.

''(2) BIOGRAPHIC AND BIOMETRIC SCREENING.—

''(A) REQUIREMENT FOR BIOGRAPHIC AND BIOMETRIC SCREENING.—Notwithstanding any other provision of this Act, the Secretary of State shall require every alien applying for admission to the United States to submit to biographic and biometric screening to determine whether the alien's name or biometric information is listed in any terrorist watch list or database maintained by any agency or department of the United States.

''(B) EXCLUSIONS.—No alien applying for a visa to the United States shall be granted such visa by a consular officer if the alien's name or biometric information is listed in any terrorist watch list or database referred to in subparagraph (A) unless—

''(i) screening of the alien's visa application against interagency counterterrorism screening systems which compare the applicant's information against data in all counterterrorism watch lists and databases reveals no potentially pertinent links to terrorism;

''(ii) the consular officer submits the application for further review to the Secretary of State and the heads of other relevant agencies, including the Secretary of Homeland Security and the Director of National Intelligence; and

''(iii) the Secretary of State, after consultation with the Secretary of Homeland Security, the Director of National Intelligence, and the heads of other relevant agencies, certifies that the alien is admissible to the United States.''.

SEC. 4412. VISA REVOCATION INFORMATION.

Section 428 of the Homeland Security Act of 2002 (6 U.S.C. 236) is amended by adding at the end the following:

''(j) VISA REVOCATION INFORMATION.—If the Secretary of State or the Secretary of Homeland Security revoke a visa—

''(1) the fact of the revocation shall be immediately provided to the relevant consular officers, law enforcement, and terrorist screening databases; and

''(2) a notice of such revocation shall be posted to all Department of Homeland Security port inspectors and to all consular officers.''.

SEC. 4413. STATUS FOR CERTAIN BATTERED SPOUSES AND CHILDREN.

(a) NONIMMIGRANT STATUS FOR CERTAIN BATTERED SPOUSES AND CHILDREN.—Section 101(a)(51) (8 U.S.C. 1101(a)(51)), as amended by section 2305(d)(6)(B)(i)(III), is further amended—

(1) in subparagraph (E), by striking ''or'' at the end;

(2) in subparagraph (F), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(G) section 106 as an abused derivative alien.''.

(b) RELIEF FOR ABUSED DERIVATIVE ALIENS.—

(1) IN GENERAL.—Section 106 (8 U.S.C. 1105a) is amended to read as follows:

''SEC. 106. RELIEF FOR ABUSED DERIVATIVE ALIENS.

''(a) ABUSED DERIVATIVE ALIEN DEFINED.—In this section, the term 'abused derivative alien' means an alien who—

''(1) is the spouse or child admitted under section 101(a)(15) or pursuant to a blue card status granted under section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act;

''(2) is accompanying or following to join a principal alien admitted under such a section; and

''(3) has been subjected to battery or extreme cruelty by such principal alien.

''(b) RELIEF FOR ABUSED DERIVATIVE ALIENS.—The Secretary of Homeland Security—

''(1) shall grant or extend the status of admission of an abused derivative alien under section 101(a)(15) or section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act under which the principal alien was admitted for the longer of—

''(A) the same period for which the principal was initially admitted; or

''(B) a period of 3 years;

''(2) may renew a grant or extension of status made under paragraph (1);

''(3) shall grant employment authorization to an abused derivative alien; and

''(4) may adjust the status of the abused derivative alien to that of an alien lawfully admitted for permanent residence if—

''(A) the alien is admissible under section 212(a) or the Secretary of Homeland Security finds the alien's continued presence in the United States is justified on humanitarian grounds, to ensure family unity, or is otherwise in the public interest; and

''(B) the status under which the principal alien was admitted to the United States would have potentially allowed for eventual adjustment of status.

''(c) EFFECT OF TERMINATION OF RELATIONSHIP.—Termination of the relationship with principal alien shall not affect the status of an abused derivative alien under this section if battery or extreme cruelty by the principal alien was 1 central reason for termination of the relationship.

''(d) PROCEDURES.—Requests for relief under this section shall be handled under the procedures that apply to aliens seeking relief under section 204(a)(1)(C).''.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section is amended by striking the item relating to section 106 and inserting the following:

''Sec. 106. Relief for abused derivative aliens.''.

SEC. 4414. NONIMMIGRANT CREWMEN LANDING TEMPORARILY IN HAWAII.

(a) IN GENERAL.—Section 101(a)(15)(D)(ii) (8 U.S.C. 1101(a)(15)(D)(ii)) is amended—

(1) by striking ''Guam'' both places that term appears and inserting ''Hawaii, Guam,''; and

(2) by striking the semicolon at the end and inserting ''or some other vessel or aircraft;''.

(b) TREATMENT OF DEPARTURES.—In the administration of section 101(a)(15)(D)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(D)(ii)), an alien crewman shall be considered to have departed from Hawaii, Guam, or the Commonwealth of the Northern Mariana Islands after leaving the territorial waters of Hawaii, Guam, or the Commonwealth of the Northern Mariana Islands, respectively, without regard to whether the alien arrives in a foreign state before returning to Hawaii, Guam, or the Commonwealth of the Northern Mariana Islands.

(c) CONFORMING AMENDMENT.—The Act entitled ''An Act to amend the Immigration and Nationality Act to permit nonimmigrant alien crewmen on fishing vessels to stop temporarily at ports in Guam'', approved October 21, 1986 (Public Law 99–505; 8 U.S.C. 1101 note) is amended by striking section 2.

SEC. 4415. TREATMENT OF COMPACT OF FREE ASSOCIATION MIGRANTS.

(a) IN GENERAL.—Title II (8 U.S.C. 1151 et seq.) is amended by inserting after section 214 the following:

''SEC. 214A. TREATMENT OF COMPACT OF FREE ASSOCIATION MIGRANTS.

''Notwithstanding any other provision of law, with respect to eligibility for benefits for the Federal program defined in 402(b)(3)(C) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(b)(3)(C)) (relating to the Medicaid program), sections 401(a), 402(b)(1), and 403(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(a), 1612(b)(1), 1613(a)) shall not apply to any individual who lawfully resides in the United States in accordance with the Compacts of Free Association between the Government of the United States and the Governments of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau. Any individual to which the preceding sentence applies shall be considered to be a qualified alien for purposes of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1601 et seq.), but only with respect to the designated Federal program defined in section 402(b)(3)(C) of such Act (relating to the Medicaid program) (8 U.S.C. 1612(b)(3)(C)).''.

(b) CONFORMING AMENDMENTS.—Section 1108 of the Social Security Act (42 U.S.C. 1308) is amended—

(1) in subsection (f), in the matter preceding paragraph (1), by striking ''subsection (g)'' and inserting ''subsections (g) and (h)''; and

(2) by adding at the end the following:

''(h) The limitations of subsections (f) and (g) shall not apply with respect to medical assistance provided to an individual described in section 214A of the Immigration and Nationality Act.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to benefits for items and services furnished on or after the date of the enactment of this Act.

SEC. 4416. INTERNATIONAL PARTICIPATION IN THE PERFORMING ARTS.

Section 214(c)(6)(D) (8 U.S.C. 1184(c)(6)(D)) is amended—

(1) in the first sentence, by inserting ''(i)'' before ''Any person'';

(2) in the second sentence—

(A) by striking ''Once'' and inserting ''Except as provided in clause (ii), once''; and

(B) by striking ''Attorney General shall'' and inserting ''Secretary of Homeland Security shall'';

(3) in the third sentence, by striking ''The Attorney General'' and inserting ''The Secretary''; and

(4) by adding at the end the following:

''(ii) The Secretary of Homeland Security shall adjudicate each petition for an alien with extraordinary ability in the arts (as described in section 101(a)(15)(O)(i)), an alien accompanying such an alien (as described in clauses (ii) and (iii) of section 101(a)(15)(O)), or an alien described in section 101(a)(15)(P) (other than an alien described in paragraph (4)(A) (relating to athletes)) not later than 14 days after—

''(I) the date on which the petitioner submits the petition with a written advisory opinion, letter of no objection, or request for a waiver; or

''(II) the date on which the 15-day period described in clause (i) has expired, if the petitioner has had an appropriate opportunity to supply rebuttal evidence.

''(iii) If a petition described in clause (ii) is not adjudicated before the end of the 14-day period described in clause (ii) and the petitioner is an arts organization described in paragraph (3), (5), or (6) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code for the taxable year preceding the calendar year in which the petition is submitted, or an individual or entity petitioning primarily on behalf of such an organization, the Secretary of Homeland Security shall provide the petitioner with the premium processing services referred to in section 286(u), without a fee.''.

SEC. 4417. LIMITATION ON ELIGIBILITY OF CERTAIN NONIMMIGRANTS FOR HEALTH-RELATED PROGRAMS.

(a) IN GENERAL.—Section 1903(v)(4)(A) of the Social Security Act (42 U.S.C. 1396b(v)(4)(A)) is amended by inserting '', but not including a nonimmigrant described in subparagraph (B) or (F) of section 101(a)(15) of the Immigration and Nationality Act'' after ''section 431(c) of such Act''.

(b) CONFORMING CHANGES TO REGULATIONS.—

(1) SECRETARY OF HEALTH AND HUMAN SERVICES.—The Secretary of Health and Human Services shall conform all regulations promulgated by the Secretary of Health and Human Services that reference the term ''lawfully present'' for purposes of health-related programs administered by the Secretary of Health and Human Services to reflect the amendment made by subsection (a) to the definition of ''lawfully residing'' in section 1903(v)(4)(A) of the Social Security Act (42 U.S.C. 1396b(v)(4)(A)).

(2) SECRETARY OF THE TREASURY.—The Secretary of the Treasury shall make the same changes to regulations promulgated by the Secretary of the Treasury that reference the term ''lawfully present'' for purposes of health-related programs administered by the Secretary of the Treasury as the Secretary of Health and Human Services makes under paragraph (1).

Subtitle E—JOLT Act

SEC. 4501. SHORT TITLES.

This subtitle may be cited as the ''Jobs Originated through Launching Travel Act of 2013'' or the ''JOLT Act of 2013''.

SEC. 4502. PREMIUM PROCESSING.

Section 221 (8 U.S.C. 1201) is amended by inserting at the end the following:

''(j) PREMIUM PROCESSING.—

''(1) PILOT PROCESSING SERVICE.—Recognizing that the best solution for expedited processing is low interview wait times for all applicants, the Secretary of State shall nevertheless establish, on a limited, pilot basis only, a fee-based premium processing service to expedite interview appointments. In establishing a pilot processing service, the Secretary may—

''(A) determine the consular posts at which the pilot service will be available;

''(B) establish the duration of the pilot service;

''(C) define the terms and conditions of the pilot service, with the goal of expediting visa appointments and the interview process for those electing to pay said fee for the service; and

''(D) resources permitting, during the pilot service, consider the addition of consulates in locations advantageous to foreign policy objectives or in highly populated locales.

''(2) FEES.—

''(A) AUTHORITY TO COLLECT.—The Secretary of State is authorized to collect, and set the amount of, a fee imposed for the premium processing service. The Secretary of State shall set the fee based on all relevant considerations including, the cost of expedited service.

''(B) USE OF FEES.—Fees collected under the authority of subparagraph (A) shall be deposited as an offsetting collection to any Department of State appropriation, to recover the costs of providing consular services. Such fees shall remain available for obligation until expended.

''(C) RELATIONSHIP TO OTHER FEES.—Such fee is in addition to any existing fee currently being collected by the Department of State.

''(D) NONREFUNDABLE.—Such fee will be nonrefundable to the applicant.

''(3) DESCRIPTION OF PREMIUM PROCESSING.—Premium processing pertains solely to the expedited scheduling of a visa interview. Utilizing the premium processing service for an expedited interview appointment does not establish the applicant's eligibility for a visa. The Secretary of State shall, if possible, inform applicants utilizing the premium processing of potential delays in visa issuance due to additional screening requirements, including necessary security-related checks and clearances.

''(4) REPORT TO CONGRESS.—

''(A) REQUIREMENT FOR REPORT.—Not later than 18 months after the date of the enactment of the JOLT Act of 2013, the Secretary of State shall submit to the appropriate committees of Congress a report on the results of the pilot service carried out under this section.

''(B) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this paragraph, the term 'appropriate committees of Congress' means—

''(i) the Committee on the Judiciary, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

''(ii) the Committee on the Judiciary, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.''.

SEC. 4503. ENCOURAGING CANADIAN TOURISM TO THE UNITED STATES.

Section 214 (8 U.S.C. 1184), as amended by sections 3609, 4233, and 4405, is further amended by adding at the end the following:

''(v) CANADIAN RETIREES.—

''(1) IN GENERAL.—The Secretary of Homeland Security may admit as a visitor for pleasure as described in section 101(a)(15)(B) any alien for a period not to exceed 240 days, if the alien demonstrates, to the satisfaction of the Secretary, that the alien—

''(A) is a citizen of Canada;

''(B) is at least 55 years of age;

''(C) maintains a residence in Canada;

''(D) owns a residence in the United States or has signed a rental agreement for accommodations in the United States for the duration of the alien's stay in the United States;

''(E) is not inadmissible under section 212;

''(F) is not described in any ground of deportability under section 237;

''(G) will not engage in employment or labor for hire in the United States; and

''(H) will not seek any form of assistance or benefit described in section 403(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(a)).

''(2) SPOUSE.—The spouse of an alien described in paragraph (1) may be admitted under the same terms as the principal alien if the spouse satisfies the requirements of paragraph (1), other than subparagraphs (B) and (D).

''(3) IMMIGRANT INTENT.—In determining eligibility for admission under this subsection, maintenance of a residence in the

United States shall not be considered evidence of intent by the alien to abandon the alien's residence in Canada.

''(4) PERIOD OF ADMISSION.—During any single 365-day period, an alien may be admitted as described in section 101(a)(15)(B) pursuant to this subsection for a period not to exceed 240 days, beginning on the date of admission. Unless an extension is approved by the Secretary, periods of time spent outside the United States during such 240-day period shall not toll the expiration of such 240-day period.''.

SEC. 4504. RETIREE VISA.

(a) NONIMMIGRANT STATUS.—Section 101(a)(15), as amended, is further amended by inserting after subparagraph (X) the following:

''(Y) subject to section 214(w), an alien who, after the date of the enactment of the JOLT Act of 2013—

''(i)(I) uses at least $500,000 in cash to purchase 1 or more residences in the United States, which each sold for more than 100 percent of the most recent appraised value of such residence, as determined by the property assessor in the city or county in which the residence is located;

''(II) maintains ownership of residential property in the United States worth at least $500,000 during the entire period the alien remains in the United States as a nonimmigrant described in this subparagraph; and

''(III) resides for more than 180 days per year in a residence in the United States that is worth at least $250,000; and

''(ii) the alien spouse and children of the alien described in clause (i) if accompanying or following to join the alien.''.

(b) VISA APPLICATION PROCEDURES.—Section 214 (8 U.S.C. 1184), as amended by sections 3609, 4233, 4405, and 4503, is further amended by adding at the end the following:

''(w) VISAS OF NONIMMIGRANTS DESCRIBED IN SECTION 101(a)(15)(Y).—

''(1) The Secretary of Homeland Security shall authorize the issuance of a nonimmigrant visa to any alien described in section 101(a)(15)(Y) who submits a petition to the Secretary that—

''(A) demonstrates, to the satisfaction of the Secretary, that the alien—

''(i) has purchased a residence in the United States that meets the criteria set forth in section 101(a)(15)(Y)(i);

''(ii) is at least 55 years of age;

''(iii) possesses health insurance coverage;

''(iv) is not inadmissible under section 212; and

''(v) will comply with the terms set forth in paragraph (2); and

''(B) includes payment of a fee in an amount equal to $1,000.

''(2) An alien who is issued a visa under this subsection—

''(A) shall reside in the United States at a residence that meets the criteria set forth in section 101(a)(15)(Y)(i) for more than 180 days per year;

''(B) is not authorized to engage in employment in the United States, except for employment that is directly related to the management of the residential property described in section 101(Y)(i)(II);

''(C) is not eligible for any form of assistance or benefit described in section 403(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(a)); and

''(D) may renew such visa every 3 years under the same terms and conditions.''.

(c) USE OF FEE.—Fees collected under section 214(w)(1)(B) of the Immigration and Nationality Act, as added by subsection (b), shall be deposited in the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1).

SEC. 4505. INCENTIVES FOR FOREIGN VISITORS VISITING THE UNITED STATES DURING LOW PEAK SEASONS.

The Secretary of State shall make publically available, on a monthly basis, historical data, for the previous 2 years, regarding the availability of visa appointments for each visa processing post, to allow applicants to identify periods of low demand, when wait times tend to be lower.

SEC. 4506. VISA WAIVER PROGRAM ENHANCED SECURITY AND REFORM.

(a) DEFINITIONS.—Section 217(c)(1) (8 U.S.C. 1187(c)(1)) is amended to read as follows:

''(1) AUTHORITY TO DESIGNATE; DEFINITIONS.—

''(A) AUTHORITY TO DESIGNATE.—The Secretary of Homeland Security, in consultation with the Secretary of State, may designate any country as a program country if that country meets the requirements under paragraph (2).

''(B) DEFINITIONS.—In this subsection:

''(i) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(I) the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate; and

''(II) the Committee on Foreign Affairs, the Committee on Homeland Security, and the Committee on the Judiciary of the House of Representatives.

''(ii) OVERSTAY RATE.—

''(I) INITIAL DESIGNATION.—The term 'overstay rate' means, with respect to a country being considered for designation in the program, the ratio of—

''(aa) the number of nationals of that country who were admitted to the United States on the basis of a nonimmigrant visa under section 101(a)(15)(B) whose periods of authorized stay ended during a fiscal year but who remained unlawfully in the United States beyond such periods; to

''(bb) the number of nationals of that country who were admitted to the United States on the basis of a nonimmigrant visa under section 101(a)(15)(B) whose periods of authorized stay ended during that fiscal year.

''(II) CONTINUING DESIGNATION.—The term 'overstay rate' means, for each fiscal year after initial designation under this section with respect to a country, the ratio of—

''(aa) the number of nationals of that country who were admitted to the United States under this section or on the basis of a nonimmigrant visa under section 101(a)(15)(B) whose periods of authorized stay ended during a fiscal year but who remained unlawfully in the United States beyond such periods; to

''(bb) the number of nationals of that country who were admitted to the United States under this section or on the basis of a nonimmigrant visa under section 101(a)(15)(B) whose periods of authorized stay ended during that fiscal year.

''(III) COMPUTATION OF OVERSTAY RATE.—In determining the overstay rate for a country, the Secretary of Homeland Security may utilize information from any available databases to ensure the accuracy of such rate.

''(iii) PROGRAM COUNTRY.—The term 'program country' means a country designated as a program country under subparagraph (A).''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 217 (8 U.S.C. 1187) is amended—

(1) by striking ''Attorney General'' each place the term appears (except in subsection (c)(11)(B)) and inserting ''Secretary of Homeland Security''; and

(2) in subsection (c)—

(A) in paragraph (2)(C)(iii), by striking ''Committee on the Judiciary and the Committee on International Relations of the House of Representatives and the Committee on the Judiciary and the Committee on Foreign Relations of the Senate'' and inserting ''appropriate congressional committees'';

(B) in paragraph (5)(A)(i)(III), by striking ''Committee on the Judiciary, the Committee on Foreign Affairs, and the Committee on Homeland Security, of the House of Representatives and the Committee on the Judiciary, the Committee on Foreign Relations, and the Committee on Homeland Security and Governmental Affairs of the Senate'' and inserting ''appropriate congressional committees''; and

(C) in paragraph (7), by striking subparagraph (E).

(c) DESIGNATION OF PROGRAM COUNTRIES BASED ON OVERSTAY RATES.—

(1) IN GENERAL.—Section 217(c)(2)(A) (8 U.S.C. 1187(c)(2)(A)) is amended to read as follows:

''(A) GENERAL NUMERICAL LIMITATIONS.—

''(i) LOW NONIMMIGRANT VISA REFUSAL RATE.—The percentage of nationals of that country refused nonimmigrant visas under section 101(a)(15)(B) during the previous full fiscal year was not more than 3 percent of the total number of nationals of that country who were granted or refused nonimmigrant visas under such section during such year.

''(ii) LOW NONIMMIGRANT OVERSTAY RATE.—The overstay rate for that country was not more than 3 percent during the previous fiscal year.''.

(2) QUALIFICATION CRITERIA.—Section 217(c)(3) (8 U.S.C. 1187(c)(3)) is amended to read as follows:

''(3) QUALIFICATION CRITERIA.—After designation as a program country under section 217(c)(2), a country may not continue to be designated as a program country unless the Secretary of Homeland Security, in consultation with the Secretary of State, determines, pursuant to the requirements under paragraph (5), that the designation will be continued.''.

(3) INITIAL PERIOD.—Section 217(c) (8 U.S.C. 1187(c)) is amended by striking paragraph (4).

(4) CONTINUING DESIGNATION.—Section 217(c)(5)(A)(i)(II) (8 U.S.C. 1187(c)(5)(A)(i)(II)) is amended to read as follows:

''(II) shall determine, based upon the evaluation in subclause (I), whether any such designation under subsection (d) or (f), or probation under subsection (f), ought to be continued or terminated;''.

(5) COMPUTATION OF VISA REFUSAL RATES; JUDICIAL REVIEW.—Section 217(c)(6) (8 U.S.C. 1187(c)(6)) is amended to read as follows:

''(6) COMPUTATION OF VISA REFUSAL RATES AND JUDICIAL REVIEW.—

''(A) COMPUTATION OF VISA REFUSAL RATES.—For purposes of determining the eligibility of a country to be designated as a program country, the calculation of visa refusal rates shall not include any visa refusals which incorporate any procedures based on, or are otherwise based on, race, sex, or disability, unless otherwise specifically authorized by law or regulation.

''(B) JUDICIAL REVIEW.—No court shall have jurisdiction under this section to review any visa refusal, the Secretary of State's computation of a visa refusal rate, the Secretary of Homeland Security's computation of an

overstay rate, or the designation or nondesignation of a country as a program country.''.

(6) VISA WAIVER INFORMATION.—Section 217(c)(7) (8 U.S.C. 1187(c)(7)), as amended by subsection (b)(2)(C), is further amended—

(A) by striking subparagraphs (B) through (D); and

(B) by striking ''WAIVER INFORMATION.—'' and all that follows through ''In refusing'' and inserting ''WAIVER INFORMATION.—In refusing''.

(7) WAIVER AUTHORITY.—Section 217(c)(8) (8 U.S.C. 1187(c)(8)) is amended to read as follows:

''(8) WAIVER AUTHORITY.—The Secretary of Homeland Security, in consultation with the Secretary of State, may waive the application of paragraph (2)(A)(i) for a country if—

''(A) the country meets all other requirements of paragraph (2);

''(B) the Secretary of Homeland Security determines that the totality of the country's security risk mitigation measures provide assurance that the country's participation in the program would not compromise the law enforcement, security interests, or enforcement of the immigration laws of the United States;

''(C) there has been a general downward trend in the percentage of nationals of the country refused nonimmigrant visas under section 101(a)(15)(B);

''(D) the country consistently cooperated with the Government of the United States on counterterrorism initiatives, information sharing, preventing terrorist travel, and extradition to the United States of individuals (including the country's own nationals) who commit crimes that violate United States law before the date of its designation as a program country, and the Secretary of Homeland Security and the Secretary of State assess that such cooperation is likely to continue; and

''(E) the percentage of nationals of the country refused a nonimmigrant visa under section 101(a)(15)(B) during the previous full fiscal year was not more than 10 percent of the total number of nationals of that country who were granted or refused such nonimmigrant visas.''.

(d) TERMINATION OF DESIGNATION; PROBATION.—Section 217(f) (8 U.S.C. 1187(f)) is amended to read as follows:

''(f) TERMINATION OF DESIGNATION; PROBATION.—

''(1) DEFINITIONS.—In this subsection:

''(A) PROBATIONARY PERIOD.—The term 'probationary period' means the fiscal year in which a probationary country is placed in probationary status under this subsection.

''(B) PROGRAM COUNTRY.—The term 'program country' has the meaning given that term in subsection (c)(1)(B).

''(2) DETERMINATION, NOTICE, AND INITIAL PROBATIONARY PERIOD.—

''(A) DETERMINATION OF PROBATIONARY STATUS AND NOTICE OF NONCOMPLIANCE.—As part of each program country's periodic evaluation required by subsection (c)(5)(A), the Secretary of Homeland Security shall determine whether a program country is in compliance with the program requirements under subparagraphs (A)(ii) through (F) of subsection (c)(2).

''(B) INITIAL PROBATIONARY PERIOD.—If the Secretary of Homeland Security determines that a program country is not in compliance with the program requirements under subparagraphs (A)(ii) through (F) of subsection (c)(2), the Secretary of Homeland Security shall place the program country in probationary status for the fiscal year following the fiscal year in which the periodic evaluation is completed.

''(3) ACTIONS AT THE END OF THE INITIAL PROBATIONARY PERIOD.—At the end of the initial probationary period of a country under paragraph (2)(B), the Secretary of Homeland Security shall take 1 of the following actions:

''(A) COMPLIANCE DURING INITIAL PROBATIONARY PERIOD.—If the Secretary determines that all instances of noncompliance with the program requirements under subparagraphs (A)(ii) through (F) of subsection (c)(2) that were identified in the latest periodic evaluation have been remedied by the end of the initial probationary period, the Secretary shall end the country's probationary period.

''(B) NONCOMPLIANCE DURING INITIAL PROBATIONARY PERIOD.—If the Secretary determines that any instance of noncompliance with the program requirements under subparagraphs (A)(ii) through (F) of subsection (c)(2) that were identified in the latest periodic evaluation has not been remedied by the end of the initial probationary period—

''(i) the Secretary may terminate the country's participation in the program; or

''(ii) on an annual basis, the Secretary may continue the country's probationary status if the Secretary, in consultation with the Secretary of State, determines that the country's continued participation in the program is in the national interest of the United States.

''(4) ACTIONS AT THE END OF ADDITIONAL PROBATIONARY PERIODS.—At the end of all probationary periods granted to a country pursuant to paragraph (3)(B)(ii), the Secretary shall take 1 of the following actions:

''(A) COMPLIANCE DURING ADDITIONAL PERIOD.—The Secretary shall end the country's probationary status if the Secretary determines during the latest periodic evaluation required by subsection (c)(5)(A) that the country is in compliance with the program requirements under subparagraphs (A)(ii) through (F) of subsection (c)(2).

''(B) NONCOMPLIANCE DURING ADDITIONAL PERIODS.—The Secretary shall terminate the country's participation in the program if the Secretary determines during the latest periodic evaluation required by subsection (c)(5)(A) that the program country continues to be in noncompliance with the program requirements under subparagraphs (A)(ii) through (F) of subsection (c)(2).

''(5) EFFECTIVE DATE.—The termination of a country's participation in the program under paragraph (3)(B) or (4)(B) shall take effect on the first day of the first fiscal year following the fiscal year in which the Secretary determines that such participation shall be terminated. Until such date, nationals of the country shall remain eligible for a waiver under subsection (a).

''(6) TREATMENT OF NATIONALS AFTER TERMINATION.—For purposes of this subsection and subsection (d)—

''(A) nationals of a country whose designation is terminated under paragraph (3) or (4) shall remain eligible for a waiver under subsection (a) until the effective date of such termination; and

''(B) a waiver under this section that is provided to such a national for a period described in subsection (a)(1) shall not, by such termination, be deemed to have been rescinded or otherwise rendered invalid, if the waiver is granted prior to such termination.

''(7) CONSULTATIVE ROLE OF THE SECRETARY OF STATE.—In this subsection, references to subparagraphs (A)(ii) through (F) of subsection (c)(2) and subsection (c)(5)(A) carry with them the consultative role of the Secretary of State as provided in those provisions.''.

(e) REVIEW OF OVERSTAY TRACKING METHODOLOGY.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a review of the methods used by the Secretary—

(1) to track aliens entering and exiting the United States; and

(2) to detect any such alien who stays longer than such alien's period of authorized admission.

(f) EVALUATION OF ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZATION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress—

(1) an evaluation of the security risks of aliens who enter the United States without an approved Electronic System for Travel Authorization verification; and

(2) a description of any improvements needed to minimize the number of aliens who enter the United States without the verification described in paragraph (1).

(g) SENSE OF CONGRESS ON PRIORITY FOR REVIEW OF PROGRAM COUNTRIES.—It is the sense of Congress that the Secretary, in the process of conducting evaluations of countries participating in the visa waiver program under section 217 of the Immigration and Nationality Act (8 U.S.C. 1187), should prioritize the reviews of countries in which circumstances indicate that such a review is necessary or desirable.

(h) ELIGIBILITY OF HONG KONG SPECIAL ADMINISTRATIVE REGION FOR DESIGNATION FOR PARTICIPATION IN VISA WAIVER PROGRAM FOR CERTAIN VISITORS TO THE UNITED STATES.—Section 217(c) (8 U.S.C. 1187(c)) is amended by adding at the end the following new paragraph:

''(12) ELIGIBILITY OF CERTAIN REGION FOR DESIGNATION AS PROGRAM COUNTRY.—The Hong Kong Special Administrative Region of the People's Republic of China—

''(A) shall be eligible for designation as a program country for purposes of this subsection; and

''(B) may be designated as a program country for purposes of this subsection if such region meets requirements applicable for such designation in this subsection.''.

SEC. 4507. EXPEDITING ENTRY FOR PRIORITY VISITORS.

Section 7208(k)(4) of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b(k)(4)) is amended to read as follows:

''(4) EXPEDITING ENTRY FOR PRIORITY VISITORS.—

''(A) IN GENERAL.—The Secretary of Homeland Security may expand the enrollment across registered traveler programs to include eligible individuals employed by international organizations, selected by the Secretary, which maintain strong working relationships with the United States.

''(B) REQUIREMENTS.—An individual may not be enrolled in a registered traveler program unless—

''(i) the individual is sponsored by an international organization selected by the Secretary under subparagraph (A); and

''(ii) the government that issued the passport that the individual is using has entered into a Trusted Traveler Arrangement with the Department of Homeland Security to participate in a registered traveler program.

''(C) SECURITY REQUIREMENTS.—An individual may not be enrolled in a registered traveler program unless the individual has

successfully completed all applicable security requirements established by the Secretary, including cooperation from the applicable foreign government, to ensure that the individual does not pose a risk to the United States.

''(D) DISCRETION.—Except as provided in subparagraph (E), the Secretary shall retain unreviewable discretion to offer or revoke enrollment in a registered traveler program to any individual.

''(E) INELIGIBLE TRAVELERS.—An individual who is a citizen of a state sponsor of terrorism (as defined in section 301(13) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8541(13)) may not be enrolled in a registered traveler program.''.

SEC. 4508. VISA PROCESSING.

(a) IN GENERAL.—Notwithstanding any other provision of law and not later than 90 days after the date of the enactment of this Act, the Secretary of State shall—

(1) require United States diplomatic and consular missions—

(A) to conduct visa interviews for nonimmigrant visa applications determined to require a consular interview in an expeditious manner, consistent with national security requirements, and in recognition of resource allocation considerations, such as the need to ensure provision of consular services to citizens of the United States;

(B) to set a goal of interviewing 80 percent of all nonimmigrant visa applicants, worldwide, within 3 weeks of receipt of application, subject to the conditions outlined in subparagraph (A); and

(C) to explore expanding visa processing capacity in China and Brazil, with the goal of maintaining interview wait times under 15 work days on a consistent, year-round basis, recognizing that demand can spike suddenly and unpredictably and that the first priority of United States missions abroad is the protection of citizens of the United States; and

(2) submit to the appropriate committees of Congress a detailed strategic plan that describes the resources needed to carry out paragraph (1)(A).

(b) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on the Judiciary, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on the Judiciary, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(c) SEMI-ANNUAL REPORT.—Not later than 30 days after the end of the first 6 months after the implementation of subsection (a), and not later than 30 days after the end of each subsequent quarter, the Secretary of State shall submit to the appropriate committees of Congress a report that provides—

(1) data substantiating the efforts of the Secretary of State to meet the requirements and goals described in subsection (a);

(2) any factors that have negatively impacted the efforts of the Secretary to meet such requirements and goals; and

(3) any measures that the Secretary plans to implement to meet such requirements and goals.

(d) SAVINGS PROVISION.—

(1) IN GENERAL.—Nothing in subsection (a) may be construed to affect a consular officer's authority—

(A) to deny a visa application under section 221(g) of the Immigration and Nationality Act (8 U.S.C. 1201(g)); or

(B) to initiate any necessary or appropriate security-related check or clearance.

(2) SECURITY CHECKS.—The completion of a security-related check or clearance shall not be subject to the time limits set out in subsection (a).

SEC. 4509. B VISA FEE.

Section 281 (8 U.S.C. 1351), as amended by sections 4105, 4407, and 4408, is further amended by adding at the end the following:

''(g) B VISA FEE.—In addition to the fees authorized under subsection (a), the Secretary of Homeland Security shall collect a $5 fee from each nonimmigrant admitted under section 101(a)(15)(B). Fees collected under this subsection shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.''.

Subtitle F—Reforms to the H–2B Visa Program

SEC. 4601. EXTENSION OF RETURNING WORKER EXEMPTION TO H–2B NUMERICAL LIMITATION.

(a) IN GENERAL.—

(1) IN GENERAL.—Subparagraph (A) of paragraph (10) of section 214(g) (8 U.S.C. 1184(g)), as redesignated by section 4101(a)(3), is amended by striking ''fiscal year 2004, 2005, or 2006 shall not again be counted toward such limitation during fiscal year 2007.'' and inserting ''fiscal year 2013 shall not again be counted toward such limitation during fiscal years 2014 through 2018.''.

(2) EFFECTIVE PERIOD.—The amendment made by paragraph (1) shall be effective during the period beginning on the effective date described in subsection (c) and ending on September 30, 2018.

(b) TECHNICAL AND CLARIFYING AMENDMENTS.—

(1) NONIMMIGRANT STATUS.—Section 101(a)(15)(P) (8 U.S.C. 1101(a)(15)(P)) is amended—

(A) in clause (iii), by striking ''or'' at the end;

(B) in clause (iv), by striking ''clause (i), (ii), or (iii),'' and inserting ''clause (i), (ii), (iii), or (iv)'';

(C) by redesignating clause (iv) as clause (v); and

(D) by inserting after clause (iii) the following:

''(iv) is a ski instructor, who has been certified as a level I, II, or III ski and snowboard instructor by the Professional Ski Instructors of America or the American Association of Snowboard Instructors, or received an equivalent certification in the alien's country of origin, and is seeking to enter the United States temporarily to perform instructing services; or''.

(2) AUTHORIZED PERIOD OF STAY; NUMERICAL LIMITATION.—Section 214(a)(2)(B) (8 U.S.C. 1184(a)(2)(B)) is amended in the second sentence—

(A) by inserting ''or ski instructors'' after ''athletes''; and

(B) by inserting ''or ski instructor'' after ''athlete''.

(3) CONSTRUCTION.—Nothing in the amendments made by this subsection may be construed as preventing an alien who is a ski instructor from obtaining nonimmigrant status under section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) if such alien is otherwise qualified for such status.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if enacted on January 1, 2013.

SEC. 4602. OTHER REQUIREMENTS FOR H–2B EMPLOYERS.

Section 214 (8 U.S.C. 1184), as amended by sections 3609, 4233, 4405, 4503, and 4504, is further amended by adding at the end the following:

''(x) REQUIREMENTS FOR H–2B EMPLOYERS.—

''(1) H–2B NONIMMIGRANT DEFINED.—In this subsection the term 'H–2B nonimmigrant' means an alien admitted to the United States pursuant to section 101(a)(15)(H)(ii)(B).

''(2) NON-DISPLACEMENT OF UNITED STATES WORKERS.—An employer who seeks to employ an H–2B nonimmigrant admitted in an occupational classification shall certify and attest that the employer did not displace and will not displace a United States worker employed by the employer in the same metropolitan statistical area where such nonimmigrant will be hired within the period beginning 90 days before the start date and ending on the end date for which the employer is seeking the services of such nonimmigrant as specified on an application for labor certification under this Act.

''(3) TRANSPORTATION COSTS.—The employer shall pay the transportation costs, including reasonable subsistence costs during the period of travel, for an H–2B nonimmigrant hired by the employer—

''(A) from the place of recruitment to the place of such nonimmigrant's employment; and

''(B) from the place of employment to such nonimmigrant's place of permanent residence or a subsequent worksite.

''(4) PAYMENT OF FEES.—A fee related to the hiring of an H–2B nonimmigrant required to be paid by an employer under this Act shall be paid by the employer and may not be deducted from the wages or other compensation paid to an H–2B nonimmigrant.

''(5) H–2B NONIMMIGRANT LABOR CERTIFICATION APPLICATION FEE.—

''(A) IN GENERAL.—To recover costs of carrying out labor certification activities under the H–2B program, the Secretary of Labor shall impose a $500 fee on an employer that submits an application for an employment certification for aliens granted H–2B nonimmigrant status to the Secretary of Labor under this subparagraph on or after the date that is 30 days after the date of the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.''.

''(B) USE OF FEES.—The fees collected under subparagraph (A) shall be deposited in the Comprehensive Immigration Reform Trust Fund established under section 6 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.''.

SEC. 4603. EXECUTIVES AND MANAGERS.

Section 214(a)(1) (8 U.S.C. 1184(a)(1)) is amended by adding at the end the following: ''Aliens admitted under section 101(a)(15) should include—

''(A) executives and managers employed by a firm or corporation or other legal entity or an affiliate or subsidiary thereof who are principally stationed abroad and who seek to enter the United States for periods of 90 days or less to oversee and observe the United States operations of their related companies, and establish strategic objectives when needed; or

''(B) employees of multinational corporations who enter the United States to observe the operations of a related United States company and participate in select leadership and development training activities, whether or not the activity is part of a formal or classroom training program for a period not to exceed 180 days.

Nonimmigrant aliens admitted pursuant to section 101(a)(15) and engaged in the activities described in the subparagraph (A) or (B) may not receive a salary from a United States source, except for incidental expenses for meals, travel, lodging and other basic services.''.

SEC. 4604. HONORARIA.

Section 212(q) (8 U.S.C. 1182(q)) is amended to read as follows:

''(q)(1) Any alien admitted under section 101(a)(15)(B) may accept an honorarium payment and associated incidental expenses, for a usual academic activity or activities (lasting not longer than 9 days at any single institution), as defined by the Attorney General in consultation with the Secretary of Education, or for a performance, appearance and participation in United States based programming, including scripted or unscripted programming (with services not rendered for more than 60 days in a 6 month period) if the alien has received a letter of invitation from the institution, organization, or media outlet, such payment is offered by an institution, organization, or media outlet described in paragraph (2) and is made for services conducted for the benefit of that institution, entity or media outlet and if the alien has not accepted such payment or expenses from more than 5 institutions, organizations, or media outlets in the previous 6-month period. Any alien who is admitted under section 101(a)(15)(B) or any other valid visa may perform services under this section without reentering the United States and without a letter of invitation, if the alien does not receive any remuneration including an honorarium payment or incidental expenses, but may receive prize money.

''(2) An institution, organization, or media outlet described in this paragraph—

''(A) an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) or a related or affiliated nonprofit entity;

''(B) a nonprofit research organization or a governmental research organization; and

''(C) a broadcast network, cable entity, production company, new media, internet and mobile based companies, who create or distribute programming content.''.

SEC. 4605. NONIMMIGRANTS PARTICIPATING IN RELIEF OPERATIONS.

Section 214 (8 U.S.C. 1184), as amended by sections 3609, 4233, 4405, 4503, 4504, and 4602, is further amended by adding at the end following:

''(y) NONIMMIGRANTS PARTICIPATING IN RELIEF OPERATIONS.—

''(1) IN GENERAL.—An alien coming individually, or aliens coming as a group, to participate in relief operations, including critical infrastructure repairs or improvements, needed in response to a Federal or State declared emergency or disaster, may be admitted to the United States pursuant to section 101(a)(15)(B) for a period of not more than 90 days if each such alien has been employed in a foreign country by 1 employer for not less than 1 year prior to the date the alien is so admitted.

''(2) PROHIBITION ON DIRECT PAYMENTS FROM A UNITED STATES SOURCE.—During a period of admission pursuant to paragraph (1), an alien may not receive direct payments from a United States source, except for incidental expenses for meals, travel, lodging, and other basic services.''.

SEC. 4606. NONIMMIGRANTS PERFORMING MAINTENANCE ON COMMON CARRIERS.

Section 214 (8 U.S.C. 1184), as amended by sections 3609, 4233, 4405, 4503, 4504, 4602, and 4603, is further amended by adding at the end following:

''(z) NONIMMIGRANTS PERFORMING MAINTENANCE ON COMMON CARRIER.—

''(1) IN GENERAL.—An alien coming individually, or aliens coming as a group, who possess specialized knowledge to perform maintenance or repairs for common carriers, including to airlines, cruise lines, and railways, if such maintenance or repairs are occurring to equipment or machinery manufactured outside of the United States and are needed for purposes relating to life, health, and safety, may be admitted to the United States pursuant to section 101(a)(15)(B) for a period of not more than 90 days if each such alien has been employed in a foreign country by 1 employer for not less than 1 year prior to the date the alien is so admitted.

''(2) PROHIBITION ON INCOME FROM A UNITED STATES SOURCE.—During a period of admission pursuant to paragraph (1), an alien may not receive income from a United States source, except for incidental expenses for meals, travel, lodging, and other basic services.

''(3) FEE.—

''(A) IN GENERAL.—An alien admitted pursuant to paragraph (1) shall pay a fee of $500 in addition to any fee assessed to cover the costs to process an application under this subsection.

''(B) USE OF FEE.—The fees collected under subparagraph (A) shall be deposited in the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.''.

SEC. 4607. AMERICAN JOBS IN AMERICAN FORESTS.

(a) SHORT TITLE.—This section may be cited as the ''American Jobs in American Forests Act of 2013''.

(b) DEFINITIONS.—In this section:

(1) FORESTRY.—The term ''forestry'' means—

(A) propagating, protecting, and managing forest tracts;

(B) felling trees and cutting them into logs;

(C) using hand tools or operating heavy powered equipment to perform activities such as preparing sites for planting, tending crop trees, reducing competing vegetation, moving logs, piling brush, and yarding and trucking logs from the forest; and

(D) planting seedlings and trees.

(2) H–2B NONIMMIGRANT.—The term ''H–2B nonimmigrant'' means a nonimmigrant described in section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)).

(3) PROSPECTIVE H–2B EMPLOYER.—The term ''prospective H–2B employer'' means a United States business that is considering employing 1 or more nonimmigrants described in section 101(a)(15)(H)(ii)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)).

(4) STATE WORKFORCE AGENCY.—The term ''State workforce agency'' means the workforce agency of the State in which the prospective H–2B employer intends to employ H–2B nonimmigrants.

(c) DEPARTMENT OF LABOR.—

(1) RECRUITMENT.—As a component of the labor certification process required before H–2B nonimmigrants are offered forestry employment in the United States, the Secretary of Labor shall require all prospective H–2B employers, before they submit a petition to hire H–2B nonimmigrants to work in forestry, to conduct a robust effort to recruit United States workers, including, to the extent the State workforce agency considers appropriate—

(A) advertising at employment or job-placement events, such as job fairs;

(B) placing the job opportunity with the State workforce agency and working with such agency to identify qualified and available United States workers;

(C) advertising in appropriate media, including local radio stations and commonly used, reputable Internet job-search sites; and

(D) such other recruitment efforts as the State workforce agency considers appropriate for the sector or positions for which H–2B nonimmigrants would be considered.

(2) SEPARATE CERTIFICATIONS AND PETITIONS.—A prospective H–2B employer shall submit a separate application for temporary employment certification and petition for each State in which the employer plans to employ H–2B nonimmigrants in forestry for a period of 7 days or longer. The Secretary of Labor shall review each application for temporary employment certification and decide separately whether certification is warranted.

(d) STATE WORKFORCE AGENCIES.—The Secretary of Labor may not grant a temporary labor certification to a prospective H–2B employer seeking to employ H–2B nonimmigrants in forestry until after the Director of the State workforce agency, in each State in which such workers are sought—

(1) submits a report to the Secretary of Labor certifying that—

(A) the employer has complied with all recruitment requirements set forth in subsection (c)(1) and there is legitimate demand for the employment of H–2B nonimmigrants in each of those States; or

(B) the employer has amended the application by removing or making appropriate modifications with respect to the States in which the criteria set forth in subparagraph (A) have not been met; and

(2) makes a formal determination that nationals of the United States are not qualified or available to fill the employment opportunities offered by the prospective H–2B employer.

Subtitle G—W Nonimmigrant Visas

SEC. 4701. BUREAU OF IMMIGRATION AND LABOR MARKET RESEARCH.

(a) DEFINITIONS.—In this section:

(1) BUREAU.—Except as otherwise specifically provided, the term ''Bureau'' means the Bureau of Immigration and Labor Market Research established under subsection (b).

(2) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of the Bureau.

(3) CONSTRUCTION OCCUPATION.—The term ''construction occupation'' means an occupation classified by the Bureau of Labor Statistics as being within the construction industry for the purposes of publishing the Bureau's workforce statistics.

(4) METROPOLITAN STATISTICAL AREA.—The term ''metropolitan statistical area'' means a geographic area designated as a metropolitan statistical area by the Director of the Office of Management and Budget.

(5) SHORTAGE OCCUPATION.—The term ''shortage occupation'' means an occupation that the Commissioner determines is experiencing a shortage of labor—

(A) throughout the United States; or

(B) in a specific metropolitan statistical area.

(6) W VISA PROGRAM.—The term ''W Visa Program'' means the program for the admission of nonimmigrant aliens described in subparagraph (W)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)), as added by section 4702.

(7) ZONE 1 OCCUPATION.—The term ''zone 1 occupation'' means an occupation that requires little or no preparation and is classified as a zone 1 occupation on—

(A) the Occupational Information Network Database (O*NET) on the date of the enactment of this Act; or

(B) such Database or a similar successor database, as designated by the Secretary of Labor, after the date of the enactment of this Act.

(8) ZONE 2 OCCUPATION.—The term ''zone 2 occupation'' means an occupation that requires some preparation and is classified as a zone 2 occupation on—

(A) the Occupational Information Network Database (O*NET) on the date of the enactment of this Act; or

(B) such Database or a similar successor database, as designated by the Secretary of Labor, after the date of the enactment of this Act.

(9) ZONE 3 OCCUPATION.—The term ''zone 3 occupation'' means an occupation that requires medium preparation and is classified as a zone 3 occupation on—

(A) the Occupational Information Network Database (O*NET) on the date of the enactment of this Act; or

(B) such Database or a similar successor database, as designated by the Secretary of Labor, after the date of the enactment of this Act.

(b) ESTABLISHMENT.—There is established a Bureau of Immigration and Labor Market Research as an independent statistical agency within U.S. Citizenship and Immigration Services.

(c) COMMISSIONER.—The head of the Bureau of Immigration and Labor Market Research is the Commissioner, who shall be appointed by the President, by and with the advice and consent of the Senate.

(d) DUTIES.—The duties of the Commissioner are limited to the following:

(1) To devise a methodology subject to publication in the Federal Register and an opportunity for public comment regarding the calculation for the index referred to in section 220(g)(2)(C) of the Immigration and Nationality Act, as added by section 4703.

(2) To determine and to publish in the Federal Register the annual change to the numerical limitation for nonimmigrant aliens described in subparagraph (W)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)), as added by section 4702.

(3) With respect to the W Visa Program, to supplement the recruitment methods employers may use to attract United States workers and current nonimmigrant aliens described in paragraph (2).

(4) With respect to the W Visa Program, to devise a methodology subject to publication in the Federal Register and an opportunity for public comment to designate shortage occupations in zone 1 occupations, zone 2 occupations, and zone 3 occupations. Such methodology must designated Alaskan seafood processing in zones 1, 2, and 3 as shortage occupations.

(5) With respect to the W Visa Program, to designate shortage occupations in any zone 1 occupation, zone 2 occupation, or zone 3 occupation and publish such occupations in the Federal Register. Alaskan seafood processing in zones 1, 2, and 3 must be designated as shortage occupations.

(6) With respect to the W Visa Program, to conduct a survey once every 3 months of the unemployment rate of zone 1 occupations, zone 2 occupations, or zone 3 occupations that are construction occupations in each metropolitan statistical area.

(7) To study and report to Congress on employment-based immigrant and nonimmigrant visa programs in the United States and to make annual recommendations to improve such programs.

(8) To carry out any functions required to perform the duties described in paragraphs (1) through (7).

(e) DETERMINATION OF CHANGES TO NUMERICAL LIMITATIONS.—The methodology required under subsection (d)(1) shall be published in the Federal Register not later than 18 months after the date of the enactment of this Act.

(f) DESIGNATION OF SHORTAGE OCCUPATIONS.—

(1) METHODS TO DETERMINE.—The Commissioner shall—

(A) establish the methodology to designate shortage occupations under subsection (d)(4); and

(B) publish such methodology in the Federal Register not later than 18 months after the date of the enactment of this Act.

(2) PETITION BY EMPLOYER.—The methodology established under paragraph (1) shall permit an employer to petition the Commissioner for a determination that a particular occupation in a particular metropolitan statistical area is a shortage occupation.

(3) REQUIREMENT FOR NOTICE AND COMMENT.—The methodology established under paragraph (1) shall be effective only after publication in the Federal Register and an opportunity for public comment.

(g) EMPLOYEE EXPERTISE.—The employees of the Bureau shall have the expertise necessary to identify labor shortages in the United States and make recommendations to the Commissioner on the impact of immigrant and nonimmigrant aliens on labor markets in the United States, including expertise in economics, labor markets, demographics and methods of recruitment of United States workers.

(h) INTERAGENCY COOPERATION.—At the request of the Commissioner, the Secretary of Commerce, the Director of the Bureau of the Census, the Secretary of Labor, and the Commissioner of the Bureau of Labor Statistics shall—

(1) provide data to the Commissioner;

(2) conduct appropriate surveys; and

(3) assist the Commissioner in preparing the recommendations referred to subsection (d)(5).

(i) BUDGET.—

(1) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director of U.S. Citizenship and Immigration Services shall submit to Congress a report of the estimated budget that the Bureau will need to carry out the duties described in subsection (d).

(2) AUDIT.—The Comptroller General of the United States shall submit to Congress a report that is an audit of the budget prepared by the Director under paragraph (1).

(j) FUNDING.—

(1) APPROPRIATION OF FUNDS.—There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, $20,000,000 to establish the Bureau.

(2) USE OF W NONIMMIGRANT FEES.—The amounts collected for fees under section 220(e)(6)(B) of the Immigration and Nationality Act, as added by section 4703, shall be used to establish and fund the Bureau.

(3) OTHER FEES.—The Secretary may establish other fees for the sole purpose of funding the W Visa Program, including the Bureau, that are related to the hiring of alien workers.

SEC. 4702. NONIMMIGRANT CLASSIFICATION FOR W NONIMMIGRANTS.

Section 101(a)(15)(W), as added by section 2211, is amended by inserting before clause (iii) the following:

''(i) to perform services or labor for a registered nonagricultural employer in a registered position (as those terms are defined in section 220(a)) in accordance with the requirements under section 220;

''(ii) to accompany or follow to join such an alien described in clause (i) as the spouse or child of such alien;''.

SEC. 4703. ADMISSION OF W NONIMMIGRANT WORKERS.

(a) IN GENERAL.—Chapter 2 of title II (8 U.S.C. 1181 et seq.) is amended by adding at the end the following:

''SEC. 220. ADMISSION OF W NONIMMIGRANT WORKERS.

''(a) DEFINITIONS.—In this section:

''(1) BUREAU.—The term 'Bureau' means the Bureau of Immigration and Labor Market Research established by section 4701 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

''(2) CERTIFIED ALIEN.—The term 'certified alien' means an alien that the Secretary of State has certified is eligible to be a W nonimmigrant if the alien is hired by a registered employer for a registered position.

''(3) COMMISSIONER.—The term 'Commissioner' means the Commissioner of the Bureau.

''(4) CONSTRUCTION OCCUPATION.—The term 'construction occupation' means an occupation defined by the Bureau of Labor Statistics as being within the construction industry for the purposes of publishing the Bureau's workforce statistics.

''(5) DEPARTMENT.—Except as otherwise provided, the term 'Department' means the Department of Homeland Security.

''(6) ELIGIBLE OCCUPATION.—The term 'eligible occupation' means an eligible occupation described in subsection (e)(3).

''(7) EMPLOYER.—

''(A) IN GENERAL.—The term 'employer' means any person or entity hiring an individual for employment in the United States.

''(B) TREATMENT OF SINGLE EMPLOYER.—For purposes of determining the number of employees or United States workers employed by an employer, a single entity shall be treated as 1 employer.

''(8) EXCLUDED GEOGRAPHIC LOCATION.—The term 'excluded geographic location' means an excluded geographic location described in subsection (f).

''(9) INITIAL W NONIMMIGRANT.—The term 'initial W nonimmigrant' means a certified alien issued a W nonimmigrant visa by the Secretary of State pursuant to section 101(a)(15)(W)(i) in order to seek initial admission to the United States to commence employment for a registered employer in a registered position subject to the numerical limit at section 220(g).

''(10) METROPOLITAN STATISTICAL AREA.—The term 'metropolitan statistical area' means a geographic area designated as a metropolitan statistical area by the Director of the Office of Management and Budget.

''(11) REGISTERED EMPLOYER.—The term 'registered employer' means a nonagricultural employer that the Secretary has designated as a registered employer under subsection (d).

''(12) SECRETARY.—Except as otherwise specifically provided, the term 'Secretary' means the Secretary of Homeland Security.

''(13) SINGLE ENTITY.—The term 'single entity' means any group treated as a single employer under subsection (b), (c), (m), or (o)

of section 414 of the Internal Revenue Code of 1986.

''(14) SHORTAGE OCCUPATION.—The term 'shortage occupation' means a shortage occupation designated by the Commissioner pursuant to section 4701(d)(4) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

''(15) SMALL BUSINESS.—The term 'small business' means an employer that employs 25 or fewer full-time equivalent employees.

''(16) UNITED STATES WORKER.—The term 'United States worker' means an individual who is—

''(A) employed or seeking employment in the United States; and

''(B)(i) a national of the United States;

''(ii) an alien lawfully admitted for permanent residence;

''(iii) an alien in Registered Provisional Immigrant Status; or

''(iv) any other alien authorized to work in the United States with no limitation as to the alien's employer.

''(17) W NONIMMIGRANT.—The term 'W nonimmigrant' means an alien admitted as a nonimmigrant pursuant to section 101(a)(15)(W)(i).

''(18) W NONIMMIGRANT VISA.—The term 'W nonimmigrant visa' means a visa issued to a certified alien by the Secretary of State pursuant to section 101(a)(15)(W)(i).

''(19) W VISA PROGRAM.—The term 'W Visa Program' means the program for the admission of nonimmigrant aliens described in section 101(a)(15)(W)(i).

''(20) ZONE 1 OCCUPATION.—The term 'zone 1 occupation' means an occupation that requires little or no preparation and is classified as a zone 1 occupation on—

''(A) the Occupational Information Network Database (O*NET) on the date of the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; or

''(B) such Database or a similar successor database, as designated by the Secretary of Labor, after the date of the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

''(21) ZONE 2 OCCUPATION.—The term 'zone 2 occupation' means an occupation that requires some preparation and is classified as a zone 2 occupation on—

''(A) the Occupational Information Network Database (O*NET) on the date of the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; or

''(B) such Database or a similar successor database, as designated by the Secretary of Labor, after the date of the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

''(22) ZONE 3 OCCUPATION.—The term 'zone 3 occupation' means an occupation that requires medium preparation and is classified as a zone 3 occupation on—

''(A) the Occupational Information Network Database (O*NET) on the date of the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; or

''(B) such Database or a similar successor database, as designated by the Secretary of Labor, after the date of the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

''(b) ADMISSION INTO THE UNITED STATES.—

''(1) W NONIMMIGRANTS.—Subject to this section, a certified alien is eligible to be admitted to the United States as a W nonimmigrant if the alien is hired by a registered employer for employment in a registered position in a location that is not an excluded geographic location.

''(2) SPOUSE AND MINOR CHILDREN.—The—

''(A) alien spouse and minor children of a W nonimmigrant may be admitted to the United States pursuant to clause (ii) of section 101(a)(15)(W) during the period of the principal W nonimmigrant's admission; and

''(B) such alien spouse shall be—

''(i) authorized to engage in employment in the United States during such period of admission; and

''(ii) provided with an employment authorization document, stamp, or other appropriate work permit.

''(c) W NONIMMIGRANTS.—

''(1) CERTIFIED ALIEN.—

''(A) APPLICATION.—An alien seeking to be a W nonimmigrant shall apply to the Secretary of State at a United States embassy or consulate in a foreign country to be a certified alien.

''(B) CRITERIA.—An alien is eligible to be a certified alien if the alien—

''(i) is not inadmissible under this Act;

''(ii) passes a criminal background check;

''(iii) agrees to accept only registered positions in the United States; and

''(iv) meets other criteria as established by the Secretary.

''(2) W NONIMMIGRANT STATUS.—Only an alien that is a certified alien may be admitted to the United States as a W nonimmigrant.

''(3) INITIAL EMPLOYMENT.—A W nonimmigrant shall report to such nonimmigrant's initial employment in a registered position not later than 14 days after such nonimmigrant is admitted to the United States.

''(4) TERM OF ADMISSION.—

''(A) INITIAL TERM.—A certified alien may be granted W nonimmigrant status for an initial period of 3 years.

''(B) RENEWAL.—A W nonimmigrant may renew his or her status as a W nonimmigrant for additional 3-year periods. Such a renewal may be made while the W nonimmigrant is in the United States and shall not require the alien to depart the United States.

''(5) PERIODS OF UNEMPLOYMENT.—A W nonimmigrant—

''(A) may be unemployed for a period of not more than 60 consecutive days; and

''(B) shall depart the United States if such W nonimmigrant is unable to obtain employment during such period.

''(6) TRAVEL.—A W nonimmigrant may travel outside the United States and be readmitted to the United States. Such travel may not extend the period of authorized admission of such W nonimmigrant.

''(d) REGISTERED EMPLOYER.—

''(1) APPLICATION.—An employer seeking to be a registered employer shall submit an application to the Secretary. Each such application shall include the following:

''(A) Documentation to establish that the employer is a bona-fide employer.

''(B) The employer's Federal tax identification number or employer identification number issued by the Internal Revenue Service.

''(C) The number of W nonimmigrants the employer estimates it will seek to employ annually.

''(2) REFERRAL FOR FRAUD INVESTIGATION.—The Secretary may refer an application submitted under paragraph (1) or subsection (e)(1)(A) to the Fraud Detection and National Security Directorate of U.S. Citizenship and Immigration Services if there is evidence of fraud for potential investigation.

''(3) INELIGIBLE EMPLOYERS.—

''(A) IN GENERAL.—Notwithstanding any other applicable penalties under law, the Secretary may deny an employer's application to be a registered employer if the Secretary determines, after notice and an opportunity for a hearing, that the employer submitting such application—

''(i) has, with respect to the application required under paragraph (1), including any attestations required by law—

''(I) knowingly misrepresented a material fact;

''(II) knowingly made a fraudulent statement; or

''(III) knowingly failed to comply with the terms of such attestations; or

''(ii) failed to cooperate in the audit process in accordance with regulations promulgated by the Secretary;

''(iii) has been convicted of an offense set out in chapter 77 of title 18, United States Code, or any conspiracy to commit such offenses, or any human trafficking offense under State or territorial law;

''(iv) has, within 2 years prior to the date of application—

''(I) received a final adjudication of having committed any hazardous occupation orders violation resulting in injury or death under the child labor provisions contained in section 12 of the Fair Labor Standards Act of 1938 (29 U.S.C. 211) and any pertinent regulation;

''(II) received a final adjudication assessing a civil money penalty for any repeated or willful violation of the minimum wage provisions of section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206); or

''(III) received a final adjudication assessing a civil money penalty for any willful violation of the overtime provisions of section 7 of the Fair Labor Standards Act of 1938 or any regulations thereunder; or

''(v) has, within 2 years prior to the date of application, received a final adjudication for a willful violation or repeated serious violations involving injury or death—

''(I) of section 5 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 654);

''(II) of any standard, rule, or order promulgated pursuant to section 6 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655); or

''(III) of a plan approved under section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667).

''(B) LENGTH OF INELIGIBILITY.—

''(i) TEMPORARY INELIGIBILITY.—An employer described in subparagraph (A) may be ineligible to be a registered employer for a period that is not less than the time period determined by the Secretary and not more than 3 years.

''(ii) PERMANENT INELIGIBILITY.—An employer who has been convicted of any offense set out in chapter 77 of title 18, United States Code, or any conspiracy to commit such offenses, or any human trafficking offense under State or territorial law shall be permanently ineligible to be a registered employer.

''(4) TERM OF REGISTRATION.—The Secretary shall approve applications meeting the criteria of this subsection for a term of 3 years.

''(5) RENEWAL.—An employer may submit an application to renew the employer's status as a registered employer for additional 3-year periods.

''(6) FEE.—At the time an employer's application to be a registered employer or to renew such status is approved, such employer shall pay a fee in an amount determined by the Secretary to be sufficient to cover the costs of the registry of such employers.

''(7) CONTINUED ELIGIBILITY.—Each registered employer shall submit to the Secretary an annual report that demonstrates that the registered employer has provided the wages and working conditions the registered employer agreed to provide to its employees.

''(e) REGISTERED POSITIONS.—

''(1) IN GENERAL.—

''(A) APPLICATION.—Each registered employer shall submit to the Secretary an application to designate a position for which the employer is seeking a W nonimmigrant as a registered position. The Secretary is authorized to determine if the wage to be paid by the employer complies with subparagraph (B)(iv). Each such application shall include a description of each such position.

''(B) ATTESTATION.—An application submitted under subparagraph (A) shall include an attestation of the following:

''(i) The number of full-time equivalent employees of the employer.

''(ii) The occupational category, as classified by the Secretary of Labor, for which the registered position is sought.

''(iii) Whether the occupation for which the registered position is sought is a shortage occupation.

''(iv) Except as provided in subsection (g)(4)(C)(i), the wages to be paid to W nonimmigrants employed by the employer in the registered position, including a position in a shortage occupation, will be the greater of—

''(I) the actual wage level paid by the employer to other employees with similar experience and qualifications for such position; or

''(II) the prevailing wage level for the occupational classification of the position in the metropolitan statistical area of the employment, as determined by the Secretary, based on the best information available as of the time of filing the application.

''(v) The working conditions for W nonimmigrants will not adversely affect the working conditions of other workers employed in similar positions.

''(vi) The employer has carried out the recruiting activities required by paragraph (2)(B).

''(vii) There is no qualified United States worker who has applied for the position and who is ready, willing, and able to fill such position pursuant to the requirements in subparagraphs (B) and (C) of paragraph (2).

''(viii) There is not a strike, lockout, or work stoppage in the course of a labor dispute in the occupation at the place of employment at which the W nonimmigrant will be employed. If such strike, lockout, or work stoppage occurs following submission of the application, the employer will provide notification in accordance with all applicable regulations.

''(ix)(I) The employer has not laid off and will not layoff a United States worker during the period beginning 90 days prior to and ending 90 days after the date the employer files an application for designation of a position for which the W nonimmigrant is sought or hires such W nonimmigrant, unless the employer has notified such United States worker of the position and documented the legitimate reasons that such United States worker is not qualified or available for the position.

''(II) A United States worker is not laid off for purposes of this subparagraph if, at the time such worker's employment is terminated, such worker is not employed in the same occupation and in the same metropolitan statistical area where the registered position referred to in subclause (I) is located.

''(C) BEST INFORMATION AVAILABLE.—In subparagraph (B)(iv)(II), the term 'best information available', with respect to determining the prevailing wage for a position, means—

''(i) a controlling collective bargaining agreement or Federal contract wage, if applicable;

''(ii) if there is no applicable wage under clause (i), the wage level commensurate with the experience, training, and supervision required for the job based on Bureau of Labor Statistics data; or

''(iii) if the data referred to in clause (ii) is not available, a legitimate and recent private survey of the wages paid for such positions in the metropolitan statistical area.

''(D) PERMIT.—The Secretary shall provide each registered employer whose application submitted under subparagraph (A) is approved with a permit that includes the number and description of such employer's approved registered positions.

''(E) TERM OF REGISTRATION.—The approval of a registered position under subparagraph (A) is for a term that begins on the date of such approval and ends on the earlier of—

''(i) the date the employer's status as a registered employer is terminated;

''(ii) 3 years after the date of such approval; or

''(iii) upon proper termination of the registered position by the employer.

''(F) REGISTRY OF REGISTERED POSITIONS.—

''(i) MAINTENANCE OF REGISTRY.—The Secretary shall develop and maintain a registry of approved registered positions for which the Secretary has issued a permit under subparagraph (D).

''(ii) AVAILABILITY ON WEBSITE.—The registry required by clause (i) shall be accessible on a website maintained by the Secretary.

''(iii) AVAILABILITY ON STATE WORKFORCE AGENCY WEBSITES.—Each State workforce agency shall be linked to such registry and provide access to such registry through the website maintained by such agency.

''(iv) CONDITIONS OF AVAILABILITY ON WEBSITE.—

''(I) IN GENERAL.—Each approved registered position for which the Secretary has issued a permit shall be included in the registry of registered positions maintained by the Secretary and shall remain available for viewing on such registry throughout the term of registration referred to in subparagraph (E) or paragraph (5).

''(II) INDICATION OF VACANCY.—The Secretary shall ensure that such registry indicates whether each approved registered position in the registry is filled or unfilled.

''(III) REQUIREMENT FOR 10-DAY POSTING.—If a W nonimmigrant's employment in a registered position ends, either voluntarily or involuntarily, the Secretary shall ensure that such registry indicates that the registered position is unfilled for a period of 10 calendar days, unless such registered position is filled by a United States worker.

''(2) REQUIREMENTS.—

''(A) ELIGIBLE OCCUPATION.—Each registered position shall be for a position in an eligible occupation as described in paragraph (3).

''(B) RECRUITMENT OF UNITED STATES WORKERS.—

''(i) REQUIREMENTS.—A position may not be a registered position unless the registered employer—

''(I) advertises the position for a period of 30 days, including the wage range, location, and proposed start date—

''(aa) on the Internet website maintained by the Secretary of Labor for the purpose of such advertising; and

''(bb) with the workforce agency of the State where the position will be located; and

''(II) except as provided for in subsection (g)(4)(B)(i), carries out not less than 3 of the recruiting activities described in subparagraph (C).

''(ii) DURATION OF ADVERTISING.—The 30 day periods required by item (aa) of (bb) of clause (i)(I) may occur at the same time.

''(C) RECRUITING ACTIVITIES.—The recruiting activities described in this subparagraph, with respect to a position for which the employer is seeking a W nonimmigrant, shall consist of any combination of the following as defined by the Secretary of Homeland Security:

''(i) Advertising such position at job fairs.

''(ii) Advertising such position on the employer's external website.

''(iii) Advertising such position on job search Internet websites.

''(iv) Advertising such position using presentations or postings at vocational, career technical schools, community colleges, high schools, or other educational or training sites.

''(v) Posting such position with trade associations.

''(vi) Utilizing a search firm to seek applicants for such position.

''(vii) Advertising such position through recruitment programs with placement offices at vocational schools, career technical schools, community colleges, high schools, or other educational or training sites.

''(viii) Advertising such position through advertising or postings with local libraries, journals, or newspapers.

''(ix) Seeking a candidate for such position through an employee referral program with incentives.

''(x) Advertising such position on radio or television.

''(xi) Advertising such position through advertising, postings, or presentations with newspapers, Internet websites, job fairs, or community events targeted to constituencies designed to increase employee diversity.

''(xii) Advertising such position through career day presentations at local high schools or community organizations.

''(xiii) Providing in-house training.

''(xiv) Providing third-party training.

''(xv) Advertising such position through recruitment, educational, or other cooperative programs offered by the employer and a local economic development authority.

''(xvi) Advertising such position twice in the Sunday ads in the primary daily circulation newspaper in the area.

''(xvii) Any other recruitment activities determined to be appropriate to be added by the Commissioner.

''(3) ELIGIBLE OCCUPATION.—

''(A) IN GENERAL.—An occupation is an eligible occupation if the occupation—

''(i) is a zone 1 occupation, a zone 2 occupation, or zone 3 occupation; and

''(ii) is not an excluded occupation under subparagraph (B).

''(B) EXCLUDED OCCUPATIONS.—

''(i) OCCUPATIONS REQUIRING COLLEGE DEGREES.—An occupation that is listed in the Occupational Outlook Handbook published by the Bureau of Labor Statistics (or similar successor publication) that is classified as requiring an individual with a bachelor's degree or higher level of education may not be an eligible occupation.

''(ii) COMPUTER OCCUPATIONS.—An occupation in the field of computer operation, computer programming, or computer repair may not be an eligible occupation.

''(C) PUBLICATION.—The Secretary of Labor shall publish the eligible occupations, designated as zone 1 occupations, zone 2 occupations, or zone 3 occupations, on an on-going basis on a publicly available website.

''(4) FILLING OF VACANCIES.—If a W nonimmigrant's employment in a registered position ends, such employer may fill that vacancy—

''(A) by hiring a United States worker; or

''(B) after the 10 calendar day posting period in subsection (e)(1)(F)(iv)(III) by hiring—

''(i) a W nonimmigrant; or

''(ii) if available under subsection (g)(4), a certified alien.

''(5) PERIOD OF APPROVAL.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a registered position shall be approved by the Secretary for a period of 3 years.

''(B) RETURNING W NONIMMIGRANTS.—

''(i) EXTENSION OF PERIOD.—A registered position shall continue to be a registered position at the end of the 3-year period referred to in subparagraph (A) if the W nonimmigrant hired for such position is the beneficiary of a petition for immigrant status filed by the registered employer pursuant to this Act or is returning to the same registered employer.

''(ii) TERMINATION OF PERIOD.—The term of a registration position extended under clause (i) shall terminate on the date that is the earlier of—

''(I) the date an application or petition by or for a W nonimmigrant to obtain immigrant status is approved or denied by the Secretary; or

''(II) the date of the termination of such W nonimmigrant's employment with the registered employer.

''(6) FEES.—

''(A) REGISTRATION FEE.—

''(i) IN GENERAL.—At the time a W nonimmigrant commences employment in the registered position for a registered employer, such employer shall pay a registration fee in an amount determined by the Secretary.

''(ii) USE OF FEE.—A fee collected under clause (i) shall be used to fund any aspect of the operation of the W Visa Program.

''(B) ADDITIONAL FEE.—

''(i) IN GENERAL.—In addition to the fee required by subparagraph (A), a registered employer, at the time a W nonimmigrant commences employment in the registered position for the registered employer, shall pay an additional fee for each such approved registered position as follows:

''(I) A fee of $1,750 for the registered position if the registered employer, at the time of filing the application for the registered position, is a small business and more than 50 percent and less than 75 percent of the employees of the registered employer are not United States workers.

''(II) A fee of $3,500 for the registered position if the registered employer, at the time of filing the application for the registered position, is a small business and more than 75 percent of the employees of the registered employer are not United States workers.

''(III) A fee of $3,500 for the registered position if the registered employer, at the time of filing the application for the registered position, is not a small business and more than 15 percent and less than 30 percent of the employees of the registered employer are not United States workers.

''(ii) USE OF FEE.—A fee collected under clause (i) shall be used to fund the operations of the Bureau.

''(C) PROHIBITION ON OTHER FEES.—A registered employer may not be required to pay an additional fee other than any fees specified in this Act if the registered employer is a small business.

''(7) PROHIBITION ON REGISTERED POSITIONS FOR CERTAIN EMPLOYERS.—The Secretary may not approve an application for a registered position for an employer if the employer is not a small business and 30 percent or more of the employees of the employer are not United States workers.

''(f) EXCLUDED GEOGRAPHIC LOCATION.—No application for a registered position filed by a registered employer for an eligible occupation may be approved if the registered position is located in a metropolitan statistical area that has an unemployment rate that is more than 8½ percent as reported in the most recent month preceding the date that the application is submitted to the Secretary unless—

''(1) the Commissioner has identified the eligible occupation as a shortage occupation; or

''(2) the Secretary approves the registered position under subsection (g)(4).

''(g) NUMERICAL LIMITATION.—

''(1) REGISTERED POSITIONS.—

''(A) IN GENERAL.—Subject to paragraphs (3) and (4), the maximum number of registered positions that may be approved by the Secretary for a year is as follows:

''(i) For the first year aliens are admitted as W nonimmigrants, 20,000.

''(ii) For the second such year, 35,000.

''(iii) For the third such year, 55,000.

''(iv) For the fourth such year, 75,000.

''(v) For each year after the fourth such year, the level calculated for that year under paragraph (2).

''(B) DATES.—The first year referred to in subparagraph (A)(i) shall begin on April 1, 2015, and end on March 31, 2016, unless the Secretary determines that such first year shall begin on October 1, 2015, and end on September 30, 2016.

''(2) YEARS AFTER YEAR 4.—

''(A) CURRENT YEAR AND PRECEDING YEAR.—In this paragraph—

''(i) the term 'current year' shall refer to the 12-month period for which the calculation of the numerical limits under this paragraph is being performed; and

''(ii) the term 'preceding year' shall refer to the 12-month period immediately preceding the current year.

''(B) NUMERICAL LIMITATION.—Subject to subparagraph (D), the number of registered positions that may be approved by the Secretary for a year after the fourth year referred to in paragraph (1)(A)(iv) shall be equal to the sum of—

''(i) the number of such registered positions available under this paragraph for the preceding year; and

''(ii) the product of—

''(I) the number of such registered positions available under this paragraph for the preceding year; multiplied by

''(II) the index for the current year calculated under subparagraph (C).

''(C) INDEX.—The index calculated under this subparagraph for a current year equals the sum of—

''(i) one-fifth of a fraction—

''(I) the numerator of which is the number of registered positions that registered employers applied to have approved under subsection (e)(1) for the preceding year minus the number of registered positions approved under subsection (e) for the preceding year; and

''(II) the denominator of which is the number of registered positions approved under subsection (e) for the preceding year;

''(ii) one-fifth of a fraction—

''(I) the numerator of which is the number of registered positions the Commissioner recommends be available under this subparagraph for the current year minus the number of registered positions available under this subsection for the preceding year; and

''(II) the denominator of which is the number of registered positions available under this subsection for the preceding year;

''(iii) three-tenths of a fraction—

''(I) the numerator of which is the number of unemployed United States workers for the preceding year minus the number of unemployed United States workers for the current year; and

''(II) the denominator of which is the number of unemployed United States workers for the preceding year; and

''(iv) three-tenths of a fraction—

''(I) the numerator of which is the number of job openings as set out in the Job Openings and Labor Turnover Survey of the Bureau of Labor Statistics for the current year minus such number of job openings for the preceding year; and

''(II) the denominator of which is the number of such job openings for the preceding year;

''(D) MINIMUM AND MAXIMUM LEVELS.—The number of registered positions calculated under subparagraph (B) for a 12-month period may not be less than 20,000 nor more than 200,000.

''(3) ADDITIONAL REGISTERED POSITIONS FOR SHORTAGE OCCUPATIONS.—In addition to the number of registered positions made available for a year under paragraph (1), the Secretary shall make available for a year an additional number of registered positions for shortage occupations in a particular metropolitan statistical area.

''(4) SPECIAL ALLOCATIONS OF REGISTERED POSITIONS.—

''(A) AUTHORITY TO MAKE AVAILABLE.—In addition to the number of registered positions made available for a year under paragraph (1) or (3), the Secretary shall make additional registered positions available for the year for a specific registered employer as described in this paragraph, if—

''(i) the maximum number of registered positions available under paragraph (1) have been approved for the year and none remain available for allocation; or

''(ii) such registered employer is located in a metropolitan statistical area that has an unemployment rate that is more than 8½ percent as reported in the most recent month preceding the date that the application is submitted to the Secretary.

''(B) RECRUITMENT.—

''(i) IN GENERAL.—Except as provided in clause (ii), an initial W nonimmigrant may only enter the United States for initial employment pursuant to a special allocation under this paragraph if the registered employer has carried out at least 7 of the recruiting activities described in subsection (e)(2)(C).

''(ii) REQUIREMENT TO RECRUIT W NONIMMIGRANTS IN THE UNITED STATES.—A registered employer may register a position pursuant to a special allocation under this paragraph by conducting at least 3 of the recruiting activities described in subsection (e)(2)(C), however a position registered pursuant to this clause may not be filled by an initial W nonimmigrant entering the United States for initial employment.

''(iii) 30 DAY POSTING.—

''(I) REQUIREMENT.—Any registered employer registering any position under the special allocation authority shall post the

position, including the wage range, location, and initial date of employment, for not less than 30 days—

''(aa) on the Internet website maintained by the Secretary of Labor for the purpose of such advertising; and

''(bb) with the workforce agency of the State where the position will be located.

''(II) CONTEMPORANEOUS POSTING.—The 30 day periods required by items (aa) and (bb) of subclause (I) may occur at the same time.

''(C) WAGES.—

''(i) INITIAL W NONIMMIGRANTS.—An initial W nonimmigrant entering the United States for initial employment pursuant to a registered position made available under this paragraph may not be paid less than the greater of—

''(I) the level 4 wage set out in the Foreign Labor Certification Data Center Online Wage Library (or similar successor website) maintained by the Secretary of Labor for such occupation in that metropolitan statistical area; or

''(II) the mean of the highest two-thirds of wages surveyed for such occupation in that metropolitan statistical area.

''(ii) OTHER W NONIMMIGRANTS.—A W nonimmigrant employed in a registered position referred to in subsection (g)(4)(B)(ii) may not be paid less than the wages required under subsection (e)(1)(B)(iv).

''(D) REDUCTION OF FUTURE REGISTERED POSITIONS.—Each registered position made available for a year subject to the wage conditions of subparagraph (C)(i) shall reduce by 1 the number of registered positions made available under paragraph (g)(1) for the following year or the earliest possible year for which a registered position is available. The limitation contained in subsection (h)(4) shall not be reduced by any registered position made available under this paragraph.

''(h) ALLOCATION OF REGISTERED POSITIONS.—

''(1) IN GENERAL.—

''(A) FIRST 6-MONTH PERIOD.—The number of registered positions available for the 6-month period beginning on the first day of a year is 50 percent of the maximum number of registered positions available for such year under paragraph (1) or (2) of subsection (g). Such registered positions shall be allocated as described in this subsection.

''(B) SECOND 6-MONTH PERIOD.—The number of registered positions available for the 6-month period ending on the last day of a year is the maximum number of registered positions available for such year under paragraph (1) or (2) of subsection (g) minus the number of registered positions approved during the 6-month period referred to in subsection (A). Such registered positions shall be allocated as described in this subsection.

''(2) SHORTAGE OCCUPATIONS.—

''(A) IN GENERAL.—For the first month of each 6-month period referred to in subparagraph (A) or (B) of paragraph (1) a registered position may not be created in an occupation that is not a shortage occupation.

''(B) INITIAL DESIGNATIONS.—Subparagraph (A) shall not apply in any period for which the Commissioner has not designated any shortage occupations.

''(3) SMALL BUSINESSES.—During the second, third, and fourth months of each 6-month period referred to in subparagraph (A) or (B) of paragraph (1), one-third of the number of registered positions allocated for such period shall be approved only for a registered employer that is a small business. Any such registered positions not approved for such small businesses during such months shall be available for any registered employer during the last 2 months of each such 6-month period.

''(4) ANIMAL PRODUCTION SUBSECTORS.—In addition to the number of registered positions made available for a year under paragraph (1) or (3) of such section (g), the Secretary shall make additional registered positions available for the year for occupations designated by the Secretary of Labor as Animal Production Subsectors. The numerical limitation for such additional registered positions shall be no more than 10 percent of the annual numerical limitation provided for in such paragraph (1).

''(5) LIMITATION FOR CONSTRUCTION OCCUPATIONS.—

''(A) IN GENERAL.—Subject to subparagraph (B), not more than 33 percent of the registered positions made available under paragraph (1) or (2) of subsection (g) for a year may be granted to perform work in a construction occupation.

''(B) MAXIMUM LEVEL.—Notwithstanding subparagraph (A), the number of registered positions granted to perform work in a construction occupation under subsection (g)(1) may not exceed 15,000 for a year and 7,500 for any 6-month period.

''(C) PROHIBITION FOR OCCUPATIONS WITH HIGH UNEMPLOYMENT.—

''(i) IN GENERAL.—A registered employer may not hire a certified alien for a registered position to perform work in a construction occupation if the unemployment rate for construction occupations in the corresponding occupational job zone in that metropolitan statistical area was more than 8½ percent.

''(ii) DETERMINATION OF UNEMPLOYMENT RATE.—The unemployment rate used in clause (i) shall be determined—

''(I) using the most recent survey taken by the Bureau; or

''(II) if a survey referred to in subclause (I) is not available, using a recent and legitimate private survey.

''(i) PORTABILITY.—A W nonimmigrant who is admitted to the United States for employment by a registered employer may—

''(1) terminate such employment for any reason; and

''(2) seek and accept employment with another registered employer in any other registered position within the terms and conditions of the W nonimmigrant's visa.

''(j) PROMOTION.—A registered employer may promote a W nonimmigrant if the W nonimmigrant has been employed with that employer for a period of not less than 12 months. Such a promotion shall not increase the total number of registered positions available to that employer.

''(k) PROHIBITION ON OUTPLACEMENT.—A registered employer may not place, outsource, lease, or otherwise contract for the services or placement of a W nonimmigrant employee with another employer if more than 15 percent of the employees of the registered employer are W nonimmigrants.

''(l) W NONIMMIGRANT PROTECTIONS.—

''(1) APPLICABILITY OF LAWS.—A W nonimmigrant shall not be denied any right or any remedy under Federal, State, or local labor or employment law that would be applicable to a United States worker employed in a similar position with the employer because of the alien's status as a nonimmigrant worker.

''(2) WAIVER OF RIGHTS PROHIBITED.—

''(A) IN GENERAL.—A W nonimmigrant may not be required to waive any substantive rights or protections under this Act.

''(B) CONSTRUCTION.—Nothing under this paragraph may be construed to affect the interpretation of any other law.

''(3) PROHIBITION ON TREATMENT AS INDEPENDENT CONTRACTORS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law—

''(i) a W nonimmigrant is prohibited from being treated as an independent contractor under any Federal or State law; and

''(ii) no person, including an employer or labor contractor and any persons who are affiliated with or contract with an employer or labor contractor, may treat a W nonimmigrant as an independent contractor.

''(B) CONSTRUCTION.—Subparagraph (A) may not be construed to prevent registered employers who operate as independent contractors from employing W nonimmigrants.

''(4) PAYMENT OF FEES.—

''(A) IN GENERAL.—A fee related to the hiring of a W nonimmigrant required to be paid by an employer under this Act shall be paid by the employer and may not be deducted from the wages or other compensation paid to a W nonimmigrant.

''(B) EXCLUDED COSTS.—The cost of round trip transportation from a certified alien's home to the location of a registered position and the cost of obtaining a foreign passport are not fees required to be paid by the employer.

''(5) TAX RESPONSIBILITIES.—An employer shall comply with all applicable Federal, State, and local tax laws with respect to each W nonimmigrant employed by the employer.

''(6) PROHIBITED ACTIVITIES.—It shall be unlawful for an employer of a W nonimmigrant to intimidate, threaten, restrain, coerce, retaliate, discharge, or in any other manner, discriminate against an employee or former employee because the employee or former employee—

''(A) discloses information to the employer or any other person that the employee or former employee reasonably believes demonstrates a violation of this section; or

''(B) cooperates or seeks to cooperate in an investigation or other proceeding concerning compliance with the requirements of this section.

''(m) COMPLAINT PROCESS.—The Secretary shall establish a process for the receipt, investigation, and disposition of complaints by an aggrieved applicant, employee, or nonimmigrant (or a person acting on behalf of such applicant, employee, or nonimmigrant) with respect to—

''(1) the failure of a registered employer to meet a condition of this section; or

''(2) the lay off or nonhiring of a United States worker as prohibited under this section.

''(n) ENFORCEMENT.—

''(1) IN GENERAL.—The Secretary shall promulgate regulations for the receipt, investigation, and disposition of complaints by an aggrieved W nonimmigrant respecting a violation of this section.

''(2) FILING DEADLINE.—No investigation or hearing shall be conducted on a complaint concerning a violation under this section unless the complaint was filed not later than 6 months after the date of such violation.

''(3) REASONABLE BASIS.—The Secretary shall conduct an investigation under this subsection if there is reasonable basis to believe that a violation of this section has occurred. The process established under this subsection shall provide that, not later than 30 days after a complaint is filed, the Secretary shall determine if there is reasonable cause to find such a violation.

''(4) NOTICE AND HEARING.—

''(A) IN GENERAL.—Not later than 60 days after the Secretary makes a determination of reasonable basis under paragraph (3), the Secretary shall issue a notice to the interested parties and offer an opportunity for a hearing on the complaint, in accordance with section 556 of title 5, United States Code.

''(B) HEARING DEADLINE.—Not later than 60 days after the date of a hearing under this paragraph, the Secretary shall make a finding on the matter.

''(5) ATTORNEY'S FEES.—

''(A) AWARD.—A complainant who prevails in an action under this subsection with respect to a claim related to wages or compensation for employment, or a claim for a violation of subsection (l) or (m), shall be entitled to an award of reasonable attorney's fees and costs.

''(B) FRIVOLOUS COMPLAINTS.—A complainant who files a frivolous complaint for an improper purpose under this subsection shall be liable for the reasonable attorney's fees and costs of the person named in the complaint.

''(6) POWER OF THE SECRETARY.—The Secretary may bring an action in any court of competent jurisdiction—

''(A) to seek remedial action, including injunctive relief;

''(B) to recover the damages described in this subsection and subsection (o); or

''(C) to ensure compliance with terms and conditions described in subsection (l)(6).

''(7) OTHER RIGHTS OF EMPLOYEES.—The rights and remedies provided to W nonimmigrants under this section are in addition to any other contractual or statutory rights and remedies of the workers, and are not intended to alter or affect such rights and remedies.

''(o) PENALTIES.—

''(1) IN GENERAL.—If, after notice and an opportunity for a hearing, the Secretary finds a violation of this section, the Secretary may impose administrative remedies and penalties, including—

''(A) back wages;

''(B) benefits; and

''(C) civil monetary penalties.

''(2) CIVIL PENALTIES.—The Secretary may impose, as a civil penalty—

''(A) for a violation of this subsection—

''(i) a fine in an amount not more than $2,000 per violation per affected worker and $4,000 per violation per affected worker for each subsequent violation;

''(ii) if the violation was willful, a fine in an amount not more than $5,000 per violation per affected worker; and

''(iii) if the violation was willful and if in the course of such violation a United States worker was harmed, a fine in an amount not more than $25,000 per violation per affected worker; or

''(B) for knowingly failing to materially comply with the terms of representations made in petitions, applications, certifications, or attestations under this section—

''(i) a fine in an amount not more than $4,000 per aggrieved worker; and

''(ii) upon the occasion of a third offense of failure to comply with representations, a fine in an amount not to exceed $5,000 per affected worker and designation as an ineligible employer, recruiter, or broker for purposes of any immigrant or nonimmigrant program.

''(3) CRIMINAL PENALTY.—Any person who knowingly misrepresents the number of full-time equivalent employees of an employer or the number of employees of a person who are United States workers for the purpose of reducing a fee under subsection (e)(6) or avoiding the limitation in subsection (e)(7), shall be fined in accordance with title 18, United States Code, in an amount up to $25,000 or imprisoned not more than 1 year, or both.

''(p) MONITORING.—

''(1) REQUIREMENT TO MONITOR.—The Secretary shall monitor the movement of W nonimmigrants in registered positions through—

''(A) the Employment Verification System described in section 274A(d); and

''(B) the electronic monitoring system described in paragraph (2).

''(2) ELECTRONIC MONITORING SYSTEM.—

''(A) REQUIREMENT FOR SYSTEM.—The Secretary, through U.S. Citizenship and Immigration Services, shall implement an electronic monitoring system to monitor presence and employment of W nonimmigrants, including a requirement that registered employers update the system when W nonimmigrants start and end employment in registered positions.

''(B) SYSTEM DESCRIPTION.—Such system shall be modeled on the Student and Exchange Visitor Information System (SEVIS) and SEVIS II tracking system of U.S. Immigration and Customs Enforcement.

''(C) INTERACTION WITH REGISTRY.—Such system shall interact with the registry referred to in subsection (e)(1)(F) to ensure that the Secretary designates and updates approved registered positions as being filled or unfilled.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in the first section (8 U.S.C. 1101 et seq.) is amended by adding after the item relating to section 219 the following:

''Sec. 220. Admission of W nonimmigrant workers.''.

Subtitle H—Investing in New Venture, Entrepreneurial Startups, and Technologies

SEC. 4801. NONIMMIGRANT INVEST VISAS.

(a) INVEST NONIMMIGRANT CATEGORY.—Section 101(a)(15) (8 U.S.C. 1101(a)(15)), as amended by sections 2231, 2308, 2309, 3201, 4402, 4504, 4601, and 4702, is further amended by inserting after subparagraph (W) the following:

''(X) in accordance with the definitions in section 203(b)(6)(A), a qualified entrepreneur who has demonstrated that, during the 3-year period ending on the date on which the alien filed an initial petition for nonimmigrant status described in this clause—

''(i) a qualified venture capitalist, a qualified super angel investor, a qualified government entity, a qualified community development financial institution, qualified startup accelerator, or such other type of entity or investors, as determined by the Secretary, or any combination of such entities or investors, has made a qualified investment or combination of qualified investments of not less than $100,000 in total in the alien's United States business entity; or

''(ii) the alien's United States business entity has created no fewer than 3 qualified jobs and during the 2-year period ending on such date has generated not less than $250,000 in annual revenue arising from business conducted in the United States; or''.

(b) ADMISSION OF INVEST NONIMMIGRANTS.—Section 214 (8 U.S.C. 1184), as amended by sections 3608, 4232, 4405, 4503, 4504, 4602, 4605, and 4606, is further amended by adding at the end the following:

''(aa) INVEST NONIMMIGRANT VISAS.—

''(1) DEFINITIONS.—The definitions in section 203(b)(6)(A) apply to this subsection.

''(2) INITIAL PERIOD OF AUTHORIZED ADMISSION.—The initial period of authorized status as a nonimmigrant described in section 101(a)(15)(X) shall be for an initial 3-year period.

''(3) RENEWAL OF ADMISSION.—Subject to paragraph (4), the initial period of authorized nonimmigrant status described in paragraph (2) may be renewed for additional 3-year periods if during the most recent 3-year period that the alien was granted such status—

''(A) the alien's United States business entity has created no fewer than 3 qualified jobs and a qualified venture capitalist, a qualified super angel investor, a qualified government entity, a qualified community development financial institution, qualified startup accelerator, or such other type of entity or investors, as determined by the Secretary, or any combination of such entities or investors, has made a qualified investment or combination of qualified investments of not less than $250,000 in total to the alien's United States business entity; or

''(B) the alien's United States business entity has created no fewer than 3 qualified jobs and, during the 2-year period ending on the date that the alien petitioned for an extension, has generated not less than $250,000 in annual revenue arising from business conducted within the United States.

''(4) WAIVER OF RENEWAL REQUIREMENTS.—The Secretary may renew an alien's status as a nonimmigrant described in section 101(a)(15)(X) for not more than 1 year at a time, up to an aggregate of 2 years if the alien—

''(A) does not meet the criteria under paragraph (3); and

''(B) meets the criteria established by the Secretary, in consultation with the Secretary of Commerce, for approving renewals under this subsection, which shall include a finding that—

''(i) the alien has made substantial progress in meeting such criteria; and

''(ii) such renewal is economically beneficial to the United States.

''(5) ATTESTATION.—The Secretary may require an alien seeking status as a nonimmigrant described in section 101(a)(15)(X) to attest, under penalty of perjury, that the alien meets the application criteria.

''(6) X–1 VISA FEE.—In addition to processing fees, the Secretary shall collect a $1,000 fee from each nonimmigrant admitted under section 101(a)(15)(X). Fees collected under this paragraph shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.''.

SEC. 4802. INVEST IMMIGRANT VISA.

Section 203(b) (8 U.S.C. 1153(b)) is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following:

''(6) INVEST IMMIGRANTS.—

''(A) DEFINITIONS.—In this paragraph, section 101(a)(15)(X), and section 214(s):

''(i) QUALIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term 'qualified community development financial institution' is defined as provided under section 1805.201 45D(c) of title 12, Code of Federal Regulations, or any similar successor regulations.

''(ii) QUALIFIED ENTREPRENEUR.—The term 'qualified entrepreneur' means an individual who—

''(I) has a significant ownership interest, which need not constitute a majority interest, in a United States business entity;

''(II) is employed in a senior executive position of such United States business entity;

''(III) submits a business plan to U.S. Citizenship and Immigration Services; and

''(IV) had a substantial role in the founding or early-stage growth and development of such United States business entity.

''(iii) QUALIFIED GOVERNMENT ENTITY.—The term 'qualified government entity' means an agency or instrumentality of the United States or of a State, local, or tribal government.

''(iv) QUALIFIED INVESTMENT.—The term 'qualified investment'—

''(I) means an investment in a qualified entrepreneur's United States business entity that is—

''(aa) a purchase from the United States business entity or equity or convertible debt issued by such entity;

''(bb) a secured loan;

''(cc) a convertible debt note;

''(dd) a public securities offering;

''(ee) a research and development award from a qualified government entity to the United States entity;

''(ff) other investment determined appropriate by the Secretary; or

''(gg) a combination of the investments described in items (aa) through (ff); and

''(II) may not include an investment from such qualified entrepreneur, the parents, spouse, son, or daughter of such qualified entrepreneur, or from any corporation, company, association, firm, partnership, society, or joint stock company over which such qualified entrepreneur has a substantial ownership interest.

''(v) QUALIFIED JOB.—The term 'qualified job' means a full-time position of a United States business entity owned by a qualified entrepreneur that—

''(I) is located in the United States;

''(II) has been filled for at least 2 years by an individual who is not the qualified entrepreneur or the spouse, son, or daughter of the qualified entrepreneur; and

''(III) pays a wage that is not less than 250 percent of the Federal minimum wage.

''(vi) QUALIFIED STARTUP ACCELERATOR.—The term 'qualified startup accelerator' means a corporation, company, association, firm, partnership, society, or joint stock company that—

''(I) is organized under the laws of the United States or any State and conducts business in the United States;

''(II) in the ordinary course of business, provides a program of training, mentorship, and logistical support to assist entrepreneurs in growing their businesses;

''(III) is managed by individuals, the majority of whom are citizens of the United States or aliens lawfully admitted for permanent residence;

''(IV)(aa) regularly acquires an equity interest in companies that participate in its programs, where the majority of the capital so invested is committed from individuals who are United States citizens or aliens lawfully admitted for permanent residence, or from entities organized under the laws of the United States or any State; or

''(bb) is an entity that has received not less than $250,000 in funding from a qualified government entity or entities during the previous 5 years and regularly makes grants to companies that participate in its programs (in which case, such grant shall be treated as a qualified investment for purposes of clause (iv));

''(V) during the previous 5 years, has acquired an equity interest in, or, in the case of an entity described in subclause (IV)(bb), regularly made grants to, not fewer than 10 United States business entities that have participated in its programs and that have—

''(aa) each secured at least $100,000 in initial investments; or

''(bb) during any 2-year period following the date of such acquisition, generated not less than $500,000 in aggregate annual revenue within the United States;

''(VI) has its primary location in the United States; and

''(VII) satisfies such other criteria as may be established by the Secretary.

''(vii) QUALIFIED SUPER ANGEL INVESTOR.—The term 'qualified super angel investor' means an individual or organized group of individuals investing directly or through a legal entity—

''(I) each of whom is an accredited investor, as defined in section 230.501(a) of title 17, Code of Federal Regulations, or any similar successor regulation, investing the funds owned by such individual or organized group in a qualified entrepreneur's United States business entity;

''(II)(aa) if an individual, is a citizen of the United States or an alien lawfully admitted for permanent residence; or

''(bb) if an organized group or legal entity, a majority of the individuals investing through such group or entity are citizens of the United States or aliens lawfully admitted for permanent residence; and

''(III) each of whom in the previous 3 years has made qualified investments in a total amount determined to be appropriate by the Secretary, that is not less than $50,000, in United States business entities which are less than 5 years old.

''(viii) QUALIFIED VENTURE CAPITALIST.—The term 'qualified venture capitalist' means an entity—

''(I) that—

''(aa) is a venture capital operating company (as defined in section 2510.3–101(d) of title 29, Code of Federal Regulations (or any successor to such regulation)); or

''(bb) has management rights, as defined in, and to the extent required by, such section 2510.3–101(d) (or successor regulation), in its portfolio companies;

''(II) that has capital commitments of not less than $10,000,000; and

''(III) the investment adviser, that is registered under the Investment Advisers Act of 1940 (15 U.S.C. 80b–2), for which—

''(aa) has its primary office location in the United States;

''(bb) is owned, directly or indirectly, by individuals, the majority of whom are citizens of the United States or aliens lawfully admitted for permanent residence in the United States;

''(cc) has been advising such entity or other similar funds or entities for at least 2 years; and

''(dd) has advised such entity or a similar fund or entity with respect to at least 2 investments of not less than $500,000 made by such entity or similar fund or entity during each of the most recent 2 years.

''(ix) SECRETARY.—Except as otherwise specifically provided, the term 'Secretary' means the Secretary of Homeland Security.

''(x) SENIOR EXECUTIVE POSITION.—The term 'senior executive position' includes the position of chief executive officer, chief technology officer, and chief operating officer.

''(xi) UNITED STATES BUSINESS ENTITY.—The term 'United States business entity' means any corporation, company, association, firm, partnership, society, or joint stock company that is organized under the laws of the United States or any State and that conducts business in the United States that is not—

''(I) a private fund, as defined in 202(a) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–2);

''(II) a commodity pool, as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a);

''(III) an investment company, as defined in section 3 of the Investment Company Act of 1940 (15 U.S.C. 80a–3); or

''(IV) an issuer that would be an investment company but for an exemption provided in—

''(aa) section 3(c) of the Investment Company Act of 1940 (15 U.S.C. 80a–3(c); or

''(bb) section 270.3a–7 of title 17 of the Code of Federal Regulations or any similar successor regulation.

''(B) IN GENERAL.—Visas shall be available, in a number not to exceed 10,000 for each fiscal year, to qualified immigrants seeking to enter the United States for the purpose of creating new businesses, as described in this paragraph.

''(C) ELIGIBILITY.—An alien is eligible for a visa under this paragraph if—

''(i)(I) the alien is a qualified entrepreneur;

''(II) the alien maintained valid nonimmigrant status in the United States for at least 2 years;

''(III) during the 3-year period ending on the date the alien files an initial petition for such status under this section—

''(aa)(AA) the alien has a significant ownership in a United States business entity that has created no fewer than 5 qualified jobs; and

''(BB) a qualified venture capitalist, a qualified super angel investor, a qualified government entity, a qualified community development financial institution, qualified startup accelerator, or such other entity or type of investors, as determined by the Secretary, or any combination of such entities or investors, has devoted a qualified investment or combination of qualified investments of not less than $500,000 in total to the alien's United States business entity; or

''(bb)(AA) the alien has a significant ownership interest in a United States business entity that has created no fewer than 5 qualified jobs; and

''(BB) during the 2-year period ending on such date has generated not less than $750,000 in annual revenue within the United States; and

''(IV) no more than 2 other aliens have received nonimmigrant status under this section on the basis of an alien's ownership of such United States business entity;

''(ii)(I) the alien is a qualified entrepreneur;

''(II) the alien maintained valid nonimmigrant status in the United States for at least 3 years prior to the date of filing an application for such status;

''(III) the alien holds an advanced degree in a field of science, technology, engineering, or mathematics, approved by the Secretary; and

''(IV) during the 3-year period ending on the date the alien files an initial petition for such status under this section—

''(aa)(AA) the alien has a significant ownership interest in a United States business entity that has created no fewer than 4 qualified jobs; and

''(BB) a qualified venture capitalist, a qualified super angel investor, a qualified government entity, a qualified community development financial institution, qualified startup accelerator, or such other entity or type of investors, as determined by the Secretary, or any combination of such entities

or investors, has devoted a qualified investment or combination of qualified investments of not less than $500,000 in total to the alien's United States business entity; or

''(bb)(AA) the alien has a significant ownership interest in a United States business entity that has created no fewer than 3 qualified jobs; and

''(BB) during the 2-year period ending on such date has generated not less than $500,000 in annual revenue within the United States; and

''(V) no more than 3 other aliens have received nonimmigrant status under this section on the basis of an alien's ownership of such United States business entity.

''(D) ATTESTATION.—The Secretary may require an alien seeking a visa under this paragraph to attest, under penalties of perjury, to the alien's qualifications.''.

SEC. 4803. ADMINISTRATION AND OVERSIGHT.

(a) REGULATIONS.—Not later than 16 months after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of Commerce, the Administrator of the Small Business Administration, and other heads of other relevant Federal agencies and departments, shall promulgate regulations to carry out the amendments made by this subtitle. Such regulations shall ensure that such amendments are implemented in a manner that is consistent with the protection of national security and promotion of United States economic growth, job creation, and competitiveness.

(b) MODIFICATION OF DOLLAR AMOUNTS.—

(1) IN GENERAL.—The Secretary may from time to time prescribe regulations increasing or decreasing any dollar amount specified in section 203(b)(6) of the Immigration and Nationality Act, as added by section 4802, section 101(a)(15)(X) of such Act, as added by section 4801, or section 214(s), as added by section 4801.

(2) AUTOMATIC ADJUSTMENT.—Unless a dollar amount referred to in paragraph (1) is adjusted by the Secretary under paragraph (1), such dollar amount shall automatically adjust on January 1, 2016, by the percentage change in the Consumer Price Index (CPI–U) during fiscal year 2015, and on every fifth subsequent January 1 by the percentage change in the CPI–U during the previous 5 fiscal years, for any petition filed to classify an alien under this paragraph on or after the date of each automatic adjustment.

(c) OTHER AUTHORITY.—The Secretary, in the Secretary's unreviewable discretion, may deny or revoke the approval of a petition seeking classification of an alien under paragraph (6) of section 203(b) of the Immigration and Nationality Act, as added by section 4802, or any other petition, application, or benefit based upon the previous or concurrent filing or approval of a petition for classification of an alien under such paragraph (6), if the Secretary determines, in the Secretary's sole and unreviewable discretion, that the approval or continuation of such petition, application, or benefit is contrary to the national interest of the United States or for other good cause.

(d) REPORTS.—Once every 3 years, the Secretary shall submit to Congress a report on this subtitle and the amendments made by this subtitle. Each such report shall include—

(1) the number and percentage of entrepreneurs able to meet thresholds for nonimmigrant renewal and adjustment to green card status under the amendments made by this subtitle;

(2) an analysis of the program's economic impact including job and revenue creation, increased investments and growth within business sectors and regions;

(3) a description and breakdown of types of businesses that entrepreneurs granted nonimmigrant or immigrant status are creating;

(4) for each report following the Secretary's initial report submitted under this subsection, a description of the percentage of the businesses initially created by the entrepreneurs granted immigrant and nonimmigrant status under this subtitle and the amendments made by this subtitle, that are still in operation; and

(5) any recommendations for improving the program established by this subtitle and the amendments made by this subtitle.

SEC. 4804. PERMANENT AUTHORIZATION OF EB–5 REGIONAL CENTER PROGRAM.

(a) REPEAL.—Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is repealed.

(b) AUTHORIZATION.—Section 203(b)(5) (8 U.S.C. 1153(b)(5)) is amended by adding at the end the following:

''(E) REGIONAL CENTER PROGRAM.—

''(i) IN GENERAL.—Visas under this paragraph shall be made available to qualified immigrants participating in a program implementing this paragraph that involves a regional center in the United States, which has been designated by the Secretary of Homeland Security, in consultation with the Secretary of Commerce, on the basis of a general proposal for the promotion of economic growth, including—

''(I) increased export sales;

''(II) improved regional productivity;

''(III) job creation; or

''(IV) increased domestic capital investment.

''(ii) ESTABLISHMENT OF A REGIONAL CENTER.—A regional center shall have jurisdiction over a defined geographic area, which shall be described in the proposal and consistent with the purpose of concentrating pooled investment in defined economic zones. The establishment of a regional center may be based on general predictions, contained in the proposal, concerning—

''(I) the kinds of commercial enterprises that will receive investments from aliens;

''(II) the jobs that will be created directly or indirectly as a result of such investments; and

''(III) other positive economic effects such investments will have.

''(iii) COMPLIANCE.—In determining compliance with subparagraph (A)(ii), the Secretary of Homeland Security shall permit aliens admitted under the program described in this subparagraph to establish reasonable methodologies for determining the number of jobs created by the program, including jobs estimated to have been created indirectly through—

''(I) revenues generated from increased exports, improved regional productivity, job creation; or

''(II) increased domestic capital investment resulting from the program, including jobs created outside of the geographic boundary of the regional center as a result of the immigrant's investment in regional center-affiliated commercial enterprises.

''(iv) INDIRECT JOB CREATION.—The Secretary shall permit immigrants admitted under this paragraph to satisfy the requirements under subparagraph (A)(ii) with jobs that are estimated to be created indirectly through investment under this paragraph in accordance with this subparagraph.

''(F) PREAPPROVAL OF BUSINESS PLANS FOR REGIONAL CENTER INVESTMENTS.—

''(i) PETITION.—Before the filing of a petition under this subparagraph by an alien investor, a commercial enterprise affiliated with a regional center may file a petition with the Secretary of Homeland Security to preapprove a particular investment in the commercial enterprise, as provided in—

''(I) a business plan for a specific capital investment project;

''(II) investment documents, such as subscription, investment, partnership, and operating agreements; and

''(III) a credible economic analysis regarding estimated job creation that is based upon reasonable methodologies.

''(ii) PREAPPROVAL PROCEDURE.—The Secretary shall establish a process to facilitate the preapproval of business plans under this subparagraph related to investment in a regional center commercial enterprise, which shall include an opportunity for the applicant to address and cure any deficiencies identified by the Secretary in the applicant's business plan, investment documents, or statement regarding job creation prior to a final determination. The Secretary shall impose a fee for the use of the process described in this clause sufficient to recover the costs of its administration.

''(iii) EFFECT OF PREAPPROVAL OF BUSINESS PLAN FOR INVESTMENT IN REGIONAL CENTER COMMERCIAL ENTERPRISE.—The preapproval of a petition under this subparagraph shall be binding for purposes of the adjudication of petitions filed under this subparagraph by immigrants investing in the commercial enterprise unless the Secretary determines that there is evidence of fraud, misrepresentation, criminal misuse, a threat to national security, or other evidence affecting program eligibility that was not disclosed by the petitioner during the preapproval process.

''(iv) EXPEDITED PROCESSING OPTION FOR ALIEN INVESTOR PETITIONS AFFILIATED WITH PREAPPROVED BUSINESS PLANS.—The Secretary may establish a premium processing option for alien investors who are investing in a commercial enterprise that has received preapproval under this subparagraph and may impose a fee for the use of that option sufficient to recover all costs of the option.

''(v) CONSIDERATION OF CRIMINAL ACTIVITY IN ESTABLISHING ELIGIBILITY CRITERIA.—The Secretary shall consider the potential for fraud, misrepresentation, criminal misuse, and threats to national security in establishing eligibility criteria for any program the Secretary may establish under this subparagraph.

''(G) REGIONAL CENTER FINANCIAL STATEMENTS.—

''(i) IN GENERAL.—Each regional center designated under subparagraph (E) shall annually submit, to the Director of U.S. Citizenship and Immigration Services (referred to in this subparagraph as the 'Director'), in a manner prescribed by the Secretary of Homeland Security, financial statements, including—

''(I) an accounting of all foreign investor money invested through the regional center; and

''(II) for each capital investment project—

''(aa) an accounting of the aggregate capital invested through the regional center or affiliated commercial enterprises by immigrants under this paragraph;

''(bb) a description of how such funds are being used to execute the approved business plan;

''(cc) evidence that 100 percent of such investor funds have been dedicated to the project;

''(dd) detailed evidence of the progress made toward the completion of the project;

''(ee) an accounting of the aggregate direct and indirect jobs created or preserved; and

''(ff) a certification by the regional center that such statements are accurate.

''(ii) AMENDMENT OF FINANCIAL STATEMENTS.—If the Director determines that a financial statement required under clause (i) is deficient, the Director may require the regional center to amend or supplement such financial statement.

''(iii) SANCTIONS.—

''(I) EFFECT OF VIOLATION.—If the Director determines, after reviewing the financial statements submitted under clause (i), that a regional center, director, or other individual involved with a regional center (other than an alien investor) has violated any requirement under clause (i) or that the regional center is conducting itself in a manner inconsistent with its designation, the Director may sanction the violating entity or individual under subclause (II).

''(II) AUTHORIZED SANCTIONS.—The Director shall establish a graduated set of sanctions for violations referred to in subclause (I), including—

''(aa) fines equal to not more than 5 percent of the total capital invested by immigrant investors in the commercial enterprise's approved business plan;

''(bb) temporary suspension from participation in the program described in subparagraph (E), which may be lifted by the Director if the individual or entity cures the alleged violation after being provided such an opportunity by the Director;

''(cc) permanent bar from program participation for 1 or more individuals affiliated with the regional center; and

''(dd) termination of regional center status.

''(H) BONA FIDES OF PERSONS INVOLVED IN REGIONAL CENTERS.—

''(i) IN GENERAL.—No person shall be permitted by any regional center to be involved with the regional center as its principal, representative, administrator, owner, officer, board member, manager, executive, general partner, fiduciary, marketer, promoter, or other similar position of substantive authority for the operations, management or promotion of the regional center if the Secretary of Homeland Security—

''(I) determines such person has been found liable within the previous 5 years for any criminal or civil violation of any law relating to fraud or deceit, or at any time if such violation involved a criminal conviction with a term of imprisonment of at least 1 year or a criminal or civil violation of any law or agency regulation in connection with the purchase or sale of a security; or

''(II) knows or has reasonable cause to believe that the person is engaged in, has ever been engaged in, or seeks to engage in any—

''(aa) illicit trafficking in any controlled substance;

''(bb) activity relating to espionage or sabotage;

''(cc) activity related to money laundering (as described in section 1956 or 1957 of title 18, United States Code);

''(dd) terrorist activity (as defined in clauses (iii) and (iv) of section 212(a)(3)(B));

''(ee) human trafficking or human rights offense; or

''(ff) violation of any statute, regulation, or Executive Order regarding foreign financial transactions or foreign asset control.

''(ii) INFORMATION REQUIRED.—The Secretary shall require such attestations and information, including, the submission of fingerprints to the Federal Bureau of Investigation, and shall perform such criminal record checks and other background checks with respect to a regional center, and persons involved in a regional center as described in clause (i), as the Secretary considers appropriate to determine whether the regional center is in compliance with clause (i). The Secretary may require the information and attestations described in this clause from such regional center, and any person involved in the regional center, at any time on or after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(iii) TERMINATION.—The Secretary is authorized, in his or her unreviewable discretion, to terminate any regional center from the program under this paragraph if he or she determines that—

''(I) the regional center is in violation of clause (i);

''(II) the regional center or any person involved with the regional center has provided any false attestation or information under clause (ii);

''(III) the regional center or any person involved with the regional center fails to provide an attestation or information requested by the Secretary under clause (ii); or

''(IV) the regional center or any person involved with the regional center is engaged in fraud, misrepresentation, criminal misuse, or threats to national security.

''(I) REGIONAL CENTER COMPLIANCE WITH SECURITIES LAWS.—

''(i) CERTIFICATION REQUIRED.—The Secretary of Homeland Security shall not approve an application for regional center designation or regional center amendment that does not certify that the regional center and, to the best knowledge of the applicant, all parties to the regional center are in, and will maintain, compliance with the securities laws of the United States.

''(ii) TERMINATION OR SUSPENSION.—The Secretary shall terminate the designation of any regional center that does not provide the certification described in subclause (i) on an annual basis. In addition to any other authority provided to the Secretary regarding the regional center program described in subparagraph (E), the Secretary may, in his or her unreviewable discretion, suspend or terminate the designation of any regional center if he or she determines that the regional center or any party to the regional center—

''(I) is permanently or temporarily enjoined by order, judgment, or decree of any court of competent jurisdiction in connection with the purchase or sale of a security;

''(II) is subject to any final order of the Securities and Exchange Commission that—

''(aa) bars such person from association with an entity regulated by the Securities and Exchange Commission; or

''(bb) constitutes a final order based on violations in connection with the purchase or sale of a security; or

''(III) knowingly submitted or caused to be submitted a certification described in clause (i) that contained an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading.

''(iii) SAVINGS PROVISION.—Nothing in this subparagraph may be construed to impair or limit the authority of the Securities and Exchange Commission under the Federal securities laws.

''(iv) DEFINED TERM.—For the purpose of this subparagraph, the term 'party to the regional center' shall include the regional center, its agents, employees, and attorneys, and any persons in active concert or participation with the regional center.

''(J) DENIAL OR REVOCATION.—If the Secretary of Homeland Security determines, in his or her unreviewable discretion, that the approval of a petition, application, or benefit described in this subparagraph is contrary to the national interest of the United States for reasons relating to fraud, misrepresentation, criminal misuse, or threats to national security, the Secretary may deny or revoke the approval of—

''(i) a petition seeking classification of an alien as an alien investor under this paragraph;

''(ii) a petition to remove conditions under section 216A before granting lawful permanent resident status or any other petition, application, or benefit based upon the previous or concurrent filing or approval of a petition for classification of an alien under this paragraph; or

''(iii) an application for designation as a regional center.''.

(c) ASSISTANCE BY THE SECRETARY OF COMMERCE.—

(1) IN GENERAL.—The Secretary of Commerce, upon the request of the Secretary, shall provide consultation assistance for determining whether—

(A) a proposed regional center should be designated, terminated, or subject to other adjudicative action; or

(B) a petitioner or applicant for a benefit under section 203(b)(5) of the Immigration and Nationality Act, as amended by subsection (b), has met the requirements under such paragraph with respect to job creation.

(2) RULEMAKING.—The Secretary and the Secretary of Commerce may each adopt such rules and regulations as are necessary to carry out the consultation process provided for in paragraph (1).

(3) SAVINGS PROVISION.—Nothing in this subsection shall be construed to require consultation with the Secretary of Commerce to continue the designation of a regional center approved before the date of the enactment of this Act.

(d) EFFECTIVE DATE.—The amendments made by this section—

(1) shall be effective upon the enactment of this Act; and

(2) shall apply to—

(A) any application to designate a regional center, and any person involved with the regional center, that is pending or approved on or after the date of the enactment of this Act; and

(B) any regional center approved before the date of the enactment of this Act, on or after a delayed effective date that is 1 year after such date of enactment with respect to any person involved in the regional center on or after such delayed effective date.

SEC. 4805. CONDITIONAL PERMANENT RESIDENT STATUS FOR CERTAIN EMPLOYMENT-BASED IMMIGRANTS, SPOUSES, AND CHILDREN.

(a) IN GENERAL.—Section 216A (8 U.S.C. 1186b) is amended to read as follows:

''SEC. 216A. CONDITIONAL PERMANENT RESIDENT STATUS FOR CERTAIN EMPLOYMENT-BASED IMMIGRANTS, SPOUSES, AND CHILDREN.

''(a) IN GENERAL.—

''(1) CONDITIONAL BASIS FOR STATUS.—Notwithstanding any other provision of this Act, employment-based immigrants (as defined in subsection (f) (1) or (2)), alien spouses, and alien children (as defined in subsection (f)(3)) shall be considered, at the time of obtaining the status of an alien lawfully admitted for

permanent residence, to have obtained such status on a conditional basis subject to the provisions of this section.

''(2) NOTICE OF REQUIREMENTS.—

''(A) AT TIME OF OBTAINING PERMANENT RESIDENCE.—At the time an employment-based immigrant, alien spouse, or alien child obtains permanent resident status on a conditional basis under paragraph (1), the Secretary of Homeland Security shall provide for notice to the alien, spouse, or child respecting the provisions of this section and the requirements of subsection (c)(1) to have the conditional basis of such status removed.

''(B) AT TIME OF REQUIRED PETITION.—In addition, the Secretary of Homeland Security shall attempt to provide notice to an employment-based immigrant, alien spouse, or alien child, at or about the beginning of the 90-day period described in subsection (d)(3), of the requirements of subsection (c)(1).

''(C) EFFECT OF FAILURE TO PROVIDE NOTICE.—The failure of the Secretary of Homeland Security to provide a notice under this paragraph shall not affect the enforcement of the provisions of this section with respect to an employment-based immigrant, alien spouse, or alien child.

''(b) TERMINATION OF STATUS IF FINDING THAT QUALIFYING EMPLOYMENT IMPROPER.—

''(1) ALIEN INVESTOR.—In the case of an alien investor with permanent resident status on a conditional basis under subsection (a), if the Secretary of Homeland Security determines, before the second anniversary of the alien's obtaining the status of lawful admission for permanent residence, that—

''(A) the investment in the commercial enterprise was intended as a means of evading the immigration laws of the United States;

''(B)(i) the alien did not invest, or was not actively in the process of investing, the requisite capital; or

''(ii) the alien was not sustaining the actions described in clause (i) throughout the period of the alien's residence in the United States; or

''(C) subject to the exception in subsection (d)(4), the alien was otherwise not conforming to the requirements under section 203(b)(5),

the Secretary shall so notify the alien investor and, subject to paragraph (3), shall terminate the permanent resident status of the alien (and the alien spouse and alien child) involved as of the date of the determination.

''(2) EMPLOYEE OF A FEDERAL NATIONAL SECURITY, SCIENCE, AND TECHNOLOGY LABORATORY, CENTER OR AGENCY.—In the case of an employee of a Federal national security, science, and technology laboratory, center, or agency (as defined pursuant to section 203(b)(2)(C)) with permanent resident status on a conditional basis under subsection (a), if the Secretary of Homeland Security, in consultation with the relevant employing department or agency, determines, before the first anniversary of the alien's obtaining the status of lawful admission for permanent residence, that—

''(A) the qualifying employment was intended as a means of evading the immigration laws of the United States;

''(B) the alien has not completed or is not likely to complete 12 months of qualifying continuous employment; or

''(C) the alien did not otherwise conform with the requirements of section 203(b)(2),

the Secretary shall so notify the alien involved and, subject to paragraph (3), shall terminate the permanent resident status of the alien (and the alien spouse and alien child) involved as of the date of the determination.

''(3) HEARING IN REMOVAL PROCEEDING.—Any alien whose permanent resident status is terminated under paragraph (1) or (2) may request a review of such determination in a proceeding to remove the alien. In such proceeding, the burden of proof shall be on the Secretary of Homeland Security to establish, by a preponderance of the evidence, that a condition described in paragraph (1) or (2), as appropriate, is met.

''(c) REQUIREMENTS OF TIMELY PETITION AND INTERVIEW FOR REMOVAL OF CONDITION.—

''(1) IN GENERAL.—

''(A) PETITION AND INTERVIEW.—In order for the conditional basis established under subsection (a) for an employment-based immigrant, alien spouse, or alien child to be removed—

''(i) the employment-based immigrant shall submit to the Secretary of Homeland Security, during the period described in subsection (d)(3), a petition which requests the removal of such conditional basis and which states, under penalty of perjury, the facts and information described in paragraph (1) or (2) of subsection (d), as appropriate; and

''(ii) in accordance with subsection (d)(3), the employment-based immigrant must appear for a personal interview before an officer or employee of U.S. Citizenship and Immigration Services respecting such facts and information.

''(B) SEPARATE PETITION NOT REQUIRED.—An alien spouse or alien child shall not be required to file separate petitions under subparagraph (A)(i) if the employment-based immigrant's petition includes such alien spouse or alien child.

''(C) EFFECT ON SPOUSE OR CHILD.—If the alien spouse or alien child obtains permanent residence on a conditional basis after the employment-based immigrant files a petition under subparagraph (A)(i)—

''(i) the conditional basis of the permanent residence of the alien spouse or alien child shall be removed upon approval of the employment-based immigrant's petition under this subsection;

''(ii) the permanent residence of the alien spouse or alien child shall be unconditional if—

''(I) the employment-based immigrant's petition is approved before the date on which the spouse or child obtains permanent residence; or

''(II) the employment-based immigrant dies after the approval of a petition under section 203(b)(5); and

''(iii) the alien child shall not be deemed ineligible for approval under section 203(b)(5) or removal of conditions under this section if the alien child reaches 21 years of age during—

''(I) the pendency of the employment-based immigrant's petition under section 203(b)(5); or

''(II) conditional residency under such section.

''(D) ADDITIONAL FEE.—Notwithstanding any other provision under this section, the Secretary may require the employment-based immigrant to pay an additional fee for a petition filed under subparagraph (A)(i) that includes the alien's spouse and child or children.

''(2) TERMINATION OF PERMANENT RESIDENT STATUS FOR FAILURE TO FILE PETITION OR HAVE PERSONAL INTERVIEW.—

''(A) IN GENERAL.—In the case of an alien with permanent resident status on a conditional basis under subsection (a), if—

''(i) no petition is filed with respect to the alien in accordance with the provisions of paragraph (1)(A); or

''(ii) unless there is good cause shown, the employment-based immigrant fails to appear at the interview described in paragraph (1)(B) (if required under subsection (d)(4)),

the Secretary of Homeland Security shall terminate the permanent resident status of the alien (and the alien's spouse and children if it was obtained on a conditional basis under this section or section 216) as of the second anniversary of the alien's lawful admission for permanent residence.

''(B) HEARING IN REMOVAL PROCEEDING.—In any removal proceeding with respect to an alien whose permanent resident status is terminated under subparagraph (A), the burden of proof shall be on the alien to establish compliance with the conditions of paragraphs (1)(A) and (1)(B).

''(3) DETERMINATION AFTER PETITION AND INTERVIEW.—

''(A) IN GENERAL.—If—

''(i) a petition is filed in accordance with the provisions of paragraph (1)(A); and

''(ii) the employment-based immigrant appears at any interview described in paragraph (1)(B),

the Secretary of Homeland Security shall make a determination, not later than 90 days after the date of such filing or interview (whichever is later), as to whether the facts and information described in paragraph (1) or (2) of subsection (d), as appropriate, and alleged in the petition are true.

''(B) REMOVAL OF CONDITIONAL BASIS IF FAVORABLE DETERMINATION.—

''(i) HEADER.—If the Secretary of Homeland Security determines with respect to a petition filed by an alien investor that such facts and information are true, the Secretary shall so notify the alien investor and shall remove the conditional basis of the alien's status effective as of the second anniversary of the alien's lawful admission for permanent residence.

''(ii) REMOVAL OF CONDITIONAL BASIS FOR EMPLOYEE OF A FEDERAL NATIONAL SECURITY, SCIENCE, AND TECHNOLOGY LABORATORY, CENTER OR AGENCY.—If the Secretary of Homeland Security determines with respect to a petition filed by an employee of a Federal national security, science, and technology laboratory, center, or agency that such facts and information are true, the Secretary shall so notify the alien and shall remove the conditional basis of the alien's status effective as of the first anniversary of the alien's lawful admission for permanent residence.

''(C) TERMINATION IF ADVERSE DETERMINATION.—If the Secretary of Homeland Security determines that such facts and information are not true, the Secretary shall so notify the alien involved and, subject to subparagraph (D), shall terminate the permanent resident status of an employment-based immigrant, alien spouse, or alien child as of the date of the determination.

''(D) HEARING IN REMOVAL PROCEEDING.—Any alien whose permanent resident status is terminated under subparagraph (C) may request a review of such determination in a proceeding to remove the alien. In such proceeding, the burden of proof shall be on the Secretary of Homeland Security to establish, by a preponderance of the evidence, that the facts and information described in subsection (d)(1) and alleged in the petition are not true.

''(d) DETAILS OF PETITION AND INTERVIEW.—

''(1) CONTENTS OF PETITION BY ALIEN INVESTOR.—Each petition filed by an alien investor under section (c)(1)(A) shall contain facts and information demonstrating that the alien—

''(A)(i) invested, or is actively in the process of investing, the requisite capital; and

''(ii) sustained the actions described in clause (i) throughout the period of the alien's residence in the United States; and

''(B) except as provided in paragraph (4), is otherwise conforming to the requirements under section 203(b)(5).

''(2) CONTENTS OF PETITION BY EMPLOYEE OF A FEDERAL NATIONAL SECURITY, SCIENCE, AND TECHNOLOGY LABORATORY, CENTER, OR AGENCY.—Each petition under subsection (c)(1)(A) filed by an employee of a Federal national security, science, and technology laboratory, center, or agency shall contain facts and information demonstrating that the alien is conforming to the requirements of section 203(b)(2).

''(3) PERIOD FOR FILING PETITION.—

''(A) 90-DAY PERIOD BEFORE ANNIVERSARY.—Except as provided in subparagraph (B), the petition under subsection (c)(1)(A) must be filed as follows:

''(i) In the case of an alien investor, during the 90-day period before the second anniversary of the alien's lawful admission for permanent residence.

''(ii) In the case of an employee of a Federal national security, science, and technology laboratory, center, or agency, during the 90-day period before the first anniversary of the alien's lawful admission for permanent residence.

''(B) LATE PETITIONS.—Such a petition may be considered if filed after such date, but only if the alien establishes to the satisfaction of the Secretary of Homeland Security good cause and extenuating circumstances for failure to file the petition during the period described in subparagraph (A).

''(C) FILING OF PETITIONS DURING REMOVAL.—In the case of an alien who is the subject of removal hearings as a result of failure to file a petition on a timely basis in accordance with subparagraph (A), the Secretary of Homeland Security may stay such removal proceedings against an alien pending the filing of the petition under subparagraph (B).

''(4) PERSONAL INTERVIEW.—The interview under subsection (c)(1)(B) shall be conducted within 90 days after the date of submitting a petition under subsection (c)(1)(A) and at a local office of U.S. Citizenship and Immigration Services, designated by the Secretary of Homeland Security, which is convenient to the parties involved. The Secretary, in the discretion of the Secretary, may waive the deadline for such an interview or the requirement for such an interview in such cases as may be appropriate.

''(5) SPECIAL RULE FOR ALIEN INVESTORS IN A REGIONAL CENTER.—Each petition under subsection (c)(1)(A) filed by an alien investor who invests in accordance with section 203(b)(5)(E) shall contain facts and information demonstrating that the alien is complying with the requirements under section 203(b)(5), except—

''(A) the alien shall not be subject to the requirements under section 203(b)(5)(A)(ii); and

''(B) the petition shall contain the most recent financial statement filed by the regional center in which the alien has invested in accordance with section 203(b)(5)(G).

''(e) TREATMENT OF PERIOD FOR PURPOSES OF NATURALIZATION.—For purposes of title III, in the case of an alien who is in the United States as a lawful permanent resident on a conditional basis under this section, the alien shall be considered to have been admitted as an alien lawfully admitted for permanent residence and to be in the United States as an alien lawfully admitted to the United States for permanent residence, if the alien has had the conditional basis removed pursuant to this section.

''(f) FRAUD, MISREPRESENTATION, CRIMINAL MISUSE, OR THREATS TO THE PUBLIC SAFETY OR NATIONAL SECURITY.—If the Secretary of Homeland Security determines, in his or her sole and unreviewable discretion, that the conditional permanent resident status granted to an employment-based immigrant under subsection (a), or to an alien researcher described in section 203(b)(2)(A)(ii) is contrary to the national interest of the United States for reasons relating to fraud, misrepresentation, criminal misuse, or threats to national security, the Secretary shall—

''(1) notify the immigrant involved of such determination; and

''(2) terminate the permanent resident status of the immigrant involved (and the alien spouse and alien children of such immigrant) as of the date of such determination.

''(g) DEFINITIONS.—In this section:

''(1) The term 'alien investor' means an alien who obtains the status of an alien lawfully admitted for permanent residence (whether on a conditional basis or otherwise) under section 203(b)(5).

''(2) The term 'alien spouse' and the term 'alien child' mean an alien who obtains the status of an alien lawfully admitted for permanent residence (whether on a conditional basis or otherwise) by virtue of being the spouse or child, respectively, of an alien investor or an employee of a Federal national security, science, and technology laboratory, center, or agency.

''(3) The term 'commercial enterprise' includes a limited partnership.

''(4) The term 'employment-based immigrant' means an alien described in paragraph (1) or (5).

''(5) The term 'employee of a Federal national security, science, and technology laboratory, center, or agency' means an alien who obtains the status of an alien lawfully admitted for permanent residence (whether on a conditional basis or otherwise) under section 203(b)(2)(A)(ii).''.

(b) CONFORMING AMENDMENT.—Section 216(e) (8 U.S.C. 1186a(e)) is amended by inserting before the period at the end the following: '', if the alien has had the conditional basis removed pursuant to this section''.

(c) CLERICAL AMENDMENT.—The table of contents is amended by striking the item relating to section 216A and inserting the following:

''Sec. 216A. Conditional permanent resident status for certain employment-based immigrants, spouses, and children.''.

SEC. 4806. EB–5 VISA REFORMS.

(a) ALIENS NOT SUBJECT TO DIRECT NUMERICAL LIMITATION.—Section 201(b)(1) (8 U.S.C. 1151(b)(1)), as amended by sections 2103(c)(2), 2212(d)(2), 2307(b), and 2402, is further amended by adding at the end the following:

''(P) Aliens who are the spouse or a child of an alien admitted as an employment-based immigrant under section 203(b)(5).''.

(b) TECHNICAL AMENDMENT.—Section 203(b)(5), as amended by this Act, is further amended by striking ''Attorney General'' each place it appears and inserting ''Secretary of Homeland Security''.

(c) TARGETED EMPLOYMENT AREAS.—

(1) IN GENERAL.—Section 203(b)(5)(B) (8 U.S.C. 1153(b)(5)(B)) is amended to read as follows:

''(B) SET-ASIDE FOR TARGETED EMPLOYMENT AREAS.—

''(i) IN GENERAL.—Not fewer than 5,000 of the visas made available under this paragraph in each fiscal year shall be reserved for qualified immigrants who invest in a new commercial enterprise described in subparagraph (A), which—

''(I) is investing such capital in a targeted employment area; and

''(II) will create employment in such targeted employment area.

''(ii) DURATION OF HIGH UNEMPLOYMENT AND POVERTY AREA DESIGNATION.—A designation of a high unemployment or poverty area as a targeted employment area shall be valid for 5 years and may be renewed for additional 5-year periods if the area continues to meet the definition of a high unemployment or poverty area. An investor who has made the required amount of investment in such a targeted employment area during its period of designation shall not be required to increase the amount of investment based upon expiration of the designation.''.

(d) ADJUSTMENT OF MINIMUM EB–5 INVESTMENT AMOUNT.—Section 203(b)(5)(C)(i) (8 U.S.C. 1153(b)(5)(C)(i)) is amended—

(1) by striking ''The Attorney General'' and inserting ''The Secretary of Commerce'';

(2) by striking ''Secretary of State'' and inserting ''Secretary of Homeland Security''; and

(3) by adding at the end the following: ''Unless adjusted by the Secretary of Commerce, the amount specified in this clause shall automatically adjust, on January 1, 2016, by the percentage change in the Consumer Price Index (CPI–U) during fiscal year 2015, and on every fifth subsequent January 1 by the cumulative percentage change in the CPI–U during the previous 5 fiscal years, for any petition filed to classify an alien under this paragraph on or after the date of each automatic adjustment.''.

(e) DEFINITIONS.—

(1) IN GENERAL.—Section 203(b)(5) (8 U.S.C. 1153(b)(5)), as amended by subsections (b) and (c) and section 4804, is further amended—

(A) by striking subparagraph (D) and inserting following:

''(D) CALCULATION OF FULL-TIME EMPLOYMENT.—Job creation under this paragraph may consist of employment measured in full-time equivalents, such as intermittent or seasonal employment opportunities and construction jobs. A full-time employment position is not a requirement for indirect job creation.''; and

(B) by adding at the end the following:

''(K) DEFINITIONS.—In this paragraph:

''(i) The term 'capital' means all real, personal, or mixed assets, whether tangible or intangible, owned or controlled by the investor, or held in trust for the benefit of the investor, to which the investor has unrestricted access, which shall be valued at fair market value in United States dollars, in accordance with Generally Accepted Accounting Principles, at the time it is invested under this paragraph.

''(ii) The term 'full-time employment' means employment in a position that requires at least 35 hours of service per week, regardless of how many employees fill the position.

''(iii) The term 'high unemployment and poverty area' means—

''(I) an area consisting of a census tract or contiguous census tracts that has an unemployment rate that is at least 150 percent of the national average unemployment rate and includes at least 1 census tract with 20 percent of its residents living below the poverty level as determined by the Bureau of the Census; or

''(II) an area that is within the boundaries established for purposes of a Federal or State

economic development incentive program, including areas defined as Enterprise Zones, Renewal Communities, Promise Zones, and Empowerment Zones.

''(iv) The term 'rural area' means—

''(I) any area other than an area within a metropolitan statistical area or within the outer boundary of any city or town having a population of 20,000 or more (based on the most recent decennial census of the United States); or

''(II) any city or town having a population of fewer than 20,000 (based on the most recent decennial census of the United States) that is located within a State having a population of fewer than 1,500,000 (based on the most recent decennial census of the United States).

''(v) The term 'targeted employment area' means a rural area or a high unemployment and poverty area.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to any application for a visa under section 203(b)(5) of the Immigration and Nationality Act that is filed on or after the date that is 1 year after the date of the enactment of this Act.

(f) AGE DETERMINATION FOR CHILDREN OF ALIEN INVESTORS.—Section 203(h) (8 U.S.C. 1153(h)) is amended by adding at the end the following:

''(5) AGE DETERMINATION FOR CHILDREN OF ALIEN INVESTORS.—An alien admitted under subsection (d) as a lawful permanent resident on a conditional basis as the child of an alien lawfully admitted for permanent residence under subsection (b)(5), whose lawful permanent resident status on a conditional basis is terminated under section 216A, shall continue to be considered a child of the principal alien for the purpose of a subsequent immigrant petition by such alien under subsection (b)(5) if the alien remains unmarried and the subsequent petition is filed by the principal alien not later than 1 year after the termination of conditional lawful permanent resident status. No alien shall be considered a child under this paragraph with respect to more than 1 petition filed after the alien's 21st birthday.''.

(g) ENHANCED PAY SCALE FOR CERTAIN FEDERAL EMPLOYEES ADMINISTERING THE EB–5 PROGRAM.—The Secretary may establish, fix the compensation of, and appoint individuals to, designated critical administrative, technical, and professional positions needed to administer sections 203(b)(5) and 216A of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5) and 1186b).

(h) DELEGATION OF CERTAIN EB–5 AUTHORITY.—

(1) IN GENERAL.—The Secretary of Homeland Security may delegate to the Secretary of Commerce authority and responsibility for determinations under sections 203(b)(5) and 216A (with respect to alien entrepreneurs) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5) and 1186a), including determining whether an alien has met employment creation requirements.

(2) REGULATIONS.—The Secretary of Homeland Security and the Secretary of Commerce may each adopt such rules and regulations as are necessary to carry out the delegation authorized under paragraph (1), including regulations governing the eligibility criteria for obtaining benefits pursuant to the amendments made by this section.

(3) USE OF FEES.—Adjudication fees described in section 286(m) of the Immigration and Nationality Act (8 U.S.C. 1356(m)) shall remain available until expended to reimburse the Secretary of Commerce for the costs of any determinations made by the Secretary of Commerce under paragraph (1).

(i) CONCURRENT FILING OF EB–5 PETITIONS AND APPLICATIONS FOR ADJUSTMENT OF STATUS.—Section 245 (8 U.S.C. 1255), as amended by section 4237(b), is further amended—

(1) in subsection (k), in the matter preceding paragraph (1), by striking ''or (3)'' and inserting ''(3), (5), or (7)''; and

(2) by adding at the end the following:

''(o) At the time a petition is filed for classification under section 203(b)(5), if the approval of such petition would make a visa immediately available to the alien beneficiary, the alien beneficiary's application for adjustment of status under this section shall be considered to be properly filed whether the application is submitted concurrently with, or subsequent to, the visa petition.''.

SEC. 4807. AUTHORIZATION OF APPROPRIATIONS.

(a) FUNDING.—There are authorized to be appropriated from the Trust Fund established under section 6(a) such sums as may be necessary to carry out sections 1110, 2101, 2104, 2212, 2213, 2221, 2232, 3301, 3501, 3502, 3503, 3504, 3505, 3506, 3605, 3610, 4221, and 4401 of this Act.

(b) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to this section shall remain available until expended unless otherwise specified in this Act.

Subtitle I—Student and Exchange Visitor Programs

SEC. 4901. SHORT TITLE.

This subtitle may be cited as the ''Student Visa Integrity Act''.

SEC. 4902. SEVIS AND SEVP DEFINED.

In this subtitle:

(1) SEVIS.—The term ''SEVIS'' means the Student and Exchange Visitor Information System of the Department of Homeland Security.

(2) SEVP.—The term ''SEVP'' means the Student and Exchange Visitor Program of the Department of Homeland Security.

SEC. 4903. INCREASED CRIMINAL PENALTIES.

Section 1546(a) of title 18, United States Code, is amended by striking ''10 years'' and inserting ''15 years (if the offense was committed by an owner, official, employee, or agent of an educational institution with respect to such institution's participation in the Student and Exchange Visitor Program), 10 years''.

SEC. 4904. ACCREDITATION REQUIREMENT.

Section 101(a)(52) (8 U.S.C. 1101(a)(52)) is amended to read as follows:

''(52) Except as provided in section 214(m)(4), the term 'accredited college, university, or language training program' means a college, university, or language training program that is accredited by an accrediting agency recognized by the Secretary of Education.''.

SEC. 4905. OTHER ACADEMIC INSTITUTIONS.

Section 214(m) (8 U.S.C. 1184(m)) is amended by adding at the end the following:

''(3) The Secretary of Homeland Security shall require accreditation of an academic institution (except for seminaries or other religious institutions) for purposes of section 101(a)(15)(F) if—

''(A) that institution is not already required to be accredited under section 101(a)(15)(F)(i); and

''(B) an appropriate accrediting agency recognized by the Secretary of Education is able to provide such accreditation.

''(4) The Secretary of Homeland Security, in the Secretary's discretion, may waive the accreditation requirement in section 101(a)(15)(F)(i) with respect to an accredited college, university, or language training program if the academic institution—

''(A) is otherwise in compliance with the requirements of such section; and

''(B) is, on the date of the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, a candidate for accreditation or, after such date, has been a candidate for accreditation for at least 1 year and continues to progress toward accreditation by an accreditation agency recognized by the Secretary of Education.''.

SEC. 4906. PENALTIES FOR FAILURE TO COMPLY WITH SEVIS REPORTING REQUIREMENTS.

Section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372) is amended—

(1) in subsection (c)(1)—

(A) by striking ''institution,,'' each place it appears and inserting ''institution,''; and

(B) in subparagraph (D), by striking ''and'' at the end;

(2) in subsection (d)(2), by striking ''fails to provide the specified information'' and all that follows and inserting ''does not comply with the reporting requirements set forth in this section, the Secretary of Homeland Security may—

''(A) impose a monetary fine on such institution in an amount to be determined by the Secretary; and

''(B) suspend the authority of such institution to issue a Form I–20 to any alien.''.

SEC. 4907. VISA FRAUD.

(a) IMMEDIATE WITHDRAWAL OF SEVP CERTIFICATION.—Section 641(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(d)) is amended—

(1) in paragraph (1)(A), by striking ''institution,,'' and inserting ''institution,''; and

(2) by adding at the end the following:

''(3) EFFECT OF REASONABLE SUSPICION OF FRAUD.—If the Secretary of Homeland Security has reasonable suspicion that an owner of, or a designated school official at, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program has committed fraud or attempted to commit fraud relating to any aspect of the Student and Exchange Visitor Program, or if such owner or designated school official is indicted for such fraud, the Secretary may immediately—

''(A) suspend such certification without prior notification; and

''(B) suspend such official's or such school's access to the Student and Exchange Visitor Information System (SEVIS).''.

(b) EFFECT OF CONVICTION FOR VISA FRAUD.—Section 641(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended by subsection (a), is further amended by adding at the end the following:

''(5) PERMANENT DISQUALIFICATION FOR FRAUD.—A designated school official at, or an owner of, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program who is convicted for fraud relating to any aspect of the Student and Exchange Visitor Program shall be permanently disqualified from filing future petitions and from having an ownership interest or a management role (including serving as a principal, owner, officer, board member, general partner, designated school official, or any other position of substantive authority for the operations or management of the institution) in any United States educational institution that enrolls nonimmigrant alien students described in subparagraph (F) or (M) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).''.

SEC. 4908. BACKGROUND CHECKS.

(a) IN GENERAL.—Section 641(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(d)), as amended by section 4907 of this Act, is further amended by adding at the end the following:

''(6) BACKGROUND CHECK REQUIREMENT.—

''(A) IN GENERAL.—An individual may not serve as a designated school official or be granted access to SEVIS unless the individual is a national of the United States or an alien lawfully admitted for permanent residence and during the most recent 3-year period—

''(i) the Secretary of Homeland Security has—

''(I) conducted a thorough background check on the individual, including a review of the individual's criminal and sex offender history and the verification of the individual's immigration status; and

''(II) determined that the individual—

''(aa) has not been convicted of any violation of United States immigration law; and

''(bb) is not a risk to the national security of the United States; and

''(ii) the individual has successfully completed an on-line training course on SEVP and SEVIS, which has been developed by the Secretary.

''(B) INTERIM DESIGNATED SCHOOL OFFICIAL.—

''(i) IN GENERAL.—An individual may serve as an interim designated school official during the period that the Secretary is conducting the background check required by subparagraph (A)(i)(I).

''(ii) REVIEWS BY THE SECRETARY.—If an individual serving as an interim designated school official under clause (i) does not successfully complete the background check required by subparagraph (A)(i)(I), the Secretary shall review each Form I–20 issued by such interim designated school official.

''(7) FEE.—The Secretary is authorized to collect a fee from an approved school for each background check conducted under paragraph (6)(A)(i). The amount of such fee shall be equal to the average amount expended by the Secretary to conduct such background checks.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 1 year after the date of the enactment of this Act.

SEC. 4909. REVOCATION OF AUTHORITY TO ISSUE FORM I–20 OF FLIGHT SCHOOLS NOT CERTIFIED BY THE FEDERAL AVIATION ADMINISTRATION.

Immediately upon the enactment of this Act, the Secretary shall prohibit any flight school in the United States from accessing SEVIS or issuing a Form I–20 to an alien seeking a student visa pursuant to subparagraph (F)(i) or (M)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) if the flight school has not been certified to the satisfaction of the Secretary and by the Federal Aviation Administration pursuant to part 141 or part 142 of title 14, Code of Federal Regulations (or similar successor regulations).

SEC. 4910. REVOCATION OF ACCREDITATION.

At the time an accrediting agency or association is required to notify the Secretary of Education and the appropriate State licensing or authorizing agency of the final denial, withdrawal, suspension, or termination of accreditation of an institution pursuant to section 496 of the Higher Education Act of 1965 (20 U.S.C. 1099b), such accrediting agency or association shall notify the Secretary of Homeland Security of such determination and the Secretary of Homeland Security shall immediately withdraw the school from the SEVP and prohibit the school from accessing SEVIS.

SEC. 4911. REPORT ON RISK ASSESSMENT.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that contains the risk assessment strategy that will be employed by the Secretary to identify, investigate, and take appropriate action against schools and school officials that are facilitating the issuance of Form I–20 and the maintenance of student visa status in violation of the immigration laws of the United States.

SEC. 4912. IMPLEMENTATION OF GAO RECOMMENDATIONS.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that describes—

(1) the process in place to identify and assess risks in the SEVP;

(2) a risk assessment process to allocate SEVP's resources based on risk;

(3) the procedures in place for consistently ensuring a school's eligibility, including consistently verifying in lieu of letters;

(4) how SEVP identified and addressed missing school case files;

(5) a plan to develop and implement a process to monitor State licensing and accreditation status of all SEVP-certified schools;

(6) whether all flight schools that have not been certified to the satisfaction of the Secretary and by the Federal Aviation Administration have been removed from the program and have been restricted from accessing SEVIS;

(7) the standard operating procedures that govern coordination among SEVP, Counterterrorism and Criminal Exploitation Unit, and U.S. Immigration and Customs Enforcement field offices; and

(8) the established criteria for referring cases of a potentially criminal nature from SEVP to the counterterrorism and intelligence community.

SEC. 4913. IMPLEMENTATION OF SEVIS II.

Not later than 2 years after the date of the enactment of this Act, the Secretary shall complete the deployment of both phases of the second generation Student and Exchange Visitor Information System (commonly known as ''SEVIS II'').

TITLE V—JOBS FOR YOUTH

SEC. 5101. DEFINITIONS.

In this title:

(1) CHIEF ELECTED OFFICIAL.—The term ''chief elected official'' means the chief elected executive officer of a unit of local government in a local workforce investment area or in the case in which such an area includes more than one unit of general government, the individuals designated under an agreement described in section 117(c)(1)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2832(c)(1)(B)).

(2) LOCAL WORKFORCE INVESTMENT AREA.—The term ''local workforce investment area'' means such area designated under section 116 of the Workforce Investment Act of 1998 (29 U.S.C. 2831).

(3) LOCAL WORKFORCE INVESTMENT BOARD.—The term ''local workforce investment board'' means such board established under section 117 of the Workforce Investment Act of 1998 (29 U.S.C. 2832).

(4) LOW-INCOME YOUTH.—The term ''low-income youth'' means an individual who—

(A) is not younger than 16 but is younger than 25;

(B) meets the definition of a low-income individual provided in section 101(25) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(25)), except that States and local workforce investment areas, subject to approval in the applicable State plans and local plans, may increase the income level specified in subparagraph (B)(i) of such section to an amount not in excess of 200 percent of the poverty line for purposes of determining eligibility for participation in activities under section 5103; and

(C) is in one or more of the categories specified in section 101(13)(C) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(13)(C)).

(5) POVERTY LINE.—The term ''poverty line'' means a poverty line as defined in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902), applicable to a family of the size involved.

(6) STATE.—The term ''State'' means each of the several States of the United States, and the District of Columbia.

SEC. 5102. ESTABLISHMENT OF YOUTH JOBS FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States an account that shall be known as the Youth Jobs Fund (referred to in this title as ''the Fund'').

(b) DEPOSITS INTO THE FUND.—Out of any amounts in the Treasury not otherwise appropriated, there is appropriated $1,500,000,000 for fiscal year 2014, which shall be paid to the Fund, to be used by the Secretary of Labor to carry out this title.

(c) AVAILABILITY OF FUNDS.—Of the amounts deposited into the Fund under subsection (b), the Secretary of Labor shall allocate $1,500,000,000 to provide summer and year-round employment opportunities to low-income youth in accordance with section 5103 .

(d) PERIOD OF AVAILABILITY.—The amounts appropriated under this title shall be available for obligation by the Secretary of Labor until December 31, 2014, and shall be available for expenditure by grantees (including subgrantees) until September 30, 2015.

SEC. 5103. SUMMER EMPLOYMENT AND YEAR-ROUND EMPLOYMENT OPPORTUNITIES FOR LOW-INCOME YOUTH.

(a) IN GENERAL.—From the funds available under section 5102(c), the Secretary of Labor shall make an allotment under subsection (c) to each State that has a modification to a State plan approved under section 112 of the Workforce Investment Act of 1998 (29 U.S.C. 2822) (referred to in this section as a ''State plan modification'') (or other State request for funds specified in guidance under subsection (b)) approved under subsection (d) and recipient under section 166(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2911(c)) (referred to in this section as a ''Native American grantee'') that meets the requirements of this section, for the purpose of providing summer employment and year-round employment opportunities to low-income youth.

(b) GUIDANCE AND APPLICATION OF REQUIREMENTS.—

(1) GUIDANCE.—Not later than 20 days after the date of enactment of this Act, the Secretary of Labor shall issue guidance regarding the implementation of this section.

(2) PROCEDURES.—Such guidance shall, consistent with this section, include procedures for—

(A) the submission and approval of State plan modifications, for such other forms of

requests for funds by the State as may be identified in such guidance, for modifications to local plans approved under section 118 of the Workforce Investment Act of 1998 (29 U.S.C. 2833) (referred to individually in this section as a ''local plan modification''), or for such other forms of requests for funds by local workforce investment areas as may be identified in such guidance, that promote the expeditious and effective implementation of the activities authorized under this section; and

(B) the allotment and allocation of funds, including reallotment and reallocation of such funds, that promote such implementation.

(3) REQUIREMENTS.—Except as otherwise provided in the guidance described in paragraph (1) and in this section and other provisions of this title, the funds provided for activities under this section shall be administered in accordance with the provisions of subtitles B and E of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq., 2911 et seq.) relating to youth activities.

(c) STATE ALLOTMENTS.—

(1) IN GENERAL.—Using the funds described in subsection (a), the Secretary of Labor shall allot to each State the total of the amounts assigned to the State under subparagraphs (A) and (B) of paragraph (2).

(2) ASSIGNMENTS TO STATES.—

(A) MINIMUM AMOUNTS.—Using funds described in subsection (a), the Secretary of Labor shall assign to each State an amount equal to ½ of 1 percent of such funds.

(B) FORMULA AMOUNTS.—The Secretary of Labor shall assign the remainder of the funds described in subsection (a) among the States by assigning—

(i) 33⅓ percent on the basis of the relative number of individuals in the civilian labor force who are not younger than 16 but younger than 25 in each State, compared to the total number of individuals in the civilian labor force who are not younger than 16 but younger than 25 in all States;

(ii) 33⅓ percent on the basis of the relative number of unemployed individuals in each State, compared to the total number of unemployed individuals in all States; and

(iii) 33⅓ on the basis of the relative number of disadvantaged young adults and youth in each State, compared to the total number of disadvantaged young adults and youth in all States.

(3) REALLOTMENT.—If the Governor of a State does not submit a State plan modification or other State request for funds specified in guidance under subsection (b) by the date specified in subsection (d)(2)(A), or a State does not receive approval of such State plan modification or request, the amount the State would have been eligible to receive pursuant to paragraph (1) shall be allocated to States that receive approval of State plan modifications or requests specified in the guidance. Each such State shall receive a share of the total amount available for reallotment under this paragraph, in accordance with the State's share of the total amount allotted under paragraph (1) to such State.

(4) DEFINITIONS.—For purposes of paragraph (2), the term ''disadvantaged young adult or youth'' means an individual who is not younger than 16 but is younger than 25 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of—

(A) the poverty line; or

(B) 70 percent of the lower living standard income level.

(d) STATE PLAN MODIFICATION.—

(1) IN GENERAL.—For a State to be eligible to receive an allotment of funds under subsection (c), the Governor of the State shall submit to the Secretary of Labor a State plan modification, or other State request for funds specified in guidance under subsection (b), in such form and containing such information as the Secretary may require. At a minimum, such State plan modification or request shall include—

(A) a description of the strategies and activities to be carried out to provide summer employment opportunities and year-round employment opportunities, including linkages to training and educational activities, consistent with subsection (f);

(B) a description of the requirements the State will apply relating to the eligibility of low-income youth, consistent with section 5101(4), for summer employment opportunities and year-round employment opportunities, which requirements may include criteria to target assistance to particular categories of such low-income youth, such as youth with disabilities, consistent with subsection (f);

(C) a description of the performance outcomes to be achieved by the State through the activities carried out under this section and the processes the State will use to track performance, consistent with guidance provided by the Secretary of Labor regarding such outcomes and processes and with section 5104(b);

(D) a description of the timelines for implementation of the strategies and activities described in subparagraph (A), and the number of low-income youth expected to be placed in summer employment opportunities, and year-round employment opportunities, respectively, by quarter;

(E) assurances that the State will report such information, relating to fiscal, performance, and other matters, as the Secretary may require and as the Secretary determines is necessary to effectively monitor the activities carried out under this section;

(F) assurances that the State will ensure compliance with the requirements, restrictions, labor standards, and other provisions described in section 5104(a); and

(G) if a local board and chief elected official in the State will provide employment opportunities with the link to training and educational activities described in subsection (f)(2)(B), a description of how the training and educational activities will lead to the industry-recognized credential involved.

(2) SUBMISSION AND APPROVAL OF STATE PLAN MODIFICATION OR REQUEST.—

(A) SUBMISSION.—The Governor shall submit the State plan modification or other State request for funds specified in guidance under subsection (b) to the Secretary of Labor not later than 30 days after the issuance of such guidance.

(B) APPROVAL.—The Secretary of Labor shall approve the State plan modification or request submitted under subparagraph (A) within 30 days after submission, unless the Secretary determines that the plan or request is inconsistent with the requirements of this section. If the Secretary has not made a determination within that 30-day period, the plan or request shall be considered to be approved. If the plan or request is disapproved, the Secretary may provide a reasonable period of time in which the plan or request may be amended and resubmitted for approval. If the plan or request is approved, the Secretary shall allot funds to the State under subsection (c) within 30 days after such approval.

(3) MODIFICATIONS TO STATE PLAN OR REQUEST.—The Governor may submit further modifications to a State plan modification or other State request for funds specified under subsection (b), consistent with the requirements of this section.

(e) WITHIN-STATE ALLOCATION AND ADMINISTRATION.—

(1) IN GENERAL.—Of the funds allotted to the State under subsection (c), the Governor—

(A) may reserve not more than 5 percent of the funds for administration and technical assistance; and

(B) shall allocate the remainder of the funds among local workforce investment areas within the State in accordance with clauses (i) through (iii) of subsection (c)(2)(B), except that for purposes of such allocation references to a State in subsection (c)(2)(B) shall be deemed to be references to a local workforce investment area and references to all States shall be deemed to be references to all local workforce investment areas in the State involved.

(2) LOCAL PLAN.—

(A) SUBMISSION.—In order to receive an allocation under paragraph (1)(B), the local workforce investment board, in partnership with the chief elected official for the local workforce investment area involved, shall submit to the Governor a local plan modification, or such other request for funds by local workforce investment areas as may be specified in guidance under subsection (b), not later than 30 days after the submission by the State of the State plan modification or other State request for funds specified in guidance under subsection (b), describing the strategies and activities to be carried out under this section.

(B) APPROVAL.—The Governor shall approve the local plan modification or other local request for funds submitted under subparagraph (A) within 30 days after submission, unless the Governor determines that the plan or request is inconsistent with requirements of this section. If the Governor has not made a determination within that 30-day period, the plan shall be considered to be approved. If the plan or request is disapproved, the Governor may provide a reasonable period of time in which the plan or request may be amended and resubmitted for approval. If the plan or request is approved, the Governor shall allocate funds to the local workforce investment area within 30 days after such approval.

(3) REALLOCATION.—If a local workforce investment board and chief elected official do not submit a local plan modification (or other local request for funds specified in guidance under subsection (b)) by the date specified in paragraph (2), or the Governor disapproves a local plan, the amount the local workforce investment area would have been eligible to receive pursuant to the formula under paragraph (1)(B) shall be allocated to local workforce investment areas that receive approval of their local plan modifications or local requests for funds under paragraph (2). Each such local workforce investment area shall receive a share of the total amount available for reallocation under this paragraph, in accordance with the area's share of the total amount allocated under paragraph (1)(B) to such local workforce investment areas.

(f) USE OF FUNDS.—

(1) IN GENERAL.—The funds made available under this section shall be used—

(A) to provide summer employment opportunities for low-income youth, with direct linkages to academic and occupational

learning, and may be used to provide supportive services, such as transportation or child care, that is necessary to enable the participation of such youth in the opportunities; and

(B) to provide year-round employment opportunities, which may be combined with other activities authorized under section 129 of the Workforce Investment Act of 1998 (29 U.S.C. 2854), to low-income youth.

(2) PROGRAM PRIORITIES.—In administering the funds under this section, the local board and chief elected official shall give priority to—

(A) identifying employment opportunities that are—

(i) in emerging or in-demand occupations in the local workforce investment area; or

(ii) in the public or nonprofit sector and meet community needs; and

(B) linking participants in year-round employment opportunities to training and educational activities that will provide such participants an industry-recognized certificate or credential (referred to in this title as an ''industry-recognized credential'').

(3) ADMINISTRATION.—Not more than 5 percent of the funds allocated to a local workforce investment area under this section may be used for the costs of administration of this section.

(4) PERFORMANCE ACCOUNTABILITY.—For activities funded under this section, in lieu of meeting the requirements described in section 136 of the Workforce Investment Act of 1998 (29 U.S.C. 2871), States and local workforce investment areas shall provide such reports as the Secretary of Labor may require regarding the performance outcomes described in section 5104(b)(5).

SEC. 5104. GENERAL REQUIREMENTS.

(a) LABOR STANDARDS AND PROTECTIONS.—Activities provided with funds made available under this title shall be subject to the requirements and restrictions, including the labor standards, described in section 181 of the Workforce Investment Act of 1998 (29 U.S.C. 2931) and the nondiscrimination provisions of section 188 of such Act (29 U.S.C. 2938), in addition to other applicable Federal laws.

(b) REPORTING.—The Secretary of Labor may require the reporting of information relating to fiscal, performance and other matters that the Secretary determines is necessary to effectively monitor the activities carried out with funds provided under this title. At a minimum, recipients of grants (including recipients of subgrants) under this title shall provide information relating to—

(1) the number of individuals participating in activities with funds provided under this title and the number of such individuals who have completed such participation;

(2) the expenditures of funds provided under this title;

(3) the number of jobs created pursuant to the activities carried out under this title;

(4) the demographic characteristics of individuals participating in activities under this title; and

(5) the performance outcomes for individuals participating in activities under this title, including—

(A) for low-income youth participating in summer employment activities under section 5103, performance on indicators consisting of—

(i) work readiness skill attainment using an employer validated checklist;

(ii) placement in or return to secondary or postsecondary education or training, or entry into unsubsidized employment; and

(B) for low-income youth participating in year-round employment activities under section 5103, performance on indicators consisting of—

(i) placement in or return to postsecondary education;

(ii) attainment of a secondary school diploma or its recognized equivalent;

(iii) attainment of an industry-recognized credential; and

(iv) entry into, retention in, and earnings in, unsubsidized employment.

(c) ACTIVITIES REQUIRED TO BE ADDITIONAL.—Funds provided under this title shall only be used for activities that are in addition to activities that would otherwise be available in the State or local workforce investment area in the absence of such funds.

(d) ADDITIONAL REQUIREMENTS.—The Secretary of Labor may establish such additional requirements as the Secretary determines may be necessary to ensure fiscal integrity, effective monitoring, and the appropriate and prompt implementation of the activities under this title.

(e) REPORT OF INFORMATION AND EVALUATIONS TO CONGRESS AND THE PUBLIC.—The Secretary of Labor shall provide to the appropriate committees of Congress and make available to the public the information reported pursuant to subsection (b).

SEC. 5105. VISA SURCHARGE.

(a) COLLECTION.—

(1) IN GENERAL.—Subject to paragraph (2), and in addition to any fees otherwise imposed for such visas, the Secretary shall collect a surcharge of $10 from an employer that submits an application for—

(A) an employment-based visa under paragraph (3), (4), (5), or (6) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)); and

(B) a nonimmigrant visa under subparagraph (C), (H)(i)(b), (H)(i)(c), (H)(ii)(a), (H)(ii)(B), (O), (P), (R), or (W) of section 101(a)(15) of such Act (8 U.S.C. 1101(a)(15)).

(2) EXPIRATION.—The Secretary shall suspend the collection of the surcharge authorized under paragraph (1) on the date on which the Secretary has collected a cumulative total of $1,500,000,000 under this subsection.

(b) DEPOSIT.—All of the amounts collected under subsection (a)(1) shall be deposited in the general fund of the Treasury.

Mr. LEAHY. I yield the floor.

AMENDMENT NO. 1551 TO AMENDMENT NO. 1183, AS MODIFIED

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 1551 to amendment No. 1183, as modified.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

CLOTURE MOTION

Mr. REID. Mr. President, we have taken care of the second-degree amendment; is that correct?

The PRESIDING OFFICER. Yes.

Mr. REID. The cloture motion is at the desk with respect to that amendment; is that right?

The PRESIDING OFFICER. It is.

The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the Leahy amendment No. 1183, as modified, to S. 744, a bill to provide for comprehensive immigration reform, and for other purposes.

Harry Reid, Patrick J. Leahy, Michael F. Bennet, Charles E. Schumer, Richard J. Durbin, Robert Menendez, Dianne Feinstein, Sheldon Whitehouse, Patty Murray, Debbie Stabenow, Robert P. Casey Jr., Mark R. Warner, Thomas R. Carper, Richard Blumenthal, Angus S. King Jr., Christopher A. Coons, Christopher Murphy.

Mr. REID. Mr. President, I now ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

AMENDMENT NO. 1552

Mr. REID. Mr. President, in the rush of things, I am getting ahead of myself.

I have an amendment to the underlying bill, which is at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 1552 to the language proposed to be stricken by the reported committee substitute amendment to S. 744.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1553 TO AMENDMENT NO. 1552

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 1553 to amendment No. 1552.

The amendment is as follows:

In the amendment, strike ''3 days'' and insert ''2 days''.

MOTION TO RECOMMIT

Mr. REID. I have a motion to recommit the bill with instructions at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to recommit the bill to the Committee on the Judiciary with instructions to report back forthwith with an amendment numbered 1554.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 6 days after enactment.

Mr. REID. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 1555

Mr. REID. I have an amendment to the instructions that have been filed at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 1555 to the instructions of the motion to recommit.

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

In the amendment, strike ''6 days'' and insert ''5 days''.

AMENDMENT NO. 1556 TO AMENDMENT NO. 1555

Mr. REID. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 1556 to amendment No. 1555.

The amendment is as follows:

In the amendment, strike ''5 days'' and insert ''4 days''.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum required under rule XXII be waived; and the vote on the motion to invoke cloture on the Leahy amendment, as modified, occur at 5:30 p.m., Monday, June 24.

The PRESIDING OFFICER. Is there objection to the request?

Without objection, it is so ordered.

Mr. REID. Mr. President, first of all, I commend the chairman of the Judiciary Committee, Senator LEAHY, for his modified amendment. Senator LEAHY has moved this bill from the beginning and certainly we have all looked with pride at the Judiciary Committee in marking up this bill. He was here last night late on the Senate floor. He is a proud Senator from Vermont, and rightfully so.

I thank profusely the chairman of the Subcommittee on Immigration, Senator CHARLES SCHUMER, who has been the quarterback, the leader of the Gang of 8. The Gang of 8, under his direction, negotiated the basis for this bill, and it is now the pending Leahy amendment.

This amendment will put to rest any remaining credible concerns about border security. Senator MCCAIN said yesterday: ''If they can't accept these provisions, then border security is not the problem.''

I thank all of the Members of the Gang of 8: Senators SCHUMER, DURBIN, MENENDEZ, BENNET, MCCAIN, GRAHAM, RUBIO, and FLAKE. I think it speaks volumes that LINDSEY GRAHAM stepped out, even though he faces a reelection effort. It was an act of courage, as it was with all of the Senators, but especially I wish to focus attention on him, as I have just done.

I thank Senators CORKER and HOEVEN for their yeoman's work, working with the Gang of 8, to come up with the product we now have. The product we have now is the work of the Gang of 8 and the Gang of 2, with their friends.

I have always been impressed with BOB CORKER. I told him about that earlier today. Since he stepped foot in this body, he has wanted to legislate, and for a lot of reasons he hasn't been able to do that. But here is legislation at its best. He was mayor of a city. As a result of that, he understands on any level of government that compromise is the way we get things done.

I always refer to Senator HOEVEN as Governor HOEVEN. I think it is remarkable that he is here with the background he has. He too understands how important it is to work to get things done. His experience is more than just being part of a legislature, it is working with a legislative body.

So I admire what both of these fine men have done. But for them we couldn't have gotten this done. These Senators have charted a path to a broad bipartisan vote for this measure. They have followed the model we have used too infrequently in this body to pass legislation, including the Violence Against Women Act, the Marketplace Fairness Act, and the farm bill. Next week we are going to add immigration as another example of how to get things done. I hope it portends well for the future of this august body that we all so love but in which we have been disappointed in recent years.

Even with this broad bipartisan support, the broad bipartisan majorities as we have for this package that is a wonderful product, there are still a few who continue the take-no-prisoners opposition to any cooperation. We worked late into the night last night on a potential unanimous consent agreement to allow for processing amendments. I have Senators over here who want to offer amendments. They have ideas on how to improve this bill. We have heard from some of the Republicans that they also want to offer amendments. We should be able to do that.

Now, as I have indicated to the two Republican Senators, Mr. CORKER and Mr. HOEVEN, there is still an opportunity to do that. We are going to continue to try to work to allow people to offer amendments before we finish this legislation. Frankly, most of them would not pass, but that is not the point. They should be able to offer amendments.

I hope we can come up with a list of amendments to move forward with in the body. We are going to move forward with the legislation regardless, but it would be nice if people who are elected to this body have the opportunity to offer some amendments.

So we are going to continue to work on that, but we haven't been able to overcome the objections of a small minority of Senators. The opposition of this small group is not going to stop this bill from moving forward. That is why I have taken steps this morning to set in motion a process to bring this measure to finality within the next week.

So the Senate will vote Monday evening on the motion to invoke cloture on the Leahy border security amendment. We will continue to work to get a unanimous consent agreement to help process this legislation. Barring any further agreement, the Senate will vote on cloture on the committee substitute early Wednesday and cloture on the bill on Thursday. We will finish the bill, I repeat, before the recess.

In the annals of history—and there has been a lot of stuff to go through this body over the 230-plus years we have been a country, but when those history books are written, this legislation—this legislation we are going to pass in this body in 1 week—is historic. What we have done is good for our country in so many different ways.

As the Congressional Budget Office demonstrated a couple of days ago, it will be the largest boost to our economy we have seen in a long time—up to almost $1 trillion—to reduce the debt. In the process we are going to increase the security of this great Nation.

I have indicated that CHUCK SCHUMER is the subcommittee chair. Who did he replace? Ted Kennedy. Ted Kennedy tried so hard to get something done, and he was chairman of this subcommittee for decades. So Ted Kennedy, I am sure, is going to wait until next Friday, but he is going to smile at all of us because this is a remarkably good piece of work and something he tried to do for a long time.

This country is a nation of immigrants. I know everybody is in a hurry, but I have to say just a couple more things.

My wonderful wife is here in America today because her father came here from Russia. He and his people were persecuted. He came here as Israel Goldfarb. That was his name. He, as did a lot of immigrants, changed his name. I only knew him as Earl Gould. I don't know what he accomplished in his short life here—he died as a young man—but one thing he did accomplish, he fathered my wife, my wonderful

wife, an only child. As a result, I have five wonderful children and 16 grandchildren.

That is what immigration is all about. That is why this country of ours has found immigration as a source of vitality, not a burden. This is what has been part of America's genius that is different than any other country. That is our destiny.

I am very proud of this body.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I appreciate the comments of the distinguished majority leader, and I will be speaking further on this matter later in the coming week. I thank him and everybody who worked with him for getting us here.

I am reminded today that legislating is about making tough choices; it is not about standing on the sidelines and complaining that we can't get a perfect solution enacted. I have been privileged to serve in this great body for 38 years because of the trust of the people of Vermont. In my time here, those 38 years, I have rarely seen such commitment to an issue as I have seen over the last 6 months to comprehensive immigration reform.

I think of the dozens of witnesses who came before the Judiciary Committee, such as Jose Antonio Vargas and Gaby Pacheco, who called on the Senate to achieve bipartisan immigration reform. I think of the hours we spent, Republicans and Democrats alike, in the Judiciary Committee considering amendments and debating this bill. What was initially a proposal from the Gang of 8 became, through an extensive committee process, the product of a Group of 18. Since the bill was reported to the Senate floor, bipartisan talks have continued and the circle of Members supporting it has continued to grow.

I will speak next week more about those Members, but I hope my friend and neighbor from New York, Senator SCHUMER, will not be embarrassed when I mention something very few people know about him. He has a 10-pound battery on his cell phone. It is the only way he could keep making those calls that harass and nudge and move us, at all hours of the day and night. So I just gave away that secret. That is the way he is able to do it—that and the fact he hasn't slept for several weeks.

Senators have been negotiating for days, late into the night, trying to gain more Republican support for this important immigration reform legislation. Senators HOEVEN and CORKER put together an aggressive package that will add new Republican support to our bipartisan effort, and for that progress I am grateful. However, it is an understatement to say that this is not the amendment I would have drafted. I am disappointed in many parts of it. The modification to the Leahy amendment before us reads like a Christmas wish list for Halliburton.

I am sure there are Federal contracting firms high-fiving at the prospect of all of the spending demanded by some of our friends on the other side in this amendment. The litany of expensive services, technology, and hardware mandated by this package is combined with—the thing that bothers me—an inexplicable waiver of many of our normal contracting rules. That is a potential we must watch out for—for waste and fraud.

It is astounding that we have not learned the hard lessons we learned in Iraq. All of us should remember the disgraceful conduct demonstrated by some private companies in Iraq—companies that will now be seeking contracts here—which was uncovered by the work of the special inspector general for Iraq. I believe all of my friends, both Republicans and Democrats on this floor, will join with me in saying these border provisions are going to require significant congressional oversight, and I add oversight of the inspectors general. It is when the inspectors general looked into Iraq that we found out what was going on.

I worry that when many of my friends talk about border security, the high cost of these projects are absent from the discussion. Yet when we talk about programs that help children who live near the poverty line or people who need medical research for what otherwise would be an incurable disease, then suddenly fiscal concerns are paramount. I think we hear too much about spending money on one border rather than coming up with a comprehensive solution that takes pressure off that border.

This package is border security on steroids. Some are calling it a surge, and that military reference makes sense because it is going to militarize hundreds of American communities in the Southwest. But with a border surge—I say this as a compliment to my friends on the other side of the aisle—comes additional Republican support for the rest of the essential pieces to reunite families, provide a path to citizenship for millions, and spur significant job growth in our country. And that I do support, and I thank all of the Senators, both Republicans and Democrats, for helping to bring that about.

One of the reasons I stayed on as chairman of the Senate Judiciary Committee is because of this once-in-a-generation chance for us to truly reform our immigration system. It is a tragic problem that calls out for a comprehensive solution. There are too many people, too many families kept apart because of our broken immigration system, and there are too many people living in the shadows who should be allowed to gain their citizenship. We cannot fail. We owe it to them—to people like Jose and Gaby and so many others—to get legislation passed.

So while I do not agree with many of the border demands, I will support this modification of my amendment because I am making the tough choice that it is better than not making progress toward passage of this critical bill. But I do not want anybody to mistake what I am saying—there are many, many areas where both Republicans and Democrats have come together, and that I applaud.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, we have now filed the Hoeven-Corker border security amendment. I believe the first order of business for immigration reform is to secure the border. Americans want immigration reform. Of that there is no doubt. But they want us to get it right. That means first and foremost securing the border.

I thank the distinguished Senator from the great State of Tennessee for his ceaseless efforts and untiring work to really craft an amendment that puts border security first. That is exactly what we have worked to do.

I also thank the cosponsors we have been able to bring onboard for this effort. They include Senator JOHN MCCAIN, Senator LINDSEY GRAHAM, Senator MARCO RUBIO, Senator JEFF FLAKE, Senator KELLY AYOTTE, Senator DEAN HELLER, Senator ORRIN HATCH, Senator LISA MURKOWSKI, and Senator MARK KIRK. But also, on a bipartisan basis, we have Democratic Senators as well: Senator JOE MANCHIN, Senator MARK PRYOR, Senator MARK BEGICH, and Senator JOE DONNELLY.

We thank all of these cosponsors who show this is a bipartisan effort to secure the border as a first step in comprehensive immigration reform. That is what this is all about.

We provide five significant criteria—some have called them triggers, requirements, conditions—that must be met to ensure the border is secure before there are any green cards. Before illegal immigrants can get to a permanent legal status—a green card status—we have tough requirements that must be met to ensure the border is secured.

First and foremost, it is a comprehensive southern border security plan. It is $3.2 billion worth of technology, planes, unmanned aircraft, sensors—all on the border, spelled out in this legislation—that ensures we have a secure border. That must be met before there are any green cards, and that is where we start; in addition, 20,000 more Border Patrol agents on the border to not only detect people trying to come across but to turn them back; also, 700 miles of fencing on the border.

These are things Republicans have repeatedly asked for as part of securing the border. We have put them right in the bill.

In addition, we have to have a mandatory national E-Verify system in place and operating so that we enforce workplace law, so we not only have a secure border, but we take away the incentive to come here illegally because you will not be able to get a job. That, combined with a guest worker program that works, means, then, when people come, they come legally, and they go back home.

Finally, we have an electronic entry-exit system at all of the international airports and seaports.

All of those things must be met before legal permanent resident status, before green card status. This is about securing the border first.

Again, I want to particularly thank my distinguished colleague from Tennessee Senator CORKER for all his hard efforts, as well as all of our cosponsors on this legislation. We are reaching out to everybody, and we want to work together on a bipartisan basis.

This is about securing the border first and doing comprehensive immigration reform and doing it right.

With that, I yield the floor and again note the tremendous efforts of my distinguished colleague, the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I want to reciprocate and talk about the wonderful leadership the Senator from North Dakota has provided. I have enjoyed working with him. I have enjoyed his foresight, his rationality, his reasoning, his common sense—all of the traits he displayed as Governor of the great State of North Dakota. And I thank him for his friendship and for the opportunity to work on a piece of legislation that—candidly, I am more proud to have done what I have done over the last week than anything I have done since I have been in the Senate. So I thank him for that.

I will just ask the people—I know we have had a lot of people on the floor who have criticized this legislation without reading it. I know it has been called a magic amendment. I will just say to people who care about border security—and obviously numbers of people on our side of the aisle care deeply about that—read the bill.

I thank the majority leader for his leadership in this effort, for his comments earlier. By filing cloture today on this amendment, it is going to give everybody in this body and in the Nation the opportunity to read this piece of legislation for 75 hours before the cloture vote occurs.

So I thank the leader for the process he has put in place and for his comments.

I thank the Senator from New York. My last call last night, at 12:33, was with him, and my first call early, early this morning was with him. I thank him for the way he has worked with us to try to work through Republican sensibilities so that we have a bill that not only meets the needs of the Democratic side of the aisle, but we have a bill that meets the needs of the Republican side of the aisle, which is why we all came here. I thank him for his leadership and his earnest efforts in this regard.

I want to say that I believe—and we were talking about this earlier—I believe we do have a historic opportunity to deal with the issues of security that many of our citizens across the country care about but at the same time allow 11 million people to come out of the shadows and work in the light and be a part of this great, great Nation in a way that has dignity and respect.

So I thank all involved.

I want to again turn to the Senator from North Dakota and thank him for his relentless efforts over the last 9 days and tell him that I look forward to helping cause this to go across the finish line. I know this is just the beginning. There are going to be some trials and tribulations, and there is going to be a lot of controversy. I understand that. But I think all of us came here to solve the big problems of our Nation. To me, that is a privilege, it is an honor, and certainly it has been an honor to work with the Senator.

With that, I yield the floor to the distinguished Senator from New York.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from New York.

Mr. SCHUMER. Mr. President, I thank my colleague from Tennessee for his hard work, his diligence. One of the hallmarks of a truly outstanding legislator is the ability to walk in the other person's shoes. It is something we should all try to do, to see why the other side thinks differently than you and come to meet somewhere in the middle. That is what my good friend from Tennessee has done throughout the years he has been in the Senate, and he has had no finer moment—I completely agree—than this strong effort on immigration reform. I want to say the same about my colleague from North Dakota. I know for both of them this is not easy. This is courageous, and they are doing the right thing for their country, and with that, there is a great deal of satisfaction.

I thank our great leader. His steadfast, quiet style helps us get through just about anything in this body. He is my friend, and he is a great leader. I am proud to serve under him.

I thank the chairman of our committee as well for his steadfast leadership and the other seven members of the Gang of 8. We have come to become friends. We have argued with each other, we have bonded with each other but, most of all, we are united in this effort to make our Nation better by fixing our broken immigration system. It is a wacky system. It turns away people who will create jobs and lets people cross the border who will take away American jobs. It makes no sense.

We are now ready to move forward further with this amendment. The bipartisan ship of comprehensive immigration reform, launched in January, continues to sail forward with the acceptance by the Gang of 8 of this Hoeven-Corker amendment. Let's make no mistake about it, nothing in this amendment or the bill satisfies anyone completely, but together the amendment and the bill provide a sturdy craft that will weather the upcoming storms we face and get us finally to our long desired port—comprehensive immigration reform signed into law.

It is easy for people to focus on what they do not like in this bill. That is what has sunk effort after effort after effort. Instead, I urge all my colleagues—from the most liberal to the most conservative, from the most Democratic to the most Republican—to look at the so many positives in this amendment and this bill.

The American people have told us over and over that they will be fair and accept commonsense solutions for the 11 million living in the shadows and for future immigration reform if they are convinced there will not be wave after wave of future illegal immigration. That is just what this bill does. That is why it is a turning point.

This amendment—the offering of this amendment—is a turning point. We have always known there would be large numbers of Democrats who support final passage of this bill in the Senate. But this amendment gives us the real chance of getting a very significant number of our Republican colleagues.

I believe a large bipartisan vote in this body will change the dynamic in the House to make them far more amenable to passing immigration reform. I believe a large bipartisan vote in this body will wake up our colleagues on the other side in the House, ask them to live up to their responsibility to fix our broken immigration system for the good of the country. Hopefully, as Congressmen look at how their Senators voted, they will be influenced by it and take the same kind of courageous stand the Senators from Tennessee and North Dakota and many others have taken.

There have been three main objections to comprehensive immigration reform as we have moved forward: first, that the process was not going to be open; second, that it was going to cost the taxpayers a lot of money; and third, that it would not close down our borders. I believe, with this amendment, we answer all three resoundingly.

On the first, the fact that we need an open process, this process has been tremendously, completely transparently open. The bill was filed way in advance of the committee markup of the bill. Amendment after amendment was debated and debated and debated. Many amendments were accepted, many from the other side. Many were rejected. But it was an open process.

The leader has endeavored to make that process be open on the floor as well. Some others—some of whom have actually complained about the lack of openness of the process—have delayed our ability to offer amendments, but hopefully that will end soon.

The second objection—that it will cost money—that was successfully debunked this week by the CBO report on this bill. It said three things. It said, first, it will reduce the deficit by $175 billion in this decade and another $700 billion in the next decade. There is a lot more deficit reduction in this immigration reform bill than many other bills we have voted for where the specific goal was deficit reduction.

Second, it will grow our economy. Imagine, it is almost like an elixir. GDP grows over 3 percent this decade and another 5 percent in the next decade. What we have struggled to do to get even a quarter as much growth with programs that either spend money or cut taxes—but the vitality of humanity, particularly the humanity that wishes to risk all and come to America, is perhaps the greatest economic engine of them all, and the CBO recognizes what that will do.

Third, it will create jobs. At a time when we worry about the future job market, we worry about the ratio of retirees to those who are working, this bill is the best antidote.

Finally, on the border, there is no bill tougher on the border, there is no proposal tougher on the border than this one. We create a virtual human fence. There are enough border agents here to be on guard from San Diego, CA, to Brownsville, TX, 24 hours a day, 7 days a week, 365 days a year.

They will only be 1,000 feet apart for every minute the clock ticks. No one—no one—will be able to cross the border with that number of people on the border. It is a virtual human fence. Many have asked for that to protect the border.

So these have been the three major objections. We have answered them all resoundingly. We have answered the fact that the process may not be open by making it transparent and open. We have answered the view that it will cost money by showing it will save money. We have answered the view that the border will not be secured by the addition of the Hoeven-Corker amendment.

There is only one other objection to these three objections. Lack of openness in the process, costing the government money, not closing the border are the stated objections. There is only one other objection. It is usually unstated. That is the earned path to citizenship. If portions of this bill were voted on separately, most of our colleagues who oppose the bill would vote for them. They would certainly vote for more border protection. They would certainly vote for deficit reduction. They would certainly vote for a future immigration flow that creates jobs. So why are they voting against it? They simply do not believe in a path to citizenship.

That is fine, but it ought to be stated. The beauty of the Corker-Hoeven amendment is it rips bare the real objection. It is no longer border security. It is, I do not want a path to citizenship that some may profess. So let's debate it on that issue.

By the way, it is no mistake, no accident, that the House wants to do it in pieces, individually, because they do not believe in a path to citizenship, those who profess that.

But mark my words here today. No bill—no bill—on immigration reform will be signed into law by the President without a path to citizenship. It can be an earned path, it can be a tough path, it can be a difficult path, but it is a real path. It is essential for any immigration reform. To those who think they can get the pieces of this bill on comprehensive immigration reform without a path to citizenship, they are sadly mistaken.

In conclusion, we are just halfway through our process. We still have a long road ahead. The good ship SS Immigration Reform will weather many more storms. But the addition of Corker-Hoeven gives us new masts, new wind in our sails. I am confident that if we stay united, Democrats and Republicans of good will, we will see, before the end of this year, comprehensive immigration reform signed into law by the President of the United States.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Before my friend leaves, you know, I study legislation. I have worked on this matter for many years. As the leader, I have directed more floor attention to this than any other issue. So I understand the bill quite well.

But one thing I want to ensure people know before my friend from New York leaves the floor is this: I always thought we could pass a bill. I told my friend that. But I think Senator SCHUMER—no one, not one of 100 Senators, no one other than the Senator from New York thought we could get 70 votes.

I doubted he could get 70 votes. He knows I doubted that. No one in this body thought we could get 68, 72 votes except him. So I have watched a lot of things on the floor as long as I have been here in Congress—31, not as long as the Senator from New York, but I have been in the Senate longer than he has.

For the vision to see this could take place is remarkable. I so admire his ability to hang tight when everyone was saying, leave this alone, just get a bill passed. He was not satisfied with that. That was not good enough. Because Senator SCHUMER alone—alone—if there is someone I missed, he can tell me about that, but I do not know of anyone who agreed with him.

So, Mr. Subcommittee Chair, thank you for a vision, and for this big vote we are going to have. I am not sure that we could have gotten it done. Perhaps. But this is a pathway to satisfying the demands of this country, the demands of this country. What is in this legislation is agreed to by a vast majority of Democrats, a vast majority of Republicans, and a vast majority of Independents. So I thank the Senator for his vision.

Mr. SCHUMER. Well, I thank the leader for his very kind words. He is a kind man as well as a strong man. I thank him for being my friend, for being a great leader.

I will add one additional group to others who thought I could put together a proposal that would get 70 votes—we are not there yet; we are climbing each day; we are not there yet. That is my staff.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that we now proceed to a period of morning business and that Senators be allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO ADMIRAL JAMES G. STAVRIDIS

Mr. LEVIN. Mr. President, I come to the floor today to honor a great American on his retirement. ADM James G. Stavridis will retire at the end of this month after a distinguished Navy career lasting 37 years. During that career, he commanded forces at several levels, including a destroyer, a destroyer squadron, and a carrier strike group.

He has also held significant joint commands, including U.S. Southern Command and, most recently, U.S. European Command, EUCOM, and Supreme Allied Commander in Europe. Of

note, he was the first Navy officer to command EUCOM.

At EUCOM, Admiral Stavridis had the very difficult task of ensuring that the members of the coalition operating in Afghanistan, the International Security Assistance Force, ISAF, pulled together as a coherent team to support NATO strategic objectives there. In this position, Admiral Stavridis was a steady voice upon whom we could always rely for an accurate assessment of the facts on the ground.

Admiral Stavridis was a distinguished graduate of the U.S. Naval Academy, the Naval War College, and the National War College. He also was an outstanding student at the Fletcher School at Tufts University, where he earned two degrees: a doctor of philosophy and a master of arts in law and diplomacy.

Admiral Stavridis has been a strong leader of the men and women in his commands, but he has also been a leading strategic thinker with the Department. He has published numerous articles and essays, and has co-authored several books on subjects as diverse as ship handling and foreign policy.

I am pleased that Admiral Stavridis will continue to make his talents available to our country. Admiral Stavridis will assume new roles as dean of the Fletcher School at Tufts University, and chairman of the board of the United States Naval Institute.

On behalf of the members of the Senate Armed Services Committee, I wish Admiral Stavridis ''fair winds and following seas'' as he approaches a new set of challenges in life. I know he will bring to them the same steady hand, good heart and clear thinking he has given to our Nation for almost four decades.

MINORITY WEALTH GAP

Ms. LANDRIEU. Mr. President, as part of Small Business Week, I would like to mention a fact that is sometimes overlooked: minorities and women open small businesses at lower rates, and when they are able to open businesses, they earn less than their white counterparts.

We have received many studies from all over the country that look at the utilization of minority- and women-owned businesses by public contracting agencies. As the studies show, minority- and women-owned businesses are routinely and disproportionately underutilized in public contracting. In fact, one report that looked at almost 100 studies showed that regardless of where the study was done or who did it, what was seen over and over again was a stark underutilization of minority and women owned contractors.

Studies and litigation about mortgage rates also show us that minorities face additional, discriminatory hurdles when it comes to borrowing money. Minority business owners are more likely to have loan applications turned down than similar white business owners and, if the minority business owner is lucky enough to get the loan, he or she is more likely to pay a higher interest rate.

Minority and women business owners are less likely to have the wealth to start their own businesses because of a history of discrimination in employment. As a result, when they do start out, they are at a significant disadvantage.

We have also heard repeated testimony that minorities and women are excluded from the networks that are essential for small businesses. Minorities and women are quoted higher prices for supplies or excluded from the meetings or the clubs where contacts are formed and decisions are made.

Federal programs that open doors and require outreach to minority-owned businesses are essential. In fact, when the Federal or local government stops requiring that prime contractors reach out to minority- or women-owned businesses, those businesses' participation in public contracts plummets. For example, when States in the western part of the U.S. stopped their programs after a court decision that invalidated some applications of the program, participation in Federal contracting by minority-owned businesses measurably decreased.

I ask unanimous consent to have printed in the RECORD a list of studies that demonstrate these facts.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RECENT EXPERT REPORTS, DISPARITY STUDIES AND CONGRESSIONAL HEARINGS ADDRESSING PUBLIC PROCUREMENT AND MINORITY- AND WOMEN-OWNED BUSINESS ENTERPRISES

CONGRESSIONAL HEARINGS

2013

Strengthening the Entrepreneurial Ecosystem for Minority Women, Hearing Before the S. Comm. on Small Business and Entrepreneurship, 113th Cong. (2013)

2012

Closing the Wealth Gap Through the African-American Entrepreneurial Ecosystem: Roundtable Discussion with the U.S. House Comm. on Small Business, 112th Cong. (Sept. 9, 2012).

2011

Closing the Gap: Exploring Minority Access to Capital and Contracting Opportunities: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 112th Cong. (2011)

2010

Assessing Access: Obstacles and Opportunities for Minority Small Business Owners in Today's Capital Markets, Hearing Before the S. Comm. on Small Business and Entrepreneurship, 111th Cong. (2010)

Minority Contracting Opportunities: Challenges for Current and Future Minority-Owned Businesses: Hearing before the U.S. House Committee on Oversight & Gov't Reform, Subcommittee on Government Management, Organization and Procurement, 111 Cong. (Sept. 22, 2010)

Minorities and Women in Financial Regulatory Reform: The Need for Increasing Participation and Opportunities for Qualified Persons and Businesses: Hearing Before the U.S. House Comm. on Financial Services, Subcomm. on Oversight and Investigations and Subcomm. on Housing and Community Opportunity, 111th Cong. (2010)

Full Committee Hearing on Small Business Participation in Federal Procurement Marketplace: Hearing Before the U.S. House Comm. on Small Business, 111th Cong. (2010)

2009

Infrastructure Investment: Ensuring an Effective Economic Recovery Program: Hearing Before the H. Comm. on Transportation and Infrastructure, 111th Cong. (2009)

The Federal Aviation Administration Reauthorization Act of 2009: Hearing Before the H. Subcomm. on Aviation of the H. Comm. on Transportation and Infrastructure, 111th Cong. (2009)

Full Committee Hearing on the State of the SBA's Entrepreneurial Development Programs and Their Role in Promoting an Economic Recovery: Hearing Before the H. Comm. on Small Business, 111th Cong. (2009)

Full Committee Hearing on Oversight of the Small Business Administration and its Programs: Hearing Before the H. Comm. on Small Business, 111th Cong. (2009)

The Department of Transportation's Disadvantaged Business Enterprise Programs: Hearing Before the H. Comm. on Transportation and Infrastructure, 111th Cong. (2009)

The Role of Small Business in Recovery Act Contracting: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 111th Cong. (2009)

Trends Affecting Minority Broadcast Ownership: Hearing Before the H. Judiciary Comm., 111th Cong. (2009)

Roundtable on Healthcare Reform: Small Business Concerns and Priorities: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 111th Cong. (2009)

Doing Business with the Government: The RECORD and Goals for Small, Minority and Disadvantaged Businesses: Hearing Before the H. Comm. On Transportation and Infrastructure, 111th Cong. (2009)

Minority Entrepreneurship: Evaluating Small Business Resources and Programs: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 111th Cong. (2009)

The Minority Business Development Agency: Enhancing the Prospects for Success: Hearing Before the H. Subcomm. on Commerce, Trade, and Consumer Protection of the H. Comm. on Energy and Commerce, 111th Cong. (2009)

2008

Full Committee Hearing on SBA's Progress in Implementing the Women's Procurement Program: Hearing Before the H. Comm. on Small Business, 110th Cong. (2008)

Holding the Small Business Administration Accountable: Women's Contracting and Lender Oversight: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 110th Cong. (2008)

Diversity in the Financial Services Sector: Hearing Before the H. Subcomm. on Oversight and Investigations of the H. Comm. on Financial Services, 110th Cong. (2008)

Military Base Realignment: Contracting Opportunities for Impacted Communities: Hearing Before the H. Subcomm. on Government Management, Organization, and Procurement of the H. Comm. on Oversight and Government Reform, 110th Cong. (2008)

Community Reinvestment Act: Thirty Years of Accomplishments, But Challenges

Remain: Hearing Before the H. Comm. on Financial Services, 110th Cong. (2008)

Doing Business with the Government: The Record and Goals for Small, Minority, and Disadvantaged Businesses: Hearing Before the H. Subcomm. on Economic Development, Public Buildings, and Emergency Management of the H. Comm. on Transportation and Infrastructure, 110th Cong. (2008)

Subcommittee Hearing on Oversight of the Entrepreneurial Development Programs Implemented by the Small Business Administration and National Veterans Business Development Corporation: Hearing Before the H. Subcomm. on Rural and Urban Entrepreneurship of the H. Comm. on Small Business, 110th Cong. (2008)

Women in Business: Leveling the Playing Field: Roundtable Before the S. Comm. on Small Business and Entrepreneurship, 110th Cong. (2008)

Subcommittee Hearing on Minority and Hispanic Participation in the Federal Workforce and the Impact on the Small Business Community: Hearing Before the H. Subcomm. on Regulations, Health Care, and Trade of the H. Comm. on Small Business, 110th Cong. (2008)

Opportunities and Challenges for Women Entrepreneurs on the 20th Anniversary of the Women's Business Ownership Act: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 110th Cong. (2008)

Business Start-Up Hurdles in Underserved Communities: Access to Venture Capital and Entrepreneurship Training: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 110th Cong. (2008)

How Information Policy Affects Competitive Viability of Small and Disadvantaged Business in Federal Contracting: Hearing Before the H. Subcomm. on Information Policy, Census, and National Archives of the H. Comm. on Oversight and Government Reform, 110th Cong. (2008)

2007

Full Committee Field Hearing on Participation of Small Business in Hurricane Katrina Recovery Contracts: Hearing Before the H. Comm. on Small Business, 110th Cong. (2007)

Minority Entrepreneurship: Assessing the Effectiveness of SBA's Programs for the Minority Business Community: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 110th Cong. (2007)

Full Committee Hearing on the Small Business Administration's Microloan Program: Hearing Before the H. Comm. on Small Business, 110th Cong. (2007)

Increasing Government Accountability and Ensuring Fairness in Small Business Contracting: Hearing Before the S. Comm. on Small Business & Entrepreneurship, 110th Cong. (2007)

Diversifying Native Economies: Oversight Hearing Before the H. Comm. on Natural Resources, 110th Cong. (2007)

Expanding Opportunities for Women Entrepreneurs: The Future of Women's Small Business Programs: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 110th Cong. (2007)

Federal Contracting: Removing Hurdles for Minority-Owned Small Businesses: Hearing Before the H. Subcomm. on Government Management, Organization, and Procurement of the H. Comm. on Oversight and Government Reform, 110th Cong. (2007)

Full Committee Hearing to Consider Legislation Updating and Improving the SBA's Contracting Programs: Hearing Before the H. Comm. on Small Business, 110th Cong. (2007)

Mortgage Lending Discrimination: Field Hearing Before the H. Comm. on Financial Services, 110th Cong. (2007)

Access to Federal Contracts: How to Level the Playing Field: Field Hearing Before the S. Comm. on Small Business and Entrepreneurship, 110th Cong. (2007)

Preserving and Expanding Minority Banks: Hearing Before the H. Subcomm. on Oversight and Investigations of the H. Comm. on Financial Services, 110th Cong. (2007)

2006

Reauthorization of Small Business Administration Financing and Entrepreneurial Development Programs: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 109th Cong. (2006)

Northern Lights and Procurement Plights: The Effect of the ANC Program on Federal Procurement and Alaska Native Corporation: Joint Hearing Before the H. Comm. on Government Reform and the H. Comm. on Small Business, 109th Cong. (2006)

Diversity: The GAO Perspective: Hearing Before the H. Subcomm. on Oversight and Investigations of the H. Comm. on Financial Services, 109th Cong. (2006)

Strengthening Participation of Small Businesses in Federal Contracting and Innovation Research Programs: Hearing Before the S. Comm. on Small Business and Entrepreneurship, 109th Cong. (2006)

RECENT STATE AND LOCAL GOVERNMENT DISPARITY STUDIES

CALIFORNIA

Metro Disparity Study Final Report, Prepared by BBC Research & Consulting for the Los Angeles County Metropolitan Transportation Authority (2009)

Metrolink Disparity Study Draft Report, Prepared by BBC Research & Consulting for the Southern California Regional Rail Authority (2009)

OCTA Disparity Study Final Report, Prepared by BBC Research & Consulting for the Orange County Transportation Authority (2010)

SANDAG Disparity Study Final Report, Prepared by BBC Research & Consulting for the San Diego Association of Governments (2010)

San Diego County Regional Airport Authority Disparity Authority, Prepared by BBC Research & Consulting for the San Diego County Regional Airport Authority (2010)

FLORIDA

The State of Minority and Women Owned Enterprise: Evidence from Broward County, Prepared by NERA Economic Consulting for Broward County, Florida (2010)

GEORGIA

Georgia Department of Transportation Disparity Study, Prepared by BBC Research & Consulting for the Georgia Department of Administration (2012)

HAWAII

The State of Minority and Women Owned Enterprise: Evidence from Hawai'i, Prepared by NERA Economic Consulting for the Hawaii Department of Transportation (2010)

INDIANA

Indiana Disparity Study: Final Report, Prepared by BBC Research & Consulting for the Indiana Department of Administration (2010)

MARYLAND

The State of Minority and Women Owned Enterprise: Evidence from Maryland, Prepared by NERA Economic Consulting for the Maryland Department of Transportation (2011)

MINNESOTA

The State of Minority and Women Owned Enterprise: Evidence from Minneapolis, Prepared by NERA Economic Consulting for the City of Minneapolis (2010)

The State of Minnesota Joint Availability and Disparity Study, Prepared by MGT of America, Inc., for the Minnesota Department of Transportation (2008)

NORTH CAROLINA

City of Charlotte: Disparity Study, Prepared by MGT of America, Inc., for the City of Charlotte (2011)

OHIO

The State of Minority and Women Owned Enterprise: Evidence from Northeast Ohio, Prepared by NERA Economic Consulting for the Northeast Ohio Regional Sewer District (2010)

OKLAHOMA

City of Tulsa Business Disparity Study, Prepared by MGT of America, Inc. for the City of Tulsa (2010)

OREGON

A Disparity Study for the Port of Portland, Oregon, Prepared by MGT for America, Inc., for the Port of Portland, Oregon (2009)

City of Portland Disparity Study, Prepared by BBC Research & Consulting for the Portland Development Commission (2011)

PENNSYLVANIA

City of Philadelphia, Fiscal Year 2009 Annual Disparity Study, Prepared by Econosult Corporation for the City of Philadelphia (2010)

City of Philadelphia, Fiscal Year 2010 Annual Disparity Study, Prepared by Econosult Corporation for the City of Philadelphia (2011)

City of Philadelphia, Fiscal Year 2011 Annual Disparity Study, Prepared by Econosult Corporation for the City of Philadelphia (2012)

TENNESSEE

City of Memphis, Tennessee, Comprehensive Disparity Study, Prepared by Griffin and Strong, P.C., for the City of Memphis (2010)

TEXAS

The State of Minority and Women Owned Enterprise in Construction: Evidence from Houston, Prepared by NERA Economic Consulting for the Northeast Ohio Regional Sewer District (2012)

VIRGINIA

A Disparity Study for the Commonwealth of Virginia, Prepared by MGT of America, Inc. for the Commonwealth of Virginia (2010)

WASHINGTON, D.C.

2010 Disparity Study, Final Report, Prepared by Mason Tillman Associates, Ltd., for the Washington Suburban Sanitary Commission (2011)

WISCONSIN

Disparity Study for the City of Milwaukee, Prepared by D. Wilson Consulting Group, LLC for the City of Milwaukee (2010)

BIOMEDICAL RESEARCH

Mr. CASEY. Mr. President, I would like to speak today about the importance of Federal investment in biomedical research. There are many reasons to invest in biomedical research, but the two most important reasons are very simple: biomedical research saves lives, and it is good for Pennsylvania's economy and the Nation's economy. A thriving biomedical sector creates jobs, and we simply cannot afford, from a public health or economic

standpoint, not to support biomedical progress.

I have been a strong and vocal advocate for Federal funds to support biomedical research, including funding for the National Institutes of Health—NIH. In 2010, 2011, 2012 and 2013, I authored a letter in support of funding for the NIH; the letter in 2013 was signed by a bipartisan group of 51 Senators.

In 2012, Pennsylvania researchers received $1,431,589,539—$1.4 billion—in grants from the National Institutes of Health; the State is ranked fourth in the Nation for the number of grants awarded. The funding in 2012 supported over 3,400 competitive grants to almost 100 Pennsylvania companies or universities; in turn, these grants supported thousands of jobs across the State—an estimated 2,500 in state jobs and total employment impact of over 24,000 jobs.

Long-term deficits are not sustainable, and government spending must be reduced; however, we should not indiscriminately slash funding for good programs, like medical research, that benefit Pennsylvanians, ensure our global competitiveness and invest in our economic future. I have been a champion for the continued growth of the National Institutes of Health, NIH, which drives progress of biomedical research.

While the United States has been the world leader in medical research, other nations such as China are dramatically ramping up their investment in medical research, creating new competition and threatening America's dominance in the field. We must continue to invest in medical research and maintain the capacity we currently have to support work that benefits all Americans.

We risk a scenario in which promising young researchers, seeing the struggles of their mentors and older colleagues to secure funding for their work, will choose a different path, putting a whole generation of scientists at risk. That capacity, that talent, once lost will not easily come back. Failure to invest in research now is a failure to invest in our own future, and is incredibly shortsighted. We must work to support the basic research that has the potential to lead to major advances in medical treatments and improved outcomes for patients.

ADDITIONAL STATEMENTS

RECOGNIZING NIGHTFORCE OPTICS

● Mr. RISCH. Mr. President, as National Small Business Week comes to a close I would like to rise today to recognize Nightforce Optics of Orofino, ID, an inspirational small business that has grown and expanded in spite of the economic challenges of the last half decade. Founder Dr. Ray Dennis is an avid hunter and shooter from Australia who had a dream of manufacturing and selling riflescopes of unmatched quality in the United States. His dream led him on a search for a location to help make this vision a reality. Dr. Dennis was ultimately drawn to the beautiful city of Orofino in my home State. A friendly business climate, an enthusiastic labor base, and close proximity to major shipping centers made Orofino, ID the perfect place to establish Nightforce Optics.

In 1999, Nightforce Optics started with four employees occupying a small manufacturing facility. Today, Nightforce Optics employs over 100 people and has expanded their Orofino headquarters to a 35,187 square foot facility. Nightforce is committed to hiring a local workforce, as well as attracting specialized craftsmen and women to Idaho. Throughout this time, the company has delivered the utmost quality, performance, and craftsmanship of their products to customers. This dedication became self-evident as hunters, marksmen, police, and military users have come to revere Nightforce Optics as a top-tier brand in the industry.

Companies like Nightforce represent a critical part of the economy and even national security for the United States. Nightforce riflescopes produced in Orofino, ID have been used by U.S. servicemen in operations all around the globe. It is my opinion that the U.S. military should always have available the best in quality and technology, and it is in small businesses like Nightforce Optics that we often find the innovative ideas and determination that can make these products available.

By 2011, Nightforce underwent a $1 million expansion, resulting in improved manufacturing and research and development capabilities. This investment has directly led to the company's recent introduction of new, innovative products that otherwise might never have been developed.

Although we hear over and over again that the national climate for promoting small business needs to improve, it is refreshing to hear that a sportsman from Australia with an idea and motivation relocated to Idaho to build his dream. Every year, thousands and thousands of products come from Orofino, ID with a label reading ''Made in USA.'' I commend Dr. Ray Dennis for investing in American entrepreneurship and to Nightforce Optics for representing a small business with ingenuity and local ties that I am proud to honor as Idaho's Small Business of the Day.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 11:10 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker pro tempore (Mr. WOLF) has signed the following enrolled bill:

H.R. 475. An act to amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ROCKEFELLER (for himself and Mr. MANCHIN):

S. Res. 181. A resolution recognizing the sesquicentennial of West Virginia and commemorating its history, people, and culture; considered and agreed to.

By Mr. CARDIN (for himself, Ms. COLLINS, Mr. DURBIN, Mr. FRANKEN, Mr. HARKIN, Mr. KING, and Mr. BROWN):

S. Res. 182. A resolution congratulating the American Dental Hygienists' Association on the 100th anniversary of the profession of dental hygiene and commending its work to improve the oral health of the people of the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 380

At the request of Mrs. MURRAY, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 380, a bill to amend the Public Health Service Act to reauthorize and update the National Child Traumatic Stress Initiative for grants to address the problems of individuals who experience trauma and violence related stress.

S. 647

At the request of Mr. NELSON, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 647, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S. 709

At the request of Ms. STABENOW, the name of the Senator from Vermont

(Mr. LEAHY) was added as a cosponsor of S. 709, a bill to amend title XVIII of the Social Security Act to increase diagnosis of Alzheimer's disease and related dementias, leading to better care and outcomes for Americans living with Alzheimer's disease and related dementias.

S. 710

At the request of Mr. WARNER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 710, a bill to provide exemptions from municipal advisor registration requirements.

S. 878

At the request of Mr. FRANKEN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 878, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 981

At the request of Mr. MENENDEZ, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 981, a bill to direct the Federal Trade Commission to prescribe rules prohibiting deceptive advertising of abortion services, and for other purposes.

S. RES. 172

At the request of Mr. BLUNT, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Res. 172, a resolution designating the first Wednesday in September 2013 as ''National Polycystic Kidney Disease Awareness Day'' and raising awareness and understanding of polycystic kidney disease.

AMENDMENT NO. 1183

At the request of Mr. LEAHY, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Tennessee (Mr. CORKER), the Senator from Arizona (Mr. MCCAIN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Florida (Mr. RUBIO), the Senator from Arizona (Mr. FLAKE), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Nevada (Mr. HELLER), the Senator from Illinois (Mr. KIRK), the Senator from West Virginia (Mr. MANCHIN), the Senator from Indiana (Mr. DONNELLY), the Senator from Arkansas (Mr. PRYOR), the Senator from Alaska (Mr. BEGICH) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of amendment No. 1183 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1506

At the request of Mrs. MURRAY, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of amendment No. 1506 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 181—RECOGNIZING THE SESQUICENTENNIAL OF WEST VIRGINIA AND COMMEMORATING ITS HISTORY, PEOPLE, AND CULTURE

Mr. ROCKEFELLER (for himself and Mr. MANCHIN) submitted the following resolution; which was considered and agreed to:

S. RES. 181

Whereas Alexander Spotswood, Lieutenant Governor of Virginia, led a westward expedition in 1716, claiming land beyond the Allegheny Mountains for King George I;

Whereas early settlement of present-day West Virginia began in the Eastern Panhandle, with development of western areas to follow;

Whereas slave abolitionist John Brown launched an ill-fated raid on a United States arsenal in Harpers Ferry in 1859 and was later convicted of treason, conspiracy, and murder in nearby Charles Town, inflaming anti- and pro-slavery factions in the North and the South;

Whereas citizens in the region opposed the decision of Virginia during the Civil War to secede from the United States;

Whereas West Virginia was admitted to the Union by Congress on June 20, 1863, following a proclamation by President Abraham Lincoln, making it the only State created from the Civil War;

Whereas the bold decision of those first West Virginians resonates today with the words of the official State motto, ''Montani Semper Liberi'', meaning ''West Virginians Are Always Free'';

Whereas West Virginia is the only state located entirely within the Appalachian Mountains;

Whereas the industries in West Virginia are wedded to its land, supplying 15 percent of the coal in the United States, forging steel, producing timber, and fostering a present-day boom in natural gas production, and to its innovations including burgeoning biometrics and automotive industries;

Whereas the workers of West Virginia are the salt of the earth and set hard work as a cornerstone of a life rich with pride, especially its miners who daily travel deep underground to mine the coal that keeps the United States humming;

Whereas the sense of patriotism in West Virginia runs deep and true, as the State has the highest number of men and women per capita serving the United States in the Armed Forces and a population of veterans wholly dedicated to making sure all who serve are supported;

Whereas the communities in West Virginia exemplify the phrase ''neighbor helping neighbor'';

Whereas the awe-inspiring landscapes of the Mountain State grant residents and tourists the chance to climb mountains, fish streams, hunt in forests, raft rapids, and traverse trails, making tourism one of the preeminent economic drivers of the State;

Whereas West Virginia is home to the longest steel arch bridge in the world, the New River Gorge Bridge, which spans 1,815 feet over the New River Canyon, and the highest peak in the State is Spruce Knob, sitting at 4,861 feet above sea level;

Whereas West Virginia has seen important inventions, including the first steamboat, the first iron furnace, the first electric railroad, the first glass plant, and the first pottery plant;

Whereas the heritage of West Virginia can be felt in its handmade creations, from quilts and woodwork to dinnerware and paintings, heard in its mountain music, from hometown jamborees to fiddle-playing on front porches and songs from well-worn hymnals, and enjoyed in its unique cuisine, from pepperoni rolls to wild ramps and buckwheat cakes with sausage;

Whereas many icons hold their roots in West Virginia, from General Thomas ''Stonewall'' Jackson to Nobel Prize-winning author Pearl S. Buck, educational leader Booker T. Washington, Mother's Day founder Anna Jarvis, and Brigadier General Charles ''Chuck'' Yeager; and

Whereas, during a rainy centennial celebration on the front steps of the Capitol of West Virginia in Charleston on June 20, 1963, President John F. Kennedy proclaimed, ''The sun does not always shine in West Virginia but the people always do'': Now, therefore, be it

Resolved, That the Senate—

(1) observes the sesquicentennial of West Virginia; and

(2) celebrates the remarkable heritage and contributions of the people of West Virginia.

SENATE RESOLUTION 182—CONGRATULATING THE AMERICAN DENTAL HYGIENISTS' ASSOCIATION ON THE 100TH ANNIVERSARY OF THE PROFESSION OF DENTAL HYGIENE AND COMMENDING ITS WORK TO IMPROVE THE ORAL HEALTH OF THE PEOPLE OF THE UNITED STATES

Mr. CARDIN (for himself, Ms. COLLINS, Mr. DURBIN, Mr. FRANKEN, Mr. HARKIN, Mr. KING, and Mr. BROWN) submitted the following resolution; which was considered and agreed to:

S. RES. 182

Whereas the first dental hygiene education program was established in 1913 and early graduates worked in schools providing direct access to oral health care to school children;

Whereas the American Dental Hygienists' Association is the largest national organization representing the more than 150,000 licensed dental hygienists in the United States;

Whereas, in order to become licensed as a dental hygienist, an individual must graduate from one of the 335 accredited dental hygiene education programs in the United States and successfully complete a national written exam and a State or regional clinical exam;

Whereas, according to the Bureau of Labor Statistics, the dental hygiene profession is one of the fastest growing health care professions, with employment of dental hygienists expected to grow 38 percent between 2010 and 2020;

Whereas dental hygienists are prevention specialists who understand how the connection between oral health and total health can prevent disease, treat problems while they are still manageable, conserve critical health care dollars, and save lives;

Whereas new research continues to demonstrate that oral health is a vital element of overall health;

Whereas dental caries (more commonly known as tooth decay) are the single most common chronic disease of childhood, 5 times more common than asthma;

Whereas nearly 48,000,000 people in the United States live in areas without enough dental practitioners;

Whereas less than 40 percent of children enrolled in Medicaid receive at least one preventive dental service each year and this percentage varies widely among the States;

Whereas the Department of Health and Human Services estimates that more than 9,000 new dental practitioners are needed to address the dental workforce shortage in underserved areas;

Whereas the American Dental Hygienists' Association represents, empowers, develops, and supports dental hygienists;

Whereas the American Dental Hygienists' Association works to improve access to oral health care services, which are essential to the health of the people of the United States;

Whereas the Center for Lifelong Learning of the American Dental Hygienists' Association seeks to advance the study of dental hygiene through educational opportunities; and

Whereas the American Dental Hygienists' Association advocates in support of Federal oral health programs, expanding access to care for underserved populations, optimizing the dental workforce, and maximizing coverage for oral health services: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the American Dental Hygienists' Association on the 100th anniversary of the profession of dental hygiene;

(2) commends the American Dental Hygienists' Association for its work to improve the oral health of the people of the United States, a fundamental part of overall health and well-being;

(3) recognizes dental hygienists across the United States who volunteer their time and resources to further their profession and to increase access to oral health care services; and

(4) commends the dental hygiene profession on its centennial celebration.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1551. Mr. REID proposed an amendment to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes.

SA 1552. Mr. REID proposed an amendment to the bill S. 744, supra.

SA 1553. Mr. REID submitted an amendment intended to be proposed to amendment SA 1552 proposed by Mr. REID to the bill S. 744, supra.

SA 1554. Mr. REID proposed an amendment to the bill S. 744, supra.

SA 1555. Mr. REID proposed an amendment to amendment SA 1554 proposed by Mr. REID to the bill S. 744, supra.

SA 1556. Mr. REID proposed an amendment to amendment SA 1555 proposed by Mr. REID to the amendment SA 1554 proposed by Mr. REID to the bill S. 744, supra.

TEXT OF AMENDMENTS

SA 1551. Mr. REID proposed an amendment to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

SA 1552. Mr. REID proposed an amendment to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

SA 1553. Mr. REID submitted an amendment intended to be proposed to amendment SA 1552 proposed by Mr. REID to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; as follows:

In the amendment, strike ''3 days'' and insert ''2 days''.

SA 1554. Mr. REID proposed an amendment to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; as follows:

At the end, add the following:

This Act shall become effective 6 days after enactment.

SA 1555. Mr. REID proposed an amendment to amendment SA 1554 proposed by Mr. REID to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; as follows:

In the amendment, strike ''6 days'' and insert ''5 days''.

SA 1556. Mr. REID proposed an amendment to amendment SA 1555 proposed by Mr. REID to the amendment SA 1554 proposed by Mr. REID to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; as follows:

In the amendment, strike ''5 days'' and insert ''4 days''.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate proceed to executive session to consider the following nomination: Calendar No. 179; that there be 30 minutes for debate equally divided in the usual form; that following the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nomination, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I ask unanimous consent at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate proceed to executive session to consider the following nomination: Calendar No. 180; that there be 30 minutes for debate equally divided in the usual form; that following the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nomination, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE SESQUICENTENNIAL OF WEST VIRGINIA

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of S. Res. 181.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 181) recognizing the sesquicentennial of West Virginia and commemorating its history, people, and culture.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The resolution (S. Res. 181) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

CONGRATULATING THE AMERICAN DENTAL HYGIENISTS' ASSOCIATION

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of S. Res. 182, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 182) congratulating the American Dental Hygienists' Association on the 100th anniversary of the profession of dental hygiene and commending its work to improve the oral health of the people of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 182) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR MONDAY, JUNE 24, 2013

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 noon on Monday, June 24, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of S. 744, the immigration bill, and the time until 5:30 p.m. be equally divided and controlled between the two managers or their designees; and that the filing deadline for second-degree amendments to the Leahy amendment No. 1183, as modified, be 4 p.m. on Monday.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, at 5:30 p.m. on Monday, there will be a cloture vote on the Leahy amendment No. 1183, as modified.

ADJOURNMENT UNTIL MONDAY, JUNE 24, 2013

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 2:47 p.m., adjourned until Monday, June 24, 2013, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF JUSTICE

JAMES B. COMEY, JR., OF CONNECTICUT, TO BE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION FOR A TERM OF TEN YEARS, VICE ROBERT S. MUELLER, III, TERM EXPIRING.

UNITED STATES POSTAL SERVICE

JAMES C. MILLER III, OF VIRGINIA, TO BE A GOVERNOR OF THE UNITED STATES POSTAL SERVICE FOR THE TERM EXPIRING DECEMBER 8, 2017. (REAPPOINTMENT)

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

ANNE J. UDALL, OF OREGON, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2016. (REAPPOINTMENT)

HOUSE OF REPRESENTATIVES—*Monday, June 24, 2013*

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. HARRIS).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 24, 2013.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving God, we give You thanks for giving us another day.

As the energy and tensions of these legislative days play out, may there be peace among the Members of the people's House. Grant that all might be confident in the mission they have been given and buoyed by the spirit of our ancestors who built our Republic through many trials and contentious debates. May all strive with noble sincerity for the betterment of our Nation.

Many centuries ago, You blessed Abraham for his welcome to strangers by the oak of Mamre. Bless this Chamber in the days to come with the same spirit of hospitality so that all Americans might know that in the people's House all voices are respected, even those with whom there is disagreement.

May all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by Speaker pro tempore WOLF on Thursday, June 20, 2013:

H.R. 475, to amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by Speaker pro tempore WOLF on June 20, 2013.

H.R. 475. An act to amend the Internal Revenue Code of 1986 to include vaccines against seasonal influenza within the definition of taxable vaccines.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon tomorrow for morning-hour debate.

There was no objection.

Thereupon (at 11 o'clock and 3 minutes a.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 25, 2013, at noon for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the second quarter of 2013 pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, EMILY M. PEREZ, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 9 AND MAY 14, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Emily M. Perez	5/10	5/12	Afghanistan		28.00		[3] [4] 11,905.10				11,933.10
	5/12	5/13	United Arab Emirates		185.96				236.87		422.83
Committee total					231.96		11,905.10		236.87		12,355.93

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.
[4] Transportation inclusive for two.

MS. EMILY M. PEREZ, June 12, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JONNI KABERLE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 24 AND MAY 27, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Jonni Kaberle	5/24	5/27	Jordan		1,141.71		6,462.90		312.50		7,917.11

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JONNI KABERLE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 24 AND MAY 27, 2013—Continued

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Committee total					1,141.71		6,462.90		312.50		7,917.11

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JONNI KABERLE, June 19, 2013.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO LUXEMBOURG, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAY 18 AND MAY 20, 2013

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Mike Turner	5/18	5/20	Luxembourg		838.00		4,575.00				5,413.00
Hon. Ted Poe	5/18	5/20	Luxembourg		838.00		2,728.00				3,666.00
Hon. David Scott	5/18	5/20	Luxembourg		838.00		4,575.00				5,413.00
Hon. Tom Marino	5/18	5/20	Luxembourg		838.00		4,575.00				5,413.00
Jeff Dressler	5/18	5/20	Luxembourg		838.00		2,728.00				3,666.00
Janice Robinson	5/18	5/20	Luxembourg		838.00		1,544.00				2,382.00
David Fite	5/18	5/20	Luxembourg		838.00		1,544.00				2,382.00
Committee total					5,866.00		22,269.00				28,135.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MICHAEL R. TURNER, June 7, 2013.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1947. A letter from the Acting Under Secretary, Department of Defense, transmitting authorization of Brigadier General Marshall B. Webb and Colonel Ronald D. Buckley, United States Air Force, to wear the authorized insignia of the major general and brigadier general, respectively; to the Committee on Armed Services.

1948. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Joseph D. Kernan, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

1949. A letter from the Director, Washington Headquarters Services, Department of Defense, transmitting the Department's twenty-third annual report for the Pentagon Renovation and Construction Program Office (PENREN); to the Committee on Armed Services.

1950. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the ninety-ninth Annual Report for Calendar Year 2012; to the Committee on Financial Services.

1951. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Air Astana JSC of Almaty, Kazakhstan pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1952. A communication from the President of the United States, transmitting a notification stating that the national emergency, declared in Executive Order 13466 of June 26, 2008, is to continue in effect beyond June 26, 2013, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 113—40); to the Committee on Foreign Affairs and ordered to be printed.

1953. A letter from the Acting Assistant Secretary, Department of State, transmitting a six-month periodic report on the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994, and continued by the President each year, most recently on November 1, 2012; to the Committee on Foreign Affairs.

1954. A communication from the President of the United States, transmitting a notification of a deployment after the conclusion of a training exercise for a combat-equipped detachment; (H. Doc. No. 113–39); to the Committee on Foreign Affairs and ordered to be printed.

1955. A letter from the Principal Deputy Assistant Attorney General, Department of Justice, transmitting the Department's annual report for Fiscal Year 2012 prepared in accordance with Section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1956. A letter from the Secretary, Department of Veterans Affairs, transmitting the semiannual report on activities of the Inspector General for the period October 1, 2012, through March 31, 2013; to the Committee on Oversight and Government Reform.

1957. A letter from the Acting Under Secretary, Department of Defense, transmitting a forward to the Federal Voting Assistance Program's 2010 Electronic Voting Support Wizard Pilot Program Report to Congress; to the Committee on House Administration.

1958. A letter from the Secretary, Department of Health and Human Services, transmitting Fiscal Year 2011 Report to Congress on Funding Needs for Contract Support Costs of Self-Determination Awards, corrected; to the Committee on Natural Resources.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 910. A bill to reauthorize the Sikes Act (Rept. 113–119 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1299. A bill to provide for the transfer of certain public land currently administered by the Bureau of Land Management to the administrative jurisdiction of the Secretary of the Army for inclusion in White Sands Missile Range, New Mexico, and for other purposes; with an amendment (Rept. 113–120 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1672. A bill to withdraw and reserve certain public lands administered by the Bureau of Land Management for exclusive military use as part of the Limestone Hills Training Area, Montana, and for other purposes; with an amendment (Rept. 113–121 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1673. A bill to provide for the transfer of certain public land currently administered by the Bureau of Land Management to the administrative jurisdiction of the Secretary of the Navy for inclusion in Naval Air Weapons Station China Lake, California, and for other purposes; with an amendment (Rept. 113–122 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1676. A bill to delegate the Johnson Valley National Off-Highway Vehicle Recreation Area in San Bernardino County, California, to authorize limited military use of the area, to provide for the transfer of the Southern Study Area to the administrative jurisdiction of the Secretary of the Navy for inclusion in the Marine Corps Air Ground Combat Center Twentynine Palms, and by recreational users, and for other purposes; with an amendment (Rept. 113–123 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1691. A bill to provide for the transfer of certain public land currently administered by the Bureau of Land Management to the administrative jurisdiction of the Secretary of the Navy for inclusion in the Chocolate Mountain Aerial Gunnery Range, California, and for other purposes; with an amendment (Rept. 113–124 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 2231. A bill to amend the Outer Continental Shelf Lands Act to increase energy exploration and production on the Outer Continental Shelf, provide for equitable revenue sharing for all coastal States, implement the reorganization of the functions of the former Minerals Management Service into distinct and separate agencies, and for other purposes; with an amendment (Rept. 113–125). Referred to the Committee of the Whole House on the state of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Armed Services discharged from further consideration. H.R. 910 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Armed Services discharged from further consideration. H.R. 1299 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Armed Services discharged from further consideration. H.R. 1676 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Armed Services discharged from further consideration. H.R. 1672 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Armed Services discharged from further consideration. H.R. 1673 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Armed Services discharged from further consideration. H.R. 1691 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Mr. HANNA introduced A bill (H.R. 2476) to amend the Internal Revenue Code of 1986 to allow a $1,000 refundable credit for individuals who are bona fide volunteer members of volunteer firefighting and emergency medical service organizations; which was referred to the Committee on Ways and Means.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

56. The SPEAKER presented a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 60 urging the United States Congress to take necessary actions to preclude or delay the increase in premium fees for the National Flood Insurance Program until further study can be done; to the Committee on Financial Services.

57. Also, a memorial of the House of Representatives of the State of Louisiana, relative to Concurrent House Resolution No. 58 urging the United States Congress to take necessary actions to adopt and enact the Fixing America's Inequities with Revenue (FAIR) Act; to the Committee on Natural Resources.

58. Also, a memorial of the House of Representatives of the State of Arizona, relative to House Memorial 2002 urging the United States Congress to propose an amendment to the Constitution of the United States to provide rights to victims of crime; to the Committee on the Judiciary.

59. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 40 urging the Congress to review and consider eliminating provisions of federal law which reduce Social Security benefits for those receiving pension benefits from federal, state, or local government retirement or pension systems; to the Committee on Ways and Means.

60. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 54 urging the United States Congress to pass the ABLE Act; jointly to the Committees on Ways and Means and Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

Mr. HANNA:

H.R. 2476.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill rests is enumerated in Section 8 of Article I of the United States Constitution, which provides that ''The Congress shall have Power To lay and collect Taxes, Duties, Imports and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 367: Mr. NUNES.

H.R. 451: Mr. DEUTCH and Mr. BILIRAKIS.

H.R. 497: Mr. QUIGLEY.

H.R. 685: Mr. WHITFIELD.

H.R. 698: Mr. MCDERMOTT, Mr. SEAN PATRICK MALONEY of New York, Mr. CARTWRIGHT, Ms. JACKSON LEE, and Mr. YOUNG of Florida.

H.R. 920: Mr. BARROW of Georgia.

H.R. 961: Mr. MAFFEI and Mr. JOHNSON of Georgia.

H.R. 1024: Mr. HALL.

H.R. 1429: Mr. CONYERS.

H.R. 1443: Ms. BROWNLEY of California.

H.R. 1771: Mr. CICILLINE.

H.R. 1821: Ms. LEE of California.

H.R. 1825: Mr. WENSTRUP.

H.R. 1869: Mr. BARTON, Mr. GOHMERT, Mr. LAMALFA, Mr. PEARCE, Mr. PITTENGER, Mr. FRANKS of Arizona, Mr. DUNCAN of South Carolina, Mr. SMITH of Nebraska, and Mr. HANNA.

H.R. 2016: Ms. LOFGREN.

H.R. 2289: Mr. GOHMERT, Mr. NEUGEBAUER, Mr. WEBER of Texas, Mr. POE of Texas, Mr. SESSIONS, Mr. THORNBERRY, Mr. STOCKMAN, and Mr. BARTON.

H.R. 2403: Mr. MARCHANT.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

26. The SPEAKER presented a petition of the Parish Council of St. Charles Parish, LA, relative to Resolution No. 5990 requesting that Congress amend or revise the Biggert-Waters Flood Insurance Reform Act; to the Committee on Financial Services.

27. Also, a petition of the Legislature of Rockland County, NY, relative to Resolution No. 227 urging the United States Congress to pass Senate Bill S. 84 and House Bill H.R. 377, The Paycheck Fairness Act of 2013; to the Committee on Education and the Workforce.

28. Also, a petition of the Voters of the town of Sandwich, MA, relative to urging the United States Congress to pass an amendment to reverse the Citizens United Decision, restore the first amendment and fair elections; to the Committee on the Judiciary.

29. Also, a petition of the City Council of Anaheim, CA, relative to Resolution No. 2013-053 expressing support for comprehensive Federal Immigration Reform; to the Committee on the Judiciary.

30. Also, a petition of the Board of Aldermen of the City of Somerville, MA, relative to a resolution supporting comprehensive immigration reform; to the Committee on the Judiciary.

SENATE—*Monday, June 24, 2013*

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, who in Your infinite wisdom ordained that we might live our lives within the narrow boundaries of time and circumstances, we honor Your Name.

Today, supply our Senators with the strength they need to serve You. Help them to seize the opportunities to strengthen our Nation, bringing deliverance to captives and letting the oppressed go free. Lord, keep them from any temptation that would prevent them from glorifying You. Send Your spirit into their minds, and illuminate their understanding with insight and discernment.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks the Senate will resume consideration of the immigration bill. The filing deadline for second-degree amendments to the Leahy amendment No. 1183, as modified, is 4 p.m. today. At 5:30 p.m. there will be a cloture vote on the Leahy amendment, as modified.

THE FARM BILL

Mr. REID. Mr. President, I have often said that Speaker BOEHNER has a hard job. That was obvious last week when the House Republican caucus revolted to defeat the Speaker's farm bill. Even though the Speaker took the unusual step of announcing his support for the measure ahead of the vote, this bill went down in flames. It was the first time the House of Representatives has defeated a farm bill since the program was created in the 1930s.

I admit I was sorry to hear the House Republican leadership blame the bill's defeat on Democrats, but I was not surprised. They had to blame someone. They could not blame themselves, even though they should. It was no surprise that House Democrats opposed this mean-spirited bill. The legislation would cut $20 billion from the safety net that keeps millions of Americans, including millions of children, from going hungry every year. That is what it was about. The farm bill eliminated 8 billion meals for hungry American families and children. That is what the House bill did. So it is no surprise that Democrats did not vote for a bill that whacked America's most vulnerable citizens.

We have seen this film before. The Speaker should have known he could not pass legislation that amounts to a partisan love note to the tea party. He will be forced to take up a more bipartisan measure. He should do it now. There is no need to reinvent the wheel. The Senate has already done the work that was necessary to be done. We passed a good bipartisan bill. The Speaker should dispense with the drama and the delay and take up the Senate farm bill now. The bill passed on an overwhelming bipartisan vote in this Chamber. In fact, it did twice. We passed it last year. The Speaker refused to bring up the bill in the House. Passing the Senate farm bill will create jobs, will reduce the deficit by some $23 billion, and it will make important reforms to both farm and food stamp programs without balancing the budget on the backs of hungry Americans.

I spoke over the weekend to Tom Vilsack, the Secretary of Agriculture. We agreed that maintaining the status quo is not an option. Doing nothing means no reform, no deficit reduction, and no certainty for America's 16 million farm industry workers.

I want everyone within the sound of my voice as well as my colleagues on the other side of the Capitol to know that the Senate will not pass another temporary farm bill extension. It is time for real reform that protects both rural farm communities and urban families who need help feeding their children.

If the Speaker took up the Senate's bipartisan measure, it would easily pass the House with both Republican and Democratic votes. There is no shame in passing a bill that moderates in both parties support. We have seen time and time again that the tea party's ''my way or the highway'' approach to legislating does not work. The only way to pass a bill in either the House or the Senate is to do so with votes from both Democrats and Republicans. The Senate farm bill passed with 66 votes in this Chamber. It was a perfect example of a bipartisan bill. The Speaker should allow a vote on this measure in the House now—today.

The immigration bill before the Senate is another example of bipartisan legislation. The immigration bill will pass this Chamber with Democratic and Republican votes. When the immigration bill passes, the Speaker should quickly bring it up for a vote in the House of Representatives.

So I say, Mr. Speaker, rather than twisting the arms of tea party extremists, work with moderates in both parties to pass bipartisan legislation. Mr. Speaker, rather than trying to force legislation designed to please only the right wing, you should take away the obstacles we have and take the easy way out, actually. Do the right thing. Seek votes from Democrats and Republicans. America deserves the commonsense approach. That is what we used to do. We should do it once again.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HIRONO). The clerk will call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Madam President, what is the pending business?

The PRESIDING OFFICER. We are currently in leader remarks. No bill is currently pending.

Mr. REID. I would ask the Chair to close morning business and move to whatever the business of the day is.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 744, which the clerk will report.

The bill clerk read as follows:

A bill (S. 744) to provide comprehensive immigration reform, and for other purposes.

Pending:

Leahy Modified amendment No. 1183, to strengthen border security and enforcement.

Boxer/Landrieu amendment No. 1240, to require training for National Guard and Coast Guard officers and agents in training programs on border protection, immigration law

enforcement, and how to address vulnerable populations, such as children and victims of crime.

Cruz amendment No. 1320, to replace title I of the bill with specific border security requirements, which shall be met before the Secretary of Homeland Security may process applications for registered immigrant status or blue card status and to avoid Department of Homeland Security budget reductions.

Leahy (for Reed) amendment No. 1224, to clarify the physical present requirements for merit-based immigrant visa applicants.

Reid amendment No. 1551 (to modified amendment No. 1183), to change the enactment date.

Reid amendment No. 1552 (to the language proposed to be stricken by the reported committee substitute amendment to the bill), to change the enactment date.

Reid amendment No. 1553 (to amendment No. 1552), of a perfecting nature.

Reid motion to recommit the bill to the Committee on the Judiciary, with instructions, Reid amendment No. 1554, to change the enactment date.

Reid amendment No. 1555 (to the instructions of the motion to recommit), of a perfecting nature.

Reid amendment No. 1556 (to amendment No. 1555), of a perfecting nature.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. will be equally divided between the two managers or their designees.

The majority leader.

CLOTURE MOTION

Mr. REID. Madam President, I have a cloture motion at the desk, and I ask that it be reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the committee-reported substitute amendment to S. 744, a bill to provide for comprehensive immigration reform, and for other purposes.

Harry Reid, Patrick J. Leahy, Michael F. Bennet, Charles E. Schumer, Richard J. Durbin, Robert Menendez, Dianne Feinstein, Sheldon Whitehouse, Patty Murray, Debbie Stabenow, Robert P. Casey, Jr., Mark R. Warner, Thomas R. Carper, Richard Blumenthal, Angus S. King, Jr., Christopher A. Coons, Christopher Murphy.

CLOTURE MOTION

Mr. REID. Madam President, there is a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 744, a bill to provide for comprehensive immigration reform, and for other purposes.

Harry Reid, Patrick J. Leahy, Michael F. Bennet, Charles E. Schumer, Richard J. Durbin, Robert Menendez, Dianne Feinstein, Sheldon Whitehouse, Patty Murray, Debbie Stabenow, Robert P. Casey, Jr., Mark R. Warner, Thomas R. Carper, Richard Blumenthal, Angus S. King, Jr., Christopher A. Coons, Christopher Murphy.

Mr. REID. I ask unanimous consent that the mandatory quorum required under rule XXII be waived for these two cloture motions.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I ask unanimous consent that the time be divided equally.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MURPHY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Madam President, I rise today to speak on the immigration bill presently before the Senate.

First, I wish to congratulate the leaders who have been able to bring this bipartisan bill to the floor. The Gang of 8, of course, gets all the attention, but Senator LEAHY, the majority leader, and so many others who have added both merit and momentum to this bill deserve to be praised as well.

I particularly wish to congratulate Senator LEAHY, the majority leader, and the authors of the bill for the transparent process with which we have debated this bill. I don't know the sum total of all the amendments that were considered by the Judiciary Committee, but it was a long markup with virtually every idea and every amendment vetted.

We have been standing on the floor of the Senate for nearly 2 weeks debating this bill. That is right and that is good. This is one of the most important bills the Senate will talk about. This matters to millions of undocumented people all across this country, but it also matters to millions of other individuals, families, and businesses who have been weighed down by an immigration system that doesn't work any longer.

Today we will be debating a new amendment on border security that will, for many of us, be overkill. In order to make sure the perfect doesn't become the enemy of the good, this will bring this very important debate near to a close.

I rise to talk about one additional amendment I am offering that I hope the Senate will consider, amendment No. 1451. It would, very simply, prohibit the Department of Homeland Security from housing children in adult detention facilities.

There is already fairly good law and some good regulation on the books today that protect a lot of immigrant children from being held in difficult detention facilities. Many of these children who are classified as ''unaccompanied alien children'' are required to be transferred to HHS custody within 72 hours. There is some good law and good regulation built up around this issue already.

The data we have been getting over the last several years does tell that current law doesn't work for every child in the system. As we learned recently, ICE data says as many as 1,336 children were placed in adult facilities between 2008 and 2012. Of these children, apparently 371 of them spent more than 3 months in an adult facility—3 months in an adult facility.

I want you to put yourself in the shoes of a little 12-year-old boy who may just be learning how to speak the English language, who maybe came here with his parents and his family but was picked up by himself, somehow through the system was separated from his family, locked up, and his family may have some reluctance to come and claim him because they, themselves, are undocumented. They worry they will be deported along with the child.

Think about sitting, as a 12-year-old little boy, alone, perhaps uncomfortable about communicating, in an adult facility for 1, 2, or 3 days and then imagine that for 1, 2, and 3 months. It is unacceptable.

While DHS disputes some of these numbers and is certainly doing what it can to make sure these children don't spend time in adult lockups, the law can be clear and we can create, with this amendment, a very clear line for all children, no matter how they are categorized, to make sure they do not spend time in adult facilities.

There are some very harsh realities for children who are locked up with adults. We know this because we, unfortunately, do this for documented children—for American citizens. Too often when children are arrested on the streets of this country, they get housed in adult criminal facilities within the American justice system. The National Prison Rate Elimination Commission Report found incarcerated minors are much more likely than adults to be sexually abused, especially when they are locked up with adults.

Sometimes, to try to prevent this from happening, these children are put in isolation in ICE detention facilities. That may protect the child from abuse, but the isolation itself, which can go on for days and days and days, causes serious psychological problems and sometimes, the data shows, can lead to suicide.

Think also of one particular case—Mariana, we will call her—of a 17-year-old who came from Guatemala. Mariana was brought through the Mexican desert by one of these coyotes. The journey was so difficult, the coyote just abandoned her, 17 years old, by

herself in the middle of the desert. She managed to find her way to a highway and at that highway the Border Patrol picked her up and took her to one of the holding facilities and threw her in with a bunch of adults.

She was 17 years old, but the Border Patrol officers insisted she looked like she was in her twenties, and she didn't have her birth certificate with her. So the default was to put her in an adult facility and to not believe her. Finally, a couple of kind women in the facility intervened and allowed her to call her mother in Guatemala and get a copy of her birth certificate. Finally, after all this, she was transferred to HHS.

This shouldn't happen. With this amendment we can create a clearer line to make sure children such as Mariana, and the hundreds who are even younger than she, when they are picked up for whatever reason, are not housed with adults. The amendment would require DHS to determine the child's age when there is any notice or suspicion the detainee is a child under the age of 18. Then DHS would have to transfer or release the child, after determining the child's age, so children such as Mariana would not have to wait and struggle themselves to get out of an adult detention center.

My amendment also would make it clear the best interest of the child should be the main concern in transferring or releasing the child. Finally, building on some of the data reporting requirements that are in the underlying bill, my amendment would include a couple of additional categories that DHS is required to report so we know where all these children are, the conditions in which they are being housed, and whether they have a lawyer trying to look out for their interests.

I think this is an amendment that can get bipartisan support. No matter where we stand on issues of border enforcement or a pathway to citizenship, we all believe a child that has been detained by ICE, likely through no fault of their own, deserves to be treated like a child; that they deserve to be housed with other children, if they can't be returned to their family. This amendment would do that and I think would be another way, as we conclude the debate on one of the most important bills this body will take up this year, for Republicans and Democrats to come together around our common values.

I yield the floor. I suggest the absence of a quorum, and I ask unanimous consent that the time during the quorum be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, under the rule, I believe I am allowed to use the time of Senator GRASSLEY.

The PRESIDING OFFICER. The Senator may proceed.

Mr. SESSIONS. Madam President, the vote we will be having later this afternoon is not on a Corker-Hoeven amendment, as I think most Senators may have thought when they left town Thursday and Friday. In fact, Thursday night we were told the Hoeven-Corker amendment would be filed and, presumably, we would then be debating that amendment. As we went into the night, every hour being told it would soon be filed, it turned out it wasn't filed until almost noon Friday, and it wasn't filed as the Corker-Hoeven amendment dealing with Border Patrol officers and fencing and some other issues, it was filed as a complete substitute to the whole bill.

This vote this afternoon will give Majority Leader REID procedural control of the debate. It is his motion to shut off debate on a 1,200-page substitute—200 pages more than the bill we were looking at last week and that no one has read.

Our Senators haven't had a chance to read the bill to see how the merged language falls throughout the legislation and to see what other changes may have been made over the weekend. I was here. We have been trying to get through this, but it is not easy. I am sure my colleagues haven't been able to do so.

The majority leader has filed cloture and is blocking any further amendments from being in order unless he personally approves them. That is the parliamentary situation we are in today. We are in a situation in which the majority leader will approve, personally, any and all amendments that get voted on. So he has once again created a situation where Senators have to play ''Mother May I'' to get a vote on an amendment they feel is important. This is not how the Senate should be run.

A duly elected Senator from any State in America should be able to come to the floor and get an amendment voted on without having to have the personal approval of the majority leader. This trend has accelerated in recent years where it is truly damaging the whole role of the Senate, and we need more attention to that issue. This is exactly what happened with ObamaCare. The majority rushed through a complex bill so there would be no time to digest what was in it.

Just yesterday, on one of the Sunday programs, Bob Woodward, the famed writer who dealt with the Nixon scandal and other issues over the years, said this:

> When you pass complicated legislation and no one has really read the bill, the outcome is absurd.

I think that is too true, unfortunately. Senator REID has said many times we have to pass this bill by July 4. Why is that? Is that his decision to make?

Is it the other Senators' decisions to make? So to accomplish that goal, he has filed cloture immediately on this new substitute bill. He filed cloture as soon as it was filed to shut off debate. That is the effect of what we are doing.

Why is there such urgency to pass legislation of this importance by Friday? I am not aware that we have any big business after the July 4th recess. We could stay here through the July 4th recess, for that matter. As Bill Kristol, the writer and commentator, noted yesterday on one of the programs:

> There's no urgency. Can we at least let people read it for a week?

The last thing Republicans should do is be enablers in the majority plan to rush through the bill before people know what is in it. Why should we enable that? If this bill is so good, what is the harm of letting the Senators and the American public have a while to digest what is in it? Why not commit to open and extensive debate? We have an obligation to read a bill before we pass it. If Senators have not read the 1,200-page substitute bill, they shouldn't vote to cut off debate. They should vote against that.

Let me say what the problem is here. This is a new technique. Senator LAMAR ALEXANDER said some time ago, that the truth is the Senate doesn't do comprehensive well. I think that was a very serious comment after the failure of this last bill and after ObamaCare and its massive power and overreach.

So what has happened? What has happened is Senators got together, as they did with ObamaCare, basically in secret, they wrote a 1,200-page bill in this case, and they did talking points. The talking points in a big bill like this—and particularly this one—have had political consultants, pollsters, all kinds of people organizing this campaign to drive this legislation through the Senate. They have had a response to every criticism; they have had spin in every different way. They are running TV advertisements right now, I suppose, still promoting this legislation as something it is not.

The talking points are designed to be very popular. The talking points are designed to be very much in accord with most people's views about what good legislation is. Indeed, I liked most of the talking points myself. I would vote for legislation that did most of that, for sure—if it did what it said. That is what is sold because nobody can articulate and explain the details of it, and people's eyes glaze over when you talk about it and people don't understand it fully. So they promote the bill as if it is the talking points, when the talking points do not comply with what is in this legislation.

That is why we have an obligation to study it, read it, and vote on the bill, and not the talking points. A few weeks ago, former Attorney General and Reagan's close friend, Ed Meese, wrote a letter to the editors of the Wall Street Journal and said:

On legislation as important as this, lawmakers must take the time to read the bill, not rely on others' characterizations of what it says. We can't afford to have Congress ''pass the bill to find out what's in it.''

So at this point in the legislative process, a ''yes'' vote on cloture tonight means Senator REID will have gained complete control of the process. No amendments will be voted on he does not approve. His goal is to drive the train to passage by this Friday. Public policy, public interest is beside the point.

So the vote this afternoon is to proceed again to the altered substitute—the entire substitute—of the Gang of 8 legislation, and the flawed framework of this bill remains immediate amnesty, which will never be revoked. That will occur within weeks, with no enforcement measure ever effectively having to occur. In reality, it will not have to occur.

According to the June 7 Rasmussen Report, the American people want enforcement first by a 4-to-1 margin. The Gang of 8 initially promised their bill would be enforcement first, but that is not what the bill said. Today, no one disputes that it is amnesty first. In fact, the lead sponsor of the bill, Senator SCHUMER, on ''Meet the Press'' conceded this point shortly after the bill was filed, saying:

. . . first, people will be legalized. . . . Then, we will make sure the border is secure.

''Then, we will make sure the border is secure.'' This is important because this is what happened in 1986, and Senator GRASSLEY is so clear about that. He voted for the 1986 bill, and he saw the enforcement never occur.

Under the substitute, illegal immigrants can still receive amnesty—not when the border is actually secure but when Secretary Napolitano tells the Congress she is starting to secure the border. So it occurs when Secretary Napolitano—who is now not enforcing our laws—tells Congress she is starting to secure the border.

Within 6 months of enactment, Secretary Napolitano need only submit to Congress her views on a comprehensive southern border strategy and southern border fencing strategy and give notice that she has begun implementing her plans.

At that point—which will likely occur earlier, as Secretary Napolitano indicated during her testimony before the Judiciary Committee—she may begin processing applications for and then granting legal status, granting amnesty, and granting work and travel permits. She will grant Social Security account numbers, the ability to obtain driver's licensing, and many Federal and State public benefits, all without a single border security or enforcement action having been taken.

Madam President, I ask unanimous consent that I be notified after 20 minutes. How much time has been consumed at this point?

The PRESIDING OFFICER. The Senator has consumed 11 minutes.

Mr. CORKER. Madam President, if I could, I had a time of 12:50 that I have actually done to accommodate the Senator from Alabama who was coming down at 1:00. My understanding is the Senator showed up 20 minutes early, which I applaud him for being prompt and early. But I do wonder what is happening. I would be glad to go back and forth.

Mr. SESSIONS. I didn't understand it. I am sorry. Was there a UC on the Senator taking the floor? If so, I will certainly yield and wrap up.

Mr. CORKER. I think we had an agreement with those who manage the floor as to how we were to come down and talk. But I would be more than glad to give a moment or two to let the Senator finish and then go on. But I want to make sure this is going to allow me the opportunity to speak.

Actually, the Senator has been so involved, I would love for him to listen to what I might have to say and then respond because I think there have been a lot of myths out there that seem to be continuing.

Mr. SESSIONS. Madam President, I will conclude by 5 till and yield to the Senator at that time. I think that will get us on the right track.

I know there were discussions, and I was told earlier that would be the time that I would have. Then I was told they want you to come earlier, and I didn't realize the Senator was in on part of that agreement. So that is perfectly all right, and I will accommodate the representations we have been given.

Madam President, Senators have been talking a good bit about the enforcement that would occur under the substitute that has been offered, but the substitute does not change the fact that no reduction in illegal immigration is ever required.

In the beginning, proponents touted the bill's requirements that the Secretary achieve and maintain 90 percent effectiveness in apprehending illegal border crossers. We don't hear so much about that anymore. That is because all that the bill requires now is that the Secretary submit a plan for achieving and maintaining that rate, not that it actually be achieved. Even if this was a real requirement, it wouldn't matter because it does not account for those who evade detection at the border.

During her testimony before the Judiciary Committee, Secretary Napolitano all but acknowledged the effective rate is meaningless because by definition Homeland Security has no idea how many border crossings go completely undetected. So it is not subject to real enforcement.

I appreciate my colleagues, Senator CORKER and Senator HOEVEN, and those who have set forth their goals to produce legislation that would be good for America. I appreciate the vision that has been stated. But having been involved in this now for quite a number of years—not because I desire to, but because I felt an obligation to do so, having been a Federal prosecutor for almost 15 years—I want to see the system actually work.

I am aware this bill is an authorization bill. It may authorize Border Patrol officers. It may even authorize fencing. But until Congress appropriates the money over a period of a decade, the way it is set up, it will never happen. I am confident all the promises made in the legislation underlying and in the additions that have been made to it, it will not be accomplished in their entirety; and under this legislation we will be sure to have a vast increase in illegal entry under the entry-exit visa system, as the Congressional Budget Office has stated, and we will still have illegal entrants from the border.

Madam President, I yield the floor and reserve the remainder of the time that is reserved for Senator GRASSLEY.

The PRESIDING OFFICER. The Senator from Tennessee.

On whose time is the Senator proceeding?

Mr. CORKER. As I understand it, Senator LEAHY.

The PRESIDING OFFICER. The Senator may proceed.

Mr. CORKER. I thank the Presiding Officer.

The Senator from Alabama has done an outstanding job in talking about the many frailties that exist in the base bill. I do want to say that the vote tonight is not on the base bill; the vote tonight is on an amendment.

Many people on our side of the aisle have had concerns about border security. The way the base bill reads is the Secretary of Homeland Security, Janet Napolitano, would decide what border security measures would be put in place, and she would implement those after 180 days. Candidly, that calls for people on both sides of the aisle to be somewhat concerned about what kind of border security measures would be implemented.

The base bill, as the Senator from Alabama just mentioned, leaves all of that discretion 100 percent to the person who leads Homeland Security. On the Senate floor we have had numbers of measures that we voted on to try to strengthen border security. All of those measures have failed. I have voted for almost every single one of those that has come up. As a matter of fact, almost every Member on our side of the

aisle other than the Gang of 8 has voted for those measures.

What we have before us tonight, though, is another border security amendment. This amendment puts in place five triggers that are tangible. It says if these five triggers are not implemented, then those who are here who are undocumented and who become in temporary status do not receive their green cards. Let me go through those five measures that have to be put in place before that occurs.

First of all, there have to be 20,000 more Border Patrol agents deployed and trained and on the border. That is one of the triggers, a doubling of our Border Patrol.

Second, the additional 350 miles of fencing that Republicans have longed for has to be in place. That is very tangible.

Third, we have to have bought and deployed over $4 billion worth of technology on the border, which will give our Border Patrol 100 percent awareness. This is a list that they have been seeking for years, and before anybody can achieve their green card status this list has to be bought and deployed.

Fourth, we have to have a fully implemented exit and entrance visa program—something that, again, Republicans have pushed for for years; and fifth, we have to have a fully deployed E-Verify system. All five of those measures have to be in place before somebody can move from a temporary status to a green card status. Those are tangible triggers.

When I was in the shopping center business—before coming to the Senate, I used to build shopping centers around the country. It was very evident in the community that I was in when I was completed. Always when I completed those shopping centers I was paid. I didn't have to go through some kind of process that said: Did we meet 90 percent of the retail needs of the community? We tried to design the center so that it met the needs, but it was very tangible when I was completed, and I was paid.

What this amendment seeks to do is to put in five very tangible elements as triggers. These elements are all elements Republicans have pushed for for years. So it is my hope that this evening Republicans will join me in putting in place the toughest border security measures we have ever had in this Nation.

The Senator from Alabama has talked about the length of this amendment. The length of this amendment is 119 pages long. Because of Senate procedure, it had to be added to the base bill, which made it a little bit over 1,200 pages. But the base bill has been around since May. It has gone through committee. Most every one of us who is serious about this bill has gone through its many provisions.

The amendment we offered on Friday—which has given people 75 hours to look at it—is 119 pages long. For those who are listening in, in legislative language we write pages such that they are triple-spaced and they are very short, so 119 pages is really 25 or 30 pages in normal people's reading. I would say to the Presiding Officer that any middle school student in Tennessee or Alabama could read this amendment probably in 30 to 40 minutes. To ask Senators given an amendment on Friday that deals with five basic things and a few others, to ask them to read the amendment over the weekend—again, the equivalent of 25 or 30 pages, really—is certainly not something major to ask when you are serving in the Senate. So the length issue is something that is a total myth.

Some people have talked about the cost. Let's talk about that. First of all, the cost would only happen if the bill passes, but it is estimated that the cost of these border security measures and the other measures in the base bill would be about $46 billion. That only happens if the bill passes. I think you have seen that the CBO score on this bill is $197 billion. So if this amendment were to pass and the bill were to pass, we would have a situation where over the next 10 years we would be investing $46 billion in border security—almost all of which are measures Republicans have pushed for years—but we would have $197 billion coming back into the Treasury.

I have been here 6½ years, and never have I had the opportunity to vote for something that costs $46 billion over a 10-year period and we received $197 billion over a 10-year period and we did not raise anybody's taxes and it promoted economic growth. To those people who are talking about the cost, I would just say show me one piece of legislation we have had the opportunity to vote for that has that kind of return. I think every private equity, every hedge funder in the United States of America would take those odds.

Finally, let me say to the Senator from Alabama, Governor Brewer from Arizona was just on the television. She read this amendment over the weekend. As I mentioned, it only takes about 30 to 40 minutes, and she took the time to read it. What she just said on national television is that this amendment is a win, a total victory for the State of Arizona. And she knows more about border security probably than any Governor and any person in the United States of America.

Let me say one more time what we are voting on tonight. We are voting on a very tough border security amendment. If you vote for this amendment, it will mean that five very tangible triggers have to be in place. Whether the money is appropriated or not, they have to be in place before you can have a green card. So if it is not appropriated, no green card. When people say that Congress may not spend the money on this, if Congress does not spend the money on it, people will not move from the temporary status into green card status. So it is totally up to us.

But the fact is that if you vote for this amendment tonight, you will be voting that all five of those provisions have to be in place—tough border security measures. They are very tangible. The entire American population can see whether they are in place. And until those are in place, people do not move to the green card status.

If you vote against this amendment—which I am getting the indication the Senator from Alabama and others may be thinking about—what you will be saying is, no, I would rather not have these five tough measures in place. I would rather let Janet Napolitano, the head of Homeland Security, decide what our border security is going to be. I don't think that makes anybody in this body particularly comfortable.

People have talked about the fact that Congress needs to weigh in on this border security measure, and we have with this amendment.

What I would say is that if you really believe in making sure we address our border security, this amendment is something you should support. If you would rather go to the status quo, if you would rather leave it to the administration—which I agree has not done the things they should do to secure the border—then don't vote for this amendment; vote for Janet Napolitano to secure the border.

I have a feeling people on this side of the aisle will see the light. And to people on the other side of the aisle who may resist this, what this amendment does is it balances out the bill. It balances it out. It says: Yes, we are going to put the kind of border security in place that will cause the American people to trust us. At the same time, in doing so we are going to put in place very tangible triggers, triggers that cannot be moved. You cannot move the goalposts because of interpretation. They are there. They are concrete. If we meet them, people will have the pathway to be the kinds of productive citizens they would like to be.

To me, this amendment satisfies people on our side of the aisle who want border security. To me, it ought to satisfy people on the other side of the aisle who acknowledge that we need to do both.

With that, I yield the floor. I would love to enter into a colloquy with the Senator from Alabama. I know there has been a lot said, but I urge every Member of this body to take the 30 to 40 minutes—not much, as a Senator on one of the biggest issues we have dealt with in the Senate—to read the amendment to see how superior it is to the base language. I applaud the folks who created the base language, but this is an effort to improve a bill.

Read the amendment and then decide: Do you really want to vote against an amendment that the Governor of Arizona, who has dealt with this issue more closely than any of us in the body, has declared as a total victory for their State? Do you want to vote against this? Do you want to vote against this really, I ask this body. I think we ought to send this amendment onto the base bill with a tremendous majority. Then we can debate the other pieces. We have an entire week. There are all kinds of votes.

I would like to see a vote on the Portman amendment. As a matter of fact, my understanding is that some of the people who disagree with this bill do not want to see a vote on the Portman amendment. They are blocking the Portman amendment. The Portman amendment will actually make this bill even better. I hope we will hear from him on the amendment. I hope we will hear from other Senators as they seek to improve this bill. But I hope we will do that after voting cloture tonight on a border security amendment that I know strengthens this bill, puts it in balance, creates trust with the American people, and creates the kind of pathway many people are seeking.

I yield the floor.

The PRESIDING OFFICER (Mr. KING). The Senator from Alabama.

Mr. SESSIONS. Mr. President, the Senator will acknowledge that his amendment was filed Friday afternoon, at a time when probably 90 percent of our Senators had left town. It was not his 200-page amendment or just his interests; all kinds of special interests and Senators' interests have been added to the bill. It was filed as part of the overall bill. So the Senator would acknowledge that the replacement that we would be voting cloture on tonight is 1,200 pages, a little less than 200 pages more than the bill was on Friday morning?

Mr. CORKER. May I respond?

Mr. SESSIONS. Yes.

Mr. CORKER. Mr. President, in responding to the good Senator—the Senator with one of the best temperaments in the Senate, the Senator from Alabama, someone I enjoy working with—I respond that there is no question that our amendment is 119 pages long and that it does incorporate input from other Senators.

What I would say is that the Senator was a great jurist from the State of Alabama. He worked on all kinds of legal documents, I am sure, before he came to serve in such a distinguished way in this body. I know that he understands well—because I know he has had to do it many times—that when you have an amendment that touches many parts of a bill or you have a contract that has changes that touch many parts of the contract, what people do to cause people to understand how it is written better—and actually it has to be a rule of construction here in the Senate—is add those 119 pages throughout the text of a bill that has been around since May that the Senator from Alabama was able to go through in detail as a member of the Judiciary Committee and offer all kinds of amendments. He has seen that base text now for a long, long time. He went through it more—I know more than most here in the Senate.

So, yes, we added an amendment. It does have other concerns. That is what you do when you try to write a piece of legislation that solves the problem. It is 119 pages, and it was added to the base text. That is true. I would have to say on any measure for somebody who cares about border security, it is much stronger than the base language.

Mr. SESSIONS. Mr. President, I am going to talk about what the amendment does. The Senator has not seen quite as much—although he is an experienced and very able addition to this Senate but has not, perhaps, seen how over decades promises about enforcement at the border are not fulfilled, and that is important. I will go through the amendment the Senator has offered, and make some comments about why I think it does not do what my colleague believes it does, why we should not pass this, and why we absolutely should not move forward on the substitute which is basically the bill that has been put out by the Gang of 8, which fails in a whole host of ways. I would also be concerned—and I will ask the Senator, does he believe that Senators who have concerns about the bill should be given the right to have amendments voted on in an up-or-down way as long as reasonably necessary, to be able to offer amendments to fix the legislation?

Mr. CORKER. Mr. President, I could not agree more with the Senator from Alabama. As I mentioned in my comments, I hope this body—I hope Senators on my side of the aisle—will not block Senator ROB PORTMAN's amendment on E-Verify, which greatly strengthens the bill. But, yes, I agree with the Senator. I hope we have a plethora of amendments offered this week, debated this week, and voted on this week.

I would say to the good Senator from Alabama, with whom I really cherish serving, I have not blocked one single amendment from being voted on. I do not know if the Senator from Alabama has blocked any. But the fact is, I say let's let it roll. I would love to see another 50 or 80 amendments this week if time will allow, so let's let it roll. I am all for that. I agree 100 percent.

Mr. SESSIONS. I appreciate the Senator saying that, but it is not going to happen because when we have cloture tonight, Senator REID is going to be in complete control of the voting process. Amendments will be at his pleasure. There will be the amendments he is willing to vote on, and the ones he doesn't approve of will not be up for a vote.

So that is where we are, and that is a fact. We are going to have other cloture motions, and the goal will be to drive this bill to passage by or before Friday. There will be far less votes than the last time the immigration bill came up.

The last time the big immigration bill came up, there were 45 or so amendments that we voted on. So far we have had nine votes on amendments. There were discussions Wednesday and Thursday night that we would have another 16 amendments. I was advocating for more amendments to be brought up. I thought we had an agreement to do that, and we were moving that way until this great amendment—the grand amendment that fixes things—came up.

I will point out a few things I think are troubling with the legislation, and we can then go to Senator CORKER for his remarks. I just want to make my points now.

First of all, Senator CORKER said there is a trigger, and that trigger is 10 years from now. It has to do with whether individuals are going to get permanent legal status in 10 years. What if it turns out the Congress has not appropriated money to complete the fencing as promised? What if it turns out Congress has not funded the Border Patrol agents they promised?

Are we are going to end up saying to these people: You don't get your status.

They are going to say: What's the problem? We did everything we were told to do, and Congress didn't do it. Give us our green cards.

People are going to say: We cannot deny people their green cards. These are people who have been here for 10 years, not to mention the time they have already been here and probably had children born in this country who are citizens. This is not a practical or realistic guarantee this will ever happen.

Based on my experience, I don't believe we are going to add 20,000 agents. We probably don't need that many, although we do need more agents and better effectiveness at the border. The impact of the trigger is the legal status and the Social Security card. The right to work anywhere in America is given within 2 months of the passage of the legislation. They are making promises 10 years down the road that I am saying are not likely to ever happen. In fact, I don't think it will happen in the way it was said.

The Secretary has the power to reallocate personnel under this bill, and it gives her broad power to do that. She will say she has done what is required—or the next Secretary will say that—and I am concerned about that.

As far as the costs, Senator SCHUMER and the Judiciary Committee promised that the bill was paid for by the fees, the punishment, and the fines—and I will talk about that at some length later—from the people who entered the country illegally. They claim they will have as much as $8 billion, and maybe that is so. I am not sure.

They would not say how many people would be legalized. I asked that question twice to Senator SCHUMER. He refused to say how many people would be given green card status in the next 10 years in America. Maybe he doesn't want us to know. If he doesn't know, that is a big gap for somebody who is writing a 1,000-page bill and doesn't know how many people are going to be legalized.

This is what he said: What we are simply doing is making sure all the expenses in the bill are fully funded by the income the bill brings in. This is to make sure this bill does not incur any costs on the taxpayers to make it revenue neutral.

He said: It provides startup costs to implement the bill repaid by fees that come back later. So what we are basically doing is setting up two pots of money that have startup money, and it is repaid. Both the companies pay when they get new workers, and the immigrants who get RPI status pay in terms of their fines as they go through the process.

That is what we were told in their talking points. This is their poll-tested talking points when they were drafting the original version before Senator CORKER was involved. Now it is $46 billion. Where is the money coming from? Well, they say the bill creates more revenue.

The Congressional Budget Office—our budget accounting firm—said before Senator CORKER's bill raised the cost from $8 billion to $46 billion, it would increase the on-budget deficit by $14 billion, and then it would reduce the off-budget deficit by $211 billion. So isn't that good news? It improved our off-budget deficit.

What is the off-budget deficit? The off-budget deficit is the Social Security withholding the newly legalized persons will pay when they get their Social Security cards. So they will be paying withholding on their checks that maybe they were not paying before, and they score that as increased revenue, and it certainly is increased revenue. One form of our accounting will show that as an increased revenue, and that money in that form of accounting, unified-budget accounting, allows us to think we can spend it for anything we want.

Wait a minute. What is the reality? The person is paying their Social Security and Medicare withholding, and it doesn't go to the U.S. Treasury. It goes to the Social Security and Medicare trust funds. It is not available simultaneously to be used to pay for a new bill. This is how this country has been going broke.

The same thing happened during ObamaCare. The night before the vote, December 23—we voted on Christmas Eve to pass that bill—I got Mr. Elmendorf to say: You can't simultaneously strengthen Social Security and Medicare with this new money and pay for something else with it. He used this phrase: It is double counting the money. That is where they are coming up with the money here.

So the Social Security and Medicare payroll withholding that people will pay when they are legalized and given a Social Security card is their retirement. We have to have that money to pay for their retirement when they get ready to withdraw Medicare and Social Security. We cannot spend it now and pretend we have free money. The CBO score from just last week shows that is the situation. I am just not happy about the counting of money in that form.

Mr. CORKER. Mr. President, I wonder if the Senator would let me respond in a generous way.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. First of all, I respect the leadership the Senator from Alabama has given on the Budget Committee, and I know he knows all of these things well. I have offered a very detailed piece of legislation to deal with Medicare, and he knows the average American today is paying one-third of the cost of Medicare over their lifetime. In other words, they pay only one-third of the cost of their Medicare Program.

So the fact that we have people who began paying taxes—I mean one of the things the Senator is mentioning is if we pass this bill, those who are here today who have been undocumented and not paying taxes, will be paying taxes. I would think the Senator from Alabama would think that is an outstanding idea.

Most of them are younger, and the fact is they are going to help the baby boomers and senior population in America we have because Americans today are only paying one-third of the cost of Medicare. I know the Senator from Maine is very knowledgeable on this subject. The Medicare fund is going to be insolvent in 2024.

Senator SESSIONS is exactly right—by forcing these folks who are in the shadows today to come out of the shadows for 10 years and pay taxes and not receive, by the way, Federal benefits—no means-tested Federal benefits—until we do the five things that are in our bill.

By the way, the Senator should know that the money for this is appropriated now. If this bill passes, the money is appropriated. It is not subject to appropriations down the road.

I will say one last thing, and I will yield the floor. I appreciate the Senator from Alabama letting me do this.

Mr. SESSIONS. I want to make sure whose time is being used, but go ahead.

Mr. CORKER. As I understand, this is under Senator LEAHY's time.

The cloture vote tonight is not as was described a minute ago. The cloture vote tonight is only on this amendment. It is not on the bill. So for someone to say they are losing some kind of cloture rights down the road, it is not true. The cloture vote we are having tonight is on an amendment that has five strong border security measures that every Republican has talked about for years. It doesn't mean we vote for the bill. We are talking about the amendment. The moneys are appropriated. The cloture vote is only on the amendment. I just wanted to clear that up.

The CBO—which the great Senator from Alabama works with daily and quotes daily—has said if this bill passes, it will help tremendously with this deficit we know is weighing our country down today.

Mr. SESSIONS. I thank the Chair, but the cloture will be on the substitute which is 1,200 pages, not just the Senator's amendment, most of which I am supportive of. I think I could be supportive of much of it if we could make it effective.

The Senator is correct when he says the people who are paying into Social Security and Medicare are not paying enough to produce the revenue that would take care of them for the rest of their lives. The Senator is right, and I certainly don't dispute that people who are given Social Security and start to work under this bill, which provides them amnesty and legal status, that they are going to pay Social Security and Medicare money they were not paying before, but that is their money. That money has to be used to pay for their retirement. Where is the money going to come from to pay for that?

All I am saying is that it is quite plain, and that is why the CBO score said the on-budget deficit gets worse. In the 10-year window, the Social Security account looks better, but they are not counting the younger—the average age is 35. Workers will be retiring in the years to come and will demand their Medicare and Social Security. If the money is spent now, it will not be there in the future. That is how a country goes broke.

Senator CORKER is one of the most knowledgeable, hard-working, courageous, and determined people in the Senate in trying to fix the financial path we are on, but I think the Senator is misinterpreting that issue.

Mr. President, how much time has been used on my side?

I am going to have to save some time for other people who are due.

Maybe the question should be, how much time have I used?

The PRESIDING OFFICER. The Senator has used 60 minutes.

Mr. SESSIONS. Sixty? Senator CORKER said he was using some of his time.

The PRESIDING OFFICER. Forty minutes.

Mr. SESSIONS. Mr. President, I better wrap up. I know others want to speak in opposition to the legislation.

With regard to the fence, there is a statement from the sponsors of the Corker-Hoeven amendment that we are going to have a bunch of new workers at the border—Border Patrol officers that will be guaranteed. I pointed out how that is going to be funded for over 10 years. This is not an appropriations bill; it is a promise. The legality—the amnesty—occurs first. Just like so often happens in the past, the promises are never fulfilled when competing interests start fighting over money. It just doesn't happen.

There are some people who have opposed fences and opposed Border Patrol agents religiously by using every excuse possible in this body. It will not be easily accomplished in the future. In fact, in my opinion, it will not be fully accomplished.

With regard to the promised fencing that is in the bill, the new substitute requires the Secretary submit her southern border fencing strategy to Congress and certify that 700 miles of pedestrian—not double-layered, reinforced fencing, is in place. Congress first passed a law requiring double and triple layer fencing in 1996. In 2006, Congress overwhelmingly passed a law requiring a double layer fence. That never happened. Then-Senator Obama voted for it and then-Senator BIDEN voted for it. It never happened. Only 36 miles of that ever got built because there was discretion given somewhere a little later and all of a sudden they talked about a virtual fence that never occurred. So this weakens current law, or it weakens the law we passed previously.

The new bill says the second layer is to be built only if the ''Secretary deems it necessary or appropriate.'' That is what happened in 2008. The new bill keeps the language from the Gang of 8 bill addressing limitations on the requirements for strategy. This was offered in the Judiciary Committee by Senator LEAHY. I was rather taken aback by it because they had been promoting the bill as being a bill that had fencing in it. Senator LEAHY offered the amendment. The Gang of 8 all supported it—those on the committee. It said this:

> . . . notwithstanding [the requirement that the Secretary come up with a Southern Border Fencing Strategy], nothing in this subsection shall require the Secretary to install fencing, or infrastructure that directly results from the installation of such fencing, in a particular location along the Southern border, if the Secretary determines that the use or placement of such resources is not the most appropriate means to achieve and maintain effective control over the Southern border at such location.

I think that is a fatal flaw in the language. It allows Senators to believe, perhaps, and advocate that their bill guarantees we are going to have 700 miles of fencing when it is not there. Senator LEAHY knew exactly what he was doing when he offered that amendment in committee. And the 1,200-page substitute includes this exact Leahy amendment language. It has not changed by the Senator's offer of legislation.

I have spoken more than I intended to. There are a number of other issues I would raise if we had the time. I believe this is close to what we ought to be doing, but we don't have the mechanisms in place to get us there and we can't count in any realistic way on this all happening. As a result, we are going to have, as we had before, the legalization now and a promise of enforcement in the future that does not occur.

I thank the Chair, yield the floor, and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I thank the Chair, and I thank the Senator from Alabama for his comments.

I want to rhetorically ask any of those who might share the views of Senator SESSIONS, if you will, on this amendment, that would this amendment—I would ask this question: If one doesn't like the status quo, would this amendment, even if it weren't fully achieved—and I know the language states it has to be achieved before one achieves green card status; it is very specific in that regard—I would ask: Does the Senator from Alabama and do other Senators not believe that if this amendment passes, we would be much farther down the road toward our goals than if this amendment doesn't pass? I would ask that question rhetorically.

What we do a lot of times on the floor is we seek to improve a piece of legislation. I know the Senator from Alabama is not going to vote for this bill regardless of what the security measures are, in all likelihood. But I would ask if he and others who share his views, which are critical of this overall legislation, would they not support an amendment that certainly is a vast improvement over the status quo?

I think the Senator has pointed out it is very unlikely that Homeland Security is going to do the things we would all wish for them to do. But in this amendment we have five of the things that for years Republicans have hoped to achieve, and the administration clearly states we cannot move from this temporary status into green card status until these things are tangibly done. Again, it is much better than a trigger that has some superfluous thing where nobody knows what it means, and Democrats are worried we are going to move the goalpost in one direction and the Republicans are going to move the goalpost in another. Instead, we have something here that is very tangible.

Every American who is observing will know whether we have 20,000 more Border Patrol agents deployed and trained first. Every American will know whether we have an exit-entry visa program fully deployed. Every American—every employer, for sure—throughout our country will know whether we have an E-Verify system that is fully deployed. Every American, whether we have 350 miles of fencing—which I would say to the Senator from Alabama, there is no chance in the world—no chance—that any additional border security measures are going to be created that way unless this amendment passes. Then I would say: Think about the $4.5 billion in technology that will cause us to have situational awareness on the border that is a part of this bill.

Congress constantly talks about the fact that we punt too much to the executive branch. I know many people on my side of the aisle do not want to punt, if you will, the border security plan to the head of Homeland Security, whomever that might be. They want to weigh in. So this amendment gives everyone in this body the ability to weigh in and for the other side of the aisle to ensure we have tangible measures that cannot be moved.

Again, I realize that no matter what this bill says—no matter what it says—as long as the title of it relates to immigration reform, there are going to be people in this body who won't support it. There are measures I don't even want to—I don't want to get myself in trouble by stating the kind of measures that if they were in this bill people would say, No, it has to be even tougher. The fact is we in this body, generally speaking, have worked together to try to come up with a piece of legislation that meets the balance. This amendment, to me, adds that component that meets the balance.

I know some people on my side of the aisle would criticize because they would say, Well, you worked with the other side of the aisle to make this happen. I think that is what we all came here to do. I know the Presiding Officer, who is an Independent, came here to do it, because without working with Republicans and Democrats he couldn't get anything done. So what we have done over the last couple of weeks now is work very closely on both sides of the aisle to come up with a measure that hits that balance. It doesn't move the goalpost because we all know it is tangible.

As I mentioned, I used to build shopping centers all around the country, retail projects in 18 States, and when I finished the project, people could see it. I didn't have to go out and get a survey in the community: Did I meet 90

percent of the retailing needs of this community? And if it was a grocery center they might have said: Well, you did on the grocery side but you didn't on the florist or some other piece. I built something that was tangible and called for and it was paid for.

Let's face it. The reason we have had this trouble is we have been debating a trigger for months that everybody knows can be monkeyed with. If a person sees a Cheetos bag in a crevice some place in Arizona or someplace else, somebody could say, Well, there were 10 people eating out of that Cheetos bag so we are going to change the denominator. That is what this debate has been about and everybody knows that. This side of the aisle doesn't trust that side because they are afraid we are going to add 10 more folks with that Cheetos bag and we are going to change the denominator, and this side over here is saying we don't trust it because we want to see results. This amendment gives results. It gives results. Every American can see the results.

Again, I cannot imagine how anybody on this side of the aisle who is serious about border security could want the text that is in the base bill that doesn't stipulate anything—it stipulates nothing—I don't know how they could want the text that is in the base bill over the text that is in this amendment, which clearly lays out those five things we have discussed over and over. They include 20,000 trained and deployed border agents; 350 miles of additional fencing on top of the 350 that is there. Republicans have tried for years to get 700 miles. We add the $4.5 billion in technology. The chief of the border control area, Chief Fisher, has been in our offices for years wanting this equipment to do what he needs to do, and it is in this bill. There is an entry-exit visa program. We have 40 percent overstays on our visa program. That is terrible. But it has to be fully deployed before a person moves to green card status. And, again, E-Verify, which, let's face it: Why are people coming across the border? They are coming across the border to take care of their families. They want to work hard. That is what we want our kids to do. They are walking across the border to work hard and to do all kinds of things, including to create companies. They are entrepreneurs. But they also raise our kids, they serve us meals, they bring our crops in, they build our homes, they build our buildings. They want to participate in the American dream. And what this bill—not our amendment—lays out is a path for them to be able to do that. It is a tough path. They get at the back of the line. They pay taxes for 10 years and receive no means-tested Federal benefits and, somehow, we have people opposing that, even though these triggers have to be in place.

All I can say is this is a great Nation. This is a Nation that has laws, and we are laying out in this amendment the way those laws have to be.

I hope people will look at this amendment for what it is. It is an opportunity for both sides of the aisle to succeed, for Republicans to have those tough border control measures people want.

I was in a restaurant Saturday night in my neighborhood, a place I go often, a place that serves great hamburgers. When I walked in, what do people say? They want border security. So we have an amendment that puts in place what is, as Governor Brewer of Arizona has said, ''a victory for Arizona.'' It is a victory for Arizona. On the other side of the aisle, what people have pushed for is a clear path. They want to know that we are not going to wait 10 years and then move the goalpost. Let's have tangible goals people can see.

I hope everybody will get behind this amendment—people on our side because of border control and people on both sides because it achieves the balance, if passed, that a piece of legislation such as this ought to have.

I want to say again I have enjoyed working on this amendment and this piece of legislation over the last 10 days more than anything I have done in the Senate. We have an opportunity to do something great for this Nation—great for this Nation—and the passage of the cloture vote this night on this amendment is something that takes us a step closer. Even if a Member opposes the underlying bill, those people who hear concerns all over the country about border security should support this. This is better than in the base bill.

This is a 119-page amendment. People know the way we write legislative language. It is triple-spaced, big letters. We have a lot of seniors in this body. We write in big letters. About 3 or 4 pages of legislative language is the average page for most Americans and what they read on a daily basis. A middle school class person in Tennessee could read this amendment in 30 to 45 minutes—30 to 45 minutes. It has been available for 75 hours. It has tangible goals we have all sought.

Voting for cloture tonight does not end debate on the base bill. That is not true. It ends debate on this amendment. There are still cloture votes into the future that close off the debate, if you will, for those people listening in, that close off debate on the overall bill. So nobody has given up rights. Why not strengthen the bill even if a Member opposes it? If a person is for the bill, why not vote for a measure that might add people to this piece of legislation and send it over to the House of Representatives where they will create their own bill—and there are improvements they can make—why not do that?

I urge a ''yes'' vote tonight. I hope people will actually read this language and see what it does to the underlying bill.

I thank the Presiding Officer for his time this afternoon.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MURPHY). Without objection, it is so ordered.

TREASONOUS BEHAVIOR

Mr. NELSON. Mr. President, I would like to speak about the immigration bill, but first I wish to make a comment about this international drama that is going on from Hong Kong to—well, I guess it started in Hawaii—from Hawaii to Hong Kong, now Hong Kong to Moscow. Then the question is, Where does the fugitive go from there?

I think we ought to face facts that the Government of China would not have let him go without making the decision with regard to Hong Kong. I would not have been surprised if they did not get certain information from him if, in fact, he has anything. But the fact that he is now in Moscow and did not get on the airplane for Cuba tells me that the old KGB officer—now President of Russia—Putin is directing the show. I would not be surprised if the President of Russia is giving the orders to milk him for every piece of information he has. If he does not have anything, then I think the President of Russia is going to decide whether he wants to have a good relationship with the United States and might allow him to be extradited to the United States.

It may well be that since he was released from Hong Kong—which is under the direction, in this case, of President Xi of China—that he may not have all the information he is claiming to have.

Presumably, he is carrying a bunch of laptops. One would have thought they would have taken them into custody, and maybe that is what is happening right now in Moscow.

However it plays out, as I have said from the beginning, I think his behavior is treasonous behavior and that the full extent of the law ought to be applied and those countries that have a formal legal relationship with the United States ought to obey the law and have him extradited to the United States so he can face the charges.

By virtue of his escapades all over the globe, I think it is clearly indicative that he does not want to face the full extent of the law. I think all the more that would justify the Department of Justice in the charge they have brought already on espionage.

I wish to say a word or two about the immigration bill. Clearly, on the first

day of the debate I came out here and embraced it. Clearly, we need comprehensive immigration reform.

When I was a young Congressman back in the 1980s, I voted for it then. The big difference back then was that we only had about 2 million illegal folks in the country. Now the new term is ''undocumented.'' Of course, that has swelled now to over 11 million undocumented.

In large part, the law that was passed back in the 1980s was never observed. Businesses did not obey the law, and that is one of the things we are looking at in this comprehensive immigration package—that businesses will have to obey the law and still will be able to get the labor source they need in order to conduct business and that through a series of E-Verify and other provisions they can then have the security of knowing that the individual they have hired is in legal status.

I think it is clearly the right thing to do. There are 11 million people here. These folks who are saying, oh, well, deport them, that is not common sense. We cannot deport 11 million people; the economy would collapse. Just look at the agricultural community. We have to have the source of labor to pick the crops when the crops are ripe; otherwise, the whole crop is lost. So too as we go through so many of the nuances of this bill—it is all put together, and I think they have done a good job.

I have one bone of contention. I came to the floor today absolutely shocked that the amendment Senator WICKER, Republican of Mississippi, and I have offered is—it is questionable whether, with all this falderal that is going on about not accepting any additional amendments, if it is going to be accepted.

This amendment says that in addition to the land border security, which has been the story for the last week, laboring over how do we increase border security—and the estimate on this new amendment we are going to vote on today is that it is costing an additional $20 to $46 billion; that will really tighten up border security—but if you have made the land border almost foolproof, what do you think is going to happen? How are the smugglers going to get the illegal immigrants across? How are the smugglers going to continue to try to get across all the illegal drugs?

Similar to water, if you dam it up in one place, it is going to try to go around. Where is ''going around''? The maritime border. If you make the land border on the southern United States foolproof, where do you think the smugglers and the illegal immigrants are going to go? They are going to go to a very porous border that is from Texas to Louisiana, to Mississippi, to Alabama, to my State of Florida, which has the longest coastline of the continental United States, and then up the eastern seaboard: Georgia, the Carolinas, Virginia, et cetera. They are going to do it also by going in through some of the Caribbean Islands, including U.S. territories—Puerto Rico and the Virgin Islands—because if they get there, then they are on U.S. territory.

So if we are spending—this is where the common sense comes in—if we are spending $46 billion additional to secure the land border, why wouldn't we want to spend an additional $1 billion to help secure the maritime border? California would be another one. You can come up the coast of Central America into California. It, perhaps, is a more daunting task because of the waters of the Pacific. But look at all the opportunities on the coast of a State such as mine, Florida, of bringing in smugglers. Of course, we have seen this over the years. So what do we do? What is the $1 billion for? Simple, real simple. We already have an unmanned aerial vehicle like a drone, such as we read about over in Afghanistan—a Predator or some version thereof, unarmed.

Today, it is flying out of the Cape Canaveral Air Force Station. But that is one. When it is down for maintenance, there is zero. So why wouldn't we enhance one UAV with more stationed strategically around the coastal maritime border to stop what is supposedly going to happen if this impregnable land border is there?

No. 2, the U.S. Navy is experimenting with a stable platform that is very cheap to operate called a blimp. I have flown in this blimp. You can station blimps with a long dwell time because the amount of fuel that is used in a blimp from start to finish for upward of a 24-hour mission, if you had two crews on board—that amount of fuel is the same that it takes to crank up an F–16 just to get it out there on the runway. It is a huge cost savings, and it gives us a lot of dwell time. So why wouldn't we enhance for the U.S. Navy the blimp that is being tested for the 4th Fleet headquartered at Mayport Naval Station? We should.

Thirdly, the U.S. Coast Guard. Why wouldn't we enhance the Coast Guard's ability to patrol not just for drugs, but for some of those who are trying to come into the United States illegally now through the maritime border, so why wouldn't we enhance the Coast Guard?

With $20 billion to $46 billion extra for this amendment that we are going to vote on this afternoon, why wouldn't we add another $1 billion to stop the illegal immigration and drug smuggling that is going to occur on the maritime border? Just think about it. Just think, when you try to stop water from rushing forward and you put some kind of dam that stops it, if there is any break or leak or hole, where is that water going to go? It is going to go in the place of least resistance. So, too, smuggling of illegal aliens and drugs. If they do not get across the land border because of my friends insisting that it become impregnable, why would they want to block Senator WICKER's and my amendment that says we are going to enhance modestly because we can handle it with overhead and on-the-sea assets through the Department of Homeland Security and the U.S. Coast Guard and the U.S. Navy?

It is common sense. Common sense ought to rule.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LEAHY. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON. Would the Senator yield. The Senator—the esteemed chairman whose leadership has brought us to this point, that we are on the brink of passing a major immigration reform bill—the Senator heard my comments earlier. Does it not make common sense that if we are making as secure as possible the southern land border of the United States for illegal immigration—which also includes drugs, by the way—would it not make sense that we would want to increase the maritime border security?

Mr. LEAHY. In answer to my friend from Florida, who has been a friend for decades and knows the coastal area far better than anyone else, the more secure we make the land border for those who want to have illegal entry into the United States, the more they are going to look for other ways. Water is one of them.

The distinguished Senator from Florida has seen everything from boat lifts on through coming into his State. Without naming the countries, we know them all. So that is long way around of saying ''of course.''

Mr. NELSON. I thank the Senator, the esteemed chairman of the Judiciary Committee. It is common sense. I appreciate him underscoring that. I hope our brethren and sistren on the other side who are questioning whether they are going to allow my and Senator WICKER's amendment to be considered will reconsider their decisions.

Mr. LEAHY. Mr. President, I would note that there are some in this body, I am sure, who want no immigration bill. I get the feeling that is a smaller and smaller group. I imagine they would love to just keep killer amendments going for weeks and weeks and hope the bill might die.

On the other hand, we have some very legitimate requests made on both sides of the aisle. I have been told that some of the ones we might want to

bring up that we would pass probably unanimously, the other side will not allow them to come up unless we allow these other amendments.

I would hope that during the next 2 days both sides would allow the distinguished ranking member and me to sit down and go through and accept—as we normally do on a bill such as this—a package of amendments that are acceptable.

I suggest the absence of a quorum and ask that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. I know that when I come to the floor and remind my colleagues about my involvement in the 1986 immigration bill, it sounds like a broken record. I said early on this year that I wanted to educate my colleagues about the mistakes we made in 1986 so those mistakes were not repeated in the first immigration bill to pass the Senate since 1986. Because I was here in 1986, I thought I could share the experience we had. I know firsthand that we screwed up in that 1986 legislation. I was certain other Members in this body could learn from our mistakes.

However, today we are right back to the same place, talking about the same problems, proposing the same solutions.

In 1981, as a freshman Member of the Senate, I joined the Judiciary Committee and was very active in the subcommittee process. We sat down and wrote the legislation. We had 100 hours of hearings and 300 witnesses before we marked up that bill in May of 1982. Hundreds more hours and a dozen more hearings would take place before the bill actually became law in 1986. This year we had 6 days of hearings. We spent 18 hours and 10 minutes listening to outside witnesses.

The Judiciary Committee received the bipartisan bill at 2:24 a.m. April 17. We held hearings April 19, 22, and 23. We heard from 26 witnesses in those 3 days. We heard from the head of the Immigration and Customs Enforcement agency union. We heard from economists and employers, law enforcement and lawyers, professors and advocacy groups. We even heard from people who are undocumented, proving that only in America would we allow somebody who has violated our laws, is not right with the laws, to be heard by the American people.

One of the witnesses on April 23 was Secretary Napolitano. We attempted to learn about how the bill would affect the functions of the executive branch—after all, that is where it is going to be carried out—and whether she saw some flaws, the same flaws many of us were finding in the legislation.

We asked follow-up questions of the Secretary that were thoughtful and focused on the mechanics of the legislation. We wanted to know the Secretary's thoughts since she would be implementing the legislation. Unfortunately, we still have not received responses to questions we raised. Today it has been 2 months since the Secretary has failed to answer our questions—in a sense, ignoring us. She has refused to cooperate. She has refused to tell us how the bill would be implemented by her department. Is it amazing—at least it is to me—that the majority puts up with this, let alone some of my own Republican colleagues?

After the committee hearings, we started the markup process on May 9. We held five all-day sessions where Members were able to raise questions, voice concerns, and offer amendments. Commonsense amendments offering real solutions were repeatedly rejected. Those that were accepted made some necessary improvements. But the core provisions of the bill have remained the same yet to this very day.

I respect the process we had in committee. It was open, fair, and transparent, even though the end result was almost determined. We had a good discussion and debate on how to improve the bill. It was a productive conversation focused on getting immigration reform right for the long term, not to make the same mistakes we did in 1986. Yet I was disappointed that alliances were made that actually ensured nothing passed in that committee process that would make substantial changes and improvements to the bill. Those alliances remain in effect when we are out here on the floor of the Senate.

As of this morning, 349 amendments have been filed to the underlying bill. We started off the debate on the Senate floor with my amendment that would require the border to be effectively controlled for 6 months before the Secretary could process applications for registered provisional immigrant status, RPI, or another way of saying it: legalizing those who crossed the border without papers. That is pretty darn important because we have been told since this bill was put to the public by the Gang of 8 that we were going to secure the border. Well, we are going to secure the border after legalization because a plan put before Congress is not securing the border. Securing the border is only if that plan actually secures the border. But legalization is going to take place before the plan is put into effect. That is what I consider a major shortcoming of this legislation because it makes the same mistakes we did in 1986. We thought we secured the border. We did not secure the border, but we legalized.

My amendment was surely feared by the other side because it would fundamentally change the bill. It would not fundamentally change what the authors of the bill said they were going to do—secure the border and then legalize—but it changed what was actually in the language of the bill. So in order to keep my amendment from being adopted, they insisted on a 60-vote threshold for the amendment to pass, which I refused. So in response they moved to table my amendment.

We were promised an open and fair process. Why wasn't that promise kept? We learned on day one that all the talking about making the bill better was just hogwash. It was a phony and empty promise. They would take to the floor and they would say they were ready to move and vote on amendments. Boy, that sounds very fair and open, doesn't it? Yet, in reality, they were afraid of all of the amendments that could be offered. They refused to let Members offer any amendment of their own choosing. They wanted to pick which amendments would be considered on the floor of the Senate. Does that sound fair and open? Well, it obviously does not. They wanted to decide who, what, when, and how it would be disposed of. That is not right.

What is even more disturbing is the fact that the alliances made thwarted the ability of the minority to have any say whatsoever. Republicans were obstructed even by Members of our own party. They voted to table amendments, and they refused an open amendment process. One Republican said:

> I am confident that an open and transparent process, one that engages every Senator and the American people, will make it even better. I believe this kind of open debate is critical in helping the American people understand what's in the bill, what it means for you, and what it means for our future.

That was never carried out here on the floor of the Senate.

The same Senator also wrote Chairman LEAHY on March 30, saying:

> I write to express my strong belief that the success of any major legislation depends on the acceptance and support of the American people. That support can only be earned through full and careful consideration of legislative language and an open process of amendments.

That was a letter to Senator LEAHY on March 30. It was well-intended, but I don't see a defense of that position out here on floor of the Senate as we are steamrolled.

In a letter to me on April 5, the Senator wrote:

> If the majority does not follow regular order, you can expect that I will continue to defend the rights of every Senator, myself included, to conduct this process in an open and detailed manner.

As we are being steamrolled with just a few amendments being considered, we can see that may have been well-intended, but it is not carried out.

When the bill was introduced, the senior Senator from New York said:

One of the things we all agree with is that there ought to be an open process so that the people who don't agree can offer their amendments.

Well-intended. The Gang of 8 called for a robust floor debate. They said they supported regular order. I asked them do they think that having only considered nine amendments equates to a robust and open process.

Mr. LEAHY. Will the Senator yield for a question?

Mr. GRASSLEY. I will yield for a question. I may not answer it, but I will yield.

Mr. LEAHY. Is it not a fact that the first amendment that was brought up was a bipartisan one of Senator HATCH's and mine? Shortly thereafter, the Senator from Iowa came with an amendment. Following the normal courtesy done, I allowed mine to be set aside so he could bring up his, but isn't it a fact that when we asked if we could set that aside for some noncontroversial amendments on either side, he told me he could not?

Mr. GRASSLEY. The Senator is correct.

Mr. LEAHY. I thank the Senator.

Mr. GRASSLEY. We only had nine amendments. Is that a robust and open process? Do they think the majority has allowed regular order? From my point of view, the answer is a clear and resounding no.

We are at a point where the process has been halted. It is unclear if any more amendments will be debated and voted on. The only amendment that is in order is the one that was concocted behind closed doors and is loaded full of provisions that are shockingly close to what can be called earmarks.

We are back where we started—with a gang of Members promising that their legislative text is the best thing to happen to immigration reform, that their solution is the end of future illegal immigration. Does anyone really think this will solve the problem once and for all? From my point of view, based upon my experience in 1986 and since, the answer is a clear and resounding no.

There are fundamental flaws in this amendment we call the Schumer-Corker-Hoeven amendment—legalization first. I am going to take the opportunity to walk through some changes.

The authors claim the amendment is a border ''surge'' that leaves no more doubt about whether the border will be secure. Yet the border changes only account for about half of the total amendment. There are changes to every title. There are changes to exchange visitor programs, the future guest worker program, and visas for the performing arts. This isn't just a border amendment; there are provisions in the bill to attract other Senators to support its passage. I will dive into those provisions in detail in a moment, but first I wish to focus on border measures.

The sponsors of this bill want you to believe it is different from the 1986 legislation. They say it will be a tough and expensive road and it would be easier for individuals to go home than to go through the process. What the sponsors don't like to admit is that the bill is legalization first, enforcement later—and I have to add, enforcement later, if ever.

Take, for example, the fact that one of the sponsors who went on Spanish television tried to apologize for speaking the truth. He said:

Let's be clear, nobody is talking about preventing the legalization. The legalization is going to happen. That means the following will happen: First comes the legalization. Then come the measures to secure the border. And then comes the process of permanent residence.

He spoke the truth.

The fundamental flaw underlying the bill has not changed with this amendment. Let's be clear. No one is preventing the legalization. It is going to happen, as opposed to the promise when this bill was put forward that the bill was going to secure the border first.

There is a lot of money in this bill, there is a lot of micromanaging in this amendment, and there are more waivers. Remember, this is already on top of—I think one Member counted 222 waivers for the Secretary. We write a piece of legislation. We are supposed to legislate. We legislate and then say to the Secretary: Well, you can ignore what we legislate in certain conditions.

We ought to be making broad policy here and not delegating to the administration the way that we too often do—not just in this legislation but, as a matter of fact, on most everything.

What the amendment does is require more boots on the ground. It increases the presence of Border Patrol even though the Members of the Gang of 8 had long opposed that idea. They said it was unnecessary and costly. But let's be honest with the American people. The amendment may call for more Border Patrol agents, but it doesn't require it until the undocumented population, who are now called RPIs, apply for adjustment of status or a green card. It is legalization first, border security long down the road.

I am all for putting more agents on the border, but why wait? Why allow legalization now and simply promise more agents in the future? Even then, who really believes that the Secretary, like the one we have today, will actually enforce the law?

Then there is the fencing. One of the conditions that must be met before the Secretary can produce green cards for people here illegally is that the southern border fencing strategy has been submitted to Congress and implemented. This fencing strategy will identify where 700 miles of pedestrian fencing is in place. Note that this is not double-layered, as in current law; the amendment states that a second layer is to be built only if the ''Secretary deems necessary or appropriate.'' Can the authors of this amendment say that is a promise to the American people to build a fence if somehow the Secretary is given the authority of whether it is necessary or appropriate? Additionally, the underlying bill still specifically states that nothing in this provision shall be interpreted to require her to install fencing.

The amendment also requires that an electronic entry-exit system is in use at all international air and sea ports but only ''where U.S. Customs and Border Protection are currently deployed.'' This is actually weaker than the bill that came before the Senate a few weeks ago. That bill required that an electronic entry-exit system be in use at air and sea ports, not just internationally. It is still weaker than current law, which requires biometric entry and exit at all ports of entry, including air, sea, and land. That current law has been on the books for a long period of time—not carried out by both Republican and Democratic administrations. So what certainty do we have that this is going to be carried out?

The Schumer-Corker-Hoeven amendment border proposal adds technology in addition to manpower at the southern border. It authorizes the Secretary to purchase and deploy certain border technology. I will give some examples that are included in this amendment.

In Arizona, the Secretary is allowed to deploy 50 fixed towers, 73 fixed camera systems, 28 mobile surveillance systems, 685 unattended ground sensors, and 22 hand-held equipment devices, including night vision goggles.

In San Diego, the Secretary is allowed to deploy the same type of equipment but of different quantities. They also will deploy nonintrusive inspective systems, a radiation portal monitor, and a littoral detection and classification network.

In El Centro, CA, the Secretary is allowed to deploy the same equipment, but the list also includes two sensor repeaters and two communications repeaters.

They will also get 5 fiber optic tank inspection scopes, a license plate reader, a backscatter, 2 portable contraband detectors, 2 radiation isotope identification devices, 8 radiation isotope identification devices updates, 3 personal radiation detectors, and 16 mobile automated targeting systems.

That is not all. The list goes on. It includes certain helicopters and aircraft upgrades. It includes 10 Black Hawk helicopters and 30 marine vessels.

I would like to know what some of these items are. Who provided the

amendment sponsors with this list? We had a hearing in January, and not once did the list appear. Secretary Napolitano did not provide the committee with any list. Did Sikorsky, Cessna, and Northrop Grumman send a wish list to certain Members of the Senate?

While the Senate micromanages what technology is to be purchased and deployed, we should take note that the bill allows the Secretary to ''reallocate'' the personnel, infrastructure, and technologies laid out. It is pretty simple: A Secretary who says the border is secure right now can change all of this stuff specifically mentioned in this amendment.

Let's also not forget about the litigation exception. The triggers or conditions may never have to be met. Green cards can be issued if the Supreme Court grants review of litigation on the constitutionality of the implementation of the conditions. Under the bill, if any court in this country issues a stay on implementing one of the conditions, then green cards are to be issued after 10 years. The bill does not specify what sort of ruling must prevent implementation or even that the ruling be on the merits, nor does the bill require that appeals run their course, even if the appeal upholds the conditions.

We still maintain this toothless commission called the southern border security commission, but it retools it a little bit. It still does not give it any teeth whatsoever. The amendment requires the creation of the commission 1 year after the enactment, which is probably better than the 5 years that is in the bill. They would also be required to hold public hearings once a year. Under the original version of the bill, the commission would be in existence until they submitted a plan. Under this amendment, the commission will live for 10 years. Yet, the recommendations they provide still do not hold any weight. They can be ignored. They are nonbinding.

There is a lot of spending in this amendment as well. In addition to micromanaging resources in each sector, the amendment increases taxpayer spending by $40 billion over the introduced version of the bill before this amendment was added to it. Originally, the legislation called for spending $100 million for startup costs and $6.5 billion for the Secretary to carry out the law. When we got to committee, there was a technical amendment that increased that startup cost from $100 million to $1 billion. During markup, Senator SCHUMER and his allies increased the trust fund allocation from $6.5 billion to $8.3 billion. The Schumer-Corker-Hoeven amendment increases the trust fund to $46.3 billion. Now, think, going from $8.3 billion to $46.3 billion. Add the $3 billion for the Secretary to have startup costs, and we are at $50 billion. That is over a 500-percent increase in spending. You know, a billion here and a billion there, and it soon adds up to real money.

Note that this isn't shifting money from the trust fund, such as the Cornyn amendment would have done. And that amendment was defeated on the floor of the Senate. Instead, it is just plain old brand new spending. The sponsors found a money tree to pay for the wish list provided by Secretary Napolitano and the aerospace industry.

Based on reports of how this deal was struck, we have a pretty good idea of why spending has increased. According to a Politico article from last week, negotiations for this deal were at a standstill until the Congressional Budget Office's score was released. The CBO's score stated if the bill becomes law it would cut the deficit by almost $1 trillion over the next 20 years.

Thus, with this estimate in hand, the Politico report tells us how the negotiators were able to find a solution: ''Throw money at it.'' According to the article, it was suggested Senators could funnel some of the savings into border security, and that is what has been done. Again, as is often the case in Washington, the solution always seems to be just throw more money at the problem. But the money has to come from somewhere.

Furthermore, paying for the agents requires raiding the Social Security trust fund. Indeed, the bill sets aside $30 billion to pay for Border Patrol agents. But when asked on the floor how the Gang of 8 found the money, Senator HOEVEN said he and Senator CORKER were able to add the $30 billion in spending because the CBO projects that S. 744 will bring in more revenue than it requires in expenditures. Upon closer examination, it is clear the projected revenue under CBO analysis is due to an increase in Social Security and Medicare taxes.

This money must be set aside if Social Security and Medicare are to remain solvent. Thus, taking that tax revenue and using it for the fence means raiding the Social Security and Medicare trust funds. You know how the Medicare trust fund was raided for health care reform? Sounds like the same thing is happening here.

On the date of enactment, the Treasury will transfer $46.3 billion to the trust fund. The sponsors claim the Treasury will be repaid. But when will the funds be paid back to the Treasury? When will the American people be reimbursed? The sponsors of the bill are saying taxpayers would not bear the burden. Yet there is no requirement the funds be paid back. There is no time limit or accountability to ensure they are repaid.

The Schumer-Corker-Hoeven amendment increases fees on the visas for legal immigrants in order to replenish the trust fund and the Treasury. It happens that employers, students, and tourists will pay the price. The bill allows the Secretary to increase those fees, so employers who bring in high-skilled workers will bear the burden. Students and tourists who come in the legal way will bear the burden.

But guess what. The amendment goes on to say the fees for those who cross the border in violation of our laws cannot be charged more than what is allowed. The Secretary cannot adjust fees and penalties on those who apply for or renew RPI status or even blue card status.

There is no interior enforcement in here, and there is a real problem when we don't have more interior enforcement than is here because we will have more people coming here who are undocumented. The amendment in the underlying bill will not end undocumented immigration. The Congressional Budget Office reports that illegal immigration will only be reduced by 25 percent due to the increased number of guest workers coming into the country. The amendment does nothing to radically reduce illegal immigration in the future and does not provide any resources to interior enforcement agents whose mission it is to apprehend, detain, and deport undocumented immigrants. Just like with the 1986 legislation, we will be back in the same position in 10 years facing the same problems.

The amendment, for instance, in section 1201, attempts to address people who overstay their visas. It says the Secretary shall, one, initiate removal proceedings; two, confirm that immigration relief or protection has been granted or is pending; or, three, otherwise close 90 percent of the cases of nonimmigrants who were admitted and extended their authorized period of admission by more than 180 days.

So while it appears to be tough on overstays, it only affects people who overstay their visa by 180 days or 6 months. It also allows the Secretary to close the cases.

What does it mean for the Secretary to close these cases? Under current law, an immigration judge has the power to administratively close a case. It is used to temporarily remove a case from the calendar. Sometimes a judge waits for further action to be taken. An administrative closure is not a final order. Closure does not mean termination. It does not mean deportation. So I think it is unclear what this language does and who it is applying to.

Moreover, it is unclear how the Secretary would know who has overstayed if no exit data or tracking system exists. Also, why doesn't the amendment require the Secretary to deal with 100 percent of the people who overstay their period of authorization? Given there are no ramifications for the Secretary if she does not capture 90 percent of visa overstays, this, again, is another law that will not be followed.

It does nothing to end this administration's anti-enforcement policies but,

instead, gives the Secretary of Homeland Security vast discretion to ignore serious criminal convictions of immigration violators, including gang-related crime, domestic violence, drunk driving, and child abuse.

The bill would not only create an immediate legalization program for those here illegally today but also a permanent legalization program for future undocumented immigrants. The Schumer-Corker-Hoeven amendment includes a provision that would make individuals admissible despite the 3- and 10-year bars.

I would like to know more about the rationale from the sponsors as to why this language was included. There is no doubt this amendment was crafted in the back rooms on Capitol Hill, and it is no secret some Members were able to insert provisions in the Schumer-Corker-Hoeven amendment while the rest of us attempted to work out an agreement on pending and filed amendments.

While some of us were trying to legislate and bring up amendments for votes on the floor, others were taking advantage of the pay-to-play game. Clearly, some of the amendments filed were included. Let me share some examples.

No. 1, the amendment now authorizes funds for an educational campaign to help deter illegal crossings into Mexico from the South. This amendment would put American taxpayer money toward training for law enforcement officials in Mexico, Honduras, El Salvador, Guatemala, and other countries. It would allow for taxpayer expenditures to educate nationals of other countries ''about the perils of the journey to the United States.''

This amendment should have been considered under regular order.

No. 2, the amendment now includes a provision that would require Customs and Border Protection officials to reduce airport wait times.

This amendment which was filed should have been considered under regular order.

No. 3, the amendment now makes it harder for Border Patrol agents to enforce U.S. immigration law along the northern border by limiting the mileage or distance agents can search vehicles or other forms of transportation.

This amendment which was filed should have been considered under regular order.

No. 4, the Schumer-Corker-Hoeven amendment includes amendment No. 1283 that creates a ''Youth Jobs Fund'' using $1.5 billion from the U.S. Treasury to be repaid through fees. The goal of the fund is to ''provide summer and year-round employment opportunities to low-income youth.''

This amendment should have been considered under regular order.

No. 5, the Schumer-Corker-Hoeven amendment includes amendment No. 1493, which designates zones 1, 2, and 3 occupations involving seafood processing in Alaska as shortage occupations. It also includes amendment No. 1329, which extends the J visa Summer Work Travel Program to seafood processing positions only in Alaska.

These amendments should have been considered under regular order.

No. 6, the amendment now includes amendment No. 1183, which was actually pending before the Senate. It would allow for fee waivers on certain visa holders, namely O and P nonimmigrants, who come to the United States to work in Hollywood or play professional sports.

We could have voted on this and had regular order on that amendment.

Well, there are a lot more amendments I could go through, but I will just suggest some clarifying amendments. And there probably should have been more clarifying amendments.

The amendment by SCHUMER, HOEVEN, and CORKER also includes so-called ''technical fixes.'' One fix is related to the H–1B visa cap. The sponsors of the bill, and those who worked behind closed doors to devise an H–1B visa package, stated the annual cap would not exceed 180,000. Yet the language didn't do what they said it did. As written, it provided 20,000 more than they claimed. So this amendment includes a clarification to say the cap shall not exceed 180,000.

The second clarifying change in the amendment is related to visas for countries that have entered into free-trade agreements with the United States. During committee consideration, the Senator from New York added an amendment that would provide 10,500 visas for countries in the African Growth and Opportunity Act and the Caribbean Basin Economic Recovery Act. The change in this amendment clarifies that only a total of 10,500 may go to those countries rather than to each country that is described under the act. Still, it is not 100 percent clear the clarification achieves the goal.

So it is legitimate with these clarifications and fixes, but how many more clarifying amendments are necessary? These two provisions were included because my staff caught them and brought them to the sponsors' attention. But how many more provisions are not written properly that we do not know about?

At the end of the day the Schumer-Corker-Hoeven amendment doesn't do what the sponsors say it will. As we have seen all along, we are being promised one thing and sold another.

I am frustrated with how the majority has processed this bill. We should have had 3 genuine weeks on this bill processing amendments and having votes. Yet we are forced to vote on packages that were concocted behind closed doors. We were given 72 hours to read the legislative text. That may be plenty of time to read it, but it is not plenty of time to actually study it and know what is in it. Even then, the American people would have had a difficult time getting their hands on the bill over the weekend or understanding its true ramifications.

It is quite obvious I am going to vote against this amendment. It does nothing to change the legalization first philosophy and offers little more than false promises the American people can no longer tolerate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent that I be allowed to speak as if in morning business, without delaying or affecting the time of the cloture vote today.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. LEAHY pertaining to the introduction of S. 1215 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. LEAHY. Mr. President, I suggest the absence of a quorum and ask that the time be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOEVEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. Mr. President, I ask unanimous consent that I be recognized for up to 10 minutes under Senator LEAHY's time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. Mr. President, I rise today to address comprehensive immigration reform and to talk specifically about the Hoeven-Corker amendment.

The Hoeven-Corker amendment is to secure the border. Besides myself and Senator CORKER, this is bipartisan legislation that has 11 Republican and 4 Democratic cosponsors. This is all about securing the border first. This is a first step for comprehensive immigration reform, and that is what we are seeking to do.

I come to the Senate floor today to address some of the misperceptions that have already been circulating about our legislation. Throughout the weekend some of the pundits and others have put out information that is incorrect with regard to the Hoeven-Corker amendment to the new immigration bill. As the old saying goes, people are certainly entitled to their opinions, and we respect all opinions, but they are not entitled to their own facts. So I want to separate some of the myths or misperceptions from the facts in regard to our amendment.

Let me say at the outset we welcome the debate, and we welcome the opportunity to provide information. This is truly about coming up with legislation that wins the support of the American people as well as bipartisan support in the Senate, the House, in this Congress, and that is what it takes to meet a challenge of the magnitude of immigration reform. So I will clear up some of the misperceptions or myths that have been circulating and put forth the facts.

Myth No. 1: Somehow people have not had time to read this 1,200-page amendment—and somehow this myth keeps getting repeated. Well, the fact is it is not 1,200 pages. This new amendment is about 120 pages that have been added to the underlying bill. So, yes, all told it is 1,200 because 1,100 pages is the existing bill, and we are adding an additional 120 pages. The underlying bill—the 1,100 pages—has been out there since May for people to read. The roughly 120 pages right here is it. This is the new material. This is 120 pages. We are adding 120 pages, which I think somebody could read in a short amount of time.

This was filed at about 2 p.m. on Friday, and it has been available to all of the Members. They had all of Friday to read the 120 pages. This is the new material—not 1,200 pages. They had all of Friday to read it, all of Saturday to read it, all of Sunday to read it, and today until now to read it. If there is anybody who still hasn't read it, there is plenty of time to read it before the vote at 5:30 p.m. today.

There is 120 pages of new material. Let's be clear about that. There is no purpose for folks to misunderstand or to create misunderstanding. Why would anyone do that? Why would anyone want to say there are 1,200 pages of new material when there are 120 pages of new material? Well, that is the first myth.

Myth No. 2: The southern border fence does not need to be completed before people are eligible for green cards. That is the second thing that is not correct. What is the fact? Because that is wrong. The fact: The trigger explicitly states that at least 700 miles of fencing along the southern border must be built before individuals can receive a green card. A subsequent provision says DHS may decide where that fence gets constructed, but the trigger language is clear: We have to build 700 miles of fence before anyone gets a green card.

The southern border is roughly 2,000 miles from Brownsville, TX, to San Diego, CA. A minimum of 700 miles of fence has to be built before anyone can get a green card, and they have to go into what is called provisional status for 10 years as well.

As for this provision, the Secretary of Homeland Security does have some discretion to decide where on that 2,000-mile border they are going to put the 700 miles of fence. That makes the most sense, doesn't it? Shouldn't we put the fence where it does the most good? Why would anyone try to say the subsequent provision—which says they can put the fence where they need to put it and where it does the most good—get construed to somehow mean we don't have to have 700 miles of fence? It clearly says we have to have 700 miles of fence.

Again, let's make sure people understand what is in the bill rather than confusing them about what is in the bill. It seems to me we can debate this, and we should debate it, but let's debate it on the facts, not on creating misperceptions.

Myth No. 3: Congress will choose not to fund the southern border security in the amendment. Congress will choose not to fund it. Well, the whole law says, in fact, they do have to fund it, and the fact is the bill is fully funded. It is funded upfront. The amendment adjusts the funding for border security by $38 billion, and that is over a 10-year period. So it is between $3 billion and $4 billion a year we spend to truly secure the border. Americans want the border secure, so that is what we do. That cost is over a 10-year period.

Under this legislation, that money—upfront—is authorized and appropriated and put in the comprehensive immigration reform trust fund. Furthermore, that funding is paid for with immigration fees, fines, and surcharges. So the illegal immigrants pay for the border security. I think that is something Americans should understand, and I think it is something they believe should happen. That is the way it should be done.

Again, my question is: Why is the misperception going around that somehow this thing isn't funded or will not get funded when this amendment specifically says it is funded upfront, and the money is appropriated into the trust fund? That is what it says in the roughly 120 pages that constitute the new legislation in this amendment.

Myth No. 4: The amendment puts the American taxpayer on the hook for $38 billion. I think I covered this one pretty well just a minute ago, but I have additional information to make sure people understand.

CBO says the underlying immigration bill will reduce the deficit by $197 billion in the next 10 years and by $690 billion during the second decade. That is almost $1 trillion in deficit reduction over the next two decades. The total cost of security measures added by the Hoeven-Corker amendment is—as I said just a minute ago—about $38 billion. The base bill designates $8 billion to security measures, bringing the total costs of security measures for the bill as amended to a total of $46 billion. The U.S. taxpayer will be more than made whole with the visa fees and by the $458 billion in additional tax revenue that results in the large deficit reduction.

Again, the point I made before: By bringing illegals out of the shadows, making them pay fines, fees, and taxes, we will generate the revenue which not only reduces the deficit, but way more than pays to secure the border. Again, Americans want border security first, which is what this amendment is about.

Myth No. 5: The new border patrol agents will never be hired or deployed. Fact: The amendment mandates that 20,000 more Border Patrol agents be hired and deployed before individuals are eligible for a green card. Let me read that again. The amendment mandates that 20,000 more Border Patrol agents are hired and deployed before individuals are eligible for a green card. That is in addition to the almost 20,000 Border Patrol agents who are on the border now. That is a total of 40,000 Border Patrol agents on the border.

I have heard some of our Members talk about how they want 40,000 Border Patrol agents on the border. That is what this does. It requires that it be done before anyone gets a green card.

Myth No. 6: Section 2302 says if a person overstays their visa in the future, they can still apply for a green card and become a citizen. Fact: That is just plain false. If a person overstays their visa, a removal proceeding must be initiated unless they are in a special legal status because they cannot return to their country due to conditions such as an environmental disaster or a humanitarian crisis.

Myth No. 7: The amendment is only about the border and it does nothing to address the visa overstay issue. Fact: Visa overstays currently account for 40 percent of those unlawfully present in our country. This is an important issue. The underlying bill improves the identification of overstays through a fully implemented entry-exit system.

Our amendment goes a step further by mandating the initiation of removal proceedings for at least 90 percent of visa overstays—holding DHS accountable. The amendment also requires extensive reporting to Congress every 6 months to facilitate oversight of this important overstay issue.

Myth No. 8: The 20,000 additional Border Patrol agents won't begin to be deployed until 2017. Fact: Under the Hoeven-Corker amendment, the Border Patrol must deploy 20,000 additional agents before registered provisional immigrants can obtain a green card. The only reference in the bill to the year 2017, as it relates to the deployment of border security resources, is to a mandate on DHS that says the 3,500 Customs and Border Protection officers assigned to points of entry must be hired by and must be in place by 2013. This is a positive provision that will ensure additional Customs and Border

Protection officers are in place as quickly as possible, and in no way delays the deployment of the additional 20,000 Border Patrol agents.

There are other misperceptions circulating regarding the legislation. That is why Senator CORKER and I put out a fact sheet to rebut them. We do it as simply and as straightforwardly as we can. We say: OK, look. They are saying there are 1,200 new pages. No, there are 120 pages, and on we go down the list.

So I hope people understand we are trying to foster understanding. We want people to understand this. We want people to know what is in it. Again, we are, to the very best of our ability, trying to approach this comprehensive immigration reform issue, we believe, the right way, which means secure the border first. That is what this amendment is about. It is about securing the border first, and we do it as objectively and in as verifiable a way as we can.

We ask our colleagues on both sides of the aisle to join us in rising and meeting this incredible challenge we face for the benefit of the American people and the future of our country.

Thank you, Mr. President. With that, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that any quorum call time be equally divided on both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORKER. Mr. President, I rise to speak on the amendment at hand. My understanding is Senator LEAHY has allowed me to use some of his time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORKER. I will be brief. I spoke at length earlier today on this amendment. I wish to speak especially to my side of the aisle as it relates to this amendment.

There is a lot of confusion over what is happening tonight, and I just want to make sure everybody understands. No. 1, we have a cloture vote this evening on the amendment. It is a border security amendment. It is not the cloture vote on the bill. There still will be the opportunity for additional amendments to be considered. So people can sense—I do want to say the very people who seem to be wanting amendments are the same people who are opposing amendments, so I hope that will get worked out on the floor. But tonight's vote is simply a cloture vote on an amendment that was offered on Friday, and that is all it is. So there will be another cloture vote. No one is giving up rights relative to this bill.

Secondly, this amendment we are voting on is 119 pages long. Because of the rules of construction in the Senate, this 119-page amendment was added to the base text. A lot of people understand that is just the way we do things here, when an amendment touches various pieces of a bill. But this amendment is 119 pages long. It has been added to the base bill which makes the bill itself over 1,200 pages.

Members of this body have had access to the base bill since May. It has been through committee. It has been amended. People have been able to look at it.

I say to people viewing in, 119 pages in legislative language is triple-spaced, on small pages, and generally is about 25 to 30 pages in regular reading. I would just say that a middle or high school person in Tennessee could read this amendment in about 30 to 45 minutes. I am assuming staff can walk people through much more quickly if they wish or one could go into much more detail. But the point is it is not as if something has been dropped on people that is from outer space. This is 119 pages. It is easy to read. All of us could read it in a very short amount of time. I am sure people would want to spend more time than that.

So let me go back to what this amendment does. In the base bill right now it states the head of Homeland Security would lay out a plan 180 days after passage of this legislation. Then, 10 years from now, this same person—it might be a different person, but the head of Homeland Security—would decide whether that plan has been implemented.

Many people on my side of the aisle viewed that as a little abstract and wanted to improve it. There have been numbers of measures authored on the floor. I voted for almost every single one of them to strengthen the border. It has been something Republicans have championed for years.

So this amendment would take away that base language saying the Secretary of Homeland Security would make a plan and decide and would put in place five very important measures.

The first would be deploying and training 20,000 Border Patrol agents. That is doubling the number of Border Patrol agents we have in the country, something Republicans have wanted for a long time.

Secondly, the amendment authorizes $4.5 billion on technology to create the kind of technology that gives us situational awareness on the border—something, again, Republicans have wanted for a long time.

It adds 350 miles of fencing to the 350 miles we now have, creating 700 miles. We have had amendments to that effect that almost every Republican voted for. That is a part of this amendment.

It puts in place an entry-exit visa program. Again, people know 40 percent of the immigration issues we have in this country are because of visa overstays. This attempts to solve that by putting in place a very measurable trigger.

In addition to that, E-Verify has to be fully in place.

Again, all five of these have to be in place before people transition from a temporary status to a green card status. So if you vote for this amendment tonight, you are voting to have those five tangible, measurable issues in place.

Let me talk about this. We have had a big debate over the trigger. By the way, for what it is worth, I understand the concerns on the other side of the aisle about a trigger that is subjective. In essence, what happens down on the border right now is the Border Patrol agent sees a Cheetos bag, literally, and has to decide whether 10 people ate out of that Cheetos bag and left it there or 1. Let's make a subjective guess. So the other side of the aisle said: We do not want anything subjective like that.

Our side has wanted some tangible triggers. I used to build shopping centers around the country—retail projects in 18 States. When I completed the project, the whole community could see it was done and I got paid. I would not have wanted a trigger that said: Did we meet 90 percent of the retail needs of the community? I built what was laid out. That is what this amendment does. It lays out five measurable triggers that people who have wanted border security for years have pressed for.

I am almost finished.

The cost of it. A lot of people have said: The cost of this is $46 billion over a 10-year period. It is expensive. Some of them are one-time costs. But as it relates to the overall bill—not the amendment—the bill states—by the way, these measures do not go in place unless the bill passes. But there is $197 billion in return over that 10 years.

I wish to say to everybody in this body, I have never had the opportunity as a Senator—I have been here 6½ years—to potentially be in a place to vote for something that spends $46 billion over 10 years and generates $197 billion back to the Treasury over 10 years without raising anybody's taxes. I have never had that opportunity. I would imagine every private equity company, every hedge fund in America

would want to participate in that kind of ratio.

I am going to close with this: The choice tonight is to vote cloture on an amendment—not on the bill, an amendment—that has been on the floor for 75 hours—everybody has had the opportunity to look at it—that takes away the idea that the Homeland Security person will put out a plan 180 days after we pass this bill and, instead, puts in place tangible, measurable criteria, things that every American can see in place before persons transfer from a temporary status to a green card status.

For what it is worth, Governor Brewer, who is the Governor of Arizona, who probably knows more about border security than anybody in this body, today came out and said if we could pass this amendment as part of the immigration bill, it would be a tremendous victory for Arizona, a place that probably has more issues of border security than any State in the country.

So I will just ask my Republican colleagues, why would anyone even consider voting against an amendment that puts in place very stringent border requirements in place of one where we have no idea what is going to take place?

Republicans have asked that Congress weigh in. I do not know how Congress could weigh in any more than spelling out what is going to happen.

To my friends on the other side of the aisle, I would say to you, to me, this is something that allows us to know that once this process occurs, there is a tangible line in the sand we can measure, to know we cannot move the goalposts—we cannot move the goalposts—and at the end of the day we end up with a balanced bill.

I will close with this. I know I said I would close a minute ago. I will say one more thing. I look at what we are trying to accomplish in this bill and I look at the people who have come across our border to work—to work. I know many of them have created companies and have been entrepreneurs and contributed in all kinds of ways. Many of them have just walked across to support their families. They raise our kids in many cases. They pick our crops. They serve us in restaurants. They build our homes. They build our buildings. They do many other things. To me, what people on both sides of the aisle have done in trying to agree to this motion tonight is to put in place something that is tangible, something that cannot be changed down the road.

If this amendment is passed—even though there may be people who vote against the overall bill—voting for this amendment strengthens the bill. It says, if we pass it, we have a bill, in my opinion, that meets the test of the American people. We are securing the border, but we are allowing those people at the back of the line to have some pathway to continue to live the American dream, the same things we want for our sons and daughters all across our country.

I yield the floor and thank the Presiding Officer for the time.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise to also address this most recent backroom gang agreement—the Schumer-Corker-Hoeven amendment we will be voting on in just a little while.

This amendment is clearly filled with lots of sort of nice shiny objects to try to attract Republican votes. It is clearly supposed to be about border security. But my fundamental concern is simple. I believe this amendment is designed to pass the bill. I do not believe it is designed to truly fix the bill. In that sense, I am concerned this is a figleaf border security amendment—again, all about passing the bill, not truly fixing it.

I say that for two simple reasons, the two basic flaws in the underlying bill that this amendment does nothing to address. First of all, the amendment, as the bill, is amnesty now, enforcement later, maybe. Secondly, on the enforcement piece—which the authors of this amendment are arguing for so strenuously—there is no metric about actual effect, actual achievement. The only metric is spending money. We all know the U.S. Government, the Federal Government, is great at spending money. It has never been better at spending money than under this current administration.

But if that were all that mattered, then we would have a rip-roaring economy with unprecedented growth. If that were all that mattered, then we would have the best educational system on the planet. If that were all that mattered, we would have solved problems such as violent crime and many others. But the metric cannot be spending money. The metric has to be achieving security, achieving some reasonable level of border and workplace security.

I am also very concerned about the backroom deal and the process that got us here. I think it is important for the American people to know exactly what happened in the last few weeks and, in particular, at the end of last week. About 350 amendments were filed to this bill. They covered all sorts of topics—certainly including every important enforcement matter. Many of these amendments struck to the very core of the Gang of 8 compromise bill.

As Ranking Member GRASSLEY has noted, the Judiciary markup was an open process in which nearly all amendments were considered in a fair, decent manner. However, as Senator GRASSLEY also noted earlier today, on the floor, it is a very different atmosphere and the fix apparently is in. We are seeing that on the floor. The fix seems to be in—another closed-door agreement, loaded with ideas that have been accepted for ''yes'' votes to ensure the support of particular Members.

The amendment is 1,100 pages long—longer, I believe, than the original bill—and because of this development, the full and fair floor amendment process has come to a grinding halt.

That is exactly what is broken with the Senate. Rather than doing the people's business out in the open—with floor amendments, with debate—instead, so-called masters of the universe have huddled together, again, behind closed doors, to hammer out a secret agreement, again, virtually cutting off floor amendments and trying to pass the bill.

In 2007—the last time a major immigration bill came to the floor—we had 46 rollcall votes on amendments. This time around we have had only 9, and now we have the prospect of cutting off the amendment process—9 out of 350 amendments filed, 2.5 percent of the filed amendments.

Again, this is what is wrong, in the eyes of the American people, with Congress, with the Senate. This is one of the things I came to change. I came to the Senate to work—developing and introducing legislation, working hard in the appropriate committees, voting, offering floor amendments, voting on those. But these gang deals, negotiated behind closed doors, particularly when they cut off and muffle the amendment process, are not that sort of work.

Again, the masters of the universe have conspired among themselves. They have allowed certain Members into that back negotiating room, undoubtedly for the price of a ''yes'' vote. Worst of all, this threatens to completely shut off the open, fair amendment process.

That is why this morning I coauthored a letter to Senate Majority Leader REID, with 13 of my colleagues, addressing this very problem. In the letter we state clearly:

> We believe that there should be, AT A MINIMUM, this same number of roll call votes—
>
> That is as in the 2007 debate—
>
> on serious, contested floor amendments on the Gang of Eight's immigration bill. This can clearly be accomplished this week with a little leadership and coordination through one or more compact series of 10-minute votes with senators seated at their desks.
>
> Continuing with the letter, we say:
>
> Further, we will give our consent to any reasonable consent request if this is assured. This would specifically include replacing the one or two cloture votes and one final passage vote on the bill with one final passage vote with a 60-vote threshold late Thursday, as well as clearing all truly non-controversial amendments.

I hope all Members of this body look carefully at this bill we are going to vote on in about an hour regarding cloture. I hope all of us look hard at the details and recognize it does not

change the core fundamental flaws of the underlying bill. Still, as in the underlying bill, the amnesty is first, virtually immediately, the enforcement is later, maybe. As in the underlying bill, there is no true metric of effectiveness, of enforcement bearing fruit. There is simply the metric of spending money, which the Federal Government can do very effectively. Surely, any Federal Government, particularly under the Obama administration, will pass that test with flying colors.

The American people do not want amnesty first. They want enforcement first. The American people do not have as a test of enforcement spending money. They have the same tests they have for important issues and challenges around their kitchen table and at their place of small business—results, actual results.

We should use those same tests. We should use that same approach. The American people get it. Why can't we? The American people also get the very closed backroom deal nature of the process that is going on. They want us to work. They want us to debate. They want us to propose. They want us to vote out in the open, not certain masters of the universe coming up with gang deals outside of here and then shutting down a full, open, free amendment process.

It is not too late. It is not too late to look clearly at this amendment and vote no. It is not too late to have an open amendment process on the floor this week. I urge all of my colleagues—Democrats and Republicans—to do just that.

With that, I yield back the floor.

The PRESIDING OFFICER (Ms. HIRONO). The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I wish to make some observations. I know several of my other colleagues will continue to pursue their views on the floor. I did not intend, when I was asked to sit in for Senator LEAHY for a while, to say anything. But some things just cannot go unresponded to.

I heard a lot about the 2007 bill, how that process took place. But what has failed to be mentioned is that the 2007 bill did not go to the Judiciary Committee. It went straight to the floor. Now, this bill, in addition to the time that it was out there when the Gang of 8 proposed it, went through weeks—weeks—of the Judiciary Committee going through its process: 140 amendments were heard and adopted, many of them Republican and most of them bipartisan. So there were 140 changes made to this legislation through the regular order process.

So there is a fundamental difference between 2007 and this legislation. There is another fundamental difference; that is, for the 2 weeks this bill has been on the Senate floor, Republicans, on a series of offers, opposed allowing amendments to go forward, including amendments of their own Republican colleagues. Why? Because they believed amendments being offered by some of their Republican colleagues would make the bill more acceptable to Members on their side of the aisle. So instead of allowing their own colleagues to have the amendments and have their say, they opposed unanimous consent agreements to move forward because they did not want their colleagues to have an opportunity to have that amendment, and maybe if that amendment was adopted then find a way to vote for this bill.

That is pretty outrageous. Then to come to the floor and suggest that there has been an impediment over at least the last 2 weeks to being able to consider a variety of amendments, when they themselves opposed amendments, including from their colleagues on their side of the aisle——

Mr. LEAHY. Would the Senator yield for a question?

Mr. MENENDEZ. Yes, I will.

Mr. LEAHY. The Senator is probably aware of the fact that we have a large number of amendments that were from both Republicans and Democrats. We suggested that they are all acceptable, could probably be adopted by a voice vote, both these Republican and Democratic amendments, but that has been rejected by the other side. Is the Senator aware of that?

Mr. MENENDEZ. I am aware of that. I heard the distinguished chairman make that offer at various times and I heard that offer rejected various times.

Mr. LEAHY. I might ask another question. The Presiding Officer has an amendment involving women that would be easily accepted, but we cannot get that agreement. The Senator has been here a long time in both bodies. It is my recollection—is it correct at least in the past—that when we have a group like that, both sides should come together and accept them. Is that the normal practice?

Mr. MENENDEZ. The Senator is right. When there is a series of amendments that would improve the bill and are agreed to by both sides and are, in fact, noncontroversial, it has been the regular order to get those amendments disposed of and on the way.

Mr. LEAHY. I appreciate that. The Senator from New Jersey has the floor. I appreciate him coming here and saying this. Nobody in this body of either party has worked harder and more diligently than the Senator from New Jersey on comprehensive immigration reform.

Mr. MENENDEZ. The reality is this is a different process. Now, I know there are allusions that this amendment is 1,100 pages long. We all know this amendment only took the underlying bill and added the amendment to the underlying bill. So to suggest that there is a new 1,100 pages is disingenuous. It is not the case.

Everybody has known what the amendment is about. The underlying bill has been on the floor for 2 weeks. Before that, it came out of the Judiciary Committee. I think everybody knew what it was. So I think it is not fair to have the American people believe that somehow this legislation just came onto the desks of Senators and they are voting in the blind.

I find it interesting—you know, I have listened over the years, the 7 years I have been here, and before that in the other body, in the House of Representatives—I hear those who want a fence. A fence is a significant part of the solution to the question of border security. Yet here we go. There is nearly 700 miles of fencing in this legislation by virtue of this amendment that will be considered. Oh, no, no, no, no. We do not want a fence.

Then we have heard that having greater Border Patrol agents at the border would dramatically help us achieve border security. Well, this amendment doubles—doubles—the amount of Border Patrol agents at the border. It brings it from about 21,000 to 40,000, 41,000 Border Patrol agents through the course of this legislation. Now we hear: That is just wasting money.

Well, what is your plan? I have heard all of these things that this amendment includes that were part of your plan in the past. But because it is not your amendment, even though it is offered by Members on your side of the aisle, including from border States, suddenly it is not acceptable. Suddenly it is not acceptable.

There is the suggestion that there is somehow a backroom deal. I see this amendment as the personification of what the American people are trying to see this body do, which is Republicans and Democrats from different parts of the country, from different ideological views, coming together in order to compromise, in this case to seek a very strong compromise on border security as part of comprehensive immigration reform legislation, which in poll after poll across the party spectrum has been sought by the people in this country.

That is the essence of what this amendment is all about. So if you bemoan the lack of bipartisanship, then you should not be bemoaning this amendment because this amendment is, in fact, the essence of that bipartisanship and moves us in a direction on border security that I do not believe has existed in any legislative proposal that has come before the Senate. It is an incredible movement toward border security, and it becomes one of several triggers.

What do we mean by a trigger? A condition precedent. We believe these condition precedents can be met because at the end of the day we want to achieve greater security for our country both at the border and in entrance-

exit visa issues and interior enforcement issues and in workplace verification, with the E-Verify system. All of these elements are in the legislation. All of them. And many of them are enhanced so that we can get to where we want.

Now the problem is that there are colleagues here who, if 10 angels came swearing from above in the heavens that this is the best legislation to secure the Nation, to promote its economic opportunity, to make sure we have and preserve family reunification as a core value, that we have the future flow of workers so that we can deal with the abilities of different sectors of our economy to have the human capital like the high-tech industry, to be able to produce that human capital so that America can continue to be at the apex of the curve of intellect and globally competitive, they would say: No, these angels lied. We will never satisfy those individuals.

I respect their right to have that view. But to suggest that it is the process, when really what they want to see is no comprehensive immigration reform, I think they should say what they really believe. So that is what is before us.

Finally, on a series of issues that have been raised, for example, on waivers, the reality is the limited waivers do not give anyone a free pass or take away the government's ability to say no to any given individuals. They do not grant unlimited discretion to decisionmakers. Decisionmakers would not be able to exercise discretion in cases involving immigrants who have multiple criminal convictions, who have committed particularly serious offenses or otherwise pose a threat to national security or public safety. Those restrictions, by way of example, apply to terrorists, gang participants, drug traffickers, human traffickers, money launderers, international child abductors, unlawful voters, just to name a few. So I think there is a mischaracterization in order to create the fear.

Finally, they will question that no matter what, no matter what is done in this bill, no matter how many enforcement provisions exist—interior enforcement, an entrance-exit visa requirement, and systems to check that whoever comes in this country, make sure they exit and that there is a follow-up in the E-Verify system, which means everyone in the country, when they go for a job, now they are going to have to go to a system to make sure they, in fact, have the right to work in this country; all of the Border Patrol agents, all of the fencing—despite all of that, there are those—and that the individual who is undocumented in the country will have to wait a decade—a decade—before they will even have the opportunity to adjust their status to permanent residency, assuming, as the legislation calls for, all of these elements I have just talked about are in place—are in place—who suggest that that is amnesty.

Amnesty means you do something wrong and you get forgiven. But you do not have to do anything to be forgiven, you just get forgiven. This is not amnesty. These individuals have to come forth, they have to register with the government, which is incredibly important because I cannot secure America unless I know who is here to pursue the American dream versus who may be here to do it harm. We have millions of people in the shadows, undocumented. We do not know what their purpose is.

Then, after they come forward and register with the government, they have to go through a criminal background check. If they fail it, they get deported. If they pass it, then they get a temporary opportunity to stay here with a permit to work and visit their families.

They have to earn their way, pay their taxes, learn English over the course of a decade, and then, finally, after a course of a decade, finally be eligible when all of those conditions have been met. That is not amnesty; that is earned. That is earned opportunity toward legalizing their status in this country.

So this is what poll after poll of Americans say they want to fix this broken immigration system. For some of my friends, there will never be a fix sufficient for their view. For some of my friends, it is very clear they do not support any pathway to citizenship under any set of circumstances. That is a view they have the right to hold, but it is a view not supported by the American people. It is a view that does not honor our Nation, which has a history of immigrants. It is a view that has created enormous problems in Europe because immigrants in those respective countries never find a way to earn their way to become a citizen of that country, and you have seen the unrest in those countries. We do not want that in America.

I intend to vote for cloture for the bipartisan amendment. It does a lot that I think in many respects goes way beyond what I contemplated. That is the essence of compromise. It is the essence of moving forward. It is the essence of solving a problem that has vexed us way too long. It is an opportunity to fix our broken immigration system.

I urge my colleagues to cast their votes and be not only on the right side of what is necessary for the country, but be on the right side of history.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. Madam President, there is first a matter of fairness when it comes to offering suggestions to amend legislation that is on the Senate floor. Under the ordinary practices and procedures of the Senate, the majority and the minority have an opportunity to offer amendments to modify the underlying bill. On a subject as important and as fundamental to who we are as a country and to our country's future as immigration reform, there have been nine amendments voted on in this bill in the last 2 weeks—nine amendments.

To listen to my colleagues in the majority who are happy with the underlying bill because they wrote it, they act as if we have had a fulsome opportunity to offer amendments. We have been willing to have votes as long as we get votes on our amendments. It is not just the majority that has the opportunity to modify the underlying legislation and to debate it, the minority has rights too. Our side wants a right to choose our own amendments, not to have the majority leader choose which of our amendments he is going to deign to allow debate and votes on. That is not democracy. That is not the Senate. That is a dictatorship.

We will not allow the majority to tell us which of our amendments will be allowed to be considered. We can have votes on any amendments the other side wants a vote on. We are ready, and we have been all along. It is not true to say that the minority has been blocking amendments to this bill. That makes no sense whatsoever. The majority wrote the bill.

The minority has all the incentives to offer amendments. Why in the world would we block our own amendments, but for the fact that the majority leader wants to choose which of those amendments he will somehow allow us to offer. It makes no sense whatsoever. I have heard some suggest that this is a minor vote we are going to have at 5:30, that there are just modifications to the underlying bill.

This is the amendment we will vote on. It was released late Friday evening, and we have been poring over line by detail ever since. This is not a minor matter; this is a serious amendment. The Schumer-Corker-Hoeven amendment makes enormous changes in the underlying bill. I wish to talk about some of those changes.

Back when this underlying bill was proffered, the framework for it was proffered by the so-called Gang of 8, Senator DURBIN, the distinguished minority whip from Illinois, said in 2013 a pathway to citizenship needs to be ''contingent upon securing the border.'' That was the bipartisan framework for comprehensive immigration reform in January 2013.

Six months later we find a different story. He says: ''We have de-linked a pathway to citizenship and border enforcement.'' He was quoted in the National Journal on June 11, 2013. He has not suggested since that time that it was taken out of context or a misquote.

What it demonstrates is how far we have come from what was promised 6 months ago and is now being delivered. I believe the American people are enormously generous and compassionate. There are circumstances under which the majority of Americans would say we believe people who have entered our country without complying with our immigration laws or who have entered legally and overstayed, the so-called visa overstays, we believe they should get a second chance—but not by demanding a pathway to citizenship and delinking it from border security and other important measures that will make sure we don't repeat the mistakes of 1996.

When Ronald Reagan signed an amnesty for 3 million people, the American people were told this will never happen again because we are going to enforce the law this time. It didn't happen, and the American people were justifiably skeptical as to whether it will happen again, particularly when this sort of sleight of hand takes place where we are told in January the pathway to citizenship is ''contingent upon securing the border,'' only to find out 6 months later it has been delinked.

If Congress can't keep a 6-month-old promise, it is never going to be able to keep any of the promises contained in this amendment.

For starters, this underlying bill relies upon the same sort of budgetary gimmicks that were used to pass the Affordable Care Act, now known colloquially as ObamaCare. We have been told in the underlying bill that it reduces the Federal deficit by $197 billion over 10 years. I have even heard some of my Republican colleagues cite that as if this is somehow free money: Hey, we can spend this money because the underlying bill reduces the Federal deficit by $197 billion.

The Congressional Budget Office has pointed out that the only way we can view that as free money—which is an oxymoron if there ever was one—is by double counting the $211 billion in off-budget revenue that will be needed to fund Social Security for the newly legalized immigrants. In other words, this is money they are going to pay into Social Security that they are going to eventually take out. To act like you can use it to pay their Social Security benefits and at the same time use it to fund this bill is double counting.

That is a budget gimmick. That is the same sort of gimmickry that has gotten us $17 trillion in debt, and it is perpetuated under this bill.

If we were to use real-world accounting, the same sort of accounting every family, every small business in America has to use, they can't double count the money. They have to use real hard numbers. If we use the same sort of accounting that families and small businesses across America have to use day in and day out, we will find that the underlying bill actually increases the budget deficit by more than $14 billion over the next decade. This is spending more money we don't have, adding to our annual deficit, adding to our national debt, putting us further and further in the hole when it comes to our fiscal condition.

One of the other problems is that even since the Congressional Budget Office looked at the underlying bill, we don't yet have an official cost estimate from the Congressional Budget Office for this bill that basically rewrote the entire underlying bill. We still don't have an official budget estimate from the Congressional Budget Office, and we don't know when that is likely to come. Yet we are going to be required by the majority leader, because he is the one who sets the schedule here by virtue of his being the majority leader, we are going to be required to vote on a cloture motion at 5:30 this evening, in about an hour—before we even know from the official scorekeeper for the Congress and the Federal Government exactly how much this costs, what the assumptions are, and whether we are still going to be looking at double counting the revenue that is coming in and looking to that to pay for the costs of this bill at the same time we are going to have to pay it out in benefits—double counting. We don't know if that continues under this bill, but I dare guess that it will.

Some of our colleagues on both sides of the aisle previously expressed real consternation at double counting back when ObamaCare was passed and back during the 2009 stimulus package. Some of them issued press releases saying: You can't spend the same money twice. Yet today here we go again. This is another reason I am so concerned about where we find ourselves: being jammed into voting on this piece of legislation without an official score of the Congressional Budget Office, before, I daresay, every Member has had a chance to read it and understand it, and when it relies on double counting and other gimmicks that have gotten us $17 trillion in debt.

I also worry that my colleagues who support this particular amendment, while I stipulate to their good intentions, their approach is one based solely on throwing more money at the problem without having any plan, strategy, or any real mechanism for ensuring that money is spent sensibly, and it accomplishes the stated goal.

Last week some of my colleagues gave me a hard time because I offered an amendment which would raise the number of the Border Patrol agents by 5,000. They said: We can't afford it. The underlying bill has zero new Border Patrol.

My amendment offered 5,000 additional boots on the ground. They said: We can't afford it. That is a ridiculous suggestion.

Imagine my surprise when this amendment that was filed so recently calls for 20,000 Border Patrol agents. This is a fourfold increase, even though experts across the political spectrum have said that doubling the size of the Border Patrol in and of itself, while it may provide some political figleaf for voting for this bill, does not and will not solve the problem.

I wish to know, for example, where that number came from. How did my colleagues turn on a dime from saying we needed zero additional Border Patrol, to saying 5,000 was a ridiculous suggestion, and are now saying 20,000 is exactly right? What expert, at what hearing was the testimony offered to support that sort of expense and that sort of approach?

Don't just take my word for it. There was a story in the Arizona Republic, dated June 22, quoting a number of experts on immigration and border security. Doris Meissner, who used to be the head of the Immigration and Naturalization Service, the predecessor to the Department of Homeland Security, called the approach in this amendment ''detached from the reality on the ground.'' She said it is ''detached from the reality on the ground'' and said it would make more sense to invest in creating ''a modern 21st century border, which includes enforcement but also trade and travel and facilitating crossing and reducing waiting time.''

This makes more sense to me because part of the underlying premise for the bill was to create a legal way for people to come, work, immigrate to the United States, and then allow law enforcement focus on the criminality, the drug traffickers, the human traffickers, and other people engaged in illegal conduct.

Ms. Meissner appears to be saying that makes a lot of sense when it comes to ''a modern 21st century border.''

Other experts have said and quoted in the same article in the Arizona Republic, June 20, Adam Isacson: ''There may be some room for more agents, but not for 20,000.''

John Whitley said: ''We should look at what we are trying to achieve—at the outputs instead of the inputs.''

In other words, what this approach does is say we are going to look at all the equipment we can buy, the technology we can deploy, the boots on the ground, but we are going to turn a blind eye to the outputs or the goals that we are presumably trying to achieve. Mr. Whitley agreed with that. He said:

> We should look at what we are trying to achieve—at the outputs instead of the inputs. Otherwise, seven years from now we'll be sitting around saying we don't know which bits work and which bits are wasteful.

I know some of our colleagues on the other side of the aisle—Senator LEAHY, for example, who is managing the bill

for the majority, the chairman of the Judiciary Committee, said it looks like a laundry list for defense contractors. I think I am paraphrasing correctly. Then he said: If that is what it is going to take to get them to vote for the bill, then I am for it. I am going to support it.

Once again, the underlying bill puts symbolism over substance, and they are hoping the American people will not notice. As I have said repeatedly, the so-called border security triggers in the underlying bill are sheer fantasy and wishful thinking because they are activated by promises of more money and more promises than they are on actual results. I am afraid the underlying Schumer-Hoeven-Corker amendment does nothing to change that.

Here is a comparison of the approach under the underlying Gang of 8 proposal, the Corker-Hoeven-Schumer amendment, and an amendment I offered last week which was tabled. We have the question, Is operational control of the border required? Under the Gang of 8 bill? No. This amendment? There is no requirement.

Under the amendment I offered last week, an individual would not be able to transition from probationary status to legal permanent residency until that happened. That is not to punish anybody, but what it does is it realigns all the incentives for everybody involved in this discussion, whether Democratic or Republican or Independent, whether conservative or liberal or whatever. It would have realigned all the incentives to make sure we would have hit this target of operational control of the border.

Is 100 percent situational awareness required? Not under the Gang of 8 bill. Not under this amendment. There would have been under my amendment of last week.

A biometric exit trigger. There is none under the Gang of 8 bill and none under this amendment.

Here is perhaps one of the best and most obvious reasons why people don't trust promises of future performance when it comes to Congress—because 17 years ago Bill Clinton signed into law a requirement for a biometric entry-exit system. Now, ''biometric'' is a big word. It could mean just fingerprints or an iris scan or facial recognition, but it is something you can't cheat on because it depends on a bodily characteristic that is immutable and cannot be changed, such as fingerprints.

So it was 17 years ago when President Clinton signed the law which Congress passed, a biometric entry-exit requirement, and it still hasn't been implemented. And while people think that mainly illegal immigration is caused by people entering the country across our borders, such as the 1,200-mile Texas-Mexico border, the fact is that 40 percent of illegal immigration occurs because people come in legally and overstay their visa, and they simply melt into the great American landscape. Unless they commit a crime or otherwise come in contact with law enforcement, we never find them again.

Here is the other problem in the underlying bill. Even if these requirements required results rather than promises of performance, unfortunately, under the underlying bill and now again in this amendment we are going to vote on at 5:30 today, the Secretary of the Department of Homeland Security has the unilateral discretion and authority to waive all of those requirements. This is the same person who said the border is secure even though the General Accounting Office said in 2011 only 45 percent of the border was under operational control. She may well be the only person in America—the only person in America—who believes the border is under control because it demonstrably is not. Yet she is given the authority to waive these requirements in this amendment we will vote on at 5:30.

Then there is this: Under the underlying bill an individual can beat their spouse or their partner, they can drive drunk and threaten the lives and livelihoods of American citizens, and they can still qualify for RPI status and get on a pathway to citizenship. As a matter of fact, under this underlying bill they could actually have already been deported, having committed a misdemeanor, and still be eligible to reenter the country and become the beneficiary of RPI status and put eventually on a pathway to citizenship. That is a terrible mistake. I don't know anybody who believes we ought to be taking people who have shown such contempt for the rule of law and the health and safety and welfare of the American people and say: You know what, out of the generosity of our hearts, we are going to give you one of the greatest gifts anyone could ever get; that is, an opportunity to become an American citizen.

I would hope most of us in this Chamber would agree that immigrants with multiple drunk driving or domestic violence convictions should never be eligible for legalization, especially after they have already been deported. Yet the underlying bill, the so-called Gang of 8 bill, and the Schumer-Hoeven-Corker amendment will grant immediate legal status to criminals, including those already deported, as I said, and including people who have committed domestic violence, even with a deadly weapon. I still can't quite get my mind around that, but it is true.

Our standards when it comes to granting legal status to people who have come into our country in violation of our immigration laws and/or who have come in legally and overstayed should be crystal clear. We should differentiate between people who have made a mistake and are willing to pay for it—pay a fine, be put on probation, and successfully complete that probation—and people who have come in and shown such contempt for our laws and the rule of law as to have engaged in a history of drunk driving or domestic violence. They should be automatically disqualified from receiving probationary status. I find it remarkable that we are even debating this issue in the first place.

A few final points. We are going to be asked to vote on legislation that was crafted behind closed doors, with no chance for amendments. As a matter of fact, I believe that once the majority leader gets cloture on this amendment, we will have virtually no other opportunities to offer any additional amendments and get votes on those amendments after only having votes on nine amendments so far. That is an outrage. We are going to be asked to vote on legislation filled with special interest goodies, with earmarks and pet spending projects, and we still don't have an official cost estimate by the Congressional Budget Office. We are being asked to vote for legislation that will continue the three-decade pattern of broken promises on border security. In short, we are being asked to vote for more of the same.

I know my good friend from Tennessee Senator CORKER has been one of the best new additions to the Senate. He has remarkable knowledge and experience and great enthusiasm.

He asked me: What more do you want than 20,000 Border Patrol agents and a commitment to spend all these billions of dollars on new equipment? What more could you possibly want?

My answer to that is this: I would like to know that the promises we are making in terms of border security, interior enforcement, and visa overstays are going to be kept; otherwise, all we will have is 11 million people granted probationary status, with the potential eventually to earn legal permanent residency and American citizenship. And those people who might be willing to consider that sort of arrangement if they had a guarantee that we would not be back here doing this same thing again in 5 or 10 years are going to have nothing but a bunch of broken promises to show for it.

For me, it is a very sad episode in a very important Senate debate that has huge ramifications for the future of our country. At the start of this debate, I had high hopes that the Gang of 8 was serious about keeping promises and delivering real bipartisan immigration reform that could pass the House of Representatives. But now I see it is just the same old beltway song and dance. What a shame. What a lost opportunity that is.

Now I believe all eyes and attention will turn to the House of Representatives, where I hope the House of Representatives will take a more careful,

step-by-step approach in addressing our broken immigration system. My hope is that ultimately we will get to a conference committee that will fix the underlying approach and problems in this amendment and in this bill and will allow us to successfully address our broken immigration system that serves no one's best interests.

I am not one who believes ''no'' should be the final answer when it comes to our broken immigration system. I actually believe we need to fix it, and we need an immigration system that reflects our values and reflects the needs of our growing economy in a globally competitive environment, but this bill is not it.

There will be no way to enforce the promises that are so readily made today in the future. Notwithstanding the best intentions of the people who offer this amendment, many of us won't be here 10 years from now. No Congress can bind a future Congress. No President can bind a future President. And if we are depending for the next 3½ years on Janet Napolitano, the Secretary of Homeland Security, and President Obama to enforce the mechanisms in this bill, I am afraid we are going to be sorely disappointed. And how can we possibly know what the next President and future Congresses will ultimately do? That is why it is so critical, if we are going to keep faith with the American people, to have a mechanism in this bill that will force all of us across the political spectrum to do everything we possibly can to make sure those promises are kept. And it is not in this amendment.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Madam President, I appreciate the comments of my colleague from Texas and his earnest desire to confront the problems in front of us. I would say at the outset that the recognition over the last 8½ to 9 years of being in the Senate is that we have a problem we need to solve, and I don't think anybody disagrees with that, but I think there are two important points to which the American people expect us to pay attention. One is what Reagan described as the shining city on a hill and that people coming here make us better. There is no question about that. What he wanted in 1986 was not all walls, as some people wanted, not all doors, as some people wanted, but a wall with doors.

So there are two basic facts that confront us. One is that the rule of law is the glue that holds us together. And when we hear talk about the American people having confidence as to whether we are going to enforce the rule of law, whether it is on immigration or anything, the very fact is that fabric which is holding this Nation together is being stretched very thin right now, and the last thing we should do in an immigration bill is to stretch that fabric further in terms of the confidence of the American people and in terms of the rule of law.

This bill and this amendment is full of holes all throughout as far as the rule of law is concerned. My colleague from Texas outlined some of that. He also outlined the capability of the waiver—waiving the border fence, waving the requirements for RPI status. It is all written, but it is written so that the Secretary of Homeland Security can waive almost every portion of it. So that is not the rule of law, that is the rule of rulers and whatever the rulers decide.

One of my great disappointments in the Senate is that we too often don't follow regular order. This bill was put together. It did go through the Judiciary Committee, but not once did it come through the Committee on Homeland Security and Governmental Affairs, Homeland Security, where Border Patrol, where ICE, USIS—where all the implementation of anything that is in this bill will take place; where, by the way, all the knowledge, all the experience of all the members on that committee for the last 10 or 12 years, with the exception of Senator MCCAIN, was not utilized in putting this bill together. So what we have is some very good effort and well-intentioned effort by a lot of people to do some things, but let me outline where they have it wrong.

The National Association of Former Border Patrol Officers wrote a letter denying the fact that we need 20,000 additional Border Patrol agents. Here are the people who know. How stupid is this?

What we are doing is throwing money and hoping it will stick on a wall and that we can convince our colleagues we have a border security plan when, in fact, there is no border security plan in the United States today. How do I know there is no plan? Because 2 weeks ago I had breakfast with Secretary Napolitano, and I asked her to send—and she said she would—sector by sector, a border plan for the United States, and I got a 2-page letter that had nothing in it.

This isn't a new border plan. This isn't a specific border plan. The country doesn't have one right now, so we have put this together, outside of the regular order, well-intentioned people trying to solve a problem to assure the American people that in fact we are going to secure our borders.

I will readily admit to you that if I lived in the poverty of some of the Central American nations that I would make every effort on my part to get here—legally or illegally—because the opportunity is here, that opportunity to improve yourself, that opportunity to work hard, that opportunity to live in a Nation that has a justice system where the rule of law reigns supreme. If I were from one of the Central American countries and came here, the very irony would be the fact that I am going to break the law that is the very nurturing thing that gives the opportunity to advance for me and my family.

I ask unanimous consent to have printed in the RECORD the letter from the National Association of Former Border Patrol Officers.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF
FORMER BORDER PATROL OFFICERS,
Brunswick, GA, June 21, 2013.

The National Association of Former Border Patrol Officers believe that the Information contained in their CIER Proposal for Immigration Reform is a much better path to border security than any other being discussed.

Just putting more Border Patrol Agents on the border would be a huge waste of resources and do nothing to solve the real problems of Illegal Immigration.

We believe that there are a sufficient number of Border Patrol Agents currently on the border. The real question is how many ICE Agents will need to be trained and put in place to handle the sheer volume of Criminal Aliens currently present in the United States. The issue being concealed by the press and Congress is the clear and present danger criminal aliens pose to the American people. Anything resembling amnesty or a path to citizenship at this point in time will ensure further endangerment of the American family unit which is the foundation of American society, by enabling the following type of aliens to remain in the United States:

(http://www.timesdaily.com/news/local/article_989a9996-d4a2-11e2-a29c-10604b9f6eda.html)

(http://www.immigration911.org/news/2012/01/illegal-alien-rapes-and-murders-one-month-old-baby-in-nm/)

(http://www.alipac.us/content/illegal-alien-raped-killed-9-month-old-girl-california-1916/).

Real border security must begin with effective interior enforcement in every jurisdiction in all fifty states. Achieving real border security requires aggressive expansion of 287(g) authority, closing down sanctuary cities, fair and universal employer sanctions and denial of other benefits such as welfare, public housing, and granting of identification that would enable the criminal element to continue concealing their presence in our communities to include driver's licenses.

For years the illegal aliens being apprehended by percentages ranging from 17–30 percent already have criminal records inside the United States. A significant percentage of these illegal aliens are violent criminals and the number requiring further prosecution prior to removal may exceed three million. Moreover, at this point in time the illegal drug and illegal alien situation in America has spread to over 2000, American cities and those engaged in both of these criminal activities are virtually inseparable. This threat to Public Safety must be addressed first and in that process there is a reasonable likelihood that potential terrorists will also be identified and removed or incarcerated. They live among us.

The second step can be discussed when the Public Safety of Americans has been assured.

ZACK TAYLOR,
Chairman, National Association of Former Border Patrol Officers.

Mr. COBURN. Now, what has Senator CORNYN outlined that does not fit with common sense? He said people who commit three misdemeanors, whether it be child abuse or spousal abuse or drunk driving, shouldn't be given RPI status. Yet, under this bill you can do that. And for those who are not familiar with courts of law, it is on the date. So if you got two on one date, that only counts as one. Theoretically, you could have 10 or 12 misdemeanors and still qualify for RPI status. How does that fit with the rule of law? How does that fit with the glue that holds us together? What that does is flaunt the rule of law.

The other thing that I think is very problematic in this bill is we have 20,000 Border Patrol agents but no increase in ICE agents, no increase in USCIS, who are the very people who are going to have to handle the 11 million people here who are going to progress to RPI status. So where is the money to handle the 11 million additional people for ICE and USCIS? It is not in there.

If in fact we want the rule of law to work, then we want the people who qualify under this bill for RPI status to do so under the rule of law, which means you have to investigate and do a background check, and make sure the documentation establishes them being here before December 31 of 2011; that in fact they do have residence here, that in fact they have worked here, and that has to be worked on. That can't just be a blanket. Because the opportunists will take advantage of that system. If in fact there are no ICE agents and there are no USCIS agents to actually handle that, that means everything that has been set up in this bill will happen without an investigation, without knowledge that it is true and, in fact, people qualify for RPI status.

The other side of the bill Senator CORNYN made a point about which I wish to expand upon is the fact we are not going to have an entry and exit visa system because 80 percent of the people go through the land ports, and this bill exempts those land ports totally from that.

You heard Senator CORNYN talk about 40 percent, maybe even 50 percent of the people who are here illegally today came here legally, with a visa. They qualified for a visa, and they overstayed their visa. If in fact we have no internal enforcement, no ICE agents to enforce the visa overstays, we won't change that. The CBO even said you are going to have 7.5 million new illegals—undocumented—come across under this bill. If you have no internal enforcement, there is no way to drive that number down. Yet this bill puts the resources in the wrong place.

You control a border by controlling what the situation is on the border, depending on location, geography, topography, and assets. So throwing 41,000 Border Patrol agents across our southern border might work, but it is a tremendous waste of resources. It might be a jobs program.

The fact is it takes a combination of technology, fencing, Border Patrol, and the right combination for wherever we are talking about to be effective in operational control of the border. But that is not even a part of the bill. It is not part of the bill to have operational control of the border with a 90-percent effective rate. One of the reasons we can't get there—which is one of the things Americans want to see us promise in this bill—is because our control of the border today is somewhere between 40 and 65 percent. That is opposite of what the Secretary of Homeland Security will tell you, but that is what the studies outside of government say when they go to interview those undocumented workers who are here today. They did a very thorough analysis of that and said we are somewhere between 40 and 65 percent.

So the basis of allowing undocumented workers and those who are in our country who can contribute greatly to our country, the basis of putting them on some type of status to move toward a green card status and ultimately citizenship has to be based on some real facts.

Why would somebody not agree to 90-percent control of the border? The only reason they would not agree to it is they don't think it is achievable. The only reason it is not achievable is because we don't have the political will to do it. It is technically achievable. You can't get to 100 percent, but with good leadership, good sector-by-sector planning, good internal enforcement, and great legal immigration so you decrease the illegal, we could get there. Why is that not part of this bill? It is because the rule of law does not reign supreme in the Senate.

Let me make a couple other points. One of the big holes in this bill in section 1202 says the following: The Secretary shall initiate removal proceedings in accordance with chapter 4 of title II of the Immigration Nationality Act, 8 U.S.C. 1221; two, confirm that immigration relief or protection has been granted or is pending or otherwise close to 90 percent of the cases of immigrants who were admitted to the United States as nonimmigrants, et cetera.

All that means is she can waive the requirements under the bill. She can waive the fence. All throughout this bill we are letting a nonelected individual have the power to undermine every aspect of any tooth in this bill.

When the immigration debate started, my hope was that we would do the principle most Americans want us to do, which is we need to solve the problem of the undocumented in this country. We need to bring them out of the shadows. But the price to do that is cogent and realistic control of our borders.

Let me make a point. If in fact you don't have cogent and realistic control of your borders and you do everything else in this bill and everything works as the authors want it to work, guess who is going to be coming across the border. The very people we actually don't want here: the drug runners, the human smugglers, the criminals, the terrorists.

So when I say 90-percent operational control of the border and I am in Oklahoma, people look at me with askance. They say, Well, that means 10 percent of the people are still coming. And guess what makes up that 10 percent. The worst of what tries to get into this country.

So it is not just about getting a border security plan to secure our border, it is about limiting access of the criminals and the terrorists and the worst from coming into our country. This bill is going to allow that to continue. It is not going to stop that. It will continue.

To Senator CORNYN's point, what we need is to take this out of the political arena. We need to make it so the pressure is that we do what is best for America, and one which is best for America is having a lot more people come here and contribute to our melting pot. There is no question about that. But we have to have it where it cannot be manipulated by whoever is in charge for political benefit. That is why the Cornyn plan is novel in terms of actually solving the problem.

I am not going to be here much longer, less than 3½ years, but I can already predict what is going to happen if this piece of legislation comes through: My daughters and their husbands 15 years from now are going to be listening to the same debate on the Senate floor.

The biggest deficit the Senate has, in my mind, is failure to put teeth into what they know will actually fix the problems in this country. This bill has no teeth. This bill has $48 billion thrown up against the wall to buy the votes to say we are going to have a secure border when in fact we are not.

That doesn't mean we can't get a secure border. I worked for 2 weeks with my staff. I told Senator SCHUMER from New York I would love to try to do that, but in 2 weeks you can't do it. What you have done, you haven't done it either, and you have done it from a deficit of knowledge rather than using knowledge. You didn't use any of the significant historical staff on the committee of jurisdiction to help write this legislation. The institutional knowledge is not in it. It will not succeed.

I don't know ultimately how I will vote on this amendment, but I am certainly not going to vote to proceed to this until we have had a chance—more than 72 hours—to actually work through and be able to ascertain and also share the flaws in the approach.

For a third of that amount of money you could easily secure the border, and we are going to spend $48 billion. And in there is another jobs program adding to the 102 we have now, at $1.5 billion. GAO has already said we need to redo our jobs program. Well, we have. We have an earmark for another youth jobs program, and we won't even fix the youth jobs programs we have now.

Madam President, I yield the floor.

Mr. SCHUMER. Madam President, what is the status of the time that remains for each side?

The PRESIDING OFFICER. The proponents of the measure retain 25 minutes; opponents have 7 minutes.

Mr. SCHUMER. Madam President, I rise in strong support of the Corker-Hoeven amendment. I have listened carefully to those who are opposed who have come to the floor today and Friday, and I have come to one conclusion: They won't take yes for an answer.

Most of the criticism that has come at this amendment is it does too much for the border. Even some of my colleagues who are opposed say it does too much, even though they proposed similar things themselves.

My good friend from Texas says we don't need more border agents but had proposed 5,000 himself. My good friend from Texas also said, well, we need technology, but there was no technology in his bill. My dear friend Senator COBURN, whom I very much like and admire, first says we need money for ICE agents, not Border Patrol. But ICE is funded to deport about 400,000 people a year. Most of the 11 million will become citizens and not be deported. We have more than enough ICE agents to deal with the much smaller number who will be here illegally, certainly in the beginning and throughout the bill.

Dr. COBURN said we don't have more money for U.S. CIS agents. We do—$3.6 billion more.

Finally, Dr. COBURN talks about the trigger. Let's face it, for many on the other side the No. 1 priority is securing the border. For many on our side the No. 1 priority is achieving a path to citizenship. The bill proposed by the Gang of 8, we believe, did both. But, certainly, there were many on the other side who thought the amount we were putting into border security was not enough, was not adequate, so we were willing to augment that in the Corker-Hoeven amendment, which I am going to talk about in a minute.

Certainly, what we do not want to do is choose one in place of the other. The problem with the 90 percent, which Senator CORNYN proposed, was that under many different types of scenarios and circumstances—an act of God, an administration that was decidedly against a path to citizenship and counted things differently or held up the count—we could envision no path to citizenship. That was out of the question for us.

What we tried to do is say we can have both. We also said we are going to do border security first. But what we made sure of in the triggers—and there are five triggers now with the amendment in this proposal. We make sure the triggers could not be used deliberately by somebody who was opposed to the path to citizenship as a way to block them—whether that be a Congress or a President or somebody in the administration.

So we have come up with the right compromise. We have not split the baby in half, which is what Senator CORNYN and, I gather, Senator COBURN want to do. We have had both. We have satisfied those who are for border security and those who are for a path to citizenship, and only when we satisfy both will we get a bill. We cannot do it with one and not the other. So let me go over the border security part and why it will work.

First, to say the experts were not consulted, as my good friend from Oklahoma said, is not fair, particularly to Senators MCCAIN and FLAKE, who are probably greater experts on what is needed at the border than any of us. They may not be chair or ranking member of the committee—although I believe Senator MCCAIN is on that committee—but they live on that border. And, to boot, Senator MCCAIN has tremendous military experience in terms of surveillance.

What we have done is looked at each sector. There are nine. They are different. The sector of the Senator from Texas has a river and has private property that goes right up to the edge of the river. It would take 30 years to build a fence on that side of the property because we would need eminent domain, and I am sure there are some ranchers who would say: I don't want a fence on my side, right by the river. That is where my cattle come to graze and drink.

There are parts of the Arizona sector that are heavily populated where a strong fence is needed, and there are parts that are so rugged that have no roads that a fence would be a waste of money.

Our bill relies on different approaches in each of the nine sectors. But the best approach did not just come out of the air. That came with Senator MCCAIN sitting down, working with Senators HOEVEN and CORKER, but also working with the Department of Homeland Security as well as those who work in the Border Patrol as to what is needed. That is in the bill.

We heard the objection from others that they do not trust DHS, either this one or a new one, to implement what is needed. So it is in the amendment.

Why do we need so many men and women on the border? Let me explain. Our American people demand that we make the border airtight. That is why some have proposed a 2,200-mile fence, double. That is what they wanted. The cost would be—I think it might go to the hundreds of billions, but it also would not work in many areas for the reasons I mentioned. But they want it airtight. So here is what we have: We have adequate eyes in the sky, whether it be drones or airplanes. So every person, every single person, 100 percent observability, 100 percent situational awareness is what it is called. Any single person crossing the border will be detected, every single person, whether it is night or day, whether it is sunny or stormy. The technology not available 10 years ago allows us to do just that.

Then we have proposed a large number of Border Patrol. It is true there are enough agents that 24–7 we could station somebody on the border every 1,000 feet, all the way from the western edge of the border in San Diego, CA, to the eastern edge of the border in Brownsville, TX. Why? Because the minute one of those eyes in the sky detects someone approaching the border, there will be adequate personnel there to say we will detain them or turn them back.

It is obvious. It is what the experts tell us will work. It is very explainable to the American people. So, yes, there are a lot of resources on the border. Yes, each of us, if we wrote the bill, might do it a different way or put in more money or less money. But no one can dispute that the border becomes virtually airtight—virtually airtight. That means those who cross the border will be few and far between.

There are two things I would like to mention. It is expensive. This amendment does not come cheap. But the CBO report was a game changer because it said what everyone understands, but it verified it. It gave it the Good Housekeeping Seal of Approval. We all know one of the great economic engines of America—or we should all know; many of us do. I know, Madam President, you know it, being an immigrant yourself—that one of the greatest economic engines America has had to propel it and make it the greatest country in the world is immigrants.

Immigrants are willing to risk everything. They cross stormy oceans, trek across deserts to come to America. What a beautiful, wonderful thing. I am so proud that out the window of my den in Brooklyn, NY, I can see that lady who holds the torch. To the whole world she symbolizes what a great country we are. And people come.

Anyone who doubts and says the Sun is setting on America, just look at how many people risk their lives to come here, how many people separate from families to come here, how many people uproot themselves to come here. If America were not such a great, attractive place, we wouldn't have a problem

of so many illegal immigrants. People want to come here. When they come here they work. Boy, do they work. To be able to send $10 a week to their mother or kids in Oaxaca Province or in the Philippines or in Bosnia is a huge thing. It gives them joy. That is why they are sometimes willing to work under the kinds of conditions we don't find acceptable for people who are here legally. But it is the greatest economic engine there is.

Immigrants form companies because so many of the smartest and brightest come here. Immigrants make our meat factories and our farms work because even those who may not have such an education are willing to work under very difficult conditions to earn enough money to feed themselves and maybe send a little home to their families. They are the greatest economic engine we have—the greatest.

Republicans say the way to get this economy going is to cut taxes. Democrats say the way to get this economy going is to spend money. You can decide which one you believe in. But I tell you, no one can dispute that a greater economic engine of either of those is the blood, sweat, toil, and tears of our immigrant communities—not just starting today but from the day in my city when the new immigrants were called ''English'' because the Dutch had settled New York and didn't want these newcomers to come in. In fact, the two oldest high schools in America are in New York City. They are both private schools, but one is called Collegiate. It was formed by the Dutch Reform Church in 1628.

When the English came, they didn't want to go to a school with this Dutch Reform Church. So they formed the Trinity School for the Episcopal English, the Anglican English. There were all kinds of tension. Of course, there is always tension. But when these new English people came, they worked hard and the Dutch saw that.

Peter Stuyvesant recognized it and made New York, actually—the reason so many have written that we have become the greatest city in the world is because, unlike other cities, we would take everybody as long as they worked hard. It is one of the reasons my people settled so heavily in New York, in America. It was a tradition that lasted a long time. Boston was bigger than New York, Philadelphia, but they were closed to outsiders. New York was open.

So the greatest economic engine America needs is immigrants and their hard work, whether they are Ph.D.s in nuclear physics or cutting sugar in Florida or Louisiana. The CBO vindicated that report. Amazing. We are busy talking about Mr. Bernanke and how he could twist the dials and GDP growth might go up 0.3 percent. Do you know what the impartial CBO showed? If we did our bill, which both brought 11 million workers out of the shadows and brought hundreds of thousands more in, in the next decade—millions more in—whether through the Future-Flow Program or Family Unification—GDP would go up 3.3 percent. I know of no government program or tax cut that even professes to do that much. And in the second decade it would go up over 5 percent.

Of course, this is good for America, and we want to secure our borders and we want to rationalize our system and we want to be fair on a tough but earned path to citizenship for those who cross the border illegally. The bill, with the addition of the Corker-Hoeven amendment, will convince everybody they do it all.

One other point. Those who said this new Corker-Hoeven amendment will cost money, it will. But let me read what CBO has just said in the last half-hour:

> The amendment—
>
> Corker-Hoeven—
>
> would significantly increase border security relative to the committee-approved version of the bill, and it would strengthen enforcement actions against those who stay in the country after their authorization has expired. Therefore, CBO expects that relative to the committee-approved version of S. 744, the amendment would reduce both illegal entry into the country and the number of people who stay in the country beyond the end of their authorized period.

I say that to my colleague from Texas, who is on the Senate floor, and others who say this will not work. CBO: Illegal immigration will decline as a result of the Corker-Hoeven amendment.

Here is something else CBO says:

> All told, CBO and JCT—
>
> Joint Committee on Taxes—
>
> expect that enacting the amendment would, like enacting S. 744—
>
> The base bill—
>
> reduce the federal deficit over both the next 10 years and the second decade following enactment—fewer illegal immigrants, higher GDP, more jobs, reduced deficit.

Who could oppose that? I don't know of anybody who could oppose that if they care about America.

Once again, on the border stuff my colleagues just won't take yes for an answer. This is the toughest, strongest, most expensive border provision we have had. It is augmented, of course, by the entry-exit system improvements and the mandatory E-Verify, which many of my colleagues, including my good friend from Alabama, have been calling for for a long time. Illegal immigration will drop dramatically, GDP will go up, jobs will go up, and the deficit will go down.

Pass this amendment and pass this bill. It is good for America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, at 5:30 p.m. today the Senate is going to vote on the modification to the Leahy amendment, which is the package that was put together by Senators HOEVEN and CORKER. The distinguished senior Senator from New York who has led the so-called Gang of 8 in putting this bill together has just spoken on the floor, as will, I believe, the distinguished majority whip, who is also on the floor.

As I indicated on Friday when I spoke about this, this is not the amendment I would have drafted. I think every one of us, if we drafted the bill, would have drafted it differently. Republicans demanded these aggressive border measures to secure their support for the overall legislation. And while it means spending an enormous amount of money, because their amendment will increase Republican support by spending this money for this historic, comprehensive legislation, I will support it. Ultimately, the comprehensive legislation is most important.

I appreciate that this package includes a provision Senator MURRAY and I worked on that takes an important step toward restoring privacy rights to millions of people who live near the northern border. Over the past decade, the Department of Homeland Security has periodically set up a Border Patrol vehicle checkpoint nearly 100 miles from the Canadian border in Vermont. Many Vermonters have questioned whether this is an effective border security measure or whether it is just a waste of money. Some have wondered why we are doing it when we are 100 miles from the friendliest border any country has ever known.

My provision will make significant progress in addressing that checkpoint by injecting oversight into the decisionmaking process for operating checkpoints so far from the border. While this is an important step in the right direction, I am disappointed that the version of the Hoeven-Corker amendment is limited to the northern border, and I will continue to work on this issue so that all Americans can have their privacy rights protected. Most of us appreciate our privacy rights and don't like to be stopped for no particular reason.

Today's vote for cloture on this Republican package is a vote for bipartisan support for comprehensive immigration reform. It is a vote in favor of taking the bold steps needed to confront the current situation and give the many millions of people living in the shadows the opportunity to come into the lawful immigration system. I applaud those Senators, both Democrats and Republicans, who have come together to get us here. Now is the time for this whole body to come together in support of fixing a broken immigration system that hurts all of us. It stifles our economy and keeps our families apart. We have gotten to this

point through compromise, but we have not compromised on the core of this legislation that is intended to set so many on the path to become full and lawful participants in American life. And in that spirit of compromise and cooperation, which was fostered through almost 140 amendments that were agreed to by bipartisan votes in the Senate Judiciary Committee, I will support this amendment and urge my colleagues to also support this amendment.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Madam President, I thank the Senator for his leadership on this issue, and I want to make a few brief comments in support of the amendment.

First of all, to those who have been traveling and are just coming in, this is a cloture vote on the amendment only. There will be further cloture votes down the road. This amendment is in legislative language and has 115 pages. It takes about 30 minutes to read. We have had it out there for 75 hours, so people have had plenty of time to look at this.

I especially want to say to my colleagues on this side of the aisle that what this amendment should be measured against is the base text of this legislation. The border security piece would be put in place by the head of Homeland Security. Right now, that is Janet Napolitano. She would have 180 days to put that in place, and then the trigger 10 years down the road is that Homeland Security says that it is 90 percent in place.

What this amendment does is put in a much stronger border security regime that has five triggers in it before anyone can receive a green card: No. 1, there will be 20,000 Border Patrol agents who will be deployed, trained, and in place; No. 2, $4.5 billion worth of technology that is necessary for us to get 100 percent situational awareness on the border; No. 3, 350 miles of new fencing on top of the 350 miles of fencing we now have: No. 4, the E-Verify system will be fully implemented and in place: No. 5, fully implementing an entry-exit visa program, which is one of the reasons there have been so many overstays.

What I say to my friends on this side of the aisle: You are measuring the base text which says nothing about what we are going to do to this amendment which specifically spells out those things that have to occur before anybody can move from temporary status to green card status.

Some people have talked about the costs. This is a $46 billion investment. Much of it is one time. The fact is that this only goes in place if the bill passes, and as everyone knows the bill generates $192 billion to the U.S. Treasury over a 10-year period. I have never had an opportunity to vote for a bill that did that.

Lastly, let me state that Governor Brewer probably knows more about border security than anybody on the Senate floor. She has been dealing with that in Arizona for a long time. Today she said in front of a national audience that this, in fact, was a victory for Arizona if this amendment could be passed.

CBO has scored this today. I tell all the Members that as opposed to the base text, which just says a plan will be put in place after 180 days—we don't know what that is. But this will significantly reduce the amount of illegal immigration we have in this Nation.

I know there are folks who will vote against the bill regardless of what it says. I just say: Please look at this amendment. This is a strengthening amendment. This is an amendment that every Republican who cares about border security and people on the other side who care about border security should support. I hope everyone will get behind this. This puts a balance in place. I think if this amendment is passed, we will be doing something great for our Nation.

I urge everyone to vote yes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, we are about to vote to end debate—a debate that never really began on an amendment that is 1,200 pages and was filed on Friday afternoon after many Senators left town. We are now voting at 5:30 p.m. on Monday as many Senators are stepping off the airplane.

This is the 1,200-page amendment. We have seen this play before. It is reminiscent of ObamaCare—yet another bill we were told we have to pass to find out what is in it. Unfortunately, it seems there are some Republicans eager to go along with the Democrats in the mad rush to pass this bill.

In the 2007 immigration debate, close to 50 amendments were considered. In this debate, only nine amendments have been debated. I introduced seven substantive amendments to improve this bill. Not a single one of those amendments has been considered on the floor of the Senate.

Mr. SCHUMER. Would my colleague yield for a question?

Mr. CRUZ. I would happily yield except we have 5 minutes left.

Mr. SCHUMER. Madam President, I ask unanimous consent that I be given 1 minute for both the question and the answer.

The PRESIDING OFFICER. Is there objection?

Mr. CRUZ. Assuming that the time does not come out of my own, I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Does the Senator deny that of the 1,000 pages, about 100 pages are new text and the rest is just the old text of the existing bill and that over a weekend every Senator should be able to read 100 pages of important legislation?

Mr. CRUZ. As my friend from New York knows well, the amendments are interspersed through a very complicated bill. Analyzing where waivers have been given and what the intersection is of new provisions with old provisions is not a simple endeavor. Indeed, in this particular body, it is not unbeknownst to this body to slide something in text.

My point is very simple: What is the rush? Why are we proceeding gangbusters? The only explanation that makes sense is that it seems there are many Senators in this body—perhaps on both sides of this aisle—who very much want a fig leaf. They want something they can claim they are supporting border security when, in fact, this bill does not do that.

I suggest that if we contrast this amendment to the amendment I introduced, we can see the difference between a bill that actually would protect border security versus something that is merely meant to tell gullible constituents that we have done something.

The first and most important difference is that this amendment provides legalization first and then border security maybe at some time in the future. We have seen this before. In 1986 it was the same promise Congress made. We got the legalization, we got the amnesty, and we never, ever got border security. In contrast, the amendment I introduced reflects the will of the American people to have border security first and only then the possibility of legalization.

Secondly, this amendment does not require operational control of the border. Current law requires that. This amendment weakens current law on operational control. My amendment would require that the problem actually be solved.

Thirdly, this amendment does not require a biometric entry-exit system. It weakens current law. Current law requires that; this amendment takes that out. Instead, it requires essentially a photo ID. For anyone who perhaps has known a teenager, they know that the difficulty of securing a fake ID with a picture on it is not very high. Any flea market in the land will allow it.

Fourth, this bill weakens the requirements of statutes on secure fencing, and it weakens the current law on border security.

Fifth, this amendment is not offset. My amendment was offset. So there is brandnew spending in this amendment with no offset.

Sixth, this amendment has no real enforcement. The amendment I introduced said: If the changes within it on border security were not implemented within 3 years, 20 percent of the salary

of political appointees at DHS would be reduced, 20 percent of the budget would be reduced, and it would be block granted to the State to fix the problem.

Fundamentally, this is about political cover. It is not about solving the problem. I suggest the approach is one with which we are all familiar. It is the approach that perhaps in childhood we knew well. It is an approach that says: I will gladly secure the border next Tuesday for legalization today. Now, if we were naive and had not been through 1986 together and had not seen Congress play this same show game with the American people, perhaps we would fall for it, but I don't think the American people are that gullible. Everyone wants to fix our broken immigration system, but at the same time we should not replicate mistakes of the past.

This amendment and the underlying Gang of 8 bill grant immediate legalization. The border security changes will never be implemented, and the border will not be secured. That is not a solution of which the American people can be proud. I urge this body to reject the amendment, to vote against cloture, and reject the underlying bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Madam President, I understand there will be numbers of people on my side of the aisle who are going to vote against the immigration bill, in some cases regardless of what it says. But this amendment is not about anything relative to amnesty or anything else.

If I could just read to all of my Members what CBO said about this amendment: ''The amendment would significantly increase border security relative''——

The PRESIDING OFFICER. The time of the proponents has expired.

Mr. CORKER. I ask unanimous consent for a 1-minute extension.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORKER. This came out of CBO today. I wish to say this to all the Members on my side. I urge everyone to look at the CBO language, which says if this amendment is passed, it will strongly increase border security and strongly decrease illegal immigration in this country. I don't know how any Republican who says they support border security can vote against this amendment when they are comparing it against the base language which is in the bill.

I yield the floor.

The PRESIDING OFFICER. There is 1½ minutes remaining for the opponents.

The Senator from Alabama.

Mr. SESSIONS. Madam President, this is not a vote on the Hoeven amendment; it is a vote on the complete substitute of over 1,000 pages that includes all aspects of the bill before us. It includes amnesty, and it includes the failed entry-exit visa.

If we vote for cloture tonight, we will be transferring complete control of the entire process for this immigration bill to the majority leader, HARRY REID. We can hear the whistle in the distance right now as the train is arriving in the station. If Senators REID, CORKER, and HOEVEN are able to cut off debate, the next vote will come in about 30 hours and another substitute vote in 30 hours after that.

Senator REID has filled the tree. There will be no amendments allowed——

Mr. LEAHY. Regular order.

The PRESIDING OFFICER. The time of the opponents has expired.

Mr. SESSIONS. Without the approval of the majority leader.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the Leahy amendment No. 1183, as modified, to S. 744, a bill to provide for comprehensive immigration reform, and for other purposes.

Harry Reid, Patrick J. Leahy, Michael F. Bennet, Charles E. Schumer, Richard J. Durbin, Robert Menendez, Dianne Feinstein, Sheldon Whitehouse, Patty Murray, Debbie Stabenow, Robert P. Casey Jr., Mark R. Warner, Thomas R. Carper, Richard Blumenthal, Angus S. King Jr., Christopher A. Coons, Christopher Murphy.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 1183 offered by the Senator from Vermont, as modified, to S. 744, a bill to provide comprehensive immigration reform and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN) and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. CHAMBLISS), the Senator from Georgia (Mr. ISAKSON), the Senator from Wyoming (Mr. ENZI), and the Senator from Utah (Mr. LEE).

Further, if present and voting, the Senator from Utah (Mr. LEE) would have voted ''nay.''

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 67, nays 27, as follows:

[Rollcall Vote No. 160 Leg.]

YEAS—67

Alexander	Graham	Murkowski
Ayotte	Hagan	Murphy
Baldwin	Harkin	Murray
Baucus	Hatch	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Heller	Reid
Boxer	Hirono	Rockefeller
Cantwell	Hoeven	Rubio
Cardin	Johnson (SD)	Sanders
Carper	Kaine	Schatz
Casey	King	Schumer
Chiesa	Kirk	Shaheen
Collins	Klobuchar	Stabenow
Coons	Landrieu	Tester
Corker	Leahy	Udall (NM)
Cowan	Levin	Warner
Donnelly	Manchin	Warren
Durbin	McCain	Whitehouse
Feinstein	McCaskill	Wicker
Flake	Menendez	Wyden
Franken	Merkley	
Gillibrand	Mikulski	

NAYS—27

Barrasso	Cruz	Portman
Blunt	Fischer	Risch
Boozman	Grassley	Roberts
Burr	Inhofe	Scott
Coats	Johanns	Sessions
Coburn	Johnson (WI)	Shelby
Cochran	McConnell	Thune
Cornyn	Moran	Toomey
Crapo	Paul	Vitter

NOT VOTING—6

Brown	Enzi	Lee
Chambliss	Isakson	Udall (CO)

The PRESIDING OFFICER (Mr. DONNELLY). On this vote, the yeas are 67, the nays are 27. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Cloture having been invoked, the motion to recommit fails.

VOTE EXPLANATION

● Mr. UDALL of Colorado. Mr. President, I was unable to return to Washington, DC, prior to the vote this evening due to unavoidable weather-related delays of my airline flight, which were beyond my control. I was therefore unable to cast a vote for rollcall vote No. 160, the motion to invoke cloture on Leahy amendment No. 1183 to S. 744, the Comprehensive Immigration Reform Bill. Had I been present, I would have voted yea.●

MORNING BUSINESS

Mr. REID. Mr. President, I now ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each, with the exception of 15 minutes for Senator PORTMAN and 20 minutes for Senator INHOFE, and the time count postcloture.

The PRESIDING OFFICER. Is there an objection?

Mr. INHOFE. Reserving the right to object, the mic was not on.

Mr. REID. Rearrange the time. Twenty minutes for the Senator INHOFE, PORTMAN 15, and INHOFE goes first.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I would say to my friend—I am sure he is ready to speak—I may have a little closing business that I may have to interrupt. If he would be good enough to allow me to do that, we would take only a minute or two.

The PRESIDING OFFICER. The Senator from Oklahoma.

DOMESTIC OIL PRODUCTION

Mr. INHOFE. Mr. President, I appreciate the majority leader making this arrangement. I was wanting to get a little more time than that. However, let me just mention two bills that I plan one to reintroduce, another to introduce, which I think are timely tonight because of something that is going to happen tomorrow.

Tomorrow I am going to reintroduce a bill making it clear that States are sole regulators of the hydraulic fracturing process, and there is a reason for bringing this up in the next bill.

I am pleased to be joined by Senators VITTER, PORTMAN, ROBERTS, ENZI, SESSIONS, COBURN, CRAPO, RISCH, SCOTT, CRUZ, HATCH, JOHNSON, and LEE.

Since 2008, domestic oil production has increased by 40 percent. This has never happened before. That is just in the last 4 years. Because of the new applications for such processes as horizontal drilling and hydraulic fracturing, we have been able to do this. But the most interesting thing is that with a 40-percent increase, 100 percent of that has been in State or in private land.

That is critical, because we keep hearing from this administration that they somehow want to take credit for the fact that we have had an increase in that period of time, when the fact is that has all been done on private land or on State land. None of it has been done on Federal land.

In fact, the Congressional Research Service came out earlier this year:

> All of the increase from FY2007 to FY2012 took place on non-federal lands, and the federal share of total U.S. crude oil production fell by about seven percentage points.

That means that while we increased 40 percent, that which was on Federal land decreased by 7 percent. It just goes to show the real consequences of the administration's all-out war on fossil fuels. The President has made it so difficult for anyone to lease Federal land or obtain drilling permits that many producers have simply stopped working on Federal lands altogether. For those who remain, the process is dysfunctional and unfriendly.

For instance, it takes an average of 207 days to get a drilling permit on Federal lands. By contrast, in my State of Oklahoma it only takes 10 hours, and 83 percent of the Federal lands are off-limits.

I think we need to understand all the benefits that could be out there are in spite of this administration and the policies of this administration. We shouldn't be fooled. The President may claim he likes natural gas, but he is actually taking every step he can to impose more burdensome regulations on industries so he can shut them down in favor of his beloved renewables. This war against hydraulic fracturing is part of that effort.

I can remember when we had something that took place a few months ago called date night. A lot of the Democrats, on national TV at a joint session of the legislature, didn't like the idea when something came up that was not popular with the people at home and happened to be popular with Democrats, so they had date night, so individuals would be scattered out and they wouldn't have all the Republicans on one side and all the Democrats on one side.

I thought it was kind of interesting because, I won't mention her name, but one of my very good friends who happens to be a liberal Democrat, when the President stood up and made the statement, he said:

> Now there is an abundance of good, clean, natural gas that we can have for the future.

I nudged her and I said:

> Are you listening to this?

And she said back to me:

> Wait a minute, you are going to hear something else.

He came out, and this is what he said right after that:

> [we will be] requiring all companies that drill for gas on public lands to disclose the chemicals they use. Because America will develop this resource without putting the health and safety of our citizens at risk.

Which are other words for: However, we are not going to be doing hydraulic fracturing. This is kind of interesting because we cannot have natural gas production without having hydraulic fracturing.

In response to this charge by the President, the Department of the Interior recently proposed new regulations that would apply to any hydraulic fracturing that occurs on Federal lands. These new regulations cover everything from chemical disclosure to water use and cement bonding requirements. They add a massive new layer of regulatory compliance to any operator looking to develop reserves on Federal lands at a cost of as much as $250,000 per well. It costs that much more with no environmental benefits.

You might ask: Why no environmental benefits? It is because Lisa Jackson, who is Barack Obama's Director of EPA, stated on the record:

> In no case have we made a definitive determination that the fracking process has caused chemicals to enter ground water.

In other words, in the last 60 years—and I can attest to the last 60 years because the first hydraulic fracturing took place in Duncan, OK, in my State, in 1949. Since then, over 1 million wells have been fracked without any ground water contamination.

So why would the President want to take the authority away from the States if they have such an excellent track record? It is because of his war on fossil fuels.

To combat this I am introducing the Fracturing Regulations Are Effective in State Hands Act.

The bill I am talking about simply makes it clear that States are the sole regulators of hydraulic fracturing, as they have been for the last 60 years. It includes Federal lands located within the borders of a State, so my bill would render the President's new regulations moot and ineffective and keep States in the driver's seat, effectively regulating the process.

I urge my colleagues to support this. This is something that would be a major effort. If you stop and think about the people talking about the bad economy and all that, you just go to the oil States and see what has happened. We could be enjoying this prosperity all throughout the country. We used to think of the oil and gas production as being primarily in the western part of the United States.

However, that is not the case anymore. The Marcellus shale—talking about Pennsylvania, New York, and other States—could have great benefits by opening that area. To do that we want to continue the State regulation of hydraulic fracturing as it has been in the past.

I have another bill I am going to be introducing, and I think it is important. It closely relates to this and the speech the President is going to make tomorrow.

First of all, the 10th Amendment to the Constitution says:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

That is something we all know. We learned this many years ago when we were in school. Today the Framers would be shocked to know the government's annual budget is near $4 trillion a year, with consistent $1 trillion deficits under the Obama administration.

They would also be astonished to know that the Federal Government is involving itself in nearly every facet of American life, ranging from the absurd, such as protecting the small burrowing beetle in eastern Oklahoma, to the offensive, such as mandating that private companies provide contraceptives to employees despite objections of conscience.

I was reading a book written by a friend of mine, who is deceased now, Bill Bright. His book has a daily message. The one for today, which happens to be day 175, the 24th of June, is kind

of interesting. It was written by Malcolm Muggeridge. He went back and talked about what we are—keep in mind this is 40 years ago. He talked about putting the frogs in cold water and then slowly heating it up, and of course they end up dying in the water. However, if you put them in, and it happened all at once, they would not notice. I think that is what he is talking about. Yet he said this is not happening today, but it could happen. If he were around today, I wonder what he would say. This is not the way it was supposed to be. The 10th Amendment was supposed to be robust.

James Madison, in Federalist 39, wrote:

> In this relation then the proposed Government cannot be deemed a national one; since its jurisdiction extends to certain enumerated objects only, and leaves to the several States a residuary and inviolable sovereignty over all other objects.

He continues to say:

> The powers delegated by the proposed Constitution to the federal government, are few and defined. Those which are to remain in the State governments are numerous and infinite. The former will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce . . . The powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the State.

We talk about the Constitution a lot. Yet people seem to forget the very important parts of the Constitution. Given this, it should come as no surprise that for the first 100 years of our history, as States were added to the Union, the Federal Government sold off vast quantities of its land. If the Federal Government were to be limited, then why would they need to own a lot of land? In fact, we can see in this chart the Federal revenues from the land sales were a significant component in the total revenues until just before the Civil War, and then it dropped off.

Today the Federal Government owns over 600 million acres of land, and this chart shows how much of the country it actually is. It is astonishing. If we look at this chart, it shows most of it being in the western part of the United States, but it is all over the country.

This land is endowed with substantial natural resources. As we can see in this chart, a substantial amount of oil and gas is located in the tight shale formations on these Federal lands. These are Federal lands, and it shows the great potential out there which has recently proven to be highly productive because of the advances in technologies such as hydraulic fracturing and horizontal drilling.

As a result of these discoveries, oil and natural gas production has boomed across the country. In the last 5 years, oil production has increased by over 7 million barrels a day, which is 40 percent higher. As I said when presenting the bill right before this one, all of that was done in the private sector and in the State. While that increased by 40 percent, the Federal lands decreased by 7 percent. As the Congressional Research Service confirmed in the last report, it said all the increase in U.S. production from 2007 to 2012 took place on non-Federal lands.

President Obama is the reason this land is locked up. He has made it impossible for new oil and gas production to occur on Federal lands, and in addition to working to shut down development in areas such as western Oklahoma by proposing to list the lesser prairie chicken as an endangered species, he made the process of drilling on Federal land so difficult that it takes 300 days to get a drilling permit from the Federal Government while it only takes 10 hours to get one from Oklahoma. Further, 83 percent of the land is off limits to oil and gas production.

Today we are within striking distance of achieving energy independence. Due to this, we must be able to get to the resources on Federal lands because they are enormous. For instance, ANWR in Alaska holds 16 billion barrels of oil equivalent. The Rocky Mountain West holds 1.8 trillion barrels of oil equivalent. If we expanded oil and gas production to its potential in all Federal areas, the impact would be astounding.

The Institute for Energy Research recently issued a report based on the most recent government data about these off-limits lands and showed that if we enacted policies that allowed aggressive development of these Federal lands, the process would generate $14.4 trillion in economic activity, create 2.5 million jobs, and reduce the deficit by $2.7 trillion.

Had we stuck to the principles of our Founders as articulated in the Federalist Papers and ratified in the 10th Amendment, we would not be having this conversation because the States would already be in control. So what we are trying to do is make sure the States can go back and control and do something that has been successful. What we need to do is get back to the basics, which I am introducing in the Federal Land Freedom Act today. I want to thank Senator VITTER, and all the other Senators who are cosponsors of the previous bills are also cosponsors of this bill.

This bill would reestablish the principles of Federalism when it comes to the energy policy of our Federal lands. The bill gives States the right to develop all forms of energy resources, including renewables, located on Federal lands located within their borders. To get the authority, all a State would need to do is figure out how it would release, permit, and regulate energy activities on its Federal lands.

Upon a State's declaration to the Federal Government that this program has been created, the energy development rights would automatically transfer to the State. The Federal Government would retain ownership of the land and its resources. The royalty share would remain unchanged. It would be a split, 50–50, between the State and the Federal Government as enumerated in the Minerals Leasing Act.

The Energy Information Administration on Friday said the United States could become a net oil exporter by 2040.

This bill could make it happen much faster than that. There is a guy named Harold Hamm, the CEO of Continental Resources, arguably one of the most successful operators—maybe the most successful—in the country. I called him up because people in the administration keep saying if we are able to drill on public lands, it would take 10 years before this would reach the economy. They are talking about the high price of heating a home or cooling a home or the price of gasoline.

So I said I am going to go on a national show, and they are going to ask me the question of about 10 years, because I know that is not true. So I told Mr. Hamm that I would like to quote him as an authority, and so he should be honest with his answer because I am going to use his name on national TV. If we had everything set and we are going to go ahead and start drilling now, how long would it take the first barrel of oil out of the ground to reach the market? Without hesitating he said 70 days. Then he went through and explained each step in the process from drilling to hydraulic fracturing to transportation and all of this. He said it would take 70 days.

That was just a few months ago, and no one has challenged this since then. Energy independence today—this is a reality we could be living in, and it would dramatically improve our economy.

Unemployment continues to hover around 8 percent nationwide, but in States such as Oklahoma and North Dakota we are at full employment. Why? Because of energy development. With greater development of Federal energy resources, we would see a dramatic improvement in our economy, and there is simply no reason not to do it. The States have clearly demonstrated they are capable of handling oil and gas development processes and regulations. They have been doing it for 100 years on State and private lands. Why shouldn't they be able to do it on Federal lands as well? I think the 10th Amendment trusts the States and the Senate should do the same.

I bring this up now because tomorrow there is going to be a speech. President Obama is going to give a speech on—I would say global warming, but they don't call it that anymore since the

globe isn't warming. It is a climate speech on the unilateral first steps to regulating greenhouse gases under the Clean Air Act—now we are talking about powerplants—new and existing plants; energy efficiency of appliances. He will be talking about that. He will talk about renewable energy production on Federal lands, but he will not be talking about the cost of these regulations.

We all remember what he has already done. Utility MACT set new limits on mercury, coal, and oil-fired powerplants at a $100 billion cost and 1.65 million jobs lost. MACT means maximum achievable control technology. What this administration has been trying to do is mandate emissions that are below the technology to get there. Boiler MACT set strict new limits on emissions of hazardous air pollutants from industrial and commercial boilers costing $63.3 billion and 800,000 jobs.

The same thing is going on now with what he is not talking about but what he is planning on doing. Ozone, for example. He is going to be promoting—from the information we have now, it would put 2,800 counties out of attainment, including every county in my State of Oklahoma. It could result in 7 million jobs and hundreds of billions in costs, and it could shut down oil and gas production in western Oklahoma.

Greenhouse gas for refineries, first ever greenhouse gas limits on refineries; second largest emitter after powerplants. What we are talking about is, he is going to be able to go through and continue in his effort, in his war on fossil fuels, and he is going to attempt to do it through the regulations. Let's keep in mind, he tried—they have been trying, I should say, since 12 years ago with the Kyoto treaty to regulate through legislation, all the way up to the most recent bill which was the bill that was defeated last year—the Waxman-Markey bill—and that would have regulated emitters of those who emit 25,000 tons or more.

Now, that was bad. That would have cost about $400 billion a year. However, if he is successful—he being the President—in doing this through regulations what he couldn't do through legislation, it would be under the Clean Air Act, and it wouldn't be regulating those who emit 25,000 tons or more. It would be 250 tons or more. It would affect every school, every hospital, every apartment building.

I would like to have people aware of that as the President makes his speech tomorrow. I know he has an obligation. I know that prior to the last election he would not come out with these regulations because he knew that would be damaging to his reelection efforts. However, now he has that commitment to the far-left community who would like to shut down the U.S. and the energy that keeps it running.

So let's be attentive to what he says tomorrow, and I will be anxious to respond to his speech at that time. In the meantime, we do know for a fact that we have the ability to be totally independent from any other country or anyone else in providing our own energy to run this machine called America.

I thank the Presiding Officer, and I yield the floor.

ADDITIONAL STATEMENTS

REMEMBERING KATIE JOHN

● Mr. BEGICH. Mr. President, I am here today to honor Katie John, an Ahtna Athabascan elder, for her service to Alaska Native peoples and to all Alaskans. Katie made history in 1985 when she filed suit against the State of Alaska to reopen her family's fish camp at Batzulentas and to protect her family's right to subsistence fish. Katie battled against the State and Federal Government legal systems for almost two decades in order to protect her right and Alaska Native people's right to hunt and fish in their traditional homelands.

Katie was born in Slana, AK, in 1915 to Sara and Charley Sanford, who raised her in the traditional Ahtna way. Her father was the last chief of the Batzulnetas. When she was 14, she took a job at Nabesna Mine, where she learned English. At age 16, Katie married Fred John, Sr., and moved to Mentasta, where they had 14 children and adopted 6. They raised their children off the land, hunting, gathering, and fishing with the changing seasons.

In 1964, the State of Alaska closed down Katie's fish camp at Batzulentas, denying her the right to provide for her family. The injustice of this was the State allowed sport and commercial fisherman to continue fishing downriver while denying upriver subsistence users the ability to fish. In 1984, Katie and another Ahtna elder, Doris Charles, submitted a proposal asking the State of Alaska open Batzulentas to subsistence fishing. When their request was denied, Katie, with the help of the Native American Rights Fund, filed suit against the State and argued that Federal law prioritizes and protects subsistence uses of fish. For the next 10 years, the case worked its way through the court system. Katie never wavered in her determination to do what was right. She steadfastly maintained that Alaska Natives had a right to support their families in a way that was culturally meaningful. Finally, in 1994, Katie won her case, but it continued to be appealed and litigated for years afterwards.

The Katie John Case, as her suit became known, finally had some resolve in 2001 when the ninth Circuit Court of Appeals reaffirmed Katie's—and by extension all Alaska Native and rural peoples—right to subsistence fish in all Federal waters. For her hard work and service to her family, Ahtna people, Alaska Natives, and all of Alaska, Katie was presented with an honorary doctorate of law degree from the University of Alaska Fairbanks in 2011.

The Katie John Case, though it continues to be litigated, has become a cornerstone of subsistence law in Alaska. Katie stood up for what was right and bravely fought to protect the Alaska Native subsistence way of life.

Katie is survived by over 250 grandchildren, great-grandchildren, and great-great-grandchildren, through which her legacy lives on. Her work changed the way fisheries and natural resources are managed in Alaska for the better. For that, Alaska Natives and all Alaskans are grateful.●

RECOGNIZING KIRKWOOD AMTRAK VOLUNTEERS

● Mrs. MCCASKILL. Mr. President, today I wish to honor the nearly 70 volunteers who have faithfully dedicated their time to operating the Kirkwood Amtrak Train Station for the past 10 years. In recognition of their outstanding service, a celebration has been planned for them this weekend, on June 29, 2013, in Kirkwood, MO.

In 2002, the City of Kirkwood was on the verge of losing its historic train station due to budget constraints. However, the residents of this community rejected that possibility. Instead, they banded together and the City of Kirkwood arranged to purchase the station from Amtrak. In doing so, the citizens saved the 120-year-old branch from destruction and preserved an iconic landmark in downtown Kirkwood.

Following the purchase, the City of Kirkwood called on volunteers to staff and operate the facility. Nearly 200 people responded. Today, almost 70 regular volunteers answer questions about schedules, recommend Kirkwood sites and attractions, help passengers board trains, issue parking passes, and keep the station open and running in accordance with the Amtrak train schedule.

Some may question whether an all-volunteer run train station can compete with other staff-operated stations across the country. Let me tell you—Kirkwood Amtrak Train Station's honors and awards speak for themselves. In 2004, the Kirkwood station volunteers were recognized with Amtrak's prestigious ''Champion of the Rails'' award, marking this station as the only non-employee station to ever receive the award.

Perhaps more impressively, the Kirkwood Amtrak Train Station's recent customer satisfaction scores placed it No. 1 in the country. With friendly smiles and warm service, the Kirkwood station volunteers have set themselves apart from all other Amtrak stations,

logging over 50,000 hours of service to the City of Kirkwood, and welcoming more than 500,000 visitors and passengers through the station doors.

I am proud these deserving citizens hail from my home State of Missouri. Their generous commitment to the City of Kirkwood and to travelers from all over the country serves as an inspiration to the people of Missouri.

I ask my colleagues to join me in honoring the volunteers of the Kirkwood Amtrak Train Station for their distinguished service to the residents and visitors of Kirkwood.●

REMEMBERING JOHN BRANTLEY CRAWLEY

● Mr. SESSIONS. Mr. President, today I wish to pay tribute to Judge John Brantley Crawley of Brundidge, AL, who passed away on June 4, 2013. I met and talked with Judge Crawley when I ran for attorney general in Alabama in 1994, and when he decided to run for an associate judgeship on the Alabama Court of Civil Appeals. He won and ably served becoming the presiding judge on the court in 2005, a position he held until his retirement in 2007.

I liked him. He was a man of personal integrity and decency. He had no ego problems. He had good judgment and was comfortable in himself and with others. He was a real lawyer who had represented thousands of normal people walking about. This experience taught him about people and legal issues. That experience made him the fine judge that he was.

He is survived by his wife of nearly 48 years, Sherrie Johnston Crawley; son, Brant; brother, Larry; and sister, Nancy. Judge Crawley was a genuine and generous man, a modest man, with a keen sense of humor. His career included 40 years of practicing law and 18 years serving the Alabama Courts and his contributions to justice in Alabama and the rule of law are most deserving of this recognition.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2038. A communication from the Board Chair and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, a report relative to the Administration's 2012 compensation program adjustments; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2039. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the annual plan and certification for the procurement of aircraft for the Department of Defense; to the Committee on Armed Services.

EC–2040. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement; Solicitation Provisions and Contract Clauses for Acquisition of Commercial Items'' ((RIN0750–AH70) (DFARS Case 2012–D056)) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Armed Services.

EC–2041. A communication from the Chairman of the Appraisal Subcommittee, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the Appraisal Subcommittee's 2012 Annual Report; to the Committee on Banking, Housing, and Urban Affairs.

EC–2042. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Topeka, transmitting, pursuant to law, the Bank's management reports and statements on system of internal controls for fiscal year 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC–2043. A communication from the Acting Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''General Regulations; National Park System, Demonstrations, Sale or Distribution of Printed Matter'' (RIN1024–AD91) received in the Office of the President of the Senate on July 19, 2013; to the Committee on Energy and Natural Resources.

EC–2044. A communication from the Acting Administrator, Environmental Protection Agency, transmitting, pursuant to law, a report entitled ''Report to Congress on the Implementation of the Energy Independence and Security Act of 2007 (EISA)''; to the Committee on Energy and Natural Resources.

EC–2045. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Fuel Oil Systems for Emergency Power Supplies'' (Regulatory Guide 1.137, Revision 2) received in the Office of the President of the Senate on June 19, 2013; to the Committee on Environment and Public Works.

EC–2046. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Quality Assurance Program Requirements (Operation)'' (Regulatory Guide 1.33, Revision 3) received in the Office of the President of the Senate on June 19, 2013; to the Committee on Environment and Public Works.

EC–2047. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Environmental Review for Renewal of Nuclear Power Plant Operating Licenses'' (RIN3150–AI42) received in the Office of the President of the Senate on June 19, 2013; to the Committee on Environment and Public Works.

EC–2048. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled, ''Report to the Congress: Medicare and the Health Care Delivery System''; to the Committee on Finance.

EC–2049. A communication from the Acting Commissioner, Social Security Administration, transmitting, pursuant to law, the Administration's 2013 Annual Report of the Supplemental Security Income Program; to the Committee on Finance.

EC–2050. A communication from the President of the United States, transmitting, consistent with the War Powers Act, a report relative to the deployment of certain U.S. forces to Jordan; to the Committee on Foreign Relations.

EC–2051. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''National Plan to Address Alzheimer's Disease: 2013 Update''; to the Committee on Health, Education, Labor, and Pensions.

EC–2052. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers who were employed at the Brookhaven National Laboratory in Upton, New York, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC–2053. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress Related to Integrated Food Safety Centers of Excellence as Required by the Food Safety Modernization Act of 2011 (FSMA)''; to the Committee on Health, Education, Labor, and Pensions.

EC–2054. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Listing of Color Additives Exempt From Certification; Mica-Based Pearlescent Pigments'' (Docket No. FDA–2012–C–0224) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–2055. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Orphan Drug Regulations'' ((RIN0910–AG72) (Docket No. FDA–2011–N–0583)) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–2056. A communication from the Director, Directorate of Standards and Guidance, Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled ''Updating OSHA Standards Based on National Consensus Standards; Signage'' (RIN1218–AC77) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–2057. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Technical Amendments'' (FAC 2005–67) received in the Office of the

President of the Senate on June 20, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2058. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–67; Introduction'' (FAC 2005–67) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2059. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–67; Small Entity Compliance Guide'' (FAC 2005–67) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2060. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Contractors Performing Private Security Functions Outside the United States'' (RIN9000–AM20) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2061. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Interagency Acquisitions: Compliance by Nondefense Agencies with Defense Procurement Requirements'' (RIN9000–AM36) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2062. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; System for Award Management Name Change, Phase 1 Implementation'' (RIN9000–AM51) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2063. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Contracting Officer's Representative'' (RIN9000–AM52) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2064. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Terms of Service and Open-Ended Indemnification, and Unenforceability of Unauthorized Obligations'' (RIN9000–AM45) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2065. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Deletion of Report to Congress on Foreign-Manufactured Products'' (RIN9000–AM54) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2066. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Price Analysis Techniques'' (RIN9000–AM27) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2067. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Updated Postretirement Benefit (PRB) References'' (RIN9000–AM23) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2068. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Free Trade Agreement (FTA) - Panama'' (RIN9000–AM43) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2069. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Contracting with Women-Owned Small Business Concerns'' (RIN9000–AM59) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2070. A communication from the Deputy Director of the Peace Corps, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2012 through March 31, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–2071. A communication from the Executive Director, Interstate Commission on the Potomac River Basin, transmitting, pursuant to law, the Commission's Seventy-Second Financial Statement for the period of October 1, 2011 through September 30, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–2072. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Modification of Mandatory Label Information for Wine'' (RIN1513–AB36) received in the Office of the President of the Senate on June 19, 2013; to the Committee on the Judiciary.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. CARPER for the Committee on Homeland Security and Governmental Affairs.

*Howard A. Shelanski, of Pennsylvania, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

*Daniel M. Tangherlini, of the District of Columbia, to be Administrator of General Services.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BROWN (for himself and Mr. ROCKEFELLER):

S. 1214. A bill to require the purchase of domestically made flags of the United States of America for use by the Federal Government; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEAHY (for himself, Mr. LEE, Mr. UDALL of Colorado, Mr. WYDEN, Mr. BLUMENTHAL, and Mr. TESTER):

S. 1215. A bill to strengthen privacy protections, accountability, and oversight related to domestic surveillance conducted pursuant to the USA PATRIOT Act and the Foreign Intelligence Surveillance Act of 1978; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUMENTHAL (for himself and Mr. MURPHY):

S. Res. 183. A resolution commemorating the relaunching of the 172-year-old Charles W. Morgan by Mystic Seaport: The Museum of America and the Sea; to the Committee on the Judiciary.

By Mrs. BOXER (for herself, Ms. LANDRIEU, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. CARDIN, Mrs. MURRAY, Mrs. SHAHEEN, Ms. MIKULSKI, Ms. WARREN, Ms. HIRONO, Mrs. FEINSTEIN, Ms. HEITKAMP, and Ms. STABENOW):

S. Res. 184. A resolution recognizing refugee women and girls on World Refugee Day; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 185. A resolution to authorize representation by the Senate Legal Counsel in the case of R. Wayne Patterson v. United States Senate, et. al; considered and agreed to.

ADDITIONAL COSPONSORS

S. 114

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 114, a bill to amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy.

S. 160

At the request of Mr. MERKLEY, the name of the Senator from California

(Mrs. FEINSTEIN) was added as a cosponsor of S. 160, a bill to exclude from consumer credit reports medical debt that has been in collection and has been fully paid or settled, and for other purposes.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 420

At the request of Mr. ENZI, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 420, a bill to amend the Internal Revenue Code of 1986 to provide for the logical flow of return information between partnerships, corporations, trusts, estates, and individuals to better enable each party to submit timely, accurate returns and reduce the need for extended and amended returns, to provide for modified due dates by regulation, and to conform the automatic corporate extension period to longstanding regulatory rule.

S. 422

At the request of Mr. BLUMENTHAL, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 422, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes.

S. 546

At the request of Mr. HARKIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 546, a bill to amend entrance counseling and exit counseling for borrowers under the Higher Education Act of 1965, and for other purposes.

S. 548

At the request of Ms. KLOBUCHAR, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 548, a bill to amend title 10, United States Code, to improve and enhance the capabilities of the Armed Forces to prevent and respond to sexual assault and sexual harassment in the Armed Forces, and for other purposes.

S. 647

At the request of Mr. NELSON, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 647, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S. 650

At the request of Ms. LANDRIEU, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 650, a bill to amend title XXVII of the Public Health Service Act to preserve consumer and employer access to licensed independent insurance producers.

S. 700

At the request of Mr. KAINE, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 700, a bill to ensure that the education and training provided members of the Armed Forces and veterans better assists members and veterans in obtaining civilian certifications and licenses, and for other purposes.

S. 731

At the request of Mr. MANCHIN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 731, a bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks.

S. 737

At the request of Mr. SHELBY, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 737, a bill to require the Federal banking agencies to conduct a quantitative impact study on the cumulative effect of the Basel III framework devised by the Basel Committee on Banking Supervision before issuing final rules amending the agencies' general risk-based capital requirements for determining risk-weighted assets, as proposed in the Advanced Approaches Risk-Based Capital Rules Notice of Proposed Rulemaking, the Standardized Approach for Risk-Weighted Assets Notice of Proposed Rulemaking, and the Implementation of Basel III, Minimum Regulatory Capital Ratios Notice of Proposed Rulemaking issued in June 2012, and for other purposes.

S. 820

At the request of Mrs. FEINSTEIN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 820, a bill to provide for a uniform national standard for the housing and treatment of egg-laying hens, and for other purposes.

S. 895

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 895, a bill to improve the ability of the Food and Drug Administration to study the use of antimicrobial drugs in food-producing animals.

S. 916

At the request of Mr. COCHRAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 916, a bill to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program.

S. 955

At the request of Mr. THUNE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 955, a bill to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act.

S. 1118

At the request of Mr. WYDEN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 1118, a bill to amend part E of title IV of the Social Security Act to better enable State child welfare agencies to prevent sex trafficking of children and serve the needs of children who are victims of sex trafficking, and for other purposes.

S. 1123

At the request of Mr. CARPER, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1123, a bill to amend titles XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 1180

At the request of Mr. GRASSLEY, the names of the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1180, a bill to amend title XI of the Social Security Act to provide for the public availability of Medicare claims data.

S. 1183

At the request of Mr. THUNE, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Kentucky (Mr. PAUL) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 1183, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 1204

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 1204, a bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services, to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities, and for other purposes.

S.J. RES. 19

At the request of Mr. UDALL of New Mexico, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to

the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. RES. 26

At the request of Mr. MORAN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 26, a resolution recognizing that access to hospitals and other health care providers for patients in rural areas of the United States is essential to the survival and success of communities in the United States.

S. RES. 144

At the request of Mr. COONS, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Pennsylvania (Mr. CASEY), the Senator from Vermont (Mr. LEAHY), the Senator from Arizona (Mr. MCCAIN), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Res. 144, a resolution concerning the ongoing conflict in the Democratic Republic of the Congo and the need for international efforts supporting long-term peace, stability, and observance of human rights.

S. RES. 151

At the request of Mr. CASEY, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. Res. 151, a resolution urging the Government of Afghanistan to ensure transparent and credible presidential and provincial elections in April 2014 by adhering to internationally accepted democratic standards, establishing a transparent electoral process, and ensuring security for voters and candidates.

AMENDMENT NO. 1183

At the request of Mr. HOEVEN, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of amendment No. 1183 proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1253

At the request of Mr. NELSON, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of amendment No. 1253 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1347

At the request of Ms. LANDRIEU, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of amendment No. 1347 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself, Mr. LEE, Mr. UDALL of Colorado, Mr. WYDEN, Mr. BLUMENTHAL, and Mr. TESTER):

S. 1215. A bill to strengthen privacy protections, accountability, and oversight related to domestic surveillance conducted pursuant to the USA PATRIOT Act and the Foreign Intelligence Surveillance Act of 1978; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, for more than a decade the government's ability and authority to gather information and electronic communications data about those suspected of, or connected to, potential terrorists has greatly increased. You only need to read the newspaper or listen to the news in order to realize how extraordinary this expansion has been. As an American, I believe that if the government is going to have such powerful authorities, it should only be if there is proper oversight, accountability, and transparency. We have to ensure that we maintain both our Nation's security and the fundamental civil liberties upon which our Nation was founded.

I have long been troubled by the expansive nature and scope of the USA PATRIOT Act and the FISA Amendments Act. There is not enough oversight and ability for Americans to know what their government is doing and be able to get into the debate of whether they want their government to do this. That is why I have consistently fought to include strong protections for the privacy rights and civil liberties of American citizens, as well as sunsets to help ensure proper congressional oversight. Nothing focuses oversight like knowing a law is about to come to an end. So I will introduce at the end of my remarks, along with a bipartisan group of Senators, the FISA Accountability and Privacy Protection Act of 2013.

In fact, those of us who are introducing this legislation go across the political spectrum. This is not a partisan issue—this is an American issue. This is an issue about wanting to know what our government is doing and why. As Americans, we have the right to know what our government does and why.

In each of the last two Congresses, I introduced legislation to improve and reform the powerful law enforcement tools of the USA PATRIOT Act while at the same time increasing judicial oversight, public accountability, and transparency. Both those bills were reported favorably by the Judiciary Committee with bipartisan support, but Congress ultimately decided to extend all of these authorities, without any modifications or improvements, until 2015.

Likewise, when Congress considered reauthorizing the FISA Amendments Act last year, I pushed for a shorter sunset, greater transparency for the American people, and better oversight. I regret the Senate rejected these efforts to apply stricter oversight over these sweeping authorities.

The recent public revelations about two classified data collection programs have brought renewed attention to the government's broad surveillance authorities, but they also underscore the need for close scrutiny by Congress. The Director of National Intelligence has acknowledged that they are being conducted pursuant to section 215 of the USA PATRIOT Act and section 702 of the FISA Amendments Act.

We have also raised questions about lax oversight by the National Security Agency, when a 29-year-old contract employee can walk off with huge amounts of data without being stopped. It is not enough for the National Security Agency to come here and say that they are doing this to protect the country. I want them to protect the things they are already holding. So the comprehensive legislation I am introducing today will not only improve the privacy protections and accountability provisions associated with these authorities, but it is going to strengthen oversight and transparency provisions in other parts of the USA PATRIOT Act.

In recent days, much attention has been rightly focused on section 215 of the PATRIOT Act and the bulk collection of phone call metadata by the National Security Agency and their inability to keep that from being stolen by a 29-year-old contract worker.

This measure will narrow the scope of section 215 orders by requiring the government to show both relevance to an authorized investigation and a link to a foreign group or power.

The bill also adds more meaningful judicial review of section 215 orders but strikes the one-year waiting period before a recipient can challenge a nondisclosure order for section 215 orders. Now the order comes in and you are told you can't talk about it. No matter whether it damages your business, your relations, or people you are supposed to protect, you can't talk about it for one year. That is a broad generalization of what the nondisclosure orders are. I think those orders should be changed. I think when we have these kinds of ''gag orders'' on Americans, you are going into a very dangerous area.

Moreover, this measure would require court review of minimization procedures when information concerning a U.S. person is acquired, retained, or disseminated pursuant to a section 215 order. This is a commonsense oversight requirement already required for other FISA authorities such as wiretaps, physical searches, pen register and trap and trace devices.

As I likened it before, we all understand that if a law enforcement agency gets a search warrant to go into your home and search for things, you usually know about it and are able to question that authority. Now if they are collecting things electronically,

you don't know about it, you don't know what this is doing to your reputation, to your work, or anything else. We have to have more accountability.

The FISA Accountability and Privacy Protection Act will also reform and improve other authorities contained in the PATRIOT Act that, while perhaps not a topic of recent public debate—and I will not go into some of those aspects here on the floor, also significantly impact the privacy rights of Americans.

Some of the things we can talk about, things such as national security letters, so-called NSLs, are used extensively by law enforcement and the intelligence community. They can be issued without the approval of a court, a grand jury, or a prosecutor. Most Americans would be amazed to know that authority exists. Frankly, in a State such as mine where people value their privacy, I think most Vermonters would be really concerned about it.

I propose applying a new sunset to the NSL authority. That would require Congress to look at it again and come up with a better idea, or it would end right there. I have long been concerned about the broad scope of these secret requests and the potential for expansive collection of sensitive information without appropriate limitations and a sunset provision would help to ensure proper accountability.

Just because we can go out and gather all of this information on Americans, often doing it secretly, doesn't mean we should. Some of us enjoy our privacy. Some of us like to think we are innocent unless proven guilty.

My bill would also address constitutional deficiencies regarding the nondisclosure or ''gag orders'' by finally allowing individuals to challenge these orders in court. You grow up hearing from everybody, Well, you can have your day in court. Actually, you don't get your day in court with these ''gag orders.''

The bill would also expand public reporting on the use of NSLs and FISA authorities, including an unclassified report on the impact of the use of these authorities on the privacy of U.S. persons. I have heard a great deal in the last few weeks from people not only in Vermont but elsewhere asking, Can't we have a report the American people can see—not just those of us like myself who have access to classified material, but have an unclassified report on the impact of the use of these authorities on the privacy of Americans?

My bill will also address shortcomings in the FISA Amendments Act and apply improvements that I sought during last year's reauthorization debate in the Senate. The existing December 2017 sunset would be shortened to June 2015 to focus attention and ensure timely reexamination of how these authorities are being utilized.

The June 2015 sunset will also align with the PATRIOT Act sunset, allowing Congress—and in fact requiring Congress—to address all of these provisions at once, rather than a little piece here and a little piece there. This legislation will also increase accountability by clarifying the scope of annual reviews currently required by law extends to all agencies that have a role in developing targeting and so-called minimization procedures.

Finally—and I think this is extremely important—the bill seeks to increase oversight by requiring the Inspector General of the Intelligence Community to conduct a comprehensive review of the FISA Amendments Act and its impact on the privacy rights of all Americans.

These are commonsense, practical improvements to ensure that the broad and powerful surveillance tools being used by the government are subject to appropriate limitations, transparency, and oversight. The American people deserve to know how laws such as the USA PATRIOT Act and the FISA Amendments Act are being used to conduct electronic surveillance, particularly when the surveillance is not just on those that we have reason to be suspicious of, but of all Americans—totally innocent Americans. The American people also deserve to know whether these programs have proven sufficiently effective to justify their extraordinary breadth. If you can collect billions of phone calls, and we have proven technologically you can do that, do we get anything out of it? Or, do we get our information about terrorists the old-fashioned way by actually talking to people, infiltrating terrorist groups, and so forth?

Let us make sure we are not doing something just because we can do it, regardless of how it impacts the rights of Americans. The enhanced layers of transparency, oversight, and accountability included in this legislation will ensure we are protecting national security without undermining the privacy rights and civil liberties of law-abiding Americans.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1215

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''FISA Accountability and Privacy Protection Act of 2013''.

SEC. 2. SUNSETS.

(a) MODIFICATION OF FISA AMENDMENTS ACT OF 2008 SUNSET.—

(1) MODIFICATION.—Section 403(b)(1) of the FISA Amendments Act of 2008 (Public Law 110–261; 50 U.S.C. 1881 note) is amended by striking ''December 31, 2017'' and inserting ''June 1, 2015''.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 403(b)(2) of such Act (Public Law 110–261; 122 Stat. 2474) is amended by striking ''December 31, 2017'' and inserting ''June 1, 2015''.

(3) ORDERS IN EFFECT.—Section 404(b)(1) of such Act (Public Law 110–261; 50 U.S.C. 1801 note) is amended in the paragraph heading by striking ''DECEMBER 31, 2017'' and inserting ''JUNE 1, 2015''.

(b) NATIONAL SECURITY LETTERS.—

(1) REPEAL.—Effective on June 1, 2015—

(A) section 2709 of title 18, United States Code, is amended to read as such provision read on October 25, 2001;

(B) section 1114(a)(5) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)) is amended to read as such provision read on October 25, 2001;

(C) subsections (a) and (b) of section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) are amended to read as subsections (a) and (b), respectively, of the second of the 2 sections designated as section 624 of such Act (15 U.S.C. 1681u) (relating to disclosure to the Federal Bureau of Investigation for counterintelligence purposes), as added by section 601 of the Intelligence Authorization Act for Fiscal Year 1996 (Public Law 104–93; 109 Stat. 974), read on October 25, 2001;

(D) section 627 of the Fair Credit Reporting Act (15 U.S.C. 1681v) is repealed; and

(E) section 802 of the National Security Act of 1947 (50 U.S.C. 3162) is amended to read as such provision read on October 25, 2001.

(2) TRANSITION PROVISION.—Notwithstanding paragraph (1), the provisions of law referred to in paragraph (1), as in effect on May 31, 2015, shall continue to apply on and after June 1, 2015, with respect to any particular foreign intelligence investigation or with respect to any particular offense or potential offense that began or occurred before June 1, 2015.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—Effective June 1, 2015—

(A) section 3511 of title 18, United States Code, is amended—

(i) in subsections (a), (c), and (d), by striking ''or 627(a)'' each place it appears; and

(ii) in subsection (b)(1)(A), as amended by section 6(b) of this Act, by striking ''section 626 or 627 of the Fair Credit Reporting Act (15 U.S.C. 1681u and 1681v)'' and inserting ''section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u)'';

(B) section 118(c) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (18 U.S.C. 3511 note) is amended—

(i) in subparagraph (C), by adding ''and'' at the end;

(ii) in subparagraph (D), by striking ''; and'' and inserting a period; and

(iii) by striking subparagraph (E); and

(C) the table of sections for the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended by striking the item relating to section 627.

SEC. 3. FACTUAL BASIS FOR AND ISSUANCE OF ORDERS FOR ACCESS TO TANGIBLE THINGS.

(a) IN GENERAL.—Section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) is amended—

(1) in the section heading, by striking ''**certain business records**'' and inserting ''**tangible things**'';

(2) in subsection (b)(2), by striking subparagraphs (A) and (B) and inserting the following:

''(A) a statement of facts showing that there are reasonable grounds to believe that the records or other things sought—

''(i) are relevant to an authorized investigation (other than a threat assessment)

conducted in accordance with subsection (a)(2) to obtain foreign intelligence information not concerning a United States person or to protect against international terrorism or clandestine intelligence activities; and

''(ii)(I) pertain to a foreign power or an agent of a foreign power;

''(II) are relevant to the activities of a suspected agent of a foreign power who is the subject of such authorized investigation; or

''(III) pertain to an individual in contact with, or known to, a suspected agent of a foreign power; and

''(B) a statement of proposed minimization procedures.''; and

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by inserting ''and that the proposed minimization procedures meet the definition of minimization procedures under subsection (g)'' after ''subsections (a) and (b)''; and

(ii) by striking the second sentence; and

(B) in paragraph (2)—

(i) in subparagraph (D), by striking ''and'' at the end;

(ii) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(F) shall direct that the minimization procedures be followed.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) DEFINITIONS.—Title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) is amended by adding at the end the following:

''SEC. 503. DEFINITIONS.

''In this title, the terms 'Attorney General', 'foreign intelligence information', 'international terrorism', 'person', 'United States', and 'United States person' have the meanings given those terms in section 101.''.

(2) TITLE HEADING.—Title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) is amended in the title heading by striking ''CERTAIN BUSINESS RECORDS'' and inserting ''TANGIBLE THINGS''.

(3) TABLE OF CONTENTS.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended—

(A) by striking the items relating to title V and section 501 and inserting the following:

''TITLE V—ACCESS TO TANGIBLE THINGS FOR FOREIGN INTELLIGENCE PURPOSES

''Sec. 501. Access to tangible things for foreign intelligence purposes and international terrorism investigations.''; and

(B) by inserting after the item relating to section 502 the following:

''Sec. 503. Definitions.''.

SEC. 4. ORDERS FOR PEN REGISTERS AND TRAP AND TRACE DEVICES FOR FOREIGN INTELLIGENCE PURPOSES.

(a) APPLICATION.—Section 402(c) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1842(c)) is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2)—

(A) by striking ''a certification by the applicant'' and inserting ''a statement of the facts and circumstances relied upon by the applicant to justify the belief of the applicant''; and

(B) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(3) a statement of whether minimization procedures are being proposed and, if so, a statement of the proposed minimization procedures.''.

(b) MINIMIZATION.—

(1) DEFINITION.—Section 401 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1841) is amended by adding at the end the following:

''(4) The term 'minimization procedures' means—

''(A) specific procedures, that are reasonably designed in light of the purpose and technique of an order for the installation and use of a pen register or trap and trace device, to minimize the retention, and prohibit the dissemination, of nonpublicly available information known to concern unconsenting United States persons consistent with the need of the United States to obtain, produce, and disseminate foreign intelligence information;

''(B) procedures that require that nonpublicly available information, which is not foreign intelligence information, shall not be disseminated in a manner that identifies any United States person, without the consent of such person, unless the identity of such person is necessary to understand foreign intelligence information or assess its importance; and

''(C) notwithstanding subparagraphs (A) and (B), procedures that allow for the retention and dissemination of information that is evidence of a crime which has been, is being, or is about to be committed and that is to be retained or disseminated for law enforcement purposes.''.

(2) PEN REGISTERS AND TRAP AND TRACE DEVICES.—Section 402 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1842) is amended—

(A) in subsection (d)(1), by striking ''the judge finds'' and all that follows and inserting the following: ''the judge finds—

''(A) that the application satisfies the requirements of this section; and

''(B) that, if there are exceptional circumstances justifying the use of minimization procedures in a particular case, the proposed minimization procedures meet the definition of minimization procedures under this title.''; and

(B) by adding at the end the following:

''(h) At or before the end of the period of time for which the installation and use of a pen register or trap and trace device is approved under an order or an extension under this section, the judge may assess compliance with any applicable minimization procedures by reviewing the circumstances under which information concerning United States persons was retained or disseminated.''.

(3) EMERGENCIES.—Section 403 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1843) is amended—

(A) by redesignating subsection (c) as subsection (d); and

(B) by inserting after subsection (b) the following:

''(c) If the Attorney General authorizes the emergency installation and use of a pen register or trap and trace device under this section, the Attorney General shall require that minimization procedures be followed, if appropriate.''.

(4) USE OF INFORMATION.—Section 405(a)(1) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1845(a)(1)) is amended by striking ''provisions of this section'' and inserting ''minimization procedures required under this title''.

(c) TRANSITION PROCEDURES.—

(1) ORDERS IN EFFECT.—Notwithstanding the amendments made by this Act, an order entered under section 402(d)(1) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1842(d)(1)) that is in effect on the effective date of the amendments made by this section shall remain in effect until the expiration of the order.

(2) EXTENSIONS.—A request for an extension of an order referred to in paragraph (1) shall be subject to the requirements of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), as amended by this Act.

SEC. 5. LIMITATIONS ON DISCLOSURE OF NATIONAL SECURITY LETTERS.

(a) IN GENERAL.—Section 2709 of title 18, United States Code, is amended by striking subsection (c) and inserting the following:

''(c) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under paragraph (3) is provided, no wire or electronic communication service provider, or officer, employee, or agent thereof, that receives a request under subsection (a), shall disclose to any person that the Director of the Federal Bureau of Investigation has sought or obtained access to information or records under this section.

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office, certifies that, absent a prohibition of disclosure under this subsection, there may result—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A wire or electronic communication service provider, or officer, employee, or agent thereof, that receives a request under subsection (a) may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) PERSONS NECESSARY FOR COMPLIANCE.—Upon a request by the Director of the Federal Bureau of Investigation or the designee of the Director, those persons to whom disclosure will be made under subparagraph (A)(i) or to whom such disclosure was made before the request shall be identified to the Director or the designee.

''(C) NONDISCLOSURE REQUIREMENT.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (a) in the same manner as the person to whom the request is issued.

''(D) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(3) RIGHT TO JUDICIAL REVIEW.—

''(A) IN GENERAL.—A wire or electronic communications service provider that receives a request under subsection (a) shall have the right to judicial review of any applicable nondisclosure requirement.

''(B) NOTIFICATION.—A request under subsection (a) shall state that if the recipient wishes to have a court review a nondisclosure requirement, the recipient shall notify the Government.

''(C) INITIATION OF PROCEEDINGS.—If a recipient of a request under subsection (a) makes a notification under subparagraph (B), the Government shall initiate judicial review under the procedures established in section 3511 of this title, unless an appropriate official of the Federal Bureau of the Investigation makes a notification under paragraph (4).

''(4) TERMINATION.—In the case of any request for which a recipient has submitted a notification under paragraph (3)(B), if the facts supporting a nondisclosure requirement cease to exist, an appropriate official of the Federal Bureau of Investigation shall promptly notify the wire or electronic service provider, or officer, employee, or agent thereof, subject to the nondisclosure requirement that the nondisclosure requirement is no longer in effect.''.

(b) IDENTITY OF FINANCIAL INSTITUTIONS AND CREDIT REPORTS.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) is amended by striking subsection (d) and inserting the following:

''(d) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under paragraph (3) is provided, no consumer reporting agency, or officer, employee, or agent thereof, that receives a request or order under subsection (a), (b), or (c), shall disclose or specify in any consumer report, that the Federal Bureau of Investigation has sought or obtained access to information or records under subsection (a), (b), or (c).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office, certifies that, absent a prohibition of disclosure under this subsection, there may result—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A consumer reporting agency, or officer, employee, or agent thereof, that receives a request or order under subsection (a), (b), or (c) may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request or order;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request or order; or

''(iii) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(B) PERSONS NECESSARY FOR COMPLIANCE.—Upon a request by the Director of the Federal Bureau of Investigation or the designee of the Director, those persons to whom disclosure will be made under subparagraph (A)(i) or to whom such disclosure was made before the request shall be identified to the Director or the designee.

''(C) NONDISCLOSURE REQUIREMENT.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request or order is issued under subsection (a), (b), or (c) in the same manner as the person to whom the request or order is issued.

''(D) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(3) RIGHT TO JUDICIAL REVIEW.—

''(A) IN GENERAL.—A consumer reporting agency that receives a request or order under subsection (a), (b), or (c) shall have the right to judicial review of any applicable nondisclosure requirement.

''(B) NOTIFICATION.—A request or order under subsection (a), (b), or (c) shall state that if the recipient wishes to have a court review a nondisclosure requirement, the recipient shall notify the Government.

''(C) INITIATION OF PROCEEDINGS.—If a recipient of a request or order under subsection (a), (b), or (c) makes a notification under subparagraph (B), the Government shall initiate judicial review under the procedures established in section 3511 of title 18, United States Code, unless an appropriate official of the Federal Bureau of Investigation makes a notification under paragraph (4).

''(4) TERMINATION.—In the case of any request or order for which a consumer reporting agency has submitted a notification under paragraph (3)(B), if the facts supporting a nondisclosure requirement cease to exist, an appropriate official of the Federal Bureau of Investigation shall promptly notify the consumer reporting agency, or officer, employee, or agent thereof, subject to the nondisclosure requirement that the nondisclosure requirement is no longer in effect.''.

(c) DISCLOSURES TO GOVERNMENTAL AGENCIES FOR COUNTERTERRORISM PURPOSES.—Section 627 of the Fair Credit Reporting Act (15 U.S.C. 1681v) is amended by striking subsection (c) and inserting the following:

''(c) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under paragraph (3) is provided, no consumer reporting agency, or officer, employee, or agent thereof, that receives a request under subsection (a), shall disclose to any person or specify in any consumer report, that a government agency has sought or obtained access to information under subsection (a).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the head of a government agency authorized to conduct investigations of, or intelligence or counterintelligence activities or analysis related to, international terrorism, or a designee, certifies that, absent a prohibition of disclosure under this subsection, there may result—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A consumer reporting agency, or officer, employee, or agent thereof, that receives a request under subsection (a) may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the head of the government agency authorized to conduct investigations of, or intelligence or counterintelligence activities or analysis related to, international terrorism, or a designee.

''(B) PERSONS NECESSARY FOR COMPLIANCE.—Upon a request by the head of a government agency authorized to conduct investigations of, or intelligence or counterintelligence activities or analysis related to, international terrorism, or a designee, those persons to whom disclosure will be made under subparagraph (A)(i) or to whom such disclosure was made before the request shall be identified to the head of the government agency or the designee.

''(C) NONDISCLOSURE REQUIREMENT.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (a) in the same manner as the person to whom the request is issued.

''(D) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(3) RIGHT TO JUDICIAL REVIEW.—

''(A) IN GENERAL.—A consumer reporting agency that receives a request under subsection (a) shall have the right to judicial review of any applicable nondisclosure requirement.

''(B) NOTIFICATION.—A request under subsection (a) shall state that if the recipient wishes to have a court review a nondisclosure requirement, the recipient shall notify the government.

''(C) INITIATION OF PROCEEDINGS.—If a recipient of a request under subsection (a) makes a notification under subparagraph (B), the government shall initiate judicial review under the procedures established in section 3511 of title 18, United States Code, unless an appropriate official of the government agency authorized to conduct investigations of, or intelligence or counterintelligence activities or analysis related to, international terrorism makes a notification under paragraph (4).

''(4) TERMINATION.—In the case of any request for which a consumer reporting agency has submitted a notification under paragraph (3)(B), if the facts supporting a nondisclosure requirement cease to exist, an appropriate official of the government agency authorized to conduct investigations of, or intelligence or counterintelligence activities or analysis related to, international terrorism shall promptly notify the consumer reporting agency, or officer, employee, or agent thereof, subject to the nondisclosure requirement that the nondisclosure requirement is no longer in effect.''.

(d) FINANCIAL RECORDS.—Section 1114(a)(5) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)) is amended by striking subparagraph (D) and inserting the following:

''(D) PROHIBITION OF CERTAIN DISCLOSURE.—

''(i) PROHIBITION.—

''(I) IN GENERAL.—If a certification is issued under subclause (II) and notice of the right to judicial review under clause (iii) is provided, no financial institution, or officer, employee, or agent thereof, that receives a request under subparagraph (A), shall disclose to any person that the Federal Bureau of Investigation has sought or obtained access to information or records under subparagraph (A).

''(II) CERTIFICATION.—The requirements of subclause (I) shall apply if the Director of the Federal Bureau of Investigation, or a designee of the Director whose rank shall be no lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge of a Bureau field office, certifies that, absent a prohibition of disclosure under this subparagraph, there may result—

''(aa) a danger to the national security of the United States;

''(bb) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(cc) interference with diplomatic relations; or

''(dd) danger to the life or physical safety of any person.

''(ii) EXCEPTION.—

''(I) IN GENERAL.—A financial institution, or officer, employee, or agent thereof, that receives a request under subparagraph (A) may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(aa) those persons to whom disclosure is necessary in order to comply with the request;

''(bb) an attorney in order to obtain legal advice or assistance regarding the request; or

''(cc) other persons as permitted by the Director of the Federal Bureau of Investigation or the designee of the Director.

''(II) PERSONS NECESSARY FOR COMPLIANCE.—Upon a request by the Director of the Federal Bureau of Investigation or the designee of the Director, those persons to whom disclosure will be made under subclause (I)(aa) or to whom such disclosure was made before the request shall be identified to the Director or the designee.

''(III) NONDISCLOSURE REQUIREMENT.—A person to whom disclosure is made under subclause (I) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subparagraph (A) in the same manner as the person to whom the request is issued.

''(IV) NOTICE.—Any recipient that discloses to a person described in subclause (I) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(iii) RIGHT TO JUDICIAL REVIEW.—

''(I) IN GENERAL.—A financial institution that receives a request under subparagraph (A) shall have the right to judicial review of any applicable nondisclosure requirement.

''(II) NOTIFICATION.—A request under subparagraph (A) shall state that if the recipient wishes to have a court review a nondisclosure requirement, the recipient shall notify the Government.

''(III) INITIATION OF PROCEEDINGS.—If a recipient of a request under subparagraph (A) makes a notification under subclause (II), the Government shall initiate judicial review under the procedures established in section 3511 of title 18, United States Code, unless an appropriate official of the Federal Bureau of Investigation makes a notification under clause (iv).

''(iv) TERMINATION.—In the case of any request for which a financial institution has submitted a notification under clause (iii)(II), if the facts supporting a nondisclosure requirement cease to exist, an appropriate official of the Federal Bureau of Investigation shall promptly notify the financial institution, or officer, employee, or agent thereof, subject to the nondisclosure requirement that the nondisclosure requirement is no longer in effect.''.

(e) REQUESTS BY AUTHORIZED INVESTIGATIVE AGENCIES.—Section 802 of the National Security Act of 1947 (50 U.S.C. 3162), is amended by striking subsection (b) and inserting the following:

''(b) PROHIBITION OF CERTAIN DISCLOSURE.—

''(1) PROHIBITION.—

''(A) IN GENERAL.—If a certification is issued under subparagraph (B) and notice of the right to judicial review under paragraph (3) is provided, no governmental or private entity, or officer, employee, or agent thereof, that receives a request under subsection (a), shall disclose to any person that an authorized investigative agency described in subsection (a) has sought or obtained access to information under subsection (a).

''(B) CERTIFICATION.—The requirements of subparagraph (A) shall apply if the head of an authorized investigative agency described in subsection (a), or a designee, certifies that, absent a prohibition of disclosure under this subsection, there may result—

''(i) a danger to the national security of the United States;

''(ii) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(iii) interference with diplomatic relations; or

''(iv) danger to the life or physical safety of any person.

''(2) EXCEPTION.—

''(A) IN GENERAL.—A governmental or private entity, or officer, employee, or agent thereof, that receives a request under subsection (a) may disclose information otherwise subject to any applicable nondisclosure requirement to—

''(i) those persons to whom disclosure is necessary in order to comply with the request;

''(ii) an attorney in order to obtain legal advice or assistance regarding the request; or

''(iii) other persons as permitted by the head of the authorized investigative agency described in subsection (a).

''(B) PERSONS NECESSARY FOR COMPLIANCE.—Upon a request by the head of an authorized investigative agency described in subsection (a), or a designee, those persons to whom disclosure will be made under subparagraph (A)(i) or to whom such disclosure was made before the request shall be identified to the head of the authorized investigative agency or the designee.

''(C) NONDISCLOSURE REQUIREMENT.—A person to whom disclosure is made under subparagraph (A) shall be subject to the nondisclosure requirements applicable to a person to whom a request is issued under subsection (a) in the same manner as the person to whom the request is issued.

''(D) NOTICE.—Any recipient that discloses to a person described in subparagraph (A) information otherwise subject to a nondisclosure requirement shall inform the person of the applicable nondisclosure requirement.

''(3) RIGHT TO JUDICIAL REVIEW.—

''(A) IN GENERAL.—A governmental or private entity that receives a request under subsection (a) shall have the right to judicial review of any applicable nondisclosure requirement.

''(B) NOTIFICATION.—A request under subsection (a) shall state that if the recipient wishes to have a court review a nondisclosure requirement, the recipient shall notify the Government.

''(C) INITIATION OF PROCEEDINGS.—If a recipient of a request under subsection (a) makes a notification under subparagraph (B), the Government shall initiate judicial review under the procedures established in section 3511 of title 18, United States Code, unless an appropriate official of the authorized investigative agency described in subsection (a) makes a notification under paragraph (4).

''(4) TERMINATION.—In the case of any request for which a governmental or private entity has submitted a notification under paragraph (3)(B), if the facts supporting a nondisclosure requirement cease to exist, an appropriate official of the authorized investigative agency described in subsection (a) shall promptly notify the governmental or private entity, or officer, employee, or agent thereof, subject to the nondisclosure requirement that the nondisclosure requirement is no longer in effect.''.

SEC. 6. JUDICIAL REVIEW OF FISA ORDERS AND NATIONAL SECURITY LETTERS.

(a) FISA.—Section 501(f)(2) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(f)(2)) is amended—

(1) in subparagraph (A)—

(A) in clause (i)—

(i) by striking ''a production order'' and inserting ''a production order or nondisclosure order''; and

(ii) by striking ''Not less than 1 year'' and all that follows; and

(B) in clause (ii), by striking ''production order or nondisclosure''; and

(2) in subparagraph (C)—

(A) by striking clause (ii); and

(B) by redesignating clause (iii) as clause (ii).

(b) JUDICIAL REVIEW OF NATIONAL SECURITY LETTERS.—Section 3511(b) of title 18, United States Code, is amended to read as follows:

''(b) NONDISCLOSURE.—

''(1) IN GENERAL.—

''(A) NOTICE.—If a recipient of a request or order for a report, records, or other information under section 2709 of this title, section 626 or 627 of the Fair Credit Reporting Act (15 U.S.C. 1681u and 1681v), section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414), or section 802 of the National Security Act of 1947 (50 U.S.C. 3162), wishes to have a court review a nondisclosure requirement imposed in connection with the request or order, the recipient shall notify the Government.

''(B) APPLICATION.—Not later than 30 days after the date of receipt of a notification under subparagraph (A), the Government shall apply for an order prohibiting the disclosure of the existence or contents of the relevant request or order. An application under this subparagraph may be filed in the district court of the United States for the judicial district in which the recipient of the order is doing business or in the district court of the United States for any judicial district within which the authorized investigation that is the basis for the request or order is being conducted. The applicable nondisclosure requirement shall remain in effect during the pendency of proceedings relating to the requirement.

''(C) CONSIDERATION.—A district court of the United States that receives an application under subparagraph (B) should rule expeditiously, and shall, subject to paragraph (3), issue a nondisclosure order that includes conditions appropriate to the circumstances.

''(2) APPLICATION CONTENTS.—An application for a nondisclosure order or extension thereof under this subsection shall include a certification from the Attorney General, Deputy Attorney General, an Assistant Attorney General, or the Director of the Federal Bureau of Investigation, or in the case of a request by a department, agency, or instrumentality of the Federal Government other than the Department of Justice, the head or deputy head of the department, agency, or instrumentality, containing a statement of specific facts indicating that, absent a prohibition of disclosure under this subsection, there may result—

''(A) a danger to the national security of the United States;

''(B) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(C) interference with diplomatic relations; or

''(D) danger to the life or physical safety of any person.

''(3) STANDARD.—A district court of the United States shall issue a nondisclosure requirement order or extension thereof under this subsection if the court determines, giving substantial weight to the certification under paragraph (2), that there is reason to believe that disclosure of the information subject to the nondisclosure requirement during the applicable time period will result in—

''(A) a danger to the national security of the United States;

''(B) interference with a criminal, counterterrorism, or counterintelligence investigation;

''(C) interference with diplomatic relations; or

''(D) danger to the life or physical safety of any person.''.

(c) MINIMIZATION.—Section 501(g)(1) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(g)(1)) is amended by striking ''Not later than'' and all that follows and inserting ''At or before the end of the period of time for the production of tangible things under an order approved under this section or at any time after the production of tangible things under an order approved under this section, a judge may assess compliance with the minimization procedures by reviewing the circumstances under which information concerning United States persons was retained or disseminated.''.

SEC. 7. CERTIFICATION FOR ACCESS TO TELEPHONE TOLL AND TRANSACTIONAL RECORDS.

(a) IN GENERAL.—Section 2709 of title 18, United States Code, as amended by this Act, is amended—

(1) by striking subsection (e);

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(3) by inserting after subsection (b) the following:

''(c) WRITTEN STATEMENT.—The Director of the Federal Bureau of Investigation, or a designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director, may make a certification under subsection (b) only upon a written statement, which shall be retained by the Federal Bureau of Investigation, of specific facts showing that there are reasonable grounds to believe that the information sought is relevant to the authorized investigation described in subsection (b).''.

(b) IDENTITY OF FINANCIAL INSTITUTIONS AND CREDIT REPORTS.—Section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u), as amended by this Act, is amended—

(1) by striking subsection (h);

(2) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively; and

(3) by inserting after subsection (c) the following:

''(d) WRITTEN STATEMENT.—The Director of the Federal Bureau of Investigation, or a designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director, may make a certification under subsection (a) or (b) only upon a written statement, which shall be retained by the Federal Bureau of Investigation, of specific facts showing that there are reasonable grounds to believe that the information sought is relevant to the authorized investigation described in subsection (a) or (b), as the case may be.''.

(c) DISCLOSURES TO GOVERNMENTAL AGENCIES FOR COUNTERTERRORISM PURPOSES.—Section 627(b) of the Fair Credit Reporting Act (15 U.S.C. 1681v(b)) is amended—

(1) in the subsection heading, by striking ''FORM OF CERTIFICATION'' and inserting ''CERTIFICATION'';

(2) by striking ''The certification'' and inserting the following:

''(1) FORM OF CERTIFICATION.—The certification''; and

(3) by adding at the end the following:

''(2) WRITTEN STATEMENT.—A supervisory official or officer described in paragraph (1) may make a certification under subsection (a) only upon a written statement, which shall be retained by the government agency, of specific facts showing that there are reasonable grounds to believe that the information sought is relevant to the authorized investigation described in subsection (a).''.

(d) FINANCIAL RECORDS.—Section 1114(a)(5) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)), as amended by this Act, is amended—

(1) by striking subparagraph (C);

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following:

''(B) The Director of the Federal Bureau of Investigation, or a designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director, may make a certification under subparagraph (A) only upon a written statement, which shall be retained by the Federal Bureau of Investigation, of specific facts showing that there are reasonable grounds to believe that the information sought is relevant to the authorized investigation described in subparagraph (A).''.

(e) REQUESTS BY AUTHORIZED INVESTIGATIVE AGENCIES.—Section 802(a) of the National Security Act of 1947 (50 U.S.C. 3162(a)) is amended by adding at the end the following:

''(4) A department or agency head, deputy department or agency head, or senior official described in paragraph (3)(A) may make a certification under paragraph (3)(A) only upon a written statement, which shall be retained by the authorized investigative agency, of specific facts showing that there are reasonable grounds to believe that the information sought is relevant to the authorized inquiry or investigation described in paragraph (3)(A)(ii).''.

(f) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) OBSTRUCTION OF CRIMINAL INVESTIGATIONS.—Section 1510(e) of title 18, United States Code, is amended by striking ''section 2709(c)(1) of this title, section 626(d)(1) or 627(c)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681u(d)(1) or 1681v(c)(1)), section 1114(a)(3)(A) or 1114(a)(5)(D)(i) of the Right to Financial Privacy Act (12 U.S.C. 3414(a)(3)(A) or 3414(a)(5)(D)(i)), or section 802(b)(1) of the National Security Act of 1947 (50 U.S.C. 403(b)(1))'' and inserting ''section 2709(d)(1) of this title, section 626(e)(1) or 627(c)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681u(e)(1) and 1681v(c)(1)), section 1114(a)(3)(A) or 1114(a)(5)(D)(i) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(3)(A) or 3414(a)(5)(D)(i)), or section 802(b)(1) of the National Security Act of 1947 (50 U.S.C. 3162(b)(1))''.

(2) SEMIANNUAL REPORTS.—Section 507(b) of the National Security Act of 1947 (50 U.S.C. 415b(b)) is amended to read as follows:

''(b) SEMIANNUAL REPORTS.—The dates for the submittal to the congressional intelligence committees of the semiannual reports on decisions not to prosecute certain violations of law under the Classified Information Procedures Act (18 U.S.C. App.), as required by section 13 of that Act, shall be the dates each year provided in subsection (c)(2).''.

SEC. 8. PUBLIC REPORTING ON NATIONAL SECURITY LETTERS.

(a) IN GENERAL.—Section 118(c) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (18 U.S.C. 3511 note) is amended to read as follows:

''(c) REPORTS ON REQUESTS FOR NATIONAL SECURITY LETTERS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'applicable period' means—

''(i) with respect to the first report submitted under paragraph (2) or (3), the period beginning 180 days after the date of enactment of the FISA Accountability and Privacy Protection Act of 2013 and ending on December 31, 2013; and

''(ii) with respect to the second report submitted under paragraph (2) or (3), and each report thereafter, the 6-month period ending on the last day of the second month before the date for submission of the report; and

''(B) the term 'United States person' has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

''(2) CLASSIFIED FORM.—

''(A) IN GENERAL.—Not later than March 1, 2014, and every 6 months thereafter, the Attorney General shall submit to the Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Permanent Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Financial Services of the House of Representatives a report fully informing the committees concerning the requests made under section 2709(a) of title 18, United States Code, section 1114(a)(5)(A) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)(A)), section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u), section 627 of the Fair Credit Reporting Act (15 U.S.C. 1681v), or section 802 of the National Security Act of 1947 (50 U.S.C. 3162) during the applicable period.

''(B) CONTENTS.—Each report under subparagraph (A) shall include, for each provision of law described in subparagraph (A)—

''(i) the number of authorized requests under the provision, including requests for subscriber information; and

''(ii) the number of authorized requests under the provision—

''(I) that relate to a United States person;

''(II) that relate to a person that is not a United States person;

''(III) that relate to a person that is—

''(aa) the subject of an authorized national security investigation; or

''(bb) an individual who has been in contact with or otherwise directly linked to the subject of an authorized national security investigation; and

''(IV) that relate to a person that is not known to be the subject of an authorized national security investigation or to have been in contact with or otherwise directly linked to the subject of an authorized national security investigation.

''(3) UNCLASSIFIED FORM.—

''(A) IN GENERAL.—Not later than March 1, 2014, and every 6 months thereafter, the Attorney General shall submit to the Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Permanent Select Committee on Intelligence, the Committee on the Judiciary, and the Committee on Financial Services of the House of Representatives a report fully informing the committees concerning the aggregate total of all requests identified under paragraph (2) during the applicable period. Each report under this subparagraph shall be in unclassified form.

''(B) CONTENTS.—Each report under subparagraph (A) shall include the aggregate total of requests—

''(i) that relate to a United States person;

''(ii) that relate to a person that is not a United States person;

''(iii) that relate to a person that is—

''(I) the subject of an authorized national security investigation; or

''(II) an individual who has been in contact with or otherwise directly linked to the subject of an authorized national security investigation; and

''(iv) that relate to a person that is not known to be the subject of an authorized national security investigation or to have been in contact with or otherwise directly linked to the subject of an authorized national security investigation.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 627 of the Fair Credit Reporting Act (15 U.S.C. 1681v) is amended by striking subsection (f).

SEC. 9. PUBLIC REPORTING ON THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) IN GENERAL.—Title VI of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1871) is amended by adding at the end the following:

''SEC. 602. ANNUAL UNCLASSIFIED REPORT.

''Not later than December 31, 2014, and every year thereafter, the Attorney General, in consultation with the Director of National Intelligence, and with due regard for the protection of classified information from unauthorized disclosure, shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives an unclassified report summarizing how the authorities under this Act are used, including the impact of the use of the authorities under this Act on the privacy of United States persons (as defined in section 101).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in the first section of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by inserting after the item relating to section 601 the following:

''Sec. 602. Annual unclassified report.''.

SEC. 10. AUDITS.

(a) TANGIBLE THINGS.—Section 106A of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 120 Stat. 200) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''and calendar years 2010 through 2013'' after ''2006'';

(B) by striking paragraphs (2) and (3);

(C) by redesignating paragraphs (4) and (5) as paragraphs (2) and (3), respectively; and

(D) in paragraph (3), as so redesignated—

(i) by striking subparagraph (C) and inserting the following:

''(C) with respect to calendar years 2010 through 2013, an examination of the minimization procedures used in relation to orders under section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) and whether the minimization procedures adequately protect the constitutional rights of United States persons.''; and

(ii) in subparagraph (D), by striking ''(as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)))'';

(2) in subsection (c), by adding at the end the following:

''(3) CALENDAR YEARS 2010 AND 2011.—Not later than January 1, 2014, the Inspector General of the Department of Justice shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the audit conducted under subsection (a) for calendar years 2010 and 2011.

''(4) CALENDAR YEARS 2012 AND 2013.—Not later than January 1, 2015, the Inspector General of the Department of Justice shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the audit conducted under subsection (a) for calendar years 2012 and 2013.'';

(3) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(4) by inserting after subsection (c) the following:

''(d) INTELLIGENCE ASSESSMENT.—

''(1) IN GENERAL.—For the period beginning on January 1, 2010 and ending on December 31, 2013, the Inspector General of each element of the intelligence community outside of the Department of Justice that used information acquired under title V of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861 et seq.) in the intelligence activities of the element of the intelligence community shall—

''(A) assess the importance of the information to the intelligence activities of the element of the intelligence community;

''(B) examine the manner in which that information was collected, retained, analyzed, and disseminated by the element of the intelligence community;

''(C) describe any noteworthy facts or circumstances relating to orders under title V of the Foreign Intelligence Surveillance Act of 1978 as the orders relate to the element of the intelligence community; and

''(D) examine any minimization procedures used by the element of the intelligence community under title V of the Foreign Intelligence Surveillance Act of 1978 and whether the minimization procedures adequately protect the constitutional rights of United States persons.

''(2) SUBMISSION DATES FOR ASSESSMENT.—

''(A) CALENDAR YEARS 2010 AND 2011.—Not later than January 1, 2014, the Inspector General of each element of the intelligence community that conducts an assessment under this subsection shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representative a report containing the results of the assessment for calendar years 2010 and 2011.

''(B) CALENDAR YEARS 2012 AND 2013.—Not later than January 1, 2015, the Inspector General of each element of the intelligence community that conducts an assessment under this subsection shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the assessment for calendar years 2012 and 2013.'';

(5) in subsection (e), as redesignated by paragraph (3)—

(A) in paragraph (1)—

(i) by striking ''a report under subsection (c)(1) or (c)(2)'' and inserting ''any report under subsection (c) or (d)''; and

(ii) by inserting ''and any Inspector General of an element of the intelligence community that submits a report under this section'' after ''Justice''; and

(B) in paragraph (2), by striking ''the reports submitted under subsection (c)(1) and (c)(2)'' and inserting ''any report submitted under subsection (c) or (d)'';

(6) in subsection (f), as redesignated by paragraph (3)—

(A) by striking ''The reports submitted under subsections (c)(1) and (c)(2)'' and inserting ''Each report submitted under subsection (c)''; and

(B) by striking ''subsection (d)(2)'' and inserting ''subsection (e)(2)''; and

(7) by adding at the end the following:

''(g) DEFINITIONS.—In this section—

''(1) the term 'intelligence community' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003); and

''(2) the term 'United States person' has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).''.

(b) NATIONAL SECURITY LETTERS.—Section 119 of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109–177; 120 Stat. 219) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''and calendar years 2010 through 2013'' after ''2006''; and

(B) in paragraph (3)(C), by striking ''(as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)))'';

(2) in subsection (c), by adding at the end the following:

''(3) CALENDAR YEARS 2010 AND 2011.—Not later than January 1, 2014, the Inspector General of the Department of Justice shall submit to the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives

and the Committee on the Judiciary and the Select Committee on Intelligence of the Senate a report containing the results of the audit conducted under subsection (a) for calendar years 2010 and 2011.

''(4) CALENDAR YEARS 2012 AND 2013.—Not later than January 1, 2015, the Inspector General of the Department of Justice shall submit to the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on the Judiciary and the Select Committee on Intelligence of the Senate a report containing the results of the audit conducted under subsection (a) for calendar years 2012 and 2013.'';

(3) by striking subsection (g) and inserting the following:

''(h) DEFINITIONS.—In this section—

''(1) the term 'intelligence community' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003);

''(2) the term 'national security letter' means a request for information under—

''(A) section 2709(a) of title 18, United States Code (to access certain communication service provider records);

''(B) section 1114(a)(5)(A) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414(a)(5)(A)) (to obtain financial institution customer records);

''(C) section 802 of the National Security Act of 1947 (50 U.S.C. 3162) (to obtain financial information, records, and consumer reports);

''(D) section 626 of the Fair Credit Reporting Act (15 U.S.C. 1681u) (to obtain certain financial information and consumer reports); or

''(E) section 627 of the Fair Credit Reporting Act (15 U.S.C. 1681v) (to obtain credit agency consumer records for counterterrorism investigations); and

''(3) the term 'United States person' has the meaning given that term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).'';

(4) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively;

(5) by inserting after subsection (c) the following:

''(d) INTELLIGENCE ASSESSMENT.—

''(1) IN GENERAL.—For the period beginning on January 1, 2010 and ending on December 31, 2013, the Inspector General of each element of the intelligence community outside of the Department of Justice that issued national security letters in the intelligence activities of the element of the intelligence community shall—

''(A) examine the use of national security letters by the element of the intelligence community during the period;

''(B) describe any noteworthy facts or circumstances relating to the use of national security letters by the element of the intelligence community, including any improper or illegal use of such authority;

''(C) assess the importance of information received under the national security letters to the intelligence activities of the element of the intelligence community; and

''(D) examine the manner in which information received under the national security letters was collected, retained, analyzed, and disseminated.

''(2) SUBMISSION DATES FOR ASSESSMENT.—

''(A) CALENDAR YEARS 2010 AND 2011.—Not later than January 1, 2014, the Inspector General of each element of the intelligence community that conducts an assessment under this subsection shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the assessment for calendar years 2010 and 2011.

''(B) CALENDAR YEARS 2012 AND 2013.—Not later than January 1, 2015, the Inspector General of any element of the intelligence community that conducts an assessment under this subsection shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the assessment for calendar years 2012 and 2013.'';

(6) in subsection (e), as redesignated by paragraph (4)—

(A) in paragraph (1)—

(i) by striking ''a report under subsection (c)(1) or (c)(2)'' and inserting ''any report under subsection (c) or (d)''; and

(ii) by inserting ''and any Inspector General of an element of the intelligence community that submits a report under this section'' after ''Justice''; and

(B) in paragraph (2), by striking ''the reports submitted under subsection (c)(1) or (c)(2)'' and inserting ''any report submitted under subsection (c) or (d)''; and

(7) in subsection (f), as redesignated by paragraph (4)—

(A) by striking ''The reports submitted under subsections (c)(1) or (c)(2)'' and inserting ''Each report submitted under subsection (c)''; and

(B) by striking ''subsection (d)(2)'' and inserting ''subsection (e)(2)''.

(c) PEN REGISTERS AND TRAP AND TRACE DEVICES.—

(1) AUDITS.—The Inspector General of the Department of Justice shall perform comprehensive audits of the effectiveness and use, including any improper or illegal use, of pen registers and trap and trace devices under title IV of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1841 et seq.) during the period beginning on January 1, 2010 and ending on December 31, 2013.

(2) REQUIREMENTS.—The audits required under paragraph (1) shall include—

(A) an examination of the use of pen registers and trap and trace devices under title IV of the Foreign Intelligence Surveillance Act of 1978 for calendar years 2010 through 2013;

(B) an examination of the installation and use of a pen register or trap and trace device on emergency bases under section 403 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1843);

(C) any noteworthy facts or circumstances relating to the use of a pen register or trap and trace device under title IV of the Foreign Intelligence Surveillance Act of 1978, including any improper or illegal use of the authority provided under that title; and

(D) an examination of the effectiveness of the authority under title IV of the Foreign Intelligence Surveillance Act of 1978 as an investigative tool, including—

(i) the importance of the information acquired to the intelligence activities of the Federal Bureau of Investigation;

(ii) the manner in which the information is collected, retained, analyzed, and disseminated by the Federal Bureau of Investigation, including any direct access to the information provided to any other department, agency, or instrumentality of Federal, State, local, or tribal governments or any private sector entity;

(iii) with respect to calendar years 2012 and 2013, an examination of the minimization procedures of the Federal Bureau of Investigation used in relation to pen registers and trap and trace devices under title IV of the Foreign Intelligence Surveillance Act of 1978 and whether the minimization procedures adequately protect the constitutional rights of United States persons;

(iv) whether, and how often, the Federal Bureau of Investigation used information acquired under a pen register or trap and trace device under title IV of the Foreign Intelligence Surveillance Act of 1978 to produce an analytical intelligence product for distribution within the Federal Bureau of Investigation, to the intelligence community, or to another department, agency, or instrumentality of Federal, State, local, or tribal governments; and

(v) whether, and how often, the Federal Bureau of Investigation provided information acquired under a pen register or trap and trace device under title IV of the Foreign Intelligence Surveillance Act of 1978 to law enforcement authorities for use in criminal proceedings.

(3) SUBMISSION DATES.—

(A) CALENDAR YEARS 2010 AND 2011.—Not later than January 1, 2014, the Inspector General of the Department of Justice shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the audits conducted under paragraph (1) for calendar years 2010 and 2011.

(B) CALENDAR YEARS 2012 AND 2013.—Not later than January 1, 2015, the Inspector General of the Department of Justice shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the audits conducted under paragraph (1) for calendar years 2012 and 2013.

(4) INTELLIGENCE ASSESSMENT.—

(A) IN GENERAL.—For the period beginning January 1, 2010 and ending on December 31, 2013, the Inspector General of any element of the intelligence community outside of the Department of Justice that used information acquired under a pen register or trap and trace device under title IV of the Foreign Intelligence Surveillance Act of 1978 in the intelligence activities of the element of the intelligence community shall—

(i) assess the importance of the information to the intelligence activities of the element of the intelligence community;

(ii) examine the manner in which the information was collected, retained, analyzed, and disseminated;

(iii) describe any noteworthy facts or circumstances relating to orders under title IV of the Foreign Intelligence Surveillance Act of 1978 as the orders relate to the element of the intelligence community; and

(iv) examine any minimization procedures used by the element of the intelligence community in relation to pen registers and trap and trace devices under title IV of the Foreign Intelligence Surveillance Act of 1978 and whether the minimization procedures adequately protect the constitutional rights of United States persons.

(B) SUBMISSION DATES FOR ASSESSMENT.—

(i) CALENDAR YEARS 2010 AND 2011.—Not later than January 1, 2014, the Inspector General of each element of the intelligence community that conducts an assessment under this

paragraph shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representative a report containing the results of the assessment for calendar years 2010 and 2011.

(ii) CALENDAR YEARS 2012 AND 2013.—Not later than January 1, 2015, the Inspector General of each element of the intelligence community that conducts an assessment under this paragraph shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representative a report containing the results of the assessment for calendar years 2012 and 2013.

(5) PRIOR NOTICE TO ATTORNEY GENERAL AND DIRECTOR OF NATIONAL INTELLIGENCE; COMMENTS.—

(A) NOTICE.—Not later than 30 days before the submission of any report under paragraph (3) or (4), the Inspector General of the Department of Justice and any Inspector General of an element of the intelligence community that submits a report under this subsection shall provide the report to the Attorney General and the Director of National Intelligence.

(B) COMMENTS.—The Attorney General or the Director of National Intelligence may provide such comments to be included in any report submitted under paragraph (3) or (4) as the Attorney General or the Director of National Intelligence may consider necessary.

(6) UNCLASSIFIED FORM.—Each report submitted under paragraph (3) and any comments included in that report under paragraph (5)(B) shall be in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section—

(1) the terms ''Attorney General'', ''foreign intelligence information'', and ''United States person'' have the meanings given those terms in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801);

(2) the term ''intelligence community'' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003);

(3) the term ''minimization procedures'' has the meaning given that term in section 401 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1841), as amended by this Act; and

(4) the terms ''pen register'' and ''trap and trace device'' have the meanings given those terms in section 3127 of title 18, United States Code.

SEC. 11. DELAYED NOTICE SEARCH WARRANTS.

Section 3103a(b)(3) of title 18, United States Code, is amended by striking ''30 days'' and inserting ''7 days''.

SEC. 12. INSPECTOR GENERAL REVIEWS.

(a) AGENCY ASSESSMENTS.—Section 702(l)(2) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(l)(2)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''authorized to acquire foreign intelligence information under subsection (a)'' and inserting ''with targeting or minimization procedures approved under this section'';

(2) in subparagraph (C), by inserting ''United States persons or'' after ''later determined to be''; and

(3) in subparagraph (D)—

(A) in the matter preceding clause (i), by striking ''such review'' and inserting ''review conducted under this paragraph'';

(B) in clause (ii), by striking ''and'' at the end;

(C) by redesignating clause (iii) as clause (iv); and

(D) by inserting after clause (ii), the following:

''(iii) the Inspector General of the Intelligence Community; and''.

(b) INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY REVIEW.—Section 702(l) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(l)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

''(3) INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY REVIEW.—

''(A) IN GENERAL.—The Inspector General of the Intelligence Community is authorized to review the acquisition, use, and dissemination of information acquired under subsection (a) in order to review compliance with the targeting and minimization procedures adopted in accordance with subsections (d) and (e) and the guidelines adopted in accordance with subsection (f), and in order to conduct the review required under subparagraph (B).

''(B) MANDATORY REVIEW.—The Inspector General of the Intelligence Community shall review the procedures and guidelines developed by the intelligence community to implement this section, with respect to the protection of the privacy rights of United States persons, including—

''(i) an evaluation of the limitations outlined in subsection (b), the procedures approved in accordance with subsections (d) and (e), and the guidelines adopted in accordance with subsection (f), with respect to the protection of the privacy rights of United States persons; and

''(ii) an evaluation of the circumstances under which the contents of communications acquired under subsection (a) may be searched in order to review the communications of particular United States persons.

''(C) CONSIDERATION OF OTHER REVIEWS AND ASSESSMENTS.—In conducting a review under subparagraph (B), the Inspector General of the Intelligence Community should take into consideration, to the extent relevant and appropriate, any reviews or assessments that have been completed or are being undertaken under this section.

''(D) REPORT.—Not later than December 31, 2014, the Inspector General of the Intelligence Community shall submit a report regarding the reviews conducted under this paragraph to—

''(i) the Attorney General;

''(ii) the Director of National Intelligence; and

''(iii) consistent with the Rules of the House of Representatives, the Standing Rules of the Senate, and Senate Resolution 400 of the 94th Congress or any successor Senate resolution—

''(I) the congressional intelligence committees; and

''(II) the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

''(E) PUBLIC REPORTING OF FINDINGS AND CONCLUSIONS.—In a manner consistent with the protection of the national security of the United States, and in unclassified form, the Inspector General of the Intelligence Community shall make publicly available a summary of the findings and conclusions of the review conducted under subparagraph (B).''.

(c) ANNUAL REVIEWS.—Section 702(l)(4)(A) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(l)(4)(A)), as redesignated by subsection (b)(1), is amended—

(1) in the matter preceding clause (i)—

(A) in the first sentence—

(i) by striking ''conducting an acquisition authorized under subsection (a)'' and inserting ''with targeting or minimization procedures approved under this section''; and

(ii) by striking ''the acquisition'' and inserting ''acquisitions under subsection (a)''; and

(B) in the second sentence, by striking ''The annual review'' and inserting ''As applicable, the annual review''; and

(2) in clause (iii), by inserting ''United States persons or'' after ''later determined to be''

SEC. 13. ELECTRONIC SURVEILLANCE.

Section 105(c)(1)(A) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1805(c)(1)(A)) is amended by inserting ''with particularity'' after ''description''.

SEC. 14. SEVERABILITY.

If any provision of this Act or an amendment made by this Act, or the application of the provision to any person or circumstance, is held to be unconstitutional, the remainder of this Act and the amendments made by this Act, and the application of the provisions of this Act and the amendments made by this Act to any other person or circumstance, shall not be affected thereby.

SEC. 15. OFFSET.

Of the unobligated balances available in the Department of Justice Assets Forfeiture Fund established under section 524(c)(1) of title 28, United States Code, $5,000,000 are permanently rescinded and shall be returned to the general fund of the Treasury.

SEC. 16. EFFECTIVE DATE.

The amendments made by sections 3, 4, 5, 6, 7, and 11 shall take effect on the date that is 120 days after the date of enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 183—COMMEMORATING THE RELAUNCHING OF THE 172-YEAR-OLD CHARLES W. MORGAN BY MYSTIC SEAPORT: THE MUSEUM OF AMERICA AND THE SEA

Mr. BLUMENTHAL (for himself and Mr. MURPHY) submitted the following resolution; which was referred to the Committee on the Judiciary:

Whereas the *Charles W. Morgan* (referred to in this preamble as the ''*Morgan*'') was built and launched from New Bedford, Massachusetts, in 1841;

Whereas the *Morgan* is a National Historic Landmark vessel, the only remaining wooden whaleship in the world, and the oldest commercial vessel in the United States;

Whereas the *Morgan* and similar vessels were the economic backbone of New England for 200 years;

Whereas the *Morgan* has served as a living artifact and a testament to the ingenuity, risk, and entrepreneurship of the United States since the vessel retired from the whaling industry in 1921;

Whereas the *Morgan* has completed a 5-year, multi-million dollar restoration at the Preservation Shipyard of Mystic Seaport: The Museum of America and the Sea and will be relaunched on July 21, 2013;

Whereas the *Morgan* will embark on a ceremonial 38th voyage in June 2014, serving as

''Ambassador'' to the world's whales and to the world's whaling heritage;

Whereas the 38th voyage of the *Morgan* will rekindle the spirit of exploration and discovery of people throughout the world;

Whereas individuals and organizations from 22 States have contributed materials and expertise to the restoration and 38th voyage of the *Morgan*; and

Whereas the new mission of the *Morgan* will be devoted to history, education, science, and ocean awareness: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the relaunching of the whaleship *Charles W. Morgan* and commends the staff, volunteers, and trustees of Mystic Seaport: The Museum of America and the Sea for their efforts to preserve and protect the maritime heritage of the United States;

(2) supports the plan of Mystic Seaport: The Museum of America and the Sea to reinterpret the *Charles W. Morgan* as a vessel of scientific and educational exploration whose cargo is knowledge and whose mission is to promote awareness of the maritime heritage of the United States and the conservation of the species the *Morgan* hunted; and

(3) recognizes the *Charles W. Morgan* as the ''Ambassador to the Whales'', dedicated to advancing public understanding of species conservation.

SENATE RESOLUTION 184—RECOGNIZING REFUGEE WOMEN AND GIRLS ON WORLD REFUGEE DAY

Mrs. BOXER (for herself, Ms. LANDRIEU, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. CARDIN, Mrs. MURRAY, Mrs. SHAHEEN, Ms. MIKULSKI, Ms. WARREN, Ms. HIRONO, Mrs. FEINSTEIN, Ms. HEITKAMP, and Ms. STABENOW) submitted the following resolution; which was considered and agreed to:

S. RES. 184

Whereas June 20 was established by the United Nations as World Refugee Day, a global day to honor the courage, strength, and determination of women, men, and children who are forced to flee their homes under threat of conflict, violence, and persecution;

Whereas, according to the Office of the United Nations High Commissioner for Refugees (in this preamble referred to as the ''UNHCR''), there are more than 43,000,000 displaced people worldwide, including more than 15,000,000 refugees;

Whereas, according to the UNHCR, women and girls make up at least 50 percent of any refugee population;

Whereas refugee women and girls work every day, often under the most difficult circumstances, to care for their families, improve their prospects and build a better future;

Whereas refugee women and girls are often at greater risk of sexual violence and exploitation, forced or early marriage, human trafficking, and other forms of gender-based violence;

Whereas refugee women and girls face barriers in accessing education, healthcare, and economic opportunities in countries of asylum;

Whereas, according to the UNHCR, more than 1,600,000 refugees, ¾ of which are women and children, have fled the ongoing violence in Syria;

Whereas, according to the UNHCR, an estimated 2,700,000 people in the Democratic Republic of the Congo have been displaced, and an additional nearly 500,000 Congolese refugees have crossed the border into neighboring countries;

Whereas refugee women and girls are frequently victims of gender-based violence as their displaced status puts them at greater risk, coupled with intense social and cultural stigmas that make actual statistics extremely difficult to compile because underreporting is endemic;

Whereas refugee women and girls have a right to safe and equitable access to humanitarian assistance, including food and cooking fuel, shelter, education, health care, and economic opportunity;

Whereas the full and meaningful participation of refugee women and girls in community decision-making is critical to the stability, security, and prosperity of entire communities;

Whereas the full participation of refugee women and girls in the design and implementation of assistance programs is vital to ensuring that those programs are equitable, efficient and successful;

Whereas the United States is a leader on protection of and humanitarian assistance for refugees, including refugee women and girls;

Whereas the United States has recognized the threat that gender-based violence can pose to refugee women and girls by working to strengthen efforts to protect them through the United States National Action Plan on Women, Peace, and Security;

Whereas the United States is a leading advocate for the meaningful participation of refugee women in humanitarian programs, peace processes, governance, and recovery programs;

Whereas the United States provides critical resources and support to the UNHCR and other international and nongovernmental organizations working with refugees around the world; and

Whereas the United States has welcomed more than 3,000,000 refugees during the last 30 years, who are resettled in communities across the country: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of World Refugee Day;

(2) reaffirms its commitment to the protection, well-being, and self-reliance of refugee women and girls and their families in United States humanitarian policy, programs, and diplomacy and recognizes the work of the United States Department of State and the United States Agency for International Development to this end;

(3) emphasizes the importance of ensuring that humanitarian assistance programs supported by the United States provide safe and equitable access for women and girls and are designed and implemented with their full participation;

(4) reiterates the importance of targeted programs for refugee women and girls that prevent and respond to gender-based violence, support self-reliance, and promote and develop their participation and leadership skills;

(5) recognizes the work of the Bureau of Population, Refugees, and Migration of the Department of State, the Office of Refugee Resettlement of the Department of Health and Human Services, the U.S. Citizenship and Immigration Services of the Department of Homeland Security, nongovernmental organizations, advocacy groups, and communities across the United States in welcoming and resettling refugees in the United States;

(6) celebrates the invaluable contributions that refugee women and girls make to their families and communities; and

(7) encourages the people of the United States to observe World Refugee Day with appropriate programs and activities.

SENATE RESOLUTION 185—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF R. WAYNE PATTERSON V. UNITED STATES SENATE, ET AL.

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 185

Whereas, the United States Senate, Vice President Joseph R. Biden, Jr., and Senate Parliamentarian Elizabeth C. MacDonough have been named as defendants in the case of *R. Wayne Patterson* v. *United States Senate, et al.*, No. 13–cv–2311, now pending in the United States District Court for the Northern District of California;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(1), the Senate may direct its counsel to defend the Senate and officers and employees of the Senate in civil actions relating to their official responsibilities: Now, therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent the United States Senate, Vice President Joseph R. Biden, Jr., and Senate Parliamentarian Elizabeth C. MacDonough in the case of *R. Wayne Patterson* v. *United States Senate, et al.*

AMENDMENTS SUBMITTED AND PROPOSED

SA 1557. Mr. BLUMENTHAL (for himself, Mrs. MURRAY, Mr. KING, and Mr. HARKIN) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1558. Mr. CARPER (for himself, Mr. MCCAIN, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1559. Mr. HEINRICH (for himself, Mr. UDALL of New Mexico, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1560. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1561. Mr. COATS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1562. Mr. COATS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1563. Mr. COATS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1564. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1565. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1566. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1567. Mr. GRASSLEY (for himself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1568. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1569. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1570. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1571. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1572. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1573. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1574. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1575. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1576. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1577. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1578. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1579. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1580. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1581. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1582. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1583. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1584. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1585. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1586. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1587. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1588. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1589. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1590. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1591. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1592. Mrs. BOXER (for herself, Ms. LANDRIEU, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1593. Ms. HEITKAMP (for herself, Mr. LEVIN, Mr. TESTER, and Mr. BAUCUS) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1594. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1595. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1596. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1597. Mr. REID (for Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1598. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1599. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1600. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1601. Mr. RISCH (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1602. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1603. Mrs. MURRAY (for herself and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1604. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1605. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1606. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1607. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1608. Mr. REED submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1609. Mr. REED submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1610. Mr. REED submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1611. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1612. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself

and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1613. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1614. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1615. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1616. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1617. Mrs. FEINSTEIN (for herself, Mr. KIRK, Mr. COONS, Mr. UDALL of New Mexico, Mr. BLUNT, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1618. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1619. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1620. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1621. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1622. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1623. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1624. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1625. Ms. LANDRIEU (for herself, Mr. COATS, Mrs. SHAHEEN, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1626. Ms. LANDRIEU (for herself, Mr. CARPER, and Mr. BEGICH) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1627. Ms. LANDRIEU (for herself and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1628. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1629. Ms. LANDRIEU (for herself and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1630. Ms. LANDRIEU (for herself, Ms. HIRONO, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1631. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1632. Ms. LANDRIEU (for herself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1633. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1634. Mr. PORTMAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1635. Mr. WYDEN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1636. Mr. BLUMENTHAL (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1637. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1638. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1639. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1640. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1641. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1642. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1643. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1644. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1645. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1646. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1647. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1648. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1649. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1650. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1651. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1652. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1653. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1654. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1655. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1656. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1657. Mrs. FEINSTEIN (for herself, Mr. KIRK, Mr. COONS, Mr. UDALL of New Mexico, Mr. CORNYN, and Mr. BLUNT) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1658. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1659. Mr. KAINE submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1660. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1661. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1662. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1557. Mr. BLUMENTHAL (for himself, Mrs. MURRAY, Mr. KING, and Mr. HARKIN) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in the amendment, insert the following:

SEC. _____. WHISTLEBLOWER PROTECTIONS.

(a) IN GENERAL.—Section 214(c) (8 U.S.C. 1184(c)) is amended by adding at the end the following:

''(15) WHISTLEBLOWER PROTECTIONS.—

''(A) PROHIBITIONS.—A person may not discharge, demote, suspend, threaten, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because such employee—

''(i) has filed or is about to file a complaint, instituted or caused to be instituted any proceeding, testified, assisted, or will testify, or cooperated or seeks to cooperate, in an investigation or other proceeding concerning compliance with the requirements under this title or any rule or regulation pertaining to this title or any covered claim;

''(ii) has disclosed or is about to disclose information to the person or to any other person or entity, that the employee reasonably believes evidences a violation of this title or any rule or regulation pertaining to this title, or grounds for any covered claim;

''(iii) has assisted or participated, or is about to assist or participate, in any manner in a proceeding or in any other action to carry out the purposes of this title or any covered claim;

''(iv) furnished, or is about to furnish, information to the Department of Labor, the Department of Homeland Security, the Department of Justice, or any Federal, State, or local regulatory or law enforcement agency relating to a violation of this title or any covered claim; or

''(v) objected to, or refused to participate in, any activity, policy, practice, or assigned task that the employee (or other such person) reasonably believed to be in violation of any provision of this Act or any other Act, or any order, rule, regulation, standard, or ban under any Act.

''(B) ENFORCEMENT.—

''(i) IN GENERAL.—An employee who believes that he or she has suffered a violation of subparagraph (A) may seek relief in accordance with the procedures, notifications, burdens of proof, remedies, and statutes of limitation set forth in section 1514A of title 18, United States Code.

''(ii) STAY OF REMOVAL.—The Attorney General and the Secretary of Homeland Security, after consulting with the Secretary of Labor and the Secretary of Labor has determined that a claim filed under this section for a violation of subparagraph (A) is not frivolous and demonstrates a prima facie case that a violation has occurred, may stay the removal of the nonimmigrant from the United States for time sufficient to participate in an action taken pursuant to this section. Upon the final disposition of the claim filed under this section, either by the Secretary of Labor or by a Federal court, the Secretary of Homeland Security shall adjust the employee's status consistent with such disposition. A determination to deny a stay of removal under this clause shall not deprive an individual of the right to pursue any other avenue for relief from removal proceedings.

''(iii) APPEAL.—

''(I) JURISDICTION.—Any person adversely affected or aggrieved by a final order issued under clause (i) may obtain review of the order in the United States Court of Appeals for—

''(aa) the circuit in which the violation, with respect to which the order was issued, allegedly occurred; or

''(bb) the circuit in which the complainant resided on the date of such violation.

''(II) FILING DEADLINE.—A petition for review under this subparagraph shall be filed not later than 60 days after the date on which the final order was issued by the Secretary of Labor.

''(III) APPLICABLE LAW.—A review under this subparagraph shall conform to the provisions set forth in chapter 7 of title 5, United States Code.

''(IV) STAY OF ORDER.—Unless ordered by the court, the commencement of proceedings under this subparagraph shall not operate as a stay of the order by the Secretary of Labor.

''(C) EDUCATION.—Each person, entity, and institution covered by this Act shall—

''(i) prominently communicate to all sectors and ranks of its labor force the rights and responsibilities under this Act; and

''(ii) provide associated education and training to all sectors and ranks of its labor force through notifications, postings, mailings, and training classes, supplemented with publicly accessible online materials on the requirements of, and developments that would affect the implementation of this Act.

''(D) NO LIMITATION ON RIGHTS.—Nothing in this paragraph may be construed to diminish the rights, privileges, or remedies of any person under any Federal or State law, equity, or under any collective bargaining agreement. The rights and remedies set forth in this paragraph may not be waived by any agreement, policy, form, or condition of employment.

''(E) DEFINITIONS.—In this paragraph:

''(i) COVERED CLAIM.—The term 'covered claim' means any claim, petition, charge, complaint, or grievance filed with, or submitted to, a Federal, State, or local agency or court, relating to the violation of applicable Federal or State labor or employment laws.

''(ii) DISCLOSE.—The term 'disclose' means to make a formal or informal communication or transmission.

''(iii) EMPLOYEE.—The term 'employee' means—

''(I) a current or former nonimmigrant alien admitted pursuant to section 101(a)(15)(H)(ii)(B); or

''(II) persons performing or formerly performing substantially the same work as such nonimmigrants in a related workplace.''.

(b) RULEMAKING.—Not later than 180 days after the date of the enactment of this Act, and after an opportunity for notice and comment, the Secretary of Labor shall promulgate regulations to carry out the amendment made by subsection (a).

SA 1558. Mr. CARPER (for himself, Mr. MCCAIN, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In title I, beginning on page 82, strike line 1 and all that follows through page 83, line 11, and insert the following:

SEC. 1106. DEPLOYING FORCE MULTIPLIERS AT AND BETWEEN PORTS OF ENTRY.

(a) ANALYSIS OF OPERATIONAL REQUIREMENTS BETWEEN PORTS OF ENTRY.—

(1) IN GENERAL.—As part of the Comprehensive Southern Border Security Strategy required to be submitted section 5(a), and in order to inform the Secretary about the technologies that may need to be redeployed or replaced pursuant to paragraphs (4) and (5) of such section, the Commissioner of U.S. Customs and Border Protection shall undertake a sector by sector analysis of the border to determine the specific technologies that are most effective in identifying illegal cross-border traffic for each particular Border Patrol sector and station along the border in order to achieve the goal of persistent surveillance.

(2) REQUIREMENTS.—The analysis conducted under paragraph (1) shall—

(A) include a comparison of the costs and benefits for each type of technology;

(B) estimate total life cycle costs for each type of technology; and

(C) identify specific performance metrics for assessing the performance of the technologies.

(b) ENHANCEMENTS.—In order to achieve surveillance between ports of entry along the Southwest border for 24 hours per day and 7 days per week, and using the analysis conducted under subsection (a), the Commissioner of U.S. Customs and Border Protection shall—

(1) deploy additional mobile, video, and man-portable surveillance systems;

(2) ensure, to the extent practicable, that all aerial assets, including assets owned before the date of enactment of this Act, are outfitted with advanced sensors that can be used to detect cross-border activity, including infrared cameras, radars, or other technologies as appropriate;

(3) deploy tethered aerostat systems, including systems to detect low-flying aircraft across the entire border, as well as systems to detect the movement of people and vehicles;

(4) operate unarmed unmanned aerial vehicles equipped with advanced sensors in every Border Patrol sector to ensure coverage for 24 hours per day and 7 days a week, unless—

(A) severe or prevailing weather precludes operations in a given sector;

(B) the Secretary determines that national security requires unmanned aerial vehicles to be deployed elsewhere; or

(C) the Secretary determines that a request from the governor of a State to deploy unmanned aerial vehicles to assist with disaster recovery efforts or extraordinary law enforcement operations is in the national interest;

(5) attempt, to the greatest extent practicable, to provide an alternate form of surveillance in a sector from which the Secretary redeployed an unmanned aerial system pursuant to subparagraph (B) or (C) of paragraph (4);

(6) deploy unarmed additional fixed-wing aircraft and helicopters;

(7) increase horse patrols in the Southwest border region; and

(8) acquire and deploy watercraft and other equipment to provide support for border-related maritime anti-crime activities.

(c) LIMITATION.—

(1) IN GENERAL.—Notwithstanding subsection (b), U.S. Border Patrol may not operate unarmed, unmanned aerial vehicles in the San Diego and El Centro Sectors, except within 3 miles of the Southern border.

(2) EXCEPTION.—The limitation under paragraph (1) shall not restrict—

(A) the maritime operations of U.S. Customs and Border Protection; or

(B) the Secretary's authority to deploy unmanned aerial vehicles—

(i) during a national security emergency;

(ii) in response to a request from the governor of California for assistance during disaster recovery efforts; or

(iii) for other law enforcement purposes.

(d) FLEET CONSOLIDATION.—In acquiring technological assets under subsection (b) and section 5(a), the Commissioner of U.S. Customs and Border Protection shall, to the greatest extent practicable, implement a plan for streamlining the fleet of aircraft, helicopters, aerostats, and unmanned aerial vehicles of U.S. Customs and Border Protection to generate savings in maintenance costs and training costs for pilots and other personnel needed to operate the assets.

(e) ANALYSIS OF OPERATIONAL REQUIREMENTS AT PORTS OF ENTRY.—

(1) IN GENERAL.—To help facilitate cross-border traffic and provide increased situational awareness of inbound and outbound trade and travel, and in order to inform the Secretary about the technologies that may need to be redeployed or replaced pursuant to paragraphs (4) and (5) of section 5(a), the Commissioner of U.S. Customs and Border Protection shall—

(A) conduct an assessment of the technology needs at ports of entry; and

(B) prioritize such technology needs based on the results of the assessment conducted pursuant to subparagraph (A).

(2) REQUIREMENTS.—In carrying out subsection (a), the Commissioner of U.S. Customs and Border Protection shall—

(A) consult with officers and agents in the field; and

(B) consider a variety of fixed and mobile technologies, including—

(i) hand-held biometric and document readers;

(ii) fixed and mobile license plate readers;

(iii) radio frequency identification documents and readers;

(iv) interoperable communication devices;

(v) nonintrusive scanning equipment; and

(vi) document scanning kiosks.

(3) IMPLEMENTATION.—Based on the results of the assessment conducted under this subsection, the Commissioner of U.S. Customs and Border Protection shall deploy additional technologies to land, air, and sea ports of entry.

(f) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated, there are authorized to be appropriated to U.S. Customs and Border Protection such sums as may be necessary to carry out this section during the fiscal years 2014 through 2018.

SA 1559. Mr. HEINRICH (for himself, Mr. UDALL of New Mexico, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1104, add the following:

(e) LAND PORTS OF ENTRY CONSTRUCTION PROJECTS.—The Secretary shall enhance security, facilitate the movement of people, cargo, and motor vehicles, and efficiently manage resources by working to expeditiously complete land ports of entry construction projects already authorized for construction.

SA 1560. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title III, add the following:

SEC. 3722. DETENTION OF DANGEROUS ALIENS.

(a) SHORT TITLE.—This section may be cited as the ''Keep Our Communities Safe Act of 2013''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) this section should ensure that Constitutional rights are upheld and protected;

(2) it is the intention of the Congress to uphold the Constitutional principles of due process; and

(3) due process of the law is a right afforded to everyone in the United States.

(c) DETENTION OF ALIENS DURING REMOVAL PROCEEDINGS.—

(1) CLERICAL AMENDMENT.—Section 236 (8 U.S.C. 1226) is amended—

(A) by striking ''Attorney General'' each place it appears (except in the second place it appears in subsection (a)) and inserting ''Secretary of Homeland Security'';

(B) in subsection (a), by inserting ''the Secretary of Homeland Security or'' before ''the Attorney General—''; and

(C) in subsection (e), by striking ''Attorney General's'' and inserting ''Secretary of Homeland Security's''.

(2) LENGTH OF DETENTION.—Section 236 (8 U.S.C. 1226) is amended by adding at the end the following:

''(f) LENGTH OF DETENTION.—

''(1) Notwithstanding any other provision of this section, an alien may be detained under this section for any period, without limitation, except as provided in subsection (h), until the alien is subject to a final order of removal.

''(2) The length of detention under this section shall not affect detention under section 241 of this Act.''.

(3) DETENTION OF CRIMINAL ALIENS.—Section 236(c)(1) (8 U.S.C. 1226(c)(1)) is amended, by striking the undesignated matter following subparagraph (D) and inserting the following:

''any time after the alien is released, without regard to whether an alien is released related to any activity, offense, or conviction described in this paragraph; to whether the alien is released on parole, supervised release, or probation; or to whether the alien may be arrested or imprisoned again for the same offense. If the activity described in this paragraph does not result in the alien being taken into custody by any person other than the Secretary, then when the alien is brought to the attention of the Secretary or when the Secretary determines it is practical to take such alien into custody, the Secretary shall take such alien into custody.''.

(4) ADMINISTRATIVE REVIEW.—Section 236 (8 U.S.C. 1226) is amended by adding at the end the following:

''(g) ADMINISTRATIVE REVIEW.—

''(1) The Attorney General's review of the Secretary's custody determinations under section 236(a) shall be limited to whether the alien may be detained, released on bond (of at least $1,500 with security approved by the Secretary), or released with no bond.

''(2) The Attorney General's review of the Secretary's custody determinations for the following classes of aliens:

''(A) Aliens in exclusion proceedings.

''(B) Aliens described in sections 212(a)(3) and 237(a)(4).

''(C) Aliens described in section 236(c).

''(D) Aliens in deportation proceedings subject to section 242(a)(2) of the Act (as in effect prior to April 1, 1997, and as amended by section 440(c) of Public Law 104–132); is limited to a determination of whether the alien is properly included in such category.

''(h) RELEASE ON BOND.—

''(1) IN GENERAL.—An alien detained under subsection (a) may seek release on bond. No bond may be granted except to an alien who establishes by clear and convincing evidence that the alien is not a flight risk or a risk to another person or the community.

''(2) CERTAIN ALIENS INELIGIBLE.—No alien detained under subsection (c) may seek release on bond.''.

(5) CLERICAL AMENDMENTS.—Section 236 (8 U.S.C. 1226) is amended—

(A) in subsection (a)(2)(B), by striking ''conditional parole'' and inserting ''recognizance''; and

(B) in subsection (b), by striking ''parole'' and inserting ''recognizance''.

(d) ALIENS ORDERED REMOVED.—Section 241(a) (8 U.S.C. 1231(a)) is amended—

(1) by striking ''Attorney General'' each place it appears, except for the first place it appears in paragraph (4)(B)(i), and inserting ''Secretary of Homeland Security'';

(2) in paragraph (1)—

(A) by striking subparagraphs (B) and (C) and inserting the following:

''(B) BEGINNING OF PERIOD.—The removal period begins on the latest of—

''(i) the date on which the order of removal becomes administratively final;

''(ii) the date on which the alien is taken into such custody if the alien is not in the custody of the Secretary on the date on which the order of removal becomes administratively final; and

''(iii) the date on which the alien is taken into the custody of the Secretary after the alien is released from detention or confinement if the alien is detained or confined (except for an immigration process) on the date on which the order of removal becomes administratively final.

''(C) SUSPENSION OF PERIOD.—

''(i) EXTENSION.—The removal period shall be extended beyond a period of 90 days and the Secretary may, in the Secretary's

sole discretion, keep the alien in detention during such extended period if—

''(I) the alien fails or refuses to make all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure or conspires or acts to prevent the alien's removal that is subject to an order of removal;

''(II) a court, the Board of Immigration Appeals, or an immigration judge orders a stay of removal of an alien who is subject to an administratively final order of removal;

''(III) the Secretary transfers custody of the alien pursuant to law to another Federal agency or a State or local government agency in connection with the official duties of such agency; or

''(IV) a court or the Board of Immigration Appeals orders a remand to an immigration judge or the Board of Immigration Appeals, during the time period when the case is pending a decision on remand (with the removal period beginning anew on the date that the alien is ordered removed on remand).

''(ii) RENEWAL.—If the removal period has been extended under clause (i), a new removal period shall be deemed to have begun on the date on which—

''(I) the alien makes all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary's efforts to establish the alien's identity and carry out the removal order;

''(II) the stay of removal is no longer in effect; or

''(III) the alien is returned to the custody of the Secretary.

''(iii) MANDATORY DETENTION FOR CERTAIN ALIENS.—The Secretary shall keep an alien described in subparagraphs (A) through (D) of section 236(c)(1) in detention during the extended period described in clause (i).

''(iv) SOLE FORM OF RELIEF.—An alien may only seek relief from detention under this subparagraph by filing an application for a writ of habeas corpus in accordance with chapter 153 of title 28, United States Code. No alien whose period of detention is extended under this subparagraph shall have the right to seek release on bond.'';

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by inserting ''or is not detained pursuant to paragraph (6)'' after ''the removal period''; and

(B) by amending subparagraph (D) to read as follows:

''(D) to obey reasonable restrictions on the alien's conduct or activities that the Secretary prescribes for the alien, in order to prevent the alien from absconding, for the protection of the community, or for other purposes related to the enforcement of the immigration laws.'';

(4) in paragraph (4)(A), by striking ''paragraph (2)'' and inserting ''subparagraph (B)''; and

(5) by amending paragraph (6) to read as follows:

''(6) ADDITIONAL RULES FOR DETENTION OR RELEASE OF CERTAIN ALIENS.—

''(A) DETENTION REVIEW PROCESS FOR COOPERATIVE ALIENS ESTABLISHED.—For an alien who is not otherwise subject to mandatory detention, who has made all reasonable efforts to comply with a removal order and to cooperate fully with the Secretary of Homeland Security's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, and who has not conspired or acted to prevent removal, the Secretary shall establish an administrative review process to determine whether the alien should be detained or released on conditions. The Secretary shall make a determination whether to release an alien after the removal period in accordance with subparagraph (B). The determination shall include consideration of any evidence submitted by the alien, and may include consideration of any other evidence, including any information or assistance provided by the Secretary of State or other Federal official and any other information available to the Secretary of Homeland Security pertaining to the ability to remove the alien.

''(B) AUTHORITY TO DETAIN BEYOND REMOVAL PERIOD.—

''(i) IN GENERAL.—The Secretary of Homeland Security, in the exercise of the Secretary's sole discretion, may continue to detain an alien for 90 days beyond the removal period (including any extension of the removal period under paragraph (1)(C)). An alien whose detention is extended under this subparagraph shall have no right to seek release on bond.

''(ii) SPECIFIC CIRCUMSTANCES.—The Secretary of Homeland Security, in the exercise of the Secretary's sole discretion, may continue to detain an alien beyond the 90 days authorized under clause (i)—

''(I) until the alien is removed, if the Secretary, in the Secretary's sole discretion, determines that there is a significant likelihood that the alien—

''(aa) will be removed in the reasonably foreseeable future; or

''(bb) would be removed in the reasonably foreseeable future, or would have been removed, but for the alien's failure or refusal to make all reasonable efforts to comply with the removal order, or to cooperate fully with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, or conspires or acts to prevent removal;

''(II) until the alien is removed, if the Secretary of Homeland Security certifies in writing—

''(aa) in consultation with the Secretary of Health and Human Services, that the alien has a highly contagious disease that poses a threat to public safety;

''(bb) after receipt of a written recommendation from the Secretary of State, that release of the alien is likely to have serious adverse foreign policy consequences for the United States;

''(cc) based on information available to the Secretary of Homeland Security (including classified, sensitive, or national security information, and without regard to the grounds upon which the alien was ordered removed), that there is reason to believe that the release of the alien would threaten the national security of the United States; or

''(dd) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or any person, and

''(AA) the alien has been convicted of 1 or more aggravated felonies (as defined in section 101(a)(43)(A)) or of 1 or more crimes identified by the Secretary of Homeland Security by regulation, or of 1 or more attempts or conspiracies to commit any such aggravated felonies or such identified crimes, if the aggregate term of imprisonment for such attempts or conspiracies is at least 5 years; or

''(BB) the alien has committed 1 or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder and behavior associated with that condition or disorder, the alien is likely to engage in acts of violence in the future; or

''(III) pending a certification under subclause (II), if the Secretary of Homeland Security has initiated the administrative review process not later than 30 days after the expiration of the removal period (including any extension of the removal period under paragraph (1)(C)).

''(iii) NO RIGHT TO BOND HEARING.—An alien whose detention is extended under this subparagraph shall have no right to seek release on bond, including by reason of a certification under clause (ii)(II).

''(C) RENEWAL AND DELEGATION OF CERTIFICATION.—

''(i) RENEWAL.—The Secretary of Homeland Security may renew a certification under subparagraph (B)(ii)(II) every 6 months, after providing an opportunity for the alien to request reconsideration of the certification and to submit documents or other evidence in support of that request. If the Secretary does not renew a certification, the Secretary may not continue to detain the alien under subparagraph (B)(ii)(II).

''(ii) DELEGATION.—Notwithstanding section 103, the Secretary of Homeland Security may not delegate the authority to make or renew a certification described in item (bb), (cc), or (dd) of subparagraph (B)(ii)(II) below the level of the Assistant Secretary for Immigration and Customs Enforcement.

''(iii) HEARING.—The Secretary of Homeland Security may request that the Attorney General or the Attorney General's designee provide for a hearing to make the determination described in item (dd)(BB) of subparagraph (B)(ii)(II).

''(D) RELEASE ON CONDITIONS.—If it is determined that an alien should be released from detention by a Federal court, the Board of Immigration Appeals, or if an immigration judge orders a stay of removal, the Secretary of Homeland Security, in the exercise of the Secretary's discretion, may impose conditions on release as provided under paragraph (3).

''(E) REDETENTION.—The Secretary of Homeland Security, in the exercise of the Secretary's discretion, without any limitations other than those specified in this section, may again detain any alien subject to a final removal order who is released from custody, if removal becomes likely in the reasonably foreseeable future, the alien fails to comply with the conditions of release, or to continue to satisfy the conditions described in subparagraph (A), or if, upon reconsideration, the Secretary, in the Secretary's sole discretion, determines that the alien can be detained under subparagraph (B). This section shall apply to any alien returned to custody pursuant to this subparagraph, as if the removal period terminated on the day of the redetention.

''(F) REVIEW OF DETERMINATIONS BY SECRETARY.—A determination by the Secretary under this paragraph shall not be subject to review by any other agency.''.

(e) SEVERABILITY.—If any of the provisions of this section, any amendment made by this section, or the application of any such provision to any person or circumstance, is held to be invalid for any reason, the remainder of this section, the

amendments made by this section, and the application of the provisions and amendments made by this section to any other person or circumstance shall not be affected by such holding.

(f) EFFECTIVE DATES.—

(1) APPREHENSION AND DETENTION OF ALIENS.—The amendments made by subsection (c) shall take effect on the date of the enactment of this Act. Section 236 of the Immigration and Nationality Act, as amended by subsection (c), shall apply to any alien in detention under provisions of such section on or after such date of enactment.

(2) ALIENS ORDERED REMOVED.—The amendments made by subsection (d) shall take effect on the date of the enactment of this Act. Section 241 of the Immigration and Nationality Act, as amended by subsection (d), shall apply to—

(A) all aliens subject to a final administrative removal, deportation, or exclusion order that was issued before, on, or after the date of the enactment of this Act; and

(B) acts and conditions occurring or existing before, on, or after such date of enactment.

SA 1561. Mr. COATS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 75, after line 25, add the following:

(4) LAND PORTS OF ENTRY.—The Secretary and the Administrator of the General Services Administration may upgrade, expand, or replace existing land ports of entry to facilitate safe, secure, and efficient cross border movement of people, motor vehicles, and cargo.

SA 1562. Mr. COATS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. BREACHED BOND/DETENTION FUND DEPOSITS.

Section 286(r) (8 U.S.C. 1356(r)) is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) There shall be deposited—

''(A) as offsetting receipts into the Fund all breached cash and surety bonds, posted under this Act which are recovered by the Department of Homeland Security, and amounts described in section 245(i)(3)(B).; and

''(B) into the Fund unclaimed moneys from the 'Unclaimed Moneys of Individuals Whose Whereabouts are Unknown' account established pursuant to 31 U.S.C. 1322, from cash received as security on immigration bonds and interest that accrued on such cash, that remains unclaimed for a period of at least 10 years from the date it was first transferred into Treasury's Unclaimed Moneys account if the transfer of the unclaimed moneys will occur only after electronic notice is posted for six months and the moneys remain unclaimed after such notice.'';

(2) in paragraph (3), by striking ''Attorney General'' and inserting ''Secretary of Homeland Security'';

(3) in paragraph (5)—

(A) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security''; and

(B) by striking ''transfers to the general fund,''; and

(4) by striking paragraph (6).

SA 1563. Mr. COATS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 3, beginning on page 3, strike line 5 and all that follows through ''(i)'' on page 4, line 7, and insert the following:

(1) PROCESSING OF APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—

(A) IN GENERAL.—Not earlier than the date on which the Secretary submits to Congress a certification that the Secretary has maintained effective control of high-risk border sectors along the Southern border for a period of not less than 6 months, the Secretary may commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act.

(B) HIGH-RISK BORDER SECTOR DEFINED.—In this paragraph, the term ''high-risk border sector'' means a border sector in which more than 30,000 individuals were apprehended by the Department during the most recent fiscal year.

(2) ADJUSTMENT OF STATUS OF REGISTERED PROVISIONAL IMMIGRANTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary may not adjust the status of aliens who have been granted registered provisional immigrant status, except for aliens granted blue card status under section 2201 of this Act or described in section 245D(b) of the Immigration and Nationality Act, until the Secretary, after consultation with the Comptroller General of the United States, submits to the President and Congress a written certification that—

(i) the Secretary has maintained effective control of the Southern border for a period of not less than 6 months;

(ii)

SA 1564. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In title II, beginning on page 13, strike line 20 and all that follows through page 26, line 4, and insert the following:

''(6) ELIGIBILITY AFTER DEPARTURE.—An alien who departed from the United States while subject to an order of exclusion, deportation, or removal, or pursuant to an order of voluntary departure and who is outside of the United States, or who has reentered the United States illegally after December 31, 2011 without receiving the Secretary's consent to reapply for admission under section 212(a)(9), shall not be eligible to file an application for registered provisional immigrant status.

''(7) SUSPENSION OF REMOVAL DURING APPLICATION PERIOD.—A registered provisional immigrant may not be detained by the Secretary or removed from the United States unless the Secretary determines that—

''(A) such alien is, or has become, removable for any grounds under section 237 for causes arising subsequent to the application or receipt of status;

''(B) such alien is, or has become, ineligible for registered provisional immigrant status under subsection (b)(3); or

''(C) such alien's registered provisional immigrant status has been terminated or revoked under the provisions of this Act.

SA 1565. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In title III, beginning on page 174, strike line 6 and all that follows through page 180, line 5, and insert the following:

SEC. 3401. REFUGEE FAMILY PROTECTIONS.

A child of an alien who qualifies for admission as a spouse or child under section 207(c)(2)(A) or 208(b)(3) of the Immigration and Nationality Act (8 U.S.C. 1157(c)(2)(A) and 1158(b)(3)) shall be entitled to the same status as such alien if the child—

(1) is accompanying or following to join such alien; and

(2) is otherwise eligible under section 207(c)(2)(A) or 208(b)(3) of the Immigration and Nationality Act.

SEC. 3402. CLARIFICATION ON DESIGNATION OF CERTAIN REFUGEES.

(a) TERMINATION OF CERTAIN PREFERENTIAL TREATMENT IN IMMIGRATION OF AMERASIANS.—Section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988 (8 U.S.C. 1101 note) is amended by adding at the end the following:

''(f) No visa may be issued under this section if the petition or application for such visa is submitted on or after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.''.

(b) REFUGEE DESIGNATION.—Section 207(c)(1) (8 U.S.C. 1157(c)(1)) is amended—

(1) by inserting ''(A)'' before ''Subject to the numerical limitations''; and

(2) by adding at the end the following:

''(B)(i) The President, upon a recommendation of the Secretary of State made in consultation with the Secretary of Homeland Security, and after appropriate consultation, may designate specifically defined groups of aliens—

''(I) whose resettlement in the United States is justified by humanitarian concerns or is otherwise in the national interest; and

''(II) who—

''(aa) share common characteristics that identify them as targets of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion; or

''(bb) having been identified as targets as described in item (aa), share a common need for resettlement due to a specific vulnerability.

''(ii) An alien who establishes membership in a group designated under clause (i) to the satisfaction of the Secretary of Homeland Security shall be considered a refugee for purposes of admission as a refugee under this

section unless the Secretary determines that such alien ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.

''(iii) A designation under clause (i) is for purposes of adjudicatory efficiency and may be revoked by the President at any time after notification to Congress.

''(iv) Categories of aliens established under section 599D of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101–167; 8 U.S.C. 1157 note)—

''(I) shall be designated under clause (i) until the end of the first fiscal year commencing after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; and

''(II) shall be eligible for designation thereafter at the discretion of the President, considering, among other factors, whether a country under consideration has been designated by the Secretary of State as a 'Country of Particular Concern' for engaging in or tolerating systematic, ongoing, and egregious violations of religious freedom.

''(v) A designation under clause (i) shall not influence decisions to grant, to any alien, asylum under section 208, protection under section 241(b)(3), or protection under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984.

''(vi) A decision to deny admission under this section to an alien who establishes to the satisfaction of the Secretary that the alien is a member of a group designated under clause (i) shall—

''(I) be in writing; and

''(II) state, to the maximum extent feasible, the reason for the denial.

''(vii) Refugees admitted pursuant to a designation under clause (i) shall be subject to the number of admissions and be admissible under this section.''.

SA 1566. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In title III, beginning on page 174, strike line 6 and all that follows through page 176, line 2.

In title III, beginning on page 179, strike line 19 and all that follows through page 180, line 5.

SA 1567. Mr. GRASSLEY (for himself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In title II, on page 35, between lines 2 and 3, insert the following:

''(14) DISCLOSURE OF SOCIAL SECURITY INFORMATION.—

''(A) IN GENERAL.—The Secretary may not grant registered provisional immigrant status to an alien under this section unless the alien fully discloses to the Secretary all the names and Social Security account numbers that the alien has ever used to obtain employment in the United States.

''(B) REVOCATION OF GRANTED STATUS.—If the Secretary determines that an alien previously granted registered provisional immigrant status under this section has not complied with the requirement in subparagraph (A), the Secretary shall revoke the status of the alien as a registered provisional immigrant.

''(C) NOTIFICATION OF RIGHTFUL ASSIGNEES.—The Secretary may disclose information received from an alien pursuant to a disclosure under subparagraph (A) to any Federal or State agency authorized to collect such information in order to enable such agency to notify each named individual or rightful assignee of the Social Security account number concerned of the alien's misuse of such name or number to obtain employment.

SA 1568. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 3, on page 6, beginning on line 8, strike ''and'' and all that follows through ''(v)'' on line 9, and insert the following:

(v) the Secretary of the Treasury has certified that the Secretary has collected and deposited into the Treasury, pursuant to section 6(b)(3)(B), an amount equal to the amount transferred from the general fund of the Treasury to the Comprehensive Immigration Reform Trust Fund pursuant to section 6(a)(2)(A); and

(vi)

SA 1569. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In title III, beginning on page 253, strike line 19 and all that follows through the matter preceding line 15 on page 271, and insert the following:

SEC. 3704. ILLEGAL ENTRY.

(a) IN GENERAL.—Section 275 (8 U.S.C. 1325) is amended to read as follows:

''SEC. 275. ILLEGAL ENTRY.

''(a) IN GENERAL.—

''(1) CRIMINAL OFFENSES.—An alien shall be subject to the penalties set forth in paragraph (2) if the alien—

''(A) enters, attempts to enter, or crosses the border into the United States at any time or place other than as designated by the Secretary of Homeland Security;

''(B) eludes examination or inspection by an immigration officer, or a customs or agriculture inspection at a port of entry; or

''(C) attempts to enter or obtains entry to the United States by means of a knowingly false or misleading representation or the concealment of a material fact.

''(2) CRIMINAL PENALTIES.—Any alien who violates any provision under paragraph (1)—

''(A) shall, for the first violation, be fined under title 18, United States Code, imprisoned not more than 12 months, or both;

''(B) shall, for a second or subsequent violation, or following an order of voluntary departure, be fined under such title, imprisoned not more than 3 years, or both;

''(C) if the violation occurred after the alien had been convicted of 3 or more misdemeanors or of a felony, shall be fined under such title, imprisoned not more than 10 years, or both; and

''(D) if the violation occurred after the alien had been convicted of a felony for which the alien was sentenced to a term of imprisonment, shall be fined under such title, imprisoned not more than 15 years, or both.

''(3) PRIOR CONVICTIONS.—The prior convictions described in subparagraphs (C) and (D) of paragraph (2) are elements of the offenses described in that paragraph and the penalties in such subparagraphs shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

''(A) alleged in the indictment or information; and

''(B) proven beyond a reasonable doubt at trial or admitted by the defendant under oath as part of a plea agreement.

''(b) IMPROPER TIME OR PLACE; CIVIL PENALTIES.—Any alien who is apprehended while knowingly entering, attempting to enter, or crossing or attempting to cross the border to the United States at a time or place other than as designated by immigration officers shall be subject to a civil penalty, in addition to any criminal or other civil penalties that may be imposed under any other provision of law, in an amount equal to—

''(1) not less than $250 or more than $5,000 for each such entry, crossing, attempted entry, or attempted crossing; or

''(2) twice the amount specified in paragraph (1) if the alien had previously been subject to a civil penalty under this subsection.

''(c) FRAUDULENT MARRIAGE.—An individual who knowingly enters into a marriage for the purpose of evading any provision of the immigration laws shall be imprisoned for not more than 5 years, fined not more than $250,000, or both.

''(d) COMMERCIAL ENTERPRISES.—Any individual who knowingly establishes a commercial enterprise for the purpose of evading any provision of the immigration laws shall be imprisoned for not more than 5 years, fined in accordance with title 18, United States Code, or both.''.

(b) CLERICAL AMENDMENT.—The table of contents is amended by striking the item relating to section 275 and inserting the following:

''Sec. 275. Illegal entry.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year after the date of the enactment of this Act.

SEC. 3705. REENTRY OF REMOVED ALIEN.

Section 276 (8 U.S.C. 1326) is amended to read as follows:

''SEC. 276. REENTRY OF REMOVED ALIEN.

''(a) REENTRY AFTER REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed, or who has departed the United States while an order of exclusion, deportation, or removal is outstanding, and subsequently enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 2 years, or both.

''(b) REENTRY OF CRIMINAL OFFENDERS.—Notwithstanding the penalty provided in subsection (a), if an alien described in that subsection—

''(1) was convicted for 3 or more misdemeanors before such removal or departure,

the alien shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both;

''(2) was convicted for an aggravated felony before such removal or departure, the alien shall be fined under such title, imprisoned not more than 20 years, or both;

''(3) was convicted for a felony before such removal or departure for which the alien was sentenced to a term of imprisonment of not less than 60 months, the alien shall be fined under such title, imprisoned not more than 20 years, or both;

''(4) was convicted for 3 felonies before such removal or departure, the alien shall be fined under such title, imprisoned not more than 20 years, or both, unless the Attorney General expressly consents to the entry or reentry, as the case may be, of the alien; or

''(5) was convicted, before such removal or departure, for murder, rape, kidnapping, or a felony offense described in chapter 77 (relating to peonage and slavery) or 113B (relating to terrorism) of such title, the alien shall be fined under such title, imprisoned not more than 20 years, or both.

''(c) REENTRY AFTER REPEATED REMOVAL.—Any alien who has been denied admission, excluded, or deported and thereafter enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both, unless the Attorney General expressly consents to the entry or reentry, as the case may be, of the alien.

''(d) PROOF OF PRIOR CONVICTIONS.—The prior convictions described in subsection (b) are elements of the offenses described in that subsection, and the penalties in such subsection shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

''(1) alleged in the indictment or information; and

''(2) proven beyond a reasonable doubt at trial or admitted by the defendant under oath as part of a plea agreement.

''(e) AFFIRMATIVE DEFENSES.—It shall be an affirmative defense to a violation of this section that—

''(1) prior to the alleged violation, the alien had sought and received the express consent of the Secretary of Homeland Security to reapply for admission into the United States; or

''(2) at the time of the prior exclusion, deportation, removal, or denial of admission alleged in the violation, the alien had not yet reached 18 years of age and had not been convicted of a crime or adjudicated a delinquent minor by a court of the United States, or a court of a state or territory, for conduct that would constitute a felony if committed by an adult.

''(f) LIMITATION ON COLLATERAL ATTACK ON UNDERLYING DEPORTATION ORDER.—In a criminal proceeding under this section, an alien may not challenge the validity of the deportation order described in subsection (a) or subsection (c) unless the alien demonstrates that—

''(1) the alien exhausted any administrative remedies that may have been available to seek relief against the order;

''(2) the deportation proceedings at which the order was issued improperly deprived the alien of the opportunity for judicial review; and

''(3) the entry of the order was fundamentally unfair.

''(g) REENTRY OF ALIEN REMOVED PRIOR TO COMPLETION OF TERM OF IMPRISONMENT.—Any alien removed pursuant to section 241(a)(4) who enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in, the United States shall be incarcerated for the remainder of the sentence of imprisonment which was pending at the time of deportation without any reduction for parole or supervised release. Such alien shall be subject to such other penalties relating to the reentry of removed aliens as may be available under this section or any other provision of law.

''(h) LIMITATION.—It is not aiding and abetting a violation of this section for an individual to provide an alien with emergency medical care and food or to transport the alien to a location where such medical care or food can be provided without compensation or the expectation of compensation.

''(i) DEFINITIONS.—In this section:

''(1) FELONY.—The term 'felony' means any criminal offense punishable by a term of imprisonment of more than 1 year under the laws of the United States, any State, or a foreign government.

''(2) MISDEMEANOR.—The term 'misdemeanor' means any criminal offense punishable by a term of imprisonment of not more than 1 year under the applicable laws of the United States, any State, or a foreign government.

''(3) REMOVAL.—The term 'removal' includes any denial of admission, exclusion, deportation, or removal, or any agreement by which an alien stipulates or agrees to exclusion, deportation, or removal.

''(4) STATE.—The term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''.

SEC. 3706. PENALTIES RELATED TO REMOVAL.

(a) PENALTIES RELATING TO VESSELS AND AIRCRAFT.—Section 243(c) (8 U.S.C. 1253(c)) is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(2) by striking ''Commissioner'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(3) in paragraph (1)—

(A) in subparagraph (A), by striking ''$2,000'' and inserting ''$5,000'';

(B) in subparagraph (B), by striking ''$5,000'' and inserting ''$10,000''; and

(C) by inserting at the end the following:

''(D) EXCEPTION.—A person, acting without compensation or the expectation of compensation, is not subject to penalties under this paragraph if the person is—

''(i) providing, or attempting to provide, an alien with emergency medical care or food or water; or

''(ii) transporting the alien to a location where such medical care, food, or water can be provided without compensation or the expectation of compensation.''.

(b) DISCONTINUATION OF VISAS TO NATIONALS OF COUNTRIES DENYING OR DELAYING ACCEPTING ALIEN.—Section 243(d) (8 U.S.C. 1253(d)) is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(2) by striking ''notifies the Secretary'' and inserting ''notifies the Secretary of State''.

SEC. 3707. REFORM OF PASSPORT, VISA, AND IMMIGRATION FRAUD OFFENSES.

(a) TRAFFICKING IN PASSPORTS.—Section 1541 of title 18, United States Code, is amended to read as follows:

''§ 1541. Issuance of passports without authority

''(a) IN GENERA.—Subject to subsection (b), any person who knowingly—

''(1) and without lawful authority produces, issues, or transfers a passport;

''(2) forges, counterfeits, alters, or falsely makes a passport;

''(3) secures, possesses, uses, receives, buys, sells, or distributes a passport, knowing the passport to be forged, counterfeited, altered, falsely made, stolen, procured by fraud, or produced or issued without lawful authority; or

''(4) completes, mails, prepares, presents, signs, or submits an application for a United States passport, knowing the application to contain any materially false statement or representation,

shall be fined under this title, imprisoned not more than 20 years, or both.

''(b) USE IN A TERRORISM OFFENSE.—Any person who commits an offense described in subsection (a) to facilitate an act of international terrorism (as defined in section 2331) shall be fined under this title, imprisoned not more than 25 years, or both.

''(c) PASSPORT MATERIALS.—Any person who knowingly and without lawful authority produces, buys, sells, possesses, or uses any official material (or counterfeit of any official material) to make a passport, including any distinctive paper, seal, hologram, image, text, symbol, stamp, engraving, or plate, shall be fined under this title, imprisoned not more than 20 years, or both.''.

(b) FALSE STATEMENT IN AN APPLICATION FOR A PASSPORTS.—Section 1542 of title 18, United States Code, is amended to read as follows:

''§ 1542. False statement in an application for a passport

''(a) IN GENERAL.—Any person who—

''(1) knowingly makes any false statement or representation in an application for a United States passport, or mails, prepares, presents, or signs an application for a United States passport knowing the application to contain any false statement or representation and with intent to induce or secure the issuance of a passport under the authority of the United States, either for the person's own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws; or

''(2) knowingly uses or attempts to use, or furnishes to another for use, any passport the issuance of which was secured in any way by reason of any false statement,

shall be fined under this title, imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)), or 15 years (in the case of any other offense), or both.

''(b) VENUE.—

''(1) IN GENERAL.—An offense under subsection (a) may be prosecuted in any district—

''(A) in which the false statement or representation was made or the application for a United States passport was prepared or signed; or

''(B) in which or to which the application was mailed or presented.

''(2) OFFENSES OUTSIDE THE UNITED STATES.—An offense under subsection (a) involving an application prepared and adjudicated outside the United States may be

prosecuted in the district in which the resultant passport was or would have been produced.

''(c) SAVINGS CLAUSE.—Nothing in this section may be construed to limit the venue otherwise available under sections 3237 and 3238 of this title.''.

(c) MISUSE OF A PASSPORT.—Section 1544 of title 18, United States Code, is amended to read as follows:

''§ 1544. Misuse of a passport

''Any person who knowingly—

''(1) uses or attempts to use any passport issued or designed for the use of another;

''(2) uses or attempts to use any passport in violation of the conditions and restrictions specified in the passport or any rules or regulations prescribed pursuant to the laws regulating the issuance of passports; or

''(3) secures, possesses, uses, receives, buys, sells, or distributes any passport knowing the passport to be forged, counterfeited, altered, falsely made, procured by fraud, or produced or issued without lawful authority,

shall be fined under this title, imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)) or 15 years (in the case of any other offense), or both.''.

(d) SCHEMES TO PROVIDE FRAUDULENT IMMIGRATION SERVICES.—Section 1545 of title 18, United States Code, is amended to read as follows:

''§ 1545. Schemes to provide fraudulent immigration services

''(a) IN GENERAL.—Any person who knowingly executes a scheme or artifice, in connection with any matter that is authorized by or arises under any Federal immigration law or any matter the offender claims or represents is authorized by or arises under any Federal immigration law, to—

''(1) defraud any person; or

''(2) obtain or receive money or anything else of value from any person by means of false or fraudulent pretenses, representations, or promises,

shall be fined under this title, imprisoned not more than 10 years, or both.

''(b) MISREPRESENTATION.—Any person who knowingly and falsely represents that such person is an attorney or an accredited representative (as that term is defined in section 1292.1 of title 8, Code of Federal Regulations (or any successor regulation)) in any matter arising under any Federal immigration law shall be fined under this title, imprisoned not more than 15 years, or both.''.

(e) IMMIGRATION AND VISA FRAUD.—Section 1546 of title 18, United States Code, is amended by amending the section heading to read as follows:

''§ 1546. Immigration and visa fraud".

(f) ALTERNATIVE IMPRISONMENT MAXIMUM FOR CERTAIN OFFENSES.—Section 1547 of title 18, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''(other than an offense under section 1545)'';

(2) in paragraph (1), by striking ''15'' and inserting ''20''; and

(3) in paragraph (2), by striking ''20'' and inserting ''25''.

(g) AUTHORIZED LAW ENFORCEMENT ACTIVITIES.—Chapter 75 of title 18, United States Code, is amended by adding after section 1547 the following:

''§ 1548. Authorized law enforcement activities

''Nothing in this chapter may be construed to prohibit—

''(1) any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or an intelligence agency of the United States; or

''(2) any activity authorized under title V of the Organized Crime Control Act of 1970 (Public Law 91–452; 84 Stat. 933).''.

(h) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 75 of title 18, United States Code, is amended to read as follows:

''Sec.
''1541. Trafficking in passports.
''1542. False statement in an application for a passport.
''1543. Forgery or false use of a passport.
''1544. Misuse of a passport.
''1545. Schemes to provide fraudulent immigration services.
''1546. Immigration and visa fraud.
''1547. Alternative imprisonment maximum for certain offenses.
''1548. Authorized law enforcement activities.''.

SA 1570. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In title III, beginning on page 247, strike line 11 and all that follows through page 251, line 7, and insert the following:

SEC. 3701. CRIMINAL GANGS.

(a) DEFINITION OF CRIMINAL GANG.—Section 101(a) (8 U.S.C. 1101(a)) is amended by adding after paragraph (54), as added by section 4211(g) of this Act, the following:

''(55)(A) The term 'criminal gang' means an ongoing group, club, organization, or association of 5 or more persons—

''(i) that has as 1 of its primary purposes the commission of 1 or more of the criminal offenses described in subparagraph (B); and

''(ii) the members of which engage, or have engaged within the past 5 years, in a continuing series of offenses described in subparagraph (B).

''(B) The offenses described in this subparagraph, whether in violation of Federal or State law or in violation of the law of a foreign country, are the following:

''(i) A felony drug offense (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

''(ii) A felony offense involving firearms or explosives or in violation of section 931 of title 18, United States Code (relating to purchase, ownership, or possession of body armor by violent felons).

''(iii) An offense under section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose).

''(iv) A felony crime of violence (as defined in section 16 of title 18, United States Code).

''(v) A crime involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, or burglary

''(vi) Any conduct punishable under sections 1028 and 1029 of title 18, United States Code (relating to fraud and related activity in connection with identification documents or access devices), sections 1581 through 1594 of such title (relating to peonage, slavery and trafficking in persons), section 1952 of such title (relating to interstate and foreign travel or transportation in aid of racketeering enterprises), section 1956 of such title (relating to the laundering of monetary instruments), section 1957 of such title (relating to engaging in monetary transactions in property derived from specified unlawful activity), or sections 2312 through 2315 of such title (relating to interstate transportation of stolen motor vehicles or stolen property).

''(vii) Conspiracy to commit an offense described in specified in clauses (i) through (vi).''.

(b) INADMISSIBILITY.—Section 212(a)(2) (8 U.S.C. 1182(a)(2)) is amended by inserting after subparagraph (I) the following:

''(J) ALIENS IN CRIMINAL GANGS.—Any alien is inadmissible who—

''(i) is a member of a criminal gang unless the alien can demonstrate by clear and convincing evidence that the alien did not know, and should not reasonably have known, that the organization was a criminal gang; and

''(ii) is determined by an immigration judge to be a danger to the community.''.

(c) GROUNDS FOR DEPORTATION.—Section 237(a)(2) (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

''(G) ALIENS IN CRIMINAL GANGS.—Any alien is removable who—

''(i) is a member of a criminal gang unless the alien can demonstrate by clear and convincing evidence that the alien did not know, and should not reasonably have known, that the organization was a criminal gang; and

''(ii) is determined by an immigration judge to be a danger to the community.''.

(d) GROUND OF INELIGIBILITY FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—An alien who is 18 years of age or older is ineligible for registered provisional immigrant status if the Secretary determines that the alien—

(1) is a member of a criminal gang (as defined in section 101(a)(55) of the Immigration and Nationality Act, as amended by subsection (a)) unless the alien can demonstrate by clear and convincing evidence that the alien did not know, and should not reasonably have known, that the organization was a criminal gang; and

(2) has been determined by the Secretary to be a danger to the community.

SA 1571. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. IDENTITY THEFT.

(a) FRAUD.—Section 1028 of title 18, United States Code, is amended—

(1) in subsection (a)(7), by striking ''of another person'' and inserting ''that is not his or her own''; and

(2) in subsection (b)(3)—

(A) in subparagraph (B), by striking ''or'' at the end;

(B) in subparagraph (C), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(D) to facilitate or assist in harboring or hiring unauthorized workers in violation of section 274, 274A, or 274C of the Immigration

and Nationality Act (8 U.S.C. 1324, 1324a, and 1324c);''.

(b) AGGRAVATED IDENTITY THEFT.—Section 1028A(a) of such title is amended by striking ''of another person'' both places it appears and inserting ''that is not his or her own''.

SA 1572. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ANNUAL AUDITS OF EMPLOYERS OF H–1B AND L NONIMMIGRANTS.

(a) H–1B NONIMMIGRANTS.—Section 212(n)(2)(A)(ii)(III) (8 U.S.C. 1182 (n)(2)(A)(ii)(III)), as added by section 4221, is amended—

(1) in item ''(aa)'', by striking ''and'' at the end;

(2) by redesignating item (bb) as item (cc); and

(3) by inserting after item (aa) the following:

''(bb) conduct annual audits of not less than .05 percent of employers (other than employers covered by item (aa)) that employ H–1B nonimmigrants during the applicable calendar year; and''.

(b) L NONIMMIGRANTS.—Section 214(c)(2)(J)(viii)(II) (8 U.S.C. 1184 (c)(2)(J)(viii)(II)), as added by section 4306, is amended—

(1) in item ''(aa)'', by striking ''and'' at the end;

(2) by redesignating item (bb) as item (cc); and

(3) by inserting after item (aa) the following:

''(bb) conduct annual audits of not less than .05 percent of employers (other than employers covered by item (aa)) who employ nonimmigrants described in section 101(a)(15)(L) during the applicable calendar year; and''.

SA 1573. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In title IV, on page 56, lines 1 and 2, strike ''if the employer is an H–1B skilled worker dependent employer,''.

SA 1574. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In title IV, on page 81, after line 25, add the following:

SEC. 4226. SUSPENSION OF EMPLOYER PARTICIPATION IN H–1B VISA PROGRAM.

Section 212(n)(2) (8 U.S.C. 1182(n)(2), as amended by this chapter, is further amended—

(1) by redesignating subparagraph (I) as subparagraph (L); and

(2) by inserting after subparagraph (H) the following:

''(I) The Secretary of Homeland Security shall suspend an employer's ability to petition for H–1B nonimmigrants for not less than 2 years if such employer violates this subsection or if the Secretary determines the existence of 1 or more of the following conditions with respect to the employer:

''(i) The employer has not taken good faith efforts to recruit United States workers.

''(ii) An H–1B nonimmigrant is working at locations not covered by a valid labor condition application.

''(iii) An H–1B nonimmigrant is not receiving the wage that the petitioning employer attested to in the labor condition application.

''(iv) An H–1B nonimmigrant has been benched without pay or with reduced pay.

''(v) An H–1B nonimmigrant is performing job duties that were not consistent with the position description provided by the employer.

''(vi) The employer deducts the fees associated with filing the H–1B petition from the H–1B nonimmigrant's salary.

''(vii) The employer forged signatures or documents relating to the Form I-129 petition, including documents relating to degree and work experience letters.''.

SA 1575. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In title IV, on page 69, beginning on line 16, strike ''and'' and all that follows through ''(bb)'' on line 17, and insert the following:

''(bb) conduct annual audits of not less than .05 percent of employers (other than employers covered by item (aa)) that employ H–1B nonimmigrants during the applicable calendar year; and

''(cc)

In title IV, on page 103, beginning on line 11, strike ''and'' and all that follows through ''(bb)'' on line 12, and insert the following:

''(bb) conduct annual audits of not less than .05 percent of employers (other than employers covered by item (aa)) who employ nonimmigrants described in section 101(a)(15)(L) during the applicable calendar year; and

''(cc)

SA 1576. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 534 of the amendment, strike line 7 and all that follows through page 621, line 8, and insert the following:

''(D) GENERAL PARTICIPATION REQUIREMENT FOR NEW EMPLOYEES.—All employers in the United States shall participate in the System, with respect to all employees hired by such employers on or after the date that is 18 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(E) IMMIGRATION LAW VIOLATORS.—

''(i) ORDERS FINDING VIOLATIONS.—An order finding any employer to have violated this section or section 274C may, in the Secretary's discretion, require the employer to participate in the System with respect to newly hired employees and employees with expiring temporary employment authorization documents, if such employer is not otherwise required to participate in the System under this section. The Secretary shall monitor such employer's compliance with System procedures.

''(ii) PATTERN OR PRACTICE OF VIOLATIONS.—The Secretary may require an employer that is required to participate in the System with respect to newly hired employees to participate in the System with respect to the employer's current employees if the Secretary or other appropriate authority has reasonable cause to believe that the employer is, or has been, engaged in a material violation of this section.

''(F) VOLUNTARY PARTICIPATION.—The Secretary may permit any employer that is not required to participate in the System under this section to do so on a voluntary basis.

''(3) CONSEQUENCE OF FAILURE TO PARTICIPATE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the failure, other than a de minimis or inadvertent failure, of an employer that is required to participate in the System to comply with the requirements of the System with respect to an individual—

''(i) shall be treated as a violation of subsection (a)(1)(B) with respect to that individual; and

''(ii) creates a rebuttable presumption that the employer has violated paragraph (1)(A) or (2) of subsection (a).

''(B) EXCEPTION.—

''(i) IN GENERAL.—Subparagraph (A) shall not apply in a criminal prosecution.

''(ii) USE AS EVIDENCE.—Nothing in this paragraph may be construed to limit the use in the prosecution of a Federal crime, in a manner otherwise consistent with Federal criminal law and procedure, of evidence relating to the employer's failure to comply with requirements of the System.

''(4) PROCEDURES FOR PARTICIPANTS IN THE SYSTEM.—

''(A) IN GENERAL.—An employer participating in the System shall register such participation with the Secretary and, when hiring any individual for employment in the United States, shall comply with the following:

''(i) REGISTRATION OF EMPLOYERS.—The Secretary, through notice in the Federal Register, shall prescribe procedures that employers shall be required to follow to register with the System.

''(ii) UPDATING INFORMATION.—The employer is responsible for providing notice of any change to the information required under subclauses (I), (II), and (III) of clause (v) before conducting any further inquiries within the System, or on such other schedule as the Secretary may prescribe.

''(iii) TRAINING.—The Secretary shall require employers to undergo such training as the Secretary determines to be necessary to ensure proper use, protection of civil rights and civil liberties, privacy, integrity, and security of the System. To the extent practicable, such training shall be made available electronically on the U.S. Citizenship and Immigration Services website.

''(iv) NOTIFICATION TO EMPLOYEES.—The employer shall inform individuals hired for employment that the System—

''(I) will be used by the employer;

''(II) may be used for immigration enforcement purposes; and

''(III) may not be used to discriminate or to take adverse action against a national of the United States or an alien who has employment authorized status.

''(v) PROVISION OF ADDITIONAL INFORMATION.—The employer shall obtain from the individual (and the individual shall provide) and shall record in such manner as the Secretary may specify—

''(I) the individual's social security account number;

''(II) if the individual does not attest to United States citizenship or status as a national of the United States under subsection (c)(2), such identification or authorization number established by the Department as the Secretary shall specify; and

''(III) such other information as the Secretary may require to determine the identity and employment authorization of an individual.

''(vi) PRESENTATION OF DOCUMENTATION.—The employer, and the individual whose identity and employment authorized status are being confirmed, shall fulfill the requirements under subsection (c).

''(B) SEEKING CONFIRMATION.—

''(i) IN GENERAL.—An employer shall use the System to confirm the identity and employment authorized status of any individual during—

''(I) the period beginning on the date on which the individual accepts an offer of employment and ending 3 business days after the date on which employment begins; or

''(II) such other reasonable period as the Secretary may prescribe.

''(ii) LIMITATION.—An employer may not make the starting date of an individual's employment or training or any other term and condition of employment dependent on the receipt of a confirmation of identity and employment authorized status by the System.

''(iii) REVERIFICATION.—If an individual has a limited period of employment authorized status, the individual's employer shall reverify such status through the System not later than 3 business days after the last day of such period.

''(iv) OTHER EMPLOYMENT.—For employers directed by the Secretary to participate in the System under paragraph (2)(C)(i) to protect critical infrastructure or otherwise specified circumstances in this section to verify their entire workforce, the System may be used for initial verification of an individual who was hired before the employer became subject to the System, and the employer shall initiate all required procedures on or before such date as the Secretary shall specify.

''(v) NOTIFICATION.—

''(I) IN GENERAL.—The Secretary shall provide, and the employer shall utilize, as part of the System, a method of notifying employers of a confirmation or nonconfirmation of an individual's identity and employment authorized status, or a notice that further action is required to verify such identity or employment eligibility (referred to in this subsection as a 'further action notice').

''(II) PROCEDURES.—The Secretary shall—

''(aa) directly notify the individual and the employer, by means of electronic correspondence, mail, text message, telephone, or other direct communication, of a nonconfirmation or further action notice;

''(bb) provide information about filing an administrative appeal under paragraph (6) and a filing for review before an administrative law judge under paragraph (7); and

''(cc) establish procedures to directly notify the individual and the employer of a confirmation.

''(III) IMPLEMENTATION.—The Secretary may provide for a phased-in implementation of the notification requirements under this clause, as appropriate. The notification system shall cover all inquiries not later than 1 year from the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(vi) BEFORE HIRING.—An employer may use the System to confirm the identity and employment authorized status of any individual before the individual is hired, recruited, or referred if the individual consents to such verification. If an employer receives a tentative nonconfirmation for such individual, the employer shall comply with procedures prescribed by the Secretary, including—

''(I) providing the individual employees with private, written notification of the finding and written referral instructions;

''(II) allowing the individual to contest the finding; and

''(III) not taking adverse action against the individual if the individual chooses to contest the finding.

''(C) CONFIRMATION OR NONCONFIRMATION.—

''(i) INITIAL RESPONSE.—

''(I) IN GENERAL.—Except as provided in subclause (II), the System shall provide—

''(aa) a confirmation of an individual's identity and employment authorized status or a further action notice at the time of the inquiry; and

''(bb) an appropriate code indicating such confirmation or such further action notice.

''(II) ALTERNATIVE DEADLINE.—If the System is unable to provide immediate confirmation or further action notice for technological reasons or due to unforeseen circumstances, the System shall provide a confirmation or further action notice not later than 3 business days after the initial inquiry.

''(ii) CONFIRMATION UPON INITIAL INQUIRY.—If the employer receives an appropriate confirmation of an individual's identity and employment authorized status under the System, the employer shall record the confirmation in such manner as the Secretary may specify.

''(iii) FURTHER ACTION NOTICE AND LATER CONFIRMATION OR NONCONFIRMATION.—

''(I) NOTIFICATION AND ACKNOWLEDGMENT THAT FURTHER ACTION IS REQUIRED.—Not later than 3 business days after an employer receives a further action notice of an individual's identity or employment eligibility under the System, or during such other reasonable time as the Secretary may prescribe, the employer shall notify the individual for whom the confirmation is sought of the further action notice and any procedures specified by the Secretary for addressing such notice. The further action notice shall be given to the individual in writing and the employer shall acknowledge in the System under penalty of perjury that it provided the employee with the further action notice. The individual shall affirmatively acknowledge in writing, or in such other manner as the Secretary may specify, the receipt of the further action notice from the employer. If the individual refuses to acknowledge the receipt of the further action notice, or acknowledges in writing that the individual will not contest the further action notice under subclause (II), the employer shall notify the Secretary in such manner as the Secretary may specify.

''(II) CONTEST.—Not later than 10 business days after receiving notification of a further action notice under subclause (I), the individual shall contact the appropriate Federal agency and, if the Secretary so requires, appear in person for purposes of verifying the individual's identity and employment eligibility. The Secretary, in consultation with the Commissioner and other appropriate Federal agencies, shall specify an available secondary verification procedure to confirm the validity of information provided and to provide a confirmation or nonconfirmation. Any procedures for reexamination shall not limit in any way an employee's right to appeal a nonconfirmation.

''(III) NO CONTEST.—If the individual refuses to acknowledge receipt of the further action notice, acknowledges that the individual will not contest the further action notice as provided in subclause (I), or does not contact the appropriate Federal agency within the period specified in subclause (II), following expiration of the period specified in subclause (II), a nonconfirmation shall be issued. The employer shall record the nonconfirmation in such manner as the Secretary may specify and terminate the individual's employment. An individual's failure to contest a further action notice shall not be considered an admission of guilt with respect to any violation of this section or any provision of law.

''(IV) CONFIRMATION OR NONCONFIRMATION.—Unless the period is extended in accordance with this subclause, the System shall provide a confirmation or nonconfirmation not later than 10 business days after the date on which the individual contests the further action notice under subclause (II). If the Secretary determines that good cause exists, after taking into account adverse impacts to the employer, and including time to permit the individual to obtain and provide needed evidence of identity or employment eligibility, the Secretary shall extend the period for providing confirmation or nonconfirmation for stated periods beyond 10 business days. When confirmation or nonconfirmation is provided, the confirmation system shall provide an appropriate code indicating such confirmation or nonconfirmation.

''(V) REEXAMINATION.—Nothing in this section shall prevent the Secretary from establishing procedures to reexamine a case where a confirmation or nonconfirmation has been provided if subsequently received information indicates that the confirmation or nonconfirmation may not have been correct. Any procedures for reexamination shall not limit in any way an employee's right to appeal a nonconfirmation.

''(VI) EMPLOYEE PROTECTIONS.—An employer may not terminate employment or take any other adverse action against an individual solely because of a failure of the individual to have identity and employment eligibility confirmed under this subsection until—

''(aa) a nonconfirmation has been issued;

''(bb) if the further action notice was contested, the period to timely file an administrative appeal has expired without an appeal or the contestation to the further action notice is withdrawn; or

''(cc) if an appeal before an administrative law judge under paragraph (7) has been filed, the nonconfirmation has been upheld or the appeal has been withdrawn or dismissed.

''(iv) NOTICE OF NONCONFIRMATION.—Not later than 3 business days after an employer receives a nonconfirmation, or during such other reasonable time as the Secretary may provide, the employer shall notify the individual who is the subject of the nonconfirmation, and provide information about filing an administrative appeal pursuant to paragraph (6) and a request for a hearing before an administrative law judge pursuant to paragraph (7). The nonconfirmation notice shall be given to the individual in writing and the employer shall acknowledge in the System under penalty of perjury that it provided the

notice (or adequately attempted to provide notice, but was unable to do so despite reasonable efforts). The individual shall affirmatively acknowledge in writing, or in such other manner as the Secretary may prescribe, the receipt of the nonconfirmation notice from the employer. If the individual refuses or fails to acknowledge the receipt of the nonconfirmation notice, the employer shall notify the Secretary in such manner as the Secretary may prescribe.

''(D) CONSEQUENCES OF NONCONFIRMATION.—

''(i) TERMINATION OF CONTINUED EMPLOYMENT.—Except as provided in clause (iii), an employer that has received a nonconfirmation regarding an individual and has made reasonable efforts to notify the individual in accordance with subparagraph (C)(iv) shall terminate the employment of the individual upon the expiration of the time period specified in paragraph (7).

''(ii) CONTINUED EMPLOYMENT AFTER NONCONFIRMATION.—If the employer continues to employ an individual after receiving nonconfirmation and exhaustion of all appeals or expiration of all rights to appeal if not appealed, in violation of clause (i), a rebuttable presumption is created that the employer has violated paragraphs (1)(A) and (2) of subsection (a). Such presumption shall not apply in any prosecution under subsection (k)(1).

''(iii) EFFECT OF ADMINISTRATIVE APPEAL OR REVIEW BY ADMINISTRATIVE LAW JUDGE.—If an individual files an administrative appeal of the nonconfirmation within the time period specified in paragraph (6)(A), or files for review with an administrative law judge specified in paragraph (7)(A), the employer shall not terminate the individual's employment under this subparagraph prior to the resolution of the administrative appeal unless the Secretary or Commissioner terminates the stay under paragraph (6)(B) or (7)(B).

''(iv) WEEKLY REPORT.—The Director of U.S. Citizenship and Immigration Services shall submit a weekly report to the Assistant Secretary for Immigration and Customs Enforcement that includes, for each individual who receives final nonconfirmation through the System—

''(I) the name of such individual;

''(II) his or her social security number or alien file number;

''(III) the name and contact information for his or her current employer; and

''(IV) any other critical information that the Assistant Secretary determines to be appropriate.

''(E) OBLIGATION TO RESPOND TO QUERIES AND ADDITIONAL INFORMATION.—

''(i) IN GENERAL.—Employers shall comply with requests for information from the Secretary and the Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice, including queries concerning current and former employees, within the time frame during which records are required to be maintained under this section regarding such former employees, if such information relates to the functioning of the System, the accuracy of the responses provided by the System, or any suspected misuse, discrimination, fraud, or identity theft in the use of the System. Failure to comply with a request under this clause constitutes a violation of subsection (a)(1)(B).

''(ii) ACTION BY INDIVIDUALS.—

''(I) IN GENERAL.—Individuals being verified through the System may be required to take further action to address questions identified by the Secretary or the Commissioner regarding the documents relied upon for purposes of subsection (c).

''(II) NOTIFICATION.—Not later than 3 business days after the receipt of such questions regarding an individual, or during such other reasonable time as the Secretary may prescribe, the employer shall—

''(aa) notify the individual of any such requirement for further actions; and

''(bb) record the date and manner of such notification.

''(III) ACKNOWLEDGMENT.—The individual shall acknowledge the notification received from the employer under subclause (II) in writing, or in such other manner as the Secretary may prescribe.

''(iii) RULEMAKING.—

''(I) IN GENERAL.—The Secretary, in consultation with the Commissioner and the Attorney General, is authorized to issue regulations implementing, clarifying, and supplementing the requirements under this subparagraph—

''(aa) to facilitate the functioning, accuracy, and fairness of the System;

''(bb) to prevent misuse, discrimination, fraud, or identity theft in the use of the System; or

''(cc) to protect and maintain the confidentiality of information that could be used to locate or otherwise place at risk of harm victims of domestic violence, dating violence, sexual assault, stalking, and human trafficking, and of the applicant or beneficiary of any petition described in section 384(a)(2) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(a)(2)).

''(II) NOTICE.—The regulations issued under subclause (I) shall be—

''(aa) published in the Federal Register; and

''(bb) provided directly to all employers registered in the System.

''(F) DESIGNATED AGENTS.—The Secretary shall establish a process—

''(i) for certifying, on an annual basis or at such times as the Secretary may prescribe, designated agents and other System service providers seeking access to the System to perform verification queries on behalf of employers, based upon training, usage, privacy, and security standards prescribed by the Secretary;

''(ii) for ensuring that designated agents and other System service providers are subject to monitoring to the same extent as direct access users; and

''(iii) for establishing standards for certification of electronic I–9 programs.

''(G) REQUIREMENT TO PROVIDE INFORMATION.—

''(i) IN GENERAL.—No later than 3 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary, in consultation with the Secretary of Labor, the Secretary of Agriculture, the Commissioner, the Attorney General, the Equal Employment Opportunity Commission, and the Administrator of the Small Business Administration, shall commence a campaign to disseminate information respecting the procedures, rights, and remedies prescribed under this section.

''(ii) CAMPAIGN REQUIREMENTS.—The campaign authorized under clause (i)—

''(I) shall be aimed at increasing the knowledge of employers, employees, and the general public concerning employer and employee rights, responsibilities, and remedies under this section; and

''(II) shall be coordinated with the public education campaign conducted by U.S. Citizenship and Immigration Services.

''(iii) ASSESSMENT.—The Secretary shall assess the success of the campaign in achieving the goals of the campaign.

''(iv) AUTHORITY TO CONTRACT.—In order to carry out and assess the campaign under this subparagraph, the Secretary may, to the extent deemed appropriate and subject to the availability of appropriations, contract with public and private organizations for outreach and assessment activities under the campaign.

''(v) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this paragraph $40,000,000 for each of the fiscal years 2014 through 2016.

''(H) AUTHORITY TO MODIFY INFORMATION REQUIREMENTS.—Based on a regular review of the System and the document verification procedures to identify misuse or fraudulent use and to assess the security of the documents and processes used to establish identity or employment authorized status, the Secretary, in consultation with the Commissioner, after publication of notice in the Federal Register and an opportunity for public comment, may modify, if the Secretary determines that the modification is necessary to ensure that the System accurately and reliably determines the identity and employment authorized status of employees and maintain existing protections against misuse, discrimination, fraud, and identity theft—

''(i) the information that shall be presented to the employer by an individual;

''(ii) the information that shall be provided to the System by the employer; and

''(iii) the procedures that shall be followed by employers with respect to the process of verifying an individual through the System.

''(I) SELF-VERIFICATION.—Subject to appropriate safeguards to prevent misuse of the system, the Secretary, in consultation with the Commissioner, shall establish a secure self-verification procedure to permit an individual who seeks to verify the individual's own employment eligibility to contact the appropriate agency and, in a timely manner, correct or update the information contained in the System.

''(5) PROTECTION FROM LIABILITY FOR ACTIONS TAKEN ON THE BASIS OF INFORMATION PROVIDED BY THE SYSTEM.—An employer shall not be liable to a job applicant, an employee, the Federal Government, or a State or local government, under Federal, State, or local criminal or civil law for any employment-related action taken with respect to a job applicant or employee in good faith reliance on information provided by the System.

''(6) ADMINISTRATIVE APPEAL.—

''(A) IN GENERAL.—An individual who is notified of a nonconfirmation may, not later than 10 business days after the date that such notice is received, file an administrative appeal of such nonconfirmation with the Commissioner if the notice is based on records maintained by the Commissioner, or in any other case, with the Secretary. An individual who did not timely contest a further action notice timely received by that individual for which the individual acknowledged receipt may not be granted a review under this paragraph.

''(B) ADMINISTRATIVE STAY OF NONCONFIRMATION.—The nonconfirmation shall be automatically stayed upon the timely filing of an administrative appeal, unless the nonconfirmation resulted after the individual acknowledged receipt of the further action notice but failed to contact the appropriate agency within the time provided. The stay shall remain in effect until the resolution of

the appeal, unless the Secretary or the Commissioner terminates the stay based on a determination that the administrative appeal is frivolous or filed for purposes of delay.

''(C) REVIEW FOR ERROR.—The Secretary and the Commissioner shall develop procedures for resolving administrative appeals regarding nonconfirmations based upon the information that the individual has provided, including any additional evidence or argument that was not previously considered. Any such additional evidence or argument shall be filed within 10 business days of the date the appeal was originally filed. Appeals shall be resolved within 20 business days after the individual has submitted all evidence and arguments the individual wishes to submit, or has stated in writing that there is no additional evidence that the individual wishes to submit. The Secretary and the Commissioner may, on a case by case basis for good cause, extend the filing and submission period in order to ensure accurate resolution of an appeal before the Secretary or the Commissioner.

''(D) PREPONDERANCE OF EVIDENCE.—Administrative appeal under this paragraph shall be limited to whether a nonconfirmation notice is supported by a preponderance of the evidence.

''(E) DAMAGES, FEES, AND COSTS.—No money damages, fees or costs may be awarded in the administrative appeal process under this paragraph.

''(7) REVIEW BY ADMINISTRATIVE LAW JUDGE.—

''(A) IN GENERAL.—Not later than 30 days after the date an individual receives a final determination on an administrative appeal under paragraph (6), the individual may obtain review of such determination by filing a complaint with a Department of Justice administrative law judge in accordance with this paragraph.

''(B) STAY OF NONCONFIRMATION.—The nonconfirmation related to such final determination shall be automatically stayed upon the timely filing of a complaint under this paragraph, and the stay shall remain in effect until the resolution of the complaint, unless the administrative law judge determines that the action is frivolous or filed for purposes of delay.

''(C) SERVICE.—The respondent to complaint filed under this paragraph is either the Secretary or the Commissioner, but not both, depending upon who issued the administrative order under paragraph (6). In addition to serving the respondent, the plaintiff shall serve the Attorney General.

''(D) AUTHORITY OF ADMINISTRATIVE LAW JUDGE.—

''(i) RULES OF PRACTICE.—The Secretary shall promulgate regulations regarding the rules of practice in appeals brought pursuant to this subsection.

''(ii) AUTHORITY OF ADMINISTRATIVE LAW JUDGE.—The administrative law judge shall have power to—

''(I) terminate a stay of a nonconfirmation under subparagraph (B) if the administrative law judge determines that the action is frivolous or filed for purposes of delay;

''(II) adduce evidence at a hearing;

''(III) compel by subpoena the attendance of witnesses and the production of evidence at any designated place or hearing;

''(IV) resolve claims of identity theft; and

''(V) enter, upon the pleadings and any evidence adduced at a hearing, a decision affirming or reversing the result of the agency, with or without remanding the cause for a rehearing.

''(iii) SUBPOENA.—In case of contumacy or refusal to obey a subpoena lawfully issued under this section and upon application of the administrative law judge, an appropriate district court of the United States may issue an order requiring compliance with such subpoena and any failure to obey such order may be punished by such court as a contempt of such court.

''(iv) TRAINING.—An administrative law judge hearing cases shall have special training respecting employment authorized status verification.

''(E) ORDER BY ADMINISTRATIVE LAW JUDGE.—

''(i) IN GENERAL.—The administrative law judge shall issue and cause to be served to the parties in the proceeding an order which may be appealed as provided in subparagraph (G).

''(ii) CONTENTS OF ORDER.—Such an order shall uphold or reverse the final determination on the request for reconsideration and order lost wages and other appropriate remedies as provided in subparagraph (F).

''(F) COMPENSATION FOR ERROR.—

''(i) IN GENERAL.—In cases in which the administrative law judge reverses the final determination of the Secretary or the Commissioner made under paragraph (6), and the administrative law judge finds that—

''(I) the nonconfirmation was due to gross negligence or intentional misconduct of the employer, the administrative law judge may order the employer to pay the individual lost wages, and reasonable costs and attorneys' fees incurred during administrative and judicial review; or

''(II) such final determination was erroneous by reason of the negligence of the Secretary or the Commissioner, the administrative law judge may order the Secretary or the Commissioner to pay the individual lost wages, and reasonable costs and attorneys' fees incurred during the administrative appeal and the administrative law judge review.

''(ii) CALCULATION OF LOST WAGES.—Lost wages shall be calculated based on the wage rate and work schedule that prevailed prior to termination. The individual shall be compensated for wages lost beginning on the first scheduled work day after employment was terminated and ending 120 days after completion of the administrative law judge's review described in this paragraph or the day after the individual is reinstated or obtains employment elsewhere, whichever occurs first. If the individual obtains employment elsewhere at a lower wage rate, the individual shall be compensated for the difference in wages for the period ending 120 days after completion of the administrative law judge review process. No lost wages shall be awarded for any period of time during which the individual was not in employment authorized status.

''(iii) PAYMENT OF COMPENSATION.—Notwithstanding any other law, payment of compensation for lost wages, costs, and attorneys' fees under this paragraph, or compromise settlements of the same, shall be made as provided by section 1304 of title 31, United States Code. Appropriations made available to the Secretary or the Commissioner, accounts provided for under section 286, and funds from the Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund shall not be available to pay such compensation.

''(G) APPEAL.—No later than 45 days after the entry of such final order, any person adversely affected by such final order may seek review of such order in the United States Court of Appeals for the circuit in which the violation is alleged to have occurred or in which the employer resides or transacts business.

''(8) MANAGEMENT OF THE SYSTEM.—

''(A) IN GENERAL.—The Secretary is authorized to establish, manage, and modify the System, which shall—

''(i) respond to inquiries made by participating employers at any time through the internet, or such other means as the Secretary may designate, concerning an individual's identity and whether the individual is in employment authorized status;

''(ii) maintain records of the inquiries that were made, of confirmations provided (or not provided), and of the codes provided to employers as evidence of their compliance with their obligations under the System; and

''(iii) provide information to, and require action by, employers and individuals using the System.

''(B) DESIGN AND OPERATION OF SYSTEM.—The System shall be designed and operated—

''(i) to maximize its reliability and ease of use by employers consistent with protecting the privacy and security of the underlying information, and ensuring full notice of such use to employees;

''(ii) to maximize its ease of use by employees, including direct notification of its use, of results, and ability to challenge results;

''(iii) to respond accurately to all inquiries made by employers on whether individuals are authorized to be employed and to register any times when the system is unable to receive inquiries;

''(iv) to maintain appropriate administrative, technical, and physical safeguards to prevent unauthorized disclosure of personal information, misuse by employers and employees, and discrimination;

''(v) to require regularly scheduled refresher training of all users of the System to ensure compliance with all procedures;

''(vi) to allow for auditing of the use of the System to detect misuse, discrimination, fraud, and identity theft, to protect privacy and assess System accuracy, and to preserve the integrity and security of the information in all of the System, including—

''(I) to develop and use tools and processes to detect or prevent fraud and identity theft, such as multiple uses of the same identifying information or documents to fraudulently gain employment;

''(II) to develop and use tools and processes to detect and prevent misuse of the system by employers and employees;

''(III) to develop tools and processes to detect anomalies in the use of the system that may indicate potential fraud or misuse of the system;

''(IV) to audit documents and information submitted by employees to employers, including authority to conduct interviews with employers and employees, and obtain information concerning employment from the employer;

''(vii) to confirm identity and employment authorization through verification and comparison of records as determined necessary by the Secretary;

''(viii) to confirm electronically the issuance of the employment authorization or identity document and—

''(I) if such photograph is available, to display the digital photograph that the issuer placed on the document so that the employer can compare the photograph displayed to the photograph on the document presented by the employee; or

''(II) if a photograph is not available from the issuer, to confirm the authenticity of the document using such alternative procedures as the Secretary may specify; and

''(ix) to provide appropriate notification directly to employers registered with the System of all changes made by the Secretary or the Commissioner related to allowed and prohibited documents, and use of the System.

''(C) SAFEGUARDS TO THE SYSTEM.—

''(i) REQUIREMENT TO DEVELOP.—The Secretary, in consultation with the Commissioner and other appropriate Federal and State agencies, shall develop policies and procedures to ensure protection of the privacy and security of personally identifiable information and identifiers contained in the records accessed or maintained by the System. The Secretary, in consultation with the Commissioner and other appropriate Federal and State agencies, shall develop and deploy appropriate privacy and security training for the Federal and State employees accessing the records under the System.

''(ii) PRIVACY AUDITS.—The Secretary, acting through the Chief Privacy Officer of the Department, shall conduct regular privacy audits of the policies and procedures established under clause (i), including any collection, use, dissemination, and maintenance of personally identifiable information and any associated information technology systems, as well as scope of requests for this information. The Chief Privacy Officer shall review the results of the audits and recommend to the Secretary any changes necessary to improve the privacy protections of the program.

''(iii) ACCURACY AUDITS.—

''(I) IN GENERAL.—Not later than November 30 of each year, the Inspector General of the Department of Homeland Security shall submit a report to the Secretary, with a copy to the President of the Senate and the Speaker of the House of Representatives, that sets forth the error rate of the System for the previous fiscal year and the assessments required to be submitted by the Secretary under subparagraphs (A) and (B) of paragraph (10). The report shall describe in detail the methodology employed for purposes of the report, and shall make recommendations for how error rates may be reduced.

''(II) ERROR RATE DEFINED.—In this clause, the term 'error rate' means the percentage determined by dividing—

''(aa) the number of employment authorized individuals who received further action notices, contested such notices, and were subsequently found to be employment authorized; by

''(bb) the number of System inquiries submitted for employment authorized individuals.

''(III) REDUCTION OF PENALTIES FOR RECORDKEEPING OR VERIFICATION PRACTICES FOLLOWING PERSISTENT SYSTEM INACCURACIES.—Notwithstanding subsection (e)(4)(C)(i), in any calendar year following a report by the Inspector General under subclause (I) that the System had an error rate higher than 0.3 percent for the previous fiscal year, the civil penalty assessable by the Secretary or an administrative law judge under that subsection for each first-time violation by an employer who has not previously been penalized under this section may not exceed $1,000.

''(iv) RECORDS SECURITY PROGRAM.—Any person, including a private third party vendor, who retains document verification or System data pursuant to this section shall implement an effective records security program that—

''(I) ensures that only authorized personnel have access to document verification or System data; and

''(II) ensures that whenever such data is created, completed, updated, modified, altered, or corrected in electronic format, a secure and permanent record is created that establishes the date of access, the identity of the individual who accessed the electronic record, and the particular action taken.

''(v) RECORDS SECURITY PROGRAM.—In addition to the security measures described in clause (iv), a private third party vendor who retains document verification or System data pursuant to this section shall implement an effective records security program that—

''(I) provides for backup and recovery of any records maintained in electronic format to protect against information loss, such as power interruptions; and

''(II) ensures that employees are trained to minimize the risk of unauthorized or accidental alteration or erasure of such data in electronic format.

''(vi) AUTHORIZED PERSONNEL DEFINED.—In this subparagraph, the term 'authorized personnel' means anyone registered as a System user, or anyone with partial or full responsibility for completion of employment authorization verification or retention of data in connection with employment authorization verification on behalf of an employer.

''(D) AVAILABLE FACILITIES AND ALTERNATIVE ACCOMMODATIONS.—The Secretary shall make appropriate arrangements and develop standards to allow employers or employees, including remote hires, who are otherwise unable to access the System to use electronic and telephonic formats (including video conferencing, scanning technology, and other available technologies), Federal Government facilities, public facilities, or other available locations in order to utilize the System.

''(E) RESPONSIBILITIES OF THE SECRETARY.—

''(i) IN GENERAL.—As part of the System, the Secretary shall maintain a reliable, secure method, which, operating through the System and within the time periods specified, compares the name, alien identification or authorization number, or other information as determined relevant by the Secretary, provided in an inquiry against such information maintained or accessed by the Secretary in order to confirm (or not confirm) the validity of the information provided, the correspondence of the name and number, whether the alien has employment authorized status (or, to the extent that the Secretary determines to be feasible and appropriate, whether the records available to the Secretary verify the identity or status of a national of the United States), and such other information as the Secretary may prescribe.

''(ii) PHOTOGRAPH DISPLAY.—As part of the System, the Secretary shall establish a reliable, secure method, which, operating through the System, displays the digital photograph described in subparagraph (B)(viii)(I).

''(iii) TIMING OF NOTICES.—The Secretary shall have authority to prescribe when a confirmation, nonconfirmation, or further action notice shall be issued.

''(iv) USE OF INFORMATION.—The Secretary shall perform regular audits under the System, as described in subparagraph (B)(vi) and shall utilize the information obtained from such audits, as well as any information obtained from the Commissioner pursuant to part E of title XI of the Social Security Act (42 U.S.C. 1301 et seq.), for the purposes of this section and to administer and enforce the immigration laws.

''(v) IDENTITY FRAUD PROTECTION.—To prevent identity fraud, not later than 18 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary shall—

''(I) in consultation with the Commissioner, establish a program to provide a reliable, secure method for an individual to temporarily suspend or limit the use of the individual's social security account number or other identifying information for verification by the System; and

''(II) for each individual being verified through the System—

''(aa) notify the individual that the individual has the option to limit the use of the individual's social security account number or other identifying information for verification by the System; and

''(bb) provide instructions to the individuals for exercising the option referred to in item (aa).

''(vi) ALLOWING PARENTS TO PREVENT THEFT OF THEIR CHILD'S IDENTITY.—The Secretary, in consultation with the Commissioner, shall establish a program that provides a reliable, secure method by which parents or legal guardians may suspend or limit the use of the social security account number or other identifying information of a minor under their care for the purposes of the System. The Secretary may implement the program on a limited pilot program basis before making it fully available to all individuals.

''(vii) PROTECTION FROM MULTIPLE USE.—The Secretary and the Commissioner shall establish a procedure for identifying and handling a situation in which a social security account number has been identified to be subject to unusual multiple use in the System or is otherwise suspected or determined to have been compromised by identity fraud.

''(viii) MONITORING AND COMPLIANCE UNIT.—The Secretary shall establish or designate a monitoring and compliance unit to detect and reduce identity fraud and other misuse of the System.

''(ix) CIVIL RIGHTS AND CIVIL LIBERTIES ASSESSMENTS.—

''(I) REQUIREMENT TO CONDUCT.—The Secretary shall conduct regular civil rights and civil liberties assessments of the System, including participation by employers, other private entities, and Federal, State, and local government entities.

''(II) REQUIREMENT TO RESPOND.—Employers, other private entities, and Federal, State, and local entities shall timely respond to any request in connection with such an assessment.

''(III) ASSESSMENT AND RECOMMENDATIONS.—The Officer for Civil Rights and Civil Liberties of the Department shall review the results of each such assessment and recommend to the Secretary any changes necessary to improve the civil rights and civil liberties protections of the System.

''(F) GRANTS TO STATES.—

''(i) IN GENERAL.—The Secretary shall create and administer a grant program to help provide funding for States that grant—

''(I) the Secretary access to driver's license information as needed to confirm that a driver's license presented under subsection (c)(1)(D)(i) confirms the identity of the subject of the System check, and that a driver's license matches the State's records; and

''(II) such assistance as the Secretary may request in order to resolve further action notices or nonconfirmations relating to such information.

''(ii) CONSTRUCTION WITH THE DRIVER'S PRIVACY PROTECTION ACT OF 1994.—The provision of a photograph to the Secretary as described in clause (i) may not be construed as

a violation of section 2721 of title 18, United States Code, and is a permissible use under subsection (b)(1) of that section.

''(iii) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary $250,000,000 to carry out this subparagraph.

''(G) RESPONSIBILITIES OF THE SECRETARY OF STATE.—As part of the System, the Secretary of State shall provide to the Secretary access to passport and visa information as needed to confirm that a passport, passport card, or visa presented under subsection (c)(1)(C) confirms the identity of the subject of the System check, and that a passport, passport card, or visa photograph matches the Secretary of State's records, and shall provide such assistance as the Secretary may request in order to resolve further action notices or nonconfirmations relating to such information.

''(H) UPDATING INFORMATION.—The Commissioner, the Secretary, and the Secretary of State shall update their information in a manner that promotes maximum accuracy and shall provide a process for the prompt correction of erroneous information.

''(9) LIMITATION ON USE OF THE SYSTEM.—Notwithstanding any other provision of law, nothing in this subsection may be construed to permit or allow any department, bureau, or other agency of the United States Government or any other entity to utilize any information, database, or other records assembled under this subsection for any purpose other than for employment verification or to ensure secure, appropriate and nondiscriminatory use of the System.

''(10) ANNUAL REPORT AND CERTIFICATION.—Not later than 18 months after the promulgation of regulations to implement this subsection, and annually thereafter, the Secretary shall submit to Congress a report that includes the following:

''(A) An assessment, as submitted to the Secretary by the Inspector General of the Department of Homeland Security pursuant to paragraph (8)(C)(iii)(I), of the accuracy rates of further action notices and other System notices provided by employers to individuals who are authorized to be employed in the United States.

''(B) An assessment, as submitted to the Secretary by the Inspector General of the Department of Homeland Security pursuant to paragraph (8)(C)(iii)(I), of the accuracy rates of further action notices and other System notices provided directly (by the System) in a timely fashion to individuals who are not authorized to be employed in the United States.

''(C) An assessment of any challenges faced by small employers in utilizing the System.

''(D) An assessment of the rate of employer noncompliance (in addition to failure to provide required notices in a timely fashion) in each of the following categories:

''(i) Taking adverse action based on a further action notice.

''(ii) Use of the System for nonemployees or other individuals before they are offered employment.

''(iii) Use of the System to reverify employment authorized status of current employees except if authorized to do so.

''(iv) Use of the System selectively, except in cases in which such use is authorized.

''(v) Use of the System to deny employment or post-employment benefits or otherwise interfere with labor rights.

''(vi) Requiring employees or applicants to use any self-verification feature or to provide self-verification results.

''(vii) Discouraging individuals who receive a further action notice from challenging the further action notice or appealing a determination made by the System.

''(E) An assessment of the rate of employee noncompliance in each of the following categories:

''(i) Obtaining employment when unauthorized with an employer complying with the System in good faith.

''(ii) Failure to provide required documents in a timely manner.

''(iii) Attempting to use fraudulent documents or documents not related to the individual.

''(iv) Misuse of the administrative appeal and judicial review process.

''(F) An assessment of the amount of time taken for—

''(i) the System to provide the confirmation or further action notice;

''(ii) individuals to contest further action notices;

''(iii) the System to provide a confirmation or nonconfirmation of a contested further action notice;

''(iv) individuals to file an administrative appeal of a nonconfirmation; and

''(v) resolving administrative appeals regarding nonconfirmations.

''(11) ANNUAL GAO STUDY AND REPORT.—

''(A) REQUIREMENT.—The Comptroller General shall, for each year, undertake a study to evaluate the accuracy, efficiency, integrity, and impact of the System.

''(B) REPORT.—Not later than 18 months after the promulgation of regulations to implement this subsection, and yearly thereafter, the Comptroller General shall submit to Congress a report containing the findings of the study carried out under this paragraph. Each such report shall include, at a minimum, the following:

''(i) An assessment of System performance with respect to the rate at which individuals who are eligible for employment in the United States are correctly approved within the required periods, including a separate assessment of such rate for naturalized United States citizens, nationals of the United States, and aliens.

''(ii) An assessment of the privacy and confidentiality of the System and of the overall security of the System with respect to cybertheft and theft or misuse of private data.

''(iii) An assessment of whether the System is being implemented in a manner that is not discriminatory or used for retaliation against employees.

''(iv) An assessment of the most common causes for the erroneous issuance of nonconfirmations by the System and recommendations to correct such causes.

''(v) The recommendations of the Comptroller General regarding System improvements.

''(vi) An assessment of the frequency and magnitude of changes made to the System and the impact on the ability for employers to comply in good faith.

''(vii) An assessment of the direct and indirect costs incurred by employers in complying with the System, including costs associated with retaining potential employees through the administrative appeals process and receiving a nonconfirmation.

''(viii) An assessment of any backlogs or delays in the System providing the confirmation or further action notice and impacts to hiring by employers.

''(e) COMPLIANCE.—

''(1) COMPLAINTS AND INVESTIGATIONS.—The Secretary shall establish procedures—

''(A) for individuals and entities to file complaints respecting potential violations of subsections (a) or (f)(1);

''(B) for the investigation of those complaints which the Secretary deems appropriate to investigate; and

''(C) for providing notification to the Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice of potential violations of section 274B.

''(2) AUTHORITY IN INVESTIGATIONS.—In conducting investigations and proceedings under this subsection—

''(A) immigration officers shall have reasonable access to examine evidence of the employer being investigated;

''(B) immigration officers designated by the Secretary, and administrative law judges and other persons authorized to conduct proceedings under this section, may compel by subpoena the attendance of relevant witnesses and the production of relevant evidence at any designated place in an investigation or case under this subsection. In case of refusal to fully comply with a subpoena lawfully issued under this paragraph, the Secretary may request that the Attorney General apply in an appropriate district court of the United States for an order requiring compliance with the subpoena, and any failure to obey such order may be punished by the court as contempt. Failure to cooperate with the subpoena shall be subject to further penalties, including further fines and the voiding of any mitigation of penalties or termination of proceedings under paragraph (4)(E); and

''(C) the Secretary, in cooperation with the Commissioner and Attorney General, and in consultation with other relevant agencies, shall establish a Joint Employment Fraud Task Force consisting of, at a minimum—

''(i) the System's compliance personnel;

''(ii) immigration law enforcement officers;

''(iii) personnel of the Office of Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice;

''(iv) personnel of the Office for Civil Rights and Civil Liberties of the Department; and

''(v) personnel of Office of Inspector General of the Social Security Administration.

''(3) COMPLIANCE PROCEDURES.—

''(A) PRE-PENALTY NOTICE.—If the Secretary has reasonable cause to believe that there has been a civil violation of this section in the previous 3 years, the Secretary shall issue to the employer concerned a written notice of the Department's intention to issue a claim for a monetary or other penalty. Such pre-penalty notice shall—

''(i) describe the violation;

''(ii) specify the laws and regulations allegedly violated;

''(iii) disclose the material facts which establish the alleged violation;

''(iv) describe the penalty sought to be imposed; and

''(v) inform such employer that such employer shall have a reasonable opportunity to make representations as to why a monetary or other penalty should not be imposed.

''(B) EMPLOYER'S RESPONSE.—Whenever any employer receives written pre-penalty notice of a fine or other penalty in accordance with subparagraph (A), the employer may, within 60 days from receipt of such notice, file with the Secretary its written response to the notice. The response may include any relevant evidence or proffer of evidence that the employer wishes to present with respect to whether the employer violated this section and whether, if so, the penalty should be mitigated, and shall be filed and considered in accordance with procedures to be established by the Secretary.

''(C) RIGHT TO A HEARING.—Before issuance of an order imposing a penalty on any employer, person, or entity, the employer, person, or entity shall be entitled to a hearing before an administrative law judge, if requested within 60 days of the notice of penalty. The hearing shall be held at the nearest location practicable to the place where the employer, person, or entity resides or of the place where the alleged violation occurred.

''(D) ISSUANCE OF ORDERS.—If no hearing is so requested, the Secretary's imposition of the order shall constitute a final and unappealable order. If a hearing is requested and the administrative law judge determines, upon clear and convincing evidence received, that there was a violation, the administrative law judge shall issue the final determination with a written penalty claim. The penalty claim shall specify all charges in the information provided under clauses (i) through (iii) of subparagraph (A) and any mitigation of the penalty that the administrative law judge deems appropriate under paragraph (4)(E).

''(4) CIVIL PENALTIES.—

''(A) HIRING OR CONTINUING TO EMPLOY UNAUTHORIZED ALIENS.—Any employer that violates any provision of subsection (a)(1)(A) or (a)(2) shall—

''(i) pay a civil penalty of not less than $3,500 and not more than $7,500 for each unauthorized alien with respect to which each violation of either subsection (a)(1)(A) or (a)(2) occurred;

''(ii) if the employer has previously been fined as a result of a previous enforcement action or previous violation under this paragraph, pay a civil penalty of not less than $5,000 and not more than $15,000 for each unauthorized alien with respect to which a violation of either subsection (a)(1)(A) or (a)(2) occurred; and

''(iii) if the employer has previously been fined more than once under this paragraph, pay a civil penalty of not less than $10,000 and not more than $25,000 for each unauthorized alien with respect to which a violation of either subsection (a)(1)(A) or (a)(2) occurred.

''(B) ENHANCED PENALTIES.—After the Secretary certifies to Congress that the System has been established, implemented, and made mandatory for use by all employers in the United States, the Secretary may establish an enhanced civil penalty for an employer who—

''(i) fails to query the System to verify the identify and work authorized status of an individual; and

''(ii) violates a Federal, State, or local law related to—

''(I) the payment of wages;

''(II) hours worked by employees; or

''(III) workplace health and safety.

''(C) RECORDKEEPING OR VERIFICATION PRACTICES.—Any employer that violates or fails to comply with any requirement under subsection (a)(1)(B), other than a minor or inadvertent failure, as determined by the Secretary, shall pay a civil penalty of—

''(i) not less than $500 and not more than $2,000 for each violation;

''(ii) if an employer has previously been fined under this paragraph, not less than $1,000 and not more than $4,000 for each violation; and

''(iii) if an employer has previously been fined more than once under this paragraph, not less than $2,000 and not more than $8,000 for each violation.

''(D) OTHER PENALTIES.—The Secretary may impose additional penalties for violations, including cease and desist orders, specially designed compliance plans to prevent further violations, suspended fines to take effect in the event of a further violation, and in appropriate cases, the remedy provided by paragraph (f)(2).

''(E) MITIGATION.—The Secretary or, if an employer requests a hearing, the administrative law judge, is authorized, upon such terms and conditions as the Secretary or administrative law judge deems reasonable and just and in accordance with such procedures as the Secretary may establish or any procedures established governing the administrative law judge's assessment of penalties, to reduce or mitigate penalties imposed upon employers, based upon factors including, the employer's hiring volume, compliance history, good-faith implementation of a compliance program, the size and level of sophistication of the employer, and voluntary disclosure of violations of this subsection to the Secretary. The Secretary or administrative law judge shall not mitigate a penalty below the minimum penalty provided by this section, except that the Secretary may, in the case of an employer subject to penalty for recordkeeping or verification violations only who has not previously been penalized under this section, in the Secretary's or administrative law judge's discretion, mitigate the penalty below the statutory minimum or remit it entirely. In any case where a civil money penalty has been imposed on an employer under section 274B for an action or omission that is also a violation of this section, the Secretary or administrative law judge shall mitigate any civil money penalty under this section by the amount of the penalty imposed under section 274B.

''(F) EFFECTIVE DATE.—The civil money penalty amounts and the enhanced penalties provided by subparagraphs (A), (B), and (C) of this paragraph and by subsection (f)(2) shall apply to violations of this section committed on or after the date that is 1 year after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act. For violations committed prior to such date of enactment, the civil money penalty amounts provided by regulations implementing this section as in effect the minute before such date of enactment with respect to knowing hiring or continuing employment, verification, or indemnity bond violations, as appropriate, shall apply.

''(5) ORDER OF INTERNAL REVIEW AND CERTIFICATION OF COMPLIANCE.—

''(A) EMPLOYER COMPLIANCE.—If the Secretary has reasonable cause to believe that an employer has failed to comply with this section, the Secretary is authorized, at any time, to require that the employer certify that it is in compliance with this section, or has instituted a program to come into compliance.

''(B) EMPLOYER CERTIFICATION.—

''(i) REQUIREMENT.—Except as provided in subparagraph (C), not later than 60 days after receiving a notice from the Secretary requiring a certification under subparagraph (A), an official with responsibility for, and authority to bind the company on, all hiring and immigration compliance notices shall certify under penalty of perjury that the employer is in conformance with the requirements of paragraphs (1) through (4) of subsection (c), pertaining to document verification requirements, and with subsection (d), pertaining to the System (once the System is implemented with respect to that employer according to the requirements under subsection (d)(2)), and with any additional requirements that the Secretary may promulgate by regulation pursuant to subsection (c) or (d) or that the employer has instituted a program to come into compliance with these requirements.

''(ii) APPLICATION.—Clause (i) shall not apply until the date that the Secretary certifies to Congress that the System has been established, implemented, and made mandatory for use by all employers in the United States.

''(C) EXTENSION OF DEADLINE.—At the request of the employer, the Secretary may extend the 60-day deadline for good cause.

''(D) STANDARDS OR METHODS.—The Secretary is authorized to publish in the Federal Register standards or methods for such certification, require specific recordkeeping practices with respect to such certifications, and audit the records thereof at any time. This authority shall not be construed to diminish or qualify any other penalty provided by this section.

''(6) REQUIREMENTS FOR REVIEW OF A FINAL DETERMINATION.—With respect to judicial review of a final determination or penalty order issued under paragraph (3)(D), the following requirements apply:

''(A) DEADLINE.—The petition for review must be filed no later than 30 days after the date of the final determination or penalty order issued under paragraph (3)(D).

''(B) VENUE AND FORMS.—The petition for review shall be filed with the court of appeals for the judicial circuit where the employer's principal place of business was located when the final determination or penalty order was made. The record and briefs do not have to be printed. The court shall review the proceeding on a typewritten or electronically filed record and briefs.

''(C) SERVICE.—The respondent is the Secretary. In addition to serving the respondent, the petitioner shall serve the Attorney General.

''(D) PETITIONER'S BRIEF.—The petitioner shall serve and file a brief in connection with a petition for judicial review not later than 40 days after the date on which the administrative record is available, and may serve and file a reply brief not later than 14 days after service of the brief of the respondent, and the court may not extend these deadlines, except for good cause shown. If a petitioner fails to file a brief within the time provided in this paragraph, the court shall dismiss the appeal unless a manifest injustice would result.

''(E) SCOPE AND STANDARD FOR REVIEW.—The court of appeals shall conduct a de novo review of the administrative record on which the final determination was based and any additional evidence that the Court finds was previously unavailable at the time of the administrative hearing.

''(F) EXHAUSTION OF ADMINISTRATIVE REMEDIES.—A court may review a final determination under paragraph (3)(C) only if—

''(i) the petitioner has exhausted all administrative remedies available to the petitioner as of right, including any administrative remedies established by regulation, and

''(ii) another court has not decided the validity of the order, unless the reviewing court finds that the petition presents grounds that could not have been presented in the prior judicial proceeding or that the remedy provided by the prior proceeding was inadequate or ineffective to test the validity of the order.

''(G) ENFORCEMENT OF ORDERS.—If the final determination issued against the employer under this subsection is not subjected to review as provided in this paragraph, the Attorney General, upon request by the Secretary, may bring a civil action to enforce

compliance with the final determination in any appropriate district court of the United States. The court, on a proper showing, shall issue a temporary restraining order or a preliminary or permanent injunction requiring that the employer comply with the final determination issued against that employer under this subsection. In any such civil action, the validity and appropriateness of the final determination shall not be subject to review.

''(7) CREATION OF LIEN.—If any employer liable for a fee or penalty under this section neglects or refuses to pay such liability after demand and fails to file a petition for review (if applicable) as provided in paragraph (6), the amount of the fee or penalty shall be a lien in favor of the United States on all property and rights to property, whether real or personal, belonging to such employer. If a petition for review is filed as provided in paragraph (6), the lien shall arise upon the entry of a final judgment by the court. The lien continues for 20 years or until the liability is satisfied, remitted, set aside, or terminated.

''(8) FILING NOTICE OF LIEN.—

''(A) PLACE FOR FILING.—The notice of a lien referred to in paragraph (7) shall be filed as described in 1 of the following:

''(i) UNDER STATE LAWS.—

''(I) REAL PROPERTY.—In the case of real property, in 1 office within the State (or the county, or other governmental subdivision), as designated by the laws of such State, in which the property subject to the lien is situated.

''(II) PERSONAL PROPERTY.—In the case of personal property, whether tangible or intangible, in 1 office within the State (or the county, or other governmental subdivision), as designated by the laws of such State, in which the property subject to the lien is situated, except that State law merely conforming to or reenacting Federal law establishing a national filing system does not constitute a second office for filing as designated by the laws of such State.

''(ii) WITH CLERK OF DISTRICT COURT.—In the office of the clerk of the United States district court for the judicial district in which the property subject to the lien is situated, whenever the State has not by law designated 1 office which meets the requirements of clause (i).

''(iii) WITH RECORDER OF DEEDS OF THE DISTRICT OF COLUMBIA.—In the office of the Recorder of Deeds of the District of Columbia, if the property subject to the lien is situated in the District of Columbia.

''(B) SITUS OF PROPERTY SUBJECT TO LIEN.—For purposes of subparagraph (A), property shall be deemed to be situated as follows:

''(i) REAL PROPERTY.—In the case of real property, at its physical location.

''(ii) PERSONAL PROPERTY.—In the case of personal property, whether tangible or intangible, at the residence of the taxpayer at the time the notice of lien is filed.

''(C) DETERMINATION OF RESIDENCE.—For purposes of subparagraph (B)(ii), the residence of a corporation or partnership shall be deemed to be the place at which the principal executive office of the business is located, and the residence of a taxpayer whose residence is outside the United States shall be deemed to be in the District of Columbia.

''(D) EFFECT OF FILING NOTICE OF LIEN.—

''(i) IN GENERAL.—Upon filing of a notice of lien in the manner described in this paragraph, the lien shall be valid against any purchaser, holder of a security interest, mechanic's lien, or judgment lien creditor, except with respect to properties or transactions specified in subsection (b), (c), or (d) of section 6323 of the Internal Revenue Code of 1986 for which a notice of tax lien properly filed on the same date would not be valid.

''(ii) NOTICE OF LIEN.—The notice of lien shall be considered a notice of lien for taxes payable to the United States for the purpose of any State or local law providing for the filing of a notice of a tax lien. A notice of lien that is registered, recorded, docketed, or indexed in accordance with the rules and requirements relating to judgments of the courts of the State where the notice of lien is registered, recorded, docketed, or indexed shall be considered for all purposes as the filing prescribed by this section.

''(iii) OTHER PROVISIONS.—The provisions of section 3201(e) of title 28, United States Code, shall apply to liens filed as prescribed by this paragraph.

''(E) ENFORCEMENT OF A LIEN.—A lien obtained through this paragraph shall be considered a debt as defined by section 3002 of title 28, United States Code and enforceable pursuant to chapter 176 of such title.

''(9) ATTORNEY GENERAL ADJUDICATION.—The Attorney General shall have jurisdiction to adjudicate administrative proceedings under this subsection. Such proceedings shall be conducted in accordance with requirements of section 554 of title 5, United States Code.

''(f) CRIMINAL AND CIVIL PENALTIES AND INJUNCTIONS.—

''(1) PROHIBITION OF INDEMNITY BONDS.—It is unlawful for an employer, in the hiring of any individual, to require the individual to post a bond or security, to pay or agree to pay an amount, or otherwise to provide a financial guarantee or indemnity, against any potential liability arising under this section relating to such hiring of the individual.

''(2) CIVIL PENALTY.—Any employer who is determined, after notice and opportunity for mitigation of the monetary penalty under subsection (e), to have violated paragraph (1) shall be subject to a civil penalty of $10,000 for each violation and to an administrative order requiring the return of any amounts received in violation of such paragraph to the employee or, if the employee cannot be located, to the general fund of the Treasury.

''(g) GOVERNMENT CONTRACTS.—

''(1) CONTRACTORS AND RECIPIENTS.—Whenever an employer who is a Federal contractor (meaning an employer who holds a Federal contract, grant, or cooperative agreement, or reasonably may be expected to submit an offer for or be awarded a government contract) is determined by the Secretary to have violated this section on more than 3 occasions or is convicted of a crime under this section, the employer shall be considered for debarment from the receipt of Federal contracts, grants, or cooperative agreements in accordance with the procedures and standards and for the periods prescribed by the Federal Acquisition Regulation. However, any administrative determination of liability for civil penalty by the Secretary or the Attorney General shall not be reviewable in any debarment proceeding.

''(2) INADVERTENT VIOLATIONS.—Inadvertent violations of recordkeeping or verification requirements, in the absence of any other violations of this section, shall not be a basis for determining that an employer is a repeat violator for purposes of this subsection.

''(3) OTHER REMEDIES AVAILABLE.—Nothing in this subsection shall be construed to modify or limit any remedy available to any agency or official of the Federal Government for violation of any contractual requirement to participate in the System, as provided in the final rule relating to employment eligibility verification published in the Federal Register on November 14, 2008 (73 Fed. Reg. 67,651), or any similar subsequent regulation.

''(h) PREEMPTION.—Beginning on the date on which all employers are required to use the System pursuant to subsection (d)(2), the provisions of this section preempt any State or local law, ordinance, policy, or rule, including any criminal or civil fine or penalty structure, relating to the hiring, continued employment, or status verification for employment eligibility purposes, of unauthorized aliens. A State, locality, municipality, or political subdivision may exercise its authority over business licensing and similar laws as a penalty for failure to use the System.

''(i) DEPOSIT OF AMOUNTS RECEIVED.—Except as otherwise specified, civil penalties collected under this section shall be deposited by the Secretary into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(j) CHALLENGES TO VALIDITY OF THE SYSTEM.—

''(1) IN GENERAL.—Any right, benefit, or claim not otherwise waived or limited pursuant to this section is available in an action instituted in the United States District Court for the District of Columbia, but shall be limited to determinations of—

''(A) whether this section, or any regulation issued to implement this section, violates the Constitution of the United States; or

''(B) whether such a regulation issued by or under the authority of the Secretary to implement this section, is contrary to applicable provisions of this section or was issued in violation of chapter 5 of title 5, United States Code.

''(2) DEADLINES FOR BRINGING ACTIONS.—Any action instituted under this subsection must be filed no later than 180 days after the date the challenged section or regulation described in subparagraph (A) or (B) of paragraph (1) becomes effective. No court shall have jurisdiction to review any challenge described in subparagraph (B) after the time period specified in this subsection expires.

''(k) CRIMINAL PENALTIES AND INJUNCTIONS FOR PATTERN OR PRACTICE VIOLATIONS.—

''(1) PATTERN AND PRACTICE.—Any employer who engages in a pattern or practice of knowing violations of subsection (a)(1)(A) or (a)(2) shall be fined under title 18, United States Code, no more than $10,000 for each unauthorized alien with respect to whom such violation occurs, imprisoned for not more than 2 years for the entire pattern or practice, or both.

''(2) TERM OF IMPRISONMENT.—The maximum term of imprisonment of a person convicted of any criminal offense under the United States Code shall be increased by 5 years if the offense is committed as part of a pattern or practice of violations of subsection (a)(1)(A) or (a)(2).

''(3) ENJOINING OF PATTERN OR PRACTICE VIOLATIONS.—Whenever the Secretary or the Attorney General has reasonable cause to believe that an employer is engaged in a pattern or practice of employment in violation of subsection (a)(1)(A) or (a)(2), the Attorney General may bring a civil action in the appropriate district court of the United States requesting such relief, including a permanent or temporary injunction, restraining order, or other order against the employer, as the Secretary or Attorney General deems necessary.

''(1) CRIMINAL PENALTIES FOR UNLAWFUL AND ABUSIVE EMPLOYMENT.—

''(1) IN GENERAL.—Any person who, during any 12-month period, knowingly employs or hires, employs, recruits, or refers for a fee for employment 10 or more individuals within the United States who are under the control and supervision of such person—

''(A) knowing that the individuals are unauthorized aliens; and

''(B) under conditions that violate section 5(a) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 654(a) (relating to occupational safety and health), section 6 or 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206 and 207) (relating to minimum wages and maximum hours of employment), section 3142 of title 40, United States Code, (relating to required wages on construction contracts), or sections 6703 or 6704 of title 41, United States Code, (relating to required wages on service contracts),

shall be fined under title 18, United States Code, or imprisoned for not more than 10 years, or both.

''(2) ATTEMPT AND CONSPIRACY.—Any person who attempts or conspires to commit any offense under this section shall be punished in the same manner as a person who completes the offense.''.

(b) REPORT ON USE OF THE SYSTEM IN THE AGRICULTURAL INDUSTRY.—Not later than 18 months after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of Agriculture, shall submit a report to Congress that assesses implementation of the Employment Verification System established under section 274A(d) of the Immigration and Nationality Act, as amended by subsection (a), in the agricultural industry, including the use of such System technology in agriculture industry hiring processes, user, contractor, and third-party employer agent employment practices, timing and logistics regarding employment verification and reverification processes to meet agriculture industry practices, and identification of potential challenges and modifications to meet the unique needs of the agriculture industry. Such report shall review—

(1) the modality of access, training and outreach, customer support, processes for further action notices and secondary verifications for short-term workers, monitoring, and compliance procedures for such System;

(2) the interaction of such System with the process to admit nonimmigrant workers pursuant to section 218 or 218A of the Immigration and Nationality Act (8 U.S.C. 1188 et seq.) and with enforcement of the immigration laws; and

(3) the collaborative use of processes of other Federal and State agencies that intersect with the agriculture industry.

(c) REPORT ON IMPACT OF THE SYSTEM ON EMPLOYERS.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to Congress a report that assesses—

(1) the implementation of the Employment Verification System established under section 274A(d) of the Immigration and Nationality Act, as amended by subsection (a), by employers;

(2) any adverse impact on the revenues, business processes, or profitability of employers required to use such System; and

(3) the economic impact of such System on small businesses.

(d) GOVERNMENT ACCOUNTABILITY OFFICE STUDY OF THE EFFECTS OF DOCUMENT REQUIREMENTS ON EMPLOYMENT AUTHORIZED PERSONS AND EMPLOYERS.—

(1) STUDY.—The Comptroller General of the United States shall carry out a study of—

(A) the effects of the documentary requirements of section 274A of the Immigration and Nationality Act, as amended by subsection (a), on employers, naturalized United States citizens, nationals of the United States, and individuals with employment authorized status; and

(B) the challenges such employers, citizens, nationals, or individuals may face in obtaining the documentation required under that section.

(2) REPORT.—Not later than 4 years after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the findings of the study carried out under paragraph (1). Such report shall include, at a minimum, the following:

(A) An assessment of available information regarding the number of working age nationals of the United States and individuals who have employment authorized status who lack documents required for employment by such section 274A.

(B) A description of the additional steps required for individuals who have employment authorized status and do not possess the documents required by such section 274A to obtain such documents.

(C) A general assessment of the average financial costs for individuals who have employment authorized status who do not possess the documents required by such section 274A to obtain such documents.

(D) A general assessment of the average financial costs and challenges for employers who have been required to participate in the Employment Verification System established by subsection (d) of such section 274A.

(E) A description of the barriers to individuals who have employment authorized status in obtaining the documents required by such section 274A, including barriers imposed by the executive branch of the Government.

(F) Any particular challenges facing individuals who have employment authorized status who are members of a federally recognized Indian tribe in complying with the provisions of such section 274A.

(e) REPEAL OF PILOT PROGRAMS AND E-VERIFY AND TRANSITION PROCEDURES.—

(1) REPEAL.—Sections 401, 402, 403, 404, and 405 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note) are repealed.

(2) TRANSITION PROCEDURES.—

(A) CONTINUATION OF E-VERIFY PROGRAM.—Notwithstanding the repeals made by paragraph (1), the Secretary shall continue to operate the E-Verify Program as described in section 403 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note), as in effect the minute before the date of the enactment of this Act, until the transition to the System described in section 274A(d) of the Immigration and Nationality Act, as amended by subsection (a), is determined by the Secretary to be complete.

(B) TRANSITION TO THE SYSTEM.—Any employer who was participating in the E-Verify Program described in section 403 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note), as in effect the minute before the date of the enactment of this Act, shall participate in the System described in section 274A(d) of the Immigration and Nationality Act, as amended by subsection (a), to the same extent and in the same manner that the employer participated in such E-Verify Program.

(3) CONSTRUCTION.—The repeal made by paragraph (1) may not be construed to limit the authority of the Secretary to allow or continue to allow the participation in such System of employers who have participated in such E-Verify Program, as in effect on the minute before the date of the enactment of this Act.

(f) CONFORMING AMENDMENT.—Section 274(a) (8 U.S.C. 1324(a)) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraph (4) as paragraph (3).

(g) INFORMATION SHARING.—The Commissioner of Social Security, the Secretary, and the Secretary of the Treasury shall jointly establish a program to share information among such agencies that may lead to the identification of unauthorized aliens (as described in section 274A of the Immigration and Nationality Act, as amended by subsection (a)), including—

(1) no-match letters; and

(2) any information in the earnings suspense file.

SA 1577. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

(c) TRIGGERS.—The Secretary may not commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, until 6 months after the date on which the Secretary, after consultation with the Attorney General, the Secretary of Defense, the Inspector General of the Department, and the Comptroller General of the United States, submits to the President and Congress a written certification that—

(i) the Comprehensive Southern Border Security Strategy—

(I) has been submitted to Congress and includes minimum requirements described under paragraphs (3), (4), and (5) of section 5(a);

(II) is deployed and operational (for purposes of this clause the term ''operational'' means the technology, infrastructure, and personnel, deemed necessary by the Secretary, in consultation with the Attorney General and the Secretary of Defense, and the Comptroller General, and includes the technology described under section 5(a)(3) to achieve effective control of the Southern border, has been procured, funded, and is in current use by the Department achieve effective control, except in the event of routine maintenance, de minimis non-deployment, or natural disaster that would prevent the use of such assets);

(ii) the Southern Border Fencing Strategy has been submitted to Congress and implemented, and as a result the Secretary will certify that there is in place along the Southern Border no fewer than 700 miles of pedestrian fencing which will include replacement of all currently existing vehicle fencing on non-tribal lands on the Southern Border with pedestrian fencing where possible, and after this has been accomplished may include a second layer of pedestrian fencing in those locations along the Southern Border which the Secretary deems necessary or appropriate;

(iii) the Secretary has implemented the mandatory employment verification system required by section 274A of the Immigration and Nationality Act (8 U.S.C.1324a), as amended by section 3101, for use by all employers to prevent unauthorized workers from obtaining employment in the United States;

(iv) the Secretary is using the electronic exit system created by section 3303(a)(1) at all international air and sea ports of entry within the United States where U.S. Customs and Border Protection officers are currently deployed; and

(v) no fewer than 38,405 trained fulltime active duty U.S. Border Patrol agents are deployed, stationed, and maintained along the Southern Border.

SA 1578. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 3 of the amendment, strike line 4 and all that follows through line 25, and insert the following:

''(c) TRIGGERS.—The Secretary may not commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101 of this Act, until 6 months after the date on which the''.

SA 1579. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 1101 through 1122 and insert the following:

SEC. 1101. BORDER SECURITY REQUIREMENTS.

(a) IN GENERAL.—During the 3-year period beginning on the date of the enactment of this Act, the Secretary shall—

(1) triple the number of U.S. Border Patrol agents stationed along the international border between the United States and Mexico;

(2) quadruple the equipment and other assets stationed along such border, including cameras, sensors, drones, and helicopters, to enable continuous monitoring of the border;

(3) complete all of the fencing required under the Secure Fence Act of 2006 (Public Law 109–367);

(4) develop, in cooperation with the Department of Defense and all Federal law enforcement agencies, a policy ensuring real-time sharing of information among all Federal law enforcement agencies regarding—

(A) smuggling routes for humans and contraband;

(B) patterns in illegal border crossings;

(C) new techniques or methods used in cross-border illegal activity; and

(D) all other information pertinent to border security;

(5) complete and fully implement the United States Visitor and Immigrant Status Indicator Technology (US-VISIT), including the biometric entry-exist portion; and

(6) establish operational control (as defined in section 2(b) of the Secure Fence Act of 2006 (Public Law 109–367)) over 100 percent of the international border between the United States and Mexico.

(b) TRIGGERS.—The Secretary may not commence processing applications for registered provisional immigrant status pursuant to section 245B of the Immigration and Nationality Act, as added by section 2101, or blue card status under section 2111 until the Secretary has substantially complied with all of the requirements set forth in subsection (a).

(c) BUDGETARY EFFECTS OF NONCOMPLIANCE.—

(1) INITIAL REDUCTIONS.—If, on the date that is 3 years after the date of the enactment of this Act, the Secretary has failed to substantially comply with all of the requirements set forth in subsection (a)—

(A) the amount appropriated to the Department for the following fiscal year shall be automatically reduced by 20 percent;

(B) an amount equal to the reduction under subparagraph (A) shall be made available, in block grants, to the States of Arizona, California, New Mexico, and Texas for securing the international border between the United States and Mexico; and

(C) the salary of all political appointees at the Department shall be reduced by 20 percent.

(2) SUBSEQUENT YEARS.—If, on the date that is 4, 5, 6, or 7 years after the date of the enactment of this Act, the Secretary has failed to substantially comply with all of the requirements set forth in subsection (a)—

(A) the reductions and block grants authorized under subparagraphs (A) and (B) of paragraph (1) shall increase by an additional 5 percent of the amount appropriated to the Department before the reduction authorized under paragraph (1)(A); and

(B) the salary of all political appointees at the Department shall be reduced by an additional 5 percent.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), there are authorized to be appropriated to carry out this title such sums as may be necessary for each of the fiscal year 2014 through 2018.

(2) OFFSET.—

(A) IN GENERAL.—Any amounts appropriated pursuant to paragraph (1) shall be offset by an equal reduction in the amounts appropriated for other purposes.

(B) RESCISSION.—If the reductions required under subparagraph (A) are not made during the 180-day period beginning on the date of the enactment of this Act, there shall be rescinded, from all unobligated amounts appropriated for any Federal agency (other than the Department of Defense), on a proportionate basis, an amount equal to the amount appropriated pursuant to paragraph (1).

SA 1580. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

SEC. ___. PROHIBITION ON FUNDING.

(a) IN GENERAL.—Notwithstanding any other provision of law, no Federal funds shall be made available to carry out the Patient Protection and Affordable Care Act (Public Law 111-148) or title I and subtitle B of title II of the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), or the amendments made by either such Act, until such time as there are no aliens remaining in registered provisional immigrant status.

(b) LIMITATION.—No entitlement to benefits under any provision referred to in subsection (a) shall remain in effect on and after the date of the enactment of this Act until such time as there are no aliens remaining in registered provisional immigrant status.

SA 1581. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

Subtitle ___—Protecting Voter Integrity

SEC. 3921. STATES PERMITTED TO REQUIRE PROOF OF CITIZENSHIP FOR VOTER REGISTRATION.

Section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4) is amended by adding at the end the following new subsection:

''(e) PROOF OF CITIZENSHIP.—Nothing in subsection (a) shall be construed to preempt any State law requiring evidence of citizenship in order to complete any requirement to register to vote in elections for Federal office.''.

SA 1582. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subchapter A of chapter 1 of title II, add the following:

SEC. 2216. INELIGIBILITY FOR MEANS-BASED BENEFITS OF ALIENS ENTERING OR REMAINING IN UNITED STATES WHILE NOT IN LAWFUL STATUS.

Notwithstanding any provision of this Act or any other provision of law, any alien who, after entering or remaining in the United States while not in lawful status under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), was granted legal status under section 245B of the Immigration and Nationality Act, as added by section 2101, including aliens described in section 245D(b)(1) of such Act, or blue card status under section 2211, regardless of the alien's legal status at the time the alien applies for a benefit described in paragraph (1) or (2), shall not be eligible for—

(1) any Federal, State, or local government means-tested benefit; or

(2) any benefit under the Patient Protection and Affordable Care Act (Pub. L. 111–148).

SEC. 2217. IMMIGRANT CATEGORIES INELIGIBLE FOR UNITED STATES CITIZENSHIP.

Notwithstanding any other provision of law, aliens granted registered provisional immigrant status under section 245B of the Immigration and Nationality Act, as added by section 2101, including aliens described in section 245D(b)(1) of such Act, and aliens granted blue card status under section 2211 are permanently ineligible to become naturalized citizens of the United States, except for aliens granted asylum pursuant to section 208 of such Act (8 U.S.C. 1158).

SA 1583. Mr. CRUZ submitted an amendment intended to be proposed to

amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subchapter A of chapter 1 of subtitle B of title II, add the following:

SEC. 2216. IMMIGRANT CATEGORIES INELIGIBLE FOR UNITED STATES CITIZENSHIP.

Notwithstanding any other provision of law, aliens granted registered provisional immigrant status under section 245B of the Immigration and Nationality Act, as added by section 2101, including aliens described in section 245D(b)(1) of such Act, and aliens granted blue card status under section 2211 are permanently ineligible to become naturalized citizens of the United States, except for aliens granted asylum pursuant to section 208 of such Act (8 U.S.C. 1158).

SA 1584. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. INELIGIBILITY FOR MEANS-BASED BENEFITS OF ALIENS ENTERING OR REMAINING IN UNITED STATES WHILE NOT IN LAWFUL STATUS.

Notwithstanding any provision of this Act or any other provision of law, no alien who has entered or remained in the United States while not in lawful status under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) shall be eligible for any Federal, State, or local government means-tested benefit, nor shall such alien be eligible for any benefit under the Patient Protection and Affordable Care Act (Pub. L. 111–148), regardless of the alien's legal status at the time of application for such benefit.

SA 1585. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike subtitles A and B of title IV and insert the following:

Subtitle A—Employment-based Nonimmigrant Visas

SEC. 4101. MARKET-BASED H–1B VISA LIMITS.

(a) IN GENERAL.—Section 214(g)(1) (8 U.S.C. 1184(g)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''(beginning with fiscal year 1992)''; and

(2) by amending subparagraph (A) to read as follows:

''(A) under section 101(a)(15)(H)(i)(b) may not exceed—

''(i) 65,000 in fiscal year 2013; and

''(ii) 325,000 in each subsequent fiscal year; and'';

SEC. 4102. WORK AUTHORIZATION FOR DEPENDENT SPOUSES OF H–1B NONIMMIGRANTS.

Section 214(n) (8 U.S.C. 1184(n)) is amended—

(1) by amending the subsection heading to read as follows ''EMPLOYMENT AUTHORIZATION FOR H–1B NONIMMIGRANTS AND THEIR SPOUSES''; and

(2) by adding at the end the following:

''(3) The spouse of an alien provided nonimmigrant status under section 101(a)(15)(H)(i)(b) is authorized to accept employment in the United States while his or her principal alien spouse lawfully maintains such status while in the United States.''.

SEC. 4103. AUTHORIZATION OF DUAL INTENT.

(a) DEFINITION.—Section 101(a)(15)(F)(i) (8 U.S.C. 1101(a)(15)(F)(i)) is amended by striking ''which he has no intention of abandoning'' and inserting ''which, if the alien is not pursuing a course of study at an accredited institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), the alien has no intention of abandoning''.

(b) PRESUMPTION OF STATUS; INTENTION TO ABANDON FOREIGN RESIDENCE.—Section 214 (8 U.S.C. 1184) is amended—

(1) in subsection (b), by striking ''(L) or (V)'' and inserting ''(F), (L), or (V)''; and

(2) in subsection (h), by striking ''(H)(i)(b) or (c)'' and inserting ''(F), (H)(i)(b), (H)(i)(c)''.

SEC. 4104. H–1B FEE INCREASE.

(a) IN GENERAL.—Section 214(c)(9) (8 U.S.C. 1184(c)(9)) is amended by striking subparagraphs (B) and (C) and inserting the following:

''(B) The amount of the fee imposed under subparagraph (A) shall be—

''(i) $2,500 for each such petition by an employer with more than 25 full-time equivalent employees who are employed in the United States, including any affiliate or subsidiary of such employer; or

''(ii) $1,250 for each such petition by any employer with not more than 25 full-time equivalent employees who are employed in the United States, including any affiliate or subsidiary of such employer.

''(C) Of the amounts collected under this paragraph—

''(i) 60 percent shall be deposited in the H–1B Nonimmigrant Petitioner Account in accordance with section 286(s); and

''(ii) 40 percent shall be deposited in the STEM Education and Training Account established under section 286(w).''.

(b) STEM EDUCATION AND TRAINING ACCOUNT.—Section 286 (8 U.S.C. 1356) is amended by adding at the end the following:

''(w) STEM EDUCATION AND TRAINING ACCOUNT.—

''(1) IN GENERAL.—There is established in the general fund of the Treasury a separate account, which shall be known as the 'STEM Education and Training Account' (referred to in this subsection as the 'Account').

''(2) DEPOSITS.—There shall be deposited as offsetting receipts into the Account 40 percent of the fees collected under section 214(c)(9)(B).

''(3) USE OF FUNDS.—Amounts deposited in the Account may be used to enhance the economic competitiveness of the United States by—

''(A) establishing a block grant program for States to promote STEM education; and

''(B) carrying out programs to bridge STEM education with employment, such as work-study program.''.

SA 1586. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 2303 through 2307 and insert the following:

SEC. 2303. ELIMINATION OF ARBITRARY LIMITATION OF FOREIGN NATIONALITIES.

(a) REPEAL.—Section 202 (8 U.S.C. 1152) is repealed.

(b) CONFORMING AMENDMENT.—Section 203(b) (8 U.S.C. 1153(b)) is amended by striking paragraph (6).

SEC. 2304. ELIMINATION OF DIVERSITY VISA LOTTERY.

(a) REPEAL.—Section 203(c) (8 U.S.C. 1153(c)) is repealed.

(b) CONFORMING AMENDMENTS.—Title II (8 U.S.C. 1151 et seq.) is amended—

(1) in section 201—

(A) in subsection (a), by striking paragraph (3); and

(B) by striking subsection (e); and

(2) in section 204(a)(1), by striking subparagraph (I).

SEC. 2305. FAMILY-SPONSORED IMMIGRANTS.

(a) NUMERICAL LIMITATIONS.—Section 201(c) (8 U.S.C. 1151(c)) is amended to read as follows:

''(c) WORLDWIDE LEVEL OF FAMILY-SPONSORED IMMIGRANTS.—The maximum worldwide level of family-sponsored immigrants for each fiscal year shall be 337,500.''.

(b) VISA ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS .—Section 203(a) (8 U.S.C. 1153(a)) is amended to read as follows:

''(a) VISA ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS.—Qualified immigrants who are the unmarried sons or unmarried daughters (but not children) of a citizen of the United States or an alien lawfully admitted for permanent residence shall be allocated all of the visas made available under section 201(c).''.

(c) EXPANSION OF IMMEDIATE RELATIVE DEFINITION.—Section 201(b)(2)(A) (8 U.S.C. 1151(b)(2)(A)) is amended to read as follows:

''(A)(i) Immediate relatives.

''(ii) Aliens admitted under section 211(a) on the basis of a prior issuance of a visa to their accompanying parent who is an immediate relative.

''(iii) In this subparagraph the term 'immediate relatives' means the children, spouse, and parents of a citizen of the United States or of a lawful permanent resident. If the immediate relative is a parent, the citizen or permanent resident shall be at least 21 years of age. If the alien was the spouse of a citizen of the United States or of a lawful permanent resident and was not legally separated from the citizen or permanent resident at the time of the citizen's or permanent resident's death, the alien (and each child of the alien) shall be considered, for purposes of this subparagraph, to remain an immediate relative after the date of the citizen's or permanent resident's death and until the date the spouse remarries if the spouse files a petition under section 204(a)(1)(A)(ii) not later than 2 years after such death. An alien who has filed a petition under clause (iii) or (iv) of section 204(a)(1)(A) shall remain an immediate relative if the United States citizen or lawful permanent resident spouse or parent loses United States citizenship or lawful permanent resident status on account of the abuse.''.

(d) CONFORMING AMENDMENTS.—The Act (8 U.S.C. 1101 et seq.) is amended—

(1) in section 101(a)(15)(V), by striking ''203(a)(2)(A)'' each place it appears and inserting ''203(a)'';

(2) in section 201(f)—

(A) in paragraph (2), by striking ''203(a)(2)(A)'' and inserting ''203(a)''; and

(B) by striking paragraph (3); and

(C) by redesignating paragraph (4) as paragraph (3); and

(D) in paragraph (3), as redesignated, by striking ''(1) through (3)'' and inserting ''(1) and (2)''; and

(3) in section 204—

(A) in subsection (a)(1)—

(i) in subparagraph (A)(i), by striking ''paragraph (1), (3), or (4) of section 203(a)'' and inserting ''section 203(a)''; and

(ii) in subparagraph (B)—

(I) in clause (i)(I), by striking ''section 203(a)(2)'' and inserting ''section 203(a)''; and

(II) in clause (ii), by striking ''clause (iii) of section 203(a)(2)(A)'' each place it appears and inserting ''section 203(a)''; and

(III) in clause (iii), by striking ''section 203(a)(2)(A)'' and inserting ''section 203(a)''; and

(iii) in subparagraph (D)(i)(I), by striking ''paragraph (1), (2), or (3) of section 203(a)'' and inserting ''section 203(a)'';

(B) in subsection (a)(2)(A), in the undesignated matter after clause (ii), by striking ''preference status under section 203(a)(2)'' and inserting ''status as an immediate relative under section 201(b)(2)(A)''; and

(C) in subsection (k)(1), by striking ''section 203(a)(2)(B)'' and inserting ''section 203(a)''.

SEC. 2306. EMPLOYMENT-BASED IMMIGRANTS.

(a) NUMERICAL LIMITATIONS.—Section 201(d) (8 U.S.C. 1151(c)) is amended to read as follows:

''(d) WORLDWIDE LEVEL OF EMPLOYMENT-BASED IMMIGRANTS.—The maximum worldwide level of employment-based immigrants for each fiscal year shall be 1,012,500.''.

(b) VISA ALLOCATION FOR EMPLOYMENT-BASED IMMIGRANTS .—Section 203(b) (8 U.S.C. 1153(a)) is amended to read as follows:

''(b) VISA ALLOCATION FOR EMPLOYMENT-BASED IMMIGRANTS.—Aliens subject to the worldwide level specified in section 201(d) for employment-based immigrants in a fiscal year shall be allocated visas as follows:

''(1) HIGHLY-SKILLED WORKERS.—Up to 607,500 visas shall be allocated each fiscal year to qualified immigrants described in this paragraph, with preference to be given to immigrants described in subparagraph (A).

''(A) ADVANCED DEGREES IN STEM FIELD.—An alien described in this paragraph holds an advanced degree in science, technology, engineering, or mathematics from an accredited institution of higher education in the United States.

''(B) ALIENS WITH EXTRAORDINARY ABILITY.—An alien described in this subparagraph—

''(i) has extraordinary ability in the sciences, arts, education, business, or athletics which has been demonstrated by sustained national or international acclaim and whose achievements have been recognized in the field through extensive documentation;

''(ii) seeks to enter the United States to continue work in the area of extraordinary ability; and

''(iii) will substantially benefit the United States.

''(C) OUTSTANDING PROFESSORS AND RESEARCHERS.—An alien described in this subparagraph—

''(i) is recognized internationally as outstanding in a specific academic area;

''(ii) has at least 3 years of experience in teaching or research in the academic area; and

''(iii) seeks to enter the United States—

''(I) for a tenured position (or tenure-track position) within a university or institution of higher education to teach in the academic area;

''(II) for a comparable position with a university or institution of higher education to conduct research in the area; or

''(III) for a comparable position to conduct research in the area with a department, division, or institute of a private employer, if the department, division, or institute employs at least 3 persons full-time in research activities and has achieved documented accomplishments in an academic field.

''(D) CERTAIN MULTINATIONAL EXECUTIVES AND MANAGERS.—An alien described in this subparagraph, in the 3 years preceding the time of the alien's application for classification and admission into the United States under this subparagraph, has been employed for at least 1 year by a firm or corporation or other legal entity or an affiliate or subsidiary thereof and the alien seeks to enter the United States in order to continue to render services to the same employer or to a subsidiary or affiliate thereof in a capacity that is managerial or executive.

''(E) SKILLED WORKERS, PROFESSIONALS, AND OTHER WORKERS.—An alien described in this subparagraph—

''(i) is capable, at the time of petitioning for classification under this paragraph, of performing skilled labor (requiring at least 2 years training or experience), not of a temporary or seasonal nature, for which qualified workers are not available in the United States; or

''(ii) holds a baccalaureate degree and is a members of the professions.

''(F) EMPLOYMENT CREATION.—An alien described in this subparagraph seeks to enter the United States for the purpose of engaging in a new commercial enterprise (including a limited partnership)—

''(i) in which such alien has invested (after the date of the enactment of the Immigration Act of 1990) or, is actively in the process of investing, capital in an amount not less than $1,000,000; and

''(ii) which will benefit the United States economy and create full-time employment for not fewer than 10 United States citizens or aliens lawfully admitted for permanent residence or other immigrants lawfully authorized to be employed in the United States (other than the immigrant and the immigrant's spouse, sons, or daughters).

''(2) WORKERS IN DESIGNATED SHORTAGE OCCUPATIONS.—Up to 405,000 visas shall be allocated each fiscal year to qualified immigrants who—

''(A) are not described in paragraph (1); and

''(B) have at least 2 years experience in an occupation designated by the Bureau of Labor Statistics as experiencing a shortage of labor throughout the United States.''.

(c) TREATMENT OF FAMILY MEMBERS.—Section 203(d) (8 U.S.C. 1153(d)) is amended—

(1) by striking ''(a), (b), or (c)'' and inserting ''(a) or (b)''; and

(2) by adding at the end the following: ''The spouse, children, or parents of an alien receiving a visa under subsection 203(b) who are accompanying or following to join the alien shall be counted against the numerical limitations set forth in subsection (b).''.

SEC. 2307. ONLINE PORTAL FOR LAWFUL PERMANENT RESIDENT APPLICATIONS.

(a) ESTABLISHMENT.—The Secretary shall establish an online portal through which individuals may submit applications for lawful permanent resident status.

(b) FEATURES.—The online portal established pursuant to subsection (a) shall provide—

(1) step-by-step instructions, in plain English, describing what information and supporting documentation is required to be submitted;

(2) an e-mail or text message to notify applicants of changes in the status of their application.

(c) USER FEE.—In addition to any other fees required of applicants for lawful permanent under any other provision of law, the Secretary may charge individuals who apply for such status through the online portal established pursuant to subsection (a) a fee in an amount sufficient to pay for the costs of maintaining the online portal.

(d) TIME LIMITATION.—All petitions submitted through the online portal established pursuant to subsection (a) shall be adjudicated in 60 days or less.

(e) NATURALIZATION OF EMPLOYEES OF CERTAIN NATIONAL SECURITY FACILITIES WITHOUT REGARD TO RESIDENCY REQUIREMENTS.—Section 316 (8 U.S.C. 1427) is amended by adding at the end the following:

''(g)(1) Any person who, while an alien or a noncitizen national of the United States, has been employed in a research capacity at a Federal national security, science, and technology laboratory, center, or agency (as defined pursuant to section 203(b)(2)(C)) for a period or periods aggregating one year or more may, in the discretion of the Secretary, be naturalized without regard to the residence requirements of this section if the person—

''(A) has complied with all requirements as determined by the Secretary of Homeland Security, the Secretary of Defense, the Secretary of Energy, or the head of a petitioning department or agency of the Federal Government, including contractual requirements to maintain employment in a research capacity with a Federal national security, science, and technology laboratory, center, or agency for a period not to exceed five years; and

''(B) has favorably completed and adjudicated a background investigation at the appropriate level, from the employing department or agency of the Federal Government within the last five years.

''(2) The number of aliens or noncitizen nationals naturalized in any fiscal year under this subsection shall not exceed a number as defined by the Secretary of Homeland Security, in consultation with the head of the petitioning department or agency of the Federal Government.''.

SA 1587. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 2303 through 2307 and insert the following:

SEC. 2303. ELIMINATION OF ARBITRARY LIMITATION OF FOREIGN NATIONALITIES.

(a) REPEAL.—Section 202 (8 U.S.C. 1152) is repealed.

(b) CONFORMING AMENDMENT.—Section 203(b) (8 U.S.C. 1153(b)) is amended by striking paragraph (6).

SEC. 2304. ELIMINATION OF DIVERSITY VISA LOTTERY.

(a) REPEAL.—Section 203(c) (8 U.S.C. 1153(c)) is repealed.

(b) CONFORMING AMENDMENTS.—Title II (8 U.S.C. 1151 et seq.) is amended—

(1) in section 201—

(A) in subsection (a), by striking paragraph (3); and

(B) by striking subsection (e); and

(2) in section 204(a)(1), by striking subparagraph (I).

SEC. 2305. FAMILY-SPONSORED IMMIGRANTS.

(a) NUMERICAL LIMITATIONS.—Section 201(c) (8 U.S.C. 1151(c)) is amended to read as follows:

''(c) WORLDWIDE LEVEL OF FAMILY-SPONSORED IMMIGRANTS.—The maximum worldwide level of family-sponsored immigrants for each fiscal year shall be 337,500.''.

(b) VISA ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS .—Section 203(a) (8 U.S.C. 1153(a)) is amended to read as follows:

''(a) VISA ALLOCATION FOR FAMILY-SPONSORED IMMIGRANTS.—Qualified immigrants who are the unmarried sons or unmarried daughters (but not children) of a citizen of the United States or an alien lawfully admitted for permanent residence shall be allocated all of the visas made available under section 201(c).''.

(c) EXPANSION OF IMMEDIATE RELATIVE DEFINITION.—Section 201(b)(2)(A) (8 U.S.C. 1151(b)(2)(A)) is amended to read as follows:

''(A)(i) Immediate relatives.

''(ii) Aliens admitted under section 211(a) on the basis of a prior issuance of a visa to their accompanying parent who is an immediate relative.

''(iii) In this subparagraph the term 'immediate relatives' means the children, spouse, and parents of a citizen of the United States or of a lawful permanent resident. If the immediate relative is a parent, the citizen or permanent resident shall be at least 21 years of age. If the alien was the spouse of a citizen of the United States or of a lawful permanent resident and was not legally separated from the citizen or permanent resident at the time of the citizen's or permanent resident's death, the alien (and each child of the alien) shall be considered, for purposes of this subparagraph, to remain an immediate relative after the date of the citizen's or permanent resident's death and until the date the spouse remarries if the spouse files a petition under section 204(a)(1)(A)(ii) not later than 2 years after such death. An alien who has filed a petition under clause (iii) or (iv) of section 204(a)(1)(A) shall remain an immediate relative if the United States citizen or lawful permanent resident spouse or parent loses United States citizenship or lawful permanent resident status on account of the abuse.''.

(d) CONFORMING AMENDMENTS.—The Act (8 U.S.C. 1101 et seq.) is amended—

(1) in section 101(a)(15)(V), by striking ''203(a)(2)(A)'' each place it appears and inserting ''203(a)'';

(2) in section 201(f)—

(A) in paragraph (2), by striking ''203(a)(2)(A)'' and inserting ''203(a)''; and

(B) by striking paragraph (3); and

(C) by redesignating paragraph (4) as paragraph (3); and

(D) in paragraph (3), as redesignated, by striking ''(1) through (3)'' and inserting ''(1) and (2)''; and

(3) in section 204—

(A) in subsection (a)(1)—

(i) in subparagraph (A)(i), by striking ''paragraph (1), (3), or (4) of section 203(a)'' and inserting ''section 203(a)''; and

(ii) in subparagraph (B)—

(I) in clause (i)(I), by striking ''section 203(a)(2)'' and inserting ''section 203(a)''; and

(II) in clause (ii), by striking ''clause (iii) of section 203(a)(2)(A)'' each place it appears and inserting ''section 203(a)''; and

(III) in clause (iii), by striking ''section 203(a)(2)(A)'' and inserting ''section 203(a)''; and

(iii) in subparagraph (D)(i)(I), by striking ''paragraph (1), (2), or (3) of section 203(a)'' and inserting ''section 203(a)'';

(B) in subsection (a)(2)(A), in the undesignated matter after clause (ii), by striking ''preference status under section 203(a)(2)'' and inserting ''status as an immediate relative under section 201(b)(2)(A)''; and

(C) in subsection (k)(1), by striking ''section 203(a)(2)(B)'' and inserting ''section 203(a)''.

SEC. 2306. EMPLOYMENT-BASED IMMIGRANTS.

(a) NUMERICAL LIMITATIONS.—Section 201(d) (8 U.S.C. 1151(c)) is amended to read as follows:

''(d) WORLDWIDE LEVEL OF EMPLOYMENT-BASED IMMIGRANTS.—The maximum worldwide level of employment-based immigrants for each fiscal year shall be 1,012,500.''.

(b) VISA ALLOCATION FOR EMPLOYMENT-BASED IMMIGRANTS .—Section 203(b) (8 U.S.C. 1153(a)) is amended to read as follows:

''(b) VISA ALLOCATION FOR EMPLOYMENT-BASED IMMIGRANTS.—Aliens subject to the worldwide level specified in section 201(d) for employment-based immigrants in a fiscal year shall be allocated visas as follows:

''(1) HIGHLY-SKILLED WORKERS.—Up to 607,500 visas shall be allocated each fiscal year to qualified immigrants described in this paragraph, with preference to be given to immigrants described in subparagraph (A).

''(A) ADVANCED DEGREES IN STEM FIELD.—An alien described in this paragraph holds an advanced degree in science, technology, engineering, or mathematics from an accredited institution of higher education in the United States.

''(B) ALIENS WITH EXTRAORDINARY ABILITY.—An alien described in this subparagraph—

''(i) has extraordinary ability in the sciences, arts, education, business, or athletics which has been demonstrated by sustained national or international acclaim and whose achievements have been recognized in the field through extensive documentation;

''(ii) seeks to enter the United States to continue work in the area of extraordinary ability; and

''(iii) will substantially benefit the United States.

''(C) OUTSTANDING PROFESSORS AND RESEARCHERS.—An alien described in this subparagraph—

''(i) is recognized internationally as outstanding in a specific academic area;

''(ii) has at least 3 years of experience in teaching or research in the academic area; and

''(iii) seeks to enter the United States—

''(I) for a tenured position (or tenure-track position) within a university or institution of higher education to teach in the academic area;

''(II) for a comparable position with a university or institution of higher education to conduct research in the area; or

''(III) for a comparable position to conduct research in the area with a department, division, or institute of a private employer, if the department, division, or institute employs at least 3 persons full-time in research activities and has achieved documented accomplishments in an academic field.

''(D) CERTAIN MULTINATIONAL EXECUTIVES AND MANAGERS.—An alien described in this subparagraph, in the 3 years preceding the time of the alien's application for classification and admission into the United States under this subparagraph, has been employed for at least 1 year by a firm or corporation or other legal entity or an affiliate or subsidiary thereof and the alien seeks to enter the United States in order to continue to render services to the same employer or to a subsidiary or affiliate thereof in a capacity that is managerial or executive.

''(E) SKILLED WORKERS, PROFESSIONALS, AND OTHER WORKERS.—An alien described in this subparagraph—

''(i) is capable, at the time of petitioning for classification under this paragraph, of performing skilled labor (requiring at least 2 years training or experience), not of a temporary or seasonal nature, for which qualified workers are not available in the United States; or

''(ii) holds a baccalaureate degree and is a members of the professions.

''(F) EMPLOYMENT CREATION.—An alien described in this subparagraph seeks to enter the United States for the purpose of engaging in a new commercial enterprise (including a limited partnership)—

''(i) in which such alien has invested (after the date of the enactment of the Immigration Act of 1990) or, is actively in the process of investing, capital in an amount not less than $1,000,000; and

''(ii) which will benefit the United States economy and create full-time employment for not fewer than 10 United States citizens or aliens lawfully admitted for permanent residence or other immigrants lawfully authorized to be employed in the United States (other than the immigrant and the immigrant's spouse, sons, or daughters).

''(2) WORKERS IN DESIGNATED SHORTAGE OCCUPATIONS.—Up to 405,000 visas shall be allocated each fiscal year to qualified immigrants who—

''(A) are not described in paragraph (1); and

''(B) have at least 2 years experience in an occupation designated by the Bureau of Labor Statistics as experiencing a shortage of labor throughout the United States.''.

(c) TREATMENT OF FAMILY MEMBERS.—Section 203(d) (8 U.S.C. 1153(d)) is amended—

(1) by striking ''(a), (b), or (c)'' and inserting ''(a) or (b)''; and

(2) by adding at the end the following: ''The spouse, children, or parents of an alien receiving a visa under subsection 203(b) who are accompanying or following to join the alien shall be counted against the numerical limitations set forth in subsection (b).''.

SEC. 2307. ONLINE PORTAL FOR LAWFUL PERMANENT RESIDENT APPLICATIONS.

(a) ESTABLISHMENT.—The Secretary shall establish an online portal through which individuals may submit applications for lawful permanent resident status.

(b) FEATURES.—The online portal established pursuant to subsection (a) shall provide—

(1) step-by-step instructions, in plain English, describing what information and supporting documentation is required to be submitted;

(2) an e-mail or text message to notify applicants of changes in the status of their application.

(c) USER FEE.—In addition to any other fees required of applicants for lawful permanent under any other provision of law, the Secretary may charge individuals who apply for such status through the online portal established pursuant to subsection (a) a fee in an amount sufficient to pay for the costs of maintaining the online portal.

(d) TIME LIMITATION.—All petitions submitted through the online portal established pursuant to subsection (a) shall be adjudicated in 60 days or less.

(e) NATURALIZATION OF EMPLOYEES OF CERTAIN NATIONAL SECURITY FACILITIES WITHOUT REGARD TO RESIDENCY REQUIREMENTS.—Section 316 (8 U.S.C. 1427) is amended by adding at the end the following:

''(g)(1) Any person who, while an alien or a noncitizen national of the United States, has been employed in a research capacity at a Federal national security, science, and technology laboratory, center, or agency (as defined pursuant to section 203(b)(2)(C)) for a

period or periods aggregating one year or more may, in the discretion of the Secretary, be naturalized without regard to the residence requirements of this section if the person—

''(A) has complied with all requirements as determined by the Secretary of Homeland Security, the Secretary of Defense, the Secretary of Energy, or the head of a petitioning department or agency of the Federal Government, including contractual requirements to maintain employment in a research capacity with a Federal national security, science, and technology laboratory, center, or agency for a period not to exceed five years; and

''(B) has favorably completed and adjudicated a background investigation at the appropriate level, from the employing department or agency of the Federal Government within the last five years.

''(2) The number of aliens or noncitizen nationals naturalized in any fiscal year under this subsection shall not exceed a number as defined by the Secretary of Homeland Security, in consultation with the head of the petitioning department or agency of the Federal Government.''.

Strike subtitles A and B of title IV and insert the following:

SEC. 4101. MARKET-BASED H–1B VISA LIMITS.

(a) IN GENERAL.—Section 214(g)(1) (8 U.S.C. 1184(g)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''(beginning with fiscal year 1992)''; and

(2) by amending subparagraph (A) to read as follows:

''(A) under section 101(a)(15)(H)(i)(b) may not exceed—

''(i) 65,000 in fiscal year 2013; and

''(ii) 325,000 in each subsequent fiscal year; and'';

SEC. 4102. WORK AUTHORIZATION FOR DEPENDENT SPOUSES OF H–1B NONIMMIGRANTS.

Section 214(n) (8 U.S.C. 1184(n)) is amended—

(1) by amending the subsection heading to read as follows ''EMPLOYMENT AUTHORIZATION FOR H–1B NONIMMIGRANTS AND THEIR SPOUSES''; and

(2) by adding at the end the following:

''(3) The spouse of an alien provided nonimmigrant status under section 101(a)(15)(H)(i)(b) is authorized to accept employment in the United States while his or her principal alien spouse lawfully maintains such status while in the United States.''.

SEC. 4103. AUTHORIZATION OF DUAL INTENT.

(a) DEFINITION.—Section 101(a)(15)(F)(i) (8 U.S.C. 1101(a)(15)(F)(i)) is amended by striking ''which he has no intention of abandoning'' and inserting ''which, if the alien is not pursuing a course of study at an accredited institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), the alien has no intention of abandoning''.

(b) PRESUMPTION OF STATUS; INTENTION TO ABANDON FOREIGN RESIDENCE.—Section 214 (8 U.S.C. 1184) is amended—

(1) in subsection (b), by striking ''(L) or (V)'' and inserting ''(F), (L), or (V)''; and

(2) in subsection (h), by striking ''(H)(i)(b) or (c)'' and inserting ''(F), (H)(i)(b), (H)(i)(c)''.

SEC. 4104. H–1B FEE INCREASE.

(a) IN GENERAL.—Section 214(c)(9) (8 U.S.C. 1184(c)(9)) is amended by striking subparagraphs (B) and (C) and inserting the following:

''(B) The amount of the fee imposed under subparagraph (A) shall be—

''(i) $2,500 for each such petition by an employer with more than 25 full-time equivalent employees who are employed in the United States, including any affiliate or subsidiary of such employer; or

''(ii) $1,250 for each such petition by any employer with not more than 25 full-time equivalent employees who are employed in the United States , including any affiliate or subsidiary of such employer.

''(C) Of the amounts collected under this paragraph—

''(i) 60 percent shall be deposited in the H–1B Nonimmigrant Petitioner Account in accordance with section 286(s); and

''(ii) 40 percent shall be deposited in the STEM Education and Training Account established under section 286(w).''.

(b) STEM EDUCATION AND TRAINING ACCOUNT.—Section 286 (8 U.S.C. 1356) is amended by adding at the end the following:

''(w) STEM EDUCATION AND TRAINING ACCOUNT.—

''(1) IN GENERAL.—There is established in the general fund of the Treasury a separate account, which shall be known as the 'STEM Education and Training Account' (referred to in this subsection as the 'Account').

''(2) DEPOSITS.—There shall be deposited as offsetting receipts into the Account 40 percent of the fees collected under section 214(c)(9)(B).

''(3) USE OF FUNDS.—Amounts deposited in the Account may be used to enhance the economic competitiveness of the United States by—

''(A) establishing a block grant program for States to promote STEM education; and

''(B) carrying out programs to bridge STEM education with employment, such as work-study program.''.

SA 1588. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2108 and insert the following:

SEC. 2108. HIRING.

(a) HIRING RULES EXEMPTION.—The Secretary is authorized to make term, temporary limited, and part-time appointments of employees who will implement this title and the amendments made by this title without regard to the number of such employees, their ratio to permanent full-time employees, and the duration of their employment.

(b) AUTHORITY TO WAIVE ANNUITY LIMITATIONS.—Section 824(g)(2)(B) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)(2)(B)) is amended by striking ''2009'' and inserting ''2017''.

SA 1589. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 56, strike line 1, and insert the following:

(d) OVERSIGHT OF TRUST FUND.—

(1) OFFICE OF INSPECTOR GENERAL.—

(A) PLAN.—Not later than 90 days after the date of enactment of this Act, the Inspector General of the Department, in consultation with the Inspectors General of other relevant agencies, shall submit a plan for oversight of the implementation of this Act and the amendments made by this Act. In developing the plan under this subparagraph, the Inspector General shall give particular emphasis to management of the Trust Fund and oversight of the deployment of resources, infrastructure, and funds under the Comprehensive Southern Border Security Strategy and the Southern Border Fencing Strategy and to implement the Employment Verification System established under section 274A(d)(1)(A) of the Immigration and Nationality Act (as amended by section 3101 of this Act).

(B) AVAILABILITY OF FUNDS.—In addition to the amounts made available under paragraph (3), there are authorized to be appropriated to the Inspector General of the Department such sums as are necessary to conduct oversight under the plan submitted under subparagraph (A).

(2) DEPARTMENT PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a plan that describes the actions the Department shall take, the employees the Department shall assign, and the procedures the Department shall implement to ensure that funds from the Trust Fund are—

(A) spent efficiently and effectively;

(B) well managed, including with respect to the awarding and administration of contracts and the validation of technology; and

(C) managed so as to comply with all applicable financial audit standards.

(3) AVAILABILITY OF FUNDS.—For the purposes of ensuring the funds in the Trust Fund are spent efficiently and effectively and are well managed and for the cost of conducting the audits required under subsection (c), 0.5 percent of funds deposited in the Trust Fund each fiscal year under subsection (a)(2) shall be provided in each such fiscal year to the Secretary, who shall transfer half of the amount received each fiscal year to the Inspector General of the Department. Amounts made available under this paragraph shall remain available until the end of the 10th fiscal year beginning after the date on which the amounts are made available to the Secretary.

(e) DETERMINATION OF BUDGETARY EFFECTS.—

SA 1590. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 62, after line 23, add the following:

SEC. 10. IMMIGRATION REFORM IMPLEMENTATION COUNCIL.

(a) ESTABLISHMENT.—Not later than 30 days after the date of enactment of this Act, the Secretary shall establish a coordinating body, to be known as the Immigration Reform Implementation Council (in this section referred to as the ''Implementation Council''), to oversee implementation of those portions of this Act and the amendments made by this Act that lie within the responsibilities of the Department.

(b) CHAIRPERSON.—The Deputy Secretary of Homeland Security shall serve as Chairperson of the Implementation Council, reporting to and under the authority of the

Secretary and in keeping with the authorities specified by the Homeland Security Act of 2002 (Public Law 107–296).

(c) MEMBERSHIP.—The members of the Implementation Council shall include the following:

(1) The Commissioner for Customs and Border Protection.

(2) The Assistant Secretary for Immigration and Customs Enforcement.

(3) The Director of U.S. Citizenship and Immigration Services.

(4) The Under Secretary for Management.

(5) The General Counsel of the Department.

(6) The Assistant Secretary for Policy.

(7) The Director of the Office of International Affairs.

(8) The Officer for Civil Rights and Civil Liberties.

(9) The Privacy Officer.

(10) The Director of the Office of Biometric Identity Management.

(11) Other appropriate officers or employees of the Department, as determined by the Secretary or the Chairperson of the Implementation Council.

(d) DUTIES.—The Implementation Council shall—

(1) meet regularly to coordinate implementation of this Act and the amendments made by this Act, with particular regard to—

(A) broad policy coordination of immigration reform under this Act and the amendments made by this Act;

(B) policy and operational concerns regarding the Comprehensive Immigration Reform Trust Fund established under section 6;

(C) timely development of regulations required by this Act or an amendment made by this Act and related guidance; and

(D) participating in interagency decisionmaking with the Executive Office of the President, the Office of Management and Budget, the Department of State, the Department of Justice, the Department of Labor, and other agencies regarding implementation of this Act and the amendments made by this Act;

(2) establish liaisons to other agencies responsible for implementing significant portions of this Act or the amendments made by this Act, including the Department of State, the Department of Justice, the Department of Labor;

(3) establish liaisons to key stakeholders, including employer associations and labor unions;

(4) provide regular briefings to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Homeland Security of the House of Representatives, and other appropriate committees of Congress;

(5) provide timely information regarding Department-wide implementation of this Act and the amendments made by this Act through a single, centralized location on the website of the Department; and

(6) conduct such other activities as the Secretary or Chairperson of the Implementation Council determine appropriate.

(e) MAINTENANCE OF COUNCIL.—The Implementation Council shall terminate at the end of the period necessary for the Department to implement substantially the responsibilities of the Department under this Act and the amendments made by this Act, as determined by the Secretary, but in no event earlier than 10 years after the date of enactment of this Act.

(f) STAFF.—The Deputy Secretary of Homeland Security shall appoint a full-time executive director and such other employees as are necessary for the Implementation Council.

(g) AVAILABILITY OF FUNDS.—Amounts made available to the Secretary under section 6(b) may be used to support the activities of the Implementation Council in implementing this Act and the amendments made by this Act.

SA 1591. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

After section 1123, insert the following:

SEC. 1124. BETTER ENFORCEMENT THROUGH TRANSPARENCY AND ENHANCED REPORTING ON THE BORDER ACT.

(a) SHORT TITLE.—This section may be cited as the ''Better Enforcement Through Transparency and Enhanced Reporting on the Border Act'' or the ''BETTER Border Act''.

(b) OFFICE OF HOMELAND SECURITY STATISTICS.—

(1) ESTABLISHMENT.—There is established within the Department an Office of Homeland Security Statistics (referred to in this section as the ''Office''), which shall be headed by a Director.

(2) TRANSFER OF FUNCTIONS.—

(A) ABOLISHMENT OF OFFICE OF IMMIGRATION STATISTICS.—The Office of Immigration Statistics of the Department is abolished.

(B) TRANSFER OF FUNCTIONS.—All functions and responsibilities of the Office of Immigration Statistics as of the day before the date of the enactment of this Act, including all of the personnel, assets, components, authorities, programs, and liabilities of the Office of Immigration Statistics, are transferred to the Office of Homeland Security Statistics.

(3) DUTIES.—The Director of the Office shall—

(A) collect information from agencies of the Department, including internal databases used to—

(i) undertake border inspections;

(ii) identify visa overstays;

(iii) undertake immigration enforcement actions; and

(iv) grant immigration benefits;

(B) produce the annual report required to be submitted to Congress under subsection (c); and

(C) collect the information described in section 103(d) of the Immigration and Nationality Act (8 U.S.C. 1103(d)) and disseminate such information to Congress and to the public;

(D) produce any other reports and conduct any other work that the Office of Immigration Statistics was required to produce or conduct before the date of the enactment of this Act; and

(E) produce such other reports or conduct such other work as the Secretary determines to be necessary.

(4) INTRADEPARTMENTAL DATA SHARING.—Agencies and offices of the Department shall share any data that is required to comply with this section.

(5) CONSULTATION.—In carrying out this subsection, the Director of the Office shall consult with the Ombudsman for Immigration Related Concerns to the greatest extent practicable.

(6) PLACEMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall notify Congress where the Office has been established within the Department.

(7) CONFORMING AMENDMENT.—Section 103(d) (8 U.S.C. 1103(d)) is amended by striking ''Commissioner'' and inserting ''Director of the Office of Homeland Security Statistics''.

(c) REPORT ON PERFORMANCE METRICS.—

(1) IN GENERAL.—In addition to any reports required to be produced by the Office of Immigration Statistics before the date of enactment of this Act, the Director, on an annual basis, shall submit to Congress a report on performance metrics that will enable—

(A) the Department to develop an understanding of—

(i) the security of the border;

(ii) efforts to enforce immigration laws within the United States; and

(iii) the overall working of the immigration system; and

(B) policy makers, including Congress—

(i) to make more effective investments in order to secure the border;

(ii) to enforce the immigration laws of the United States; and

(iii) to ensure that the Federal immigration system is working efficiently at every level.

(2) CONTENTS.—The report required under paragraph (1) shall contain outcome performance measures, for the year covered by the report, including—

(A) for the areas between ports of entry—

(i) the estimated number of attempted illegal entries, the estimated number of successful entries, and the number of apprehensions, categorized by sector;

(ii) the number of individuals that attempted to cross the border and information concerning how many times individuals attempted to cross, categorized by sector;

(iii) the number of individuals returned to Mexico voluntarily, criminally prosecuted, and receiving any other form of sanctions, categorized by sector; and

(iv) the recidivism rates for all classes of individuals apprehended, including individuals returned to Mexico voluntarily, criminally prosecuted, and receiving any other form of sanctions, categorized by sector;

(B) for ports of entry—

(i) the estimated number of attempted illegal entries, the number of apprehensions, and the estimated number of successful entries, categorized by field office; and

(ii) information compiled based on random samples of secondary inspections, including estimates of the effectiveness of inspectors in identifying civil and criminal immigration and customs violations, categorized by field office; and

(iii) enforcement outcomes for individuals denied admission, including the number of—

(I) individuals allowed to withdraw their application for admission or voluntarily return to their country of origin;

(II) individuals referred for criminal prosecution; and

(III) individuals receiving any other form of administrative sanction;

(C) for visa overstays—

(i) the number of people that overstay the terms of their admission into the United States, categorized by—

(I) nationality;

(II) type of visa or entry; and

(III) length of time an individual overstayed, including—

(aa) the number of individuals who overstayed less than 180 days;

(bb) the number of individuals who overstayed less than 1 year; and

(cc) the number of individuals who overstayed for 1 year or longer; and

(ii) estimates of the total number of unauthorized aliens in the United States that entered legally and overstayed the terms of their admission;

(D) for interior enforcement—

(i) the number of arrests made by U.S. Immigration and Customs Enforcement for civil violations of immigration laws and the number of arrests made for criminal violations, categorized by Special Agent in Charge field office;

(ii) the legal basis for the arrests pursuant to criminal statutes described in clause (i);

(iii) the ultimate disposition of the arrests described in clause (i);

(iv) the overall number of removals and the number of removals, by nationality;

(v) the overall average length of detention and the length of detention, by nationality; and

(vi) the number of referrals from U.S. Citizenship and Immigration Services to Immigration and Customs Enforcement, and the ultimate outcome of these referrals, including how many resulted in removal proceedings;

(E) for immigration benefits—

(i) the number of applications processed, rejected, and accepted each year for all categories of immigration benefits, categorized by visa type;

(ii) the mean and median processing times for all categories of immigration benefits, categorized by visa type; and

(iii) data relating to fraud uncovered in applications for all categories of immigration benefits, categorized by visa type; and

(F) for the Employment Verification System established under section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a)—

(i) the total number of tentative nonconfirmations (further action notices);

(ii) the number of tentative nonconfirmations issued to workers who were subsequently found to be authorized for employment in the United States;

(iii) the total number of final nonconfirmations;

(iv) the number of final nonconfirmations issued to workers who were subsequently found to be authorized for employment in the United States;

(v) the total number of confirmations; and

(vi) the estimated number of confirmations issued to unauthorized workers.

(d) EARLY WARNING SYSTEM.—Using the data collected by the Office under this section, the Secretary shall establish an early warning system to estimate future illegal immigration, which shall monitor the outcome performance measures described in subsection (c)(2), along with political, economic, demographic, law enforcement, and other trends that may affect such outcomes.

(e) SYSTEMATIC MODELING OF ILLEGAL IMMIGRATION TRENDS.—The Secretary shall provide for the systematic modeling of illegal immigration trends to develop forecast models of illegal immigration flows and estimates for the undocumented population residing within the United States.

(f) EXTERNAL REVIEW OF HOMELAND SECURITY DATA.—

(1) IN GENERAL.—The Secretary, in consultation with the National Academy of Sciences, shall make raw data collected by the Department, including individual-level data subject to the requirements in paragraph (3), on border security, immigration enforcement, and immigration benefits available for research on immigration trends, to—

(A) appropriate academic institutions and centers of excellence;

(B) the Congressional Research Service; and

(C) the Government Accountability Office.

(2) PUBLIC RELEASE OF DATA.—The Secretary shall ensure that data of the Department on border security, immigration enforcement, and immigration benefits is released to the public to the maximum degree permissible under Federal law to increase the confidence of the public in the credibility and objectivity of measurements related to the management and outcomes of immigration and border control processes.

(3) REQUIREMENTS.—In carrying out this subsection, the Secretary, in consultation with the National Academy of Sciences—

(A) shall ensure that the data described in paragraphs (1) and (2) is anonymized to safeguard individual privacy;

(B) may mask location data below the sector, district field office, or special agent in charge office level to protect national security; and

(C) shall not be required to provided classified information to individuals other than to those individuals who have appropriate security clearances.

(g) AVAILABILITY OF FUNDS.—The Secretary may use such sums as may be necessary from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1)—

(1) to establish the Office; and

(2) to produce reports related to securing the border and enforcing the immigration laws of the United States.

SA 1592. Mrs. BOXER (for herself, Ms. LANDRIEU, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 91, line 21, insert after ''agents,'' the following: ''in consultation with the Secretary of Defense, National Guard personnel performing duty to assist U.S. Customs and Border Protection under section 1103(c)(6) of this Act, Coast Guard officers and agents assisting in maritime border enforcement efforts,''

SA 1593. Ms. HEITKAMP (for herself, Mr. LEVIN, Mr. TESTER, and Mr. BAUCUS) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1124. LIMITATION ON RESOURCE SHIFTING FROM NORTHERN BORDER TO SOUTHERN BORDER.

(a) STUDY AND REPORT ON NORTHERN BORDER.—

(1) LIMITATION ON RESOURCE SHIFTING.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), and notwithstanding section 1102(d)or any other provision of this Act, the Secretary may not reduce the levels of Department personnel, resources, technological assets or funding for operations on the Northern border below such levels as of the date of the enactment of this Act, including by reassigning or stationing U.S. Customs and Border Protection Officers and U.S. Border Patrol Agents from the Northern border to the Southern border.

(B) LIMITED PERSONNEL TRANSFER AUTHORITY.—Notwithstanding subparagraph (A), the Secretary may reassign or station personnel from a location along the Northern border to the Southern border if—

(i) the most recent report submitted under paragraph (3) indicates excess personnel exist at such Northern border location beyond what is needed to meet and maintain appropriate staffing levels; and

(ii) the Secretary notifies the appropriate congressional committees and the Governor of each State from which such personnel will be transferred.

(C) TEMPORARY EMERGENCY AUTHORITY.—

(i) IN GENERAL.—The Secretary may transfer personnel from along the Northern border if the Secretary notifies and provides justification to the appropriate congressional committees that an emergency need due to a critical personnel shortage exists in the location or locations where the Secretary proposes to transfer the personnel to, and that the location or locations from which the personnel are to be transferred, has at the time of the proposed transfer a level of personnel that is greater than the level needed to meet and maintain the mission of Department along the Northern Border.

(ii) DURATION OF AUTHORITY.—Any authority exercised under clause (i) shall extend until the next report required under paragraph (3) is submitted, but may be extended for the duration of one or more reporting periods provided that the most recent report so submitted states that the transfer was appropriate and that the border region from which the personnel were transferred currently has a sufficient level of personnel.

(2) STUDY REQUIRED.—

(A) IN GENERAL.—The Secretary shall conduct a study on the Northern border focusing on the following priorities:

(i) Ensuring the efficient flow of cross-border economic and personal traffic between States along the Northern border and Canada.

(ii) Preventing individuals from illegally crossing over the Northern border.

(iii) Preventing the flow of illegal goods and illicit drugs across the Northern Border.

(iv) Ensuring an appropriate level of national security measures is in place to thwart acts of terrorism.

(B) SCOPE.—The study required under this paragraph shall include the following:

(i) An examination of the strategies that the Department is using to secure the border, including an assessment of their current effectiveness and recommendations on how their effectiveness could be enhanced.

(ii) A determination of the appropriate personnel, resource, technological asset, and funding requirements for all Department elements deployed on the Northern border, including interior enforcement. This should include a description of measures the Department needs to take to either meet those needs or shift excess personnel, resources, technological assets, or funding to a different region as well as a description of the challenges the Department faces in meeting the identified needs or shifting excess personnel, resources, technological assets, or funding.

(iii) A State-by-State assessment of the Northern border States and a description of the personnel, resource, technological asset, and funding needs for each location as determined by the Department.

(iv) With respect to the four priorities described in subparagraph (A), a description of the following issues:

(I) The use of technology, including low-altitude radar, ground-based fiber optic sensors, and unmanned aircraft, for each of the Department elements involved in Northern border operations, including whether the elements need additional technological assets.

(II) The impact of operation and maintenance funds on Northern border protection, including whether elements have sufficient operation and maintenance funds to accomplish their missions, and if additional local flexibility regarding funds is needed to accomplish core Department missions.

(III) Strategies for dealing with smuggling operations of illegal goods and illicit drugs, both at ports and in non-port areas.

(IV) Options for the Department to develop and enhance local, State, and tribal partnerships along the Northern border.

(V) The geographic challenges of the Northern border.

(3) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary shall submit to the appropriate congressional committees a report on the study conducted under paragraph (2).

(B) CONTENT.—The report required under subparagraph (A) shall include the following elements:

(i) The findings of the study conducted under paragraph (2).

(ii) Input from other Federal agencies operating in the Northern border States, such as the Bureau of Indian Affairs, the Federal Bureau of Investigations, the Drug Enforcement Agency, the Food and Drug Administration, and the Bureau of Alcohol, Tobacco, Firearms and Explosives, that could be impacted by any reallocation, increase, or decrease of Department personnel, resources, technological assets, or funding along the Northern border.

(iii) A description of any changes along the Southern border that are impacting the Northern border.

(iv) Recommendations for enhancing security along the Northern border.

(v) An explanation of why the Department is not implementing any recommendations contained in the study.

(vi) Recommendations for additional legislation necessary to implement recommendations contained in the study.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on the Judiciary, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Committee on Finance of the Senate; and

(2) the Committee on the Judiciary, the Committee on Homeland Security, the Committee on Appropriations, and the Committee on Ways and Means of the House of Representatives.

SA 1594. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 245B(b) of the Immigration and Nationality Act, as added by section 2101(a) of the amendment, insert after paragraph (3) the following:

''(4) ENGLISH SKILLS.—An alien is not eligible for registered provisional immigrant status unless the alien establishes that the alien meets the requirements of section 245C(b)(4).

SA 1595. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1104, add the following:

(e) BORDER ENFORCEMENT SECURITY TASK FORCE.—

(1) IN GENERAL.—The Secretary shall enhance law enforcement preparedness and operational readiness in the Southwest border region by expanding the Border Enforcement Security Task Force (referred to in this section as ''BEST''), established under section 432 of the Homeland Security Act of 2002 (6 U.S.C. 240).

(2) UNITS TO BE EXPANDED.—The Secretary shall expand the BEST units operating on the date of the enactment of this Act in New Mexico, Texas, Arizona, and California by increasing the funding available for operational, administrative, and technological costs associated with the participation of Federal, State, local, and tribal law enforcement agencies in BEST.

(3) FUNDING.—There are authorized to be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this subsection.

SA 1596. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 79, between lines 3 and 4, insert the following:

(e) ADDITIONAL PERMANENT DISTRICT COURT JUDGESHIPS IN NEW MEXICO.—

(1) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate, 1 additional district judge for the district of New Mexico.

(2) CONVERSION OF TEMPORARY JUDGESHIP TO PERMANENT JUDGESHIP.—The existing judgeship for the district of New Mexico authorized by section 312(c) of the 21st Century Department of Justice Appropriations Authorization Act (28 U.S.C. 133 note; Public Law 107–273; 116 Stat. 1788), as of the effective date of this Act, shall be authorized under section 133 of title 28, United States Code, and the incumbent in that office shall hold the office under section 133 of title 28, United States Code, as amended by this Act.

(3) TECHNICAL AND CONFORMING AMENDMENT.—The table contained in section 133(a) of title 28, United States Code, is amended by striking the item relating to the district of New Mexico and inserting the following:

''New Mexico ..... 8''.

SA 1597. Mr. REID (for Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

SEC. 1124. USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS.

(a) IN GENERAL.—None of the amounts appropriated or otherwise made available under this Act may be used for a project for the construction, alteration, maintenance, or repair of a fence along the Southern border unless all of the iron, steel, and manufactured goods used in the fence are produced in the United States.

(b) WAIVER.—Subsection (a) shall not apply in any case or category of cases in which the head of the Federal department or agency involved finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron, steel, and the relevant manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron, steel, and manufactured goods produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) PUBLICATION OF WAIVER JUSTIFICATION.—If the head of a Federal department or agency determines that it is necessary to waive the application of subsection (a) based on a finding under subsection (b), the head of the department or agency shall publish in the Federal Register a detailed written justification as to why the provision is being waived.

(d) SAVINGS PROVISION.—This section shall be applied in a manner consistent with United States obligations under international agreements.

SA 1598. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 3, line 11, strike ''Act,'' and insert ''Act and carried out all the actions required by clauses (ii), (v), (i), (iii), (iv) of paragraph (2)(A),''.

SA 1599. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 220(g) of the Immigration and Nationality Act, as added by section 4703 of this amendment, strike paragraphs (1) and (2) and insert the following:

''(1) REGISTERED POSITIONS.—

''(A) IN GENERAL.—Subject to paragraphs (3) and (4), the maximum number of registered positions that may be approved by the Secretary for a year is as follows:

''(i) For the first year aliens are admitted as W nonimmigrants, 200,000.

''(ii) For the second such year, 250,000.

''(iii) For the third such year, 300,000.

''(iv) For the fourth such year, 350,000.

''(v) For each year after the fourth such year, the level calculated for that year under paragraph (2).

''(B) DATES.—The first year referred to in subparagraph (A)(i) shall begin on April 1, 2015, and end on March 31, 2016, unless the Secretary determines that such first year shall begin on October 1, 2015, and end on September 30, 2016.

''(2) YEARS AFTER YEAR 4.—

''(A) CURRENT YEAR AND PRECEDING YEAR.—In this paragraph—

''(i) the term current year shall refer to the 12-month period for which the calculation of the numerical limits under this paragraph is being performed; and

''(ii) the term preceding year shall refer to the 12-month period immediately preceding the current year.

''(B) NUMERICAL LIMITATION.—Subject to subparagraph (D), the number of registered positions that may be approved by the Secretary for a year after the fourth year referred to in paragraph (1)(A)(iv) shall be equal to the sum of—

''(i) the number of such registered positions available under this paragraph for the preceding year; and

''(ii) the product of—

''(I) the number of such registered positions available under this paragraph for the preceding year; multiplied by

''(II) the index for the current year calculated under subparagraph (C).

''(C) INDEX.—The index calculated under this subparagraph for a current year equals the sum of—

''(i) one-fifth of a fraction—

''(I) the numerator of which is the number of registered positions that registered employers applied to have approved under subsection (e)(1) for the preceding year minus the number of registered positions approved under subsection (e) for the preceding year; and

''(II) the denominator of which is the number of registered positions approved under subsection (e) for the preceding year;

''(ii) one-fifth of a fraction—

''(I) the numerator of which is the number of registered positions the Commissioner recommends be available under this subparagraph for the current year minus the number of registered positions available under this subsection for the preceding year; and

''(II) the denominator of which is the number of registered positions available under this subsection for the preceding year;

''(iii) three-tenths of a fraction—

''(I) the numerator of which is the number of unemployed United States workers for the preceding year minus the number of unemployed United States workers for the current year; and

''(II) the denominator of which is the number of unemployed United States workers for the preceding year; and

''(iv) three-tenths of a fraction—

''(I) the numerator of which is the number of job openings as set out in the Job Openings and Labor Turnover Survey of the Bureau of Labor Statistics for the current year minus such number of job openings for the preceding year; and

''(II) the denominator of which is the number of such job openings for the preceding year;

''(D) MINIMUM AND MAXIMUM LEVELS.—The number of registered positions calculated under subparagraph (B) for a 12-month period may not be less than 200,000 nor more than 400,000.''.

SA 1600. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1369, strike lines 1 through 16, and insert the following:

''(III) SYSTEM PARTICIPATION EXEMPTION FOR SMALL EMPLOYERS FOLLOWING PERSISTENT SYSTEM INACCURACIES.—Notwithstanding paragraph (2)(G), in any calendar year following a report by the Inspector General under subclause (I) that the System had an error rate higher than 0.3 percent for the previous fiscal year, employers with 50 or fewer employees shall not be required to participate in the System.

SA 1601. Mr. RISCH (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SMALL BUSINESS FAIRNESS AND REGULATORY TRANSPARENCY.

Section 609(d) of title 5, United States Code, is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(4) the Department of Homeland Security.''.

SA 1602. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. OFFICER FOR CIVIL RIGHTS AND CIVIL LIBERTIES.

Section 705 of the Homeland Security Act of 2002 (6 U.S.C. 345) is amended—

(1) in subsection (a), by striking paragraph (6) and inserting the following:

''(6) investigate complaints and information indicating possible abuses of civil rights or civil liberties by employees and officials of the Department or that are related to Departmental activities (unless the Inspector General of the Department determines that such a complaint or such information should be investigated by the Inspector General) and, using the information gained by such investigations, make recommendations to the Secretary and directorates, offices, and other components of the Department for improvements in policy, supervision, training, and practice related to civil rights or civil liberties, or for the relevant office to review the matter and take appropriate disciplinary or other action.'';

(2) by redesignating subsection (b) as subsection (e);

(3) by inserting after subsection (a) the following:

''(b) INVESTIGATION OF COMPLAINTS.—The head of each directorate, office, or component of the Department and the head of any other executive agency shall ensure that the directorate, office, or component provides the Officer for Civil Rights and Civil Liberties with speedy access, and in no event later than 30 days after the date on which the directorate, office, or component receives a request from the Officer, to any information determined by the Officer to be relevant to the exercise of the duties and responsibilities under subsection (a) or to any investigation carried out under this section, whether by providing relevant documents or access to facilities or personnel.

''(c) SUBPOENAS.—

''(1) IN GENERAL.—In carrying out the duties and responsibilities under subsection (a) or as part of an investigation carried out under this section, the Officer for Civil Rights and Civil Liberties may require by subpoena access to—

''(A) any institution or entity outside of the Federal Government that is the subject of or related to an investigation under this section; and

''(B) any individual, document, record, material, file, report, memorandum, policy, procedure, investigation, video or audio recording or other media, or quality assurance report relating to any institution or entity outside of the Federal Government that is the subject of or related to an investigation under this section.

''(2) ISSUANCE AND SERVICE.—A subpoena issued under this subsection shall—

''(A) bear the signature of the Officer for Civil Rights and Civil Liberties; and

''(B) be served by any person or class of persons designated by the Officer or an officer or employee designated for that purpose.

''(3) ENFORCEMENT.—In the case of contumacy or failure to obey a subpoena issued under this subsection, the United States district court for the judicial district in which the institution, entity, or individual is located may issue an order requiring compliance. Any failure to obey the order of the court may be punished by the court as contempt of that court.

''(4) USE OF INFORMATION.—Any material obtained under a subpoena issued under this subsection—

''(A) may not be used for any purpose other than a purpose set forth in subsection (a);

''(B) may not be transmitted by or within the Department for any purpose other than a purpose set forth in subsection (a); and

''(C) shall be redacted, obscured, or otherwise altered if used in any publicly available manner to the extent necessary to prevent the disclosure of any personally identifiable information.

''(d) RECOMMENDATIONS.—For any final recommendation or finding made under this section by the Officer for Civil Rights and Civil Liberties to the Secretary or a directorate, office, or other component of the Department—

''(1) the Secretary shall ensure that the Department—

''(A) responds to the recommendation or finding within 30 days after the date on which the Officer communicates the recommendation or finding; and

''(B) within 60 days after the date on which the Officer communicates the recommendation or finding, provides the Officer with a plan for implementation of the recommendation or finding;

''(2) within 30 days after the date on which the Officer receives an implementation plan under paragraph (1), the Officer shall assess the plan and determine whether the plan sufficiently addresses the underlying recommendation;

''(3) if the Officer determines under paragraph (2) that an implementation plan is insufficient, the Secretary shall ensure that the Department submits a revised implementation plan that complies with the underlying recommendation within 30 days after

the date on which the Officer communicates the determination; and

''(4) absent any provision of law to the contrary, the Officer shall provide the complainant with a summary of any findings or recommendations made under this section by the Officer, which shall be redacted, obscured, or otherwise altered to protect the disclosure of any personally identifiable information, other than the complainant's.''; and

(4) in subsection (e), as so redesignated—

(A) by striking ''The Secretary shall'' and inserting the following:

''(1) IN GENERAL.—The Secretary shall'';

(B) by striking ''and the appropriate committees and subcommittees of Congress'' and inserting ''the appropriate committees and subcommittees of Congress, and the Privacy and Civil Liberties Oversight Board established under section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee)'';

(C) by striking '', and detailing any allegations'' and all that follows through ''such allegations.'' and inserting ''and a compilation of the information provided in the quarterly reports under paragraph (2).''; and

(D) by adding at the end the following:

''(2) QUARTERLY REPORTS.—

''(A) IN GENERAL.—The Officer for Civil Rights and Civil Liberties shall submit to the President of the Senate, the Speaker of the House of Representatives, the appropriate committees and subcommittees of Congress, and the Privacy and Civil Liberties Oversight Board established under section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), on a quarterly basis, a report detailing—

''(i) each nonfrivolous allegation of abuse received by the Officer during the quarter covered by the report; and

''(ii) each final recommendation made or carried out under subsection (a) that was completed during the quarter covered by the report.

''(B) CONTENTS.—Each report under this paragraph shall detail—

''(i) for each allegation described in subparagraph (A)(i) subject to a completed investigation, any final recommendation made by the Officer for Civil Rights and Civil Liberties and any action or response taken by the Department in response; and

''(ii) any matter or investigation carried out under this section that has been open or pending for more than 2 years.

''(3) INFORMING THE PUBLIC.—The Officer for Civil Rights and Civil Liberties shall—

''(A) make each report submitted under this subsection available to the public to the greatest extent that is consistent with the protection of classified information and applicable law; and

''(B) otherwise inform the public of the activities of the Officer, as appropriate and in a manner consistent with the protection of classified information and applicable law.''.

SA 1603. Mrs. MURRAY (for herself and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON RESTRAINTS ON PREGNANT DETAINEES.

(a) PROHIBITION ON RESTRAINT OF PREGNANT DETAINEES.—

(1) PROHIBITION.—A detention facility shall not use restraints on a detainee known to be pregnant, including during labor, transport to a medical facility or birthing center, delivery, and postpartum recovery, unless the facility administrator makes an individualized determination that the detainee presents an extraordinary circumstance as described in paragraph (2).

(2) EXTRAORDINARY CIRCUMSTANCE.—Restraints for an extraordinary circumstance are only permitted if a medical officer has directed the use of restraints for medical reasons or if the facility administrator makes an individualized determination that—

(A) credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff or others; or

(B) reasonable grounds exist to believe the detainee presents an immediate and credible risk of escape that cannot be reasonably minimized through any other method.

(3) REQUIREMENT FOR LEAST RESTRICTIVE RESTRAINTS.—In the rare event that one of the extraordinary circumstances in paragraph (2) applies, medical staff shall determine the safest method and duration for the use of restraints and the least restrictive restraints necessary shall be used for a pregnant detainee, except that—

(A) if a doctor, nurse, or other health professional treating the detainee requests that restraints not be used, the detention officer accompanying the detainee shall immediately remove all restraints;

(B) under no circumstance shall leg or waist restraints be used;

(C) under no circumstance shall wrist restraints be used to bind the detainee's hands behind her back; and

(D) under no circumstances shall any restraints be used on any detainee in labor or childbirth.

(4) RECORD OF EXTRAORDINARY CIRCUMSTANCES.—

(A) REQUIREMENT.—If restraints are used on a detainee pursuant to paragraph (2), the facility administrator shall make a written finding within 10 days as to the extraordinary circumstance that dictated the use of the restraints.

(B) RETENTION.—A written find made under subparagraph (A) shall be kept on file by the detention facility for at least 5 years and be made available for public inspection, except that no individually identifying information of any detainee shall be made public without the detainee's prior written consent.

(b) PROHIBITION ON PRESENCE OF DETENTION OFFICERS DURING LABOR OR CHILDBIRTH.—Upon a detainee's admission to a medical facility or birthing center for labor or childbirth, no detention officer shall be present in the room during labor or childbirth, unless specifically requested by medical personnel. If a detention officer's presence is requested by medical personnel, the detention officer shall be female, if practicable. If restraints are used on a detainee pursuant to subsection (a)(2), a detention officer shall remain immediately outside the room at all times so that the officer may promptly remove the restraints if requested by medical personnel, as required by subsection (a)(3)(A).

(c) DEFINITIONS.—In this section:

(1) DETAINEE.—The term ''detainee'' includes any adult or juvenile person detained under the Immigration and Nationality Act (8 U.S.C. 1101) or held by any Federal, State, or local law enforcement agency under an immigration detainer.

(2) DETENTION FACILITY.—The term ''detention facility'' means a Federal, State, or local government facility, or a privately owned and operated facility, that is used, in whole or in part, to hold individuals under the authority of the Director of U.S. Immigration and Customs Enforcement or the Commissioner of U.S. Customs and Border Protection, including facilities that hold such individuals under a contract or agreement with the Director or Commissioner, or that is used, in whole or in part, to hold individuals pursuant to an immigration detainer.

(3) FACILITY ADMINISTRATOR.—The term ''facility administrator'' means the official that is responsible for oversight of a detention facility or the designee of such official.

(4) LABOR.—The term ''labor'' means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix.

(5) POSTPARTUM RECOVERY.—The term ''postpartum recovery'' mean, as determined by her physician, the period immediately following delivery, including the entire period a woman is in the hospital or infirmary after birth.

(6) RESTRAINT.—The term ''restraint'' means any physical restraint or mechanical device used to control the movement of a detainee's body or limbs, including flex cuffs, soft restraints, hard metal handcuffs, a black box, Chubb cuffs, leg irons, belly chains, a security (tether) chain, or a convex shield.

(d) ANNUAL REPORT.—

(1) REQUIREMENT.—Not later than 30 days before the end of each fiscal year, the facility administrator of each detention facility in whose custody a pregnant detainee had been subject to the use of restraints during the previous fiscal year shall submit to the Secretary a written report that includes an account of every instance of such a use of restraints. No such report may contain any individually identifying information of any detainee.

(2) PUBLIC INSPECTION.—Each report submitted under paragraph (1) shall be made available for public inspection.

(e) RULEMAKING.—The Secretary shall adopt regulations or policies to carry out this section at every detention facility.

SA 1604. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 245B(d)(2)(A) of the Immigration and Nationality Act, as added by section 2101 of the bill, strike the matter preceding clause (i) and insert the following:

''(A) IN GENERAL.—The Secretary shall immediately revoke the status of a registered provisional immigrant, after providing appropriate notice to the alien, if the alien—

SA 1605. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 3701(c), strike paragraph (2) and insert the following:

(d) MANDATORY DETENTION AND EXPEDITED REMOVAL OF CERTAIN CRIMINAL ALIENS.—

(1) MANDATORY DETENTION.—Section 236(c) (8 U.S.C. 1226(c)) is amended—

(A) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(B) in paragraph (1)—

(i) in subparagraph (B), by striking ''section 237(a)(2)(A)(ii), (A)(iii), (B), (C), or (D),'' and inserting ''subparagraph (A)(ii), (A)(iii), (B), (C), (D), (E), or (G) of section 237(a)(2);''; and

(ii) in subparagraph (C), by striking ''sentence'' and inserting ''sentenced''.

(2) EXPEDITED REMOVAL.—Section 238 (8 U.S.C. 1228) is amended—

(A) by striking the section heading and inserting the following:

''SEC. 238. EXPEDITED REMOVAL PROCEEDINGS FOR ALIENS CONVICTED OF SERIOUS CRIMINAL OFFENSES.'';

(B) by striking ''Attorney General'' each place such term appears and insert ''Secretary of Homeland Security'';

(C) in subsection (a)—

(i) by striking paragraph (3);

(ii) by redesignating paragraph (2) as paragraph (3); and

(iii) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—The Secretary of Homeland Security shall provide for special removal proceedings at certain Federal, State, and local correctional facilities for any alien convicted of—

''(A) any criminal offense set forth in subparagraph (A)(iii), (B), (C), (D), (E), or (G) of section 237(a)(2); or

''(B) 2 or more crimes involving moral turpitude, as described in clause (ii) of section 237(a)(2)(A), for which both predicate offenses are, without regard to the date of their commission, otherwise described in clause (i) of such section.

''(2) CONDUCT OF PROCEEDINGS.—

''(A) IN GENERAL.—Except as otherwise provided in this section, removal proceedings authorized under this section—

''(i) shall be conducted in accordance with section 240;

''(ii) shall eliminate the need for additional detention at any U.S. Immigration and Customs Enforcement processing center; and

''(iii) shall ensure the expeditious removal of the alien following the alien's incarceration for the underlying crime.

''(B) SAVINGS PROVISIONS.—Nothing in this paragraph may be construed—

''(i) to create any substantive or procedural right or benefit that is legally enforceable by any party against the United States, its agencies or officers, or any other person; or

''(ii) to require the Secretary of Homeland Security to effect the removal of any alien sentenced to actual incarceration before the alien is scheduled to be released from incarceration for the underlying crime.''; and

(D) by striking subsection (c), as redesignated by section 671(b)(13) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208), and inserting the following:

''(6) An alien convicted of an offense for which an element was active participation in a criminal street gang, an aggravated felony, or a crime of domestic violence or child abuse shall be conclusively presumed to be deportable from the United States.''.

(3) CLERICAL AMENDMENT.—The table of contents is amended by striking the item relating to section 238 and inserting the following:

''Sec. 238. Expedited removal proceedings for aliens convicted of serious criminal offenses.''.

SA 1606. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title III, add the following:

SEC. 3722. LISTING OF IMMIGRATION VIOLATORS IN THE NATIONAL CRIME INFORMATION CENTER DATABASE.

(a) PROVISION OF INFORMATION TO THE NCIC.—Not later than 180 days after the last day of the application period for registered provisional immigrant status, as specified in section 245B(c)(3) of the Immigration and Nationality Act, as added by section 2101 of this Act, and periodically thereafter as updates may require, the Secretary shall provide the National Crime Information Center of the Department of Justice with all the information in the possession of the Secretary regarding—

(1) any alien against whom a final order of removal has been issued;

(2) any alien who has entered into a voluntary departure agreement;

(3) any alien who has overstayed his or her authorized period of stay; and

(4) any alien whose visa has been revoked.

(b) INCLUSION OF INFORMATION IN IMMIGRATION VIOLATORS FILE.—The Secretary and the Attorney General shall establish a system for ensuring that the information provided pursuant to subsection (a) for entry into the Immigration Violators File of the National Crime Information Center database is updated regularly to reflect whether—

(1) the alien received notice of a final order of removal;

(2) the alien has already been removed; or

(3) the legal status of the alien has otherwise changed.

(c) CONFORMING AMENDMENT.—

(1) IN GENERAL.—Section 534(a) of title 28, United States Code, is amended—

(A) in paragraph (3), by striking ''and'' at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

''(4) acquire, collect, classify, and preserve records of violations by aliens of the immigration laws of the United States, regardless of whether any such alien has received notice of the violation or whether sufficient identifying information is available with respect to any such alien or whether any such alien has already been removed from the United States; and''.

(2) EFFECTIVE DATE.—The Attorney General and the Secretary shall ensure that the amendment made by paragraph (1) is implemented not later than 6 months after the last day of the application period for registered provisional immigrant status.

(d) TECHNOLOGY ACCESS.—States shall have access to Federal programs or technology directed broadly at identifying inadmissible or deportable aliens.

SEC. 3723. STATE AND LOCAL LAW ENFORCEMENT PROVISION OF INFORMATION ABOUT APPREHENDED ALIENS.

(a) PROVISION OF INFORMATION.—As a condition of receiving compensation for the incarceration of undocumented criminal aliens pursuant to section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)), grants under the ''Cops on the Beat'' program authorized under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.), or other law enforcement grants from the Department or the Department of Justice, each State, and each political subdivision of a State, shall, in a timely manner, provide the Secretary with the information specified in subsection (b) with respect to each alien who is arrested by law enforcement officers in the course of carrying out the officers' routine law enforcement duties in the jurisdiction of the State, or in the political subdivision of the State, who is believed to be inadmissible or deportable.

(b) INFORMATION REQUIRED.—The information required under this subsection is—

(1) the alien's name;

(2) the alien's address or place of residence;

(3) a physical description of the alien;

(4) the date, time, and location of the encounter with the alien and the reason for arresting the alien;

(5) the alien's driver's license number, if applicable, and the State of issuance of such license;

(6) the type of any other identification document issued to the alien, if applicable, any designation number contained on the identification document, and the issuing entity for the identification document;

(7) the license plate number, make, and model of any automobile registered to, or driven by, the alien, if applicable;

(8) a photo of the alien, if available or readily obtainable; and

(9) the alien's fingerprints, if available or readily obtainable.

(c) ANNUAL REPORT ON REPORTING.—The Secretary shall maintain, and annually submit to the Congress, a detailed report listing the States, or the political subdivisions of States, that have provided information under subsection (a) in the preceding year.

(d) REIMBURSEMENT.—The Secretary shall reimburse States, and political subdivisions of a State, for all reasonable costs, as determined by the Secretary, incurred by the State, or the political subdivision of a State, as a result of providing information under subsection (a).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(f) RULE OF CONSTRUCTION.—Nothing in this section may be construed to require law enforcement officials of a State, or of a political subdivision of a State, to provide the Secretary with information related to a victim of a crime or witness to a criminal offense.

(g) EFFECTIVE DATE.—This section shall—

(1) take effect on the date that is 120 days after the last day of the application period for registered provisional immigrant status; and

(2) apply with respect to aliens apprehended on or after such date.

SEC. 3724. STATE VIOLATIONS OF ENFORCEMENT OF IMMIGRATION LAWS.

(a) IN GENERAL.—Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended—

(1) by striking ''Immigration and Naturalization Service'' each place it appears and inserting ''Department of Homeland Security'';

(2) in subsection (a), by striking ''may'' and inserting ''shall'';

(3) in subsection (b)—

(A) by striking ''no person or agency may'' and inserting ''a person or agency shall not'';

(B) by striking ''doing any of the following with respect to information'' and inserting ''undertaking any of the following law enforcement activities''; and

(C) by striking paragraphs (1) through (3) and inserting the following:

''(1) Notifying the Federal Government regarding the presence of inadmissible and deportable aliens who are encountered by law enforcement personnel of a State or political subdivision of a State.

''(2) Complying with requests for immigration-related information from Federal law enforcement.

''(3) Complying with detainers issued by the Department of Homeland Security.

''(4) Issuing policies in the form of a resolutions, ordinances, administrative actions, general or special orders, or departmental policies that violate Federal immigration law or restrict a State or political subdivision of a State from complying with Federal immigration law or coordinating with Federal immigration law enforcement.''; and

(4) by adding at the end the following:

''(d) COMPLIANCE.—

''(1) IN GENERAL.—A State, or a political subdivision of a State, that has in effect a statute, policy, or practice that prohibits law enforcement officers of the State, or of a political subdivision of the State, from assisting or cooperating with Federal immigration law enforcement in the course of carrying out the officers' routine law enforcement duties shall not be eligible to receive, for a minimum period of 1 year—

''(A) any of the funds that would otherwise be allocated to the State or political subdivision under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) or the 'Cops on the Beat' program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.); or

''(B) any other law enforcement or Department of Homeland Security grant.

''(2) ANNUAL DETERMINATION AND REPORT.—The Secretary shall—

''(A) annually determine which States or political subdivisions of a State are ineligible for certain Federal funding pursuant to paragraph (1); and

''(B) submit a report to Congress by March 1st of each year that lists such States and political subdivisions.

''(3) OTHER REPORTS.—The Attorney General shall issue a report concerning the compliance of any particular State or political subdivision at the request of the Committee on the Judiciary of the Senate or the Committee on the Judiciary of the House of Representatives.

''(4) CERTIFICATION.—Any jurisdiction that is described in paragraph (1) shall be ineligible to receive Federal financial assistance described in paragraph (1) until after the Attorney General certifies that the jurisdiction no longer prohibits its law enforcement officers from assisting or cooperating with Federal immigration law enforcement.

''(5) REALLOCATION.—Any funds that are not allocated to a State or to a political subdivision of a State pursuant to paragraph (1) shall be reallocated to States, or to political subdivisions of States, that comply with such subsection.

''(e) CONSTRUCTION.—Nothing in this section shall require law enforcement officials from States, or from political subdivisions of States, to report or arrest victims or witnesses of a criminal offense.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, except that subsection (d) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373), as added by this section, shall take effect beginning on the date that is 1 year after the date of the enactment of this Act.

SA 1607. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

Strike section 3103 and inserting the following:

SEC. 3103. EXTENSION OF IDENTITY THEFT OFFENSES.

(a) FRAUD AND RELATED ACTIVITIES RELATING TO IDENTIFICATION DOCUMENTS.—Section 1028 of title 18, United States Code, is amended in subsection (a)(7), by striking ''of another person'' and inserting ''that is not his or her own''.

(b) AGGRAVATED IDENTITY THEFT.—Section 1028A(a) of title 18, United States Code, is amended by striking ''of another person'' both places it appears and inserting ''that is not his or her own''.

At the end of section 3301(b), add the following:

(8) $300,000,000 to carry out title III and subtitles D and G of title IV and the amendments made by title III and such subtitles.

At the end of subtitle C of title III, add the following:

SEC. 3307. WAIVER OF FEDERAL LAWS WITH RESPECT TO BORDER SECURITY ACTIONS ON DEPARTMENT OF THE INTERIOR AND DEPARTMENT OF AGRICULTURE LANDS.

(a) PROHIBITION ON SECRETARIES OF THE INTERIOR AND AGRICULTURE.—The Secretary of the Interior or the Secretary of Agriculture shall not impede, prohibit, or restrict activities of U.S. Customs and Border Protection on Federal land located within 100 miles of an international land border that is under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture, to execute search and rescue operations and to prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States.

(b) AUTHORIZED ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION.—U.S. Customs and Border Protection shall have immediate access to Federal land within 100 miles of the international land border under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture for purposes of conducting the following activities on such land that prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States:

(1) Construction and maintenance of roads.

(2) Construction and maintenance of barriers.

(3) Use of vehicles to patrol, apprehend, or rescue.

(4) Installation, maintenance, and operation of communications and surveillance equipment and sensors.

(5) Deployment of temporary tactical infrastructure.

(c) CLARIFICATION RELATING TO WAIVER AUTHORITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law (including any termination date relating to the waiver referred to in this subsection), the waiver by the Secretary of Homeland Security on April 1, 2008, under section 102(c)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note; Public Law 104–208) of the laws described in paragraph (2) with respect to certain sections of the international border between the United States and Mexico and between the United States and Canada shall be considered to apply to all Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture within 100 miles of the international land borders of the United States for the activities of U.S. Customs and Border Protection described in subsection (c).

(2) DESCRIPTION OF LAWS WAIVED.—The laws referred to in paragraph (1) are limited to the Wilderness Act (16 U.S.C. 1131 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), Public Law 86–523 (16 U.S.C. 469 et seq.), the Act of June 8, 1906 (commonly known as the ''Antiquities Act of 1906''; 16 U.S.C. 431 et seq.), the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act''), the National Park Service Organic Act (16 U.S.C. 1 et seq.), the General Authorities Act of 1970 (Public Law 91–383) (16 U.S.C. 1a-1 et seq.), sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Public Law 95–625, 92 Stat. 3467), and the Arizona Desert Wilderness Act of 1990 (16 U.S.C. 1132 note; Public Law 101–628).

(d) PROTECTION OF LEGAL USES.—This section shall not be construed to provide—

(1) authority to restrict legal uses, such as grazing, hunting, mining, or public-use recreational and backcountry airstrips on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture; or

(2) any additional authority to restrict legal access to such land.

(e) EFFECT ON STATE AND PRIVATE LAND.—This Act shall—

(1) have no force or effect on State or private lands; and

(2) not provide authority on or access to State or private lands.

(f) TRIBAL SOVEREIGNTY.—Nothing in this section supersedes, replaces, negates, or diminishes treaties or other agreements between the United States and Indian tribes.

(g) REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of Homeland Security shall submit to the appropriate committees of Congress a report describing the extent to which implementation of this section has affected the operations of U.S. Customs and Border Protection in the year preceding the report.

Strike subtitle G of title III and insert the following:

Subtitle G—Interior Enforcement

SEC. 3700. SHORT TITLE.

This subtitle may be cited as the ''Strengthen and Fortify Enforcement Act'' or the ''SAFE Act''.

CHAPTER 1—IMMIGRATION LAW ENFORCEMENT BY STATES AND LOCALITIES

SEC. 3701. DEFINITION AND SEVERABILITY.

(a) STATE DEFINED.—For the purposes of this chapter, the term ''State'' has the meaning given to such term in section 101(a)(36) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(36)).

(b) SEVERABILITY.—If any provision of this chapter, or the application of such provision to any person or circumstance, is held invalid, the remainder of this chapter, and the application of such provision to other persons not similarly situated or to other circumstances, shall not be affected by such invalidation.

SEC. 3702. IMMIGRATION LAW ENFORCEMENT BY STATES AND LOCALITIES.

(a) IN GENERAL.—Subject to section 274A(h)(2) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(2)), States, or political subdivisions of States, may enact, implement and enforce criminal penalties that penalize the same conduct that is prohibited in the criminal provisions of immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))), as long as the criminal penalties do not exceed the relevant Federal criminal penalties. States, or political subdivisions of States, may enact, implement and enforce civil penalties that penalize the same conduct that is prohibited in the civil violations of immigration laws (as defined in such section 101(a)(17)), as long as the civil penalties do not exceed the relevant Federal civil penalties.

(b) LAW ENFORCEMENT PERSONNEL.—Law enforcement personnel of a State, or of a political subdivision of a State, may investigate, identify, apprehend, arrest, detain, or transfer to Federal custody aliens for the purposes of enforcing the immigration laws of the United States to the same extent as Federal law enforcement personnel. Law enforcement personnel of a State, or of a political subdivision of a State, may also investigate, identify, apprehend, arrest, or detain aliens for the purposes of enforcing the immigration laws of a State or of a political subdivision of State, as long as those immigration laws are permissible under this section. Law enforcement personnel of a State, or of a political subdivision of a State, may not remove aliens from the United States.

SEC. 3703. LISTING OF IMMIGRATION VIOLATORS IN THE NATIONAL CRIME INFORMATION CENTER DATABASE.

(a) PROVISION OF INFORMATION TO THE NCIC.—Not later than 180 days after the date of the enactment of this Act and periodically thereafter as updates may require, the Secretary shall provide the National Crime Information Center of the Department of Justice with all information that the Secretary may possess regarding any alien against whom a final order of removal has been issued, any alien who has entered into a voluntary departure agreement, any alien who has overstayed their authorized period of stay, and any alien whose visas has been revoked. The National Crime Information Center shall enter such information into the Immigration Violators File of the National Crime Information Center database, regardless of whether—

(1) the alien received notice of a final order of removal;

(2) the alien has already been removed; or

(3) sufficient identifying information is available with respect to the alien.

(b) INCLUSION OF INFORMATION IN THE NCIC DATABASE.—

(1) IN GENERAL.—Section 534(a) of title 28, United States Code, is amended—

(A) in paragraph (3), by striking ''and'' at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

''(4) acquire, collect, classify, and preserve records of violations by aliens of the immigration laws of the United States, regardless of whether any such alien has received notice of the violation or whether sufficient identifying information is available with respect to any such alien or whether any such alien has already been removed from the United States; and''.

(2) EFFECTIVE DATE.—The Attorney General and the Secretary shall ensure that the amendment made by paragraph (1) is implemented by not later than 6 months after the date of the enactment of this Act.

SEC. 3704. TECHNOLOGY ACCESS.

States shall have access to Federal programs or technology directed broadly at identifying inadmissible or deportable aliens.

SEC. 3705. STATE AND LOCAL LAW ENFORCEMENT PROVISION OF INFORMATION ABOUT APPREHENDED ALIENS.

(a) PROVISION OF INFORMATION.—In compliance with section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) and section 434 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1644), each State, and each political subdivision of a State, shall provide the Secretary in a timely manner with the information specified in subsection (b) with respect to each alien apprehended in the jurisdiction of the State, or in the political subdivision of the State, who is believed to be inadmissible or deportable.

(b) INFORMATION REQUIRED.—The information referred to in subsection (a) is as follows:

(1) The alien's name.

(2) The alien's address or place of residence.

(3) A physical description of the alien.

(4) The date, time, and location of the encounter with the alien and reason for stopping, detaining, apprehending, or arresting the alien.

(5) If applicable, the alien's driver's license number and the State of issuance of such license.

(6) If applicable, the type of any other identification document issued to the alien, any designation number contained on the identification document, and the issuing entity for the identification document.

(7) If applicable, the license plate number, make, and model of any automobile registered to, or driven by, the alien.

(8) A photo of the alien, if available or readily obtainable.

(9) The alien's fingerprints, if available or readily obtainable.

(c) ANNUAL REPORT ON REPORTING.—The Secretary shall maintain and annually submit to the Congress a detailed report listing the States, or the political subdivisions of States, that have provided information under subsection (a) in the preceding year.

(d) REIMBURSEMENT.—The Secretary shall reimburse States, and political subdivisions of a State, for all reasonable costs, as determined by the Secretary, incurred by the State, or the political subdivision of a State, as a result of providing information under subsection (a).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(f) CONSTRUCTION.—Nothing in this section shall require law enforcement officials of a State, or of a political subdivision of a State, to provide the Secretary with information related to a victim of a crime or witness to a criminal offense.

(g) EFFECTIVE DATE.—This section shall take effect on the date that is 120 days after the date of the enactment of this Act and shall apply with respect to aliens apprehended on or after such date.

SEC. 3706. FINANCIAL ASSISTANCE TO STATE AND LOCAL POLICE AGENCIES THAT ASSIST IN THE ENFORCEMENT OF IMMIGRATION LAWS.

(a) GRANTS FOR SPECIAL EQUIPMENT FOR HOUSING AND PROCESSING CERTAIN ALIENS.—From amounts made available to make grants under this section, the Secretary shall make grants to States, and to political subdivisions of States, for procurement of equipment, technology, facilities, and other products that facilitate and are directly related to investigating, apprehending, arresting, detaining, or transporting aliens who are inadmissible or deportable, including additional administrative costs incurred under this chapter.

(b) ELIGIBILITY.—To be eligible to receive a grant under this section, a State, or a political subdivision of a State, must have the authority to, and shall have a written policy and a practice to, assist in the enforcement of the immigration laws of the United States in the course of carrying out the routine law enforcement duties of such State or political subdivision of a State. Entities covered under this section may not have any policy or practice that prevents local law enforcement from inquiring about a suspect's immigration status.

(c) FUNDING.—There is authorized to be appropriated for grants under this section such sums as may be necessary for fiscal year 2014 and each subsequent fiscal year.

(d) GAO AUDIT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an audit of funds distributed to States, and to political subdivisions of a State, under subsection (a).

SEC. 3707. INCREASED FEDERAL DETENTION SPACE.

(a) CONSTRUCTION OR ACQUISITION OF DETENTION FACILITIES.—

(1) IN GENERAL.—The Secretary shall construct or acquire, in addition to existing facilities for the detention of aliens, detention facilities in the United States, for aliens detained pending removal from the United States or a decision regarding such removal. Each facility shall have a number of beds necessary to effectuate this purposes of this chapter.

(2) DETERMINATIONS.—The location of any detention facility built or acquired in accordance with this subsection shall be determined by the Secretary.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 241(g)(1) of the Immigration and Nationality Act (8 U.S.C. 1231(g)(1)) is amended by striking ''may expend'' and inserting ''shall expend''.

SEC. 3708. FEDERAL CUSTODY OF INADMISSIBLE AND DEPORTABLE ALIENS IN THE UNITED STATES APPREHENDED BY STATE OR LOCAL LAW ENFORCEMENT.

(a) STATE APPREHENSION.—

(1) IN GENERAL.—Title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.) is amended by inserting after section 240C the following:

''CUSTODY OF INADMISSIBLE AND DEPORTABLE ALIENS PRESENT IN THE UNITED STATES

''SEC. 240D. (a) TRANSFER OF CUSTODY BY STATE AND LOCAL OFFICIALS.—If a State, or a political subdivision of the State, exercising authority with respect with respect to the apprehension or arrest of an inadmissible or deportable alien submits to the Secretary of Homeland Security a request that the alien be taken into Federal custody, notwithstanding any other provision of law, regulation, or policy the Secretary—

''(1) shall take the alien into custody not later than 48 hours after the detainer has been issued following the conclusion of the State or local charging process or dismissal process, or if no State or local charging or dismissal process is required, the Secretary should issue a detainer and take the alien into custody not later than 48 hours after the alien is apprehended; and

''(2) shall request that the relevant State or local law enforcement agency temporarily hold the alien in their custody or transport the alien for transfer to Federal custody.

''(b) POLICY ON DETENTION IN FEDERAL, CONTRACT, STATE, OR LOCAL DETENTION FACILITIES.—In carrying out section 241(g)(1), the Attorney General or Secretary of Homeland Security shall ensure that an alien arrested under this title shall be held in custody, pending the alien's examination under this section, in a Federal, contract, State, or local prison, jail, detention center, or other comparable facility. Notwithstanding any other provision of law, regulation or policy, such facility is adequate for detention, if—

''(1) such a facility is the most suitably located Federal, contract, State, or local facility available for such purpose under the circumstances;

''(2) an appropriate arrangement for such use of the facility can be made; and

''(3) the facility satisfies the standards for the housing, care, and security of persons held in custody by a United States Marshal.

''(c) REIMBURSEMENT.—The Secretary of Homeland Security shall reimburse a State, and a political subdivision of a State, for all reasonable expenses, as determined by the Secretary, incurred by the State, or political subdivision, as a result of the incarceration and transportation of an alien who is inadmissible or deportable as described in subsections (a) and (b). Compensation provided for costs incurred under such subsections shall be the average cost of incarceration of a prisoner in the relevant State, as determined by the chief executive officer of a State, or of a political subdivision of a State, plus the cost of transporting the alien from the point of apprehension to the place of detention, and to the custody transfer point if the place of detention and place of custody are different.

''(d) SECURE FACILITIES.—The Secretary of Homeland Security shall ensure that aliens incarcerated pursuant to this title are held in facilities that provide an appropriate level of security.

''(e) TRANSFER.—

''(1) IN GENERAL.—In carrying out this section, the Secretary of Homeland Security shall establish a regular circuit and schedule for the prompt transfer of apprehended aliens from the custody of States, and political subdivisions of a State, to Federal custody.

''(2) CONTRACTS.—The Secretary may enter into contracts, including appropriate private contracts, to implement this subsection.''.

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 240C the following new item:

''Sec. 240D. Custody of aliens unlawfully present in the United States.''.

(b) GAO AUDIT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an audit of compensation to States, and to political subdivisions of a State, for the incarceration of inadmissible or deportable aliens under section 240D(a) of the Immigration and Nationality Act (as added by subsection (a)(1)).

(c) EFFECTIVE DATE.—Section 240D of the Immigration and Nationality Act, as added by subsection (a), shall take effect on the date of the enactment of this Act, except that subsection (e) of such section shall take effect on the date that is 120 day after the date of the enactment of this Act.

SEC. 3709. TRAINING OF STATE AND LOCAL LAW ENFORCEMENT PERSONNEL RELATING TO THE ENFORCEMENT OF IMMIGRATION LAWS.

(a) ESTABLISHMENT OF TRAINING MANUAL AND POCKET GUIDE.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish—

(1) a training manual for law enforcement personnel of a State, or of a political subdivision of a State, to train such personnel in the investigation, identification, apprehension, arrest, detention, and transfer to Federal custody of inadmissible and deportable aliens in the United States (including the transportation of such aliens across State lines to detention centers and the identification of fraudulent documents); and

(2) an immigration enforcement pocket guide for law enforcement personnel of a State, or of a political subdivision of a State, to provide a quick reference for such personnel in the course of duty.

(b) AVAILABILITY.—The training manual and pocket guide established in accordance with subsection (a) shall be made available to all State and local law enforcement personnel.

(c) APPLICABILITY.—Nothing in this section shall be construed to require State or local law enforcement personnel to carry the training manual or pocket guide with them while on duty.

(d) COSTS.—The Secretary shall be responsible for any costs incurred in establishing the training manual and pocket guide.

(e) TRAINING FLEXIBILITY.—

(1) IN GENERAL.—The Secretary shall make training of State and local law enforcement officers available through as many means as possible, including through residential training at the Center for Domestic Preparedness, onsite training held at State or local police agencies or facilities, online training courses by computer, teleconferencing, and videotape, or the digital video display (DVD) of a training course or courses. E-learning through a secure, encrypted distributed learning system that has all its servers based in the United States, is scalable, survivable, and can have a portal in place not later than 30 days after the date of the enactment of this Act, shall be made available by the Federal Law Enforcement Training Center Distributed Learning Program for State and local law enforcement personnel.

(2) FEDERAL PERSONNEL TRAINING.—The training of State and local law enforcement personnel under this section shall not displace the training of Federal personnel.

(3) CLARIFICATION.—Nothing in this chapter or any other provision of law shall be construed as making any immigration-related training a requirement for, or prerequisite to, any State or local law enforcement officer to assist in the enforcement of Federal immigration laws.

(4) PRIORITY.—In carrying out this subsection, priority funding shall be given for existing web-based immigration enforcement training systems.

SEC. 3710. IMMUNITY.

Notwithstanding any other provision of law, a law enforcement officer of a State or local law enforcement agency who is acting within the scope of the officer's official duties shall be immune, to the same extent as a Federal law enforcement officer, from personal liability arising out of the performance of any duty described in this chapter, including the authorities to investigate, identify, apprehend, arrest, detain, or transfer to Federal custody, an alien for the purposes of enforcing the immigration laws of the United States (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)) or the immigration laws of a State or a political subdivision of a State.

SEC. 3711. CRIMINAL ALIEN IDENTIFICATION PROGRAM.

(a) CONTINUATION AND EXPANSION.—

(1) IN GENERAL.—The Secretary shall continue to operate and implement a program that—

(A) identifies removable criminal aliens in Federal and State correctional facilities;

(B) ensures such aliens are not released into the community; and

(C) removes such aliens from the United States after the completion of their sentences.

(2) EXPANSION.—The program shall be extended to all States. Any State that receives Federal funds for the incarceration of criminal aliens (pursuant to the State Criminal Alien Assistance Program authorized under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) or other similar program) shall—

(A) cooperate with officials of the program;

(B) expeditiously and systematically identify criminal aliens in its prison and jail populations; and

(C) promptly convey such information to officials of such program as a condition of receiving such funds.

(b) AUTHORIZATION FOR DETENTION AFTER COMPLETION OF STATE OR LOCAL PRISON SENTENCE.—Law enforcement officers of a State, or of a political subdivision of a State, are authorized to—

(1) hold a criminal alien for a period of up to 14 days after the alien has completed the alien's sentence under State or local law in order to effectuate the transfer of the alien to Federal custody when the alien is inadmissible or deportable; or

(2) issue a detainer that would allow aliens who have served a prison sentence under State or local law to be detained by the State or local prison or jail until the Secretary can take the alien into custody.

(c) TECHNOLOGY USAGE.—Technology, such as video conferencing, shall be used to the maximum extent practicable in order to make the program available in remote locations. Mobile access to Federal databases of aliens and live scan technology shall be used to the maximum extent practicable in order to make these resources available to State

and local law enforcement agencies in remote locations.

(d) EFFECTIVE DATE.—This section shall take effect of the date of the enactment of this Act, except that subsection (a)(2) shall take effect on the date that is 180 days after such date.

SEC. 3712. CLARIFICATION OF CONGRESSIONAL INTENT.

Section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) is amended—

(1) in paragraph (1) by striking ''may enter'' and all that follows through the period at the end and inserting the following: ''shall enter into a written agreement with a State, or any political subdivision of a State, upon request of the State or political subdivision, pursuant to which an officer or employee of the State or subdivision, who is determined by the Secretary to be qualified to perform a function of an immigration officer in relation to the investigation, apprehension, or detention of aliens in the United States (including the transportation of such aliens across State lines to detention centers), may carry out such function at the expense of the State or political subdivision and to extent consistent with State and local law. No request from a bona fide State or political subdivision or bona fide law enforcement agency shall be denied absent a compelling reason. No limit on the number of agreements under this subsection may be imposed. The Secretary shall process requests for such agreements with all due haste, and in no case shall take not more than 90 days from the date the request is made until the agreement is consummated.'';

(2) by redesignating paragraph (2) as paragraph (5) and paragraphs (3) through (10) as paragraphs (7) through (14), respectively;

(3) by inserting after paragraph (1) the following:

''(2) An agreement under this subsection shall accommodate a requesting State or political subdivision with respect to the enforcement model or combination of models, and shall accommodate a patrol model, task force model, jail model, any combination thereof, or any other reasonable model the State or political subdivision believes is best suited to the immigration enforcement needs of its jurisdiction.

''(3) No Federal program or technology directed broadly at identifying inadmissible or deportable aliens shall substitute for such agreements, including those establishing a jail model, and shall operate in addition to any agreement under this subsection.

''(4)(A) No agreement under this subsection shall be terminated absent a compelling reason.

''(B)(i) The Secretary shall provide a State or political subdivision written notice of intent to terminate at least 180 days prior to date of intended termination, and the notice shall fully explain the grounds for termination, along with providing evidence substantiating the Secretary's allegations.

''(ii) The State or political subdivision shall have the right to a hearing before an administrative law judge and, if the ruling is against the State or political subdivision, to appeal the ruling to the Federal Circuit Court of Appeals and, if the ruling is against the State or political subdivision, to the Supreme Court.

''(C) The agreement shall remain in full effect during the course of any and all legal proceedings.''; and

(4) by inserting after paragraph (5) (as redesignated) the following:

''(6) The Secretary of Homeland Security shall make training of State and local law enforcement officers available through as many means as possible, including through residential training at the Center for Domestic Preparedness and the Federal Law Enforcement Training Center, onsite training held at State or local police agencies or facilities, online training courses by computer, teleconferencing, and videotape, or the digital video display (DVD) of a training course or courses. Distance learning through a secure, encrypted distributed learning system that has all its servers based in the United States, is scalable, survivable, and can have a portal in place not later than 30 days after the date of the enactment of this Act, shall be made available by the COPS Office of the Department of Justice and the Federal Law Enforcement Training Center Distributed Learning Program for State and local law enforcement personnel. Preference shall be given to private sector-based web-based immigration enforcement training programs for which the Federal Government has already provided support to develop.''.

SEC. 3713. STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP).

Section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) is amended—

(1) by striking ''Attorney General'' the first place such term appears and inserting ''Secretary of Homeland Security'';

(2) by striking ''Attorney General'' each place such term appears thereafter and inserting ''Secretary'';

(3) in paragraph (3)(A), by inserting ''charged with or'' before ''convicted''; and

(4) by amending paragraph (5) to read as follows:

''(5) There are authorized to be appropriated to carry out this subsection such sums as may be necessary for fiscal year 2014 and each subsequent fiscal year.''.

SEC. 3714. STATE VIOLATIONS OF ENFORCEMENT OF IMMIGRATION LAWS.

(a) IN GENERAL.—Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended—

(1) by striking ''Immigration and Naturalization Service'' in each place it appears and inserting ''Department of Homeland Security'';

(2) in subsection (a), by striking ''may'' and inserting ''shall'';

(3) in subsection (b)—

(A) by striking ''no person or agency may'' and inserting ''a person or agency shall not'';

(B) by striking ''doing any of the following with respect to information'' and inserting ''undertaking any of the following law enforcement activities''; and

(C) by striking paragraphs (1) through (3) and inserting the following:

''(1) Notifying the Federal Government regarding the presence of inadmissible and deportable aliens who are encountered by law enforcement personnel of a State or political subdivision of a State.

''(2) Complying with requests for information from Federal law enforcement.

''(3) Complying with detainers issued by the Department of Homeland Security.

''(4) Issuing policies in the form of a resolutions, ordinances, administrative actions, general or special orders, or departmental policies that violate Federal law or restrict a State or political subdivision of a State from complying with Federal law or coordinating with Federal law enforcement.''; and

(4) by adding at the end the following:

''(d) COMPLIANCE.—

''(1) IN GENERAL.—A State, or a political subdivision of a State, that has in effect a statute, policy, or practice that prohibits law enforcement officers of the State, or of a political subdivision of the State, from assisting or cooperating with Federal immigration law enforcement in the course of carrying out the officers' routine law enforcement duties shall not be eligible to receive—

''(A) any of the funds that would otherwise be allocated to the State or political subdivision under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) or the 'Cops on the Beat' program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.); or

''(B) any other law enforcement or Department of Homeland Security grant.

''(2) ANNUAL DETERMINATION.—The Secretary shall determine annually which State or political subdivision of a State are not in compliance with section and shall report such determinations to Congress on March 1 of each year.

''(3) REPORTS.—The Attorney General shall issue a report concerning the compliance of any particular State or political subdivision at the request of the House or Senate Judiciary Committee. Any jurisdiction that is found to be out of compliance shall be ineligible to receive Federal financial assistance as provided in paragraph (1) for a minimum period of 1 year, and shall only become eligible again after the Attorney General certifies that the jurisdiction is in compliance.

''(4) REALLOCATION.—Any funds that are not allocated to a State or to a political subdivision of a State, due to the failure of the State, or of the political subdivision of the State, to comply with subsection (c) shall be reallocated to States, or to political subdivisions of States, that comply with such subsection.

''(e) CONSTRUCTION.—Nothing in this section shall require law enforcement officials from States, or from political subdivisions of States, to report or arrest victims or witnesses of a criminal offense.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, except that subsection (d) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373), as added by this section, shall take effect beginning one year after the date of the enactment of this Act.

SEC. 3715. CLARIFYING THE AUTHORITY OF ICE DETAINERS.

Except as otherwise provided by Federal law or rule of procedure, the Secretary shall execute all lawful writs, process, and orders issued under the authority of the United States, and shall command all necessary assistance to execute the Secretary's duties.

CHAPTER 2—NATIONAL SECURITY

SEC. 3721. REMOVAL OF, AND DENIAL OF BENEFITS TO, TERRORIST ALIENS.

(a) ASYLUM.—Section 208(b)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)(A)) is amended—

(1) by inserting ''or the Secretary of Homeland Security'' after ''if the Attorney General''; and

(2) by amending clause (v) to read as follows:

''(v) the alien is described in subparagraph (B)(i) or (F) of section 212(a)(3), unless, in the case of an alien described in subparagraph (IV), (V), or (IX) of section 212(a)(3)(B)(i), the Secretary of Homeland Security or the Attorney General determines, in the discretion of the Secretary or the Attorney General, that there are not reasonable grounds for regarding the alien as a danger to the security of the United States; or''.

(b) CANCELLATION OF REMOVAL.—Section 240A(c)(4) of such Act (8 U.S.C. 1229b(c)(4)) is amended—

(1) by striking ''inadmissible under'' and inserting ''described in''; and

(2) by striking ''deportable under'' and inserting ''described in''.

(c) VOLUNTARY DEPARTURE.—Section 240B(b)(1)(C) of such Act (8 U.S.C. 1229c(b)(1)(C)) is amended by striking ''deportable under section 237(a)(2)(A)(iii) or section 237(a)(4);'' and inserting ''described in paragraph (2)(A)(iii) or (4) of section 237(a);''.

(d) RESTRICTION ON REMOVAL.—Section 241(b)(3)(B) of such Act (8 U.S.C. 1231(b)(3)(B)) is amended—

(1) by inserting ''or the Secretary of Homeland Security'' after ''Attorney General'' wherever that term appears;

(2) in clause (iii), by striking ''or'' at the end;

(3) in clause (iv), by striking the period at the end and inserting ''; or'';

(4) by inserting after clause (iv) the following:

''(v) the alien is described in subparagraph (B)(i) or (F) of section 212(a)(3), unless, in the case of an alien described in subparagraph (IV), (V), or (IX) of section 212(a)(3)(B)(i), the Secretary of Homeland Security or the Attorney General determines, in discretion of the Secretary or the Attorney General, that there are not reasonable grounds for regarding the alien as a danger to the security of the United States.''; and

(5) by striking the final sentence.

(e) RECORD OF ADMISSION.—

(1) IN GENERAL.—Section 249 of such Act (8 U.S.C. 1259) is amended to read as follows:

''RECORD OF ADMISSION FOR PERMANENT RESIDENCE IN THE CASE OF CERTAIN ALIENS WHO ENTERED THE UNITED STATES PRIOR TO JANUARY 1, 1972

''SEC. 249. The Secretary of Homeland Security, in the discretion of the Secretary and under such regulations as the Secretary may prescribe, may enter a record of lawful admission for permanent residence in the case of any alien, if no such record is otherwise available and the alien—

''(1) entered the United States before January 1, 1972;

''(2) has continuously resided in the United States since such entry;

''(3) has been a person of good moral character since such entry;

''(4) is not ineligible for citizenship;

''(5) is not described in paragraph (1)(A)(iv), (2), (3), (6)(C), (6)(E), or (8) of section 212(a); and

''(6) did not, at any time, without reasonable cause fail or refuse to attend or remain in attendance at a proceeding to determine the alien's inadmissibility or deportability.

Such recordation shall be effective as of the date of approval of the application or as of the date of entry if such entry occurred prior to July 1, 1924.''.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by amending the item relating to section 249 to read as follows:

''Sec. 249. Record of admission for permanent residence in the case of certain aliens who entered the United States prior to January 1, 1972.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act and sections 208(b)(2)(A), 212(a), 240A, 240B, 241(b)(3), and 249 of the Immigration and Nationality Act, as so amended, shall apply to—

(1) all aliens in removal, deportation, or exclusion proceedings;

(2) all applications pending on, or filed after, the date of the enactment of this Act; and

(3) with respect to aliens and applications described in paragraph (1) or (2) of this subsection, acts and conditions constituting a ground for exclusion, deportation, or removal occurring or existing before, on, or after the date of the enactment of this Act.

SEC. 3722. TERRORIST BAR TO GOOD MORAL CHARACTER.

(a) DEFINITION OF GOOD MORAL CHARACTER.—Section 101(f) of the Immigration and Nationality Act (8 U.S.C. 1101(f)) is amended—

(1) by redesignating paragraphs (1) through (9) as paragraphs (2) through (10), respectively;

(2) by inserting after paragraph (1) the following:

''(2) one who the Secretary of Homeland Security or Attorney General determines to have been at any time an alien described in section 212(a)(3) or 237(a)(4), which determination may be based upon any relevant information or evidence, including classified, sensitive, or national security information;'';

(3) in paragraph (9) (as redesignated), by inserting '', regardless whether the crime was classified as an aggravated felony at the time of conviction, except that the Secretary of Homeland Security or Attorney General may, in the unreviewable discretion of the Secretary or Attorney General, determine that this paragraph shall not apply in the case of a single aggravated felony conviction (other than murder, manslaughter, homicide, rape, or any sex offense when the victim of such sex offense was a minor) for which completion of the term of imprisonment or the sentence (whichever is later) occurred 10 or more years prior to the date of application'' after ''(as defined in subsection (a)(43))''; and

(4) by striking the first sentence the follows paragraph (10) (as redesignated) and inserting following: ''The fact that any person is not within any of the foregoing classes shall not preclude a discretionary finding for other reasons that such a person is or was not of good moral character. The Secretary or the Attorney General shall not be limited to the applicant's conduct during the period for which good moral character is required, but may take into consideration as a basis for determination the applicant's conduct and acts at any time.''

(b) AGGRAVATED FELONS.—Section 509(b) of the Immigration Act of 1990 (8 U.S.C. 1101 note) is amended to read as follows:

''(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on November 29, 1990, and shall apply to convictions occurring before, on or after such date.''.

(c) TECHNICAL CORRECTION TO THE INTELLIGENCE REFORM ACT.—Section 5504(2) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458) is amended by striking ''adding at the end'' and inserting ''inserting after paragraph (8)''.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date of enactment of this Act, shall apply to any act that occurred before, on, or after such date and shall apply to any application for naturalization or any other benefit or relief, or any other case or matter under the immigration laws pending on or filed after such date. The amendments made by subsection (c) shall take effect as if enacted in the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458).

SEC. 3723. TERRORIST BAR TO NATURALIZATION.

(a) NATURALIZATION OF PERSONS ENDANGERING THE NATIONAL SECURITY.—Section 316 of the Immigration and Nationality Act (8 U.S.C. 1426) is amended by adding at the end the following:

''(g) PERSONS ENDANGERING THE NATIONAL SECURITY.—No person shall be naturalized who the Secretary of Homeland Security determines to have been at any time an alien described in section 212(a)(3) or 237(a)(4). Such determination may be based upon any relevant information or evidence, including classified, sensitive, or national security information.''.

(b) CONCURRENT NATURALIZATION AND REMOVAL PROCEEDINGS.—Section 318 of the Immigration and Nationality Act (8 U.S.C. 1429) is amended by striking ''other Act;'' and inserting ''other Act; and no application for naturalization shall be considered by the Secretary of Homeland Security or any court if there is pending against the applicant any removal proceeding or other proceeding to determine the applicant's inadmissibility or deportability, or to determine whether the applicant's lawful permanent resident status should be rescinded, regardless of when such proceeding was commenced: *Provided*, That the findings of the Attorney General in terminating removal proceedings or in canceling the removal of an alien pursuant to the provisions of this Act, shall not be deemed binding in any way upon the Secretary of Homeland Security with respect to the question of whether such person has established his eligibility for naturalization as required by this title;''.

(c) PENDING DENATURALIZATION OR REMOVAL PROCEEDINGS.—Section 204(b) of the Immigration and Nationality Act (8 U.S.C. 1154(b)) is amended by adding at the end the following: ''No petition shall be approved pursuant to this section if there is any administrative or judicial proceeding (whether civil or criminal) pending against the petitioner that could (whether directly or indirectly) result in the petitioner's denaturalization or the loss of the petitioner's lawful permanent resident status.''.

(d) CONDITIONAL PERMANENT RESIDENTS.—Sections 216(e) and section 216A(e) of the Immigration and Nationality Act (8 U.S.C. 1186a(e) and 1186b(e)) are each amended by striking the period at the end and inserting '', if the alien has had the conditional basis removed pursuant to this section.''.

(e) DISTRICT COURT JURISDICTION.—Subsection 336(b) of the Immigration and Nationality Act, 8 U.S.C. 1447(b), is amended to read as follows:

''(b) If there is a failure to render a final administrative decision under section 335 before the end of the 180-day period after the date on which the Secretary of Homeland Security completes all examinations and interviews conducted under such section, as such terms are defined by the Secretary of Homeland Security pursuant to regulations, the applicant may apply to the district court for the district in which the applicant resides for a hearing on the matter. Such court shall only have jurisdiction to review the basis for delay and remand the matter to the Secretary of Homeland Security for the Secretary's determination on the application.''.

(f) CONFORMING AMENDMENT.—Section 310(c) of the Immigration and Nationality Act (8 U.S.C. 1421(c)) is amended—

(1) by inserting '', not later than the date that is 120 days after the Secretary of Homeland Security's final determination,'' after ''seek''; and

(2) by striking the second sentence and inserting the following: ''The burden shall be

upon the petitioner to show that the Secretary's denial of the application was not supported by facially legitimate and bona fide reasons. Except in a proceeding under section 340, notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to determine, or to review a determination of the Secretary made at any time regarding, whether, for purposes of an application for naturalization, an alien is a person of good moral character, whether the alien understands and is attached to the principles of the Constitution of the United States, or whether an alien is well disposed to the good order and happiness of the United States.''.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act, shall apply to any act that occurred before, on, or after such date, and shall apply to any application for naturalization or any other case or matter under the immigration laws pending on, or filed after, such date.

SEC. 3724. DENATURALIZATION FOR TERRORISTS.

(a) IN GENERAL.—Section 340 of the Immigration and Nationality Act is amended—

(1) by redesignating subsections (f) through (h) as subsections (g) through (i), respectively; and

(2) by inserting after subsection (e) the following:

''(f)(1) If a person who has been naturalized participates in any act described in paragraph (2), the Attorney General is authorized to find that, as of the date of such naturalization, such person was not attached to the principles of the Constitution of the United States and was not well disposed to the good order and happiness of the United States at the time of naturalization, and upon such finding shall set aside the order admitting such person to citizenship and cancel the certificate of naturalization as having been obtained by concealment of a material fact or by willful misrepresentation, and such revocation and setting aside of the order admitting such person to citizenship and such canceling of certificate of naturalization shall be effective as of the original date of the order and certificate, respectively.

''(2) The acts described in this paragraph are the following:

''(A) Any activity a purpose of which is the opposition to, or the control or overthrow of, the Government of the United States by force, violence, or other unlawful means.

''(B) Engaging in a terrorist activity (as defined in clauses (iii) and (iv) of section 212(a)(3)(B)).

''(C) Incitement of terrorist activity under circumstances indicating an intention to cause death or serious bodily harm.

''(D) Receiving military-type training (as defined in section 2339D(c)(1) of title 18, United States Code) from or on behalf of any organization that, at the time the training was received, was a terrorist organization (as defined in section 212(a)(3)(B)(vi)).''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to acts that occur on or after such date.

SEC. 3725. USE OF 1986 IRCA LEGALIZATION INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) SPECIAL AGRICULTURAL WORKERS.—Section 210(b)(6) of the Immigration and Nationality Act (8 U.S.C. 1160(b)(6)) is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security'';

(2) in subparagraph (A), by striking ''Department of Justice,'' and inserting ''Department of Homeland Security,'';

(3) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively;

(4) by inserting after subparagraph (B) the following:

''(C) AUTHORIZED DISCLOSURES.—

''(i) CENSUS PURPOSE.—The Secretary of Homeland Security may provide, in his discretion, for the furnishing of information furnished under this section in the same manner and circumstances as census information may be disclosed under section 8 of title 13, United States Code.

''(ii) NATIONAL SECURITY PURPOSE.—The Secretary of Homeland Security may provide, in his discretion, for the furnishing, use, publication, or release of information furnished under this section in any investigation, case, or matter, or for any purpose, relating to terrorism, national intelligence or the national security.''; and

(5) in subparagraph (D), as redesignated, by striking ''Service'' and inserting ''Department of Homeland Security''.

(b) ADJUSTMENT OF STATUS UNDER THE IMMIGRATION REFORM AND CONTROL ACT OF 1986.—Section 245A(c)(5) of the Immigration and Nationality Act (8 U.S.C. 1255a(c)(5)), is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security'';

(2) in subparagraph (A), by striking ''Department of Justice,'' and inserting ''Department of Homeland Security,'';

(3) by amending subparagraph (C) to read as follows:

''(C) AUTHORIZED DISCLOSURES.—

''(i) CENSUS PURPOSE.—The Secretary of Homeland Security may provide, in his discretion, for the furnishing of information furnished under this section in the same manner and circumstances as census information may be disclosed under section 8 of title 13, United States Code.

''(ii) NATIONAL SECURITY PURPOSE.—The Secretary of Homeland Security may provide, in his discretion, for the furnishing, use, publication, or release of information furnished under this section in any investigation, case, or matter, or for any purpose, relating to terrorism, national intelligence or the national security.''; and

(4) in subparagraph (D), striking ''Service'' and inserting ''Department of Homeland Security''.

SEC. 3726. BACKGROUND AND SECURITY CHECKS.

(a) REQUIREMENT TO COMPLETE BACKGROUND AND SECURITY CHECKS.—Section 103 of the Immigration and Nationality Act (8 U.S.C. 1103) is amended by adding at the end the following:

''(h) Notwithstanding any other provision of law (statutory or nonstatutory), including but not limited to section 309 of Public Law 107–173, sections 1361 and 1651 of title 28, United States Code, and section 706(1) of title 5, United States Code, neither the Secretary of Homeland Security, the Attorney General, nor any court may—

''(1) grant, or order the grant of or adjudication of an application for adjustment of status to that of an alien lawfully admitted for permanent residence;

''(2) grant, or order the grant of or adjudication of an application for United States citizenship or any other status, relief, protection from removal, employment authorization, or other benefit under the immigration laws;

''(3) grant, or order the grant of or adjudication of, any immigrant or nonimmigrant petition; or

''(4) issue or order the issuance of any documentation evidencing or related to any such grant, until such background and security checks as the Secretary may in his discretion require have been completed or updated to the satisfaction of the Secretary.

''(i) Notwithstanding any other provision of law (statutory or nonstatutory), including but not limited to section 309 of Public Law 107–173, sections 1361 and 1651 of title 28, United States Code, and section 706(1) of title 5, United States Code, neither the Secretary of Homeland Security nor the Attorney General may be required to—

''(1) grant, or order the grant of or adjudication of an application for adjustment of status to that of an alien lawfully admitted for permanent residence,

''(2) grant, or order the grant of or adjudication of an application for United States citizenship or any other status, relief, protection from removal, employment authorization, or other benefit under the immigration laws,

''(3) grant, or order the grant of or adjudication of, any immigrant or nonimmigrant petition, or

''(4) issue or order the issuance of any documentation evidencing or related to any such grant, until any suspected or alleged materially false information, material misrepresentation or omission, concealment of a material fact, fraud or forgery, counterfeiting, or alteration, or falsification of a document, as determined by the Secretary, relating to the adjudication of an application or petition for any status (including the granting of adjustment of status), relief, protection from removal, or other benefit under this subsection has been investigated and resolved to the Secretary's satisfaction.

''(j) Notwithstanding any other provision of law (statutory or nonstatutory), including section 309 of the Enhanced Border Security and Visa Entry Reform Act (8 U.S.C. 1738), sections 1361 and 1651 of title 28, United States Code, and section 706(1) of title 5, United States Code, no court shall have jurisdiction to require any of the acts in subsection (h) or (i) to be completed by a certain time or award any relief for failure to complete or delay in completing such acts.''.

(b) CONSTRUCTION.—

(1) IN GENERAL.—Chapter 4 of title III of the Immigration and Nationality Act (8 U.S.C. 1501 et seq.) is amended by adding at the end the following:

''CONSTRUCTION

''SEC. 362. (a) IN GENERAL.—Nothing in this Act or any other law, except as provided in subsection (d), shall be construed to require the Secretary of Homeland Security, the Attorney General, the Secretary of State, the Secretary of Labor, or a consular officer to grant any application, approve any petition, or grant or continue any relief, protection from removal, employment authorization, or any other status or benefit under the immigration laws by, to, or on behalf of—

''(1) any alien deemed by the Secretary to be described in section 212(a)(3) or section 237(a)(4); or

''(2) any alien with respect to whom a criminal or other proceeding or investigation is open or pending (including, but not

limited to, issuance of an arrest warrant, detainer, or indictment), where such proceeding or investigation is deemed by the official described in subsection (a) to be material to the alien's eligibility for the status or benefit sought.

''(b) DENIAL OR WITHHOLDING OF ADJUDICATION.—An official described in subsection (a) may, in the discretion of the official, deny (with respect to an alien described in paragraph (1) or (2) of subsection (a)) or withhold adjudication of pending resolution of the investigation or case (with respect to an alien described in subsection (a)(2) of this section) any application, petition, relief, protection from removal, employment authorization, status or benefit.

''(c) JURISDICTION.—Notwithstanding any other provision of law (statutory or nonstatutory), including section 309 of the Enhanced Border Security and Visa Entry Reform Act (8 U.S.C. 1738), sections 1361 and 1651 of title 28, United States Code, and section 706(1) of title 5, United States Code, no court shall have jurisdiction to review a decision to deny or withhold adjudication pursuant to subsection (b) of this section.

''(d) WITHHOLDING OF REMOVAL AND TORTURE CONVENTION.—This section does not limit or modify the applicability of section 241(b)(3) or the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, subject to any reservations, understandings, declarations and provisos contained in the United States Senate resolution of ratification of the Convention, as implemented by section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105–277) with respect to an alien otherwise eligible for protection under such provisions.''.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 361 the following:

''362. Construction.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to applications for immigration benefits pending on or after such date.

SEC. 3727. TECHNICAL AMENDMENTS RELATING TO THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.

(a) TRANSIT WITHOUT VISA PROGRAM.—Section 7209(d) of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1185 note) is amended by striking ''the Secretary, in conjunction with the Secretary of Homeland Security,'' and inserting ''the Secretary of Homeland Security, in consultation with the Secretary of State,''.

(b) TECHNOLOGY ACQUISITION AND DISSEMINATION PLAN.—Section 7201(c)(1) of such Act is amended by inserting ''and the Department of State'' after ''used by the Department of Homeland Security''.

CHAPTER 3—REMOVAL OF CRIMINAL ALIENS

SEC. 3731. DEFINITION OF AGGRAVATED FELONY AND CONVICTION.

(a) DEFINITION OF AGGRAVATED FELONY.—Section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) is amended—

(1) by striking ''The term 'aggravated felony' means—'' and inserting ''Notwithstanding any other provision of law, the term 'aggravated felony' applies to an offense described in this paragraph, whether in violation of Federal or State law, or in violation of the law of a foreign country for which the term of imprisonment was completed within the previous 15 years, even if the length of the term of imprisonment for the offense is based on recidivist or other enhancements and regardless of whether the conviction was entered before, on, or after September 30, 1996, and means—'';

(2) in subparagraph (A), by striking ''murder, rape, or sexual abuse of a minor;'' and inserting ''murder, manslaughter, homicide, rape (whether the victim was conscious or unconscious), or any offense of a sexual nature involving a victim under the age of 18 years;'';

(3) in subparagraph (I), by striking ''or 2252'' and inserting ''2252, or 2252A'';

(4) in subparagraph (F), by striking ''at least one year;'' and inserting ''is at least one year, except that if the conviction records do not conclusively establish whether a crime constitutes a crime of violence, the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime of violence;''

(5) in subparagraph (N), by striking paragraph ''(1)(A) or (2) of'';

(6) in subparagraph (O), by striking ''section 275(a) or 276 committed by an alien who was previously deported on the basis of a conviction for an offense described in another subparagraph of this paragraph'' and inserting ''section 275 or 276 for which the term of imprisonment is at least 1 year'';

(7) in subparagraph (U), by striking ''an attempt or conspiracy to commit an offense described in this paragraph'' and inserting ''attempting or conspiring to commit an offense described in this paragraph, or aiding, abetting, counseling, procuring, commanding, inducing, or soliciting the commission of such an offense.''; and

(8) by striking the undesignated matter following subparagraph (U).

(b) DEFINITION OF CONVICTION.—Section 101(a)(48) of such Act (8 U.S.C. 1101(a)(48)) is amended by adding at the end the following:

''(C) Any reversal, vacatur, expungement, or modification to a conviction, sentence, or conviction record that was granted to ameliorate the consequences of the conviction, sentence, or conviction record, or was granted for rehabilitative purposes, or for failure to advise the alien of the immigration consequences of a determination of guilt or of a guilty plea (except in the case of a guilty plea that was made on or after March 31, 2010, shall have no effect on the immigration consequences resulting from the original conviction. The alien shall have the burden of demonstrating that any reversal, vacatur, expungement, or modification was not granted to ameliorate the consequences of the conviction, sentence, or conviction record, for rehabilitative purposes, or for failure to advise the alien of the immigration consequences of a determination of guilt or of a guilty plea (except in the case of a guilty plea that was made on or after March 31, 2010), except where the alien establishes a pardon consistent with section 237(a)(2)(A)(vi).''.

(c) EFFECTIVE DATE; APPLICATION OF AMENDMENTS.—

(1) IN GENERAL.—The amendments made by subsection (a)—

(A) shall take effect on the date of the enactment of this Act; and

(B) shall apply to any act or conviction that occurred before, on, or after such date.

(2) APPLICATION OF IIRIRA AMENDMENTS.—The amendments to section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) made by section 321 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 110 Stat. 3009-627) shall continue to apply, whether the conviction was entered before, on, or after September 30, 1996.

SEC. 3732. PRECLUDING ADMISSIBILITY OF ALIENS CONVICTED OF AGGRAVATED FELONIES OR OTHER SERIOUS OFFENSES.

(a) INADMISSIBILITY ON CRIMINAL AND RELATED GROUNDS; WAIVERS.—Section 212 of the Immigration and Nationality Act (8 U.S.C. 1182) is amended—

(1) in subparagraph (a)(2)(A)(i)—

(A) in subclause (I), by striking ''or'' at the end;

(B) in subclause (II), by adding ''or'' at the end; and

(C) by inserting after subclause (II) the following:

''(III) a violation of (or a conspiracy or attempt to violate) an offense described in section 408 of title 42, United States Code (relating to social security account numbers or social security cards) or section 1028 of title 18, United States Code (relating to fraud and related activity in connection with identification documents, authentication features, and information);''.

(2) by adding at the end of subsection (a)(2) the following :

''(J) PROCUREMENT OF CITIZENSHIP OR NATURALIZATION UNLAWFULLY.—Any alien convicted of, or who admits having committed, or who admits committing acts which constitute the essential elements of, a violation of, or an attempt or a conspiracy to violate, subsection (a) or (b) of section 1425 of title 18, United States Code (relating to the procurement of citizenship or naturalization unlawfully) is inadmissible.

''(K) CERTAIN FIREARM OFFENSES.—Any alien who at any time has been convicted under any law of, or who admits having committed or admits committing acts which constitute the essential elements of, purchasing, selling, offering for sale, exchanging, using, owning, possessing, or carrying, or of attempting or conspiring to purchase, sell, offer for sale, exchange, use, own, possess, or carry, any weapon, part, or accessory which is a firearm or destructive device (as defined in section 921(a) of title 18, United States Code) in violation of any law is inadmissible.

''(L) AGGRAVATED FELONS.—Any alien who has been convicted of an aggravated felony at any time is inadmissible.

''(M) CRIMES OF DOMESTIC VIOLENCE, STALKING, OR VIOLATION OF PROTECTION ORDERS, CRIMES AGAINST CHILDREN.—

''(i) DOMESTIC VIOLENCE, STALKING, AND CHILD ABUSE.—Any alien who at any time is convicted of, or who admits having committed or admits committing acts which constitute the essential elements of, a crime of domestic violence, a crime of stalking, or a crime of child abuse, child neglect, or child abandonment is inadmissible. For purposes of this clause, the term 'crime of domestic violence' means any crime of violence (as defined in section 16 of title 18, United States Code) against a person committed by a current or former spouse of the person, by an individual with whom the person shares a child in common, by an individual who is cohabiting with or has cohabited with the person as a spouse, by an individual similarly situated to a spouse of the person under the domestic or family violence laws of the jurisdiction where the offense occurs, or by any other individual against a person who is protected from that individual's acts under the domestic or family violence laws of the United States or any State, Indian tribal

government, or unit of local or foreign government.

''(ii) VIOLATORS OF PROTECTION ORDERS.—Any alien who at any time is enjoined under a protection order issued by a court and whom the court determines has engaged in conduct that violates the portion of a protection order that involves protection against credible threats of violence, repeated harassment, or bodily injury to the person or persons for whom the protection order was issued is inadmissible. For purposes of this clause, the term 'protection order' means any injunction issued for the purpose of preventing violent or threatening acts of domestic violence, including temporary or final orders issued by civil or criminal courts (other than support or child custody orders or provisions) whether obtained by filing an independent action or as a independent order in another proceeding.

''(iii) WAIVER AUTHORIZED.—The waiver authority available under section 237(a)(7) with respect to section 237(a)(2)(E)(i) shall be available on a comparable basis with respect to this subparagraph.

''(iv) CLARIFICATION.—If the conviction records do not conclusively establish whether a crime of domestic violence constitutes a crime of violence (as defined in section 16 of title 18, United States Code), the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime of violence.''; and

(3) in subsection (h)—

(A) by striking ''The Attorney General may, in his discretion, waive the application of subparagraphs (A)(i)(I), (B), (D), and (E) of subsection (a)(2)'' and inserting ''The Attorney General or the Secretary of Homeland Security may, in the discretion of the Attorney General or the Secretary, waive the application of subparagraphs (A)(i)(I), (III), (B), (D), (E), (K), and (M) of subsection (a)(2)'';

(B) by striking ''a criminal act involving torture.'' and inserting ''a criminal act involving torture, or has been convicted of an aggravated felony.'';

(C) by striking ''if either since the date of such admission the alien has been convicted of an aggravated felony or the alien'' and inserting ''if since the date of such admission the alien''; and

(D) by inserting ''or Secretary of Homeland Security'' after ''the Attorney General'' wherever that phrase appears.

(b) DEPORTABILITY; CRIMINAL OFFENSES.—Section 237(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(3)(B)) is amended—

(1) in clause (ii), by striking ''or'' at the end;

(2) in clause (iii), by inserting ''or'' at the end; and

(3) by inserting after clause (iii) the following:

''(iv) of a violation of, or an attempt or a conspiracy to violate, section 1425(a) or (b) of Title 18 (relating to the procurement of citizenship or naturalization unlawfully),''.

(c) DEPORTABILITY; CRIMINAL OFFENSES.—Section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

''(G) Any alien who at any time after admission has been convicted of a violation of (or a conspiracy or attempt to violate) section 408 of title 42, United States Code (relating to social security account numbers or social security cards) or section 1028 of title 18, United States Code (relating to fraud and related activity in connection with identification) is deportable.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply—

(1) to any act that occurred before, on, or after the date of the enactment of this Act; and

(2) to all aliens who are required to establish admissibility on or after such date, and in all removal, deportation, or exclusion proceedings that are filed, pending, or reopened, on or after such date.

(e) CONSTRUCTION.—The amendments made by subsection (a) shall not be construed to create eligibility for relief from removal under former section 212(c) of the Immigration and Nationality Act where such eligibility did not exist before these amendments became effective.

SEC. 3733. ESPIONAGE CLARIFICATION.

Section 212(a)(3)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(A)), is amended to read as follows:

''(A) Any alien who a consular officer, the Attorney General, or the Secretary of Homeland Security knows, or has reasonable ground to believe, seeks to enter the United States to engage solely, principally, or incidentally in, or who is engaged in, or with respect to clauses (i) and (iii) of this subparagraph has engaged in—

''(i) any activity—

''(I) to violate any law of the United States relating to espionage or sabotage; or

''(II) to violate or evade any law prohibiting the export from the United States of goods, technology, or sensitive information;

''(ii) any other unlawful activity; or

''(iii) any activity a purpose of which is the opposition to, or the control or overthrow of, the Government of the United States by force, violence, or other unlawful means;

is inadmissible.''.

SEC. 3734. UNIFORM STATUTE OF LIMITATIONS FOR CERTAIN IMMIGRATION, NATURALIZATION, AND PEONAGE OFFENSES.

Section 3291 of title 18, United States Code, is amended by striking ''No person'' through the period at the end and inserting the following: ''No person shall be prosecuted, tried, or punished for a violation of any section of chapters 69 (relating to nationality and citizenship offenses) and 75 (relating to passport, visa, and immigration offenses), or for a violation of any criminal provision of sections 243, 266, 274, 275, 276, 277, or 278 of the Immigration and Nationality Act, or for an attempt or conspiracy to violate any such section, unless the indictment is returned or the information is filed within ten years after the commission of the offense.''.

SEC. 3735. CONFORMING AMENDMENT TO THE DEFINITION OF RACKETEERING ACTIVITY.

Section 1961(1) of title 18, United States Code, is amended by striking ''section 1542'' through ''section 1546 (relating to fraud and misuse of visas, permits, and other documents)'' and inserting ''sections 1541-1548 (relating to passports and visas)''.

SEC. 3736. CONFORMING AMENDMENTS FOR THE AGGRAVATED FELONY DEFINITION.

(a) IN GENERAL.—Subparagraph (P) of section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) is amended—

(1) by striking ''(i) which either is falsely making, forging, counterfeiting, mutilating, or altering a passport or instrument in violation of section 1543 of title 18, United States Code, or is described in section 1546(a) of such title (relating to document fraud) and (ii)'' and inserting ''which is described in any section of chapter 75 of title 18, United States Code,''; and

(2) by inserting after ''first offense'' the following: ''(i) that is not described in section 1548 of such title (relating to increased penalties), and (ii)''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. 3737. PRECLUDING REFUGEE OR ASYLEE ADJUSTMENT OF STATUS FOR AGGRAVATED FELONS.

(a) IN GENERAL.—Section 209(c) of the Immigration and Nationality Act (8 U.S.C. 1159(c)) is amended by adding at the end thereof the following: ''However, an alien who is convicted of an aggravated felony is not eligible for a waiver or for adjustment of status under this section.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply—

(1) to any act that occurred before, on, or after the date of the enactment of this Act; and

(2) to all aliens who are required to establish admissibility on or after such date, and in all removal, deportation, or exclusion proceedings that are filed, pending, or reopened, on or after such date.

SEC. 3738. INADMISSIBILITY AND DEPORTABILITY OF DRUNK DRIVERS.

(a) IN GENERAL.—Section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) is amended—

(1) in subparagraph (T), by striking ''and'';

(2) in subparagraph (U); by striking the period at the end and inserting ''; and''; and

(3) by inserting after subparagraph (U) the following:.

''(V) A second conviction for driving while intoxicated (including a conviction for driving while under the influence of or impaired by alcohol or drugs) without regard to whether the conviction is classified as a misdemeanor or felony under State law.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and apply to convictions entered on or after such date.

SEC. 3739. DETENTION OF DANGEROUS ALIENS.

(a) IN GENERAL.—Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) is amended—

(1) by striking ''Attorney General'' each place it appears, except for the first reference in paragraph (4)(B)(i), and inserting ''Secretary of Homeland Security'';

(2) in paragraph (1), by amending subparagraph (B) to read as follows:

''(B) BEGINNING OF PERIOD.—The removal period begins on the latest of the following:

''(i) The date the order of removal becomes administratively final.

''(ii) If the alien is not in the custody of the Secretary on the date the order of removal becomes administratively final, the date the alien is taken into such custody.

''(iii) If the alien is detained or confined (except under an immigration process) on the date the order of removal becomes administratively final, the date the alien is taken into the custody of the Secretary, after the alien is released from such detention or confinement.'';

(3) in paragraph (1), by amending subparagraph (C) to read as follows:

''(C) SUSPENSION OF PERIOD.—

''(i) EXTENSION.—The removal period shall be extended beyond a period of 90 days and the Secretary may, in the Secretary's sole discretion, keep the alien in detention during such extended period if—

''(I) the alien fails or refuses to make all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure or conspires or acts to prevent the alien's removal that is subject to an order of removal;

''(II) a court, the Board of Immigration Appeals, or an immigration judge orders a stay of removal of an alien who is subject to an administratively final order of removal;

''(III) the Secretary transfers custody of the alien pursuant to law to another Federal agency or a State or local government agency in connection with the official duties of such agency; or

''(IV) a court or the Board of Immigration Appeals orders a remand to an immigration judge or the Board of Immigration Appeals, during the time period when the case is pending a decision on remand (with the removal period beginning anew on the date that the alien is ordered removed on remand).

''(ii) RENEWAL.—If the removal period has been extended under clause (C)(i), a new removal period shall be deemed to have begun on the date—

''(I) the alien makes all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary's efforts to establish the alien's identity and carry out the removal order;

''(II) the stay of removal is no longer in effect; or

''(III) the alien is returned to the custody of the Secretary.

''(iii) MANDATORY DETENTION FOR CERTAIN ALIENS.—In the case of an alien described in subparagraphs (A) through (D) of section 236(c)(1), the Secretary shall keep that alien in detention during the extended period described in clause (i).

''(iv) SOLE FORM OF RELIEF.—An alien may seek relief from detention under this subparagraph only by filing an application for a writ of habeas corpus in accordance with chapter 153 of title 28, United States Code. No alien whose period of detention is extended under this subparagraph shall have the right to seek release on bond.'';

(4) in paragraph (3)—

(A) by adding after ''If the alien does not leave or is not removed within the removal period'' the following: ''or is not detained pursuant to paragraph (6) of this subsection''; and

(B) by striking subparagraph (D) and inserting the following:

''(D) to obey reasonable restrictions on the alien's conduct or activities that the Secretary prescribes for the alien, in order to prevent the alien from absconding, for the protection of the community, or for other purposes related to the enforcement of the immigration laws.'';

(5) in paragraph (4)(A), by striking ''paragraph (2)'' and inserting ''subparagraph (B)''; and

(6) by striking paragraph (6) and inserting the following:

''(6) ADDITIONAL RULES FOR DETENTION OR RELEASE OF CERTAIN ALIENS.—

''(A) DETENTION REVIEW PROCESS FOR COOPERATIVE ALIENS ESTABLISHED.—For an alien who is not otherwise subject to mandatory detention, who has made all reasonable efforts to comply with a removal order and to cooperate fully with the Secretary of Homeland Security's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, and who has not conspired or acted to prevent removal, the Secretary shall establish an administrative review process to determine whether the alien should be detained or released on conditions. The Secretary shall make a determination whether to release an alien after the removal period in accordance with subparagraph (B). The determination shall include consideration of any evidence submitted by the alien, and may include consideration of any other evidence, including any information or assistance provided by the Secretary of State or other Federal official and any other information available to the Secretary of Homeland Security pertaining to the ability to remove the alien.

''(B) AUTHORITY TO DETAIN BEYOND REMOVAL PERIOD.—

''(i) IN GENERAL.—The Secretary of Homeland Security, in the exercise of the Secretary's sole discretion, may continue to detain an alien for 90 days beyond the removal period (including any extension of the removal period as provided in paragraph (1)(C)). An alien whose detention is extended under this subparagraph shall have no right to seek release on bond.

''(ii) SPECIFIC CIRCUMSTANCES.—The Secretary of Homeland Security, in the exercise of the Secretary's sole discretion, may continue to detain an alien beyond the 90 days authorized in clause (i)—

''(I) until the alien is removed, if the Secretary, in the Secretary's sole discretion, determines that there is a significant likelihood that the alien—

''(aa) will be removed in the reasonably foreseeable future; or

''(bb) would be removed in the reasonably foreseeable future, or would have been removed, but for the alien's failure or refusal to make all reasonable efforts to comply with the removal order, or to cooperate fully with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, or conspires or acts to prevent removal;

''(II) until the alien is removed, if the Secretary of Homeland Security certifies in writing—

''(aa) in consultation with the Secretary of Health and Human Services, that the alien has a highly contagious disease that poses a threat to public safety;

''(bb) after receipt of a written recommendation from the Secretary of State, that release of the alien is likely to have serious adverse foreign policy consequences for the United States;

''(cc) based on information available to the Secretary of Homeland Security (including classified, sensitive, or national security information, and without regard to the grounds upon which the alien was ordered removed), that there is reason to believe that the release of the alien would threaten the national security of the United States; or

''(dd) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or any person, and either (AA) the alien has been convicted of one or more aggravated felonies (as defined in section 101(a)(43)(A)) or of one or more crimes identified by the Secretary of Homeland Security by regulation, or of one or more attempts or conspiracies to commit any such aggravated felonies or such identified crimes, if the aggregate term of imprisonment for such attempts or conspiracies is at least 5 years; or (BB) the alien has committed one or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder and behavior associated with that condition or disorder, the alien is likely to engage in acts of violence in the future; or

''(III) pending a certification under subclause (II), so long as the Secretary of Homeland Security has initiated the administrative review process not later than 30 days after the expiration of the removal period (including any extension of the removal period, as provided in paragraph (1)(C)).

''(iii) NO RIGHT TO BOND HEARING.—An alien whose detention is extended under this subparagraph shall have no right to seek release on bond, including by reason of a certification under clause (ii)(II).

''(C) RENEWAL AND DELEGATION OF CERTIFICATION.—

''(i) RENEWAL.—The Secretary of Homeland Security may renew a certification under subparagraph (B)(ii)(II) every 6 months, after providing an opportunity for the alien to request reconsideration of the certification and to submit documents or other evidence in support of that request. If the Secretary does not renew a certification, the Secretary may not continue to detain the alien under subparagraph (B)(ii)(II).

''(ii) DELEGATION.—Notwithstanding section 103, the Secretary of Homeland Security may not delegate the authority to make or renew a certification described in item (bb), (cc), or (dd) of subparagraph (B)(ii)(II) below the level of the Assistant Secretary for Immigration and Customs Enforcement.

''(iii) HEARING.—The Secretary of Homeland Security may request that the Attorney General or the Attorney General's designee provide for a hearing to make the determination described in item (dd)(BB) of subparagraph (B)(ii)(II).

''(D) RELEASE ON CONDITIONS.—If it is determined that an alien should be released from detention by a Federal court, the Board of Immigration Appeals, or if an immigration judge orders a stay of removal, the Secretary of Homeland Security, in the exercise of the Secretary's discretion, may impose conditions on release as provided in paragraph (3).

''(E) REDETENTION.—The Secretary of Homeland Security, in the exercise of the Secretary's discretion, without any limitations other than those specified in this section, may again detain any alien subject to a final removal order who is released from custody, if removal becomes likely in the reasonably foreseeable future, the alien fails to comply with the conditions of release, or to continue to satisfy the conditions described in subparagraph (A), or if, upon reconsideration, the Secretary, in the Secretary's sole discretion, determines that the alien can be detained under subparagraph (B). This section shall apply to any alien returned to custody pursuant to this subparagraph, as if the removal period terminated on the day of the redetention.

''(F) REVIEW OF DETERMINATIONS BY SECRETARY.—A determination by the Secretary under this paragraph shall not be subject to review by any other agency.''.

(b) DETENTION OF ALIENS DURING REMOVAL PROCEEDINGS.—

(1) CLERICAL AMENDMENT.—(A) Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226) is amended by striking ''Attorney General'' each place it appears (except in

the second place that term appears in section 236(a)) and inserting ''Secretary of Homeland Security''.

(B) Section 236(a) of such Act (8 U.S.C. 1226(a)) is amended by inserting ''the Secretary of Homeland Security or'' before ''the Attorney General—''.

(C) Section 236(e) of such Act (8 U.S.C. 1226(e)) is amended by striking ''Attorney General's'' and inserting ''Secretary of Homeland Security's''.

(2) LENGTH OF DETENTION.—Section 236 of such Act (8 U.S.C. 1226) is amended by adding at the end the following:

''(f) LENGTH OF DETENTION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this section, an alien may be detained under this section for any period, without limitation, except as provided in subsection (h), until the alien is subject to a final order of removal.

''(2) CONSTRUCTION.—The length of detention under this section shall not affect detention under section 241.''.

(3) DETENTION OF CRIMINAL ALIENS.—Section 236(c)(1) of the Immigration and Nationality Act (8 U.S.C. 1226(c)(1)) is amended, in the matter following subparagraph (D) to read as follows:

''any time after the alien is released, without regard to whether an alien is released related to any activity, offense, or conviction described in this paragraph; to whether the alien is released on parole, supervised release, or probation; or to whether the alien may be arrested or imprisoned again for the same offense. If the activity described in this paragraph does not result in the alien being taken into custody by any person other than the Secretary, then when the alien is brought to the attention of the Secretary or when the Secretary determines it is practical to take such alien into custody, the Secretary shall take such alien into custody.''.

(4) ADMINISTRATIVE REVIEW.—Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226), as amended by paragraph (2), is further amended by adding at the end the following:

''(g) ADMINISTRATIVE REVIEW.—

''(1) IN GENERAL.—The Attorney General's review of the Secretary's custody determinations under subsection (a) for the following classes of aliens shall be limited to whether the alien may be detained, released on bond (of at least $1,500 with security approved by the Secretary), or released with no bond:

''(A) Aliens in exclusion proceedings.

''(B) Aliens described in section 212(a)(3) or 237(a)(4).

''(C) Aliens described in subsection (c).

''(2) SPECIAL RULE.—The Attorney General's review of the Secretary's custody determinations under subsection (a) for aliens in deportation proceedings subject to section 242(a)(2) of the Act (as in effect prior to April 1, 1997, and as amended by section 440(c) of Public Law 104–132) shall be limited to a determination of whether the alien is properly included in such category.

''(h) RELEASE ON BOND.—

''(1) IN GENERAL.—An alien detained under subsection (a) may seek release on bond. No bond may be granted except to an alien who establishes by clear and convincing evidence that the alien is not a flight risk or a risk to another person or the community.

''(2) CERTAIN ALIENS INELIGIBLE.—No alien detained under subsection (c) may seek release on bond.''.

(5) CLERICAL AMENDMENTS.—(A) Section 236(a)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1226(a)(2)(B)) is amended by striking ''conditional parole'' and inserting ''recognizance''.

(B) Section 236(b) of such Act (8 U.S.C. 1226(b)) is amended by striking ''parole'' and inserting ''recognizance''.

(c) SEVERABILITY.—If any of the provisions of this section or any amendment by this section, or the application of any such provision to any person or circumstance, is held to be invalid for any reason, the remainder of this section and of amendments made by this section, and the application of the provisions and of the amendments made by this section to any other person or circumstance shall not be affected by such holding.

(d) EFFECTIVE DATES.—

(1) The amendments made by subsection (a) shall take effect upon the date of enactment of this Act, and section 241 of the Immigration and Nationality Act, as so amended, shall in addition apply to—

(A) all aliens subject to a final administrative removal, deportation, or exclusion order that was issued before, on, or after the date of the enactment of this Act; and

(B) acts and conditions occurring or existing before, on, or after such date.

(2) The amendments made by subsection (b) shall take effect upon the date of the enactment of this Act, and section 236 of the Immigration and Nationality Act, as so amended, shall in addition apply to any alien in detention under provisions of such section on or after such date.

SEC. 3740. GROUNDS OF INADMISSIBILITY AND DEPORTABILITY FOR ALIEN GANG MEMBERS.

(a) DEFINITION OF GANG MEMBER.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended by adding at the end the following:

''(53)(A) The term 'criminal gang' means an ongoing group, club, organization, or association of 5 or more persons that has as one of its primary purposes the commission of 1 or more of the following criminal offenses and the members of which engage, or have engaged within the past 5 years, in a continuing series of such offenses, or that has been designated as a criminal gang by the Secretary of Homeland Security, in consultation with the Attorney General, as meeting these criteria. The offenses described, whether in violation of Federal or State law or foreign law and regardless of whether the offenses occurred before, on, or after the date of the enactment of this paragraph, are the following:

''(i) A 'felony drug offense' (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

''(ii) An offense under section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose).

''(iii) A crime of violence (as defined in section 16 of title 18, United States Code).

''(iv) A crime involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, or burglary.

''(v) Any conduct punishable under sections 1028 and 1029 of title 18, United States Code (relating to fraud and related activity in connection with identification documents or access devices), sections 1581 through 1594 of such title (relating to peonage, slavery and trafficking in persons), section 1952 of such title (relating to interstate and foreign travel or transportation in aid of racketeering enterprises), section 1956 of such title (relating to the laundering of monetary instruments), section 1957 of such title (relating to engaging in monetary transactions in property derived from specified unlawful activity), or sections 2312 through 2315 of such title (relating to interstate transportation of stolen motor vehicles or stolen property).

''(vi) A conspiracy to commit an offense described in clauses (i) through (v).

''(B) Notwithstanding any other provision of law (including any effective date), the term applies regardless of whether the conduct occurred before, on, or after the date of the enactment of this paragraph.''.

(b) INADMISSIBILITY.—Section 212(a)(2) of such Act (8 U.S.C. 1182(a)(2)), as amended by section 302(a)(2) of this Act, is further amended by adding at the end the following:

''(N) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is inadmissible who a consular officer, the Secretary of Homeland Security, or the Attorney General knows or has reason to believe—

''(i) to be or to have been a member of a criminal gang (as defined in section 101(a)(53)); or

''(ii) to have participated in the activities of a criminal gang (as defined in section 101(a)(53)), knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang.''.

(c) DEPORTABILITY.—Section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)), as amended by section 302(c) of this Act, is further amended by adding at the end the following:

''(H) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is deportable who the Secretary of Homeland Security or the Attorney General knows or has reason to believe—

''(i) is or has been a member of a criminal gang (as defined in section 101(a)(53)); or

''(ii) has participated in the activities of a criminal gang (as so defined), knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang.''.

(d) DESIGNATION.—

(1) IN GENERAL.—Chapter 2 of title II of the Immigration and Nationality Act (8 U.S.C. 1182) is amended by inserting after section 219 the following:

''DESIGNATION

''SEC. 220. (a) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Attorney General, and the Secretary of State may designate a groups or association as a criminal street gangs if their conduct is described in section 101(a)(53) or if the group or association conduct poses a significant risk that threatens the security and the public safety of United States nationals or the national security, homeland security, foreign policy, or economy of the United States.

''(b) EFFECTIVE DATE.—Designations under subsection (a) shall remain in effect until the designation is revoked after consultation between the Secretary of Homeland Security, the Attorney General, and the Secretary of State or is terminated in accordance with Federal law.''.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 219 the following:

''220. Designation.''.

(e) MANDATORY DETENTION OF CRIMINAL STREET GANG MEMBERS.—

(1) IN GENERAL.—Section 236(c)(1)(D) of the Immigration and Nationality Act (8 U.S.C. 1226(c)(1)(D)) is amended—

(A) by inserting ''or 212(a)(2)(N)'' after ''212(a)(3)(B)''; and

(B) by inserting ''or 237(a)(2)(H)'' before ''237(a)(4)(B)''.

(2) ANNUAL REPORT.—Not later than March 1 of each year (beginning 1 year after the date of the enactment of this Act), the Secretary of Homeland Security, after consultation with the appropriate Federal agencies, shall submit a report to the Committees on the Judiciary of the House of Representatives and of the Senate on the number of aliens detained under the amendments made by paragraph (1).

(f) ASYLUM CLAIMS BASED ON GANG AFFILIATION.—

(1) INAPPLICABILITY OF RESTRICTION ON REMOVAL TO CERTAIN COUNTRIES.—Section 241(b)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1251(b)(3)(B)) is amended, in the matter preceding clause (i), by inserting ''who is described in section 212(a)(2)(N)(i) or section 237(a)(2)(H)(i) or who is'' after ''to an alien''.

(2) INELIGIBILITY FOR ASYLUM.—Section 208(b)(2)(A) of such Act (8 U.S.C. 1158(b)(2)(A)) is amended—

(A) in clause (v), by striking ''or'' at the end;

(B) by redesignating clause (vi) as clause (vii); and

(C) by inserting after clause (v) the following:

''(vi) the alien is described in section 212(a)(2)(N)(i) or section 237(a)(2)(H)(i) (relating to participation in criminal street gangs); or''.

(g) TEMPORARY PROTECTED STATUS.—Section 244 of such Act (8 U.S.C. 1254a) is amended—

(1) by striking ''Attorney General'' each place it appears and inserting ''Secretary of Homeland Security'';

(2) in subparagraph (c)(2)(B), by adding at the end the following:

''(iii) the alien is, or at any time after admission has been, a member of a criminal gang (as defined in section 101(a)(53)).''; and

(3) in subsection (d)——

(A) by striking paragraph (3); and

(B) in paragraph (4), by adding at the end the following: ''The Secretary of Homeland Security may detain an alien provided temporary protected status under this section whenever appropriate under any other provision of law.''.

(h) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. 3741. LAUNDERING OF MONETARY INSTRUMENTS.

(a) ADDITIONAL PREDICATE OFFENSES.—Section 1956(c)(7)(D) of title 18, United States Code, is amended—

(1) by inserting ''section 1590 (relating to trafficking with respect to peonage, slavery, involuntary servitude, or forced labor),'' after ''section 1363 (relating to destruction of property within the special maritime and territorial jurisdiction),''; and

(2) by inserting ''section 274(a) of the Immigration and Nationality Act (8 U.S.C.1324(a)) (relating to bringing in and harboring certain aliens),'' after ''section 590 of the Tariff Act of 1930 (19 U.S.C. 1590) (relating to aviation smuggling),''.

(b) INTENT TO CONCEAL OR DISGUISE.—Section 1956(a) of title 18, United States Code, is amended—

(1) in paragraph (1) so that subparagraph (B) reads as follows:

''(B) knowing that the transaction—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''; and

(2) in paragraph (2) so that subparagraph (B) reads as follows:

''(B) knowing that the monetary instrument or funds involved in the transportation, transmission, or transfer represent the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, or transfer—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''.

SEC. 3742. INCREASED CRIMINAL PENALTIES RELATING TO ALIEN SMUGGLING AND RELATED OFFENSES.

(a) IN GENERAL.—Section 274 of the Immigration and Nationality Act (8 U.S.C. 1324), is amended to read as follows:

''SEC. 274. ALIEN SMUGGLING AND RELATED OFFENSES.

''(a) CRIMINAL OFFENSES AND PENALTIES.—

''(1) PROHIBITED ACTIVITIES.—Except as provided in paragraph (3), a person shall be punished as provided under paragraph (2), if the person—

''(A) facilitates, encourages, directs, or induces a person to come to or enter the United States, or to cross the border to the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to come to, enter, or cross the border to the United States;

''(B) facilitates, encourages, directs, or induces a person to come to or enter the United States, or to cross the border to the United States, at a place other than a designated port of entry or place other than as designated by the Secretary of Homeland Security, knowing or in reckless disregard of the fact that such person is an alien and regardless of whether such alien has official permission or lawful authority to be in the United States;

''(C) transports, moves, harbors, conceals, or shields from detection a person outside of the United States knowing or in reckless disregard of the fact that such person is an alien in unlawful transit from one country to another or on the high seas, under circumstances in which the alien is seeking to enter the United States without official permission or lawful authority;

''(D) encourages or induces a person to reside in the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to reside in the United States;

''(E) transports or moves a person in the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to enter or be in the United States, if the transportation or movement will further the alien's illegal entry into or illegal presence in the United States;

''(F) harbors, conceals, or shields from detection a person in the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to be in the United States; or

''(G) conspires or attempts to commit any of the acts described in subparagraphs (A) through (F).

''(2) CRIMINAL PENALTIES.—A person who violates any provision under paragraph (1) shall, for each alien in respect to whom a violation of paragraph (1) occurs—

''(A) except as provided in subparagraphs (C) through (G), if the violation was not committed for commercial advantage, profit, or private financial gain, be fined under title 18, United States Code, imprisoned for not more than 5 years, or both;

''(B) except as provided in subparagraphs (C) through (G), if the violation was committed for commercial advantage, profit, or private financial gain—

''(i) be fined under such title, imprisoned for not more than 20 years, or both, if the violation is the offender's first violation under this subparagraph; or

''(ii) be fined under such title, imprisoned for not more than 25 years, or both, if the violation is the offender's second or subsequent violation of this subparagraph;

''(C) if the violation furthered or aided the commission of any other offense against the United States or any State that is punishable by imprisonment for more than 1 year, be fined under such title, imprisoned for not more than 20 years, or both;

''(D) be fined under such title, imprisoned not more than 20 years, or both, if the violation created a substantial and foreseeable risk of death, a substantial and foreseeable risk of serious bodily injury (as defined in section 2119(2) of title 18, United States Code), or inhumane conditions to another person, including—

''(i) transporting the person in an engine compartment, storage compartment, or other confined space;

''(ii) transporting the person at an excessive speed or in excess of the rated capacity of the means of transportation; or

''(iii) transporting the person in, harboring the person in, or otherwise subjecting the person to crowded or dangerous conditions;

''(E) if the violation caused serious bodily injury (as defined in section 2119(2) of title 18, United States Code) to any person, be fined under such title, imprisoned for not more than 30 years, or both;

''(F) be fined under such title and imprisoned for not more than 30 years if the violation involved an alien who the offender knew or had reason to believe was—

''(i) engaged in terrorist activity (as defined in section 212(a)(3)(B)); or

''(ii) intending to engage in terrorist activity;

''(G) if the violation caused or resulted in the death of any person, be punished by death or imprisoned for a term of years up to life, and fined under title 18, United States Code.

''(3) LIMITATION.—It is not a violation of subparagraph (D), (E), or (F) of paragraph (1) for a religious denomination having a bona fide nonprofit, religious organization in the United States, or the agents or officers of such denomination or organization, to encourage, invite, call, allow, or enable an alien who is present in the United States to perform the vocation of a minister or missionary for the denomination or organization in the United States as a volunteer who is not compensated as an employee, notwithstanding the provision of room, board, travel, medical assistance, and other basic living expenses, provided the minister or missionary has been a member of the denomination for at least 1 year.

''(4) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial Federal jurisdiction over the offenses described in this subsection.

''(b) SEIZURE AND FORFEITURE.—

''(1) IN GENERAL.—Any real or personal property used to commit or facilitate the commission of a violation of this section, the

gross proceeds of such violation, and any property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this subsection shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security.

''(3) PRIMA FACIE EVIDENCE IN DETERMINATIONS OF VIOLATIONS.—In determining whether a violation of subsection (a) has occurred, prima facie evidence that an alien involved in the alleged violation lacks lawful authority to come to, enter, reside in, remain in, or be in the United States or that such alien had come to, entered, resided in, remained in, or been present in the United States in violation of law may include:

''(A) any order, finding, or determination concerning the alien's status or lack of status made by a Federal judge or administrative adjudicator (including an immigration judge or immigration officer) during any judicial or administrative proceeding authorized under Federal immigration law;

''(B) official records of the Department of Homeland Security, the Department of Justice, or the Department of State concerning the alien's status or lack of status; and

''(C) testimony by an immigration officer having personal knowledge of the facts concerning the alien's status or lack of status.

''(c) AUTHORITY TO ARREST.—No officer or person shall have authority to make any arrests for a violation of any provision of this section except:

''(1) officers and employees designated by the Secretary of Homeland Security, either individually or as a member of a class; and

''(2) other officers responsible for the enforcement of Federal criminal laws.

''(d) ADMISSIBILITY OF VIDEOTAPED WITNESS TESTIMONY.—Notwithstanding any provision of the Federal Rules of Evidence, the videotaped or otherwise audiovisually preserved deposition of a witness to a violation of subsection (a) who has been deported or otherwise expelled from the United States, or is otherwise unavailable to testify, may be admitted into evidence in an action brought for that violation if:

''(1) the witness was available for cross examination at the deposition by the party, if any, opposing admission of the testimony; and

''(2) the deposition otherwise complies with the Federal Rules of Evidence.

''(e) DEFINITIONS.—In this section:

''(1) CROSS THE BORDER TO THE UNITED STATES.—The term 'cross the border' refers to the physical act of crossing the border, regardless of whether the alien is free from official restraint.

''(2) LAWFUL AUTHORITY.—The term 'lawful authority' means permission, authorization, or license that is expressly provided for in the immigration laws of the United States or accompanying regulations. The term does not include any such authority secured by fraud or otherwise obtained in violation of law or authority sought, but not approved. No alien shall be deemed to have lawful authority to come to, enter, reside in, remain in, or be in the United States if such coming to, entry, residence, remaining, or presence was, is, or would be in violation of law.

''(3) PROCEEDS.—The term 'proceeds' includes any property or interest in property obtained or retained as a consequence of an act or omission in violation of this section.

''(4) UNLAWFUL TRANSIT.—The term 'unlawful transit' means travel, movement, or temporary presence that violates the laws of any country in which the alien is present or any country from which or to which the alien is traveling or moving.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act is amended by striking the item relating to section 274 and inserting the following:

''Sec. 274. Alien smuggling and related offenses.''.

(c) PROHIBITING CARRYING OR USING A FIREARM DURING AND IN RELATION TO AN ALIEN SMUGGLING CRIME.—Section 924(c) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)——

(i) by inserting '', alien smuggling crime,'' after ''any crime of violence''; and

(ii) by inserting '', alien smuggling crime,'' after ''such crime of violence''; and

(B) in subparagraph (D)(ii), by inserting '', alien smuggling crime,'' after ''crime of violence''; and

(2) by adding at the end the following:

''(6) For purposes of this subsection, the term 'alien smuggling crime' means any felony punishable under section 274(a), 277, or 278 of the Immigration and Nationality Act (8 U.S.C. 1324(a), 1327, and 1328).''.

SEC. 3743. PENALTIES FOR ILLEGAL ENTRY OR PRESENCE.

(a) IN GENERAL.—Section 275 of the Immigration and Nationality Act (8 U.S.C. 1325) is amended to read as follows:

''ILLEGAL ENTRY

''SEC. 275. (a) IN GENERAL.—

''(1) ILLEGAL ENTRY OR PRESENCE.—An alien shall be subject to the penalties set forth in paragraph (2) if the alien—

''(A) knowingly enters or crosses the border into the United States at any time or place other than as designated by the Secretary of Homeland Security;

''(B) knowingly eludes, at any time or place, examination or inspection by an authorized immigration, customs, or agriculture officer (including by failing to stop at the command of such officer);

''(C) knowingly enters or crosses the border to the United States and, upon examination or inspection, knowingly makes a false or misleading representation or the knowing concealment of a material fact (including such representation or concealment in the context of arrival, reporting, entry, or clearance requirements of the customs laws, immigration laws, agriculture laws, or shipping laws);

''(D) knowingly violates the terms or conditions of the alien's admission or parole into the United States; or

''(E) knowingly is unlawfully present in the United States (as defined in section 212(a)(9)(B)(ii) subject to the exceptions set forth in section 212(a)(9)(B)(iii)).

''(2) CRIMINAL PENALTIES.—Any alien who violates any provision under paragraph (1):

''(A) shall, for the first violation, be fined under title 18, United States Code, imprisoned not more than 6 months, or both;

''(B) shall, for a second or subsequent violation, or following an order of voluntary departure, be fined under such title, imprisoned not more than 2 years, or both;

''(C) if the violation occurred after the alien had been convicted of 3 or more misdemeanors or for a felony, shall be fined under such title, imprisoned not more than 10 years, or both;

''(D) if the violation occurred after the alien had been convicted of a felony for which the alien received a term of imprisonment of not less than 30 months, shall be fined under such title, imprisoned not more than 15 years, or both; and

''(E) if the violation occurred after the alien had been convicted of a felony for which the alien received a term of imprisonment of not less than 60 months, such alien shall be fined under such title, imprisoned not more than 20 years, or both.

''(3) PRIOR CONVICTIONS.—The prior convictions described in subparagraphs (C) through (E) of paragraph (2) are elements of the offenses described and the penalties in such subparagraphs shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

''(A) alleged in the indictment or information; and

''(B) proven beyond a reasonable doubt at trial or admitted by the defendant.

''(4) DURATION OF OFFENSE.—An offense under this subsection continues until the alien is discovered within the United States by an immigration, customs, or agriculture officer.

''(5) ATTEMPT.—Whoever attempts to commit any offense under this section shall be punished in the same manner as for a completion of such offense.

''(b) IMPROPER TIME OR PLACE; CIVIL PENALTIES.—

''(1) IN GENERAL.—Any alien who is apprehended while entering, attempting to enter, or knowingly crossing or attempting to cross the border to the United States at a time or place other than as designated by immigration officers shall be subject to a civil penalty, in addition to any criminal or other civil penalties that may be imposed under any other provision of law, in an amount equal to—

''(A) not less than $50 or more than $250 for each such entry, crossing, attempted entry, or attempted crossing; or

''(B) twice the amount specified in paragraph (1) if the alien had previously been subject to a civil penalty under this subsection.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act is amended by striking the item relating to section 275 and inserting the following:

''275. Illegal entry.''.

SEC. 3744. ILLEGAL REENTRY.

Section 276 of the Immigration and Nationality Act (8 U.S.C. 1326) is amended to read as follows:

''REENTRY OF REMOVED ALIEN

''SEC. 276. (a) REENTRY AFTER REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed, or who has departed the United States while an order of exclusion, deportation, or removal is outstanding, and subsequently enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 2 years, or both.

''(b) REENTRY OF CRIMINAL OFFENDERS.—Notwithstanding the penalty provided in subsection (a), if an alien described in that subsection was convicted before such removal or departure:

''(1) for 3 or more misdemeanors or for a felony, the alien shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both;

''(2) for a felony for which the alien was sentenced to a term of imprisonment of not less than 30 months, the alien shall be fined under such title, imprisoned not more than 15 years, or both;

''(3) for a felony for which the alien was sentenced to a term of imprisonment of not less than 60 months, the alien shall be fined under such title, imprisoned not more than 20 years, or both;

''(4) for murder, rape, kidnapping, or a felony offense described in chapter 77 (relating to peonage and slavery) or 113B (relating to terrorism) of such title, or for 3 or more felonies of any kind, the alien shall be fined under such title, imprisoned not more than 25 years, or both.

''(c) REENTRY AFTER REPEATED REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed 3 or more times and thereafter enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both.

''(d) PROOF OF PRIOR CONVICTIONS.—The prior convictions described in subsection (b) are elements of the crimes described, and the penalties in that subsection shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

''(1) alleged in the indictment or information; and

''(2) proven beyond a reasonable doubt at trial or admitted by the defendant.

''(e) AFFIRMATIVE DEFENSES.—It shall be an affirmative defense to a violation of this section that—

''(1) prior to the alleged violation, the alien had sought and received the express consent of the Secretary of Homeland Security to reapply for admission into the United States; or

''(2) with respect to an alien previously denied admission and removed, the alien—

''(A) was not required to obtain such advance consent under the Immigration and Nationality Act or any prior Act; and

''(B) had complied with all other laws and regulations governing the alien's admission into the United States.

''(f) LIMITATION ON COLLATERAL ATTACK ON UNDERLYING REMOVAL ORDER.—In a criminal proceeding under this section, an alien may not challenge the validity of any prior removal order concerning the alien.

''(g) REENTRY OF ALIEN REMOVED PRIOR TO COMPLETION OF TERM OF IMPRISONMENT.—Any alien removed pursuant to section 241(a)(4) who enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in, the United States shall be incarcerated for the remainder of the sentence of imprisonment which was pending at the time of deportation without any reduction for parole or supervised release unless the alien affirmatively demonstrates that the Secretary of Homeland Security has expressly consented to the alien's reentry. Such alien shall be subject to such other penalties relating to the reentry of removed aliens as may be available under this section or any other provision of law.

''(h) DEFINITIONS.—For purposes of this section and section 275, the following definitions shall apply:

''(1) CROSSES THE BORDER TO THE UNITED STATES.—The term 'crosses the border' refers to the physical act of crossing the border, regardless of whether the alien is free from official restraint.

''(2) FELONY.—The term 'felony' means any criminal offense punishable by a term of imprisonment of more than 1 year under the laws of the United States, any State, or a foreign government.

''(3) MISDEMEANOR.—The term 'misdemeanor' means any criminal offense punishable by a term of imprisonment of not more than 1 year under the applicable laws of the United States, any State, or a foreign government.

''(4) REMOVAL.—The term 'removal' includes any denial of admission, exclusion, deportation, or removal, or any agreement by which an alien stipulates or agrees to exclusion, deportation, or removal.

''(5) STATE.—The term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''.

SEC. 3745. REFORM OF PASSPORT, VISA, AND IMMIGRATION FRAUD OFFENSES.

Chapter 75 of title 18, United States Code, is amended to read as follows:

''CHAPTER 75—PASSPORTS AND VISAS

''§ 1541. Issuance without authority

''(a) IN GENERAL.—Whoever—

''(1) acting or claiming to act in any office or capacity under the United States, or a State, without lawful authority grants, issues, or verifies any passport or other instrument in the nature of a passport to or for any person; or

''(2) being a consular officer authorized to grant, issue, or verify passports, knowingly grants, issues, or verifies any such passport to or for any person not owing allegiance, to the United States, whether a citizen or not;

shall be fined under this title or imprisoned not more than 15 years, or both.

''(b) DEFINITION.—In this section, the term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

''§ 1542. False statement in application and use of passport

''Whoever knowingly—

''(1) makes any false statement in an application for passport with intent to induce or secure the issuance of a passport under the authority of the United States, either for his own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws; or

''(2) uses or attempts to use, or furnishes to another for use any passport the issue of which was secured in any way by reason of any false statement;

shall be fined under this title or imprisoned not more than 15 years, or both.

''§ 1543. Forgery or false use of passport

''Whoever—

''(1) falsely makes, forges, counterfeits, mutilates, or alters any passport or instrument purporting to be a passport, with intent that the same may be used; or

''(2) knowingly uses, or attempts to use, or furnishes to another for use any such false, forged, counterfeited, mutilated, or altered passport or instrument purporting to be a passport, or any passport validly issued which has become void by the occurrence of any condition therein prescribed invalidating the same;

shall be fined under this title or imprisoned not more than 15 years, or both.

''§ 1544. Misuse of a passport

''Whoever knowingly—

''(1) uses any passport issued or designed for the use of another;

''(2) uses any passport in violation of the conditions or restrictions therein contained, or in violation of the laws, regulations, or rules governing the issuance and use of the passport;

''(3) secures, possesses, uses, receives, buys, sells, or distributes any passport knowing it to be forged, counterfeited, altered, falsely made, procured by fraud, stolen, or produced or issued without lawful authority; or

''(4) violates the terms and conditions of any safe conduct duly obtained and issued under the authority of the United States;

shall be fined under this title, imprisoned not more than 15 years, or both.

''§ 1545. Schemes to defraud aliens

''Whoever inside the United States, or in or affecting interstate or foreign commerce, in connection with any matter that is authorized by or arises under the immigration laws of the United States or any matter the offender claims or represents is authorized by or arises under the immigration laws of the United States, knowingly executes a scheme or artifice—

''(1) to defraud any person, or

''(2) to obtain or receive money or anything else of value from any person by means of false or fraudulent pretenses, representations, or promises;

shall be fined under this title, imprisoned not more than 15 years, or both.

''§ 1546. Immigration and visa fraud

''Whoever knowingly—

''(1) uses any immigration document issued or designed for the use of another;

''(2) forges, counterfeits, alters, or falsely makes any immigration document;

''(3) mails, prepares, presents, or signs any immigration document knowing it to contain any materially false statement or representation;

''(4) secures, possesses, uses, transfers, receives, buys, sells, or distributes any immigration document knowing it to be forged, counterfeited, altered, falsely made, stolen, procured by fraud, or produced or issued without lawful authority;

''(5) adopts or uses a false or fictitious name to evade or to attempt to evade the immigration laws;

''(6) transfers or furnishes, without lawful authority, an immigration document to another person for use by a person other than the person for whom the immigration document was issued or designed; or

''(7) produces, issues, authorizes, or verifies, without lawful authority, an immigration document;

shall be fined under this title, imprisoned not more than 15 years, or both.

''§ 1547. Attempts and conspiracies

''Whoever attempts or conspires to violate this chapter shall be punished in the same manner as a person who completes that violation.

''§ 1548. Alternative penalties for certain offenses

''(a) TERRORISM.—Whoever violates any section in this chapter to facilitate an act of international terrorism or domestic terrorism (as such terms are defined in section

2331), shall be fined under this title or imprisoned not more than 25 years, or both.

''(b) DRUG TRAFFICKING OFFENSES.—Whoever violates any section in this chapter to facilitate a drug trafficking crime (as defined in section 929(a)) shall be fined under this title or imprisoned not more than 20 years, or both.

''§ 1549. Definitions

''In this chapter:

''(1) An 'application for a United States passport' includes any document, photograph, or other piece of evidence attached to or submitted in support of the application.

''(2) The term 'immigration document' means any instrument on which is recorded, by means of letters, figures, or marks, matters which may be used to fulfill any requirement of the Immigration and Nationality Act.''.

SEC. 3746. FORFEITURE.

Section 981(a)(1) of title 18, United States Code, is amended by adding at the end the following:

''(I) Any property, real or personal, that has been used to commit or facilitate the commission of a violation of chapter 75, the gross proceeds of such violation, and any property traceable to any such property or proceeds.''.

SEC. 3747. EXPEDITED REMOVAL FOR ALIENS INADMISSIBLE ON CRIMINAL OR SECURITY GROUNDS.

(a) IN GENERAL.—Section 238(b) of the Immigration and Nationality Act (8 U.S.C. 1228(b)) is amended–

(1) in paragraph (1)—

(A) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security in the exercise of discretion''; and

(B) by striking ''set forth in this subsection or'' and inserting ''set forth in this subsection, in lieu of removal proceedings under'';

(2) in paragraph (3), by striking ''paragraph (1) until 14 calendar days'' and inserting ''paragraph (1) or (3) until 7 calendar days'';

(3) by striking ''Attorney General'' each place it appears in paragraphs (3) and (4) and inserting ''Secretary of Homeland Security'';

(4) in paragraph (5)—

(A) by striking ''described in this section'' and inserting ''described in paragraph (1) or (2)''; and

(B) by striking ''the Attorney General may grant in the Attorney General's discretion'' and inserting ''the Secretary of Homeland Security or the Attorney General may grant, in the discretion of the Secretary or Attorney General, in any proceeding'';

(5) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively; and

(6) by inserting after paragraph (2) the following new paragraph:

''(3) The Secretary of Homeland Security in the exercise of discretion may determine inadmissibility under section 212(a)(2) (relating to criminal offenses) and issue an order of removal pursuant to the procedures set forth in this subsection, in lieu of removal proceedings under section 240, with respect to an alien who

''(A) has not been admitted or paroled;

''(B) has not been found to have a credible fear of persecution pursuant to the procedures set forth in section 235(b)(1)(B); and

''(C) is not eligible for a waiver of inadmissibility or relief from removal.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act but shall not apply to aliens who are in removal proceedings under section 240 of the Immigration and Nationality Act as of such date.

SEC. 3748. INCREASED PENALTIES BARRING THE ADMISSION OF CONVICTED SEX OFFENDERS FAILING TO REGISTER AND REQUIRING DEPORTATION OF SEX OFFENDERS FAILING TO REGISTER.

(a) INADMISSIBILITY.—Section 212(a)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(A)(i)), as amended by section 302(a) of this Act, is further amended—

(1) in subclause (II), by striking ''or'' at the end;

(2) in subclause (III), by adding ''or'' at the end; and

(3) by inserting after subclause (III) the following:

''(IV) a violation of section 2250 of title 18, United States Code (relating to failure to register as a sex offender);''.

(b) DEPORTABILITY.—Section 237(a)(2) of such Act (8 U.S.C. 1227(a)(2)), as amended by sections 302(c) and 311(c) of this Act, is further amended—

(1) in subparagraph (A), by striking clause (v); and

(2) by adding at the end the following:

''(I) Any alien convicted of, or who admits having committed, or who admits committing acts which constitute the essential elements of a violation of section 2250 of title 18, United States Code (relating to failure to register as a sex offender) is deportable.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. 3749. PROTECTING IMMIGRANTS FROM CONVICTED SEX OFFENDERS.

(a) IMMIGRANTS.—Section 204(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)), is amended—

(1) in subparagraph (A), by amending clause (viii) to read as follows:

''(viii) Clause (i) shall not apply to a citizen of the United States who has been convicted of an offense described in subparagraph (A), (I), or (K) of section 101(a)(43), unless the Secretary of Homeland Security, in the Secretary's sole and unreviewable discretion, determines that the citizen poses no risk to the alien with respect to whom a petition described in clause (i) is filed.''; and

(2) in subparagraph (B)(i)—

(A) by redesignating the second subclause (I) as subclause (II); and

(B) by amending such subclause (II) to read as follows:

''(II) Subclause (I) shall not apply in the case of an alien admitted for permanent residence who has been convicted of an offense described in subparagraph (A), (I), or (K) of section 101(a)(43), unless the Secretary of Homeland Security, in the Secretary's sole and unreviewable discretion, determines that the alien lawfully admitted for permanent residence poses no risk to the alien with respect to whom a petition described in subclause (I) is filed.''.

(b) NONIMMIGRANTS.—Section 101(a)(15)(K) of such Act (8 U.S.C. 1101(a)(15)(K)), is amended by striking ''204(a)(1)(A)(viii)(I))'' each place such term appears and inserting ''204(a)(1)(A)(viii))''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to petitions filed on or after such date.

SEC. 3750. CLARIFICATION TO CRIMES OF VIOLENCE AND CRIMES INVOLVING MORAL TURPITUDE.

(a) INADMISSIBLE ALIENS.—Section 212(a)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(A)) is amended by adding at the end the following:

''(iii) CLARIFICATION.—If the conviction records do not conclusively establish whether a crime constitutes a crime involving moral turpitude, the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime involving moral turpitude.''.

(b) DEPORTABLE ALIENS.—

(1) GENERAL CRIMES.—Section 237(a)(2)(A) of such Act (8 U.S.C. 1227(a)(2)(A)), as amended by section 320(b) of this Act, is further amended by inserting after clause (iv) the following:

''(v) CRIMES INVOLVING MORAL TURPITUDE.—If the conviction records do not conclusively establish whether a crime constitutes a crime involving moral turpitude, the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime involving moral turpitude.''.

(2) DOMESTIC VIOLENCE.—Section 237(a)(2)(E) of such Act (8 U.S.C. 1227(a)(2)(E)) is amended by adding at the end the following:

''(iii) CRIMES OF VIOLENCE.—If the conviction records do not conclusively establish whether a crime of domestic violence constitutes a crime of violence (as defined in section 16 of title 18, United States Code), the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime of violence.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. 3751. PENALTIES FOR FAILURE TO OBEY REMOVAL ORDERS.

(a) IN GENERAL.—Section 243(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1253(a)(1)) is amended—

(1) by inserting ''212(a) or'' before ''237(a),'' ; and

(2) by striking paragraph (3).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to acts that are described in subparagraphs (A) through (D) of section 243(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1253(a)(1)) that occur on or after the date of the enactment of this Act.

SEC. 3752. PARDONS.

(a) DEFINITION.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)), as amended by section 311(a) of this Act, is further amended by adding at the end the following:

''(54) The term 'pardon' means a full and unconditional pardon granted by the President of the United States, Governor of any of the several States or constitutionally recognized body.''.

(b) DEPORTABILITY.—Section 237(a) of such Act (8 U.S.C. 1227(a)) is amended—

(1) in paragraph (2)(A), by striking clause (vi); and

(2) by adding at the end the following:

''(8) PARDONS.—

''(A) IN GENERAL.—In the case of an alien who has been convicted of a crime and is subject to removal due to that conviction, if the alien, subsequent to receiving the criminal conviction, is granted a pardon, the alien shall not be deportable by reason of that criminal conviction.

''(B) EXCEPTION.—Subparagraph (A) shall not apply in the case of an alien granted a

pardon if the pardon is granted in whole or in part to eliminate that alien's condition of deportability.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to a pardon granted before, on, or after such date.

CHAPTER 4—AID TO U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICERS

SEC. 3761. ICE IMMIGRATION ENFORCEMENT AGENTS.

(a) IN GENERAL.—The Secretary shall authorize all immigration enforcement agents and deportation officers of the Department who have successfully completed basic immigration law enforcement training to exercise the powers conferred by—

(1) section 287(a)(5)(A) of the Immigration and Nationality Act to arrest for any offense against the United States;

(2) section 287(a)(5)(B) of such Act to arrest for any felony;

(3) section 274(a) of such Act to arrest for bringing in, transporting, or harboring certain aliens, or inducing them to enter;

(4) section 287(a) of such Act to execute warrants of arrest for administrative immigration violations issued under section 236 of the Act or to execute warrants of criminal arrest issued under the authority of the United States; and

(5) section 287(a) of such Act to carry firearms, provided that they are individually qualified by training and experience to handle and safely operate the firearms they are permitted to carry, maintain proficiency in the use of such firearms, and adhere to the provisions of the enforcement standard governing the use of force.

(b) PAY.—Immigration enforcement agents shall be paid on the same scale as Immigration and Customs Enforcement deportation officers and shall receive the same benefits.

SEC. 3762. ICE DETENTION ENFORCEMENT OFFICERS.

(a) AUTHORIZATION.—The Secretary is authorized to hire 2,500 Immigration and Customs Enforcement detention enforcement officers.

(b) DUTIES.—Immigration and Customs Enforcement detention enforcement officers who have successfully completed detention enforcement officers' basic training shall be responsible for—

(1) taking and maintaining custody of any person who has been arrested by an immigration officer;

(2) transporting and guarding immigration detainees;

(3) securing Department detention facilities; and

(4) assisting in the processing of detainees.

SEC. 3763. ENSURING THE SAFETY OF ICE OFFICERS AND AGENTS.

(a) BODY ARMOR.—The Secretary shall ensure that every Immigration and Customs Enforcement deportation officer and immigration enforcement agent on duty is issued high-quality body armor that is appropriate for the climate and risks faced by the agent. Enough body armor must be purchased to cover every agent in the field.

(b) WEAPONS.—Such Secretary shall ensure that Immigration and Customs Enforcement deportation officers and immigration enforcement agents are equipped with weapons that are reliable and effective to protect themselves, their fellow agents, and innocent third parties from the threats posed by armed criminals. Such weapons shall include, at a minimum, standard-issue handguns, M–4 (or equivalent) rifles, and Tasers.

(c) EFFECTIVE DATE.—This section shall take effect 90 days after the date of the enactment of this Act.

SEC. 3764. ICE ADVISORY COUNCIL.

(a) ESTABLISHMENT.—An ICE Advisory Council shall be established not later than 3 months after the date of the enactment of this Act.

(b) MEMBERSHIP.—The ICE Advisory Council shall be comprised of 7 members.

(c) APPOINTMENT.—Members shall to be appointed in the following manner:

(1) One member shall be appointed by the President;

(2) One member shall be appointed by the Chairman of the Judiciary Committee of the House of Representatives;

(3) One member shall be appointed by the Chairman of the Judiciary Committee of the Senate;

(4) One member shall be appointed by the Local 511, the ICE prosecutor's union; and

(5) Three members shall be appointed by the National Immigration and Customs Enforcement Council.

(d) TERM.—Members shall serve renewable, 2-year terms.

(e) VOLUNTARY.—Membership shall be voluntary and non-remunerated, except that members will receive reimbursement from the Secretary for travel and other related expenses.

(f) RETALIATION PROTECTION.—Members who are employed by the Secretary shall be protected from retaliation by their supervisors, managers, and other Department employees for their participation on the Council.

(g) PURPOSE.—The purpose of the Council is to advise Congress and the Secretary on issues including the following:

(1) The current status of immigration enforcement efforts, including prosecutions and removals, the effectiveness of such efforts, and how enforcement could be improved;

(2) The effectiveness of cooperative efforts between the Secretary and other law enforcement agencies, including additional types of enforcement activities that the Secretary should be engaged in, such as State and local criminal task forces;

(3) Personnel, equipment, and other resource needs of field personnel;

(4) Improvements that should be made to the organizational structure of the Department, including whether the position of immigration enforcement agent should be merged into the deportation officer position; and

(5) The effectiveness of specific enforcement policies and regulations promulgated by the Secretary, and whether other enforcement priorities should be considered.

(h) REPORTS.—The Council shall provide quarterly reports to the Chairmen and Ranking Members of the Judiciary Committees of the Senate and the House of Representatives and to the Secretary. The Council members shall meet directly with the Chairmen and Ranking Members (or their designated representatives) and with the Secretary to discuss their reports every 6 months.

SEC. 3765. PILOT PROGRAM FOR ELECTRONIC FIELD PROCESSING.

(a) IN GENERAL.—The Secretary shall establish a pilot program in at least five of the 10 Immigration and Customs Enforcement field offices with the largest removal caseloads to allow Immigration and Customs deportation officers and immigration enforcement agents to—

(1) electronically process and serve charging documents, including Notices to Appear, while in the field; and

(2) electronically process and place detainers while in the field.

(b) DUTIES.—The pilot program described in subsection (a) shall be designed to allow deportation officers and immigration enforcement agents to use handheld or vehicle-mounted computers to—

(1) enter any required data, including personal information about the alien subject and the reason for issuing the document;

(2) apply the electronic signature of the issuing officer or agent;

(3) set the date the alien is required to appear before an immigration judge, in the case of Notices to Appear;

(4) print any documents the alien subject may be required to sign, along with additional copies of documents to be served on the alien; and

(5) interface with the ENFORCE database so that all data is stored and retrievable.

(c) CONSTRUCTION.—The pilot program described in subsection (a) shall be designed to replace, to the extent possible, the current paperwork and data-entry process used for issuing such charging documents and detainers.

(d) DEADLINE.—The Secretary shall initiate the pilot program described in subsection (a) within 6 months of the date of enactment of this Act.

(e) REPORT.—The Government Accountability Office shall report to the Judiciary Committee of the Senate and the House of Representatives no later than 18 months after the date of enactment of this Act on the effectiveness of the pilot program and provide recommendations for improving it.

(f) ADVISORY COUNCIL.—The ICE Advisory Council established by section 3764 shall include an recommendations on how the pilot program should work in the first quarterly report of the Council, and shall include assessments of the program and recommendations for improvement in each subsequent report.

(g) EFFECTIVE DATE.—This section shall take effect 180 days after the date of the enactment of this Act.

SEC. 3766. ADDITIONAL ICE DEPORTATION OFFICERS AND SUPPORT STAFF.

(a) IN GENERAL.—The Secretary shall, subject to the availability of appropriations for such purpose, increase the number of positions for full-time active-duty Immigration and Customs Enforcement deportation officers by 5,000 above the number of full-time positions for which funds were appropriated for fiscal year 2013.

(b) SUPPORT STAFF.—The Secretary shall, subject to the availability of appropriations for such purpose, increase the number of positions for full-time support staff for Immigration and Customs Enforcement deportation officers by 700 above the number of full-time positions for which funds were appropriated for fiscal year 2013.

SEC. 3767. ADDITIONAL ICE PROSECUTORS.

The Secretary shall increase by 60 the number of full-time trial attorneys working for the Immigration and Customs Enforcement Office of the Principal Legal Advisor.

CHAPTER 5—MISCELLANEOUS ENFORCEMENT PROVISIONS

SEC. 3771. ENCOURAGING ALIENS TO DEPART VOLUNTARILY.

(a) IN GENERAL.—Section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c) is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

''(1) INSTEAD OF REMOVAL PROCEEDINGS.—If an alien is not described in paragraph

(2)(A)(iii) or (4) of section 237(a), the Secretary of Homeland Security may permit the alien to voluntarily depart the United States at the alien's own expense under this subsection instead of being subject to proceedings under section 240.'';

(B) by striking paragraph (3);

(C) by redesignating paragraph (2) as paragraph (3);

(D) by adding after paragraph (1) the following:

''(2) BEFORE THE CONCLUSION OF REMOVAL PROCEEDINGS.—If an alien is not described in paragraph (2)(A)(iii) or (4) of section 237(a), the Attorney General may permit the alien to voluntarily depart the United States at the alien's own expense under this subsection after the initiation of removal proceedings under section 240 and before the conclusion of such proceedings before an immigration judge.'';

(E) in paragraph (3), as redesignated—

(i) by amending subparagraph (A) to read as follows:

''(A) INSTEAD OF REMOVAL.—Subject to subparagraph (C), permission to voluntarily depart under paragraph (1) shall not be valid for any period in excess of 120 days. The Secretary may require an alien permitted to voluntarily depart under paragraph (1) to post a voluntary departure bond, to be surrendered upon proof that the alien has departed the United States within the time specified.'';

(ii) by redesignating subparagraphs (B), (C), and (D) as paragraphs (C), (D), and (E), respectively;

(iii) by adding after subparagraph (A) the following:

''(B) BEFORE THE CONCLUSION OF REMOVAL PROCEEDINGS.—Permission to voluntarily depart under paragraph (2) shall not be valid for any period in excess of 60 days, and may be granted only after a finding that the alien has the means to depart the United States and intends to do so. An alien permitted to voluntarily depart under paragraph (2) shall post a voluntary departure bond, in an amount necessary to ensure that the alien will depart, to be surrendered upon proof that the alien has departed the United States within the time specified. An immigration judge may waive the requirement to post a voluntary departure bond in individual cases upon a finding that the alien has presented compelling evidence that the posting of a bond will pose a serious financial hardship and the alien has presented credible evidence that such a bond is unnecessary to guarantee timely departure.''.

(iv) in subparagraph (C), as redesignated, by striking ''subparagraphs (C) and(D)(ii)'' and inserting ''subparagraphs (D) and (E)(ii)'';

(v) in subparagraph (D), as redesignated, by striking ''subparagraph (B)'' each place that term appears and inserting ''subparagraph (C)'';

(vi) in subparagraph (E), as redesignated, by striking ''subparagraph (B)'' each place that term appears and inserting ''subparagraph (C)'';

(F) in paragraph (4), by striking ''paragraph (1)'' and inserting ''paragraphs (1) and (2)'';

(2) in subsection (b)(2), by striking ''a period exceeding 60 days'' and inserting ''any period in excess of 45 days'';

(3) by amending subsection (c) to read as follows:

''(c) CONDITIONS ON VOLUNTARY DEPARTURE.—

''(1) VOLUNTARY DEPARTURE AGREEMENT.—Voluntary departure may only be granted as part of an affirmative agreement by the alien. A voluntary departure agreement under subsection (b) shall include a waiver of the right to any further motion, appeal, application, petition, or petition for review relating to removal or relief or protection from removal.

''(2) CONCESSIONS BY THE SECRETARY.—In connection with the alien's agreement to depart voluntarily under paragraph (1), the Secretary of Homeland Security may agree to a reduction in the period of inadmissibility under subparagraph (A) or (B)(i) of section 212(a)(9).

''(3) ADVISALS.—Agreements relating to voluntary departure granted during removal proceedings under section 240, or at the conclusion of such proceedings, shall be presented on the record before the immigration judge. The immigration judge shall advise the alien of the consequences of a voluntary departure agreement before accepting such agreement.

''(4) FAILURE TO COMPLY WITH AGREEMENT.—

''(A) IN GENERAL.—If an alien agrees to voluntary departure under this section and fails to depart the United States within the time allowed for voluntary departure or fails to comply with any other terms of the agreement (including failure to timely post any required bond), the alien is—

''(i) ineligible for the benefits of the agreement;

''(ii) subject to the penalties described in subsection (d); and

''(iii) subject to an alternate order of removal if voluntary departure was granted under subsection (a)(2) or (b).

''(B) EFFECT OF FILING TIMELY APPEAL.—If, after agreeing to voluntary departure, the alien files a timely appeal of the immigration judge's decision granting voluntary departure, the alien may pursue the appeal instead of the voluntary departure agreement. Such appeal operates to void the alien's voluntary departure agreement and the consequences of such agreement, but precludes the alien from another grant of voluntary departure while the alien remains in the United States.

''(5) VOLUNTARY DEPARTURE PERIOD NOT AFFECTED.—Except as expressly agreed to by the Secretary in writing in the exercise of the Secretary's discretion before the expiration of the period allowed for voluntary departure, no motion, appeal, application, petition, or petition for review shall affect, reinstate, enjoin, delay, stay, or toll the alien's obligation to depart from the United States during the period agreed to by the alien and the Secretary.'';

(4) by amending subsection (d) to read as follows:

''(d) PENALTIES FOR FAILURE TO DEPART.—If an alien is permitted to voluntarily depart under this section and fails to voluntarily depart from the United States within the time period specified or otherwise violates the terms of a voluntary departure agreement, the alien will be subject to the following penalties:

''(1) CIVIL PENALTY.—The alien shall be liable for a civil penalty of $3,000. The order allowing voluntary departure shall specify the amount of the penalty, which shall be acknowledged by the alien on the record. If the Secretary thereafter establishes that the alien failed to depart voluntarily within the time allowed, no further procedure will be necessary to establish the amount of the penalty, and the Secretary may collect the civil penalty at any time thereafter and by whatever means provided by law. An alien will be ineligible for any benefits under this chapter until this civil penalty is paid.

''(2) INELIGIBILITY FOR RELIEF.—The alien shall be ineligible during the time the alien remains in the United States and for a period of 10 years after the alien's departure for any further relief under this section and sections 240A, 245, 248, and 249. The order permitting the alien to depart voluntarily shall inform the alien of the penalties under this subsection.

''(3) REOPENING.—The alien shall be ineligible to reopen the final order of removal that took effect upon the alien's failure to depart, or upon the alien's other violations of the conditions for voluntary departure, during the period described in paragraph (2). This paragraph does not preclude a motion to reopen to seek withholding of removal under section 241(b)(3) or protection against torture, if the motion—

''(A) presents material evidence of changed country conditions arising after the date of the order granting voluntary departure in the country to which the alien would be removed; and

''(B) makes a sufficient showing to the satisfaction of the Attorney General that the alien is otherwise eligible for such protection.''; and

(5) by amending subsection (e) to read as follows:

''(e) ELIGIBILITY.—

''(1) PRIOR GRANT OF VOLUNTARY DEPARTURE.—An alien shall not be permitted to voluntarily depart under this section if the Secretary of Homeland Security or the Attorney General previously permitted the alien to depart voluntarily.

''(2) RULEMAKING.—The Secretary may promulgate regulations to limit eligibility or impose additional conditions for voluntary departure under subsection (a)(1) for any class of aliens. The Secretary or Attorney General may by regulation limit eligibility or impose additional conditions for voluntary departure under subsections (a)(2) or (b) of this section for any class or classes of aliens.''.

(6) in subsection (f), by adding at the end the following: ''Notwithstanding section 242(a)(2)(D) of this Act, sections 1361, 1651, and 2241 of title 28, United States Code, any other habeas corpus provision, and any other provision of law (statutory or nonstatutory), no court shall have jurisdiction to affect, reinstate, enjoin, delay, stay, or toll the period allowed for voluntary departure under this section.''.

(b) RULEMAKING.—The Secretary shall within one year of the date of enactment of this Act promulgate regulations to provide for the imposition and collection of penalties for failure to depart under section 240B(d) of the Immigration and Nationality Act (8 U.S.C. 1229c(d)).

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to all orders granting voluntary departure under section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c) made on or after the date that is 180 days after the enactment of this Act.

(2) EXCEPTION.—The amendment made by subsection (a)(6) shall take effect on the date of the enactment of this Act and shall apply with respect to any petition for review which is filed on or after such date.

SEC. 3772. DETERRING ALIENS ORDERED REMOVED FROM REMAINING IN THE UNITED STATES UNLAWFULLY.

(a) INADMISSIBLE ALIENS.—Section 212(a)(9)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(A)) is amended—

(1) in clause (i), by striking ''seeks admission within 5 years of the date of such removal (or within 20 years'' and inserting ''seeks admission not later than 5 years after the date of the alien's removal (or not later than 20 years after the alien's removal''; and

(2) in clause (ii), by striking ''seeks admission within 10 years of the date of such alien's departure or removal (or within 20 years of'' and inserting ''seeks admission not later than 10 years after the date of the alien's departure or removal (or not later than 20 years after''.

(b) BAR ON DISCRETIONARY RELIEF.—Section 274D of such Act (8 U.S.C. 324d) is amended—

(1) in subsection (a), by striking ''Commissioner'' and inserting ''Secretary of Homeland Security''; and

(2) by adding at the end the following:

''(c) INELIGIBILITY FOR RELIEF.—

''(1) IN GENERAL.—Unless a timely motion to reopen is granted under section 240(c)(6), an alien described in subsection (a) shall be ineligible for any discretionary relief from removal (including cancellation of removal and adjustment of status) during the time the alien remains in the United States and for a period of 10 years after the alien's departure from the United States.

''(2) SAVINGS PROVISION.—Nothing in paragraph (1) shall preclude a motion to reopen to seek withholding of removal under section 241(b)(3) or protection against torture, if the motion—

''(A) presents material evidence of changed country conditions arising after the date of the final order of removal in the country to which the alien would be removed; and

''(B) makes a sufficient showing to the satisfaction of the Attorney General that the alien is otherwise eligible for such protection.''.

(c) EFFECTIVE DATES.—The amendments made by this section shall take effect on the date of the enactment of this Act with respect to aliens who are subject to a final order of removal entered before, on, or after such date.

SEC. 3773. REINSTATEMENT OF REMOVAL ORDERS.

(a) IN GENERAL.—Section 241(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(5)) is amended to read as follows:

''(5) REINSTATEMENT OF REMOVAL ORDERS AGAINST ALIENS ILLEGALLY REENTERING.—If the Secretary of Homeland Security finds that an alien has entered the United States illegally after having been removed, deported, or excluded or having departed voluntarily, under an order of removal, deportation, or exclusion, regardless of the date of the original order or the date of the illegal entry—

''(A) the order of removal, deportation, or exclusion is reinstated from its original date and is not subject to being reopened or reviewed notwithstanding section 242(a)(2)(D);

''(B) the alien is not eligible and may not apply for any relief under this Act, regardless of the date that an application or request for such relief may have been filed or made; and

''(C) the alien shall be removed under the order of removal, deportation, or exclusion at any time after the illegal entry.

Reinstatement under this paragraph shall not require proceedings under section 240 or other proceedings before an immigration judge''.

(b) JUDICIAL REVIEW.—Section 242 of the Immigration and Nationality Act (8 U.S.C. 1252) is amended by adding at the end the following:

''(h) JUDICIAL REVIEW OF REINSTATEMENT UNDER SECTION 241(A)(5).—

''(1) REVIEW OF REINSTATEMENT.—Judicial review of determinations under section 241(a)(5) is available in an action under subsection (a).

''(2) NO REVIEW OF ORIGINAL ORDER.—Notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, any other habeas corpus provision, or sections 1361 and 1651 of such title, no court shall have jurisdiction to review any cause or claim, arising from, or relating to, any challenge to the original order.''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect as if enacted on April 1, 1997, and shall apply to all orders reinstated or after that date by the Secretary (or by the Attorney General prior to March 1, 2003), regardless of the date of the original order.

SEC. 3774. CLARIFICATION WITH RESPECT TO DEFINITION OF ADMISSION.

Section 101(a)(13)(A) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(13)(A)) is amended by adding at the end the following: ''An alien's adjustment of status to that of lawful permanent resident status under any provision of this Act, or under any other provision of law, shall be considered an 'admission' for any purpose under this Act, even if the adjustment of status occurred while the alien was present in the United States.''.

SEC. 3775. REPORTS TO CONGRESS ON THE EXERCISE AND ABUSE OF PROSECUTORIAL DISCRETION.

(a) IN GENERAL.—Not later than 180 days after the end of each fiscal year, the Secretary and the Attorney General shall each provide to the Committees on the Judiciary of the House of Representatives and of the Senate a report on the following:

(1) Aliens apprehended or arrested by State or local law enforcement agencies who were identified by the Department in the previous fiscal year and for whom the Department did not issue detainers and did not take into custody despite the Department's findings that the aliens were inadmissible or deportable.

(2) Aliens who were applicants for admission in the previous fiscal year but not clearly and beyond a doubt entitled to be admitted by an immigration officer and who were not detained as required pursuant to section 235(b)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(2)(A)).

(3) Aliens who in the previous fiscal year were found by Department officials performing duties related to the adjudication of applications for immigration benefits or the enforcement of the immigration laws to be inadmissible or deportable who were not issued notices to appear pursuant to section 239 of such Act (8 U.S.C. 1229) or placed into removal proceedings pursuant to section 240 (8 U.S.C. 1229a), unless the aliens were placed into expedited removal proceedings pursuant to section 235(b)(1)(A)(i) (8 U.S.C. 1225(b)(1)(A)(5)) or section 238 (8 U.S.C. 1228), were granted voluntary departure pursuant to section 240B, were granted relief from removal pursuant to statute, were granted legal nonimmigrant or immigrant status pursuant to statute, or were determined not to be inadmissible or deportable.

(4) Aliens issued notices to appear that were cancelled in the previous fiscal year despite the Department's findings that the aliens were inadmissible or deportable, unless the aliens were granted relief from removal pursuant to statute, were granted voluntary departure pursuant to section 240B of such Act (8 U.S.C. 1229c), or were granted legal nonimmigrant or immigrant status pursuant to statute.

(5) Aliens who were placed into removal proceedings, whose removal proceedings were terminated in the previous fiscal year prior to their conclusion, unless the aliens were granted relief from removal pursuant to statute, were granted voluntary departure pursuant to section 240B, were granted legal nonimmigrant or immigrant status pursuant to statute, or were determined not to be inadmissible or deportable.

(6) Aliens granted parole pursuant to section 212(d)(5)(A) of such Act (8 U.S.C. 1182(d)(5)(A)).

(7) Aliens granted deferred action, extended voluntary departure or any other type of relief from removal not specified in the Immigration and Nationality Act or where determined not to be inadmissible or deportable.

(b) CONTENTS OF REPORT.—The report shall include a listing of each alien described in each paragraph of subsection (a), including when in the possession of the Department their names, fingerprint identification numbers, alien registration numbers, and reason why each was granted the type of prosecutorial discretion received. The report shall also include current criminal histories on each alien from the Federal Bureau of Investigation.

Strike section 4411 and insert the following:

SEC. 4411. REQUIRING HEIGHTENED SCRUTINY OF APPLICATIONS FOR ADMISSION FROM PERSONS LISTED ON TERRORIST DATABASES.

Section 222 (8 U.S.C. 1202), as amended by section 4410, is further amended by adding at the end the following:

''(j) REQUIRING HEIGHTENED SCRUTINY OF APPLICATIONS FOR ADMISSION FROM PERSONS LISTED ON TERRORIST DATABASES.—

''(1) REQUIREMENT FOR BIOGRAPHIC AND BIOMETRIC SCREENING.—Notwithstanding any other provision of this Act, the Secretary of State shall require every alien applying for admission to the United States to submit to biographic and biometric screening to determine whether the alien's name or biometric information is listed in any terrorist watch list or database maintained by any agency or department of the United States.

''(2) EXCLUSIONS.—No alien applying for a visa to the United States shall be granted such visa by a consular officer if the alien's name or biometric information is listed in any terrorist watch list or database referred to in paragraph (1) unless—

''(A) screening of the alien's visa application against interagency counterterrorism screening systems which compare the applicant's information against data in all counterterrorism watch lists and databases reveals no potentially pertinent links to terrorism;

''(B) the consular officer submits the application for further review to the Secretary of State and the heads of other relevant agencies, including the Secretary of Homeland Security and the Director of National Intelligence; and

''(C) the Secretary of State, after consultation with the Secretary of Homeland Security, the Director of National Intelligence, and the heads of other relevant agencies, certifies that the alien is admissible to the United States.''.

Section 4412 is amended by striking ''Section 428'' and insert the following:

(a) AUTHORITY OF THE SECRETARY OF HOMELAND SECURITY AND THE SECRETARY OF STATE.—

(1) IN GENERAL.—Section 428 of the Homeland Security Act of 2002 (6 U.S.C. 236) is amended by striking subsections (b) and (c) and inserting the following:

''(b) AUTHORITY OF THE SECRETARY OF HOMELAND SECURITY.—

''(1) IN GENERAL.—Notwithstanding section 104(a) of the Immigration and Nationality Act (8 U.S.C. 1104(a)) or any other provision of law, and except as provided in subsection (c) and except for the authority of the Secretary of State under subparagraphs (A) and (G) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)), the Secretary—

''(A) shall have exclusive authority to issue regulations, establish policy, and administer and enforce the provisions of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) and all other immigration or nationality laws relating to the functions of consular officers of the United States in connection with the granting and refusal of a visa; and

''(B) may refuse or revoke any visa to any alien or class of aliens if the Secretary, or designee, determines that such refusal or revocation is necessary or advisable in the security interests of the United States.

''(2) EFFECT OF REVOCATION.—The revocation of any visa under paragraph (1)(B)—

''(A) shall take effect immediately; and

''(B) shall automatically cancel any other valid visa that is in the alien's possession.

''(3) JUDICIAL REVIEW.—Notwithstanding any other provision of law, including section 2241 of title 28, United States Code, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review a decision by the Secretary of Homeland Security to refuse or revoke a visa, and no court shall have jurisdiction to hear any claim arising from, or any challenge to, such a refusal or revocation.

''(c) AUTHORITY OF THE SECRETARY OF STATE.—

''(1) IN GENERAL.—The Secretary of State may direct a consular officer to refuse a visa requested by an alien if the Secretary of State determines such refusal to be necessary or advisable in the interests of the United States.

''(2) LIMITATION.—No decision by the Secretary of State to approve a visa may override a decision by the Secretary of Homeland Security under subsection (b).''.

(2) CONFORMING AMENDMENT.—Section 237(a)(1)(B) (8 U.S.C. 1227(a)(1)(B)) is amended by striking ''under section 221(i)''.

(3) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act and shall apply to visa refusals and revocations occurring before, on, or after such date.

(b) TECHNICAL CORRECTIONS TO THE HOMELAND SECURITY ACT.—Section 428(a) of the Homeland Security Act of 2002 (6 U.S.C. 236) is amended by—

(1) striking ''subsection'' and inserting ''section''; and

(2) striking ''consular office'' and inserting ''consular officer''.

(c) VISA REVOCATION INFORMATION.—Section 428

At the end of subtitle D of title IV, add the following:

SEC. 4418. CANCELLATION OF ADDITIONAL VISAS.

(a) IN GENERAL.—Section 222(g) (8 U.S.C. 1202(g)) is amended—

(1) in paragraph (1)—

(A) by striking ''Attorney General'' and inserting ''Secretary''; and

(B) by inserting ''and any other nonimmigrant visa issued by the United States that is in the possession of the alien'' after ''such visa''; and

(2) in paragraph (2)(A), by striking ''(other than the visa described in paragraph (1)) issued in a consular office located in the country of the alien's nationality'' and inserting ''(other than a visa described in paragraph (1)) issued in a consular office located in the country of the alien's nationality or foreign residence''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to a visa issued before, on, or after such date.

SEC. 4419. VISA INFORMATION SHARING.

(a) IN GENERAL.—Section 222(f) (8 U.S.C. 1202(f)(2)) is amended—

(1) by striking ''issuance or refusal'' and inserting ''issuance, refusal, or revocation'';

(2) in paragraph (2), by striking ''and on the basis of reciprocity'';

(3) in paragraph (2)(A)—

(A) by inserting '' (i)'' after ''for the purpose of''; and

(B) by striking ''illicit weapons; or'' and inserting ''illicit weapons, or (ii) determining a person's deportability or eligibility for a visa, admission, or other immigration benefit;'';

(4) in paragraph (2)(B)—

(A) by striking ''for the purposes'' and inserting ''for one of the purposes''; and

(B) by striking ''or to deny visas to persons who would be inadmissible to the United States'' and inserting ''; or''; and

(5) by adding before the period at the end the following:

''(C) with regard to any or all aliens in the database specified data elements from each record, if the Secretary of State determines that it is in the national interest to provide such information to a foreign government.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect 60 days after the date of the enactment of the Act.

SEC. 4420. AUTHORIZING THE DEPARTMENT OF STATE TO NOT INTERVIEW CERTAIN INELIGIBLE VISA APPLICANTS.

(a) IN GENERAL.—Section 222(h)(1) (8 U.S.C. 1202(h)(1)) is amended by inserting '' the alien is determined by the Secretary of State to be ineligible for a visa based upon review of the application or'' after ''unless''.

(b) GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall issue guidance to consular officers on the standards and processes for implementing the authority to deny visa applications without interview in cases where the alien is determined by the Secretary of State to be ineligible for a visa based upon review of the application.

(c) REPORTS.—Not less frequently than once each quarter, the Secretary of State shall submit to the Congress a report on the denial of visa applications without interview, including—

(1) the number of such denials; and

(2) a post-by-post breakdown of such denials.

SEC. 4421. FUNDING FOR THE VISA SECURITY PROGRAM.

(a) IN GENERAL.—The Department of State and Related Agency Appropriations Act, 2005 (title IV of division B of Public Law 108-447) is amended, in the fourth paragraph under the heading ''Diplomatic and Consular Programs'', by striking ''Beginning'' through the period at the end and inserting the following: ''Beginning in fiscal year 2005 and thereafter, the Secretary of State is authorized to charge surcharges related to consular services in support of enhanced border security that are in addition to the immigrant visa fees in effect on January 1, 2004: Provided, That funds collected pursuant to this authority shall be credited to the appropriation for U.S. Immigration and Customs Enforcement for the fiscal year in which the fees were collected, and shall be available until expended for the funding of the Visa Security Program established by the Secretary of Homeland Security under section 428(e) of the Homeland Security Act of 2002 (Public Law 107–296): Provided further, That such surcharges shall be 10 percent of the fee assessed on immigrant visa applications.''.

(b) REPAYMENT OF APPROPRIATED FUNDS.—Twenty percent of the funds collected each fiscal year under the heading ''Diplomatic and Consular Programs'' in the Department of State and Related Agency Appropriations Act, 2005 (title IV of division B of Public Law 108-447), as amended by subsection (a), shall be deposited into the general fund of the Treasury as repayment of funds appropriated pursuant to section 407(c) of this Act until the entire appropriated sum has been repaid.

SEC. 4422. EXPEDITIOUS EXPANSION OF VISA SECURITY PROGRAM TO HIGH-RISK POSTS.

(a) IN GENERAL.—Section 428(i) of the Homeland Security Act of 2002 (6 U.S.C. 236(i)) is amended to read as follows:

''(i) VISA ISSUANCE AT DESIGNATED HIGH-RISK POSTS.—Notwithstanding any other provision of law, the Secretary of Homeland Security shall conduct an on-site review of all visa applications and supporting documentation before adjudication at the top 30 visa-issuing posts designated jointly by the Secretaries of State and Homeland Security as high-risk posts.''.

(b) ASSIGNMENT OF PERSONNEL.—Not later than one year after the date of enactment of this section, the Secretary of Homeland Security shall assign personnel to the visa-issuing posts referenced in section 428(i) of the Homeland Security Act of 2002 (6 U.S.C. 236(i)), as amended by this section, and communicate such assignments to the Secretary of State.

(c) APPROPRIATIONS.—There is authorized to be appropriated $60,000,000 for each of the fiscal years 2014 and 2015, which shall be used to expedite the implementation of section 428(i) of the Homeland Security Act, as amended by this section.

SEC. 4423. EXPEDITED CLEARANCE AND PLACEMENT OF DEPARTMENT OF HOMELAND SECURITY PERSONNEL AT OVERSEAS EMBASSIES AND CONSULAR POSTS.

Section 428 of the Homeland Security Act of 2002 (6 U.S.C. 236) is amended by adding at the end the following:

''(j) EXPEDITED CLEARANCE AND PLACEMENT OF DEPARTMENT OF HOMELAND SECURITY PERSONNEL AT OVERSEAS EMBASSIES AND CONSULAR POSTS.—Notwithstanding any other provision of law, and the processes set forth in National Security Defense Directive 38 (dated June 2, 1982) or any successor Directive, the Chief of Mission of a post to which the Secretary of Homeland Security has assigned personnel under subsection (e) or (i) shall ensure, not later than one year after the date on which the Secretary of Homeland Security communicates such assignment to the Secretary of State, that such personnel have been stationed and accommodated at post and are able to carry out their duties.''.

SEC. 4424. INCREASED CRIMINAL PENALTIES FOR STUDENT VISA INTEGRITY.

Section 1546 of title 18, United States Code, is amended by striking ''10 years'' and inserting ''15 years (if the offense was committed by an owner, official, or employee of

an educational institution with respect to such institution's participation in the Student and exchange Visitor Program), 10 years''.

SEC. 4425. VISA FRAUD.

(a) TEMPORARY SUSPENSION OF SEVIS ACCESS.—Section 641(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(d)) is amended—

(1) in paragraph (1)(A), by striking ''institution,,'' and inserting ''institution,''; and

(2) by adding at the end the following:

''(3) EFFECT OF REASONABLE SUSPICION OF FRAUD.—If the Secretary of Homeland Security has reasonable suspicion that an owner of, or a designated school official at, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program has committed fraud or attempted to commit fraud relating to any aspect of the Student and Exchange Visitor Program, the Secretary may immediately suspend, without notice, such official's or such school's access to the Student and Exchange Visitor Information System (SEVIS), including the ability to issue Form I–20s, pending a final determination by the Secretary with respect to the institution's certification under the Student and Exchange Visitor Program.''.

(b) EFFECT OF CONVICTION FOR VISA FRAUD.—Such section 641(d), as amended by subsection (a)(2), is further amended by adding at the end the following:

''(4) PERMANENT DISQUALIFICATION FOR FRAUD.—A designated school official at, or an owner of, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program who is convicted for fraud relating to any aspect of the Student and Exchange Visitor Program shall be permanently disqualified from filing future petitions and from having an ownership interest or a management role, including serving as a principal, owner, officer, board member, general partner, designated school official, or any other position of substantive authority for the operations or management of the institution, in any United States educational institution that enrolls nonimmigrant alien students described in subparagraph (F) or (M) of section 101(a)(15) the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).''.

SEC. 4426. BACKGROUND CHECKS.

(a) IN GENERAL.—Section 641(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(d)), as amended by section 411(b) of this Act, is further amended by adding at the end the following:

''(5) BACKGROUND CHECK REQUIREMENT.—

''(A) IN GENERAL.—An individual may not serve as a designated school official or be granted access to SEVIS unless the individual is a national of the United States or an alien lawfully admitted for permanent residence and during the most recent 3-year period—

''(i) the Secretary of Homeland Security has—

''(I) conducted a thorough background check on the individual, including a review of the individual's criminal and sex offender history and the verification of the individual's immigration status; and

''(II) determined that the individual has not been convicted of any violation of United States immigration law and is not a risk to national security of the United States; and

''(ii) the individual has successfully completed an on-line training course on SEVP and SEVIS, which has been developed by the Secretary.

''(B) INTERIM DESIGNATED SCHOOL OFFICIAL.—

''(i) IN GENERAL.—An individual may serve as an interim designated school official during the period that the Secretary is conducting the background check required by subparagraph (A)(i)(I).

''(ii) REVIEWS BY THE SECRETARY.—If an individual serving as an interim designated school official under clause (i) does not successfully complete the background check required by subparagraph (A)(i)(I), the Secretary shall review each Form I–20 issued by such interim designated school official.

''(6) FEE.—The Secretary is authorized to collect a fee from an approved school for each background check conducted under paragraph (6)(A)(i). The amount of such fee shall be equal to the average amount expended by the Secretary to conducted such background checks.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 1 year after the date of the enactment of this Act.

SEC. 4427. FLIGHT SCHOOLS NOT CERTIFIED BY FAA.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary of Homeland Security shall prohibit any flight school in the United States from accessing SEVIS or issuing a Form I–20 to an alien seeking a student visa pursuant to subparagraph (F)(i) or (M)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) if the flight school has not been certified to the satisfaction of the Secretary and by the Federal Aviation Administration pursuant to part 141 or part 142 of title 14, Code of Federal Regulations (or similar successor regulations).

(b) TEMPORARY EXCEPTION.—During the 5-year period beginning on the date of the enactment of this Act, the Secretary may waive the requirement under subsection (a) that a flight school be certified by the Federal Aviation Administration if such flight school—

(1) was certified under the Student and Exchange Visitor Program on the date of the enactment of this Act;

(2) submitted an application for certification with the Federal Aviation Administration during the 1-year period beginning on such date; and

(3) continues to progress toward certification by the Federal Aviation Administration.

SEC. 4428. REVOCATION OF ACCREDITATION.

At the time an accrediting agency or association is required to notify the Secretary of Education and the appropriate State licensing or authorizing agency of the final denial, withdrawal, suspension, or termination of accreditation of an institution pursuant to section 496 of the Higher Education Act of 1965 (20 U.S.C. 1099b), such accrediting agency or association shall notify the Secretary of Homeland Security of such determination and the Secretary of Homeland Security shall immediately withdraw the school from the SEVP and prohibit the school from accessing SEVIS.

SEC. 4429. REPORT ON RISK ASSESSMENT.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that contains the risk assessment strategy that will be employed by the Secretary to identify, investigate, and take appropriate action against schools and school officials that are facilitating the issuance of Form I–20 and the maintenance of student visa status in violation of the immigration laws of the United States.

SEC. 4430. IMPLEMENTATION OF GAO RECOMMENDATIONS.

Not later than 180 days after the date of the enactment of this act, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that describes—

(1) the process in place to identify and assess risks in the SEVP;

(2) a risk assessment process to allocate SEVP's resources based on risk;

(3) the procedures in place for consistently ensuring a school's eligibility, including consistently verifying in lieu of letters;

(4) how SEVP identified and addressed missing school case files;

(5) a plan to develop and implement a process to monitor state licensing and accreditation status of all SEVP-certified schools;

(6) whether all flight schools that have not been certified to the satisfaction of the Secretary and by the Federal Aviation Administration have been removed from the program and have been restricted from accessing SEVIS;

(7) the standard operating procedures that govern coordination among SEVP, Counterterrorism and Criminal Exploitation Unit, and U.S. Immigration and Customs Enforcement field offices; and

(8) the established criteria for referring cases of a potentially criminal nature from SEVP to the counterterrorism and intelligence community.

SEC. 4431. IMPLEMENTATION OF SEVIS II.

Not later than 2 years after the date of the enactment of this Act, the Secretary of Homeland Security shall complete the deployment of both phases of the 2nd generation Student and Exchange Visitor Information System (commonly known as ''SEVIS II'').

SEC. 4432. DEFINITIONS.

(a) DEFINITIONS.—In this subtitle:

(1) SEVIS.—The term ''SEVIS'' means the Student and Exchange Visitor Information System of the Department.

(2) SEVP.—The term ''SEVP'' means the Student and Exchange Visitor Program of the Department.

Strike section 4904 and insert the following:

SEC. 4904. ACCREDITATION REQUIREMENTS.

(a) COLLEGES, UNIVERSITIES, AND LANGUAGE TRAINING PROGRAMS.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended—

(1) in paragraph (15)(F)(i)—

(A) by striking ''section 214(1) at an established college, university, seminary, conservatory or in an accredited language training program in the United States'' and inserting ''section 214(m) at an accredited college, university, or language training program, or at an established seminary, conservatory, academic high school, elementary school, or other academic institution in the United States''; and

(B) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(C) by amending paragraph (52) to read as follows:

''(52) Except as provided in section 214(m)(4), the term 'accredited college, university, or language training program' means a college, university, or language training program that is accredited by an accrediting agency recognized by the Secretary of Education.''.

(b) OTHER ACADEMIC INSTITUTIONS.—Section 214(m) (8 U.S.C. 1184(m)) is amended by adding at the end the following:

''(3) The Secretary of Homeland Security shall require accreditation of an academic institution (except for seminaries or other religious institutions) for purposes of section 101(a)(15)(F) if—

''(A) that institution is not already required to be accredited under section 101(a)(15)(F)(i); and

''(B) an appropriate accrediting agency recognized by the Secretary of Education is able to provide such accreditation.

''(4) The Secretary of Homeland Security, in the Secretary's discretion, may waive the accreditation requirement in paragraph (3) or section 101(a)(15)(F)(i) with respect to an institution if such institution—

''(A) is otherwise in compliance with the requirements of section 101(a)(15)(F)(i); and

''(B) has been a candidate for accreditation for at least 1 year and continues to progress toward accreditation by an accrediting agency recognized by the Secretary of Education.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall—

(A) take effect on the date that is 180 days after the date of enactment of this Act; and

(B) apply with respect to applications for nonimmigrant visas that are filed on or after the effective date described in subparagraph (A).

(2) TEMPORARY EXCEPTION.—During the 3-year period beginning on the effective date described in paragraph (1)(A), an institution that is newly required to be accredited under this section may continue to participate in the Student and Exchange Visitor Program notwithstanding the institution's lack of accreditation if the institution—

(A) was certified under the Student and Exchange Visitor Program on such date;

(B) submitted an application for accreditation to an accrediting agency recognized by the Secretary of Education during the 6-month period ending on such date; and

(C) continues to progress toward accreditation by such accrediting agency.

Strike section 4907 and insert the following:

SEC. 4907. VISA FRAUD.

(a) TEMPORARY SUSPENSION OF SEVIS ACCESS.—Section 641(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(d)) is amended—

(1) in paragraph (1)(A), by striking ''institution,,'' and inserting ''institution,''; and

(2) by adding at the end the following:

''(3) EFFECT OF REASONABLE SUSPICION OF FRAUD.—If the Secretary of Homeland Security has reasonable suspicion that an owner of, or a designated school official at, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program has committed fraud or attempted to commit fraud relating to any aspect of the Student and Exchange Visitor Program, the Secretary may immediately suspend, without notice, such official's or such school's access to the Student and Exchange Visitor Information System (SEVIS), including the ability to issue Form I–20s, pending a final determination by the Secretary with respect to the institution's certification under the Student and Exchange Visitor Program.''.

(b) EFFECT OF CONVICTION FOR VISA FRAUD.—Such section 641(d), as amended by subsection (a)(2), is further amended by adding at the end the following:

''(4) PERMANENT DISQUALIFICATION FOR FRAUD.—A designated school official at, or an owner of, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program who is convicted for fraud relating to any aspect of the Student and Exchange Visitor Program shall be permanently disqualified from filing future petitions and from having an ownership interest or a management role, including serving as a principal, owner, officer, board member, general partner, designated school official, or any other position of substantive authority for the operations or management of the institution, in any United States educational institution that enrolls nonimmigrant alien students described in subparagraph (F) or (M) of section 101(a)(15) the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).''.

SA 1608. Mr. REED submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CLARIFICATION REGARDING MERIT-BASED IMMIGRANT VISA PHYSICAL PRESENCE REQUIREMENTS.

For purposes of section 2302(c)(3)(B), an alien shall be deemed to be lawfully present in the United States in a status that allows for employment authorization during such time as the alien is in Deferred Enforcement Departure pursuant to a presidential directive that was issued on or before April 16, 2013.

SA 1609. Mr. REED submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, insert the following:

SEC. 2324. INADMISSIBILITY OF INDIVIDUALS WHO RENOUNCE CITIZENSHIP TO AVOID TAXES.

Section 212(a)(10)(E) (8 U.S.C. 1182(a)(10)(E)) is amended to read as follows:

''(E) FORMER CITIZENS WHO RENOUNCED CITIZENSHIP TO AVOID TAXATION.—

''(i) INADMISSIBILITY.—The following aliens are inadmissible:

''(I) Any alien who is a former citizen of the United States who officially renounces United States citizenship and who is determined by the Secretary of Homeland Security to have renounced United States citizenship for the purpose of avoiding taxation by the United States.

''(II) Subject to clause (ii), any alien who is a former citizen of the United States and who is a covered expatriate.

''(ii) REVIEW FOR COVERED EXPATRIATES.—A covered expatriate shall not be inadmissible under clause (i)(II) if the Secretary determines that the covered expatriate has established by clear and convincing evidence that avoiding taxation by the United States was not one of the principle purposes that the covered expatriate renounced United States citizenship.

''(iii) COVERED EXPATRIATE DEFINED.—In this subparagraph, the term 'covered expatriate' means an individual described in section 877A(g)(1) of the Internal Revenue Code of 1986 and to whom section 877A(a) of such Code applies.''.

SA 1610. Mr. REED submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. USE OF PUBLIC LIBRARIES FOR THE IMMIGRANT INTEGRATION.

(a) APPLICATION ASSISTANCE GRANTS.—Notwithstanding section 2106, a public library with staff who have the qualifications, experience, and expertise described in subsection (b) of that section shall be considered an eligible nonprofit organization for purposes of that section.

(b) TASK FORCE ON NEW AMERICANS.—

(1) MEMBERSHIP.—In addition to the individuals listed in section 2523(a), the Director of the Institute of Museum and Library Services shall also be a member of the Task Force on New Americans.

(2) FUNCTIONS.—As part of the coordinated Federal response to issues that impact the lives of new immigrants and receiving communities described in section 2524(b)(1), the Task Force on New Americans shall include civics education.

(c) UNITED STATES CITIZENSHIP FOUNDATION.—In addition to the activities authorized under section 2534, the United States Citizenship Foundation shall enter into agreements with other Federal agencies to promote and assist eligible organizations and authorized activities.

(d) INITIAL ENTRY, ADJUSTMENT, AND CITIZENSHIP ASSISTANCE GRANTS.—Grants authorized under section 2537 shall be awarded to eligible nonprofit organizations (as defined in section 2106(b)).

(e) PILOT PROGRAM TO PROMOTE IMMIGRANT INTEGRATION AT STATE AND LOCAL LEVELS.—In addition to the activities authorized under subsection (d) of section 2538, grants authorized under that section may be used to provide subgrants to public libraries.

SA 1611. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 245B(c), as added by section 2101(a) of this amendment, strike paragraph (6) and insert the following:

''(6) ELIGIBILITY AFTER DEPARTURE.—An alien who departed from the United States, while subject to an order of exclusion, deportation, or removal, or pursuant to an order of voluntary departure, who is outside of the United States, or who has reentered the United States illegally after December 31, 2011 without receiving the Secretary's consent to reapply for admission under section 212(a)(9), shall not be eligible to file an application for registered provisional immigrant status.

SA 1612. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr.

LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 245B(b) of the Immigration and Nationality Act, as added by section 2101(a) of this amendment, strike paragraph (3) and insert the following:

''(3) GROUNDS FOR INELIGIBILITY.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an alien is ineligible for registered provisional immigrant status if the Secretary determines that the alien—

''(i) has a conviction for—

''(I) an offense classified as a felony in the convicting jurisdiction (other than a State or local offense for which an essential element was the alien's immigration status, or a violation of this Act);

''(II) an aggravated felony (as defined in section 101(a)(43) at the time of the conviction);

''(III) an offense (unless the applicant demonstrates, by clear and convincing evidence, that he or she is innocent of the offense, that he or she is the victim of such offense, or that no offense occurred), which is classified as a misdemeanor in the convicting jurisdiction, and which involved—

''(aa) domestic violence or child abuse and neglect (as such terms are defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)));

''(bb) assault resulting in bodily injury or the violation of a protection order (as such terms are defined in section 2266 of title 18, United States Code); or

''(cc) driving while intoxicated (as defined in section 164 of title 23, United States Code);

''(IV) 2 or more misdemeanor offenses (other than minor traffic offenses or State or local offenses for which an essential element was the alien's immigration status or violations of this Act);

''(V) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) (excluding the paragraphs set forth in clause (ii)) or removable under section 237(a), except as provided in paragraph (3) of section 237(a); or

''(VI) unlawful voting (as defined in section 237(a)(6));

''(ii) is inadmissible under section 212(a), except that in determining an alien's inadmissibility—

''(I) paragraphs (4), (5), (7), and (9)(B) of section 212(a) shall not apply;

''(II) subparagraphs (A), (C), (D), (F), and (G) of section 212(a)(6) and paragraphs (9)(C) and (10)(B) of section 212(a) shall not apply unless based on the act of unlawfully entering the United States after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; and

''(III) paragraphs (6)(B) and (9)(A) of section 212(a) shall not apply unless the relevant conduct began on or after the date on which the alien files an application for registered provisional immigrant status under this section;

''(iii) is an alien who the Secretary knows or has reasonable grounds to believe, is engaged in or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iv)); or

''(iv) was, on April 16, 2013—

''(I) an alien lawfully admitted for permanent residence;

''(II) an alien admitted as a refugee under section 207 or granted asylum under section 208; or

''(III) an alien who, according to the records of the Secretary or the Secretary of State, is lawfully present in the United States in any nonimmigrant status (other than an alien considered to be a nonimmigrant solely due to the application of section 244(f)(4) or the amendment made by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229)), notwithstanding any unauthorized employment or other violation of nonimmigrant status.

''(B) WAIVER.—

''(i) IN GENERAL.—The Secretary may waive the application of any provision of section 212(a) that is not listed in clause (ii) on behalf of an alien for humanitarian purposes, to ensure family unity, or if such a waiver is otherwise in the public interest. Any discretionary authority to waive grounds of inadmissibility under section 212(a) conferred under any other provision of this Act shall apply equally to aliens seeking registered provisional status under this section.

''(ii) EXCEPTIONS.—The discretionary authority under clause (i) may not be used to waive—

''(I) subparagraph (B), (C), (D)(ii), (E), (G), (H), or (I) of section 212(a)(2);

''(II) section 212(a)(3);

''(III) subparagraph (A), (C), (D), or (E) of section 212(a)(10); or

''(IV) with respect to misrepresentations relating to the application for registered provisional immigrant status, section 212(a)(6)(C)(i).

''(C) CONVICTION EXPLAINED.—For purposes of this paragraph, the term 'conviction' does not include a judgment that has been expunged, set aside, or the equivalent.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to require the Secretary to commence removal proceedings against an alien.

SA 1613. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 245B(b) of the Immigration and Nationality Act, as added by section 2101(a) of this amendment, strike paragraphs (3) and (4) and insert the following:

''(3) GROUNDS FOR INELIGIBILITY.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an alien is ineligible for registered provisional immigrant status if the Secretary determines that the alien—

''(i) has a conviction for—

''(I) an offense classified as a felony in the convicting jurisdiction (other than a State or local offense for which an essential element was the alien's immigration status, or a violation of this Act);

''(II) an aggravated felony (as defined in section 101(a)(43) at the time of the conviction);

''(III) an offense (unless the applicant demonstrates, by clear and convincing evidence, that he or she is innocent of the offense, that he or she is the victim of such offense, or that no offense occurred), which is classified as a misdemeanor in the convicting jurisdiction, and which involved—

''(aa) domestic violence or child abuse and neglect (as such terms are defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)));

''(bb) assault resulting in bodily injury or the violation of a protection order (as such terms are defined in section 2266 of title 18, United States Code); or

''(cc) driving while intoxicated (as defined in section 164 of title 23, United States Code);

''(IV) 2 or more misdemeanor offenses (other than minor traffic offenses or State or local offenses for which an essential element was the alien's immigration status or violations of this Act);

''(V) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) (excluding the paragraphs set forth in clause (ii)) or removable under section 237(a), except as provided in paragraph (3) of section 237(a); or

''(VI) unlawful voting (as defined in section 237(a)(6));

''(ii) is inadmissible under section 212(a);

''(iii) is an alien who the Secretary knows or has reasonable grounds to believe, is engaged in or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iv)); or

''(iv) was, on April 16, 2013—

''(I) an alien lawfully admitted for permanent residence;

''(II) an alien admitted as a refugee under section 207 or granted asylum under section 208; or

''(III) an alien who, according to the records of the Secretary or the Secretary of State, is lawfully present in the United States in any nonimmigrant status (other than an alien considered to be a nonimmigrant solely due to the application of section 244(f)(4) or the amendment made by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229)), notwithstanding any unauthorized employment or other violation of nonimmigrant status.

''(B) CONVICTION EXPLAINED.—For purposes of this paragraph, the term 'conviction' does not include a judgment that has been expunged, set aside, or the equivalent.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to require the Secretary to commence removal proceedings against an alien.

SA 1614. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REPORT BY THE CHIEF ACTUARY OF THE CENTERS FOR MEDICARE & MEDICAID SERVICES ON ANY INCREASED COSTS TO THE MEDICARE PROGRAM THAT WILL RESULT FROM THE PROVISIONS OF, AND THE AMENDMENTS MADE BY, THIS ACT.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Chief Actuary of the Centers for Medicare & Medicaid Services shall submit to Congress a report on any increased costs to the Medicare program under title XVIII of the Social Security Act that will result from the provisions of, and the amendments made by, this Act (including regulations to carry out such provisions and amendments).

(b) CONTENTS.—

(1) IN GENERAL.—The report under subsection (a) shall include—

(A) an estimate by the Chief Actuary of any increased costs to the Medicare program

that will result from such provisions and amendments during—

(i) the 10-year period that begins on the date that is 10 years after the date of the enactment of this Act; and

(ii) the 75-year period that begins on such date of enactment; and

(B) any other items determined appropriate by the Secretary.

(2) REQUIREMENT.—The estimates under paragraph (1)(A) shall include the total impact on the Medicare program (dedicated revenues less expenditures), including the impact of individuals made newly-eligible for benefits under the Medicare program by reason of such provisions and amendments.

SA 1615. Mr. COBURN (for himself and Mr. JOHNSON of Wisconsin) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 222, strike line 7 and all that follows through ''Notwithstanding'' on page 223, lines 11 and 12, and insert the following:

(a) EXEMPTION FROM HIRING RULES.—Notwithstanding

SA 1616. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 3502 and 3503 and insert the following:

SEC. 3502. IMPROVING IMMIGRATION COURT EFFICIENCY AND REDUCING COSTS BY INCREASING ACCESS TO LEGAL INFORMATION.

(a) RIGHT TO REVIEW CERTAIN DOCUMENTS IN REMOVAL PROCEDINGS.—Section 240(b) (8 U.S.C. 1229a(b)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(C) by inserting after subparagraph (A) the following:

''(B) the alien shall, at the beginning of the proceedings or at a reasonable time thereafter, automatically receive a complete copy of all relevant documents in the possession of the Department of Homeland Security, including all documents (other than documents protected from disclosure by privilege, including national security information referenced in subparagraph (C), law enforcement sensitive information, and information prohibited from disclosure pursuant to any other provision of law) contained in the file maintained by the Government that includes information with respect to all transactions involving the alien during the immigration process (commonly referred to as an 'A-file') and all documents pertaining to the alien that the Department of Homeland Security has obtained or received from other government agencies, unless the alien waives the right to receive such documents by executing a knowing and voluntary waiver in a language that he or she understands fluently;''; and

(2) by adding at the end the following:

''(8) FAILURE TO PROVIDE ALIEN REQUIRED DOCUMENTS.—In the absence of a waiver under paragraph (4)(B), a removal proceeding may not commence until the alien has received the documents required under such subparagraph.''.

(b) CLARIFICATION REGARDING PROVISION OF COUNSEL TO ALIENS IN IMMIGRATION PROCEEDINGS.—Section 292 (8 U.S.C. 1362) is amended—

(1) by inserting ''(a)'' before ''In any'';

(2) by striking ''he shall'' and inserting ''the person shall''; and

(3) by adding at the end the following:

''(b) The Government is not required to provide counsel to aliens under subsection (a).''.

(c) REPEAL.—Subsections (b), (c), and (d) of section 2104 of this Act and the amendments to section 242 of the Immigration and Nationality Act, which were made by section 2104(b) of this Act, are repealed.

SA 1617. Mrs. FEINSTEIN (for herself, Mr. KIRK, Mr. COONS, Mr. UDALL of New Mexico, Mr. BLUNT, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 49, strike lines 20 through 23 and insert the following:

Act;

(xviii) costs to the Judiciary estimated to be caused by the implementation of this Act and the amendments made by this Act, as the Secretary and the Judicial Conference of the United States shall jointly determine in consultation with the Attorney General; and

(xix) the operations and maintenance costs associated with the implementation of clauses (i) through (xvii).

SA 1618. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

SEC. 1124. MARITIME BORDER SECURITY ENHANCEMENTS.

(a) U.S. CUSTOMS AND BORDER PROTECTION.—The Commissioner of U.S. Customs and Border Protection, working through the Office of Air and Marine, shall—

(1) acquire and deploy such additional vessels and aircraft as may be necessary to provide for enhanced maritime border security along—

(A) the coastal areas of the Southeastern United States, including Florida, Puerto Rico, the United States Virgin Islands, and the Gulf Coast; and

(B) the California coast;

(2) increase unarmed, unmanned aircraft deployments to the Caribbean region;

(3) acquire, upgrade, and maintain sensor systems for the aircraft and vessel fleet;

(4) increase air and maritime patrols to gain and enhance maritime domain awareness;

(5) increase and upgrade facilities, as necessary, to accommodate personnel and asset needs;

(6) perform whatever additional maintenance as may be necessary to preserve the operational capability of any additional air or marine assets;

(7) modernize and appropriately staff the Air and Marine Operations Center in order to enhance maritime domain awareness; and

(8) hire and deploy such personnel as may be necessary to provide maritime border security along—

(A) the coastal areas of the Southeastern United States, including Florida, Puerto Rico, the United States Virgin Islands, and the Gulf Coast; and

(B) the California coast.

(b) COAST GUARD.—The Commissioner of U.S. Customs and Border Protection shall work with the Secretary and shall coordinate with the Coast Guard to secure the maritime borders of the United States.

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated, there is authorized to be appropriated, for fiscal years 2014 through 2018—

(1) such sums as may be necessary to U.S. Customs and Border Protection to carry out subsection (a); and

(2) such sums as may be necessary to the Coast Guard to carry out subsection (b).

SA 1619. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

SEC. ____. PROTECTION OF NATIONAL SECURITY AND PUBLIC SAFETY.

(a) DISCLOSURES.—Section 245E(a) (as amended by section 2104(a)) is amended by striking paragraphs (2) and (3) and inserting the following:

''(2) REQUIRED DISCLOSURES.—The Secretary shall provide the information furnished in an application filed under section 245B, 245C, 245D, or 245F of this Act or section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act, and any other information derived from such furnished information to—

''(A) a law enforcement agency, intelligence agency, national security agency, a component of the Department of Homeland Security, court, or grand jury, in each instance about an individual suspect or group of suspects, consistent with law, in connection with—

''(i) a criminal investigation or prosecution;

''(ii) a national security investigation or prosecution; or

''(iii) a duly authorized investigation of a civil violation; and

''(B) an official coroner for purposes of affirmatively identifying a deceased individual, whether or not the death of such individual resulted from a crime.

''(3) INAPPLICABILITY AFTER DENIAL.—The limitations set forth in paragraph (1)—

''(A) shall apply only until—

''(i) an application filed under section 245B, 245C, 245D, or 245F of this Act or section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act is denied; and

''(ii) all opportunities for administrative appeal of the denial have been exhausted; and

''(B) shall not apply to the use of the information furnished pursuant to such application in any removal proceeding or other criminal or civil case or action relating to an alien whose application has been granted that is based upon any violation of law committed or discovered after such grant.

''(4) CRIMINAL CONVICTIONS.—Notwithstanding any other provision of this section, information concerning whether the applicant has, at any time, been convicted of a crime may be used or released for immigration enforcement and law enforcement purposes.

''(5) AUDITING AND EVALUATION OF INFORMATION.—The Secretary may—

''(A) audit and evaluate information furnished as part of any application filed under section 245B, 245C, 245D, or 245F for purposes of identifying immigration fraud or fraud schemes; and

''(B) use any evidence detected by means of audits and evaluations for purposes of investigating, prosecuting, referring for prosecution, or denying or terminating immigration benefits.

''(6) USE OF INFORMATION IN PETITIONS AND APPLICATIONS SUBSEQUENT TO ADJUSTMENT OF STATUS.—If the Secretary has adjusted an alien's status to that of an alien lawfully admitted for permanent residence pursuant to section 245C, 245D, or 245F, the Secretary, at any time thereafter, may use the information furnished by the alien in the application for adjustment of status or in an application for status under section 245B, 245C, 245D, or 245F to make a determination on any petition or application.

''(7) CONSTRUCTION.—Nothing in this section may be construed to limit the use or release, for immigration enforcement purposes, of information contained in files or records of the Secretary or the Attorney General pertaining to applications filed under section 245B, 245C, 245D, or 245F other than information furnished by an applicant in the application, or any other information derived from the application, that is not available from any other source.''.

(b) VISA INFORMATION SHARING.—Section 222(f) (8 U.S.C. 1202(f)) is amended—

(1) in the matter preceding paragraph (1), by striking ''issuance or refusal'' and inserting ''issuance, refusal, or revocation''; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''discretion and on the basis of reciprocity,'' and inserting ''discretion,'';

(B) by striking subparagraph (A) and inserting the following:

''(A) with regard to individual aliens, at any time on a case-by-case basis for the purpose of—

''(i) preventing, investigating, or punishing acts that would constitute a crime in the United States, including terrorism or trafficking in controlled substances, persons, or illicit weapons; or

''(ii) determining a person's removability or eligibility for a visa, admission, or other immigration benefit;'';

(C) in subparagraph (B)—

(i) by striking ''for the purposes'' and inserting ''for one of the purposes''; and

(ii) by striking ''or to deny visas to persons who would be inadmissible to the United States.'' and inserting ''; or''; and

(D) by adding at the end the following:

''(C) with regard to any or all aliens in the database-specified data elements from each record, if the Secretary of State determines that it is in the national interest to provide such information to a foreign government.''.

SA 1620. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PROTECTING AMERICAN BUSINESSES.

(a) DUTIES OF COMMISSIONER.—Notwithstanding section 4701(d)(6), the Commissioner of the Bureau of Immigration and Labor Market Research is not authorized to conduct a quarterly survey of unemployment rates in construction occupations.

(b) ADMISSION OF W NONIMMIGRANT WORKERS.—Section 220, as added by section 4703(a) of this Act, is amended—

(1) in subsection (a), by striking paragraph (4);

(2) in subsection (e)(5), by striking subparagraph (B) and inserting the following:

''(B) RETURNING WORKER AND RENEWING EMPLOYER EXEMPTION.—Renewals of approved job slots and W visas by employers or workers in good standing shall not be counted toward the limits established under subsection (g)(1)(A) or factored into the formulaic determinations made under subparagraphs (A) through (D) of subsection (g)(2).

''(C) INTENDING IMMIGRANTS.—

''(i) EXTENSION OF PERIOD.—A registered visa holder shall continue to be a registered visa holder at the end of the 3-year period referred to in subparagraph (A) if the W nonimmigrant is the beneficiary of a petition for immigrant status filed pursuant to this Act.

''(ii) TERMINATION OF PERIOD.—The term of a registration position extended under clause (i) shall terminate on the date that is the earlier of—

''(I) the date an application or petition by or for a W nonimmigrant to obtain immigrant status is approved or denied by the Secretary; or

''(II) the date of the termination of such W nonimmigrant's employment with the registered employer.''; and

(3) in subsection (h), by striking paragraph (5).

SA 1621. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I of the amendment, add the following:

SEC. 1204. EMERGENCY PORT OF ENTRY PERSONNEL AND INFRASTRUCTURE FUNDING.

(a) STAFF ENHANCEMENTS.—In addition to positions authorized before the date of the enactment of this Act and any existing officer vacancies within U.S. Customs and Border Protection on such date, the Secretary shall, by not later than September 30, 2018, and subject to the availability of appropriations for such purpose, hire, train, and assign to duty 1,500 additional U.S. Customs and Border Protection officers (not less than 50 percent of which shall be designated to serve on all inspection lanes (primary, secondary, incoming, and outgoing) and enforcement teams at land ports of entry on the Northern border and the Southern border) and 350 additional full-time support staff, compared to the number of such officers and employees on the date of the enactment of this Act, to be distributed among all United States ports of entry.

(b) WAIVER OF PERSONNEL LIMITATION.—The Secretary may waive any limitation on the number of full-time equivalent personnel assigned to the Department in order to fulfill the requirements under subsection (a).

(c) REPORTS TO CONGRESS.—

(1) OUTBOUND INSPECTIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report containing the Department's plans for ensuring the placement of sufficient officers of U.S. Customs and Border Protection on outbound inspections, and adequate outbound infrastructure, at all Southern and Northern border land ports of entry.

(2) AGRICULTURAL SPECIALISTS.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of Agriculture, shall submit to the appropriate committees of Congress a report that contains the Department's plans for ensuring the placement of sufficient agriculture specialists at all Southern border and Northern border land ports of entry.

(3) ANNUAL IMPLEMENTATION REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the appropriate committees of Congress a report that—

(A) describes in detail the Department's implementation plan for staff enhancements required under subsection (a);

(B) includes the number of additional personnel assigned to duty at land ports of entry by location; and

(C) describes the methodology used to determine the distribution of additional personnel to address northbound and southbound cross-border inspections.

(4) APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on the Judiciary and the Committee on Homeland Security of the House of Representatives.

(d) SECURE COMMUNICATION.—The Secretary shall ensure that each officer of U.S. Customs and Border Protection is equipped with a secure 2-way communication and satellite-enabled device, supported by system interoperability, that allows such officers to communicate between ports of entry and inspection stations, and with other Federal, State, local, and tribal law enforcement entities.

(e) BORDER AREA SECURITY INITIATIVE GRANT PROGRAM.—The Secretary shall establish a grant program for the purchase of detection equipment at land ports of entry and mobile, hand-held, 2-way communication and biometric devices for State and local law enforcement officers serving on the Southern border and Northern border.

(f) PORT OF ENTRY INFRASTRUCTURE IMPROVEMENTS.—In order to aid in the enforcement of Federal customs, immigration, and agriculture laws, the Commissioner responsible for U.S. Customs and Border Protection may—

(1) design, construct, and modify United States ports of entry, living quarters for officers, agents, and personnel, and other structures and facilities, including those owned

by municipalities, local governments, or private entities located at land ports of entry;

(2) acquire, by purchase, donation, exchange, or otherwise, land or any interest in land determined to be necessary to carry out the Commissioner's duties under this section; and

(3) construct additional ports of entry along the Southern border and the Northern border.

(g) CONSULTATION.—

(1) LOCATIONS FOR NEW PORTS OF ENTRY.—The Secretary shall consult with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of State, the International Boundary and Water Commission, the International Joint Commission, and appropriate representatives of States, local governments, Indian tribes, and property owners—

(A) to determine locations for new ports of entry; and

(B) to minimize adverse impacts from such ports on the environment, historic and cultural resources, commerce, and quality of life for the communities and residents located near such ports.

(2) SAVINGS PROVISION.—Nothing in this subsection may be construed—

(A) to create any right or liability of the parties described in paragraph (1);

(B) to affect the legality and validity of any determination under this Act by the Secretary; or

(C) to affect any consultation requirement under any other law.

(h) AUTHORITY TO ACQUIRE LEASEHOLDS.—Notwithstanding any other provision of law, the Secretary may acquire a leasehold interest in real property, and may construct or modify any facility on the leased property, if the Secretary determines that the acquisition of such interest, and such construction or modification, are necessary to facilitate the implementation of this Act.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, for each of the fiscal years 2014 through 2018, $1,000,000,000, of which $5,000,000 shall be used for grants authorized under subsection (e).

(j) OFFSET; RESCISSION OF UNOBLIGATED FEDERAL FUNDS.—

(1) IN GENERAL.—There is hereby rescinded, from appropriated discretionary funds that remain available for obligation as of the date of the enactment of this Act (other than the unobligated funds described in paragraph (4)), amounts determined by the Director of the Office of Management and Budget such that the aggregate amount of the rescission equals the amount authorized to be appropriated under subsection (i).

(2) IMPLEMENTATION.—The Director of the Office of Management and Budget shall determine and identify—

(A) the appropriation accounts from which the rescission under paragraph (1) shall apply; and

(B) the amount of the rescission that shall be applied to each such account.

(3) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit a report to Congress and to the Secretary of the Treasury that describes the accounts and amounts determined and identified under paragraph (2) for rescission under paragraph (1).

(4) EXCEPTIONS.—This subsection shall not apply to unobligated funds of—

(A) the Department of Defense;

(B) the Department of Veterans Affairs; or

(C) the Department of Homeland Security.

SEC. 1205. CROSS-BORDER TRADE ENHANCEMENT.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATION.—The term ''Administration'' means the General Services Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the General Services Administration.

(3) PERSON.—The term ''person'' means an individual or any corporation, partnership, trust, association, or any other public or private entity, including a State or local government.

(b) AGREEMENTS AUTHORIZED.—Notwithstanding any other provision of law, upon the request of any persons, the Administrator may, for purposes of facilitating construction, alteration, operation or maintenance of a new or existing facility or other infrastructure at a port of entry, enter into cost-sharing or reimbursement agreements or accept a donation of real and personal property (including monetary donations) and nonpersonal services.

(c) EVALUATION PROCEDURES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator, in consultation with the Secretary, shall establish procedures for evaluating a proposal submitted by any person under subsection (b)—

(A) to enter into a cost-sharing or reimbursement agreement with the Administration to facilitate the construction, alteration, operation, or maintenance of a new or existing facility or other infrastructure at a land border port of entry; or

(B) to provide the Administration with a donation of real and personal property (including monetary donations) and nonpersonal services to be used in the construction, alteration, operation, or maintenance of a facility or other infrastructure at a land border port of entry under the control of the Administration.

(2) SPECIFICATION.—Donations made under paragraph (1)(B) may specify—

(A) the land port of entry facility or facilities in support of which the donation is being made; and

(B) the time frame in which the donated property or services shall be used.

(3) RETURN OF DONATION.—If the Administrator does not use the property or services donated pursuant to paragraph (1)(B) for the specific facility or facilities designated pursuant to paragraph (2)(A) or within the time frame specified pursuant to paragraph (2)(B), such donated property or services shall be returned to the person that made the donation.

(4) DETERMINATION AND NOTIFICATION.—

(A) IN GENERAL.—Not later than 90 days after receiving a proposal pursuant to subsection (b) with respect to the construction or maintenance of a facility or other infrastructure at a land border port of entry, the Administrator shall—

(i) make a determination with respect to whether or not to approve the proposal; and

(ii) notify the person that submitted the proposal of—

(I) the determination; and

(II) if the Administrator did not approve the proposal, the reasons for such disapproval.

(B) CONSIDERATIONS.—In determining whether or not to approve a proposal under this subsection, the Administrator shall consider—

(i) the impact of the proposal on reducing wait times at that port of entry and other ports of entry on the same border;

(ii) the potential of the proposal to increase trade and travel efficiency through added capacity; and

(iii) the potential of the proposal to enhance the security of the port of entry.

(d) DELEGATION.—For facilities where the Administrator has delegated or transferred to the Secretary, operations, ownership, or other authorities over land border ports of entry, the authorities and requirements of the Administrator under this section shall be deemed to apply to the Secretary.

SA 1622. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 131, strike line 8 and all that follows through page 140, line 19 and insert the following:

''(III) an offense, unless the applicant demonstrates, by clear and convincing evidence, that the applicant is innocent of the offense, that applicant is the victim of such offense, or that no offense occurred, which is classified as a misdemeanor in the convicting jurisdiction which involved—

''(aa) domestic violence (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(bb) child abuse and neglect (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(cc) assault resulting in bodily injury (as defined in section 2266 of title 18, United States Code);

''(dd) the violation of a protection order (as defined in section 2266 of title 18, United States Code); or

''(ee) driving while intoxicated (as defined in section 164 of title 23, United States Code);

''(IV) 3 or more misdemeanor offenses (other than minor traffic offenses or State or local offenses for which an essential element was the alien's immigration status, or a violation of this Act);

''(V) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) (excluding the paragraphs set forth in clause (ii)) or removable under section 237(a), except as provided in paragraph (3) of section 237(a); or

''(VI) unlawful voting (as defined in section 237(a)(6));

''(ii) is inadmissible under section 212(a), except that in determining an alien's inadmissibility—

''(I) paragraphs (4), (5), (7), and (9)(B) of section 212(a) shall not apply;

''(II) subparagraphs (A), (C), (D), (F), and (G) of section 212(a)(6) and paragraphs (9)(C) and (10)(B) of section 212(a) shall not apply unless based on the act of unlawfully entering the United States after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; and

''(III) paragraphs (6)(B) and (9)(A) of section 212(a) shall not apply unless the relevant conduct began on or after the date on which the alien files an application for registered provisional immigrant status under this section;

''(iii) is an alien who the Secretary knows or has reasonable grounds to believe, is engaged in or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iv)); or

''(iv) was, on April 16, 2013—

''(I) an alien lawfully admitted for permanent residence;

''(II) an alien admitted as a refugee under section 207 or granted asylum under section 208; or

''(III) an alien who, according to the records of the Secretary or the Secretary of State, is lawfully present in the United States in any nonimmigrant status (other than an alien considered to be a nonimmigrant solely due to the application of section 244(f)(4) or the amendment made by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229)), notwithstanding any unauthorized employment or other violation of nonimmigrant status.

''(B) WAIVER.—

''(i) IN GENERAL.—The Secretary may waive the application of any provision of section 212(a) that is not listed in clause (ii) on behalf of an alien for humanitarian purposes, to ensure family unity, or if such a waiver is otherwise in the public interest. Any discretionary authority to waive grounds of inadmissibility under section 212(a) conferred under any other provision of this Act shall apply equally to aliens seeking registered provisional status under this section.

''(ii) EXCEPTIONS.—The discretionary authority under clause (i) may not be used to waive—

''(I) subparagraph (B), (C), (D)(ii), (E), (G), (H), or (I) of section 212(a)(2);

''(II) section 212(a)(3);

''(III) subparagraph (A), (C), (D), or (E) of section 212(a)(10); or

''(IV) with respect to misrepresentations relating to the application for registered provisional immigrant status, section 212(a)(6)(C)(i).

''(C) CONVICTION EXPLAINED.—For purposes of this paragraph, the term 'conviction' does not include a judgment that has been expunged, set aside, or the equivalent.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to require the Secretary to commence removal proceedings against an alien.

''(4) APPLICABILITY OF OTHER PROVISIONS.—Sections 208(d)(6) and 240B(d) shall not apply to any alien filing an application for registered provisional immigrant status under this section.

''(5) DEPENDENT SPOUSE AND CHILDREN.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may classify the spouse or child of a registered provisional immigrant as a registered provisional immigrant dependent if the spouse or child—

''(i) was physically present in the United States on or before December 31, 2012, and has maintained continuous presence in the United States from that date until the date on which the registered provisional immigrant is granted such status, with the exception of absences from the United States that are brief, casual, and innocent, whether or not such absences were authorized by the Secretary; and

''(ii) meets all of the eligibility requirements set forth in this subsection, other than the requirements of clause (ii) or (iii) of paragraph (2)(A).

''(B) EFFECT OF TERMINATION OF LEGAL RELATIONSHIP OR DOMESTIC VIOLENCE.—If the spousal or parental relationship between an alien who is granted registered provisional immigrant status under this section and the alien's spouse or child is terminated due to death or divorce or the spouse or child has been battered or subjected to extreme cruelty by the alien (regardless of whether the legal relationship terminates), the spouse or child may apply for classification as a registered provisional immigrant.

''(C) EFFECT OF DISQUALIFICATION OF PARENT.—Notwithstanding subsection (c)(3), if the application of a spouse or parent for registered provisional immigrant status is terminated or revoked, the husband, wife, or child of that spouse or parent shall be eligible to apply for registered provisional immigrant status independent of the parent or spouse.

''(c) APPLICATION PROCEDURES.—

''(1) IN GENERAL.—An alien, or the dependent spouse or child of such alien, who meets the eligibility requirements set forth in subsection (b) may apply for status as a registered provisional immigrant or a registered provisional immigrant dependent, as applicable, by submitting a completed application form to the Secretary during the application period set forth in paragraph (3), in accordance with the final rule promulgated by the Secretary under the Border Security, Economic Opportunity, and Immigration Modernization Act. An applicant for registered provisional immigrant status shall be treated as an applicant for admission.

''(2) PAYMENT OF TAXES.—

''(A) IN GENERAL.—An alien may not file an application for registered provisional immigrant status under paragraph (1) unless the applicant has satisfied any applicable Federal tax liability.

''(B) DEFINITION OF APPLICABLE FEDERAL TAX LIABILITY.—In this paragraph, the term 'applicable Federal tax liability' means all Federal income taxes assessed in accordance with section 6203 of the Internal Revenue Code of 1986.

''(C) DEMONSTRATION OF COMPLIANCE.—An applicant may demonstrate compliance with this paragraph by submitting appropriate documentation, in accordance with regulations promulgated by the Secretary, in consultation with the Secretary of the Treasury.

''(3) APPLICATION PERIOD.—

''(A) INITIAL PERIOD.—Except as provided in subparagraph (B), the Secretary may only accept applications for registered provisional immigrant status from aliens in the United States during the 1-year period beginning on the date on which the final rule is published in the Federal Register pursuant to paragraph (1).

''(B) EXTENSION.—If the Secretary determines, during the initial period described in subparagraph (A), that additional time is required to process applications for registered provisional immigrant status or for other good cause, the Secretary may extend the period for accepting applications for such status for an additional 18 months.

''(4) APPLICATION FORM.—

''(A) REQUIRED INFORMATION.—

''(i) IN GENERAL.—The application form referred to in paragraph (1) shall collect such information as the Secretary determines to be necessary and appropriate, including, for the purpose of understanding immigration trends—

''(I) an explanation of how, when, and where the alien entered the United States;

''(II) the country in which the alien resided before entering the United States; and

''(III) other demographic information specified by the Secretary.

''(ii) PRIVACY PROTECTIONS.—Information described in subclauses (I) through (III) of clause (i), which shall be provided anonymously by the applicant on the application form referred to in paragraph (1), shall be subject to the same confidentiality provisions as those set forth in section 9 of title 13, United States Code.

''(iii) REPORT.—The Secretary shall submit a report to Congress that contains a summary of the statistical data about immigration trends collected pursuant to clause (i).

''(B) FAMILY APPLICATION.—The Secretary shall establish a process through which an alien may submit a single application under this section on behalf of the alien, his or her spouse, and his or her children who are residing in the United States.

''(C) INTERVIEW.—In order to determine whether an applicant meets the eligibility requirements set forth in subsection (b), the Secretary—

''(i) shall interview each applicant who—

''(I) has been convicted of any criminal offense;

''(II) has previously been deported; or

''(III) without just cause, has failed to respond to a notice to appear as required under section 239; and

''(ii) may, in the sole discretion of the Secretary, interview any other applicant for registered provisional immigrant status under this section.

SA 1623. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike title V of the amendment.

SA 1624. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. TARGETING TRANSNATIONAL CRIMINAL ORGANIZATIONS THAT ENGAGE IN MONEY LAUNDERING.

Section 1956(c)(7) of title 18, United States Code, is amended—

(1) in subparagraph (E), by striking ''or'' after the semicolon;

(2) in subparagraph (F), by inserting ''or'' after the semicolon; and

(3) by adding at the end the following:

''(G) any act that is indictable under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), including section 274 of such Act (relating to bringing in and harboring certain aliens), section 277 of such Act (relating to aiding or assisting certain aliens to enter the United States), or section 278 of such Act (relating to importation of an alien for an immoral purpose);''.

SEC. _____. DANGEROUS HUMAN SMUGGLING, HUMAN TRAFFICKING, AND HUMAN RIGHTS VIOLATIONS.

(a) BRINGING IN AND HARBORING CERTAIN ALIENS.—Section 274 (8 U.S.C. 1324) is amended—

(1) in subsection (a)(1)(B)—

(A) by redesignating clauses (iii) and (iv) as clauses (vi) and (vii), respectively;

(B) by inserting after clause (ii) the following:

''(iii) in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) that is the third or subsequent offense committed by such person under this section, be fined

under title 18, United States Code, imprisoned not less than 5 years and not more than 25 years, or both;

''(iv) in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) that negligently, recklessly, knowingly, or intentionally results in a victim being involuntarily forced into labor or prostitution, be fined under title 18, United States Code, imprisoned not less than 5 years and not more than 25 years, or both;

''(v) in the case of a violation of subparagraph (A)(i),(ii),(iii),(iv),or (v) during and in relation to which any person is subjected to an involuntary sexual act (as defined in section 2246(2) of title 18, United States Code), be fined under title 18, United States Code, imprisoned for not less than 5 years and not more than 25 years, or both;'' and

(C) in clause (vi), as redesignated, by striking inserting ''and not less than 10'' before ''years''; and

(2) by amending subsection (b)(1) to read as follows:

''(1) IN GENERAL.—Any property, real or personal, involved in or used to facilitate the commission of a violation or attempted violation of subsection (a), the gross proceeds of such violation or attempted violation, and any property traceable to such property or proceeds, shall be seized and subject to forfeiture.''.

SEC. _____. RESPECT FOR VICTIMS OF HUMAN SMUGGLING.

(a) VICTIM REMAINS.—The Attorney General shall appoint an official to ensure that information regarding missing aliens and unidentified remains found in the covered area are included in a database of the National Missing and Unidentified Persons System.

(b) REIMBURSEMENT.—The Secretary shall reimburse county, municipal, and tribal governments in the United States that are located in the covered area for costs associated with the transportation and processing of unidentified remains, found in the desert or on ranch lands, on the condition that the remains are transferred either to an official medical examiner's office, or a local university with the capacity to analyze human remains using forensic best practices.

(c) BORDER CROSSING DATA.—The National Institute of Justice shall encourage genetic laboratories receiving Federal grant monies to process samples from unidentified remains discovered within the covered area and compare the resulting genetic profiles against samples from the relatives of any missing individual, including those provided by foreign consulates or authorized entities.

(d) COVERED AREA DEFINED.—In this section, the term ''covered area'' means the area of United States within 200 miles of the international border between the United States and Mexico.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2014 through 2018 to carry out this section.

SEC. _____. PUTTING THE BRAKES ON HUMAN SMUGGLING ACT.

(a) SHORT TITLE.—This section may be cited as the ''Putting the Brakes on Human Smuggling Act''.

(b) FIRST VIOLATION.—Paragraph (1) of section 31310(b) of title 49, United States Code, is amended—

(1) in subparagraph (D), by striking the ''or'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting a semicolon and ''or''; and

(3) by adding at the end the following:

''(F) using a commercial motor vehicle in willfully aiding or abetting an alien's illegal entry into the United States by transporting, guiding, directing, or attempting to assist the alien with the alien's entry in violation of section 275 of the Immigration and Nationality Act (8 U.S.C. 1325), regardless of whether the alien is ultimately fined or imprisoned for an act in violation of such section.''.

(c) SECOND OR MULTIPLE VIOLATIONS.—Paragraph (1) of section 31310(c) of title 49, United States Code, is amended—

(1) in subparagraph (E), by striking the ''or'' at the end;

(2) by redesignating subparagraph (F) as subparagraph (G);

(3) in subparagraph (G), as so redesignated, by striking ''(E)'' and inserting ''(F)''; and

(4) by inserting after subparagraph (E) the following:

''(F) using a commercial motor vehicle on more than one occasion in willfully aiding or abetting an alien's illegal entry into the United States by transporting, guiding, directing and attempting to assist the alien with alien's entry in violation of section 275 of the Immigration and Nationality Act (8 U.S.C. 1325), regardless of whether the alien is ultimately fined or imprisoned for an act in violation of such section; or''.

(d) LIFETIME DISQUALIFICATION.—Subsection (d) of section 31310 of title 49, United States Code, is amended to read as follows:

''(d) LIFETIME DISQUALIFICATION.—The Secretary shall disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle—

''(1) in committing a felony involving manufacturing, distributing, or dispensing a controlled substance, or possessing with the intent to manufacture, distribute, or dispense a controlled substance; or

''(2) in committing an act for which the individual is convicted under—

''(A) section 274 of the Immigration and Nationality Act (8 U.S.C. 1324); or

''(B) section 277 of such Act (8 U.S.C. 1327).''.

(e) REPORTING REQUIREMENTS.—

(1) COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM.—Paragraph (1) of section 31309(b) of title 49, United States Code, is amended—

(A) in subparagraph (E), by striking ''and'' at the end;

(B) in subparagraph (F), by striking the period at the end and inserting a semicolon and ''and''; and

(C) by adding at the end the following new subparagraph:

''(G) whether the operator was disqualified, either temporarily or for life, from operating a commercial motor vehicle under section 31310, including under subsection (b)(1)(F), (c)(1)(F), or (d) of such section.''.

(2) NOTIFICATION BY THE STATE.—Paragraph (8) of section 31311(a) of title 49, United States Code, is amended by inserting ''including such a disqualification, revocation, suspension, or cancellation made pursuant to a disqualification under subsection (b)(1)(F), (c)(1)(F), or (d) of section 31310,'' after ''60 days,''.

SEC. _____. FREEZING BANK ACCOUNTS OF INTERNATIONAL CRIMINAL ORGANIZATIONS AND MONEY LAUNDERERS.

Section 981(b) of title 18, United States Code, is amended by adding at the end the following:

''(5)(A) If a person is arrested or charged in connection with an offense described in subparagraph (C) involving the movement of funds into or out of the United States, the Attorney General may apply to any Federal judge or magistrate judge in the district in which the arrest is made or where the charges are filed for an ex parte order restraining any account held by the person arrested or charged for not more than 30 days, except that such 30-day time period may be extended for good cause shown at a hearing conducted in the manner provided in Rule 43(e) of the Federal Rules of Civil Procedure. The court may receive and consider evidence and information submitted by the Government that would be inadmissible under the Federal Rules of Evidence.

''(B) The application for the restraining order referred to in subparagraph (A) shall—

''(i) identify the offense for which the person has been arrested or charged;

''(ii) identify the location and description of the accounts to be restrained; and

''(iii) state that the restraining order is needed to prevent the removal of the funds in the account by the person arrested or charged, or by others associated with such person, during the time needed by the Government to conduct such investigation as may be necessary to establish whether there is probable cause to believe that the funds in the accounts are subject to forfeiture in connection with the commission of any criminal offense.

''(C) A restraining order may be issued pursuant to subparagraph (A) if a person is arrested or charged with any offense for which forfeiture is authorized under this title, title 31, or the Controlled Substances Act (21 U.S.C. 801 et seq.).

''(D) For purposes of this section—

''(i) the term 'account' includes any safe deposit box and any account (as defined in paragraphs (1) and (2) of section 5318A(e) of title 31, United States Code) at any financial institution; and

''(ii) the term 'account held by the person arrested or charged' includes an account held in the name of such person, and any account over which such person has effective control as a signatory or otherwise.

''(E) Restraint pursuant to this paragraph shall not be deemed a 'seizure' for purposes of subsection 983(a) of this title.

''(F) A restraining order issued pursuant to this paragraph may be executed in any district in which the subject account is found, or transmitted to the central authority of any foreign State for service in accordance with any treaty or other international agreement.''.

SEC. _____. CRIMINAL PROCEEDS LAUNDERED THROUGH PREPAID ACCESS DEVICES, DIGITAL CURRENCIES, OR OTHER SIMILAR INSTRUMENTS.

(a) IN GENERAL.—Section 5312(a) of title 31, United States Code, is amended—

(1) by striking paragraph (2)(K) and inserting the following:

''(K) an issuer, redeemer, or cashier or travelers' checks, checks, money orders, prepaid access devices, digital currencies, or other similar instruments;'';

(2) in paragraph (3)(B), by inserting ''prepaid access devices,'' after ''delivery,'';

(3) by redesignating paragraph (6) as paragraph (7); and

(4) by inserting after paragraph (5) the following:

''(6) 'prepaid access device' means an electronic device or vehicle, such as a card, plate, code, number, electronic serial number, mobile identification number, personal identification number, or other instrument that provides a portal to funds or the value of funds that have been paid in advance and can be retrievable and transferable at some point in the future.''.

(b) GAO REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on—

(1) the impact the amendments made by subsection (a) has had on law enforcement, the prepaid access industry, and consumers; and

(2) the implementation and enforcement by the Department of Treasury of the final rule on Definitions and Other Regulations Relating to Prepaid Access (76 Fed. Reg. 45403), issued July 26, 2011.

(c) CUSTOMS AND BORDER PROTECTION STRATEGY FOR PREPAID ACCESS DEVICES.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Commissioner responsible for U.S. Customs and Border Protection, shall submit to Congress a report detailing a strategy to interdict and detect prepaid access devices, digital currencies, or other similar instruments, at border crossings and other ports of entry for the United States. The report shall include an assessment of infrastructure needs to carry out the strategy detailed in the report.

SEC. _____. FIGHTING MONEY SMUGGLING THROUGH BLANK CHECKS IN BEARER FORM.

Section 5316 of title 31, United States Code, is amended by adding at the end the following:

''(e) MONETARY INSTRUMENTS WITH AMOUNT LEFT BLANK.—For purposes of this section, a monetary instrument in bearer form that has the amount left blank, such that the amount could be filled in by the bearer, shall be considered to have a value in excess of $10,000 if the instrument was drawn on an account that contained or was intended to contain more than $10,000 at the time the instrument was transported or the time period it was negotiated or was intended to be negotiated.''.

SEC. _____. CLOSING THE LOOPHOLE ON DRUG CARTEL ASSOCIATES ENGAGED IN MONEY LAUNDERING.

(a) PROCEEDS OF A FELONY.—Section 1956(c)(1) of title 18, United States Code, is amended by inserting '', and regardless of whether or not the person knew that the activity constituted a felony'' before the semicolon at the end.

(b) INTENT TO CONCEAL OR DISGUISE.—Section 1956(a) of title 18, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''(B) knowing that'' and all that follows through ''Federal law,'' and inserting the following:

''(B) knowing that the transaction—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''; and

(2) in paragraph (2)(B), by striking ''(B) knowing that'' and all that follows through ''Federal law,'' and inserting the following:

''(B) knowing that the monetary instrument or funds involved in the transportation, transmission, or transfer represent the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, or transfer—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''.

SEC. _____. DIRECTIVE TO UNITED STATES SENTENCING COMMISSION; EMERGENCY AUTHORITY.

(a) IN GENERAL.—The United States Sentencing Commission shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements as the Commission considers appropriate to respond to this Act.

(b) EMERGENCY AUTHORITY.—In carrying out subsection (a), the Commission may promulgate amendments to the Federal sentencing guidelines and policy statements in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note), as though the authority under that Act had not expired.

SA 1625. Ms. LANDRIEU (for herself, Mr. COATS, Mrs. SHAHEEN, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 3101 of the amendment, strike subsections (c) and (d), and insert the following:

(c) REPORT ON IMPACT OF THE SYSTEM ON EMPLOYERS.—Not later than 18 months after the date of the enactment of this Act, the Secretary, in consultation with the Chief Counsel of the Office of Advocacy of the Small Business Administration, shall submit to Congress a report that assesses—

(1) the implementation of the Employment Verification System established under section 274A(d) of the Immigration and Nationality Act, as amended by subsection (a), by employers;

(2) any adverse impact on the revenues, business processes, or profitability of employers required to use such System; and

(3) the economic impact of such System on small businesses.

(d) GOVERNMENT ACCOUNTABILITY OFFICE STUDY OF THE EFFECTS OF DOCUMENT REQUIREMENTS ON EMPLOYMENT AUTHORIZED PERSONS AND EMPLOYERS.—

(1) STUDY.—The Comptroller General of the United States shall carry out a study of—

(A) the effects of the documentary requirements of section 274A of the Immigration and Nationality Act, as amended by subsection (a), on employers, naturalized United States citizens, nationals of the United States, and individuals with employment authorized status; and

(B) the challenges such employers, citizens, nationals, or individuals may face in obtaining the documentation required under that section.

(2) REPORT.—Not later than 4 years after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the findings of the study carried out under paragraph (1). Such report shall include, at a minimum, the following:

(A) An assessment of available information regarding the number of working age nationals of the United States and individuals who have employment authorized status who lack documents required for employment by such section 274A.

(B) A description of the additional steps required for individuals who have employment authorized status and do not possess the documents required by such section 274A to obtain such documents.

(C) A general assessment of the average financial costs for individuals who have employment authorized status who do not possess the documents required by such section 274A to obtain such documents.

(D) A general assessment, conducted in consultation with the Chief Counsel of the Office of Advocacy of the Small Business Administration, of the average financial costs and challenges for employers who have been required to participate in the Employment Verification System established by subsection (d) of such section 274A.

(E) A description of the barriers to individuals who have employment authorized status in obtaining the documents required by such section 274A, including barriers imposed by the executive branch of the Government.

(F) Any particular challenges facing individuals who have employment authorized status who are members of a federally recognized Indian tribe in complying with the provisions of such section 274A.

(e) EARLY ADOPTION FOR SMALL EMPLOYERS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall create a mobile application and utilize other available smart-phone technology for employers utilizing the System, to encourage small employers to utilize the System prior to the time at which utilization becomes mandatory for all employers.

(2) MARKETING.—Not later than 1 year after the date of enactment of this Act, the Secretary shall, in consultation with the Administrator of the Small Business Administration, make available marketing and other incentives to small business concerns to encourage small employers to utilize the System prior to the time at which utilization of the System becomes mandatory for all employers.

SA 1626. Ms. LANDRIEU (for herself, Mr. CARPER, and Mr. BEGICH) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 1104 of the amendment, insert after subsection (c) the following:

(d) DONATIONS FOR LAND PORTS OF ENTRY FACILITIES.—

(1) DONATIONS PERMITTED.—Notwithstanding any other provision of law, including chapter 33 of title 40, United States Code, the Secretary, for purposes of constructing, altering, operating, or maintaining a new or existing land port of entry facility, may accept donations of real and personal property (including monetary donations) and nonpersonal services from private parties and State and local government entities.

(2) ALLOWABLE USES OF DONATIONS.—The Secretary, with respect to any donation provided pursuant to paragraph (1), may—

(A) use such property or services for necessary activities related to the construction, alteration, operation, or maintenance of a new or existing land port of entry facility under the custody and control of the Secretary, including expenses related to—

(i) land acquisition, design, construction, repair and alteration;

(ii) furniture, fixtures, and equipment;

(iii) the deployment of technology and equipment; and

(iv) operations and maintenance; or

(B) transfer such property or services to the Administrator of General Services for

necessary activities described in paragraph (1) related to a new or existing land port of entry facility under the custody and control of the Administrator.

(3) EVALUATION PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Administrator, shall establish procedures for evaluating a proposal submitted by any person described in paragraph (1) to make a donation of real or personal property (including monetary donations) or nonpersonal services to facilitate the construction, alteration, operation, or maintenance of a new or existing land port of entry facility under the custody and control of the Secretary.

(4) CONSIDERATIONS.—In determining whether or not to approve a proposal described in paragraph (3), the Secretary or the Administrator shall consider—

(A) the impact of the proposal on reducing wait times at that port of entry and other ports of entry on the same border;

(B) the potential of the proposal to increase trade and travel efficiency through added capacity;

(C) the potential of the proposal to enhance the security of the port of entry; and

(D) other factors that the Secretary determines to be relevant.

(5) CONSULTATION.—

(A) LOCATIONS FOR NEW PORTS OF ENTRY.—The Secretary is encouraged to consult with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of State, the International Boundary and Water Commission, and appropriate representatives of States, local governments, Indian tribes, and property owners—

(i) to determine locations for new ports of entry; and

(ii) to minimize the adverse impacts from such ports on the environment, historic and cultural resources, commerce, and the quality of life for the communities and residents located near such ports.

(B) SAVINGS PROVISION.—Nothing in this paragraph may be construed—

(i) to create any right or liability of the parties described in subparagraph (A); and

(ii) to affect any consultation requirement under any other law.

(6) SUPPLEMENTAL FUNDING.—Property (including monetary donations) and services provided pursuant to paragraph (1) may be used in addition to any other funding (including appropriated funds), property, or services made available for the same purpose.

(7) UNCONDITIONAL DONATIONS.—A donation provided pursuant to paragraph (1) shall be made unconditionally, although the donor may specify—

(A) the land port of entry facility or facilities to be benefitted from such donation; and

(B) the timeframe during which the donated property or services shall be used.

(8) RETURN OF DONATIONS.—If the Secretary or the Administrator does not use the property or services donated pursuant to paragraph (1) for the specific land port of entry facility or facilities designated by the donor or within the timeframe specified by the donor, such donated property or services shall be returned to the entity that made the donation. No interest shall be owed to the donor with respect to any donation of funding provided under paragraph (1) that is returned pursuant to this paragraph.

(9) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary, in consultation with the Administrator, shall submit a report to the congressional committees listed in subparagraph (B) that describes—

(i) the accepted donations received under this subsection;

(ii) the ports of entry that received such donations; and

(iii) how each donation helped facilitate the construction, alteration, operation, or maintenance of a new or existing land port of entry.

(B) CONGRESSIONAL COMMITTEES.—The congressional committees listed in this subparagraph are—

(i) the Committee on Appropriations of the Senate;

(ii) the Committee on Homeland Security and Governmental Affairs of the Senate;

(iii) the Committee on Finance of the Senate;

(iv) the Committee on Appropriations of the House of Representatives;

(v) the Committee on Homeland Security of the House of Representatives; and

(vi) the Committee on Ways and Means of the House of Representatives.

(10) SAVINGS PROVISION.—Nothing in this subsection may be construed to affect or alter the existing authority of the Secretary or the Administrator of General Services to construct, alter, operate, and maintain land port of entry facilities.

SA 1627. Ms. LANDRIEU (for herself and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 4806, add the following:

(j) REPORTS.—

(1) REQUIREMENT FOR REPORTS.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a report on the EB-5 program carried out pursuant to section 203(b)(5) of the Immigration and Nationality (8 U.S.C. 1153(b)(5)), as amended by this section.

(2) CONTENT.—Each report required by paragraph (1) shall include the following:

(A) The number of applications pending for an immigrant visa described in section 203(b)(5) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5)), disaggregated by State.

(B) The period of time each such application has been pending.

(C) The average length of time required to conduct an economic evaluation of a project and suitability of a petitioner for such a visa and the Secretary's goals for these timeframes.

(D) A description of any additional resources necessary to efficiently administer the EB-5 program carried out pursuant to such section 203(b)(5).

(E) The number of applications that have been approved or denied for such a visa in the most recent reporting period with an accompanying explanation of reasons for such approval or denial, disaggregated by State.

(F) The number of jobs created by such EB-5 program in each 180-day period, disaggregated by State.

(G) The types of projects proposed and the number of aliens granted such a visa in each 180-day period, disaggregated by State and by North American Industry Classification System (NAICS) code.

SA 1628. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

After section 3716, insert the following:

SEC. 3717. COST EFFECTIVENESS IN DETENTION FACILITY CONTRACTING.

The Director of U.S. Immigration and Customs Enforcement shall take appropriate measures to minimize, and if possible reduce, the daily bed rate charged to the Federal Government through a competitive process in contracting for or otherwise obtaining detention beds while ensuring that the most recent detention standards, including health standards, and management practices employed by the agency are met.

SA 1629. Ms. LANDRIEU (for herself and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In title IV of the amendment, insert after section 4224 the following:

SEC. 4225. SMALL BUSINESS EXPRESS LANE.

Section 212(n) of the Immigration and Nationality Act (8 U.S.C. 1182(n)), as amended by section 4231, is amended by adding at the end the following:

''(8)(A) The Secretary shall establish a small business express lane for the H-1B visa application process, under which the Secretary—

''(i) may waive the fee for premium processing under section 286(u) for a business that—

''(I) is considered a small business with not more than 25 employees;

''(II) is not considered an H-1B dependent employer; and

''(III) reports a business income on the tax filings for the previous year of not more than $250,000; and

''(ii) shall, to the extent practicable, create or modify an online interface capable of providing real time feedback and error mitigation technology that can be used by small businesses and other employers with the purpose of increasing employer access in streamlining the H-1B visa application process.

''(B) The total amount of fees waived during a fiscal year by the Secretary under subparagraph (A)(i) shall be added to the projected cost for the service in the following fiscal year and a revised fee shall be established based on the projected cost.

''(C) The Secretary shall, to the extent practicable, create an online interface and mobile application that can be used by small businesses and other employers with the purpose of increasing employer access in streamlining the H-1B visa application process.

''(D)(i) The Secretary, in coordination with the Administrator of the Small Business Administration, shall set a goal of not less than

30 percent of H-1B visas being awarded to small businesses.

''(ii) Of the goal amount described in clause (i)—

''(I) 1/3 of the goal shall be reserved for businesses with not more than 25 employees; and

''(II) 2/3 of the goal may be used by businesses with not more than 500 employees.

''(iii) The goal described in clause (i) may be modified by the Secretary, in consultation with the Administrator of the Small Business Administration, based on any feedback provided by the Office of Advocacy of the Small Business Administration.

''(E) The Bureau of Immigration and Labor Market Research shall submit a report, on an annual basis, to the Committee on the Judiciary of the Senate, the Small Business and Entrepreneurship Committee of the Senate, the Committee on the Judiciary of the House of Representatives, and the Small Business and Entrepreneurship Committee of the House of Representatives that contains—

''(i) the total number of H-1B visa applications broken down by business size category and expressed as a percentage of the total—

''(I) 0–25 employees;

''(II) 26–50 employees;

''(III) 50–100 employees;

''(IV) 100–500 employees; or

''(V) more than 500 employees;

''(ii) the total number of H-1B visa applications broken down by North American Industry Classification System (NAICS) Code and expressed as a percentage of the total; and

''(iii) the percentage and number of—

''(I) small businesses to apply for H-1B visas;

''(II) small businesses awarded H-1B visas;

''(III) small businesses that used the premium processing service;

''(IV) all businesses that used the premium processing service and were awarded H-1B visas; and

''(V) all businesses that did not use the premium processing service and were awarded H-1B visas; and

''(iv) a longitudinal and graphical view of the small business percentages described in subparagraph (D) and this subparagraph.

''(F) Beginning 4 years after the date of enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and every 4 years thereafter, as part of the report submitted under subparagraph (E), the Bureau of Immigration and Labor Market Research shall include description of the impact of the application process on the on small business, which shall take into consideration—

''(i) the cost to apply for the visas;

''(ii) the impact of the fee waiver under subparagraph (A)(i) on small businesses; and

''(iii) recommendations for streamlining the application process, including recommended modifications and updates to the online user interface and mobile application.''.

SA 1630. Ms. LANDRIEU (for herself, Ms. HIRONO, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. BEST INTEREST OF THE CHILD.

(a) IN GENERAL.—In all procedures and decisions concerning unaccompanied alien children that are made by a Federal agency or a Federal court pursuant to the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) or regulations implementing the Act, the best interests of the child shall be a primary consideration.

(b) DETERMINATIONS RELATED TO SECTION 101(A)(27)(J) OF THE IMMIGRATION AND NATIONALITY ACT.—Best interests determinations made in administrative or judicial proceedings described in section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)) shall be conclusive in assessing the best interests of the child under this section.

(c) FACTORS.—In assessing the best interests of the child, the entities referred to in subsection (a) shall consider, in the context of the child's age and maturity, the following factors:

(1) The views of the child.

(2) The safety and security considerations of the child.

(3) The mental and physical health of the child.

(4) The parent-child relationship and family unity, and the potential effect of separating the child from the child's parent or legal guardian, siblings, and other members of the child's extended biological family.

(5) The child's sense of security, familiarity, and attachments.

(6) The child's well-being, including the need of the child for education and support related to child development.

(7) The child's ethnic, religious, and cultural and linguistic background.

SA 1631. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON WAIVER OF SMALL BUSINESS PROCUREMENT PROVISIONS.

Part 19 of the Federal Acquisition Regulation, section 15 of the Small Business Act (15 U.S.C. 644), and any other applicable laws or regulations establishing procurement requirements relating to small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) may not be waived with respect to any contract awarded under any program or other authority under this Act or an amendment made by this Act, other than as provided under subsection (a)(2) or (c) of section 2108 of this Act.

SA 1632. Ms. LANDRIEU (for herself and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV of the amendment, insert the following:

SEC. 4106. ADDITIONAL REQUIREMENTS FOR STEM EDUCATION PROGRAMS.

(a) LOW-INCOME STEM SCHOLARSHIP PROGRAM.—For purposes of paragraph (3)(B) of 286(s) of the Immigration and Nationality Act, as added by section 4104(b), the Director of the National Science Foundation shall consider veterans to be an underrepresented group.

(b) NATIONAL EVALUATION.—In conducting the annual evaluation of the implementation and impact of the activities funded by the STEM Education and Training Account under section 4104(d), the Secretary of Education shall include an assessment of—

(1) engagement in STEM fields of underrepresented groups such as women and minorities; and

(2) achievement in STEM fields of underrepresented groups such as women and minorities.

(c) IDENTIFYING AND DISSEMINATING BEST PRACTICES.—The Secretary of Education shall, directly or through a grant or contract, identify State best practices with respect to STEM education and share that information broadly.

SEC. 4107. USE OF H–1B VISA FEES.

(a) IN GENERAL.—Section 214(c)(9)(C) (8 U.S.C. 1184(c)(9)(C)) is amended to read as follows:

''(C) Fees collected under this paragraph shall be deposited in the Treasury as follows:

''(i) Until the amount collected for a fiscal year under this paragraph equals $275,000,000, in the H–1B Nonimmigrant Petitioner Account for use in accordance with section 286(s).

''(ii) After the amount collected for a fiscal year under this paragraph exceeds $275,000,000—

''(I) 5 percent shall be deposited in the H–1B Nonimmigrant Petitioner Account for use as described in paragraph (5) of section 286(s);

''(II) 5 percent shall be deposited in the H–1B Nonimmigrant Petitioner Account for use as described in paragraph (6) of section 286(s); and

''(III) 90 percent shall be deposited in the STEM Education and Training Account for use as described in section 286(w).''.

(b) CONFORMING AMENDMENT.—Section 286(s)(1) (8 U.S.C. 1356(s)(1)) is amended by striking ''collected under paragraphs (9) and (11) of section 214(c).'' and inserting ''described in clause (i), (ii)(I), and (ii)(II) of paragraph (9)(C) of section 214(c) and collected under paragraph (11) of such section.''.

SA 1633. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV of the amendment, insert the following:

SEC. 4106. ADDITIONAL REQUIREMENTS FOR STEM EDUCATION PROGRAMS.

(a) LOW-INCOME STEM SCHOLARSHIP PROGRAM.—For purposes of paragraph (3)(B) of 286(s) of the Immigration and Nationality Act, as added by section 4104(b), the Director of the National Science Foundation shall consider veterans to be an underrepresented group.

(b) NATIONAL EVALUATION.—In conducting the annual evaluation of the implementation and impact of the activities funded by the STEM Education and Training Account under section 4104(d), the Secretary of Education shall include an assessment of—

(1) engagement in STEM fields of underrepresented groups such as women and minorities; and

(2) achievement in STEM fields of underrepresented groups such as women and minorities.

(c) IDENTIFYING AND DISSEMINATING BEST PRACTICES.—The Secretary of Education shall, directly or through a grant or contract, identify State best practices with respect to STEM education and share that information broadly.

SA 1634. Mr. PORTMAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EMPLOYMENT VERIFICATION SYSTEM IMPROVEMENTS.

(a) TRIGGER.—In addition to the conditions set forth in section 3(c)(2)(A), the Secretary may not adjust the status of aliens who have been granted registered provisional immigrant status, except for aliens granted blue card status under section 2201 of this Act or described in section 245D(b) of the Immigration and Nationality Act, unless the Secretary, after consultation with the Comptroller General of the United States, and as part of the written certification submitted to the President and Congress pursuant to section 3(c)(2)(A), certifies that the Secretary has implemented the mandatory employment verification system, including the full incorporation of the photo tool and additional security measures, required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101, and has required the system's use by all employers to prevent unauthorized workers from obtaining employment in the United States.

(b) EMPLOYMENT VERIFICATION SYSTEM.—Section 274A (8 U.S.C. 1324a), as amended by section 3101, is further amended—

(1) in subsection (a)(5)(A)(ii), by inserting '', by clear and convincing evidence,'' after demonstrates; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) DOCUMENT VERIFICATION REQUIREMENTS.—Any employer hiring an individual for employment in the United States shall comply with the following requirements and the requirements under subsection (d) to verify that the individual has employment authorized status.

''(1) ATTESTATION AFTER EXAMINATION OF DOCUMENTATION.—

''(A) IN GENERAL.—

''(i) EXAMINATION BY EMPLOYER.—An employer shall attest, under penalty of perjury on a form prescribed by the Secretary, that the employer has verified the identity and employment authorization status of the individual—

''(I) by examining—

''(aa) a document specified in subparagraph (C); or

''(bb) a document specified in subparagraph (D) and a document specified in subparagraph (E); and

''(II) by utilizing an identity authentication mechanism described in clause (iii) or (iv) of subparagraph (F).

''(ii) PUBLICATION OF DOCUMENTS.—The Secretary shall publish a picture of each document specified in subparagraphs (C) and (E) on the U.S. Citizenship and Immigration Services website.

''(B) REQUIREMENTS.—

''(i) FORM.—The form referred to in subparagraph (A)(i)—

''(I) shall be prescribed by the Secretary not later than 6 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act;

''(II) shall be available as—

''(aa) a paper form;

''(bb) a form that may be completed by an employer via telephone or video conference;

''(cc) an electronic form; and

''(dd) a form that is integrated electronically with the requirements under subparagraph (F) and subsection (d).

''(ii) ATTESTATION.—Each such form shall require the employer to sign an attestation with a handwritten, electronic, or digital signature, according to standards prescribed by the Secretary.

''(iii) COMPLIANCE.—An employer has complied with the requirements under this paragraph with respect to examination of the documents included in subclauses (I) and (II) of subparagraph (A)(i) if—

''(I) the employer has, in good faith, followed applicable regulations and any written procedures or instructions provided by the Secretary; and

''(II) a reasonable person would conclude that the documentation is genuine and relates to the individual presenting such documentation.

''(C) DOCUMENTS ESTABLISHING IDENTITY AND EMPLOYMENT AUTHORIZED STATUS.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

''(i) A United States passport or passport card issued to an individual pursuant to the Secretary of State's authority under the Act entitled An Act to regulate the issue and validity of passports, and for other purposes, approved July 3, 1926 (22 U.S.C. 211a).

''(ii) A document issued to an alien evidencing that the alien is lawfully admitted for permanent residence or another document issued to an individual evidencing the individual's employment authorized status, as designated by the Secretary, if the document—

''(I) contains a photograph of the individual, or such other personal identifying information relating to the individual as the Secretary determines, by regulation, to be sufficient for the purposes of this subparagraph;

''(II) is evidence of employment authorized status; and

''(III) contains security features to make the document resistant to tampering, counterfeiting, and fraudulent use.

''(iii) An enhanced driver's license or identification card issued to a national of the United States by a State, an outlying possession of the United States, or a federally recognized Indian tribe that—

''(I) meets the requirements under section 202 of the REAL ID Act of 2005 (division B of Public Law 109–13; 49 U.S.C. 30301 note); and

''(II) the Secretary has certified by notice published in the Federal Register and through appropriate notice directly to employers registered in the System 3 months prior to publication that such enhanced license or card is suitable for use under this subparagraph based upon the accuracy and security of the issuance process, security features on the document, and such other factors as the Secretary may prescribe.

''(iv) A passport issued by the appropriate authority of a foreign country accompanied by a Form I–94 or Form I–94A (or similar successor record), or other documentation as designated by the Secretary that specifies the individual's status in the United States and the duration of such status if the proposed employment is not in conflict with any restriction or limitation specified on such form or documentation.

''(v) A passport issued by the Federated States of Micronesia or the Republic of the Marshall Islands with evidence of nonimmigrant admission to the United States under the Compact of Free Association between the United States and the Federated States of Micronesia or the Republic of the Marshall Islands.

''(D) DOCUMENTS ESTABLISHING IDENTITY OF INDIVIDUAL.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

''(i) A driver's license or identity card that is not described in subparagraph (C)(iii) and is issued to an individual by a State or an outlying possession of the United States, a federally recognized Indian tribe, or an agency (including military) of the Federal Government if the driver's license or identity card includes, at a minimum—

''(I) the individual's photograph, name, date of birth, gender, and driver's license or identification card number; and

''(II) security features to make the license or card resistant to tampering, counterfeiting, and fraudulent use.

''(ii) A voter registration card.

''(iii) A document that complies with the requirements under section 7209(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 8 U.S.C. 1185 note).

''(iv) For individuals under 18 years of age who are unable to present a document listed in clause (i) or (ii), documentation of personal identity of such other type as the Secretary determines will provide a reliable means of identification, which may include an attestation as to the individual's identity by a parent or legal guardian under penalty of perjury.

''(E) DOCUMENTS EVIDENCING EMPLOYMENT AUTHORIZATION.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

''(i) A social security account number card issued by the Commissioner, other than a card which specifies on its face that the card is not valid to evidence employment authorized status or has other similar words of limitation.

''(ii) Any other documentation evidencing employment authorized status that the Secretary determines and publishes in the Federal Register and through appropriate notice directly to employers registered within the System to be acceptable for purposes of this subparagraph if such documentation, including any electronic security measures linked to such documentation, contains security features to make such documentation resistant to tampering, counterfeiting, and fraudulent use.

''(F) IDENTITY AUTHENTICATION MECHANISM.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) COVERED IDENTITY DOCUMENT.—The term 'covered identity document' means a valid—

''(aa) United States passport, passport card, or a document evidencing lawful permanent residence status or employment authorized status issued to an alien;

''(bb) enhanced driver's license or identity card issued by a participating State or an outlying possession of the United States; or

''(cc) photograph and appropriate identifying information provided by the Secretary of State pursuant to the granting of a visa.

''(II) PARTICIPATING STATE.—The term 'participating State' means a State that has an agreement with the Secretary to provide the Secretary, for purposes of identity verification in the System, with photographs and appropriate identifying information maintained by the State.

''(ii) REQUIREMENT FOR IDENTITY AUTHENTICATION.—In addition to verifying the documents specified in subparagraph (C), (D), or (E), the System shall require each employer to verify the identity of each new hire using the identity authentication mechanism described in clause (iii) or, for an individual whose identity is not able to be verified using that mechanism, to use the additional security measures provided in clause (iv) after such measures become available. A failure of the System to verify the identity of an individual due to the use of an identity authentication mechanism shall result in a further action notice under subsection (d)(4)(C)(iii).

''(iii) PHOTO TOOL.—

''(I) USE REQUIREMENT.—An employer that hires an individual who has a presented a covered identity document to establish his or her identity and employment authorization under subsection (c) shall verify the identity of such individual using the photo tool described in subclause (II).

''(II) DEVELOPMENT REQUIREMENT.—The Secretary shall develop and maintain a photo tool that enables employers to match the photo on a covered identity document provided to the employer to a photo maintained by a U.S. Citizenship and Immigration Services or other appropriate database.

''(III) INDIVIDUAL QUERIES.—The photo tool capability shall be incorporated into the System and made available to employers not later than 1 year after the date on which regulations are published implementing subsection (d).

''(IV) LIMITATIONS ON USE OF INFORMATION.—Information and images acquired from State motor vehicle databases through the photo tool developed under subclause (II)—

''(aa) may only be used for matching photos to a covered identity document for the purposes of employment verification;

''(bb) shall not be collected or stored by the Federal Government; and

''(cc) may only be disseminated in response to an individual photo tool query.

''(iv) ADDITIONAL SECURITY MEASURES.—

''(I) USE REQUIREMENT.—An employer seeking to hire an individual whose identity is not able to be verified using the photo tool described in clause (iii), because the employee did not present a covered document for employment eligibility verification purposes, shall verify the identity of such individual using the additional security measures described in subclause (II).

''(II) DEVELOPMENT REQUIREMENT.—The Secretary shall develop, after publication in the Federal Register and an opportunity for public comment, specific and effective additional security measures to adequately verify the identity of an individual whose identity is not able to be verified using the photo tool described in clause (iii). Such additional security measures—

''(aa) shall be kept up-to-date with technological advances;

''(bb) shall provide a means of identity authentication in a manner that provides a high level of certainty as to the identity of such individual, using immigration and identifying information that may include review of identity documents or background screening verification techniques using publicly available information; and

''(cc) shall be incorporated into the System and made available to employers not later than 1 year after the date on which regulations are published implementing subsection (d).

''(III) COMPREHENSIVE USE.—An employer may employ the additional security measures set forth in this clause with respect to all individuals the employer hires if the employer notifies the Secretary of such election at the time the employer registers for use of the System under subsection (d)(4)(A)(i) or anytime thereafter. An election under this subclause may be withdrawn 90 days after the employer notifies the Secretary of the employer's intent to discontinue such election.

''(v) AUTOMATED VERIFICATION.—The Secretary—

''(I) may establish a program, in addition to the identity authentication mechanism described in subparagraph (F)(iii), in which the System automatically verifies information contained in a covered identity document issued by a participating State, which is presented under subparagraph (D)(i), including information needed to verify that the covered identity document matches the State's records;

''(II) may not maintain information provided by a participating State in a database maintained by U.S. Citizenship and Immigration Services; and

''(III) may not utilize or disclose such information, except as authorized under this section.

''(G) AUTHORITY TO PROHIBIT USE OF CERTAIN DOCUMENTS.—If the Secretary determines, after publication in the Federal Register and an opportunity for public comment, that any document or class of documents specified in subparagraph (B), (C), or (D) does not reliably establish identity or that employment authorized status is being used fraudulently to an unacceptable degree, the Secretary—

''(i) may prohibit or restrict the use of such document or class of documents for purposes of this subsection; and

''(ii) shall directly notify all employers registered within the System of the prohibition through appropriate means.

''(H) AUTHORITY TO ALLOW USE OF CERTAIN DOCUMENTS.—If the Secretary has determined that another document or class of documents, such as a document issued by a federally recognized Indian tribe, may be used to reliably establish identity or employment authorized status, the Secretary—

''(i) may allow the use of that document or class of documents for purposes of this subsection after publication in the Federal Register and an opportunity for public comment;

''(ii) shall publish a description of any such document or class of documents on the U.S. Citizenship and Immigration Services website; and

''(iii) shall directly notify all employers registered within the System of the addition through appropriate means.

''(2) INDIVIDUAL ATTESTATION OF EMPLOYMENT AUTHORIZATION.—An individual, upon commencing employment with an employer, shall—

''(A) attest, under penalty of perjury, on the form prescribed by the Secretary, that the individual is—

''(i) a citizen of the United States;

''(ii) an alien lawfully admitted for permanent residence;

''(iii) an alien who has employment authorized status; or

''(iv) otherwise authorized by the Secretary to be hired for such employment;

''(B) provide such attestation by a handwritten, electronic, or digital signature; and

''(C) provide the individual's social security account number to the Secretary, unless the individual has not yet been issued such a number, on such form as the Secretary may require.

''(3) RETENTION OF VERIFICATION RECORD.—

''(A) IN GENERAL.—After completing a form for an individual in accordance with paragraphs (1) and (2), the employer shall retain a version of such completed form and make such form available for inspection by the Secretary or the Office of Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice during the period beginning on the hiring date of the individual and ending on the later of—

''(i) the date that is 3 years after such hiring date; or

''(ii) the date that is 1 year after the date on which the individual's employment with the employer is terminated.

''(B) REQUIREMENT FOR ELECTRONIC RETENTION.—The Secretary—

''(i) shall permit an employer to retain the form described in subparagraph (A) in electronic form; and

''(ii) shall permit an employer to retain such form in paper, microfiche, microfilm, portable document format, or other media.

''(4) COPYING OF DOCUMENTATION AND RECORDKEEPING.—The Secretary may promulgate regulations regarding—

''(A) copying documents and related information pertaining to employment verification presented by an individual under this subsection; and

''(B) retaining such information during a period not to exceed the required retention period set forth in paragraph (3).

''(5) PENALTIES.—An employer that fails to comply with any requirement under this subsection may be penalized under subsection (e)(4)(B).

''(6) PROTECTION OF CIVIL RIGHTS.—

''(A) IN GENERAL.—Nothing in this section may be construed to diminish any rights otherwise protected by Federal law.

''(B) PROHIBITION ON DISCRIMINATION.—An employer shall use the procedures for document verification set forth in this paragraph for all employees without regard to race, color, religion, sex, national origin, or, unless specifically permitted in this section, to citizenship status.

''(7) RECEIPTS.—The Secretary may authorize the use of receipts for replacement documents, and temporary evidence of employment authorization by an individual to meet a documentation requirement under this subsection on a temporary basis not to exceed 1 year, after which time the individual shall provide documentation sufficient to satisfy the documentation requirements under this subsection.

''(8) NO AUTHORIZATION OF NATIONAL IDENTIFICATION CARDS.—Nothing in this section may be construed to directly or indirectly authorize the issuance, use, or establishment of a national identification card.

''(d) EMPLOYMENT VERIFICATION SYSTEM.—

''(1) IN GENERAL.—

''(A) ESTABLISHMENT.—The Secretary, in consultation with the Commissioner, shall establish the Employment Verification System.

''(B) MONITORING.—The Secretary shall create the necessary processes to monitor—

''(i) the functioning of the System, including the volume of the workflow, the speed of processing of queries, the speed and accuracy of responses;

''(ii) the misuse of the System, including the prevention of fraud or identity theft;

''(iii) whether the use of the System results in wrongful adverse actions or discrimination based upon a prohibited factor against citizens or nationals of the United States or individuals who have employment authorized status; and

''(iv) the security, integrity, and privacy of the System.

''(C) PROCEDURES.—The Secretary—

''(i) shall create processes to provide an individual with direct access to the individual's case history in the System, including—

''(I) the identities of all persons or entities that have queried the individual through the System;

''(II) the date of each such query; and

''(III) the System response for each such query; and

''(ii) in consultation with the Commissioner, shall develop—

''(I) protocols to notify an individual, in a timely manner through the use of electronic correspondence or mail, that a query for the individual has been processed through the System; or

''(II) a process for the individual to submit additional queries to the System or notify the Secretary of potential identity fraud.

''(2) PARTICIPATION REQUIREMENTS.—

''(A) FEDERAL GOVERNMENT.—Except as provided in subparagraph (B), all agencies and departments in the executive, legislative, or judicial branches of the Federal Government shall participate in the System beginning on the earlier of—

''(i) the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, to the extent required under section 402(e)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a) and as already implemented by each agency or department; or

''(ii) the date that is 90 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(B) FEDERAL CONTRACTORS.—Federal contractors shall participate in the System as provided in the final rule relating to employment eligibility verification published in the Federal Register on November 14, 2008 (73 Fed. Reg. 67,651), or any similar subsequent regulation, for which purpose references to E-Verify in the final rule shall be construed to apply to the System.

''(C) CRITICAL INFRASTRUCTURE.—

''(i) IN GENERAL.—Beginning on the date that is 1 year after the date on which regulations are published implementing this subsection, the Secretary may authorize or direct any employer, person, or entity responsible for granting access to, protecting, securing, operating, administering, or regulating part of the critical infrastructure (as defined in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e))) to participate in the System to the extent the Secretary determines that such participation will assist in the protection of the critical infrastructure.

''(ii) NOTIFICATION TO EMPLOYERS.—The Secretary shall notify an employer required to participate in the System under this subparagraph not later than 90 days before the date on which the employer is required to participate.

''(D) EMPLOYERS WITH MORE THAN 10,000 EMPLOYEES.—Not later than 1 year after regulations are published implementing this subsection, all employers with more than 10,000 employees shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(E) EMPLOYERS WITH MORE THAN 500 EMPLOYEES.—Not later than 2 years after regulations are published implementing this subsection, all employers with more than 500 employees shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(F) EMPLOYERS WITH MORE THAN 20 EMPLOYEES.—Not later than 3 years after regulations are published implementing this subsection, all employers with more than 20 employees shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(G) AGRICULTURAL EMPLOYMENT.—Not later than 4 years after regulations are published implementing this subsection, employers of employees performing agricultural employment (as defined in section 218A of this Act and section 2202 of the Border Security, Economic Opportunity, and Immigration Modernization Act) shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents. An agricultural employee shall not be counted for purposes of subparagraph (D), (E), or (F).

''(H) ALL EMPLOYERS.—Not later than 4 years after regulations are published implementing this subsection, all employers shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(I) TRIBAL GOVERNMENT EMPLOYERS.—

''(i) RULEMAKING.—In developing regulations to implement this subsection, the Secretary shall—

''(I) consider the effects of this section on federally recognized Indian tribes and tribal members; and

''(II) consult with the governments of federally recognized Indian tribes.

''(ii) REQUIRED PARTICIPATION.—Not later than 4 years after regulations are published implementing this subsection, all employers owned by, or entities of, the government of a federally recognized Indian tribe shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(J) IMMIGRATION LAW VIOLATORS.—

''(i) ORDERS FINDING VIOLATIONS.—An order finding any employer to have violated this section or section 274C may, in the Secretary's discretion, require the employer to participate in the System with respect to newly hired employees and employees with expiring temporary employment authorization documents, if such employer is not otherwise required to participate in the System under this section. The Secretary shall monitor such employer's compliance with System procedures.

''(ii) PATTERN OR PRACTICE OF VIOLATIONS.—The Secretary may require an employer that is required to participate in the System with respect to newly hired employees to participate in the System with respect to the employer's current employees if the employer is determined by the Secretary or other appropriate authority to have engaged in a pattern or practice of violations of the immigration laws of the United States.

''(K) VOLUNTARY PARTICIPATION.—The Secretary may permit any employer that is not required to participate in the System under this section to do so on a voluntary basis.

''(3) CONSEQUENCE OF FAILURE TO PARTICIPATE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the failure, other than a de minimis or inadvertent failure, of an employer that is required to participate in the System to comply with the requirements of the System with respect to an individual—

''(i) shall be treated as a violation of subsection (a)(1)(B) with respect to that individual; and

''(ii) creates a rebuttable presumption that the employer has violated paragraph (1)(A) or (2) of subsection (a).

''(B) EXCEPTION.—

''(i) IN GENERAL.—Subparagraph (A) shall not apply in a criminal prosecution.

''(ii) USE AS EVIDENCE.—Nothing in this paragraph may be construed to limit the use in the prosecution of a Federal crime, in a manner otherwise consistent with Federal criminal law and procedure, of evidence relating to the employer's failure to comply with requirements of the System.

''(4) PROCEDURES FOR PARTICIPANTS IN THE SYSTEM.—

''(A) IN GENERAL.—An employer participating in the System shall register such participation with the Secretary and, when hiring any individual for employment in the United States, shall comply with the following:

''(i) REGISTRATION OF EMPLOYERS.—The Secretary, through notice in the Federal Register, shall prescribe procedures that employers shall be required to follow to register with the System.

''(ii) UPDATING INFORMATION.—The employer is responsible for providing notice of any change to the information required under subclauses (I), (II), and (III) of clause (v) before conducting any further inquiries within the System, or on such other schedule as the Secretary may prescribe.

''(iii) TRAINING.—The Secretary shall require employers to undergo such training as the Secretary determines to be necessary to ensure proper use, protection of civil rights and civil liberties, privacy, integrity, and security of the System. To the extent practicable, such training shall be made available electronically on the U.S. Citizenship and Immigration Services website.

''(iv) NOTIFICATION TO EMPLOYEES.—The employer shall inform individuals hired for employment that the System—

''(I) will be used by the employer;

''(II) may be used for immigration enforcement purposes; and

''(III) may not be used to discriminate or to take adverse action against a national of the United States or an alien who has employment authorized status.

''(v) PROVISION OF ADDITIONAL INFORMATION.—The employer shall obtain from the individual (and the individual shall provide) and shall record in such manner as the Secretary may specify—

''(I) the individual's social security account number;

''(II) if the individual does not attest to United States citizenship or status as a national of the United States under subsection (c)(2), such identification or authorization number established by the Department as the Secretary shall specify; and

''(III) such other information as the Secretary may require to determine the identity and employment authorization of an individual.

''(vi) PRESENTATION OF DOCUMENTATION.—The employer, and the individual whose

identity and employment authorized status are being confirmed, shall fulfill the requirements under subsection (c).

''(B) SEEKING CONFIRMATION.—

''(i) IN GENERAL.—An employer shall use the System to confirm the identity and employment authorized status of any individual during—

''(I) the period beginning on the date on which the individual accepts an offer of employment and ending 3 business days after the date on which employment begins; or

''(II) such other reasonable period as the Secretary may prescribe.

''(ii) LIMITATION.—An employer may not make the starting date of an individual's employment or training or any other term and condition of employment dependent on the receipt of a confirmation of identity and employment authorized status by the System.

''(iii) REVERIFICATION.—If an individual has a limited period of employment authorized status, the individual's employer shall reverify such status through the System not later than 3 business days after the last day of such period.

''(iv) OTHER EMPLOYMENT.—For employers directed by the Secretary to participate in the System under paragraph (2)(C)(i) to protect critical infrastructure or otherwise specified circumstances in this section to verify their entire workforce, the System may be used for initial verification of an individual who was hired before the employer became subject to the System, and the employer shall initiate all required procedures on or before such date as the Secretary shall specify.

''(v) NOTIFICATION.—

''(I) IN GENERAL.—The Secretary shall provide, and the employer shall utilize, as part of the System, a method of notifying employers of a confirmation or nonconfirmation of an individual's identity and employment authorized status, or a notice that further action is required to verify such identity or employment eligibility (referred to in this subsection as a further action notice).

''(II) PROCEDURES.—The Secretary shall—

''(aa) directly notify the individual and the employer, by means of electronic correspondence, mail, text message, telephone, or other direct communication, of a nonconfirmation or further action notice;

''(bb) provide information about filing an administrative appeal under paragraph (6) and a filing for review before an administrative law judge under paragraph (7); and

''(cc) establish procedures to directly notify the individual and the employer of a confirmation.

''(III) IMPLEMENTATION.—The Secretary may provide for a phased-in implementation of the notification requirements under this clause, as appropriate. The notification system shall cover all inquiries not later than 1 year from the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(C) CONFIRMATION OR NONCONFIRMATION.—

''(i) INITIAL RESPONSE.—

''(I) IN GENERAL.—Except as provided in subclause (II), the System shall provide—

''(aa) a confirmation of an individual's identity and employment authorized status or a further action notice at the time of the inquiry; and

''(bb) an appropriate code indicating such confirmation or such further action notice.

''(II) ALTERNATIVE DEADLINE.—If the System is unable to provide immediate confirmation or further action notice for technological reasons or due to unforeseen circumstances, the System shall provide a confirmation or further action notice not later than 3 business days after the initial inquiry.

''(ii) CONFIRMATION UPON INITIAL INQUIRY.—If the employer receives an appropriate confirmation of an individual's identity and employment authorized status under the System, the employer shall record the confirmation in such manner as the Secretary may specify.

''(iii) FURTHER ACTION NOTICE AND LATER CONFIRMATION OR NONCONFIRMATION.—

''(I) NOTIFICATION AND ACKNOWLEDGMENT THAT FURTHER ACTION IS REQUIRED.—Not later than 3 business days after an employer receives a further action notice of an individual's identity or employment eligibility under the System, or during such other reasonable time as the Secretary may prescribe, the employer shall notify the individual for whom the confirmation is sought of the further action notice and any procedures specified by the Secretary for addressing such notice. The further action notice shall be given to the individual in writing and the employer shall acknowledge in the System under penalty of perjury that it provided the employee with the further action notice. The individual shall affirmatively acknowledge in writing, or in such other manner as the Secretary may specify, the receipt of the further action notice from the employer. If the individual refuses to acknowledge the receipt of the further action notice, or acknowledges in writing that the individual will not contest the further action notice under subclause (II), the employer shall notify the Secretary in such manner as the Secretary may specify.

''(II) CONTEST.—Not later than 10 business days after receiving notification of a further action notice under subclause (I), the individual shall contact the appropriate Federal agency and, if the Secretary so requires, appear in person for purposes of verifying the individual's identity and employment eligibility. The Secretary, in consultation with the Commissioner and other appropriate Federal agencies, shall specify an available secondary verification procedure to confirm the validity of information provided and to provide a confirmation or nonconfirmation. Any procedures for reexamination shall not limit in any way an employee's right to appeal a nonconfirmation.

''(III) NO CONTEST.—If the individual refuses to acknowledge receipt of the further action notice, acknowledges that the individual will not contest the further action notice as provided in subclause (I), or does not contact the appropriate Federal agency within the period specified in subclause (II), following expiration of the period specified in subclause (II), a nonconfirmation shall be issued. The employer shall record the nonconfirmation in such manner as the Secretary may specify and terminate the individual's employment. An individual's failure to contest a further action notice shall not be considered an admission of guilt with respect to any violation of this section or any provision of law.

''(IV) CONFIRMATION OR NONCONFIRMATION.—Unless the period is extended in accordance with this subclause, the System shall provide a confirmation or nonconfirmation not later than 10 business days after the date on which the individual contests the further action notice under subclause (II). If the Secretary determines that good cause exists, after taking into account adverse impacts to the employer, and including time to permit the individual to obtain and provide needed evidence of identity or employment eligibility, the Secretary shall extend the period for providing confirmation or nonconfirmation for stated periods beyond 10 business days. When confirmation or nonconfirmation is provided, the confirmation system shall provide an appropriate code indicating such confirmation or nonconfirmation.

''(V) REEXAMINATION.—Nothing in this section shall prevent the Secretary from establishing procedures to reexamine a case where a confirmation or nonconfirmation has been provided if subsequently received information indicates that the confirmation or nonconfirmation may not have been correct. Any procedures for reexamination shall not limit in any way an employee's right to appeal a nonconfirmation.

''(VI) EMPLOYEE PROTECTIONS.—An employer may not terminate employment or take any other adverse action against an individual solely because of a failure of the individual to have identity and employment eligibility confirmed under this subsection until—

''(aa) a nonconfirmation has been issued;

''(bb) if the further action notice was contested, the period to timely file an administrative appeal has expired without an appeal or the contestation to the further action notice is withdrawn; or

''(cc) if an appeal before an administrative law judge under paragraph (7) has been filed, the nonconfirmation has been upheld or the appeal has been withdrawn or dismissed.

''(iv) NOTICE OF NONCONFIRMATION.—Not later than 3 business days after an employer receives a nonconfirmation, or during such other reasonable time as the Secretary may provide, the employer shall notify the individual who is the subject of the nonconfirmation, and provide information about filing an administrative appeal pursuant to paragraph (6) and a request for a hearing before an administrative law judge pursuant to paragraph (7). The nonconfirmation notice shall be given to the individual in writing and the employer shall acknowledge in the System under penalty of perjury that it provided the notice (or adequately attempted to provide notice, but was unable to do so despite reasonable efforts). The individual shall affirmatively acknowledge in writing, or in such other manner as the Secretary may prescribe, the receipt of the nonconfirmation notice from the employer. If the individual refuses or fails to acknowledge the receipt of the nonconfirmation notice, the employer shall notify the Secretary in such manner as the Secretary may prescribe.

''(D) CONSEQUENCES OF NONCONFIRMATION.—

''(i) TERMINATION OF CONTINUED EMPLOYMENT.—Except as provided in clause (iii), an employer that has received a nonconfirmation regarding an individual and has made reasonable efforts to notify the individual in accordance with subparagraph (C)(iv) shall terminate the employment of the individual upon the expiration of the time period specified in paragraph (7).

''(ii) CONTINUED EMPLOYMENT AFTER NONCONFIRMATION.—If the employer continues to employ an individual after receiving nonconfirmation and exhaustion of all appeals or expiration of all rights to appeal if not appealed, in violation of clause (i), a rebuttable presumption is created that the employer has violated paragraphs (1)(A) and (2) of subsection (a). Such presumption shall not apply in any prosecution under subsection (k)(1).

''(iii) EFFECT OF ADMINISTRATIVE APPEAL OR REVIEW BY ADMINISTRATIVE LAW JUDGE.—If an individual files an administrative appeal of the nonconfirmation within the time period

specified in paragraph (6)(A), or files for review with an administrative law judge specified in paragraph (7)(A), the employer shall not terminate the individual's employment under this subparagraph prior to the resolution of the administrative appeal unless the Secretary or Commissioner terminates the stay under paragraph (6)(B) or (7)(B).

''(iv) WEEKLY REPORT.—The Director of U.S. Citizenship and Immigration Services shall submit a weekly report to the Assistant Secretary for Immigration and Customs Enforcement that includes, for each individual who receives final nonconfirmation through the System—

''(I) the name of such individual;

''(II) his or her social security number or alien file number;

''(III) the name and contact information for his or her current employer; and

''(IV) any other critical information that the Assistant Secretary determines to be appropriate.

''(v) OTHER REFERRAL.—The Director of U.S. Citizenship and Immigration Services shall refer to the Assistant Secretary for Immigration and Customs Enforcement for appropriate action by the Assistant Secretary or for referral by the Assistant Secretary to another law enforcement agency, as appropriate—

''(I) any case in which the Director believes that a social security number has been falsely or fraudulently used; and

''(II) any case in which a false or fraudulent document is used by an employee who has received a further action notice to resolve such notice.

''(E) OBLIGATION TO RESPOND TO QUERIES AND ADDITIONAL INFORMATION.—

''(i) IN GENERAL.—Employers shall comply with requests for information from the Secretary and the Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice, including queries concerning current and former employees, within the time frame during which records are required to be maintained under this section regarding such former employees, if such information relates to the functioning of the System, the accuracy of the responses provided by the System, or any suspected misuse, discrimination, fraud, or identity theft in the use of the System. Failure to comply with a request under this clause constitutes a violation of subsection (a)(1)(B).

''(ii) ACTION BY INDIVIDUALS.—

''(I) IN GENERAL.—Individuals being verified through the System may be required to take further action to address questions identified by the Secretary or the Commissioner regarding the documents relied upon for purposes of subsection (c).

''(II) NOTIFICATION.—Not later than 3 business days after the receipt of such questions regarding an individual, or during such other reasonable time as the Secretary may prescribe, the employer shall—

''(aa) notify the individual of any such requirement for further actions; and

''(bb) record the date and manner of such notification.

''(III) ACKNOWLEDGMENT.—The individual shall acknowledge the notification received from the employer under subclause (II) in writing, or in such other manner as the Secretary may prescribe.

''(iii) RULEMAKING.—

''(I) IN GENERAL.—The Secretary, in consultation with the Commissioner and the Attorney General, is authorized to issue regulations implementing, clarifying, and supplementing the requirements under this subparagraph—

''(aa) to facilitate the functioning, accuracy, and fairness of the System;

''(bb) to prevent misuse, discrimination, fraud, or identity theft in the use of the System; or

''(cc) to protect and maintain the confidentiality of information that could be used to locate or otherwise place at risk of harm victims of domestic violence, dating violence, sexual assault, stalking, and human trafficking, and of the applicant or beneficiary of any petition described in section 384(a)(2) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(a)(2)).

''(II) NOTICE.—The regulations issued under subclause (I) shall be—

''(aa) published in the Federal Register; and

''(bb) provided directly to all employers registered in the System.

''(F) DESIGNATED AGENTS.—The Secretary shall establish a process—

''(i) for certifying, on an annual basis or at such times as the Secretary may prescribe, designated agents and other System service providers seeking access to the System to perform verification queries on behalf of employers, based upon training, usage, privacy, and security standards prescribed by the Secretary;

''(ii) for ensuring that designated agents and other System service providers are subject to monitoring to the same extent as direct access users; and

''(iii) for establishing standards for certification of electronic I–9 programs.

''(G) REQUIREMENT TO PROVIDE INFORMATION.—

''(i) IN GENERAL.—No later than 3 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary, in consultation with the Secretary of Labor, the Secretary of Agriculture, the Commissioner, the Attorney General, the Equal Employment Opportunity Commission, and the Administrator of the Small Business Administration, shall commence a campaign to disseminate information respecting the procedures, rights, and remedies prescribed under this section.

''(ii) CAMPAIGN REQUIREMENTS.—The campaign authorized under clause (i)—

''(I) shall be aimed at increasing the knowledge of employers, employees, and the general public concerning employer and employee rights, responsibilities, and remedies under this section; and

''(II) shall be coordinated with the public education campaign conducted by U.S. Citizenship and Immigration Services.

''(iii) ASSESSMENT.—The Secretary shall assess the success of the campaign in achieving the goals of the campaign.

''(iv) AUTHORITY TO CONTRACT.—In order to carry out and assess the campaign under this subparagraph, the Secretary may, to the extent deemed appropriate and subject to the availability of appropriations, contract with public and private organizations for outreach and assessment activities under the campaign.

''(v) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this paragraph $40,000,000 for each of the fiscal years 2014 through 2016.

''(H) AUTHORITY TO MODIFY INFORMATION REQUIREMENTS.—Based on a regular review of the System and the document verification procedures to identify misuse or fraudulent use and to assess the security of the documents and processes used to establish identity or employment authorized status, the Secretary, in consultation with the Commissioner, after publication of notice in the Federal Register and an opportunity for public comment, may modify, if the Secretary determines that the modification is necessary to ensure that the System accurately and reliably determines the identity and employment authorized status of employees and maintain existing protections against misuse, discrimination, fraud, and identity theft—

''(i) the information that shall be presented to the employer by an individual;

''(ii) the information that shall be provided to the System by the employer; and

''(iii) the procedures that shall be followed by employers with respect to the process of verifying an individual through the System.

''(I) SELF-VERIFICATION.—Subject to appropriate safeguards to prevent misuse of the system, the Secretary, in consultation with the Commissioner, shall establish a secure self-verification procedure to permit an individual who seeks to verify the individual's own employment eligibility to contact the appropriate agency and, in a timely manner, correct or update the information contained in the System.

''(5) PROTECTION FROM LIABILITY FOR ACTIONS TAKEN ON THE BASIS OF INFORMATION PROVIDED BY THE SYSTEM.—An employer shall not be liable to a job applicant, an employee, the Federal Government, or a State or local government, under Federal, State, or local criminal or civil law for any employment-related action taken with respect to a job applicant or employee in good faith reliance on information provided by the System.

''(6) ADMINISTRATIVE APPEAL.—

''(A) IN GENERAL.—An individual who is notified of a nonconfirmation may, not later than 10 business days after the date that such notice is received, file an administrative appeal of such nonconfirmation with the Commissioner if the notice is based on records maintained by the Commissioner, or in any other case, with the Secretary. An individual who did not timely contest a further action notice timely received by that individual for which the individual acknowledged receipt may not be granted a review under this paragraph.

''(B) ADMINISTRATIVE STAY OF NONCONFIRMATION.—The nonconfirmation shall be automatically stayed upon the timely filing of an administrative appeal, unless the nonconfirmation resulted after the individual acknowledged receipt of the further action notice but failed to contact the appropriate agency within the time provided. The stay shall remain in effect until the resolution of the appeal, unless the Secretary or the Commissioner terminates the stay based on a determination that the administrative appeal is frivolous or filed for purposes of delay.

''(C) REVIEW FOR ERROR.—The Secretary and the Commissioner shall develop procedures for resolving administrative appeals regarding nonconfirmations based upon the information that the individual has provided, including any additional evidence or argument that was not previously considered. Any such additional evidence or argument shall be filed within 10 business days of the date the appeal was originally filed. Appeals shall be resolved within 20 business days after the individual has submitted all evidence and arguments the individual wishes to submit, or has stated in writing that there is no additional evidence that the individual wishes to submit. The Secretary and the Commissioner may, on a case by case basis for good cause, extend the filing and

submission period in order to ensure accurate resolution of an appeal before the Secretary or the Commissioner.

''(D) PREPONDERANCE OF EVIDENCE.—Administrative appeal under this paragraph shall be limited to whether a nonconfirmation notice is supported by a preponderance of the evidence.

''(E) DAMAGES, FEES, AND COSTS.—No money damages, fees or costs may be awarded in the administrative appeal process under this paragraph.

''(7) REVIEW BY ADMINISTRATIVE LAW JUDGE.—

''(A) IN GENERAL.—Not later than 30 days after the date an individual receives a final determination on an administrative appeal under paragraph (6), the individual may obtain review of such determination by filing a complaint with a Department of Justice administrative law judge in accordance with this paragraph.

''(B) STAY OF NONCONFIRMATION.—The nonconfirmation related to such final determination shall be automatically stayed upon the timely filing of a complaint under this paragraph, and the stay shall remain in effect until the resolution of the complaint, unless the administrative law judge determines that the action is frivolous or filed for purposes of delay.

''(C) SERVICE.—The respondent to complaint filed under this paragraph is either the Secretary or the Commissioner, but not both, depending upon who issued the administrative order under paragraph (6). In addition to serving the respondent, the plaintiff shall serve the Attorney General.

''(D) AUTHORITY OF ADMINISTRATIVE LAW JUDGE.—

''(i) RULES OF PRACTICE.—The Secretary shall promulgate regulations regarding the rules of practice in appeals brought pursuant to this subsection.

''(ii) AUTHORITY OF ADMINISTRATIVE LAW JUDGE.—The administrative law judge shall have power to—

''(I) terminate a stay of a nonconfirmation under subparagraph (B) if the administrative law judge determines that the action is frivolous or filed for purposes of delay;

''(II) adduce evidence at a hearing;

''(III) compel by subpoena the attendance of witnesses and the production of evidence at any designated place or hearing;

''(IV) resolve claims of identity theft; and

''(V) enter, upon the pleadings and any evidence adduced at a hearing, a decision affirming or reversing the result of the agency, with or without remanding the cause for a rehearing.

''(iii) SUBPOENA.—In case of contumacy or refusal to obey a subpoena lawfully issued under this section and upon application of the administrative law judge, an appropriate district court of the United States may issue an order requiring compliance with such subpoena and any failure to obey such order may be punished by such court as a contempt of such court.

''(iv) TRAINING.—An administrative law judge hearing cases shall have special training respecting employment authorized status verification.

''(E) ORDER BY ADMINISTRATIVE LAW JUDGE.—

''(i) IN GENERAL.—The administrative law judge shall issue and cause to be served to the parties in the proceeding an order which may be appealed as provided in subparagraph (G).

''(ii) CONTENTS OF ORDER.—Such an order shall uphold or reverse the final determination on the request for reconsideration and order lost wages and other appropriate remedies as provided in subparagraph (F).

''(F) COMPENSATION FOR ERROR.—

''(i) IN GENERAL.—In cases in which the administrative law judge reverses the final determination of the Secretary or the Commissioner made under paragraph (6), and the administrative law judge finds that—

''(I) the nonconfirmation was due to gross negligence or intentional misconduct of the employer, the administrative law judge may order the employer to pay the individual lost wages, and reasonable costs and attorneys' fees incurred during administrative and judicial review; or

''(II) such final determination was erroneous by reason of the negligence of the Secretary or the Commissioner, the administrative law judge may order the Secretary or the Commissioner to pay the individual lost wages, and reasonable costs and attorneys' fees incurred during the administrative appeal and the administrative law judge review.

''(ii) CALCULATION OF LOST WAGES.—Lost wages shall be calculated based on the wage rate and work schedule that prevailed prior to termination. The individual shall be compensated for wages lost beginning on the first scheduled work day after employment was terminated and ending 120 days after completion of the administrative law judge's review described in this paragraph or the day after the individual is reinstated or obtains employment elsewhere, whichever occurs first. If the individual obtains employment elsewhere at a lower wage rate, the individual shall be compensated for the difference in wages for the period ending 120 days after completion of the administrative law judge review process. No lost wages shall be awarded for any period of time during which the individual was not in employment authorized status.

''(iii) PAYMENT OF COMPENSATION.—Notwithstanding any other law, payment of compensation for lost wages, costs, and attorneys' fees under this paragraph, or compromise settlements of the same, shall be made as provided by section 1304 of title 31, United States Code. Appropriations made available to the Secretary or the Commissioner, accounts provided for under section 286, and funds from the Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund shall not be available to pay such compensation.

''(G) APPEAL.—No later than 45 days after the entry of such final order, any person adversely affected by such final order may seek review of such order in the United States Court of Appeals for the circuit in which the violation is alleged to have occurred or in which the employer resides or transacts business.

''(8) MANAGEMENT OF THE SYSTEM.—

''(A) IN GENERAL.—The Secretary is authorized to establish, manage, and modify the System, which shall—

''(i) respond to inquiries made by participating employers at any time through the internet, or such other means as the Secretary may designate, concerning an individual's identity and whether the individual is in employment authorized status;

''(ii) maintain records of the inquiries that were made, of confirmations provided (or not provided), and of the codes provided to employers as evidence of their compliance with their obligations under the System; and

''(iii) provide information to, and require action by, employers and individuals using the System.

''(B) DESIGN AND OPERATION OF SYSTEM.—The System shall be designed and operated—

''(i) to maximize its reliability and ease of use by employers consistent with protecting the privacy and security of the underlying information, and ensuring full notice of such use to employees;

''(ii) to maximize its ease of use by employees, including direct notification of its use, of results, and ability to challenge results;

''(iii) to respond accurately to all inquiries made by employers on whether individuals are authorized to be employed and to register any times when the system is unable to receive inquiries;

''(iv) to maintain appropriate administrative, technical, and physical safeguards to prevent unauthorized disclosure of personal information, misuse by employers and employees, and discrimination;

''(v) to require regularly scheduled refresher training of all users of the System to ensure compliance with all procedures;

''(vi) to allow for auditing of the use of the System to detect misuse, discrimination, fraud, and identity theft, to protect privacy and assess System accuracy, and to preserve the integrity and security of the information in all of the System, including—

''(I) to develop and use tools and processes to detect or prevent fraud and identity theft, such as multiple uses of the same identifying information or documents to fraudulently gain employment;

''(II) to develop and use tools and processes to detect and prevent misuse of the system by employers and employees;

''(III) to develop tools and processes to detect anomalies in the use of the system that may indicate potential fraud or misuse of the system;

''(IV) to audit documents and information submitted by employees to employers, including authority to conduct interviews with employers and employees, and obtain information concerning employment from the employer;

''(vii) to confirm identity and employment authorization through verification and comparison of records as determined necessary by the Secretary;

''(viii) to confirm electronically the issuance of the employment authorization or identity document and—

''(I) if such photograph is available, to display the digital photograph that the issuer placed on the document so that the employer can compare the photograph displayed to the photograph on the document presented by the employee; or

''(II) if a photograph is not available from the issuer, to confirm the authenticity of the document using additional security measures set forth in subsection (c)(1)(F)(iv);

''(ix) to employ specific and effective additional security measures set forth in subsection (c)(1)(F)(iv) to adequately verify the identity of an individual that are designed and operated—

''(I) to use state-of-the-art technology to determine to a high degree of accuracy whether an individual presenting biographic information is the individual with that true identity;

''(II) to retain under the control of the Secretary the use of all determinations communicated by the System, regardless of the entity operating the system pursuant to a contract or other agreement with a nongovernmental entity or entities to the extent helpful in acquiring the best technology to implement the additional security measures;

''(III) to be integrated with the System so that employment authorizations will be determined for all individuals identified as presenting their true identities through the

databases maintained by the Commissioner of Social Security and the Secretary;

''(IV) to use tools and processes to detect and prevent further action notices and final nonconfirmations that are not correlated to fraud or identity theft;

''(V) to make risk-based assessments regarding the reliability of a claim of identity made by an individual presenting biographic information and to tailor the identity determination in accordance with those assessments;

''(VI) to permit queries to be presented to individuals subject to identity verification at the time their identities are being verified in a manner that permits rapid communication through Internet, mobile phone, and landline telephone connections to facilitate identity proofing;

''(VII) to generate queries that conform to the context of the identity verification process and the circumstances of the individual whose identity is being verified;

''(VIII) to use publicly available databases and databases under the jurisdiction of the Commissioner of Social Security, the Secretary, and the Secretary of State to formulate queries to be presented to individuals whose identities are being verified, as appropriate;

''(IX) to not retain data collected by the System within any database separate from the database in which the operating system is located and to limit access to the existing databases to a reference process that shields the operator of the System from acquiring possession of the data beyond the formulation of queries and verification of responses;

''(X) to not permit individuals or entities using the System to access any data related to the individuals whose identities are being verified beyond confirmations, further action notices, and final nonconfirmations of identity;

''(XI) to include, if feasible, a capability for permitting document or other inputs that can be offered to individuals and entities using the System and that may be used at the option of employees to facilitate identity verification, but would not be required of either employers or employees; and

''(XII) to the greatest extent possible, in accordance with the time frames specified in this section; and

''(x) to provide appropriate notification directly to employers registered with the System of all changes made by the Secretary or the Commissioner related to allowed and prohibited documents, and use of the System.

''(C) SAFEGUARDS TO THE SYSTEM.—

''(i) REQUIREMENT TO DEVELOP.—The Secretary, in consultation with the Commissioner and other appropriate Federal and State agencies, shall develop policies and procedures to ensure protection of the privacy and security of personally identifiable information and identifiers contained in the records accessed or maintained by the System. The Secretary, in consultation with the Commissioner and other appropriate Federal and State agencies, shall develop and deploy appropriate privacy and security training for the Federal and State employees accessing the records under the System.

''(ii) PRIVACY AUDITS.—The Secretary, acting through the Chief Privacy Officer of the Department, shall conduct regular privacy audits of the policies and procedures established under clause (i) and the Department's compliance with the limitations set forth in subsection (c)(1)(F)(iii)(IV), including any collection, use, dissemination, and maintenance of personally identifiable information and any associated information technology systems, as well as scope of requests for this information. The Chief Privacy Officer shall review the results of the audits and recommend to the Secretary any changes necessary to improve the privacy protections of the program.

''(iii) ACCURACY AUDITS.—

''(I) IN GENERAL.—Not later than November 30 of each year, the Inspector General of the Department of Homeland Security shall submit a report to the Secretary, with a copy to the President of the Senate and the Speaker of the House of Representatives, that sets forth the error rate of the System for the previous fiscal year and the assessments required to be submitted by the Secretary under subparagraphs (A) and (B) of paragraph (10). The report shall describe in detail the methodology employed for purposes of the report, and shall make recommendations for how error rates may be reduced.

''(II) ERROR RATE DEFINED.—In this clause, the term error rate means the percentage determined by dividing—

''(aa) the number of employment authorized individuals who received further action notices, contested such notices, and were subsequently found to be employment authorized; by

''(bb) the number of System inquiries submitted for employment authorized individuals.

''(III) ERROR RATE DETERMINATION.—The audits required under this clause shall—

''(aa) determine the error rate for identity determinations pursuant to subsection (c)(1)(F) for individuals presenting their true identities in the same manner and applying the same standards as for employment authorization; and

''(bb) include recommendations, as provided in subclause (I), but no reduction in fines pursuant to subclause (IV).

''(IV) REDUCTION OF PENALTIES FOR RECORDKEEPING OR VERIFICATION PRACTICES FOLLOWING PERSISTENT SYSTEM INACCURACIES.—Notwithstanding subsection (e)(4)(C)(i), in any calendar year following a report by the Inspector General under subclause (I) that the System had an error rate higher than 0.3 percent for the previous fiscal year, the civil penalty assessable by the Secretary or an administrative law judge under that subsection for each first-time violation by an employer who has not previously been penalized under this section may not exceed $1,000.

''(iv) RECORDS SECURITY PROGRAM.—Any person, including a private third party vendor, who retains document verification or System data pursuant to this section shall implement an effective records security program that—

''(I) ensures that only authorized personnel have access to document verification or System data; and

''(II) ensures that whenever such data is created, completed, updated, modified, altered, or corrected in electronic format, a secure record is created that establishes the date of access, the identity of the individual who accessed the electronic record, and the particular action taken.

''(v) RECORDS SECURITY PROGRAM.—In addition to the security measures described in clause (iv), a private third party vendor who retains document verification or System data pursuant to this section shall implement an effective records security program that—

''(I) provides for backup and recovery of any records maintained in electronic format to protect against information loss, such as power interruptions; and

''(II) ensures that employees are trained to minimize the risk of unauthorized or accidental alteration or erasure of such data in electronic format.

''(vi) AUTHORIZED PERSONNEL DEFINED.—In this subparagraph, the term authorized personnel means anyone registered as a System user, or anyone with partial or full responsibility for completion of employment authorization verification or retention of data in connection with employment authorization verification on behalf of an employer.

''(D) AVAILABLE FACILITIES AND ALTERNATIVE ACCOMMODATIONS.—The Secretary shall make appropriate arrangements and develop standards to allow employers or employees, including remote hires, who are otherwise unable to access the System to use electronic and telephonic formats (including video conferencing, scanning technology, and other available technologies), Federal Government facilities, public facilities, or other available locations in order to utilize the System.

''(E) RESPONSIBILITIES OF THE SECRETARY.—

''(i) IN GENERAL.—As part of the System, the Secretary shall maintain a reliable, secure method, which, operating through the System and within the time periods specified, compares the name, alien identification or authorization number, or other information as determined relevant by the Secretary, provided in an inquiry against such information maintained or accessed by the Secretary in order to confirm (or not confirm) the validity of the information provided, the correspondence of the name and number, whether the alien has employment authorized status (or, to the extent that the Secretary determines to be feasible and appropriate, whether the records available to the Secretary verify the identity or status of a national of the United States), and such other information as the Secretary may prescribe.

''(ii) PHOTOGRAPH DISPLAY.—As part of the System, the Secretary shall establish a reliable, secure method, which, operating through the System, displays the digital photograph described in subparagraph (B)(viii)(I).

''(iii) TIMING OF NOTICES.—The Secretary shall have authority to prescribe when a confirmation, nonconfirmation, or further action notice shall be issued.

''(iv) USE OF INFORMATION.—The Secretary shall perform regular audits under the System, as described in subparagraph (B)(vi) and shall utilize the information obtained from such audits, as well as any information obtained from the Commissioner pursuant to part E of title XI of the Social Security Act (42 U.S.C. 1301 et seq.), for the purposes of this section and to administer and enforce the immigration laws.

''(v) IDENTITY FRAUD PROTECTION.—To prevent identity fraud, not later than 18 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary shall—

''(I) in consultation with the Commissioner, establish a program to provide a reliable, secure method for an individual to temporarily suspend or limit the use of the individual's social security account number or other identifying information for verification by the System; and

''(II) for each individual being verified through the System—

''(aa) notify the individual that the individual has the option to limit the use of the individual's social security account number or other identifying information for verification by the System; and

''(bb) provide instructions to the individuals for exercising the option referred to in item (aa).

''(vi) ALLOWING PARENTS TO PREVENT THEFT OF THEIR CHILD'S IDENTITY.—The Secretary, in consultation with the Commissioner, shall establish a program that provides a reliable, secure method by which parents or legal guardians may suspend or limit the use of the social security account number or other identifying information of a minor under their care for the purposes of the System. The Secretary may implement the program on a limited pilot program basis before making it fully available to all individuals.

''(vii) PROTECTION FROM MULTIPLE USE.—The Secretary and the Commissioner shall establish a procedure for identifying and handling a situation in which a social security account number has been identified to be subject to unusual multiple use in the System or is otherwise suspected or determined to have been compromised by identity fraud. Such procedure shall include notifying the legitimate holder of the social security number at the appropriate time.

''(viii) MONITORING AND COMPLIANCE UNIT.—The Secretary shall establish or designate a monitoring and compliance unit to detect and reduce identity fraud and other misuse of the System.

''(ix) CIVIL RIGHTS AND CIVIL LIBERTIES ASSESSMENTS.—

''(I) REQUIREMENT TO CONDUCT.—The Secretary shall conduct regular civil rights and civil liberties assessments of the System, including participation by employers, other private entities, and Federal, State, and local government entities.

''(II) REQUIREMENT TO RESPOND.—Employers, other private entities, and Federal, State, and local entities shall timely respond to any request in connection with such an assessment.

''(III) ASSESSMENT AND RECOMMENDATIONS.—The Officer for Civil Rights and Civil Liberties of the Department shall review the results of each such assessment and recommend to the Secretary any changes necessary to improve the civil rights and civil liberties protections of the System.

''(F) GRANTS TO STATES.—

''(i) IN GENERAL.—The Secretary shall create and administer a grant program to help provide funding for reimbursement of the actual costs to States that grant—

''(I) the Secretary access to driver's license information as needed to confirm that a driver's license presented under subsection (c)(1)(D)(i) confirms the identity of the subject of the System check, and that a driver's license matches the State's records; and

''(II) such assistance as the Secretary may request in order to resolve further action notices or nonconfirmations relating to such information.

''(ii) CONSTRUCTION WITH THE DRIVER'S PRIVACY PROTECTION ACT OF 1994.—The provision of a photograph to the Secretary as described in clause (i) may not be construed as a violation of section 2721 of title 18, United States Code, and is a permissible use under subsection (b)(1) of that section.

''(iii) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), $500,000,000 to carry out this subparagraph.

''(G) RESPONSIBILITIES OF THE SECRETARY OF STATE.—As part of the System, the Secretary of State shall provide to the Secretary access to passport and visa information as needed to confirm that a passport, passport card, or visa presented under subsection (c)(1)(C) confirms the identity of the subject of the System check, and that a passport, passport card, or visa photograph matches the Secretary of State's records, and shall provide such assistance as the Secretary may request in order to resolve further action notices or nonconfirmations relating to such information.

''(H) UPDATING INFORMATION.—The Commissioner, the Secretary, and the Secretary of State shall update their information in a manner that promotes maximum accuracy and shall provide a process for the prompt correction of erroneous information.

''(9) LIMITATION ON USE OF THE SYSTEM.—Notwithstanding any other provision of law, no department, bureau, or other agency of the United States Government or any other entity shall utilize, share, or transmit any information, database, or other records assembled under this subsection for any purpose other than for employment verification or to ensure secure, appropriate and nondiscriminatory use of the System.

''(10) ANNUAL REPORT AND CERTIFICATION.—Not later than 18 months after the promulgation of regulations to implement this subsection, and annually thereafter, the Secretary shall submit to Congress a report that includes the following:

''(A) An assessment, as submitted to the Secretary by the Inspector General of the Department of Homeland Security pursuant to paragraph (8)(C)(iii)(I), of the accuracy rates of further action notices and other System notices provided by employers to individuals who are authorized to be employed in the United States.

''(B) An assessment, as submitted to the Secretary by the Inspector General of the Department of Homeland Security pursuant to paragraph (8)(C)(iii)(I), of the accuracy rates of further action notices and other System notices provided directly (by the System) in a timely fashion to individuals who are not authorized to be employed in the United States.

''(C) An assessment of any challenges faced by small employers in utilizing the System.

''(D) An assessment of the rate of employer noncompliance (in addition to failure to provide required notices in a timely fashion) in each of the following categories:

''(i) Taking adverse action based on a further action notice.

''(ii) Use of the System for nonemployees or other individuals before they are offered employment.

''(iii) Use of the System to reverify employment authorized status of current employees except if authorized to do so.

''(iv) Use of the System selectively, except in cases in which such use is authorized.

''(v) Use of the System to deny employment or post-employment benefits or otherwise interfere with labor rights.

''(vi) Requiring employees or applicants to use any self-verification feature or to provide self-verification results.

''(vii) Discouraging individuals who receive a further action notice from challenging the further action notice or appealing a determination made by the System.

''(E) An assessment of the rate of employee noncompliance in each of the following categories:

''(i) Obtaining employment when unauthorized with an employer complying with the System in good faith.

''(ii) Failure to provide required documents in a timely manner.

''(iii) Attempting to use fraudulent documents or documents not related to the individual.

''(iv) Misuse of the administrative appeal and judicial review process.

''(F) An assessment of the amount of time taken for—

''(i) the System to provide the confirmation or further action notice;

''(ii) individuals to contest further action notices;

''(iii) the System to provide a confirmation or nonconfirmation of a contested further action notice;

''(iv) individuals to file an administrative appeal of a nonconfirmation; and

''(v) resolving administrative appeals regarding nonconfirmations.

''(11) ANNUAL GAO STUDY AND REPORT.—

''(A) REQUIREMENT.—The Comptroller General shall, for each year, undertake a study to evaluate the accuracy, efficiency, integrity, and impact of the System.

''(B) REPORT.—Not later than 18 months after the promulgation of regulations to implement this subsection, and yearly thereafter, the Comptroller General shall submit to Congress a report containing the findings of the study carried out under this paragraph. Each such report shall include, at a minimum, the following:

''(i) An assessment of System performance with respect to the rate at which individuals who are eligible for employment in the United States are correctly approved within the required periods, including a separate assessment of such rate for naturalized United States citizens, nationals of the United States, and aliens.

''(ii) An assessment of the privacy and confidentiality of the System and of the overall security of the System with respect to cybertheft and theft or misuse of private data.

''(iii) An assessment of whether the System is being implemented in a manner that is not discriminatory or used for retaliation against employees.

''(iv) An assessment of the most common causes for the erroneous issuance of nonconfirmations by the System and recommendations to correct such causes.

''(v) The recommendations of the Comptroller General regarding System improvements.

''(vi) An assessment of the frequency and magnitude of changes made to the System and the impact on the ability for employers to comply in good faith.

''(vii) An assessment of the direct and indirect costs incurred by employers in complying with the System, including costs associated with retaining potential employees through the administrative appeals process and receiving a nonconfirmation.

''(viii) An assessment of any backlogs or delays in the System providing the confirmation or further action notice and impacts to hiring by employers.

''(ix) An assessment of the effect of the identity authentication mechanism and any other security measures set forth in subsection (c)(1)(F)(iv) to verify identity incorporated into the System or otherwise used by employers on employees.

''(12) OUTREACH AND PARTNERSHIP.—

''(A) OUTREACH.—The Secretary is authorized to conduct outreach and establish programs to assist employers in verifying employment authorization and preventing identity fraud.

''(B) PARTNERSHIP INITIATIVE.—The Secretary may establish partnership initiatives between the Federal Government and private sector employers to foster cooperative relationships and to strengthen overall hiring practices.''.

(c) TAXPAYER ADDRESS INFORMATION.—Section 6103(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(8) TAXPAYER ADDRESS INFORMATION FURNISHED TO SECRETARY OF HOMELAND SECURITY.—Upon written request from the Secretary of Homeland Security, the Secretary shall disclose the mailing address of any taxpayer who is entitled to receive a notification from the Secretary of Homeland Security pursuant to paragraphs (1)(C) and (8)(E)(vii) of section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)) for use only by employees of the Department of Homeland for the purpose of mailing such notification to such taxpayer.''.

(d) SOCIAL SECURITY ACCOUNT STATEMENTS.—Section 1143(a)(2) of the Social Security Act (8 U.S.C. 1320b–13(a)(2)) is amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(F) to the extent resources are available, information in the Commissioner's records indicating that a query was submitted to the employment verification system established under section 274A (d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)) under that individual's name or social security number; and

''(G) a toll-free telephone number operated by the Department of Homeland Security for employment verification system inquiries and a link to self-verification procedure established under section 274A(d)(4)(I) of such Act.''.

(e) GOOD FAITH COMPLIANCE.—Section 274B(a) (8 U.S.C. 1324b(a)), as amended by section 3105(a) of this Act, is further amended by adding at the end the following:

''(10) TREATMENT OF CERTAIN VIOLATIONS AFTER REASONABLE STEPS IN GOOD FAITH.—Notwithstanding paragraphs (4), (6), and (7), a person, other entity, or employment agency shall not be liable for civil penalties described in section 274B(g)(2)(B)(iv) that are related to a violation of any such paragraph if the person, entity, or employment agency has taken reasonable steps, in good faith, to comply with such paragraphs at issue, unless the person, other entity, or employment agency—

''(A) was, for similar conduct, subject to—

''(i) a reasonable cause determination by the Office of Special Counsel for Immigration Related Unfair Employment Practices; or

''(ii) a finding by an administrative law judge that a violation of this section has occurred; or

''(B) committed the violation in order to interfere with 'workplace rights' (as defined in section 274A(b)(8)).

''(11) GOOD FAITH.—As used in paragraph (10), the term 'good faith' shall not include any action taken in order to interfere with 'workplace rights' (as defined in section 274A(b)(8)). Neither the Office of Special Counsel nor an administrative law judge hearing a claim under this section shall have any authority to assess workplace rights other than those guaranteed under this section.

''(12) RULES OF CONSTRUCTION.—Nothing in this section may be construed—

''(A) to permit the Office of Special Counsel for Immigration-Related Unfair Employment Practices or an administrative law judge hearing a claim under this Section to enforce any workplace rights other than those guaranteed under this section; or

''(B) to prohibit any person, other entity, or employment agency from using an identity verification system, service, or method (in addition to the employment verification system described in section 274A(d)), until the date on which the employer is required to participate in the System under section 274A(d)(2) and the additional security measures mandated by section 274A(c)(F)(iv) have become available to verify the identity of a newly hired employee, if such system—

''(i) is used in a uniform manner for all newly hired employees;

''(ii) is not used for the purpose or with the intent of discriminating against any individual;

''(iii) provides for timely notice to employees run through the system of a mismatch or failure to confirm identity; and

''(iv) sets out procedures for employees run through the system to resolve a mismatch or other failure to confirm identity.

''(13) LIABILITY.—A person, entity, or employment agency that uses an identity verification system, service, or method in a way that conflicts with the requirements set forth in paragraph (10) shall be subject to liability under paragraph (4)(I).''.

(f) MAINTENANCE OF REASONABLE LEVELS OF SERVICE AND ENFORCEMENT.—Notwithstanding section 3301(b)(1), amounts appropriated pursuant to such section shall be used to maintain reasonable levels of service and enforcement rather than a specific numeric increase in the number of Department personnel dedicated to administering the Employment Verification System.

SA 1635. Mr. WYDEN (for himself and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 7, line 23, insert after the period at the end the following: ''In this subsection, the term 'physical tactical infrastructure' means roads, vehicle and pedestrian fences, port of entry barriers, lights, bridges, and towers for technology and surveillance.''.

SA 1636. Mr. BLUMENTHAL (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In title II, beginning on page 187, strike line 13 and all that follows through page 188, line 13, and insert the following:

''(ii) was younger than 16 years of age on the date on which the alien initially entered the United States; and

''(iii)(I)(aa) has earned a high school diploma, a commensurate alternative award from a public or private high school or secondary school, or has obtained a general education development certificate recognized under State law, or a high school equivalency diploma in the United States and has provided a list of each secondary school (as that term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) that the alien attended in the United States; and

''(bb)(AA) has acquired a degree from an institution of higher education or has completed at least 2 years, in good standing, in a program for a bachelor's degree or higher degree in the United States; or

''(BB) has served in the Uniformed Services for at least 4 years and, if discharged, received an honorable discharge; or

''(II) is under 18 years of age on the date the immigrant submits an application for such adjustment and is enrolled in school or has completed a general education development certificate on the date the immigrant submits an application for adjustment.

''(B) SPECIAL PROVISIONS.—

''(i) EXCEPTION TO AGE REQUIREMENT.—An alien lawfully admitted for permanent residence pursuant to subparagraph (A)(iii)(II) may be naturalized notwithstanding the age requirements in section 334.

''(ii) REQUIREMENTS UNDER SECTION 316.—An alien may naturalize under section 316 no sooner than 5 years after the date on which the alien was lawfully admitted for permanent residence pursuant to subparagraph (A)(iii)(II).

''(C) HARDSHIP EXCEPTION.—''.

SA 1637. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 6(a)(2), strike subparagraph (C) and insert the following:

(C) ANNUAL INFLATION ADJUSTMENT REQUIRED.—The Secretary shall adjust each of the fees and penalties specified in clauses (ii), (iii), (iv), (v), (vi), and (xviii) of subparagraph (B) on October 1, 2014, and annually thereafter, to reflect the inflation rate during the most recent 12-month period, as measured by such price index as the Secretary considers appropriate, rounded to the nearest dollar.

SA 1638. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 245B(b) of the Immigration and Nationality Act, as added by section 2101(a) of this amendment, strike paragraph (4).

SA 1639. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II, add the following:

SEC. 2112. INCREASED PENALTIES.

Chapter 5 (8 U.S.C. 1255 et seq.), as amended by sections 2101 and 2102 of this Act, is further amended—

(1) in section 245B(c)(10)(C)(i), by striking ''$1,000'' and insert ''$2,000''; and

(2) in section 245C(c)(5)(B)(i), by striking ''$1,000'' and insert ''$2,000''.

SA 1640. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr.

LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. IMPROVED COLLECTION AND USE OF LABOR MARKET INFORMATION.

(a) IN GENERAL.—Section 1137 of the Social Security Act (42 U.S.C. 1320b–7) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by inserting ''(including the occupational information under subsection (g))'' after ''paragraph (3) of this subsection''; and

(B) in paragraph (3), by striking ''employers (as defined'' and inserting ''subject to subsection (g), employers (as defined''; and

(2) by adding at the end the following new subsection:

''(g)(1) Beginning January 1, 2016, each quarterly wage report required to be submitted by an employer under subsection (a)(3) shall include such occupational information with respect to each employee of the employer that permits the classification of such employees into occupational categories as found in the Standard Occupational Classification (SOC) system.

''(2) The State agency receiving the occupational information described in paragraph (1) shall make such information available to the Secretary of Labor pursuant to procedures established by the Secretary of Labor.

''(3)(A)(i) The Secretary of Labor shall make occupational information submitted under paragraph (2) available to other State and Federal agencies, including the United States Census Bureau, the Bureau of Labor Statistics, and other State and Federal research agencies.

''(ii) Disclosure of occupational information under clause (i) shall be subject to the agency having safeguards in place that meet the requirements under paragraph (4).

''(4) The Secretary of Labor shall establish and implement safeguards for the dissemination and, subject to paragraph (5), the use of occupational information received under this subsection.

''(5) Occupational information received under this subsection shall only be used to classify employees into occupational categories as found in the Standard Occupational Classification (SOC) system and to analyze and evaluate occupations in order to improve the labor market for workers and industries.

''(6) The Secretary of Labor shall establish procedures to verify the accuracy of information received under paragraph (2).''.

(b) ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—Not later than one year after the date of the enactment of this Act, the Secretary of Labor shall establish an advisory committee to advise the Secretary on the implementation of subsection (g) of section 1137 of the Social Security Act, as added by subsection (a).

(2) MEMBERSHIP.—The advisory committee shall include—

(A) State government officials, representatives of small, medium, and large businesses, representatives of labor organizations, labor market analysts, privacy and data experts, and non-profit stakeholders; and

(B) such other individuals determined appropriate by the Secretary of Labor.

(3) MEETINGS.—The advisory committee shall meet no less than annually.

(4) TERMINATION.—The advisory committee shall terminate on the date that is 3 years after the date of the first meeting of the committee.

SA 1641. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 426, strike line 21, and all that follows through page 427, line 7, and insert the following:

(d) WAIVERS OF INADMISSABILITY.—

(1) IN GENERAL.—Section 212 (8 U.S.C. 1182) is amended—

(A) in subsection (l)—

(i) by amending the subsection heading to read as follows: ''GUAM, NORTHERN MARIANA ISLANDS, AND VIRGIN ISLANDS VISA WAIVER PROGRAMS.—''; and

(ii) by adding at the end the following:

''(7) VIRGIN ISLANDS VISA WAIVER PROGRAM.—

''(A) IN GENERAL.—The requirement of subsection (a)(7)(B)(i) may be waived by the Secretary of Homeland Security, in the case of an alien who is a national of a country described in subparagraph (B) and who is applying for admission as a nonimmigrant visitor for business or pleasure and solely for entry into and stay in the United States Virgin Islands for a period not to exceed 30 days, if the Secretary of Homeland Security, after consultation with the Secretary of the Interior, the Secretary of State, the Governor of the United States Virgin Islands, determines that such a waiver does not represent a threat to the welfare, safety, or security of the United States or its territories and commonwealths.

''(B) COUNTRIES.—A country described in this subparagraph is a country that—

''(i) is a member or an associate member of the Caribbean Community (CARICOM); and

''(ii) is listed in the regulations described in subparagraph (D).

''(C) ALIEN WAIVER OF RIGHTS.—An alien may not be provided a waiver under this paragraph unless the alien has waived any right—

''(i) to review or appeal under this Act an immigration officer's determination as to the admissibility of the alien at the port of entry into the United States Virgin Islands; or

''(ii) to contest, other than on the basis of an application for withholding of removal under section 241(b)(3) of this Act or under the Convention Against Torture, or an application for asylum if permitted under section 208, any action for removal of the alien.

''(D) REGULATIONS.—All necessary regulations to implement this paragraph shall be promulgated by the Secretary of Homeland Security, in consultation with the Secretary of the Interior and the Secretary of State, on or before the date that is 1 year after the date of enactment of the Virgin Islands Visa Waiver Act of 2013. The promulgation of such regulations shall be considered a foreign affairs function for purposes of section 553(a) of title 5, United States Code. At a minimum, such regulations should include, but not necessarily be limited to—

''(i) a listing of all member or associate member countries of the Caribbean Community (CARICOM) whose nationals may obtain, on a country by country basis, the waiver provided by this paragraph, except that such regulations shall not provide for a listing of any country if the Secretary of Homeland Security determines that such country's inclusion on such list would represent a threat to the welfare, safety, or security of the United States or its territories and commonwealths; and

''(ii) any bonding requirements for nationals of some or all of those countries who may present an increased risk of overstays or other potential problems, if different from such requirements otherwise provided by law for nonimmigrant visitors.

''(E) FACTORS.—In determining whether to grant or continue providing the waiver under this paragraph to nationals of any country, the Secretary of Homeland Security, in consultation with the Secretary of the Interior and the Secretary of State, shall consider all factors that the Secretary deems relevant, including electronic travel authorizations, procedures for reporting lost and stolen passports, repatriation of aliens, rates of refusal for nonimmigrant visitor visas, overstays, exit systems, and information exchange.

''(F) SUSPENSION.—The Secretary of Homeland Security shall monitor the admission of nonimmigrant visitors to the United States Virgin Islands under this paragraph. If the Secretary determines that such admissions have resulted in an unacceptable number of visitors from a country remaining unlawfully in the United States Virgin Islands, unlawfully obtaining entry to other parts of the United States, or seeking withholding of removal or asylum, or that visitors from a country pose a risk to law enforcement or security interests of the United States Virgin Islands or of the United States (including the interest in the enforcement of the immigration laws of the United States), the Secretary shall suspend the admission of nationals of such country under this paragraph. The Secretary of Homeland Security may in the Secretary's discretion suspend the United States Virgin Islands visa waiver program at any time, on a country-by-country basis, for other good cause.

''(G) ADDITION OF COUNTRIES.—The Governor of the United States Virgin Islands may request the Secretary of the Interior and the Secretary of Homeland Security to add a particular country to the list of countries whose nationals may obtain the waiver provided by this paragraph, and the Secretary of Homeland Security may grant such request after consultation with the Secretary of the Interior and the Secretary of State, and may promulgate regulations with respect to the inclusion of that country and any special requirements the Secretary of Homeland Security, in the Secretary's sole discretion, may impose prior to allowing nationals of that country to obtain the waiver provided by this paragraph.''; and

(B) by adding at the end the following:

''(v) CONTINUED WAIVER ELIGIBILITY FOR WIDOWS, WIDOWERS, AND ORPHANS.—In the case of an alien who would have been statutorily eligible for any waiver of inadmissibility under this Act but for the death of a qualifying relative, the eligibility of such alien shall be preserved as if the death had not occurred and the death of the qualifying relative shall be the functional equivalent of hardship for purposes of any waiver of inadmissibility which requires a showing of hardship.''.

(2) CONFORMING AMENDMENTS.—

(A) DOCUMENTATION REQUIREMENTS.—Section 212(a)(7)(iii) (8 U.S.C. 1182(a)(7)(iii)) is amended to read as follows:

''(iii) SPECIAL VISA WAIVER PROGRAMS.—For a provision authorizing waiver of clause (i) in the case of visitors to Guam, the Commonwealth of the Northern Mariana Islands,

or the United States Virgin Islands, see subsection (l).''.

(B) ADMISSION OF NONIMMIGRANTS.—Section 214(a)(1) (8 U.S.C. 1184(a)(1)) is amended by inserting before the final sentence the following: ''No alien admitted to the United States Virgin Islands without a visa pursuant to section 212(l)(7) may be authorized to enter or stay in the United States other than in United States Virgin Islands or to remain in the United States Virgin Islands for a period exceeding 30 days from date of admission to the United States Virgin Islands.''.

SA 1642. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 30, line 6, before ''is at least'' insert the following: '', including any technology already available to, or in use by, the Department as of the date of enactment of this Act,''.

On page 82, beginning on line 3, strike '', working through U.S. Border Patrol,''.

SA 1643. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 245B(c) of the Immigration and Nationality Act, as added by section 2101(a) of this amendment, strike paragraphs (8) through (10) and insert the following:

''(8) SECURITY AND LAW ENFORCEMENT CLEARANCES.—

''(A) BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary may not grant registered provisional immigrant status to an alien or an alien dependent spouse or child under this section unless such alien submits biometric and biographic data in accordance with procedures established by the Secretary.

''(B) ALTERNATIVE PROCEDURES.—The Secretary shall provide an alternative procedure for applicants who cannot provide the biometric data required under subparagraph (A) because of a physical impairment.

''(C) CLEARANCES AND OTHER PREREQUISITES.—

''(i) IN GENERAL.—Before any alien may be granted registered provisional immigrant status, the Secretary shall—

''(I) enable all aliens applying for such status to file applications electronically;

''(II) ensure that in addition to the submission of biometric and biographic data under subparagraph (A), an alien applying for such status submits to national security and law enforcement clearances, which shall be paid for with the fees collected under paragraph (10)(A) and shall include—

''(aa) a State and local criminal background check through the National Law Enforcement Telecommunication System, including the exchange of interstate driver license photos, if available;

''(bb) a fingerprint check by the Federal Bureau of Investigation;

''(cc) verification that the alien is not listed on the consolidated terrorist watch list of the Federal Government;

''(dd) screening by the Office of Biometric and Identity Management (formerly known as 'US-VISIT'); and

''(ee) a check against the TECS system (formerly known as the 'Treasury Enforcement Communications System');

''(III) ensure that an official of the agency performing each such clearance documents the results of the clearance; and

''(IV) establish procedures to ensure that a minimum of 5 percent of the aggregate pool of applicants for registered provisional immigrant status at any time are randomly selected for interviews.

''(ii) ADDITIONAL SECURITY SCREENING.—The Secretary, in consultation with the Secretary of State and other interagency partners, shall conduct an additional security screening upon determining, in the Secretary's opinion based upon information related to national security, that an alien or alien dependent spouse or child is or was a citizen or long-term resident of a region or country known to pose a threat, or that contains groups or organizations that pose a threat, to the national security of the United States.

''(iii) PREREQUISITE.—The required clearances and screenings described in clauses (i)(I) and (ii) shall be completed before the alien may be granted registered provisional immigrant status.

''(9) DURATION OF STATUS AND EXTENSION.—

''(A) IN GENERAL.—The initial period of authorized admission for a registered provisional immigrant—

''(i) shall remain valid for 6 years unless revoked pursuant to subsection (d)(2); and

''(ii) may be extended for additional 6-year terms if—

''(I) the alien remains eligible for registered provisional immigrant status;

''(II) the alien meets the employment requirements set forth in subparagraph (B);

''(III) the alien has successfully passed background checks that are equivalent to the background checks described in section 245D(b)(1)(E); and

''(IV) such status was not revoked by the Secretary for any reason.

''(B) EMPLOYMENT OR EDUCATION REQUIREMENT.—Except as provided in subparagraphs (D) and (E) of section 245C(b)(3), an alien may not be granted an extension of registered provisional immigrant status under this paragraph unless the alien establishes that, during the alien's period of status as a registered provisional immigrant, the alien—

''(i)(I) was regularly employed throughout the period of admission as a registered provisional immigrant, allowing for brief periods lasting not more than 60 days; and

''(II) is not likely to become a public charge (as determined under section 212(a)(4)); or

''(ii) is able to demonstrate average income or resources that are not less than 100 percent of the Federal poverty level throughout the period of admission as a registered provisional immigrant.

''(C) PAYMENT OF TAXES.—An applicant may not be granted an extension of registered provisional immigrant status under subparagraph (A)(ii) unless the applicant has satisfied any applicable Federal tax liability in accordance with paragraph (2).

''(10) FEES AND PENALTIES.—

''(A) STANDARD PROCESSING FEE.—

''(i) IN GENERAL.—Aliens who are 16 years of age or older and are applying for registered provisional immigrant status under paragraph (1), or for an extension of such status under paragraph (9)(A)(ii), shall pay a processing fee to the Department of Homeland Security in an amount determined by the Secretary.

''(ii) RECOVERY OF COSTS.—The processing fee authorized under clause (i) shall be set at a level that is sufficient to recover the full costs of processing the application, including any costs incurred—

''(I) to adjudicate the application;

''(II) to take and process biometrics;

''(III) to perform national security and criminal checks, clearances, and other prerequisites required under paragraph (8)(C), including adjudication;

''(IV) to prevent and investigate fraud; and

''(V) to administer the collection of such fee.

''(iii) AUTHORITY TO LIMIT FEES.—The Secretary, by regulation, may—

''(I) limit the maximum processing fee payable under this subparagraph by a family, including spouses and unmarried children younger than 21 years of age; and

''(II) exempt defined classes of individuals, including individuals described in section 245B(c)(13), from the payment of the fee authorized under clause (i).

''(B) DEPOSIT AND USE OF PROCESSING FEES.—Fees collected under subparagraph (A)(i)—

''(i) shall be deposited into the Immigration Examinations Fee Account pursuant to section 286(m); and

''(ii) shall remain available until expended pursuant to section 286(n).

''(C) PENALTY.—

''(i) PAYMENT.—In addition to the processing fee required under subparagraph (A), aliens not described in section 245D(b)(A)(ii) who are 21 years of age or older and are filing an application under this subsection shall pay a $1,000 penalty to the Department of Homeland Security.

''(ii) INSTALLMENTS.—The Secretary shall establish a process for collecting payments required under clause (i) that permits the penalty under that clause to be paid in periodic installments that shall be completed before the alien may be granted an extension of status under paragraph (9)(A)(ii).

''(iii) DEPOSIT.—Penalties collected pursuant to this subparagraph shall be deposited into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.''.

SA 1644. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title III, add the following:

SEC. 3722. REMOVAL OF NONIMMIGRANTS WHO OVERSTAY THEIR VISAS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall immediately initiate removal proceedings, in accordance with chapter 4 of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.), against not fewer than 90 percent of the aliens who—

(1) were admitted as nonimmigrants after such date of enactment; and

(2) have exceeded their authorized period of admission.

(b) REPORT.—At the end of each calendar quarter, the Secretary shall submit a report to Congress that identifies—

(1) the total number of aliens who exceeded their authorized period of stay as nonimmigrants during that quarter;

(2) the total number of aliens described in paragraph (1) against whom the Secretary has initiated removal proceedings; and

(3) statistics about aliens who lawfully entered the United States and exceeded their authorized period of admission, categorized by visa type and nation of origin.

SA 1645. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In section 245B(c)(4) of the Immigration and Nationality Act, as added by section 2101(a) of this amendment, strike subparagraph (C) and insert the following:

''(C) INTERVIEWS.—

''(i) MANDATORY INTERVIEWS.—Before granting a waiver of ineligibility for registered provisional immigrant status under this section, the Secretary, through U.S. Citizenship and Immigration Services, shall conduct an in-person interview if the applicant is present in the United States and is described in paragraph (2) or (6)(B) of section 212(a) (relating to criminal aliens and aliens who failed to appear at prior removal hearings).

''(ii) PERMITTED INTERVIEWS.—The Secretary, through U.S. Citizenship and Immigration Services, may interview applicants for registered provisional immigrant status not described in clause (i) to determine whether they meet the eligibility requirements set forth in subsection (b).

SA 1646. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 255, strike lines 3–14, and insert the following:

''(1) QUALIFYING EMPLOYMENT.—Except as provided in paragraph (3), during the 8-year period beginning on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act the alien performed not less than 180 work days of agricultural employment during each of 5 years.

SA 1647. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 233, line 5, add after the period the following: ''The Secretary shall ensure that those aliens residing outside of the United States who are eligible to submit an application are able to do so through the United States Consulate in the alien's country of residence.''.

SA 1648. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 331, line 19, strike ''1 year'' and insert ''3 years''.

On page 331, strike lines 22 through 25.

On page 332, line 19, strike ''1 year'' and insert ''3 years''.

SA 1649. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 315, between lines 8 and 9, insert the following:

''(ii) LIMITATION.—Notwithstanding clause (i), an alien who is or was a nonimmigrant agricultural worker is not eligible for legal services under the Legal Services Corporation Act (42 U.S.C. 2996 et seq.) if such alien is located outside the United States.

Beginning on page 316, strike lines 7 through 15 and insert the following:

''(iv) 90-DAY LIMIT.—The Federal Mediation and Conciliation Service may conduct mediation or other binding dispute resolution activities for a period not to exceed 90 days beginning on the date on which the Federal Mediation and Conciliation Service receives a request for assistance under clause (ii) unless the parties agree to an extension of such period.

''(v) BINDING MEDIATION.—Mediation or other dispute resolution activities carried out under this subparagraph shall be binding on the parties.

SA 1650. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 306, strike line 18 and all that follows through page 309, line 12, and insert the following:

''(2) JOB CATEGORIES.—

''(A) IN GENERAL.—For purposes of paragraph (1), each nonimmigrant agricultural worker employed by such employer shall be assigned to 1 of the following occupational classifications:

''(i) High-skilled agricultural workers, including the following, as defined by the Bureau of Labor Statistics:

''(I) Agricultural equipment operators (45–2091).

''(II) Farmworkers, Farm, Ranch, and Aquacultural Animals (45–2093).

''(ii) Low-skilled agricultural workers, including the following, as defined by the Bureau of Labor Statistics:

''(I) Graders and Sorters, Agricultural Products (45–2041).

''(II) Farmworkers and Laborers, Crops, Nursery, and Greenhouse (45–2092).

''(B) DETERMINATION OF CLASSIFICATION.—A nonimmigrant agricultural worker is employed in an occupational classification described in clause (i) or (ii) of subparagraph (A) if the worker performs activities associated with that occupational classification, as specified on the employee's petition, for at least 75 percent of the time in a semiannual employment period.

''(3) DETERMINATION OF WAGE RATE.—

''(A) CALENDAR YEARS 2014 THROUGH 2016.—The wage rate under this paragraph for calendar years 2014 through 2016 shall be the following:

''(i) For the category described in paragraph (2)(A)(i)—

''(I) $11.06 for calendar year 2014;

''(II) $11.34 for calendar year 2015; and

''(III) $11.62 for calendar year 2016.

''(ii) For the category described in paragraph (2)(A)(ii)—

''(I) $9.27 for calendar year 2014;

''(II) $9.50 for calendar year 2015; and

''(III) $9.74 for calendar year 2016.

''(B) SUBSEQUENT YEARS.—The Secretary shall increase the hourly wage rates set forth in clause (i) and (ii) of subparagraph (A), for

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SA 1651. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 273, strike lines 10–18 and insert the following:

''(B) ALLOCATION OF VISAS.—

''(i) IN GENERAL.—The allocation of visas described in subparagraph (A) for a year shall be allocated as follows:

''(I) 70 percent shall be available January 1.

''(II) 30 percent shall be available July 1.

''(ii) UNUSED VISAS.—Any visas available on January 1 of a year under clause (i)(I) that are unused as of July 1 of that year shall be added to the allocation available to allocation available on July 1 of that year under clause (i)(II).

SA 1652. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 254, line 20, strike ''5 years'' and insert ''7 years''.

SA 1653. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 252 after line 7 insert: ''An employer shall not be required to provide such written record to the alien or to the Secretary of Agriculture more than once per year.''

SA 1654. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 232, lines 2 and 3, strike ''575 hours or 100 work days'' and insert ''1000 hours or 180 work days''.

On page 262, strike lines 7–13 and insert the following:

''(C) SUFFICIENT EVIDENCE.—An alien who cannot meet the burden of proof otherwise required by subparagraph (A) may, in an interview with the Secretary, establish that the alien has performed the days or hours of work referred to in subparagraph (A) by producing sufficient evidence to show the extent of that employment as a matter of just and reasonable inference.

SA 1655. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 293, line 20, add ''and'' after the semicolon.

On page 293, strike lines 23 through page 294, and insert the following: ''recent 4-year period.''.

SA 1656. Mr. CHAMBLISS submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 244, line 17, strike ''$100'' and insert ''$500''.

On page 257, line 14, strike ''$400'' and insert ''$500''.

SA 1657. Mrs. FEINSTEIN (for herself, Mr. KIRK, Mr. COONS, Mr. UDALL of New Mexico, Mr. CORNYN, and Mr. BLUNT) submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 49, strike lines 20 through 23 and insert the following:

Act;

(xviii) costs to the Judiciary estimated to be caused by the implementation of this Act and the amendments made by this Act, as the Secretary and the Judicial Conference of the United States shall jointly determine in consultation with the Attorney General; and

(xix) the operations and maintenance costs associated with the implementation of clauses (i) through (xvii).

SA 1658. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 863 of the amendment, after line 21, insert the following:

SEC. 3912. PROTECTION OF DOMESTIC VIOLENCE SURVIVORS.

(a) RELIEF FROM CERTAIN RESTRICTIONS ON ADJUSTMENT OF STATUS.—

(1) RELIEF FROM CERTAIN RESTRICTIONS FOR DOMESTIC VIOLENCE SURVIVORS.—Section 245(d) (8 U.S.C. 1255(d)), as amended by section 2310(c) of this Act, is amended in paragraph (1) in the second sentence by striking the period at the end and inserting '', unless the alien is the spouse of an alien lawfully admitted for legal permanent residence or of a citizen of the United States and is a VAWA self-petitioner.''.

(2) CONFORMING APPLICATION IN CANCELLATION OF REMOVAL.—Section 240A(b)(2)(A)(i) (8 U.S.C. 1229b(b)(2)(A)(i)) is amended—

(A) in subclause (II), by striking ''or'' at the end;

(B) in subclause (III), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(IV) the alien entered the United States as an alien described in section 101(a)(15)(K) with the intent to enter into a valid marriage and the alien (or the child of the alien who is described in such section) was battered or subject to extreme cruelty by the United States citizen who filed the petition to accord status under such section;''.

(3) APPLICATION UNDER SUSPENSION OF DEPORTATION FOR DOMESTIC VIOLENCE SURVIVORS.—The Secretary or the Attorney General may suspend the deportation of an alien who is in deportation proceedings initiated prior to March 1, 1997 and adjust to the status of an alien lawfully admitted for permanent residence, if the alien—

(A) has been physically present in the United States for a continuous period of not less than 3 years immediately preceding the date of such suspension;

(B) has been battered or subjected to extreme cruelty in the United States by a spouse or immediate family member who is a United States citizen or a lawful permanent resident, or the alien entered the United States as an alien described in section 101(a)(15)(K) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(K)) with the intent to enter into a valid marriage and the alien was battered or subject to extreme cruelty by the United States citizen who filed the petition to accord status under such section, or the child of the alien who is described in this subparagraph;

(C) demonstrates that during all of such time in the United States the alien was and is a person of good moral character; and

(D) is a person whose deportation would, in the opinion of the Secretary or Attorney General, result in extreme hardship to the alien or the alien's parent or child.

(4) EFFECTIVE DATE.—This subsection and the amendments made by this subsection shall take effect on the date of the enactment of this Act and shall apply to aliens admitted before, on, or after such date.

(b) RELIEF FOR DOMESTIC VIOLENCE SURVIVOR VISA WAIVER ENTRANTS.—

(1) IN GENERAL.—Section 217(b)(2) (8 U.S.C. 1187(b)(2)) is amended by inserting '', as a VAWA self-petitioner or for relief under section 101(a)(15)(T), section 101(a)(15)(U), section 240A(b)(2), or under any prior statute providing comparable relief, notwithstanding any other provision of law,'' after ''asylum,''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act and shall apply to waivers provided under section 217(b)(2) of the Immigration and Nationality Act before, on, or after such date as if it had been included in such waivers.

(c) APPLICABILITY OF SECTION 212(E) TO SPOUSES AND CHILDREN OF J–1 EXCHANGE VISITORS.—In addition to the individuals described in section 2405(c) of this Act, applicants approved for nonimmigrant status under subparagraph (T) or (U) of section 101(a)(15) of the Immigration and Nationality Act and VAWA self-petitioners, as defined in section 101(a)(51) of such Act, shall not be subject to the requirements of section 212(e) of such Act (8 U.S.C. 1182(e)).

(d) WAIVER RELATING TO CERTAIN CRIMES.—Section 212(h), as amended by section 3711(c)(1)(B), is amended by striking ''and (E)'' and inserting ''(E), and (K)''.

SA 1659. Mr. KAINE submitted an amendment intended to be proposed to amendment SA 1183 submitted by Mr. LEAHY (for himself and Mr. HATCH) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 273, between lines 13 and 14, insert the following:

(3) NOTARIO FRAUD.—The term ''notario fraud'' means immigration service providers engaging in fraudulent conduct or willful misrepresentation of the provider's legal authority to provide representation to immigrant clientele and in Federal immigration proceedings.

(d) COMBATING NOTARIO FRAUD GRANT PROGRAM.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall establish a program, to be known as the ''Combating Notario Fraud Grant Program'', under which the Attorney General shall award incentive grants to eligible entities to support the adoption of dual scheme of State criminal laws and Board of Law Examiners authorization to combat notario fraud.

(2) ELIGIBLE ENTITIES.—In this subsection, an ''eligible entity'' is—

(A) a State; or

(B) a regional partnership.

(3) MAXIMUM AMOUNT.—An incentive grant awarded by the Attorney General may not exceed $25,000,000.

(4) APPLICATION.—

(A) IN GENERAL.—An eligible entity seeking an incentive grant under this subsection shall submit an application to the Attorney General at such time, in such form, and in such manner as the Attorney General may require.

(B) CONTENTS.—Each application submitted under subparagraph (A) shall include—

(i) the current enforcement scheme to combat notario fraud under the laws of the State or States represented by the eligible entity;

(ii) the additional changes to the criminal laws of the State, the State Board of Law Examiners authority, and staffing levels to better address notario fraud in the State or States represented by the eligible entity; and

(iii) such other information as the Attorney General considers appropriate.

(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this subsection.

SA 1660. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—ANALYSIS OF MIGRATION TRENDS AND FOREIGN ASSISTANCE PRIORITIZATION

SEC. ___01. DEVELOPMENT OF ASSESSMENT AND STRATEGY ADDRESSING FACTORS DRIVING MIGRATION.

(a) DEVELOPMENT OF ASSESSMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on migration to the United States from the countries specified in paragraph (2) that includes—

(A) a baseline assessment of the primary factors driving migration from those countries;

(B) an assessment of the impact of United States foreign assistance, trade, and foreign policy on migration trends in those countries; and

(C) an assessment of ongoing migrant protection issues and measures to address humanitarian and safety concerns in current migration flows, particularly such measures taken by the United States, the Government of Mexico, and the governments of countries in Central America to address such issues in Mexico and on the Southern border of the United States.

(2) COUNTRIES SPECIFIED.—The countries specified in this paragraph are the 10 countries determined by the Comptroller Genera to have the highest rates of irregular migration to the United States.

(3) CONSULTATIONS.—In preparing the report required by paragraph (1), the Comptroller General may consult with civil society organizations in the United States and the countries specified in paragraph (2).

(b) STRATEGY TO ADDRESS FACTORS DRIVING IMMIGRATION.—

(1) IN GENERAL.—The Secretary of State, working with the Administrator of the United States Agency for International Development, and in consultation with the entities specified in paragraph (2), shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a strategy for addressing the economic, social, and security factors driving high rates of irregular migration from the countries specified in subsection (a)(2).

(2) ENTITIES SPECIFIED.—The entities specified in this paragraph are the following:

(A) The Millennium Challenge Corporation.

(B) The Bureau of Population, Refugees, and Migration of the Department of State.

(C) The Department of Homeland Security.

(D) The Department of Labor.

(E) The Department of Agriculture.

(F) The Office of the United States Trade Representative.

(G) Civil society organizations in the United States.

(H) Civil society organizations in the countries specified in subsection (a)(2).

(3) ELEMENTS OF STRATEGY.—The strategy required paragraph (1) shall include—

(A) a summary and evaluation of current assistance provided by the United States to the countries specified in subsection (a)(2);

(B) an identification of the regions and municipalities in those countries experiencing the highest emigration rates and the current level of United States assistance or investment in those regions and municipalities; and

(C) recommendations for future United States Government assistance and technical support to address key economic, social, and development factors identified in those countries that are designed to ensure appropriate engagement of national and local governments and civil society organizations.

SEC. ___02. PRIORITIZATION OF MIGRATION SOURCE COUNTRIES BY THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

(a) IN GENERAL.—The Administrator of the United States Agency for International Development (in this section referred to as the ''Administrator'') shall coordinate with relevant agencies of the United States and agencies of the countries specified in section ___01(a)(2) to promote public policies that prioritize inclusive growth, poverty reduction, and sustainable alternatives to emigration.

(b) MIGRATION AND DEVELOPMENT PROGRAMMING.—The Administrator shall provide migration and development programming to assist communities and economic sectors in the countries specified in section ___01(a)(2), including communities—

(1) that currently experience, or are projected to soon experience, high rates of population loss due to international migration to the United States;

(2) experiencing or at high risk of trafficking in persons;

(3) that are receiving high rates of returned or deported migrants from the United States;

(4) affected by destabilizing levels of generalized violence, or violence associated with gangs, drug trafficking, or other criminal activity; and

(5) that currently have developed partnerships with migrant associations and federations based in the United States.

(c) TARGETED ASSISTANCE.—The Secretary of State and the Administrator shall work with the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives to increase, beginning in fiscal year 2014, financial assistance to the communities described in subsection (b) with the goal of—

(1) alleviating rural poverty and revitalizing agricultural production by supporting public and private investment in comprehensive rural development strategies, which should include—

(A) strengthening the quality and sustainability of rural extension services;

(B) expansion of agro-enterprise and agricultural value chain initiatives;

(C) investment in farm-to-market roads and storage facilities for small farmers and cooperatives; and

(D) assistance to protect the environment, promote safe and sustainable natural resource development, strengthen climate change adaptation, and expand access to credit and micro-finance opportunities for small farmers;

(2) fully funding micro-finance and micro-enterprise initiatives, ensuring mechanisms for access to rural credit and micro-insurance, and targeting available funding to traditionally marginalized groups and at risk populations, particularly youth and indigenous populations;

(3) promoting public-private partnerships for income generation, employment, and violence reduction, and prioritizing urban youth;

(4) incorporating mechanisms to adapt and expand financial (savings and credit) and non-financial (property and livelihood insurance) opportunities for vulnerable families in disaster risk reduction and recovery strategies; and

(5) increasing public-private diaspora partnerships for development in the Western Hemisphere, through the United States Agency for International Development's Global Development Alliance model and multilateral initiatives.

SEC. ___03. SENSE OF CONGRESS ON INCREASED UNITED STATES FOREIGN POLICY COHERENCE IN THE WESTERN HEMISPHERE.

(a) FINDINGS.—Congress makes the following findings:

(1) More than 80 percent of the current unauthorized immigration to the United States originates in Latin America, primarily in Mexico and Central America.

(2) Mexico and Central America have made strides in economic growth in recent years, but the majority of their populations, particularly in the rural sector, live in poverty, a factor that continues to drive emigration.

(3) The Mexico and Central America migration corridor maintains strong historic and current ties to the United States through trade and economic integration, labor flows, and geographic proximity, and will require particular bilateral and multilateral efforts to address shared concerns and promote shared opportunities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should review United States foreign policy toward Latin America in order to strengthen hemispheric security through the reduction of poverty and inequality, expansion of equitable trade, and support for democratic institutions, citizen security, and the rule of law, as essential elements of a consolidated and well-managed regional migration policy.

SA 1661. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PRECERTIFICATION PROCEDURES FOR EMPLOYERS.

Section 214(c) of the Immigration and Nationality Act (8 U.S.C. 1184(c)), as amended by section 4103(a), is further amended by adding at the end the following new paragraph:

''(16)(A) PRECERTIFICATION PROCEDURES FOR EMPLOYERS.—Not later than 180 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary of Homeland Security shall establish and implement a precertification procedure for employers who file multiple petitions described in this subsection or section 203(b). Such precertification procedure shall enable an employer to avoid repeatedly submitting documentation that is common to multiple petitions and establish criteria relating to the employer and the offered employment opportunity through a single filing.

''(B) FEES.—(i) The Secretary shall impose a fee on each employer that uses the precertification procedure under subparagraph (A).

''(ii) In determining the amount of the fee to be imposed under clause (i), the Secretary shall establish a lower rate for small business concerns (as defined by section 3(a) of the Small Business Act (15 U.S.C. 632(a))).

''(iii) Fees collected under this subparagraph shall be available to reimburse the Secretary for the costs of the precertification procedure.''.

SA 1662. Mr. KAINE submitted an amendment intended to be proposed by

him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page ____, between lines ____ and ____, insert the following:

(3) NOTARIO FRAUD.—The term ''notario fraud'' means immigration service providers engaging in fraudulent conduct or willful misrepresentation of the provider's legal authority to provide representation to immigrant clientele and in Federal immigration proceedings.

(d) COMBATING NOTARIO FRAUD GRANT PROGRAM.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall establish a program, to be known as the ''Combating Notario Fraud Grant Program'', under which the Attorney General shall award incentive grants to eligible entities to support the adoption of dual scheme of State criminal laws and Board of Law Examiners authorization to combat notario fraud.

(2) ELIGIBLE ENTITIES.—In this subsection, an ''eligible entity'' is—

(A) a State; or

(B) a regional partnership.

(3) MAXIMUM AMOUNT.—An incentive grant awarded by the Attorney General may not exceed $25,000,000.

(4) APPLICATION.—

(A) IN GENERAL.—An eligible entity seeking an incentive grant under this subsection shall submit an application to the Attorney General at such time, in such form, and in such manner as the Attorney General may require.

(B) CONTENTS.—Each application submitted under subparagraph (A) shall include—

(i) the current enforcement scheme to combat notario fraud under the laws of the State or States represented by the eligible entity;

(ii) the additional changes to the criminal laws of the State, the State Board of Law Examiners authority, and staffing levels to better address notario fraud in the State or States represented by the eligible entity; and

(iii) such other information as the Attorney General considers appropriate.

(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this subsection.

NOTICE OF HEARING

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on Tuesday, June 25, 2013, at 2:30 p.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Building a Foundation of Fairness: 75 Years of the Federal Minimum Wage.''

For further information regarding this meeting, please contact Sarah Cupp of the committee staff on (202) 224–5441.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on June 24, 2013, at 5:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 24, 2013, at 3 p.m. to conduct a hearing entitled ''Curbing Prescription Drug Abuse in Medicare.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 24, 2013 at approximately 5:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The majority leader.

WORLD REFUGEE DAY

Mr. REID. I ask unanimous consent to proceed to S. Res. 184.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 184) recognizing refugee women and girls on World Refugee Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be considered made and laid on the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 184) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

AUTHORIZING LEGAL COUNSEL

Mr. REID. Mr. President, I ask unanimous consent we now proceed to S. Res. 185.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 185) to authorize representation by the Senate legal counsel in the case of R. Wayne Patterson v. United States Senate, et al.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, this resolution concerns a pro se civil action filed in California Federal District Court against the Senate, the Vice President, and the Parliamentarian of the Senate. Plaintiff claims that the Senate cloture rule is unconstitutional.

This lawsuit, like previous suits challenging the cloture rule, is subject to jurisdictional defenses requiring dismissal. This resolution would authorize the Senate Legal Counsel to represent the Senate, the Vice President, and the Senate Parliamentarian to seek dismissal of this suit.

Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be considered made and laid on the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 185) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR TUESDAY, JUNE 25, 2013

Mr. REID. Mr. President, I now ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Tuesday, June 25; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final; and that following morning business, the Senate resume consideration of S. 744, the comprehensive immigration reform bill; that the filing deadline for first-degree amendments to the committee-reported substitute and the bill be at 12 p.m. tomorrow; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings; and all time during adjournment, recess, morning business, and executive session count toward postcloture on the Leahy amendment, No. 1183, as modified.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order following the remarks of Mr. PORTMAN.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION REFORM

Mr. PORTMAN. Mr. President, I rise today to talk about the immigration bill that is before the Senate this week. We just had a vote on the Corker-Hoeven amendment. I wish to talk about why it is so important to fix our broken immigration system, but also about a critical issue that I believe has to be addressed in order for the proposed reforms to work.

I wish to begin by acknowledging the hard work of a number of my colleagues, including four Republicans and four Democrats who came together and spent months negotiating the bill we are now considering. They showed a lot of courage in addressing a tough issue. It is a tough issue politically, and it is a difficult issue in terms of the policies.

I also wish to recognize Senators HOEVEN and CORKER who offered that amendment today. The changes they made in that amendment are a step in the right direction because they provide more enforcement for immigration laws, and we have to guarantee there is meaningful enforcement that is coupled with any legal status for people who are now living in the shadows. I think that enforcement must include strong border protections. That was talked about a lot on the floor today.

It also has to include enforcement of the visa system so an entry-exit system for visas is effective. Finally, it has to include workplace enforcement.

In my view, the enforcement policies in the underlying bill and in the amendment we just voted on are still insufficient to ensure that we ultimately resolve our illegal immigration crisis. Much of the debate over the past week has been about border security, and the most significant provisions in today's amendment are focused on the border. So much so it was described today as being a border surge—employing an additional 20,000 Border Patrol agents and completing 700 miles of fencing that will no doubt make it harder for people to cross the southern border illegally.

Again, I think it is important we have a secure border. But, in reality, no matter how many miles of fence we build and no matter how many agents we station along the border, I truly believe people will continue to come to this country illegally as long as they believe America offers them a better life and a better job.

As we see on subsections of the border where fences have already been constructed, determined people find ways to go under, over, and around it. Some go around those parts of the border altogether to enter our country through a coastline or other less secure parts of the border. We also have to acknowledge that even if we were to prevent every single unauthorized entry at the border, such enforcement would not solve the problem of illegal immigration. Why? Because we are told that 40 percent of those here illegally are visa overstays. In other words, they came legally. They didn't come illegally across the border; they came legally and they have overstayed. They never tumbled a border fence or evaded a Border Patrol agent; instead, they came here legally and simply overstayed their visas.

Having a secure border is important for our immigration system, as I have said. It is also important because of the illegal drug traffic, because of the concern about terrorists coming over our border. So I do support having a more secure border, but I do not think it is sufficient.

Today I want to talk about an issue I think should receive more attention. It has received a lot less than border security over the past few weeks, as we have talked about this legislation. But I think it is even more important to the ultimate success of comprehensive immigration reform, and it is about turning off the jobs magnet—the jobs magnet for those who come here illegally for a better way of life and a better job. It is about effective enforcement of the workplace that I think is absolutely essential to bringing people out of the shadows and to preventing future flows of illegal immigration.

The only way to do that at the workplace is through effective employment verification—a topic that has received little attention during our debate thus far, an area where I believe the current bill and the amendment we voted on tonight fall short.

Policy efforts to eliminate this jobs magnet have been part of the discussion about immigration for decades. Yet our current employment enforcement system has failed to stem the tide of unauthorized workers. I am pleased the underlying bill would mandate the use of an electronic employment verification system called E-Verify. But the bill does little to address the inadequacies of the E-Verify system itself, including the widespread use of false documents.

An effective employment verification system must first verify authorization to work by connecting a worker's name and biographical information to a legal status, and then, second, it has to ensure the worker is who he or she says he or she is—in other words, connecting an individual to a specific name and identity record.

The goal of E-Verify should be to provide for a simple, reliable way for employers to confirm a new employee's work eligibility and to identify that person to prevent illegal immigrants from getting jobs in this country. Until we do that, and deal with the magnet, I do not think we are going to be able to get the kind of enforcement we need.

The current voluntary E-Verify pilot program—this is the pilot program that is out there now that is mandatory in the underlying legislation, but in the pilot program, there is a way to reliably verify authorization to work. I think that actually is fairly effective. But where it has not been successful is in authenticating a worker's identity because it lacks a universal and secure system of verification. The best recent study of the E-Verify pilot, by the way, shows that 54 percent—54 percent—of unauthorized workers are getting through the system. In other words, more than half of those who are here illegally, processed through the E-Verify system, are erroneously found to be eligible for work. The reason is straightforward: Many unauthorized workers obtain employment by committing identity fraud that cannot be detected by E-Verify. So my primary focus over the past few weeks has been on working constructively to develop a bipartisan E-Verify amendment to strengthen the employment verification provisions in S. 744 to help curtail the widespread unauthorized employment that fuels most illegal immigration.

Along with my colleague from Montana Senator TESTER, I have submitted an amendment today that strengthens E-Verify in five key respects—first, by enhancing protections against Social Security number fraud and identity theft.

A critical challenge in implementing mandatory E-Verify throughout the country will be combating the fraudulent use of other people's identities in seeking employment authorization. S. 744 seeks to address this challenge by allowing individuals to lock their Social Security numbers for purposes of E-Verify and requiring audits of suspicious E-Verify activities.

The amendment also requires the Social Security Administration to include in all of our annual statements we get from Social Security information about all E-Verify queries that have been placed during that year and for us to have a toll-free telephone number to be able to call folks if there has been a misuse of that number. This will allow us to be on guard against unauthorized workers fraudulently using our personal information to seek and obtain work.

Our amendment also requires the Department of Homeland Security to notify individuals when they identify suspected Social Security number fraud in the E-Verify system.

The amendment also allows the Department of Homeland Security to build on successful pilots programs in

Florida and Mississippi to allow E-Verify to validate drivers' licenses and State-issued ID cards with information provided by the State motor vehicle administrations. This step is critical to stopping the pervasive use of fake drivers' licenses in the E-Verify process. But in doing so, we must also protect personal privacy, so the Portman-Tester amendment prohibits DHS from maintaining this information in a Federal database or transmitting that information except for the purposes of E-Verify.

Our amendment also requires regular referrals from the U.S. Citizenship and Immigration Services, USCIS, to Immigration and Customs Enforcement, ICE, identifying fraudulent Social Security number use and fake documents presented during the E-Verify process for investigation and appropriate enforcement action. And it provides for DHS outreach and training to assist employers in preventing identity fraud and strengthening hiring practices. Only with all these tools and efforts can we expect to curtail the widespread use of identity fraud and help prevent unauthorized employment.

The second focus of our amendment is to strengthen the identity authentication aspects of E-Verify and ensure that the system includes robust data privacy protections.

To improve the accuracy of E-Verify, the underlying bill expands the use of a new photo-matching process called Photo Tool, which enables employers to match a new employee's photo ID with a digital E-Verify image. Currently, photo matching is limited to documents for which there is a verified photo in the E-Verify system. Unfortunately, for more than 60 percent of us—60 percent of Americans—there is no such data in a file because we do not have a passport, we do not have an immigration document. The bill, therefore, relies on States to give the Department of Homeland Security access to drivers' license photos. But based on our experience with the REAL ID Act of 2005, very few States are likely to comply.

There is no assurance that all or even most States will voluntarily participate in this kind of a program. So while the underlying bill provides some funding and grants to ease State compliance, we believe the amount they provide may understate the cost to most States.

To help make Photo Tool actually work, our amendment doubles the available grant moneys for States that share department of motor vehicle information and photos, and it ensures the States are fully reimbursed for whatever their actual compliance and participation costs are, providing incentives for States to participate. It also clarifies that Photo Tool will be fully integrated into the E-Verify system and that it must be implemented in time for the rollout of the mandatory E-Verify throughout the country. So it brings Photo Match into the E-Verify system to provide for better enforcement at a time when some workers are going to be provided a legal status.

Senator TESTER and I want to be sure the bill's Photo Tool provisions do not lead to the establishment of a Federal database containing additional personal information and photographs of individual Americans. In fact, this will be another thing that is important to States because many States will only participate if assured the data they share will not be misused. So our amendment provides robust data privacy protections, one, clarifying that Photo Tool will be implemented so that E-Verify ''pings'' State DMV databases with individual queries rather than storing such State-provided information—so only when there is an individual request do they ping the DMV, and the DMV provides the photo; two, providing that the State DMV images and information may not be collected, may not be stored, may not be used for any other purpose other than for E-Verify, and may not be disseminated in any way beyond a response to an individual Photo-Tool query; and, three, providing for periodic DHS audits to ensure that the Photo Tool data is not being collected, stored, or improperly disseminated.

To make E-Verify work, we have to be certain employers are able to authenticate the true identity of new hires accurately, quickly, and easily. But in doing so through methods such as Photo Tool match, we must protect privacy and safeguard personal information. We have done that in this amendment.

The third way our amendment strengthens E-Verify is by enhancing additional security measures for identity verification. For new employees whose identity cannot be verified using Photo Tool, which we talked about, the underlying bill provides for the Secretary of Homeland Security to develop ''additional security measures'' designed to authenticate identity. But there is no specified timeframe for implementation and little or no guidance in the way of standards for these additional security measures.

Our amendment clarifies that the additional security measures must be integrated into the E-Verify system for workers who present a document without a corresponding Photo Tool image, that the timing of their implementation is tied to the rollout of mandatory E-Verify, and that failure to verify an identity with the additional security measures results in what is called a Further Action Notice in the E-Verify process, allowing employees to appeal through the established appeals process, where they have to prove they are authorized to work.

Our amendment also specifies standards for design and operation of the additional security measures that are provided to include state-of-the-art technology structured to provide prompt determinations and minimize employer and employee burdens. These specifications are designed to safeguard employee privacy and maximize the accuracy and efficiency of identity determinations. And the amendment permits employers to choose, with advance notice to DHS, to use the additional authentication measures on all new hires rather than only in cases where no digital image is available for a Photo Tool match. For a number of employers that is important.

A fourth section of our amendment clarifies protections for employers who seek to comply with E-Verify procedures in good faith. The underlying bill mandates nationwide rollout of E-Verify and also increases employer sanctions—penalties for employers who do not comply with the mandated employment verification process. The bill's provisions seek to ensure that employers will not engage in unfair immigration-related employment practices, expanding both the grounds and penalties for such practices.

Employers will therefore face the often challenging task of ensuring compliance with these new employment verification obligations while simultaneously avoiding an expanded set of unfair immigration-related employment practices.

Our amendment simply provides that there is a safe harbor, a safe harbor protection to employers that comply in good faith with the requirements of the mandatory employment verification system. The amendment provides that the government must demonstrate by clear and convincing evidence that the employer had knowingly hired an unauthorized worker and employers that take reasonable steps in good faith to avoid unfair immigration-related employment practices are not subject to liability. Again, it is very important for employers to have this be a simple system and one where, if they follow the rules, they have a safe harbor.

Finally, our amendment expedites the E-Verify mandatory rollout to American employers, while preserving the full 5-year timeline for the smallest businesses to make sure we begin rigorous enforcement efforts at the same time millions of current illegal immigrants begin to shift to a legal status.

Our amendment ensures that most American jobs are covered by E-Verify as soon as it is feasible, applying to large employers as early as 2 years after enactment, which is speeding up and expediting the coverage of E-Verify. It includes a new strengthened trigger to ensure timely and full implementation of mandatory E-Verify to all employers, including integrated

Photo Tool and additional security measures prior to any adjustment to green card status. So it also has a stronger, more comprehensive trigger.

In each of these ways, this amendment presents an opportunity for this Senate to put forth good policy that will make a real difference if implemented. The amendment's provisions were drafted with input from both Republicans and Democrats. They are the product of a lot of negotiations regarding business groups, labor interests. They were developed and vetted in consultation with the administration and the officials who will actually be tasked with developing and implementing this new system of mandatory employment verification.

I am pleased Senator TESTER has joined me in this effort. I know the provisions in our amendment enjoy broad bipartisan support in this Chamber and I think across the Nation. There is a recent poll, for instance, that showed that 82 percent of likely voters think businesses should be required to use E-Verify to determine if a new employee is legal.

The question before this body is a simple one: Will our comprehensive immigration reforms include serious, meaningful, and effective E-Verify provisions that along with the border security measures will actually stem the tide of illegal immigration or will we fail to eliminate the jobs magnet that makes it harder to bring people out of the shadows and continue to provide a strong incentive for people to come here illegally.

Today, I am simply asking for a debate and a vote on this critical amendment. My request does not have a political motivation. It is not about whether I support the legislation, although I will not be able to support it without it. It is about making this reform work. If this amendment is not adopted, I do not believe the reforms are going to work, and thus I would not be in a position to support final passage.

I was there during the immigration commission that came up with the proposals that led to the 1986 law, which was the last comprehensive effort that Congress made to overhaul our immigration system. I was a young staffer on what was called the Select Commission on Immigration and Refugee Policy. I spent 2 years there working on these issues and have followed them since and have been involved in immigration policy both in the Congress and in the administration since then.

But back in 1986, I saw the work that went into crafting that legislation and the hope it gave everyone that we were actually going to solve the problem of illegal immigration. Then I saw those hopes dashed, as the reforms failed to work. They failed to address illegal immigration, in part, because they did not effectively implement the workplace enforcement provisions, despite, by the way, strong recommendations from the Commission on which I served. Congress simply—and the administration—subsequently did not implement the kinds of employer sanctions at the time and the kind of enforcement at the workplace that was necessary.

Therefore, they left intact that jobs magnet that has driven so many to come here illegally in the past decades since. I do not want to see a repeat of that failure. That is why I cannot support the legislation without these changes.

We have before us a historic opportunity. We have a real chance to fix this broken system and help curtail illegal immigration. It goes without saying that in the world of partisan politics, such opportunities are pretty rare. Time and again, we have seen reform efforts held hostage by politics. During the last few weeks, we have been reminded once again how difficult it is to achieve consensus on issues relating to immigration reform.

But this system is broken, the legal system and the illegal system. So we ought to take this opportunity to fix it, but we have to really fix it. It is our responsibility to ensure that the reform legislation passed by the Senate includes policies that will actually work. We are not operating in a vacuum. Not only are the people of this country watching us, but the House of Representatives is watching too.

To ensure that effective workplace enforcement provisions actually become law, E-Verify must be prominent in our efforts and central to our debate. We must make certain the House understands that a more effective E-Verify is perhaps the most crucial element of successful reform and that real workplace enforcement remains a priority during their deliberations, as well as an eventual conference between the House and Senate to work out a final package.

A separate debate and a vote on this amendment is essential to sending that strong message to the House. They need to know one way or the other whether there is strong bipartisan support for E-Verify. I believe there will be. I believe, therefore, that maximizes the chance of it being in the final product. Politically, if supporters want this legislation to have a chance at passing the House and becoming law, we have to make sure it is focused on preventing new illegal immigration as much as it is on adjusting the status of those currently living in the shadows. I do not see how we can make that claim if E-Verify is not strengthened, if it is included only in passing, if turning off the jobs magnet is treated as an afterthought.

That is the sort of thinking that doomed the 1986 reform. It is this sort of approach that may doom this reform before it has even had a chance to be enacted. I am certain everyone engaged in this debate has the best of intentions, but we have to ensure those intentions do not lead us down a path that we repeat the mistakes of 1986.

That is why we have to have a vote on this amendment. The Portman-Tester E-Verify strengthening amendment is critical to the success of this bill. I would like to be able to support reform of a broken immigration system. An immigration system that invites the best and brightest to come to our shores and seek a better life is what this country is all about. It is part of our promise. It is one of the reasons the United States has long been called a beacon of hope and opportunity for the rest of the world.

But I have given assurances to my constituents, the same assurances I know many in this Chamber have made; that is, that I cannot vote for this legislation unless I am convinced it will work. I cannot support reform that does not adequately address the problem of illegal immigration and provides adequate enforcement; at the border, yes, but also at the workplace. Without a stronger E-Verify system, I am convinced this legislation will ultimately fail.

I know many of my colleagues feel the same way. That is why I believe if this amendment were brought up for a vote, it would not only pass, but it would pass with a strong bipartisan vote. I am simply asking for that vote. Let's make strong and effective E-Verify part of immigration reform. Let's accomplish something of which we can be proud, something that fixes the problem this country has struggled with for decades, something we can hold up to the American people of how Washington is supposed to work, as proof the Republicans and Democrats, working together with mutual respect and in a bipartisan fashion, can achieve meaningful results.

That is what this amendment is all about. I certainly hope it can become part of this legislation.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:44 p.m., adjourned until Tuesday, June 25, 2013, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

CORPORATION FOR PUBLIC BROADCASTING

LORETTA CHERYL SUTLIFF, OF NEVADA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2018. (REAPPOINTMENT)

FEDERAL TRADE COMMISSION

TERRELL MCSWEENY, OF THE DISTRICT OF COLUMBIA, TO BE A FEDERAL TRADE COMMISSIONER FOR THE UNEXPIRED TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2010, VICE JON D. LEIBOWITZ, RESIGNED.

DEPARTMENT OF STATE

DENISE CAMPBELL BAUER, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BELGIUM.

MORRELL JOHN BERRY, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO AUSTRALIA.

JAMES WALTER BREWSTER, JR., OF ILLINOIS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE DOMINICAN REPUBLIC.

REUBEN EARL BRIGETY, II, OF FLORIDA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE AFRICAN UNION, WITH THE RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

DANIEL A. CLUNE, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE LAO PEOPLE'S DEMOCRATIC REPUBLIC.

DAVID HALE, OF NEW JERSEY, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF LEBANON.

MICHAEL A. HAMMER, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CHILE.

TERENCE PATRICK MCCULLEY, OF WASHINGTON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF COTE D'IVOIRE.

BRIAN A. NICHOLS, OF RHODE ISLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PERU.

DAVID D. PEARCE, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO GREECE.

LINDA THOMAS–GREENFIELD, OF LOUISIANA, TO BE AN ASSISTANT SECRETARY OF STATE (AFRICAN AFFAIRS), VICE JOHNNIE CARSON.

FEDERAL ELECTION COMMISSION

ANN MILLER RAVEL, OF CALIFORNIA, TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION FOR A TERM EXPIRING APRIL 30, 2017, VICE CYNTHIA L. BAUERLY, RESIGNED.

LEE E. GOODMAN, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION FOR A TERM EXPIRING APRIL 30, 2015, VICE DONALD F. MCGAHN, TERM EXPIRED.

DEPARTMENT OF DEFENSE

JON T. RYMER, OF TENNESSEE, TO BE INSPECTOR GENERAL, DEPARTMENT OF DEFENSE, VICE GORDON S. HEDDELL, RESIGNED.

FOREIGN SERVICE

THE FOLLOWING–NAMED PERSONS OF THE DEPARTMENT OF COMMERCE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

SCOTT THOMAS BRUNS, OF THE DISTRICT OF COLUMBIA
KEENTON CHIANG, OF CALIFORNIA
ALFRED LANDON LOOMIS, OF LOUISIANA
MIGUEL A. HERNANDEZ, OF CALIFORNIA
HENLEY K. JONES, OF FLORIDA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

NICOLE DESILVIS, OF PENNSYLVANIA
KENNETH WALSH, OF MISSOURI

THE FOLLOWING–NAMED PERSONS TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

FRED AZIZ, OF VIRGINIA
JOEL BLANK, OF THE DISTRICT OF COLUMBIA
TIMOTHY BROWNING, OF VIRGINIA
DAWN BRUNO, OF NEW YORK
JOSEPH CARREIRO, OF VIRGINIA
CALLIE H. CONROY, OF MARYLAND
THOMAS MUENZBERG, OF COLORADO
PAUL OLIVA, OF CALIFORNIA
WILLIAM QUIGLEY, OF THE DISTRICT OF COLUMBIA
MICHAEL ROGERS, OF MICHIGAN
ARTHUR ROY, OF CALIFORNIA
AISHA SALEM, OF FLORIDA
NATHALIE SCHARF, OF KANSAS
NATHAN SEIFERT, OF UTAH
REBECCA TORRES, OF FLORIDA
JANELLE WEYEK, OF WISCONSIN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL S. TUCKER

THE FOLLOWING NAMED OFFICER FOR REAPPOINTMENT AS THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 152 AND 601:

To be general

GEN. MARTIN E. DEMPSEY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR REAPPOINTMENT AS THE VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 154:

To be admiral

ADM. JAMES A. WINNEFELD, JR.

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

JOSEPH L. BIEHLER
BRIAN T. CONNELLY
ZANE A. LANCE
BIENVENIDO SERRANOCASTRO

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

JACKIE S. FANTES

EXTENSIONS OF REMARKS

RECOGNIZING JINGWEN ZHANG WINNING THE U.S. INSTITUTE OF PEACE ESSAY CONTEST FOR OHIO

HON. JOYCE BEATTY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 24, 2013

Mrs. BEATTY. Mr. Speaker, today, I rise to recognize one of my constituents in Ohio's Third Congressional District, Jingwen Zhang. Jingwen Zhang is a junior at Thomas Worthington High School in Westerville, Ohio, who recently demonstrated outstanding academic achievement by becoming the state of Ohio winner of the U.S. Institute of Peace 2013 National Peace Essay Contest.

The annual National Peace Essay contest sponsored by the U.S. Institute of Peace engages our nation's youth in an educational essay contest relating to the topics of peacebuilding, conflict resolution, and international affairs. This year's topic was, ''Gender, War, and Peacebuilding,'' and Jingwen Zhang's essay, ''Gender Revolution: From Unjust Misogyny to Honorable Equality,'' earned her a place as one of the 50 high school students selected as the state-level contest winners.

The winners receive a $1,000 academic scholarship and are invited to Washington, D.C. to participate in a five day educational program where they will engage with practitioners and elected officials regarding foreign affairs.

On behalf of Ohio's Third Congressional District, I am honored to commend Jingwen Zhang on her winning essay and I wish her much continued success in her future endeavors.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 25, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 26

10 a.m.
Committee on Finance
To hold hearings to examine health care quality, focusing on the path forward.
SD–215

Joint Economic Committee
To hold hearings to examine reducing red tape through smarter regulations.
SD–G50

10:30 a.m.
Committee on the Budget
To hold hearings to examine the impact of Federal budget decisions on children, focusing on investing in our future.
SD–608

2 p.m.
Special Committee on Aging
To hold hearings to examine respecting patients' wishes and advance care planning.
SD–124

2:30 p.m.
Committee on Armed Services
Subcommittee on Strategic Forces
To receive a closed briefing on the Defense Science Board Task Force Report, ''Resilient Military Systems and the Advanced Cyber Threat''.
SVC–217

Committee on Commerce, Science, and Transportation
To hold hearings to examine advancing the science and standards of forensics.
SR–253

JUNE 27

10 a.m.
Committee on Appropriations
Business meeting to markup proposed budget estimates for fiscal year 2014 for Transportation, Housing and Urban Development, and Related Agencies and Energy and Water Development.
SD–106

Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine the nominations of Melvin L. Watt, of North Carolina, to be Director of the Federal Housing Finance Agency, Jason Furman, of New York, to be a Member and Chairman of the Council of Economic Advisers, Kara Marlene Stein, of Maryland, and Michael Sean Piwowar, of Virginia, both to be a Member of the Securities and Exchange Commission, and Richard T. Metsger, of Oregon, to be a Member of the National Credit Union Administration Board.
SD–538

Committee on Environment and Public Works
To hold an oversight hearing to examine Federal risk management and emergency planning programs to prevent and address chemical threats, including the events leading up to the explosions in West, Texas and Geismar, Louisiana.
SD–406

Committee on the Judiciary
Business meeting to consider the nominations of Byron Todd Jones, of Minnesota, to be Director, Bureau of Alcohol, Tobacco, Firearms, and Explosives, and Stuart F. Delery, of the District of Columbia, to be an Assistant Attorney General, both of the Department of Justice.
SD–226

10:30 a.m.
Committee on Homeland Security and Governmental Affairs
Subcommittee on Financial and Contracting Oversight
To hold hearings to examine contract management by the Department of Energy.
SD–342

3 p.m.
Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

JULY 16

2:30 p.m.
Committee on Energy and Natural Resources
Subcommittee on Water and Power
To hold hearings to examine the Bureau of Reclamation's Colorado River Basin Water Supply and Demand Study.
SD–366

SEPTEMBER 11

10:30 a.m.
Committee on Appropriations
Subcommittee on Financial Services and General Government
To hold hearings to examine proposed budget estimates and justification for fiscal year 2014 for the Federal Communications Commission.
SD–138

SENATE—*Tuesday, June 25, 2013*

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Holy God, from whom alone all good proceeds, let the graces of faith, hope, and love be felt today on Capitol Hill. Lord, You rule all things by Your wisdom. May our lawmakers, therefore, look to You for guidance and strive to manifest complete subservience to Your will. Continue to shower our Senators and their loved ones with Your daily mercies, as they grow in grace and true holiness throughout the seasons of their lives. May they show their love for You by loving others as You have loved humankind. Help them to continue to expect great things from You as they continue to attempt great things for You. We pray, in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will be in a period of morning business for 1 hour. The majority will control the first half, the Republicans the final half. Following morning business the Senate will resume consideration of S. 744, the immigration bill.

ORDER OF PROCEDURE

I ask unanimous consent that the filing deadline for first-degree amendments to S. 744 be 12 p.m. today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. The filing deadline for all first-degree amendments both to the substitute amendment and the bill is today at noon.

The Senate will recess from 12:30 to 2:15 for our weekly caucus meetings. Senators will be notified when votes are scheduled.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COWAN). Without objection, it is so ordered.

IMMIGRATION REFORM

Mr. REID. Mr. President, law enforcement officials who made the arrests and looked at this called it a ''modern day plantation.'' What happened was a string of very profitable convenience stores had undocumented immigrants from Pakistan and the Philippines routinely working up to 100 hours a week for below minimum wage. And although their employers made $180 million over a dozen years, while pocketing much of their employees' wages, these workers lived packed into apartments unfit for human habitation. Because they lacked the proper immigration paperwork, the workers were simply too afraid to speak up for themselves.

It happens all the time. These were the circumstances at more than a dozen 7-Eleven stores in Long Island, NY, and in Virginia. They were raided last week by Federal immigration officials. The unfortunate conditions exposed by this high-profile bust, however, are all too common. The busts do not come very often. They were able to get to the bottom of this. Most of the time these people are so abused and nothing happens except the abuse continues.

More than one-half of undocumented day laborers say they have been cheated by employers. One-quarter of undocumented workers polled in New Jersey say they have been assaulted by their employers, a crime they rarely report. A lot of times there are language barriers, and they are simply afraid they are going to lose their jobs and maybe be deported.

In one survey virtually every undocumented female farm worker said sexual violence in the workplace is a very serious problem. The 11 million people living in America without the proper documentation are particularly vulnerable to abuse by these employers who are very unscrupulous.

A system under which people can be forced to live as indentured servants, under substandard living conditions and the threat of violence hurts all workers, and it is wrong. It is immoral. The bipartisan immigration bill before the Senate will eliminate the kind of exploitation seen at these rogue 7-Eleven stores and other dishonest employers in a number of ways.

First, it will reduce illegal immigration by strengthening our borders and fixing our broken legal immigration system. We all acknowledged before going into this debate that our system was broken and needed to be fixed. That is what this bill does. The bill will also make the electronic employment verification system, known as E-Verify, mandatory within 5 years. That will make it virtually impossible for people without the proper immigration paperwork to secure jobs, removing the incentive to come here illegally and removing the incentive from these unscrupulous employers taking advantage of those people.

The legislation will allow temporary workers to change jobs without losing their visas, making it possible for them to escape and report exploitative employers without fear of deportation. They have not been able to do that. They will not until we pass this legislation.

This measure also offers more visas for victims of crime, including employer abuse. These protections will be good for honest workers, helping them stand up for their rights without fear of retribution. It will be good for honest employers, whose unscrupulous competitors have an unfair advantage.

This legislation also recognizes that undocumented workers play an important role in our economy and need an earned pathway from the shadows to citizenship. The path will not be easy; it was not intended to be. Undocumented people will have to go to the back of the line, pay penalties and fines, work, pay taxes, learn English, and stay out of trouble.

The alternative, to deport 11 million people, is impractical, inhumane, and just plain wrong for our economy. Helping millions of immigrants get right with the law will boost our national economy by more than $800 billion over the next 10 years, and it will reduce the deficit by almost $1 trillion over the next two decades—a pretty good deal.

Last night's strong bipartisan vote on the Corker-Hoeven border security compromise was a huge step forward for this legislation. Opponents of immigration reform can no longer hide behind false concerns about border security. That is an understatement. There can be any excuse to oppose immigration reform. If it is, it is transparently obvious that they are just trying to figure out a way to vote against this legislation.

I hope those who have stood in the way of this legislation will instead join us to do what is right for our economy and humane for immigrant families. It is time to crack down on crooked employers—that is what they are—who exploit and abuse undocumented immigrants. It is time to give hope to 11 million immigrants who want nothing more than to become citizens of a place they call home.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Republican leader is recognized.

NATIONAL ENERGY TAX

Mr. MCCONNELL. Mr. President, in advance of the President's big speech today, I read this morning that one of the White House climate advisers finally admitted something most of us have suspected all along. He said, ''A war on coal is exactly what is needed.''

A war on coal is exactly what is needed. That is one of the President's advisers. It is an astonishing bit of honesty from someone that close to the White House, but it really encapsulates the attitude this administration holds in regard to States such as mine where coal is such an important part of the economic well being of so many middle-class families. It captures the attitude it holds with regard to middle-class Americans all across the country, where affordable energy is critical to the operation of so many companies and small businesses, and to the ability of those businesses to hire Americans and help build a ladder to the middle class for their families.

Declaring a war on coal is tantamount to declaring a war on jobs. It is tantamount to kicking the ladder out from beneath the feet of many Americans struggling in today's economy. I will be raising this issue with the President at the White House later today.

One of the sectors the President's war on jobs would hit is manufacturing. Ironic, perhaps, because just a few months ago it was President Obama himself who said:

I believe in manufacturing. I think it makes our country stronger.

Well, of course, that is correct. Manufacturing does make our country stronger. Just look at Kentucky. We are the first in the Nation in aluminum smelting. We are third in production of auto parts. Kentuckians know these types of businesses strengthen not just the Bluegrass State but our entire Nation. They provide well-paying jobs, economic growth, and tickets to prosperity for workers and their families. Yet in the global economy of the 21st century, retaining, much less expanding, our manufacturing core has never been more challenging than it is now.

We face relentless competition from all corners of the globe, so policymakers have to be careful about the types of policies they enact. Obviously, American success in this hypercompetitive world is strengthened when we keep taxes low and regulations smart. Perhaps most important, it is strengthened when we ensure energy is abundant and affordable.

These are energy-intensive industries, after all. If the White House moves forward with this war on jobs and raises the cost of energy, that would almost assuredly raise the cost of doing business. That would likely put jobs, growth, and the future of American manufacturing at risk. That is one of the many reasons Americans rejected the President's attempt to impose a national energy tax in his first term.

Even with overwhelming majorities in Congress, including a filibuster-proof, 60-vote majority in the Senate, Washington Democrats were unable to pass the President's energy tax. In the Senate, the Democratic majority would not even bring it up for a vote. Think about that. They could have pushed it through on their own without a single Republican vote, and yet they could not.

Why? Well, for one, the constituents we serve are a lot smarter than some in Washington might like to believe. They know we cannot impose a national energy tax without cutting jobs and significantly raising energy costs not just on their families, but also on their employers.

The data seems to bear out such concerns. I remember some projections showing that by 2030, the Waxman-Markey proposal could have decreased the size of our economy by about $350 billion and reduced net employment by 2.5 million jobs, even after taking job creation into account.

So Americans made their opposition to this tax abundantly clear to Members of Congress. In the 2010 midterm elections, they ousted a good number of those who voted for it in the House. Because of concerns about job losses, higher utility bills, and reduced competitiveness, Congress is even less inclined today to vote for an energy tax than when the President commanded such massive majorities in the first part of his first term.

It is fairly self-evident to say there is no majority for such an idea in the 113th Congress. The President shall also push ahead and ignore the will of the legislative branch, the branch closest to the American people. Whether they want it or not, he says he will do it by Presidential fiat.

I am sure we will find out more details in his speech today. If I am right, and I think I am, he is going to lay out a plan to do what he wants to do through executive action—in other words, more czars, more unaccountable bureaucrats.

The message this sends should worry anyone who cares about constitutional self-government, that the President can simply ignore the will of the representatives sent here by the people because he wants to, because special interests are lobbying him, and because he wants to appease some far-left segment of his base.

What I am saying is he cannot declare a war on jobs and simultaneously claim to care about manufacturing. He cannot claim to care about States such as mine where an energy tax would do great damage to countless Americans employed in energy sectors such as coal.

Wages are already failing to keep pace with rising costs for many people. Many families have seen their real median income actually decline in recent years. A survey released yesterday shows that three-quarters of Americans are living paycheck to paycheck. This is the reality of the Obama economy. Even in the best of times, imposing an energy tax would be a bad idea. In an era of unacceptably high unemployment, an era where Americans are finally desperate to focus on growing the middle class rather than throwing scraps to his wealthy supporters, ideas such as this border on absurdly self-defeating.

He may as well call his plan what it is, a plan to shift jobs overseas. Basically, it is unilateral economic surrender. To what end? Many experts agree a climate policy that does not include massive energy consumers such as China and India is essentially meaningless. The damage to our economy would be anything but meaningless. Ironically, those are the very types of countries that stand to benefit economically from our loss. Nations such as these will probably take our jobs, keep pumping more and more carbon into the air, and what will we have to show for it? That is a question the President needs to answer today.

Americans want commonsense policies to make energy cleaner and more affordable. The operative word is commonsense, because Americans are also deeply concerned about jobs and the economy. That is what the President should be focused on. Incredibly, it appears to be the farthest thing from his mind.

SENATE GROUND RULES

I have been mentioning on a daily basis the ongoing concern I have about the institution in which 100 of us serve, an institution that has served America well since the beginning of our country. The Constitution was framed back in 1887. George Washington presided over that Constitutional Convention. Legend has it he was asked, What do you think the Senate is going to be like? He reportedly replied it would be like the saucer under the teacup, and the tea that sloshed out of the teacup would go down into the saucer and cool

off. In other words, the Founders of our great country believed the Senate would be a place where things slowed down, were thought over, and obviously where bipartisan agreements would be the way to move forward.

Over the period of our history, the idea of unlimited debate has had a lot of support in this body from both parties. In fact, during World War I, it was agreed there ought to be some way to stop a debate. Prior to that, there was no way, actually, to stop a debate. They agreed to create a device called cloture that would allow a supermajority of the Senate to bring debate to an end.

Over the years there have been flirtations by majorities of different parties to fundamentally change the Senate. Those temptations have been avoided. Those temptations arose again at the beginning of the previous Congress and at the beginning of this Congress under the current majority and the current majority leader. There was a lot of discussion about the way forward for the institution that would benefit the institution and not penalize either side. In January of 2011 the majority leader said the issue was settled for the next two Congresses, the previous Congress and this one.

In spite of that, we entered into a lengthy discussion at the beginning of this Congress on a bipartisan basis. As a result of that, the Senate passed two rules changes and two standing orders. The majority leader once again gave his word that this issue was concluded.

Last January I asked the majority leader: ''I would confirm with the majority leader that the Senate would not consider other resolutions relating to any standing order or rules of this Congress unless they went through the regular order process?''

The majority leader said: ''That is correct. Any other resolutions related to Senate procedure would be subject to a regular order process, including consideration by the Rules Committee.''

The regular order process takes 67 votes to change the rules of the Senate. We did that with the two rules changes earlier this year, thereby confirming, again, that is the way you change the rules of the Senate.

The majority leader, in spite of having given his word, not once but twice, continues to suggest that may not be a word that is going to be kept and has continued to flirt openly with employing what is called the nuclear option.

My party, when it was in the majority some time ago, 8 or 9 years ago, flirted with it as well, but good sense prevailed and we moved backward. We moved into a position where we are today, which is it takes 60 votes when you have a determined minority to get an outcome.

The threat has been related to nominations and nominations only, as if somehow breaking the rules of the Senate to change the rules of the Senate would be confined to nominations in the future. The way that would be done, of course, is the Parliamentarian would say it was a violation of Senate rules to change the rules of the Senate with 51 votes. The majority would simply appeal the ruling of the Chair and do it with 51 votes. If that is ever done, the Senate as an institution we have known is finished, and it would not be confined to nominations in the future.

Senator ALEXANDER and I laid out a few days ago the kind of agenda we would probably pursue, almost certainly pursue, were we in the majority. It was an agenda that would in many ways horrify the current majority, such things as completing Yucca Mountain, repealing ObamaCare, national right-to-work—I mean, things I believe probably every single Member of the majority party would find abhorrent. But that is the point.

The supermajority threshold is inconvenient to majorities from time to time. It requires them to engage in negotiation in order to go forward. It is frustrating from time to time. It is important to remember—every Senate majority should remember—the shoe will someday be on the other foot.

The institution has served our country well. We have had some big debates this year in which we have had amendments, discussions on a bipartisan basis, and bills moved forward. We saw it on the farm bill. We have seen it on other bills. We may well see it on the bill that is on the floor of the Senate now.

The fundamental point before the Senate is we need to know if the majority leader intends to keep his word, because in the Senate your word is important. In fact, it is the currency of the realm here in the Senate.

I am going to continue to raise this issue because we need to resolve it. Senators need to know that words will be kept. The word on the ground rules of how we operate here in the Senate needs to be kept. We are not interested in a majority that says the definition of advise and consent is sit down and shut up, do things I want to do when I want to do it, or I will threaten to break the rules of the Senate to change the rules of the Senate. This is no small matter, and I will continue to address it until we get it resolved.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half.

The assistant majority leader.

ENERGY

Mr. DURBIN. Mr. President, in deference to the Presiding Officer, I am going to forgo my speech on the Stanley Cup playoffs until another Member is presiding later in the day.

Instead, I wish to address the speech made by the Senate Republican leader on the issue of our environment.

Senator MCCONNELL of Kentucky tells us if we are going to discuss the state of our environment in America, it is a war on coal and a war on jobs.

I think he is wrong. I think the Republican approach to the environmental issues is a war on science. It is a denial of the overwhelming scientific evidence that the weather affecting us on this Earth is changing. We know it. Storms, extraordinary storms, are more frequent and more violent than they have been. We know the polar icecap is melting. We know the glaciers are disappearing. We know the impact this will have on humanity as well as wildlife. Yet from the other side there is a complete denial of science. This is a war on science.

Their position is also a war on public health. Twenty-five million Americans suffer from asthma. Nearly one in five children with asthma went to an emergency department for care in 2009. To ignore the state of air pollution and the public health challenges it presents is to ignore the reality of the state of our environment and its impact on public health.

Finally, the public approach when it comes to this issue is a war on this Earth we call home. Unless and until the United States shows leadership when it comes to the environment, it is difficult, if not impossible, to convince other nations to do the same.

Today the President is going to make a speech which will be controversial about what to do with our environment. I think he is on the right track to engage us in a national debate, a debate about the legacy we leave our children and grandchildren when it comes to this Earth we live on.

Senator MCCONNELL's State of Kentucky is just south of mine. He has coal reserves in his State, as we do in Illinois. We have seen the use of those reserves, because of some of the contamination and chemicals that are associated with that coal, diminish dramatically over the last several decades.

I haven't given up on coal if it is used responsibly. This administration has invested in clean coal projects. One is called FutureGen 2. It is a project to capture the emissions coming out of

smokestacks from coal-fired electric powerplants and to bury them deep beneath the Earth, a mile beneath the Earth. It is capture and sequestration of these emissions. It is an energy research experiment which we are engaged in right now in central Illinois which I believe holds promise for the use of coal in the future in a much more responsible way.

How much can you store below the Earth in Illinois? We can store the emissions of over 50 coal-fired electric power plants operating for 50 years. Let's engage in that research. Let's find responsible ways to use coal.

This notion that moving toward energy efficiency and reducing pollution is going to cost us jobs isn't borne out by the evidence. We are seeing dramatic investments being made in manufacturing for solar, wind, and geothermal. We are seeing dramatic investments creating new American jobs because we are setting new standards for more fuel-efficient cars, for example. This is good for every family, every business in America. It is good for the environment, and it creates jobs. To suggest that dealing with the environment costs us jobs—exactly the opposite is true.

Let me also say a word about the Republican leader's concern about working families living paycheck to paycheck. Time and again on this side of the aisle we have offered to the Senator and his colleagues a chance to reduce the tax burden on working families in America by asking those who are doing quite well to pay a little more, and they have consistently said no. Again, we have asked the Republican leader and his colleagues to join us in raising the minimum wage and they have said no. So this concern about families struggling paycheck to paycheck should be borne out by some of their votes. That, to me, is essential.

Let me close by saying this: I believe the environment is a challenge we must face head on. To ignore it is to ignore reality. Lake Michigan, when measured just a few months ago, was at its lowest depth in any measured time in recent history. What we are seeing in global warming is the evaporation of our Great Lakes. It is a scary thing to think about what this will ultimately do to us.

The President is going to face the issue head on. There are some who want to run away from it. They can do that if they wish. But their war on science, their war on health, their war on those destructive forces that are affecting the Earth is shortsighted. We need leadership on this, bipartisan leadership.

Let me close by saying—and then I will yield to my friend from Maryland—that I will come back shortly after morning business to speak about this historic immigration bill. The 67-to-27 vote on the floor last night—bipartisan vote—is an indication that we have finally come up with a historic measure and one that is important for the future of this Nation. We will do many things around here, and important things, but hardly anything as important as fixing this broken immigration system. The fact that we can do this in the Senate on a bipartisan basis is a tribute to this institution getting back on its feet and putting aside some of the political battles of the past. I only hope our friends over in the House are watching this and understanding that only through bipartisanship can we cure and solve some of the problems our Nation faces.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Before my friend from Illinois leaves the floor, I wish to congratulate him on his incredible leadership on the immigration bill. The Senator from Illinois brought many issues to the compromise that was reached, but I particularly wish to thank him on behalf of the children for the DREAM Act that is incorporated in this legislation that will help so many young people.

I told a story on the floor of the Senate about a person who lives in Maryland who was offered a scholarship and had to turn it down. We found out he didn't have legal status in the United States. What a disappointment it was to him. I also told about a lot of other young people who have had the courage now to step forward, and the Senator's legislation will give them hope, in a very relatively short period of time, to be able to accomplish the dream of being in America.

So I wanted to applaud him and all the Senators who were involved—Senator SCHUMER just left the floor, his incredible work with Senators BENNET and MENENDEZ, and the Republicans the Senator from Illinois worked with, Senators MCCAIN, GRAHAM, FLAKE, and RUBIO.

The Senator is absolutely right. If we want a major bill done, it has to be done in a bipartisan way. It is not the bill the Senator would have written; it is not the bill I would have written, but I think the Senator from Illinois has done a great service, and I thank him.

Mr. President, I have cleared it on our side, and I ask unanimous consent that I be permitted to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION REFORM

Mr. CARDIN. Mr. President, yesterday was good news. It was good news for the eventual passage of S. 744, the comprehensive immigration reform bill. It is good news the Senate is on the verge of being able to pass this legislation because 11 million people who live in the shadows will now have hope they will be able to stay in America, work in America, and one day become citizens of this great country.

But the real winners of immigration reform are the American people and our government. We have a broken immigration system today, and this bill will allow us to replace that broken immigration system with a balanced approach on how to deal with immigration in this country. It is balanced first by recognizing border security is important. We have to make sure people coming to this country come in lawfully; that they come in through a door, not over a fence, and this bill clearly deals with the issues of border security.

The bill also deals with E-Verify for employers, to make sure employers only hire those who are legally present in this country. It also provides a way in which those who are currently here can come out of the shadows, get legal status, and earn a pathway to citizenship.

I say earn a pathway to citizenship because those individuals have to comply with our laws, pay our taxes, learn English, and then wait for the entire working backlog within the immigration system to be cured before they can apply for citizenship. So it is a way in which individuals who are currently here, who are law-abiding and are prepared to comply with our laws have a reasonable pathway to citizenship.

It also deals with realistic numbers for people who want to come to America, who want to make America their home, for family reunifications, as well as those who want to work in this country. By having reasonable numbers, we can get the skilled workers we need and we can get the seasonal workers we need.

The bill replaces a badly broken immigration system. As I mentioned to Senator DURBIN, it includes the DREAM Act. This gives children who have been here most of their lives, within a relatively short period of time, a pathway to citizenship in America.

I regret that border surge modifications were added to this legislation. I say that for many reasons. I thought the bill reported out of the Judiciary Committee, although it was not the bill I would have written, was well balanced on border protection. I think the additions that will be added later today will spend a lot of money with little results for the taxpayers of this country.

I think we have thrown money at a problem rather than trying to look at what should be done in the most cost-effective way. The cost benefits of these billions of dollars being spent are very marginal.

Most of the problems deal with employment. The E-Verify system is an important improvement in the bill, as reported out by the Judiciary Committee. When we look at who is likely

in the future to be illegal in this country, it is more likely to be people who entered the country lawfully and then are out of status than it is someone sneaking over the border. So I think we could have used the money in a much more effective way, and we are micromanaging border security, which, in the long run, will not be to the benefit of this country.

I couldn't agree with Senator LEAHY more in the statement he gave. We are waiving contractor rules by the amendment that is currently on the floor, and that is going to cause waste, fraud, and abuse. There is no question in my mind about that.

But what I find very hypocritical is that the same Senators who are on the floor day after day complaining about the size of government and government spending when it comes to educating our children, when it comes to dealing with our most vulnerable, when it comes to dealing with our health care system, are the ones who propose spending more money on border security than anyone thought was necessary.

We could have done this better. I am disappointed, and I think if one takes a look at it, the amount of money being spent exceeds any of the earmarked funds we were complaining of wasting in the past. I thought there was some benefit to earmarks. We talked about that, but we got rid of earmarks, and now we have a bill that is spending billions of dollars in an effort to deal with border security when we could have done it in a much more cost-effective way.

I am also disappointed in the amendment process that has been used in this legislation. I don't blame the majority leader at all. I do blame those who have been obstructionists in considering amendments on the floor. Republicans have complained about amendments being offered on the floor of the Senate in the past. We have given the opportunity on this immigration bill for us to consider amendments, but it was the same Republicans who objected to us considering the bill.

Senator LEAHY offered a group of noncontroversial amendments. It was a large group. Senator LANDRIEU has talked about this frequently. She offered her amendment to deal with children. In that group of noncontroversial amendments was an amendment I offered, and I still hope we will have a chance to deal with this—the RUSH Act. What does that deal with? It is amendment No. 1286, a bipartisan amendment. I am pleased Senators KIRK and PORTMAN have joined me in cosponsoring this amendment. It deals with Holocaust survivors, some of our most vulnerable citizens. On average, they are over 80 years of age. Many live alone, many live below the Federal poverty level, and they are desperately concerned about being institutionalized, as I think everyone can understand. This amendment makes it easier for them to access services under the Older Americans Act.

This is noncontroversial. It was before us, and it was objected to by a Republican, so we couldn't offer that series of amendments. That is not what we should be doing. We should be considering these amendments in an orderly way, but that was not allowed.

Let me mention one other amendment I hope we will get a chance to consider. That is amendment 1469, offered by Senator MCCAIN, and I have joined him. It deals with gross violations of human rights, internationally recognized human rights. Someone who has violated the basic international standards for human rights shouldn't be given a visa to come to America. We took action last Congress in dealing with the Magnitsky circumstances in Russia, denying gross human rights violators in Russia the opportunity to come to America and getting a visa. At that time, we talked about there being an international standard. Senator MCCAIN and I have led the charge with other Senators, and I wish to thank Senator WICKER for his work on these issues.

We should now have the opportunity. It is noncontroversial. No one has raised an objection to this amendment, so it should be considered. Yet because of the obstructionist policies to date, we have not had that opportunity.

I wish to mention a few other issues in the underlying bill that I think we can improve upon if we have the opportunity to consider reasonable amendments. One deals with profiling.

I have introduced legislation that would ban profiling. When law enforcement profiles based upon race, religion, national origin or ethnicity, it is bad police policy. It is bad law enforcement policy. It leads to sloppy work. It leads to a waste of resources, and resources are very scarce. It causes communities to turn against law enforcement rather than working with law enforcement.

All of us have said we want to get rid of racial profiling, and this bill does provide a way—a statement against profiling. But it is not as strong as it should be, and there are some unintended consequences as a result of the language included in it.

I think it is very appropriate I am talking about this today as the Trayvon Martin case starts in our courts—the youngster who, as a result of racial profiling, lost his life. I have introduced amendment No. 1267, which would add to the basic bill against profiling, profiling based upon religion or national origin. It would remove a broad exception to the bill that is included, and that is well intended but I think compromises the purpose of the underlying bill, which is to prevent profiling.

I have also offered amendment No. 1266, which deals with additional scrutiny and screening given to certain individuals. The underlying bill says it can be done by country or region. That is profiling. If we have specific information, let us use specific information; otherwise, again, we are going to be wasting the resources of our security system. The best use of resources would have us use information for additional screening rather than just saying from one region of one country.

By the way, if you can get a visa from those countries, then there is obviously a reason for an individual to be here. So unless we have a specific reason for additional screening, we shouldn't be doing that by region or country.

The two amendments I referred to are supported by many groups. They are supported by the Leadership Conference on Civil and Human Rights, by the NAACP, by the AFL–CIO, and I can mention other groups that have urged us to modify the underlying bill with these changes.

I held several townhall meetings in Maryland on the immigration reform bill. They were well attended. I thought the discussions were very positive. They were focused on how we can make this bill a better bill and eliminate some of the unintended consequences. Several at these townhall meetings talked about the registered provisional immigrant status and certain requirements in order to stay in that status and have a pathway to citizenship. One of the requirements is an individual has to be regularly employed. We understand that. That is a good requirement. However, there are times when we have to understand that may not be practical—during an economic downturn, when someone is in school. The bill recognizes school, education, is an acceptable substitute for regular employment. But if someone is unemployed for a 60-day period, they run the risk of losing their legal status in this country.

I offered an amendment that said volunteering in community service would be an acceptable substitute. This is a win-win situation. Someone who volunteers is helping our community and also learning more about the needs of our community. This had the support of the AFL–CIO. They understand the reasonableness of our labor circumstances. I hope we will still have a chance to consider that modification.

I was also in discussions that came out of these townhall meetings dealing with those who have violated our laws perhaps many years ago on maybe not a very serious issue. There should be at least some flexibility in the law for extenuating circumstances, so someone is not jeopardized to be deported because of something that is not relevant to today—that person being law-abiding. I hope we can consider that.

I offered amendment No. 1264, which deals with private prisons. I think our

colleagues were surprised to find out that about half of the 14,000 ICE detentions are detained in private penal facilities, not Federal facilities.

We want accountability. This law provides for accountability for those who are detained. But a FOIA application, where one can get information, only applies to Federal prisons. It doesn't apply to non-Federal prisons. I offered a commonsense amendment that I don't think is controversial that would apply the same oversight to private non-Federal prisons as we do to Federal prisons. We all talk about accountability and responsibility of accountability. I think that amendment makes good sense.

So this is not the bill I would have drafted. I would have done other things. I would have spent money a little bit differently than is spent here, and certainly not as much money. I would have taken care of some of the problems on profiling, and I certainly would have dealt, on some of the other issues, with Holocaust survivors. I still have hope that some of these amendments can be considered and adopted. I know people are working on that, and I hope we can work on a package that will improve the bill, particularly the noncontroversial amendments.

I spoke on the floor a couple weeks ago as to why I support this bill. I talked about a high school student who found out he was eligible for a scholarship, only to find out he couldn't take it because of his legal status. I talked about young people who were separated from their parents who have been deported. I talked about employers who have seasonal needs and workers who are well-trained, highly skilled. There are scientists who are desperate for immigration reform so they can meet their economic needs. I have talked at great length how this bill will help the American economy, help us be more competitive internationally, and how this bill is compassionate as to what America should stand for on its immigration policies.

So this is not a difficult choice for me to make. I support this legislation and will be voting for this legislation because I do think it is in the best interests of our country. I do hope we have an opportunity to improve this legislation before we vote on it. I hope we can adopt some of these noncontroversial amendments, but I do hope we will send this bill to the House of Representatives.

I urge my colleagues in the House to follow the example of the Senate, to listen to each other and work across party lines so we can pass comprehensive immigration reform and send it to the President of the United States for his signature.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Mr. President, I ask unanimous consent that during the quorum call the time be equally charged to the majority and to the Republicans.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHANNS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RULES OF PROCEDURE

Mr. JOHANNS. Mr. President, I rise today to speak about longstanding rules of procedures and traditions of the Senate.

I have watched with interest over the past few weeks as members of the majority have continued to threaten to break the Senate rules in order to impose a majority rule at the expense of minority rights. We continue to hear threats of the nuclear option by which the majority would break the rules to change the rules.

Despite past assurances from the majority that rules changes would only occur through regular order, they continue to threaten the exact opposite. Make no mistake, this is not some inside-the-beltway squabble over parliamentary procedure. The longstanding rules allowing for unlimited debate and amendment protect every American whose voice is represented by the minority in the Senate. These protections are especially important for Americans who live in rural and less populated States. That would include my home State of Nebraska.

The Constitution specifically designed the Senate to function in a manner that was very different and very distinct from the House of Representatives. The threat of the nuclear option clearly abandons this intent. The majority leader has affirmed the importance of filibuster rights to small States, arguing they are ''a unique privilege that serves to aid small States from being trampled by the desires of larger States.''

I continue to be astounded by the insistence by some that we trample over these rights, especially given the significant nominations and legislation the Senate has recently considered.

It has been noted by many metrics the Senate has more rapidly confirmed President Obama's Federal judicial nominations than it did during the time of President Bush's administration. In addition, over the past few months the Senate has passed significant pieces of legislation: the farm bill, the Water Resources Development Act, and the Marketplace Fairness Act. We have considered bills I have supported and bills I have opposed. But the fact is we have given these pieces of legislation due consideration that would be required of the world's greatest deliberative body.

At the beginning of this Congress, the Senate agreed to a new standing order to expedite Senate consideration in extraordinary circumstances. But the majority leader has not even attempted to use the expedited procedures—not once. So I ask why, then, threaten the very fabric of how this institution was created?

I have served in the Senate just 4 years, all of which I have been a Member of the minority. I would caution my colleagues whose experiences have been conversely limited to serving only in the majority that should the majority go down the road of the nuclear option, there is no turning back. There will come a day—perhaps soon—when control of this Chamber will shift, and the current majority will not like what it sees when it is in the minority.

My colleague, the senior Senator from Tennessee, recently outlined a number of priorities he would pursue should we find ourselves in that situation where a Republican-controlled Senate could use majority rule.

I am not going to be here in the 114th Congress, but I thought I would outline some policies I would support should the current majority take us down that road. Perhaps my list of priorities will give some ideas to my colleagues who will be serving in the next Congress. Here are just a few policies I would highlight, many of which have already received majority support in the Senate but have fallen short of the 60-vote threshold.

First, and most important, the repeal of the health care law that promised the world but delivered only chaos, confusion, and higher costs. You can bet the Senate would repeal all 2,700 pages with one 15-minute rollcall vote. In addition, without having to worry about the opposition of the current majority, we can enact responsible reforms to rein in debt and deficit. Reforming our entitlements would, of course, need to be center stage since that is where the money is spent.

Another priority would be to prevent regulatory overreach by heavy-handed executive agencies, such as the EPA. Very specifically, we could overturn the EPA's pursuit of cap-and-trade through the regulatory process just announced today by the President and force EPA to back off regulations with more costs than benefit.

Next, we would promote investment and job growth by immediately approving the construction of the Keystone XL Pipeline. We can further support energy independence by continuing development of the Yucca Mountain nuclear waste repository which has been stalled by the majority leader despite substantial support. This is critical to nuclear plants across this Nation, including two plants in Nebraska.

Another focus would be to provide transparency and reform at the Consumer Financial Protection Bureau. I would require legislative oversight of its budget and replace the unelected head of the CFPB with an accountable board. Why stop there when we could repeal the entirety of the Dodd-Frank Act and replace it with a more responsible approach?

The Republican-controlled House of Representatives, which the Senate would essentially mirror, passed 270 bills that the current majority leader declined to even consider last Congress. Should the current majority irrevocably alter the rules of the Senate, a new Senate majority could just railroad all 270 bills through the process, and all those treasured policies the majority puts in place will get repealed—perhaps before they ever get implemented. Ping-ponging from the whims of one 2-year cycle to the next is not a way to govern. It is the very reason our Founders designed the Senate as a counterweight to the House.

I say to those colleagues who would so quickly disregard the Senate rules: Be careful what you wish for. Under this approach, your procedural right to debate, to amend, to raise points of order, all of that would be useless. Your vote, your voice, and the voice of your constituents would be effectively silenced. That is not the Senate the Framers envisioned when they brokered the agreement that established our constitutional approach. I will leave with the words of Senator Robert C. Byrd, with whom many of us had the pleasure of serving and whose love and knowledge of the Senate remains unsurpassed to this day.

The Senate has been the last fortress of minority rights and freedom of speech in the Republic for more than two centuries. I pray that Senators will pause and reflect before ignoring that history and tradition in favor of the political priority of the moment.

I hope the majority heeds his call to place history and tradition and our Nation over the political priority of the moment.

I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from Wyoming.

ENERGY POLICY

Mr. BARRASSO. Mr. President, today President Obama is supposed to unveil a national energy tax that will discourage job creation and increase energy bills for America's families. This announcement about existing powerplants comes after the Obama administration has already moved forward with excessive redtape that makes it harder and more expensive for America to produce energy. It also comes as a complete surprise to the Members of the Senate, especially since Gina McCarthy—the President's nominee to lead the Environmental Protection Agency—just told Congress it wasn't going to happen.

She is currently the Assistant Administrator of the EPA. Here is what she told the Senate about regulations on existing powerplants: EPA is not currently developing any existing source GHG regulations for power plants.

As a result, she said: We have performed no analysis that would identify specific health benefits from establishing an existing source program.

With today's announcement by President Obama about existing powerplants, it is clear Gina McCarthy is either arrogant or ignorant. She either didn't tell the truth to the Senate or she doesn't know what is going on within her own agency. Either way, such a person cannot lead the EPA.

To the point that this morning's National Journal Daily—with a picture of her right there on the front page—says: ''Obama's efforts could make EPA nominee Gina McCarthy's confirmation more difficult.'' In this economy, the last thing we need to do is have a national energy tax that will discourage hiring and make energy even more expensive.

Also, I might point out to the White House that they continue to say the main objective of the President's plan today is to ''lead the rest of the world.'' Based on the news of the last week, it is clear that the rest of the world, including China and Russia, isn't following President Obama's direction or his leadership.

NUCLEAR WEAPONS

That brings me to my next topic. Last week, President Obama gave a speech at the Brandenburg Gate in Berlin. In that speech, he said he plans to cut the number of America's deployed strategic nuclear weapons by up to one-third. This would be a drastic cut and would be on top of the drastic cuts in the New START arms control treaty from less than 2 years ago. President Obama's latest defense cuts are shortsighted and his approach to making this important announcement has been far too hasty.

First of all, in the President's speech, he repeated what has been sort of a mantra for people who want to eliminate all nuclear weapons. He said: ''So long as nuclear weapons exist, we are not truly safe.''

In 1987, President Ronald Reagan went to the same spot at the Brandenburg Gate in the shadow of the Berlin Wall. He gave a speech in which he urged the leader of the Soviet Union to ''tear down this wall.'' In that speech, President Reagan also said freedom and security go together.

In contrast to President Obama's idealism, President Reagan grounded his beliefs in history and in facts. We have experienced a world without nuclear weapons. Great powers went to war with each other repeatedly, which caused unthinkable amounts of death and suffering. The estimated number of dead from World War II generally ranges from 45 to 60 million. We haven't had a war with that kind of global death toll since then. Nuclear weapons and their deterrence power are a critical reason for that.

Ronald Reagan knew America's nuclear deterrent helped keep Americans safe and helped keep our country free. I think it is important we recognize that essential truth. President Obama seems to base his plan to cut America's defenses on this false notion that we are safer without nuclear weapons. This is a serious problem.

Second, I think it is important to recognize that a vital part of the deterrent is what is called the nuclear triad. This is the idea that we, as the United States, have three ways we can defend America.

We have nuclear weapons on bombers that can be flown to where they are needed, we have nuclear weapons that can be launched from the ballistic missile submarines that are stationed around the world, and we have nuclear weapons in the ground that can launch intercontinental ballistic missiles. All of these have different uses and together they have a flexible, survivable, and stable nuclear deterrent. The triad ensures other major powers are never tempted to go too far and threaten America's security or that of our allies.

So the second thread of President Obama's plan is that it could require substantial cuts to the ICBM force across the country, which means a weaker triad, a weaker deterrent, and a weaker defense.

The Secretary of Defense gave a speech the other day too. He committed to actually keeping the triad of air, sea, and land-based deterrents. If the President is serious about protecting Americans and our allies, he should immediately announce he agrees with what his Defense Secretary said the other day. The President needs to reassure the American people that he will take no steps that could weaken the triad or any parts of it.

The question is, Why now? The Senate just ratified a new START about a year and a half ago. That treaty set new levels for nuclear weapons and for delivery vehicles, but we haven't had time to even implement those new levels and the President goes and makes this next statement. Why the big rush

to say those levels are all wrong and we need to cut even more nuclear weapons?

In 2010, the Senate held hearings about New START. The head of the U.S. Strategic Command at the time was General Chilton. He was asked if the treaty allowed the United States ''to maintain a nuclear arsenal that is more than is needed to guarantee an adequate deterrent.''

General Chilton said:

I do not agree that it is more than is needed. I think the arsenal that we have is exactly what is needed today to provide the deterrent.

A former Secretary of Defense testified at the same hearing, James Schlesinger. He said the strategic nuclear weapons allowed under New START are adequate, though barely so.

What has changed from the testimony in 2010 or since the Senate ratified the treaty at the end of 2011? The level was barely adequate a couple of years ago. It was exactly what was needed then. So how can we now cut another 33 percent off that level? That is what the President is proposing. The only thing that has changed since then—it seems to me—the threat of hostile nuclear programs has become even greater.

As countries that are not our friends grow closer to modernizing their nuclear weapon program, it would be irresponsible for us to weaken our own program. We haven't even had a chance to confirm that Russia is complying with its obligations under New START. Russia has a long history of not complying with treaties. President Obama set out to reset relations between our two countries. There is no evidence that anything has changed.

Even the Washington Post admitted the failure of the so-called reset. They ran an editorial last week with the title ''A starry-eyed view of Putin.'' It said:

In touring Europe this week, President Obama has portrayed Russia's Vladmir Putin as a ruler with whom he can build a constructive, cooperative relationship that moves us out of a Cold War mind-set.

They go on to say:

It's a blinkered view that willfully ignores the Russian President's behavior—

willfully ignores the Russian President's behavior.

The Washington Post got it right.

Finally, the President seemed to be laying the groundwork in his speech for a new round of cuts he could do unilaterally. That would be a mistake. Any further reductions in America's nuclear defenses should be done through a negotiated treaty with Russia. That means a thorough process open to the scrutiny of the American people and subject to full consideration by this body.

New START included a resolution of ratification that specifically says future nuclear arms cuts can be made only—only—through a treaty. Arms control advocates pushing President Obama to make more cuts know that negotiating in public is difficult. They would prefer to strike backroom deals.

That is not the political system our Framers designed. They specifically require two-thirds of the Senate to ratify treaties. Such important decisions should not rest in the hands of the President alone or with his selected advisers.

Under the President's plan, he would cut our nuclear defenses 55 percent. Russia continues to modernize its nuclear arsenal. China is expanding its nuclear stockpile. Iran is accelerating its nuclear efforts. North Korea continues its nuclear threats. We already have the New START Treaty. It would be irresponsible to move forward with these sorts of cuts the President is talking about without extensive discussion with the American people and Congress.

The world remains a very dangerous place. Instead of drastically weakening America's defenses, the President should focus on stopping countries such as Iran and North Korea from expanding their nuclear programs. America can't afford to lose the full deterrent effect of a strong nuclear defense.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Republican whip is recognized.

Mr. CORNYN. Mr. President, I wish to start by thanking the Senator from Wyoming for his comments this morning. I think they are right on the mark. Throughout world history we have tried the appeasement of those who would seek to use their power to bully other people into submission, and I worry the President is taking a naive approach here and unilaterally disarming the United States in the face of a rising threat from Russia and other parts around the world. So I thank the Senator for his very important comments on a very important topic.

IMMIGRATION REFORM

Mr. CORNYN. Now that cloture was invoked on the underlying Leahy amendment, I think it is very important the American people and Members of Congress look more closely at what actually is in the immigration bill we will be voting on during the course of this week and, presumably, if the majority leader has his way, will see pass this Chamber and head over to the House of Representatives.

It was three years ago when the Democratic House leader and the former head of that Chamber NANCY PELOSI famously said we would have to pass ObamaCare in order to find out what was in it. We have all said things we regret, and I bet if she had it to say over again, she would not have said it that way. Indeed, it seemed to strike such a responsive chord in people because the public realizes what we should acknowledge, which is when it comes to 2,700 pages of legislation passed through without adequate deliberation and an understanding of what is in it, purely on a partisan vote, we are bound to make mistakes.

Unfortunately, we know how ObamaCare turned out. We have now seen bipartisan votes to repeal certain portions of it such as the 1099 requirement. We have seen an overwhelming bipartisan vote that would suggest sooner or later we will repeal the medical device tax, which is a gross receipts tax on the people who are innovating and creating jobs right here in America and creating access to high-quality health care, which makes us second to none. We saw how it turned out with ObamaCare.

Now, once again, we are being urged to enact a massive piece of legislation before the American people are fully aware of what is in it. Indeed, some supporters of the immigration bill are hoping some of its more outrageous elements will go unnoticed. Well, that is not going to happen. We are going to be spending the next few days, until this bill passes this Chamber, to point out some of the more indefensible provisions in the underlying bill.

Today I wish to talk about what I think is arguably the most indefensible portion of the bill—the part that grants immediate legal status to immigrants with multiple drunk driving or domestic violence convictions.

As we know, in the underlying bill, those who apply for and qualify for registered provisional immigrant status can stay in the United States and work for up to 5 years, providing they meet the terms of that probationary status, and they can actually reapply for another 5 years and then eventually, after 10 years, they can qualify for legal permanent residency, which is the pathway to American citizenship as early as 3 years from that time. But under the provisions of this bill, immigrants who are out of status—undocumented immigrants—can get access to probationary status and get on a pathway to legal permanent residency and citizenship, even though they have committed multiple incidents of driving while intoxicated or domestic violence. Most Americans aren't aware of these provisions, but I can assure my colleagues everyone will suffer the consequences if this ill-considered provision becomes the law of the land.

In fiscal year 2011, Immigration and Customs Enforcement deported 36,000 individuals with DUI convictions; that is, driving under the influence convictions—nearly 36,000 people. That gives us an idea of how big this problem is and what the consequences are of turning a blind eye to this provision in the underlying bill and what impact it might have on the public.

Last week I shared a few stories from my State of Texas, including the story of the sheriff's deputy in Harris County named Dwayne Polk, who was killed last month by an illegal immigrant drunk driver who had previously been arrested for, No. 1, driving under the influence and, No. 2, carrying an illegal weapon. Today I wish to share two more stories.

In August 2011, an illegal immigrant drunk driver crashed his car in Brenham, TX, killing four other people, all of whom were under the age of 23 years old. We subsequently learned the driver of the car had been arrested just weeks before that deadly accident for—you guessed it—drunk driving. Yet because his initial offense was technically a class C misdemeanor, he was not taken into Federal custody and deported.

In March 2012, an illegal immigrant drunk driver crashed his vehicle into an apartment building in Houston, killing a 7-year-old boy and leaving a 4-year-old boy with severe burns on nearly half of his body. Not surprisingly, the drunk driver had been arrested for DUI once before in 2008, and in 2011, he had been charged with attacking his wife by punching her in the face.

We know drunk drivers and domestic abusers tend to be serial or repeat offenders. In other words, it is rare that people who have engaged in domestic violence only do it once and people who drive while intoxicated only do it once. By offering registered provisional immigrant status to illegal immigrants with multiple DUI convictions or domestic violence convictions, we are virtually guaranteeing more innocent people will lose their lives or become victims of violent crime. That is unconscionable and it is indefensible.

Last week I challenged any Member of this Chamber to come down to the floor and defend these provisions, and I repeat that challenge today. I don't think we will find any takers, because we cannot defend the indefensible, and granting legal status to drunk drivers and violent criminals is just that: an indefensible policy that will inevitably have tragic circumstances.

Provisions such as this one are one more reason why this bill is dead on arrival in the House of Representatives.

One final point. Many critics of my border security amendment called it a poison pill which, of course, was ridiculous because it used the same criteria used in the underlying framework written by the Gang of 8. But leave that aside. Here is what I would say to those critics: If we want to know what a real poison pill is, all we have to do is read through these provisions with regard to criminal justice in the Gang of 8 bill. We should not be supporting legislation that grants immediate legal status to drunk drivers and domestic abusers. I can understand why the American people are asked to extend an act of uncommon generosity for people who enter our country in order to work and provide for their families, but for those who have demonstrated their contempt for the rule of law and for the legal standards which govern all Americans, I don't think they deserve this sort of extraordinary treatment. I hope there is somebody who will come to the floor and explain why these provisions are in the bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. DURBIN. Mr. President, we have an historic opportunity here in the Senate. It doesn't happen very often. This is a bipartisan bill. How about that. Yesterday we had 67 votes in favor of this immigration reform package. We would have had 69, but two Democratic Members were held up because their flights were delayed and they couldn't make it. Sixty-nine. It basically means we had somewhere in the range of 17 Republicans joining with the Democrats. That is amazing on an issue this controversial.

I have been engaged in meetings on this measure for quite a few months. Eight of us, four Democrats and four Republicans, all over the political spectrum, sat down and said we were going to come up with a bill. It wouldn't be perfect and not one single individual Senator was going to like it, but together we are going to agree on something, and we did. There are parts of it I don't like at all. There are parts of it I think are great. That is the nature of a compromise, and that is what we are expected to do.

It is a long bill. This is the bill we voted on yesterday. Even though many Members are complaining about the size of this bill, most of it has been out there now for almost 2 months. Even a slow-reading Senator should have been able to get through it. One hundred new pages were brought in yesterday, I will concede, over the last 4 or 5 days, but at least 100 pages can be addressed by most Senators and their staff.

Why do we need to do this? Why don't we take the easy way, find something wrong in here and vote no? I guarantee I can point to five or six sections I would rewrite. If we do that, where do we leave our country? We leave 11 million people who are undocumented living in the shadows, fearing they may be deported tomorrow, working for below-minimum wage under intolerable conditions, competing with American workers. We don't know who they are officially, where they live, or what they do. For the security of the United States, for the competitiveness of American workers, this is a bad situation.

What we do is say to these people, Come forward. Come forward and register with the government. That is the first step. If a person was here before December 31 of 2011, he or she can qualify, but they have to go through a criminal background check.

The Senator from Texas raises questions about whether that background check should be modified this way or that way. I can certainly argue one way or the other as to how it should be modified. But in a 1,200-page bill, that is one very small section—an important one but only one.

What I am suggesting is we are better off as a Nation to have 11 million people come forward, identify themselves, register with our government, pay their taxes, pay a fine, and submit themselves to a criminal background check before we allow them to stay in this country. That is certainly better than the current situation.

On the other side, this bill also creates an opportunity for them. After 10 years—10 years of being monitored by our government—they have a chance to move into a status where they can start working toward immigration in a 3-year period of time—working toward citizenship in a 3-year period of time. Thirteen years. This is no amnesty. During that period of time before they become citizens, they will have paid, under our bill, some $2,000 in fines, paid their taxes for every single day they worked, learned English, and, of course, submitted themselves to this continuing background check. We are a better Nation when that occurs.

In addition to that, there are provisions in here that relate to a group of undocumented that mean an awful lot to me personally. Twelve years ago I introduced the DREAM Act. The DREAM Act said if a person was brought here as a baby, an infant, or a child, and that person had been educated in the United States, graduated high school, has no serious criminal problems, they then have a chance to become a citizen by completing at least 2 years of college or enlisting in our military. I have been trying to pass that for 12 years. It was I think 2 years ago we had the last vote on the Senate floor on the DREAM Act. Every time we have called it we got a majority, but we couldn't pass it because of the Republican filibuster.

The last time we had this debate, those galleries were filled with young people who were undocumented in caps and gowns. They were sitting there to remind us they were graduating from our schools—among them valedictorians, many who had been accepted to college but could not afford to go because they were undocumented.

This bill deals with these DREAMers, as we call them today, and gives them a chance to become citizens. About 500,000 of them have come forward already under the President's Executive order. Their stories are amazing and inspiring.

At a meeting with President Obama 2 weeks ago, we talked about the DREAM Act. He said: When the

DREAMers came into my office and told their stories, there was not a dry eye in the room—the sacrifices they are making in the hope they can become part of America's future.

I have the greatest faith in them, and I know they are not going to let me down. Their stories are going to continue to inspire us, and they are part of this bill.

Can I find one section in this bill I disagree with? Sure I can. But can I turn my back on 11 million people being given a chance to come forward, register, and become part of America with some strict conditions? Can I turn my back on 1½ million DREAMers—and that is an estimate—who would finally get their chance to be part of America's future? No. I am not going to turn my back on them. I will work to improve this bill, but I am not going to walk away from it. Walking away from legislation, voting no may be an easy thing for some, but when it comes to this, it is not easy for me. It is something I will not do. I want to stand by it.

Let me say a word about the rest of the bill. There are provisions in this bill that deal with things we do not think about. Here is the reality: If you happen to be a grower, growing fruits and vegetables in America, and you put out a sign ''Help Wanted''—would you like to come and pick strawberries in Salinas Valley in California; would you like to come pick apples in southern Illinois—there are not a lot of local kids who sign up. It is hard work, some say dangerous work, and I believe it is. Those who do these jobs—the migrants who come in and work—do it for a living. It is hard, tough labor. Without them, these crops do not get picked and processed and we suffer as a nation.

This bill has a provision on agricultural workers that is extraordinary. MICHAEL BENNET of Colorado and DIANNE FEINSTEIN of California are two who sat down with MARCO RUBIO of Florida, and others, and they worked out an agreement that has been signed on to by the growers and the unions representing the workers. How about that. A business, management, and labor agreement when it comes to ag workers. That is in this bill too. Should we walk away from that?

There is a provision as well to try to tap into the talent that is educated in America that can help us create jobs.

Let me say that one of the things I insisted on in this bill is that before anyone is brought in to fill a job from overseas, you first offer the job to an American. That, to me, is the bottom line. That is my responsibility as a Senator who represents many of the people who are unemployed today. But this bill takes a step beyond that. If you cannot fill that position, you have an opportunity to fill it with someone brought in from overseas.

I will give an illustration. The Illinois Institute of Technology—which is an extraordinary school for engineering and science in the city of Chicago—at their commencement a few years ago when I spoke, virtually every advanced degree was awarded to someone from India. Today, virtually every advanced degree is awarded to someone from China.

I have met some of these graduates, and I have said to them: With this education—the best in the world—would you stay in America if you were offered that chance? They said yes. Why would we educate them and send them off to compete with American companies? If they can be brought into our companies and create American jobs and opportunities with them, it is good for all of us. That is part of this bill as well.

As I look at this bill, this is a historic opportunity to solve a problem which has not been addressed seriously in 25 years, a problem which we know confounds us as we deal with 11 million undocumented people within our borders and one which truly reflects on our values as a nation.

I gave a speech last week to a group in Chicago, and I talked about the diversity of this group, the group that was gathered—Black, White, and Brown, young and old, men and women—and I said: If I asked everybody in this ballroom to write their family story, their personal story, each would be different. But there would be two chapters in that story that would be the same. The first chapter you might entitle ''Out of Africa'' because that is where we all started. It was 70,000 years ago when the very first immigrants left Ethiopia, crossed the Red Sea into the Arabian Peninsula, and literally populated the world. How do we know that? Because we can find chromosomal DNA that dates back to those original immigrants in every person on Earth. We all started in the same place 70,000 years ago, emigrating out of Africa.

The second chapter would be entitled ''Coming to America.'' Every single one of us has a different story. My chairman is proud of his Irish and Italian heritage. His wife is proud of her French-Canadian heritage. I stand here proud of the fact that my mother was an immigrant to this country from Lithuania, brought here at the age of 2. Now it is my honor to stand on the floor of the Senate and represent 12 or 13 million people in the great State of Illinois.

As I have said before, that is my story, that is my family's story, that is America's story.

We have to get this right because immigration is not just a challenge, it is part of the American heritage. It is who we are. The courage of Senator LEAHY's family, the courage of my grandparents, to pick up and move and come to a place where many of them did not even speak the same language is part of our American DNA. That is what makes us different, and that is what makes us better, I guess I might say with some pride in where I came from.

We have to honor that tradition with this immigration reform bill, and I believe we do. To walk away from it at this point in time, to find some fault or some section that you disagree with is just not good enough. We have to accept our responsibility.

Yesterday 67—maybe 69—Senators were ready to do that. By the end of the week, stay tuned. We have a chance to pass this bill and make America a stronger nation, be fair and just to people who are here, and honor that great tradition of immigration.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

DREAM ACT CHAMPION

Mr. LEAHY. Mr. President, one, I wish to applaud the senior Senator from Illinois for his statement, and I will say publicly on the floor of the Senate what I have said to him privately, what I have said to him in our leadership meetings, and what I have said to him in our caucuses, that he is the champion of the DREAM Act. That act—when it finally passes, will give these DREAMers a better life, and there will be one person they can thank most and that will be Senator DICK DURBIN of Illinois. Because for the time I have known him—and it has been years—this has been first and foremost over and over again, and I just want to state my admiration for the Senator from Illinois for doing that.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 744, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 744) to provide for comprehensive immigration reform and for other purposes.

Pending:

Leahy modified amendment No. 1183, to strengthen border security and enforcement.

Boxer-Landrieu amendment No. 1240, to require training for National Guard and Coast Guard officers and agents in training programs on border protection, immigration law enforcement, and how to address vulnerable populations, such as children and victims of crime.

Cruz amendment No. 1320, to replace title I of the bill with specific border security requirements, which shall be met before the Secretary of Homeland Security may process applications for registered immigrant status or blue card status and to avoid Department of Homeland Security budget reductions.

Leahy (for Reed) amendment No. 1224, to clarify the physical present requirements for merit-based immigrant visa applicants.

Reid amendment No. 1551 (to modified amendment No. 1183), to change the enactment date.

Reid amendment No. 1552 (to the language proposed to be stricken by the reported committee substitute amendment to the bill), to change the enactment date.

Reid amendment No. 1553 (to amendment No. 1552), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, yesterday the Senate voted to adopt an amendment offered by Senators CORKER and HOEVEN relating to border security.

I have some misgivings about the policy contained in that amendment, and I have spoken to that on the floor. But, at the same time, I commend these Senators for engaging on this legislation and taking the steps they feel are necessary to gain broader support for the underlying bill. We are now one step—one big step—closer to a Senate vote on comprehensive immigration reform legislation.

I would like to take just a few moments to reflect on why this legislation is so important and to remind the Senate that as we consider the bill, we should remember that at its core it is about people. It is about families seeking the promise of America. It is about children whose parents want what any parent wants for their child—the opportunity to succeed, to prosper, to live in a free, open and welcoming society.

To me, the bill is less about numbers and metrics or border fences and technology than it is about human beings and the natural desire we all have to better ourselves, our families, and to give our children the lives we wish for them.

The measures in this legislation will give those affected by it the freedom to get on the path to becoming Americans. Our history of immigration is one that honors our free and open society and which has strengthened it.

Immigration has, in part, been the story of enlarging a society made up of individuals who, no matter their vast differences, all believe in the promise of American democracy and the values given to us in our Constitution. When we welcome those who yearn for these values, we strengthen and renew them.

Of course, we are a nation of immigrants. Past immigration has helped shape this country and deepen its economic and cultural vibrancy, touching every State and every community—from the Presiding Officer's far western State of Hawaii to my own northeastern State of Vermont.

After the Revolutionary War and into the early 1880s, for example, Vermont had been the slowest growing State in the Union. Old growth forests had been stripped and farms had been worn out. But immigrants helped reclaim forsaken farms and build and operate budding new factories in new centers of industry across the Green Mountain State.

The United States has been made stronger by the diverse cultural background that has been woven into our national fabric. This Vermonter is the grandson of immigrants to Vermont from Ireland and Italy, and our heritage is one of which my family and I are fiercely proud.

To appreciate the values inherent in our immigration policy, I need only to look at the experiences of my own family and the family of my wife Marcelle. Marcelle's mother and father, Louis Philippe Pomerleau and Cecile Bouchard Pomerleau, immigrated to the United States from the Province of Quebec in Canada. Marcelle is a first-generation American born in Newport, VT, and, of course, to me, is the greatest contribution her mother and father made to Vermont and America.

But Marcelle's mother and father contributed much to Vermont and to America in business, in music, and enriched their own community. Members of her family went on to establish successful businesses and become leaders in their communities and they have given greatly to Vermont. Marcelle grew up to serve the communities in which she lived as a registered nurse, caring for others in Burlington, VT, in Washington, DC, and in Arlington, VA.

Similar to many young immigrants in our country, Marcelle grew up in a bilingual household, knowing two different cultures. But this is America for so many, where young people grow up in families where multiple languages are spoken, where traditions from multiple cultures are observed. This enriches America.

My maternal grandparents came to this country from Italy. My grandfather, similar to many others who came to Vermont from Italy, was a granite carver. He opened a granite business in central Vermont. The hard work and determination of my maternal grandparents—who did not speak English when they arrived—to settle in this country laid the foundation for my mother and our family.

My paternal great-grandparents came from Ireland, and my grandfather, who was named Patrick Leahy—and I am named after him—worked in a stone quarry as well. They worked hard. They had a family. I grew up the son of printers in Montpelier, our State capital.

But nearly every American family has a story similar to mine and Marcelle's. We are more alike than we are different from today's immigrants and first-generation Americans.

The majority of new immigrants will continue this proud tradition of hard work, the drive toward prosperity, and embracing the values that make America great. They will someday tell their children and grandchildren of their own immigrant histories, as Marcelle and I learned from our parents and our grandparents. The bill we consider will continue to cycle growth and renewal. It will improve on many aspects of our immigration system.

The bill before us contains measures that are important to many Vermonters. I have a provision that takes an important step toward restoring privacy rights to millions of people who live near the northern border by injecting some oversight into the decisionmaking process for operating Federal checkpoints and entering private land without a warrant far from the border.

The bill contains significant measures to assist dairy farmers and other Vermont growers who have long relied on foreign workers and are going to need them in the future. It contains a youth jobs program proposed by Senator SANDERS to help young people gain employment. It contains a measure I proposed to make sure that no Canadian citizen traveling to Vermont to see a family member will ever be charged a fee for crossing our shared and long and wonderful border.

It contains an improvement to the visas used by nonprofit arts organizations around the country, such as the Vermont Symphony Orchestra that invites talented foreign artists to perform in America. It contains measures to improve the lives and future of refugees and asylum seekers who call Vermont home.

It contains improvements to the H–2B program to help small businesses. It contains a measure to ensure that the job-creating E-B5 program be made permanent so the State of Vermont and other States can continue the great work that is being done—in our State, done to improve Vermont communities.

This is a bill that will help Vermont families and businesses alike. So I discuss this legislation today in the context of my personal history. I do it to take a moment to remind all of us that immigration is about more than border security. It is about more than politics. It is about the lives and hopes and dreams of human beings. It is about those who go on to do great things in America. It is about American communities that benefit from immigration.

That has been our history; it should also be our future. As I said before, the legislation before us will help write the next great chapter in America's history of immigration. I see the distinguished ranking member on the floor.

I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Iowa.

Mr. GRASSLEY. As we have seen over the past 2 weeks, immigration is a very emotional issue. It is an issue that engenders strong feelings from both sides of the aisle and maybe out in the grass roots of America even stronger feelings than are expressed on the floor of the Senate.

Everyone wants reform in the Senate. I have not heard anybody say the present situation is A-OK, but everyone has their own ideas and different solutions.

Now, at the grass roots of America, there are people who say we ought to give citizenship yesterday. There are people on the other side who say 12 million people ought to be rounded up and shipped out of the country. Neither one of those are very realistic today, but those are even stronger voices than you hear on the floor of the Senate.

Now, we are trying to find some reasonable solution. I do not think the bill that is eventually going to pass is a reasonable solution. But I will not know whether this is a reasonable solution until we get through the entire legislative process, meaning the House of Representatives and the conference. But I think down the road we can do much better than is going to be done in the Senate.

Now, as I said, everybody has their own ideas and different solutions. Unfortunately, the process has not allowed us to fundamentally improve this bill on the floor of the Senate like we were able to have that chance—not too successfully—but at least we had that chance in committee with that fair and open process. So out here on the floor of the Senate we have not been able to vote up or down on commonsense amendments or very many amendments at all. I think to this point about 9, 10, 11 amendments are all that we have considered out of 451 that have been offered.

Despite the fact that the American people want the border secured before we provide a path to legalization, this bill appears to be favored by a majority in the body who believe that legalization must come before border security. I ought to say that again. Despite the fact that the American people want border security before we provide a path to legalization, there appears to be a majority in this body who believe that legalization must come before border security.

The polls around America show just the opposite. Border security first, everything else after the border is secured. This approach of legalization first is concerning, not only because the border will not be secured for years down the road, but more importantly because it devalues the principle that is very basic to our country and our constitutional system of government, the rule of law. The rule of law means the government will follow the laws it writes, and we expect the people to do likewise. People need to be able to trust their government and trust that the government will be fair.

I empathize with people who come into this country to have a better life. Who is going to blame them for doing that? We would do anything to give our kids a better life. Some people see no other choice but to cross the border without papers to find work and sacrifice everything they have to do it and to take a chance that they are going to run up against the law and be deported. But they do it because they want a better life. That is very basic to the American way of life. It is a natural right of most people around the world, a natural right that most of them are not able to bring to fruition.

The American people happen to be very compassionate. I know they are just trying to find a better opportunity and live the American dream, those people who come here undocumented. We are the best country in the world. We should be proud of it. We are an exceptional nation. But we are a great country because we have always abided by the rule of law. The rule of law is what makes all opportunities we have possible.

In 1903, President Theodore Roosevelt sent a message to the Congress, the State of the Union Message. He talked about how man must be guaranteed his liberty and the right to work. But so long as a man does not infringe upon the rights of others, he said this:

> No man is above the law and no man is below it, nor do we ask any man's permission when we ask him to obey it.

Meaning the law.

> Obedience to the law is demanded as a right, not as a favor.

I am a believer, just like everybody in this body, in the rule of law, despite what some say, including the majority leader. That does not mean we want to deport 11 million people. I want a humane and fair process for them to live, work, and remain here. I have said many times, and I have said it many times particularly in the past few months, that we do not necessarily need more laws, but rather we need to enforce the laws that are already on the books.

That is what I hear at my townhall meetings when people come to them and I start to explain about immigration. Somebody pops up: Right. We do not need more laws; we just need to enforce what we have on the books.

I agree. We need to enhance and expand legal avenues for people who want to enter, live, and work in this country. But we have laws that have gone ignored for 17 years. We have laws that are undermined and disregarded. The country will benefit if we have sensible immigration laws. One of the failings of the 1986 law was that it did not do enough to create avenues for people to work here. Advocates for reform claim they want a long-term solution, but what we have before us is nothing but a short-term bandaid. Really, what the bill does is clean the slate.

Those words ''clean the slate'' was a phrase that we used in 1986. That was the goal, to clean the slate, and we would start all over again. I referred many times—it is probably sickening to a lot of people in this body when I refer to the mistakes we made in 1986, not to repeat them. But here we are. We want to clean the slate again and start over. The problem is, if we just do the same thing we did in 1986, we will be back here in 25 years or less wanting to do the same thing.

So some Senators are going to say: In 2038, all we need to do is clean the slate. Well, we said that in 1986. We did clean the slate. We are back here in 2013 cleaning the slate again. We should have a long-term solution to these immigration issues. We should pass true and meaningful reform; and in doing so, we should not be ignoring the very principle on which our country was founded, on the rule of law.

We should not have to in any way be apologetic for taking this position either. One would get the opinion by hearing some speeches on the floor of the Senate that some people have more respect for people who violated our law than they have respect for the rule of law or people who have abided by the law. We have people from all over the world at our embassies, standing in line for long periods of time to come to this country legally. Those are the people whom we ought to be respecting.

I do not mean we disrespect people who come here to work. But there is one thing: They did violate our laws to come here. We do not have to apologize for not accepting the fact that it is OK to violate the laws. So we should not be apologetic for any position we take that is backed by the rule of law, the foundation of our society.

Why should we have to apologize for wanting to ensure people live by the laws that we set? We will not survive as a country if we allow people to ignore the law and be rewarded for it. We just cannot be a country of lawlessness. Why is wanting to secure the border anti-immigration? It is not. We are a sovereign nation. It is our duty to protect the people of this country. That is the first responsibility of the Federal Government, to guarantee our sovereignty because it is basic to our security. It is our right to create procedures whereby others can come to this country and make a living for themselves.

This does not mean we do not want other people from other countries. After all, except for Native Americans we are all a country of immigrants, some first generation and some, I suppose, fifth or sixth generation. We want to ensure that we protect our sovereignty. We want to protect the homeland.

So I ask my colleagues to think about how our country's immigration laws will survive the test of time. If this bill passes as is, will it be a temporary fix or something that we can be proud of for generations to come?

It is my understanding that, so far, 449 amendments have been filed to this underlying bill, including second-degree amendments. We started off the debate on the Senate floor with my amendment that would have required the border to be ''effectively controlled'' for 6 months before the Secretary could legalize people who are already present. We would call them, under this bill, registered provisional immigrants, and we referred to it as RPI status.

Clearly, the other side was afraid of the amendment I offered because it would have fundamentally changed the bill by requiring that the border be secured before granting 11 million undocumented workers a pathway to citizenship—but not, contrary to what the polls of the people of this country are telling us—they want security first, legalization after security of the borders. They have already cooked the books on this bill and don't want to make fundamental changes, regardless of whether they are good changes, because they don't want to upset their deal. They have insisted on a 60-vote threshold for amendments to pass.

When my amendment was up, I refused that 60-vote requirement and so they tabled my amendment. This raises the question: What about the open and fair process that we were promised? We learned on day one of the immigration debate that all of this talk about ''making the bill better'' was just plain hogwash. It was all just a phony and empty promise.

The sponsors would take the floor and say they were ready to vote on amendments, but in reality they were afraid of any good change. They refused to let Members offer amendments of their own choosing. Instead, they wanted to pick what amendments Members would offer. They want to decide who, what, when, and how it would be disposed of. Of course, that is not right, that is not the open process that was promised.

In the last 2 weeks we have only debated nine amendments on this bill. Of those amendments, the majority leader tabled three amendments on a rollcall vote. Of the nine, we adopted three amendments by a rollcall vote. We rejected three amendments by a rollcall vote, and we adopted another three amendments by a voice vote.

I am sure everyone would agree that debating 9 amendments out of 450 is not a fair and open process. We have a lot more amendments that have been filed and not considered. These amendments would make this bill better. The sponsors of the bill are arguing that because we had a process in the Judiciary Committee that I have applauded as fair and open, that means we don't need such an open and fair process on the floor of the Senate.

What does that say about the other 82 Members of this body, that they shouldn't be allowed to offer amendments? The problem is while the committee process was open, many amendments were defeated, and no amendments were offered that substantially changed the bill in committee.

In order to address many issues with this bill, we would like to vote on more amendments before the end of the week. I wish to discuss some of the amendments we would like to see debated and considered before this immigration debate comes to an end, so people have a flavor of the kind of issues we believe have not been fully vetted on the floor of the Senate in this process that we were promised was going to be fair and open.

A number of amendments we would like considered would strengthen provisions of the bill dealing with border security, something that the current bill fails to do in a satisfactory manner. As everyone knows, this has been a serious deficiency in the immigration reform bill, regardless of the fact that the polls in this country say people want the border secured first and then legalization. This does it the opposite way: legalizes and then maybe the border will be secure.

For example, Lee amendment No. 1207 would prohibit the Secretaries of the Interior and Agriculture from restricting or prohibiting activities of the U.S. Customs and Border Protection on public lands and authorize Customs and Border Protection access to Federal lands to secure the border.

Coats amendment No. 1442 would require the Secretary of Homeland Security to certify that the Department of Homeland Security has effective control of high-risk border sections at the southern border for 6 months before the Department can process RPI status applications. The Coats amendment would also require the Secretary to maintain effective control of those high-risk sections for at least 6 months before the Secretary may adjust the status of the RPI applicants.

Coburn amendment No. 1361 would allow Customs and Border Protection to enforce immigration laws on Federal lands. What is wrong with that amendment, to enforce immigration laws on Federal lands?

Other amendments would beef up our interior enforcement, which we all know is absolutely critical with respect to the success of our immigration system. This is an area where the underlying bill doesn't do enough.

An excellent amendment we haven't had an opportunity to debate and vote on is Sessions amendment No. 1334. That amendment would give a number of tools to State and local governments to enforce the immigration laws, including giving States and localities the ability to enact their own immigration laws, withholding specific grants from sanctuary cities that defy Federal immigration enforcement efforts, facilitating and expediting the removal of criminal aliens, improving the visa issuance process, and, lastly, assisting U.S. Immigration and Customs and Enforcement officers in carrying out their jobs.

Another amendment is Wicker amendment No. 1462, which would require information sharing between Federal and non-Federal agencies regarding removal of aliens, which would allow for quick enforcement against individuals who violate immigration laws. The Wicker amendment would also withhold certain Federal funding from States and local governments that prohibit their law enforcement officers from assisting or cooperating with Federal immigration law enforcement.

Some of the amendments that we haven't considered would ensure that our criminal laws are not weakened by the bill. I have an amendment, No. 1299, that would address some of the provisions in the underlying bill that severely weaken our current criminal laws.

Isn't that funny. We want to have a better immigration bill, and we are going to weaken certain laws that are already on the books?

Specifically, my amendment No. 1299 would address language in the bill that creates a convoluted and ineffective process for determining whether a foreign national in a street gang should be deemed inadmissible or be deported. I offered a similar amendment in committee where even two Members of the Gang of 8 supported it. My amendment would have closed a dangerous loophole created by the bill that will allow criminal gang members to gain a path to citizenship.

Specifically, in order to deny entry and remove a gang member, section 3701 of the bill requires that the Department of Homeland Security prove a foreign national, No. 1, has a prior Federal felony conviction for drug trafficking or a violent crime; No. 2, has knowledge that the gang is continuing to commit crimes; and, No. 3, has acted in furtherance of gang activity.

Even if all of these provisions could be proven, under the bill the Secretary can still issue a waiver. As such, the proposed process is limited only to criminal gang members with prior Federal drug trafficking and Federal violent crime convictions and does not include State convictions such as rape and murder.

The trick is while the bill wants you to believe that this is a strong provision, foreign nationals who have Federal felony drug trafficking or violent crime convictions are already subject

to deportation if they are already here and denied entry as being inadmissible.

The gang provisions, as written in the bill, add nothing to current law and will not be used. It is, at best, a feel-good measure to say we are being tough on criminal gangs while really doing nothing to remove or deny entry to criminal gang members.

It is easier to prove that someone is a convicted drug trafficker than both a drug trafficker and a gang member. As currently written, why would this provision ever be used and, simply put, it wouldn't be used.

My amendment, No. 1299, would strike this do-nothing provision and issue a new, clear, simple standard to address the problem of gang members. It would strike this do-nothing provision and include a process to address criminal gang members where the Secretary of Homeland Security must prove, No. 1, criminal street gang membership; and, No. 2, that the person is a danger to the community.

Once the Secretary proves these two things, the burden shifts to foreign nationals to prove that either he is not dangerous, not in a street gang, or he did not know the group was a street gang. It is straightforward and it will help remove dangerous criminal gang members.

My amendment also eliminates the possibility of a waiver. Amendment No. 1299 should have a vote to make sure the bill doesn't weaken our current law.

There are a number of other amendments that we would like to see considered that would help ensure that individuals comply with the immigration law requirements and ensure that the RPI process does not allow individuals to game the system.

For example, Rubio amendment No. 1225 would require RPI immigrants 16 years old or older to read, write, and speak English.

Fischer amendment No. 1348 would also insert an English-language requirement as a prerequisite to RPI status.

Cruz amendment No. 1295 would require States to require proof of citizenship for registration to vote in Federal elections.

Hatch amendment No. 1536 would ensure that undocumented immigrants actually pay their back taxes before gaining legalization.

Another amendment, Toomey amendment No. 1440, would increase the number of W nonimmigrant visas available during each fiscal year and would help improve the visa system.

Other amendments that we should debate and vote on would strengthen our immigration system by making sure that we don't allow criminal immigrants to stay in our country and be put on a path to American citizenship.

For example, Vitter amendment No. 1330 would make sure that undocumented immigrants who have been convicted of crimes of domestic violence, child abuse, and child neglect would be inadmissible.

Inhofe amendment No. 1203, entitled ''Keep Our Communities Safe Act,'' would allow the Department of Homeland Security or a subsidiary agency to keep dangerous individuals in detention until a final order of removal of that individual from the United States.

Cornyn amendment No. 1470 would make sure undocumented immigrants who have committed an offense of domestic violence, child abuse, child neglect, or assault resulting in bodily injury, violated a protective order or committed a drunk-driving violation, would be ineligible for legalization.

Portman amendment No. 1389 would limit the discretion of immigration judges and the Secretary of Homeland Security with respect to the removal, deportation, and inadmissibility of undocumented individuals who have committed crimes involving child abuse, child neglect, and other crimes of moral turpitude concerning children.

Finally, Portman amendment No. 1390 would ensure that undocumented immigrants who have been convicted of crimes of domestic violence, stalking, and child abuse would be inadmissible.

I have gone through a whole bunch of amendments. These are all extremely important amendments that would ensure that the worst kinds of criminal immigrants do not gain a path to citizenship.

I urge the majority to allow us to consider these and other amendments that we would like to offer to improve the bill, instead of cutting us off and shutting off full and open debate of this very important issue—something that we were told from day one, that we would have an open and fair process.

What we are doing, voting this amendment to the House of Representatives on Thursday and Friday, ends up not being a fair and open process.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I rise to speak on the immigration bill, and I will do so, particularly on the amendment process my friend and colleague from Iowa has discussed, but first let me say a few words about two of the President's nominees whose confirmations we will address later today or within the next day or so.

NOMINATIONS

Penny Pritzker will truly be a great Secretary of Commerce, in my view. She has experience and acumen and ability that will serve her well in building strong relationships in the Federal Government, but also strong partnerships with the business community in promoting job creation and fostering sustained economic growth. She has been a strong leader not only in her own business, but in her community, and I look forward to working with her as the Chair of the Subcommittee on Competitiveness, Innovation, and Export Promotion in the Committee on Commerce, Science, and Transportation where I serve.

Mayor Anthony Foxx, if he becomes Secretary of Transportation, likewise has a record of accomplishment as a local official, as a strong mayor, and I look forward to working with him on investment in high-speed rail, distracted and drunk driving, air safety, rail safety, and all of the issues that are so important to the infrastructure of our country and to the transportation issues that will help promote jobs and increase economic progress.

I will be submitting statements for the RECORD at greater length on these two nominees who I believe embody the principle of excellence and dedication in public service.

Madam President, we are reaching a fateful and extremely important moment in the history of our country when we have the great opportunity, the exciting and energizing prospect, of providing a path to earned citizenship for 11 million of our fellow residents. They live alongside us, in our neighborhoods and communities, and they serve on community boards and all kinds of activities where they are indistinguishable from citizens except for the fact they are not citizens. There are 11 million people living in the shadows, including young people brought to this country when they were infants or as children, who know only English as a language, whose home is here, and who know only this country as their home, whose friends and life are here, their schools, and even the military many of them serve. The DREAMers are among those 11 million, and their parents and loved ones who came with them to this country.

We have this historic opportunity to provide them with a path to earned citizenship. To earn citizenship they are paying back taxes and penalties, learning English, if they do not know it already, and meeting the other strong standards and criteria this act provides. Along with enhanced border security and a crackdown on illegal employment, this act provides better skilled people more opportunities to come to this country in a program I have helped to lead on, as well as lower skilled workers who want to fulfill the American dream.

This legislation is about the American dream, and it culminates a careful and cautious and deliberate process led by Chairman LEAHY in the Judiciary Committee, where abundant opportunity was afforded to offer amendments and have them pass. In fact, a number of my amendments adopted in the Judiciary Committee strengthen due process, fight human trafficking, afford opportunities for people to seek release from solitary confinement, and

protect American workers, and standards and compensation for American workers, against unfair and illegal competition from other businesses and other workers based on substandard conditions and exploitation of workers here.

Those kinds of amendments have improved on the very important work done by the Group of 8. I join in thanking them, the Group of 8, those eight Senators who labored so long and helped to provide such a great model for us to move forward and improve further.

I believe this legislation can be improved. Two amendments I have offered would help improve it. The little DREAMers, who are too young to qualify right now for the expedited path to citizenship that is provided the DREAMers under S. 744, would be helped by an amendment I have drafted, with support from the great champion of the DREAM Act, Senator DURBIN, who deserves so much credit for spearheading this effort over so many years. I have done this at the State level before coming here as a Senator, when I was attorney general, but Senator DURBIN has championed their cause year after year, Congress after Congress, and so I have joined him in supporting an amendment to this bill that would help those littlest of DREAMers, too young now to qualify for that expedited citizenship, and to do so if they are in school or otherwise satisfy the criteria the amendment would provide.

I also thank Senator MURKOWSKI for cosponsoring this very bipartisan measure with me so that anyone left out of the DREAM Act because they are too young would be covered.

A second amendment I believe would improve this bill would provide more whistleblower protections for H–2B visa workers. They come to this country to work here and they are dependent on their employers to remain here. So, naturally, if they are exploited, if illegal working conditions subject them to hazards, and if they provide the basis for unfair competition because they are paid less than the minimum wage, they are fearful of retaliation when they make complaints because their employer can discharge them and they are then automatically deported. So this whistleblower amendment would provide them with protection. This is essential to making possible their redress and remedy when they are victims of illegal violations.

Both those amendments would improve this law. But I recognize this bill is a huge and historic step forward. It is imperfect, but I will not allow the perfect to be the enemy of the good. I will continue to fight for these amendments, these improvements in this law—enabling the little DREAMers to have those same opportunities as the DREAMers who have been brought to this country and now are here and can contribute so much to our Nation; and I will continue to fight for whistleblower protections for all workers who may be exploited if they are brought here under visa because whistleblowers deserve that protection. They are protecting not just themselves when they complain, but all workers. But I will vote for this measure even if there are no more amendments because I believe this measure fulfills the American dream of opening this country—a Nation of immigrants—to others who have the American dream and see this country as a beacon of hope and opportunity.

Anyone who doubts it should do what I do regularly. Whenever I have the opportunity on a Friday in Connecticut, I go to our Federal courthouse and attend the naturalization ceremonies. People come there with tears in their eyes, accompanied by their families, neighbors, and loved ones to celebrate one of the biggest moments in their lives—becoming a citizen of the United States of America. Many of them come after years of struggle to achieve that status—physical struggle to reach our shores, emotional separation from their families abroad, and professional hard work embodying the best about America. I thank them for becoming U.S. citizens. I thank them for not taking for granted what all too many of us do—the great privilege and right of being a citizen of the United States.

Let us seize this moment as a Nation of immigrants to open our doors once again, open our hearts to those 11 million people who want simply a path to earned citizenship—a historic and rare moment in our history where the American people have come together in a deep and enduring consensus that now is the time to strengthen border security, as the amendment we are considering would do, to crack down on illegal hiring, as this bill would do, and to make possible for millions of Americans what my father did, what others did, which is to become citizens of the greatest country in the history of the world.

We owe it to ourselves, as well as to our children, to give them that opportunity, and we owe our Nation the opportunity to benefit from their strengths and talents and energy and, yes, their dedication to the country that has given them this historic opportunity.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. REID. Madam President, could I ask the distinguished Senator to allow me to offer a unanimous consent request?

Mrs. FISCHER. Of course.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I express my appreciation to the Senator for the courtesy.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that notwithstanding rule XXII, at 2:15 p.m. today, the Senate proceed to executive session to consider Calendar No. 180, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. For the information of all Senators, at 2:15 p.m., there will be 30 minutes for debate followed by a vote on the confirmation of Penny Pritzker to be Secretary of Commerce.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Madam President, I rise today to express my deep disappointment with the current immigration reform legislation and the extremely limited opportunity for Senators to amend this bill. Although I was not a Member of the Senate in 2009, I watched the debate on ObamaCare closely. I was amazed the world's greatest deliberative body could vote on such a massive change to Federal policy without having time to read or adequately amend the bill.

Failure to fully comprehend the consequences—intended or otherwise—left many Americans skeptical, and rightfully so. We were told the need to act justified passage of this massive bill, and we were admonished that we needed to pass the bill to find out what is in it. The American people were not pitched sound policy, the American people were pitched sound bites. Public polling suggests the American people still haven't bought it, and with good reason.

A few years later, Americans are starting to learn the devastating, real-life impact of the flawed health care policy, including the loss of current benefits and the sticker shock of rising premiums. The litany of broken promises seems endless. Yet here we are again, another dire problem in desperate need of a solution, and this time it is immigration.

I agree, and Nebraskans agree, we must address the problem of illegal immigration. The status quo is unacceptable. Our border remains dangerously insecure, and 11 million illegal immigrants currently enjoy de facto amnesty.

We are told there is only one solution—rather, we are only allowed to vote on one solution that has been agreed upon behind closed doors by the majority leader and a small group of Senators. We are told we have no choice but to pass this bill.

The pundits in Washington tell us the failure to pass comprehensive immigration reform will leave the Republican Party in an uncertain electoral wilderness. Well, I, for one, am more concerned about the future of this Nation—the future America I will leave to my children and my grandchildren—

than I am about any political party's electoral prospects.

We are told that simply devoting tens of billions of dollars, with no plan, will solve the problem.

We have tried throwing big money at big problems in the past. It didn't work then, and it won't work now.

Some have suggested there has been plenty of time to read the revised bill. They argue there are only 119 pages of changes that have been added to the 1,200-page legislation before us. But those changes are spread across and throughout the entire language of this bill. There have been little fixes here and there. But if you blink, you might miss an important word that has been dropped or a clause that has been added, and the result is a lasting effect for generations to come.

Some of these changes include special carve-outs similar to the cornhusker kickback that helped bring ObamaCare across the finish line. Nebraskans know exactly what I am talking about. These new carve-outs include special treatment for the seafood industry, special treatment for Hollywood, and extensions of the failed stimulus program.

I am disappointed the majority leader has once again rushed a bill of this magnitude and impact. It is another artificial deadline imposed by the leader, so members can make it back for some backyard barbecues. That is disappointing.

I don't sit on the Judiciary Committee. The only opportunity I and 82 other Members of the Senate have to offer amendments to reform the flawed aspects of this bill is through floor debate. Yet we are being denied that opportunity by the majority leader. So far, we have only voted on nine amendments. Given the emotional, controversial, and complicated nature of this issue, reforms are not made easily. We have a duty to make sure we get it right and that we avoid the mistakes of the past.

I have always believed that before we address any form of legislation that deals with legalization for our undocumented population, we must first fully secure the border. Without a fully secure border, the United States will find itself in the same dire straits down the road. Yet the amendment offered by Senators SCHUMER, CORKER, and HOEVEN falls short of this very necessary goal. We need a proposal that brings about verifiable, measurable results along the southern border.

I support a carefully crafted border security plan that is strategy driven, cost effective, accountable, and responsive to the needs of law enforcement officials, and those law enforcement officials have expressed concerns with the legislation before us.

The attempt of the Schumer-Corker-Hoeven amendment to reach a compromise on border security metrics has resulted in vague ineffective standards. The border security amendment I filed would provide needed oversight to ensure border security goals are being achieved and maintained in a timely fashion.

The border security amendment I filed requires that the Secretary of Homeland Security and the Commissioner of the Customs and Border Patrol submit a written certification that all border goals have been met. The Homeland Security inspector general must also sign off on certification. And, finally, congressional approval must be obtained.

Importantly, the definition of operational control in my amendment would maintain the current law's definition, rather than watering it down. But my amendment hasn't received a vote.

The Schumer-Corker-Hoeven amendment also fails to require a biometric entry and exit system at land, air, and sea ports. Instead, it simply provides a basic electronic screening system—and only at sea and air ports, not land ports of entry.

This is absolutely unacceptable—and it is remarkably weaker than the border security provisions in the 2006 and 2007 comprehensive immigration bills, which required implementation of a biometric entry-exit system.

The border security amendment I filed implements a biometric entry-exit system at all points and ports of entry. But my amendment hasn't received a vote.

Border security is a question of national security. It is not a position that can be watered down or compromised. The Schumer-Corker-Hoeven amendment does just that.

We also need to make sure we are being fiscally responsible. Last time I checked, we are still $17 trillion in debt. Yet this amendment throws $46.3 billion at border security with no plan from the Department of Homeland Security detailing how that money is going to be used. There is no clear justification for the amount detailed in this request. There is absolutely no strategy driving this funding request.

There is also not nearly enough accountability. The reporting requirements to Congress are toothless. I reject—and I suspect Nebraskans reject—the idea that massive amounts of spending alone are the solution to our border security problem.

In addition to the lack of strategy behind the funding, I am concerned this legislation provides legalization first and border security second. Specifically, this legislation creates a loophole allowing certain people who have overstayed their nonimmigrant visas to obtain a green card without returning home. The Schumer-Corker-Hoeven amendment also creates a number of loopholes for criminal aliens to remain in our country.

Under their proposal the Secretary of Homeland Security has broad authority to waive deportations for certain criminal activity. For example, it would allow many members of criminal gangs to gain entry and the legal right to remain in the country.

In a written statement, Immigration and Customs Enforcement council president Chris Crane stated:

> The 1,200 page substitute bill before the Senate will provide instant legalization and a path to citizenship to gang members and other dangerous criminal aliens, and handcuff ICE officers from enforcing immigration laws in the future. It provides no means of effectively enforcing visa overstays which account for almost half of the nation's illegal immigration crisis.

The list of problems goes on.

In short, this legislation and the Schumer-Corker-Hoeven amendment remains fatally flawed. The American people demand—and they deserve—better policy.

I am committed to working on lasting solutions that will reform our immigration system once and for all. But let me be clear: I will not support legislation simply because it might be vogue or politically expedient or could ingratiate me with the inside-the-Beltway club. I vote for legislation if it is sound policy, if it will improve the lives of hard-working taxpayers, and if it reflects the values of Nebraskans. This legislation has a long way to go.

Mr. MCCAIN. Will the Senator yield for a question?

Mrs. FISCHER. Yes, I will.

Mr. MCCAIN. Has the Senator ever been to the Arizona-Mexico border?

Mrs. FISCHER. I have been, at the Texas border.

Mr. MCCAIN. May I ask when that was?

Mrs. FISCHER. That was in the early 2000s.

Mr. MCCAIN. In the early 2000s. I would say to the Senator from Nebraska, she is so ill-informed from the statement I just heard. I don't know where to begin, except to say that if she doesn't think this legislation secures the border, she hasn't spent any time on the border—certainly not meaningful time. And I can't express my disappointment in the series of false statements the Senator just made.

Mrs. FISCHER. Madam President, I would say I believe my statement is correct. It reflects the values of my State, it reflects the values of Americans, and it truly reflects their concerns with this piece of legislation that is before us now.

Mr. MCCAIN. Madam President, I would welcome the Senator from Nebraska to come to the border and see what has been done and what can be done with the use of technology. And to somehow believe our border cannot be secured by this legislation argues strenuously for a visit, and I invite the Senator. I would be glad to join her at any time.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Madam President, I thank my distinguished colleague and friend, Senator MCCAIN from Arizona, and I look forward to accepting his invitation to visit his fine State.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Madam President, I ask unanimous consent to speak for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. UDALL of Colorado. Madam President, I rise again to talk about the critical importance of passing comprehensive immigration reform such as my good friend from Arizona Senator MCCAIN has advocated.

When I look at my State, Coloradans from all walks of life—business leaders, religious leaders, our agricultural community, and our civic leaders, regardless of political party—agree our immigration system is broken. Now we have run out of excuses to sit on our hands.

I see this problem as an opportunity, and I want to discuss why I see it as an opportunity.

It has touched every corner of our society, and this call for action has become too loud to ignore. But despite such widespread agreement on the need to move forward, there remains a vocal minority in our Chamber—and across the country—concerned about the consequences of reform.

There is a worry, and that worry that persists is that immigrants will somehow steal the American opportunity, that immigrants will take our tax dollars and take our jobs. But let me say this. All of us here in the Senate agree strongly we should not be writing policy in Washington that would endanger American jobs, and I want to speak to that.

Ever since the economic downturn, Coloradans who have been fortunate enough to keep their jobs or recently find employment as we dig out of recession are holding on tightly to those opportunities.

Coloradans who have been laid off or who have lived through the bitter desperation of extended unemployment look with increasing concern at anything that might stand between them and opportunity.

In the context of these worries, some people look at employed immigrants and see only unemployed Americans. To see things in that light misunderstands this legislation as well as our roots as a country and our long tradition of opportunity.

This bill—the idea of fixing our broken immigration system and providing millions of Americans a pathway to citizenship, which is earned—is not a zero-sum game. In fact, it is built off of one of the reasons our Nation is so exceptional: The broad spirit that any man or woman can pull themselves up from the most challenging circumstances and succeed.

This bill is carefully crafted and balanced. It will extend the American dream to millions now living in the shadows. Important for Coloradans, this legislation creates certainty for businesses and residents already legally here today. This is exactly the sort of certainty our labor markets need.

It is true—maybe except for the great State of North Dakota—that we have made steady progress, but overall unemployment remains too high. We all want to be similar to North Dakota, with a very low unemployment rate. Our economy—the American economy—continues to grow, with Colorado growing at the fourth fastest rate in the Nation. In doing so, many of our business sectors, economic sectors, and industries are experiencing higher labor demand than there is available domestic supply.

Taking agriculture, for example, which is important to the Presiding Officer's State as well, the demand for labor on farms and ranches across the Nation far exceeds the supply of Americans who are willing to fill those jobs. That labor shortage has resulted in crops left to rot in the fields and, therefore, unacceptable economic losses to our communities.

Farmers and ranchers tell me that today they are often left to hire undocumented workers to fill this labor gap. This unregulated, under-the-table hiring hurts immigrants who experience frequent exploitation, constant fear, and often debilitating poverty. It also hurts Americans who experience depressed wages and higher unemployment as a result of competition with this cheap underground workforce. That doesn't make sense.

This immigration reform bill eliminates this unfair competition and ensures that all Americans receive fair wages.

Our current labor supply challenges extend to many other sectors as well. Jobs in science, technology, engineering, and math are growing at three times the rate of other jobs in the United States. With that in mind, and in spite of high levels of unemployment, nearly 100,000 valuable American-based positions in critical high-tech firms, such as IBM, Microsoft, and Intel, have been left unfilled. By 2018, estimates are that this number will increase to 230,000.

This bill, which we are so close to getting across the finish line, focuses heavily on breaking down barriers in our current immigration and visa system to help fill this staggering labor gap and spur our economy in the process. The more flexible market-based system for visas included in this bill will ensure our immigration system only brings workers businesses need. Moreover, this bill will ensure that Americans get a first pass at jobs before foreign workers are eligible to fill them. That is an important element, one that Coloradans have told me they demand.

But it is not only about ensuring that the bill before us doesn't displace current U.S. citizens, I would point out to my friends who are skeptical of this effort that immigrants in this country also have an incredible and phenomenal history of creating jobs.

Let me share a couple numbers with everybody. Between 1990 and 2005, immigrants started 25 percent of the highest growth companies in this country, directly employing over 200,000 people. Since 2007, immigrant-founded small businesses have provided employment for 4.7 million people and generated almost $800 billion in revenue.

Big-time American companies, such as Intel, Google, eBay, and Sun Microsystems, were all created by immigrants—companies that helped to form the very roots of our thriving tech industry.

I wish to take a minute to thank the Gang of 8 specifically for their efforts to include a section in the bill that creates the INVEST Program, which focuses on incentivizing entrepreneurs, such as the founders of these iconic companies, to come to the United States. This program, which draws on the bipartisan Startup Visa Act I introduced with Senator FLAKE—and includes the work of Senators MORAN, WARNER, and others—will ensure that the next generation of entrepreneurs and job creators can stay in the United States and create good American jobs. Last week, after listening to advocates, Senator WARNER and I filed an amendment that we think will bolster these provisions even further, and we certainly hope our colleagues will think it is a good enough idea to include in the final legislation.

Programs in the underlying bill, such as INVEST, will help supercharge our economy by helping to create thousands of jobs over the next decade.

Ralph Waldo Emerson once said: ''America is another word for opportunity.'' We take pride in our rich history of being a country where the key to earning a valued place in society is through ability and determination, where immigrants from all over the world—alongside third-and fourth-generation Americans—can earn an honest living or start a business. It is incumbent on us, as Members of Congress, to actively ensure that America remains the land of opportunity.

As the Presiding Officer knows, that starts with our children, including undocumented children, our DREAMers, who know of no other place but here as their home.

I wish to close by talking about a DREAMer. His name is Oscar. I wish to make the case for Oscar and his family.

Oscar and his brothers, Juan and Hugo, are the children of parents who illegally immigrated into the United States and brought their kids with them. They now live in my State of Colorado. Throughout their entire lives, they lived in fear of the black cloud of deportation that has hung over them.

I had the pleasure of meeting Oscar here in Washington a couple of months ago. He had a very simple request for a kid who grew up in the United States. He wanted the opportunity for himself and his brothers to come out of the shadows and become someone.

Where are Oscar and his brothers right now? They are in college pursuing degrees in engineering and psychology. Let's design a commonsense policy that will allow them to work after they graduate. Let's give Oscar, and the millions like him, the opportunity to come out of the shadows and become the next generation of American leaders, innovators, and job creators.

This week we are faced with a choice: We can put into place a bill that was negotiated by Members of both sides of the aisle, one that takes historic and far-reaching steps to secure our borders and provides a tough but fair pathway to legal status and an exit from the shadows for those who are here illegally. This bill will help crack down on employer exploitation and help give American businesses the secure and stable workforce they deserve. The other option would be to try and delay this bill and continue on with a broken system that continually undermines our economy by keeping millions in the shadows. We could keep the system that denies the best and the brightest a viable path to citizenship and instead would encourage them to create jobs abroad for our global competitors such as China and India.

Let's not deny Oscar and his brothers the opportunity to come out of the shadows and be the next generation of American workers. Let's continue to work on amendments, and let's pass this comprehensive immigration reform bill this week.

I thank the Presiding Officer for her patience, for her forbearance.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:54 p.m., recessed until 2:15 p.m., and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

EXECUTIVE SESSION

NOMINATION OF PENNY PRITZKER TO BE SECRETARY OF COMMERCE

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination which the clerk will report.

The legislative clerk read the nomination of Penny Pritzker, of Illinois, to be Secretary of Commerce.

The PRESIDING OFFICER. Under the previous order, there is 30 minutes of debate equally divided in the usual form.

The Senator from Illinois.

Mr. DURBIN. Madam President, for those who are following the debate of the Senate, we are in the midst of the debate on the immigration reform bill, expecting votes on amendments this week, and then final passage. It is a historic and important measure. We have interrupted it briefly to consider a nomination that is important as well. It is the nomination by President Obama of Penny Pritzker of Chicago to be the next Secretary of Commerce in the President's Cabinet.

I know Penny and I know her family and I know the reputation they enjoy in Chicago, in Illinois, and around the world. She is an extraordinary person. The Pritzker family has been successful in business for many decades and many generations. She stepped up years ago and told her father she wanted to play a role in business leadership. There weren't that many women involved in business leadership at that time, but her father said he would give her an opportunity, and he did. She became very successful with the corporation, with the family businesses, and has made a name for herself over the years.

Penny has decades of business, entrepreneurial, and, equally important for this job, civic experience. Despite her success in the private sector, Penny Pritzker and her family have given unsparingly of their own time to help many important causes. She understands business and economic development, but she also understands the reality of the challenges many families face across our country.

We know the jobs report from earlier this month showed we had 6.9 million jobs created over 39 consecutive months of private sector job growth. That is progress. We have come a long way. But let's make no mistake, families are still struggling to find work and many who are working are struggling paycheck to paycheck to survive. Penny Pritzker will bring considerable experience to the Department of Commerce to help us create new businesses and job opportunities in America.

Penny understands what it takes to build a business from scratch. She has done it five different times with start-up businesses. She has created jobs that support families and communities across America.

More than creating jobs, she has helped countless people get the education they need to connect them with job opportunities.

She leads Skills for America's Future, a national program bringing together businesses, community colleges, and others, preparing workers for good-paying 21st century jobs.

In addition to education, Penny Pritzker is an ardent supporter of the arts, which supports economic development and tourism across the Nation. She is a member of the American Academy of the Arts and Sciences and a trustee of the Kennedy Center.

There is no question that our economy is headed in the right direction. The question is: Who will pursue today's efforts to continue that growth and lead us to future success? Who will continue efforts to help American businesses in the global marketplace?

Although we are on the right track, too many businesses in America are still struggling to survive. Expanding the new markets is one way to help American business and our economy. We need a Secretary of Commerce who will not only help small businesses grow and create jobs but also open opportunities for businesses to expand their products and services across the States, the country, and the globe.

Penny Pritzker called me a couple of weeks ago and urged me, if possible, to do everything I could to try to get her nomination moving before July. I talked to Senator REID, who was fully supportive of the President's nominee. The reason she is anxious to do that is because important trade discussions are going to begin after the 1st of July with some of the leading economic powers around the world. She wanted to be at that table. It is important for America that she is.

Penny knows what it takes to make business work. She knows the tools businesses need. What is more, she knows economic development at all levels.

Colleagues from both sides of the aisle agree we need job creation. Penny Pritzker has a proven track record in promoting jobs and growth, and her leadership will help our country. Her decades of experience will serve her well. Ms. Pritzker's wide-ranging perspective will prove worthwhile to the future of our Nation as we compete in the global marketplace.

I urge my colleagues to support Ms. Penny Pritzker's nomination, and I look forward to working with her as she is hopefully going to be the next Secretary of Commerce under the Obama administration.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Madam President, I also rise in support of Penny Pritzker for

Secretary of Commerce. I think she will do an excellent job.

I ask unanimous consent to speak as in morning business for 3 or 4 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING KEN DUKE

Mr. PRYOR. Madam President, I rise today to honor Ken Duke of Hope, AR. Ken is an incredible athlete who has a great story and is actually here with us today.

Years ago, as a teenager, Ken was diagnosed with scoliosis and he was forced for years to wear a back brace. There were times when he had to wear that back brace for 23 hours a day. He underwent surgery and numerous treatments. Eventually they put a metal rod in his spine and the rod is still there today.

Despite all of those tough circumstances, he persevered. He went on to win his high school district golf tournament. He was wearing the back brace, no less.

In recent years, Ken became a strong advocate for those suffering from spinal problems. He now hosts an annual charity golf tournament called ''A Day with Duke.''

Anyway, after playing golf for Henderson State University—and might I say, Go Reddies—he turned professional. As do many professional golfers, he had his good days and bad days, his ups and downs. It is a tough life. He has been out there plugging away week in and week out. But this past Sunday Ken had one of his best days of golf he has ever had in his career. At the Travelers Championship in Cromwell, CT, Duke faced a tense playoff with Chris Stroud. After Stroud had chipped in on the 18th hole, the men were neck and neck, both at 12 under par. But Ken pushed ahead, making a 2½ foot birdie putt on the second playoff hole to clinch his first PGA tour victory. This was not only a great shot and a great round of golf, but it is also a great American story.

Arkansas is very proud of Ken, and we hope there are many wins in his future. I wanted to say ''congratulations.''

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROCKEFELLER. Madam President, I have the honor to chair the Commerce Committee and thus have enormous interest in who our next Commerce Secretary is going to be. I don't think the President could have picked anybody better.

I have known Penny Pritzker for 30 years. I have Chicago relations in my family too. She is a force of nature. That is the thing I want people to understand: She is a force of nature. Yes, she is wealthy. Yes, she is experienced in business. Yes, she is experienced in public service. She is a tiger of energy and purpose.

The Department of Commerce is probably the most complicated—I don't know compared to DOD, but I think it is the most complicated non-DOD agency. We have oceans, spectrum, aviation, trains. There are a thousand different areas, including all the oceans. It takes a real leader and it takes a tough person. We haven't had a tough enough person for a while. We had one, but then because of health reasons that person had to resign.

I cannot imagine a better—and I don't say these things often about nominees—I cannot imagine a more perfect person to run the Department of Commerce than Penny Pritzker. I hope my colleagues will vote for her overwhelmingly.

I thank the Chair and yield the floor, and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HATCH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMMIGRATION REFORM

Mr. HATCH. Madam President, I rise today to speak once again on the immigration bill before us.

Before there was a Judiciary Committee markup, before there was an immigration bill, and before there was even a Gang of 8, most Senators had three basic beliefs: The immigration system is broken, fixing it will be neither simple nor easy, and it absolutely needs to be done.

I share those beliefs. I also rely on two sets of experience.

I served in this body and on the Judiciary Committee during the 99th Congress when we considered the Immigration Reform and Control Act of 1986, commonly called the Simpson-Mazzoli bill, and during the 110th Congress when we considered the Comprehensive Immigration Reform Act of 2007.

I voted against both of them. I opposed the 1986 legislation because it was self-proclaimed amnesty. I opposed the 2007 legislation because it had been developed outside of the Judiciary Committee.

My participation in the current immigration reform effort has been informed by those beliefs and those experiences. We simply must fix our broken immigration system, but in doing so we must not repeat either the substantive errors from 1986 or the procedural errors from 2007.

As we all know, most of the media and political attention has focused on the border security and legalization parts of this bill. But there is much more to it than that.

I initially focused on two areas. First, working with Senators RUBIO, COONS, and KLOBUCHAR, I focused on increasing opportunities for high-skilled immigrants. The bill we introduced, the I-Squared bill, now has 28 bipartisan cosponsors.

Second, working with Senators RUBIO, FEINSTEIN, and BENNET, I focused on developing the guest worker program that will be so important for the agricultural sector of our economy. Those discussions were led by Senator FEINSTEIN, and there is no question I played a significant role in those. This program is the product of true compromise between farm workers and growers. I had real questions whether that could be done, but it was. I was glad to see it included as part of the Gang of 8 original bill.

Another important provision that was made part of the original bill was my proposal for permanently extending a visa program for religious workers. This provision will provide up to 5,000 visas for foreign nationals to work with religious organizations that help America's neediest people and underserved communities. I have supported this program for many years and am very grateful that the Gang of 8 offered to include it in the bill at my request.

In addition, I commend the Judiciary Committee chairman, Senator LEAHY, for conducting an open, fair, and thorough markup of S. 744. Thankfully, this bill—unlike the bill in 2007—is being handled through regular order.

During the committee's consideration of S. 744, I filed 24 amendments, 20 of them within Judiciary Committee jurisdiction. I am proud of the fact that 15 of those 20 amendments were made part of the legislation that is before us now. I do not think ''proud'' is the word; I am pleased rather than proud.

For example, the committee adopted by voice vote my amendment establishing strong penalties for cultivating marijuana on Federal lands. Mexican drug cartels are driving the expansion of this plague, using chemicals and diverting water sources that also harm the environment. My amendment will reduce the illegal drugs that enter the market and protect America's natural resources at the same time.

The committee also adopted my amendment to establish a mandatory biometric exit system at the 10 busiest international airports. Preventing individuals from entering the country illegally is only one side of the coin; the other side, of course, is preventing individuals from overstaying their visas. We know if that works in those airports, we then will be encouraged to expand that in many other ways.

Nearly half of those who are currently here illegally came into the country legally but did not leave when they were supposed to. My amendment tackles part of that equation.

I do want to respond to what some of my colleagues have said about this new biometric system. Some have claimed that my amendment dials back current law.

Let me be clear: I fully support the biometric exit system provided for under current law. Sadly, it has not been properly implemented.

What good is it if legislation simply remains on paper? Do the critics of my amendment prefer the status quo, which has accomplished absolutely nothing?

My amendment will actually deploy a real biometric exit system—something that current law has failed to do. And, by the way, it is fully paid for.

Trust me. This is more than just a figleaf. The Judiciary Committee also adopted—once again by voice vote—my amendment to improve education and training in the fields of science, technology, engineering, and math, or the STEM fields.

While foreign high-skilled workers play an important part in our economy, we need to invest more in developing the American workforce, especially the next generation. I look forward to seeing the STEM account grow and provide hundreds of millions of dollars directly to the States for this critical education and training. That is in the bill now.

I am particularly pleased that the Judiciary Committee adopted a package of my amendments establishing a coherent and constructive approach to high-skilled immigration. These provisions will ensure that the H–1B and L–1 visa categories actually work for a change. I especially want to thank Senators SCHUMER and DURBIN for their genuine willingness to compromise because these complex issues require a delicate balance of interests.

This is the path I have pursued so far. From the outset of this process, I have made it clear that there are issues with this bill under the jurisdiction of the Finance Committee. As the ranking member of the Finance Committee, I have been working in good faith to ensure that those matters are addressed in a responsible and productive way.

Toward that end, I filed amendments both in committee and on the Senate floor and have been working with my colleagues to get them included.

These are important issues that simply cannot be overlooked. For example, there was the issue of whether immigrants receiving a change in status would be allowed to receive welfare benefits. Under a longstanding provision of Federal law, noncitizens, including legal immigrants, are not eligible for Federal cash welfare benefits for their first 5 years in the country.

While S. 744 preserved that 5-year ban for RPIs, I know the Obama administration believes it has the authority to permit States to spend Federal welfare dollars on cash benefits to previously prohibited individuals. In order to prevent this or future administrations from contravening Federal welfare law, we needed to clarify that the Secretary of Health and Human Services cannot permit Federal welfare dollars from being spent on noncitizens. That is a system I am not willing to support, and I am pleased they accepted my amendment in solving that problem.

Today I am pleased to report that we have successfully negotiated provisions that will prevent the administration from waiving the 5-year ban on welfare benefits as well as prohibiting the Secretary from permitting this type of spending. They have been included as part of the compromise package we will be voting on later this week.

Another problem with the original bill was that it did not adequately address Social Security. Specifically, the bill did not state how periods of unauthorized employment would be treated in the calculation of Social Security benefits.

Once again, I have worked with my colleagues to reach an agreement on a provision that says that periods of unauthorized earnings do not count toward determining Social Security benefits. The provision will, among other things, prevent people who did not have authorization to work in this country from going back and retroactively claiming unauthorized periods of work in which they used made-up or stolen Social Security numbers.

This is a necessary step that will help to preserve the integrity of our Social Security system. As with the provision on welfare benefits, this provision is part of the Leahy compromise amendment.

According to the Congressional Budget Office and the Joint Committee on Taxation, this provision will result in lower spending for Social Security and Medicare.

While I am pleased that we have been able to reach agreement on these important issues, there are other Finance Committee issues that have not been addressed. There is the issue of when those on the RPI or blue card pathways will be eligible for tax credits and health insurance premium subsidies under the Affordable Care Act. I filed an amendment that would have placed those subsidies in the same category as other Federal means-tested programs, which, of course, includes a 5-year waiting period once an immigrant attains the status of a lawful permanent resident.

There is also the issue of back taxes. I filed an amendment that would have required all RPI applicants to pay their back taxes as a condition of receiving a change in status.

Neither of these two issues is adequately addressed by the current version of the legislation. In my view, these are serious problems that will need to be fixed before the bill is suitable for the President's signature.

On top of that, there is still the issue of border security. While the compromise legislation we will be voting on this week significantly improves upon the original draft of this bill, I believe we can and should do more.

So as you see, Madam President, there is still a number of issues that need to be resolved. However, as I have said all along, this is a process. Reporting the bill out of the Judiciary Committee was one step in that process, and passing the bill on the Senate floor is another step—a first step.

I do not think anyone should be under any illusions that when the Senate completes its work on the legislation this week, the process is finished. The House of Representatives is working on its own bill with an entirely different approach. I have already begun reaching out to my House colleagues to help address these issues that I believe are important, particularly those that fall under the jurisdiction of the Senate Finance Committee.

I hope the House will work to address what I see as significant shortcomings in the Senate bill, and I will work hard to ensure that those issues are resolved should the bill go to conference.

With that in mind, I plan to vote in favor of S. 744 later this week. As I said before, I share the belief of most of my colleagues that the current immigration system is broken and that reform is absolutely necessary. As I see it, the only way we can reach that goal is to allow the process to move forward.

Once again, I would like to commend my colleagues for their work on this legislation thus far. I hope they will keep an open mind on future changes as well. While the final product is far from perfect, I believe we are on a path to reaching a reasonable solution to the problems that continue to plague our Nation's immigration system.

I look forward to working with my colleagues on both sides of the aisle and on both sides of the Capitol to move this process forward toward a successful conclusion.

Madam President, I yield the floor. In fact, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Penny Pritzker, of Illinois, to be Secretary of Commerce?

Mr. REID. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Rhode Island (Mr. WHITEHOUSE) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Utah (Mr. LEE).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 1, as follows:

[Rollcall Vote No. 161 Ex.]

YEAS—97

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Baldwin	Franken	Murphy
Barrasso	Gillibrand	Murray
Baucus	Graham	Nelson
Begich	Grassley	Paul
Bennet	Hagan	Portman
Blumenthal	Harkin	Pryor
Blunt	Hatch	Reed
Boozman	Heinrich	Reid
Boxer	Heitkamp	Risch
Brown	Heller	Roberts
Burr	Hirono	Rockefeller
Cantwell	Hoeven	Rubio
Cardin	Inhofe	Schatz
Carper	Isakson	Schumer
Casey	Johanns	Scott
Chambliss	Johnson (SD)	Sessions
Chiesa	Johnson (WI)	Shaheen
Coats	Kaine	Shelby
Coburn	King	Stabenow
Cochran	Kirk	Tester
Collins	Klobuchar	Thune
Coons	Landrieu	Toomey
Corker	Leahy	Udall (CO)
Cornyn	Levin	Udall (NM)
Cowan	Manchin	Vitter
Crapo	McCain	Warner
Cruz	McCaskill	Warren
Donnelly	McConnell	Wicker
Durbin	Menendez	Wyden
Enzi	Merkley	
Feinstein	Mikulski	

NAYS—1

Sanders

NOT VOTING—2

Lee Whitehouse

The nomination was confirmed.

The PRESIDING OFFICER (Mr. MANCHIN). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Minnesota.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT—Continued

Ms. KLOBUCHAR. It was a clear, good vote for our new Commerce Secretary. We are very excited about that vote, 97 to 1. I am going to speak to that, but before I do, I yield to my colleague from the State of Louisiana, Senator LANDRIEU, for 2 minutes.

Ms. LANDRIEU. Mr. President, I will speak as in morning business for up to 2 or 3 minutes. I just wish to take a point of personal privilege.

As we get to the end of this immigration debate and hopefully have a final vote on this bill sometime this week, it is a very important issue for our country, and there have been any number of Senators who have been involved in trying to negotiate a very complex and tough bill. The Gang of 8 has done a terrific job, in my view, of managing lots of very controversial aspects to this bill. But a group of us, not connected directly to the Gang of 8, have been working on a group of amendments that are not central to the bill or rather potentially—potentially, let me say—noncontroversial. We have been working with Republicans and Democrats parallel to the Gang of 8. I only ask the leadership on both sides, the Republican leadership, the Democratic leadership, to please look at the list that has been submitted for the record not once, not twice, not three times but five times—a list that has been well circulated—and if there are any objections to the specific ideas in the bill—not objections to the amendments but specific objections to the ideas of the amendments, the substance of the amendments—please talk with me and I will be happy to do everything I can to resolve any concerns.

As the Senator from Arizona knows so well—he has been in the middle of this debate for a long time now—there have been hundreds of amendments offered in the Judiciary Committee and voted on and there are over 250 amendments pending on the floor, some of which are extremely controversial. The Republicans would like to vote on some of those, there are others the Democrats want to vote on, and I am fine to vote on all of them or none of them. I will stay here all night and vote on them. I don't have a dog in that hunt. What I have is a relatively small group of amendments that Republicans and Democrats who are not in the Gang of 8 have voted on or have been talking about and working on that, to our knowledge—and our knowledge may not be complete—have no voiced opposition against them, and we are hoping that whatever agreement is reached, this list of noncontroversial amendments would at least be given a chance for a voice vote in global. We don't need individual votes. We don't need a record vote. We just would like to have our voices heard.

I see the Senator from Arizona, and I don't know if he wants to respond to this, but I am happy if he wants to ask me a question or two.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Again, I can't speak for Senator GRASSLEY, who is managing the bill in an outstanding fashion, but I would like to point out, in conversations I have had with Senator GRASSLEY, these amendments are in process, and as the Senator mentioned, there are a number of them being cleared. In other words, rather than just being judged noncontroversial, which I certainly accept the word of the Senator from Louisiana, we need to clear them with everybody. I hope she understands, and I hope we can move forward rather rapidly with that process.

I don't dispute they are ''noncontroversial,'' but every Senator obviously wants to have these amendments cleared with them, and they have already started that process. I appreciate the advocacy and the involvement of the Senator from Louisiana. She has been extraordinarily involved in this issue by helping us make the package much better, and I hope she will show some more—I emphasize more—patience as we try to get this package agreed to by both sides.

Ms. LANDRIEU. I thank the Senator from Arizona, and I will show more patience. Everyone on the floor is showing a lot of patience with this very complicated bill, but I have asked privately and I will ask publicly for the process of clearing—clearing—noncontroversial amendments to begin.

There is also a process going on to clear votes on controversial amendments. I am aware of that—to clear votes—and a time agreement on controversial amendments. I am not asking for that. I am asking for clearances to begin for no votes, voice vote only, on noncontroversial amendments, and I am glad I have the Senator's support to look at that and, hopefully, we can work something out.

Mr. SCHUMER. Mr. President, will the Senator from Louisiana yield for a question?

Ms. LANDRIEU. I will yield to the Senator.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. I thank the Senator from Louisiana, as Senator MCCAIN said, for her continued patience. I think what she proposes makes a great deal of sense. There are a whole lot of amendments—and we did this in committee under Senator LEAHY's leadership—that are not controversial and we could vote for. My only question is, I take it the Senator assumes, once they are cleared, they would be voted en bloc.

Ms. LANDRIEU. Correct, by voice.

Mr. SCHUMER. OK. I think this makes sense. We are working on the ones that require votes. We should be working simultaneously on the ones that are noncontroversial, and let us hope we can come to some agreement so we can all vote on this bill and move on to other business.

I yield the floor.

Ms. LANDRIEU. I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I first wish to thank the Gang of 8 and our Judiciary Committee for their work. As was discussed in the last few minutes, there has been an incredible amount of patience and hard work that has gone into this bill, and I am very hopeful we will be able to work out the remaining issues and amendments. I think the strong vote yesterday showed an incredible sense of momentum and bipartisan compromise.

PRITZKER NOMINATION

Ms. KLOBUCHAR. Speaking of bipartisanship, I wish to address the recent vote, the 97-to-1 vote, for Ms. Penny Pritzker. This is a very positive development at a time when we are seeing a lot of nominations that have been stalled out. As a member of the Commerce Committee, I wish to spend a few minutes talking about her nomination.

I think we all know she is extremely well qualified. Over the course of her career, she has started and led a number of business ventures in a wide range of industries, such as finance, real estate, hospitality, and transportation. She has been an advocate for business and assisted companies in expanding into new markets. She is also a member of the President's Economic Recovery Advisory Board and is chairman of Skills for America's Future, helping to prepare workers for the 21st century.

When I met with Ms. Pritzker, I was impressed not only by her experienced command of what is going on right now with our economy, obviously, but also her understanding of the Department. As we know, the Department oversees the International Trade Administration, the Patent Office, the Economic Development Administration, the National Oceanic and Atmospheric Administration, and many others. But beyond that, we talked about the fact the Commerce Secretary can actually be an advocate for business today and for jobs today.

I think one thing long overdue is looking at our top exporting industries in America—whether it is farm machinery, agriculture, movies, all of our top exporting industries, medical devices—and seeing what we can do to help them expand in our country, not in other countries, so they are exporting to the world.

My State has been built on exports over the last few years. We have an unemployment rate of 5.3 percent. Certainly, the growth is due in part to the fact we have recovered now 93 percent of the jobs lost in the downturn in our State, but it is a lot about exports and it is also a lot about tourism, something with which Ms. Pritzker is well acquainted. I think this is literally the low-hanging fruit when it comes to exports. We lost 16 percent in international tourism since 9/11, and every point we add back is 161,000 jobs—161,000 jobs—right in this country.

We are starting to do that now. We are starting to do that now because we are finally advertising our country under Brand USA, something the Department of Commerce is greatly involved in overseas, but also because we are speeding up the wait time for visas, something the State Department and the Commerce Department have worked jointly on.

Every visa we get down to 2 to 3 days for a tourist visa means someone will choose to visit the Mall of America in Bloomington or choose to visit Las Vegas or choose to visit South Carolina instead of going to another country, instead of going to London or instead of going to Singapore. We want them to come to the United States of America.

I think this is a big part of the job the Commerce Secretary will need to do to continue the improvements we have seen with tourism, to make sure everyone knows they can have a great vacation in West Virginia and to keep that message going.

Another part of why I am excited about Ms. Pritzker in this job is because we are seeing more and more women in the workplace, as we know. We just did a report on that with the Joint Economic Committee. We need to see even more women in areas they haven't been involved in as much, such as manufacturing. The share of women workers in the manufacturing industry has been declining since 1990 and is now at 27 percent, the lowest level since 1971. At the same time, we have job openings in manufacturing, and we need people to be trained in the new skills for today's manufacturing. This is no longer your grandpa's factory floor. There are new skills needed in robotics, advanced degrees, and others to run the equipment, to make the equipment, and to repair the equipment.

On a more general matter with women—and this is something we discussed at our commerce hearing with Ms. Pritzker—we just have 17 percent of board seats across manufacturing, 12 percent of executives, and 6 percent of CEOs. So there is a lot of work that can be done there.

I am very excited about this nomination and the work that is ahead for Ms. Pritzker, and I am glad to see such strong bipartisan support in the Senate.

NLRB NOMINATIONS

As we continue to negotiate the immigration bill, I would like to talk about one more issue that is vitally important to our country's middle class. I just focused on some of the business issues—whether it is reducing redtape for our businesses, making sure we bring our debt down in a reasonable way or simply looking industry by industry at what we can do to make sure our market share increases—our global market share in America—but we also have the issue of America's workers.

While I am here, I wish to talk about something vitally important to our country's middle class; that is, moving forward with the President's nominations for the National Labor Relations Board so it can get back to work protecting the rights of working Americans and employers.

Over the course of the last few months, the President has nominated a full slate of five very qualified people to serve on the NLRB—three Democrats and two Republicans—all of whom have sterling credentials and a track record of focusing on results and working across the aisle.

The first two nominees were named in February—February—the month we celebrate Valentine's Day, and we are now headed to the Fourth of July. The remaining three were nominated at the beginning of April. Yet we still haven't had a vote. In May, the Health, Education, Labor and Pensions Committee held a hearing on the five nominees to the NLRB. This was an important first step, and I commend Chairman HARKIN for moving forward on these nominations. However, until these nominees are confirmed and the NLRB is up and running, workers and businesses will continue to face uncertainty.

The NLRB rules impact people's daily lives and reflect our values as a country: child labor laws that prevent young kids from being exploited and forced to work instead of going to school, fair pay laws which ensure women get equal compensation for equal work, laws that mandate decent working conditions to protect people from being hurt or injured on the job, and laws that uphold the fundamental rights of workers to organize. The impact of the NLRB is critical to workers.

The Board is the only option available to employers and companies that become the victim of unfair labor actions or run into barriers during negotiations with labor unions. This is for both sides. It is there for employers and for workers. We have a responsibility to show some leadership and begin the process of vetting these nominees in the Senate so the NLRB can get back to work.

This is about providing stability and consistency to workers and businesses, but it is also about doing what is right for American families. My mom was a teacher. She taught public school until she was 70 years old, so I have seen firsthand how important it is for workers to have that right to organize, to have that right to make their case. This is why I have always believed we need a good NLRB, a fair NLRB.

We have a President who has put up five nominees, three Democrats, two Republicans. The last time I checked, this President won the election and he

has the right to nominate people for this job.

America was built on a strong middle class, and the NLRB is a critical agency for keeping America moving forward, for ensuring every person can work a steady job, with good wages, provide for their families, and save a little for the future. So there is much at stake, and I urge my colleagues to put politics aside and allow the Senate to move forward with consideration of the full package of five nominees to the National Labor Relations Board.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. KLOBUCHAR. Mr. President, we are debating this historic comprehensive immigration reform, something that as a member of the Judiciary Committee I have worked long and hard on, and actually worked back in 2007 when I first got to the Senate. I can't tell you the difference it is doing this 5 years later than it was back in 2007. This time we have a coalition that is incredibly strong, that has withstood a lot of different questions and issues about this bill, that has been able to accommodate concerns raised within the Gang of 8 and then on the Judiciary Committee level, and now after last night's vote adding other requests and other things Members have. But I want to emphasize why this bill is so important from an economic standpoint.

When we were in the Judiciary Committee, we had hearings and we had a number of people testify about the bill and what this bill would do in terms of the debt—something I know the Presiding Officer cares about very much. We had a number of Republican economists come forward and talk about how this bill reduces the debt. There were some early figures out there. Then I held a hearing on the Joint Economic Committee and called Grover Norquist as a witness. I was the first Democratic Senator I know of to call Grover Norquist as my witness. But he came forward and talked about the effects this bill would have in terms of reducing the debt. Lo and behold, last week we got the true numbers from the nonpartisan Congressional Budget Office which showed that in fact this bill reduces the debt by $197 billion in 10 years. Then in response to a request from Senator SESSIONS, they also looked at the 20-year figure, and it showed it reduces the debt by $700 billion in 20 years. This is one example of what you are seeing with this bill.

We are going to see immigrant workers who have been in the shadows come out to get on a path to citizenship that will take 13 years, who will have to pay taxes, will have to pay fines, will have to learn English if they don't know English. They will have to show their records and make sure they don't have any significant criminal records in order to gain citizenship. But it also means they will be paying taxes that will contribute to the well-being of this country, and they will be paying into systems they haven't been paying into before that help other Americans.

The other point economically is the fact we are going to see a better legal immigration system. That is what our country was built on. Everyone came from another country, when you look at the history of our country. For me, it was Slovenian and Swiss immigrants. My grandfather worked 1,500 feet underground in mines and never even graduated from high school. He saved money in a coffee can to send my dad to college. My mom's side of the family came from Switzerland. My grandmother ran a cheese shop. So I am here standing on the floor of the Senate on the shoulders of immigrants, a grandfather who worked in the mines and another grandparent who worked in a cheese factory. Those are my immigrant roots. We all have them. We have to remember what this bill is about, and we have to remember that 90 of our Fortune 500 companies were actually formed by immigrants—200 formed by children of immigrants—and 30 percent of our U.S. Nobel laureates born in other countries.

So when we look at this, yes, we have to look at the enforcement side and enforcement of the border. That is incredibly important. But we also have to look at the economic engine of America that brought us to where we are and where we want to head and how we are going to compete internationally. We do that by welcoming in America's talent, which will be our talent—most of which is homegrown but some of which comes from other countries.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I wish to thank the Senator from Minnesota for her remarks and say how much I appreciate her work on this legislation, on the Judiciary Committee and beyond.

The chairman is here today. I wish to thank him for his leadership both on the committee and on the floor.

One way or another, something important is going to happen here this week—which should happen more regularly than it does, but it does not, in the 4 years I have been here; that is, a bill that actually is the result of thoughtful bipartisan—in some cases I even describe it as nonpartisan—work that has been done first by the so-called Gang of 8 that I was pleased to be part of, then in the Judiciary Committee itself, and now on the floor of the Senate.

Before I talk about immigration, I want to mention we are still struggling out in Colorado this summer with these terrible wildfires. We have appreciated the Federal cooperation we have received. It is a reminder to me, when I stand on this floor, how important it is for us to get past this partisan gridlock we have and into a position where we are actually making shared decisions that will allow us, among other things, to do the investments we need to do to make sure our forests have the fire mitigation that will prevent them from catching and burning the way they are this summer in Colorado.

Today we have the opportunity to try to work together on immigration. Opponents have come out and said this bill is going to cost us money, this bill is going to make the deficit worse. It is exactly the opposite. The Congressional Budget Office has said if we pass this bill, we will see nearly $1 trillion of deficit reduction over 20 years. This Congressional Budget Office tells us it will increase our gross domestic product by 5.4 percent over that same period of time. So this bill is a deficit reduction bill. People around here who talk about deficit reduction—and I am one of them—finally have a chance to do it in a thoughtful and measured way, in a useful and constructive way, rather than through a series of mindless across-the-board cuts which we have seen as a consequence of the sequester. Even in Washington, DC, $1 trillion is real money. That is one reason we ought to pass this bill.

Another reason we ought to pass this bill is it creates a visa system that is actually aligned to the economic needs of the United States of America. Forty percent of Fortune 500 companies have been founded by immigrants. Nearly 1 in 10 business owners in Colorado are immigrants and generate $1.2 billion for our State's economy. Agriculture is a $40 billion industry in Colorado, and tourism is Colorado's second largest industry.

We have a growing high-tech sector in Colorado, and 23.6 percent of STEM graduates from our State research universities are immigrants. We want them to earn those degrees if they are doing it in the United States and then stay here in the United States, build businesses in this country, invest in our future with us in this country. Today, because we have a broken immigration system, we are saying to those graduates, Go back to China and compete with us; go back to India and compete with us; we have no use for your talents here in this country.

This bill fixes that. This bill has very important border security measures and measures to prevent future illegal immigration. I thank the Senator from Tennessee, who is on the floor, for his remarkable work with Senator HOEVEN to get us to this point. The agreement on border security, which maintains a

real and attainable pathway to citizenship which was a bottom line for the Gang of 8 Senators who were working on this bill, was the result of several Senators who were willing and determined to find a way to get this done. So I thank Senator CORKER, I thank Senator HOEVEN, and I thank Senator MCCAIN and the other Republican Members of the Gang of 8 for getting us here. This is how the Senate should work—a process that leads to principled compromise.

On the border security amendment, some opponents of fixing our broken immigration system continue to say our bill doesn't do enough to secure the border. No reasonable person could look at this legislation and arrive at that conclusion: nearly $50 billion in additional spending at the border, 700 miles of fencing at the border; we double the number of border agents on the southern border of the United States; we go from roughly 22,000 to 44,000 border agents. Those numbers are directionally right. We double them. More money and Federal resources are devoted to securing our border than on all other law enforcement that the Federal Government undertakes, and now we are doubling it.

You might be critical and say, Well, you shouldn't spend that money, although, as I mentioned earlier, this bill results in deficit reduction of almost $1 trillion over 20 years. I could see how somebody might stand up and be critical about that. I can't see how somebody could seriously maintain this bill does not secure our border.

We call for an array of new technologies and resources at our border sectors to ensure 100-percent surveillance and rapid interdiction of threats and potential illegal crossings.

E-Verify is required to be used by every employer in the United States, so we don't end up the way we did the last time—with a broken system, where small businesses either became the INS or were given fake documents and people came here where there were jobs—illegally, not legally. This internal enforcement mechanism will allow us to make sure small businesses know who they are hiring, and we are turning away people who are here unlawfully and shouldn't work here in the United States of America.

This is the greatest country in the world. But 40 percent of the people who are here who are undocumented came lawfully to the United States, overstayed their visas, and it is the consequence of our having a system to check people on the way in but never checks them on the way out or whether they left at all. This bill fixes that problem with a complete entry-exit system, with improved biographic and biometric tracking of those who come into and leave our borders. It is about time for us to begin to apply 21st century technology to this broken immigration system we have.

There are many economic reasons why we should support this bipartisan legislation. We know it will help businesses, we know it will boost our economy, we know we are securing our borders. If people don't believe me on this, I hope they will listen to Senator JOHN MCCAIN and Senator JEFF FLAKE, who are the two Republican border Senators—Senators from a border State—who took me and others down there to see what the border actually looked like, who support this legislation, who have to go home to Arizona and be able to defend this legislation by saying it secures the borders of the United States of America. They know what they are talking about.

We also can't lose sight of what this bill means for families who are suffering under the current system. Here is one story from a bright young woman in Boulder, CO, who I had the fortunate pleasure to meet, Ana Karina Casas Ibarra. I first met Ana at a bagel shop in Boulder where my staff and I stopped in for a bite to eat. She waited on us and recognized me. When my staff overheard her explaining the dynamics of the 112th Congress, they suggested she apply for an internship in my office. She was an awesome intern. We had the opportunity to learn more about her story.

Fourteen years ago, her mother brought her and her two younger brothers to the United States to escape an abusive marriage. Her mom had consistently juggled two or three jobs to support them. Although Ana was a good student, an old Colorado law denied her in-State tuition. She had to work to pay for community college a few semesters at a time. Her brothers, who saw her opportunity denied, lost their motivation. One brother who speaks better English than Spanish was deported, and the other brother who has an American citizen wife and a baby is facing possible deportation right now. She just published her story in the Denver Post. She wrote:

Too many families share similar horror stories of separation. There are 11 million people who have entered this country illegally, and the time is now to provide them with a path to citizenship.

It is time for immigration reform.

I ask unanimous consent to have printed in the RECORD a copy of the Denver Post op-ed.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Denver Post, June 23, 2013]

MY FAMILY NEEDS IMMIGRATION REFORM, SEN. BENNET

(By Ana Karina Casas Ibarra)

In 2012, I was working at a bagel shop in Boulder when Sen. Michael Bennet walked in. I immediately recognized him, handed him his bagel, and said, ''Here's your bagel, senator.'' I didn't know then that this small interaction would change my life.

After the senator left the shop, I approached my co-workers, confused that they hadn't recognized him. Some knew that Jared Polis was our district's representative, but they didn't know Bennet. I explained to them the difference between the House and the Senate, and that Bennet was our representative, too.

Members of his staff overheard this conversation, and encouraged me to apply for an internship in the senator's office.

That fall, I interned for Sen. Bennet in Denver. I got the chance to talk with the senator, meet his constituents and witness how his staff solves problems for Coloradans. The experience was eye-opening and educational, deepening my interest in government and my belief in American democracy.

That belief has shaped my life. Fourteen years ago, when I was only 12, my mother brought my little brothers and me to the United States, crossing the border from Mexico to escape her abusive husband. Through the years, my mom has consistently juggled two or three jobs to support us.

I worked hard in school, earning good grades so I could get into a top college. But several anti-immigrant laws were passed in Colorado in 2006, including one that cut off in-state college tuition for undocumented students. Despite my good grades, I ended up applying to the Community College of Denver, the only school I could afford to attend. I alternated between going to college and taking semesters off to work and slowly save up for more classes.

My brothers' lives have been dramatically different from mine. They saw me work hard in high school only to be cut off from the opportunities I had earned. They watched me do other people's laundry, clean bathrooms and make sandwiches just to put myself through community college. They saw that same future for themselves and they lost the motivation to finish high school.

Luis, my middle brother, became depressed, refusing to eat, talk to anyone or go to school. I lived in fear that he might take his own life. Instead, in 2009, he was arrested and deported. I watched, powerless, as my family was torn apart. Luis, who lived the majority of his life in the U.S., who speaks better English than Spanish and whose family and friends all live here, is now alone in Mexico, the country our mother fled when he was just a boy.

Luis' deportation was a nightmare for my family. The feelings of pain, frustration and helplessness left permanent scars. Now my family's nightmare is happening again. My youngest brother was arrested last August when he was sitting in a parked car without a drivers' license. Our family—including my brother's wife, a U.S. citizen, and their baby girl—now waits in fear for his upcoming deportation hearing, terrified that our family will be torn apart once again.

The diverging paths of my life and my brothers' illustrate the precarious balance we have experienced. As difficult as it has been for me to work my way through high school and college, it is far too easy to get caught up in deportation proceedings as my brothers have. Too many families share similar horror stories of separation. There are 11 million people who have entered this country illegally, and the time is now to provide them with a path to citizenship.

It's time for immigration reform. I hope Sen. Bennet remembers me and my family's story when he works with the ''Gang of 8'' in Congress to draft a comprehensive immigration bill. As a former intern, a constituent and the sister of immigrants caught in our broken immigration system, I urge Sen. Bennet and his colleagues to create a path to citizenship for people like me.

My life was changed forever when my senator walked into that bagel shop. Now Sen. Bennet has the power to change the lives of families across the United States by championing fair, humane immigration reform that keeps families together and creates opportunities for all those immigrants seeking the American dream.

Mr. BENNET. I just wish to say, again, how proud I am of the work Senator CORKER and Senator HOEVEN have done to get us to this point. I hope we will come to an agreement on some amendments between now and the end or that we will just take up this bill.

It is time for us to pass it. It is time for us to fix this problem for our economy and for the families all across this country. I believe we can do it, and I think it is an opportunity for this Senate to show it can work in a bipartisan way that produces a meaningful piece of legislation that is very important to the American people.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. PRYOR. Mr. President, I don't want to interrupt the flow of the proceedings, but I ask that my statement be made as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

STUDENT LOAN RATES

Mr. PRYOR. Mr. President, in the next few short days, on July 1, the interest rate for subsidized Stafford loans are set to double. The problem is that with the subsidized Stafford loans, we are talking about students who tend to be lower income. Many of these students are first-generation college students, and they tend to be people who work the hardest to get what they have. They tend to not have very much money or resources and not very many connections. They don't have a lot of advantages.

We have had several people from around the State of Arkansas e-mail or write my office. One of those who wrote to me is Donovan. He is a father who works construction to support his kids. He has two kids in college, one in the Marines, and one about to graduate from high school. He cannot afford to pay his living expenses for himself and his family and their education without the help of student loans.

Kim is another. She is a first-generation college graduate who is working to pay off $85,000 in student loan debts. As she is paying that down, she doesn't have the money to save for her own children's education.

Brandon is another story. Brandon goes to Southern Arkansas University. He is working hard to afford his education and pay for it, but he is struggling with the high cost of tuition, room and board, and books. He is worried he is not going to be able to afford college if the interest rate goes up.

Last year the Senate and the Congress generally passed a provision to keep the interest rate of the subsidized Stafford loan at 3.4 percent. I think that is the right policy. I think we want Americans to further their education. I think it obviously helps their personal enrichment, it helps their family, their community, and helps our country to keep us competitive in this global economy.

Again, we are about to see a jump to 6.8 percent. The reason I am so concerned about it is that in my small State of Arkansas, there are 68,000 low-income and middle-income Arkansas students who rely on these loans.

Unfortunately, what has happened in the Congress and in the Senate is that we had two votes a couple weeks ago, both of which failed. What we see now is a lot of finger-pointing, a lot of press releases and press conferences. But this is an area where we should find a bipartisan solution. This is a classic case that if we work together, we can work it out. In the last few weeks, I have seen Senators come together and work out difficult problems. Surely we can work through this and work it out.

The House says it has a permanent fix. I disagree with that being a permanent fix. If we look at it, it doesn't compare well to the plan we voted down in the Senate a couple weeks ago. The Democratic plan in the Senate has a 3.4-percent flat interest rate. Their interest rate is market based, and it rides the 10-year Treasury. We have to go through the calculation on how they do it, but basically we all know that interest rates are not going down. Interest rates are not staying the same. Interest rates are going up, and everybody knows that.

When we start tying these things to interest rates—did we not learn anything in the housing crisis? If we get people on the adjustable rate mortgages, what happens? It sounds good on the front end, but then they can't pay. The same thing will happen with student loans. They would get them on the lower rate on the front end, and that will go up over time.

The House Republican plan actually lets a borrower change that rate on that loan every year. So they don't lock in once for 10 or 20 years, they would lock in one year at a time and then ride that interest rate annually. It is very problematic.

By the way, I disagree with President Obama. I think he happens to be wrong, and I think we need to find a bipartisan solution.

I have a couple of charts where we talk about this. This is the House Republican plan and these are the costs. The House Republican plan goes up. Basically, the interest rate payments will be almost $8,500. If we extend the current rate, it is $3,500-ish. If they don't do anything and double the current rate, it is $7,400, and that is real money. The difference here is that this is real money for folks who tend to start out with a lower income and don't have a lot of opportunity.

We can see what the so-called permanent fix does. It basically fixes it for higher payments over time, which means we are going to have fewer people who can plan to go to college as well as fewer people who are able to go to college. We are going to have a higher default rate, which means more people don't pay back, which just creates more problems as we go. It will also hurt their spending power and again our competitiveness.

I supported the Democratic plan, but again I think there is merit in some of what the Republicans offered. I just hope this is a time when we can find a long-term solution, where we can come together and work it out. Students shouldn't be punished because of Congress's inability to work together.

Now is the time to come together. We need to come together for Donovan, Kim, Brandon—the three Arkansans I talked about—and for millions of students across the country. I know we can fix this.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I wish to thank the Senator from Arkansas for his comments. I wish to speak to the amendment and the overall bill that is before us.

I thank the eight Senators who have brought us to this point where we are looking at landmark legislation. I thank all who were involved last night who went through the hurdle of putting in place the strongest border security plan anyone could have imagined.

I don't think anybody can now look at this immigration bill and say we are not doing what the majority of Americans want to see happen; that is, to secure the borders. I thank all involved in making that happen. I know over the last several days that has consumed our discussion—talking about the border being secure. Border security is something I know people in Tennessee and folks all across this country care about.

Again, I appreciate all the contributions that have been made. I thank those who were involved last night in a very strong bipartisan cloture vote. Hopefully, we will have the vote on the amendment soon. I understand there are negotiations underway to add as many as 20 or 30 more amendment opportunities for folks. I hope people will try to narrow down their list.

I cannot imagine how more amendments which can improve the bill is not something we all want to do. I wish to thank those working toward that end. We have plenty of time left this week to deal with a number of important amendments. Candidly, many of them, in my opinion, would make the bill stronger.

Today I wish to speak to two things. No. 1, we talked about security. I, as a Senator, in the 6½ years I have been

here, have never had the opportunity to be a part of a piece of legislation that—if passed in both Houses and the President signs it, it becomes law—will immediately affect in a positive way 11 million citizens who are in the shadows today. In many ways, they are already part of our society and will now be able to come out and be even more productive for the United States of America. I am thrilled to have that opportunity.

It now appears this amendment is going to pass, and we will have the opportunity to have a balanced immigration bill. I think the American people are compassionate. I think if they understand that we have done what we can to keep this problem from occurring again in the future and if the people who came here in the way that they came are at the back of the line and have to do those things that are necessary to overcome that before they get their green card and then become citizens, I believe this is a bill that overwhelmingly will be supported by the American people. It gives every single one of us an opportunity to be a part of landmark legislation that immediately is going to affect 11 million people who now are in our country and many more people who come thereafter.

To move away from the human side—and I know we are going to have some budget points of order later—I wish to speak to the economic side, which is a side we have not talked about much.

Another first for me in the Senate is to vote for a bill that, if it passes, is going to bring $157 billion into the Treasury without raising anybody's taxes. Never have I had that opportunity. That is what we will be doing if we pass this legislation with the border security amendment that is now in place.

Over the next 10 years, CBO scores show that we are going to have $157 billion come into the Treasury without raising anybody's taxes because of the fact we are going to have people coming in out of the shadows. Over the next decade, CBO projects we are going to have over $700 billion coming into the Treasury.

I know the Presiding Officer has worked on deficit reduction. This will be the first opportunity we have had to do something such as this that in no way affects people negatively but causes us to have much more in the way of resources. We will have resources coming into the Treasury, lowering deficits, and, candidly, helping seniors who are concerned about whether we are going to be able to maintain momentum with many of the entitlement programs we have today.

CBO has actually scored something else. If this bill passes, real GDP growth is going to be at 3.3 percent over the first decade and 5.4 percent at the end of the second decade. Again, this bill is something that generates economic growth. While both sides of the aisle talked greatly about economic growth, I have to say that my side of the aisle tends to focus more time on that issue, and I applaud that. I think it is very important. I think it is a situation where a rising tide raises all boats, households do even better, and the standard of living increases. What this bill, if passed, is going to do is cause our GDP growth to be even higher over the next two decades.

I know people have talked a little bit about wages. In fairness, there is a study that does say that over the next decade there might be one-tenth of 1 percent effect on wages. What it says is that by the end of the second decade, wage increases are going to grow even more dramatically than they would without this bill.

Productivity is going to increase. CBO has recently scored that productivity is going to be much higher if we pass this piece of legislation. If people come out of the shadows, become more productive citizens, it actually causes us to produce even more goods and services in this Nation.

I think everyone understands that because the people who will be affected by this—the 11 million undocumented workers and people who are in this country—will be paying into the system for 10 years, at a minimum, and will not be allowed to participate in Social Security and Medicare. What they are doing is actually giving additional life to both of those programs—programs that seniors around this country depend on tremendously.

To digress, I know yesterday CBO said that if this amendment we are debating passes, it will have a tremendous impact on lessening the amount of illegal immigration we have in our country, which is something I know almost every American wants to see.

I know there will be some budget points of order. In my life as a Senator, I spent a lot of time on deficit reduction. As a matter of fact, I would put the efforts we have made in my office against almost anybody here. Over the last 6½ years, we have been focused on deficit reduction.

As I said, I have never in my life had an opportunity such as this as a Senator. If we pass this piece of legislation, by sheer force of what is going to happen out in the marketplace and what is going to happen by bringing people in out of the shadows so they can participate in a different way and without raising anybody's taxes—as a matter of fact, maybe it gives them an opportunity to lower people's taxes down the road—we are going to lower our deficit.

I know there will be budget points of order. I plan to vote to override those because I don't think the off-budget items are being counted in the way they should. I think all of us understand that Medicare and Social Security are in distress. Those programs are not being counted in what is going to be discussed later today with these points of order.

I encourage everyone to override these points of order, taking into account the benefits this is going to have on the off-budget items. By the way, typically when we are dealing with these ''off-budget items,'' we are actually dealing with them in the reverse, and that is that people are not taking into account the negativity that is going to impact them. In this case, there is actually a positive result.

So from a human standpoint, this is the right thing to do. From a border security standpoint, this is the right thing to do. From a deficit-reducing standpoint, this is the right thing to do. And for raising the standard of living for all Americans through economic growth, this is the right thing to do.

I thank the Chair for the time, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I think we should get a little perspective, at least as I see it, on the Corker-Hoeven-Schumer substitute that was voted on earlier, and we will vote on again. I think this is what happened.

It became clear last week that the Gang of 8 bill was nowhere close to doing what it promised to do on enforcement. The flaws were too dramatic to hide and the CBO found it would only reduce illegal immigration by 25 percent after they had promised dramatic changes in it. And I pointed out that it had holes all through it, like Swiss cheese, and the CBO essentially confirmed that.

The bill was in trouble. Support for the gang's proposal began to fall, and the mood changed from over confidence among the supporters to even panic. The gang knew action had to be taken or things could be lost, so they got—they went to Senators CORKER and HOEVEN with this idea that they would just add 20,000 Border Patrol agents to our current agents on the border and 700 miles of fencing. Both of those projects they had steadfastly rejected, even rejecting the Cornyn amendment to add 5,000 agents. One of the Members of the Senate said it was dumb to do any fencing, and they opposed the fence.

Well, these provisions of new enforcement were contrary to what the supporters had been saying for weeks. They promised America their bill was

the toughest ever, driving those messages into homes all over America with TV advertisements; with Senator RUBIO; big business; Mr. Zucherberg pretending he is a conservative advocate; running ads telling us all what we ought to know and do about this bill. The goal, I have to say, was to provide some sort of cover to get wavering Democrats and Republicans to sign on to this new bill that is going to add 20,000 agents.

Well, why would they be willing to make such a dramatic, unceremonious retreat on a position they had taken for months? First, they were desperate. Something needed to be done. Secondly, they know that the promises made in this substitute bill to build fences and to add 20,000 agents will never occur. It is not going to happen. So they are really not worried about that. It is a kabuki dance, a bob-and-weave, a rope-a-dope. Everybody in the Senate knows how this process is working. The staff know it, and I think probably most of the media understand it.

These promised actions are not going to happen in the future. The interests who push this bill have never wanted to end the illegality. I have been fighting on this for years. Every time we get close to fixing E-Verify, every time we get—in fact, we had debates, and I had to hold up bills to keep E-Verify from expiring. Forces were out there trying to kill E-Verify for years, and I held up legislation to insist that at least we keep it alive. We weren't able to strengthen it, which it needed desperately. That is the workplace situation, E-Verify is, where when a person applies for a job they run a quick computer check on a person's Social Security number to determine whether they have a lawful Social Security number. It identifies a lot of people who are illegally here and should not be taking jobs. So those forces have never wanted a lawful system, and they objected to things that occurred.

So their interests and the interests of those who met in secret to cobble this bill together have always favored more immigration, legal immigration, and it seems to me quite a bit of indifference to illegal. These are the forces that have voiced support for but blocked the creation of real border security fencing over the years.

They have voiced support for E-Verify with a blocked extension of it and strengthening of it. They have voiced support for an entry-exit visa system that works in all land, sea, and airports; indeed, we have passed bills to do that—biometric land, sea, and airports. This bill reduces that requirement through just entry-exit visa systems at air and seaports and not on land, and it is not biometric. That is a critical difference because now 40 percent of the people here illegally come on visas and overstay, and we have no idea who is leaving the country. We clock them in on entry, but we don't clock them out when they leave. So we don't know if anybody has overstayed.

That is the situation we are in. I see my friend, Senator VITTER, and I want him to have time to talk. I know he is due to be talking now. I would say one more thing as he prepares to deliver his remarks.

We were promised, when the bill passed, that the economy would be better, wages would improve, and GDP would be up, and unemployment wouldn't be adversely affected. The CBO report said unemployment will go up, and I have a chart they put out in their own report showing that. They say wages will go down over the next decade, and they say unemployment will go up. They say gross domestic product will increase some as a result of the situation of more people, but per capita, per person, GDP declines for 21 years.

So we need to know—at this time of high unemployment, slow growth, low-wage growth, we need to be very cautious about allowing millions of new workers to enter this economy at this time. We want to have immigration, but we want to have it at a rate that serves the national interests and increasing it dramatically is not appropriate.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent that at 11:30 a.m. Wednesday, June 26, all postcloture time on the Leahy amendment No. 1183, as modified, be considered expired; that the pending amendment No. 1551 be withdrawn; that if a budget point of order is raised against the Leahy amendment No. 1183, as modified, during its consideration, and the applicable motion to waive is made, that at 11:30 a.m., the Senate then proceed to vote on the motion to waive the budget point of order; that if the point of order is waived, the Senate proceed to vote on the Leahy amendment No. 1183, as modified; that upon the disposition of the Leahy amendment, the Senate proceed to the vote on the motion to invoke cloture on the committee-reported substitute, as amended; that if cloture is invoked, it be considered as if cloture had been invoked at 1 a.m., Wednesday, June 26; and, finally, that the majority leader be recognized following the cloture vote, if cloture is invoked.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Louisiana.

Mr. VITTER. Mr. President, related to that unanimous consent agreement, I wish to make a budget point of order, which I will do in just a second. But I also ask unanimous consent that after I make the point of order and after the Senator from Vermont moves to waive it, I be recognized for up to 12 minutes to explain my budget point of order.

Mr. LEAHY. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Mr. President, the pending measure, S. 744, as reported by the Judiciary Committee, would violate the Senate pay-go rule and increase the deficit.

Therefore, I raise a point of order against that measure pursuant to section 201(a) of S. Con. Res. 21, the concurrent resolution on the budget for fiscal year 2008.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, the waiver provisions of applicable budget resolutions, and section 4(g)(3) of the Statutory Pay-As-You-Go Act of 2010, I move to waive all applicable sections of those acts and applicable budget resolutions for purposes of the pending bill and amendments, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The Senator from Louisiana.

Mr. VITTER. Mr. President, let me now talk briefly about my budget point of order. I made one specific budget point of order, perhaps the most serious, which is that this bill, as it came out of committee, increases the deficit, pure and simple—the thing we constantly rail against, the thing we constantly promise we will not do any more of. It increases the deficit.

However, that is not the only budget point of order. There are at least 11 budget points of order against this bill—the Senate pay-go point of order, which I just explained.

In addition, there is new direct spending authorized by the bill that would exceed the Judiciary Committee's authorization levels for a 5-year period. In addition, there is new direct spending exceeding those authorization levels for the 10-year period.

There are four points of order pursuant to section 403(e)(1) that lie against the emergency designations in the bill.

We say we are for budget discipline. The problem is that whenever we want to bust the caps, bust the numbers, we just call certain spending an emergency. This is clearly not emergency spending. This is an important problem, but it is not an unexpected emergency, such as a natural disaster or an attack by a foreign government. There are also four similar emergency designations made under section 4(g)(3) of the Statutory PAYGO Act of 2010.

So, again, there are at least 11 separate, distinct budget points of order that lie against the bill. That is a big

deal, particularly when we are running record deficits and have record debt, particularly when all of us from both sides of the aisle have come to the floor regularly and said: This is a huge challenge, and we are doing something about it.

We are going to pass a bill that breaks those rules, that busts those caps, 11 different ways.

Technically, my budget points of order that I just enumerated are about the underlying bill, but most of these also apply to the Corker-Hoeven substitute—the Leahy substitute incorporating the Corker-Hoeven language. So they have the same budget problems, the same fundamental problems under that version.

This is very simple. It is about, are we serious in reining in deficits and debt or not? Are we serious or not?

There is a bit of good news. In the last several months, say, since September of last year, this body has raised this same sort of budget point of order seven different times—seven different times—saying that important bills bust the caps, increase the deficit, claim spending is an emergency when it is not. And seven different times since last September, we sustained those budget points of order. We as a body said: You are right. We should not do that. We should get serious about spending.

Seven times, by the way, on my side of the aisle virtually everyone supported that budget point of order, and we did that in many cases where it was difficult politically to do it—when veterans' benefits were at issue, when other important matters, such as Hurricane Sandy relief, were at issue. So we have shown some amount of discipline through these budget points of order seven out of seven times since September. The question now is, Are we going to do it again or are we going to cave?

Now, this pay-go point of order is perhaps the most serious because it is about increasing the deficit. That is what the point of order is about—actually increasing the deficit over the next 10 years.

We have to stop violating this rule if we are serious about deficit and debt. Pay-go originally banned counting Social Security revenues to mask the deficit. Spending in this bill is offset by $211 billion in Social Security revenue. So once again we are going to rob Social Security to claim we are moving toward balancing the budget.

We need to get serious on all of these budget issues. We need to maintain the record we have had here in the Senate since September. We need to sustain this important budget point of order when we vote tomorrow.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I support Senator VITTER's motion. There are multiple points of order that could be raised against this legislation. They have declared a number of the spending programs emergencies; if you designate an appropriation as an emergency, it does not count against the budget, but it is real spending all the same.

Normally, we would expect that border enforcement and hiring of officers would not be an emergency; neither would other aspects of what we are doing here be considered an emergency.

We were told by the sponsors of the legislation repeatedly that this bill will be paid for and it will be paid for by fees and fines contributed by those who are here illegally as part of their payment to get citizenship and legal status. Well, that comes nowhere close to funding the legislation.

This chart I have in the Chamber gives us some—I will get to it in a second. But this chart gives an indication of where we stand with regard to budget implications of the legislation.

So the fines and penalties and fees that are a part of this maybe bring in $6 billion or $7 billion. They said there was enough to pay for the bill. The bill originally started out at $6 billion, then it went to $8 billion, and then, with the Corker-Hoeven amendment, it jumped to $46 billion. There are no additional fees on the illegal aliens.

When they met with the support group, the Gang of 8 met with the real group who has been driving the bill—this coalition of special interests.

They went to them and said: We need to raise some more money.

And they said: Well, you cannot put any more fines on the people here illegally.

So they said: Yes, ma'am. We will not put any more fines on them. We will put more fees on legal immigrants in the future.

So they raised fees on legal immigrants but did not raise fees on the people who are here illegally who originally they said were going to pay for the entire bill. So that is important for us to fully understand. The money is simply not there.

I will note parenthetically that the 2007 immigration bill—that was on the floor and we debated and eventually failed—that bill would have raised as much as $8,000 per illegal individual. This bill only raises $2,000, and it is to be paid over 10 years. This is not a burdensome payment if you are going to say they pay a fine—as the sponsors of the legislation did—to become permanent residents and put them on a path to citizenship. So it is about $17 a month. I calculated it out roughly. That is not a big fine. You are allowed to work. You get a Social Security card, an ability to apply for any job in America on an equal status with anybody else who has been unemployed and looking for work, their children looking for work and need a job. Somebody who was just a few days before illegally here now has full power under this legislation, if it were passed, to take that job. So the idea that $17 a month is somehow going to be breaking the bank is not accurate.

The problem fundamentally with this situation is that it double counts billions of dollars. We need to understand how this process works, this double counting. It was part of the 2,000-plus page ObamaCare health care legislation. This thing is over a thousand pages—1,200 pages—and things get lost in it. What is lost fundamentally in it—and the supporters of it ought to be more candid about this—is that to make their argument that the bill is going to bring in more money than goes out, they have to double count Social Security and Medicare money. They just do. Senator CORKER has made that argument. Basically, we have this money coming in.

In one of the conventions of accounting that our budget team uses—the Congressional Budget Office—it calculates all the money coming into the government, all the money going out of the government, regardless of whether or not there is a trust fund.

Another form of accounting accounts for the trust funds and accounts for general revenue. General revenue is on-budget. Off-budget is the Social Security trust fund and some other funds.

So look at this chart. I think it gives a picture of where we are. This is the true cost of this immigration bill. I am the ranking Republican on the Budget Committee. We wrestle with these numbers all the time. Under this, they claim they have a unified budget surplus of $197 billion. That is the accounting method where all the money coming in is counted against all the money going out. But if you remove the Social Security surplus, that is $211 billion. If you remove the Medicare surplus, that is $56 billion, showing, instead of having a surplus, we have a $70 billion deficit.

You say: Well, CBO said different.

No, CBO did not. CBO, in its report, explicitly shows that the on-budget accounting is negative, that it adds to the debt. It counts a surplus in Medicare and Social Security. Now, how could they do that? Well, these individuals—many of them do not have a Social Security Number and are not paying Social Security and Medicare taxes—the withholding of FICA on our paychecks. They are not paying that. Once legalized, they will pay that. There will be new money coming into the Treasury.

These sponsors of the bill, so desperate to promote their bill and say it is paid for, say that Social Security payment, that FICA payment, is now available for them to spend over here on all the things they want to spend the money on; therefore, it has created a surplus. But it ignores something very important: that each one of those individuals who have paid into Medicare, paid into Social Security, are going to draw out Medicare and Social Security. It is their money. It is their retirement money. You cannot put the money up for their retirement and spend it the same day and expect it to be there.

This is how this country is going broke. This is how they handled President Obama's ObamaCare. They double counted the money. Well, you say that is not accurate. Let me read the letter I got from the Congressional Budget Office Director the night before we voted, December 23. I voted against it. The ObamaCare legislation passed on Christmas Eve. They finally got the 60th vote before Senator Brown from Massachusetts could be installed. This is what the CBO said at the time:

[T]he savings to the [Medicare] trust fund under PPACA—

That is the ObamaCare—

would be received by the government only once, so they cannot be set aside to pay for future Medicare spending and, at the same time, pay for current spending on other parts of the legislation. . . . To describe the full amount of [Medicare] trust fund savings as both improving the government's ability to pay future Medicare benefits and financing new spending outside of Medicare would essentially double-count a large share of those savings and thus overstate the improvement in the government's fiscal position.

If that were a private business that sent out a solicitation to buy its stock and they said, we are on a good basis, we are making so much profit—and they are counting as their profit the money going into their employees' pension plan—I think they would be in big trouble, do you not? Because it is not their money, it is money committed to the employees' pension. You cannot claim it as profit and say, invest in my company, I am making a big profit, counting the money that is in the employees' retirement money.

Well, this is what we have been doing. The Senator from South Carolina used to say: We have been raiding trust funds. If we were in private business, we would be in jail. I think there is too much truth to that, frankly. So this is undisputedly real.

But because there is a score, a unified budget score, the method that says all money comes in and all money goes out, you have a surplus, you can count this as a surplus. Why is that? Well, because most of the people who will be legalized under this bill, those individuals are in a situation where they are younger, maybe 35. So they will pay into Medicare for a number of years, and Medicare for a number of years will see a surplus in their account.

But after they reach retirement age and start retiring, the money is going to be drawn out. In fact, right now the amount of money paid into Social Security and Medicare by American workers is not enough to cover the cost of their retirement. That is why both of those accounts are in serious trouble. We have got to do something about it. We need to be making it stronger, not weaker. This makes it weaker. You are taking the money that should have been going to fund the retirement accounts of the people who were previously illegal who are now legal and spending it on something else.

Senator VITTER is exactly right, there are multiple bases for making a budget point of order against this bill. I believe the motion to waive the budget point of order was a motion to waive all of them, so this will be the only one we will get to vote on. So there are others who could have been raised also.

So what about this argument that wages are supposed to be improved by the bill? We were told that and told that repeatedly. This is what the CBO report says, ''CBO estimates that S. 744 would cause the unemployment rate to increase slightly between 2014 and 2020.'' So this is a fact. So at a time of high unemployment, lower wages, we are passing legislation that will increase unemployment, make more people unable to find work.

This is a chart that was in the CBO report, not my chart. I did not make this chart; it is in their report. It points out the average wage would be lower than under current law over the first dozen years. So we are asked to vote for a bill that CBO says would make the average wage of American working people lower for a dozen years.

I do not see how that is rational, frankly. We have seen since 1999 the wages of American workers have been decreasing as compared to the inflation index. The amount of money they are making is falling compared to inflation. That is a tragic thing. It has been continuous. I thought it might be temporary, but it has been continuing steadily.

One expert, Professor Borjas at Harvard, attributed 40 percent of that to immigration already. This bill will dramatically increase the flow of immigration. So I am worried. This is a chart that has down here 2021, 2023, before it hits the line back where it was. Then you say, well, then it is improving. Not so. Not so. If the bill had not been passed, we would have had some increase all along. The lines would have been much higher. I do not know how many years it would take for this ever to get back to where it would have been if the bill did not pass.

That is what the CBO says. It is not that inconsistent with common sense, that at a time of high unemployment and you bring in millions of workers, it is going to pull down wages. If you bring more coal into America, you bring more iron into America, more cotton into America, the price of those products falls. It is supply and demand. You bring more labor in, you are going to have a lower wage rate, which David Frum has written is what the bill was designed for to begin with, pull down wages.

We need to think about this. I dispute this idea that there is no impact on wages by this immigration law. This is what will happen in the next 10 years: We are going to legalize 11 million people. About half of those are not working effectively in the real job force; maybe they are doing part-time work; maybe their family is taking care of them; maybe they are working in a restaurant or lawn care companies off the books. All of a sudden they are going to be given legal status. They will be able to apply for any job: truck drivers, forklift operators, coal miners, steelworkers, work for the county commission, city council, State of Alabama. They can apply for all of those jobs. So you are going to see a large increase in the supply of labor available for jobs for which they were not eligible previously.

Second, what about the normal legal flow? We now admit about 1 million people a year into America. That is the most generous admission rate of any Nation in the world. It is pretty significant, very significant. We have been absorbing that. I think we can continue at that rate. However, this bill, in addition to the 1 million I just mentioned, will increase by at least 50 percent the number of immigrants who come into the country every year hereafter, which is pretty significant.

In addition, there is another 4.5 million who are waiting to come into America. They have been tentatively approved, but there are limits on how many can come each year. So they are waiting their time. They call it a ''backlog.'' They are just waiting their time. That is 4.5 million. They have been accelerated.

Let's think this through. Under the current law, we were on track to admit 10 million people as immigrants into America. By immigrants, I mean people who want to stay here, get legal permanent residence and become citizens. We are on track for 10 million if you follow current law.

Under this bill, we will admit, over the next 10 years to lawful status in America, the 15 million I mentioned, the 11 million plus the 4.5. Then we are going to increase by 50 percent the annual admission rate from 1 million to 1.5, meaning 15 million over 10, which means 30 million. So the number of people who will be given permanent legal status in America over the next 10 years will be 30 million, not 10 if the law had been properly applied.

There is another category. Those are people we refer to generally as guest workers. Guest workers come not to become immigrants, not to stay in the country permanently, but come to work in an area where they can find a job. It is supposed to be in an area where there are not workers to do the work. That is the theory, at least. How will that be impacted by this new legislation? It is going to be double. So the number of guest workers, which is very large now, is going to double under this legislation.

I would say, first of all, it is common sense that the average wage is going to fall. It is common sense that unemployment will go up. It is common sense that it is going to be harder for Americans in this time of high unemployment and falling wages to get a decent job with health care and retirement benefits. It just is.

People can spin and they can quote Grover Norquist and those kinds of things to say otherwise, but Professor Borjas at Harvard says differently, a Federal Reserve economist in Atlanta says differently, the U.S. Commission on Civil Rights said they had hearings and every witness acknowledged it would be bad for American workers, particularly lower income workers, particularly for African-American and Hispanic workers who are already here. They will get hammered the most under this dramatic increase in workers.

They say it will increase GNP. Well, it will. You legalize 30 million, you are going to have a larger economy and it will be bigger. But the question is, per person, per capita, will America's productivity increase? Will our GDP increase?

Well, what did CBO find? This is their chart. It shows that it dropped. This is the baseline today. If we pass the bill, the per-capita GNP of the United States of America of each citizen drops. That does not make us wealthier as a Nation, as a person. So what if the economy grows a little bit but everyone has less because you have got more people? That is what they say: S. 744 would reduce per capita by 0.7 percent in 2023. That is 2023. This is about 16 years they chart that it will be lower than it would have been if the bill never passes.

So why would we want to pass legislation that clearly reduces the per capita wealth of America, our growth of GNP? I do not think that makes good sense. I am concerned about it. Nobody wants to talk about it, they just want to pretend there is no limit to the number of workers who can be brought in and that that will not have a societal impact on America.

Let's take a look at a few things here. This is the Washington Post from 2 weeks ago when we got the job report dealing with the jobs for the month of May. It was considered to be fairly positive. It was about our normal average increase during the recovery period from the recession. But it is still not much. Not so good.

Unemployment went up, even though we created, they said, 175,000 jobs. That sounded good. We created 175,000. But you have to create about that many jobs each month to stay level, because we have more people coming into the workforce each month.

Look at what they said in the article:

The bulk of the job gains in May were in the service industry, which added about 57,000 jobs last month. Still, roughly half of those were temporary positions, suggesting that businesses remain uncertain of consumer demand.

They go on to note:

Missing from the picture were production jobs in industries such as construction and manufacturing. . . . Meanwhile, manufacturing shed 8,000 workers. . . .

Manufacturing jobs went down by 8,000. The increase was in service industries. The increase in half of those were part-time or temporary, not full-time, permanent jobs.

Anybody who says we are in great shape with regard to job creation is not telling the truth.

An article in today's Wall Street Journal, ''Some Unemployed Keep Losing Ground,'' states that ''nearly 12 million Americans were unemployed in May, down from a peak of more than 15 million. . . . ''

At one point a few years ago, we had 15 million Americans working. We now have 12 million Americans working.

The percentage of Americans in the workforce continues to fall. It is the lowest since the 1970s when women were entering the workforce. That is why the percentage went up, but now we are down to that level again. People are not finding work.

The idea that we can bring in millions of workers well above the current rate and that this is somehow going to create jobs is hard for me to accept. The article states:

''At 175,000 jobs per month, we're years away,'' said Adam Looney, a Brookings economist, from where we need to be in unemployment rate. The real reason is economic growth has not increased much.

It goes on to cite some very sad numbers that show the danger for people who have been unemployed for longer periods of time. It does appear, unfortunately, that somebody who is older or somebody who has not found a job for quite a number of months finds it even harder to find a job in the future. This is the Wall Street Journal, and they support immigration aggressively, but this is their story. The article talked about Mr. Ken Gray.

Ken Gray has experienced that frustration firsthand. In January of 2011, Mr. Gray's wife died after a battle with ovarian cancer; three months later, he was laid off from his job as an account manager at AT&T, where he had worked for more than 20 years. Still grieving from the loss of his wife, Mr. Gray says he was slow to turn his full attention to his job search. By the time he did, the Chicago resident was long-term unemployed, and he has struggled to get prospective employers even to respond to his applications.

''You just feel so discouraged,'' Mr. Gray said. ''You ask yourself what's the sense of sending a resume if you don't hear anything.''

Now 59 years old, Mr. Gray been living off his dwindling savings since his unemployment benefits expired last year. He says he remains determined to find work. But long-term job seekers are twice as likely to leave the labor market as to find jobs, and many experts worry that many of them will never return to work. That could create a class of permanently unemployed workers and leave lasting scars on the economy.

''Once people reach a point where they no longer consider themselves employable . . . it is very difficult to pull them back,'' says Joe Carbone, president of WorkPlace, a Connecticut workforce-development agency. . . . ''We are losing thousands of people a day. This is like an epidemic.''

I don't think we can pretend this isn't reality. I think the CBO numbers probably understate the problem. Professor Borjas' studies would indicate that and others would indicate that.

Another example is from the New York Times, May 20, 1 month ago, written by Jessica Glazer:

The men began arriving last Wednesday, first a trickle, then dozens. By Friday there were hundreds of them, along with a few women.

They set up their tents and mattresses on the sidewalk in Long Island City, Queens, unpacked their Coronas and cards—and settled in to wait for as long as five days and nights for a slender chance at a union job as an elevator mechanic.

On Monday morning. . . . Those in line—there were more than 800 by sun-up Monday—were hoping for a chance at job security, higher salaries and other benefits.

Andres Loaiza, 25, had his eye on a position that includes minimal physical labor. . . . Every 18 to 20 months, the union accepts 750 applications for the 150 to 200 spots in its four-year apprenticeship program. . . . While they waited, the hopefuls lined the sidewalk along 36th Street. . . . The union had rented six port-a-potties and hired a 24-hour security guard. . . . Overnight, they brushed their teeth with bottles of water; tucked into their sleeping bags, folding chairs or cars; and tried to get some rest.

On Saturday a light drizzle fell. Gerry Dubatowka, 20, whose father is in Local 3, waited for his shot.

He is studying electrical technology at Orange County Community College, but said he would rather work with his hands than be in school.

''I just want to do whatever, wherever I got to start,'' said Mr. Dubatowka. ''I want steady work all the time.''

For millions of Americans, this is what they want. They want a job with a retirement benefit, a health care benefit, and a steady job. We are not creating enough of them. That is the problem. Continuing:

After Sunday's drenching rain, Monday morning dawned gray. A few arguments erupted as people tried to cut the line. . . . At 9 a.m. Monday, the door opened. The first man in line disappeared inside and emerged

moments later with a wide smile across his face.

''Yay! No. 1!'' one man yelled when he stepped onto the sidewalk.

''Good luck, big guy!'' said another.

This is the problem we are facing. I would share with my colleagues, at the rate of immigration in the future, we will have well over 100,000 new immigrants a month enter the country who are looking for jobs. We will have more than that enter, but we will probably have about 100,000-or-so-plus a month looking for jobs.

What does our Congressional Budget Office say about our future economic growth pattern? The CBO each year, as part of the budget process, lays out a 10-year projection of economic growth for America. They project all kinds of things. They are not perfect, but they use the best data available from the Labor Department, academic studies, private business analysis, and they project how many people would be employed. They are projecting for America's economy what I think a large majority of other economists and private sector people are predicting; that is, a new normal, where growth has not increased as fast as it has during boom times in the past. You have heard that phrase, ''a new normal.'' This is a new normal, and that is what we are facing.

They predict, in the second 5 years of our 10-year budget window, we will increase jobs in America by 75,000 a month, well below the amount of people immigrating to America to get jobs under this bill. Should we invite people to come who are not likely to have a job? Should we invite more people to come than we will have jobs for when they will make the new immigrants who arrive before them unable to have a good job?

Shall we bring in more immigrants than we can absorb, causing wages to decline for American citizens, making it harder for American citizens to find work? Do we take those people who are not finding jobs and do we then place them on the welfare rolls and put them on a government subsistence program when they have been independent and able to prosper previously in the private sector?

What is the right thing for America, colleagues? I think we have to think about that. These numbers from CBO show there will be adverse impacts on the economy, wages, and unemployment at a time when we need to be doing just the opposite. We need to be creating jobs, putting people to work. We simply have to give first priority to those to whom we owe our allegiance, the people who fought our wars, paid our taxes, and kept the country going when they were able to work.

I raise that point. People don't like to talk about it, but I do believe it is honest and true. A good immigration policy should be focused on a number of things. It should be focused first on the national interests, the interests of the American working people, whether they are lawful immigrants and not yet citizens or whether they are lawfully here as citizens. We owe our obligation first to that cohort of people. They are loyal to our country, and we owe them our loyalty first.

Then we bring in people at the rate we think we can absorb that is healthy for America. Maybe 1 million people a year is about the right rate. If that is where we are, I can accept that. To have it increased by 50 percent, to have the guest worker program doubled on top of allowing early entrants and legality to 15 million, that is a trend that I think is dangerous for America.

My position is this, let's be prudent, friends and colleagues. Let's be cautious. Let's not be increasing the legal flow by 50 percent at a time of high unemployment when it looks as if we are not going to be able to create enough jobs for those people who would be coming here. We surely don't need to be doubling, it seems to me, the guest worker program at a time when we have high unemployment.

This is where we are. I believe that needs to be considered. I think the American people who are out here watching what is going on in the Congress need to be asking their Senators and their Members of Congress who will be taking up these issues soon: Are you thinking about us? Whom are you thinking about? Are you thinking politics or are you thinking about me? Who is thinking about me?

You meet in secret with the Chamber of Commerce. You meet in secret with La Raza, you meet with the politicians, you meet with the meat packers group, and the immigration lawyers association, but you don't meet with the law enforcement officers who have told us this bill will not work.

You don't have representatives from the heart and soul of America in there. Nobody is expressing what kind of impact will be felt by them. This is what my concern is and one of my many concerns as we wrestle with legislation.

We can deal compassionately with the people who have been here for a long time, and I will support that. I believe we need a system that ends the lawlessness and a system that serves the national interests of American citizens.

I thank the Chair, and I yield the floor.

The Senator from Oklahoma.

Mr. INHOFE. Madam President, I ask unanimous consent that I be recognized as in morning business for such time as I may consume.

The PRESIDING OFFICER (Ms. WARREN). Without objection, it is so ordered.

Mr. INHOFE. Let me comment also, the Senator from Alabama has done a yeoman's job. He has studied this issue and looked at all angles. He has one great advantage over me. He is an attorney who understands the ramifications. Let me just mention two things about the bill which concern me. One is that I have been privileged, maybe as much as any other Member of this Senate, to speak at naturalization ceremonies. If my colleagues have never done it before, I say to my fellow Senators, do it. One has a totally different perspective on this whole issue we are talking about; that is, getting to know people who go through the legal channels. You look up and see that these are people who learned the language, who have studied the history and, I daresay, would know as much about the history of the United States of America as we know in this Chamber.

Anything that is going to fast-track a citizenship is something that is of concern to me.

This is not why I am here. I decided to come down knowing that the President of the United States was going to make a talk, and in this talk I wish to make sure people understand what he is advocating is the largest tax increase in the history of this country. It is something we know he has been trying to do, in terms of his global warming activities, actually a long time before he was first elected 4½ years ago. His speech on global warming indicates he has started delivering on all the promises he gave the environmentalists during his campaign. When I talk about the environmentalists, I am talking about all the groups—good, well-meaning, some are not, some are extremists.

Leading up to his reelection campaign, the President had been given a pass by all these organizations because they knew if the American people thought he was going to do what we now know he is going to do, what he announced today, he would not be reelected because of the cost of it.

So he had been given a pass by the environmentalist groups, such as the Sierra Club, the Natural Resources Defense Fund, the Environmental Defense Fund, moveon.org, George Soros, Michael Moore—you know the crowd. They said: Fine, but as soon as you are reelected, since you can't be reelected again, we want to get all these things done. So all these groups want the President to use his regulatory power to make traditional forms of energy so expensive there is no option but to use their preferred alternatives.

They understood if the President wanted to get reelected he would need to delay many of these regulations until after his reelection, and that is exactly what happened. They were willing to do this because they believed it was that important to reelect Barack Obama for a second term as President, as opposed to Mitt Romney or any of the others who were running. So they gave him a pass, and they didn't talk about this. As a result, he delayed

many of the most significant regulations the EPA worked on during his first term until after the election.

One of those regulations was Boiler MACT. Let me explain MACT. MACT stands for maximum achievable control technology. It means what is the maximum in terms of something, such as emissions, that can take place where you have the technology to support it.

This rule sets limits—this is on Boiler MACT—on emissions of industrial and commercial boilers that are actually impossible to meet because the technology required by this rule isn't even available yet. It would cost the economy—and the analysis that was done, by the way, no one has disagreed with—$63.3 billion and would result in about 800,000 jobs being lost. It is called Boiler MACT. Every manufacturer has a boiler, and these are the standards that would be required—an emissions standard—where there is no technology to reach that at this time.

So the President waited to finalize the rule until the day after the election. He didn't want the rule to go out before then because he didn't want people to realize what it would cost until after election day.

Another rule is the Ozone National Ambient Air Quality Standards. It is called the NAAQ Standards, but it affects everyone in America. The President tried to redo President Bush's 2008 update of this standard during his first term. But as the election neared, and the cost of the regulation became clear, he completely punted the effort. Now, however, we know he is actually considering an update of this regulation that could lower the standard from 35 parts per billion to 60 parts per billion. This is on emissions, and this would put as many as 2,800 counties out of attainment.

Let me tell you what that means—and, by the way, we have 77 counties in my State of Oklahoma, and all 77 would be out of attainment. It means you can't go out and recruit industry or keep the jobs you have because you are out of attainment. That is an official standing. This would mean 2,800 counties would be out of attainment in the United States, including all in my State of Oklahoma.

One thing the environmentalists want that the President has not been able to deliver—and it is even worse than all the rest of this stuff—is to deliver on the CO_2 regulations, which is the crown jewel of environmental regulations. In fact, there is an MIT professor named Richard Lindzen, who is supposed to be one of the outstanding and perhaps the premier climate scientist in America today, who said the regulations on carbon dioxide are a ''bureaucrat's dream. If you control carbon, you control life.''

That is a pretty strong statement. This is because everything—every manufacturing process, every refinery, every hospital diagnostics machine, every home, every school, every church—would have to be regulated. If you can control carbon, you can control every decision anyone ever makes. This is what the liberals want. They want government to control everything, and their crown jewel is CO_2. That is where the whole thing started.

Remember, a lot of people are saying now: We never did say it was global warming, now it is climate change. They have changed it around quite a bit, as people realized some of these things aren't true. I can remember when people were talking about global warming—now we know we are actually in part of this cycle that is going down. But that is not important. What is important is they want to regulate carbon dioxide. That is their goal.

So the President first tried to push greenhouse gas emissions on the Nation in 2010 when the Democrats had supermajorities in both the House and the Senate. The last bill they had was called the Waxman-Markey bill—two House Members. It was a cap-and-trade bill. We all know what cap and trade is. We have been talking about it now for 12 years. That is where they cap emissions and then they can trade those around. They can buy and sell them and it results in a huge tax increase. It would have regulated any source of emissions that emitted 25,000 tons of greenhouse gas emissions or more.

That is very important because what the President announced today is far greater than that. In other words, those bills were only going to regulate the emissions of industries that emitted 25,000 tons of greenhouse gases each year. That came to a total cost of about $400 billion a year.

Again, I am using these without documentation now because I have been using them, and we have been documenting them for 12 years with no one arguing the fact that if we pass cap and trade at 25,000 tons of greenhouse gas emissions a year, it will cost about $400 billion. So that is a huge amount.

While that may not be the largest tax increase in history, what the President proposed today would be. Congress squarely rejected that, and while the bill passed the House, it failed miserably in the Senate. That is because it would have lowered the standards of living for the American people across the country, forced businesses to shut down, and it would equate to the biggest tax increase in American history.

And I think people understood that. That was what happened in the past. What the President wants to do is what they could not get passed in terms of legislation, so they are going to now do it by regulation. The American people knew what was going on, knew the impact this legislation would have, and they told their Representatives to vote against it, and they did. Many of those who voted for it are no longer in this Chamber. They were defeated in 2010.

With the President's reelection squarely secured, the environmentalists have been crying for the President to act aggressively on global warming. It is payback time. We understand, Mr. President, you couldn't push this thing by regulation before the election because you wouldn't have been reelected. But now you are reelected, and we have a law that says you can't be reelected again, so it is payback time. So he is doing this unilaterally, bypassing Congress, and using the authority he is claiming under the Clean Air Act.

In the words of a very prominent Democratic Congressman, JOHN DINGELL, this would be a ''glorious mess'' because instead of regulating only the biggest pollutants—such as in the Waxman-Markey bill, and those who wanted to regulate only industry that emitted over 25,000 tons a year—the Clean Air Act regulation would regulate any facility emitting over 250 tons. So it is not 25,000 tons that would be regulated, it is anything over 250 tons. You can't even calculate how much that would cost in terms of a tax increase.

As the President announced today, he will begin this process with the regulation of greenhouse gases from new and existing powerplants. The President may have said today he will work with the State utilities to make sure they get a policy they like, but that is just window dressing. It is putting lipstick on the pig. Legally, the President cannot get around the requirements of the Clean Air Act.

The Clean Air Act was passed a long time ago. In fact, I supported it. We had the Clean Air Act regulations back when I was serving in the House. They were good and they worked, but they do call for regulation of any facility emitting 250 tons of greenhouse gases a year. It wasn't meant for greenhouse gases that make those kinds of emissions. And while he might not be talking about it, the law he is using to justify greenhouse regulations would not let him stop with regulating just powerplants or allowing him to craft a policy that states that. He doesn't have a choice. The law requires him to eventually impose regulations on every single industry in the country—every single industry—one at a time, with unelected bureaucrats doing the heavy lifting along the way.

This means every school, every hospital, every apartment will eventually be regulated by the President's EPA, and at a much greater cost than the $400 billion a year that was expected under Waxman-Markey. Keep in mind, the Waxman-Markey bill was the last cap-and-trade bill they tried to pass through, and it was soundly defeated. In fact, it is so hard, no one has ever calculated what the cost will be to the American people if they had to regulate down to 250 tons.

Let me give an example. For my State of Oklahoma I always calculate

at the first of each year how many Federal taxpayers we have in the State. Then I do the math every time something comes along. Well, in terms of regulating under those industries over 25,000 tons of emissions a year, that amounts to $400 billion, which is about $3,000 a year for each taxpayer in Oklahoma. That is what you have to stop and realize. The cost of this thing is not little, it is huge.

Today's announcement doesn't come as a surprise. We have known they have been working on these regulations since the President was first elected, scheming to give his environmental base exactly what they want.

Roger Martella, former general counsel of the EPA, recently said, ''Two years is about the minimal time it would take to go from soup to nuts on a rule like this,'' and ''these rules don't come out of the clear blue sky and involve lengthy internal deliberations before the public even gets the first peak at them.''

So we know what is going on right now has been happening for a long period of time. Further, the Congressional Research Service recently put out a report saying President Obama has spent $68.4 billion on climate change activities since he has been elected. This doesn't require a vote. This was all done by the President. So that has been taking place, and the CBO substantiated this by saying the annual spending on climate change has reached an annual level of $7.5 billion, with an additional $35 billion being provided in the President's $825 billion stimulus plan.

The President has been intent on giving his environmental base this victory for a long time, and he is willing to bypass Congress to make it happen. And the reason is because it would not pass Congress. We have had his bills here and they have been defeated every time.

I would look at the majority leader right now and say: I bet you couldn't come up with 35 votes to pass cap and trade in the Senate. But on regulations, he can do it without having to go out and get the votes.

The impact is clear: It is the crushing of our economy. As I spoke on the floor last night, developments in horizontal drilling and hydraulic fracturing have resulted in a boom in energy production. Oil production in America is up 40 percent in the last 4 years. It is not because President Obama is President; it is in spite of his policies because all these things have happened in hydraulic fracturing.

By the way, I know a little about that because the first hydraulic fracturing was done in my State of Oklahoma, and that was in 1949. There has never been a case of groundwater contamination in the years since then, in over 1 million applications.

Now, the 40 percent increase in production in this country in 4 years all came from the private and State lands. None of it came from the Federal Government because this administration would not let us drill and produce in that area. In fact, the report I just quoted said that on Federal lands it has been reduced by 7 percent.

So while overall oil production nationwide is up 40 percent, on the Federal lands it is down by 7 percent.

The President is setting us on a course of unilateral disarming of our economy the same as he is doing to the military. He wants to impose costly regulations to our energy and manufacturing sectors that no other nation on Earth has. China, India, Southeast Asia, Mexico, all these nations know you need cheap reliable energy. They have to have it in their countries. They are never going to pursue these regulations, and they are waiting for the day America does it unilaterally.

Why would that be? Because if we do it, they know our jobs are going to have to find energy someplace, and they will be after those jobs. Any unilateral greenhouse regulations we have in the United States will only shut down our domestic production.

In fact, when Lisa Jackson was the Director of the Environmental Protection Agency, I asked this question, and on live TV she gave me a very honest answer: If we were to pass any of these cap-and-trade bills—such as the ones I have been talking about—would this lower overall emissions of CO_2? And she said, No. Because the problem is not here; it is in China and India and Mexico, and other countries where they don't have regulations.

You could carry that argument out and say if you pass these things and we do it unilaterally in the United States, as the President suggested today, it is going to have the effect of increasing CO_2, because people will seek those countries where they can actually do this, where they don't have any restrictions at all. So there is no need for the President to take us down this path.

He is beholden to his environmental base which claims global warming is the biggest threat facing humanity. Many have said, even in recent months, that all the major weather events of the last decade have been the result of global warming. Some have even claimed Oklahoma's recent tornadoes are the result of global warming. This isn't true. Oklahoma University's weather center says this year has not been any different than years past. We have plotted our tornadoes since 1950.

The majority leader doesn't have tornadoes in the State of Nevada as we do in the State of Oklahoma. But we have been tracking them since the 1950s and the trend is about the same. It is not any higher this year, last year, and the year before than it has been in the past. It is because we have been having these events since the dawn of time that many environmentalists now refuse to refer to global warming as global warming, so they call it climate change or anything else the public will buy.

We will most likely not be hearing many of these environmentalists talk about the fact that during the last 15 years there has not been any increase in temperature, as reported in The Economist. But even if they did acknowledge this, with the term climate change, they have an alibi, because climate change by its name doesn't necessarily mean warming. It can mean anything. The President's announcement today of his new plan to regulate greenhouse gases to combat global warming does not come as a surprise. He has been working on it for years.

I would conclude and say, let's remember what it was that Richard Lindzen—the foremost authority in America on this subject—stated when he said regulating CO_2 is a bureaucrat's dream: If you control carbon, you control life.

And remember the other thing, and that is all the expense, all the trouble we are talking about going through, and all that the President announced today is not going to reduce CO_2—not according to a Republican, but to the Democratic former Director of the EPA.

Madam President, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, there will be no more rollcall votes tonight.

At 11:30 tomorrow, I remind everyone we have a motion to waive the budget point of order. We will also vote after that on the Leahy amendment No. 1183, as modified. Following that, we will have a vote on the motion to invoke cloture on the committee-reported substitute. So we have those votes already set up.

I have been at the White House for the last couple hours with Senator MCCONNELL. I got back to the cloakroom, and we are working on an amendment list. During my absence here the staff has been working very hard. We have worked amongst ourselves, we have worked with the Republicans trying to come up with a list of amendments. We are not there yet. I am informed that the last half hour or so we went backward rather than forward. But we are working on this. We can still do it. We have to keep our eye on the prize and make sure everyone is willing to give a little, because right now there are too many amendments that will never be agreed to. But this can be done, and we will continue to work. A majority of both caucuses wants amendments. Having said that, simple majorities won't do it. But I am hopeful and confident we are going to be able to work something out on amendments.

The PRESIDING OFFICER. The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Madam President, there are a number of my colleagues who are going to be speaking in the next hour about the President's announcement today of his plan to address carbon pollution and the changes it is wreaking on our planet.

We just heard from the distinguished Senator from Oklahoma about the politics and motives behind the President's decision. We can disagree about the politics and motives, but I think we should be past the point of disagreeing about the facts.

The facts are that in the past 15 years, during which the distinguished Senator said we have not seen any increase in temperature, we have actually had the hottest decade on record. I will get the exact figures in a moment, but I think 10 of the 12 hottest years on record have been in the past 15 years. I heard the distinguished Senator say that so I don't have the exact numbers, but there has been a terrific spike.

If you go to the property casualty insurance industry—which is not an industry that is heavily involved with Democratic or liberal politics—these people who do their calculations make their living by trying to predict correctly, and their cold-hearted actuaries have no purpose other than to provide the insurance industry the best possible information. They are showing an exceptional spike in both the number and severity of storms we are seeing, and they are having to adjust their insurance practices accordingly.

I hope we can find a way to work together, because I think the President's step that he took today is one that is long overdue and vitally important to our economy, vitally important to our national security, vitally important to our international credibility and, most of all, vitally important to our children and grandchildren. This is the great issue and responsibility of our time, and I am delighted to see the President has stepped up to it.

I see the distinguished Senator from Hawaii is on the floor. He was at the President's announcement with me, and I know he wants to say a few words.

Trying to do something about this and put a price on carbon has been described as the biggest tax in history, perhaps, and as something that would amount to the crushing of our economy. I think it is pretty safe to show that neither of those statements is accurate.

For starters, there is nothing that says the government has to keep the money when it is in a carbon pollution fee. It could go straight back to American families and be essentially a wash in the economy. In fact, by going back to families 100 cents on the dollar and changing the economic behavior of the industry for the better, I think it will prove to be an economic plus.

Over and over, EPA regulations have been imposed that created more economic benefit for the country than they cost. I am confident this regulation, once it gets going, will create more economic benefit for the country than it will cost. And every dollar of it could go back. It would mean as much as $900 a year for every American family to offset any increase in energy cost and to spend how they will.

But to do something that Republicans ordinarily agree is important, and that is to set the market straight so there isn't an imbalance in which the price of a product doesn't reflect the true cost of a product, that is law 101, it is economics 101, it is fairness 101. It should not be a proposition we are debating.

I intend to stay here until this hour or so we have is concluded, and I yield to the distinguished Senator from Hawaii who was also at the President's announcement in the blazing heat. But since he is from Hawaii, he is more used to the heat than I am.

Mr. INHOFE. Would the Senator yield before he yields to the Senator from Hawaii?

Mr. WHITEHOUSE. I yield the floor, whoever seeks recognition.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Madam President, I was very encouraged by the President's speech today for a number of reasons. The main thing I found encouraging is he is obviously done waiting. And there are three reasons to be done waiting.

The first is it is very unlikely, given the current composition of the Congress, that the Congress will take action in the 113th. We have to recognize that political reality.

The second is from an ecological standpoint, we don't have the luxury of waiting. We don't have 5 or 8 or 12 years to wait and deliberate. We need to take action now in order to reverse global climate change.

The third is a matter of law. Under the EPA v. Massachusetts, the Supreme Court didn't just give the authority to the EPA to regulate carbon as a pollutant under the Clean Air Act; it effectively requires that the EPA move forward. So even if this President didn't believe in the science, even if this President weren't as passionate as he is about combating climate change, he would be required under the law to comply with the conditions of the Supreme Court decision.

Let's get one thing straight. In a way, it is a little sad this has to be asserted on the Senate floor as a political statement, but here it is: Climate change is real, it is caused by humans, and it is solvable. It is a real threat with a high cost. But if we act now, we can start a new era of economic and scientific leadership for American innovation.

I see our young pages here. This is an incredible opportunity for innovation, for partnership, for opportunity, for our economy to grow, and for us to again become a world leader to start a second industrial revolution in clean energy and clean technology.

The State of Hawaii was able to move forward with something called the Hawaii Clean Energy Initiative. What we have done is simply breathtaking. In a very short period of time, we have actually tripled clean energy production—and not from 2 percent to 6 percent but, rather, from 6 percent to around 18 percent—in a matter of a few years, all the while driving unemployment down.

So the old choice between economic development and economic opportunity and environmental protection, the premise that unfortunately some on the other side of the aisle cling to, which is we have to choose between protecting our health and our environment for future generations and economic opportunity in the short run, has been disproven.

We have great opportunities to be a leader in clean technology. That is why we have to support ARPA-E, that is why we have to support our DOE and national energy labs. The Hawaii Clean Energy Initiative is proof that we can do so.

I am very encouraged by the President's movement. I am pleased to work on a bipartisan basis with anyone who wants to legislate. If there are problems with the straight regulating of carbon, let's talk about that. But the only way to solve those problems is by legislating. If this body and the body across the Capitol are unwilling to act, I am pleased this administration will take action.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I thank the distinguished Senator from Hawaii. I ask unanimous consent, if he wishes to engage in a colloquy on the Senate floor, if that would be agreeable.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. We were both at the President's speech today. One of the things the President mentioned that I think is an important point to bear in mind is carbon pollution isn't free right now. We are not going to suddenly impose a cost on the economy through regulation that otherwise would not be there.

I can speak for Rhode Island. We are paying the price right now in the price of food and goods that are more expensive because of wildfires and droughts. We are paying the price in the cost of repairs to homes and shorelines that have been damaged by floods and storms. We are paying the price in terms of increased taxes for more disaster services—not only in Rhode Island but across the country. We are

paying the price in the form of hikes in our insurance premiums. We pay the price in softer ways—in days spent in the hospital with a child having an asthma attack when you could be working or at home. And certainly we pay the price in what you might call the lost victories of innovation we never achieved because we were so busy subsidizing these old fuels.

I wish to ask the Senator from Hawaii to comment for a moment on how he sees the costs in his home State of Hawaii, which is far away from my home State of Rhode Island, both very ocean and coastal States. But I would love to hear his experience and his views as well.

Then I see the Senator from Connecticut is on the floor, who is welcomed to either join in the colloquy or to make a statement, as he wishes.

Mr. SCHATZ. Madam President, through the Chair, I would like to answer the Senator's question and then yield to the Senator from Connecticut.

I thank my friend for pointing out that this is not just for those of us who consider ourselves environmentalists, this has become an economic issue as well. This has become a question of our national strategic priorities. There is a reason that Admiral Locklear, the head of the U.S. Pacific Command, gave an address in which he called climate change the strategic threat in the Pacific theater. That is not because he is a member of the League of Conservation Voters or the Sierra Club, it is because he understands what is happening throughout the Pacific theater.

There is a reason that Secretary of the Navy Ray Mabus is leaning so heavily forward on the question of biofuels and clean energy. Again, it is not because his job is to be concerned with global climate change. His job is to make sure the Navy is as prepared as possible from a fuel standpoint and from a readiness standpoint. He sees new fuels as the way to go.

The other part of this equation from the Department of Defense perspective is the amount of money we have to spend forward operating to protect our fuel supplies and fuel lines. To the extent we can have smart grid technology, better battery storage technology, new renewable energy generation, and better efficiency, all of that helps our troops, especially as they are forward deployed.

I thank the Senator from Rhode Island for pointing out that there is a broadening recognition that this issue goes beyond conservation or anyone's particular concern with the natural environment narrowly speaking. This is a question about the cost of insurance, how much we have to spend on flood mitigation, and how much we have to spend in terms of disaster mitigation. This is now pervading our entire economy. It is costing the Federal Treasury billions of dollars, and so the cost of doing nothing at this point exceeds the cost of action.

I yield the floor for the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I thank both of my colleagues. We will soon be joined by another colleague in this colloquy, my colleague and friend from Connecticut Senator MURPHY.

I first want to thank the Senator from Rhode Island. He has been a constant and extraordinarily eloquent speaker on this subject. He has regularly been reminding us of our obligation even before the President outlined his vision of what we need to do today. I thank my friend, and I thank the President for his bold leadership and very effective and courageous action he is taking today.

Anybody who questions the need for action in this area need look no further than the shorelines of Connecticut which were devastated by Superstorm Sandy and have been repeatedly hit over this past year by a rash of unprecedented severe weather events. Connecticut has been through extraordinarily severe and serious weather events that may become the new normal.

We hate to think of these kinds of storms, tornadoes, and hurricanes as the regular order. In fact, that havoc may be the new normal for many States and, indeed, the new normal for all of America, which is why the President's leadership today is very important. Without action, we will suffer the effects of inertia and continued pollution contamination. Climate disruption is the result of human contribution, human inaction, and human failure to address these problems. In fact, inaction is unacceptable. Inertia is intolerable. This kind of leadership from the Senate, as well as from the President, is a moral obligation to protect the climate for our children and our grandchildren.

In the last 30 years asthma rates have doubled. In the last year alone our Nation has faced droughts, floods, and extreme temperatures in almost every corner of the country, which exacts a cost in dollars and in human lives as well as suffering. These kinds of extremes in climate are destructive and deadly. The health-related costs of climate change literally add billions more to our debt.

Connecticut has suffered major disasters six times since 2010. There have been six disasters in less than 4 years, and that compares with six disasters in a 30-year period from 1954 to 1985. So we know firsthand how climate disruption—it is not just climate change, it is climate disruption—can affect our daily lives.

We have an opportunity, as well as an imperative, to act now. We need to take simple steps, and we know what they are: upgrading and modernizing our existing powerplants so they emit less carbon, investing in clean energy research and development, and investing in fuel cells.

Connecticut is the fuel cell capital of the Nation and could be the fuel cell capital of the world. By doing what I just mentioned, combined with other measures that are easily within reach, we can help save lives and dollars in this effort. The investments we are making in infrastructure—the public investments—can also help us to go in this direction.

There are commonsense and necessary actions that we have an obligation and an opportunity to take now, and one of them is the appointment of Gina McCarthy to head the EPA. Her appointment is now stalled by the same paralyzing partisan gridlock that is all too common. This kind of partisan gamesmanship should stop. I know her well. I can assure this body of her qualifications, as I have done before.

She has worked in the Presiding Officer's State of Massachusetts, as well as my State of Connecticut. She has worked with Republican Governors. She has exemplified the kind of balanced, sensitive, and responsive approach to business needs and interests as well as to environmental protection.

She is well respected in the environment and business communities because of her dedication to developing practical solutions in facing this set of environmental challenges. Her leadership, along with the President's vision today, is so very important.

There is a group of us who are working together. I am proud to be a part of that effort. I have cosponsored legislation that would protect some of Connecticut's treasured bodies of water, including the Farmington River, the Salmon Brook, and Pawcatuck River as part of the National Wild and Scenic Rivers System.

I have joined with members of the New England delegation to urge the Army Corps of Engineers to complete its study of the Connecticut River so we can better understand the human impact on that river and improve its system. All of these efforts will be for naught if America and humankind fail to address the fundamental challenge we now face, which is to end our contribution to climate disruption, stop the drift and inertia, accept that we must act and act now. The President's plan is only an example of the kind of bold approach we need to combat the impacts of climate change.

With the Presiding Officer's approval, and with the Senator from Rhode Island's acquiescence, I will yield to my colleague from Connecticut for his comments. We share a State, and we also share a view that our children—his two and my four—will benefit from

what we do together as a body, as a group, and as a country.

I yield the floor.

Mr. MURPHY. Madam President, we have a lot in common. We share the fact that we are both parents. In fact, I am the father of two little boys—a 4-year-old and a 1-year-old. If they are lucky enough, they might get to live to see the year 2100. They might be around for the end of this century, as opposed to the rest of us who will not see that day. I shudder to think about the Connecticut they are going to have to deal with 80-some years from today if we don't act right now.

This isn't science fiction that we are talking about. In New England we are talking about a 1- to 3-foot rise in sea level by the end of this century. Just a handful of inches is catastrophic in some parts of the globe, but a 3-foot rise in sea level in the State of Connecticut on a shoreline that has already been battered—as Senator BLUMENTHAL mentioned—by storm after storm would be absolutely cataclysmic.

The Connecticut my children may be living in at the end of this century would bear almost no recognition to the one in which they live now. Every single week and every single month that we don't do something is another step closer to that future world which we now think of as one of fantasy.

Connecticut is also home to some of the biggest property and casualty insurance companies in the country—and, frankly, in the world. I think it is important to recognize the fact that our inability to act is bankrupting this country right now as we speak. The property and casualty industry has paid out $135 billion with respect to extreme weather events in 2012—$139 billion has been paid out. Now, that results in increased premiums, which results in skyrocketing costs for everybody across this country who is paying for property and casualty insurance.

The taxpayers have likely paid about $100 billion in terms of cleanup costs and remediation costs just over the last year alone. Superstorm Sandy, and the events that we have seen hit the gulf and the east coast, are bankrupting our Nation and bankrupting companies and private insurance policyholders as we speak. Those costs are catastrophic.

The reason we have such a big group of Senators down here applauding the President's actions is also because we know the United States cannot do this alone. We know we are going to have to convince countries such as India, China, and developing nations to join us in a global effort. We hope the international climate talks are on pace to get an agreement that could be operative by the end of this decade, in 2020.

The world is still scarred by a unanimous vote in this Chamber to reject the Kyoto protocols. The world is skeptical that the United States really has the courage to lead on this issue.

Even though this body remains paralyzed for the time being on this subject, having the President come out and make the proposals he has today will hopefully give some confidence to the people who will be sitting in Poland at the end of this year. Hopefully, they will work out a climate agreement over the next several years on which the United States—at least with respect to the administration and the Senators down on the floor—is willing to lead.

Finally, I was pleased to hear the President talk about the specific issue of fast-acting climate pollutants today. We are going to have to get a global agreement on carbon dioxide. In the meantime, as we try to figure out a bridge to that 2020 operative agreement, if we are able to work with the international community with respect to the climate pollutants of methane, black carbon, and HFCs, we can make an enormous dent as we get ready for that lasting agreement.

In fact, we just got good news last weekend that the President, along with the head of the Chinese Government, has come to an agreement to try to rework the Montreal protocols with respect to a reduction in the admittance of HFCs, one of the most disastrous and insidious climate pollutants.

This is a very good day. We have given a signal to the international community that we are ready to lead. We have given a signal to millions of kids across the country who hope they might be around at the end of this century and that this country might have some approximation to what we enjoy today.

There will be a big group of us—led by Senators WHITEHOUSE, MERKLEY, and BOXER—who will be ready to work with this President to enact this very bold plan. As I mentioned, one of the leaders of this effort is my good friend whom I yield to now, with the permission of the Presiding Officer, the Senator from Oregon.

Mr. MERKLEY. Madam President, I thank my colleagues from Connecticut and Maryland and Rhode Island who are down here sharing their stories and their concerns about carbon pollution and its impact on climate around the world.

Indeed, it was just last October that I was engaged in a triathlon. In the first stage, the swimming was in the ocean in North Carolina. I had been told to expect temperatures of 62 to 65 degrees. As I went down to the water with the first group of participants getting off the transport bus, the first in front of me stepped in the water and said: Hey, folks, this water is really warm. Come on in.

The temperature was not 62 degrees or 65 degrees, the temperature of the ocean was 72 degrees. A week later Hurricane Sandy struck the Northeast with incredibly devastating consequences, powered by this much warmer ocean water. That is one of the many effects we are seeing of increased carbon in the atmosphere, trapping the Earth's heat.

Perhaps the most important number we should all be aware of is the number 400. I put the number 400 on a chart so we could ponder it—400 parts per million. What that represents is a roughly 50-percent increase in carbon dioxide as it is represented in the broader atmosphere since the start of the Industrial Revolution, going from 270 to 400. That is a lot of heat-trapping gases added to the atmosphere.

Indeed, when we were at 350, scientists started to say, before we hit 400, we need to dramatically reduce the burning of fossil fuels so we will never hit 400 and the number will come back down and stabilize around 350.

If we were being graded as human civilization on this planet on our effectiveness in decreasing the burning of fossil fuels and keeping the concentration from increasing, we would be getting an F. We would be failing because not only did we soar from 350 to 400, but the rate of carbon pollution has doubled in the last 30 years. Thirty years ago the rate was, on average, one part per million per year. Now the average rate is two parts per million per year. So not only have we not decreased and leveled out, but the steepest of the curve has doubled, which means that 5 years from now we will be at 410 and 10 years from now we will be at 420. What this represents is a very bleak future for humans on this planet.

By various estimates, it has been somewhere between 3 million and 10 million years since our atmosphere had this level of carbon concentration. That means that in the time humans have been on this planet, which is less than 200,000 years, humans have never witnessed—have never lived in an atmosphere of this concentration. We have never left footprints in the sand when the atmosphere has this level of heat-trapping gases.

Now we see it everywhere. We see it in Oregon in terms of our cascade glaciers are getting smaller and our cascade snowpacks are getting smaller. Our pine beetle infestations—normally knocked down by cold winters—are getting larger. Our fires are getting larger, fed by drought and dead trees from the pine needles. Indeed, we have had three record-setting droughts in the Klamath Basin in the last 30 years—the worst ever droughts three times in the last 13 years.

We are even seeing it in our Pacific Ocean oysters. Those oysters, when they are tiny, are very sensitive to the acidity of the water. The acidity has gone up because carbon dioxide in the water has gone up.

We have many examples just in my home State. If we look across the rest

of the United States, if we look across the globe, there are huge impacts everywhere, with multiples of impact at the poles, where the temperature change is faster.

I applaud the President for saying we must have a bold strategy to take on climate change. There are three big areas of carbon dioxide generation, and those are electricity generation, transportation, and buildings. His plan lays out strategies in all three areas, and that is good. That is a starting point for a much broader discussion on how we end our fossil fuel addiction. Addictions are hard to kick, but they are particularly hard to kick if we have someone who is trying to keep us hooked, and those who benefit from the profits of burning fossil fuels are very much trying to keep us hooked. So we have to recognize that requires an extra degree of dedication and effort on all of our parts.

I will wrap up and turn this over to my colleague from Maryland, who has been a terrific champion on this topic and who has seen firsthand in Maryland many of the effects of global warming.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, let me thank Senator MERKLEY for his statement but more importantly for what he has done to elevate the discussion in the Senate on the need to deal with our environment, to deal with energy, to deal with climate change. He has been one of our true leaders in ways in which we can live sensibly and in a way that is good for our environment, good for our economy, and good for our health.

I also notice Senator WHITEHOUSE is on the floor. I know he helped organize all of us being here today. He has taken on a leadership position in the Senate in the area of climate change, and I personally wish to thank him because this has been a difficult challenge, to keep us focused on one of the most important issues of our time. When we talk about a legacy we want to leave to future generations, it is our environment, it is our health, it is our economy, it is our national security, and Senator WHITEHOUSE has been in the forefront of keeping us engaged on this issue so we could reach this day.

I applaud President Obama for his statements today, for his leadership, and for his action plan on dealing with climate change. It is comprehensive. It is extremely timely. I think it is a workable solution for us to be the leaders in the international community in dealing with the issues of climate change. First and foremost, it is based upon the best science. This is not a political issue, this is a science issue. Climate change is real, and the way we have to deal with it should be based upon the best science. That is what President Obama is seeking.

I heard some of my colleagues who are reluctant on this issue talk about the cost. I am glad they raised the issue of cost because when we passed the Clean Water Act and the Clean Air Act, the recommendations of some individuals who weren't exactly excited with the bill required that we do a cost-benefit analysis on the cost of regulation versus the benefit to our society. That cost-benefit analysis shows that we get four to eight times back in savings for what it costs to regulate to get clean air and clean water. That is just the direct economic issues. We also get a healthier lifestyle. We get air we can breathe. We are able to enjoy the environment. That is a plus in addition to the direct economic benefit.

I wish to talk about my experiences in Maryland. Maryland took a leadership position. We passed some of the toughest clean air standards in the country. We invested $1 billion in cleaning up our energy-generating plants. Do my colleagues know what that meant for Maryland? That meant 2,000 more jobs. We created jobs by cleaning up our environment. But we need national help. Why? Because air doesn't exactly stop at a State border, and we are downwind from many other States. The people in Maryland are suffering from dirty air not as a result of what is being generated in Maryland but what is being generated elsewhere, so we need national standards. That is exactly why the President has called for dramatic action and is taking dramatic action today.

Inaction will cost us dearly. We have had more episodes of extreme weather recently, and that is based upon science and the fact that weather is changing as a result of carbon pollution in our environment, greenhouse gas emissions. Between 2011 and 2012, those types of extreme weather events cost us more than $1 billion worth of damage. The taxpayers of this country paid for it because we believe that when we have emergency, extreme conditions, there is a community responsibility to help deal with it. Well, we can do something about it to mitigate that type of damage in the future, and the President did that today in his call for action in regard to climate change.

Superstorm Sandy has been referred to a couple of times on this floor. We saw the devastation of that storm, which was very close to where we are here in the Nation's Capital. Last year we had a record-setting number of continuous days of 95-plus-degree weather, so we know firsthand what is happening.

In my own State of Maryland and in this region, we pride ourselves on the Chesapeake Bay and what we have done to clean up the Chesapeake Bay. I was with Senator CARPER on Monday, and we had a good-news press conference on the Eastern Shore of Maryland talking about some of the positive results we have seen in the bay.

We have worked to reduce the nutrient levels in the bay, and that is a very positive element. It reduces the oxygen deprivation in the Chesapeake Bay, and as a result we have had fewer dead zones than we had in the 1980s. That is due to the hard work we have done in this region with farmers and developers to reduce the nutrient pollutants. Yes, we are dealing with storm water runoff with farmers and developers, but we also have to deal with the realities of climate change. Warmer water kills sea grass. Sea grasses are critically important for the diversity of the Chesapeake Bay. So this issue affects my region, it affects our entire country, and inaction can cause extreme damage.

The biggest sources of carbon pollution—and my colleagues have already talked about it—are powerplants. The President talked about that, and he talked about how we deal with transportation and how we deal with our buildings. No. 1 on our list should be conservation. The less energy we use is the easiest way we can reduce our carbon footprint. We also have to develop alternative fuels, and we have to be much more aggressive in doing that.

I heard a lot of people talk about the international reaction and what other countries are doing. Two weeks ago I was in China. I was in Beijing. I was there for a couple of days. I never saw the Sun, and that wasn't because there were clouds. There were no clouds in the sky. I couldn't see the Sun because of pollution. That is not unusual in Beijing. So China is now doing something about carbon emissions. They are doing it because they have a political problem because their people can see the pollution and they have a tough time breathing. People are actually issued masks that can supplement their oxygen intake because the pollution is so bad in China. They are taking action. They are developing alternative fuels. They are investing in solar and wind and in conservation because they know it is critically important.

Quite frankly, what is needed is U.S. leadership. The international community is waiting for America to assume the leadership role, and I think the international community is prepared to work with us. That is why President Obama's comments today were just so timely—so timely to show that the United States is prepared to take action and to lead in the international community so we all can pass on a cleaner environment, a safer world, a cleaner world, a more economically viable world, a world that is more secure for our children. President Obama took a giant step forward toward that vision with his comments today.

Let me yield very quickly back to the Senator from Rhode Island, if I might.

Mr. WHITEHOUSE. Madam President, I know the Senator from Texas is waiting to speak. I wish to, first of all, thank the Senator from Maryland, who is such a wonderful leader and ally and friend. He is very loyal to the needs and concerns of Maryland in this area. He has been terrific.

Earlier, the Senator from Oklahoma said—I think I am quoting him correctly—that in the past 15 years, there has not been any increase in temperature—I guess to suggest this isn't a real problem and we don't have to worry about it. I tried to get the figure right, but I have double-checked it, and I would like to correct myself. In the past 15 years, 13 of those 15 years are the 13 hottest years on record. So the past 15 years has been a period of very unusual heat.

What happens when you have that type of unusual heat? What happens when you have the climate disruption—to use the good phrase of Senator BLUMENTHAL. You end up with added storms.

This is a graph prepared by the insurance industry—not exactly a bunch of liberals. This is how they make their money. They want to get it right. They have graphed the storm activity, starting all the way over there in 1980, coming here to 2012.

So if you go back in the last 15 years here, you will see a significant increase in storm activity—the type of major storms the insurance industry has to pay for, so they care very deeply about this. They get their data right, and I think they can be trusted.

I also think that the 13 out of 15 being the hottest years on record can be trusted because that is science that comes from NASA. I do not know where the Senator from Oklahoma was getting his data, but I will trust the scientists at NASA. These are people who have put an explorer the size of an SUV on the top of a rocket, fired it off into space, sent it to Mars, landed it on the surface of Mars, and they are now driving it around on the surface of Mars. I do not think these are scientists who are incapable of getting it right. So I trust the insurance industry for these numbers about storms. I trust the NASA scientists for the numbers about temperature.

I think it is pretty clear that we are way out of the bounds of history, as Mr. MERKLEY, the senior Senator from Oregon, said. The entire history of our species on this planet—until the Industrial Revolution and our great carbon dump—has been within 170 to 300 parts per million. That has been the range for as long as we have been a species on this planet—until this sudden up-surge, and that has now taken us to 400. It is a novelty, if that is not too frivolous a word to use for such an excursion outside of the bandwidth in which our species has inhabited this planet throughout our entire existence.

I see the Senator from New Mexico and the Senator from Texas organizing who is going to speak next, and I will respectfully yield to whichever one of them wishes to proceed. But I do want to thank my colleagues for coming to the floor today to discuss this issue. Senator MURPHY from Connecticut, Senator MERKLEY from Oregon, Senator SCHATZ from Hawaii, Senator BLUMENTHAL from Connecticut, Senator CARDIN from Maryland, and now Senator TOM UDALL from New Mexico all have been here on very short notice because we all want to support this President in his decision to move forward on regulating our carbon pollution and beginning to forestall the damage it is doing to our economies, to our States, to our coastlines, to our forests, to our farms. If anything, one could say it is about time, but it certainly is time, and I applaud that the President has stepped so well forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Madam President, I thank Senator WHITEHOUSE very much—him and the other Senators who have been down here talking.

I would ask the Chair—Senator CRUZ has been very generous. It was his turn to go, and I said I could finish this in 5 minutes. So I would ask the Presiding Officer to indicate when 5 minutes is up, and I will yield the floor, then, to him and ask unanimous consent that he get the floor after me so that there is not any issue there.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. UDALL of New Mexico. Madam President, I say to Senator WHITEHOUSE, one of the things the Senator and I know—and we have been asking for this and talking about this—we need Presidential leadership. We saw that today. The speech that was given here in Washington really detailed a lot of the important work that needs to be done.

We both serve on the Environment and Public Works Committee. We know how important it is to get an EPA Administrator in place and to move forward with the greenhouse gas regulations the Supreme Court has now said we can move on.

So this is a big day, and I think there are many of us in the Senate who are willing to work on a bipartisan basis. We hope a lot of our Republican friends will step forward and see that there is a space here to talk about climate, to try to work with each other.

I applaud the President for what he did today, how specific he was in terms of the EPA and greenhouse gases, how specific he was about policies throughout the government.

I wanted to, in what is left of my 5 minutes, talk a little bit about the Southwest. SHELDON WHITEHOUSE and the others have talked about their regions of the country, but really what we are talking about in the Southwest is that from the climate models—just business as usual that we see—if the temperatures go up 1 degree in other places in the United States, it is double that in the Southwest.

So essentially what you have is, if—and imagine a mouse and you are clicking on something on a screen and dragging it—what we see happening is New Mexico going 300 miles to the south, if you maintain business as usual and you get down the road about 75 years, although it is hard to look down that far—if you put New Mexico 300 miles to the south, you are down in the middle of the Chihuahuan Desert. It completely changes the landscape of New Mexico. Your forests are not going to hold snowpack anymore. Your temperatures are going to be much higher. Everything is going to change pretty dramatically.

Let me give an example. One of our communities in New Mexico has a watershed where they get 40 percent of their drinking water drawn from the snowpack and in two reservoirs. Many of our communities in New Mexico are like that. With snowpack gone, they will have to then go to another way of getting water. And making up 40 percent is very difficult, especially if the other areas—for example, the aquifers that are under that particular area or town—if those aquifers are also being drawn down because there is no snowpack. Then you just continually mine the waters. So that is the situation with the snowpack.

The other thing that is happening in our forests is they are burning much hotter, and they are burning out of control. We are seeing bigger and bigger fires. Every couple of years, we break the record from a few years back. With these fires burning so much hotter than they have ever burned before, the kinds of things you see is that the soil turns to almost dust. It cannot absorb water. It is not a natural forest environment. So this has a devastating, devastating impact, and it is overlain by a drought, which also has been going on about 12 or 13 years.

I want to point out and read from a recently issued report from one of our great national laboratories, Los Alamos National Laboratory, where they talked about the drought-stress for our forests. The drought-stress of forests in the Southwest ''is more severe than any event since the late 1500s megadrought''—the late 1500s megadrought—that ''probably led to deaths of a large proportion of trees living at the time.'' Climate projections predict that ''the mean forest drought-stress by the 2050s will exceed that of the most severe droughts in the past 1,000 years.''

So there is no doubt that climate change is real, that the costs are real and the costs are not just monetary.

This is a direct challenge to our way of life, and no one can really put a price on that.

America needs a ''do it all, do it right'' energy policy, taking on the twin threats of climate change and dependence on foreign oil. With policies that encourage innovation in energy technologies, we can create jobs in an advanced energy economy.

So I am pleased to hear the President commit to taking bold actions. It would be even better if Congress moved forward with bipartisan actions. But we have seen that option hijacked time and time again.

It is time for us—as a nation—to move forward. The science and facts are clear. It demands a response that matches the scale of the problem.

In 2007, the Supreme Court ruled that the Clean Air Act requires EPA to set public health standards for climate change pollutants. The Senate has defeated several efforts to block EPA's efforts.

The President has committed to put limits on carbon pollution from existing powerplants—powerplants that are the single greatest source of U.S. greenhouse gas pollution.

The President is instructing EPA to work with the States and industry. I agree. The EPA recently reached a major agreement with New Mexico and our State's largest utility, PNM. As a result, we are cleaning up the air in New Mexico, reducing carbon pollution, with more natural gas and more renewable energy.

This type of collaboration should continue. But we need strong leadership at the EPA. On March 4, the President nominated Gina McCarthy to lead the Environmental Protection Agency.

And now, almost 4 months later, Ms. McCarthy is still awaiting action, delayed by a filibuster threat.

We need Ms. McCarthy at the helm of EPA, working with stakeholders to find win-wins on the environment and our economy.

The President has signaled that the problem of climate change cannot wait. The delays must end. We can reduce emissions in a smart way.

I urge my Republican colleagues to help us confirm Gina McCarthy as the Administrator of the EPA without further obstruction.

The President's action today is one of many crucial steps to address the problem, and I applaud him. Government at all levels, business leaders, and people across the country—and around the world—need to work together.

We need to develop adaptation strategies for those most affected by climate change. We need to protect future generations, with transitioning to an energy economy that produces cleaner energy.

My State is a very special place. Throughout my career, I have committed to protecting its pristine landscapes, its special ecosystems. This environmental stewardship runs deeply in my family.

Climate change threatens our economy in New Mexico and across the country. It affects our security, and our way of life.

The threat of global warming is real, and so must be our commitment to future generations.

So let me conclude and say that once again I thank Senator CRUZ for his courtesies.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, I ask unanimous consent that the Senate temporarily set aside all pending amendments so that I may offer my amendment No. 1580.

The PRESIDING OFFICER. Is there objection?

Mr. WHITEHOUSE. Objection.

The PRESIDING OFFICER. Objection is heard.

Mr. CRUZ. Madam President, the amendment I would have called up had not the majority party objected is an amendment that would have corrected one of the most egregious aspects of the Gang of 8 bill; namely, it is a penalty that is imposed on U.S. employers for hiring U.S. citizens and for hiring legal permanent residents. It is a striking result of the Gang of 8 bill as it intersects with the ObamaCare legislation.

Let me explain how it operates. Right now, for any company with 50 or more employees, if that company does not provide a sufficiently high-dollar health insurance policy for low-income workers, that company faces a fine of $3,000 per worker. Moreover, that fine is not deductible in the company's taxes, which means that as an effective matter to the company, the penalty is in the order of $5,000 per employee when you factor in the tax consequences. That is the present status quo under ObamaCare. That is the penalty that is visited upon U.S. employers for hiring U.S. citizens and for hiring legal immigrants.

What does the Gang of 8 bill do to change that? Well, the Gang of 8 bill takes some 11 million people who are here illegally and it grants them what is called RPI status—registered provisional immigrant status. I have many concerns about legalization prior to securing the border, but this concern is altogether separate from that, and it is the simple reality that anyone granted RPI status—anyone granted legalization under the Gang of 8 bill—is exempted from ObamaCare, which means that the employers who would be hiring them do not face the ObamaCare tax of $5,000 per employee, whether U.S. citizen or legal immigrant.

What does this mean in reality? Let's take an example, a simple hypothetical. Madam President, I would ask you to envision a small business: Joe's Burger Shack. Joe's Burger Shack is owned by a small business owner. It is a series of small fast food restaurants in any given State. It could be my home State of Texas or any State across the Union.

Let's assume that Joe's Burger Shack has 100 employees and that at Joe's Burger Shack, with 100 employees, business is doing relatively well, people are eating more hamburgers, and Joe decides he wants to hire 5 more people. If Joe and Joe's Burger Shack decide they want to hire five more people, if Joe chooses to hire five U.S. citizens or if he chooses to hire five legal permanent residents—five legal immigrants—Joe faces a penalty of $25,000 for doing so—$5,000 apiece right off his bottom line to the IRS. In contrast, if Joe decides instead to hire five RPIs, who came here illegally among those 11 million who are here illegally but granted RPI legalization under the Gang of 8 bill, Joe pays a penalty of zero dollars.

Let me ask a simple, commonsense question. In this instance, who is Joe, the small business owner, going to hire? This bill creates an enormous incentive to hire those here illegally, and at the same time it does it by creating a statutory penalty for hiring U.S. citizens and for hiring legal immigrants. That makes no sense.

Let me give a second example. Suppose Joe is facing harder times. Because of ObamaCare penalties, Joe makes the decision that a great many fast food restaurants have made—to forcibly reduce workers' hours. ObamaCare kicks in when a worker works 30 hours a week, so a great many small businesses—and in particular fast food restaurants—have been forced to forcibly reduce their employees' hours to 29 hours a week or less.

Now, imagine that of Joe's 100 employees, 25 of them are RPIs—are formerly illegal immigrants who have received legalization under the Gang of 8—and 75 are either U.S. citizens or legal permanent residents.

Well, if Joe wants to reduce the hours of 25 of his employees both below the 30-hour threshold because times are hard and he cannot afford the burden ObamaCare is putting on his business, if Joe forcibly reduces the hours of 25 U.S. citizen employees or 25 legal immigrant employees to below 30 hours a week, Joe saves potentially $125,000 a year in tax penalties, $5,000 apiece times 25 employees.

In contrast, if Joe says instead, I want to reduce the hours forcibly of those who are here illegally who have received legalization through the Gang of 8, Joe saves zero dollars in tax penalties because he is not paying a tax penalty regardless of whether those here illegally are working 30 or 40 hours or more. The question I would pose to the Presiding Officer is, whose hours will Joe reduce?

This statute puts an enormous incentive, an incentive from Congress, for Joe to forcibly reduce the hours of U.S. citizens and of legal immigrants.

Let me give a third and even more stringent example. Imagine if Joe is facing great financial burden, as a lot of small businesses are, as a lot of small businesses are struggling. Imagine if Joe instead made the decision to fire all 100 workers, all 100 workers who happened to be U.S. citizens or permanent legal residents and instead hire only those who are here illegally or have been legalized under the Gang of 8. The consequences, simply doing the math at $5,000 an employee, mean Joe could save $500,000 a year in tax penalties. Actually the way ObamaCare works, it is a complicated formula where there is an alternative avenue where Joe could well be paying $2,000 per employee minus 30, which would get down, when you factor in the tax savings, to about $200,000. But any way you measure it under ObamaCare's complicated tax penalty formula, Joe could potentially save hundreds of thousands of dollars by firing his U.S. employees—U.S. citizen employees or his legal resident employees and instead hiring those who are here illegally.

That does not make any sense. That is not an incentive anyone rationally would set up. That is what this Gang of 8 bill does. You know, to share how real this incentive is, this penalty for hiring U.S. citizens and legal permanent residents, I wish to read a letter from one of my constituents, Mr. Allen Tharp, who is chairman and CEO of Old England, Lion and Rose Restaurant, Ltd. in San Antonio.

He wrote a letter that reads as follows:

My name is Allen Tharp. Since 1985, I have been the sole owner and CEO of Allen Tharp LLC, as well as the Lion and Rose restaurant chain, and a partner in the Golden Chick restaurants. Our corporate restaurants provide well over 1,000 jobs to fellow Texans, and our franchise restaurants provide many more.

I've been following the current debate over immigration reform very closely and want you to be aware that this bill, coupled with the new ObamaCare legislation, makes it much more affordable for a business like mine to employ Registered Provisional Immigrants than American workers. I do not believe that was the intention of either legislation, but it is the irrefutable effect of both.

ObamaCare, as documented in numerous news stories, already creates an incentive for businesses to cut hours in order to avoid triggering the 50 full-time employee threshold that requires businesses to pay a fine if they do not provide government-approved health insurance. Because of this law, I have been forced to cut back every single hourly employee in each of my companies to no more than 28 hours per week. Cutting schedules from 40 to 28 hours per week has caused some hardship on many employees. However, our choice is to either provide part-time work or no work at all because our business cannot afford to comply with the severe consequences that would be imposed on us under this law if we continue to provide full-time employment to all these employees.

If the current immigration bill before the Senate, however, is made law, a business could hire Registered Provisional Immigrants instead of U.S. citizens and avoid triggering ObamaCare regulations and fines.

Hiring RPIs over American workers, from a purely economic point of view, would be the best thing for my business. I personally do not believe this is the right thing to do. But surely some of my competitors would. ObamaCare and the immigration bill is forcing employers to make extremely difficult choices. I do not want to be in the position of choosing to grow my business or choosing to pay my fellow Americans. I want to do both. ObamaCare and the immigration bill will prevent me from doing so.

This is a real CEO, facing the real incentives of running a business under ObamaCare and looking at what would happen if this Gang of 8 bill passed into law.

What are the potential counterarguments to this concern? Well, in the way of Washington, we do not actually have to predict, because the proponents of this bill have followed a long tried and true path in Washington; namely, they have gone to an ostensibly neutral reporter at a mainstream publication and urged them to ''fact check'' the claim the Gang of 8 bill with ObamaCare would put a penalty on hiring U.S. citizens and legal immigrants. And to fact check, the reporter compliantly gave the answers to the responses that are given by the Gang of 8. But I would suggest that those responses are, on their face, singularly unpersuasive. The first response the Washington Post Fact Checker put up was a claim that CRUZ is creating a mountain out of a mole hill because ''the impact on employers is almost too miniscule to be noticed.'' That is a quote from our friends at the Washington Post in their so-called ''fact check.'' The basis of this is they said, well, gosh, there are a lot of companies that do not have 50 employees. The number of companies with more than 50 employees is really small or, as they put it, ''almost too miniscule to be noticed.''

I am going to suggest the claim that companies with more than 50 employees comprise a share of the economy that is ''miniscule'' is facially absurd.

Indeed, if you look at the data, 71 percent of all U.S. employees work in a business with more than 50 employees. So, according to the Washington Post, it is an objective fact that the employers for 71 percent of U.S. employees are ''almost too miniscule to be noticed.'' To put that in raw numbers, that is 80 million employees. I would suggest 80 million employees is, on any measure, not miniscule.

The second basis of the so-called fact check, the second response from the bill's proponents was that, well, under current law it is illegal for a potential employer to ask about a person's immigration status. I would note this is a particularly facile response that almost surely came from a lawyer. As a lawyer myself, I will say it is precisely the sort of response that causes people to love lawyers as they do, oh, so much in today's society. Because, yes, it is true there is a provision in statute that says: You cannot ask about a person's immigration status and base employment decisions on that. But the statute also requires you to check their immigration status before you hire them. Moreover, there is no provision for employees volunteering this information. If this bill passes, if there is a massive incentive to hire RPIs over U.S. citizens, the simple reality is there will be massive economic incentives for employers to do so.

Let me note this point is utterly irrelevant when it comes to reducing employee hours. Because even if you engage in the ''Alice in Wonderland'' world where employers do not know if an individual is an RPI or a U.S. citizen, once they are hired, as a matter of legal requirement, they do know that. If they are then subsequently making a decision on whose hours to reduce, the overwhelming economic incentive would be to reduce the hours of the U.S. citizen or the legal immigrant rather than those who are currently here illegally.

I want to ask the Presiding Officer, this penalty on hiring U.S. citizens and on legal immigrants, who is this going to hurt the most? Well, it is not going to hurt companies that are doing nuclear science research. It is not going to hurt companies that are designing satellites. It is going to hurt the workers who are working in the sorts of jobs where they face competition from those who are here illegally. It is going to hurt workers, for example, in the fast-food industry. It is going to hurt workers who are working in landscaping, in construction.

Who is it going to hurt the most? If you look right now, today, under the Obama economy, who is being hurt the most by the Obama economy? Those who are the most vulnerable among us. Hispanics today have a 9.1-percent unemployment rate. Hispanic U.S. citizens, Hispanic legal immigrants will be directly harmed by this outcome. African Americans have a 13.5-percent unemployment rate right now under the Obama economy. It has gone up under President Obama. African-American workers will be hurt by this statutory penalty on hiring U.S. citizens and legal immigrants.

Teenagers face an unemployment rate of 24.5 percent. Teenagers, in particular, if you look at jobs, for example, in the fast-food industry, are so often the first or second job a young teenager gets as he or she begins to climb the economic ladder. If Congress passes a bill that puts a major economic penalty on hiring a U.S. citizen or legal permanent resident, he or she may never get that job.

I wish to read a letter from another constituent who is president of Painless Performance, a high-end car parts manufacturer in Fort Worth, TX. The letter reads as follows:

My name is Adrian Murray. I am an immigrant. My parents moved to America from Ireland 55 years ago to seek opportunity and a better life. At the time, new immigrants had to have a sponsor and proof of future employment. I still have the letters written to the INS on their behalf. My parents later became naturalized citizens and raised me to respect America, her customs and her laws.

That was back in the day when being an American citizen was prized. To stand before a judge with hand raised, pledging allegiance and fidelity to America was the dream of millions around the world. We devalue American citizenship by making it a cheap tool for political gain.

My parents taught me to respect America's exceptionalism and therefore honor the institutions of this nation. Because of their example, I have built a successful business with 52 employees. Many of those in my plant are legal immigrants from Vietnam. They, too, came here the right way and endured much hardship to earn their citizen status. What am I to tell them, that their sacrifice was meaningless, that they should have just snuck in, that their citizenship has no value, that the joke is on them?

Well, I would never exercise the option of replacing them with cheaper ObamaCare-exempted workers. Would they not be justified in questioning the motives and validity of a government which would even consider giving an employer that option? What has this nation come to?

It is getting harder and harder to recognize America. A nation which once proudly held fast to the virtues of liberty and freedom is now seriously contemplating a law which amounts to nothing more than thinly disguised human trafficking. Once the world's greatest deliberative body, the Senate is set to vote this bill into law without bothering even to read it. This cannot be. This must not stand.

It is not too late. At the outset of my remarks, I asked unanimous consent to call up my amendment to fix this problem, and the Democrats in this body objected. My amendment would address this problem by providing that ObamaCare shall be defunded until there are no longer any registered provisional immigrants in line. This is the one way to correct this problem, to correct the statutory penalty on U.S. citizens and legal immigrants, if this bill were to pass.

As we have just seen, the majority party has chosen to object to bringing up that amendment. Indeed, so far, we have not had an open debate on amendments on this bill. I would note that a number of proponents of this bill claimed they were going to fix this. Here are a few of the comments sponsors of this bill have made concerning the amnesty tax loophole.

From my friend, the senior Senator of Arizona, Mr. JOHN MCCAIN:

I think that is an issue, and I think that it needs to be addressed.

Also from Senator MCCAIN:

We cannot give people who are not citizens the same benefits; that is the fundamental principle . . . we are trying to work around it so that an American citizen is competitive for a job.

A quote from a senior Democratic aide:

We are willing to work through these issues as the bill works its way through the Senate.

I am sorry to tell you, those promises have not materialized. We haven't worked through these issues. I cannot help but think, with an issue such as this, of the very real impacts it has on so many families. At least in my family that impact would not have been hypothetical.

Fifty-five years ago my father came from Cuba as a legal immigrant. He was 18, and he couldn't speak English. When he arrived in Austin, TX, penniless, he took a job similar to so many other immigrants before him, washing dishes, making 50 cents an hour. I will say the food service industry has provided such an opening portal for millions of Americans and for millions of immigrants from throughout the world.

Yet if the Gang of 8 bill had been law in 1957, along with ObamaCare—my father who couldn't speak English, who was very glad to make 50 cents an hour so he could take that money and pay his way through the University of Texas, go on, get a higher paying job, start a business, and work toward the American dream—my father very well might have been fired because of the Gang of 8 bill, because the impact of this legislation would have been to cost his employer $5,000 for hiring him, a legal immigrant.

I have to tell you, my father's skills at age 18, I wouldn't characterize him as a high-skilled dishwasher. He told me he got that job because he couldn't speak English, and one didn't have to speak English to wash dishes. You had to be able to take a dish and stick it under the hot water.

This incentive would have been a massive incentive on his employer to say: Raphael, I am sorry, you are out of a job because we are going to hire someone who didn't follow the rules, didn't come here legally, came here illegally, because Congress penalizes us $5,000 for you, but it puts zero penalty on that individual who is here illegally. I cannot think of a more irrational, a more indefensible system than a statutory authority for hiring U.S. citizens or legal immigrants.

If this bill passes, a number of things will happen. If this bill passes, African-American unemployment, Hispanic unemployment will almost surely go up. It will be the Senate's fault because this bill will penalize hiring African Americans, U.S. citizens or legal immigrants and, instead, will incentivize hiring those who are here illegally.

If this bill passes, Hispanic unemployment will almost surely go up because this bill penalizes hiring Hispanics who are U.S. citizens or Hispanics who are legal immigrants who followed the rules.

If this bill passes, youth unemployment will almost certainly go up because it is young people in particular who are just beginning the journey up the economic ladder who will be most impacted by Congress deciding to put a $5,000 penalty on hiring that U.S. citizen, hiring that legal immigrant and, instead, give a preference for hiring those here illegally.

If this bill passes, union households' unemployment will very likely go up because it is working-class households that are facing the most direct competition. If that happens, it will be the fault of the Senate.

If this bill passes, unemployment among legal immigrants will almost certainly go up. What this bill says, if you hire an illegal immigrant, the IRS is going to impose a $5,000 penalty on you, the employer. If you don't hire that legal immigrant, if you reduce that legal immigrant's hours, if you hire instead someone who is here illegally, that penalty will go away.

I would suggest that is utterly and completely indefensible. Nobody in this body wants to see African-American unemployment go up. Nobody wants to see Hispanic unemployment go up, youth unemployment go up, union household unemployment go up, legal immigrant unemployment go up. Yet every one of those will happen if this Gang of 8 bill passes without fixing this problem. If that happens, all 100 Members of the Senate will be accountable to our constituents for explaining why we voted to put a Federal penalty on hiring U.S. citizens and hiring legal immigrants. In my view, it makes no sense, and it is indefensible. I very much hope this body will choose to pass my amendment and fix this gray defect in the Gang of 8 legislation.

Thank you. I yield the floor.

The PRESIDING OFFICER (Mr. DONNELLY). The Senator from Maine.

REMEMBERING WILLIAM D. HATHAWAY

Mr. KING. Mr. President, I rise in sadness because America and the State of Maine lost a friend yesterday, one of my predecessors in this office, Senator Bill Hathaway, who served 14 years in the Congress, 8 in the House and 6 in the Senate, from 1973 to 1978.

I knew him well because I worked for him as a staff member in the Senate. In fact, I was sworn in as a Senator 40 years to the day from the day I entered Senate service on behalf of Bill Hathaway in January of 1973.

I had a chance, as all staff members do, to see him up close, to see him operate as a Senator and as a person. I was asked today several questions about him and what characterized Bill Hathaway. The first thing I said was he always put people first. He really and truly didn't pay much attention to politics. He always wanted to do what was

right. I remember being in his office in the Russell Senate Office Building and talking about the political ramifications of some bill or some vote.

He sat back in his chair and said: You know, it is hard enough around here to figure out what the right thing to do is. When you add the politics on top of it, it becomes practically impossible.

That was the way he thought and that was the way he acted. In fact, I once sent him a memo as a young staff member that had some political ramifications of a particular vote. I wish I had saved the memo because in his inimitable scrawl at the top of the page when it came back to me it said: I pay you for policy, not political advice.

That was the kind of guy he was. One of the things which I noticed about him, which was a tremendous influence on my life, was he was exactly the same person in private as he was in public. There wasn't a different Bill Hathaway on the stump, in Maine, making speeches or on television than the one I saw behind closed doors driving around Washington or around Maine, through the small towns, getting a haircut or spending time together. He was always the same person with the same values and the same concern for the people of Maine.

If you haven't gathered it already, Bill Hathaway taught me a lot about how to do this job.

Next to my dad, he was probably the most influential adult in my life when I was a young person. He was honest, he was smart, he was analytical, and he was motivated to do the right thing for the people of this country and the people of the State of Maine.

I have one personal story as well because I think it speaks to the kind of person he was.

Unfortunately, when I was working here in 1974, I was stricken with a dangerous and unusual form of cancer. I ended up having to have significant surgery. I, again, was one of many staff members who worked for Bill Hathaway, but one of the most vivid memories of my life was waking in the hospital after the surgery in the recovery room. Looking up, I saw my wife on one side of the bed and standing at the end of the bed in hospital green scrubs was Senator Bill Hathaway.

That was the kind of man he was. He was a politician but in a good sense of the word. He was a man who thought about the people who took so seriously the responsibilities of this office. We lost him yesterday. I think he was about 90 years old. He never lost his interest in Maine, in people or in the issues of the country.

I was fortunate to spend some time with him recently, and he hadn't lost a step when it came to thinking about these kinds of questions. He was goodnatured, funny, and he was genuine.

As I said at the beginning, Maine and the United States of America lost a friend yesterday, and he is one whom I will miss terribly.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, fixing our broken immigration system is an urgent priority. As the son of an immigrant myself, I understand how important this is for families across the country and in my home State of New Mexico. I know how hard immigrants work in this country, how much they believe in America, and how much they are willing to give back to this Nation.

New Mexico's remarkable spirit is rooted in our diversity, our history, and our culture, which has always been enriched by our immigrant communities and family members. At the same time, the laws that govern our country's immigration system are antiquated and ineffective. I am encouraged that we are finally making progress toward a solution and finding some common ground on this critical issue.

We need a solution that includes a visa system that meets the needs of our economy, a tough but fair path to earned citizenship for the estimated 11 million people in our country who are undocumented and a plan that ensures the security of our borders.

Our broken immigration system does not match the realities of our Nation's economy. The H–2A program makes it difficult for farmers to hire the workers they need.

The H–1B program sends some of our most talented students back to their countries of origin, where they find themselves competing against American jobs rather than helping to create American jobs.

The labor pool, comprised of millions of undocumented workers, allows for worker exploitation and low wages. We must ensure that our laws enable our companies to retain the highly skilled foreign graduates of our universities in science, technology, engineering, and mathematics, the STEM field, in order to harness their skills, their creative activity, and their entrepreneurial spirit to create jobs in America.

A commitment to reform our country's immigration system also requires a commitment to our students. As a strong supporter of the DREAM Act, I am glad this legislation acknowledges that students should be treated differently. I wish to especially thank Senator DURBIN for his work seeing this through to the end.

Thousands of students across the country will gain more education and training, which translates into better and higher paying jobs. All these extra wages will circulate through the economy, spurring economic growth and new job creation.

I have met many DREAMers in New Mexico, and they are incredibly bright, hardworking, and, frankly, most of them don't know how to be anything but an American. DREAMers represent much of what is best about our Nation—hard work, motivation, and a willingness to serve this country in uniform. I believe it is time to make the DREAM Act a reality.

Finally, those of us who represent border communities understand there are a number of challenges they face that are unique. We have made great advances in border security in recent years. Illegal border crossing apprehensions are at historically low levels and have fallen in New Mexico by more than 90 percent since their peak back in 2005. We have more agents, more technology and infrastructure devoted to our border than ever before. Our challenge moving forward is to continue to ensure our Nation's safety while balancing the need of our border communities to thrive and benefit from their unique binational culture and economy.

The mission of Customs and Border Protection is to both safeguard our Nation's borders and facilitate lawful international trade and commerce. However, in the Paso del Norte region, which includes both west Texas and southern New Mexico, not all of our ports of entry are operating at full capacity. The high volume of commercial vehicles attempting to cross at the El Paso port makes it extremely difficult for CBP to efficiently service all the would-be crossers while also maintaining security.

My amendment to extend the hours of operation at the nearby Santa Teresa Port of Entry will lead to more efficient trade between the United States and Mexico, will help to grow our economy, create new jobs, and invest in border security efforts at our Nation's ports.

On the subject of increased commerce and the Paso del Norte region, I want to thank Secretary Napolitano for doing her part. Earlier this month she announced a plan to extend the border commercial zone in southern New Mexico. This initiative was spearheaded by former Senator Jeff Bingaman at the Federal level, and it received bipartisan unanimous support back at home in the New Mexico State Legislature. Increasing the number of visitors traveling to the region will help U.S. businesses, local economies, and bring in more tax revenue.

New Mexicans are eager for a solution. DREAM Act students deserve a solution, and, frankly, our economy requires a solution. With this in mind, I will continue to work with my colleagues to ensure we achieve accountable immigration reform that works for New Mexico and for our Nation.

Este es el ano.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNET. Mr. President, I wanted to come to the floor tonight to talk briefly about where we are in immigration reform. We are moving along this week. We have come out of several weeks of committee work, where there were a number of Republican amendments that were adopted as part of the process and a number of Democratic amendments adopted as part of the process.

As somebody who was involved in the negotiating group that led to the bill reaching the Judiciary Committee, I actually think it was improved by both Republicans and Democrats. It has been an unusual bipartisan effort, and it is the kind of effort the American people, certainly the people of Colorado, think is long overdue. They do not understand why we seem to be engaged in these fights that don't have anything to do with them instead of working to get together constructively to meet the challenges this country faces.

I think when it comes to this very difficult issue of immigration—and it is difficult, and there are strong feelings about it—it has been remarkable for that reason; that we have been able to see what I would describe not even as a bipartisan process but a nonpartisan process, with people actually coming together to resolve this issue. As a result, the objections to it, the substantive objections to it are falling away.

There was an objection that somehow the bill was being rushed through. Well, no, it went through the regular order, which is very rare for this place. It shouldn't be rare, but it is rare. It got a full hearing in the Judiciary Committee, and there has been a full hearing on the Senate floor.

There was an argument somehow it was going to create horrible deficits, and it turns out the nonpartisan Congressional Budget Office said, actually, in the first 10 years it is going to improve our deficit situation by $190 billion and over the next 10 years by another $700 billion—almost $1 trillion over the course of the next 20 years.

So, then, there was another argument, which was there is no border security as part of this legislation. In the Group of 8 we listened hard to what the border Senators JOHN MCCAIN and JEFF FLAKE, two Republicans from Arizona, had to say about what they believed they needed at the border. We went and visited the border with JOHN MCCAIN and JEFF FLAKE to see what they believed they needed on the Arizona border. But there were other Senators who weren't satisfied by what we put in that bill, and so there was an effort that was then led by Senator CORKER from Tennessee and Senator HOEVEN to amend the bill, and we supported it. I supported that amendment.

In fact, that amendment got 68 votes the other night—or something like that. We were missing a couple of Senators. We would have had 68 or 69 if everybody had been here.

That is progress because that has built support for the bill—Republicans and Democrats coming together around the border security issue. I think it is very hard for anybody to make a real argument this is not a significant attempt to strengthen the border in this country.

We were already spending more money on border enforcement than we do on any other Federal law enforcement combined as it was. We had gone to about 22,000 Border Patrol agents already as it was. Now we are doubling that number—doubling—as an attempt to respond to a very reasonable concern the American people have that the border should be as secure as possible. So that is now part of this legislation.

So those are three things people have argued: The process was too fast, the bill was going to negatively affect the deficit, and our border is still insecure. Those were the arguments that were made.

Now we don't hear those arguments so much anymore. Now we hear scare stories about health care. We are hearing scare stories about how this will affect our economy even though the nonpartisan Congressional Budget Office has said we are going to see five additional points of gross domestic product growth—GDP growth—in the second 10 years of this bill passing, as a result of bringing people out of the shadows.

It is not as if the 11 million people who are here and who are undocumented are not working. They are working. Many of them are working in this country. Many of them are working in the agriculture sector in my State and in this country. Many are working in other industries as well all across the United States. But they are working in an unlawful way. They are working in a cash economy. They are working in a situation where they are easily exploited. Because of that, they drag down the wages of everybody in America.

Workers in my State who are here and who are legal—l-e-g-a-l—are having to compete in a marketplace where there are people who can pay less because they know there are people who have to take less because they do not have lawful recourse.

All the protections we put in this bill, all the protections to make sure, and rightfully so, an American is offered a job first; to ensure, and rightfully so, we are not bringing in a whole bunch of new people when there are Americans looking for work—all of those protections pale in comparison to the protection of bringing 11 million people out of the shadows and out of a cash economy and into a place where they are paid a lawful wage and they are paying their taxes to the U.S. Government.

If all someone cared about, if the only thing someone cared about when they got up in the morning and went to bed at night was rising wages for Americans, solving this issue finally for the 11 million would be the most important thing you could do. And we do that in this bill.

The opponents of this bill are not seriously suggesting they are going to go to the expense of sending 11 million people back to where they came from. They are not seriously suggesting, in answer to this issue, that nothing in the CBO report is true, that none of it makes sense, that this is about ObamaCare when what we are really trying to do for once in this place is solve a set of challenging issues in a bipartisan way.

Mr. President, even more than that, for a decade or more, because of our broken immigration system, the policy of this country has been to turn back talented people—even people educated at our universities, even people educated to be engineers and mathematicians. When they have graduated from college here, at our expense, in many cases, we have not said to them: Stay here and build your business. Compete here and help us grow this economy. Start a business—as half of the Fortune 100 or 500 companies have been started by immigrants. No. We have said: Go home. Go home to India and compete with us from there. Go home to China and hire other people over there.

If we pass this bill, we will say once again that this nation of immigrants is open for business, that we are open to the most creative and talented people in the world, that we want them to drive our economy in the United States just as they have generation after generation going back to our Founders.

It is a great testament to who we are and to the nature of our country that people want to come here, and under the right circumstances we should have them here. The CBO report—and I don't even care about the CBO report—makes it very clear—makes it very clear—what businesspeople in my State already know: It makes it clear to the agricultural industry in my State, the high-tech industry in my State, the ski resorts in my State that the objections of people of goodwill on this bill have been met through compromise and through principled agreement.

This is a good piece of legislation. We shouldn't, in this ninth or eleventh hour or whatever it is—the ninth inning—allow ourselves to get distracted by the politics seeking to divide us in this Chamber or in this country. And I

don't believe we will. So I urge my colleagues to support the passage of this bill.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I hope the Senator wasn't rushed completing his statement, because I was listening intently and appreciating all he said today.

I haven't had the opportunity to express through the instruments of this floor how much I appreciate the Senator from Colorado. He has done such a terrific job. He has been one of the four Democrats. He hasn't sought a lot of press on this, but he has been a stalwart in getting this done for a couple reasons.

One, his State of Colorado is a perfect example as to why we need this bill. The demographics have changed in that State remarkably, as they have in my State of Nevada. His quiet concern for what we need to do and then his quiet movement to make sure we get the things done we need to is evident in this immigration bill.

Frankly, we had a discussion today in our caucus, as we have had on several occasions, about student loans. No one is better prepared to talk about that issue than the Senator from Colorado. He is not only concerned about what happens to students who are in college, but also he was a school superintendent, understanding what people who want to go to college have to deal with. So I appreciate very much the statements of the Senator from Colorado. He has done a remarkably good job, and the people of Colorado are so fortunate to have this good man in the Senate.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we now proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. LEAHY. Mr. President, I agree with the President that climate change represents one of the greatest challenges of our time, but it is also a challenge uniquely suited to our strengths as a country. Our scientists, researchers, universities and entrepreneurs stand ready to design and build new, less polluting energy sources. Vermont's and our country's farmers and forestland owners stand ready to grow renewable fuels. American businesses will innovate and develop new energy technologies that will reduce pollution and grow our economy with jobs that cannot be shipped overseas. Our workforce stands ready to modernize our power plants and retrofit our buildings to meet 21st century efficiency standards.

I stand ready to support the President, and Vermonters want to do our part. The important goals the President has laid out today will create jobs, save lives and protect and preserve our treasured natural resources for future generations.

No single step can accomplish the goals that President Obama has presented today, but we must begin now, and take these critical first steps together. We owe it to our children and grandchildren to address these threats and be responsible stewards of the earth. Just as any Vermonter who has hiked the 200 miles of Vermont's beautiful Long Trail can tell you, the journey begins with a commitment to reach a goal, and a first step in that direction.

Climate change is not a far-off or remote challenge. The impacts are overtaking us today around the globe and in Vermont. In the past 2 years, hurricanes Irene and Sandy devastated the Northeast, while huge swaths from Texas to the Midwest have been gripped in a historic drought, and tornadoes have raked the heartland.

We can no longer willfully ignore these impacts or continue to deny the facts: The science is clear and definitive that human-induced climate change is happening and it is happening rapidly. We are obligated to reduce carbon emissions, and efforts to do so have the support of the American people.

Not only is the science clear, but the human and economic costs of climate change are hitting home. The severe weather events of just the past 2 years have caused damages in the United States in excess of $188 billion and left more than 1100 people dead. If we do not act now then the toll is sure to mount, with ever more destructive and deadly weather pounding our coasts, parching our Nation's agricultural center, and rising sea levels threatening our coastal communities. If we do not act now, the devastating impacts of climate change will only get worse.

But climate change is not just about weather disasters. For instance, we also have seen asthma rates double in the past 30 years, and our children and grandchildren will only suffer more asthma attacks as air pollution worsens. We already reduced smog and acid rain and have set limits for mercury, lead, and arsenic. It is time to set a limit on carbon pollution that causes climate change and assaults the public health.

The President's proposal will allow the United States to take further important steps toward the environmental quality and good jobs that will come with a cleaner and safer energy future. We can act now so that future generations—our children and grandchildren—will know that we took the steps that helped make their world safer and cleaner.

VOTE EXPLANATIONS

Mr. ENZI. Mr. President, I wish to note that on the evening of Monday, June 24, 2013 I missed Senate rollcall vote No. 160 on the motion to invoke cloture on the Leahy substitute amendment No. 1183 due to travel delays. I would like to make clear in the RECORD that if I were in attendance I would have voted in opposition of the motion to invoke cloture on this measure.

Mr. ISAKSON. Mr. President, I was unavoidably detained during rollcall vote No. 160 on the motion to invoke cloture on Leahy amendment No. 1183. Had I been present I would have voted nay.

ADDTIONAL STATEMENTS

REMEMEBERING W.A. ''BILL'' KRAUSE

● Mr. GRASSLEY. Mr. President, today I wish to remember an Iowa farm boy whose legendary work ethic simply worked wonders. As we bid farewell this week to one of Iowa's most successful entrepreneurs and cofounders of one of Iowa's most iconic businesses, Bill Krause's can-do spirit will inspire generations of Iowans. That is because the footprint this gentle giant leaves behind is one of a man who pioneered a wildly successful chain of convenience stores. Kum & Go is one of the Nation's largest family-owned chains in America with more than 420 stores doing business in 11 States.

A self-starter from an early age, Bill's tireless work ethic and visionary leadership skills reflect the very best of America's entrepreneurial spirit. Throughout his career, Bill was rewarded with the prizes and pitfalls of risk taking at its very best and at its very worst. Named Iowa Entrepreneur of the Year in 1992, Bill's varied business pursuits stretched beyond his signature success and prosperity in the convenience store industry, including fashion retailing, trucking, gaming, farming, banking, as well as interests in Iowa-based soccer and baseball teams. An honest-to-goodness rags to riches story, Bill always kept his eyes focused on the opportunity that lie ahead at the next bend, without losing sight of what mattered most in life: his family, faith, and friendships, including those of thousands of employees and the countless customers he loved to meet and greet in his stores.

After graduating from Eldora High School, Bill worked his way through college and graduated from his beloved alma mater, The University of Iowa, in 1957 with a degree in journalism. A lifelong Iowa Hawkeye fan, Bill is one of

those uncommonly humble men of considerable means who never forgot from where he came.

That sense of loyalty later translated into valuable financial contributions, including a signature gift that launched a historic renovation to Kinnick Stadium. He earned a number of distinguished awards and accolades from The University of Iowa and for more than five decades supported the Hawkeye's celebrated athletics programs as a tireless fan and patron. He also served as adviser to deans of the Tippie College of Business, sharing his Main Street expertise with those tasked with teaching the next generation of business leaders. Putting his money where his mouth is, Bill founded a fund to jump-start the next generation of business leaders. Since 1998, the Krause Fund has provided more than 1,200 Iowa undergraduate students with the opportunity to learn about managing an endowed equity portfolio.

Bill Krause knew how to run a business, how to create jobs and how to keep customers satisfied. The narrative of his success was shaped by his humble beginnings, earning $10 a day at age 15. Years later with his father-in-law, Tony Gentle, he pioneered the convenience store concept of buying milk, bread and eggs at the local gas station when customers pulled up to fill their tanks. By all accounts, Bill's American success story bloomed as a result of his integrity, decency, passion and generosity.

His homegrown roots stretched deep, defining his contributions of time, talent and treasure to his church and community. He was awarded the St. Elizabeth Ann Seton Award by the National Catholic Education Association in 2007 and the Civitas Award from Dowling Catholic Schools in 2012. Through scholarship, service and sacrifice, Bill and Nancy Krause taught their 3 children and 12 grandchildren the real measure of success.

In fact, a few years ago a room at the Kum & Go headquarters in West Des Moines was known as the ''one-liner'' room because of the messages lining the walls. When asked, Bill said the legacy he hoped to leave behind mirrors one of the lines on the wall: ''It's nice to be important, but it's more important to be nice.'' Perhaps that is one of the reasons why he gave blazers to high school kids for their first job interviews. Or why he was a leading fund-raiser for minority and low-income students at Holy Family School in Des Moines.

Mr. President, may I suggest to the U.S. Senate that Bill Krause has more than secured this legacy throughout his professional and personal life. Barbara and I share our deepest condolences to Bill's family, especially to his wife Nancy, and to all those who are mourning the loss of this larger-than-life Iowan.●

CONGRATULATING PHILLIPE RIBIERO

● Mr. LEVIN. Mr. President, I am delighted to congratulate Pontiac High School chemistry and biology teacher Phillipe Ribiero for winning the qualifying round and advancing to the final round of the Make My Lab WoRx contest. This is a wonderful achievement that reflects his talent as an educator and the fine work that is happening across Michigan to ensure that the best and brightest are teaching our young people.

The 2013 Make My LabWoRx contest is part of a program developed by Astellas Pharma. It seeks to increase the understanding of the role science plays in human health and medicine. The contest is comprised of seven qualifying rounds that take place across the country, including Michigan. To participate in the contest, science teachers must submit a lesson plan or experiment, along with a video demonstration. Involvement in this program allows teachers to showcase their passion for teaching science in a creative and exciting way. Mr. Ribiero's winning video and lesson plan instructed students on how to make an acid/base indicator using common household items. Mr. Ribiero's win in the 2013 Make My LabWoRx contest has provided Pontiac High School with a new microscope and funding necessary to purchase additional lab equipment.

A quality education is fundamental to the future success of our young people, and to the health and prosperity of our country. This award is indicative of Mr. Ribiero's creativity, dedication and hard work as a science teacher, and his ability to challenge Pontiac High School students academically and to nurture their growth as individuals. I am proud of the example he has set, which represents the best of our State's educational system.

I know that Mr. Ribiero's family, friends and the Pontiac High School community are all truly proud of his accomplishment. I also know my Senate colleagues join me in congratulating Phillipe Ribiero on this achievement. His work has brought pride to both Pontiac High School and the community at large. I wish Mr. Ribiero the best of luck as he continues to educate and inspire young minds for years to come.●

REMEMBERING ELIOT AND MURIEL BATTLE

● Mrs. MCCASKILL. Mr. President, I wish to offer tribute to a truly passionate team from Columbia, MO—Eliot and Muriel Battle—who together became key to forever changing race relations throughout Columbia.

One local newspaper recently wrote: ''You could not have Eliot without Muriel. What they accomplished, they accomplished together.'' And what they accomplished was astounding—a testament to the power of leadership by example.

Over the last decade, the city of Columbia and the University of Missouri have lauded this couple with various citywide recognitions and, for Eliot, an honorary degree, in honor of their lifelong efforts. Yet the most poignant recognition of all was the decision to name Columbia's newest high school ''Muriel Williams Battle High School.'' Education served as the backbone of the couple's series of first-ever accomplishments as they became pioneers in the desegregation of the city's public schools.

Seeing the new high school open became one of Eliot's last goals. And he met it with pride. Despite his declining health, he walked to the podium on June 2 to a standing ovation, spoke loud and clear, and received a second standing ovation at the end of his speech honoring his wife, who had passed 10 years earlier, in 2003. Nine days after the ceremony, he passed on too.

It is amazing how life works sometimes. Their story is one for all to know and understand. I would like to share a few highlights.

They moved to Columbia in 1956 in the heart of the civil rights movement, just a year after Rosa Parks would not give up her seat on the bus. In this era, many civil rights leaders had more radical approaches to change, but the Battles did not fit into these molds. Even though they also wanted quick change, they were a couple who lived ''quietly yet determined and unwavering,'' as one newspaper columnist noted, working behind the scenes of social justice and modeling the racial acceptance they wanted their community to adopt.

Both of the couple's first education jobs in Columbia were at Douglass School—Eliot as an assistant principal and, later, Muriel as a social studies teacher. Both had come from families that emphasized ''education was the answer'' for African Americans, Muriel once said. ''We grew up,'' she said, ''knowing we were going to college.'' It became clear quickly that both Eliot and Muriel wanted all Columbia children to have the same chance they did.

In 1960, Eliot became the first African-American faculty member at a newly integrated Hickman High School, serving as a guidance counselor. His approachable manner helped ease the tension of desegregation by mediating between some African-American families and White educators.

After Muriel's stint at Douglass School, she spent 30 years at West Junior High School, where she worked as a teacher, department chairperson, assistant principal, and principal. She retired as the school district's first female associate superintendent of secondary education.

Muriel was known for making all people of all ages and race feel valued and welcome even down to her school motto: ''We're glad you're here.''

Long into their retirement from education, the couple continued their efforts to promote diversity. Eliot became a founding member of the Minority Men's Network, served on the Columbia College board of Trustees, and wrote the 1997 book: ''A Letter to Young Black Men.''

Muriel formed the Battle Group, an education consulting firm that provided strategies to school districts, parent-teacher associations, and juvenile justice facilities, and dedicated time and money to building a Martin Luther King, Jr., memorial.

Their efforts toward overall community acceptance reached far beyond their professional lives. Two of their four children became the first African-American students to attend Grant Elementary—the first of Columbia's schools to be integrated.

They also integrated neighborhoods, being one of the first African-American families to move beyond the redlining real estate limits in Columbia and into a White neighborhood. Despite the hateful letters they received—and even after having a White neighbor shoot their family dog, Bingo—the couple led by example and continued to tell their children that these neighbors feared change and they had to push on.

As one local newspaper recounted, Battle's daughter said her father would routinely say ''They don't understand, and they are afraid. We have to live our lives and do the best we can, and if they knew better, they would do better.''

The community of Columbia was so lucky to have had this team move into its community and change it forever.

I ask my colleagues to join me in honoring the lives and accomplishments of Eliot and Muriel Battle.●

CLAIRE CITY, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize Claire City, SD. Founded in 1913, Claire City will celebrate its 100th anniversary this year.

Located in Roberts County, Claire City possesses a strong sense of community that makes South Dakota an outstanding place to live and work. On August 15, 1913, many people gathered along the treeless prairie to buy lots for $100 to $600 in this new town named after Claire Feeney. Claire City has continued to be a strong reflection of South Dakota's greatest values and traditions. The community of Claire City has much to be proud of and I am confident that Claire City's success will continue well into the future.

Claire City will commemorate the centennial anniversary of its founding with celebrations held from June 28th through June 30th featuring events such as a parade, tractor pull, and an auction of centennial items. I would like to offer my congratulations to the citizens of Claire City on this milestone anniversary and wish them continued prosperity in the years to come.●

TRIBUTE TO BRITTANY ANDERSON

● Mr. THUNE. Mr. President, today I recognize Brittany Anderson, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Brittany is a graduate of Roosevelt High School in Sioux Falls, SD. Currently, she is attending Wheaton College, where she is majoring in political science. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Brittany for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO KATIE HAUGEN

● Mr. THUNE. Mr. President, today I recognize Katie Haugen, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Katie is a graduate of Saint Thomas More High School in Rapid City, SD. Currently, she is attending Black Hills State University, where she is majoring in political science. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Katie for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO COLE KIRBY

● Mr. THUNE. Mr. President, today I recognize Cole Kirby, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Cole is a graduate of Sage High School in Newport Coast, CA. Currently, he is attending Georgetown University, where he is majoring in finance. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Cole for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO JAMES REYNOLDS

● Mr. THUNE. Mr. President, today I recognize James Reynolds, an intern in my Washington, DC, office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

James is a graduate of Derby High School in Derby, KS. Currently, he is attending Wichita State University, where he is majoring in political science. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to James for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO AUBURN RITTERBUSH

● Mr. THUNE. Mr. President, today I recognize Auburn Ritterbush, an intern in my Washington, DC, office, for all of the hard work she has done for me, my staff, and the State of South Dakota.

Auburn is a graduate of RAF Lakenheath in Suffolk, England. Currently, she is attending Black Hills State University, where she is majoring in political science. She is a hard worker who has been dedicated to getting the most out of her internship experience.

I extend my sincere thanks and appreciation to Auburn for all of the fine work she has done and wish her continued success in the years to come.●

TRIBUTE TO HAMILTON ZACHARIAHS

● Mr. THUNE. Mr. President, today I recognize Hamilton Zachariahs, an intern in my Washington, DC office, for all of the hard work he has done for me, my staff, and the State of South Dakota.

Hamilton is a graduate of Lincoln High School in Sioux Falls, SD. Currently, he is attending the University of Michigan, where he is majoring in business. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Hamilton for all of the fine work he has done and wish him continued success in the years to come.●

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2073. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Acetamiprid; Pesticide Tolerances'' (FRL No. 9391–2) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2074. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Cyproconazole; Pesticide Tolerances'' (FRL No. 9387–3) received in the Office of the

President of the Senate on June 20, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2075. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Triforine, Pesticide Tolerances; Technical Correction'' (FRL No. 9389–9) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2076. A communication from the Secretary of Defense, transmitting, pursuant to law, a report to Congress on the Nuclear Employment Strategy of the United States; to the Committee on Armed Services.

EC–2077. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13466 of June 26, 2008, and expanded in Executive Order 13551 of August 20, 2010, and addressed further in Executive Order 13570 of April 18, 2011, with respect to the current existence and risk of the proliferation of weapons-usable fissile material on the Korean Peninsula; to the Committee on Banking, Housing, and Urban Affairs.

EC–2078. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Interim Final Determination to Defer Sanctions; California; South Coast Air Quality Management District'' (FRL No. 9826–3) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Environment and Public Works.

EC–2079. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Missouri; Infrastructure SIP Requirements for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards'' (FRL No. 9825–7) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Environment and Public Works.

EC–2080. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; New York; Infrastructure SIP for the 1997 8-Hour Ozone and the 1997 and 2006 Fine Particulate Matter Standards'' (FRL No. 9825–1) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Environment and Public Works.

EC–2081. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, San Diego Air Pollution Control District'' (FRL No. 9815–5) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Environment and Public Works.

EC–2082. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Change of Address for Region 7; Technical Correction'' (FRL No. 9825–5) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Environment and Public Works.

EC–2083. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Charlotte, Raleigh/Durham and Winston-Salem Carbon Monoxide Limited Maintenance Plan'' (FRL No. 9824–5) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Environment and Public Works.

EC–2084. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Oregon: Heat Smart Program and Enforcement Procedures'' (FRL No. 9802–7) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Environment and Public Works.

EC–2085. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; State of Kansas; Infrastructure SIP Requirements for the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards'' (FRL No. 9825–6) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Environment and Public Works.

EC–2086. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Reasonably Available Control Technology for the 1997 8-Hour Ozone Standard'' (FRL No. 9797–2) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Environment and Public Works.

EC–2087. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Revised Format for Materials Being Incorporated by Reference for Florida; Approval of Recodification of the Florida Administrative Code; Correcting Amendments'' (FRL No. 9824–2) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Environment and Public Works.

EC–2088. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Significant New Use Rules on Certain Chemical Substances'' (FRL No. 9390–6) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Environment and Public Works.

EC–2089. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries'' (FRL No. 9751–4) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Environment and Public Works.

EC–2090. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled ''Operation of the Enterprise for the Americas Initiative and the Tropical Forest Conservation Act 2012 Annual Report to Congress''; to the Committee on Foreign Relations.

EC–2091. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–056); to the Committee on Foreign Relations.

EC–2092. A communication from the Acting Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''William D. Ford Federal Direct Loan Program; Interim Final Rule'' (RIN1840–AD13) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–2093. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Rehabilitation Engineering Research Centers'' (CFDA Nos. 84.133E–5; 84.133E–6; 84.133E–7; and 84.133E–8) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–2094. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Rehabilitation Research and Training Centers'' (CFDA No. 84.133B–1) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–2095. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Rehabilitation Engineering Research Centers'' (CFDA No. 84.133E–4) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–2096. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Advanced Rehabilitation Research Training Program'' (CFDA No. 84.133P–1) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–2097. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''National Institute on Disability and Rehabilitation Research (NIDRR)—Disability and Rehabilitation Research Projects and Centers Program—Rehabilitation Engineering Research Centers'' (CFDA No. 84.133E–3) received in the Office of the President of the Senate on June 20, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–2098. A communication from the Executive Director, Interstate Commission on the

Potomac River Basin, transmitting, pursuant to law, the Commission's Seventy-Second Financial Statement for the period of October 1, 2011 through September 30, 2012; to the Committee on Homeland Security and Governmental Affairs.

EC–2099. A communication from the Director, Office of Diversity Management and Equal Opportunity, Office of the Under Secretary of Defense (Readiness and Force Management), transmitting, pursuant to law, additional fiscal year 2012 reports from the Department of Defense Components relative to the implementation of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with a preamble:

S. Res. 144. A resolution concerning the ongoing conflict in the Democratic Republic of the Congo and the need for international efforts supporting long-term peace, stability, and observance of human rights.

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 151. A resolution urging the Government of Afghanistan to ensure transparent and credible presidential and provincial elections in April 2014 by adhering to internationally accepted democratic standards, establishing a transparent electoral process, and ensuring security for voters and candidates.

S. Res. 165. A resolution calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko in light of the recent European Court of Human Rights ruling.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 166. A resolution commemorating the 50th anniversary of the founding of the Organization of African Unity (OAU) and commending its successor, the African Union.

S. Res. 167. A resolution reaffirming the strong support of the United States for the peaceful resolution of territorial, sovereignty, and jurisdictional disputes in the Asia-Pacific maritime domains.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mrs. BOXER for the Committee on Environment and Public Works.

*Richard J. Engler, of New Jersey, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

*Allison M. Macfarlane, of Maryland, to be a Member of the Nuclear Regulatory Commission for a term expiring June 30, 2018.

*Marilyn A. Brown, of Georgia, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2017.

By Mr. MENENDEZ for the Committee on Foreign Relations.

*Daniel R. Russel, of New York, to be an Assistant Secretary of State (East Asian and Pacific Affairs).

*Geoffrey R. Pyatt, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ukraine.

Nominee: Geoffrey R. Pyatt.

Post: Klev.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount date, donee:

1. Self: None.

2. Spouse: $63, 3/30 and 5/30/ 2012, Obama/ Biden.

3. Children and Spouses: Mary D. Pyatt, William R. Pyatt, Claire M. Pyatt, None.

4. Parents: Kedar D. Pyatt, Jr., Mary M. Pyatt, None.

5. Grandparents: N/A

6. Brothers and Spouses: David B. Pyatt/ Jamie Pyatt, None.

7. Sisters and Spouses: Kira & Eric Lynch, Rebecca & Darren Quinn, None.

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*Tulinabo Salama Mushingi, of Virginia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Burkina Faso.

Nominee: Tulinabo Mushingi.

Post: Burkina Faso.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: None.

2. Spouse: Rebecca Mushingi $100.00, 10/4/ 2012, Obama Victory Fund; $100.00 7/16/2012, Obama for America; $45.00, 2/20/2012, Obama for America.

3. Children and Spouses: Furaha Mushingi: $3.00, 2012, Obama for America.

4. Parents: Bahiga & Namazi Mushingi—deceased.

5. Grandparents: Bahiga & Mwandafunga—deceased.

6. Brothers and Spouses: None ever visited/ lived in the USA.

7. Sisters and Spouses: None ever visited/ lived in the USA.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BENNET (for himself and Mr. JOHANNS):

S. 1216. A bill to improve and increase the availability of on-job training and apprenticeship programs carried out by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CORKER (for himself, Mr. WARNER, Mr. JOHANNS, Mr. TESTER, Mr. HELLER, Ms. HEITKAMP, Mr. MORAN, and Mrs. HAGAN):

S. 1217. A bill to provide secondary mortgage market reform, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WARNER (for himself and Mr. MANCHIN):

S. 1218. A bill to establish a State Energy Race to the Top Initiative to assist energy policy innovation in the States to promote the goal of doubling electric and thermal energy productivity by January 1, 2030; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 1219. A bill to authorize the Pechanga Band of Luiseno Mission Indians Water Rights Settlement, and for other purposes; to the Committee on Indian Affairs.

By Mr. KIRK (for himself and Mr. DURBIN):

S. 1220. A bill to amend title XVIII of the Social Security Act to preserve access to rehabilitation innovation centers under the Medicare program; to the Committee on Finance.

By Ms. MIKULSKI (for herself and Mr. CORNYN):

S. 1221. A bill to rename section 219(c) of the Internal Revenue Code of 1986 as the Kay Bailey Hutchison Spousal IRA; to the Committee on Finance.

By Ms. COLLINS (for herself and Mr. BAUCUS):

S. 1222. A bill to amend the small, rural school achievement program and the rural and low-income school program under part B of title VI of the Elementary and Secondary Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. RUBIO (for himself and Mr. NELSON):

S. Res. 186. A resolution congratulating the Miami Heat for winning the 2013 National Basketball Association Finals; considered and agreed to.

ADDITIONAL COSPONSORS

S. 231

At the request of Mr. PORTMAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 231, a bill to reauthorize the Multinational Species Conservation Funds Semipostal Stamp.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 658

At the request of Mrs. GILLIBRAND, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 658, a bill to amend titles 10

and 32, United States Code, to enhance capabilities to prepare for and respond to cyber emergencies, and for other purposes.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from Arizona (Mr. FLAKE), the Senator from South Carolina (Mr. GRAHAM), the Senator from Iowa (Mr. GRASSLEY), the Senator from Oklahoma (Mr. COBURN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 815

At the request of Mr. MERKLEY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 815, a bill to prohibit the employment discrimination on the basis of sexual orientation or gender identity.

S. 842

At the request of Mr. SCHUMER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 842, a bill to amend title XVIII of the Social Security Act to provide for an extension of the Medicare-dependent hospital (MDH) program and the increased payments under the Medicare low-volume hospital program.

S. 892

At the request of Mr. KIRK, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 892, a bill to amend the Iran Threat Reduction and Syria Human Rights Act of 2012 to impose sanctions with respect to certain transactions in foreign currencies, and for other purposes.

S. 1069

At the request of Mrs. GILLIBRAND, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1069, a bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved.

S. 1114

At the request of Mr. BROWN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1114, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 1143

At the request of Mr. MORAN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1143, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 1158

At the request of Mr. WARNER, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 1158, a bill to require the Secretary of the Treasury to mint coins commemorating the 100th anniversary of the establishment of the National Park Service, and for other purposes.

S. 1166

At the request of Mr. ISAKSON, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1166, a bill to amend the National Labor Relations Act to provide for appropriate designation of collective bargaining units.

S. 1183

At the request of Mr. THUNE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1183, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 1192

At the request of Mrs. BOXER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1192, a bill to implement common sense controls on the taxpayer-funded salaries of government contractors by limiting reimbursement for excessive compensation.

S. 1195

At the request of Mr. BARRASSO, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1195, a bill to repeal the renewable fuel standard.

S. 1199

At the request of Mr. HOEVEN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1199, a bill to improve energy performance in Federal buildings, and for other purposes.

S. 1211

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1211, a bill to amend title 38, United States Code, to prohibit the use of the phrases GI Bill and Post-9/11 GI Bill to give a false impression of approval or endorsement by the Department of Veterans Affairs.

S. 1212

At the request of Mr. UDALL of Colorado, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1212, a bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States.

S. 1215

At the request of Mr. LEAHY, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 1215, a bill to strengthen privacy protections, accountability, and oversight related to domestic surveillance conducted pursuant to the USA PATRIOT Act and the Foreign Intelligence Surveillance Act of 1978.

S.J. RES. 15

At the request of Mr. CARDIN, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S.J. Res. 15, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. RES. 144

At the request of Mr. COONS, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. Res. 144, a resolution concerning the ongoing conflict in the Democratic Republic of the Congo and the need for international efforts supporting long-term peace, stability, and observance of human rights.

S. RES. 151

At the request of Mr. CASEY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 151, a resolution urging the Government of Afghanistan to ensure transparent and credible presidential and provincial elections in April 2014 by adhering to internationally accepted democratic standards, establishing a transparent electoral process, and ensuring security for voters and candidates.

S. RES. 165

At the request of Mr. DURBIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 165, a resolution calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko in light of the recent European Court of Human Rights ruling.

S. RES. 167

At the request of Mr. MENENDEZ, the names of the Senator from Indiana (Mr. DONNELLY) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. Res. 167, a resolution reaffirming the strong support of the United States for the peaceful resolution of territorial, sovereignty, and jurisdictional disputes in the Asia-Pacific maritime domains.

AMENDMENT NO. 1244

At the request of Mr. ISAKSON, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of amendment No. 1244 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1328

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 1328 intended to

be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1593

At the request of Ms. HEITKAMP, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 1593 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1618

At the request of Mr. NELSON, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of amendment No. 1618 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Mr. BAUCUS):

S. 1222. A bill to amend the small, rural school achievement program and the rural and low-income school program under part B of title VI of the Elementary and Secondary Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Mr. President, I rise today to introduce legislation to extend and improve a program aimed at addressing the unique needs of rural schools. The Rural Education Achievement Program, or REAP, is designed to help level the playing field for small and high-poverty rural school systems. It is the only dedicated federal funding stream to aid rural school districts in overcoming certain challenges associated with geographic isolation.

Nearly ⅓ of America's public schools are in rural areas, and more than 21 percent of our public school students attend these schools. Students in rural America should have the same access to federal dollars and quality education as those students who attend schools in urban and suburban communities. For this reason, in 2001, I worked with former Senator Kent Conrad to author the law creating REAP, and I am now pleased to work with Senator MAX BAUCUS on its reauthorization. REAP created two grant programs: the Small and Rural Schools Achievement program SRSA, which provides additional funding and flexibility to small rural school districts, and the Rural and Low-Income School program, RLIS, which provides additional funding for poor rural school districts.

Prior to enactment of this law, rural school districts received funds based on school enrollment. In many of these districts, Federal formula programs, which are population-based, do not produce enough resources to carry out important programs, which these grant programs help make possible. One school district in Maine, for example, received only $28 in 2001 to fund a district-wide Safe and Drug-free school program.

In addition, small and rural school districts often forgo Federal education dollars because they lack the personnel and the resources to apply for competitive grants. Having fewer personnel also creates additional challenges in providing professional development opportunities. By allowing rural school districts to combine funds, as well as providing additional funds, REAP gives these districts the levels of resources required to undertake significant educational reform. Funds from this program have already helped to support new technology in classrooms, distance learning opportunities, and professional development activities, as well as a vast array of other programs that will help rural districts.

The REAP Reauthorization Act of 2013 would reauthorize and implement a few improvements to the law. These changes would allow Federal funds to be even more closely targeted to geographically isolated districts. One important reform would allow program eligible districts to participate in the Rural and Low-Income School program if they would not receive financial benefits from the Small and Rural Schools Achievement program.

Education is an essential driver for good jobs for our citizens. This rings true especially in rural America, where schools are the linchpin of rural communities. I am pleased to have the support of the Maine School Management Association for the REAP Reauthorization Act of chair of the Senate Rural Education Caucus, I will continue to work toward our goal of advancing the educational interests of rural schools and districts.

Mr. President, I ask unanimous consent that a letter of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAINE SCHOOL MANAGEMENT ASSOCIATION,
Augusta, ME, June 24, 2013.

Re Reauthorization of REAP

Hon. SUSAN COLLINS,
Dirksen Senate Office Building,
U.S. Senate, Washington, DC.

DEAR SENATOR COLLINS, The Maine School Boards Association and the Maine School Superintendents Association want to thank you for your continued sponsorship of the REAP Program. Specifically, our Associations are pleased to support the 2013 Reauthorization of REAP. Throughout the years, REAP funding has helped to provide equity for many small schools in Maine and our expectation is that will continue with this Reauthorization.

Both the National School Boards Association and the American Association of School Administrators are also supportive of the Reauthorization of REAP.

The Maine School Boards Association and the Maine School Superintendents Association appreciate your continued support for public education. We want to commend you for your willingness to pay attention to various legislative issues that may impact Maine public schools. We also want to praise your staff for their expertise and accessibility to our organizations. As always, our Associations are available as a resource to you and to your staff.

Sincerely,

CORNELIA BROWN,
Executive Director.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 186—CONGRATULATING THE MIAMI HEAT FOR WINNING THE 2013 NATIONAL BASKETBALL ASSOCIATION FINALS

Mr. RUBIO (for himself and Mr. NELSON) submitted the following resolution; which was considered and agreed to:

S. RES. 186

Whereas, on June 20, 2013, the Miami Heat defeated the San Antonio Spurs by a score of 95 to 88 in Miami, Florida, winning the third National Basketball Association (NBA) Finals in the history of the Miami Heat franchise;

Whereas the Miami Heat have won back-to-back championships and have kept the Larry O'Brien Championship Trophy in Miami;

Whereas, during the 2013 NBA Playoffs, the Miami Heat defeated the Milwaukee Bucks, the Chicago Bulls, the Indiana Pacers, and the San Antonio Spurs;

Whereas, the Miami Heat earned an overall record of 82-23 and the right to be named NBA champions;

Whereas LeBron James, who averaged 25.3 points, 10.9 rebounds, and 7 assists during the NBA Finals, was named the Most Valuable Player of the NBA Finals for the second consecutive year;

Whereas Dwyane Wade has been an integral player on all three Miami Heat championship teams;

Whereas each member of the Miami Heat 2012-13 season roster, including Ray Allen, Chris Andersen, Joel Anthony, Shane Battier, Chris Bosh, Mario Chalmers, Norris Cole, Udonis Haslem, Juwan Howard, LeBron James, James Jones, Rashard Lewis, Mike Miller, Jarvis Varnado, and Dwyane Wade, played an essential role in bringing a third NBA Championship to Miami;

Whereas Erik Spoelstra and his assistant coaches Bob McAdoo, Keith Askins, Ron Rothstein, David Fizdale, Chad Kammerer, Octavio De La Grana, Bill Foran, as well as trainers Jay Sabol, Rey Jaffet, and Rob Pimental, worked with the Miami Heat players and maintained a standard of excellence;

Whereas owner Micky Arison has built a first-class sports franchise and provided unwavering commitment to bringing another championship to the city of Miami;

Whereas, over his 18 seasons with the Miami Heat, team President Pat Riley has provided the team with an unprecedented level of dedication and leadership; and

Whereas the Miami Heat brought the city of Miami, the State of Florida, and their fans around the world a third ''white hot'' NBA Championship: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Miami Heat on its victory in the 2013 National Basketball Association Finals; and

(2) requests the Secretary of the Senate to transmit for appropriate display an official copy of this resolution to—

(A) the owner of the Miami Heat, Micky Arison;

(B) the President of the Miami Heat, Pat Riley; and

(C) the coach of the Miami Heat, Erik Spoelstra.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1663. Mr. PORTMAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1664. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1665. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1666. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1667. Mr. BLUMENTHAL (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1668. Mr. WARNER (for himself, Ms. MIKULSKI, Mr. WICKER, Mr. KAINE, Ms. MURKOWSKI, Ms. LANDRIEU, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1669. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1670. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1671. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1672. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1673. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1674. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1675. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1676. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1677. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1678. Mr. CARPER (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1679. Mr. CARPER (for himself, Mr. MCCAIN, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1680. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1681. Mrs. MURRAY (for herself and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1682. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1683. Mr. PORTMAN (for himself, Mr. CHIESA, and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1684. Mr. PORTMAN (for himself, Mr. CHIESA, and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1685. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1686. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1687. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1688. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1689. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1690. Mr. MORAN (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1691. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1692. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1693. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1694. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1695. Mr. BROWN (for himself, Mr. MANCHIN, Mr. GRASSLEY, and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1696. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1697. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1698. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1699. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1700. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1701. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1702. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1703. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1704. Mr. UDALL of New Mexico (for himself, Mr. HEINRICH, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1705. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1706. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1707. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1708. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1709. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1710. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1711. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1712. Ms. HIRONO (for herself, Mrs. MURRAY, Ms. MURKOWSKI, Mrs. BOXER, Mr. FRANKEN, Mr. LEAHY, Ms. MIKULSKI, Mrs. SHAHEEN, Ms. CANTWELL, Ms. STABENOW, Ms. BALDWIN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. MENENDEZ, Mr. SCHUMER, Mr. DURBIN, Mr. BENNET, and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1713. Ms. HIRONO (for herself, Mrs. MURRAY, Ms. MURKOWSKI, Mrs. BOXER, Mr. LEAHY, Mr. FRANKEN, Ms. MIKULSKI, Mrs. SHAHEEN, Ms. CANTWELL, Ms. STABENOW, Ms. BALDWIN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. MENENDEZ, Mr. SCHUMER, Mr. DURBIN, Mr. BENNET, and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1714. Mr. BROWN (for himself, Mr. ENZI, Mr. CASEY, Mr. BEGICH, Mr. PRYOR, Mr. TESTER, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1715. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1716. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1717. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1718. Ms. HIRONO (for herself, Mrs. MURRAY, Ms. MURKOWSKI, Mrs. BOXER, Mr. LEAHY, Mr. FRANKEN, Ms. MIKULSKI, Mrs. SHAHEEN, Ms. CANTWELL, Ms. STABENOW, Ms. BALDWIN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. MENENDEZ, Mr. SCHUMER, and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1719. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1720. Mrs. MURRAY (for herself, Mr. PORTMAN, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1663. Mr. PORTMAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EMPLOYMENT VERIFICATION SYSTEM IMPROVEMENTS.

(a) TRIGGER.—In addition to the conditions set forth in section 3(c)(2)(A), the Secretary may not adjust the status of aliens who have been granted registered provisional immigrant status, except for aliens granted blue card status under section 2201 of this Act or described in section 245D(b) of the Immigration and Nationality Act, unless the Secretary, after consultation with the Comptroller General of the United States, and as part of the written certification submitted to the President and Congress pursuant to section 3(c)(2)(A), certifies that the Secretary has implemented the mandatory employment verification system, including the full incorporation of the photo tool and additional security measures, required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101, and has required the system's use by all employers to prevent unauthorized workers from obtaining employment in the United States.

(b) EMPLOYMENT VERIFICATION SYSTEM.—Section 274A (8 U.S.C. 1324a), as amended by section 3101, is further amended—

(1) in subsection (a)(5)(A)(ii), by inserting '', by clear and convincing evidence,'' after demonstrates; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) DOCUMENT VERIFICATION REQUIREMENTS.—Any employer hiring an individual for employment in the United States shall comply with the following requirements and the requirements under subsection (d) to verify that the individual has employment authorized status.

''(1) ATTESTATION AFTER EXAMINATION OF DOCUMENTATION.—

''(A) IN GENERAL.—

''(i) EXAMINATION BY EMPLOYER.—An employer shall attest, under penalty of perjury on a form prescribed by the Secretary, that the employer has verified the identity and employment authorization status of the individual—

''(I) by examining—

''(aa) a document specified in subparagraph (C); or

''(bb) a document specified in subparagraph (D) and a document specified in subparagraph (E); and

''(II) by utilizing an identity authentication mechanism described in clause (iii) or (iv) of subparagraph (F).

''(ii) PUBLICATION OF DOCUMENTS.—The Secretary shall publish a picture of each document specified in subparagraphs (C) and (E) on the U.S. Citizenship and Immigration Services website.

''(B) REQUIREMENTS.—

''(i) FORM.—The form referred to in subparagraph (A)(i)—

''(I) shall be prescribed by the Secretary not later than 6 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act;

''(II) shall be available as—

''(aa) a paper form;

''(bb) a form that may be completed by an employer via telephone or video conference;

''(cc) an electronic form; and

''(dd) a form that is integrated electronically with the requirements under subparagraph (F) and subsection (d).

''(ii) ATTESTATION.—Each such form shall require the employer to sign an attestation with a handwritten, electronic, or digital signature, according to standards prescribed by the Secretary.

''(iii) COMPLIANCE.—An employer has complied with the requirements under this paragraph with respect to examination of the documents included in subclauses (I) and (II) of subparagraph (A)(i) if—

''(I) the employer has, in good faith, followed applicable regulations and any written procedures or instructions provided by the Secretary; and

''(II) a reasonable person would conclude that the documentation is genuine and relates to the individual presenting such documentation.

''(C) DOCUMENTS ESTABLISHING IDENTITY AND EMPLOYMENT AUTHORIZED STATUS.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

''(i) A United States passport or passport card issued to an individual pursuant to the Secretary of State's authority under the Act entitled An Act to regulate the issue and validity of passports, and for other purposes, approved July 3, 1926 (22 U.S.C. 211a).

''(ii) A document issued to an alien evidencing that the alien is lawfully admitted for permanent residence or another document issued to an individual evidencing the individual's employment authorized status, as designated by the Secretary, if the document—

''(I) contains a photograph of the individual, or such other personal identifying information relating to the individual as the Secretary determines, by regulation, to be sufficient for the purposes of this subparagraph;

''(II) is evidence of employment authorized status; and

''(III) contains security features to make the document resistant to tampering, counterfeiting, and fraudulent use.

''(iii) An enhanced driver's license or identification card issued to a national of the United States by a State, an outlying possession of the United States, or a federally recognized Indian tribe that—

''(I) meets the requirements under section 202 of the REAL ID Act of 2005 (division B of Public Law 109–13; 49 U.S.C. 30301 note); and

''(II) the Secretary has certified by notice published in the Federal Register and through appropriate notice directly to employers registered in the System 3 months prior to publication that such enhanced license or card is suitable for use under this subparagraph based upon the accuracy and security of the issuance process, security features on the document, and such other factors as the Secretary may prescribe.

''(iv) A passport issued by the appropriate authority of a foreign country accompanied by a Form I–94 or Form I–94A (or similar successor record), or other documentation as designated by the Secretary that specifies the individual's status in the United States and the duration of such status if the proposed employment is not in conflict with any restriction or limitation specified on such form or documentation.

''(v) A passport issued by the Federated States of Micronesia or the Republic of the Marshall Islands with evidence of nonimmigrant admission to the United States under the Compact of Free Association between the United States and the Federated States of Micronesia or the Republic of the Marshall Islands.

''(D) DOCUMENTS ESTABLISHING IDENTITY OF INDIVIDUAL.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

''(i) A driver's license or identity card that is not described in subparagraph (C)(iii) and is issued to an individual by a State or an outlying possession of the United States, a federally recognized Indian tribe, or an agency (including military) of the Federal Government if the driver's license or identity card includes, at a minimum—

''(I) the individual's photograph, name, date of birth, gender, and driver's license or identification card number; and

''(II) security features to make the license or card resistant to tampering, counterfeiting, and fraudulent use.

''(ii) A voter registration card.

''(iii) A document that complies with the requirements under section 7209(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 8 U.S.C. 1185 note).

''(iv) For individuals under 18 years of age who are unable to present a document listed in clause (i) or (ii), documentation of personal identity of such other type as the Secretary determines will provide a reliable means of identification, which may include an attestation as to the individual's identity by a parent or legal guardian under penalty of perjury.

''(E) DOCUMENTS EVIDENCING EMPLOYMENT AUTHORIZATION.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

''(i) A social security account number card issued by the Commissioner, other than a card which specifies on its face that the card is not valid to evidence employment authorized status or has other similar words of limitation.

''(ii) Any other documentation evidencing employment authorized status that the Secretary determines and publishes in the Federal Register and through appropriate notice directly to employers registered within the

System to be acceptable for purposes of this subparagraph if such documentation, including any electronic security measures linked to such documentation, contains security features to make such documentation resistant to tampering, counterfeiting, and fraudulent use.

''(F) IDENTITY AUTHENTICATION MECHANISM.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) COVERED IDENTITY DOCUMENT.—The term 'covered identity document' means a valid—

''(aa) United States passport, passport card, or a document evidencing lawful permanent residence status or employment authorized status issued to an alien;

''(bb) enhanced driver's license or identity card issued by a participating State or an outlying possession of the United States; or

''(cc) photograph and appropriate identifying information provided by the Secretary of State pursuant to the granting of a visa.

''(II) PARTICIPATING STATE.—The term 'participating State' means a State that has an agreement with the Secretary to provide the Secretary, for purposes of identity verification in the System, with photographs and appropriate identifying information maintained by the State.

''(ii) REQUIREMENT FOR IDENTITY AUTHENTICATION.—In addition to verifying the documents specified in subparagraph (C), (D), or (E), the System shall require each employer to verify the identity of each new hire using the identity authentication mechanism described in clause (iii) or, for an individual whose identity is not able to be verified using that mechanism, to use the additional security measures provided in clause (iv) after such measures become available. A failure of the System to verify the identity of an individual due to the use of an identity authentication mechanism shall result in a further action notice under subsection (d)(4)(C)(iii).

''(iii) PHOTO TOOL.—

''(I) USE REQUIREMENT.—An employer that hires an individual who has a presented a covered identity document to establish his or her identity and employment authorization under subsection (c) shall verify the identity of such individual using the photo tool described in subclause (II).

''(II) DEVELOPMENT REQUIREMENT.—The Secretary shall develop and maintain a photo tool that enables employers to match the photo on a covered identity document provided to the employer to a photo maintained by a U.S. Citizenship and Immigration Services or other appropriate database.

''(III) INDIVIDUAL QUERIES.—The photo tool capability shall be incorporated into the System and made available to employers not later than 1 year after the date on which regulations are published implementing subsection (d).

''(IV) LIMITATIONS ON USE OF INFORMATION.—Information and images acquired from State motor vehicle databases through the photo tool developed under subclause (II)—

''(aa) may only be used for matching photos to a covered identity document for the purposes of employment verification;

''(bb) shall not be collected or stored by the Federal Government; and

''(cc) may only be disseminated in response to an individual photo tool query.

''(iv) ADDITIONAL SECURITY MEASURES.—

''(I) USE REQUIREMENT.—An employer seeking to hire an individual whose identity is not able to be verified using the photo tool described in clause (iii), because the employee did not present a covered document for employment eligibility verification purposes, shall verify the identity of such individual using the additional security measures described in subclause (II).

''(II) DEVELOPMENT REQUIREMENT.—The Secretary shall develop, after publication in the Federal Register and an opportunity for public comment, specific and effective additional security measures to adequately verify the identity of an individual whose identity is not able to be verified using the photo tool described in clause (iii). Such additional security measures—

''(aa) shall be kept up-to-date with technological advances;

''(bb) shall provide a means of identity authentication in a manner that provides a high level of certainty as to the identity of such individual, using immigration and identifying information that may include review of identity documents or background screening verification techniques using publicly available information; and

''(cc) shall be incorporated into the System and made available to employers not later than 1 year after the date on which regulations are published implementing subsection (d).

''(III) COMPREHENSIVE USE.—An employer may employ the additional security measures set forth in this clause with respect to all individuals the employer hires if the employer notifies the Secretary of such election at the time the employer registers for use of the System under subsection (d)(4)(A)(i) or anytime thereafter. An election under this subclause may be withdrawn 90 days after the employer notifies the Secretary of the employer's intent to discontinue such election.

''(v) AUTOMATED VERIFICATION.—The Secretary—

''(I) may establish a program, in addition to the identity authentication mechanism described in subparagraph (F)(iii), in which the System automatically verifies information contained in a covered identity document issued by a participating State, which is presented under subparagraph (D)(i), including information needed to verify that the covered identity document matches the State's records;

''(II) may not maintain information provided by a participating State in a database maintained by U.S. Citizenship and Immigration Services; and

''(III) may not utilize or disclose such information, except as authorized under this section.

''(G) AUTHORITY TO PROHIBIT USE OF CERTAIN DOCUMENTS.—If the Secretary determines, after publication in the Federal Register and an opportunity for public comment, that any document or class of documents specified in subparagraph (B), (C), or (D) does not reliably establish identity or that employment authorized status is being used fraudulently to an unacceptable degree, the Secretary—

''(i) may prohibit or restrict the use of such document or class of documents for purposes of this subsection; and

''(ii) shall directly notify all employers registered within the System of the prohibition through appropriate means.

''(H) AUTHORITY TO ALLOW USE OF CERTAIN DOCUMENTS.—If the Secretary has determined that another document or class of documents, such as a document issued by a federally recognized Indian tribe, may be used to reliably establish identity or employment authorized status, the Secretary—

''(i) may allow the use of that document or class of documents for purposes of this subsection after publication in the Federal Register and an opportunity for public comment;

''(ii) shall publish a description of any such document or class of documents on the U.S. Citizenship and Immigration Services website; and

''(iii) shall directly notify all employers registered within the System of the addition through appropriate means.

''(2) INDIVIDUAL ATTESTATION OF EMPLOYMENT AUTHORIZATION.—An individual, upon commencing employment with an employer, shall—

''(A) attest, under penalty of perjury, on the form prescribed by the Secretary, that the individual is—

''(i) a citizen of the United States;

''(ii) an alien lawfully admitted for permanent residence;

''(iii) an alien who has employment authorized status; or

''(iv) otherwise authorized by the Secretary to be hired for such employment;

''(B) provide such attestation by a handwritten, electronic, or digital signature; and

''(C) provide the individual's social security account number to the Secretary, unless the individual has not yet been issued such a number, on such form as the Secretary may require.

''(3) RETENTION OF VERIFICATION RECORD.—

''(A) IN GENERAL.—After completing a form for an individual in accordance with paragraphs (1) and (2), the employer shall retain a version of such completed form and make such form available for inspection by the Secretary or the Office of Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice during the period beginning on the hiring date of the individual and ending on the later of—

''(i) the date that is 3 years after such hiring date; or

''(ii) the date that is 1 year after the date on which the individual's employment with the employer is terminated.

''(B) REQUIREMENT FOR ELECTRONIC RETENTION.—The Secretary—

''(i) shall permit an employer to retain the form described in subparagraph (A) in electronic form; and

''(ii) shall permit an employer to retain such form in paper, microfiche, microfilm, portable document format, or other media.

''(4) COPYING OF DOCUMENTATION AND RECORDKEEPING.—The Secretary may promulgate regulations regarding—

''(A) copying documents and related information pertaining to employment verification presented by an individual under this subsection; and

''(B) retaining such information during a period not to exceed the required retention period set forth in paragraph (3).

''(5) PENALTIES.—An employer that fails to comply with any requirement under this subsection may be penalized under subsection (e)(4)(B).

''(6) PROTECTION OF CIVIL RIGHTS.—

''(A) IN GENERAL.—Nothing in this section may be construed to diminish any rights otherwise protected by Federal law.

''(B) PROHIBITION ON DISCRIMINATION.—An employer shall use the procedures for document verification set forth in this paragraph for all employees without regard to race, color, religion, sex, national origin, or, unless specifically permitted in this section, to citizenship status.

''(7) RECEIPTS.—The Secretary may authorize the use of receipts for replacement documents, and temporary evidence of employment authorization by an individual to meet a documentation requirement under this

subsection on a temporary basis not to exceed 1 year, after which time the individual shall provide documentation sufficient to satisfy the documentation requirements under this subsection.

''(8) NO AUTHORIZATION OF NATIONAL IDENTIFICATION CARDS.—Nothing in this section may be construed to directly or indirectly authorize the issuance, use, or establishment of a national identification card.

''(d) EMPLOYMENT VERIFICATION SYSTEM.—

''(1) IN GENERAL.—

''(A) ESTABLISHMENT.—The Secretary, in consultation with the Commissioner, shall establish the Employment Verification System.

''(B) MONITORING.—The Secretary shall create the necessary processes to monitor—

''(i) the functioning of the System, including the volume of the workflow, the speed of processing of queries, the speed and accuracy of responses;

''(ii) the misuse of the System, including the prevention of fraud or identity theft;

''(iii) whether the use of the System results in wrongful adverse actions or discrimination based upon a prohibited factor against citizens or nationals of the United States or individuals who have employment authorized status; and

''(iv) the security, integrity, and privacy of the System.

''(C) PROCEDURES.—The Secretary—

''(i) shall create processes to provide an individual with direct access to the individual's case history in the System, including—

''(I) the identities of all persons or entities that have queried the individual through the System;

''(II) the date of each such query; and

''(III) the System response for each such query; and

''(ii) in consultation with the Commissioner, shall develop—

''(I) protocols to notify an individual, in a timely manner through the use of electronic correspondence or mail, that a query for the individual has been processed through the System; or

''(II) a process for the individual to submit additional queries to the System or notify the Secretary of potential identity fraud.

''(2) PARTICIPATION REQUIREMENTS.—

''(A) FEDERAL GOVERNMENT.—Except as provided in subparagraph (B), all agencies and departments in the executive, legislative, or judicial branches of the Federal Government shall participate in the System beginning on the earlier of—

''(i) the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, to the extent required under section 402(e)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a) and as already implemented by each agency or department; or

''(ii) the date that is 90 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(B) FEDERAL CONTRACTORS.—Federal contractors shall participate in the System as provided in the final rule relating to employment eligibility verification published in the Federal Register on November 14, 2008 (73 Fed. Reg. 67,651), or any similar subsequent regulation, for which purpose references to E-Verify in the final rule shall be construed to apply to the System.

''(C) CRITICAL INFRASTRUCTURE.—

''(i) IN GENERAL.—Beginning on the date that is 1 year after the date on which regulations are published implementing this subsection, the Secretary may authorize or direct any employer, person, or entity responsible for granting access to, protecting, securing, operating, administering, or regulating part of the critical infrastructure (as defined in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e))) to participate in the System to the extent the Secretary determines that such participation will assist in the protection of the critical infrastructure.

''(ii) NOTIFICATION TO EMPLOYERS.—The Secretary shall notify an employer required to participate in the System under this subparagraph not later than 90 days before the date on which the employer is required to participate.

''(D) EMPLOYERS WITH MORE THAN 10,000 EMPLOYEES.—Not later than 1 year after regulations are published implementing this subsection, all employers with more than 10,000 employees shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(E) EMPLOYERS WITH MORE THAN 500 EMPLOYEES.—Not later than 2 years after regulations are published implementing this subsection, all employers with more than 500 employees shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(F) EMPLOYERS WITH MORE THAN 20 EMPLOYEES.—Not later than 3 years after regulations are published implementing this subsection, all employers with more than 20 employees shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(G) AGRICULTURAL EMPLOYMENT.—Not later than 4 years after regulations are published implementing this subsection, employers of employees performing agricultural employment (as defined in section 218A of this Act and section 2202 of the Border Security, Economic Opportunity, and Immigration Modernization Act) shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents. An agricultural employee shall not be counted for purposes of subparagraph (D), (E), or (F).

''(H) ALL EMPLOYERS.—Not later than 4 years after regulations are published implementing this subsection, all employers shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(I) TRIBAL GOVERNMENT EMPLOYERS.—

''(i) RULEMAKING.—In developing regulations to implement this subsection, the Secretary shall—

''(I) consider the effects of this section on federally recognized Indian tribes and tribal members; and

''(II) consult with the governments of federally recognized Indian tribes.

''(ii) REQUIRED PARTICIPATION.—Not later than 4 years after regulations are published implementing this subsection, all employers owned by, or entities of, the government of a federally recognized Indian tribe shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(J) IMMIGRATION LAW VIOLATORS.—

''(i) ORDERS FINDING VIOLATIONS.—An order finding any employer to have violated this section or section 274C may, in the Secretary's discretion, require the employer to participate in the System with respect to newly hired employees and employees with expiring temporary employment authorization documents, if such employer is not otherwise required to participate in the System under this section. The Secretary shall monitor such employer's compliance with System procedures.

''(ii) PATTERN OR PRACTICE OF VIOLATIONS.—The Secretary may require an employer that is required to participate in the System with respect to newly hired employees to participate in the System with respect to the employer's current employees if the employer is determined by the Secretary or other appropriate authority to have engaged in a pattern or practice of violations of the immigration laws of the United States.

''(K) VOLUNTARY PARTICIPATION.—The Secretary may permit any employer that is not required to participate in the System under this section to do so on a voluntary basis.

''(3) CONSEQUENCE OF FAILURE TO PARTICIPATE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the failure, other than a de minimis or inadvertent failure, of an employer that is required to participate in the System to comply with the requirements of the System with respect to an individual—

''(i) shall be treated as a violation of subsection (a)(1)(B) with respect to that individual; and

''(ii) creates a rebuttable presumption that the employer has violated paragraph (1)(A) or (2) of subsection (a).

''(B) EXCEPTION.—

''(i) IN GENERAL.—Subparagraph (A) shall not apply in a criminal prosecution.

''(ii) USE AS EVIDENCE.—Nothing in this paragraph may be construed to limit the use in the prosecution of a Federal crime, in a manner otherwise consistent with Federal criminal law and procedure, of evidence relating to the employer's failure to comply with requirements of the System.

''(4) PROCEDURES FOR PARTICIPANTS IN THE SYSTEM.—

''(A) IN GENERAL.—An employer participating in the System shall register such participation with the Secretary and, when hiring any individual for employment in the United States, shall comply with the following:

''(i) REGISTRATION OF EMPLOYERS.—The Secretary, through notice in the Federal Register, shall prescribe procedures that employers shall be required to follow to register with the System.

''(ii) UPDATING INFORMATION.—The employer is responsible for providing notice of any change to the information required under subclauses (I), (II), and (III) of clause (v) before conducting any further inquiries within the System, or on such other schedule as the Secretary may prescribe.

''(iii) TRAINING.—The Secretary shall require employers to undergo such training as the Secretary determines to be necessary to ensure proper use, protection of civil rights and civil liberties, privacy, integrity, and security of the System. To the extent practicable, such training shall be made available electronically on the U.S. Citizenship and Immigration Services website.

''(iv) NOTIFICATION TO EMPLOYEES.—The employer shall inform individuals hired for employment that the System—

''(I) will be used by the employer;

''(II) may be used for immigration enforcement purposes; and

''(III) may not be used to discriminate or to take adverse action against a national of

the United States or an alien who has employment authorized status.

''(v) PROVISION OF ADDITIONAL INFORMATION.—The employer shall obtain from the individual (and the individual shall provide) and shall record in such manner as the Secretary may specify—

''(I) the individual's social security account number;

''(II) if the individual does not attest to United States citizenship or status as a national of the United States under subsection (c)(2), such identification or authorization number established by the Department as the Secretary shall specify; and

''(III) such other information as the Secretary may require to determine the identity and employment authorization of an individual.

''(vi) PRESENTATION OF DOCUMENTATION.—The employer, and the individual whose identity and employment authorized status are being confirmed, shall fulfill the requirements under subsection (c).

''(B) SEEKING CONFIRMATION.—

''(i) IN GENERAL.—An employer shall use the System to confirm the identity and employment authorized status of any individual during—

''(I) the period beginning on the date on which the individual accepts an offer of employment and ending 3 business days after the date on which employment begins; or

''(II) such other reasonable period as the Secretary may prescribe.

''(ii) LIMITATION.—An employer may not make the starting date of an individual's employment or training or any other term and condition of employment dependent on the receipt of a confirmation of identity and employment authorized status by the System.

''(iii) REVERIFICATION.—If an individual has a limited period of employment authorized status, the individual's employer shall reverify such status through the System not later than 3 business days after the last day of such period.

''(iv) OTHER EMPLOYMENT.—For employers directed by the Secretary to participate in the System under paragraph (2)(C)(i) to protect critical infrastructure or otherwise specified circumstances in this section to verify their entire workforce, the System may be used for initial verification of an individual who was hired before the employer became subject to the System, and the employer shall initiate all required procedures on or before such date as the Secretary shall specify.

''(v) NOTIFICATION.—

''(I) IN GENERAL.—The Secretary shall provide, and the employer shall utilize, as part of the System, a method of notifying employers of a confirmation or nonconfirmation of an individual's identity and employment authorized status, or a notice that further action is required to verify such identity or employment eligibility (referred to in this subsection as a further action notice).

''(II) PROCEDURES.—The Secretary shall—

''(aa) directly notify the individual and the employer, by means of electronic correspondence, mail, text message, telephone, or other direct communication, of a nonconfirmation or further action notice;

''(bb) provide information about filing an administrative appeal under paragraph (6) and a filing for review before an administrative law judge under paragraph (7); and

''(cc) establish procedures to directly notify the individual and the employer of a confirmation.

''(III) IMPLEMENTATION.—The Secretary may provide for a phased-in implementation of the notification requirements under this clause, as appropriate. The notification system shall cover all inquiries not later than 1 year from the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(C) CONFIRMATION OR NONCONFIRMATION.—

''(i) INITIAL RESPONSE.—

''(I) IN GENERAL.—Except as provided in subclause (II), the System shall provide—

''(aa) a confirmation of an individual's identity and employment authorized status or a further action notice at the time of the inquiry; and

''(bb) an appropriate code indicating such confirmation or such further action notice.

''(II) ALTERNATIVE DEADLINE.—If the System is unable to provide immediate confirmation or further action notice for technological reasons or due to unforeseen circumstances, the System shall provide a confirmation or further action notice not later than 3 business days after the initial inquiry.

''(ii) CONFIRMATION UPON INITIAL INQUIRY.—If the employer receives an appropriate confirmation of an individual's identity and employment authorized status under the System, the employer shall record the confirmation in such manner as the Secretary may specify.

''(iii) FURTHER ACTION NOTICE AND LATER CONFIRMATION OR NONCONFIRMATION.—

''(I) NOTIFICATION AND ACKNOWLEDGMENT THAT FURTHER ACTION IS REQUIRED.—Not later than 3 business days after an employer receives a further action notice of an individual's identity or employment eligibility under the System, or during such other reasonable time as the Secretary may prescribe, the employer shall notify the individual for whom the confirmation is sought of the further action notice and any procedures specified by the Secretary for addressing such notice. The further action notice shall be given to the individual in writing and the employer shall acknowledge in the System under penalty of perjury that it provided the employee with the further action notice. The individual shall affirmatively acknowledge in writing, or in such other manner as the Secretary may specify, the receipt of the further action notice from the employer. If the individual refuses to acknowledge the receipt of the further action notice, or acknowledges in writing that the individual will not contest the further action notice under subclause (II), the employer shall notify the Secretary in such manner as the Secretary may specify.

''(II) CONTEST.—Not later than 10 business days after receiving notification of a further action notice under subclause (I), the individual shall contact the appropriate Federal agency and, if the Secretary so requires, appear in person for purposes of verifying the individual's identity and employment eligibility. The Secretary, in consultation with the Commissioner and other appropriate Federal agencies, shall specify an available secondary verification procedure to confirm the validity of information provided and to provide a confirmation or nonconfirmation. Any procedures for reexamination shall not limit in any way an employee's right to appeal a nonconfirmation.

''(III) NO CONTEST.—If the individual refuses to acknowledge receipt of the further action notice, acknowledges that the individual will not contest the further action notice as provided in subclause (I), or does not contact the appropriate Federal agency within the period specified in subclause (II), following expiration of the period specified in subclause (II), a nonconfirmation shall be issued. The employer shall record the nonconfirmation in such manner as the Secretary may specify and terminate the individual's employment. An individual's failure to contest a further action notice shall not be considered an admission of guilt with respect to any violation of this section or any provision of law.

''(IV) CONFIRMATION OR NONCONFIRMATION.—Unless the period is extended in accordance with this subclause, the System shall provide a confirmation or nonconfirmation not later than 10 business days after the date on which the individual contests the further action notice under subclause (II). If the Secretary determines that good cause exists, after taking into account adverse impacts to the employer, and including time to permit the individual to obtain and provide needed evidence of identity or employment eligibility, the Secretary shall extend the period for providing confirmation or nonconfirmation for stated periods beyond 10 business days. When confirmation or nonconfirmation is provided, the confirmation system shall provide an appropriate code indicating such confirmation or nonconfirmation.

''(V) REEXAMINATION.—Nothing in this section shall prevent the Secretary from establishing procedures to reexamine a case where a confirmation or nonconfirmation has been provided if subsequently received information indicates that the confirmation or nonconfirmation may not have been correct. Any procedures for reexamination shall not limit in any way an employee's right to appeal a nonconfirmation.

''(VI) EMPLOYEE PROTECTIONS.—An employer may not terminate employment or take any other adverse action against an individual solely because of a failure of the individual to have identity and employment eligibility confirmed under this subsection until—

''(aa) a nonconfirmation has been issued;

''(bb) if the further action notice was contested, the period to timely file an administrative appeal has expired without an appeal or the contestation to the further action notice is withdrawn; or

''(cc) if an appeal before an administrative law judge under paragraph (7) has been filed, the nonconfirmation has been upheld or the appeal has been withdrawn or dismissed.

''(iv) NOTICE OF NONCONFIRMATION.—Not later than 3 business days after an employer receives a nonconfirmation, or during such other reasonable time as the Secretary may provide, the employer shall notify the individual who is the subject of the nonconfirmation, and provide information about filing an administrative appeal pursuant to paragraph (6) and a request for a hearing before an administrative law judge pursuant to paragraph (7). The nonconfirmation notice shall be given to the individual in writing and the employer shall acknowledge in the System under penalty of perjury that it provided the notice (or adequately attempted to provide notice, but was unable to do so despite reasonable efforts). The individual shall affirmatively acknowledge in writing, or in such other manner as the Secretary may prescribe, the receipt of the nonconfirmation notice from the employer. If the individual refuses or fails to acknowledge the receipt of the nonconfirmation notice, the employer shall notify the Secretary in such manner as the Secretary may prescribe.

''(D) CONSEQUENCES OF NONCONFIRMATION.—

''(i) TERMINATION OF CONTINUED EMPLOYMENT.—Except as provided in clause (iii), an employer that has received a nonconfirmation regarding an individual and has made

reasonable efforts to notify the individual in accordance with subparagraph (C)(iv) shall terminate the employment of the individual upon the expiration of the time period specified in paragraph (7).

''(ii) CONTINUED EMPLOYMENT AFTER NONCONFIRMATION.—If the employer continues to employ an individual after receiving nonconfirmation and exhaustion of all appeals or expiration of all rights to appeal if not appealed, in violation of clause (i), a rebuttable presumption is created that the employer has violated paragraphs (1)(A) and (2) of subsection (a). Such presumption shall not apply in any prosecution under subsection (k)(1).

''(iii) EFFECT OF ADMINISTRATIVE APPEAL OR REVIEW BY ADMINISTRATIVE LAW JUDGE.—If an individual files an administrative appeal of the nonconfirmation within the time period specified in paragraph (6)(A), or files for review with an administrative law judge specified in paragraph (7)(A), the employer shall not terminate the individual's employment under this subparagraph prior to the resolution of the administrative appeal unless the Secretary or Commissioner terminates the stay under paragraph (6)(B) or (7)(B).

''(iv) WEEKLY REPORT.—The Director of U.S. Citizenship and Immigration Services shall submit a weekly report to the Assistant Secretary for Immigration and Customs Enforcement that includes, for each individual who receives final nonconfirmation through the System—

''(I) the name of such individual;

''(II) his or her social security number or alien file number;

''(III) the name and contact information for his or her current employer; and

''(IV) any other critical information that the Assistant Secretary determines to be appropriate.

''(v) OTHER REFERRAL.—The Director of U.S. Citizenship and Immigration Services shall refer to the Assistant Secretary for Immigration and Customs Enforcement for appropriate action by the Assistant Secretary or for referral by the Assistant Secretary to another law enforcement agency, as appropriate—

''(I) any case in which the Director believes that a social security number has been falsely or fraudulently used; and

''(II) any case in which a false or fraudulent document is used by an employee who has received a further action notice to resolve such notice.

''(E) OBLIGATION TO RESPOND TO QUERIES AND ADDITIONAL INFORMATION.—

''(i) IN GENERAL.—Employers shall comply with requests for information from the Secretary and the Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice, including queries concerning current and former employees, within the time frame during which records are required to be maintained under this section regarding such former employees, if such information relates to the functioning of the System, the accuracy of the responses provided by the System, or any suspected misuse, discrimination, fraud, or identity theft in the use of the System. Failure to comply with a request under this clause constitutes a violation of subsection (a)(1)(B).

''(ii) ACTION BY INDIVIDUALS.—

''(I) IN GENERAL.—Individuals being verified through the System may be required to take further action to address questions identified by the Secretary or the Commissioner regarding the documents relied upon for purposes of subsection (c).

''(II) NOTIFICATION.—Not later than 3 business days after the receipt of such questions regarding an individual, or during such other reasonable time as the Secretary may prescribe, the employer shall—

''(aa) notify the individual of any such requirement for further actions; and

''(bb) record the date and manner of such notification.

''(III) ACKNOWLEDGMENT.—The individual shall acknowledge the notification received from the employer under subclause (II) in writing, or in such other manner as the Secretary may prescribe.

''(iii) RULEMAKING.—

''(I) IN GENERAL.—The Secretary, in consultation with the Commissioner and the Attorney General, is authorized to issue regulations implementing, clarifying, and supplementing the requirements under this subparagraph—

''(aa) to facilitate the functioning, accuracy, and fairness of the System;

''(bb) to prevent misuse, discrimination, fraud, or identity theft in the use of the System; or

''(cc) to protect and maintain the confidentiality of information that could be used to locate or otherwise place at risk of harm victims of domestic violence, dating violence, sexual assault, stalking, and human trafficking, and of the applicant or beneficiary of any petition described in section 384(a)(2) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(a)(2)).

''(II) NOTICE.—The regulations issued under subclause (I) shall be—

''(aa) published in the Federal Register; and

''(bb) provided directly to all employers registered in the System.

''(F) DESIGNATED AGENTS.—The Secretary shall establish a process—

''(i) for certifying, on an annual basis or at such times as the Secretary may prescribe, designated agents and other System service providers seeking access to the System to perform verification queries on behalf of employers, based upon training, usage, privacy, and security standards prescribed by the Secretary;

''(ii) for ensuring that designated agents and other System service providers are subject to monitoring to the same extent as direct access users; and

''(iii) for establishing standards for certification of electronic I–9 programs.

''(G) REQUIREMENT TO PROVIDE INFORMATION.—

''(i) IN GENERAL.—No later than 3 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary, in consultation with the Secretary of Labor, the Secretary of Agriculture, the Commissioner, the Attorney General, the Equal Employment Opportunity Commission, and the Administrator of the Small Business Administration, shall commence a campaign to disseminate information respecting the procedures, rights, and remedies prescribed under this section.

''(ii) CAMPAIGN REQUIREMENTS.—The campaign authorized under clause (i)—

''(I) shall be aimed at increasing the knowledge of employers, employees, and the general public concerning employer and employee rights, responsibilities, and remedies under this section; and

''(II) shall be coordinated with the public education campaign conducted by U.S. Citizenship and Immigration Services.

''(iii) ASSESSMENT.—The Secretary shall assess the success of the campaign in achieving the goals of the campaign.

''(iv) AUTHORITY TO CONTRACT.—In order to carry out and assess the campaign under this subparagraph, the Secretary may, to the extent deemed appropriate and subject to the availability of appropriations, contract with public and private organizations for outreach and assessment activities under the campaign.

''(v) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this paragraph $40,000,000 for each of the fiscal years 2014 through 2016.

''(H) AUTHORITY TO MODIFY INFORMATION REQUIREMENTS.—Based on a regular review of the System and the document verification procedures to identify misuse or fraudulent use and to assess the security of the documents and processes used to establish identity or employment authorized status, the Secretary, in consultation with the Commissioner, after publication of notice in the Federal Register and an opportunity for public comment, may modify, if the Secretary determines that the modification is necessary to ensure that the System accurately and reliably determines the identity and employment authorized status of employees and maintain existing protections against misuse, discrimination, fraud, and identity theft—

''(i) the information that shall be presented to the employer by an individual;

''(ii) the information that shall be provided to the System by the employer; and

''(iii) the procedures that shall be followed by employers with respect to the process of verifying an individual through the System.

''(I) SELF-VERIFICATION.—Subject to appropriate safeguards to prevent misuse of the system, the Secretary, in consultation with the Commissioner, shall establish a secure self-verification procedure to permit an individual who seeks to verify the individual's own employment eligibility to contact the appropriate agency and, in a timely manner, correct or update the information contained in the System.

''(5) PROTECTION FROM LIABILITY FOR ACTIONS TAKEN ON THE BASIS OF INFORMATION PROVIDED BY THE SYSTEM.—An employer shall not be liable to a job applicant, an employee, the Federal Government, or a State or local government, under Federal, State, or local criminal or civil law for any employment-related action taken with respect to a job applicant or employee in good faith reliance on information provided by the System.

''(6) ADMINISTRATIVE APPEAL.—

''(A) IN GENERAL.—An individual who is notified of a nonconfirmation may, not later than 10 business days after the date that such notice is received, file an administrative appeal of such nonconfirmation with the Commissioner if the notice is based on records maintained by the Commissioner, or in any other case, with the Secretary. An individual who did not timely contest a further action notice timely received by that individual for which the individual acknowledged receipt may not be granted a review under this paragraph.

''(B) ADMINISTRATIVE STAY OF NONCONFIRMATION.—The nonconfirmation shall be automatically stayed upon the timely filing of an administrative appeal, unless the nonconfirmation resulted after the individual acknowledged receipt of the further action notice but failed to contact the appropriate agency within the time provided. The stay shall remain in effect until the resolution of

the appeal, unless the Secretary or the Commissioner terminates the stay based on a determination that the administrative appeal is frivolous or filed for purposes of delay.

''(C) REVIEW FOR ERROR.—The Secretary and the Commissioner shall develop procedures for resolving administrative appeals regarding nonconfirmations based upon the information that the individual has provided, including any additional evidence or argument that was not previously considered. Any such additional evidence or argument shall be filed within 10 business days of the date the appeal was originally filed. Appeals shall be resolved within 20 business days after the individual has submitted all evidence and arguments the individual wishes to submit, or has stated in writing that there is no additional evidence that the individual wishes to submit. The Secretary and the Commissioner may, on a case by case basis for good cause, extend the filing and submission period in order to ensure accurate resolution of an appeal before the Secretary or the Commissioner.

''(D) PREPONDERANCE OF EVIDENCE.—Administrative appeal under this paragraph shall be limited to whether a nonconfirmation notice is supported by a preponderance of the evidence.

''(E) DAMAGES, FEES, AND COSTS.—No money damages, fees or costs may be awarded in the administrative appeal process under this paragraph.

''(7) REVIEW BY ADMINISTRATIVE LAW JUDGE.—

''(A) IN GENERAL.—Not later than 30 days after the date an individual receives a final determination on an administrative appeal under paragraph (6), the individual may obtain review of such determination by filing a complaint with a Department of Justice administrative law judge in accordance with this paragraph.

''(B) STAY OF NONCONFIRMATION.—The nonconfirmation related to such final determination shall be automatically stayed upon the timely filing of a complaint under this paragraph, and the stay shall remain in effect until the resolution of the complaint, unless the administrative law judge determines that the action is frivolous or filed for purposes of delay.

''(C) SERVICE.—The respondent to complaint filed under this paragraph is either the Secretary or the Commissioner, but not both, depending upon who issued the administrative order under paragraph (6). In addition to serving the respondent, the plaintiff shall serve the Attorney General.

''(D) AUTHORITY OF ADMINISTRATIVE LAW JUDGE.—

''(i) RULES OF PRACTICE.—The Secretary shall promulgate regulations regarding the rules of practice in appeals brought pursuant to this subsection.

''(ii) AUTHORITY OF ADMINISTRATIVE LAW JUDGE.—The administrative law judge shall have power to—

''(I) terminate a stay of a nonconfirmation under subparagraph (B) if the administrative law judge determines that the action is frivolous or filed for purposes of delay;

''(II) adduce evidence at a hearing;

''(III) compel by subpoena the attendance of witnesses and the production of evidence at any designated place or hearing;

''(IV) resolve claims of identity theft; and

''(V) enter, upon the pleadings and any evidence adduced at a hearing, a decision affirming or reversing the result of the agency, with or without remanding the cause for a rehearing.

''(iii) SUBPOENA.—In case of contumacy or refusal to obey a subpoena lawfully issued under this section and upon application of the administrative law judge, an appropriate district court of the United States may issue an order requiring compliance with such subpoena and any failure to obey such order may be punished by such court as a contempt of such court.

''(iv) TRAINING.—An administrative law judge hearing cases shall have special training respecting employment authorized status verification.

''(E) ORDER BY ADMINISTRATIVE LAW JUDGE.—

''(i) IN GENERAL.—The administrative law judge shall issue and cause to be served to the parties in the proceeding an order which may be appealed as provided in subparagraph (G).

''(ii) CONTENTS OF ORDER.—Such an order shall uphold or reverse the final determination on the request for reconsideration and order lost wages and other appropriate remedies as provided in subparagraph (F).

''(F) COMPENSATION FOR ERROR.—

''(i) IN GENERAL.—In cases in which the administrative law judge reverses the final determination of the Secretary or the Commissioner made under paragraph (6), and the administrative law judge finds that—

''(I) the nonconfirmation was due to gross negligence or intentional misconduct of the employer, the administrative law judge may order the employer to pay the individual lost wages, and reasonable costs and attorneys' fees incurred during administrative and judicial review; or

''(II) such final determination was erroneous by reason of the negligence of the Secretary or the Commissioner, the administrative law judge may order the Secretary or the Commissioner to pay the individual lost wages, and reasonable costs and attorneys' fees incurred during the administrative appeal and the administrative law judge review.

''(ii) CALCULATION OF LOST WAGES.—Lost wages shall be calculated based on the wage rate and work schedule that prevailed prior to termination. The individual shall be compensated for wages lost beginning on the first scheduled work day after employment was terminated and ending 120 days after completion of the administrative law judge's review described in this paragraph or the day after the individual is reinstated or obtains employment elsewhere, whichever occurs first. If the individual obtains employment elsewhere at a lower wage rate, the individual shall be compensated for the difference in wages for the period ending 120 days after completion of the administrative law judge review process. No lost wages shall be awarded for any period of time during which the individual was not in employment authorized status.

''(iii) PAYMENT OF COMPENSATION.—Notwithstanding any other law, payment of compensation for lost wages, costs, and attorneys' fees under this paragraph, or compromise settlements of the same, shall be made as provided by section 1304 of title 31, United States Code. Appropriations made available to the Secretary or the Commissioner, accounts provided for under section 286, and funds from the Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund shall not be available to pay such compensation.

''(G) APPEAL.—No later than 45 days after the entry of such final order, any person adversely affected by such final order may seek review of such order in the United States Court of Appeals for the circuit in which the violation is alleged to have occurred or in which the employer resides or transacts business.

''(8) MANAGEMENT OF THE SYSTEM.—

''(A) IN GENERAL.—The Secretary is authorized to establish, manage, and modify the System, which shall—

''(i) respond to inquiries made by participating employers at any time through the internet, or such other means as the Secretary may designate, concerning an individual's identity and whether the individual is in employment authorized status;

''(ii) maintain records of the inquiries that were made, of confirmations provided (or not provided), and of the codes provided to employers as evidence of their compliance with their obligations under the System; and

''(iii) provide information to, and require action by, employers and individuals using the System.

''(B) DESIGN AND OPERATION OF SYSTEM.—The System shall be designed and operated—

''(i) to maximize its reliability and ease of use by employers consistent with protecting the privacy and security of the underlying information, and ensuring full notice of such use to employees;

''(ii) to maximize its ease of use by employees, including direct notification of its use, of results, and ability to challenge results;

''(iii) to respond accurately to all inquiries made by employers on whether individuals are authorized to be employed and to register any times when the system is unable to receive inquiries;

''(iv) to maintain appropriate administrative, technical, and physical safeguards to prevent unauthorized disclosure of personal information, misuse by employers and employees, and discrimination;

''(v) to require regularly scheduled refresher training of all users of the System to ensure compliance with all procedures;

''(vi) to allow for auditing of the use of the System to detect misuse, discrimination, fraud, and identity theft, to protect privacy and assess System accuracy, and to preserve the integrity and security of the information in all of the System, including—

''(I) to develop and use tools and processes to detect or prevent fraud and identity theft, such as multiple uses of the same identifying information or documents to fraudulently gain employment;

''(II) to develop and use tools and processes to detect and prevent misuse of the system by employers and employees;

''(III) to develop tools and processes to detect anomalies in the use of the system that may indicate potential fraud or misuse of the system;

''(IV) to audit documents and information submitted by employees to employers, including authority to conduct interviews with employers and employees, and obtain information concerning employment from the employer;

''(vii) to confirm identity and employment authorization through verification and comparison of records as determined necessary by the Secretary;

''(viii) to confirm electronically the issuance of the employment authorization or identity document and—

''(I) if such photograph is available, to display the digital photograph that the issuer placed on the document so that the employer can compare the photograph displayed to the photograph on the document presented by the employee; or

''(II) if a photograph is not available from the issuer, to confirm the authenticity of the document using additional security measures set forth in subsection (c)(1)(F)(iv);

''(ix) to employ specific and effective additional security measures set forth in subsection (c)(1)(F)(iv) to adequately verify the identity of an individual that are designed and operated—

''(I) to use state-of-the-art technology to determine to a high degree of accuracy whether an individual presenting biographic information is the individual with that true identity;

''(II) to retain under the control of the Secretary the use of all determinations communicated by the System, regardless of the entity operating the system pursuant to a contract or other agreement with a nongovernmental entity or entities to the extent helpful in acquiring the best technology to implement the additional security measures;

''(III) to be integrated with the System so that employment authorizations will be determined for all individuals identified as presenting their true identities through the databases maintained by the Commissioner of Social Security and the Secretary;

''(IV) to use tools and processes to detect and prevent further action notices and final nonconfirmations that are not correlated to fraud or identity theft;

''(V) to make risk-based assessments regarding the reliability of a claim of identity made by an individual presenting biographic information and to tailor the identity determination in accordance with those assessments;

''(VI) to permit queries to be presented to individuals subject to identity verification at the time their identities are being verified in a manner that permits rapid communication through Internet, mobile phone, and landline telephone connections to facilitate identity proofing;

''(VII) to generate queries that conform to the context of the identity verification process and the circumstances of the individual whose identity is being verified;

''(VIII) to use publicly available databases and databases under the jurisdiction of the Commissioner of Social Security, the Secretary, and the Secretary of State to formulate queries to be presented to individuals whose identities are being verified, as appropriate;

''(IX) to not retain data collected by the System within any database separate from the database in which the operating system is located and to limit access to the existing databases to a reference process that shields the operator of the System from acquiring possession of the data beyond the formulation of queries and verification of responses;

''(X) to not permit individuals or entities using the System to access any data related to the individuals whose identities are being verified beyond confirmations, further action notices, and final nonconfirmations of identity;

''(XI) to include, if feasible, a capability for permitting document or other inputs that can be offered to individuals and entities using the System and that may be used at the option of employees to facilitate identity verification, but would not be required of either employers or employees; and

''(XII) to the greatest extent possible, in accordance with the time frames specified in this section; and

''(x) to provide appropriate notification directly to employers registered with the System of all changes made by the Secretary or the Commissioner related to allowed and prohibited documents, and use of the System.

''(C) SAFEGUARDS TO THE SYSTEM.—

''(i) REQUIREMENT TO DEVELOP.—The Secretary, in consultation with the Commissioner and other appropriate Federal and State agencies, shall develop policies and procedures to ensure protection of the privacy and security of personally identifiable information and identifiers contained in the records accessed or maintained by the System. The Secretary, in consultation with the Commissioner and other appropriate Federal and State agencies, shall develop and deploy appropriate privacy and security training for the Federal and State employees accessing the records under the System.

''(ii) PRIVACY AUDITS.—The Secretary, acting through the Chief Privacy Officer of the Department, shall conduct regular privacy audits of the policies and procedures established under clause (i) and the Department's compliance with the limitations set forth in subsection (c)(1)(F)(iii)(IV), including any collection, use, dissemination, and maintenance of personally identifiable information and any associated information technology systems, as well as scope of requests for this information. The Chief Privacy Officer shall review the results of the audits and recommend to the Secretary any changes necessary to improve the privacy protections of the program.

''(iii) ACCURACY AUDITS.—

''(I) IN GENERAL.—Not later than November 30 of each year, the Inspector General of the Department of Homeland Security shall submit a report to the Secretary, with a copy to the President of the Senate and the Speaker of the House of Representatives, that sets forth the error rate of the System for the previous fiscal year and the assessments required to be submitted by the Secretary under subparagraphs (A) and (B) of paragraph (10). The report shall describe in detail the methodology employed for purposes of the report, and shall make recommendations for how error rates may be reduced.

''(II) ERROR RATE DEFINED.—In this clause, the term error rate means the percentage determined by dividing—

''(aa) the number of employment authorized individuals who received further action notices, contested such notices, and were subsequently found to be employment authorized; by

''(bb) the number of System inquiries submitted for employment authorized individuals.

''(III) ERROR RATE DETERMINATION.—The audits required under this clause shall—

''(aa) determine the error rate for identity determinations pursuant to subsection (c)(1)(F) for individuals presenting their true identities in the same manner and applying the same standards as for employment authorization; and

''(bb) include recommendations, as provided in subclause (I), but no reduction in fines pursuant to subclause (IV).

''(IV) REDUCTION OF PENALTIES FOR RECORDKEEPING OR VERIFICATION PRACTICES FOLLOWING PERSISTENT SYSTEM INACCURACIES.—Notwithstanding subsection (e)(4)(C)(i), in any calendar year following a report by the Inspector General under subclause (I) that the System had an error rate higher than 0.3 percent for the previous fiscal year, the civil penalty assessable by the Secretary or an administrative law judge under that subsection for each first-time violation by an employer who has not previously been penalized under this section may not exceed $1,000.

''(iv) RECORDS SECURITY PROGRAM.—Any person, including a private third party vendor, who retains document verification or System data pursuant to this section shall implement an effective records security program that—

''(I) ensures that only authorized personnel have access to document verification or System data; and

''(II) ensures that whenever such data is created, completed, updated, modified, altered, or corrected in electronic format, a secure record is created that establishes the date of access, the identity of the individual who accessed the electronic record, and the particular action taken.

''(v) RECORDS SECURITY PROGRAM.—In addition to the security measures described in clause (iv), a private third party vendor who retains document verification or System data pursuant to this section shall implement an effective records security program that—

''(I) provides for backup and recovery of any records maintained in electronic format to protect against information loss, such as power interruptions; and

''(II) ensures that employees are trained to minimize the risk of unauthorized or accidental alteration or erasure of such data in electronic format.

''(vi) AUTHORIZED PERSONNEL DEFINED.—In this subparagraph, the term authorized personnel means anyone registered as a System user, or anyone with partial or full responsibility for completion of employment authorization verification or retention of data in connection with employment authorization verification on behalf of an employer.

''(D) AVAILABLE FACILITIES AND ALTERNATIVE ACCOMMODATIONS.—The Secretary shall make appropriate arrangements and develop standards to allow employers or employees, including remote hires, who are otherwise unable to access the System to use electronic and telephonic formats (including video conferencing, scanning technology, and other available technologies), Federal Government facilities, public facilities, or other available locations in order to utilize the System.

''(E) RESPONSIBILITIES OF THE SECRETARY.—

''(i) IN GENERAL.—As part of the System, the Secretary shall maintain a reliable, secure method, which, operating through the System and within the time periods specified, compares the name, alien identification or authorization number, or other information as determined relevant by the Secretary, provided in an inquiry against such information maintained or accessed by the Secretary in order to confirm (or not confirm) the validity of the information provided, the correspondence of the name and number, whether the alien has employment authorized status (or, to the extent that the Secretary determines to be feasible and appropriate, whether the records available to the Secretary verify the identity or status of a national of the United States), and such other information as the Secretary may prescribe.

''(ii) PHOTOGRAPH DISPLAY.—As part of the System, the Secretary shall establish a reliable, secure method, which, operating through the System, displays the digital photograph described in subparagraph (B)(viii)(I).

''(iii) TIMING OF NOTICES.—The Secretary shall have authority to prescribe when a confirmation, nonconfirmation, or further action notice shall be issued.

''(iv) USE OF INFORMATION.—The Secretary shall perform regular audits under the System, as described in subparagraph (B)(vi) and shall utilize the information obtained from such audits, as well as any information obtained from the Commissioner pursuant to part E of title XI of the Social Security Act (42 U.S.C. 1301 et seq.), for the purposes of

this section and to administer and enforce the immigration laws.

''(v) IDENTITY FRAUD PROTECTION.—To prevent identity fraud, not later than 18 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary shall—

''(I) in consultation with the Commissioner, establish a program to provide a reliable, secure method for an individual to temporarily suspend or limit the use of the individual's social security account number or other identifying information for verification by the System; and

''(II) for each individual being verified through the System—

''(aa) notify the individual that the individual has the option to limit the use of the individual's social security account number or other identifying information for verification by the System; and

''(bb) provide instructions to the individuals for exercising the option referred to in item (aa).

''(vi) ALLOWING PARENTS TO PREVENT THEFT OF THEIR CHILD'S IDENTITY.—The Secretary, in consultation with the Commissioner, shall establish a program that provides a reliable, secure method by which parents or legal guardians may suspend or limit the use of the social security account number or other identifying information of a minor under their care for the purposes of the System. The Secretary may implement the program on a limited pilot program basis before making it fully available to all individuals.

''(vii) PROTECTION FROM MULTIPLE USE.—The Secretary and the Commissioner shall establish a procedure for identifying and handling a situation in which a social security account number has been identified to be subject to unusual multiple use in the System or is otherwise suspected or determined to have been compromised by identity fraud. Such procedure shall include notifying the legitimate holder of the social security number at the appropriate time.

''(viii) MONITORING AND COMPLIANCE UNIT.—The Secretary shall establish or designate a monitoring and compliance unit to detect and reduce identity fraud and other misuse of the System.

''(ix) CIVIL RIGHTS AND CIVIL LIBERTIES ASSESSMENTS.—

''(I) REQUIREMENT TO CONDUCT.—The Secretary shall conduct regular civil rights and civil liberties assessments of the System, including participation by employers, other private entities, and Federal, State, and local government entities.

''(II) REQUIREMENT TO RESPOND.—Employers, other private entities, and Federal, State, and local entities shall timely respond to any request in connection with such an assessment.

''(III) ASSESSMENT AND RECOMMENDATIONS.—The Officer for Civil Rights and Civil Liberties of the Department shall review the results of each such assessment and recommend to the Secretary any changes necessary to improve the civil rights and civil liberties protections of the System.

''(F) GRANTS TO STATES.—

''(i) IN GENERAL.—The Secretary shall create and administer a grant program to help provide funding for reimbursement of the actual costs to States that grant—

''(I) the Secretary access to driver's license information as needed to confirm that a driver's license presented under subsection (c)(1)(D)(i) confirms the identity of the subject of the System check, and that a driver's license matches the State's records; and

''(II) such assistance as the Secretary may request in order to resolve further action notices or nonconfirmations relating to such information.

''(ii) CONSTRUCTION WITH THE DRIVER'S PRIVACY PROTECTION ACT OF 1994.—The provision of a photograph to the Secretary as described in clause (i) may not be construed as a violation of section 2721 of title 18, United States Code, and is a permissible use under subsection (b)(1) of that section.

''(iii) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), $500,000,000 to carry out this subparagraph.

''(G) RESPONSIBILITIES OF THE SECRETARY OF STATE.—As part of the System, the Secretary of State shall provide to the Secretary access to passport and visa information as needed to confirm that a passport, passport card, or visa presented under subsection (c)(1)(C) confirms the identity of the subject of the System check, and that a passport, passport card, or visa photograph matches the Secretary of State's records, and shall provide such assistance as the Secretary may request in order to resolve further action notices or nonconfirmations relating to such information.

''(H) UPDATING INFORMATION.—The Commissioner, the Secretary, and the Secretary of State shall update their information in a manner that promotes maximum accuracy and shall provide a process for the prompt correction of erroneous information.

''(9) LIMITATION ON USE OF THE SYSTEM.—Notwithstanding any other provision of law, no department, bureau, or other agency of the United States Government or any other entity shall utilize, share, or transmit any information, database, or other records assembled under this subsection for any purpose other than for employment verification or to ensure secure, appropriate and nondiscriminatory use of the System.

''(10) ANNUAL REPORT AND CERTIFICATION.—Not later than 18 months after the promulgation of regulations to implement this subsection, and annually thereafter, the Secretary shall submit to Congress a report that includes the following:

''(A) An assessment, as submitted to the Secretary by the Inspector General of the Department of Homeland Security pursuant to paragraph (8)(C)(iii)(I), of the accuracy rates of further action notices and other System notices provided by employers to individuals who are authorized to be employed in the United States.

''(B) An assessment, as submitted to the Secretary by the Inspector General of the Department of Homeland Security pursuant to paragraph (8)(C)(iii)(I), of the accuracy rates of further action notices and other System notices provided directly (by the System) in a timely fashion to individuals who are not authorized to be employed in the United States.

''(C) An assessment of any challenges faced by small employers in utilizing the System.

''(D) An assessment of the rate of employer noncompliance (in addition to failure to provide required notices in a timely fashion) in each of the following categories:

''(i) Taking adverse action based on a further action notice.

''(ii) Use of the System for nonemployees or other individuals before they are offered employment.

''(iii) Use of the System to reverify employment authorized status of current employees except if authorized to do so.

''(iv) Use of the System selectively, except in cases in which such use is authorized.

''(v) Use of the System to deny employment or post-employment benefits or otherwise interfere with labor rights.

''(vi) Requiring employees or applicants to use any self-verification feature or to provide self-verification results.

''(vii) Discouraging individuals who receive a further action notice from challenging the further action notice or appealing a determination made by the System.

''(E) An assessment of the rate of employee noncompliance in each of the following categories:

''(i) Obtaining employment when unauthorized with an employer complying with the System in good faith.

''(ii) Failure to provide required documents in a timely manner.

''(iii) Attempting to use fraudulent documents or documents not related to the individual.

''(iv) Misuse of the administrative appeal and judicial review process.

''(F) An assessment of the amount of time taken for—

''(i) the System to provide the confirmation or further action notice;

''(ii) individuals to contest further action notices;

''(iii) the System to provide a confirmation or nonconfirmation of a contested further action notice;

''(iv) individuals to file an administrative appeal of a nonconfirmation; and

''(v) resolving administrative appeals regarding nonconfirmations.

''(11) ANNUAL GAO STUDY AND REPORT.—

''(A) REQUIREMENT.—The Comptroller General shall, for each year, undertake a study to evaluate the accuracy, efficiency, integrity, and impact of the System.

''(B) REPORT.—Not later than 18 months after the promulgation of regulations to implement this subsection, and yearly thereafter, the Comptroller General shall submit to Congress a report containing the findings of the study carried out under this paragraph. Each such report shall include, at a minimum, the following:

''(i) An assessment of System performance with respect to the rate at which individuals who are eligible for employment in the United States are correctly approved within the required periods, including a separate assessment of such rate for naturalized United States citizens, nationals of the United States, and aliens.

''(ii) An assessment of the privacy and confidentiality of the System and of the overall security of the System with respect to cybertheft and theft or misuse of private data.

''(iii) An assessment of whether the System is being implemented in a manner that is not discriminatory or used for retaliation against employees.

''(iv) An assessment of the most common causes for the erroneous issuance of nonconfirmations by the System and recommendations to correct such causes.

''(v) The recommendations of the Comptroller General regarding System improvements.

''(vi) An assessment of the frequency and magnitude of changes made to the System and the impact on the ability for employers to comply in good faith.

''(vii) An assessment of the direct and indirect costs incurred by employers in complying with the System, including costs associated with retaining potential employees through the administrative appeals process and receiving a nonconfirmation.

''(viii) An assessment of any backlogs or delays in the System providing the confirmation or further action notice and impacts to hiring by employers.

''(ix) An assessment of the effect of the identity authentication mechanism and any other security measures set forth in subsection (c)(1)(F)(iv) to verify identity incorporated into the System or otherwise used by employers on employees.

''(12) OUTREACH AND PARTNERSHIP.—

''(A) OUTREACH.—The Secretary is authorized to conduct outreach and establish programs to assist employers in verifying employment authorization and preventing identity fraud.

''(B) PARTNERSHIP INITIATIVE.—The Secretary may establish partnership initiatives between the Federal Government and private sector employers to foster cooperative relationships and to strengthen overall hiring practices.''.

(c) TAXPAYER ADDRESS INFORMATION.—Section 6103(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(8) TAXPAYER ADDRESS INFORMATION FURNISHED TO SECRETARY OF HOMELAND SECURITY.—Upon written request from the Secretary of Homeland Security, the Secretary shall disclose the mailing address of any taxpayer who is entitled to receive a notification from the Secretary of Homeland Security pursuant to paragraphs (1)(C) and (8)(E)(vii) of section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)) for use only by employees of the Department of Homeland for the purpose of mailing such notification to such taxpayer.''.

(d) SOCIAL SECURITY ACCOUNT STATEMENTS.—Section 1143(a)(2) of the Social Security Act (8 U.S.C. 1320b–13(a)(2)) is amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(F) to the extent resources are available, information in the Commissioner's records indicating that a query was submitted to the employment verification system established under section 274A (d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)) under that individual's name or social security number; and

''(G) a toll-free telephone number operated by the Department of Homeland Security for employment verification system inquiries and a link to self-verification procedure established under section 274A(d)(4)(I) of such Act.''.

(e) GOOD FAITH COMPLIANCE.—Section 274B(a) (8 U.S.C. 1324b(a)), as amended by section 3105(a) of this Act, is further amended by adding at the end the following:

''(10) TREATMENT OF CERTAIN VIOLATIONS AFTER REASONABLE STEPS IN GOOD FAITH.—Notwithstanding paragraphs (4), (6), and (7), a person, other entity, or employment agency shall not be liable for civil penalties described in section 274B(g)(2)(B)(iv) that are related to a violation of any such paragraph if the person, entity, or employment agency has taken reasonable steps, in good faith, to comply with such paragraphs at issue, unless the person, other entity, or employment agency—

''(A) was, for similar conduct, subject to—

''(i) a reasonable cause determination by the Office of Special Counsel for Immigration Related Unfair Employment Practices; or

''(ii) a finding by an administrative law judge that a violation of this section has occurred; or

''(B) committed the violation in order to interfere with 'workplace rights' (as defined in section 274A(b)(8)).

''(11) GOOD FAITH.—As used in paragraph (10), the term 'good faith' shall not include any action taken in order to interfere with 'workplace rights' (as defined in section 274A(b)(8)). Neither the Office of Special Counsel nor an administrative law judge hearing a claim under this section shall have any authority to assess workplace rights other than those guaranteed under this section.

''(12) RULES OF CONSTRUCTION.—Nothing in this section may be construed—

''(A) to permit the Office of Special Counsel for Immigration-Related Unfair Employment Practices or an administrative law judge hearing a claim under this Section to enforce any workplace rights other than those guaranteed under this section; or

''(B) to prohibit any person, other entity, or employment agency from using an identity verification system, service, or method (in addition to the employment verification system described in section 274A(d)), until the date on which the employer is required to participate in the System under section 274A(d)(2) and the additional security measures mandated by section 274A(c)(F)(iv) have become available to verify the identity of a newly hired employee, if such system—

''(i) is used in a uniform manner for all newly hired employees;

''(ii) is not used for the purpose or with the intent of discriminating against any individual;

''(iii) provides for timely notice to employees run through the system of a mismatch or failure to confirm identity; and

''(iv) sets out procedures for employees run through the system to resolve a mismatch or other failure to confirm identity.

''(13) LIABILITY.—A person, entity, or employment agency that uses an identity verification system, service, or method in a way that conflicts with the requirements set forth in paragraph (10) shall be subject to liability under paragraph (4)(I).''.

(f) MAINTENANCE OF REASONABLE LEVELS OF SERVICE AND ENFORCEMENT.—Notwithstanding section 3301(b)(1), amounts appropriated pursuant to such section shall be used to maintain reasonable levels of service and enforcement rather than a specific numeric increase in the number of Department personnel dedicated to administering the Employment Verification System.

SA 1664. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This Act shall become effective 8 days after enactment.

SA 1665. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In the amendment, strike ''8 days'' and insert ''7 days''.

SA 1666. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. BORDER PATROL RATE OF PAY.

(a) PURPOSE.—The purposes of this section are—

(1) to strengthen U.S. Customs and Border Protection and ensure border patrol agents are sufficiently ready to conduct necessary work and that agents will perform overtime hours in excess of a 40 hour work week based on the needs of the employing agency; and

(2) to ensure U.S. Customs and Border Protection has the flexibility to cover shift changes and retains the right to assign scheduled and unscheduled work for mission requirements and planning based on operational need.

(b) RATES OF PAY.—Subchapter V of chapter 55 of title 5, United States Code, is amended by inserting after section 5549 the following:

''§ 5550. Border patrol rate of pay

''(a) DEFINITIONS.—In this section—

''(1) the term 'available to work' means a border patrol agent is generally and reasonably accessible by U.S. Customs and Border Protection to perform unscheduled duty based on the needs of U.S. Customs and Border Protection;

''(2) the term 'border patrol agent' means an individual who is performing functions included under position classification series 1896 (Border Patrol Enforcement) of the Office of Personnel Management, or any successor thereto, including performing covered border patrol activities;

''(3) the term 'covered border patrol activities' means a border patrol agent is—

''(A) detecting and preventing illegal entry and smuggling of aliens, commercial goods, narcotics, weapons, or contraband into the United States;

''(B) arresting individuals suspected of conduct described in subparagraph (A);

''(C) attending training authorized by U.S. Customs and Border Protection;

''(D) on approved annual, sick, or administrative leave;

''(E) on ordered travel status;

''(F) on official time, within the meaning of section 7131;

''(G) on excused absence with pay for relocation purposes;

''(H) on light duty due to injury or disability;

''(I) performing administrative duties or mission critical work assignments while maintaining law enforcement authority;

''(J) caring for the canine assigned to the border patrol agent, which may not exceed 1 hour per day; or

''(K) engaged in an activity similar to an activity described in subparagraphs (A) through (J) while temporarily away from the regular duty assignment of the border patrol agent;

''(4) the term 'level 1 border patrol rate of pay' means the hourly rate of pay equal to 1.25 times the otherwise applicable hourly rate of basic pay of the applicable border patrol agent;

''(5) the term 'level 2 border patrol rate of pay' means the hourly rate of pay equal to 1.125 times the otherwise applicable hourly rate of basic pay of the applicable border patrol agent; and

''(6) the term 'work period' means a 14-day biweekly pay period.

''(b) RECEIPT OF BORDER PATROL RATE OF PAY.—

''(1) VOLUNTARY ELECTION.—

''(A) IN GENERAL.—Not later than 30 days before the first day of each year beginning after the date of enactment of this section, a border patrol agent shall make an election whether the border patrol agent shall, for the following year—

''(i) be assigned to the level 1 border patrol rate of pay;

''(ii) be assigned the level 2 border patrol rate of pay; or

''(iii) decline to be assigned the level 1 border patrol rate of pay or the level 2 border patrol rate of pay.

''(B) PROCEDURES.—The Director of the Office of Personnel Management shall establish procedures for elections under subparagraph (A).

''(C) INFORMATION REGARDING ELECTION.—Not later than 60 days before the first day of each year beginning after the date of enactment of this section, U.S. Customs and Border Protection shall provide each border patrol agent with information regarding each type of election available under subparagraph (A) and how to make such an election.

''(D) FAILURE TO ELECT.—A border patrol agent who fails to make a timely election under subparagraph (A) shall be deemed to have made an election to be assigned to the level 1 border patrol rate of pay under subparagraph (A)(i).

''(E) SENSE OF CONGRESS.—It is the sense of Congress that U.S. Customs and Border Protection should take such action as is necessary to ensure that not more than 10 percent of the border patrol agents stationed at a location decline to be assigned to the level 1 border patrol rate of pay or the level 2 border patrol rate of pay.

''(2) LEVEL 1 BORDER PATROL RATE OF PAY.—For a border patrol agent who has in effect an election under paragraph (1)(A)(i)—

''(A) the border patrol agent shall be scheduled to work, for 5 days per week—

''(i) 8 hours of regular time per day; and

''(ii) 2 additional hours of scheduled overtime during each day the border patrol agent is scheduled to work under clause (i);

''(B) for the hours of regular time work described in subparagraph (A)(i), the border patrol agent shall receive pay at the level 1 border patrol rate of pay;

''(C) for the hours of regularly scheduled overtime work described in subparagraph (A)(ii), the border patrol agent shall not receive—

''(i) additional compensation under this section or any other provision of law; or

''(ii) compensatory time off;

''(D) any hours during which the border patrol agent is available to work during a work period shall be included in the hours of regular time or regularly scheduled overtime scheduled under subparagraph (A); and

''(E) shall receive compensatory time off or pay at the overtime hourly rate of pay for hours of work in excess of 100 hours during a work period, as determined in accordance with section 5542(a)(7).

''(3) LEVEL 2 BORDER PATROL RATE OF PAY.—For a border patrol agent who has in effect an election under paragraph (1)(A)(ii)—

''(A) the border patrol agent shall be scheduled to work, for 5 days per week—

''(i) 8 hours of regular time per day; and

''(ii) 1 additional hour of scheduled overtime during each day the border patrol agent is scheduled to work under clause (i);

''(B) for the hours of regular time work described in subparagraph (A)(i), the border patrol agent shall receive pay at the level 2 border patrol rate of pay;

''(C) for the hours of regularly scheduled overtime work described in subparagraph (A)(ii), the border patrol agent shall not receive—

''(i) additional compensation under this section or any other provision of law; or

''(ii) compensatory time off;

''(D) any hours during which the border patrol agent is available to work during a work period shall be included in the hours of regular time or regularly scheduled overtime scheduled under subparagraph (A); and

''(E) shall receive compensatory time off or pay at the overtime hourly rate of pay for hours of work in excess of 90 hours during a work period, as determined in accordance with section 5542(a)(7).

''(4) BASIC BORDER PATROL RATE OF PAY.—For a border patrol agent who has in effect an election under paragraph (1)(A)(iii)—

''(A) the border patrol agent shall be scheduled to work 8 hours of regular time per day and 5 days per week;

''(B) any hours during which the border patrol agent is available to work during a work period shall be included in the hours of regular time scheduled under subparagraph (A); and

''(C) the border patrol agent shall receive compensatory time off or pay at the overtime hourly rate of pay for hours of work in excess of 80 hours during a work period, as determined in accordance with section 5542(a)(7).

''(c) ELIGIBILITY FOR OTHER PREMIUM PAY.—A border patrol agent—

''(1) shall receive premium pay for night work in accordance with subsections (a) and (b) of section 5545 and Sunday and holiday pay in accordance with section 5546, without regard to the election of the border patrol agent under subsection (b)(1)(A), except that section 5546(d) shall not apply and eligibility for pay for, and the rate of pay for, any overtime work shall be determined in accordance with this section and section 5542(a)(7); and

''(2) shall not be eligible for any other form of premium pay under this title, except as provided in section 5542(a)(7).

''(d) TREATMENT AS BASIC PAY.—Any pay received at the level 1 border patrol rate of pay or the level 2 border patrol rate of pay or pay described in subsection (b)(3)(B) shall be treated as part of basic pay for—

''(1) purposes of sections 5595(c), 8114(e), 8331(3), and 8704(c);

''(2) any other purpose that the Office of Personnel Management may by regulation prescribe; and

''(3) any other purpose expressly provided for by law.

''(e) AUTHORITY TO REQUIRE OVERTIME WORK.—Nothing in this section shall be construed to limit the authority of U.S. Customs and Border Protection to require a border patrol agent to perform hours of overtime work in accordance with the needs of U.S. Customs and Border Protection, including if needed in the event of a local or national emergency.''.

(c) OVERTIME WORK.—Section 5542(a) of title 5, United States Code, is amended by adding at the end the following:

''(7)(A) In this paragraph, the term 'border patrol agent' has the meaning given that term in section 5550.

''(B) Notwithstanding the matter preceding paragraph (1) or paragraphs (1) and (2), for a border patrol agent who has in effect an election to be assigned to the level 1 border patrol rate of pay under section 5550(b)(1)(A)(i)—

''(i) except as provided in subparagraph (E), hours of work in excess of 100 hours during a 14-day biweekly pay period shall be overtime work; and

''(ii) the border patrol agent—

''(I) shall receive pay at the overtime hourly rate of pay (as determined in accordance with paragraphs (1) and (2)) for hours of overtime work that are officially ordered or approved in advance of the work assignment; and

''(II) shall receive compensatory time off for any hours of overtime work that are not hours of overtime work described in subclause (I).

''(C) Notwithstanding the matter preceding paragraph (1) or paragraphs (1) and (2), for a border patrol agent who has in effect an election to be eligible for the level 2 border patrol rate of pay under section 5550(b)(1)(A)(ii)—

''(i) except as provided in subparagraph (E), hours of work in excess of 90 hours during a 14-day biweekly pay period shall be overtime work; and

''(ii) the border patrol agent—

''(I) shall receive pay at the overtime hourly rate of pay (as determined in accordance with paragraphs (1) and (2)) for hours of overtime work that are officially ordered or approved in advance of the work assignment; and

''(II) shall receive compensatory time off for any hours of overtime work that are not hours of overtime work described in subclause (I).

''(D) Notwithstanding the matter preceding paragraph (1) or paragraphs (1) and (2), for a border patrol agent who has in effect an election under section 5550(b)(1)(A)(iii)—

''(i) except as provided in subparagraph (E), hours of work in excess of 80 hours during a 14-day biweekly pay period shall be overtime work; and

''(ii) the border patrol agent—

''(I) shall receive pay at the overtime hourly rate of pay (as determined in accordance with paragraphs (1) and (2)) for hours of overtime work that are officially ordered or approved in advance of the work assignment; and

''(II) shall receive compensatory time off for any hours of overtime work that are not hours of overtime work described in subclause (I).

''(E)(i) Except as provided in clause (ii), during a 14-day biweekly pay period, a border patrol agent shall not perform and may not receive compensatory time off for more than 8 hours of overtime work.

''(ii) U.S. Customs and Border Protection may, as it determines appropriate, waive the limitation under clause (i) for hours of overtime work, but such waiver must be approved in advance of any work being performed that would be subject to compensatory time under subsection (B)(ii)(II), (C)(ii)(II), or (D)(ii)(II).

''(F) A border patrol agent—

''(i) may not earn more than 240 hours of compensatory time off during a year; and

''(ii) shall use any hours of compensatory time off not later than 1 year after the date on which the compensatory time off is accrued.''.

(d) STEP INCREASES.—

(1) IN GENERAL.—Effective on the first day of the first pay period beginning after December 31, 2013, each border patrol agent (as defined in section 5550 of title 5, United States Code, as added by subsection (b)) who was employed as a border patrol agent on December 31, 2013 and is in a position at or below GS-12 of the General Schedule under section 5332 of title 5, United States Code, shall be granted a step-increase of 2 steps, except that an increase under this section

may not increase the rate of pay of a border patrol agent to be more than the highest pay rate within the GS grade of the border patrol agent on the date of enactment of this Act.

(2) EFFECT ON PERIODIC STEP-INCREASES.—The date on which a border patrol agent who receives a step-increase under paragraph (1) is eligible for a periodic step-increase under section 5335 of title 5, United States Code, shall be determined based on the effective date of the step-increase under paragraph (1).

(e) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 13(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)) is amended—

(A) in paragraph (16), by striking ''or'' after the semicolon;

(B) in paragraph (17), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(18) any employee who is a border patrol agent, as defined in section 5550(a) of title 5, United States Code.''.

(2) The table of sections for chapter 55 of title 5, United States Code, is amended by inserting after the item relating to section 5549 the following:

''5550. Border patrol rate of pay.''.

(f) AVAILABILITY OF FUNDS.—In addition to any amounts provided in an appropriations Act or otherwise made available to U.S. Customs and Border Protection, amounts made available pursuant to section 6 of this Act may be used for pay authorized under this section or an amendment made by this section, including for paying basic pay under subsection (d)(1).

SA 1667. Mr. BLUMENTHAL (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1000, strike line 20 and all that follows through page 1001, line 20, and insert the following:

''(ii) was younger than 16 years of age on the date on which the alien initially entered the United States; and

''(iii)(I)(aa) has earned a high school diploma, a commensurate alternative award from a public or private high school or secondary school, or has obtained a general education development certificate recognized under State law, or a high school equivalency diploma in the United States and has provided a list of each secondary school (as that term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) that the alien attended in the United States; and

''(bb)(AA) has acquired a degree from an institution of higher education or has completed at least 2 years, in good standing, in a program for a bachelor's degree or higher degree in the United States; or

''(BB) has served in the Uniformed Services for at least 4 years and, if discharged, received an honorable discharge; or

''(II) is under 18 years of age on the date the immigrant submits an application for such adjustment and is enrolled in school or has completed a general education development certificate on the date the immigrant submits an application for adjustment.

''(B) SPECIAL PROVISIONS.—

''(i) EXCEPTION TO AGE REQUIREMENT.—An alien lawfully admitted for permanent residence pursuant to subparagraph (A)(iii)(II) may be naturalized notwithstanding the age requirements in section 334.

''(ii) REQUIREMENTS UNDER SECTION 316.—An alien may naturalize under section 316 no sooner than 5 years after the date on which the alien was lawfully admitted for permanent residence pursuant to subparagraph (A)(iii)(II).

''(C) HARDSHIP EXCEPTION.—''.

SA 1668. Mr. WARNER (for himself, Ms. MIKULSKI, Mr. WICKER, Mr. KAINE, Ms. MURKOWSKI, Ms. LANDRIEU, and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. FLEXIBILITY WITH RESPECT TO CROSSING OF H–2B NONIMMIGRANTS WORKING IN THE SEAFOOD INDUSTRY.

(a) IN GENERAL.—Subject to subsection (b), if an employer in the seafood industry files a petition for H–2B nonimmigrants and that petition is granted, the employer may bring the H–2B nonimmigrants for which the petition was granted into the United States at any time during the 120-day period beginning on the start date for which the employer is seeking the services of the nonimmigrants without filing another petition.

(b) REQUIREMENTS FOR CROSSINGS AFTER 90TH DAY.—An employer in the seafood industry may not bring H–2B nonimmigrants into the United States under subsection (a) after the date that is 90 days after the start date for which the employer is seeking the services of the nonimmigrants unless the employer—

(1) completes a new assessment of the local labor market by—

(A) listing job orders on local newspapers on 2 separate Sundays; and

(B) posting the job opportunity on the appropriate Department of Labor Electronic Job Registry and at the employer's place of employment; and

(2) offers the job to an equally or better qualified United States worker who will be available at the time and place of need and who applies for the job.

(c) EXEMPTION FROM RULES WITH RESPECT TO STAGGERING.—The Secretary of Labor shall not consider an employer in the seafood industry who brings H–2B nonimmigrants into the United States during the 120-day period specified in subsection (a) to be staggering the date of need in violation of any applicable provision of law.

(d) H–2B NONIMMIGRANT DEFINED.—In this section, the term ''H-2B nonimmigrant'' means an alien admitted to the United States pursuant to section 101(a)(15)(H)(ii)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

SA 1669. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REQUIREMENTS FOR ADJUSTMENT OF STATUS FOR CERTAIN ALIENS WHO ENTERED THE UNITED STATES AS CHILDREN.

Notwithstanding paragraph (1)(A)(iv)(I) of section 245D(b) of the Immigration and Nationality Act, as added by section 2103, an alien is not eligible for an adjustment of status under that section 245D(b) unless the alien has acquired a degree from an institution of higher education.

SA 1670. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1071, strike line 24 and all that follows through page 1072, line 5, and insert the following:

''(C) SUFFICIENT EVIDENCE.—An alien who cannot meet the burden of proof otherwise required by subparagraph (A) may, in an interview with the Secretary, establish that the alien has performed the days or hours of work referred to in subparagraph (A) by producing sufficient evidence to show the extent of that employment as a matter of just and reasonable inference.

SA 1671. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1140, line 7, strike ''1 year'' and insert ''3 years''.

On page 1140, strike lines 10 through 13.

On page 1141, line 6, strike ''1 year'' and insert ''3 years''.

SA 1672. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1062 after line 2 insert: ''An employer shall not be required to provide such written record to the alien or to the Secretary of Agriculture more than once per year.''

SA 1673. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. OUTREACH TO IMMIGRANT COMMUNITIES.

(a) AUTHORITY TO CONDUCT.—The Attorney General, acting through the Director of the Executive Office for Immigration Review, shall carry out a program to educate aliens regarding who may provide legal services and representation to aliens in immigration proceedings through cost-effective outreach to immigrant communities.

(b) PURPOSE.—The purpose of the program authorized under subsection (a) is to prevent aliens from being subjected to fraud by immigration consultants, visa consultants, and other individuals who are not authorized to provide legal services or representation to aliens.

(c) AVAILABILITY.—The Attorney General shall, to the extent practicable, make information regarding fraud by immigration consultants, visa consultants, and other individuals who are not authorized to provide legal services or representation to aliens available—

(1) at appropriate offices that provide services or information to aliens; and

(2) through websites that are—

(A) maintained by the Attorney General; and

(B) intended to provide information regarding immigration matters to aliens.

(d) FOREIGN LANGUAGE MATERIALS.—Any educational materials used to carry out the program authorized under subsection (a) shall, to the extent practicable, be made available to immigrant communities in appropriate languages, including English and Spanish.

(e) AUTHORIZATION OF APPROPRIATIONS.—For each of fiscal years 2014 through 2018, there is authorized to be appropriated $1,000,000 from the Comprehensive Immigration Reform Trust Fund established under section 6 to carry out this section.

SA 1674. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. RELIEF FOR VICTIMS OF NOTARIO FRAUD.

(a) WITHDRAWAL OF SUBMISSION.—

(1) IN GENERAL.—An alien may withdraw, without prejudice, an application or other submission for immigration status or other immigration benefit if the alien demonstrates the application or submission was prepared or submitted by an individual engaged in the unauthorized practice of law or immigration practitioner fraud.

(2) CORRECTED FILINGS.—The Secretary, the Secretary of State, and the Attorney General shall develop a mechanism for submitting corrected applications or other submissions withdrawn under paragraph (1).

(b) WAIVER OF BAR TO REENTRY.—Section 212(a)(9)(B)(iii) (8 U.S.C. 1182(a)(9)(B)(ii)), as amended by section 2315(a), is further amended by adding at the end the following:

''(VII) IMMIGRATION PRACTITIONER FRAUD.—Clause (i) shall not apply to an alien who departed the United States based on the erroneous advice of an individual engaged in the unauthorized practice of law or immigration practitioner fraud.''.

(c) REVIEW OF DENIAL OF RPI STATUS.—Section 245B of the Immigration and Nationality Act, as added by section 2101(a), is amended by adding at the end of subsection (c)(11) the following:

''(C) REVIEW FOR IMMIGRATION PRACTITIONER FRAUD.—The Secretary shall establish a procedure for the review or reconsideration of an application for registered provisional immigrant status that was denied if the applicant demonstrates that the application was prepared or submitted by an individual engaged in the unauthorized practice of law or immigration practitioner fraud.''.

SA 1675. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2108 and insert the following:

SEC. 2108. HIRING.

(a) HIRING RULES EXEMPTION.—The Secretary is authorized to make term, temporary limited, and part-time appointments of employees who will implement this title and the amendments made by this title without regard to the number of such employees, their ratio to permanent full-time employees, and the duration of their employment.

(b) AUTHORITY TO WAIVE ANNUITY LIMITATIONS.—Section 824(g)(2)(B) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)(2)(B)) is amended by striking ''2009'' and inserting ''2017''.

SA 1676. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. OVERSIGHT OF TRUST FUND.

(a) OFFICE OF INSPECTOR GENERAL.—

(1) PLAN.—Not later than 90 days after the date of enactment of this Act, the Inspector General of the Department, in consultation with the Inspectors General of other relevant agencies, shall submit a plan for oversight of the implementation of this Act and the amendments made by this Act. In developing the plan under this paragraph, the Inspector General shall give particular emphasis to management of the Comprehensive Immigration Reform Trust Fund established under section 6 (in this section referred to as the ''Trust Fund'') and oversight of the deployment of resources, infrastructure, and funds under the Comprehensive Southern Border Security Strategy and the Southern Border Fencing Strategy and to implement the Employment Verification System established under section 274A(d)(1)(A) of the Immigration and Nationality Act (as amended by section 3101 of this Act).

(2) AVAILABILITY OF FUNDS.—In addition to the amounts made available under subsection (c), there are authorized to be appropriated to the Inspector General of the Department such sums as are necessary to conduct oversight under the plan submitted under paragraph (1).

(b) DEPARTMENT PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a plan that describes the actions the Department shall take, the employees the Department shall assign, and the procedures the Department shall implement to ensure that funds from the Trust Fund are—

(1) spent efficiently and effectively;

(2) well managed, including with respect to the awarding and administration of contracts and the validation of technology; and

(3) managed so as to comply with all applicable financial audit standards.

(c) AVAILABILITY OF FUNDS.—For the purposes of ensuring the funds in the Trust Fund are spent efficiently and effectively and are well managed and for the cost of conducting the audits required under section 6(c), 0.5 percent of funds deposited in the Trust Fund each fiscal year under section 6(a)(2) shall be provided in each such fiscal year to the Secretary, who shall transfer half of the amount received each fiscal year to the Inspector General of the Department. Amounts made available under this subsection shall remain available until the end of the 10th fiscal year beginning after the date on which the amounts are made available to the Secretary.

SA 1677. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. IMMIGRATION REFORM IMPLEMENTATION COUNCIL.

(a) ESTABLISHMENT.—Not later than 30 days after the date of enactment of this Act, the Secretary shall establish a coordinating body, to be known as the Immigration Reform Implementation Council (in this section referred to as the ''Implementation Council''), to oversee implementation of those portions of this Act and the amendments made by this Act that lie within the responsibilities of the Department.

(b) CHAIRPERSON.—The Deputy Secretary of Homeland Security shall serve as Chairperson of the Implementation Council, reporting to and under the authority of the Secretary and in keeping with the authorities specified by the Homeland Security Act of 2002 (Public Law 107–296).

(c) MEMBERSHIP.—The members of the Implementation Council shall include the following:

(1) The Commissioner for Customs and Border Protection.

(2) The Assistant Secretary for Immigration and Customs Enforcement.

(3) The Director of U.S. Citizenship and Immigration Services.

(4) The Under Secretary for Management.

(5) The General Counsel of the Department.

(6) The Assistant Secretary for Policy.

(7) The Director of the Office of International Affairs.

(8) The Officer for Civil Rights and Civil Liberties.

(9) The Privacy Officer.

(10) The Director of the Office of Biometric Identity Management.

(11) Other appropriate officers or employees of the Department, as determined by the Secretary or the Chairperson of the Implementation Council.

(d) DUTIES.—The Implementation Council shall—

(1) meet regularly to coordinate implementation of this Act and the amendments made by this Act, with particular regard to—

(A) broad policy coordination of immigration reform under this Act and the amendments made by this Act;

(B) policy and operational concerns regarding the Comprehensive Immigration Reform Trust Fund established under section 6;

(C) timely development of regulations required by this Act or an amendment made by this Act and related guidance; and

(D) participating in interagency decisionmaking with the Executive Office of the President, the Office of Management and Budget, the Department of State, the Department of Justice, the Department of Labor, and other agencies regarding implementation of this Act and the amendments made by this Act;

(2) establish liaisons to other agencies responsible for implementing significant portions of this Act or the amendments made by this Act, including the Department of State, the Department of Justice, the Department of Labor;

(3) establish liaisons to key stakeholders, including employer associations and labor unions;

(4) provide regular briefings to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee

on Homeland Security of the House of Representatives, and other appropriate committees of Congress;

(5) provide timely information regarding Department-wide implementation of this Act and the amendments made by this Act through a single, centralized location on the website of the Department; and

(6) conduct such other activities as the Secretary or Chairperson of the Implementation Council determine appropriate.

(e) MAINTENANCE OF COUNCIL.—The Implementation Council shall terminate at the end of the period necessary for the Department to implement substantially the responsibilities of the Department under this Act and the amendments made by this Act, as determined by the Secretary, but in no event earlier than 10 years after the date of enactment of this Act.

(f) STAFF.—The Deputy Secretary of Homeland Security shall appoint a full-time executive director and such other employees as are necessary for the Implementation Council.

(g) AVAILABILITY OF FUNDS.—Amounts made available to the Secretary under section 6(b) may be used to support the activities of the Implementation Council in implementing this Act and the amendments made by this Act.

SA 1678. Mr. CARPER (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. BETTER ENFORCEMENT THROUGH TRANSPARENCY AND ENHANCED REPORTING ON THE BORDER ACT.

(a) SHORT TITLE.—This section may be cited as the ''Better Enforcement Through Transparency and Enhanced Reporting on the Border Act'' or the ''BETTER Border Act''.

(b) OFFICE OF HOMELAND SECURITY STATISTICS.—

(1) ESTABLISHMENT.—There is established within the Department an Office of Homeland Security Statistics (referred to in this section as the ''Office''), which shall be headed by a Director.

(2) TRANSFER OF FUNCTIONS.—

(A) ABOLISHMENT OF OFFICE OF IMMIGRATION STATISTICS.—The Office of Immigration Statistics of the Department is abolished.

(B) TRANSFER OF FUNCTIONS.—All functions and responsibilities of the Office of Immigration Statistics as of the day before the date of the enactment of this Act, including all of the personnel, assets, components, authorities, programs, and liabilities of the Office of Immigration Statistics, are transferred to the Office of Homeland Security Statistics.

(3) DUTIES.—The Director of the Office shall—

(A) collect information from agencies of the Department, including internal databases used to—

(i) undertake border inspections;

(ii) identify visa overstays;

(iii) undertake immigration enforcement actions; and

(iv) grant immigration benefits;

(B) produce the annual report required to be submitted to Congress under subsection (c); and

(C) collect the information described in section 103(d) of the Immigration and Nationality Act (8 U.S.C. 1103(d)) and disseminate such information to Congress and to the public;

(D) produce any other reports and conduct any other work that the Office of Immigration Statistics was required to produce or conduct before the date of the enactment of this Act; and

(E) produce such other reports or conduct such other work as the Secretary determines to be necessary.

(4) INTRADEPARTMENTAL DATA SHARING.—Agencies and offices of the Department shall share any data that is required to comply with this section.

(5) CONSULTATION.—In carrying out this subsection, the Director of the Office shall consult with the Ombudsman for Immigration Related Concerns to the greatest extent practicable.

(6) PLACEMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall notify Congress where the Office has been established within the Department.

(7) CONFORMING AMENDMENT.—Section 103(d) (8 U.S.C. 1103(d)) is amended by striking ''Commissioner'' and inserting ''Director of the Office of Homeland Security Statistics''.

(c) REPORT ON PERFORMANCE METRICS.—

(1) IN GENERAL.—In addition to any reports required to be produced by the Office of Immigration Statistics before the date of enactment of this Act, the Director, on an annual basis, shall submit to Congress a report on performance metrics that will enable—

(A) the Department to develop an understanding of—

(i) the security of the border;

(ii) efforts to enforce immigration laws within the United States; and

(iii) the overall working of the immigration system; and

(B) policy makers, including Congress—

(i) to make more effective investments in order to secure the border;

(ii) to enforce the immigration laws of the United States; and

(iii) to ensure that the Federal immigration system is working efficiently at every level.

(2) CONTENTS.—The report required under paragraph (1) shall contain outcome performance measures, for the year covered by the report, including—

(A) for the areas between ports of entry—

(i) the estimated number of attempted illegal entries, the estimated number of successful entries, and the number of apprehensions, categorized by sector;

(ii) the number of individuals that attempted to cross the border and information concerning how many times individuals attempted to cross, categorized by sector;

(iii) the number of individuals returned to Mexico voluntarily, criminally prosecuted, and receiving any other form of sanctions, categorized by sector; and

(iv) the recidivism rates for all classes of individuals apprehended, including individuals returned to Mexico voluntarily, criminally prosecuted, and receiving any other form of sanctions, categorized by sector;

(B) for ports of entry—

(i) the estimated number of attempted illegal entries, the number of apprehensions, and the estimated number of successful entries, categorized by field office; and

(ii) information compiled based on random samples of secondary inspections, including estimates of the effectiveness of inspectors in identifying civil and criminal immigration and customs violations, categorized by field office; and

(iii) enforcement outcomes for individuals denied admission, including the number of—

(I) individuals allowed to withdraw their application for admission or voluntarily return to their country of origin;

(II) individuals referred for criminal prosecution; and

(III) individuals receiving any other form of administrative sanction;

(C) for visa overstays—

(i) the number of people that overstay the terms of their admission into the United States, categorized by—

(I) nationality;

(II) type of visa or entry; and

(III) length of time an individual overstayed, including—

(aa) the number of individuals who overstayed less than 180 days;

(bb) the number of individuals who overstayed less than 1 year; and

(cc) the number of individuals who overstayed for 1 year or longer; and

(ii) estimates of the total number of unauthorized aliens in the United States that entered legally and overstayed the terms of their admission;

(D) for interior enforcement—

(i) the number of arrests made by U.S. Immigration and Customs Enforcement for civil violations of immigration laws and the number of arrests made for criminal violations, categorized by Special Agent in Charge field office;

(ii) the legal basis for the arrests pursuant to criminal statutes described in clause (i);

(iii) the ultimate disposition of the arrests described in clause (i);

(iv) the overall number of removals and the number of removals, by nationality;

(v) the overall average length of detention and the length of detention, by nationality; and

(vi) the number of referrals from U.S. Citizenship and Immigration Services to Immigration and Customs Enforcement, and the ultimate outcome of these referrals, including how many resulted in removal proceedings;

(E) for immigration benefits—

(i) the number of applications processed, rejected, and accepted each year for all categories of immigration benefits, categorized by visa type;

(ii) the mean and median processing times for all categories of immigration benefits, categorized by visa type; and

(iii) data relating to fraud uncovered in applications for all categories of immigration benefits, categorized by visa type; and

(F) for the Employment Verification System established under section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a)—

(i) the total number of tentative nonconfirmations (further action notices);

(ii) the number of tentative nonconfirmations issued to workers who were subsequently found to be authorized for employment in the United States;

(iii) the total number of final nonconfirmations;

(iv) the number of final nonconfirmations issued to workers who were subsequently found to be authorized for employment in the United States;

(v) the total number of confirmations; and

(vi) the estimated number of confirmations issued to unauthorized workers.

(d) EARLY WARNING SYSTEM.—Using the data collected by the Office under this section, the Secretary shall establish an early warning system to estimate future illegal immigration, which shall monitor the outcome performance measures described in

subsection (c)(2), along with political, economic, demographic, law enforcement, and other trends that may affect such outcomes.

(e) SYSTEMATIC MODELING OF ILLEGAL IMMIGRATION TRENDS.—The Secretary shall provide for the systematic modeling of illegal immigration trends to develop forecast models of illegal immigration flows and estimates for the undocumented population residing within the United States.

(f) EXTERNAL REVIEW OF HOMELAND SECURITY DATA.—

(1) IN GENERAL.—The Secretary, in consultation with the National Academy of Sciences, shall make raw data collected by the Department, including individual-level data subject to the requirements in paragraph (3), on border security, immigration enforcement, and immigration benefits available for research on immigration trends, to—

(A) appropriate academic institutions and centers of excellence;

(B) the Congressional Research Service; and

(C) the Government Accountability Office.

(2) PUBLIC RELEASE OF DATA.—The Secretary shall ensure that data of the Department on border security, immigration enforcement, and immigration benefits is released to the public to the maximum degree permissible under Federal law to increase the confidence of the public in the credibility and objectivity of measurements related to the management and outcomes of immigration and border control processes.

(3) REQUIREMENTS.—In carrying out this subsection, the Secretary, in consultation with the National Academy of Sciences—

(A) shall ensure that the data described in paragraphs (1) and (2) is anonymized to safeguard individual privacy;

(B) may mask location data below the sector, district field office, or special agent in charge office level to protect national security; and

(C) shall not be required to provided classified information to individuals other than to those individuals who have appropriate security clearances.

(g) AVAILABILITY OF FUNDS.—The Secretary may use such sums as may be necessary from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1)—

(1) to establish the Office; and

(2) to produce reports related to securing the border and enforcing the immigration laws of the United States.

SA 1679. Mr. CARPER (for himself, Mr. MCCAIN, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DEPLOYING FORCE MULTIPLIERS AT AND BETWEEN PORTS OF ENTRY.

(a) ANALYSIS OF OPERATIONAL REQUIREMENTS BETWEEN PORTS OF ENTRY.—

(1) IN GENERAL.—As part of the Comprehensive Southern Border Security Strategy required to be submitted section 5(a), and in order to inform the Secretary about the technologies that may need to be redeployed or replaced pursuant to paragraphs (4) and (5) of such section, the Commissioner of U.S. Customs and Border Protection shall undertake a sector by sector analysis of the border to determine the specific technologies that are most effective in identifying illegal cross-border traffic for each particular Border Patrol sector and station along the border in order to achieve the goal of persistent surveillance.

(2) REQUIREMENTS.—The analysis conducted under paragraph (1) shall—

(A) include a comparison of the costs and benefits for each type of technology;

(B) estimate total life cycle costs for each type of technology; and

(C) identify specific performance metrics for assessing the performance of the technologies.

(b) ENHANCEMENTS.—In order to achieve surveillance between ports of entry along the Southwest border for 24 hours per day and 7 days per week, and using the analysis conducted under subsection (a), the Commissioner of U.S. Customs and Border Protection shall—

(1) deploy additional mobile, video, and man-portable surveillance systems;

(2) ensure, to the extent practicable, that all aerial assets, including assets owned before the date of enactment of this Act, are outfitted with advanced sensors that can be used to detect cross-border activity, including infrared cameras, radars, or other technologies as appropriate;

(3) deploy tethered aerostat systems, including systems to detect low-flying aircraft across the entire border, as well as systems to detect the movement of people and vehicles;

(4) operate unarmed unmanned aerial vehicles equipped with advanced sensors in every Border Patrol sector to ensure coverage for 24 hours per day and 7 days a week, unless—

(A) severe or prevailing weather precludes operations in a given sector;

(B) the Secretary determines that national security requires unmanned aerial vehicles to be deployed elsewhere; or

(C) the Secretary determines that a request from the governor of a State to deploy unmanned aerial vehicles to assist with disaster recovery efforts or extraordinary law enforcement operations is in the national interest;

(5) attempt, to the greatest extent practicable, to provide an alternate form of surveillance in a sector from which the Secretary redeployed an unmanned aerial system pursuant to subparagraph (B) or (C) of paragraph (4);

(6) deploy unarmed additional fixed-wing aircraft and helicopters;

(7) increase horse patrols in the Southwest border region; and

(8) acquire and deploy watercraft and other equipment to provide support for border-related maritime anti-crime activities.

(c) LIMITATION.—

(1) IN GENERAL.—Notwithstanding subsection (b), U.S. Border Patrol may not operate unarmed, unmanned aerial vehicles in the San Diego and El Centro Sectors, except within 3 miles of the Southern border.

(2) EXCEPTION.—The limitation under paragraph (1) shall not restrict—

(A) the maritime operations of U.S. Customs and Border Protection; or

(B) the Secretary's authority to deploy unmanned aerial vehicles—

(i) during a national security emergency;

(ii) in response to a request from the governor of California for assistance during disaster recovery efforts; or

(iii) for other law enforcement purposes.

(d) FLEET CONSOLIDATION.—In acquiring technological assets under subsection (b) and section 5(a), the Commissioner of U.S. Customs and Border Protection shall, to the greatest extent practicable, implement a plan for streamlining the fleet of aircraft, helicopters, aerostats, and unmanned aerial vehicles of U.S. Customs and Border Protection to generate savings in maintenance costs and training costs for pilots and other personnel needed to operate the assets.

(e) ANALYSIS OF OPERATIONAL REQUIREMENTS AT PORTS OF ENTRY.—

(1) IN GENERAL.—To help facilitate cross-border traffic and provide increased situational awareness of inbound and outbound trade and travel, and in order to inform the Secretary about the technologies that may need to be redeployed or replaced pursuant to paragraphs (4) and (5) of section 5(a), the Commissioner of U.S. Customs and Border Protection shall—

(A) conduct an assessment of the technology needs at ports of entry; and

(B) prioritize such technology needs based on the results of the assessment conducted pursuant to subparagraph (A).

(2) REQUIREMENTS.—In carrying out subsection (a), the Commissioner of U.S. Customs and Border Protection shall—

(A) consult with officers and agents in the field; and

(B) consider a variety of fixed and mobile technologies, including—

(i) hand-held biometric and document readers;

(ii) fixed and mobile license plate readers;

(iii) radio frequency identification documents and readers;

(iv) interoperable communication devices;

(v) nonintrusive scanning equipment; and

(vi) document scanning kiosks.

(3) IMPLEMENTATION.—Based on the results of the assessment conducted under this subsection, the Commissioner of U.S. Customs and Border Protection shall deploy additional technologies to land, air, and sea ports of entry.

(f) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated, there are authorized to be appropriated to U.S. Customs and Border Protection such sums as may be necessary to carry out this section during the fiscal years 2014 through 2018.

SA 1680. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROTECTION OF DOMESTIC VIOLENCE SURVIVORS.

(a) RELIEF FROM CERTAIN RESTRICTIONS ON ADJUSTMENT OF STATUS.—

(1) RELIEF FROM CERTAIN RESTRICTIONS FOR DOMESTIC VIOLENCE SURVIVORS.—Section 245(d) (8 U.S.C. 1255(d)), as amended by section 2310(c) of this Act, is amended in paragraph (1) in the second sentence by striking the period at the end and inserting '', unless the alien is the spouse of an alien lawfully admitted for legal permanent residence or of a citizen of the United States and is a VAWA self-petitioner.''.

(2) CONFORMING APPLICATION IN CANCELLATION OF REMOVAL.—Section 240A(b)(2)(A)(i) (8 U.S.C. 1229b(b)(2)(A)(i)) is amended—

(A) in subclause (II), by striking ''or'' at the end;

(B) in subclause (III), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(IV) the alien entered the United States as an alien described in section 101(a)(15)(K) with the intent to enter into a valid marriage and the alien (or the child of the alien who is described in such section) was battered or subject to extreme cruelty by the United States citizen who filed the petition to accord status under such section;''.

(3) APPLICATION UNDER SUSPENSION OF DEPORTATION FOR DOMESTIC VIOLENCE SURVIVORS.—The Secretary or the Attorney General may suspend the deportation of an alien who is in deportation proceedings initiated prior to March 1, 1997 and adjust to the status of an alien lawfully admitted for permanent residence, if the alien—

(A) has been physically present in the United States for a continuous period of not less than 3 years immediately preceding the date of such suspension;

(B) has been battered or subjected to extreme cruelty in the United States by a spouse or immediate family member who is a United States citizen or a lawful permanent resident, or the alien entered the United States as an alien described in section 101(a)(15)(K) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(K)) with the intent to enter into a valid marriage and the alien was battered or subject to extreme cruelty by the United States citizen who filed the petition to accord status under such section, or the child of the alien who is described in this subparagraph;

(C) demonstrates that during all of such time in the United States the alien was and is a person of good moral character; and

(D) is a person whose deportation would, in the opinion of the Secretary or Attorney General, result in extreme hardship to the alien or the alien's parent or child.

(4) EFFECTIVE DATE.—This subsection and the amendments made by this subsection shall take effect on the date of the enactment of this Act and shall apply to aliens admitted before, on, or after such date.

(b) RELIEF FOR DOMESTIC VIOLENCE SURVIVOR VISA WAIVER ENTRANTS.—

(1) IN GENERAL.—Section 217(b)(2) (8 U.S.C. 1187(b)(2)) is amended by inserting '', as a VAWA self-petitioner or for relief under section 101(a)(15)(T), section 101(a)(15)(U), section 240A(b)(2), or under any prior statute providing comparable relief, notwithstanding any other provision of law,'' after ''asylum,''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act and shall apply to waivers provided under section 217(b)(2) of the Immigration and Nationality Act before, on, or after such date as if it had been included in such waivers.

(c) APPLICABILITY OF SECTION 212(E) TO SPOUSES AND CHILDREN OF J–1 EXCHANGE VISITORS.—In addition to the individuals described in section 2405(c) of this Act, applicants approved for nonimmigrant status under subparagraph (T) or (U) of section 101(a)(15) of the Immigration and Nationality Act and VAWA self-petitioners, as defined in section 101(a)(51) of such Act, shall not be subject to the requirements of section 212(e) of such Act (8 U.S.C. 1182(e)).

(d) WAIVER RELATING TO CERTAIN CRIMES.—Section 212(h), as amended by section 3711(c)(1)(B) of this Act, is amended by striking ''and (E)'' and inserting ''(E), and (K)''.

SA 1681. Mrs. MURRAY (for herself and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON RESTRAINTS ON PREGNANT DETAINEES.

(a) PROHIBITION ON RESTRAINT OF PREGNANT DETAINEES.—

(1) PROHIBITION.—A detention facility shall not use restraints on a detainee known to be pregnant, including during labor, transport to a medical facility or birthing center, delivery, and postpartum recovery, unless the facility administrator makes an individualized determination that the detainee presents an extraordinary circumstance as described in paragraph (2).

(2) EXTRAORDINARY CIRCUMSTANCE.—Restraints for an extraordinary circumstance are only permitted if a medical officer has directed the use of restraints for medical reasons or if the facility administrator makes an individualized determination that—

(A) credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff or others; or

(B) reasonable grounds exist to believe the detainee presents an immediate and credible risk of escape that cannot be reasonably minimized through any other method.

(3) REQUIREMENT FOR LEAST RESTRICTIVE RESTRAINTS.—In the rare event that one of the extraordinary circumstances in paragraph (2) applies, medical staff shall determine the safest method and duration for the use of restraints and the least restrictive restraints necessary shall be used for a pregnant detainee, except that—

(A) if a doctor, nurse, or other health professional treating the detainee requests that restraints not be used, the detention officer accompanying the detainee shall immediately remove all restraints;

(B) under no circumstance shall leg or waist restraints be used;

(C) under no circumstance shall wrist restraints be used to bind the detainee's hands behind her back; and

(D) under no circumstances shall any restraints be used on any detainee in labor or childbirth.

(4) RECORD OF EXTRAORDINARY CIRCUMSTANCES.—

(A) REQUIREMENT.—If restraints are used on a detainee pursuant to paragraph (2), the facility administrator shall make a written finding within 10 days as to the extraordinary circumstance that dictated the use of the restraints.

(B) RETENTION.—A written find made under subparagraph (A) shall be kept on file by the detention facility for at least 5 years and be made available for public inspection, except that no individually identifying information of any detainee shall be made public without the detainee's prior written consent.

(b) PROHIBITION ON PRESENCE OF DETENTION OFFICERS DURING LABOR OR CHILDBIRTH.—Upon a detainee's admission to a medical facility or birthing center for labor or childbirth, no detention officer shall be present in the room during labor or childbirth, unless specifically requested by medical personnel. If a detention officer's presence is requested by medical personnel, the detention officer shall be female, if practicable. If restraints are used on a detainee pursuant to subsection (a)(2), a detention officer shall remain immediately outside the room at all times so that the officer may promptly remove the restraints if requested by medical personnel, as required by subsection (a)(3)(A).

(c) DEFINITIONS.—In this section:

(1) DETAINEE.—The term ''detainee'' includes any adult or juvenile person detained under the Immigration and Nationality Act (8 U.S.C. 1101) or held by any Federal, State, or local law enforcement agency under an immigration detainer.

(2) DETENTION FACILITY.—The term ''detention facility'' means a Federal, State, or local government facility, or a privately owned and operated facility, that is used, in whole or in part, to hold individuals under the authority of the Director of U.S. Immigration and Customs Enforcement or the Commissioner of U.S. Customs and Border Protection, including facilities that hold such individuals under a contract or agreement with the Director or Commissioner, or that is used, in whole or in part, to hold individuals pursuant to an immigration detainer.

(3) FACILITY ADMINISTRATOR.—The term ''facility administrator'' means the official that is responsible for oversight of a detention facility or the designee of such official.

(4) LABOR.—The term ''labor'' means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix.

(5) POSTPARTUM RECOVERY.—The term ''postpartum recovery'' means, as determined by her physician, the period immediately following delivery, including the entire period a woman is in the hospital or infirmary after birth.

(6) RESTRAINT.—The term ''restraint'' means any physical restraint or mechanical device used to control the movement of a detainee's body or limbs, including flex cuffs, soft restraints, hard metal handcuffs, a black box, Chubb cuffs, leg irons, belly chains, a security (tether) chain, or a convex shield.

(d) ANNUAL REPORT.—

(1) REQUIREMENT.—Not later than 30 days before the end of each fiscal year, the facility administrator of each detention facility in whose custody a pregnant detainee had been subject to the use of restraints during the previous fiscal year shall submit to the Secretary a written report that includes an account of every instance of such a use of restraints. No such report may contain any individually identifying information of any detainee.

(2) PUBLIC INSPECTION.—Each report submitted under paragraph (1) shall be made available for public inspection.

(e) RULEMAKING.—The Secretary shall adopt regulations or policies to carry out this section at every detention facility.

SA 1682. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. OFFICER FOR CIVIL RIGHTS AND CIVIL LIBERTIES.

Section 705 of the Homeland Security Act of 2002 (6 U.S.C. 345) is amended—

(1) in subsection (a), by striking paragraph (6) and inserting the following:

''(6) investigate complaints and information indicating possible abuses of civil rights or civil liberties by employees and officials of the Department or that are related to Departmental activities (unless the Inspector General of the Department determines that such a complaint or such information should

be investigated by the Inspector General) and, using the information gained by such investigations, make recommendations to the Secretary and directorates, offices, and other components of the Department for improvements in policy, supervision, training, and practice related to civil rights or civil liberties, or for the relevant office to review the matter and take appropriate disciplinary or other action.'';

(2) by redesignating subsection (b) as subsection (e);

(3) by inserting after subsection (a) the following:

''(b) INVESTIGATION OF COMPLAINTS.—The head of each directorate, office, or component of the Department and the head of any other executive agency shall ensure that the directorate, office, or component provides the Officer for Civil Rights and Civil Liberties with speedy access, and in no event later than 30 days after the date on which the directorate, office, or component receives a request from the Officer, to any information determined by the Officer to be relevant to the exercise of the duties and responsibilities under subsection (a) or to any investigation carried out under this section, whether by providing relevant documents or access to facilities or personnel.

''(c) SUBPOENAS.—

''(1) IN GENERAL.—In carrying out the duties and responsibilities under subsection (a) or as part of an investigation carried out under this section, the Officer for Civil Rights and Civil Liberties may require by subpoena access to—

''(A) any institution or entity outside of the Federal Government that is the subject of or related to an investigation under this section; and

''(B) any individual, document, record, material, file, report, memorandum, policy, procedure, investigation, video or audio recording or other media, or quality assurance report relating to any institution or entity outside of the Federal Government that is the subject of or related to an investigation under this section.

''(2) ISSUANCE AND SERVICE.—A subpoena issued under this subsection shall—

''(A) bear the signature of the Officer for Civil Rights and Civil Liberties; and

''(B) be served by any person or class of persons designated by the Officer or an officer or employee designated for that purpose.

''(3) ENFORCEMENT.—In the case of contumacy or failure to obey a subpoena issued under this subsection, the United States district court for the judicial district in which the institution, entity, or individual is located may issue an order requiring compliance. Any failure to obey the order of the court may be punished by the court as contempt of that court.

''(4) USE OF INFORMATION.—Any material obtained under a subpoena issued under this subsection—

''(A) may not be used for any purpose other than a purpose set forth in subsection (a);

''(B) may not be transmitted by or within the Department for any purpose other than a purpose set forth in subsection (a); and

''(C) shall be redacted, obscured, or otherwise altered if used in any publicly available manner to the extent necessary to prevent the disclosure of any personally identifiable information.

''(d) RECOMMENDATIONS.—For any final recommendation or finding made under this section by the Officer for Civil Rights and Civil Liberties to the Secretary or a directorate, office, or other component of the Department—

''(1) the Secretary shall ensure that the Department—

''(A) responds to the recommendation or finding within 30 days after the date on which the Officer communicates the recommendation or finding; and

''(B) within 60 days after the date on which the Officer communicates the recommendation or finding, provides the Officer with a plan for implementation of the recommendation or finding;

''(2) within 30 days after the date on which the Officer receives an implementation plan under paragraph (1), the Officer shall assess the plan and determine whether the plan sufficiently addresses the underlying recommendation;

''(3) if the Officer determines under paragraph (2) that an implementation plan is insufficient, the Secretary shall ensure that the Department submits a revised implementation plan that complies with the underlying recommendation within 30 days after the date on which the Officer communicates the determination; and

''(4) absent any provision of law to the contrary, the Officer shall provide the complainant with a summary of any findings or recommendations made under this section by the Officer, which shall be redacted, obscured, or otherwise altered to protect the disclosure of any personally identifiable information, other than the complainant's.''; and

(4) in subsection (e), as so redesignated—

(A) by striking ''The Secretary shall'' and inserting the following:

''(1) IN GENERAL.—The Secretary shall'';

(B) by striking ''and the appropriate committees and subcommittees of Congress'' and inserting ''the appropriate committees and subcommittees of Congress, and the Privacy and Civil Liberties Oversight Board established under section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee)'';

(C) by striking '', and detailing any allegations'' and all that follows through ''such allegations.'' and inserting ''and a compilation of the information provided in the quarterly reports under paragraph (2).''; and

(D) by adding at the end the following:

''(2) QUARTERLY REPORTS.—

''(A) IN GENERAL.—The Officer for Civil Rights and Civil Liberties shall submit to the President of the Senate, the Speaker of the House of Representatives, the appropriate committees and subcommittees of Congress, and the Privacy and Civil Liberties Oversight Board established under section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee), on a quarterly basis, a report detailing—

''(i) each nonfrivolous allegation of abuse received by the Officer during the quarter covered by the report; and

''(ii) each final recommendation made or carried out under subsection (a) that was completed during the quarter covered by the report.

''(B) CONTENTS.—Each report under this paragraph shall detail—

''(i) for each allegation described in subparagraph (A)(i) subject to a completed investigation, any final recommendation made by the Officer for Civil Rights and Civil Liberties and any action or response taken by the Department in response; and

''(ii) any matter or investigation carried out under this section that has been open or pending for more than 2 years.

''(3) INFORMING THE PUBLIC.—The Officer for Civil Rights and Civil Liberties shall—

''(A) make each report submitted under this subsection available to the public to the greatest extent that is consistent with the protection of classified information and applicable law; and

''(B) otherwise inform the public of the activities of the Officer, as appropriate and in a manner consistent with the protection of classified information and applicable law.''.

SA 1683. Mr. PORTMAN (for himself, Mr. CHIESA, and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. INADMISSABILITY OF ALIENS WITH FELONY CONVICTIONS FOR DOMESTIC VIOLENCE, STALKING, OR CHILD ABUSE.

Subparagraph (K)(i)(I) of section 212(a)(2) (8 U.S.C. 1182(a)(2)), as added by section 3711(c)(1)(A) of this Act, is amended by striking ''the alien served at least 1 year imprisonment'' and inserting the following: ''a sentence of 1 year imprisonment or more may be imposed''.

SA 1684. Mr. PORTMAN (for himself, Mr. CHIESA, and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. NO DISCRETION FOR CRIMES INVOLVING MORAL TURPITUDE THAT ARE CERTAIN CRIMES AGAINST CHILDREN.

(a) IMMIGRATION JUDGES.—Subparagraph (D)(ii) of section 240(c)(4) (8 U.S.C. 1229a(c)(4)), as added by section 2314(a) of this Act, is amended—

(1) in subclause (I), by striking ''or'' at the end;

(2) by redesignating subclause (II) as subclause (III); and

(3) by inserting after subclause (I) the following:

''(II) been convicted of a crime involving moral turpitude that is a crime of child abuse, child neglect, contributing to the delinquency of a minor through sexual acts, or child abandonment; or''.

(b) SECRETARY.—Subsection (w)(2) of section 212 (8 U.S.C. 1182), as added by section 2314(b) of this Act, is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following:

''(B) been convicted of a crime involving moral turpitude that is a crime of child abuse, child neglect, contributing to the delinquency of a minor through sexual acts, or child abandonment; or''.

SA 1685. Mr. UDALL of Colorado submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SECURING CITIZENSHIP FOR OCCUPATIONS REQUIRING EXPEDITING.

(a) SHORT TITLE.—This section may be cited as the ''Securing Citizenship for Occupations Requiring Expediting Act'' or the ''SCORE Act''.

(b) PERSONS MAKING EXTRAORDINARY ATHLETIC CONTRIBUTIONS.—Section 316 (8 U.S.C. 1427), as amended by section 2307(d), is further amended—

(1) in subsection (a), by striking ''or within the district of the Service in the United States'';

(2) in subsection (f)(1)—

(A) by striking ''and the Commissioner of Immigration'' and inserting '', Secretary of Homeland Security''; and

(B) by striking ''or district of the Service in the United States''; and

(3) by adding at the end the following:

''(h)(1) Subject to paragraph (2), if the Secretary of Homeland Security determines that an applicant who is otherwise eligible for naturalization will make an extraordinary contribution to the United States by representing the United States in an imminent international athletic competition, the applicant may be naturalized without regard to the residence and physical presence requirements under this section.

''(2) Paragraph (1) shall not apply if—

''(A) the applicant has not resided continuously in the United States for at least 6 months between the date on which the applicant was lawfully admitted for permanent residence and the date on which the applicant is naturalized; or

''(B) the alien is described in clause (i), (ii), (iii), (iv), or (v) of section 208(b)(2)(A).

''(3) In making a determination under paragraph (1), the Secretary shall presume that the applicant meets the requirement under such paragraph if the alien is—

''(A) certified by the United States Olympic Committee as a probable future Olympic athlete; or

''(B) certified by an official United States governing body of a sport as a probable future player in an international tournament sponsored by that sport's international governing body.

''(4) The Secretary shall charge each applicant under this subsection a processing fee in an amount that is 500 percent greater than the standard fee charged by the Secretary for processing naturalization applications.

''(5) The Secretary shall provide for the expedited consideration and adjudication of applications for naturalization under this subsection.

''(6) An applicant for naturalization under this subsection may be administered the oath of allegiance under section 337(a) by any district court of the United States, without regard to the residence of the applicant.

''(7) The number of aliens naturalized under this subsection in any fiscal year shall not exceed 50.

''(8) The Secretary shall notify the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives of the filing of an application for naturalization under this section within a reasonable time after such filing.''.

SA 1686. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. EXTENSION OF IDENTITY THEFT OFFENSES.

(a) FRAUD AND RELATED ACTIVITIES RELATING TO IDENTIFICATION DOCUMENTS.—Section 1028 of title 18, United States Code, is amended in subsection (a)(7), by striking ''of another person'' and inserting ''that is not his or her own''.

(b) AGGRAVATED IDENTITY THEFT.—Section 1028A(a) of title 18, United States Code, is amended by striking ''of another person'' both places it appears and inserting ''that is not his or her own''.

SEC. ___. WAIVER OF FEDERAL LAWS WITH RESPECT TO BORDER SECURITY ACTIONS ON DEPARTMENT OF THE INTERIOR AND DEPARTMENT OF AGRICULTURE LANDS.

(a) PROHIBITION ON SECRETARIES OF THE INTERIOR AND AGRICULTURE.—The Secretary of the Interior or the Secretary of Agriculture shall not impede, prohibit, or restrict activities of U.S. Customs and Border Protection on Federal land located within 100 miles of an international land border that is under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture, to execute search and rescue operations and to prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States.

(b) AUTHORIZED ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION.—U.S. Customs and Border Protection shall have immediate access to Federal land within 100 miles of the international land border under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture for purposes of conducting the following activities on such land that prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the international land borders of the United States:

(1) Construction and maintenance of roads.

(2) Construction and maintenance of barriers.

(3) Use of vehicles to patrol, apprehend, or rescue.

(4) Installation, maintenance, and operation of communications and surveillance equipment and sensors.

(5) Deployment of temporary tactical infrastructure.

(c) CLARIFICATION RELATING TO WAIVER AUTHORITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law (including any termination date relating to the waiver referred to in this subsection), the waiver by the Secretary of Homeland Security on April 1, 2008, under section 102(c)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note; Public Law 104–208) of the laws described in paragraph (2) with respect to certain sections of the international border between the United States and Mexico and between the United States and Canada shall be considered to apply to all Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture within 100 miles of the international land borders of the United States for the activities of U.S. Customs and Border Protection described in subsection (c).

(2) DESCRIPTION OF LAWS WAIVED.—The laws referred to in paragraph (1) are limited to the Wilderness Act (16 U.S.C. 1131 et seq.), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), the National Historic Preservation Act (16 U.S.C. 470 et seq.), Public Law 86–523 (16 U.S.C. 469 et seq.), the Act of June 8, 1906 (commonly known as the ''Antiquities Act of 1906''; 16 U.S.C. 431 et seq.), the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act''), the National Park Service Organic Act (16 U.S.C. 1 et seq.), the General Authorities Act of 1970 (Public Law 91–383) (16 U.S.C. 1a-1 et seq.), sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Public Law 95–625, 92 Stat. 3467), and the Arizona Desert Wilderness Act of 1990 (16 U.S.C. 1132 note; Public Law 101–628).

(d) PROTECTION OF LEGAL USES.—This section shall not be construed to provide—

(1) authority to restrict legal uses, such as grazing, hunting, mining, or public-use recreational and backcountry airstrips on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture; or

(2) any additional authority to restrict legal access to such land.

(e) EFFECT ON STATE AND PRIVATE LAND.—This Act shall—

(1) have no force or effect on State or private lands; and

(2) not provide authority on or access to State or private lands.

(f) TRIBAL SOVEREIGNTY.—Nothing in this section supersedes, replaces, negates, or diminishes treaties or other agreements between the United States and Indian tribes.

(g) REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of Homeland Security shall submit to the appropriate committees of Congress a report describing the extent to which implementation of this section has affected the operations of U.S. Customs and Border Protection in the year preceding the report.

Subtitle __—Interior Enforcement

SEC. __00. SHORT TITLE.

This subtitle may be cited as the ''Strengthen and Fortify Enforcement Act'' or the ''SAFE Act''.

SEC. __01. FUNDING.

Of the amounts authorized to be appropriated pursuant to section 3301(b), $300,000,000 to carry out title III and this subtitle and the amendments made by title III and this subtitle.

CHAPTER 1—IMMIGRATION LAW ENFORCEMENT BY STATES AND LOCALITIES

SEC. __11. DEFINITION AND SEVERABILITY.

(a) STATE DEFINED.—For the purposes of this chapter, the term ''State'' has the meaning given to such term in section 101(a)(36) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(36)).

(b) SEVERABILITY.—If any provision of this chapter, or the application of such provision to any person or circumstance, is held invalid, the remainder of this chapter, and the application of such provision to other persons not similarly situated or to other circumstances, shall not be affected by such invalidation.

SEC. __12. IMMIGRATION LAW ENFORCEMENT BY STATES AND LOCALITIES.

(a) IN GENERAL.—Subject to section 274A(h)(2) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(2)), States, or political subdivisions of States, may enact, implement and enforce criminal penalties that penalize the same conduct that is prohibited in the criminal provisions of immigration laws (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))), as long as the criminal penalties do not exceed the relevant Federal criminal penalties. States, or political subdivisions of States, may enact, implement and enforce civil penalties that penalize the same conduct that is prohibited in the civil violations of immigration laws (as defined in such section 101(a)(17)), as long as the civil penalties do not exceed the relevant Federal civil penalties.

(b) LAW ENFORCEMENT PERSONNEL.—Law enforcement personnel of a State, or of a political subdivision of a State, may investigate, identify, apprehend, arrest, detain, or transfer to Federal custody aliens for the purposes of enforcing the immigration laws of the United States to the same extent as Federal law enforcement personnel. Law enforcement personnel of a State, or of a political subdivision of a State, may also investigate, identify, apprehend, arrest, or detain aliens for the purposes of enforcing the immigration laws of a State or of a political subdivision of State, as long as those immigration laws are permissible under this section. Law enforcement personnel of a State, or of a political subdivision of a State, may not remove aliens from the United States.

SEC. __13. LISTING OF IMMIGRATION VIOLATORS IN THE NATIONAL CRIME INFORMATION CENTER DATABASE.

(a) PROVISION OF INFORMATION TO THE NCIC.—Not later than 180 days after the date of the enactment of this Act and periodically thereafter as updates may require, the Secretary shall provide the National Crime Information Center of the Department of Justice with all information that the Secretary may possess regarding any alien against whom a final order of removal has been issued, any alien who has entered into a voluntary departure agreement, any alien who has overstayed their authorized period of stay, and any alien whose visas has been revoked. The National Crime Information Center shall enter such information into the Immigration Violators File of the National Crime Information Center database, regardless of whether—

(1) the alien received notice of a final order of removal;

(2) the alien has already been removed; or

(3) sufficient identifying information is available with respect to the alien.

(b) INCLUSION OF INFORMATION IN THE NCIC DATABASE.—

(1) IN GENERAL.—Section 534(a) of title 28, United States Code, is amended—

(A) in paragraph (3), by striking ''and'' at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

''(4) acquire, collect, classify, and preserve records of violations by aliens of the immigration laws of the United States, regardless of whether any such alien has received notice of the violation or whether sufficient identifying information is available with respect to any such alien or whether any such alien has already been removed from the United States; and''.

(2) EFFECTIVE DATE.—The Attorney General and the Secretary shall ensure that the amendment made by paragraph (1) is implemented by not later than 6 months after the date of the enactment of this Act.

SEC. __14. TECHNOLOGY ACCESS.

States shall have access to Federal programs or technology directed broadly at identifying inadmissible or deportable aliens.

SEC. __15. STATE AND LOCAL LAW ENFORCEMENT PROVISION OF INFORMATION ABOUT APPREHENDED ALIENS.

(a) PROVISION OF INFORMATION.—In compliance with section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) and section 434 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1644), each State, and each political subdivision of a State, shall provide the Secretary in a timely manner with the information specified in subsection (b) with respect to each alien apprehended in the jurisdiction of the State, or in the political subdivision of the State, who is believed to be inadmissible or deportable.

(b) INFORMATION REQUIRED.—The information referred to in subsection (a) is as follows:

(1) The alien's name.

(2) The alien's address or place of residence.

(3) A physical description of the alien.

(4) The date, time, and location of the encounter with the alien and reason for stopping, detaining, apprehending, or arresting the alien.

(5) If applicable, the alien's driver's license number and the State of issuance of such license.

(6) If applicable, the type of any other identification document issued to the alien, any designation number contained on the identification document, and the issuing entity for the identification document.

(7) If applicable, the license plate number, make, and model of any automobile registered to, or driven by, the alien.

(8) A photo of the alien, if available or readily obtainable.

(9) The alien's fingerprints, if available or readily obtainable.

(c) ANNUAL REPORT ON REPORTING.—The Secretary shall maintain and annually submit to the Congress a detailed report listing the States, or the political subdivisions of States, that have provided information under subsection (a) in the preceding year.

(d) REIMBURSEMENT.—The Secretary shall reimburse States, and political subdivisions of a State, for all reasonable costs, as determined by the Secretary, incurred by the State, or the political subdivision of a State, as a result of providing information under subsection (a).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(f) CONSTRUCTION.—Nothing in this section shall require law enforcement officials of a State, or of a political subdivision of a State, to provide the Secretary with information related to a victim of a crime or witness to a criminal offense.

(g) EFFECTIVE DATE.—This section shall take effect on the date that is 120 days after the date of the enactment of this Act and shall apply with respect to aliens apprehended on or after such date.

SEC. __16. FINANCIAL ASSISTANCE TO STATE AND LOCAL POLICE AGENCIES THAT ASSIST IN THE ENFORCEMENT OF IMMIGRATION LAWS.

(a) GRANTS FOR SPECIAL EQUIPMENT FOR HOUSING AND PROCESSING CERTAIN ALIENS.—From amounts made available to make grants under this section, the Secretary shall make grants to States, and to political subdivisions of States, for procurement of equipment, technology, facilities, and other products that facilitate and are directly related to investigating, apprehending, arresting, detaining, or transporting aliens who are inadmissible or deportable, including additional administrative costs incurred under this chapter.

(b) ELIGIBILITY.—To be eligible to receive a grant under this section, a State, or a political subdivision of a State, must have the authority to, and shall have a written policy and a practice to, assist in the enforcement of the immigration laws of the United States in the course of carrying out the routine law enforcement duties of such State or political subdivision of a State. Entities covered under this section may not have any policy or practice that prevents local law enforcement from inquiring about a suspect's immigration status.

(c) FUNDING.—There is authorized to be appropriated for grants under this section such sums as may be necessary for fiscal year 2014 and each subsequent fiscal year.

(d) GAO AUDIT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an audit of funds distributed to States, and to political subdivisions of a State, under subsection (a).

SEC. __17. INCREASED FEDERAL DETENTION SPACE.

(a) CONSTRUCTION OR ACQUISITION OF DETENTION FACILITIES.—

(1) IN GENERAL.—The Secretary shall construct or acquire, in addition to existing facilities for the detention of aliens, detention facilities in the United States, for aliens detained pending removal from the United States or a decision regarding such removal. Each facility shall have a number of beds necessary to effectuate this purposes of this chapter.

(2) DETERMINATIONS.—The location of any detention facility built or acquired in accordance with this subsection shall be determined by the Secretary.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 241(g)(1) of the Immigration and Nationality Act (8 U.S.C. 1231(g)(1)) is amended by striking ''may expend'' and inserting ''shall expend''.

SEC. __18. FEDERAL CUSTODY OF INADMISSIBLE AND DEPORTABLE ALIENS IN THE UNITED STATES APPREHENDED BY STATE OR LOCAL LAW ENFORCEMENT.

(a) STATE APPREHENSION.—

(1) IN GENERAL.—Title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.) is amended by inserting after section 240C the following:

''CUSTODY OF INADMISSIBLE AND DEPORTABLE ALIENS PRESENT IN THE UNITED STATES

''SEC. 240D. (a) TRANSFER OF CUSTODY BY STATE AND LOCAL OFFICIALS.—If a State, or a political subdivision of the State, exercising authority with respect with respect to the apprehension or arrest of an inadmissible or deportable alien submits to the Secretary of Homeland Security a request that the alien be taken into Federal custody, notwithstanding any other provision of law, regulation, or policy the Secretary—

''(1) shall take the alien into custody not later than 48 hours after the detainer has

been issued following the conclusion of the State or local charging process or dismissal process, or if no State or local charging or dismissal process is required, the Secretary should issue a detainer and take the alien into custody not later than 48 hours after the alien is apprehended; and

''(2) shall request that the relevant State or local law enforcement agency temporarily hold the alien in their custody or transport the alien for transfer to Federal custody.

''(b) POLICY ON DETENTION IN FEDERAL, CONTRACT, STATE, OR LOCAL DETENTION FACILITIES.—In carrying out section 241(g)(1), the Attorney General or Secretary of Homeland Security shall ensure that an alien arrested under this title shall be held in custody, pending the alien's examination under this section, in a Federal, contract, State, or local prison, jail, detention center, or other comparable facility. Notwithstanding any other provision of law, regulation or policy, such facility is adequate for detention, if—

''(1) such a facility is the most suitably located Federal, contract, State, or local facility available for such purpose under the circumstances;

''(2) an appropriate arrangement for such use of the facility can be made; and

''(3) the facility satisfies the standards for the housing, care, and security of persons held in custody by a United States Marshal.

''(c) REIMBURSEMENT.—The Secretary of Homeland Security shall reimburse a State, and a political subdivision of a State, for all reasonable expenses, as determined by the Secretary, incurred by the State, or political subdivision, as a result of the incarceration and transportation of an alien who is inadmissible or deportable as described in subsections (a) and (b). Compensation provided for costs incurred under such subsections shall be the average cost of incarceration of a prisoner in the relevant State, as determined by the chief executive officer of a State, or of a political subdivision of a State, plus the cost of transporting the alien from the point of apprehension to the place of detention, and to the custody transfer point if the place of detention and place of custody are different.

''(d) SECURE FACILITIES.—The Secretary of Homeland Security shall ensure that aliens incarcerated pursuant to this title are held in facilities that provide an appropriate level of security.

''(e) TRANSFER.—

''(1) IN GENERAL.—In carrying out this section, the Secretary of Homeland Security shall establish a regular circuit and schedule for the prompt transfer of apprehended aliens from the custody of States, and political subdivisions of a State, to Federal custody.

''(2) CONTRACTS.—The Secretary may enter into contracts, including appropriate private contracts, to implement this subsection.''.

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 240C the following new item:

''Sec. 240D. Custody of aliens unlawfully present in the United States.''.

(b) GAO AUDIT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an audit of compensation to States, and to political subdivisions of a State, for the incarceration of inadmissible or deportable aliens under section 240D(a) of the Immigration and Nationality Act (as added by subsection (a)(1)).

(c) EFFECTIVE DATE.—Section 240D of the Immigration and Nationality Act, as added by subsection (a), shall take effect on the date of the enactment of this Act, except that subsection (e) of such section shall take effect on the date that is 120 day after the date of the enactment of this Act.

SEC. __19. TRAINING OF STATE AND LOCAL LAW ENFORCEMENT PERSONNEL RELATING TO THE ENFORCEMENT OF IMMIGRATION LAWS.

(a) ESTABLISHMENT OF TRAINING MANUAL AND POCKET GUIDE.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish—

(1) a training manual for law enforcement personnel of a State, or of a political subdivision of a State, to train such personnel in the investigation, identification, apprehension, arrest, detention, and transfer to Federal custody of inadmissible and deportable aliens in the United States (including the transportation of such aliens across State lines to detention centers and the identification of fraudulent documents); and

(2) an immigration enforcement pocket guide for law enforcement personnel of a State, or of a political subdivision of a State, to provide a quick reference for such personnel in the course of duty.

(b) AVAILABILITY.—The training manual and pocket guide established in accordance with subsection (a) shall be made available to all State and local law enforcement personnel.

(c) APPLICABILITY.—Nothing in this section shall be construed to require State or local law enforcement personnel to carry the training manual or pocket guide with them while on duty.

(d) COSTS.—The Secretary shall be responsible for any costs incurred in establishing the training manual and pocket guide.

(e) TRAINING FLEXIBILITY.—

(1) IN GENERAL.—The Secretary shall make training of State and local law enforcement officers available through as many means as possible, including through residential training at the Center for Domestic Preparedness, onsite training held at State or local police agencies or facilities, online training courses by computer, teleconferencing, and videotape, or the digital video display (DVD) of a training course or courses. E-learning through a secure, encrypted distributed learning system that has all its servers based in the United States, is scalable, survivable, and can have a portal in place not later than 30 days after the date of the enactment of this Act, shall be made available by the Federal Law Enforcement Training Center Distributed Learning Program for State and local law enforcement personnel.

(2) FEDERAL PERSONNEL TRAINING.—The training of State and local law enforcement personnel under this section shall not displace the training of Federal personnel.

(3) CLARIFICATION.—Nothing in this chapter or any other provision of law shall be construed as making any immigration-related training a requirement for, or prerequisite to, any State or local law enforcement officer to assist in the enforcement of Federal immigration laws.

(4) PRIORITY.—In carrying out this subsection, priority funding shall be given for existing web-based immigration enforcement training systems.

SEC. __20. IMMUNITY.

Notwithstanding any other provision of law, a law enforcement officer of a State or local law enforcement agency who is acting within the scope of the officer's official duties shall be immune, to the same extent as a Federal law enforcement officer, from personal liability arising out of the performance of any duty described in this chapter, including the authorities to investigate, identify, apprehend, arrest, detain, or transfer to Federal custody, an alien for the purposes of enforcing the immigration laws of the United States (as defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)) or the immigration laws of a State or a political subdivision of a State.

SEC. __21. CRIMINAL ALIEN IDENTIFICATION PROGRAM.

(a) CONTINUATION AND EXPANSION.—

(1) IN GENERAL.—The Secretary shall continue to operate and implement a program that—

(A) identifies removable criminal aliens in Federal and State correctional facilities;

(B) ensures such aliens are not released into the community; and

(C) removes such aliens from the United States after the completion of their sentences.

(2) EXPANSION.—The program shall be extended to all States. Any State that receives Federal funds for the incarceration of criminal aliens (pursuant to the State Criminal Alien Assistance Program authorized under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) or other similar program) shall—

(A) cooperate with officials of the program;

(B) expeditiously and systematically identify criminal aliens in its prison and jail populations; and

(C) promptly convey such information to officials of such program as a condition of receiving such funds.

(b) AUTHORIZATION FOR DETENTION AFTER COMPLETION OF STATE OR LOCAL PRISON SENTENCE.—Law enforcement officers of a State, or of a political subdivision of a State, are authorized to—

(1) hold a criminal alien for a period of up to 14 days after the alien has completed the alien's sentence under State or local law in order to effectuate the transfer of the alien to Federal custody when the alien is inadmissible or deportable; or

(2) issue a detainer that would allow aliens who have served a prison sentence under State or local law to be detained by the State or local prison or jail until the Secretary can take the alien into custody.

(c) TECHNOLOGY USAGE.—Technology, such as video conferencing, shall be used to the maximum extent practicable in order to make the program available in remote locations. Mobile access to Federal databases of aliens and live scan technology shall be used to the maximum extent practicable in order to make these resources available to State and local law enforcement agencies in remote locations.

(d) EFFECTIVE DATE.—This section shall take effect of the date of the enactment of this Act, except that subsection (a)(2) shall take effect on the date that is 180 days after such date.

SEC. __22. CLARIFICATION OF CONGRESSIONAL INTENT.

Section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)) is amended—

(1) in paragraph (1) by striking ''may enter'' and all that follows through the period at the end and inserting the following: ''shall enter into a written agreement with a State, or any political subdivision of a State, upon request of the State or political subdivision, pursuant to which an officer or employee of the State or subdivision, who is determined by the Secretary to be qualified to perform a function of an immigration officer in relation to the investigation, apprehension, or detention of aliens in the United

States (including the transportation of such aliens across State lines to detention centers), may carry out such function at the expense of the State or political subdivision and to extent consistent with State and local law. No request from a bona fide State or political subdivision or bona fide law enforcement agency shall be denied absent a compelling reason. No limit on the number of agreements under this subsection may be imposed. The Secretary shall process requests for such agreements with all due haste, and in no case shall take not more than 90 days from the date the request is made until the agreement is consummated.'';

(2) by redesignating paragraph (2) as paragraph (5) and paragraphs (3) through (10) as paragraphs (7) through (14), respectively;

(3) by inserting after paragraph (1) the following:

''(2) An agreement under this subsection shall accommodate a requesting State or political subdivision with respect to the enforcement model or combination of models, and shall accommodate a patrol model, task force model, jail model, any combination thereof, or any other reasonable model the State or political subdivision believes is best suited to the immigration enforcement needs of its jurisdiction.

''(3) No Federal program or technology directed broadly at identifying inadmissible or deportable aliens shall substitute for such agreements, including those establishing a jail model, and shall operate in addition to any agreement under this subsection.

''(4)(A) No agreement under this subsection shall be terminated absent a compelling reason.

''(B)(i) The Secretary shall provide a State or political subdivision written notice of intent to terminate at least 180 days prior to date of intended termination, and the notice shall fully explain the grounds for termination, along with providing evidence substantiating the Secretary's allegations.

''(ii) The State or political subdivision shall have the right to a hearing before an administrative law judge and, if the ruling is against the State or political subdivision, to appeal the ruling to the Federal Circuit Court of Appeals and, if the ruling is against the State or political subdivision, to the Supreme Court.

''(C) The agreement shall remain in full effect during the course of any and all legal proceedings.''; and

(4) by inserting after paragraph (5) (as redesignated) the following:

''(6) The Secretary of Homeland Security shall make training of State and local law enforcement officers available through as many means as possible, including through residential training at the Center for Domestic Preparedness and the Federal Law Enforcement Training Center, onsite training held at State or local police agencies or facilities, online training courses by computer, teleconferencing, and videotape, or the digital video display (DVD) of a training course or courses. Distance learning through a secure, encrypted distributed learning system that has all its servers based in the United States, is scalable, survivable, and can have a portal in place not later than 30 days after the date of the enactment of this Act, shall be made available by the COPS Office of the Department of Justice and the Federal Law Enforcement Training Center Distributed Learning Program for State and local law enforcement personnel. Preference shall be given to private sector-based web-based immigration enforcement training programs for which the Federal Government has already provided support to develop.''.

SEC. __23. STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP).

Section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) is amended—

(1) by striking ''Attorney General'' the first place such term appears and inserting ''Secretary of Homeland Security'';

(2) by striking ''Attorney General'' each place such term appears thereafter and inserting ''Secretary'';

(3) in paragraph (3)(A), by inserting ''charged with or'' before ''convicted''; and

(4) by amending paragraph (5) to read as follows:

''(5) There are authorized to be appropriated to carry out this subsection such sums as may be necessary for fiscal year 2014 and each subsequent fiscal year.''.

SEC. __14. STATE VIOLATIONS OF ENFORCEMENT OF IMMIGRATION LAWS.

(a) IN GENERAL.—Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended—

(1) by striking ''Immigration and Naturalization Service'' in each place it appears and inserting ''Department of Homeland Security'';

(2) in subsection (a), by striking ''may'' and inserting ''shall'';

(3) in subsection (b)—

(A) by striking ''no person or agency may'' and inserting ''a person or agency shall not'';

(B) by striking ''doing any of the following with respect to information'' and inserting ''undertaking any of the following law enforcement activities''; and

(C) by striking paragraphs (1) through (3) and inserting the following:

''(1) Notifying the Federal Government regarding the presence of inadmissible and deportable aliens who are encountered by law enforcement personnel of a State or political subdivision of a State.

''(2) Complying with requests for information from Federal law enforcement.

''(3) Complying with detainers issued by the Department of Homeland Security.

''(4) Issuing policies in the form of a resolutions, ordinances, administrative actions, general or special orders, or departmental policies that violate Federal law or restrict a State or political subdivision of a State from complying with Federal law or coordinating with Federal law enforcement.''; and

(4) by adding at the end the following:

''(d) COMPLIANCE.—

''(1) IN GENERAL.—A State, or a political subdivision of a State, that has in effect a statute, policy, or practice that prohibits law enforcement officers of the State, or of a political subdivision of the State, from assisting or cooperating with Federal immigration law enforcement in the course of carrying out the officers' routine law enforcement duties shall not be eligible to receive—

''(A) any of the funds that would otherwise be allocated to the State or political subdivision under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) or the 'Cops on the Beat' program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.); or

''(B) any other law enforcement or Department of Homeland Security grant.

''(2) ANNUAL DETERMINATION.—The Secretary shall determine annually which State or political subdivision of a State are not in compliance with section and shall report such determinations to Congress on March 1 of each year.

''(3) REPORTS.—The Attorney General shall issue a report concerning the compliance of any particular State or political subdivision at the request of the House or Senate Judiciary Committee. Any jurisdiction that is found to be out of compliance shall be ineligible to receive Federal financial assistance as provided in paragraph (1) for a minimum period of 1 year, and shall only become eligible again after the Attorney General certifies that the jurisdiction is in compliance.

''(4) REALLOCATION.—Any funds that are not allocated to a State or to a political subdivision of a State, due to the failure of the State, or of the political subdivision of the State, to comply with subsection (c) shall be reallocated to States, or to political subdivisions of States, that comply with such subsection.

''(e) CONSTRUCTION.—Nothing in this section shall require law enforcement officials from States, or from political subdivisions of States, to report or arrest victims or witnesses of a criminal offense.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, except that subsection (d) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373), as added by this section, shall take effect beginning one year after the date of the enactment of this Act.

SEC. __25. CLARIFYING THE AUTHORITY OF ICE DETAINERS.

Except as otherwise provided by Federal law or rule of procedure, the Secretary shall execute all lawful writs, process, and orders issued under the authority of the United States, and shall command all necessary assistance to execute the Secretary's duties.

CHAPTER 2—NATIONAL SECURITY

SEC. __31. REMOVAL OF, AND DENIAL OF BENEFITS TO, TERRORIST ALIENS.

(a) ASYLUM.—Section 208(b)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)(A)) is amended—

(1) by inserting ''or the Secretary of Homeland Security'' after ''if the Attorney General''; and

(2) by amending clause (v) to read as follows:

''(v) the alien is described in subparagraph (B)(i) or (F) of section 212(a)(3), unless, in the case of an alien described in subparagraph (IV), (V), or (IX) of section 212(a)(3)(B)(i), the Secretary of Homeland Security or the Attorney General determines, in the discretion of the Secretary or the Attorney General, that there are not reasonable grounds for regarding the alien as a danger to the security of the United States; or''.

(b) CANCELLATION OF REMOVAL.—Section 240A(c)(4) of such Act (8 U.S.C. 1229b(c)(4)) is amended—

(1) by striking ''inadmissible under'' and inserting ''described in''; and

(2) by striking ''deportable under'' and inserting ''described in''.

(c) VOLUNTARY DEPARTURE.—Section 240B(b)(1)(C) of such Act (8 U.S.C. 1229c(b)(1)(C)) is amended by striking ''deportable under section 237(a)(2)(A)(iii) or section 237(a)(4);'' and inserting ''described in paragraph (2)(A)(iii) or (4) of section 237(a);''.

(d) RESTRICTION ON REMOVAL.—Section 241(b)(3)(B) of such Act (8 U.S.C. 1231(b)(3)(B)) is amended—

(1) by inserting ''or the Secretary of Homeland Security'' after ''Attorney General'' wherever that term appears;

(2) in clause (iii), by striking ''or'' at the end;

(3) in clause (iv), by striking the period at the end and inserting ''; or'';

(4) by inserting after clause (iv) the following:

''(v) the alien is described in subparagraph (B)(i) or (F) of section 212(a)(3), unless, in the case of an alien described in subparagraph (IV), (V), or (IX) of section 212(a)(3)(B)(i), the Secretary of Homeland Security or the Attorney General determines, in discretion of the Secretary or the Attorney General, that there are not reasonable grounds for regarding the alien as a danger to the security of the United States.''; and

(5) by striking the final sentence.

(e) RECORD OF ADMISSION.—

(1) IN GENERAL.—Section 249 of such Act (8 U.S.C. 1259) is amended to read as follows:

''RECORD OF ADMISSION FOR PERMANENT RESIDENCE IN THE CASE OF CERTAIN ALIENS WHO ENTERED THE UNITED STATES PRIOR TO JANUARY 1, 1972

''SEC. 249. The Secretary of Homeland Security, in the discretion of the Secretary and under such regulations as the Secretary may prescribe, may enter a record of lawful admission for permanent residence in the case of any alien, if no such record is otherwise available and the alien—

''(1) entered the United States before January 1, 1972;

''(2) has continuously resided in the United States since such entry;

''(3) has been a person of good moral character since such entry;

''(4) is not ineligible for citizenship;

''(5) is not described in paragraph (1)(A)(iv), (2), (3), (6)(C), (6)(E), or (8) of section 212(a); and

''(6) did not, at any time, without reasonable cause fail or refuse to attend or remain in attendance at a proceeding to determine the alien's inadmissibility or deportability.

Such recordation shall be effective as of the date of approval of the application or as of the date of entry if such entry occurred prior to July 1, 1924.''.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by amending the item relating to section 249 to read as follows:

''Sec. 249. Record of admission for permanent residence in the case of certain aliens who entered the United States prior to January 1, 1972.''.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act and sections 208(b)(2)(A), 212(a), 240A, 240B, 241(b)(3), and 249 of the Immigration and Nationality Act, as so amended, shall apply to—

(1) all aliens in removal, deportation, or exclusion proceedings;

(2) all applications pending on, or filed after, the date of the enactment of this Act; and

(3) with respect to aliens and applications described in paragraph (1) or (2) of this subsection, acts and conditions constituting a ground for exclusion, deportation, or removal occurring or existing before, on, or after the date of the enactment of this Act.

SEC. _32. TERRORIST BAR TO GOOD MORAL CHARACTER.

(a) DEFINITION OF GOOD MORAL CHARACTER.—Section 101(f) of the Immigration and Nationality Act (8 U.S.C. 1101(f)) is amended—

(1) by redesignating paragraphs (1) through (9) as paragraphs (2) through (10), respectively;

(2) by inserting after paragraph (1) the following:

''(2) one who the Secretary of Homeland Security or Attorney General determines to have been at any time an alien described in section 212(a)(3) or 237(a)(4), which determination may be based upon any relevant information or evidence, including classified, sensitive, or national security information;'';

(3) in paragraph (9) (as redesignated), by inserting '', regardless whether the crime was classified as an aggravated felony at the time of conviction, except that the Secretary of Homeland Security or Attorney General may, in the unreviewable discretion of the Secretary or Attorney General, determine that this paragraph shall not apply in the case of a single aggravated felony conviction (other than murder, manslaughter, homicide, rape, or any sex offense when the victim of such sex offense was a minor) for which completion of the term of imprisonment or the sentence (whichever is later) occurred 10 or more years prior to the date of application'' after ''(as defined in subsection (a)(43))''; and

(4) by striking the first sentence the follows paragraph (10) (as redesignated) and inserting following: ''The fact that any person is not within any of the foregoing classes shall not preclude a discretionary finding for other reasons that such a person is or was not of good moral character. The Secretary or the Attorney General shall not be limited to the applicant's conduct during the period for which good moral character is required, but may take into consideration as a basis for determination the applicant's conduct and acts at any time.''

(b) AGGRAVATED FELONS.—Section 509(b) of the Immigration Act of 1990 (8 U.S.C. 1101 note) is amended to read as follows:

''(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on November 29, 1990, and shall apply to convictions occurring before, on or after such date.''.

(c) TECHNICAL CORRECTION TO THE INTELLIGENCE REFORM ACT.—Section 5504(2) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458) is amended by striking ''adding at the end'' and inserting ''inserting after paragraph (8)''.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date of enactment of this Act, shall apply to any act that occurred before, on, or after such date and shall apply to any application for naturalization or any other benefit or relief, or any other case or matter under the immigration laws pending on or filed after such date. The amendments made by subsection (c) shall take effect as if enacted in the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458).

SEC. _33. TERRORIST BAR TO NATURALIZATION.

(a) NATURALIZATION OF PERSONS ENDANGERING THE NATIONAL SECURITY.—Section 316 of the Immigration and Nationality Act (8 U.S.C. 1426) is amended by adding at the end the following:

''(g) PERSONS ENDANGERING THE NATIONAL SECURITY.—No person shall be naturalized who the Secretary of Homeland Security determines to have been at any time an alien described in section 212(a)(3) or 237(a)(4). Such determination may be based upon any relevant information or evidence, including classified, sensitive, or national security information.''.

(b) CONCURRENT NATURALIZATION AND REMOVAL PROCEEDINGS.—Section 318 of the Immigration and Nationality Act (8 U.S.C. 1429) is amended by striking ''other Act;'' and inserting ''other Act; and no application for naturalization shall be considered by the Secretary of Homeland Security or any court if there is pending against the applicant any removal proceeding or other proceeding to determine the applicant's inadmissibility or deportability, or to determine whether the applicant's lawful permanent resident status should be rescinded, regardless of when such proceeding was commenced: *Provided*, That the findings of the Attorney General in terminating removal proceedings or in canceling the removal of an alien pursuant to the provisions of this Act, shall not be deemed binding in any way upon the Secretary of Homeland Security with respect to the question of whether such person has established his eligibility for naturalization as required by this title;''.

(c) PENDING DENATURALIZATION OR REMOVAL PROCEEDINGS.—Section 204(b) of the Immigration and Nationality Act (8 U.S.C. 1154(b)) is amended by adding at the end the following: ''No petition shall be approved pursuant to this section if there is any administrative or judicial proceeding (whether civil or criminal) pending against the petitioner that could (whether directly or indirectly) result in the petitioner's denaturalization or the loss of the petitioner's lawful permanent resident status.''.

(d) CONDITIONAL PERMANENT RESIDENTS.—Sections 216(e) and section 216A(e) of the Immigration and Nationality Act (8 U.S.C. 1186a(e) and 1186b(e)) are each amended by striking the period at the end and inserting '', if the alien has had the conditional basis removed pursuant to this section.''.

(e) DISTRICT COURT JURISDICTION.—Subsection 336(b) of the Immigration and Nationality Act, 8 U.S.C. 1447(b), is amended to read as follows:

''(b) If there is a failure to render a final administrative decision under section 335 before the end of the 180-day period after the date on which the Secretary of Homeland Security completes all examinations and interviews conducted under such section, as such terms are defined by the Secretary of Homeland Security pursuant to regulations, the applicant may apply to the district court for the district in which the applicant resides for a hearing on the matter. Such court shall only have jurisdiction to review the basis for delay and remand the matter to the Secretary of Homeland Security for the Secretary's determination on the application.''.

(f) CONFORMING AMENDMENT.—Section 310(c) of the Immigration and Nationality Act (8 U.S.C. 1421(c)) is amended—

(1) by inserting '', not later than the date that is 120 days after the Secretary of Homeland Security's final determination,'' after ''seek''; and

(2) by striking the second sentence and inserting the following: ''The burden shall be upon the petitioner to show that the Secretary's denial of the application was not supported by facially legitimate and bona fide reasons. Except in a proceeding under section 340, notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to determine, or to review a determination of the Secretary made at any time regarding, whether, for purposes of an application for naturalization, an alien is a person of good moral character, whether the alien understands and is attached to the principles of the Constitution of the United States, or whether an alien is well disposed to the good order and happiness of the United States.''.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act, shall apply to any act that occurred before, on, or after

such date, and shall apply to any application for naturalization or any other case or matter under the immigration laws pending on, or filed after, such date.

SEC. __34. DENATURALIZATION FOR TERRORISTS.

(a) IN GENERAL.—Section 340 of the Immigration and Nationality Act is amended—

(1) by redesignating subsections (f) through (h) as subsections (g) through (i), respectively; and

(2) by inserting after subsection (e) the following:

''(f)(1) If a person who has been naturalized participates in any act described in paragraph (2), the Attorney General is authorized to find that, as of the date of such naturalization, such person was not attached to the principles of the Constitution of the United States and was not well disposed to the good order and happiness of the United States at the time of naturalization, and upon such finding shall set aside the order admitting such person to citizenship and cancel the certificate of naturalization as having been obtained by concealment of a material fact or by willful misrepresentation, and such revocation and setting aside of the order admitting such person to citizenship and such canceling of certificate of naturalization shall be effective as of the original date of the order and certificate, respectively.

''(2) The acts described in this paragraph are the following:

''(A) Any activity a purpose of which is the opposition to, or the control or overthrow of, the Government of the United States by force, violence, or other unlawful means.

''(B) Engaging in a terrorist activity (as defined in clauses (iii) and (iv) of section 212(a)(3)(B)).

''(C) Incitement of terrorist activity under circumstances indicating an intention to cause death or serious bodily harm.

''(D) Receiving military-type training (as defined in section 2339D(c)(1) of title 18, United States Code) from or on behalf of any organization that, at the time the training was received, was a terrorist organization (as defined in section 212(a)(3)(B)(vi)).''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to acts that occur on or after such date.

SEC. __35. USE OF 1986 IRCA LEGALIZATION INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) SPECIAL AGRICULTURAL WORKERS.—Section 210(b)(6) of the Immigration and Nationality Act (8 U.S.C. 1160(b)(6)) is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security'';

(2) in subparagraph (A), by striking ''Department of Justice,'' and inserting ''Department of Homeland Security,'';

(3) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively;

(4) by inserting after subparagraph (B) the following:

''(C) AUTHORIZED DISCLOSURES.—

''(i) CENSUS PURPOSE.—The Secretary of Homeland Security may provide, in his discretion, for the furnishing of information furnished under this section in the same manner and circumstances as census information may be disclosed under section 8 of title 13, United States Code.

''(ii) NATIONAL SECURITY PURPOSE.—The Secretary of Homeland Security may provide, in his discretion, for the furnishing, use, publication, or release of information furnished under this section in any investigation, case, or matter, or for any purpose, relating to terrorism, national intelligence or the national security.''; and

(5) in subparagraph (D), as redesignated, by striking ''Service'' and inserting ''Department of Homeland Security''.

(b) ADJUSTMENT OF STATUS UNDER THE IMMIGRATION REFORM AND CONTROL ACT OF 1986.—Section 245A(c)(5) of the Immigration and Nationality Act (8 U.S.C. 1255a(c)(5)), is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security'';

(2) in subparagraph (A), by striking ''Department of Justice,'' and inserting ''Department of Homeland Security,'';

(3) by amending subparagraph (C) to read as follows:

''(C) AUTHORIZED DISCLOSURES.—

''(i) CENSUS PURPOSE.—The Secretary of Homeland Security may provide, in his discretion, for the furnishing of information furnished under this section in the same manner and circumstances as census information may be disclosed under section 8 of title 13, United States Code.

''(ii) NATIONAL SECURITY PURPOSE.—The Secretary of Homeland Security may provide, in his discretion, for the furnishing, use, publication, or release of information furnished under this section in any investigation, case, or matter, or for any purpose, relating to terrorism, national intelligence or the national security.''; and

(4) in subparagraph (D), striking ''Service'' and inserting ''Department of Homeland Security''.

SEC. __36. BACKGROUND AND SECURITY CHECKS.

(a) REQUIREMENT TO COMPLETE BACKGROUND AND SECURITY CHECKS.—Section 103 of the Immigration and Nationality Act (8 U.S.C. 1103) is amended by adding at the end the following:

''(h) Notwithstanding any other provision of law (statutory or nonstatutory), including but not limited to section 309 of Public Law 107–173, sections 1361 and 1651 of title 28, United States Code, and section 706(1) of title 5, United States Code, neither the Secretary of Homeland Security, the Attorney General, nor any court may—

''(1) grant, or order the grant of or adjudication of an application for adjustment of status to that of an alien lawfully admitted for permanent residence;

''(2) grant, or order the grant of or adjudication of an application for United States citizenship or any other status, relief, protection from removal, employment authorization, or other benefit under the immigration laws;

''(3) grant, or order the grant of or adjudication of, any immigrant or nonimmigrant petition; or

''(4) issue or order the issuance of any documentation evidencing or related to any such grant, until such background and security checks as the Secretary may in his discretion require have been completed or updated to the satisfaction of the Secretary.

''(i) Notwithstanding any other provision of law (statutory or nonstatutory), including but not limited to section 309 of Public Law 107–173, sections 1361 and 1651 of title 28, United States Code, and section 706(1) of title 5, United States Code, neither the Secretary of Homeland Security nor the Attorney General may be required to—

''(1) grant, or order the grant of or adjudication of an application for adjustment of status to that of an alien lawfully admitted for permanent residence,

''(2) grant, or order the grant of or adjudication of an application for United States citizenship or any other status, relief, protection from removal, employment authorization, or other benefit under the immigration laws,

''(3) grant, or order the grant of or adjudication of, any immigrant or nonimmigrant petition, or

''(4) issue or order the issuance of any documentation evidencing or related to any such grant, until any suspected or alleged materially false information, material misrepresentation or omission, concealment of a material fact, fraud or forgery, counterfeiting, or alteration, or falsification of a document, as determined by the Secretary, relating to the adjudication of an application or petition for any status (including the granting of adjustment of status), relief, protection from removal, or other benefit under this subsection has been investigated and resolved to the Secretary's satisfaction.

''(j) Notwithstanding any other provision of law (statutory or nonstatutory), including section 309 of the Enhanced Border Security and Visa Entry Reform Act (8 U.S.C. 1738), sections 1361 and 1651 of title 28, United States Code, and section 706(1) of title 5, United States Code, no court shall have jurisdiction to require any of the acts in subsection (h) or (i) to be completed by a certain time or award any relief for failure to complete or delay in completing such acts.''.

(b) CONSTRUCTION.—

(1) IN GENERAL.—Chapter 4 of title III of the Immigration and Nationality Act (8 U.S.C. 1501 et seq.) is amended by adding at the end the following:

''CONSTRUCTION

''SEC. 362. (a) IN GENERAL.—Nothing in this Act or any other law, except as provided in subsection (d), shall be construed to require the Secretary of Homeland Security, the Attorney General, the Secretary of State, the Secretary of Labor, or a consular officer to grant any application, approve any petition, or grant or continue any relief, protection from removal, employment authorization, or any other status or benefit under the immigration laws by, to, or on behalf of—

''(1) any alien deemed by the Secretary to be described in section 212(a)(3) or section 237(a)(4); or

''(2) any alien with respect to whom a criminal or other proceeding or investigation is open or pending (including, but not limited to, issuance of an arrest warrant, detainer, or indictment), where such proceeding or investigation is deemed by the official described in subsection (a) to be material to the alien's eligibility for the status or benefit sought.

''(b) DENIAL OR WITHHOLDING OF ADJUDICATION.—An official described in subsection (a) may, in the discretion of the official, deny (with respect to an alien described in paragraph (1) or (2) of subsection (a)) or withhold adjudication of pending resolution of the investigation or case (with respect to an alien described in subsection (a)(2) of this section) any application, petition, relief, protection from removal, employment authorization, status or benefit.

''(c) JURISDICTION.—Notwithstanding any other provision of law (statutory or nonstatutory), including section 309 of the Enhanced Border Security and Visa Entry Reform Act (8 U.S.C. 1738), sections 1361 and 1651 of title 28, United States Code, and section 706(1) of title 5, United States Code, no court shall have jurisdiction to review a decision to deny or withhold adjudication pursuant to subsection (b) of this section.

''(d) WITHHOLDING OF REMOVAL AND TORTURE CONVENTION.—This section does not limit or modify the applicability of section 241(b)(3) or the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, subject to any reservations, understandings, declarations and provisos contained in the United States Senate resolution of ratification of the Convention, as implemented by section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105–277) with respect to an alien otherwise eligible for protection under such provisions.''.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 361 the following:

''362. Construction.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to applications for immigration benefits pending on or after such date.

SEC. _37. TECHNICAL AMENDMENTS RELATING TO THE INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.

(a) TRANSIT WITHOUT VISA PROGRAM.—Section 7209(d) of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1185 note) is amended by striking ''the Secretary, in conjunction with the Secretary of Homeland Security,'' and inserting ''the Secretary of Homeland Security, in consultation with the Secretary of State,''.

(b) TECHNOLOGY ACQUISITION AND DISSEMINATION PLAN.—Section 7201(c)(1) of such Act is amended by inserting ''and the Department of State'' after ''used by the Department of Homeland Security''.

CHAPTER 3—REMOVAL OF CRIMINAL ALIENS

SEC. _41. DEFINITION OF AGGRAVATED FELONY AND CONVICTION.

(a) DEFINITION OF AGGRAVATED FELONY.—Section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) is amended—

(1) by striking ''The term 'aggravated felony' means—'' and inserting ''Notwithstanding any other provision of law, the term 'aggravated felony' applies to an offense described in this paragraph, whether in violation of Federal or State law, or in violation of the law of a foreign country for which the term of imprisonment was completed within the previous 15 years, even if the length of the term of imprisonment for the offense is based on recidivist or other enhancements and regardless of whether the conviction was entered before, on, or after September 30, 1996, and means—'';

(2) in subparagraph (A), by striking ''murder, rape, or sexual abuse of a minor;'' and inserting ''murder, manslaughter, homicide, rape (whether the victim was conscious or unconscious), or any offense of a sexual nature involving a victim under the age of 18 years;'';

(3) in subparagraph (I), by striking ''or 2252'' and inserting ''2252, or 2252A'';

(4) in subparagraph (F), by striking ''at least one year;'' and inserting ''is at least one year, except that if the conviction records do not conclusively establish whether a crime constitutes a crime of violence, the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime of violence;''

(5) in subparagraph (N), by striking paragraph ''(1)(A) or (2) of'';

(6) in subparagraph (O), by striking ''section 275(a) or 276 committed by an alien who was previously deported on the basis of a conviction for an offense described in another subparagraph of this paragraph'' and inserting ''section 275 or 276 for which the term of imprisonment is at least 1 year'';

(7) in subparagraph (U), by striking ''an attempt or conspiracy to commit an offense described in this paragraph'' and inserting ''attempting or conspiring to commit an offense described in this paragraph, or aiding, abetting, counseling, procuring, commanding, inducing, or soliciting the commission of such an offense.''; and

(8) by striking the undesignated matter following subparagraph (U).

(b) DEFINITION OF CONVICTION.—Section 101(a)(48) of such Act (8 U.S.C. 1101(a)(48)) is amended by adding at the end the following:

''(C) Any reversal, vacatur, expungement, or modification to a conviction, sentence, or conviction record that was granted to ameliorate the consequences of the conviction, sentence, or conviction record, or was granted for rehabilitative purposes, or for failure to advise the alien of the immigration consequences of a determination of guilt or of a guilty plea (except in the case of a guilty plea that was made on or after March 31, 2010, shall have no effect on the immigration consequences resulting from the original conviction. The alien shall have the burden of demonstrating that any reversal, vacatur, expungement, or modification was not granted to ameliorate the consequences of the conviction, sentence, or conviction record, for rehabilitative purposes, or for failure to advise the alien of the immigration consequences of a determination of guilt or of a guilty plea (except in the case of a guilty plea that was made on or after March 31, 2010), except where the alien establishes a pardon consistent with section 237(a)(2)(A)(vi).''.

(c) EFFECTIVE DATE; APPLICATION OF AMENDMENTS.—

(1) IN GENERAL.—The amendments made by subsection (a)—

(A) shall take effect on the date of the enactment of this Act; and

(B) shall apply to any act or conviction that occurred before, on, or after such date.

(2) APPLICATION OF IIRIRA AMENDMENTS.—The amendments to section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) made by section 321 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 110 Stat. 3009-627) shall continue to apply, whether the conviction was entered before, on, or after September 30, 1996.

SEC. _42. PRECLUDING ADMISSIBILITY OF ALIENS CONVICTED OF AGGRAVATED FELONIES OR OTHER SERIOUS OFFENSES.

(a) INADMISSIBILITY ON CRIMINAL AND RELATED GROUNDS; WAIVERS.—Section 212 of the Immigration and Nationality Act (8 U.S.C. 1182) is amended—

(1) in subparagraph (a)(2)(A)(i)—

(A) in subclause (I), by striking ''or'' at the end;

(B) in subclause (II), by adding ''or'' at the end; and

(C) by inserting after subclause (II) the following:

''(III) a violation of (or a conspiracy or attempt to violate) an offense described in section 408 of title 42, United States Code (relating to social security account numbers or social security cards) or section 1028 of title 18, United States Code (relating to fraud and related activity in connection with identification documents, authentication features, and information);''.

(2) by adding at the end of subsection (a)(2) the following:

''(J) PROCUREMENT OF CITIZENSHIP OR NATURALIZATION UNLAWFULLY.—Any alien convicted of, or who admits having committed, or who admits committing acts which constitute the essential elements of, a violation of, or an attempt or a conspiracy to violate, subsection (a) or (b) of section 1425 of title 18, United States Code (relating to the procurement of citizenship or naturalization unlawfully) is inadmissible.

''(K) CERTAIN FIREARM OFFENSES.—Any alien who at any time has been convicted under any law of, or who admits having committed or admits committing acts which constitute the essential elements of, purchasing, selling, offering for sale, exchanging, using, owning, possessing, or carrying, or of attempting or conspiring to purchase, sell, offer for sale, exchange, use, own, possess, or carry, any weapon, part, or accessory which is a firearm or destructive device (as defined in section 921(a) of title 18, United States Code) in violation of any law is inadmissible.

''(L) AGGRAVATED FELONS.—Any alien who has been convicted of an aggravated felony at any time is inadmissible.

''(M) CRIMES OF DOMESTIC VIOLENCE, STALKING, OR VIOLATION OF PROTECTION ORDERS, CRIMES AGAINST CHILDREN.—

''(i) DOMESTIC VIOLENCE, STALKING, AND CHILD ABUSE.—Any alien who at any time is convicted of, or who admits having committed or admits committing acts which constitute the essential elements of, a crime of domestic violence, a crime of stalking, or a crime of child abuse, child neglect, or child abandonment is inadmissible. For purposes of this clause, the term 'crime of domestic violence' means any crime of violence (as defined in section 16 of title 18, United States Code) against a person committed by a current or former spouse of the person, by an individual with whom the person shares a child in common, by an individual who is cohabiting with or has cohabited with the person as a spouse, by an individual similarly situated to a spouse of the person under the domestic or family violence laws of the jurisdiction where the offense occurs, or by any other individual against a person who is protected from that individual's acts under the domestic or family violence laws of the United States or any State, Indian tribal government, or unit of local or foreign government.

''(ii) VIOLATORS OF PROTECTION ORDERS.—Any alien who at any time is enjoined under a protection order issued by a court and whom the court determines has engaged in conduct that violates the portion of a protection order that involves protection against credible threats of violence, repeated harassment, or bodily injury to the person or persons for whom the protection order was issued is inadmissible. For purposes of this clause, the term 'protection order' means any injunction issued for the purpose of preventing violent or threatening acts of domestic violence, including temporary or final orders issued by civil or criminal courts (other than support or child custody orders or provisions) whether obtained by filing an independent action or as a independent order in another proceeding.

''(iii) WAIVER AUTHORIZED.—The waiver authority available under section 237(a)(7) with respect to section 237(a)(2)(E)(i) shall be available on a comparable basis with respect to this subparagraph.

''(iv) CLARIFICATION.—If the conviction records do not conclusively establish whether a crime of domestic violence constitutes a

crime of violence (as defined in section 16 of title 18, United States Code), the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime of violence.''; and

(3) in subsection (h)—

(A) by striking ''The Attorney General may, in his discretion, waive the application of subparagraphs (A)(i)(I), (B), (D), and (E) of subsection (a)(2)'' and inserting ''The Attorney General or the Secretary of Homeland Security may, in the discretion of the Attorney General or the Secretary, waive the application of subparagraphs (A)(i)(I), (III), (B), (D), (E), (K), and (M) of subsection (a)(2)'';

(B) by striking ''a criminal act involving torture.'' and inserting ''a criminal act involving torture, or has been convicted of an aggravated felony.'';

(C) by striking ''if either since the date of such admission the alien has been convicted of an aggravated felony or the alien'' and inserting ''if since the date of such admission the alien''; and

(D) by inserting ''or Secretary of Homeland Security'' after ''the Attorney General'' wherever that phrase appears.

(b) DEPORTABILITY; CRIMINAL OFFENSES.—Section 237(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(3)(B)) is amended—

(1) in clause (ii), by striking ''or'' at the end;

(2) in clause (iii), by inserting ''or'' at the end; and

(3) by inserting after clause (iii) the following:

''(iv) of a violation of, or an attempt or a conspiracy to violate, section 1425(a) or (b) of Title 18 (relating to the procurement of citizenship or naturalization unlawfully),''.

(c) DEPORTABILITY; CRIMINAL OFFENSES.—Section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

''(G) Any alien who at any time after admission has been convicted of a violation of (or a conspiracy or attempt to violate) section 408 of title 42, United States Code (relating to social security account numbers or social security cards) or section 1028 of title 18, United States Code (relating to fraud and related activity in connection with identification) is deportable.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply—

(1) to any act that occurred before, on, or after the date of the enactment of this Act; and

(2) to all aliens who are required to establish admissibility on or after such date, and in all removal, deportation, or exclusion proceedings that are filed, pending, or reopened, on or after such date.

(e) CONSTRUCTION.—The amendments made by subsection (a) shall not be construed to create eligibility for relief from removal under former section 212(c) of the Immigration and Nationality Act where such eligibility did not exist before these amendments became effective.

SEC. __43. ESPIONAGE CLARIFICATION.

Section 212(a)(3)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(A)), is amended to read as follows:

''(A) Any alien who a consular officer, the Attorney General, or the Secretary of Homeland Security knows, or has reasonable ground to believe, seeks to enter the United States to engage solely, principally, or incidentally in, or who is engaged in, or with respect to clauses (i) and (iii) of this subparagraph has engaged in—

''(i) any activity—

''(I) to violate any law of the United States relating to espionage or sabotage; or

''(II) to violate or evade any law prohibiting the export from the United States of goods, technology, or sensitive information;

''(ii) any other unlawful activity; or

''(iii) any activity a purpose of which is the opposition to, or the control or overthrow of, the Government of the United States by force, violence, or other unlawful means;

is inadmissible.''.

SEC. __44. UNIFORM STATUTE OF LIMITATIONS FOR CERTAIN IMMIGRATION, NATURALIZATION, AND PEONAGE OFFENSES.

Section 3291 of title 18, United States Code, is amended by striking ''No person'' through the period at the end and inserting the following: ''No person shall be prosecuted, tried, or punished for a violation of any section of chapters 69 (relating to nationality and citizenship offenses) and 75 (relating to passport, visa, and immigration offenses), or for a violation of any criminal provision of sections 243, 266, 274, 275, 276, 277, or 278 of the Immigration and Nationality Act, or for an attempt or conspiracy to violate any such section, unless the indictment is returned or the information is filed within ten years after the commission of the offense.''.

SEC. __45. CONFORMING AMENDMENT TO THE DEFINITION OF RACKETEERING ACTIVITY.

Section 1961(1) of title 18, United States Code, is amended by striking ''section 1542'' through ''section 1546 (relating to fraud and misuse of visas, permits, and other documents)'' and inserting ''sections 1541-1548 (relating to passports and visas)''.

SEC. __46. CONFORMING AMENDMENTS FOR THE AGGRAVATED FELONY DEFINITION.

(a) IN GENERAL.—Subparagraph (P) of section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) is amended—

(1) by striking ''(i) which either is falsely making, forging, counterfeiting, mutilating, or altering a passport or instrument in violation of section 1543 of title 18, United States Code, or is described in section 1546(a) of such title (relating to document fraud) and (ii)'' and inserting ''which is described in any section of chapter 75 of title 18, United States Code,''; and

(2) by inserting after ''first offense'' the following: ''(i) that is not described in section 1548 of such title (relating to increased penalties), and (ii)''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. __47. PRECLUDING REFUGEE OR ASYLEE ADJUSTMENT OF STATUS FOR AGGRAVATED FELONS.

(a) IN GENERAL.—Section 209(c) of the Immigration and Nationality Act (8 U.S.C. 1159(c)) is amended by adding at the end thereof the following: ''However, an alien who is convicted of an aggravated felony is not eligible for a waiver or for adjustment of status under this section.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply—

(1) to any act that occurred before, on, or after the date of the enactment of this Act; and

(2) to all aliens who are required to establish admissibility on or after such date, and in all removal, deportation, or exclusion proceedings that are filed, pending, or reopened, on or after such date.

SEC. __48. INADMISSIBILITY AND DEPORTABILITY OF DRUNK DRIVERS.

(a) IN GENERAL.—Section 101(a)(43) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)) is amended—

(1) in subparagraph (T), by striking ''and'';

(2) in subparagraph (U); by striking the period at the end and inserting ''; and''; and

(3) by inserting after subparagraph (U) the following:.

''(V) A second conviction for driving while intoxicated (including a conviction for driving while under the influence of or impaired by alcohol or drugs) without regard to whether the conviction is classified as a misdemeanor or felony under State law.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and apply to convictions entered on or after such date.

SEC. __49. DETENTION OF DANGEROUS ALIENS.

(a) IN GENERAL.—Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) is amended—

(1) by striking ''Attorney General'' each place it appears, except for the first reference in paragraph (4)(B)(i), and inserting ''Secretary of Homeland Security'';

(2) in paragraph (1), by amending subparagraph (B) to read as follows:

''(B) BEGINNING OF PERIOD.—The removal period begins on the latest of the following:

''(i) The date the order of removal becomes administratively final.

''(ii) If the alien is not in the custody of the Secretary on the date the order of removal becomes administratively final, the date the alien is taken into such custody.

''(iii) If the alien is detained or confined (except under an immigration process) on the date the order of removal becomes administratively final, the date the alien is taken into the custody of the Secretary, after the alien is released from such detention or confinement.'';

(3) in paragraph (1), by amending subparagraph (C) to read as follows:

''(C) SUSPENSION OF PERIOD.—

''(i) EXTENSION.—The removal period shall be extended beyond a period of 90 days and the Secretary may, in the Secretary's sole discretion, keep the alien in detention during such extended period if—

''(I) the alien fails or refuses to make all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure or conspires or acts to prevent the alien's removal that is subject to an order of removal;

''(II) a court, the Board of Immigration Appeals, or an immigration judge orders a stay of removal of an alien who is subject to an administratively final order of removal;

''(III) the Secretary transfers custody of the alien pursuant to law to another Federal agency or a State or local government agency in connection with the official duties of such agency; or

''(IV) a court or the Board of Immigration Appeals orders a remand to an immigration judge or the Board of Immigration Appeals, during the time period when the case is pending a decision on remand (with the removal period beginning anew on the date that the alien is ordered removed on remand).

''(ii) RENEWAL.—If the removal period has been extended under clause (C)(i), a new removal period shall be deemed to have begun on the date—

''(I) the alien makes all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary's efforts to establish the alien's identity and carry out the removal order;

''(II) the stay of removal is no longer in effect; or

''(III) the alien is returned to the custody of the Secretary.

''(iii) MANDATORY DETENTION FOR CERTAIN ALIENS.—In the case of an alien described in subparagraphs (A) through (D) of section 236(c)(1), the Secretary shall keep that alien in detention during the extended period described in clause (i).

''(iv) SOLE FORM OF RELIEF.—An alien may seek relief from detention under this subparagraph only by filing an application for a writ of habeas corpus in accordance with chapter 153 of title 28, United States Code. No alien whose period of detention is extended under this subparagraph shall have the right to seek release on bond.'';

(4) in paragraph (3)—

(A) by adding after ''If the alien does not leave or is not removed within the removal period'' the following: ''or is not detained pursuant to paragraph (6) of this subsection''; and

(B) by striking subparagraph (D) and inserting the following:

''(D) to obey reasonable restrictions on the alien's conduct or activities that the Secretary prescribes for the alien, in order to prevent the alien from absconding, for the protection of the community, or for other purposes related to the enforcement of the immigration laws.'';

(5) in paragraph (4)(A), by striking ''paragraph (2)'' and inserting ''subparagraph (B)''; and

(6) by striking paragraph (6) and inserting the following:

''(6) ADDITIONAL RULES FOR DETENTION OR RELEASE OF CERTAIN ALIENS.—

''(A) DETENTION REVIEW PROCESS FOR COOPERATIVE ALIENS ESTABLISHED.—For an alien who is not otherwise subject to mandatory detention, who has made all reasonable efforts to comply with a removal order and to cooperate fully with the Secretary of Homeland Security's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, and who has not conspired or acted to prevent removal, the Secretary shall establish an administrative review process to determine whether the alien should be detained or released on conditions. The Secretary shall make a determination whether to release an alien after the removal period in accordance with subparagraph (B). The determination shall include consideration of any evidence submitted by the alien, and may include consideration of any other evidence, including any information or assistance provided by the Secretary of State or other Federal official and any other information available to the Secretary of Homeland Security pertaining to the ability to remove the alien.

''(B) AUTHORITY TO DETAIN BEYOND REMOVAL PERIOD.—

''(i) IN GENERAL.—The Secretary of Homeland Security, in the exercise of the Secretary's sole discretion, may continue to detain an alien for 90 days beyond the removal period (including any extension of the removal period as provided in paragraph (1)(C)). An alien whose detention is extended under this subparagraph shall have no right to seek release on bond.

''(ii) SPECIFIC CIRCUMSTANCES.—The Secretary of Homeland Security, in the exercise of the Secretary's sole discretion, may continue to detain an alien beyond the 90 days authorized in clause (i)—

''(I) until the alien is removed, if the Secretary, in the Secretary's sole discretion, determines that there is a significant likelihood that the alien—

''(aa) will be removed in the reasonably foreseeable future; or

''(bb) would be removed in the reasonably foreseeable future, or would have been removed, but for the alien's failure or refusal to make all reasonable efforts to comply with the removal order, or to cooperate fully with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, or conspires or acts to prevent removal;

''(II) until the alien is removed, if the Secretary of Homeland Security certifies in writing—

''(aa) in consultation with the Secretary of Health and Human Services, that the alien has a highly contagious disease that poses a threat to public safety;

''(bb) after receipt of a written recommendation from the Secretary of State, that release of the alien is likely to have serious adverse foreign policy consequences for the United States;

''(cc) based on information available to the Secretary of Homeland Security (including classified, sensitive, or national security information, and without regard to the grounds upon which the alien was ordered removed), that there is reason to believe that the release of the alien would threaten the national security of the United States; or

''(dd) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or any person, and either (AA) the alien has been convicted of one or more aggravated felonies (as defined in section 101(a)(43)(A)) or of one or more crimes identified by the Secretary of Homeland Security by regulation, or of one or more attempts or conspiracies to commit any such aggravated felonies or such identified crimes, if the aggregate term of imprisonment for such attempts or conspiracies is at least 5 years; or (BB) the alien has committed one or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder and behavior associated with that condition or disorder, the alien is likely to engage in acts of violence in the future; or

''(III) pending a certification under subclause (II), so long as the Secretary of Homeland Security has initiated the administrative review process not later than 30 days after the expiration of the removal period (including any extension of the removal period, as provided in paragraph (1)(C)).

''(iii) NO RIGHT TO BOND HEARING.—An alien whose detention is extended under this subparagraph shall have no right to seek release on bond, including by reason of a certification under clause (ii)(II).

''(C) RENEWAL AND DELEGATION OF CERTIFICATION.—

''(i) RENEWAL.—The Secretary of Homeland Security may renew a certification under subparagraph (B)(ii)(II) every 6 months, after providing an opportunity for the alien to request reconsideration of the certification and to submit documents or other evidence in support of that request. If the Secretary does not renew a certification, the Secretary may not continue to detain the alien under subparagraph (B)(ii)(II).

''(ii) DELEGATION.—Notwithstanding section 103, the Secretary of Homeland Security may not delegate the authority to make or renew a certification described in item (bb), (cc), or (dd) of subparagraph (B)(ii)(II) below the level of the Assistant Secretary for Immigration and Customs Enforcement.

''(iii) HEARING.—The Secretary of Homeland Security may request that the Attorney General or the Attorney General's designee provide for a hearing to make the determination described in item (dd)(BB) of subparagraph (B)(ii)(II).

''(D) RELEASE ON CONDITIONS.—If it is determined that an alien should be released from detention by a Federal court, the Board of Immigration Appeals, or if an immigration judge orders a stay of removal, the Secretary of Homeland Security, in the exercise of the Secretary's discretion, may impose conditions on release as provided in paragraph (3).

''(E) REDETENTION.—The Secretary of Homeland Security, in the exercise of the Secretary's discretion, without any limitations other than those specified in this section, may again detain any alien subject to a final removal order who is released from custody, if removal becomes likely in the reasonably foreseeable future, the alien fails to comply with the conditions of release, or to continue to satisfy the conditions described in subparagraph (A), or if, upon reconsideration, the Secretary, in the Secretary's sole discretion, determines that the alien can be detained under subparagraph (B). This section shall apply to any alien returned to custody pursuant to this subparagraph, as if the removal period terminated on the day of the redetention.

''(F) REVIEW OF DETERMINATIONS BY SECRETARY.—A determination by the Secretary under this paragraph shall not be subject to review by any other agency.''.

(b) DETENTION OF ALIENS DURING REMOVAL PROCEEDINGS.—

(1) CLERICAL AMENDMENT.—(A) Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226) is amended by striking ''Attorney General'' each place it appears (except in the second place that term appears in section 236(a)) and inserting ''Secretary of Homeland Security''.

(B) Section 236(a) of such Act (8 U.S.C. 1226(a)) is amended by inserting ''the Secretary of Homeland Security or'' before ''the Attorney General—''.

(C) Section 236(e) of such Act (8 U.S.C. 1226(e)) is amended by striking ''Attorney General's'' and inserting ''Secretary of Homeland Security's''.

(2) LENGTH OF DETENTION.—Section 236 of such Act (8 U.S.C. 1226) is amended by adding at the end the following:

''(f) LENGTH OF DETENTION.—

''(1) IN GENERAL.—Notwithstanding any other provision of this section, an alien may be detained under this section for any period, without limitation, except as provided in subsection (h), until the alien is subject to a final order of removal.

''(2) CONSTRUCTION.—The length of detention under this section shall not affect detention under section 241.''.

(3) DETENTION OF CRIMINAL ALIENS.—Section 236(c)(1) of the Immigration and Nationality Act (8 U.S.C. 1226(c)(1)) is amended, in the matter following subparagraph (D) to read as follows:

''any time after the alien is released, without regard to whether an alien is released related to any activity, offense, or conviction described in this paragraph; to whether the

alien is released on parole, supervised release, or probation; or to whether the alien may be arrested or imprisoned again for the same offense. If the activity described in this paragraph does not result in the alien being taken into custody by any person other than the Secretary, then when the alien is brought to the attention of the Secretary or when the Secretary determines it is practical to take such alien into custody, the Secretary shall take such alien into custody.''.

(4) ADMINISTRATIVE REVIEW.—Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226), as amended by paragraph (2), is further amended by adding at the end the following:

''(g) ADMINISTRATIVE REVIEW.—

''(1) IN GENERAL.—The Attorney General's review of the Secretary's custody determinations under subsection (a) for the following classes of aliens shall be limited to whether the alien may be detained, released on bond (of at least $1,500 with security approved by the Secretary), or released with no bond:

''(A) Aliens in exclusion proceedings.

''(B) Aliens described in section 212(a)(3) or 237(a)(4).

''(C) Aliens described in subsection (c).

''(2) SPECIAL RULE.—The Attorney General's review of the Secretary's custody determinations under subsection (a) for aliens in deportation proceedings subject to section 242(a)(2) of the Act (as in effect prior to April 1, 1997, and as amended by section 440(c) of Public Law 104–132) shall be limited to a determination of whether the alien is properly included in such category.

''(h) RELEASE ON BOND.—

''(1) IN GENERAL.—An alien detained under subsection (a) may seek release on bond. No bond may be granted except to an alien who establishes by clear and convincing evidence that the alien is not a flight risk or a risk to another person or the community.

''(2) CERTAIN ALIENS INELIGIBLE.—No alien detained under subsection (c) may seek release on bond.''.

(5) CLERICAL AMENDMENTS.—(A) Section 236(a)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1226(a)(2)(B)) is amended by striking ''conditional parole'' and inserting ''recognizance''.

(B) Section 236(b) of such Act (8 U.S.C. 1226(b)) is amended by striking ''parole'' and inserting ''recognizance''.

(c) SEVERABILITY.—If any of the provisions of this section or any amendment by this section, or the application of any such provision to any person or circumstance, is held to be invalid for any reason, the remainder of this section and of amendments made by this section, and the application of the provisions and of the amendments made by this section to any other person or circumstance shall not be affected by such holding.

(d) EFFECTIVE DATES.—

(1) The amendments made by subsection (a) shall take effect upon the date of enactment of this Act, and section 241 of the Immigration and Nationality Act, as so amended, shall in addition apply to—

(A) all aliens subject to a final administrative removal, deportation, or exclusion order that was issued before, on, or after the date of the enactment of this Act; and

(B) acts and conditions occurring or existing before, on, or after such date.

(2) The amendments made by subsection (b) shall take effect upon the date of the enactment of this Act, and section 236 of the Immigration and Nationality Act, as so amended, shall in addition apply to any alien in detention under provisions of such section on or after such date.

SEC. __50. GROUNDS OF INADMISSIBILITY AND DEPORTABILITY FOR ALIEN GANG MEMBERS.

(a) DEFINITION OF GANG MEMBER.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended by adding at the end the following:

''(53)(A) The term 'criminal gang' means an ongoing group, club, organization, or association of 5 or more persons that has as one of its primary purposes the commission of 1 or more of the following criminal offenses and the members of which engage, or have engaged within the past 5 years, in a continuing series of such offenses, or that has been designated as a criminal gang by the Secretary of Homeland Security, in consultation with the Attorney General, as meeting these criteria. The offenses described, whether in violation of Federal or State law or foreign law and regardless of whether the offenses occurred before, on, or after the date of the enactment of this paragraph, are the following:

''(i) A 'felony drug offense' (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

''(ii) An offense under section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose).

''(iii) A crime of violence (as defined in section 16 of title 18, United States Code).

''(iv) A crime involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, or burglary.

''(v) Any conduct punishable under sections 1028 and 1029 of title 18, United States Code (relating to fraud and related activity in connection with identification documents or access devices), sections 1581 through 1594 of such title (relating to peonage, slavery and trafficking in persons), section 1952 of such title (relating to interstate and foreign travel or transportation in aid of racketeering enterprises), section 1956 of such title (relating to the laundering of monetary instruments), section 1957 of such title (relating to engaging in monetary transactions in property derived from specified unlawful activity), or sections 2312 through 2315 of such title (relating to interstate transportation of stolen motor vehicles or stolen property).

''(vi) A conspiracy to commit an offense described in clauses (i) through (v).

''(B) Notwithstanding any other provision of law (including any effective date), the term applies regardless of whether the conduct occurred before, on, or after the date of the enactment of this paragraph.''.

(b) INADMISSIBILITY.—Section 212(a)(2) of such Act (8 U.S.C. 1182(a)(2)), as amended by section 302(a)(2) of this Act, is further amended by adding at the end the following:

''(N) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is inadmissible who a consular officer, the Secretary of Homeland Security, or the Attorney General knows or has reason to believe—

''(i) to be or to have been a member of a criminal gang (as defined in section 101(a)(53)); or

''(ii) to have participated in the activities of a criminal gang (as defined in section 101(a)(53)), knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang.''.

(c) DEPORTABILITY.—Section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)), as amended by section 302(c) of this Act, is further amended by adding at the end the following:

''(H) ALIENS ASSOCIATED WITH CRIMINAL GANGS.—Any alien is deportable who the Secretary of Homeland Security or the Attorney General knows or has reason to believe—

''(i) is or has been a member of a criminal gang (as defined in section 101(a)(53)); or

''(ii) has participated in the activities of a criminal gang (as so defined), knowing or having reason to know that such activities will promote, further, aid, or support the illegal activity of the criminal gang.''.

(d) DESIGNATION.—

(1) IN GENERAL.—Chapter 2 of title II of the Immigration and Nationality Act (8 U.S.C. 1182) is amended by inserting after section 219 the following:

''DESIGNATION

''SEC. 220. (a) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Attorney General, and the Secretary of State may designate a groups or association as a criminal street gangs if their conduct is described in section 101(a)(53) or if the group or association conduct poses a significant risk that threatens the security and the public safety of United States nationals or the national security, homeland security, foreign policy, or economy of the United States.

''(b) EFFECTIVE DATE.—Designations under subsection (a) shall remain in effect until the designation is revoked after consultation between the Secretary of Homeland Security, the Attorney General, and the Secretary of State or is terminated in accordance with Federal law.''.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 219 the following:

''220. Designation.''.

(e) MANDATORY DETENTION OF CRIMINAL STREET GANG MEMBERS.—

(1) IN GENERAL.—Section 236(c)(1)(D) of the Immigration and Nationality Act (8 U.S.C. 1226(c)(1)(D)) is amended—

(A) by inserting ''or 212(a)(2)(N)'' after ''212(a)(3)(B)''; and

(B) by inserting ''or 237(a)(2)(H)'' before ''237(a)(4)(B)''.

(2) ANNUAL REPORT.—Not later than March 1 of each year (beginning 1 year after the date of the enactment of this Act), the Secretary of Homeland Security, after consultation with the appropriate Federal agencies, shall submit a report to the Committees on the Judiciary of the House of Representatives and of the Senate on the number of aliens detained under the amendments made by paragraph (1).

(f) ASYLUM CLAIMS BASED ON GANG AFFILIATION.—

(1) INAPPLICABILITY OF RESTRICTION ON REMOVAL TO CERTAIN COUNTRIES.—Section 241(b)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1251(b)(3)(B)) is amended, in the matter preceding clause (i), by inserting ''who is described in section 212(a)(2)(N)(i) or section 237(a)(2)(H)(i) or who is'' after ''to an alien''.

(2) INELIGIBILITY FOR ASYLUM.—Section 208(b)(2)(A) of such Act (8 U.S.C. 1158(b)(2)(A)) is amended—

(A) in clause (v), by striking ''or'' at the end;

(B) by redesignating clause (vi) as clause (vii); and

(C) by inserting after clause (v) the following:

''(vi) the alien is described in section 212(a)(2)(N)(i) or section 237(a)(2)(H)(i) (relating to participation in criminal street gangs); or''.

(g) TEMPORARY PROTECTED STATUS.—Section 244 of such Act (8 U.S.C. 1254a) is amended—

(1) by striking ''Attorney General'' each place it appears and inserting ''Secretary of Homeland Security'';

(2) in subparagraph (c)(2)(B), by adding at the end the following:

''(iii) the alien is, or at any time after admission has been, a member of a criminal gang (as defined in section 101(a)(53)).''; and

(3) in subsection (d)——

(A) by striking paragraph (3); and

(B) in paragraph (4), by adding at the end the following: ''The Secretary of Homeland Security may detain an alien provided temporary protected status under this section whenever appropriate under any other provision of law.''.

(h) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. _51. LAUNDERING OF MONETARY INSTRUMENTS.

(a) ADDITIONAL PREDICATE OFFENSES.—Section 1956(c)(7)(D) of title 18, United States Code, is amended—

(1) by inserting ''section 1590 (relating to trafficking with respect to peonage, slavery, involuntary servitude, or forced labor),'' after ''section 1363 (relating to destruction of property within the special maritime and territorial jurisdiction),''; and

(2) by inserting ''section 274(a) of the Immigration and Nationality Act (8 U.S.C.1324(a)) (relating to bringing in and harboring certain aliens),'' after ''section 590 of the Tariff Act of 1930 (19 U.S.C. 1590) (relating to aviation smuggling),''.

(b) INTENT TO CONCEAL OR DISGUISE.—Section 1956(a) of title 18, United States Code, is amended—

(1) in paragraph (1) so that subparagraph (B) reads as follows:

''(B) knowing that the transaction—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''; and

(2) in paragraph (2) so that subparagraph (B) reads as follows:

''(B) knowing that the monetary instrument or funds involved in the transportation, transmission, or transfer represent the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, or transfer—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''.

SEC. _52. INCREASED CRIMINAL PENALTIES RELATING TO ALIEN SMUGGLING AND RELATED OFFENSES.

(a) IN GENERAL.—Section 274 of the Immigration and Nationality Act (8 U.S.C. 1324), is amended to read as follows:

''SEC. 274. ALIEN SMUGGLING AND RELATED OFFENSES.

''(a) CRIMINAL OFFENSES AND PENALTIES.—

''(1) PROHIBITED ACTIVITIES.—Except as provided in paragraph (3), a person shall be punished as provided under paragraph (2), if the person—

''(A) facilitates, encourages, directs, or induces a person to come to or enter the United States, or to cross the border to the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to come to, enter, or cross the border to the United States;

''(B) facilitates, encourages, directs, or induces a person to come to or enter the United States, or to cross the border to the United States, at a place other than a designated port of entry or place other than as designated by the Secretary of Homeland Security, knowing or in reckless disregard of the fact that such person is an alien and regardless of whether such alien has official permission or lawful authority to be in the United States;

''(C) transports, moves, harbors, conceals, or shields from detection a person outside of the United States knowing or in reckless disregard of the fact that such person is an alien in unlawful transit from one country to another or on the high seas, under circumstances in which the alien is seeking to enter the United States without official permission or lawful authority;

''(D) encourages or induces a person to reside in the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to reside in the United States;

''(E) transports or moves a person in the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to enter or be in the United States, if the transportation or movement will further the alien's illegal entry into or illegal presence in the United States;

''(F) harbors, conceals, or shields from detection a person in the United States, knowing or in reckless disregard of the fact that such person is an alien who lacks lawful authority to be in the United States; or

''(G) conspires or attempts to commit any of the acts described in subparagraphs (A) through (F).

''(2) CRIMINAL PENALTIES.—A person who violates any provision under paragraph (1) shall, for each alien in respect to whom a violation of paragraph (1) occurs—

''(A) except as provided in subparagraphs (C) through (G), if the violation was not committed for commercial advantage, profit, or private financial gain, be fined under title 18, United States Code, imprisoned for not more than 5 years, or both;

''(B) except as provided in subparagraphs (C) through (G), if the violation was committed for commercial advantage, profit, or private financial gain—

''(i) be fined under such title, imprisoned for not more than 20 years, or both, if the violation is the offender's first violation under this subparagraph; or

''(ii) be fined under such title, imprisoned for not more than 25 years, or both, if the violation is the offender's second or subsequent violation of this subparagraph;

''(C) if the violation furthered or aided the commission of any other offense against the United States or any State that is punishable by imprisonment for more than 1 year, be fined under such title, imprisoned for not more than 20 years, or both;

''(D) be fined under such title, imprisoned not more than 20 years, or both, if the violation created a substantial and foreseeable risk of death, a substantial and foreseeable risk of serious bodily injury (as defined in section 2119(2) of title 18, United States Code), or inhumane conditions to another person, including—

''(i) transporting the person in an engine compartment, storage compartment, or other confined space;

''(ii) transporting the person at an excessive speed or in excess of the rated capacity of the means of transportation; or

''(iii) transporting the person in, harboring the person in, or otherwise subjecting the person to crowded or dangerous conditions;

''(E) if the violation caused serious bodily injury (as defined in section 2119(2) of title 18, United States Code) to any person, be fined under such title, imprisoned for not more than 30 years, or both;

''(F) be fined under such title and imprisoned for not more than 30 years if the violation involved an alien who the offender knew or had reason to believe was—

''(i) engaged in terrorist activity (as defined in section 212(a)(3)(B)); or

''(ii) intending to engage in terrorist activity;

''(G) if the violation caused or resulted in the death of any person, be punished by death or imprisoned for a term of years up to life, and fined under title 18, United States Code.

''(3) LIMITATION.—It is not a violation of subparagraph (D), (E), or (F) of paragraph (1) for a religious denomination having a bona fide nonprofit, religious organization in the United States, or the agents or officers of such denomination or organization, to encourage, invite, call, allow, or enable an alien who is present in the United States to perform the vocation of a minister or missionary for the denomination or organization in the United States as a volunteer who is not compensated as an employee, notwithstanding the provision of room, board, travel, medical assistance, and other basic living expenses, provided the minister or missionary has been a member of the denomination for at least 1 year.

''(4) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial Federal jurisdiction over the offenses described in this subsection.

''(b) SEIZURE AND FORFEITURE.—

''(1) IN GENERAL.—Any real or personal property used to commit or facilitate the commission of a violation of this section, the gross proceeds of such violation, and any property traceable to such property or proceeds, shall be subject to forfeiture.

''(2) APPLICABLE PROCEDURES.—Seizures and forfeitures under this subsection shall be governed by the provisions of chapter 46 of title 18, United States Code, relating to civil forfeitures, except that such duties as are imposed upon the Secretary of the Treasury under the customs laws described in section 981(d) shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security.

''(3) PRIMA FACIE EVIDENCE IN DETERMINATIONS OF VIOLATIONS.—In determining whether a violation of subsection (a) has occurred, prima facie evidence that an alien involved in the alleged violation lacks lawful authority to come to, enter, reside in, remain in, or be in the United States or that such alien had come to, entered, resided in, remained in, or been present in the United States in violation of law may include:

''(A) any order, finding, or determination concerning the alien's status or lack of status made by a Federal judge or administrative adjudicator (including an immigration judge or immigration officer) during any judicial or administrative proceeding authorized under Federal immigration law;

''(B) official records of the Department of Homeland Security, the Department of Justice, or the Department of State concerning the alien's status or lack of status; and

''(C) testimony by an immigration officer having personal knowledge of the facts concerning the alien's status or lack of status.

''(c) AUTHORITY TO ARREST.—No officer or person shall have authority to make any arrests for a violation of any provision of this section except:

''(1) officers and employees designated by the Secretary of Homeland Security, either individually or as a member of a class; and

''(2) other officers responsible for the enforcement of Federal criminal laws.

''(d) ADMISSIBILITY OF VIDEOTAPED WITNESS TESTIMONY.—Notwithstanding any provision of the Federal Rules of Evidence, the videotaped or otherwise audiovisually preserved deposition of a witness to a violation of subsection (a) who has been deported or otherwise expelled from the United States, or is otherwise unavailable to testify, may be admitted into evidence in an action brought for that violation if:

''(1) the witness was available for cross examination at the deposition by the party, if any, opposing admission of the testimony; and

''(2) the deposition otherwise complies with the Federal Rules of Evidence.

''(e) DEFINITIONS.—In this section:

''(1) CROSS THE BORDER TO THE UNITED STATES.—The term 'cross the border' refers to the physical act of crossing the border, regardless of whether the alien is free from official restraint.

''(2) LAWFUL AUTHORITY.—The term 'lawful authority' means permission, authorization, or license that is expressly provided for in the immigration laws of the United States or accompanying regulations. The term does not include any such authority secured by fraud or otherwise obtained in violation of law or authority sought, but not approved. No alien shall be deemed to have lawful authority to come to, enter, reside in, remain in, or be in the United States if such coming to, entry, residence, remaining, or presence was, is, or would be in violation of law.

''(3) PROCEEDS.—The term 'proceeds' includes any property or interest in property obtained or retained as a consequence of an act or omission in violation of this section.

''(4) UNLAWFUL TRANSIT.—The term 'unlawful transit' means travel, movement, or temporary presence that violates the laws of any country in which the alien is present or any country from which or to which the alien is traveling or moving.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act is amended by striking the item relating to section 274 and inserting the following:

''Sec. 274. Alien smuggling and related offenses.''.

(c) PROHIBITING CARRYING OR USING A FIREARM DURING AND IN RELATION TO AN ALIEN SMUGGLING CRIME.—Section 924(c) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)——

(i) by inserting '', alien smuggling crime,'' after ''any crime of violence''; and

(ii) by inserting '', alien smuggling crime,'' after ''such crime of violence''; and

(B) in subparagraph (D)(ii), by inserting '', alien smuggling crime,'' after ''crime of violence''; and

(2) by adding at the end the following:

''(6) For purposes of this subsection, the term 'alien smuggling crime' means any felony punishable under section 274(a), 277, or 278 of the Immigration and Nationality Act (8 U.S.C. 1324(a), 1327, and 1328).''.

SEC. __53. PENALTIES FOR ILLEGAL ENTRY OR PRESENCE.

(a) IN GENERAL.—Section 275 of the Immigration and Nationality Act (8 U.S.C. 1325) is amended to read as follows:

''ILLEGAL ENTRY

''SEC. 275. (a) IN GENERAL.—

''(1) ILLEGAL ENTRY OR PRESENCE.—An alien shall be subject to the penalties set forth in paragraph (2) if the alien—

''(A) knowingly enters or crosses the border into the United States at any time or place other than as designated by the Secretary of Homeland Security;

''(B) knowingly eludes, at any time or place, examination or inspection by an authorized immigration, customs, or agriculture officer (including by failing to stop at the command of such officer);

''(C) knowingly enters or crosses the border to the United States and, upon examination or inspection, knowingly makes a false or misleading representation or the knowing concealment of a material fact (including such representation or concealment in the context of arrival, reporting, entry, or clearance requirements of the customs laws, immigration laws, agriculture laws, or shipping laws);

''(D) knowingly violates the terms or conditions of the alien's admission or parole into the United States; or

''(E) knowingly is unlawfully present in the United States (as defined in section 212(a)(9)(B)(ii) subject to the exceptions set forth in section 212(a)(9)(B)(iii)).

''(2) CRIMINAL PENALTIES.—Any alien who violates any provision under paragraph (1):

''(A) shall, for the first violation, be fined under title 18, United States Code, imprisoned not more than 6 months, or both;

''(B) shall, for a second or subsequent violation, or following an order of voluntary departure, be fined under such title, imprisoned not more than 2 years, or both;

''(C) if the violation occurred after the alien had been convicted of 3 or more misdemeanors or for a felony, shall be fined under such title, imprisoned not more than 10 years, or both;

''(D) if the violation occurred after the alien had been convicted of a felony for which the alien received a term of imprisonment of not less than 30 months, shall be fined under such title, imprisoned not more than 15 years, or both; and

''(E) if the violation occurred after the alien had been convicted of a felony for which the alien received a term of imprisonment of not less than 60 months, such alien shall be fined under such title, imprisoned not more than 20 years, or both.

''(3) PRIOR CONVICTIONS.—The prior convictions described in subparagraphs (C) through (E) of paragraph (2) are elements of the offenses described and the penalties in such subparagraphs shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

''(A) alleged in the indictment or information; and

''(B) proven beyond a reasonable doubt at trial or admitted by the defendant.

''(4) DURATION OF OFFENSE.—An offense under this subsection continues until the alien is discovered within the United States by an immigration, customs, or agriculture officer.

''(5) ATTEMPT.—Whoever attempts to commit any offense under this section shall be punished in the same manner as for a completion of such offense.

''(b) IMPROPER TIME OR PLACE; CIVIL PENALTIES.—

''(1) IN GENERAL.—Any alien who is apprehended while entering, attempting to enter, or knowingly crossing or attempting to cross the border to the United States at a time or place other than as designated by immigration officers shall be subject to a civil penalty, in addition to any criminal or other civil penalties that may be imposed under any other provision of law, in an amount equal to—

''(A) not less than $50 or more than $250 for each such entry, crossing, attempted entry, or attempted crossing; or

''(B) twice the amount specified in paragraph (1) if the alien had previously been subject to a civil penalty under this subsection.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Immigration and Nationality Act is amended by striking the item relating to section 275 and inserting the following:

''275. Illegal entry.''.

SEC. __54. ILLEGAL REENTRY.

Section 276 of the Immigration and Nationality Act (8 U.S.C. 1326) is amended to read as follows:

''REENTRY OF REMOVED ALIEN

''SEC. 276. (a) REENTRY AFTER REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed, or who has departed the United States while an order of exclusion, deportation, or removal is outstanding, and subsequently enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 2 years, or both.

''(b) REENTRY OF CRIMINAL OFFENDERS.—Notwithstanding the penalty provided in subsection (a), if an alien described in that subsection was convicted before such removal or departure:

''(1) for 3 or more misdemeanors or for a felony, the alien shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both;

''(2) for a felony for which the alien was sentenced to a term of imprisonment of not less than 30 months, the alien shall be fined under such title, imprisoned not more than 15 years, or both;

''(3) for a felony for which the alien was sentenced to a term of imprisonment of not less than 60 months, the alien shall be fined under such title, imprisoned not more than 20 years, or both;

''(4) for murder, rape, kidnapping, or a felony offense described in chapter 77 (relating to peonage and slavery) or 113B (relating to terrorism) of such title, or for 3 or more felonies of any kind, the alien shall be fined under such title, imprisoned not more than 25 years, or both.

''(c) REENTRY AFTER REPEATED REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed 3 or more times and thereafter enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both.

''(d) PROOF OF PRIOR CONVICTIONS.—The prior convictions described in subsection (b) are elements of the crimes described, and the penalties in that subsection shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

''(1) alleged in the indictment or information; and

''(2) proven beyond a reasonable doubt at trial or admitted by the defendant.

''(e) AFFIRMATIVE DEFENSES.—It shall be an affirmative defense to a violation of this section that—

''(1) prior to the alleged violation, the alien had sought and received the express consent of the Secretary of Homeland Security to reapply for admission into the United States; or

''(2) with respect to an alien previously denied admission and removed, the alien—

''(A) was not required to obtain such advance consent under the Immigration and Nationality Act or any prior Act; and

''(B) had complied with all other laws and regulations governing the alien's admission into the United States.

''(f) LIMITATION ON COLLATERAL ATTACK ON UNDERLYING REMOVAL ORDER.—In a criminal proceeding under this section, an alien may not challenge the validity of any prior removal order concerning the alien.

''(g) REENTRY OF ALIEN REMOVED PRIOR TO COMPLETION OF TERM OF IMPRISONMENT.—Any alien removed pursuant to section 241(a)(4) who enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in, the United States shall be incarcerated for the remainder of the sentence of imprisonment which was pending at the time of deportation without any reduction for parole or supervised release unless the alien affirmatively demonstrates that the Secretary of Homeland Security has expressly consented to the alien's reentry. Such alien shall be subject to such other penalties relating to the reentry of removed aliens as may be available under this section or any other provision of law.

''(h) DEFINITIONS.—For purposes of this section and section 275, the following definitions shall apply:

''(1) CROSSES THE BORDER TO THE UNITED STATES.—The term 'crosses the border' refers to the physical act of crossing the border, regardless of whether the alien is free from official restraint.

''(2) FELONY.—The term 'felony' means any criminal offense punishable by a term of imprisonment of more than 1 year under the laws of the United States, any State, or a foreign government.

''(3) MISDEMEANOR.—The term 'misdemeanor' means any criminal offense punishable by a term of imprisonment of not more than 1 year under the applicable laws of the United States, any State, or a foreign government.

''(4) REMOVAL.—The term 'removal' includes any denial of admission, exclusion, deportation, or removal, or any agreement by which an alien stipulates or agrees to exclusion, deportation, or removal.

''(5) STATE.—The term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''.

SEC. _55. REFORM OF PASSPORT, VISA, AND IMMIGRATION FRAUD OFFENSES.

Chapter 75 of title 18, United States Code, is amended to read as follows:

''CHAPTER 75—PASSPORTS AND VISAS

''§ 1541. Issuance without authority

''(a) IN GENERAL.—Whoever—

''(1) acting or claiming to act in any office or capacity under the United States, or a State, without lawful authority grants, issues, or verifies any passport or other instrument in the nature of a passport to or for any person; or

''(2) being a consular officer authorized to grant, issue, or verify passports, knowingly grants, issues, or verifies any such passport to or for any person not owing allegiance, to the United States, whether a citizen or not;

shall be fined under this title or imprisoned not more than 15 years, or both.

''(b) DEFINITION.—In this section, the term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

''§ 1542. False statement in application and use of passport

''Whoever knowingly—

''(1) makes any false statement in an application for passport with intent to induce or secure the issuance of a passport under the authority of the United States, either for his own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws; or

''(2) uses or attempts to use, or furnishes to another for use any passport the issue of which was secured in any way by reason of any false statement;

shall be fined under this title or imprisoned not more than 15 years, or both.

''§ 1543. Forgery or false use of passport

''Whoever—

''(1) falsely makes, forges, counterfeits, mutilates, or alters any passport or instrument purporting to be a passport, with intent that the same may be used; or

''(2) knowingly uses, or attempts to use, or furnishes to another for use any such false, forged, counterfeited, mutilated, or altered passport or instrument purporting to be a passport, or any passport validly issued which has become void by the occurrence of any condition therein prescribed invalidating the same;

shall be fined under this title or imprisoned not more than 15 years, or both.

''§ 1544. Misuse of a passport

''Whoever knowingly—

''(1) uses any passport issued or designed for the use of another;

''(2) uses any passport in violation of the conditions or restrictions therein contained, or in violation of the laws, regulations, or rules governing the issuance and use of the passport;

''(3) secures, possesses, uses, receives, buys, sells, or distributes any passport knowing it to be forged, counterfeited, altered, falsely made, procured by fraud, stolen, or produced or issued without lawful authority; or

''(4) violates the terms and conditions of any safe conduct duly obtained and issued under the authority of the United States;

shall be fined under this title, imprisoned not more than 15 years, or both.

''§ 1545. Schemes to defraud aliens

''Whoever inside the United States, or in or affecting interstate or foreign commerce, in connection with any matter that is authorized by or arises under the immigration laws of the United States or any matter the offender claims or represents is authorized by or arises under the immigration laws of the United States, knowingly executes a scheme or artifice—

''(1) to defraud any person, or

''(2) to obtain or receive money or anything else of value from any person by means of false or fraudulent pretenses, representations, or promises;

shall be fined under this title, imprisoned not more than 15 years, or both.

''§ 1546. Immigration and visa fraud

''Whoever knowingly—

''(1) uses any immigration document issued or designed for the use of another;

''(2) forges, counterfeits, alters, or falsely makes any immigration document;

''(3) mails, prepares, presents, or signs any immigration document knowing it to contain any materially false statement or representation;

''(4) secures, possesses, uses, transfers, receives, buys, sells, or distributes any immigration document knowing it to be forged, counterfeited, altered, falsely made, stolen, procured by fraud, or produced or issued without lawful authority;

''(5) adopts or uses a false or fictitious name to evade or to attempt to evade the immigration laws;

''(6) transfers or furnishes, without lawful authority, an immigration document to another person for use by a person other than the person for whom the immigration document was issued or designed; or

''(7) produces, issues, authorizes, or verifies, without lawful authority, an immigration document;

shall be fined under this title, imprisoned not more than 15 years, or both.

''§ 1547. Attempts and conspiracies

''Whoever attempts or conspires to violate this chapter shall be punished in the same manner as a person who completes that violation.

''§ 1548. Alternative penalties for certain offenses

''(a) TERRORISM.—Whoever violates any section in this chapter to facilitate an act of international terrorism or domestic terrorism (as such terms are defined in section 2331), shall be fined under this title or imprisoned not more than 25 years, or both.

''(b) DRUG TRAFFICKING OFFENSES.—Whoever violates any section in this chapter to facilitate a drug trafficking crime (as defined in section 929(a)) shall be fined under this title or imprisoned not more than 20 years, or both.

''§ 1549. Definitions

''In this chapter:

''(1) An 'application for a United States passport' includes any document, photograph, or other piece of evidence attached to or submitted in support of the application.

''(2) The term 'immigration document' means any instrument on which is recorded, by means of letters, figures, or marks, matters which may be used to fulfill any requirement of the Immigration and Nationality Act.''.

SEC. _56. FORFEITURE.

Section 981(a)(1) of title 18, United States Code, is amended by adding at the end the following:

''(I) Any property, real or personal, that has been used to commit or facilitate the commission of a violation of chapter 75, the gross proceeds of such violation, and any property traceable to any such property or proceeds.''.

SEC. __57. EXPEDITED REMOVAL FOR ALIENS INADMISSIBLE ON CRIMINAL OR SECURITY GROUNDS.

(a) IN GENERAL.—Section 238(b) of the Immigration and Nationality Act (8 U.S.C. 1228(b)) is amended–

(1) in paragraph (1)—

(A) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security in the exercise of discretion''; and

(B) by striking ''set forth in this subsection or'' and inserting ''set forth in this subsection, in lieu of removal proceedings under'';

(2) in paragraph (3), by striking ''paragraph (1) until 14 calendar days'' and inserting ''paragraph (1) or (3) until 7 calendar days'';

(3) by striking ''Attorney General'' each place it appears in paragraphs (3) and (4) and inserting ''Secretary of Homeland Security'';

(4) in paragraph (5)—

(A) by striking ''described in this section'' and inserting ''described in paragraph (1) or (2)''; and

(B) by striking ''the Attorney General may grant in the Attorney General's discretion'' and inserting ''the Secretary of Homeland Security or the Attorney General may grant, in the discretion of the Secretary or Attorney General, in any proceeding'';

(5) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respectively; and

(6) by inserting after paragraph (2) the following new paragraph:

''(3) The Secretary of Homeland Security in the exercise of discretion may determine inadmissibility under section 212(a)(2) (relating to criminal offenses) and issue an order of removal pursuant to the procedures set forth in this subsection, in lieu of removal proceedings under section 240, with respect to an alien who

''(A) has not been admitted or paroled;

''(B) has not been found to have a credible fear of persecution pursuant to the procedures set forth in section 235(b)(1)(B); and

''(C) is not eligible for a waiver of inadmissibility or relief from removal.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act but shall not apply to aliens who are in removal proceedings under section 240 of the Immigration and Nationality Act as of such date.

SEC. __58. INCREASED PENALTIES BARRING THE ADMISSION OF CONVICTED SEX OFFENDERS FAILING TO REGISTER AND REQUIRING DEPORTATION OF SEX OFFENDERS FAILING TO REGISTER.

(a) INADMISSIBILITY.—Section 212(a)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(A)(i)), as amended by section 302(a) of this Act, is further amended—

(1) in subclause (II), by striking ''or'' at the end;

(2) in subclause (III), by adding ''or'' at the end; and

(3) by inserting after subclause (III) the following:

''(IV) a violation of section 2250 of title 18, United States Code (relating to failure to register as a sex offender);''.

(b) DEPORTABILITY.—Section 237(a)(2) of such Act (8 U.S.C. 1227(a)(2)), as amended by sections 302(c) and 311(c) of this Act, is further amended—

(1) in subparagraph (A), by striking clause (v); and

(2) by adding at the end the following:

''(I) Any alien convicted of, or who admits having committed, or who admits committing acts which constitute the essential elements of a violation of section 2250 of title 18, United States Code (relating to failure to register as a sex offender) is deportable.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. __59. PROTECTING IMMIGRANTS FROM CONVICTED SEX OFFENDERS.

(a) IMMIGRANTS.—Section 204(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)), is amended—

(1) in subparagraph (A), by amending clause (viii) to read as follows:

''(viii) Clause (i) shall not apply to a citizen of the United States who has been convicted of an offense described in subparagraph (A), (I), or (K) of section 101(a)(43), unless the Secretary of Homeland Security, in the Secretary's sole and unreviewable discretion, determines that the citizen poses no risk to the alien with respect to whom a petition described in clause (i) is filed.''; and

(2) in subparagraph (B)(i)—

(A) by redesignating the second subclause (I) as subclause (II); and

(B) by amending such subclause (II) to read as follows:

''(II) Subclause (I) shall not apply in the case of an alien admitted for permanent residence who has been convicted of an offense described in subparagraph (A), (I), or (K) of section 101(a)(43), unless the Secretary of Homeland Security, in the Secretary's sole and unreviewable discretion, determines that the alien lawfully admitted for permanent residence poses no risk to the alien with respect to whom a petition described in subclause (I) is filed.''.

(b) NONIMMIGRANTS.—Section 101(a)(15)(K) of such Act (8 U.S.C. 1101(a)(15)(K)), is amended by striking ''204(a)(1)(A)(viii)(I))'' each place such term appears and inserting ''204(a)(1)(A)(viii))''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to petitions filed on or after such date.

SEC. __60. CLARIFICATION TO CRIMES OF VIOLENCE AND CRIMES INVOLVING MORAL TURPITUDE.

(a) INADMISSIBLE ALIENS.—Section 212(a)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(A)) is amended by adding at the end the following:

''(iii) CLARIFICATION.—If the conviction records do not conclusively establish whether a crime constitutes a crime involving moral turpitude, the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime involving moral turpitude.''.

(b) DEPORTABLE ALIENS.—

(1) GENERAL CRIMES.—Section 237(a)(2)(A) of such Act (8 U.S.C. 1227(a)(2)(A)), as amended by section 320(b) of this Act, is further amended by inserting after clause (iv) the following:

''(v) CRIMES INVOLVING MORAL TURPITUDE.—If the conviction records do not conclusively establish whether a crime constitutes a crime involving moral turpitude, the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime involving moral turpitude.''.

(2) DOMESTIC VIOLENCE.—Section 237(a)(2)(E) of such Act (8 U.S.C. 1227(a)(2)(E)) is amended by adding at the end the following:

''(iii) CRIMES OF VIOLENCE.—If the conviction records do not conclusively establish whether a crime of domestic violence constitutes a crime of violence (as defined in section 16 of title 18, United States Code), the Attorney General may consider other evidence related to the conviction that clearly establishes that the conduct for which the alien was engaged constitutes a crime of violence.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to acts that occur before, on, or after the date of the enactment of this Act.

SEC. __61. PENALTIES FOR FAILURE TO OBEY REMOVAL ORDERS.

(a) IN GENERAL.—Section 243(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1253(a)(1)) is amended—

(1) by inserting ''212(a) or'' before ''237(a),'' ; and

(2) by striking paragraph (3).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to acts that are described in subparagraphs (A) through (D) of section 243(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1253(a)(1)) that occur on or after the date of the enactment of this Act.

SEC. __62. PARDONS.

(a) DEFINITION.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)), as amended by section 311(a) of this Act, is further amended by adding at the end the following:

''(54) The term 'pardon' means a full and unconditional pardon granted by the President of the United States, Governor of any of the several States or constitutionally recognized body.''.

(b) DEPORTABILITY.—Section 237(a) of such Act (8 U.S.C. 1227(a)) is amended—

(1) in paragraph (2)(A), by striking clause (vi); and

(2) by adding at the end the following:

''(8) PARDONS.—

''(A) IN GENERAL.—In the case of an alien who has been convicted of a crime and is subject to removal due to that conviction, if the alien, subsequent to receiving the criminal conviction, is granted a pardon, the alien shall not be deportable by reason of that criminal conviction.

''(B) EXCEPTION.—Subparagraph (A) shall not apply in the case of an alien granted a pardon if the pardon is granted in whole or in part to eliminate that alien's condition of deportability.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall apply to a pardon granted before, on, or after such date.

CHAPTER 4—AID TO U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICERS

SEC. __71. ICE IMMIGRATION ENFORCEMENT AGENTS.

(a) IN GENERAL.—The Secretary shall authorize all immigration enforcement agents and deportation officers of the Department who have successfully completed basic immigration law enforcement training to exercise the powers conferred by—

(1) section 287(a)(5)(A) of the Immigration and Nationality Act to arrest for any offense against the United States;

(2) section 287(a)(5)(B) of such Act to arrest for any felony;

(3) section 274(a) of such Act to arrest for bringing in, transporting, or harboring certain aliens, or inducing them to enter;

(4) section 287(a) of such Act to execute warrants of arrest for administrative immigration violations issued under section 236 of

the Act or to execute warrants of criminal arrest issued under the authority of the United States; and

(5) section 287(a) of such Act to carry firearms, provided that they are individually qualified by training and experience to handle and safely operate the firearms they are permitted to carry, maintain proficiency in the use of such firearms, and adhere to the provisions of the enforcement standard governing the use of force.

(b) PAY.—Immigration enforcement agents shall be paid on the same scale as Immigration and Customs Enforcement deportation officers and shall receive the same benefits.

SEC. __72. ICE DETENTION ENFORCEMENT OFFICERS.

(a) AUTHORIZATION.—The Secretary is authorized to hire 2,500 Immigration and Customs Enforcement detention enforcement officers.

(b) DUTIES.—Immigration and Customs Enforcement detention enforcement officers who have successfully completed detention enforcement officers' basic training shall be responsible for—

(1) taking and maintaining custody of any person who has been arrested by an immigration officer;

(2) transporting and guarding immigration detainees;

(3) securing Department detention facilities; and

(4) assisting in the processing of detainees.

SEC. __73. ENSURING THE SAFETY OF ICE OFFICERS AND AGENTS.

(a) BODY ARMOR.—The Secretary shall ensure that every Immigration and Customs Enforcement deportation officer and immigration enforcement agent on duty is issued high-quality body armor that is appropriate for the climate and risks faced by the agent. Enough body armor must be purchased to cover every agent in the field.

(b) WEAPONS.—Such Secretary shall ensure that Immigration and Customs Enforcement deportation officers and immigration enforcement agents are equipped with weapons that are reliable and effective to protect themselves, their fellow agents, and innocent third parties from the threats posed by armed criminals. Such weapons shall include, at a minimum, standard-issue handguns, M–4 (or equivalent) rifles, and Tasers.

(c) EFFECTIVE DATE.—This section shall take effect 90 days after the date of the enactment of this Act.

SEC. __74. ICE ADVISORY COUNCIL.

(a) ESTABLISHMENT.—An ICE Advisory Council shall be established not later than 3 months after the date of the enactment of this Act.

(b) MEMBERSHIP.—The ICE Advisory Council shall be comprised of 7 members.

(c) APPOINTMENT.—Members shall to be appointed in the following manner:

(1) One member shall be appointed by the President;

(2) One member shall be appointed by the Chairman of the Judiciary Committee of the House of Representatives;

(3) One member shall be appointed by the Chairman of the Judiciary Committee of the Senate;

(4) One member shall be appointed by the Local 511, the ICE prosecutor's union; and

(5) Three members shall be appointed by the National Immigration and Customs Enforcement Council.

(d) TERM.—Members shall serve renewable, 2-year terms.

(e) VOLUNTARY.—Membership shall be voluntary and non-remunerated, except that members will receive reimbursement from the Secretary for travel and other related expenses.

(f) RETALIATION PROTECTION.—Members who are employed by the Secretary shall be protected from retaliation by their supervisors, managers, and other Department employees for their participation on the Council.

(g) PURPOSE.—The purpose of the Council is to advise Congress and the Secretary on issues including the following:

(1) The current status of immigration enforcement efforts, including prosecutions and removals, the effectiveness of such efforts, and how enforcement could be improved;

(2) The effectiveness of cooperative efforts between the Secretary and other law enforcement agencies, including additional types of enforcement activities that the Secretary should be engaged in, such as State and local criminal task forces;

(3) Personnel, equipment, and other resource needs of field personnel;

(4) Improvements that should be made to the organizational structure of the Department, including whether the position of immigration enforcement agent should be merged into the deportation officer position; and

(5) The effectiveness of specific enforcement policies and regulations promulgated by the Secretary, and whether other enforcement priorities should be considered.

(h) REPORTS.—The Council shall provide quarterly reports to the Chairmen and Ranking Members of the Judiciary Committees of the Senate and the House of Representatives and to the Secretary. The Council members shall meet directly with the Chairmen and Ranking Members (or their designated representatives) and with the Secretary to discuss their reports every 6 months.

SEC. __75. PILOT PROGRAM FOR ELECTRONIC FIELD PROCESSING.

(a) IN GENERAL.—The Secretary shall establish a pilot program in at least five of the 10 Immigration and Customs Enforcement field offices with the largest removal caseloads to allow Immigration and Customs deportation officers and immigration enforcement agents to—

(1) electronically process and serve charging documents, including Notices to Appear, while in the field; and

(2) electronically process and place detainers while in the field.

(b) DUTIES.—The pilot program described in subsection (a) shall be designed to allow deportation officers and immigration enforcement agents to use handheld or vehicle-mounted computers to—

(1) enter any required data, including personal information about the alien subject and the reason for issuing the document;

(2) apply the electronic signature of the issuing officer or agent;

(3) set the date the alien is required to appear before an immigration judge, in the case of Notices to Appear;

(4) print any documents the alien subject may be required to sign, along with additional copies of documents to be served on the alien; and

(5) interface with the ENFORCE database so that all data is stored and retrievable.

(c) CONSTRUCTION.—The pilot program described in subsection (a) shall be designed to replace, to the extent possible, the current paperwork and data-entry process used for issuing such charging documents and detainers.

(d) DEADLINE.—The Secretary shall initiate the pilot program described in subsection (a) within 6 months of the date of enactment of this Act.

(e) REPORT.—The Government Accountability Office shall report to the Judiciary Committee of the Senate and the House of Representatives no later than 18 months after the date of enactment of this Act on the effectiveness of the pilot program and provide recommendations for improving it.

(f) ADVISORY COUNCIL.—The ICE Advisory Council established by section 3764 shall include an recommendations on how the pilot program should work in the first quarterly report of the Council, and shall include assessments of the program and recommendations for improvement in each subsequent report.

(g) EFFECTIVE DATE.—This section shall take effect 180 days after the date of the enactment of this Act.

SEC. __76. ADDITIONAL ICE DEPORTATION OFFICERS AND SUPPORT STAFF.

(a) IN GENERAL.—The Secretary shall, subject to the availability of appropriations for such purpose, increase the number of positions for full-time active-duty Immigration and Customs Enforcement deportation officers by 5,000 above the number of full-time positions for which funds were appropriated for fiscal year 2013.

(b) SUPPORT STAFF.—The Secretary shall, subject to the availability of appropriations for such purpose, increase the number of positions for full-time support staff for Immigration and Customs Enforcement deportation officers by 700 above the number of full-time positions for which funds were appropriated for fiscal year 2013.

SEC. __77. ADDITIONAL ICE PROSECUTORS.

The Secretary shall increase by 60 the number of full-time trial attorneys working for the Immigration and Customs Enforcement Office of the Principal Legal Advisor.

CHAPTER 5—MISCELLANEOUS ENFORCEMENT PROVISIONS

SEC. __81. ENCOURAGING ALIENS TO DEPART VOLUNTARILY.

(a) IN GENERAL.—Section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c) is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

''(1) INSTEAD OF REMOVAL PROCEEDINGS.—If an alien is not described in paragraph (2)(A)(iii) or (4) of section 237(a), the Secretary of Homeland Security may permit the alien to voluntarily depart the United States at the alien's own expense under this subsection instead of being subject to proceedings under section 240.'';

(B) by striking paragraph (3);

(C) by redesignating paragraph (2) as paragraph (3);

(D) by adding after paragraph (1) the following:

''(2) BEFORE THE CONCLUSION OF REMOVAL PROCEEDINGS.—If an alien is not described in paragraph (2)(A)(iii) or (4) of section 237(a), the Attorney General may permit the alien to voluntarily depart the United States at the alien's own expense under this subsection after the initiation of removal proceedings under section 240 and before the conclusion of such proceedings before an immigration judge.'';

(E) in paragraph (3), as redesignated—

(i) by amending subparagraph (A) to read as follows:

''(A) INSTEAD OF REMOVAL.—Subject to subparagraph (C), permission to voluntarily depart under paragraph (1) shall not be valid for any period in excess of 120 days. The Secretary may require an alien permitted to

voluntarily depart under paragraph (1) to post a voluntary departure bond, to be surrendered upon proof that the alien has departed the United States within the time specified.'';

(ii) by redesignating subparagraphs (B), (C), and (D) as paragraphs (C), (D), and (E), respectively;

(iii) by adding after subparagraph (A) the following:

''(B) BEFORE THE CONCLUSION OF REMOVAL PROCEEDINGS.—Permission to voluntarily depart under paragraph (2) shall not be valid for any period in excess of 60 days, and may be granted only after a finding that the alien has the means to depart the United States and intends to do so. An alien permitted to voluntarily depart under paragraph (2) shall post a voluntary departure bond, in an amount necessary to ensure that the alien will depart, to be surrendered upon proof that the alien has departed the United States within the time specified. An immigration judge may waive the requirement to post a voluntary departure bond in individual cases upon a finding that the alien has presented compelling evidence that the posting of a bond will pose a serious financial hardship and the alien has presented credible evidence that such a bond is unnecessary to guarantee timely departure.''.

(iv) in subparagraph (C), as redesignated, by striking ''subparagraphs (C) and(D)(ii)'' and inserting ''subparagraphs (D) and (E)(ii)'';

(v) in subparagraph (D), as redesignated, by striking ''subparagraph (B)'' each place that term appears and inserting ''subparagraph (C)'';

(vi) in subparagraph (E), as redesignated, by striking ''subparagraph (B)'' each place that term appears and inserting ''subparagraph (C)'';

(F) in paragraph (4), by striking ''paragraph (1)'' and inserting ''paragraphs (1) and (2)'';

(2) in subsection (b)(2), by striking ''a period exceeding 60 days'' and inserting ''any period in excess of 45 days'';

(3) by amending subsection (c) to read as follows:

''(c) CONDITIONS ON VOLUNTARY DEPARTURE.—

''(1) VOLUNTARY DEPARTURE AGREEMENT.—Voluntary departure may only be granted as part of an affirmative agreement by the alien. A voluntary departure agreement under subsection (b) shall include a waiver of the right to any further motion, appeal, application, petition, or petition for review relating to removal or relief or protection from removal.

''(2) CONCESSIONS BY THE SECRETARY.—In connection with the alien's agreement to depart voluntarily under paragraph (1), the Secretary of Homeland Security may agree to a reduction in the period of inadmissibility under subparagraph (A) or (B)(i) of section 212(a)(9).

''(3) ADVISALS.—Agreements relating to voluntary departure granted during removal proceedings under section 240, or at the conclusion of such proceedings, shall be presented on the record before the immigration judge. The immigration judge shall advise the alien of the consequences of a voluntary departure agreement before accepting such agreement.

''(4) FAILURE TO COMPLY WITH AGREEMENT.—

''(A) IN GENERAL.—If an alien agrees to voluntary departure under this section and fails to depart the United States within the time allowed for voluntary departure or fails to comply with any other terms of the agreement (including failure to timely post any required bond), the alien is—

''(i) ineligible for the benefits of the agreement;

''(ii) subject to the penalties described in subsection (d); and

''(iii) subject to an alternate order of removal if voluntary departure was granted under subsection (a)(2) or (b).

''(B) EFFECT OF FILING TIMELY APPEAL.—If, after agreeing to voluntary departure, the alien files a timely appeal of the immigration judge's decision granting voluntary departure, the alien may pursue the appeal instead of the voluntary departure agreement. Such appeal operates to void the alien's voluntary departure agreement and the consequences of such agreement, but precludes the alien from another grant of voluntary departure while the alien remains in the United States.

''(5) VOLUNTARY DEPARTURE PERIOD NOT AFFECTED.—Except as expressly agreed to by the Secretary in writing in the exercise of the Secretary's discretion before the expiration of the period allowed for voluntary departure, no motion, appeal, application, petition, or petition for review shall affect, reinstate, enjoin, delay, stay, or toll the alien's obligation to depart from the United States during the period agreed to by the alien and the Secretary.'';

(4) by amending subsection (d) to read as follows:

''(d) PENALTIES FOR FAILURE TO DEPART.—If an alien is permitted to voluntarily depart under this section and fails to voluntarily depart from the United States within the time period specified or otherwise violates the terms of a voluntary departure agreement, the alien will be subject to the following penalties:

''(1) CIVIL PENALTY.—The alien shall be liable for a civil penalty of $3,000. The order allowing voluntary departure shall specify the amount of the penalty, which shall be acknowledged by the alien on the record. If the Secretary thereafter establishes that the alien failed to depart voluntarily within the time allowed, no further procedure will be necessary to establish the amount of the penalty, and the Secretary may collect the civil penalty at any time thereafter and by whatever means provided by law. An alien will be ineligible for any benefits under this chapter until this civil penalty is paid.

''(2) INELIGIBILITY FOR RELIEF.—The alien shall be ineligible during the time the alien remains in the United States and for a period of 10 years after the alien's departure for any further relief under this section and sections 240A, 245, 248, and 249. The order permitting the alien to depart voluntarily shall inform the alien of the penalties under this subsection.

''(3) REOPENING.—The alien shall be ineligible to reopen the final order of removal that took effect upon the alien's failure to depart, or upon the alien's other violations of the conditions for voluntary departure, during the period described in paragraph (2). This paragraph does not preclude a motion to reopen to seek withholding of removal under section 241(b)(3) or protection against torture, if the motion—

''(A) presents material evidence of changed country conditions arising after the date of the order granting voluntary departure in the country to which the alien would be removed; and

''(B) makes a sufficient showing to the satisfaction of the Attorney General that the alien is otherwise eligible for such protection.''; and

(5) by amending subsection (e) to read as follows:

''(e) ELIGIBILITY.—

''(1) PRIOR GRANT OF VOLUNTARY DEPARTURE.—An alien shall not be permitted to voluntarily depart under this section if the Secretary of Homeland Security or the Attorney General previously permitted the alien to depart voluntarily.

''(2) RULEMAKING.—The Secretary may promulgate regulations to limit eligibility or impose additional conditions for voluntary departure under subsection (a)(1) for any class of aliens. The Secretary or Attorney General may by regulation limit eligibility or impose additional conditions for voluntary departure under subsections (a)(2) or (b) of this section for any class or classes of aliens.''.

(6) in subsection (f), by adding at the end the following: ''Notwithstanding section 242(a)(2)(D) of this Act, sections 1361, 1651, and 2241 of title 28, United States Code, any other habeas corpus provision, and any other provision of law (statutory or nonstatutory), no court shall have jurisdiction to affect, reinstate, enjoin, delay, stay, or toll the period allowed for voluntary departure under this section.''.

(b) RULEMAKING.—The Secretary shall within one year of the date of enactment of this Act promulgate regulations to provide for the imposition and collection of penalties for failure to depart under section 240B(d) of the Immigration and Nationality Act (8 U.S.C. 1229c(d)).

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to all orders granting voluntary departure under section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c) made on or after the date that is 180 days after the enactment of this Act.

(2) EXCEPTION.—The amendment made by subsection (a)(6) shall take effect on the date of the enactment of this Act and shall apply with respect to any petition for review which is filed on or after such date.

SEC. __82. DETERRING ALIENS ORDERED REMOVED FROM REMAINING IN THE UNITED STATES UNLAWFULLY.

(a) INADMISSIBLE ALIENS.—Section 212(a)(9)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(A)) is amended—

(1) in clause (i), by striking ''seeks admission within 5 years of the date of such removal (or within 20 years'' and inserting ''seeks admission not later than 5 years after the date of the alien's removal (or not later than 20 years after the alien's removal''; and

(2) in clause (ii), by striking ''seeks admission within 10 years of the date of such alien's departure or removal (or within 20 years of'' and inserting ''seeks admission not later than 10 years after the date of the alien's departure or removal (or not later than 20 years after''.

(b) BAR ON DISCRETIONARY RELIEF.—Section 274D of such Act (8 U.S.C. 324d) is amended—

(1) in subsection (a), by striking ''Commissioner'' and inserting ''Secretary of Homeland Security''; and

(2) by adding at the end the following:

''(c) INELIGIBILITY FOR RELIEF.—

''(1) IN GENERAL.—Unless a timely motion to reopen is granted under section 240(c)(6), an alien described in subsection (a) shall be ineligible for any discretionary relief from removal (including cancellation of removal and adjustment of status) during the time the alien remains in the United States and

for a period of 10 years after the alien's departure from the United States.

''(2) SAVINGS PROVISION.—Nothing in paragraph (1) shall preclude a motion to reopen to seek withholding of removal under section 241(b)(3) or protection against torture, if the motion—

''(A) presents material evidence of changed country conditions arising after the date of the final order of removal in the country to which the alien would be removed; and

''(B) makes a sufficient showing to the satisfaction of the Attorney General that the alien is otherwise eligible for such protection.''.

(c) EFFECTIVE DATES.—The amendments made by this section shall take effect on the date of the enactment of this Act with respect to aliens who are subject to a final order of removal entered before, on, or after such date.

SEC. __83. REINSTATEMENT OF REMOVAL ORDERS.

(a) IN GENERAL.—Section 241(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(5)) is amended to read as follows:

''(5) REINSTATEMENT OF REMOVAL ORDERS AGAINST ALIENS ILLEGALLY REENTERING.—If the Secretary of Homeland Security finds that an alien has entered the United States illegally after having been removed, deported, or excluded or having departed voluntarily, under an order of removal, deportation, or exclusion, regardless of the date of the original order or the date of the illegal entry—

''(A) the order of removal, deportation, or exclusion is reinstated from its original date and is not subject to being reopened or reviewed notwithstanding section 242(a)(2)(D);

''(B) the alien is not eligible and may not apply for any relief under this Act, regardless of the date that an application or request for such relief may have been filed or made; and

''(C) the alien shall be removed under the order of removal, deportation, or exclusion at any time after the illegal entry.

Reinstatement under this paragraph shall not require proceedings under section 240 or other proceedings before an immigration judge''.

(b) JUDICIAL REVIEW.—Section 242 of the Immigration and Nationality Act (8 U.S.C. 1252) is amended by adding at the end the following:

''(h) JUDICIAL REVIEW OF REINSTATEMENT UNDER SECTION 241(A)(5).—

''(1) REVIEW OF REINSTATEMENT.—Judicial review of determinations under section 241(a)(5) is available in an action under subsection (a).

''(2) NO REVIEW OF ORIGINAL ORDER.—Notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of title 28, United States Code, any other habeas corpus provision, or sections 1361 and 1651 of such title, no court shall have jurisdiction to review any cause or claim, arising from, or relating to, any challenge to the original order.''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect as if enacted on April 1, 1997, and shall apply to all orders reinstated or after that date by the Secretary (or by the Attorney General prior to March 1, 2003), regardless of the date of the original order.

SEC. __84. CLARIFICATION WITH RESPECT TO DEFINITION OF ADMISSION.

Section 101(a)(13)(A) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(13)(A)) is amended by adding at the end the following: ''An alien's adjustment of status to that of lawful permanent resident status under any provision of this Act, or under any other provision of law, shall be considered an 'admission' for any purpose under this Act, even if the adjustment of status occurred while the alien was present in the United States.''.

SEC. __85. REPORTS TO CONGRESS ON THE EXERCISE AND ABUSE OF PROSECUTORIAL DISCRETION.

(a) IN GENERAL.—Not later than 180 days after the end of each fiscal year, the Secretary and the Attorney General shall each provide to the Committees on the Judiciary of the House of Representatives and of the Senate a report on the following:

(1) Aliens apprehended or arrested by State or local law enforcement agencies who were identified by the Department in the previous fiscal year and for whom the Department did not issue detainers and did not take into custody despite the Department's findings that the aliens were inadmissible or deportable.

(2) Aliens who were applicants for admission in the previous fiscal year but not clearly and beyond a doubt entitled to be admitted by an immigration officer and who were not detained as required pursuant to section 235(b)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(2)(A)).

(3) Aliens who in the previous fiscal year were found by Department officials performing duties related to the adjudication of applications for immigration benefits or the enforcement of the immigration laws to be inadmissible or deportable who were not issued notices to appear pursuant to section 239 of such Act (8 U.S.C. 1229) or placed into removal proceedings pursuant to section 240 (8 U.S.C. 1229a), unless the aliens were placed into expedited removal proceedings pursuant to section 235(b)(1)(A)(i) (8 U.S.C. 1225(b)(1)(A)(5)) or section 238 (8 U.S.C. 1228), were granted voluntary departure pursuant to section 240B, were granted relief from removal pursuant to statute, were granted legal nonimmigrant or immigrant status pursuant to statute, or were determined not to be inadmissible or deportable.

(4) Aliens issued notices to appear that were cancelled in the previous fiscal year despite the Department's findings that the aliens were inadmissible or deportable, unless the aliens were granted relief from removal pursuant to statute, were granted voluntary departure pursuant to section 240B of such Act (8 U.S.C. 1229c), or were granted legal nonimmigrant or immigrant status pursuant to statute.

(5) Aliens who were placed into removal proceedings, whose removal proceedings were terminated in the previous fiscal year prior to their conclusion, unless the aliens were granted relief from removal pursuant to statute, were granted voluntary departure pursuant to section 240B, were granted legal nonimmigrant or immigrant status pursuant to statute, or were determined not to be inadmissible or deportable.

(6) Aliens granted parole pursuant to section 212(d)(5)(A) of such Act (8 U.S.C. 1182(d)(5)(A)).

(7) Aliens granted deferred action, extended voluntary departure or any other type of relief from removal not specified in the Immigration and Nationality Act or where determined not to be inadmissible or deportable.

(b) CONTENTS OF REPORT.—The report shall include a listing of each alien described in each paragraph of subsection (a), including when in the possession of the Department their names, fingerprint identification numbers, alien registration numbers, and reason why each was granted the type of prosecutorial discretion received. The report shall also include current criminal histories on each alien from the Federal Bureau of Investigation.

CHAPTER __—OTHER MATTERS

SEC. __91. REQUIRING HEIGHTENED SCRUTINY OF APPLICATIONS FOR ADMISSION FROM PERSONS LISTED ON TERRORIST DATABASES.

Section 222 (8 U.S.C. 1202), as amended by section 4410, is further amended by adding at the end the following:

''(j) REQUIRING HEIGHTENED SCRUTINY OF APPLICATIONS FOR ADMISSION FROM PERSONS LISTED ON TERRORIST DATABASES.—

''(1) REQUIREMENT FOR BIOGRAPHIC AND BIOMETRIC SCREENING.—Notwithstanding any other provision of this Act, the Secretary of State shall require every alien applying for admission to the United States to submit to biographic and biometric screening to determine whether the alien's name or biometric information is listed in any terrorist watch list or database maintained by any agency or department of the United States.

''(2) EXCLUSIONS.—No alien applying for a visa to the United States shall be granted such visa by a consular officer if the alien's name or biometric information is listed in any terrorist watch list or database referred to in paragraph (1) unless—

''(A) screening of the alien's visa application against interagency counterterrorism screening systems which compare the applicant's information against data in all counterterrorism watch lists and databases reveals no potentially pertinent links to terrorism;

''(B) the consular officer submits the application for further review to the Secretary of State and the heads of other relevant agencies, including the Secretary of Homeland Security and the Director of National Intelligence; and

''(C) the Secretary of State, after consultation with the Secretary of Homeland Security, the Director of National Intelligence, and the heads of other relevant agencies, certifies that the alien is admissible to the United States.''.

SEC. __92. VISA REVOCATION.

(a) AUTHORITY OF THE SECRETARY OF HOMELAND SECURITY AND THE SECRETARY OF STATE.—

(1) IN GENERAL.—Section 428 of the Homeland Security Act of 2002 (6 U.S.C. 236) is amended by striking subsections (b) and (c) and inserting the following:

''(b) AUTHORITY OF THE SECRETARY OF HOMELAND SECURITY.—

''(1) IN GENERAL.—Notwithstanding section 104(a) of the Immigration and Nationality Act (8 U.S.C. 1104(a)) or any other provision of law, and except as provided in subsection (c) and except for the authority of the Secretary of State under subparagraphs (A) and (G) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)), the Secretary—

''(A) shall have exclusive authority to issue regulations, establish policy, and administer and enforce the provisions of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) and all other immigration or nationality laws relating to the functions of consular officers of the United States in connection with the granting and refusal of a visa; and

''(B) may refuse or revoke any visa to any alien or class of aliens if the Secretary, or designee, determines that such refusal or revocation is necessary or advisable in the security interests of the United States.

''(2) EFFECT OF REVOCATION.—The revocation of any visa under paragraph (1)(B)—

''(A) shall take effect immediately; and

''(B) shall automatically cancel any other valid visa that is in the alien's possession.

''(3) JUDICIAL REVIEW.—Notwithstanding any other provision of law, including section 2241 of title 28, United States Code, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review a decision by the Secretary of Homeland Security to refuse or revoke a visa, and no court shall have jurisdiction to hear any claim arising from, or any challenge to, such a refusal or revocation.

''(c) AUTHORITY OF THE SECRETARY OF STATE.—

''(1) IN GENERAL.—The Secretary of State may direct a consular officer to refuse a visa requested by an alien if the Secretary of State determines such refusal to be necessary or advisable in the interests of the United States.

''(2) LIMITATION.—No decision by the Secretary of State to approve a visa may override a decision by the Secretary of Homeland Security under subsection (b).''.

(2) CONFORMING AMENDMENT.—Section 237(a)(1)(B) (8 U.S.C. 1227(a)(1)(B)) is amended by striking ''under section 221(i)''.

(3) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act and shall apply to visa refusals and revocations occurring before, on, or after such date.

(b) TECHNICAL CORRECTIONS TO THE HOMELAND SECURITY ACT.—Section 428(a) of the Homeland Security Act of 2002 (6 U.S.C. 236) is amended by—

(1) striking ''subsection'' and inserting ''section''; and

(2) striking ''consular office'' and inserting ''consular officer''.

(c) VISA REVOCATION INFORMATION.—Section 428

SEC. __93. CANCELLATION OF ADDITIONAL VISAS.

(a) IN GENERAL.—Section 222(g) (8 U.S.C. 1202(g)) is amended—

(1) in paragraph (1)—

(A) by striking ''Attorney General'' and inserting ''Secretary''; and

(B) by inserting ''and any other nonimmigrant visa issued by the United States that is in the possession of the alien'' after ''such visa''; and

(2) in paragraph (2)(A), by striking ''(other than the visa described in paragraph (1)) issued in a consular office located in the country of the alien's nationality'' and inserting ''(other than a visa described in paragraph (1)) issued in a consular office located in the country of the alien's nationality or foreign residence''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to a visa issued before, on, or after such date.

SEC. __94. VISA INFORMATION SHARING.

(a) IN GENERAL.—Section 222(f) (8 U.S.C. 1202(f)(2)) is amended—

(1) by striking ''issuance or refusal'' and inserting ''issuance, refusal, or revocation'';

(2) in paragraph (2), by striking ''and on the basis of reciprocity'';

(3) in paragraph (2)(A)—

(A) by inserting '' (i)'' after ''for the purpose of''; and

(B) by striking ''illicit weapons; or'' and inserting ''illicit weapons, or (ii) determining a person's deportability or eligibility for a visa, admission, or other immigration benefit;'';

(4) in paragraph (2)(B)—

(A) by striking ''for the purposes'' and inserting ''for one of the purposes''; and

(B) by striking ''or to deny visas to persons who would be inadmissible to the United States'' and inserting ''; or''; and

(5) by adding before the period at the end the following:

''(C) with regard to any or all aliens in the database specified data elements from each record, if the Secretary of State determines that it is in the national interest to provide such information to a foreign government.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect 60 days after the date of the enactment of the Act.

SEC. __95. AUTHORIZING THE DEPARTMENT OF STATE TO NOT INTERVIEW CERTAIN INELIGIBLE VISA APPLICANTS.

(a) IN GENERAL.—Section 222(h)(1) (8 U.S.C. 1202(h)(1)) is amended by inserting '' the alien is determined by the Secretary of State to be ineligible for a visa based upon review of the application or'' after ''unless''.

(b) GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall issue guidance to consular officers on the standards and processes for implementing the authority to deny visa applications without interview in cases where the alien is determined by the Secretary of State to be ineligible for a visa based upon review of the application.

(c) REPORTS.—Not less frequently than once each quarter, the Secretary of State shall submit to the Congress a report on the denial of visa applications without interview, including—

(1) the number of such denials; and

(2) a post-by-post breakdown of such denials.

SEC. __96. FUNDING FOR THE VISA SECURITY PROGRAM.

(a) IN GENERAL.—The Department of State and Related Agency Appropriations Act, 2005 (title IV of division B of Public Law 108-447) is amended, in the fourth paragraph under the heading ''Diplomatic and Consular Programs'', by striking ''Beginning'' through the period at the end and inserting the following: ''Beginning in fiscal year 2005 and thereafter, the Secretary of State is authorized to charge surcharges related to consular services in support of enhanced border security that are in addition to the immigrant visa fees in effect on January 1, 2004: Provided, That funds collected pursuant to this authority shall be credited to the appropriation for U.S. Immigration and Customs Enforcement for the fiscal year in which the fees were collected, and shall be available until expended for the funding of the Visa Security Program established by the Secretary of Homeland Security under section 428(e) of the Homeland Security Act of 2002 (Public Law 107–296): Provided further, That such surcharges shall be 10 percent of the fee assessed on immigrant visa applications.''.

(b) REPAYMENT OF APPROPRIATED FUNDS.—Twenty percent of the funds collected each fiscal year under the heading ''Diplomatic and Consular Programs'' in the Department of State and Related Agency Appropriations Act, 2005 (title IV of division B of Public Law 108-447), as amended by subsection (a), shall be deposited into the general fund of the Treasury as repayment of funds appropriated pursuant to section 407(c) of this Act until the entire appropriated sum has been repaid.

SEC. __97. EXPEDITIOUS EXPANSION OF VISA SECURITY PROGRAM TO HIGH-RISK POSTS.

(a) IN GENERAL.—Section 428(i) of the Homeland Security Act of 2002 (6 U.S.C. 236(i)) is amended to read as follows:

''(i) VISA ISSUANCE AT DESIGNATED HIGH-RISK POSTS.—Notwithstanding any other provision of law, the Secretary of Homeland Security shall conduct an on-site review of all visa applications and supporting documentation before adjudication at the top 30 visa-issuing posts designated jointly by the Secretaries of State and Homeland Security as high-risk posts.''.

(b) ASSIGNMENT OF PERSONNEL.—Not later than one year after the date of enactment of this section, the Secretary of Homeland Security shall assign personnel to the visa-issuing posts referenced in section 428(i) of the Homeland Security Act of 2002 (6 U.S.C. 236(i)), as amended by this section, and communicate such assignments to the Secretary of State.

(c) APPROPRIATIONS.—There is authorized to be appropriated $60,000,000 for each of the fiscal years 2014 and 2015, which shall be used to expedite the implementation of section 428(i) of the Homeland Security Act, as amended by this section.

SEC. __98. EXPEDITED CLEARANCE AND PLACEMENT OF DEPARTMENT OF HOMELAND SECURITY PERSONNEL AT OVERSEAS EMBASSIES AND CONSULAR POSTS.

Section 428 of the Homeland Security Act of 2002 (6 U.S.C. 236) is amended by adding at the end the following:

''(j) EXPEDITED CLEARANCE AND PLACEMENT OF DEPARTMENT OF HOMELAND SECURITY PERSONNEL AT OVERSEAS EMBASSIES AND CONSULAR POSTS.—Notwithstanding any other provision of law, and the processes set forth in National Security Defense Directive 38 (dated June 2, 1982) or any successor Directive, the Chief of Mission of a post to which the Secretary of Homeland Security has assigned personnel under subsection (e) or (i) shall ensure, not later than one year after the date on which the Secretary of Homeland Security communicates such assignment to the Secretary of State, that such personnel have been stationed and accommodated at post and are able to carry out their duties.''.

SEC. __99. INCREASED CRIMINAL PENALTIES FOR STUDENT VISA INTEGRITY.

Section 1546 of title 18, United States Code, is amended by striking ''10 years'' and inserting ''15 years (if the offense was committed by an owner, official, or employee of an educational institution with respect to such institution's participation in the Student and exchange Visitor Program), 10 years''.

SEC. __99A. VISA FRAUD.

(a) TEMPORARY SUSPENSION OF SEVIS ACCESS.—Section 641(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(d)) is amended—

(1) in paragraph (1)(A), by striking ''institution,,'' and inserting ''institution,''; and

(2) by adding at the end the following:

''(3) EFFECT OF REASONABLE SUSPICION OF FRAUD.—If the Secretary of Homeland Security has reasonable suspicion that an owner of, or a designated school official at, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program has committed fraud or attempted to commit fraud relating to any aspect of the Student and Exchange Visitor Program, the Secretary may immediately suspend, without notice, such official's or such school's access to the Student and Exchange Visitor Information System (SEVIS), including the ability to issue Form I–20s, pending a final determination by the Secretary with respect to the institution's certification under the Student and Exchange Visitor Program.''.

(b) EFFECT OF CONVICTION FOR VISA FRAUD.—Such section 641(d), as amended by subsection (a)(2), is further amended by adding at the end the following:

''(4) PERMANENT DISQUALIFICATION FOR FRAUD.—A designated school official at, or an owner of, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program who is convicted for fraud relating to any aspect of the Student and Exchange Visitor Program shall be permanently disqualified from filing future petitions and from having an ownership interest or a management role, including serving as a principal, owner, officer, board member, general partner, designated school official, or any other position of substantive authority for the operations or management of the institution, in any United States educational institution that enrolls nonimmigrant alien students described in subparagraph (F) or (M) of section 101(a)(15) the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).''.

SEC. __99B. BACKGROUND CHECKS.

(a) IN GENERAL.—Section 641(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(d)), as amended by section 411(b) of this Act, is further amended by adding at the end the following:

''(5) BACKGROUND CHECK REQUIREMENT.—

''(A) IN GENERAL.—An individual may not serve as a designated school official or be granted access to SEVIS unless the individual is a national of the United States or an alien lawfully admitted for permanent residence and during the most recent 3-year period—

''(i) the Secretary of Homeland Security has—

''(I) conducted a thorough background check on the individual, including a review of the individual's criminal and sex offender history and the verification of the individual's immigration status; and

''(II) determined that the individual has not been convicted of any violation of United States immigration law and is not a risk to national security of the United States; and

''(ii) the individual has successfully completed an on-line training course on SEVP and SEVIS, which has been developed by the Secretary.

''(B) INTERIM DESIGNATED SCHOOL OFFICIAL.—

''(i) IN GENERAL.—An individual may serve as an interim designated school official during the period that the Secretary is conducting the background check required by subparagraph (A)(i)(I).

''(ii) REVIEWS BY THE SECRETARY.—If an individual serving as an interim designated school official under clause (i) does not successfully complete the background check required by subparagraph (A)(i)(I), the Secretary shall review each Form I–20 issued by such interim designated school official.

''(6) FEE.—The Secretary is authorized to collect a fee from an approved school for each background check conducted under paragraph (6)(A)(i). The amount of such fee shall be equal to the average amount expended by the Secretary to conducted such background checks.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 1 year after the date of the enactment of this Act.

SEC. __99C. FLIGHT SCHOOLS NOT CERTIFIED BY FAA.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary of Homeland Security shall prohibit any flight school in the United States from accessing SEVIS or issuing a Form I–20 to an alien seeking a student visa pursuant to subparagraph (F)(i) or (M)(i) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) if the flight school has not been certified to the satisfaction of the Secretary and by the Federal Aviation Administration pursuant to part 141 or part 142 of title 14, Code of Federal Regulations (or similar successor regulations).

(b) TEMPORARY EXCEPTION.—During the 5-year period beginning on the date of the enactment of this Act, the Secretary may waive the requirement under subsection (a) that a flight school be certified by the Federal Aviation Administration if such flight school—

(1) was certified under the Student and Exchange Visitor Program on the date of the enactment of this Act;

(2) submitted an application for certification with the Federal Aviation Administration during the 1-year period beginning on such date; and

(3) continues to progress toward certification by the Federal Aviation Administration.

SEC. __99D. REVOCATION OF ACCREDITATION.

At the time an accrediting agency or association is required to notify the Secretary of Education and the appropriate State licensing or authorizing agency of the final denial, withdrawal, suspension, or termination of accreditation of an institution pursuant to section 496 of the Higher Education Act of 1965 (20 U.S.C. 1099b), such accrediting agency or association shall notify the Secretary of Homeland Security of such determination and the Secretary of Homeland Security shall immediately withdraw the school from the SEVP and prohibit the school from accessing SEVIS.

SEC. __99E. REPORT ON RISK ASSESSMENT.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that contains the risk assessment strategy that will be employed by the Secretary to identify, investigate, and take appropriate action against schools and school officials that are facilitating the issuance of Form I–20 and the maintenance of student visa status in violation of the immigration laws of the United States.

SEC. __99F. IMPLEMENTATION OF GAO RECOMMENDATIONS.

Not later than 180 days after the date of the enactment of this act, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that describes—

(1) the process in place to identify and assess risks in the SEVP;

(2) a risk assessment process to allocate SEVP's resources based on risk;

(3) the procedures in place for consistently ensuring a school's eligibility, including consistently verifying in lieu of letters;

(4) how SEVP identified and addressed missing school case files;

(5) a plan to develop and implement a process to monitor state licensing and accreditation status of all SEVP-certified schools;

(6) whether all flight schools that have not been certified to the satisfaction of the Secretary and by the Federal Aviation Administration have been removed from the program and have been restricted from accessing SEVIS;

(7) the standard operating procedures that govern coordination among SEVP, Counterterrorism and Criminal Exploitation Unit, and U.S. Immigration and Customs Enforcement field offices; and

(8) the established criteria for referring cases of a potentially criminal nature from SEVP to the counterterrorism and intelligence community.

SEC. __99G. IMPLEMENTATION OF SEVIS II.

Not later than 2 years after the date of the enactment of this Act, the Secretary of Homeland Security shall complete the deployment of both phases of the 2nd generation Student and Exchange Visitor Information System (commonly known as ''SEVIS II'').

SEC. __99H. DEFINITIONS.

(a) DEFINITIONS.—In this subtitle:

(1) SEVIS.—The term ''SEVIS'' means the Student and Exchange Visitor Information System of the Department.

(2) SEVP.—The term ''SEVP'' means the Student and Exchange Visitor Program of the Department.

SEC. __99I. ACCREDITATION REQUIREMENTS.

(a) COLLEGES, UNIVERSITIES, AND LANGUAGE TRAINING PROGRAMS.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended—

(1) in paragraph (15)(F)(i)—

(A) by striking ''section 214(1) at an established college, university, seminary, conservatory or in an accredited language training program in the United States'' and inserting ''section 214(m) at an accredited college, university, or language training program, or at an established seminary, conservatory, academic high school, elementary school, or other academic institution in the United States''; and

(B) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(C) by amending paragraph (52) to read as follows:

''(52) Except as provided in section 214(m)(4), the term 'accredited college, university, or language training program' means a college, university, or language training program that is accredited by an accrediting agency recognized by the Secretary of Education.''.

(b) OTHER ACADEMIC INSTITUTIONS.—Section 214(m) (8 U.S.C. 1184(m)) is amended by adding at the end the following:

''(3) The Secretary of Homeland Security shall require accreditation of an academic institution (except for seminaries or other religious institutions) for purposes of section 101(a)(15)(F) if—

''(A) that institution is not already required to be accredited under section 101(a)(15)(F)(i); and

''(B) an appropriate accrediting agency recognized by the Secretary of Education is able to provide such accreditation.

''(4) The Secretary of Homeland Security, in the Secretary's discretion, may waive the accreditation requirement in paragraph (3) or section 101(a)(15)(F)(i) with respect to an institution if such institution—

''(A) is otherwise in compliance with the requirements of section 101(a)(15)(F)(i); and

''(B) has been a candidate for accreditation for at least 1 year and continues to progress toward accreditation by an accrediting agency recognized by the Secretary of Education.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall—

(A) take effect on the date that is 180 days after the date of enactment of this Act; and

(B) apply with respect to applications for nonimmigrant visas that are filed on or after

the effective date described in subparagraph (A).

(2) TEMPORARY EXCEPTION.—During the 3-year period beginning on the effective date described in paragraph (1)(A), an institution that is newly required to be accredited under this section may continue to participate in the Student and Exchange Visitor Program notwithstanding the institution's lack of accreditation if the institution—

(A) was certified under the Student and Exchange Visitor Program on such date;

(B) submitted an application for accreditation to an accrediting agency recognized by the Secretary of Education during the 6-month period ending on such date; and

(C) continues to progress toward accreditation by such accrediting agency.

SEC. __99J. VISA FRAUD.

(a) TEMPORARY SUSPENSION OF SEVIS ACCESS.—Section 641(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1372(d)) is amended—

(1) in paragraph (1)(A), by striking ''institution,,'' and inserting ''institution,''; and

(2) by adding at the end the following:

''(3) EFFECT OF REASONABLE SUSPICION OF FRAUD.—If the Secretary of Homeland Security has reasonable suspicion that an owner of, or a designated school official at, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program has committed fraud or attempted to commit fraud relating to any aspect of the Student and Exchange Visitor Program, the Secretary may immediately suspend, without notice, such official's or such school's access to the Student and Exchange Visitor Information System (SEVIS), including the ability to issue Form I–20s, pending a final determination by the Secretary with respect to the institution's certification under the Student and Exchange Visitor Program.''.

(b) EFFECT OF CONVICTION FOR VISA FRAUD.—Such section 641(d), as amended by subsection (a)(2), is further amended by adding at the end the following:

''(4) PERMANENT DISQUALIFICATION FOR FRAUD.—A designated school official at, or an owner of, an approved institution of higher education, an other approved educational institution, or a designated exchange visitor program who is convicted for fraud relating to any aspect of the Student and Exchange Visitor Program shall be permanently disqualified from filing future petitions and from having an ownership interest or a management role, including serving as a principal, owner, officer, board member, general partner, designated school official, or any other position of substantive authority for the operations or management of the institution, in any United States educational institution that enrolls nonimmigrant alien students described in subparagraph (F) or (M) of section 101(a)(15) the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).''.

SA 1687. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ACQUISITION OF ADDITIONAL UNMANNED AERIAL VEHICLES AND UNMANNED AERIAL SYSTEMS.

Notwithstanding paragraphs (1) and (2) of section 1106(a), the Commissioner of U.S. Customs and Border Protection may not acquire additional unmanned aerial vehicles or unmanned aircraft systems until after the Inspector General of the Department submits a report to Congress, which certifies that U.S. Customs and Border Protection has implemented all the recommendations contained in the report submitted by the Office of the Inspector General of the Department to U.S. Customs and Border Protection on May 30, 2012, titled ''CBP's Use of Unmanned Aircraft Systems in the Nation's Border Security'', including—

(1) analyzing requirements and developing plans to achieve the unmanned aerial system mission availability objective and acquiring funding to provide necessary operations, maintenance, and equipment;

(2) developing and implementing procedures to coordinate and support stakeholders' mission requests; and

(3) establishing interagency agreements with external stakeholders for reimbursement of expenses incurred fulfilling mission requests, to the extent authorized by law.

SA 1688. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. GROUNDS FOR INELIGIBILITY FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.

Section 245B(b) of the Immigration and Nationality Act, as added by section 2101, is further amended by striking paragraph (3) and inserting the following:

''(3) GROUNDS FOR INELIGIBILITY.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an alien is ineligible for registered provisional immigrant status if the Secretary determines that the alien—

''(i) has a conviction for—

''(I) an offense classified as a felony in the convicting jurisdiction (other than a State or local offense for which an essential element was the alien's immigration status, or a violation of this Act);

''(II) an aggravated felony (as defined in section 101(a)(43) at the time of the conviction);

''(III) an offense (unless the applicant demonstrates, by clear and convincing evidence, that he or she is innocent of the offense, that he or she is the victim of such offense, or that no offense occurred), which is classified as a misdemeanor in the convicting jurisdiction, and which involved—

''(aa) domestic violence or child abuse and neglect (as such terms are defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)));

''(bb) assault resulting in bodily injury or the violation of a protection order (as such terms are defined in section 2266 of title 18, United States Code); or

''(cc) driving while intoxicated (as defined in section 164 of title 23, United States Code);

''(IV) 2 or more misdemeanor offenses (other than minor traffic offenses or State or local offenses for which an essential element was the alien's immigration status or violations of this Act);

''(V) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) (excluding the paragraphs set forth in clause (ii)) or removable under section 237(a), except as provided in paragraph (3) of section 237(a); or

''(VI) unlawful voting (as defined in section 237(a)(6));

''(ii) is inadmissible under section 212(a), except that in determining an alien's inadmissibility—

''(I) paragraphs (4), (5), (7), and (9)(B) of section 212(a) shall not apply;

''(II) subparagraphs (A), (C), (D), (F), and (G) of section 212(a)(6) and paragraphs (9)(C) and (10)(B) of section 212(a) shall not apply unless based on the act of unlawfully entering the United States after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; and

''(III) paragraphs (6)(B) and (9)(A) of section 212(a) shall not apply unless the relevant conduct began on or after the date on which the alien files an application for registered provisional immigrant status under this section;

''(iii) is an alien who the Secretary knows or has reasonable grounds to believe, is engaged in or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iv)); or

''(iv) was, on April 16, 2013—

''(I) an alien lawfully admitted for permanent residence;

''(II) an alien admitted as a refugee under section 207 or granted asylum under section 208; or

''(III) an alien who, according to the records of the Secretary or the Secretary of State, is lawfully present in the United States in any nonimmigrant status (other than an alien considered to be a nonimmigrant solely due to the application of section 244(f)(4) or the amendment made by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229)), notwithstanding any unauthorized employment or other violation of nonimmigrant status.

''(B) WAIVER.—

''(i) IN GENERAL.—The Secretary may waive the application of any provision of section 212(a) that is not listed in clause (ii) on behalf of an alien for humanitarian purposes, to ensure family unity, or if such a waiver is otherwise in the public interest. Any discretionary authority to waive grounds of inadmissibility under section 212(a) conferred under any other provision of this Act shall apply equally to aliens seeking registered provisional status under this section.

''(ii) EXCEPTIONS.—The discretionary authority under clause (i) may not be used to waive—

''(I) subparagraph (B), (C), (D)(ii), (E), (G), (H), or (I) of section 212(a)(2);

''(II) section 212(a)(3);

''(III) subparagraph (A), (C), (D), or (E) of section 212(a)(10); or

''(IV) with respect to misrepresentations relating to the application for registered provisional immigrant status, section 212(a)(6)(C)(i).

''(C) CONVICTION EXPLAINED.—For purposes of this paragraph, the term 'conviction' does not include a judgment that has been expunged, set aside, or the equivalent.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to require the Secretary to commence removal proceedings against an alien.''.

SA 1689. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ELIMINATION OF GOVERNMENT-FUNDED COUNSEL FOR ALIENS IN IMMIGRATION PROCEEDINGS.

(a) APPOINTMENT OF COUNSEL IN IMMIGRATION PROCEEDINGS.—Section 292 (8 U.S.C. 1362), as amended by section 3502, is further amended—

(1) in subsection (a), by inserting ''(at no expense to the Government)'' after ''being represented'';

(2) in subsection (b), by striking the second sentence; and

(3) by striking subsection (c).

(b) APPOINTMENT OF COUNSEL IN REMOVAL PROCEEDINGS.—Section 240(b)(4) (8 U.S.C. 1229a(b)(4)), as amended by section 3502, is further amended—

(1) in subparagraph (A), by inserting '', at no expense to the Government,'' after ''being represented''; and

(2) in the flush text at the end, by striking the second sentence.

(c) REPEAL.—Subsections (b), (c), and (d) of section 2104 of this Act and the amendments to section 242 of the Immigration and Nationality Act made by section 2104(b) of this Act are repealed.

(d) ELIMINATION OF OFFICE OF LEGAL ACCESS PROGRAMS.—Notwithstanding section 3503, the Attorney General may not establish or maintain an Office of Legal Access Programs.

SA 1690. Mr. MORAN (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ADDITIONAL REQUIREMENTS FOR STEM EDUCATION PROGRAMS.

(a) LOW-INCOME STEM SCHOLARSHIP PROGRAM.—For purposes of paragraph (3)(B) of 286(s) of the Immigration and Nationality Act, as added by section 4104(b), the Director of the National Science Foundation shall consider veterans to be an underrepresented group.

(b) NATIONAL EVALUATION.—In conducting the annual evaluation of the implementation and impact of the activities funded by the STEM Education and Training Account under section 4104(d), the Secretary of Education shall include an assessment of—

(1) engagement in STEM fields of underrepresented groups such as women and minorities; and

(2) achievement in STEM fields of underrepresented groups such as women and minorities.

(c) IDENTIFYING AND DISSEMINATING BEST PRACTICES.—The Secretary of Education shall, directly or through a grant or contract, identify State best practices with respect to STEM education and share that information broadly.

SEC. ___. USE OF H–1B VISA FEES.

(a) IN GENERAL.—Section 214(c)(9)(C) (8 U.S.C. 1184(c)(9)(C)) is amended to read as follows:

''(C) Fees collected under this paragraph shall be deposited in the Treasury as follows:

''(i) Until the amount collected for a fiscal year under this paragraph equals $275,000,000, in the H–1B Nonimmigrant Petitioner Account for use in accordance with section 286(s).

''(ii) After the amount collected for a fiscal year under this paragraph exceeds $275,000,000—

''(I) 5 percent shall be deposited in the H–1B Nonimmigrant Petitioner Account for use as described in paragraph (5) of section 286(s);

''(II) 5 percent shall be deposited in the H–1B Nonimmigrant Petitioner Account for use as described in paragraph (6) of section 286(s); and

''(III) 90 percent shall be deposited in the STEM Education and Training Account for use as described in section 286(w).''.

(b) CONFORMING AMENDMENT.—Section 286(s)(1) (8 U.S.C. 1356(s)(1)) is amended by striking ''collected under paragraphs (9) and (11) of section 214(c).'' and inserting ''described in clause (i), (ii)(I), and (ii)(II) of paragraph (9)(C) of section 214(c) and collected under paragraph (11) of such section.''.

SA 1691. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DEPARTMENT OF HOMELAND SECURITY BORDER OVERSIGHT TASK FORCE MODIFICATIONS.

(a) HEARINGS AND EVIDENCE.—

(1) IN GENERAL.—Notwithstanding section 1113(b)(1), the Department of Homeland Security Border Oversight Task Force established under section 1113 (referred to in this section as the ''DHS Task Force'') or, on the authority of the DHS Task Force, any portion of the DHS Task Force, may, for the purpose of carrying out this section—

(A) hold hearings, sit and act, take testimony, receive evidence, administer oaths; and

(B) subject to subsection (b), require, by subpoena or otherwise provide for, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the DHS Task Force, or such portion thereof, may determine advisable.

(2) OPEN TO THE PUBLIC.—Hearings and other activities conducted under paragraph (1) shall be open to the public unless the DHS Task Force, or, on the authority of the DHS Task Force, any portion of the DHS Task Force, determines that such is not appropriate, including for reasons relating to the disclosure of information or material regarding the national security interests of the United States or the disclosure of sensitive law enforcement data.

(b) SUBPOENAS.—

(1) ISSUANCE.—

(A) IN GENERAL.—A subpoena may be issued under this subsection only—

(i) by the agreement of the Chair and the Vice Chair; or

(ii) by the affirmative recorded vote of 16 members of the DHS Task Force.

(B) SIGNATURE.—Subpoenas issued under this subsection may be—

(i) issued under the signature of the Chair and Vice Chair or any member designated by a majority of the DHS Task Force; and

(ii) served by any person designated by the Chair and Vice Chair or by any member designated by a majority of the DHS Task Force.

(2) ENFORCEMENT.—

(A) IN GENERAL.—In the case of contumacy or failure to obey a subpoena issued under this subsection, the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found, or where the subpoena is returnable, may issue an order requiring such person to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as contempt of that court.

(B) ADDITIONAL ENFORCEMENT.—In the case of any failure of any witness to comply with any subpoena, the Task Force may, by majority vote, certify a statement of fact constituting such failure to the appropriate United States attorney, who may bring the matter before a grand jury for its action, under the same statutory authority and procedures as if the United States attorney had received a certification under sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192 through 194).

(c) SUNSET.—Notwithstanding section 1113(e), the DHS Task Force shall continue operations indefinitely.

SA 1692. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ADDITIONAL PERMANENT DISTRICT COURT JUDGESHIPS IN NEW MEXICO.

(a) IN GENERAL.—The President shall appoint, by and with the advice and consent of the Senate, 1 additional district judge for the district of New Mexico.

(b) CONVERSION OF TEMPORARY JUDGESHIP TO PERMANENT JUDGESHIP.—The existing judgeship for the district of New Mexico authorized by section 312(c) of the 21st Century Department of Justice Appropriations Authorization Act (28 U.S.C. 133 note; Public Law 107–273; 116 Stat. 1788), as of the effective date of this Act, shall be authorized under section 133 of title 28, United States Code, and the incumbent in that office shall hold the office under section 133 of title 28, United States Code, as amended by this Act.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table contained in section 133(a) of title 28, United States Code, is amended by striking the item relating to the district of New Mexico and inserting the following:

''New Mexico ..... 8''.

SA 1693. Mr. UDALL of New Mexico (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 5. BORDER ENFORCEMENT SECURITY TASK FORCE.

(a) IN GENERAL.—The Secretary shall enhance law enforcement preparedness and operational readiness in the Southwest border region by expanding the Border Enforcement Security Task Force (referred to in this section as ''BEST''), established under section 432 of the Homeland Security Act of 2002 (6 U.S.C. 240).

(b) UNITS TO BE EXPANDED.—The Secretary shall expand the BEST units operating on

the date of the enactment of this Act in New Mexico, Texas, Arizona, and California by increasing the funding available for operational, administrative, and technological costs associated with the participation of Federal, State, local, and tribal law enforcement agencies in BEST.

(c) FUNDING.—There are authorized to be appropriated, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), such sums as may be necessary to carry out this subsection.

SA 1694. Mr. UDALL of New Mexico submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ELIGIBLE USE OF GRANT FUNDS.

In addition to the uses described in section 1104(c)(3), grants awarded under that section may be used for maintenance of, and improvements to, all public roads, including locally owned public roads and roads on tribal land—

(a) that are located within 100 miles of—

(1) the Northern border; or

(2) the Southern border; and

(b) on which federally owned motor vehicles comprise more than 50 percent of the vehicular traffic.

SA 1695. Mr. BROWN (for himself, Mr. MANCHIN, Mr. GRASSLEY, and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. HIRE QUALIFIED AMERICANS FIRST.

Section 212(n)(1)(G) (8 U.S.C. 1182(n)(1)(G)), as amended by section 4211(c)(2) of this Act, is further amended by striking clause (iii) and inserting the following:

''(iii) has offered the job to any United States worker who applies and is equally or better qualified for the job for which the nonimmigrant or nonimmigrants is or are sought.''.

SA 1696. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS.

(a) IN GENERAL.—None of the amounts appropriated or otherwise made available under this Act may be used for a project for the construction, alteration, maintenance, or repair of a fence along the Southern border unless all of the iron, steel, and manufactured goods used in the fence are produced in the United States.

(b) WAIVER.—Subsection (a) shall not apply in any case or category of cases in which the head of the Federal department or agency involved finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron, steel, and the relevant manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron, steel, and manufactured goods produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) PUBLICATION OF WAIVER JUSTIFICATION.—If the head of a Federal department or agency determines that it is necessary to waive the application of subsection (a) based on a finding under subsection (b), the head of the department or agency shall publish in the Federal Register a detailed written justification as to why the provision is being waived.

(d) SAVINGS PROVISION.—This section shall be applied in a manner consistent with United States obligations under international agreements.

SA 1697. Mr. CORKER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SECURE COMMUNITIES.

(a) IN GENERAL.—The Secretary shall initiate removal proceedings, in accordance with chapter 4 of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.), against all individuals who are arrested for an offense that poses a danger to the community and are identified through Secure Communities as—

(1) unlawfully present in the United States;

(2) having previously been removed and not lawfully reentered; or

(3) otherwise removable.

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit the availability of any relief authorized under the Immigration and Nationality Act.

(c) SEMIANNUAL REPORT.—Every 6 months, the Secretary shall submit a report to Congress that identifies, for the most recent 6-month and 12-month periods—

(1) the total number of individuals identified through Secure Communities as meeting 1 of the conditions set forth in paragraphs (1) through (3) of subsection (a);

(2) the number of individuals described in paragraph (1) against whom removal proceedings were not initiated, categorized by immigration status;

(3) of the individuals described in paragraph (2), the total number who U.S. Immigration and Customs Enforcement were authorized to take into custody and remove, including individuals who are—

(A) unlawfully present;

(B) unlawfully present and in removal proceedings;

(C) previously removed;

(D) under warrant for removal; or

(E) lawfully present and in removal proceedings; and

(4) of the individuals described in paragraph (2), the total number who were rearrested on a separate occasion after previously being identified through Secure Communities as meeting 1 of the conditions set forth in paragraphs (1) through (3) of subsection (a), categorized by immigration status and the type of offense that led to such rearrest.

SA 1698. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____. PROTECTION OF NATIONAL SECURITY AND PUBLIC SAFETY.

(a) DISCLOSURES.—Section 245E(a) (as amended by section 2104(a)) is amended by striking paragraphs (2) and (3) and inserting the following:

''(2) REQUIRED DISCLOSURES.—The Secretary shall provide the information furnished in an application filed under section 245B, 245C, 245D, or 245F of this Act or section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act, and any other information derived from such furnished information to—

''(A) a law enforcement agency, intelligence agency, national security agency, a component of the Department of Homeland Security, court, or grand jury, in each instance about an individual suspect or group of suspects, consistent with law, in connection with—

''(i) a criminal investigation or prosecution;

''(ii) a national security investigation or prosecution; or

''(iii) a duly authorized investigation of a civil violation; and

''(B) an official coroner for purposes of affirmatively identifying a deceased individual, whether or not the death of such individual resulted from a crime.

''(3) INAPPLICABILITY AFTER DENIAL.—The limitations set forth in paragraph (1)—

''(A) shall apply only until—

''(i) an application filed under section 245B, 245C, 245D, or 245F of this Act or section 2211 of the Border Security, Economic Opportunity, and Immigration Modernization Act is denied; and

''(ii) all opportunities for administrative appeal of the denial have been exhausted; and

''(B) shall not apply to the use of the information furnished pursuant to such application in any removal proceeding or other criminal or civil case or action relating to an alien whose application has been granted that is based upon any violation of law committed or discovered after such grant.

''(4) CRIMINAL CONVICTIONS.—Notwithstanding any other provision of this section, information concerning whether the applicant has, at any time, been convicted of a crime may be used or released for immigration enforcement and law enforcement purposes.

''(5) AUDITING AND EVALUATION OF INFORMATION.—The Secretary may—

''(A) audit and evaluate information furnished as part of any application filed under section 245B, 245C, 245D, or 245F for purposes of identifying immigration fraud or fraud schemes; and

''(B) use any evidence detected by means of audits and evaluations for purposes of investigating, prosecuting, referring for prosecution, or denying or terminating immigration benefits.

''(6) USE OF INFORMATION IN PETITIONS AND APPLICATIONS SUBSEQUENT TO ADJUSTMENT OF STATUS.—If the Secretary has adjusted an alien's status to that of an alien lawfully admitted for permanent residence pursuant to section 245C, 245D, or 245F, the Secretary, at any time thereafter, may use the information furnished by the alien in the application for adjustment of status or in an application for status under section 245B, 245C, 245D, or

245F to make a determination on any petition or application.

''(7) CONSTRUCTION.—Nothing in this section may be construed to limit the use or release, for immigration enforcement purposes, of information contained in files or records of the Secretary or the Attorney General pertaining to applications filed under section 245B, 245C, 245D, or 245F other than information furnished by an applicant in the application, or any other information derived from the application, that is not available from any other source.''.

(b) VISA INFORMATION SHARING.—Section 222(f) (8 U.S.C. 1202(f)) is amended—

(1) in the matter preceding paragraph (1), by striking ''issuance or refusal'' and inserting ''issuance, refusal, or revocation''; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''discretion and on the basis of reciprocity,'' and inserting ''discretion,'';

(B) by striking subparagraph (A) and inserting the following:

''(A) with regard to individual aliens, at any time on a case-by-case basis for the purpose of—

''(i) preventing, investigating, or punishing acts that would constitute a crime in the United States, including terrorism or trafficking in controlled substances, persons, or illicit weapons; or

''(ii) determining a person's removability or eligibility for a visa, admission, or other immigration benefit;'';

(C) in subparagraph (B)—

(i) by striking ''for the purposes'' and inserting ''for one of the purposes''; and

(ii) by striking ''or to deny visas to persons who would be inadmissible to the United States.'' and inserting ''; or''; and

(D) by adding at the end the following:

''(C) with regard to any or all aliens in the database-specified data elements from each record, if the Secretary of State determines that it is in the national interest to provide such information to a foreign government.''.

SA 1699. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. TARGETING TRANSNATIONAL CRIMINAL ORGANIZATIONS THAT ENGAGE IN MONEY LAUNDERING.

Section 1956(c)(7) of title 18, United States Code, is amended—

(1) in subparagraph (E), by striking ''or'' after the semicolon;

(2) in subparagraph (F), by inserting ''or'' after the semicolon; and

(3) by adding at the end the following:

''(G) any act that is indictable under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), including section 274 of such Act (relating to bringing in and harboring certain aliens), section 277 of such Act (relating to aiding or assisting certain aliens to enter the United States), or section 278 of such Act (relating to importation of an alien for an immoral purpose);''.

SEC. _____. DANGEROUS HUMAN SMUGGLING, HUMAN TRAFFICKING, AND HUMAN RIGHTS VIOLATIONS.

(a) BRINGING IN AND HARBORING CERTAIN ALIENS.—Section 274 (8 U.S.C. 1324) is amended—

(1) in subsection (a)(1)(B)—

(A) by redesignating clauses (iii) and (iv) as clauses (vi) and (vii), respectively;

(B) by inserting after clause (ii) the following:

''(iii) in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) that is the third or subsequent offense committed by such person under this section, be fined under title 18, United States Code, imprisoned not less than 5 years and not more than 25 years, or both;

''(iv) in the case of a violation of subparagraph (A)(i), (ii), (iii), (iv), or (v) that negligently, recklessly, knowingly, or intentionally results in a victim being involuntarily forced into labor or prostitution, be fined under title 18, United States Code, imprisoned not less than 5 years and not more than 25 years, or both;

''(v) in the case of a violation of subparagraph (A)(i),(ii),(iii),(iv),or (v) during and in relation to which any person is subjected to an involuntary sexual act (as defined in section 2246(2) of title 18, United States Code), be fined under title 18, United States Code, imprisoned for not less than 5 years and not more than 25 years, or both;'' and

(C) in clause (vi), as redesignated, by striking inserting ''and not less than 10'' before ''years''; and

(2) by amending subsection (b)(1) to read as follows:

''(1) IN GENERAL.—Any property, real or personal, involved in or used to facilitate the commission of a violation or attempted violation of subsection (a), the gross proceeds of such violation or attempted violation, and any property traceable to such property or proceeds, shall be seized and subject to forfeiture.''.

SEC. _____. RESPECT FOR VICTIMS OF HUMAN SMUGGLING.

(a) VICTIM REMAINS.—The Attorney General shall appoint an official to ensure that information regarding missing aliens and unidentified remains found in the covered area are included in a database of the National Missing and Unidentified Persons System.

(b) REIMBURSEMENT.—The Secretary shall reimburse county, municipal, and tribal governments in the United States that are located in the covered area for costs associated with the transportation and processing of unidentified remains, found in the desert or on ranch lands, on the condition that the remains are transferred either to an official medical examiner's office, or a local university with the capacity to analyze human remains using forensic best practices.

(c) BORDER CROSSING DATA.—The National Institute of Justice shall encourage genetic laboratories receiving Federal grant monies to process samples from unidentified remains discovered within the covered area and compare the resulting genetic profiles against samples from the relatives of any missing individual, including those provided by foreign consulates or authorized entities.

(d) COVERED AREA DEFINED.—In this section, the term ''covered area'' means the area of United States within 200 miles of the international border between the United States and Mexico.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2014 through 2018 to carry out this section.

SEC. _____. PUTTING THE BRAKES ON HUMAN SMUGGLING ACT.

(a) SHORT TITLE.—This section may be cited as the ''Putting the Brakes on Human Smuggling Act''.

(b) FIRST VIOLATION.—Paragraph (1) of section 31310(b) of title 49, United States Code, is amended—

(1) in subparagraph (D), by striking the ''or'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting a semicolon and ''or''; and

(3) by adding at the end the following:

''(F) using a commercial motor vehicle in willfully aiding or abetting an alien's illegal entry into the United States by transporting, guiding, directing, or attempting to assist the alien with the alien's entry in violation of section 275 of the Immigration and Nationality Act (8 U.S.C. 1325), regardless of whether the alien is ultimately fined or imprisoned for an act in violation of such section.''.

(c) SECOND OR MULTIPLE VIOLATIONS.—Paragraph (1) of section 31310(c) of title 49, United States Code, is amended—

(1) in subparagraph (E), by striking the ''or'' at the end;

(2) by redesignating subparagraph (F) as subparagraph (G);

(3) in subparagraph (G), as so redesignated, by striking ''(E)'' and inserting ''(F)''; and

(4) by inserting after subparagraph (E) the following:

''(F) using a commercial motor vehicle on more than one occasion in willfully aiding or abetting an alien's illegal entry into the United States by transporting, guiding, directing and attempting to assist the alien with alien's entry in violation of section 275 of the Immigration and Nationality Act (8 U.S.C. 1325), regardless of whether the alien is ultimately fined or imprisoned for an act in violation of such section; or''.

(d) LIFETIME DISQUALIFICATION.—Subsection (d) of section 31310 of title 49, United States Code, is amended to read as follows:

''(d) LIFETIME DISQUALIFICATION.—The Secretary shall disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle—

''(1) in committing a felony involving manufacturing, distributing, or dispensing a controlled substance, or possessing with the intent to manufacture, distribute, or dispense a controlled substance; or

''(2) in committing an act for which the individual is convicted under—

''(A) section 274 of the Immigration and Nationality Act (8 U.S.C. 1324); or

''(B) section 277 of such Act (8 U.S.C. 1327).''.

(e) REPORTING REQUIREMENTS.—

(1) COMMERCIAL DRIVER'S LICENSE INFORMATION SYSTEM.—Paragraph (1) of section 31309(b) of title 49, United States Code, is amended—

(A) in subparagraph (E), by striking ''and'' at the end;

(B) in subparagraph (F), by striking the period at the end and inserting a semicolon and ''and''; and

(C) by adding at the end the following new subparagraph:

''(G) whether the operator was disqualified, either temporarily or for life, from operating a commercial motor vehicle under section 31310, including under subsection (b)(1)(F), (c)(1)(F), or (d) of such section.''.

(2) NOTIFICATION BY THE STATE.—Paragraph (8) of section 31311(a) of title 49, United States Code, is amended by inserting ''including such a disqualification, revocation, suspension, or cancellation made pursuant to a disqualification under subsection (b)(1)(F), (c)(1)(F), or (d) of section 31310,'' after ''60 days,''.

SEC. _____. FREEZING BANK ACCOUNTS OF INTERNATIONAL CRIMINAL ORGANIZATIONS AND MONEY LAUNDERERS.

Section 981(b) of title 18, United States Code, is amended by adding at the end the following:

''(5)(A) If a person is arrested or charged in connection with an offense described in subparagraph (C) involving the movement of funds into or out of the United States, the Attorney General may apply to any Federal judge or magistrate judge in the district in which the arrest is made or where the charges are filed for an ex parte order restraining any account held by the person arrested or charged for not more than 30 days, except that such 30-day time period may be extended for good cause shown at a hearing conducted in the manner provided in Rule 43(e) of the Federal Rules of Civil Procedure. The court may receive and consider evidence and information submitted by the Government that would be inadmissible under the Federal Rules of Evidence.

''(B) The application for the restraining order referred to in subparagraph (A) shall—

''(i) identify the offense for which the person has been arrested or charged;

''(ii) identify the location and description of the accounts to be restrained; and

''(iii) state that the restraining order is needed to prevent the removal of the funds in the account by the person arrested or charged, or by others associated with such person, during the time needed by the Government to conduct such investigation as may be necessary to establish whether there is probable cause to believe that the funds in the accounts are subject to forfeiture in connection with the commission of any criminal offense.

''(C) A restraining order may be issued pursuant to subparagraph (A) if a person is arrested or charged with any offense for which forfeiture is authorized under this title, title 31, or the Controlled Substances Act (21 U.S.C. 801 et seq.).

''(D) For purposes of this section—

''(i) the term 'account' includes any safe deposit box and any account (as defined in paragraphs (1) and (2) of section 5318A(e) of title 31, United States Code) at any financial institution; and

''(ii) the term 'account held by the person arrested or charged' includes an account held in the name of such person, and any account over which such person has effective control as a signatory or otherwise.

''(E) Restraint pursuant to this paragraph shall not be deemed a 'seizure' for purposes of subsection 983(a) of this title.

''(F) A restraining order issued pursuant to this paragraph may be executed in any district in which the subject account is found, or transmitted to the central authority of any foreign State for service in accordance with any treaty or other international agreement.''.

SEC. _____. CRIMINAL PROCEEDS LAUNDERED THROUGH PREPAID ACCESS DEVICES, DIGITAL CURRENCIES, OR OTHER SIMILAR INSTRUMENTS.

(a) IN GENERAL.—Section 5312(a) of title 31, United States Code, is amended—

(1) by striking paragraph (2)(K) and inserting the following:

''(K) an issuer, redeemer, or cashier or travelers' checks, checks, money orders, prepaid access devices, digital currencies, or other similar instruments;'';

(2) in paragraph (3)(B), by inserting ''prepaid access devices,'' after ''delivery,'';

(3) by redesignating paragraph (6) as paragraph (7); and

(4) by inserting after paragraph (5) the following:

''(6) 'prepaid access device' means an electronic device or vehicle, such as a card, plate, code, number, electronic serial number, mobile identification number, personal identification number, or other instrument that provides a portal to funds or the value of funds that have been paid in advance and can be retrievable and transferable at some point in the future.''.

(b) GAO REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on—

(1) the impact the amendments made by subsection (a) has had on law enforcement, the prepaid access industry, and consumers; and

(2) the implementation and enforcement by the Department of Treasury of the final rule on Definitions and Other Regulations Relating to Prepaid Access (76 Fed. Reg. 45403), issued July 26, 2011.

(c) CUSTOMS AND BORDER PROTECTION STRATEGY FOR PREPAID ACCESS DEVICES.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Commissioner responsible for U.S. Customs and Border Protection, shall submit to Congress a report detailing a strategy to interdict and detect prepaid access devices, digital currencies, or other similar instruments, at border crossings and other ports of entry for the United States. The report shall include an assessment of infrastructure needs to carry out the strategy detailed in the report.

SEC. _____. FIGHTING MONEY SMUGGLING THROUGH BLANK CHECKS IN BEARER FORM.

Section 5316 of title 31, United States Code, is amended by adding at the end the following:

''(e) MONETARY INSTRUMENTS WITH AMOUNT LEFT BLANK.—For purposes of this section, a monetary instrument in bearer form that has the amount left blank, such that the amount could be filled in by the bearer, shall be considered to have a value in excess of $10,000 if the instrument was drawn on an account that contained or was intended to contain more than $10,000 at the time the instrument was transported or the time period it was negotiated or was intended to be negotiated.''.

SEC. _____. CLOSING THE LOOPHOLE ON DRUG CARTEL ASSOCIATES ENGAGED IN MONEY LAUNDERING.

(a) PROCEEDS OF A FELONY.—Section 1956(c)(1) of title 18, United States Code, is amended by inserting '', and regardless of whether or not the person knew that the activity constituted a felony'' before the semicolon at the end.

(b) INTENT TO CONCEAL OR DISGUISE.—Section 1956(a) of title 18, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''(B) knowing that'' and all that follows through ''Federal law,'' and inserting the following:

''(B) knowing that the transaction—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''; and

(2) in paragraph (2)(B), by striking ''(B) knowing that'' and all that follows through ''Federal law,'' and inserting the following:

''(B) knowing that the monetary instrument or funds involved in the transportation, transmission, or transfer represent the proceeds of some form of unlawful activity, and knowing that such transportation, transmission, or transfer—

''(i) conceals or disguises, or is intended to conceal or disguise, the nature, source, location, ownership, or control of the proceeds of some form of unlawful activity; or

''(ii) avoids, or is intended to avoid, a transaction reporting requirement under State or Federal law,''.

SEC. _____. DIRECTIVE TO UNITED STATES SENTENCING COMMISSION; EMERGENCY AUTHORITY.

(a) IN GENERAL.—The United States Sentencing Commission shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements as the Commission considers appropriate to respond to this Act.

(b) EMERGENCY AUTHORITY.—In carrying out subsection (a), the Commission may promulgate amendments to the Federal sentencing guidelines and policy statements in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note), as though the authority under that Act had not expired.

SA 1700. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. 1204. EMERGENCY PORT OF ENTRY PERSONNEL AND INFRASTRUCTURE FUNDING.

(a) STAFF ENHANCEMENTS.—In addition to positions authorized before the date of the enactment of this Act and any existing officer vacancies within U.S. Customs and Border Protection on such date, the Secretary shall, by not later than September 30, 2018, and subject to the availability of appropriations for such purpose, hire, train, and assign to duty 1,500 additional U.S. Customs and Border Protection officers (not less than 50 percent of which shall be designated to serve on all inspection lanes (primary, secondary, incoming, and outgoing) and enforcement teams at land ports of entry on the Northern border and the Southern border) and 350 additional full-time support staff, compared to the number of such officers and employees on the date of the enactment of this Act, to be distributed among all United States ports of entry.

(b) WAIVER OF PERSONNEL LIMITATION.—The Secretary may waive any limitation on the number of full-time equivalent personnel assigned to the Department in order to fulfill the requirements under subsection (a).

(c) REPORTS TO CONGRESS.—

(1) OUTBOUND INSPECTIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report containing the Department's plans for ensuring the placement of sufficient officers of U.S. Customs and Border Protection on outbound inspections, and adequate outbound infrastructure, at all Southern and Northern border land ports of entry.

(2) AGRICULTURAL SPECIALISTS.—Not later than 90 days after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of Agriculture, shall submit to the appropriate committees of Congress a report that contains the Department's plans for ensuring the placement of sufficient agriculture specialists at all Southern border and Northern border land ports of entry.

(3) ANNUAL IMPLEMENTATION REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the appropriate committees of Congress a report that—

(A) describes in detail the Department's implementation plan for staff enhancements required under subsection (a);

(B) includes the number of additional personnel assigned to duty at land ports of entry by location; and

(C) describes the methodology used to determine the distribution of additional personnel to address northbound and southbound cross-border inspections.

(4) APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on the Judiciary and the Committee on Homeland Security of the House of Representatives.

(d) SECURE COMMUNICATION.—The Secretary shall ensure that each officer of U.S. Customs and Border Protection is equipped with a secure 2-way communication and satellite-enabled device, supported by system interoperability, that allows such officers to communicate between ports of entry and inspection stations, and with other Federal, State, local, and tribal law enforcement entities.

(e) BORDER AREA SECURITY INITIATIVE GRANT PROGRAM.—The Secretary shall establish a grant program for the purchase of detection equipment at land ports of entry and mobile, hand-held, 2-way communication and biometric devices for State and local law enforcement officers serving on the Southern border and Northern border.

(f) PORT OF ENTRY INFRASTRUCTURE IMPROVEMENTS.—In order to aid in the enforcement of Federal customs, immigration, and agriculture laws, the Commissioner responsible for U.S. Customs and Border Protection may—

(1) design, construct, and modify United States ports of entry, living quarters for officers, agents, and personnel, and other structures and facilities, including those owned by municipalities, local governments, or private entities located at land ports of entry;

(2) acquire, by purchase, donation, exchange, or otherwise, land or any interest in land determined to be necessary to carry out the Commissioner's duties under this section; and

(3) construct additional ports of entry along the Southern border and the Northern border.

(g) CONSULTATION.—

(1) LOCATIONS FOR NEW PORTS OF ENTRY.—The Secretary shall consult with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of State, the International Boundary and Water Commission, the International Joint Commission, and appropriate representatives of States, local governments, Indian tribes, and property owners—

(A) to determine locations for new ports of entry; and

(B) to minimize adverse impacts from such ports on the environment, historic and cultural resources, commerce, and quality of life for the communities and residents located near such ports.

(2) SAVINGS PROVISION.—Nothing in this subsection may be construed—

(A) to create any right or liability of the parties described in paragraph (1);

(B) to affect the legality and validity of any determination under this Act by the Secretary; or

(C) to affect any consultation requirement under any other law.

(h) AUTHORITY TO ACQUIRE LEASEHOLDS.—Notwithstanding any other provision of law, the Secretary may acquire a leasehold interest in real property, and may construct or modify any facility on the leased property, if the Secretary determines that the acquisition of such interest, and such construction or modification, are necessary to facilitate the implementation of this Act.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, for each of the fiscal years 2014 through 2018, $1,000,000,000, of which $5,000,000 shall be used for grants authorized under subsection (e).

(j) OFFSET; RESCISSION OF UNOBLIGATED FEDERAL FUNDS.—

(1) IN GENERAL.—There is hereby rescinded, from appropriated discretionary funds that remain available for obligation as of the date of the enactment of this Act (other than the unobligated funds described in paragraph (4)), amounts determined by the Director of the Office of Management and Budget such that the aggregate amount of the rescission equals the amount authorized to be appropriated under subsection (i).

(2) IMPLEMENTATION.—The Director of the Office of Management and Budget shall determine and identify—

(A) the appropriation accounts from which the rescission under paragraph (1) shall apply; and

(B) the amount of the rescission that shall be applied to each such account.

(3) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit a report to Congress and to the Secretary of the Treasury that describes the accounts and amounts determined and identified under paragraph (2) for rescission under paragraph (1).

(4) EXCEPTIONS.—This subsection shall not apply to unobligated funds of—

(A) the Department of Defense;

(B) the Department of Veterans Affairs; or

(C) the Department of Homeland Security.

SEC. 1205. CROSS-BORDER TRADE ENHANCEMENT.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATION.—The term ''Administration'' means the General Services Administration.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the General Services Administration.

(3) PERSON.—The term ''person'' means an individual or any corporation, partnership, trust, association, or any other public or private entity, including a State or local government.

(b) AGREEMENTS AUTHORIZED.—Notwithstanding any other provision of law, upon the request of any persons, the Administrator may, for purposes of facilitating construction, alteration, operation or maintenance of a new or existing facility or other infrastructure at a port of entry, enter into cost-sharing or reimbursement agreements or accept a donation of real and personal property (including monetary donations) and nonpersonal services.

(c) EVALUATION PROCEDURES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator, in consultation with the Secretary, shall establish procedures for evaluating a proposal submitted by any person under subsection (b)—

(A) to enter into a cost-sharing or reimbursement agreement with the Administration to facilitate the construction, alteration, operation, or maintenance of a new or existing facility or other infrastructure at a land border port of entry; or

(B) to provide the Administration with a donation of real and personal property (including monetary donations) and nonpersonal services to be used in the construction, alteration, operation, or maintenance of a facility or other infrastructure at a land border port of entry under the control of the Administration.

(2) SPECIFICATION.—Donations made under paragraph (1)(B) may specify—

(A) the land port of entry facility or facilities in support of which the donation is being made; and

(B) the time frame in which the donated property or services shall be used.

(3) RETURN OF DONATION.—If the Administrator does not use the property or services donated pursuant to paragraph (1)(B) for the specific facility or facilities designated pursuant to paragraph (2)(A) or within the time frame specified pursuant to paragraph (2)(B), such donated property or services shall be returned to the person that made the donation.

(4) DETERMINATION AND NOTIFICATION.—

(A) IN GENERAL.—Not later than 90 days after receiving a proposal pursuant to subsection (b) with respect to the construction or maintenance of a facility or other infrastructure at a land border port of entry, the Administrator shall—

(i) make a determination with respect to whether or not to approve the proposal; and

(ii) notify the person that submitted the proposal of—

(I) the determination; and

(II) if the Administrator did not approve the proposal, the reasons for such disapproval.

(B) CONSIDERATIONS.—In determining whether or not to approve a proposal under this subsection, the Administrator shall consider—

(i) the impact of the proposal on reducing wait times at that port of entry and other ports of entry on the same border;

(ii) the potential of the proposal to increase trade and travel efficiency through added capacity; and

(iii) the potential of the proposal to enhance the security of the port of entry.

(d) DELEGATION.—For facilities where the Administrator has delegated or transferred to the Secretary, operations, ownership, or other authorities over land border ports of entry, the authorities and requirements of the Administrator under this section shall be deemed to apply to the Secretary.

SA 1701. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

''(III) an offense, unless the applicant demonstrates, by clear and convincing evidence, that the applicant is innocent of the offense, that applicant is the victim of such offense, or that no offense occurred, which is classified as a misdemeanor in the convicting jurisdiction which involved—

''(aa) domestic violence (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(bb) child abuse and neglect (as defined in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(cc) assault resulting in bodily injury (as defined in section 2266 of title 18, United States Code);

''(dd) the violation of a protection order (as defined in section 2266 of title 18, United States Code); or

''(ee) driving while intoxicated (as defined in section 164 of title 23, United States Code);

''(IV) 3 or more misdemeanor offenses (other than minor traffic offenses or State or local offenses for which an essential element was the alien's immigration status, or a violation of this Act);

''(V) any offense under foreign law, except for a purely political offense, which, if the offense had been committed in the United States, would render the alien inadmissible under section 212(a) (excluding the paragraphs set forth in clause (ii)) or removable under section 237(a), except as provided in paragraph (3) of section 237(a); or

''(VI) unlawful voting (as defined in section 237(a)(6));

''(ii) is inadmissible under section 212(a), except that in determining an alien's inadmissibility—

''(I) paragraphs (4), (5), (7), and (9)(B) of section 212(a) shall not apply;

''(II) subparagraphs (A), (C), (D), (F), and (G) of section 212(a)(6) and paragraphs (9)(C) and (10)(B) of section 212(a) shall not apply unless based on the act of unlawfully entering the United States after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; and

''(III) paragraphs (6)(B) and (9)(A) of section 212(a) shall not apply unless the relevant conduct began on or after the date on which the alien files an application for registered provisional immigrant status under this section;

''(iii) is an alien who the Secretary knows or has reasonable grounds to believe, is engaged in or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iv)); or

''(iv) was, on April 16, 2013—

''(I) an alien lawfully admitted for permanent residence;

''(II) an alien admitted as a refugee under section 207 or granted asylum under section 208; or

''(III) an alien who, according to the records of the Secretary or the Secretary of State, is lawfully present in the United States in any nonimmigrant status (other than an alien considered to be a nonimmigrant solely due to the application of section 244(f)(4) or the amendment made by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229)), notwithstanding any unauthorized employment or other violation of nonimmigrant status.

''(B) WAIVER.—

''(i) IN GENERAL.—The Secretary may waive the application of any provision of section 212(a) that is not listed in clause (ii) on behalf of an alien for humanitarian purposes, to ensure family unity, or if such a waiver is otherwise in the public interest. Any discretionary authority to waive grounds of inadmissibility under section 212(a) conferred under any other provision of this Act shall apply equally to aliens seeking registered provisional status under this section.

''(ii) EXCEPTIONS.—The discretionary authority under clause (i) may not be used to waive—

''(I) subparagraph (B), (C), (D)(ii), (E), (G), (H), or (I) of section 212(a)(2);

''(II) section 212(a)(3);

''(III) subparagraph (A), (C), (D), or (E) of section 212(a)(10); or

''(IV) with respect to misrepresentations relating to the application for registered provisional immigrant status, section 212(a)(6)(C)(i).

''(C) CONVICTION EXPLAINED.—For purposes of this paragraph, the term 'conviction' does not include a judgment that has been expunged, set aside, or the equivalent.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to require the Secretary to commence removal proceedings against an alien.

''(4) APPLICABILITY OF OTHER PROVISIONS.—Sections 208(d)(6) and 240B(d) shall not apply to any alien filing an application for registered provisional immigrant status under this section.

''(5) DEPENDENT SPOUSE AND CHILDREN.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may classify the spouse or child of a registered provisional immigrant as a registered provisional immigrant dependent if the spouse or child—

''(i) was physically present in the United States on or before December 31, 2012, and has maintained continuous presence in the United States from that date until the date on which the registered provisional immigrant is granted such status, with the exception of absences from the United States that are brief, casual, and innocent, whether or not such absences were authorized by the Secretary; and

''(ii) meets all of the eligibility requirements set forth in this subsection, other than the requirements of clause (ii) or (iii) of paragraph (2)(A).

''(B) EFFECT OF TERMINATION OF LEGAL RELATIONSHIP OR DOMESTIC VIOLENCE.—If the spousal or parental relationship between an alien who is granted registered provisional immigrant status under this section and the alien's spouse or child is terminated due to death or divorce or the spouse or child has been battered or subjected to extreme cruelty by the alien (regardless of whether the legal relationship terminates), the spouse or child may apply for classification as a registered provisional immigrant.

''(C) EFFECT OF DISQUALIFICATION OF PARENT.—Notwithstanding subsection (c)(3), if the application of a spouse or parent for registered provisional immigrant status is terminated or revoked, the husband, wife, or child of that spouse or parent shall be eligible to apply for registered provisional immigrant status independent of the parent or spouse.

''(c) APPLICATION PROCEDURES.—

''(1) IN GENERAL.—An alien, or the dependent spouse or child of such alien, who meets the eligibility requirements set forth in subsection (b) may apply for status as a registered provisional immigrant or a registered provisional immigrant dependent, as applicable, by submitting a completed application form to the Secretary during the application period set forth in paragraph (3), in accordance with the final rule promulgated by the Secretary under the Border Security, Economic Opportunity, and Immigration Modernization Act. An applicant for registered provisional immigrant status shall be treated as an applicant for admission.

''(2) PAYMENT OF TAXES.—

''(A) IN GENERAL.—An alien may not file an application for registered provisional immigrant status under paragraph (1) unless the applicant has satisfied any applicable Federal tax liability.

''(B) DEFINITION OF APPLICABLE FEDERAL TAX LIABILITY.—In this paragraph, the term 'applicable Federal tax liability' means all Federal income taxes assessed in accordance with section 6203 of the Internal Revenue Code of 1986.

''(C) DEMONSTRATION OF COMPLIANCE.—An applicant may demonstrate compliance with this paragraph by submitting appropriate documentation, in accordance with regulations promulgated by the Secretary, in consultation with the Secretary of the Treasury.

''(3) APPLICATION PERIOD.—

''(A) INITIAL PERIOD.—Except as provided in subparagraph (B), the Secretary may only accept applications for registered provisional immigrant status from aliens in the United States during the 1-year period beginning on the date on which the final rule is published in the Federal Register pursuant to paragraph (1).

''(B) EXTENSION.—If the Secretary determines, during the initial period described in subparagraph (A), that additional time is required to process applications for registered provisional immigrant status or for other good cause, the Secretary may extend the period for accepting applications for such status for an additional 18 months.

''(4) APPLICATION FORM.—

''(A) REQUIRED INFORMATION.—

''(i) IN GENERAL.—The application form referred to in paragraph (1) shall collect such information as the Secretary determines to be necessary and appropriate, including, for the purpose of understanding immigration trends—

''(I) an explanation of how, when, and where the alien entered the United States;

''(II) the country in which the alien resided before entering the United States; and

''(III) other demographic information specified by the Secretary.

''(ii) PRIVACY PROTECTIONS.—Information described in subclauses (I) through (III) of clause (i), which shall be provided anonymously by the applicant on the application form referred to in paragraph (1), shall be subject to the same confidentiality provisions as those set forth in section 9 of title 13, United States Code.

''(iii) REPORT.—The Secretary shall submit a report to Congress that contains a summary of the statistical data about immigration trends collected pursuant to clause (i).

''(B) FAMILY APPLICATION.—The Secretary shall establish a process through which an alien may submit a single application under this section on behalf of the alien, his or her spouse, and his or her children who are residing in the United States.

''(C) INTERVIEW.—In order to determine whether an applicant meets the eligibility requirements set forth in subsection (b), the Secretary—

''(i) shall interview each applicant who—

''(I) has been convicted of any criminal offense;

''(II) has previously been deported; or

''(III) without just cause, has failed to respond to a notice to appear as required under section 239; and

''(ii) may, in the sole discretion of the Secretary, interview any other applicant for registered provisional immigrant status under this section.

SA 1702. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike title V.

SA 1703. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROTECTING AMERICAN BUSINESSES.

(a) DUTIES OF COMMISSIONER.—Notwithstanding section 4701(d)(6), the Commissioner of the Bureau of Immigration and Labor Market Research is not authorized to conduct a quarterly survey of unemployment rates in construction occupations.

(b) ADMISSION OF W NONIMMIGRANT WORKERS.—Section 220, as added by section 4703(a) of this Act, is amended—

(1) in subsection (a), by striking paragraph (4);

(2) in subsection (e)(5), by striking subparagraph (B) and inserting the following:

''(B) RETURNING WORKER AND RENEWING EMPLOYER EXEMPTION.—Renewals of approved job slots and W visas by employers or workers in good standing shall not be counted toward the limits established under subsection (g)(1)(A) or factored into the formulaic determinations made under subparagraphs (A) through (D) of subsection (g)(2).

''(C) INTENDING IMMIGRANTS.—

''(i) EXTENSION OF PERIOD.—A registered visa holder shall continue to be a registered visa holder at the end of the 3-year period referred to in subparagraph (A) if the W nonimmigrant is the beneficiary of a petition for immigrant status filed pursuant to this Act.

''(ii) TERMINATION OF PERIOD.—The term of a registration position extended under clause (i) shall terminate on the date that is the earlier of—

''(I) the date an application or petition by or for a W nonimmigrant to obtain immigrant status is approved or denied by the Secretary; or

''(II) the date of the termination of such W nonimmigrant's employment with the registered employer.''; and

(3) in subsection (h), by striking paragraph (5).

SA 1704. Mr. UDALL of New Mexico (for himself, Mr. HEINRICH, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. BORDER INFECTIOUS DISEASE SURVEILLANCE PROJECT.

(a) FUNDING FOR BORDER STATES.—Of the amount in the Comprehensive Immigration Reform Trust Fund established by section 6(a), $5,000,000 for each fiscal year shall be made available to health authorities of States along the Northern border and the Southern border to strengthen the Border Infectious Disease Surveillance project.

(b) USE OF FUNDS.—Amounts made available under subsection (a) shall be used to implement priority surveillance, epidemiology, and preparedness activities in the regions along the Northern border and the Southern border to respond to potential outbreaks and epidemics, including those caused by potential bioterrorism agents.

(c) ALLOCATION OF FUNDS.—Of the amounts made available under subsection (a)—

(1) 30 percent shall be made available to States along the Northern border; and

(2) 70 percent shall be made available to States along the Southern border.

SA 1705. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. LOGGING EMPLOYMENT.

The definition of ''agricultural employment'' in section 218A(a)(1) of the Immigration and Nationality Act, as added by section 2232, shall be implemented to includes logging employment, as described in section 655.103(c)(4)of title 20, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

SA 1706. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DENIALS OF ASYLUM CLAIMS.

(a) ADJUDICATION.—Section 208(d)(6) (8 U.S.C. 1158(d)(6)) is amended to read as follows:

''(6) FRIVOLOUS APPLICATIONS.—

''(A) KNOWINGLY FRIVOLOUS APPLICATIONS.—If the Attorney General determines that an alien has knowingly made a frivolous application for asylum and the alien has received the notice under paragraph (4)(A), the alien may, at the discretion of the Attorney General, be permanently ineligible for any benefits under this Act, effective as of the date of a final determination on such application.

''(B) DETERMINATIONS BY ASYLUM OFFICERS.—

''(i) IN GENERAL.—If an asylum officer, as defined in section 235(b)(1)(E), determines that an alien has made a frivolous application for asylum, the asylum officer may dismiss the application.

''(ii) RECONSIDERATION.—The Board of Immigration Appeals or an immigration judge may review and reverse the determination of an asylum officer under clause (i) if the Board or judge determines that the asylum claim involved is plausible.''.

(b) INFORMATION.—Section 208 (8 U.S.C. 1158) is amended by adding at the end the following:

''(f) INFORMATION.—With respect to an application for asylum that comes before an immigration judge or asylum officer (as defined in section 235(b)(1)(E)), the judge or officer involved shall obtain detailed country conditions information relevant to eligibility for asylum or the withholding of removal from the Department of State. Such information shall include—

''(1) an assessment of the accuracy of the applicant's assertions about conditions in his or her country of nationality or habitual residence and his or her particular situation;

''(2) information about whether individuals who are similarly situated to the applicant are persecuted or tortured in his or her country of nationality or habitual residence and the frequency of such persecution or torture; and

''(3) other information determined by the judge or officer to be relevant to prevent fraud.''.

(c) INCREASE IN STAFFING.—The Secretary shall provide for an increase in the staff of the U.S. Citizenship and Immigration Services and the Fraud Detection and National Security Directorate at Asylum Offices to oversee, detect, and increase the anti-fraud operations and prosecutions relating to fraudulent asylum activities.

(d) FUNDING.—The Secretary of Homeland Security shall use amounts derived through fees provided for in this Act (or an amendment made by this Act) to carry out subsections (a) through (c) (and the amendments made by such subsections)).

SA 1707. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. LAW ENFORCEMENT AND NATIONAL SECURITY CHECKS.

(a) REFUGEES.—Section 207(c)(1) (8 U.S.C. 1157(c)(1)), as amended by section 3409(a) of this Act, is amended by striking ''No alien shall be admitted as a refugee until the identity of the applicant, including biographic and biometric data, has been checked against all appropriate records or databases maintained by the Secretary of Homeland Security, the Attorney General, the Secretary of State, and other Federal records or databases that the Secretary of Homeland Security considers necessary, to determine any national security, law enforcement, or other grounds on which the alien may be inadmissible to the United States or ineligible to apply for or be granted refugee status.'' and inserting ''No alien shall be admitted as a refugee until the identity of the applicant, including biographic and biometric data, has been checked against all appropriate records or databases maintained by the Secretary of Homeland Security, the Attorney General, the Secretary of State, the National Counterterrorism Center, and other Federal records or databases that the Secretary of Homeland Security considers necessary, to determine any national security, law enforcement, or other grounds on which the alien may be inadmissible to the United States or ineligible to apply for or be granted refugee status.''.

(b) ASYLEES.—Section 208(d)(5)(A) (8 U.S.C. 1158(d)(5)(A)), as amended by section 3409(b) of this Act, is amended—

(1) by amending clause (i) to read as follows:

''(i) asylum shall not be granted—

''(I) until the identity of the applicant, using biographic and biometric data, has been checked against all appropriate records or databases maintained by the Secretary of Homeland Security, the Attorney General, the Secretary of State, the National Counterterrorism Center, and other Federal records or databases that the Secretary of Homeland Security considers necessary, to determine any national security, law enforcement, or other grounds on which the alien may be inadmissible to the United States or ineligible to apply for or be granted asylum; and

''(II) any information related to the applicant in such a record or database supports the applicant's eligibility for asylum;'';

(2) in clause (iv), by striking ''and'' at the end;

(3) in clause (v), by striking the period at the end and inserting a semicolon and ''and''; and

(4) by adding at the end the following:

''(vi) asylum shall not be granted unless, notwithstanding any derogatory information, the applicant has met the burden of proof contained in subsection (b)(1)(B).''.

SA 1708. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. APPLICABILITY OF THE MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION ACT.

Section 218A(g)(2) of the Immigration and Nationality Act, as added by section 2232 of this Act, is amended—

(1) in subparagraph (B)—

(A) by striking ''A nonimmigrant'' and inserting the following:

''(i) IN GENERAL.—A nonimmigrant''; and

(B) by adding at the end the following:

''(ii) LIMITATION.—Notwithstanding clause (i), an alien who is or was a nonimmigrant agricultural worker is not eligible for legal services under the Legal Services Corporation Act (42 U.S.C. 2996 et seq.) if such alien is located outside the United States.''; and

(2) in subparagraph (C), by striking clause (iv) and inserting the following:

''(iv) 90-DAY LIMIT.—The Federal Mediation and Conciliation Service may conduct mediation or other binding dispute resolution activities for a period not to exceed 90 days beginning on the date on which the Federal Mediation and Conciliation Service receives a request for assistance under clause (ii) unless the parties agree to an extension of such period.

''(v) BINDING MEDIATION.—Mediation or other dispute resolution activities carried out under this subparagraph shall be binding on the parties.''.

SA 1709. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. QUALIFYING EMPLOYMENT.

Section 245F(a) of the Immigration and Nationality Act, as added by section 2212 of this Act, is amended by striking paragraph (1) and inserting the following:

''(1) QUALIFYING EMPLOYMENT.—Except as provided in paragraph (3), during the 8-year period beginning on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act the alien performed not less than 180 work days of agricultural employment during each of 5 years.''.

SA 1710. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REQUIREMENTS FOR ADJUSTMENT OF STATUS FOR CERTAIN ALIENS WHO ENTERED THE UNITED STATES AS CHILDREN.

Section 245D(b)(1)(A)(i) of the Immigration and Nationality Act, as added by section 2101, is further amended by inserting before the semicolon the following: ''or has been a dependent nonimmigrant visa holder under subparagraph (E), (H), or (L) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) for at least 5 years''.

SA 1711. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CRIMINAL GANGS.

(a) DEFINITION OF CRIMINAL GANG.—Section 101(a) (8 U.S.C. 1101(a)) is amended by inserting after paragraph (51) the following:

''(52)(A) The term 'criminal gang' means an ongoing group, club, organization, or association of 5 or more persons—

''(i) that has as 1 of its primary purposes the commission of 1 or more of the criminal offenses described in subparagraph (B); and

''(ii) the members of which engage, or have engaged within the past 5 years, in a continuing series of offenses described in subparagraph (B).

''(B) The offenses described in this subparagraph are the following, whether in violation of Federal or State law or in violation of the law of a foreign country:

''(i) A felony drug offense (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

''(ii) A felony offense involving firearms or explosives or in violation of section 931 of title 18, United States Code (relating to purchase, ownership, or possession of body armor by violent felons).

''(iii) An offense under section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose).

''(iv) A felony crime of violence (as defined in section 16 of title 18, United States Code).

''(v) A crime involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, or burglary

''(vi) Any conduct punishable under sections 1028 and 1029 of title 18, United States Code (relating to fraud and related activity in connection with identification documents or access devices), sections 1581 through 1594 of such title (relating to peonage, slavery and trafficking in persons), section 1952 of such title (relating to interstate and foreign travel or transportation in aid of racketeering enterprises), section 1956 of such title(relating to the laundering of monetary instruments), section 1957 of such title (relating to engaging in monetary transactions in property derived from specified unlawful activity), or sections 2312 through 2315 of such title(relating to interstate transportation of stolen motor vehicles or stolen property).

''(vii) Conspiracy to commit an offense described in specified in clauses (i) through (vi).''.

(b) INADMISSIBILITY.—Section 212(a)(2) (8 U.S.C. 1182(a)(2)) is amended by inserting after subparagraph (I) the following:

''(J) ALIENS IN CRIMINAL GANGS.—Any alien is inadmissible who—

''(i) is a member of a criminal gang unless the alien can demonstrate by clear and convincing evidence that the alien did not know, and should not reasonably have known, that the organization was a criminal gang; and

''(ii) is determined by an immigration judge to be a danger to the community.''.

(c) GROUNDS FOR DEPORTATION.—Section 237(a)(2) (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

''(G) ALIENS IN CRIMINAL GANGS.—Any alien is removable who—

''(i) is a member of a criminal gang unless the alien can demonstrate by clear and convincing evidence that the alien did not know, and should not reasonably have known, that the organization was a criminal gang; and

''(ii) is determined by an immigration judge to be a danger to the community.''.

(d) GROUND OF INELIGIBILITY FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—An alien who is 18 years of age or older is ineligible for registered provisional immigrant status if the Secretary determines that the alien—

(1) is a member of a criminal gang (as defined in section 101(a)(52) of the Immigration and Nationality Act, as amended by subsection (a)) unless the alien can demonstrate by clear and convincing evidence that the alien did not know, and should not reasonably have known, that the organization was a criminal gang; and

(2) has been determined by the Secretary to be a danger to the community.

(e) INAPPLICABILITY OF OTHER AMENDMENTS.—The amendments made by section 3701 of this Act shall have no force or effect.

SA 1712. Ms. HIRONO (for herself, Mrs. MURRAY, Ms. MURKOWSKI, Mrs. BOXER, Mr. FRANKEN, Mr. LEAHY, Ms. MIKULSKI, Mrs. SHAHEEN, Ms. CANTWELL, Ms. STABENOW, Ms. BALDWIN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. MENENDEZ, Mr. SCHUMER, Mr. DURBIN, Mr. BENNET, and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. MERIT-BASED POINTS TRACK ONE MODIFICATIONS.

(a) FINDINGS.—Congress finds that—

(1) In many countries around the world, women do not have as many opportunities for education, choices for careers, or opportunities for career advancement as men do in those countries.

(2) It is important that our future immigration system take into account the disparate treatment that women experience in other countries, and provide women a fair opportunity to immigrate to the United States through a merit point system.

(3) Under the current U.S. employment-based immigration system green cards are awarded to men over women nearly four-to-one.

(4) Like the current employment-based system, the high-skill tier one in the merit point system is more likely to be used by men because of the greater opportunities available to men in other countries.

(5) The purpose of the third tier in the merit point system is to provide women a fairer opportunity to compete for green cards by focusing the point categories on careers and experiences that are available to women in other countries.

(b) WORLDWIDE LEVEL OF MERIT-BASED IMMIGRANTS.—Section 201(e) (8 U.S.C. 1151(e)), as amended by section 2301(a)(1), is amended to read as follows:

''(e) WORLDWIDE LEVEL OF MERIT-BASED IMMIGRANTS.—

''(1) IN GENERAL.—

''(A) NUMERICAL LIMITATION.—Subject to paragraphs (2), (3), and (4), the worldwide level of merit-based immigrants is equal to 150,000 for each fiscal year.

''(B) STATUS.—An alien admitted on the basis of a merit-based immigrant visa under this section shall have the status of an alien lawfully admitted for permanent residence.

''(2) ANNUAL INCREASE.—

''(A) IN GENERAL.—Subject to subparagraph (B) and paragraph (3), if in any fiscal year the worldwide level of visas available for merit-based immigrants under this section—

''(i) is less than 75 percent of the number of applicants for such fiscal year, the worldwide level shall increase by 5 percent for the next fiscal year; and

''(ii) is equal to or more than 75 percent of such number, the worldwide level for the next fiscal year shall be the same as the worldwide level for such fiscal year, minus any amount added to the worldwide level for such fiscal year under paragraph (4).

''(B) LIMITATION ON INCREASE.—The worldwide level of visas available for merit-based immigrants shall not exceed 280,000.

''(3) EMPLOYMENT CONSIDERATION.—The worldwide level of visas available for merit-based immigrants may not be increased for a fiscal year under paragraph (2) if the annual average unemployment rate for the civilian labor force 18 years or over in the United States, as determined by the Bureau of Labor Statistics, for such previous fiscal year is more than 81/2 percent.

''(4) RECAPTURE OF UNUSED VISAS.—The worldwide level of merit-based immigrants described in paragraph (1) for a fiscal year shall be increased by the difference (if any) between the worldwide level established under paragraph (1) for the previous fiscal year and the number of visas actually issued under this subsection during that fiscal year. Such visas shall be allocated for the following year pursuant to section 203(c)(3).''.

(c) MERIT-BASED IMMIGRANTS.—Section 203(c), as added by section 2301(a)(2) of this Act, is amended to read as follows:

''(c) MERIT-BASED IMMIGRANTS.—

''(1) FISCAL YEARS 1 THROUGH 4.—For the first 4 fiscal years beginning after the date of enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the worldwide level of merit-based immigrant visas made available under section 201(e)(1) shall be available for aliens described in section 203(b)(3) and in addition to any visas available for such aliens under such section.

''(2) SUBSEQUENT FISCAL YEARS.—Beginning with the fifth fiscal year beginning after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, aliens subject to the worldwide level specified in section 201(e) for merit-based immigrants shall be allocated as follows:

''(A) 50 percent of the visas remaining after the allocation under subparagraph (C) shall be available to applicants with the highest number of points allocated under tier 1 in paragraph (4).

''(B) 50 percent of the visas remaining after the allocation under subparagraph (C) shall be available to applicants with the highest number of points allocated under tier 2 in paragraph (5).

''(C) 30,000 shall be available to applicants with the highest number of points allocated under tier 3 in paragraph (6).

''(3) UNUSED VISAS.—IF THE TOTAL NUMBER OF VISAS ALLOCATED UNDER TIER 1, TIER 2, OR TIER 3 FOR A FISCAL YEAR ARE NOT GRANTED DURING THAT FISCAL YEAR, SUCH NUMBER MAY BE ADDED TO THE NUMBER OF VISAS AVAILABLE UNDER SECTION 201(E)(1) FOR THE FOLLOWING FISCAL YEAR AND ALLOCATED AS FOLLOWS:

''(A) If the unused visas were allocated for tier 1 in a fiscal year, 2/3 of such visas shall be available for aliens allocated visas under tier 1 in the following fiscal year and 1/3 of such visas shall be available for aliens allocated visas under either tier 1 or tier 2 in the following fiscal year.

''(B) If the unused visas were allocated for tier 2 in a fiscal year, 2/3 of such visas shall be available for aliens allocated visas under tier 2 in the following fiscal year and 1/3 of such visas shall be available for aliens allocated visas under either tier 1 or tier 2 in the following fiscal year.

''(4) TIER 1.—The Secretary shall allocate points to each alien seeking to be a tier 1 merit-based immigrant as follows:

''(A) EDUCATION.—

(i) IN GENERAL.—An alien may receive points under only 1 of the following categories:

''(I) An alien who has received a doctorate degree from an institution of higher education in the United States or the foreign equivalent shall be allocated 15 points.

''(II) An alien who has received a master's degree from an institution of higher education in the United States or the foreign equivalent shall be allocated 10 points.

''(ii) An alien who has received a bachelor's degree from an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) shall be allocated 5 points.

''(B) EMPLOYMENT EXPERIENCE.—An alien shall be allocated not more than 20 points as follows:

''(i) 3 points for each year the alien has been lawfully employed in a zone 5 occupation in the United States.

''(ii) 2 points for each year the alien has been lawfully employed in a zone 4 occupation in the United States.

''(C) EMPLOYMENT RELATED TO EDUCATION.—An alien who is in the United States and is employed full-time or has an offer of full-time employment in a field related to the alien's education-

''(i) in a zone 5 occupation shall be allocated 10 points; or

''(ii) in a zone 4 occupation shall be allocated 8 points.

''(D) ENTREPRENEURSHIP.—An alien who is an entrepreneur in business that employs at least 2 employees in a zone 4 occupation or a zone 5 occupation shall be allocated 10 points.

''(E) HIGH DEMAND OCCUPATION.—An alien who is employed full-time in the United States or has an offer of full-time employment in a high demand tier 1 occupation shall be allocated 10 points.

''(F) CIVIC INVOLVEMENT.—An alien who has attested that he or she has engaged in a significant amount of community service, as determined by the Secretary, shall be allocated 2 points.

''(G) ENGLISH LANGUAGE.—An alien who received a score of 80 or more on the Test of English as a Foreign Language, or an equivalent score on a similar test, as determined by the Secretary, shall be allocated 10 points.

''(H) SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.—An alien who is the sibling of a citizen of the United States or who is over 31 years of age and is the married son or married daughter of a citizen of the United States shall be allocated 10 points.

''(I) AGE.—An alien who is—

''(i) between 18 and 24 years of age shall be allocated 8 points;

''(ii) between 25 and 32 years of age shall be allocated 6 points; or

''(iii) between 33 and 37 years of age shall be allocated 4 points.

(J) COUNTRY OF ORIGIN.—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted to permanent residence in the United States in the previous 5 years shall be allocated 5 points.

''(5) TIER 2.—The Secretary shall allocate points to each alien seeking to be a tier 2 merit-based immigrant as follows:

''(A) EMPLOYMENT EXPERIENCE.—An alien shall be allocated 2 points for each year the alien has been lawfully employed in the United States, for a total of not more than 20 points.

(B) SPECIAL EMPLOYMENT CRITERIA.—An alien who is employed full-time in the United States, or has an offer of full-time employment—

''(i) in a high demand tier 2 occupation shall be allocated 10 points; or

''(ii) in a zone 1, zone 2, or zone 3 occupation shall be allocated 10 points.

''(C) CAREGIVER.—An alien who is or has been a primary caregiver shall be allocated 10 points.

''(D) EXCEPTIONAL EMPLOYMENT RECORD.—An alien who has a record of exceptional employment, as determined by the Secretary, shall be allocated 10 points. In determining a record of exceptional employment, the Secretary shall consider factors including promotions, longevity, changes in occupations from a lower job zone to a higher job zone, participated in safety training, and increases in pay.

''(E) CIVIC INVOLVEMENT.—An alien who has demonstrated significant civic involvement shall be allocated 2 points.

''(F) ENGLISH LANGUAGE.—

''(i) ENGLISH PROFICIENCY.—An alien who has demonstrated English proficiency, as determined by a standardized test designated by the Secretary of Education, shall be allocated 10 points.

''(ii) ENGLISH KNOWLEDGE.—An alien who has demonstrated English knowledge, as determined by a standardized test designated by the Secretary of Education, shall be allocated 5 points.

''(G) SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.—An alien who is the sibling of a citizen of the United States or is over the age of 31 and is the married son or married daughter of a citizen of the United States shall be allocated 10 points.

(H) AGE.—An alien who is—

''(i) between 18 and 24 years of age shall be allocated 8 points;

''(ii) between 25 and 32 years of age shall be allocated 6 points; or

''(iii) between 33 and 37 years of age shall be allocated 4 points.

''(1) COUNTRY OF ORIGIN.—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted to permanent residence in the United States in the previous 5 years shall be allocated 5 points.

''(6) TIER 3.—The Secretary shall allocate points to each alien seeking to be a tier 3 merit-based immigrant as follows:

(A) EMPLOYMENT EXPERIENCE.—An alien shall be allocated 2 points for each year the

alien has been lawfully employed in the United States, for a total of not more than 10 points.

''(B) SPECIAL EMPLOYMENT CRITERIA.—An alien who is employed full-time in the United States (or has an offer of full-time employment) in a health services occupation, including direct caregiver, informal caregiver, home health provider, or nurse; a clerical or professional services occupation; a teaching occupation, including early or informal learning provider, teacher assistant, and elementary or secondary teacher; a culinary occupation; an environmental service and maintenance occupation; a retail customer services occupation; or a small business operated by a sibling or parent who is a United States citizen, shall be allocated 10 points.

(C) CIVIC INVOLVEMENT.—An alien who has demonstrated significant Civic involvement, including humanitarian and volunteer activities, shall be allocated 2 points.

''(D) SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.—An alien who is the sibling of a United States citizen or is older than 31 years of age and is the married son or married daughter of a United States citizen shall be allocated 10 points.

''(E) HUMANITARIAN CONCERNS.—An alien who is or has been the primary caregiver of a United States citizen parent or sibling suffering an extreme hardship, shall be allocated 10 points.

''(F) ENGLISH LANGUAGE.—

''(i) ENGLISH PROFICIENCY.—An alien who has demonstrated English proficiency, as determined by a standardized test designated by the Secretary of Education, shall be allocated 10 points.

''(ii) ENGLISH KNOWLEDGE.—An alien who has demonstrated English knowledge, as determined by a standardized test designated by the Secretary of Education, shall be allocated 5 points.

''(G) AGE.—An alien who is—

''(i) between 18 and 25 years of age shall be allocated 8 points;

(ii) between 25 and 33 years of age shall be allocated 6 points; or

''(iii) between 33 and 37 years of age shall be allocated 4 points.

''(H) COUNTRY OF ORIGIN.—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted for permanent residence in the United States in the previous 5 years shall be allocated 5 points.

''(7) FEE.—An alien who is allocated a visa under this subsection shall pay a fee of $1,500 in addition to any fee assessed to cover the costs to process an application under this subsection, Fees collected under this paragraph shall be deposited by the Secretary into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(8) ELIGIBILITY OF ALIENS IN REGISTERED PROVISIONAL IMMIGRANT STATUS.—An alien who was granted registered provisional immigrant status under section 245B is not eligible to receive a merit-based immigrant visa under section 201(e).

''(9) INELIGIBILITY OF ALIENS WITH PENDING OR APPROVED PETITIONS.—An alien who has a petition pending or approved in another immigrant category under this section or section 201 may not apply for a merit-based immigrant visa.

''(10) DEFINITIONS.—In this subsection:

(A) HIGH DEMAND TIER 1 OCCUPATION.—The term 'high demand tier 1 occupation' means 1 of the 5 occupations for which the highest number of nonimmigrants described in section 101(a)(15)(H)(i) were sought to be admitted by employers during the previous fiscal year.

''(B) HIGH DEMAND TIER 2 OCCUPATION.—The term 'high demand tier 2 occupation' means 1 of the 5 occupations for which the highest number of positions were sought to become registered positions by employers under section 220(e) during the previous fiscal year.

''(C) SECRETARY.—The term 'Secretary' means the Secretary of Homeland Security.

''(D) ZONE 1 OCCUPATION.—The term 'zone 1 occupation' means an occupation that requires little or no preparation and is classified as a zone 1 occupation on—

(i) the Occupational Information Network Database (0*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.

''(E) ZONE 2 OCCUPATION.—The term 'zone 2 occupation' means an occupation that requires some preparation and is classified as a zone 2 occupation on—

(i) the Occupational Information Network Database (0*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.

''(F) ZONE 3 OCCUPATION.—The term 'zone 3 occupation' means an occupation that requires medium preparation and is classified as a zone 3 occupation on—

''(i) the Occupational Information Network Database (0*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.

(G) ZONE 4 OCCUPATION.—The term 'zone 4 occupation' means an occupation that requires considerable preparation and is classified as a zone 4 occupation on—

(i) the Occupational Information Network Database (0*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.

''(H) ZONE 5 OCCUPATION.—The term 'zone 5 occupation' means an occupation that requires extensive preparation and is classified as a zone 5 occupation on—

''(i) the Occupational Information Network Database (0*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.''.

''(d) RULE OF CONSTRUCTION.—

The amendments made by this section shall apply notwithstanding Title II or any other section of this Act.

SA 1713. Ms. HIRONO (for herself, Mrs. MURRAY, Ms. MURKOWSKI, Mrs. BOXER, Mr. LEAHY, Mr. FRANKEN, Ms. MIKULSKI, Mrs. SHAHEEN, Ms. CANTWELL, Ms. STABENOW, Ms. BALDWIN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. MENENDEZ, Mr. SCHUMER, Mr. DURBIN, Mr. BENNET, and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. MERIT-BASED POINTS TRACK ONE MODIFICATIONS.

(a) WORLDWIDE LEVEL OF MERIT-BASED IMMIGRANTS.—Section 201(e) (8 U.S.C. 1151(e)), as amended by section 2301(a)(1), is amended to read as follows:

''(e) WORLDWIDE LEVEL OF MERIT-BASED IMMIGRANTS.—

''(1) IN GENERAL.—

''(A) NUMERICAL LIMITATION.—Subject to paragraphs (2), (3), and (4), the worldwide level of merit-based immigrants is equal to 150,000 for each fiscal year.

''(B) STATUS.—An alien admitted on the basis of a merit-based immigrant visa under this section shall have the status of an alien lawfully admitted for permanent residence.

''(2) ANNUAL INCREASE.—

''(A) IN GENERAL.—Subject to subparagraph (B) and paragraph (3), if in any fiscal year the worldwide level of visas available for merit-based immigrants under this section—

''(i) is less than 75 percent of the number of applicants for such fiscal year, the worldwide level shall increase by 5 percent for the next fiscal year; and

''(ii) is equal to or more than 75 percent of such number, the worldwide level for the next fiscal year shall be the same as the worldwide level for such fiscal year, minus any amount added to the worldwide level for such fiscal year under paragraph (4).

''(B) LIMITATION ON INCREASE.—The worldwide level of visas available for merit-based immigrants shall not exceed 280,000.

''(3) EMPLOYMENT CONSIDERATION.—The worldwide level of visas available for merit-based immigrants may not be increased for a fiscal year under paragraph (2) if the annual average unemployment rate for the civilian labor force 18 years or over in the United States, as determined by the Bureau of Labor Statistics, for such previous fiscal year is more than 8½ percent.

''(4) RECAPTURE OF UNUSED VISAS.—The worldwide level of merit-based immigrants described in paragraph (1) for a fiscal year shall be increased by the difference (if any) between the worldwide level established under paragraph (1) for the previous fiscal year and the number of visas actually issued under this subsection during that fiscal year. Such visas shall be allocated for the following year pursuant to section 203(c)(3).''.

(b) MERIT-BASED IMMIGRANTS.—Section 203(c), as added by section 2301(a)(2) of this Act, is amended to read as follows:

''(c) MERIT-BASED IMMIGRANTS.—

''(1) FISCAL YEARS 1 THROUGH 4.—For the first 4 fiscal years beginning after the date of enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the worldwide level of merit-based immigrant visas made available under section 201(e)(1) shall be available for aliens described in section 203(b)(3) and in addition to any visas available for such aliens under such section.

''(2) SUBSEQUENT FISCAL YEARS.—Beginning with the fifth fiscal year beginning after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, aliens subject to the worldwide level specified in section 201(e) for

merit-based immigrants shall be allocated as follows:

''(A) 50 percent of the visas remaining after the allocation under subparagraph (C) shall be available to applicants with the highest number of points allocated under tier 1 in paragraph (4).

''(B) 50 percent of the visas remaining after the allocation under subparagraph (C) shall be available to applicants with the highest number of points allocated under tier 2 in paragraph (5).

''(C) 30,000 shall be available to applicants with the highest number of points allocated under tier 3 in paragraph (6).

''(3) UNUSED VISAS.—If the total number of visas allocated under tier 1, tier 2, or tier 3 for a fiscal year are not granted during that fiscal year, such number may be added to the number of visas available under section 201(e)(1) for the following fiscal year and allocated as follows:

''(A) If the unused visas were allocated for tier 1 in a fiscal year, ⅔ of such visas shall be available for aliens allocated visas under tier 1 in the following fiscal year and ⅓ of such visas shall be available for aliens allocated visas under either tier 1 or tier 2 in the following fiscal year.

''(B) If the unused visas were allocated for tier 2 in a fiscal year, ⅔ of such visas shall be available for aliens allocated visas under tier 2 in the following fiscal year and ⅓ of such visas shall be available for aliens allocated visas under either tier 1 or tier 2 in the following fiscal year.

''(4) TIER 1.—The Secretary shall allocate points to each alien seeking to be a tier 1 merit-based immigrant as follows:

''(A) EDUCATION.—

''(i) IN GENERAL.—An alien may receive points under only 1 of the following categories:

''(I) An alien who has received a doctorate degree from an institution of higher education in the United States or the foreign equivalent shall be allocated 15 points.

''(II) An alien who has received a master's degree from an institution of higher education in the United States or the foreign equivalent shall be allocated 10 points.

''(ii) An alien who has received a bachelor's degree from an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) shall be allocated 5 points.

''(B) EMPLOYMENT EXPERIENCE.—An alien shall be allocated not more than 20 points as follows:

''(i) 3 points for each year the alien has been lawfully employed in a zone 5 occupation in the United States.

''(ii) 2 points for each year the alien has been lawfully employed in a zone 4 occupation in the United States.

''(C) EMPLOYMENT RELATED TO EDUCATION.—An alien who is in the United States and is employed full-time or has an offer of full-time employment in a field related to the alien's education—

''(i) in a zone 5 occupation shall be allocated 10 points; or

''(ii) in a zone 4 occupation shall be allocated 8 points.

''(D) ENTREPRENEURSHIP.—An alien who is an entrepreneur in business that employs at least 2 employees in a zone 4 occupation or a zone 5 occupation shall be allocated 10 points.

''(E) HIGH DEMAND OCCUPATION.—An alien who is employed full-time in the United States or has an offer of full-time employment in a high demand tier 1 occupation shall be allocated 10 points.

''(F) CIVIC INVOLVEMENT.—An alien who has attested that he or she has engaged in a significant amount of community service, as determined by the Secretary, shall be allocated 2 points.

''(G) ENGLISH LANGUAGE.—An alien who received a score of 80 or more on the Test of English as a Foreign Language, or an equivalent score on a similar test, as determined by the Secretary, shall be allocated 10 points.

''(H) SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.—An alien who is the sibling of a citizen of the United States or who is over 31 years of age and is the married son or married daughter of a citizen of the United States shall be allocated 10 points.

AGE.—An alien who is—

''(i) between 18 and 24 years of age shall be allocated 8 points;

''(ii) between 25 and 32 years of age shall be allocated 6 points; or

''(iii) between 33 and 37 years of age shall be allocated 4 points.

''(J) COUNTRY OF ORIGIN.—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted to permanent residence in the United States in the previous 5 years shall be allocated 5 points.

''(5) TIER 2.—The Secretary shall allocate points to each alien seeking to be a tier 2 merit-based immigrant as follows:

''(A) EMPLOYMENT EXPERIENCE.—An alien shall be allocated 2 points for each year the alien has been lawfully employed in the United States, for a total of not more than 20 points.

''(B) SPECIAL EMPLOYMENT CRITERIA.—An alien who is employed full-time in the United States, or has an offer of full-time employment—

''(i) in a high demand tier 2 occupation shall be allocated 10 points; or

''(ii) in a zone 1, zone 2, or zone 3 occupation shall be allocated 10 points.

''(C) CAREGIVER.—An alien who is or has been a primary caregiver shall be allocated 10 points.

''(D) EXCEPTIONAL EMPLOYMENT RECORD.—An alien who has a record of exceptional employment, as determined by the Secretary, shall be allocated 10 points. In determining a record of exceptional employment, the Secretary shall consider factors including promotions, longevity, changes in occupations from a lower job zone to a higher job zone, participated in safety training, and increases in pay.

''(E) CIVIC INVOLVEMENT.—An alien who has demonstrated significant civic involvement shall be allocated 2 points.

''(F) ENGLISH LANGUAGE.—

''(i) ENGLISH PROFICIENCY.—An alien who has demonstrated English proficiency, as determined by a standardized test designated by the Secretary of Education, shall be allocated 10 points.

''(ii) ENGLISH KNOWLEDGE.—An alien who has demonstrated English knowledge, as determined by a standardized test designated by the Secretary of Education, shall be allocated 5 points.

''(G) SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.—An alien who is the sibling of a citizen of the United States or is over the age of 31 and is the married son or married daughter of a citizen of the United States shall be allocated 10 points.

''(H) AGE.—An alien who is—

''(i) between 18 and 24 years of age shall be allocated 8 points;

''(ii) between 25 and 32 years of age shall be allocated 6 points; or

''(iii) between 33 and 37 years of age shall be allocated 4 points.

''(I) COUNTRY OF ORIGIN.—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted to permanent residence in the United States in the previous 5 years shall be allocated 5 points.

''(6) TIER 3.—The Secretary shall allocate points to each alien seeking to be a tier 3 merit-based immigrant as follows:

''(A) EMPLOYMENT EXPERIENCE.—An alien shall be allocated 2 points for each year the alien has been lawfully employed in the United States, for a total of not more than 10 points.

''(B) SPECIAL EMPLOYMENT CRITERIA.—An alien who is employed full-time in the United States (or has an offer of full-time employment) in a health services occupation, including direct caregiver, informal caregiver, home health provider, or nurse; a clerical or professional services occupation; a teaching occupation, including early or informal learning provider, teacher assistant, and elementary or secondary teacher; a culinary occupation; an environmental service and maintenance occupation; a retail customer services occupation; or a small business operated by a sibling or parent who is a United States citizen, shall be allocated 10 points.

''(C) CIVIC INVOLVEMENT.—An alien who has demonstrated significant civic involvement, including humanitarian and volunteer activities, shall be allocated 2 points.

''(D) SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.—An alien who is the sibling of a United States citizen or is older than 31 years of age and is the married son or married daughter of a United States citizen shall be allocated 10 points.

''(E) HUMANITARIAN CONCERNS.—An alien who is or has been the primary caregiver of a United States citizen parent or sibling suffering an extreme hardship, shall be allocated 10 points.

''(F) ENGLISH LANGUAGE.—

''(i) ENGLISH PROFICIENCY.—An alien who has demonstrated English proficiency, as determined by a standardized test designated by the Secretary of Education, shall be allocated 10 points.

''(ii) ENGLISH KNOWLEDGE.—An alien who has demonstrated English knowledge, as determined by a standardized test designated by the Secretary of Education, shall be allocated 5 points.

(G) AGE.—An alien who is—

''(i) between 18 and 25 years of age shall be allocated 8 points;

''(ii) between 25 and 33 years of age shall be allocated 6 points; or

''(iii) between 33 and 37 years of age shall be allocated 4 points.

''(H) COUNTRY OF ORIGIN.—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted for permanent residence in the United States in the previous 5 years shall be allocated 5 points.

''(7) FEE.—An alien who is allocated a visa under this subsection shall pay a fee of $1,500 in addition to any fee assessed to cover the costs to process an application under this subsection. Fees collected under this paragraph shall be deposited by the Secretary into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(8) ELIGIBILITY OF ALIENS IN REGISTERED PROVISIONAL IMMIGRANT STATUS.—An alien who was granted registered provisional immigrant status under section 245B is not eligible to receive a merit-based immigrant visa under section 201(e).

''(9) INELIGIBILITY OF ALIENS WITH PENDING OR APPROVED PETITIONS.—An alien who has a petition pending or approved in another immigrant category under this section or section 201 may not apply for a merit-based immigrant visa.

''(10) DEFINITIONS.—In this subsection:

''(A) HIGH DEMAND TIER 1 OCCUPATION.—The term 'high demand tier 1 occupation' means 7 of the 5 occupations for which the highest number of nonimmigrants described in section 107(a)(15)(H)(i) were sought to be admitted by employers during the previous fiscal year.

''(B) HIGH DEMAND TIER 2 OCCUPATION.—The term 'high demand tier 2 occupation' means 1 of the 5 occupations for which the highest number of positions were sought to become registered positions by employers under section 220(e) during the previous fiscal year.

''(C) SECRETARY.—The term 'Secretary' means the Secretary of Homeland Security.

''(D) ZONE 1 OCCUPATION.—The term 'zone 1 occupation' means an occupation that requires little or no preparation and is classified as a zone 1 occupation on—

''(i) the Occupational Information Network Database (O*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.

''(E) ZONE 2 OCCUPATION.—The term 'zone 2 occupation' means an occupation that requires some preparation and is classified as a zone 2 occupation on—

''(i) the Occupational Information Network Database (O*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.

''(F) ZONE 3 OCCUPATION.—The term 'zone 3 occupation' means an occupation that requires medium preparation and is classified as a zone 3 occupation on—

''(i) the Occupational Information Network Database (O*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.

''(G) ZONE 4 OCCUPATION.—The term 'zone 4 occupation' means an occupation that requires considerable preparation and is classified as a zone 4 occupation on—

''(i) the Occupational Information Network Database (O*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.

''(H) ZONE 5 OCCUPATION.—The term 'zone 5 occupation' means an occupation that requires extensive preparation and is classified as a zone 5 occupation on—

''(i) the Occupational Information Network Database (O*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.''.

''(d) RULE OF CONSTRUCTION—

The amendments made by this section shall apply notwithstanding Title II or any other section of this Act.

SA 1714. Mr. BROWN (for himself, Mr. ENZI, Mr. CASEY, Mr. BEGICH, Mr. PRYOR, Mr. TESTER, and Mr. JOHNSON of South Dakota) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

SEC. ___. INCLUSION OF ACCOUNTING FROM H-1B CAP.

Section 214(g)(5)(C) (8 U.S.C. 1184(g)(5)(C)), as amended by section 4101(b), is further amended by inserting ''or accounting,'' after ''physical sciences,''.

SA 1715. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1646, beginning on line 23, strike ''the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.'' and insert ''the Border Security, Economic Opportunity, and Immigration Modernization Act.''.

On page 1667, beginning on line 20, strike ''4105(e)(4) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996'' and insert ''4104(e) of the Border Security, Economic Opportunity, and Immigration Modernization Act''.

SA 1716. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REQUIREMENTS FOR INVEST VISA.

(a) INVEST NONIMMIGRANTS.—Section 214(s)(3) of the Immigration and Nationality Act, as added by section 4801, is further amended—

(1) in subparagraph (A), by striking ''$250,000'' and inserting ''an additional $150,000''; and

(2) by adding at the end the following:

''The alien may obtain a 2-year renewal if the alien sold his or her United States business entity to an unrelated United States business entity for an amount not less than $250,000, in a bona fide arm's-length transaction, and prior to such sale, the alien's United States business entity created no fewer than 3 qualified jobs.''.

(b) INVEST IMMIGRANTS.—Section 203(b)(6) of the Immigration and Nationality Act, as added by section 4802, is further amended—

(1) in subparagraph (A)—

(A) by striking clause (ii) and inserting the following:

''(ii) QUALIFIED ENTREPRENEUR.—

''(I) IN GENERAL.—The term 'qualified entrepreneur' means an individual who—

''(aa) has a significant ownership interest, which need not constitute a majority interest, in a United States business entity;

''(bb) is employed in a senior executive position of such United States business entity; and

''(cc) had a substantial role in the founding or early-stage growth and development of such United States business entity.

''(II) WAIVER OF SIGNIFICANT OWNER INTEREST REQUIREMENT.—Notwithstanding subclause (I)(aa), the Secretary may determine that an individual that does not have a significant ownership interest in a United States business entity but that otherwise meets the requirements of subclause (I) is a qualified entrepreneur if the business entity was acquired in a bona fide arm's length transaction by another United States business entity.'';

(B) in clause (v), by striking subclause (III) and inserting the following:

''(III)(aa) pays a wage that is not less than 250 percent of the Federal minimum wage; or

''(bb) provides to the holder of the position equity compensation in an amount equal to not less than 1 percent of the equity of the United States business entity on an 'as-converted' basis.''; and

(C) in clause (viii)(III), by striking items (cc) and (dd) and inserting the following:

''(cc) has been advising such entity or other similar funds or a series of funds for at least 2 years; and

''(dd) has advised such entity or a similar fund or a series of funds with respect to at least 2 investments of not less than $500,000 made by such entity or similar fund or series of funds during at least 2 of the most recent 3 years.'';

(2) by striking subparagrah (B) and inserting the following:

''(B) AVAILABILITY OF VISAS.—

''(i) IN GENERAL.—Visas shall be available, in a number not to exceed 10,000 for each fiscal year, to qualified immigrants seeking to enter the United States for the purpose of creating new businesses, as described in this paragraph.

''(ii) ADDITIONAL VISAS.—

''(I) IN GENERAL.—An additional 5,000 visas for each fiscal year shall be reallocated from unused visas if the Secretary determines, after receiving the report required by subclause (II), that the provision of visas under this paragraph has been effective in creating new businesses and that there would be additional economic benefit derived from the provision of additional visas under this paragraph.

''(II) GAO REPORT.—Not later than 30 days after the end of each fiscal year, the Comptroller General of the United States shall submit to Congress and the Secretary a report on the effectiveness of providing visas under this section in creating new businesses and recommendations with respect to the provision of such visas. The Secretary shall provide any necessary data to Comptroller General upon request.'';

(3) in subparagraph (C)(i)(III)—

(A) by striking ''3-year period'' and inserting ''6-year period'';

(B) in item (bb)(BB)—

(i) by striking ''2-year period'' and inserting ''3-year period''; and

(ii) by inserting after ''revenue'' the following: '', in any 12-month period during that 3-year period,''.

SA 1717. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1298, strike line 18 and all that follows through page 1299, line 11, and insert the following:

SEC. 2552. FILING OF APPLICATIONS NOT REQUIRING REGULAR INTERNET ACCESS.

(a) ELECTRONIC FILING NOT REQUIRED.—

(1) IN GENERAL.—The Secretary may not require that an applicant or petitioner for permanent residence or United States citizenship use an electronic method to file any application, or to access a customer account as the sole means of applying for such status.

(2) SUNSET DATE.—This subsection shall cease to be effective on October 1, 2020.

(b) NOTIFICATION REQUIREMENT.—Beginning on October 1, 2020, the Secretary may not require that an applicant or petitioner for permanent residence or citizenship of the United States use an electronic method to file any application or to access a customer account unless the Secretary notifies the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives of such requirement not later than 30 days before the effective date of such requirement.

(c) ENABLING DIGITAL PAPERWORK PROCESSING.—In order to improve efficiency and to discourage fraud, the Secretary may provide incentives to encourage digital filing, including expedited processing, modified filing fees, or discounted membership in trusted traveler programs, if the Secretary provides electronic access to a digital application process in application support centers, district offices, or other ubiquitous, commercial, and nongovernmental organization locations designated by the Secretary.

On page 1418, strike lines 12 through 19 and insert the following:

SEC. 3103. INCREASING SECURITY AND INTEGRITY OF GOVERNMENT-ISSUED CREDENTIALS AND SYSTEMS.

(a) ASSESSMENT.—Not later than 18 months after the date of the enactment of this Act, the Secretary, in coordination with the National Institute of Standards and Technology, shall submit an assessment, with recommendations to Congress on—

(1) the feasibility of automated biometric comparison to verify that the person presenting the employment authorization document is the rightful holder;

(2) how best to enable United States citizens and aliens lawfully present in the United States to better secure the accuracy and privacy of their digital interactions with Federal information systems; and

(3) a timetable for the actions described in paragraphs (1) and (2).

(b) ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—The Secretary shall establish an advisory committee to support a public-private, multi-stakeholder process that includes relevant Federal agencies and groups representing the State governors, motor vehicle administrators, civil liberties groups, public safety organizations, representatives of the technology, financial services and healthcare sectors, and such other public or private entities as the Secretary considers appropriate.

(2) FUNCTIONS.—The advisory committee established pursuant to paragraph (1) shall—

(A) collect and analyze recommendations from the stakeholders described in paragraph (1) with respect to the assessment conducted under subsection (a); and

(B) provide Congress with any ongoing recommendations for legislative and administrative action regarding improvements to the security, integrity, and privacy of government issued credentials and systems.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as may be necessary to enter into agreements with the National Academy of Sciences to provide reviews and intellectual support for the mission of the advisory committee established pursuant to subsection (b)(1).

SA 1718. Ms. HIRONO (for herself, Mrs. MURRAY, Ms. MURKOWSKI, Mrs. BOXER, Mr. LEAHY, Mr. FRANKEN, Ms. MIKULSKI, Mrs. SHAHEEN, Ms. CANTWELL, Ms. STABENOW, Ms. BALDWIN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. MENENDEZ, Mr. SCHUMER, and Ms. WARREN) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. MERIT-BASED POINTS TRACK ONE MODIFICATIONS.

(a) FINDINGS.—Congress finds the following:

(1) In many countries around the world, women do not have as many opportunities for education, choices for careers, or opportunities for career advancement as men do in those countries.

(2) It is important that our future immigration system—

(A) take into account the disparate treatment that women experience in other countries; and

(B) provide women a fair opportunity to immigrate to the United States through a merit-based point system.

(3) Under the current United States employment-based immigration system, green cards are awarded to men over women nearly four-to-one.

(4) Like the current employment-based system, the high-skill tier one in the merit point system is more likely to be used by men because of the greater opportunities available to men in other countries.

(5) The purpose of the third tier of the merit-based point system is to provide women a fairer opportunity to compete for green cards by focusing the point categories on careers and experiences that are available to women in other countries.

(b) WORLDWIDE LEVEL OF MERIT-BASED IMMIGRANTS.—Section 201(e) (8 U.S.C. 1151(e)), as amended by section 2301(a)(1), is amended to read as follows:

''(e) WORLDWIDE LEVEL OF MERIT-BASED IMMIGRANTS.—

''(1) IN GENERAL.—

''(A) NUMERICAL LIMITATION.—Subject to paragraphs (2), (3), and (4), the worldwide level of merit-based immigrants is equal to 150,000 for each fiscal year.

''(B) STATUS.—An alien admitted on the basis of a merit-based immigrant visa under this section shall have the status of an alien lawfully admitted for permanent residence.

''(2) ANNUAL INCREASE.—

''(A) IN GENERAL.—Subject to subparagraph (B) and paragraph (3), if in any fiscal year the worldwide level of visas available for merit-based immigrants under this section—

''(i) is less than 75 percent of the number of applicants for such fiscal year, the worldwide level shall increase by 5 percent for the next fiscal year; and

''(ii) is equal to or more than 75 percent of such number, the worldwide level for the next fiscal year shall be the same as the worldwide level for such fiscal year, minus any amount added to the worldwide level for such fiscal year under paragraph (4).

''(B) LIMITATION ON INCREASE.—The worldwide level of visas available for merit-based immigrants shall not exceed 280,000.

''(3) EMPLOYMENT CONSIDERATION.—The worldwide level of visas available for merit-based immigrants may not be increased for a fiscal year under paragraph (2) if the annual average unemployment rate for the civilian labor force 18 years or over in the United States, as determined by the Bureau of Labor Statistics, for such previous fiscal year is more than 81/2 percent.

''(4) RECAPTURE OF UNUSED VISAS.—The worldwide level of merit-based immigrants described in paragraph (1) for a fiscal year shall be increased by the difference (if any) between the worldwide level established under paragraph (1) for the previous fiscal year and the number of visas actually issued under this subsection during that fiscal year. Such visas shall be allocated for the following year pursuant to section 203(c)(3).''.

(c) MERIT-BASED IMMIGRANTS.—Section 203(c), as added by section 2301(a)(2) of this Act, is amended to read as follows:

''(c) MERIT-BASED IMMIGRANTS.—

''(1) FISCAL YEARS 1 THROUGH 4.—For the first 4 fiscal years beginning after the date of enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the worldwide level of merit-based immigrant visas made available under section 201(e)(1) shall be available for aliens described in section 203(b)(3) and in addition to any visas available for such aliens under such section.

''(2) SUBSEQUENT FISCAL YEARS.—Beginning with the fifth fiscal year beginning after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, aliens subject to the worldwide level specified in section 201(e) for merit-based immigrants shall be allocated as follows:

''(A) 50 percent of the visas remaining after the allocation under subparagraph (C) shall be available to applicants with the highest number of points allocated under tier 1 in paragraph (4).

''(B) 50 percent of the visas remaining after the allocation under subparagraph (C) shall be available to applicants with the highest number of points allocated under tier 2 in paragraph (5).

''(C) 30,000 shall be available to applicants with the highest number of points allocated under tier 3 in paragraph (6).

''(3) UNUSED VISAS.—If the total number of visas allocated under tier 1, tier 2, or tier 3 for a fiscal year are not granted during that fiscal year, such number may be added to the number of visas available under section 201(e)(1) for the following fiscal year and allocated as follows:

''(A) If the unused visas were allocated for tier 1 in a fiscal year, 2/3 of such visas shall be available for aliens allocated visas under tier 1 in the following fiscal year and 1/3 of such visas shall be available for aliens allocated visas under either tier 1 or tier 2 in the following fiscal year.

''(B) If the unused visas were allocated for tier 2 in a fiscal year, 2/3 of such visas shall be available for aliens allocated visas under tier 2 in the following fiscal year and 1/3 of such visas shall be available for aliens allocated visas under either tier 1 or tier 2 in the following fiscal year.

''(4) TIER 1.—The Secretary shall allocate points to each alien seeking to be a tier 1 merit-based immigrant as follows:

''(A) EDUCATION.—

''(i) IN GENERAL.—An alien may receive points under only 1 of the following categories:

''(I) An alien who has received a doctorate degree from an institution of higher education in the United States or the foreign equivalent shall be allocated 15 points.

''(II) An alien who has received a master's degree from an institution of higher education in the United States or the foreign equivalent shall be allocated 10 points.

''(ii) An alien who has received a bachelor's degree from an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) shall be allocated 5 points.

''(B) EMPLOYMENT EXPERIENCE.—An alien shall be allocated not more than 20 points as follows:

''(i) 3 points for each year the alien has been lawfully employed in a zone 5 occupation in the United States.

''(ii) 2 points for each year the alien has been lawfully employed in a zone 4 occupation in the United States.

''(C) EMPLOYMENT RELATED TO EDUCATION.—An alien who is in the United States and is employed full-time or has an offer of full-time employment in a field related to the alien's education—

''(i) in a zone 5 occupation shall be allocated 10 points; or

''(ii) in a zone 4 occupation shall be allocated 8 points.

''(D) ENTREPRENEURSHIP.—An alien who is an entrepreneur in business that employs at least 2 employees in a zone 4 occupation or a zone 5 occupation shall be allocated 10 points.

''(E) HIGH DEMAND OCCUPATION.—An alien who is employed full-time in the United States or has an offer of full-time employment in a high demand tier 1 occupation shall be allocated 10 points.

''(F) CIVIC INVOLVEMENT.—An alien who has attested that he or she has engaged in a significant amount of community service, as determined by the Secretary, shall be allocated 2 points.

''(G) ENGLISH LANGUAGE.—An alien who received a score of 80 or more on the Test of English as a Foreign Language, or an equivalent score on a similar test, as determined by the Secretary, shall be allocated 10 points.

''(H) SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.—An alien who is the sibling of a citizen of the United States or who is over 31 years of age and is the married son or married daughter of a citizen of the United States shall be allocated 10 points.

''(I) AGE.—An alien who is—

''(i) between 18 and 24 years of age shall be allocated 8 points;

''(ii) between 25 and 32 years of age shall be allocated 6 points; or

''(iii) between 33 and 37 years of age shall be allocated 4 points.

''(J) COUNTRY OF ORIGIN.—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted to permanent residence in the United States in the previous 5 years shall be allocated 5 points.

''(5) TIER 2.—The Secretary shall allocate points to each alien seeking to be a tier 2 merit-based immigrant as follows:

''(A) EMPLOYMENT EXPERIENCE.—An alien shall be allocated 2 points for each year the alien has been lawfully employed in the United States, for a total of not more than 20 points.

''(B) SPECIAL EMPLOYMENT CRITERIA.—An alien who is employed full-time in the United States, or has an offer of full-time employment—

''(i) in a high demand tier 2 occupation shall be allocated 10 points; or

''(ii) in a zone 1, zone 2, or zone 3 occupation shall be allocated 10 points.

''(C) CAREGIVER.—An alien who is or has been a primary caregiver shall be allocated 10 points.

''(D) EXCEPTIONAL EMPLOYMENT RECORD.—An alien who has a record of exceptional employment, as determined by the Secretary, shall be allocated 10 points. In determining a record of exceptional employment, the Secretary shall consider factors including promotions, longevity, changes in occupations from a lower job zone to a higher job zone, participated in safety training, and increases in pay.

''(E) CIVIC INVOLVEMENT.—An alien who has demonstrated significant civic involvement shall be allocated 2 points.

''(F) ENGLISH LANGUAGE.—

''(i) ENGLISH PROFICIENCY.—An alien who has demonstrated English proficiency, as determined by a standardized test designated by the Secretary of Education, shall be allocated 10 points.

''(ii) ENGLISH KNOWLEDGE.—An alien who has demonstrated English knowledge, as determined by a standardized test designated by the Secretary of Education, shall be allocated 5 points.

''(G) SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.—An alien who is the sibling of a citizen of the United States or is over the age of 31 and is the married son or married daughter of a citizen of the United States shall be allocated 10 points.

''(H) AGE.—An alien who is—

''(i) between 18 and 24 years of age shall be allocated 8 points;

''(ii) between 25 and 32 years of age shall be allocated 6 points; or

''(iii) between 33 and 37 years of age shall be allocated 4 points.

''(I) COUNTRY OF ORIGIN.—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted to permanent residence in the United States in the previous 5 years shall be allocated 5 points.

''(6) TIER 3.—The Secretary shall allocate points to each alien seeking to be a tier 3 merit-based immigrant as follows:

''(A) EMPLOYMENT EXPERIENCE.—An alien shall be allocated 2 points for each year the alien has been lawfully employed in the United States, for a total of not more than 10 points.

''(B) SPECIAL EMPLOYMENT CRITERIA.—An alien who is employed full-time in the United States (or has an offer of full-time employment) in a health services occupation, including direct caregiver, informal caregiver, home health provider, or nurse; a clerical or professional services occupation; a teaching occupation, including early or informal learning provider, teacher assistant, and elementary or secondary teacher; a culinary occupation; an environmental service and maintenance occupation; a retail customer services occupation; or a small business operated by a sibling or parent who is a United States citizen, shall be allocated 10 points.

''(C) CIVIC INVOLVEMENT.—An alien who has demonstrated significant civic involvement, including humanitarian and volunteer activities, shall be allocated 2 points.

''(D) SIBLINGS AND MARRIED SONS AND DAUGHTERS OF CITIZENS.—An alien who is the sibling of a United States citizen or is older than 31 years of age and is the married son or married daughter of a United States citizen shall be allocated 10 points.

''(E) HUMANITARIAN CONCERNS.—An alien who is or has been the primary caregiver of a United States citizen parent or sibling suffering an extreme hardship shall be allocated 10 points.

''(F) ENGLISH LANGUAGE.—

''(i) ENGLISH PROFICIENCY.—An alien who has demonstrated English proficiency, as determined by a standardized test designated by the Secretary of Education, shall be allocated 10 points.

''(ii) ENGLISH KNOWLEDGE.—An alien who has demonstrated English knowledge, as determined by a standardized test designated by the Secretary of Education, shall be allocated 5 points.

''(G) AGE.—An alien who is—

''(i) between 18 and 25 years of age shall be allocated 8 points;

''(ii) between 25 and 33 years of age shall be allocated 6 points; or

''(iii) between 33 and 37 years of age shall be allocated 4 points.

''(H) COUNTRY OF ORIGIN.—An alien who is a national of a country of which fewer than 50,000 nationals were lawfully admitted for permanent residence in the United States in the previous 5 years shall be allocated 5 points.

''(7) FEE.—An alien who is allocated a visa under this subsection shall pay a fee of $1,500 in addition to any fee assessed to cover the costs to process an application under this subsection. Fees collected under this paragraph shall be deposited by the Secretary into the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1) of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(8) ELIGIBILITY OF ALIENS IN REGISTERED PROVISIONAL IMMIGRANT STATUS.—An alien who was granted registered provisional immigrant status under section 245B is not eligible to receive a merit-based immigrant visa under section 201(e).

''(9) INELIGIBILITY OF ALIENS WITH PENDING OR APPROVED PETITIONS.—An alien who has a petition pending or approved in another immigrant category under this section or section 201 may not apply for a merit-based immigrant visa.

''(10) DEFINITIONS.—In this subsection:

''(A) HIGH DEMAND TIER 1 OCCUPATION.—The term 'high demand tier 1 occupation' means 1 of the 5 occupations for which the highest number of nonimmigrants described in section 101(a)(15)(H)(i) were sought to be admitted by employers during the previous fiscal year.

''(B) HIGH DEMAND TIER 2 OCCUPATION.—The term 'high demand tier 2 occupation' means 1 of the 5 occupations for which the highest number of positions were sought to become registered positions by employers under section 220(e) during the previous fiscal year.

''(C) SECRETARY.—The term 'Secretary' means the Secretary of Homeland Security.

''(D) ZONE 1 OCCUPATION.—The term 'zone 1 occupation' means an occupation that requires little or no preparation and is classified as a zone 1 occupation on—

''(i) the Occupational Information Network Database (O*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.

''(E) ZONE 2 OCCUPATION.—The term 'zone 2 occupation' means an occupation that requires some preparation and is classified as a zone 2 occupation on—

''(i) the Occupational Information Network Database (O*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.

''(F) ZONE 3 OCCUPATION.—The term 'zone 3 occupation' means an occupation that requires medium preparation and is classified as a zone 3 occupation on—

''(i) the Occupational Information Network Database (O*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.

''(G) ZONE 4 OCCUPATION.—The term 'zone 4 occupation' means an occupation that requires considerable preparation and is classified as a zone 4 occupation on—

''(i) the Occupational Information Network Database (O*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.

''(H) ZONE 5 OCCUPATION.—The term 'zone 5 occupation' means an occupation that requires extensive preparation and is classified as a zone 5 occupation on—

''(i) the Occupational Information Network Database (O*NET) on the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act; or

''(ii) such Database or a similar successor database, as designated by the Secretary of Labor, after such date of enactment.''.

(d) RULE OF CONSTRUCTION.—The amendments made by this section shall apply notwithstanding title II or any other section of this Act.

SA 1719. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. AGRICULTURAL WORKERS.

(a) SUBMISSION OF BLUE CARD STATUS APPLICATIONS FROM OUTSIDE OF THE UNITED STATES.—The Secretary shall ensure that aliens residing outside of the United States who are eligible to submit an application for Blue Card status under section 2211 are able to do so through the United States Consulate in the alien's country of residence.

(b) RECORD OF EMPLOYMENT.—An employer shall not be required to provide, to the Secretary of Agriculture or to each alien granted blue card status who is employed by the employer, a written record of employment more than once per year.

(c) SUFFICIENT EVIDENCE.—An alien who cannot meet the burden of proof otherwise required under section 245F(e)(4)(A) of the Immigration and Nationality Act, as added by section 2212 of this Act, may, in an interview with the Secretary, establish that the alien has performed the days or hours of work referred to in such section by producing sufficient evidence to show the extent of that employment as a matter of just and reasonable inference.

(d) ALLOCATION OF VISAS.—Section 218A(c)(1)(B), as added by section 2232 of this Act, is amended to read as follows:

''(B) ALLOCATION OF VISAS.—

''(i) IN GENERAL.—The allocation of visas described in subparagraph (A) for a year shall be allocated as follows:

''(I) 70 percent shall be available beginning January 1.

''(II) 30 percent shall be available beginning July 1.

''(ii) UNUSED VISAS.—Any visas available on January 1 of a year under clause (i)(I) that are unused as of July 1 of that year shall be added to the allocation available to allocation available on July 1 of that year under clause (i)(II).''.

(e) TRANSITION OF H–2A WORKER PROGRAM.—Notwithstanding section 2233, an employer—

(1) may petition to employ an alien pursuant to section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act (1101(a)(15)(H)(ii)(a)) until the date that is 3 years after the date on which the regulations issued pursuant to section 2241(b) become effective; and

(2) may not employ an alien described in paragraph (1) after the date specified in such paragraph.

(f) EFFECTIVE DATE.—Notwithstanding paragraph (4) of section 2233(b), the amendments made by such section shall take effect on the date that is 3 years after the effective date of the regulations issued pursuant to section 2241(b).

SA 1720. Mrs. MURRAY (for herself, Mr. PORTMAN, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. AMENDMENTS TO THE AMERICAN COMPETITIVENESS AND WORKFORCE IMPROVEMENT ACT OF 1998.

Section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 2916a)(as contained in title IV of division C of Public Law 105-277; 112 Stat. 2681-653) is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) USE OF FUNDS.—

''(A) TRAINING PROVIDED.—Funds under this subsection may be used to provide job training services and related activities that are designed to assist workers (including unemployed and employed workers) in gaining the skills, competencies, and industry-recognized credentials needed to obtain or upgrade career ladder employment positions in the industries and economic sectors identified pursuant to paragraph (4). Such job training services may include on-the-job training, customized training, and apprenticeships, as well as training in the fields of science, technology (including computer and information technology), engineering, and mathematics.

''(B) ENHANCED TRAINING PROGRAMS AND INFORMATION.—In order to facilitate the provision of job training services described in subparagraph (A), funds under this subsection may be used to—

''(i) assist in the development and implementation of model activities such as developing appropriate curricula to build core competencies;

''(ii) assist in obtaining industry-recognized credentials and training workers;

''(iii) identify and disseminate career and skill information, labor market information and guidance, and information about training providers; and

''(iv) increase the integration of community and technical higher education activities with activities of businesses and the public workforce investment system to meet the training needs for the industries and economic sectors identified pursuant to paragraph (4), which may include the development of partnerships by grantees with employers and employer associations to provide work-based training opportunities.

''(C) TECHNICAL ASSISTANCE AND EVALUATION.—The Secretary of Labor may reserve not more than 5 percent of the funds available to carry out this subsection to provide technical assistance and to evaluate projects.'';

(2) in paragraph (6)(A)(i), by inserting '', including resources of employers and philanthropic organizations,'' after ''provided under this subsection''; and

(3) by striking paragraph (7) and inserting the following:

''(7) PERFORMANCE ACCOUNTABILITY.—

''(A) REPORTS.—The Secretary of Labor shall require grantees to report on the employment-related outcomes obtained by workers receiving training under this subsection using indicators of performance that are consistent with other indicators used for employment and training programs administered by the Secretary, such as entry into employment, retention in employment, attainment of industry-recognized credentials, and increases in earnings.

''(B) EVALUATIONS.—The Secretary of Labor may require grantees to participate in evaluations of projects carried out under this subsection.

''(C) REPORTS AND EVALUATIONS PUBLICLY AVAILABLE.—The reports and evaluations described under this paragraph shall be made available to the public through the appropriate one-stop service delivery systems and other means the Secretary determines are appropriate.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 25, 2013, at 10 a.m. to conduct a hearing entitled ''Private Student Loans: Regulatory Perspectives.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 25, 2013, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 25, 2013, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Program Integrity: Oversight of Recovery Audit Contractors.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 25, 2013, at 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled ''Building a Foundation of Fairness: 75 Years of the federal Minimum Wage'' on June 25, 2013, at 2:30 p.m. in room 430 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 25, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ENERGY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Subcommittee on Energy of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 25, 2013, at 2:30 p.m. in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGENCY MANAGEMENT, INTERGOVERNMENTAL RELATIONS, AND THE DISTRICT OF COLUMBIA

Mr. CARDIN. Mr. President, I ask unanimous consent that the Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 25, 2013, at 10 a.m. to conduct a hearing entitled ''Are We Prepared? Measuring the Impact of Preparedness Grants Since 9/11.''

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING THE MIAMI HEAT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 186.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 186) congratulating the Miami Heat for winning the 2013 National Basketball Association Finals.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 186) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, JUNE 26, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Wednesday, June 26, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate resume consideration of S. 744, the comprehensive immigration reform bill, and the time until 11:30 a.m. be equally divided and controlled between the two managers or their designees; that the filing deadline for second-degree amendments to the committee-reported substitute and the bill be 10:30 tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. There will be three rollcall votes in relation to the immigration bill, as announced earlier, starting at 11:30 a.m. tomorrow.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:03 p.m., adjourned until Wednesday, June 26, 2013, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate June 25, 2013:

DEPARTMENT OF COMMERCE

PENNY PRITZKER, OF ILLINOIS, TO BE SECRETARY OF COMMERCE.

HOUSE OF REPRESENTATIVES—*Tuesday, June 25, 2013*

The House met at noon and was called to order by the Speaker pro tempore (Mr. BENTIVOLIO).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 25, 2013.

I hereby appoint the Honorable KERRY BENTIVOLIO to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

PRESIDENT OBAMA'S CLIMATE ACTION PLAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

Mr. DEFAZIO. Last Thursday, Speaker BOEHNER called President Obama ''absolutely crazy'' for moving forward with rules to reduce greenhouse gas emissions from power plants that cause global warming.

What I think is absolutely crazy is the Republicans' constant denial of the overwhelming scientific consensus that climate change is real and human activity is largely responsible. I think it's absolutely crazy that the Republicans voted more than 50 times in the last Congress to block action on climate change.

In March, I talked about a new peer-reviewed report from Oregon State and Harvard that looked at temperatures over the last 11,300 years; and they found that over the last 100 years, coinciding with the widespread use of fossil fuels and turbines, et cetera, that we have seen more temperature increase than over the previous 11,000 years; 100 years versus 11,000 years.

Last month I came to the floor again to talk about a new NOAA report. Oceans are warming, fish stocks, many commercial fish stocks are moving north. Other things, which aren't capable of moving, are deteriorating in stocks.

And then, on the west coast, we've had shellfish failures due to ocean acidification; and the shellfish, of course, are only an indication of what might happen to the rest of the food chain in the oceans.

No one denies the acidification is due to the CO_2 in the atmosphere. But the Do-Nothing Republican Congress just shrugs and says there's nothing to do.

But, unlike the Republicans, President Obama accepts the science; and in about 2 hours, the President will release a plan to combat climate change here at home and lay out steps for working with some of the world's largest polluters, including India and China, to reduce emissions abroad.

The details aren't all out yet, but the President's proposing to do something that I said we should do 5 years ago, that is, use the regulatory powers of the Clean Air Act to regulate new and existing power plants. That's responsible for almost 40 percent of our greenhouse gas emissions.

We can make a huge dent in our emissions by moving forward on responsible, flexible efficiency standards for coal and natural gas plants.

As the administration moves forward, it should take a close look at the climate plan outlined by the Natural Resources Defense Council. Their plan has two key elements: set State-specific emission rates to reflect the diversity of the Nation's electricity sector, and give power plant operators broad flexibility to meet those standards in the most cost-effective way through a range of existing technologies.

The standard for every State would be an overall emission rate average of all the fossil fuel plants, and individual plants could emit at a higher or lower rate. Each covered plant with an emission rate above the State standard could meet the target by retrofitting a more efficient boiler, installing carbon capture, or it could burn a mixture of coal and cleaner fuels such as gas and/or biomass.

The plan would allow for the owners of multiple power plants to average emissions rates of their plants and meet the required emission rate on average by running coal plants less often, increasing generation from cleaner sources, or integrating more renewable resources. Such an approach, that is both flexible and State-based, is exactly what makes the Clean Water Act one of our most successful environmental and public health statutes in history.

Mr. Speaker, it's time to listen to scientists. Get serious about climate change. The evidence is in. The President has a plan. The Supreme Court has given him the authority to regulate. The only question now is whether the Republican leadership in the House of Representatives will listen and act.

AMNESTY GROWS WELFARE ROLLS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BROOKS) for 5 minutes.

Mr. BROOKS of Alabama. Mr. Speaker, America suffers from four consecutive trillion-dollar deficits and a $17 trillion debt that risks a debilitating American insolvency and bankruptcy.

Financial responsibility is the key to minimizing America's risk of economic disaster wrought by crippling debt. Yet the Senate Gang of Eight amnesty bill is the height of financial irresponsibility. It makes illegal aliens a bigger financial burden on America, racks up higher deficits, and increases America's risk of insolvency and bankruptcy.

The Senate Gang of Eight bill immediately gives illegal aliens State and local welfare. That is in addition to the Federal welfare illegal aliens already lawfully and unlawfully get.

For example, watchdog group Judicial Watch reports that an assistant case manager in charge of food stamp applications stated:

> Illegals would come by the van load and we were told to give them their stuff. Management knew very well they were illegal. It was so rampant that some employees would tell their illegal relatives to come and get food stamps.

Judicial Watch adds:

> The promotion of the food stamp program, now known as SNAP, Supplemental Nutrition Assistance Program, includes a Spanish-language flyer provided to the Mexican Embassy by the United States Department of Agriculture, with a statement advising Mexicans in the United States that they do not need to declare their immigration status in order to receive financial assistance.

Judicial Watch goes further:

> The United States Department of Agriculture spent taxpayer money to run Spanish-language television ads encouraging illegal aliens to apply for government-financed food stamps. The Mexican Consul in Santa Ana, California, starred in United States

Government-financed TV commercials and assured illegal aliens that receiving food stamps ''won't affect your immigration status.''

Judicial Watch concluded that:

Adding insult to injury, last spring, the United States Department of Agriculture Inspector General revealed that many food stamp recipients use their welfare benefit to buy drugs, weapons and other contraband from unscrupulous vendors, disclosing that the fraud has cost American taxpayers nearly $200 million.

A comprehensive study by the Heritage Foundation found that ''many unlawful immigrants have U.S.-born children. These children are currently eligible for the full range of government welfare and medical benefits.''

The study notes that:

In 2010, the average unlawful immigrant household received around $24,721 in government benefits and services, while paying some $10,334 in taxes. This generated an average annual fiscal deficit, benefits received minus taxes paid, of around $14,387 per household.

The Heritage Foundation confirms that the Senate Gang of 8 amnesty bill will:

After 13 years, unlawful immigrants would become eligible for means-tested welfare and ObamaCare. At that point, or shortly thereafter, former unlawful immigrant households would likely begin to receive government benefits at the same rate as lawful immigrant households of the same education level. As a result, government spending and fiscal deficits would increase dramatically.

The Senate Gang of 8 amnesty bill is reckless with the truth and misleads the American people. Not only will illegal immigration increase American taxpayer burdens through welfare, ObamaCare, and other payouts, but illegal immigration is already costing the United States taxpayers more than $14,000 a year per illegal alien household.

□ 1210

All told, per the Federation of Americans for Immigration Reform, illegal aliens already cost American taxpayers roughly $100 billion per year in net tax losses.

The Senate Gang of 8 amnesty bill does not properly manage welfare, does not give border security, mismanages tax dollars, thereby hammering already stressed and overtaxed American families and taxpayers while aggravating America's already bad financial situation, thus increasing America's risk of a debilitating insolvency and bankruptcy.

Mr. Speaker, the Senate Gang of 8 bill must be defeated at all costs. America's future depends on it.

STUDENT LOAN INTEREST RATES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. COURTNEY) for 5 minutes.

Mr. COURTNEY. Mr. Speaker, in 5 days, unless Congress acts, the Stafford student loan program, which helps 7.5 million students pay for college, is set to see its interest rates increase from 3.4 percent to 6.8 percent. Again, this is at a time when student loan debt now exceeds $1 trillion. It's the highest form of consumer debt in the economy. It exceeds credit card debt and car loan debt. And yet, despite the fact that, again, students and families are facing this mounting, crushing burden, unless we move in a very short period of time, we are going to add to that burden by allowing the interest rates to go from 3.4 percent to 6.8 percent.

Six years ago, this Congress acted to pass the College Cost Reduction Act, which cut that rate from 6.8 percent to 3.4 percent. It was a 5-year bill tied to the Higher Education Reauthorization Act. Last year, with minutes to spare, we extended that lower rate for 1 additional year. Again, here we are today, 5 days away from this rate doubling.

I've introduced legislation, H.R. 1595, the Student Loan Protection Act, and 196 Members of the House signed a discharge petition demanding that the Speaker of the House bring this bill up for debate and passage, which will protect that lower rate for an additional 2 years. We need that time so that we can pass a new Higher Education Authorization Act, which will deal with the broad range of issues that surround how we pay for college and access to higher education, which includes the Stafford student loan program, the workhorse for families to pay for college. It deals with Pell Grants and Perkins loans. It also deals with the obstructions and hurdles that people face when they want to refinance student loan debt after they have left college. Again, that's a big part of that $1 trillion debt burden that's out there in society.

We need a broad, long-range plan to pay for higher education because the stakes are huge. We know that the U.S. economy needs critical skills in our workforce if we are going to continue and grow and prosper. The baby boomers are now hitting retirement age at increasing numbers, and in a whole range of critical occupations, from medicine to science to engineering, we need to refill the ranks. And higher education is the avenue that we can continue to succeed as a country and as a nation. Our competitors know this. They are investing in higher education at a much higher rate than we are in the U.S. We must act to make sure that, again, we don't go backwards on July 1.

The House passed a bill on May 23. The Republican majority pushed a bill through which they claim solves the problem. It changes the fixed rate loan program to an adjustable rate tied to 10-year Treasury notes, which is roughly now at about 2.6 percent. It adds an additional 2.5 percent to that. They claimed when they passed that bill that that solves the problem. Unfortunately, the Congressional Budget Office drilled down deeper and analyzed what the real net impact would be on students. The problem with that variable rate program is that for a freshman entering this fall, like my daughter, who doesn't use the Stafford loan program, if some of her fellow students sign up for the Stafford loan program, under the Republican bill they really don't know what the rate is because it will reset over the 4 years that freshman is in college. Looking at where Treasury notes are projected over the next 4 years, the Congressional Budget Office has told us that, in fact, for that graduating student, 4 years from now the interest rate on the loan that they will graduate with will be over 7 percent.

So, in other words, as CBO told us, if we allow the Republican bill to go forward, it's actually worse than doing nothing and allowing the rates to double to 6.8 percent. President Obama has proposed a different version, which would, again, use the cheap cost of money today with an inflation add-on. But that plan that the President put forward locks in the rate for the student who takes that loan out next year. So, in other words, that freshman who signs up for a Stafford student loan that will go to school with my daughter next year, their rate will not reset from one year to the next. They will have at least the protection of a fixed rate based on the calculation using the Treasury note baseline. It is a better proposal. The Republican bill has a cap in terms of how high these rates can go over time. The President's does not.

We need, obviously, to get both sides to come together and come up with a real compromise which comes up with an affordable, sustainable way for the Stafford student loan program to work. With only 5 days to go, I would argue that the better course now is just protect the lower rate, give us some time to come up with, again, overlapping good ideas from both sides of the aisle to fix this problem.

Let's not let the rates double. Let's pass H.R. 1595. Let's help 7.5 million college students pursue their goals and dreams and help the U.S. economy.

SYRIA—ANOTHER GUNRUNNING OPERATION BY UNCLE SAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, there is a civil war raging in Syria. No question about it, President Assad is a bad guy. He hates Israel and he hates his own people. The humanitarian situation in Syria is dire. I have been to Syrian refugee camps in Turkey and seen firsthand the devastation of this war. In one camp I went to, there were 150,000 Syrians in Turkey fleeing from the devastation of war.

However, there are numerous rebel groups trying to remove Assad from power. Who exactly are these rebels? We really don't know. But we do know the most powerful among them is al Nusra, an affiliate of al Qaeda. These extremists on both sides are killing each other in the name of religion, and the people of Syria are caught in the middle.

Lining up on President Assad's side are the nations of Russia and Iran; also, the terrorist group Hezbollah, of course, sponsored by Iran. Lining up on the so-called rebels' side are Qatar, Saudi Arabia, Egypt, and numerous rebel groups from patriots to criminals to al Qaeda and outside mercenaries.

For 2 years, the United States has just ignored the situation; but now, suddenly, the administration has decided it's time to get involved. The administration's answer: send the rebels American guns. Send the rebels American guns? Blindly traffic American guns into Syria and, I guess, hope for the best.

Does this sound familiar, Mr. Speaker? We've tried this before. We've seen this song and dance in Libya and even in Mexico, our neighbor. This administration is gun-happy to give guns away. In Libya, the administration armed the rebel group to oust Muammar Qadhafi, another bad guy. Well, where are those guns now? Were they used in Benghazi? Who knows. The administration is still silent on Benghazi. Those guns are scattered all over the Middle East and in north Africa.

Were they used in Algeria? Remember, Mr. Speaker, in Algeria there were Americans working at an energy plant there, along with other citizens from other countries. Two Americans were killed in that attack. Were they also used in Mali? Who knows. Only time will tell. And who has died because these weapons end up in the wrong hands every time we give American guns away to rebel groups?

By providing weapons to radical sectors fighting against Assad, we're really taking sides in somebody else's war. We're also arming some radicals who seek to destroy us, like al Qaeda, who is fighting on the side of rebels. More weapons will only escalate this conflict. More people are going to die because the United States picks sides.

But Syria and Libya are not the first time this administration blindly trafficked weapons to terrorists. Let's go back to our own hemisphere. Let's talk about our neighbor, Mexico. Do you remember Operation Fast and Furious? We still haven't gotten answers on that scandal.

In an effort to help fight the drug cartels, the administration sent thousands of weapons to Mexico without even telling the Mexican Government. And who got those weapons? The drug cartels.

□ 1220

Of course these guns ended up in the hands of the terrorists—the narco-terrorists—and resulted in the death of at least two or three Americans and hundreds of Mexican nationals. Another botched gunrunning operation sponsored by the U.S. Government.

Too bad we don't learn from history and stop this nonsense of furnishing guns to groups in somebody else's country. Did we implement universal background checks on the violent criminals we armed in Syria, Libya and Mexico? Yeah, right. Is this the new foreign policy of the United States—international weapons trafficking?

Meanwhile, back at the ranch, this administration is on a tireless crusade to ban guns in the United States. Mr. Speaker, why is the White House so determined on disarming Americans while arming known potential terrorists, bandits, drug lords and mercenaries? Ironic, don't you think? But that's a different issue for a different day.

And I ask this question: What is the national security interest of the United States to be involved in Syria, in somebody else's civil war? There is none. This is not our war.

Mr. Speaker, this is a regional religious war that we should not be involved in. It's a war between the Sunnis and the Shias. These two religious groups have been fighting each other since the year 630, and now we're involved in this regional, religious war. What's next? Is the administration going to propose and implement a no-fly zone? Well, if this occurs, I believe the President must ask for congressional approval under the War Powers Act.

Almost 100,000 Syrians are dead.

No question, the U.S. should help with humanitarian aid.

The U.S. should work for a political solution, not a military solution.

But the Administration's policy seems to be traffic guns to third world countries and subversives and hope for the best.

However, recent history has shown this is a bad idea.

This is a dangerous foreign policy.

What area of the world is next for our gun running government?

Wait and see.

And that's just the way it is.

WAR POWERS ACT

(IN PART)

50 USC §1541—Purpose and policy

(a) Congressional declaration

It is the purpose of this chapter to fulfill the intent of the framers of the Constitution of the United States and insure that the collective judgment of both the Congress and the President will apply to the introduction of United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and to the continued use of such forces in hostilities or in such situations.

(b) Congressional legislative power under necessary and proper clause

Under article I, section 8, of the Constitution, it is specifically provided that the Congress shall have the power to make all laws necessary and proper for carrying into execution, not only its own powers but also all other powers vested by the Constitution in the Government of the United States, or in any department or officer hereof.

(c) Presidential executive power as Commander-in-Chief; limitation

The constitutional powers of the President as Commander-in-Chief to introduce United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, are exercised only pursuant to

(1) a declaration of war,

(2) specific statutory authorization, or

(3) a national emergency created by attack upon the United States, its territories or possessions, or its armed forces

AFFORDABLE HEALTH CARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. LARSON) for 5 minutes.

Mr. LARSON of Connecticut. Mr. Speaker, having traveled home this weekend and listened to so many back in my district concerned about the lack of solutions and the lack of effort on behalf of the United States Congress to get things done, I told them to take heart, that sometimes these things are difficult. And I added:

What if I tell you that we could deal with the rising cost of health care, we could bring down the national debt, and do it all by providing better quality, coordinated, and patient-centered care? That would be a good goal, they surmised.

And what if I told you we could do this without raising taxes or cutting Medicare benefits? And what if I told you that all of this notion began from the seeds of an idea that was an outgrowth from the Heritage Foundation, piloted by a Republican Governor in a Democratic State, and that served as the basis of the Affordable Health Care Act, which is the law of the land?

The Affordable Health Care Act was not, in fact, what many Members on my side of the aisle support—a single-payer plan or a Medicare-for-all approach. But the law of the land is based on the Heritage Foundation idea and a Republican Governor from Massachusetts' formula for making sure that we could provide care to all of our citizens.

Although the health care act has become politically driven and charged, what the American people want to see is a Congress that's serious about solutions, solutions that are workable on behalf of the American people.

So let's start where we all agree. PAUL RYAN has stated over again, very eloquently, that the rising cost of our debt and deficit is due to health care. I agree with him. When it comes to making sure that quality is improved for patients and care is coordinated more

effectively, these are not Republican or Democratic ideas; these are American ideas, and why we need to move forward.

We have no less than 10 separate studies—studies from the Institute of Medicine, Reuters, the Commonwealth Fund, among others, that show that there is between $750 billion to $800 billion in waste, fraud, abuse, and lack of coordination within our health care system. Why, then, would we consider, with that kind of waste, taking any money out of Medicare or taking any money away from the beneficiaries who use that to pay for their hospitals, their medical devices, their pharmacists, their doctors?

What we need to do is face what the reality is. The reality is that the United States spends 18 percent of its gross domestic product on health care. We need to drive those costs down. By doing so, as businessmen will tell you, any model that is that inefficient, when the rest of the world is at 8 and 9 percent for health care and provides universal access to health care, and we're at 18 percent, with millions of our people still uninsured, if we drive that down and wring out all the inefficiencies, the waste in the system, then we can have health care for our constituents that's both coordinated and essential and drives down the national debt.

All we have to do is recognize a simple fact. Take the very best of our public health system. Take the very best of science, technology and innovation. And then take the very best of our private sector and its entrepreneurs and have this body come together in a coordinated fashion to bring that about.

It's happening without us. It's happening in the private sector, where leaders like Mark Bertolini from Aetna and others around this country are taking steps to drive down the cost of health care. They're doing it by coordinating care with the Mayo Clinic, with the Cleveland Clinic, with Sloan Kettering, with labs like Jackson Labs in my State. All of this is focused on making sure that we're going to have better outcomes for our people.

We can do this together. Let's work toward solutions. This Congress is capable of doing it.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 27 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

Guide the Members of the people's House by the spirit of understanding, which will lead them ultimately to eternal wisdom. Since we live in a world of human failure and broken promises, may they be tolerant of the faults of others because they are so aware of their own unfaithfulness. All of us are yet to realize our own full potential as being truly the free children of God.

Bless all with a quiet respect for the diversity of opinions. Through honest dialogue and contemplative listening, may Your servants, gathered in this assembly, search all the avenues open to them to meet today's challenges of integrity and justice.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from New York (Ms. SLAUGHTER) come forward and lead the House in the Pledge of Allegiance.

Ms. SLAUGHTER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

HOUSE REPUBLICANS SUPPORT ALL-OF-THE-ABOVE ENERGY POLICIES

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, House Republicans are focused on solutions that will give our economy the boost it needs to fully recover and help put Americans back to work. Our Nation has an abundance of energy resources that, if accessed, would create jobs, promote our energy independence and lower prices at the pump.

Today, the President will once again abandon his claim to support an all-of-the-above energy stance and will unveil a new plan focused on waging a ''war on coal'' with Big Government regulations destroying jobs.

In contrast, this week, House Republicans will have the best interests of American families at heart when we vote on two key pieces of legislation included in our all-of-the-above energy plan. Increasing our offshore energy production, introduced by Congressman DOC HASTINGS of Washington, and lifting moratoriums on exploration and development, introduced by Congressman JEFF DUNCAN of South Carolina, are necessary to provide American families with a more secure future.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

Congratulations, former Chief of Staff Eric Dell and his wife, Torry, on the birth of their son, Noah Isaac Dell, on Sunday, June 23.

BOBBY (BLUE) BLAND

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Bobby (Blue) Bland, a Memphis and American music and blues idol, passed away at the age of 83 on Sunday.

Bobby (Blue) Bland was born Robert Calvin Brooks in 1930, and in the forties he moved to Memphis. In 1949, he joined a group called the Beale Streeters, which was a loose-knit group and it included Johnny Ace, Rosco Gordon, Earl Forest, and B.B. King—giants. He later worked for Junior Parker and B.B. King, two other giants. Then he went on his own way and became one of the great blues singers of all time.

His four top singles were ''Turn on your Love Light,'' ''Call on Me,'' ''That's the Way Love is,'' and ''Ain't Nothing You Can Do.'' He had top 100 hits almost every year for 40 years. His songs were covered by the Grateful Dead, The Band, and Van Morrison. He influenced Otis Redding, Wilson Pickett, and the Allman Brothers. He has been in every music hall of fame you can think of, including the Rock and Roll Hall of Fame and the initial class of the Memphis Music Hall of Fame.

He served his country in the Army from 1952 to 1954. He is survived by his wife, Willie Mae, his son, Rodd, his daughter, Patrice, his four grandchildren, and by millions of disks and CDs that people will be loving forever.

WAR ON COAL

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Allow me to quote from one of President Obama's climate change advisers, Dr. Daniel Schrag:

The one thing the President really needs to do now is to begin the process of shutting down the conventional coal plants . . . A war on coal is exactly what's needed.

My goodness. Where are the Obama administration's priorities? Not on jobs. Not on affordable energy.

President Obama's war on coal is already a threat to thousands of American jobs, many in my home State of North Carolina, where 17 coal units are already being shut down, in part, because of EPA policies.

Americans want energy independence, more affordable gas, and jobs. The Keystone pipeline, coal, and coal-fired plants have jobs to offer and can play a role in bringing our country closer to energy independence.

The President and his regulators should be less invested in declaring a war on American coal and more involved in supporting American energy producers and the jobs they already provide.

LEAD POISONING PREVENTION

(Ms. SLAUGHTER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, I rise today in strong opposition to the majority's proposal to slash funding for the Nation's lead poisoning prevention efforts.

At a time when we should be working to eradicate lead poisoning, the majority's Transportation, Housing and Urban Development appropriations package cuts funding to the Office of Healthy Homes and Lead Hazard Control by over 60 percent. We need to be focusing more on our efforts of ensuring that children live, play and learn in healthy environments free from the lead hazard and not less.

The number of children in the United States who are suffering from lead poisoning remains unacceptably high. A recent report by the Centers for Disease Control found that 1 in every 38 children has dangerous blood levels. Those levels lead to cognitive and behavioral problems, a loss of IQ points, and a lifetime of adverse health effects. It is estimated that lead exposure costs the Nation more than $50 billion in lifetime productivity losses.

Over the past two decades, HUD's Office of Healthy Homes and Lead Hazard Control has successfully treated 168,000 units for lead hazards and has improved the lead safety. This is no time to backtrack.

THE PRESIDENT'S HEALTH CARE TAKEOVER TO RESULT IN LOSS OF JOBS

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. We are 6 months and 6 days away from the full weight of the President's takeover of American health care. It's like a train that's careening down the tracks on a collision course with the American economy. Last week, Gallup released a survey of small business owners, and it's even worse than it looks:

Almost half of small business owners reported that they have frozen hiring because of the Affordable Care Act. Another 20 percent said that they have already had to lay off workers because of this law. So that's one out of every five small businesses laying off people because of legislation the administration has forced on hardworking Americans. That's a staggering number of people who are going to have to suffer because of the administration's shortsighted policy.

The President and his allies are under the faulty impression that educating people about the Affordable Care Act will suddenly make it popular and make it work. The truth is that people are already finding out far too much about this law as it costs them and their family members jobs. We have to continue highlighting the destructive parts of this law before it destroys an already weak economy.

□ 1410

OUTER CONTINENTAL SHELF TRANSBOUNDARY HYDROCARBON AGREEMENTS AUTHORIZATION ACT

(Mr. CUELLAR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CUELLAR. Madam Speaker, I rise today in support of H.R. 1613, the Outer Continental Shelf Transboundary Hydrocarbon Agreements Authorization Act.

Over 3 years have passed since President Obama and then-President Calderon agreed on the need to finalize a transboundary hydrocarbon agreement which now needs to be approved by Congress. This agreement would establish a cooperative process for managing the Gulf of Mexico to promote joint utilization of transboundary reservoirs.

The transboundary hydrocarbon agreement set to be enacted after decades of indecision between the Republic of Mexico and the United States allows oil and natural gas production on 1.5 million acres that was previously off limits because of border issues. The Mexican Legislature has already acted on this agreement, and we are now waiting on Congress to act.

The transboundary agreement is good for the United States and is good for our relationship with the Republic of Mexico and is good for economic growth and good for environmental protection.

This agreement would allow the American industry to work directly with PEMEX, instituting cutting-edge technologies.

I ask Congress to approve this.

JOBS AND ENERGY

(Mr. HOLDING asked and was given permission to address the House for 1 minute.)

Mr. HOLDING. Madam Speaker, after over 4 years with unemployment at or above 7.5 percent, it is no wonder that the American people do not have faith in this administration's ability to lead.

Of the nine counties I represent in North Carolina, seven have unemployment rates above the national average. And in several of those counties, the unemployment rate is above 10 percent.

Madam Speaker, North Carolinians, like all Americans, deserve better. We need to seize opportunities for economic growth and job creation, and one of those focus areas should be energy independence.

More domestic production would not only increase our country's competitiveness in the energy field, but would create jobs, Madam Speaker. It would also lower prices at the pump for American families who should not have to worry about busting their budgets to fill their gas tanks. Unfortunately, the President's energy plan will only make American energy more expensive and hinder job growth.

Madam Speaker, the American people are focused on jobs and the economy, and this administration needs to do the same.

LISTEN TO THE AMERICAN PEOPLE

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Madam Speaker, two-thirds of the American people want the border secured before other immigration reforms are implemented.

The Senate bill ignores them.

Most Americans feel that legalizing millions of illegal workers would take jobs away from U.S. citizens.

The Senate bill ignores them.

Most Americans want to stop illegal immigration.

The Senate bill only reduces illegal immigration by 25 percent.

Most Americans feel that legalizing millions of illegal immigrants would be a drain on government services.

The Senate bill ignores them.

Most Americans don't want to increase the number of immigrants beyond the very generous 1 million admitted every year.

The Senate bill doubles that number.

Those considering the Senate bill should stop, look, and listen to the American people.

SOLUTIONS FOR ENERGY AND JOBS

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute.)

Mr. FITZPATRICK. Our economy continues to struggle. Nearly 12 million of our fellow Americans remain out of work. Why then does the President still insist on standing in the way of creating new jobs by expanding America's energy sector using all of our valuable resources: water, wind, solar, gas, and oil?

An all-of-the-above energy strategy is what America needs to grow our economy, to create real American jobs, and to strengthen our national security. What we don't need is more government regulation and other interference from Washington. It looks like that is all this administration is prepared to offer.

House Republicans have a plan to make the most of all of America's energy resources. We already passed legislation to approve the Keystone XL pipeline, and this week our Offshore Energy and Jobs Act is another part of that plan. It's a commonsense solution, and it's what the American people deserve.

SMARTER SOLUTIONS FOR STUDENTS ACT

(Mr. YODER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. YODER. Mr. Speaker, I rise today to address the mounting financial challenges facing our college students.

With student loan debt over $1 trillion, even larger than the credit card debt in our Nation, students are taking on a significant financial burden in order to realize their dreams. Soon that burden may grow as interest rates are set to go up significantly on these loans that students hold, thereby increasing the cost of college dramatically in our country.

Congress must act, and the House already has. A month ago the House proactively took action to ensure America's college students and their families continue to have the Nation's support in pursuing their collegiate aspirations. In passing the Smarter Solutions for Students Act, the House would keep rates low for college students and create a permanent solution to this annual problem, getting Congress out of the business of setting interest rates.

Mr. Speaker, I hope the Senate will take up the Smarter Solutions for Students Act to create certainty for today's college students so that they, too, may have a chance to realize the American Dream.

OUR COUNTRY'S ENERGY POLICIES

(Mrs. WAGNER asked and was given permission to address the House for 1 minute.)

Mrs. WAGNER. As I stand before you, President Obama is down the street at this moment outlining his proposal to tackle climate change, with the centerpiece of his plan aimed at attacking the backbone of affordable energy in America.

While he will not explicitly say it, this is the next step in this administration's war on coal that they have been waging for the past 5 years and which will not stop until all coal-fired power plants in this country have been shut down by the EPA.

I, on the other hand, believe that producing affordable energy and being environmentally sound are not mutually exclusive, and I truly support an all-of-the-above policy that utilizes renewable and clean technology without eliminating our most reliable source of energy.

Instead, the President's current course of action is a direct attack on the middle class who are affected more by rising energy costs, all under the deception of pursuing climate change.

Mr. Speaker, I strongly suggest that the President consider the American people first when making these decisions on our country's energy policies.

RECESS

The SPEAKER pro tempore (Mr. HOLDING). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 17 minutes p.m.), the House stood in recess.

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 5 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

STAN MUSIAL VETERANS MEMORIAL BRIDGE

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2383) to designate the new Interstate Route 70 bridge over the Mississippi River connecting St. Louis, Missouri, and southwestern Illinois as the ''Stan Musial Veterans Memorial Bridge''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2383

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. STAN MUSIAL VETERANS MEMORIAL BRIDGE.

(a) DESIGNATION.—The new Interstate Route 70 bridge over the Mississippi River that connects St. Louis, Missouri, to southwestern Illinois shall be known and designated as the ''Stan Musial Veterans Memorial Bridge''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the bridge referred to in subsection (a) shall be deemed to be a reference to the ''Stan Musial Veterans Memorial Bridge''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. RODNEY DAVIS) and the gentlewoman from Illinois (Mrs. BUSTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 2383.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RODNEY DAVIS of Illinois. I yield myself such time as I may consume.

I rise today in support of H.R. 2383, to name the new I–70 bridge that connects St. Louis and southwestern Illinois as the ''Stan Musial Veterans Memorial Bridge.'' I introduced this legislation, along with my colleague BILL ENYART, as well as ANN WAGNER, JOHN SHIMKUS, LACY CLAY, DAN LIPINSKI, AARON SCHOCK, EMANUEL CLEAVER, SAM GRAVES, VICKY HARTZLER, RANDY HULTGREN, ADAM KINZINGER, BILLY LONG, BLAINE LUETKEMEYER, and JASON SMITH.

Today marks a bipartisan opportunity to honor all of America's heroes as well as a legend of America's national pastime. Nearly 1.3 million of America's 21 million veterans live in Illinois and Missouri. Naming this bridge that links these two States is another way we can honor the brave men and the brave women who have served our country.

Whether it's coming together to pass critical veterans funding measures, just like 420 of my colleagues and I did earlier this month on this very floor, or recognizing our veterans by naming this bridge, this body has shown it can come together in support of our veterans.

This bill would also honor the legacy of Stan Musial. Mr. Speaker, the St. Louis Cardinals are one of the most storied and successful first-rate franchises in sports history, and the best

player to ever don a St. Louis Cardinals uniform was Stan ''the Man'' Musial.

Born in Donora, Pennsylvania, in 1920, Stan Musial lived an amazing, inspiring life. On the field, he was a 24-time All-Star, a three-time World Series champion, three-time National League MVP, and a first-ballot Hall of Famer. He finished his career as a .331 hitter; and he was consistent, earning 1,815 hits at home and 1,815 hits on the road.

During his 22-year major league career spanning 3,026 games, he was never ejected by an umpire. These lessons in consistency and sportsmanship not only serve as a good reminder to Congress, but they are also attributes that I try to impart upon my sons and their teammates as the coach of their Little League baseball team in Taylorville, Illinois.

Off the field, Stan Musial led by example. In 1945, in the prime of his career, Stan took a year off from baseball to go serve his country in World War II. Stan served in the Navy and was based at Pearl Harbor as part of a ship repair unit.

There was more to Stan Musial than being an outstanding athlete who also served his country. He and his high school sweetheart, Lillian, were married more than 70 years and had four children. He also served as chairman for President Johnson's Council on Physical Fitness and Sports; and in 2011, Stan was given this country's highest civilian honor: the Presidential Medal of Freedom.

My first favorite player, Hank Aaron, a Hall of Famer, sums it up best when he said:

I didn't just like Stan Musial; I wanted to be like Stan Musial.

As an individual, Stan will be remembered as kind, modest, generous, and approachable. As an ambassador, Stan meant more to the game of baseball and St. Louis than he was ever willing to take credit for.

Today, let's honor our veterans and Stan ''the Man'' Musial. I urge all my colleagues to support H.R. 2383, and I reserve the balance of my time.

Mrs. BUSTOS. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2383, to designate the new Interstate 70 bridge over the Mississippi River connecting Illinois and St. Louis as the ''Stan Musial Veterans Memorial Bridge''—or the ''Stan Span,'' as many affectionately call it.

This bill names the bridge in honor of one of the greatest players in baseball history, as well as the millions of brave Americans who have served this country in the Armed Forces. Naming the bridge after Mr. Musial and saluting the millions of Americans who have served in our Armed Forces is a fitting tribute to their bravery and sacrifice.

Few players have contributed more to America's pastime than Stan Musial. In his 22 seasons in major league baseball playing for the St. Louis Cardinals, Stan the Man was selected to the All-Star game a record 24 times, named the National League's Most Valuable Player three times, and played on three World Series championship title teams. Musial was elected to the Baseball Hall of Fame in 1969 on the first ballot.

Moreover, Stan Musial's contributions go well beyond the baseball diamond. Like many of his generation, Mr. Musial served our country during World War II. During his tour of duty in the Navy, Musial joined with more than 16 million other Americans to serve our Nation as members of the U.S. Armed Forces during World War II. In retirement, Stan Musial contributed his time to causes such as the USO, the Senior Olympics, and the Boy Scouts, and served as chairman of the President's Council on Physical Fitness from 1964 to 1967.

Stan Musial received the Navy Memorial's Lone Sailor Award in 2007. It honors Navy veterans who excel in their civilian careers while exemplifying the Navy's core values of honor, courage, and commitment. In February 2011, President Obama presented Stan Musial with the Presidential Medal of Honor. That's the highest honor bestowed on a civilian in America.

My personal appreciation of Stan Musial goes way back to my childhood, growing up in Springfield, Illinois. Our family would make regular car trips every summer to Busch Stadium to cheer on our beloved Cardinals. When we weren't able to make it to games in person, we would listen to them on KMOX radio back home. I still remember the voices of Jack Buck and Harry Caray, who then would go on to announce for the Cubs.

I also fondly remember waiting around Busch Stadium after the games with my brother, my sister, and my mom and dad just to catch a glimpse of some of the Cardinal greats like Curt Flood. We loved watching Lou Brock run the bases. We loved watching Bob Gibson pitch.

And we just loved baseball so much that, later in his life, my dad would go on to work for Major League Baseball. I'm proud to say that my brother, Dan Callahan, would be the head coach of Southern Illinois University baseball for 16 seasons, until he passed away a couple of years ago from cancer. As you see, my family's bond with greater St. Louis, the Cardinals, and baseball is a strong one.

This bill does not just recognize the contributions of one man, but, rather, it salutes the service of all our veterans. Stan Musial was a hero to many, not just for the way he played baseball, but for how he lived his life. Like so many of the heroes who have served this Nation in our military, he lived his life with integrity and with honor. Naming this bridge in honor of Stan Musial and all veterans is a symbol of our gratitude for the sacrifices they made to protect our freedoms.

I urge my colleagues to join me in supporting H.R. 2383, to dedicate this bridge in honor of Stan the Man Musial and all the men and women who have served our Nation in the Armed Forces. We are proud to remember and honor all they endured for our democracy and to safeguard our democracy.

Mr. Speaker, I reserve the balance of my time.

□ 1710

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I'd first like to thank my colleague and my good friend from Illinois (Mrs. BUSTOS) for her kind comments, and also for honoring her father's service to Major League Baseball and her brother's service to the youth and to the students at Southern Illinois University during his time there as a head baseball coach.

I now wish to yield 5 minutes to the gentlewoman from Missouri (Mrs. WAGNER).

Mrs. WAGNER. I thank the gentleman for yielding.

Mr. Speaker, I rise today in honor of veterans, and one veteran in particular, one of St. Louis' all-time heroes, Stan Musial.

Stan the Man Musial is best known as the greatest player in St. Louis Cardinals history, winner of three World Series as a player and one more as general manager, a member of the Baseball Hall of Fame, and as one of the greatest players to ever play our beloved national pastime.

However, Stan Musial was also a great patriot. He temporarily left the St. Louis Cardinals during the Second World War to serve his country in the Navy. Stan and the Cardinals had just won the 1944 World Series when Stan left to serve during the war. And after the war, he returned to his beloved St. Louis Cardinals to bring home yet another World Series Championship in 1946.

His athleticism and his greatness as a player are self-evident. His 3,630 hits are the fourth-highest in baseball history. Stan is also one of only seven players to hit 400 home runs and have over 3,000 hits.

A model of consistency, Stan Musial could hit a baseball anywhere he was, home or away, finishing his career with 1,815 hits at home and 1,815 hits on the road. A former teammate described Stan's tremendous talent like this: ''He could have hit 300 with a fountain pen.''

Those who had the privilege to see Stan Musial play baseball swear that he was the greatest player they ever saw put on a St. Louis Cardinals uniform. Yet Stan the Man stood for something more than his two decades

of sustained excellence in baseball—he was an exemplary human being.

To baseball fans around the country, Stan Musial represented perfection as a ballplayer and as a gentleman. But to those of us from St. Louis, he represented so much more; he was our neighbor and he was our friend.

There has never been a better representative of the Cardinals or baseball—or, for that matter, humanity—than Stan Musial. Carrying himself with dignity, Stan was always willing to sign an autograph and meet fans, or do anything to help a friend in need.

I recently asked constituents to share some of their Stan Musial memories with me. And while many of them remember watching him play baseball, it was his kindness and his humility that set him apart. One constituent told me that as a child he lived in the same neighborhood as Stan Musial. Stan would play baseball with him and other neighborhood kids during the offseason.

Many from St. Louis remember Stan going out of his way to sign autographs for young fans or lend his good name to charitable and civic events. Others remember his visits to St. Louis hospitals and the joy that he brought to both the patients and the staff. But all remember that he was a happy and a joyful person who made you feel better and made you want to be a better person just by being in his presence.

After he retired from baseball, Stan Musial came to nearly every Cardinals Opening Day because he felt it was his duty to be there for the city and the team that gave so much to him. And each year at the induction to the Baseball Hall of Fame, Stan would play ''Take Me Out to the Ball Game'' on his harmonica. The new inductees would often mention Stan playing the harmonica as one of their favorite moments during the induction weekend.

The best description of Stan was rendered by former baseball commissioner, Ford C. Frick: ''Here stands baseball's perfect warrior. Here stands baseball's perfect knight.'' These words adorn the statue of Stan Musial that sits outside Busch Stadium in St. Louis city.

Mr. Speaker, I am honored to be a part of this bill that names the I–70 bridge after Stan Musial and our veterans. I urge my colleagues to support this bill as a lasting tribute to Stan the Man and all those who have served our country so honorably.

Mrs. BUSTOS. Mr. Speaker, I yield 4 minutes to the gentleman from Illinois (Mr. ENYART).

Mr. ENYART. I thank the gentlewoman for yielding.

Mr. Speaker, I rise in support of H.R. 2383, a compromise measure to name an extraordinary structure in honor of extraordinary heroes.

Today, I'm proud to join my colleagues in bridging a great divide—not the aisle here in the House dividing Democrats from Republicans, but a divide that is sometimes even wider, the mighty Mississippi River between Illinois and Missouri.

Today, in the spirit of compromise, we come together to honor people we hold dear and to recognize the values that make them special to us in both Illinois and Missouri, regardless of our politics or which side of the river we call home.

For millions of baseball fans in mid-America, Stan Musial is a hero. Stan spent a career accumulating Major League records and World Series rings while playing for the St. Louis Cardinals. But he was much more than one of the best baseball players to have ever played the game. No, to us in the region, he epitomized what it meant to be a resident of mid-America. He worked hard; he achieved success with humility; he was always a gentleman.

In a time when society too often glorifies all that is loud, showy and brash, Stan was the opposite. Quiet and humble, he was the textbook of integrity in all that he did.

Stan the Man was a hero for another reason. That's because he wore only two uniforms: one for the baseball team he loved and one for the country he loved. I'm proud to support this bill today because it recognizes not only Stan Musial, but all of our Nation's veterans.

As a veteran of two of our Nation's Armed Forces, this is a commitment that is very personal to me. I represent Scott Air Force Base, just 15 minutes from the new bridge, and I'm proud to represent a district that has one of the highest percentages of veterans in the United States.

The people of southern Illinois have answered each and every time our country has called. The service and the sacrifice of our veterans and their families can't be taken for granted, nor can their service be remembered only 1 or 2 days a year. Our Nation remains a beacon of freedom and liberty because of that dedication and sacrifice.

So today, I'm proud to rise in support of this measure to designate the new Interstate 70 bridge linking East St. Louis, Illinois, to St. Louis, Missouri, the ''Stan Musial Veterans Memorial Bridge.''

On my way to Washington, D.C., today I passed this new bridge still under construction. The bridge cables were gleaming in the sunlight. I looked out and saw dozens of my constituents hard at work on this structure. It's a much-needed infrastructure investment for our region and the country, a partnership between our States and the Federal Government. It's my hope that every traveler who crosses over this striking structure will not only read the name of that bridge, but will remember the values we honor with that name: hard work, integrity, humility, service and sacrifice. These are fitting ideals for all of us. And they are a fitting reason to name this bridge in honor of Stan Musial and in honor of all our veterans.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I'd like to thank my colleague, Mrs. WAGNER, for her comments and support for this bill. I'd also like to thank my colleague, Mr. ENYART, for his support, and also for his service to our country. Thank you, sir.

At this time, Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. LUETKEMEYER).

Mr. LUETKEMEYER. Mr. Speaker, I rise today to honor a truly great man, a great baseball player, and a decorated veteran, Stan the Man Musial.

Growing up a Cardinals fan, I recall watching Stan Musial from the stands of Sportsman's Park as a boy as well as sneaking my transistor radio into my bedroom late at night so I could listen to Cardinals games and my mom and dad wouldn't know I was up late.

In 1938, Musial was signed by the Cardinals as a free agent at the age of 20. He led the Cardinals to a World Series victory the following season. In May of 1944, during the midst of World War II, Musial put down his bat to serve his country for 2 years in the Navy—a service for which he would later receive the Navy Memorial's Lone Sailor Award.

□ 1720

After serving his country, Musial went on to play for 20 more seasons as a Cardinal. After his 22 seasons, Musial was ranked number one in singles, doubles, and triples among records with a single team—all records he still holds to this day. He was selected to a record 24 All-Star games and was named the National League's Most Valuable Player three times, winning three World Series championships with the Cardinals. One of Musial's most famous feats was hitting five home runs in 1 day during a double header. Musial was a first-ballot inductee to the baseball Hall of Fame in 1969. But not only was Musial a great Cardinal, the greatest to ever play the game in St. Louis, he was also a great philanthropist, an integral and valuable member of the St. Louis community. And for this humanitarian commitment and his athletic achievements, he was awarded the Presidential Medal of Freedom in May of 2011 by President Obama.

Though he passed away in January of 2013, Musial is remembered dearly in the hearts and minds of not only Cardinals fans, but also in the entire baseball community.

Mr. Speaker, I am honored to rise in support of naming the I–70 bridge after Stan the Man and in honor of all of our veterans. I urge Members of this House to stand with me in unwavering support of the Stan Musial Veterans Memorial Bridge.

Mrs. BUSTOS. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. Mr. Speaker, I rise today in support of this bipartisan legislation that I am pleased to cosponsor with my colleague and friend, Mr. DAVIS, to designate the new Interstate 70 bridge over the Mississippi River connecting the city of St. Louis and southwestern Illinois as the Stan Musial Veterans Memorial Bridge.

As the U.S. Representative who has the honor of representing the St. Louis Cardinals, it is a special privilege for me to speak about Stan Musial from the perspective of a Member of Congress, and also from the memory of a young boy at Old Sportsman's Park with my dad, former Congressman Bill Clay, as we watched Stan play near the end of his remarkable career.

Stan Musial was simply one of the greatest baseball players of all time. As was noted earlier, he was elected to baseball's Hall of Fame on the first ballot, and that much is known to the world. Mr. Speaker, what is less known is that as good a player as he was on the field, Stan Musial was even a better man off of the field. In his own quiet way, Stan Musial was also on the vanguard of fighting discrimination and changing America.

Stan was born in the small town of Donora, Pennsylvania, the fifth of five children. Donora is also the hometown of baseball's famous Griffey family.

As a young man, Stan was no stranger to the challenges of African Americans and the evils of segregation. Years before the desegregation of baseball in 1947, Stan, a gifted athlete, was playing basketball with Buddy Griffey, the father of the great Ken Griffey, Sr., and the grandfather of the great Ken Griffey, Jr. When their high school team was supposed to have dinner in a segregated hotel, Stan and the rest of the team walked out.

In 1947, 6 years after Stan was called up to the Cardinals, Jackie Robinson broke the color barrier with the Brooklyn Dodgers. Many more great Black and Latino players would follow. They faced racial taunts and threats on an almost daily basis, sometimes from the fans in the stands, sometimes from the opposing team, and sadly, sometimes from their own teammates. When some White players on the St. Louis Cardinals threatened to boycott the game if they were forced to play with Blacks, Musial stood tall for justice and stopped the boycott before it started.

When Stan died, stories from those difficult days were told with great reverence and respect. Upon hearing of his death, Hall of Famer Willie Mays recalled a story from an All-Star game in the 1950s. Before the game, in one corner of the National League clubhouse, sat Mays, Hank Aaron, Ernie Banks, and Frank Robinson, playing cards all by themselves. The White ballplayers on the National League roster either ignored them or were openly hostile. So Stan Musial, who by then was one of the biggest stars in the game, simply walked over, sat down, and said, ''Deal me in.'' That was his way of saying, ''Fellows, you belong here, it's gonna get better, and I'm glad to have you on my team.''

When asked about his friend's passing, the great Hank Aaron, baseball's legitimate all-time home run king, and someone who faced much hateful racism himself, said this of Stan:

I not only liked Stan Musial, I wanted to be like Stan Musial.

Two years ago, I was privileged to accompany Stan and his family to the White House as President Obama awarded him the Presidential Medal of Freedom. The President said this about Stan:

His brilliance could come in blinding bursts—hitting five home runs in a single doubleheader; leading the league in singles, doubles, triples, and RBIs over a single season. Stan Musial made that brilliance burn for two decades, even as he missed a season in his prime to serve his country in the U.S. Navy during World War II. Stan remains to this day an icon untarnished, a beloved pillar of the community, a gentleman you'd want your kids to emulate.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. BUSTOS. Mr. Speaker, I yield the gentleman an additional minute.

Mr. CLAY. Mr. Speaker, that is absolutely true. And soon, when millions of Americans cross the beautiful new bridge that will bear his name, I hope they will remember that Stan Musial was more than just a proud veteran and a great ballplayer. His life and legacy truly symbolize the best of the greatest generation.

I thank my colleagues from Missouri and Illinois for supporting this bill.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, again, I would like to thank my colleague, Mr. LUETKEMEYER, and my colleague, Mr. CLAY. Thank you for your service. Thank you for the stories about Stan Musial being ''The Man'' when it came to a difficult time in Major League history. I would also like to thank you for your father's service too.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. RODNEY DAVIS of Illinois. At this time, Mr. Speaker, I wish to yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS).

Mr. SHIMKUS. Mr. Speaker, I rise today to pay tribute to one of baseball's greatest heroes of all time, St. Louis' Stan Musial. Stan the Man was an unblemished icon both on and off the field.

Musial's historic numbers over his 22 seasons with the St. Louis Cardinals make him one of the greatest to ever play the game. With 3,630 hits, 475 home runs, 1,951 RBIs, and a lifetime .331 batting average, he was one of the most consistent hitters of his era. Musial's performance on the field earned him 24 All-Star appearances, three National League MVP awards, seven National League batting titles, a rightful place in the Hall of Fame, and three World Series championships for Cardinals Nation.

□ 1730

Stan the Man was immortalized in the hearts of Cardinals fans when his No. 6 was retired and his statue was erected outside Busch Stadium with a fitting quote from Baseball Commissioner Ford Frick: ''Here stands baseball's perfect warrior. Here stands baseball's perfect knight.''

But Stan Musial was more than just an example of baseball excellence; he epitomized modest Midwestern values and a devout faith rarely found in today's age of fame and record contracts. When fellow baseball great Ty Cobb compared Musial to other greats and said he was better than Joe DiMaggio, Musial humbly replied: ''Cobb is baseball's greatest. I don't want to contradict him, but I can't say that I was ever as good as Joe DiMaggio.'' Stan Musial lived his faith through his life as a devout Catholic, his charitable work and his devotion to his family, with nearly 72 years of marriage and four children. For his lifetime of work and service, Stan Musial earned the Presidential Medal of Freedom in 2011, as Lacy so aptly identified.

It is fitting, as we name the I–70 bridge the ''Stan Musial Veterans Memorial Bridge,'' to remember his service to our Nation as well as that of countless other veterans in the St. Louis area and Cardinals Nation. Like so many other young men and women of his generation, Stan Musial put aside his career when he was drafted into the United States Navy during World War II.

With the passing of Stan Musial, we lost a beacon of our community and our team, but this legislation is a fitting tribute to a player who will always be remembered in the hearts of Cardinals fans as ''The Man.''

Mrs. BUSTOS. Mr. Speaker, I yield back the balance of my time.

Mr. RODNEY DAVIS of Illinois. In closing, I would like to thank Congresswoman BUSTOS for managing this bill with me today. It has been an honor. I would also like to thank Congressman ENYART, Congresswoman WAGNER, Congressman SHIMKUS, Congressman CLAY, and Congressman LUETKEMEYER for coming to the floor today in support of H.R. 2383.

I would also be remiss not to thank former Congressman Jerry Costello for his vision to turn this bridge from an idea into a reality, and I would like to honor him today, too, for his service to our country as a Member of Congress.

I urge all of my colleagues to support this legislation so that we can honor

our veterans—and Stan the Man Musial.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in strong and enthusiastic support of H.R. 2383, which designates the portion of the new Interstate 70 bridge over the Mississippi River connecting St. Louis and southwestern Illinois as the ''Stan Musial Veterans Memorial Bridge.'' I support this legislation not only because it will ease traffic congestion and make transportation easier across state lines, but also because it honors a great American and one of the most beloved figures in the storied history of St. Louis, Missouri.

Stan ''The Man'' Musial is a prime example of determination as seen through his athletic career and being named as one of the greatest hitters in baseball history. His athletic achievements show the strength and hard work he put forth in order to achieve the dreams he dreamt of at a young age. He not only is a baseball hero that many remember, but an iconic hero that gave St. Louis one of its historical markers. Today, we can see how the city admires this star leader with his proud history all over the city and the tribute made to him outside of the Cardinals baseball stadium.

Not only was Stan Musial's baseball career an example of his determination, but his willingness to serve the country as seen through his service in the United States Navy reflects his notable character as well. Stan Musial served as a Seaman First Class (E3) and was given the honorable Navy Memorial's Lone Sailor Award which honors Navy veterans who've excelled in civilian life.

With this notable athlete and veteran in our history, it is the least that can be done to name this structure as a memorial and sign of this great individual. This bridge will allow for easier transportation across the Mississippi River and allow for greater access to both Illinois and Missouri. With projects such as this, we will be able to promote growth, sustain national and international trade, as well as ensure that our citizens are able to take advantage of proper infrastructure.

Again, I congratulate the members of the Missouri and Illinois delegation for brokering the compromise reflected in this legislation. The Stan Musial Veterans Memorial Bridge is strong and sturdy and made of steel, just like Stan Musial and the veterans who risked their lives to keep us free.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RODNEY DAVIS) that the House suspend the rules and pass the bill, H.R. 2383.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

PATRICIA CLARK BOSTON AIR ROUTE TRAFFIC CONTROL CENTER

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1092) to designate the air route traffic control center located in Nashua, New Hampshire, as the ''Patricia Clark Boston Air Route Traffic Control Center''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1092

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF PATRICIA CLARK BOSTON AIR ROUTE TRAFFIC CONTROL CENTER.

(a) IN GENERAL.—The air route traffic control center located in Nashua, New Hampshire, and any successor air route traffic control center at that location, shall be known and designated as the ''Patricia Clark Boston Air Route Traffic Control Center''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the air route traffic control center referred to in subsection (a) shall be deemed to be a reference to the ''Patricia Clark Boston Air Route Traffic Control Center''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. RODNEY DAVIS) and the gentlewoman from Illinois (Mrs. BUSTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 1092.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

This bill honors the work and commitment of Mrs. Patricia Clark for her 60 years of Federal service.

Mrs. Clark began working at Boston Center in Nashua, New Hampshire, in 1963 when it first opened, and has worked there ever since. In her years at Boston Center, Mrs. Clark has never taken annual or sick leave. According to her colleagues, Mrs. Clark's dedication to her job is as impressive as her length of service to the FAA.

To recognize her dedication, Mrs. Clark's colleagues decided that it was appropriate to celebrate Boston Center's 50th anniversary by renaming it in her honor. The dedication and hard work of Federal employees like Mrs. Clark should not be overlooked. I voice my support and encourage my colleagues to support this bill, which recognizes the work of an exemplary Federal employee.

I want to clarify that, while honoring Mrs. Clark, this bill does not require any funding for the renaming of the Boston Air Route Traffic Control Center.

With that, I reserve the balance of my time.

Mrs. BUSTOS. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 1092, to designate the air route traffic control center located in Nashua, New Hampshire, as the ''Patricia Clark Boston Air Route Traffic Control Center.'' The Committee on Transportation and Infrastructure unanimously reported this bill by voice vote just last month.

Mrs. Clark has worked at the Nashua center since it opened on March 31, 1963, and she has provided more than 50 years of government service. Mrs. Clark does administrative work at the center, including payroll, mail processing, and travel arrangements, and she has not taken a single sick day in her long career. Mrs. Clark's managers and colleagues at the Federal Aviation Administration initiated the idea of naming the facility to honor her for her valued service.

Mr. Speaker, this is an important bill, introduced by the gentlewoman from New Hampshire (Ms. KUSTER) and other members of the New Hampshire delegation. This bill is a companion bill to S. 540, which passed the Senate by unanimous consent earlier this year.

I urge my colleagues to join me in supporting H.R. 1092, and I reserve the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I would like to recognize and thank my colleague, the gentlewoman from New Hampshire (Ms. KUSTER), for introducing this piece of legislation.

I reserve the balance of my time.

Mrs. BUSTOS. Mr. Speaker, I yield 4 minutes to the gentlewoman from New Hampshire (Ms. KUSTER).

Ms. KUSTER. Thank you, Mrs. BUSTOS, for yielding.

I rise today in support of H.R. 1092, which is a bill that I introduced with Congresswoman SHEA-PORTER, to rename the air route traffic control center in Nashua, New Hampshire, after Patricia Clark, an exemplary Federal employee.

I want to thank Senator SHAHEEN and Senator AYOTTE for leading this legislation and ensuring its swift passage through the other body. I also thank Chairman SHUSTER, Ranking Member RAHALL and their hardworking staffs for passing this bill through the Transportation and Infrastructure Committee and bringing it to the floor today.

The Boston Air Route Traffic Control Center was built 50 years ago as part of a network of 20 centers that guide commercial air traffic in our Nation. The center is staffed by a dedicated team, which ensures the safety of our skies and of the aircraft that travel through them; but while much has changed in

the 50 years since the center was opened, one thing has remained constant—Patty Clark.

Patty started work at the Boston Center the day after it opened, and since that time she has been the gold standard for Federal employees. Patty does administrative work, including payroll, travel arrangements, and manning the phones, and as you've heard today, over these past 50 years, she has never once taken a sick day.

Patty is beloved by her colleagues for her dedication and her positive attitude. To quote one of her colleagues, she is simply the ''cream of the crop.'' So, as the 50th anniversary of the Boston Center approached earlier this year, management and workers got together at the center and decided that the only way to appropriately mark this extraordinary milestone was to honor the woman who had been through it all.

This is no cost, bipartisan legislation that will recognize the dedication of an incredible woman who has served our Nation for 50 years. I urge my colleagues to join me and the entire New Hampshire congressional delegation in honoring Patty Clark by supporting H.R. 1092.

Mr. RODNEY DAVIS of Illinois. I continue to reserve the balance of my time.

Mrs. BUSTOS. I yield back the balance of my time.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I would like to personally thank Mrs. Clark for all her years of dedicated service. This is truly an honor—benefiting a Federal employee of her high caliber. I urge my colleagues to join me in supporting this important piece of legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RODNEY DAVIS) that the House suspend the rules and pass the bill, H.R. 1092.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1740

KAY BAILEY HUTCHISON SPOUSAL IRA

Mr. SAM JOHNSON of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2289) to rename section 219(c) of the Internal Revenue Code of 1986 as the Kay Bailey Hutchison Spousal IRA.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2289

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. KAY BAILEY HUTCHISON SPOUSAL IRA.

The heading of subsection (c) of section 219 of the Internal Revenue Code of 1986 is amended by striking ''SPECIAL RULES FOR CERTAIN MARRIED INDIVIDUALS'' and inserting ''KAY BAILEY HUTCHISON SPOUSAL IRA''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SAM JOHNSON) and the gentleman from Texas (Mr. DOGGETT) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SAM JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Today we are considering legislation to rename the Spousal IRA the ''Kay Bailey Hutchison Spousal IRA,'' and I want to thank my colleagues from both sides of the aisle for cosponsoring this bill.

Mr. Speaker, a fellow Texan, an extraordinary woman and the first Texas female United States Senator, Kay Bailey Hutchison established during her time in the Senate a long and distinguished record of service to the great people of Texas and to Americans across our Nation. A fitting example of the Senator's service is her successful effort to help families save for retirement.

Back in 1993, Senator Hutchison first led the effort to change an unfair tax rule that limited the ability of homemakers to fully contribute to their own personal retirement accounts known as IRAs. At that time, homemakers could only put aside $250 in an IRA as opposed to $2,000, the maximum allowed for the working spouse. In response, Senator Hutchison introduced legislation allowing homemakers to fully contribute to their own accounts.

In 1996, Congress passed legislation that included the Senator's proposal to do just that. As a result, homemakers are no longer penalized for undertaking the important work of raising a family when it comes to saving for retirement. As the Senator said back in 1996:

There is no question in my mind that the work done inside the home is as much a part of the American family, if not more important to the American family, than the work done outside the home.

I can't think of a better way to recognize the now former Senator's efforts to make it easier for families to achieve retirement security than by renaming the Spousal IRA the ''Kay Bailey Hutchison Spousal IRA.''

Mr. Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. DOGGETT. Mr. Speaker, I thank our colleague from Dallas, Texas (Mr. JOHNSON) for his leadership on this matter.

This spring in another part of Texas in San Antonio, with the committed leadership of Katy Flato, we had our first-ever Bexar County edition of the Texas Book Festival. Among the many authors who were celebrated there, an active presence to make this book festival a success, was our United States Senator and New York Times best-selling author, Kay Bailey Hutchison, who presented her new book, ''Unflinching Courage: Pioneering Women Who Shaped Texas.''

In this book, she takes a look at other women who have made Texas and this Nation what it is today. She tells some incredible stories from Jane Long, who's often called the Mother of Texas, and her delivery of her own baby on a beach, to the tale of Margaret Houston, the wife of the hero of Texas, Sam Houston, who reportedly had an operation to remove a tumor, bit on a silver coin, survived and had six more children.

Senator Hutchison was a pioneer in her own right. She graduated, as my colleague said, from the University of Texas School of Law in 1967 when the number of women in the graduating class was in single digits.

As the first Republican woman to be elected to the Texas House of Representatives, she served there and in the Texas Constitutional Convention where I had an opportunity to get to know her as another member of that convention, as well as her husband, Ray Hutchison, who served with distinction in the House of Representatives. She is to date our only woman to have represented Texas in the United States Senate.

We're grateful for her long service, her willingness to work with Members of both parties, and in San Antonio we're particularly grateful, as well, for her service as it relates to the San Antonio River and the expansion of the River Walk.

When she first came to the Senate in 1993, she began working on legislation to help women take charge of their own futures, and one part of that is the Spousal IRA. The bill was the product of her own personal experience. When she married Ray, she learned that she could no longer contribute $2,000 to her retirement annually, but was limited to $250.

Early on, she approached Senator BARBARA MIKULSKI about becoming the

Democratic lead sponsor on the Spousal IRA bill. Together, Senator Hutchison, working in a bipartisan manner with Senator MIKULSKI, got the legislation approved as a part of the Small Business Job Protection Act of 1996.

The Spousal IRA that became law is an important tax benefit for stay-at-home spouses. It allows the stay-at-home spouse to make a full IRA contribution to the stay-at-home spouse's own IRA, even if a husband or wife has made a full contribution to the working spouse's IRA.

At a time when too many people are not saving enough to provide a secure requirement, this measure helps many contribute to ensure that they have a full retirement. Under the rules in place before, that limitation would have been a very nominal $250. Under Senator Hutchison's legislation, the contribution can now go up to $5,500, a big contribution, each year.

So I think it's very appropriate that we honor Senator Hutchison here with the naming that is proposed.

I reserve the balance of my time at this point.

□ 1750

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. BRADY), a member of the Ways and Means Committee and chairman of the Subcommittee on Health.

Mr. BRADY of Texas. Mr. Speaker, Chairman JOHNSON, thank you for your leadership on this issue and, Mr. DOGGETT, for your eloquent support.

When American families are fortunate enough to have children, they often face an important decision: Can they afford to have one parent stay at home to care for the children or is it financially necessary that both parents continue to work outside the home? If they choose to have one parent stay home, it is often a great financial sacrifice that affects not only their day-to-day living but their retirement security as well.

I believe the government should support their decision by encouraging them to save for their retirement by using the Spousal IRA tax provision which became law in 1996. This provision brings a measure of equality to the Code and allows parents to contribute to IRA retirement accounts whether they work outside the home or not.

While the Spousal IRA provision was included in the Contract for America and the Contract with the American Family, it only exists today because of our dear friend and former Texas Senator, Kay Bailey Hutchison.

Years ago, she recognized the unfairness of the Tax Code to those moms and dads who chose to stay home with their children, even if it meant missing out on the usual tax incentives enjoyed by those with outside jobs who were putting money away in a traditional IRA as a nest egg. Well, stay-at-home parents didn't have that IRA option, so Senator Hutchison went to work to balance the scales a little for those parents.

I remember Senator Hutchison for years tirelessly crisscrossing the State of Texas and lobbying her colleagues in the House and the Senate for a spousal IRA because it was the right thing to do for our families and families across the country. She never stopped raising awareness of this inequity and never gave up. I think all of us would agree that ''never giving up'' is a Kay Bailey Hutchison hallmark.

She also turned her incredible energy to getting it passed in Congress. She was finally and justifiably successful in 1996, working across the aisle with leaders like Dick Armey and the chairman of the Ways and Means Committee, Bill Archer; but also signed by and supported by President Clinton.

Since that time, millions of American children have benefited from their stay-at-home parents, and their parents have benefited from Senator Hutchison's magnificent work to bring some retirement fairness to these wonderful families.

Therefore, I join with my colleagues to urge them to vote in support of renaming the Spousal IRA section of the Tax Code the Kay Bailey Hutchison Spousal IRA. It is an honor much reserved for the one person most responsible for its existence.

Mr. DOGGETT. I reserve the balance of my time.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BURGESS), a member of the Energy and Commerce Committee.

Mr. BURGESS. Mr. Speaker, I thank the gentleman for yielding. It is a pleasure to join my friends from Texas on the floor today to honor Senator Kay Bailey Hutchison and the work that she did with creating the Spousal IRA.

Look, back in the 1990s, I was just a regular guy practicing medicine back home in Texas. What did I know about this stuff? Well, not much. But what I did know was that for the 15 years that I had been in private practice, my wife and I had shared our contribution to our IRAs every year. That meant each of us was able to deposit $1,100 every year into the IRA account.

Well, I've got to tell you, it's pretty frustrating to try to save for retirement when every year your contribution is limited to that rather austere amount. So it was a very big day, and I remember that day when we actually both were able to make the full contribution to our IRA accounts, and it was because of the hard work done by Senator Hutchison.

She never forgot her constituents back in Texas. She never forgot women—yes, women in the workforce, but also those women who were exercising their option to spend all of their energies raising their children and raising their families. It was a great day for Texas, for Texas constituents when that tax bill was passed, and we are very grateful to Senator Hutchison for her leadership. It is appropriate that we honor her tonight with the naming of the Spousal IRA in her honor.

Mr. DOGGETT. Mr. Speaker, to close briefly, last fall Senator CORNYN hosted a memorable bipartisan dinner honoring Senator Hutchison appropriately in the LBJ Room here in the Capitol, where all of us who are gathered here today, and a number of our colleagues, joined in honoring Senator Hutchison. At about the same time, Senator MIKULSKI introduced a resolution in the Senate to accomplish the same objection as this resolution. I hope the Senate will act promptly to approve this legislation. It has strong bipartisan support because this is an important measure to ensure more retirement security provided by a Texas leader of which those of us of both parties can take pride.

I yield back the balance of my time.

Mr. SAM JOHNSON of Texas. I want to thank my colleague, Mr. DOGGETT, for his words.

Mr. Speaker, I urge my colleagues to support this bill in honor of Senator Hutchison's commonsense effort to make it easier for families to save for retirement.

I yield back the balance of my time.

Mr. MARCHANT. Mr. Speaker, I rise today in support of renaming the ''Spousal IRA'' so that it carries the name of its champion—my friend and fellow Texan—Senator Kay Bailey Hutchison.

This bill was a product of Senator Hutchison's personal experience before joining the Senate. After putting aside money for her retirement as a single working woman, Senator Hutchison found that she could only put aside $250 in an IRA once she married her husband.

When Senator Hutchison was elected to the Senate in 1993, she led the effort to change this discriminatory part of our tax code, and worked to pass the ''Spousal IRA''.

Senator Hutchison has said that, over the course of her 19 years in the U.S. Senate, this law is the accomplishment she is most proud of. I think it is therefore fitting that we should amend the tax code so that women in America know that they're benefitting from the Kay Bailey Hutchison Spousal IRA.

Mr. GENE GREEN of Texas. Mr. Speaker, today I rise to support H.R. 2289, introduced by Representative SAM JOHNSON (R–TX).

This bill amends the Internal Revenue Code to rename the section heading of provisions relating to the individual retirement accounts (IRAs) of married individuals as the Kay Bailey Hutchison Spousal IRA.

Senator Hutchison, from Texas, along with Senator MIKULSKI, co-authored the now 15-year-old law that allows homemakers to make the same deductible contributions to their IRA

as salaried workers. The Spousal IRA was one of Senator Hutchison's proudest achievements while in Congress.

I thank Senator Hutchison for her years of service to the U.S. Senate. I believe this is a fitting tribute for her championing of this issue. I urge my colleagues to support H.R. 2289 to honor Senator Hutchison.

Mr. OLSON. Mr. Speaker, its a pleasure to recognize my colleague and friend, former Senator Kay Bailey Hutchison, for her efforts to help women. Her many contributions include her success in changing federal law to help women save for retirement. Her efforts expanded the availability of Individual Retirement Accounts for women, regardless of their family or work status, to set aside money for retirement.

Senator Hutchison's success in changing the tax code to help stay-at-home spouses underscores the family values that are critical to our nation. Americans should not be limited by federal law when they work at home to raise children and help their families.

Senator Hutchison deserves recognition for her support of American families. I was a cosponsor of H.R. 2289, to rename section 219(c) of the Internal Revenue Code of 1986 as the Kay Bailey Hutchison Spousal IRA. I applaud Senator Hutchison and thank her for the exceptional work she has done on behalf of the State of Texas.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SAM JOHNSON) that the House suspend the rules and pass the bill, H.R. 2289.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 56 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HARPER) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 2383, by the yeas and nays;

H.R. 1092, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

STAN MUSIAL VETERANS MEMORIAL BRIDGE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2383) to designate the new Interstate Route 70 bridge over the Mississippi River connecting St. Louis, Missouri, and southwestern Illinois as the ''Stan Musial Veterans Memorial Bridge'', on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RODNEY DAVIS) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 395, nays 2, not voting 37, as follows:

[Roll No. 287]

YEAS—395

Aderholt
Alexander
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Fleming
Flores
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hahn
Hall
Hanabusa
Harper
Harris
Hartzler
Hastings (FL)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McNerney
Meadows
Meehan
Meeks
Meng
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
Rangel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stivers
Stockman
Stutzman
Swalwell (CA)
Takano
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Titus
Tonko
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Walz
Wasserman Schultz
Waters
Watt
Waxman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—2

Amash
Massie

NOT VOTING—37

Amodei
Bishop (UT)
Bonner
Brown (FL)
Clarke
Costa
DesJarlais
Engel
Fincher
Fleischmann
Forbes
Frankel (FL)
Grijalva
Gutiérrez
Hanna
Hastings (WA)
Higgins
Kaptur
Keating
Labrador
Lamborn
Lee (CA)
Markey
Matheson
McCarthy (NY)
McMorris Rodgers
Neugebauer
Noem
Rohrabacher
Rooney
Rush
Ryan (OH)
Sanford
Smith (WA)
Speier
Stewart
Young (FL)

□ 1855

Messrs. WEBER of Texas, ROGERS of Michigan, and Ms. JACKSON LEE changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PATRICIA CLARK BOSTON AIR ROUTE TRAFFIC CONTROL CENTER

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1092) to designate the air route traffic control center located in Nashua, New Hampshire, as the ''Patricia Clark Boston Air Route Traffic Control Center'', on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RODNEY DAVIS) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 392, nays 3, answered ''present'' 1, not voting 38, as follows:

[Roll No. 288]

YEAS—392

Aderholt
Alexander
Amash
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bentivolio
Bera (CA)
Bilirakis
Bishop (NY)
Black
Blackburn
Blumenauer
Bonamici
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Bridenstine
Brooks (AL)
Brooks (IN)
Broun (GA)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castro (TX)
Chabot
Chaffetz
Chu
Cicilline
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Cotton
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Fleming
Fortenberry
Foster
Foxx
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hahn
Hall
Hanabusa
Harper
Hartzler
Hastings (FL)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
Latta
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Matsui
McCarthy (CA)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McNerney
Meadows
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Messer
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Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore
Moran
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
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Negrete McLeod
Nolan
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O'Rourke
Olson
Owens
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Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
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Peters (CA)
Peters (MI)
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Pingree (ME)
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Pitts
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quigley
Radel
Rahall
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Renacci
Ribble
Rice (SC)
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Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Roybal-Allard
Royce
Ruiz
Runyan
Ruppersberger
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schock
Schrader
Schwartz
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stivers
Stockman
Stutzman
Swalwell (CA)
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Thompson (CA)
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Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IN)

NAYS—3

Flores
Harris
Massie

ANSWERED ''PRESENT''—1

Mulvaney

NOT VOTING—38

Amodei
Bishop (GA)
Bishop (UT)
Bonner
Brown (FL)
Castor (FL)
Clarke
Costa
DesJarlais
Engel
Fincher
Fleischmann
Forbes
Frankel (FL)
Grijalva
Gutiérrez
Hanna
Hastings (WA)
Higgins
Kaptur
Labrador
Lamborn
Lee (CA)
Markey
Matheson
McCarthy (NY)
McMorris Rodgers
Neugebauer
Noem
Rohrabacher
Rooney
Rush
Ryan (OH)
Sanford
Smith (WA)
Speier
Stewart
Young (FL)

□ 1903

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. McMORRIS RODGERS. Mr. Speaker, on rollcall No. 287 on H.R. 2383, on Motion to Suspend the Rules and Pass, to designate the new Interstate Route 70 bridge over the Mississippi River connecting St. Louis, Missouri, and southwestern Illinois as the ''Stan Musial Veterans Memorial Bridge'', I am not recorded because I was absent due to a death in the family. Had I been present, I would have voted ''yea.''

Mr. Speaker, on rollcall No. 288 on H.R. 1092, on Motion to Suspend the Rules and Agree, To designate the air route traffic control center located in Nashua, New Hampshire, as the Patricia Clark Boston Air Route Traffic Control Center'', I am not recorded because I was absent due to a death in the family. Had I been present, I would have voted ''yea.''

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1213

Mr. POCAN. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1213.

The SPEAKER pro tempore (Mr. MULLIN). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

WAR ON COAL

(Mr. ROTHFUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTHFUS. Mr. Speaker, I rise today to express my frustration and disappointment with President Obama's war on coal. This war on coal is a war on the middle class. It's a war on good-paying jobs, and it's a war on American prosperity.

You cannot pay for our critical social safety net programs unless you have a growing economy. You will not have a growing economy without low-cost American energy.

President Obama's new regulations will shutter coal mines and power plants. It will raise energy costs and significantly impact moms and dads

sitting around the kitchen table paying their monthly utility bills.

It is time for President Obama to stop forcing Americans out of work and to stop giving a leg up to foreign competitors like China. It is time for President Obama to take his hand off the dimmer switch for the American economy. It is time to end this war on low-cost American energy so Americans can grow, prosper, and shine brightly once again.

CONGRATULATING CHICAGO BLACKHAWKS

(Mr. LIPINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIPINSKI. Mr. Speaker, I rise to congratulate the 2013 Stanley Cup Champion Chicago Blackhawks. Last night, sorrow quickly turned to joy when the Hawks netted two goals in 17 seconds late in the game to avoid a game seven. The crowd at Palmer Place in LaGrange erupted as Chelsea Dagger played, and we celebrated a second Cup in 4 years.

Congratulations especially to Captain Jonathan Toews, Conn Smyth Trophy winner Patrick Kane, and goalie Corey Crawford. But this was truly a team victory—from all of the players on the ice, to Coach Q, to GM Stan Bowman, to owner Rocky Wirtz. The entire organization deserves to be commended, and I thank all of them for once again making us proud.

I also want to congratulate the Boston Bruins for their great season and a hard-fought final befitting an Original Six matchup.

Mr. Speaker, I ask my colleagues to join me in congratulating the Chicago Blackhawks, and I look forward to seeing the Cup back in Chicago.

□ 1910

PRESIDENT OBAMA'S WAR ON AMERICAN ENERGY

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, today the President declared war on America's energy. The administration issued an imperial-style edict ordering the EPA, in essence, to shut down domestic energy: oil, natural gas, and coal.

Never mind the consequences. By shutting down coal, for instance, he's shutting down 37 percent of America's energy. But he doesn't care that Congress has rejected this policy in the past. He just wants it his way.

Well, he won't get it without a fight. I have introduced the Ensuring Affordable Energy Act. This bill will put an end to the back-door, monarch-style administration that ignores Congress and circumvents the will of the people.

The bill would prohibit any EPA funds from being used to implement the regulation of greenhouse gases. The White House's new war on energy will only raise the costs for our families, cripple the economy, and put Americans out of work.

This war is out of touch with the real world. It's a war against America that Americans can't afford to lose.

And that's just the way it is.

ADDRESSING HEINOUS HATE CRIMES

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. No American should live in fear of becoming a victim of a violent hate crime. In my role as the former lead hate crimes prosecutor for the Alameda County District Attorney's Office, I saw, firsthand, the devastating impact that hate crimes can have on our communities.

Sadly, since taking office I have heard from constituents and leaders from the Hindu, Sikh, and Arab American communities about the ongoing threats that they face. That is why in March I sent a letter to the FBI Advisory Policy Board requesting that the FBI add three additional hate crime categories to track anti-Hindu, anti-Sikh, and anti-Arab American hate crimes.

Gathering this information will encourage the affected community members to report hate crimes to law enforcement and will help strengthen relationships among communities, local and State law enforcement, and the FBI.

I'm happy to report that the policy board followed up on my letter and has recommended that FBI Director Robert Mueller make these additions. Our progress towards addressing heinous hate crimes is possible because of groups like the Hindu American Foundation, who have been tireless advocates for the safety of their communities.

I urge Director Mueller to act swiftly on the policy board's recommendation. This important step would extend protection to millions of Americans.

RECOGNIZING NATIONAL PTSD DAY

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise in recognition of National Post-Traumatic Stress Disorder Day. PTSD is a serious mental condition affecting many of our Nation's servicemen and -women, both past and present. Up to 20 percent of those who have been returning from Iraq and Afghanistan are at risk of dealing with PTSD, and their personal battles can continue far beyond their time spent overseas.

I'd like to especially recognize the Minnesota National Guard and their Beyond the Yellow Ribbon program and their initiative in this area. This comprehensive and very unique program has helped many of our returning servicemen and -women with their transition to home life, and it has inspired programs around the country to ensure our military members and families have the support they need after they leave active service.

So let's continue to do what we need to do to support our veterans in their time of need and ensure that they have the best services and care available to them upon their return home, especially those that are suffering from dealing with PTSD.

MILITARY RELIGIOUS FREEDOM

(Mr. FLEMING asked and was given permission to address the House for 1 minute.)

Mr. FLEMING. Mr. Speaker, an enemy of religious freedom who has a hotline to the Pentagon is at it again. Mikey Weinstein is still fighting to prevent our military personnel from expressing their religious beliefs.

Last week, in a rant, Weinstein referred to Christians as bigoted slimeballs, homophobes, Islamophobes, and carpetbaggers for Christ who spout twisted Christian-jihad poison and who committed spiritual rape and are faith-based racists.

The First Amendment protects Weinstein's right to such words of hatred against Christians. Unfortunately, he has high-level influence with the Pentagon, bragging that he made a threatening phone call and, within an hour, the Air Force rushed to remove a piece of artwork from a dining hall that referred to a Bible verse that said simply, ''Blessed are the Peacekeepers.''

I now officially and publicly call upon DOD to stop following Weinstein's anti-First Amendment orders and return him to the status of an ordinary citizen, where he belongs.

SAY NO TO THE WAR ON COAL

(Mrs. CAPITO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPITO. Mr. Speaker, I rise today to condemn President Obama's announcement that he is going to forge ahead with the war on coal. The President's own climate advisor shed some light on the administration's plan for coal when he said, ''A war on coal is exactly what's needed.''

Well, I'm here to tell you that is not what West Virginia or this Nation needs. Not only will these regulations

put good, hardworking West Virginians out of a job, but they will drive up the cost of electricity for our consumers at a time when the economy is still so weak.

The President failed to get his environmental agenda through Congress for a reason. Congress recognized the effects it would have on our Nation's economy. Yet, despite our opposition and common sense, the President has decided unilaterally on this job-killing agenda.

By dictating these devastating regulations, the President will shut down existing coal plants and the development of clean coal technology facilities. Not only will his decision hamstring our Nation's ability to become energy independent, but it will prove devastating for American workers and, in particular, for our West Virginia families.

Mr. President, don't turn the lights out on our Nation's economy.

PRESIDENT OBAMA'S CLIMATE CHANGE PLAN

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, the Obama administration's excessive regulatory actions have been taking their toll on the Nation's economy for some time now.

Unfortunately, the President's new climate change plan announced today appears even more costly and contentious than his previous proposals, which were resoundingly rejected by his Democratic colleagues in the Senate.

America needs a diverse supply of low-cost and abundant energy sources. Coal is, by far, the cheapest and most abundant source of energy. Protecting the environment and developing our abundant natural resources such as coal are not mutually exclusive, but that's not what the President would have us believe.

The Obama administration continues to grossly underestimate the cumulative impact of its regulatory actions, and this new plan to unilaterally impose new energy regulations will cost more jobs and further harm family budgets through higher electricity prices.

PRESIDENT OBAMA'S WAR ON COAL

(Mr. GRIFFITH of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRIFFITH of Virginia. Ladies and gentlemen of the House, I too am here to discuss the President's war on coal.

The President would have you believe that we must choose between the environment and affordable, reliable energy, but that is not the case. There is a better way, and the President could even take some credit.

Based on research that is currently out there, there are technologies that the Department of Energy has invested in on clean coal which will make a huge difference and will allow us to use our abundant coal resources and protect the environment. But instead of focusing on those possibilities, and focusing on that, the President, instead, wants to regulate coal out of existence.

The timelines that will be set up will not allow this new technology to take place in a timeframe that will work for the American public and for our economy. So, folks, there is a better way, and I urge the President to stop the war on coal and seek the better path.

□ 1920

THE ROLE OF EDUCATION IN REBUILDING THE AMERICAN ECONOMY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, thank you for the opportunity for this hour. Joining me tonight will be MARK TAKANO from the State of California.

We just heard 4 or 5, maybe 10 minutes of talk about the energy issue. I would like to put a slightly different face on it. It's not the main subject matter of this hour, which is really about jobs and how education fits into that, but this is sort of along the line, and it follows directly on what my Republican colleagues are talking about: denying that there is real climate change going on.

We can no longer deny the fact that we as human beings have, over this last century, been putting into the atmosphere a vast amount of carbon dioxide that is changing our environment. But what I want to spend just a moment on here is to discuss how education fits into this issue of climate change. It's an area in which the institutions of higher learning and students play an enormously important role combating climate change and developing a clean energy economy.

Today, as we just heard from our Republican colleagues, President Obama outlined a plan to address the threat of climate change. He recognized what the scientists have said, which is during 2013—this year—we'll have another record year for climate problems. Deadly flooding, superstorms, droughts, and impacts on sensitive species are just a sampling of the dire consequences that climate change is already bringing to America and the rest of the world.

In my district, home to the University of California, Davis, vitally important research is already being carried out to rise to the challenge of climate change. This research ranges from how changes in our climate are going to negatively impact agriculture and native California fish, flora, and fauna, and what we can do about it.

Just this month, Dr. Daniel Sperling of the University of California, Davis Institute of Transportation Studies was one of two recipients of the 2013 Blue Planet Prize for his monumental work in clean transportation, hydrogen fuel infrastructure, and research into how we can achieve a 100 percent renewable energy economy for the globe and for America. The expansion of the clean energy section would also play a very, very important role in what we will fundamentally discuss here today, which is creating jobs and spurring economic growth.

Recent research indicates that the revenue generated from clean energy globally within the next 5 years will create $1.9 trillion of revenue. Studies also show that States with larger green energy sectors are much more economically sound postrecession. We're on the right track. Last year, California led the national record for the most jobs created in the green energy sector, with over 26,000 new jobs being created. It's evident that we have the building blocks in place to make the changes that are needed for our future, especially in my home State of California. As Dr. Sperling said, solutions are all around us, and indeed, they are.

Let me just go into how that fits into our common agenda here, an agenda that we speak about nearly every week. We're talking about Make It in America. There are these seven things that are involved in the Make It in America agenda.

Trade policy is critically important. It's not the subject for tonight, but it's the trade policy of the United States as it affects jobs and bringing jobs back to America.

Taxes. Tax policy is exceedingly important. I don't think the American public knew that prior to 2 years ago, American corporations were rewarded for offshoring jobs. When the Democrats controlled the House of Representatives, we eliminated some $16 billion annual tax deductions that American corporations had to offshore jobs.

Energy issues. That's not the subject for tonight, but given what our Republican colleagues were talking about and my little 1-minute here, that is a major issue. And we know that the green energy economy creates jobs. The old coal economy doesn't.

Labor issues. The value of labor, rebuilding the middle class. Research is critically important, but not the subject for tonight. And infrastructure, which is often our subject, we'll put off until next week.

What we want to talk about tonight is education. We want to talk about the role of education in rebuilding the American economy. A critical, critical part of the education issue is something that's going to happen in 5 days.

At the end of this month, on July 1, 2013, thousands upon thousands, indeed, millions of students across the United States that have received Stafford loans are going to see a doubling of their interest rate, an interest rate that will go from 3.4 to 6.8. It's an incredible burden on the students across the Nation. Some who have finished school, others who are about to finish school or maybe just finished their graduation ceremonies are going to be greeted with a doubling of their interest rates.

On the Democratic side of the aisle, more than 200 of us have put forth and already signed up for an effort to bring to the floor a solution to this problem. So we want to talk about that tonight. We want to talk about the Democratic solution to avoid this extraordinary problem that will be faced by millions of students who have graduated and have just picked up their degree this month.

Joining me tonight for this discussion is MARK TAKANO, a newly elected Representative from the State of California, who represents the University of California, Riverside campus.

MARK, please join us. Take up that microphone in front of you and tell us how this affects your district and the students in your district.

Mr. TAKANO. Well, I thank my colleague, Mr. GARAMENDI of California. We're both Californians.

What this will do is further burden many of my students who are already burdened with a great deal of debt load from the University of California. But there are many students who bear even a greater debt load because they attend some of the private universities in my area. Many of my students leave my district for other schools and are going to out-of-State schools.

The student loan debt is, I think, a hugely serious, serious problem. Before I came to the Congress, I was a teacher for 23 years. I taught high school. I always tried to counsel my students to be careful about the debts they took on.

I would like to let my colleague know that when I was graduating from high school in the late 1970s and went on to an Ivy League school on the east coast, I had a package that the Ivy League school put together—contribution from my parents and some work study. But my total loan indebtedness from 4 years of Harvard College did not exceed $15,000. That was an amount that I could fairly easily manage. I am just horrified that students are racking up debts for undergraduate study of $80,000 or $100,000 worth of debt, let alone the debt they're going to have to incur when they go on to their master's programs.

□ 1930

A doubling of the interest rates would add just a tremendous burden to these students.

Mr. GARAMENDI. We can just take a very quick look at the math. If it's a $100,000 debt and it's 3.4 percent—and you're paying just the interest rate, not the principal of the loan—you're talking about $3,400 a year that you would be paying at the current rate. Double it, you're talking $6,800 a year. So just that alone, without paying down the principal, you're looking at a very significant burden on a person that's leaving school, graduating just this year. We need to deal with that. And the effort that's under way here by the Democrats in Congress—and also by President Obama, who's put forth, I think, a very solid program—gives the students an opportunity.

This is a very interesting chart here, MARK. And I think it's one that you're aware of. I know you've paid off your loan now, but that group hasn't.

Mr. TAKANO. I did actually take on some more debt to get my master's degree before I came here. Two years before I came to Congress I completed my master's degree, and it was a 2-year master's program. Because of my income as a teacher, many years as a teacher in, but I came close to $40,000 worth of debt that I'm paying off to the Federal Treasury. But it's not the Stafford loan that subsidized it. But I have a sense of just—that's part of my horror of the amount of debt load that students are carrying.

Mr. GARAMENDI. Well, then you're one of these students—ex-students. $1 trillion, this number, the total student loan, is well over $1 trillion today. This is greater than the total credit card debt of every American. So we're looking at a situation where student debt is now larger than the credit card debts of all Americans. This is an enormous burden.

But what this also does—and perhaps you have not only personal experience, but other—is that when a student graduates, their first obligation is to pay off this debt. You can't go into bankruptcy. This debt is going to follow you. With or without bankruptcy, you've got to make these payments.

Now, last year we passed a bill that tends to modify how much you can pay. I think it's no more than 10 percent. The President's proposal takes that further and applies the 10 percent not just to the new loans that are taken out, but to all existing loans. So as your income from a teacher, you would be required to pay no more than 10 percent of your income to pay down this debt. But if this debt has an interest rate of 3.4 percent, well, you can get it paid off more quickly. But if it's 6.8 percent, it's going to take longer and be more difficult.

Mr. TAKANO. The compounding effects on that amount of debt is going to seriously add to those students who will take, say, public service jobs or jobs in teaching, or jobs in the public sector, nonprofits. It will severely limit the kind of employment that young people might seek out.

Mr. GARAMENDI. Well, certainly that. And then a young person graduating from college, sometimes they want to get married. They may have to delay that. They want to form a household, buy a house, rent a house, buy the furniture. They can't because they've got to pay this off first.

Mr. TAKANO. Well, it certainly hurts our economy in that way. They're going to delay buying a car; they're going to delay buying a home; they're going to delay starting a family with this debt overhanging.

Beyond the interest rates, I also believe we need to focus on lowering the principal, making sure we support our public institutions of higher ed to make sure that the principal isn't there.

But certainly I support our caucus's effort to keep interest rates from doubling. It's a very sad fact to say that doing nothing—if we don't get our way, that doing nothing is actually better than what the Republicans propose.

Mr. GARAMENDI. I'm going to put up another chart here that speaks to what you just said. This chart talks about our colleagues' proposal. That was one that we passed here. We like to say that this is really about making education more expensive. Here's how it works.

Our proposal is to keep the interest rate—and this is a person that's maxed out. They've borrowed the maximum amount from the Stafford loan; this is the subsidized portion of it. This is the total interest that they pay over 5 years of a subsidized loan. The proposal that we put forward would be $4,174 of interest. What's going to happen, unless we pass a law, is that that number will go to $8,808. That's the doubling of the interest rate from 3.4 to 6.8 percent.

Now, the thing that I'll never understand—and this bill passed the House of Representatives a couple of months ago—was the proposal by our Republican colleagues that would actually force the students to pay more than just the doubling. You go, What's that all about? Why would they do that?

So under the proposal that we say actually makes education more expensive, the Republican proposal would go to $10,109, as opposed to our proposal, which would keep it at $4,174. Or even allowing the rate to double, the Republican proposal is actually more expensive. It doesn't make sense. I would say nonsense is probably a better way of describing it—no sense. But it just creates a serious problem.

Now, the proposal that the President has made is somewhere between these

two numbers—actually, just a little over $4,000. That proposal is based on a 10-year note, the 10-year Treasury bond that would then set the floor.

This one is also based on a Treasury bond—that's the GOP proposal—but it is like an adjustable-rate mortgage on your home. So every year, as the interest changes, you're going to pay more and more. And we know that right now interest rates were, just 3 weeks ago, at an all-time low. But now you're looking at a situation where we're looking at those interest rates going up, and the Republican proposal would automatically adjust upward. It's one of the adjustable-rate mortgages that got this country into such great trouble.

I notice that RUSH HOLT is here from New Jersey. RUSH HOLT, please join us. I know that this is an issue that is very important to you.

If I recall correctly, you represent a university. What is that university?

Mr. HOLT. I represent a number of students in universities, students who have been to university, and students who hope to go to university for whom this is very important.

As a member of the Education and Workforce Committee, I was involved in writing the legislation that resulted in the current lower interest rate. So I take this very personally for all sorts of reasons.

As you point out, there are a number of problems with what is about to happen and what the majority, the Republican Party, is proposing here with adjustable rates that could trap students or former students with unmanageable debt. But what bothers me the most is why they are doing it.

The point is they are trying to raise revenue without appearing to raise taxes. They are unwilling to ask a fair share from people in this economy who are doing well and instead want to turn to students and recent graduates and ask them to balance the budget, to reduce the deficit. That's why the interest rates are going up. It is so that they can collect more money. And they would be collecting it from students, just as you've been discussing. Just the wrong thing to do for an economy that is going to create new jobs, new job entry, create economic growth.

Mr. GARAMENDI. Let me see if I understand what you were saying.

The Republican proposal—which has passed the House of Representatives, is over in the Senate, and hopefully will die there—by their proposal of allowing an adjustable rate on the student loans, they will actually bring money into the United States Treasury to reduce the deficit, or are they going to use that money for education?

Mr. HOLT. Oh, this is very definitely a revenue-raising measure, because they have this hard-and-fast principle against collecting revenue from people who can afford to pay it and who are doing well.

□ 1940

Mr. GARAMENDI. We certainly have seen this many, many times over here on the floor.

MARK, maybe you want to comment on this.

Mr. TAKANO. I want to take a little different slant on this, if I might, JOHN and RUSH. I actually want to turn to a topic, and the reason why I want to turn to this topic is because of what the Senate is doing, what it was doing yesterday and today. They're considering the comprehensive immigration bill. Of course, in that comprehensive immigration bill is a provision on the DREAMers.

The point you're making about the Republican attempt to raise revenue without straightforwardly asking for it and put on the burden of our students, our young people, we wouldn't have to do this if this House would follow suit and pass a comprehensive immigration bill. I'm going to tell you why. I'm going to make an economic argument for why comprehensive immigration is good for our country and our economy.

As the debate continues on immigration reform, the effect that fixing the immigration system would have on our economy is becoming quite clear. Opponents of immigration reform don't seem to understand the benefits of our broken system. Many of the undocumented immigrants in this Nation are already working, yet because of their legal status they are forced to pay into the underground economy with no labor protections and no way to pay into the system.

We should allow these individuals to come out of the shadows and put them on the pathway to citizenship. As an example, say there's an undocumented worker in my district. Because he or she is undocumented, that worker may only be making $4 or $5 an hour instead of the California minimum wage of $8 an hour. If comprehensive immigration reform is passed, it will mandate that all workers be paid minimum wage, which will in turn increase their buying power, raise revenues for businesses, and drive up wages for everyone else, thus increasing our GDP growth rate, not needing to have to resort to these tricks of variable interest rates on our students to raise revenue for our government.

Recent analysis by the Social Security Administration showed that, without comprehensive immigration reform, our annual growth rate would only be 4.5 percent, but with comprehensive immigration reform, our annual growth rate shoots up to 6.1 percent. This increase in GDP is going to have a tremendous effect on our job market.

Earlier this year, Republican Senator MARCO RUBIO sent a letter to the Social Security chief actuary asking for an analysis of the legislation. In his response, Chief Actuary Goss said that the Senate immigration reform proposal would create 3.2 million jobs by 2024—new jobs.

In his reply, Chief Actuary Goss also said:

> We estimate a significant increase in both the population and the number of workers paying taxes in the United States as a result of these changes on legal immigration limits.

3.2 million new jobs by 2024 is a serious jobs plan for America.

A report by the Cato Institute analyzed the data and estimates that there will be a $1.5 trillion increase in 10 years to household income.

The middle class has been struggling for some time as their wages have remained stagnant for 30 years. The squeeze on the middle class has forced average American families to go heavily into debt just to get by. Mortgage payments, college loans, and the cost of health insurance have all skyrocketed, but wages have barely increased. Passing comprehensive immigration reform will help close this gap.

The more people we have working and the more they consume means that our Federal deficit will come down at an estimated—get this—$875 billion over 20 years.

But it doesn't stop there. Social Security, itself, is going to benefit greatly as well. As some 75 million baby boomers prepare to retire, the immigrant community, which is generally younger than the overall population, will help the balance sheet by bringing in more revenue to offset retirees taking out benefits. It's been estimated that comprehensive immigration reform will add $4.6 trillion, net, to Social Security over the next 75 years.

The problem we face with Social Security is the ratio of workers to retirees. Sixty years ago, there were 16 workers for every retiree. Twenty years from now, when the last of the baby boomers retire, that ratio will be down to 2½ to 1 unless we pass comprehensive immigration reform.

Comprehensive immigration reform is going to help Social Security in several ways:

First, most immigrants who come to the United States are between the ages of 18 and 35. For decades, these working immigrants will be contributing to Social Security;

Second, few come to the United States with their parents, and the seniors that do come aren't eligible for Social Security; and

Finally, immigrants tend to have more children than native-born Americans, and their offspring will also pay into the system for decades to come.

The numbers don't lie. Comprehensive immigration reform will improve our Nation in many different ways, but especially economically. The time is now.

Thank you.

Mr. HOLT. I thank the gentleman for presenting those numbers, because it's

been in the news recently that the immigration bill would actually reduce the deficit. I'm sure a lot of people around the country scratch their head and say, ''How could that be?'' but you've made it quite clear. It actually improves the economy in several different ways, just as making college more affordable improves the economy. The result is we are all more prosperous. The result is the deficit goes down. The result is we all have improved quality of life.

Mr. GARAMENDI. That's very interesting.

Mr. TAKANO, you're absolutely correct about the role of immigration and the comprehensive reform. There are some pieces that we often talk about: the DREAMers, the young men and women that came here as children, brought here. They don't have their papers, but they also do not have the opportunity to really get the kind of education. So we have the DREAMers.

But here's what I think Mr. HOLT was talking about that's really important, and this is part of what you were saying, Mr. TAKANO, about immigration reform—access to all the benefits of the economy and what it means.

If you happen to be a person that has less than a high school education, which is where you started your discussion on the immigration act, you're taking a look at perhaps as high as 14 percent unemployment and the average median—or excuse me, not average, but the median weekly earnings, less than $500 a week, $451 a week. If you get a high school degree, you may get $638, the median weekly income, but you're still looking at 9.4 percent unemployment.

Here's where the issue of education comes in at the post-high school education and here's where the Stafford loan issue comes in. If you're able to go to college and get that bachelor's degree, your income is going to be more than double if you don't finish high school and nearly double what you would have if you were able to finish high school.

So getting that education—and this is part of the immigration issue, and it's the facts that you were laying out so very well, Mr. TAKANO. If you're able to get that education with borrowing money, a Stafford loan, subsidized or unsubsidized, with a low interest rate, you're going to be looking at a median weekly earnings of well over $1,000 and your unemployment rate will be less than 5 percent.

If you go on to get that professional degree—and here's where you and your own history have been able to get that professional degree, that master's degree—-you're looking at $1,600 median weekly income and the unemployment rate is down.

So here you begin to see not only how immigration fits into education, but how an individual, an immigrant or not, will be able to improve their life. And as they improve their personal life, they are improving the economy; they're bringing greater wealth to the economy, greater productivity, effectiveness, and efficiency to the economy.

All of this is dependent upon immigration reform, as you pointed out so very well, as well as how we finance education.

□ 1950

Now, if we allow this situation that's going to occur in just 5 days—we're coming up against a crisis for the education for those men and women, immigrants or not, for those who want to get an education, who want to move beyond high school—they're looking at a doubling—at least 6.8 percent—of the interest rates on their Stafford loans. So they're going, Well, maybe I can't finish college; maybe I can't even start; and maybe I'm not going to be able to get that master's degree or that doctorate when I know that I will be able to be more productive to the economy and earn a higher living.

So these things fit together, and I thank you so very much for pointing out the way in which the immigration issue fits into this. We really must have comprehensive immigration reform.

Mr. TAKANO. It's my pleasure. You have seven points to our economic agenda. Really, comprehensive immigration reform should be the eighth one. The wealth of our country really is in the skills and knowledge of our people. We need to find the pathway for 11 million people—have them come out of the shadows, have a pathway to citizenship. That, tied together with investments and their skills and knowledge, really raises up the true wealth of our country, which is in her people.

Mr. GARAMENDI. This is the Make It in America agenda. As you say, you could easily add to this immigration reform as one of the things we need to do. These men and women—some 12 million who are here without documents—are unable to really rise up into these more highly skilled jobs. In many ways, their educational opportunities and their children's educational opportunities may be limited. This is the fundamental investment in any society; and giving access to people with that education, immigrant or not, allows us to build the American economy.

Mr. TAKANO. So much of the focus, as you say, does go back to education, the need to find effective ways to educate all the immigrant children.

If you could leave that poster up just a little longer, there are investments we need to make in our basic scientific research and to make sure we have the scientists. The scientists are so important. It takes years and years of developing people to become these highly skilled, highly knowledgeable scientists who will create, in turn, the inventions and the technology that will transfer into our preeminence in trade. We are a great country because we are so great at patents, because we are so great at creating new medications. This all comes from a highly educated workforce. By the way, comprehensive immigration reform means we can draw in some of the best talent into Silicon Valley, the best talent into our pharmaceutical research labs.

Mr. GARAMENDI. It's really true. The comprehensive immigration reform bill that's being discussed does bring into our economy those people who have the high skills, many of whom came here and got an education but who under the current law have to leave and go start their businesses in China, India or somewhere else around the world. Part of that comprehensive immigration reform would allow those men and women who have taken their education in the United States—gotten their degrees, their doctorates in engineering or electrical engineering or whatever—to stay in the United States.

It turns out that our State, California, is the great engine of economic growth. Some of it is in southern California with the entertainment industry and the way in which it is now merging into the electronic industry and all of the things that are going on with Google and the use of the smartphones for disseminating content—movies and the like. In the Silicon Valley, many of those start-up companies are immigrants. In fact, the majority of start-ups in the Silicon Valley are immigrants—a very interesting fact that goes back to the issue of immigration reform.

We want to bring to America the talent. We want to bring—we want to be able to use—in America these extraordinary workers and make sure that they have access to the education system that then is the fundamental investment and make sure that they are able to participate and move our economy forward.

Mr. TAKANO. Most of us come from immigrant stock. I think you're Basque Italian. My forebears came from Japan. We, ourselves, are examples of the striving of generations. I'm pretty sure your parents, as well as mine, instilled the importance of education. It's the story of America repeated over and over again—of people coming here because they hear about the freedom, the way of life that we have and the opportunity that our country represents. Much of it is embodied in our belief in education being the platform, the launching pad, for entering the middle class. Certainly, this dream will be cut short if we don't watch out for things like the doubling of the interest rates or allowing interest rates to be tied to variable rates.

As Mr. HOLT pointed out, he asserts that, really, it's a very sly way to try to raise revenue without actually being straightforward about it. It's a way to raise revenue on the backs of our children. I say let's do sensible things—pass comprehensive immigration reform. It, by itself, by the numbers I just showed, provides a tremendous amount of revenue to our government simply by the fact that we harness the energy of so many aspirational people.

Mr. GARAMENDI. All of that is true, and we've got 5 days. The Congress of the United States has 5 days in which to make a fundamental decision about how we treat those who are participating in the most important investment that any society makes, which is the investment in education.

Right now, we are asking most students to pay for their own education through loans and through some grants that are given through Pell Grants, but they've taken on enormous amounts of debt. Students in the United States have taken on $1 trillion of debt. A large portion of that debt is the Stafford loans, subsidized and unsubsidized. The loan rate on those programs is going to double from 3.4 percent to 6.8 percent in just 5 days, creating an enormous burden on the students on whom we rely to grow our economy.

They've made the investment, and this society has made the investment in them. We need to free them so that they can participate more fully in our society—so that they can participate as consumers and so that they can participate as small businesses men and women, the entrepreneurs. All of this is possible if we take action, and we must. We owe it to those students. We owe it to the economy. We owe it to our ability to make it once again in America. All of these things come together with immigration reform, as you've pointed out, Mr. TAKANO. I really appreciate you being with us tonight.

I think we've pretty much closed off this subject. We'll be back next week to talk about Making It in America—about jobs. Today, we've talked about how education fits into the jobs agenda. We've got 5 days to solve a very, very serious problem for millions of Americans who have gotten their educations or who have just graduated who are now going to be faced with a doubling of their interest rates. We can do this. We have the power, we have the ability, and we have the proposals—the President's proposal and the proposal here from the Democrats—and we ask that those proposals be acted upon.

Mr. Speaker, with that, I yield back the balance of my time.

□ 2000

AFFORDABLE ENERGY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentlewoman from Alabama (Mrs. ROBY) is recognized for 60 minutes as the designee of the majority leader.

Mrs. ROBY. Mr. Speaker, it's a privilege to be here on the floor tonight with my colleagues to discuss a very important issue, and that's affordable energy.

Mr. Speaker, like we did a few weeks ago, I just want to invite all of our constituents that might be paying attention right now, that they can contact us at #AffordableEnergy.

We are trying something new, Mr. Speaker, as a way to continue communication with those that we represent back home in an effort to answer very important questions about some of the things that we've read in the news recently today.

Today, this subject couldn't be any more important. That's because today President Obama launched his latest assault in the war on coal. Those aren't my words. That's what President Obama's own climate adviser told The New York Times just hours before his speech today. And let me quote him:

> The one thing the President really needs to do now is to begin the process of shutting down the conventional coal plants. Politically, the White House is hesitant to say they are having a war on coal. On the other hand, a war on coal is exactly what is needed.

A war on coal? A war on coal ultimately amounts to a war on American energy and a war on American families. And the regulations that President Obama announced today are unprecedented executive actions aimed at punishing industries critical to domestic energy production, particularly the coal industry. These regulations would not pass the United States Congress, not the Republican House and not even the Democratic Senate.

President Obama is trying to accomplish through executive regulations that which he cannot accomplish legislatively or electorally.

He also again passed the buck on approving the Keystone pipeline. This is a project that would create up to 20,000 jobs and increase domestic energy production, but a project that has been delayed because of regulatory approval for almost 4 years.

Mr. Speaker, what strikes me the most about President Obama's aggressive unilateral actions is how out of touch he and his administration are with the American people. That's why we're here tonight.

I remind my constituents all the time that I'm Riley's wife and a mom to my two kids, Margaret and George. I'm putting gas in the car. I'm picking up carpool. I'm going to the grocery store. I see directly in my everyday life how these inflammatory statements and just in-your-face remarks to the American people that are going to be directly affected by this President's policies—I see it as milk prices increase, as gas prices go up, as domestic energy prices continue to skyrocket, and this is just unacceptable.

I'm joined by my colleagues tonight. The gentleman from Colorado I know serves on the Energy and Commerce Committee and can certainly weigh in on these matters. But again, Mr. Speaker, I would like to remind our constituents that it's #AffordableEnergy. And as we move through this leadership hour, we want to hear from you, our constituents back home, about the issues that are important to you when it comes to energy production in the United States of America.

Mr. GARDNER. I thank the gentlelady from Alabama for her leadership tonight on this very important issue about the energy future of the United States.

Mr. Speaker, she is right. The conversation that we are having isn't something that is just occurring tonight on the House floor. It's not a conversation that's just occurring inside the beltway of Washington, D.C. It's a conversation about energy that's happening in California, in Virginia, in my home State of Colorado. It's about a strong future for this country. It's about our children finding the kinds of jobs and opportunity that we know they deserve, a kind of country that is growing stronger each and every day with better jobs and a stronger and growing workplace.

Tonight I hope that people, Mr. Speaker, around the country will send thoughts to #AffordableEnergy. Mr. Speaker, if they wish to join in that conversation, they'll be able to participate, and we can all see around the country what's happening with that conversation in their own homes, at their own dinner table tonight at #AffordableEnergy and what it is that they're seeing, whether their utility rates are increasing, whether they have a job in one of the shale plays booming around the country, or perhaps they're trying to find work. And energy presents an incredible opportunity for them to do just that.

Often times in Washington, D.C., you see this fight break down between the House or the Senate or Republicans and Democrats unnecessarily so. We ought to be focused on what's right for this country, not what's right for a political party, not what's right for this group or that group or favoring this special interest. It ought to be about what's good for the American people, the jobs that they're trying to keep and hold on to, the college that they're trying to pay for for their kids, to build a brighter future for their family.

The conversation is one that we know isn't just about left or right. That's not what energy is. Energy is about how we can produce it here in the United States, what we can do in

our own backyards to create a more vibrant future. All of us have our own energy experience, whether that's as kids when we were told by our parents to make sure you turn the light off before you leave the house, go up and turn the light off in your bedroom before you go to school, or whether it's today trying to run a business, trying to make sure we're using efficient computers to lower the cost of our utility bill year after year.

Mrs. ROBY. I reached out specifically earlier today, Mr. Speaker, to my constituents on Facebook, and I've got a few examples of that. As you say, everybody has their own energy story.

Howard from Dale County, Alabama, pointed out that he's already struggling to make ends meet as is, especially with ObamaCare and an increase in payroll taxes. Now the President wants to raise his electric bill.

Suzanne from Montgomery, Alabama, said that the President just doesn't get it. She watched the President's speech today, and she doesn't understand why he won't focus on improving the economy instead of hurting it. She said the President doesn't have a clue how his policies actually affect the middle class.

Spike, a young man from south Alabama, correctly pointed out that regulations have a trickle-down effect that are felt by hardworking Americans. These new regulations on energy sources will be felt by young Americans just like him.

Kevin from Dothan, Alabama, works for the military and has recently been furloughed due to the President's sequester, and he worries about how rising energy costs would affect him, especially since he's already having to deal with less take-home pay.

Mr. Speaker, I appreciate my constituent's thoughts, and that's why we're here tonight.

Mr. HUDSON. Mr. Speaker, I'm RICHARD HUDSON from North Carolina, and I represent a district that's been hit very hard with job losses. People out there are really struggling.

I go home every weekend and I travel my district and I talk to real people every day who are struggling to get by. I talk to folks who have lost their jobs either in the textile industry or in the furniture industry. I talk to folks who are just trying to keep their companies afloat. I talked to a homebuilder the other day who is just trying to keep enough work so he doesn't have to lay off any more of his crew so he can keep a skilled labor force there, so when the economy does pick back up, he'll have the folks that he needs to get the job done.

People are really hurting out there, and there are some signs that the economy is getting better. But, Mr. Speaker, in my district, we're just not feeling it yet. In fact, I was in Richmond County, North Carolina, yesterday, and the folks there tell me that home foreclosures have increased this year over last year. We aren't out of this yet.

On top of this economy, where folks are struggling and just trying to stay afloat, trying to keep food on the table for their families and paying the bills, the President comes out today 4 years to the day from when he introduced his disastrous cap-and-trade ideas and has this new scheme that's going to add cost to our energy, that's going to destroy jobs in this country, and it's just unconscionable.

The people in my district are wondering the same thing they are in other places around the country: why doesn't the President understand what's going on here. So, Mr. Speaker, I'm going to continue to fight for an energy policy that makes sense.

We've got energy off the shore of North Carolina that we ought to be going after. We've got huge reserves of oil and natural gas. We've also got a potential for fracking in North Carolina. I want to get North Carolina in the energy business. I want to create those energy jobs in North Carolina like we see in western Pennsylvania and North Dakota and other places. Now is the time. Now is the time to start getting American energy sources, getting Americans in the energy game, not taxing and regulating our energy industry out of business, which is not only destroying the jobs but is increasing the cost of energy. When the cost of energy goes up, Mr. Speaker, everything gets more expensive, whether it's food or the cost of transportation of goods. It's hitting us really hard.

Mr. GARDNER. I think that you bring up an excellent point about this issue of regulations, about how the President has spent all of this time developing incredibly onerous regulations that will increase the cost of electric generation. It will increase the cost to produce the electricity that each and every one of us use every day at home and at our workplace.

□ 2010

And yet, it has taken years for him to develop this. And concentrating on this, this big announcement today, which will hurt American jobs. It will, indeed, impact negatively the middle class of this country. And yet, there's a project out there, like the Keystone XL pipeline, that he could approve today. After mountains of paperwork have been completed, environmental impact studies completed, people could be put to work today on the Keystone pipeline. Instead of focusing on putting them out of work, instead of focusing on regulations that will hurt our ability to grow the economy, like the President announced today, his plans to disarm our energy plans in this country, the fact is we could have a Keystone XL pipeline putting people back to work.

People that I talk to back in my district strongly support the Keystone pipeline. There are people in Colorado that I've heard from who don't support it. And one of the questions they lead with is: You know, Representative GARDNER, it's not really going to create jobs here in Colorado. Well, you know what? We know, thanks to research that's been done, done by a university, the impact of the Alberta oil sands development on U.S. State economies, in Colorado alone, the job increase, thanks to the Alberta oil sands development—and the Keystone XL pipeline is a major part of this—that we would receive about 11,200 new jobs as a result of further development of the Alberta oil sands in Colorado alone. That's 11,000-some jobs that we could benefit from because of the construction of the Keystone pipeline and further development of the Alberta oil sands.

In North Carolina alone, my colleague from North Carolina, 18,400 jobs could come from further development of the Alberta oil sands, the Keystone pipeline being a critical part of that.

And so today, the President announces a plan to make it more difficult to generate electricity, to increase the cost of coal-power generation. His top science adviser has said we need a war on coal. This is the President of the United States saying we need a war on coal—his administration saying that—and yet today we have an opportunity to say ''yes'' to a pipeline to create jobs in this country.

So instead of putting people out of work, why don't we put people into work by approving things like the Keystone pipeline.

Mrs. ROBY. I have with me kind of a checklist here about this administration and President Obama's energy record: obviously, delaying the job-creating Keystone pipeline you've already mentioned; stopping job-creating natural gas exports; regulating oil and gas production on Federal lands; investing in green energy failures.

Mr. Speaker, you can learn more about this at gop.gov/energy. So we continue to focus on this here tonight with all of my colleagues who have joined us.

A recent report from CBO came out which sought to find out just how higher energy costs would affect the economy, and the report said raising the cost of using fossil fuels would tend to increase the cost of producing goods and services, especially those requiring electricity and transportation. We have already mentioned that tonight.

I talked about being a mom and driving carpool and buying milk at the grocery store—it is very evident what is going on based on these policies. Higher production costs lead to higher prices for our goods and services. Areas in the country where electricity is produced from coal, places like Alabama

and other States represented here, would tend to experience larger increases in electricity prices than other areas of the country would. Specific to Alabama, 36 percent of electricity is produced from coal, the largest of any fuel source. And as for jobs in Alabama, it is the sixth nationally for total electricity generation. All of us have stories here tonight that are just right along these lines.

We have an opportunity here as Members of the House of Representatives to, whether it is through oversight on Energy and Commerce and other committees of jurisdiction, to rein in this. That's our responsibility to our constituents. That's what this conversation here tonight is about.

And, Mr. Speaker, I just want to tell you again that #AffordableEnergy, if you want to know more or make a comment, Mr. Speaker, about what we are doing tonight, #AffordableEnergy. And any of my colleagues who want to chime in, please do.

Mr. HUDSON. I would love to address this war on coal a little bit more. I just think it's outrageous that the President of the United States' advisors say that the President wants a war on coal. You know, we ought to have a war on gas prices. We ought to have a war on energy prices. We ought to have a war on joblessness. I mean, these are the things that we should be concerned about and angry about and upset about.

You look at the fact that the United States has more coal than any country in the world, and we've got technology to use that coal for energy production in a clean way. Clean coal technology, liquefied coal, there are plenty of ways we can use that energy, Mr. Speaker, here in America, putting Americans to work to reduce our energy costs. That's what we ought to be focusing on. Let's get Americans to work making American energy. Let's bring American energy costs down, and let's stop the war on jobs, which is what we are seeing from this administration.

Mr. GRIFFITH of Virginia. I would ask the gentleman if he doesn't agree with me that we would be much better off as a Nation if we focused on a way to have affordable energy, clean coal technology, and not just have a war on coal, and thus create those jobs that you were speaking of. Would you not agree with that?

Mr. HUDSON. Absolutely.

Mr. GRIFFITH of Virginia. I would say it is interesting that the President has taken this action to have a war on coal when his Department of Energy has been investing in some clean coal technology, maybe not as much as some of us would like, but some clean coal technology which right now appears to be on the cusp of actually yielding benefits. They are working right now in Alabama on a plant to test out a chemical looping formula. That chemical looping formula would produce coal ash and pure carbon dioxide. There's no carbon capture, it's just right there. There's no SO_X, there's no NO_X, there's no mercury, and there are a lot of jobs. While it is a little more expensive than conventional plants using coal to produce energy, if this technology works, which the administration has already invested in, we could have both clean coal, affordable energy, jobs, and still protect the environment.

One of the problems that I have, Mr. Speaker, is that so often people say you can't have one and have the other. I believe the United States should be the leader in making sure that we develop and have available not only for companies in the United States but the entire world clean coal technology, because if we don't look at this as a global problem, if we just say we're going to shut coal down in the United States, what we do is we send our jobs to places like India and China and Russia and Kazakhstan, and the list goes on and on. And they don't have the regulations that we even had in the year 2000 on the burning of coal. And all that stuff goes into the atmosphere. And guess where it goes? According to a NASA study, it takes 10 days to get from the middle of the Gobi Desert to the eastern shore of my beloved Commonwealth of Virginia.

So ladies and gentlemen, when we talk about this, it's not a matter of choosing the environment versus coal; it's a matter of choosing America first and making sure that we make America's coal affordable, usable, and clean. And we can do it.

Mr. GRIFFIN of Arkansas. You know, when I look at this issue of energy, what strikes me is the President talking about jobs sounds good, but he doesn't like this sort of job or that sort of job. For example, he talks about wanting to create jobs, but he doesn't want the Keystone pipeline kind of jobs, he doesn't want the kind of jobs that come from coal. He doesn't want the kind of jobs that come from fracking, this technology that we have developed in the United States that is helping us lead the world. So he wants to talk about jobs, he has this idea that there are somehow these jobs out there, but not the ones that are right under his nose.

□ 2020

I am holding in my hand a Washington Post article from earlier this year, and the headline is, ''European Industry Flocks to U.S. to Take Advantage of Cheaper Gas.''

Wait a minute. I've heard the President talk a lot about jobs. I've heard him talk a lot about wanting more manufacturing jobs. Natural gas that is being developed here in this country, cheap natural gas, clean-burning natural gas, abundant natural gas, that is what is helping this economy.

Despite all the regulatory obstacles that this President has put in front of this economy, despite record debt, despite all of the problems that we in this body want to address, the economy is still doing some incredible things because the private sector is leading, and natural gas is a big part of that.

I've got another article here from The Wall Street Journal, from October of last year. The headline is ''Cheap U.S. Gas is Europe's loss.'' Manufacturing in Europe moving to the United States because of innovation in the area of natural gas.

Now, the interesting thing is I know the President is in a political bind because workers want jobs and environmentalists want to kill a lot of these projects, so he's torn between the two. How about you just go with the jobs?

Working Americans need jobs, Mr. President. And it seems to me, those are the folks that you ought to put first.

And I would note that there's a lot of talk by the environmentalists about killing coal and having a war on coal. Do they not realize that if you kill coal use in a country that regulates it very closely and that has developed clean coal, that coal's still going to be used?

But who's it going to be used by?

It's going to be used by China, where they don't have the clean air rules that we do, and so they're going to make even more pollution. Instead of turning to clean coal and the coal technology that we have here, he's sending it overseas.

Mrs. ROBY. I just want to chime in for a second. I think that it cannot be said enough in this Chamber tonight that his war on coal is a war on American energy and American jobs; and that what you will see if this unilateral decision happens, you're going to see an outsourcing of manufacturing to places like China that are unregulated, when all any of us in this room hear every time we travel our districts is: How come we can't bring the manufacturing jobs back to the United States of America?

And it's these type of threats coming from this administration that are chasing jobs offshore left and right, and this is not what our economy can withstand right now.

Mr. GRIFFIN of Arkansas. This is another reason that folks may want to go elsewhere to create jobs. We've got the gift of abundant, cheap energy. Let's not mess it up.

And let's be clear. This is not just a war on coal. This is a war on working people. This is a war on the family who is sitting at their table trying to figure out how they're going to pay their power bill, how they're going to heat or cool their home, how they're going to put food on their table.

And you know what?

Energy costs. We all know this. When it goes up, it's passed down through the cost of product.

I will tell you that Arkansas, where I'm from, a big percentage of our energy is based on coal

Mr. GARDNER. And I don't think that there can be any doubt that that's the President's intention under his plan that he announced today. The talk, the conversation, the focus tonight is about affordable energy. And there are people sending tweets around the country right now with the hashtag to affordable energy, hashtag affordable energy, about that very subject tonight.

But if you listen to the pattern of statements the President has made over the past several years, from the time he was a candidate to his administration today, as a candidate, President, then-Senator Obama said: Under my plan, energy rates will necessarily skyrocket.

He said years ago that his energy plan was for energy rates to skyrocket. Just a few years later, when he nominated Secretary Chu to be Department of Energy Secretary, the Secretary of the Department of Energy said he'd like to see gas prices around $8, European level prices of gasoline, doubling what they are today. They're already too high, nearly $4 in Colorado. That's too high.

Mrs. ROBY. I don't understand. All of us have heard this President, this administration, say, repeatedly: I support an all-of-the-above approach to energy production.

And then you try to promulgate a rule like what came out today and unilaterally announce a war on coal, a war on American families, a war on jobs in the United States of America, and what reasonable individual would put that with an all-of-the-above approach to energy production so that we can become independent in the United States of America?

It makes no sense. We should hold this administration accountable for this. We, in Congress, have a job to make sure our constituents back home understand this doesn't make sense. It doesn't make sense for jobs. It doesn't make sense for families. And we absolutely have to hold him to this.

Mr. GRIFFITH of Virginia. Let me say briefly that one of the interesting things I note is that when we were talking about this at the Energy and Commerce Committee, Lisa Jackson was in there and we talked about regulating greenhouse gases and how that was going to make the cost of energy go up and people wouldn't be able to heat their homes in my district, and she said we have programs for that. But in the President's budget request this year, he cut the LIHEAP program, which is the assistance to folks who are having trouble making their heat bills and paying those bills.

So while on the one hand the administration is going to make our electric bills go through the roof, on the other hand they want us to cut the assistance program that would help the poorest of the poor. That doesn't make any sense. I don't understand it, because they're really going to hurt American families.

Mrs. ROBY. Mr. GARDNER, will you share the testimony, because I've watched it, and it's really powerful. You were questioning, in the Energy and Commerce Committee, about whether there's ever—and you can tell the story better than I can because I've just watched the clip—any connection between the number of jobs that would be affected by the regulations that come down from the EPA.

Mr. GARDNER. One of the most stunning things, of course, in the administration is their focus on regulations and a complete lack of focus on that regulation's effect on jobs.

We had an assistant administrator of the EPA come and talk to the Energy and Commerce Committee about whether or not a regulation on energy production was good. And I asked a very simple question, and the question was whether or not there was a jobs analysis that was performed when they issued the regulation; did they look at whether or not jobs would be impacted by this regulation.

And after 5 minutes of what can only be described as an Abbott and Costello ''Who's on First?'' kind of conversation, the answer was clearly no, that this administration did not take into account the impact energy regulations would have on job creation.

And so, as we have a conversation with the country about an all-American energy plan, we have got to realize that not only does it impact the coal-fired power plant or the nuclear plant or the wind farm down the road, but it impacts our families' ability to afford a brighter future.

Mrs. ROBY. In the President's speech today, he basically made the case that more regulations and restraints on the energy sector, to your point, would be good for our economy and create jobs.

Regulations creating jobs?

I know none of us in here believe that, and I know we've never heard from one constituent who owns a business that regulations, more regulations, create jobs.

And furthermore, this is the same President that tried to sell us Solyndra. And we're going to take this, we're going to take him at his word? It's really unbelievable.

Mr. YODER. Well, if I might add to the gentlelady's point, the gentlelady from Alabama, this administration has continually pushed the notion that the gentlelady's describing, that regulations do create jobs. Their argument is that when they regulate our industries, when they regulate our local companies, when they regulate the local small businesses in our communities, that those businesses have to then hire people to respond to the regulations. Therefore, presto, this administration has created jobs.

Mrs. ROBY. But aren't those businesses supposed to be—I mean, they want to create product to then sell to the American people, not hire people to follow regulations.

Mr. YODER. So to the gentlelady's point, what this administration has done is created a country that has focused their job creation on bureaucracy and regulation and red tape, and so they're forcing debt on our kids and grandkids to pay for bureaucrats to come out into our communities to force our small businesses to hire people to respond to the bureaucrats. I mean, what a maddening system. In a country where we are supposed to be the inspiration around the world, the land of hope and opportunity, and they are taking us towards becoming the land of regulation, the land of unemployment, the land of mandates and taxes.

And all this together, it's no wonder that our unemployment rate is still almost 8 percent, or 7.6 percent. It's the longest the unemployment rate's been this high since the Great Depression for this long. And for this administration to say that this is somehow a job-creation agenda, regulating our local businesses, regulating our energy costs and driving up the cost of energy.

And ultimately, the sad point is, and the gentleman from Arkansas spoke to this a little bit ago, is that this is not just a war on a business. This is not just a war on an energy producer. This is not just a war on a coal company. This is a war on the American people.

□ 2030

They are the victims in this. It is not the small business owner that's the victim. It is the American people. It's the people struggling to pay their bills. It's the person on the fixed income. It's the single mom. It's the senior. It's someone whose energy costs are that big a proportion of their monthly budget that this really hurts them in the pocketbook. It's that family that's trying to make that life work. They are the folks that ultimately get hurt in the situation.

So we have to stand up for the victims in this country, that silent majority that is being hurt by these anti-energy policies. And at the end of the day, that's why I join my colleagues to support an all-of-the-above energy approach to put people back to work, to lower the cost of energy in this country, and to make us more secure by making us less dependent on foreign sources of energy.

Mr. GRIFFIN of Arkansas. I've got some good news for my colleagues here tonight.

Mr. YODER. We need it.

Mr. GRIFFIN of Arkansas. I would like to lay this out and give the President the opportunity to digest what

I'm about to say and change his mind on the Keystone pipeline. We know that he's been torn between workers on one side and environmental extremists on the other. And he's been looking and grasping for any excuse not to approve the affordable energy and the jobs that come with the Keystone pipeline. And there's a lot of these same, similar arguments, whether you're talking about coal or the Keystone pipeline or the natural gas that we're getting out of the ground that has really revolutionized this country and provided so many jobs for so many workers.

But one of the reasons that opponents of the Keystone pipeline have said that they're opposed to the Keystone pipeline is that the tar sands that's being taken out of the ground in Canada at its core, its bitumen, which is a little bit different kind of crude, a lot of them have said, Well, we're opposed to the Keystone pipeline because it's different than other pipelines. This crude is different. This crude is more corrosive. This crude is dangerous. This crude should not be going through pipelines across this country because it is somehow more dangerous.

Well, I've got great news for the President tonight if he's watching this. The great news is in January of 2012, we put in a requirement in the legislation. I want to be real clear about this because this is breaking news. It broke today. It hasn't gotten a lot of attention, but it's critical. We put in our bill that became law that the Obama administration needed to do a study through the Department of Transportation to determine whether this bitumen really was different than other crude, whether it was really more dangerous to pass through a pipeline across the country, whether it was really something we needed to be extra worried about. Because all the environmentalists, all the different folks who opposed the Keystone pipeline preach about bitumen and how dangerous it is.

Mr. GRIFFITH of Virginia. I can't wait. What did the study say?

Mr. GRIFFIN of Arkansas. Here's the study, my friend. And this is just great news. It's from the National Research Council and not some third-party political group working for the Obama administration, the Secretary of Transportation, pursuant to this Congress's request that they study it. I have got the executive summary right here. And this just came out today. Here's what they concluded. And this is big news because this is one of the reasons the President is against the Keystone pipeline.

It says:

The committee does not find any causes of pipeline failure unique to the transportation of diluted bitumen. Furthermore, the committee does not find evidence of chemical or physical properties of diluted bitumen that are outside the range of other crude oils or any other aspect of its transportation by transmission pipeline that would make diluted bitumen more likely than other crude oils to cause releases.

Mr. GRIFFITH of Virginia. Are you saying it's just as safe as the oil that goes through pipelines in hundreds of thousands of miles already across the United States of America?

Mr. GRIFFIN of Arkansas. I wish I could have said it that clearly. But the bottom line is, this isn't TIM GRIFFIN saying it. This is the Obama administration's own study that we mandated they conduct. And I'll tell you, if you look at the argument against the Keystone pipeline that the environmental extremists have been putting out there, this is numero uno, number one, at the top. They've been basing almost their whole deal on this. And the Obama administration says, Sorry, not backed up by the facts.

Mrs. ROBY. So we need to say, What's the holdup? What's the holdup, Mr. President?

Mr. Speaker, again, I cannot emphasize this enough. And the whole point of this hour tonight is to say, based on that information and this new war on America families and American jobs, what is the holdup? What is the deal? This is 20,000 jobs. And we're just continually seeing the President, who's for the all-of-the-above energy approach, at every corner attack domestic energy production. I just don't understand.

Mr. GARDNER. In Colorado, the district that I represent, we really do have it all. We have a coal mine, and we have wind energy. Not only the wind farms, but we have wind energy manufacturing. We have one of the Nation's most promising oil and gas plays right now in the Niobrara in Weld County. In western Colorado, we have thousands of jobs that are being created and thousands more that could be created if the government would get out of the way and approve the permits that they're holding back on. In fact, the Bureau of Land Management, if they were just to approve a handful of permits waiting right now, it could create over a hundred thousand jobs that this country could put to work right now if these permits were approved.

And so we hear the President talk about an all-of-the-above energy policy and then see his actions go in a complete opposite direction.

Mr. GRIFFIN of Arkansas. I would almost rather the President just be straight up and say, I only like some kinds of jobs. And I don't like any of those kind.

Mrs. ROBY. And I only like some kinds of energy.

Mr. GRIFFIN of Arkansas. Just be straight up with us, President. Just say, I've got a war on coal. I've got a war on the Keystone pipeline. I've got a war on natural gas and removing it out of the ground, slowing down permits. I like a certain kind of energy, and I'm going to try to fund it through the government. Just be straight up.

Mrs. ROBY. And let me just say this real quick, as a reminder: Mr. Speaker, tonight's conversation is at #affordable energy. So I just wanted to remind you, Mr. Speaker, that that's where we're having this conversation tonight, alongside countless others. I just wanted to throw that in there as this conversation continues.

Mr. GRIFFIN of Arkansas. Well, I would also point out, again, going to the environmental responsibility that we have—you as a mother; I'm a father of two, a 3-year-old and a 5-year-old—we all want clean air and clean water for them.

I would point out that Duke University last month, working with the University of Arkansas and working with the Obama administration's own U.S. Geological Survey, tested about 130 wells in Arkansas, something like that, and concluded that well water was not polluted by the natural gas extraction that's going on there. Just more factual evidence that we can have the jobs; and if we extract the energy responsibly, we can take care of the environment at the same time.

Mr. GARDNER. One of those promising things about American energy development is not just the fact that it's creating thousands of jobs, but it's the side benefits of the revenue produced and what that revenue goes to. In fact, in Weld County, Colorado, in my district, it's probably the only county in the country that has zero bonded indebtedness because of the natural gas and oil production. They don't have any debt. If they need a road, they pay for it. They pay for it with the money that they've received out of severance tax payments from oil and gas development.

Two companies paid their 2011 property taxes a couple of months ago. They paid $150 million to one single county. Forty percent of that revenue of $150 million goes to the school districts, goes to the community colleges. So not only are we able to develop affordable energy for the American people, not only are we able to put people to work but we're also doing better things for our schools and our community colleges because that revenue then turns around and goes to the core community institutions that make our country strong.

Mr. GRIFFITH of Virginia. Let me follow up on that, if I might, real quick. In one of my counties, when you take away the money that comes from Richmond and take away the money that comes from Washington for education, 70 percent of the tax dollars in that particular county are derived from the coal and natural gas severance tax. You eliminate coal, they don't know how they're going to be able to fund their schools. So we're not just talking about big business. We're talking about the schools and the classrooms and the students.

□ 2040

Mrs. ROBY. So it's a war on education as well.

Mr. GRIFFITH of Virginia. Well, it's a war on everything that we hold dear when you get right down to it. Because the truth of the matter is, when you're the number one nation in the world, everybody else wants to be where you are. Right now we're the number one nation in the world, but this administration wants to throw away what has helped us get there, and that is an affordable, reliable energy plan.

And we can't just throw it all out and expect to still have the standard of living that we have. That means we won't have the money for education, we won't have the money for roads, we won't have the money for so many things that people think of today as just automatically being there. But the money has to come from somewhere, and it just can't come out of thin air. I'm sorry, Mr. President, money doesn't grow on trees.

Mrs. ROBY. So when it comes back to our responsibility as a Congress, this week we're going to debate and hopefully vote on the Offshore Energy and Jobs Act. This is legislation that will increase production of home-grown energy, and it will drive down costs and it will increase American jobs.

What it does is it expands U.S. offshore energy production in order to create over 1 million new American jobs, lower energy prices, grow our economy, strengthen national security, and strengthen our communities by lowering our dependence on foreign oil. And the bill removes government barriers that block production of our own resources right here in the United States.

You know, currently, the Obama administration keeps 85 percent of our offshore areas off-limits to energy production—85 percent. So H.R. 2231—again, we will be debating and hopefully voting on later this week—will open new offshore areas for that energy production and require the Obama administration—and again, Mr. President, who's for an all-of-the-above approach—require him to submit a new lease plan by 2015 for developing our offshore energy resources.

Mr. YODER. And to the gentlelady's point, what a great opportunity for Members in both political parties to work together to do something that can help create jobs for the American people.

You've talked about the over 1 million jobs that could be created this week if folks on both sides of the aisle will just work together for some bipartisan, commonsense legislation that creates affordable energy job opportunities and puts Americans to work.

I'm sure this legislation will pass this week, but it's an opportunity for folks to vote for something that will actually make a difference. I challenge folks in both parties to stand up and support this legislation. Now, the real hope will be whether the Senate will actually take it up.

You know, we've passed dozens upon dozens of bills that create jobs, that help put the American people back to work, yet we still have almost an 8 percent unemployment rate in this country. I'll tell you what: I am fed up with Washington getting in the way of progress. At every turn the solutions out of Washington are greater taxes, greater mandates, greater burdens on the American people.

What we're talking about here is creating prosperity and opportunity for the American people to go back to work, to put food on the table for their families, and it's done through what is such a simple thing, domestic forms of energy that are right here at our grasp. Why wouldn't we utilize this energy that's right here in our country? It seems foolish and shortsighted. And frankly, it hurts the American people when we're not supporting domestic forms of energy.

So this week is a great opportunity for folks who say they're for job creation, who say they're for an all-of-the-above energy approach to step up and lead and to join us in proposals that will put Americans back to work and help rebuild this country.

Mr. GRIFFIN of Arkansas. I totally agree with the gentleman. We understand—and hopefully we can get more and more folks to understand—that this body is not creating the jobs. We want the private sector to continue to create the jobs and lead. But sometimes the barriers to job creation and growing jobs in this country are barriers that Washington has put into place.

I find that a lot of the times when we're legislating in this body, we're not trying to create jobs to get in the way of the private sector. We go to people in the private sector and we say, what's your biggest hurdle? What's your biggest barrier? How can we help you grow more jobs? And more often than not they will say: Get out of the way. A lot of the bills that we put on the floor are to help Washington get out of the way, move it out of the way and let the private sector continue to lead in this area.

I want to mention one more thing real quickly on optimism. If you study where we are as a country, whether it's with regard to the debt and regulations—some of these things, yeah, we've got a lot of work to do there. But if you study where we are with regard to innovation, energy extraction, natural gas extraction, the low cost of natural gas, the companies that I mention in these articles that are moving from Europe, I smell nothing and I see nothing but optimism.

The future of this country is limitless. And when I'm long gone, my kids that are 3 and 5 now are going to be living in a country—if we do things right—that just continues to grow and has all the energy we will ever need.

And as an economist pointed out to some of us earlier tonight, if you're Russia and you're Saudi Arabia and you're looking at the innovation that has come out of American companies, and you're looking at the deposits of natural gas and shale oil that we have in North America, you're worried.

Mr. GARDNER. It is exciting, the energy future of this country. When you see studies that are being done—here's a study that I will cite right here, it says: ''America's shale oil revolution is loosening the grip of the Organization of the Petroleum Exporting Countries on global oil markets.'' OPEC. Because of the work that we're doing here in this country, we're loosening the grip of OPEC.

Daniel Yergin, a renowned energy expert, testified before the Energy and Commerce Committee talking about how the energy development in the United States is allowing our sanctions against Iran to work, that we're lessening their ability to sell and fund terrorism activities because we're able to produce it here in the United States, displacing around the world the sale of Iranian oil, the sale of Iranian energy.

So when our colleague from Arkansas talks about the optimism that we have in this country, the people of my district who see it each and every day in little tiny towns that used to have one stop light, that now have a new housing development going up because of the production in the energy field, or traffic that they never had before because they've got activity going to and from the worksite that never existed before. People who graduated from the local high school who for the first time in their lifetimes—maybe even their parents' lifetimes—know they can stay there in that hometown with their family, with a good-paying job and benefits because of energy development.

We've talked a lot tonight about oil and gas and coal, but in Colorado we do have it all. We have wind energy and solar energy. And it's not just regulations that are blocking the traditional fossil fuels; it's regulations that are holding up wind energy projects. The ability to site a transmission line, to get the power from the wind farm to the people who use it, is being held up because of governmental regulations.

And so there may be people out there who think that we're just down here talking about regulations on fossil fuels. Well, you know what? It's regulations that are holding up clean energy too. And if we truly cared about affordable energy, if we truly cared about doing something good for our country—which I believe we all do, and the American people are ready for it to happen—then we would get government out of the way and let America work. And our chance is this week.

Mr. GRIFFITH of Virginia. That is one of the problems that we see in my district. I have a lot of counties that are really hurting. And it's not because we couldn't have jobs, it's because Washington is getting in the way. Every month we're having layoffs in some coal plant here or some coal plant there, or a company that makes things for the coal plant—or the railroad that hauls the coal, or the trucking company that helps move the coal. So while they've remained internally optimistic, it's really hard when that layoff slip comes to your house and you know that you're no longer going to be able to have that job.

That's why this war on coal affects each and every one of us, but it affects folks in my district maybe a little bit more because we're on the front lines and we're getting those layoff notices now. I have people that I know who are casualties in the President's war on coal, and I'd like to hear from them at #AffordableEnergy. And I hand it back off to you, Madam Chair.

Mrs. ROBY. Well, I just want to thank all of my colleagues for joining this conversation tonight. And Mr. Speaker, we will continue this conversation at #Affordable Energy.

But the bottom line is this: While the President continues to promote his political agenda, we here in the House of Representatives' majority are committed, as we have demonstrated time and time again, that we are committed to the all-of-the-above approach. And that this isn't, as you've heard from all of my colleagues tonight, Mr. Speaker, this isn't just a war on coal, this is a war on the American family and American jobs. We are committed to getting government out of the way so that the American family and the American business can thrive.

With that, Mr. Speaker, I yield back the balance of my time.

□ 2050

OBAMACARE

The SPEAKER pro tempore (Mr. PERRY). Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentlewoman from North Carolina (Mrs. ELLMERS) for 30 minutes.

Mrs. ELLMERS. Mr. Speaker, I rise today to discuss the upcoming implementation of ObamaCare.

Prior to coming to Washington, I was a nurse for over 21 years, and I'm passionate about health care. My husband is a general surgeon, and he continues to practice in our hometown of Dunn, North Carolina. I'm very, very proud of that.

A couple of years ago when the President was proposing his legislation to basically overhaul health care in America, my husband and I became very active speaking out. That was well before ever considering running for Congress. As a result, because of our passion and concern for this country and health care as a whole, I found myself winning my election and here fighting this fight. We continue with this fight, and we are 98 days away from the open enrollment process going into effect for ObamaCare. This is something that the American people have been sitting back and watching for quite some time, and there are many, many questions that remain to be answered.

Mr. Speaker, a recent GAO study shined some light on some areas that we've been asking questions about for a very long period of time. Serving on the Energy and Commerce Committee, the Energy and Commerce Committee put forward a request to the GAO to find out where exactly are we in the implementation of ObamaCare, this takeover of America's health care affecting one-sixth of our economy and affecting jobs across this country. It's the number one reason today, Mr. Speaker, that employers are not hiring, because they're not sure of the effects that this will have once fully implemented.

There again, this week, the nonpartisan Government Accountability Office put forward their findings. I just want to highlight some of those for you:

States have yet to complete 85 percent of the required program activities. That means essentially, Mr. Speaker, that only 15 percent of what needs to be in place at the State level for ObamaCare is actually in place. Core functions of both Federal- and State-based exchanges have yet to be completed with less than 4 months before open enrollment, any other missed deadline threats, and timely establishment of exchanges. Exchanges are not in place, exchanges are not ready to be implemented, and yet we continue on this timeline path.

HHS has not yet completed the critical steps needed to determine eligibility for credits and cost-sharing subsidies. There's much groundwork that still needs to be laid and implementation figured out, and we don't even have those answers from HHS.

Key data-sharing agreements between the Federal exchange and its Federal and State counterparts are not complete.

Consumer assistance and outreach activities to individuals and employers have yet to be implemented and have been delayed.

It cannot simply be a political campaign on the road touting the virtues of ObamaCare that will implement this program. This is a major, major concern for all of us who know how important health care is.

I can go on. There are many more pieces to the GAO report, which basically cites the fact that CMS is not ready. CMS is supposed to come in and help the States that haven't implemented yet or aren't ready. Where are they? They're not there. They're not acting. We have these questions, but who does this affect? What are the questions that need to be answered?

This afternoon, I had the opportunity to go to National Children's Hospital and meet with some of the families there, very ill children, children dealing with diabetes, cancer. I got the opportunity to see a 1-year-old who's waiting for a heart transplant. These are the children that will be affected by the implementation of ObamaCare. Why? Because research will be affected, because lifesaving cures and treatments will be affected.

How can we implement a health care system that no one at this point can actually state will improve the quality of care of our health care system? It's very important that when we talk about health care and the takeover of health care that we separate the two issues: one, health care pay-for, health care insurance, health care coverage; and then health care itself. They both suffer as a result of ObamaCare being implemented.

We simply cannot stand by and allow this to happen. My colleague from Kentucky, he is here this evening as well, and he has some words. I yield some of our time to the gentleman from Kentucky.

Mr. GUTHRIE. Mr. Speaker, I thank the gentlelady for yielding.

It seems there's no shortage of red flags regarding ObamaCare. The one-size-fits-all health care law is proving to be disastrous for consumers, for employers and health care providers alike.

Just last week, as my friend from North Carolina said, the nonpartisan Government Accountability Office warned:

> Because government officials have missed multiple key deadlines to set up the new health insurance exchanges, there is serious concern that the exchanges will not be ready in October, as scheduled.

Employers and families across Kentucky have expressed serious concerns about meeting the requirements of the law and wondering if they will lose their coverage, be forced to choose different providers, or be saddled with enormous new costs. Now these individuals are left with even more uncertainty.

When talking with business leaders across my district, I hear a barrage of questions and concerns. Small businesses, the backbone of our economy, are likely the hardest to be hit. Some local insurers say the law could put them out of business. One restaurant owner says it will be a challenge for the whole industry and many will be forced to lay off employees. Others simply say it will be difficult to insure all of their existing employees.

A Gallup poll released last week showed that 41 percent of small businesses, the engine of our economic

growth, have stopped hiring new employees because of ObamaCare. The same poll also showed that one-fifth of those surveyed have reduced their workforce because of the law.

Citing the uncertainty, these business leaders don't know what type of insurance programs they might be able to implement or if they will have to alter the shape of their workforce. The uncertainty seems likely to continue given the striking, but not surprising, report from the GAO.

The Government Accountability Office warns that the Center for Medicare and Medicaid Services still has many duties to complete across core exchange functions, including eligibility and enrollment. With enrollment less than 4 months away, these missed deadlines will likely result in even more confusion as Americans are prepared to be placed into the exchanges. It's no wonder that this law is so wildly unpopular and individuals fear being placed in exchanges.

But it's not just families and businessowners who are left in the dark. Insurance companies don't know what to plan for when the exchanges open, and some are already fleeing the market.

Aetna recently announced they will not participate in any statewide exchanges and they will exit the individual insurance market in California entirely. This mood can set a dangerous precedent: insurers not being willing to take the financial risk to meet the demands of ObamaCare and not participating in the exchanges altogether.

With competition dwindling and individuals not knowing what they can expect in terms of coverage and cost, we are left with a very scary and unacceptable reality. There are simply too many unknowns in the law that completely overhauls our Nation's health care system. This has led to unintended and negative consequences for employers, patients, and providers.

This law is not the solution to our Nation's health care problems, especially given the lack of information and tools available for implementation. Instead, we need to enact a patient-centered plan that lowers cost and ensures access for all Americans.

□ 2100

Mrs. ELLMERS. Mr. Speaker, continuing with our discussion about the implementation of ObamaCare, I think it's important, as my colleague from Kentucky has cited, that back home, in his district, many businesses, many individuals, many families are being negatively affected as this moves towards implementation.

Tomorrow, in the Energy and Commerce Subcommittee on Oversight and Investigations, we will be holding a hearing that actually discusses the challenges facing our American businesses. Back in my district and actually testifying here tomorrow is one of my constituents, Mr. Steve Lozinsky, who will be here with his wife, Kathy. They actually own a business, Sparkle & Shine Cleaning Service. It's a family-owned business, and it's based in Apex, North Carolina. Sparkle & Shine was started in 1998 with one employee, and, today, it has over 240 employees.

Put simply, Sparkle & Shine cannot afford the $2,000 per employee fine attached to ObamaCare. My friend, my constituent, back home cannot provide the health care coverage. He employs low-income workers. They are entry-level jobs. They are hard workers. Many of these individuals actually served time in jail and are now on a second chance at life. Mr. Lozinsky and his wife, Kathy, have given these individuals a second chance, and now their jobs are in jeopardy because of this devastating health care law.

To my colleague again from Kentucky, I'm sure that he also has many, many stories to share.

Mr. GUTHRIE. We hear stories like that all the time when we're home.

We had one in the Energy and Commerce Committee when we had a gentleman who had a chain of restaurants he's developing in New England, which isn't where I'm from, but he was before the committee. His testimony was that he had eight restaurants and planned to open a ninth, and he decided he had to wait because he has no idea what this health care bill is going to cost him when he has to provide health care for his employees. Of the net income of his eight restaurants, he estimated—if he could come up with it because, as we know, you still don't know exactly what the health care bill is going to look like. We know what the bill looks like, but what we don't know is what's really in it because the rules have not come out to say what you have to provide your employees. It's supposed to happen in October and be ready for January 1. So he has decided to just not open a restaurant until this gets implemented so he can then move forward. He said it's going to take half of his net income, he has estimated, if what's in the rules comes out.

If you've ever been in business, it's something you always take home, but if you're growing a business, hoping to open a ninth, 10th, and so on and create a chain, the net income is what you put into the business to grow the business and move forward. It's half of his net income, according to his estimate and as best as he can estimate, because nobody knows the details of what's actually going to be required until, hopefully, we see it before October 1. It's just frustrating for him. It's frustrating for people. It's frustrating for employees.

A guy stopped me in a store the other day. He just got a job at a retail store. He said, I was promised 40 hours, and I was just told I'm going to be working 29 hours. That's the new class of people working, particularly in retail. He was retired, and he was kind of looking for extra income, and he's going to be a 29er. That's a term that we hear quite a bit.

So dealing with health care is something we absolutely have to deal with but not dealing with it in the way of this bill. They didn't try to cut costs, and it's actually implemented on top of the system even more, which is going to cost more. Employers are really concerned, not about being able to cover their employees, but they're concerned about, Are they going to be able to afford to stay in business and even have employees? That's the concern of most of them whom I hear talk about it.

I'm sure you hear the same. I know our good friend from Texas is now here on the floor, and I'd like to give this back to my friend from North Carolina.

Mrs. ELLMERS. Just to follow up on some of the remarks that my colleague has made, in getting back to the issue of jobs and job creation, there was a recent Gallup Poll out this week that found that 41 percent of small businesses have stopped hiring because of ObamaCare. That is a staggering number. Then to the point of good patient-centered health care, that is not what ObamaCare will provide. In fact, the CBO has estimated that 31 million in 10 years will still remain uninsured.

So what are we doing? Why are we creating this system that will be broken from the start and on which we will only spend hard-earned taxpayer dollars trying to fix and plenty of time? Who will go without the good patient-centered health care that every American deserves?

Mr. GUTHRIE. I don't think you were here when we were debating ObamaCare.

Mrs. ELLMERS. I was at home, watching the TV, ready to put my foot through it.

Mr. GUTHRIE. When we were debating it, the number was always 40 million people uninsured. So we've completely upended the health insurance market and have put all this uncertainty into the economy. I think it's the biggest drag on the economy. Now, we haven't had growth, and we're going to have 31 million uninsured. That's not even by a bipartisan group. That's by the nonpartisan Congressional Budget Office that we're going to have 31 million people uninsured—all of this because we had 40 million uninsured and, after all of this, 31 million uninsured.

So did we get our $1 trillion worth?

Mrs. ELLMERS. That's a wonderful question.

I have another constituent who has shared numerous times with me his concern for the implementation of ObamaCare.

Jerol and Telia Kivett, from Clinton, North Carolina, owned, again, a family-

owned business that was started by his father back in the fifties. This company makes church furniture—church pews for synagogues, funeral homes, churches. Jerol and his wife are so concerned about this mandate and are wanting and needing to avoid this government mandate that it makes it extremely expensive for him to do business. He at one point had 160 employees. He is now down to about 45 employees.

As you can imagine, in order for him to continue to do his business in the way that he sees fit, in the way that was started by his father, how will he continue into the future doing business when he knows that working his way back up again in this awful Obama economy—for him to hit that 50th employee—will mean a penalty for him if he is not providing health care coverage for his employees? If he is able to provide that health care coverage, it will be devastatingly expensive.

With that, I would like to welcome my colleague from Texas, Congressman BURGESS, for a few comments as well for he is well-versed in health care and in, again, the devastation that ObamaCare will bring.

Mr. BURGESS. I thank you for yielding. I really thank you for bringing this important topic to the floor tonight.

Look, we are 6 months and 6 days away from the full-on implementation of the Affordable Care Act. We are 3 months and 6 days away from the open enrollment period of October 1. I just can't help but feel it's like a fast-moving train that's charging down the tracks, moving toward a head-on collision with the American economy, and it's going to be the small business that suffers the devastating effects of that head-on collision.

We've had opportunities to talk to the people from the agencies to the extent that they will. I'm worried. I don't see how they can have that Federal hub up and running by October 1 and have it work the way it's intended the very first time, especially if they don't have time to test it before they turn it loose on the American people. I am very worried about what the world is going to look like after January 1.

I've got to tell you, from the standpoint of a practicing physician of a small practice—we had five doctors in my practice—well, look. Remember when part D came? Maybe you don't. I was here on January 1 of 2006. It was rough for the first several weeks, but there we were talking about the prescription drug benefit for seniors on Medicare, for maybe 42 million, 45 million people out of 310 million people. We were just talking about the prescription drug benefit, and that was difficult to implement.

□ 2110

There were pharmacists all over the country who basically did not get paid for the prescriptions that they filled for 1 month to 6 weeks, but they were able to keep going because they had other prescriptions, they had other business going on in their pharmacies. But this is going to be everything from tonsillectomies, to childhood vaccinations, to ER visits. If the cash flow is disrupted for even just a few weeks, the small businesses, which are medical practices in this country, will have a very difficult time enduring.

More importantly—and you all have correctly addressed it—is the 29ers and 49ers in this country, the people who are scared to add one more than 49 people to their employment rolls or the people who've had their hours now cut to 29 hours a week so that they will not require a health care benefit.

That wasn't the way it was supposed to work. The gentleman from Kentucky nailed it right off. The people of America in 2009 were saying to us, Whatever you do, don't mess up the system that's working for 65 percent or 70 percent of us. The other thing they said was, If you're going to do anything at all, please help us with costs. And what have we done? Exactly the opposite. We've messed up the entire system, and it's becoming more and more apparent every day. If you don't believe me, wait until a year from now or 16 months from now, and just see how bad it is.

The other thing is we didn't do anything to help with cost. If anything, we've made it worse. By ratcheting up the demand side, not increasing the number of providers, we've guaranteed that prices are going to go up not just next year and not just the year after that, but for every foreseeable year in the future. And I know that's hard for people to estimate. I know the Congressional Budget Office can't give us a figure on that. Just do the arithmetic yourself in your head, on the back of an envelope and you'll be able to see that we are headed for a significant disaster.

It's all well and good for me to criticize the administration and the way they've implemented this, but I've got to ask: Where are our Democratic colleagues? Where are the solutions that they're offering? Clearly we should do something to help the small business owner who is having to restrict employment hours to 29 hours a week. Surely we should do something to help that. Where are the solutions from the other side? They're nonexistent.

We should do something to help that small employer who wants to grow beyond 49 employees, but is now frightened to do so. Where are our Democratic counterparts? Where are the people from the agencies coming to our committee and talking to us about how this might be managed or maintained? Why aren't they talking to us about their contingency plans? You know they've got them. You know they're over there at the Department of Health and Human Services right now talking about what if the Federal hub doesn't work, what if it doesn't work the way it was intended. We'll have to have a way of narrowing the scope, of confining the number of people we bring into this new ObamaCare environment. But they won't talk to us about that. The Democrats won't come forward with a solution.

We're doing what we can to bring people's attention to this very important topic. To some it may be complaining; but if you don't think about it, you can't prepare. And If you're not prepared, it is the unprepared person who is really going to suffer in this new environment that, again, is created in 6 months and 6 days.

I do thank the gentlelady for bringing this topic to the floor tonight. I think it is important that we continue to talk about it and we continue to talk about our ideas and our solutions. There are many out there. And people need to assess for themselves how they will be best served in this new environment that's brought by the administration, or perhaps it's not too late or perhaps there are some things we can do to alter that course, to move it off that center of destruction where it's aimed right now.

I thank the gentlelady for having this tonight.

Mrs. ELLMERS. Thank you to my colleague from Texas. His insight on this very important issue is vital to coming up with the solutions that we need.

I do want to touch on one of the points that you were making, Dr. BURGESS. Basically, I saw a report this morning put out by the Republican Study Committee that basically said that there was a study that is showing that we will have a shortage of 30,000 doctors within this country in 2 years. That is devastating.

Mr. BURGESS. You know, you're in a medical family. I know because I hear it everywhere I go. Physicians all across the country are concerned. They don't know what they're getting into, and they don't know what the world will look like.

As a consequence, like anyone else, they are reluctant to make those big decisions, they're reluctant to hire a partner, buy a new piece of equipment, open a branch office. They are like everyone else: they are in that hunker-down mode where so many small businesses have been for the last 4½ years.

But without expanding the provider core, without expanding the health care manpower, you can pretty much predict that there is going to be a price spike because you know you're ratcheting up demand by increasing coverage, and at the same time you're not providing for areas where those people can be seen.

What's really unfortunate, by some of the means with which coverage has

been expanded, we already know that there are places in this country where it is hard to get a new patient appointment if you're a Medicaid patient. The reimbursement rate is so abysmally low that a provider can't possibly keep their doors open if they accept those levels of payment. As a consequence, they don't. What are those patients going to do? They do what they've always done and go to the emergency room, which is the highest cost point of contact care that you can have.

So instead of solving a problem that every Democrat here talked about 4½ years ago, we've doubled down and made it worse. Again, as a consequence, the cost of care is going to go up and providers are going to drop out just because the frustration is going to get so high that it will simply not be worthwhile to continue in practice, or you'll go work in a practice environment where you simply don't have to put in the number of hours that you would in a solo or small-group practice.

But we've really selected against those practitioners, those men and women who go to work every day early before the sun comes up and they work until after the sun goes down taking care of their patients. We're actually self-selecting against that very type of individual that we all knew, we all grew up with, we all look to as our leaders in the medical profession. It will be very difficult for those people to endure.

We'll look to academic medical centers, perhaps to hospitals, perhaps to the government itself for that leadership, but it's not going to be the same thing.

Mrs. ELLMERS. Thank you to the gentleman.

I do want to take a moment to talk about another group of young individuals in this country, young Americans who are also being negatively affected as a result of the implementation of ObamaCare: our students who are paying back student loans.

As we all know, July 1 student interest rates are scheduled to double, essentially. My staff and I have done some research on this. And if you all remember back in 2009, when President Obama was implementing the health care bill, they also took over the student loans in this country. That was for pay-for. And according to the Congressional Budget Office, over the next 10 years, $8.7 billion of that student loan payback will come from those student loans.

Not only are we affecting health care in this country, but we are also affecting our young people, those individuals who are graduating from colleges around this country who may or may not have a job to go to, a job that they have prepared a career for; and yet they too will be paying for ObamaCare.

Mr. GUTHRIE. That's a great point that I brought up when we were debating it back in 2009.

What people don't realize, as it didn't get a lot of coverage, Mr. Speaker, is that the Federal Government took over the student loans.

So you're going to hear a lot about student loans in the next few days because after July 1 the student loan rates are going to go up. The House was active. We passed a bill. It's in the Senate. I've heard the President talk about it.

What people need to realize is that when the health care bill passed—as my friend just said, the Federal Government can loan money at a low rate because we can pretty much borrow from ourselves at a low rate. When we loan it to students, they pay a little over 3 percent; and the difference, the flow, comes back to the Federal Government, the profit from loaning to our businesses.

Do you know where $8.7 billion of that is going to? To pay for the health care bill. Instead of taking $8.7 billion and giving it back to students who are struggling with affordability of college—I'm in that world right now because my son is leaving this summer to go off to college and I have a daughter in college. So most of the people that are peers of theirs that I see, we talk about the affordability of college. One of the things that we did is we took money that students are paying back on their student loans to pay for the health care bill. Instead of rebating it back to the students to put it in their pockets to pay for their loans, it goes to the health care bill.

As we hear a lot of people on the other side and in the White House this week talk about health care and that the Senate hasn't passed a bill to deal with student loan interest rates that will go up, I want people to remember, Mr. Speaker, that $8.7 billion of what people are paying back in interest is going to fund the health care bill.

□ 2120

Mrs. ELLMERS. With that, I would just say that the good news for the House is that last month we passed the Smarter Solutions for Students Act, and now it lies with the Senate for passage as well.

With that, Mr. Speaker, I yield back the balance of my time.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1613, OUTER CONTINENTAL SHELF TRANSBOUNDARY HYDROCARBON AGREEMENTS AUTHORIZATION ACT; PROVIDING FOR CONSIDERATION OF H.R. 2231, OFFSHORE ENERGY AND JOBS ACT; PROVIDING FOR CONSIDERATION OF H.R. 2410, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2014; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JUNE 29, 2013, THROUGH JULY 5, 2013; AND FOR OTHER PURPOSES

Mr. WOODALL (during the Special Order of Mrs. ELLMERS), from the Committee on Rules, submitted a privileged report (Rept. No. 113–131) on the resolution (H. Res. 274) providing for consideration of the bill (H.R. 1613) to amend the Outer Continental Shelf Lands Act to provide for the proper Federal management and oversight of transboundary hydrocarbon reservoirs, and for other purposes; providing for consideration of the bill (H.R. 2231) to amend the Outer Continental Shelf Lands Act to increase energy exploration and production on the Outer Continental Shelf, provide for equitable revenue sharing for all coastal States, implement the reorganization of the functions of the former Minerals Management Service into distinct and separate agencies, and for other purposes; providing for consideration of the bill (H.R. 2410) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2014, and for other purposes; providing for proceedings during the period from June 29, 2013, through July 5, 2013; and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COFFMAN (at the request of Mr. CANTOR) for today on account of travel delays.

Mr. LAMBORN (at the request of Mr. CANTOR) for today on account of personal reasons.

Mrs. MCMORRIS RODGERS (at the request of Mr. CANTOR) for today and the balance of the week on account of a death in the family.

Mr. SANFORD (at the request of Mr. CANTOR) for today on account of flight delays.

Mr. STEWART (at the request of Mr. CANTOR) for today on account of his presence in Utah as his daughter departed for a year and a half of church missionary service in England.

Mr. ENGEL (at the request of Ms. PELOSI) for today on account of official business in district.

PUBLICATION OF BUDGETARY MATERIAL

STATUS REPORT ON CURRENT SPENDING LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2013, 2014 AND THE 10-YEAR PERIOD FY 2014 THROUGH FY 2023

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, June 25, 2013.

Hon. JOHN A. BOEHNER,
Speaker, Office of the Speaker,
House of Representatives, Washington, DC.

DEAR MR. SPEAKER: To facilitate application of sections 302 and 311 of the Congressional Budget Act, I am transmitting an updated status report on the current levels of on-budget spending and revenues for fiscal years 2013, 2014 and for the 10-year period of fiscal year 2014 through fiscal year 2023. This status report is current through June 17, 2013.

The term 'current level' refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature.

Table 1 in the report compares the current levels of total budget authority, outlays, and revenues with the overall limits set in H. Con. Res. 112 (112th Congress) for fiscal year 2013 and H. Con. Res 25 (113th Congress) for fiscal year 2014 and the 10-year period of fiscal year 2014 through 2023. This comparison is needed to implement section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2014 because appropriations for those years have not yet been considered.

Table 2 compares the current levels of budget authority and outlays for action completed by each authorizing committee with the ''section 302(a)'' allocations made under H. Con. Res. 112 (112th Congress) for fiscal year 2013 and H. Con. Res 25 (113th Congress) for fiscal years 2014 and the 10-year period 2014 through 2023. ''Action'' refers to legislation enacted after the adoption of the budget resolution. This comparison is needed to enforce section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 302(a) allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

Table 3 compares the current status of discretionary appropriations for fiscal years 2013 and 2014 with the ''section 302(b)'' sub-allocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is also needed to enforce section 302(f) of the Budget Act because the point of order under that section equally applies to measures that would breach the applicable section 302(b) sub-allocation. The table also provides supplementary information on spending in excess of the base discretionary spending caps allowed under section 251(b) of the Budget Control Act.

Table 4 gives the current level for fiscal year 2015 of accounts identified for advance appropriations under section 601 of H. Con. Res. 25. This list is needed to enforce section 601 of the budget resolution, which creates a point of order against appropriation bills that contain advance appropriations that are: (i) not identified in the statement of managers or (ii) would cause the aggregate amount of such appropriations to exceed the level specified in the resolution.

In addition, letters from the Congressional Budget Office are attached that summarize and compare the budget impact of enacted legislation during the FY2013 and FY2014 fiscal years against the budget resolution aggregates in force during those years.

If you have any questions, please contact Paul Restuccia at (202) 226–7270.

Sincerely,

PAUL RYAN,
Chairman.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET—TABLE 1—STATUS OF THE FISCAL YEAR 2013 AND 2014 CONGRESSIONAL BUDGET AS ADOPTED IN H. CON. RES. 112 AND H. CON. RES. 25

[Reflecting action completed as of June. 17, 2013—on-budget amounts, in millions of dollars]

	Fiscal Year—2013[1]	Fiscal Year—2014[2]	Fiscal Years—2014–2023
Appropriate Level:			
Budget Authority	2,793,848	2,760,943	n.a.
Outlays	2,891,589	2,811,260	n.a.
Revenues	2,089,540	2,310,972	31,089,081
Current Level:			
Budget Authority	3,007,563	1,888,786	n.a.
Outlays	3,057,704	2,306,696	n.a.
Revenues	2,015,873	2,310,972	31,089,081
Current Level over (+) / under Appropriate Level:			
Budget Authority	+213,715	−872,157	n.a.
Outlays	+166,115	−504,564	n.a.
Revenues	−73,667	0	0

n.a. = Not applicable because annual appropriations Acts for fiscal years 2015 through 2023 will not be considered until future sessions of Congress.

[1] The appropriate level for FY2013 was established in H. Con. Res. 112, which was subsequently deemed to be in force in the House of Representatives pursuant to H. Res. 5. The current level for FY2013 starts with the baseline estimates contained in Updated Budget Projections: Fiscal Years 2012 to 2022, published by the Congressional Budget Office, and makes adjustments to those levels for enacted legislation.

[2] The appropriate level for FY2014 was established in H. Con. Res. 25, which was subsequently deemed to be in force in the House of Representatives pursuant to H. Res. 243. The current level for FY2014 starts with the baseline estimates contained in Updated Budget Projections: Fiscal Years 2013 to 2023, published by the Congressional Budget Office, and makes adjustments to those levels for enacted legislation.

DIRECT SPENDING LEGISLATION—TABLE 2—COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(A) ALLOCATIONS FOR RESOLUTION CHANGES, REFLECTING ACTION COMPLETED AS OF JUNE 17, 2013

[Fiscal years, in millions of dollars]

	2013		2014		2014–2023	
	BA	Outlays	BA	Outlays	BA	Outlays
House Committee:						
Agriculture:						
Allocation	−1,577	−1,503	−2,631	−2,501	−209,044	−208,556
Current Level	−106	−106	0	0	0	0
Difference	+1,471	+1,397	+2,631	+2,501	+209,044	+208,556
Armed Services:						
Allocation	0	0	0	0	0	0
Current Level	+77	+94	0	0	0	0
Difference	+77	+94	0	0	0	0
Education and the Workforce:						
Allocation	−18,098	−7,096	−21,712	−7,430	−217,458	−198,921
Current Level	+2,580	+3,275	0	0	0	0
Difference	+20,678	+10,371	+21,712	+7,430	+217,458	+198,921
Energy and Commerce:						
Allocation	−20,137	−4,661	−22,996	−20,659	−1,604,166	−1,596,356
Current Level	+9,762	+11,695	0	0	0	0
Difference	+29,899	+16,356	+22,996	+20,659	+1,604,166	+1,596,356
Financial Services:						
Allocation	−8,562	−8,495	−11,465	−10,428	−94,439	−94,325
Current Level	+5,245	+5,245	0	0	0	0
Difference	+13,807	+13,740	+11,465	+10,428	+94,439	+94,325
Foreign Affairs:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Homeland Security:						
Allocation	0	0	−305	−305	−12,575	−12,575
Current Level	0	0	0	0	0	0
Difference	0	0	+305	+305	+12,575	+12,575
House Administration:						
Allocation	0	0	−34	0	−295	−130
Current Level	0	0	0	0	0	0
Difference	0	0	+34	0	+295	+130
Judiciary:						
Allocation	−8,490	−594	−11,506	−637	−47,461	−45,809
Current Level	0	0	0	0	0	0
Difference	+8,490	+594	+11,506	+637	+47,461	+45,809
Natural Resources:						
Allocation	−460	−229	−900	−632	−17,995	−17,225
Current Level	+259	+596	0	0	0	0
Difference	+719	+825	+900	+632	+17,995	+17,225

DIRECT SPENDING LEGISLATION—TABLE 2—COMPARISON OF CURRENT LEVEL WITH AUTHORIZING COMMITTEE 302(A) ALLOCATIONS FOR RESOLUTION CHANGES, REFLECTING ACTION COMPLETED AS OF JUNE 17, 2013—Continued

[Fiscal years, in millions of dollars]

	2013		2014		2014–2023	
	BA	Outlays	BA	Outlays	BA	Outlays
Oversight and Government Reform:						
Allocation	−8,146	−8,113	−11,758	−11,758	−165,996	−165,996
Current Level	−9	−9	0	0	0	0
Difference	+8,137	+8,104	+11,758	+11,758	+165,996	+165,996
Science, Space and Technology:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Small Business:						
Allocation	0	0	0	0	0	0
Current Level	0	0	0	0	0	0
Difference	0	0	0	0	0	0
Transportation and Infrastructure:						
Allocation	−36,626	−9,354	−78	−47	−116,444	−951
Current Level	+6,588	+6,200	0	0	0	0
Difference	+43,214	+15,554	+78	+47	+116,444	+951
Veterans' Affairs:						
Allocation	0	0	0	0	0	0
Current Level	−36	−36	0	0	0	0
Difference	−36	−36	0	0	0	0
Ways and Means:						
Allocation	−5,970	−8,211	−22,567	−21,667	−1,298,202	−1,291,946
Current Level	+23,031	+23,031	0	0	0	0
Difference	+29,001	+31,242	+22,567	+21,667	+1,298,202	+1,291,946

TABLE 3 - DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2013 -- COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUB ALLOCATIONS AS OF JUNE. 17, 2013 (Figures in Millions)[1]

	302(b) allocations (H. Rept. 112-465)		302(b) for GWOT		Current status as of June 20, 2013		Current status GWOT		Current status less 302(b)		Current status GWOT less 302(b)	
	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	19,405	22,759	0	0	20,531	22,910	0	0	+1,126	+151	0	0
Commerce, Justice, Science	51,129	62,853	0	0	50,210	62,708	0	0	-919	-145	0	0
Defense	519,220	573,770	88,480	48,420	517,632	572,413	87,226	48,044	-1,588	-1,357	-1,254	-376
Energy and Water Development	32,098	40,682	0	0	36,744	41,350	0	0	+4,646	+668	0	0
Financial Services and General Government	21,150	23,939	0	0	21,453	24,370	0	0	+303	+431	0	0
Homeland Security	44,598	45,194	0	0	51,385	46,785	254	203	+6,787	+1,591	+254	+203
Interior, Environment	28,000	31,058	0	0	29,827	31,583	0	0	+1,827	+525	0	0
Labor, Health and Human Services, Education	150,002	162,699	0	0	157,355	167,544	0	0	+7,353	+4,845	0	0
Legislative Branch	4,289	4,381	0	0	4,284	4,315	0	0	-5	-66	0	0
Military Construction and Veterans Affairs	71,747	79,069	0	2	71,930	79,400	0	2	+183	+331	0	0
State, Foreign Operations	40,132	48,569	8,245	2,454	42,093	49,660	11,203	3,510	+1,961	+1,091	+2,958	+1,056
Transportation, HUD	51,606	115,161	0	0	51,817	115,117	0	0	+211	-44	0	0
Full Committee Allowance	2	0	0	249	0	0	0	0	-2	0	0	-249
Total	1,033,377	1,210,134	96,725	51,125	1,055,261	1,218,155	98,683	51,759	+21,883	+8,021	+1,958	+634

Comparison 302(a) and Total Appropriations[1]	BA	OT	BA	OT
302(a) Allocation	1,033,377	1,210,134	96,725	51,125
Total Appropriations	1,055,261	1,218,155	98,683	51,759
302(a) Allocation vs. Total Appropriations	+21,884	+8,021	+1,958	+634

Memorandum:	Amounts Assumed in 302(b)		Emergency Requirements		Disaster Funding		Program Integrity	
Spending in Excess of Base Budget Control Act Caps for Sec. 251(b) Designated Categories	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	0	0	224	72	0	0	0	0
Commerce, Justice, Science	0	0	363	97	0	0	0	0
Defense	0	0	88	42	0	0	0	0
Energy and Water Development	0	0	1,889	327	0	0	0	0
Financial Services and General Government	0	0	811	430	0	0	0	0
Homeland Security	5,481	274	6,693	283	11,779	1,453	0	0
Interior, Environment	0	0	1,443	153	0	0	0	0
Labor, Health and Human Services, Education	0	0	827	108	0	0	483	430
Legislative Branch	0	0	0	0	0	0	0	0
Military Construction and Veterans Affairs	0	0	261	24	0	0	0	0
State, Foreign Operations	0	0	0	0	0	0	0	0
Transportation, HUD	0	0	29,070	588	0	0	0	0
Totals	5,481	274	41,669	2,124	11,779	1,453	483	430

[1]Spending designated as emergency is not included in the current status of appropriations shown above.

TABLE 3 - DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2014 -- COMPARISON OF CURRENT STATUS WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUB ALLOCATIONS AS OF JUNE. 17, 2013 (Figures in Millions)[1]

	302(b) allocations (H. Rept. 112-465)		302(b) for GWOT		Current status as of June 20, 2013		Current status GWOT		Current status less 302(b)		Current status GWOT less 302(b)	
	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	19,450	22,451	0	0	12	7,126	0	0	-19,438	-15,325	0	0
Commerce, Justice, Science	46,845	58,390	0	0	0	22,270	0	0	-46,845	-36,120	0	0
Defense	512,522	543,698	85,769	46,707	40	210,885	0	0	-512,482	-332,813	-85,769	-46,707
Energy and Water Development	30,426	34,922	0	0	0	19,492	0	0	-30,426	-15,430	0	0
Financial Services and General Government	16,966	18,648	0	0	78	5,811	0	0	-16,888	-12,837	0	0
Homeland Security	44,619	45,983	0	0	44,617	45,961	0	0	-2	-22	0	0
Interior, Environment	24,278	26,728	0	0	0	12,537	0	0	-24,278	-14,191	0	0
Labor, Health and Human Services, Education	121,797	135,306	0	0	24,642	104,421	0	0	-97,155	-30,885	0	0
Legislative Branch	4,124	4,102	0	0	0	700	0	0	-4,124	-3,402	0	0
Military Construction and Veterans Affairs	73,320	76,206	0	0	73,320	76,204	0	0	0	-2	0	0
State, Foreign Operations	34,103	40,021	6,520	1,303	0	27,023	0	0	-34,103	-12,998	-6,520	-1,303
Transportation, HUD	44,100	111,501	0	0	4,400	80,334	0	0	-39,700	-31,167	0	0
Full Committee Allowance	0	0	0	0	0	0	0	0	0	0	0	0
Total	972,550	1,117,956	92,289	48,010	147,109	612,764	0	0	-825,441	-505,192	-92,289	-48,010

Comparison 302(a) and Total Appropriations[1]	BA	OT	BA	OT
302(a) Allocation	972,550	1,117,956	92,289	48,010
Total Appropriations	147,109	612,764	0	0
302(a) Allocation vs. Total Appropriations	825,441	-505,192	92,289	48,010

Memorandum:	Amounts Assumed in 302(b)		Emergency Requirements		Disaster Funding		Program Integrity	
Spending in Excess of Base Budget Control Act Caps for Sec. 251(b) Designated Categories	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA	0	0	0	0	0	0	0	0
Commerce, Justice, Science	0	0	0	0	0	0	0	0
Defense	0	0	0	0	0	0	0	0
Energy and Water Development	0	0	0	0	0	0	0	0
Financial Services and General Government	0	0	0	0	0	0	0	0
Homeland Security	5,626	281	0	0	5,626	281	0	0
Interior, Environment	0	0	0	0	0	0	0	0
Labor, Health and Human Services, Education	0	0	0	0	0	0	0	0
Legislative Branch	0	0	0	0	0	0	0	0
Military Construction and Veterans Affairs	0	0	0	0	0	0	0	0
State, Foreign Operations	0	0	0	0	0	0	0	0
Transportation, HUD	0	0	0	0	0	0	0	0
Totals	5,626	281	0	0	5,626	281	0	0

[1]Spending designated as emergency is not included in the current status of appropriations shown above.

TABLE 4—2015 ADVANCE APPROPRIATIONS PURSUANT TO H. CON. RES. 25 AS OF JUNE 17, 2013

[Budget authority in millions of dollars]

Section 601 (d) (1) Limits	2,015
Appropriate Level	55,634
Enacted Advances:	
Accounts Identified for Advances:	
Department of Veterans Affairs	
Medical Services	0
Medical Support and Compliance	0
Medical Facilities	0
Subtotal, enacted advances [1]	0
Section 601 (d) (2) Limits	2015
Appropriate Level	28,852
Enacted Advances:	
Accounts Identified for Advances:	
Employment and Training Administration	0
Education for the Disadvantaged	0
School Improvement Programs	0
Special Education	0
Career, Technical and Adult Education	0

TABLE 4—2015 ADVANCE APPROPRIATIONS PURSUANT TO H. CON. RES. 25 AS OF JUNE 17, 2013—Continued

[Budget authority in millions of dollars]

Tenant-based Rental Assistance	0
Project-based Rental Assistance	0
Subtotal, enacted advances [1]	0
Previously Enacted Advance Appropriations [2]	2,015
Corporation for Public Broadcasting	445
Total, enacted advances [1]	445

1. Line items may not add to total due to rounding.
2. Funds were appropriated in Public Law 113–6.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 20, 2013.

Hon. PAUL RYAN,
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2013 budget and is current through June 17, 2013. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 112, the Concurrent Resolution on the Budget for Fiscal Year 2013, as revised and approved by the House of Representatives.

Since my last letter dated January 23, 2013, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, or revenues for fiscal year 2013:

Disaster Relief Appropriations Act, 2013 (Public Law 113–2);

Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113–6); and

Reducing Flight Delays Act of 2013 (Public Law 113–9).

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

FISCAL YEAR 2013 HOUSE CURRENT LEVEL REPORT THROUGH JUNE 17, 2013
(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted a/			
Revenues	n.a.	n.a.	2,293,339
Permanents and other spending legislation	1,869,081	1,818,079	n.a.
Appropriation legislation	0	553,169	n.a.
Offsetting receipts	-729,799	-729,799	n.a.
Total, Previously enacted	1,139,282	1,641,449	2,293,339
Enacted Legislation:			
Authorizing Legislation			
Temporary Bankruptcy Judgeships Extension Act of 2012 (P.L. 112-121)	0	0	1
Moving Ahead for Progress in the 21st Century Act (P.L. 112-141)	8,795	9,439	2,291
Food and Drug Administration Safety and Innovation Act (P.L. 112-144)	-16	-16	0
Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (P.L. 112-154)	-36	-36	0
An act to amend the African Growth and Opportunity Act...and to make technical corrections to the Harmonized Tariff schedule...for the Dominican Republic-Central America-United States Free Trade Agreement, to approve the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes (P.L. 112-163)	0	0	-59
FDA User Fees Corrections Act of 2012 (P.L. 112-193)	0	-195	0
National Defense Authorization Act for Fiscal Year 2013 (P.L. 112-239)	-33	-16	0
American Taxpayer Relief Act of 2012 (P.L. 112-240)	57,428	49,804	-279,700
Medicare IVIG Access and Strengthening Medicare and Repaying Taxpayers Act of 2012 (P.L. 112-242)	3	3	0
An act to amend title 5, United States Code, to make clear that accounts in Thrift Savings Fund are subject to certain Federal tax levies (P.L. 112-267)	0	0	1
An act to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the National Flood Insurance Program (P.L. 113-1)	5,250	5,250	0
Total, Authorizing Legislation	71,391	64,233	-277,466
Appropriations Legislation			
Continuing Appropriations Resolution, 2013 (P.L. 112-175) b/	423	423	0
Disaster Relief Appropriations Act, 2013 (P.L. 113-2) c/	8,840	1,479	0
Consolidated and Further Continuing Appropriations Act, 2013 (P.L. 113-6)	1,867,246	1,426,973	0
Reducing Flight Delays Act of 2013 (P.L. 113-9)	0	203	0
Total, Appropriations Legislation	1,876,509	1,429,078	0
Total, Enacted Legislation	1,947,900	1,493,311	-277,466
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	-79,619	-77,056	0
Total Current Level d/	3,007,563	3,057,704	2,015,873
Total House Resolution e/	2,793,848	2,891,589	2,089,540
Current Level Over House Resolution	213,715	166,115	n.a.
Current Level Under House Resolution	n.a.	n.a.	73,667
Memorandum:			
Revenues, 2013-2022:			
House Current Level	n.a.	n.a.	28,846,212
House Resolution f/	n.a.	n.a.	28,957,333
Current Level Over House Resolution	n.a.	n.a.	n.a.
Current Level Under House Resolution	n.a.	n.a.	111,121

Source: Congressional Budget Office.

Note: n.a. = not applicable; P.L. = Public Law.

Continued

FISCAL YEAR 2013 HOUSE CURRENT LEVEL REPORT THROUGH JUNE 17, 2013
Continued
(In millions of dollars)

a. Includes the following acts that affect budget authority, outlays, or revenues and were cleared by the Congress in 2012, but before adoption of the Concurrent Resolution on the Budget for Fiscal Year 2013 (H. Con. Res. 112): the FAA Modernization and Reform Act of 2012 (P.L. 112-95), the Middle Class Tax Relief and Job Creation Act of 2012 (P.L. 112-96) and an act to apply the countervailing duty provisions of the Tariff Act of 1930 to nonmarket economy countries, and for other purposes (P.L. 112-99).

b. Sections 140(b) and 141(b) of the Continuing Appropriations Resolution, 2013 provided $423 million for fire suppression activities, available until expended.

c. Pursuant to Section 314(d) of the Congressional Budget Act of 1974, amounts designated as an emergency requirement pursuant to 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not count for purposes of Title III and Title IV of the Congressional Budget Act. The amounts so designated for 2013, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Disaster Relief Appropriations Act, 2013	41,667	2,122	n.a.

d. For purposes of enforcing section 311 of the Congressional Budget Act in the House, the resolution, as approved by the House of Representatives, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

e. Periodically, the House Committee on the Budget revises the totals in H. Con. Res. 112, pursuant to various provisions of the resolution:

	Budget Authority	Outlays	Revenues
Original House Resolution	2,793,848	2,891,589	2,293,339
Revisions:			
For the American Taxpayer Relief Act of 2012	0	0	-203,799
Revised House Resolution	2,793,848	2,891,589	2,089,540

f. Periodically, the House Committee on the Budget revises the 2013-2022 revenue totals in H. Con. Res. 112, pursuant to various provisions of the resolution.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 20, 2013.

Hon. PAUL RYAN,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2014 budget and is current through June 17, 2013. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 25, the Concurrent Resolution on the Budget for Fiscal Year 2014, as revised and approved by the House of Representatives.

This is CBO's first current level report for fiscal year 2014.

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

FISCAL YEAR 2014 HOUSE CURRENT LEVEL REPORT THROUGH JUNE 17, 2013
(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted a/			
Revenues	n.a.	n.a.	2,310,972
Permanents and other spending legislation	1,848,718	1,778,493	n.a.
Appropriation legislation	0	504,662	n.a.
Offsetting receipts	-707,692	-707,792	n.a.
Total, Previously enacted	1,141,026	1,575,363	2,310,972
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	747,760	731,333	0
Total Current Level b/	1,888,786	2,306,696	2,310,972
Total House Resolution	2,760,943	2,811,260	2,310,972
Current Level Over House Resolution	n.a.	n.a.	n.a.
Current Level Under House Resolution	872,157	504,564	n.a.
Memorandum:			
Revenues, 2014-2023:			
House Current Level	n.a.	n.a.	31,089,081
House Resolution	n.a.	n.a.	31,089,081
Current Level Over House Resolution	n.a.	n.a.	n.a.
Current Level Under House Resolution	n.a.	n.a.	n.a.

SOURCE: Congressional Budget Office.

Note: n.a. = not applicable; P.L. = Public Law.

a. Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before adoption of the Concurrent Resolution on the Budget for Fiscal Year 2014 (H. Con. Res. 25): an act to temporarily increase the borrowing authority of the FEMA for carrying out the National Flood Insurance Program (P.L. 113-1) the Disaster Relief Appropriations Act, 2013 (P.L. 113-2), the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 (P.L. 113-5), the Consolidated and Further Continuing Appropriations Act, 2013 (P.L. 113-6), and the Reducing Flight Delays Act of 2013 (P.L. 113-9).

b. For purposes of enforcing section 311 of the Congressional Budget Act in the House, the resolution, as approved by the House of Representatives, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

ADJOURNMENT

Mrs. ELLMERS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, June 26, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1959. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General William J. Troy, United States Army, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1960. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Willie J. Williams, United States Marine Corps, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1961. A letter from the Acting Principal Deputy, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Charles J. Leiding, Jr., United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

1962. A letter from the Secretary, Department of Defense, transmitting a certification of the budget for fiscal year 2014 and the future-years defense program (FYDP) for fiscal years 2014-2018; to the Committee on Armed Services.

1963. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's ''Major'' final rule — Energy Conservation Program: Energy Conservation Standards for Standby Mode and Off Mode for Microwave Ovens [Docket Number: EERE-2011-BT-STD-0048] (RIN: 1904-AC07) received June 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1964. A letter from the Chairwoman, Federal Trade Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period from October 1, 2012 through March 31, 2013, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

1965. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Price Analysis Techniques [FAC 2005-67; FAR Case 2012-018; Item VI; Docket 2012-0018, Sequence 1] (RIN: 9000-AM27) received June 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1966. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Terms of Service and Open-Ended Indemnification, and Unenforceability of Unauthorized Obligations [FAC 2005-67; FAR Case 2013-005; Item V; Docket 2013-0005, Sequence 1] (RIN: 9000-AM45) received June 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1967. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Interagency Acquisitions: Compliance by Nondefense Agencies with Defense Procurement Requirements [FAC 2005-67; FAR Case 2012-010; Item IV; Docket 2012-0010, Sequence 1] (RIN: 9000-AM36) received June 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1968. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; System for Award Management Name Change, Phase 1 Implementation [FAC 2005-67; FAR Case 2012-033; Item III; Docket 2012-0033, Sequence 1] (RIN: 9000-AM51) received June 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1969. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Contracting Officer's Representative [FAC 2005-67; FAR Case 2013-004; Item II; Docket 2013-0004, Sequence 1] (RIN: 9000-AM52) received June 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1970. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Contracting with Women-owned Small Business Concerns [FAC 2005-67; FAR Case 2013-010; Item VII; Docket 2013-0010, Sequence 1] (RIN: 9000-AM59) received June 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1971. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-67; Introduction [Docket: FAR 2013-0076, Sequence 3] received June 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1972. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 37 [Docket No.: 121004518-3398-01] (RIN: 0648-BC66) received June 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1973. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Big Skate in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 120918468-3111-02] (RIN: 0648-XC673) received June 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1974. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery of the Gulf of Mexico; Texas Closure [Docket No.: 940846-4348] (RIN: 0648-XC683) received June 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1975. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Alaska Plaice in the Bering Sea and Aleutian Islands Management Area [Docket No.: 121018563-3418-02] (RIN: 0648-XC687) received June 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1976. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No.: 120918468-3111-02] (RIN: 0648-XC675) received June 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1977. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Restrictions and Observer Requirements in Purse Seine Fisheries for 2013-2014 [Docket No.: 130104011-3456-02] (RIN: 0648-BC87) received June 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1978. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Indoor Tanning Services; Excise Taxes [TD 9621] (RIN: 1545-BJ40) received June 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 1171. A bill to amend title 40, United States Code, to improve veterans service organizations' access to Federal surplus personal property (Rept. 113–126). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 1233. A bill to amend chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records, and for other purposes; with amendments (Rept. 113–127). Referred to the Committee of the Whole House on the state of the Union.

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 1234. A bill to amend title 44, United States Code, to require preservation of certain electronic records by Federal agencies, to require a certification and reports relating to Presidential records, and for other purposes; with amendments (Rept. 113–128). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN of Wisconsin: Committee on the Budget. H.R. 1871. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to reform the budget baseline; with an amendment (Rept. 113–129). Referred to the Committee of the Whole House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 1405. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to include an appeals form in any notice of decision issued for the denial of a benefit sought; with amendments (Rept. 113–130). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Rules. House Resolution 274. Resolution providing for consideration of the bill (H.R. 1613) to amend the Outer Continental Shelf Lands Act to provide for the proper Federal management and oversight of transboundary hydrocarbon reservoirs, and for other purposes; providing for consideration of the bill (H.R. 2231) to amend the Outer Continental Shelf Lands Act to increase energy exploration and production on the Outer Continental Shelf, provide for equitable revenue sharing for all coastal States, implement the reorganization of the functions of the former Minerals Management Service into distinct and separate agencies, and for other purposes; providing for consideration of the bill (H.R. 2410) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2014, and for other purposes; providing for proceedings during the period from June 29, 2013, through July 5, 2013; and for other purposes. (Rept. 113–131). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. CAPPS (for herself and Mr. BOUSTANY):

H.R. 2477. A bill to amend title XVIII of the Social Security Act to provide for coverage of cancer care planning and coordination under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONAWAY (for himself, Mr. CUELLAR, Mr. FLORES, Mr. HENSARLING, Mr. GENE GREEN of Texas, Mr. GINGREY of Georgia, Mrs. LUMMIS, Mr. MATHESON, and Mr. RAHALL):

H.R. 2478. A bill to repeal a limitation on Federal procurement of certain fuels; to the Committee on Oversight and Government Reform.

By Mr. NADLER (for himself, Mr. CONYERS, Mr. POLIS, Mr. ISRAEL, Mr. JOHNSON of Georgia, Ms. CHU, Mr. GRIJALVA, Mr. JEFFRIES, Mr. BLUMENAUER, Mr. POCAN, Mr. CICILLINE, Ms. DELBENE, and Mr. TAKANO):

H.R. 2479. A bill to amend the Fair Housing Act, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself and Mr. GEORGE MILLER of California):

H.R. 2480. A bill to direct the Secretary of Labor to issue an occupational safety and health standard to reduce injuries to patients, nurses, and all other health care workers by establishing a safe patient handling, mobility, and injury prevention standard, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLORES:

H.R. 2481. A bill to amend title 38, United States Code, to codify and improve the election requirements for the receipt of educational assistance under the Post-9/11 Educational Assistance program of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. LEWIS (for himself, Mr. NADLER, Mr. GRIJALVA, Mr. DOGGETT, Mr. MCGOVERN, Ms. MOORE, Mr. BRADY of Pennsylvania, and Mr. YARMUTH):

H.R. 2482. A bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor; to the Committee on Ways and Means.

By Mr. LEWIS (for himself, Ms. LEE of California, Mr. JOHNSON of Georgia, Mr. HOLT, Mr. CLAY, and Mr. CONYERS):

H.R. 2483. A bill to affirm the religious freedom of taxpayers who are conscientiously opposed to participation in war, to provide that the income, estate, or gift tax payments of such taxpayers be used for nonmilitary purposes, to create the Religious Freedom Peace Tax Fund to receive such tax payments, to improve revenue collection, and for other purposes; to the Committee on Ways and Means.

By Mr. BERA of California (for himself and Mr. MEADOWS):

H.R. 2484. A bill to provide incentives to physicians to practice in rural and medically underserved communities, and for other purposes; to the Committee on the Judiciary.

By Ms. BROWNLEY of California:

H.R. 2485. A bill to amend title 38, United States Code, to extend programs assisting homeless veterans and other veterans with special needs, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. CAPPS (for herself, Mr. FARR, Mr. LOWENTHAL, and Mr. HUFFMAN):

H.R. 2486. A bill to permanently prohibit oil and gas leasing off the coast of the State of California, and for other purposes; to the Committee on Natural Resources.

By Mrs. DAVIS of California (for herself and Ms. SCHAKOWSKY):

H.R. 2487. A bill to direct the Federal Trade Commission to promulgate rules requiring an Internet merchant to disclose the use of personal information in establishing or changing a price, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DEFAZIO (for himself, Mr. BLUMENAUER, Mr. SCHRADER, and Ms. BONAMICI):

H.R. 2488. A bill to expand the Wild Rogue Wilderness Area in the State of Oregon, to make additional wild and scenic river designations in the Rogue River area, to provide additional protections for Rogue River tributaries, and for other purposes; to the Committee on Natural Resources.

By Mr. DEFAZIO (for himself, Mr. BLUMENAUER, Mr. SCHRADER, and Ms. BONAMICI):

H.R. 2489. A bill to modify the boundary of the Oregon Caves National Monument, and for other purposes; to the Committee on Natural Resources.

By Ms. JACKSON LEE (for herself, Ms. CLARKE, Mr. THOMPSON of Mississippi, Mr. VEASEY, and Mr. PAYNE):

H.R. 2490. A bill to prohibit States from carrying out more than one Congressional redistricting after a decennial census and apportionment; to the Committee on the Judiciary.

By Mr. DEFAZIO (for himself, Mr. BLUMENAUER, Mr. SCHRADER, and Ms. BONAMICI):

H.R. 2491. A bill to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild or recreation rivers, and for other purposes; to the Committee on Natural Resources.

By Mr. DESJARLAIS:

H.R. 2492. A bill to restrict funds related to escalating United States military involvement in Syria; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself, Ms. ROS-LEHTINEN, Mr. ISRAEL, Mr. COLE, Ms. BORDALLO, Ms. SCHWARTZ, and Mr. PETERSON):

H.R. 2493. A bill to amend chapter 329 of title 49, United States Code, to ensure that new vehicles enable fuel competition so as to reduce the strategic importance of oil to the United States; to the Committee on Energy and Commerce.

By Mr. GIBSON (for himself, Mr. WELCH, Mrs. BACHMANN, Mr. NOLAN, Mr. DUNCAN of South Carolina, Mr. DESJARLAIS, and Mr. JONES):

H.R. 2494. A bill to restrict funds related to escalating United States military involvement in Syria; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HULTGREN (for himself, Mr. SWALWELL of California, Ms. MCCOLLUM, Mr. LANGEVIN, Mr. LIPINSKI, Mr. FATTAH, Ms. LOFGREN, Mr. FLEISCHMANN, Mr. ADERHOLT, and Mr. KINZINGER of Illinois):

H.R. 2495. A bill to amend the Department of Energy High-End Computing Revitalization Act of 2004 to improve the high-end computing research and development program of the Department of Energy, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. JONES:

H.R. 2496. A bill to prohibit the deployment of United States Armed Forces in support of a United Nations or mutual security treaty military operation absent express prior statutory authorization from Congress for such deployment, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. KIRKPATRICK (for herself, Mr. GOSAR, Mr. PASTOR of Arizona, and Mr. GRIJALVA):

H.R. 2497. A bill to modify the boundary of the Casa Grande Ruins National Monument, and for other purposes; to the Committee on Natural Resources.

By Mr. LOEBSACK (for himself, Mr. BRALEY of Iowa, and Mrs. BUSTOS):

H.R. 2498. A bill to reauthorize agricultural programs through 2018; to the Committee on Agriculture.

By Mr. MCDERMOTT (for himself, Ms. ROS-LEHTINEN, Mr. BLUMENAUER, and Mr. HANNA):

H.R. 2499. A bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible designated beneficiaries of employees; to the Committee on Ways and Means.

By Mr. NUNES (for himself, Mr. LARSON of Connecticut, Mr. BUCHANAN, Mr. BUCSHON, Mr. BURGESS, Mr. COLE, Mr. GRIFFIN of Arkansas, Mr. HALL, Mr. LARSEN of Washington, Mr. MARCHANT, Mr. MICHAUD, Mr. NUGENT, Mr. PASCRELL, Mr. ROE of Tennessee, Ms. LINDA T. SÁNCHEZ of California, Mr. SCHWEIKERT, Mr. DAVID SCOTT of Georgia, Mr. SESSIONS, Mr. SMITH of Washington, Mr. VEASEY, Mr. WHITFIELD, and Mr. STIVERS):

H.R. 2500. A bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the Medicare program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROONEY (for himself and Mr. MCCAUL):

H.R. 2501. A bill to authorize assistance to conduct military or paramilitary operations in Syria, and for other purposes; to the Committee on Foreign Affairs.

By Mr. THOMPSON of California:

H.R. 2502. A bill to amend the Internal Revenue Code of 1986 to extend the energy credit for certain property under construction; to the Committee on Ways and Means.

By Mr. YOHO:

H.R. 2503. A bill to prohibit the obligation or expenditure of funds to provide military assistance to opposition forces in Syria; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL:

H. Con. Res. 41. Concurrent resolution encouraging peace and reunification on the Korean Peninsula; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROYCE (for himself and Mr. ENGEL):

H. Res. 273. A resolution expressing the sense of the House of Representatives that the President should nominate a qualified and independent individual for the position of Inspector General of the Department of State and Broadcasting Board of Governors to be confirmed by the Senate without delay; to the Committee on Foreign Affairs.

By Mr. FORBES:

H. Res. 275. A resolution expressing the sense of the House of Representatives that the funds made available for the cost of the President's trip to Africa instead be used to compensate those who have been placed on an administrative furlough as a result of sequestration; to the Committee on Oversight and Government Reform.

By Mr. HULTGREN (for himself and Mr. KENNEDY):

H. Res. 276. A resolution supporting the goals and ideals of National Science Week and the biennial USA Science & Engineering Festival in Washington, D.C., and inviting State and local governments to recognize the last week in April as a National Science Week; to the Committee on Science, Space, and Technology.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

61. The SPEAKER presented a memorial of the Senate of the State of California, relative to Senate Joint Resolution No. 4 memorializing the President and the Congress to enact appropriate legislation that would reauthorize the federal Older Americans Act of 1965; to the Committee on Education and the Workforce.

62. Also, a memorial of the House of Representatives of the State of Tennessee, relative to House Joint Resolution No. 69 urging the Congress to classify emergency medical services providers as its other first responders; to the Committee on Education and the Workforce.

63. Also, a memorial of the House of Representatives of the State of Idaho, relative to House Joint Resolution No. 1 urging the Secretary of Agriculture to declare the Frank Church-River of No Return Wilderness and adjacent national forest lands to be a Natural Resources Disaster Area; to the Committee on Natural Resources.

64. Also, a memorial of the Legislature of the Commonwealth of Puerto Rico, relative to Resolution No. 62 expressing the rejection of the application of the death penalty by the United States District Court for the District of Puerto Rico; to the Committee on the Judiciary.

65. Also, a memorial of the Senate of the State of West Virginia, relative to Senate Resolution No. 24 supporting an amendment to the constitution to provide that corporations are not entitled to the entirety of protections or rights of natural persons; to the Committee on the Judiciary.

66. Also, a memorial of the House of Representatives of the State of Tennessee, relative to House Joint Resolution No. 124 applauding Tennessee's judges for creating the existing veteran's treatment courts and veterans' court documents; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. CAPPS:

H.R. 2477.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CONAWAY:

H.R. 2478.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is Article 1, Section 8, Clause 8 of the United State Constitution which provides Congress with the power to ''provide for...the general Welfare of the United States'' and in Article I, Section 8, Clause 18 of the United States Constitution, which provides Congress the power to ''... make all Laws which shall be necessary and proper for carrying into Execution...all other Powers vested by this Constitution in the Government of the United States or, on in any Department or Officer thereof.''

By Mr. NADLER:

H.R. 2479.

Congress has the power to enact this legislation pursuant to the following:

Article 1, sec. 8, cl. 3 (commerce clause), & cl. 18 (necessary and proper clause); Section 1 of the 14th Amendment (due process and equal protection clauses), and section 5 of the 14th Amendment (enforcement).

By Mr. CONYERS:

H.R. 2480.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const., Art. I, Sec. 8

By Mr. FLORES:

H.R. 2481.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. LEWIS:

H.R. 2482.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LEWIS:

H.R. 2483.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. BERA of California:

H.R. 2484.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution

By Ms. BROWNLEY of California:

H.R. 2485.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mrs. CAPPS:

H.R. 2486.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: ''The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to

Prejudice any Claims of the United States, or of any particular State.''

By Mrs. DAVIS of California:

H.R. 2487.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. DEFAZIO:

H.R. 2488.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. DEFAZIO:

H.R. 2489.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to-make all laws necessary and proper for carrying out the powers vested in Congress), and

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Ms. JACKSON LEE:

H.R. 2490.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 4 of the United States Constitution.

By Mr. DEFAZIO:

H.R. 2491.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and

Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. DESJARLAIS:

H.R. 2492.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Mr. ENGEL:

H.R. 2493.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the Constitution.

By Mr. GIBSON:

H.R. 2494.

Congress has the power to enact this legislation pursuant to the following:

clause 7, section 9, Article I;

clause 11, section 8, Article I

By Mr. HULTGREN:

H.R. 2495.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, providing for the common defense.

By Mr. JONES:

H.R. 2496.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 11 of the Constitution which grants Congress the power to declare war.

By Mrs. KIRKPATRICK:

H.R. 2497.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. LOEBSACK:

H.R. 2498.

Congress has the power to enact this legislation pursuant to the following:

The ability to regulate interstate commerce and with foreign Nations pursuant to Article 1, Section 8, Clause 3 includes the power to regulate commodity prices, practices affecting them and the trading or donation of the commodities to impoverished nations. In addition, the Congress has the power to provide for the general Welfare of the United States under Article 1, Section 8, Clause 1 which includes the power to promote the development of Rural America through research and extension of credit.

By Mr. MCDERMOTT:

H.R. 2499.

Congress has the power to enact this legislation pursuant to the following:

Clause I of Section VIII of Article I: ''The Congress shall have power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States''

By Mr. NUNES:

H.R. 2500.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the United States Constitution

By Mr. ROONEY:

H.R. 2501.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, ''to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;''

and ''to regulate commerce with foreign nations, and among the several States, and with the Indian tribes.''

By Mr. THOMPSON of California:

H.R. 2502.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. YOHO:

H.R. 2503.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 9, Clause 7 ''No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of Receipts and Expenditures of all public Money shall be issued from time to time.''

Article 1, Section 8, Clause 11 ''Congress has the Power to . . . declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 32: Mr. BISHOP of Utah.

H.R. 35: Mr. BISHOP of Utah.

H.R. 148: Mr. HONDA.

H.R. 176: Mr. CARTER.

H.R. 274: Mr. MICHAUD, Mr. HUFFMAN, and Mr. HIGGINS.

H.R. 301: Mr. ROE of Tennessee.

H.R. 303: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 328: Mr. CICILLINE and Mr. LANGEVIN.

H.R. 332: Mr. HIMES and Mr. CONYERS.

H.R. 339: Mr. BENTIVOLIO.

H.R. 376: Mr. MORAN.

H.R. 379: Mr. POLIS.

H.R. 451: Mr. RADEL and Mr. SOUTHERLAND.

H.R. 460: Mr. LOEBSACK, Mr. LYNCH, and Ms. MCCOLLUM.

H.R. 508: Mr. SEAN PATRICK MALONEY of New York and Mrs. BUSTOS.

H.R. 548: Mrs. KIRKPATRICK.

H.R. 575: Mr. BISHOP of Utah.

H.R. 611: Mr. SEAN PATRICK MALONEY of New York.

H.R. 621: Mr. CHABOT, Mr. JONES, Mr. ADERHOLT, and Mr. CRAMER.

H.R. 641: Mr. PETERSON.

H.R. 647: Ms. EDWARDS.

H.R. 655: Mr. CARTWRIGHT.

H.R. 664: Mr. POCAN and Ms. MCCOLLUM.

H.R. 685: Mr. COSTA and Mr. ADERHOLT.

H.R. 690: Mr. CONNOLLY.

H.R. 693: Ms. SCHAKOWSKY.

H.R. 708: Mr. MORAN.

H.R. 712: Mr. HOLT.

H.R. 715: Ms. MCCOLLUM, Ms. SLAUGHTER, Mr. ISRAEL, Mr. QUIGLEY, Ms. WATERS, and Mr. WALZ.

H.R. 717: Ms. NORTON.

H.R. 719: Ms. WILSON of Florida and Mr. ANDREWS.

H.R. 721: Mr. KILMER, Mr. ADERHOLT, Mr. HECK of Washington, and Mrs. BACHMANN.

H.R. 752: Ms. MCCOLLUM.

H.R. 755: Mr. WHITFIELD, Mr. TIPTON, Mr. ROKITA, Mr. ISSA, Mrs. DAVIS of California, and Mr. MCKEON.

H.R. 805: Mr. CRAWFORD.

H.R. 820: Ms. SCHAKOWSKY.

H.R. 828: Mr. WENSTRUP.

H.R. 833: Mr. RICE of South Carolina.

H.R. 842: Mr. CONNOLLY.

H.R. 846: Mr. KIND, Mr. FITZPATRICK, Mr. ROKITA, Mr. RODNEY DAVIS of Illinois, Mr. NUGENT, Mr. POMPEO, and Mr. RADEL.

H.R. 850: Ms. KELLY of Illinois, Mr. SMITH of Missouri, and Mr. DOYLE.

H.R. 855: Mr. BARROW of Georgia.

H.R. 904: Mr. SIRES.

H.R. 920: Mr. FOSTER and Mr. STIVERS.

H.R. 946: Mr. MASSIE.

H.R. 961: Mr. CLAY.

H.R. 984: Mr. MICHAUD and Mr. HARRIS.

H.R. 1008: Ms. ESHOO.

H.R. 1014: Mr. CARTER and Mr. PETERSON.

H.R. 1020: Mrs. MCMORRIS RODGERS, Mr. DIAZ-BALART, and Mr. JEFFRIES.

H.R. 1024: Mr. STIVERS and Mr. GRAVES of Missouri.

H.R. 1030: Mr. HASTINGS of Florida.

H.R. 1074: Mr. CONNOLLY and Mr. STIVERS.

H.R. 1077: Mr. BISHOP of Utah.

H.R. 1130: Mr. NOLAN.

H.R. 1148: Mr. BRALEY of Iowa.

H.R. 1179: Mr. ANDREWS and Mr. CARTWRIGHT.

H.R. 1188: Mr. FORTENBERRY.

H.R. 1199: Ms. VELÁZQUEZ, Mr. PIERLUISI, Ms. FRANKEL of Florida, Ms. MENG, Ms. LORETTA SANCHEZ of California, and Mr. NOLAN.

H.R. 1201: Mr. RIBBLE.

H.R. 1205: Mr. STIVERS.

H.R. 1250: Mr. WITTMAN.

H.R. 1255: Mr. COURTNEY and Mr. DUFFY.

H.R. 1276: Mr. GERLACH, Mr. HIMES, Mr. COURTNEY, Ms. BROWNLEY of California, Mr. PETERSON, and Mr. DUNCAN of Tennessee.

H.R. 1309: Mr. BLUMENAUER.

H.R. 1317: Mr. KING of New York.

H.R. 1330: Ms. DEGETTE.

H.R. 1351: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 1384: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 1386: Mr. WENSTRUP.
H.R. 1409: Mr. GRAVES of Missouri, Mr. SHERMAN, and Mr. LOWENTHAL.
H.R. 1414: Mr. MAFFEI.
H.R. 1418: Mr. RUIZ.
H.R. 1424: Mr. RUIZ.
H.R. 1426: Mr. GEORGE MILLER of California.
H.R. 1428: Mr. WITTMAN, Mr. CAPUANO, and Mr. GUTHRIE.
H.R. 1430: Mr. AUSTIN SCOTT of Georgia.
H.R. 1465: Mr. BRALEY of Iowa.
H.R. 1507: Mr. HUFFMAN, Ms. LEE of California, and Mr. CÁRDENAS.
H.R. 1508: Mr. RANGEL.
H.R. 1557: Mrs. BUSTOS.
H.R. 1563: Mr. LUETKEMEYER, Mr. ROGERS of Michigan, Mr. CONYERS, Mr. BILIRAKIS, Mr. MORAN, and Mr. BRALEY of Iowa.
H.R. 1579: Mr. FARR and Mrs. NAPOLITANO.
H.R. 1595: Mr. JOHNSON of Georgia and Mr. CLEAVER.
H.R. 1599: Mr. POCAN, Mr. RANGEL, and Mr. CÁRDENAS.
H.R. 1623: Mr. SWALWELL of California.
H.R. 1630: Mr. MCNERNEY and Mr. FATTAH.
H.R. 1661: Mrs. DAVIS of California and Mr. ENYART.
H.R. 1666: Mr. GENE GREEN of Texas and Mr. ENGEL.
H.R. 1690: Mr. RODNEY DAVIS of Illinois.
H.R. 1692: Mr. HUFFMAN.
H.R. 1696: Mr. KILMER.
H.R. 1717: Mr. BENISHEK.
H.R. 1726: Mr. ROSKAM and Mr. FOSTER.
H.R. 1739: Mr. NEAL.
H.R. 1771: Mr. RYAN of Ohio.
H.R. 1779: Ms. SINEMA and Mr. LUCAS.
H.R. 1781: Mr. CICILLINE.
H.R. 1783: Ms. BROWN of Florida.
H.R. 1787: Mr. WITTMAN and Mr. NEAL.
H.R. 1792: Mr. KELLY of Pennsylvania.
H.R. 1814: Mr. RIBBLE, Mr. COSTA, Ms. FRANKEL of Florida, Mrs. MCCARTHY of New York, and Mr. THOMPSON of Pennsylvania.
H.R. 1816: Mrs. NEGRETE MCLEOD.
H.R. 1825: Mr. BRIDENSTINE and Mr. SMITH of Missouri.
H.R. 1827: Mr. RUPPERSBERGER.
H.R. 1830: Mr. STIVERS, Mr. PETERS of Michigan, Ms. KUSTER, and Mr. COLLINS of New York.
H.R. 1845: Mr. TAKANO.
H.R. 1851: Ms. MCCOLLUM.
H.R. 1877: Mr. LEVIN and Mr. MORAN.
H.R. 1882: Mr. NUNNELEE.
H.R. 1893: Ms. KUSTER and Mr. ENYART.
H.R. 1897: Mrs. MCMORRIS RODGERS.
H.R. 1908: Mr. NEUGEBAUER, Mr. ROKITA, and Mr. MASSIE.
H.R. 1915: Mr. MORAN.
H.R. 1916: Mr. CÁRDENAS.
H.R. 1918: Mr. LAMBORN.
H.R. 1920: Mr. COSTA, Mr. LOEBSACK, Mr. HASTINGS of Florida, and Ms. DELBENE.
H.R. 1933: Mr. CARTWRIGHT.
H.R. 1962: Mr. FRANKS of Arizona, Ms. BASS, and Mrs. CHRISTENSEN.
H.R. 1971: Mrs. MCMORRIS RODGERS and Mr. MURPHY of Pennsylvania.
H.R. 1998: Mr. RYAN of Ohio, Mr. CAPUANO, Mr. LYNCH, Mr. DEFAZIO, Ms. MCCOLLUM, Mr. PASCRELL, and Ms. BORDALLO.
H.R. 2002: Ms. MENG and Ms. SHEA-PORTER.
H.R. 2009: Mrs. MILLER of Michigan, Mr. NUGENT, Mrs. HARTZLER, Mr. FLORES, Mr. RODNEY DAVIS of Illinois, Mr. WEBER of Texas, Mr. FLEMING, Mr. GOODLATTE, Mr. LUCAS, and Mr. SIMPSON.
H.R. 2026: Mr. BACHUS and Mr. KILMER.
H.R. 2043: Mr. SCHIFF.
H.R. 2053: Mr. DIAZ-BALART.
H.R. 2059: Ms. FRANKEL of Florida, Mr. TIERNEY, and Ms. LEE of California.
H.R. 2070: Mr. GEORGE MILLER of California.
H.R. 2093: Mr. HARRIS, Mr. BARR, and Mrs. NOEM.
H.R. 2094: Mr. LOEBSACK, Mr. DOYLE, Mrs. CAPPS, Mr. SESSIONS, and, Mr. SCALISE.
H.R. 2150: Mr. WENSTRUP, Mr. RUIZ, and Mr. JOHNSON of Ohio.
H.R. 2224: Mr. LATHAM and Mr. FARR.
H.R. 2252: Mr. COFFMAN, Mr. O'ROURKE, and Mr. LYNCH.
H.R. 2288: Mr. SEAN PATRICK MALONEY of New York, Mr. CAPUANO, Ms. ESHOO, Ms. MCCOLLUM, and Ms. TSONGAS.
H.R. 2289: Mr. CUELLAR and Mr. GENE GREEN of Texas.
H.R. 2308: Ms. KAPTUR.
H.R. 2310: Mr. THOMPSON of Pennsylvania, Mr. FARR, Mr. COSTA, and Mr. POCAN.
H.R. 2328: Mr. RAHALL, Mr. STIVERS, Mr. PERLMUTTER, and Mr. GRIFFIN of Arkansas.
H.R. 2329: Mr. GUTHRIE.
H.R. 2332: Mr. GRIJALVA.
H.R. 2347: Mr. HARRIS.
H.R. 2355: Mr. FITZPATRICK.
H.R. 2368: Ms. NORTON, Ms. EDWARDS, Mr. HUFFMAN, and Mr. POLIS.
H.R. 2375: Mr. KING of Iowa, Mrs. CAPITO, Mr. HARPER, Mr. JOYCE, Mr. MCINTYRE, Mr. ROHRABACHER, Ms. SLAUGHTER, and Mr. RAHALL.
H.R. 2385: Mr. WESTMORELAND and Mr. FINCHER.
H.R. 2389: Mr. ROE of Tennessee and Mr. GINGREY of Georgia.
H.R. 2403: Mr. WILSON of South Carolina.
H.R. 2408: Mr. JONES.
H.R. 2429: Mr. DESJARLAIS, Mr. JONES, Mr. MURPHY of Pennsylvania, Mrs. ELLMERS, Mr. YODER, Mr. RADEL, Mr. COTTON, Mr. HARPER, Mr. HULTGREN, Mr. GOSAR, Mr. PITTENGER, Mr. CRENSHAW, and Ms. GRANGER.
H.R. 2446: Mr. ROYCE, Mr. COTTON, and Mr. FINCHER.
H.R. 2449: Mr. ROSKAM and Mr. RADEL.
H.R. 2453: Mr. GRIFFITH of Virginia and Mr. COFFMAN.
H.R. 2456: Mr. CHAFFETZ, Mrs. BLACKBURN, and Mr. BRIDENSTINE.
H.R. 2457: Mr. THOMPSON of California, Mr. KIND, and Ms. KUSTER.
H.R. 2472: Mr. BROUN of Georgia.
H.R. 2473: Mr. BROUN of Georgia.
H.R. 2475: Mr. MICHAUD, Ms. SCHAKOWSKY, Mr. POLIS, Ms. SLAUGHTER, Mr. VAN HOLLEN, Mr. JONES, Mr. BENTIVOLIO, and Ms. MATSUI.
H.J. Res. 47: Mr. FORTENBERRY and Mr. REED.
H. Con. Res. 4: Mr. COURTNEY.
H. Con. Res. 34: Mr. CLEAVER, Ms. GABBARD, Mr. HORSFORD, Ms. DEGETTE, Ms. KUSTER, Ms. MCCOLLUM, Mr. O'ROURKE, Ms. SINEMA, Mr. JEFFRIES, and Mr. YARMUTH.
H. Res. 30: Ms. SPEIER.
H. Res. 100: Mr. CICILLINE.
H. Res. 109: Mr. BRALEY of Iowa.
H. Res. 123: Mr. GRIJALVA.
H. Res. 131: Mr. SHERMAN, Mr. WELCH, and Ms. SINEMA.
H. Res. 188: Mr. CÁRDENAS.
H. Res. 190: Ms. BASS.
H. Res. 222: Mr. KINZINGER of Illinois, Ms. BASS, Mr. HIGGINS, Ms. MENG, Mr. SCHNEIDER, Mr. THOMPSON of Mississippi, Mr. SHERMAN, Mr. CROWLEY, Ms. MCCOLLUM, and Ms. GRANGER.
H. Res. 227: Mr. BRALEY of Iowa.
H. Res. 249: Mr. POCAN.
H. Res. 250: Mr. OLSON.
H. Res. 272: Mr. COBLE.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative GRIJALVA, or a designee, to H.R. 2231, the Offshore Energy and Jobs Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETION OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1213: Mr. POCAN.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

31. The SPEAKER presented a petition of the Town of North Berwick, relative to a Resolution memorializing the Congress to recognize the importance of the F-35 Joint Strike Fighter to Maine, the United States, and our allies; to the Committee on Armed Services.

32. Also, a petition of the Town of Stoney Point, New York, relative to a Resolution urging the Federal Emergency Management Agency to expedite the release of advisory base flood elevations for Rockland County; to the Committee on Financial Services.

33. Also, a petition of the Blount County Board of Commissioners, Tennessee, relative to Resolution No. 13-05-008 calling upon the elected officials to join in the affirmation of the rights of our citizens under the 2nd Amendment; to the Committee on the Judiciary.

34. Also, a petition of New Jersey State Federation of Women's Clubs of GFWC, New Jersey, relative to an Emergency Resolution urging the President and the Congress to enact legislation regarding gun control; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

COMMENDING CLARA ROEDL ON CELEBRATING HER 100TH BIRTHDAY

HON. TODD C. YOUNG

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. YOUNG of Indiana. Mr. Speaker, today I rise to congratulate Mrs. Clara Roedl on her upcoming 100th birthday, and to celebrate her life's devotion to her faith, family, and friends. Clara says those Three F's, along with kindness to others, are the secret to her longevity. Furthermore, I would like to thank her for being such a positive role model to her fellow Hoosiers, teaching us all a thing or two about important things in life.

As a father of four young children, I share Clara's views about faith, family, and friends, and I firmly believe these values are the cornerstone of the Hoosier mindset. She loves to tell stories of her childhood on a farm, and through them she imparts many lessons to friends and family alike about those shared values and traditions. I am truly moved by the example she sets for those around her, and I know that the community in her hometown of Nashville joins me in this sentiment.

A little more about Clara: She is the proud mother of two sons, Frank and Fred, who both have loving wives and families of their own. She also has three grandsons and two granddaughters, all of whom she loves dearly. Her commitments to family and faith go hand-in-hand: As a devout Catholic, one of her greatest pleasures comes when she is praying the Rosary with her devoted daughter-in-law, Mary Beth.

So today I commend Clara for being an outstanding Hoosier and teaching family, friends, and anyone willing to listen about how to live a long, happy, and virtuous life. I wish her only the best as she celebrates her 100th birthday, and thank her again for being a living testimony to our state's traditions and values.

RECOGNIZING MR. FRED GRETSCH

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. KINGSTON. Mr. Speaker, I rise today to congratulate Mr. Fred W. Gretsch, a nationally recognized music industry specialist and businessman, on the 130th anniversary of his family's historic business, The Gretsch Company.

Fred's great-grandfather, Friedrich Gretsch, started The Gretsch Company in 1883, making banjos, drums and tambourines in Brooklyn, New York. Over a span of 130 years, The Gretsch Company has grown into an international business and produces some of the world's finest drums and guitars.

In 1967, The Gretsch Company was sold to the Baldwin Music Company, but without the family dedication and perseverance that drove the business for so many decades, the company began to falter. Fred Gretsch repurchased his family business in 1985 and moved operations to Savannah, Georgia, where the revitalized company began to offer new, vintage-styled Gretsch guitars and classic Gretsch drums. The new products were immediately successful, and the company once again became a leader in the musical instrument industry.

Because of Mr. Gretsch's tireless dedication to his family business and the music industry, The Gretsch Company is celebrating a significant milestone that many small businesses never reach. I am happy to congratulate Mr. Fred Gretsch and his wife, Dinah, on this accomplishment.

TRIBUTE TO ROBERT AND KATHLEEN MORCIO ON THEIR 50TH WEDDING ANNIVERSARY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. HIGGINS. Mr. Speaker, I rise today to congratulate Mr. and Mrs. Robert and Kathleen Morcio, of Cheektowaga, on their 50th wedding anniversary.

The couple was wed on July 7, 1963 in a ceremony at St. Bonaventure Church in West Seneca, NY. Tim Russert, of Meet the Press fame, served as an altar boy at the wedding.

Robert and Kathleen, or Bob and Kitty as they are known, raised four children, Robert, Joseph, Ronald, and Cynthia, and now have six grandchildren: Taylor, Samantha, Michael, Adam, Ryan, and Riley. They reside in Cheektowaga and have been active members of Our Lady of Czestochowa parish for over 40 years.

Bob attended South Park High School and continued his education at Bryant & Stratton's business management program and Cornell University's management training program. After serving in the U.S. Army as a missile technician, Bob began a long career in manufacturing, working his way up the ladder from a pressman at a printing company to plant and production supervisor. Bob retired from International Imaging in 2001 as Senior Production Supervisor. He also was a volunteer fireman at Doyle Hose Company II, serving as chief for four years.

Kitty is a licensed beautician and entrepreneur. She started her own beauty shop, Coiffure de Joy, over 35 years ago in Cheektowaga. During the time her husband was a volunteer fireman, Kitty served as Vice President of the Ladies Auxiliary at the same fire company.

Mr. Speaker, it is a great honor for me to have the opportunity to offer my utmost congratulations to the Morcios and their family on this joyous occasion. I ask my colleagues to join me to acknowledge their achievement and to pass on our best wishes.

HONORING HONEY AND SOL NEIER

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. ENGEL. Mr. Speaker, Honey and Sol Neier have been members of Anshe Sholom for almost 40 years, since they moved to New Rochelle as newlyweds. They knew Anshe Sholom was a special place from their first Yom Kippur when Rabbi Philip Weinberger performed a Brit Milah on the bimah.

Honey was born and raised in the Bronx. Her father was born in Poland and moved here as a young man. Her mother was born and raised in New York. Honey was born and raised in the Bronx where she attended public schools. She graduated from Hunter College and earned her Master's Degree from New York University. She began teaching at I.S. 131 in the Bronx and after a few years became a guidance counselor.

Sol was born in Germany, the son of Holocaust survivors from Poland. He came to the United States with his parents at the age of 3, and he too grew up in the Bronx where he also attended public schools. He graduated from the Columbia University School of Pharmacy and opened the Ace Pharmacy of Riverdale. With Honey's help, he operated this well-respected family business for many years.

Honey and Sol are blessed with three children: Michelle, a doctor, and Joshua and Renee. They are extremely excited and proud for the family has been expanding. Michelle and her husband, Dr. Jonathan Schor are the parents of Juliette, 3, and Rebecca, 10 months. Renee was married last September to Jacob Reuben. Honey and Sol have been privileged to celebrate many family simchas in the shul including baby namings, a bar mitzvah and many others.

Honey and Sol have been tireless volunteers at Anshe Sholom. Honey first volunteered with the Sisterhood. She then joined the Board of Trustees, where she serves as Vice President. She has performed many tasks at the shul from arranging Kiddushim, to serving on the rabbinic search committee. Sol has been by her side throughout, accompanying her to events, supporting her many endeavors and volunteering on numerous occasions. He often joins the morning Minyanaires before heading to work for the day.

I am proud to join with Anshe Sholom in honoring Honey and Sol Neier for their many

years of helping the shul. I, the congregation and Honey and Sol look forward to many more simchas and wonderful days for Honey and Sol with the Anshe Sholom family.

PERSONAL EXPLANATION

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. KING of Iowa. Mr. Speaker, on rollcall No. 281 I inadvertently voted "yes" when I intended to vote "no." I support the underlying sugar program contained in the Farm Bill (H.R. 1947) and should have voted "no."

WELCOME, BABY NOAH ISAAC DELL

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. WILSON of South Carolina. Mr. Speaker, I am happy to congratulate former Chief of Staff of the Second District of South Carolina Eric Dell and his wife Torry Lyons Dell, upon the birth of their son. Noah Isaac Dell was brought into the world at 7:59 p.m. on Sunday, June 23, 2013, at Inova Fairfax Hospital in Falls Church, Virginia, weighing 7 pounds 13 ounces and measuring 20½ inches long. Noah is the first child for the happy couple and I look forward to watching him grow as he is raised by two tremendous parents who will be dedicated to his well-being and bright future.

I would also like to congratulate Noah's grandparents, Ouida Dell of Ridgeland, South Carolina, and Joseph and Mary Lyons, of Aiken, South Carolina. Congratulations to the entire Dell and Lyons families as they welcome their newest edition of pure pride and joy.

I am grateful for Eric Dell's service in the Washington office and also with my service in the State Senate of South Carolina.

IN RECOGNITION OF THE INVESTITURE OF PRESIDING JUDGE HERBERT E. PHIPPS

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. BISHOP of Georgia. Mr. Speaker, it is my honor and pleasure to extend my personal congratulations to a great friend and servant of humankind, Presiding Judge on the Court of Appeals of Georgia, Herbert E. Phipps. Judge Phipps will be recognized for his distinguished service and become formally invested as the 28th Chief Judge of the Court on Tuesday, June 25, 2013 at 11 a.m. at the State Judicial Building in Atlanta, Georgia.

Judge Phipps was born in Baker County, Georgia to J.W. Phipps and Marion Gadson Phipps. Attending elementary and secondary school in Baker County and graduating from Morehouse College in 1964 with a Bachelor's degree in Political Science, Judge Phipps traveled extensively in Europe and Asia and taught English at Thammasatt University and private schools in Bangkok, Thailand. In 1971, he earned a Juris Doctor degree from Case Western Reserve University School of Law and in 2004, he was awarded a Master of Laws in the Judicial Process from the University of Virginia School of Law.

In 1971, Judge Phipps returned to Albany, Georgia to practice law with famed civil rights attorney C.B. King, focusing on civil rights litigation and pursuing equal opportunity and justice for those who had been wronged on the basis of discrimination. Attorney C.B. King, for whom the Federal Courthouse in Albany is named, was not only a mentor to Judge Phipps and to me, but to countless other civil rights attorneys across the Nation. A successful attorney, strong civil rights leader, and one of the first African Americans to run for Governor of the State of Georgia, Attorney King paved the way for other African Americans such as Judge Phipps and me to serve in the elected positions we hold today. He was a bridge builder and the fruits of his labor are still seen all across our State and Nation.

Following his time with Attorney King, Judge Phipps practiced law on his own and was appointed part-time Magistrate and Associate Judge of the Dougherty County State Court in 1980. In 1995, he was appointed Judge of the Dougherty County Superior Court by Governor Zell Miller, becoming the first African-American Superior Court judge in the Dougherty Judicial Circuit, and in 1999, Governor Roy Barnes appointed him to the Court of Appeals of Georgia. Since being appointed to the Court of Appeals, Judge Phipps has been reelected statewide for three consecutive six-year terms. In April 2010, Judge Phipps became Presiding Judge of the Court of Appeals and today he will assume the position of Chief Judge.

Judge Phipps' diligent work in the community has reflected his commitment to volunteer service. In conjunction with his professional accomplishments, Judge Phipps has served on a number of boards and commissions, has been involved with many legal and professional organizations, and has received many awards for his service. He also lives a life of faith and is a longtime member of Bethel A.M.E. Church in Albany.

None of Judge Phipps' momentous accomplishments would have been possible without the enduring love and support of his wife Connie, children Herbert and India, son-in-law Will J. Epps and granddaughter Zoë Olivia Epps.

A true Georgian devoted to serving his great State, Judge Phipps embodies Georgia's state motto, "Wisdom, Justice and Moderation." I know that Judge Phipps will continue to serve our state with great honor and distinction.

Mr. Speaker, I ask my colleagues to join me in honoring Judge Herbert E. Phipps for his outstanding professional achievements and dedicated service to the people of the State of Georgia as he assumes the prestigious title of Chief Judge of the Court of Appeals of the State of Georgia.

HONORING AN OUTSTANDING WOMAN IN OUR COMMUNITY: MICHELE IANNELLO-WARD

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. HIGGINS. Mr. Speaker, today I rise in honor of Michele Iannello-Ward, an outstanding woman in our community who has had an incredibly successful career leading and taking part in many organizations for the betterment of the Western New York region.

Michele grew up in Tonawanda and graduated from Kenmore West Senior High School. She then went on to achieve great success academically as she completed her undergraduate degree, became a Certified Paralegal and a graduate of the New York State Association of Counties—Dennis Pelletier Institute.

She has dedicated many years of service to the community where she started as a two-year Trustee in the Village of Kenmore. She was then elected to the Erie County Legislator in 2006 where she had many accomplishments over her two terms.

As Legislator, Michele chaired the Community Enrichment Committee and the Green Actions Community Committee and was also a member of both the Energy and Environment and Public Safety Committees. She has made an unmatched commitment to the public and created the first and only community wide focus group with citizens, business owners and non-profit activist to assist individuals or groups with their needs within her district.

Michele was also the first elected official to support the efforts of the Clean Air Coalition where she worked hand-in-hand with the founder against Tonawanda Coke that eventually led to a successful guilty verdict.

Michele is also an active member in a number of many other organizations where her leadership has undoubtedly left a positive and long-standing impression on anyone involved. She is a member of NYS Women Inc., the Kenmore Village Improvement Society and the Romulus Women's Club. As part of the Romulus Women's Club, Michele has even chaired two major charity events to help raise money for cancer research and Loaves and Fishes.

A strong proponent and advocate of women's rights, Michele was honored by the YWCA of the Tonawandas with the Marybeth Lawton Leadership Award in 2009.

There is no doubting how lucky our community has been to have her, and how appreciative we remain that she still has an influence through her work as a Lector and Eucharistic Minister of the St. John the Baptist Church in Kenmore.

It is with great pride that I stand today to recognize the achievements of Michele Iannello-Ward, an incredibly dedicated and outstanding woman in our community.

IN HONOR OF EDWIN FALTER

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. ANDREWS. Mr. Speaker, I rise today to honor the achievements of Mr. Edwin Falter. Mr. Falter is a man who has dedicated 33 years of his life to public service.

Mr. Falter's career encompasses more than three decades of work as an engineer. He began working in the Philadelphia Naval Yard on June 9th, 1980. During his time there, he worked on power generation and electrical power equipment. In 1991, Mr. Falter began working at the Defense Contract Management Agency (DCMA) in Moorestown, NJ. He oversaw contractors working on the AEGIS combat system, focusing on evaluation of the contractors' efforts and development of the AEGIS program.

After more than a decade at the DCMA, Mr. Falter moved on to AEGIS Technical Representative. There he continued his work on the AEGIS combat system, designing and implementing Command & Control, AEGIS Display Systems, Mission Planner, and AEGIS Computing Infrastructure. His efforts improved the performance of cruisers and destroyers in the US Navy, saving lives and enabling American sailors to do their jobs more effectively. Mr. Falter's service to his country and technical skill as an engineer are traits to be commended. During his years working for the US Navy, Mr. Falter contributed to countless projects that have gone on to protect American lives.

Mr. Speaker, on behalf of the people of the First District of New Jersey, I want to thank Mr. Edwin Falter for his years of dedicated service. I stand with the people of New Jersey and the nation in applauding Mr. Falter for his work.

CELEBRATING THE NEW ABC FAMILY TELEVISION DRAMA—THE FOSTERS

HON. KAREN BASS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Ms. BASS. Mr. Speaker, today I recognize and celebrate the new ABC Family television drama—The Fosters. In its inaugural season, the new show highlights the strength, resiliency, and tenacity of foster youth and families in a compelling format.

Throughout the United States, over 408,000 children have been removed from their families and currently live in foster care. Over 107,000 youth are eligible for and are awaiting adoption. Additionally, more than 27,900 youth ''age out'' of foster care without a legal permanent connection to an adult or family. The primary goal of the foster care system is to ensure the safety and well-being of children while working to provide a safe, loving, and permanent home for each child.

The Fosters television series brings these statistics and facts to life by providing millions of people throughout the country with a powerful glimpse into the challenging reality facing foster families. By courageously depicting difficult topics like domestic violence, family separation, school instability, and mental health diagnoses, The Fosters creators help to inform the American public about the difficulties and repercussions of child abuse, neglect, and trauma.

At the same time, the show artfully portrays the love, courage, and dedication of the broad foster care community, including foster youth and parents, child welfare caseworkers and staff, biological families, and community volunteers. The Fosters series helps to highlight the simple fact that loving families help children thrive. The show has the potential to inspire people throughout the country to become foster parents, adoptive parents, mentors, advocates, and volunteers.

As the Co-Chair of the Congressional Caucus on Foster Youth, I commend creators Bradley Bredeweg and Peter Paige, Executive Producers Jennifer Lopez, Joanna Johnson, Elaine Goldsmith Thomas, Benny Medina and Greg Gugliotta, as well as the entire cast, crew, and production team for their dedication to creating a better future for our Nation's foster youth and families.

TRIBUTE TO MR. JULIUS CIACCIA OF CLEVELAND, OH, PRESIDENT OF THE NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Ms. KAPTUR. Mr. Speaker, I wish to congratulate Mr. Julius Ciaccia, Executive Director of Northeast Ohio Regional Sewer District on his election as the new President of the National Association of Clean Water Agencies, NACWA.

Mr. Ciaccia is an accomplished leader and committed environmental steward who plays a prominent role in the water industry, exemplifying what it means to be a public servant. He is ideally suited to serve as President of one of the Nation's leading proponents of responsible policies that advance clean water. Mr. Ciaccia has served the people of the Cleveland area for decades, and in his new role, will continue to ensure that Ohio's, and the Nation's clean water agencies continue to improve to protect public health and the environment.

Mr. Ciaccia began his career in public utilities in 1977 when he was appointed as Assistant Director of the Public Utilities Department for the City of Cleveland. In 1979 he took on the temporary role of Commissioner of Cleveland Water until 1981 when he assumed the role of Deputy Commissioner of Cleveland Water and eventually appointed Commissioner in 1988.

During the 25 years in the Division of Water, Mr. Ciaccia oversaw the management of over $1 billion worth of capital improvement projects and maintained the Division of Water's very favorable financial position. He was appointed Director of the city's Department of Public Utilities in 2004 and began his current role at the Northeast Ohio Regional Sewer District in November 2007.

In his current role at the District, he oversees all aspects of managing one of the nation's largest wastewater management utilities. Under his leadership, the District has received two awards from the Commission on Economic Inclusion including a 2009 award for Supplier Diversity which highlights the success of one of Mr. Ciaccia's initiatives to craft and implement a supplier inclusion program; and a 2012 award for Senior Management Inclusion, recognizing diversity of Senior Staff.

As the District's Executive Director, Mr. Ciaccia was also responsible for the recently entered consent order for a long term control plan to significantly reduce combined sewer overflows, as well as the successful development and implementation of a new Regional Stormwater Management Program. Additionally, one of Mr. Ciaccia's many accomplishments as Executive Director has been the transformation of the District's culture to one of transparency and ethical financial practices.

As member of NACWA's Board of Directors, Mr. Ciaccia has served as the Secretary, Treasurer, and Vice President. Mr. Ciaccia has selflessly shared his time, passion, energy and ideas to carry out the objectives of the Clean Water Act.

It is my sincere pleasure to congratulate Julius Ciaccia on becoming President of NACWA. I am certain his actions will ensure continued water quality progress for the Cleveland area, the State of Ohio and the Nation.

HONORING THE LIFE AND CAREER OF MR. JOSEPH DISPENZA

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. HIGGINS. Mr. Speaker, today I rise to honor the war record and accomplishments of a local military hero, Mr. Joseph Dispenza, who recently turned 92.

A resident of Cheektowaga for the vast majority of his life, Joseph Dispenza was born in Buffalo and enlisted into active service November 6, 1942. He was just 21 years of age when he became the tail gunner in the Army Air Force for a B–24 D Liberator, ''Blessed Event.''

This plane was shot down in battle by Japanese fighters over the Pacific on New Year's Day 1944, with a hole blown into the ''Blessed Event'' the size of a bathtub. Two of Joseph's ten comrades were killed. The other eight were shot from shrapnel, including Joseph. Protecting his compatriots, Joseph was courageously still able to shoot down an enemy plane before his own plane crash-landed with only one wheel remaining. The crew's chances for survival were so low that the army sent a telegram to Joseph's parents on Buffalo's West Side reporting their son's death.

Humble and quietly brave, over the next 64 years, Joseph told his incredible survival story to no one, until he saw an old issue of Look magazine which had reported the events. Joseph never even applied for his medals; his family did so for him.

Joseph deservedly was awarded the Purple Heart and Air Medal with three Oak Leaf Clusters, among other medals, though only received them recently, and this great Buffalonian, this great American, does not even see himself as a hero, deferring the label to his fallen brethren in arms.

Mr. Speaker, I thank you for allowing me a few moments to honor one of America's great defenders, who put his life and liberty on the line to protect our freedoms here at home. Joseph represents the best of American courage, humility, and strength, and with the recent celebration of Memorial Day, I am thankful for his nearly three years of service in World War II, from which he was honorably discharged, and his service for all Americans.

COMMEMORATING THE 50TH ANNIVERSARY OF ACDI/VOCA

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. GARAMENDI. Mr. Speaker, it is my great pleasure to congratulate ACDI/VOCA on the occasion of their 50th anniversary. This outstanding organization was founded in 1963 with the mission of empowering people around the world to take advantage of economic opportunities and improve quality of life for their families and communities. To this date, ACDI/VOCA continues to fulfill this mission, as they help millions of individuals and families fight their way out of poverty. Their notable accomplishments include contributing to the launch of the Green Revolution in India, strengthening Ethiopian co-ops to bring their coffee into global prominence, and pioneering grassroots financial services across the former Soviet Union. With a staff comprised of 90 percent locally-hired employees, and working through a network of over 3,000 local partner organizations, ACDI/VOCA combines the best in international development expertise with powerful grassroots capacities to implement effective programming that has a real and sustained impact. Congratulations to ACDI/VOCA President and CEO Carl H. Leonard, as well as to the esteemed members of the Board of Directors: Mortimer Neufville (Chairman), Honorable Timothy J. Penny (Vice Chairman), Deborah Atwood, Dr. G.N. Saxena, Charles F. Conner, Kurt M. Ely, Jerry Fenner, Patricia Wilkinson Garamendi, William Harris, James. K. Hoyt, R. Bruce Johnson, and David Cobb. I commend ACDI/VOCA on their history of outstanding service and am confident that they will continue to make a difference in people's lives around the world long into the future.

CONGRATULATING THE TOWN OF NEWLAND ON THEIR CENTENNIAL

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. MEADOWS. Mr. Speaker, I rise today to honor the centennial of Newland, the highest county seat in the Eastern United States, nestled along the border of Western North Carolina.

In 1911, Newland was named after North Carolina Lieutenant Governor William C. Newland, and simultaneously became the county seat for Avery County.

By March 1913, small businesses were growing and the town began to quickly develop commercially and residentially.

The town of Newland continues to be an important representative of the small-town family values and mountain culture so important to all of us in the western part of the state.

Mr. Speaker, the town of Newland is a beacon for American small business and the free enterprise system. America is a country that rewards earned success, and Newland is an example of that inspiration.

Therefore, I rise today as a Representative for the 11th District of North Carolina to congratulate the town of Newland for its overall steadfastness and perseverance displayed by its citizens.

HONORING THE PUBLIC SERVICE OF AMBASSADOR WILLIAM KENNARD

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. COSTA. Mr. Speaker, it is with great pleasure that I rise today to honor the distinguished public service of Ambassador William Kennard and recognize his vital role in reinvigorating the deep relationship between the United States and the European Union.

As the first U.S. Ambassador to the European Union to work with the institutions created by the Lisbon treaty, Mr. Kennard was instrumental in strengthening relations between the United States and a rapidly changing European Union. Ambassador Kennard has worked tirelessly to expand the economic dialogue and minimize the regulatory divide between the United States and the European Union, and his efforts were a driving force behind the decision to begin negotiations on a Transatlantic Trade and Investment Partnership that will ignite economic growth and create jobs on both sides of the Atlantic. For his work on behalf of United States business interests in Europe, Ambassador Kennard received the prestigious Transatlantic Business Award from the American Chamber of Commerce to the European Union.

Prior to his nomination as U.S. Ambassador to the European Union, Ambassador Kennard served as the chairman of the Federal Communications Commission from 1997 to 2001 where policies he shaped brought the Internet to a majority of U.S. households for the first time. In his time at the FCC, Ambassador Kennard championed programs to bridge the digital divide, such as the e-rate program which brought Internet service to 95 percent of K–12 schools and 58,000 libraries in the United States. Ambassador Kennard's commitment to expanding digital access earned him many accolades, and U.S. News and World Report called him ''a consumer champion for the digital age.''

Mr. Speaker, as Ambassador Kennard prepares to step down as U.S. Ambassador to the European Union, I ask my colleagues to join me in recognizing his exemplary public service and wishing him well as he writes the next chapter of his life. His dedication to encouraging dialogue and expanding trade will have a lasting impact on our transatlantic relations.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $16,738,602,543,527.17. We've added $6,111,725,494,550.09 to our debt in 4 and a half years. This is $6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

CONGRATULATING THE MARGARET R. PARDEE HOSPITAL ON THEIR 60TH ANNIVERSARY

HON. MARK MEADOWS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. MEADOWS. Mr. Speaker, I rise to congratulate The Margaret R. Pardee Hospital for reaching their 60th Anniversary.

Pardee Hospital has shown outstanding and ongoing contributions and service to the health and well-being of the citizens of Henderson County since 1953.

This is a tremendous milestone for our community hospital. Pardee has served area residents with an outstanding health care facility that is recognized by the nation and throughout North Carolina. Pardee is the second largest employer in Henderson County and is the only hospital in the Carolinas to earn the ISO 9001–2008 certification for quality.

Mr. Speaker, as a Representative for the 11th District of North Carolina, I am grateful for the steadfast commitment to healing and saving the lives of our citizens in Western North Carolina.

IN RECOGNITION OF PAULA RAPOSA

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. KEATING. Mr. Speaker, I rise today to recognize the distinguished career of Ms. Paula Raposa on the occasion of her retirement.

Ms. Raposa has been a vibrant fixture in her local community for over fifty years. After

arriving in Fall River from the island of Sao Miguel in 1960, Ms. Raposa got her start at a factory on Water Street. Six years later, her gift for helping others led her to a job as a teacher's aide with Fall River Public Schools. For the next 12 years, she would serve as a secretary and parental liaison for the school district's bilingual program. Ms. Raposa played a key role in guiding the next generation of Portuguese-speaking immigrants as they became acclimated to life in the United States. She later supported the Women's Center at Bristol Community College as their outreach coordinator.

In 1978, Ms. Raposa began her career with SER–Jobs for Progress as a consultant. She was soon named as the first executive director for SER's Fall River affiliate. Under Ms. Raposa's leadership, the organization proved indispensable in training residents for jobs in the local garment industry and beyond. In 1984, her efforts were recognized by President Reagan through an appointment to the Advisory Committee on Apprenticeship, a federal body devoted to economic development and the advancement of workforce trainees. At that time she was the first woman in over fifty years to be appointed to this prestigious position. SER continues to provide a range of vital services to the community, including business classes, adult English instruction, computer training, and job placement. Alumni of SER's programs have gone on to succeed in a variety of professions.

Following 35 wonderful years at the helm, Ms. Raposa will retire as executive director to spend more time with family, while still remaining active with numerous Fall River institutions. Mr. Speaker, please join me in thanking Ms. Paula Raposa for over five decades of outstanding service to southeastern Massachusetts. I ask that my colleagues join me in honoring Ms. Raposa for her countless contributions.

NESQUEHONING HOSE CO. #1

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. BARLETTA. Mr. Speaker, I rise to honor Nesquehoning Hose Co. #1 of the Borough of Nesquehoning, Pennsylvania.

Nesquehoning Hose Co. #1 was organized in 1908 and originally consisted of 50 members, a 1908 Mack truck, and a horse-drawn hose reel. Beginning in 1911, the fire company was housed at the corner of Center and School streets, also known as ''Five Points''. By 1930, the organization had grown to include 200 members and several more pieces of firefighting equipment, including a pumper and hose truck and a hook and ladder and chemical truck. In 1997, the company purchased a new building to house their equipment and ambulances.

Nesquehoning Hose Co. #1 has been instrumental in protecting the community from many devastating fires. The organization battled the fire at Heffelfinger Bakery in 1922, the blaze at the parochial school of the Sacred Heart Parish in 1929, the fire at the Kaijay Pants Company Factory in 1953, and countless home fires throughout the years. The members of this company willingly risk their own safety to assure that the people of Nesquehoning are protected from destructive fires and other disasters.

Mr. Speaker, since 1908 Nesquehoning Hose Co. #1 has worked to protect the citizens of Nesquehoning, Pennsylvania. Therefore, I commend all the personnel who have served at this fire house and congratulate them on their newest piece of a equipment, a 2012 KME 103'' Aerial Cat Ladder Truck, which will surely aid them in their mission to defend the community from future fires and other disasters.

HONORING E. GORDON GEE UPON HIS RETIREMENT FROM THE OHIO STATE UNIVERSITY

HON. PATRICK J. TIBERI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. TIBERI. Mr. Speaker, I rise today to honor and recognize Dr. E. Gordon Gee upon his retirement as president of The Ohio State University.

Expressing how much President Gee has meant to The Ohio State University and the many students and faculty who have benefitted from his unwavering commitment to higher education is an impossible task. As a graduate of Ohio State, as an admirer and as a friend of this remarkable person, it gives me great pleasure to add my personal appreciation and commendation.

For over three decades, Dr. Gee has held more university presidencies than any other American. Prior to his resumption of the presidency of Ohio State on October 1, 2007, Gee was chancellor of Vanderbilt University from 2000 to 2007 and president of Brown University from 1998 to 2000, of Ohio State from 1990 to 1998, of the University of Colorado from 1985 to 1990, and of West Virginia University from 1981 to 1985. In 2010 Time magazine rated President Gee one of the top ten college presidents in the United States.

Upon his retirement, Dr. Gee will leave behind a legacy that will permeate throughout Ohio and across the country for years to come. While he is moving on to the next phase in his life, Dr. Gee will never stop doing what he loves: inspiring students and contributing to enhancing the quality of higher education.

On behalf of the citizens of Ohio's 12th Congressional District, I would like to wish Dr. Gee the best of luck and thank him for his devotion to Ohio State, the great state of Ohio and all of the communities that have benefitted from his invaluable contributions.

RECOGNIZING MIDSHIPMAN THIRD CLASS PATRICK LIEN

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. WEBSTER of Florida. Mr. Speaker, I am pleased to take this opportunity to recognize one of our Midshipmen at the United States Naval Academy. On May 20th, 2013, Patrick Lien was the first of his class to reach the top of the Herndon Monument during the legendary ''Plebes No More'' Ceremony.

Each year the freshman class, known as ''plebes'' at the Naval Academy, will work together to climb the Herndon Monument, which is a 21-foot tall granite pillar on the service academy's campus, and replace a plebe's ''Dixie-Cup'' hat with an upperclassman's combination cover at the top. This ceremony is conducted at the end of every academic year to represent the end of a plebe's year as the lowest rank at the Naval Academy. According to the Naval Academy legend, the first plebe to reach the top of the Herndon Monument will be the first in the class to rise to the rank of Admiral. The monument is usually greased with Crisco, which makes it decidedly more difficult for the plebes to accomplish the task. The Class of 2016 was able to accomplish the task in one hour, thirty-two minutes, and forty-three seconds.

Patrick's accomplishment is a testament to his perseverance, and commitment to his fellow Midshipmen. Both of these qualities are crucial components of an effective officer in our armed forces.

As Patrick continues to develop into a future military officer, I would like to thank him for his service to our country and for representing the great people of Central Florida at the prestigious United States Naval Academy. I also wish him well in his future academic, athletic and military pursuits.

The United States Naval Academy is fortunate to have such an outstanding midshipman at their institution. I applaud Patrick Lien on his continued service at the United States Naval Academy and to the citizens of the United States of America. His commitment to excellence, leadership and service is to be admired, and may it inspire others to follow in his footsteps.

PERSONAL EXPLANATION

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. GEORGE MILLER of California. Mr. Speaker, I was unavoidably detained on Thursday, June 20th and missed Roll No. 282. Had I been present, I would have voted ''yea.''

CELEBRATING VIOLA CONDO

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to celebrate Viola Condo of West Palm Beach, Florida, who turns 100 years old on July 7, 2013.

Viola immigrated to this country from Italy in 1920, when she was 7 years old, and she has lived in the Sunshine Park Community of West Palm Beach since 1976. A member of Saint Juliana's Parish Church, Viola is active in the community. She still sings with the Church Choir. She has also knitted 526 children's sweaters for World Vision, an organization dedicated to reducing world poverty and hunger.

Viola is truly an exceptional woman whom I am proud to represent in Florida's 22nd District. I know I join with her friends and family in celebrating this wonderful milestone. I wish her good health and continued success in the coming year.

A TRIBUTE TO NORWOOD ''WOODY'' OLMSTED

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. LATHAM. Mr. Speaker, I rise today to recognize the retirement of U.S. Citizenship and Immigration Services Congressional Liaison Specialist Norwood ''Woody'' Olmsted. Mr. Olmsted has served his country honorably through his 31 years with the USCIS and will bring his career to a close on June 28, 2013.

Originally a high school music teacher for 18 years, Woody began his career with the Immigration and Naturalization Service as an Immigration Inspector in Maine before being transferred to the Los Angeles International Airport. In Los Angeles he was ultimately promoted to managing the congressional unit for the district office until 1988 when he relocated to our nation's capital.

In his current role, Woody has assisted numerous high-profile and time sensitive requests with a renowned professionalism and urgency. His deep knowledge for immigration laws and regulations has truly changed the lives of countless legal residents and naturalized citizens and his exemplary efforts have earned him numerous awards and accolades from Members of Congress.

Mr. Speaker, throughout his memorable career, Woody has never wavered in his commitment to serving his country. While Mr. Olmsted's expertise and experience are sure to be missed, he leaves behind a grateful nation and an excellent example of government service for which to strive. I wish Woody a long, happy and healthy retirement as he begins a new chapter in his life.

RECOGNIZING JALEN JOHNSON

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. WEBSTER of Florida. Mr. Speaker, I am pleased to recognize Jalen Johnson of Clermont, Florida, on his acceptance to attend a People to People World Leadership Forum in Washington, DC, this week.

The People to People Leadership Ambassadors program brings together middle and high school students from over 140 countries and offers unique, hands-on educational experiences that prepare students to assume the mantle of leadership in the future. While in Washington, DC, students will participate in daily educational activities constructed around a leadership development focused curriculum to assist students in identifying and applying their personal leadership style.

To be selected for a People to People World Leadership Forum, Jalen has demonstrated the requirements of academic excellence, leadership potential and exemplary citizenship. His commitment of his time and dedication to his education and future is outstanding. I wish the best for Jalen as he continues to apply his dedication toward even higher pursuits.

On behalf of the citizens of Central Florida, I am pleased to congratulate Jalen on his acceptance to a People to People World Leadership Forum this summer. May his hard work and steadfastness inspire others to follow in his footsteps.

CITIZENS RAISE AWARENESS OF GENOCIDE THROUGH THE ONE MILLION BONES DEMONSTRATION

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. CONNOLLY. Mr. Speaker, earlier this month, residents from across the country participated in the One Million Bones demonstration on the National Mall to raise awareness about the acts of genocide and mass atrocities in Africa and the Middle East. Many of the participants visited with their respective Congressional offices, and I am pleased to enter into the CONGRESSIONAL RECORD a statement on behalf of the Virginia constituents who met with staff from my office.

We the House of Representatives resolve that:

In support of the One Million Bones efforts to raise awareness of on-going genocides and mass atrocities in the world today;

Consistent with the UN's having defined genocide as ''Any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life, calculated to bring about physical destruction in whole or in part; imposing measures intended to prevent births within a group; [and] forcibly transferring children of the group to another group;''

In remembrance of the lives lost in past acts of genocide including the genocides in Nazi Germany, Rwanda, and Sudan in which:

The Holocaust was an act of genocide by Nazi Germany to eradicate Non-Aryan population during World War II in which 11 million people were killed;

The civil war in Rwanda from April 6, 1994, to July 16, 1994, in which acts of genocide were committed by extremist Hutus through the militia, the Interhamawe, and the government army against Tutsis, moderate Hutus, and the Twa in which over 1 million people were killed;

The events in Sudan from 2003 to present have involved acts of genocide by the Muslim Arab Sudanese against the Muslim black Sudanese through the Janjaweed militia and the Sudanese army in which 6 million people were killed before 2003 and since then an additional 400,000 have died.

Resolved that we—

1. view all human beings as equals no matter their nationality, ethnicity, race, or religion;

2. recognize these events as genocide and condemn them as such

3. urge all Members of Congress to condemn those responsible for the acts of genocide from occurring;

4. will continue to work with the One Million Bones project to educate all people on the horrors of genocide and to prevent any future acts of genocide from occurring

5. will take action through available means to prevent future acts of genocide from occurring.

RECOGNIZING THE VOLUNTEERS FOR THE BEACON FOR ADULT LITERACY PROGRAM

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the volunteers for the BEACON for Adult Literacy Program.

BEACON for Adult Literacy is an award-winning non-profit which has proudly served the adult literacy needs of the Northern Virginia community for 20 years. In its first year, BEACON served 30 learners; today BEACON serves over 400 adults a year who are seeking to improve their self-sufficiency and financial security through proficiency in English. Over 4,000 low-income non-native Americans have gained English-language literacy skills over the past two decades.

It is my honor to enter into the CONGRESSIONAL RECORD the names of the volunteers for the BEACON for Adult Literacy Program:

Joan Appleton-Costanza, Brenda Baldwin, Cathy Banks, Brian Bell, Misha Benjamin, Jada Booth, Jenna Booth, Robert Brown, Martisa Brown, Skip Brown, Cari Carter, Bonnie Cipriano, Bill Cratty, Corinne DeGrazia, Brion Elliott, Jeanne Endrikat, Andy Getachew, Angie Gilbert, Walter Godlewski, Sally Harrison, Henry Hastings, Pat Hodgdon,

Sonya Jacobs, Sue Kang-Blosjo, Richard MacIntyre, Gary McCoy, Sheridan McGlothin, Gary McGuire, Donna McNeally, Patrick McNeally, Bob Mechler, Martha Muirhead, Nancy Nelson, Cheryl Parrish, Ed Prendergast, Molly Rickard, Lianetta Ruettgers, Pat Russell, Rosanne Schubring, Talisha Shine, An Slaubaugh, Armena Springs, Robert Stinson, Gene Strausbaugh, Kelley Studholme, Ruth Thomas, Stephanie Timm, Cornelia Touzinsky, Bill Tyler, Rhonda Vanover, Venkat Viswanathan, Martha Walsh, Anne Walsh, Caroline Wilson.

Mr. Speaker, I ask that my colleagues join me in commending the volunteers of the BEACON for Adult Literacy Program and in thanking them for their dedication to literacy in our community.

H.R. 1960—NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Ms. MCCOLLUM. Mr. Speaker, I am deeply disappointed that I must rise in opposition to H.R. 1960, the FY14 Defense Authorization Act. America's men and women in uniform deserve, and Congress must pass, legislation that provides them with the resources they need to preserve our national security. Unfortunately, this bill does not reflect the range of 21st-Century threats the United States must prepare for, nor does it reflect the urgent fiscal crisis this Congress must address. What this $638 billion defense bill does reflect, however, are misplaced priorities.

Due to sequestration, Congress has been forced to impose deep cuts to programs all across our Federal government, including many aimed at protecting vulnerable seniors and children from economic hardship. Moreover, the across-the-board cuts will have an adverse impact on our military readiness due to the furloughs of critical defense personnel. These misguided fiscal policies have already had a real and severe impact on American families.

With every sector of the government being downsized, it is fundamentally unfair that the bill before us today still authorizes billions of dollars in wasteful Pentagon programs. One prime example of this is the National Guard's ongoing spending spree on World Wide Wrestling and motor sports sponsorships. I offered an amendment to stop this waste of precious taxpayer dollars, but unfortunately, the Majority of House Republicans refused to support it. Authorizing $54 million on sports sponsorships that have not been proven to work shows that this Congress is addicted to spending that directly benefits special interests like NASCAR. At a time when the Pentagon plans to reduce the number of troops and issue furloughs, this is simply unacceptable.

Mr. Speaker, there are several positive provisions of this bill that I do support, including the continuance of DOD clean energy programs, lifting restrictions on servicewomen's access to reproductive health care, and preventing increases in new TRICARE fees. I am also pleased that the bill includes some provisions to address the crisis of sexual assaults in the military. For example, it strips commanding officers of their unilateral authority to change or dismiss a court-martial conviction and requires that service members found guilty of sexual offenses be dismissed or dishonorably discharged. Lastly, it provides legal assistance to victims of sex-related offenses. Unfortunately, the underlying legislation contains too much wasteful spending and does not include several important amendments aimed at correcting the abuses to our civil liberties contained in previous Defense Authorization bills, most notably those related to Guantanamo Bay prison and indefinite detention.

One of our primary objectives today is to provide the resources and policy guidance necessary to protect our nation, while upholding the civil rights enshrined in the Constitution. Moreover, we must exercise fiscal responsibility by making certain that every dollar we authorize today contributes to our national defense. The rejection of my common-sense amendment demonstrates that H.R. 1960 fails to meet that goal. It is time for tough choices and smart cuts that save taxpayer dollars, even at the Pentagon. Wasteful and excessive Pentagon spending is no longer acceptable as low income families, seniors, and disabled Americans to go without the critical services.

I urge my colleagues to oppose this legislation.

RECOGNIZING THE VOLUNTEERS FOR THE PRINCE WILLIAM BOARD OF COUNTY SUPERVISORS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the individuals who volunteer in the member offices of the Prince William Board of County Supervisors.

The Prince William Board of County Supervisors is composed of eight elected members responsible for the effective and efficient administration of county government. Four of the eight supervisors, Pete Candland, John D. Jenkins, Frank J. Principi, and Chairman Corey A. Stewart have enlisted the help of local citizens to support the activities of their member offices. The volunteers who are being recognized today assist the Supervisors in their service to the citizens of Prince William County. These volunteers play active roles on local boards and commissions, provide administrative support and help plan civic events.

It is my honor to enter into the CONGRESSIONAL RECORD the names of the volunteers for the Prince William Board of County Supervisors:

Scott Abell, Al Alborn, Debi Alexander, Janelle Anderson, Debbie Andrew, Fran Arnold, Jeff Bergman, John Brenkus, Dominick Brognano, Chris Browning, Janice Carr, Ashley Cavossa, Dave Christiansen, Barry Cline, Fay Cochran, Jim Cornwell, James Cumming, Steve Dawson, Betty Duley, Wayne Ernst, Sheila Falsetti, Jake Frank, William Gerald, Caye Glaze, John S. Gray, Mac Haddow, Scott Helberg, Jennifer Hicks, Mike High, Jenn Hoskins, Sandy Iasiello, Heidi Keller, Allison Kipp, Shawn Landry, Bill Latham, Vito Losardo, Jr., Anthony Lukeman, Frank Maresca, Duane Martin, Andrew Maurer, Nick Mazzarella, George McClaugherty, Steve Merkli, Don Metzger, Jason Miller, Ron Montagna, Charmain Moorhead, Wayne Murphy, Ward Nickisch, Melvin Padgett, Dianne Raulston, Charlie Rigby III, Mary Jo Rigby, Susan Rudolph, Sandi Sale, Marti Sanregret, Dick Schneider, Chester Smith, John Sweeney, Judy Tan, Ron Turner, Laird Walker, Jennifer Wall, Bill Walsh, Jimmy Walters, Scott Weible, Ken Weinzapfel, James Carter Wiley, Kisha Wilson-Sogunro, Jane Wyman, Eric Young.

Mr. Speaker, I ask that my colleagues join me in commending and thanking these volunteers for their efforts in aiding and supporting our local Supervisors. The work done by these volunteers serves as a bridge between our elected officials and local citizens that ought to be recognized appreciated and maintained.

RECOGNIZING THE VOLUNTEERS FOR THE CITY OF MANASSAS COMMUNITY EMERGENCY RESPONSE TEAM

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the volunteers with the City of Manassas Community Emergency Response Team.

When disaster strikes and individuals are at risk to imminent threats, Prince William County first responders who provide fire and medical services may be unable to meet the demand for their services. People could be forced to rely on one another to meet the immediate needs for lifesaving and life sustaining measures. The City of Manassas Community Emergency Response Team (C.E.R.T.) volunteers take a positive and realistic approach to such circumstances. When the number of victims, communication failures, and road blockages prevent individuals from accessing emergency services, C.E.R.T. volunteers will be there to fulfill a vital need. Through training, C.E.R.T. volunteers can manage utilities, put out fires, control bleeding, treat for shock, search for and rescue victims safely, and organize themselves and spontaneous volunteers to be effective in a time of crisis.

It is my honor to enter into the CONGRESSIONAL RECORD the names of the volunteers with the City of Manassas C.E.R.T.:

Donna Bellow, Antonisha Bennett, David Bruce, Debby Bruce, Steve Bryant, Justin Burns, Laura Campbell, Brian Chase, Catherine Colon, David Core, Melinda Core, Shirley Cox, Amanda Cruise, Mary Dellinger, Lisa Evans, Arleen Green, Adrienne Helms, Robert Keller, Boniat Long-Maddox, Marcus Lower, Brian Maceyak, Gerald Manley, Donna McDonald, Thomas McDonald, Megan

McHugh, Irma Mejia-Lewis, Mike Nealey, Chad Ostergren, Zach Ostergren, Wayne Phillips, Robert Punihaole, Tracy Reed, Nicole Robinson, Sean Ryan, Manoj Sapre, Satinder Sodhi, Denise Villamar, Lawrence Warkentien, Barbara Warren

Mr. Speaker, I ask that my colleagues join me in commending the volunteers of the City of Manassas C.E.R.T. for managing a citizen-based disaster response and providing the community with a vital lifeline in emergency situations.

RECOGNIZING THE PRINCE WILLIAM COUNTY DEPARTMENT OF SOCIAL SERVICES AND ITS VOLUNTEERS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the Prince William County Department of Social Services and its volunteers who help provide a social safety net for those individuals and families who find themselves in a time of need or uncertainty.

The Prince William County Department of Social Services works to enhance the quality of life for individuals and families with programs that help them cope in moments of personal crisis and develop skills for self-sufficiency. The Department strengthens the social and economic well-being of county citizens by administering programs such as Child and Adult Protective Services, Supplemental Nutrition Assistance Program, Medicaid, and temporary assistance to families in need. The Department of Social Services employs a committed professional staff with credentials in social work, employment counseling and career planning, criminal justice, and information technology. Volunteers supplement the work done by the staff with outreach and administrative support.

It is my honor to enter into the CONGRESSIONAL RECORD the names of the volunteers for the Prince William County Department of Social Services: Sharon Clerkin, Cynthia Fiattor, Yolanda Miles, and Saul Svarz.

Mr. Speaker, I ask that my colleagues join me in commending these individuals for their service and in thanking them for their dedication to our community. The Department of Social Services fulfills our commitment to individuals and families in a time of need. It is a vital community resource and helping hand whose reach is extended by volunteer support.

INTRODUCTION OF THE NURSE AND HEALTH CARE WORKER PROTECTION ACT OF 2013

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. CONYERS. Mr. Speaker, I rise today to introduce the Nurse and Health Care Worker Protection Act of 2013, on behalf of myself and my colleague, Mr. GEORGE MILLER of California. This legislation provides important protections to nurses, nursing aides, and other health care workers who face frighteningly high rates of injury due to unsafe patient handling practices. In 2011, nurses had the fifth highest rate of musculoskeletal disorders of any profession; nursing aides were number one.

However, this does not have to be the case. Modern technology, in the form of mechanical lifts and other assistive devices, makes the manual lifting and moving of patients mostly obsolete. My bill would require the Occupational Safety and Health Administration to promulgate a standard to protect health care workers from the some 36,000 severe injuries they suffer each year.

In creating a federal standard to protect nurses, we will be joining health care facilities across the nation, and a number of states—such as Texas and California—who have passed similar legislation and seen dramatic savings as a result, mostly in the form of lower workers compensation and health care costs.

I urge my colleagues to cosponsor this bill and join me in making health care workers and patient safety a priority.

RECOGNIZING THE VOLUNTEER PRINCE WILLIAM DISASTER & CITIZEN CORPS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the Volunteer Prince William Disaster & Citizen Corps.

In the event of an emergency, the Volunteer Prince William Disaster & Citizen Corps respond to disasters by supporting administrative activities, caring for household pets and shoveling snow. The program volunteers are always at the ready. They give selflessly of their time and energy whenever they are called. The volunteers are the unsung heroes, quietly working behind the scenes while vital services are provided to those in a severe moment of need.

It is my honor to enter into the CONGRESSIONAL RECORD the names for the Volunteer Prince William Disaster & Citizen Corps:

Yolanda Adam, Asya Allen, Victoria Berry, Judson Bireley, Nancy Bireley, Lynsay Campbell, Yasmin Griffin, Domonique Guimond, Natalie Hockaday, Chloe Johnson, Robert Keller, Calayna Lane, David Lane, Cayla LesPierre, Da'Neisha Ligon, Karen Lyle, Connie Moser, Raquel Murray, Nancy Neeper, Ralph Neeper, Ta'Nique Pete, Trish Redmond, Shekinah Sledge, Takiyah Stovall, Tabitha Turman

Mr. Speaker, I ask that my colleagues join me in commending the Volunteer Prince William Disaster & Citizen Corps for their service and in thanking them for their dedication to disaster response in our community.

RECOGNIZING THE VOLUNTEERS FOR THE GREATER PRINCE WILLIAM MEDICAL RESERVE CORPS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the volunteers for the Greater Prince William Medical Reserve Corps.

The Greater Prince William Medical Reserve Corps (GPWMRC) is a cadre of volunteer health care professionals and community members trained to respond to emergencies and assist with public health events in Prince William County and the cities of Manassas and Manassas Park. This unit is one of approximately 800 units that are part of the national Medical Reserve Corps program under the direction of the Office of the U.S. Surgeon General and 1 of 31 such units in the Commonwealth of Virginia. GPWMRC volunteers frequently provide important health services at events such as health fairs, vaccination clinics and large public gatherings. Volunteers also spend time attending trainings and exercises to remain prepared to help the community during an emergency.

It is my honor to enter into the CONGRESSIONAL RECORD the names of the volunteers for the Greater Prince William Medical Reserve Corps:

Lisa Adcock, Maria Gracia Agra, Bethany Alexander, Diane Ameen, Vickie Andrews, Jennifer Andricosky, Doreen Anguay, Mary Anim-Twum, Evelyn Ansah-Agyei, Pilar Arroyo, Patrick Ashley, Andrea Asimeng, Patricia Ayala-Tipmongkol, Rochelle Baker, Heather Baldwin, Valerie Bampoe, Hassan Bangura, Acasia Barrett, Debra Beasley, Harry Beaver, Charlotte Bediako, Stephanie Beeman, Gina Bellamy, Antonisha Bennett, Mary Black, Anke Blaine, Diondra Blyden, Sarah Boughman, Erica Bouling.

Celeste Bowen, Kathy Bowman, Linda Bradish, Eve Brandon, Tetyana Breus-Smith, Susan Brewer, Freda Briggman, Eileen Brown, Josh Brown, Pamela Brown, Alisa Bruce, David Bruce, Deborah Bruce, Robert Bruce, Sam Bruce, Stephen Brunelle, Erika Buccellato, Brian Buccellato, Sheila Buhl, Lacey Burnside, Gail Bush, Tina Bush, Sharon Campagna, Joyce Campbell, Donald Campbell, Kathryn Cantoni, Shuiping Carpenter, Antonetta Carter, Rachel Carter, Tanya Carter, Stephen Chan, Racquel Charles-Hinds, Gabriella Chimenz, Carolyn Claybrooks, Barbara Claybrooks, Jeffrey Cobb.

Kathy Cobb, Susanne Coffineau, Leigh Colbert, Larry Colby, Mary Cole, Nancy Collins, Debbie Constable, Judy Corcoran, Sonia Coughlin, Marguerite Crozier, Franklin Crozier, Lisa Cullom, Ruth Cunningham, Jack Cunningham, Hannah Cutts, Valerie Cyrus, Cynthia Daffan, Theresa Dailey, Estelle Daniels, Tele Dasilveira, Molly Davis, Annette Davis, Jessie Davis, Monique Davis, Brian Davis, Faduma Deghill, Tyanne Delaney, Patricia Demain, Mary Dessimoz, Joseph Dibisceglie, Kalima Drga Abreu, Douglas Dulaney, Diane Eldridge, Blossom Ellicott, Connie Embrey, Gloria Ephraim, Amy Escherich, Bernadette Espy, Erica Etienne,

Blanche Evans-Stewart, Daniel Ferrell, Cheryl Flesch, Carla Flores, Karen Flowers, Adrienne Foose, Sandra Francis.

Tera Frazier, Rannveig Fredheim, Victoria Gammon, Bianca Garcia, Rhonda Garrett, Barbara Gass, Fil Beth Gatmaitan, Rachel Gibson, Aurea Goodwin, Asher Grady, Miguel Granillo, Suzanne Graves, Donna Grey, Masako Griffith, Brenda Grimes, Valentina Grozdanic, Mary Gueriera, Shirley Haas, Margaret Hall, Irene Hamblen, Jeff Hamilton, Karen Hamilton, Alisha Hand, Barbara Happ, Erika Harris, Pam Hart, Tammy Hartzler, Margaret Hayes, Carol Heddleston, Ashley Herndon, Monica Hesham, Shenna Hess.

Melissa Hinson, Jenny Ho, Kathryn Hoepker, Elizabeth Hoitt, Christina Holcomb, Amanda Holdaway, D'ivonne Holman, Jennifer Hoskins, Joan Howard, Gary Huntzinger, Miwa Hwang, Dawn Isherwood, Mark Jackman, Dorothy Jacobs, Kadija Jalloh, Rosa Lee Jarvis, Jenaya Johnson, Kimberly Johnson, Annie Johnson, Jennifer Jones, Lucinda Jones, Fatmata Kamara, Melanie Kaminski, Hye Kang, Shantharama Karanth, Jane Keady, Katherine Ketchum, Stephanie Keyes, SueKim, Melinda Kinnear, Jonathan Kiser.

Elizabeth Koren, Gifty Kotey, Sheila Kronenberg, Esther Krukar, Hawa Kun, Cecilia Kusi, Denise Kuszewski, Janiece Lacy, Hope Laingen, Iris Lamptey, Grace Langebeck, Susan Leferson, Blake Leggett, Brunette Lewis, Eileen Loving, Tasha Lowery, Nghi Lu-Tran, Joyce Lund, Theresa Malizia, Beatrice Manana, Linda Manley, Gerald Manley, Diana Mann, Michael Mantyla, Rachel Marconett, Traci Marin, Mark Mason, Marsha Mason, Iris Matos, Kelly Matthews, Danielle Matwijec, Jessica Maybar, Catherine Mcandrew-Baxter, Kamil Mcclain, Cari Mcclurkin, Marianne Mccool, Cyndi Mccool, Pamela Mcgrath.

Megan Mchugh, Cary Mcmahon, Cathleen Mcneal, John Meehan, Cynthia Mendel, Rebecca Merkli, Judy Merring, Ryan Metz, Debbie Midkiff, Evan Midkiff, Timothy Miner, Celia Miner, Mary Minter, Heather Miranda, Karen Mitchell, Emerita Mogrovejo, Esther Moniba, Marshaune Montes, Virginia Morales, Troy Morton, Chrystal Morton, Cynthia Mosier, Alexis Munguia, Jennifer Murphy, Lisa Murray, Margaret Nee, Ralph Neeper, Nancy Neeper, Rodney Nelson, Julie Nicoletti, Nancy Norris, Philip Nuar, Lawrence Ofosuhene, Juanita Oliver, Janet Ours, Sarah Paciulli, Nina Palmateer, Felecia Parker, Dipti Patel, Paul Patterson, Maria Patterson, Marie E. Pollard, Jose Quinones, Anthony Rademacher, Loretta Rademacher.

Brenda Randall, Isaac Randall, Renee Ray, Rhoda Restauro, Dianne Rice, Teresa Rice, Thomas Richards, James Richey, Mark Rivera, Melissa Rivera, Sandy Rivers, Kristi Robinson, Donna Robinson, Kimberly Rorig, Sheila Rosinski, Joan Roxbury, Sherry Russell, Julie Russell, Kelly Russell, Ron Russell, Bruce Sabol, Joann Saenz, Mary Saimon, Jo Sylvia Salmon, Yvette Sandoval, Donald Sauer, Michelle Schuller, Catherine Schumacher, Susan Scott, Karin Seidel-Hernandez, Shashi Sharma, Shekhar Sharma, Anne Shaw, Kathleen Shay, Buffie Simmons, Tiffany Sisk, Carrie Slavens, Zondra Smith, Kathleen Smith Peters, Bette Sneed, Tonya Springer, Carrie Stempler, Bobbi Steneck, Jane Stottlemyer, Anne Stross.

Kamar Sumrall, Sacha Taylor, Kara Tennant, Esther Thompson, Shelley Tibbs, Cecile Towler, Olivia Twyman, Raquel Upshur, Eileen Vassallo, Edgar Vega, Susana Vega, Maria Vermejo, Kristina Vi, Aida Vicencio, Karen Villar, Amy Vincent, Danielle Vinyard, Esther Walden, Wanda Walter, Valecia Washington, Valerie Watkins, Margaret Watkins, Cynthia Watson, Barbara Weddel, Shalanda Weems, Eduardo Wenger, Gail West, Mary Weybright, Leotha Wilkins, Siewadaye Williams, Collis Williams, Rhondra Willis, Kathryn Willis, Laura Wisch, Gladys Wise, Samantha Withers, Todd Wolfe, Reeza Woode, Natalie Woods, Andrea Young, Ellen Zamaria.

Mr. Speaker, I ask that my colleagues join me in commending the volunteers of the Greater Prince William Medical Reserve Corps for their service and in thanking them for their dedication to public health and disaster response in our community.

A HERO, WHO WOULD NOT CHANGE A THING IN HONOR OF LANCE CORPORAL TIMOTHY DONLEY 1ST BATTALION 8TH MARINES THE UNITED STATES MARINE CORPS

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. FITZPATRICK. Mr. Speaker, today I rise to honor one of Pennsylvania's brightest sons from Telford Montgomery County, Lance Corporal Timothy Donley of 1st Battalion 8th Marines. On February 9th, 2012 while out on patrol, an IED explosion nearly cost him his life. After receiving 68 units of blood on the first night, it took a month before they knew if he would live or die. In six months Tim has come so far and so fast with the help of his family to inspire him and support him. His parents, Gregg and Kathryn, are missionaries. Tim is a bright light, and anyone who spends time with him will be inspired. He is also a very talented singer and has performed recently with Yo-Yo Ma at The Kennedy Center in Washington. In honor of his service to our Nation and his courage, I submit this poem penned in his honor by Albert Caswell.

A HERO, WHO WOULD NOT CHANGE A THING

You can climb mountains!
And You can swim the seas!
You can go off to war and hunt down enemies!
And You can cheat death!
And You come back home and start all over again you Marine!
And You can lose your legs and still walk taller then me!
And You can sing on a stage at The Kennedy!
And You can show Yo-Yo Ma what a hero so can be!
And You can wear so proudly those most magnificent shades of green!
And You can be one of the few, a United States Marine!
And You are everything that Superman so wishes he could be!
And You can beat pain!
And You can beat heartache!
And You can beat death!
And You can start all over again!
You can jump out of helo's with your brothers so courageously!
And You can walk bravely through a field of IED's!
And You can run through a hail bullets to pursue the enemy!
Because you're a Hero and a Champion,
''who would not change a thing'' . . . so indeed!
In war,
in all of those moments that which magnificence so brings!
On battlefields of honor where valiant hearts so bravely do sing!
All in those moments between life and death,
All in what a Hero so brings!
That only the most heroic of heart's can so endure such things!
Which are all so written with such magnificent lyrics, that they so sing!
That which say so-so much more that just about any old thing!
And that's what you've so composed Tim,
to be sung all in your most heroic being!
That which so sings all about your fine life and what it means!
A real tour de force which so shines as bright as anything!
That which you have so written to so inspire all beings!
To so lift up the hearts of all those in need!
When lying at death's door while you so began to bleed!
Clinging to life and fighting off death,
with the kind of courage that you would so need!
As when you so looked down,
as below you nothing you so found!
As you so found the courage to change course all at speed!
And be The Hero, that today we all so see!
As you never gave up!
And you never gave in!
As all in your tears,
you so wrote your life's lyrics my friend!
To Be a Champion and a Hero so to begin!
As somehow you moved out of all of that darkness so then!
To so accept God's Will,
from somewhere deep down within!
To be the kind of Hero,
who to Heaven we will send!
As from your most heroic lips,
these beautiful words of steel you'd begin!
''I . . .''
''I would not change a thing!''
As somehow Tim,
accepting God's Will in your new journey you could so conquer anything!
As your words to our hearts Tim, the tears do so bring!
As The Pride of Pennsylvania,
all out in front like the Liberty Bell with such inspiration you ring!
And from that first day on . . .
deep down inside of your most heroic heart what was born!
As something,
of such beauty and grace was so formed!
As your undying faith,
so helped you to so find your way to move on!
All with your amazing grace so very warm!
As we so see that bright smile upon your face which is now so worn!
As you so began and so won your own private war!
And with each new step Tim that you would so take!
You made the Angel's up in Heaven, hearts so break!
Yes it's clear Tim,
that one day Heaven for you so all awaits!
But for now,

as an America Hero you so have your place!
For some people are but put upon this earth,
who but all must so face!
So face the worst,
out on each new day!
To so inspire us all out on our ways!
To So Teach Us!
To So Beseech Us!
To So Reach Us!
To So Show Us All What So Comes First!
Oh But To Be A United States Marine!
And to so serve our Country,
and our Lord as we have in you all seen!
For in the end,
most people but live their lives but in such regret!
Realizing, that behind them nothing they have so left!
But real Heroes,
so bravely march off to God's Will accept!
To be a Champion and a Hero,
standing heads all above the rest!
For Tim, you and your most courageous family . . .
Have this our nation have so blessed!
And if I ever have a son,
I'd wish he could be like you this one!
Who so lives his most courageous life without any regret!
Just a young man,
and already you've done more than most of us ever will or so can!
And yet Tim up ahead,
but lies the best yet so to come!
For God has his special plans for you, my Son!
And for all of those who so his Will so graciously except,
as thy will be done!
For Tim,
your courage and your undying faith,
shines so bright out on everyone on your way!
''I would not change a thing!''
And for the rest of my life,
your words in my heart I will sing!
Ooh Rah Jar Head,
oh what to our world your bright future will so bring!
''I WOULD NOT CHANGE A THING!''

RECOGNIZING THE 2012 GREEN COMMUNITY AWARD WINNERS IN PRINCE WILLIAM COUNTY

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the winners of the 2013 Green Community Awards in Prince William County.

Green Guiding Committee of Prince William County annually awards people and organizations for promoting green community projects and environmentally sustainable practices. Each of this year's winners has tackled an environmental issue in their area that presents a larger environmental problem. The Green Community Awards are the highest honor for environmental service in Prince William County, and this year's winners exemplify the dedication required to keep our community green.

It is my honor to enter into the CONGRESSIONAL RECORD the winners of the 2013 Green Community Awards:

PNC Bank, Potomac Town Center for its dedication to reducing its corporate impact on the environment through recycling and waste reduction practices, customer service for green banking opportunities, green construction of their facilities and infrastructure, and generous donations to raise environmental awareness in Prince William County.

Jess Hruska and Rich Smith for sponsoring the Stonewall Jackson High School ecology club for eight years.

Leesylvania State Park staff and volunteers for their concerted effort to implement, expand, and improve community projects at Leesylvania State Park.

Don Peschka for volunteering over 1,458 hours to environmental education and leadership and responding to 3840 requests for help from community members as a Prince William Master Gardner.

Girl Scout Troop 5285 for helping with several special events and conservation projects as Youth Ambassadors for the Environment.

Linda Gosnell for her ongoing efforts with projects and programs to create, restore, clean and preserve access to natural areas in the Neabsco District in Prince William County.

David Sarr for his diligent efforts in assisting the Youth Ambassadors with a tree planting project along Bull Run Creek at Ben Lomond Park in April of 2012 and 2013 and assisting in the coordination and recruiting of additional volunteers.

Mr. Speaker, I ask that my colleagues join me in commending the winners of the 2013 Green Community Awards and in thanking them for their dedication to environmentally sustainable practices and projects in our community.

RECOGNIZING THE VOLUNTEERS FOR HABITAT FOR HUMANITY OF PRINCE WILLIAM COUNTY, MANASSAS AND MANASSAS PARK

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the volunteers for Habitat for Humanity of Prince William County, Manassas and Manassas Park.

Habitat for Humanity seeks to eliminate poverty housing and to make decent shelter a matter of conscience and action. Habitat invites people from all walks of life and faiths to work together in partnership to build and repair houses with families in need through their Neighborhood Revitalization Initiatives: New Construction, Home Rehabs, Home Repairs and the Habitat Restore. Home repairs consist of A Brush with Kindness, Weatherization, Critical Home Repairs and Critical Home Repairs for Veterans. None of their work is possible without the funding and time that their donors and volunteers give so generously. 496 volunteers donated more than 8,976 hours in 2012 and twelve of those volunteers individually donated more than 100 hours each.

It is my honor to enter into the CONGRESSIONAL RECORD the names of the volunteers for Habitat for Humanity of Prince William County, Manassas and Manassas Park:

Theresa Accoo, Ryan Adkins, Einass Akari, Peter Arseneault, Lynn Ashe, Barbara Atwell, Megan Beverage, Zakry Bowers, Sean Bradshaw, George Braun, Shawn Brown, Jason Byrd, Charla Chaudhry, Kent Clingman, Dianna Collins, Daniel Coo, Austin Cooper, David Cover, Jackson Crocker, Cara Davis, Dhruv Desai, Kristen DiGennaro, Anita Duecaster, Lynn Eklund, LaKeshia Evans, James H. Floyd, Scott Foster, Zachary Fox, Christina Frank, Robert Gainer, William Garcia, Jamar Gavin, Noelle Gharzai, Jeremiah Goodman, Timothy Grembowski, Phyllis Hall, Al Harris, Richard Harrison, Charles Haynes, Michael Hensley, Lauren Hughes, Mohammad Islam, Susan Jacobs, Frank Jacquette, Abdallah Jaffe, Tramel Jenkins, Teresa Johnson, Peggy Jones, Amin Khatib, Mosammat Khatoon, Mike Kitchen, Kurt Koehler, Sang Lee, Yingshan Li, Mark Luiggi, Maggy Machado, Gino Manzo, Michael Marshall, Marie Martinet, John McBride, Donald McCubbin, Alec McDonald, William McGill, Jeffrey Montag, Kimberly Morris, Christine Moten, Clancy Olson, Jay Patidar, Peter Pomajevich, Joel Reaser, Betty Reichert, Michael Renfro, Ginger Reyes, Glenn Rhodes, Laura Riedl, Alexander Smith, Brian Smith, Kisha Sogunro-Wilson, Michael Stark, Brian Swanson, Marci Swanson, Chris Teague, Dilaun Terry, Kenneth Thomas, Nick Visger, Matthew Watkins, Brandon Welch, Paul V. Whalen, Jeremy Whitehurst, Justin Williams, Thomas Wilson, Renee Woolfolk, Gary Wright, Larry Young, Sarah Zaheer, Luz Zambrano.

Mr. Speaker, I ask that my colleagues join me in commending the volunteers of Habitat for Humanity of Prince William County, Manassas and Manassas Park for their service and in thanking them for their dedication to the issue of housing in our community.

RECOGNIZING THE VOLUNTEERS FOR PRINCE WILLIAM COUNTY HISTORIC PRESERVATION

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the volunteers for Prince William County Historic Preservation.

The dedicated Historic Preservation Volunteers are an essential part of the Historic Preservation Division. They are part of an endless effort to preserve and enhance the historical and natural resources of Prince William County. They bring these resources alive for citizens with special programs events and daily efforts to maintain and beautify our historic sites. They graciously sacrifice their personal time to volunteer as docents, garden volunteers, education volunteers, research and collection volunteers, restoration volunteers, and special event volunteers.

It is my honor to enter into the CONGRESSIONAL RECORD the names of the volunteers for Prince William County Historic Preservation:

Todd Berkoff, Dave Bowman, Daniel Breeden, Morgan Breeden, Brenda Caricofe, Nerine Clemenzi, Elaine Davis, John DePue,

George Erhart, Dennis Feldt, Andy Fredette, Jay Greevy, Curt Hoagland, Becky Hornyak, Kelly Hunsaker, James Ivancic, Jeff Joyce, Tim Kelly, Belinda Lewis, Bryan Lewis, Tom McGinlay, Georgia Meadows, Tony Meadows, Mike Miller, Janice Overman, John Peason, Cecily Petway, Austin Petway, Katie Petway, Lionel Raymond, Jacque Rowberry, Virginia Sanderson, Rosemary Schatz, Andy Schatz, Jack Sigel, Adrian Tighe, Lin Weeks, Amanda Wells, Fred Wolfe.

Mr. Speaker, I ask that my colleagues join me in commending the volunteers for Prince William County Historic Preservation for their service and dedication to protecting our community's historical treasures.

HOUSE OF REPRESENTATIVES—*Wednesday, June 26, 2013*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. RIBBLE).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 26, 2013.

I hereby appoint the Honorable REID J. RIBBLE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

ACKNOWLEDGING THE LIFE OF PEARL S. BUCK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. FITZPATRICK) for 5 minutes.

Mr. FITZPATRICK. This morning, Mr. Speaker, I rise to acknowledge the memory and the life of Pearl S. Buck, an author, humanitarian, and political activist who made her home in Hilltown, Bucks County on Green Hills Farm, where she wrote 100 books.

During this week, the anniversary of her 121st birthday, we note that Pearl Buck is the first American woman to receive the Nobel Prize and Pulitzer Prize for literature. A prolific writer, she also advocated on behalf of women's rights and minority groups, while her efforts for her care and adoption of Asian and mixed-race children are legendary. Pearl Buck will be remembered for her achievements as well as for her writing.

And we acknowledge the renovation recently of her 19th century farmhouse in Bucks County, notably a national historic landmark that will be sustained for new generations to learn and emulate Pearl Buck's love for the struggling, the misunderstood, and the children.

We honor her life and we treasure her memory.

HONORING THE CHICAGO BLACKHAWKS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, after 23 NHL Playoff games, 10 overtimes, and 64 goals, the Chicago Blackhawks have won their second Stanley Cup in the last 4 years. Congratulations to the greatest team in hockey on being the 2013 Stanley Cup Champions.

The impressive regular season began with a record-breaking streak of 24 straight games with a point earned, and it ended with a Presidents' Trophy for the most points in a regular season. This success set the stage for an outstanding playoff run, a promise of things to come. The Hawks made good on that promise this week in one of the most incredible and improbable Stanley Cup Final games in NHL history.

Having already tamed the Minnesota Wild, taken down our archrival, the Detroit Red Wings, and dethroned the Los Angeles Kings, the Blackhawks grinded through the finals to one of the craziest and most exciting Stanley Cup wins ever witnessed.

To say this championship winning game was a nail-biter would be an understatement. The Blackhawks came from behind twice to overcome an amazing effort by the Boston Bruins, scoring two goals just 17 seconds apart in the final minute and a half of the game. Unbelievable goals scored by Bryan Bickell and Dave Bolland ensured their names will be inscribed forever in Blackhawk history books as well as on Lord Stanley's Cup.

With outstanding efforts by Captain Jonathan Toews; Conn Smythe winner, Buffalo native, Patrick Kane; the best defenseman in hockey, Duncan Keith; and, of course, the best goalie in the playoffs, Corey Crawford, the entire team made good on a promise that this Original Six team is a true legend to be reckoned with.

As I have mentioned before, hockey never left Chicago, but Rocky Wirtz brought it back. The owner of the Blackhawks has once again made our city proud.

The entire organization is the classiest in sports, the model in hockey. Led by John McDonough, Jay Blunk, Stan Bowman, and Coach Joel Quenneville, they have enshrined Chicago as a hockey town for the 21st century.

But the Blackhawks don't just unify our city, they also are committed to serving the community and making it better. Their StreetHawks program has worked to promote fitness and leadership skills to local youth through street hockey initiatives and community skating facilities.

Through the NHL's Hockey is for Everyone program, I've had the pleasure of working with the Hawks to expand hockey access to at-risk and LGBT youth; because no matter what your background, every child should have the opportunity to play the greatest sport in the world.

The Blackhawks have also been strong supporters of America's veterans and wounded warriors. Just this year, I joined the Hawks and the USA Warriors veterans team for an outdoor hockey game at Soldier Field. The Hawks gave these vets—most of whom are Purple Heart recipients—a once-in-a-lifetime experience they will never forget.

And I suppose this is what the Hawks do best, provide their fans—fans in Chicago and around the world—with memories they will never forget. I look forward to the new memories yet to be made during future Stanley Cup victories, games with Blackhawk players who are just kids right now with the memory of shots heard around the hockey world ringing through their heads.

Mr. Speaker, hockey is a special sport that brings people together, improves our communities, and, most importantly, makes people dream the impossible and do the improbable. The entire world saw that this week thanks to the 2013 Stanley Cup Champion Chicago Blackhawks.

Go Hawks. And as always, my kind of town, Chicago is.

OBAMA'S WAR ON COAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. ROGERS) for 5 minutes.

Mr. ROGERS of Kentucky. Mr. Speaker, American coal families are under attack, not from a foreign power or a natural disaster, but by an administration that has resolutely, perversely, and now overtly proposed to end coal mining and coal-fired power generation in these United States.

President Obama's calamitous climate change plan announced yesterday

is the latest job-killing bomb to be dropped on Kentucky, West Virginia, Illinois, and dozens of coal States already knocked down after 4 years of administration policies. This administration has used code words like ''streamlining'' and ''permit reviews'' to shell our communities with regulations and red tape that even the most sophisticated businesses can't adhere to.

Now the White House is dismantling our strategic energy advantage and unilaterally disarming our economy in broad daylight. I quote White House climate adviser Daniel Schrag straight out of the White House: ''A war on coal is exactly what's needed.''

Mr. Speaker, a war on coal is exactly what is not needed. A war on coal is a war on middle class Americans. It's a war on jobs, all kinds of jobs. It's already claimed 5,700 direct Kentucky jobs in just a year and a half, the vast majority of those in my economically challenged district.

There is no recovery in Inez or high-tech boom in Harlan, Mr. President. My families are struggling to get back to work, pay their bills, or find salaries comparable to coal mining. And my communities are losing their main employers. This climate plan makes the situation worse, dimming the prospects of reopening the mines even further.

Moreover, this disastrous climate change plan is a plan for America's economic and security decline. This plan would only lead to higher electric bills and increased dependence on foreign enemy sources. And to think someone has the audacity to say, ''We need a war on coal.'' Well, what we need is a war on that line of thinking.

This administration's stringent rules and absurd mandates are simply meant to force coal-fired power plants to stop burning coal or shutter the facilities altogether. I call it strangulation by regulation.

□ 1010

Mr. Speaker, more than 200 coal plants have already closed across 25 States, and now seven new EPA regulations are on track to do even more damage. I'm losing one of the biggest employers in Lawrence County to this onslaught—1,200 good-paying jobs.

In total, the closure of mines, shuttering of power plants, and resulting hikes in electric rates are expected to cost the U.S. economy some 887,000 jobs per year. Please tell me how this is in our national interest, how this is leading America forward. In 2008, the President promised to bankrupt the coalfields. And yesterday, he took a giant step toward that reckless, shameful goal.

STUDENT LOAN INTEREST RATES

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. ISRAEL) for 5 minutes.

Mr. ISRAEL. Mr. Speaker, in 5 days, the student loan interest rate will double. It will go from 3.4 percent to 6.8 percent. That is a $4,500 increase for many college students. At a time when they're struggling to make ends meet, struggling to pay their tuition and their housing expenses to prepare to join the workforce and build careers and at a time when they're struggling to pay their debts, we're going to increase their debt.

I want to commend to my colleagues a report that just came out from the Joint Economic Committee staff that talks about how student loan debt has skyrocketed over the past several years. Here's how the study concludes:

> The increasing debt burden presents challenges for recent graduates just beginning their careers and poses a potential risk to the economy, since individuals who shoulder heavier debt balances may delay purchasing a home, buying a car, starting a family, and saving for retirement. On average, recent graduates left college with student loan debt of 60 percent of their annual income.

Mr. Speaker, 60 percent of their annual income will be spent paying back their debts from college. And if we don't compromise, it's going to be even more than that.

I've always believed, and I know many of my colleagues have always believed, that you build an economy by building the middle class. And you expand the middle class by making sure that middle class families can afford college and that college is accessible. I do not understand an economic strategy that says that you make it harder and more expensive for the middle class to go to college; nor do I understand an argument that we cannot afford to keep the interest rate low, but we can spend $40 billion subsidizing the five richest oil companies in America who do not need those subsidies.

The middle class deserves those subsidies. Middle class students trying to get into college deserve subsidies. But to say that they cannot have those subsidies and that we're going to double the interest rate on them while preserving a $40 billion subsidy to the richest oil companies on Earth is not only bad policy; it's ruinous economic strategy.

Mr. Speaker, I do not know why anybody in this body would want to make it harder and more difficult for students to go to college at a time when we are competing with China and South Korea and other countries around the world to continue our strength and power over the next several decades.

It is essential that we find a compromise, Mr. Speaker. There is an unquenchable thirst by Americans for compromise in this body. I, for one, as well as members of the House Democratic Caucus, am ready, willing, and able to compromise over the next 5 days. We just need somebody to compromise with. We need a compromise that is fair to the middle class, puts middle class families first, puts college students first, puts college affordability first, and puts partisan politics aside.

SECURING THE BORDER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Utah (Mr. BISHOP) for 5 minutes.

Mr. BISHOP of Utah. Mr. Speaker, a great deal has been said about the border surge over in the Senate. In typical Senate-think, they have seen a problem and decided to throw money at the problem, even if a lack of funding is not the problem they are facing.

This map divides the country up into the Border Patrol sectors. The numbers are from 2010. The numbers are different today but, obviously, the ratios are about the same. In this year, one has to ask the question of why were 56 illegal entries apprehended in the main sector and 200,000 apprehended in the Arizona sector. What was the difference between those two?

If you were trying to sneak into a baseball game, something I'm not advocating, but if you were trying to do that, you don't jump over the turnstile where a cop is standing. You go around the corner and find the hole in the fence so no one will actually see what you are doing. The drug cartels are not stupid. They are looking for that hole in the fence. Obviously, this sector is where the majority of the illegals and the illegal drugs and the illegal human trafficking and potential terrorism exists.

So the question has to be: Why is that the entrance level of choice? It's actually very simple. Everything that is red is land that's owned by the Federal Government on this map. In Arizona, 80 percent of the border is owned by the Federal Government. Over half of that is in the ''Wilderness'' category, ''Endangered Species,'' or ''Conservation Habitat'' category, where, by special law, the legislation provides this land a special status which prohibits the Border Patrol from entering that area. They can't enter in a motorized vehicle. They can't even pedal a bicycle. They can go into that area on foot, on specially fed horses, and that is it. The drug cartels recognize this. They're not stupid. And they realize that this is the problem.

When this Congress insisted a fence be built along the California border, we passed legislation that waived 40 environmental laws that were prohibiting the fence from being built. Those same 40 laws are the laws that prohibit the Border Patrol from going along the red areas of that border and doing their job, which simply means, as ironic as it sounds, Federal law is stopping the Federal Border Patrol from going on Federal land to do a Federal purpose, which is federally stupid. But this is, indeed, what we're doing.

The Border Patrol actually cares about the environment. Drug cartels don't at all. This cacti, cut down by the drug cartel, is an endangered species. It was cut down there to stop east-west access on the only road that allows the Border Patrol to follow in that particular area.

This truck is a temporary sensor device in a wilderness area. The Border Patrol wanted to move it from point A to point B. It took them 6 months to get approval by the land manager in that area before they could back the truck up and move the truck over to another stop because the land manager was not happy with the Border Patrol being in his Wilderness territory. And the law was on the side of the land manager, not on the side of the Border Patrol.

The Senate has tried to say that they're coming up with a compromise solution to increase border security. In actuality, they have done just the opposite. They have put language in there that says that the Homeland Security Secretary can, notwithstanding any other law, require certain elements to be built in this particular area. But that allows the Secretary of Homeland Security to have the political discretion of whether to do it or not. It allows the Secretary of Homeland Security to have immediate access into these border areas, but only in Arizona. If they go anywhere else along this border, they have to have the written approval of the Secretary of the Interior as well as the Secretary of Agriculture. And most importantly, it says in there that the manner in which the Homeland Security Secretary shall make these decisions must be in the manner that best protects the natural and cultural resources on Federal land.

I'm sorry, but as soon as they put that language in there, it requires some bureaucrat to establish what the standard is, and it opens it up to someone else initiating litigation that that is not the best standard possible. In essence, we're back in a worse situation.

They wish to have another 25,000 Border Patrol agents. This is what our fence looks like in Arizona today. This is a fence, this is Mexico, that's Arizona, and the open area is the animal habitat to allow animals to go back and forth from Mexico and Arizona. The one road on here is the only road in which the Border Patrol is allowed to go. You can have another 100,000 agents in that area, and you'll simply find out that it won't help unless you let them go outside of that one road.

We don't need money. What we need is access. What the Senate is proposing is actually worse than the status quo.

□ 1020

CLIMATE CHANGE

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. MCNERNEY) for 5 minutes.

Mr. MCNERNEY. Mr. Speaker, the impacts of climate change can no longer be denied—superstorm hurricanes, massive tornados, record-breaking droughts and heat spells, accelerating melting of glaciers, and increasing ocean salinity. Due to the effects of climate change, many highly populated communities at low elevation face increasing pressure from storms and rising waters, potentially driving massive migrations to higher ground. If we continue on this path, extensive and severe droughts will hurt food production and fresh water supplies in the United States. Similar occurrences around the world will certainly be destabilizing and potentially draw the United States into dangerous conflicts.

Most climate change models predict increasing severity of these and other effects. However, the reality is that most computer models are being outpaced as the carbon buildup and energy trapped in the atmosphere accelerates.

Despite these developments, there is an increasing partisan divide on the issue of climate change. Many of my Republican colleagues are either in complete denial that global warming is happening, don't believe human activity is causing the problem, or think that it would be too expensive to take the necessary steps to mitigate and adapt to global warming. This gross partisan behavior in denial of science is becoming a clear and present threat to our national security and well-being.

Would we sit by if a foreign power built up a threatening military force on one of our borders? Of course not. And yet, climate change presents a threat that's just as dangerous.

So what will it take for this Nation to greatly reduce carbon we are adding to the atmosphere and begin the process of preparing for the changes that are coming? Will it take a global weather catastrophe? Will it take several more Hurricane Sandy's? How many years of drought will the Midwest be forced to endure?

With global warming, the signs of change are overwhelming. We cannot wait for a global catastrophe that will impose massive suffering enough to overcome our civil institutions. Our national security depends on us taking action now.

The good news is that if we do take action now, the cost is affordable and the benefits are significant. Even if climate change were not a threat, reducing our consumption of fossil fuels will make the environment cleaner and energy costs less volatile. Increasing energy efficiency will greatly reduce family utility bills while making our homes more comfortable. Using renewable energy creates stable jobs. On the other hand, if we wait until a global or regional climate catastrophe forces desperate action, the consequences will be expensive and possibly deadly.

Those who reject science and deny human-caused climate change are fostering a dangerous threat to our Nation's future and to future generations of all Americans. I hope that those who deny the effects of climate change see the danger that they are subjecting our Nation to, or that the voters elect representatives who will take the responsible actions necessary to address the imminent threat of climate change.

WILDFIRE RESOLUTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Colorado (Mr. TIPTON) for 5 minutes.

Mr. TIPTON. Mr. Speaker, the West Fork Complex Fire—acreage burning now in Colorado—is more than 141 square miles and counting. The East Peak Fire—over 13,000 acres and counting. These are just two of the fires that are burning in my district now, and it is still early summer. Tens of thousands of acres of forests are already gone and entire communities are being threatened.

Brave men and women are working around-the-clock to be able to stop this devastation. They are truly incredible, and I want to thank all of them for all they are doing to be able to protect property, save lives, and to be able to contain these wildfires.

Just like the wildfires that have ravaged our State over the last decade, these fires have destroyed property and are doing irreversible damage to the environment—to the fragile ecologies and watersheds on which we rely.

The incident commanders in charge of the suppression efforts on the West Fork Fire—the Nation's highest priority—told me this week that the behavior of the fire is unprecedented. Because of all of the beetle-killed timber, unnaturally dense forest, and dry conditions, the fire has acted in a way that defies computer models and has been incredibly devastating.

The most tragic part of all of this is the occurrence of these forest fires could be reduced, if not outright prevented, with commonsense healthy forest management.

With this in mind, I have put forward the following resolution:

Expressing the sense of the House of Representatives that allocating the appropriate resources to wildland fire management is needed to protect the environment, the economy and the people of the United States, and for other purposes.

Whereas, the thoughts and prayers of the Members of the House of Representatives go out to the individuals and families who have lost loved ones and their homes to wildlife;

Whereas, the Members of the House of Representatives express the utmost gratitude to wildland firefighters and first responders who bravely protect life and property;

Whereas, nearly 10 million acres of land burned in the United States in 2012;

Whereas, the acreage burned by wildfires has steadily increased over the past decade;

Whereas, the most destructive fire in the history of the State of Colorado and the largest fire in the history of the State of New Mexico destroyed hundreds of homes and hundreds of thousands of acres of wildlife habitat in 2012;

Whereas, Federal forest and land management officials continue to request fewer funds to fight wildfires;

Whereas, the funding available for wildland fire suppression in the Wildland Fire Management Account of the Forest Service was cut by $461 million from fiscal year 2011 to fiscal year 2013;

Whereas, the Wildland Fire Hazardous Fuels Reduction Account of the Forest Service was cut by $22 million from fiscal year 2011 to fiscal year 2013, and the latest budget request asks for another $116 million decrease;

Whereas, the Collaborative Forest Restoration Program, a program that benefits local economies and improves the overall health of the landscape, has taken a 20 percent cut in funding over the past 2 years;

Whereas, senior Forest Service officials have described a Federal land management system hamstrung by ''analysis paralysis;''

Whereas, decades of Federal mismanagement have increased fuel loads on Federal forest land and led to increased risk of catastrophic wildlife;

Whereas, the U.S. Forest Service has replaced responsible, environmentally sound timber thinning with allowing forests to burn through overcrowded forests;

Whereas, the bark beetle epidemic has destroyed 40 million acres of forest in North America; and

Whereas, academic studies indicate that bark beetle-infected trees can still be salvaged for timber to be used in mills and contribute to small businesses and local economies.

Now, therefore, be it

Resolved, that it is the sense of the House of Representatives that—

Allocating the appropriate resources to wildland fire management is needed to protect the environment, the economy, and the people of the United States;

The bravery of the men and women who risk their lives to extinguish these conflagrations can never be questioned;

A healthy forest policy must include prescribed thinning;

Funding to fight and prevent wildfires is essential to public safety, environmental protection, and economic growth;

People who live in or near our national forests have a right to expect the greatest possible protection for their homes and properties;

The government should not continue to acquire more land when the hundreds of millions of acres already controlled by the government are mismanaged; and

The Forest Service should proactively manage Federal forest lands in a manner that protects life and property, prevents catastrophic wildfire, promotes forest and watershed health, and creates jobs and economic development in the forest products industry.

I invite all of my colleagues on both sides of the aisle to join me in standing with the people of Colorado, standing with all in the West who have been impacted by catastrophic wildfire. Join me in thanking the firefighters who are risking their lives to protect others. Join me in the action to prevent future devastation and restore our forests to health.

□ 1030

EQUAL JUSTICE UNDER THE LAW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Minutes ago, a 5–4 decision, written by Justice Kennedy, ruled that DOMA is a violation of the Equal Protection Clause. Today's decision is a monumental step forward in the long march towards GLBT equality.

Forty years ago, I chaired a committee hearing in the Oregon legislature on discrimination based on sexual orientation. It was an eye-opening experience for me. It was the first time someone ever acknowledged to me their sexual orientation, let alone the discrimination they faced living a life of repression and fear. In the course of those 40 years, it has been a privilege to have been able to help fight to ban discrimination based on sexual orientation.

We have watched a political movement emerge from the ashes of defeat, on discriminatory ballot measures across the country. It's exciting to see how this movement has been led at first by the people in the GLBT community, who refused to accept defeat, who, despite significant personal sacrifice, have stepped forward to declare who they are, who they love, what they want, and why they want it.

It has been encouraging to watch business leaders step forward, no longer just the more progressive elements of the business community. Lately, it has become mainstream to acknowledge that diversity in the workforce demands a nondiscrimination policy—that regardless of a person's sexual orientation and to whom they choose to commit, it makes no difference in the eyes of a thoughtful, successful employer.

It was exciting for me to watch and to participate in this year's Pride Parade in Portland, to note the leadership of virtually every institution in our community—businesses like Nike and Standard Insurance, Northwest Natural, grocery stores, colleges, hospitals and health professionals, universities, and churches—all marching proudly in a show of solidarity, a rejection of discrimination, support for diversity in the workplace for our friends, neighbors and relatives.

Today's Supreme Court decision marks the most significant milestone yet in this struggle. By striking down DOMA, the Supreme Court has cast aside a major barrier to our GLBT friends, neighbors and relatives to be able to live complete lives—to be able to avoid discrimination, the stigma, the economic disadvantage. It's a signal that this will be the final chapter for a society that recognizes the worth of all human beings, acknowledges the right of all human beings to live as they wish, love who they will and be able to enjoy the multiple benefits that come from being involved in committed relationships and legal marriages.

It's not just a milestone for our brothers and sisters in the GLBT community. It's a significant benefit for all society. If one truly believes that marriage is one of the cornerstones that we encourage for committed relationships, for people to be able to raise their families, look after one another in a stable, committed relationship, why shouldn't they be able to marry? Why should the Federal Government refuse to recognize that and discriminate? Some of the most traditional elements of our society who are dragging their feet should be in the forefront in helping lead this charge.

Now, we must be vigilant. There are still pockets of resistance, hostility, bigotry, and discrimination. There are State laws that need to be adjusted, but it will no longer be sanctioned by Federal policy, and that is the critical difference. Once it is no longer legal to discriminate, we are truly in the homestretch for the type of society we want.

This critical step was a narrow 5–4 decision, but it was a victory nonetheless. The path forward is a little more clear, and it's going to be a little easier. But before we start this next chapter, it's fitting that we celebrate this moment—the accomplishment of what it represents and what it will mean for America.

That temple of justice that is the Supreme Court looks a little different this morning, and I hope Americans will appreciate it and think about where we go from here.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 34 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Michael Rucker, Bible Baptist Church, Wichita Falls, Texas, offered the following prayer:

Dear Heavenly Father, we come into Your presence and thank You for all that You have done for this country.

We would ask Your leadership in the decisions that need to be made to keep this country great. Help us to put aside our personal feelings and do what is right for this great Nation and the people of this Nation.

Lord, we would ask You to help all the States that have had catastrophes the past few months. Continue to heal and restore back the things that have been lost or destroyed in these events.

We are so thankful for Your watch care over us. Keep us free from the tyranny of those who want to take our freedom away. Watch over our men and women in the military.

We appreciate the liberty You have so graciously blessed us with. We want to give You all the praise and the honor and the glory, and we thank You for it.

In Jesus' name we pray.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Pennsylvania (Mr. THOMPSON) come forward and lead the House in the Pledge of Allegiance.

Mr. THOMPSON of Pennsylvania led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND MICHAEL RUCKER

The SPEAKER. Without objection, the gentleman from Texas (Mr. THORNBERRY) is recognized for 1 minute.

There was no objection.

Mr. THORNBERRY. Mr. Speaker, our guest chaplain today has been the pastor of Bible Baptist Church in Wichita Falls, Texas, for the past 20 years; but his ministry and passion for spreading the word of God has never been confined to the walls of any church building.

Mike Rucker, known to many as the ''Flying Preacher,'' has been combining his love of auto racing and the ministry since 1985 when he and his wife of 40 years, Sherrie, began Rucker Racing Ministries. Since then, they have traveled to racetracks across the United States, spreading the good word while he races and while Sherrie often sings the national anthem.

Pastor Rucker also serves as the chaplain for the Wichita County Sheriff's Office and for the Wichita Falls Police Department and is a regular on Joe Tom White's ''Rise 'n Shine'' radio show. In short, he has never been afraid to roll up his sleeves and be in the world while sharing the Gospel with folks across Texas and the Nation.

Pastor Rucker graduated from the Arlington Baptist College in Arlington, Texas. He and Sherrie have two sons, Michael and Matthew, and one daughter, Marlene, and five grandchildren.

I am pleased to help welcome Pastor Rucker, the ''Flying Preacher,'' to the House today.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas). The Chair will entertain 15 further requests for 1-minute speeches on each side of the aisle.

A WAR ON COAL

(Ms. JENKINS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JENKINS. Yesterday, the President called for more energy taxes and regulations that will hurt the economy and job creation. One of the President's senior advisers even said, ''A war on coal is exactly what's needed.''

In my State, where coal supplies nearly 75 percent of the electricity and where coal plants support thousands of jobs, I don't think a war on coal is what Kansans need. Reducing one of the most affordable sources of energy will cause prices to go up, and that makes life harder for people.

The administration needs to stop picking winners and losers. This approach has failed. It has cost taxpayers billions of dollars, and dozens of green energy companies that were offered taxpayer dollars are bankrupt or faltering and are laying off workers.

Instead of favoring special interests, the House plan supports a real all-of-the-above approach to energy that will incentivize job creation, lower energy costs for Americans, and reduce U.S. dependence on foreign oil.

JUSTICE AND EQUITY RESTORED IN AMERICA

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Almost 17 years to the day—that's a long time—the House of Representatives passed the so-called Defense of Marriage Act. At that time, I went to the floor and voted with a small minority against this legislation. I said it was unnecessary, discriminatory, and unconstitutional.

It took 17 years to work through the system and to finally get the Supreme Court to act and to decide that, indeed, the Defense of Marriage Act, so-called, is unconstitutional and is a deprivation of the equal liberty of persons it has protected in the Fifth Amendment:

''The Federal statute is invalid, for no legitimate purpose overcomes the purpose and effect to disparage and injure those whom the State, by its marriage laws, sought to protect in personhood and dignity,'' as written by Justice Kennedy, ''by seeking to displace this protection and treating those persons as living in marriages less respected than others.''

Today, the Supreme Court restored justice and equity in America.

TIME IS RUNNING OUT TO FIX STUDENT LOANS

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, more than a month ago, the House passed H.R. 1911, a bill based on the President's 2014 budget request, which would provide a market-based interest rate for student loans.

Editorial boards from across the country have lauded this bill and have called on the Senate to act on a similar proposal:

USA Today stated:

Rates on loans are now set by Washington, not markets. Obama and the House Republicans wisely call for a market solution.

The Boston Globe stated:

The solution President Obama and House Republicans have proposed would prevent what has become a frustrating annual standoff.

The Los Angeles Times stated:

Republicans are backing a long-term solution that's similar to one President Obama proposed . . . The Senate should pass its own version . . . then work out the differences with the House.

With less than a week before student loan rates jump from 3.4 percent to 6.8 percent, the Senate has failed to pass a bill that would address the issue. It's time for the Senate to come to the table.

CANYON MIDDLE SCHOOL—SCHOOL TO WATCH AWARD

(Mr. SWALWELL of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SWALWELL of California. Canyon Middle School in Castro Valley, California, in my congressional district, was recently recognized as one of the Schools to Watch by the National Forum to Accelerate Middle-Grades Reform.

The School to Watch program was launched in 1999 to identify high-performing middle schools that serve as a model for other schools to watch across the Nation. These schools, like Canyon Middle School, demonstrate academic

excellence, develop programs that respond to the sensitive needs of early adolescence, and provide students with high-quality teachers and resources to support students in their academic goals.

This week, at the Ninth Annual Schools to Watch Conference, Canyon Middle School will be presented with this prestigious award. Canyon Middle School will be represented by attendance clerk Adria Anderson-Kelly, Assistant Principal Juan Flores, Assistant Principal Annie Flores-Aikey, math and science teacher Gregory Matawaran, math and science teacher Liz Oettel, and special education teacher Cheryll Rosales.

I look forward to congratulating the group from Canyon Middle School this Thursday when they visit my office, and I look forward to hearing more details about how more schools can follow their example of excellence.

Congratulations again to the teachers, administrators, parents, and students that helped Canyon Middle School achieve this award. You make me and your congressional district very proud.

□ 1210

IN MEMORY OF STEVE LAFRANCE

(Mr. COTTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COTTON. Today, I honor the memory of my constituent Steve LaFrance who passed away earlier this month. Steve was a pillar of the Pine Bluff community, and really all of Arkansas.

A pharmacist by training, he started his business in 1968 with a single pharmacy in Gibson's Department Store in Pine Bluff. From that modest start, Steve built USA Drug over 44 years into the largest privately owned chain of drugstores in the country.

Steve's motto, like my own dad's, was ''do the right thing.'' It was the foundation of his success. All who knew him and all who worked with Steve, whether employees, customers, vendors, and even competitors, respected not only his business acumen, but especially his sense of fair play, passion, and loyalty.

Even more than a businessman, though, Steve was a devoted family man, proud father of four children, seven grandkids, and the loving husband of Linda, his wife of 44 years. He was also a deeply faithful Christian man who walked in the path of the Lord and now walks with Him.

On behalf of all Arkansans and the United States Congress, I wish to express my deepest condolences to him. Like you, we all miss ''Big Steve,'' and we were all enriched by having our lives touched by him.

PROTECTING THE BALLOT BOX FROM DISCRIMINATION

(Mr. BARROW of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARROW of Georgia. Mr. Speaker, I rise to express my disappointment in the Supreme Court's decision striking down the preclearance provisions of the Voting Rights Act.

Mr. Speaker, making sure that our election laws are fair is the most important job in a democracy because the right to vote is the right on which everything else depends. Countless Americans have marched for it, suffered for it, and shed their blood for it.

In Georgia, one of the greatest proponents of the Voting Rights Act, our colleague, Congressman JOHN LEWIS, knows all too well the price that's been paid to make sure that election laws are not only open but fair to all concerned.

We can't go back to the days when majorities can pass laws that limit or diminish the voting strength of minorities. I'm calling on my colleagues in Congress, Republicans and Democrats, not to let this issue die. We need to do what is right and ensure, once and for all, that folks aren't discriminated against at the ballot box.

SECURING OUR FUTURE

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, House Republicans have a plan to create jobs, grow our economy, and secure our future for all Americans. And we're doing it by expanding opportunity, not expanding government.

We're holding government accountable to the hardworking taxpayers of this country.

We're reining in runaway Washington spending that's driving up our national debt.

We're going to reform our Tax Code to make it fairer and simpler for all Americans.

We are promoting an all-of-the-above, all-American energy strategy that will create jobs, lower energy costs, and strengthen our national security.

These are the commonsense solutions that the American people deserve, Mr. Speaker. It's not fair that Washington Democrats keep offering up only more spending and political games. Real solutions to real problems, that's the House Republican commitment.

STUDENT LOANS

(Ms. KELLY of Illinois asked and was given permission to address the House for 1 minute.)

Ms. KELLY of Illinois. Mr. Speaker, I rise today on behalf of 7 million students with subsidized student loans to urge my colleagues in Congress to come together to prevent student loan rates from doubling on July 1.

The cost of a college degree has increased by more than 1,000 percent in the last 30 years. Two-thirds of college seniors who graduated in 2011 had an average student loan debt of $26,000 per borrower. As the July 1 deadline approaches, America's total student loan debt already tops $1.1 trillion.

We're a nation that invests in our future, and that means investing in our kids. Mounting student debt is handicapping a generation of graduates who already face a tough job market. This debt is forcing them to put off key milestones like buying a home and starting a family. This delay in the American Dream will diminish our Nation's economic development.

Congress has come to the aid of our banks and worked to promote industry. Now it's time to step up for our students by preserving college affordability and keeping the American Dream within reach.

Let's stand together to keep Federal student loan rates down. I urge my colleagues to act now.

THE WAR ON COAL

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, I come to the floor to share a quote with my colleagues to make them aware of this. It is from Daniel Schrag. He is the White House adviser on climate change, and this was reported in The New York Times. Quite frankly, I find this quote baffling. Here it is:

> The one thing the President really needs to do now is to begin the process of shutting down the conventional coal plants. Politically, the White House is hesitant to say that we're having a war on coal. On the other hand, a war on coal is exactly what's needed.

That was Mr. Schrag, the White House adviser on climate change.

Mr. Speaker, I highlight this with my colleagues in this House right now because a war on coal is a war on jobs; a war on jobs, is a war on the American worker.

I have never met anybody that wants to pay more for electric power generation, but the actions of this administration, the actions of the President choosing to circumvent Congress and implement these is costing us 500,000 jobs.

PTSD AWARENESS DAY

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, I'm rising today to recognize Posttraumatic Stress Awareness Day and so that we

can honor our men and women in uniform who have so bravely served our Nation. For them, when they come home, the battle doesn't end, which is why we must ensure that they're well served as they go through the transition from combat to civilian life.

Research has shown that an estimated 18.5 percent, or nearly one in five of our courageous veterans, suffer from PTSD or depression. This number is likely artificially low because of a reluctance to report these conditions. Further, PTSD and other mental conditions can often lead to other serious psychological and physical health conditions.

In Congress, we must ensure that we work with the Department of Veterans Affairs to address these issues as they face our veterans coming home. We owe it to them, these selfless, servant leaders, to empower them so that they can be provided the seamless transition they need and empower them to continue their service to our communities here at home.

THE WAR ON COAL

(Mr. CRAMER asked and was given permission to address the House for 1 minute.)

Mr. CRAMER. Mr. Speaker, a couple of weeks ago, our President announced his intention to unilaterally disarm our national defense by cutting back our nuclear deterrent. This week, he announced his intention to unilaterally disarm our entire economy by declaring war on coal.

In my State of North Dakota, the coal industry employs over 17,000 highly paid workers that provide the lowest cost electricity to our retail customers anywhere in the country. They contribute $3.5 billion to our State's economy.

And in case the President thinks that we need his EPA to keep our air clean, he should know that North Dakota meets all ambient air quality standards as prescribed by the EPA.

And I will not sit idly by and watch this President steal the jobs, hopes, and dreams of my constituents, nor will I sit idly by while he and his EPA impose their mediocrity on my State's excellent stewardship of our natural resources.

North Dakota will not retreat from this war waged on us by our President. We must and we will fight back.

DALIP SINGH SAUND

(Mr. BERA of California asked and was given permission to address the House for 1 minute.)

Mr. BERA of California. Mr. Speaker, I rise today to recognize the contributions of Dalip Singh Saund, the first Indian American and the first Asian American to be elected to Congress.

Along with 13 of my colleagues from California, I recently sent a letter asking Governor Jerry Brown to induct him into California's Hall of Fame.

Saund was born in a small village in India, and much like my own parents, he immigrated to the United States in 1920 to attend college in California. He went on to serve his adopted country for three terms in Congress and was a trailblazer for human and civil rights.

Congressman Saund's outstanding achievements and public service are an inspiration to generations of Asian Americans, Californians, and to all Americans.

His portrait now hangs right outside this Chamber as a reminder to us all of the values that he stood for, values of equality and opportunity. Now it's time that Congressman Dalip Singh Saund's contributions are recognized in his home State by enshrining him in California's Hall of Fame.

□ 1220

VOTING RIGHTS ACT

(Mr. HIMES asked and was given permission to address the House for 1 minute.)

Mr. HIMES. Mr. Speaker, this morning in striking down the discriminatory Defense of Marriage Act, the Supreme Court stood for an idea that permeates this institution: that regardless of who you are, the color of your skin, or whom you choose to love, the United States will not discriminate against you.

Unfortunately, yesterday the Supreme Court went in exactly the wrong direction on an even more fundamental issue: that those of us who serve here, our laws, our President, our Members of Congress, are elected by the people of the United States in a truly equal fashion.

We acknowledge that progress has been made in those regions that historically discriminated against minorities, but we also acknowledge that the problem is still there. Justice Ginsburg's dissenting opinion has example after example of discrimination. For example, in 2004, Waller County, Texas, threatened to prosecute two black students after they announced their intention to run for office.

Mr. Speaker, business should cease on this floor until we take up the Supreme Court's challenge to modernize and reinstitute the heart of the Voting Rights Act so that we can all look each other in the eye and say, We are here because the American people, all of them, elected us.

DEEPER AND BIGGER HOLE OF DEBT

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, in just 4 days, millions of American students will quite suddenly finally find themselves between a rock and a hard place. Unless Congress acts, the interest rates on subsidized student loans will double on July 1. This increase comes on top of sharp rises in public college tuition, and together means students hoping to improve their economic chances in life have to borrow more money at higher cost to get an increasingly more expensive college education.

A new report by the Joint Economic Committee, on which I serve as the ranking Democrat on the House side, shows that two-thirds of our recent graduates now have student loan debt with an average balance of $27,000. For someone just starting out in life, that is a mountain of debt and averages about 60 percent of their annual earnings. That means that two-thirds of our college graduates today are starting out in a pretty deep, big hole.

The question for Congress is: Are we going to just sit back and let them get into a deeper and bigger hole of debt?

Let's fix the student loan problem and get America moving again.

VOTING RIGHTS ACT

(Mr. RANGEL asked and was given permission to address the House for 1 minute.)

Mr. RANGEL. Mr. Speaker, it took the Supreme Court to remind us that when our young people put their bodies in harm's way, or even offer their lives for this great country, that notwithstanding their background, they don't do it for their color, for their race, for their family and community alone; they do it for these great United States. People who have never met each other but do feel that under our Constitution we are all brought together to respect each other's rights, and we have an outline for that belief that is called our Constitution.

It seems to me that yesterday the Supreme Court said that we are making progress in making certain that all Americans have the right to vote and that Negroes, as they were called in 1965, have made great progress. But that was not what Lyndon Johnson said when he was advocating the 1965 Civil Rights Act. He said that no impediment should be put in the way of any person being denied the right to vote because of their race or color. I hope the Supreme Court will review this ruling.

STANDING UP FOR WOMEN'S REPRODUCTIVE CHOICES

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, I rise today to thank Texas State Senator Wendy Davis from my home town of Fort Worth, Texas, for leading a marathon filibuster in standing up for

women and women's rights. For too long, we have seen the health care choices of women taken over by male politicians who are more concerned with furthering an ideology than advancing women's health. Instead of listening to women, male dominance over women's health care decisions has drowned out the most important voice of all—the women who face their own reproductive health care choices.

I believe reproductive choices are deeply personal in nature and should rest with the woman. I believe we should promote education, counseling, and provide women with the support services they need, not restrict their medical choices.

Thank you, Senator Wendy Davis, who stood up for Texas women across the State. The voices of women were heard all over the country in this debate last night in the Texas Legislature, and Senator Davis fought hard and fought back against any efforts to greatly reduce and restrict women's health care. And she won.

Thank you, Senator Davis, for your courageous fight and well-deserved victory. Our fight to protect women's health care is not over, and I look forward to fighting with you, a strong Texas woman.

CONGRATULATING FREIHOFER'S BAKING COMPANY

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, I rise today to congratulate Freihofer's Baking Company as it celebrates 100 years in business in New York's capital region.

After a century of contributing to the local economy, Freihofer's plans to mark this milestone by continuing to give back to our community. Over the next year, the Albany-based baking company will give away up to 40,000 loaves of bread to consumers and charitable organizations.

What makes Freihofer's a remarkable company is quite simple: its people. At every level, the good work done by the Freihofer's team makes us all proud, and that is why I am on this floor speaking today.

Freihofer's has always focused on how best to serve our community. On June 1, the organization celebrated its 35th anniversary of the Freihofer's Run for Women, one of the largest and most prestigious all-female 5K road races, which stresses community health and involvement.

In New York, we are proud to count Freihofer's among our many successful businesses that boost our community pride just as much as local economic development. I congratulate Freihofer's Baking Company on its first century of success and wish them many, many more years of fine baking to come.

JOBS, JOBS, JOBS

(Ms. WILSON of Florida asked and was given permission to address the House for 1 minute.)

Ms. WILSON of Florida. Mr. Speaker, it's now been 906 days since I arrived in Congress, and the Republican leadership has still not allowed a single vote on serious legislation to address our unemployment crisis. Thirty-seven percent of unemployed Americans have been without work for more than 6 months. That's 4.4 million people who haven't worked for at least a half-year.

Take a moment to imagine life without a job for 6 months. Imagine depleting your retirement savings to pay for your family's food and shelter. Imagine the pain of facing rejection again and again. As researchers around the Nation have demonstrated, employers simply do not want to hire the long-term unemployed. There's a stigma workers just can't shake.

It's up to Congress to take action. It's time for us to focus on retraining and reemployment programs to ensure that we stop the establishment of a permanent underclass in America. The mantra of this Congress should be jobs, jobs, jobs.

OPPORTUNITIES AT INTERSECTION OF INNOVATION

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, earlier this week, I hosted Democratic Leader NANCY PELOSI for a roundtable discussion at America's number one art and design school, the Rhode Island School of Design. It focused on creating jobs and the opportunities that exist at the intersection of innovation, technology, and design.

Rhode Island is the birthplace of the American industrial revolution. We know, on a level playing field, American workers can compete against any international competitor, and that's why it's so critical that our country begin taking concrete steps to leverage these new opportunities.

First, we need to better integrate curriculums on science, technology, engineering, mathematics, and art and design. Secondly, we need to think about using new tools, such as my Make It in America Manufacturing Act, to create manufacturing and innovation jobs right here in America, especially with the emerging opportunities in advanced manufacturing and 3–D printing.

Finally, we need to ensure that innovators and entrepreneurs have access to the capital they need to pursue their ideas without obstacles.

I will continue working with my colleagues to make these goals a reality and keep our country at the cutting edge of innovation, technology, and design.

□ 1230

FEDERAL STUDENT LOAN RATES

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to urge my colleagues to address the increase in student loans that is about to happen this week. If we do not do something by July 1, the interest rate on student loans, which has been at 3.4 percent, will double to 6.8 percent.

Now, last year we were able to come together and make an accord and make it easier for our students to gulp and take those loans out so that they could go and get an education.

Getting an education, teaching our young people science, technology, engineering, mathematics, the arts, music, et cetera, is of national security interest to this Nation. Even Secretary Gates said the number one issue is for our people to be educated.

So we must show our students that we care about them, and that they too have a future in this Nation. I urge my colleagues to come together to do something about the student loans.

STUDENT LOAN INTEREST RATES

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, with just 5 days left until the student loan interest rates double, Congress must act now. If we do not, student loan interest rates will double overnight from 3.4 percent to 6.8 percent.

This will increase the cost of college for more than seven million students across this Nation and on the central coast of California, adding thousands of dollars to a student's college bill. And this will not only saddle students with more debt, but it will hinder our growing economy.

At a time when the cost of college continues to rise, we must do all that we can to make college as affordable as possible for as many students as possible. We must keep open the doors of opportunity for all and, in the process, produce a well-educated workforce that will grow our economy.

That's why I'm a proud supporter of legislation to keep the student rates at a low 3.4 percent. This legislation should be brought to this House floor for a vote immediately.

Mr. Speaker, interest rates in other sectors remain low to help grow the economy. Why shouldn't they remain low for our students?

They are our future.

PROVIDING FOR CONSIDERATION OF H.R. 1613, OUTER CONTINENTAL SHELF TRANSBOUNDARY HYDROCARBON AGREEMENTS AUTHORIZATION ACT; PROVIDING FOR CONSIDERATION OF H.R. 2231, OFFSHORE ENERGY AND JOBS ACT; PROVIDING FOR CONSIDERATION OF H.R. 2410, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2014; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM JUNE 20, 2013, THROUGH JULY 5, 2013; AND FOR OTHER PURPOSES

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 274 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 274

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1613) to amend the Outer Continental Shelf Lands Act to provide for the proper Federal management and oversight of transboundary hydrocarbon reservoirs, and for other purposes. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources; (2) the further amendment printed in part A of the report of the Committee on Rules accompanying this resolution, if offered by Representative Grayson of Florida or his designee, which shall be in order without intervention of any point of order, shall be considered as read, shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question; and (3) one motion to recommit with or without instructions.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2231) to amend the Outer Continental Shelf Lands Act to increase energy exploration and production on the Outer Continental Shelf, provide for equitable revenue sharing for all coastal States, implement the reorganization of the functions of the former Minerals Management Service into distinct and separate agencies, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 113–16. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2410) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2014, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: section 717; section 718; the words ''or any other'' on page 64, line 13; the words ''or any other'' on page 65, line 9; and section 740. Where points of order are waived against part of a section, points of order against a provision in another part of such section may be made only against such provision and not against the entire section. During consideration of the bill for amendment, the chair of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 4. On any legislative day during the period from June 29, 2013, through July 5, 2013—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 5. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of this resolution as though under clause 8(a) of rule I.

SEC. 6. It shall be in order without intervention of any point of order to consider concurrent resolutions providing for adjournment during the month of July.

SEC. 7. The Committee on Appropriations may, at any time before 6 p.m. on Wednesday, July 3, 2013, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2014.

The SPEAKER pro tempore. The gentleman from Utah is recognized for 1 hour.

□ 1240

Mr. BISHOP of Utah. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to our good friend, the gentleman from Florida (Mr. HASTINGS), who I certainly hope is feeling better than the way he's walking today, pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days during which they may revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. This resolution provides for a structured rule for the consideration of H.R. 2231, the Offshore Energy and Jobs Act of 2013, as well as H.R. 1613, the Outer Continental Shelf Transboundary Hydrocarbon Agreements Authorization Act, and makes several specific amendments in order to each bill which are germane and compliant with the rules of the House. This proposed rule also provides for an open rule for consideration of H.R. 2410, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies bill.

These energy bills, if enacted, will help foster responsible development of our abundant offshore domestic energy resources and will do so in an environmentally responsible manner. H.R. 2231

would help reverse some of the current administration's energy policies, which are stalling responsible offshore lease development on the Outer Continental Shelf. This legislation would require that the administration implement a new 5-year leasing plan, including 50 percent of the areas that have been previously identified as the most promising in oil reserves and natural gas.

The average American consumer has seen their energy bill double since this administration started. A gallon of gas was under $2 when the President was first sworn in. It's now routinely more than $4 a gallon—and continues to climb. And yet the administration deliberately stalls and blocks job-creating, energy-producing projects like the Keystone pipeline for the responsible development of coal and tar sands reserves we have on our public lands, including in my own State. This actually hits the middle class and the poor class the worst.

H.R. 2231 will streamline the current bureaucracy handling these leases and will also implement a fair and equitable revenue-sharing plan for coastal States. The Congressional Budget Office has indicated that passage of this bill will reduce net direct spending of the Federal Government by $1.5 billion over the next 10 years. So, in essence, you have a bill that makes us more energy independent, drives down the cost of fuel for U.S. families, helps reduce the cost of the Federal Government, and produces an estimated 1.2 million jobs. I think, by most standards, that would be considered a fairly good bill.

Likewise, the other bill in the rule, H.R. 1613, the Outer Continental Shelf Transboundary Hydrocarbon Agreements Authorization Act, will provide for improved Federal management and oversight of energy resources which straddle international boundaries. Passage of this act will implement an agreement we already have with the Government of Mexico on how to handle development of these resources, including revenue-sharing concepts, as well as ensuring that the United States companies that are investing will develop their resources but not be imperiled by actions that may be taken later on by the Government.

Finally, the resolution also provides for a modified open rule for consideration of H.R. 2410, the fiscal year 2014 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies appropriations bill, which continues what was common when I first arrived here and then stopped but was then reinstated and continues to be reinstated by Chairman PETE SESSIONS—having open rules on our appropriations bills.

I'm appreciative of the Rules Committee chairman's leadership in this regard. I'm also appreciative of the hard work and dedication of the bill's sponsors. First, the gentleman from South Carolina (Mr. DUNCAN), the gentleman from Washington, also chairman of the House Natural Resources Committee (Mr. HASTINGS), as well as the gentleman from Alabama (Mr. ADERHOLT), for his leadership on the Agriculture appropriation bill. In short, this is a fair and good rule dealing with good pieces of legislation.

Mr. Speaker, these are good bills. I urge their adoption, and I reserve the balance of my time.

Mr. HASTINGS of Florida. I thank the gentleman from Utah, my friend (Mr. BISHOP), for yielding the customary 30 minutes to me.

This rule provides for the consideration of three bills, as enunciated by my friend from Utah. However, the only thing that these bills have in common is that they're overwhelmingly partisan in nature and fail to address the most pressing challenges facing our country. Bottom line: we should be doing all that we can to help struggling Americans get back on their feet.

The first bill, H.R. 1613, had been relatively noncontroversial and could have been addressed under suspension. But instead, my colleagues on the other side of the aisle have chosen to take the partisan route by including a provision that waives the Securities and Exchange Commission natural resources extraction disclosure rule of the Dodd-Frank Wall Street Reform and Consumer Protection Act, which requires the disclosure of payments from oil and gas companies to foreign governments. I just simply don't understand why this poison pill was added.

Similarly, H.R. 2231 opens up new, unsafe drilling off the coasts of 14 States at a time when domestic energy production is booming. Furthermore, the bill does virtually nothing—and I asked that question of our colleague, Mr. DUNCAN from South Carolina—to implement key safety reforms in the wake of the BP Deepwater Horizon disaster and constrains the statutory review process for offshore drilling.

This is a part of the Republicans' ''drill, baby, drill'' energy policy agenda. While my colleagues on the other side of the aisle continue to bring bills like this to the floor which contain huge giveaways to Big Oil, it is clear that they're not interested in doing a thing to protect worker safety, the environment, or the tourism and fishing industries. It is astounding that Congress would move forward to open new natural gas and oil leases when this institution has not acted on the recommendation to improve the safety of offshore drilling. If we didn't learn anything at all from BP, we're not ever going to learn anything. The successor to the BP spill commission recently gave Congress a D-plus grade on its legislative response to the spill.

Before opening any new leases, we should enact legislation to improve safety and eliminate or adjust the liability caps upward. We have a pitiable liability cap now of $75 million.

It is time to get real about energy policy. We need to invest in the development of renewable resources, which would reduce our impact on climate change and move us towards true energy independence. These two bills today aren't about gas prices or job creation. They're about bolstering the Republicans' political base and lining the pockets of Big Oil and gas CEOs.

Republicans' refusal to address the sequester and insistence upon limited cuts in the Homeland Security, MilCon/VA, and DOD appropriations bills leave all the other nondefense measures like H.R. 2410 before us today with inadequate funding levels. The refusal by my friends on the other side to appoint conferees to reach a bipartisan compromise on the budget and end the sequester has left us with this disastrous agriculture bill that we saw last week. As my Republican colleagues very well know, there are $214 million in cuts to Women, Infants, and Children, or WIC, funding, which will prevent 214,000 eligible applicants from receiving the nutrition they need.

□ 1250

Furthermore, there are $284 million in cuts to Food for Peace that will result in 7.4 million fewer people receiving food aid from the United States. Mr. Speaker, I'd really laugh, except the prioritization of partisanship and politics over responsibility has become par for the course in the Republican-controlled Congress.

As I pointed out before, just last week the Republican partisan farm bill was scuttled. Traditionally—I'm here now 21 years, and that bill, at times that it was brought appropriately, was a bipartisan piece of legislation. Draconian cuts and work requirements imposed upon programs that benefit the poorest among us effectively killed any chance of the FARRM Bill passing. Rather than see passage of a strong, bipartisan bill, Republicans deliberately made it unpalatable to even strong agriculture supporters like myself. These are not the priorities of a Nation that cares about its poor. These are the priorities of a Republican Party that cares only about itself.

The poor are not villains. Many are trapped in inescapable situations due to circumstances totally beyond their control and largely, in many instances, by our making here in this institution. Mr. Speaker, it's hard to pull yourself up by your bootstraps when those bootstraps, without any nourishment, may be the only thing you have to eat.

I reserve the balance of my time.

Mr. BISHOP of Utah. I am happy to yield 4 minutes to the author of one of the bills in here, as well as the chairman of the Natural Resources Committee, the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. I thank the gentleman for yielding time, and I rise in strong support of the rule and the underlying legislation covered by the rule.

Mr. Speaker, in our country today, millions of Americans continue to search for work, the national average price of gasoline is $3.50, and rising costs of everything from electricity to food to health care makes it tough for families and small businesses to make ends meet. But instead of providing relief for struggling Americans, President Obama yesterday announced a plan that will inflict further pain and cause further damage to our struggling economy.

The President's latest attempt to unilaterally impose a national energy tax will cost American jobs and will increase energy prices. Now, in stark contrast to that, Mr. Speaker, Republicans are advancing solutions to expand access to affordable energy in order to create jobs and to lower energy costs. The bills the House is considering this week are necessary because of the Obama administration's persistent and destructive attacks on American energy production. The President's latest efforts to impose new energy taxes and government red tape follow 4.5 years of erecting American energy roadblocks.

H.R. 2231, the Offshore Energy and Jobs Act, will unlock our offshore energy resources that are being held captive by this administration. The differences are clear between the President's current no-new-drilling-and-no-new-jobs plan and the Republican pro-energy, pro-jobs offshore drilling plan. The President's 5-year current offshore leasing plan keeps 85 percent of offshore areas under lock and key—Mr. Speaker, keeps 85 percent under lock and key—effectively reinstating the moratoria that were lifted right before he took office.

The Republican drill-smart plan would open new areas containing the most oil and natural gas resources, allowing for new energy production in parts of the Atlantic and the Pacific coasts. The President's plan refuses even to let Virginia develop its offshore resources until after 2017 and cancels a lease sale that would have allowed them to go offshore 2 years ago.

The Republican plan supports the bipartisan wishes of the Virginia Governor, the congressional delegation, and the public by requiring an offshore lease sale to be held.

The President's plan suppresses American job creation and economic growth. Our plan, Mr. Speaker, in contrast, would create 1.2 million jobs long term and would generate $1.5 billion in new revenue. This Republican approach is exactly what our country and our economy needs right now.

We can do better than what the President outlined yesterday that stifles American energy production and raises energy costs.

I urge adoption of the rule and the underlying legislation.

Mr. HASTINGS of Florida. I would say to my very good friend and namesake, if you can do better, do it.

I'm very pleased at this time to yield 3 minutes to my distinguished colleague from Massachusetts (Mr. MCGOVERN) with whom I serve on the Rules Committee.

Mr. MCGOVERN. Mr. Speaker, last week, the FARRM Bill failed. It failed in large part because of Republicans' nasty attacks on America's nutrition and anti-hunger programs.

Notwithstanding the experience of last week, in this rule the House is considering debating the agriculture appropriations bill, a bill that not only underfunds the WIC program, but actually makes it more difficult for low-income women to receive breastfeeding counseling.

Mr. Speaker, it's as if the Republican leadership hasn't learned from its mistakes. WIC is a critical program that provides food and nutrition counseling for low-income, pregnant and breastfeeding women, as well as for newborns and infants. It is an important and successful program. It is a key program that helps pregnant and breastfeeding women stay healthy through proper nutrition and actually helps prevent many health issues associated with poor nutrition.

Despite the program's 39-year successful track record, the Republicans decided to include WIC in their sequester plan. Unlike SNAP—which, thankfully, was excluded from the sequester and every single major deficit reduction plan—the WIC program was subjected to the sequester. And the FY 2014 agriculture appropriations bill includes a major cut to the WIC program.

The cuts to WIC in this bill could result in over 200,000 pregnant mothers and infants losing access to nutritious food. And tapping into the reserve fund isn't going to cover everyone; 55,000 moms and kids will go without the nutrition that they need.

And WIC is so severely underfunded that the breastfeeding counseling program—a cornerstone of this program—is zeroed out. I guess I shouldn't be surprised that this House of Representatives would promote such anti-women, anti-mother, anti-child legislation. After all, this is the same House that allowed an all-male Republican majority in the Judiciary Committee to write and promote legislation that attacked a woman's right to choose. And by the way, President Obama is threatening a veto of the agriculture appropriations bill in large part because of these draconian cuts. I would say to my Republican friends: stop your assault against poor people in this country.

Now, this agriculture appropriations bill would be bad enough on its own. It would be better if the Appropriations Committee would redraft the bill at pre-sequester funding levels so we're not forced to choose between programs like food safety and WIC, for example.

But what is particularly egregious about this rule that we're considering is what is not included. What's not included is a fix to the upcoming doubling of the student loan interest rates. Congress is going to leave for the 4th of July recess on Friday; yet interest rates are scheduled to double if Congress doesn't act before July 1.

We need an immediate fix to this problem; but instead of working to prevent penalizing millions of students who are looking for help paying for college, the Republican leadership is forcing the House to debate tired, retread bills like offshore drilling expansion that have no chance of becoming law. Instead of pushing legislation that helps banks and lenders make even more money, we ought to help the middle class, we ought to help our students.

Mr. BISHOP of Utah. I appreciate the comments that were just made by the gentleman from Massachusetts about a program which does fund $6.7 billion in the WIC program and was passed unanimously by voice vote from both parties in the Appropriations Committee.

With that, I yield 3 minutes to the sponsor of one of the bills that is part of this rule, the gentleman from South Carolina (Mr. DUNCAN).

Mr. DUNCAN of South Carolina. I rise today in support of two of the bills that are under this rule, H.R. 1613, the Outer Continental Shelf Transboundary Hydrocarbon Agreements Authorization Act, and H.R. 2231, the Offshore Energy and Jobs Act. Both these bills do three things—they provide for jobs; they provide for energy security; and they provide for national security.

Let's put Americans to work harvesting the resources that we have here in this country, and let's meet our energy needs. Because as Admiral Mullen said, there can be no national security without energy security. Let me repeat that: there can be no national security without energy security.

□ 1300

Let's open up these offshore areas that we have resources under and let's produce American energy here at home, putting Americans to work to provide for our energy needs.

I specifically rise to talk about H.R. 1613, which implements the Obama administration's own agreement, an agreement signed in Los Cabos by Secretary Clinton and Foreign Minister Espinosa from Mexico that says: Do you know what? There are resources under that shared boundary out in the Gulf of Mexico, the boundary shared between the United States and the country of Mexico; resources that can

be explored and produced to meet our energy needs here at home working with our southern neighbor—Mexico—to share those resources and share the revenues.

Let's do it the right way. Let's do it with the American safety standards and American environmental standards that currently apply to American energy companies producing in the Gulf of Mexico. Let's require those Mexican companies to comply with those standards and then let's share those revenues. This is the right thing.

H.R. 1613 will implement that agreement, but it will do something else. It will remove the uncertainty and provide for American competitiveness when you're competing with foreign countries such as Mexico. This is the right thing for America. Put Americans to work, meet energy needs, and meet our national security needs. That's why House Republicans have focused on an all-of-the-above American energy strategy, and these bills are part of that.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to my friend, the distinguished gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I thank my colleague for yielding.

I rise in strong opposition to this rule and to the underlying bill.

The so-called Offshore Energy and Jobs Act is nothing more than another old idea that will not become law. We have voted on a form of this legislation every year since the majority has been in control of this House, yet the same thing happens every time: it goes absolutely nowhere. Instead of working on new, more sustainable energy ideas, we find ourselves here yet again wasting our time on another misguided, destructive, and unnecessary drilling bill.

I'm particularly dismayed that the bill, yet again, expands drilling in areas where voters have unequivocally said they don't want it. The devastating 1969 oil spill in Santa Barbara, California, galvanized our State against any more offshore drilling. That's why California permanently banned new oil and gas leasing in the State waters they control in 1994.

This majority here, which gives lip service to respecting states' rights, has chosen, yet again, to override the will of voters in my district and my State by mandating immediate oil and gas lease sales off the coasts of Santa Barbara and Ventura Counties, despite our well-known, long-standing bipartisan opposition.

Later this week, I will be offering an amendment to strike these provisions, and I appreciate the Rules Committee for making my amendment in order. But expansion of drilling in southern California only scratches the surface of what's wrong with this bill. Simply put, it's a solution without a problem.

Drilling, both onshore and offshore, has been expanding rapidly in recent years, and is showing no signs of slowing down. Last year, domestic offshore oil production was higher than it was at the end of the Bush administration. Oil production in the United States increased more last year than at any point since the inception of the oil industry in 1859.

The Obama administration has offered, and continues to offer, millions of acres of public lands offshore for oil and gas exploration and production.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. HASTINGS of Florida. I yield an additional 30 seconds to the gentlewoman.

Mrs. CAPPS. Yet, despite this expansion under the Obama administration, nearly 85 percent of the offshore acreage already under lease by the oil industry is not producing. Instead of recycling bad ideas and expanding drilling in areas where voters don't want it, we should be working together on a responsible, clean energy policy for the 21st century. This bill is just more of the same dirty energy policies of the past.

I urge my colleagues to reject this rule and reject the underlying bill.

Mr. BISHOP of Utah. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I'm very pleased to yield 2½ minutes to my good friend, the distinguished gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman for yielding.

I will have a lot to say about the deficiencies to these two bills over the next 2 days. But today the Republicans are purporting two things: lower gas prices and reduce the deficit. They would have us believe this bill would do that. They're saying high gas prices are due to the fact there's not enough offshore oil drilling.

Nothing could be further from the truth. There's actually a glut of oil in the Gulf region. It's all waiting in storage because, oh, the refineries are doing routine maintenance. Why are they doing that? Well, because it's the height of the driving season for the American people, therefore, they can gouge the consumers by pretending, oh, there's just no other time we could clean the refinery. It doesn't have anything to do with oil supplies. It has to do with a lack of refining capacity artificially manipulated and speculation on Wall Street.

Secondly, they say they're addressing the deficit, that this is going to provide additional revenues in the future. In fact, they are so concerned about the deficit they would not allow an amendment I attempted to offer, supported by a number of west coast Members—three Governors of the Western United States—that would have protected the west coast from the mandatory drilling in this bill. They said that might preclude future revenue from future leases that might be let by a future President, and they said we might not get $1 billion 30 years in the future because of your amendment.

However, there is an amendment by the gentleman from Louisiana, Representative CASSIDY, who will mandate a diversion of $500 million a year of revenues flowing to the Treasury to the Gulf States for the next 30 years. Yes, we are going to forego or give up $15 billion of revenues to the Treasury, creating $15 billion more debt and deficit for the American people, but they waived the rules. That doesn't count.

This all kind of reminds me a little bit of George Orwell, the way the Republicans cynically manipulate the rules around here. As he said: ''All animals are equal, but some are more equal than others.''

So Republican amendments that create debt and deficit are exempt from the rules, and Democratic amendments to protect the west coast, which does not want this mandatory oil drilling, because it might forego some potential possible future revenues, are not made in order. This is not for real. This is not an honest process.

Mr. BISHOP of Utah. Mr. Speaker, it is wonderful to realize how the GAO's and the OMB's facts are not inaccurate and also how rules that were waived for this bill have been waived for the same reason in prior pieces of legislation.

With that, Mr. Speaker, I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, if we defeat the previous question, I will offer an amendment to this rule that would allow the House to hold a vote on the Student Loan Relief Act. If Congress doesn't act by July 1, undergraduate students in this Nation, all over this Nation, will see a hike in their student loan interest rates.

To discuss our proposal, I yield 2 minutes to my friend, the gentleman from California (Mr. MILLER).

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the remarks by the gentleman from Florida that we would have an opportunity to vote on the student loan bill to make sure that we don't do what millions of American students and their families have asked us not to do, and that is, they don't want us to double their debt. But in less than 100 hours if we don't get the vote that Mr. HASTINGS is talking about, in less than 100 hours, millions of American college students may see their student debt increase because of the Republican obstructionism. It's unfortunate that it's come to this. This issue shouldn't be partisan. It's about doing the right thing on behalf of millions of students and their families all across the country.

It's a simple choice. We can help students achieve an education, one that

they can afford, and the skills that they need to be successful, or we can put more hurdles in their way and increase the already skyrocketing debt burden that students absorb as they graduate from college.

□ 1310

It has been more than a year of ignoring this issue. A year ago, we were in this position, and a year ago, we voted to keep the student loan rate at 3.75 percent. Nothing has been done until recently, and then the Republicans came up with an idea that was really bad. It was worse than doubling the interest rates on July 1. It was more expensive to the students than doubling the interest rates. It's not a smart solution. It's a terrible solution—it's terrible for students; it's terrible for their families.

After a year of ignoring this issue, the Republicans foisted this harmful idea onto the House floor, and when the Republican bill hit the floor, they refused to allow a vote on a rational plan, like the Courtney bill, that stops this doubling of the interest rates and allows this Congress to examine and develop a long-term solution as part of the Higher Education Reauthorization Act.

Despite trumpeting that their plan was the same as President Obama's proposal, when the Democrats offered President Obama's actual plan, they blocked that vote, too. So they won't keep the interest rates from doubling, and they won't do a plan that they said is just like theirs. On July 1, those interest rates are going to double on millions of students as they start this school year in August and September.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS of Florida. I yield the gentleman an additional 1 minute.

Mr. GEORGE MILLER of California. The time for obstruction has passed. It's time to keep the rates low and to work on a long-term solution. It's time to stop asking college students and their families to bear an unfair burden of paying down the Bush deficits.

The Democrats have chosen to stand with the students and families who are trying to access the American Dream. We can do this. Millions of families and students have asked us: don't double their debt. Yet, on July 1, because of the Republican obstructionism, that's what's going to happen to these students. It's very unfortunate. It adds an additional $1,000 to the 4 years of college. We should not do that at this time, in this economy, for these students and families.

Mr. BISHOP of Utah. I yield myself 1 minute.

I appreciate what has been said even though it has very little to do with the bills that we will be discussing in these next couple of weeks.

Especially as a former teacher, I understand significantly what it does to student loans and situations. I understand significantly how now 5 years ago Congress passed legislation that cut out the FFEL Program, which actually helped kids in their being able to afford their college workability. We consolidated all of our efforts with a program, an idea, from the 1980s, which was a bad idea then and is a bad idea now.

Unfortunately, this House has dealt with this issue. On May 23 of this year, we passed a bill that solves this problem, and we sent it over to the Senate. For some reason, I feel uncomfortable or at least tired of being held accountable for the Senate's inability to actually deal with legislation sent to them that solves problems and then have to take the responsibility back here. The House has dealt with this issue, and we did it in a responsible, reasonable way. The Senate has refused to.

So often what we have found as gridlock here is not necessarily between Republicans and Democrats as we pass a whole lot of bipartisan bills on this floor. It's between the Senate and the House. I wish it were different and that we could compel the Senate to act responsibly, but the Senate has not and the House has.

With that, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 1½ minutes to my friend, the distinguished gentleman from Iowa (Mr. LOEBSACK).

Mr. LOEBSACK. I do appreciate the gentleman for yielding to me.

I rise to actually speak about an issue that I think we should be addressing today and at this very moment.

With student loan interest rates set to rise in only 5 short days, the time to act is now. It is unacceptable that we have not yet brought up a bill for a vote that can be passed by both Chambers and signed into law.

With tuition rising rapidly and with far too many families and students struggling to make ends meet, middle class families are finding it more and more difficult to pay for college. When I'm home each weekend in Iowa, I hear from countless students and parents who cannot understand why we can't seem to get this done.

This should not be a partisan issue. We need to address student loan debt in the interest of our economy. We must prepare our students for the kind of good-paying middle class jobs that will drive our economy forward, and we must do so in a way that does not saddle them with a lifetime of debt, which prevents them from fully participating in the economy.

I could not have gone to college and would not be where I am today without low-interest student loans and other financial assistance programs that were available to me. It's critical that we get this done now. I am willing to stay here and work until we get this done. We cannot allow the House to recess and leave our students in the dust to face this rate hike.

Mr. BISHOP of Utah. I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to a friend of mine, the distinguished gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, as the chart next to me clearly states, we are now 4 days and counting until, by law, the interest rate for the subsidized Stafford student loan program will double—from 3.4 percent to 6.8 percent. The real chart should probably be 3 days because that's how many legislative days the House and the Senate are in session. Incredibly, we are debating issues which hardly have the same time sensitivity and which clearly are tone deaf to what American families all over the country are really concerned about.

There are 7.5 million college students who use the subsidized Stafford student loan program. They are going to see their rates double. The total gross cost in terms of added interest is about $4 billion. This is at a time when student loan debt is $1.1 trillion—higher than credit card debt, higher than car loan debt. Incredibly, this deadline is just being completely ignored by the majority despite the fact that millions of students are making life decisions as we speak as they begin to enroll for next fall's semester.

The bill which the House majority passed on May 23 is a bill which tied rates on a variable basis to Treasury notes, which, by the way, have been going up like crazy over the last 3 weeks and which the Congressional Budget Office has now analyzed and told us will result in debt costs that will be worse than if Congress did nothing and allowed the rates to double to 6.8 percent.

The solution is obvious. Extend the lower rate, 3.4 percent. My bill, H.R. 1595, which is the subject of the previous question, has 195 signatories for a discharge petition. A substantial group of Members in the House is ready and poised to move. It did get 51 votes in the Senate. It did actually move in the Senate, and the President has said he will sign it. If there is any path forward for those 7.5 million students, it's H.R. 1595. Let's do it. Let's act. Let's turn this countdown clock off. Let's help America's young students afford and pay for a critical need for their future—higher education.

Mr. BISHOP of Utah. I continue to reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I would inform my colleague from Utah that I have no further requests for time, and I would ask whether or not he has additional speakers.

Mr. BISHOP of Utah. Other than brilliant verbiage from myself, you've got it.

Mr. HASTINGS of Florida. I am looking forward to the brilliant verbiage.

Following on from the previous discussion, Mr. Speaker, I ask unanimous consent to insert the text of the amendment, which has been discussed, in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore. The gentleman from Florida has 8½ minutes remaining.

Mr. HASTINGS of Florida. I yield myself the remainder of my time.

I urge my colleagues to vote ''no'' and defeat the previous question. I am tempted to take the 8½ minutes and, perhaps, not offer as much brilliant verbiage but at least add, without hyperbole, the continuing concern that all of us should have.

I agree with my friend from Utah when he points to the fact that there has been legislation that has come out of the House of Representatives, regardless of who was in the majority, and that it has gone over to the other body and nothing has transpired. But when the American people look at Congress, they are not looking just at the House of Representatives or just at the United States Senate—it is all of us—and it is our responsibility here in the House, particularly as the body that has the Ways and Means Committee, which generates the financial circumstances of this country that ultimately is voted on.

□ 1320

It's our responsibility, in my judgment, to undertake to answer one simple question regarding this loan thing: Why is it that college students are going to be required to have loan obligations that raise their loans from 3.4 percent to 6.8 percent when Bank X and Bank Y can borrow money from each other for little or nothing at all? That does not make any sense.

We can't do these children this way in this country, and we have an absolute responsibility to all of them to give them the opportunities that many of us had. People here in this House that have come here by way of student loans and some of them have had those opportunities, why not give these children that chance?

Mr. Speaker, the most common critiques of this Congress have been bipartisanship and dysfunction. This rule today for these three bills shows that the Speaker and majority leader are perfectly content with that characterization of their work. Congress doesn't have to be this way.

It isn't always like this. It wasn't like this when I came here in 1992. It was not like this for the greater portion of a decade after I came here in 1992. Instead of appointing budget conferees, instead of passing a farm bill in a bipartisan way, instead of fixing the pending student loan interest rate, instead of replacing the sequester that has been monstrously all over this Nation hindering our economic recovery and instead of preventing us from yet another game of chicken, which we will be doing sometime in the fall over the debt ceiling, we're considering three purely political bills that will only create more partisanship among us and might, I add, ain't going nowhere.

Mr. Speaker, Congress can and must do better.

I urge a ''no'' vote on the rule, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the opportunity of being part of a debate that covered a smorgasbord of ideas. Let me just respond to several of those that have been presented in the last lead-up to the vote on this particular amendment.

As I said before, I'm a teacher. I care greatly about education. I'm especially frustrated with the way Congress has passed or handled the student loan provision.

Several years ago, while the Democrats were in control—I'm trying not to be too partisan, but they were in control—we changed the law that dealt with student loans to consolidate that authority within the Federal Government. By doing so, we crushed private-State partnership plans that were an excellent avenue for loans that students could use. They could get breaks depending on their repayment habits. It was a marvelous program, but it was stopped in an effort to try to consolidate everything here within Congress. Since that time, we have played silly games of brinksmanship that deal with what the rate should be and what the rate might be.

We have a bill that this body passed on May 23 in plenty of time to extinguish this issue, plenty of time for the Senate to debate it, amend it, send it back to us, appoint the conference, go through regular process, if the Senate wished to do that. Instead, the result is the Senate has basically turned their back on the issue and said, We'll let it go over the cliff one more time.

You see, it shouldn't have been that way. If we had not changed the policy back when we passed a bill in the previous leadership of this House, we wouldn't have had this problem in the first place. What this House tried to do is say this is a silly approach going into the future. Let's come up with a policy towards student loans. If we have to consolidate them, if the Federal Government has to have their control and grasp over the entire thing, we should do it in a way that provides some kind of flexibility and some kind of rationalization so it can ebb and flow in the future as the market requires it to do.

We passed a bill not just that allowed them not to double, but we passed a bill here on this floor which solved the problem. The fact that the Senate does not wish to solve the problem is something that I find sad. But we solved the problem, and we did it in a timely fashion.

The great speeches that I heard today—and they were very good and their verbiage was better than mine—should be given over in the Senate where it can do some good.

I also want to talk about a couple of other issues that I've heard, that these particular bills in this rule would violate states rights' agreements, even though the issue at hand is only those waters and coastal waters that are a part of the Federal preserve and does not talk about State waters whatsoever.

We talked about in H.R. 1613 a poison pill being inserted into that provision that exempts Dodd-Frank. Somehow I wish we could actually go back to the person who actually inserted that provision in there because it was Secretary Hillary Clinton. That's part of the negotiations we did as a country with the Mexican Government; and it's logical that it is in there because it gives some protection to U.S. companies that, if that language was not in there, could be forced either to violate Federal laws or violate foreign laws and face civil penalties or cease to operate in foreign countries.

I can understand why the Secretary of State at the time did negotiate that portion that is in there. That's not the poison pill. That's simply what is in the negotiated settlement. All we're doing with this bill is enacting it, putting it into place, and allowing us to move forward with what has been simply negotiated on resource areas that straddle international lines.

I'm also somewhat frustrated with the statement that we might as well use the leases that we currently have. I'm also frustrated because we have had a great deal of increase in production of oil and gas, and it's all happened on private and State lands.

I happen to represent a State that has almost 70 percent of it controlled by the Federal Government. I have enormous amounts of resource potential in my State, but it is controlled by the Federal Government. So even though areas where private property and States have been able to increase the revenue to their States and increase the total amount of petroleum productions that we have, my State has seen the exact opposite.

If you go onshore to the areas that are controlled by this administration, the Federal lands, the amount of parcels that have been offered since 2005

are down 88 percent. The amount of acres that are offered for development of resources are down 85 percent. And what is most sad is the amount of revenue that is produced both to the State and to the Federal Government from onshore development since 2005, which is down 99 percent.

A lease is simply not, as has been stated, the green light to start drilling. A release simply says you start the process. And part of the problem with the releases both onshore and offshore has been the inability of the Federal Government to do so in a reasonable fashion. On onshore lease development there is regulation that says it must be done in a 6-month period of time to move forward from the initial sale and to which the lease is then offered so the company can start its drilling process. Yet in a survey done by GAO, 91 percent of the time, that 6-month standard has not been met onshore.

Part of H.R. 2231 is a reorganization of the administrative function that deals with how these leases are developed and how they proceed going forward. By taking one agency, which has had a very poor record and dividing it into three with specific responsibilities, we think we can streamline this process and make sure that what we are doing on the Outer Continental Shelf is far more effective than what we are doing on Federal lands onshore, where all we are having is stalling delays and a lack of production and a lack of revenue coming from them.

It was once said to the chairman of the Natural Resources Committee that if he had a better idea, do it. In all due respect, he has a better idea. That better idea is the two bills before us right now, H.R. 2231, and the other bill, which is H.R. 1613. Those are good ideas. They will move us forward. They're the things we ought to do to prepare.

I think it's a great rule that is allowing that and allowing the appropriation bill to come through in an open rule, allowing anyone who has an idea that he or she wishes to bring to the floor the opportunity to do so.

With that, this is a fair rule. It deals with an appropriations process, as well as two bills that are good bills that will help people. Especially after yesterday's speech, we should have an energy policy in this country aimed at helping middle class Americans, not one that simply says, freeze in the dark, especially if you're poor. That's the best thing we are going to be able to do.

□ 1330

These bills move us forward. We should vote for them. With that, having failed at my effort to give you good verbiage, in which case I'm sorry you're holding the cane there, I hope you're using that only to navigate around this floor and it will not become a weapon in the future.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

AN AMENDMENT TO H. RES. 274 OFFERED BY MR. HASTINGS OF FLORIDA

At the end of the resolution, add the following new sections:

SEC. 8. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1595) to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 9. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 595 as specified in section 8 of this resolution.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BISHOP of Utah. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 228, nays 194, not voting 12, as follows:

[Roll No. 289]

YEAS—228

Aderholt	Bonner	Carter
Alexander	Boustany	Cassidy
Amash	Brady (TX)	Chabot
Amodei	Bridenstine	Chaffetz
Bachmann	Brooks (AL)	Coble
Bachus	Brooks (IN)	Coffman
Barletta	Broun (GA)	Cole
Barr	Buchanan	Collins (GA)
Barton	Bucshon	Collins (NY)
Benishek	Burgess	Conaway
Bentivolio	Calvert	Cook
Bilirakis	Camp	Cotton
Bishop (UT)	Campbell	Cramer
Black	Cantor	Crawford
Blackburn	Capito	Crenshaw

Culberson	Joyce	Roe (TN)
Daines	Kelly (PA)	Rogers (AL)
Davis, Rodney	King (IA)	Rogers (KY)
Denham	King (NY)	Rogers (MI)
Dent	Kingston	Rohrabacher
DeSantis	Kinzinger (IL)	Rokita
DesJarlais	Kline	Rooney
Diaz-Balart	Labrador	Ros-Lehtinen
Duffy	LaMalfa	Roskam
Duncan (SC)	Lamborn	Ross
Duncan (TN)	Lance	Rothfus
Ellmers	Lankford	Royce
Farenthold	Latham	Runyan
Fitzpatrick	Latta	Ryan (WI)
Fleischmann	LoBiondo	Salmon
Fleming	Long	Sanford
Flores	Lucas	Scalise
Forbes	Luetkemeyer	Schock
Fortenberry	Lummis	Schweikert
Foxx	Marchant	Scott, Austin
Franks (AZ)	Marino	Sensenbrenner
Frelinghuysen	Massie	Shimkus
Gardner	McCarthy (CA)	Shuster
Garrett	McClintock	Simpson
Gerlach	McHenry	Smith (MO)
Gibbs	McKeon	Smith (NE)
Gibson	McKinley	Smith (NJ)
Gingrey (GA)	Meadows	Smith (TX)
Gohmert	Meehan	Southerland
Goodlatte	Messer	Stewart
Gosar	Mica	Stivers
Gowdy	Miller (FL)	Stockman
Granger	Miller (MI)	Stutzman
Graves (GA)	Miller, Gary	Terry
Graves (MO)	Mullin	Thompson (PA)
Griffin (AR)	Mulvaney	Thornberry
Griffith (VA)	Murphy (PA)	Tiberi
Grimm	Noem	Tipton
Guthrie	Nugent	Turner
Hall	Nunes	Upton
Hanna	Nunnelee	Valadao
Harper	Olson	Wagner
Harris	Palazzo	Walberg
Hartzler	Paulsen	Walden
Hastings (WA)	Pearce	Walorski
Heck (NV)	Perry	Weber (TX)
Hensarling	Petri	Webster (FL)
Herrera Beutler	Pittenger	Wenstrup
Holding	Pitts	Westmoreland
Hudson	Poe (TX)	Whitfield
Huelskamp	Pompeo	Williams
Huizenga (MI)	Posey	Wilson (SC)
Hultgren	Price (GA)	Wittman
Hunter	Radel	Wolf
Hurt	Reed	Womack
Issa	Reichert	Woodall
Jenkins	Renacci	Yoder
Johnson (OH)	Ribble	Yoho
Johnson, Sam	Rice (SC)	Young (AK)
Jones	Rigell	Young (FL)
Jordan	Roby	Young (IN)

NAYS—194

Andrews	Conyers	Garamendi
Barber	Cooper	Garcia
Barrow (GA)	Costa	Grayson
Bass	Courtney	Green, Al
Beatty	Crowley	Green, Gene
Becerra	Cuellar	Grijalva
Bera (CA)	Cummings	Gutiérrez
Bishop (GA)	Davis (CA)	Hahn
Bishop (NY)	Davis, Danny	Hanabusa
Blumenauer	DeFazio	Hastings (FL)
Bonamici	DeGette	Heck (WA)
Brady (PA)	Delaney	Higgins
Braley (IA)	DeLauro	Himes
Brown (FL)	DelBene	Hinojosa
Brownley (CA)	Deutch	Holt
Bustos	Dingell	Honda
Butterfield	Doggett	Horsford
Capps	Doyle	Hoyer
Capuano	Duckworth	Huffman
Cárdenas	Edwards	Israel
Carney	Ellison	Jackson Lee
Carson (IN)	Engel	Jeffries
Cartwright	Enyart	Johnson (GA)
Castor (FL)	Eshoo	Kaptur
Castro (TX)	Esty	Keating
Chu	Farr	Kelly (IL)
Cicilline	Fattah	Kennedy
Clay	Foster	Kildee
Cleaver	Frankel (FL)	Kilmer
Clyburn	Fudge	Kind
Cohen	Gabbard	Kirkpatrick
Connolly	Gallego	Kuster
Langevin	Neal	Schrader
Larsen (WA)	Negrete McLeod	Schwartz
Larson (CT)	Nolan	Scott (VA)
Lee (CA)	O'Rourke	Scott, David
Levin	Owens	Serrano
Lewis	Pallone	Sewell (AL)
Lipinski	Pascrell	Shea-Porter
Loebsack	Pastor (AZ)	Sherman
Lofgren	Payne	Sinema
Lowenthal	Pelosi	Sires
Lowey	Perlmutter	Slaughter
Lujan Grisham (NM)	Peters (CA)	Speier
	Peters (MI)	Swalwell (CA)
Luján, Ben Ray (NM)	Peterson	Takano
	Pingree (ME)	Thompson (CA)
Lynch	Pocan	Thompson (MS)
Maffei	Polis	Tierney
Maloney, Sean	Price (NC)	Titus
Markey	Quigley	Tonko
Matheson	Rahall	Tsongas
Matsui	Rangel	Van Hollen
McCollum	Richmond	Vargas
McDermott	Roybal-Allard	Veasey
McGovern	Ruiz	Vela
McIntyre	Ruppersberger	Velázquez
McNerney	Rush	Visclosky
Meeks	Ryan (OH)	Walz
Meng	Sánchez, Linda T.	Wasserman Schultz
Michaud		
Miller, George	Sanchez, Loretta	Waters
Moore	Sarbanes	Waxman
Moran	Schakowsky	Welch
Murphy (FL)	Schiff	Wilson (FL)
Napolitano	Schneider	Yarmuth

NOT VOTING—12

Clarke	McCarthy (NY)	Neugebauer
Fincher	McCaul	Sessions
Johnson, E. B.	McMorris Rodgers	Smith (WA)
Maloney, Carolyn	Nadler	Watt

□ 1357

Messrs. PERLMUTTER, HIGGINS, GENE GREEN of Texas, and VELA and Ms. DUCKWORTH changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

(By unanimous consent, Mrs. CAPITO was allowed to speak out of order.)

WOMEN'S CONGRESSIONAL SOFTBALL GAME

Mrs. CAPITO. To my colleagues, tonight is a very exciting night for the women of the House, the women's softball team of the House—and the men of the House, and really all families across America—for our fifth annual women's softball team. Our game is tonight at 7 o'clock at Watkins Field.

I am the cocaptain of the team with my esteemed colleague from Florida. And we have trouble agreeing on a lot of things, but I know everybody in this room today will want us to win because our opponents are the press.

So I want to just briefly say thank you to everybody who's been involved in this. We've had a lot of great coaches and we've had a lot of outside help. We've had a lot of fun getting to know each other again and even better.

I'd like to yield to my cocaptain who hatched this idea and have her talk a little bit about why we're doing this.

Ms. WASSERMAN SCHULTZ. Thank you very much to my cocaptain, the gentlelady from West Virginia, and to all of our sisters on the Congressional Women's Softball team.

The gentlelady from West Virginia is absolutely right; we may not always agree in the boundaries and walls of this room, but I think all of us can agree that we want to defeat the common adversary—that is, the press corps.

We have been out there for the last 2 months at 7 in the morning two or three times a week. None of us can believe that we actually all get out there at the crack of dawn to make sure that we can build our skills, build camaraderie, make sure that we come together around a true common purpose. We also thank our adversaries, whom we will defeat tonight when we take the field and make sure that we take the trophy back for the women Members.

We've only won one out of the last four games, but the fifth time is a charm. This is the fifth annual game. It happens to coincide with my own 5-year anniversary of being a survivor of breast cancer. And the importance of this game is really that we all are focused on raising money for an incredible charity, the Young Survival Coalition. We are headed for a record-breaking fundraising year.

I want to thank the majority whip in particular for making sure that the schedule accommodated everybody coming to the game. This is going to be a fun family event. Bring your kids. We have face painting and a fun zone and all kinds of food and a great time. We have already presold more than 1,000 tickets before we even get to the door.

So thank you so much. Come cheer on the women Members tonight at 7 o'clock, Watkins Recreation Center, 12th and D Southeast. Take the Eastern Market or Potomac Avenue Metro.

On to victory for the Congressional Women's Softball team.

Mrs. CAPITO. Thank you, Mr. Speaker. I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 235, nays 187, not voting 12, as follows:

[Roll No. 290]

YEAS—235

Aderholt	Benishek	Brooks (AL)
Alexander	Bentivolio	Brooks (IN)
Amash	Bilirakis	Broun (GA)
Amodei	Bishop (UT)	Buchanan
Bachmann	Black	Bucshon
Bachus	Blackburn	Burgess
Barber	Bonner	Calvert
Barletta	Boustany	Camp
Barr	Brady (TX)	Campbell
Barton	Bridenstine	Cantor

Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cotton
Cramer
Crawford
Crenshaw
Culberson
Daines
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Grayson
Griffin (AR)
Griffith (VA)
Grimm
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Heck (NV)
Hensarling
Herrera Beutler
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kelly (PA)
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
LaMalfa
Lamborn
Lance
Lankford
Latham
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy (CA)
McClintock
McHenry
McKeon
McKinley
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mullin
Mulvaney
Murphy (PA)
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Perry
Peters (CA)
Petri
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Radel
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross
Rothfus
Royce
Runyan
Ryan (WI)
Salmon
Sanford
Scalise
Schock
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stewart
Stivers
Stockman
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Velázquez
Wagner
Walberg
Walden
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (FL)
Young (IN)

NAYS—187

Andrews
Barrow (GA)
Bass
Beatty
Becerra
Bera (CA)
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Brady (PA)
Braley (IA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu
Cicilline
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Deutch
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Enyart
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garcia
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanabusa
Hastings (FL)
Heck (WA)
Higgins
Himes
Hinojosa
Holt
Honda
Horsford
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maffei
Maloney, Sean
Markey
Matheson
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Michaud
Miller, George
Moore
Moran
Murphy (FL)
Napolitano
Neal
Negrete McLeod
Nolan
O'Rourke
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters (MI)
Peterson
Pingree (ME)
Pocan
Polis
Price (NC)
Quigley
Rahall
Rangel
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tierney
Titus
Tonko
Tsongas
Van Hollen
Vargas
Veasey
Vela
Visclosky
Walz
Wasserman Schultz
Waters
Waxman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—12

Clarke
Fincher
Johnson, E. B.
Maloney, Carolyn
McCarthy (NY)
McCaul
McIntyre
McMorris Rodgers
Nadler
Neugebauer
Smith (WA)
Watt

□ 1409

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. McMORRIS RODGERS. Mr. Speaker, on rollcall No. 289 on Ordering the Previous Question, H. Res. 274, A resolution providing for the consideration of H.R. 1613—Outer Continental Shelf Transboundary Hydrocarbon Agreements Authorization Act, H.R. 2231—Offshore Energy and Jobs Act, and H.R. 2410—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2014, I am not recorded because I was absent due to a death in the family. Had I been present, I would have voted "yea."

Mr. Speaker, on rollcall No. 290 on Agreeing to the Resolution, H. Res. 274, A resolution providing for the consideration of H.R. 1613—Outer Continental Shelf Transboundary Hydrocarbon Agreements Authorization Act, H.R. 2231—Offshore Energy and Jobs Act, and H.R. 2410—Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2014, I am not recorded because I was absent due to a death in the family. Had I been present, I would have voted "yea."

PERMITTING OFFICIAL PHOTOGRAPHS OF THE HOUSE OF REPRESENTATIVES TO BE TAKEN WHILE THE HOUSE IS IN ACTUAL SESSION ON A DATE DESIGNATED BY THE SPEAKER

Mrs. MILLER of Michigan. Madam Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of House Resolution 270, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore (Ms. FOXX). Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

The text of the resolution is as follows:

H. RES. 270

Resolved, That on such date as the Speaker of the House of Representatives may designate, official photographs of the House may be taken while the House is in actual session. Payment for the costs associated with taking, preparing, and distributing such photographs may be made from the applicable accounts of the House of Representatives.

The resolution was agreed to.

A motion to reconsider was laid on the table.

DISMISSING THE ELECTION CONTEST RELATING TO THE OFFICE OF REPRESENTATIVE FROM THE NINTH CONGRESSIONAL DISTRICT OF TENNESSEE

Mrs. MILLER of Michigan, from the Committee on House Administration, submitted a privileged report (Rept. No. 113–132) on the resolution (H. Res. 277) dismissing the election contest relating to the office of Representative from the Ninth Congressional District of Tennessee, which was referred to the House Calendar and ordered to be printed.

Mrs. MILLER of Michigan. Madam Speaker, I call up House Resolution 277 and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

The text of the resolution is as follows:

H. RES. 277

Resolved, That the election contest relating to the office of Representative from the Ninth Congressional District of Tennessee is dismissed.

The resolution was agreed to.

A motion to reconsider was laid on the table.

DISMISSING THE ELECTION CONTEST RELATING TO THE OFFICE OF REPRESENTATIVE FROM THE FORTY THIRD CONGRESSIONAL DISTRICT OF CALIFORNIA

Mrs. MILLER of Michigan, from the Committee on House Administration, submitted a privileged report (Rept. No. 113–133) on the resolution (H. Res. 278) dismissing the election contest relating to the office of Representative from the Forty Third Congressional District of California, which was referred to the House Calendar and ordered to be printed.

Mrs. MILLER of Michigan. Madam Speaker, I call up House Resolution 278 and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Michigan?

There was no objection.

The text of the resolution is as follows:

H. RES. 278

Resolved, That the election contest relating to the office of Representative from the Forty Third Congressional District of California is dismissed.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

INSPECTOR GENERAL INVESTIGATION OF ALLEGATIONS OF RETALIATORY PERSONNEL ACTIONS TAKEN IN RESPONSE TO MAKING PROTECTED COMMUNICATIONS REGARDING SEXUAL ASSAULT

Mrs. WALORSKI. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1864) to amend title 10, United States Code, to require an Inspector General investigation of allegations of retaliatory personnel actions taken in response to making protected communications regarding sexual assault.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1864

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. INSPECTOR GENERAL INVESTIGATION OF ALLEGATIONS OF RETALIATORY PERSONNEL ACTIONS TAKEN IN RESPONSE TO MAKING PROTECTED COMMUNICATIONS REGARDING SEXUAL ASSAULT.

Section 1034(c)(2)(A) of title 10, United States Code, is amended by striking ''sexual harassment or'' and inserting ''rape, sexual assault, or other sexual misconduct in violation of sections 920 through 920c of this title (articles 120 through 120c of the Uniform Code of Military Justice), sexual harassment, or''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Indiana (Mrs. WALORSKI) and the gentlewoman from California (Ms. LORETTA SANCHEZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from Indiana.

GENERAL LEAVE

Mrs. WALORSKI. Madam Speaker, I ask that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Indiana?

There was no objection.

Mrs. WALORSKI. Madam Speaker, I yield myself such time as I may consume.

Sexual assault in the military is maiming our troops. These aren't my words. They are the words of General Raymond Odierno, the Chief of Staff of the Army. He likened military sexual assault to other serious threats that our troops face downrange.

The threat of sexual assault in the military is real. The wounds it inflicts on our servicemembers are also just as real.

I introduced H.R. 1864 with my colleague and tireless advocate Congresswoman LORETTA SANCHEZ. The bill on the floor today is the product of a lot of time and hard work.

I remember sitting in the House Armed Services Committee hearing and becoming shocked as I learned firsthand about the widespread abuse at Lackland Air Force base. I remember thinking that our brave servicemembers deserve so much better and that those in charge deserve to be held accountable. After that hearing, I went to work.

The bill we are debating today is a true bipartisan and bicameral reform that gets to the heart of this issue. It does so by addressing the challenges of sexual assault underreporting that has become too common in the military. The Pentagon estimates that there were approximately 26,000 victims of sexual assault last year. However, only roughly 3,600 victims actually filed reports.

Many individuals don't come forward because they don't have confidence in the military justice system. Others don't come forward because they fear reprisal or they believe reporting another servicemember will negatively impact their own career. This lack of reporting, for whatever reason, demonstrates that we have a real problem.

Before we can truly understand the scope of sexual assault in the military and how to best confront it, we have to find a way to encourage more victims to come forward. We have to find a way to empower the victims and restore their faith in the military justice system. That's what this bill does.

H.R. 1864 strengthens existing military whistleblower protections and seeks to remove many of the fears and stigmas that deter reporting. The bill requires an inspector general investigation into suspected retaliation in response to allegations of sexual assault. This bill also seeks to help create an environment in the military where victims feel safe to come out of the darkness and to report these crimes of sexual violence.

□ 1420

It is reported that 62 percent of the servicemembers who experienced unwanted sexual contact felt as if they were being retaliated against in one form or another. This is completely unacceptable. Troops who have sacrificed so much for the cause of liberty should not be subject to reprisal after having just been subject to the emotional and physical pain of a sexual crime.

H.R. 1864 is good policy, and the urgency of this issue demands that this Congress act today. Let's be a voice for the countless victims who have already come forward and for the countless more who are still unknown. Let's send a clear and resounding message to the Department of Defense and to those preying on our troops, which is that this type of behavior will no longer be tolerated.

I ask my colleagues to do the right thing and join me in supporting this much-needed measure.

I reserve the balance of my time.

Ms. LORETTA SANCHEZ of California. Madam Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 1864, introduced by me and my good friend and colleague, Mrs. WALORSKI from Indiana.

H.R. 1864 amends title X of the United States Code: to require an inspector general investigation of allegations of retaliatory personnel actions taken in response to making protected communications regarding sexual assault.

As the lead Democratic sponsor of this measure, I support the effort to protect military whistleblowers against reprisal for disclosing violations of law, for sexual assault and other prohibitive sexual misconduct. As such, I am pleased that this bill was also put into the National Defense Authorization Act just about 10 days ago on this House floor.

People have asked me: Why are you bringing this up as a stand-alone bill? My answer is that, last year, we finished and approved and got the NDAA signed on the 31st of December.

This bill really cannot wait. We need it today in the military because the biggest problem we have with respect to sexual assault is that the victims—the people who are being harassed and assaulted—are being retaliated against in the workplace. We do need this. There is no room for misbehavior of any kind, which may hinder the readiness, the morale, and the safety of our units. I look forward to working with my colleagues to ensure the passage of this important language.

Madam Speaker, I reserve the balance of my time.

Mrs. WALORSKI. Madam Speaker, I yield 2 minutes to my friend and colleague, the chairman of the Subcommittee on Tactical Air and Land Forces, the gentleman from Ohio (Mr. TURNER).

Mr. TURNER. Madam Speaker, in 2008, Maria Lauterbach, a female marine from my community, stepped forward to report a sexual assault from another marine. She was subsequently viciously murdered by the accused. Her mother, Mary Lauterbach, took up the issue of sexual assault in the military, and I have worked with her since 2008 on legislative solutions and in trying to change the culture in the military.

With that, I rise today in support of H.R. 1864, the work of Representative SANCHEZ and Representative WALORSKI, as part of that effort for us to change the culture and to provide the tools to victims in the military.

The problem in the military with sexual assault is clear: victims feel revictimized by the system, and perpetrators feel safe. Our efforts legislatively are to change that dynamic in which perpetrators feel unsafe so that we can rise to the level of preventing sexual assaults and, of course, to rally around victims so they feel safe.

Last year, I had the opportunity to attend a breakfast at the Commandant of the Marines' home to discuss the issue of sexual assault in the military. During that breakfast, a female marine, a lieutenant colonel, spoke up and admitted that if she were sexually assaulted that she would not report it. She said the cost in the military is just too high. No one should serve in the military and feel as if one who is subject to a crime is less secure if one steps forward and reports it, especially a crime as heinous as sexual assault.

H.R. 1864 will strengthen military whistleblower protection laws by requiring that victims of sexual assault are protected from punishment or reprisal for reporting their attacks. Through the passage of this bipartisan legislation, introduced by Congresswomen WALORSKI and SANCHEZ, Congress has the opportunity to take the necessary step in providing victims with the confidence, assurance, and peace of mind that they cannot be threatened or punished for reporting a sexual assault.

Recently, the Department of Defense indicated through a survey that 62 percent of those who reported a sexual assault felt that they were punished in the workplace for doing so by both their superiors and their fellow coworkers. This bill will add that additional protection in which they can feel safe once they report the crimes and as they move forward through prosecution.

I applaud Representatives SANCHEZ and WALORSKI for bringing this forward. Everyone should support H.R. 1864.

Ms. LORETTA SANCHEZ of California. Madam Speaker, I yield 1½ minutes to the gentlelady from New Hampshire (Ms. KUSTER), who has been working on this issue quite hard.

Ms. KUSTER. Thank you, Representative WALORSKI and Representative SANCHEZ, for your friendship and for your leadership on this issue.

Today, I am proud to join my colleagues in passing this bill to strengthen whistleblower protections for those who report sexual assaults in the military. This legislation will help ensure that sexual trauma survivors and others who step forward do not face reprisal for reporting these terrible crimes.

I am especially proud that, of the 110 bipartisan cosponsors of this important reform, nearly 50 are members of the freshman class. I know that these new Representatives are committed to working across the aisle in making commonsense reforms and getting things done for the American people. This important legislation proves that Congress can work together to do the right thing for the American people, and what better issue is there to partner on than in strengthening protections for the men and women of our Armed Forces. This critical reform is a great step forward in further protecting our heroes in uniform who take the extra heroic step of coming forward to blow the whistle on military sexual crimes.

It has been an honor to work with you all to help build support for this legislation. I urge my colleagues to support H.R. 1864 and to continue to work together to end sexual violence in the military.

Mrs. WALORSKI. Madam Speaker, I yield 2 minutes to my friend and colleague, a member of the Committee on Armed Services, the gentlelady from South Dakota (Mrs. NOEM).

Mrs. NOEM. I thank the gentlelady for yielding.

Madam Speaker, I would like to thank my colleagues for their hard work and leadership on this issue, and I am very proud to stand up in support of this legislation.

The number is staggering—26,000. That's how many military members were sexually assaulted last year alone, and thousands more were unwilling to come forward.

Research has shown that victims only report, roughly, 14 percent of all sexual assaults to law enforcement. Many who choose not to come forward may not have the confidence that they will actually receive justice. They may fear that reporting a fellow servicemember will result in threats or could negatively impact their careers. A recent DOD report showed that 62 percent of victims who reported sexual assaults faced some kind of retaliation. That's terrible.

This legislation is going to provide safeguards and additional protections for victims. By requiring an inspector general investigation into any allegations of retaliatory personnel actions taken against victims, we are clearly stating that this behavior is unacceptable, that it is inexcusable and will no longer be tolerated.

This legislation is part of a broader effort to do as much as we can to address the problem. For too long, lawmakers, military officials, and civilians have discussed the need to bring an end to sexual assault. This bill is another opportunity to put words into action and to take meaningful steps to address this growing problem. We have a responsibility to ensure adequate protections are in place, and we also have to provide physical and mental support for those victims as well as to insist on swift punishment for those who are responsible.

I am proud that Members on both sides of the aisle have worked on this bill as well as on other measures that we have previously passed as part of the Defense Authorization Act. It is only the start of a process that will change the culture in the military. It will establish a safe environment for all individuals—for service men and women—but we have to continue to do all that we can to solve this problem.

Ms. LORETTA SANCHEZ of California. Madam Speaker, I now yield 1 minute to the ranking member on the House Armed Services Subcommittee on Military Personnel, the gentlelady from California (Mrs. DAVIS).

□ 1430

Mrs. DAVIS of California. Madam Speaker, I certainly want to thank my colleagues on both sides of the aisle because I think we've seen how people can come together on a serious issue like this that really does affect our national security.

What's so important about this bill is I think it sends a message. It sends a message to perpetrators. But more than that, it sends a message to bystanders that responding to bad behavior is an important and critical thing to do. We can celebrate the good behavior, and I think this is also a way of

sending that message. But we're saying that bad behavior will not be tolerated. We see this not just in our Armed Forces, but we see it around the country, as well.

Just recently, General Morrison of Australia had a very, I think, concise and strong message to his troops in saying that the standard that you walk past is the standard that you uphold. Let's uphold the highest standard. Retaliation drives people from not reporting sexual abuse and sexual crimes. We need it to be okay to report because if people are fearing for their career or fearing that somehow they're going to be so demoralized by reporting, that's not going to work.

This is a good bill, and I applaud all my colleagues for supporting it.

Mrs. WALORSKI. Madam Speaker, I yield 2 minutes to my friend and colleague, the gentlelady from Indiana (Mrs. BROOKS).

Mrs. BROOKS of Indiana. Madam Chair, I rise today in support of H.R. 1864, a bill that bolsters existing military whistleblower protection laws to clarify that victims of criminal sexual crimes are protected from punishment for reporting those crimes. And I applaud my fellow Hoosier, JACKIE WALORSKI, and the others from the Armed Services Committee in that this has been done in a bipartisan way.

Just this past weekend as a former U.S. attorney and a new Member of Congress, I spoke to an Indiana statewide victim assistance academy, and I shared with them the shocking statistics that they weren't aware of—that 26,000 members that you've already heard about, members of our military, were assaulted in 2012. That is a 34 percent increase from 2010. Only a fraction of these victims file reports, and their abusers remain in the military to assault again. Why? For the same reasons that victims in our civilian criminal justice system face: they are afraid. They face fear. And more than 60 percent of those victims in the military never do report and come forward. But these victims just aren't on our military bases, they come home and they live in our communities. They may be reserve officers, they may be in our National Guards, and they are active enlisted officers and personnel.

Unless we stop this retaliation that these victims face, fewer and fewer assault victims will come forward and report, and more and more attackers will remain free to commit these crimes, and not just on our bases. These crimes often don't happen just once with one woman or, yes, one man. These will happen again and again if the assailant and the perpetrator is not brought to justice.

If we want to end the epidemic of sexual assault in our military, we must ensure that these victims come forward to report their assault without fear that they will be victimized again by the institution, the military they've chosen to serve.

I urge my colleagues to support this important legislation.

Ms. LORETTA SANCHEZ of California. Madam Speaker, I inquire as to how much time remains on this side.

The SPEAKER pro tempore. The gentlewoman from California has 15½ minutes remaining, and the gentlewoman from Indiana has 10½ minutes remaining.

Ms. LORETTA SANCHEZ of California. Madam Speaker, I reserve the balance of my time as I have no more speakers.

Mrs. WALORSKI. Madam Speaker, I yield 3 minutes to my freshman friend and colleague, the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I rise today in support of H.R. 1864. This legislation addresses a serious problem in our military—sexual assault.

Today's legislation is absolutely critical for creating an environment where victims feel comfortable enough to report crimes of sexual violence. I'm proud to be a cosponsor of this important piece of legislation. With reports of 26,000 instances of unwanted sexual contact, we must continue to address this unacceptable culture within our military. The lack of reporting in instances of sexual assault is alarming to say the least.

The Department of Defense estimates that only 14 percent of victims of sexual abuse actually report assaults. Today I am voting to end this culture. I'm voting to encourage a reporting of sexual assault in an environment where our soldiers will not fear for loss of their job.

My good friend and my colleague Congresswoman WALORSKI's bill provides protections against retaliation for those that report instances of sexual abuse. Because of her bill, an investigation must be launched in response to any retaliatory action taken against someone that reports an instance of sexual abuse. As a Nation, we have made great strides with women in the military. We need to build upon our efforts to ensure that these women are in an environment where they can feel safe.

I have a daughter who is 2 years away from being eligible to serve our country in the military. I would like to know if she chose to serve our country that she would not be entering the type of culture that currently exists.

I support this bill for all of the fathers like me and mothers and wives and kids who send their loved ones to serve in our great military in this great Nation. We owe those men and women in uniform who sacrifice so much for this country a culture of respect and security.

I know I will be thinking of those victims as I vote today, and for all those that felt their career would be hurt if they were to actually report an instance of sexual assault.

I want to thank again my friend, my colleague, Congresswoman WALORSKI, for allowing me the time to speak and for her leadership on this very important issue.

I strongly support this bill and urge my colleagues to vote ''yes'' on H.R. 1864, providing protections to those who report sexual assault in the military.

Ms. LORETTA SANCHEZ of California. Madam Speaker, I continue to reserve the balance of my time.

Mrs. WALORSKI. Madam Speaker, I yield 3½ minutes to my friend and colleague, the gentlelady from Missouri (Mrs. WAGNER).

Mrs. WAGNER. I thank the gentlewoman from Indiana for yielding and for her leadership on this particular issue, and for the wonderful bipartisan support that we've all shown here today.

Madam Speaker, I rise today in support of this legislation that would create a safe reporting environment for military sexual assault victims and would demand accountability from our military leaders.

As a mother with a son currently serving in the 101st Airborne, I know all too well the many hardships and sacrifices that our military men and women face while protecting our country. Every precious moment I have to be able to call or Skype with my son, I am constantly reminded of all of the things that are on his and every other soldier's mind as they are keeping our country safe so that the rest of us can have peace of mind back here at home.

Every servicemember from the Army, Navy, Air Force, Marines and Coast Guard bears such a heavy burden to which we all owe our utmost gratitude, and it infuriates me to think that for many of these young men and women, the situation of sexual assault is one of the things they must deal with as they are preparing themselves to face the enemy.

So it is with incredible sadness and frustration that I come before you all today to speak on the increasing incidence of sexual assault in our military and how very few of those cases end up being reported. For many victims of sexual assault, the fear of retaliation by other members of the military prevents them from reporting these crimes, and as a result, they must bear the burden of their emotional and physical pain alone and in silence.

I stand here today to say that our servicemembers who sacrifice so much for the cause of liberty and put themselves in the line of duty should have absolutely no worries about their own liberties and whether they will face retaliation for reporting reprehensible and abusive crimes committed against them.

□ 1440

This legislation would hold the responsible individuals accountable for their actions and would require an inspector general investigation into allegations of retaliatory actions taken against victims who have reported alleged instances of rape, sexual assault, and other forms of sexual misconduct in the military. Existing law already provides these whistleblower protections for a member of the Armed Forces who reports sexual harassment. And by extending these protections to reporting of more serious crimes of sexual assault, it is not only just common sense, it is simply the right thing to do. And it needs to be done now.

By doing nothing, we are implicitly allowing the continuation of this deplorable behavior and allowing those who have committed these crimes to go unpunished. Not addressing sexual assault in our military threatens to erode our Armed Forces from within and gives people considering enlisting, along with their families, even more to worry about as they consider the great responsibility of serving our country.

I am so proud of my son and the rest of our Armed Forces, and I will do everything to protect the integrity and the reputation of our military. This legislation is the first step we can take in fixing this problem and shows that we take these allegations very seriously.

Madam Speaker, I urge all of my colleagues to vote in favor of this bipartisan bill that will help protect our servicemembers as they protect us.

Mrs. WALORSKI. Madam Speaker, I yield 2 minutes to my good friend and colleague, the gentlelady from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Madam Speaker, I want to express my gratitude to the gentlewoman from Indiana (Mrs. WALORSKI) for the leadership she has brought to this issue, and for the bipartisan manner in which she and Ranking Member SANCHEZ have approached this issue to bring together a bill which we can focus on, we can agree on, and we can pass to address a problem that does need our attention and our best efforts.

We have heard about the 26,000 estimated sexual assaults that are taking place in our military each year. Now, as we look at those numbers, we have to look at the number that are reported—3,374. That is the number of reports—3,374. More stunning is the number of convictions—238 convictions. That is what we have learned from this DOD report. As we've heard, the reason given for the lack of reporting is because so many fear retaliation and the fact that it would negatively impact their career. Sixty-two percent—62 percent—give that as their reason.

I think the scope of the problem is much larger than we know at this point in time, and here is an example. On May 15, police arrested Fort Campbell's sexual harassment prevention manager on charges involving stalking his ex-wife. That's important to me and my district because Fort Campbell is in my district. Now, if you can't turn to the people who are there to protect, who are you going to go to when you have one of these situations?

As a woman and as a strong supporter of our Nation's military, I find it absolutely appalling that any woman who has been the victim of crime should have to fear reporting her perpetrator for fear of retaliation.

Again, Madam Speaker, I want to thank the two Members who have worked so diligently on this, Mrs. WALORSKI and Ms. SANCHEZ.

Ms. LORETTA SANCHEZ of California. Madam Speaker, may I inquire how many speakers are left on the other side?

Mrs. WALORSKI. I'm prepared to close.

Ms. LORETTA SANCHEZ of California. Madam Speaker, I yield myself the balance of my time to close.

Madam Speaker, the United States military is an institution comprised of men and women who have dedicated their lives to not only defending this country but also upholding the values of this Nation—the values of this Nation. The values of this Nation say that if you go into the workplace, you should be treated equally, you should be treated with respect. And when we have sexual harassment and sexual assault happening in the workplace, in particular in our military, and when we have someone report and say, Hey, this is happening, and then they are retaliated against either because coworkers are afraid to be around them or because higher-ups make an example of them in some way, we have to say enough is enough.

I think the time to pass this bill is now, and I want to thank the gentlelady, the Hoosier across the way, for working in such a bipartisan manner to get this done. I know there are so many in the Congress who feel very strongly that the sooner we protect the workplace, the better off this Nation is.

With that, I yield back the balance of my time.

Mrs. WALORSKI. Madam Speaker, I yield myself the balance of my time.

In closing, I would like to say that H.R. 1864 is a long overdue solution. It's the place to start, a foundation on which to build.

I'm grateful to my colleague, LORETTA SANCHEZ, for partnering with me, for her multiyear commitment to this issue. We worked closely with the HASC staff and the Department of Defense to craft this legislation. The bill was included along with many other good provisions addressing military sexual assault in the House-passed NDAA a few weeks ago. With over 110 bipartisan cosponsors, the House has shown that it can come together on serious issues and get things done.

Senator KLOBUCHAR has also introduced companion legislation in the Senate. Too many victims have already suffered. These assaults are happening every day. There's no reason to wait even longer for the NDAA to become law when we have a solution today.

Congress must act with a sense of urgency to approve thoughtful reforms combating sexual assault in the military. I'm hopeful that this measure passes, the Senate quickly takes it up, and we can send it to the President for his signature. I'm asking my colleagues to act today and pass this bill.

I yield back the balance of my time.

Mr. GINGREY of Georgia. Mr. Speaker, I rise today in support of H.R. 1864, which addresses sexual assault in our armed forces. This bill amends the Military Whistleblower Protection Act to strengthen protections for those reporting rape or sexual assault.

Enacting this legislation is a critical step towards combating rape and sexual assault in the military for two reasons.

It will immediately require an investigation into allegations of whistleblower retaliation in an attempt to encourage victims to come forward. It also seeks to help remove some of the fears and stigmas associated with reporting sexual assault.

In the long term, it is part of a cultural change in how the military addresses sex crimes. Sexual assault will not be tolerated, perpetrators will be punished, and victims will not be ignored or harassed.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 1864. I stand today in support of women. I stand today in support of the armed forces, and in support of veterans, both male and female, all throughout this great country. As our armed forces fight everyday to protect us, serve us, and guarantee our safety, it is, in turn, our duty to do all that we can to protect them.

That is why I stand in support of H.R. 1864, and implore my colleagues to do the same. This bill not only ensures protection for whistle blowers and deters retaliation from complaints, but it also serves as an important step in guaranteeing the safety of those who protect us.

The Pentagon reported this spring that an estimated 26,000 troops experienced sexual assault last year. This number is an estimate because only 3,374 of the assaults were reported. Out of 26,000 assaults, only 3,000 were reported. That means that about 89% of all assaults went unreported. And that's only half the battle. Out of the more than 3,000 assaults reported, less than 10% of the suspects involved were convicted. Further, a report publicized by the San Antonio Express-News, detailed an investigation in May that found that half of the convicted offenders were allowed to stay in the military. This is outrageous. It is proof of a broken system, one that is doing our service women a complete disservice. It is a compound injury; beginning with assault, ending with underreporting.

Some of my colleagues on the other side of the aisle seem to be missing the point. Senator MCCAIN would discourage women from

enlisting until the military can clean up its act. Senator CHAMBLISS attributes the problem to natural hormone levels in males, saying during a Senate Armed Services Committee hearing on sexual assaults in the military that: ''The young folks that are coming into each of your services are anywhere from 17 to 22–23. Gee whiz—the hormone level created by nature sets in place the possibility for these types of things to occur.''

This is not just a classic case of ''boys will be boys'' as Senator CHAMBLISS suggests, this goes beyond a ''hook-up mentality'', and discouraging women from joining the armed forces is NOT the answer, as Senator MCCAIN would suggest. The system is broken. And our service women are suffering as a result. This is a structural problem, and as such, requires a structural solution. By approving H.R. 1864, we begin to change the structure of the legal processes surrounding sexual assault.

The number of sexual assault victims in the military is intolerable, as is the rate of underreporting. Victims lack confidence in the military justice system, with good reason, and do not come forward because they fear that reporting a fellow service member will result in negative unintended consequences. This legislation strengthens existing protections and ensures victims do not suffer reprisal for reporting acts of sexual assault. It is important that we create the proper avenues for victims of sexual assault to avoid re-victimization through the legal process. This is the very least we can do for the service men and women who serve us 24/7,365.

I urge all members of the House to join me in voting to protect our protectors by voting ''aye'' on H.R. 1864.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Indiana (Mrs. WALORSKI) that the House suspend the rules and pass the bill, H.R. 1864.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mrs. WALORSKI. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1450

BUILDING AMERICA'S ENERGY SECURITY

The SPEAKER pro tempore (Mr. BENTIVOLIO). Under the Speaker's announced policy of January 3, 2013, the gentleman from North Dakota (Mr. CRAMER) is recognized for 60 minutes as the designee of the majority leader.

Mr. CRAMER. Thank you, Mr. Speaker, for the opportunity for the next hour to bring to the attention of the House of Representatives and to the American people some very important issues pertaining to America's potential to be energy secure.

This is an interesting week that we would have this discussion. This is a week when the House Committee on Natural Resources is bringing forward two bills for consideration that will tear down some of the barriers and remove some of the regulations that have gotten in the way of tapping into the vast resources of oil and gas off our shores.

We know that there's been growth in oil and gas development in our country, but not offshore. And yet we know there are vast resources that would be very, very important to America's energy security.

At the same time, this week we also have our President, who made official his declaration of war against coal, stating, once again, that fossil fuels are the bad guy somehow. At a time when we're looking to create jobs, create wealth, create opportunity, he puts up yet more barriers to the development of these vast resources of fossil fuels.

Since coming to Congress 6 months ago, I have heard our President and his allies in this Chamber often reference the fact that since Barack Obama was elected President, America's oil and gas production have actually increased. They brag about this increased production and the jobs that it creates as though they had something to do with it.

Well, on behalf of the citizens of my State of North Dakota, let me just say to my friends on the other side of the aisle, you're welcome because the fact of the matter is that, yes, production of oil and gas in this country is up. It is up, except where the Federal Government is the landlord, because the large reserves under Federal lands and offshore resources are going untapped because of Democratic opposition to using the incredible opportunity that new technologies have created to get us more jobs, more opportunity, and more energy secure.

I want to illustrate a point today by reading one sentence from a recently released State Personal Income Growth Analysis put out by the United States Department of Commerce. Here's the sentence. It's very profound:

> State personal income growth ranged from a −.2 percent in South Dakota to 12.4 percent in North Dakota.

That's right. Two rectangles in the center of the North American map, two Dakotas, side by side, two States that basically have the same size and land mass, the same size in population, the same climate, same cultures, they grow vast amounts of food to feed a hungry world.

We're similar in nearly every way. And yet the Dakotas differ in one significant way, and that is my State of North Dakota has fossil fuels that South Dakota does not have.

I point to this distinction because I believe it represents the possibilities of America. It represents what can be done in much of our Nation if the Federal Government would just get out of the way and allow the unleashing of American ingenuity and the development of American energy.

Instead, what we get from our President is more restrictions on the use of fossil fuels and more fantasizing about unproven, uneconomical, unreliable alternatives. And while billions of tax dollars get wasted experimenting on whimsical dreams of a carbonless future, American job opportunities are lost and our debt rises.

Our President continues to pursue an energy policy based on an old model, an old model of resource scarcity, rather than on the new reality of resource abundance.

According to the Institute of Energy Research, underneath Federal land and offshore, that is to say, Federal oil and gas reserves, at today's prices, the United States taxpayer has $128 trillion worth of fossil fuels that we're not tapping into.

Resource abundance: abundance based on the application of new technologies is transforming our economy and has us on the path to security. And North Dakota is evidence of what can be done in our country.

But there are a lot of speakers today that have a lot to offer in this discussion and this debate, and right now I'd like to yield to my good friend from Colorado (Mr. GARDNER).

Mr. GARDNER. I thank the gentleman from North Dakota. And I'm excited about the opportunity that we have in this country in a bright energy future. I can think of few areas that have held so much promise for job creation, for a new opportunity to impact so many areas of our economy as energy. And it really is energy policies that we're discussing this week that could create over a million jobs around the country, and the policies that we continue to pursue in committee meetings, through legislation and the work that we do to help bring a brighter energy future to this country.

And I'm pleased that the gentleman from North Dakota is leading today's discussion on energy. You know, I've actually seen in my district the benefits of the Bakken Development in Colorado.

Sixty miles away from my hometown is a brand-new business that located in Colorado because of so much activity in North Dakota. They were actually seeing so many people working in North Dakota that they moved to Colorado to expand their operation because they couldn't find enough people to work in North Dakota.

So they moved to my district to create jobs, and they're hiring. They're manufacturing. They've bought a manufacturing business because of energy development in North Dakota.

But the energy success in Colorado isn't reliant on other States around us because we have it in our State as well.

In my district, the Fourth Congressional District, it is truly an all-of-the-above energy district. Not only do we have a coal mine in the Fourth Congressional District, but we have wind manufacturing, we have wind turbine manufacturing, wind blade manufacturing, we have solar manufacturing. We have biofuels and are home to one of the Nation's premier oil and gas plays anywhere in the world, the Niobrara shale play.

In fact, in Colorado, over 100,000 people are directly employed or indirectly employed by the oil and gas industry. The average pay of a worker in the oil and gas fields of Colorado is almost $100,000 a year. Average pay of almost $100,000 a year, with benefits. People are able to stay in their home towns to have jobs that they never thought were possible just a decade ago.

I come from a very small town in eastern Colorado; 3,000 people, 67 kids graduated in my high school class. And I can tell you, when I graduated there are only two or three of us that stayed there to work in our hometown. Everybody else moved away to find work elsewhere because they couldn't find work in that small, eastern plains community.

But thanks to natural gas development, thanks to the development that's taken place around the State, they're moving back, they're bringing their families back. They're actually finding those high-paying jobs with good health care benefits, and they're building our communities and making stronger places to live for themselves and their families; $10.2 billion in labor contributions, and contribution to the labor force as a result of oil and gas development in Colorado alone.

In Weld County, we've seen the impacts firsthand of what it means to have an all-of-the-above energy policy. Just two of the over-30 oil and gas companies that are operating in Weld County, just last month paid their 2011 property taxes. These two companies paid a combined property tax to Weld County alone of $150 million. Two checks, $150 million to one county; 40 percent of that $150 million went to the school districts and the community college. That's money that we're investing into the next generation of workforce in this country. That's money that is building a stronger education future for our children.

But it's also developing affordable energy opportunities for this country; and so I hope that as people participate in this discussion around the United States, that they go to Twitter and send their suggestions on energy affordability with the #affordableenergy, #affordableenergy to participate in a discussion about the future of energy in our country.

And so, Mr. Speaker, I think the opportunity that we have, really, today is to join a discussion about what we're going to look like as a Nation, how to encourage manufacturing, how to encourage new job creation, how to bring companies back to the United States who've left because of the cost of doing business. They can now afford to do business here because of our energy production and energy opportunity.

So join us at #affordableenergy on Twitter, and I just appreciate your leadership and the opportunity to be here with you today.

Mr. CRAMER. Thank you for sharing that, and for the invitation. I very much appreciate your referencing the cost of energy. Affordable energy, after all, really is a driving factor in many other investment decisions and job opportunities. And I think we'll have much more on that as we work through this important hour of discussion.

With that, I would like to yield some time to my friend from Pennsylvania, Mr. ROTHFUS.

Mr. ROTHFUS. I thank the gentleman from North Dakota for yielding, and I thank the gentleman from Colorado for bringing this important discussion on energy and jobs.

And it's not just the folks out west who are excited about energy. We in Pennsylvania are very excited.

In fact, I'm from the southwestern part of Pennsylvania, and yesterday I was driving through the city of Pittsburgh around the same time that President Obama was renewing his war on coal from behind a podium in Washington, D.C.

Our coal miners and steel workers built Pittsburgh. However, if the regime that President Obama and the unelected bureaucrats at the EPA, that regime that they're planning for the next 20 years, if that regime had been in place in the 19th century, Pittsburgh might not have become the great American city that it is today.

The regulations introduced yesterday by President Obama are only the latest salvo in his war on low-cost American energy. These new regulations will result in more shuttered coal mines, power plants, and more lost jobs.

□ 1500

When our coal miners and power plant workers lose their jobs, we lose people vital to our communities and we lose wages and tax revenues critical for supporting local small businesses and schools. These new regulations will also raise energy prices and significantly impact moms and dads sitting around the kitchen table paying their monthly utility bills.

Long story short, this war on coal is a war on the livelihoods of millions of hardworking middle class men and women in western Pennsylvania and around the Nation. It's a war on good-paying American jobs, a war on American opportunity, and a war on American prosperity. And it must end.

President Obama and unelected Federal elites must be held accountable for the negative impact these regulations will inflict on hardworking moms and dads. The REINS Act, which I support, would hold them accountable by requiring that any regulation with an annual economic impact of $100 million or more must be approved by Congress. Any regulation that has that much impact on our country should be voted for in Congress.

Low-cost American energy is a major factor in economic growth and job creation. Every business and family uses fuel and electricity. The Federal Government needs a commonsense, straightforward, all-of-the-above energy policy to spur growth and get our economy booming again. The House Energy Action Team is a great group of Members dedicated to that goal. Coal, wind, natural gas, solar, nuclear, thermal, hydro, and oil must all play a part in powering our economy. Western Pennsylvania offers unparalleled opportunities and is benefiting economically, thanks to the development of our plentiful energy resources.

The economic benefits are not limited to the energy sector. Lower energy prices resulting from increased domestic production would benefit the entire economy. For each new energy job, three or more additional new jobs are created across the economy. These are good-paying American jobs.

This week, the House will consider legislation that would create over 1 million new good-paying American jobs, bring more domestic energy to the market, reducing costs for families and businesses, and reduce our dependence on foreign oil. President Obama and the Senate need to get serious about an all-of-the-above energy approach to domestic energy exploration and development so that we can grow these jobs. By safely and responsibly developing all of our Nation's natural resources, we can re-light our economy, add jobs, and move towards North American energy independence. In short, this will improve the quality of life for western Pennsylvania and all Americans.

Mr. CRAMER. I thank the gentleman from Pennsylvania, and I appreciate his raising the point of the war on coal and talking about the economic benefits of coal in Pennsylvania.

I don't know if anybody noticed, but deep in that 21-page declaration of war on coal, or the climate change document, the President actually talks about another important fossil fuel that Pennsylvania is tapping into—and that's gas—in the attack on methane. So those that think perhaps natural gas will be the next great fuel to replace coal ought to think again, because as soon as they have their way shutting down every coal plant, they'll be after the gas plants as well. We truly need an all-of-the-above.

At this time I yield to the gentleman from New York (Mr. REED).

Mr. REED. I thank the gentleman from North Dakota for yielding and bringing this important issue to us today to have a conversation on.

I am a firm believer in the all-of-the-above approach to our energy needs of America. Making energy in America domestically will lead to us being energy secure. It's about energy independence. It is about developing our resources, both fossil fuels in the short term and mid term, but always keeping an eye on the alternatives and renewables for the long term so that we create a portfolio of an all-of-the-above that will ensure that America's national security is taken care of when it comes to our energy needs.

Being from New York, I spent a lot of time dealing with the issue of natural gas development and the Marcellus Shale and Utica Shale formations. I can share with you many stories from farmers as I went through the northern tier of Pennsylvania, which is just over the border from my district in Corning, New York. And I remember one story in particular. I went to a family farm that I was invited to go to by an individual in my district who was opposed to natural gas development. However, when I arrived at that farm, I met with her father, and I sat at her father's living room table and had a conversation about what this meant to that family farmer.

I can tell you what I heard really resonated with me. Because what I heard was, I know that my daughter is opposed to this. She's concerned about the impacts on our farm and that type of thing. But I can assure you I've owned this farm for generations, and I'm going to make sure that my land is protected and it's done right and it's done safely. But what I'm also doing is I'm taking the royalty payment, the cash payment from that resource, and I'm putting her daughter through college.

Think about that, ladies and gentlemen across America. We have spent trillions of dollars on the war on poverty and hardworking taxpayer dollars to try to get people out of poverty—most of the time by educating them. And here you have a gentleman who is going to use a resource that he owned, a property right that he owned, and was empowering the next generation with a college education that that individual did not have to pay for and didn't come out of college with $50,000, $70,000 worth of debt. That's a gamechanger when it comes to the war on poverty, in my opinion.

I appreciate the gentleman's comments from before. Because when we talk about this issue, we also have to look at it from many different aspects. And it's not just about being an economic resource in regards to the resource itself but being a resource that re-powers America, as I cochair the Manufacturing Caucus here in Washington, D.C., that gives us the power to start building things here in America again and selling it overseas. That's the America I want to stand for.

If we're going to melt steel, if we're going to have that industrial revolution of the 21st century that I believe we can have, we're going to need power sources to do that. And you can't melt steel, in my opinion, with just windmills and geothermal and solar panels. They have a role in our energy portfolio but you need those fossil fuels that we have been blessed with to come online to provide the power, the utility, and the energy to do what needs to be done in order to build it here and sell it there. So I appreciate the gentleman bringing this issue to the forefront.

And one last point I will stress. As I represent the 23rd Congressional District in New York, we are going through the process of seeing two main coal-fired plants be shut down. And I'm hopeful. We're doing our work in Dunkirk, New York, and Lansing, New York, on the other side of the district, to stand for repowering those power generation facilities with natural gas, as the applications are pending in Albany.

With this war on coal that just came out yesterday from the White House, if you shut down those plants, what I'm concerned about is my taxpayers that I care about in Dunkirk and Tompkins County and Lansing are going to see their real property tax bill go up anywhere from 50 to 60 percent. Those are hardworking Americans that are already under the burden of a tax burden that comes out of Washington, D.C., by way of income taxes. But there are also tax burdens in our States. And one of those primary tax burdens is the real property tax bill.

I'm hearing from seniors, I'm hearing from people across the district who say, TOM, I can't afford it anymore. And you shut down a power plant, and you take away that tax base from my people, the remaining taxpayers, who most of the time have been there for generations, will see their real property tax bill go up 60 percent. That's thousands of dollars. And in this day and age when people are struggling, why would we commit ourselves as a Nation to a policy that would put a higher burden on their back? I don't get it.

I think we should have an open conversation about doing all of the above, recognize where those energy sources are in the portfolios, and then we join hands, we come together, and we develop that comprehensive energy policy that we say, This is good for America, both short term, mid term, and long term. And let's get it done. And that's where those of us on this side beg our colleagues on the other side to join us in this effort. And we want to do it safely, we want to do it responsibly. We respect our environment. But we're going to do it in a commonsense way, looking at it from the perspective of hardworking taxpayers of America, not through the lens of bureaucrats in Washington, D.C.

With that, I appreciate the leadership that the good man from North Dakota has exhibited on these issues.

□ 1510

Mr. CRAMER. Thank you so much. Thanks for your stories. I think they illustrate so beautifully the importance of an all-of-the-above energy policy that keeps prices rolling.

You know, one of the things I thought about as you were talking about jobs and this cascading impact of this war on coal and war on fossil fuels, there is a survey every year that's taken by an area development magazine, it's called Site Selector Survey. It asks site selectors, What are the characteristics, what are the factors that you look at when making a determination of where to put a manufacturing facility or some other business?

When I was an economic development director 15 years ago, the cost of available energy was somewhere between 15th and 20th on the list. It's moved up to the top five. Our competitive advances in the global marketplace rest with our ability to keep energy costs low.

With that, I yield to the gentleman from South Carolina (Mr. DUNCAN), who has provided real leadership on some of the issues we are going to be taking up this week.

Mr. DUNCAN of South Carolina. I thank the gentleman.

I have stood on the floor many times in my short service in the United States Congress to talk about this very topic, and that's American energy independence.

We hear terms like all-of-the-above energy approach and energy policy. I like to think about an all-American energy policy where we utilize American resources to meet our energy needs in this country.

I applaud the House Republicans, and specifically the House Energy Action Team, for focusing on three things—jobs, energy security, and national security. And they go hand in hand.

By pursuing an all-American energy policy, we're putting Americans to work. Whether you're talking about voting the Keystone pipeline or talking about offshore drilling, putting Americans to work is what's important.

I think about North Dakota and an energy-driven economy in North Dakota, your great State. They give you a job when you get off an airplane up there whether you need one or not; that's how many jobs they have available. If you're looking for work, America, go to North Dakota. But let me tell you, that's a microcosm of what we could be in this great Nation if we

truly pursued an energy policy utilizing American resources, putting Americans to work. That's really what it's about. And that's one thing that I think the House Energy Action Team is focused on.

The second thing is energy security: lessening our dependence on foreign sources of energy, utilizing the resources that we have in this country. God blessed the United States of America with the resources that we have here: oil, natural gas and coal.

We heard just this week that the Obama administration is going to wage a war on coal—not that they haven't already been waging a war on coal. But I think they're waging a war on American energy independence. Because by utilizing the resources that we have in this country, we could lessen our dependence on foreign sources and make certain parts of the world that seem hostile to American interests not so important. So American energy independence is the second thing.

The third thing segues right into that, and that's national security. In fact, I think it was Admiral Mullen that said there is no national security without energy security. Think about that for a minute. Energy security means that we do have national security, that we can meet our energy needs, not just to drive our economy and the engines of our economy, but also fuel the engines of our United States defense. Putting those airplanes in the air and the ships in the oceans and the tanks in the desert or in the forest, that takes energy. If we can meet our needs through American resources, then we do have true American independence. An all-American energy strategy is the right thing for this country.

Just this week, we're going to take up two very, very important bills. One of them deals with opening up all of the Outer Continental Shelf areas that are currently off-limits under the Obama administration moratorium—the moratorium that George Bush lifted. He said, you know what, we need to be energy independent; we're going to lift the moratorium for offshore drilling, and we're going to open up those areas for more utilization. And so we're going to do that.

Off the coast of my State, South Carolina, and Virginia and other places, we're going to go after those resources that we believe to be there. We're going to allow exploration. We're going to allow production. And we're also going to allow revenue-sharing back to those States whose economies are struggling now just like the U.S. economy when we're $17 trillion in debt.

Our State economies are struggling as well, But we can utilize and bring back revenue to the States through revenue-sharing. An example is Wyoming gets $1 billion a year in revenue-sharing for production on Federal lands. The Gulf Coast States get revenue back to those States. South Carolina would love to benefit from that as well.

The second thing—and I'll end with this—is a bill that I have on the floor that I authored that would implement an agreement that was signed by the Obama administration. Hillary Clinton—Secretary Clinton at the time—entered into this agreement with Foreign Minister Espinosa of Mexico that said, you know what, we have a maritime border, a border between the United States and Mexico. Out in the Gulf of Mexico in the water is a maritime border and, guess what, there are resources underneath that border. Who owns those? Does Mexico own those resources? Do we own those resources? They're shared resources.

So they entered into this agreement and said we're going to go after those in the Western Gap, not over near Cuba, but closer to the western side of the gulf. We're going to go after those resources, and we're going to allow exploration of those resources, production of those resources. And we're going to share those revenues with each country because we are co-owners of those resources.

They got this one right with this agreement. We're going to implement that because we waited a year on Ken Salazar with the Department of the Interior to send us the implementing language so that we can go forward with a lease in that area of the Western Gap, but he failed to do that. So we took the bull by the horns in the United States Congress, and we authored this legislation and said we think this is important to American energy security; we think this is important to national security; and we're going to work with our southern neighbor in Mexico, and we're going to develop those resources in that transboundary area with a hydrocarbon agreement, and we're going to go forward with implementing that. That's what this bill does.

America understands that we've got the resources. America understands we can work with Mexico and safely and soundly harvest those resources using American safety standards and regulation standards. It is the right thing for America, and that's H.R. 1613. I look forward to passage of that.

I thank the gentleman from North Dakota for his leadership on the House Energy Action Team.

Mr. CRAMER. I thank the gentleman for his leadership today and his leadership on this important legislation coming out of the Natural Resources Committee.

I would like to speak specifically to some more economic opportunity as illustrated from my home State of North Dakota just to get a sense of it.

North Dakota's gross domestic product increased from $34 billion in 2011 to $38.7 billion in 2012. That's a 13.4 percent increase, representing the most significant growth of any State in the country last year. Texas is second with a growth rate of 4.8 percent, where the national average during the same time was 2.5 percent.

So it can happen. It happened in my State because the vast majority of the oil and gas in North Dakota is not under Federal land. The vast majority—like over 90 percent—is under private land, where the only landowner is the guy that farms and ranches the land, the person whose sustainability demands good stewardship. We can show the way in how to do it around the country as well as offshore if you just unleash American ingenuity.

I suspect that my good friend from Kentucky (Mr. BARR) might have a thing or two to say about this week's declaration of war on coal, and so I yield to the gentleman from Kentucky (Mr. BARR).

Mr. BARR. I thank the gentleman, and I appreciate the opportunity to address the President's Climate Action Plan that he unveiled yesterday and what this really means to my fellow Kentuckians and my fellow Americans all around this country.

As you see from the exhibit right here, this is the quote from the President's climate adviser:

A war on coal is exactly what's needed.

While Kentuckians and Americans all around this country are suffering from high unemployment—in large part due to the 5,700 coal jobs lost over the past 2 years—yesterday, the President of the United States re-declared the war on coal.

We know that 1 year ago, the President, through his New Source Performance Standards regulation, imposed an effective moratorium on coal-fired power plants coming online in the future. Yesterday, the President said that he wants to apply that moratorium to the existing coal-fired fleet.

Mr. Speaker, my fellow Americans, the President's Climate Action Plan reveals a leader of our country who is woefully out of touch with the economic realities facing the American working family. Unemployment is still at 7.6 percent across this country; 5 consecutive years of unemployment higher than 7.5 percent. Five years in a row where the workforce participation rate—where the percentage of Americans who are of working age population are actually in the workforce—is only 58 percent. Fifty-eight percent of all working-age people in this country have jobs. That's all. That's 5 percent below the historic average of 63 percent.

□ 1520

Twelve million Americans struggling to find work, wages falling for 5 consecutive years, three-quarters of Americans' paychecks are insufficient to get

them by each and every week—they're living paycheck to paycheck. What does this President do? He declares a war, not just on coal, but the working families of America. And worse, he's doing it by making an end run around Congress. His own Democrat-controlled Congress in 2009 refused to pass his radical energy rationing scheme, cap-and-trade, through legislation. So now this President says, Well, Congress doesn't matter, and so I'm going to impose this on the American people through bureaucrats in the executive branch.

Mr. President, you are not king. The Congress of the United States is the law-making body, and the unaccountable, unelected bureaucrats in the executive branch cannot do this without proper statutory authorization. That's why we need the REINS Act. That's why we need to rein in burdensome regulations. That's why we need to make sure that unelected, unaccountable bureaucrats in the executive branch don't seek to impose by fiat a regulatory apparatus that commands and controls the American energy future.

This is a question about American energy freedom, a top-down command and control approach versus American energy diversity. The President wants to impose energy rationing, and we say let the American people decide what their energy sources should be.

Half of all energy production in the United States in 2008 came from coal. Ninety percent of all electricity in my home State of Kentucky comes from coal. In 2012, however, only 37 percent of our electricity came from coal. This President wants to take that number down to 0 percent. So when the President's climate adviser says that he wants a war on coal, he means it.

This is what I want to conclude with. This is not just about statistics about coal jobs lost or energy freedom or the fact that we've lost nine power units, coal-fired power units, in Kentucky in the last several years. This is about human beings. This is about people who have lost their jobs. This is about the President of the United States attacking a way of life.

President Obama and his administration display a stunning lack of compassion. Not once in his remarks yesterday did we hear any recognition, any understanding of the suffering the administration's new proposals will inflict in the communities of central Appalachia, in the suffering of the communities that have already endured a disproportionate share of pain during the last few years. The President's climate action plan substitutes numbers and theories for flesh and blood. It presents climate change as a perpetual crisis justifying one regulation on top of another without any consideration of the cost to real people.

How much is enough, Mr. President? Where does it all end? By the Obama administration's own admission, U.S. carbon emissions fell to the lowest level in two decades. The President, of all people, should read this statistic and conclude it's time for some breathing room, time to let the coal industry adjust, time to let people recover. But you don't offer breathing room in a war.

In yesterday's New York Times, the White House climate adviser said a war on coal is exactly what we need. But this isn't just a war on an entire American industry; it's a war on coal miners and their families. And these coal miners, the 5,700 coal miners who have lost their jobs in eastern Kentucky over the last 4 years under this administration, they depend on those paychecks; their families depend on those paychecks. They don't have the political clout to attract this President's attention or concern, but they are Americans. What a dramatic shift from a half century ago when Presidents Kennedy and Johnson focused so much energy on alleviating poverty in the very same mountain counties the Obama administration is now ravaging with these heartless policies.

Mr. President, if you truly care about people, come to eastern Kentucky. See what happens when $70,000-per-year jobs disappear overnight because of unaccountable bureaucrats in Washington, D.C. At least give us some consideration of that. Better yet, start working with the coal industry to address climate change concerns and stop trying to kill it. It's time this administration put people ahead of its radical ideology.

Mr. CRAMER. Mr. Speaker, I thank the gentleman from Kentucky for his good leadership on this important topic on the importance of coal as a major player in our energy fleet.

If I could just for a second, Mr. Speaker, inquire about the balance of time available in the hour.

The SPEAKER pro tempore. The gentleman from North Dakota has 24 minutes remaining.

Mr. CRAMER. Thank you, Mr. Speaker.

I appreciate the gentleman from Kentucky's speaking to the issue of coal, because like oil and gas, coal is also important to North Dakota. It's an industry that's been around for decades. In fact, we really learned about energy development in North Dakota on coal. We have a little better than 17,000 folks that are employed either directly in the coal industry or in one of the service industries that service the coal industry. It contributes about $3.5 billion to our State's economy. That's a lot in our little State.

We've been mining coal for decades. We've been mining 30 million tons a year for decades. We use that coal right in North Dakota, burning it to generate electricity at seven power plants in our State, and we generate some of the lowest priced electricity in the country. Again, getting to the issue of affordable energy, very important in terms of our competitiveness in the global marketplace.

So it's not just about the jobs, as important as those are—high-paid jobs, I might add—but it's also about the competitive edge it gives us with lower cost electricity.

But in North Dakota, under our beautiful prairies, there's an 800-year supply of coal. To wage war on it today and leave 800 years' worth of a product that provides wealth and jobs and opportunity and low-cost electricity in the ground makes no sense whatsoever.

With that, I want to yield some time to my neighbor and good friend who knows a fair bit about the energy industry himself—in fact, I have to admit the Bakken was actually discovered in the State of Montana—the gentleman from Montana (Mr. DAINES).

Mr. DAINES. Mr. Speaker, I'm grateful for my good friend from North Dakota, KEVIN CRAMER, for this time to talk about what is really important to the people out in the heartland, which sometimes is a very different set of values than what we find right here in the beltway of Washington.

I was also struck by my good friend from Kentucky, ANDY BARR, as he shared his comments. It reminds me that we are the party, we are the leaders back here standing for the working middle class in this country, standing for jobs, for revenues that go to our schools, and the tax base for low-cost energy. This President says one thing, but the consequence of this policy is something that will only ultimately benefit the elite and the wealthy in this country instead of the regular working families in this country.

I want to thank my friends here today for organizing this Special Order and bringing attention to the importance of an American energy sector to our economy and to the daily lives of all Americans. In Montana, we know the importance of a robust energy sector.

Whether it's oil, gas, coal, wind, water, biomass, it's all needed to create jobs and keep energy costs low for the people of our country. In fact, one of my priorities in Congress is to fight for the all-of-the-above energy plan that helps grow American jobs, lowers energy costs, and helps us fight for North American energy independence, energy security.

Unfortunately, President Obama does not seem to share this goal. In fact, yesterday, President Obama unveiled his latest energy plan, a job-killing agenda that will hurt American jobs and American families and small businesses.

□ 1530

After his announcement yesterday, President Obama made a commitment to waging war on American energy,

which was made crystal clear. In fact, by imposing further barriers to the construction of the Keystone XL pipeline and by working to severely hinder American coal production, President Obama has unveiled a misguided agenda that will only hurt Montana and American energy consumers and will cost good-paying Montana jobs.

Montana's energy sector is a huge driver for our State's economy. Our coal mining industry employs over 1,200 workers across our State. Montana contains more coal reserves than any other State in America, and it ranks number six overall in coal production nationwide. Additionally, coal production provides critical funding for Montana schools, as much of our State's coal is located on school trust lands. We forget about the contribution to our tax base, that of helping build schools and funding teachers, which comes from the energy industry.

The development of our coal reserves produces millions of dollars for Montana public education every year. My daughter is a senior at Montana State University, preparing to graduate and go into elementary education in Montana. Energy production will be critical to funding our public schools in Montana as we look down the road.

We have also seen tremendous growth from the booming development of the Bakken formation, as my friend from North Dakota alluded to, which spreads across eastern Montana and into western North Dakota. Oil production in our State has created thousands of good-paying jobs, both in the oil fields and also in the service industries that are at the heart of many of our small towns.

I would like to have the President come out to eastern Montana and see what's happening out there. Families are struggling, living month to month, but are seeing the benefits now of the energy industry as they are seeing paychecks they can count on as they look forward. It has also injected millions of dollars into our State's economy; and, like coal, it has helped provide millions of dollars in much-needed funding for Montana's schools. Recent reports show that Bakken oil production currently accounts for 11 percent of the total U.S. oil production and represents 40 percent of increased oil production nationwide. If the Keystone XL pipeline is built, it would be able to move up to 100,000 barrels of oil. That's Montana and North Dakota oil per day from our very own Bakken formation.

Mr. President, I am in favor of ''made in America'' energy. Montana's natural resources, like coal and oil, not only provide our State and Nation with quality American energy, but they are helping keep the utility costs low for hardworking American taxpayers. Montana gets more than half of its power from coal. That helps keep electric rates low. We see some electric cars driving down the highways today and in our towns. I'm not opposed to electric cars; but if the truth be known, we ought to have a sticker on the back that reads: ''This electric car likely powered by coal.'' The average retail price in Montana is currently 8.4 cents per kilowatt hour, which is among the lowest in the Nation.

The construction of the Keystone XL pipeline, on the other hand, would also have a tremendous impact on energy prices for Montanans. In fact, not too long ago, I was traveling around our State. I am the only Member of Congress for the State of Montana. It's a privilege to represent an entire State. I was up in Glasgow, Montana, meeting with the NorVal Electric Co-Op. I learned that the NorVal Electric Co-Op is expected to supply power for one of the Keystone pump stations. If the Keystone pipeline is built, it will help NorVal keep its customers' electric rates stable for the next 10 years. Think about that—10 years of no increase. Contrast that to, if the pipeline is not built, NorVal expects that their rates will grow upwards of 40 percent over the next decade.

Mr. President, these customers at NorVal live month to month. They live paycheck to paycheck. This is what is helping American middle class, hardworking taxpayers survive—expanding our energy production. By declaring a war on energy right now, you are declaring a war on American families who are struggling every month to make ends meet. For most Montanans who live on tight budgets and who carefully track where their paychecks are going, unlike a lot of the folks around here in Washington, D.C., a 40 percent increase in utility rates would be devastating. Unfortunately, under President Obama's agenda, that very well could happen.

President Obama's war on coal would severely hinder coal production in Montana and the jobs that rely on this important industry. It would be a serious blow to Montana families and to small businesses that rely on coal as a reliable source of affordable electricity. Just as bad, this job-killing agenda will be imposed through unilateral action, demonstrating that the President is more set on achieving his own political goals rather than on listening to the will of the American people or on working to create much-needed jobs.

Mr. President, the people of America are focused on paying their bills every month. That's a higher priority to them than your priority, which is that of winning an election in 2014.

By sidestepping Congress and public scrutiny, President Obama will set his agenda in motion through costly regulations and more and more red tape and bureaucratic hoops. These roadblocks won't just hurt the coal industry as we know President Obama and his advisers seek to do; these regulations will hurt hardworking American taxpayers who rely on American energy each and every day.

Let me be clear: President Obama's agenda isn't just a war on coal. This is a war on Montana energy, on Montana families, on Montana small businesses, and on Montana jobs—and it must be stopped. I will remain steadfast in this fight to stop the President's job-killing agenda, and I look forward to working with my colleagues here today on commonsense policies that grow American energy and help create the good-paying jobs that the American people desperately need.

Mr. CRAMER. I thank the gentleman for his comments.

I especially appreciate your reference to the Keystone pipeline and to the importance of the role of electric cooperatives.

A lot of people forget that there is a Keystone pipeline. There was actually one sited and built with very little fanfare. I was at that time a member of the North Dakota Public Service Commission and carried the pipeline portfolio and sited the first 220 miles in the United States of the original Keystone pipeline. It didn't go anywhere near the Bakken, unfortunately; but it did cross 600 landowners' land—green field all the way, two scenic rivers. We put a lot of restrictions on it, but it was with very little fanfare. In fact, every landowner willingly signed the contract. There wasn't a single inch of that pipeline in North Dakota that had to be condemned to be built.

It was interesting because we have, I think, five or six pumping stations in North Dakota on the original Keystone, and the co-ops were all sort of arguing about whose territory would it be in because every pumping station was a load equivalent to a city of 10,000 people. For those who argue that it's not about the United States, the Keystone XL, that's big time for the people of North Dakota and for the people of the United States. It is about the United States. So I appreciate your raising that issue.

Another State that has a lot to lose in the war on coal and a lot to gain by more offshore drilling is Virginia. I yield to the gentleman from Virginia (Mr. GRIFFITH).

Mr. GRIFFITH of Virginia. I thank you so much for the opportunity to speak this afternoon on these important issues.

It's true that offshore in Virginia is something we've been discussing since 2004. What's interesting is that a lot of the folks said, You don't really want to do that in 2004. It's not going to really help gas prices. Do you know why? Because it will take 7 to 10 years to get it developed.

Guess what? If we'd have started in 2004 drilling off the coast of Virginia, we'd be getting that natural gas, and

we'd be getting that oil off the coast of Virginia right now. It would be creating jobs. It would be creating tax dollars that could go to schools, roads—you name it—whatever the legislature in Virginia decided it wanted to spend it on. It could be going to increase the revenues of the United States of America as well. Likewise, this Congress could then be debating the expenditure of those funds and what we wanted to do with those moneys.

Instead, the naysayers keep saying, Well, not now, not now. I say to them, If not now, when? When are we going to do this? We know it's out there. We know it's a huge resource for the United States of America.

Then yesterday, on top of blocking our ability to get from the other side of the State the natural gas and the oil that is there and that we know is there and that we want to get to, the President of the United States declared what I call the ''war on coal—phase 2.'' He has already been involved in phase 1 for some time, but in his comments yesterday, he made it clear that he's not going to wait for science to get us a solution—because it's coming. There is research that's being done on chemical looping and on other ways to use coal cleanly, where you end up with coal ash and carbon dioxide—no SO_X, no NO_X, no mercury. It's coal ash and carbon dioxide, and you can recycle the iron pellets that they use. I mean, it's really a wonderful process, but we have testing left to do on it. It has already been working at Ohio State University. They are building a facility in Alabama, and they are going to be doing testing beginning later this year that will end next year on a bigger project than what they did at Ohio State, but still it's got another phase to go even after that.

If we wait just a few years and if we do reasonable things now and if we wait for science to catch up, we can, in fact, accomplish what the President wants to accomplish on the environment and not destroy the jobs of southwest Virginia, the central Appalachia region and all other coal-producing States. There are more than 20 of them that are coal-producing States. We will be damaging their economies if we go forward.

□ 1540

It's interesting that the President noted in his speech and said:

Now, what you'll hear from the special interests and their allies in Congress is that this will kill jobs and crush the economy.

Well, ladies and gentlemen, that's exactly what you'll hear. Do you know why you're going to hear it? Because it's true.

And if being a special interest means you have to be one of the people that lost their job in the coal fields of southwest Virginia or Kentucky or West Virginia or any of the other States where jobs—we've been losing them monthly. We get reports of another 25 here, another 15 there, people who've been laid off in the coal fields. And it's not just the coal fields. It's the railroads that haul the coal. It's the people at the manufacturing centers that make the equipment for the mines. It's the car dealerships that used to sell cars to the miners, who used to have jobs.

Let me make something clear, folks. Being in the mine is a hard job. There's no question about it. And we want to make sure health concerns are taken into consideration because it does have dangers to it. There is no question about that. But the workers in those mines are making somewhere between $75,000 and $95,000 a year if you add in their benefits. You take a district like mine, the Ninth District of Virginia, where the average household income is around $36,000 a year, and you start laying off 15 $75,000 to $95,000-a-year jobs here with health insurance included, you lay off another 25 jobs here and 30 jobs there, and ladies and gentlemen, you want to talk about destroying the economy, you're darn right you're going to destroy the economy. And if standing up for the special interests of the people who work in the mines, the people who work in the equipment factories, the people who work at the car dealerships, the people who work at the restaurants in southwest Virginia is a bad thing, then I guess I'll just keep doing a bad thing because I will continue to fight for southwest Virginia and the jobs in the coal fields.

The other thing the President went on later to say was that this issue didn't used to be partisan and now it's partisan. Guess what? The President is wrong. This is a bipartisan issue. And I'm going to look at the Bluefield Daily Telegraph and read you some quotes from some of my Democrat colleagues because it's important for the people of America to know that the President may want to divide, but in the coal fields we understand exactly what this is going to do to our jobs and our economy, and ultimately to the economy of the United States of America.

U.S. Representative NICK RAHALL, Democrat of West Virginia said:

Obama's climate change plan is misguided and could cost millions of jobs.

That's not a Republican. That's a Democrat. He goes on.

The misguided, misinformed and untenable policy that the President put forth this afternoon puts at risk the energy security of America and the jobs of millions of our citizens.

RAHALL continued saying:

Locking away the fuels that power our Nation behind ideologically imposed barriers will drive up costs for nearly every business and manner of industrial activity while driving jobs overseas. Households already struggling to make ends meet will see energy bills skyrocket.

That's NICK RAHALL, Democrat of West Virginia. He goes on to say:

The administration should be advocating new clean-coal technologies as opposed to crippling regulations.

Isn't that really where the President has been going the whole time? He said in the San Francisco Chronicle interview of 1-17-08:

When I was asked earlier about the issue of coal, you know under a plan of cap-and-trade system, electricity rates would necessarily skyrocket.

NICK RAHALL:

Households already struggling to make ends meet will see energy bills skyrocket.

The President is doing what he said he was going to do. He declared war on coal, and now he's going to try to see if he can't finish it by devastating the American economy and the economy of southwest Virginia and central Appalachia. It's just not right.

Mr. President, let's look at the science that your administration has invested money into. Chemical looping may be the way that we can both have what we want. I want and my colleagues want jobs for America, tax dollars coming in off of coal severance, natural gas, offshore drilling. We want to see those tax revenues coming in because then we can use that to help Americans. We want to help all Americans. You want to clean up the environment, and so do we. We can do it, but we have to be reasonable.

Let's go forward and look at another Democrat, and that would be Senator JOE MANCHIN, and he touches on this point in his comments in the Bluefield paper. U.S. Senator JOE MANCHIN, Democrat of West Virginia, said:

Obama's plan will have disastrous consequences for not only the coal industry, but also American jobs and the economy.

Democrat MANCHIN goes on:

The regulations the President wants to force on coal are not feasible. And if it's not feasible, it's not reasonable.

It's clear now that the President has declared a war on coal. It's simply unacceptable that one of the key elements of his climate change proposal places regulations on coal that are completely impossible to meet with existing technology. The fact is clear: our own Energy Department reports that our country will get 37 percent of our energy from coal until the year 2040. Removing coal from our energy mix will have a disastrous consequence for our recovering economy.

These policies punish American businesses by putting them at a competitive disadvantage with our global competitors, and those competitors burn seven-eighths of the world's coal, and they're not going to stop using coal any time soon. It's only common sense to use our domestic resources, and that includes our coal.

Senator MANCHIN is absolutely right because let me tell you that when we burn coal here and we create jobs here in the United States of America, as you well know, that means we're not sending those manufacturing jobs overseas to another country. Particularly if those countries are in Asia or in some

of the emerging economies, they don't have anywhere near the regulations we have. They don't have the regulations we had in the year 2000 or the year 2005 to comply with.

So we can create the goods here, create jobs for Americans, create tax dollars which will help us deal with the national debt and deficit problem. We can do all of that here, and we can do it by burning coal more efficiently and cleaner than the countries that we're competing with. But instead the President wants to ignore all that. He wants to ignore those facts and go forward and say, No, we can't do that.

I go on with the quotes from the San Francisco Chronicle because right now he's not singing the same tune. He goes on to say after the ''skyrocket.''

Even regardless of what I say about whether coal is good or bad, because I'm capping greenhouse gases, coal power plants, you know, natural gas, you name it, whatever the plants were, whatever the industry was, they would have to retrofit their operations. That will cost money. They will pass that money on to consumers.

Who are the consumers? I believe the consumers are the average family out there, the single parent trying to raise children, the elderly, the folks trying to struggle with that $36,000-a-year-annual-household income, the miners and the workers in the factories that produce the goods that help the miners do their job who now don't have jobs, they're still going to have that electric bill coming in.

You know, it's interesting that the President actually cut in his budget proposal the LIHEAP money, which is the program to help the people who can't afford to pay their heat bill. So at the same time we're creating more unemployment, we are also going to take away some of the benefits that helps those folks. It just doesn't make sense. The President's policies don't make sense, and I submit to you all that the President needs to rethink this. He needs to look at clean-coal technology because that's the winner for America, for American jobs, for American prosperity and for America to go forward into the future, leading the way.

Mr. CRAMER. Thank you so much for your insights and your experience in this very important industry of coal and all of the things that it supports and that support it.

I think that an appropriate way to sort of wrap this discussion up is to remind folks that while we are advocates for domestic energy development, American energy production that creates a competitive global advantage in all areas, we are also good stewards of the environment.

Let me just close with this. These counties in North Dakota that have seven power plants burning coal, all got A ratings from the American Lung Association. And I believe that the same God that created the beauty and splendor of the oceans and the mountains and the prairies and the topsoil, put the minerals underneath it, and we ought to use all of them for our benefit.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair and not to others in the second person.

□ 1550

U.S.-MEXICO BORDER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from Texas (Mr. O'ROURKE) is recognized for 60 minutes as the designee of the minority leader.

Mr. O'ROURKE. Mr. Speaker, I rise today to speak about a place that is very near and dear to my heart, a place that is the source of great beauty, the source of millions of jobs for this country, an economic driver, not just for the region that I represent, not just the State in which my district resides, but for this entire country and, for that matter, this hemisphere.

I am here today to speak about the U.S.-Mexico border, and I have the privilege and honor of serving with other Members who represent significant sections of the U.S. side of the U.S.-Mexico border. We are joined today by SUSAN DAVIS from California; PETE GALLEGO from Texas; and FILEMON VELA, who is also from Texas. But before I yield to them, I want to talk a little bit about my special section of the U.S.-Mexico border in El Paso, Texas.

El Paso is home to more than 800,000 people who, along with the citizens of Ciudad Juarez, form one of the largest binational communities anywhere in the world. El Paso has for decades served as the Ellis Island for Mexico and much of Latin America. Literally millions of immigrants who are now U.S. citizens, who are productive members of our communities, have passed through the ports of entry in the district that I have the honor of representing.

Beyond that and beyond the human dimension of what the border produces, the beauty, the wonder, the creativity, the culture that develops from there, the border also is an important part of who we are as a country and our past. It is one of the most essential places anywhere in the United States today, as seen by the debate that is taking place in the Senate; and it is the future of this country, whether you look at it demographically, whether you look at it economically, whether you look at it culturally or by any other measure, the border is absolutely critical to the United States.

I want to talk about a couple of aspects that help to define this critical place that the border holds for this country. I thought I would start with trade. There are more than 6 million jobs here in the United States that are dependent on the trade that crosses our ports of entry at our southern land ports between the United States and Mexico. More than 100,000 of those jobs are in the district that I represent in El Paso, Texas. The State of Texas itself has 400,000 jobs that depend on this trade. More than $300 billion a year flows between our two countries. Mexico is the second largest export market for the United States. We are the largest export market for Mexico. And a critical aspect of the trade that comes into the United States from Mexico that is very important to remember is that unlike any other trading partner that we have, more than 40 percent of the value of the trade that comes north from Mexico originated in the United States. So we are literally producing together even those things that are imported into the United States from Mexico.

Again, Mexico is a source of jobs. It's the source of so many things that are positive to our economy, our culture, and to our communities; and all that comes to a head at the U.S.-Mexico border.

Now, if you're listening to the debate that is taking place right now about comprehensive immigration reform and some of the provisions that have passed out of the Senate and some of the commentary that you read in the newspapers or the talking heads that you see on TV, you might not know that. You might instead see the U.S.-Mexico border as a source of anxiety, as a threat to this country's security and its future, as something to be feared, to be locked down, to be secured, and to be forgotten.

We're here to tell you today that the facts and the truth and the reality could not be further from the current debate that you're hearing on the public airwaves today. In fact, the community that I represent, El Paso, Texas, is the safest city in the United States bar none. It was the safest city last year in the United States, and the year before that. In fact, for the last 10 years, El Paso, Texas, has been among the five safest cities anywhere in the United States.

But El Paso is not alone for its security along the U.S.-Mexico border. San Diego is the second safest city in the United States. Laredo recently ranked as one of the top safest cities of any city in the United States. In fact, if you're on the U.S. side of the U.S.-Mexico border, chances are you're safer there than you could be anywhere else in the country.

And these benefits do not just accrue to El Paso, to Texas, and to the border lands. There are jobs, tens of thousands of jobs, hundreds of thousands of jobs

in States throughout the country, billions of dollars of economic growth related to our trade with Mexico, not just in Texas, Arizona, New Mexico, and California, but Montana, Florida, Indiana, Ohio, and Michigan. Again, it is important to emphasize that even that trade coming north from Mexico in many cases originated in these other States that are not border States.

So one of the messages that we hope carries from today is regardless whether you are in El Paso, Texas, and understand the border inherently, or if you're in Detroit, Michigan, you have a vested interest in a healthy border. A healthy border equals a healthy U.S. economy. That equals more jobs, more economic growth, and more positive factors for the U.S. going forward.

So with that introduction of what it is that we hope to cover today, I now want to yield to PETE GALLEGO, who by land mass represents almost a quarter of the State of Texas, someone who has served in the State legislature, someone who lives and understands the border and can speak to the positive dynamics that we see there.

Mr. GALLEGO. Mr. Speaker, I would like to thank my colleague, Congressman O'ROURKE, my fellow west Texan, with whom I share the privilege of representing El Paso County, for yielding me this time to talk about some issues that are critical to the border.

I have to say, Mr. Speaker, that I don't want to use any incendiary rhetoric. I don't want to use any flashy words because, frankly, I think that the people of this country elected their Members of Congress not to cheerlead or use harsh rhetoric or add fuel to fires, but to solve problems. So I would like to talk about some of the challenges that in real terms this Congress has the opportunity to make a difference on.

The 23rd Congressional District, which I have the privilege of representing, runs some 800 miles along the Texas-Mexico border. It includes five ports of entry: Eagle Pass, Del Rio, Presidio, Fabens, and El Paso. No other congressional district shares a larger border with Mexico. The district is both rural and urban; and, frankly, it looks like what the rest of Texas will soon look like because it is evenly split between Democrats and Republicans. Because this district has the largest border with Mexico, the policy discussion about border security, about immigration reform, these conversations greatly impact the 23rd Congressional District. Frankly, they impact the entire State of Texas. The passage or failure of immigration reform will profoundly affect us all.

In Texas, there are approximately 1.7 million unauthorized immigrants comprising 6.7 percent of the State's population. According to a 2006 report from the Texas Comptroller of Public Accounts, who was a Republican office holder at the time, she indicated in her report the absence of the estimated 1.4 million undocumented immigrants in Texas in fiscal year 2005 would have been a loss to our gross State product of $17.7 billion. Well, as public servants, as I indicated early on, the weight of our words is rather heavy. I have asked the current controller to provide an updated study to shed some light on the true impact, the current impact, that our State has as a result of these undocumented immigrants.

□ 1600

The study would ensure that all 38 Members of Congress from Texas, and everyone else, can have adequate information during what is a very important policy debate.

A more recent study from the Immigration Policy Center noted that if all unauthorized immigrants were removed from Texas, the State would lose $69.3 billion in economic activity. The State would also lose $30.8 billion in gross State product, and approximately 403,174 jobs, even accounting for adequate market adjustment time.

Well, after more than two decades, I'm very encouraged that comprehensive immigration reform is clearing hurdles in the Senate. I'm hoping that our colleagues in the House will take it up as well as soon as possible.

Make no mistake. The legislation that's in the Senate, it's not what I would have drafted. Those of us on the border know that what we need are more Customs and border protection agents at our ports of entry.

Many jobs in Texas, much of our economy, in fact, is inextricably linked to international trade. In fact, more than 50 million Americans work for companies that engage in international trade. That comes to us from the U.S. Department of the Treasury.

Trade with Mexico represents one of our biggest economic drivers and pumps billions of dollars into our economy every day. Every day, think of this, $1 billion in cross-border commerce happens between the U.S. and Mexico. That equates to some $45 million in commerce per hour.

Staffing increases at our ports would decrease wait times at our ports of entry, would increase security, and would lead to more effective screening and entry for those who are traveling, as well as for imports that are coming into the United States. It is those long lines at our ports of entry that hinder economic development and harm our economy.

Yes, it is true; no one will argue that our Nation's doorways must be secure and that our trade and our commerce along the border on which many small and large businesses depend must be allowed to move efficiently. And I'm hopeful that as debate on the immigration issue continues, as we continue our conversations, that we can increase the staffing at CBP, a policy move that does, in all truth, make sense for Texas.

But as far as the fence is concerned, the border fence, in a time of tight budgets, I have to say that I'm very perplexed as to why Congress would spend so much money on an ineffective project. You'd be hard-pressed to find too many Texans, particularly those who live and work or have been raised along the border, who support the notion of a fence.

Let me give you a couple of examples and a couple of quotes:

> The idea that you're going to build a wall from Brownsville to El Paso is just—it's ridiculous on its face.

That quote comes from the Governor of Texas, Rick Perry, just last year.

How about this quote?

> The border fence is a 19th century solution to a 21st century problem.

That quote comes to us from Senator JOHN CORNYN of Texas in 2006.

As I've said, I'm opposed to the notion of a border fence and would rather that we shore up our ports to speed up commerce. A fence isn't something that those of us who represent the border support, but we understand that it is important to bring families out of the shadows.

Economically, here is what comprehensive immigration reform means to those of us along the border and elsewhere:

To each and every one of us, it means that our deficits will decrease, while GDP, productivity, investment, and employment will increase. Our country will save over $1 trillion, or about $1 trillion over the next two decades. More than 10 million people will pay $459 billion just in income and payroll taxes during the first 10 years. And over that decade, we will reduce the Federal deficit by $197 billion and will add more than $200 billion into the Social Security trust fund. The decade after that, comprehensive immigration reform will reduce the Federal deficit by $700 billion.

In Texas, all the key players are standing steadfast for immigration reform. It's supported by the chambers of commerce. It's supported by the Texas Farm Bureau. It's supported by labor, and it's supported by public opinion in our State because it makes economic sense.

My paternal grandfather worked cattle and founded a small family restaurant that launched our family into the middle class; my maternal grandfather built fences across the hard-scrabble landscape of far west Texas; and today, I have the privilege of representing the 23rd District in Congress.

In this Nation, our values teach us that families stick together and that hard work, not circumstances, should shape our future. It really is a country of opportunity. Our Nation becomes

stronger as more people pledge allegiance to our flag and commit themselves fully to our Nation and to our economy.

I'm hopeful that we can move quickly on this, this very important policy matter that greatly impacts not only the 23rd District, but the entire State of Texas and, frankly, our country as a whole. Immigration reform is right. The time is right, and Texans are counting on us.

It is significant, if you've ever been in the Texas capitol. Years ago, our forefathers and foremothers who built that beautiful pink granite building faced the front door in a certain direction. Our front door of the State capitol doesn't face north, towards Washington. Our front door faces south, towards Mexico. The front door to our Nation, as Governor Richards used to refer to it, is a very important doorway for trade, for commerce. It's historically significant, not only for Texas, but for the rest of our country.

Again, immigration reform is right for Texas, it's right for America, and it's something that this Congress should make sure happens as soon as possible.

Mr. Speaker, I'm very grateful to Congressman O'ROURKE for yielding me this time.

Mr. O'ROURKE. I want to thank Representative GALLEGO for his very eloquent support of moving forward with comprehensive immigration reform and doing so in a rational, fact-based manner. And I think he would agree with me that we are very pleased to see progress being made in the Senate. Whether it was originally with the Group of 8 or the 60 or more Senators who have since joined them in key supportive votes to move this forward, I'm happy that we're making progress.

What concerns me are some of the provisions that specifically relate to the U.S.-Mexico border:

You're talking about 600 miles of border fencing and walls that currently exist being expanded to more than 1,400 miles of the 2,000-mile border. You're talking about a Border Patrol force that today is more than 20,000, which is more than double what it was in 2001, being doubled yet again to more than 40,000, and all this for the cost of upwards of $50 billion a year. And as Representative GALLEGO pointed out, this is at a time of tight budgets, of sequester, of record deficits and debt. We simply can't afford to move forward like this.

But I will grant the proponents of these measures this: there's a certain crude logic to that. If you have a problem with immigration, if you have a problem with flows northward from Mexico and Latin America, then putting a wall in place, doubling the Border Patrol that's patrolling that line, there's a crude logic to it. And it's a solution, albeit a 19th century solution, as our Senator said, to a problem, but it is a problem that, by all accounts, does not exist.

Net migration from Mexico last year was zero. We had record southbound deportations, record low northbound apprehensions. We're spending $18 billion a year on border security, twice what we were spending in 2006.

As I mentioned before, we've more than doubled the size of the Border Patrol, and the border is as secure as it has ever been. El Paso, the safest city; San Diego, the second safest. The U.S. side of the U.S.-Mexico border is the safest place to be anywhere in the United States today. We had no less authority than the Secretary of Homeland Security say the border is as safe as it has ever been. The head of the Border Patrol said the border is as safe as it's ever been. By any rational measure, that is not where the problem exists.

This next slide, I think, in an image and in a picture, shows you where the problem exists today.

□ 1610

This slide here represents the Paso del Norte port of entry coming back into El Paso from Ciudad Juarez. There are 6 million crossings each year between El Paso and Juarez, and many of those coming north are U.S. citizens, Mexican citizens, and tourists visiting our region, who face these kinds of lines that can last upwards of 4 hours to enter the U.S. And for those of you who have not been to El Paso, you may not know that we, with Ciudad Juarez, are literally joined at the hip. Our street grids flow into each other. Our families live on both sides of the border. We may wake up in El Paso, do business in Juarez, and come back at the end of the day—or vice versa. We are truly a binational community. And when you choke commerce that supports tens of thousands jobs in my community, jobs throughout this State and this country, you're doing a disservice not just to us—because I don't expect the rest of Congress to care about the border, necessarily—not just to the State of Texas, but you are doing harm to the national economy.

So if we need to spend more money, if we need to put tighter focus on the border, this is where we need it. And those Border Patrol agents that we have are doing a remarkable job, and we stand fully behind them and want to make sure that we support them in their current objectives and that we can afford to pay them what they're owed, which by the way, under the sequester, we're not doing today.

Instead of taxing resources where we already have it covered, let's move those resources to our ports of entry and make sure that we have Customs and Border protection officers who can speed the flow of legitimate travel, trade, and commerce through our ports of entry. That will create jobs not just for my district and improve the quality of life not just in El Paso and along the border, but it will be a net benefit to this country. It will be an investment that pays back many, many times over.

And now to hear from somebody who also understands the U.S.-Mexico border quite well and who lives there, who has his family there, has grown up there, and has done a remarkable job representing the interests of the U.S. border, I'd like to yield to FILEMON VELA from Brownsville, Texas.

Mr. VELA. Mr. Speaker, I thank Mr. O'ROURKE for putting together this Special Order.

Today, I rise in opposition to provisions which condition a pathway to citizenship on the construction of additional border fence. Historically, our country has criticized the construction of barriers of all kinds. For instance, in 1987, President Reagan stood at the Brandenburg Gate near the Berlin Wall and said, Mr. Gorbachev, tear down this wall. Two years later, the wall was demolished, ushering in a new era of economic harmony.

As someone who lives on the border in Brownsville, Texas, I can state with certainty the argument that construction of additional border fence will stem the flow of undocumented immigration and increase border security is flawed, for many reasons.

First, erecting some more border fence drives a wedge between border communities which are culturally united. Many who live on the U.S. side of the southern border have family and friends who live on the Mexican side and vice versa. The current border fence has come to symbolize divisiveness and serves as a daily reminder of a flawed immigration system. For this reason, the residents on both sides of the border oppose the border fence.

Second, the construction of additional border fence will damage already fragile wildlife and natural resources. Bobcats, coyotes, owls, lizards, snakes, and raccoons all rely on habitat on both sides of the border. Additional fencing will adversely impact these and other animal habitat.

Third, erecting additional border fence will cost billions of dollars. This money could be more efficiently spent on less intrusive, high-tech border surveillance and economic aid to border communities in the U.S. and Mexico. The focus of these provisions is misguided, as it promotes a quick fix to a problem that is rooted in violence and lack of opportunity. Since 2006, approximately 71,500 people have been killed as a result of cartel violence in Mexico.

While Mexico's overall economy has performed exceedingly well in the recent past, economic conditions along the U.S.-Mexico border remain consistently stagnant. The real solution for

reducing the flow of undocumented immigrants into this country from Mexico is to promote economic development on both sides of the border, thereby providing more economic opportunities for an ever-increasing population. Fostering a vibrant border economy will mean that young men and women will have an option other than organized crime to provide for their families.

While this amendment ignores the fundamental cause of illegal immigration into the United States, it also does not account for the deep trade ties between the United States and Mexico. As my colleague from Texas mentioned, last year alone the United States greatly benefited from the estimated $500 billion in trade with Mexico, supporting 6 million jobs across the United States. Trade with Mexico even impacted the economy of Alaska and our island State of Hawaii. Importantly, trade with Mexico is critical to the economies of States on the border and those far removed from the Mexican border. And I will give a few examples.

In the State of New Hampshire, for instance, the total trade volume between the State of New Hampshire and the country of Mexico is $1.5 billion. Computers and other electronic products amount to $680 million, or 72 percent, of New Hampshire's total exports to Mexico. And 28,531 jobs in the State of New Hampshire depend on trade with Mexico.

In the State of New York, the total volume of trade between the country of Mexico and the State of New York is $5.67 billion. New York exports $2.6 billion of goods to Mexico, and 381,238 jobs in New York rely on trade with Mexico. Mexico ranks among New York's 10 international markets, with 384,000 travelers per year. Jewelry is one of the largest exports from New York to Mexico, with $500 million in value.

The State of Pennsylvania, the total volume of trade between the State of Pennsylvania and the country of Mexico is $5.59 billion, and 246,409 jobs in Pennsylvania rely on trade with Mexico. Primary metal manufacturers are Pennsylvania's top sector in exports to Mexico, representing $560 million and 21 percent of the State's total exports to Mexico. In addition, $547 million in primary chemicals are exported to Mexico.

In the South, the State of Tennessee, the total trade volume between the State of Tennessee and the country of Mexico is $7.62 billion. Tennessee exports $3.81 billion to Mexico. Twenty-three percent of all cotton exported to Mexico from the U.S. comes from Tennessee, making the State the second largest exporter of cotton to Mexico, with $256 million in revenue. Also, $855 million worth of transportation equipment is exported to Mexico from the State of Tennessee, and 122,085 jobs in Tennessee depend on trade with Mexico.

The State of Alabama, the total volume of trade between the State of Alabama and the country of Mexico is $2.7 billion. Alabama exports $1.72 billion worth of goods to Mexico. Transportation equipment is the State's largest export industry to Mexico, generating $466 million and representing 27 percent of the State's exports to Mexico; and 86,212 jobs in the State of Alabama depend on trade with Mexico.

The State of Kansas, the total trade volume between the State of Kansas and the country of Mexico is $2.38 billion. The State of Kansas exports $1.63 billion in products to Mexico. Crop production is Kansas' strongest industry in terms of exports to Mexico, accounting for $588 million in export revenue annually and 37 percent of total exports to Mexico. Eleven percent of aerospace products exported from Kansas go to Mexico. Mexico is the largest importer of corn and the third largest importer of beef from the State of Kansas. And 59,341 jobs in Kansas depend on trade with Mexico.

□ 1620

Clearly, all States benefit greatly from trade with Mexico. Erecting more border fence would chill the robust economic relationship that our country and our States enjoy with that country. Rather than constructing new hurdles to trade with Mexico, we should be tearing down trade barriers in order to promote and strengthen our relationship with our neighbor country.

Mr. O'ROURKE. I want to thank my colleague from the Rio Grande Valley. Here he is meeting the anxiety, the paranoia, and the legislation based on emotion instead of facts with the cold, hard truth of our economic interdependence with Mexico. We ignore this at our peril and to the peril of millions of jobs in this country, hundreds of billions of dollars of economic opportunity and growth.

We welcome the focus and the attention at the U.S.-Mexico border, but we want those who are watching to see the truth. The truth is we are a positive, dynamic source of jobs and economic opportunity for this hemisphere for both Mexico and, most importantly for us in this body, here in the United States.

It is my feeling that the wall that exists today—the 600 miles of the 2,000 miles that join the United States and Mexico—the 600 miles of fencing today will soon be looked at by a majority of Americans in this country as something to be ashamed of, as folly that followed the paranoia and the anxiety that we have towards Mexico and the U.S.-Mexico border today.

When you think about the cost of this wall, the current wall cost us more than $2.4 billion to build and will cost us another $6.5 billion to maintain for just the next 20 years. Why would we then spend more than $16 million per mile for additional walls that will cost us billions of dollars to build over the next 5 or 10 years and then probably hundreds of millions, if not billions, to remove once we've realized our mistake, which I hope is not too far in the future.

If there is fear and anxiety and frustration with Mexico, I'd like to know where that's coming from, because it's not coming from the facts and the figures that we see in El Paso and that we see when we look at Mexico. Mexico is a growing, dynamic, vibrant economy. It has millions of people moving into the middle class. It's modernizing. It's breaking up its monopolies.

The country of Mexico has more free trade agreements with other countries than any other country on the planet. This is a country that wants to move ahead, that wants to do well for its citizens, that's investing back in itself and is providing opportunity so that people don't seek that opportunity in other countries like the United States. I think that helps explain why net migration from Mexico into the U.S. was at zero this past year.

Again, Mexico is not a threat. The U.S.-Mexico border should not be a source of anxiety. Mexico is a big part of our future, it's been a big part of our past, and it's a positive source for those things that we want to see happen in this country.

Someone who understands that quite well from representing her district along the U.S.-Mexico border in southern California—part of a State, by the way, that has seen more than a 30 percent drop in crime over the last 10 years despite, and maybe because of, the fact that it borders Mexico and has such large immigrant populations—I'm happy now to yield the floor to my colleague from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, I am very pleased to be here with my colleagues today. I certainly want to thank Mr. O'ROURKE and Mr. VELA and Mr. GALLEGO for presenting what we all believe is so critical and so important.

It's not just about border communities and border cities that acknowledge and benefit from our relationship with the border, and particularly with the Mexican border; it really is the entire States that we're representing and far beyond that. Because my colleague represented how much trade is done in other States throughout our country—we know it's important to national security—we also know it's important to our economic interest, because that trade fuels our economy, it stimulates our competitiveness, and it also reflects our cultural values. Those things are critically important, and we need to bring those into the discussion as well.

You know, we often talk here in Congress about the need to give businesses

the certainty that they need, but honestly, look at what's been happening today. The budget standoffs and sequestration are doing just the opposite of what our businesses really need. In fact, Congress' inability to pass legislation is jeopardizing our greatest opportunity right now, which is economic growth, and that is our commerce along our borders.

Six million U.S. jobs depend on trade with Mexico. Shall I say that again? Six million U.S. jobs depend on trade with Mexico. Last year, imports from Mexico accounted for more than half of our two nations' total trade, which is about $278 billion. Sometimes we can differ slightly on those numbers, but that's about what it is. That trade relies on modern infrastructure, it relies on roads, and it relies on ports of entry that can accommodate the enormous volume of goods coming through every single day.

But what's the reality today? Well, the reality is that our ports of entry are in various states of disarray because of underfunding for improvement and modernization projects. Our ports do not have the capacity to meet this demand, meaning that often people have to wait up to at least 2½ hours during the day of commerce and trucks up to 6.

You know, there's an app out there that tells users how long of a wait to expect. In San Diego, in the district, wait times on Sundays at the San Ysidro Port of Entry can reach 3 to 4 hours, and now and then it can even exceed that.

The other day, I was up early getting ready to board a plane to come into Washington from San Diego; and even at about 5:30 in the morning, at the ports of entry, the wait was about 1 hour and 45 minutes. And you know what? They were celebrating the fact that it was only that long.

You have to come down to the border to see this. I think for folks who don't live on a border like we have in San Ysidro in San Diego, you can't even imagine how many cars are assembling there. It's pretty spectacular. And you know what? It shouldn't be this way, and it doesn't have to be this way. No modern economy can operate under those conditions. No modern economy devotes just $50 million to fund infrastructure projects for ports of entry for our entire Nation. Think about that: $50 million for all of our ports of entry.

What we should be doing is viewing our ports of entry and our borders as assets to our Nation. But instead, chronic underfunding has led to wait times that cost our country every day in total productivity loss and tax revenue. It's tremendous. Wait times translate to $7.2 billion in output loss and cost us upwards of 62,000 jobs—62,000 jobs—people who could be working if we could make our ports of entry more efficient.

Well, we do have some good news. Congress has already authorized infrastructure improvements at the Nation's ports of entry, including critical phases at the San Ysidro Port of Entry in San Diego. We know that's the busiest land crossing in the world. So that's the good news that Congress has authorized that.

What's the bad news? The bad news is that Congress has refused to provide the funding necessary to break ground on those two additional phases. And you know what? That's just not consistent for what we talk about as needing a border security bill for this Nation. The fact that that is so underfunded and chaotic, by any means, suggests that we don't really think that we need to do the right thing when it comes to border security.

So let's place the need where it belongs. It belongs on infrastructure, and it belongs in trying to figure out what is it that's going to make a difference for this country. Well, certainly funding that border security will help on the border for ports of entry.

If there is one thing that this body should be able to do, that we should be able to come together on, it should be a smart investment that businesses want and workers need. I can assure you, that's what they want and businesses need.

So I urge my colleagues to get to work on a budget that supports our Nation's ports and our engines of economic growth and place the need for border security where it belongs. We know that it will help create the economic engines that we need for our future.

Thank you so much to my colleagues. I appreciate your bringing us together for this.

□ 1630

Mr. O'ROURKE. Thank you Representative DAVIS. I appreciate hearing, again, more facts, more rational arguments, from my colleague from California about the border. I place that in contrast to, again, the anxiety and the fear that is surrounding much of the border policy that we're hearing from the Senate and in some circles here in the House.

The reason that we are so sensitive to that here on the U.S. side of the U.S.-Mexico border is we bear the brunt of those policies. The disproportionate burden of the enforcement, of the cost to our economies, to our way of life, falls to those communities that reside on the U.S. side of the U.S.-Mexico border.

But what is the source of that anxiety and fear? Where does it come from? If I had to characterize it bluntly, I would say that it comes from those who feel that Mexican nationals are coming to our country to steal our jobs, take our resources, consume our benefits, and put our country at an economic disadvantage.

But again, if we take that and then actually look at the underlying facts, we see a far different picture. The Congressional Budget Office has recently scored the comprehensive immigration reform proposal from the Senate and has found that over the next 10 years it will net $197 billion in deficit reduction for the United States. That's a huge positive for this country, and that's by the numbers by a nonpartisan analysis of the facts. The next 10 years following that first decade, it jumps to almost $700 billion in deficit reduction. Those are net positives to this country.

Even for those immigrants who are here today in an undocumented status, we find that they are net contributors to our economy and to our tax system rather than net beneficiaries in terms of drawing down those benefits and resources. So any way you look at it, any way you cut it, immigration to the United States is positive.

Again, the factors that we see today in Mexico lead us to believe that the situation will only get better. Mexico is the 14th-largest economy in the world by GDP. It's expected to grow from this year to 2016 by almost 5 percent annually. The lowest unemployment rate in all of Latin America is in Mexico today, and we expect it to fall as low as 3.5 percent by 2016.

If we have net-zero migration from Mexico today, I think there's a good case to be made that it will be a negative number by 2016. There is absolutely no sense in building 1,000 miles more of walls, of spending $50 billion in doubling the size of the border patrol, for a threat that does not exist, for a problem that does not exist.

I think we've illustrated where those resources would be better spent—to create more jobs, more economic growth, and more positive development for the U.S. economy and for our country.

Someone who I think has been quite articulate on this issue in the past, especially from his perspective on the U.S.-Mexico border in Arizona, is representative RAÚL GRIJALVA, and I now yield such time as he may consume so he can illustrate the positive dynamic of the U.S.-Mexico border.

Mr. GRIJALVA. Mr. Speaker, let me thank my colleague from Texas, Congressman O'ROURKE, for organizing this discussion, a discussion that needs to happen. A discussion that talks about the border in a full context is drowned out by the shrillness, the overreaction, and a rhetoric that sometimes borders or crosses into hatred and fear.

I represent District 3 in southern Arizona, 300 miles of border between the U.S. and Mexico that I happen to have the privilege to represent. Border communities, such as Nogales, San Luis, and Sasabe are all part of this district that I represent. I grew up in those borderlands, borderlands that share a common history, heritage, and share a

common dependency on the economic development and the jobs and the social welfare of those borderlands. That dependency is with our neighbors across the border in Mexico.

I want to talk a little bit about looking at this context in very human terms, in geographical terms, and in historic terms. The discussion on immigration reform, when it comes to the issue of security, has been about how much more can we do in order to satisfy, in order to accommodate, and in order to draw more support for a comprehensive immigration reform package. I understand the logic, but I—certainly with the Corker amendment—don't understand at all the overkill and the excess.

To double the number of border patrol agents without a strategic plan, without accountability for the 18, $19 billion that has been spent on this border up to this point, I think is throwing money, potentially good money, after bad.

Second of all, to look at technology as the answer, we should also be looking at addressing our ports of entry, addressing the very, very real need of understaffing among Customs agents that are essential both to security and the flow of goods and services, trade, and economic development.

My colleagues have indicated how many jobs depend on this trade. This is the second-leading trading partner in the world for the United States, Mexico is. We cannot have a border whose sole purpose is to shut down the availability of goods and services and to cripple and constrain the very trade that we need for economic development in this country. Many jobs depend on it, and certainly the health and well-being of the region depends on it.

The excess of security, based on the amendment to the legislation in the Senate, the overkill, as I called it—I think one has to harken back to discussions that have been before this floor in the past, and that has to do with how much is enough. I will take a very, very safe bet that regardless of how much, how many, and how much money is spent on security along that border—how high the fence is, how long the fence is—that there will still be those who get up on this floor and on the other Chamber's floor and demand more without a plan, without accountability, and without an audit for what's been done at this point.

Let me discuss the current state of security on the border—the largest numbers of deportations, the largest number of detentions, 20,000 Border Patrol agents on the border, largest number of apprehensions, and the reduction in unauthorized entries into this country, significant reduction. The plan in place to deter is, like it or not, working. And for us to layer that with additional money, additional personnel, is, I think, to me pure political symbolism and doesn't really address the issue of security.

If you want to address the issue of security, you must deal with the ports of entry primary, you must fully staff Customs, and you must have the very necessary blend on the border of security, trade, economic development, and necessary and important exchange with Mexico.

□ 1640

Two issues: the humanitarian issue in Arizona.

Arizona has been ground zero on the question of immigration and immigrants beginning with State Law 1070, which was thrown out by the Supreme Court, beginning with various legislative efforts at the State level to make immigrants a target in that State, many of those legislative efforts having been successfully defeated in the courts.

The flow of drugs should be the point of concentration, the organized crime on both sides of the border, the gunrunning there, drugs coming this way, people-smuggling and the abuses associated with that. If there is going to be a security initiative as part of this new comprehensive immigration reform, let's be focused, let's be real, and let's address the real problem and the humanitarian crisis.

Over 6,000 souls have perished in the desert in southern Arizona, in my district, and on the O'Oodham reservation—people desperate, people being left there by coyotes. It's a humanitarian crisis. If the money we are talking about for enforcement does not include rescue, humanitarian relief, then it's money that's not addressing the problem.

I guarantee you that, over a 10-year period, if 6,000 people were to perish in any other part of this world, we would be calling it a human rights and a humanitarian crisis. It doesn't get the attention it should, but the tragedy continues. With this increased security, people will look for further and further, more desolate areas in which to attempt or to be dropped off by smugglers. Again, the deaths will increase. I suggest that that has to be part of it.

Oversight in the context of security needs to be part of it. Human rights abuses along the border due to the increased militarization has to be part of it. A uniform policy for the use of lethal force has to be part of it. The GAO report on those very procedures I just mentioned has to be completed, and those recommendations need to be implemented before we continue to talk about giving more money without taking care of the civil rights, due process, and humanitarian crisis that we have on the border.

We have an opportunity in this Congress to finally reform this broken system of immigration. We have an opportunity to do it in a just, humane, fair, and secure way. As we go forward with the debate in this House, let us hope that the discussion is over facts, that it's rational, that we talk about the human quotient involved in this discussion and not the pandering, fearmongering and divisions that have marked this debate in this House, to which the leadership of this House instructs its Members. Let this be a debate about the future of this country, not the divisions of this country.

I want to take time again to thank Congressman O'ROURKE, a freshman who has taken leadership on this issue and on that of the borderlands, and I am very grateful for his organizing this.

Mr. O'ROURKE. I thank my colleague from Arizona for talking about the moral dimension of this issue and for putting a human face on a problem and also on the opportunity, the other side of that problem, that being the opportunity we see along the U.S.-Mexico border.

To add a little bit to what he said, if you just look at the numbers in terms of northbound apprehensions along our southern border, 7 years ago the average agent apprehended 106 migrants for every agent patrolling the line. Last year, it was 17. In the El Paso sector, it was 3.5.

The Corker-Hoeven proposal to add more than 800 miles of additional border fencing to the tune of billions of dollars in order to double the size of the Border Patrol to the tune of more than $40 billion is a solution in search of a problem. Not only that—not only is it a waste of taxpayer money—it is also going to cause harm and death along the border. Last year, 477 people, human beings, died in trying to cross the southern border. It's the second highest number on record despite historically low migration. So, as we build these walls and fortify our border, we push people who are coming here for economic reasons further out into more treacherous, harmful and deadly terrain—and they are dying. More than 5,000 people have died in this manner over the last 15 years. Today, someone is eight times more likely to die crossing than one was 10 years ago.

Whether you look at this issue from a moral perspective, what we are doing in proposing the Corker-Hoeven amendment to comprehensive immigration reform is wrong. Whether you're looking at it from an economic perspective, where we have record job growth and creation related to our trade and commerce with Mexico, shutting that down and not applying resources to facilitating that trade is wrong. When you look at it in terms of good policy and being good stewards of taxpayer money at a time of sequester and at a time of deficits and record debt, this proposal is wrong. I do want to say that comprehensive immigration reform is a good thing, and we want to see it move

forward, but let's not attach proposals like this one to it that will do far more harm than good and may imperil its chances of success in this House and for this country going forward.

Before I close, I do want to yield to my colleague from the Rio Grande Valley, FILEMON VELA, who wants to make sure that we are focusing on problems where they truly exist, not where they have been created for political purposes.

Mr. VELA. Thank you, Mr. O'ROURKE. I just have one final point to make.

In neither Chamber nor, for that matter, in neither party, do we hear talk these days of two things that I think are very crucial to the debate, and that is the violence in Mexico. Both countries have an obligation to ensure that we eliminate that violence. Second is the economic development along the U.S.-Mexico border. The Mexican economy is doing exceedingly well in central Mexico; but along our U.S.-Mexico border, we still have a lot to go.

Until we address those two things—the violence and the economic conditions along the border—we are going to have a very difficult time solving this entire problem.

Mr. O'ROURKE. I thank my colleague from Texas.

Mr. Speaker, I hope that what we have discussed today has been able to illustrate the positive dynamic of the U.S.-Mexico border.

What we have offered historically to this country, whether it is Ellis Island for much of Latin America or the economic growth that we've seen, not just along the border and in border States but for this entire country, 6 million jobs depend on the commerce and trade that cross our ports of entry along the U.S.-Mexico border today.

I hope we have also been able to illustrate how harmful policies don't just hurt the U.S.-Mexico border but how they hurt the rest of this country in our ability to grow this economy and create more jobs.

Lastly, I hope that we've been able to show a positive way forward where we can have comprehensive immigration reform, where we can respond to concerns about a secure border but do so in a way that does not sacrifice our economy, our way of life, and our Constitution.

With that, Mr. Speaker, I yield back the balance of my time.

JOBS, SECURITY, AND THE WELL-BEING OF THE COUNTRY

The SPEAKER pro tempore (Mr. PITTENGER). Under the Speaker's announced policy of January 3, 2013, the Chair recognizes the gentleman from Connecticut (Mr. LARSON) for 30 minutes.

Mr. LARSON of Connecticut. Thank you, Mr. Speaker. I believe I will be joined by my colleague from Ohio (Mr. RYAN), whom I will recognize at the appropriate time.

We wanted to make this Special Order this evening about solution-driven legislation and about the need on behalf of the United States Congress to come together in a nonpartisan manner and get after the concerns that this Nation cares so deeply about, most notably those as they relate to jobs and security and the well-being of the country.

This evening, Mr. Speaker, what if I told you that we could deal with all of the rising costs of health care, bring down the national debt and that we could do so while providing better quality, coordinated patient-centered care?

□ 1650

There might be some skepticism. What if I further told you that we could do it without raising taxes or cutting Medicare? In fact, what if we did it by extending the benefits of Medicare?

What if I were to tell you, Mr. Speaker, that this idea germinated with the Heritage Foundation, a conservative organization dedicated to conservative ideas, and was piloted by a Republican Governor in a Democratic State and served as the basis for what we now call the Affordable Health Care Act?

The Affordable Health Care Act, in its final form, was something that a number of colleagues on the Democratic side didn't necessarily prefer. It was not their first choice. A number wanted to see a single-payer system or Medicare for all, but that is not what transpired and that is not what is the law of the land nor is what is upheld by the Supreme Court.

We need, in this body, a paradigm shift that will allow us to come together and embrace the ideas that we all agree upon in a way that we can move this Nation forward. The budget leader in the Republican conference is PAUL RYAN, a distinguished, bright, and capable gentleman. We agree that health care costs are what are driving our national debt. There is no doubt about that. Statistics will reveal that.

Further, when it comes to improving patient care, patient outcomes, making sure that we provide for our elderly, making sure that we have a continuum of care for people, that's something that's neither Democrat nor Republican. That's something that is truly American and that we all agree on.

Where we may disagree but where we can come together is in recognition of how we get to the solution, solve this problem, instead of these endless ''tastes great, less filling'' debates that go on in the United States Congress. To do so, you have to be bolstered by studies.

This slide will show that there are no less than 10 different studies that have been authored by private sector individuals that all point to one thing: that there's $750 billion to $800 billion annually that's wasted in fraud, abuse, and inefficiencies.

This evening, we want to focus on the inefficiencies, noting of course that fraud, abuse, and waste are very important, have been documented several times on ''60 Minutes'' and other notable sources as well, and certainly is something that will help us in terms of bringing down the costs of health care, which, of course, solves our problems with the national debt.

Health care costs in the United States of America have risen to 18 percent of our gross domestic product. This next slide will demonstrate clearly that we are way above every other Western democracy, and this is what the inefficiencies of a system have produced: a hodgepodge system that is inefficient and driven upward in its cost because of the lack of coordinated care and outcomes that suggest a new paradigm shift and people coming together and embracing that which is in the public health care system that works and does extraordinarily well, all that's in the realm of science, technology, and innovation that we get from the National Institutes of Health and for the Centers for Disease Control that have been taxpayer funded and produced miraculous opportunities and a better quality of life.

Then, thirdly, to embrace that with the private sector, entrepreneurial efforts to drive inefficiencies out of a system. This chart demonstrates how that can be done and that there is both the profit in doing it for the private sector and the results of lowering that cost for the public sector and an outcome for patients that is centered around wellness, their well-being and their security in the later years of their life. It's that combination that we believe can work.

How do we know that that is so? We're fortunate to see, even in this time of politics where there has been disagreement and too much politics around the quality of health care, that our citizens rightly deserve and the private sector in our hospitals with our doctors, with our surgeons, with our medical devices, and with our entrepreneurship are coming to embrace. The passage of the Affordable Health Care Act is, in fact, a paradigm shift.

What do we need to shift to? How do we need to move that forward? Mark Bertolini, the president of Aetna, based in Hartford, Connecticut, said that the one thing we have to make sure of is that we're not taking away benefits from people who are going to pay for the medical devices—the hospitals, the doctors, the insurance, and the pharmaceuticals that they all need. We need to enhance that system.

Economists like Clayton Christensen have talked at length about how we need to be disruptive in economies, and

in doing so, disruptive in terms of our innovation. With the genomic projects at hand and the potential for people to be living well beyond the age of 100 for my children and for current generations, as we all know obviously living longer, there's a need for us to embrace commonsense solutions and not issues that either say we have to drive down the debt at the expense of beneficiaries or that we have to raise taxes to help the beneficiaries.

How about we drive out the inefficiencies within the system, get after the fraud, abuse, and the waste, and work together as Democrats and Republicans and achieve the goals that we were sent here to do by both lowering the national debt and securing the future by making sure that there is Medicare there for all of our recipients?

I think of so many people nearing the age of retirement who get trapped in this gap. Once you turn 56, you start thinking, Is my company going to keep me to age 65? What is going to happen to my pension? But most importantly, what is the bridge I'm able to take to get to Medicare and will it be there? There's got to be a resounding ''yes,'' and the important thing is that there's a path forward to this.

Two things that are important to remember:

One, that the national debt is real and that we all agree that it has to be addressed, and the primary driver is health care;

Secondly, Medicare is not an entitlement. It's the insurance that people paid for. It's taken out of your paycheck. And if we drive the inefficiencies out of the system, we actually can enhance the Medicare system and make it solvent well into the future while paying down our national debt.

□ 1700

That should be the focus of the United States Congress. It will help the economy, but most of all, it will help people in terms of the quality of care that they need. This is what we hope to achieve in Special Orders and prevailing upon our colleagues on both sides of the aisle to come together and discuss solutions that will both reduce the debt and preserve the Medicare system.

A person who understands this better than most, who has made firsthand trips to hospitals and has written books, in fact, or at least a book, as I seek to credit you beyond your authorship, Mr. RYAN, but certainly someone who understands the importance of coordinating care in such a manner that an enlightened new Republic that we are will be able to participate in the wholeness and wellness that can come from this paradigm shift afforded by the Affordable Care Act, and where reasonable minds can come together to achieve these goals. I yield to my colleague, the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. I thank the gentleman, and I would like to say a deep thank you because I think this is one of the key issues that we need to address as a country in order to have healthier citizens, have a healthier economy, and drive down the national debt. As you said so eloquently, the big driver for our national debt and deficits are the Medicare and Medicaid programs, issues dealing with health. Look at what is weighing down businesses right now. Small businesses especially, huge increases in health care, year in and year out—10, 15, 20, 30 percent. We've all had people come to our office and say, Hey, it went up 90 percent this year. How am I supposed to plan for capital investments? I want to buy a new machine, and on and on and on and on.

Where we start is, the current health care system is not working. We spend $8,000 per capita in the United States versus $3,000 in developing countries, and we have worse outcomes. We have worse outcomes here. What we're talking about, what the CEO of Aetna is talking about, is how do we take this system and recognize and begin to appreciate in 2013 in America that if we put some money into prevention, if we pay doctors and nutritionists and dieticians on the front end, we're going to save a boatload of dollars on the back end. Seventy-five percent of health care costs go to chronic diseases that are mostly preventable.

So here we are bogged down by a system when the answer is patient-centered care and having people participate in their own health care. This is a challenge to every American to take responsibility for their own health, their own well-being, and to create a system that incentivizes everyone who is in the system to operate in this fashion and help drive down health care costs in the long run. We all know this intuitively, that if you take care of yourself, your diet matters, your nutrition matters, your exercise matters, your checkups matter, and through the Affordable Care Act, by having everybody covered, it begins to change that business model of having the insurance company incentivized to keep and help people get and stay healthy. I think it's time for us to take the advice of the CEO of Aetna. This isn't JOHN LARSON, this isn't me. We're looking at the statistics here in our country, and we have to say, This is unacceptable. We have so many sick people in our country, and we are doing nothing to prevent them from getting sick in the first place.

Mr. LARSON of Connecticut. It isn't just the CEO of Aetna. As I was pointing out earlier, a number of studies, whether they be done by Reuters, whether they be done by Dr. Blumenthal and a number of groups focused on this issue, they all arrive at the same conclusion: the system is inefficient in its form, and how do you improve that system. We're at a fork in the road here, as Dr. Blumenthal from the Commonwealth Fund points out. Health care policy, we either are going to end up in a situation, as the poster points out, where we cut payments, reduce benefits, and restrict eligibility for public programs, or we re-engineer health care and improve the health care costs, improve the outcomes for patients.

As Mark Bertolini from Aetna says, the answer lies not in cutting people's benefits but in improving their care. This is the juncture that we're at. It would seem to me that, especially in this body, that we now have an opportunity. We all agree that the national debt is a problem. We know that health care is the primary domestic driver of that debt. We have an opportunity to change that. We have a structure, the framework of which, as I said in my opening remarks, was provided by the Heritage Foundation and was pioneered by Mitt Romney in Massachusetts as Governor, and done successfully.

Let's expand on that opportunity, only make it better. Make it better because we know the great virtue of public health and all it has meant for the wellness of this country. We know the great strength of our hospitals and doctors and our scientific community, our innovators, our manufacturers, our medical devices, our pharmaceutical companies, we know the great genomic project that is going to have remarkable abilities that are going to enhance the quality of life like we have never seen it before.

Instead of arguing the old wars and the last battles, we have to be embracing the future in a way that makes the American citizenry secure in the outcome of knowing that science, technology, and innovation, their government and the best of the private sector, are all working on their side. It's not a question of choosing one or the other; it's embracing all three in a way that both lowers the costs, demonstrated in study after study after study, and that will also enhance the quality of health for our individuals. So many people in Ohio, I know, have problems that have dealt with this.

Mr. RYAN of Ohio. And to figure out how to target the technology. We were out at Walter Reed a few weeks ago, going through and seeing all of the various techniques and approaches that are being used for our veterans that are coming back, and they talk about having high-tech health care, high-touch health care. A good portion of our health care costs are driven up by the sickest 1 percent of the people, and the top 5 percent of the people in health care are driving a lot of the costs.

Mr. LARSON of Connecticut. Fifty percent of the costs.

Mr. RYAN of Ohio. From the top 5 percent. So 5 percent of the people drive 50 percent of the health care costs. I think what a lot of these folks are finding out, if you can surround that patient, the patients in the center and figure out exactly what's going on and make sure that that patient has preventive care and a consistent doctor and a consistent nurse and somebody to consistently make sure that they are taking their medication, these techniques, these medical homes, these accountable care organizations, to surround the patient to make sure that they get better, and then reward the doctor and the nurses and everybody, the hospital, everybody who is involved for saying, we're not going to pay you the same amount of money every time you see this patient that still has the same problem that they had from the first time they came in; you will be paid to make them healthy. And that begins to shift the incentive and squeeze some of that excess out of the system that the gentleman from Connecticut talked about.

□ 1710

Mr. LARSON of Connecticut. Well, you know, inefficiencies, as I said, were going to be our focus. Let's talk about that just from a practical standpoint.

You say the word ''inefficiency'' and what do people actually think?

Think about the last time you were in any doctor's office, or made any trip to the emergency room, and the number of forms you had to fill out, the number of forms where we have complicated a system that needs to be streamlined.

One of the things that our colleagues and I should embrace is the need for us to streamline regulation in the process so that it becomes simple, cost-effective, electronically or digitally driven in a way that both reduces costs and adds to a better quality of life for the individual.

When Mr. Bertolini speaks, he talks about, as you point out, developing coordinated care with our areas, our centers of expertise. Whether it's the Mayo Clinic or, in Ohio, the Cleveland Clinic, or whether it's Sloan Kettering, whether it's Jackson Labs in the State of Connecticut, by working in conjunction and coordinating the best outcomes, and then also doing this locally, from the bottom up, that coordination, quite frankly, hasn't existed before. That's what's driven our health care costs up so dramatically.

No other Western democracies in the world, some that have more aging populations than we do, face a similar crisis. We have the opportunity to attack this like no other nation in the world.

Just a word about the genomic project. Jackson Labs is located in my district in Connecticut, and they're known for their Nobel Prize winners because of what they have been able to do with mice.

Mice, as I know the gentleman from Ohio knows, because of their lack of an immune system, allow them to be great vehicles to test with respect to breakthroughs in disease and how we deal with disease.

Well, when we add the genomic project to that, and the advances that we can make in cancer, heart disease, diabetes, all of the areas that plague us, we now have, at our disposal, but instead of a multitude of tests, and random testing, we can now get down to an individual's DNA and make that change.

That is enormous cost savings. That is the full embrace of science and technology and innovation. That should be the discussion on the floor here, the greatest breakthroughs and what we're going to do, and how it's American ingenuity, it's American innovation, it's American doctors and surgeons and medical manufacturers and medical devices and chemistry, through pharmaceuticals and all the science that we've brought to bear.

We put a man on the Moon in less than 10 years. Can we solve this problem?

Of course we can. And it's on the cusp of being solved.

Let's embrace what the private sector is doing. Let's embrace our scientific and university communities and our labs in a way that we're coordinating with them, coordinating in a way that we drive out the inefficiencies, because our end goal here is the consumer, it's the patient, it's the citizen of this country who's paid tax dollars for this, who's bought into an insurance system, who believes that his country, or she believes that her country, is there for them in their time of need as we make these critical transitions.

The American people want to see us here in this body working together. Let's work around the issues that drive us, the national debt, securing Medicare for the future, and understand that we have the tools, many of which we owe to the public health system, and the innovation, the labs, the Centers for Disease Control, the National Institutes of Health, and all that's been done in our universities, as well as the entrepreneurial expertise and the creation and innovation that comes from our great system.

Let's enjoin that in a way that we solve problems, solution-oriented legislation that gets over the ideological divide and recognizes that we need common outcomes on behalf of the American people.

Mr. RYAN of Ohio. And, I think, take what is working in areas systemically, but also techniques. Up at Walter Reed, for example, they're using things like acupuncture. They're using things that can help with stress reduction. They're using mindfulness-based stress reduction because we now know, in 2013, given all of the brain science, all of the research that the neuroscientists have done all over the country and the world, Dr. Richard Davidson, at the University of Wisconsin, and Dr. Amishi Jha, at the University of Miami, all of the greatest institutions in the United States and the scientists that run these labs, that study the body, study the mind, they know that the future of health care is self-care.

How do we help people reduce their stress?

How do we help some of these soldiers that come back that are on 6, 8, 10, 12 drugs?

We spend $300 billion a year on pharmaceuticals. That's more than many of the other countries in the world combined. And we're not saying that you shouldn't have prescription drugs, because you're going to need them in this system that appreciates and tries to utilize all of the tools in the toolbox to keep people healthy.

But how do we create a system where a doctor can have more than 5 minutes with a patient?

And it's on to the next one and on to the next one and on to the next one. That's not a system. That is not protecting the integrity of the doctor/patient relationship. And that, in and of itself, can be a healing relationship, being able to sit down with the doctor and find out what's wrong.

How much stress and anxiety do people have when they just don't know what's wrong?

Mr. LARSON of Connecticut. The gentleman makes excellent points; and it's a point that underscores that, within this system, as the gentleman points out, we are going to need that high quality of care.

But our care coordination problems have been driven by flawed designs. The coordination of care in the new era, with all the science, technology and innovation that we can bring to bear on this problem, and the flawed design of our payment systems, are what we need to correct.

The beneficiaries will not only be our veterans who return home and are in need of our care, but our general population in dealing with this. The exchange is going to present a great opportunity, an opportunity to have a paradigm shift, an opportunity for us to come together and solve major problems.

And you know what? As the gentleman from Ohio knows, if we solve the national debt problem, then we don't have an issue with sequester, we don't have an issue with debt ceilings, and we can get about the infrastructure system that we desperately need in this country to further enhance jobs.

But within the innovation, technology, and manufacture of drugs and of medical devices, and the technology that grows out of health care, we have a whole economy that's ready to burst and boom as well.

That's what we've got to be about. That's what I believe the American people want to see us solving. And I'm glad that we've taken the time this evening to do that.

Mr. RYAN of Ohio. And if you think about what the small business person who's suffered the brunt of these huge health care increases over the last decade or two, 120-some percent increase, I think, in the last 10 years for a small business person, their health care, over that period of time has gone up.

So if you start reducing that cost, the money that business person will have to reinvest can be a stimulant for the economy.

Mr. LARSON of Connecticut. I thank the gentleman. I see that our time has expired. I thank the Speaker, and we thank everyone for the opportunity to lay out this case of coordinated care and cooperation, reducing our national debt, and securing Medicare for our citizens.

I yield back the balance of my time.

ADJOURNMENT

Mr. RYAN of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 19 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, June 27, 2013, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1979. A letter from the Acting Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Walter M. Skinner, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

1980. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Rules of Practice and Procedure: Enterprise and Federal Home Loan Bank Housing Goals Related Enforcement Amendment (RIN: 2590-AA57) received June 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1981. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Identity Theft Red Flags and Address Discrepancies Under the Fair and Accurate Credit Transactions Act of 2003, as Amended by the Red Flag Program Clarification Act of 2010 (RIN: 3084-AA94) received June 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1982. A letter from the Division Chief, Policy Division, International Bureau, Federal Communications Commission, transmitting the Commission's final rule — Review of Foreign Ownership Policies for Common Carrier and Aeronautical Radio Licensees under Section 310(b)(4) of the Communications Act of 1934, as Amended [IB Docket No.: 11-133] received June 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1983. A letter from the Chief, Policy and Rules Division, OET, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Part 15 of the Commission's Rules to Amend the Definition of Auditory Assistance Device in Support of Simultaneous Language Interpretation [ET Docket No.: 10-26] received June 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1984. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Freedom of Information Act received June 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1985. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Quality Assurance Program Requirements Regulatory Guide 1.33 received June 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1986. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Fuel Oil Systems for Emergency Power Supplies Regulatory Guide 1.137 received June 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1987. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Topeka, transmitting the 2012 Statements on System of Internal Controls of the Federal Home Loan Bank of Topeka, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

1988. A letter from the Secretary, Department of Education, transmitting the sixty-sixth Semiannual Report to Congress of the Office of the Inspector General for the period October 1, 2012, through March 31, 2013; to the Committee on Oversight and Government Reform.

1989. A letter from the Secretary, Department of Education, transmitting the forty-eighth Semiannual Report to Congress on Audit Follow-up, covering the six month period ending March 31, 2013 in compliance with the Inspector General Act Amendments of 1988; to the Committee on Oversight and Government Reform.

1990. A letter from the Attorney-Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1991. A letter from the Attorney-Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1992. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Seattle, transmitting the 2012 management report and statements on the system of internal controls of the Federal Home Loan Bank of Seattle, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

1993. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-67; Small Entity Compliance Guide [Docket: FAR 2013-0078, Sequence 3] received June 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1994. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2005-67; Item XI; Docket 2013-0080, Sequence 3] received June 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1995. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Updated Postretirement Benefit (PRB) References [FAC 2005-67; FAR Case 2011-019; Item X; Docket 2011-0019, Sequence 1] (RIN: 9000-AM23) received June 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1996. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Free Trade Agreement (FTA)-Panama [FAC 2005-67; FAR Case 2012-027; Item IX; Docket 2012-0027, Sequence 1] (RIN: 9000-AM43) received June 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1997. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; [FAC 2005-67; FAR Case 2013-008; Item VIII; Docket 2013-0008, Sequence 1] (RIN: 9000-AM54) received June 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1998. A letter from the Acting Senior Procurement Executive, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Contractors Performing Private Security Functions Outside the United States [FAC 2005-67; FAR Case 2011-029; Item I; Docket 2011-0029, Sequence 1] (RIN: 9000-AM20) received June 24, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1999. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period April 1, 2013 through June 30, 2013 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a Public Law 88-454; (H. Doc. No. 113–41); to the Committee on House Administration and ordered to be printed.

2000. A letter from the Acting Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — General Regulations; National Park System, Demonstrations, Sale or Distribution of printed matter [NPS-WASO-REGS-8546; PXXVPADO515] (RIN: 1024-AD91) received June 19, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2001. A letter from the Secretary, Department of the Interior, transmitting notification that the Department issued payments to eligible local governments under the Payments In Lieu of Taxes (PILT) Program; to the Committee on Natural Resources.

2002. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Modifications of the West Coast Commercial Salmon Fisheries; Inseason Action #3 [Docket No.: 130108020-3409-01] (RIN: 0648-XC686) received

June 18, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2003. A letter from the Director, Office of National Drug Control Policy, transmitting High Intensity Drug Trafficking Areas (HIDTA) Program Report to Congress, pursuant to Public Law 109–469; to the Committee on the Judiciary.

2004. A letter from the Acting Commissioner, Social Security Administration, transmitting the Administration's 2013 Annual Report of the Supplemental Security Income Program, pursuant to Public Law 104-193, section 231 (110 Stat. 2197); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. MILLER of Michigan: Committee on House Administration. House Resolution 277. Resolution dismissing the election contest relating to the office of Representative from the Ninth Congressional District of Tennessee (Rept. 113–132). Referred to the House Calendar.

Mrs. MILLER of Michigan: Committee on House Administration. House Resolution 278. Resolution dismissing the election contest relating to the office of Representative from the Forty Third Congressional District of California (Rept. 113–133). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WALDEN (for himself, Ms. SCHWARTZ, Mr. COBLE, Mr. COFFMAN, Mr. DENT, Mr. HANNA, Mr. HARPER, Mr. JONES, Mr. JOYCE, Mr. MCKINLEY, Mr. MEEHAN, Mr. TIBERI, Ms. BONAMICI, Mrs. CAPPS, Mr. DEFAZIO, Mr. ELLISON, Ms. LEE of California, Mr. BEN RAY LUJÁN of New Mexico, Ms. PINGREE of Maine, Mr. SCHRADER, Ms. TSONGAS, Mr. SIMPSON, and Mr. JOHNSON of Ohio):

H.R. 2504. A bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. NEGRETE MCLEOD (for herself and Mrs. NAPOLITANO):

H.R. 2505. A bill to direct the Secretary of Transportation to issue certain regulations with respect to motorcoach safety, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DENT (for himself, Mr. MURPHY of Florida, Mr. COFFMAN, and Mr. THOMPSON of Pennsylvania):

H.R. 2506. A bill to amend the Pay-As-You-Go-Act of 2010 to create an expedited procedure to enact recommendations of the Government Accountability Office for consolidation and elimination to reduce duplication; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MASSIE (for himself, Mr. AMASH, Mr. JONES, Mr. YOHO, Mr. ROE of Tennessee, Mr. BROOKS of Alabama, Mr. PITTS, Mr. MEADOWS, Mr. DESJARLAIS, and Mr. GOHMERT):

H.R. 2507. A bill to restrict funds related to escalating United States military involvement in Syria; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CALVERT (for himself, Mr. HUNTER, Mr. ISSA, Mr. DENHAM, Mr. LAMALFA, Mr. COOK, Mr. VALADAO, Mr. COLE, Mr. GRIJALVA, Mr. CÁRDENAS, Mr. RUIZ, Mr. KILDEE, and Ms. MCCOLLUM):

H.R. 2508. A bill to authorize the Pechanga Band of Luiseño Mission Indians Water Rights Settlement, and for other purposes; to the Committee on Natural Resources.

By Mr. LEWIS (for himself, Mr. SCOTT of Virginia, Mr. SCHOCK, and Mr. SENSENBRENNER):

H.R. 2509. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes; to the Committee on Ways and Means.

By Mr. BISHOP of New York (for himself, Mr. JONES, Ms. DEGETTE, and Mr. COOPER):

H.R. 2510. A bill to direct the Secretary of Defense to establish within the Department of Defense centers of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to open burn pits; to the Committee on Armed Services.

By Mrs. BLACK (for herself, Mrs. BACHMANN, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BRIDENSTINE, Mr. BROUN of Georgia, Mr. CASSIDY, Mr. CHAFFETZ, Mr. COTTON, Mr. CRAMER, Mr. DESJARLAIS, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. FINCHER, Mr. GRAVES of Georgia, Mr. GOHMERT, Mr. JORDAN, Mr. MULLIN, Mr. POMPEO, Mr. RADEL, Mr. ROE of Tennessee, Mr. SALMON, Mr. SCALISE, Mr. SMITH of Missouri, Mr. SOUTHERLAND, Mr. STEWART, Mr. STOCKMAN, Mr. TIPTON, and Mr. WILLIAMS):

H.R. 2511. A bill to achieve domestic energy independence by empowering States to control the development and production of all forms of energy on all available Federal land; to the Committee on Natural Resources.

By Ms. DELAURO:

H.R. 2512. A bill to amend the Truth in Lending Act to establish clear regulatory standards for mortgage servicers, and for other purposes; to the Committee on Financial Services.

By Mr. GOHMERT (for himself, Mrs. LUMMIS, Mr. BISHOP of Utah, Mr. LAMALFA, Mr. FLEMING, Mr. FRANKS of Arizona, Mr. PEARCE, Mr. STUTZMAN, Mr. COLE, Mr. HARRIS, Mr. YOHO, and Mr. CRAMER):

H.R. 2513. A bill to clarify that a State has the sole authority to regulate hydraulic fracturing on Federal land within the boundaries of the State; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES of Missouri:

H.R. 2514. A bill to improve efficiency by consolidating some duplicative and overlapping Government programs; to the Committee on Oversight and Government Reform, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Mr. HOLT, Ms. CLARKE, and Mr. CONYERS):

H.R. 2515. A bill to amend the provisions of the Elementary and Secondary Education Act of 1965 regarding school library media specialists, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GRIJALVA (for himself, Ms. CHU, and Mr. PIERLUISI):

H.R. 2516. A bill to establish dual language education programs in low-income communities; to the Committee on Education and the Workforce.

By Mr. GRIJALVA:

H.R. 2517. A bill to improve the literacy and English skills of limited English proficient individuals, and for other purposes; to the Committee on Education and the Workforce.

By Mr. KINZINGER of Illinois (for himself, Mr. MICHAUD, Mr. SCHOCK, Mr. MCINTYRE, Ms. JENKINS, Mr. MATHESON, and Mr. RODNEY DAVIS of Illinois):

H.R. 2518. A bill to increase the long-term fiscal accountability of direct spending legislation; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE of California (for herself, Mr. FALEOMAVAEGA, Mr. COHEN, Mr. CONYERS, Mr. GRIJALVA, Mr. HONDA, Mr. MCGOVERN, and Ms. PINGREE of Maine):

H.R. 2519. A bill to direct the Secretary of State, the Secretary of Health and Human Services, and the Secretary of Veterans Affairs to provide assistance for individuals affected by exposure to Agent Orange, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committees on Energy and Commerce, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico (for herself and Mr. CUMMINGS):

H.R. 2520. A bill to amend the Internal Revenue Code of 1986 to prohibit 501(c)(4) entities from participating in, or intervening in (including the publishing or distributing of

statements), any political campaign; to the Committee on Ways and Means.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. PEARCE):

H.R. 2521. A bill to amend the Public Health Service Act to expand and intensify programs of the National Institutes of Health and the Centers for Disease Control and Prevention with respect to translational research and related activities concerning cavernous angioma, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. CAROLYN B. MALONEY of New York (for herself and Ms. NORTON):

H.R. 2522. A bill to amend title 38, United States Code, to improve and make permanent the Department of Veterans Affairs loan guarantee for the purchase of residential cooperative housing units, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. NADLER (for himself, Ms. PELOSI, Mr. HOYER, Mr. CLYBURN, Mr. CONYERS, Mr. POLIS, Mr. CICILLINE, Mr. SEAN PATRICK MALONEY of New York, Mr. POCAN, Ms. SINEMA, Mr. TAKANO, Mr. ANDREWS, Mr. BARBER, Ms. BASS, Mr. BECERRA, Mr. BISHOP of New York, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Mr. BRALEY of Iowa, Ms. BROWNLEY of California, Mrs. CAPPS, Mr. CAPUANO, Mr. CÁRDENAS, Mr. CARNEY, Mr. CARTWRIGHT, Ms. CASTOR of Florida, Mr. CASTRO of Texas, Mrs. CHRISTENSEN, Ms. CHU, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONNOLLY, Mr. COURTNEY, Mr. CROWLEY, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELANEY, Ms. DELAURO, Ms. DELBENE, Mr. DEUTCH, Mr. DINGELL, Mr. DOGGETT, Mr. DOYLE, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Ms. ESTY, Mr. FARR, Mr. FATTAH, Mr. FOSTER, Ms. FUDGE, Ms. GABBARD, Mr. GARAMENDI, Mr. GRAYSON, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HAHN, Ms. HANABUSA, Mr. HANNA, Mr. HASTINGS of Florida, Mr. HECK of Washington, Mr. HIGGINS, Mr. HIMES, Mr. HOLT, Mr. HONDA, Mr. HORSFORD, Mr. HUFFMAN, Mr. ISRAEL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Mr. KENNEDY, Mr. KILDEE, Mr. KILMER, Mrs. KIRKPATRICK, Ms. KUSTER, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS, Mr. LOEBSACK, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Mr. BEN RAY LUJÁN of New Mexico, Mr. LYNCH, Mr. MAFFEI, Mrs. CAROLYN B. MALONEY of New York, Mr. MARKEY, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MEEKS, Ms. MENG, Mr. MICHAUD, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mrs. NAPOLITANO, Mrs. NEGRETE MCLEOD, Mr. NOLAN, Ms. NORTON, Mr. O'ROURKE, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR of Arizona, Mr. PETERS of Michigan, Ms. PINGREE of Maine, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Ms. ROS-LEHTINEN, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHNEIDER, Ms. SCHWARTZ, Mr. SCOTT of Virginia, Mr. SERRANO, Ms. SHEA-PORTER, Mr. SHERMAN, Mr. SIRES, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. SWALWELL of California, Mr. THOMPSON of California, Mr. TIERNEY, Ms. TITUS, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VARGAS, Mr. VEASEY, Ms. VELÁZQUEZ, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Mr. WATT, Mr. WAXMAN, Mr. WELCH, Ms. WILSON of Florida, and Mr. YARMUTH):

H.R. 2523. A bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage; to the Committee on the Judiciary.

By Mr. PAULSEN (for himself, Mr. KIND, Mr. GRIFFIN of Arkansas, and Ms. FUDGE):

H.R. 2524. A bill to establish a program to provide incentive payments to participating Medicare beneficiaries who voluntarily establish and maintain better health; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SALMON (for himself and Mr. ANDREWS):

H.R. 2525. A bill to amend the Higher Education Act of 1965 to authorize nonprofit institutions of higher education to provide payment to certain third-party entities; to the Committee on Education and the Workforce.

By Mr. SCOTT of Virginia:

H.R. 2526. A bill to amend title 28, United States Code, to add a Federal defender representative as a nonvoting member of the United States Sentencing Commission, and for other purposes; to the Committee on the Judiciary.

By Ms. TITUS (for herself, Ms. MENG, Ms. SHEA-PORTER, Mr. JONES, Ms. CLARKE, Ms. FRANKEL of Florida, Ms. BONAMICI, Ms. ESTY, Mr. LOEBSACK, Mr. RYAN of Ohio, Mr. CARTWRIGHT, Ms. SCHAKOWSKY, Ms. KUSTER, Ms. GABBARD, and Ms. SINEMA):

H.R. 2527. A bill to amend title 38, United States Code, to provide veterans with counseling and treatment for sexual trauma that occurred during inactive duty training; to the Committee on Veterans' Affairs.

By Ms. TITUS (for herself and Mr. HORSFORD):

H.R. 2528. A bill to establish a task force in the Department of Veterans Affairs to assess the retention and training of claims processors; to the Committee on Veterans' Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIPTON (for himself, Mr. PEARCE, Mrs. LUMMIS, Mr. COFFMAN, Mr. LAMBORN, and Mr. GARDNER):

H. Res. 279. A resolution expressing the sense of the House of Representatives that allocating the appropriate resources to wildland fire management is needed to protect the environment, the economy, and the people of the United States, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

67. The SPEAKER presented a memorial of the Senate of the State of West Virginia, relative to Senate Concurrent Resolution No. 76 urging the Congress to update the Renewable Fuel Standard; to the Committee on Energy and Commerce.

68. Also, a memorial of the House of Representatives of the State of Arizona, relative to House Concurrent Memorial 2007 demanding the Congress protest the proposed closing of Cherrybell Postal Processing and Distribution Center; to the Committee on Oversight and Government Reform.

69. Also, a memorial of the House of Representatives of the State of Hawaii, relative to House Concurrent Resolution No. 6 commemorating the twentieth anniversary of the Apology Resolution; to the Committee on Natural Resources.

70. Also, a memorial of the House of Representatives of the State of Oregon, relative to House Joint Memorial No. 7 urging the Congress to increase investment in the Drinking Water Revolving Fund; to the Committee on Transportation and Infrastructure.

71. Also, a memorial of the House of Representatives of the State of Idaho, relative to House Concurrent Resolution No. 22 demanding that the federal government extinguish title to Idaho's public lands and transfer title to those lands to the State of Idaho; jointly to the Committees on Natural Resources, Armed Services, and Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. WALDEN:

H.R. 2504.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is pursuant to the following:

1) Article I, Section 8, Clause 1: ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States''

2) Article I, Section 1 - All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mrs. NEGRETE MCLEOD:

H.R. 2505.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 8, ''Congress Shall have the power to regulate Commerce with foreign Nations, among the several States, and with Indian Tribes.''

and;

Article I, Section 8, Clause 18, ''Congress shall have the Power To make all Laws which shall be necessary ad proper for carryng into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department of Officer thereof.''

By Mr. DENT:

H.R. 2506.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MASSIE:

H.R. 2507.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the Constitution, which gives Congress the sole authority to declare war.

By Mr. CALVERT:

H.R. 2508.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 3 of the Constitution.

(Article I, section 8, clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;)

By Mr. LEWIS:

H.R. 2509.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. BISHOP of New York:

H.R. 2510.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. BLACK:

H.R. 2511.

Congress has the power to enact this legislation pursuant to the following:

Tenth Amendment stating that, ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.''

and

Article IV, Section 3, Clause 2 providing that ''Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States. . . .''

By Ms. DELAURO:

H.R. 2512.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power *** To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. GOHMERT:

H.R. 2513.

Congress has the power to enact this legislation pursuant to the following:

Tenth Amendment stating that ''[t]he powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.''

Article IV, Section 3, Clause 2 providing that ''Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States. . . .''

By Mr. GRAVES of Missouri:

H.R. 2514.

Congress has the power to enact this legislation pursuant to the following:

Clause 7 of Section 9 of Article I of the Constitution, in that all funds belonging to the Treasury may not be withdrawn except according to law.

By Mr. GRIJALVA:

H.R. 2515.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. §§I, 1 and 8.

By Mr. GRIJALVA:

H.R. 2516.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. GRIJALVA:

H.R. 2517.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. KINZINGER of Illinois:

H.R. 2518.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power *** To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. LEE of California:

H.R. 2519.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 2520.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 2521.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the power of the Congress to regulate Commerce, as enumerated by Article I, Section 8, Clause 3 of the United States Constitution.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 2522.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. NADLER:

H.R. 2523.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I of the Constitution, and section 5 of Amendment XIV to the Constitution.

By Mr. PAULSEN:

H.R. 2524.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. SALMON:

H.R. 2525.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States, the Commerce Clause.

By Mr. SCOTT of Virginia:

H.R. 2526.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution.

By Ms. TITUS:

H.R. 2527.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8; Amendment XVI, of the United States Constitution.

By Ms. TITUS:

H.R. 2528.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 176: Mr. ROGERS of Michigan and Mr. DESANTIS.

H.R. 198: Mr. RANGEL, Mrs. CHRISTENSEN, and Mr. WELCH.

H.R. 269: Mr. KILMER.

H.R. 282: Mr. CHAFFETZ and Mr. ALEXANDER.

H.R. 333: Ms. PINGREE of Maine, Mr. VELA, Ms. GABBARD, Mr. RYAN of Ohio, and Mr. GUTIÉRREZ.

H.R. 411: Mr. LATHAM.

H.R. 436: Mr. HENSARLING, Mr. SMITH of Missouri, Mr. LAMBORN, Mr. HANNA, Mr. HECK of Nevada, and Mr. HUNTER.

H.R. 494: Mr. BRALEY of Iowa.

H.R. 508: Mr. PETERSON.

H.R. 519: Mr. HUFFMAN.

H.R. 535: Ms. HAHN and Mr. NOLAN.

H.R. 556: Mr. SMITH of Nebraska, Mr. PITTENGER, Mr. JONES, Ms. JENKINS, and Mr. MULVANEY.

H.R. 578: Mr. SMITH of Missouri and Mr. DAINES.

H.R. 609: Mr. HOLT.

H.R. 621: Mr. STOCKMAN and Mr. BROOKS of Alabama.

H.R. 633: Ms. GABBARD.

H.R. 637: Mr. SALMON.

H.R. 647: Mr. CASSIDY.

H.R. 685: Mr. PETERSON, Mr. OWENS, Mr. FLEMING, Mr. PITTENGER, Mr. DAINES, Mr. DELANEY, and Mr. RAHALL.

H.R. 693: Mr. BRADY of Texas.

H.R. 698: Ms. TITUS.

H.R. 713: Mr. TURNER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MAFFEI, and Mr. RADEL.

H.R. 719: Ms. LORETTA SANCHEZ of California, Mr. GRIJALVA, and Mrs. NAPOLITANO.

H.R. 755: Mr. GARY G. MILLER of California.

H.R. 822: Mr. GRIJALVA.

H.R. 850: Ms. KUSTER and Mr. NOLAN.

H.R. 853: Mr. CALVERT.

H.R. 892: Mr. SCHOCK.

H.R. 903: Mr. MESSER.

H.R. 904: Ms. NORTON.

H.R. 940: Mr. YOHO.

H.R. 961: Ms. KUSTER.

H.R. 974: Mr. RUIZ.
H.R. 1020: Mr. CASSIDY.
H.R. 1027: Mr. RUIZ.
H.R. 1140: Mr. KILMER.
H.R. 1148: Mr. COURTNEY.
H.R. 1180: Mr. CAPUANO, Mr. MCGOVERN, and Ms. MATSUI.
H.R. 1187: Ms. SPEIER and Ms. LINDA T. SÁNCHEZ of California.
H.R. 1242: Mr. COLE.
H.R. 1250: Ms. ESHOO.
H.R. 1261: Ms. SLAUGHTER.
H.R. 1285: Mr. CARTWRIGHT.
H.R. 1309: Mrs. BLACKBURN and Mr. GUTHRIE.
H.R. 1318: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 1322: Mr. RUIZ.
H.R. 1323: Mr. RUIZ.
H.R. 1324: Mr. RUIZ.
H.R. 1334: Ms. TITUS.
H.R. 1336: Mr. SCHOCK and Mr. KINZINGER of Illinois.
H.R. 1466: Mr. CAPUANO.
H.R. 1502: Mr. SOUTHERLAND, Mr. POSEY, Mr. PITTENGER, Mr. WALBERG, Mr. BROUN of Georgia, and Mr. FLEMING.
H.R. 1518: Mr. GIBSON, Ms. JACKSON LEE, Mr. LARSEN of Washington and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1527: Mr. PALLONE.
H.R. 1563: Mr. POSEY.
H.R. 1595: Ms. KELLY of Illinois, Mr. PETERSON, and Ms. FUDGE.
H.R. 1634: Mr. CALVERT and Mr. OWENS.
H.R. 1717: Mr. STEWART.
H.R. 1731: Ms. CASTOR of Florida, Mr. MCNERNEY, and Mr. PETERS of California.
H.R. 1755: Mr. PETERSON and Mrs. BUSTOS.
H.R. 1761: Ms. SPEIER.
H.R. 1771: Mr. FINCHER, Mr. BILIRAKIS, Mr. SMITH of Missouri, Mr. YOUNG of Indiana, Mr. LUETKEMEYER, Mr. NUNNELEE, and Mr. DESANTIS.
H.R. 1779: Mr. COLE and Mr. KINZINGER of Illinois.
H.R. 1798: Mr. LATHAM and Mr. STIVERS.
H.R. 1801: Ms. LOFGREN and Mr. POCAN.
H.R. 1825: Mr. COLE.
H.R. 1843: Mrs. CHRISTENSEN, Mr. JOHNSON of Georgia, Ms. WILSON of Florida, and Mr. CARTWRIGHT.
H.R. 1844: Mr. SMITH of Washington, Mr. MORAN, and Mrs. CHRISTENSEN.
H.R. 1852: Ms. SCHAKOWSKY, Mr. O'ROURKE, Mr. AMODEI, Mr. WOMACK, Mr. BROUN of Georgia, and Mr. MULLIN.
H.R. 1864: Ms. MCCOLLUM and Mr. BRALEY of Iowa.
H.R. 1875: Mr. CASSIDY.
H.R. 1886: Mr. NOLAN.
H.R. 1902: Ms. MCCOLLUM.
H.R. 1908: Mr. BROUN of Georgia, Mrs. LUMMIS, Mr. BROOKS of Alabama, Mr. DENHAM, and Mr. GOHMERT.
H.R. 1918: Mr. PETERSON and Mr. MEEKS.
H.R. 1921: Mr. SEAN PATRICK MALONEY of New York and Mr. WELCH.
H.R. 1926: Mr. SHERMAN.
H.R. 1966: Mr. SABLAN, Ms. BORDALLO, and Mr. JOHNSON of Georgia.
H.R. 1968: Mr. KING of New York.
H.R. 1971: Mr. BENISHEK.
H.R. 1982: Mr. YOUNG of Indiana.
H.R. 1992: Mr. JOHNSON of Ohio.
H.R. 2016: Mr. CROWLEY.
H.R. 2026: Mr. DENHAM.
H.R. 2029: Ms. SCHAKOWSKY and Mr. HUFFMAN.
H.R. 2030: Ms. MCCOLLUM.
H.R. 2051: Mr. SERRANO.
H.R. 2053: Mr. LATTA, Mr. VALADAO, Mr. JOYCE, Mr. CRAWFORD, Mr. BACHUS, Mr. BOUSTANY, and Mr. MARCHANT.
H.R. 2055: Mr. GOHMERT, Mrs. BACHMANN, Mr. MEADOWS, Mrs. BLACKBURN, and Mr. DESJARLAIS.
H.R. 2094: Mr. RYAN of Ohio, Ms. CASTOR of Florida, Mr. SARBANES, Mr. MCNERNEY, and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 2099: Mr. NUNNELEE.
H.R. 2175: Mr. CALVERT.
H.R. 2182: Mr. LOWENTHAL and Mrs. CHRISTENSEN.
H.R. 2194: Mr. PETRI.
H.R. 2210: Ms. TITUS.
H.R. 2218: Mr. MURPHY of Pennsylvania, Mr. CRAMER, and Mr. FRANKS of Arizona.
H.R. 2310: Mr. KLINE, Mr. BENTIVOLIO, and Mr. NUNNELEE.
H.R. 2313: Mr. ROSKAM.
H.R. 2317: Mr. RYAN of Ohio and Mr. CARSON of Indiana.
H.R. 2333: Ms. SHEA-PORTER and Mr. KILMER.
H.R. 2347: Mr. WALBERG.
H.R. 2349: Mr. CONYERS.
H.R. 2351: Mrs. CAPITO.
H.R. 2399: Mr. LABRADOR, Mr. ROE of Tennessee, Mr. SCHWEIKERT, and Ms. NORTON.
H.R. 2408: Mr. COLE and Mrs. HARTZLER.
H.R. 2415: Ms. FUDGE.
H.R. 2422: Mr. GRIJALVA and Mrs. NAPOLITANO.
H.R. 2429: Mr. SMITH of Texas, Mr. SCHOCK, Mr. DAINES, Mr. MULVANEY, and Mr. POMPEO.
H.R. 2446: Mr. KING of New York, Mr. MULVANEY, Mr. BROOKS of Alabama, and Mr. BONNER.
H.R. 2449: Ms. GABBARD and Mr. WILSON of South Carolina.
H.R. 2456: Mr. CAMPBELL and Mr. BRADY of Texas.
H.R. 2458: Mr. SALMON, Mr. GOHMERT, Mr. CHABOT, Mr. POSEY, Mr. WILSON of South Carolina, Mr. WALBERG, Mr. FLEMING, Mrs. LUMMIS, Mr. GRAVES of Georgia, Mr. YOUNG of Alaska, and Mr. SMITH of Missouri.
H.R. 2459: Mr. BRALEY of Iowa, Ms. FUDGE, Mr. CLAY, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 2482: Ms. TITUS.
H.R. 2495: Mr. BROOKS of Alabama.
H.J. Res. 27: Mr. DUNCAN of South Carolina.
H. Con. Res. 24: Mr. HULTGREN, Mr. SENSENBRENNER, and Mr. PERRY.
H. Con. Res. 36: Ms. LOFGREN.
H. Res. 35: Mr. COTTON.
H. Res. 36: Mr. ROTHFUS.
H. Res. 75: Mrs. CAPITO.
H. Res. 109: Mr. WALZ.
H. Res. 136: Mr. CÁRDENAS.
H. Res. 190: Ms. NORTON and Mr. COLE.
H. Res. 211: Mr. COURTNEY.
H. Res. 227: Mr. BISHOP of New York and Mr. ISRAEL.
H. Res. 250: Mr. LANKFORD.
H. Res. 273: Mr. KEATING, Mr. SHERMAN, Mr. CONNOLLY, Mr. BROOKS of Alabama, and Mr. COOK.

SENATE—*Wednesday, June 26, 2013*

The Senate met at 9:30 a.m. and was called to order by the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, we believe, but we need You to remove our doubts. As our lawmakers face daunting challenges, give them an unwavering faith that will not shrink when facing obstacles. Imbue them with greater patience, and make them constant in their commitment to do Your will. Lord, help them to cast their cares on You and leave to You the consequences of their faithful service. Prosper all they do today in accordance with Your will and with Your almighty power. Annul and overrule any poor decisions they make.

Lord, thank You for the faithful service of Senator MO COWAN. Bless him as he prepares to leave the Senate.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 26, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WILLIAM M. COWAN, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. COWAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following leader remarks the Senate will resume consideration of the immigration bill. The time until 11:30 will be equally divided between the two managers. The filing deadline for all second-degree amendments to both the substitute and the bill is 10:30 today. At 11:30 there will be three rollcall votes on the motion to waive the applicable budget points of order, the adoption of the Leahy amendment, as modified, and the cloture vote on the committee-reported substitute amendment.

IMMIGRATION REFORM

Mr. REID. Mr. President, I think it is appropriate that I say just a word or two about the eight Senators who have worked to get us to the point where we are now. I was thinking this morning that this is really America at its best. Each one of those eight Senators does not know, as I do not know, whether this work they have done is going to help them or hurt them in their political careers. But this is one of those opportunities where I am confident that they believe they are doing it for the right reasons no matter what the political consequences are.

We have a broken immigration system. They have led us to a path to be able to fix it—but for them we would continue with this broken immigration system—which, as we know now from the reports we got from the Congressional Budget Office, is going to help tremendously reduce our deficit for the next two decades by $1 trillion—$1 trillion.

When people came before this legislation and said: We have to do this legislation because it is good for the security of this Nation and good for the economy, people really did not know if they were speaking the truth. Well, we know now. That is absolutely true. It improves the security. We see what is going to happen with the border. We are going to have 40,000 Border Patrol agents. We are going to have all methods to make sure that border is secure and the northern border is secure. In addition to that, it is going to improve our economy significantly.

I applaud and congratulate those eight Senators for the remarkably good work they have done.

It was 6 a.m. when immigration officials came to take Maria Espinoza's husband away in handcuffs. She walked out the front door to hand her husband his lunch money and watched as he was loaded in a truck and carted to an immigration detention center. That is a fancy word for a jail. He was not a criminal. He works hard, pays his taxes, and he is a good father and a good husband. But Jorge is in the country without the proper immigration paperwork, so he spent a month in this jail. Maria, who is also an undocumented immigrant, was also set to be deported but was able to remain at home with her teenage daughter, who is, by the way, a U.S. citizen. Maria and Jorge were basically able to secure a stay of deportation, but they live with the fear that they will be torn away from their family and deported to a country they have not set foot in in 25 years.

They came from Mexico. They have made their home in Las Vegas. They have been there for 25 years—almost as long as they have been married. In Nevada, Maria and Jorge have a large and vibrant family. They have two daughters and a son, and now they have an 8-month-old grandson as well. They have loving friends and a tight-knit community. In Mexico, the country where they were born, they do not know a single soul except a really old relative.

Because Maria and Jorge are undocumented immigrants, they live with the fear every minute of every day—and sometimes as they awaken at night—that they will have to leave the country they love, the United States. Maria lives with the fear that she will have to say goodbye to their children and her grandson. Here is what she said yesterday:

When you lose your mother or your father, you are an orphan. When you lose your husband, you are a widow. What do they call it when you lose a child, when you are separated from a child? There is no name for that.

Maria and Jorge's family members are all legally present in the United States. Maria and Jorge's youngest daughter, a freshman in college, was born in the United States. So was their grandson.

A directive issued last year by President Obama allowed their two oldest children, both of whom are married to U.S. citizens, to obtain their legal residency. The President's directive suspended deportation for 800,000 DREAMers—young people brought to America illegally when they were children and in many instances just babies. But millions of family members of those young DREAMers do not qualify for legal status or an earned pathway to citizenship. Millions of mixed-status families worry every day that a loved one—a parent, a spouse, a sibling—will be torn away from them at any time. That is why it is crucial that Congress pass this bipartisan legislation.

This is reform legislation that protects and preserves families. We need

to do it right now. I am happy the Senate will pass such a bill this week. A permanent, commonsense solution to our dysfunctional system is really in sight. It is my hope our colleagues in the House will follow the Senate's lead and work to pass bipartisan reform and do it now because whether we serve in the House or Senate, whether we hail from red States or blue States, we should all be able to agree that the current system is broken. We should all be able to agree that congressional action is necessary.

I have seen firsthand the devastation caused by our broken system. But each time I have an opportunity to speak with Nevadans about the urgent need for action on immigration, I am reminded that this issue is personal to them also. It is personal, as I have indicated, to me, but it is just as personal to Maria and Jorge. It is personal to 11 million other undocumented immigrants and tens of millions of their U.S. citizen relatives, whose eyes are turned toward Washington and whose hearts are filled with hope.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

WAR ON COAL

Mr. MCCONNELL. Mr. President, yesterday morning I made a prediction about a speech the President was expected to give later in the day. I said we could expect him to announce a plan to impose the will of some of his most radical backers on the American middle class. I said he would be undeterred by Congress's rejection of his national energy tax even when Democrats held commanding majorities in both Houses. I said he would announce his intention to push through job-crushing regulations anyway but this time largely through the back door over the objections of many working-class Americans rather than through the regular democratic process. Lo and behold, that is essentially what he did.

I was surprised by one thing, though, and that was his continued effort to play politics with the Keystone Pipeline jobs. Remember, we all know that the oil this pipeline would carry is going to come out of the ground either way. It is going to come out of the ground whether or not he approves it. In other words, whether he gives approval to the pipeline or not, the oil is coming out of the ground. The only question is whether that energy and those jobs will go to America or whether they will be allowed to travel across the Pacific to governments that harbor terrible environmental records to begin with.

That is just one reason why the Keystone Pipeline has enjoyed such broad bipartisan support here in the Senate. Even Big Labor—a sector that is usually supportive of the President—is all behind the Keystone Pipeline. Yet, yesterday, when the President had the opportunity to side with the working-class families across the country by approving the pipeline, he took another pass—just took a pass.

Sometimes you have to wonder about this administration. In making decisions such as these, you have to wonder if they truly understand the worries most Americans have to contend with in the Obama economy. I have long warned, for example, that the White House was determined—determined—to wage a war on coal. They denied it, of course, but only just long enough to get through the last election. So it is not a coincidence that the President did not give his speech before the election or that he gave it at a university that symbolizes the DC elite rather than somewhere in coal country. He should have made this speech down at Morehead State University in my State or the University of Pikeville in my State. That would have been the place to make the speech, not here in town.

Now the President's supporters seem all too happy to admit there is a war on coal. Just yesterday an adviser to the White House said, ''A war on coal is exactly what's needed.'' You have to give him points for candor.

Look, Republicans are all for developing the fuels and the energies of the future. We are all for that. We just think it should come about as part of an all-of-the-above strategy, which is exactly what the White House said it supported too back before the election. But now with the election year over, the truth comes out.

In truth, the administration seems to adhere to a dogma that could best be described as ''none of the above''—not ''all of the above'' but ''none of the above, except a couple of things that make our base happy.'' I would note that such an approach is basically nonsense since it ignores what is necessary to keep our country's growing energy needs met in order to move toward a future where renewables look set to play a greater role because it simply tries to pretend that it will not take years, if not decades, for these other types of energy to come online in a way that will truly meet our energy needs.

In a phrase, it is a strategy that subordinates almost everything to politics. That is why Republicans believe a true all-of-the-above strategy means developing wind, solar, natural gas, oil, and coal, and embracing American jobs that come along with producing American energy.

Here is what we believe it absolutely does not mean: It does not mean picking out a class of vulnerable people and declaring war on them. There is a depression in central Appalachia, which includes eastern Kentucky, because of the government itself, this administration. Sometimes people in Washington forget the decisions here actually affect the lives of others. I am often left to wonder, do they not care?

Of course, coal is an important industry to my State, and I am going to defend Kentucky workers from out-of-touch Washington attacks, but it is pretty naive to think it is just about Kentucky, West Virginia, or Pennsylvania. As I said yesterday, a war on coal is actually a war on jobs. Coal is important to our entire country. It is critical to the growth of manufacturing, and it is important to our national economy.

One can say a coal miner in Kentucky relies on coal for their well-being, just as a line worker in a manufacturing plant that uses coal relies on it too. Pretty much everyone who lives or works in a building with electricity relies on coal in some way. That is why even some in the President's party are trying to distance themselves from his approach.

As one of my Senate Democratic colleagues put it yesterday:

> The fact is clear: our own Energy Department reports that our country will get 37 percent of our energy from coal until 2040. Removing coal from our energy mix will have disastrous consequences for our recovering economy.

I couldn't agree more with our Democratic colleague.

It is time for the White House to stop pivoting from job-destroying policies to campaign-stop PR pitches for jobs right back to job-destroying policies. It is time for the administration to get serious about pursuing a truly workable strategy for this country, for energy, for the economy, and for jobs.

SENATE RULES

Briefly, on another matter, another day has gone by. We are still not clear that the majority leader is going to keep his word given back at the beginning of this Congress that the issue of the rules for the Senate of this Congress have been settled. They have been settled as a result of bipartisan discussions that occurred back in January leading to the passing of two rules changes and two standing orders, after which the majority leader had said it had been settled, that we had the rules for this Congress.

Later we learned that maybe we didn't, and there were these implied threats issued to groups around the country that he would exercise a so-called nuclear option. The definition of the nuclear option is to break the rules of the Senate in order to change the rules of the Senate.

The minority, and I suspect a reasonable number of the majority, are waiting to find out whether the majority leader intends to keep his word. Your

word is the currency of the realm in the Senate. His word has been given. We expect it to be kept.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION MODERNIZATION ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 744, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 744) to provide comprehensive immigration reform, and for other purposes.

Pending:

Leahy modified amendment No. 1183, to strengthen border security and enforcement.

Boxer/Landrieu amendment No. 1240, to require training for National Guard and Coast Guard officers and agents in training programs on border protection, immigration law enforcement, and how to address vulnerable populations, such as children and victims of crime.

Cruz amendment No. 1320, to replace title I of the bill with specific border security requirements, which shall be met before the Secretary of Homeland Security may process applications for registered immigrant status or blue card status and to avoid Department of Homeland Security budget reductions.

Leahy (for Reed) amendment No. 1224, to clarify the physical present requirements for merit-based immigrant visa applicants.

Reid amendment No. 1551 (to modified amendment No. 1183), to change the enactment date.

Reid amendment No. 1552 (to the language proposed to be stricken by the reported committee substitute amendment to the bill), to change the enactment date.

Reid amendment No. 1553 (to amendment No. 1552), of a perfecting nature.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 11:30 a.m. will be equally divided and controlled between the two managers or their designees.

The Senator from Iowa.

Mr. GRASSLEY. I have expressed my frustration many times, and more often in the last week, about the lack of progress on getting votes. We have been on this bill for 3 weeks. Yet we have only dealt with nine amendments. It is unclear if any more amendments will be debated and voted on. We have provided a list to the majority on amendments that we believe will make the bill better. It seems as though the only amendments that will be made in order before we vote on final passage will be the Schumer-Hoeven-Corker so-called grand compromise. This is the one that was concocted behind closed doors for days, stalling progress we wanted to make in the public. In other words, we lost a lot of time while this grand compromise was being concocted behind closed doors. Even while that was going on, we could have been debating amendments and voting on amendments.

Not only is the amendment before us, meaning the Schumer-Hoeven-Corker amendment, loaded with provisions that some would call earmarks, but it continues to promote false promises that the border will be truly secured. We get the impression from hearing the authors debate their amendment that tomorrow we are going to have a secure border. This is not going to happen, and I will explain that in a moment.

Let's get back to basics. We are a Nation based upon the rule of law. In that concept, every Nation has a right to protect its sovereignty. In fact, it has a duty to protect the homeland. Any border security measures we pass then must be real and, more importantly, immediate. We can't wait 10 years down the road to put more agents on the border or to implement a tracking system to track foreign nationals. We have to prove to the American people today that illegal entries are under complete control and the visa overstays are being punished. Being punished means leave our country when your visa says you are supposed to leave the country.

Unfortunately, too many people have been led to believe the bill before us, and this grand compromise amendment, will force the Secretary of Homeland Security to secure the border. The fact is, it doesn't do that, but we are led to believe that tomorrow the border will be secure. The amendment basically is a continuation of the basic premise of the underlying bill—legalization first, enforcement later, if ever.

It is very simple and it is wrong. People will be legalized merely on the submission of a plan by the Secretary of Homeland Security.

Will that plan secure the border? Who is going to know until a long way down the road. In the meantime, you have legalization and possibly enforcement, but you aren't going to know. Then you end up making the same mistake I made by voting for the bill in 1986. I don't intend to make that mistake again.

We are saying the Secretary puts forth a plan. This very same Secretary is the one who thinks the border is already strong enough, the same Secretary who has refused to even answer questions we submitted to her 2 months ago about how she might interpret some of this legislation. She obviously hasn't been forthright in answering what those department policies would be.

The amendment puts additional agents on the border, yes. It does it, quite frankly, in opposition to people on the other side of the aisle. Some of the sponsors of the bill have argued already that more agents aren't necessary. Maybe I should be satisfied we are going to have more agents. The point is, it is so far down the road—don't sell this amendment to me as border security.

Let's be honest with the American people. This amendment, this grand compromise concocted behind closed doors, may call for more Border Patrol agents, but it surely doesn't require it until the undocumented population, who are now RPIs, apply for adjustment status or a green card, and that is down the road several years.

I am all for putting more agents along the border, but why should we wait? It ought to be enforcement now, legalization later. Why allow legalization now and simply promise more agents in the future?

Even then, who believes the Secretary, like the one we have today, will actually enforce the law? When I say like the Secretary we have today, I mean the policy. She says the border is secure.

In this amendment there is the issue of fencing. One of the conditions that must be met before the Secretary can process green cards for people here illegally is the southern border fencing strategy has been submitted to Congress and implemented. This fencing strategy will identify where 700 miles of pedestrian fencing is in place. Note that this is not double layered, as in current law, so current law is weakened.

The amendment states the second layer is to be built only if the Secretary deems it necessary and appropriate. This is another delegation of authority to a Secretary who says the border is already secure.

Additionally, the underlying bill still specifically states that nothing in this provision shall be interpreted to require her to install fencing. Yes, they talk about this being a strong border-secure grand compromise, but it leaves so much discretion to a Secretary who already says the border is secure.

Another part of the amendment requires an electronic entry-exit system is in use at all international air and sea ports. This sounds like all international air and sea ports—and look at this caveat—but only ''where U.S. Customs and Border Protection are currently deployed.''

This is actually weaker than the underlying bill which required the electronic entry-exit system be used at air and sea ports, not just international. Here again we have a grand compromise, supposed to get more votes for this bill, but it is weaker than the underlying legislation, because the underlying legislation requires biometric entry-exit at all ports of entry, including air, sea, and land.

The amendment dictates to the Secretary which equipment to purchase and deploy at the border. The Members

who wrote the bill were apparently given some secret list of technology that agents need, but I am not sure if this came from the Department or some defense contractor.

Have no fear, the border will be secure because the amendment calls for fixed towers and cameras, unattended ground sensors, night-vision goggles, fiberoptic tank inspection scopes, a license plate reader, and backscatters. Obviously, I am facetious when I say the border will be secured by this concocted, behind-closed-doors grand compromise.

What is not so funny is the spending of taxpayer dollars in this amendment. Originally the legislation allocated $6.5 million for the Secretary to carry out the law, and $6.5 billion is a lot of money. When we got to committee, the Gang of 8 increased the trust fund allocation by $6.5 billion to $8.3 billion, and $8.3 billion is still a lot of money. We have this grand compromise concocted behind closed doors before us, and now we are looking at not $8.3 billion but $46.3 billion upon date of enactment for the Secretary to spend as she wishes.

As is often the case here in Washington, the solution always seems to be throw money at a problem. This grand compromise measures the success of their amendment by the amount of money that is going to be spent, not by outcomes. The American people, in the polls of this country, want the outcomes to be a secure border, not the amount of money that is going to be spent on the success of a piece of legislation. Of course, the money has to come from somewhere, so the amendment requires the government to raid the Social Security trust fund. It is ObamaCare all over again, where the Medicare trust fund was raided to help finance that. It is irresponsible and unacceptable.

Moreover, the amendment's sponsors will claim that people here illegally will pay for our border security needs. But money has to come into the trust fund, and after it gets into the trust fund it has to be repaid to the Treasury. Where will the American people be reimbursed? The sponsors of the bill say the taxpayers will not bear the burden. Yet there is no requirement the funds be paid back. There is no time limit or accountability to ensure the taxpayers or the Treasury gets its money back.

The Schumer-Corker-Hoeven amendment increases fees on visas for legal immigrants in order to replenish the trust fund and the Treasury. Employers, students, and tourists will pay the price. Talking about employers, students, and tourists, these are people who abide by the law who are paying the price. Meanwhile, the amendment says for those being legalized—in other words, people who came here undocumented, those people having not subjected themselves to American law by crossing the border illegally—they cannot be charged more than what is allowed already. The Secretary cannot adjust the fees or penalties on those who apply for or renew their RPI or blue card status, and those are the people who came to this country without papers, in violation of our law.

The amendment in the underlying bill will not end illegal immigration because the border is not going to be secure. The Congressional Budget Office says illegal immigration would only be reduced by 25 percent due to the increased numbers of guest workers coming into the country. The amendment does nothing to radically reduce illegal immigration in the future and does not provide any resources to interior enforcement agents whose mission it is to apprehend, detain, and deport illegal immigrants.

Just as with the 1986 amnesty—and I voted for that, which was a mistake I regret—we are going to be back in the same position in 10 years, facing the same problem.

The authors have talked a lot about the border surge in their amendment, but they seem to be hiding from the fact the border changes only account for about half of the total amendment. There are changes to every title. There are changes to exchange visitor programs, the future guest worker program, and visas, even for the performing arts. This isn't just a border amendment. There are provisions in the bill that were put in there specifically to get Senators to support passage of this bill, because they think if they can get 70 votes, the House of Representatives is going to buy into this thing. I expect to vote against the bill, and I expect the House of Representatives to fix this miserable failure, both the underlying legislation as well as the grand compromise amendment before us, so we can vote for a bill going to the President that has border security before we have legalization.

That is going to happen. I trust the other body isn't going to buy into the argument the Senators in this body want to use; that somehow, if this gets 70 votes, it is so bipartisan how could the other body not do it? This body is not the deliberative body on this amendment that history tells the American people the Senate is. This is a body that for 3 weeks, with 451 amendments, didn't deliberate. We stalled and voted on 9 or 10 amendments. The House of Representatives is going to be the deliberative body on immigration reform, and it is going to put the Senate to shame.

I encourage my colleagues to oppose the amendment. It does nothing to change the legalization first philosophy and offers little more than false promises the American people can no longer tolerate.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I rise to speak about an agreement I have reached with Senator GRAHAM on the Hirono-Murray-Murkowski amendment No. 1718, which has been cosponsored by Senators BOXER, GILLIBRAND, CANTWELL, STABENOW, KLOBUCHAR, WARREN, BALDWIN, MIKULSKI, SHAHEEN, LEAHY, FRANKEN, MENENDEZ, and SCHUMER.

I ask unanimous consent that Senator LANDRIEU be added as a cosponsor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. HIRONO. Mr. President, I have been speaking on the Senate floor and talking with my colleagues about my concern that the immigration bill we are considering inadvertently disadvantages women who are trying to immigrate to the United States. I believe the new merit-based point system for employment green cards will significantly disadvantage women who want to come to this country, particularly unmarried women.

Many women overseas do not have the same educational or career advancement opportunities available to men in those countries. This new merit-based system will prioritize green cards for immigrants with high levels of education or experience. By favoring these immigrants, the bill essentially cements unfairness against women into U.S. immigration law. That is not the way to go.

After I brought these concerns to Senators SCHUMER and GRAHAM, Senator GRAHAM graciously agreed to sit down with me. We were able to work out a way to address the concerns about women in the merit-based system that I believe will significantly improve this bill. The new Hirono-Murray-Murkowski amendment reflects a few changes which we agreed to after working with Senator GRAHAM.

The changes we made include: limits on the ability for certain types of health care workers to obtain points multiple times based solely on their employment, clarification that there must be a personal relationship to obtain points under the humanitarian concerns section of the amendment, elimination of the provision that awarded points for being a last surviving relative of a U.S. citizen, harmonization of tier 3 with tiers 1 and 2 by adding points for English language skills, and ensuring the tier 3 visas do not—do not—reduce the overall numbers of tier 1 and tier 2 visas available.

We should continue to increase the opportunities for women in our immigration system, but I believe this agreement will help level the playing field for women. Our amendment would establish a new tier 3 merit-based point system that will provide a fair opportunity for women to compete for merit-based green cards.

Complementary to the high-skilled, tier 1 and lower skilled tier 2, the new tier 3 would include professions commonly held by women so as not to limit women's opportunities for economic-focused immigration to our country. This system would provide 30,000 tier 3 visas and would not reduce the visas available in the other two merit-based tiers.

I wish to thank Senator GRAHAM for working with me to modify this proposal in such a way he could agree to lend his support while still addressing the real concerns that women will be at a disadvantage under the new merit-based system. I believe our amendment is a step in the right direction toward addressing the disparities for women in the new merit-based system, and over 100 organizations, including faith-based organizations, support the Hirono-Murray-Murkowski amendment.

I urge my colleagues to support this amendment to improve the new merit-based immigration system and make this bill better for women. I hope we can reach an agreement to bring this amendment to the floor for a vote.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, we will have a vote before much longer on the question of whether the legislation before us violates the budget. I think that is going to be established quite clearly. The chairman of the Budget Committee, Senator MURRAY—and I am the ranking Republican on that committee—is going to acknowledge that and the Parliamentarian will so rule that the legislation violates the budget and violates it in a number of ways, contrary to the promises made by the sponsors of the bill.

The sponsors of the bill proposed a large piece of legislation and told everyone a great deal about their bill, one fact after another, and those promises and representations have been shown to be inaccurate. They are not accurate and that is unfortunate. That is why the bill is having the difficulties it is.

If it simply was a bill that provided a legal status for people who had been here a long time without difficulties and it was a bill that actually fixed the border, fixed the workplace enforcement, fixed the entry-exit visa, and created an effective internal enforcement mechanism for the future, the legislation would have a good chance of having popular support. But as people find out more about it, they find all those factors are not going to be achieved effectively—in some instances even weakened from current law—and as a result the legislation is in trouble.

When we get a piece of legislation that is 1,200 pages and people are unable to digest it, it boils down to talking points. So the sponsors produced a series of talking points that they said reflects what is in the legislation. One of their talking points was that the bill is not going to cost the taxpayers money; that we would fine the people who are here illegally and they will pay the cost of this bill so it would not impact the budget. We were promised that in the Senate Judiciary Committee when this legislation came up. Senator SCHUMER made that explicitly clear. This is a quote from him in committee, and this is what their talking point said and what their Members have been saying repeatedly:

> And here, what we're simply doing is making sure that all the expenses in the bill are fully funded by the income that the bill brings in. This is to make sure that this bill does not incur any cost on the taxpayers. It's to make it revenue neutral.

That was the promise we had heard. People like to hear that. They were pleased to hear that. It was a positive spin for the bill. He goes on to say:

> Section 6 provides start-up costs to implement the bill, repaid by fees that come in later.

Then he goes on to say money will be paid from companies and workers and by the immigrants who get the legal status in terms of ''their fines as they go through the process.''

That was the promise that was there. Yet now we have legislation and a score that demonstrates that is plainly not correct. First, the Congressional Budget Office analyzed the cost, and this was before we added the extra money last week or what we will vote on today. This was before they added the substitute Corker-Hoeven-Schumer amendment, and that substitute adds a lot more money.

What our experts in the budget office tell us is that it would add $14 billion to the on-budget debt of the United States, but it is really more than that.

Most of the individuals who will be legalized will be able to have Social Security cards and will pay FICA, Medicare, and Social Security withholdings on their paychecks every week, which will incur extra revenue for the U.S. Government. Our colleagues claim credit for the FICA money to try to justify their claims that they are within the budget and that we should not just count the on-budget score that debt increases from the CBO. But we have to know that the FICA money is money that goes to the Social Security and Medicare trust funds, and every one of the individuals whose average age now is in their thirties will eventually claim the benefit of Medicare and Social Security. They will draw out of the Medicare and Social Security trust funds the money they paid in.

Statistically speaking, they will draw out a lot more than they pay in because those funds are not on a sound basis. Medicare and Social Security are on an unsound basis today. They are counting that money to pay for their bill when that money is dedicated to the Social Security and Medicare trust funds.

By spending that money today, they are simply adding to the debt of the United States. They cannot claim that twice. They cannot claim that the individuals who are going to be given Social Security cards and will be on a path to receive Social Security and Medicare when they retire—that they are paying into Social Security and Medicare if their money is being spent on funding this program. That is double counting, and Mr. Elmendorf of CBO showed that.

This chart shows it is really more than just the $14 billion, which is significant. This chart shows how much the deficit of the United States is impacted by this legislation. The unified budget surplus counts all the Social Security money and all the tax money in one pot. It is one way to do the accounting of the United States. It is not accurate in this case. It should not be used. It claims a $197 billion surplus. That is the Social Security and Medicare money. But if we take away the Social Security surplus this bill creates, $211 billion, and the money they pay into the Medicare trust fund, $56 billion—the net deficit is $70 billion. We have to get our minds correct.

The reason this country is going broke, the reason this country is so far off a sound fiscal path, is that we continue, we persist, in using a unified budget number when that money for Social Security and Medicare is dedicated money. It is set aside to pay for something in the future.

If someone sets aside money in their savings account for their retirement, they cannot spend it today and pretend they still have it for their retirement account. It is just that simple.

This is a bad trend we have been in. It was not so obvious when Social Security and Medicare were bringing in a lot more money than was going out. But now that is not so, and we will soon be in deficit, and very serious deficit. So we should not in any way suggest, believe, or tell the American people that this bill is paid for. It is not paid for, and as a result it violates the Budget Act. That is the point of order that Senator VITTER has made, and we will vote on it.

In addition to that, it is worse. There are 10 more budget violations in the bill: One is for new direct spending to exceed the Judiciary Committee's authorization levels over a 5-year period. Another one is a 10-year violation of spending over authorized levels in violation of the committee allocations.

Another is an emergency designation to increase spending pursuant to emergency spending from the comprehensive immigration trust fund; emergency spending designation for the comprehensive reform trust fund in violation of the PAYGO Act; emergency designation in violation of a 2010 budget resolution; emergency designation for Social Security cards, in violation of the statutory PAYGO Act. This bill calls it an emergency to have funds for Social Security implementation. That is not an emergency.

Another is an emergency designation for the E-Verify system. That is a system we have established and should be able to expand rapidly. That is not an emergency to expand that. That is in violation of the 2010 budget resolution.

Another is an emergency designation for E-Verify in violation of the PAYGO act; emergency designation for passenger manifest information expenditures, in violation of the 2010 budget resolution; emergency designation in violation of the Statutory PAYGO Act for passenger manifest information.

All of those represent violations of the Budget Act. Senator VITTER raised the one that plainly violates the flat spending limit we agreed to and are now operating under. When the response came from Senator LEAHY, he moved to waive that. He moved to waive not only that, but all the other 10 violations of the Budget Act. You only raise one at a time. Senator VITTER raised one, and they moved to waive them all and eliminate this pesky complaint that their bill spends more money than the budget allows.

We will be voting on that, colleagues, and this Senate has been in recent months doing well with regard to adhering to the budget limits we agreed to. We have had seven consecutive votes in which the Senate has voted not to violate the budget when a bill hit the floor that violated the budget. We sent the bill back for reform so if it comes back it has to be in harmony with the bill—seven consecutive votes.

My colleagues who have been there and who believe they have a responsibility to honor the budget limitations we agreed to should not vote to waive the budget. Let's stay within the budget. Let's require the bill's sponsors to do what they promised to do, and by right they should be able to do, which is produce a bill that comes within cost without raiding the Social Security and Medicare trust funds, as they now intend to do. That is just the way it is. I wish it were not so, but it is.

I will take a minute to point out that recently—last night or late yesterday—Senator BENNET, one of our most able Members of the Senate and a Member of the Gang of 8, took the floor to promote the bill and claimed that before jobs are offered, the bill ''requires an American is offered the job first.''

He went on to say: ''We are not bringing in a whole bunch of new people when there are Americans looking for work.''

We are not bringing in a whole bunch of new people when there are Americans looking for work—well, we are. The guest worker program that is in this bill, in addition to the legalization process of normal immigration, doubles the number of guest workers who will be coming to America over current law. These are not people who come to be permanent residents and immigrate to America. These are people who come to take a job and work for a certain period of time—really up to 3 years, and they can extend for 3 years. They have become permanent job takers, in many instances.

He says: First of all, you have to certify an American has been offered the job first. He and other supporters claim this bill is not going to impact wages, is not going to impact jobs. They say don't worry about it—I am worried about it. First and foremost, we are going to have 1.1 million people, and many of those are not able to work in the economy fully today because they are illegally here. They will be given a legal status, a Social Security card, driver's license, and the ability to apply for any job in America. So all of a sudden we are going to have a half million people, perhaps, out there competing for jobs that Americans cannot find today because unemployment is very high. That is going to happen promptly.

Then we are going to accelerate another 4.5 million people into the country, without regard to their skills, and they will be looking for jobs mostly in the lower skilled workforce area. Then, in addition to that, we add the normal flow of immigration into America. We currently welcome 1 million immigrants every year, but this is going to welcome 1.5 million a year. So, there will be an additional 500,000 workers a year in America under the normal immigration system. In addition to that, the guest worker program will double—all at a time when we are not doing well economically.

Today's announcement that the government revised downward substantially the growth in the first quarter is a real problem. We are not seeing job growth. Let me just show this chart about the impact on wages and workers in America that will occur as a result of this legislation. I think probably these numbers are modest. I think it will be more dramatic than this.

This is our Congressional Budget Office. They looked at the numbers, and they said: the average wage would lower over the first dozen years if this bill passes.

For 12 years, if we pass this bill, the average wages of Americans will be lower than would have been the case if the bill had not passed, according to our own CBO.

Somebody came and said on the floor: We won't worry about that because in 20 or 30 years they say it might be better.

First of all, our problem is today. People are unemployed today, and they cannot find work today. Wages have been declining every year since 1999. Working wages of Americans have been declining relative to inflation steadily for over a decade. This bill will accelerate that. It takes us in exactly the wrong direction. Why would we do that?

Then it says CBO—this is their own report and this chart is in their own report:

> CBO estimates that S. 744 would cause the unemployment rate to increase slightly between 2014 and 2020.

So for the next 7 or 8 years we are talking about increased unemployment.

This chart shows the wage situation. This is the current rate. The bill passes, wages drop, and they start going up out here, according to CBO, in year 2025. If the bill had not passed, the growth would have been higher still, but now it knocked it down dramatically. Even though it is growing, it doesn't mean it is getting back to where it would have been had the bill not been passed.

People who say this bill will not impact adversely—working Americans are facing an economic reality that is unfortunate for them.

Finally, they say it will make the economy stronger. You have heard that. Under this bill we will give legal status, in the next 10 years, to 30 million people; permanent legal status to 30 million people instead of 10 million people who would be given legal status in America if we followed current law.

Virtually all of those will be able to work, and we would see some increase in GDP/GNP if that were to occur. However, how much increase do you get and how does it compare out per person in America?

CBO said S. 744 would reduce per capita GNP by 0.7 percent in 2023. That is page 14. In fact, per capita GDP, according to their own chart that I have reproduced from their report, drops from 2017, 2021, 2025, 2029, 2030. It takes until 2030 before it starts getting back. If the bill hadn't passed, GDP per capita would hopefully be going up.

This is way below what would happen, and this hurts Americans when per capita GNP is reduced. Everybody will feel that—maybe not the masters of the universe in their suites out here that are nipping off extra profits because they have lower wages. It may not impact them. They may make more money.

In fact, Professor Borjas at Harvard says the people who gain the most from this immigration bill will be the people who hire the most low-wage workers because wages will go down. They will make bigger profits, but the people who will be hurt are the vastly more

numerous workers whose wages will go down.

This needs to be talked about. People seem to be in denial, but we have to talk about that. I ask my colleagues to consider this as they decide how to vote on this important piece of legislation.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I come to the floor this morning to talk to an issue I have been speaking about for a couple of days. I most certainly can appreciate the frustration of the Senator from Alabama and the Senator from Iowa.

The Senator from Alabama has been opposed to this bill from the beginning. He may have a different view. I am not sure any amendments would satisfy him, but of course he has been debating in good faith, and that is part of this process that needs to go on.

The Senator from Iowa has been working very hard. He has spent so much time both in the committee and on the floor trying to work out a bill he is comfortable with, but sometimes that happens and sometimes it doesn't.

I think what should happen, no matter what, is that after all the controversial issues are debated, there should be a coming together on both sides at a certain time, recognizing that all time has expired, all probability of any serious negotiation on any bills or any amendments that have to be voted on is over, and as friends and partners and as the leaders trying to move—appropriately and maturely—forward, we could come together at least with a short list of amendments that are completely uncontested and cleared on both sides. I am going to continue to ask for this because I think it will send a very positive signal to people that even though things have broken down some in the Senate, it is not completely broken.

To frame this issue so people can understand why I might be concerned is that there have been 800 amendments filed on this bill—300 in committee, about 150 of which were debated and voted on or dispensed with, 500 filed on this floor. So in order for those amendments to get any consideration at all—which they haven't in any large measure—good will has to prevail, and the good will flew out of this Chamber a long time ago. I would like to get a little piece of it back. I wish I could get all of it back. I wish we would act as we did 4 or 5 or even 6 years ago. It is not happening. Maybe it will.

I would like to begin to move in that direction by asking my colleagues for consideration of a small group of amendments that, to our knowledge, have no opposition. I am going to read a few of those. Senator GRASSLEY and his staff have been working on this. Senator LEAHY and his staff have been working on this. I provided a list to Senator MCCAIN and to every Member of the Gang of 8. I am hoping we can salvage some effort.

What people might not realize: When a major bill such as this is being debated, there is a lot more going on besides what they see in committee or what they hear on the floor. The evidence of that would be that 800 amendments have been filed. Someone had to write all of those 800 amendments. Staff worked very hard to think about ideas—not to derail the bill but to help the bill. No draft is perfect. Very smart staffers and Members actually do read the text and come up with ideas to improve.

One in particular: I had a hearing in my Small Business Committee. I notified the immigration subcommittee, Judiciary. We conducted our hearing with the blessing of the chair. We didn't talk about any of the major pieces of the legislation except for the one or two that talked about small business. In all the discussion of major businesses needing skilled workers and major businesses and hotel chains, I thought maybe someone could gather some information about what small businesses might need and maybe improve the bill.

I am supporting immigration reform. I think all Democratic Members—I don't know of anyone who is not. There are some Republican Members who are not supporting the bill, but there are some who are. So one amendment is requiring a mobile app to be developed so a farmer, for instance, or a person in a rural area who has either high-speed connection or particularly wireless connection could pull up E-Verify on their mobile app. They wouldn't have to drive 200 miles, as in the Presiding Officer's State in North Dakota or South Dakota or Louisiana or Mississippi. We have areas that people are working hard, and they are not right next door to an Internet cafe. So one idea we had was for mobile apps. That is what one of these amendments is. Wouldn't that be a big help? There is no one I know who is opposed to that. There are billions of dollars in this bill. Some of it most certainly could be spent helping small businesses access better E-Verify.

There is another provision in this bill from KLOBUCHAR, LANDRIEU, COATS, BLUNT, BARRASSO, and ENZI. This is as broad a coalition as could reflect broad-based support. KLOBUCHAR is from Minnesota, LANDRIEU is from Louisiana, COATS is from Indiana, BLUNT is from Missouri, BARRASSO is from Wyoming, and we are Republicans and Democrats. I appreciate that this amendment has been cleared by both sides, and it requires certificates of citizenship and other Federal documents to reflect the name and date of birth determination made by State courts to help ensure that name and date of birth changes for adopted children are reflected in Federal records.

We adopt about 100,000 children in America every year. I think these parents should be given our best efforts. These are parents who are adopting children domestically, keeping them off the streets, out of mental institutions, pouring their hearts and souls into helping raise children who others have either thrown away or given up. Yet we make it difficult.

A few of us who work on this issue a lot know how things need to be fixed. This is a bill that comes to the floor. We think, gosh, this bill is not big enough to command its own attention on the Senate floor, so we are going to prepare an amendment for when the immigration bill comes up and we hope the Members will allow it to go through.

I am not going to give up on my Members yet. I am going to remain very optimistic and very hopeful that even Senators who are opposed to this bill and have done everything they can to stop it or people opposed to the original draft who have done everything they can to amend it—some of that has been successful, some of it has not been. But I am hoping at the end of the day, even those who have been making these great efforts will step back and understand and be respectful that other work should go on as well. This amendment is an example.

There is another amendment that Senator COCHRAN and I have, amendment No. 1383. It simply requires reports on the EB–5 visa program. The requirement for reports is not in this bill. It is a program everyone here is familiar with. It has many problems. The underlying bill fixes it, and I think to those of us supporting the bill, fixes it adequately. I am not sure what the opponents think. But there is no requirement to report back to the committee so we can continue to monitor this program. Because it has been so off-track in the past, let's make sure we get it on-track in the future. This is just standard Senate operations. Unfortunately, we are now at a place in time in the history of the Senate, there are no standard operating procedures anymore, and it is a sad day.

There is another amendment that I understand has been completely cleared. Murray-Crapo amendment No. 1368 prohibits the use of restraint on pregnant women in DHS detention facilities during labor and childbirth except in extraordinary circumstances. Now, please, the amendment simply would say you cannot shackle women during childbirth and labor. Is anyone on the Senate floor opposed to this? If so, please make yourself known.

Nelson-Wicker is a very important amendment to Senator WICKER, who is a Republican, and Senator NELSON,

who is a Democrat. I am a cosponsor of this amendment, but it is Senator NELSON's amendment. I can't believe there would be anyone in this Chamber who would disagree. All it is saying is since we are spending now—and I might need to ask the Senator from Iowa to give me the final update on the number because the number keeps going up—if Senator GRASSLEY would mind giving me the number—$46.3 billion on the southern border, California, Texas, New Mexico.

Mr. GRASSLEY. Let me correct that. That is money total to be spent, not necessarily all on the border. But about $30 billion was added in this amendment for the border.

Ms. LANDRIEU. So $30 billion on the land border, and it could be something between 30 and 46 and those numbers keep changing. But it is a lot of money. Senator NELSON's amendment says that at least $1 billion of that money be spent on maritime border security, not land border. As he said so eloquently, if we continue to put up fences and borders on the land and make it secure—which we all want to do—there are maritime assets that need to be stepped up. I think most everybody understands that and would say that is a very good amendment.

These are amendments that don't need to be voted on. I am not asking for votes on these amendments. They don't need to be voted on. They would normally go by voice vote en bloc—no votes required. Out of the 800 amendments, this list has less than 45 amendments that probably don't need any vote, no time, just a simple—it is a consent. Staff has been given these and looked at these amendments.

I am going to continue to come to the floor today in hopes that after the leaders negotiate on the contested amendments—and I have a list of the contested amendments. It looks quite different than the list I am talking about. The list that is being contested has names such as: Vitter, Vitter, Vitter, Vitter, Vitter, Vitter, Vitter, Lee, Lee, Lee, Lee, Cruz, Cruz, Cruz, Cruz, Cornyn, Cornyn, Cornyn, Cornyn. That is a list. There is another list: Chambliss, Portman, Vitter, Inhofe, Toomey, and Fischer. These lists are lists from Members who really believe they need to get a vote on their amendments. I would like them to get a vote. I am not opposed to them getting a vote.

What I am opposed to is this list which is not one Senator, it is numbers of Senators who have worked very hard to get bipartisan support for amendments that improve the underlying bill, which is going to pass.

The bill is going to pass. It is either going to pass with 69 votes, 72 votes, or 74 votes. There is no way this bill is not going to pass the Senate. It is clear it is going to pass. People don't like that it is going to pass, but it is going to pass.

So before it passes, I am asking with all of my heart for the consideration of amendments that have been brought by Democrats and Republicans who have been working in good faith to make the bill better and to solve problems for our constituents. Our constituents are not trying to negotiate on the number of Border Patrol agents. The Gang of 8 did that. They are not trying to negotiate whether we are going to have 40,000 or 80,000 Border Patrol agents. My constituents want help for the kids they adopted. Some of these amendments are to get help for Holocaust survivors. There are only a few of them left in the world. We would like to give some attention to them. Some of them spent 6 years, 7 years, or 4 years in a prison camp, and this might help them to die in peace.

Madam President, I ask that there be order on the floor.

The PRESIDING OFFICER. Order, please. The Senate will be in order.

Ms. LANDRIEU. I—as well as many colleagues—have gotten to the point where we would like to try to get back to a place where after all the fighting is over, all the yelling is done, all the posturing is done, all the message amendments are done, we could at least trust each other enough to have a consent package of items that would be helpful to the people we represent. That is a simple request.

I will yield the floor. Others want to speak, but I will come back once we have a clear list and again ask unanimous consent for these amendments. But I will not do that now.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I yield 10 minutes to the Senator from Texas.

I want to give an update, not only to Senator LANDRIEU, but for all the Senators. First of all, 10 days ago we started out with 27 amendments that were noncontroversial—or supposedly noncontroversial. Obviously, they were not all noncontroversial. That grew to 44 or 45, and I think we are back at 35 now on that list.

Remember, about 14 of those were included in the Hoeven-Corker amendment. They were included in that for sweetener—to buy people off to get their votes on final passage. So there are 14 that will probably be passed when we vote on final passage.

Last night my staff cleared 12 amendments, and that does not count several Republican amendments that were added to the list. We are making progress. Some are noncontroversial, but others are not. The one that the Senator from Louisiana mentioned that appeared to her to be noncontroversial, we suggested some technical changes to make it more definitive. If that is done, we can probably accept that.

Also, everyone has to remember that there are amendments on this list which are under the jurisdiction of other committees and not under the jurisdiction of the Judiciary Committee. Some of the amendments were rejected for that reason. Some of the amendments are technical, but some are more complicated.

I give my assurance to all of my colleagues that we will continue to work on this list.

I yield the floor and reserve the remainder of whatever time is left when Senator CORNYN is done.

Ms. LANDRIEU. Will the Senator from Texas yield for 30 seconds?

Mr. CORNYN. Madam President, I would be glad to yield as long as it doesn't come out of my 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Madam President, I thank Senator GRASSLEY for those comments. I will continue to work with him in good faith on this list. I realize not all of these amendments are under the jurisdiction of the Judiciary Committee, so that is why we have been working with leaders of other committees that have jurisdiction over these amendments to help get them passed.

I appreciate my friend's work and will continue to move forward.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, we have been on this bill for about 2½ weeks. We find ourselves in a very strange position where we have had votes on 10 amendments, and now Senators are talking about clearing another 45 amendments 2 days before the majority leader has basically set a deadline and said we are going to be through with this bill one way or the other. This strikes me as a strange way to do business, but here we are.

I have always believed that even though you want something—and in this case I believe virtually every Senator in this Chamber wants an immigration bill—that you can want something so bad and be so desperate that you will get a bad deal. I think we are beginning to see some elements in this bill, which I want to talk about briefly, that I think ought to give all of us pause and cause us to wonder whether this is the way we should be doing business.

One of the things my constituents in Texas found so infuriating about the process of passing the Affordable Care Act—all 2,700 pages—was the way there were backroom deals and various special interest boondoggles that helped garner the 60 votes necessary to pass ObamaCare back in 2010. Some of them became somewhat famous. There was the ''Cornhusker kickback,'' ''Gator aid,'' and the ''Louisiana purchase.'' They became symbols of Congress's irresponsibility when it came to discharging our duties as Members of the Senate.

It is suggested that if, in fact, individual Members got sweeteners that were sufficient to get their vote, that was the way we ought to be doing business. Unfortunately, we are starting to see similar tactics break out here on this immigration issue, suggesting that some Members are so desperate to get a deal, any deal, they are willing to take a bad deal, one in which none of these standing alone would pass muster or scrutiny.

Immigration reform is a nationwide challenge, and immigration reform should promote the national interests, not the special interests of individual Senators or any region or State or lobbying group. Yet when we look at the underlying bill, I see a litany of de facto earmarks, carve-outs, and pet spending initiatives. Because we have been in such a rush since last Friday to move to the designated deadline the majority leader has set for this bill, there may be many Members who are unfamiliar with these special carve-outs, de facto earmarks, and pet spending initiatives. I want to talk about a few of them.

The bill directs $250 million from the comprehensive immigration reform trust fund to boost immigration-related prosecutions in a single sector. There are nine Border Patrol sectors, but the Tucson sector is the surprise beneficiary of $250 million in a special earmark in this bill.

I have a simple question: Don't all of the border sectors need increased funding for prosecutions? Well, I believe the answer is yes. So I believe carving out the Tucson sector for special treatment is entirely inappropriate. So we see that even longtime opponents of earmarks are now cosponsoring legislation that is filled with de facto earmarks, including one that benefits their State alone. We wouldn't see this sort of thing, I believe, if we had a stand-alone bill. But they have jammed that in here in order to get the maximum number of votes. We have seen strange things happen.

This bill also creates a bureaucracy to determine which occupational category should be prioritized under the new guest worker program. However, it requires a new bureaucracy to automatically designate Alaska seafood processing as a shortage occupation that receives special treatment. We might as well call this the Alaska Seafood Special.

I will mention one more boondoggle, and that is the jobs for youth pet program, which authorizes $1.5 billion to expand an Obama stimulus program that could conceivably be used to give free cars, motorcycles, scooters, and other vehicles to young people who participate. I am referring to page 1,182 of the jobs for youth amendment. It is title V under the bill, which says: The funds made available under this section may be used to provide supportive services, such as transportation or childcare, that is necessary to enable the participation of such youth in the opportunities.

So I believe this is an open-ended invitation to take this $1.5 billion and use it for purposes that many of us would cringe at if we really understood it.

I want to make two final points about the spending in the bill. First, we are going to be asked to waive all 11 budget points of order under the bill at a time when there is bipartisan concern about our fiscal standing, at a time when our debt is $17 trillion. I think we have been pretty good recently in not waiving budget points of order. I believe we are recognizing on a bipartisan basis that it is important we hold the line against increased deficit spending and increased debt. But we are going to be asked to vote to essentially violate our own pay-go rules in waiving the budget points of order, busting the Judiciary Committee's spending limit, and to designate certain spending as emergency spending even though it is obviously not emergency spending. So much for fiscal responsibility.

Supporters of the underlying bill continue to argue that this legislation will actually reduce the Federal deficit. It is a bizarre situation where we can spend almost $50 billion and claim that it actually reduces the deficit, but that is the argument. Yet, as I explained on Monday, the only way we can transform this bill into a deficit reduction bill is by double counting more than $211 billion worth of Social Security revenue. In other words, the money paid in in terms of Social Security taxes is eventually going to have to be paid out in benefits, and they can't say we will pay it out in benefits and then also use that surplus to fund the underlying bill because that is double counting.

Indeed, the bill assumes the very same pot of money can be used to fund new spending initiatives and fund these future Social Security benefits, but only in Washington can we get away with such magical accounting techniques. In the real world this bill actually increases the Federal Government's on-budget deficit over the next 10 years.

I am just suggesting that in our rush to get a bill we are making concessions we ordinarily would not make on stand-alone legislation, whether it is in these sweetener provisions, the de facto earmarks, special carve-outs, or by double counting revenue. But to add it all up, we are left with a bill that is chock-full of de facto earmarks, porkbarrel spending, and special interest sweeteners. This is a bill that increases the on-budget deficit but fails to guarantee a border that is secure and offers only promises, which historically Congress has been very bad about keeping.

Does that sound like real immigration reform? I know we can do better, and I know we must do better if we are ever going to solve our biggest immigration problems.

Again, I would love to support an immigration reform bill. Unfortunately, the way this bill is shaping up, I cannot and will not. My hope is that the House of Representatives will take up this issue on a step-by-step basis and in smaller increments so people can actually read and understand it. By working through this issue in the House, eventually they will be able to come up with a conference committee that will produce a responsible immigration reform bill, one that doesn't offer de facto earmarks and various sweeteners to people who support it, but one which will stand on its own merits and will not bust the budget by double counting Social Security funds paid into the bill in the future.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. CORKER. Madam President, it is my understanding that Senator LEAHY is yielding time—or maybe it is Senator LANDRIEU who is yielding time. Somebody is yielding time.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Madam President, I want to speak today on the amendment. I know the Senator from Texas, my friend and someone I respect, made numerous comments about the bill. But actually the vote we have today is about the border security amendment that has been negotiated and a lot of people have worked on. I know some of his comments refer to some portions of the amendment. Mostly, he was talking about the bill itself.

The issue before us today is the border security amendment the Senator from North Dakota and myself and many others worked on. I want to put this in context, if I can. Fifteen days ago in the Republican caucus at what we call our conference lunch, there was a discussion about the ways of trying to make this immigration bill better. The Senator from North Dakota had a base bill dealing with border security, and many of us at the time said what we could do is take a base border security amendment, expand it, and try to accommodate many of the desires of people in our caucus with other provisions in it that many Senators here in this body wanted to see happen. Two Fridays ago, we actually had about 12 offices come together for a meeting to talk about many of those attributes they felt would make this bill better. So over time we developed a 115-page amendment—some people say 119-page amendment—dealing with not just border security but many issues people in this body thought would make this bill better.

There has been some dispute about the size of this amendment; I know we

have had some discussion from people on the floor. It is unfortunate that sometimes people will come to the Senate floor and say things that are a little over the top in order to make a point. But I will note that today some of my friends on my side of the aisle received multiple Pinocchios, if you will, from a very well-respected publication, because the fact is the amendment is as we have said.

Because of the rules of construction in the Senate, when we add a 119- or 115-page amendment to a 1,100-page bill and we intersperse the amendment throughout it, no doubt we come up with a 1,200-page bill, if you will. The fact is, 1,100 of those pages we have had since April. They have been through committee. People offered amendments. So let me say I think the amendment size issue has been totally rebutted. I would say the Senator from North Dakota and myself have certainly carried the day on that issue. I think it is a fact now. We understand the size.

We know this amendment has some things in it other than border security. That was part of the process in getting to a place where we enhanced the bill.

Some people are talking about the cost, and my friend from Texas was just speaking. If my colleagues noticed—and it is very important around here to listen—he talked about on-budget costs. First of all, everybody in this body knows the problem we have in America today is the off-budget items and that our entitlement programs are what are driving the huge deficits we have in this Nation. So it is the entitlement issues most people who speak about deficit reduction are focused on because we have done so much already on what we call the discretionary side, which is the on-budget piece.

CBO has scored this bill and basically they have said—not basically, they have said if this bill were to pass, when we take into account the entitlements and we take into account the discretionary spending, which is what is called on-budget, we will reduce the deficit by $197 billion. One of the main reasons that is the case is when immigrants move into what is called the temporary status, they pay in for 10 years, and one of the toughest provisions in this bill is they cannot receive any benefits for 10 years. Think about that. We have this huge amount of money that is going to be coming into the Social Security Program and coming into the Medicare Program which, candidly, helps people in this Nation because it makes those programs more solvent.

We have to listen to the words here. Let's think about it when people talk about the cost of this border security amendment. Yes, it costs $46 billion to implement these items—which, by the way, almost every Republican has championed for years, all of the items in this border surge, if you will—but it costs $46 billion. I will tell my colleagues I have been here 6½ years and I would put my credentials on focusing on deficit issues with anyone in this body. I have never had an opportunity to vote for a bill that cost $46 billion over a 10-year period but generated $197 billion into the Treasury without raising anybody's taxes and, I might add, also generating economic growth for our country. So I want to debunk that. This is a tremendous opportunity for us to actually reduce our deficit while, at the same time, securing our border.

People are talking about process—and I am coming to the end here. It is interesting to me that the very people, I hate to say it, on my side of the aisle who have been raising cain, if you will, about the fact there aren't enough amendments are the very people who are objecting to amendments being offered.

Look, this is the old game that is played around here: Well, we think we ought to have 35 amendments. We think we ought to have—but somebody on my side is objecting. Most people in the country don't understand that in the Senate we have something called unanimous consent, and if one Senator disagrees, it cannot happen—one Senator. So we have had this situation going back and forth where we have tried to have amendments. I agree, let's have amendments. There is one amendment in particular I wish we could vote on and pass. I would love to see it. But guess what. I want everybody to know the very people who are saying they want to have more amendments are objecting to more amendments. So understand what is happening here on the Senate floor.

There will be some people who say, Well, I am going to vote against this because of the process. I want America to understand what is happening in this body right now. As a matter of fact, I don't know if it is true, but my understanding was the other side was actually going to agree to 35 amendments, and people heard that and they said: Well, my gosh, they might accept 35 amendments. Go down there and file more amendments because we are afraid they are actually going to agree to what it is we are asking for. So we will see.

Let me close with this: Nobody in this body can say the amendment we are voting on today does not do anything someone can imagine relative to border security. My good friend from Texas spent a lot of time drafting a border security bill that had 5,000 Border Patrol agents. This one has 20,000—20,000 Border Patrol agents. This amendment calls for 20,000 Border Patrol agents. It doubles the number of Border Patrol agents on our southern border.

We are adding $4.5 billion worth of technology that the chief of border control has been trying to get for years, bought and paid for in this bill.

We are adding an entry-exit visa program that has to be fully in place.

We are adding E-Verify for every employer in the country.

We are also adding 350 miles of fencing.

People are saying: Well, we don't know if this will ever happen. My colleagues should read the triggers. If it doesn't happen, nobody gets a green card, and every American can see whether this happened.

Then people are saying, Well, on the fencing piece—nobody, by the way, debates the 20,000 Border Patrol; nobody debates E-Verify; nobody debates entry-exit; nobody debates the $4.5 billion in technology. But then people are saying, Well, wait a minute. On the fencing piece, though, the Homeland Security Secretary can decide where it goes. Well, my friends in good government—and I happen to be with one of those—yes, it does say she can decide in section 5 of the bill which places work best.

We know the people from Texas don't even want a fence. People in Arizona wish to have a fence. But it still says under the triggers—and people are trying to malign and trying to fool people all out across America because they know what is getting ready to happen. The fact is, without the 350 miles ironclad, in place, there is no green card. So all five provisions have to be in place.

I know people try to spin things when they get on television and they try to say things to confuse America. What I would say to America is read the bill. I think Americans would be proud of border security, which brings me to a close here today.

Here is what I want to say: On the procedural vote that took place 2 days ago, every single Democrat voted to end debate on this border security measure. We had 15 Republicans who voted for it. The process issue is behind us and today we are voting on the amendment itself. I don't know how any Republican can look a TV camera or a constituent in the eye and not say this amendment strengthens—surges—on the border and makes our border more secure. So if, for some reason, Republicans come to the floor today—a majority of Republicans—and they vote against this border security amendment, what is going to happen is the Democrats are going to own the border security issue, and basically Republicans—whose constituents I think in some cases care more about this issue than many people on the other side—will be giving up this issue.

I don't know how any Republican can go back home and say to their constituents: I voted against adding Border Patrol agents and I voted against adding a fence on the southern border and I voted against an E-Verify system

and I voted against an exit-entry program and I voted against the technology our Border Patrol chief wants. I voted against it because I didn't like the process. I voted against it because this bill has been before us now for over 2 months and I had a chance to make amendments in the Judiciary Committee and I had a chance to make amendments on the floor but, candidly, I didn't want that to happen, so I kept that from occurring.

I would ask my friends: Please, today is about an amendment to a bill that makes it stronger. My colleagues may not like every provision, but we cannot look folks in the eye back home and say this isn't something that those who care about border security would know surges the border, makes this country safer, and I would say makes this bill a much stronger bill.

With that, I yield the floor. I hope my good friend and great partner from the State of North Dakota will make some comments.

I wish to thank Senator LEAHY from Vermont for his generosity with time this morning.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I yield 10 minutes to the distinguished Senator from North Dakota, and I ask unanimous consent that the last 5 minutes be reserved for the Senator from Vermont.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. Madam President, I thank the distinguished Senator from Vermont, and I wish to particularly thank my distinguished colleague from the State of Tennessee for all of his work on this border surge amendment. That is what we are talking about: a border surge amendment. The amendment we have offered, Hoeven-Corker, is about securing the border first. As the good Senator from Tennessee described, that is absolutely the focus of what we are doing here.

We are willing to work with everybody on both sides of the aisle in this body and in the House to come up with legislation that secures the border. We believe that is what Americans want. That is what we are working so hard to do.

What I would like to start with, though, this morning in terms of my comments is this budget point of order we are going to be voting on in a few minutes. I would like to cite right from the Congressional Budget Office report. So I am going to just take facts, statistics right out of the CBO report because, as the good Senator from Tennessee explained a minute ago, so much of this is getting either misunderstood or misinterpreted. So let's get right to the CBO report, and let's look at exactly what it says.

According to CBO, it is clear that this legislation will reduce our deficit. The CBO report shows that in the first decade there is $197 billion provided from this legislation that we can use for deficit reduction—less, obviously, as Senator CORKER just explained so well a minute ago, as we are putting significant resources into securing the border. So if you take out that additional $40 billion that our amendment costs to make sure we secure the border, to make sure we have the E-Verify system, to make sure we have electronic entry and exit at all of our international airports and seaports—deduct that $40 billion, that is $157 billion that we have available in the first decade and, according to CBO, in the second decade, $700 billion. So that is about $850 billion over the next two decades that is available to help us reduce the deficit, and that is after putting the five triggers in place that we provide in this legislation to secure the border first.

That means a comprehensive southern border strategy: 20,000 additional Border Patrol agents; 700 miles of fence in total—350 in addition to the 350 we have; a national mandatory E-Verify system; and electronic entry and exit identification must be in place, as I said, at all international airports and seaports. These things must be done upfront. These triggers must be met and illegal immigrants must be in provisional status for 10 years before anyone can get green cards, other than DREAMers or some blue card ag workers. So the cost of border enforcement is paid for, and we still have $850 billion available for deficit reduction.

So you might ask, well, why the budget point of order, then? Why the budget point of order when we are trying to get the debt and the deficit under control? Well, the budget point of order goes to the amount of dollars coming in on-budget and off-budget. What do we mean by off-budget? That means entitlement programs. So the amount of dollars coming in do not match up with what is exactly in the budget, now both on-budget and off-budget. But that is understandable, isn't it?

This is new significant legislation, so of course we have to adjust the on-budget and the off-budget to account for this $850 billion we did not have before. OK—almost $1 trillion now that we have. OK. So of course we have to make some adjustments.

So the real question here, the real question on this budget point of order is, Would you rather have $850 billion available to reduce the deficit or would you rather not have it? Because if you do not pass the legislation, you do not get the $850 billion in funds to help with deficit reduction. That is, if you will, kind of the bottom line here, isn't it?

Now, it is true, as I say, we have to adjust our budget categories, but overall, CBO scoring—after paying for an incredible amount of additional resources to secure the border first—$850 billion over the next two decades.

Also, this funding strengthens entitlement programs. Right. Why? Because the funding we are talking about is paid into Social Security and Medicare. CBO shows that in both the first decade and the second decade more is paid into those programs to make them solvent. But opponents say: Well, yes, sure. More is paid in, but those payers someday are going to get benefits, so they are going to take it out. But CBO shows that the amount being paid in is more than the benefits being paid out and that the amount is on a growth trajectory, not the reverse, meaning more is paid in in the second decade than the first decade, so we make those programs even more solvent, and it gets us on the right trajectory. That is why we should defeat the budget point of order—because, quite simply, we want the $850 billion to help reduce the deficit. That is the real issue we are dealing with.

Also, I want to take a minute again to address the GDP, GNP, wages, and unemployment. Again, I want to quote from the CBO because I really believe these things are getting misinterpreted.

GDP—gross domestic product—in the first decade grows 3.3 percent more with the legislation. In the second decade, it grows 5.4 percent more. OK. GNP—gross national product—per capita in the first 10 years, 0.7 of 1 percent less, it is true, in the first decade, but after that we get more GNP. So long term, more GDP, more GNP.

Unemployment. This talk about increasing unemployment—0.1 of 1 percent in the first 6 years, as you adjust. After that, there is no difference in unemployment.

The same thing with wages—initially 0.1 of 1 percent lower because you have immigrants coming in who earn a lower wage, but over time, in the second 10 years, wages go up. OK.

What is my point? The point is that for all of these categories, in all four of these categories, we do as well or better—as well or better—over the long run. Isn't that what we want?

I will summarize.

The first order of business for immigration reform is to secure the border. Americans want immigration reform—of that there is no doubt. But they want us to get it right, and that means securing the border first.

Our amendment, as the Senator from Tennessee said, is 119 new pages—not 1,200. Madam President, 1,100 is in the base bill. That has been out here since May.

Our amendment secures the border with five tough provisions or triggers that must be met before green cards are allowed. We have talked about that. A comprehensive, high-tech plan on the southern border must be in

place: 20,000 Border Patrol agents, a total of 700 miles of fence—things our colleagues on our side of the aisle have been asking for are here—a national, mandatory E-Verify system, electronic entry and exit at international airports and seaports. That is about securing the border first. That is what this amendment is about. It is objective, and it is verifiable. That is what the technology on the border—$4.5 billion in technology for sensors, radars drones, helicopters, planes—that is what it is all about, so we know we have the border secured.

So we ask our colleagues on both sides of the aisle to join with us. Let's rise up. Let's meet this challenge for the American people, and let's address border security. That is what this legislation does.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, the Hoeven-Corker amendment is subject to a budget point of order because it increases the net on-budget deficit over both the 5- and 10-year periods and exceeds the Judiciary Committee's allocation for direct spending. But on-budget effects do not take into account the significant off-budget savings.

Last week the nonpartisan Congressional Budget Office concluded that our bill is going to help us achieve nearly $1 trillion in deficit reduction. We have also learned that the Hoeven-Corker amendment would significantly increase our border security, and, as the CBO said and as my friends from Tennessee and North Dakota have said, the amendment would reduce both illegal entry into the country and the number of people who stay in the country beyond the end of their authorized period.

So when we vote on waiving the point of order, I will vote to waive it because the Hoeven-Corker amendment and the overall amendment will spur job growth and will dramatically reduce our deficit.

Then we are going to vote on the substitute. The substitute is the product of many months of hard work and bipartisan collaboration in a very transparent process. No one should oppose the cloture motion on the committee-reported substitute, as amended.

The Senate Judiciary Committee held lengthy and extensive public markup sessions to consider the Border Security, Economic Opportunity, and Immigration Modernization Act, S. 744. This was after a couple dozen hearings over the last few Congresses. We did it in as transparent a way as possible.

Madam President, over 300 first-degree amendments were filed. We had them online for a week and a half before the Senate Judiciary Committee even took up the bill.

Over the course of 3 weeks, we debated the bill for nearly 40 hours. We often worked late into the evening. That was online. That was streamed. That was open to everybody. And certainly the thousands and thousands and thousands of e-mails that came in from all over the country showed people were watching.

The committee considered a total of 212 amendments—we had 212 amendments during that time—136 of which were adopted. Every member of the committee—Democratic or Republican—who filed amendments to the legislation was afforded the opportunity to offer multiple amendments. Nearly every member of the committee, in both parties, who offered an amendment had an amendment adopted. All but three of the amendments adopted passed on a bipartisan vote, and the committee reported the legislation by a bipartisan vote of 13 to 5.

So, as I said, the public witnessed what we did. They saw us streamed live on the committee's Web site. They saw broadcasts on C–SPAN. All our amendments were posted, and as we had developments, they were reported in real time. Members from both sides of the aisle praised the transparent process and the significant improvements to the bill made by the Judiciary Committee.

Let me also compliment the ranking Republican on the committee, the senior Senator from Iowa, Mr. GRASSLEY. We were on different sides of the legislation, but we worked very well together. We talked numerous times throughout the whole markup to make sure it would go. He would come to me at times when some of their members had to be out for one reason or another—other committees—and we worked around that. We made sure everything went—we made sure neither side was surprised. I appreciate the cooperation I received from Senator GRASSLEY. I think it is one of the reasons we could actually show the Senate the way the Senate is supposed to work.

I hope colleagues will vote for the committee-reported substitute, as amended.

This is one of our Nation's toughest problems, but we were not elected to do easy things. In fact, if all we had were easy things, I do not know why anybody would want to be in the Senate. We were elected, the men and women of this body, from all over the country—from both parties, with philosophical differences—and we are supposed to fix our Nation's toughest problems.

We are on the eve of coming one step closer to fixing our Nation's broken immigration system. I hope the vast majority of Senators will vote yes. There has been a great deal of work on this. Is this bill perfect? No. Is any bill perfect? No. Is this much better than what we have today? Yes. Is it exactly the bill I would have written? No. It is not the bill Senator GRASSLEY would have written. It is not the bill any one of us individually would have written. But we are not a monarchy. We are not a dictatorship of one. We have 100 people here representing over 300 million Americans, and we are supposed to mold, as best as possible, the sentiments and needs of those 300 million Americans but also the aspirations of those who would be Americans, like my grandparents and my wife's parents and even Members of this body.

So, Madam President, I hope that, one, we will waive the budget point of order and then, secondly, we will vote for the amendment, as with the substitute.

I believe we are ready to vote.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I will use leader time so I can talk. We are going to be in a vote in a few minutes to waive the Budget Act, and then we are going to have two more. One is on the adoption of the Leahy amendment, as modified, and then a cloture vote on the committee-reported substitute amendment.

I mentioned on the floor this morning the work done by the Gang of 8—extremely important. As I indicated at that time, as I look at the Republicans and Democrats who did this, I do not know of anything in it for them politically. It was done because they believed the immigration system is broken and broken badly and needed some repair work. They did a remarkably good job.

But I would like to add to that the junior Senator from Tennessee, Mr. CORKER, and Senator HOEVEN. What they have done to help us with this bill is remarkably important and good. Could we have passed this without them? Maybe. But the point is that they have strengthened this legislation. When I worked on it 7 years ago, the issue was always, is there going to be a secure border? What they have done is made that without any question a fact. So I admire what they have done—again, not for any political benefit because, as I look, I doubt they will get any from this, but they will get the benefit of doing what they believe is right for our country. I appreciate that. History will indicate that I am right. Maybe in the short term it may not be, but history will indicate, when the books are written, that these two good men allowed us to do something that is important for our country.

What if we did not fix this broken immigration system today, in 2013, this week? What would the future be for this country? No. 1, as we have said, the security of this Nation would be not as good as it would have been had we passed this bill. Secondly, the economic security of this country would be not nearly as good as it will be if we pass this bill. A $1 trillion debt will be reduced in this country.

So I admire all of these Senators for the good work they have done for the country. I know we have been working for the last couple of weeks and very intensely for the last couple of days to come up with a list of amendments. I have people on my side of the aisle who are very interested in having a vote on their amendments. I even have had a number of Republican colleagues come to me and say: You have to do something to allow us to have some amendments. We have tried very hard to do that, but I have to say, honestly, I am not really happy with what has taken place since I have left here last night and got here this morning because we are going backward, not frontward. So I hope that when we get these three votes out of the way, people agree. Let's do the possible. There is a way we can come up with some amendments. I understand both sides want their amendments heard and voted on; they are important to them. If it is important to them, it should be important to us. So we are going to continue to work on that to see if we can come up with a list of amendments.

I would be remiss if I did not mention, together with the 10 Senators I have already talked about, the chairman of the committee. We would not be where we are without a fair, open markup. That is not the way it always is around here. This man is the President pro tempore of the Senate. He is the chairman of the committee. He has a lot of power. He could run that committee any way he wants. That is the way it is here. He did. He ran it the way it should be run. I admire and appreciate the work he has done.

So let's get these votes out of the way, see if we can come up with a list of amendments, something we can work on. Each side is going to have to give a little.

I ask unanimous consent that the second and third votes in this series be 10 minutes in duration and that there be 2 minutes of debate equally divided between the two votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, all postcloture time has expired.

Amendment No. 1551 is withdrawn.

The question is on agreeing to the motion to waive budget points of order for consideration of this measure.

The yeas and nays are ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Utah (Mr. LEE) and the Senator from Missouri (Mr. BLUNT).

Further, if present and voting, the Senator from Utah (Mr. LEE) would have voted ''nay.''

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 68, nays 30, as follows:

[Rollcall Vote No. 162 Leg.]

YEAS—68

Alexander	Gillibrand	Mikulski
Ayotte	Graham	Murkowski
Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Hatch	Nelson
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Boxer	Heller	Reid
Brown	Hirono	Rockefeller
Cantwell	Hoeven	Rubio
Cardin	Johnson (SD)	Sanders
Carper	Kaine	Schatz
Casey	King	Schumer
Chiesa	Kirk	Shaheen
Collins	Klobuchar	Stabenow
Coons	Landrieu	Tester
Corker	Leahy	Udall (CO)
Cowan	Levin	Udall (NM)
Donnelly	Manchin	Warner
Durbin	McCain	Warren
Feinstein	McCaskill	Whitehouse
Flake	Menendez	Wyden
Franken	Merkley	

NAYS—30

Barrasso	Enzi	Portman
Boozman	Fischer	Risch
Burr	Grassley	Roberts
Chambliss	Inhofe	Scott
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Thune
Cornyn	McConnell	Toomey
Crapo	Moran	Vitter
Cruz	Paul	Wicker

NOT VOTING—2

Blunt	Lee

The PRESIDING OFFICER. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to and the point of order falls.

AMENDMENT NO. 1183, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on amendment No. 1183, as modified, offered by the Senator from Vermont, Mr. LEAHY.

The Senator from Vermont.

Mr. LEAHY. Madam President, I yield my time to the Senators from Tennessee and North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I thank the Senator from Vermont.

Americans want immigration reform, but they want border security first, and that is exactly what this amendment does. It secures the border with five tough provisions or triggers that must be met—that must be met—before green cards are allowed. Those five triggers are: a comprehensive southern border strategy that must be deployed and operational, 20,000 additional Border Patrol agents, a total of 700 miles of fence, a national mandatory E-Verify system must be in place, and electronic entry and exit identification must be in place at all international airports and seaports.

Simply put, this is about making sure we secure the border, and we do it in an objective and verifiable way.

I want to thank all of my cosponsors on this legislation, and turn to the good Senator from Tennessee and thank him for his work.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Iowa.

Mr. GRASSLEY. Madam President, this grand compromise makes false promises to the American people and throws money at the border, but there is no accountability to get the job done. We need to see the results, but the only result we are being assured of is legalization—legalization first, border security later.

On top of all the earmarks that are in this amendment, the grand compromise also has a grand plan for spending taxpayers' dollars, and we have to raid the Social Security trust fund to get it.

The American people expect us to get this right. This amendment is the wrong answer. I urge a ''no'' vote.

I yield the floor, and I yield the remainder of my time.

The PRESIDING OFFICER. All time has expired.

Mr. CORKER. Madam President, I ask unanimous consent for 30 seconds.

Mr. GRASSLEY. I object.

The PRESIDING OFFICER. Objection is heard.

The question is on agreeing to amendment No. 1183, as modified.

Mr. MENENDEZ. I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested.

Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Utah (Mr. LEE) and the Senator from Missouri (Mr. BLUNT).

Further, if present and voting, the Senator from Utah (Mr. LEE) would have voted ''nay.''

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 69, nays 29, as follows:

[Rollcall Vote No. 163 Leg.]

YEAS—69

Alexander	Gillibrand	Mikulski
Ayotte	Graham	Murkowski
Baldwin	Hagan	Murphy
Baucus	Harkin	Murray
Begich	Hatch	Nelson
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Boxer	Heller	Reid
Brown	Hirono	Rockefeller
Cantwell	Hoeven	Rubio
Cardin	Johnson (SD)	Sanders
Carper	Kaine	Schatz
Casey	King	Schumer
Chiesa	Kirk	Shaheen
Collins	Klobuchar	Stabenow
Coons	Landrieu	Tester
Corker	Leahy	Udall (CO)
Cowan	Levin	Udall (NM)
Donnelly	Manchin	Warner
Durbin	McCain	Warren
Feinstein	McCaskill	Whitehouse
Flake	Menendez	Wicker
Franken	Merkley	Wyden

NAYS—29

Barrasso	Enzi	Portman
Boozman	Fischer	Risch
Burr	Grassley	Roberts
Chambliss	Inhofe	Scott
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Thune
Cornyn	McConnell	Toomey
Crapo	Moran	Vitter
Cruz	Paul	

NOT VOTING—2

Blunt	Lee

The amendment (No. 1183), as modified, was agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the motion to invoke cloture on the committee-reported substitute, as amended.

The clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the committee-reported substitute amendment to S. 744, a bill to provide for comprehensive immigration reform, and for other purposes.

Harry Reid; Patrick J. Leahy; Michael F. Bennet; Charles E. Schumer; Richard J. Durbin; Robert Menendez; Dianne Feinstein; Sheldon Whitehouse; Patty Murray; Debbie Stabenow; Robert P. Casey, Jr.; Mark R. Warner; Thomas R. Carper; Richard Blumenthal; Angus S. King, Jr.; Christopher A. Coons; Christopher Murphy.

Mr. LEAHY. Madam President, I ask unanimous consent to yield back all time.

The PRESIDING OFFICER. Is there objection? Without objection, all time is yielded back.

By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the committee-reported substitute amendment to S. 744, a bill to provide for comprehensive immigration reform, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Utah (Mr. LEE) and the Senator from Missouri (Mr. BLUNT).

Further, if present and voting, the Senator from Utah (Mr. LEE) would have voted ''nay.''

The PRESIDING OFFICER (Mr. MURPHY). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 67, nays 31, as follows:

[Rollcall Vote No. 164 Leg.]

YEAS—67

Alexander	Baldwin	Begich
Ayotte	Baucus	Bennet
Blumenthal	Heinrich	Murray
Boxer	Heitkamp	Nelson
Brown	Heller	Pryor
Cantwell	Hirono	Reed
Cardin	Hoeven	Reid
Carper	Johnson (SD)	Rockefeller
Casey	Kaine	Rubio
Collins	King	Sanders
Coons	Kirk	Schatz
Corker	Klobuchar	Schumer
Cowan	Landrieu	Shaheen
Donnelly	Leahy	Stabenow
Durbin	Levin	Tester
Feinstein	Manchin	Udall (CO)
Flake	McCain	Udall (NM)
Franken	McCaskill	Warner
Gillibrand	Menendez	Warren
Graham	Merkley	Whitehouse
Hagan	Mikulski	Wyden
Harkin	Murkowski	
Hatch	Murphy	

NAYS—31

Barrasso	Enzi	Risch
Boozman	Fischer	Roberts
Burr	Grassley	Scott
Chambliss	Inhofe	Sessions
Chiesa	Isakson	Shelby
Coats	Johanns	Thune
Coburn	Johnson (WI)	Toomey
Cochran	McConnell	Vitter
Cornyn	Moran	Wicker
Crapo	Paul	
Cruz	Portman	

NOT VOTING—2

Blunt	Lee

The PRESIDING OFFICER. On this vote the yeas are 67, the nays 31. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Vermont.

Mr. LEAHY. Mr. President, we have been talking about a couple of things, including the schedule. We are moving forward. This vote suggests it is obvious that a very large and bipartisan majority of the Senate will support an immigration bill. I know there have been proposals for amendments. I am not going to make a proposal at this time. I will leave that for the leader. There have been efforts to get a finite number of amendments from both Republicans and Democrats so we can vote. Under normal circumstances, we would probably have voice votes on some of those amendments. I hope we can do that because I think we would be able to complete this immigration bill.

Our staffs have a great deal of work to do in putting everything together. The staffs on both sides of the aisle have worked long hours. They have been here working even after the rest of us have left. After this is completed, maybe they can actually have some time with their families and prepare for this great Nation's celebration next week.

Mr. President, I ask unanimous consent that I be allowed to continue to speak for 5 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPREME COURT RULING

Mr. LEAHY. Mr. President, today the Supreme Court struck down section 3 of the Defense of Marriage Act. I think that helped this Nation take a major step toward full equality. The ruling confirms my belief that the Constitution protects the rights of all Americans—not just some but all of us—and that no one should suffer from discrimination based on who they love. I share the joy of those families who had their rights vindicated today, including many legally married couples in my home State of Vermont. I have already heard from many and the joy they have expressed is so overwhelming.

In August, my wife Marcelle and I will celebrate our 51st wedding anniversary. Our marriage is so fundamental to our lives that it is difficult for me to imagine how it would feel to have the government refuse to acknowledge it. Without her love and support over the past 51 years, there is nothing I could have ever accomplished that would have been noteworthy in my life. It has taken the joining together of two people who love each other.

Today we have thousands of gay and lesbian individuals and families across the country who have had their rights vindicated by the Supreme Court's decision, including the same rights Marcelle and I have had for 51 years.

Despite today's historic ruling, there are still injustices in our Federal laws that discriminate against these married couples. I will continue to work with Senator FEINSTEIN on legislative fixes to protect all families.

As we continue to fight for equality and against discrimination in our Nation's laws, I am hopeful today's ruling will address a serious injustice. By just striking down section 3 of the Defense of Marriage Act, the Supreme Court has pronounced that our Federal laws cannot discriminate against individuals based on who they love. I believe this should extend to our immigration laws as well.

Last month I was forced to make one of the most difficult decisions in my 38 years as a Senator when I withdrew my amendment that would have provided equality in our immigration laws by ensuring that all Americans—all Americans—may sponsor their lawful spouse for citizenship. It was one of the most disappointing moments of my 38 years in the Senate, but I took Republicans, many who spoke in good faith, at their word that they would abandon their own efforts to reform the Nation's immigration laws if my amendment had been adopted. I believed what they said, and I withdrew it.

However, with the Supreme Court's decision today, it appears the anti-discrimination principle I have long advocated will apply to our immigration laws, and binational couples and their families can now be united under the law. As a result of this very welcome decision, I will not be seeking a floor vote on my amendment.

Today's decision should be seen as a victory for all of those who support justice, equality, and family values.

I had the privilege of serving with a wonderful Senator from Vermont when I first came here, Robert Stafford. He was ''Mr. Republican'' in our State. When we were debating the question of same-sex marriage in the Vermont Legislature, Senator Stafford said: If we have two people who love each other and make each other better—two Vermonters who love each other and make each other better because of that love—what difference does it make to us whether they are the same sex or not? Vermont is better because they make it better.

I agree with him. There is still important work to be done so all families are protected under our Federal laws. Until we fully achieve the motto engraved in Vermont marble above the Supreme Court building that declares ''equal justice under the law,'' I will continue to fight for the equal treatment of all Americans.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, over the last few days I have received numerous e-mails and calls from conservatives and tea party activists from across the country regarding immigration. Their opinions really matter to me because they were with me 3 years ago when so many people in Washington—and in Florida, for that matter—thought I had no chance to win my election.

Let me say these people are patriots. They are Americans from all walks of life who are deeply concerned about the direction our country is headed, and they are increasingly unhappy about the immigration reform proposal in the Senate. It is not because they are ''anti-immigrant'' as some like to say, and it is not because they are closed-minded. They believe, as do I, that as a sovereign country, we have a right to secure our borders and we have a right to have immigration laws to enforce them.

They are increasingly opposed to this effort because for over three decades and despite many promises to enforce the law, the Federal Government, under both Republicans and Democrats, has failed to do so.

In the end, it is not just immigration reform itself that worries them; it is the government that has failed them so many times before. They realize we have a legal immigration system that needs reform. They realize we have over 11 million people currently living in our country illegally and that we have to deal with them. They just simply believe no matter what law we pass, we cannot trust the Federal Government to ever actually enforce it.

This sentiment was best summed up for me in an e-mail I received from Sharon Calvert, a prominent tea party leader in Tampa, FL. She wrote:

Today, June 2013, we are in a very different political climate than we were after the last election. We are in a political climate of distrust. Distrust of government and elected representatives is at its highest.

She goes on to say:

Do we want to trust this administration to faithfully enforce a bill to the best interests of all Americans with a bill that few have read?

She makes a powerful point.

After finding out that the IRS investigates people based on their political views, all the questions that remain about Benghazi, and seeing the Justice Department target reporters, trust in the Federal Government is rightfully at an all-time low.

I share this skepticism about this administration and Washington in general. In just the 2 years I have been here, I have seen the games played and the promises broken and how the American people ultimately suffer the consequences. That is exactly what led me to get involved in this issue in the first place.

We have a badly broken legal immigration system—not only one that does not work; it actually encourages illegal immigration. We have a border with Mexico that, despite billions of dollars already spent, is still not secured. Every day, people, drugs, and guns are trafficked across the border, and we have 11 million people living in this country illegally in de facto amnesty.

What I am describing is the way things are now. This is the status quo, and it is a terrible mess. It is hurting our country terribly, and unless we do something about it, this administration isn't going to fix it.

Political pundits love to focus on the politics of all this, but for me this isn't about catering to any group for political gain. Predictably, despite all the work we have done on immigration reform, some so-called ''pro-immigrant'' groups continue to protest me daily.

This isn't about winning points from the establishment or the mainstream media either, by the way. No matter how consistent I have been in focusing on the border security aspects of reform, whenever I have spoken about it the beltway media has accused me of trying to undermine or walk away from this reform.

This isn't about becoming a Washington dealmaker. Truthfully, it would have been a lot easier to just sit back, vote against any proposal, and give speeches about how I would have done it differently.

Finally, this certainly isn't about gaining support for future office. Many conservative commentators and leaders—people whom I deeply respect and with whom I agree on virtually every other issue—are disappointed about my involvement in this debate.

I got involved in this issue for one simple reason: I ran for office to try to fix things that are hurting this special country. In the end, that is what this is about for me—trying to fix a serious problem that faces America.

The proposal before the Senate is by no means perfect. As does any proposal that will come before the Senate, it has flaws; but it also has important reforms that conservatives have been trying to get for years. For example, it changes our legal immigration system from a predominantly family-based system of chain migration to a merit-based system that focuses on job skills.

This proposal mandates the most ambitious border and interior security measures in our Nation's history. For example, it requires and funds the completion of 700 miles of real border fence. It adds 20,000 new border agents. It details a specific technology plan for each sector of the border. It requires E-Verify for every employer in America. And it creates a tracking system to identify people who overstay their visas.

These are all things that at a minimum must happen before those in the country illegally can apply for permanent status. And the proposal deals with those who are here illegally in a reasonable but responsible way. Right now, those here illegally are living in de facto amnesty. This is what I mean by that: They are unregistered, many pay no taxes, and few will ever have to pay a price for having violated our laws.

Under this bill they will have to come forward. They will have to pass background checks. They will have to pay a fine. They will have to start paying taxes. They will be ineligible for welfare, for food stamps, and for ObamaCare.

In return, the only thing they get is a temporary work permit, and they can't renew it in 6 years unless they can prove they have been holding a job and paying their taxes. For at least 10 years, that is all they can have. After all that, they cannot even apply for permanent status until the fence is built, the Border Patrol agents are hired, and the border security technology, E-Verify, and the tracking system are fully in place.

Yet despite all of these measures, opposition from many conservatives has grown significantly in the last few weeks. Why? Well, because they have heard the Secretary of Homeland Security can just ignore the border requirement. But this is not true. The Department does have the discretion on where to build the fence but not on the amount of fencing it must build. At the end of the day, it is simple: 700 miles of pedestrian fencing must be built.

They have also heard the Secretary of Homeland Security can just waive the radar and the drones and the ground sensors and the other technology required in the bill. But that is just not true. The Secretary can always add more to the plan, but the list of border security measures we mandate in the legislation is the minimum that must be implemented.

Some oppose it because they have heard ''a future Congress can just defund all of the security measures'' as they have done in the past. But that is just not true. The money is built into the bill. Unlike previous border security laws, it doesn't leave it dependent on future funding.

They also oppose the bill because they have heard it creates a taxpayer subsidy for people to buy a car or a scooter. That is just not true. Nothing in this bill allows that.

Finally, they oppose the bill because they have heard that last Friday, a brandnew, 1,100-page bill no one has read is what is now before the Senate. That is just not true. This is the exact same bill that has been publicly available for 10 weeks. The main addition to it are about 120 pages of border security because in order to add 700 miles of fence, 20,000 border agents, and a prohibition on things such as foreign students or tourists from getting ObamaCare, we had to add pages to the bill.

Now, I understand—I do—why after reading these false claims people would be opposed to this bill. I also understand why, after we have been burned by large bills in the past, people are suspicious of big reforms of any kind. I understand why, after promises made in the past on immigration have not been kept, people doubt whether they will ever be kept again in the future.

But I also understand what is going to happen if at some point we do not come up with an agreement we can support on immigration reform. What is going to happen is we will still have a broken legal immigration system. We will not have more Border Patrol officers. We will not have enough fencing. We still will not have mandatory E-Verify. And we will still have 11 million people living here illegally.

That is why I am involved, because despite all of the problems we have with government, the only way to mandate a fence, E-Verify, and more agents is to pass a law that does so.

I knew getting these requirements into the bill would not be easy. This administration insisted the border is already secure, and they fought every effort to improve the border security parts of this bill. The administration wants the fastest and easiest path to citizenship possible, and they fought every condition and every trigger in this bill.

I got involved because I knew if conservatives didn't get involved in shaping this proposal, it would not have any of the border security reforms our Nation desperately needs.

Getting to this point has been very difficult. To hear the worry and the anxiety and the growing anger in the voices of so many people who helped me get elected to the Senate, whom I agree with on virtually every other issue, has been a real trial for me. I know they love America, and they are deeply worried about the direction this administration is trying to take our country.

When I was a candidate, I told people I wanted to come here and fight. I want to fight to protect what is good for America and fight to stop what is bad for America. I believe what we have now regarding immigration is hurting our country badly, and I simply wasn't going to just leave it to Democrats alone to figure out how to fix it.

I guess perhaps at the heart of my support of this proposal is that I know firsthand that while immigrants have always impacted America, America changes immigrants even more. Just a generation ago my parents lived in poverty in another country. America changed them. It gave them a chance to improve their lives. It gave them the opportunity to open doors for me that were closed to them. And the longer they lived here, the older their kids got, the more conservative they became, the more convinced they became that limited government and free enterprise and our constitutional liberties made this Nation special.

I am a firsthand witness to the transformative power of our country, how it does not just change people's pocketbooks, it changes their hearts and their minds. Despite all the challenges and despite our broken government, I still believe this is that kind of country.

I realize in the end many of my fellow conservatives will not be able to support this reform. But I hope you will understand that I honestly believe it is the right thing to do for this country—to finally have an immigration system that works, to finally have a fence, to finally have more agents and E-Verify, and to finally put an end to de facto amnesty.

In my heart and in my mind, I know we must solve this problem once and for all or it will only get worse and it will only get harder to solve.

To my fellow conservatives, I will continue to fight alongside you for real tax reform, for lowering our debt, for balancing our budget, for reducing regulations, for rolling back job-killing environmental policies, and for repealing the disaster of ObamaCare. To my fellow conservatives, I will continue to fight alongside you for the sanctity of life and for traditional marriage. But I will also continue to work in the hopes of one day uniting behind a common conservative strategy on how to fix our broken immigration system once and for all.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I want to say how much I respect the Senator from Florida. I respect his viewpoint. I respect the amount of effort he has put into this issue, which is a very difficult and a very complex issue. He speaks from the heart. I have never questioned his motives, and he has worked very hard to put together the very best piece of legislation that I think could have been accomplished on this Senate floor.

I wish I could stand with him in terms of final support because I, too, believe our current system is broken, that it needs to be addressed. The status quo is not an option. We will continue down the same road, and only to a greater degree than where we find ourselves today.

I am deeply concerned. For me, the most difficult of things to work through—it finally came down to the fact that, as Senator RUBIO has talked about, there is a great level of distrust in this country today toward whatever comes out of Washington and whomever's mouth it comes out of.

I think some of this is due to certain events that have happened in the last several months. Benghazi is still not settled. The American people still are not satisfied with what has been said about what happened in Benghazi and what our response should have been. There have been changing narratives. That feeds into the distrust.

Certainly, there are the scandals—the IRS scandal and others continue to feed this distrust. It is a very dangerous thing for a democracy when people have lost trust in their elected Representatives, in their government. It is a very dangerous thing for the future. We need to restore that.

To me, that element that now exists means when we take up legislation as comprehensive as this bill is, as sweeping as this bill is, we need to ensure the American people understand it and that they have trust in us that what we promise we will do in this bill will be fulfilled.

All this, from my perspective, has to be measured against the 1986 Immigration Reform Act, which I voted for and supported. Ronald Reagan was President at the time. We had a divided Congress—Republicans and Democrats. This Senate was under one party and the House was under another. So the situation was somewhat similar to today. But with President Reagan's leadership, and with the promises that were made, the 3 million people who were here illegally at that time were granted an opportunity to get on a path to citizenship—and it was combined with the fact that we promised in that bill, verbally and in language, that we would secure the border so we would not have to deal with this again. Well, here we are in 2013 dealing with it again, but there are not 3 million illegal immigrants; there are now 11 million illegal immigrants.

It is having an enormous impact on our country, and it is an issue which we have to address. But I think we have to do it in a way that acknowledges that the promises made then

were not fulfilled. When added today to the broken promises and the growing level of distrust than any of us could possibly imagine, that has to be addressed. The way, in my opinion, to address that is—to borrow from Ronald Reagan trust, but verify.

I think verify, because of this trust deficit, has to come first before people are ready to trust. They simply do not believe that the promises made will work, that they will be fulfilled.

When the underlying bill basically says the Secretary of Homeland Security will state that the Department has a strategy to address the border security problem, that does not play very well with people who have seen strategies promised before. They want to see results. The real issue here has been—at least for me, and I think for many of my colleagues—whether we are able to prove to the American people they are going to get their results before we start moving people through a legalization process which we know we are never going to be able to pull back.

There were some amendments offered by my colleagues which I supported because essentially they said we want to look at results first before we begin the process—from which we are never going to be able to pull back—of granting legal status for illegal immigrants in this country.

So it is that cart before the horse that, for me at least, and I think for many, is the reason why we cannot support this bill as it is currently written.

I hope the House will come forward with something more credible, perhaps more sequential, that addresses this very fundamental flaw in this bill to prove to the American people that we will fulfill the promises we are making in this legislation before we start a process of granting legal status to illegals. We need to ensure we will not get years down the road only to find we have not succeeded in fulfilling those promises, and have created yet another amnesty situation.

I am the son of an immigrant. My mother came here with her family. It has been the narrative in our family that legal immigration is what has made America the country that it is. So I do not fear immigration. The diversity has been good for our country. I served as Ambassador to Germany for 4 years, and I cannot tell you how many Germans and Europeans from other countries came up to me and basically said: Someday I hope to get in the lottery, that my name will be pulled. I have been in line for 15 years; I have been in line for 20 years waiting to come to your country through a legal immigration process.

It is pretty hard, when you are the son of an immigrant—you know your family came here the right way—to know there are millions of people in this world who would love to come to America and become responsible citizens, and yet to see them look at people flooding across the borders and being granted that privilege which they have not yet been able to attain.

So I trust that we will be able to go forward. I hope the House will come forward with something that is more credible than what the Senate is poised to pass. I voted earlier for a procedural motion to allow debate on this issue because I think we need to have this debate. I was hoping that we could address this fundamental issue through the amendment process. The employee verification has been strengthened, the border security has been strengthened, the exit visa problem has been strengthened, assuming the promises come true, but they have only been strengthened on a piece of paper. We need to see it strengthened for real on the border, at the employment offices, and at the exit visa offices on the portals for people coming in and out of this country. That is yet to be seen. That is yet to be demonstrated.

So without that fundamental approach of demonstrating results first in order to restore that trust, which is so lacking with the American people—yet justified, on the failures of Congress and the failures of this administration, in particular, or any administration to deliver what they said they would and—to fulfill their promises—that is why I will not be supporting the bill.

I do hope, given the problems we have with the status quo—as I think was clearly outlined by my colleague from Florida—we need to keep at this. We need to find the solution to the problem because America cannot continue to be the country that it is and be the country that we want it to be if we do not address this wound and this flaw in the current immigration system.

We need the ability to attract and maintain people with skills for many of our businesses. Some of our most important industries—pharmaceutical, software, and others—important to our national defense and national security need those employees coming here the legal way through visas. We also need our agriculture industries and others to have access to workers. I have a lot of processing plants in my State and agricultural sources in my State that cannot find enough American workers to fill the positions they have offered. That ought to be addressed. I want to address that.

So I am not simply someone standing up and saying we do not have to fix the problem. We do have to fix the problem. I respect the efforts that have been made in a bipartisan way to try to do that. I just think this bill has one major fatal flaw; that is, promises are not demonstrated, are not fulfilled, before the process starts. For that reason, I cannot support the bill in its final form.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Minnesota.

Mr. FRANKEN. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPREME COURT RULING

Mr. FRANKEN. Madam President, I rise today to talk about college affordability and student loan interest rates. But before I do that, I would like to take a moment to comment on the historic decision this morning by the Supreme Court.

I have been married to my wife Franni for 37 years. It is the best thing that ever happened to me, and I have long believed that every loving couple should be seen as equal under the eyes of the law. So I have been fighting for years, along with others, to overturn the so-called Defense of Marriage Act. I am very happy today that the Court did so in part this morning.

Today all Minnesota couples will be treated equally under Federal law, and this will make a real difference for those families.

We still have work to do. I think Americans should have the freedom to marry the person of their choosing regardless of the State in which they live. So we still have work to do, but today is a happy day.

STUDENT LOAN INTEREST RATES

OK. Back to college affordability and student loan interest rates.

The interest rate on the Stafford subsidized loan is set to double on July 1. Along with a number of my colleagues, I am fighting to prevent that from happening and to reach an agreement to protect students and make college more affordable for them and for their families.

Not long ago I had a group of student leaders from MnSCU—the Minnesota State Colleges and Universities—come to my office in DC to discuss college affordability.

Now, remember, these are members of the student government of many of Minnesota's public colleges and universities. They are the student leaders. There were about 20.

I asked them: How many of you work while you are going to school, while you are in college?

Every one of them put up their hand.

I said: OK. How many of you work at least 20 hours a week?

Most of them.

How many of you work 30 hours a week while you are going to school?

More than I expected.

Then I asked them: How many of you work full time, work 40 hours a week while you are going to college?

A number of them raised their hand.

Mind you, these are the student leaders of these schools. So they also spend their time in student government.

Working in college is not necessarily a bad thing. Some work can help students better manage their time, become more productive, and help pay for college. I worked during college. It was like 5 hours a week in our dorm kitchen.

Evidence shows that when a student starts to work more than 15 hours a week, it becomes harder for the student to maintain good grades at school and to graduate from school on time. Students are working more because college is becoming less and less affordable. They are still taking out more and more student loans and graduating with more and more debt.

Minnesota has the unfortunate distinction of being the State with the third highest average debt for students graduating from college, at over $30,000 a student. Whether those student Americans are attending community college or 4-year public or private colleges, it is increasingly difficult for them and their families to afford higher education.

Part of what has happened is that State support for higher education has gone down in recent years, shifting more of the burden onto students and their families. According to the latest report from the State Higher Education Executive Officers, public colleges experienced a 9-percent decrease in State funding per student from 2011 to 2012, including in Minnesota.

Minnesota public colleges saw a 27-percent decrease in State funding per student from 2007 to 2012. Meanwhile, and partially because of this, the University of Minnesota saw an increase of 65 percent in its average tuition and fees in constant dollars from 2002 to 2012. Our other public 4-year universities saw a 47-percent increase in average tuition and fees. Our public 2-year colleges saw a 39-percent increase in tuition and fees over the same time period.

After more than a decade of higher education spending cuts and tuition increases in Minnesota, things have started to turn around this year. The State legislature passed a bill that increased funding for higher education in Minnesota by $250 million, including a tuition freeze at the University of Minnesota and Minnesota's other public colleges and universities for 2 years. That is very good news. While this is a great victory for Minnesota's students and families, it certainly will not solve the college affordability problem in Minnesota.

As college has gotten more expensive, our Federal student aid system has not kept up. In 1975, Pell grants—long the cornerstone of our Federal financial aid system—a full Pell grant covered almost 80 percent of the cost of attending a public 4-year college, but now it pays for approximately 33 percent of the cost of a year at a public 4-year college.

As students have turned to student loans, more of them are ending up tens of thousands in debt. In Minnesota I have held several college-affordability roundtables and heard from a number of extraordinary students. One of them is Taylor Williams, who was a senior at the University of Minnesota in the spring. He grew up in a low-income family. Taylor was afraid of taking the advanced placement courses because he did not think he could afford the tests. The tests cost too much money. Fortunately, Taylor had a guidance counselor who found funding to help him pay for the tests, and his success in those AP tests helped him start college with 1 year's worth of credit. Taylor, when I talked to him, was also working 30 to 40 hours a week and receiving community scholarships. Yet, in spite of all of this, he is graduating with student debt.

Because of stories like Taylor's, I recently introduced the Accelerated Learning Act, a bill to reauthorize an existing Federal program that provides funding to low-income students to help pay for AP and IB—International Baccalaureate—exams. This is a Federal program that has been around for over a decade and has helped students lower the cost of college. I am pleased that this legislation was included in the larger bill to reauthorize the Elementary and Secondary Education Act that we passed out of the HELP Committee earlier this month.

Taylor and countless other students at schools across Minnesota demonstrate tremendous perseverance and grit in getting a college education and cobbling together the resources to pay for it. They are working incredibly hard, and they are still taking on significant amounts of debt—debt that will stay with them for a good portion of their lives.

Paying for college should not have to be that hard. In many other countries it is not. In fact, in many other countries, students can go to college for free—for free—or pay extremely low tuition. According to the Organization for Economic Cooperation and Development, OECD, countries where students pay zero tuition for their postsecondary education include the Czech Republic, Denmark, Finland, Ireland, Iceland, Mexico, Norway, and Sweden. Other countries, such as France, Austria, Switzerland, and Belgium have postsecondary systems where students have to pay tuition of less than $1,500 per year.

Because of this it is not a surprise that many of these countries are also surpassing the United States in higher education attainment. Not very long ago the United States ranked first in the world in the percentage of 25- to 34-year-olds with a higher education. According to the latest data from the OECD, the United States is now 14th in that category. This is a trend we need to reverse if the United States is going to remain globally competitive. In an ideal world the United States would provide free or extremely low cost postsecondary education to its citizens, as so many other nations do. Unfortunately, that is not going to happen anytime soon. So we need to take smaller but important steps to help our students pay for college.

The interest rate on subsidized Stafford loans is going to double from 3.4 percent to 6.8 percent on July 1 unless Congress takes action to prevent that from happening. This interest rate—this is an increase that would affect almost 200,000 students in Minnesota, who would end up paying about $1,000 more for each student loan they take out over the life of that loan. That is above what they are already paying.

At a time of record-low interest rates, it makes no sense to let the student loan interest rate double. We should prevent that from happening. Ultimately, we need a long-term fix so that interest rates do not become more unaffordable for students and their families. We also need to make sure that whatever action we take does not make the problem worse.

Several of my colleagues have proposed short-term fixes to this interest rate problem. I am proud to support efforts by Senators JACK REED and TOM HARKIN to freeze the interest rate at 3.5 percent while Congress works out a longer term solution. I am also a proud cosponsor of Senator WARREN's legislation to tie the student loan interest rate to the rate at which the Federal Reserve lends money to banks. At a time when the Fed is lending money at an interest rate of .75 percent to banks, it makes no sense for students to borrow money from the government at a rate of 6.8 percent a year or even higher. Senator WARREN has been an important voice in this debate in the Senate, making the student loan interest rate the focus of her first piece of legislation.

We need to get this done. Democratic leaders have been negotiating in good faith on this issue. If we need to pass a short-term extension of the current interest rate to give negotiators more time to produce a solution that works for students and their families, well then that is what we should do.

Fixing the student loan interest rate is far from the only issue we have to tackle to make college more affordable for students. I just reintroduced my bipartisan Understanding the True Cost of College Act to standardize financial aid award letters among universities so students can have clear and consistent information about the cost of their education. Students and their families and high school counselors need to have uniform financial aid letters so they can make real comparisons about all the costs before deciding where the student should go to college. That is what my bill makes possible.

I also stand ready to work with my colleagues to protect the Pell Grant Program and to support other programs that make college more affordable for students, such as the TRIO and Work-Study Programs.

We have a lot to do and a long way to go to make college more affordable for our students. Doing that will help more Americans find jobs to support their families, help more employers find qualified workers for their businesses, and help our economy prosper. This is one of the most critical issues we face as a Congress. Addressing the student loan interest rate is a solid first step we can take toward tackling this issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. In the last 3 weeks, I have pointed out several flaws in the immigration bill. Within a couple of days, we will have a bill through the Senate. I think I owe to my colleagues and to my constituents, since I have been pointing out flaws, what it would take for me to vote for an immigration bill because I am just like most everybody and maybe everybody in the Senate who will tell you that the status quo is not legitimate to maintain and that we have to reform the system.

So there are, I would like to say, 100 Senators who believe the immigration system needs to be fixed. I can guarantee that there are also 100 different ways to fix it. Nobody has a perfect solution, but I bring an experience to the table that very few others have.

My deep-rooted concern with this bill stems from my strong belief that we made a mistake in 1986. We allowed legalization and ignored the laws on the books. Another major shortcoming was that we allowed legalization without creating adequate avenues for people to enter, live, and work in this country legally. In other words, if we had a system that works, where we had a shortage of workers, if they could legally come to the country, we would not have the problems we have today. We did not do that in 1986.

These were crucial flaws that have led us to the debate we have been having the last 3 weeks, and I am not willing to pass that mistake on to future Congresses.

What will it take for somebody such as I, a Senator who voted for amnesty in 1986 and wasn't a part of the Group of 8 or Group of 10, to vote for immigration reform this year? This is what I need to see in an immigration bill in order to support it and send it to the President.

When I mentioned four different points, it doesn't mean that takes care of everything, but if these things were taken care of, regardless of the other things, I would feel I would have to support it. They are:

No. 1, legalization after border security; No. 2, meaningful interior enforcement, including allowing ICE to do its job and work with State and local people; No. 3, strengthening, not weakening, current law with regard to criminals; and, No. 4, protecting American workers while enhancing legal avenues.

I will explain them at this point, starting with legalization after border security. Most Americans contend that a legalization program is a compassionate way to help those who are unlawfully in the country. However, those compassionate people who support such a program of legalization do so only on the promise that the government will secure the border and stop the flow of illegal immigration.

We are a nation based upon the rule of law. We have a right to protect our sovereignty, and, of course, a duty to protect our homeland. Any border security measures we pass must be real and immediate. We can't wait 10 years to put more agents on the border or to implement a tracking system to track foreign nationals. We have to prove to the American people that illegal entries are under complete control and that visa overstays are to be punished.

Unfortunately, too many people have been led to believe this bill before us will force the Secretary of Homeland Security to secure the border. It doesn't.

A fundamental component of any legislation is border security first and foremost, not legalization now and enforcement later, if ever.

There has to be pressure on the executive branch to get the job done. We must tie legalization to results. Only then will advocates and a future administration truly try to secure the border.

Secondly, meaningful interior enforcement, including ICE being allowed to do its job and work with State and locals. Enforcement of the immigration laws has been lax and increasingly selective in the last few years. As a result, States have been forced to deal with the criminal activity that surrounds the flow of people here who are undocumented.

They have stepped up efforts to control the effects of illegal immigration in some States, and the States should be able to protect their people and stem the lawlessness within their border. Yet time and again this administration has denied States the opportunity and tried to stop them from enforcing immigration laws.

Federal immigration enforcement officers have also been handicapped from doing their job. The bill would practically render these officers useless since they are required to verify a person's eligibility for legalization before apprehending and detaining. They need to be provided the resources to fulfill their mission and not be told by Washington to sit idly by.

The unfortunate reality is that the bill does almost nothing to strengthen and enhance our interior enforcement efforts. The bill does nothing to encourage Federal, State, and local law enforcement efforts to apprehend and detain individuals who pose a risk to our community. The Federal Government will continue to look the other way as millions of new people enter the country undocumented.

Meanwhile, the bill gives the States no new authority to act when the Federal Government refuses. I will be the first to say that border security is a must, but people who enter illegally and overstay their visas and are residing in the interior of the country, this cannot be ignored. This is something that if it is fixed, I would feel very comfortable voting for an immigration bill.

Strengthening, not weakening, current law with regard to criminals. It is not going to go over well back home if we say one can have criminal activity, even be deported from the country, and make application again to have the benefits of this legislation.

One of the major reasons why immigration is a subject of such significant public interest is the failure of the Federal Government to enforce existing laws. Eleven million people have unlawfully entered the country or overstayed their visas because the Federal Government did not deter them or take action to remove them.

This bill before us significantly weakens current criminal law and will hinder the ability of law enforcement to protect Americans from criminal undocumented aliens.

The bill weakens current law regarding passport fraud, only charging those who make or distribute illegal passports three or more times. It allows a person to knowingly purchase materials for making illegal passports but only charge the person with a crime if 10 or more passports are made.

It also weakens current law for those who illegally enter the country, changing existing laws by removing the crime of illegally attempting to enter the United States. This essentially incentivizes foreign citizens to attempt to illegally enter the country as many times as they wish.

Further, once they successfully enter the United States illegally, the alien would only be subject to criminal punishment if they are removed from the country three or more times. Why isn't once enough?

Taken together, the bill weakens current law and will make it easier for undocumented aliens to enter the country illegally by not criminalizing their attempts to enter, nor their actual illegal entry, unless they had been previously removed three or more times. This is a drastic change that will encourage future entries by undocumented people.

Given the serious nature of criminal street gangs, we need to pass an immigration bill that prevents entry into

the country if one is a gang member. More important, we need to ensure that gang members are not being rewarded with legal status. Regrettably, the bill is weak on foreign national criminal street gang members in several regards. In addition to weakening current law, the bill does very little to deter criminal behavior in the future. The bill ignores sanctuary cities, allowing criminals to seek safe harbor in jurisdictions where they have policies aimed to protect people in the country illegally.

It increases the threshold required for actions to constitute a crime. It punishes persons only if they have already been convicted of three or more misdemeanors on different days, and it only punishes undocumented aliens who are removed from the country three or more times.

I am committed to making sure any bill that is sent to the President makes a more serious effort to penalize those who attempt to enter or reenter the United States. It needs to be tough on lawbreakers and send a signal that fraud and abuse, including identity theft, will not be tolerated. It needs to ensure that gang members are not granted legalization but rather made deportable and inadmissible.

We need to protect victims of crime and ensure that child abusers and domestic violence perpetrators do not receive benefits under the immigration law. Finally, we need to ensure that dangerous, undocumented criminals are not released in our country but are detained until they are properly returned to their home country.

Fourth and last, we need to protect American workers while enhancing legal avenues.

While I support allowing businesses to bring in foreign workers, they should only do so when qualified Americans are not available. There have been too many stories about U.S. workers who have had to train their replacements who come in through the H–1B visa program. Foreign nationals are being hired but then working in locations not specified in their application. Other work visa programs are not free of controversy.

I agree with the creation of a temporary worker program, such as the W visa program created in this bill. I have long argued we must enhance and expand opportunities for people who wish to work legally in this country. Yet as we do that, we cannot forget the American worker. We need to fight for them and ensure that they are not disadvantaged, displaced, and underpaid because of our generation laws.

The bill before the Senate makes that move in the right direction by increasing worker protection for Americans and by providing more authority to the executive branch to investigate fraud in the H–1B visa program. Unfortunately, the bill is slanted to ensure that only certain employers undergo more scrutiny. All employers who bring in visa holders should be held to the same standard. All employers, not just some, should be required to make a good-faith effort to recruit U.S. workers. All employers, not just some, should be required to attest that they did not or will not displace a U.S. worker within 180 days of applying for an H–1B worker. All employers, not just some, should be required to offer the job to a U.S. worker who is equally or better qualified.

Our employment-based immigration program, including the H–1B program, has served and could again serve a valuable purpose if used properly. However, they are being misused and abused. They are failing the American worker and not fulfilling the original purpose that Congress intended when it was created.

Reforms are needed to put integrity back into the program and to ensure that American workers and students are given every chance to fill vacant jobs in this country.

Again, how I vote on the final bill coming out of conference with the House is undecided. I want to be able to support something that will make Americans proud, that will not make the same mistakes we did in 1986, and will stand the test of time so future generations can benefit. I need to see at least these four key changes before I can cast a vote in support.

I have said to Iowans and to my colleagues that the bill before the Senate is precooked, but I have faith that a better bill is achievable, a bill that can gain more votes, including mine. This body, the Senate, is described as the most deliberative parliamentary body in the world—and I believe it is—but when we had 451 amendments offered to this bill, we were promised free and open debate. We have only dealt with about a dozen of them, and we can't say we had a fair and open debate as we were promised.

It surely did not meet the standard that was set by Chairman LEAHY when he promised in committee a free and open debate. There was free and open debate and no limit on amendments. We stuck with it until we got done.

We could have just as well stuck with this bill until we got it done and we could have had votes on more amendments.

Now we are going to pass a bill that is not the best for the country and doesn't accomplish even what the authors of the legislation hoped to accomplish, particularly when they say secure the border first and then legalize. We have to rely upon a body that is not considered a deliberative body, the House of Representatives, to correct these mistakes that are made in this bill. I think they will, I hope they will, and then I hope I can vote for the product that will go to the President of the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent to speak for 10 or 12 minutes as in morning business and then have the Senator from Massachusetts, Ms. WARREN, be recognized at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. WHITEHOUSE and Ms. WARREN pertaining to the introduction of S. 1229 are located in Today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Alabama.

Mr. SESSIONS. Mr. President, we just saw on the news today that the GDP for the first quarter, according to the Wall Street Journal, was revised downward dramatically from previous estimates. I am not saying there is anything wrong with their accounting, but they go back and doublecheck their numbers and add other analyses and they come up with what the growth of the economy was in the first quarter. The previously announced growth level was 2.4 percent for the first quarter, which is low. Coming out of a recession, we need to be doing better than that. But now that it was revised downward, they found there was only 1.8 percent growth in the first quarter. That is a very dangerous trend, and the article said it is evidence of a slowing growth in America.

The fourth quarter of last year GDP growth was only .4 percent. If continued throughout the year, that is a very troubling number. The data shows for the last 15 quarters, almost 4 years, we have averaged only about 2 percent growth in our economy—growth in GDP.

I would say to my colleagues, as we vote to bring in more and more workers at a time when jobs are not being created in any significant number, we need to be aware that this can cause severe consequences.

The Atlanta Federal Reserve Economic Study, done several years ago, found the immigration flow today in the Atlanta area of the Federal Reserve had reduced the wages of American workers in that region by as much as $1,500 a year. That is $120 per month less money for an average family to take care of themselves.

Unemployment and declining wages are a big reason that people are getting in trouble on their credit cards. Professor Borhaas and others have done studies on this.

Another study found a $960 decline in people's annual wages, which is about $80 a month. Eighty dollars a month may not sound like a lot for a Senator, but it sounds like a lot for a working American—maybe equal to their gas bill, or part of it.

I would say that as we consider our votes on the immigration bill, let's

consider that this economy is not growing and is not creating large job growth. We have projections that we are not going to do so for the next decade. And I am not talking about people who will be legalized that are here, but we ought not overload the economy with a new flow that is much larger than the current flow of immigration legally.

I see my colleagues are here, and I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as if in morning business to offer a unanimous consent.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—H. CON. RES. 25

Mrs. MURRAY. Mr. President, it has now been 95 days since the Senate passed a budget, and I have come to the floor myself now 6 times to ask unanimous consent to move to conference. My Democratic colleagues have asked unanimous consent to move to conference another eight times. After every request, a Senate Republican has stood up and said no—no to the opportunity to work on a bipartisan budget deal.

I want to say to the Republicans who are blocking a bipartisan budget conference: Enough is enough. We have heard so many excuses—refusing to allow conference before we get to a so-called preconference framework; putting preconditions on what can be discussed in a bipartisan conference; claiming that moving to a budget conference—which leading Republicans did call for just a few months ago—was somehow not regular order; to, most recently, claiming we need to look at a 30-year budget window before looking at the major problems we have right now in front of us—which, I add, is unacceptable, because the American people rightly expect us to work on both at the same time.

Hearing these changing excuses week after week has been frustrating not just for Democrats but for many of my Republican colleagues as well.

A large group of us—Republicans and Democrats—think that although we do have major differences between the parties' values and priorities, we should at least come to the table and try to work out a bipartisan deal. That is what American people do every day. And when there is a disagreement, they can't afford to play a game of chicken and hope the other person gives in, because when that happens, important work cannot get done. Kids don't get picked up from school, bills don't get paid, small businesses miss a major opportunity for expansion. Every day regular Americans avoid those kinds of situations, and we here in the Senate should at least try to do the same.

There are extremely important things that are not getting done in the Senate right now because some Republicans want to embrace the harmful top-line spending level in sequestration which has a major gap between the House and Senate appropriations levels for the next fiscal year. We don't have much time left to resolve that gap. After we come back from next week's State work period, we will have 1 month to try to come to an agreement or else we are going to find ourselves in a very tough situation in September. We could, once again, be working against the clock to avoid a harmful crisis. The last thing the American people—who come together and resolve differences every day—want to see is another round of manufactured crises coming out of Washington, DC, and they do not have to. We still have time.

I know there are leaders on both sides of the aisle who would strongly prefer to solve problems rather than to get into yet another political fight that creates uncertainty for our families, our businesses, our country, and our economy. I am confident that if those of us who prefer commonsense bipartisanship over artificial crisis work together, we can reach a fair agreement and show the American people our government does work.

I urge Senate Republican leaders to drop the tea party-backed strategy of delaying until the next crisis, and allow the Senate to join the House in a formal bipartisan budget negotiation.

Therefore, I ask unanimous consent that the Senate proceed to consideration of Calendar No. 33, H. Con. Res. 25; that the amendment which is at the desk, the text of S. Con. Res. 8, the budget resolution passed by the Senate, be inserted in lieu thereof; that H. Con. Res. 25, as amended, be agreed to; the motion to reconsider be made and laid upon the table; that the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate; that following the authorization, two motions to instruct conferees will be in order from each side—motion to instruct relative to the debt limit, and motion to instruct relative to taxes and revenue; that there be 2 hours of debate equally divided between the two leaders or their designees prior to votes in relation to the motions; and further, that no amendments be in order to either of the motions prior to the votes; all of the above occurring with no intervening action or debate.

The PRESIDING OFFICER. Is there objection to the request?

Mr. CRUZ. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. The issue before this body is not complicated. There are a lot of procedural ambiguities that make it difficult to penetrate, and yet it is one very simple issue. The issue before this body is whether the Senate can raise the debt limit of the United States with simply using a 50-vote threshold or whether it should go through the regular order before raising any debt limit, subject to a 60-vote threshold.

What is the difference? The difference is simple: If the debt limit can be raised using 50 votes, then the majority party—the Democrats—do not need to speak to the Republicans, do not need to sit down at the table and work with the Republicans, do not need to listen to any opposing views.

Indeed, the President of the United States has been very candid. He has been unequivocal. President Obama has said he believes we should raise the debt limit, with no preconditions, with no negotiations, with no changes whatsoever.

If you think it is OK that in 4½ years our Nation's debt has gone from $10 trillion to nearly $17 trillion, if you think it is OK that our Nation's debt is now larger than the size of the entire economy, if you think it is OK that our children and grandchildren are being bankrupted—in 4½ years the national debt has grown over 60 percent—and if you think it is OK that the Senate Democrats want to continue borrowing trillions more while doing nothing—nada—zilch—to address the spending problems, to rein in out-of-control spending, then you should welcome this motion.

Over and over again the majority has asked to go to conference on the budget. Why? Because going to conference on the budget allows a procedural back door to enable them to raise the debt ceiling using only 50 votes.

How do we know that is what this is about? We know that is what this is about because my friend the Senator from Washington could go to conference on the budget right now. This instant we could go to conference on the budget—right now—except, when I ask—as I am going to in a moment—for unanimous consent not to use it as a procedural back door to raise the debt ceiling, my friend the Senator from Washington is going to object. And I know this because we have done this kabuki dance more than once and we continue doing it back and forth. But it makes clear that is what this fight is all about.

Of course the Senate budget didn't address the debt ceiling; the House budget didn't address the debt ceiling; we didn't have a debate on the floor of this Senate about the debt ceiling; we didn't have a vote on the floor of the Senate about the debt ceiling; and yet the reason the majority is so adamant that they want to go to conference is because it presents them with an avenue to use 50 votes—the votes of only the Democrats in this body—to raise the debt ceiling to dig us further in debt and to do nothing—nothing—to fix the problem.

I would suggest that is irresponsible. That is not what Americans want. That is not what Democrats, Republicans, or Independents outside of the Washington beltway want.

We fundamentally know it is wrong to stick our kids and grandkids with $17 trillion in debt. It is even more wrong to keep on doing it and making it worse and worse and not rolling up our sleeves to fix it.

One of the great frustrations of this body is that for some time now the American people have been unequivocal: Their top priority is jobs and the economy, and is turning around what is going on. Yet this body doesn't talk about that. It doesn't talk about generating jobs, getting the economy growing, and stopping our out-of-control debt. Instead, we debate every other priority under the Sun—whether it is restricting Second Amendment rights to keep and bear arms or whether it is a national energy tax through the President's climate change proposal.

Mrs. MURRAY. Mr. President, I am not sure whether there has been an objection.

Mr. CRUZ. Reserving the right to object, I ask unanimous consent that the Senator modify her request so that it not be in order for the Senate to consider a conference report that includes reconciliation instructions to raise the debt limit.

The PRESIDING OFFICER. Is there objection?

Mrs. MURRAY. Mr. President, I would object. What the Senator is asking for is a precondition on a conference committee without the consideration of this whole Senate.

What I have offered to him and to this body in my unanimous consent request is a vote on the motion to instruct conferees, which is what occurs in the Senate if we want to put any precondition onto a budget.

I reject his unanimous consent, and I ask again my unanimous consent request.

Mr. CRUZ. Would the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from Washington object to the request as modified?

Mrs. MURRAY. The Senator from Washington objects to the request as modified, and again reasks my original unanimous consent request.

The PRESIDING OFFICER. Is there objection?

Mr. CRUZ. Reserving the right to object, I would note the comment from my friend from Washington suggesting a motion to instruct the conferees. What she of course knows is that is a typical Washington maneuver, because the motion to instruct is nonbinding and it is subject to 50 votes. So if we had a motion to instruct the conferees not to raise the debt ceiling, every Democrat in this body would vote against it. It would be defeated. And even if it were passed, it would be nonbinding on the conferees.

No one should be confused. What the Democrats want is to raise the debt ceiling. And they want to do it using 50 votes, ignoring the views of the minority, and doing nothing to fix the problem.

Accordingly, I object.

Mrs. MURRAY. I make my unanimous consent request.

The PRESIDING OFFICER. Is there objection to the original request?

Objection is heard.

The Senator from Colorado.

Mr. BENNET. Mr. President, I was here to talk about immigration, and that is what I will talk about. But I have been caught in a crossfire on this subject, and I want to say my view is this is exactly what people hate about Washington, DC. It is exactly why we have a 10-percent approval rating.

For 4 years I went to townhall meetings and was asked over and over and over: Why don't the Democrats in the Senate pass a budget? Which I think is a very legitimate question. We got a new Chair of the Budget Committee and we passed a budget after 4 years, and now we are told we can't go to conference to have a discussion with House Republicans about what our budget ought to look like.

I actually disagree with the Senator from Texas, I have to say respectfully, on the merits of this issue; that is to say, on the debt ceiling itself. This is the reason I think folks in Colorado can't stand this place. There is not a mayor in my State, whether they are a Republican or a Democrat or a tea party mayor, not one—not one who would threaten the credit rating of their community for politics. Not one. We would run them out on a rail, because that is not the way you do business. The credit rating of a community is the most important thing it has. The full faith and credit of the United States of America—which until the last debt ceiling discussion had never been questioned—was questioned for the first time in our history; not because of the size of our debt—which, by the way, I have spent 4 years trying to work on because I believe it is a very severe problem we face, and I look forward to working with the Senator from Texas on this issue—but because of the political dysfunction in DC. That is why we got this downgrade.

The Senator from Alabama, who has left the floor, was talking about the restatement of our GDP numbers in the first quarter. I worry a lot about that. The people I represent are not concerned with the procedural stuff that goes on here. What they are worried about is an economy they are living in day after day after day where, even in periods of economic growth, median family income is falling, middle-class families are falling behind. They are worried about an economy where they are earning less at the end of the decade than they were at the beginning, but their cost of higher education continues to escalate, their cost of health care continues to escalate. As individuals, as families, and as members of a generation, they are worried we are going to be the first generation of Coloradans and Americans to leave less opportunity and not more to the people who are coming after us.

Mr. CRUZ. Would the Senator yield for a question?

Mr. BENNET. I wish to finish my statement, and then I will gladly yield for a question.

I was glad to hear the Senator from Alabama. He and I disagree on the immigration bill, but we certainly agree on the issue of the concern all of us have about this economy—or most of us have about this economy. It is one of the reasons we should pass this immigration bill. The Congressional Budget Office tells us we would see 3 additional points of GDP increase in the first 10 years, 5 over the two 10-year windows, if we pass the bill.

To the point about American jobs, I was very glad to hear him say he was not talking about the 11 million people who are here because most of the 11 million people who are here are working. But they are working in a shadow economy, a cash economy, under circumstances where they can be exploited. We have allowed that to happen because of the broken immigration system we have. If all you cared about—and I deeply care about it—was raising wages for the American worker, you would want to bring those 11 million people out of that shadow economy. You would want them paid in something other than cash, and you would want them, for heaven's sake, paying taxes at a time when we have the kinds of deficit problems the Senator from Texas is describing.

The Senator also talked about the future flow of immigrants. I should say I was part of the bipartisan group. This is not a partisan bill, this immigration bill. There were eight of us. Four Republicans and four Democrats worked together on this bill, and one of the things we thought hard about was the future flow of immigrants to this country because generation after generation of Americans, since the founding of our country, has relied on new immigrants to bring their ideas, to bring their talents, to bring their energies to our shores to build their businesses here.

Today what we are saying to people—even people who get college degrees in the United States, degrees that we subsidize, that we pay for—even to those people, we are saying: Don't stay here. Even if you want to stay here, please go home to China and start your business there. Go home to India and compete with us there. Hire people there instead of creating jobs here in the United States.

We are a nation of immigrants. We subscribe to the rule of law. This bill is a ratification of those two American ideals—ideals that you can almost not find in any other country in the world.

That is why I am so glad that for once this body is actually acting in a bipartisan way to deal with not an easy problem but a tough problem. I will tell you the kids who are visiting today from 4-H all across the country and from my State of Colorado actually are expecting us to do these hard things, as our parents and grandparents did before them, so we don't leave them in the lurch.

That is what is at stake. That is why I wish we could find a way past this budget impasse as well so we actually could start to have a responsible conversation about what we are going to do on the entitlement side and on the revenue side, so we do not continue to hack away at domestic discretionary spending in ways that could lead us, with some of the House proposals, to invest only 4 percent of the revenue we collect in the future—4 percent in transportation and agriculture and education. There is not a business in this country that would last a year if it invested 4 percent of its cash flow in the future of that business.

At some point we have to move beyond where we have been here and actually get into a serious discussion about how we are going to manage this debt down over the next decade or two in ways that do not prevent us from growing our economy and in ways that do not subject our children to unpaid bills. It would be as if I went to the mortgage lender on my house and I said: I would like to buy a house, and I am going to take out a mortgage, and then I am going to give it to my kids to carry for me instead of paying for it myself. That is the position we are in today. The only way we are going to solve that is if Democrats and Republicans can sit down together and actually move past the talking points.

With that, I will yield for a question.

Mr. CRUZ. If I may ask my friend two questions on the two topics he addressed, the first being the debt ceiling, the second being immigration. On the debt ceiling, the question I will ask is, Does my friend from Colorado believe Congress should continue raising the debt ceiling in perpetuity, with no changes and no preconditions, and should the Senate be able to do so with just 50 votes?

Mr. BENNET. Here is how I answer that. I appreciate the question. Through the Chair to the Senator from Texas, it is clear that this is not going to get us anywhere, this procedural fight the two of you are having every couple of weeks. I think that is clear. I think it is clear that the debt ceiling is something that has been raised time and time again by Republicans and by Democratic Presidents over the years. I think it is also clear that we have to deal with our debt and our deficit. I believe that. But for myself, I don't feel like I would come to the floor and say that I am only going to allow this bill to go to conference with the Republicans in the House if all the money comes to Colorado—or some other stipulation I would want that 99 other Senators would not agree with.

The second thing is that I think it is important for people to understand that this issue—again, I am not in any way trivializing the issues around our deficit and our debt. I want the Senator from Texas—I hope he understands that. I hope he knows that about me. But I worry about the debt ceiling as a tool for accomplishing this, first for the reasons that have to do with our credit rating but also because there is a view among some that the debt ceiling is about bills we are going to incur as opposed to the ones we already have incurred.

In other words, it would be one thing if somebody said: I am spending too much money and I am going to cut up my credit card, and that is what they would do, but that is not what the debt ceiling is about. What the debt ceiling is about is somebody saying: You know what, I want the best cable package I can find, I want the best satellite package I can find, and when the bill comes to pay for it, I am just going to chop it up into little pieces and not pay it. That is what I don't like about this approach.

But everybody is entitled to their own approach on this question. I just wish we could move forward here instead of continuing to earn the 10-percent approval rating Congress has. That is all I am asking for.

Mr. CRUZ. Will the Senator yield for an additional question at that point?

Mr. BENNET. Sure.

Mr. CRUZ. I like and agree with his analogy about cutting up a credit card. Indeed, if my friend from Colorado supports anything resembling Congress cutting up the credit card, that will truly be a dramatic position, a position on which he and I could find common cause.

Mr. BENNET. May I.

Mr. CRUZ. If I can ask the question. I ask, the natural results of what my friend from Colorado just said are that I assume, then, that he would readily support PAT TOOMEY's Default Prevention Act? What PAT TOOMEY's Default Prevention Act does is it ensures what the Senator said—money that we borrowed we will keep paying. It says that in the event the credit limit is not raised, the United States will always, always, always pay its debt. We will never, ever, ever default on the debt, and we will take that completely off the table. Then the debt limit fight would only be about, as my friend from Colorado put it, cutting up the credit card for future spending.

Would my friend from Colorado support the Default Prevention Act of PAT TOOMEY, making it impossible—taking default off the table permanently?

Mr. BENNET. I say through the Chair to my friend from Texas, I have not read the bill, but I will read the bill. I commit to him that I will do that.

I appreciate the implication of this, which is that the Senator is not objecting to my metaphor about the cable bill being cut up, because I do think that is a real problem.

We are not saying to people—we should not be saying to people that we are going to behave in an irresponsible way. As somebody who used to spend his time restructuring companies that were really well run, really well operated but had horrible balance sheets, I would have to think hard about the treatment that creditors would provide to, in this case, the U.S. Government when I look at that. I will look at that.

I say to the Senator from Texas that there are other things we might even be able to agree on too around here. For a long time I have thought it would be important for us to put health care on a budget in this country. We are not on a budget. During the health care debate I had an amendment called the fail-safe amendment that would say to the American people and to the Congress: This is what we have to spend on health care. That is all there is. There is not any more. We have to manage toward that. If we failed, if we tripped over it, we would actually have to make cuts, make changes to our system of health care.

We spend twice as much as any other industrialized country in the world, and it is crowding out a lot of other things that the 4–H kids and others whom I worry about care about.

So I think there is much we can work on, but I just don't think we are going to get to it through this kind of discussion. We might get to it through this kind of discussion.

In any event, I will commit to the Senator from Texas that I am going to sit down and stop talking about what he said.

Mr. CRUZ. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BENNET. Mr. President, there is no one else on the floor. I thought I would take the opportunity to talk again a little bit about our immigration bill. This has been such a gratifying process to me because it has been bipartisan from the start. In fact, I have been telling people that it is not

even that it has been bipartisan, it has been nonpartisan. The work on the Gang of 8, which led to work in the Judiciary Committee, which led to work on the floor is the way this place ought to operate on a whole host of issues, from energy—the Presiding Officer cares a lot about that—to infrastructure, to the budget issues I was just talking about with the Senator from Texas.

It is important for people to know that this is a bipartisan bill because I think people are fed up with the partisanship in this town, and they do not believe it reflects the way they live their lives. There is a reason for that. It does not. This place is decoupled from the lives of ordinary American people, and this is an effort—among others, hopefully—to recouple those priorities.

I have been interested in the objections to the immigration bill since the beginning. First there was the objection that it was actually going to drive up our deficit. Not surprisingly, we learned from the Congressional Budget Office that this bill actually would create the most significant deficit reduction of any piece of legislation we considered here, certainly that we passed here—$197 billion in the first 10 years, $700 billion in the second 10 years. Even in Washington, $1 trillion is still a lot of money. That is what we heard, both because people now not paying taxes would be paying taxes and also because of the economic growth that would be generated if we could restore the rule of law to our immigration system and to this economy. That was an objection. That objection was answered—not by me but by the nonpartisan Congressional Budget Office.

The second objection was that the legislation was not going to get a fair airing, that it was going to be rushed through in the dead of night. I don't like doing work that way.

There were eight ''no'' votes on the fiscal cliff deal at the end of the year, and I was one of those ''no'' votes, one of three Democrats who voted no not largely but partly because it had not had any process and it was in the middle of the night. This bill, by contrast, had 7 months of negotiations among four Democrats and four Republicans. It had 3 weeks to go through the Judiciary Committee, a markup that had 160-some amendments, many of which were accepted. Forty-one Republican amendments were accepted to this bill. It came to the floor for the debate we have had over the last few weeks.

I realize the amendment process is jammed up, and I am sorry about that because I think people ought to be able—including the Presiding Officer—to offer the wise amendments they have and the not-so-wise amendments they have, at least in my opinion. But there certainly has been an open process for this bill. Sometimes I have heard people say, well, it is just like health care all over again. I was here during the health care bill, and I can say this process looks nothing like that process.

There is a third objection from some who say there is no border security in this bill. First of all, that wasn't even true of the Gang of 8 bill. We had substantial border security, and as my lead, I was taking what JOHN MCCAIN and JEFF FLAKE—both Senators from Arizona—said was important. They are two Senators who have a border State, and they have been working hard to resolve these issues in our group. We made a substantial investment in that bill for border security and technology. Even fencing was included in that bill.

I think it is a reasonable expectation—not of Republicans but of the American people—that our border should be secure. Certainly the people in Colorado believe our border should be secure. So when Senators came and said: We would like to vote for this bill, but we would like to do more on border security, not only was I open to that, I supported that. The bill before us has incredibly substantial border security. There are 700 more miles of fencing. We doubled the number of Border Patrol agents on the border.

One of the Senators said to me that we are at a point now where there is a Border Patrol agent every 1,000 feet on the southern border. One might ask whether that is a wise use of resources, but it was important for some people to have that before they would sign on to this bill. So I don't think any reasonable person looking at this could say border security has not been addressed.

So what are the objections to moving forward? We have heard people say: Well, it is the path to citizenship or we don't like that part of the bill. That was a core principle for the four Democrats and four Republicans who started this negotiation, and it has been a core principle for a lot of people who voted for this bill. A very important reason to pass this legislation is to resolve the situation for the 11 million people who are here illegally. The pathway to citizenship is the right way to do it.

This is not amnesty. This has to be earned. People have to pay a fine. People have to learn English for the first time in our history. People have to pay their taxes. It takes 10 years to get a green card, then 3 years after that. They have to pass background checks all along the way so we know who the people are we want to stay in this country and who the people are we want to leave this country.

I see the Senator from Louisiana is here, so I will wrap up. To my friends who think some lawful status that doesn't include a pathway to citizenship is useful to this country, I ask them to look at countries all around the world that have created a subclass of people—not even citizens, just a subclass of people—who have no attachment to their culture, no feeling they are ever going to participate in their civic or political institutions or meaningfully in their economy, no chance to believe their children or the children after them are actually going to make those contributions as well, and ask: Does that look like the United States of America to you?

That is not what the Founders had in mind. We hear a lot of cheap talk about the Founders around here these days. That is not what the Founders had in mind when they wrote into the Constitution that it was our responsibility as a body to deal with immigration.

So I hope people will consider that objection, take a look at the Senate bill, and will, hopefully, support it.

With that, I know the Senator from Louisiana was scheduled to speak, so I will yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I am here to speak about an amendment I have filed on this immigration bill that I have been working hard to get a vote on. It is certainly not the only amendment I filed, but it is a top priority. My amendment is the violence against women and children amendment, amendment No. 1330.

We have heard a lot of promises and a lot of rhetoric on this issue from many people, including the Gang of 8. What I have found distressing, as I have actually gotten to read the bill—and let's always remember one of the great lessons of ObamaCare was to read the bill before we vote—is that the details and exact language does not match a lot of the rhetoric.

One of the earliest and most important promises by the Gang of 8 was that in this amnesty process folks who were guilty of serious crimes would not be eligible for citizenship; in fact, they would be deported. That is why the bipartisan framework for comprehensive immigration reform that the Gang of 8 released in January of this year said:

> Individuals with a serious criminal background or others who pose a threat to our national security will be ineligible for legal status and subject to deportation. Illegal immigrants who have committed serious crimes face immediate deportation.

We can all agree with that. The problem is the details in the text of the bill do not agree with that because it does not include several serious offenses, particularly against women and children.

My amendment is simple. It is to beef up and strengthen this part of the bill by including the Violence Against Women Act offenses as crimes, which would disqualify someone from being granted amnesty and would trigger immediate deportation. These include serious, violent crimes such as sexual assault, stalking, domestic violence, sex

trafficking, dating violence, child abuse and neglect, as well as elder abuse. It is specifically Violence Against Women Act offenses. These are serious, violent crimes against some of the most vulnerable people in our society. In my opinion those offenses should clearly be disqualifiers. So that is what the amendment would do.

Now, VAWA, which we debated and voted on a few months ago, has widespread bipartisan support. More than 200 national organizations and more than 500 State and local organizations expressed support for that bill. A great majority of Senators voted for it. I voted for it. So we should certainly follow up on that rhetoric and that vote by making sure these serious offenses in the Violence Against Women Act are disqualifiers to amnesty in the immigration bill.

This is not my only amendment, and not getting a vote for this amendment so far is a frustration. It is a frustration for a lot of us with regard to a lot of amendments. This immigration debate is enormously important. This bill is enormously long. It is well over 1,000 pages. So far we have had 10 rollcall votes on amendments—10, period. That is one amendment per—I don't know—120, 130 pages. That is ludicrous, and that is not the full, robust amendment process we were promised for months and months by both the majority leader and the Gang of 8.

I hope I can get a vote on this amendment, and I also want and expect a vote on the other amendments I filed. I have many amendments, but I have narrowed that list down.

So, with that, Mr. President, I ask unanimous consent that my Violence Against Women and Children amendment No. 1330 be made pending and eligible for a vote.

The PRESIDING OFFICER. Is there objection?

The Senator from Colorado.

Mr. BENNET. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. VITTER. In closing, I find that very disheartening. This is a big subject. I agree with the proponents of the bill when they say this is a big problem that needs fixing. It has been on the Senate floor for 3 weeks. The bill is well over 1,000 pages long, and we need more opportunity for serious debate and amendments than we have gotten.

As soon as a path to passage was identified late last week—as soon as that happened, the amendment process was basically shut down. It continues to be shut down today. The important amendment I have brought to the floor that has been denied a vote is an example of that. I find it very regrettable.

I yield the floor.

Mr. BENNET. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COLLEGE EDUCATION COST

Mr. SANDERS. Mr. President, we have a major crisis in our country today in terms of the high cost of a college education, and in addition to that the incredible debt burden college students and their families are facing. This is a major problem in Vermont, and it is a major problem for every State in our country.

The job of the Senate is to understand that crisis, improve the situation, lessen the burden on students and their families, and not to make the situation worse than it is today. At a time when we need the best educated workforce in the world, hundreds of thousands of bright, young Americans who are qualified to pursue a higher education—who want to pursue a higher education—do not go to college, and they do not go to college for one very simple reason: They cannot afford to go to college.

According to a Pew study of 18- to 34-year-olds who have not completed college, 48 percent say they cannot afford to do so. Higher education for middle-class families and working-class families is simply too expensive, and this is an issue we must address.

What does it say about our country when hundreds and hundreds of thousands of young people who want to contribute and do more with their lives cannot get the education they need? In many cases it deprives them from making it into the middle class, and it denies this Nation the intellectual capabilities they have.

Further, millions of young people who graduate college are saddled with an incredible debt burden which radically impacts their lives. In America today, the average debt for a college graduate is over $27,000 in my State of Vermont. It is about $28,000. That is the average. That means there are many young people who have more debt. For those who go to graduate school or medical school or dental school, the debt can be many times higher. Last year I talked to two young dentists in the State of Vermont. They are in debt to the tune of over $200,000 for the crime of having gone to dental school.

This horrendous debt burden impacts the lives of young people in many ways. It can determine—and this is a hugely important issue—the profession they choose to enter. How can a person become a teacher, a childcare worker, a legal aid attorney or even a primary care physician if the salary a person earns will not enable them to pay off their debt and take care of the obligations they face? In other words, this debt is forcing many young people into professions which are not necessarily their love. It is not what they wanted to do; it is what they have to do in order to earn money to pay off their debts. This crushing debt burden determines where many young people will live and whether they can even afford to buy a home. How does a person go out and buy a home if they are spending 20 or 25 percent of their income paying off their student debt? This debt burden on our young people even determines, in some cases, whether they get married and have kids.

The higher education debt burden the American people are now carrying at $1.1 trillion is now higher than our credit card debt and is having a significant impact upon our economy. In fact, the Federal Reserve and the Department of Treasury have both issued warnings that high levels of student loan debt could drive down consumer demand and have a negative impact on economic growth. In other words, if a person is spending all their money paying off debt, they are not buying goods or services. So this high level of student loan debt is having a negative impact on our overall economy.

According to a report released by the New York Fed—and this is important for people to hear—student loan debt has nearly tripled since 2004. In less than 10 years it has nearly tripled. Total student loan debt in the United States now exceeds $1.1 trillion. The average student loan balance has increased 70 percent since 2004.

If we do not act immediately, the subsidized Stafford Loan Program will see a doubling of interest rates on July 1, a few days from now. Let me repeat: If Congress does not act immediately, within the next few days, the subsidized Stafford Loan Program will see a doubling of interest rates on July 1. The rates will rise from 3.4 percent to 6.8 percent for subsidized Stafford loans. This would be a disaster for millions of students and their families all over our Nation. We must not allow that to happen. At the very least, we must immediately pass legislation that extends interest rates at 3.4 percent for several more years on the Stafford Loan Program. Meanwhile, as part of higher education legislation, we must begin work on a long-term solution that guarantees the students of this country will be able to attend college and graduate school and not be burdened with suffocating debts.

As we contemplate long-term new policy on student loans, one thing we should be very clear about: The Federal Government should not be making a huge profit off the needs of low-income and working families who utilize the Stafford Loan Program. That is simply wrong. In fact, that is what we are doing today.

According to the Congressional Budget Office, the Federal Government

makes a substantial profit from student loans. For loans made this year, in 2013 alone, that profit is expected to exceed $50 billion, and this is higher than the profits made by ExxonMobil, the most profitable company on Earth. As I hear every day on the floor of the Senate, we are reminded we live in a competitive global economy. I hear every day from my colleagues that the United States is not doing all we can do in terms of educating our young people in such areas as science, engineering, technology, and math. In fact, in the immigration bill we are debating, there is an effort to bring hundreds of thousands of workers from abroad, presumably because we do not have enough workers who are knowledgeable in terms of engineering, science, math, and other technologies. What sense does it make if we are doing a bad job now in educating our young people in general, and specifically in the STEM areas, that we make it harder for kids to get a college education? What sense does that make?

I should mention that countries all over the world understand this point, and they are doing a much better job than we are of investing in their young people in general and specifically in higher education. According to a report released just yesterday by the OECD, the United States was one of the few advanced countries in the world that did not increase its public investment in education. In fact, the vast majority of advanced nations do everything possible, and a lot better job than we do, to make higher education more affordable for all of their students.

A couple weeks ago I had the Ambassador from Denmark coming to the State of Vermont to talk about what goes on in Denmark. People asked him: How much does it cost to go to college in Denmark? The answer was: Nothing, not a penny out of your pocket. It is paid for out of the tax base. In fact, students there get a stipend.

But Denmark is not the only country which makes sure all of their kids can get a higher education, a graduate school education, a medical school education, while not having to pay for it out of their own pocket. Austria, Finland, Norway, Scotland, and Sweden also do the same. In Canada, which is an hour away from where I live, average annual tuition fees were $4,288 in 2010, roughly half of what they were in the United States. Yet the OECD says Canada is one of the most expensive countries for a student to go to college—half the cost of where we are. Germany is in the process of phasing out all tuition fees. Even when German universities did charge tuition, it was roughly $1,300 per student.

Here is the bottom line: All over this country, students and their families are facing crushing debt, radically impacting their lives and the choices they make. There are some in the Senate who say: Yes, that is pretty bad. How can we make it even worse? How can we raise interest rates for our kids and make it harder for them to go to college and make sure when they get out of college they are deeply in debt?

I say: No, I think that is absurd.

I remind my colleagues that when Wall Street banks borrow money—do my colleagues know what they are getting it for today? They are getting it for less than 1 percent—three-quarters of 1 percent. We are talking about families having to spend 6 percent, 7 percent, 8 percent, 9 percent in order to send their kids to college, to help our country, to make it into the middle class. That is absurd. We have to understand that a well-educated population is perhaps the most important thing we need as a nation if we are going to survive in a highly competitive global economy.

Let me conclude by saying this: This Congress has to act and act immediately to prevent the disaster we are looking at from happening; that is, the doubling of interest rates on the Stafford Loan Program, which will go from 3.4 percent to 6.8 percent on July 1. Short term, we have to extend the 3.4-percent interest rate. Long term, we need to make certain every kid in this country, regardless of income, can go to college and leave school without a crushing financial debt.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Mr. President, I am here today on the immigration bill, but I wish to thank the Senator from Vermont for bringing our attention to this very serious issue. It is a little bit of a variation on a theme today about trying to reconnect the priorities of the American people—frankly, whether they are Republicans or Democrats or anybody else—and this place, which has become totally disconnected. I wish to say through the Chair to the Senator from Vermont how on point he is.

The people I represent care about the fact that they are living in an economy that even when it grows—I was talking about this a little bit earlier—it is not producing sufficient jobs and it is not driving up income. That is what they are concerned about. The student debt crisis the Senator speaks about, where it tripled over the last 10 years, is a huge part of this story. It is a significant part, because if a family's income is going down but the cost of higher education is skyrocketing—by the way, at the same time the cost of health care is skyrocketing—it makes it very hard to get ahead. People are desperately worried, as I said earlier, that we are going to be the first generation of Americans to leave less opportunity, not more, to our kids and grandkids.

But there is another issue as well, which is today, in the 21st century in this country, if a person is born and living in poverty, their chances of getting a college degree or the equivalent of a college degree are 9 in 100—9 in 100. For the folks in the Chamber, for the pages who are here today, we have 100 chairs, 100 desks in the Senate. If these desks represented poor children living in this country instead of Senators, those four desks in the front row and four at that end right there, and another one, those are the only folks who would be getting a college degree. Ninety-one other people in this Chamber would be constrained to the margin of this economy and a margin of our democracy from the outset.

Matters are getting worse, not better. We led the world in the production of college graduates when George Bush—this is not a partisan observation, it is a temporal one—when George Bush, the son, became President. We led the world. Let me tell the young people who are here today, 13 years later, we are 16th in the world in the production of college graduates. Because of our inability to come together and figure out how to deal comprehensively over time in a thoughtful way with the fact that we don't want to stick our kids with this debt we have acquired—which we need to do; we are just hacking away at domestic discretionary spending for higher education, for K–12 education, for agriculture, for infrastructure.

Some of these budgets we have considered—we have not passed them here; they passed them over in the House—would invest only 4 percent of our revenue, 4 percent of the revenue we collect, in the future of this country. Ninety-six percent on something else is not going to get the job done.

On an issue such as this, where our students are saying: How do you at least not make matters worse, we ought to be able to come together in a bipartisan way and solve this problem.

I thank the Senator from Vermont for coming to the floor to focus our attention on something the American people actually care about.

Mr. SANDERS. I thank the Senator.

Mr. BENNET. With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COONS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I want to give my colleagues a point of view on the immigration bill before the Senate from somebody other than a Senator.

In the weekend Des Moines Register, there was an article called ''Another View: Immigration reform plan adds

disorder to a failing system'' by Mark H. Metcalf, who had been an immigration judge and now is a county attorney in the State of Kentucky.

I am quoting:

The most recent push for immigration reform is compelling. True to our heritage of inclusion, it succeeds. False to our tradition of rule of law, it fails.

For any law to forge consensus, it must appeal to both fairness and common sense. The measure now on the U.S. Senate floor fails this litmus.

What is sold as a means to simplify and dignify one of our most important national institutions—immigration and naturalization—mandates complexity and much of the same disorder that got us where we are today. The bill's neglect of an effective court system only aggravates this disorder.

America's immigration courts are weak, and this latest measure keeps them that way. Put simply, immigration courts cannot impose order. Few aliens ordered removed after years of litigation are ever deported.

Edward Grant, a senior immigration appeals judge, noted this impasse in 2006.

Then he quotes Edward Grant: ''All should be troubled that only a small fraction of [deportation orders] . . . is actually executed.''

And he was right. A 2003 Justice Department report found only 3 percent of aliens free during trial were actually removed after courts ruled against them. Those who deserve relief fare just as poorly.

By last count, more than 330,000 cases were backlogged. This historic dysfunction offers a glimpse of things to come if the current version of reform passes.

The cause of this dysfunction is simple. Immigration courts have no authority over immigration enforcement agencies. Unlike federal district courts that have U.S. marshals, among others, to execute their orders, federal immigration courts have no such muscle.

Numbers tell the story.

Some 11 million illegal aliens now live in the U.S. Visa overstayers—those who entered America legally and then refused to leave—comprise 40 percent of this total. The rest crossed unguarded borders and entered illegally. Both groups brought children with them. From these two populations, 1.2 million deportation orders remain unexecuted.

The immigration courts observed this dysfunction first hand. From 1996 through 2012, the U.S. permitted some 2.2 million aliens to remain free before trial. Nearly 900,000 of these individuals—39 percent of the total—skipped court and disappeared.

In the shadow of 9/11, things were even worse. From 2002 through 2006, half of all aliens free awaiting trial vanished. Nothing in the details now being debated addresses this systemic defect, and continued neglect will only diminish public support for worthy initiatives intended to elevate the foreign-born.

Fine improvements dot the present legislation. Enhancements that protect lawful American workers, recruitment of the highly skilled into our tech-driven economy, and real-time tracking of visa holders into and out of ports of entry provide overdue fixes.

Emphasis on border security demonstrates a seriousness absent from earlier proposals. Those illegally brought to the U.S. as children—better known as ''Dreamers''—earn tracks to citizenship incentivized through higher education and military service.

Now, let me editorialize here. There are two paragraphs where he says good things about this legislation. I do not necessarily agree with a couple of those points.

Now continuing to quote:

Some reworking is needed; but this value-added approach appeals to our better instincts as a nation. Problems persist, though, in that essential mechanism upon which a rule of law nation depends: effective courts.

While the bill authorizes 225 new judges, judicial authority declines. Deportation orders are further enfeebled. Aliens deported from the U.S. may apply to come back, and the thousands who skipped court can request a waiver—and get in line with the many who played by the rules.

Fraud is enabled. Courts and immigration agencies alike will be required to accept—without independent verification—aliens' claims to work and residency that make them eligible for the path to citizenship.

Constitutional protections are turned upside down.

Here I editorialize. Listen to this on how our laws are turned upside down. Continuing to quote:

Aliens in civil deportation proceedings will receive counsel on demand, while citizens receive counsel only when facing criminal charges and only after proving they are indigent.

So again editorializing, it gives more constitutional rights and more legal counsel than the common criminal in this country might get.

Order is subverted. Even felons who are subject to deportation may seek injunctions that allow them to remain in the U.S. In the end, courts that spent years deciding the cases of those who should be removed will see their orders overturned by waivers that mock the judicial process.

America's immigration courts express fundamental confidence in those who embrace our shores and the redemptive power of our democracy. For the immigrant in particular, they reveal the beginnings of accountability that are a surety of our exceptionalism.

But ignored by administrations both Republican and Democrat, these courts have ceased to do the critical work for which they were created—to definitively decide the claims of those who ask to join our nation and see that those decisions are impartially enforced.

So now, instead of debating how we extend the great prize of American citizenship to more of the world's bright and talented, Congress argues whether felons should be deported. This is the small-ball politics that has sabotaged public confidence in immigration. It shows how far we have fallen both in the mission of these special courts and with immigration in general.

Courts without authority cannot provide order. Even less can they assure liberty.

Only independent and empowered courts are an equal match for the certain risks and superior opportunities that American immigration offers. History proves them not just a priceless check against tyranny, but also an effective antidote for drifting government agencies that delay relief to the deserving and deny sanction to the offender.

Such courts are a necessary complement to immigration reform that is inclusive, accountable and commands consensus.

That is the end of the article in the Des Moines Register by this former immigration judge, Mark H. Metcalf.

I thank my colleagues for listening to this, and I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, I rise today to discuss S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act.

From the very beginning of this debate, I have said that our Nation needs immigration reform. I have also urged Senate leadership to ensure that the Senate has ample opportunity to debate this bill, amend it, and take the hard votes necessary to make the bill as good as it can be. To ignore this problem and to do nothing to change the status quo would be a disservice to the American people and a great detriment to our country.

I have also said throughout this process that in order to enact meaningful, comprehensive immigration reform we have to strengthen border security. It is true that the border security portion of the underlying bill needed significant improvement. Through the hard work and negotiations led by my colleagues Senator HOEVEN and Senator CORKER the border security portion of this legislation has been addressed, and for that reason I can support this bill.

The Hoeven-Corker amendment, which I cosponsored, adds 20,000 additional Border Patrol agents to the southern border. It requires twice the original amount of fencing along the border—700 miles total, to be exact—and requires the Department of Homeland Security to implement a border fencing strategy to help ensure that the fence is an effective deterrent. It also mandates that the E-Verify system be fully implemented before any registered provisional immigrant can adjust their status. This will help make sure businesses have a safe and legal workforce. And the amendment requires an electronic entry-exit system at all international air and sea ports of entry where U.S. Customs and Border Protection officers are currently deployed.

By increasing and enhancing security efforts at our borders, by using new technology that will allow us to better monitor activities at our borders, we will ensure that those who are here are here lawfully and that they have the opportunity to thrive and succeed, just like many generations of American immigrants have done.

To do nothing now amounts to de facto amnesty for 11 million people who are already here illegally. We must take action to prevent further unlawful entry. The current system is backward, and it is broken.

This legislation represents a product of many long hours of debate, discussion, and deliberation in this body. It addresses a problem in our country that requires dramatic change and meaningful reform. While this bill is just one step in the process, it is a step

in the right direction. It takes into consideration the necessity of securing America's borders, while encouraging the lawful immigration of those who would come to our shores to contribute to America's greatness, as immigrants have done since our Nation's founding.

In the past, attempts to reform our immigration system failed due to a process that was neither transparent nor fair.

But from the Judiciary Committee proceedings to today, the Senate has had ample opportunity to debate this legislation and amend it. As a result, we have a bill where the good far outweighs the bad. With this legislation, we can address the 11 million undocumented individuals living in the country under de facto amnesty. We can finally secure our borders and stop more people from living here illegally. We can fix a system that has been broken for decades once and for all.

We can continue to maintain the smartest, hardest working, most creative workforce in the world. Fighting for what you believe in and working with Members from both sides of the aisle does not mean you are turning your back on your principles. Democrats and Republicans can find ways to work together and pass legislation this great Nation deserves. Republicans can do so and still stay true to their conservative principles.

No question, this has been a contentious debate. My constituents feel strongly about this issue on both sides of the spectrum. Some reporters in Nevada like to harp on the fact that my work to find a solution between Democrats and Republicans has been politically motivated. One such reporter even resorted to describing my actions in racially insensitive terms.

The bottom line: The easy thing to do politically is nothing. The harder choice is to govern. We must remember that long before America was the great Nation we are today, before we were the world's greatest economy, a military superpower, a global champion for democracy that has forever changed human history, America was merely an idea. America began as an idea in the hearts and minds of a persecuted minority that longed for freedom and the opportunity to decide for themselves what their destiny would be. That idea was brought here by immigrants who crossed the oceans and devoted themselves to the formation of a free society unlike any the world had ever known.

America has always been a Nation of immigrants. That heritage is one of the defining aspects of our national success story. When I think about a true American immigrant success story, I think about one of my constituents back home, Mr. Carlos Pereira. Carlos came to America from Peru in the 1990s. He and his wife Kathia set out to build their very own bakery. But they wanted to build more than a bakery, they wanted to build a new life for themselves and for their children. They did just that. They built a bakery with their bare hands. They laid the bricks and hammered the nails, and after a lot of long nights and hard work, they built Bon Breads in Las Vegas. Today, their company is a world renowned, internationally respected enterprise, and their products are used by chefs and restaurants all over the world. Bon Breads is responsible for creating hundreds of jobs in Nevada, and is a perfect example of what our immigration system should encourage.

Carlos' hard work, dedication, and perseverance allowed him and his business to succeed in a way that would be impossible in many other countries today. I have three naturalized citizens on my staff about whom I can say the exact same thing. That is a true immigrant success story. That is the kind of potential we can unlock by fixing what is broken with our current system.

We can improve our economy, create jobs, and strengthen our Nation as a whole with this immigration reform bill or we can choose to protect the status quo, do nothing to fix the overall problem. This bill is a step forward toward much-needed reform to our immigration system. It is true to the American idea that has defined our Nation since its founding, the idea that is inscribed on the Statue of Liberty, welcoming the tired, the poor, and the huddled masses, yearning to breathe free.

Former Secretary of State Condoleezza Rice made a profound statement recently, that in America it does not matter where you came from, it only matters where you are going. Our immigration laws should embody that principle and enable good hard-working people to come here, study hard, start businesses, raise families, and contribute as productive citizens. The bill before us is a good step toward preserving that idea.

I urge my colleagues to join me in supporting this immigration reform bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that after the Senator from Massachusetts makes his remarks that Senator GRASSLEY be recognized, then I be recognized after him, and then Senator KAINE, those four in that order.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Colorado.

Mr. BENNET. Mr. President, I know the Senator from Massachusetts is here, and I look forward to hearing his farewell. Before he does, I wanted to say thank you to the Senator from Nevada for his work on this bill, for getting us to a bipartisan result, for helping us grow the vote, and for the statement he made about surely not one of us would have written the bill exactly the way it is written. But there is much more that is good about this bill than not. I am grateful for his support. I thank the Senator.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. COWAN. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

FAREWELL TO THE SENATE

Mr. COWAN. Mr. President, I rise today in my final full work week and not yet 150 days into my Senate career, yet at the precipice of the close of that career. On January 30 of this year, Governor Deval Patrick sent me to this Chamber to represent the people of Massachusetts and their interests.

Yesterday, on June 25, those same people took to the voting booth and called me home. In doing so, they called Senator-elect ED MARKEY to the high honor of serving this august body. After 37 distinguished years in the House, Senator-elect MARKEY now has this opportunity to offer his voice, wisdom, accumulated experiences, humor, esprit de corps, and tireless commitment to justice and equality to the Senate. I, for one, believe that Massachusetts and the country will be better for it. Like a majority of Massachusetts voters who expressed themselves yesterday, I am quite confident Senator-elect MARKEY will serve with distinction and act in the best interests of the citizens he is now privileged to represent.

The Senator-elect bested a strong candidate who brought a new voice and, yes, a new visage to the Massachusetts political scene. I applaud Gabriel Gomez on a well-run campaign and, most importantly, his willingness to sacrifice so much in an effort to serve the people of the Commonwealth. He started this journey as a relative unknown, but I suspect we have not heard the last of Mr. Gomez. I thank him and his family for their sacrifices and their willingness to engage.

When it comes to farewell speeches, few will top the words offered by John Kerry on this floor a few months ago. After 28 years of distinguished service to the people of Massachusetts, now-Secretary Kerry spent nearly an hour reflecting on his service to this body. By the same measure, as merely an interim Senator serving but a few short months, I probably should have ended my remarks about 45 seconds ago. But before I yield, I will take a few minutes to reflect on my brief time in this body and extend my gratitude to a number of folks.

First, I want to acknowledge and recognize the outstanding staff members in Boston and DC who have helped me serve our constituents to the best of

my ability. When Governor Patrick named me as interim Senator, a few people—okay, more than a few—openly questioned whether I would be up to the task and whether I was capable of accomplishing anything other than locating the lavatory during my temporary assignment. But I knew something those doubters did not know. I knew I was going to be able to do my best for the folks back home because I came to the Senate armed with the knowledge of the issues by dint of my time in the Patrick-Murray administration. I planned to make a few key hires and convince the bulk of Secretary Kerry's Senate staff to stay on and help me do the job the Governor sent me to do. In other words, I knew what I did not know, but I knew enough to hire the people who knew the considerable rest. Boy, have they proven me a genius. If you work in the Senate but a day—and I suspect the same is true in the House of Representatives—you will learn quickly that staff make this place hum, and good staff make all the difference in the world. I hope my team will forgive me if I do not list them all by name, thereby avoiding the sin of omission, but, instead, all of the staff will accept my heartfelt appreciation for their willingness to join my team, show me the ropes, teach a new dog some old tricks, educate me on all of the rules that matter, which seem to be written nowhere, and their exhibition of degrees of professionalism and service to our country that the public too often thinks is missing in their Congress.

To my entire staff, I have been in awe at your greatness. I am forever in your debt for your immeasurable contributions to our work in the interests of Massachusetts residents. I look forward to your many successes yet to come.

To two of my team in particular, Val Young, my chief of staff, and Lauren Rich, my scheduler, who have known and worked with me for years, thank you for your continued willingness to partner with and trust in me.

If I am being honest about the people who helped me look as though I belong here, I must spend a moment or two acknowledging the wonderful women and men who comprise the Senate staff. From the Capitol Police, who protect us every day and somehow knew my name on the first day, to the subway operators who always deliver us on time and unfazed, to the elevator operators who excel in the art of cutting off reporters and their annoying questions, to the cloakroom staff who field every cloying call about voting schedules and presiding hours, to the clerks and Parliamentarians who discreetly tell you what to say and do as presiding officer while the public in the gallery silently wonders why everyone addresses you as Mr. or Madam President while sitting in that chair, to the generous food service staff who look the other way when you go back for seconds and sometimes thirds, and to so many others who are the oil that makes this engine hum, each of you has shown me such patience, support, and grace that I know your love for this institution may trump even the Members' affection for this place and will sustain the institution long after any one or all of us leave this Chamber. You are tremendous resources for every new Senator, and I suspect great comfort to even the longest serving among us. The public may not know you by name or know the importance of your work, but now I do. I have been honored to serve you.

The next folks I recognize are the youngest and most silent among us. Of course, I speak of the pages, the young women and men who spend part of a high school year dressed and acting in formal traditions of this body. I have yet to speak with an uninteresting page or a page uninterested in the Senate and our government. These are dynamic young people who could be doing so many different things with their time but they give their time and service to the Senate and its Members. They are indispensable to both. I look forward to the day when my young boys will be of age to follow in the footsteps of these outstanding young people.

Last, and by no means least, I want to thank the family and friends who supported my family and me during my short tenure. We often say it takes a village to raise a child, but I can attest it also takes a village to help an interim Senator meet his duties at Congress and at home. Whether offering me a spare bedroom in Silver Spring or agreeing to last minute babysitting duties so my wife and I both could celebrate Black History Month at the White House, our village is vast and generous. Of course, every village needs a queen. The queen of my village is my wife Stacy. I was able to serve because she was willing to be mom and dad and sacrifice in ways known and unknown while I have been in DC. Over the past few months, I have missed many homework assignments, some birthday dinners, pediatric appointments, school performances, and parent-teacher meetings, but our sons never felt their dad was absent and unaccounted for because their mom, a supermom, more than made up for my absence.

Stacy has been my rock and salvation for nearly 20 years now. I am better every day for it. Let the record show for now and all time my love and dedication to Stacy.

In January of this year I planned to leave the Deval Patrick administration and transition back into private life. I was looking forward to more conventional hours, a reprieve from working under the public scrutiny of the press, and spending more time with my wife and our young son. So I came to the Senate. Go figure.

I was surprised, but deeply honored, when Governor Patrick sent me here to represent the folks back home. I am eternally grateful to the government's faith and trust in my ability to serve. This floor on which I stand today and with which I have become so closely acquainted over the last 5 months has been occupied by some of the most dynamic and greatest political figures of our Nation's history.

From my own State of Massachusetts alone: Adams, Webster, Sumner, Saltonstall, Brooke, Kennedy, all who held a seat in the Chamber before me, are enough to make any person feel daunted when assuming a desk on this floor.

I was appointed to the Senate to fill the seat of another great Senator, John Kerry, and work alongside another great Senator, ELIZABETH WARREN.

Thank you for being here, ELIZABETH.

Although my time was short, I only sought to uphold not only Senator Kerry's legacy in this body but the work of all of the esteemed Senators who have dedicated their service to the Commonwealth of Massachusetts, and I pledged to be the best partner I could to Senator WARREN.

I entered the Senate at a vexing time in this body's history. As we all know, congressional approval levels are dismally low. People across the Nation and political pundits everywhere believe partisanship is a divide too wide to bridge and a wall too high to overcome. Yet despite the overwhelming public pessimism, I came to Washington with two achievable objectives: to serve the people of Massachusetts to the best of my ability and to work with any Senator willing to implement smart, sensible, and productive policy to advance the ideals of our Nation.

From the outside, the prospects for bipartisanship may seem slim. Party-line votes are the norm. The threat of the filibuster demands a supermajority to pass meaningful legislation. The American people have come to believe Congress is more committed to obstruction than compromise.

To the everyday observer we have reached a standstill where partisanship outweighs progress and neither side is willing to reach across the aisle for the good of the American people.

What I have encountered in the Senate is not a body defined by vitriol but one more defined by congeniality and common respect. That began before I even started here.

On the day the Governor announced my appointment, I was pleasantly surprised to receive calls on my personal cell phones—I still don't know how they got those numbers—from Senators KING, HAGAN, and CARDIN. I had the pleasure of receiving warm welcomes from Majority Leader REID and Republican Leader MCCONNELL, among so many others that first day.

One of the first persons to congratulate me after Senator WARREN and Secretary Kerry escorted me for my swearing in was my colleague from across the aisle, Senator TIM SCOTT. Since then Senator RAND PAUL and I have recounted our days at Duke and our affection for college basketball.

On a bipartisan congressional delegation to the Middle East, I traded life stories and perspectives with Senators KLOBUCHAR and HOEVEN and discussed the comedic genius of Will Ferrell with Senators GILLIBRAND and GRAHAM.

Senator PORTMAN stopped by my Commonwealth Coffee last week to wish me well as I leave the Senate. He encouraged me every day during my time here.

Senator BURR, my next-door neighbor in the Russell Building, has always been good to remind me that I came from North Carolina before I had the privilege to serve in Massachusetts.

Senator MCCAIN invited me to cosponsor my first Senate resolution.

Senator MANCHIN has shown me more kindnesses than I can count.

The freshman Senators on both sides welcomed me to their class and offered never-ending encouragement.

Indeed, one of them, HEIDI HEITKAMP, has become the North Dakota sister I never knew I had.

I wish I had time to recount every kindness each of the other 99, including the late Senator Lautenberg, gifted me while here, but I don't. Each has been recorded indelibly in my memory and is returned with gratitude.

In April I experienced the very best of this body's character in the wake of the Boston Marathon bombings when Members from every corner of this Nation extended their sympathies, their prayers, and pledged their assistance and support for the city of Boston and to all those affected by that tragedy. In the aftermath we all came together as Americans to honor those killed and to support the wounded during their time of recovery.

We saw the same in the wake of terrible tornadoes that swept through Oklahoma.

Upon closer inspection, it is clear all of us here have common bonds and share similar goals. If only we are willing to seek out those bonds and focus on the goals that are in the best interests of our Nation.

While we may not agree on every policy, every line item, or every vote, we have each embraced the role of public servant, committed to improving the country we have pledged to support and defend. As I have discovered in my time here, there is more opportunity for cooperation than the American public might believe. This cooperation has led to some noted successes.

Thanks to the bipartisan work in the Agriculture Committee and on the Senate floor, we were able to send a farm bill to the House. Through the joint leadership of the so-called Gang of 8, we are debating right now a workable approach to comprehensive immigration reform. We have confirmed five Cabinet Secretaries.

In what will remain the most memorable all-nighter of my Senate career, through a marathon session and more votes in one night than most interim Senators have in a career, the Senate passed a budget. Now we anxiously await the urgent opportunity to conference with the House.

I have seen progress, and I remain a true believer in the democratic process, the core functionality of our government endowed to us by our Founding Fathers so many decades ago. I remain a true believer in the Senate's system of government and the Senate's role in that system.

If I have been asked a question any more frequently than: What are you going to do next, MO, it has been: Is our system of government broken? Is Congress broken?

I have answered truthfully each time: No, our system of government is the greatest ever known and the best example of democracy in human history.

The genius of our Founding Fathers is on display every day on Capitol Hill, in every State capitol, and every city or townhall across this Nation. Part of the Founders' genius was the birth of the government designed to function as the people needed it to but function only as effectively as the privileged few empowered within it want it to work, or as Secretary Kerry himself said best a few months ago in his final floor remarks:

> I do not believe the Senate is broken. . . . There is nothing wrong with the Senate that can't be fixed by what's right about the Senate—the predominant and weighty notion that 100 American citizens, chosen by their neighbors [or Governor, in my case] to serve from States as different from Massachusetts and Montana, can always choose to put parochial or personal interests aside and find the national interest.

What an awesome responsibility and privilege.

In my scant 5 months I have seen the promise of those words realized in more ways and in more interactions than the public, unfortunately, has had occasion to witness. I believe in that unlimited promise still.

I also have been part of history while I was here. With my appointment, in coincidence with the appointment of Senator SCOTT, two African Americans are serving in this body concurrently for the first time in our Nation's history.

Senator SCOTT and I are, respectively, the seventh and eighth Black Senators to serve in this body. While I believe this number to be far too few, I am also hopeful that it is a sign that these United States will soon be represented by a more diverse population that more closely reflects the diverse country that we are and the diversity of opinions that exist across and within our diverse Nation.

With different perspectives, different backgrounds, different races, religions, and creeds, we are better equipped to confront the issues that face our vast and changing Nation. America has always been and always will be a nation of immigrants, where religious freedom is in our DNA, where more and more we are chipping away at the barriers preventing us from achieving true marriage equality, and where people worldwide still yearn to reach our shores to enjoy our freedoms.

A Congress that is more reflective of this America, as this Congress is becoming, will be good for America.

Finally, I offer my heartfelt gratitude to the people of Massachusetts. Not one person was given a chance to vote for or against me, but I have gone about my work every day as if they had. I came to this body beholden to Massachusetts, her residents, and the country only, and leave confident that I have stayed true to that honor.

Ladies and gentlemen of the Commonwealth, it has been a true honor and privilege to represent you as your junior Senator in the Senate.

With that, this will likely be the final time I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I will be brief.

I appreciate very much the remarks of Senator COWAN. The only thing he said that I disagree with is: No one had a chance to vote for him to get here.

There was one big vote that was very important, a man by the name of Deval Patrick. Once he made that decision, you were our Senator as well as the Senator of Massachusetts.

I, of course, know Deval Patrick. We all saw him at the convention giving his brilliant speech. He was swarmed with people giving him advice as to who he should select to replace Senator Kerry. He called me and said: Don't worry about it. I am going to select the best person from the Commonwealth of Massachusetts to represent Senator Kerry's seat for the interim.

He was right, and I have told Governor Patrick on the telephone. A couple of weeks ago I said: Make sure to call Governor Patrick for me—because I know they are good friends—and tell him I told you how much we all admire you.

In the Democratic caucus yesterday, this good man didn't get one standing ovation, he received two. This is rare. He got that because he is a genuine person. He came here now and talked about the goodness of this body. We need more of that.

Senator COWAN, thank you very much. I admire you. I know in the paper today you said that you are always going to be MO, but to me you are always going to be Senator COWAN.

The PRESIDING OFFICER. The Senator from Massachusetts—the Senator from Oklahoma.

Mr. INHOFE. May I interrupt for a parliamentary inquiry?

Mr. President, first of all, we are operating under a unanimous consent request, and I would ask if we can modify that to hear from the Senator from Massachusetts and then revert back to the unanimous consent request that has been granted.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. WARREN. I thank the Senator from Oklahoma. I will be brief.

Ms. WARREN. Mr. President, for 4 months I have had the privilege of serving alongside my good friend MO COWAN. From the time he was sworn in, MO hit the ground running. Even though his time here was short, MO has been a committed and strong advocate for the people of Massachusetts and here in Washington.

As former chief of staff to Governor Patrick, MO brought to the Senate a deep knowledge of the issues facing our Commonwealth. Through his committee work and his outreach to his constituents, his careful consideration of important national issues, he has worked tirelessly to ensure that the interests of the people of Massachusetts are well represented and the people of America are well served.

He has built great relationships and earned the respect of our colleagues on both sides of the aisle.

I very much enjoyed getting to know MO's wonderful family: his smart, talented, and patient wife Stacy and their two young boys. I am sure Grant and Miles are looking forward to having their dad closer to home again.

MO has been a dedicated public servant, and his time in the Senate only adds to his fine record of service on behalf of the people of the Commonwealth. It has been an honor to work together with MO fighting together for Massachusetts families. I wish him and I wish his family the very best. It has been an honor to be a partner of Senator COWAN in the Senate.

Thank you, MO.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. GRAHAM. Would the Senator yield for a second? I hate to interrupt.

Mr. INHOFE. Go ahead.

Mr. GRAHAM. I will buy the Senator's book.

May I have 1 minute to say something about our departing colleague because I may not be able to get back. Literally, 1 minute.

Mr. INHOFE. Yes.

Mr. GRAHAM. I appreciate that, I say to the Senator.

I would like to say to Senator COWAN, ''MO,'' from Massachusetts: I haven't known you very long, but I have found you to be someone who has been, quite frankly, very earnest in their time in the Senate, very smart, and a lot of fun. We got to travel to Egypt, to Turkey, to Israel to see some of the more dangerous places in the world, and I just want to let the people of Massachusetts know that I have met a lot of colleagues in my time here, but this is one fine man. I wish you all the best. I have learned a lot from you. I know you are originally from North Carolina. That is probably why we hit it off. I have learned a lot and I have laughed a lot. You are a fine man and we wish you well. I hope that maybe public service is in your future, but whatever you do, I know you will do it well. Godspeed.

Mr. INHOFE. Mr. President, let me just say kind of the same thing. I had occasion to research Senator COWAN. I do this because one of the things I enjoy doing every Wednesday morning, when we have our Prayer Breakfast, is introducing those who are speaking. He was speaking. When one researches someone like him and you find things out, you kind of redevelop a love for everyone, and I wonder: Are you sure you are in the right place here? I have to question that.

But I hold you in the highest regard. I am very familiar with how you tick, how you think, what you said, and we will miss you in this place. Thank you so much.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, we have a unanimous consent request. Senator GRASSLEY was going to be next, and I will go ahead and take his time.

The unanimous consent request was that I be recognized as in morning business for such time as I shall consume.

Let me share a couple of things. First of all, I am looking forward to serving with the Senator who was elected yesterday. I think he will find out something that I found out when I was first elected to the Senate after serving for several years in the House of Representatives: It is a more civil place. It is a place where we can have differences of opinion, where we disagree with each other, but we do so in a very friendly way.

I am actually looking forward to that because there have been times when our discourse, our discussions with each other were not friendly, but I think it will turn out to be a total change. I wish to get on record to say that I am looking forward to serving with our newly elected Senator from Massachusetts.

I look forward to being with him, although I think he has every reason and opportunity to change his mind on some of the positions he has taken in the past.

Let me share something I didn't say when I had the floor yesterday and was talking a little bit about President Obama's talk. There were four things that I didn't hear, and I am going to repeat them. They are statements that were made by President Obama talking before an audience.

I have to say I truly believe I know the reason for this long talk that he gave yesterday, because he had served for 4 years. He knew his far-left base was demanding some type of cap and trade. He knew he didn't have the votes to pass it. So he was not able to push that, knowing before the election, if this came out, what kind of a tax increase this would be on the American people. So he waited until after the election, and that is what we heard yesterday.

Some of the things he said were a little bit insulting, but I can handle that. He said he lacks ''patience for anyone who denies that this problem is real.'' He is talking about global warming. He is trying to revive global warming.

I say revive because it is interesting that when it started out 12 years ago it was global warming. Remember Kyoto? That is what it was all about, the Kyoto treaty. In fact, they came back from Rio de Janeiro and the treaty was never submitted by President Bill Clinton to the Senate for ratification. The reason was the votes weren't there. So time went by and they decided, since it is not warming and we want to keep this thing alive and we want to do all we can to destroy CO_2 in our society, let's call it something else. So they called it climate change. A few other titles came along in the meantime. For the first time it has now reverted back, after several years, to global warming.

Some of the statements he made were: ''We don't have time for a meeting of the Flat Earth Society,'' and ''sticking your head in the sand might make you feel safer, but it's not going to protect you from the coming storm.'' Listen to this:

> The 12 warmest years in recorded history have all come in the last 15 years. Last year, temperatures in some areas of the ocean reached record highs, and ice in the Arctic sank to its smallest size on record—faster than most models had predicted it would. These are the facts.

Those aren't the facts. That is not even true, but it is interesting we would be trying to revive this. I know there are a lot of people all excited out there who have said: Oh, for the last 4 years we haven't said anything about global warming. Now we are talking about it and now something is going to be done. I would like to quote this from the Economist:

> Over the past 15 years air temperatures at the Earth's surface have been flat while greenhouse-gas emissions have continued to soar. The world added roughly 100 billion tonnes of carbon to the atmosphere between 2000 and 2010. That is about a quarter of all the CO_2 put there by humanity since 1750.

Of course, we know that is true because we know the major surge came in the 1940s following World War II.

Continuing to quote the article, which quotes James Hansen, who is one

of the major movers behind this whole thing—the global warming movement:

And yet, as James Hansen, the head of NASA'S Goddard Institute for Space Studies, observes, ''the five-year mean global temperature has been flat for a decade.''

This is a guy on the other side who has always been held up to be the authentic knowledgeable person.

Here is a quote from the NASA Goddard Paper from January of this year:

The five-year mean global temperature has been flat for a decade, which we interpret as a combination of natural variability and a slowdown in the growth rate of the net climate forcing.

A quote from Reuters in April, 2013:

Scientists are struggling to explain a slowdown in climate change that has exposed gaps in their understanding and defies a rise in global greenhouse gas emissions. . . . Some experts say their trust in climate science has declined because of the many uncertainties. The UN's Intergovernmental Panel on Climate Change (IPCC) had to correct a 2007 report that exaggerated the pace of melt of the Himalayan glaciers and wrongly said they could all vanish by 2035.

All that sounded good at the time, but it was a lie. Still quoting from the article:

''My own confidence in the data has gone down in the past five years,'' said Richard Tol, an expert in climate change and professor of economics at the University of Sussex in England.

I could go on and on. Yesterday on the floor I talked about Richard Lindzen with MIT, considered by many people to be the foremost authority on climate anywhere in the country, and he is talking about what the motive is behind people to promote this thing. He said controlling CO_2—and I am quoting from memory now—is a bureaucrat's dream. If you control climate, you control life. That is exactly what we were talking about at that time, and it was true.

We have covered all these things, and I have said for several years now that people understand the science isn't there. I can remember some of my Republican friends got upset with me because I often said good things about Lisa Jackson. Lisa Jackson was the first Administrator of the EPA under President Obama, and she is, of course, a liberal and all of that. But she has a propensity for telling the truth, and that is all I ask for in people who are serving in public office. In fact, she has done that, and I wish to share one thing with my colleagues.

When they are unable to pass any kind of cap-and-trade bill—and keep in mind the last time they tried to do it was the bill that was introduced by two House Members, one of whom was elected to the Senate yesterday. In that cap-and-trade bill, people realized what the size of the tax increase would be and it went down in flames. So when the big U.N. party—by the way, when I talk about the U.N.'s Intergovernmental Panel on Climate Change—the IPCC—that is something a lot of people don't know about. That is the United Nations. They are the ones that put that together to fortify their position that we need to do something to equalize the wealth of nations worldwide.

In fact, I wrote a book about that. I would not ask anyone to buy it because that would be inappropriate, but I will loan it to you, if you want to read it, and I cover that in a lot of detail. But on this subject, I asked Lisa Jackson the question, right before going to Copenhagen—and Copenhagen is the biggest party of the year.

I am going to wind this up, and I will continue this later, but I would only say the science is not there, with what they were talking about yesterday. I think I pretty much made the point I came to make.

But returning to Lisa Jackson, right before everyone was going to Copenhagen—and remember, IPCC is part of the United Nations and once a year they throw a big party. Friends of mine, I can remember one from Africa showing up at one of these parties and I said: You don't believe all this global warming stuff, do you? He said: No, but this is the biggest party of the year. So they all show up.

At that time—I am not sure where it was, but the time I am talking about, 2 years ago, it was in Copenhagen. So I said, right before I left for Copenhagen to be a one-man truth squad there, I said to Lisa Jackson, the Administrator of the EPA serving at the time, in a hearing we had: I have a feeling once I leave town, since you can't pass any kind of cap and trade, you are going to try to do it through regulation and you are going to have to have an endangerment finding, and when you have an endangerment finding, it has to be based on some type of science. What science are you going to use? She said: The IPCC, the Intergovernmental Panel on Climate Change—the United Nations.

As luck would have it—it wasn't months after it or weeks after that—hours after that Climategate came in and they were exposed for lying about the science for all those years. So the timing could not have been better.

I would only say I am glad this issue has opened up again because I had a dusty old file on climate change I haven't used for 5 years and I have gotten it out and we are ready to use it again. I just hope the American people will look at the beautiful political speech made by the President yesterday for actually what it is.

Let's keep in mind the cost of this anytime we want to go into the extreme position of saying that CO_2 is the cause of climate change or of global warming. We are talking about a tax increase to the American people. One of the Senators stood after I said this yesterday and said there is no evidence of that yet. That was the Wharton School of Economics and MIT that came out with those figures.

The last thing I will say, God is still up there and climate is going to change and it has. I can remember studying this—and going from memory now, not reading anything—and reading about the first time they came out with this fact that we are all going to die because the world is going to freeze over. That was in 1895. In 1895, they talked about this disaster that was coming upon us—the coming ice age, they said. Then, in 1918, all of a sudden the climate started getting warmer. It was going through these cycles. It has been happening since the beginning of time. It got warmer. That is when global warming first came up, in 1918.

Then, in 1984, the next cycle came in, and that was a cold cycle. But listen to this, because what is interesting about this is in 1944, after the Second World War, we had the largest surge in CO_2 in our country's history. It precipitated not a warming period but another cooling period, which lasted until 1975. Then, of course, another warming period came in, which I disagree with all the statements that were made—certainly by the President yesterday and by many of the Members of this body—now we are precipitating going into a leveling off and perhaps a warming period.

So it is going to be changing, and it is a little arrogant for us in this country to look at these God cycles up there and say we can do something to change that because we can't. It is a beautiful world we are in, and we are going to try to make it better, but we don't need the largest tax increase in America's history to make it better.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The senior Senator from Iowa.

Mr. GRASSLEY. Mr. President, the only unanimous consent request I am going to make is at the end of my remarks I will ask for inclusion of something in the RECORD.

I wish to share with the public what is taking place on the immigration bill before us. Unfortunately, very little is taking place. We have been on the floor of the Senate considering this bill for 2½ weeks, and only 13 amendments have been disposed of. We have had nine rollcall votes on amendments, and three of those amendments were tabling votes. Yet over 550 amendments have been filed to this bill. Senators are still filing amendments. The fact is less than 3 percent of all amendments filed have actually been considered. For a process that was labeled as ''fair and open,'' with the invitation to file amendments, even from the people who wrote the bill, the Gang of 8, it has become laughable.

Our side has been asking for votes. We have tried to call up amendments. Last night we sent a list of 34 amendments over to the majority and requested votes on them. I am told they

have refused that list, and I think it is because there are some tough votes on those amendments. They want to limit the number of amendments that can be considered. They want to choose the amendments. In a sense, they want to tell Republicans which amendments we can offer from our side.

That is not right. I am very disappointed not just for myself but for a lot of other Members of the body. There is no deliberation. It seems as though there is no path forward to have votes to make the bill better. And, of course, this isn't the way to legislate. Immigration reform is an important matter. We have to get it right. We shouldn't rush a bill just to get it done, especially if we are going to pass a bad bill. This bill shouldn't be rushed if we are getting it wrong. We have to get it right. It is unfortunate that what has happened on the floor of the Senate—9 rollcall votes out of 550 amendments, and counting, that have been filed. So much for the world's greatest deliberative body.

Immigration reform hasn't been debated on this floor since 2007, and as far as I can remember, a major piece of legislation such as this on immigration hasn't passed the Senate since 1986.

It may seem that we have been on the bill for a long time. Compared to a lot of other issues, it has been a longer time. But most of the time has been spent delaying actual debate and consideration of amendments, while Members craft a grand bargain compromise behind closed doors. Of course, that has been adopted at this point in the process.

Unfortunately, it appears this bill has been precooked, deals have been made, and apparently having an open debate on amendments to the bill isn't part of that deal on any more than the few amendments we have discussed—particularly those amendments that could substantively change the underlying bill for the better. So we get the impression that, sorry, the kitchen is closed.

What has happened? We are supposed to be the most deliberative body in the world. We pride ourselves on that. But now we are going to rely on the House of Representatives to do our job to be deliberative and to fix this legislation. I have great hopes when this process is done through conference that I can vote for a bill that will go to the President of the United States.

As I have said before, the Judiciary Committee markup was full and open, and I have complimented Chairman LEAHY many times on that point. It is too bad that process couldn't have been carried out here on the floor of the Senate.

Whether members were pleased in committee with the vote results for their amendments, in committee the members at least had the opportunity to offer amendments for debate and consideration. Amendments were debated. Amendments were voted on. But that hasn't been the case in the last 2½ weeks here on the Senate floor.

We have tried to offer amendments to this over 1,000-page-long bill. The majority is shutting us out. They have gotten the votes they need to pass this bill through Members getting their favorite amendments into the bill, and some of these seem to me to be special interest provisions and some of them tend to be like the cornhusker kickback sweeteners of ObamaCare fame. Now we are getting the door to the shop closed.

It is important for the public to know we have tried to make this bill better by trying to offer amendments. We have given the other side a list, and I think it has been flatly refused. It is not too much to ask for this number of amendments to be considered. That list had 34 amendments—that is 34 amendments out of 550 filed. Senators want to see a lot more amendments considered and voted on, but we have limited the number to 34.

I ask unanimous consent to have printed in the RECORD the list of amendments we asked the majority to consider before final passage.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

1. Grassley 1570—gangs
2. Vitter–#1577 or 1578—moves trigger in Corker-Hoeven before RPI
3. Vitter—Strike Amnesty (#1474)
4. Vitter—Voter Integrity Protection Act (#1290)
5. Vitter—Child Tax Credit (#1289)
6. Vitter–1473—no RPI status for convicted drunk drivers
7. Vitter–1445—WIRE Act
8. Vitter—Sanctuary Cities 1291
9. Vitter—VAWA 1330
10. Inhofe–1560—Zadvydas, detention for longer than six months
11. Sessions–1607—interior enforcement
12. Lee–1593—permits CBP agents to access federal lands for immigration enforcement activities.
13. Lee–1210—absconders don't get RPI
14. Lee–1214—no sworn affidavits
15. Wicker 1606—sanctuary cities
16. Fischer 1594—English at RPI
17. Cruz–1579—replace title I with beefed up border security measures
18. Cruz–1580—Obamacare defunding if people are in RPI status.
19. Cruz–1581—proof of citizenship to vote
20. Cruz–1583—no citizenship
21. Cruz–1584—no benefits
22. Cruz–1585—H–1B increases
23. Cruz–1586—numerical limitations on permanent residents
24. Cornyn—1622—Strike RPI eligibility for domestic violence, child abuse, and drunk driving offenders; require interviews of criminals and previously deported
25. Cornyn–1619—Allow for national security and law enforcement application information sharing;
26. Cornyn—Human Smuggling
27. Toomey—increase W guestworkers
28. Portman–1634—E verify
29. Coats–1563—Triggers: High Risk at RPI and effective control before green cards
30. Hatch—back taxes
31. Coburn–#1616—Strikes judicial review, taxpayer funded lawyers and new DOJ Office of Legal Access Programs for aliens.
32. Coburn–#1612—Denies RPI to aliens convicted for domestic violence, child abuse, assault with bodily injury, violation of protection order, drunk driving, reduces allowable misdemeanors making an alien ineligible for RPI and eliminates the Secretary's ability to waive that provision.
33. Johnson—1 year application period
34. Johnson—EITC

Mr. GRASSLEY. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I also wanted to mention even though I oppose the bill, I do think they have done a good job of trying to get some amendments out, particularly Senator GRASSLEY and Senator MCCAIN, who offered the opportunity to have my amendment. It was a good amendment. It was so good that the ACLU is scoring against it. Hopefully, we will get a chance to get those in.

The PRESIDING OFFICER. The assistant majority leader is recognized.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as if in morning business for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATOR MO COWAN

Mr. DURBIN. Mr. President, I was here on the floor when Senator MO COWAN gave his farewell remarks. He came to the Senate as an appointee to fill the spot John Kerry left vacant when he left to the Secretary of State's position. I can't think of a person who came to the Senate who has been so warmly received so quickly.

Senator HARRY REID made the comment that it is rare for a new Member—just 6 months of seniority—to get a standing ovation at his caucus lunch. MO COWAN got two yesterday, which I think is a tribute to the fact that we enjoyed his service and value his friendship, and will remember him for his fine representation of the Commonwealth of Massachusetts.

Mo Udall, a wise and witty longtime member of this Senate, famously said that once politics gets in your blood, the only cure is embalming fluid.

There is a lot of evidence to support that idea. But another MO—Senator MO COWAN—is an exception to the rule.

When he was appointed 5 months ago to fill the seat vacated by Secretary of State John Kerry, Senator COWAN said he was happy to serve his State—but only a new Senator could be elected to finish Secretary Kerry's term in this Senate.

Well, yesterday Massachusetts voters went to the polls to choose that new Senator. I look forward to Senator ED MARKEY joining this body very soon.

For now, I want to take a moment to thank MO COWAN for his service to his State, this Senate and our Nation.

Senator COWAN has served with wisdom, courage and civility. He has made

friends and allies on both sides of the aisle—no easy feat.

I have to confess, I was probably predisposed to like Senator COWAN because of his sartorial style. The last Senator to wear a bow-tie so regularly was my dear friend and political mentor, Paul Simon.

More admirable than Senator COWAN's sense of style, however, is his sense of fairness and decency and courage.

He has co-sponsored important bills including the Paycheck Fairness Act, the Violence Against Women Reauthorization Act, the Employment Non-Discrimination Act, and the Safe Chemical Act.

In the wake of the terrible murders of 20 little children and their teachers in Newtown, CT, Senator COWAN voted for sensible regulations to help keep weapons of war out of the hands of criminals and those with serious mental illness.

He voted for a budget resolution that would enable us to continue reducing the Federal deficit while still, meeting our obligations today and investing in a secure future.

I am particularly grateful to Senator COWAN for co-sponsoring a bill Senator ENZI and I have worked on for several years and which this Senate passed. The Marketplace Fairness Act will give States—if they wish to use it—a way to collect sales and use taxes in Internet purchases—taxes that are already owed but rarely collected. Massachusetts lost $268 million last year because of the inability to collect these taxes.

He flew on Air Force One with President Obama and travelled to the Middle East with a bipartisan group of Senators to investigate the Syrian civil war.

Senator COWAN has also been a diligent defender of the people of Massachusetts. He and Senator WARREN have worked especially hard to protect their State's struggling fishing industry.

His service here was short, but his record is impressive. It is especially impressive considering the fact that before he was sworn in as a Senator, MO COWAN had never held a single elective position in his life.

WILLIAM MAURICE ''MO'' COWAN was born in a small rural town in North Carolina that he sometimes likens to the old TV town of Mayberry. His father died when MO was 16 years old. His widowed mother raised MO and his sisters on the money she earned as a seamstress, the equivalent of about minimum wage.

MO COWAN graduated from Duke University—the first person in his family to graduate from a 4-year college. He earned a law degree from Northeastern School of Law in Boston.

He earned a reputation as a very good lawyer and a mentor to other young lawyers in the Boston area, especially young lawyers of color.

Massachusetts Governor Deval Patrick convinced Senator COWAN to join his administration as his chief counsel and later promoted him to chief of staff.

When Governor Patrick approached Senator COWAN about serving as Massachusetts' junior Senator until yesterday's special election could be held, Senator COWAN tried to persuade the Governor to choose someone else. Thank goodness he lost that debate.

MO COWAN is a young man—especially by Senate standards—just 44 years old. He was born on April 4, 1969. He came into this world 1 year to the day after Dr. Martin Luther King died.

With his appointment to the Senate, Senator COWAN became the eighth African American ever to serve in this body. He and Senator SCOTT made history—the first time that two African Americans had ever served in this Senate at the same time.

I think Dr. King would be pleased that we have made progress, but he would also remind us that we still have a long way to in achieving a Senate that better reflects the American people, and he would be right.

I might add that the Supreme Court's ruling yesterday striking down parts of the Voting Rights Act means we may have to work even harder to make that possible. And I am committed to doing so.

On the day that Senator COWAN was sworn in to this body, he said: Days like today are what my mother spoke of when I was a kid, [and she said] that if you worked hard and did the right things and you treated peoples well, anything could happen.

Years from now, other mothers will teach that lesson to their sons and daughters—and they will able to point to Senator COWAN as proof.

In closing I want to thank Senator COWAN's wife Stacy and their young sons Miles and Grant for sharing so much of their husband and father with this Senate.

To my colleague Senator COWAN: It has been a privilege to work with you.

Mr. President, I ask how much time is remaining?

The PRESIDING OFFICER. The Senator has 6 minutes remaining.

Mr. DURBIN. Mr. President, what is pending before the Senate is a piece of history. For those who are witnessing this debate—whether in the galleries or at home on C–SPAN—you are watching a debate on the floor of the Senate that doesn't happen very often. We are debating the comprehensive immigration reform bill. It is the first time in 25 years we have tackled this issue.

If you look at the history of the United States, you know right off the bat we are a Nation of immigrants. My mother was an immigrant to this country. Many of us have immigrant parents and grandparents and great-grandparents. That is who we are. We come from all over the world to this great Nation. But the history of immigration law will tell you that immigrants aren't always well or warmly received. There have been periods in history where we have excluded people from certain countries and excluded immigrants in general. There were other periods where we couldn't wait to get the cheap labor from anyplace in the world to build this great Nation. We have had real mixed feelings when it comes to immigration.

The sad reality is for 25 years our immigration laws haven't worked well. The estimate is we have about 11 million undocumented people living in America. I have come to know many of them. They are not who you think they are. Many of them turn out to be the mothers in a household where the father and all the kids are American citizens. Many of them turn out to be the people who sat down next to you in church. They are the ones who, incidentally, cleared your table at the restaurant. They are making the beds in your hotel room for the next morning. They are watching your kids in daycare. And they are taking care of your mom at the nursing home. These are the undocumented people of America, many of them just asking for a chance to be part of this American family. This bill gives them a chance.

But it isn't easy. They have to come forward and register with the government, tell us who they are, where they live, where they work, and tell us about their families. Then they have to pay a fine of $500. That is the first installment. Then any job they have, they have to pay their taxes and submit themselves to a criminal background check.

If that isn't enough, we tell them we are going to continue to monitor them over 10 years, watching them. During that period of time they have to demonstrate they are learning English. Then if they complete that 10-year period, they have a 3-year chance to become citizens. It is a 13-year process. Many of them have already been here for 10 years or more. But if they are ready to travel down this long road—and many are—at the end of the day their dream will come true. They will be citizens in America. It is no amnesty. They are going to pay a heavy price to make it all the way through those 13 years, but it gives them their chance, and it makes us a safer Nation knowing who they are, where they live, and where they work.

We are going to tighten our system so people applying for jobs in the future have to prove who they are—no more phony Social Security numbers, no more phony IDs. There is going to have to be real proof before you get a job in America.

Approximately 40 percent came here on a visitor's visa and overstayed. If you came here on that visa, we are

going to track you into America and out of America. The system is going to be tough.

And when it comes to the border, there is a difference of opinion between the Democratic side and the Republican side of the aisle about how much to do. Well, we have made a dramatic investment in border security between the United States and Mexico. In the last 10 years we have increased the Border Patrol between the two countries from 10,000 to 20,000. In many sectors we now have 97-percent effectiveness stopping those who try to cross the border. We are going to invest 20,000 more workers on that border—40,000 Border Patrol people.

People who have come to the floor critical of this bill say it isn't enough. I will have to tell you, for some of these folks it will never be enough. We are going to put billions of dollars into making that border safe and reducing, if not eliminating, illegal immigration. That is part of our promise in this bipartisan agreement that was reached.

I have been fortunate to serve with the so-called Gang of 8, four Democrats and four Republicans. We have sat across the table for 5 months now, 30 different sessions, working out all the details, and we have come up with an agreement—a good bipartisan agreement that is finally going to move us forward.

I might add one footnote. Twelve years ago, I introduced a bill called the DREAM Act, and said children brought to this country deserve a special chance to become citizens. They didn't do anything wrong. They didn't break any laws. They were 2 and 5 and 10 years old. They were brought here by their parents. They deserve a chance. This bill is the strongest bill ever brought to the floor of the Senate when it comes to the DREAMers. I am proud of that. I am happy these young people will finally get the chance to prove themselves, as I am sure they will, when it comes to the future of this country.

There are lots of other provisions. Never take for granted that the fruits and vegetables on your table appear magically. They are picked, and many of them are picked by foreign workers, migrant workers. We have an agriculture worker section here, which is important for the future of our agricultural economy. We have a section when it comes to the talented people we want to keep in the United States once educated here, and those we can bring in to help create jobs in our country. But the first rule in this bill, and the one I insisted on: Every job has to be offered to an American first. With our unemployment, that is the starting point, and it is included in this bill and it should be.

There are parts of this bill I don't applaud or necessarily endorse, but it is the product of a compromise. We are not only proving to this Nation that we can address the biggest issue in our heritage, we are trying to prove to this Nation this Chamber—this Senate—can go to work, roll up its sleeves, and get something done on a bipartisan basis.

There will be some ''no'' votes, but the test votes we have had so far show a strong bipartisan majority to move forward. If we get it done—and I hope to God we do during the course of this week—I pray that my colleagues over in the House will accept their responsibility to this Nation to accept the need for comprehensive immigration reform.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I see Senator KING from Maine here. I will only talk for a minute. I will share some thoughts later about where I see the difficulties with the immigration bill.

I would say that for the vast majority of the people who will be legalized or who will be coming into the country, businesses will be under no requirement to hire Americans first. That is not accurate, and it is a cause of concern for me.

FAREWELL REMARKS

I wish to share some brief remarks. I know we have a lot to do, but I was here to hear Senator COWAN's farewell remarks to us. They were delivered eloquently and effectively, with integrity and graciousness and a sense of purpose that I found impressive. I think all of us have found him impressive, getting to know him. I heard him share his background recently, how he came to this position. He does so with a constancy of purpose and clear vision for what he believes is right. He has been raised right, and he reflects those values and has done so in the Senate.

It is a pleasure for me to have had the opportunity to get to know him. I would just say it must be a special thrill for him to be able to, all of a sudden, find himself, as he said so nicely, in the U.S. Senate without having to campaign, raise money, or otherwise be in that position.

He served his State with skill and dedication. It is a pleasure to have served with him. I wish him Godspeed in his future endeavors.

I understand the Senator from Maine is going to share with us some valuable history today. Maybe a connection between Maine and Alabama might even be mentioned.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Mr. KING. Mr. President, I rise in morning business, and I request unanimous consent for 15 minutes for remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

BATTLE OF GETTYSBURG

Mr. KING. We all know that next Thursday, a week from tomorrow, is our Nation's most important anniversary—July 4, 1776, the birthday of the country. But Tuesday, July 2, is also one of our most important anniversaries because July 1, 2, and 3 are the days the Battle of Gettysburg occurred. That was probably the defining event in the history of this country. It is especially important this year because it is the 150th anniversary of the Battle of Gettysburg. What I would like to do is share a few moments about one particular aspect of that battle. It does indeed involve Maine and Alabama. It involves a man from Maine named Joshua Lawrence Chamberlain, who in 1862 was a professor of modern languages at Bowdoin College in Maine. He was not a soldier, had no history in the military, but decided that he had a vision of America and he wanted to serve his country.

He joined a volunteer regiment organized in Maine in August of 1862 called the 20th Maine regiment. They came down the east coast, up the Potomac to Washington, and were immediately deployed to Antietam in September of 1862—the bloodiest day in American history. Fortunately for the 20th Maine, they were held in reserve that day. They did see action over the course of the fall and early winter at the Battle of Fredericksburg. Then, along with 2 great armies, they headed north into the State of Pennsylvania.

Mr. President, you are going to have to bear with my cartographic skills. I think it would be helpful if we can see what happened. It is easy to draw Virginia because it is a big triangle, so this is Virginia. Here is the Maryland-Pennsylvania border.

In the early summer of 1863, two great armies snaked north out of Virginia. Lee's Army of Northern Virginia came up the west side of the foothills of the Appalachians and into Pennsylvania, shadowed by Meade's Army of the Potomac, both 90,000 men. Meade was leading the way into Pennsylvania without a particular destination but a desire to engage the Federal Army in one climactic battle which he thought correctly could have ended the Civil War.

Nobody knows exactly why on July 1 of 1863 those two armies collided in the little town of Gettysburg. There is a rumor that there was a shoe factory there and that the southern Army was going to go and requisition those shoes. For whatever reason, the two armies met in this little town of Gettysburg, PA. One of the interesting things about the battle was that Lee's army had already gotten almost to Harrisburg and came down into Gettysburg. The Union Army was coming up the Taneytown Road from Washington and from the south, and they came in in this direction. So at the Battle of Gettysburg, the southern army came in from the north, and the northern army came in from the south.

On the first day of the battle, there was a standoff. They met almost by accident in this town. There was fierce fighting in the streets of Gettysburg, in the south of the town, and it was essentially a draw.

At the end of the day on July 1—and the word flashed back to both armies that this was it. This was the confrontation, and reinforcements came in from both lines of march to meet at this little town.

What happened on the second day was that on the morning of the second day the Union troops—again, if this is the town up here, the Union troops ended up on a hill called Culp's Hill and then in a long line to the south, along an area that was an old place where they buried people. Of course, that is Cemetery Ridge.

On the other side, the Confederates—and interestingly enough, throughout American history red markers represent the Confederates and blue the Federals—the Confederates ended up on a long ridge that ended up down this way, with about a mile apart, and over here was a place where they trained people to be preachers. That, of course, is Seminary Ridge. So generations of sixth graders have been—Seminary Ridge over here, Cemetery Ridge over here—generations of sixth graders have been confused by this, but it is ''Cemetery'' where the Union was and ''Seminary'' where the Confederate troops were.

About the second day of the battle, a Union general noticed there was a small hill down at the bottom of the entire line of Union troops that was unoccupied by either side. He also immediately realized this could be the most important piece of property in the entire battlefield because it had an elevation that looked up the entire Federal line and it anchored the Federal line.

The Union general grabbed the nearest officer near him and said: We have to occupy that hill immediately. The fellow's name was Strong Vincent, was the officer from New York. Vincent grabbed two other regiments, New York and Pennsylvania, and then Maine, the 20th Maine Regiment, and they went to the top of this hill.

Joshua Lawrence Chamberlain had only been the colonel of the 20th Maine for about a month. He was in charge of 358 men. Vincent took him to the extreme left flank of the Union Army, of this little hill, which is called Little Round Top.

We had Pennsylvania, New York, and Maine. Vincent took Joshua Lawrence Chamberlain to this point, and here were his orders:

This is the extreme left flank of the entire Union Army. You are to hold this ground at all hazards.

''At all hazards''—that means to the death.

Almost immediately upon getting to the top of the hill, up came the 15th Alabama—one of the crack regiments in Lee's army—up the hill to try to dislodge the 20th Maine. If you have not been to Gettysburg, Little Round Top—if God were going to build a fortress, it would look like Little Round Top. It is steep, rocky, with lots of places to be behind, and indeed Chamberlain took maximum advantage of that. As the charge came, they were able to repel it.

A half hour later or so, the Alabamians came again. They were pushed back. They came again and were pushed back. Each time they got closer and closer to the top of the hill because of the nature of guns in the Civil War. A good shooter in the Civil War, a good handler of a rifle, could get off four shots a minute.

I want you to think of yourself, Mr. President, at the top of that hill with the 15th Alabama coming up. You take aim with your rifle and shoot—bang. You are now prepared to shoot a second time. That period until that sound—it felt like an eternity—was 15 seconds. That is how long it would take to reload and get another shot. That is why in this situation the charge came closer and closer.

By the third and fourth charge, it became hand-to-hand combat.

I should say, by the way, as I mentioned, that Joshua Lawrence Chamberlain was not a soldier by trade; he was a professor at a little college. He spoke 10 languages in 1856. But he had a deep vision for the meaning of America, and he had a deep concern about the issue of slavery.

When he was a student at Bowdoin in the early 1850s, a young professor's wife was writing a book, and he sat in the living room of this professor and listened to her read excerpts from this book, and the book turned out to be probably the most influential book ever published in America. It was called ''Uncle Tom's Cabin.'' It described for people in the country the evils of slavery. Indeed, when Abraham Lincoln met Harriet Beecher Stowe and shook her hand, he said, ''I am shaking the hand that started the Civil War'' because it lit the fuse that led to the pressure that ultimately led to the abolition of slavery.

In any case, four and then five charges, and each time, the 15th Alabama was repelled. But then they were gathering at the bottom of the hill for the final assault late in the day, a hot afternoon, July 2, 1863. The problem was, for Chamberlain, his men were out of ammunition. They each had been issued 60 cartridges at the beginning of the battle. They had all been fired during those five assaults. He then had a choice to make as a leader. He had three options:

One was to retreat—which is a perfectly honorable thing to do in a military situation, but his orders were to hold the ground ''at all hazards'' because if he had not, if the Confederates had gotten around Little Round Top, the entire rear of the Union Army would have been exposed.

His other option was to stand and fight until overwhelmed. That would not have worked very well because it would have only delayed them for a few minutes.

Instead, he chose an extraordinary option that was very unusual even at the time. He uttered one word, and the word was ''bayonets.'' There is a dispute in history whether he also said ''charge'' and what his actual order was, but everybody agrees he uttered the word ''bayonets,'' and his soldiers knew what that meant, and down the hill into the face of the final Confederate charge came 200 crazy guys from Maine. The 15th Alabama for the first and only time in the Civil War was so shocked by this technique that they turned and ran, and the 200 boys from Maine—and I say 200 but at the beginning of this action there were over 300; they lost 100 to casualties and death—captured 400 or 500 Confederates with no bullets in their guns.

Chamberlain tried to call his men back. They said, ''Hell no, General, we are on our way to Richmond.''

I tell this story because it is a story of extraordinary bravery. By the way, Chamberlain received the Congressional Medal of Honor for his bravery and creativity that afternoon on that little hill in Pennsylvania. But I tell the story because it is a story of our country and it is a story of how a single person's actions and bravery can have enormous impact. Historians argue about whether this was really the key turning point, was there something else, was it some other regiment at another place, but an argument can be made that this college professor from Maine saved the United States. The defining moment for our country was that hot afternoon in Pennsylvania, July 2, 1863.

I believe it is one of the great stories of American history. In fact, the story of Chamberlain and Little Round Top is taught in Army manuals to this day as a story of leadership, creativity, perseverance, courage, and devotion to God and country.

I hope all Americans will think about these moments, and thousands more like them, as we celebrate not only the birth of our country next week, but also the rebirth of our country in the 3 days prior to July 4th.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. BARRASSO. Mr. President, I ask unanimous consent to speak as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Mr. BARRASSO. Mr. President, we have heard a lot of talk this week

about the big push by President Obama and his allies to promote the health care law. We are less than 100 days out from the implementation of that law. People in Wyoming are already feeling the effects of the Democrats' health care law.

The law says employers with more than 50 full-time employees have to provide expensive, one-size-fits-all health insurance. Employers all across the country are cutting full-time workers back to part-time status and cutting their shifts to less than 30 hours a week. Thirty hours a week is the cutoff point to be considered a full-time worker under the Democrats' health care law.

As a result of the Democrats' health care law, we are starting to get stories like the one from the Rocket-Miner newspaper in Rock Springs, WY, that came out yesterday.

The subheadline is ''School district looks at coverage, worker options,'' and that is under the headline of ''Health Care Reform.''

Here is what the article says:

More than 500 employees working for Sweetwater County School District No. 1 could see a reduction in their paychecks for the upcoming school year.

The district may reduce hours for part-time employees to exempt it from covering them on its insurance plan under President Barack Obama's Patient Protection and Affordable Care Act.

This is the Rocket-Miner newspaper in Rock Springs, WY, Tuesday, June 25.

The article goes on to explain that the school district has more than 500 employees who are working between 30 and 34 hours a week. Those are the people that the health care law is threatening the most. The article goes on to say these workers ''are likely to see their hours decreased by up to five hours.'' So they will be cutting the hours of workers from 34 hours and getting them down to 29 hours.

It quotes the school board chairman saying that the huge chunk of money it would need to provide Washington-approved insurance for everyone would have to come out of classrooms and other essentials. Taking money out of classrooms and other essentials, he says: ''We are talking about hundreds of thousands of dollars.''

Well, maybe hundreds of thousands of dollars isn't a very impressive amount to Washington Democrats, but for a small school district in Wyoming, that is a big hit to their budget. It is a lot of pain that the law is inflicting on those teachers and on those students. So for the employees who are going to see their hours cut from 35 hours to fewer than 30 hours, the Democrats' health care law is hitting their paychecks, and hitting it hard.

Well, that was yesterday. Today in the Gillette News Record, Kathy Brown wrote: ''School trustees consider changes with ObamaCare.'' Here is what they say in Campbell County:

About 200 part-time positions could be affected. It does mean the district must track the hours of employees much more closely, and consider what to do with 320 substitute teachers, 27 substitute bus drivers, 23 coaches, eight temporary and four summer-only employees.

Before the July 17 meeting, school officials will try to provide information to trustees on hours and possible costs.

''This is a paperwork nightmare,'' says one of the trustees.

She wondered if the district would have to hire more employees just to do the paperwork and tracking.

There are nearly 8 million people in this country who are working part time because they cannot find full-time work. These are not just numbers in a monthly unemployment report, these are people all across the country in towns such as Rock Springs and Gillette, WY. They want to work and provide for their families, but they are suffering from the bad economic recovery which has been caused by the failed policies of Washington Democrats. Then they get hit a second time with this terrible health care law. This health care law cuts back their hours and cuts their paychecks even more.

I want to make one more point about the health care law. This headline is from the front page of this morning's Investor's Business Daily, June 26, 2013. It says: ''Privacy Falls Victim To ObamaCare Hub.''

The hub they are talking about is the database of information about people that was created by this health care law. It was created so Washington could figure out who has health insurance and who might qualify for subsidies under the law. With this data hub Washington bureaucrats are going to have access to a huge amount of personal information about people all across the country.

Here is what the article says:

The ObamaCare hub will ''interact'' with seven other federal agencies: Social Security Administration, IRS, Department of Homeland Security, Veterans Administration, Office of Personnel Management, Defense Department and—believe it or not—the Peace Corps. It also will plug into state Medicaid databases.

So what does the hub want to include in all of this? Well, the article goes on to say that the hub will store ''names, birth dates, Social Security numbers, taxpayer status, gender, ethnicity, e-mail addresses, phone numbers on millions of people expected to apply for coverage via ObamaCare exchanges.''

That is just part of it. They are also going to have ''tax return information from the IRS, income information from Social Security Administration, and financial information from other third-party sources.''

The article says Washington ''will also store data from businesses buying coverage via an exchange, including a 'list of qualified employees and their tax ID numbers,' and keep it all on file for 10 years.''

In addition, the article goes on to say:

The Federal Government also can disclose this information—

We are talking about citizens' private information turned over to the government, and the government ''can disclose this information 'without the consent of the individual.' '' They ''can disclose this information 'without the consent of the individual' to a wide range of people, including 'agency contractors, consultants, or grantees' who 'need to have access to the records' to help run ObamaCare.''

So all of this personal, private information is collected in one place, held for 10 years, and made available to bureaucrats, contractors, and consultants.

This is just another terrible effect of the Democrats' health care law. This is a law that American people are just starting to learn more about, and a law that many of those who voted for it didn't even know what was in it. The more people learn, the more worried they become about how this law will affect their care, their jobs, their paychecks, and their privacy.

When Democrats in Washington pushed their health care law through Congress, they were not honest with the American people about any of these negative effects. The American people deserve better.

I yield the floor.

Ms. MIKULSKI. Mr. President, I come to the floor to speak on the bill that is before us, the Comprehensive Immigration Reform Bill. No matter what side of the aisle you are on, we can all agree that our current system is not working, and it is in need of reboot and reform. I believe that the bipartisan approach taken in this bill gives us an opportunity to address this issue in a thoughtful manner. I thank the drafters of this bill for their hard work and tireless advocacy; I also thank Chairman LEAHY and the Majority Leader for the open and transparent process that this bill has undergone.

I have three principles on immigration reform: we must protect our borders, protect American jobs, and reward those who play by the rules. And I believe that this carefully drafted and negotiated bill meets all of these metrics. In addition to an accountable path to citizenship for the undocumented population currently in the U.S., the bill also includes new resources to secure our border and puts forth a rational approach to future legal immigration to the U.S. While I do not agree with every part of this bill, I believe that the compromises that were made are fair. In passing this bill, we do what is right for our economy, and we do what is right for our society.

This bill makes important reforms across the board, but I want to focus on

a few that are of particular importance to Maryland. The seafood industry is the lifeblood of Maryland's Eastern Shore. It is also a traditional industry that is adapting in today's world. They rely on H–2B workers to keep their businesses running when American workers are unavailable. I have consistently fought for an approach to the H–2B program that recognizes that one size does not fit all, protects the wages and jobs of all workers, and provides the certainty that small businesses need to survive. This bill includes important, tailored provisions that ensure the availability of the H–2B program. The inclusion of the returning worker exemption, a provision that I sponsored for many years, simply allows workers who entered during this fiscal year not to be counted toward the H–2B cap through 2018. This is a fix that aids the small, seasonal businesses that rely on these workers year after year, such as the crab-pickers on Maryland's Hooper's Island.

The bill also includes language that protects the wages of American workers while striking a balance with the needs of employers. It adds crucial worker protections by providing for transportation costs for H–2B workers, mandating that employers are responsible for fees, and requiring that American workers not be displaced. The H–2B program is far from perfect—and it could benefit from improvements—but its availability is vital to many businesses. It is our job to make sure that it works for all.

Tourism is vital to Maryland's economy, and programs like the Visa Waiver Program ensure our friends and allies around the world are able to visit our State. Each year, the Visa Waiver Program allows 16 million tourists to visit the United States and spend more than $51 billion, while supporting half a million jobs. This bill includes important provisions to expand the Visa Waiver Program that I have long fought for. These provisions give discretion to the Secretary of Homeland Security to include countries that meet strict security requirements, while also protecting our borders and creating jobs in the tourism industry. New national security requirements mean stronger passport controls, border security, and cooperation with American law enforcement.

The current system punishes our allies—and that is what is happening with our close friend Poland. Poland has been a longtime friend to the U.S. and has stood with us in Iraq and Afghanistan, fighting and dying alongside Americans. But Polish citizens cannot visit the U.S. without a visa. Expanding the Visa Waiver Program to Poland alone could mean $181 million in new spending and could support 1,500 new jobs. The expansion of the Visa Waiver Program is good for national security and economic development and helps our most trusted allies.

Now is the time for comprehensive immigration reform. Immigrants are part of the fabric of our country, and we all benefit from an approach that recognizes these contributions while ensuring that our laws are followed and respected. This bill does that, and I look forward to supporting its passage here in the Senate.

Mr. ENZI. Mr. President, I rise to speak about the special procedures for certain nonimmigrant agricultural workers included in the underlying immigration bill. I have thoughts about the overall immigration bill which I will share later, but at this time I want to focus on a specific provision in the underlying substitute amendment.

Many farmers and ranchers in this country will tell you that they need reliable, dedicated, and experienced employees to make their operation successful. This could mean contracting with seasonal workers to help a farmer harvest row crops or for my colleague, Chairman LEAHY, it could mean finding employees to milk and move cows on dairy farms in Vermont. Agricultural labor in this country comes from a variety of places, and an important source is from temporary and seasonal foreign workers.

Currently, the H–2A program assists employers and foreign workers with visas to perform temporary and seasonal agricultural labor. The most common form of agricultural visa is for seasonal work in harvesting, planting, or maintaining crops. Workers usually get visas to the United States to perform work for several months and then return to their home nations. However, Congress and the administration for decades have recognized a special segment of temporary agricultural workers which are distinct from the others, particularly those industries within agriculture which require workers for longer periods because of the unique work they perform. Under the existing H–2A program, these occupations are recognized by special procedures which allow employees to meet the needs of the specialized industries they serve. Occupations which serve the livestock industry are examples of agricultural jobs that require temporary work for longer periods of time. Herding and managing livestock is an inherently different type of work than that which is performed by other temporary agricultural workers. In many cases, those working as temporary foreign workers in livestock related occupations often have rich cultural histories and family ties to herding which allow them to bring their unique experience to the United States and make significant contributions to our livestock industry.

This inherent challenge is evident in the special procedures which manage nonimmigrant sheepherders in the existing H–2A program. For over 50 years, temporary nonimmigrant agricultural workers have been coming to the United States to work as herders in the sheep and goat industry. Over all these decades, Congress has recognized the special nature of the sheepherding program in immigration law. At this time, I ask unanimous consent that the following letters dated July 28, 1987, from U.S. Senator Al Simpson and the response from Immigration and Naturalization Service, INS, Commissioner Alan Nelson dated November 4, 1987 be printed in the RECORD at the conclusion of my remarks.

In this exchange, Senator Simpson, serving as the chairman of the Judiciary Subcommittee on Immigration and a primary author of the Immigration Reform and Control Act of 1986, wrote the administration expressing the continued intent of Congress that the agency and its rules reflect the historical arrangement that sheepherders had within the H–2A program. Senator Simpson highlighted specifically the fact that sheepherders should not be subject to the same return requirements as other nonimmigrant temporary agricultural worker programs. In its response, the Immigration and Naturalization Service recognized the uniqueness of the sheepherder program, its effectiveness operating under these special procedures, and sheepherders should not be subject to the same return requirements as other nonimmigrant agricultural workers.

As a result, the H–2A sheepherder program has operated successfully with little change from when it first started. Currently, the special procedures fall under the authority of the U.S. Department of Labor and have continued to largely reflect the unique needs of sheepherders and other special procedure occupations.

That is why I am pleased this immigration bill includes language which authorizes special procedures for these very agricultural occupations. Section 2232 of the legislation creates the new nonimmigrant agricultural worker program. Within that section 218(A)(i) authorizes ''special nonimmigrant visa processing and wage determination procedures for certain agricultural occupations''. Those occupations include (A) sheepherding and goat herding; (B) itinerant commercial beekeeping and pollination; (C) open range production of livestock; (D) itinerant animal shearing; and, (E) custom combining industries. This is an important step forward in making sure that the nonimmigrant sheepherders and workers in other special occupations can continue to enter our country and work in these unique temporary agricultural jobs.

Particularly important is that the bill provides these special occupations with unique rules on work locations, and housing. This is because unlike the typical temporary nonimmigrant agricultural jobs performed in the United

States, the special procedure occupations operate in unique conditions. For example, sheepherders may work alone or in teams monitoring animals graze in remote areas where mobile housing is required. For sheepherders, mobile sheep wagons serve as both a historical symbol and functional shelter from the elements of the range where teams of sheepherders prepare meals, bunk, and keep supplies for livestock. By including the housing language in this section, Congress clearly intends that traditional uses of these housing units continue for special procedure occupations.

I have expressed concerned in recent years about efforts by the U.S. Department of Labor to avoid consulting stakeholders when drafting new policies for special procedure occupations. Bypassing stakeholders has confused employers and employees and led to a number of inconsistent enforcement actions by agency personnel.

I ask unanimous consent that the letter I sent to the Department of Labor on November 14, 2011, as the ranking member of the Senate Health, Education, Labor and Pensions, HELP, Committee as well as the response I received on February 2, 2012, from Department of Labor Assistant Secretary Jane Oates be printed in the RECORD at the conclusion of my remarks. You will note that previous practice afforded the Secretary some discretion in how it consults with special procedure stakeholders—specifically, that the ''administrator may consult with affected employer and worker representatives.'' I am pleased that this bill includes text which requires that agencies ''shall'' consult with employer and employee representatives and publish for notice and comment regulations relating to the implementation of the special procedures. This is an important step in ensuring that both employers and employees are heard in the rulemaking process and their concerns are reflected in agency guidance. This consultation will help avoid future confusion amongst the parties, ensure that policies practically serve the program, and that there can be an end to inconsistent enforcement actions.

Mr. President, the occupations represented by these special procedures may affect only a few specific industries but play an important role in protecting the future of American agriculture. I am pleased the immigration bill allows occupations such as sheepherding to operate under the new program as it has operated for the past 50 years. In addition, I am pleased that the legislation recognizes a specific need to address the unique wage, housing, and operational components of the special procedure programs. Finally, it is vital that rulemaking requires agency consultation with stakeholders when drafting policies for the special procedure program. I thank the sponsors of this bill for their work on this section.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, July 28, 1987.

Hon. ALAN NELSON,
Commissioner, Immigration and Naturalization Service, Washington, DC.

DEAR AL: I am writing to comment on the Immigration Service's interim final regulations regarding the H–2A program, as they would affect the sheepherding program.

Congress clearly intended that the sheepherding program be allowed to continue in its present form and under its present conditions. This was actually explicitly stated in previous Senate versions of the Immigration Reform and Control Act. I am now concerned that the proposed regulations might not fulfill congressional intent in this area.

I understand that the interim final INS regulations require all H–2A workers to return home for a minimum of 6 months after residing in the U.S. for a period equal to three labor certifications. Under present practice, there is no such requirement in the H–2 sheepherding program. While I understand the reason for a ''six month return'' rule in other occupations, present practice allows a much briefer time outside of the U.S. after three labor certifications for sheepherders. I suggest that current practice be continued in this area.

Thank you for your attention and assistance. With best personal regards,

Most Sincerely,

ALAN K. SIMPSON,
United States Senator.

U.S. DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, DC, November 4, 1987.

Hon. ALAN K. SIMPSON,
U.S. Senate, Washington, DC.

DEAR SENATOR SIMPSON: This is in response to your letter of July 28, 1987 concerning the interim H–2A rule that requires that a person who holds H–2A status for three years must remain abroad for six months before he can again obtain H–2A status. You indicated this would be detrimental to the sheep industry, and that in promulgating the H–2A program Congress intended that the sheepherder program continue under the prior conditions.

Persons admitted as H–2 nonimmigrants have traditionally been limited to stays of no more than three years. The interim rule to which you referred, found in 8 CFR 214.2(h)(3)(viii)(C), was an attempt to strengthen this limitation to ensure that persons who hold H–2A status are nonimmigrants, and are not using the status as quasi-permanent residence. Our concern was the practice of employing an individual as an H–2A for three years, sending him abroad solely for the purpose of obtaining a new visa, and then bringing him back to the United States. Such actions do not constitute a meaningful interruption in employment in the United States, and turns H–2A nonimmigrant status into quasi-permanent residence, while leaving control over the alien's immigrant status with the employer.

We recognize that the prior H–2 sheepherder program worked effectively for the sheep industry. The administration has already recognized the uniqueness of this program through special provisions in the Department of Labor temporary agricultural labor certification process. Based on your statement regarding the intent of Congress regarding this program, in the final H–2A petition rule we will include a similar provision, and not require a six month absence after a sheepherder has been in the United States for three years.

Sincerely,

ALAN C. NELSON,
Commissioner.

U.S. SENATE,
Washington, DC, November 14, 2011.

Re Changes in the Special Procedures for the H–2A Program

Hon. HILDA L. SOLIS,
Secretary of Labor, U.S. Department of Labor, Washington, DC.

DEAR SECRETARY SOLIS: I write to respectfully request the Department of Labor reconsider several of the recent changes it made to Special Procedures for the H–2A Program. Although there are some positive changes, which are well intentioned, there are several that will have serious adverse impacts on H–2A employers. Specifically, I am concerned that the Department of Labor continues to make these changes with little or no input from stakeholders and offers little clarification as to how the guidance will be enforced.

Several Training and Employment Guidance letters (TEGLs) were issued June 14, 2011 and published in the Federal Register on August 4, 2011 in accordance with 20 CFR 655.102. Special procedures under this section are designed to provide the Secretary of Labor with a limited degree of flexibility in carrying out the responsibilities of the Immigration and Nationality Act (INA). However, the guidance issued under these TEGLs in 2011 deviates significantly from past interpretations of employment guidelines, was written devoid of stakeholder input and causes several significant challenges for the employers in the open range livestock industry.

Although several of the changes create significant challenges, those concerning sleeping units and variances are creating the one of the most alarming negative impacts on livestock producers. Guidelines concerning the use of mobile housing for open range occupations have remained unchanged for 22 years. A separate sleeping unit has been understood to be a bedroll/sleeping bag, bed, cot, or bunk. However, the latest TEGL references the term ''housed'' in regards to sleeping unit and adds a three day consecutive limitation for employees sharing a mobile housing unit on the range, such as a sheep wagon. This seems to imply that a separate sleeping unit is to include a separate ''housing unit.'' Not only is the guideline inconsistent with previous standards but when interpreted strictly proves impractical for many employers. The resources necessary to move and secure multiple housing units in remote areas of range would not only hinder herding operations but could also prove to be dangerous in adverse weather conditions or during the shorter hours of daylight associated with the winter months.

H–2A employers engaged in sheep herding activities want to provide safe workplace conditions for their employees. However, when Department guidelines are vague, inconsistent or made without stakeholder input—challenges are due to arise that could adversely impact the industry and its employees. There is also ongoing concern about enforcement activities by the Department. Instances of inconsistent interpretations of guidance have been reported that concerns both long-standing policies and guidance resulting from the 2011 TEGLs. In the case of

guidance that pre-dates the 2011 TEGLs, there have been instances in which employers are challenged for practices that are consistent with state standards for their occupation and in areas where the Department is to provide deference to state workforce and employment requirements.

Additionally, there has been a great deal of confusion over the revision of the requirements for variances by the 2011 TEGLs. In the past, operators were able to file a variance once with their appropriate state department of workforce and employment with no need to file additional variances for herding activities. However, the new guidance requires variances to be filed every year and can be applied to only extremely limited situations. This change limits flexibility for employers to best serve the needs of their employees and creates impractical consequences for a number of range operations. I encourage the Department to consider returning its policies to allow for variances to be filed once for activities recognized by the special procedures and to remove the time limit that has been imposed on variances.

Thank you for considering this request and these comments regarding the Special Procedures for the H–2A Program. Again, I encourage the Department to allow greater stakeholder participation in future changes to the special procedures. I look forward to the Department's response on this matter.

Sincerely,

MIKE ENZI,
United States Senator.

U.S. DEPARTMENT OF LABOR,
Washington, DC, Feb. 2, 2012

Hon. MICHAEL ENZI,
U.S. Senate,
Washington, DC.

DEAR SENATOR ENZI: Thank you for your letter to Secretary of Labor Hilda L. Solis requesting that the Department of Labor (Department) reconsider the recent changes made to Special Procedures for the H–2A Program through the Training and Employment Guidance Letters (TEGL) published in the Federal Register on August 4, 2011. The TEGLs updated special procedures previously established under the H–2A Temporary Agricultural Program for occupations such as sheep and goat herding to reflect organizational changes as well as new regulatory provisions contained in the Temporary Agricultural Employment of H–2A Foreign Workers in the United States (H–2A Final Rule) published by the Department on February 12, 2010. Your letter has been referred to my office for response. The Employment and Training Administration is responsible for administering foreign labor certification program through the Office of Foreign Labor Certification (OFLC).

In your letter you state that even though there were some positive changes set forth in the TEGLs, the Department continues to make changes with little or no input from stakeholders and offers little clarification as to how the guidance will be enforced. Of particular importance, you cite changes pertaining to sleeping units made available to workers and to the variance procedure previously required of employers when petitioning for more than one worker to be housed in mobile units used in the open range. Your letter states that the above change in guidance limits flexibility for employers to best serve the needs of their employees and creates impractical consequences for a number of range operations.

To provide for a limited degree of flexibility in carrying out the Secretary's responsibilities under the Immigration and Nationality Act (INA), while not deviating from statutory requirements, the H–2A Final Rule provides the Administrator of OFLC with the authority to establish, continue, revise, or revoke special procedures for processing certain H–2A applications. The special procedures for sheep and goat herding, for example, have been recognized for many years and draw upon the historically unique nature of the agricultural work that cannot be completely addressed within the regulatory framework generally applied to other H–2A employers. Such procedures recognize the peculiarities of the industry or agricultural activity, and establish a reasonable and tailored means for such employers to meet underlying program requirements while not deviating from statutory requirements. Prior to making determinations regarding the use of special procedures, the H–2A Final Rule states that the ''OFLC Administrator may consult with affected employer and worker representatives''. The Department published these revised special procedures in June 2011 with a delayed effective date of October 1, 2011, to provide affected employers time to understand and adapt to any changes. The Department then published each TEGL as a notice in the Federal Register on August 4, 2011.

The special procedures published by the Department covering occupations involved in the open range production of livestock do not change the longstanding requirement that employers must provide housing and sleeping facilities to workers under the H–2A Program. Due to the unique nature of the work performed on the open range, employers in this industry are allowed to self-certify that housing is available, sufficient to accommodate the number of workers being requested, and meets all applicable standards. Within the housing unit, workers must be afforded a separate sleeping unit such as a comfortable bed, cot, or bunk with a clean mattress. Therefore, it would be possible for the employer to continue to have one camp with more than one worker so long as each worker had his or her own bed. Because employers participating in the H–2A Program must make arrangements for housing workers several months in advance of the start date of work, the Department believes employers likewise have sufficient time to plan and arrange for the provision of sleeping units for its workers. Where it is temporarily impractical to set up a separate sleeping unit which would result in more than one worker having to share a bed, cot or bunk, the revised special procedures defined ''temporary'' as no more than three consecutive days to ensure workers promptly receive the housing benefits they are entitled to under the H–2A Program.

In your letter you also state that the new guidance departs from the previous practice of allowing employers to file a housing variance request only one time with the appropriate State Workforce Agency. Though the new guidance continues the practice of allowing employers to submit a written request for a housing variance, the Department's requirement has remained consistent by stipulating that ''When filing an application for certification, the employer may request a variance from the separate sleeping unit(s) requirement to allow for a second herder to temporarily join the herding operation.'' Each open range production of livestock application is adjudicated on a case-by-case basis and conform to housing safety and health standards.

If you have any additional questions, please contact Mr. Tony Zaffirini, Office of Congressional and Intergovernmental Affairs, at (202)–693–4600.

Sincerely,

JANE OATES,
Assistant Secretary.

Mrs. FEINSTEIN. Mr. President, I come to the floor today in support of S. 744, the bipartisan comprehensive immigration reform bill before the Senate.

Through the process of negotiation and compromise, including 212 amendments that were considered during the course of the Senate Judiciary Committee markup last month and now much discussion on the Senate floor, a workable, tough—but fair—bill sits before us, ripe for us to take action on a problem that has gone unresolved for far too long.

Colleagues, this is our last, best chance to achieve immigration reform.

The bill before the Senate provides long-sought-after solutions that will help fix our broken immigration system. It takes into consideration our country's modern-day national security, economic, and labor needs, as well as our country's age-old tradition of preserving family unity and promoting humanitarian policies.

It would also bring approximately 11 million undocumented individuals now living in the United States out of the shadows and on a path where they could proudly and openly contribute to this great nation.

The first fundamental principle of the bill is that we must control our Nation's borders and protect our national security.

Before a single undocumented person in the United States can earn a green card, several important ''triggers'' must be met, showing that the Federal Government has effectively secured the border and is enforcing current immigration laws. These triggers include the following:

No. 1, an unprecedented increase of 20,000 new full-time Border Patrol agents stationed along the southern border.

No. 2, the full deployment of the comprehensive southern border security strategy, which requires the Department of Homeland Security to conduct surveillance of 100 percent of the southern border region.

No. 3, DHS completion of the southern border fencing strategy, which includes at least 700 miles of pedestrian fencing along the southern border.

No. 4, implementation of a mandatory employment verification system for all employers, known as E-Verify, which will prevent unauthorized workers from obtaining employment.

No. 5, implementation of an electronic exit system at air and sea ports of entry that operates by collecting machine-readable visa or passport information from passengers of air and vessel carriers.

These enforcement improvements build upon the Department of Homeland Security's substantial progress in securing and managing our borders.

Over the past several years, DHS has deployed unprecedented amounts of

manpower, resources, and technology to secure the Nation's borders, and these efforts have not only led to enhanced border security but have also expedited legitimate trade and travel.

The second fundamental principle included in the bill is the creation of a path to citizenship for the 11 million individuals who are living and working in the United States without proper immigration documentation.

While some have insisted that all 11 million undocumented immigrants should be deported, such a solution is not reasonable.

A majority of these individuals and families have become integrated into the fabric of their communities, and deportation would be a severe outcome. Many work and pay taxes, but they and their families live in the shadows and face the possibility of being picked up and deported, daily.

The State of California has the largest number of undocumented immigrants, estimated to be 2.6 million people or nearly one-fourth of all unauthorized immigrants currently living in the United States. These individuals have become an essential part of the California workforce. Many work in hotels, restaurants, agriculture, and the housing and construction industries.

A recent study of immigrants in California that was completed by Dr. Raul Hinojosa-Ojeda and Marshall Fitz of the Center for American Progress concluded that, ''if all unauthorized immigrants were removed from California, the state would lose $301.6 billion in economic activity, decrease total employment by 17.4%, and eliminate 3.6 million jobs.'' The study further showed that, ''if unauthorized immigrants in California were legalized, it would add 633,000 jobs to the economy, increase labor income by $26.9 billion, and increase tax revenues by $5.3 billion.''

This bill establishes a process to bring these individuals out of the shadows.

The need to provide a stable, legal, and sustainable workforce through immigration reform is critical in the agricultural sector.

According to government estimates, there are about 1.8 million people who perform hired farm work in the United States. Approximately 1.2 million of these individuals—fully two-thirds of those who help bring pistachios, almonds, wine, and other things we enjoy, to our tables—are not authorized to work here.

Some may ask, why don't farmers hire Americans to do the work? The answer is, they have tried and tried, but there are not many Americans who are willing to take a job in the fields. It is hard, stooped labor, requiring long and unpredictable hours, often in the hot Sun and high temperatures. That is why the labor shortage persists even in these challenging economic times.

The United Farm Workers initiated the ''Take Our Jobs'' campaign in which they invited citizens and legal residents to apply for jobs on farms across the country, but only seven people accepted jobs and trained for agriculture positions.

A 2012 California Farm Bureau survey found that 71 percent of the tree fruit growers and nearly 80 percent of raisin and berry growers were unable to find adequate labor to prune trees and vines or pick crops.

This problem also impacts year-round industries such as dairy. A 2012 Texas A&M study found that farms using an immigrant workforce produce more than 60 percent of the milk in our country. Without these immigrant dairy employees, economic output would decline by $22 billion and 133,000 workers would lose their jobs.

All over the Nation, growers are closing their farms because they lack a stable, legal workforce. And American farmers who remain are suffering economic losses because of the lack of immigration reform.

And when farmers suffer, there is a ripple effect felt throughout the economy—in farm equipment manufacturing, packaging, processing, transportation, marketing, lending, and insurance.

The reality is that if there are not enough farm workers to harvest the crops in the United States, we will end up relying on foreign countries to provide our food supply. This is not good for our economy or for ensuring that Americans are receiving safe and healthy foods.

Right now, the H–2A visa, or temporary agricultural guest worker visa, is the only program that is available for growers to hire foreign workers. Unfortunately, this program has not worked for the vast majority of agricultural employers.

A 2011 National Council of Agricultural Employers survey found that administrative H–2A delays prevented almost three-fourths of surveyed employers from timely receiving workers, which caused economic loss of nearly $320 million for farms in 2010.

Katie Jackson from Jackson Family Wines in Santa Rosa, CA, wrote me about the challenges she currently faces in navigating the H–2A visa program and identifying a sufficient number of skilled workers. She wrote that because, ''very few of the unemployed in this Nation will opt to work in agriculture, and even fewer have the necessary skills to do so,'' Jackson Family Wines turned to increased automation and use of the H–2A program. However, Ms. Jackson noted that ''the H–2A program is cumbersome and from our perspective merely provides a temporary fix.''

In previous Congresses, Senators Craig, Kennedy, and I repeatedly tried to pass bipartisan legislation to address this, known as AgJOBS, without success.

This year, I collaborated with Senators RUBIO, BENNET, and HATCH to negotiate and develop a new proposal that is balanced and fair to address the ag labor crisis. I am very grateful to Senator SCHUMER and the other Members of the Gang of 8 that they incorporated this proposal into this bill; it is now subtitle B of Title II, the ''Agricultural Worker Program.''

All of the elements of this program were negotiated between farm worker representatives and a large coalition of grower organizations. These negotiated provisions protect both farmers who are forced to rely on foreign farm labor and the farm workers by allowing the current undocumented farm workers to continue to work in agriculture to earn a blue card and eventually a green card.

Under the bill, agricultural workers who can document U.S. agricultural employment for a minimum of 100 work days or 575 hours in the 2 years prior to date of enactment are eligible to adjust to blue card status. Blue card applicants must not have a felony or violent misdemeanor conviction and must pay a $100 fine for being in the United States without immigration status.

Agricultural workers are eligible for a green card when they pay all taxes, have no felony or violent misdemeanor convictions, and pay another fine—of $400. The worker must also document that they performed at least 5 years of agricultural employment for at least 100 work days per year during the 8-year period beginning on the date of enactment or performed at least 3 years of agricultural employment for at least 150 work days per year during the 5-year period beginning on the date of enactment.

To replace the problematic H–2A program, the bill will also address the long-term workforce needs of farmers going forward, including dairies and other year-round ag industries, by creating a streamlined system to bring in temporary guest workers through a new agricultural visa program called the W-Visa program.

This two-part new farm worker visa program provides a temporary worker two options, which are at-will employment or contract-based employment.

No. 1 at-will employees have the freedom to move from employer to employer without any contractual commitment.

No. 2 contract employees must commit to work for an employer for a fixed period of time, which can provide increased stability for both employees and employers. After fulfilling this commitment, they are then free to work for other U.S. agricultural employers.

The bill includes specific negotiated wage rates that replace the ''adverse

effect wage rate'' standard that exists under the current H–2A program, which has proven to be very controversial, and which many farmers say is one of the reasons that the H–2A program is unworkable.

The number of agricultural guest workers who can enter the country in any given year is subject to a carefully negotiated cap to reflect anticipated labor market demands.

For the first 5 years, the visa program is capped at 112,333 per year. With a 3-year visa, this would result in 336,999 temporary workers who can be in the country at one time.

To ensure that a given year's visa allocation is not used up by regions of the country that harvest earlier than others, the bill requires that the visas be evenly distributed on a quarterly basis in the first year and that the USDA Secretary can modify the timing of the disbursement of visas based on prior usage patterns thereafter. Any unused visas that remain at the end of a quarter can be rolled over to the next quarter but not to the next year.

The cap may be increased if there are demonstrated labor shortages or reduced in response to a high unemployment rate of agricultural workers. After 6 years, the number of applications for guest worker visas and the number of blue card applications approved will also be considered when determining the annual caps.

This new, improved visa program will help American agriculture continue to be a driving force in our Nation's economy.

For those who are currently unauthorized to be in this country, Democrats and Republicans together created a new registered provisional immigrant—or RPI—program to provide such immigrants with lawful immigration status.

RPIs would be authorized to work in the United States and to travel abroad. Only if they meet stringent criteria may they renew their RPI status for another 6 years and ultimately adjust from RPI status to that of a lawful permanent resident—or green card holder.

Let me be clear, this is not amnesty. Amnesty is automatically giving those who broke the law a clean slate, no questions asked. This bill does not do that. Instead, the bill imposes rigorous requirements in order for each individual to attain legal status, apply for a green card, and eventually become a citizen.

The time has come for those who are already here, doing jobs across the spectrum—such as caring for our aging population, working in restaurants and hotels, and creating successful small businesses. It is realistic for us to secure a sufficient legal workforce, while importantly protecting our U.S. workers, to meet the labor needs of this country.

This bill would also finally pave the way for DREAMers who were brought to the United States by their parents and grew up here; they consider the United States their home and want to give back.

Approximately 65,000 DREAMers graduate from our high schools each year. They are hard-working and are dedicated to their education or to serving in the Nation's military. Some are valedictorians and honor roll students; some are community leaders and have an unwavering commitment to serving the United States.

Through no fault of their own, these young individuals lack the immigration status they need to realize their full potential. This bill will provide an opportunity for these students to fulfill the American dream and it is only prudent for us to give them that chance.

While still prioritizing the American workers who are seeking jobs by establishing a strict screening requirements, this bill aims to meet the needs of businesses so that our economy can succeed not only in the fields but in medical, technological, and research labs across the country.

This bill reforms the H–1B visa program for high-skilled workers by doubling and potentially tripling it depending on the country's labor needs. Ensuring that this country stays ahead of the curve in technology, it facilitates advances in science, technology, math, and engineering by stapling a green card to certain STEM graduates' passports. It creates a W visa program for low-skilled workers and encourages ideas through entrepreneurship, enabling the creation of the likes of the next eBay, Google, PayPal, and Yahoo, all which were founded by immigrants.

I want to commend the members of the Gang of Eight Senators—SCHUMER, MCCAIN, DURBIN, GRAHAM, MENENDEZ, RUBIO, BENNET, and FLAKE,—for providing a foundation that strikes the right balance and reflects the best thinking on how to accommodate all the various concerns and interests.

I also want to recognize those who paved the path forward for them, including former Senators Kennedy, Specter, Salazar, Kyl, and Martinez. Their hard work in tackling this difficult issue has finally brought us to this crucial stage.

This is not a perfect bill, but it is a necessary bill. If we do not seize this opportunity, I fear that the chance of comprehensive reform will be gone for another generation—something I believe would be a terrible mistake for our country.

It realistically and pragmatically updates our current immigration system in a way that enhances our national security, ensures our labor needs are met in a fair way that does not compromise U.S. workers, facilitates timely family unification, and is humane. I hope you will join me in passing this bill in the Senate.

Mr. LEAHY. Mr. President, as we look forward to bringing our debate on comprehensive immigration reform to a close, I especially want to recognize the work of one Senator who made a major contribution to this legislation. Provisions contained in this legislation will rewrite our entire agricultural visa program, and they will do so for the better. For the first time, America's dairy farmers will have access to temporary foreign workers, and the population of undocumented farm workers will have the chance to come out of the shadows and into the lawful immigration system, where they will have rights and the protection of the law. I am grateful for the work she has done, and I am proud to support her important contributions to this legislation.

The work of the senior Senator from California on this legislation should be recognized and commended. She worked long and hard to bring agricultural workers and employers together to find consensus.

She spent many hours keeping these negotiations going, and she did not give up until a fair agreement was reached. And just this week I know that Senator FEINSTEIN stood up for farmers in the Northeastern part of the United States and resisted last-minute efforts related to this bill to create a divide between farmers in different parts of the country. For this, I thank her.

Yesterday, the Washington Post published an article about Senator FEINSTEIN's distinguished service in the Senate, her leadership, her incredible work ethic, and her tenacity. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 25, 2013]

FEINSTEIN, NSA'S TOP CONGRESSIONAL DEFENDER, HAS BUILT RESPECT OVER DECADES OF SERVICE

(By Emily Heil)

She stands before television cameras just hours after the news breaks that the U.S. government has been conducting a massive surveillance program, compiling a database of Americans' phone records and monitoring foreign terrorism suspects' Internet traffic.

Her hands form fists.

''It's called protecting America,'' says Dianne Feinstein.

A five-term California Democrat who chairs the Senate intelligence committee, Feinstein hardly needs to flex her muscles these days to command deference. On Sunday talk shows and from podiums around the Capitol, she's playing the role of chief congressional defender of the surveillance program to skeptical colleagues and critics who say it's Big Brother run amok. She is also one of the most senior members of the powerful Judiciary and Appropriations panels.

Just as she is playing such high-profile roles, Feinstein, who turned 80 on Saturday, is blazing a new political trail as a symbol—an unwilling one—of the changing workplace.

''It's a non-role as far as I'm concerned,'' Feinstein says. ''I've always had the belief

that age is just chronology. I know people who are 50 who are older than I am.''

With the death of Sen. Frank R. Lautenberg (D–N.J.) this month, Feinstein became the Senate's oldest member, a distinction never before held by a woman. In fact, there's only been one other female senator over 80: Rebecca L. Felton, an 87-year-old, lace-collared white-supremacist suffragette who was appointed to a vacant seat from Georgia and served for less than two months in 1922.

Feinstein's age is in most ways incidental to her success; in others, it's key. She's benefiting from the privileges that seniority brings in the Senate and from a work ethic forged in an era where women had to work twice as hard as their male counterparts to succeed.

There are now a record 20 female senators, many of whom have taken on high-ranking roles such as chairmanships of key committees that can help ensure long political life spans. They may soon be as likely as men to grow old in elected office—or in any office.

Women over 60 make up the fastest-growing segment of the workforce, notes Elizabeth Fideler, a fellow at the Sloan Center on Aging and Work at Boston College and the author of ''Women Still at Work: Professionals Over 60 and on the Job.'' And the sight of older woman at the office—even when that office is the Capitol—is becoming more familiar. ''Obviously, politics is a bit harsher an arena, but people are willing to accept an older person so long as they remain effective,'' she says.

Age is a sensitive topic for anyone. For politicians, even more so. When Sen. Bob Dole (R–Kan.) at 72 launched his presidential campaign in 1995, Time magazine's cover asked, ''Is Dole Too Old for the Job?'' And recall Sen. John McCain's (R–Ariz.) anger at a question about his age during the 2008 presidential campaign. (McCain was 70, and called the questioner a ''little jerk.'')

If the politician in question happens to be a woman, she's even more likely to get The Question or be the target of late-night vitriol.

In 2007, at the age of 67, Nancy Pelosi (D–Calif.) became speaker of the House—the highest-ranking woman in the history of the republic—and a feast for comedians' Botox jokes.

''Nancy Pelosi said today we've waited 200 years for this,'' Jay Leno cracked after Pelosi was sworn in. ''Two hundred years? How many face-lifts has this woman had?''

Former congresswoman Pat Schroeder (D–Colo.) predicts that even as women remain in office into old age, the public will never tolerate ''a female Strom Thurmond,'' a reference to the late South Carolina Republican senator who left office at the age of 100, his final years spent with staffers and colleagues overlooking (and compensating for) his diminished mental and physical powers.

''The public would turn on her,'' Schroeder says. ''Not like they did with Strom, who everyone thought was funny—this kind of character.''

Tall and unstooped, Feinstein is often seen striding down the Capitol's marble halls.

Even her political adversaries say she remains more engaged in the minutiae of her job than many of her younger counterparts.

''I always think if I'm half as prepared and energetic as Senator Feinstein, I'm doing okay,'' says Sen. Claire McCaskill. The Missouri Democrat calls Feinstein ''the ideal of what a senator should be.''

''Role model'' is the one part of her new status that Feinstein embraces. ''That is the biggest compliment,'' she says.

Former secretary of state Madeleine Albright says the scrutiny that female politicians will draw in their older years will be just a continuation of what they have faced at other points in their careers. ''They'll talk about [Feinstein's] hair—but that's what happens now anyway,'' she says.

It did, at least, early in Feinstein's career, when media reports swooned over her looks and her impeccable ensembles. ''Charm Is Only Half Her Story,'' was the headline of a Time magazine 1990 story, which described her as ''a casting director's idea of a Bryn Mawr president who must be bodily restrained from adding gloves—or perhaps even a pillbox hat—to her already ultra-conservative banker-blue suits and fitted red blazers and pearls.''

Ask friends and colleagues to describe Feinstein and something surprising happens.

''She does her homework,'' says former senator Olympia Snowe (R–Maine).

''She does her homework,'' says Sen. Saxby Chambliss (R–Ga.), the vice chairman of the intelligence committee.

''She just does her homework,'' says Sen. Barbara Boxer (D–Calif.)

At home, as in the office, Feinstein works constantly. That includes spending her days off poring over thick briefing books and, always, the ''weeklies,'' a stack of the memos she requires every member of her staff to submit each Friday.

In the memo, each employee—from top policy advisers to mailroom clerks—describes what he or she has done that week: meetings they attended, people they met with, legislation they worked on, or what kind of letters have been coming in from constituents. Feinstein scours them, and then asks pointed questions at mandatory Monday-morning staff meetings in her Washington office.

This interrogative style has led some former staffers to grouse that she is a tough boss, prone to calling out underlings, even in group settings where such queries can come off as insults. Mark Kadesh, a lobbyist who was her longtime chief of staff, says that the rigors of working for her weren't for everyone. ''The thing is that she's no more demanding of herself than she is of her staff,'' he says. ''If you couldn't keep up, it was tough. If you accepted that challenge, it was a great experience.''

Yet colleagues—even Republicans—find her approachable. ''You knew that she always came to her conclusions based on real knowledge and understanding, not in a partisan way,'' Snowe says.

Chambliss credits her with helping to smooth over the once-strained relationship between the Senate and House intelligence committees. The bipartisan leaders now meet regularly to talk about how to speak with one voice on tricky issues—a change from the past. ''We couldn't afford that—the world has become too dangerous a place on intelligence issues,'' he says.

Feinstein's always-be-prepared ethos seems, in part, a holdover from an earlier time. When she first entered public office as a member of the San Francisco Board of Supervisors in 1969, few women held elected offices. Those who did faced far more scrutiny than their male counterparts.

Feinstein recalls being the top vote-getter in her first election to the board, which by law, meant she would be its president. But some, citing her inexperience, called on her to cede that position to the second-place man. She politely declined. Her ascent from supervisor to mayor was accompanied by tests. ''You would get pressed,'' she says. ''And so you learn to know your stuff.''

To this day, Feinstein enters no forum—be it a hearing with top military brass or a one-on-one with a low-level staffer—without excruciatingly detailed preparation.

''On the NSA issue, none of the members had gone to these briefings, and yet they're all talking about them—whereas if Dianne hadn't gone to them, known everything about them, she'd have the grace not to say something,'' Schroeder says. ''My jaw always drops when I see someone who'd rather be at the gym or running to the airport who wants to stand up and criticize something they don't know anything about.''

While she's surely come a long way from those board meetings in San Francisco, the tests still come.

In March, Feinstein had a YouTube-able moment when she spoke before the Senate Judiciary Committee about her proposal to ban assault weapons. Sen. Ted Cruz, a Republican freshman from Texas and a tea party favorite, prefaced a question to her with a discourse on the Constitution, in which he informed Feinstein (who has served on Judiciary for 20 years and was the panel's first female member), that the Second Amendment gives people the right to bear arms.

''I am not a sixth grader,'' she replied, calmly, but with a rare edge to her voice that indicated that she was just a bit peeved with the gentleman from Texas. ''It's fine you want to lecture me on the Constitution. I appreciate it. Just know I've been here for a long time.''

And may be longer still. Feinstein, who won reelection in 2012, will be 85 when her term ends. Will she run again? ''Ask me in three years,'' she says.

Mr. GRASSLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, we have been working to come up with a list of amendments. Without any editorializing, this is the list we have been able to come up with. The staff has worked on this for long hours.

I ask unanimous consent that a managers' package of amendments consisting of Boxer-Landrieu-Murray No. 1240 (pending); Brown No. 1597; Carper-McCain-Udall No. 1558, as modified; Carper No. 1590; Coats No. 1288; Coats No. 1373; Coburn No. 1509; Coons No. 1715; Flake No. 1472; Heinrich-Udall of New Mexico No. 1342; Heinrich-Udall of New Mexico No. 1417; Heinrich-Udall of New Mexico-Gillibrand No. 1559; Heitkamp-Levin-Tester-Baucus No. 1593; Klobuchar-Landrieu-Coats-Blunt-Barrasso-Enzi No. 1261; Klobuchar-Coats-Landrieu-Blunt No. 1526; Landrieu-Coats-Shaheen-Franken No. 1338; Landrieu-Cochran No. 1383; Leahy No. 1454; Leahy No. 1455; Murray-Crapo No. 1368; Nelson-Wicker No. 1253; Reed No. 1223; Reed No. 1608; Schatz-Kirk No. 1416; Shaheen-Ayotte No. 1272; Stabenow-Collins No. 1405; Toomey No. 1236;

Udall of New Mexico-Heinrich No. 1241; and Udall of New Mexico-Heinrich-Gillibrand No. 1242 be in order and considered en bloc; that the Senate proceed to vote on adoption of the amendments in this package en bloc; that upon disposition of the managers' package, the following amendments be in order to be called up and the clerks be authorized to modify the instruction lines to fit the committee-reported amendment, as amended, where necessary: Sessions No. 1334; Hirono No. 1718; Fischer No. 1594; Blumenthal No. 1636; Vitter No. 1445; Brown No. 1311; Toomey No. 1599; Hagan No. 1386; Coats No. 1563; McCaskill No. 1457; Johnson of Wisconsin No. 1380; Boxer No. 1260; Cruz No. 1580; Feinstein No. 1250; Lee No. 1214; Udall of New Mexico No. 1218; Vitter No. 1577; Tester No. 1459; Vitter No. 1474; Heitkamp No. 1593; Lee No. 1207; Whitehouse No. 1419; Cruz No. 1579; Udall of New Mexico No. 1691; Cruz No. 1583; Heinrich No. 1342; Cruz No. 1585; Reed of Rhode Island No. 1608; Cruz No. 1586; Nelson-Wicker No. 1253; McCain-Cardin No. 1469; and Portman-Tester No. 1634; that at 9 a.m. tomorrow morning, June 27, the Senate proceed to vote in relation to the amendments in the order listed; that the amendments be subject to a 60-affirmative vote threshold; that there be 2 minutes equally divided prior to each vote; and all after the first vote be 10-minute votes; that upon disposition of the Portman-Tester amendment No. 1634, the pending amendments to the underlying bill be withdrawn; the majority leader then be recognized for the purpose of raising points of order against the remaining pending amendments to the substitute amendment; that after the amendments fall, the substitute amendment, as amended, be agreed to; the cloture motion with respect to S. 744 be withdrawn; the bill, as amended, be read a third time, and the Senate proceed to vote on passage of the bill, as amended.

The PRESIDING OFFICER. Is there objection?

Mr. GRASSLEY. I object, and I ask for the floor.

The PRESIDING OFFICER. Objection is heard.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, on behalf of myself and my colleagues—I better say on behalf of myself and some of my colleagues—I have to object. The majority party has offered an agreement from our point of view that is insufficient and clearly not serious, even though I know they consider it a serious offer.

Last night, our side offered a list of amendments that could be voted upon. We asked for votes on 34 amendments and those 34 amendments are less than 10 percent of all of the amendments that are filed, right now about 550. But now the majority wants to limit the number of amendments and, in a sense, limit our rights, because each Senator ought to have an opportunity to put down the amendments they want to offer. It doesn't preclude the majority party from offering any amount of their amendments they want to offer.

It seems to me the majority wants to pick and choose the amendments they like. They don't want to take tough votes so they have chosen just a few of our amendments to make it look as though it is very accommodating.

I have to say I feel a bit used and abused in this process. For 2½ weeks we have been pushing to get votes on our amendments. We have had a measly 10 votes on amendments. I will remind my colleagues that there were 550 filed. That is pretty embarrassing for the majority after they promised a fair and open debate.

I wish to remind my colleagues about fair and open debate. One Republican Member of the Group of 8 said:

> I am confident that an open and transparent process, one that engages every Senator and the American people, will make it even better. I believe that this kind of open debate is critical in helping the American people understand what is in the bill, what it means for you, and what it means for our future.

That same Senator also wrote to Chairman LEAHY on March 30 before the bill was brought up in committee:

> I wish to express my strong belief that the success of any major legislation depends on the acceptance and support of the American people. That support can only be earned through a full and careful consideration of legislative language and an open process of amendments.

In a letter to me on April 5, that same Senator wrote:

> If the majority does not follow regular order, you can expect that I will continue to defend the rights of every Senator, myself included, to conduct this process in an open and detailed manner.

When the bill was introduced, the senior Senator from New York said:

> One of the things we all agree with is that there ought to be an open process so that people who don't agree can offer their amendments.

So it is very clear the Gang of 8, the authors of the legislation, called for a robust floor debate. They said they supported regular order.

So I ask now: Do they think that having only a few amendments considered, and this list that has just been put before us, is that a robust and open process? Do they think the majority party has used regular order?

After spinning our wheels for a couple of weeks, we had an important vote a couple of days ago. The proponents have been bragging for weeks that they were going to get over 70 votes for their legislation and somehow force the House to take up their bill. Of course, that won't happen if they don't get 70 votes. But I saw the shock of some that they had on their faces when their vote count fell short here a couple of days ago.

So now what are they doing? They need to pick up some votes and they need to make it look as though we have had a more fair process. So after less than the expected vote yesterday, the proponents came to me wanting to strike a deal that would give us votes on amendments. The problem is they still want to limit our amendments, but they want to make sure we include amendments that will help them pick up some votes.

Well, I happen to be a farmer and I am proud to be a farmer, but I want them to know I haven't just fallen off of the hay wagon. It is pretty clear what is going on around here. Regardless of the reasons for the majority now trying to look as though they are accommodating us, I am still willing to negotiate votes, but it needs to be a lot of votes.

Some on my side may be less charitable than I am since they also understand what is going on around here. So in the end, we may very well not be having any more votes on amendments. It is too bad the majority led us down this road and is aiming for the ditch. In other words, we have not had the fair and open process we were promised as we had in committee—a fair and very open process there, but it ended up completely contrary to what the Gang of 8 told us we were going to have when we got to the floor.

In the end they have only themselves to blame. In the end I think the end is right now. We are going to have votes on cloture. We are going to have a vote on final passage. I am telling people on my side of the aisle that if you are going to be against this bill, there is no sense in debating it anymore; we might as well carry our story to the other body because that is where this bill is going to be perfected, if it can be perfected, in a way that is going to be sent to the President and to solve the problems we have and not make the same mistakes we made in 1986.

I yield the floor.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent to speak at this time, followed by the Senator from Ohio and the Senator from New York.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I am disappointed the Senator from Iowa didn't accept the proposal of the majority leader and let us continue making improvements to this bill. But I have watched this debate and I wish to add my voice to those who came out and complimented the good work, the bipartisan work the Gang of 8 has performed in their efforts to forge a bipartisan compromise on an issue that is of remarkable importance to this nation—to our economic growth, to our security and, quite honestly, to who we are as a country.

I look forward to voting in favor of this legislation. I will not recap all of the components and the path of how we got here. Suffice it to say this piece of legislation includes protections for American workers, improves border enforcement, puts in a place a more effective identity verification process, improves our entry exit system, as well provides a reasonable earned pathway to citizenship for the 11 million undocumented immigrants who already live and work in America. Additionally, the Congressional Budget Office has indicated that immigration reform will also help decrease the deficit.

As well, it includes key priorities I have championed in the Senate, including sensible and necessary reforms to our high skill and employment based visa programs. It makes sure that as we continue to train and educate the world's best and brightest—STEM and PhDs from Brazil or the Czech Republic or India—they can stay here in America. Unfortunately, because what happens now is that when they get their degree, we send them home to compete against us. Canada, the U.K., and Australia have changed their laws, so now these high skill individuals don't go home, they simply move across the border to Canada and take those high-paying jobs and support jobs with them.

This legislation will also make important strides to ensure DREAMers—those young people who were brought to this country at a young age, through no fault or choice of her own, who are caught in this limbo at this point, where many jurisdictions, including unfortunately, my State, sometimes don't allow them to finish their education—have the opportunity to contribute to the only country they know.

As a matter of fact, during this year's State of the Union Address I was proud to invite Ambar Pinto. Ambar is a 19-year-old incredible young woman who was born in Bolivia, has grown up most of her life here in Virginia, and I was proud to invite her to be my guest at the State of the Union Address. I know Ambar will be able to contribute to her community, to Virginia, and to the United States, and this legislation will make sure she gets the same kind of fair shot in this country that I had and other Americans have had.

Let me also say—I know there are other Senators who wish to speak—this legislation is about the character of our country. Senator ALEXANDER from Tennessee said something the other day I have quoted him on a number of times. In this immigration debate, we discuss the character of our country. If I move to China tomorrow, I will never be Chinese. If I move to India tomorrow, I will never be Indian. If I move to France, I will never become French. It is only in America that someone from anywhere around the world, if they play by the rules, accept our democratic principles and our free enterprise system, can come here and get the fair shot and not only can they become Americans, but their children will be Americans for generations to come. Our country is at its best when it welcomes hardworking immigrants into the national fold. That American tradition is reflected in the tenants of this legislation.

This path has been circuitous. We are long overdue. The last immigration reform was more than 20 years ago. Our current system is fundamentally flawed and broken. It is time to pass this legislation with an overwhelming majority, get it to the other body, get it out, and get this bill to the desk of the President for his signature.

I am proud of the work that has been done by Members from both parties on this important legislation. I look forward to its successful conclusion, I hope, tomorrow, and I look forward to the fact that the Ambar Pintos and so many others who have lived in the shadows for so long, will be able to pursue the American dream.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PORTMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PORTMAN. Mr. President, I rise today to talk about the underlying immigration bill, but, more importantly, to talk about an important amendment that I hope can be brought up. I have spoken on the Senate floor about this before and have provided great detail as to why it works to ensure that we have employment verification at the workplace, why it is so important, really, the critical element, I believe, in terms of immigration reform.

I believe strongly if we do not have a stronger employee verification system at the workplace, the rest of this legislation is not going to work. We are not going to have the people come out of the shadows that those who are proponents of this legislation would like to see, and I would like to see. Significantly, we are not going to be able to curtail future flows of illegal immigration.

People come here to work, and it is that magnet of employment that over the years has drawn people to this great country. If we are just going to put up more fences and have more Border Patrol, which I support, we are not going to get at the problem. First, when people want to get here badly enough, they figure out a way to go over or under those fences. They figure out a way to go around them. That has been the story of our country. Every time we have increased enforcement, including some sectors of the border now where there are double fences, people still manage to find their way across in order to find work.

Second, 40 percent of those who are here illegally in this country, we are told, came here legally. They did not come across the border illegally. They overstayed their visas. The only way to get at that problem is to ensure that we have strong workplace verification. Frankly, the underlying bill must be strengthened in order for the legislation to work the way it is promised.

I believe this amendment I am prepared to offer with Senator TESTER, my colleague from Montana, is not just bipartisan, it is not just one that has been worked through with the Gang of 8, with the White House, with the chamber of commerce, with the AFL–CIO, with all the groups—we played by the rules over the last month or so to put together a good amendment—but it is one that will actually ensure to the American people that we can have an enforcement in place both at the border and in the interior at the workplace that will enable the rest of the legislation to work.

I have made it very clear over the last several weeks that I cannot support the underlying bill unless it has those enforcement guarantees because I cannot go to my constituents, look them in the eye, and say this is going to work.

So I agree, our immigration system is broken. The legal system is broken. The illegal immigration system, obviously, is broken. But we have to do the right things to fix it or else the promises we make are simply empty promises.

They say everybody wants to go to Heaven, but not everybody is willing to do the hard things to get there. This is an example of that. It is a hard thing. A lot of people do not want to see a tightening at the workplace. But it has to happen, and I think we all acknowledge that.

I was part of the 1986 immigration reform. That dates me, I know. But I was on the commission that helped come up with that. We proposed employer sanctions—it was called at the time—both in terms of the legislation and how it was implemented. Those employer sanctions were never put in place. That is one, although 3 million people were legalized, millions more came—up to 12 million now.

This is the critical part of this legislation, and I urge my colleagues on both sides of the aisle, let's have a vote on it. If we do not have a vote on it, we will not send the necessary message to the House of Representatives of the importance of this piece of the puzzle.

People said: Well, why didn't you include it in the Corker-Hoeven amendment, which was about a border surge? Because it needs to be and deserves to be drawn out as a separate issue, a separate debate, which we have had on the

Senate floor. I have spoken on it before, Senator TESTER has spoken on it, and we need to be sure that we can show through a bipartisan vote that, yes, we are willing to do the hard things to get to ''Heaven,'' the hard things to make sure this legislation actually works; and that is dealing with this at the workplace, which is the magnet, which is the reason people come to this country.

So I would ask any colleagues on both sides of the aisle, please, let us have a vote. There have only been 10 votes out of the over 500 amendments, apparently, that have been filed. There have been only 10 votes on this floor. Let us have a vote. We will be able to do it in a bipartisan way. We will be able to show the American people, as Republicans and Democrats, we can come together to solve big problems—and this is a big one. If it is not solved, I will tell you, it is not going to work.

The pilot program for the kind of E-Verify that is in the underlying bill has been tested. Do you know what the recent report says on it? Fifty-four percent of those who are illegal got through the system and got a job—more than half. Why? Because the verification does not work. Our legislation strengthens it in a half dozen ways.

Again, I have gone into great detail on this on the Senate floor, and it is all in the RECORD, and I have shared this with all my colleagues who are interested.

Again, we have done the right thing in terms of working with both sides of the aisle, playing by the rules in terms of being sure the Gang of 8 signs off on it. It is not perfect, it is not exactly the amendment I initially drafted, nor is the underlying legislation perfect. But it does put in place real enforcement to ensure that the legalization will not occur in the absence of enforcement, which would lead not only to fewer people coming out of the shadows, but more illegal immigration coming, as happened in 1986.

The 1986 bill casts a long shadow in this place, and we have to be sure we do not repeat those mistakes. This will ensure we do that.

I urge my Republican colleagues, including the ranking member who has been terrific in this process trying to work with us, to accept a reasonable list and to accept some time limits that are reasonable.

I will say, last July 4th, a year ago, we were kept in session in this place. I was kept in session, as was every Member. I was happy to do it. But, frankly, it was regarding legislation that was more political than it was real. It never went anywhere because it was viewed as kind of a political exercise. I think both sides of the aisle would agree with that. We stayed on Saturday. As I recall, we stayed that weekend.

Here we have a historic bill before us on immigration and we cannot stay for a couple days to be sure we get through some of these amendments? That makes no sense.

Members in this body know me. I am not a partisan. I am not a guy who normally gets up here and rails against the other party about process. But I would say both parties need to figure out a way to come together and to come up with a list of amendments that make sense to ensure that this legislation we are considering is one that not only goes over to the House with over 60 votes but goes over to the House with the kind of substantive provisions that are going to make the legislation work so we can tell the American people and, frankly, tell our colleagues in the House this is something they ought to take up because our immigration system is broken.

I see my colleague from Montana is here. I would yield to him to see if he has any comments to make.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I thank my friend from Ohio.

I just want to say this: I am not going to speak a lot about the amendment. I think Senator PORTMAN has laid it out very well. I just want to say that we have immigration problems in this country that need to be fixed, and they have needed to be fixed for some time.

I think the Gang of 8 has done a great job coming forth with a good-faith effort, with a good bill that heads us in that direction. I think this amendment makes a good bill even a better bill.

I thank Senator PORTMAN for his work in a bipartisan way to put forth an amendment that makes the bill better, that makes the bill work better.

I will tell you, at some point in time there will be a unanimous consent request offered on this amendment to get a vote on it, and I will hope that both sides agree that we can get a vote on this amendment. I will tell you why. It makes the bill better, and it will pass. That is what we are here to do.

So I thank my friend from Ohio, and I will encourage, as he did, both sides to come together to make a good bill an even better bill so we can pass it through Congress and get it to the President's desk.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I thank my colleague from Montana. I thank him for his willingness to work on this together. This was not an easy process. Let's be honest, a lot of people would like not to tighten up the workplace requirements. There are people on all sides of this issue. The business community sometimes does not want to. Labor unions sometimes do not want to. Other groups are concerned about this. But the reality is, unless we have strong workplace verification provisions in place, the rest of the legislation does not work. It is a critical piece of the puzzle.

I urge my colleagues to give us a vote. Give us a chance. Let's show we can, on a bipartisan basis, do something that will actually create the enforcement that is needed to have the rest of this legislation work.

Again, I am urging both sides of the aisle to work on this together and to come up with a reasonable list of amendments. I am not suggesting anybody else's amendment should not be offered, but I am saying there is a way to get there. If we have to stay in, I hope Members would be willing to do this on an issue this important to the American people and this important to the future of our country.

With that, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, thank you.

I thank the Senator from Ohio for his good work on his piece of legislation. I will talk about that in a minute.

I want to just talk in general about where we are. Obviously, this has been a long hard road, and we are on the edge of passing one of the most significant pieces of legislation that this body will have passed in a very long time.

The good news is we are going to pass it with just about every Democrat voting for it and a very significant number of Republicans voting for it. The reason for that is the vast majority of Members in this body realize that the immigration system is broken and needs fixing, absolutely. We have a dumb system right now. We turn away people who create jobs, and we let people cross the border who take away jobs from Americans.

America is crying out that we fix the system. We have 11 million people in the shadows. They are working for substandard wages, many of them under desperate conditions, and they bring down the wage rates for everybody else, through no fault of their own. We want to bring those people to an earned path to citizenship.

We want to take our immigration system and admit people who are going to create jobs. We have shortages. Google Maps is now in Vancouver, Canada. It is an American company. It is an American idea. But they are in Vancouver, Canada, because they cannot get the employees they need here. They are willing to pay whatever, but Canada's immigration system is much better than ours and they can get the people from all around the globe who are needed to run that part of the company.

We are fair to agriculture, growers. The farm workers have come together on this bill. It is a large improvement over the present system.

Now, I have heard my good friend from Ohio—and I like his amendment. In fact, my staff worked on it with him. But let's make no mistake about it. This is a vast bill, and E-Verify—permanent E-Verify—is in the bill. Maybe it can be improved a little bit, but it is 0.01 percent of the bill. It does not deal with border security. It does not deal with entry-exit. It does not deal with the 11 million. It does not deal with future flow. So I would urge my colleague to reconsider.

Of course, we want this amendment offered, and many of us will support it. But to say that is the only reason—if it does not get in the bill it is not worth voting for—I would have to respectfully and completely disagree with my colleague.

Let's face it, there are Members on his own side of the aisle who will block him from offering it. So that says it all, doesn't it? Why do they do that? Because they do not want a bill to pass. That has been the strategy.

I heard my good friend from Iowa talk about we are not approving enough amendments. Well, I will tell you, the folks on the other side have had a great plan: block votes for 2 weeks and then, in the final hours, complain we have not had enough votes. That is what they have done.

The first week we wanted to move amendments. The able chairman of the Judiciary Committee did. Oh, no. We had to change the rules and change the number of votes it takes to pass a bill around here. Week 2, we proposed many amendments be offered and the pace was painstakingly slow.

That is the plan: Block votes for 2 weeks and then complain.

Finally, last night, we got a list of 35, 36 amendments from the other side. Of course, we have many amendments. That would be 72 amendments because our side would want a one-for-one. That is only logical and fair. Then we heard it was not sufficient, that they wanted more amendments than that.

Furthermore, the Republican steering committee, my own colleagues have told me, sent out word: Get more amendments out there because we want to make sure there are so many amendments that we could never finish this bill.

In fact, even in that list of 36, the majority—not the majority but those who asked for the most amendments—were professed opponents of the bill. They were not interested in improving the bill. The strategy was, at the last hour, create dilatory tactics so the bill could never be approved.

Again, look at the list. One Member—I will not mention his name—offered seven; another offered six. They are two of the five leading opponents of the bill. They are not interested in improving it. Many of the amendments on that list of 35 were debated in committee and defeated by bipartisan votes. The committee was an open process that shows our bona fides. There were 301 committee amendments, more than 130 votes, 49 Republican amendments added into the bill.

Leader REID has just made a reasonable offer. He took 17 amendments from that list of 36. Every one of them was a Republican request. He did not make them up. He did not spin them out of whole cloth. He added 15 Democratic amendments. We have a lot of people on this side who genuinely want to improve the bill. Of course, the other side objected.

So the idea—the idea that we are not allowing amendments. Please. Take the leader's offer. That is half of the amendments you submitted last night.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. SCHUMER. I would be happy to yield to my friend from Arizona.

Mr. MCCAIN. My understanding is that there were 17 amendments that were just proposed by the majority leader, and it was opposed by the Senator from Iowa because we were not allowing votes. Did I hear correctly that after a unanimous consent request for 17 Republican amendments—1 of them very critical to the Senator from Montana and the Senator from Ohio because of E-Verify, which is something which is a fundamental key to making sure that those 40 percent of the people who are in this country illegally, who did not cross our border but came on visas and overstayed—and then it is my understanding that after those 17 votes, with 10 minutes allowed for each side, if I understand the unanimous consent request by the majority leader, then we would do 17 more and even 17 more, if necessary. Yet the Senator from Iowa says we are not allowing amendments.

I have to say, I think in honesty, if I would ask the Senator from New York this, there was a delay of a couple days there that was unnecessary, which frankly was from the other side. But to somehow allege that the rights on this side of the aisle are being abridged, when there is a unanimous consent request to have 17 votes right now with 10 minutes in between—perhaps the Senator from New York can explain to me that logic.

Mr. SCHUMER. It is very hard to explain. It is sort of twisted logic a little bit, it is sort of pretzel-like logic. It is also pretzel-like logic to delay votes for so many weeks and then say all at once we need hundreds and hundreds of amendments. Not right, not fair, particularly, as my good friend from Arizona knows, when so many of those amendments come from sworn opponents of the bill, when so many of those amendments were disposed of in committee. So he is right.

One other point I would make while my good friend from Arizona is here, one of my fellow so-called gang members. We have a lot of disputes in this body because one side is against the other side. One side says one thing and the other side bands together and says no. We get gridlock. We need 60 votes. Neither side has it.

That is not the case here. Every major vote has been bipartisan, with a very significant number from the other side supporting the bill. More than that, the whole process has been bipartisan. The Gang of 8 was four and four. We sat in that room and haggled. We had as many disputes on the Democratic side, which did not want to accept what the Republicans wanted, as disputes on the Republican side, which did not want to accept what Democrats wanted.

But we all met in the middle because we believed in this bill. The sad fact is that while the vast majority of Americans support this proposal—by every poll that is seen, a majority of Republicans support this proposal, a majority of conservative Republicans support this proposal—there is a group in the country and reflected in the Senate that is so opposed to this bill they will go to any length to stop it. But the good news is, when you have a bipartisan majority, that cannot happen. So we get the kind of logic that my good friend from Arizona has pointed out. We get the kind of thing—it is sort of like Houdini. Remember, he tied himself in a straitjacket and then complained he could not get out.

Mr. MCCAIN. Would the Senator yield? The Senator from Iowa may allege that the amendments he wants considered are not in that package. I would ask the Senator from New York, and perhaps the majority leader, would we then agree to have votes on the amendments the Senator from Iowa wants? This is a beginning and something we could continue to vote on as long as it takes.

When we were doing the budget, we stayed up all night. That was another great moment in the history of the Senate. Again, I am not saying all amendments are not equal. But I think it is pretty clear that the Senator from Montana and the Senator from Ohio Mr. PORTMAN have a very important amendment that has to do with E-Verify, a fundamental of this legislation.

We can assure the American people that the magnet disappears because of the certainty of penalties for employers, which is embodied in E-Verify, which the Senator from Ohio has spent weeks on. Only a nerd such as the Senator from Ohio could come up with the absolute detailed and absolute complete and comprehensive approach to E-Verify, a man I admire enormously.

Anybody who could be the Director of the budget has to be a nerd, as we know. But I admire the work of the Senator from Ohio, along with the Senator from Montana. Is there anyone

who would disagree that what the Senator from Ohio and the Senator from Montana are proposing would not improve the bill enormously and the confidence of the American people that we can verify whether someone is in this country illegally and applying for a job?

I guess my other question is, if the Senator from Iowa does not like the list that the majority leader read from, why do we not do some of the other amendments or are we not going to do any amendments? Finally, may I say to my friend from Ohio, I have the greatest respect for his intellect and his capabilities. I know he knows I was just joking with my comments.

As a personal aside, when I was practicing for a failed run for the Presidency, the Senator from Ohio played my opponent, and I began to dislike the Senator from Ohio enormously. He did a great job, as he did in the last election.

Mr. SCHUMER. I thank my colleague. Reclaiming my time, I would say, when we get a nerd from Ohio and a farmer from Big Sandy, MT, together, of course we are going to get a very good amendment.

The bottom line, though, is simple. That amendment is in the list that the leader suggested. Every one of the 17 Republican amendments was part of that list of 36. So the bottom line is—and now many more amendments have been filed—just talking about the amendment. Look, E-Verify is in the bill. I would not quite agree with my colleague from Arizona.

E-Verify will work very well without the amendment. I think it will work somewhat better with the amendment. It is a good amendment. I am supportive of the amendment. My staff helped work on the amendment. But let's not say this bill will have no internal enforcement without the amendment. It has very strong internal enforcement. In fact, it has mandatory E-Verify.

My good friend from Alabama has been railing for years that we need mandatory E-Verify in the country. As we work through the process, if the House in its wisdom moves the bill, we can improve things. This is not the last train out of the station. But I say this: If we do not have a bill, we will have no E-Verify, improved, not improved.

So many of the things that many of my colleagues on the other side of the aisle wanted will not be in the bill. Again, to me, having worked in a bipartisan way—and I have taken as many criticisms from my side of the aisle as from the other to get this done, what is happening here—not the Senator from Ohio. He is sincerely eager to improve the bill and I support that improvement. But for many others who are vehemently opposed to the bill, there is a view to delay and delay and delay in hopes—I would say forlorn hopes—that they cannot move the bill.

We have not been on this bill for 1 day. We have been on the bill for 3 weeks. Again, most of the objections, not all but the vast majority, came from the other side when we wanted to move forward. So I would urge that we adopt the leader's motion, 32 amendments, a reasonable amount of time to debate them, 17 from the Republican list, 15 from the Democratic list, and go forward.

I do not think there will be a single objection from our side, I will tell you that much. If you say we want these 32 and then untold more, that is a different story. That is a different story. But, again, let me conclude on a happy note.

We have our differences. But it has been truly amazing to work with the two Senators from Arizona and the Senator from South Carolina and the Senator from Florida and the Senator from Colorado and the Senator from Illinois and the Senator from New Jersey. It has been an amazing journey. On one of the most difficult issues that faces America, we have crafted a proposal that has broad support and strong momentum, momentum that increased with today's vote and will increase further with tomorrow's vote.

Please, one of the things our citizenry objects to is there is always naysaying. It is always easier to say no than to say yes. But as has been pointed out, when you say no, you are keeping the 11 million here under what many have called unstated amnesty. You are keeping a broken system that kicks out of the country people who create jobs and lets into the country people who take away American jobs. You are preventing the change in our immigration system to make America grow.

CBO said: Wow, because of this bill, GDP would grow by 3 percent this decade and 5 percent next decade. It is obvious. That is the energy of immigrants—poor immigrants, unskilled immigrants, rich immigrants, educated immigrants. Our ancestors, such as James Madison Flake, who my colleague from Arizona once told me about, but all our ancestors, whatever part of the globe they came from, worked so hard and are part of the secret to American success.

This bill restores that energy and that vitality. Again, this bill is not perfect. We never claimed it would be. But I would urge my colleague, my good friend, sincere friend from Ohio, who is very smart—that is what my friend from Arizona said—but has many other great attributes as well, and everyone else in this body, to not say, if I did not get exactly the change I wanted, this bill is no good; I cannot vote for it.

That is what has paralyzed this Nation in the last decade. This is an attempt not only to fix our immigration system but to overcome it. I pray to God we will.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, because there were some comments made about the amendment that Senator TESTER and I have offered, let me be very clear. This is about making the underlying bill work.

I do not believe it will work if we do not have strong workplace verification, simply, both because as the Senator from Arizona said, 40 percent of the people who are here illegally did not come across the border, they came because they overstayed their visas and they are here illegally now, and because when folks want to come here badly enough to get work, they will go over, under, and around whatever barriers we put on the border.

I am for more border security. It is a good part of the bill. It does not solve the problem. Fifty-four percent—remember that. That is the pilot program for E-Verify. Over half of the people who are illegal who attempt to get work are getting through.

Mr. MCCAIN. Will the gentleman yield?

Mr. PORTMAN. I don't think it is going to affect anybody in this Chamber. I don't think the bill will work. I am not going to vote for it if it doesn't have strong enforcement, because I don't think they are going to come out of the shadows in the way they want to have them, including me. I don't think you are going to be able to stop people from coming in the future. The flows of illegal immigration, as we saw in 1986, cannot be curtailed unless there is strong enforcement at the workplace.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. PORTMAN. I yield to my colleague from Arizona.

Mr. MCCAIN. It is my understanding the Senator from Ohio, it is true, worked for weeks, literally consulting industry, consulting labor, the best high-tech people in America, and has come up with these fixes which all of us, no matter how we are on this issue, agree would dramatically improve our capability to make sure if anyone is in this country illegally before they obtain a job.

Maybe it might be helpful to our colleagues if the Senator could describe for a couple of minutes, if he would, what he has been through in this process of coming up with this product to make sure this is a system that can work. I am not sure people are aware of that.

Again, I say only someone with his background, knowledge, and expertise, in my view, could have come up with this amendment, along with the Senator from Montana.

Mr. PORTMAN. I thank my colleague. I have explained this on the floor in some detail as to what is in the legislation and why it is so important,

including speeding up the time for E-Verify to apply, including a real trigger that is comprehensive, including having the ability to verify somebody's identity—which is the problem now with E-Verify—by photo match, by doubling the amount that goes to the States for them to provide the data.

It also has privacy protections. It also ensures we don't create a new national database that could have potential negative consequences for all of us as citizens who care about civil liberties. It is a great balance.

We have worked with the chamber, we have worked with the AFL–CIO, we have worked with the White House, we have worked with Republicans and Democrats alike. We have worked with people in the Gang of 8. It is not exactly the amendment we initially drafted. Ours was even tougher, I will say, in some respects, but it is an amendment I believe in my heart if we could get passed would create an E-Verify system that would be strong enough to create a deterrent, and right now the incentive to work is so strong that we can't solve this at the border. Plus, as my colleague from Arizona indicated, folks are coming over and overstaying their visas.

Let me say one more thing more if I could, please.

The Senator from Iowa has 34 amendments he wishes to have offered. I don't know if all 34 of those would actually be offered. Some of them, as my colleague from New York said, are being offered by the same Senator. I imagine there will be some voice votes in there. I know, as I said earlier, there has to be a time agreement that has to be reasonable. I know there has to be a limit. It seems to me there is a way for us to get there. This is, again, to show the American people that on a bill this historic we don't just have 10 amendments on the floor, to show we have the ability to hear not just from our amendment, Senator TESTER and myself—which is critical to me to having this bill succeed—but also other Members, who as Members of the Senate have the right to be heard.

I would hope we could come together. I misspoke earlier and said it was last 4th of July. It was 2 years ago on the 4th of July. I remember missing the 4th of July events back home because we were here voting. Why? Because we wanted to spend some time on the Buffett rule, and that was fine. We all came back and did it. It didn't go anywhere.

I would only suggest this is even more important. If we have to stay through the weekend, if we have to ensure that we stay up late tonight and tomorrow tonight to get this done, I hope we will do it to provide an ability to find a way forward where we have these amendments. Significantly, we would offer an amendment like this one that enables this bill to work, and it enables us to have even more support as this bill goes to the House of Representatives.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senate majority leader.

Mr. REID. I have been very patient today, and I have just about had it on this, all of this pontificating on this amendment, all right?

The Senator from Ohio had an offer to put this in the bill. He turned it down. We are spending all of this time because he has been aggrieved in some way? He had the opportunity to put this amendment in the bill as it is offered.

I wanted to be quiet all day, but this is enough. This is enough. The American people need to know he had the right to put it in the bill. They agreed on it. He said no. I assume this is because he wants a big show out here to have a separate vote. I don't know what it is. That is enough. I have had enough. I know he is a smart man. He has been head of OMB and a lot of good things. I know nothing bad about him, but that is enough of this, enough of this.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I wish to talk a little bit about amendment No. 1634 very quickly. The good Senator from Ohio has talked about it and explained it very well, but I wish to talk about a few things.

This amendment substantially improves privacy protections in the E-Verify Program. That is a good thing. It ensures no Federal database will be created using the Photo tool or other data from a State DMV database. That is a good thing.

It ensures no other Federal Government agency can access information made available under E-Verify. That is a good thing.

It increases privacy protections using established techniques, such as requiring an individual to be notified when their Social Security number is used for purposes of employment verification in a manner that is potentially fraudulent. That is a good thing.

It requires new regular reporting of suspected fraudulent use of the E-Verify process.

This is a good amendment. It will make a good bill better.

For that reason I ask unanimous consent that amendment No. 1634 be in order for the purpose of a vote on the Senate floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I reserve the right to object, and I will object.

I want the Members of this body to know that I very much am interested in E-Verify, because I have legislation in for mandatory E-Verify. I was involved with several Senators in 2007 as we tried to get an amendment put together in those negotiations. It is a case of something very important. I happen to support this amendment, but it is one of 34 others we sent over to the majority to give us votes on. Our side isn't going to let the other side pick our amendments and choose our amendments that are going to be adopted any more than they would let us decide what Democratic amendments are going to be offered. That applies to the Portman amendment as well and the amendment of which Senator TESTER is a cosponsor.

We had this set up where we were asked to put together amendments. It happens to be that a Republican Senator, somebody who just spoke and was involved in this colloquy, asked me to put together some amendments. I worked hard with a lot of dissenting Republicans about how we should do this process, put together 34 amendments and gave them to that Senator. He was going to negotiate with the leader or the majority.

It seems to me I ended up giving my amendments to an errand boy, didn't do much negotiation. We are here where we are.

Also for that Senator, I wish to tell him that he said we could do 15 vote amendments now, then maybe 15 more, and then maybe 15 more.

The unanimous consent request said after we do those amendments we were asked to do, the bill be read a third time and the Senate proceed to vote on final passage of the bill. There wouldn't have been a tranche of so many and then another tranche.

Here we are, even though I think it is a pretty good amendment. We were promised a free and open process of amendments, and the Group of 8 promised that from day one that they put their bill down, that this bill can be approved.

We have had a chance to improve it by a dozen votes, and that is it. I am sorry for Mr. PORTMAN and for Mr. TESTER that I have to object to their amendment, but I do object.

I think if we had 2½ weeks, we could have been doing a lot of these other things we are going to have to rely on the other body to do to get a decent bill to go to the President of the United States.

I yield the floor.

The PRESIDING OFFICER. Objection is heard.

The Senator from Montana has the floor.

Mr. LEAHY. Would the Senator from Montana yield for 1 minute?

Mr. TESTER. I yield to the Senator.

Mr. LEAHY. Mr. President, I think of myself as one of the calmest people around here, but a lot of facts and numbers have been tossed around here. Let's get a few in perspective.

When this bill was before the Judiciary Committee, there were 301 amendments filed. We put them online. Every

single person saw a week and a half in advance what the amendments were. We then brought them up. I would bring up one from one party and then one from another. We did this day after day after day into the night until people said we have no more amendments we want to bring up.

We adopted 136 of those amendments, all but 3 of them with Republican and Democratic votes. To say nobody has had a chance to amend this—we had nearly 140 amendments, including amendments from the Senator from Iowa, others, and myself. All but 3 of these 136 were by bipartisan votes.

I well remember the last night of that markup, late in the evening. I said, does any Senator, Republican or Democratic, have another amendment they want? No. There were not any more amendments, and we voted out the bill.

We have offered to have rollcall votes on 15 Democratic amendments, 17 Republican amendments, and then another 29 amendments that everybody agrees should be passed and do them en bloc in the managers' package.

Now I know some—not the Senator from Iowa because he has been here a long time, but I know some Senators are new to this body. I have been here 38 years. I have seen great legislators in the Republican Party and great legislators in the Democratic Party. We always talk about the hundreds of amendments we know we are going to get down to a finite number. Then you agree to vote on those, and you usually have a managers' package where both Republicans and Democrats agree these can be done en bloc. This is what we have done. There are several amendments here on the floor. We have offered 15 Democratic, 17 Republican, and another 29 en bloc.

The objection did not come from the Democratic side. It came from the Republican side, including some who said they would never vote for any immigration bill whatsoever.

The distinguished majority leader has more patience than the Senator from Vermont. I applaud him for his patience.

I have not spoken on this point, and I apologize for taking the time, but it is frustrating to me to hear these numbers when so much work has been done by both Republicans and Democrats on this bill to get to the point we are.

I respect my friend Senator PORTMAN, but he was offered the opportunity to put his amendment in the package which was agreed to. I had amendments. I would love to have the glory of saying: Here is the Leahy amendment passed on the floor. I said: No, I am more interested in getting it passed. I will put it in the package and let it go through. I don't need to have my name on it. I just want to get it to the floor.

I thank the Senator from Montana.

The PRESIDING OFFICER. The Senator from Montana has the floor.

Mr. TESTER. I thank the Senator. I want to get back to the amendment for a second here since it was objected to.

We wonder why we have a single-digit approval rating in Congress. The people out here that I represent aren't Democrats first, they are not Republicans first, they are Americans first.

This amendment was objected to by somebody who actually agrees with the amendment. If you are home watching this on TV, you are saying what is going on in Washington, DC? We have an amendment that people agree is going to make this bill better, but yet it is objected to. Why? Is it because there will be one or two more votes for this bill in the end? Is that why? If it is, that is not a good reason.

Look, we all live in this country. We all want this country to work. We all want it to continue to be a leader in the world. This amendment makes a good bill better.

I want to kick it to the Senator from Ohio for his closing comments on this amendment.

The PRESIDING OFFICER. Without objection, the Senator from Ohio is recognized.

Mr. PORTMAN. I thank my colleague from Montana. There was some discussion, both by Senator LEAHY—who actually was complimented earlier in his absence about the way he handled this bill in committee, by Senator GRASSLEY, because of the amendments he did offer and allowed Republicans and Democrats to offer.

To my friend, the majority leader, and to the Senator from Vermont, yes, we were offered, Senator TESTER and I were offered the opportunity to put the legislation into the Hoeven-Corker amendment.

By the way, the idea there was that we had to cosponsor that amendment sight unseen, which ended up being about 1,200 pages. We chose not to do that, Senator TESTER and I, for a very simple reason, which is we wanted to have a debate and a vote on this issue.

I have discussed this on the floor now three times, and I will discuss it once more. Apparently the Senator from Nevada wasn't there to hear it.

We believe—and I am passionate about this, as you can tell—that if we don't fix the workplace we cannot have an immigration system that works. It is as simple as that. And to not have a separate debate and a separate vote on this amendment, on this issue, does not give us the possibility of sending this over to the House with a strong message and maximizing the chance the House of Representatives will see that strong bipartisan vote on this important issue of workplace enforcement to ensure it is part of the final package. It is that simple.

If it had been part of the so-called border surge amendments, rightfully so, Members from the other body and others observing this process would have said it wasn't about E-Verify, it wasn't about the workplace, it was about the border and about the 20,000 new Border Patrol agents, and they would have been right. Let's be honest.

We asked for something simple: Give us an opportunity to have a debate. It is not about us, it is not about politics, it is about the substance of the legislation, to make sure that coming out of the shadows will actually happen because folks will find it more difficult to find jobs if they are illegal, to ensure that we don't have a future flow of illegal immigration because we have, again, an employment verification system that works, and to show that there is bipartisan support for that.

Look, it is, frankly, not a very popular part of the legislation, and over the years it hasn't been. In 1986 it wasn't. That is why it was never implemented, because there is sort of an unholy alliance among employers, among those representing labor union members, among those representing certain constituent groups who feel there might be some discrimination or other issues. That is why we have carefully drafted this amendment to address those concerns, and we wanted to be sure we had a separate debate and vote.

By the way, we are talking about a 5-minute debate, and we still hope we will get it because it makes too much sense. We could not believe—Senator TESTER and I could not believe that couldn't be possible in this body, that the world's greatest deliberative body couldn't spend 10 minutes debating this crucial issue to show, on a bipartisan basis, what kind of support there is for not just dealing with the border but also dealing with the workplace, which, in my view, is the critical element here.

We made a mistake in 1986 by not writing the legislation properly and not implementing what we had in terms of employer sanctions. That is one reason. Although 3 million people were given legal status and amnesty, millions more came, to the point where now 12 million people are living in this country in the shadows. We have to be sure that problem is addressed, and that is why legitimately we thought it would be appropriate for this body to take up that issue and have a vote on it.

I stand by that. I think we made the right decision, although I am very, very discouraged by the fact that it now appears there might be some sort of a roadblock here. Let's get a reasonable list, let's get reasonable time limits, and let's work through these amendments. We could be doing them right now. We could have done them yesterday. We could do them tomorrow. We could be here over the weekend.

Two years ago we stayed in over the July 4th recess to talk about the

Buffett rule, which never went anywhere. This is not substantive legislation that we actually hope will become the law of the land and have a major impact on all of us as American citizens and the future of our country, a nation of both immigrants and laws?

I ask again, Mr. President, that Republicans be reasonable, Democrats be reasonable, and let's come together with a list that makes sense, and let's vote on these amendments. Let's start doing our work.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank the Chair for allowing me to have the floor.

Look, we were moving—Senator GRASSLEY had a list of 16, 18 amendments Wednesday night. He was prepared to begin the voting on those Thursday, Friday, Saturday if need be, as Senator REID had said we could work on Saturday. Monday, what happened? They had the super-amendment, they had the Corker-Hoeven amendment, and the majority decided to sit on that and not allow any amendments to occur Thursday, not allow any amendments to occur Friday, and only have a cloture vote on Monday. And that vote—I don't think our Members understood fully—gave complete power to the majority to dominate this process, to end the idea that we would have an open, fair process. It ended with the cloture vote Monday.

We were in the process to vote on a series of amendments. Senator GRASSLEY worked and worked, and he got 35 amendments that he said we would agree to, out of the hundreds that were out there, to have votes on. Yet now they come back and say 15 or 17, and now we are going to do this, and we want this amendment and that amendment.

The process, I hate to say—it is pretty obvious to me—on Monday afternoon was altered. We had gone from an open debate process, as Senator LEAHY conducted in the Judiciary Committee—at the end of it, he did say: Anybody else have anything else they want to offer? And there was nothing else to offer, and he voted.

The committee was not a normal committee. We had four of the Gang of 8 on it. So the vote after vote after vote, including two votes on E-Verify that would have strengthened the bill, was voted down. Votes on the earned-income tax credit—fixing and honoring the promise not to provide that welfare payment—were voted down.

So I just want to say that everybody knows what happened. The Republican Members of the Gang of 8 said we would have an open process. Right after the vote Monday afternoon, they told me they were going to work for a process, but I knew then that the deal had been cooked and that this wouldn't result in something that would work and be fair.

Mr. VITTER. Will the Senator yield?

Mr. SESSIONS. I would be pleased to yield to the Senator from Louisiana.

Mr. VITTER. I thank the Senator from Alabama for yielding, and I want to echo these concerns. I, for one, have been filing amendments and trying to get votes on important amendments for weeks, since the very beginning of this process. I started the first day of this debate, and I haven't let up.

The Senator from Alabama is exactly correct. A slow, halting amendment process at the beginning was completely shut down by the proponents of this bill as soon as they identified a path to pass the bill. As soon as they put together the major elements of the Corker-Hoeven amendment, then the amendment process was shut down. Now they are trying to resurrect a little bitsy piece of it at the tail end of the entire debate. For what reason? For the purely cynical reason that they can get a few amendments they want up to try to grow and maximize their vote. Well, that is a purely cynical, one-sided process, and I, for one, won't stand for it.

I have been here urging my amendments from the beginning and consistently. The Senator from New York was on the floor a few minutes ago saying this was some last-minute plea. It hasn't been last-minute on my part. I started on day one, and I continued on day two and continued on day three, all through the process. I was ready with my amendments early on. Friday, I organized a letter expressing this very concern about the shutdown of the amendment process and organized signatures and sent that letter on Monday to the distinguished majority leader.

So my plea for votes on significant amendments didn't start today. It didn't start yesterday. It has been part of the entire floor process, but that process has been completely controlled and manipulated in a one-sided way by the proponents of this bill, and now they just want a few amendments at the end. Why? No. 1, so they are not embarrassed by the complete shutdown they have orchestrated; and No. 2, so they can try to buy a few more votes for the bill on cloture. Well, that is not an open process, that is not a fair process, nor is it fair to be picking and choosing what amendment votes I get. All of the amendments by myself and others are germane.

This is not reasonable in any way. So I proudly join the Senator from Iowa in objecting to that offer, which was completely cynical and one-sided.

I thank the Senator for yielding.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank the Senator from Louisiana for his comments, and I thank Senator PORTMAN for providing some good language to improve our situation.

I truly believe what happened Monday afternoon heralded deep trouble. There was deep trouble the week before when a dramatic reversal of enforcement ideas came about to throw money at this problem come Friday. That is what happened, and the process has been shut down essentially since then.

Mr. JOHNSON of Wisconsin. Will the Senator yield?

Mr. SESSIONS. I will yield to the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON of Wisconsin. Mr. President, first of all, I appreciate the Senator from Alabama yielding the floor.

I came down first of all to express my gratitude to Senator GRASSLEY for fighting for amendments, and I wish to comment on and really affirm what Senator VITTER was talking about—the Senator from Louisiana—about how these amendments were chosen by the other side.

I have not been an abuser of the amendment process in my time in the Senate. I try to pick the amendments and I try to write the amendments I think really have a positive impact on any piece of legislation.

In this case, on the immigration bill, I want to solve the problem. I was looking for a reason to vote for the bill. What prevents me from voting for this bill is the huge cost we are having to pay for it.

Listen, I don't want to divide families. I don't want to deport children's fathers. I don't want to deport husbands and wives. But I also agree with the American people that we cannot—we are already bankrupt in this country. We cannot provide benefits to those people coming here whom we want to welcome into our country, to contribute to our country, but we can't be paying benefits.

So I offered two amendments—first of all, to not allow the Secretary to extend the registration period another 18 months, so we can get this behind us. My other amendment, which I think is more significant and would help me vote for the bill, would be to prevent immigrants from obtaining the earned-income tax credit. The American people by a 77-percent margin do not believe we should be paying benefits, as we are bankrupting this nation, to people who are not citizens.

The amendment, the one I really asked for, if it was going to be narrowed down from two to one, I asked for a vote on the amendment to prevent the earned-income tax credit—a welfare benefit paid through the Tax Code—from being offered to immigrants. That is the one I wanted, but in this package, negotiated apparently by the majority leader, they were going to offer the other amendment. Why? Because I don't believe they want to expose their Members to that vote, basically providing benefits to non-U.S.

citizens that they know full well the American people do not support.

So, once again, I appreciate Senator GRASSLEY's efforts. I also fully support Senator PORTMAN's amendment as well. He is exactly right. The way we stop illegal immigration is by reducing the demand for illegal border crossings. We do that by shutting down the demand for that labor.

Again, we want to welcome legal immigrants through a legal process, but we cannot tolerate this lawlessness and this illegal immigration, and we simply cannot afford to pay noncitizens that benefit level. The cost of the bill is $262 billion, which just makes it very difficult for me to support it.

I yield back.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, one more thing. First, I agree with Senator JOHNSON. I offered an amendment on the earned-income tax credit in committee—and four of the Gang of 8 Members are on the committee—and they all voted that down, as I recall, even though they promised there would be no welfare benefit for those in the country illegally who would be given provisional status under this legislation. So that was a breach of one of the key promises they made when the bill was moved forward.

As a result, we know the earned-income tax credit is not a tax deduction; it is a direct check from the U.S. Treasury to people based on a lower income. It is a welfare-type payment. It is not a tax deduction-type situation. So that was a disappointment in committee, that the group's promises were violated, and they have been blocked again on the floor.

There is one more thing I want to say. I don't appreciate the idea expressed that no matter what would happen, Members on this side would not vote for the bill. That is not true. We need, and need badly, an immigration bill that would improve the immigration system of America, put us on a sound course for the future, would provide compassionate status for people who are here illegally and put them in a situation where they do not have to be deported. And I would support that and have said that for years, actually, and have said that through this process.

But let me tell you what the U.S. Citizenship and Immigration Services Association wrote to the Senate just 2 days ago, June 24:

> The . . . immigration bill, if passed, will exacerbate USCIS concerns about threats to national security and public safety.

They go on to say:

> It will further expose the USCIS agency as inept with an already proposed massive increase in case flow that the agency is ill prepared to handle.

They go on to say this about the bill:

> It was deliberately designed to undermine the integrity of our lawful immigration system.

They go on to say:

> This bill should be opposed and reforms should be offered based on consultation with the USCIS adjudicators who actually have to implement it.

Nobody asked them. They met in secret with the special interests, big business interests, the La Raza interests, the agriculture interests, the Immigration Lawyers Association, but they didn't have any of the officers there. I wrote and asked them to meet with them. They still refused to meet with them because they didn't want to hear that.

On June 24, 2013, ICE's union association wrote us and said:

> I urge you to vote no as this bill fails to address the problems which have led to the nation's broken immigration system and in fact will only serve to worsen current immigration problems.

They go on to say:

> Instead of empowering ICE agents to enforce the law, this legislation empowers political appointees to further violate the law and unilaterally stop law enforcement. This at a time like no other in our nation's history, in which political appointees throughout the federal government have proven to Congress their propensity for the lawless abuse of authority. There is no doubt that, if passed, public safety will be endangered and massive amounts of future illegal immigration—especially visa overstays—is ensured.

So all this talk about the greatest bill ever, it is not so. This bill is much weaker than the bill that was voted down in 2007. It was on the way to defeat last week, until they had a desperate claim to throw 20,000 agents at the border and spend a bunch of money without any thought about how it would work.

I am concerned about this. I think a lot is at stake. We know how the situation got here. We know what happened. They voted cloture Monday and the majority leader filled the tree. He, therefore, has complete control over any amendments. The last time in 2007, there were 47 amendments voted on. This time, nine have been voted on. Even with the 35 Senator GRASSLEY proposed, that would be less than last time.

We know what has happened. The Corker-Hoeven amendment was able to rescue a bill that was in deep trouble, and now it looks like we are moving on to final vote, without the ability to have amendments, because the majority will not agree to allow an open process, as was promised, and allow a number of amendments that were offered.

Senator LEAHY said a lot of amendments were offered in committee. Why couldn't they have been offered on the floor? Why couldn't we have voted for amendments on the floor? The majority doesn't get to pick and choose what amendments they are going to allow to come up. We are either going to have an open amendment process or we are not, and it looks like we are not.

I thank the Chair and would yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, before I begin my remarks on immigration reform, I would like to acknowledge the diligence and leadership of my colleague from Alabama Senator SESSIONS, who has spent a lot of hours on this floor and in the committee before this on the issue of immigration. I commend his relentless efforts to bring to light many of the problems and questions surrounding the legislation before us, some he has been talking about in the past few minutes.

As a Member of the House of Representatives in 1986, I opposed the Simpson-Mazzoli Act, which granted amnesty to nearly 3 million illegal immigrants. Supporters of that law then promised that it constituted a one-time fix to our Nation's broken immigration system. Instead, the promise itself was broken. At least four times as many illegal immigrants now reside in the United States some 27 years later.

Despite this failure, the Senate now tonight is considering legislation that repeats the mistakes of Simpson-Mazzoli. The provisions are different, but I believe the results will be the same. Still, supporters of this legislation before us promise border security in return for amnesty, just as proponents of Simpson-Mazzoli did.

In light of these facts, here is a more credible promise: I believe the child of Simpson-Mazzoli will become the mother of all amnesties. You can call it what you want.

Compounding the mistakes made a generation ago will ensure that the problem of illegal immigration revisits generations to come on a much grander scale. Therefore, I rise to urge my colleagues to reject this deeply flawed legislation.

The subject of border security has been talked about in the Senate. During consideration of the Simpson-Mazzoli Act in 1986 in the Senate, my former Senate colleague and coauthor of that legislation stated the following: ''The American people, in my mind, will never accept a legalization program unless they can be assured this is a one-shot deal.''

The assurances to which he referred were border security and tough enforcement of immigration laws. Specifically, Simpson-Mazzoli called for 50 percent more Border Patrol personnel for 2 years and new penalties for employers who hired illegal immigrants. Unfortunately, as we know, the former proved insufficient and the latter was hollow. But it was too late. Nearly 3 million illegal immigrants had already been granted amnesty by the time most lawmakers figured out that the assurances were basically a sham.

Despite the drastic increase in illegal immigration in the intervening years,

supporters of the bill now before the Senate make similar assurances of border security in return for a form of amnesty. They say there will be a surge in Border Patrol and a fence along the southern border. We have heard it before, but they claim two main distinctions between their promise and the one we heard in 1986.

First, the supporters of this bill say this bill does not contain amnesty but a tough path to citizenship. Second, they say this bill will secure the border before legalization occurs. But will it? I believe neither claim holds water.

Under this legislation, once the Secretary of Homeland Security notifies Congress that the Department has begun to implement a so-called comprehensive southern border security strategy and a southern border fencing strategy, she can commence processing applications for registered provisional immigrant status. In addition, the Secretary must begin implementing these plans within 180 days of enactment of this legislation.

I will clarify the legal talk: No later than 6 months after this bill becomes law, those who came here illegally will be allowed to stay legally.

I will clarify that further: That is amnesty.

The sequence is also noteworthy. No fence must be built before amnesty is granted. No surge in Border Patrol must occur either. Those things come after, not before.

So I return to the fundamental question: Will these measures as structured stop illegal immigration? The Congressional Budget Office, CBO, says no. Instead, CBO provides only a vague and uninspiring assessment that the legislation will slow illegal immigration by some amount greater than 25 percent—if, and only if, the dubious promises of this legislation are fulfilled.

Perhaps that is the more salient point: We don't know what the impact of this will be. We don't know what we are doing. We only know that even the best outcome will not be nearly enough.

I believe we should know what we are doing. We should know the border is secure before any discussion of legalization begins in the Senate.

But there are economic consequences to all of this too that people need to think of. What we do know is that the economic consequences of this massive amnesty will make struggling Americans struggle even harder. By some estimates, this legislation will produce a surge of more than 30 million immigrants in just the first decade after enactment. Some people believe more.

CBO projects that passing this legislation brings grim news about what this will mean for working Americans as well as those looking for work.

For example, the unemployment rate, according to CBO, will accelerate over the next 6 years; average wages for Americans will drop over the next 10 years; meanwhile, average wages will rise for those granted amnesty or legalization; economic output per capita will decrease over the next 10 years; and the on-budget deficit will increase by more than $14 billion over the next 10 years.

In short, this legislation is projected to increase Americans' difficulty in finding a job and then reduce their paycheck when they get one. In my judgment, that is reason enough to oppose any legislation like this.

I understand that supporters of this legislation point to better economic projections in the so-called outyears. However, even if those projections prove accurate—which we don't know—we should never put the economic well-being of Americans on hold.

Finally, I am deeply concerned that this legislation will further strain our overcommitted entitlement and welfare programs. Our Nation, as we all know, is over $17 trillion in debt. We should be working on a long-term plan to put our Nation back on sound fiscal footing, not adding to the burden.

There is also the issue of competitiveness. Long-term thinking would also aggressively promote American competitiveness. Real immigration reform presents a golden opportunity to advance that cause. Unfortunately, this legislation misses the mark.

By some estimates, China and India together graduate nearly 1 million engineers each year from their universities. The United States, by comparison, graduates approximately 120,000 engineers. In addition, the Manhattan Institute estimates that 51 percent of engineering Ph.D.s and 41 percent of physical sciences Ph.D.s who are foreign born are forced to leave the United States once they get their degree.

I believe if we care about immigration reform, if we want to continue to lead the world, we must attract and retain the best and the brightest minds. Yet this legislation would cause a tectonic population and labor market shift in the opposite direction.

Specifically, CBO projects that among the tens of millions of immigrants who will come to America under this legislation, there will be seven low-skilled workers for each high-skilled worker. It is little wonder then that CBO projects that Americans' wages will fall.

Two provisions in the legislation will effect this change. First, the current cap on family-based visas will be removed. This will create an unlimited influx of low-skilled workers. Second, the cap on visas for high-skilled workers will be increased, though not nearly enough to meet the demand.

The legislation will also impose onerous new restrictions on employers seeking to hire such workers. The authors of this legislation claimed that it contains a merit-based approach, which will ensure that more high-skilled immigrants receive visas. They emphasize that their point system emphasizes higher education, consistent employment, and English proficiency. Yet closer examination of the details reveals that points would also be awarded on the basis of nonmerit factors, such as family ties and civic involvement. In effect, this dilutes not only the point system but also claims of a merit-based approach that will promote American competitiveness.

I think we have some of the best universities in the world. They attract a lot of the most gifted individuals from around the globe, deepening our country's vast pool of talent. This, in turn, attracts companies here and abroad, seeking the brightest minds in math, science, and engineering. Graduates will go onto attain high-paying jobs or even create jobs themselves if they are allowed to stay here.

I believe we must do more to allow such talent to stay, especially in light of an increasingly global and competitive economy.

In closing, I would quote Mark Twain, who once cleverly observed: ''History does not repeat itself but it does rhyme.''

In the context of immigration reform, the promises we hear today sound a lot like those we heard in 1986, but this time the amnesty will be much bigger. I believe the consequences will be many: undermining the rule of law, failing to secure the border, increasing economic difficulties for American workers and job seekers, eroding our Nation's finances, and weakening our competitive position internationally.

I believe one of our fundamental responsibilities as lawmakers is to support policies that foster the conditions for job creation and economic prosperity in America. I believe we must remain a welcoming nation, but we must always put Americans first.

In my judgment this legislation fails in many corners, and it fails most tests. Accordingly, I will respectfully but firmly oppose it, and I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I want to speak to the underlying legislation that we are debating in the Senate today. I want to acknowledge that, like many of my colleagues in the Senate, I am a descendant of immigrants. Only one generation separates me from a grandfather who was born in Norway but came to America with his brother in hopes of making a better life. My grandfather and great-uncle, when they came through Ellis Island, their given name was not the name I have today. It was Gjelsvik, and when they got to Ellis Island the immigration officials there asked them to change their name

because they thought it would be difficult to spell and pronounce for people in this country. So they picked the name of the farm near where they worked near Bergen, Norway, which was the Thune farm. So Nicolai Gjelsvik became Nick Thune, my grandfather.

When they got here they worked on the railroad, saved up enough money to buy a merchandizing store, which eventually became a hardware store, and there is to this day on the streets of Mitchell, SD, a Thune Hardware. The family is not associated with it anymore, but that is an example, like so many other cases, of people in this Chamber as well as those all across the country who came here in search of the American dream, in search of a better life for their children and grandchildren.

My grandfather raised three sons in the middle of the Great Depression. The middle son, my father Harold, became an accomplished basketball player, went on to star at the University of Minnesota, and when World War II broke out he defended his country in combat. He became a naval aviator, flew off the aircraft carrier *Intrepid* during World War II. When he returned to South Dakota he started raising his family in the small town of Murdo, which is where I grew up.

This country was built by immigrants like my grandfather, and our future both economically and as a continued example of freedom throughout the world will be maintained by future generations of immigrants who come here with the respect for the rule of law and hopes of starting a better life.

A lot has changed in the world since my grandfather came to the United States. We face new threats from abroad that attempt to use our porous borders to harm this Nation and to destroy our way of life. In addition to these new national security challenges, we depend on a more dynamic system of commerce, trade, transportation, and communication. Our government is also larger and now offers a broad social safety net to a growing and aging population. To maintain our system of government, while encouraging future generations of immigrants to come here, our immigration policy must provide a clear path for those who wish to come legally while enforcing the rule of law. As lawmakers, we have to look at each piece of legislation that comes to the Senate floor based on its own merits and the impacts that it will have on our Nation.

The immigration bill before the Senate has many aspects of it that I can support, but there are elements of this legislation that cause me concern. I appreciate the effort of those who have worked in drafting this bill to find a way to address the 12 million undocumented workers who are currently living in this country. However, if we are going to fix the problem, we need to do so in a way that doesn't result in the Senate having the same discussion again and again in years to come.

The solution to the problem of illegal immigration is not Congress passing new laws every few years that provide for legalization without securing our borders. That sends the wrong message to natural-born citizens and those waiting outside of our country to enter legally.

What legalization before enforcement communicates is if they want to come to America, don't play by the rules; it takes too long. Instead, find a way to sneak in and wait for the next round of amnesty.

Before we get to the point of talking about what a path to legalization might look like, as a country we first need to be at the place where we can, No. 1, confirm our borders are secure; No. 2, know when people have overstayed their visas; and, No. 3, have a system in place where employment is limited to those who have played by the rules.

Once we have these tools in place, then we can look at a path to legalization. The bill before us today is legalization first and enforcement second. That is a promise the American people have heard before.

Last week I spoke several times on an amendment that I had offered to this legislation for a border fence which, at the time, was voted down by a majority in the Senate. I would prefer if we lived in a world where a border fence was not necessary, but, unfortunately, we do not. When I introduced that amendment I was surprised to learn from some of my colleagues on both sides of the aisle that in their view it was a waste of money and unnecessary. In fact, one of my colleagues even called it a dumb fence. Yet the substitute amendment agreed to this week now calls for 700 miles of fencing along the southern border.

With this new compromise, instead of the fence being a bad idea, now all of a sudden—and I guess it is not unlike some of the evolutions that occur around here—it is a good idea. I appreciate that some of my colleagues appreciate that good fencing is a key component of border security.

I would like to make clear that this 700 miles of fencing is not a trigger that is a precursor to legalization. The amendment agreed to in the Senate is still legalization first and the promise of border security down the road.

What the amendment I offered called for was 350 miles of fence to be completed prior to RPI status being granted. That would have meant border security first, then legalization. Additionally, I had proposed a double-layered fence to prohibit pedestrian traffic, which is different than the single-layered fence in the current legislation.

It would be insincere to claim we want to discourage illegal immigration and yet have a border that anyone can walk across, in some places without even knowing that a border has been crossed. No border fence will ever be 100 percent effective, we know that. But a physical barrier along with increased use of technology will stem the flow of pedestrian traffic. On the few sections of our border where a double-layered fence is already in place, this is verifiably the case.

Another provision being touted as part of the compromise version of this legislation is the inclusion of 20,000 additional Border Patrol agents to secure our southern border. Prior to this compromise, our colleague from Texas Senator CORNYN was criticized for proposing 10,000 new agents. I would hear people coming down on the floor saying: We can't have that. How are we going to pay for it? We don't have the money to pay for this in the bill.

Now the increase of 20,000—double the number proposed by the Senator from Texas—is being defended and even celebrated by my colleagues who were criticizing the increase only a week ago. I am still not sure how these additional Border Patrol agents will be paid for, nor am I sure how Customs and Border Patrol will be able to double in size in a short period of time.

I want to point out that those who are proposing this—and, again, when this was originally proposed, the underlying bill had about $8.3 billion in it for infrastructure and other things that were called for in the bill. But adding 20,000 Border Patrol agents now, with all the other spending in the bill, has driven the cost of this up from about $8.3 billion, which was going to be paid for in the form of fees, to now about $50 billion in costs. The argument is, that is OK because it is going to be paid for. The CBO has said this is going to generate a surplus over the next 20 years.

How is that surplus? How did they come up with that estimate? Of course, first of all, it is a payroll tax number. They are assuming that people who come here are going to start paying payroll taxes into the Social Security trust fund and into the Medicare trust fund—all probably fair assumptions. The only thing about that is when those payroll taxes come into those trust funds, at some point their assumption is they are going to be paid out in the form of benefits. So they took payroll tax surpluses and counted those as the way in which they would pay for the spending in the bill.

However, if we actually look at what the CBO said, if we take out those Social Security and Medicare trust fund surpluses, the general fund—or I guess you would say excluding the FICA payroll tax surpluses amount on this—is a $70 billion deficit. If you back out Medicare, it is only a $14 billion on-

budget deficit, but it is still a deficit under the bill.

To suggest this is all going to be paid for by savings that are going to occur because of additional payroll taxes misses the point that those are payroll taxes that go into those trust funds on the assumption they are going to pay benefits at some point in the future. These are temporary savings; these are not savings we can count. In fact, when we do the on-budget analysis, we come up, again, with a deficit of $14 billion. If we take out the Medicare surplus, payroll tax surplus, we end up with a $70 billion deficit.

While I appreciate, again, the work of my colleagues to improve the bill, the final product is still legalization first and promises of border security down the road. The drafters of the legislation could point to many specifics that they hope to see in place, but these promises of additional fencing, E-Verify, electronic entry-exit, and more Border Patrol agents could be years away—if they ever happen at all. There are virtually no border security or interior enforcement border security measures in place prior to the initial legalization of 12 million undocumented workers.

I would like to see a border security package that brings real border security prior to legalization. Unfortunately, this bill is not it.

We are a nation of immigrants, but we are also a nation of laws. It is important that these laws are respected and enforced in accordance with the Constitution and with respect to our immigrant heritage. We must have an immigration system that rewards those who play by the rules and come to the United States through legal means. In considering changes to our laws, we need to promote and reward lawful behavior rather than providing incentives that would encourage even more illegal immigration.

In 1986 Congress passed the Immigration Reform and Control Act offering amnesty to roughly 3 million people. Today the population of illegal immigrants in the United States is estimated to be around 12 million.

Did the 1986 amnesty legislation solve the problem? No, it did not. Yet today here we are again proposing a very similar package which repeats the same mistakes made in the past. Lawful immigration makes our communities, our economy and our country stronger. Our current immigration system needs to be fixed in a manner that continues America's great heritage as a nation of immigrants. Unfortunately, as this bill currently stands it will not solve the problem. Unless we see changes that emphasize border security and the rule of law before legalization, I will not be able to support this bill. And that is not because I oppose immigration reform. It is because this is not a piece of legislation that will help our country in the long run. This legislation will provide instant legalization, leaving in place many of the same problems which led to the situation, while exacerbating other problems.

I filed an amendment that would take many of the triggers being touted as part of this latest substitute amendment and make them prelegalization. If this amendment were to be accepted, the bill would become enforcement first and legalization later. We may not get to the point in the Senate where that type of change is going to be considered.

As we wind up this debate and move to the finish line in terms of final passage, it sounds as though additional amendments are probably unlikely to be considered, which is unfortunate. We have a lot of colleagues, as was talked about earlier, who have lots of good ideas that would improve and strengthen this bill. We will not have an opportunity to debate or vote on those amendments.

I am hopeful that as this bill moves out of the Senate sometime tomorrow and gets to the House of Representatives it will be strengthened in ways I can support. It is time we keep our promises to the American people by securing our borders as we seek to reform our immigration system. I hope before this is all said and done and this process reaches the final finish line, which would be the President's desk, it has the right types of enforcement that put border security first and addresses what I think are the broken promises that have been made to the American people too many times in the past.

The American people need to be assured once and for all that we are serious about the issue of enforcement and the issue of border security, and that the past promises and assurances which have been given in the past are not all empty rhetoric and hollow talk and mean something. We can do that, but unfortunately this bill fails to get the job done.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I know many of my colleagues are very talented attorneys. I am reminded of the adage that when you are a lawyer, if you have the law on your side, you argue the law. If you have the facts on your side, you argue the facts. But if you have neither the law nor the facts on your side, you bang on the table and create a diversion.

What I have heard a lot about here today is clearly a diversion because it is not either the law we are promoting or the facts, which seem to be pretty stubborn, but sometimes for people in this Chamber I guess the facts are not an impediment toward their arguments.

I will try to get to what this law is and what the facts are. My colleague from Alabama Senator SESSIONS likes to whip out the phrase ''welfare benefits.'' Let's make it clear to the American people we have not permitted welfare benefits for anyone under existing law who is undocumented in this country. We extend that and actually to some degree enlarge it in this law we are promoting. So to throw that out carelessly and suggest: Oh, there are welfare benefits—there are no welfare benefits. The existing law stops welfare benefits for anyone who is undocumented in the country, and we extend it in this law.

I must say I am chagrined when I hear my colleagues speak about certain Americans who are part of civil society, part of our civic fabric, part of national organizations such as La Raza and somehow are spoken of as if they are second-class citizens and that I should bend at the altar of some others who Senator SESSIONS believes are somehow superior. They have every right, as a U.S. citizen, to voice their opinions about what our government should do in this question of immigration reform. I don't care for the categorization of people who are engaged as ordinary citizens of this country to be treated as if they were some second-class citizen.

Only in Washington could we hear an argument that somehow public safety will be ''endangered'' as a result of this legislation. There are 20,000 additional border agents and more resources are going to immigration enforcement than all other Federal criminal enforcement agencies, and somehow that creates greater endangerment of the public safety? So 20,000 more Border Patrol agents will somehow make the Nation less secure? Only in Washington could some of the detractors of this legislation suggest that 20,000 additional border agents and doubling the Border Patrol makes us less secure. Only in Washington could 700 miles of fencing make the Nation less secure. Only in Washington could the suggestion be made that an entrance-exit visa program to check who is coming in and making sure they leave or else they can be pursued is making us less secure. Only in Washington could we think about a mandatory universal E-Verify Program that has been enhanced under this legislation and somehow that makes the public less secure.

This comes from some of the very voices that for so long have said, we need more Border Patrol agents and more fencing. When they finally get the Border Patrol agents, fencing, and E-Verify system nationally mandated so everybody who gets a job or seeks to get a job is going to have to go through the system, as well as an entrance-exit visa program that is going to be implemented, and they still say: Oh, no, it is either not what we wanted or it is not enough.

And triggers—my God. Personally, from my perspective, we are trigger

happy in this bill. We have more triggers in this bill than I have seen in virtually any other legislation. I believe we have up to five triggers. We have five triggers that have to be pulled, which means they have to be achieved before they can move forward to citizenship. That is a pretty significant period of time.

Now to the suggestion about costs. Well, this is one of the elements of where facts are a stubborn thing to overcome. Truth crushed to the ground still springs back. So what does it say? Well, let's start off with what it says about the deficit. This isn't me saying it as a proponent of the bill, as the Gang of 8. The Congressional Budget Office—the nonpartisan entity of the Congress that both Democrats and Republicans rely on for an analysis of whether a piece of legislation will cost money, what sort of economic impact it will have, and what the consequences will be—came to their own independent conclusion.

They said the gross domestic product would ultimately grow by 3.3 percent in the first 10 years after enactment. What does that mean? That means from all the output of this Nation, gross domestic product would grow dramatically. When we see growth at that additional rate, it means every American prospers as a result of it.

Then it went on to say an additional 5.4 percent of gross domestic product increase would exist in the second 10 years. That means even greater growth, which means greater opportunities for all Americans here at home. It also means the bipartisan immigration reform we have been debating in the Senate will actually grow our economy, not harm it, as some of the most ardent opponents have tried to argue. I have been saying that, as well as many others, all along.

What else did the Congressional Budget Office tell us? It told us we are going to reduce the deficit. We are going to reduce the deficit by—I think I have the wrong chart. Let me look. This is actually taxes paid. We had a chart, but basically what it says is that it is going to reduce the deficit by $197 billion over the first 10 years, and an additional $700 billion over the second 10 years. That is $900 billion of deficit reduction.

We will have nearly $1 trillion of deficit reduction as a result of this legislation. That deficit reduction is critical for the Nation's economic growth, prosperity, and to make sure the next generation doesn't bear that burden. According to the Congressional Budget Office, that is what we are going to get from achieving passage of this legislation and ultimately moving it into law.

The report went on to say revenue will come in a whole host of ways, such as payroll taxes, income taxes, fees, and fines estimated to be about $459 billion in the first 10 years and $1.5 trillion in the second 10 years. It also found there were fewer unauthorized individuals coming into the United States under the bill.

One of the things the CBO said was: Well, there will be those whom we are concerned will overstay future visas. Two things on that score, and one point my colleagues have used consistently: No. 1, which visas are they talking about? Are they talking about the visas our Republican colleagues have largely championed for businesses in this country they want to see grow? Some have amendments to grow it even more. Those are the visas CBO talked about ultimately having the concern that people may overstay. That is why the entrance-exit visa program is so important to ensure that doesn't happen.

It is ironic, again, how they can argue all sides here. Because if we look at what CBO said, they said the potential for overstay of those new visas would be the issue. That is why this employment verification system and the entrance-exit visa program is so important.

The bottom line of the Congressional Budget Office report is pretty clear. It tells us the 11 million people who are living in fear in the shadows are not, as some would have us believe, part of America's problem, but by bringing them out of the shadows will be part of our solution. It is the key to economic growth.

Also, immigration reform, according to their views, will also save Medicare and Social Security trust funds. In so many ways these are so incredibly important.

I heard that somehow this will create challenges on the question of wages. Well, as I listened to some of my colleagues make their remarks about the CBO's reports on wages, I don't think the numbers say what they believe they say. They were talking about how American families' wages would go down. The report explicitly says that is not the case. In fact, Ezra Klein wrote in the Washington Post that the idea that immigration would lower wages of already-working Americans is ''actually a bit misleading.''

As for folks who are already here, the Congressional Budget Office is careful to note that their estimates ''do not necessarily imply the current U.S. resident would be worse off in the first 10 years.'' And in the second 10 years they estimate the average American wages will actually rise as a result of immigration reform to the tune of about $470 billion, an average annual increase in jobs of 121,000 per year for 10 years. That is 1.2 million additional jobs to the United States. It is $470 billion in increased wages of all Americans.

The truth is stubborn. Crush it to the ground and it springs back.

In addition to that, I have to remind my colleagues as they come closer to having to cast a vote—and I hear some voices who say: Oh, I would be open to vote for the bill if this or that. Immigrants constituted 12 percent of the population in the year 2000, but they accounted for 26 percent of the Nobel Prize winners based in the United States. Twelve percent of the population, immigrants; 26 percent Nobel Prize winners. They made up 25 percent of public venture-backed companies that started between 1990 and 2005. The fact is immigrants receive patents in our country at twice the rate of native-born populations.

So the bill's overall effect on the overall economy is unambiguously positive. One can try to distort it any way one wants, but that is simply the case.

Those are the economic benefits refuting some of the things I have heard here. Wages go up for all Americans, jobs get increased, GDP growth takes place, the deficit is reduced. How many things will we do in the Senate that can bring all of those elements together? Maybe some pieces of legislation might be about job growth. Maybe some pieces of legislation might be about GDP growth. Maybe some pieces of legislation might be about how to reduce our deficit. But what singular piece of legislation, according to the Congressional Budget Office, brings all of those elements together? I would suggest not one that I have seen in the last 7 years.

I know there is a lot of thrashing and gnashing and banging on the table because when a person doesn't have the law on their side and when a person doesn't have the facts on their side, they create a diversion. There have been a lot of crocodile tears related to the request for amendments.

Let me just say, first of all, this whole process began with a bipartisan group of Senators who had input from their colleagues. They did not, in and of themselves, the Gang of 8, just say this is my view of what needs to be done. They went back to their caucuses. They asked: What are the foundations, what are the principles we need? There was a lot of input during that whole period of time. I constantly heard from my four Republican colleagues of the Gang of 8 how they had spoken to X or Y Senator and how they believed this was necessary, what were some of the essential elements, and those got incorporated through the process. They got incorporated through the process in which the legislation was ultimately devised and put forth. They got incorporated, unlike the 2007 bill referred to by several of my colleagues. The 2007 bill on immigration did not go through the process of the Judiciary Committee. It didn't go through the Judiciary Committee process. This bill did. It went through that regular order. Over 212 amendments—212 amendments—were considered.

Over 136 changes, amendments, were accepted; 43 Republican amendments were adopted, and all but 3 of those 212 votes, from what I understand, were bipartisan votes.

So we had 136 changes to the law that the Gang of 8 proposed. Then we came to the floor. What happened on the floor? This bill, which has been on the floor for 20 days—this didn't just pop up. It has been on the floor for 20 days, which is nearly 3 weeks of Senate floor time. What happened at the beginning is that every time there was an effort to offer unanimous consent requests on the question of amendments, there were objections by the other side. There were objections against amendments offered by their own Members because those who oppose this legislation, no matter what, did not want to give Members an opportunity for a vote on their side, because they believed if their amendments were adopted, the Member would agree to vote for the bill because they had made the improvement they sought to the underlying bill they otherwise could support but with the change they were offering.

So, strategically, they decided not to allow their Members to ultimately have amendments because they were afraid they would join in the growing cadre of Members who were supporting the bill. It wasn't about who gets to pick or choose amendments; it was a strategic decision and that took the better part of the first 2 weeks.

We did have nine amendments; overwhelmingly, they were Republican. Then we had the Corker-Hoeven amendment, which of course had the most dramatic, significant impact on border security. But there were an additional nine amendments that were included in Corker-Hoeven. All of them, I understand, were Republican. We would have had a 10th amendment because, I understand, as has been said here—and I was asked as part of the Gang of 8, can you accept this. The Portman amendment on E-Verify would have been part of that package, and we wouldn't be debating about whether that is here; it would have been part of that package.

Then we had an offer by the majority leader of 17 additional Republican amendments and that was rejected. A whole host of those amendments were from some of the most ardent opponents of this legislation.

So this thrashing and gnashing about process—look, I understand if one doesn't want to get to a final judgment and they want to do everything possible not to get there; they want to do everything possible not to see the legislation move forward because they fundamentally disagree. Let's be honest. Let me make my final point. There is a universe of our colleagues in which no pathway to citizenship would ever be accepted. That is the unseen elephant in the room, but there is a universe of our colleagues—as a matter of fact, some of them are more overt about it. They show it by virtue of even some of the amendments they wanted to offer in which there would be no pathway for citizenship whatsoever—trigger, no trigger, any set of circumstances. We have seen the consequences of that in Europe. The consequence of that is that we create unrest in the community.

It is not OK to exploit 10 or 11 million people and not let them have the chance to make themselves right and earn their way into citizenship in the United States. It is not OK to say there can never be a pathway to citizenship when they are the ones who are bending their backs over, picking up the crops my colleagues and I get to eat every day for dinner or for breakfast. It is not OK to have that immigrant who is taking care of a loved one with a tender heart and warm hand, helping with their daily necessities, and say they can never get a pathway to citizenship. It is not OK to have had chicken for dinner tonight and not understand that this is from the cut-up hands of an immigrant worker. It is not OK to say the country is somehow less secure by virtue of what we are doing.

I have said it many times: I don't know who is here to pursue the American dream versus who might be here to do it harm unless I bring people out of the shadows and into the light. They go through a criminal background check which they have to pass, and if they don't, they get deported right away. If they do, then they have an opportunity to earn their way after a decade in this country toward permanent residency and then later on to U.S. citizenship.

So let's say it as it is. If you don't want a pathway to citizenship, then stand in the Chamber and make a case, if a Member doesn't want a pathway to citizenship under any circumstances. My colleagues have the right to have that opinion. I would strongly disagree but don't hide behind procedures and amendments. Tell me what legislation has come before the floor grows GDP in our country, grows jobs in our country, increases wages of all Americans, and reduces the debt by nearly $1 trillion. I haven't seen it.

That is what the opportunity is before the Senate. That is why no diversion will ultimately sell with the American people. In poll after poll after poll across the landscape of this country, Americans have said across the political spectrum—Republicans, Democrats, and Independents—they want to see our broken system fixed. When the elements of this legislation—all of its elements—have been tested, they have overwhelmingly won support.

That is why I am proud of our colleagues, both Democratic and Republican, who have chosen to finally tackle a tough challenge and actually do something to fix this problem and to show America this institution can actually work. That is the other side benefit of everything I have just talked about in terms of economics, of security, of promoting our future, of creating greater jobs, of creating growth and prosperity, of having the best and the brightest in the world be able to help us continue to be a global economic leader, which is that the Senate can actually function.

That is the opportunity before us: fixing our broken immigration system, showing this institution can function in a bipartisan process, and ultimately preserving our legacy as a nation of immigrants.

I always say that the greatest experiment in the history of mankind is the United States, the greatest country on the face of the Earth. A part of American exceptionalism is that experiment we have had, to bring from different lands different people who have contributed enormously to this country.

Tomorrow, I hope to show a series of Americans whom we have proudly held up as examples of greatness, who, in fact, would not be here today but for the opportunities—sometimes under a legal immigration system and sometimes not through a legal immigration system—who have served this country greatly, whom we admire and, at the end of the day, we show as examples to our children of what a person can do for one's country, what a person can achieve for one's Nation, and models to hold up to the world. I can't wait to share that with the rest of my colleagues in the Senate.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I am going to begin my comments, but I am told by the majority leader he may want to come in and do wrapup, and I am perfectly comfortable with him coming in and interrupting me if he does get to the floor to do that.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I would ask my friend from Georgia, through the Chair, if I could do the closing script. It will take about 2 or 3 minutes.

Mr. CHAMBLISS. Certainly.

Mr. REID. Mr. President, I do appreciate the Senator's courtesy very much.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 11:30 a.m. tomorrow morning, Thursday, June 27, the Senate proceed to executive session to consider Calendar No. 179, Anthony Renard Foxx, to be Secretary of Transportation; that there be 2 minutes for debate equally divided in the usual form;

that following the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nomination; the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that tomorrow, June 27, upon disposition of the Foxx nomination and the resumption of legislative session, all postcloture time be considered expired with respect to the committee-reported amendment, as amended; that the pending amendments to the underlying bill be withdrawn; that I be recognized for the purpose of raising points of order against the remaining pending amendments to the substitute amendment; that after the amendments fall, the Senate proceed to vote on the adoption of the committee-reported substitute amendment, as amended; that upon disposition of the committee-reported substitute amendment, the Senate proceed to vote on the motion to invoke cloture on S. 744, as amended; finally, if cloture is invoked, it be considered as if cloture had been invoked at 7 a.m., Thursday, June 27.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, are we in a period of morning business now?

The PRESIDING OFFICER. No. We are on S. 744.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO ALBERT CAREY CASWELL

Mr. REID. Mr. President, I rise to recognize a man, Albert Carey Caswell, who has dedicated his life to recounting the stories of our Nation's history to the visitors of the U.S. Capitol, as well as many others who have participated in Albert's tours.

Albert's poetic talent and upbeat attitude has enriched the lives of his colleagues, Senators, staff and visitors during his nearly 30-year career in the U.S. Capitol.

Albert is known for his gift of words, in poetry and in prose, which have left an indelible mark on the CONGRESSIONAL RECORD, as more than 150 of his poems are included in the RECORD. More recently, Albert wrote a poem to honor the late Senator Lautenberg from New Jersey.

Albert got to know Senator Lautenberg from years of escorting veterans around the U.S. Capitol. Albert had immense respect for Senator Lautenberg's military record as well as for his enduring commitment to public service.

Mr. President, I share Albert's ''Let's Be Frank'' poem for all to read.

LET'S BE FRANK

Let's!
Let's be Frank!
Of how his long fine life upon this earth so ranks!
Now, that's a Laut . . . En . . . Berg
For he was but a public servant,
Who our Nation all so Heard!
A Jersey Boy
Who so lived The Great American Dream
Who so looked as if he would live forever,
As so it seemed!
In his 80's
he looked like he was in his 60's . . .
Because, hard work was but his life's dignity!
Give me your tired and your poor!
As American opened up her arms and her doors . . .
To a family who came from far across the dark deep shores!
When,
at the edge . . .
as Mankind bled!
He volunteered to join the Army
As he so raised his hand and his life so pledged
To Save The World
In a World War!
While, Fighting in The Big One . . .
So far across those most distant shores!
And came back home,
and yet still to more greatness his heart of courage roamed!
As he took that GI Bill
And climbed another hill . . .
With now a great education he so owned
ADP,
as him and his friends built a great American Company!
But deep down inside . . .
something far much more important out to him so cried!
To serve his country and beloved New Jersey,
his heart would decide!
Like his favorite band Bon Jovi,
''like a cowboy'' he wanted it ''dead or alive!''
Until, finally rising all the way to the top,
To The Senate Floor where he would so stop as he so strived!
In thirty years,
It became oh so very clear!
The title of a United States Senator,
He was so meant to own!
Upon the Senate floor,
where his great shadow would be so cast for evermore!
Now Let's Be Frank,
you were one hell of a public servant and that's for sure!
For yours was a life of standing tall
To somehow,
someway make it a better world for one and all!
For you had a style and a grace!
And a look and a smile upon your face!
And a presence and a command
That so said that you so belonged in this place!
And even though you retired,
you went home and still you had the fire!
So you came back,
To ever one her to so inspire!
Let's Be Frank,
one could not have lived a life much more higher!
Right up to the end,
What you did Frank but so meant so very much!
But as a family man,
as where your greatest accomplishments would stand as such!
For Frank,
you were a giver . . . not a taker!
And it's clear a better world on your life's journey,
You would so make here!
But there's more debates,
Byrd, Stevens, and Teddy up in Heaven you now await!
And all of your GI buddies,
Who the trip home with you never made
Let's Be Frank,
wouldn't we all want to live a long life so great!
Because all in the end,
it's far . . . far . . . far better to give, than to take!
Let's Be Frank!

TRIBUTE TO WILBURN K. ROSS

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to an honorable Kentuckian and decorated World War II veteran, Mr. Wilburn K. Ross of Strunk, KY. Ross, who turned 91 in May, celebrated his birthday by making a trip to Kentucky from his current home in Dupont, WA. Ross has not only served his country but continues to serve his childhood home by coming back each year to spend time with his family and fellow veterans of McCreary County.

Ross, who is also known as ''Wib,'' was raised in Strunk, KY, and joined the U.S. Army here to begin his extraordinary service to our country. Every year for his birthday, Ross makes the visit back to Kentucky. ''Everybody here treats me well,'' Ross said. ''I like coming back here because I was raised here.'' Ross's son Greg is the eldest of his six children and travels with his father.

On October 30, 1944, Ross served as a private in Company G, 30th Infantry Regiment, 3rd Infantry Division. This day Ross fought courageously, and 6 months later he received the highest decoration in the U.S. military, the Medal of Honor. After 55 out of the 88 men were lost in his company, Ross manned a machine gun alone holding off six German attacks.

Mr. Ross's bravery and courage while in service to his Nation is an inspiration to his fellow Kentuckians. His story is one that is told again and again to remind McCreary County residents of his dedication and liberty to our country. A local newspaper published an article on May 23, 2013, to celebrate 91 years of life for Mr. Ross and

to retell his story while in uniform. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the article was ordered to appear in the RECORD, as follows:

[From the McCreary County Voice, May 23, 2013]

COURAGE UNDER FIRE

STORY OF NATIVE CONGRESSIONAL MEDAL OF HONOR RECIPIENT IS WORTH REPEATING

(By Eugenia Jones)

As he does each year on his birthday, Wilburn K. ''Wib'' Ross makes the journey back from his current home in Dupont, Washington to the Bear Creek community in Strunk, Kentucky, to visit his birthplace and childhood home and to celebrate and reminisce with family and friends.

This year, with Ross turning 91 on May 12, was no exception. Arriving in McCreary County on the day prior to his birthday, the spry 91-year-old clearly was not weary from his cross-country travels. After spending the remainder of his McCreary County arrival day visiting with his brothers and other family members, ''Wib'' found time to visit the American Legion Post 115 for a night filled with jokes and conversation with fellow veterans.

On the following day, ''Wib'' once again visited the American Legion, where he was honored at a special luncheon with an American flag birthday cake.

The story of Congressional Medal of Honor recipient and McCreary County native Wilburn K. Ross, who was a member of the 2nd Battalion, 30th Infantry Division, and his bravery under fire during World War II has been told many times, yet it remains a story that is worth repeating, not only to remind us of the individual courage and bravery needed to protect the freedom we cherish but also to share, with our young people, the historical legacy surrounding a McCreary Countian's inclusion into the elite group of Congressional Medal of Honor recipients.

It is from McCreary County that Ross, as a young man, entered the U.S. Army during World War II. His service led him to be cited for ''conspicuous gallantry and intrepidity at risk of life above and beyond the call of duty near St. Jacques, France'' and to be awarded the Congressional Medal of Honor.

According to the ''U.S. Army Center of Military History,'' Ross's extraordinary feat of courage began at 11:30 a.m. on October 30, 1944, after his company had lost 55 of 88 men in an attack on elite German mountain troops.

Risking his own safety in order to absorb the beginning impact of the enemy counterattack, Private Ross placed his machine gun 10 yards in front of his leading support riflemen. With machine gun and small-arms fire whizzing around him, Ross fired with deadly accuracy and managed to fend off the enemy force.

Surrounded by automatic fire and exploding rifle grenades, Private Ross, by himself, continued to man his machine gun and bravely held off six more German attacks. By the eighth attack, most of Ross's supporting riflemen were out of ammunition. As the American riflemen took positions supporting Ross from behind, they crawled, during battle, to Private Ross in order to slip a few rounds of ammunition from his belt. Throughout it all, Ross continued to fight on with basically no help, successfully pushing the enemy back despite the fact that enemy grenadiers crawled to within four yards of his position in attempts to kill him with hand grenades.

Finally, having used his last rounds of ammunition, Private Ross was directed to withdraw to the command post with the eight surviving riflemen. Instead, Ross, anticipating more ammunition, stood his ground. The Germans, realizing that Ross and his machine gun were all that stood between them and a major breakthrough, embarked on their last attack, bringing their fire and wrath together on Private Ross in an effort to destroy him. Just as the enemy was about to rush over Ross's position, he received fresh ammunition, allowing him to open fire on the enemy, killing 40 and wounding 10 of the attacking force.

Single-handedly breaking the attack, Ross killed or wounded at least 58 Germans in more than five hours of continuous combat, saving the last members of his company from devastation.

''I didn't really get tired,'' Ross commented when asked about the battle. ''But they got awfully close to killing me.''

Remaining on his post that night and the following day for a total of 36 hours, Ross proved that his upbringing in McCreary County, Kentucky, had served him well in preparing him to exhibit extraordinary courage and fortitude in protecting his comrades and his country under fire.

Six months later, on April 14, 1945, Ross proved that the same McCreary County upbringing had prepared him to receive the Congressional Medal of Honor, the highest military decoration given by the United States government to a member of the armed forces.

Years later, that same McCreary County man, who as a young adult worked in the local coal mines at Stearns, received congratulations from and shook the hand of President John F. Kennedy, just a few months prior to Kennedy's assassination.

In continuing his career with the Army, Ross reached the rank of Master Sergeant and received the Purple Heart, Bronze Star, Oak Leaf Clusters, Combat Infantry Badge, Good Conduct Medal, and the French Croix De Guerre. He was wounded four times and also served in Korea.

Today, at 91 years old, Ross will quickly tell everyone how much he enjoys his birthday visits home to McCreary County.

''Everybody here treats me well,'' Ross smiled. ''They've named the highway [Private Wilburn K. Ross Highway] after me. I like coming back her because I was raised here.''

Ross's son Greg, the eldest of six children, travels with his father and truly admires his father. ''He's been a super man all his life,'' Greg commented as he smiled at his father. ''He's always been helpful to everybody. It's fun to travel with him.''

''Wib'' says his life is ''pretty good'' now. With his son close by, Ross still lives by himself in Dupont and mows his own grass. He enjoys going out for his weekly visit to a local gathering spot to listen to music and sings along when the lyrics, ''Put your sweet lips a little closer to the phone,'' ring out from the stage.

The Congressional Medal of Honor recipient is straightforward and direct when asked for his advice to the younger generation.

''I think the best thing is to always do what you think is right,'' Ross declared. ''If you do that, you'll have nothing to worry about.''

COLUMBIA FALLS, MAINE

Ms. COLLINS. Mr. President, it is a great pleasure to wish the Town of Columbia Falls a very happy 150th birthday. Throughout this year, Columbia Falls will celebrate the generations of hard-working and caring people who have made it such a wonderful place to live, work, and raise families.

While this sesquicentennial marks Columbia Falls' incorporation, the year 1863 was but one milestone in a long journey of progress. It is a journey that began eons earlier, when the receding glaciers carved out the river known to Native Americans as the Wescogus and to those who came later as the Pleasant. In the decades before America won its freedom, the Pleasant River provided the wildlife that sustained the first settlers. In the years that followed, it became a great avenue of commerce in products from field and forest and a great shipbuilding industry thrived along its banks.

Natural resources are only the background for Columbia Falls' story. Such names as Judge Thomas Ruggles, Daniel Carleton, Elijah Hamlin, Henry Bucknam, and Mary Ruggles Chandler remind us of the determination, ingenuity, and hard work that built the town. The impressive representation of Columbia Falls landmarks on the National Registry of Historic Places and the town's ongoing effort to restore Union Hall demonstrate the high regard the residents of today have for those who came before.

In the year of Columbia Falls' incorporation, America was engaged in the Civil War. Many brave patriots from this community stepped forward to preserve our Nation and to secure the blessing of freedom for all, and they were remembered at the Columbia Falls Civil War Ball in April that launched this 150th anniversary celebration. Through their longstanding commitment to the inspiring Wreaths Across America Project, the people of Columbia Falls honor the heroes who have served our country throughout our history and bring distinction to our State.

This celebration is not just about something that is measured in calendar years. It is about human accomplishment. We celebrate the people who for more than a century and a half have pulled together, cared for one another, and built a great community. Thanks to those who came before, Columbia Falls has a wonderful history. Thanks to those who are here today, it has a bright future.

RECOGNIZING WESTVIEW ORCHARDS

Ms. STABENOW. Mr. President, I rise today to congratulate Westview Orchards of Romeo, MI on its 200th anniversary.

Since its founding in 1813, the orchard has been a part of Michigan's way of life. It is where families go to pick their own peaches and strawberries in the summer, and where they

go to pick apples, take wagon rides and enjoy the cider mill in the fall. It has been a source of fresh food since the War of 1812 was being waged from Michigan to New England to New Orleans.

Michigan was a prime battleground during the War of 1812, and the British were winning every major engagement. The Union Jack flew over settlements in Michigan from Mackinac Island to Detroit. By the summer of 1813, it seemed likely that when the war ended, the Michigan Territory would belong to the British Empire.

That all changed with the Battle of Lake Erie, when American forces defeated the British Navy and changed the tide of the war. One of the heroes of the battle was Michael Bowerman, who had come from New York to fight for his country. In gratitude for his service, the United States offered him a plot of land in Michigan.

And so it was that Michael Bowerman packed up his belongings and set out to start a new life for himself and an enduring legacy for his family. In his pockets, he carried a few peach pits from his father's farm in New York. He found his homestead in present-day Romeo, built a cabin and founded the farm that is today known as Westview Orchards.

It started with a small garden and orchard, with the family transporting the fruit by horse and wagon to Port Huron to sell at the farmers market. He later expanded the farm to include livestock and field crops. When a bear attacked one of his pigs, he came to the rescue and fought off the bear, earning him the nickname ''Fearless Mike.'' As the years passed, his farm and his family grew, and in 1880, his son, Byron, planted 10 acres of peach trees that laid the foundation for Romeo's famous peach festival that is held every Labor Day Weekend.

For the last 200 years, the descendants of ''Fearless Mike'' have carried on his legacy. His sons, daughters, grandsons, granddaughters, great-grandsons, great-granddaughters and more—have worked tirelessly to build the wonderful orchard that serves thousands of families in Michigan every year.

One great-grandson in particular made critical innovations on the farm. Harvey Bowerman took over the farm from his father, Byron, and his brother, George. Harvey modernized the farm and built the foundation on which it stands today. He built the white clapboard house that the family still calls home. He and his son, Armand, transitioned the farm from using workhorses to using tractors. Harvey sold the hog and dairy operations, focusing the business on growing fruits and vegetables. He also added a grading room and built a custom peach grader and de-fuzzer machine to improve efficiency. His greatest innovation, though, was forced upon him in August of 1930.

It was a typical August day in an unusually good harvest year, and Harvey was loading his truck full of peaches from his record harvest to sell at Detroit's Eastern Market 40 miles to the south. Harvey was not the only grower having a record year, though. As he was preparing to leave, he received a call from Eastern Market that said, ''Don't come down, Harvey. The market is flooded with so many peaches we can't sell 'em all.''

As every farmer knows, once you harvest your crops you have to get them to the market quickly before they spoil. In desperation, Harvey tried something different: knowing that the Detroit Urban Railroad trolley had a stop just down the street, he turned his truck around so the back was facing the road in front of the farmhouse. His success selling the peaches to passengers forever changed the way he and his descendants marketed their fruit.

Harvey passed the farm to his son, Armand, and when Armand suddenly passed away in 1981, Westview's fifth and sixth generations took over. Today, the family farm is in the hands of Katherine Bowerman Roy, her daughters Katrina Roy Schumacher and Abigail Jacobson, and Abigail's husband, Bill.

Westview Orchards is the oldest farm in Macomb County. It is a place where families from across the county and beyond visit to pick their own fruit, take wagon rides around the farm, and enjoy the corn maze, ice cream shop, cider mill and farmers market.

Westview Orchards is a true Michigan success story, born of hard work, dedication and a commitment to innovation. I congratulate the entire family—from ''Fearless Mike'' Bowerman to Katherine, Katrina, Abigail and Bill—on 200 wonderful years.

RECOGNIZING THE 90TH MISSILE WING

Mr. BARRASSO. Mr. President, today I wish to honor the 50th anniversary of the 90th Missile Wing stationed at Frances E. Warren Air Force Base in Cheyenne, WY.

For the past half century, the dedicated men and women of the 90th Missile Wing have served with unwavering dedication to the security of our Nation. Known to their fellow airmen as the ''Mighty Ninety,'' this wing, with its five groups, displays excellence and commitment to the mission.

On July 1, 1963, the 90th Strategic Wing came into existence amid growing tensions with the Soviet Union. Protecting our national security throughout the Cold War and into present day, the 90th Missile Wing provides our Nation's best, most reliable, most accurate strategic deterrent. Tasked with deterring an attack, the missile wing has worked extensively with the Minuteman I and Minuteman III systems, as well as encompassing the full lifecycle of the Peacekeeper Missile. Today, these men and women maintain and protect our Minuteman III resources 24 hours a day, 7 days a week, 365 days a year—truly placing service to our country above all else.

The 90th Missile Wing has been named the best Intercontinental Ballistic Missile Wing the past 2 years, earning the Blanchard Trophy in 2011 from U.S. Strategic Command and the Williams Trophy in 2010 and 2012 from Air Force Global Strike Command. The men and women who serve in the Mighty Ninety are second to none. Airmen from the 90th have gone on to serve our Nation in the Pentagon and international conflict zones. Additionally, just this month, the wing was turned over to its first female commander, Col. Tracey Hayes. Colonel Hayes has committed to continuing the standard of excellence.

At this very moment, there are crewmen out in the missile fields, security teams on patrol, and support personnel of the 90th Missile Wing standing watch, ready to execute. They focus exclusively on their mission to ''provide preeminent combat capability across the spectrum of conflict.'' The Mighty Ninety continue to be an integral part of America's national defense.

Congratulations and a profound thank you to the members of the 90th Missile Wing and their families.

TRIBUTE TO DOMNELIA ''NELLEN'' BUDD

Mr. BEGICH. Mr. President, today I wish to recognize Nellen Budd, my longtime office manager and dedicated staffer whose patience, organizational skills and kindness have served the people of Alaska very well for many years. She has listened to thousands of Alaskans on the phone and in person, and directed many people toward help when they needed it most.

Nearly 40 years ago, a young professional named Domnelia ''Nellen'' Regal, traveled from the Philippines to the United States to realize a dream. Nellen married Larry Budd and raised three sons in Alaska: Earl, Don and Evan Budd. All three of her sons currently serve in the U.S. military, as does her daughter-in-law Kay. As a working mother, Nellen balanced home, social, church and career responsibilities with finesse and gained an excellent reputation as an esteemed professional.

For 25 years, Nellen greeted the people of Anchorage and kept city hall running smoothly while working in the mayor's office. Between 2003 and 2009, during my tenure as mayor, Nellen was there for me every day. After I was elected to the Senate, Nellen moved across downtown Anchorage from city

hall to the Senate. She managed my Anchorage regional office, and she continued to be a dedicated public servant and valuable part of my staff.

Nellen is known as ''Lola'' to her grandchildren and to a few others who are lucky enough to know her well. For years she has served as an articulate emcee and featured dancer at Maharlika, an annual cultural celebration of the Filipino community of Anchorage.

Nellen Budd is kind, considerate and gracious. She has a keen fashion sense and has modeled professional decorum for many interns and young staffers. Nellen is the example of courtesy, style and conduct and has mentored many people including, I am certain, a few future executives and legislators.

While Nellen is retiring from official public service, I know she will stay busy as a volunteer and grandmother. I encourage her to relax and enjoy Alaska and all of her friends and family—and to not work too hard. Nellen is a bright shining star in our community, and my wife Deborah and I thank her for all of her years of hard work and dedication. Salamat, Nellen.

ADDITIONAL STATEMENTS

WOODSTOCK, NEW HAMPSHIRE

● Ms. AYOTTE. Mr. President, today I wish to honor Woodstock, NH—a town in Grafton County that is celebrating the 250th anniversary of its founding. I am proud to join citizens across the Granite State in recognizing this special milestone.

The land that would become Woodstock was granted in a charter by Governor Benning Wentworth on September 23, 1763, and was subsequently named after the English town of Peeling. Governor Wentworth's nephew, John Wentworth, would later rename the town Fairfield, after Fairfield, CT. In 1840, the town would receive a final name change to Woodstock, for Blenheim Palace in Woodstock, England.

The population has grown to include over 1,300 residents. The patriotism and commitment of the people of Woodstock is reflected in part by their record of service in defense of our Nation.

Frank Merrill, a notable summer resident of Woodstock, was the commander of the special World War II unit known as Merrill's Marauders. General Merrill commanded the 5307th Composite Unit during combat operations in Burma throughout the spring of 1944. He later served as the New Hampshire commissioner of highways.

Woodstock remains largely forested and is home to the world renowned Hubbard Brook Experimental Forest, where in the 1960s acid rain was first discovered. Also within Woodstock is the famous Lost River Reservation, a portion of the White Mountain National Forest, and a segment of the Appalachian Trail.

The abundant timber and access to the power of the Pemigewasset River established logging as the principal early industry in Woodstock. The entrance of the railroad in the 19th century opened the wilderness to development and expansion. This expansion attracted tourists to the town, and tourism remains a vital part of Woodstock's economy—with visitors from near and far traveling to savor the peace and solitude of this special part of New Hampshire.

Woodstock is a place that has contributed much to the life and spirit of the State of the Granite State. I am pleased to extend my warm regards to the people of Woodstock as they celebrate the town's 250th anniversary.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:43 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1092. An act to designate the air route traffic control center located in Nashua, New Hampshire, as the ''Patricia Clark Boston Air Route Traffic Control Center''.

H.R. 2289. An act to rename section 219(c) of the Internal Revenue Code of 1986 as the Kay Bailey Hutchison Spousal IRA.

H.R. 2383. An act to designate the new Interstate Route 70 bridge over the Mississippi River connecting St. Louis, Missouri, and southwestern Illinois as the ''Stan Musial Veterans Memorial Bridge''.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2289. An act to rename section 219(c) of the Internal Revenue Code of 1986 as the Kay Bailey Hutchison Spousal IRA; to the Committee on Finance.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1092. An act to designate the air route traffic control center located in Nashua, New Hampshire, as the ''Patricia Clark Boston Air Route Traffic Control Center''.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2100. A communication from the Executive Director, Defense Science Board, Office of the Secretary of Defense, transmitting, pursuant to law, a report relative to research budgets and plans for cyberwarfare and cybersecurity of the military services and the defense agencies; to the Committee on Armed Services.

EC–2101. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Requirements for Acquisitions Pursuant to Multiple Award Contracts'' ((RIN0750–AH91) (DFARS Case 2012–D047)) received in the Office of the President of the Senate on June 24, 2013; to the Committee on Armed Services.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–33. A concurrent resolution adopted by the Senate of the State of Louisiana memorializing the Congress of the United States to prevent unnecessary and unintended harm to coastal communities, individuals, and businesses by immediately amending the Biggert-Waters Act and mandating revision of Federal Emergency Management Agency flood-risk maps; to the Committee on Banking, Housing, and Urban Affairs.

SENATE CONCURRENT RESOLUTION NO. 91

Whereas, in 2012 Congress re-authorized the National Flood Insurance Program in the Biggert-Waters Act; and

Whereas, language in the Biggert-Waters Act phases out certain subsidized flood insurance rates, thereby allowing rate increases to the costs of obtaining such flood insurance of either twenty or twenty-five percent a year, depending upon on the property, until properties reach actuarial status; and

Whereas, at the same time the Federal Emergency Management Agency (''FEMA'') issued new flood-risk maps showing that properties not protected by one hundred year flood federal levees would be considered as inadequately safeguarded against floods, with the result that such properties became significantly higher-risk property for the purpose of flood insurance rate premium calculation and elevation requirements; and

Whereas, the confluence of these two events has resulted in potential economic disaster for coastal communities, businesses, and individuals now faced not only with

unaffordable flood insurance premiums but also with the inability to transfer or sell property deemed by FEMA to be at higher risk of flooding; and

Whereas, legislation and amendments are pending in Congress to delay the premium increases authorized by the Biggert-Waters Act for one year to determine the effects of such changes upon the availability, affordability, and sustainability of flood insurance; and

Whereas, the Federal Emergency Management Agency is also now in discussions to reconsider and revise its flood-risk maps to include the effects of locally built levees, pumping stations and floodgates, all of which have been funded, designed and built to provide substantial protection from flooding, and also to develop new maps that more accurately reflect actual area flood risk; and

Whereas, it is necessary for both Congress and FEMA to take immediate action to prevent pending and unintended economic catastrophe for coastal communities, individuals, and businesses; and

Whereas, without action by both Congress and FEMA it has been estimated that at least half a million homes and businesses in Louisiana could be severely impacted, and that other coastal communities outside of Louisiana could face similar economic devastation, including communities, individuals, and businesses in New York, New Jersey and other states severely damaged by Hurricane Sandy in 2012: Now, therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to prevent unnecessary and unintended harm to coastal communities, individuals, and businesses by immediately amending the Biggert-Waters Act and mandating revision of Federal Emergency Management Agency flood-risk maps; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives, and to each member of the Louisiana delegation to the United States Congress, and to the Administrator of the Federal Emergency Management Agency.

POM–34. A resolution adopted by the Senate of the State of Louisiana memorializing the Congress of the United States to prevent unnecessary and unintended harm to coastal communities, individuals, and businesses by immediately amending the Biggert-Waters Act and mandating revision of Federal Emergency Management Agency flood-risk maps; to the Committee on Banking, Housing, and Urban Affairs.

SENATE RESOLUTION NO. 114

Whereas, in 2012 Congress re-authorized the National Flood Insurance Program in the Biggert-Waters Act; and

Whereas, language in the Biggert-Waters Act phases out certain subsidized flood insurance rates, thereby allowing rate increases to the costs of obtaining such flood insurance of either twenty or twenty-five percent a year, depending upon the property, until rates reach actuarial status; and

Whereas, at the same time the Federal Emergency Management Agency (FEMA) issued new flood-risk maps showing that properties not protected by one hundred year flood federal levees would be considered as inadequately safeguarded against floods, with the result that such properties became significantly higher-risk property for the purpose of flood insurance rate premium calculation and elevation requirements; and

Whereas, the confluence of these two events has resulted in potential economic disaster for coastal communities, businesses, and individuals now faced not only with unaffordable flood insurance premiums but also with the inability to transfer or sell property deemed by FEMA to be at higher risk of flooding; and

Whereas, legislation and amendments are pending in Congress to delay the premium increases authorized by the Biggert-Waters Act for one year to determine the effects of such changes upon the availability, affordability, and sustainability of flood insurance; and

Whereas, FEMA is also now in discussions to reconsider and revise its flood-risk maps to include the effects of locally-built levees, pumping stations, and floodgates, all of which have been funded, designed, and built to provide substantial protection from flooding, and also to develop new maps that more accurately reflect actual area flood risk; and

Whereas, it is necessary for both Congress and FEMA to take immediate action to prevent pending and unintended economic catastrophe for coastal communities, individuals, and businesses; and

Whereas, without action by both Congress and FEMA, it has been estimated that at least half a million homes and businesses in Louisiana could be severely impacted, and that other coastal communities outside of Louisiana could face similar economic devastation, including communities, individuals, and businesses in New York, New Jersey, and other states severely damaged by Hurricane Sandy in 2012: Now, therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to prevent unnecessary and unintended harm to coastal communities, individuals, and businesses by immediately amending the Biggert-Waters Act and mandating revision of Federal Emergency Management Agency flood-risk maps; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives, and to each member of the Louisiana delegation to the United States Congress, and to the administrator of the Federal Emergency Management Agency.

POM–35. A joint resolution adopted by the Legislature of the State of Nevada urging Congress to take certain actions concerning federal public lands in Nevada; to the Committee on Energy and Natural Resources.

JOINT RESOLUTION NO. 5

Whereas, The Federal Government manages and controls over 85 percent of the land in Nevada; and

Whereas, Nevada has an abundance of natural resources, including vast areas of land suitable for raising livestock and for conservation and general recreational use, large deposits of gold, silver, copper and other minerals, and plentiful renewable resources, including, without limitation, sun, wind and geothermal resources that may be used to generate electricity; and

Whereas, Many of those renewable resources are located on public lands managed and controlled by the Federal Government; and

Whereas, Activities that occur on those public lands increase the demand for services provided by the State of Nevada and local governments in Nevada; and

Whereas, The State of Nevada and local governments in Nevada are limited in their ability to collect taxes or other fees from the Federal Government or from the users of public lands to fund services provided by the State and local governments; and

Whereas, The Federal Government receives revenue from the licensing and permitting of activities that occur on those public lands, including mining, grazing livestock, general recreational use and generating electricity from renewable resources; and

Whereas, In recent years, efforts have been made to curtail the practice by the Federal Government of sharing a portion of that revenue with the State of Nevada and local governments, including curtailing the practice of sharing with the counties a portion of the revenue derived from the lease of public lands and royalties from the generation of electricity from geothermal resources; and

Whereas, Recent legislation introduced in the 111th and 112th United States Congress would have, if enacted, required the Secretary of the Interior to establish a leasing program for wind and solar energy development on federal public lands; and

Whereas, Such legislation would also have required the sharing of a portion of the revenue from the competitive leasing program with the counties from which the revenue is derived, thereby creating a beneficial and meaningful role for counties in Nevada; and

Whereas, The members of the 113th Congress are now considering the budget submitted by the United States Department of the Interior for federal Fiscal Year 2014, and its possible effects on the counties' share of royalties derived from the generation of electricity from geothermal resources: Now therefore, be it

Resolved by the Assembly and Senate of the State of Nevada, jointly, That the members of the 77th Session of the Nevada Legislature hereby urge Congress:

1. To ensure that the public lands in Nevada that are managed and controlled by the Federal Government remain open and accessible to multiple uses, such as raising livestock, mining, conservation, general recreational use and the use of renewable resources, including, without limitation, sun, wind and geothermal resources that may be used to generate electricity; and

2. To enact legislation ensuring that the State of Nevada and the affected local governments in Nevada receive a portion of the revenue received by the Federal Government for activities conducted on the federal public lands in Nevada and ensuring that such sharing includes, without limitation, the continuation of federal laws and policies whereby local governments receive appropriate rents and royalties for activities which generate electricity from geothermal resources; and be it further

Resolved, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the United States Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

Resolved, That this resolution becomes effective upon passage.

POM–36. A resolution adopted by the Senate of the State of Louisiana expressing support for the Nagorno Karabakh Republic's efforts to develop as a free and independent nation; to the Committee on Foreign Relations.

SENATE RESOLUTION NO. 151

Whereas, Nagorno Karabakh, also known as Artsakh, has historically been Armenian

territory, populated by an overwhelming majority of Armenians, which was illegally severed from Armenia by the Soviet Union in 1921 and placed under the newly created Soviet Azerbaijani administration; and

Whereas, February 20, 1988, marked the beginning of the national liberation movement in Nagorno Karabakh, which inspired people throughout the Soviet Union to stand up against tyranny and for their rights and freedoms, helping to bring democracy to millions and contributing to world peace; and

Whereas, the United States Congress has repeatedly expressed support for the legitimate freedom aspirations of the people of Nagorno Karabakh; and

Whereas, on September 2, 1991, the legislature of Nagorno Karabakh declared formation of the Nagorno Karabakh Republic, in accordance with then acting legislation; and

Whereas, on December 10, 1991, the people of the Nagorno Karabakh Republic voted in favor of the independence, and on January 6, 1992, the democratically elected legislature of the Republic formally declared independence; and

Whereas, since proclaiming independence, the Nagorno Karabakh Republic has registered significant progress in democracy building, which has been most recently demonstrated during the July 19, 2012, presidential elections that were assessed by international observers as free and transparent: Now, therefore, be it

Resolved, That the Senate of the Legislature of Louisiana hereby encourages and supports the Nagorno Karabakh Republic's continuing efforts to develop as a free and independent nation in order to guarantee its citizens those rights inherent in a free and independent society; and be it further

Revolved, That the president and Congress of the United States of America are hereby urged to support the self-determination and democratic independence of the Nagorno Karabakh Republic and its constructive involvement with the international community's efforts to reach a just and lasting solution to security issues in that strategically important region; and be it further

Resolved, That a copy of this Resolution be transmitted to the president of the United States, the secretary of the United States Senate, the clerk of the United States House of Representatives, and to each member of the Louisiana delegation to the United States Congress.

POM–37. A concurrent resolution adopted by the Senate of the State of Louisiana urging and requesting the Department of Health and Hospitals examine the benefits of routine nutritional screening and therapeutic nutrition treatment for those who are malnourished or at risk for malnutrition; to the Committee on Health, Education, Labor, and Pensions.

SENATE CONCURRENT RESOLUTION NO. 41

Whereas, the National Black Caucus of State Legislators (NBCSL) has established policy promoting the importance of quality nutrition for all Americans in order to maintain healthy, active, independent lifestyles; and

Whereas, the NBCSL adopted policy supporting increased access to quality nutrition and support for infants and children, as passed by the United States Congress in Resolution HHS–11–19; and

Whereas, leading health and nutrition experts agree that nutrition status is a direct measure of patient health and that good nutrition and good patient health can keep people healthy and out of institutionalized health care facilities, thus reducing healthcare costs; and

Whereas, inadequate or unbalanced nutrition, known as malnutrition, is not routinely viewed as a medical concern in this nation, and that malnutrition is particularly prevalent in vulnerable populations, such as older adults, hospitalized patients, or minority populations that statistically shoulder the highest incidences of the most severe chronic illnesses such as diabetes, kidney disease, and cardiovascular disease; and

Whereas, illness, injury, and malnutrition can result in the loss of lean body mass, leading to complications that impact good patient health outcomes, including recovery from surgery, illness, or disease; the elderly lose lean body mass more quickly and to a greater extent than younger adults and weight assessment (body weight and body mass index) can overlook accurate indicators of lean body mass; and

Whereas, the American Nursing Association defines therapeutic nutrition as the administration of food and fluids to support the metabolic processes of a patient who is malnourished or at high risk of becoming malnourished; and

Whereas, access to therapeutic nutrition is critical in restoring lean body mass such that it resolves malnutrition challenges and, in turn, improves clinical outcomes, reduces health care costs, and can keep people and our communities healthy; and

Whereas, despite the recognized link between good nutrition and good health, nutritional screening and therapeutic nutrition treatment have not been incorporated as routine medical treatments across the spectrum of health care: Now, therefore, be it

Resolved, That the Legislature of Louisiana urges and requests that the Department of Health and Hospitals examine the benefits of routine nutritional screening and therapeutic nutrition treatment for those who are malnourished or at risk for malnutrition, as well as examine the benefits of nutrition screening and therapeutic nutrition treatment as part of the standard for evidenced-based hospital care; and be it further

Resolved, That the Legislature of Louisiana supports an increased emphasis on nutrition through the reauthorization of the Older Americans Act, as well as for Medicare beneficiaries, to improve their disease management and health outcomes; and be it further

Resolved, That the Legislature of Louisiana is encouraged that preventive and wellness services, such as counseling for obesity and chronic disease management, are part of the Essential Health Benefits package included in the Patient Protection and Affordable Care Act; and be it further

Resolved, That a copy of this resolution be transmitted to the president of the United States, the vice president of the United States, the secretary of the United States Senate and the clerk of the United States House of Representatives, to each member of the Louisiana delegation to the United States Congress, and to the secretary of the Department of Health and Hospitals.

POM–38. A concurrent resolution adopted by the Legislative Assembly of Puerto Rico relative to requesting the President and the Congress of the United States begin the process to admit Puerto Rico to the Union as a State; to the Committee on Energy and Natural Resources.

POM–39. A resolution adopted by the Council of the City of Santa Ana, California expressing support for comprehensive federal immigration reform and urging the 113th Congress to enact reforms that secure our borders, ensure economic strength, and promote stronger communities; to the Committee on the Judiciary.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Lt. Gen. Frank Gorenc, to be General.

Navy nomination of Rear Adm. Philip S. Davidson, to be Vice Admiral.

Army nomination of Maj. Gen. Michael S. Linnington, to be Lieutenant General.

Navy nomination of Capt. Stephen M. Pachuta, to be Rear Admiral (lower half).

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nomination of Daisy Y. Eng, to be Major.

Air Force nominations beginning with Joseph N. Kenan and ending with Sirpa T. Autio, which nominations were received by the Senate and appeared in the Congressional Record on June 3, 2013.

Air Force nominations beginning with Scott M. Sheflin and ending with Eric J. Turney, which nominations were received by the Senate and appeared in the Congressional Record on June 3, 2013.

Air Force nominations beginning with Christopher E. Cieurzo and ending with Vinh Q. Tran, which nominations were received by the Senate and appeared in the Congressional Record on June 3, 2013.

Air Force nominations beginning with Andrew G. Boston and ending with Valerie G. Sams, which nominations were received by the Senate and appeared in the Congressional Record on June 20, 2013.

Air Force nominations beginning with Louis A. Barton and ending with Earlyne L. Rodriguez, which nominations were received by the Senate and appeared in the Congressional Record on June 20, 2013.

Air Force nominations beginning with Craig S. Berg and ending with Jonathan D. Tidwell, which nominations were received by the Senate and appeared in the Congressional Record on June 20, 2013.

Army nominations beginning with Thomas R. Bouchard and ending with John A. Zenker, which nominations were received by the Senate and appeared in the Congressional Record on June 3, 2013.

Army nominations beginning with George T. Barido and ending with Charles J. Sizemore, which nominations were received by the Senate and appeared in the Congressional Record on June 3, 2013.

Army nominations beginning with Timothy Barnard and ending with Kevin D. Vaughn, which nominations were received by the Senate and appeared in the Congressional Record on June 3, 2013.

Army nominations beginning with Jeffrey S. Acree and ending with Vicky L. Young,

which nominations were received by the Senate and appeared in the Congressional Record on June 3, 2013.

Army nominations beginning with Mazen Abbas and ending with Gary H. Wynn, which nominations were received by the Senate and appeared in the Congressional Record on June 3, 2013.

Army nominations beginning with Edward T. Breecher and ending with Edward M. Wise, Jr., which nominations were received by the Senate and appeared in the Congressional Record on June 3, 2013.

Army nomination of Michael D. Payne, to be Colonel.

Army nomination of Marlon E. Lewis, to be Colonel.

Army nomination of David R. Maxwell, to be Major.

Army nomination of Thomas A. Jarrett, to be Major.

Navy nomination of Kimberly K. Yeager, to be Commander.

Navy nomination of James D. Harrison, to be Lieutenant Commander.

Navy nominations beginning with Kerrie L. Adams and ending with Antonia J. Henry, which nominations were received by the Senate and appeared in the Congressional Record on June 3, 2013.

Navy nomination of Brent E. Havey, to be Lieutenant Commander.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. UDALL of New Mexico (for himself and Mr. HEINRICH):

S. 1223. A bill to amend the Public Health Service Act to expand and intensify programs of the National Institutes of Health and the Centers for Disease Control and Prevention with respect to translational research and related activities concerning cavernous angioma, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself and Ms. COLLINS):

S. 1224. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes; to the Committee on Finance.

By Mr. UDALL of Colorado:

S. 1225. A bill to amend the Internal Revenue Code of 1986 to provide that solar energy property need not be located on the property with respect to which it is generating electricity in order to qualify for the residential energy efficient property credit; to the Committee on Finance.

By Mr. BROWN (for himself and Ms. COLLINS):

S. 1226. A bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself and Mr. COCHRAN):

S. 1227. A bill to authorize a national grant program for on-the-job training; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Mr. PORTMAN):

S. 1228. A bill to establish a program to provide incentive payments to participating Medicare beneficiaries who voluntarily establish and maintain better health; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself and Ms. WARREN):

S. 1229. A bill to amend the Truth in Lending Act to empower the States to set the maximum annual percentage rates applicable to consumer credit transactions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WYDEN (for himself and Ms. STABENOW):

S. 1230. A bill to reduce oil consumption and improve energy security, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MANCHIN (for himself and Ms. AYOTTE):

S. 1231. A bill to amend the Pay-As-You-Go-Act of 2010 to create an expedited procedure to enact recommendations of the Government Accountability Office for consolidation and elimination to reduce duplication; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEVIN (for himself, Mr. KIRK, Ms. STABENOW, Ms. KLOBUCHAR, Mr. BROWN, Mr. DURBIN, Mr. FRANKEN, Mr. SCHUMER, and Ms. BALDWIN):

S. 1232. A bill to amend the Federal Water Pollution Control Act to protect and restore the Great Lakes; to the Committee on Environment and Public Works.

By Mr. INHOFE (for himself, Mr. VITTER, Mr. PAUL, Mr. COBURN, Mr. CRAPO, Mr. CRUZ, Mr. JOHNSON of Wisconsin, Mr. LEE, Mr. HOEVEN, Mr. RUBIO, Mr. CORNYN, Mr. RISCH, Mr. ISAKSON, and Mr. HATCH):

S. 1233. A bill to achieve domestic energy independence by empowering States to control the development and production of all forms of energy on all available Federal land; to the Committee on Energy and Natural Resources.

By Mr. INHOFE (for himself, Mr. VITTER, Mr. PORTMAN, Mr. ROBERTS, Mr. SESSIONS, Mr. PAUL, Mr. COBURN, Mr. CRAPO, Mr. RISCH, Mr. SCOTT, Mr. CRUZ, Mr. HATCH, Mr. JOHNSON of Wisconsin, Mr. WICKER, Mr. LEE, Mr. BOOZMAN, Mr. HOEVEN, and Mr. CORNYN):

S. 1234. A bill to clarify that a State has the sole authority to regulate hydraulic fracturing on Federal land within the boundaries of the State; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself, Mr. TOOMEY, Mr. PRYOR, Mr. RUBIO, Mr. HELLER, Ms. AYOTTE, and Mrs. SHAHEEN):

S. 1235. A bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on cell phone services, providers, or property; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself, Ms. BALDWIN, Mr. BAUCUS, Mr. BENNET, Mr. BLUMENTHAL, Mrs. BOXER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. COONS, Mr. COWAN, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HARKIN, Mr. HEINRICH, Ms. HIRONO, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LEAHY, Mr. LEVIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MURPHY, Mrs. MURRAY, Mr. REED, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mrs. SHAHEEN, Ms. STABENOW, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 1236. A bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DURBIN (for himself and Mr. KIRK):

S. Res. 187. A resolution congratulating the Chicago Blackhawks on winning the 2013 Stanley Cup; considered and agreed to.

By Mr. JOHANNS (for himself, Mrs. FISCHER, and Mr. KIRK):

S. Res. 188. A resolution recognizing June 30, 2013, as the centennial of the Lincoln Highway, the first transcontinental highway, which originally spanned 3,389 miles through 13 states, including the great State of Nebraska; considered and agreed to.

By Mr. KING (for himself, Ms. COLLINS, Mr. REID, Mr. MCCONNELL, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. CHIESA, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COWAN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 189. A resolution relative to the death of the Honorable William Dodd Hathaway, former United States Senator for the State of Maine; considered and agreed to.

ADDITIONAL COSPONSORS

S. 183

At the request of Mr. COBURN, the name of the Senator from Mississippi

(Mr. COCHRAN) was added as a cosponsor of S. 183, a bill to amend title XVIII of the Social Security Act to provide for fairness in hospital payments under the Medicare program.

S. 327

At the request of Mr. BARRASSO, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 327, a bill to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements with State foresters authorizing State foresters to provide certain forest, rangeland, and watershed restoration and protection services.

S. 373

At the request of Mrs. SHAHEEN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 373, a bill to amend titles 10, 32, 37, and 38 of the United States Code, to add a definition of spouse for purposes of military personnel policies and military and veteran benefits that recognizes new State definitions of spouse.

S. 403

At the request of Mr. CASEY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 425

At the request of Ms. STABENOW, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 425, a bill to amend title XI of the Social Security Act to improve the quality, health outcomes, and value of maternity care under the Medicaid and CHIP programs by developing maternity care quality measures and supporting maternity care quality collaboratives.

S. 430

At the request of Mr. HELLER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 430, a bill to amend title 38, United States Code, to enhance treatment of certain small business concerns for purposes of Department of Veterans Affairs contracting goals and preferences, and for other purposes.

S. 462

At the request of Mrs. BOXER, the names of the Senator from North Carolina (Mr. BURR), the Senator from Idaho (Mr. RISCH) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 535

At the request of Mr. RUBIO, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 535, a bill to require a study and report by the Small Business Administration regarding the costs to small business concerns of Federal regulations.

S. 647

At the request of Mr. NELSON, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 647, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S. 717

At the request of Ms. KLOBUCHAR, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 717, a bill to direct the Secretary of Energy to establish a pilot program to award grants to nonprofit organizations for the purpose of retrofitting nonprofit buildings with energy-efficiency improvements.

S. 734

At the request of Mr. NELSON, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 789

At the request of Mr. BAUCUS, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from Vermont (Mr. LEAHY), the Senator from New Jersey (Mr. MENENDEZ), the Senator from New Hampshire (Ms. AYOTTE), the Senator from California (Mrs. BOXER), the Senator from Texas (Mr. CORNYN), the Senator from California (Mrs. FEINSTEIN), the Senator from Minnesota (Mr. FRANKEN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Virginia (Mr. KAINE), the Senator from Maine (Mr. KING), the Senator from Rhode Island (Mr. REED), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Hawaii (Mr. SCHATZ), the Senator from Michigan (Ms. STABENOW) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 789, a bill to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

S. 868

At the request of Mr. HELLER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 868, a bill to require the Secretary of Defense to establish a process to determine whether individuals claiming certain service in the Philippines during World War II are eligible for certain benefits despite not being on the Missouri List, and for other purposes.

S. 892

At the request of Mr. KIRK, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 892, a bill to amend the Iran Threat Reduction and Syria Human Rights Act of 2012 to impose sanctions with respect to certain transactions in foreign currencies, and for other purposes.

S. 897

At the request of Ms. WARREN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 897, a bill to prevent the doubling of the interest rate for Federal subsidized student loans for the 2013–2014 academic year by providing funds for such loans through the Federal Reserve System, to ensure that such loans are available at interest rates that are equivalent to the interest rates at which the Federal Government provides loans to banks through the discount window operated by the Federal Reserve System, and for other purposes.

S. 916

At the request of Mr. KAINE, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Virginia (Mr. WARNER) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 916, a bill to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program.

S. 1009

At the request of Mr. VITTER, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1009, a bill to reauthorize and modernize the Toxic Substances Control Act, and for other purposes.

S. 1029

At the request of Mr. PORTMAN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1029, a bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents.

S. 1032

At the request of Mrs. MCCASKILL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1032, a bill to amend title 10, United States Code, to make certain improvements in the Uniform Code of Military Justice related to sex-related offenses committed by members of the Armed Forces, and for other purposes.

S. 1039

At the request of Mr. MERKLEY, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1039, a bill to amend title 38, United States Code, to expand the Marine Gunnery Sergeant John David Fry scholarship to include spouses of members of the Armed Forces who die in the line of duty, and for other purposes.

S. 1046

At the request of Mr. SCHATZ, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1046, a bill to clarify certain provisions of the Native American Veterans' Memorial Establishment Act of 1994.

S. 1096

At the request of Mr. BAUCUS, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1096, a bill to establish an Office of Rural Education Policy in the Department of Education.

S. 1114

At the request of Mr. BROWN, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 1114, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 1195

At the request of Mr. BARRASSO, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1195, a bill to repeal the renewable fuel standard.

S. 1204

At the request of Mr. COBURN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1204, a bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services, to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities, and for other purposes.

S. RES. 165

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Res. 165, a resolution calling for the release from prison of former Prime Minister of Ukraine Yulia Tymoshenko in light of the recent European Court of Human Rights ruling.

AMENDMENT NO. 1223

At the request of Mr. REED, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of amendment No. 1223 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1236

At the request of Mr. TOOMEY, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of amendment No. 1236 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1348

At the request of Mrs. FISCHER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of amendment No. 1348 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1381

At the request of Mr. JOHNSON of Wisconsin, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of amendment No. 1381 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1416

At the request of Mr. SCHATZ, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of amendment No. 1416 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1558

At the request of Mr. CARPER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of amendment No. 1558 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1580

At the request of Mr. CRUZ, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of amendment No. 1580 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1594

At the request of Mrs. FISCHER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of amendment No. 1594 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1636

At the request of Mr. BLUMENTHAL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 1636 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1714

At the request of Mr. BROWN, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of amendment No. 1714 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

AMENDMENT NO. 1718

At the request of Ms. HIRONO, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Illinois (Mr. DURBIN) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of amendment No. 1718 intended to be proposed to S. 744, a bill to provide for comprehensive immigration reform and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. WYDEN (for himself and Mr. PORTMAN):

S. 1228. A bill to establish a program to provide incentive payments to participating Medicare beneficiaries who voluntarily establish and maintain better health; to the Committee on Finance.

Mr. WYDEN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1228

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Medicare Better Health Rewards Program Act of 2013''.

SEC. 2. MEDICARE BETTER HEALTH REWARDS PROGRAM.

Part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.) is amended by adding at the end the following new section:

''MEDICARE BETTER HEALTH REWARDS PROGRAM

''SEC. 1849. (a) IN GENERAL.—The Secretary shall establish a Better Health Rewards Program (in this section referred to as the 'Program') under which incentives are provided to Medicare beneficiaries who voluntarily agree to participate in the Program.

''(b) ENROLLMENT.—A health professional participating in the Program shall provide their patients who are Medicare beneficiaries with a description of and an opportunity to enroll in the Program on a voluntary basis. If a Medicare beneficiary elects to enroll in the Program, the health professional shall inform the Secretary of the individual's enrollment through a process established by the Secretary, which does not impose additional administrative requirements on the participating health professional.

''(c) ESTABLISHMENT OF BETTER HEALTH TARGET STANDARDS.—

''(1) IN GENERAL.—

''(A) ESTABLISHMENT.—The Secretary shall establish standards for measuring better health targets and points for achieving such standards for participating Medicare beneficiaries, including such standards and points with respect to the following:

''(i) Annual wellness visit.

''(ii) Tobacco cessation.

''(iii) Body Mass Index (BMI).

''(iv) Diabetes screening test.

''(v) Cardiovascular disease screening.

''(vi) Cholesterol level screening.

''(vii) Screening tests and specified vaccinations.

''(B) CONSULTATION.—In establishing standards and points for achieving such standards under this subsection, the Secretary—

''(i) shall consult with 1 or more nationally recognized health care quality organizations, as determined appropriate by the Secretary; and

''(ii) may consult with physicians and other professionals experienced with wellness programs.

''(C) POINTS.—The number of points awarded for a year for achieving standards with respect to each of the targets described in clauses (i) through (vii) of subparagraph (A) shall not exceed 5. Such points may be awarded on a sliding scale, based on standards established under this subsection, as determined appropriate by the Secretary.

''(2) MODIFICATION OF BETTER HEALTH TARGET STANDARDS AND ASSIGNED POINTS.—

''(A) IN GENERAL.—The Secretary may modify standards for measuring better health targets and, subject to paragraph (1)(C), points for achieving such standards

for participating Medicare beneficiaries under this subsection.

''(B) CONSULTATION.—In modifying standards and points for achieving such standards under this paragraph, the Secretary—

''(i) shall consult with 1 or more nationally recognized health care quality organizations, as determined appropriate by the Secretary; and

''(ii) may consult with physicians and other professionals experienced with wellness programs.

''(d) CONDUCT OF PROGRAM.—

''(1) DURATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Program shall be conducted for not less than a 3-year period.

''(B) EXPANSION.—The Secretary shall expand the duration and scope of the Program, to the extent determined appropriate by the Secretary, if—

''(i) the Secretary determines that such expansion is expected to—

''(I) reduce spending under this title without reducing the quality of care; or

''(II) improve the quality of care and reduce spending;

''(ii) the Chief Actuary of the Centers for Medicare & Medicaid Services certifies that such expansion would reduce program spending under this title; and

''(iii) the Secretary determines that such expansion would not deny or limit the coverage or provision of benefits under this title for individuals.

''(2) COLLECTION AND USE OF BASELINE DATA.—During the first year of the Program, a health professional shall establish and report to the Secretary baseline information for each participating Medicare beneficiary who is a patient of the health professional as part of that beneficiary's first year assessment under paragraph (3)(A). The health professional shall use such data to aid in the determination of whether and to what extent the participating Medicare beneficiary is meeting the target standards under subsection (c) in each of years 2 and 3 of the Program.

''(3) REQUIRED ASSESSMENTS FOR PARTICIPATING MEDICARE BENEFICIARIES.—

''(A) FIRST YEAR.—During year 1 of the Program, a health professional shall furnish to each participating Medicare beneficiary that is a patient of the health professional either an annual wellness visit or an initial preventive physical examination.

''(B) SECOND AND THIRD YEARS.—During each of years 2 and 3 of the Program, a health professional shall furnish to each participating Medicare beneficiary that is a patient of the health professional an annual wellness visit to determine whether and to what extent the participating Medicare beneficiary has met the target standards under subsection (c).

''(e) DETERMINATION OF POINTS AND PAYMENT OF INCENTIVES.—

''(1) DETERMINATION OF POINTS.—During each of years 2 and 3 of the Program, a health professional shall—

''(A) evaluate and report to the Secretary whether each participating Medicare beneficiary that is a patient of the health professional has achieved the target standards under subsection (c); and

''(B) determine the total amount of points that each such participating Medicare beneficiary has achieved for the year based on the points assigned for achieving such standards under subsection (c).

''(2) INCENTIVE PAYMENT.—

''(A) IN GENERAL.—The Secretary shall pay to each participating Medicare beneficiary who achieves at least 20 points under paragraph (1)(B) for the year an incentive payment. Such payment shall be equal to an amount determined appropriate by the Secretary, but no case shall such amount exceed the following:

''Points	Year 2 Payment Amount	Year 3 or a Subsequent Year Payment Amount
20–24 points ..	$100	$200
25 or more points ..	$200	$400.

''(B) INFLATION ADJUSTMENT.—The dollar amounts specified in this paragraph shall be increased, beginning with 2017, from year to year based on the percentage increase in the consumer price index for all urban consumers (all items; United States city average), rounded to the nearest $1.

''(3) FINAL DETERMINATION OF STANDARDS ACHIEVEMENT MADE BY PARTICIPATING HEALTH PROFESSIONAL.—Under the Program, a participating health professional shall make the final determination as to whether or not a participating Medicare beneficiary has met the target standards under subsection (c) and what screening tests and specified vaccinations, or other services, are necessary for purposes of making such determination.

''(f) SPENDING BENCHMARKS.—

''(1) IN GENERAL.—The Secretary shall collect relevant data, including data on claims paid under this title for services furnished to participating Medicare beneficiaries during the Program, for purposes of determining the aggregate estimated savings achieved under this title for participating Medicare beneficiaries during each of years 2 and 3 of the Program in accordance with paragraph (2) (and for a subsequent year if the Program is expanded under subsection (d)(1)(B)).

''(2) DETERMINATION OF AGGREGATE ESTIMATED SAVINGS.—

''(A) IN GENERAL.—The amount of the aggregate estimated savings under this title for participating Medicare beneficiaries under paragraph (1), with respect to a year, shall be equal to—

''(i) the estimated savings determined under subparagraph (B) for the year; minus

''(ii) the aggregate incentive payments made under the Program during the year.

''(B) DETERMINATION OF ESTIMATED SAVINGS.—For purposes of subparagraph (A)(i), the estimated savings determined under this subparagraph for a year shall be equal to—

''(i) the estimated aggregate expenditures under this title (as projected under subparagraph (C)) for the year; minus

''(ii) the actual aggregate expenditures under this title (as determined by the Secretary and taking into account any reduction in specific health risks of the participating Medicare beneficiaries) for the year.

''(C) PROJECTION OF ESTIMATED AGGREGATE CLAIMS COST.—

''(i) BENCHMARK BASE YEAR.—The Secretary shall establish a benchmark base year amount of expenditures under this title for participating Medicare beneficiaries during year 1 of the Program.

''(ii) PROJECTION.—The Secretary shall use the benchmark base year amount established under clause (i) to project the estimated aggregate expenditures for all participating Medicare beneficiaries during each of years 2 and 3 of the Program as if the beneficiaries were not participating in the Program. In making such projection, the Secretary may include adjustments for health status or other specific risk factors and geographic variation for the participating Medicare beneficiaries.

''(D) PUBLIC REPORT OF DETERMINATION AND OTHER PROGRAM INFORMATION.—Not later than 90 days after determining the aggregate estimated savings (if any) under subparagraph (A) with respect to a year, the Secretary shall make available to the public a report containing a description of the amount of the savings determined, including the methodology and any other calculations or determinations involved in the determination of such amount. Such report shall include—

''(i) a description of any reduction in specific health risks of participating Medicare beneficiaries identified by the Secretary;

''(ii) a description of—

''(I) standards for measuring better health targets under subsection (c); and

''(II) the points available for achieving each such standard under that subsection; and

''(iii) recommendations for such legislation and administrative action as the Secretary determines appropriate.

''(3) MONITORING OF PROGRAM COSTS.—During the operation of the Program, the Chief Actuary of the Centers for Medicare & Medicaid Services shall—

''(A) monitor the Program to determine whether or not the Program is reducing aggregate expenditures under this title; and

''(B) submit to the Secretary an annual report on the results of such monitoring.

''(4) REQUIRED ACTION IF AGGREGATE INCENTIVE PAYMENTS EXCEED SAVINGS.—If the Secretary, taking into account the reports under paragraph (3)(B), determines that the aggregate expenditures under this title exceed the aggregate expenditures under this title that would have been made if the Program had not been implemented, the Secretary shall provide for changes to the provisions of the program in order to eliminate such excess.

''(g) WAIVER AUTHORITY.—The Secretary may waive such requirements of titles XI and XVIII as may be necessary to carry out the purposes of the Program established under this section.

''(h) DEFINITIONS.—In this section:

''(1) ANNUAL WELLNESS VISIT.—The term 'annual wellness visit' includes personalized prevention plan services (as defined in section 1861(hhh)(1)).

''(2) HEALTH PROFESSIONAL.—The term 'health professional' includes a physician (as defined in section 1861(r)(1)) and a practitioner described in clause (i) of section 1842(b)(18)(C).

''(3) INITIAL PREVENTIVE PHYSICAL EXAMINATION.—The term 'initial preventive physical examination' has the meaning given that term in section 1861(ww)(1).

''(4) MEDICARE BENEFICIARY.—The term 'Medicare beneficiary' means an individual enrolled in part B.

''(5) PARTICIPATING MEDICARE BENEFICIARY.—The term 'participating Medicare beneficiary' means a Medicare beneficiary who enrolls in the Program under subsection (b).

''(6) SCREENING TESTS.—The term 'screening tests' means any of the following that are determined by a health professional to be appropriate for a participating Medicare beneficiary:

''(A) Colorectal cancer screening tests (as defined in section 1861(pp)).

''(B) Screening mammography (as described in section 1861(jj)).

''(C) Screening pap smear and screening pelvic exam (as defined in section 1861(nn)).

''(D) Screening for glaucoma (as defined in section 1861(uu)).

''(E) Bone mass measurement (as defined in section 1861(rr)) for qualified individuals described in paragraph (2)(A) of such section.

''(F) HIV screening for high-risk groups (as identified by the Secretary).

''(7) SPECIFIED VACCINATIONS.—The term 'specified vaccinations' means the vaccinations described in section 1861(ww)(1) that are determined by a health professional to be appropriate for a participating Medicare beneficiary.''.

SEC. 3. PARTICIPATION BY MEDICARE ADVANTAGE PLANS.

Section 1859 of the Social Security Act (42 U.S.C. 1395w–28) is amended by adding at the end the following new subsection:

''(h) PROVIDING INCENTIVES FOR VOLUNTARY PARTICIPATION IN A BETTER HEALTH REWARDS PROGRAM.—

''(1) IN GENERAL.—Effective for plan years beginning on or after the date of enactment of the Medicare Better Health Rewards Program Act of 2013, a Medicare Advantage organization may provide to individuals enrolled in an MA plan offered by the organization incentive payments, including cash, cash-equivalent, or other types of incentives, for voluntary participation in a Better Health Rewards Program (in this subsection referred to as the 'Program') that rewards individuals for meeting certain health targets established by the Secretary.

''(2) LIMITATION.—In no case shall the monthly bid amount submitted by a Medicare Advantage organization under section 1834(a)(6) (or the monthly premium charged by the organization under section 1854(b)) with respect to an MA plan offered by the organization take into account any incentive payments made to enrollees under the Program.

''(3) IMPLEMENTATION.—The Program under this subsection shall be conducted in a similar manner to the manner in which the program under section 1849 is conducted, in accordance with standards established by the Secretary.

''(4) NOTIFICATION AND PROVISION OF INFORMATION.—A Medicare Advantage organization seeking to participate in the Program shall—

''(A) notify the Secretary of the organization's intent to participate in the Program; and

''(B) agree to provide to the Secretary—

''(i) information regarding—

''(I) which enrollees participate in the Program;

''(II) the scores of those enrollees with respect to applicable health targets under the Program; and

''(III) the incentives enrollees receive for meeting such health targets; and

''(ii) any other information specified by the Secretary for purposes of this subsection.

''(5) WAIVER AUTHORITY.—The Secretary may waive such requirements of titles XI and XVIII as may be necessary to carry out the purposes of the Program established under this subsection.''.

SEC. 4. PARTICIPATION OF SECTION 1876 COST PLANS.

Section 1876 of the Social Security Act (42 U.S.C. 1395mm) is amended by inserting at the end the following:

''(1) PROVIDING INCENTIVES FOR VOLUNTARY PARTICIPATION IN A BETTER HEALTH REWARDS PROGRAM.—

''(1) IN GENERAL.—Effective for contract periods beginning on or after the date of enactment of the Medicare Better Health Rewards Program Act of 2013, an eligible organization may provide to members enrolled under this section with the organization incentive payments, including cash, cash-equivalent, or other types of incentives, for voluntary participation in a Better Health Rewards Program (in this subsection referred to as the 'Program') that rewards members for meeting certain health targets established by the Secretary.

''(2) LIMITATION.—In no case shall the payment to an eligible organization under this section (or the premium rate charged by the organization under this section) with respect to members enrolled with the organization take into account any incentive payments made to members under the Program.

''(3) IMPLEMENTATION.—The Program under this subsection shall be conducted in a similar manner to the manner in which the program under section 1849 is conducted, in accordance with standards established by the Secretary.

''(4) NOTIFICATION AND PROVISION OF INFORMATION.—An eligible organization seeking to participate in the Program shall—

''(A) notify the Secretary of the organization's intent to participate in the Program; and

''(B) agree to provide to the Secretary—

''(i) information regarding—

''(I) which members participate in the Program;

''(II) the scores of those members with respect to applicable health targets under the Program; and

''(III) the incentives members receive for meeting such health targets; and

''(ii) any other information specified by the Secretary for purposes of this subsection.

''(5) WAIVER AUTHORITY.—The Secretary may waive such requirements of titles XI and XVIII as may be necessary to carry out the purposes of the Program established under this subsection.''.

SEC. 5. PARTICIPATION OF PROGRAMS OF ALL-INCLUSIVE CARE FOR THE ELDERLY (PACE).

(a) MEDICARE.—Section 1894 of the Social Security Act (42 U.S.C. 1395eee) is amended by inserting at the end the following:

''(j) PROVIDING INCENTIVES FOR VOLUNTARY PARTICIPATION IN A BETTER HEALTH REWARDS PROGRAM.—

''(1) IN GENERAL.—Effective for PACE program agreements entered into on or after the date of enactment of the Medicare Better Health Rewards Program Act of 2013, a PACE provider may provide to PACE program eligible individuals enrolled under this section with the PACE provider incentive payments, including cash, cash-equivalent, or other types of incentives, for voluntary participation in a Better Health Rewards Program (in this subsection referred to as the 'Program') that rewards enrollees for meeting certain health targets established by the Secretary.

''(2) LIMITATION.—In no case shall the payment to a PACE provider under this section (or any premium charged by the provider under this section) with respect to PACE program eligible individuals enrolled with the PACE provider take into account any incentive payments made to individuals under the Program.

''(3) IMPLEMENTATION.—The Program under this subsection shall be conducted in a similar manner to the manner in which the program under section 1849 is conducted, in accordance with standards established by the Secretary.

''(4) NOTIFICATION AND PROVISION OF INFORMATION.—A PACE provider seeking to participate in the Program shall—

''(A) notify the Secretary of the PACE provider's intent to participate in the Program; and

''(B) agree to provide to the Secretary—

''(i) information regarding—

''(I) which PACE program eligible individuals enrolled with the PACE provider participate in the Program;

''(II) the scores of those individuals with respect to applicable health targets under the Program; and

''(III) the incentives individuals receive for meeting such health targets; and

''(ii) any other information specified by the Secretary for purposes of this subsection.

''(5) WAIVER AUTHORITY.—The Secretary may waive such requirements of titles XI, XVIII, and XIX as may be necessary to carry out the purposes of the Program established under this subsection.''.

(b) MEDICAID.—Section 1934 of the Social Security Act (42 U.S.C. 1396u–4) is amended by adding at the end the following new subsection:

''(k) PROVIDING INCENTIVES FOR VOLUNTARY PARTICIPATION IN A BETTER HEALTH REWARDS PROGRAM.—

''(1) IN GENERAL.—Effective for PACE program agreements entered into on or after the date of enactment of the Medicare Better Health Rewards Program Act of 2013, a PACE provider may provide to PACE program eligible individuals enrolled under this section with the PACE provider incentive payments, including cash, cash-equivalent, or other types of incentives, for voluntary participation in a Better Health Rewards Program (in this subsection referred to as the 'Program') that rewards enrollees for meeting certain health targets established by the Secretary.

''(2) LIMITATION.—In no case shall the payment to a PACE provider under this section (or any premium charged by the provider under this section) with respect to PACE program eligible individuals enrolled with the PACE provider take into account any incentive payments made to individuals under the Program.

''(3) IMPLEMENTATION.—The Program under this subsection shall be conducted in a similar manner to the manner in which the program under section 1849 is conducted, in accordance with standards established by the Secretary.

''(4) NOTIFICATION AND PROVISION OF INFORMATION.—A PACE provider seeking to participate in the Program shall—

''(A) notify the Secretary of the PACE provider's intent to participate in the Program; and

''(B) agree to provide to the Secretary—

''(i) information regarding—

''(I) which PACE program eligible individuals enrolled with the PACE provider participate in the Program;

''(II) the scores of those individuals with respect to applicable health targets under the Program; and

''(III) the incentives individuals receive for meeting such health targets; and

''(ii) any other information specified by the Secretary for purposes of this subsection.

''(5) WAIVER AUTHORITY.—The Secretary may waive such requirements of titles XI, XVIII, and XIX as may be necessary to carry out the purposes of the Program established under this subsection.''.

SEC. 6. EXCLUSION OF INCENTIVE PAYMENTS.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 139D the following new section:

''SEC. 139E. MEDICARE BETTER HEALTH REWARDS PAYMENTS.

''Gross income shall not include any payment made under the following programs:

''(1) The Medicare Better Health Rewards Program established under section 1849 of the Social Security Act.

''(2) A Better Health Rewards Program established pursuant to section 1859(h), 1876(l), 1894(j), or 1934(k) of the Social Security Act.''.

(b) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 of such Code is amended by inserting after the item relating to section 139D the following new item:

''Sec. 139E. Medicare Better Health Rewards payments.''.

By Mr. WHITEHOUSE (for himself and Ms. WARREN):

S. 1229. A bill to amend the Truth in Lending Act to empower the States to set the maximum annual percentage rates applicable to consumer credit transactions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. WHITEHOUSE. Mr. President, I am very pleased to be joined on the floor of the Senate by Senator WARREN to introduce legislation we have been working on since 2008.

Astute observers of this body will recognize that was before Senator WARREN was even Senator WARREN. She has been, for years, a renowned expert in consumer law and a leading advocate of reforms to protect families from predatory lending. It has been a pleasure working with her on this bill, and I am delighted to be working with her as Senate colleagues now.

A little history. During President Obama's first 2 years in office and before the Republicans took control of the House in 2011, Democrats passed two significant landmark bills to protect ordinary consumers from credit card company abuses.

The Credit CARD Act of 2009 outlawed some of the worst tricks and traps that lenders used to squeeze money out of their customers. After that law, big banks can no longer hike interest rates on preexisting balances just because they feel like it, and they can no longer declare that the day ends at lunchtime in order to impose late fees on payments that arrive in the afternoon. As absurd as it sounds, credit card companies routinely engage in those sort of shenanigans, but the Credit CARD Act of 2009 put an end to a lot of it.

A second bill, the Dodd-Frank Wall Street Reform Act, established the Consumer Financial Protection Bureau, an essential agency first proposed by Senator WARREN when she was a law professor. That body will be for mortgages and credit cards what the Consumer Product Safety Commission is for toasters and swimming pools. In an age when the fine print in a financial agreement can be the door to a family bankruptcy, this new agency is long overdue.

While the Consumer Financial Protection Board is working to protect American families from many types of unfair and deceptive financial practices, including ones that involve credit card fees, the Board is barred from regulating credit card interest rates. In the final negotiations on Dodd-Frank, the allies of the big credit card companies kept interest rates beyond the reach of this consumer agency.

That is a shame, because unfair interest rates are a big problem for families in Rhode Island and across the Nation. I have heard from so many constituents enticed to sign up for a credit card with an attractive teaser rate of 0 or 1 percent, and eventually the teaser period ends and the rate goes up to 12 or 15 percent, and if the cardholder slips up and misses a couple of payments, the rate can jump to 30 percent or higher.

I think when most of us in this body were growing up, a 30-percent interest rate was a matter you could usually take to the police because it violated State law. A rate at 30 percent would have been illegal under the laws of most, if not all, of the 50 States. But the Supreme Court in 1978 ruled the Civil War-era National Bank Act only required a lender, the credit card issuer, to abide by the law of the State that is their home State and allowed them to ignore the law of the State their customer called their home State. Well, it didn't take too long for the big credit card companies to see the loophole. This meant if they moved their legal home to States with no interest rate limits, with lousy consumer protections, even dealing with those States to reduce consumer protections as a consequence of moving there, well, from these new havens they could lend to people in all 50 States at any interest rate they wanted.

Since that Supreme Court decision, which is called the Marquette ruling, high interest rate credit cards have mushroomed and consumer debt has soared. According to the Federal Reserve, in the year before the Marquette decision, 1977, only 38 percent of families had a bank-issued credit card. By 2010, over 65 percent had credit cards, with about one-third of all families holding four or more credit cards. And the debt numbers coming off those credit cards are even worse. Revolving consumer debt, which is mainly credit card debt, has exploded over twentyfold in the 35 years since the Marquette decision. This little bull's-eye represents the debt beforehand, the giant red circle the debt afterward.

The credit card companies are taking full advantage. Interest rates, as we know, are generally low right now. Banks are lending to one another at less than one-quarter of 1 percent, and 30-year fixed mortgage rates are near 4 percent. Savings bonds pay a paltry 1 percent. The Stafford loans we are discussing will move from 3.4 percent to 6.8 percent if we don't act. But credit cards? According to bankrate.com, which tracks lending statistics, the average variable rate credit card now charges over 15 percent, and many consumers pay much higher rates.

At 15-percent interest, it would take a family, paying the monthly minimum, which is often equal to 1 percent of the balance plus the accrued interest, more than 22 years to pay off a $5,000 balance. An emergency comes to your family, and you need to go to your credit card to pay for it, so you have to run up $5,000. It will take you 22 years to dig out from that at a 15-percent rate. Over those 20 years, the total you would pay would be almost $11,000, meaning interest rate charges would be more than the actual balance you owe. That is bad enough, but imagine a family paying 30 percent. For them, it is much worse. It would take 25 years to pay off a $5,000 balance making minimum payments, and the total payments the family would have to make would add up to $17,000, more than the original $5,000 that was borrowed.

Families may turn to credit cards in times of emergency, and then, when they get back on their feet, find the next quarter of a century dedicated to paying off that debt. We should act to ensure that families don't suffer lost decades to unnecessarily—and what would once have been illegally—high interest rates.

The bill we introduce today, the Restoring States' Rights to Protect Consumers Act, would not set a Federal interest rate cap but it would restore to our sovereign 50 States their historic right—a right that dated back to their status as colonies before the Revolution—to determine what interest rate limits should apply and protect their own citizens. This bill is 2 pages long. It is simple. It is a States rights bill. It received bipartisan support when I offered it as an amendment to the Dodd-Frank bill, and I hope Senators of both parties will consider supporting it now.

I will now yield the floor to my lead cosponsor, Senator WARREN of Massachusetts, with my thanks to her for her leadership in protecting American consumers and for her help in drafting this measure. It is a privilege to serve with Senator WARREN in the Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I want to start by commending Senator WHITEHOUSE for his extraordinary leadership. For 5 years he has worked on this issue. He proved from the very beginning that he was open to consumer groups that came to talk to him about a problem, and he has been committed to helping working families and that has been his central goal. It is a great honor to stand this afternoon with Senator WHITEHOUSE and to talk about a

bill that can advance that goal—helping working families.

For more than two centuries a State could pass a usury law and enforce it against anyone who was lending money in the State. Congress and Federal agencies played a central role in our banking policies, but our system allowed States to play an important role too. The States decided locally what were the highest interest rates they wanted their citizens to be charged. We honored the traditions of federalism, and things worked pretty well. The States protected their citizens. Consumer financial products, such as credit cards, were easy to understand and they were safe for consumers. They were not loaded with tricks and traps.

That changed starting in 1978, when the Supreme Court issued its decision in Marquette National Bank of Minneapolis v. First of Omaha Service Corp. In that decision, the Court interpreted a banking law that Congress had passed back in 1863, and they decided the statute meant the States could not keep an out-of-State lender from charging high rates within the State.

That all sounds pretty technical, but the result was that credit card companies flocked to move their headquarters to States that had little consumer protection. Then other States raced to the bottom, repealing their consumer protection laws, hoping to attract more business to their State. The basic idea that States could protect their citizens from whatever tricks or traps the banks wanted to try simply disappeared.

So I rise today to join my colleague from Rhode Island, Senator WHITEHOUSE, to introduce the Empowering States' Rights to Protect Consumers Act. This bill will restore the ability of States to enforce their own rules against all lenders that do business within the State. It does not tell States what rules to put in place, it lets States decide for themselves.

The Credit CARD Act, enacted in 2009, and the new Consumer Financial Protection Bureau, created by the Dodd-Frank act in 2010, were critical steps in the right direction, and they are doing a good deal to help protect consumers. But we need to recognize the value of State partnerships by empowering our States to play a role too and by restoring their ability to serve as a laboratory of democracy. If and when credit card companies develop the next generation of tricks and traps, buried in fine print and legalese, States ought to be able to respond with their own rules and protections if they deem it necessary.

I ask my colleagues to carefully consider this bill.

I again thank Senator WHITEHOUSE for his extraordinary leadership on this. It is a great honor to stand today and cosponsor this bill with him.

By Mr. WYDEN (for himself and Ms. STABENOW):

S. 1230. A bill to reduce oil consumption and improve energy security, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today Senator STABENOW and I are introducing legislation designed to reduce our dependence on oil in the transportation sector by replacing it with cleaner, domestic sources of energy to power our cars, trucks, buses, tractors, and ships. Until very recently, our nation was dependent upon foreign, often unstable governments for its energy supply—particularly for the oil that fuels our transport—70 percent of which was imported from overseas. Now, recent advances in drilling technologies have uncovered abundant domestic energy resources and it is predicted that the U.S. will be a net oil and gas exporter in the near future. Today, we are introducing legislation that builds on our introduction of a similar bill last Congress which was approved by Committee, our continual work with a broad array of stakeholders and the feedback received during the series of natural gas forums held by the Energy and Natural Resources Committee. Those forums served as a reminder of the great opportunity no one imagined we'd have even a few years ago, of being able to chart our own energy future rather than relying on other countries or single technologies to drive our economy forward.

While the natural gas forums served as a reminder, it is crucial that we don't just supplant reliance on oil for reliance on another single resource or technology. At the end of the day, different fuels are going to work better in different types of vehicles and in different parts of the country. For that reason, our bill does not pick technology winners and losers. It is ''technology neutral,'' ''geography neutral'' and ''market neutral.'' An alternative fuel that is readily available in one part of the country may not be readily available in every part of the country, or it may not work as well in an 18 wheel tractor-trailer as in the family car. Our bill does not choose which fuel is used where, or for what kinds of vehicles. We leave that up to the free market so that fuel providers and vehicle manufacturers can compete for what works best for their customers. This bill brings us closer to the day when conventional gas stations give way to the ''Fueling Station of the Future'' where consumers will have the option to choose between whichever fuel serves their needs.

Energy legislation, including the Energy Policy Act of 2005 and the Energy Independence and Security Act of 2007, have instituted a number of programs at the Department of Energy and the Environmental Protection Agency to address the need to strengthen our energy security by replacing a significant portion of the oil Americans use for transportation with alternative fuels such as electricity, natural gas, propane, biofuels, and hydrogen. However, these programs currently fail to provide workable solutions for many of the obstacles alternative fuels suppliers and alternative fuel vehicles manufacturers face when attempting to get their technologies to market.

Modifying these existing programs—and bolstering them with cohesive policies enshrined in law to make them more useful for potential applicants—will help our nation exploit our newfound abundant energy resources, target climate change by incentivizing more widespread use of cleaner transportation fuels, and create jobs by catalyzing new businesses in the diverse alternative fuel and alternative fuel vehicles sector.

Our bottom line goal is to help American businesses, which build vehicles and supply fuel, provide genuine alternatives to conventional fuels and engine technologies so that Americans can reduce our dependence on oil as a transportation fuel. The bill does this by providing a set of tools to promote the deployment of these technologies. In several instances, the bill modifies existing programs, rather than creating new ones.

First, the bill takes the existing advanced vehicle manufacturing support program at the Department of Energy, which is now focused on providing financial support to major manufacturers of light duty vehicles, and opens it up to alternative fuel technologies. It also expands the program to component manufacturers further down the supply chain and to the production of medium and heavy trucks, buses, and transit vehicles and lifts the cap on the amount of loans that can be made to American manufacturers and their suppliers.

Alternative fuel vehicles need alternative fuel. So the next major initiative in the bill is to provide financial support for the production and distribution of those alternative fuels. Again, instead of creating a whole new program to support this alternative fuel infrastructure, the bill modifies the existing clean energy Department of Energy loan guarantee program created in section 1703 of the Energy Policy Act of 2005. This loan program was aimed at financing new, innovative low-carbon electricity generation technologies. That is all well and good, but those investments do not address the very real energy security challenge facing our country from oil imports, especially since so little electricity in the U.S. is actually generated using oil. Our bill would allow this already existing program to be used for alternative fuel infrastructure.

The bill includes additional measures to provide technical assistance to States, local and tribal governments,

public-private partnerships, and utility companies and utility commissions to help overcome barriers to the deployment of these alternative fuel vehicles. The bill further provides worker training provisions to ensure our nation has a skilled workforce capable of making the goals of this bill a reality. Taken altogether, these provisions are designed to provide the tools for manufacturers, parts suppliers, fuel providers, transportation planners, utility regulators, and State, local, and tribal officials to deploy alternative fuel vehicles, and the fuels to power them, in numbers that make a difference and truly reduce our dependence on imported oil.

Our bill has broad support from industry groups and has been endorsed by the Alliance for Automobile Manufacturers, Natural Gas Vehicles for America, Global Automakers, the American Public Gas Association, Drive Oregon, the National Electrical Manufacturers Association, and the Electric Drive Transportation Association. We ask our colleagues to stand with us in support of this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1230

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Alternative Fueled Vehicles Competitiveness and Energy Security Act of 2013''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

SEC. 2. DEFINITIONS.

In this Act:

(1) ALTERNATIVE FUEL.—The term ''alternative fuel'' has the meaning given the term in section 301 of the Energy Policy Act of 1992 (42 U.S.C. 13211).

(2) ALTERNATIVE FUELED VEHICLE.—The term ''alternative fueled vehicle'' has the meaning given the term in section 301 of the Energy Policy Act of 1992 (42 U.S.C. 13211).

(3) COMMUNITY COLLEGE.—The term ''community college'' has the meaning given the term ''junior or community college'' in section 312 of the Higher Education Act of 1965 (20 U.S.C. 1058).

(4) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(5) NONROAD VEHICLE.—

(A) IN GENERAL.—The term ''nonroad vehicle'' means a vehicle that is not licensed for onroad use.

(B) INCLUSIONS.—The term ''nonroad vehicle'' includes a vehicle described in subparagraph (A) that is used principally—

(i) for industrial, farming, or commercial use;

(ii) for rail transportation;

(iii) at an airport; or

(iv) for marine purposes.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

SEC. 3. LOAN GUARANTEES FOR ALTERNATIVE FUEL INFRASTRUCTURE.

Section 1703(b) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)) is amended by adding at the end the following:

''(11) Infrastructure for provision and distribution of alternative fuels.''.

SEC. 4. ADVANCED TECHNOLOGY VEHICLES MANUFACTURING INCENTIVE PROGRAM.

Section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting appropriately;

(ii) in the matter preceding clause (i) (as redesignated by clause (i)), by striking ''means an ultra efficient vehicle or a light duty vehicle that meets—'' and inserting ''means—

''(A) an ultra efficient vehicle or a light duty vehicle that meets—'';

(iii) in clause (iii) (as redesignated by clause (i)), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

''(B) a vehicle (such as a medium-duty or heavy-duty work truck, bus, or rail transit vehicle) that—

''(i) is used on a public street, road, highway, or transitway;

''(ii) meets each applicable emission standard that is established as of the date of the application; and

''(iii) will reduce consumption of conventional motor fuel by 25 percent or more, as compared to existing surface transportation technologies that perform a similar function, unless the Secretary determines that—

''(I) the percentage is not achievable for a vehicle type or class; and

''(II) an alternative percentage for that vehicle type or class will result in substantial reductions in motor fuel consumption within the United States.'';

(B) in paragraph (3)(B)—

(i) by striking ''equipment and'' and inserting ''equipment,''; and

(ii) by inserting '', and manufacturing process equipment'' after ''suppliers''; and

(C) by striking paragraph (4) and inserting the following:

''(4) QUALIFYING COMPONENTS.—The term 'qualifying components' means components, systems, or groups of subsystems that the Secretary determines—

''(A) to be designed to improve fuel economy or otherwise substantially reduce consumption of conventional motor fuel; or

''(B) to contribute measurably to the overall improved fuel use of an advanced technology vehicle, including idle reduction technologies.'';

(2) in subsection (b), in the matter preceding paragraph (1), by striking ''to automobile'' and inserting ''to advanced technology vehicle'';

(3) in subsection (d)(1), in the first sentence, by striking ''a total of not more than $25,000,000,000 in'';

(4) in subsection (h)—

(A) in the subsection heading, by striking ''AUTOMOBILE'' and inserting ''ADVANCED TECHNOLOGY VEHICLE''; and

(B) in paragraph (1)(B), by striking ''automobiles'' each place it appears and inserting ''advanced technology vehicles''; and

(5) in subsection (i), by striking ''2012'' and inserting ''2018''.

SEC. 5. CONVENTIONAL FUEL REPLACEMENT CALCULATION AND ASSESSMENT.

(a) METHODOLOGY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall, by rule, develop a methodology for calculating the equivalent volumes of conventional fuel displaced by use of each alternative fuel to assess the effectiveness of alternative fuel and alternative fueled vehicles in reducing oil imports.

(b) NATIONAL ASSESSMENT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall—

(1) conduct a national assessment (using the methodology developed under subsection (a)) of the effectiveness of alternative fuel and alternative fueled vehicles in reducing oil imports into the United States, including as assessment of—

(A) market penetration of alternative fuel and alternative fueled vehicles in the United States;

(B) successes and barriers to deployment identified by the programs established under this Act; and

(C) the maximum feasible deployment of alternative fuel and alternative fueled vehicles by 2020 and 2030; and

(2) report to Congress the results of the assessment.

SEC. 6. TECHNICAL ASSISTANCE AND COORDINATION.

(a) TECHNICAL ASSISTANCE TO STATE, LOCAL, AND TRIBAL GOVERNMENTS.—

(1) IN GENERAL.—In carrying out this title, the Secretary shall provide, at the request of the Governor, mayor, county executive, public utility commissioner, or other appropriate official or designee, technical assistance to State, local, and tribal governments or to a public-private partnership described in paragraph (2) to assist with the deployment of alternative fuel and alternative fueled vehicles and infrastructure.

(2) PUBLIC-PRIVATE PARTNERSHIP.—Technical assistance under this section may be awarded to a public-private partnership, comprised of State, local or tribal governments and nongovernmental entities, including—

(A) electric or natural gas utilities or other alternative fuel distributors;

(B) vehicle manufacturers;

(C) alternative fueled vehicle or alternative fuel technology providers;

(D) vehicle fleet owners;

(E) transportation and freight service providers; or

(F) other appropriate non-Federal entities, as determined by the Secretary.

(3) ASSISTANCE.—The technical assistance described in paragraph (1) may include—

(A) coordination in the selection, location, and timing of alternative fuel recharging and refueling equipment and distribution infrastructure, including the identification of transportation corridors and specific alternative fuels that would be made available;

(B) development of protocols and communication standards that facilitate vehicle refueling and recharging into electric, natural gas, and other alternative fuel distribution systems;

(C) development of codes and standards for the installation of alternative fuel distribution and recharging and refueling equipment;

(D) education and outreach for the deployment of alternative fuel and alternative fueled vehicles; and

(E) utility rate design and integration of alternative fueled vehicles into electric and natural gas utility distribution systems.

(b) COST SHARING.—Cost sharing for assistance awarded under this section shall be consistent with section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2014 through 2018.

SEC. 7. WORKFORCE TRAINING.

(a) IN GENERAL.—The Secretary, in consultation with the Secretary of Labor, shall award grants to community colleges, other institutions of higher education, and other qualified training and education institutions for the establishment or expansion of programs to provide training and education for vocational workforce development for—

(1) the manufacture and maintenance of alternative fueled vehicles; and

(2) the manufacture, installation, support, and inspection of alternative fuel recharging, refueling, and distribution infrastructure.

(b) PURPOSE.—Training funded under this section shall be intended to ensure that the workforce has the necessary skills needed to manufacture, install, and maintain alternative fuel infrastructure and alternative fueled vehicles.

(c) SCOPE.—Training funded under this section shall include training for—

(1) electricians, plumbers, pipefitters, and other trades and contractors who will be installing, maintaining, or providing safety support for alternative fuel recharging, refueling, and distribution infrastructure;

(2) building code inspection officials;

(3) vehicle, engine, and powertrain dealers and mechanics; and

(4) others positions as the Secretary determines necessary to successfully deploy alternative fuels and vehicles.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2014 through 2018.

SEC. 8. REDUCTION OF ENGINE IDLING AND CONVENTIONAL FUEL CONSUMPTION.

(a) DEFINITION OF IDLE REDUCTION TECHNOLOGY.—Section 756(a) of the Energy Policy Act of 2005 (42 U.S.C. 16104(a)) is amended by striking paragraph (5) and inserting the following:

''(5) IDLE REDUCTION TECHNOLOGY.—The term 'idle reduction technology' means an advanced truck stop electrification system, auxiliary power unit, or other technology that—

''(A)(i) is used to reduce long-duration idling; and

''(ii) allows for the main drive engine or auxiliary refrigeration engine to be shut down; or

''(B) uses an alternative fuel to reduce consumption of conventional fuel and environmental emissions.''.

(b) FUNDING.—Section 756(b)(4)(B) of the Energy Policy Act of 2005 (42 U.S.C. 16104(b)(4)(B)) is amended in clauses (i) and (ii) by striking ''fiscal year 2008'' each place it appears and inserting ''each of fiscal years 2008 through 2018''.

SEC. 9. ELECTRIC, HYDROGEN, AND NATURAL GAS UTILITY AND OIL PIPELINE PARTICIPATION.

(a) IN GENERAL.—The Secretary shall identify barriers and remedies in existing electric and natural gas and oil pipeline transmission and distribution systems to the distribution of alternative fuels and the deployment of alternative fuel recharging and refueling capability, at economically competitive costs of alternative fuel for consumers, including—

(1) model regulatory rate design and billing for recharging and refueling alternative fueled vehicles;

(2) electric grid load management and applications that will allow batteries in plug-in electric drive vehicles to be used for grid storage, ancillary services provision, and backup power;

(3) integration of plug-in electric drive vehicles with smart grid technology, including protocols and standards, necessary equipment, and information technology systems;

(4) technical and economic barriers to transshipment of biofuels by oil pipelines, or distribution of hydrogen; and

(5) any other barriers to installing sufficient and appropriate alternative fuel recharging and refueling infrastructure.

(b) CONSULTATION.—The Secretary shall carry out this section in consultation with—

(1) the Federal Energy Regulatory Commission;

(2) State public utility commissions;

(3) State consumer advocates;

(4) electric and natural gas utility and transmission owners and operators;

(5) oil pipeline owners and operators;

(6) hydrogen suppliers; and

(7) other affected entities.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing actions taken to carry out this section.

SEC. 10. FEDERAL FLEETS.

(a) IN GENERAL.—The Secretary (in consultation with the Administrator of General Services, the Secretary of Defense, the Postmaster General, and the Director of the Office of Management and Budget) shall establish an interagency coordination council for the development and procurement of alternative fueled vehicles by Federal agencies.

(b) ELECTRICITY AND NATURAL GAS.—Electricity and natural gas consumed by Federal agencies to fuel alternative fueled vehicles shall be—

(1) considered an alternative fuel; and

(2) accounted for under Federal fleet management reporting requirements, rather than under Federal building management reporting requirements.

(c) ASSESSMENT AND REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary (in consultation with the Administrator of General Services, the Secretary of Defense, the Postmaster General, and the Director of the Office of Management and Budget) shall complete an assessment of Federal Government fleets (including the United States Postal Service and the Department of Defense) and submit to Congress a report that describes—

(1) for each Federal agency with a fleet of more than 200 vehicles, which types of vehicles the agency uses that would or would not be suitable for alternative fuel use either through the procurement of new alternative fueled vehicles, or the conversion to alternative fuel, taking into account the types of vehicles for which alternative fuel could provide comparable functionality and lifecycle costs;

(2) the quantity of alternative fueled vehicles that could be deployed by the Federal Government in 5 years and in 10 years, assuming that the vehicles are available and are purchased when new vehicles are needed or existing vehicles are replaced; and

(3) the estimated cost and benefits to the Federal Government for vehicle purchases or conversions described in this subsection.

SEC. 11. HOV LANE ACCESS EXTENSION.

Section 166(b)(5) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking ''Before September 30, 2017, the State'' and inserting ''The State''; and

(2) in subparagraph (B), by striking ''Before September 30, 2017, the State'' and inserting ''The State''.

By Mr. LEVIN (for himself, Mr. KIRK, Ms. STABENOW, Ms. KLOBUCHAR, Mr. BROWN, Mr. DURBIN, Mr. FRANKEN, Mr. SCHUMER, and Ms. BALDWIN):

S. 1232. A bill to amend the Federal Water Pollution Control Act to protect and restore the Great Lakes; to the Committee on Environment and Public Works.

Mr. LEVIN. Mr. President, the Great Lakes are a magnificent resource and unique in the world. These water bodies, formed during the last ten thousand years, are the largest source of surface freshwater on the planet. The lakes shaped how people settled and secured resources for their survival. Native Americans, French explorers, early European settlers, immigrants flocking to new industrial cities, along with the current populations of today all rely on the lakes for their survival—providing food and drinking water, transportation, power, recreation, and magnificent beauty. However, the vast resources the Great Lakes provide must not be taken for granted. We must do all we can to protect these waters and clean up the areas that have been harmed by toxic contaminants, polluted runoff, untreated wastewater, and destructive invasive species. That is why as co-chairs of the Senate Great Lakes Task Force, Senator KIRK and I, along with several of our colleagues, are introducing today the Great Lakes Ecological and Economic Protection Act of 2013, or GLEEPA.

This bill builds upon the work of a multitude of stakeholders—environmental organizations, business associations, tribal governments, community leaders, and Federal, State and local officials—who worked together to craft the Great Lakes Regional Collaboration Strategy, a 2005 plan to guide restoration and protection for the Great Lakes. The legislation we are introducing today would formally authorize the Great Lakes Restoration Initiative, GLRI, an inter-agency program designed to implement the plan articulated in the Collaboration Strategy. The GLRI is an action-oriented, results-driven initiative targeting the most significant problems in the Great Lakes, including aquatic invasive species, toxics and contaminated sediment, nonpoint source pollution, and habitat and wildlife protection and restoration. While broadly authorized

under the Clean Water Act, the GLRI should be specifically authorized in law to clarify its purpose and objectives and to demonstrate support from Congress. Since the GLRI was launched in fiscal year 2010 with $475 million in funding, real progress has been made to restore the health of the Great Lakes: More than a million cubic yards of contaminated sediments have been cleaned up. More than 20,000 acres of wetland, coastal, upland and island habitat have been restored or enhanced. New technologies are being developed to combat the sea lamprey. Asian carp have been prevented from establishing a sustaining population in the Great Lakes. Hundreds of river miles have been restored to enable free fish passage from the Great Lakes to their spawning grounds. Reduction of nutrient loading from agriculture runoff has lessened occurrences of harmful algal blooms.

In addition to authorization of the GLRI, this legislation would reauthorize two existing programs: the Great Lakes Legacy program, which supports the removal of contaminated sediments at more than thirty Areas of Concern, AOCs, across the Great Lakes; and the Great Lakes National Program Office, which handles Great Lakes matters for the EPA.

The health and vitality of the Great Lakes not only provide immense public health and environmental benefits, but they are also critical to the economic health of the region. For example, in Muskegon Lake, which is directly connected to Lake Michigan, cleanup of 430,000 cubic yards of sediment contaminated with mercury and polycyclic aromatic hydrocarbons, or PAHs, also provided jobs to barge and dredge operators, truck drivers, biologists, chemists, toxicologists, and general laborers. The cleanup will help lift fish consumption advisories and restore fish habitat, which is vital to this area that is a popular fishing and boating destination. Reports find a two to three dollar return for every dollar invested in cleanup and restoration activity. And preventing future damage to the lakes—from aquatic invasive species for example—could easily save the public hundreds of millions of dollars in future expenditures. With a $7 billion fishery, $16 billion in annual expenditures related to recreational boating, and about 37 million hunters, anglers and bird watchers enjoying the Great Lakes each year, we cannot afford to not protect and restore this precious resource.

The legislation we are introducing today includes important safeguards to ensure that tax dollars are wisely spent on activities that actually achieve results. Projects are directed to be selected so that they achieve strategic and measurable outcomes and which can be promptly implemented through leveraging additional non-Federal resources. The bill would also authorize an inter-agency task force to coordinate Federal resources in a way that most efficiently uses taxpayer funds, focusing on measurable outcomes such as cleaner water, improved public health, and sustainable fisheries in the Great Lakes.

Finally, State and local officials, tribal governments, business organizations, environmental organizations, and other stakeholders need an avenue to communicate on matters pertaining to Great Lakes restoration. Recently, the EPA created a board that advises the EPA and other Federal agencies on Great Lakes cleanup and protection activities. This bill would make the advisory board permanent to ensure that the many voices across the Great Lakes region can have a direct conduit to the Federal Government.

The Great Lakes are home to more than 3,500 species of plants and animals and support 1.5 million direct jobs, $62 billion in wages and a $7 billion fishery. This legislation is needed to address the threat of invasive species such as Asian carp, polluted runoff that can harm aquatic and public health, toxic sediments, and harmful algal blooms that kill fish, foul coastlines, and threaten public health. The legislation will also help the United States implement its commitment to the bi-national 2012 Great Lakes Water Quality Agreement. We hope the Senate Committee on Environment and Public Works will promptly act on this important legislation, as it did in 2010 when it approved similar legislation.

By Mrs. FEINSTEIN (for herself, Ms. BALDWIN, Mr. BAUCUS, Mr. BENNET, Mr. BLUMENTHAL, Mrs. BOXER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. COONS, Mr. COWAN, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HARKIN, Mr. HEINRICH, Ms. HIRONO, Mr. KAINE, Mr. KING, Ms. KLOBUCHAR, Mr. LEAHY, Mr. LEVIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MURPHY, Mrs. MURRAY, Mr. REED, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mrs. SHAHEEN, Ms. STABENOW, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 1236. A bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today to reintroduce the Respect for Marriage Act.

Today is an historic day. The Supreme Court issued two decisions that are major victories for the cause of equality for same-sex couples in this nation.

In United States v. Windsor, the Court struck down Section 3 of the Defense of Marriage Act, or DOMA, which denies the federal benefits and obligations of marriage to legally married same-sex couples. I was one of 14 members of this body to vote against DOMA in 1996, and I am pleased a major part of the law has been declared unconstitutional.

In Hollingsworth v. Perry, the Court left in place a trial court injunction finding Proposition 8 unconstitutional—which will bring marriage equality back to my home State of California.

I am thrilled by these decisions, which will mean a great deal for same-sex couples in California and across the Nation.

Our work, however, is not done. It remains critical that Congress act to fully repeal DOMA. That is what the Respect for Marriage Act will do.

This legislation is cosponsored by 40 members of the Senate—Senators BALDWIN, BAUCUS, BENNET, BLUMENTHAL, BOXER, BROWN, CANTWELL, CARDIN, CARPER, CASEY, COONS, COWAN, DURBIN, FRANKEN, GILLIBRAND, HARKIN, HEINRICH, HIRONO, KAINE, KING, KLOBUCHAR, LEAHY, LEVIN, MCCASKILL, MENENDEZ, MERKLEY, MIKULSKI, MURPHY, MURRAY, REED, SANDERS, SCHATZ, SCHUMER, SHAHEEN, STABENOW, MARK UDALL, TOM UDALL, WARREN, WHITEHOUSE, and WYDEN.

I want to thank them for their strong support of this legislation. I would also like to thank Representative JERRY NADLER for his staunch leadership on this issue in the House of Representatives.

Today, 12 States: Connecticut, Delaware, Iowa, Maine, Maryland, Massachusetts, Minnesota, New Hampshire, New York, Rhode Island, Vermont, Washington, and the District of Columbia allow same-sex couples to marry.

Because of today's decision in Hollingsworth v. Perry, which left, in effect, a trial court order finding Proposition 8 unconstitutional, my home State of California will soon once again recognize the freedom to marry for same-sex couples. I am thrilled about that result.

According to the 2010 Census, there are over 131,000 same-sex married couples in this Nation—a number that is sure to grow.

I think most Americans have come to recognize that same-sex couples live their lives like other married couples. They raise children together. They care for each other in good times and in bad. They take the same vows and make the same commitments as straight couples.

Simply put, they are families. Like other families, they reap life's joys and bear the brunt of life's hardships together.

Until the Supreme Court's decision today in United States v. Windsor, DOMA turned these families into second-class families.

Under over 1,100 Federal laws, DOMA prohibited the Federal Government from recognizing the equal dignity and commitment of legally married same-sex couples.

These couples were barred from filing joint tax returns, forced to pay much higher taxes on employer-provided health benefits, and stripped of protections for married couples from the estate tax.

They could not receive Social Security survivor benefits, which protect a surviving spouse from becoming destitute when the other spouse passes away.

Critical protections and benefits for service members and veterans were also denied. According to the Servicemembers Legal Defense Network, well over 100 statutory protections granted by Congress to servicemembers turn on marital status.

Today's decision in United States v. Windsor is a major victory for equality. It says that Section 3 of DOMA—which denies Federal recognition to legally married same-sex couples—is unconstitutional because it is a denial of equal protection.

The Windsor case had to do with two women—Edie Windsor and Thea Spyer—who met in 1963 and were together for over 40 years. They married in 2007. Yet when Thea died in 2009, Edie was forced to pay over $360,000 in estate taxes because of DOMA. Had her spouse been a man, Edie would not have had to pay those taxes.

Even after the Court decision, which hinged on a bare 5–4 majority, the Respect for Marriage Act remains critically important legislation, for several reasons.

First, DOMA is a discriminatory law—all of it should be fully stricken from the books. It was wrong when it was passed, and it should be repealed.

Second, even after the Windsor decision, there will remain inconsistencies in how certain Federal programs are administered.

For example, the Social Security Act provides Survivors' Benefits—which are critical for families after a spouse dies—based on the law of the state where the deceased spouse was domiciled at the time of death.

So, a married couple could live together for 40 years, contribute equally to the system, and then be stripped of what they have earned—just because they moved to another state for medical reasons before one spouse passed. That's just not right.

Veterans benefits are based on the law of the state where the parties resided at the time of the marriage, or when the right to benefits accrued.

So, different veterans benefits might be granted or denied, depending on where a couple lived at different times, without any rhyme or reason. That is not fair to former servicemembers who may have moved around as part of their military service.

This bill is simple. It would strike all of DOMA, a discriminatory law, from the U.S. Code.

It would provide a clear rule that the Federal Government would recognize a marriage if that marriage is valid in the State where it was entered into.

This rule will provide clarity and predictability for legally married same-sex couples, and it will be easy to administer for federal agencies tasked with ending DOMA in the programs they administer.

The bill would not require any state to issue a marriage license it does not wish to issue, nor would it require any religious institution to perform any marriage.

In 2011, after I first introduced this bill, I gave a press conference about it at the National Press Club. I said I was not faint-hearted about this, and that I was in it for the long march.

Today, I remain committed to that cause and determined to see it through. Our work is not finished until DOMA is fully off the books, which is what this bill will do.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 187—CONGRATULATING THE CHICAGO BLACKHAWKS ON WINNING THE 2013 STANLEY CUP

Mr. DURBIN (for himself and Mr. KIRK) submitted the following resolution; which was considered and agreed to:

S. RES. 187

Whereas, on June 24, 2013, the Chicago Blackhawks hockey team won the Stanley Cup;

Whereas the 2013 Stanley Cup title is the first Stanley Cup title for the Blackhawks since 2010;

Whereas the Blackhawks joined the National Hockey League in 1926 and have a rich history in the league;

Whereas the Blackhawks were 1 of the original 6 teams in the National Hockey League;

Whereas the Blackhawks have won 15 divisional titles, and 3 conference championships in 1992, 2010, and 2013;

Whereas the Blackhawks won the Stanley Cup in 1934, 1938, 1961, and 2010;

Whereas the Blackhawks posted a regular season record of 36–7–5, and won the President's Trophy for earning the most points in the National Hockey League;

Whereas, during the playoffs, the Blackhawks defeated the Minnesota Wild in the conference quarterfinals, earning their first series win since their Stanley Cup win in 2010;

Whereas the Blackhawks outlasted the Detroit Red Wings in a thrilling overtime win during game 7 of the conference semifinals;

Whereas the Blackhawks advanced to the Stanley Cup finals with a 4–1 series win over the defending Stanley Cup champions, the Los Angeles Kings, in the conference finals;

Whereas the Blackhawks won the Stanley Cup by scoring 2 goals in 17 seconds during the final 2 minutes of game 6 to defeat the Boston Bruins and return the Stanley Cup back to Chicago;

Whereas the Blackhawks won their 5th Stanley Cup, tying the Edmonton Oilers at 5th place on the franchise list for most titles won;

Whereas General Manager Stan Bowman, Head Coach Joel Quenneville, President John F. McDonough, and owner Rocky Wirtz have put together and led a great organization;

Whereas all 27 active players, including Bryan Bickell, Dave Bolland, Brandon Bollig, Daniel Carcillo, Michael Frolik, Michael Handzus, Marian Hossa, Patrick Kane, Marcus Kruger, Jamal Mayers, Brandon Saad, Patrick Sharp, Andrew Shaw, Ben Smith, Viktor Stalberg, Jonathan Toews, Sheldon Brookbank, Niklas Hjalmarsson, Duncan Keith, Nick Leddy, Johnny Oduya, Michal Rozsival, Brent Seabrook, Ryan Stanton, Corey Crawford, Ray Emery, and Henrik Karlsson, whose shared goal was to win the Stanley Cup, collectively contributed to a victorious season;

Whereas the 2013 Blackhawks players follow in the footsteps of the great players in the Blackhawks history who have had their numbers retired, including Glenn Hall (#1), Keith Magnuson (#3), Pierre Pilote (#3), Bobby Hull (#9), Denis Savard (#18), Stan Mikita (#21), and Tony Esposito (#35);

Whereas the Stanley Cup returns to the City of Chicago and gives fans across the State of Illinois a chance to celebrate championship hockey twice in the last 4 seasons; and

Whereas the Minnesota Wild, Detroit Red Wings, Los Angeles Kings, and Boston Bruins proved to be worthy and honorable adversaries and also deserve recognition: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Chicago Blackhawks on winning the 2013 Stanley Cup;

(2) commends the fans, players, and management of the Boston Bruins for allowing the Chicago Blackhawks and the many supporters of the Chicago Blackhawks to celebrate at the TD Bank Garden; and

(3) respectfully directs the Enrolling Clerk of the Senate to transmit an official copy of this resolution to—

(A) the 2013 Chicago Blackhawks hockey organization; and

(B) the Blackhawks owner Rocky Wirtz.

SENATE RESOLUTION 188—RECOGNIZING JUNE 30, 2013, AS THE CENTENNIAL OF THE LINCOLN HIGHWAY, THE FIRST TRANSCONTINENTAL HIGHWAY, WHICH ORGINALLY SPANNED 3,389 MILES THROUGH 13 STATES, INCLUDING THE GREAT STATE OF NEBRASKA

Mr. JOHANNS (for himself, Mrs. FISCHER, and Mr. KIRK) submitted the following resolution; which was considered and agreed to:

S. RES. 188

Whereas Carl G. Fisher, creator of the Lincoln Highway, believed this project would ''stimulate as nothing else could the building of enduring highways everywhere that will not only be a credit to the American people but that will also mean much to American agriculture and American commerce;''

Whereas, on October 31, 1913, this great highway became the first national memorial to the 16th President of the United States, Abraham Lincoln;

Whereas the Lincoln Highway brought economic development, tourism, and adventure to every community it touched;

Whereas, on June 22, 2013, hundreds of motorists will participate in the Lincoln Highway Centennial Auto Tour, which will start simultaneously from the bustling streets of New York's Time Square in the East and from San Francisco's serene Lincoln Park in the West;

Whereas a centennial celebration will take place from June 30, 2013, through July 1, 2013, when Lincoln Highway tour motorists will join at the central meeting place of Kearney, Nebraska, which is precisely 1,733 miles from both the Atlantic and the Pacific coasts;

Whereas the Lincoln Highway served as a model and an inspiration for President Dwight D. Eisenhower's grand initiative for a national highway system to connect every person in the United States; and

Whereas the Lincoln Highway, more affectionately known as ''America's Main Street'', will continue to be a symbol of Americana and the sense of freedom that comes from driving on the open road: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes June 30, 2013, as the centennial of the Lincoln Highway;

(2) commemorates the important role that the Lincoln Highway has played in significant historical and cultural events in the United States; and

(3) recognizes the economic growth, modernization in infrastructure, and rural development that resulted from the Lincoln Highway.

SENATE RESOLUTION 189—RELATIVE TO THE DEATH OF THE HONORABLE WILLIAM DODD HATHAWAY, FORMER UNITED STATES SENATOR FOR THE STATE OF MAINE

Mr. KING (for himself, Ms. COLLINS, Mr. REID, Mr. MCCONNELL, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. CHIESA, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COWAN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 189

Whereas William Dodd Hathaway served in the Army Air Corps during World War II from 1942 to 1946, during which time he was held as a prisoner of war for 2 months after being shot down over Romania;

Whereas William Dodd Hathaway achieved the rank of Captain and received a Decorated Air Medal, a Purple Heart, a Presidential citation, and a Prisoner of War Medal for his military service;

Whereas, following his military service, William Dodd Hathaway graduated from Harvard University in 1949 and Harvard Law School in 1953;

Whereas William Dodd Hathaway began his legal career in the State of Maine, working in both private practice and government service;

Whereas William Dodd Hathaway was first elected to the United States House of Representatives in 1964 and served 4 terms as a Representative from the State of Maine before running for the United States Senate in 1972;

Whereas, as a Senator, William Dodd Hathaway served on the Committee on Agriculture and Forestry, the Committee on Banking, Housing, and Urban Affairs, the Committee on Labor and Public Welfare, the Committee on Finance, the Select Committee on Small Business, and the Select Committee on Intelligence of the Senate;

Whereas, as Chairman of the Subcommittee on Alcoholism and Drug Abuse of the Committee on Labor and Public Welfare, William Dodd Hathaway crafted numerous legislative measures that addressed health problems related to substance abuse and worked to ensure that the Federal and State governments responded effectively to those problems;

Whereas, in 1978, William Dodd Hathaway was recognized by Majority Leader Robert C. Byrd for his efforts to address health problems related to substance abuse; and

Whereas, following his service as a Senator, William Dodd Hathaway resumed the private practice of law in Washington, D.C., until President George H.W. Bush appointed him to the Federal Maritime Commission in 1990: Now, therefore, be it

Resolved, That—

(1) the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable William Dodd Hathaway, former member of the United States Senate;

(2) when the Senate adjourns today, it stands adjourned as a further mark of respect to the memory of the Honorable William Dodd Hathaway; and

(3) the Senate respectfully requests the Secretary of the Senate—

(A) to communicate this resolution to the House of Representatives; and

(B) to transmit an enrolled copy of this resolution to the family of the Honorable William Dodd Hathaway.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1721. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1722. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1723. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1724. Mr. JOHNSON of Wisconsin (for himself, Mr. COBURN, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1725. Mr. JOHNSON of Wisconsin (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1726. Mr. PORTMAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 1320 proposed by Mr. CRUZ to the bill S. 744, supra; which was ordered to lie on the table.

SA 1727. Mr. PORTMAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 1224 proposed by Mr. REED to the bill S. 744, supra; which was ordered to lie on the table.

SA 1728. Mr. PORTMAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 1240 proposed by Mrs. BOXER (for herself and Ms. LANDRIEU) to the bill S. 744, supra; which was ordered to lie on the table.

SA 1729. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 1705 submitted by Ms. COLLINS (for herself and Mr. KING) and intended to be proposed to the bill S. 744, supra; which was ordered to lie on the table.

SA 1730. Mr. REID submitted an amendment intended to be proposed to amendment SA 1664 submitted by Mr. REID and intended to be proposed to the bill S. 744, supra; which was ordered to lie on the table.

SA 1731. Mr. REID submitted an amendment intended to be proposed to amendment SA 1664 submitted by Mr. REID and intended to be proposed to the bill S. 744, supra; which was ordered to lie on the table.

SA 1732. Mr. REID submitted an amendment intended to be proposed to amendment SA 1664 submitted by Mr. REID and intended to be proposed to the bill S. 744, supra; which was ordered to lie on the table.

SA 1733. Ms. LANDRIEU (for herself, Ms. HIRONO, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1406 submitted by Ms. LANDRIEU and intended to be proposed to the bill S. 744, supra; which was ordered to lie on the table.

SA 1734. Ms. LANDRIEU (for herself and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 1406 submitted by Ms. LANDRIEU and intended to be proposed to the bill S. 744, supra; which was ordered to lie on the table.

SA 1735. Ms. LANDRIEU (for herself, Mrs. SHAHEEN, Mr. FRANKEN, and Mr. COATS) submitted an amendment intended to be proposed to amendment SA 1406 submitted by Ms. LANDRIEU and intended to be proposed to the bill S. 744, supra; which was ordered to lie on the table.

SA 1736. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1406 submitted by Ms. LANDRIEU and intended to be proposed to the bill S. 744, supra; which was ordered to lie on the table.

SA 1737. Ms. LANDRIEU (for herself and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 1406 submitted by Ms. LANDRIEU and intended to be proposed to the bill S. 744, supra; which was ordered to lie on the table.

SA 1738. Ms. LANDRIEU (for herself, Mr. CARPER, Mr. BEGICH, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 1406 submitted by Ms. LANDRIEU and intended to be proposed to the bill S. 744, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1721. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In the amendment, strike ''3 days'' and insert ''10 days''.

SA 1722. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In the amendment, strike ''3 days'' and insert ''11 days''.

SA 1723. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

In the amendment, strike ''3 days'' and insert ''12 days''.

SA 1724. Mr. JOHNSON of Wisconsin (for himself, Mr. COBURN, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. DISALLOWANCE OF EARNED INCOME TAX CREDIT FOR REGISTERED PROVISIONAL IMMIGRANTS.

(a) IN GENERAL.—Subparagraph (D) of section 32(c)(1) of the Internal Revenue Code of 1986 is amended to read as follows:

''(D) LIMITATION ON ELIGIBILITY OF CERTAIN ALIENS.—

''(i) REGISTERED PROVISIONAL IMMIGRANT STATUS.—The term 'eligible individual' shall not include an individual who is in registered provisional immigrant status under section 245B of the Immigration and Nationality Act during any portion of the taxable year.

''(ii) NONRESIDENT ALIENS.—The term 'eligible individual' shall not include any individual who is a nonresident alien individual for any portion of the taxable year unless such individual is treated for such taxable year as a resident of the United States for purposes of this chapter by reason of an election under subsection (g) or (h) of section 6013.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SA 1725. Mr. JOHNSON of Wisconsin (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. APPLICATION PERIOD FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.

Notwithstanding paragraph (3) of section 245B(c) of the Immigration and Nationality Act, as added by section 2101(a), the Secretary may only accept applications for registered provisional immigrant status from aliens in the United States during the 1-year period beginning on the date on which the final rule is published in the Federal Register pursuant to paragraph (1) of such section 245B(c).

SA 1726. Mr. PORTMAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 1320 proposed by Mr. CRUZ to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EMPLOYMENT VERIFICATION SYSTEM IMPROVEMENTS.

(a) TRIGGER.—In addition to the conditions set forth in section 3(c)(2)(A), the Secretary may not adjust the status of aliens who have been granted registered provisional immigrant status, except for aliens granted blue card status under section 2201 of this Act or described in section 245D(b) of the Immigration and Nationality Act, unless the Secretary, after consultation with the Comptroller General of the United States, and as part of the written certification submitted to the President and Congress pursuant to section 3(c)(2)(A), certifies that the Secretary has implemented the mandatory employment verification system, including the full incorporation of the photo tool and additional security measures, required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101, and has required the system's use by all employers to prevent unauthorized workers from obtaining employment in the United States.

(b) EMPLOYMENT VERIFICATION SYSTEM.—Section 274A (8 U.S.C. 1324a), as amended by section 3101, is further amended—

(1) in subsection (a)(5)(A)(ii), by inserting '', by clear and convincing evidence,'' after demonstrates; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) DOCUMENT VERIFICATION REQUIREMENTS.—Any employer hiring an individual for employment in the United States shall comply with the following requirements and the requirements under subsection (d) to verify that the individual has employment authorized status.

''(1) ATTESTATION AFTER EXAMINATION OF DOCUMENTATION.—

''(A) IN GENERAL.—

''(i) EXAMINATION BY EMPLOYER.—An employer shall attest, under penalty of perjury on a form prescribed by the Secretary, that the employer has verified the identity and employment authorization status of the individual—

''(I) by examining—

''(aa) a document specified in subparagraph (C); or

''(bb) a document specified in subparagraph (D) and a document specified in subparagraph (E); and

''(II) by utilizing an identity authentication mechanism described in clause (iii) or (iv) of subparagraph (F).

''(ii) PUBLICATION OF DOCUMENTS.—The Secretary shall publish a picture of each document specified in subparagraphs (C) and (E) on the U.S. Citizenship and Immigration Services website.

''(B) REQUIREMENTS.—

''(i) FORM.—The form referred to in subparagraph (A)(i)—

''(I) shall be prescribed by the Secretary not later than 6 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act;

''(II) shall be available as—

''(aa) a paper form;

''(bb) a form that may be completed by an employer via telephone or video conference;

''(cc) an electronic form; and

''(dd) a form that is integrated electronically with the requirements under subparagraph (F) and subsection (d).

''(ii) ATTESTATION.—Each such form shall require the employer to sign an attestation with a handwritten, electronic, or digital signature, according to standards prescribed by the Secretary.

''(iii) COMPLIANCE.—An employer has complied with the requirements under this paragraph with respect to examination of the documents included in subclauses (I) and (II) of subparagraph (A)(i) if—

''(I) the employer has, in good faith, followed applicable regulations and any written procedures or instructions provided by the Secretary; and

''(II) a reasonable person would conclude that the documentation is genuine and relates to the individual presenting such documentation.

''(C) DOCUMENTS ESTABLISHING IDENTITY AND EMPLOYMENT AUTHORIZED STATUS.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

''(i) A United States passport or passport card issued to an individual pursuant to the Secretary of State's authority under the Act entitled An Act to regulate the issue and validity of passports, and for other purposes, approved July 3, 1926 (22 U.S.C. 211a).

''(ii) A document issued to an alien evidencing that the alien is lawfully admitted for permanent residence or another document issued to an individual evidencing the individual's employment authorized status, as designated by the Secretary, if the document—

''(I) contains a photograph of the individual, or such other personal identifying information relating to the individual as the Secretary determines, by regulation, to be sufficient for the purposes of this subparagraph;

''(II) is evidence of employment authorized status; and

''(III) contains security features to make the document resistant to tampering, counterfeiting, and fraudulent use.

''(iii) An enhanced driver's license or identification card issued to a national of the United States by a State, an outlying possession of the United States, or a federally recognized Indian tribe that—

''(I) meets the requirements under section 202 of the REAL ID Act of 2005 (division B of Public Law 109–13; 49 U.S.C. 30301 note); and

''(II) the Secretary has certified by notice published in the Federal Register and

through appropriate notice directly to employers registered in the System 3 months prior to publication that such enhanced license or card is suitable for use under this subparagraph based upon the accuracy and security of the issuance process, security features on the document, and such other factors as the Secretary may prescribe.

''(iv) A passport issued by the appropriate authority of a foreign country accompanied by a Form I–94 or Form I–94A (or similar successor record), or other documentation as designated by the Secretary that specifies the individual's status in the United States and the duration of such status if the proposed employment is not in conflict with any restriction or limitation specified on such form or documentation.

''(v) A passport issued by the Federated States of Micronesia or the Republic of the Marshall Islands with evidence of nonimmigrant admission to the United States under the Compact of Free Association between the United States and the Federated States of Micronesia or the Republic of the Marshall Islands.

''(D) DOCUMENTS ESTABLISHING IDENTITY OF INDIVIDUAL.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

''(i) A driver's license or identity card that is not described in subparagraph (C)(iii) and is issued to an individual by a State or an outlying possession of the United States, a federally recognized Indian tribe, or an agency (including military) of the Federal Government if the driver's license or identity card includes, at a minimum—

''(I) the individual's photograph, name, date of birth, gender, and driver's license or identification card number; and

''(II) security features to make the license or card resistant to tampering, counterfeiting, and fraudulent use.

''(ii) A voter registration card.

''(iii) A document that complies with the requirements under section 7209(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 8 U.S.C. 1185 note).

''(iv) For individuals under 18 years of age who are unable to present a document listed in clause (i) or (ii), documentation of personal identity of such other type as the Secretary determines will provide a reliable means of identification, which may include an attestation as to the individual's identity by a parent or legal guardian under penalty of perjury.

''(E) DOCUMENTS EVIDENCING EMPLOYMENT AUTHORIZATION.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

''(i) A social security account number card issued by the Commissioner, other than a card which specifies on its face that the card is not valid to evidence employment authorized status or has other similar words of limitation.

''(ii) Any other documentation evidencing employment authorized status that the Secretary determines and publishes in the Federal Register and through appropriate notice directly to employers registered within the System to be acceptable for purposes of this subparagraph if such documentation, including any electronic security measures linked to such documentation, contains security features to make such documentation resistant to tampering, counterfeiting, and fraudulent use.

''(F) IDENTITY AUTHENTICATION MECHANISM.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) COVERED IDENTITY DOCUMENT.—The term 'covered identity document' means a valid—

''(aa) United States passport, passport card, or a document evidencing lawful permanent residence status or employment authorized status issued to an alien;

''(bb) enhanced driver's license or identity card issued by a participating State or an outlying possession of the United States; or

''(cc) photograph and appropriate identifying information provided by the Secretary of State pursuant to the granting of a visa.

''(II) PARTICIPATING STATE.—The term 'participating State' means a State that has an agreement with the Secretary to provide the Secretary, for purposes of identity verification in the System, with photographs and appropriate identifying information maintained by the State.

''(ii) REQUIREMENT FOR IDENTITY AUTHENTICATION.—In addition to verifying the documents specified in subparagraph (C), (D), or (E), the System shall require each employer to verify the identity of each new hire using the identity authentication mechanism described in clause (iii) or, for an individual whose identity is not able to be verified using that mechanism, to use the additional security measures provided in clause (iv) after such measures become available. A failure of the System to verify the identity of an individual due to the use of an identity authentication mechanism shall result in a further action notice under subsection (d)(4)(C)(iii).

''(iii) PHOTO TOOL.—

''(I) USE REQUIREMENT.—An employer that hires an individual who has a presented a covered identity document to establish his or her identity and employment authorization under subsection (c) shall verify the identity of such individual using the photo tool described in subclause (II).

''(II) DEVELOPMENT REQUIREMENT.—The Secretary shall develop and maintain a photo tool that enables employers to match the photo on a covered identity document provided to the employer to a photo maintained by a U.S. Citizenship and Immigration Services or other appropriate database.

''(III) INDIVIDUAL QUERIES.—The photo tool capability shall be incorporated into the System and made available to employers not later than 1 year after the date on which regulations are published implementing subsection (d).

''(IV) LIMITATIONS ON USE OF INFORMATION.—Information and images acquired from State motor vehicle databases through the photo tool developed under subclause (II)—

''(aa) may only be used for matching photos to a covered identity document for the purposes of employment verification;

''(bb) shall not be collected or stored by the Federal Government; and

''(cc) may only be disseminated in response to an individual photo tool query.

''(iv) ADDITIONAL SECURITY MEASURES.—

''(I) USE REQUIREMENT.—An employer seeking to hire an individual whose identity is not able to be verified using the photo tool described in clause (iii), because the employee did not present a covered document for employment eligibility verification purposes, shall verify the identity of such individual using the additional security measures described in subclause (II).

''(II) DEVELOPMENT REQUIREMENT.—The Secretary shall develop, after publication in the Federal Register and an opportunity for public comment, specific and effective additional security measures to adequately verify the identity of an individual whose identity is not able to be verified using the photo tool described in clause (iii). Such additional security measures—

''(aa) shall be kept up-to-date with technological advances;

''(bb) shall provide a means of identity authentication in a manner that provides a high level of certainty as to the identity of such individual, using immigration and identifying information that may include review of identity documents or background screening verification techniques using publicly available information; and

''(cc) shall be incorporated into the System and made available to employers not later than 1 year after the date on which regulations are published implementing subsection (d).

''(III) COMPREHENSIVE USE.—An employer may employ the additional security measures set forth in this clause with respect to all individuals the employer hires if the employer notifies the Secretary of such election at the time the employer registers for use of the System under subsection (d)(4)(A)(i) or anytime thereafter. An election under this subclause may be withdrawn 90 days after the employer notifies the Secretary of the employer's intent to discontinue such election.

''(v) AUTOMATED VERIFICATION.—The Secretary—

''(I) may establish a program, in addition to the identity authentication mechanism described in subparagraph (F)(iii), in which the System automatically verifies information contained in a covered identity document issued by a participating State, which is presented under subparagraph (D)(i), including information needed to verify that the covered identity document matches the State's records;

''(II) may not maintain information provided by a participating State in a database maintained by U.S. Citizenship and Immigration Services; and

''(III) may not utilize or disclose such information, except as authorized under this section.

''(G) AUTHORITY TO PROHIBIT USE OF CERTAIN DOCUMENTS.—If the Secretary determines, after publication in the Federal Register and an opportunity for public comment, that any document or class of documents specified in subparagraph (B), (C), or (D) does not reliably establish identity or that employment authorized status is being used fraudulently to an unacceptable degree, the Secretary—

''(i) may prohibit or restrict the use of such document or class of documents for purposes of this subsection; and

''(ii) shall directly notify all employers registered within the System of the prohibition through appropriate means.

''(H) AUTHORITY TO ALLOW USE OF CERTAIN DOCUMENTS.—If the Secretary has determined that another document or class of documents, such as a document issued by a federally recognized Indian tribe, may be used to reliably establish identity or employment authorized status, the Secretary—

''(i) may allow the use of that document or class of documents for purposes of this subsection after publication in the Federal Register and an opportunity for public comment;

''(ii) shall publish a description of any such document or class of documents on the U.S. Citizenship and Immigration Services website; and

''(iii) shall directly notify all employers registered within the System of the addition through appropriate means.

''(2) INDIVIDUAL ATTESTATION OF EMPLOYMENT AUTHORIZATION.—An individual, upon commencing employment with an employer, shall—

''(A) attest, under penalty of perjury, on the form prescribed by the Secretary, that the individual is—

''(i) a citizen of the United States;

''(ii) an alien lawfully admitted for permanent residence;

''(iii) an alien who has employment authorized status; or

''(iv) otherwise authorized by the Secretary to be hired for such employment;

''(B) provide such attestation by a handwritten, electronic, or digital signature; and

''(C) provide the individual's social security account number to the Secretary, unless the individual has not yet been issued such a number, on such form as the Secretary may require.

''(3) RETENTION OF VERIFICATION RECORD.—

''(A) IN GENERAL.—After completing a form for an individual in accordance with paragraphs (1) and (2), the employer shall retain a version of such completed form and make such form available for inspection by the Secretary or the Office of Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice during the period beginning on the hiring date of the individual and ending on the later of—

''(i) the date that is 3 years after such hiring date; or

''(ii) the date that is 1 year after the date on which the individual's employment with the employer is terminated.

''(B) REQUIREMENT FOR ELECTRONIC RETENTION.—The Secretary—

''(i) shall permit an employer to retain the form described in subparagraph (A) in electronic form; and

''(ii) shall permit an employer to retain such form in paper, microfiche, microfilm, portable document format, or other media.

''(4) COPYING OF DOCUMENTATION AND RECORDKEEPING.—The Secretary may promulgate regulations regarding—

''(A) copying documents and related information pertaining to employment verification presented by an individual under this subsection; and

''(B) retaining such information during a period not to exceed the required retention period set forth in paragraph (3).

''(5) PENALTIES.—An employer that fails to comply with any requirement under this subsection may be penalized under subsection (e)(4)(B).

''(6) PROTECTION OF CIVIL RIGHTS.—

''(A) IN GENERAL.—Nothing in this section may be construed to diminish any rights otherwise protected by Federal law.

''(B) PROHIBITION ON DISCRIMINATION.—An employer shall use the procedures for document verification set forth in this paragraph for all employees without regard to race, color, religion, sex, national origin, or, unless specifically permitted in this section, to citizenship status.

''(7) RECEIPTS.—The Secretary may authorize the use of receipts for replacement documents, and temporary evidence of employment authorization by an individual to meet a documentation requirement under this subsection on a temporary basis not to exceed 1 year, after which time the individual shall provide documentation sufficient to satisfy the documentation requirements under this subsection.

''(8) NO AUTHORIZATION OF NATIONAL IDENTIFICATION CARDS.—Nothing in this section may be construed to directly or indirectly authorize the issuance, use, or establishment of a national identification card.

''(d) EMPLOYMENT VERIFICATION SYSTEM.—

''(1) IN GENERAL.—

''(A) ESTABLISHMENT.—The Secretary, in consultation with the Commissioner, shall establish the Employment Verification System.

''(B) MONITORING.—The Secretary shall create the necessary processes to monitor—

''(i) the functioning of the System, including the volume of the workflow, the speed of processing of queries, the speed and accuracy of responses;

''(ii) the misuse of the System, including the prevention of fraud or identity theft;

''(iii) whether the use of the System results in wrongful adverse actions or discrimination based upon a prohibited factor against citizens or nationals of the United States or individuals who have employment authorized status; and

''(iv) the security, integrity, and privacy of the System.

''(C) PROCEDURES.—The Secretary—

''(i) shall create processes to provide an individual with direct access to the individual's case history in the System, including—

''(I) the identities of all persons or entities that have queried the individual through the System;

''(II) the date of each such query; and

''(III) the System response for each such query; and

''(ii) in consultation with the Commissioner, shall develop—

''(I) protocols to notify an individual, in a timely manner through the use of electronic correspondence or mail, that a query for the individual has been processed through the System; or

''(II) a process for the individual to submit additional queries to the System or notify the Secretary of potential identity fraud.

''(2) PARTICIPATION REQUIREMENTS.—

''(A) FEDERAL GOVERNMENT.—Except as provided in subparagraph (B), all agencies and departments in the executive, legislative, or judicial branches of the Federal Government shall participate in the System beginning on the earlier of—

''(i) the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, to the extent required under section 402(e)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a) and as already implemented by each agency or department; or

''(ii) the date that is 90 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(B) FEDERAL CONTRACTORS.—Federal contractors shall participate in the System as provided in the final rule relating to employment eligibility verification published in the Federal Register on November 14, 2008 (73 Fed. Reg. 67,651), or any similar subsequent regulation, for which purpose references to E-Verify in the final rule shall be construed to apply to the System.

''(C) CRITICAL INFRASTRUCTURE.—

''(i) IN GENERAL.—Beginning on the date that is 1 year after the date on which regulations are published implementing this subsection, the Secretary may authorize or direct any employer, person, or entity responsible for granting access to, protecting, securing, operating, administering, or regulating part of the critical infrastructure (as defined in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e))) to participate in the System to the extent the Secretary determines that such participation will assist in the protection of the critical infrastructure.

''(ii) NOTIFICATION TO EMPLOYERS.—The Secretary shall notify an employer required to participate in the System under this subparagraph not later than 90 days before the date on which the employer is required to participate.

''(D) EMPLOYERS WITH MORE THAN 10,000 EMPLOYEES.—Not later than 1 year after regulations are published implementing this subsection, all employers with more than 10,000 employees shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(E) EMPLOYERS WITH MORE THAN 500 EMPLOYEES.—Not later than 2 years after regulations are published implementing this subsection, all employers with more than 500 employees shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(F) EMPLOYERS WITH MORE THAN 20 EMPLOYEES.—Not later than 3 years after regulations are published implementing this subsection, all employers with more than 20 employees shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(G) AGRICULTURAL EMPLOYMENT.—Not later than 4 years after regulations are published implementing this subsection, employers of employees performing agricultural employment (as defined in section 218A of this Act and section 2202 of the Border Security, Economic Opportunity, and Immigration Modernization Act) shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents. An agricultural employee shall not be counted for purposes of subparagraph (D), (E), or (F).

''(H) ALL EMPLOYERS.—Not later than 4 years after regulations are published implementing this subsection, all employers shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(I) TRIBAL GOVERNMENT EMPLOYERS.—

''(i) RULEMAKING.—In developing regulations to implement this subsection, the Secretary shall—

''(I) consider the effects of this section on federally recognized Indian tribes and tribal members; and

''(II) consult with the governments of federally recognized Indian tribes.

''(ii) REQUIRED PARTICIPATION.—Not later than 4 years after regulations are published implementing this subsection, all employers owned by, or entities of, the government of a federally recognized Indian tribe shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(J) IMMIGRATION LAW VIOLATORS.—

''(i) ORDERS FINDING VIOLATIONS.—An order finding any employer to have violated this section or section 274C may, in the Secretary's discretion, require the employer to participate in the System with respect to newly hired employees and employees with expiring temporary employment authorization documents, if such employer is not otherwise required to participate in the System under this section. The Secretary shall monitor such employer's compliance with System procedures.

''(ii) PATTERN OR PRACTICE OF VIOLATIONS.—The Secretary may require an employer that is required to participate in the System with respect to newly hired employees to participate in the System with respect to the employer's current employees if the employer is determined by the Secretary or other appropriate authority to have engaged in a pattern or practice of violations of the immigration laws of the United States.

''(K) VOLUNTARY PARTICIPATION.—The Secretary may permit any employer that is not required to participate in the System under this section to do so on a voluntary basis.

''(3) CONSEQUENCE OF FAILURE TO PARTICIPATE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the failure, other than a de minimis or inadvertent failure, of an employer that is required to participate in the System to comply with the requirements of the System with respect to an individual—

''(i) shall be treated as a violation of subsection (a)(1)(B) with respect to that individual; and

''(ii) creates a rebuttable presumption that the employer has violated paragraph (1)(A) or (2) of subsection (a).

''(B) EXCEPTION.—

''(i) IN GENERAL.—Subparagraph (A) shall not apply in a criminal prosecution.

''(ii) USE AS EVIDENCE.—Nothing in this paragraph may be construed to limit the use in the prosecution of a Federal crime, in a manner otherwise consistent with Federal criminal law and procedure, of evidence relating to the employer's failure to comply with requirements of the System.

''(4) PROCEDURES FOR PARTICIPANTS IN THE SYSTEM.—

''(A) IN GENERAL.—An employer participating in the System shall register such participation with the Secretary and, when hiring any individual for employment in the United States, shall comply with the following:

''(i) REGISTRATION OF EMPLOYERS.—The Secretary, through notice in the Federal Register, shall prescribe procedures that employers shall be required to follow to register with the System.

''(ii) UPDATING INFORMATION.—The employer is responsible for providing notice of any change to the information required under subclauses (I), (II), and (III) of clause (v) before conducting any further inquiries within the System, or on such other schedule as the Secretary may prescribe.

''(iii) TRAINING.—The Secretary shall require employers to undergo such training as the Secretary determines to be necessary to ensure proper use, protection of civil rights and civil liberties, privacy, integrity, and security of the System. To the extent practicable, such training shall be made available electronically on the U.S. Citizenship and Immigration Services website.

''(iv) NOTIFICATION TO EMPLOYEES.—The employer shall inform individuals hired for employment that the System—

''(I) will be used by the employer;

''(II) may be used for immigration enforcement purposes; and

''(III) may not be used to discriminate or to take adverse action against a national of the United States or an alien who has employment authorized status.

''(v) PROVISION OF ADDITIONAL INFORMATION.—The employer shall obtain from the individual (and the individual shall provide) and shall record in such manner as the Secretary may specify—

''(I) the individual's social security account number;

''(II) if the individual does not attest to United States citizenship or status as a national of the United States under subsection (c)(2), such identification or authorization number established by the Department as the Secretary shall specify; and

''(III) such other information as the Secretary may require to determine the identity and employment authorization of an individual.

''(vi) PRESENTATION OF DOCUMENTATION.—The employer, and the individual whose identity and employment authorized status are being confirmed, shall fulfill the requirements under subsection (c).

''(B) SEEKING CONFIRMATION.—

''(i) IN GENERAL.—An employer shall use the System to confirm the identity and employment authorized status of any individual during—

''(I) the period beginning on the date on which the individual accepts an offer of employment and ending 3 business days after the date on which employment begins; or

''(II) such other reasonable period as the Secretary may prescribe.

''(ii) LIMITATION.—An employer may not make the starting date of an individual's employment or training or any other term and condition of employment dependent on the receipt of a confirmation of identity and employment authorized status by the System.

''(iii) REVERIFICATION.—If an individual has a limited period of employment authorized status, the individual's employer shall reverify such status through the System not later than 3 business days after the last day of such period.

''(iv) OTHER EMPLOYMENT.—For employers directed by the Secretary to participate in the System under paragraph (2)(C)(i) to protect critical infrastructure or otherwise specified circumstances in this section to verify their entire workforce, the System may be used for initial verification of an individual who was hired before the employer became subject to the System, and the employer shall initiate all required procedures on or before such date as the Secretary shall specify.

''(v) NOTIFICATION.—

''(I) IN GENERAL.—The Secretary shall provide, and the employer shall utilize, as part of the System, a method of notifying employers of a confirmation or nonconfirmation of an individual's identity and employment authorized status, or a notice that further action is required to verify such identity or employment eligibility (referred to in this subsection as a further action notice).

''(II) PROCEDURES.—The Secretary shall—

''(aa) directly notify the individual and the employer, by means of electronic correspondence, mail, text message, telephone, or other direct communication, of a nonconfirmation or further action notice;

''(bb) provide information about filing an administrative appeal under paragraph (6) and a filing for review before an administrative law judge under paragraph (7); and

''(cc) establish procedures to directly notify the individual and the employer of a confirmation.

''(III) IMPLEMENTATION.—The Secretary may provide for a phased-in implementation of the notification requirements under this clause, as appropriate. The notification system shall cover all inquiries not later than 1 year from the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(C) CONFIRMATION OR NONCONFIRMATION.—

''(i) INITIAL RESPONSE.—

''(I) IN GENERAL.—Except as provided in subclause (II), the System shall provide—

''(aa) a confirmation of an individual's identity and employment authorized status or a further action notice at the time of the inquiry; and

''(bb) an appropriate code indicating such confirmation or such further action notice.

''(II) ALTERNATIVE DEADLINE.—If the System is unable to provide immediate confirmation or further action notice for technological reasons or due to unforeseen circumstances, the System shall provide a confirmation or further action notice not later than 3 business days after the initial inquiry.

''(ii) CONFIRMATION UPON INITIAL INQUIRY.—If the employer receives an appropriate confirmation of an individual's identity and employment authorized status under the System, the employer shall record the confirmation in such manner as the Secretary may specify.

''(iii) FURTHER ACTION NOTICE AND LATER CONFIRMATION OR NONCONFIRMATION.—

''(I) NOTIFICATION AND ACKNOWLEDGMENT THAT FURTHER ACTION IS REQUIRED.—Not later than 3 business days after an employer receives a further action notice of an individual's identity or employment eligibility under the System, or during such other reasonable time as the Secretary may prescribe, the employer shall notify the individual for whom the confirmation is sought of the further action notice and any procedures specified by the Secretary for addressing such notice. The further action notice shall be given to the individual in writing and the employer shall acknowledge in the System under penalty of perjury that it provided the employee with the further action notice. The individual shall affirmatively acknowledge in writing, or in such other manner as the Secretary may specify, the receipt of the further action notice from the employer. If the individual refuses to acknowledge the receipt of the further action notice, or acknowledges in writing that the individual will not contest the further action notice under subclause (II), the employer shall notify the Secretary in such manner as the Secretary may specify.

''(II) CONTEST.—Not later than 10 business days after receiving notification of a further action notice under subclause (I), the individual shall contact the appropriate Federal agency and, if the Secretary so requires, appear in person for purposes of verifying the individual's identity and employment eligibility. The Secretary, in consultation with the Commissioner and other appropriate Federal agencies, shall specify an available secondary verification procedure to confirm the validity of information provided and to provide a confirmation or nonconfirmation. Any procedures for reexamination shall not limit in any way an employee's right to appeal a nonconfirmation.

''(III) NO CONTEST.—If the individual refuses to acknowledge receipt of the further action notice, acknowledges that the individual will not contest the further action notice as provided in subclause (I), or does not contact the appropriate Federal agency within the period specified in subclause (II), following expiration of the period specified in subclause (II), a nonconfirmation shall be issued. The employer shall record the nonconfirmation in such manner as the Secretary may specify and terminate the individual's employment. An individual's failure to contest a further action notice shall not be considered an admission of guilt with respect to any violation of this section or any provision of law.

''(IV) CONFIRMATION OR NONCONFIRMATION.—Unless the period is extended in accordance

with this subclause, the System shall provide a confirmation or nonconfirmation not later than 10 business days after the date on which the individual contests the further action notice under subclause (II). If the Secretary determines that good cause exists, after taking into account adverse impacts to the employer, and including time to permit the individual to obtain and provide needed evidence of identity or employment eligibility, the Secretary shall extend the period for providing confirmation or nonconfirmation for stated periods beyond 10 business days. When confirmation or nonconfirmation is provided, the confirmation system shall provide an appropriate code indicating such confirmation or nonconfirmation.

''(V) REEXAMINATION.—Nothing in this section shall prevent the Secretary from establishing procedures to reexamine a case where a confirmation or nonconfirmation has been provided if subsequently received information indicates that the confirmation or nonconfirmation may not have been correct. Any procedures for reexamination shall not limit in any way an employee's right to appeal a nonconfirmation.

''(VI) EMPLOYEE PROTECTIONS.—An employer may not terminate employment or take any other adverse action against an individual solely because of a failure of the individual to have identity and employment eligibility confirmed under this subsection until—

''(aa) a nonconfirmation has been issued;

''(bb) if the further action notice was contested, the period to timely file an administrative appeal has expired without an appeal or the contestation to the further action notice is withdrawn; or

''(cc) if an appeal before an administrative law judge under paragraph (7) has been filed, the nonconfirmation has been upheld or the appeal has been withdrawn or dismissed.

''(iv) NOTICE OF NONCONFIRMATION.—Not later than 3 business days after an employer receives a nonconfirmation, or during such other reasonable time as the Secretary may provide, the employer shall notify the individual who is the subject of the nonconfirmation, and provide information about filing an administrative appeal pursuant to paragraph (6) and a request for a hearing before an administrative law judge pursuant to paragraph (7). The nonconfirmation notice shall be given to the individual in writing and the employer shall acknowledge in the System under penalty of perjury that it provided the notice (or adequately attempted to provide notice, but was unable to do so despite reasonable efforts). The individual shall affirmatively acknowledge in writing, or in such other manner as the Secretary may prescribe, the receipt of the nonconfirmation notice from the employer. If the individual refuses or fails to acknowledge the receipt of the nonconfirmation notice, the employer shall notify the Secretary in such manner as the Secretary may prescribe.

''(D) CONSEQUENCES OF NONCONFIRMATION.—

''(i) TERMINATION OF CONTINUED EMPLOYMENT.—Except as provided in clause (iii), an employer that has received a nonconfirmation regarding an individual and has made reasonable efforts to notify the individual in accordance with subparagraph (C)(iv) shall terminate the employment of the individual upon the expiration of the time period specified in paragraph (7).

''(ii) CONTINUED EMPLOYMENT AFTER NONCONFIRMATION.—If the employer continues to employ an individual after receiving nonconfirmation and exhaustion of all appeals or expiration of all rights to appeal if not appealed, in violation of clause (i), a rebuttable presumption is created that the employer has violated paragraphs (1)(A) and (2) of subsection (a). Such presumption shall not apply in any prosecution under subsection (k)(1).

''(iii) EFFECT OF ADMINISTRATIVE APPEAL OR REVIEW BY ADMINISTRATIVE LAW JUDGE.—If an individual files an administrative appeal of the nonconfirmation within the time period specified in paragraph (6)(A), or files for review with an administrative law judge specified in paragraph (7)(A), the employer shall not terminate the individual's employment under this subparagraph prior to the resolution of the administrative appeal unless the Secretary or Commissioner terminates the stay under paragraph (6)(B) or (7)(B).

''(iv) WEEKLY REPORT.—The Director of U.S. Citizenship and Immigration Services shall submit a weekly report to the Assistant Secretary for Immigration and Customs Enforcement that includes, for each individual who receives final nonconfirmation through the System—

''(I) the name of such individual;

''(II) his or her social security number or alien file number;

''(III) the name and contact information for his or her current employer; and

''(IV) any other critical information that the Assistant Secretary determines to be appropriate.

''(v) OTHER REFERRAL.—The Director of U.S. Citizenship and Immigration Services shall refer to the Assistant Secretary for Immigration and Customs Enforcement for appropriate action by the Assistant Secretary or for referral by the Assistant Secretary to another law enforcement agency, as appropriate—

''(I) any case in which the Director believes that a social security number has been falsely or fraudulently used; and

''(II) any case in which a false or fraudulent document is used by an employee who has received a further action notice to resolve such notice.

''(E) OBLIGATION TO RESPOND TO QUERIES AND ADDITIONAL INFORMATION.—

''(i) IN GENERAL.—Employers shall comply with requests for information from the Secretary and the Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice, including queries concerning current and former employees, within the time frame during which records are required to be maintained under this section regarding such former employees, if such information relates to the functioning of the System, the accuracy of the responses provided by the System, or any suspected misuse, discrimination, fraud, or identity theft in the use of the System. Failure to comply with a request under this clause constitutes a violation of subsection (a)(1)(B).

''(ii) ACTION BY INDIVIDUALS.—

''(I) IN GENERAL.—Individuals being verified through the System may be required to take further action to address questions identified by the Secretary or the Commissioner regarding the documents relied upon for purposes of subsection (c).

''(II) NOTIFICATION.—Not later than 3 business days after the receipt of such questions regarding an individual, or during such other reasonable time as the Secretary may prescribe, the employer shall—

''(aa) notify the individual of any such requirement for further actions; and

''(bb) record the date and manner of such notification.

''(III) ACKNOWLEDGMENT.—The individual shall acknowledge the notification received from the employer under subclause (II) in writing, or in such other manner as the Secretary may prescribe.

''(iii) RULEMAKING.—

''(I) IN GENERAL.—The Secretary, in consultation with the Commissioner and the Attorney General, is authorized to issue regulations implementing, clarifying, and supplementing the requirements under this subparagraph—

''(aa) to facilitate the functioning, accuracy, and fairness of the System;

''(bb) to prevent misuse, discrimination, fraud, or identity theft in the use of the System; or

''(cc) to protect and maintain the confidentiality of information that could be used to locate or otherwise place at risk of harm victims of domestic violence, dating violence, sexual assault, stalking, and human trafficking, and of the applicant or beneficiary of any petition described in section 384(a)(2) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(a)(2)).

''(II) NOTICE.—The regulations issued under subclause (I) shall be—

''(aa) published in the Federal Register; and

''(bb) provided directly to all employers registered in the System.

''(F) DESIGNATED AGENTS.—The Secretary shall establish a process—

''(i) for certifying, on an annual basis or at such times as the Secretary may prescribe, designated agents and other System service providers seeking access to the System to perform verification queries on behalf of employers, based upon training, usage, privacy, and security standards prescribed by the Secretary;

''(ii) for ensuring that designated agents and other System service providers are subject to monitoring to the same extent as direct access users; and

''(iii) for establishing standards for certification of electronic I–9 programs.

''(G) REQUIREMENT TO PROVIDE INFORMATION.—

''(i) IN GENERAL.—No later than 3 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary, in consultation with the Secretary of Labor, the Secretary of Agriculture, the Commissioner, the Attorney General, the Equal Employment Opportunity Commission, and the Administrator of the Small Business Administration, shall commence a campaign to disseminate information respecting the procedures, rights, and remedies prescribed under this section.

''(ii) CAMPAIGN REQUIREMENTS.—The campaign authorized under clause (i)—

''(I) shall be aimed at increasing the knowledge of employers, employees, and the general public concerning employer and employee rights, responsibilities, and remedies under this section; and

''(II) shall be coordinated with the public education campaign conducted by U.S. Citizenship and Immigration Services.

''(iii) ASSESSMENT.—The Secretary shall assess the success of the campaign in achieving the goals of the campaign.

''(iv) AUTHORITY TO CONTRACT.—In order to carry out and assess the campaign under this subparagraph, the Secretary may, to the extent deemed appropriate and subject to the availability of appropriations, contract with public and private organizations for outreach and assessment activities under the campaign.

''(v) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to

carry out this paragraph $40,000,000 for each of the fiscal years 2014 through 2016.

''(H) AUTHORITY TO MODIFY INFORMATION REQUIREMENTS.—Based on a regular review of the System and the document verification procedures to identify misuse or fraudulent use and to assess the security of the documents and processes used to establish identity or employment authorized status, the Secretary, in consultation with the Commissioner, after publication of notice in the Federal Register and an opportunity for public comment, may modify, if the Secretary determines that the modification is necessary to ensure that the System accurately and reliably determines the identity and employment authorized status of employees and maintain existing protections against misuse, discrimination, fraud, and identity theft—

''(i) the information that shall be presented to the employer by an individual;

''(ii) the information that shall be provided to the System by the employer; and

''(iii) the procedures that shall be followed by employers with respect to the process of verifying an individual through the System.

''(I) SELF-VERIFICATION.—Subject to appropriate safeguards to prevent misuse of the system, the Secretary, in consultation with the Commissioner, shall establish a secure self-verification procedure to permit an individual who seeks to verify the individual's own employment eligibility to contact the appropriate agency and, in a timely manner, correct or update the information contained in the System.

''(5) PROTECTION FROM LIABILITY FOR ACTIONS TAKEN ON THE BASIS OF INFORMATION PROVIDED BY THE SYSTEM.—An employer shall not be liable to a job applicant, an employee, the Federal Government, or a State or local government, under Federal, State, or local criminal or civil law for any employment-related action taken with respect to a job applicant or employee in good faith reliance on information provided by the System.

''(6) ADMINISTRATIVE APPEAL.—

''(A) IN GENERAL.—An individual who is notified of a nonconfirmation may, not later than 10 business days after the date that such notice is received, file an administrative appeal of such nonconfirmation with the Commissioner if the notice is based on records maintained by the Commissioner, or in any other case, with the Secretary. An individual who did not timely contest a further action notice timely received by that individual for which the individual acknowledged receipt may not be granted a review under this paragraph.

''(B) ADMINISTRATIVE STAY OF NONCONFIRMATION.—The nonconfirmation shall be automatically stayed upon the timely filing of an administrative appeal, unless the nonconfirmation resulted after the individual acknowledged receipt of the further action notice but failed to contact the appropriate agency within the time provided. The stay shall remain in effect until the resolution of the appeal, unless the Secretary or the Commissioner terminates the stay based on a determination that the administrative appeal is frivolous or filed for purposes of delay.

''(C) REVIEW FOR ERROR.—The Secretary and the Commissioner shall develop procedures for resolving administrative appeals regarding nonconfirmations based upon the information that the individual has provided, including any additional evidence or argument that was not previously considered. Any such additional evidence or argument shall be filed within 10 business days of the date the appeal was originally filed. Appeals shall be resolved within 20 business days after the individual has submitted all evidence and arguments the individual wishes to submit, or has stated in writing that there is no additional evidence that the individual wishes to submit. The Secretary and the Commissioner may, on a case by case basis for good cause, extend the filing and submission period in order to ensure accurate resolution of an appeal before the Secretary or the Commissioner.

''(D) PREPONDERANCE OF EVIDENCE.—Administrative appeal under this paragraph shall be limited to whether a nonconfirmation notice is supported by a preponderance of the evidence.

''(E) DAMAGES, FEES, AND COSTS.—No money damages, fees or costs may be awarded in the administrative appeal process under this paragraph.

''(7) REVIEW BY ADMINISTRATIVE LAW JUDGE.—

''(A) IN GENERAL.—Not later than 30 days after the date an individual receives a final determination on an administrative appeal under paragraph (6), the individual may obtain review of such determination by filing a complaint with a Department of Justice administrative law judge in accordance with this paragraph.

''(B) STAY OF NONCONFIRMATION.—The nonconfirmation related to such final determination shall be automatically stayed upon the timely filing of a complaint under this paragraph, and the stay shall remain in effect until the resolution of the complaint, unless the administrative law judge determines that the action is frivolous or filed for purposes of delay.

''(C) SERVICE.—The respondent to complaint filed under this paragraph is either the Secretary or the Commissioner, but not both, depending upon who issued the administrative order under paragraph (6). In addition to serving the respondent, the plaintiff shall serve the Attorney General.

''(D) AUTHORITY OF ADMINISTRATIVE LAW JUDGE.—

''(i) RULES OF PRACTICE.—The Secretary shall promulgate regulations regarding the rules of practice in appeals brought pursuant to this subsection.

''(ii) AUTHORITY OF ADMINISTRATIVE LAW JUDGE.—The administrative law judge shall have power to—

''(I) terminate a stay of a nonconfirmation under subparagraph (B) if the administrative law judge determines that the action is frivolous or filed for purposes of delay;

''(II) adduce evidence at a hearing;

''(III) compel by subpoena the attendance of witnesses and the production of evidence at any designated place or hearing;

''(IV) resolve claims of identity theft; and

''(V) enter, upon the pleadings and any evidence adduced at a hearing, a decision affirming or reversing the result of the agency, with or without remanding the cause for a rehearing.

''(iii) SUBPOENA.—In case of contumacy or refusal to obey a subpoena lawfully issued under this section and upon application of the administrative law judge, an appropriate district court of the United States may issue an order requiring compliance with such subpoena and any failure to obey such order may be punished by such court as a contempt of such court.

''(iv) TRAINING.—An administrative law judge hearing cases shall have special training respecting employment authorized status verification.

''(E) ORDER BY ADMINISTRATIVE LAW JUDGE.—

''(i) IN GENERAL.—The administrative law judge shall issue and cause to be served to the parties in the proceeding an order which may be appealed as provided in subparagraph (G).

''(ii) CONTENTS OF ORDER.—Such an order shall uphold or reverse the final determination on the request for reconsideration and order lost wages and other appropriate remedies as provided in subparagraph (F).

''(F) COMPENSATION FOR ERROR.—

''(i) IN GENERAL.—In cases in which the administrative law judge reverses the final determination of the Secretary or the Commissioner made under paragraph (6), and the administrative law judge finds that—

''(I) the nonconfirmation was due to gross negligence or intentional misconduct of the employer, the administrative law judge may order the employer to pay the individual lost wages, and reasonable costs and attorneys' fees incurred during administrative and judicial review; or

''(II) such final determination was erroneous by reason of the negligence of the Secretary or the Commissioner, the administrative law judge may order the Secretary or the Commissioner to pay the individual lost wages, and reasonable costs and attorneys' fees incurred during the administrative appeal and the administrative law judge review.

''(ii) CALCULATION OF LOST WAGES.—Lost wages shall be calculated based on the wage rate and work schedule that prevailed prior to termination. The individual shall be compensated for wages lost beginning on the first scheduled work day after employment was terminated and ending 120 days after completion of the administrative law judge's review described in this paragraph or the day after the individual is reinstated or obtains employment elsewhere, whichever occurs first. If the individual obtains employment elsewhere at a lower wage rate, the individual shall be compensated for the difference in wages for the period ending 120 days after completion of the administrative law judge review process. No lost wages shall be awarded for any period of time during which the individual was not in employment authorized status.

''(iii) PAYMENT OF COMPENSATION.—Notwithstanding any other law, payment of compensation for lost wages, costs, and attorneys' fees under this paragraph, or compromise settlements of the same, shall be made as provided by section 1304 of title 31, United States Code. Appropriations made available to the Secretary or the Commissioner, accounts provided for under section 286, and funds from the Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund shall not be available to pay such compensation.

''(G) APPEAL.—No later than 45 days after the entry of such final order, any person adversely affected by such final order may seek review of such order in the United States Court of Appeals for the circuit in which the violation is alleged to have occurred or in which the employer resides or transacts business.

''(8) MANAGEMENT OF THE SYSTEM.—

''(A) IN GENERAL.—The Secretary is authorized to establish, manage, and modify the System, which shall—

''(i) respond to inquiries made by participating employers at any time through the internet, or such other means as the Secretary may designate, concerning an individual's identity and whether the individual is in employment authorized status;

''(ii) maintain records of the inquiries that were made, of confirmations provided (or not

provided), and of the codes provided to employers as evidence of their compliance with their obligations under the System; and

''(iii) provide information to, and require action by, employers and individuals using the System.

''(B) DESIGN AND OPERATION OF SYSTEM.—The System shall be designed and operated—

''(i) to maximize its reliability and ease of use by employers consistent with protecting the privacy and security of the underlying information, and ensuring full notice of such use to employees;

''(ii) to maximize its ease of use by employees, including direct notification of its use, of results, and ability to challenge results;

''(iii) to respond accurately to all inquiries made by employers on whether individuals are authorized to be employed and to register any times when the system is unable to receive inquiries;

''(iv) to maintain appropriate administrative, technical, and physical safeguards to prevent unauthorized disclosure of personal information, misuse by employers and employees, and discrimination;

''(v) to require regularly scheduled refresher training of all users of the System to ensure compliance with all procedures;

''(vi) to allow for auditing of the use of the System to detect misuse, discrimination, fraud, and identity theft, to protect privacy and assess System accuracy, and to preserve the integrity and security of the information in all of the System, including—

''(I) to develop and use tools and processes to detect or prevent fraud and identity theft, such as multiple uses of the same identifying information or documents to fraudulently gain employment;

''(II) to develop and use tools and processes to detect and prevent misuse of the system by employers and employees;

''(III) to develop tools and processes to detect anomalies in the use of the system that may indicate potential fraud or misuse of the system;

''(IV) to audit documents and information submitted by employees to employers, including authority to conduct interviews with employers and employees, and obtain information concerning employment from the employer;

''(vii) to confirm identity and employment authorization through verification and comparison of records as determined necessary by the Secretary;

''(viii) to confirm electronically the issuance of the employment authorization or identity document and—

''(I) if such photograph is available, to display the digital photograph that the issuer placed on the document so that the employer can compare the photograph displayed to the photograph on the document presented by the employee; or

''(II) if a photograph is not available from the issuer, to confirm the authenticity of the document using additional security measures set forth in subsection (c)(1)(F)(iv);

''(ix) to employ specific and effective additional security measures set forth in subsection (c)(1)(F)(iv) to adequately verify the identity of an individual that are designed and operated—

''(I) to use state-of-the-art technology to determine to a high degree of accuracy whether an individual presenting biographic information is the individual with that true identity;

''(II) to retain under the control of the Secretary the use of all determinations communicated by the System, regardless of the entity operating the system pursuant to a contract or other agreement with a nongovernmental entity or entities to the extent helpful in acquiring the best technology to implement the additional security measures;

''(III) to be integrated with the System so that employment authorizations will be determined for all individuals identified as presenting their true identities through the databases maintained by the Commissioner of Social Security and the Secretary;

''(IV) to use tools and processes to detect and prevent further action notices and final nonconfirmations that are not correlated to fraud or identity theft;

''(V) to make risk-based assessments regarding the reliability of a claim of identity made by an individual presenting biographic information and to tailor the identity determination in accordance with those assessments;

''(VI) to permit queries to be presented to individuals subject to identity verification at the time their identities are being verified in a manner that permits rapid communication through Internet, mobile phone, and landline telephone connections to facilitate identity proofing;

''(VII) to generate queries that conform to the context of the identity verification process and the circumstances of the individual whose identity is being verified;

''(VIII) to use publicly available databases and databases under the jurisdiction of the Commissioner of Social Security, the Secretary, and the Secretary of State to formulate queries to be presented to individuals whose identities are being verified, as appropriate;

''(IX) to not retain data collected by the System within any database separate from the database in which the operating system is located and to limit access to the existing databases to a reference process that shields the operator of the System from acquiring possession of the data beyond the formulation of queries and verification of responses;

''(X) to not permit individuals or entities using the System to access any data related to the individuals whose identities are being verified beyond confirmations, further action notices, and final nonconfirmations of identity;

''(XI) to include, if feasible, a capability for permitting document or other inputs that can be offered to individuals and entities using the System and that may be used at the option of employees to facilitate identity verification, but would not be required of either employers or employees; and

''(XII) to the greatest extent possible, in accordance with the time frames specified in this section; and

''(x) to provide appropriate notification directly to employers registered with the System of all changes made by the Secretary or the Commissioner related to allowed and prohibited documents, and use of the System.

''(C) SAFEGUARDS TO THE SYSTEM.—

''(i) REQUIREMENT TO DEVELOP.—The Secretary, in consultation with the Commissioner and other appropriate Federal and State agencies, shall develop policies and procedures to ensure protection of the privacy and security of personally identifiable information and identifiers contained in the records accessed or maintained by the System. The Secretary, in consultation with the Commissioner and other appropriate Federal and State agencies, shall develop and deploy appropriate privacy and security training for the Federal and State employees accessing the records under the System.

''(ii) PRIVACY AUDITS.—The Secretary, acting through the Chief Privacy Officer of the Department, shall conduct regular privacy audits of the policies and procedures established under clause (i) and the Department's compliance with the limitations set forth in subsection (c)(1)(F)(iii)(IV), including any collection, use, dissemination, and maintenance of personally identifiable information and any associated information technology systems, as well as scope of requests for this information. The Chief Privacy Officer shall review the results of the audits and recommend to the Secretary any changes necessary to improve the privacy protections of the program.

''(iii) ACCURACY AUDITS.—

''(I) IN GENERAL.—Not later than November 30 of each year, the Inspector General of the Department of Homeland Security shall submit a report to the Secretary, with a copy to the President of the Senate and the Speaker of the House of Representatives, that sets forth the error rate of the System for the previous fiscal year and the assessments required to be submitted by the Secretary under subparagraphs (A) and (B) of paragraph (10). The report shall describe in detail the methodology employed for purposes of the report, and shall make recommendations for how error rates may be reduced.

''(II) ERROR RATE DEFINED.—In this clause, the term error rate means the percentage determined by dividing—

''(aa) the number of employment authorized individuals who received further action notices, contested such notices, and were subsequently found to be employment authorized; by

''(bb) the number of System inquiries submitted for employment authorized individuals.

''(III) ERROR RATE DETERMINATION.—The audits required under this clause shall—

''(aa) determine the error rate for identity determinations pursuant to subsection (c)(1)(F) for individuals presenting their true identities in the same manner and applying the same standards as for employment authorization; and

''(bb) include recommendations, as provided in subclause (I), but no reduction in fines pursuant to subclause (IV).

''(IV) REDUCTION OF PENALTIES FOR RECORDKEEPING OR VERIFICATION PRACTICES FOLLOWING PERSISTENT SYSTEM INACCURACIES.—Notwithstanding subsection (e)(4)(C)(i), in any calendar year following a report by the Inspector General under subclause (I) that the System had an error rate higher than 0.3 percent for the previous fiscal year, the civil penalty assessable by the Secretary or an administrative law judge under that subsection for each first-time violation by an employer who has not previously been penalized under this section may not exceed $1,000.

''(iv) RECORDS SECURITY PROGRAM.—Any person, including a private third party vendor, who retains document verification or System data pursuant to this section shall implement an effective records security program that—

''(I) ensures that only authorized personnel have access to document verification or System data; and

''(II) ensures that whenever such data is created, completed, updated, modified, altered, or corrected in electronic format, a secure record is created that establishes the date of access, the identity of the individual who accessed the electronic record, and the particular action taken.

''(v) RECORDS SECURITY PROGRAM.—In addition to the security measures described in

clause (iv), a private third party vendor who retains document verification or System data pursuant to this section shall implement an effective records security program that—

''(I) provides for backup and recovery of any records maintained in electronic format to protect against information loss, such as power interruptions; and

''(II) ensures that employees are trained to minimize the risk of unauthorized or accidental alteration or erasure of such data in electronic format.

''(vi) AUTHORIZED PERSONNEL DEFINED.—In this subparagraph, the term authorized personnel means anyone registered as a System user, or anyone with partial or full responsibility for completion of employment authorization verification or retention of data in connection with employment authorization verification on behalf of an employer.

''(D) AVAILABLE FACILITIES AND ALTERNATIVE ACCOMMODATIONS.—The Secretary shall make appropriate arrangements and develop standards to allow employers or employees, including remote hires, who are otherwise unable to access the System to use electronic and telephonic formats (including video conferencing, scanning technology, and other available technologies), Federal Government facilities, public facilities, or other available locations in order to utilize the System.

''(E) RESPONSIBILITIES OF THE SECRETARY.—

''(i) IN GENERAL.—As part of the System, the Secretary shall maintain a reliable, secure method, which, operating through the System and within the time periods specified, compares the name, alien identification or authorization number, or other information as determined relevant by the Secretary, provided in an inquiry against such information maintained or accessed by the Secretary in order to confirm (or not confirm) the validity of the information provided, the correspondence of the name and number, whether the alien has employment authorized status (or, to the extent that the Secretary determines to be feasible and appropriate, whether the records available to the Secretary verify the identity or status of a national of the United States), and such other information as the Secretary may prescribe.

''(ii) PHOTOGRAPH DISPLAY.—As part of the System, the Secretary shall establish a reliable, secure method, which, operating through the System, displays the digital photograph described in subparagraph (B)(viii)(I).

''(iii) TIMING OF NOTICES.—The Secretary shall have authority to prescribe when a confirmation, nonconfirmation, or further action notice shall be issued.

''(iv) USE OF INFORMATION.—The Secretary shall perform regular audits under the System, as described in subparagraph (B)(vi) and shall utilize the information obtained from such audits, as well as any information obtained from the Commissioner pursuant to part E of title XI of the Social Security Act (42 U.S.C. 1301 et seq.), for the purposes of this section and to administer and enforce the immigration laws.

''(v) IDENTITY FRAUD PROTECTION.—To prevent identity fraud, not later than 18 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary shall—

''(I) in consultation with the Commissioner, establish a program to provide a reliable, secure method for an individual to temporarily suspend or limit the use of the individual's social security account number or other identifying information for verification by the System; and

''(II) for each individual being verified through the System—

''(aa) notify the individual that the individual has the option to limit the use of the individual's social security account number or other identifying information for verification by the System; and

''(bb) provide instructions to the individuals for exercising the option referred to in item (aa).

''(vi) ALLOWING PARENTS TO PREVENT THEFT OF THEIR CHILD'S IDENTITY.—The Secretary, in consultation with the Commissioner, shall establish a program that provides a reliable, secure method by which parents or legal guardians may suspend or limit the use of the social security account number or other identifying information of a minor under their care for the purposes of the System. The Secretary may implement the program on a limited pilot program basis before making it fully available to all individuals.

''(vii) PROTECTION FROM MULTIPLE USE.—The Secretary and the Commissioner shall establish a procedure for identifying and handling a situation in which a social security account number has been identified to be subject to unusual multiple use in the System or is otherwise suspected or determined to have been compromised by identity fraud. Such procedure shall include notifying the legitimate holder of the social security number at the appropriate time.

''(viii) MONITORING AND COMPLIANCE UNIT.—The Secretary shall establish or designate a monitoring and compliance unit to detect and reduce identity fraud and other misuse of the System.

''(ix) CIVIL RIGHTS AND CIVIL LIBERTIES ASSESSMENTS.—

''(I) REQUIREMENT TO CONDUCT.—The Secretary shall conduct regular civil rights and civil liberties assessments of the System, including participation by employers, other private entities, and Federal, State, and local government entities.

''(II) REQUIREMENT TO RESPOND.—Employers, other private entities, and Federal, State, and local entities shall timely respond to any request in connection with such an assessment.

''(III) ASSESSMENT AND RECOMMENDATIONS.—The Officer for Civil Rights and Civil Liberties of the Department shall review the results of each such assessment and recommend to the Secretary any changes necessary to improve the civil rights and civil liberties protections of the System.

''(F) GRANTS TO STATES.—

''(i) IN GENERAL.—The Secretary shall create and administer a grant program to help provide funding for reimbursement of the actual costs to States that grant—

''(I) the Secretary access to driver's license information as needed to confirm that a driver's license presented under subsection (c)(1)(D)(i) confirms the identity of the subject of the System check, and that a driver's license matches the State's records; and

''(II) such assistance as the Secretary may request in order to resolve further action notices or nonconfirmations relating to such information.

''(ii) CONSTRUCTION WITH THE DRIVER'S PRIVACY PROTECTION ACT OF 1994.—The provision of a photograph to the Secretary as described in clause (i) may not be construed as a violation of section 2721 of title 18, United States Code, and is a permissible use under subsection (b)(1) of that section.

''(iii) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), $500,000,000 to carry out this subparagraph.

''(G) RESPONSIBILITIES OF THE SECRETARY OF STATE.—As part of the System, the Secretary of State shall provide to the Secretary access to passport and visa information as needed to confirm that a passport, passport card, or visa presented under subsection (c)(1)(C) confirms the identity of the subject of the System check, and that a passport, passport card, or visa photograph matches the Secretary of State's records, and shall provide such assistance as the Secretary may request in order to resolve further action notices or nonconfirmations relating to such information.

''(H) UPDATING INFORMATION.—The Commissioner, the Secretary, and the Secretary of State shall update their information in a manner that promotes maximum accuracy and shall provide a process for the prompt correction of erroneous information.

''(9) LIMITATION ON USE OF THE SYSTEM.—Notwithstanding any other provision of law, no department, bureau, or other agency of the United States Government or any other entity shall utilize, share, or transmit any information, database, or other records assembled under this subsection for any purpose other than for employment verification or to ensure secure, appropriate and nondiscriminatory use of the System.

''(10) ANNUAL REPORT AND CERTIFICATION.—Not later than 18 months after the promulgation of regulations to implement this subsection, and annually thereafter, the Secretary shall submit to Congress a report that includes the following:

''(A) An assessment, as submitted to the Secretary by the Inspector General of the Department of Homeland Security pursuant to paragraph (8)(C)(iii)(I), of the accuracy rates of further action notices and other System notices provided by employers to individuals who are authorized to be employed in the United States.

''(B) An assessment, as submitted to the Secretary by the Inspector General of the Department of Homeland Security pursuant to paragraph (8)(C)(iii)(I), of the accuracy rates of further action notices and other System notices provided directly (by the System) in a timely fashion to individuals who are not authorized to be employed in the United States.

''(C) An assessment of any challenges faced by small employers in utilizing the System.

''(D) An assessment of the rate of employer noncompliance (in addition to failure to provide required notices in a timely fashion) in each of the following categories:

''(i) Taking adverse action based on a further action notice.

''(ii) Use of the System for nonemployees or other individuals before they are offered employment.

''(iii) Use of the System to reverify employment authorized status of current employees except if authorized to do so.

''(iv) Use of the System selectively, except in cases in which such use is authorized.

''(v) Use of the System to deny employment or post-employment benefits or otherwise interfere with labor rights.

''(vi) Requiring employees or applicants to use any self-verification feature or to provide self-verification results.

''(vii) Discouraging individuals who receive a further action notice from challenging the further action notice or appealing a determination made by the System.

''(E) An assessment of the rate of employee noncompliance in each of the following categories:

''(i) Obtaining employment when unauthorized with an employer complying with the System in good faith.

''(ii) Failure to provide required documents in a timely manner.

''(iii) Attempting to use fraudulent documents or documents not related to the individual.

''(iv) Misuse of the administrative appeal and judicial review process.

''(F) An assessment of the amount of time taken for—

''(i) the System to provide the confirmation or further action notice;

''(ii) individuals to contest further action notices;

''(iii) the System to provide a confirmation or nonconfirmation of a contested further action notice;

''(iv) individuals to file an administrative appeal of a nonconfirmation; and

''(v) resolving administrative appeals regarding nonconfirmations.

''(11) ANNUAL GAO STUDY AND REPORT.—

''(A) REQUIREMENT.—The Comptroller General shall, for each year, undertake a study to evaluate the accuracy, efficiency, integrity, and impact of the System.

''(B) REPORT.—Not later than 18 months after the promulgation of regulations to implement this subsection, and yearly thereafter, the Comptroller General shall submit to Congress a report containing the findings of the study carried out under this paragraph. Each such report shall include, at a minimum, the following:

''(i) An assessment of System performance with respect to the rate at which individuals who are eligible for employment in the United States are correctly approved within the required periods, including a separate assessment of such rate for naturalized United States citizens, nationals of the United States, and aliens.

''(ii) An assessment of the privacy and confidentiality of the System and of the overall security of the System with respect to cybertheft and theft or misuse of private data.

''(iii) An assessment of whether the System is being implemented in a manner that is not discriminatory or used for retaliation against employees.

''(iv) An assessment of the most common causes for the erroneous issuance of nonconfirmations by the System and recommendations to correct such causes.

''(v) The recommendations of the Comptroller General regarding System improvements.

''(vi) An assessment of the frequency and magnitude of changes made to the System and the impact on the ability for employers to comply in good faith.

''(vii) An assessment of the direct and indirect costs incurred by employers in complying with the System, including costs associated with retaining potential employees through the administrative appeals process and receiving a nonconfirmation.

''(viii) An assessment of any backlogs or delays in the System providing the confirmation or further action notice and impacts to hiring by employers.

''(ix) An assessment of the effect of the identity authentication mechanism and any other security measures set forth in subsection (c)(1)(F)(iv) to verify identity incorporated into the System or otherwise used by employers on employees.

''(12) OUTREACH AND PARTNERSHIP.—

''(A) OUTREACH.—The Secretary is authorized to conduct outreach and establish programs to assist employers in verifying employment authorization and preventing identity fraud.

''(B) PARTNERSHIP INITIATIVE.—The Secretary may establish partnership initiatives between the Federal Government and private sector employers to foster cooperative relationships and to strengthen overall hiring practices.''.

(c) TAXPAYER ADDRESS INFORMATION.—Section 6103(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(8) TAXPAYER ADDRESS INFORMATION FURNISHED TO SECRETARY OF HOMELAND SECURITY.—Upon written request from the Secretary of Homeland Security, the Secretary shall disclose the mailing address of any taxpayer who is entitled to receive a notification from the Secretary of Homeland Security pursuant to paragraphs (1)(C) and (8)(E)(vii) of section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)) for use only by employees of the Department of Homeland for the purpose of mailing such notification to such taxpayer.''.

(d) SOCIAL SECURITY ACCOUNT STATEMENTS.—Section 1143(a)(2) of the Social Security Act (8 U.S.C. 1320b–13(a)(2)) is amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(F) to the extent resources are available, information in the Commissioner's records indicating that a query was submitted to the employment verification system established under section 274A (d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)) under that individual's name or social security number; and

''(G) a toll-free telephone number operated by the Department of Homeland Security for employment verification system inquiries and a link to self-verification procedure established under section 274A(d)(4)(I) of such Act.''.

(e) GOOD FAITH COMPLIANCE.—Section 274B(a) (8 U.S.C. 1324b(a)), as amended by section 3105(a) of this Act, is further amended by adding at the end the following:

''(10) TREATMENT OF CERTAIN VIOLATIONS AFTER REASONABLE STEPS IN GOOD FAITH.—Notwithstanding paragraphs (4), (6), and (7), a person, other entity, or employment agency shall not be liable for civil penalties described in section 274B(g)(2)(B)(iv) that are related to a violation of any such paragraph if the person, entity, or employment agency has taken reasonable steps, in good faith, to comply with such paragraphs at issue, unless the person, other entity, or employment agency—

''(A) was, for similar conduct, subject to—

''(i) a reasonable cause determination by the Office of Special Counsel for Immigration Related Unfair Employment Practices; or

''(ii) a finding by an administrative law judge that a violation of this section has occurred; or

''(B) committed the violation in order to interfere with 'workplace rights' (as defined in section 274A(b)(8)).

''(11) GOOD FAITH.—As used in paragraph (10), the term 'good faith' shall not include any action taken in order to interfere with 'workplace rights' (as defined in section 274A(b)(8)). Neither the Office of Special Counsel nor an administrative law judge hearing a claim under this section shall have any authority to assess workplace rights other than those guaranteed under this section.

''(12) RULES OF CONSTRUCTION.—Nothing in this section may be construed—

''(A) to permit the Office of Special Counsel for Immigration-Related Unfair Employment Practices or an administrative law judge hearing a claim under this Section to enforce any workplace rights other than those guaranteed under this section; or

''(B) to prohibit any person, other entity, or employment agency from using an identity verification system, service, or method (in addition to the employment verification system described in section 274A(d)), until the date on which the employer is required to participate in the System under section 274A(d)(2) and the additional security measures mandated by section 274A(c)(F)(iv) have become available to verify the identity of a newly hired employee, if such system—

''(i) is used in a uniform manner for all newly hired employees;

''(ii) is not used for the purpose or with the intent of discriminating against any individual;

''(iii) provides for timely notice to employees run through the system of a mismatch or failure to confirm identity; and

''(iv) sets out procedures for employees run through the system to resolve a mismatch or other failure to confirm identity.

''(13) LIABILITY.—A person, entity, or employment agency that uses an identity verification system, service, or method in a way that conflicts with the requirements set forth in paragraph (10) shall be subject to liability under paragraph (4)(I).''.

(f) MAINTENANCE OF REASONABLE LEVELS OF SERVICE AND ENFORCEMENT.—Notwithstanding section 3301(b)(1), amounts appropriated pursuant to such section shall be used to maintain reasonable levels of service and enforcement rather than a specific numeric increase in the number of Department personnel dedicated to administering the Employment Verification System.

SA 1727. Mr. PORTMAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 1224 proposed by Mr. REED to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EMPLOYMENT VERIFICATION SYSTEM IMPROVEMENTS.

(a) TRIGGER.—In addition to the conditions set forth in section 3(c)(2)(A), the Secretary may not adjust the status of aliens who have been granted registered provisional immigrant status, except for aliens granted blue card status under section 2201 of this Act or described in section 245D(b) of the Immigration and Nationality Act, unless the Secretary, after consultation with the Comptroller General of the United States, and as part of the written certification submitted to the President and Congress pursuant to section 3(c)(2)(A), certifies that the Secretary has implemented the mandatory employment verification system, including the full incorporation of the photo tool and additional security measures, required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101, and has required the system's use by all employers to prevent unauthorized workers from obtaining employment in the United States.

(b) EMPLOYMENT VERIFICATION SYSTEM.—Section 274A (8 U.S.C. 1324a), as amended by section 3101, is further amended—

(1) in subsection (a)(5)(A)(ii), by inserting '', by clear and convincing evidence,'' after demonstrates; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) DOCUMENT VERIFICATION REQUIREMENTS.—Any employer hiring an individual for employment in the United States shall comply with the following requirements and the requirements under subsection (d) to verify that the individual has employment authorized status.

''(1) ATTESTATION AFTER EXAMINATION OF DOCUMENTATION.—

''(A) IN GENERAL.—

''(i) EXAMINATION BY EMPLOYER.—An employer shall attest, under penalty of perjury on a form prescribed by the Secretary, that the employer has verified the identity and employment authorization status of the individual—

''(I) by examining—

''(aa) a document specified in subparagraph (C); or

''(bb) a document specified in subparagraph (D) and a document specified in subparagraph (E); and

''(II) by utilizing an identity authentication mechanism described in clause (iii) or (iv) of subparagraph (F).

''(ii) PUBLICATION OF DOCUMENTS.—The Secretary shall publish a picture of each document specified in subparagraphs (C) and (E) on the U.S. Citizenship and Immigration Services website.

''(B) REQUIREMENTS.—

''(i) FORM.—The form referred to in subparagraph (A)(i)—

''(I) shall be prescribed by the Secretary not later than 6 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act;

''(II) shall be available as—

''(aa) a paper form;

''(bb) a form that may be completed by an employer via telephone or video conference;

''(cc) an electronic form; and

''(dd) a form that is integrated electronically with the requirements under subparagraph (F) and subsection (d).

''(ii) ATTESTATION.—Each such form shall require the employer to sign an attestation with a handwritten, electronic, or digital signature, according to standards prescribed by the Secretary.

''(iii) COMPLIANCE.—An employer has complied with the requirements under this paragraph with respect to examination of the documents included in subclauses (I) and (II) of subparagraph (A)(i) if—

''(I) the employer has, in good faith, followed applicable regulations and any written procedures or instructions provided by the Secretary; and

''(II) a reasonable person would conclude that the documentation is genuine and relates to the individual presenting such documentation.

''(C) DOCUMENTS ESTABLISHING IDENTITY AND EMPLOYMENT AUTHORIZED STATUS.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

''(i) A United States passport or passport card issued to an individual pursuant to the Secretary of State's authority under the Act entitled An Act to regulate the issue and validity of passports, and for other purposes, approved July 3, 1926 (22 U.S.C. 211a).

''(ii) A document issued to an alien evidencing that the alien is lawfully admitted for permanent residence or another document issued to an individual evidencing the individual's employment authorized status, as designated by the Secretary, if the document—

''(I) contains a photograph of the individual, or such other personal identifying information relating to the individual as the Secretary determines, by regulation, to be sufficient for the purposes of this subparagraph;

''(II) is evidence of employment authorized status; and

''(III) contains security features to make the document resistant to tampering, counterfeiting, and fraudulent use.

''(iii) An enhanced driver's license or identification card issued to a national of the United States by a State, an outlying possession of the United States, or a federally recognized Indian tribe that—

''(I) meets the requirements under section 202 of the REAL ID Act of 2005 (division B of Public Law 109–13; 49 U.S.C. 30301 note); and

''(II) the Secretary has certified by notice published in the Federal Register and through appropriate notice directly to employers registered in the System 3 months prior to publication that such enhanced license or card is suitable for use under this subparagraph based upon the accuracy and security of the issuance process, security features on the document, and such other factors as the Secretary may prescribe.

''(iv) A passport issued by the appropriate authority of a foreign country accompanied by a Form I–94 or Form I–94A (or similar successor record), or other documentation as designated by the Secretary that specifies the individual's status in the United States and the duration of such status if the proposed employment is not in conflict with any restriction or limitation specified on such form or documentation.

''(v) A passport issued by the Federated States of Micronesia or the Republic of the Marshall Islands with evidence of nonimmigrant admission to the United States under the Compact of Free Association between the United States and the Federated States of Micronesia or the Republic of the Marshall Islands.

''(D) DOCUMENTS ESTABLISHING IDENTITY OF INDIVIDUAL.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

''(i) A driver's license or identity card that is not described in subparagraph (C)(iii) and is issued to an individual by a State or an outlying possession of the United States, a federally recognized Indian tribe, or an agency (including military) of the Federal Government if the driver's license or identity card includes, at a minimum—

''(I) the individual's photograph, name, date of birth, gender, and driver's license or identification card number; and

''(II) security features to make the license or card resistant to tampering, counterfeiting, and fraudulent use.

''(ii) A voter registration card.

''(iii) A document that complies with the requirements under section 7209(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 8 U.S.C. 1185 note).

''(iv) For individuals under 18 years of age who are unable to present a document listed in clause (i) or (ii), documentation of personal identity of such other type as the Secretary determines will provide a reliable means of identification, which may include an attestation as to the individual's identity by a parent or legal guardian under penalty of perjury.

''(E) DOCUMENTS EVIDENCING EMPLOYMENT AUTHORIZATION.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

''(i) A social security account number card issued by the Commissioner, other than a card which specifies on its face that the card is not valid to evidence employment authorized status or has other similar words of limitation.

''(ii) Any other documentation evidencing employment authorized status that the Secretary determines and publishes in the Federal Register and through appropriate notice directly to employers registered within the System to be acceptable for purposes of this subparagraph if such documentation, including any electronic security measures linked to such documentation, contains security features to make such documentation resistant to tampering, counterfeiting, and fraudulent use.

''(F) IDENTITY AUTHENTICATION MECHANISM.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) COVERED IDENTITY DOCUMENT.—The term 'covered identity document' means a valid—

''(aa) United States passport, passport card, or a document evidencing lawful permanent residence status or employment authorized status issued to an alien;

''(bb) enhanced driver's license or identity card issued by a participating State or an outlying possession of the United States; or

''(cc) photograph and appropriate identifying information provided by the Secretary of State pursuant to the granting of a visa.

''(II) PARTICIPATING STATE.—The term 'participating State' means a State that has an agreement with the Secretary to provide the Secretary, for purposes of identity verification in the System, with photographs and appropriate identifying information maintained by the State.

''(ii) REQUIREMENT FOR IDENTITY AUTHENTICATION.—In addition to verifying the documents specified in subparagraph (C), (D), or (E), the System shall require each employer to verify the identity of each new hire using the identity authentication mechanism described in clause (iii) or, for an individual whose identity is not able to be verified using that mechanism, to use the additional security measures provided in clause (iv) after such measures become available. A failure of the System to verify the identity of an individual due to the use of an identity authentication mechanism shall result in a further action notice under subsection (d)(4)(C)(iii).

''(iii) PHOTO TOOL.—

''(I) USE REQUIREMENT.—An employer that hires an individual who has a presented a covered identity document to establish his or her identity and employment authorization under subsection (c) shall verify the identity of such individual using the photo tool described in subclause (II).

''(II) DEVELOPMENT REQUIREMENT.—The Secretary shall develop and maintain a photo tool that enables employers to match the photo on a covered identity document provided to the employer to a photo maintained by a U.S. Citizenship and Immigration Services or other appropriate database.

''(III) INDIVIDUAL QUERIES.—The photo tool capability shall be incorporated into the System and made available to employers not

later than 1 year after the date on which regulations are published implementing subsection (d).

''(IV) LIMITATIONS ON USE OF INFORMATION.—Information and images acquired from State motor vehicle databases through the photo tool developed under subclause (II)—

''(aa) may only be used for matching photos to a covered identity document for the purposes of employment verification;

''(bb) shall not be collected or stored by the Federal Government; and

''(cc) may only be disseminated in response to an individual photo tool query.

''(iv) ADDITIONAL SECURITY MEASURES.—

''(I) USE REQUIREMENT.—An employer seeking to hire an individual whose identity is not able to be verified using the photo tool described in clause (iii), because the employee did not present a covered document for employment eligibility verification purposes, shall verify the identity of such individual using the additional security measures described in subclause (II).

''(II) DEVELOPMENT REQUIREMENT.—The Secretary shall develop, after publication in the Federal Register and an opportunity for public comment, specific and effective additional security measures to adequately verify the identity of an individual whose identity is not able to be verified using the photo tool described in clause (iii). Such additional security measures—

''(aa) shall be kept up-to-date with technological advances;

''(bb) shall provide a means of identity authentication in a manner that provides a high level of certainty as to the identity of such individual, using immigration and identifying information that may include review of identity documents or background screening verification techniques using publicly available information; and

''(cc) shall be incorporated into the System and made available to employers not later than 1 year after the date on which regulations are published implementing subsection (d).

''(III) COMPREHENSIVE USE.—An employer may employ the additional security measures set forth in this clause with respect to all individuals the employer hires if the employer notifies the Secretary of such election at the time the employer registers for use of the System under subsection (d)(4)(A)(i) or anytime thereafter. An election under this subclause may be withdrawn 90 days after the employer notifies the Secretary of the employer's intent to discontinue such election.

''(v) AUTOMATED VERIFICATION.—The Secretary—

''(I) may establish a program, in addition to the identity authentication mechanism described in subparagraph (F)(iii), in which the System automatically verifies information contained in a covered identity document issued by a participating State, which is presented under subparagraph (D)(i), including information needed to verify that the covered identity document matches the State's records;

''(II) may not maintain information provided by a participating State in a database maintained by U.S. Citizenship and Immigration Services; and

''(III) may not utilize or disclose such information, except as authorized under this section.

''(G) AUTHORITY TO PROHIBIT USE OF CERTAIN DOCUMENTS.—If the Secretary determines, after publication in the Federal Register and an opportunity for public comment, that any document or class of documents specified in subparagraph (B), (C), or (D) does not reliably establish identity or that employment authorized status is being used fraudulently to an unacceptable degree, the Secretary—

''(i) may prohibit or restrict the use of such document or class of documents for purposes of this subsection; and

''(ii) shall directly notify all employers registered within the System of the prohibition through appropriate means.

''(H) AUTHORITY TO ALLOW USE OF CERTAIN DOCUMENTS.—If the Secretary has determined that another document or class of documents, such as a document issued by a federally recognized Indian tribe, may be used to reliably establish identity or employment authorized status, the Secretary—

''(i) may allow the use of that document or class of documents for purposes of this subsection after publication in the Federal Register and an opportunity for public comment;

''(ii) shall publish a description of any such document or class of documents on the U.S. Citizenship and Immigration Services website; and

''(iii) shall directly notify all employers registered within the System of the addition through appropriate means.

''(2) INDIVIDUAL ATTESTATION OF EMPLOYMENT AUTHORIZATION.—An individual, upon commencing employment with an employer, shall—

''(A) attest, under penalty of perjury, on the form prescribed by the Secretary, that the individual is—

''(i) a citizen of the United States;

''(ii) an alien lawfully admitted for permanent residence;

''(iii) an alien who has employment authorized status; or

''(iv) otherwise authorized by the Secretary to be hired for such employment;

''(B) provide such attestation by a handwritten, electronic, or digital signature; and

''(C) provide the individual's social security account number to the Secretary, unless the individual has not yet been issued such a number, on such form as the Secretary may require.

''(3) RETENTION OF VERIFICATION RECORD.—

''(A) IN GENERAL.—After completing a form for an individual in accordance with paragraphs (1) and (2), the employer shall retain a version of such completed form and make such form available for inspection by the Secretary or the Office of Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice during the period beginning on the hiring date of the individual and ending on the later of—

''(i) the date that is 3 years after such hiring date; or

''(ii) the date that is 1 year after the date on which the individual's employment with the employer is terminated.

''(B) REQUIREMENT FOR ELECTRONIC RETENTION.—The Secretary—

''(i) shall permit an employer to retain the form described in subparagraph (A) in electronic form; and

''(ii) shall permit an employer to retain such form in paper, microfiche, microfilm, portable document format, or other media.

''(4) COPYING OF DOCUMENTATION AND RECORDKEEPING.—The Secretary may promulgate regulations regarding—

''(A) copying documents and related information pertaining to employment verification presented by an individual under this subsection; and

''(B) retaining such information during a period not to exceed the required retention period set forth in paragraph (3).

''(5) PENALTIES.—An employer that fails to comply with any requirement under this subsection may be penalized under subsection (e)(4)(B).

''(6) PROTECTION OF CIVIL RIGHTS.—

''(A) IN GENERAL.—Nothing in this section may be construed to diminish any rights otherwise protected by Federal law.

''(B) PROHIBITION ON DISCRIMINATION.—An employer shall use the procedures for document verification set forth in this paragraph for all employees without regard to race, color, religion, sex, national origin, or, unless specifically permitted in this section, to citizenship status.

''(7) RECEIPTS.—The Secretary may authorize the use of receipts for replacement documents, and temporary evidence of employment authorization by an individual to meet a documentation requirement under this subsection on a temporary basis not to exceed 1 year, after which time the individual shall provide documentation sufficient to satisfy the documentation requirements under this subsection.

''(8) NO AUTHORIZATION OF NATIONAL IDENTIFICATION CARDS.—Nothing in this section may be construed to directly or indirectly authorize the issuance, use, or establishment of a national identification card.

''(d) EMPLOYMENT VERIFICATION SYSTEM.—

''(1) IN GENERAL.—

''(A) ESTABLISHMENT.—The Secretary, in consultation with the Commissioner, shall establish the Employment Verification System.

''(B) MONITORING.—The Secretary shall create the necessary processes to monitor—

''(i) the functioning of the System, including the volume of the workflow, the speed of processing of queries, the speed and accuracy of responses;

''(ii) the misuse of the System, including the prevention of fraud or identity theft;

''(iii) whether the use of the System results in wrongful adverse actions or discrimination based upon a prohibited factor against citizens or nationals of the United States or individuals who have employment authorized status; and

''(iv) the security, integrity, and privacy of the System.

''(C) PROCEDURES.—The Secretary—

''(i) shall create processes to provide an individual with direct access to the individual's case history in the System, including—

''(I) the identities of all persons or entities that have queried the individual through the System;

''(II) the date of each such query; and

''(III) the System response for each such query; and

''(ii) in consultation with the Commissioner, shall develop—

''(I) protocols to notify an individual, in a timely manner through the use of electronic correspondence or mail, that a query for the individual has been processed through the System; or

''(II) a process for the individual to submit additional queries to the System or notify the Secretary of potential identity fraud.

''(2) PARTICIPATION REQUIREMENTS.—

''(A) FEDERAL GOVERNMENT.—Except as provided in subparagraph (B), all agencies and departments in the executive, legislative, or judicial branches of the Federal Government shall participate in the System beginning on the earlier of—

''(i) the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, to the extent required under section 402(e)(1) of the Illegal Immigration Reform and Immigrant

Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a) and as already implemented by each agency or department; or

''(ii) the date that is 90 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(B) FEDERAL CONTRACTORS.—Federal contractors shall participate in the System as provided in the final rule relating to employment eligibility verification published in the Federal Register on November 14, 2008 (73 Fed. Reg. 67,651), or any similar subsequent regulation, for which purpose references to E-Verify in the final rule shall be construed to apply to the System.

''(C) CRITICAL INFRASTRUCTURE.—

''(i) IN GENERAL.—Beginning on the date that is 1 year after the date on which regulations are published implementing this subsection, the Secretary may authorize or direct any employer, person, or entity responsible for granting access to, protecting, securing, operating, administering, or regulating part of the critical infrastructure (as defined in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e))) to participate in the System to the extent the Secretary determines that such participation will assist in the protection of the critical infrastructure.

''(ii) NOTIFICATION TO EMPLOYERS.—The Secretary shall notify an employer required to participate in the System under this subparagraph not later than 90 days before the date on which the employer is required to participate.

''(D) EMPLOYERS WITH MORE THAN 10,000 EMPLOYEES.—Not later than 1 year after regulations are published implementing this subsection, all employers with more than 10,000 employees shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(E) EMPLOYERS WITH MORE THAN 500 EMPLOYEES.—Not later than 2 years after regulations are published implementing this subsection, all employers with more than 500 employees shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(F) EMPLOYERS WITH MORE THAN 20 EMPLOYEES.—Not later than 3 years after regulations are published implementing this subsection, all employers with more than 20 employees shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(G) AGRICULTURAL EMPLOYMENT.—Not later than 4 years after regulations are published implementing this subsection, employers of employees performing agricultural employment (as defined in section 218A of this Act and section 2202 of the Border Security, Economic Opportunity, and Immigration Modernization Act) shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents. An agricultural employee shall not be counted for purposes of subparagraph (D), (E), or (F).

''(H) ALL EMPLOYERS.—Not later than 4 years after regulations are published implementing this subsection, all employers shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(I) TRIBAL GOVERNMENT EMPLOYERS.—

''(i) RULEMAKING.—In developing regulations to implement this subsection, the Secretary shall—

''(I) consider the effects of this section on federally recognized Indian tribes and tribal members; and

''(II) consult with the governments of federally recognized Indian tribes.

''(ii) REQUIRED PARTICIPATION.—Not later than 4 years after regulations are published implementing this subsection, all employers owned by, or entities of, the government of a federally recognized Indian tribe shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(J) IMMIGRATION LAW VIOLATORS.—

''(i) ORDERS FINDING VIOLATIONS.—An order finding any employer to have violated this section or section 274C may, in the Secretary's discretion, require the employer to participate in the System with respect to newly hired employees and employees with expiring temporary employment authorization documents, if such employer is not otherwise required to participate in the System under this section. The Secretary shall monitor such employer's compliance with System procedures.

''(ii) PATTERN OR PRACTICE OF VIOLATIONS.—The Secretary may require an employer that is required to participate in the System with respect to newly hired employees to participate in the System with respect to the employer's current employees if the employer is determined by the Secretary or other appropriate authority to have engaged in a pattern or practice of violations of the immigration laws of the United States.

''(K) VOLUNTARY PARTICIPATION.—The Secretary may permit any employer that is not required to participate in the System under this section to do so on a voluntary basis.

''(3) CONSEQUENCE OF FAILURE TO PARTICIPATE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the failure, other than a de minimis or inadvertent failure, of an employer that is required to participate in the System to comply with the requirements of the System with respect to an individual—

''(i) shall be treated as a violation of subsection (a)(1)(B) with respect to that individual; and

''(ii) creates a rebuttable presumption that the employer has violated paragraph (1)(A) or (2) of subsection (a).

''(B) EXCEPTION.—

''(i) IN GENERAL.—Subparagraph (A) shall not apply in a criminal prosecution.

''(ii) USE AS EVIDENCE.—Nothing in this paragraph may be construed to limit the use in the prosecution of a Federal crime, in a manner otherwise consistent with Federal criminal law and procedure, of evidence relating to the employer's failure to comply with requirements of the System.

''(4) PROCEDURES FOR PARTICIPANTS IN THE SYSTEM.—

''(A) IN GENERAL.—An employer participating in the System shall register such participation with the Secretary and, when hiring any individual for employment in the United States, shall comply with the following:

''(i) REGISTRATION OF EMPLOYERS.—The Secretary, through notice in the Federal Register, shall prescribe procedures that employers shall be required to follow to register with the System.

''(ii) UPDATING INFORMATION.—The employer is responsible for providing notice of any change to the information required under subclauses (I), (II), and (III) of clause (v) before conducting any further inquiries within the System, or on such other schedule as the Secretary may prescribe.

''(iii) TRAINING.—The Secretary shall require employers to undergo such training as the Secretary determines to be necessary to ensure proper use, protection of civil rights and civil liberties, privacy, integrity, and security of the System. To the extent practicable, such training shall be made available electronically on the U.S. Citizenship and Immigration Services website.

''(iv) NOTIFICATION TO EMPLOYEES.—The employer shall inform individuals hired for employment that the System—

''(I) will be used by the employer;

''(II) may be used for immigration enforcement purposes; and

''(III) may not be used to discriminate or to take adverse action against a national of the United States or an alien who has employment authorized status.

''(v) PROVISION OF ADDITIONAL INFORMATION.—The employer shall obtain from the individual (and the individual shall provide) and shall record in such manner as the Secretary may specify—

''(I) the individual's social security account number;

''(II) if the individual does not attest to United States citizenship or status as a national of the United States under subsection (c)(2), such identification or authorization number established by the Department as the Secretary shall specify; and

''(III) such other information as the Secretary may require to determine the identity and employment authorization of an individual.

''(vi) PRESENTATION OF DOCUMENTATION.—The employer, and the individual whose identity and employment authorized status are being confirmed, shall fulfill the requirements under subsection (c).

''(B) SEEKING CONFIRMATION.—

''(i) IN GENERAL.—An employer shall use the System to confirm the identity and employment authorized status of any individual during—

''(I) the period beginning on the date on which the individual accepts an offer of employment and ending 3 business days after the date on which employment begins; or

''(II) such other reasonable period as the Secretary may prescribe.

''(ii) LIMITATION.—An employer may not make the starting date of an individual's employment or training or any other term and condition of employment dependent on the receipt of a confirmation of identity and employment authorized status by the System.

''(iii) REVERIFICATION.—If an individual has a limited period of employment authorized status, the individual's employer shall reverify such status through the System not later than 3 business days after the last day of such period.

''(iv) OTHER EMPLOYMENT.—For employers directed by the Secretary to participate in the System under paragraph (2)(C)(i) to protect critical infrastructure or otherwise specified circumstances in this section to verify their entire workforce, the System may be used for initial verification of an individual who was hired before the employer became subject to the System, and the employer shall initiate all required procedures on or before such date as the Secretary shall specify.

''(v) NOTIFICATION.—

''(I) IN GENERAL.—The Secretary shall provide, and the employer shall utilize, as part

of the System, a method of notifying employers of a confirmation or nonconfirmation of an individual's identity and employment authorized status, or a notice that further action is required to verify such identity or employment eligibility (referred to in this subsection as a further action notice).

''(II) PROCEDURES.—The Secretary shall—

''(aa) directly notify the individual and the employer, by means of electronic correspondence, mail, text message, telephone, or other direct communication, of a nonconfirmation or further action notice;

''(bb) provide information about filing an administrative appeal under paragraph (6) and a filing for review before an administrative law judge under paragraph (7); and

''(cc) establish procedures to directly notify the individual and the employer of a confirmation.

''(III) IMPLEMENTATION.—The Secretary may provide for a phased-in implementation of the notification requirements under this clause, as appropriate. The notification system shall cover all inquiries not later than 1 year from the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(C) CONFIRMATION OR NONCONFIRMATION.—

''(i) INITIAL RESPONSE.—

''(I) IN GENERAL.—Except as provided in subclause (II), the System shall provide—

''(aa) a confirmation of an individual's identity and employment authorized status or a further action notice at the time of the inquiry; and

''(bb) an appropriate code indicating such confirmation or such further action notice.

''(II) ALTERNATIVE DEADLINE.—If the System is unable to provide immediate confirmation or further action notice for technological reasons or due to unforeseen circumstances, the System shall provide a confirmation or further action notice not later than 3 business days after the initial inquiry.

''(ii) CONFIRMATION UPON INITIAL INQUIRY.—If the employer receives an appropriate confirmation of an individual's identity and employment authorized status under the System, the employer shall record the confirmation in such manner as the Secretary may specify.

''(iii) FURTHER ACTION NOTICE AND LATER CONFIRMATION OR NONCONFIRMATION.—

''(I) NOTIFICATION AND ACKNOWLEDGMENT THAT FURTHER ACTION IS REQUIRED.—Not later than 3 business days after an employer receives a further action notice of an individual's identity or employment eligibility under the System, or during such other reasonable time as the Secretary may prescribe, the employer shall notify the individual for whom the confirmation is sought of the further action notice and any procedures specified by the Secretary for addressing such notice. The further action notice shall be given to the individual in writing and the employer shall acknowledge in the System under penalty of perjury that it provided the employee with the further action notice. The individual shall affirmatively acknowledge in writing, or in such other manner as the Secretary may specify, the receipt of the further action notice from the employer. If the individual refuses to acknowledge the receipt of the further action notice, or acknowledges in writing that the individual will not contest the further action notice under subclause (II), the employer shall notify the Secretary in such manner as the Secretary may specify.

''(II) CONTEST.—Not later than 10 business days after receiving notification of a further action notice under subclause (I), the individual shall contact the appropriate Federal agency and, if the Secretary so requires, appear in person for purposes of verifying the individual's identity and employment eligibility. The Secretary, in consultation with the Commissioner and other appropriate Federal agencies, shall specify an available secondary verification procedure to confirm the validity of information provided and to provide a confirmation or nonconfirmation. Any procedures for reexamination shall not limit in any way an employee's right to appeal a nonconfirmation.

''(III) NO CONTEST.—If the individual refuses to acknowledge receipt of the further action notice, acknowledges that the individual will not contest the further action notice as provided in subclause (I), or does not contact the appropriate Federal agency within the period specified in subclause (II), following expiration of the period specified in subclause (II), a nonconfirmation shall be issued. The employer shall record the nonconfirmation in such manner as the Secretary may specify and terminate the individual's employment. An individual's failure to contest a further action notice shall not be considered an admission of guilt with respect to any violation of this section or any provision of law.

''(IV) CONFIRMATION OR NONCONFIRMATION.—Unless the period is extended in accordance with this subclause, the System shall provide a confirmation or nonconfirmation not later than 10 business days after the date on which the individual contests the further action notice under subclause (II). If the Secretary determines that good cause exists, after taking into account adverse impacts to the employer, and including time to permit the individual to obtain and provide needed evidence of identity or employment eligibility, the Secretary shall extend the period for providing confirmation or nonconfirmation for stated periods beyond 10 business days. When confirmation or nonconfirmation is provided, the confirmation system shall provide an appropriate code indicating such confirmation or nonconfirmation.

''(V) REEXAMINATION.—Nothing in this section shall prevent the Secretary from establishing procedures to reexamine a case where a confirmation or nonconfirmation has been provided if subsequently received information indicates that the confirmation or nonconfirmation may not have been correct. Any procedures for reexamination shall not limit in any way an employee's right to appeal a nonconfirmation.

''(VI) EMPLOYEE PROTECTIONS.—An employer may not terminate employment or take any other adverse action against an individual solely because of a failure of the individual to have identity and employment eligibility confirmed under this subsection until—

''(aa) a nonconfirmation has been issued;

''(bb) if the further action notice was contested, the period to timely file an administrative appeal has expired without an appeal or the contestation to the further action notice is withdrawn; or

''(cc) if an appeal before an administrative law judge under paragraph (7) has been filed, the nonconfirmation has been upheld or the appeal has been withdrawn or dismissed.

''(iv) NOTICE OF NONCONFIRMATION.—Not later than 3 business days after an employer receives a nonconfirmation, or during such other reasonable time as the Secretary may provide, the employer shall notify the individual who is the subject of the nonconfirmation, and provide information about filing an administrative appeal pursuant to paragraph (6) and a request for a hearing before an administrative law judge pursuant to paragraph (7). The nonconfirmation notice shall be given to the individual in writing and the employer shall acknowledge in the System under penalty of perjury that it provided the notice (or adequately attempted to provide notice, but was unable to do so despite reasonable efforts). The individual shall affirmatively acknowledge in writing, or in such other manner as the Secretary may prescribe, the receipt of the nonconfirmation notice from the employer. If the individual refuses or fails to acknowledge the receipt of the nonconfirmation notice, the employer shall notify the Secretary in such manner as the Secretary may prescribe.

''(D) CONSEQUENCES OF NONCONFIRMATION.—

''(i) TERMINATION OF CONTINUED EMPLOYMENT.—Except as provided in clause (iii), an employer that has received a nonconfirmation regarding an individual and has made reasonable efforts to notify the individual in accordance with subparagraph (C)(iv) shall terminate the employment of the individual upon the expiration of the time period specified in paragraph (7).

''(ii) CONTINUED EMPLOYMENT AFTER NONCONFIRMATION.—If the employer continues to employ an individual after receiving nonconfirmation and exhaustion of all appeals or expiration of all rights to appeal if not appealed, in violation of clause (i), a rebuttable presumption is created that the employer has violated paragraphs (1)(A) and (2) of subsection (a). Such presumption shall not apply in any prosecution under subsection (k)(1).

''(iii) EFFECT OF ADMINISTRATIVE APPEAL OR REVIEW BY ADMINISTRATIVE LAW JUDGE.—If an individual files an administrative appeal of the nonconfirmation within the time period specified in paragraph (6)(A), or files for review with an administrative law judge specified in paragraph (7)(A), the employer shall not terminate the individual's employment under this subparagraph prior to the resolution of the administrative appeal unless the Secretary or Commissioner terminates the stay under paragraph (6)(B) or (7)(B).

''(iv) WEEKLY REPORT.—The Director of U.S. Citizenship and Immigration Services shall submit a weekly report to the Assistant Secretary for Immigration and Customs Enforcement that includes, for each individual who receives final nonconfirmation through the System—

''(I) the name of such individual;

''(II) his or her social security number or alien file number;

''(III) the name and contact information for his or her current employer; and

''(IV) any other critical information that the Assistant Secretary determines to be appropriate.

''(v) OTHER REFERRAL.—The Director of U.S. Citizenship and Immigration Services shall refer to the Assistant Secretary for Immigration and Customs Enforcement for appropriate action by the Assistant Secretary or for referral by the Assistant Secretary to another law enforcement agency, as appropriate—

''(I) any case in which the Director believes that a social security number has been falsely or fraudulently used; and

''(II) any case in which a false or fraudulent document is used by an employee who has received a further action notice to resolve such notice.

''(E) OBLIGATION TO RESPOND TO QUERIES AND ADDITIONAL INFORMATION.—

''(i) IN GENERAL.—Employers shall comply with requests for information from the Secretary and the Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice, including queries concerning current and former employees, within the time frame during which records are required to be maintained under this section regarding such former employees, if such information relates to the functioning of the System, the accuracy of the responses provided by the System, or any suspected misuse, discrimination, fraud, or identity theft in the use of the System. Failure to comply with a request under this clause constitutes a violation of subsection (a)(1)(B).

''(ii) ACTION BY INDIVIDUALS.—

''(I) IN GENERAL.—Individuals being verified through the System may be required to take further action to address questions identified by the Secretary or the Commissioner regarding the documents relied upon for purposes of subsection (c).

''(II) NOTIFICATION.—Not later than 3 business days after the receipt of such questions regarding an individual, or during such other reasonable time as the Secretary may prescribe, the employer shall—

''(aa) notify the individual of any such requirement for further actions; and

''(bb) record the date and manner of such notification.

''(III) ACKNOWLEDGMENT.—The individual shall acknowledge the notification received from the employer under subclause (II) in writing, or in such other manner as the Secretary may prescribe.

''(iii) RULEMAKING.—

''(I) IN GENERAL.—The Secretary, in consultation with the Commissioner and the Attorney General, is authorized to issue regulations implementing, clarifying, and supplementing the requirements under this subparagraph—

''(aa) to facilitate the functioning, accuracy, and fairness of the System;

''(bb) to prevent misuse, discrimination, fraud, or identity theft in the use of the System; or

''(cc) to protect and maintain the confidentiality of information that could be used to locate or otherwise place at risk of harm victims of domestic violence, dating violence, sexual assault, stalking, and human trafficking, and of the applicant or beneficiary of any petition described in section 384(a)(2) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(a)(2)).

''(II) NOTICE.—The regulations issued under subclause (I) shall be—

''(aa) published in the Federal Register; and

''(bb) provided directly to all employers registered in the System.

''(F) DESIGNATED AGENTS.—The Secretary shall establish a process—

''(i) for certifying, on an annual basis or at such times as the Secretary may prescribe, designated agents and other System service providers seeking access to the System to perform verification queries on behalf of employers, based upon training, usage, privacy, and security standards prescribed by the Secretary;

''(ii) for ensuring that designated agents and other System service providers are subject to monitoring to the same extent as direct access users; and

''(iii) for establishing standards for certification of electronic I–9 programs.

''(G) REQUIREMENT TO PROVIDE INFORMATION.—

''(i) IN GENERAL.—No later than 3 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary, in consultation with the Secretary of Labor, the Secretary of Agriculture, the Commissioner, the Attorney General, the Equal Employment Opportunity Commission, and the Administrator of the Small Business Administration, shall commence a campaign to disseminate information respecting the procedures, rights, and remedies prescribed under this section.

''(ii) CAMPAIGN REQUIREMENTS.—The campaign authorized under clause (i)—

''(I) shall be aimed at increasing the knowledge of employers, employees, and the general public concerning employer and employee rights, responsibilities, and remedies under this section; and

''(II) shall be coordinated with the public education campaign conducted by U.S. Citizenship and Immigration Services.

''(iii) ASSESSMENT.—The Secretary shall assess the success of the campaign in achieving the goals of the campaign.

''(iv) AUTHORITY TO CONTRACT.—In order to carry out and assess the campaign under this subparagraph, the Secretary may, to the extent deemed appropriate and subject to the availability of appropriations, contract with public and private organizations for outreach and assessment activities under the campaign.

''(v) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this paragraph $40,000,000 for each of the fiscal years 2014 through 2016.

''(H) AUTHORITY TO MODIFY INFORMATION REQUIREMENTS.—Based on a regular review of the System and the document verification procedures to identify misuse or fraudulent use and to assess the security of the documents and processes used to establish identity or employment authorized status, the Secretary, in consultation with the Commissioner, after publication of notice in the Federal Register and an opportunity for public comment, may modify, if the Secretary determines that the modification is necessary to ensure that the System accurately and reliably determines the identity and employment authorized status of employees and maintain existing protections against misuse, discrimination, fraud, and identity theft—

''(i) the information that shall be presented to the employer by an individual;

''(ii) the information that shall be provided to the System by the employer; and

''(iii) the procedures that shall be followed by employers with respect to the process of verifying an individual through the System.

''(I) SELF-VERIFICATION.—Subject to appropriate safeguards to prevent misuse of the system, the Secretary, in consultation with the Commissioner, shall establish a secure self-verification procedure to permit an individual who seeks to verify the individual's own employment eligibility to contact the appropriate agency and, in a timely manner, correct or update the information contained in the System.

''(5) PROTECTION FROM LIABILITY FOR ACTIONS TAKEN ON THE BASIS OF INFORMATION PROVIDED BY THE SYSTEM.—An employer shall not be liable to a job applicant, an employee, the Federal Government, or a State or local government, under Federal, State, or local criminal or civil law for any employment-related action taken with respect to a job applicant or employee in good faith reliance on information provided by the System.

''(6) ADMINISTRATIVE APPEAL.—

''(A) IN GENERAL.—An individual who is notified of a nonconfirmation may, not later than 10 business days after the date that such notice is received, file an administrative appeal of such nonconfirmation with the Commissioner if the notice is based on records maintained by the Commissioner, or in any other case, with the Secretary. An individual who did not timely contest a further action notice timely received by that individual for which the individual acknowledged receipt may not be granted a review under this paragraph.

''(B) ADMINISTRATIVE STAY OF NONCONFIRMATION.—The nonconfirmation shall be automatically stayed upon the timely filing of an administrative appeal, unless the nonconfirmation resulted after the individual acknowledged receipt of the further action notice but failed to contact the appropriate agency within the time provided. The stay shall remain in effect until the resolution of the appeal, unless the Secretary or the Commissioner terminates the stay based on a determination that the administrative appeal is frivolous or filed for purposes of delay.

''(C) REVIEW FOR ERROR.—The Secretary and the Commissioner shall develop procedures for resolving administrative appeals regarding nonconfirmations based upon the information that the individual has provided, including any additional evidence or argument that was not previously considered. Any such additional evidence or argument shall be filed within 10 business days of the date the appeal was originally filed. Appeals shall be resolved within 20 business days after the individual has submitted all evidence and arguments the individual wishes to submit, or has stated in writing that there is no additional evidence that the individual wishes to submit. The Secretary and the Commissioner may, on a case by case basis for good cause, extend the filing and submission period in order to ensure accurate resolution of an appeal before the Secretary or the Commissioner.

''(D) PREPONDERANCE OF EVIDENCE.—Administrative appeal under this paragraph shall be limited to whether a nonconfirmation notice is supported by a preponderance of the evidence.

''(E) DAMAGES, FEES, AND COSTS.—No money damages, fees or costs may be awarded in the administrative appeal process under this paragraph.

''(7) REVIEW BY ADMINISTRATIVE LAW JUDGE.—

''(A) IN GENERAL.—Not later than 30 days after the date an individual receives a final determination on an administrative appeal under paragraph (6), the individual may obtain review of such determination by filing a complaint with a Department of Justice administrative law judge in accordance with this paragraph.

''(B) STAY OF NONCONFIRMATION.—The nonconfirmation related to such final determination shall be automatically stayed upon the timely filing of a complaint under this paragraph, and the stay shall remain in effect until the resolution of the complaint, unless the administrative law judge determines that the action is frivolous or filed for purposes of delay.

''(C) SERVICE.—The respondent to complaint filed under this paragraph is either the Secretary or the Commissioner, but not both, depending upon who issued the administrative order under paragraph (6). In addition to serving the respondent, the plaintiff shall serve the Attorney General.

''(D) AUTHORITY OF ADMINISTRATIVE LAW JUDGE.—

''(i) RULES OF PRACTICE.—The Secretary shall promulgate regulations regarding the rules of practice in appeals brought pursuant to this subsection.

''(ii) AUTHORITY OF ADMINISTRATIVE LAW JUDGE.—The administrative law judge shall have power to—

''(I) terminate a stay of a nonconfirmation under subparagraph (B) if the administrative law judge determines that the action is frivolous or filed for purposes of delay;

''(II) adduce evidence at a hearing;

''(III) compel by subpoena the attendance of witnesses and the production of evidence at any designated place or hearing;

''(IV) resolve claims of identity theft; and

''(V) enter, upon the pleadings and any evidence adduced at a hearing, a decision affirming or reversing the result of the agency, with or without remanding the cause for a rehearing.

''(iii) SUBPOENA.—In case of contumacy or refusal to obey a subpoena lawfully issued under this section and upon application of the administrative law judge, an appropriate district court of the United States may issue an order requiring compliance with such subpoena and any failure to obey such order may be punished by such court as a contempt of such court.

''(iv) TRAINING.—An administrative law judge hearing cases shall have special training respecting employment authorized status verification.

''(E) ORDER BY ADMINISTRATIVE LAW JUDGE.—

''(i) IN GENERAL.—The administrative law judge shall issue and cause to be served to the parties in the proceeding an order which may be appealed as provided in subparagraph (G).

''(ii) CONTENTS OF ORDER.—Such an order shall uphold or reverse the final determination on the request for reconsideration and order lost wages and other appropriate remedies as provided in subparagraph (F).

''(F) COMPENSATION FOR ERROR.—

''(i) IN GENERAL.—In cases in which the administrative law judge reverses the final determination of the Secretary or the Commissioner made under paragraph (6), and the administrative law judge finds that—

''(I) the nonconfirmation was due to gross negligence or intentional misconduct of the employer, the administrative law judge may order the employer to pay the individual lost wages, and reasonable costs and attorneys' fees incurred during administrative and judicial review; or

''(II) such final determination was erroneous by reason of the negligence of the Secretary or the Commissioner, the administrative law judge may order the Secretary or the Commissioner to pay the individual lost wages, and reasonable costs and attorneys' fees incurred during the administrative appeal and the administrative law judge review.

''(ii) CALCULATION OF LOST WAGES.—Lost wages shall be calculated based on the wage rate and work schedule that prevailed prior to termination. The individual shall be compensated for wages lost beginning on the first scheduled work day after employment was terminated and ending 120 days after completion of the administrative law judge's review described in this paragraph or the day after the individual is reinstated or obtains employment elsewhere, whichever occurs first. If the individual obtains employment elsewhere at a lower wage rate, the individual shall be compensated for the difference in wages for the period ending 120 days after completion of the administrative law judge review process. No lost wages shall be awarded for any period of time during which the individual was not in employment authorized status.

''(iii) PAYMENT OF COMPENSATION.—Notwithstanding any other law, payment of compensation for lost wages, costs, and attorneys' fees under this paragraph, or compromise settlements of the same, shall be made as provided by section 1304 of title 31, United States Code. Appropriations made available to the Secretary or the Commissioner, accounts provided for under section 286, and funds from the Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund shall not be available to pay such compensation.

''(G) APPEAL.—No later than 45 days after the entry of such final order, any person adversely affected by such final order may seek review of such order in the United States Court of Appeals for the circuit in which the violation is alleged to have occurred or in which the employer resides or transacts business.

''(8) MANAGEMENT OF THE SYSTEM.—

''(A) IN GENERAL.—The Secretary is authorized to establish, manage, and modify the System, which shall—

''(i) respond to inquiries made by participating employers at any time through the internet, or such other means as the Secretary may designate, concerning an individual's identity and whether the individual is in employment authorized status;

''(ii) maintain records of the inquiries that were made, of confirmations provided (or not provided), and of the codes provided to employers as evidence of their compliance with their obligations under the System; and

''(iii) provide information to, and require action by, employers and individuals using the System.

''(B) DESIGN AND OPERATION OF SYSTEM.—The System shall be designed and operated—

''(i) to maximize its reliability and ease of use by employers consistent with protecting the privacy and security of the underlying information, and ensuring full notice of such use to employees;

''(ii) to maximize its ease of use by employees, including direct notification of its use, of results, and ability to challenge results;

''(iii) to respond accurately to all inquiries made by employers on whether individuals are authorized to be employed and to register any times when the system is unable to receive inquiries;

''(iv) to maintain appropriate administrative, technical, and physical safeguards to prevent unauthorized disclosure of personal information, misuse by employers and employees, and discrimination;

''(v) to require regularly scheduled refresher training of all users of the System to ensure compliance with all procedures;

''(vi) to allow for auditing of the use of the System to detect misuse, discrimination, fraud, and identity theft, to protect privacy and assess System accuracy, and to preserve the integrity and security of the information in all of the System, including—

''(I) to develop and use tools and processes to detect or prevent fraud and identity theft, such as multiple uses of the same identifying information or documents to fraudulently gain employment;

''(II) to develop and use tools and processes to detect and prevent misuse of the system by employers and employees;

''(III) to develop tools and processes to detect anomalies in the use of the system that may indicate potential fraud or misuse of the system;

''(IV) to audit documents and information submitted by employees to employers, including authority to conduct interviews with employers and employees, and obtain information concerning employment from the employer;

''(vii) to confirm identity and employment authorization through verification and comparison of records as determined necessary by the Secretary;

''(viii) to confirm electronically the issuance of the employment authorization or identity document and—

''(I) if such photograph is available, to display the digital photograph that the issuer placed on the document so that the employer can compare the photograph displayed to the photograph on the document presented by the employee; or

''(II) if a photograph is not available from the issuer, to confirm the authenticity of the document using additional security measures set forth in subsection (c)(1)(F)(iv);

''(ix) to employ specific and effective additional security measures set forth in subsection (c)(1)(F)(iv) to adequately verify the identity of an individual that are designed and operated—

''(I) to use state-of-the-art technology to determine to a high degree of accuracy whether an individual presenting biographic information is the individual with that true identity;

''(II) to retain under the control of the Secretary the use of all determinations communicated by the System, regardless of the entity operating the system pursuant to a contract or other agreement with a nongovernmental entity or entities to the extent helpful in acquiring the best technology to implement the additional security measures;

''(III) to be integrated with the System so that employment authorizations will be determined for all individuals identified as presenting their true identities through the databases maintained by the Commissioner of Social Security and the Secretary;

''(IV) to use tools and processes to detect and prevent further action notices and final nonconfirmations that are not correlated to fraud or identity theft;

''(V) to make risk-based assessments regarding the reliability of a claim of identity made by an individual presenting biographic information and to tailor the identity determination in accordance with those assessments;

''(VI) to permit queries to be presented to individuals subject to identity verification at the time their identities are being verified in a manner that permits rapid communication through Internet, mobile phone, and landline telephone connections to facilitate identity proofing;

''(VII) to generate queries that conform to the context of the identity verification process and the circumstances of the individual whose identity is being verified;

''(VIII) to use publicly available databases and databases under the jurisdiction of the Commissioner of Social Security, the Secretary, and the Secretary of State to formulate queries to be presented to individuals whose identities are being verified, as appropriate;

''(IX) to not retain data collected by the System within any database separate from the database in which the operating system is located and to limit access to the existing databases to a reference process that shields the operator of the System from acquiring possession of the data beyond the formulation of queries and verification of responses;

''(X) to not permit individuals or entities using the System to access any data related

to the individuals whose identities are being verified beyond confirmations, further action notices, and final nonconfirmations of identity;

''(XI) to include, if feasible, a capability for permitting document or other inputs that can be offered to individuals and entities using the System and that may be used at the option of employees to facilitate identity verification, but would not be required of either employers or employees; and

''(XII) to the greatest extent possible, in accordance with the time frames specified in this section; and

''(x) to provide appropriate notification directly to employers registered with the System of all changes made by the Secretary or the Commissioner related to allowed and prohibited documents, and use of the System.

''(C) SAFEGUARDS TO THE SYSTEM.—

''(i) REQUIREMENT TO DEVELOP.—The Secretary, in consultation with the Commissioner and other appropriate Federal and State agencies, shall develop policies and procedures to ensure protection of the privacy and security of personally identifiable information and identifiers contained in the records accessed or maintained by the System. The Secretary, in consultation with the Commissioner and other appropriate Federal and State agencies, shall develop and deploy appropriate privacy and security training for the Federal and State employees accessing the records under the System.

''(ii) PRIVACY AUDITS.—The Secretary, acting through the Chief Privacy Officer of the Department, shall conduct regular privacy audits of the policies and procedures established under clause (i) and the Department's compliance with the limitations set forth in subsection (c)(1)(F)(iii)(IV), including any collection, use, dissemination, and maintenance of personally identifiable information and any associated information technology systems, as well as scope of requests for this information. The Chief Privacy Officer shall review the results of the audits and recommend to the Secretary any changes necessary to improve the privacy protections of the program.

''(iii) ACCURACY AUDITS.—

''(I) IN GENERAL.—Not later than November 30 of each year, the Inspector General of the Department of Homeland Security shall submit a report to the Secretary, with a copy to the President of the Senate and the Speaker of the House of Representatives, that sets forth the error rate of the System for the previous fiscal year and the assessments required to be submitted by the Secretary under subparagraphs (A) and (B) of paragraph (10). The report shall describe in detail the methodology employed for purposes of the report, and shall make recommendations for how error rates may be reduced.

''(II) ERROR RATE DEFINED.—In this clause, the term error rate means the percentage determined by dividing—

''(aa) the number of employment authorized individuals who received further action notices, contested such notices, and were subsequently found to be employment authorized; by

''(bb) the number of System inquiries submitted for employment authorized individuals.

''(III) ERROR RATE DETERMINATION.—The audits required under this clause shall—

''(aa) determine the error rate for identity determinations pursuant to subsection (c)(1)(F) for individuals presenting their true identities in the same manner and applying the same standards as for employment authorization; and

''(bb) include recommendations, as provided in subclause (I), but no reduction in fines pursuant to subclause (IV).

''(IV) REDUCTION OF PENALTIES FOR RECORDKEEPING OR VERIFICATION PRACTICES FOLLOWING PERSISTENT SYSTEM INACCURACIES.—Notwithstanding subsection (e)(4)(C)(i), in any calendar year following a report by the Inspector General under subclause (I) that the System had an error rate higher than 0.3 percent for the previous fiscal year, the civil penalty assessable by the Secretary or an administrative law judge under that subsection for each first-time violation by an employer who has not previously been penalized under this section may not exceed $1,000.

''(iv) RECORDS SECURITY PROGRAM.—Any person, including a private third party vendor, who retains document verification or System data pursuant to this section shall implement an effective records security program that—

''(I) ensures that only authorized personnel have access to document verification or System data; and

''(II) ensures that whenever such data is created, completed, updated, modified, altered, or corrected in electronic format, a secure record is created that establishes the date of access, the identity of the individual who accessed the electronic record, and the particular action taken.

''(v) RECORDS SECURITY PROGRAM.—In addition to the security measures described in clause (iv), a private third party vendor who retains document verification or System data pursuant to this section shall implement an effective records security program that—

''(I) provides for backup and recovery of any records maintained in electronic format to protect against information loss, such as power interruptions; and

''(II) ensures that employees are trained to minimize the risk of unauthorized or accidental alteration or erasure of such data in electronic format.

''(vi) AUTHORIZED PERSONNEL DEFINED.—In this subparagraph, the term authorized personnel means anyone registered as a System user, or anyone with partial or full responsibility for completion of employment authorization verification or retention of data in connection with employment authorization verification on behalf of an employer.

''(D) AVAILABLE FACILITIES AND ALTERNATIVE ACCOMMODATIONS.—The Secretary shall make appropriate arrangements and develop standards to allow employers or employees, including remote hires, who are otherwise unable to access the System to use electronic and telephonic formats (including video conferencing, scanning technology, and other available technologies), Federal Government facilities, public facilities, or other available locations in order to utilize the System.

''(E) RESPONSIBILITIES OF THE SECRETARY.—

''(i) IN GENERAL.—As part of the System, the Secretary shall maintain a reliable, secure method, which, operating through the System and within the time periods specified, compares the name, alien identification or authorization number, or other information as determined relevant by the Secretary, provided in an inquiry against such information maintained or accessed by the Secretary in order to confirm (or not confirm) the validity of the information provided, the correspondence of the name and number, whether the alien has employment authorized status (or, to the extent that the Secretary determines to be feasible and appropriate, whether the records available to the Secretary verify the identity or status of a national of the United States), and such other information as the Secretary may prescribe.

''(ii) PHOTOGRAPH DISPLAY.—As part of the System, the Secretary shall establish a reliable, secure method, which, operating through the System, displays the digital photograph described in subparagraph (B)(viii)(I).

''(iii) TIMING OF NOTICES.—The Secretary shall have authority to prescribe when a confirmation, nonconfirmation, or further action notice shall be issued.

''(iv) USE OF INFORMATION.—The Secretary shall perform regular audits under the System, as described in subparagraph (B)(vi) and shall utilize the information obtained from such audits, as well as any information obtained from the Commissioner pursuant to part E of title XI of the Social Security Act (42 U.S.C. 1301 et seq.), for the purposes of this section and to administer and enforce the immigration laws.

''(v) IDENTITY FRAUD PROTECTION.—To prevent identity fraud, not later than 18 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary shall—

''(I) in consultation with the Commissioner, establish a program to provide a reliable, secure method for an individual to temporarily suspend or limit the use of the individual's social security account number or other identifying information for verification by the System; and

''(II) for each individual being verified through the System—

''(aa) notify the individual that the individual has the option to limit the use of the individual's social security account number or other identifying information for verification by the System; and

''(bb) provide instructions to the individuals for exercising the option referred to in item (aa).

''(vi) ALLOWING PARENTS TO PREVENT THEFT OF THEIR CHILD'S IDENTITY.—The Secretary, in consultation with the Commissioner, shall establish a program that provides a reliable, secure method by which parents or legal guardians may suspend or limit the use of the social security account number or other identifying information of a minor under their care for the purposes of the System. The Secretary may implement the program on a limited pilot program basis before making it fully available to all individuals.

''(vii) PROTECTION FROM MULTIPLE USE.—The Secretary and the Commissioner shall establish a procedure for identifying and handling a situation in which a social security account number has been identified to be subject to unusual multiple use in the System or is otherwise suspected or determined to have been compromised by identity fraud. Such procedure shall include notifying the legitimate holder of the social security number at the appropriate time.

''(viii) MONITORING AND COMPLIANCE UNIT.—The Secretary shall establish or designate a monitoring and compliance unit to detect and reduce identity fraud and other misuse of the System.

''(ix) CIVIL RIGHTS AND CIVIL LIBERTIES ASSESSMENTS.—

''(I) REQUIREMENT TO CONDUCT.—The Secretary shall conduct regular civil rights and civil liberties assessments of the System, including participation by employers, other private entities, and Federal, State, and local government entities.

''(II) REQUIREMENT TO RESPOND.—Employers, other private entities, and Federal,

State, and local entities shall timely respond to any request in connection with such an assessment.

''(III) ASSESSMENT AND RECOMMENDATIONS.—The Officer for Civil Rights and Civil Liberties of the Department shall review the results of each such assessment and recommend to the Secretary any changes necessary to improve the civil rights and civil liberties protections of the System.

''(F) GRANTS TO STATES.—

''(i) IN GENERAL.—The Secretary shall create and administer a grant program to help provide funding for reimbursement of the actual costs to States that grant—

''(I) the Secretary access to driver's license information as needed to confirm that a driver's license presented under subsection (c)(1)(D)(i) confirms the identity of the subject of the System check, and that a driver's license matches the State's records; and

''(II) such assistance as the Secretary may request in order to resolve further action notices or nonconfirmations relating to such information.

''(ii) CONSTRUCTION WITH THE DRIVER'S PRIVACY PROTECTION ACT OF 1994.—The provision of a photograph to the Secretary as described in clause (i) may not be construed as a violation of section 2721 of title 18, United States Code, and is a permissible use under subsection (b)(1) of that section.

''(iii) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), $500,000,000 to carry out this subparagraph.

''(G) RESPONSIBILITIES OF THE SECRETARY OF STATE.—As part of the System, the Secretary of State shall provide to the Secretary access to passport and visa information as needed to confirm that a passport, passport card, or visa presented under subsection (c)(1)(C) confirms the identity of the subject of the System check, and that a passport, passport card, or visa photograph matches the Secretary of State's records, and shall provide such assistance as the Secretary may request in order to resolve further action notices or nonconfirmations relating to such information.

''(H) UPDATING INFORMATION.—The Commissioner, the Secretary, and the Secretary of State shall update their information in a manner that promotes maximum accuracy and shall provide a process for the prompt correction of erroneous information.

''(9) LIMITATION ON USE OF THE SYSTEM.—Notwithstanding any other provision of law, no department, bureau, or other agency of the United States Government or any other entity shall utilize, share, or transmit any information, database, or other records assembled under this subsection for any purpose other than for employment verification or to ensure secure, appropriate and nondiscriminatory use of the System.

''(10) ANNUAL REPORT AND CERTIFICATION.—Not later than 18 months after the promulgation of regulations to implement this subsection, and annually thereafter, the Secretary shall submit to Congress a report that includes the following:

''(A) An assessment, as submitted to the Secretary by the Inspector General of the Department of Homeland Security pursuant to paragraph (8)(C)(iii)(I), of the accuracy rates of further action notices and other System notices provided by employers to individuals who are authorized to be employed in the United States.

''(B) An assessment, as submitted to the Secretary by the Inspector General of the Department of Homeland Security pursuant to paragraph (8)(C)(iii)(I), of the accuracy rates of further action notices and other System notices provided directly (by the System) in a timely fashion to individuals who are not authorized to be employed in the United States.

''(C) An assessment of any challenges faced by small employers in utilizing the System.

''(D) An assessment of the rate of employer noncompliance (in addition to failure to provide required notices in a timely fashion) in each of the following categories:

''(i) Taking adverse action based on a further action notice.

''(ii) Use of the System for nonemployees or other individuals before they are offered employment.

''(iii) Use of the System to reverify employment authorized status of current employees except if authorized to do so.

''(iv) Use of the System selectively, except in cases in which such use is authorized.

''(v) Use of the System to deny employment or post-employment benefits or otherwise interfere with labor rights.

''(vi) Requiring employees or applicants to use any self-verification feature or to provide self-verification results.

''(vii) Discouraging individuals who receive a further action notice from challenging the further action notice or appealing a determination made by the System.

''(E) An assessment of the rate of employee noncompliance in each of the following categories:

''(i) Obtaining employment when unauthorized with an employer complying with the System in good faith.

''(ii) Failure to provide required documents in a timely manner.

''(iii) Attempting to use fraudulent documents or documents not related to the individual.

''(iv) Misuse of the administrative appeal and judicial review process.

''(F) An assessment of the amount of time taken for—

''(i) the System to provide the confirmation or further action notice;

''(ii) individuals to contest further action notices;

''(iii) the System to provide a confirmation or nonconfirmation of a contested further action notice;

''(iv) individuals to file an administrative appeal of a nonconfirmation; and

''(v) resolving administrative appeals regarding nonconfirmations.

''(11) ANNUAL GAO STUDY AND REPORT.—

''(A) REQUIREMENT.—The Comptroller General shall, for each year, undertake a study to evaluate the accuracy, efficiency, integrity, and impact of the System.

''(B) REPORT.—Not later than 18 months after the promulgation of regulations to implement this subsection, and yearly thereafter, the Comptroller General shall submit to Congress a report containing the findings of the study carried out under this paragraph. Each such report shall include, at a minimum, the following:

''(i) An assessment of System performance with respect to the rate at which individuals who are eligible for employment in the United States are correctly approved within the required periods, including a separate assessment of such rate for naturalized United States citizens, nationals of the United States, and aliens.

''(ii) An assessment of the privacy and confidentiality of the System and of the overall security of the System with respect to cybertheft and theft or misuse of private data.

''(iii) An assessment of whether the System is being implemented in a manner that is not discriminatory or used for retaliation against employees.

''(iv) An assessment of the most common causes for the erroneous issuance of nonconfirmations by the System and recommendations to correct such causes.

''(v) The recommendations of the Comptroller General regarding System improvements.

''(vi) An assessment of the frequency and magnitude of changes made to the System and the impact on the ability for employers to comply in good faith.

''(vii) An assessment of the direct and indirect costs incurred by employers in complying with the System, including costs associated with retaining potential employees through the administrative appeals process and receiving a nonconfirmation.

''(viii) An assessment of any backlogs or delays in the System providing the confirmation or further action notice and impacts to hiring by employers.

''(ix) An assessment of the effect of the identity authentication mechanism and any other security measures set forth in subsection (c)(1)(F)(iv) to verify identity incorporated into the System or otherwise used by employers on employees.

''(12) OUTREACH AND PARTNERSHIP.—

''(A) OUTREACH.—The Secretary is authorized to conduct outreach and establish programs to assist employers in verifying employment authorization and preventing identity fraud.

''(B) PARTNERSHIP INITIATIVE.—The Secretary may establish partnership initiatives between the Federal Government and private sector employers to foster cooperative relationships and to strengthen overall hiring practices.''.

(c) TAXPAYER ADDRESS INFORMATION.—Section 6103(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(8) TAXPAYER ADDRESS INFORMATION FURNISHED TO SECRETARY OF HOMELAND SECURITY.—Upon written request from the Secretary of Homeland Security, the Secretary shall disclose the mailing address of any taxpayer who is entitled to receive a notification from the Secretary of Homeland Security pursuant to paragraphs (1)(C) and (8)(E)(vii) of section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)) for use only by employees of the Department of Homeland for the purpose of mailing such notification to such taxpayer.''.

(d) SOCIAL SECURITY ACCOUNT STATEMENTS.—Section 1143(a)(2) of the Social Security Act (8 U.S.C. 1320b–13(a)(2)) is amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(F) to the extent resources are available, information in the Commissioner's records indicating that a query was submitted to the employment verification system established under section 274A (d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)) under that individual's name or social security number; and

''(G) a toll-free telephone number operated by the Department of Homeland Security for employment verification system inquiries and a link to self-verification procedure established under section 274A(d)(4)(I) of such Act.''.

(e) GOOD FAITH COMPLIANCE.—Section 274B(a) (8 U.S.C. 1324b(a)), as amended by section 3105(a) of this Act, is further amended by adding at the end the following:

''(10) TREATMENT OF CERTAIN VIOLATIONS AFTER REASONABLE STEPS IN GOOD FAITH.—Notwithstanding paragraphs (4), (6), and (7), a person, other entity, or employment agency shall not be liable for civil penalties described in section 274B(g)(2)(B)(iv) that are related to a violation of any such paragraph if the person, entity, or employment agency has taken reasonable steps, in good faith, to comply with such paragraphs at issue, unless the person, other entity, or employment agency—

''(A) was, for similar conduct, subject to—

''(i) a reasonable cause determination by the Office of Special Counsel for Immigration Related Unfair Employment Practices; or

''(ii) a finding by an administrative law judge that a violation of this section has occurred; or

''(B) committed the violation in order to interfere with 'workplace rights' (as defined in section 274A(b)(8)).

''(11) GOOD FAITH.—As used in paragraph (10), the term 'good faith' shall not include any action taken in order to interfere with 'workplace rights' (as defined in section 274A(b)(8)). Neither the Office of Special Counsel nor an administrative law judge hearing a claim under this section shall have any authority to assess workplace rights other than those guaranteed under this section.

''(12) RULES OF CONSTRUCTION.—Nothing in this section may be construed—

''(A) to permit the Office of Special Counsel for Immigration-Related Unfair Employment Practices or an administrative law judge hearing a claim under this Section to enforce any workplace rights other than those guaranteed under this section; or

''(B) to prohibit any person, other entity, or employment agency from using an identity verification system, service, or method (in addition to the employment verification system described in section 274A(d)), until the date on which the employer is required to participate in the System under section 274A(d)(2) and the additional security measures mandated by section 274A(c)(F)(iv) have become available to verify the identity of a newly hired employee, if such system—

''(i) is used in a uniform manner for all newly hired employees;

''(ii) is not used for the purpose or with the intent of discriminating against any individual;

''(iii) provides for timely notice to employees run through the system of a mismatch or failure to confirm identity; and

''(iv) sets out procedures for employees run through the system to resolve a mismatch or other failure to confirm identity.

''(13) LIABILITY.—A person, entity, or employment agency that uses an identity verification system, service, or method in a way that conflicts with the requirements set forth in paragraph (10) shall be subject to liability under paragraph (4)(I).''.

(f) MAINTENANCE OF REASONABLE LEVELS OF SERVICE AND ENFORCEMENT.—Notwithstanding section 3301(b)(1), amounts appropriated pursuant to such section shall be used to maintain reasonable levels of service and enforcement rather than a specific numeric increase in the number of Department personnel dedicated to administering the Employment Verification System.

SA 1728. Mr. PORTMAN (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 1240 proposed by Mrs. BOXER (for herself and Ms. LANDRIEU) to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EMPLOYMENT VERIFICATION SYSTEM IMPROVEMENTS.

(a) TRIGGER.—In addition to the conditions set forth in section 3(c)(2)(A), the Secretary may not adjust the status of aliens who have been granted registered provisional immigrant status, except for aliens granted blue card status under section 2201 of this Act or described in section 245D(b) of the Immigration and Nationality Act, unless the Secretary, after consultation with the Comptroller General of the United States, and as part of the written certification submitted to the President and Congress pursuant to section 3(c)(2)(A), certifies that the Secretary has implemented the mandatory employment verification system, including the full incorporation of the photo tool and additional security measures, required by section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a), as amended by section 3101, and has required the system's use by all employers to prevent unauthorized workers from obtaining employment in the United States.

(b) EMPLOYMENT VERIFICATION SYSTEM.—Section 274A (8 U.S.C. 1324a), as amended by section 3101, is further amended—

(1) in subsection (a)(5)(A)(ii), by inserting '', by clear and convincing evidence,'' after demonstrates; and

(2) by striking subsections (c) and (d) and inserting the following:

''(c) DOCUMENT VERIFICATION REQUIREMENTS.—Any employer hiring an individual for employment in the United States shall comply with the following requirements and the requirements under subsection (d) to verify that the individual has employment authorized status.

''(1) ATTESTATION AFTER EXAMINATION OF DOCUMENTATION.—

''(A) IN GENERAL.—

''(i) EXAMINATION BY EMPLOYER.—An employer shall attest, under penalty of perjury on a form prescribed by the Secretary, that the employer has verified the identity and employment authorization status of the individual—

''(I) by examining—

''(aa) a document specified in subparagraph (C); or

''(bb) a document specified in subparagraph (D) and a document specified in subparagraph (E); and

''(II) by utilizing an identity authentication mechanism described in clause (iii) or (iv) of subparagraph (F).

''(ii) PUBLICATION OF DOCUMENTS.—The Secretary shall publish a picture of each document specified in subparagraphs (C) and (E) on the U.S. Citizenship and Immigration Services website.

''(B) REQUIREMENTS.—

''(i) FORM.—The form referred to in subparagraph (A)(i)—

''(I) shall be prescribed by the Secretary not later than 6 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act;

''(II) shall be available as—

''(aa) a paper form;

''(bb) a form that may be completed by an employer via telephone or video conference;

''(cc) an electronic form; and

''(dd) a form that is integrated electronically with the requirements under subparagraph (F) and subsection (d).

''(ii) ATTESTATION.—Each such form shall require the employer to sign an attestation with a handwritten, electronic, or digital signature, according to standards prescribed by the Secretary.

''(iii) COMPLIANCE.—An employer has complied with the requirements under this paragraph with respect to examination of the documents included in subclauses (I) and (II) of subparagraph (A)(i) if—

''(I) the employer has, in good faith, followed applicable regulations and any written procedures or instructions provided by the Secretary; and

''(II) a reasonable person would conclude that the documentation is genuine and relates to the individual presenting such documentation.

''(C) DOCUMENTS ESTABLISHING IDENTITY AND EMPLOYMENT AUTHORIZED STATUS.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

''(i) A United States passport or passport card issued to an individual pursuant to the Secretary of State's authority under the Act entitled An Act to regulate the issue and validity of passports, and for other purposes, approved July 3, 1926 (22 U.S.C. 211a).

''(ii) A document issued to an alien evidencing that the alien is lawfully admitted for permanent residence or another document issued to an individual evidencing the individual's employment authorized status, as designated by the Secretary, if the document—

''(I) contains a photograph of the individual, or such other personal identifying information relating to the individual as the Secretary determines, by regulation, to be sufficient for the purposes of this subparagraph;

''(II) is evidence of employment authorized status; and

''(III) contains security features to make the document resistant to tampering, counterfeiting, and fraudulent use.

''(iii) An enhanced driver's license or identification card issued to a national of the United States by a State, an outlying possession of the United States, or a federally recognized Indian tribe that—

''(I) meets the requirements under section 202 of the REAL ID Act of 2005 (division B of Public Law 109–13; 49 U.S.C. 30301 note); and

''(II) the Secretary has certified by notice published in the Federal Register and through appropriate notice directly to employers registered in the System 3 months prior to publication that such enhanced license or card is suitable for use under this subparagraph based upon the accuracy and security of the issuance process, security features on the document, and such other factors as the Secretary may prescribe.

''(iv) A passport issued by the appropriate authority of a foreign country accompanied by a Form I–94 or Form I–94A (or similar successor record), or other documentation as designated by the Secretary that specifies the individual's status in the United States and the duration of such status if the proposed employment is not in conflict with any restriction or limitation specified on such form or documentation.

''(v) A passport issued by the Federated States of Micronesia or the Republic of the Marshall Islands with evidence of nonimmigrant admission to the United States

under the Compact of Free Association between the United States and the Federated States of Micronesia or the Republic of the Marshall Islands.

''(D) DOCUMENTS ESTABLISHING IDENTITY OF INDIVIDUAL.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

''(i) A driver's license or identity card that is not described in subparagraph (C)(iii) and is issued to an individual by a State or an outlying possession of the United States, a federally recognized Indian tribe, or an agency (including military) of the Federal Government if the driver's license or identity card includes, at a minimum—

''(I) the individual's photograph, name, date of birth, gender, and driver's license or identification card number; and

''(II) security features to make the license or card resistant to tampering, counterfeiting, and fraudulent use.

''(ii) A voter registration card.

''(iii) A document that complies with the requirements under section 7209(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 8 U.S.C. 1185 note).

''(iv) For individuals under 18 years of age who are unable to present a document listed in clause (i) or (ii), documentation of personal identity of such other type as the Secretary determines will provide a reliable means of identification, which may include an attestation as to the individual's identity by a parent or legal guardian under penalty of perjury.

''(E) DOCUMENTS EVIDENCING EMPLOYMENT AUTHORIZATION.—A document is specified in this subparagraph if the document is unexpired (unless the validity of the document is extended by law) and is 1 of the following:

''(i) A social security account number card issued by the Commissioner, other than a card which specifies on its face that the card is not valid to evidence employment authorized status or has other similar words of limitation.

''(ii) Any other documentation evidencing employment authorized status that the Secretary determines and publishes in the Federal Register and through appropriate notice directly to employers registered within the System to be acceptable for purposes of this subparagraph if such documentation, including any electronic security measures linked to such documentation, contains security features to make such documentation resistant to tampering, counterfeiting, and fraudulent use.

''(F) IDENTITY AUTHENTICATION MECHANISM.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) COVERED IDENTITY DOCUMENT.—The term 'covered identity document' means a valid—

''(aa) United States passport, passport card, or a document evidencing lawful permanent residence status or employment authorized status issued to an alien;

''(bb) enhanced driver's license or identity card issued by a participating State or an outlying possession of the United States; or

''(cc) photograph and appropriate identifying information provided by the Secretary of State pursuant to the granting of a visa.

''(II) PARTICIPATING STATE.—The term 'participating State' means a State that has an agreement with the Secretary to provide the Secretary, for purposes of identity verification in the System, with photographs and appropriate identifying information maintained by the State.

''(ii) REQUIREMENT FOR IDENTITY AUTHENTICATION.—In addition to verifying the documents specified in subparagraph (C), (D), or (E), the System shall require each employer to verify the identity of each new hire using the identity authentication mechanism described in clause (iii) or, for an individual whose identity is not able to be verified using that mechanism, to use the additional security measures provided in clause (iv) after such measures become available. A failure of the System to verify the identity of an individual due to the use of an identity authentication mechanism shall result in a further action notice under subsection (d)(4)(C)(iii).

''(iii) PHOTO TOOL.—

''(I) USE REQUIREMENT.—An employer that hires an individual who has a presented a covered identity document to establish his or her identity and employment authorization under subsection (c) shall verify the identity of such individual using the photo tool described in subclause (II).

''(II) DEVELOPMENT REQUIREMENT.—The Secretary shall develop and maintain a photo tool that enables employers to match the photo on a covered identity document provided to the employer to a photo maintained by a U.S. Citizenship and Immigration Services or other appropriate database.

''(III) INDIVIDUAL QUERIES.—The photo tool capability shall be incorporated into the System and made available to employers not later than 1 year after the date on which regulations are published implementing subsection (d).

''(IV) LIMITATIONS ON USE OF INFORMATION.—Information and images acquired from State motor vehicle databases through the photo tool developed under subclause (II)—

''(aa) may only be used for matching photos to a covered identity document for the purposes of employment verification;

''(bb) shall not be collected or stored by the Federal Government; and

''(cc) may only be disseminated in response to an individual photo tool query.

''(iv) ADDITIONAL SECURITY MEASURES.—

''(I) USE REQUIREMENT.—An employer seeking to hire an individual whose identity is not able to be verified using the photo tool described in clause (iii), because the employee did not present a covered document for employment eligibility verification purposes, shall verify the identity of such individual using the additional security measures described in subclause (II).

''(II) DEVELOPMENT REQUIREMENT.—The Secretary shall develop, after publication in the Federal Register and an opportunity for public comment, specific and effective additional security measures to adequately verify the identity of an individual whose identity is not able to be verified using the photo tool described in clause (iii). Such additional security measures—

''(aa) shall be kept up-to-date with technological advances;

''(bb) shall provide a means of identity authentication in a manner that provides a high level of certainty as to the identity of such individual, using immigration and identifying information that may include review of identity documents or background screening verification techniques using publicly available information; and

''(cc) shall be incorporated into the System and made available to employers not later than 1 year after the date on which regulations are published implementing subsection (d).

''(III) COMPREHENSIVE USE.—An employer may employ the additional security measures set forth in this clause with respect to all individuals the employer hires if the employer notifies the Secretary of such election at the time the employer registers for use of the System under subsection (d)(4)(A)(i) or anytime thereafter. An election under this subclause may be withdrawn 90 days after the employer notifies the Secretary of the employer's intent to discontinue such election.

''(v) AUTOMATED VERIFICATION.—The Secretary—

''(I) may establish a program, in addition to the identity authentication mechanism described in subparagraph (F)(iii), in which the System automatically verifies information contained in a covered identity document issued by a participating State, which is presented under subparagraph (D)(i), including information needed to verify that the covered identity document matches the State's records;

''(II) may not maintain information provided by a participating State in a database maintained by U.S. Citizenship and Immigration Services; and

''(III) may not utilize or disclose such information, except as authorized under this section.

''(G) AUTHORITY TO PROHIBIT USE OF CERTAIN DOCUMENTS.—If the Secretary determines, after publication in the Federal Register and an opportunity for public comment, that any document or class of documents specified in subparagraph (B), (C), or (D) does not reliably establish identity or that employment authorized status is being used fraudulently to an unacceptable degree, the Secretary—

''(i) may prohibit or restrict the use of such document or class of documents for purposes of this subsection; and

''(ii) shall directly notify all employers registered within the System of the prohibition through appropriate means.

''(H) AUTHORITY TO ALLOW USE OF CERTAIN DOCUMENTS.—If the Secretary has determined that another document or class of documents, such as a document issued by a federally recognized Indian tribe, may be used to reliably establish identity or employment authorized status, the Secretary—

''(i) may allow the use of that document or class of documents for purposes of this subsection after publication in the Federal Register and an opportunity for public comment;

''(ii) shall publish a description of any such document or class of documents on the U.S. Citizenship and Immigration Services website; and

''(iii) shall directly notify all employers registered within the System of the addition through appropriate means.

''(2) INDIVIDUAL ATTESTATION OF EMPLOYMENT AUTHORIZATION.—An individual, upon commencing employment with an employer, shall—

''(A) attest, under penalty of perjury, on the form prescribed by the Secretary, that the individual is—

''(i) a citizen of the United States;

''(ii) an alien lawfully admitted for permanent residence;

''(iii) an alien who has employment authorized status; or

''(iv) otherwise authorized by the Secretary to be hired for such employment;

''(B) provide such attestation by a handwritten, electronic, or digital signature; and

''(C) provide the individual's social security account number to the Secretary, unless the individual has not yet been issued such a number, on such form as the Secretary may require.

''(3) RETENTION OF VERIFICATION RECORD.—

''(A) IN GENERAL.—After completing a form for an individual in accordance with paragraphs (1) and (2), the employer shall retain a version of such completed form and make such form available for inspection by the Secretary or the Office of Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice during the period beginning on the hiring date of the individual and ending on the later of—

''(i) the date that is 3 years after such hiring date; or

''(ii) the date that is 1 year after the date on which the individual's employment with the employer is terminated.

''(B) REQUIREMENT FOR ELECTRONIC RETENTION.—The Secretary—

''(i) shall permit an employer to retain the form described in subparagraph (A) in electronic form; and

''(ii) shall permit an employer to retain such form in paper, microfiche, microfilm, portable document format, or other media.

''(4) COPYING OF DOCUMENTATION AND RECORDKEEPING.—The Secretary may promulgate regulations regarding—

''(A) copying documents and related information pertaining to employment verification presented by an individual under this subsection; and

''(B) retaining such information during a period not to exceed the required retention period set forth in paragraph (3).

''(5) PENALTIES.—An employer that fails to comply with any requirement under this subsection may be penalized under subsection (e)(4)(B).

''(6) PROTECTION OF CIVIL RIGHTS.—

''(A) IN GENERAL.—Nothing in this section may be construed to diminish any rights otherwise protected by Federal law.

''(B) PROHIBITION ON DISCRIMINATION.—An employer shall use the procedures for document verification set forth in this paragraph for all employees without regard to race, color, religion, sex, national origin, or, unless specifically permitted in this section, to citizenship status.

''(7) RECEIPTS.—The Secretary may authorize the use of receipts for replacement documents, and temporary evidence of employment authorization by an individual to meet a documentation requirement under this subsection on a temporary basis not to exceed 1 year, after which time the individual shall provide documentation sufficient to satisfy the documentation requirements under this subsection.

''(8) NO AUTHORIZATION OF NATIONAL IDENTIFICATION CARDS.—Nothing in this section may be construed to directly or indirectly authorize the issuance, use, or establishment of a national identification card.

''(d) EMPLOYMENT VERIFICATION SYSTEM.—

''(1) IN GENERAL.—

''(A) ESTABLISHMENT.—The Secretary, in consultation with the Commissioner, shall establish the Employment Verification System.

''(B) MONITORING.—The Secretary shall create the necessary processes to monitor—

''(i) the functioning of the System, including the volume of the workflow, the speed of processing of queries, the speed and accuracy of responses;

''(ii) the misuse of the System, including the prevention of fraud or identity theft;

''(iii) whether the use of the System results in wrongful adverse actions or discrimination based upon a prohibited factor against citizens or nationals of the United States or individuals who have employment authorized status; and

''(iv) the security, integrity, and privacy of the System.

''(C) PROCEDURES.—The Secretary—

''(i) shall create processes to provide an individual with direct access to the individual's case history in the System, including—

''(I) the identities of all persons or entities that have queried the individual through the System;

''(II) the date of each such query; and

''(III) the System response for each such query; and

''(ii) in consultation with the Commissioner, shall develop—

''(I) protocols to notify an individual, in a timely manner through the use of electronic correspondence or mail, that a query for the individual has been processed through the System; or

''(II) a process for the individual to submit additional queries to the System or notify the Secretary of potential identity fraud.

''(2) PARTICIPATION REQUIREMENTS.—

''(A) FEDERAL GOVERNMENT.—Except as provided in subparagraph (B), all agencies and departments in the executive, legislative, or judicial branches of the Federal Government shall participate in the System beginning on the earlier of—

''(i) the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, to the extent required under section 402(e)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a) and as already implemented by each agency or department; or

''(ii) the date that is 90 days after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(B) FEDERAL CONTRACTORS.—Federal contractors shall participate in the System as provided in the final rule relating to employment eligibility verification published in the Federal Register on November 14, 2008 (73 Fed. Reg. 67,651), or any similar subsequent regulation, for which purpose references to E-Verify in the final rule shall be construed to apply to the System.

''(C) CRITICAL INFRASTRUCTURE.—

''(i) IN GENERAL.—Beginning on the date that is 1 year after the date on which regulations are published implementing this subsection, the Secretary may authorize or direct any employer, person, or entity responsible for granting access to, protecting, securing, operating, administering, or regulating part of the critical infrastructure (as defined in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e))) to participate in the System to the extent the Secretary determines that such participation will assist in the protection of the critical infrastructure.

''(ii) NOTIFICATION TO EMPLOYERS.—The Secretary shall notify an employer required to participate in the System under this subparagraph not later than 90 days before the date on which the employer is required to participate.

''(D) EMPLOYERS WITH MORE THAN 10,000 EMPLOYEES.—Not later than 1 year after regulations are published implementing this subsection, all employers with more than 10,000 employees shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(E) EMPLOYERS WITH MORE THAN 500 EMPLOYEES.—Not later than 2 years after regulations are published implementing this subsection, all employers with more than 500 employees shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(F) EMPLOYERS WITH MORE THAN 20 EMPLOYEES.—Not later than 3 years after regulations are published implementing this subsection, all employers with more than 20 employees shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(G) AGRICULTURAL EMPLOYMENT.—Not later than 4 years after regulations are published implementing this subsection, employers of employees performing agricultural employment (as defined in section 218A of this Act and section 2202 of the Border Security, Economic Opportunity, and Immigration Modernization Act) shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents. An agricultural employee shall not be counted for purposes of subparagraph (D), (E), or (F).

''(H) ALL EMPLOYERS.—Not later than 4 years after regulations are published implementing this subsection, all employers shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(I) TRIBAL GOVERNMENT EMPLOYERS.—

''(i) RULEMAKING.—In developing regulations to implement this subsection, the Secretary shall—

''(I) consider the effects of this section on federally recognized Indian tribes and tribal members; and

''(II) consult with the governments of federally recognized Indian tribes.

''(ii) REQUIRED PARTICIPATION.—Not later than 4 years after regulations are published implementing this subsection, all employers owned by, or entities of, the government of a federally recognized Indian tribe shall participate in the System with respect to all newly hired employees and employees with expiring temporary employment authorization documents.

''(J) IMMIGRATION LAW VIOLATORS.—

''(i) ORDERS FINDING VIOLATIONS.—An order finding any employer to have violated this section or section 274C may, in the Secretary's discretion, require the employer to participate in the System with respect to newly hired employees and employees with expiring temporary employment authorization documents, if such employer is not otherwise required to participate in the System under this section. The Secretary shall monitor such employer's compliance with System procedures.

''(ii) PATTERN OR PRACTICE OF VIOLATIONS.—The Secretary may require an employer that is required to participate in the System with respect to newly hired employees to participate in the System with respect to the employer's current employees if the employer is determined by the Secretary or other appropriate authority to have engaged in a pattern or practice of violations of the immigration laws of the United States.

''(K) VOLUNTARY PARTICIPATION.—The Secretary may permit any employer that is not required to participate in the System under this section to do so on a voluntary basis.

''(3) CONSEQUENCE OF FAILURE TO PARTICIPATE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the failure, other than a de minimis or inadvertent failure, of an employer that is required to participate in the

System to comply with the requirements of the System with respect to an individual—

''(i) shall be treated as a violation of subsection (a)(1)(B) with respect to that individual; and

''(ii) creates a rebuttable presumption that the employer has violated paragraph (1)(A) or (2) of subsection (a).

''(B) EXCEPTION.—

''(i) IN GENERAL.—Subparagraph (A) shall not apply in a criminal prosecution.

''(ii) USE AS EVIDENCE.—Nothing in this paragraph may be construed to limit the use in the prosecution of a Federal crime, in a manner otherwise consistent with Federal criminal law and procedure, of evidence relating to the employer's failure to comply with requirements of the System.

''(4) PROCEDURES FOR PARTICIPANTS IN THE SYSTEM.—

''(A) IN GENERAL.—An employer participating in the System shall register such participation with the Secretary and, when hiring any individual for employment in the United States, shall comply with the following:

''(i) REGISTRATION OF EMPLOYERS.—The Secretary, through notice in the Federal Register, shall prescribe procedures that employers shall be required to follow to register with the System.

''(ii) UPDATING INFORMATION.—The employer is responsible for providing notice of any change to the information required under subclauses (I), (II), and (III) of clause (v) before conducting any further inquiries within the System, or on such other schedule as the Secretary may prescribe.

''(iii) TRAINING.—The Secretary shall require employers to undergo such training as the Secretary determines to be necessary to ensure proper use, protection of civil rights and civil liberties, privacy, integrity, and security of the System. To the extent practicable, such training shall be made available electronically on the U.S. Citizenship and Immigration Services website.

''(iv) NOTIFICATION TO EMPLOYEES.—The employer shall inform individuals hired for employment that the System—

''(I) will be used by the employer;

''(II) may be used for immigration enforcement purposes; and

''(III) may not be used to discriminate or to take adverse action against a national of the United States or an alien who has employment authorized status.

''(v) PROVISION OF ADDITIONAL INFORMATION.—The employer shall obtain from the individual (and the individual shall provide) and shall record in such manner as the Secretary may specify—

''(I) the individual's social security account number;

''(II) if the individual does not attest to United States citizenship or status as a national of the United States under subsection (c)(2), such identification or authorization number established by the Department as the Secretary shall specify; and

''(III) such other information as the Secretary may require to determine the identity and employment authorization of an individual.

''(vi) PRESENTATION OF DOCUMENTATION.—The employer, and the individual whose identity and employment authorized status are being confirmed, shall fulfill the requirements under subsection (c).

''(B) SEEKING CONFIRMATION.—

''(i) IN GENERAL.—An employer shall use the System to confirm the identity and employment authorized status of any individual during—

''(I) the period beginning on the date on which the individual accepts an offer of employment and ending 3 business days after the date on which employment begins; or

''(II) such other reasonable period as the Secretary may prescribe.

''(ii) LIMITATION.—An employer may not make the starting date of an individual's employment or training or any other term and condition of employment dependent on the receipt of a confirmation of identity and employment authorized status by the System.

''(iii) REVERIFICATION.—If an individual has a limited period of employment authorized status, the individual's employer shall reverify such status through the System not later than 3 business days after the last day of such period.

''(iv) OTHER EMPLOYMENT.—For employers directed by the Secretary to participate in the System under paragraph (2)(C)(i) to protect critical infrastructure or otherwise specified circumstances in this section to verify their entire workforce, the System may be used for initial verification of an individual who was hired before the employer became subject to the System, and the employer shall initiate all required procedures on or before such date as the Secretary shall specify.

''(v) NOTIFICATION.—

''(I) IN GENERAL.—The Secretary shall provide, and the employer shall utilize, as part of the System, a method of notifying employers of a confirmation or nonconfirmation of an individual's identity and employment authorized status, or a notice that further action is required to verify such identity or employment eligibility (referred to in this subsection as a further action notice).

''(II) PROCEDURES.—The Secretary shall—

''(aa) directly notify the individual and the employer, by means of electronic correspondence, mail, text message, telephone, or other direct communication, of a nonconfirmation or further action notice;

''(bb) provide information about filing an administrative appeal under paragraph (6) and a filing for review before an administrative law judge under paragraph (7); and

''(cc) establish procedures to directly notify the individual and the employer of a confirmation.

''(III) IMPLEMENTATION.—The Secretary may provide for a phased-in implementation of the notification requirements under this clause, as appropriate. The notification system shall cover all inquiries not later than 1 year from the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act.

''(C) CONFIRMATION OR NONCONFIRMATION.—

''(i) INITIAL RESPONSE.—

''(I) IN GENERAL.—Except as provided in subclause (II), the System shall provide—

''(aa) a confirmation of an individual's identity and employment authorized status or a further action notice at the time of the inquiry; and

''(bb) an appropriate code indicating such confirmation or such further action notice.

''(II) ALTERNATIVE DEADLINE.—If the System is unable to provide immediate confirmation or further action notice for technological reasons or due to unforeseen circumstances, the System shall provide a confirmation or further action notice not later than 3 business days after the initial inquiry.

''(ii) CONFIRMATION UPON INITIAL INQUIRY.—If the employer receives an appropriate confirmation of an individual's identity and employment authorized status under the System, the employer shall record the confirmation in such manner as the Secretary may specify.

''(iii) FURTHER ACTION NOTICE AND LATER CONFIRMATION OR NONCONFIRMATION.—

''(I) NOTIFICATION AND ACKNOWLEDGMENT THAT FURTHER ACTION IS REQUIRED.—Not later than 3 business days after an employer receives a further action notice of an individual's identity or employment eligibility under the System, or during such other reasonable time as the Secretary may prescribe, the employer shall notify the individual for whom the confirmation is sought of the further action notice and any procedures specified by the Secretary for addressing such notice. The further action notice shall be given to the individual in writing and the employer shall acknowledge in the System under penalty of perjury that it provided the employee with the further action notice. The individual shall affirmatively acknowledge in writing, or in such other manner as the Secretary may specify, the receipt of the further action notice from the employer. If the individual refuses to acknowledge the receipt of the further action notice, or acknowledges in writing that the individual will not contest the further action notice under subclause (II), the employer shall notify the Secretary in such manner as the Secretary may specify.

''(II) CONTEST.—Not later than 10 business days after receiving notification of a further action notice under subclause (I), the individual shall contact the appropriate Federal agency and, if the Secretary so requires, appear in person for purposes of verifying the individual's identity and employment eligibility. The Secretary, in consultation with the Commissioner and other appropriate Federal agencies, shall specify an available secondary verification procedure to confirm the validity of information provided and to provide a confirmation or nonconfirmation. Any procedures for reexamination shall not limit in any way an employee's right to appeal a nonconfirmation.

''(III) NO CONTEST.—If the individual refuses to acknowledge receipt of the further action notice, acknowledges that the individual will not contest the further action notice as provided in subclause (I), or does not contact the appropriate Federal agency within the period specified in subclause (II), following expiration of the period specified in subclause (II), a nonconfirmation shall be issued. The employer shall record the nonconfirmation in such manner as the Secretary may specify and terminate the individual's employment. An individual's failure to contest a further action notice shall not be considered an admission of guilt with respect to any violation of this section or any provision of law.

''(IV) CONFIRMATION OR NONCONFIRMATION.—Unless the period is extended in accordance with this subclause, the System shall provide a confirmation or nonconfirmation not later than 10 business days after the date on which the individual contests the further action notice under subclause (II). If the Secretary determines that good cause exists, after taking into account adverse impacts to the employer, and including time to permit the individual to obtain and provide needed evidence of identity or employment eligibility, the Secretary shall extend the period for providing confirmation or nonconfirmation for stated periods beyond 10 business days. When confirmation or nonconfirmation is provided, the confirmation system shall provide an appropriate code indicating such confirmation or nonconfirmation.

''(V) REEXAMINATION.—Nothing in this section shall prevent the Secretary from establishing procedures to reexamine a case where

a confirmation or nonconfirmation has been provided if subsequently received information indicates that the confirmation or nonconfirmation may not have been correct. Any procedures for reexamination shall not limit in any way an employee's right to appeal a nonconfirmation.

''(VI) EMPLOYEE PROTECTIONS.—An employer may not terminate employment or take any other adverse action against an individual solely because of a failure of the individual to have identity and employment eligibility confirmed under this subsection until—

''(aa) a nonconfirmation has been issued;

''(bb) if the further action notice was contested, the period to timely file an administrative appeal has expired without an appeal or the contestation to the further action notice is withdrawn; or

''(cc) if an appeal before an administrative law judge under paragraph (7) has been filed, the nonconfirmation has been upheld or the appeal has been withdrawn or dismissed.

''(iv) NOTICE OF NONCONFIRMATION.—Not later than 3 business days after an employer receives a nonconfirmation, or during such other reasonable time as the Secretary may provide, the employer shall notify the individual who is the subject of the nonconfirmation, and provide information about filing an administrative appeal pursuant to paragraph (6) and a request for a hearing before an administrative law judge pursuant to paragraph (7). The nonconfirmation notice shall be given to the individual in writing and the employer shall acknowledge in the System under penalty of perjury that it provided the notice (or adequately attempted to provide notice, but was unable to do so despite reasonable efforts). The individual shall affirmatively acknowledge in writing, or in such other manner as the Secretary may prescribe, the receipt of the nonconfirmation notice from the employer. If the individual refuses or fails to acknowledge the receipt of the nonconfirmation notice, the employer shall notify the Secretary in such manner as the Secretary may prescribe.

''(D) CONSEQUENCES OF NONCONFIRMATION.—

''(i) TERMINATION OF CONTINUED EMPLOYMENT.—Except as provided in clause (iii), an employer that has received a nonconfirmation regarding an individual and has made reasonable efforts to notify the individual in accordance with subparagraph (C)(iv) shall terminate the employment of the individual upon the expiration of the time period specified in paragraph (7).

''(ii) CONTINUED EMPLOYMENT AFTER NONCONFIRMATION.—If the employer continues to employ an individual after receiving nonconfirmation and exhaustion of all appeals or expiration of all rights to appeal if not appealed, in violation of clause (i), a rebuttable presumption is created that the employer has violated paragraphs (1)(A) and (2) of subsection (a). Such presumption shall not apply in any prosecution under subsection (k)(1).

''(iii) EFFECT OF ADMINISTRATIVE APPEAL OR REVIEW BY ADMINISTRATIVE LAW JUDGE.—If an individual files an administrative appeal of the nonconfirmation within the time period specified in paragraph (6)(A), or files for review with an administrative law judge specified in paragraph (7)(A), the employer shall not terminate the individual's employment under this subparagraph prior to the resolution of the administrative appeal unless the Secretary or Commissioner terminates the stay under paragraph (6)(B) or (7)(B).

''(iv) WEEKLY REPORT.—The Director of U.S. Citizenship and Immigration Services shall submit a weekly report to the Assistant Secretary for Immigration and Customs Enforcement that includes, for each individual who receives final nonconfirmation through the System—

''(I) the name of such individual;

''(II) his or her social security number or alien file number;

''(III) the name and contact information for his or her current employer; and

''(IV) any other critical information that the Assistant Secretary determines to be appropriate.

''(v) OTHER REFERRAL.—The Director of U.S. Citizenship and Immigration Services shall refer to the Assistant Secretary for Immigration and Customs Enforcement for appropriate action by the Assistant Secretary or for referral by the Assistant Secretary to another law enforcement agency, as appropriate—

''(I) any case in which the Director believes that a social security number has been falsely or fraudulently used; and

''(II) any case in which a false or fraudulent document is used by an employee who has received a further action notice to resolve such notice.

''(E) OBLIGATION TO RESPOND TO QUERIES AND ADDITIONAL INFORMATION.—

''(i) IN GENERAL.—Employers shall comply with requests for information from the Secretary and the Special Counsel for Immigration-Related Unfair Employment Practices of the Department of Justice, including queries concerning current and former employees, within the time frame during which records are required to be maintained under this section regarding such former employees, if such information relates to the functioning of the System, the accuracy of the responses provided by the System, or any suspected misuse, discrimination, fraud, or identity theft in the use of the System. Failure to comply with a request under this clause constitutes a violation of subsection (a)(1)(B).

''(ii) ACTION BY INDIVIDUALS.—

''(I) IN GENERAL.—Individuals being verified through the System may be required to take further action to address questions identified by the Secretary or the Commissioner regarding the documents relied upon for purposes of subsection (c).

''(II) NOTIFICATION.—Not later than 3 business days after the receipt of such questions regarding an individual, or during such other reasonable time as the Secretary may prescribe, the employer shall—

''(aa) notify the individual of any such requirement for further actions; and

''(bb) record the date and manner of such notification.

''(III) ACKNOWLEDGMENT.—The individual shall acknowledge the notification received from the employer under subclause (II) in writing, or in such other manner as the Secretary may prescribe.

''(iii) RULEMAKING.—

''(I) IN GENERAL.—The Secretary, in consultation with the Commissioner and the Attorney General, is authorized to issue regulations implementing, clarifying, and supplementing the requirements under this subparagraph—

''(aa) to facilitate the functioning, accuracy, and fairness of the System;

''(bb) to prevent misuse, discrimination, fraud, or identity theft in the use of the System; or

''(cc) to protect and maintain the confidentiality of information that could be used to locate or otherwise place at risk of harm victims of domestic violence, dating violence, sexual assault, stalking, and human trafficking, and of the applicant or beneficiary of any petition described in section 384(a)(2) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(a)(2)).

''(II) NOTICE.—The regulations issued under subclause (I) shall be—

''(aa) published in the Federal Register; and

''(bb) provided directly to all employers registered in the System.

''(F) DESIGNATED AGENTS.—The Secretary shall establish a process—

''(i) for certifying, on an annual basis or at such times as the Secretary may prescribe, designated agents and other System service providers seeking access to the System to perform verification queries on behalf of employers, based upon training, usage, privacy, and security standards prescribed by the Secretary;

''(ii) for ensuring that designated agents and other System service providers are subject to monitoring to the same extent as direct access users; and

''(iii) for establishing standards for certification of electronic I–9 programs.

''(G) REQUIREMENT TO PROVIDE INFORMATION.—

''(i) IN GENERAL.—No later than 3 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary, in consultation with the Secretary of Labor, the Secretary of Agriculture, the Commissioner, the Attorney General, the Equal Employment Opportunity Commission, and the Administrator of the Small Business Administration, shall commence a campaign to disseminate information respecting the procedures, rights, and remedies prescribed under this section.

''(ii) CAMPAIGN REQUIREMENTS.—The campaign authorized under clause (i)—

''(I) shall be aimed at increasing the knowledge of employers, employees, and the general public concerning employer and employee rights, responsibilities, and remedies under this section; and

''(II) shall be coordinated with the public education campaign conducted by U.S. Citizenship and Immigration Services.

''(iii) ASSESSMENT.—The Secretary shall assess the success of the campaign in achieving the goals of the campaign.

''(iv) AUTHORITY TO CONTRACT.—In order to carry out and assess the campaign under this subparagraph, the Secretary may, to the extent deemed appropriate and subject to the availability of appropriations, contract with public and private organizations for outreach and assessment activities under the campaign.

''(v) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this paragraph $40,000,000 for each of the fiscal years 2014 through 2016.

''(H) AUTHORITY TO MODIFY INFORMATION REQUIREMENTS.—Based on a regular review of the System and the document verification procedures to identify misuse or fraudulent use and to assess the security of the documents and processes used to establish identity or employment authorized status, the Secretary, in consultation with the Commissioner, after publication of notice in the Federal Register and an opportunity for public comment, may modify, if the Secretary determines that the modification is necessary to ensure that the System accurately and reliably determines the identity and employment authorized status of employees and

maintain existing protections against misuse, discrimination, fraud, and identity theft—

''(i) the information that shall be presented to the employer by an individual;

''(ii) the information that shall be provided to the System by the employer; and

''(iii) the procedures that shall be followed by employers with respect to the process of verifying an individual through the System.

''(I) SELF-VERIFICATION.—Subject to appropriate safeguards to prevent misuse of the system, the Secretary, in consultation with the Commissioner, shall establish a secure self-verification procedure to permit an individual who seeks to verify the individual's own employment eligibility to contact the appropriate agency and, in a timely manner, correct or update the information contained in the System.

''(5) PROTECTION FROM LIABILITY FOR ACTIONS TAKEN ON THE BASIS OF INFORMATION PROVIDED BY THE SYSTEM.—An employer shall not be liable to a job applicant, an employee, the Federal Government, or a State or local government, under Federal, State, or local criminal or civil law for any employment-related action taken with respect to a job applicant or employee in good faith reliance on information provided by the System.

''(6) ADMINISTRATIVE APPEAL.—

''(A) IN GENERAL.—An individual who is notified of a nonconfirmation may, not later than 10 business days after the date that such notice is received, file an administrative appeal of such nonconfirmation with the Commissioner if the notice is based on records maintained by the Commissioner, or in any other case, with the Secretary. An individual who did not timely contest a further action notice timely received by that individual for which the individual acknowledged receipt may not be granted a review under this paragraph.

''(B) ADMINISTRATIVE STAY OF NONCONFIRMATION.—The nonconfirmation shall be automatically stayed upon the timely filing of an administrative appeal, unless the nonconfirmation resulted after the individual acknowledged receipt of the further action notice but failed to contact the appropriate agency within the time provided. The stay shall remain in effect until the resolution of the appeal, unless the Secretary or the Commissioner terminates the stay based on a determination that the administrative appeal is frivolous or filed for purposes of delay.

''(C) REVIEW FOR ERROR.—The Secretary and the Commissioner shall develop procedures for resolving administrative appeals regarding nonconfirmations based upon the information that the individual has provided, including any additional evidence or argument that was not previously considered. Any such additional evidence or argument shall be filed within 10 business days of the date the appeal was originally filed. Appeals shall be resolved within 20 business days after the individual has submitted all evidence and arguments the individual wishes to submit, or has stated in writing that there is no additional evidence that the individual wishes to submit. The Secretary and the Commissioner may, on a case by case basis for good cause, extend the filing and submission period in order to ensure accurate resolution of an appeal before the Secretary or the Commissioner.

''(D) PREPONDERANCE OF EVIDENCE.—Administrative appeal under this paragraph shall be limited to whether a nonconfirmation notice is supported by a preponderance of the evidence.

''(E) DAMAGES, FEES, AND COSTS.—No money damages, fees or costs may be awarded in the administrative appeal process under this paragraph.

''(7) REVIEW BY ADMINISTRATIVE LAW JUDGE.—

''(A) IN GENERAL.—Not later than 30 days after the date an individual receives a final determination on an administrative appeal under paragraph (6), the individual may obtain review of such determination by filing a complaint with a Department of Justice administrative law judge in accordance with this paragraph.

''(B) STAY OF NONCONFIRMATION.—The nonconfirmation related to such final determination shall be automatically stayed upon the timely filing of a complaint under this paragraph, and the stay shall remain in effect until the resolution of the complaint, unless the administrative law judge determines that the action is frivolous or filed for purposes of delay.

''(C) SERVICE.—The respondent to complaint filed under this paragraph is either the Secretary or the Commissioner, but not both, depending upon who issued the administrative order under paragraph (6). In addition to serving the respondent, the plaintiff shall serve the Attorney General.

''(D) AUTHORITY OF ADMINISTRATIVE LAW JUDGE.—

''(i) RULES OF PRACTICE.—The Secretary shall promulgate regulations regarding the rules of practice in appeals brought pursuant to this subsection.

''(ii) AUTHORITY OF ADMINISTRATIVE LAW JUDGE.—The administrative law judge shall have power to—

''(I) terminate a stay of a nonconfirmation under subparagraph (B) if the administrative law judge determines that the action is frivolous or filed for purposes of delay;

''(II) adduce evidence at a hearing;

''(III) compel by subpoena the attendance of witnesses and the production of evidence at any designated place or hearing;

''(IV) resolve claims of identity theft; and

''(V) enter, upon the pleadings and any evidence adduced at a hearing, a decision affirming or reversing the result of the agency, with or without remanding the cause for a rehearing.

''(iii) SUBPOENA.—In case of contumacy or refusal to obey a subpoena lawfully issued under this section and upon application of the administrative law judge, an appropriate district court of the United States may issue an order requiring compliance with such subpoena and any failure to obey such order may be punished by such court as a contempt of such court.

''(iv) TRAINING.—An administrative law judge hearing cases shall have special training respecting employment authorized status verification.

''(E) ORDER BY ADMINISTRATIVE LAW JUDGE.—

''(i) IN GENERAL.—The administrative law judge shall issue and cause to be served to the parties in the proceeding an order which may be appealed as provided in subparagraph (G).

''(ii) CONTENTS OF ORDER.—Such an order shall uphold or reverse the final determination on the request for reconsideration and order lost wages and other appropriate remedies as provided in subparagraph (F).

''(F) COMPENSATION FOR ERROR.—

''(i) IN GENERAL.—In cases in which the administrative law judge reverses the final determination of the Secretary or the Commissioner made under paragraph (6), and the administrative law judge finds that—

''(I) the nonconfirmation was due to gross negligence or intentional misconduct of the employer, the administrative law judge may order the employer to pay the individual lost wages, and reasonable costs and attorneys' fees incurred during administrative and judicial review; or

''(II) such final determination was erroneous by reason of the negligence of the Secretary or the Commissioner, the administrative law judge may order the Secretary or the Commissioner to pay the individual lost wages, and reasonable costs and attorneys' fees incurred during the administrative appeal and the administrative law judge review.

''(ii) CALCULATION OF LOST WAGES.—Lost wages shall be calculated based on the wage rate and work schedule that prevailed prior to termination. The individual shall be compensated for wages lost beginning on the first scheduled work day after employment was terminated and ending 120 days after completion of the administrative law judge's review described in this paragraph or the day after the individual is reinstated or obtains employment elsewhere, whichever occurs first. If the individual obtains employment elsewhere at a lower wage rate, the individual shall be compensated for the difference in wages for the period ending 120 days after completion of the administrative law judge review process. No lost wages shall be awarded for any period of time during which the individual was not in employment authorized status.

''(iii) PAYMENT OF COMPENSATION.—Notwithstanding any other law, payment of compensation for lost wages, costs, and attorneys' fees under this paragraph, or compromise settlements of the same, shall be made as provided by section 1304 of title 31, United States Code. Appropriations made available to the Secretary or the Commissioner, accounts provided for under section 286, and funds from the Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund shall not be available to pay such compensation.

''(G) APPEAL.—No later than 45 days after the entry of such final order, any person adversely affected by such final order may seek review of such order in the United States Court of Appeals for the circuit in which the violation is alleged to have occurred or in which the employer resides or transacts business.

''(8) MANAGEMENT OF THE SYSTEM.—

''(A) IN GENERAL.—The Secretary is authorized to establish, manage, and modify the System, which shall—

''(i) respond to inquiries made by participating employers at any time through the internet, or such other means as the Secretary may designate, concerning an individual's identity and whether the individual is in employment authorized status;

''(ii) maintain records of the inquiries that were made, of confirmations provided (or not provided), and of the codes provided to employers as evidence of their compliance with their obligations under the System; and

''(iii) provide information to, and require action by, employers and individuals using the System.

''(B) DESIGN AND OPERATION OF SYSTEM.—The System shall be designed and operated—

''(i) to maximize its reliability and ease of use by employers consistent with protecting the privacy and security of the underlying information, and ensuring full notice of such use to employees;

''(ii) to maximize its ease of use by employees, including direct notification of its use, of results, and ability to challenge results;

''(iii) to respond accurately to all inquiries made by employers on whether individuals are authorized to be employed and to register any times when the system is unable to receive inquiries;

''(iv) to maintain appropriate administrative, technical, and physical safeguards to prevent unauthorized disclosure of personal information, misuse by employers and employees, and discrimination;

''(v) to require regularly scheduled refresher training of all users of the System to ensure compliance with all procedures;

''(vi) to allow for auditing of the use of the System to detect misuse, discrimination, fraud, and identity theft, to protect privacy and assess System accuracy, and to preserve the integrity and security of the information in all of the System, including—

''(I) to develop and use tools and processes to detect or prevent fraud and identity theft, such as multiple uses of the same identifying information or documents to fraudulently gain employment;

''(II) to develop and use tools and processes to detect and prevent misuse of the system by employers and employees;

''(III) to develop tools and processes to detect anomalies in the use of the system that may indicate potential fraud or misuse of the system;

''(IV) to audit documents and information submitted by employees to employers, including authority to conduct interviews with employers and employees, and obtain information concerning employment from the employer;

''(vii) to confirm identity and employment authorization through verification and comparison of records as determined necessary by the Secretary;

''(viii) to confirm electronically the issuance of the employment authorization or identity document and—

''(I) if such photograph is available, to display the digital photograph that the issuer placed on the document so that the employer can compare the photograph displayed to the photograph on the document presented by the employee; or

''(II) if a photograph is not available from the issuer, to confirm the authenticity of the document using additional security measures set forth in subsection (c)(1)(F)(iv);

''(ix) to employ specific and effective additional security measures set forth in subsection (c)(1)(F)(iv) to adequately verify the identity of an individual that are designed and operated—

''(I) to use state-of-the-art technology to determine to a high degree of accuracy whether an individual presenting biographic information is the individual with that true identity;

''(II) to retain under the control of the Secretary the use of all determinations communicated by the System, regardless of the entity operating the system pursuant to a contract or other agreement with a nongovernmental entity or entities to the extent helpful in acquiring the best technology to implement the additional security measures;

''(III) to be integrated with the System so that employment authorizations will be determined for all individuals identified as presenting their true identities through the databases maintained by the Commissioner of Social Security and the Secretary;

''(IV) to use tools and processes to detect and prevent further action notices and final nonconfirmations that are not correlated to fraud or identity theft;

''(V) to make risk-based assessments regarding the reliability of a claim of identity made by an individual presenting biographic information and to tailor the identity determination in accordance with those assessments;

''(VI) to permit queries to be presented to individuals subject to identity verification at the time their identities are being verified in a manner that permits rapid communication through Internet, mobile phone, and landline telephone connections to facilitate identity proofing;

''(VII) to generate queries that conform to the context of the identity verification process and the circumstances of the individual whose identity is being verified;

''(VIII) to use publicly available databases and databases under the jurisdiction of the Commissioner of Social Security, the Secretary, and the Secretary of State to formulate queries to be presented to individuals whose identities are being verified, as appropriate;

''(IX) to not retain data collected by the System within any database separate from the database in which the operating system is located and to limit access to the existing databases to a reference process that shields the operator of the System from acquiring possession of the data beyond the formulation of queries and verification of responses;

''(X) to not permit individuals or entities using the System to access any data related to the individuals whose identities are being verified beyond confirmations, further action notices, and final nonconfirmations of identity;

''(XI) to include, if feasible, a capability for permitting document or other inputs that can be offered to individuals and entities using the System and that may be used at the option of employees to facilitate identity verification, but would not be required of either employers or employees; and

''(XII) to the greatest extent possible, in accordance with the time frames specified in this section; and

''(x) to provide appropriate notification directly to employers registered with the System of all changes made by the Secretary or the Commissioner related to allowed and prohibited documents, and use of the System.

''(C) SAFEGUARDS TO THE SYSTEM.—

''(i) REQUIREMENT TO DEVELOP.—The Secretary, in consultation with the Commissioner and other appropriate Federal and State agencies, shall develop policies and procedures to ensure protection of the privacy and security of personally identifiable information and identifiers contained in the records accessed or maintained by the System. The Secretary, in consultation with the Commissioner and other appropriate Federal and State agencies, shall develop and deploy appropriate privacy and security training for the Federal and State employees accessing the records under the System.

''(ii) PRIVACY AUDITS.—The Secretary, acting through the Chief Privacy Officer of the Department, shall conduct regular privacy audits of the policies and procedures established under clause (i) and the Department's compliance with the limitations set forth in subsection (c)(1)(F)(iii)(IV), including any collection, use, dissemination, and maintenance of personally identifiable information and any associated information technology systems, as well as scope of requests for this information. The Chief Privacy Officer shall review the results of the audits and recommend to the Secretary any changes necessary to improve the privacy protections of the program.

''(iii) ACCURACY AUDITS.—

''(I) IN GENERAL.—Not later than November 30 of each year, the Inspector General of the Department of Homeland Security shall submit a report to the Secretary, with a copy to the President of the Senate and the Speaker of the House of Representatives, that sets forth the error rate of the System for the previous fiscal year and the assessments required to be submitted by the Secretary under subparagraphs (A) and (B) of paragraph (10). The report shall describe in detail the methodology employed for purposes of the report, and shall make recommendations for how error rates may be reduced.

''(II) ERROR RATE DEFINED.—In this clause, the term error rate means the percentage determined by dividing—

''(aa) the number of employment authorized individuals who received further action notices, contested such notices, and were subsequently found to be employment authorized; by

''(bb) the number of System inquiries submitted for employment authorized individuals.

''(III) ERROR RATE DETERMINATION.—The audits required under this clause shall—

''(aa) determine the error rate for identity determinations pursuant to subsection (c)(1)(F) for individuals presenting their true identities in the same manner and applying the same standards as for employment authorization; and

''(bb) include recommendations, as provided in subclause (I), but no reduction in fines pursuant to subclause (IV).

''(IV) REDUCTION OF PENALTIES FOR RECORDKEEPING OR VERIFICATION PRACTICES FOLLOWING PERSISTENT SYSTEM INACCURACIES.—Notwithstanding subsection (e)(4)(C)(i), in any calendar year following a report by the Inspector General under subclause (I) that the System had an error rate higher than 0.3 percent for the previous fiscal year, the civil penalty assessable by the Secretary or an administrative law judge under that subsection for each first-time violation by an employer who has not previously been penalized under this section may not exceed $1,000.

''(iv) RECORDS SECURITY PROGRAM.—Any person, including a private third party vendor, who retains document verification or System data pursuant to this section shall implement an effective records security program that—

''(I) ensures that only authorized personnel have access to document verification or System data; and

''(II) ensures that whenever such data is created, completed, updated, modified, altered, or corrected in electronic format, a secure record is created that establishes the date of access, the identity of the individual who accessed the electronic record, and the particular action taken.

''(v) RECORDS SECURITY PROGRAM.—In addition to the security measures described in clause (iv), a private third party vendor who retains document verification or System data pursuant to this section shall implement an effective records security program that—

''(I) provides for backup and recovery of any records maintained in electronic format to protect against information loss, such as power interruptions; and

''(II) ensures that employees are trained to minimize the risk of unauthorized or accidental alteration or erasure of such data in electronic format.

''(vi) AUTHORIZED PERSONNEL DEFINED.—In this subparagraph, the term authorized personnel means anyone registered as a System

user, or anyone with partial or full responsibility for completion of employment authorization verification or retention of data in connection with employment authorization verification on behalf of an employer.

''(D) AVAILABLE FACILITIES AND ALTERNATIVE ACCOMMODATIONS.—The Secretary shall make appropriate arrangements and develop standards to allow employers or employees, including remote hires, who are otherwise unable to access the System to use electronic and telephonic formats (including video conferencing, scanning technology, and other available technologies), Federal Government facilities, public facilities, or other available locations in order to utilize the System.

''(E) RESPONSIBILITIES OF THE SECRETARY.—

''(i) IN GENERAL.—As part of the System, the Secretary shall maintain a reliable, secure method, which, operating through the System and within the time periods specified, compares the name, alien identification or authorization number, or other information as determined relevant by the Secretary, provided in an inquiry against such information maintained or accessed by the Secretary in order to confirm (or not confirm) the validity of the information provided, the correspondence of the name and number, whether the alien has employment authorized status (or, to the extent that the Secretary determines to be feasible and appropriate, whether the records available to the Secretary verify the identity or status of a national of the United States), and such other information as the Secretary may prescribe.

''(ii) PHOTOGRAPH DISPLAY.—As part of the System, the Secretary shall establish a reliable, secure method, which, operating through the System, displays the digital photograph described in subparagraph (B)(viii)(I).

''(iii) TIMING OF NOTICES.—The Secretary shall have authority to prescribe when a confirmation, nonconfirmation, or further action notice shall be issued.

''(iv) USE OF INFORMATION.—The Secretary shall perform regular audits under the System, as described in subparagraph (B)(vi) and shall utilize the information obtained from such audits, as well as any information obtained from the Commissioner pursuant to part E of title XI of the Social Security Act (42 U.S.C. 1301 et seq.), for the purposes of this section and to administer and enforce the immigration laws.

''(v) IDENTITY FRAUD PROTECTION.—To prevent identity fraud, not later than 18 months after the date of the enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, the Secretary shall—

''(I) in consultation with the Commissioner, establish a program to provide a reliable, secure method for an individual to temporarily suspend or limit the use of the individual's social security account number or other identifying information for verification by the System; and

''(II) for each individual being verified through the System—

''(aa) notify the individual that the individual has the option to limit the use of the individual's social security account number or other identifying information for verification by the System; and

''(bb) provide instructions to the individuals for exercising the option referred to in item (aa).

''(vi) ALLOWING PARENTS TO PREVENT THEFT OF THEIR CHILD'S IDENTITY.—The Secretary, in consultation with the Commissioner, shall establish a program that provides a reliable, secure method by which parents or legal guardians may suspend or limit the use of the social security account number or other identifying information of a minor under their care for the purposes of the System. The Secretary may implement the program on a limited pilot program basis before making it fully available to all individuals.

''(vii) PROTECTION FROM MULTIPLE USE.—The Secretary and the Commissioner shall establish a procedure for identifying and handling a situation in which a social security account number has been identified to be subject to unusual multiple use in the System or is otherwise suspected or determined to have been compromised by identity fraud. Such procedure shall include notifying the legitimate holder of the social security number at the appropriate time.

''(viii) MONITORING AND COMPLIANCE UNIT.—The Secretary shall establish or designate a monitoring and compliance unit to detect and reduce identity fraud and other misuse of the System.

''(ix) CIVIL RIGHTS AND CIVIL LIBERTIES ASSESSMENTS.—

''(I) REQUIREMENT TO CONDUCT.—The Secretary shall conduct regular civil rights and civil liberties assessments of the System, including participation by employers, other private entities, and Federal, State, and local government entities.

''(II) REQUIREMENT TO RESPOND.—Employers, other private entities, and Federal, State, and local entities shall timely respond to any request in connection with such an assessment.

''(III) ASSESSMENT AND RECOMMENDATIONS.—The Officer for Civil Rights and Civil Liberties of the Department shall review the results of each such assessment and recommend to the Secretary any changes necessary to improve the civil rights and civil liberties protections of the System.

''(F) GRANTS TO STATES.—

''(i) IN GENERAL.—The Secretary shall create and administer a grant program to help provide funding for reimbursement of the actual costs to States that grant—

''(I) the Secretary access to driver's license information as needed to confirm that a driver's license presented under subsection (c)(1)(D)(i) confirms the identity of the subject of the System check, and that a driver's license matches the State's records; and

''(II) such assistance as the Secretary may request in order to resolve further action notices or nonconfirmations relating to such information.

''(ii) CONSTRUCTION WITH THE DRIVER'S PRIVACY PROTECTION ACT OF 1994.—The provision of a photograph to the Secretary as described in clause (i) may not be construed as a violation of section 2721 of title 18, United States Code, and is a permissible use under subsection (b)(1) of that section.

''(iii) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary, from the Comprehensive Immigration Reform Trust Fund established under section 6(a)(1), $500,000,000 to carry out this subparagraph.

''(G) RESPONSIBILITIES OF THE SECRETARY OF STATE.—As part of the System, the Secretary of State shall provide to the Secretary access to passport and visa information as needed to confirm that a passport, passport card, or visa presented under subsection (c)(1)(C) confirms the identity of the subject of the System check, and that a passport, passport card, or visa photograph matches the Secretary of State's records, and shall provide such assistance as the Secretary may request in order to resolve further action notices or nonconfirmations relating to such information.

''(H) UPDATING INFORMATION.—The Commissioner, the Secretary, and the Secretary of State shall update their information in a manner that promotes maximum accuracy and shall provide a process for the prompt correction of erroneous information.

''(9) LIMITATION ON USE OF THE SYSTEM.—Notwithstanding any other provision of law, no department, bureau, or other agency of the United States Government or any other entity shall utilize, share, or transmit any information, database, or other records assembled under this subsection for any purpose other than for employment verification or to ensure secure, appropriate and nondiscriminatory use of the System.

''(10) ANNUAL REPORT AND CERTIFICATION.—Not later than 18 months after the promulgation of regulations to implement this subsection, and annually thereafter, the Secretary shall submit to Congress a report that includes the following:

''(A) An assessment, as submitted to the Secretary by the Inspector General of the Department of Homeland Security pursuant to paragraph (8)(C)(iii)(I), of the accuracy rates of further action notices and other System notices provided by employers to individuals who are authorized to be employed in the United States.

''(B) An assessment, as submitted to the Secretary by the Inspector General of the Department of Homeland Security pursuant to paragraph (8)(C)(iii)(I), of the accuracy rates of further action notices and other System notices provided directly (by the System) in a timely fashion to individuals who are not authorized to be employed in the United States.

''(C) An assessment of any challenges faced by small employers in utilizing the System.

''(D) An assessment of the rate of employer noncompliance (in addition to failure to provide required notices in a timely fashion) in each of the following categories:

''(i) Taking adverse action based on a further action notice.

''(ii) Use of the System for nonemployees or other individuals before they are offered employment.

''(iii) Use of the System to reverify employment authorized status of current employees except if authorized to do so.

''(iv) Use of the System selectively, except in cases in which such use is authorized.

''(v) Use of the System to deny employment or post-employment benefits or otherwise interfere with labor rights.

''(vi) Requiring employees or applicants to use any self-verification feature or to provide self-verification results.

''(vii) Discouraging individuals who receive a further action notice from challenging the further action notice or appealing a determination made by the System.

''(E) An assessment of the rate of employee noncompliance in each of the following categories:

''(i) Obtaining employment when unauthorized with an employer complying with the System in good faith.

''(ii) Failure to provide required documents in a timely manner.

''(iii) Attempting to use fraudulent documents or documents not related to the individual.

''(iv) Misuse of the administrative appeal and judicial review process.

''(F) An assessment of the amount of time taken for—

''(i) the System to provide the confirmation or further action notice;

''(ii) individuals to contest further action notices;

''(iii) the System to provide a confirmation or nonconfirmation of a contested further action notice;

''(iv) individuals to file an administrative appeal of a nonconfirmation; and

''(v) resolving administrative appeals regarding nonconfirmations.

''(11) ANNUAL GAO STUDY AND REPORT.—

''(A) REQUIREMENT.—The Comptroller General shall, for each year, undertake a study to evaluate the accuracy, efficiency, integrity, and impact of the System.

''(B) REPORT.—Not later than 18 months after the promulgation of regulations to implement this subsection, and yearly thereafter, the Comptroller General shall submit to Congress a report containing the findings of the study carried out under this paragraph. Each such report shall include, at a minimum, the following:

''(i) An assessment of System performance with respect to the rate at which individuals who are eligible for employment in the United States are correctly approved within the required periods, including a separate assessment of such rate for naturalized United States citizens, nationals of the United States, and aliens.

''(ii) An assessment of the privacy and confidentiality of the System and of the overall security of the System with respect to cybertheft and theft or misuse of private data.

''(iii) An assessment of whether the System is being implemented in a manner that is not discriminatory or used for retaliation against employees.

''(iv) An assessment of the most common causes for the erroneous issuance of nonconfirmations by the System and recommendations to correct such causes.

''(v) The recommendations of the Comptroller General regarding System improvements.

''(vi) An assessment of the frequency and magnitude of changes made to the System and the impact on the ability for employers to comply in good faith.

''(vii) An assessment of the direct and indirect costs incurred by employers in complying with the System, including costs associated with retaining potential employees through the administrative appeals process and receiving a nonconfirmation.

''(viii) An assessment of any backlogs or delays in the System providing the confirmation or further action notice and impacts to hiring by employers.

''(ix) An assessment of the effect of the identity authentication mechanism and any other security measures set forth in subsection (c)(1)(F)(iv) to verify identity incorporated into the System or otherwise used by employers on employees.

''(12) OUTREACH AND PARTNERSHIP.—

''(A) OUTREACH.—The Secretary is authorized to conduct outreach and establish programs to assist employers in verifying employment authorization and preventing identity fraud.

''(B) PARTNERSHIP INITIATIVE.—The Secretary may establish partnership initiatives between the Federal Government and private sector employers to foster cooperative relationships and to strengthen overall hiring practices.''.

(c) TAXPAYER ADDRESS INFORMATION.—Section 6103(m) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(8) TAXPAYER ADDRESS INFORMATION FURNISHED TO SECRETARY OF HOMELAND SECURITY.—Upon written request from the Secretary of Homeland Security, the Secretary shall disclose the mailing address of any taxpayer who is entitled to receive a notification from the Secretary of Homeland Security pursuant to paragraphs (1)(C) and (8)(E)(vii) of section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)) for use only by employees of the Department of Homeland for the purpose of mailing such notification to such taxpayer.''.

(d) SOCIAL SECURITY ACCOUNT STATEMENTS.—Section 1143(a)(2) of the Social Security Act (8 U.S.C. 1320b–13(a)(2)) is amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(F) to the extent resources are available, information in the Commissioner's records indicating that a query was submitted to the employment verification system established under section 274A (d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)) under that individual's name or social security number; and

''(G) a toll-free telephone number operated by the Department of Homeland Security for employment verification system inquiries and a link to self-verification procedure established under section 274A(d)(4)(I) of such Act.''.

(e) GOOD FAITH COMPLIANCE.—Section 274B(a) (8 U.S.C. 1324b(a)), as amended by section 3105(a) of this Act, is further amended by adding at the end the following:

''(10) TREATMENT OF CERTAIN VIOLATIONS AFTER REASONABLE STEPS IN GOOD FAITH.—Notwithstanding paragraphs (4), (6), and (7), a person, other entity, or employment agency shall not be liable for civil penalties described in section 274B(g)(2)(B)(iv) that are related to a violation of any such paragraph if the person, entity, or employment agency has taken reasonable steps, in good faith, to comply with such paragraphs at issue, unless the person, other entity, or employment agency—

''(A) was, for similar conduct, subject to—

''(i) a reasonable cause determination by the Office of Special Counsel for Immigration Related Unfair Employment Practices; or

''(ii) a finding by an administrative law judge that a violation of this section has occurred; or

''(B) committed the violation in order to interfere with 'workplace rights' (as defined in section 274A(b)(8)).

''(11) GOOD FAITH.—As used in paragraph (10), the term 'good faith' shall not include any action taken in order to interfere with 'workplace rights' (as defined in section 274A(b)(8)). Neither the Office of Special Counsel nor an administrative law judge hearing a claim under this section shall have any authority to assess workplace rights other than those guaranteed under this section.

''(12) RULES OF CONSTRUCTION.—Nothing in this section may be construed—

''(A) to permit the Office of Special Counsel for Immigration-Related Unfair Employment Practices or an administrative law judge hearing a claim under this Section to enforce any workplace rights other than those guaranteed under this section; or

''(B) to prohibit any person, other entity, or employment agency from using an identity verification system, service, or method (in addition to the employment verification system described in section 274A(d)), until the date on which the employer is required to participate in the System under section 274A(d)(2) and the additional security measures mandated by section 274A(c)(F)(iv) have become available to verify the identity of a newly hired employee, if such system—

''(i) is used in a uniform manner for all newly hired employees;

''(ii) is not used for the purpose or with the intent of discriminating against any individual;

''(iii) provides for timely notice to employees run through the system of a mismatch or failure to confirm identity; and

''(iv) sets out procedures for employees run through the system to resolve a mismatch or other failure to confirm identity.

''(13) LIABILITY.—A person, entity, or employment agency that uses an identity verification system, service, or method in a way that conflicts with the requirements set forth in paragraph (10) shall be subject to liability under paragraph (4)(I).''.

(f) MAINTENANCE OF REASONABLE LEVELS OF SERVICE AND ENFORCEMENT.—Notwithstanding section 3301(b)(1), amounts appropriated pursuant to such section shall be used to maintain reasonable levels of service and enforcement rather than a specific numeric increase in the number of Department personnel dedicated to administering the Employment Verification System.

SA 1729. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 1705 submitted by Ms. COLLINS (for herself and Mr. KING) and intended to be proposed to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1, strike lines 2 through 8 and insert the following:

SEC. ___. LOGGING EMPLOYMENT.

(a) DEFINITION OF AGRICULTURAL EMPLOYMENT.—The definition of ''agricultural employment'' in section 218A(a)(1) of the Immigration and Nationality Act, as added by section 2232, shall be implemented to includes logging employment, as described in section 655.103(c)(4)of title 20, Code of Federal Regulations, as in effect on the date of the enactment of this Act.

(b) JOB CATEGORIES.—Section 218A(f)(2)(A) of the Immigration and Nationality Act, as added by section 2232, shall be implemented as if it included at the end the following:

''(vii) Logging Workers (45-4020).''.

(c) DETERMINATION OF WAGE RATE.—Section 218A(f)(3)(C) of the Immigration and Nationality Act, as added by section 2232, shall be administered as to require the Secretary, in consultation with the Secretary of Labor, to establish the required wage for the next calendar year for Logging Workers (45-4020).

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SA 1730. Mr. REID submitted an amendment intended to be proposed to amendment SA 1664 submitted by Mr. REID and intended to be proposed to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike ''8 days'' and insert ''13 days''

SA 1731. Mr. REID submitted an amendment intended to be proposed to amendment SA 1664 submitted by Mr.

REID and intended to be proposed to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike ''8 days'' and insert ''15 days''

SA 1732. Mr. REID submitted an amendment intended to be proposed to amendment SA 1664 submitted by Mr. REID and intended to be proposed to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike ''8 days'' and insert ''14 days''

SA 1733. Ms. LANDRIEU (for herself, Ms. HIRONO, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 1406 submitted by Ms. LANDRIEU and intended to be proposed to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. BEST INTEREST OF THE CHILD.

(a) IN GENERAL.—In all procedures and decisions concerning unaccompanied alien children that are made by a Federal agency or a Federal court pursuant to the Immigration and Nationality Act (8 U.S.C. 1101 et seq.) or regulations implementing the Act, the best interests of the child shall be a primary consideration.

(b) DETERMINATIONS RELATED TO SECTION 101(A)(27)(J) OF THE IMMIGRATION AND NATIONALITY ACT.—Best interests determinations made in administrative or judicial proceedings described in section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)) shall be conclusive in assessing the best interests of the child under this section.

(c) FACTORS.—In assessing the best interests of the child, the entities referred to in subsection (a) shall consider, in the context of the child's age and maturity, the following factors:

(1) The views of the child.

(2) The safety and security considerations of the child.

(3) The mental and physical health of the child.

(4) The parent-child relationship and family unity, and the potential effect of separating the child from the child's parent or legal guardian, siblings, and other members of the child's extended biological family.

(5) The child's sense of security, familiarity, and attachments.

(6) The child's well-being, including the need of the child for education and support related to child development.

(7) The child's ethnic, religious, and cultural and linguistic background.

SA 1734. Ms. LANDRIEU (for herself and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 1406 submitted by Ms. LANDRIEU and intended to be proposed to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 4225. SMALL BUSINESS EXPRESS LANE.

Section 212(n) of the Immigration and Nationality Act (8 U.S.C. 1182(n)), as amended by section 4231, is amended by adding at the end the following:

''(8)(A) The Secretary shall establish a small business express lane for the H-1B visa application process, under which the Secretary—

''(i) may waive the fee for premium processing under section 286(u) for a business that—

''(I) is considered a small business with not more than 25 employees;

''(II) is not considered an H-1B dependent employer; and

''(III) reports a business income on the tax filings for the previous year of not more than $250,000; and

''(ii) shall, to the extent practicable, create or modify an online interface capable of providing real time feedback and error mitigation technology that can be used by small businesses and other employers with the purpose of increasing employer access in streamlining the H-1B visa application process.

''(B) The total amount of fees waived during a fiscal year by the Secretary under subparagraph (A)(i) shall be added to the projected cost for the service in the following fiscal year and a revised fee shall be established based on the projected cost.

''(C) The Secretary shall, to the extent practicable, create an online interface and mobile application that can be used by small businesses and other employers with the purpose of increasing employer access in streamlining the H-1B visa application process.

''(D)(i) The Secretary, in coordination with the Administrator of the Small Business Administration, shall set a goal of not less than 30 percent of H-1B visas being awarded to small businesses.

''(ii) Of the goal amount described in clause (i)—

''(I) ⅓ of the goal shall be reserved for businesses with not more than 25 employees; and

''(II) ⅔ of the goal may be used by businesses with not more than 500 employees.

''(iii) The goal described in clause (i) may be modified by the Secretary, in consultation with the Administrator of the Small Business Administration, based on any feedback provided by the Office of Advocacy of the Small Business Administration.

''(E) The Bureau of Immigration and Labor Market Research shall submit a report, on an annual basis, to the Committee on the Judiciary of the Senate, the Small Business and Entrepreneurship Committee of the Senate, the Committee on the Judiciary of the House of Representatives, and the Small Business and Entrepreneurship Committee of the House of Representatives that contains—

''(i) the total number of H-1B visa applications broken down by business size category and expressed as a percentage of the total—

''(I) 0–25 employees;

''(II) 26–50 employees;

''(III) 50–100 employees;

''(IV) 100–500 employees; or

''(V) more than 500 employees;

''(ii) the total number of H-1B visa applications broken down by North American Industry Classification System (NAICS) Code and expressed as a percentage of the total; and

''(iii) the percentage and number of—

''(I) small businesses to apply for H-1B visas;

''(II) small businesses awarded H-1B visas;

''(III) small businesses that used the premium processing service;

''(IV) all businesses that used the premium processing service and were awarded H-1B visas; and

''(V) all businesses that did not use the premium processing service and were awarded H-1B visas; and

''(iv) a longitudinal and graphical view of the small business percentages described in subparagraph (D) and this subparagraph.

''(F) Beginning 4 years after the date of enactment of the Border Security, Economic Opportunity, and Immigration Modernization Act, and every 4 years thereafter, as part of the report submitted under subparagraph (E), the Bureau of Immigration and Labor Market Research shall include description of the impact of the application process on the on small business, which shall take into consideration—

''(i) the cost to apply for the visas;

''(ii) the impact of the fee waiver under subparagraph (A)(i) on small businesses; and

''(iii) recommendations for streamlining the application process, including recommended modifications and updates to the online user interface and mobile application.''.

SA 1735. Ms. LANDRIEU (for herself, Mrs. SHAHEEN, Mr. FRANKEN, and Mr. COATS) submitted an amendment intended to be proposed to amendment SA 1406 submitted by Ms. LANDRIEU and intended to be proposed to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

(c) REPORT ON IMPACT OF THE SYSTEM ON EMPLOYERS.—Not later than 18 months after the date of the enactment of this Act, the Secretary, in consultation with the Chief Counsel of the Office of Advocacy of the Small Business Administration, shall submit to Congress a report that assesses—

(1) the implementation of the Employment Verification System established under section 274A(d) of the Immigration and Nationality Act, as amended by subsection (a), by employers;

(2) any adverse impact on the revenues, business processes, or profitability of employers required to use such System; and

(3) the economic impact of such System on small businesses.

(d) GOVERNMENT ACCOUNTABILITY OFFICE STUDY OF THE EFFECTS OF DOCUMENT REQUIREMENTS ON EMPLOYMENT AUTHORIZED PERSONS AND EMPLOYERS.—

(1) STUDY.—The Comptroller General of the United States shall carry out a study of—

(A) the effects of the documentary requirements of section 274A of the Immigration and Nationality Act, as amended by subsection (a), on employers, naturalized United States citizens, nationals of the United States, and individuals with employment authorized status; and

(B) the challenges such employers, citizens, nationals, or individuals may face in obtaining the documentation required under that section.

(2) REPORT.—Not later than 4 years after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the findings of the study carried out under paragraph (1). Such report shall include, at a minimum, the following:

(A) An assessment of available information regarding the number of working age nationals of the United States and individuals who

have employment authorized status who lack documents required for employment by such section 274A.

(B) A description of the additional steps required for individuals who have employment authorized status and do not possess the documents required by such section 274A to obtain such documents.

(C) A general assessment of the average financial costs for individuals who have employment authorized status who do not possess the documents required by such section 274A to obtain such documents.

(D) A general assessment, conducted in consultation with the Chief Counsel of the Office of Advocacy of the Small Business Administration, of the average financial costs and challenges for employers who have been required to participate in the Employment Verification System established by subsection (d) of such section 274A.

(E) A description of the barriers to individuals who have employment authorized status in obtaining the documents required by such section 274A, including barriers imposed by the executive branch of the Government.

(F) Any particular challenges facing individuals who have employment authorized status who are members of a federally recognized Indian tribe in complying with the provisions of such section 274A.

(e) EARLY ADOPTION FOR SMALL EMPLOYERS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall create a mobile application and utilize other available smart-phone technology for employers utilizing the System, to encourage small employers to utilize the System prior to the time at which utilization becomes mandatory for all employers.

(2) MARKETING.—Not later than 1 year after the date of enactment of this Act, the Secretary shall, in consultation with the Administrator of the Small Business Administration, make available marketing and other incentives to small business concerns to encourage small employers to utilize the System prior to the time at which utilization of the System becomes mandatory for all employers.

SA 1736. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 1406 submitted by Ms. LANDRIEU and intended to be proposed to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3717. COST EFFECTIVENESS IN DETENTION FACILITY CONTRACTING.

The Director of U.S. Immigration and Customs Enforcement shall take appropriate measures to minimize, and if possible reduce, the daily bed rate charged to the Federal Government through a competitive process in contracting for or otherwise obtaining detention beds while ensuring that the most recent detention standards, including health standards, and management practices employed by the agency are met.

SA 1737. Ms. LANDRIEU (for herself and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 1406 submitted by Ms. LANDRIEU and intended to be proposed to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

(j) REPORTS.—

(1) REQUIREMENT FOR REPORTS.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a report on the EB-5 program carried out pursuant to section 203(b)(5) of the Immigration and Nationality (8 U.S.C. 1153(b)(5)), as amended by this section.

(2) CONTENT.—Each report required by paragraph (1) shall include the following:

(A) The number of applications pending for an immigrant visa described in section 203(b)(5) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5)), disaggregated by State.

(B) The period of time each such application has been pending.

(C) The average length of time required to conduct an economic evaluation of a project and suitability of a petitioner for such a visa and the Secretary's goals for these timeframes.

(D) A description of any additional resources necessary to efficiently administer the EB-5 program carried out pursuant to such section 203(b)(5).

(E) The number of applications that have been approved or denied for such a visa in the most recent reporting period with an accompanying explanation of reasons for such approval or denial, disaggregated by State.

(F) The number of jobs created by such EB-5 program in each 180-day period, disaggregated by State.

(G) The types of projects proposed and the number of aliens granted such a visa in each 180-day period, disaggregated by State and by North American Industry Classification System (NAICS) code.

SA 1738. Ms. LANDRIEU (for herself, Mr. CARPER, Mr. BEGICH, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 1406 submitted by Ms. LANDRIEU and intended to be proposed to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

(d) DONATIONS FOR LAND PORTS OF ENTRY FACILITIES.—

(1) DONATIONS PERMITTED.—Notwithstanding any other provision of law, including chapter 33 of title 40, United States Code, the Secretary, for purposes of constructing, altering, operating, or maintaining a new or existing land port of entry facility, may accept donations of real and personal property (including monetary donations) and nonpersonal services from private parties and State and local government entities.

(2) ALLOWABLE USES OF DONATIONS.—The Secretary, with respect to any donation provided pursuant to paragraph (1), may—

(A) use such property or services for necessary activities related to the construction, alteration, operation, or maintenance of a new or existing land port of entry facility under the custody and control of the Secretary, including expenses related to—

(i) land acquisition, design, construction, repair and alteration;

(ii) furniture, fixtures, and equipment;

(iii) the deployment of technology and equipment; and

(iv) operations and maintenance; or

(B) transfer such property or services to the Administrator of General Services for necessary activities described in paragraph (1) related to a new or existing land port of entry facility under the custody and control of the Administrator.

(3) EVALUATION PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in consultation with the Administrator, shall establish procedures for evaluating a proposal submitted by any person described in paragraph (1) to make a donation of real or personal property (including monetary donations) or nonpersonal services to facilitate the construction, alteration, operation, or maintenance of a new or existing land port of entry facility under the custody and control of the Secretary.

(4) CONSIDERATIONS.—In determining whether or not to approve a proposal described in paragraph (3), the Secretary or the Administrator shall consider—

(A) the impact of the proposal on reducing wait times at that port of entry and other ports of entry on the same border;

(B) the potential of the proposal to increase trade and travel efficiency through added capacity;

(C) the potential of the proposal to enhance the security of the port of entry; and

(D) other factors that the Secretary determines to be relevant.

(5) CONSULTATION.—

(A) LOCATIONS FOR NEW PORTS OF ENTRY.—The Secretary is encouraged to consult with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of State, the International Boundary and Water Commission, and appropriate representatives of States, local governments, Indian tribes, and property owners—

(i) to determine locations for new ports of entry; and

(ii) to minimize the adverse impacts from such ports on the environment, historic and cultural resources, commerce, and the quality of life for the communities and residents located near such ports.

(B) SAVINGS PROVISION.—Nothing in this paragraph may be construed—

(i) to create any right or liability of the parties described in subparagraph (A); and

(ii) to affect any consultation requirement under any other law.

(6) SUPPLEMENTAL FUNDING.—Property (including monetary donations) and services provided pursuant to paragraph (1) may be used in addition to any other funding (including appropriated funds), property, or services made available for the same purpose.

(7) UNCONDITIONAL DONATIONS.—A donation provided pursuant to paragraph (1) shall be made unconditionally, although the donor may specify—

(A) the land port of entry facility or facilities to be benefitted from such donation; and

(B) the timeframe during which the donated property or services shall be used.

(8) RETURN OF DONATIONS.—If the Secretary or the Administrator does not use the property or services donated pursuant to paragraph (1) for the specific land port of entry facility or facilities designated by the donor or within the timeframe specified by the donor, such donated property or services shall be returned to the entity that made the

donation. No interest shall be owed to the donor with respect to any donation of funding provided under paragraph (1) that is returned pursuant to this paragraph.

(9) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary, in consultation with the Administrator, shall submit a report to the congressional committees listed in subparagraph (B) that describes—

(i) the accepted donations received under this subsection;

(ii) the ports of entry that received such donations; and

(iii) how each donation helped facilitate the construction, alteration, operation, or maintenance of a new or existing land port of entry.

(B) CONGRESSIONAL COMMITTEES.—The congressional committees listed in this subparagraph are—

(i) the Committee on Appropriations of the Senate;

(ii) the Committee on Homeland Security and Governmental Affairs of the Senate;

(iii) the Committee on Finance of the Senate;

(iv) the Committee on Appropriations of the House of Representatives;

(v) the Committee on Homeland Security of the House of Representatives; and

(vi) the Committee on Ways and Means of the House of Representatives.

(10) SAVINGS PROVISION.—Nothing in this subsection may be construed to affect or alter the existing authority of the Secretary or the Administrator of General Services to construct, alter, operate, and maintain land port of entry facilities.

(e)

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 26, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''From the Lab Bench to the Courtroom: Advancing the Science and Standards of Forensics.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on June 26, 2013, at 10 a.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Health Care Quality: The Path Forward.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on June 26, 2013, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. LEAHY. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on June 26, 2013, to conduct a hearing entitled ''Renewing the Conversation: Respecting Patients' Wishes and Advance Care Planning.''

The Committee will meet in room 124 of the Dirksen Senate Office Building beginning at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELATING TO THE ONGOING CONFLICT IN THE DEMOCRATIC REPUBLIC OF THE CONGO

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 93, S. Res. 144.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 144) concerning the ongoing conflict in the Democratic Republic of the Congo and the need for international efforts supporting long-term peace, stability, and observance of human rights.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the resolving clause and insert the part printed in italic, as follows:

S. RES. 144

Resolved, That the Senate—

(1) commends United Nations Secretary-General Ban Ki-Moon's commitment and leadership to resolving the crisis in the Democratic Republic of the Congo and his appointment of Mary Robinson as United Nations Special Envoy to the Great Lakes;

(2) supports the commitments agreed to by the signatories of the Peace, Security and Cooperation (in this resolution, the ''Framework''), and encourages them to work closely with the United Nations, the African Union, the International Conference on the Great Lakes Region, the Southern African Development Community, as guarantors of the Framework, and the United Nations Special Envoy, MONUSCO, and relevant international bodies and governments to develop, implement, and enforce a comprehensive peace process for the region;

(3) notes that the adoption of the Framework, the appointment of Mary Robinson as United Nations Special Envoy to the Great Lakes, and the expanded MONUSCO mandate provide an opportunity to make meaningful and sustained progress toward ending the recurrent cycles of violence in the Democratic Republic of the Congo, especially in eastern Congo;

(4) urges the signatories of the Framework and the international community to engage and consult with representatives of the Government of the Democratic Republic of the Congo and civil society representatives engaged in the ongoing effort to convene an inclusive national forum and dialogue;

(5) welcomes the announcement by World Bank President Jim Yong Kim of $1,000,000,000 in proposed new funding to help the Democratic Republic of the Congo and other countries in the Great Lakes region to provide better health and education services, generate more cross-border trade, and to fund hydroelectricity projects in support of the Framework agreement;

(6) welcomes the appointment of Russ Feingold as the United States Special Envoy for the African Great Lakes region and the Democratic Republic of the Congo and urges him to advance United States, international, and regional efforts to end the conflict and secure sustainable peace, stability, and safety for the people of the Democratic Republic of the Congo by—

(A) working with United Nations Special Envoy Mary Robinson and the broader international community to promote a transparent and inclusive process to implement the regional and national commitments under the Framework, including the development of clear benchmarks for progress and appropriate follow-on measures;

(B) strengthening international efforts to mobilize and support justice for victims and accountability for perpetrators of sexual and gender based violence and other human rights abuses in the Democratic Republic of the Congo;

(C) expanding efforts to develop conflict-free and responsible mining and supply chains for the region's vast mineral resources, in coordination with other government, private industry, and international and local organizations;

(D) coordinating with international and regional partners to expand unhindered access to life-saving humanitarian assistance to populations in need, particularly displaced persons and conflict-affected communities;

(E) pressing for fulfillment of the commitment of the Government of the Democratic Republic of the Congo, as well as other regional actors, to ending the threat posed by the M23, the Lord's Resistance Army (LRA), the Democratic Forces for the Liberation of Rwanda (FDLR), and other armed groups in the Great Lakes region, and to facilitate enhanced coordination of regional efforts to counter these groups; and

(F) mobilizing and facilitating United States and international support for electoral reforms in the Democratic Republic of the Congo, with the goal of encouraging free, fair, and credible provincial and local elections in the near-term, and presidential elections in 2016;

(7) calls on the President, in close coordination with international and regional partners, to work with the Government of the Democratic Republic of the Congo to develop and implement recommendations to improve accountability for serious violations of international humanitarian law and human rights abuses in the Democratic Republic of the Congo, including by considering imposition of sanctions authorized under section 1284 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 50 U.S.C. 1701 note);

(8) calls on governments of the Great Lakes region of Africa to immediately halt and prevent any and all forms of support to non-state armed groups, including support provided by individuals independent of government policy;

(9) calls on all relevant nations, including destination and transit countries, to increase cooperation on ending the illicit trade in conflict minerals, wildlife, and wildlife parts, which continues to fuel and fund violence and to deprive citizens of economic opportunity in the Democratic Republic of the Congo and the broader region;

(10) calls on the signatories of the Framework to cooperate in the arrest and prosecution of those responsible for violating international humanitarian law and for serious human rights violations, including gender-based violence;

(11) calls on the Government of the Democratic Republic of the Congo to engage in meaningful and inclusive electoral reforms, prepare

and hold impartially administered local and provincial elections as soon as technically possible, continue to participate in ongoing efforts to provide a platform for inclusive dialogue within the Democratic Republic of the Congo to address critical internal political issues at the local and national levels, and strengthen processes of state institution building;

(12) calls on the Government of the Democratic Republic of the Congo, in coordination with the international community, to undertake significant security sector reform, which is a necessary component for lasting stability, and renewed disarmament, demobilization, and reintegration (DDR) efforts that ensure that any rebel troops, especially commanders, responsible for human rights violations are held accountable and not reintegrated into the Armed Forces of the Democratic Republic of the Congo (FARDC); and

(13) urges the Government of the Democratic Republic of the Congo to improve efforts to protect civilians from armed groups, in cooperation with MONUSCO and the African Union's Regional Cooperation Initiative on the LRA.

Mr. REID. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to, the resolution, as amended, be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The committee-reported substitute amendment was agreed to.

The resolution (S. Res. 144), as amended, was agreed to.

The preamble was agreed to.

The resolution, as amended, with its preamble, reads as follows:

S. RES. 144

Whereas, since the 1990s, an estimated 5,000,000 people have died due to repeated cycles of conflict, lack of governance, and atrocities in the Democratic Republic of the Congo, particularly those in North and South Kivu provinces, and, since the beginning of 2012, more than 2,000,000 people have been displaced;

Whereas the United Nations and humanitarian groups have reported staggering rates of sexual violence indicating tens of thousands of cases perpetrated by security forces of the Government of the Democratic Republic of the Congo and non-state armed groups, which continue to operate with nearly total impunity;

Whereas human rights defenders in the Democratic Republic of the Congo have been subject to intimidation and attack;

Whereas the Democratic Republic of the Congo's wealth of natural resources, including minerals, have been a key driver of instability and violence;

Whereas the deeply flawed November 2011 presidential election in the Democratic Republic of the Congo presented significant political, economic, and social challenges, and provincial and local elections still have not been conducted despite plans to hold such elections in 2012;

Whereas the Democratic Republic of the Congo remains subject to recurring conflict despite one of the world's longest-running, largest, and most expensive international peacekeeping operations and extensive bilateral and multilateral efforts to address longstanding humanitarian crises, forge lasting peace, and pursue security sector reform and accountability;

Whereas members of civil society and political parties from both the majority and the opposition in the Democratic Republic of the Congo created the National Preparatory Committee (Comité National Préparatoire or CNP) to lay the groundwork for convening a national forum and dialogue with the goal of putting an end to the multifaceted crisis that afflicts the Democratic Republic of the Congo;

Whereas, on November 15, 2012, the United Nations Group of Experts provided compelling evidence that the crisis in eastern Congo had been fueled and exacerbated by regional actors, including through provision of significant military and logistical assistance and of operational and political support to the armed group known as the M23;

Whereas the United Nations and United States Government have imposed sanctions on the M23 and its leaders for human rights atrocities including rape, massacres, and the recruitment and physical and psychological torture of child soldiers;

Whereas, on March 18, 2013, International Criminal Court (ICC) indictee and leader of a faction of the M23 rebel group, Bosco Ntaganda, turned himself in to the United States Embassy in Kigali, asking to be transferred to the ICC in The Hague, where he voluntarily surrendered on March 22, 2013;

Whereas the Lord's Resistance Army continues to perpetrate attacks against civilian populations in affected areas of northeastern Congo, creating widespread insecurity and displacement;

Whereas the Democratic Republic of the Congo, Rwanda, and 9 other countries on February 24, 2013, signed the Peace, Security and Cooperation Framework that provides for a comprehensive approach to the ongoing conflict;

Whereas the United Nations Security Council adopted Resolution 2098 on March 28, 2013, extending the mandate of the United Nations Organization Stabilization Mission (MONUSCO) and authorizing the creation of an intervention brigade tasked with neutralizing armed groups; and

Whereas, on March 18, 2013, United Nations Secretary-General Ban Ki-Moon appointed former President of Ireland and High Commissioner for Human Rights, Mary Robinson, to serve as Special Envoy for the Great Lakes region: Now, therefore, be it

Resolved, That the Senate—

(1) commends United Nations Secretary-General Ban Ki-Moon's commitment and leadership to resolving the crisis in the Democratic Republic of the Congo and his appointment of Mary Robinson as United Nations Special Envoy to the Great Lakes;

(2) supports the commitments agreed to by the signatories of the Peace, Security and Cooperation (in this resolution, the ''Framework''), and encourages them to work closely with the United Nations, the African Union, the International Conference on the Great Lakes Region, the Southern African Development Community, as guarantors of the Framework, and the United Nations Special Envoy, MONUSCO, and relevant international bodies and governments to develop, implement, and enforce a comprehensive peace process for the region;

(3) notes that the adoption of the Framework, the appointment of Mary Robinson as United Nations Special Envoy to the Great Lakes, and the expanded MONUSCO mandate provide an opportunity to make meaningful and sustained progress toward ending the recurrent cycles of violence in the Democratic Republic of the Congo, especially in eastern Congo;

(4) urges the signatories of the Framework and the international community to engage and consult with representatives of the Government of the Democratic Republic of the Congo and civil society representatives engaged in the ongoing effort to convene an inclusive national forum and dialogue;

(5) welcomes the announcement by World Bank President Jim Yong Kim of $1,000,000,000 in proposed new funding to help the Democratic Republic of the Congo and other countries in the Great Lakes region to provide better health and education services, generate more cross-border trade, and to fund hydroelectricity projects in support of the Framework agreement;

(6) welcomes the appointment of Russ Feingold as the United States Special Envoy for the African Great Lakes region and the Democratic Republic of the Congo and urges him to advance United States, international, and regional efforts to end the conflict and secure sustainable peace, stability, and safety for the people of the Democratic Republic of the Congo by—

(A) working with United Nations Special Envoy Mary Robinson and the broader international community to promote a transparent and inclusive process to implement the regional and national commitments under the Framework, including the development of clear benchmarks for progress and appropriate follow-on measures;

(B) strengthening international efforts to mobilize and support justice for victims and accountability for perpetrators of sexual and gender based violence and other human rights abuses in the Democratic Republic of the Congo;

(C) expanding efforts to develop conflict-free and responsible mining and supply chains for the region's vast mineral resources, in coordination with other government, private industry, and international and local organizations;

(D) coordinating with international and regional partners to expand unhindered access to life-saving humanitarian assistance to populations in need, particularly displaced persons and conflict-affected communities;

(E) pressing for fulfillment of the commitment of the Government of the Democratic Republic of the Congo, as well as other regional actors, to ending the threat posed by the M23, the Lord's Resistance Army (LRA), the Democratic Forces for the Liberation of Rwanda (FDLR), and other armed groups in the Great Lakes region, and to facilitate enhanced coordination of regional efforts to counter these groups; and

(F) mobilizing and facilitating United States and international support for electoral reforms in the Democratic Republic of the Congo, with the goal of encouraging free, fair, and credible provincial and local elections in the near-term, and presidential elections in 2016;

(7) calls on the President, in close coordination with international and regional partners, to work with the Government of the Democratic Republic of the Congo to develop and implement recommendations to improve accountability for serious violations of international humanitarian law and human rights abuses in the Democratic Republic of the Congo, including by considering imposition of sanctions authorized under section 1284 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 50 U.S.C. 1701 note);

(8) calls on governments of the Great Lakes region of Africa to immediately halt

and prevent any and all forms of support to non-state armed groups, including support provided by individuals independent of government policy;

(9) calls on all relevant nations, including destination and transit countries, to increase cooperation on ending the illicit trade in conflict minerals, wildlife, and wildlife parts, which continues to fuel and fund violence and to deprive citizens of economic opportunity in the Democratic Republic of the Congo and the broader region;

(10) calls on the signatories of the Framework to cooperate in the arrest and prosecution of those responsible for violating international humanitarian law and for serious human rights violations, including gender-based violence;

(11) calls on the Government of the Democratic Republic of the Congo to engage in meaningful and inclusive electoral reforms, prepare and hold impartially administered local and provincial elections as soon as technically possible, continue to participate in ongoing efforts to provide a platform for inclusive dialogue within the Democratic Republic of the Congo to address critical internal political issues at the local and national levels, and strengthen processes of state institution building;

(12) calls on the Government of the Democratic Republic of the Congo, in coordination with the international community, to undertake significant security sector reform, which is a necessary component for lasting stability, and renewed disarmament, demobilization, and reintegration (DDR) efforts that ensure that any rebel troops, especially commanders, responsible for human rights violations are held accountable and not reintegrated into the Armed Forces of the Democratic Republic of the Congo (FARDC); and

(13) urges the Government of the Democratic Republic of the Congo to improve efforts to protect civilians from armed groups, in cooperation with MONUSCO and the African Union's Regional Cooperation Initiative on the LRA.

COMMEMORATING THE 50TH ANNIVERSARY OF THE ORGANIZATION OF AFRICAN UNITY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 96, S. Res. 166.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. 166) commemorating the 50th anniversary of the founding of the Organization of African Unity (OAU) and commending its successor, the African Union.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 166) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of Monday, June 10, 2013, under ''Submitted Resolutions.'')

CONGRATULATING CHICAGO BLACKHAWKS ON WINNING 2013 STANLEY CUP

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 187, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 187) congratulating the Chicago Blackhawks on winning the 2013 Stanley Cup.

There being no objection, the Senate proceeded to consider the resolution.

CONGRATULATING THE CHICAGO BLACKHAWKS

Mr. DURBIN. Mr. President, I made a point of not raising this issue when Senator COWAN was in the chair the other day, but I wanted to come to the floor and say a few words about the Chicago Blackhawks.

For the fifth time since 1926 and the second time in four seasons, the Chicago Blackhawks are the Stanley Cup champions. On Monday night, the Blackhawks scored 2 goals in 17 seconds in the third period to win the Stanley Cup finals and to bring Lord Stanley's Cup back home to the city of Chicago.

I want to congratulate team owner Rocky Wirtz, team president John McDonough, general manager Stan Bowman, and head coach Joel Quenneville. I will tell you that Joel Quenneville, a great hockey player in his own right, has been an extraordinary coach and one who has taken a great group of players and brought them to the pinnacle of success when it comes to the National Hockey League.

It was a shortened season, but the Blackhawks made the most of it. They didn't lose a game in regulation in the first 24 games. By the end of the season they had won the President's Trophy, which is awarded to the team with the most points in the NHL.

That doesn't always mean you are successful. Before this season, only seven winners of the President's Trophy won the Stanley Cup. But the Hawks were up to it.

First, they faced the Minnesota Wild—and I heard a lot from Senators KLOBUCHAR and FRANKEN about that contest. We prevailed. Then they went on to face the Detroit Red Wings. They had to win three games in a row and score a goal in an overtime thriller to beat the Red Wings, then faced last year's Stanley Cup champs, the Los Angeles Kings, and they finally earned the right to play the Boston Bruins in the finals. It was a hard-fought contest by two excellent, great teams, and they kept us up late at night. Down 2 to 1, with just over 1 minute to play, the Blackhawks scored two goals to win their second Stanley Cup in the last four seasons.

This year's championship was truly a team effort. The Blackhawks won with contributions up and down the lineup.

MVP Patrick Kane topped the Hawks with 19 points.

Bryan Bickell had 17 points, while Patrick Sharp led all Hawks with 10 goals.

Corey Crawford was tremendous in the net, and the Hawks penalty killers—led by Michael Frolik and Marcus Kruger—were great, only allowing seven goals in 23 games while scoring a pair of shorthanded goals.

The Hawks would also tell you that they couldn't have done it without the support of their fans.

The ''Madhouse on Madison'' was rocking from the very first note of the Star-Spangled Banner and proved to be a difficult environment for opponents with Chicago taking 11 of their 13 home games in the playoffs.

The Blackhawks gave fans several memorable moments throughout their Stanley Cup run, including Brent Seabrook's overtime goal in Game 7 to eliminate the Red Wings, Kane's double-overtime goal to complete a hat trick and eliminate the Kings, Andrew Shaw's triple-overtime goal to win Game 1 of the series against Boston, and now the late-game heroics of Bickell and Dave Bolland to clinch the championship for Chicago.

The Stanley Cup has come home to Chicago and Hawks fans can't wait to celebrate with Captain Jonathan Toews, his teammates, and the 35-pound silver guest of honor.

At 4 a.m. Tuesday morning, hundreds of Hawks fans greeted the team plane at O'Hare, ready to celebrate another NHL championship.

I will tell you that I have witnessed, representing the city of Chicago, some extraordinary fan loyalty. What I have seen from the Chicago Blackhawks over the last 8 weeks has been amazing. You can't walk down Michigan Avenue, State Street, or any neighborhood without running into Blackhawks gear. People are so proud of their team, and now as they parade the Stanley Cup around Chicago it is the front page of every newspaper.

A few years ago when they were the Stanley Cup champions last, the Stanley Cup itself came to the Senate here and I was honored to have it in my office with a parade of visitors coming by to see this magnificent trophy.

Let me say to the Chicago Blackhawks, we are proud of you, proud of the great fans who stood behind you, and looking forward to celebrating this Friday with a great victory parade.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the

preamble be agreed to, and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 187) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

RECOGNIZING THE CENTENNIAL OF LINCOLN HIGHWAY

Mr. REID. I ask unanimous consent that the Senate proceed to S. Res. 188, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 188) recognizing June 30, 2013, as the centennial of the Lincoln Highway.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. FISCHER. Mr. President, I rise today to discuss the Lincoln Highway resolution, which celebrates the centennial of the Nation's first transcontinental highway.

In America, our highways are a part of our heritage. They connect people, transport goods, promote tourism, and support economies.

I developed an appreciation for our highway heritage at an early age from my father, Jerry Strobel. After returning from service in World War II, he dedicated his career to serving Nebraskans at the State Department of Roads. As a civil servant for 45 years, he worked many years as a deputy state engineer and went on to serve as director and State engineer for the Nebraska Department of Roads from 1987 to 1991. He was a member of the Road and Transportation Builders Association and the American Association of State Highway and Transportation Officials.

Just as I have my father to thank for developing my appreciation of roads and bridges, our vital infrastructure, we as a country have Carl Fisher of Indiana to thank for developing our Nation's first transcontinental highway. A century ago, he conceived and promoted the idea of a highway that would ''stimulate as nothing else could the building of enduring highways everywhere that will not only be a credit to the American people but that will also mean much to American agriculture and American commerce.''

Carl Fisher was an early automobile enthusiast who believed ''the automobile won't get anywhere until it has good roads to run on.'' He was zealous in his pursuit of his dream of a coast-to-coast highway, urging many of his friends in the auto industry to help promote the project.

The highway was named for one of Fisher's heroes, President Abraham Lincoln. The first highway to connect our country became the first national memorial to the leader whose courage kept our country connected.

The Lincoln Highway route was dedicated in 1913. Spanning from Times Square in New York City to Lincoln Park in San Francisco, the Lincoln Highway—affectionately known as America's Main Street—originally spanned 3,466 miles through 13 States, including the great State of Nebraska.

The Lincoln Highway brought economic development, tourism, and adventure to every community it touched and served as one of the inspirations for the National Interstate and Defense Highways Act of 1956.

The Lincoln Highway Association will host the official Lincoln Highway 100th Anniversary Tours and Celebration. Two tours will start simultaneously in New York City and San Francisco and meet in Kearney, NE, which is 1,733 miles from both the Atlantic and Pacific coasts.

I am proud the Senate can help commemorate the important role that the Lincoln Highway has played in developing our country's highway heritage by celebrating the centennial of our first transcontinental highway.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 188) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ON THE PASSING OF THE HONORABLE WILLIAM DODD HATHAWAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 189, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 189) relative to the death of the Honorable William Dodd Hathaway, former United States Senator for the State of Maine.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 189) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR THURSDAY, JUNE 27, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, June 27, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of S. 744, the comprehensive immigration reform bill, and the time until 11:30 a.m. be equally divided and controlled between the two managers or their designees, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. So there will be three rollcall votes at about 11:30 a.m. tomorrow on confirmation of the Foxx nomination, on adoption of the committee-reported substitute amendment, and on cloture on S. 744, the comprehensive immigration reform bill.

ORDER FOR ADJOURNMENT

Mr. REID. Following the statements of Senators CHAMBLISS for 15 minutes and Senator SESSIONS for 10 minutes, I ask unanimous consent that the Senate adjourn under the provisions of S. Res. 189 as a further mark of respect to the memory of the late Senator Hathaway of Maine.

Mr. SESSIONS. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Would the majority leader agree to 30 minutes for me before we close up?

Mr. REID. Of course.

Mr. SESSIONS. I thank the majority leader. He is always courteous.

The PRESIDING OFFICER. The request, as modified, is agreed to.

The Senator from Georgia.

IMMIGRATION REFORM

Mr. CHAMBLISS. Mr. President, I rise to speak briefly on the bill before the Senate and more extensively on a section of this bill I have been working on diligently to improve.

First of all, I wish to commend the authors of this bill. I have been through complex legislation before and this is a very complex issue. I know how hard the so-called Gang of 8 has worked. We can't please everybody with any complex piece of legislation, but I think they have done a very credible job of putting together a piece of legislation that at least we could get to the floor for debate.

I think having this bill on the floor is causing us to have a very important debate that is long overdue. We all know our immigration system is broken and we need to fix it. However, I am disappointed we have not been able to have a full and open debate on potential solutions to fix the system. I have stated publicly that I have serious concerns with several provisions in the bill, including some related to border security triggers, interior enforcement, and the program designed to address our agricultural labor workforce. That last topic—agricultural labor—is what I wish to spend the majority of my time discussing tonight.

But before I focus on the ag piece of this bill, I just have to say that I am terribly disappointed and frustrated at the way this bill has played out. I am about to talk for several minutes or so on straightforward, commonsense amendments to the agriculture portion of the bill.

I have been working on ag immigration reform for nearly all of my time in Congress, both in the House and in the Senate. That is a total of going on 19 years. This is an issue I care deeply about because I come from the heart of ag country in south Georgia. But guess what. I am not going to have a chance to vote on any of my amendments, not because they are poison pill amendments—they are not—not because many of my colleagues do not agree with the changes I am suggesting—many actually do. It is because the sanctity of a deal has been given precedence over sound policy. Let me say that again: The sanctity of a deal is being given higher priority over sound policy.

Now, I am not on the Judiciary Committee, and the chairman of the Judiciary Committee was down here a little earlier talking about everybody had the opportunity in committee to file amendments. They had over 300 or so. That is well and good, and I am glad this bill went through regular order. I wish every bill that came to the floor of this Senate would go through that same regular order. But I am also not a Member of the Gang of 8, so I have not had the opportunity to have input on this bill. Nevertheless, I reached out in a constructive way to various folks to try to make some changes to the bill.

I particularly want to thank my colleagues, Senator GRAHAM, Senator RUBIO, Senator BENNET, and Senator SCHUMER and their staffs for working tirelessly and in good faith with me to try to make some improvements to the bill.

I thought we were making progress, and I think actually we did. But now I understand that one or two Members want to prevent this bill from happening, and so I am not going to be given the opportunity to have my amendments called up.

What I can do, and what I will do, is highlight to my colleagues here and to my friends in the House of Representatives who may or may not take up this issue the problems I see with the ag portion of this bill.

The agricultural portion of this bill has not been discussed extensively on the Senate floor, but it is vitally important to all Americans. Farmers and ranchers in the United States produce the highest quality food and fiber in the world. The continued safety of the agricultural goods produced in the United States is an issue not just of convenience but of national security. Due to the importance of food safety, it is critical to know who is handling our Nation's food supply and who is working on our Nation's farms and ranches. Additionally, if our farmers and ranchers cannot access a stable and legal workforce, they will be forced to downsize or eliminate their U.S. operations, and that is happening today. This leads to more of the food we eat being imported from other countries. I want to make sure we do everything we can from a policy standpoint to keep that food and fiber production right here in the United States.

Today the majority of immigrant agricultural workers are undocumented. We need both secure borders and put in place an immigration system that allows those who seek to come to the United States to work in the diverse sectors of the agricultural industry to do so legally. H–2A is the current ag guest worker program in force in the United States today.

I have been working on H–2A reform since I came to Congress not only because Georgia's farmers are among the largest users of the program, but because it is clear to me that the current program is cumbersome and difficult to use, as well as expensive.

My colleagues who drafted this bill have included many reforms to the agricultural guest worker program, and several of these reforms do take a needed step in the right direction. However, there are several areas that remain troublesome to me, and so I am proposing amendments to address some specific areas.

Mr. President, I know the section of this bill focused on agriculture represents a delicate political balance, but we have a responsibility to enact smart policy, and we also have a rare opportunity to replace the cumbersome and largely unworkable H–2A program with something that will truly address the needs of those in agriculture all across the country while ensuring that no American workers are displaced. We also need to ensure that we do not give those undocumented aliens working in one sector of our economy a vast preference over the rest of the illegal population in terms of the pathway to citizenship.

Before I talk about my amendments, I want to give Members of the Senate an understanding of how the agriculture piece of this bill is set up. The ag portion of this bill puts in place a blue card program to transition illegal aliens who have worked in agriculture to lawful permanent resident status.

It also creates a new agriculture guest worker program to replace the current H–2A Program. The blue card program is open to anyone who has worked in agriculture for 575 hours or 100 workdays over the 2-year period of 2010 to 2012.

Let me say that again. If you worked for 575 hours or 100 workdays out of the 730-day period of 2010 to 2012, you qualify for a blue card provided you had that work in agriculture. Frankly, to me, that is a very low threshold.

The general undocumented population covered by our RPI program which is in the base bill has to prove they meet the requirements to gain RPI status by a preponderance of the evidence standard of proof. However, for the blue card program, that undocumented alien only has to prove they worked that very minimal amount in agriculture by the standard of proof called just and reasonable inference. There is no interview required, and no way to verify the person applying for the blue card status actually worked in agriculture. Someone who lives in an area where agricultural work is performed and has evidence of their residence in that area could get a blue card by showing proof of residence and saying they were paid in cash in their agricultural job.

I am afraid the lax standards set out by the bill to qualify for the blue card program will lead to an influx of illegal aliens who worked a minimal amount in agriculture or never even worked in agriculture, to qualify for the program, sending more folks than we need in the agriculture sector to those jobs.

You might say, Why in the world would anyone choose to qualify for the blue card program, since agricultural work is widely viewed as some of the toughest work around and the most demanding work? Well, the answer is pretty simple. It is because the blue card program is a faster, cheaper, easier way to a green card than the RPI program for other undocumented aliens in the base bill.

While the RPI program doesn't allow illegal aliens to get a green card for at least 10 years, under the blue card program, if you are an agricultural worker, you can get a green card in 5 years.

While the RPI program doesn't allow green cards to be issued until certain border triggers are met, the blue card program doesn't require those aliens to wait on that border security piece.

Thirdly, while the RPI program costs a $2,000 fine in addition to processing fees, the blue card program has a cost of $500. The theory behind the blue card program is to incentivize this undocumented population to work in agriculture because it is a critical industry

that traditionally has not attracted many American workers. However, the way the bill is written, there are very minimal agricultural work requirements.

You have to keep in mind that once an alien gets a blue card, they are authorized to work in any job in the United States. They have to meet the minimum work requirements in an agricultural occupation, but otherwise they are free to take any other job in America and are treated as a U.S. worker for hiring purposes.

So what are these work requirements to go through the blue card program and to get a green card? Well, there are two tracks: The illegal alien can work at least 100 days a year in an agricultural operation for 5 years or the alien can work 150 days per year for 3 years. Either way, the alien gets that green card in 5 years. Even the accelerated track requires the alien to work less than half the year in agriculture.

While the alien can work in any other job in the United States, he or she doesn't have to. So, in theory, a blue card holder could work 100 days per year for 5 years in agriculture and be totally unemployed the remainder of the year, and still get a green card in 5 years and still have legal residence inside the United States.

Likewise, the alien could work 150 days per year for 3 years and be totally unemployed the remainder of the time and still get a green card in 5 years. That doesn't seem right—especially when the RPI population is not allowed to be without a job for more than 60 consecutive days. Clearly, the agricultural worker is getting a vast preference over the RPI undocumented workers.

Because of the way the blue card program is set up, I am afraid we are providing too strong an incentive for people who did very minimal or even no work in agriculture to access the program, and that we will end up with more agriculture workers than we need. Then because the work requirements are so low, once folks get the blue card, they will perform the minimal amount of work required and move on to a different job and we will leave those farmers and ranchers in the lurch with an unstable workforce—because, remember, these blue card folks are treated as U.S. citizens for hiring purposes.

The other aspect of this that concerns me—and we know this to be a fact because we saw it happen after the 1986 amnesty program under Ronald Reagan. That is, once these individuals who are working in agriculture get that green card, which allows them to permanently stay in the United States, they are out of agriculture. They are going to leave the farm, and they are going to go to work in construction or some other industry someplace in America where the working conditions are better and maybe even the pay is better. It is going to happen, because history tells us it is going to happen.

Some of my amendments are aimed at tightening the blue card program to ensure that only those folks who truly work in agriculture are using the program. The fact is I want those experienced agricultural workers to stay in agriculture, and I am also providing them some incentives to do so. The base bill here went way too far in the other direction.

The first amendment I will discuss tightens requirements to obtain the blue card. It raises a standard of proof to verify that you actually worked those very minimal qualifying hours in agriculture to qualify for the blue card program to what it is for the RPI population, i.e., a preponderance of the evidence.

As I mentioned before, the standard in the base bill is just and reasonable inference. Someone has to be able to prove by a just and reasonable inference that they performed over 2 months of agricultural work over a 2-year period of time in order to get into the blue card program. I think that standard leaves the program susceptible to all kinds of fraud.

However, I understand there are concerns by some that due to the nature of undocumented work in agriculture, it will be difficult for them to garner the necessary evidence of work history to access the program even though the bill protects employers from liability for having employed illegal workers.

At any rate, because there is that concern, my amendment provides that for those who truly worked in agriculture but cannot meet that standard, because of the nature of an undocumented workforce, they don't have that evidence, those folks have the opportunity to sit down and do an interview with the appropriate agency officials and prove to them face to face that they did work in agriculture as a matter of just and reasonable inference. If they can do that through the interview process, then they can get into the blue card program.

This amendment will eliminate most of the potential for fraud for the blue card program and is simply a very commonsense amendment.

The second amendment I will mention tightens the work requirements to maintain the blue card and eventually transition to a green card. Instead of allowing 100 workdays for 5 years or 150 workdays for 3 years to get a green card, my amendment says you must work 180 days for each of the 5 years in order to qualify for the green card.

If you are going to be put on this preferential pathway to a green card, I think you ought to be able to work at least half the year in agriculture. I don't think that is too onerous—6 months of work per year for 5 years.

Some will argue that some agricultural work is only a few weeks per year, and so 6 months of work per year is too much to require. To that I would say if a worker is only performing 3 or 4 weeks of agricultural work per year, then maybe this blue card path is not the best path for them. Perhaps they are better off seeking the RPI pathway to citizenship. We are talking about a preferential pathway to citizenship for a half a year of agricultural work per year under my amendment, with no other work requirement. I don't think this is too much to ask, and I think many people will still be able to maintain their blue card status with no problem.

The third amendment I filed has to do with how preferential that pathway to citizenship is for the blue card workers. The current bill says regardless of any border security triggers being met, an unlimited number of blue card workers will be issued green cards in 5 years. Those folks who qualify under the RPI section of the bill can't start the green card process until 10 years after enactment and certain border triggers are met. I think stretching that timeline for the blue card workers—who, remember, are authorized to work in any job in the United States—to 7 years rather than 5 years is more than reasonable and is still a preferential pathway to citizenship.

The fourth amendment dealing with the blue card program deals with the fines for the blue card program. Again, this goes to how much more attractive the blue card program is as compared to the RPI program.

The bill, as written, requires folks on the RPI program to pay fines totaling $2,000 in order to get a pathway to citizenship. However, those on the blue card program are only required to pay fines totaling $500—just $500 for this faster and easier pathway to citizenship. That is not right.

I understand these agricultural workers don't have a lot of money, and so I am not asking to raise it to the same level as the RPI group. However, I think the fine should be significant. My amendment would increase that total blue card fine to $1,000, which is double what it is in the underlying bill but still half of what it costs the RPI folks.

The final amendment I have filed relative to the blue card program should be totally noncontroversial. It has to do with previous H–2A workers who want to participate in the blue card program.

There is a provision in the underlying bill which I agree with that allows those former H–2A workers who meet the blue card work requirements to apply for a blue card and participate in the blue card program even if they are not currently in the country. I think this is the right policy, because many H–2A employers have been using the same workers for many years

through this legal guest worker program, and I don't think we should punish them for having done the right thing in the past.

What this amendment does is simply add language that clarifies that the agencies involved in administering the blue card program need to promulgate regulations that will allow those former H–2A workers to make their application from outside the country.

In summary, I have five amendments to this bill relative to the blue card program and several of these are smell-test amendments, because without them I think it is difficult for this blue card program to pass the smell test.

I also have a series of amendments aimed at improving the new agricultural guest worker program set up by this bill, which is called the W–2/W–3 program.

It is imperative that we as policymakers get this program right. If history is any indication, we make reforms to our immigration laws once every 20 to 30 years. We have to make sure the guest worker program put in place by this bill is practical in its implementation and can be used by our farmers and ranchers, because as these blue card workers leave agriculture—and we know they will—we have to make sure there is a stable and legal workforce available in those instances when U.S. workers cannot be found.

I have said it before and I will say it again, that I think this new guest worker program takes a step in the right direction. But I do have a few amendments to improve it that I will talk about now briefly.

The first amendment has to do with wages. The underlying bill sets a national minimum wage for each of six different agricultural job categories for the years 2014 to 2016. The wages for each category will automatically increase anywhere from 1.5 percent to 2.5 percent each year forever.

I have several issues with this wage section, such as the fact that a national wage does not reflect very real regional differences in cost of living or the fact that the wages do not seem to be based on any survey data. But I know how hot an issue this wage section is, so in an effort to be abundantly reasonable in how I propose to alter the bill, the main fix I am looking to make is to the number of wage categories.

I think we can all agree some agricultural jobs require a more skilled or experienced worker than others, and my amendment protects that fact. What I am trying to avoid is the bookkeeping nightmare created by these six wage categories.

Under the categories presented in the base bill, a worker in a packing shed is in a different category than a field worker and is paid at a different rate; and a worker driving a tractor is in a different category and paid at a different rate from the field worker and the packing shed worker. But all of my friends familiar with the day-to-day operation of a farm will agree, the reality is that on any given day on a diversified crop farm, workers will be doing any combination of those three jobs. So my amendment collapses those six wage categories into two: a skilled wage and an unskilled wage. To get to those numbers, I simply averaged the wage data the Gang of 8 proposed in the underlying bill and used the same job categories the Gang proposed in the bill. My aim is to prevent an employer from having to determine how many hours a guest worker spent in the field versus the packing shed each day, as he would have to do under the current bill.

The second amendment deals with the issue of liability. If you ask my H–2A users in Georgia what their biggest complaint is with the H–2A program, I will guarantee that all of them will tell you it is liability.

Let me be clear upfront. I do not want to take away any protections that exist for workers. They need that. They deserve it. Nor do I want to prevent a worker with a legitimate grievance to be allowed to pursue that grievance. What I do want to protect against, though, is frivolous lawsuits that can cost a lot of money and waste a lot of time. There are several areas in the bill that I think can be tightened as they relate to liability.

The first area of liability that I think needs to be dealt with and is addressed in my amendment has to do with mediation. The bill rightly sets up alternative dispute resolution to try to keep some of the complaints outside the Federal courtroom. However, the mediation setup under the bill is not binding. What is the point of providing this alternative dispute resolution if you do not want to make it binding? My amendment would do just that.

The second area of liability that is addressed by my amendment has to do with the Legal Services Corporation. Current law provides that Legal Services cannot represent an undocumented alien who is not present inside the United States at the time representation occurs. I think that is a good law. The underlying bill, however, eliminates that law and specifically says that Legal Services can represent a W–2 or W–3 ag guest worker, even if they reside outside the United States.

We are not talking about U.S. citizens. We are not even talking about blue card workers. We are talking about future guest workers. I think it leaves open the possibility of frivolous lawsuits being filed from a foreign country, and I simply do not think that is sound policy.

There is a final area of liability I am concerned about that has to do with housing. The bill treats those agricultural employers who provide housing under the W–2/W–3 program, as they are required to do if they cannot or do not provide a housing allowance, as housing providers under the Migrant and Seasonal Agricultural Worker Protection Act, MSPA, as it is referred to.

Let me tell you what that means. It means that any guest worker who alleges a housing violation such as a broken screen door or a nonworking microwave will be allowed to pursue that grievance through a lawsuit filed in Federal court, and believe you me it happens today.

That doesn't make sense to me. There should be a right to cure a defect before they have that right to file suit in Federal court. There should be a right for the employer to fix any minor or incidental issues with housing, but that is not allowed under the base bill. Initially, my amendment had language to address this, but at the request of the bill's sponsors who told me that was too controversial, I eliminated that piece of my liability amendment. It is strange to me this would be controversial, but to some it is, so that is a problem in the bill I am not even addressing by this amendment, but I do want to highlight it for my colleagues because I am telling you, this is going to be a real issue if that provision in this bill ever becomes law. I am hopeful that as this process moves forward there may be another opportunity to do something to address this in a reasonable way.

The third amendment to the guest worker program has to do with the allocation of visas. The current bill allocates the 112,000 W–2 and W–3 visas among the four quarters of the year. I understand the intent of the drafters. They didn't want all of the visas to get used by all of those who seek visas early in the calendar year and not have any visas available for those who do not need workers until later in the year. However, I think a more efficient distribution of visas would be to issue them to all allotments; one on January 1 to accommodate year-round users such as dairy and those with a spring crop and then one on July 1 to accommodate the fall crop. My amendment does just that and it weights the January 1 allotment to have 70 percent of the visas because there are those year-round users such as poultry processors who will be needing those visas early on.

Any unused visas from the January 1 allotment will roll over to the July 1 allotment. The fact is crop seasons do not fit squarely into calendar quarters, and I think by changing the timing of the visa allotments it simply makes more sense.

The fourth amendment to the guest worker program I have filed has to do with the wages of former H–2A workers. I can commend the drafters for recognizing that we do not need to punish those employers who, to their economic disadvantage, have been using

the current H–2A program to ensure they have a legal workforce. They did this by saying that even though blue card workers are treated as U.S. workers under the bill, and therefore have to be hired before any guest worker, if you have used a H–2A worker for 3 out of the past 4 years and want that H–2A worker to continue to work for you under the new guest worker program, you can. That former H–2A worker will not be displaced by a blue card worker.

However—and this is where I have the problem—if you hire that former H–2A worker under the new guest worker program, you do not pay that worker the wage rate established under the W–2/W–3 program. The bill requires that you pay that former H–2A worker a separate and higher wage rate called the AEWR. This is the wage rate that exists under the current H–2A program and it is part of the reason that law is so flawed. This just doesn't make sense. It seems to, once again, punish those who have been playing by the rules and the punishment is exacerbated because there is a provision in the bill that says you cannot give any preference to guest workers.

On its face that makes sense. But what it actually means is that you have to pay all the workers you hire that AEWR rate and that is just not right. This is a fairly technical concept, so let me give an example.

Say you have farmer Joe who has been using the H–2A programs even though his neighbors have not and they have hired undocumented illegal aliens and paid a much lower rate. This means all these years Farmer Joe has been providing free housing to his workers, paying their transportation costs to his farm, and paying the higher AEWR wage rate, which in Georgia this year is $9.78; meanwhile, those who use a questionably legal workforce have not had to provide housing, have not had to provide transportation, and have only paid minimum wage to their workers. If Farmer Joe uses 100 H–2A workers every year and has 10 critical workers he wants to make sure he rehired under the new W–2/W–3 program, he can do that. He can hire these 10 guys before he hires any blue card workers. He still has to hire Americans first, but after that he can hire those 10 workers.

The rest of his workforce, in all likelihood, will be filled with blue card workers because there will be so many of them legalized and needing to meet a work requirement. So Farmer Joe will have 10 former H–2A workers and 90 blue card workers. However, under this bill, he will be forced to pay those former H–2A workers the higher wage rate of the AEWR, rather than the wage rate set up by the W–2/W–3 program in the underlying bill. Because he can't treat guest workers any better than U.S. workers and because blue card workers are considered U.S. workers, he will also have to pay all 90 of the blue card workers the AEWR rate.

So my amendment would simply strike that provision so Farmer Joe will pay the wage rate set up by the W–2/W–3 program. He will still have to pay all the blue card workers at the W program wage rate but not the AEWR rate.

The final amendment I will discuss is very straightforward. It simply extends the H–2A program for 3 years. The current bill extends H–2A for 1 year, but my amendment would add 3 years to that. While the H–2A program is far from perfect, it does allow employers who need legal workers to get them in a timely manner. Standing up a new program and moving it to a new agency and issuing new regulations to govern the program is a big undertaking, and it is all mandated to be done within this 1 year—within 1 year in the bill. I think H–2A can serve as a safety net in the off chance there is a bump in the road in getting these new programs propped up.

As I said earlier, I will not have the opportunity to have any of these amendments voted on or even accepted by unanimous consent. I cannot tell you how much that disappoints me. Any of these changes will take this bill in the right direction, from my perspective. The ag portion of this bill is a critical piece of the legislation, and I am afraid it has been overshadowed by some of the other issues. But we are doing a great disservice to our agriculture community and to all Americans who put food on their tables every night if we do not get this right—and we are not getting it right in this underlying bill.

There is going to be fraud and abuse like we have never seen in the ag guest worker program. We are going to have folks getting green cards ahead of those who have been standing in line and doing the right thing for years and years and years and all of a sudden these workers who now hold a blue card and say: Yes, I worked in agriculture for 3 months out of the year for Farmer Mack over here—and there is nobody to dispute that—and he says: I worked a definitive period of time for 3 years, all of a sudden at the end of a total of 5 years he is going to get a green card and an automatic pathway to citizenship. That is just not right.

I came to my colleagues in good faith to try to make positive changes to this bill. I come to the floor now to talk about some of those changes. Ultimately, I want what is best for American agriculture. I want to be a constructive part of this debate and, unfortunately, a relatively few of my colleagues are preventing that from happening and none of these amendments are ever going to see the light of day.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I would like to express my appreciation to Senator CHAMBLISS. This is one of the least-discussed but more important parts of our bill, ag provisions. He has delineated weakness after weakness in this process. The idea is he had to strengthen the bill. I hope the people who have heard it would draw a number of conclusions. First, there are great weaknesses in the bill. Second, Senator CHAMBLISS fully understands, though he has worked on this—I know last time we had a bill here—at great length and contributed in great detail to it. I think the third thing we ought to understand is this is a complex regime we are trying to set up. I am not sure the government can ever accomplish a setup of as complex a regime as the effort that has been made to create in this legislation.

I thank Senator CHAMBLISS for his positive contributions, for his work. I know he has been a constructive advocate with Members on the other side, trying to improve the legislation. I thank him for sharing in depth the difficult and confusing parts of this law.

There are a lot of things we need to understand before we move to final cloture vote on this legislation. It is late. I hope people will pay attention. We need to understand accurately what is happening. I have been an advocate. I am sure in the times we are here, sometimes we have to respond at a moment's notice and we make a statement that is not entirely accurate. But I do believe the sponsors of the bill who came to us and claimed they had the toughest bill in history and that it was going to solve our problems had an obligation to be more accurate than they have been.

Sometimes they make mistakes. Some of the disagreements make a difference in whether the legislation is good legislation or whether it is bad legislation. It is just important. I would like to point out a few things that have been talked about a lot today.

One was recently one of our Gang of 8, Senator MENENDEZ, made reference to the border security and the officers who have written a letter complaining about this legislation and suggested, somehow, that maybe it was before the border enforcement had been improved—promised to be improved, at least. But I think it evidences a misunderstanding of how our system works.

This is a letter from the National Citizenship and Immigration Services. These are not the Border Patrol agents, these are not the ICE agents,

these are the people who process the claims for citizenship and they try every day to do the right thing and treat people fairly and equally and ensure that people wait in line and wait their turn. They are not supportive of this legislation. They represent 12,000 USCIS employees, adjudication officers, and staff. This is the statement they issued:

The amended 1,200 page Corker-Hoeven immigration bill—

Not something previously, but the last bill we moved forward today—

if passed, will exacerbate USCIS concerns about threats to national and public safety.

These officers try every day to review these applications for visas and entry permits. They try to identify terrorists and not let them come in. They turn down people who don't qualify. They said this bill will exacerbate threats to national security and public safety.

They go on to say:

It will further expose the USCIS agency as inept with an already proposed massive increase in case flow that the agency is ill prepared to handle.

In other words, they are not able to handle the flow they have now and this is going to provoke a disastrous flow that will make them all look inept. They are correctly afraid people will say they let terrorists and criminals in the country, and they had no way possible to process these matters.

They go on to make a strong statement. These are people who serve our country and who are not allowed to participate in drafting the legislation.

The proposal goes out of its way to provide legalization for criminal offenders while making it more difficult for Adjudications Officers to identify threats to the nation's security in our ongoing war against terrorism. It was deliberately designed to undermine the integrity of our lawful immigration system.

I don't think our people deliberately wanted to have the system fail, but the people who have been writing this, if they wanted to make it tougher and tighter, would have written it a lot differently than it is now. It leaves these officers exposed and unable to fulfill their requirements to identify and block people who should not be admitted to the United States, and that was a very strong statement. It represents deep feelings by those officers.

They go on to say:

This bill should be opposed and the reforms should be offered based on consultation with USCIS adjudicators who actually have to implement it. Hopefully, lawmakers will read the bill before their votes. I say put a cork in it.

That is what they say to us, and that was on Monday.

Here is another statement from the ICE officers, these officers, headed by Chris Crane, their association union president. Chris Crane is a former marine. He is so articulate and concerned about this legislation. He has raised it time and again.

The ICE officers have filed a lawsuit against Secretary Napolitano because they say she has blocked their ability to do their duty and placed them in a position where the supervisory directions to not enforce the law deny them the right to fulfill their oath to enforce the law. They filed a lawsuit in Federal court attacking this. I have never heard of this.

This whole association, which consists of thousands of officers, filed a lawsuit against Secretary Napolitano and their supervisor. They voted no confidence in John Morton, their supervisor, 2 years ago, and he just retired a few days ago. An independent survey of government morale factors found that ICE virtually had the lowest morale rating out of 179 government agencies.

Two years ago I asked Secretary Napolitano: Would you meet with these officers? She refused to say so. I asked her again earlier this year. She has not met with them. Nobody wants to listen to the people who are required to enforce the law.

Who are the ICE officers? The ICE officers are the people who deal with interior enforcement and deportations. They identify people who are here illegally, and they deport them and go through the mechanism. They have relationships with prisons where they go by the prison and pick up somebody who is illegally in the country and who has committed a crime. They are the ones who get them deported. They arrest people—or at least supposedly they used to when they had jobs. They interfaced with local police.

They have been undermined in every way by this administration and kept from doing their job. That is a fact. That is why the morale is down, and that is why they have sued the government. That is why they oppose this bill. They were never listened to.

It cannot be the policy of the United States of America that if someone gets past the border of the United States, they are never going to be deported. It cannot be the policy that the only thing that counts is having a Border Patrol, but if they can get through, they are home free. There are not that many. I think there are 12,000 of these officers. There are not nearly enough to do the job already. They are getting no strength or support at all in this legislation.

I would note further that under the Congressional Budget Office analysis of this bill, which comports with what I have been saying for months, we are going to have a big increase in the amount of visa overstays. They are not going to be caught at the border. They are going to come in on a visa and never return. If we don't have ICE officers engaged in the effort, we will never be able to deport them.

We say, well, we are going to give legal status to everybody who is here. Let's say we give legal status to everybody who is here. What about the future? The people who are given legal status here will be given a Social Security card. They will be given a legal document that allows them to be in the country. ICE is not going to deport them. But what about those who come in the future? We are going to have no mechanism so they can be deported? That is one of the biggest flaws in this legislation.

I was a Federal prosecutor. I know about law enforcement. I did it for 15 years. If we don't help and have them engaged and utilize their ability, and treat them like second-class officers or citizens, we are not going to get the kind of legality the legislation promises—nowhere close. It is flawed. It should not pass. These officers tell us that correctly.

So the ICE officers are right. They said to us on June 24:

I urge you to vote no as this bill fails to address the problems which have led to the nation's broken immigration system and in fact will only serve to worsen current immigration problems.

It will worsen current immigration problems. That is their word. They go on to say:

Instead of empowering ICE agents to enforce the law, this legislation empowers political appointees to further violate the law and unilaterally stop enforcement. This at a time like no other in our nation's history, in which political appointees throughout the federal government have proven to Congress their propensity for the lawless abuse of authority. There is no doubt that, if passed, public safety will be endangered and massive amounts of future illegal immigration—especially visa overstays—is ensured.

They go on to say:

Abuses by political appointees, who currently pick and choose laws enacted by Congress will or will not be enforced, will escalate with their increased discretion and authority provided by this bill.

They say:

A vote against this bill is not a vote against immigration reform which we all seek, it's a vote against bad legislation and the special interests that wrote it; it's a vote to start this process anew and create reforms that truly fix the nation's broken immigration system.

How much clearer can it be? They are correct about this. Chris Crane is an American patriot and his team is courageous. They have had to stand in there against an administration that issued this directive that basically required them not to follow plain law. What does this bill do? He indicated it right there. He said it gives even more discretion to the Secretary so she can issue even more directives undermining the law.

In fact, basically what the bill does is give more legal authority to the Secretary to do what she has been doing now, which is fundamentally, in many ways, contrary to law.

The Federal judge who is hearing this lawsuit the ICE officers filed explicitly stated at one of the hearings that the Secretary is not above the law, and that is certainly correct. She has been acting above the law by directing them not to comply with the law.

We are not saying we want the ICE officers to go out and round up everybody. Remember, if this bill passes, everybody will be given legal status—the ones who are supposed to be given legal status—and others will need to be identified. If they are not legally here, they will need to be deported. In the future, people who come in violation of the law will need to be deported also.

The Gang of 8 proposal adds four times more guest workers to our economy than a 2007 plan offered. It offers four times more guest workers than were offered by the 2007 bill that failed here—that comprehensive plan. This is at a time when 21 million Americans cannot find full-time employment. Imagine that. We have a much higher unemployment rate today than we had in 2007 before the bubble burst and we had the recession. We had virtually full employment in those days. Now we have high unemployment, which is a deep problem with employment in America today, and I don't think it is going to rapidly get better. For the last quarter of last year, growth of GDP was only .4 percent. The first quarter of this year has been revised down dramatically today to 1.8 percent. That means over half a year our growth is only 1.1 percent. That will not create jobs. It is not creating jobs. It is not enough to pull down unemployment in any way.

This bill is going to bring in huge amounts of new workers to take the few jobs being created. The bill also dramatically boasts permanent legal immigration. The permanent legal flow of immigration will increase substantially. Overall, it is conservatively estimated that the bill would legalize more than 30 million people—mostly lower skilled legal immigrants—over the next decade. It will be three times the current rate, and that is something I said originally.

I asked Senator SCHUMER, the Gang of 8 leader, at the committee: How many people will be legalized under your bill? Well, we won't say. I said again: How many? You offered a bill; you want us to vote for it. Can't you tell us how many people would be admitted? He refused to say. I said, 30 million over 10 years. The current legal flow would be 10 million over 10 years.

CBO came out with their report last week: 30 million in the first 10 years. Who was right about that? I mean, this is a big increase. Yes, it includes the people who are here illegally, but the annual flow is at least 50 percent higher than the current 1 million, according to the Los Angeles Times. I think that number comports with what we are able to calculate. So we are talking about a 50-percent increase in the annual flow of immigrants into the country with more coming in under chain migration. All of them will be able to work. All of them will be competing for jobs in the workplace at a time we are not producing many jobs.

What does the Congressional Budget Office say? I said for weeks this flow of labor had no other reasonable impact than to pull down wages of American workers. What did CBO say? CBO said the same thing. Last week the Congressional Budget Office in their study used this chart—I didn't make this chart. This is one of the few charts CBO put in their report, and it deals with the question of wages. ''The average wage would be lower than under the current law over the first dozen years.''

This shows in 2025 coming back to catch up. But, still, if the bill hadn't passed, we would have had more increased wages, and we would have had a different picture altogether. So it is going to be a serious impact on working Americans.

Professor Borjas from Harvard talked about this. He has written papers about this. He has written books on the subject. He is, I am sure, the most authoritative person. He is an immigrant himself—not his parents; he is an immigrant. He says also that wages are adversely impacted, particularly in lower skilled workers.

So Professor Borjas basically said there is benefit to low-income workers. Who gets it? The companies that hire the most low-income workers because those companies will be able to hire more people at lower wages. Who will lose, he said, in this process? The many more people who are workers. That is who is going to lose. We can't bring in large increases in labor at a time of high unemployment and not expect labor rates to go down.

Is the free market crowd not aware of that? Are our Democratic colleagues who talk about protecting the worker not aware of that? How can that be denied? Professor Borjas said it.

The Atlanta Federal Reserve economists found a substantial reduction of the value of working people in the Atlanta region as a result of the current flow of immigration. They detect a clear reduction in wages as a result of the current flow of immigration, and this flow is much bigger.

We are talking about not only a 50-percent increase in the legal flow of immigration every year, meaning 15 million over 10 years as opposed to 10 million. In addition to that, we are talking about the 11 million who would be given amnesty and legal status. Then there is an additional 4.5 million people who can't come in right now because there is a limit of how many each year—a cap. Those are going to be accelerated.

Then we have a guest worker program. Senator CHAMBLISS talked about the agriculture industry. There are all kinds of guest worker programs. The guest worker programs will double the number of workers who come in. They come for one reason, and that is to take a job. They will double.

So this is a huge impact on our wages in America. This country is not creating enough jobs to sustain that.

That hurts the 11 million who are going to be given legal status. That hurts the immigrants who come here legally and have legal status already. That hurts poor people all over America, particularly because so many of these workers are competing for the lower wage jobs.

According to the U.S. Commission on Civil Rights and Professor Borjas, the group who will suffer the most are African-American males. This is really a matter not to be disputed.

One in three high school dropouts doesn't have a job. One in two African-American teenagers is unemployed. Twenty-one million Americans who want a full-time job cannot find one. In the city of Detroit, one in three households is on food stamps. In Washington, DC, one in three children lives in poverty.

Senator MENENDEZ, I think, confuses total wage growth with average wage growth. Remember, more workers will increase the total wages, so if we bring in 1 million people, yes, more wages will be paid, but the average wage would be lower.

If a person is a worker, what does that person want to hear? They want to hear somebody say: Oh, the economy is going to have more wages. Isn't that great. But I am going to have less because 30 million people-plus will be here added to the workforce and everybody gets less and I am supposed to be thankful about that. I am supposed to write my Congressman and say: Oh, great, thank you for passing a bill that increases total wages in America.

Give me a break.

How about this: They say that GNP is up. Senator MENENDEZ said that. He said GNP will increase. We are hearing that repeatedly: GNP will increase. Well, of course, just like total wages will increase when we have 30 million, 40 million people added to the economy, GNP is going to increase some if we add large numbers of people to the economy. That is the total of goods and services produced in America. But what about the average person and their share of the economy? Will it go up or will it go down?

Look at this chart. It comes right out of the CBO score, right out of their book. This is 2013 and this is 2029. This is, I guess, 2032 where the lines cross. How many years? Well, over 29 years or 26 years. This bill, S. 744, would reduce per capital GNP by 0.7 percent in 2023, out here, and it stays below the line it would have been on had the bill not passed. This is below what would have

happened if the bill had not passed. Passing the bill pulls down GNP per capita, making each worker in America less able to have a full share of the wealth of America. That is what that means. It is not right.

We have had people just blindly coming down here for days now and asserting boldly, without any serious economic data to back it up—except in 2033. This is out to 2033. They have had years way out there where they try to claim improvement. We need to be worried about our people now. We have people unemployed now, looking for jobs right now. We should be helping them. So this is important.

Finally, I will show my colleagues one more chart we need to focus on. This is one of the most stunning charts I have seen. I was shocked when my staff told me about it. It was part of the Congressional Budget Office analysis and debt projections for our economy for the next 10 years. They do that every year. They do updates every year. So in the early part of this year, they did a projection of employment for the next 10 years, and they projected what kind of job creation we would have over the next 10 years. Our CBO does it every year. It is not a new report, it is something they do normally. This is what they concluded: For the next 5 years, 2015 through 2018, while we are coming out of the recovery from the recession, they project we would create 171,000 jobs a month.

That is really not enough to reduce unemployment significantly. We ought to be creating 200,000, 250,000, 300,000, to begin to pull down unemployment. But that is what they predicted. But look at this: This is the second 5 years of their 10-year window. They project only 75,000 jobs a month. So our staff called them.

They said: Tell me about this.

CBO said: We are glad you called. We are glad you called because we have given a lot of thought to this. We have studied projections and data and the case for projections for slower growth in this period of time for mature economies. This is what we come up with as the best projection, using private sector information and other data, including Department of Labor Statistics.

Well, from 2019 through 2023, we will be bringing in 75,000 jobs a month, with this bill. How can that not increase unemployment in America? How can that not create a glut of workers that pulls down wages and creates more unemployment?

I just don't see how we can possibly justify this large flow of workers without adversely impacting the salaries of American workers. I am not talking about the 11 million who would be legalized. I am not talking about those people because that is part of the agenda we have, to be a part of any long-term settlement of our immigration problem. I am saying in the future the annual flow, the monthly flow, will be more than we will be creating jobs here. That is a pretty stunning figure.

Mr. Peter Kirsanow, who serves on the U.S. Commission on Civil Rights and used to be on the Labor Relations Board, I believe, writes that this bill would have ''profound and substantial costs to American workers.''

He was participating in the hearings of the Civil Rights Commission. He said every witness there said that. Professor Borjas at Harvard, the leading expert in this area, has found that from 1960 through 2012, immigration has cost native-born workers an average of $402 billion in lost wages, while firms using workers such as this gained income. He goes on to say the impact of increased immigration from 1980 to 2000 resulted in a 3-percent decrease in wages for average native workers and an 8-percent decrease for high school dropouts. This is 8 percent. That means a lot of money.

He goes on to say: ''Immigration has its largest negative impact on the wage of native workers who lack a high school diploma''—a group that makes up, in recent decades, a shrinking share of the workforce. These workers are among the poorest of Americans.

He goes on to say: ''The children of these workers make up a disproportionate number of children in poverty.'' He concludes that, based upon census data, when we have an increase of workers in a specific field of 10 percent, we can have the employment rate fall. A 10-percent increase in supplied workers from immigration levels reduced the employment rate for African Americans by 5.9 percent. That is already.

My point is I don't see how anyone can say that anything like over the next decade, we are not going to see lower wages, more unemployment, and lower per capita GNP. Frankly, I think Borjas's analysis is probably stronger on that subject than CBO's.

We know this: The Federal Reserve Bank in Atlanta has done similar studies. These studies show things such as the average worker's pay being reduced by $1,500 a year, which is $120 a month.

My colleagues continue to insist that their promise is correct, that this bill would not provide welfare to those who are given legal status. But the facts show it is not correct. I just have to rebut that. I questioned that at the beginning. We now know their promise is not correct.

Immediate access to once legalized individuals—they will first have immediate access to State and local benefits.

Senator RUBIO even proposed an amendment to the bill that would have eliminated that, but it was never voted on. So the bill we will be voting on does not change that at all. He knew that was contrary to the promises made.

Immediate access that will be given to those who are given this RPI provisional status to free earned-income tax credits is in the bill. I offered an amendment in committee to fix that. In other words, the earned-income tax credit, if a person makes below a certain salary and they are working and they have a family, they get a big check, sometimes $2,000, $3,000, from the Federal Government. It is not a tax deduction. It is not a credit against future taxes. It is a direct payment to that individual in the form of a subsidy and a welfare payment and that is the way the CBO scores it—as a direct payment, just like any other payment of welfare to the individual because that is what it is.

They will get that immediately. I offered an amendment in committee. I do think—I think I incorrectly said earlier that the Gang of 8 Members voted against it. I do believe Senator GRAHAM and Senator FLAKE voted for my amendment in committee, but it failed in committee. That amendment, to be offered tonight by Senator RON JOHNSON of Wisconsin, has been blocked and will not be voted on.

So if this bill passes, there will be welfare payments immediately to all 11 million who qualify, and large numbers of these individuals will qualify because they are low-skilled. Over half do not have a high school diploma, and they will be in that wage rate that qualifies for this welfare payment.

Also, within 5 years, 2 to 3 million illegal immigrants who are given legal status will become green card holders and/or citizens and become eligible for all Federal benefits. So a big chunk of them—2 to 3 million—will be put on a pathway to citizenship in 5 years and certainly legal status in 5 years.

The PRESIDING OFFICER. The Senator has consumed 30 minutes.

Mr. SESSIONS. I ask unanimous consent, Mr. President, for an additional 2 minutes and I will wrap up.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. I thank the Presiding Officer for his courtesy.

So those will get the welfare within 5 years. That is where we are.

I appreciate the work that a lot of people have put into this legislation. People have worked hard on it. They have a vision they want to accomplish. We do need to fix our broken immigration system. But this legislation does not do it. It does not come close to doing it. It should not become law, and we should make sure it does not become law.

I urge my colleagues tomorrow to vote no. That does not mean we will never do anything. That is, of course, silly. We need to come back with a more realistic piece of legislation—legislation that asks seriously how many workers this economy can accommodate. Do we have a system that deals

with visa overstays? This bill weakens dramatically the entry-exit visa system under current law that has never been implemented but should have been implemented years ago. It undermines the requirements in current law that would make that system work. Therefore, it will not work. It is weaker than the current law. We should be following current law.

In addition, we need to strengthen, as Senator PORTMAN advocated, the E-Verify system at the workplace. That is not done. As Senator CHAMBLISS pointed out, there are so many complexities in these guest worker programs, so many loopholes and difficulties that we do not even know about. We need to simplify that system.

A guest worker system that brings a person here to work for 3 years with their family, where they can reup for another 3 years and maybe another 3 years—they are then going to be asked to leave this country if they no longer have a job, if we hit a recession? That is not going to happen. That is an impractical system.

A good guest worker system should allow workers to come to America—only those who intend to work for the season they intend to work, and then they should return home. They should maintain their residence in the foreign country, and then they work here as guest workers. That is what a guest worker program should be.

This bill allows people to come with their families, to put down roots and become established, and then it is impractical and unkind and unrealistic that we would, 10 years from now, say go home. We are going to have huge visa overstays, as CBO predicts, because that is the way it is going to work.

I thank the Presiding Officer for giving me an opportunity tonight to share a few of my concerns, as we move to a big vote tomorrow on cloture.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m., on Thursday, June 27, 2013, and does so as a further mark of respect to the memory of the late Senator William Dodd Hathaway of Maine.

Thereupon, the Senate, at 8:35 p.m., adjourned until Thursday, June 27, 2013, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

PEDRO A. DELGADO HERNANDEZ, OF PUERTO RICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF PUERTO RICO, VICE DANIEL R. DOMINGUEZ, RETIRED.

BRUCE HOWE HENDRICKS, OF SOUTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA, VICE MARGARET B. SEYMOUR, RETIRED.

ALISON RENEE LEE, OF SOUTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA, VICE CAMERON M. CURRIE, RETIRING.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. ROBIN RAND

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RUSSELL J. HANDY

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624, 3037, AND 3064:

To be brigadier general, judge advocate general's corps

COL. CHARLES N. PEDE

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

PETER C. RHEE

EXTENSIONS OF REMARKS

CELEBRATING FORMER MAYOR HARRY MIMS

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. ALEXANDER. Mr. Speaker, it is with great pride and pleasure that I rise today to commend Former Mayor Harry Mims, who has devoted 38 years of outstanding leadership to the Village of East Hodge in Louisiana. The East Hodge Town Hall will be dedicated in his name honoring his unwavering service. Also adding to the festivities, a celebration will be held to commemorate Mayor Mims' 99th birthday.

I ask my colleagues to join me in offering plentiful well wishes to Mayor Mims. His resolute commitment and compassionate service to the community deserve our gratitude.

HONORING MRS. HELEN S. SLAGLE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Mrs. Helen S. Slagle of Saint Joseph, Missouri. Mrs. Slagle is retiring from Federal service after 36 years of loyal service.

Helen Slagle entered into Federal service in 1977 and has never truly left. In 1977 Helen enlisted in the United State Marine Corps. After her honorable discharge in 1997 from the Marine Corps at the rank of Gunnery Sergeant; Helen was once again called into Federal service with the Immigration and Naturalization Service.

Helen then transitioned to the private sector, working under contract for the Federal Government. In 2006, Helen began her final posting with the Federal government as a Special Agent with the United States Office of Personnel Management's Federal Investigative Services, Kansas City Office. During her time at O.P.M. Helen has directly supported the Federal, military and defense contractor assets located in Northwest Missouri. The investigations that Helen conducted have been for the proud military men and women who are serving their state and country.

Mr. Speaker, I proudly ask you to join me in recognizing Mrs. Helen S. Slagle. For the last 36 years Helen has dedicated herself to the United States of America through her unwavering Federal Service and I am honored to represent her in the United States Congress.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Ms. LEE of California. Mr. Speaker, I was not present for rollcall votes 287–288. Had I been able to vote, I would have voted "yes" on both.

IN HONOR OF LINGOHOCKEN FIRE CO.—100TH ANNIVERSARY

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. FITZPATRICK. Mr. Speaker, as one of Bucks County's many volunteer fire companies, the Lingohocken Fire Company is celebrating 100 years of continuous service that began with caring, local farmers leaving the fields to answer a neighbor's call for help. This small cadre grew and soon a "fire company" was responding to the loud clanging of an old locomotive wheel that now hangs outside the firehouse as an historic reminder of those who answered the call. Today's volunteers are 21st century—trained in the use of modern equipment and well-prepared to protect lives and properties. They continue to work hard and last year, alone, they put in nearly 5,000 hours responding to fire calls, training, attending meetings and other company-related activities. We proudly acknowledge the Lingohocken Fire Co., serving Wrightstown Township and portions of Buckingham and Upper Makefield townships. Congratulations on your 100th anniversary, outstanding public service, and for the example you set for others to follow.

IN RECOGNITION OF SCLERODERMA AWARENESS MONTH

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mrs. CAPPS. Mr. Speaker, as we celebrate Scleroderma Awareness Month this June, I rise today in recognition of the 300,000 Americans with Scleroderma.

Scleroderma is a chronic and disabling connective tissue and rheumatic disorder resulting from an overproduction of collagen in the skin, tissue, and underlying muscle. The word "scleroderma" means hardening of the skin, which is often one of the most visible manifestations of the disease. But scleroderma can also affect many other areas of the body including the heart, lungs, kidneys and gastrointestinal system.

Given the unpredictable progression of the disease, Scleroderma, like many other autoimmune diseases, is difficult for medical practitioners to accurately diagnose and even more difficult to treat as there are currently no disease specific treatments. As we recognize the need for awareness of this troublesome disease, we can and must do more for the thousands of Americans who are diagnosed with this condition each year.

This is why I authored H.R. 1429, the Scleroderma Research and Awareness Act. This bipartisan legislation coordinates and intensifies research and awareness of this disease, prioritizes the development and evaluation of new treatments options, and authorizes Director of NIH to pursue enhanced clinical and basic research related to Scleroderma. I want to thank my colleague, Representative PETER KING (NY–02), for leading this bill with me and then 11 cosponsors who have already lent their support to this effort.

I urge my colleagues join us in support of this important legislation providing for needed federal investment in this misunderstood disease.

RECOGNIZING THE VOLUNTEERS FOR THE PRINCE WILLIAM AREA AGENCY ON AGING

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the volunteers for the Prince William Area Agency on Aging.

The Prince William Area Agency on Aging is one of more than 670 agencies in the National Association of Area Agencies on Aging. The Agency of Aging works to maintain the independence and quality of life for adults and their families. Volunteers work alongside professionals serving as advocates, educators, and coordinators implementing programs and services for the senior members of the tri-jurisdictional areas of Prince William County and the cities of Manassas and Manassas Park. Volunteers assist with the Bluebird Tour Program, Disability Service Board, Virginia Health Insurance Counseling and Assistance Program, Agency on Aging Tax Aid, Commission on Aging, Long Term Ombudsman Program, and the Senior Centers and Adult Day Healthcare.

It is my honor to enter into the CONGRESSIONAL RECORD the names of volunteers for the Bluebird Tour Program:

Bill Barnhart, Trudy Burks, Brian Fulton, Diane Fulton, Fran Harrod, Mary Kay Portell, Wanda Pulliam, Ray Vanderbilt, Chester Smith, Nancy Smith.

It is my honor to enter into the CONGRESSIONAL RECORD the names of volunteers for the Disability Service Board:

Phyllis Aggrey, Michael Bizik, Nona Bond, James Bryant, Janice Buie, Ashley Cavossa, Barbara Diehl, Mark Fletcher, Lillian Garland, Melvin Padgett, II, Diane Raulston, Karen Smith, Paul Weisenberger, Karen Williams.

It is my honor to enter into the CONGRESSIONAL RECORD the name of the following volunteer for the Virginia Health Insurance Counseling and Assistance Program:

Robert Gainer.

It is my honor to enter into the CONGRESSIONAL RECORD the names of the following volunteers for the Tax Aide Volunteers Program:

Ronald Bond, William Burston, Mary Coleman, John Kirzl, VaLoris MacDowell, Bob Martin, Mike Martin, Lee Schumacher, Elizabeth Smolen, Gail Strickland, Bruce Willey.

It is my honor to enter into the CONGRESSIONAL RECORD the names of volunteers for the Commission on Aging:

Willard Bennett, Raymond Beverage, Sandra Dawson, Edna Garr, Jane Lakata, Frank Maresca, Len Postman, Richard Sienkiewicz, Mary Shufelt, Nancy West.

It is my honor to enter into the CONGRESSIONAL RECORD the names of volunteers for the Long Term Ombudsman Program:

Nancy Bireley, Celeste Cole, Pat Giusti, Judy Kenyon, Fred Knox, Carol Leet, Barbara Ondo, Carol Sturz.

It is my honor to enter into the CONGRESSIONAL RECORD the names of volunteers for the Senior Centers and Adult Day Healthcare:

Jo Adell, Marie Akins, Mathilda Alexander, Joann Amidon, Martha Andrews, Gorrell Angel, Grant Angel, Jean Angel, Lynn Ashe, George Ashley, Sally Au, Emelda August, Alleen Bagley, Bobsonm Bangura, Stanley Baranowski, Yon Barker, Sharon Bauer, Nancy Bell, Beverly Bendekgey, Barbara Betton, Arline Blanke, BettyAnn Blanton, Doris Bodwin, Suzuyo Bolvin, Zile Brannon, James Branscome, Carol Brauzer, Felicia Brown, Peggy Bruhn, Laura Buckenmeyer, John Bucsko, Dom Bumbaca, Effie Bumbaca, Margie Byrne, Doris Caporale, Helen Caporaletti, Kit Carney, Olive Carrington, Francis Chergosky, Gene Chumley, Luis Cifuentes, Elizabeth Clemens, Katherine Cooke, Sheila Copeland, Catherine Corner, Margaret Covington, Ollie Cross, Maryls Daack, Ronald Daack, Edgar Davis, Paul Davis, Pauline Davis.

Gretchen Day, Roberta Dearden, Naomi Delashmutt, Melita Diklich, Barbara Dillon, Hugh Dillon, Dottie DiMartino, Henry D'Souza, Cathy Dykstra, Karen Edwards, Linda Edwards, MaryJane Ellis, Mildred Ellis, Glory Emmanuel, Marianne Enright, Sue Flatequal, Joan Galvin, Dorothy Garland, Lenore George, Susan Gillon, Betty Glasco, Susan Glynn, Brenda Goodridge, Ethel Gorham, Carolyn Grandjean, Beulah Green, Mary Griffith, Mary Gueriera, Norma Guerra, John Hahn, Mazen Hammoudeh, John Happoldt, Althena Harris, Daniel Harris, Kitty Harris, Rosi Harrison, Barbara Hayes, Bobbie Henderson, Lee Hendricks, MaryLou Hill, Iris Hodges, Joseph Hohos, Norma Holmgren, Brett Hoyer, Elizabeth Hudson, Roy Hudson, Maureen Humphrey, Francine Jacobs, Thomas Jonas, William Kelsey, Edith King, Betty Knowles, Frederick Knox.

Theresa Koger, Marie Komyathy, Martin Kruger, Joseph Kubica, Edward Lacy, Albert Lammers, Jan Lawler, Tina Leacock, Jane Lehman, Rene Lehman, James Lewis, Allen Lindholm, Mary Livingston, Amber Love, William Lucas, Norma Mace, Irma Machado, Don Mackintosh, Agnes Maiden Mary Mange, Dolores Masters, George Mawhiney, Teresa McCall, Harold McCarty, Daniel McCaslin, Pearl McCray, Gretchen McDonell, Barbara McGlawn, Julie Meeham, Ruth Meier, Karen Merchant, Roberta Messamer, Ruth Miller, Jack Millett, Pamela Millett, Sadhna Minter, Robert Mitchell, Emerita Mogrovejo, Mary Money, Molly Mooney, Leo Moore, Mary Moore, Virginia Morales, Joseph Mugnano, Karlene Murphy, Mary Murphy, Billie Nichols.

Jennifer Nicol, Marianne Nigreville, Gi Nigro, Carol Nolan, Clifford Nolan, Phyllis Norling, Sandy Novak, Gloria Oakes, Susie O'Neal, Lynn Oneill, Albert Osborne, Margaret Palomares, Cynthia Parent, John Parker, Edith Peel, Jo Peters, Dianne Peyton, Marie Phoenix, Mirta Pimentel, Louise Pleines, Elinor Polansky, Len Postman, Joseph Powers, Patricia Prochnow, Marlene Puglisi, Frederick Puhala, Najibullah Qazei, Hilde Reed, Phyllis Reese, Noreen Reynolds, Samuel Rhodes, S.H. Richardson, Charles Rigby, Mary Rigby, James Riley, William Ritter, Latasha Rivers, Willow Rolfe, Griselda Roque, Shirley Roy, William Ruhe, Bertha Russ, Gwen Ryfinski.

Anna Ryman, Rayzel Sachs, Joyce Sakole, Michael Sakole, Glenn Sartori, Barbara Schonherr, Andrea Schu, Joseph Schu, Dorothy Schumacher, Valerie Schutz, Connie Scurlock, Thomas Scurlock, Richard Shaffer, David Shely, Gertrude Slater, Geri Smith, Michael Somma, Janet Spence, Cyme Spicer, Annemarie Stalsworth, Frank Stone, Lois Stone, Cynthia Tallia, Hafiz Tarbal, Helen Tang, Eric Taylor, Doris Tchakirides, Brooks Terry, Howard Teten, Tom Thatcher, Joyce Thomas, Lowell Thomas, Michael Timko, Lana Tobey, Nancy Tsou, Meridel Turch, Alan Turner, Wilma Turner, Sylvia Urani, Mohammad Vali, Shirley VanEss, Andrew Vani, Dianne Vaughn, Glenn Vinson, Arc Vosac, Barbara Wagner, Charlotte Walker, Lorelea Wann, Claudett Warner, Jeanne Warner, Brenda Warren, Peggy Weber, Evelyn West, George Whitfield, Joyce Wilson, Pearl Wilson, Theresa Winiesdorffer, Regeanne Woodworth, Carol Wright, Kyong Yoo, Barbara Zader, Adella Zilka.

Mr. Speaker, I ask that my colleagues join me in commending these dedicated volunteers. I would like to extend my personal appreciation to the men and women who participate in the Prince William County Area Agency on Aging programs and services. We all owe a debt of gratitude to these selfless community activists.

IN HONOR OF MARY BORKOVITZ

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. FITZPATRICK. Mr. Speaker, congratulations to Mary Borkovitz for 35 years of service to the Lower Makefield Society for the Performing Arts, a group she founded in 1978. Earlier, she demonstrated a keen spirit of volunteerism by serving on the township Park and Recreation Board, as a Girl Scout leader and teaching music in a local nursery school. Soon she began a popular community concert series under the auspices of the new Lower Makefield Society for the Performing Arts. Mary continues serving as executive director of the expanded and renamed Bucks County Performing Arts Center as it celebrates its 35th anniversary. We join the community in paying tribute to Mary Borkovitz for her dedication, enthusiasm and commitment to the performing arts. The community is fortunate to have such a remarkable leader. We appreciate the commitment she has demonstrated and wish her continued success as she sets an example of community service for others to follow.

RECOGNIZING THE VOLUNTEERS FOR THE PRINCE WILLIAM COUNTY ANIMAL SHELTER

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the volunteers for the Prince William County Animal Shelter.

As part of the Prince William County Animal Control Bureau, the Prince William County Animal Shelter aims to provide permanent safe and clean homes for animals through adoption. The Prince William County Animal Shelter strives to educate the public about the overpopulation of companion animals and the need to provide them with a safe and secure living environment. The volunteers help promote pet adoption by loving and caring families.

It is my honor to enter into the CONGRESSIONAL RECORD the names of the volunteers for the Prince William County Animal Shelter:

Taylor Andrejko, Donna Angel, Laura Ariza, Ashley Arrendedo, Christine Baird, Grace Bennett, Haley Bolduc, Chris Bowers, Tyler Brainard, Edward Busse, Maddy Busse, Dale Cash, Jessica Cash, Nicole Cotter, Courtney Creegan, Kristy Delcid, Laurn Ferrell, Ja'Sjnn Ford-Maxwell, Kirsten Freeman, Kyle Geary, Kourtney Gifford, Monica Gonzalez, Bill Graham, Eliza Hayslett, Jennefer Hayward, Rachel Higgins, Shanon Hintz, Garrett Holguin, Madeline Honneger, Sara Howell, Stefanie Howlett, Joan Hufnagel, Becca Jackson, Jayson Juarez, Helena Karch, Greg Kellenberger, Terri Kellenberger, Christopher Leta, Christy Lewis, Catherine Lynn, Dawn Lopicollo, Hannah Malone, Jakob Manne, Lorraine Marks, Tom Marks, Kourtney McClendon, Angela Meier, Barbara Meier-Bice, Rick Mensch, Tessa Metz, Genesis Moreno, Fernando Navarro, Matthew Noble, T.J. Nocera, Betsy O'Connell, Shan Oliver, Debbie Padula, Ron Padula, Ashley Plaster, Breon Randon, Ariel Reilly, Noah Robles, Mickenzie Roby, Collen Rosengrantz, Maja Ruble, Karol Salas, Jennifer Stafford, Vicki Smith, Corey Taylor, Anika Tolentino, Lynn Traxler, Allison Tucker, Candice Villanuerva, Bryce Wade, Roxanne Wilson, Annika Young.

Mr. Speaker, I ask that my colleagues join me in commending the volunteers of the

Prince William County Animal Shelter for their dedication to the protection of animals in our community. Family pets can be a great source of comfort and companionship and the least we can do is work to provide them with a loving home when they are without one.

LOUISIANA ECONOMIC DEVELOPMENT ASSOCIATION RECOGNIZES HIGH TECH COMPONENTS, INC. AS A RECIPIENT OF THE 2013 LANTERN AWARDS

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. BOUSTANY. Mr. Speaker, I rise today to congratulate High Tech Components, Inc. as the Acadiana Region recipient of the 2013 Lantern Awards.

The Lantern Award provides an opportunity to salute manufacturers for their outstanding contributions to the Louisiana economy and to their communities. Recipients are selected on the basis of their contributions over a period of time to the betterment of their communities, growth in the number of employees, and expansion of their facilities.

Owned by Frank's International, High Tech Components, Inc. has manufactured, repaired, and stocked the widest selection of Gate Valve Components in the Gulf Coast region for 26 years. The scope of manufacturing is broad which allows the company to machine something as small as a thimble to as large as a car.

In an ever changing and competitive industry, High Tech utilizes the latest and most powerful technology to optimize its machining processes while producing the highest quality products. Committed to providing quality products in a timely manner that meets and exceeds its customers' expectations, High Tech Components, Inc., has seen tremendous growth since 2006. As a small company starting with 28 employees and 19 machines, High Tech Components, Inc., has expanded to encompass a 19,600 square foot facility with 210 employees using 86 machines.

It is due to the efforts of companies and businesses like High Tech Components, Inc. that Louisiana continues to grow and prosper economically.

TRIBUTE TO NATHAN REA FOR HIS DEDICATED SERVICE TO OREGON AND THE NATION

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. WALDEN. Mr. Speaker, I rise today to honor Nathan Rea, a long-time, dedicated member of my staff and very good friend who recently left Washington, D.C. to return to his family's farm in Umatilla County, Oregon. Nathan came to the nation's capital in 2005 intending to stay for a brief three month internship in my office before returning to his family's multi-generation farm. Three months turned into eight years, and along the detour Nathan fell in love with Emily Skoblar. Nathan and Emily married, and in February of last year they welcome their beautiful daughter Gwenyth ''Gwenny'' Isabelle into the world. During their time in Washington, Nathan and Emily both dedicated themselves to the needs of others, but they decided to heed the call to family farm life and turn the federal public service opportunity over to others.

Nathan was born in Walla Walla, Washington, and was raised on the Rea family farm in Milton-Freewater, Oregon by his parents Dennis and Laura Rea. From a very young age, Nathan worked in the field with his grandfather H.T. Rea and father planting and harvesting wheat and green peas.

Nathan graduated from DeSales Catholic High School in Walla Walla and earned his degree in agriculture businesses from Washington State University in 2004. His love of his alma mater was not only evident in the numerous WSU Cougar logos found around his desk, but also by his well-stated affection for the famous ''Cougar Gold'' cheddar cheese, a product produced and sold around the world by students at the WSU Creamery in Pullman. And even though the Cougs only beat my Oregon Ducks football team once during Nathan's eight years in my office, I will admit that Cougar Gold cheese is worthy of the praises Nathan and his fellow alumni so readily tout.

While growing up on the farm, Nathan gained an appreciation for politics and public service and saw the impact that agriculture and trade policy had on his family and community. When he opened the Milton Freewater Valley Herald one morning and saw an opening for an internship in my Washington, D.C. office, he applied and was soon off to our nation's capital.

The work ethic that Nathan learned on the farm was seen from day one when he started in my office. His first full day in D.C. was on a Saturday, but rather than tour the sights as he had planned, Nathan opted to pitch in with the team. He spent the better part of that day in ''The Cage'' helping fold thousands of outgoing constituent letters and get my mail out the door. It definitely wasn't the glamorous start that he may have expected!

Nathan rose quickly through the ranks in our office. He was hired on full time as a staff assistant after a few short months as an intern and was later promoted to Legislative Correspondent, Legislative Assistant, and Legislative Director.

He served the people of Oregon's Second District—and the country—with his firm grasp of policy issues that mattered to people back home—from promoting Oregon's wonderful agriculture around the world to putting people back to work in the woods to expanding American energy.

If something needed to be done in our office, Nathan would do it. No job was too big or too small—from negotiating landmark legislation to hiring and mentoring young staffers to greeting visiting Oregonians.

One of Nathan's side hobbies is photography. Nathan was always looking for the perfect shot—for committee hearings, for World War II veterans on an Honor Flight, or for his family. In early 2009 during an Energy and Commerce hearing on the salmonella outbreak, I held up a canister of contaminated products and asked the manufacturer if he was willing to eat his own product. Nathan captured this exchange with an excellent photo that was ultimately used by national media outlets and was seen all over the country.

Nathan leaves my office with a long list of accomplishments as well as friends who highly admire him. But most importantly, he leaves with his wonderful family. Nathan met Emily shortly after he was hired in my office, and they married in 2010. A native of Akron, Ohio, Emily is a child and adolescent psychologist. She has served the children and families of combat injured service members as part of Operation BRAVE Families at Walter Reed National Military Medical Center. Like Nathan, Emily is a true and highly dedicated public servant.

Nathan is no longer a formal member of my staff, but he'll always be a highly valued member of Team Walden. We miss Nathan's intellect, humor and care. I am certain that he will continue to exhibit in his local community the values he showed on my team—Eastern Oregon values like hard work, service, and loyalty.

In a special address to Congress on January 9, 1956, President Dwight D. Eisenhower said ''The proper role of government, however, is that of a partner with the farmer—never his master. By every possible means we must develop and promote that partnership—to the end that agriculture may continue to be a sound, enduring foundation for our economy and that farm living may be a profitable and satisfying experience.'' As Nathan departed Washington, D.C. after many years of utilizing his expertise in agriculture to improve our nation's policies—efforts often met by others' misunderstanding of agriculture—he was very well suited to fully appreciate President Eisenhower's noble thoughts. Whether working in Congress or from the family farm, Nathan Rea will make his community a better place and represent his industry with honor.

Mr. Speaker, I would like to invite our colleagues to join me in thanking Nathan and his family for their service to the people of Oregon and the country, and wish them the very best of luck as they make their new life back home in Oregon.

RECOGNIZING THE VOLUNTEERS FOR THE RAINBOW THERAPEUTIC RIDING CENTER

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the volunteers with the Rainbow Therapeutic Riding Center.

Established in 1985, the Rainbow Therapeutic Riding Center offers equestrian activities to help Prince William County area citizens who are facing mental health or physical challenges. In an age where technological breakthroughs dominate medicine and where urbanization dominates our surroundings, the

Rainbow Center has worked diligently to preserve horse-riding not only as a simple form of leisure, but also as a pleasurable means of facilitating the improvement of physical and mental health for many of our citizens.

It is my honor to enter into the CONGRESSIONAL RECORD the names of the volunteers with the Rainbow Therapeutic Riding Center:

April Braun, Leigh Bravo, Larry Conneen, Debbie Cosby, Montana Crawford, Nicole Creedon, Sharon Croft, Meagan Curtis, Thomas Dabney, Nicole Dabney, Shane Dalton, Veronica Demarest, Adele Dennis, Emily Dixon, Carlo Domingo, Natasha Dziarnows, Kristina Ferrell, Rose Flanery, Jennifer Fowler, Kaitlyn Fowler, Samantha Fox, Caroline Gellene, Maddie Gierber, VeeDeanya Goodgion, AJ Handy, Alex Hickey, Cassie Hickey, Ellen Hill, Abby Hitt, Christine Hutchinson, Susan Jefferies, Marilyn Keeler, Hailey Kemp, Shirley Kossoy, Amber Kozavac, Samantha Lebley, Marie Lerch, MaryBeth Lerch, Ellen Linder, Tatiana Link, Stan Livingston, Susan Livingston, Carin Lodell, Nick Londino, Nicholas Londino, Natalie Lutsky, Jenny Lyons, Jordan McCloskey, Susan Mcclure, Rileigh Mcclure, Kelly Mcgillivray, Sandy McGushin, Kim Millspaugh, Kyra Min, John Moser, Ellen Mullen, James Mullen, Sue Murphy, Judy Musa, Saundra O'Connell, Gloria O'Connor, Laurie Olivieri, Natalie Pinto, Tori Plumley, Mackie Radar, Diane Ramee, Susan Roberts, Elizabeth Schwitz, Meagan Searles, Larry Shane, Micaela Shrauder, Pat Sodo, Maril Sowa, Emily Steadman, Eliza Stelmack, Susan Sykes, Tyler Walker, Sharyn Walker Kapp, Leighann Whitley and Karen Zipper.

Mr. Speaker, I ask that my colleagues join me in commending the volunteers for the Rainbow Therapeutic Riding Center for their work preserving equestrian activities in Northern Virginia and engaging citizens struggling with mental and physical challenges.

HONORING THE 50TH ANNIVERSARY OF THE MINNESOTA TRANSPORTATION MUSEUM

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Ms. McCOLLUM. Mr. Speaker, today I rise to pay tribute to the founders, members and many volunteers of the Minnesota Transportation Museum on the 50th anniversary of the museum. Based in the historic Jackson Street railroad roundhouse in Saint Paul, Minnesota, the museum plays a vital role in preserving and interpreting the history of Minnesota's transportation systems. The museum allows the public to learn about more about how our state has grown, and experience first-hand the vintage rail cars, trains and buses that have helped move and transform our state.

From its inception, the Minnesota Transportation Museum has been a one-of-a-kind museum, with six operating sites. The museum was first formed to save a single streetcar, Twin City Rapid Transit (TCRT) #1300, as it was only one of two that survived completely intact after TCRT was abandoned in 1954. Following restoration of #1300 to operating condition, it was decided that the streetcar would be returned to service for the public. The streetcar began making regular trips on a remaining stretch of the streetcar route in the southwest suburbs of Minneapolis. More than ten thousand people clamored aboard the car during the first several days of operation helping to propel the museum down the track to early success.

Between 1981 through 1985 the Minnesota Transportation Museum ran a series of short steam excursions and shuttle operations in the Twin Cities area, including destinations in New Brighton, Stillwater, Lilydale, and Northfield, Minnesota. These operations spurred annual town celebrations that brought communities together to share and celebrate vision of the museum. Like many nonprofit organizations, the museum has encountered challenges, but the museum has always risen to overcome these obstacles, thanks to the many volunteers and public supporters drawn to the group's mission.

Not unlike Minnesota transportation itself, the museum has had an amazing history. At the peak of its growth, the museum operated a streetcar line, an interstate tourist railroad, and a 70-foot wood steamboat. The creativity behind preserving this rich part of Minnesota's history remains intact through its volunteer and member network of more than 800 people, many of whom have remained active to this day. By preserving the earliest of streetcars, trains and steamboats, the museum also documents the journey of these vehicles to ensure that future generations will be able to enjoy their rich history.

Mr. Speaker, in honor of the history and legacy of this organization and the many committed people who make it a success, I am pleased to submit this statement for the CONGRESSIONAL RECORD recognizing the 50th Anniversary of the Minnesota Transportation Museum.

STATEMENT OF INTRODUCTION—THE FAIR ACCESS CO-OPS FOR VETERANS ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, across the U.S., there are more than 1.2 million units of housing cooperatives. In New York City, there are close to 6,000 housing cooperatives throughout the five boroughs, housing more than half a million families. Unfortunately, these alternative forms of housing, which are becoming more and more prevalent in urban areas like New York City, Washington, DC, Chicago, and Los Angeles, are not available to our country's veterans.

In 2006, the Congress passed legislation I authored to allow veterans to use the Veterans Affairs' Home Loan Guaranty Program to purchase cooperative housing using their low interest loan benefits. This program allows veterans to buy homes with no down payment and limited closing costs. However, the loan benefit for co-op housing sunset at the end of 2011. That is why today I am introducing legislation, the Fair Access to Co-Ops for Veterans Act, which would permanently permit veterans to use their loan benefits to purchase a co-op. In addition, to ensure that veterans are aware they can utilize the loans for co-op housing units, the bill includes a provision so that the Secretary of the Veterans Administration can advertise the program to eligible veterans, participating lenders, and interested realtors.

By permanently allowing these home loan benefits to include cooperatives, we can honor and thank all who bravely served in our Armed Forces by giving them the tools and resources they need to pursue their dreams of homeownership wherever they live. I thank Senator SCHUMER for introducing companion legislation and thank my colleague Delegate ELEANOR HOLMES NORTON for cosponsoring today's bill.

RECOGNIZING THE VOLUNTEERS FOR LITERACY VOLUNTEERS OF AMERICA–PRINCE WILLIAM, INC.

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the volunteers for Literacy Volunteers of America-Prince William, Inc. (LVA–PW).

Serving Prince William County for the last 23 years, LVA–PW is a non-profit affiliate of ProLiteracy America dedicated to offering free literacy instruction for adults. With over 685 adult learners, LVA–PW's mission is to teach adults to read, write, and communicate effectively and acquire basic literacy skills to become self-sufficient, better themselves and their families, and enable them to more actively participate in the community. LVA–PW provides free basic literacy instruction, English as a Second Language, computer and workplace literacy, Pre-GED and GED tutoring, and ESOL/Civic tutoring services to the community; none of which would be possible without the unwavering efforts of LVA–PW volunteers.

It is my honor to enter into the CONGRESSIONAL RECORD the names of the volunteers for Literacy Volunteers of America-Prince William, Inc.:

Deborah Abbott, Cherry Andrews, Joanna Andrusko, Susan Angello, Jan Arbegast, Lidia Baca, Helen Baker, Barbara Ball, Kathryn Baum, Laura Baum, Wanda Beasley, Patti Beattie, Randy Beattie, Susan Brown, Chris Brown, Fred Bryant, Judith Bugbee, Connie Bukzin, Java Calvin, Lussette Campbell-Hylton, Janice Carr, Barbara Charlton, Natacha Clay, Melinda Colassard, Natasha Collier, Jean Cook, Elizabeth Crawford, Joanna Crutchley, Joyce Cummings, Susan Cunningham, Stewart Davis, John Davis, Karen Deloney, Brigette Dickerson, Inge Donahue, Wayne Doran, Julia Dorsey, Sandra Dowden, Abe Dymond, Douglas Eagles, Dixie Elk, Laura Ellis, Bonny Fahy, Amy Feinberg, Rebecca Ferrall, Diane Figula, Sara Fink, Glorious Ford, June Forte, Trish Freed, Lillian Garland, Forrest George, Rachel Goad, Robert Goldschmidt, Johnnie Gordon, Dominique

Graham, Lasheeco Graham, Bobbi Grant, Vicki Gross, Robert Gross, Angela Hailes, John Haneklau, Lori Harrell, Patricia Hart, Zahra Hashmi, Joe Hebert, Jean Heger, Jim Heller, Shandra Herrod, Kathryn Hildebrandt, Wanna Hinchee, Sonia Hoehn, Linda Hwong, Ken Ikeda, Davine Irving, Kristine Jankovits, Viola Jaramillo, Diane Jenifer, Ernestine Jenkins, Marsha Jenkins, James Jolly, Alma Jones, Rose Marie Junge, Jeannette Kameni, George Kerr, Lynn Kerr, Stephen Khan, Roberta Knussman, Martha Kobliska, Susan Koster, Richard Kroh, Mary Langley, Virginia Lawrence, Barbara Leigh, Susan Linden, Juan Martinez, Thomas Matochik, Deborah Matos Lowe, Linda Mazzucchi, Rebecca McCary, Brenda McClary, Dewayne McDaniel, Robert McNeary, Murray Minster, Janet Mouw, Barbara Murphy, Lottise Murray, Sylvestine Myers, Dao Nguyen, Gail O'Neal, Frances Oquendo, Bob Orazi, Mark Ortega, Joseph Papovich, Damita Payne, Henrietta Phillips, Claudia Phillips, Joel Phoenix, Vic Poillucci, Malath Rangan, Keleigh Reece, Bev Reusser, Noreen Reynolds, Harriet Richard, Marley Richards, Karen Rito, Christie Rolon, Christine Rosen, David Rossi, Bruce Roth, Mercedes Salinas, Nottebon Sanchez, Don Scarr, Cynthia Schell, Joe Schu, Dee Dee Scott, Dottie Smith, Pat Sodo, Janet Sorlin-Davis, Jayne Speck, Steve Spoerry, Jo Storaker, Adele Strader, Linda Sturdivant, Audrea Tarver, Gordon Tassi, Rodney Teixeira, Jean Thompson, Marion Todaro, Cielito Trinidad, Gardenus Tucker, Catherine Turner, Diane Van Bavel, LukeVan de Voorde, Amy Vaughters, Mark Victorson, Erika Visnevskaia, Tracy Walker, Stephanie Way, Lori Weis, Laura Wheelock, Janis White, Sabine Winkler, Ellen Yarborough, Krystal Yeboah, Brian Young.

Mr. Speaker, I ask that my colleagues join me in commending these volunteers for their dedication to adult tutoring and literacy instruction.

RICH IN LAUGHTER IN HONOR OF RICH LITTLE AND HIS GIFTS TO AMERICA AND OUR ARMED FORCES

HON. JOSEPH J. HECK

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. HECK of Nevada. Mr. Speaker, I rise today to honor one of my constituents from Nevada, a man who has become so very close to America's heart over the years. Rich Little, the man of over 200 voices. In the last decades he has impersonated every President. Through his rich collection of voices, he has entertained America and the world. In honor of the love of his life, his late wife Maria, he has also formed a foundation to help children, homeless people, and for animals in need. Just recently he has proudly become an American citizen in 2010. For years Rich's other love has been directed towards the men and women of the Armed Forces. Whether on front lines with Bob Hope, or in hospitals across the America with the USO. He has brought so much joy to these heroes and their families. Taking them all back home for the holidays, and letting them forget the evils of war. He is also a very proud father of two lovely daughters, Brio. and Alaina. I submit this poem penned in his honor by Albert Carey Caswell.

RICH IN LAUGHTER!

(By Albert Carey Caswell)

Rich . . .
Rich in laughter!
Rich in joy!
For these are the things in life which we need so much more!
Some so measure wealth all in silver and gold!
But the greatest measure of ones wealth,
is but what is so found in the heart's we hold!
And all of the hearts along the way,
that we so touch with our's of gold!
Make them laugh!
And make them smile!
Ever so strive to so live your life just like a child!
Like Peter Pan and that crocodile,
be happy and never grow up and ever smile!
For we will only be here for just a while!
So make each day so count,
all in your true amount,
and touch as many hearts along the way all with your style to mount!
So make a difference with it all,
and so ever carry with you the heart of a child!
The only thing Little about this man,
is his great name which rhymes with Kittles like that candy man!
For he is The King!
The King of Impersonator's In Comedy,
as this is so said without any hesitation so indeed!
And Arnold would say,
''you pump me up . . . Rich you complete me''!
Some say he's an Impersonator . . . a fake!
Yes he is, but he's the good kind of which is great!
And he's served more terms as President you see,
than anyone in history!
As a Man for all seasons,
for so many wonderful reasons he can claim!
He's so big he needs to have citizenship in two countries,
just to maintain!
And every President but so remembers his name!
Rich, one of the giants of Hollywood,
and him and Frank did it their way the same!
So President Obama,
if in the White House there is any drama and you need help!
Call him up,
an he'll come over in his Honda, and get you some results!
Born a Canadian, one America's greatest friends,
as one of America's greatest import's for years he would stand!
And even better now my friend,
we are all so proud to so call him an true AMERICAN!
And if Elvis was here today he'd say,
''Thank you, thank you very much . . .
for all of those GI's you took home on all those holidays that you so touched''
He's on so many Walks of Fame,
you'd have to walk around and around the world,
and back again just to so see all of his names!
But his greatest love,
his wife Marie who passed away . . .
and he has founded a foundation all in her name for what she gave!
And one day up in Heaven him and her,
and Jimmy Stewart and Harvey and Ron will all be together again!
The Rich and Marie Foundation was so founded,
to so help children and the homeless and animals in every way!
But perhaps his greatest love,
is for all our Men and Women of the Armed Forces he holds so very high above!
As over the years with Bob Hope here,
into harms way He and Rich would so appear!
And in hospital beds,
across the country, has so said to them what must be said!
Making them smile,
and so raise their spirits and lift their heads!
Bringing tears to all of our wounded women and men who deploy!
And that is why one thing is so,
he's GOT TO BE MR. USO!
And I would give you a long list of all the people that he can so impersonate,
but you need to be home for Christmas with your loved ones they can't wait!
Rich In Patriotism,
that really so describes him to a T,
because he's one fine Yankee Doodle Dandy!
But the one thing about this man that which you can not so impersonate,
is but his huge heart inside of him which is so very warm and great!
And if Ronald were here today,
he'd say, ''well there you go again Rich, you are a great American in every way''!
Make them laugh!
Make them smile!
For we will only be here for just awhile!
Rich In Laughter,
don't you so wish the world could all so be the while?

THANKING JAMES P. D. FLEET II FOR HIS SERVICE TO THE U.S. HOUSE OF REPRESENTATIVES

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. BRADY of Pennsylvania. Mr. Speaker, on behalf of the entire House of Representatives, today I pay tribute to James Fleet, the Democratic Staff Director of the Committee on House Administration. Jamie, as he is known by friends and colleagues, has served in this role since 2009, and his impact has been felt by every Member, staffer, and visitor to the House.

Jamie has been responsible for coordinating and overseeing the back-office operations of the House, including human resources, finance, technology, security and legislative institutions such as the Library of Congress, Government Printing Office, Architect of the Capitol and Officers of the House, as well as the Smithsonian Institution.

Jamie has played a critical role in the Committee's oversight of federal elections, including such pertinent issues as campaign finance, voter registration, military and overseas voting, voter identification, and preventing voter suppression. His leadership was instrumental in the House's passage of the DISCLOSE Act, requiring full disclosure of political contributions.

Jamie's life in politics began at the age of 18, when he waged a successful write-in campaign to serve on the Gettysburg Borough Council. He went on to work for Pennsylvania Governor Ed Rendell. He formed his own successful campaign consulting firm, providing guidance for both state and national campaigns. He also served as a Senior Advisor to City of Philadelphia Controller Jonathan Saidel.

While Jamie should be proud of all of his accomplishments, they pale in comparison to the pride for his young daughter Rory.

Jamie will be missed throughout the institution. It has been a pleasure to work with him for the last seven years. Please join me in commending his outstanding service and wishing him continued success as he takes on new challenges in the Senate.

RECOGNIZING THE PRINCE WILLIAM COUNTY VOLUNTEERS FOR MOTHERS AGAINST DRUNK DRIVING

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the Prince William County volunteers for Mothers Against Drunk Driving.

Mothers Against Drunk Driving (MADD) is the largest nonprofit working to protect families from drunk driving and underage drinking. MADD volunteers in Prince William County, Virginia have increased public awareness of the dangers of drunk driving and the assistance families need to persevere through such tragedies. Volunteers in the county organize annual programs and initiatives in tribute to local victims and survivors. To establish a safer future for all, MADD volunteers campaign to eliminate drunk driving, host the PowerTalk21™, the national day for parents to talk with their kids about alcohol and provide literature to area residents and drivers. These volunteers work tirelessly to prevent families from experiencing the pain of losing a loved one to drunk driving.

It is my honor to enter into the CONGRESSIONAL RECORD the names of the Prince William County volunteers for Mothers Against Drunk Driving: Laura Dawson, Debbie Sausville.

Mr. Speaker, I ask that my colleagues join me in commending the Prince William County volunteers for Mothers Against Drunk Driving for their service and in thanking them for their dedication to ending drunk driving. These volunteers provide education, advocacy, and victim assistance to reduce the painful impact drunk driving has on our community.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $16,738,602,543,527.17. We've added $6,111,725,494,614.09 to our debt in 4.5 years. This is $6 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

THE OCCASION OF THE RETIREMENT OF CARLA R. HULTBERG

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. DINGELL. Mr. Speaker, today, Wednesday, June 24, 2013, I, along with my good friend Congressman ELIJAH E. CUMMINGS, the Ranking Member of the House Committee on Oversight and Government Reform, would like to honor the contributions of Carla R. Hultberg on the occasion of her retirement from the House of Representatives after more than 24 years of exemplary service to Congress and the nation.

Carla began her career in the House of Representatives in 1989 as Assistant Clerk for the Committee on Energy and Commerce, helping to implement a demanding legislative agenda set by then-Chairman JOHN DINGELL.

In 1995, after receiving recognition for her exceptional work, Carla was asked to begin serving in two roles, conducting the Committee's exacting clerking responsibilities while also incorporating new online technologies that had never been used before on Capitol Hill.

In 2007, Carla was promoted to Deputy Clerk of Technology and Administration and supervised a team of staffers managing and maintaining the office's networks and equipment and representing the Committee's administrative interests before the full House.

In 2009, Carla took on perhaps her most significant challenge when she was promoted to Chief Clerk of the Oversight Committee under then-Chairman Edolphus Towns, where she helped build a new majority office from the ground up and took the lead on all Committee operations.

For the past three years, Carla has served as Chief Clerk for the minority staff of the Oversight Committee under Ranking Member ELIJAH E. CUMMINGS, managing all legislative and investigative records, all clerking responsibilities, and all administrative and personnel operations.

Throughout her career, Carla has been an anchor for Committee operations, and she has never sought credit or attention, although it is most certainly due.

Carla is defined by her dedication, work ethic, and selflessness. She is the type of staffer that every Member of Congress seeks—and desperately wants to keep.

Carla has touched the lives of countless Members of Congress who rely on her, congressional staffers who look up to her, and members of the American public whom she has served for more than two decades.

Author Marianne Williamson said: "Nothing liberates our greatness like the desire to help, the desire to serve."

No one embodies this quote better than Carla Hultberg. She has been a true servant of the American public, and she will be missed dearly in the halls of Congress.

RECOGNIZING THE VOLUNTEERS FOR THE MAKE A CHANGE GANG TATTOO REMOVAL PROGRAM

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the volunteers for the Make a Change Gang Tattoo Removal Program.

The Make a Change (M.A.C.) Gang Tattoo Removal Program is a collaborative effort by the Prince William Area Gang Response Intervention Team, the Prince William County Bar Foundation, Inc. and the Greater Prince William Community Health Center. The program provides free removal of gang tattoos for young adults who would like to leave gang life and remove all visible remnants of that life through tattoo removal. The names and organizations that are mentioned below have provided service to the M.A.C. Program, and helped members of the community who seek a new start at a life free from gang affiliation.

As former Chairman of the Fairfax County Board of Supervisors, I was proud to lead efforts to reduce gang involvement and violence. Through the creation of the Northern Virginia Regional Gang Task Force, we were able to implement a number of initiatives including tattoo removal. These initiatives resulted in a significant reduction in gang activity in Fairfax County. Since being elected to Congress, I have continued to support efforts to address gang violence and joined with several of my colleagues to provide additional funding to the Task Force.

It is my honor to enter into the CONGRESSIONAL RECORD the names of the volunteers for the Make a Change (M.A.C.) Gang Tattoo Removal Program: Amir Bajoghli, MD; Jane Keady, RN; Saeed Marefat, MD; Judy Merring, RN; Carol Shapiro, MD.

Additionally, I would like to enter into the CONGRESSIONAL RECORD the names of the following organizations that have collaborated with the Make a Change (M.A.C.) Gang Tattoo Removal Program: Prince William Area Gang Response Intervention Team, Prince William County Bar Foundation, Greater Prince William Community Health Center, Sentara Northern Virginia Medical Center, Novant Health Prince William Medical Center.

Mr. Speaker, I ask that my colleagues join me in commending and thanking the volunteers for the Make a Change Gang Tattoo Removal Program. These volunteers have worked diligently to integrate former gang members who would genuinely like to follow a more productive and fulfilling path in life.

PERSONAL EXPLANATION

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. HASTINGS of Florida. Mr. Speaker, had I been present for the following votes on June 20, 2013, I would have voted accordingly:

1. Roll No. 264 On Agreeing to the Amendment Brooks of Alabama Part B Amendment No. 18—"no" Vote
2. Roll No. 265 On Agreeing to the Amendment Butterfield of North Carolina Part B Amendment No. 25—"yes" Vote
3. Roll No. 266 On Agreeing to the Amendment Marino of Pennsylvania Part B Amendment No. 26—"no" Vote
4. Roll No. 267 On Agreeing to the Amendment Schweikert of Arizona Part B Amendment No. 30—"no" Vote
5. Roll No. 268 On Agreeing to the Amendment Tierney of Massachusetts Part B Amendment No. 32—"yes" Vote
6. Roll No. 269 On Agreeing to the Amendment Polis of Colorado Part B Amendment No. 37—"yes" Vote
7. Roll No. 270 On Agreeing to the Amendment Garamendi of California Part B Amendment No. 38—"yes" Vote
8. Roll No. 271 On Agreeing to the Amendment Marino of Pennsylvania Part B Amendment No. 41—"no" Vote
9. Roll No. 272 On Agreeing to the Amendment McClintock of California Part B Amendment No. 43—"no" Vote
10. Roll No. 273 On Agreeing to the Amendment Gibson/Meeks/Sean Maloney of New York Part B Amendment No. 44—"yes" Vote
11. Roll No. 274 On Agreeing to the Amendment Walorski of Indiana Part B Amendment No. 45—"no" Vote
12. Roll No. 275 On Agreeing to the Amendment Courtney of Connecticut Part B Amendment No. 46—"yes" Vote
13. Roll No. 276 On Agreeing to the Amendment Kind of Wisconsin Part B Amendment No. 47—"no" Vote
14. Roll No. 277 On Agreeing to the Amendment Carney/Radel of Delaware Part B Amendment No. 48—"no" Vote
15. Roll No. 278 On Agreeing to the Amendment Goodlatte/Scott (GA)/Moran/Polis/Meeks/DeGette/Lee of Virginia Part B Amendment No. 99—"yes" Vote
16. Roll No. 279 On Agreeing to the Amendment Radel of Florida Part B Amendment No. 49—"no" Vote
17. Roll No. 280 On Agreeing to the Amendment Walberg of Michigan Part B Amendment No. 50—"yes" Vote
18. Roll No. 281 On Agreeing to the Amendment Pitts/Davis (IL) of Pennsylvania Part B Amendment No. 98—"no" Vote
19. Roll No. 282 On Agreeing to the Amendment Fortenberry of Nebraska Part B Amendment No. 100—"no" Vote
20. Roll No. 283 On Agreeing to the Amendment Huelskamp of Kansas Part B Amendment No. 101—"no" Vote
21. Roll No. 284 On Agreeing to the Amendment Southerland of Florida Part B Amendment No. 102—"no" Vote

THANKING JAMIE P.D. FLEET, II FOR HIS SERVICE TO THE U.S. HOUSE OF REPRESENTATIVES

HON. JUAN VARGAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. VARGAS. Mr. Speaker, on behalf of the U.S. House of Representatives, today I pay tribute to Mr. Jamie P.D. Fleet, II, Democratic Staff Director for the Committee on House Administration. In this role, Mr. Fleet is responsible for coordinating and overseeing the operations of the House, including human resources, finance, technology, security, and other areas of operations. His guidance, mentorship, and leadership have been invaluable assets to his staff and colleagues, and to all Congressional offices.

The Committee provides oversight of the Library of Congress, the Smithsonian Institution, Government Printing Office, and the appointed House Officers including the Clerk of the House, Sergeant at Arms and Chief Administrative Officer, Inspector General. Mr. Fleet played a central role in the oversight of federal elections, which is one of the most important responsibilities of the Committee. During the 111th Congress, the Committee, under Mr. Fleet's management, reviewed issues pertaining to voter registration, guidelines, military and overseas voting, use of technology in facilitating expanded voting, robocalls and other campaign outreach tools.

Mr. Fleet's introduction into the political arena was at the age of 18, when he waged a successful write-in campaign and was elected to the Gettysburg Borough Council. He spent several years as a Special Assistant to Pennsylvania Governor Ed Rendell. Eventually he formed his own political consulting firm leading successful campaigns across the country. Mr. Fleet also served as a Senior Advisor to City of Philadelphia Controller Jonathan Saidel.

His unique mix of local, state, national political experience gives him exceptional insight into the U.S. electoral system.

Please join me in commending the outstanding service of Mr. Jamie P.D. Fleet, II, to the Congress of the United States and congratulating him on his new position as Chief of Staff to Senator CANTWELL of Washington. We wish you well in all your future endeavors.

RECOGNIZING THE VOLUNTEERS FOR PRINCE WILLIAM COUNTY NEIGHBORHOOD SERVICES

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the volunteers for Prince William County Neighborhood Services.

The dedicated volunteers for Prince William County Neighborhood Services are an essential part of the Neighborhood Services Division. They support a tireless effort to preserve and enhance our neighborhoods by facilitating resident input and involvement. This strategic partnership promotes civic responsibility, neighborhood collaboration and government responsiveness.

It is my honor to enter into the CONGRESSIONAL RECORD the names of the volunteers for Prince William County Neighborhood Services: Jason Byrd; Stephanie Donahue; Jim Hollis; Nikki Hunt; Carl Hunt; Karen Lyle; Amy McGowan; Eileen Settlemyer.

Mr. Speaker, I ask that my colleagues join me in commending the volunteers for Prince William County Neighborhood Services for their service and in thanking them for their dedication to neighborhood beautification in our community.

PERSONAL EXPLANATION

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. JOHNSON of Georgia. Mr. Speaker, on Thursday June 20, 2013, during a rapid succession of two-minute votes, I mistakenly voted 'aye' for rollcall No. 281.

This amendment seeks to dismantle the U.S. sugar program, which has operated successfully for decades at no cost to taxpayers, and provides a stable supply of sugar for Americans at affordable prices. Doing away with the U.S. sugar program would cost thousands of jobs, destabilize the U.S. sugar supply, and would not result in a discernible change in the price of sugar for Americans. The price of sugar continues to drop, and is currently at its lowest level in decades. Passage of this amendment does nothing to decrease the price of sugar, and will only assist companies to offshore jobs, cut labor and health care costs, and leave American farmers penniless.

Supporters of this amendment complain about high prices for sugar. Yet restaurants give sugar away and that one can buy a five-pound bag of sugar for almost nothing. This amendment will do nothing to create a free market for sugar and will only subject the U.S. to distorted world sugar markets that will cost farmers their livelihoods and American jobs.

IN HONOR OF ROYAL SPRING MIDDLE SCHOOL

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. BARR. Mr. Speaker, I rise today to honor the Royal Spring Middle School in Georgetown, Kentucky, and to congratulate them on being named one of the top performing middle grades schools in the country. Royal Springs Middle School will be recognized with 119 other high-performing schools from across the nation as a School to Watch by the National Forum to Accelerate Middle-Grades Reform at their annual conference June 27–30, 2013 in Arlington, Virginia.

Through the Schools to Watch initiative, the National Forum identifies schools across the

United States that are well on their way to meeting the Forum's criteria for high performance—schools that challenge all students academically, are sensitive to the unique developmental challenges of early adolescence, and provide every student with high-quality teachers, resources, and support.

Mr. Speaker, I ask that my colleagues join me in commending the Royal Spring Middle School for its commitment to its students and in congratulating the school on this well-deserved recognition. I would like to extend my personal appreciation to the Royal Spring Middle School for not only improving the lives of its students, but also bettering our Commonwealth.

RECOGNITION OF THE HONORABLE PAOLO COSTA

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise to recognize the Honorable Paolo Costa, the Special Government Commissioner for the enlargement of the United States military installation at Del Din in Vicenza, Italy. Honorable Costa was appointed by the President of Italy as a Special Commissioner and was responsible for overseeing the Del Din project. The Del Din project resulted from a major U.S. Army restructuring plan that called for the relocation of two additional battalions from Germany to Italy by 2013. This expansion would increase troop levels from 2,400 to 4,200 soldiers in Italy. Unfortunately, this expansion was met with strong resistance from local leaders as well as the Italian population.

Without the hard work and persistence of the Honorable Paolo Costa, the Del Din project would not have succeeded, impacting the mission and also the service members of the United States military. For the last five years, Mr. Costa was able to work with various groups, protestors, students and local government officials ensuring the successful construction of the expansion ultimately providing housing for the Sky Soldiers of the 173rd Airborne Brigade Combat Team. Mr. Costa understood the importance of this expansion to the U.S.-Italian long-term strategy. Despite the significant challenges, Mr. Costa stood firm in his vision and unwavering in his commitment to the U.S.-Italy alliance by bringing the Del Din project to reality.

The Honorable Paolo Costa's contributions are indispensable to the success of our Infantry, our Army and our Nation. I am extremely honored to recognize the Honorable Paolo Costa and his tremendous accomplishments and commitment to the U.S.-Italy alliance.

HONORING LILLIAN EDWARDS

HON. BILL FLORES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. FLORES. Mr. Speaker, today I would like to honor Lillian Edwards, one of our nation's selfless veterans, who will be turning 100 on July 18th. In addition to serving our country during World War II, she spent a lifetime as an educator and serving her community.

Lillian is a native of Marion, Louisiana, and at the age of 15 completed high school. She then went on to work on numerous advanced degrees. She graduated from Louisiana Tech University in 1933 with a Bachelor of Science degree in Science and a teaching certificate. In 1940, she received her Master of Science in Physical Education from Louisiana State University, and in 1950 she achieved a Master of Public Health from the University of North Carolina.

As a teacher, Lillian taught at Farmerville High School and Mansfield High School in Louisiana.

In 1942, Lillian entered the Women Accepted for Volunteer Emergency Service (WAVES) in the U.S. Navy. She then served our nation for two and a half years as a Naval communications officer. For her service she earned a World War II Victory Ribbon and American Theater Ribbon Work Experience

A year after returning from service, Lillian joined the Louisiana Public Health Department and was the first woman in the U.S. to receive her job training before she received her Master in Public Health. In 1956, she moved to Monroe and became the regional health educator, serving 28 North Louisiana parishes.

Lillian has served on a number of committees and boards, including the Louisiana Public Health Association, the American Public Health Association, the Louisiana Conference of Social Workers, the Louisiana Mental Health Association, and the Ouachita Council for the Aging.

In anticipation for her 100th birthday, I pay tribute to Lillian Edwards for her service to her community and to our nation during World War II. She is truly one of America's Greatest Generation.

RECOGNIZING THE VOLUNTEERS FOR THE PRINCE WILLIAM COUNTY JUVENILE DETENTION CENTER

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the volunteers for the Prince William County Juvenile Detention Center.

The Juvenile Detention Center (JDC) volunteers assist with the efficient operation of the Juvenile Detention Centers After-school program. They treat the youth with respect, dignity and worth, becoming role models for youth who wish to change their lives. The volunteers promote healthy social, educational, emotional, and physical development.

It is my honor to enter into the CONGRESSIONAL RECORD the names of the volunteers for the Prince William County Juvenile Detention Center:

Jean Andreas, Cherry Andrews, Antonio Ante, Mileydi Ante, Alex Arevalo, Edith Ayala, Tina Barnett, Luffon Berry, Viola Berry, Pat Black, Shannon Boozer, Barbara Borthwick, Patrick Bowens, Tricia Bowling-Bryant, Carol Browser, Isabella Buckley, Daniel Card, Anthony Cardwell, Louis Chevalier, Triane Choir Ministry, Iris Clowers, Randy Cooper, Frank Corish, Avonne Critch, David Curry, Joel Danelli, Cheryl Devallon, Faith Dickerson, Arthur Dietrich, Josephine Diggs, Moises Duncanape, Danell Escalera, Karen Evans, Pete Ferman, Ellen Field, Cindy Fleming, Doug Freeman, Phillip Freeman, Wilber Gieb, Keith Gil-Ortega, Vickey Givens, CeCe Graham, Tabitha Greco, Linda Guion, Shontay Hammon, Rodney Harlee, Ruth Harris, Sherri Hellwig, Christine Hines, Corey Hobbs, Pat Holeman, Greg Holiday, Cinclair Holt, Stephanie Howard, Merle Howard, Jackie Jackson, Josefa James-Bond, Breanna Jarquin, Frank Jones, Minka Lanier, Kimberly Larson, Sandy Lawrie, William Lewis, Dudley Ligon, Tracey Lindsay, Vickey Logan, Ardine Marie, Elizabeth McCoy, John McKie, Robert Melvin, Dan MenMuir, Greg Morris, Daniel Natal, Sheila Parocia, Sammy Perez, Betty Poling, Keith Pollard, Carlos Recono, Stephanie Robbins, Cindy Rodriguez, Kathy Ruehle, Joy Russom, Brandis Sanchez, Cathy Sanders, Cathy Schaffer, Angel Serrano, Natasha Severe, Rick Sibbett, George Simpson, Lori Sims, Victoria Soberanis, Martin Steinberg, Sherry Stone, James Strickland, Brenda Todd, Doyoberto Trejo-Guzman, Paul Villavicencio, Diane Walden, Sandra Watjen, Jan Weng, Tracey Wilkins-Clark, Carol Wilson, Michael Wilson, Bobbi Wright, Rennie Wright.

Additionally, I would like to enter into the CONGRESSIONAL RECORD the names of the following groups and organizations that have collaborated with the Prince William County Juvenile Detention Center Volunteers:

Ebenezer's Men's Choir,

St. Mark's Quilters,

Virginia Challenge Program,

Quail Springs Student Choir.

Mr. Speaker, I ask that my colleagues join me in commending the Prince William County Juvenile Detention Center volunteers for their service and in thanking them for their dedication to this valuable mentorship program.

IN RECOGNITION OF ST. JOSEPH'S CENTER OF SCRANTON, PA FOR 125 YEARS OF OUTSTANDING SERVICE TO THE COMMUNITY

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor one of Scranton's oldest, most respected community service institutions: St. Joseph's Center. On July 1, St. Joseph's will celebrate its 125th anniversary. Since 1888, St. Joseph's Center has provided much-needed services in northeastern Pennsylvania.

From the very beginning, the women of St. Joseph's organized to help the most vulnerable Pennsylvanians—abandoned orphans with nowhere else to turn. There was such a demand for their assistance that St. Joseph's outgrew three buildings before 1900. From sheltering homeless infants, St. Joseph's

quickly expanded to assist unwed mothers and provide child placement services.

After World War II, St. Joseph's refocused on another area of pressing, unmet need in the community. The center was quickly transformed from an orphanage into a center for children diagnosed with intellectual disabilities. Today, the center runs thirteen community homes where individuals with even the most serious disabilities can live well, treated with dignity and respect.

St. Joseph's also worked actively to support families caring for children with intellectual disabilities at home. They provide community-based assistance to hundreds of families every year. In 2003, the opening of the Blakely Street Campus for Adult Day Services allowed St. Joseph's to offer year-round services for young people with intellectual disabilities who are not in one of the Center's residential programs.

Today, St. Joseph's still provides shelter and support for pregnant women. They offer not just counseling and adoption services but life-skills training, a mother/infant residence and, most importantly, a steadfast commitment to the values that have guided them since their founding 125 years ago. The Center's service to the community has truly been outstanding, and we look forward to the next 125 years.

RECOGNIZING THE VOLUNTEERS FOR KEEP PRINCE WILLIAM BEAUTIFUL

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the volunteers for Keep Prince William Beautiful (KPWB).

KPWB's objective is to protect the environment. Through the implementation of six programs, the organization focuses on three areas of environmental stewardship: litter removal, recycling education, and water quality initiatives. The six programs include: Volunteer Storm Drain Initiative, Adopt-A-Spot Program, Volunteer Speakers Bureau, Fall and Spring Cleanup, Litter Survey, and Community Cleanup.

It is my honor to enter into the CONGRESSIONAL RECORD the names of the volunteers for Keep Prince William Beautiful:

Kelly Adam, Tim Adam, Matt Anderson, Arnold Appanah, Allyson Avery, Nyjah Bell, Jasmin Blocker, Ebony Blount, Tamea Boone, Gwen Bourke, Taylor Branch, Jeanine Britt, Susan Brooks, David Brown, Gillette Brown, Deborah Campbell, David Carr, Ralph Cataneo, Liviu Catuneanu Cica, David Centeno, Chrissy Christiansen, Mark Clark, Barbara Conrad, Austin Cooper, Ed Cronin, Raiven Crosby, Sharon Delap, Francis Diaz, Kevin Dupree, Kelly Easterly, Morgan Easterly, Tyler Easterly, Scott Ebol, Marc Engelking, Marge Fatula, Steve Glasser, Linda Gosnell, Jorn Hansen, Ron Haynes, Jeannie Hefin, Michael Hicks, Sara Hodja, Jeanne Howard, Ed Howell, Patsy Humphrey, Pauline Hunter, Pierre Jackson, Aliyah Jameer, Jay Leach, Tonie Jones, Peter Lineberry, Becky Logan Fay, Nina Lomax, Damaris Lopez, Kyle Love, Joanne Luce, Zara Mahmood, Allen Matthys, Helen Matwiejuk, Mitchell Arnold, Alexis Morgan, Seth Morgan, Steve Morgan, Bill Moser, Connie Moser, Delain Moyers, John Nagel, Barbara Nuckols, Victoria Okocha, Amanda Pataluna, Yariel Perez, Joseph Pettiford, Jeffrey Poisson, Rebecca Purdy, Gerri Ratchye, Sofia Riaz, Cindy Riggle, Rebecca Rinke, Sara Rinke, Soo Rinke, Hilary Rokwa, Imani Sandres, Josue Santoya, Kim Sawicki, Albert Sedeno, Same Shanker, Tom Smith, William Smith, Dana Taylor, Rachel Teufert, Steffen Thomas, Kenvin Thorne, Connor Trexel, Dan Trexel, Jasmine Turner, Alexandra Wakely, Colin Walthall, Pat White, Bennett Whitlock, Larry Wilbanks, Sharon Witt, Kimberly Wood, Eric VanNortwick, Marie Vayer, Megan Vidas, Zoe Vitter.

Additionally, it is my honor to enter into the CONGRESSIONAL RECORD the names of the following organizations and civic associations that have collaborated with Keep Prince William Beautiful:

KPWB Adopt-a-Spot, KPWB Volunteer Groups, Affordable Lawn Care, ASK DR. RUTH CONSULTANTS, Belmont Bay Community, Bethel United Methodist Church, Blooms Mill HOA, Cardinal Glen HOA, Christ Chapel Academy, Cokesbury United Methodist Church, Covenant Presbyterian Church, Crossroads Presbyterian Church, Cub Scout Pack 1196, Cub Scout Pack 1355, Cub Scout Pack 1364, Cub Scout Pack 1369, Cub Scout Pack 1831, Cub Scout Pack 30–Tyler Elementary School, Dale City Civic Association, Dale City–PWC Top Ladies of Distinction, Inc. & Top Teens of America, First United Presbyterian Church of Dale City, Didlake, Inc., Dunbar Neighborhood Watch, Ghana Wesley Church, Glendale Community Group, Jackson's Ridge Community, Gods Ladies of Significant Service (G.L.O.S.S.), Good Shepard United Methodist Church, Huffman Family, Jack & Jill Foundation, Jackson's Ridge Community, Jr. Girl Scout Troop 4980, Lakewood Manor HOA, Lindendale Community Group, Little Baptist Church, Marine Recruiter Substation Woodbridge, New Balance Potomac Mills Mall, Nottingdale Neighbors, PNC Bank at Potomac Town Center, PWC Youth Ambassadors, Prince William Resolves Chapter, Quantico Marine Base, Daughters of the American Revolution, Princedale/Ridgedale Community Pride, PurdyRandom Sisters, Rippon Landing Master Association, River Oaks Community Association, Ron Haynes, Keller Williams Realty, Saint Paul United Methodist Church, Second Heritage MEWS Community Association, Steve Glasser, Thies Family, Top Ladies of Distinction (TLOD), Troop 1297, Twin Oaks Farm, Venture Crew 35, Victory Christian Preschool and Academy, Whitlock Wealth Management, Winston Family, Woodbridge Potomac Communities Civic Association, Woodbridge Women's Club, Zuniga Family.

Mr. Speaker, I ask that my colleagues join me in commending the volunteers of Keep Prince William Beautiful and in thanking them for their dedication to environmental stewardship and community beautification.

HONORING RICHARD MICHALSKI ON HIS DISTINGUISHED CAREER

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. PASTOR of Arizona. Mr. Speaker, I rise today to recognize Rich Michalski and his long and well-respected career with the International Association of Machinists & Aerospace Workers (IAMAW). Throughout Rich's career with IAMAW, he has dedicated over forty-five years to the machinists, a life-long relationship that began when he joined the union himself in 1968 and will culminate with his retirement as the General Vice President, a position he has held for the past seven years.

I was first formally introduced to Rich in 1992 by Congressman Jerry Kleczka, who has always spoken highly of him and since this time, I too have grown to greatly respect and admire Rich and his steadfast commitment to IAMAW. Rich was first initiated into IAM Local Lodge 1916 at General Electric in Milwaukee, Wisconsin in 1968. He worked as a welder, steward, chairman of the bargaining committee, and president. From his initial beginnings with the union, Rich was always involved with IAMAW's political and legislative priorities. For twelve years he was the Democratic committeeman for his precinct and was elected a delegate to the 1980 and 1984 Democratic National Conventions. As IAM's Director of Legislative and Political Action Department, he partnered with AFL–CIO and its affiliates, and Members of Congress to promote legislative issues affecting our American laborers and their families. Thanks to Rich's most recent efforts as the General Vice President, he has overseen and managed the IAM headquarters, and he has significantly contributed to actions countering the anti-union and anti-labor agenda.

Throughout my years of knowing Rich, I have truly valued the supportive friendship and long professional association that I have shared with him. On many occasions, I have relied on his intelligence and political acumen, and he has proven to be a trusted voice who has taught me a great deal over the course of our friendship. Mr. Speaker, please join me in congratulating Rich on his retirement and long career as a committed advocate on behalf of our nation's workers, especially our machinists. It is with gratitude for these efforts that I join with Rich's family, friends, and colleagues in extending my well wishes for a much deserved retirement and happy and fulfilling future ahead.

IN HONOR OF SALLY MURPHY

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. FARR. Mr. Speaker, I rise today along with my colleagues Representatives CALVERT, CAPPS, COSTA, HUNTER, MATSUI, MCNERNEY, ROYCE, THOMPSON and WALDEN to honor Sara

Hope Murphy or ''Sally'' to her friends, who recently retired from Wine Institute, where she was the chief public policy advocate for the California wine industry.

Sally is one of the bravest people we know. Her retirement was the result of a diagnosis for ALS, or Lou Gehrig's disease. It all started because she was having trouble speaking. Unfortunately now, the disease has left her unable to speak at all. But in true Sally fashion, she has not allowed that to silence her. Many of you received her letter announcing her leaving, which was characteristic of Sally. It was right up front and center, and very frank.

Sally has a long association with the United States Congress. She first came to Capitol Hill to work for Congressman Lou Frey of Florida. She then spent 10 years on the staff of THAD COCHRAN in both the House and the Senate. She worked for Congressman Henson Moore and then left the Hill to work for Pacific Telesis Group and Sprint.

However, the crowning glory of her career was going to work for Wine Institute. Her members, the winery owners, are so pleasant and she was impressed with how they—many of whose families had been in the business for four or five generations—so love what they plant, nurture, and produce.

The people she worked with at Wine Institute are some of her closest friends: Bobby Koch, its president, Vikki Watkins, Susan Gregory, and Sheila Credle of the Washington office. She loves her former colleagues in the home office in San Francisco and those in Sacramento and in the states as well; all of them made every day a joy for Sally to go to work.

Currently there is no cure for ALS, but Sally decided early on not to be defeated. Despite the daily struggles, she has refused to give up in her fight. She finds strength in her husband Billy, who has been a stalwart help to her.

To us, Sally was the perfect embodiment of the wines she represented. Her presence brings life to any gathering of friends and fills every conversation with laughter.

Mr. Speaker, it is truly an honor to rise and celebrate the accomplishments of Sally Murphy and to offer her our prayers and support.

RELIGIOUS MINORITIES IN SYRIA: CAUGHT IN THE MIDDLE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. SMITH of New Jersey. Mr. Speaker, yesterday, I chaired a joint hearing of the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations and the Subcommittee on the Middle East and North Africa. We turned our attention to an overlooked aspect of the crisis in Syria—the religious minorities caught in the middle of the conflict and apparently targeted by government forces as well as rebel groups.

More than 93,000 Syrians have been killed in this horrendous and seemingly endless civil war. More than 4.25 million people are displaced within Syria, with millions more fleeing to safety in the surrounding countries of Jordan, Turkey, Lebanon, and Iraq. It is disturbing to note that one in five of the refugees is Christian although Christians in Syria make up one in ten of the pre-war population of 22 million people. This would seem to indicate that Christians are even more fearful for their lives and safety than other segments of the Syrian population.

Before the war, Syria was a fairly pluralistic society, with Alawites, Shias, Ismailis, Yezidis, Druze, Christians, Jews, and Sunnis living in relative peace, side by side. The situation was far from perfect, as President Bashar al Assad's regime had a vast security apparatus in place with members inside each of the religious communities to monitor their activities.

The Assad government was guilty of serious human rights violations, including the summary imprisonment and execution of political opponents. But relations between the various religious groups were generally not violent.

That civil co-existence has ended with the war. In February of this year, the UN Independent International Commission of Inquiry on the Syrian Arab Republic reported that, ''The conflict has become increasingly sectarian, with the conduct of the parties becoming significantly more radicalized and militarized.''

This followed on an earlier Commission report stating that, ''Entire communities are at risk of being forced out of the country or of being killed inside the country. With communities believing—not without cause—that they face an existential threat. . . .''

We know that early in the civil war, Assad came to view the Christian minority with suspicion, accusing churches of laundering money and goods for opposition forces and forbidding banks from transactions for certain churches.

There is also evidence that the Assad regime encouraged sectarian tensions in order to maintain power—perhaps believing that if the people were afraid of Islamists commandeering a nominally secular state, the people would be more likely to support Assad over the opposition.

In December 2012, Time Magazine reported allegations that the Assad regime was paying individuals to pose as opposition supporters and chant slogans at protests including ''The Christians to Beirut, the Alawites to the grave.''

Our own government has voiced concern about the particular threat posed to Christians in Syria. According to the State Department's International Religious Freedom Report for 2012, ''The regime continued to frame opposition actions as targeting the Christian population. At the same time, it increased its own targeting of Christian and Alawi anti-regime activists in order to eliminate minority-voices that might counter its narrative of 'Sunni-Sponsored violence'.''

Religious minorities seem to fear the opposition forces. Some prominent opposition groups (such as the Muslim Brotherhood) have a religious basis which has been seen as threatening to Syria's Alawite and Christian minorities.

Smaller opposition factions, such as the al-Qaeda-affiliated jihadist al-Nusra Front, take explicitly sectarian positions. There are reports of incidents in which rebel forces engaged in sectarian violence, such as burning Shi'ite mosques.

Christians are perceived by many in the opposition to be Assad loyalists, possibly due to Assad's aggressive recruitment of Christians into the regime militias at the start of the civil war. Other reports indicate that the Christians attempted to remain neutral either out of pacifism or concern about their rights under opposition forces.

Christian neutrality was perceived by some opposition groups as loyalty to the regime. In December 2012, a rebel force believed to be associated with the Muslim Brotherhood released a Youtube video entitled, ''Warning mainly Christian cities in the province of Hama'', and promising attacks if they continue to support and house the pro-Assad forces.

Christian leaders have been targeted, such as the April 2013 kidnapping of Mor Gregiorius Yohanna Ibrahim of the Syriac Orthodox Church and Bishop Boulos Yazigi of the Greek Orthodox Church—both men still have not been returned.

The Druze community reports being targeted as well. In March 2013, a Druze leader reported to Christian Solidarity International, ''Our people get stopped at checkpoints and are asked which sect they belong to. Once the militias hear that they are from Swaida [a province where 90% of the population is Druze], our men disappear.''

The al-Nusra Front, a U.S. designated foreign terrorist organization, has been blamed for much of the sectarian rhetoric and violence, but dozens of the opposition groups ascribe to Islamist or Salafist–jihadist ideologies and mingle with the Free Syrian Army—which the U.S. may now be supporting.

Over the last three years, the United States has committed to providing $250 million to various opposition groups in Syria—at least $117 million of which has already been funded, largely to the National Coalition of Syrian Revolution and Opposition Forces. With the chemical weapon red line crossed, the Administration has also agreed to provide ammunition and small arms.

It is not clear whether any of this new lethal assistance will go to the Free Syrian Army and its worrisome opposition groups.

The Administration has also committed to send an additional $300 million in humanitarian aid to ''vulnerable groups'' in and surrounding Syria. It is not clear whether distribution of this aid will be informed by the plight of religious minorities.

I am very concerned that the Administration may not be taking seriously the targeting of religious minorities. Too often, we have heard from this Administration that they have bigger issues to deal with than the vulnerability of religious minorities.

In the last two appropriations cycles, we have directed the Administration to condition aid to Egypt ($1.3 billion dollars) on certification that Egypt is acting to protect the religious freedom of its minorities. The Administration (both Secretaries Clinton and Kerry) refused to do so. Perhaps not surprisingly, the government of Egypt continues to allow attacks on Coptic Christians with impunity.

Money talks. The United States should be using assistance to ensure recipient countries

and entities have a plan that is implemented to protect vulnerable religious minorities. This is all the more critical in situations like Syria, where we are providing lethal aid in what has become a sectarian tinderbox.

RECOGNIZING DR. MITCHELL T. MUNSON

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. COFFMAN. Mr. Speaker, I rise today to recognize a constituent of mine, Dr. Mitchell T. Munson, of Highlands Ranch, Colorado. Dr. Munson will soon be elected president of the American Optometric Association (AOA) during their 116th annual meeting, where he will be installed as the association's 91st president on Saturday, June 29, 2013, in San Diego, California.

Dr. Munson is a graduate of the Southern California College of Optometry and has a private practice in Highlands Ranch, Colorado. He has been a leader in his profession at the local, state, and national levels. The Colorado Optometric Association (COA) named him Young Optometrist of the Year in 1993 and he became president of the COA in 1995. Dr. Munson is a past president of the Southwest Council of Optometry and a Fellow in the American Academy of Optometry.

Dr. Munson has built a renowned record of service and leadership in his profession and I am confident that he will have a very successful term as president of the AOA. The sixth District of Colorado is proud to have Dr. Munson as a constituent and I join his family, friends, and colleagues in congratulating him on this achievement and wishing him the very best of luck.

ETHIOPIA AFTER MELES: THE FUTURE OF DEMOCRACY AND HUMAN RIGHTS

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. SMITH of New Jersey. Mr. Speaker, last week, the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, which I chair, held a hearing that examined the human rights and governance situation in Ethiopia, and the status of U.S. relations with Ethiopia. Given Ethiopia's important cooperation in opposing Islamic militants in Somalia, as well as its cooperation in other counter-terrorism and peacekeeping efforts, the administration has been reluctant to seriously hold the Ethiopian government to account for persistent, egregious human rights violations, including the inability of the opposition political parties to function, restrictions on civil society organizations and journalists that prevent them from operating freely and forced removals of citizens from their lands.

According to the USAID's Assistant Administrator for Africa Earl Gast, ''USAID believes that open channels of communication with the Ethiopian government create opportunities to influence democracy, rights, and governance issues.'' However, Amnesty International testified last week that ''[s]ince 2005 the human rights situation in the country has deteriorated still further, with significantly increased restrictions placed on freedom of expression, association and other rights. Sadly the Ethiopian authorities have not acted in a vacuum during this period. The United States and others in the international community have failed to raise concerns over the government's systematic violation of human rights and flouting of its international obligations. The failure to speak out and press for change has emboldened the government and also allowed Ethiopia to set a dangerous example for other governments in the region to emulate. It is critical that the United States and other members of the international community press the Ethiopian authorities to address human rights concerns and repeal and reform key legislation and policies.''

Amnesty International also noted in its testimony today that ''[f]or Ethiopians held in detention, conditions continue to be extremely harsh. Torture is regularly reported to take place during interrogation in the initial stages of detention, often before the detainees have access to their families or to legal representatives. Prisoners have been slapped, suspended from the walls and ceiling by their wrists, beaten with various objects, denied sleep, electrocuted, and had weights suspended from their genitalia. Solitary confinement for extended periods is often reported. Within prison facilities, sanitation was often reported to be poor. Amnesty International has received reports of medical resources being withheld, and reports of deaths in custody. Food and water is often in short supply, and is supplemented by visiting family members where access is permitted.''

Ethiopia is Africa's second most populous country, after Nigeria, and the United States considers its government to be an important development and regional security partner. Ethiopia plays a key leadership role in the region, hosts the African Union (AU) headquarters, and is a major troop contributor to U.N. peacekeeping operations.

According to the State Department, the three pillars of the bilateral relationship with Ethiopia are economic growth and development; democracy, governance, and human rights; and regional peace and security. Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor Karen Hanrahan stated in an October 2012 speech that ''advancing democracy and human rights is one of our highest priorities in our engagement with Ethiopia.'' Nevertheless, it has been difficult to get cooperation from the current and previous administrations in confronting the Government of Ethiopia on its shortcomings in observing democratic principles and human rights in that country.

In June 2005, following a contentious election in which then-Prime Minister Meles Zenawi and his party seemed to suffer unexpected losses in the legislature, demonstrators, led by college students, took to the streets to protest a delayed release of election results. The government's reaction was to deploy snipers who shot and killed protesters and to jail hundreds of others. An increasingly violent response to protests took place in November of that year. The death toll resulting from both protests was 193, but the number arrested has never been confirmed.

In the summer of 2005, I travelled to Ethiopia to assess the situation and met with Prime Minister Meles, members of his government, political opposition leaders, including one of our witnesses today—Berhanu Nega—civil society representatives, the religious community and the diplomatic community. What I found was a government leader who was arrogant in his certainty that he could arrest his political opposition whenever he wanted. I also found a political opposition convinced that they had won a majority in the legislative elections that year.

Unfortunately, the government's view won the day. Mr. Nega and other political leaders and human rights officials were arrested and held in jail for more than a year on charges that had to continually be changed due to the repeated failure to convict them. Some of them who managed to be released from jail, found themselves forced to live outside their home country, such as Mr. Nega.

The political space for opposition parties continues to be constricted. The imprisonment and prosecution of political leaders has dissolved parties and caused reformulations that also weren't able to continue. Mr. Nega founded Ginbot 7, a new political party in Ethiopia, but two years ago, it was declared a terrorist organization by the Meles government, and not only was it unable to operate openly, but Ethiopian journalists were prevented from reporting on the party or its statements.

Similarly, the Government of Ethiopia, according to the State Department's human rights report, continued to imprison more than 400 opposition leaders, activists, and local journalists by the end of 2012, many on vague national security-related charges.

As of 2011, the Ethiopian government had completed long-term cheap land leases on more than 3.6 million hectares (equivalent to the size of the Netherlands), mainly to large-scale foreign agricultural investors, and an additional 2.1 million hectares of land has since been made available for such leases to foreigners. An estimated 1.5 million Ethiopians in four regions have been displaced, many of them subject to a supposedly voluntary program known as ''villagization.'' Others displaced due to these land leases or because of major dam projects now reside in refugee camps in Kenya.

Despite an unacceptable political and human rights environment in Ethiopia, we hold out hope that the post-Meles government may yet change the direction the government has taken for so long. Earlier this month, thousands of Ethiopians protested political repression in the capital city of Addis Ababa. Under the late Prime Minister Meles, such a show of defiance likely would have been met with official violence and mass arrests, but the government of current Prime Minister Hailemariam Desalegn did not react in that way. This is an encouraging sign that the current Ethiopian government may consider changing its course and allowing its citizens to effectively express themselves—including at the ballot box.

Our witnesses last week included the former U.S. ambassador to Ethiopia, the U.S. official in charge of our significant aid portfolio to Ethiopia, the former elected mayor of Addis Ababa, a member of the first U.S. delegation to meet with the current government and a longtime Ethiopian activist on human rights issues.

RECOGNIZING CLARINETIST ARIANNA BEYER, WINNER OF THE 2013 UNITED STATES NAVY BAND HIGH SCHOOL CONCERTO COMPETITION

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. WEBSTER of Florida. Mr. Speaker, it is my pleasure to congratulate clarinetist Arianna Beyer on competing in and winning the 2013 United States Navy Band High School Concerto Competition. This annual competition identifies the best high school musical talent in the nation and allows the finalists to travel to Washington, D.C. to compete for a chance to perform a prepared solo piece with the world-renowned United States Navy Band.

For 12 years now, the United States Navy Band has hosted this national competition. After each student submits an audio recording, the United States Navy Band evaluates each submission and selects the finalists to come to Washington, D.C. to perform at the competition. This competition is not only used as a method of motivating and rewarding inspiring musicians, but also to stimulate America's future leaders. In order to win this competition, Ms. Beyer sacrificed a vast amount of her time and dedicated herself to this goal. Her relentless pursuit of maximizing her potential has allowed her to gain tremendous recognition as a clarinetist at a young age. Ms. Beyer continues to go above and beyond all expectations in her musical endeavors.

Her accomplishments do not end with winning the United States Navy Band High School Concerto Competition. She has excelled in the classroom and as a leader in her community. Arianna continues to give back by mentoring peers in both music and academic curriculums. In addition, Arianna is a 2013 Emerson Scholar and has received a full merit scholarship to attend Interlochen Center for the Arts in Michigan this upcoming summer. In the fall of 2013, she will begin her dual degree studies at the Eastman School of Music and the College of Arts and Sciences at the University of Rochester.

On behalf of the citizens of Central Florida, I am pleased to recognize and applaud Arianna for her hard work, dedication and achievement. She is most deserving of this prestigious honor as the winner of the 2013 United States Navy Band High School Concerto Competition. May her character and passion inspire others to follow in her footsteps. I wish her great success as she applies her dedication toward even higher pursuits.

RECOGNIZING THE VOLUNTEERS FOR PROJECT MEND-A-HOUSE

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize the volunteers for Project Mend-A-House.

A joint effort between private citizens and the Prince William County government, Project Mend-A-House was created in 1984. At the time, Lily Blackwell was a volunteer delivering meals to seniors who were confined to their homes due to disabilities. Her call to action began with the observation that a number of seniors along her delivery route could no longer perform necessary home repairs. Basic home repair and some structural improvements were needed to ensure that these disabled seniors remained safe and independent. Ms. Blackwell partnered with Toni Clemons-Porter and Lin Wagener of the Prince William Area Agency on Aging to create the foundation of an organization that has now provided humanitarian assistance for a quarter of a century.

Project Mend-A-House completes home repairs and safety modifications to facilitate independent living for seniors, the disabled, and low-income residents. Over the years, projects have ranged from fixing termite damage in an older home to making entire houses more accessible with wheelchair ramps, hand rails, shower seats and transfer benches. The work is truly a community effort. Local corporate partners provide monetary support, volunteers and building materials. Civic associations and faith based groups contribute hundreds of volunteer hours to Project Mend-A-House each year. Project Mend-A-House puts everyone to work regardless of skill level to improve the quality of life for our disabled, elderly and low income neighbors.

It is my honor to enter into the CONGRESSIONAL RECORD the names of the volunteers for Project Mend-A-House:

Lee Bertand, Edie Clark, Don McCubbin, Steven Donovan, Rich Feickert, Kristen Hull, Tajr Hull, Dave Kaiser, Bob Leiker, Terry Lopez, Chris Maddocks, Sally Okuly, Marty Raines, Barbara Reese, David Seigrist, Dave Rogers, Matt Schaffer, Gail Straker, Guy Straker, Therese Swetnam, Terry Swirchak, Sarah Tamai.

Mr. Speaker, I ask that my colleagues join me in commending the volunteers of Project Mend-A-House for their service and in thanking them for their dedication to our community.

CELEBRATING THE 2013 STANLEY CUP CHAMPION BLACKHAWKS

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to congratulate the Chicago Blackhawks on winning the 2013 Stanley Cup. As the team lifted the historic Stanley Cup in the air, it was as if they were lifting the City of Chicago itself.

From beginning to end, the Blackhawks were the best team in the National Hockey League. They had the best start in NHL history, setting the record for most consecutive points scored to start a season. Entering the playoffs they were the overall number one seed. The team faced and defeated the Minnesota Wild, Detroit Red Wings, and the Los Angeles Kings to win the Clarence S. Campbell Bowl as Western Conference champions.

Led by Coach Joel Quenneville, the Blackhawks faced the Boston Bruins in the Stanley Cup Finals. It was truly a team effort to overcome the physicality and aggressiveness of the Bruins. After a hard-fought series, it came down to 2 goals scored in 17 seconds late in the third period, by Bryan Bickell and Dave Bolland, to overcome a one goal deficit to win the Stanley Cup. Patrick Kane became only the 4th American player to win the Conn Smythe Trophy as NHL Playoff MVP.

As a lifelong Chicagoan I take great pride in congratulating the Blackhawks on another thrilling season. I thank them for bringing the Stanley Cup back to the Madhouse on Madison.

HONORING THE MEMORY OF LT. COL. FRANK BLACKBURN

HON. RICHARD L. HANNA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. HANNA. Mr. Speaker, I rise today to honor the memory of a great American, Lt. Col. Frank Blackburn, of Rome, NY, who will be buried with full military honors in Arlington National Cemetery on Thursday, 27 June, 2013. Lt. Col. Blackburn was commissioned as a second lieutenant in the U.S. Air Force in December 1953 after completing flight training school in Texas. He graduated from Syracuse University.

Lt. Col. Blackburn had a distinguished flying career with the Air Force. He was stationed in Korea following the war with the 405th Fighter-Bomber Wing at Langley, VA; with the 353rd Tactical Fighter Squadron in Myrtle Beach, SC; as a missile crew commander in Sembach, Germany; and with the 37th Tactical Fighter wing in Vietnam from 1968 to 1969, as a forward air controller. He rose to the rank of Lieutenant Colonel and retired from the service in 1972. While in the Air Force, Frank piloted many of the nation's earliest and most important jet aircraft, including the F–84, F–86 Sabre and the F100 Super Sabre.

Lt. Col. Blackburn earned numerous commendations, including: the Bronze Star Medal, Meritorious Service Medal, National Defense Service Medal with one Oak Leaf Cluster, Korean Service Medal, United Nations Service Medal, Good Conduct Medal, Air Force Longevity Service Award with three Oak Leaf Clusters, Distinguished Unit Citation, Air Force Expeditionary Medal, Armed Forces Reserve Medal, Small Arms Expert Marksman Ribbon, Vietnam Service Medal with one Bronze Service Star, Republic of Vietnam Campaign Medal, Presidential Unit Citation, and Air Force Medal.

He followed this career with 25 years of service at PAR Technology Corp. in Rome, NY where his responsibilities included operations, purchasing, and security. He and his wife, Donna Logan Blackburn raised five children: Wendy, James, Debra, David and Andrea. Lt. Col. Blackburn served as a council member, elder and Sunday School teacher at St. John Lutheran Church in Rome and he was a member of the Retired Officers Association and a past member of the Rome Kiwanis Club.

Mr. Speaker, Lt. Col. Blackburn was a 20-year career U.S. Air Force officer, a dedicated husband, father, grandfather and member of his community. Let us honor him as a true American patriot. May his memory never be forgotten.

TRIBUTE TO KAREN REGNO

HON. BILL FLORES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. FLORES. Mr. Speaker, I submit this statement on behalf of the office of the Chief of Legislative Liaison.

Karen Regno has faithfully worked for the better interests of our country for nearly 22 years in the Department of Veterans Affairs, the Department of Defense, the Patent and Trademark Office, and even for a short time as a Fellow in a Congressional office in Washington, D.C.

Originally from Waco, Texas, Karen brings a well-rounded knowledge of the nongovernmental world as well, as evidenced by her 14 years working for Bell South and then later AT&T. She took her education seriously during this time and earned her undergraduate degree in Business from the University of Maryland, an MBA from Kennesaw State University, a Masters Certificate in Project Management from George Washington University, and a certification as a Project Management Professional.

Karen returned to civil service in May of 2009, and has served as the Congressional Affairs Contact Officer for the office of the Assistant Secretary of the Army for Acquisition, Logistics, and Technology since that time. She takes the utmost care to ensure that the Office of the Assistant Secretary of the Army for Acquisition, Logistics and Technology provides timely and accurate responses to all Congressional inquiries and requests. As a Member of Congress, I cannot emphasize enough how valuable this capability and dedication to the job is to the efficient and effective running of our government.

Service to our country runs in her family. Her Father, Bryan, served in the Marines during World War II in Guam, Iwo Jima, Guadalcanal, and the Philippines; her older brother, Rob, served in the Army during Vietnam; her father-in-law, Jim, served in the Army; her son-in-law, Todd, is a Colonel in the Army currently serving in Stuttgart, Germany; and her daughter Keli, is an Assistant District Attorney in Texas. She has not only seen the examples of those who came before her, but has also been an example to those who have come after about the importance of serving our country.

We, the office of the Chief of Legislative Liaison, wish her the best of luck as she steps into this next adventure as she travels, goes to as many baseball games as possible, and spends time with her grandkids.

RECOGNIZING THE TIRELESS SERVICE AND EARNEST DEDICATION OF THE DARDEN FOUNDATION AND SECOND HARVEST FOOD BANK OF CENTRAL FLORIDA

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. WEBSTER of Florida. Mr. Speaker, I am pleased to recognize the tireless service and earnest dedication of the Darden Foundation, the charitable arm of Darden Restaurants, Inc., on their awarding of over $200,000 during the month of April 2013 to Florida nonprofit organizations through their Restaurant Community Grants program. The altruistic aspiration to improve Florida through their philanthropic support of charitable organizations is to be admired.

The value of service for Darden Restaurants was defined over 40 years ago by Darden's founder, Bill Darden, who established a culture that rewards caring for and responding to people. Darden's Restaurant Community Grants program is a local initiative which strives to make an impact in the communities Darden and its restaurant brands serve by engaging and supporting nonprofit community organizations. The Darden Foundation focuses its efforts on three key program areas: access to postsecondary education, preservation of natural resources and elimination of hunger. Every restaurant in the Darden family of brands is empowered with the opportunity to help award a $1,000 grant to exceptional nonprofit organizations that align with Darden's three areas of focus.

In addition, it is my pleasure to recognize Second Harvest Food Bank of Central Florida, which has partnered with Darden in a joint effort to combat hunger. For nearly three decades, Second Harvest has fought hunger by collecting, storing and distributing donated food items to over 500 partnering agencies throughout six Central Florida counties. In partnership with Darden, Second Harvest's Food Rescue Program picks up prepared food items from various Central Florida Darden restaurants and delivers the food items to surrounding nonprofit agencies who serve meals to people in need. Darden has also united with Second Harvest's ''Building Solutions to Hunger'' campaign with a leadership gift of $750,000 to assist Second Harvest's construction of a new facility that will be better equipped to meet the needs of the Central Florida community.

On behalf of the citizens of Central Florida, it is my pleasure to recognize the selfless work of the Darden Foundation and Second Harvest Food Bank of Central Florida. May their example of continuous service and generosity inspire many to follow in their footsteps.

PERSONAL EXPLANATION

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. LAMBORN. Mr. Speaker, I was unavoidably detained due to a family medical situation and was unable to vote on rollcall No. 287 and rollcall No. 288.

Had I been present, I would have voted ''yea'' on rollcall No. 287 and ''yea'' on rollcall No. 288.

HONORING THE LIFE AND SERVICE OF LUCIANO JAVIER MALIGAD SR.

HON. TOM McCLINTOCK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 2013

Mr. McCLINTOCK. Mr. Speaker, I rise to honor the life and service of Luciano Javier Maligad Sr., who passed away on June 21, 2013 at the age of 84 in Elk Grove, California. Luciano grew up in the Philippines and immigrated to the United States, spending years in military service to this country.

As a young teen Luciano witnessed the Japanese invasion of the Philippines and helped American forces by reporting Japanese troop and munitions movements. He later took a job as a civilian contractor for the U.S. Army in Guam and served as a volunteer for three years in the Korean War.

Luciano became a naturalized American citizen in 1955 and joined the U.S. Air Force, deploying to Vietnam. In Vietnam he served as an aircraft and auto mechanic and also helped start a library for active-duty soldiers. Luciano was also deployed to the Netherlands, Hawaii and California, and retired as a Tech Sergeant after 21 years of service.

Luciano was predeceased by his daughter Andrea and is survived by his wife Mary, five children and numerous grandchildren.

He was a man proud of serving his country, thankful for the opportunity to live in freedom and bequeath it to his posterity, and blessed with a loving family.

Mr. Speaker, Luciano's life embodies the true meaning of the American Dream. It is with a grateful heart that I rise today to honor his memory.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose

of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 27, 2013 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 9

2:30 p.m.
Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

JULY 11

2:15 p.m.
Committee on Foreign Relations
To hold hearings to examine the nominations of Victoria Nuland, of Virginia, to be Assistant Secretary for European and Eurasian Affairs, Douglas Edward Lute, of Indiana, to be United States Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador, and Daniel Brooks Baer, of Colorado, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador, all of the Department of State.
SD–419

2:30 p.m.
Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

JULY 16

2:30 p.m.
Committee on Energy and Natural Resources
Subcommittee on Water and Power
To hold hearings to examine the Bureau of Reclamation's Colorado River Basin Water Supply and Demand Study.
SD–366

JULY 18

9:30 a.m.
Committee on Armed Services
To hold hearings to examine the nominations of General Martin E. Dempsey, USA for reappointment to the grade of general and reappointment as Chairman of the Joint Chiefs of Staff, and Admiral James A. Winnefeld, Jr., USN for reappointment to the grade of admiral and reappointment as Vice Chairman of the Joint Chiefs of Staff, both of the Department of Defense.
SH–216

SEPTEMBER 11

10:30 a.m.
Committee on Appropriations
Subcommittee on Financial Services and General Government
To hold hearings to examine proposed budget estimates and justification for fiscal year 2014 for the Federal Communications Commission.
SD–138